LAWS
OF THE
STATE OF ILLINOIS
NINETY EIGHTH
GENERAL ASSEMBLY

2014

PUBLIC ACT 98-626
THRU
PUBLIC ACT 98-1175
STATE OF ILLINOIS
OFFICE OF THE SECRETARY OF STATE

The Session Laws of Illinois are compiled, printed and distributed annually by the Secretary of State pursuant to Sections 10(f) and 10(g) of an Act entitled, "General Assembly Operation Act", effective September 6, 1990. (25 Illinois Compiled Statutes, 10/10(f) and 10/10(g))

The text of the documents contained in this publication is printed identical to the originals on file in the Office of the Secretary of State. No attempt has been made to correct misspelled words or errors in punctuation, if any.

JESSE WHITE
Secretary of State

(15 ID 01 5000-100-03/15)

(Printed by authority of the General Assembly of the State of Illinois.)
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"§ 10. Effective Date of Laws
   The General Assembly shall provide by law for a uniform effective date for laws passed prior to June 1 of a calendar year. The General Assembly may provide for a different effective date in any law passed prior to June 1. A bill passed after May 31 shall not become effective prior to June 1 of the next calendar year unless the General Assembly by the vote of three-fifths of the members elected to each house provides for an earlier effective date."

5 ILLINOIS COMPILED STATUTES CHAPTER 75

75/1. Effective Date of Laws
"§1 (a) A bill passed prior to June 1 of a calendar year that does not provide for an effective date in the terms of the bill shall become effective on January 1 of the following year, or upon its becoming a law, whichever is later.
   (b) A bill passed prior to June 1 of a calendar year that does provide for an effective date in the terms of the bill shall become effective on that date if that date is the same as or subsequent to the date the bill becomes a law; provided that if the effective date provided in the terms of the bill is prior to the date the bill becomes a law then the date the bill becomes a law shall be the effective date."

75/2. Special Effective Dates
"§2 A bill passed after May 31 of a calendar year shall become effective on June 1 of the next calendar year unless the General Assembly by a vote of three-fifths of the members elected to each house provides for an earlier effective date in the terms of the bill or unless the General Assembly provides for a later effective date in the terms of the bill; provided that if the effective date provided in the terms of the bill is prior to the date the bill becomes a law then the date the bill becomes a law shall be the effective date."
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VIP - Approved with appropriation items vetoed.
IR - Approved with appropriation items reduced.
AV - Amendatory veto (returned to G.A. with recommendations for change).
P - General Assembly action pending.
O - Governor’s action overridden by General Assembly.
CERT - AV accepted by the G. A. and certified by the Governor.
NPA - No positive action by the G. A.
* - Generally effective this date, some sections other dates.
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**2014 SESSION**
**FEBRUARY 5, 2014 THROUGH APRIL 3, 2015**

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VIP - Approved with appropriation items vetoed.
IR - Approved with appropriation items reduced.
AV - Amendatory veto (returned to G.A. with recommendations for change).
P - General Assembly action pending.
O - Governor’s action overridden by General Assembly.
CERT - AV accepted by the G. A. and certified by the Governor.
NPA - No positive action by the G. A.
* - Generally effective this date, some sections other dates.
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### 2014 Session

**February 5, 2014 Through April 3, 2015**

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AN ACT concerning revenue.

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

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

(15 ILCS 20/50-5)

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

(a) The Governor shall, as soon as possible and not later than the second Wednesday in March in 2010 (March 10, 2010), the third Wednesday in February in 2011, the fourth Wednesday in February in 2012 (February 22, 2012), the first Wednesday in March in 2013 (March 6, 2013), the fourth Wednesday in March in 2014 (March 26, 2014), and the third Wednesday in February of each year thereafter, except as otherwise provided in this Section, submit a State budget, embracing therein the amounts recommended by the Governor to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, and the estimated revenues from sources other than taxation. Except with respect to the capital development provisions of the State budget, beginning with the revenue estimates prepared for fiscal year 2012, revenue estimates shall be based solely on: (i) revenue sources (including non-income resources), rates, and levels that exist as of the date of the submission of the State budget for the fiscal year and (ii) revenue sources (including non-income resources), rates, and levels that have been passed by the General Assembly as of the date of the submission of the State budget for the fiscal year and that are authorized to take effect in that fiscal year. Except with respect to the capital development provisions of the State budget, the Governor shall determine available revenue, deduct the cost of essential government services, including, but not limited to, pension payments and debt service, and assign a percentage of the remaining revenue to each statewide prioritized goal, as established in Section 50-25 of this Law, taking into consideration the proposed goals set forth in the report of the Commission established under that Section. The Governor shall also demonstrate how spending priorities for the fiscal year fulfill those statewide goals. The amounts recommended by the Governor for appropriation to the respective departments, offices and institutions shall be formulated according to each department's, office's, and institution's ability to effectively deliver

New matter indicated by italics - deletions by strikeout
services that meet the established statewide goals. The amounts relating to particular functions and activities shall be further formulated in accordance with the object classification specified in Section 13 of the State Finance Act. In addition, the amounts recommended by the Governor for appropriation shall take into account each State agency's effectiveness in achieving its prioritized goals for the previous fiscal year, as set forth in Section 50-25 of this Law, giving priority to agencies and programs that have demonstrated a focus on the prevention of waste and the maximum yield from resources.

Beginning in fiscal year 2011, the Governor shall distribute written quarterly financial reports on operating funds, which may include general, State, or federal funds and may include funds related to agencies that have significant impacts on State operations, and budget statements on all appropriated funds to the General Assembly and the State Comptroller. The reports shall be submitted no later than 45 days after the last day of each quarter of the fiscal year and shall be posted on the Governor's Office of Management and Budget's website on the same day. The reports shall be prepared and presented for each State agency and on a statewide level in an executive summary format that may include, for the fiscal year to date, individual itemizations for each significant revenue type as well as itemizations of expenditures and obligations, by agency, with an appropriate level of detail. The reports shall include a calculation of the actual total budget surplus or deficit for the fiscal year to date. The Governor shall also present periodic budget addresses throughout the fiscal year at the invitation of the General Assembly.

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

For the purposes of Article VIII, Section 2 of the 1970 Illinois Constitution, the State budget for the following funds shall be prepared on the basis of revenue and expenditure measurement concepts that are in concert with generally accepted accounting principles for governments:

(1) General Revenue Fund.
(2) Common School Fund.
(3) Educational Assistance Fund.
(4) Road Fund.

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(6) Agricultural Premium Fund.

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

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

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

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

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

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

(b) By February 24, 2010, the Governor must file a written report with the Secretary of the Senate and the Clerk of the House of Representatives containing the following:

(1) for fiscal year 2010, the revenues for all budgeted funds, both actual to date and estimated for the full fiscal year;
(2) for fiscal year 2010, the expenditures for all budgeted funds, both actual to date and estimated for the full fiscal year;
(3) for fiscal year 2011, the estimated revenues for all budgeted funds, including without limitation the affordable General Revenue Fund appropriations, for the full fiscal year; and
(4) for fiscal year 2011, an estimate of the anticipated liabilities for all budgeted funds, including without limitation the affordable General Revenue Fund appropriations, debt service on bonds issued, and the State's contributions to the pension systems, for the full fiscal year.

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

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

(Source: P.A. 97-669, eff. 1-13-12; 97-813, eff. 7-13-12; 98-2, eff. 2-19-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly February 5, 2014.
Approved February 5, 2014.
Effective February 5, 2014.

PUBLIC ACT 98-0627
(House Bill No. 1040)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Open Operating Standards Act.

Section 5. Definitions. As used in this Act:
"Cloud computing" has the meaning provided by Special Publication 800-145 issued by the National Institute of Standards and Technology of the United States Department of Commerce.
"Data" means final versions of statistical or factual information: (a) in alphanumeric form reflected in a list, table, graph, chart, or other non-narrative form that can be digitally transmitted or processed; and (b) regularly

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created or maintained by or on behalf of and owned by an agency that records a measurement, transaction, or determination related to the mission of an agency. "Data" does not include information provided to an agency by other governmental entities, nor does it include image files, such as designs, drawings, maps, photos, or scanned copies of original documents, except that it does include statistical or factual information about such image files and shall include geographic information system data. "Data" does not include:

(1) data to which an agency may deny access pursuant to any provision of a federal, State, or local law, rule, or regulation, including, but not limited to, the Freedom of Information Act;

(2) data that contains a significant amount of information to which an agency may deny access pursuant to any provision of a federal, State, or local law, rule, or regulation;

(3) data that reflects the internal deliberative process of an agency or agencies, including but not limited to negotiating positions, future procurements, or pending or reasonably anticipated legal or administrative proceedings;

(4) data stored on an agency-owned personal computing device, or data stored on a portion of a network that has been exclusively assigned to a single agency employee or a single agency owned or controlled computing device;

(5) materials subject to copyright, patent, trademark, confidentiality agreements, or trade secret protection;

(6) proprietary applications, computer code, software, operating systems, or similar materials;

(7) employment records, internal employee-related directories or lists, facilities data, information technology, internal service-desk and other data related to internal agency administration; and

(8) any other data the publication of which is prohibited by law.

"Grant funds" means any public funds dispensed by a grantor agency to any person or entity for obligation, expenditure, or use by that person or entity for a specific purpose or purposes and any funds disbursed by the State Comptroller pursuant to an appropriation made by the General Assembly to a named entity or person. Funds disbursed in accordance with a fee for service purchase of care contract are not grant funds for purposes of this Act.

Neither the method by which funds are dispensed whether by contract, agreement, grant subsidy, letter of credit, or any other method nor the purpose

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for which the funds are used can change the character of funds which otherwise would be considered grant funds as defined in this Section.

"Grantee" means the person or entity which may use grant funds. "Grantor agency" means a State agency that dispenses grant funds. "Open operating standard" means a technical standard developed and maintained by a voluntary consensus standards body that is available to the public without royalty or fee. "Public data" means all data that is collected by any unit of State or local government in pursuance of that entity's official responsibilities which is otherwise subject to disclosure pursuant to the Freedom of Information Act, and is not prohibited from disclosure pursuant to any other contravening legal instrument, including, but not limited to, a superseding provision of federal or State law or an injunction from a court of competent jurisdiction.

"State agency" or "agency" has the meaning ascribed to the term "agency" in Section 3.1 of the Executive Reorganization Implementation Act. "Strategic enterprise application plan" means a comprehensive program developed by a State agency, articulating both principles and goals related to the application of its services and programs to the current and future needs of enterprise in Illinois. "Strategic plan" means an organization's evaluation, over a period of up to 5 years, of its strategy and direction, including a framework for decision-making with respect to resource allocation to achieve defined goals. "Voluntary consensus standards body" means an organization that plans, develops, establishes, or coordinates voluntary consensus standards using agreed-upon procedures. A voluntary consensus standards body has the following attributes: openness; balance of interest; due process; an appeals process; and consensus.

Section 10. Open operating standard.

(a) There is hereby established an open operating standard, to be known as "Illinois Open Data", for the State of Illinois. Under this open operating standard, each agency of State government under the jurisdiction of the Governor shall make available public data sets of public information. Any unit of local government may adopt the State standard for itself.

(b) To implement this Act, the Office of the Governor may, by rule, establish policies, standards, and guidance as required herein. The Illinois Administrative Procedure Act is hereby expressly adopted and shall apply to all rules made pursuant to this Act.

Section 15. Function; protocol and compliance.
(a) Public data sets that are made available on the Internet by agencies shall be accessible through a single web portal that is linked to data.illinois.gov or any successor website maintained by, or on behalf of, the State of Illinois. If an agency cannot make all such public data sets available on the single web portal, the agency shall report to the Office of the Governor the public data set or sets it is unable to make available, the reasons why it cannot do so, and the date by which the agency expects those data sets to be available on the single web portal.

(b) Public data sets shall be made available in accordance with technical standards published by the Office of the Governor. The technical standards shall be determined by the Office of the Governor, in consultation with the subject matter experts from all State agencies and representatives of units of local government, not-for-profit organizations specializing in technology and innovation, the academic community, and other interested groups as designated by the Office of the Governor.

(1) Public data sets shall be provided in a format that permits public notification of all updates whenever possible. The Office of the Governor shall, by rule, in consultation with subject matter experts from interested State agencies, establish appropriate policies, procedures, and protocols for the coordinated management of the State's information technology resources.

(2) Public data sets shall be updated as often as is necessary to preserve the integrity and usefulness of the data sets, to the extent that the agency regularly maintains or updates the public data set.

(3) Public data sets shall be made available without any registration requirement, license requirement, or restrictions on their use provided that the agency may require a third party providing to the public any public data set, or application utilizing such data set, to explicitly identify the source and version of the public data set and a description of any modifications made to such public data set. Registration requirements, license requirements, or restrictions as used in this Section shall not include measures designed or required to ensure access to public data sets, to protect the single website housing public data sets from unlawful abuse or attempts to damage or impair use of the website, or to analyze the types of data being used to improve service delivery.

(4) Public data sets shall be accessible to external search capabilities.

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(c) Within 60 days of the effective date of this Act, the Office of the Governor shall prepare and publish: (1) a technical standards manual for the publishing of public data sets in raw or unprocessed form through a single web portal by State agencies for the purpose of making public data available to the greatest number of users and for the greatest number of applications and shall, whenever practicable, use open standards for web publishing and e-government.

The manual shall identify the reasons why each technical standard was selected and for which types of data it is applicable, and may recommend or require that data be published in more than one technical standard. The manual shall include a plan to adopt or utilize a web application programming interface that permits application programs to request and receive public data sets directly from the web portal. The manual and related policies may be updated as necessary.

(d) The Office of the Governor shall consult with units of local government, not-for-profit organizations with a specialization in technology and innovation, agencies of other states, academic institutions, and voluntary consensus standards bodies, and, when such participation is feasible, in the public interest, and compatible with agency and departmental missions, authorities, and priorities, participate with such bodies in the development of technical and open standards.

(e) Within 120 days of the effective date of this Act, each State agency shall submit a compliance plan, together with a draft long-term strategic enterprise application plan consistent with this Act, to the Office of the Governor and shall make such plan available to the public on the data.illinois.gov web portal. Each State agency shall collaborate with the Governor's Office in formulating its plan. The plan shall include:

(1) a summary description of public data sets under the control of each State agency on or after the effective date of this Act; and

(2) a summary explanation of how its plans, charters, budgets, capital expenditures, contracts, and other related documents and information for each information technology and telecommunications project it proposes to undertake can be utilized to support Illinois Open Data and related savings and efficiencies. The plan shall prioritize public data sets for inclusion on the single web portal on or before December 31, 2014, in accordance with the standards provided for in subsections (b) and (c) of this Section.

(f) For purposes of prioritizing public data sets, State agencies shall consider whether information embodied in the public data set: (1) can be used
to increase agency accountability and responsiveness; (2) improves public knowledge of the agency and its operations; (3) furthers the mission of the agency; (4) creates economic opportunity; (5) is received via the on-line forum for inclusion of particular public data sets; or (6) responds to a need or demand identified by public consultation.

(g) Consistent with both the Executive Order 10 (2010) directive requiring State agencies to limit information technology expenditures by increasing the use of cloud computing where appropriate, and with the initiatives and standards announced in the United States Department of Homeland Security publication "Federal Cloud Computing Strategy" dated February 8, 2011, all State agencies are required to evaluate safe, secure cloud computing options, before making any new information technology or telecommunications investments, and, if feasible, adopt appropriate cloud computing solutions. Each State agency shall re-evaluate its technology sourcing strategy to include consideration and use of cloud computing solutions as part of the budget process.

Section 20. Grant information reporting.

(a) Each grantor agency that is authorized to award grant funds to an entity other than the State of Illinois shall coordinate with the Office of the Governor to periodically provide for publication, at data.illinois.gov or any other publicly accessible website designated by the Governor's Office, of data sets containing information regarding awards of grant funds that the grantor agency has made during the previous fiscal year. The data sets shall include, at a minimum, the following:

(1) the name of the grantor agency;
(2) the name of the grantee;
(3) a short description of the purpose of the award of grant funds;
(4) the amount of each award of grant funds;
(5) the date of each award of grant funds; and
(6) the duration of each award of grant funds.

In addition, each grantor agency shall make best efforts, with available resources and technology, to make available in the data sets any other data that is relevant to its award of grant funds.

(b) Data not subject to the requirements of this Section include, but are not limited to, data to which a State agency may deny access pursuant to any provision of a federal, State, or local law, rule, or regulation, as well as data that contain a significant amount of data to which a State agency may

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deny access pursuant to any provision of a federal, State, or local law, rule, or regulation.

Section 25. Open data legal policies.
(a) The Office of the Governor shall conspicuously publish the open data legal policies contained in subsection (c) of this Section on the web portal.
(b) The Office of the Governor may establish and maintain an on-line forum to solicit feedback from the public and to encourage public discussion on open data policies and public data set availability on the web portal.
(c) Open data legal policy. The use of the public data provided under this Act is subject to the following:
   (1) Public data sets made available on the web portal are provided for informational purposes only. The State does not warrant the completeness, accuracy, content, or fitness for any particular purpose or use of any public data set made available on the web portal, nor are any such warranties to be implied or inferred with respect to the public data sets furnished under this Act.
   (2) The State is not liable for any deficiencies in the completeness, accuracy, content, or fitness for any particular purpose or use of any public data set or any third party application utilizing such data set.
   (3) Nothing in this Act shall be construed to create a private right of action to enforce its provisions.
   (4) All public data sets shall be entirely in the public domain for purposes of federal copyright law.

Section 30. General provisions.
(a) To the extent that any Executive Order, Administrative Order, Intergovernmental or Interagency Agreement (to which the State of Illinois or one of its executive branch agencies is a party), or other policy, procedure, or protocol conflicts with, contradicts, or is inconsistent with any provision of this Act, that conflicting, contradicting, or inconsistent Order, Agreement, policy, procedure, or protocol is hereby expressly revoked, repealed, and superseded.
(b) Nothing in this Act shall be construed to contravene any State or federal law or any collective bargaining agreement.

Section 35. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 40. Repealer. This Act is repealed on January 21, 2019.
Section 99. Effective date. This Act takes effect upon becoming law, except that Section 20 takes effect on January 1, 2014.
Passed in the General Assembly March 6, 2014.
Approved March 7, 2014.
Effective March 7, 2014.

PUBLIC ACT 98-0628
(House Bill No. 2317)

AN ACT concerning revenue.

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

Section 3. The Use Tax Act is amended by changing Section 2 as follows:

(35 ILCS 105/2) (from Ch. 120, par. 439.2)

Sec. 2. "Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it does not include the sale of such property in any form as tangible personal property in the regular course of business to the extent that such property is not first subjected to a use for which it was purchased, and does not include the use of such property by its owner for demonstration purposes: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. "Use" does not mean the demonstration use or interim use of tangible personal property by a retailer before he sells that tangible personal property. For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay on the retailers' original cost price the tax imposed by this Act, and no credit for that tax is permitted if the watercraft or aircraft is subsequently sold by the retailer. "Use" does not mean the physical incorporation of tangible personal property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, into other tangible personal property (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the

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extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing.

"Watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of tangible personal property for a valuable consideration.

"Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced by-product of manufacturing. "Sale at retail" includes any such transfer made for resale unless made in compliance with Section 2c of the Retailers' Occupation Tax Act, as incorporated by reference into Section 12 of this Act. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price are sales.

"Sale at retail" shall also be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

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The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's tax liability under the "Retailers' Occupation Tax Act", or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

Notwithstanding any law to the contrary, for any motor vehicle, as defined in Section 1-146 of the Vehicle Code, that is sold on or after July 1, 2014 for the purpose of leasing the vehicle for a defined period that is longer than one year and (1) is a motor vehicle of the second division that: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers; or (C) has a gross vehicle weight rating of 8,000 pounds or less or (2) is a motor vehicle of the first division, "selling price" or "amount of sale" means the consideration received by the lessor pursuant to the lease contract, including amounts due at lease signing and all monthly

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or other regular payments charged over the term of the lease. Also included in the selling price is any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, including, but not limited to, excess mileage charges and charges for excess wear and tear. For sales that occur in Illinois, with respect to any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, the lessor who purchased the motor vehicle does not incur the tax imposed by the Use Tax Act on those amounts, and the retailer who makes the retail sale of the motor vehicle to the lessor is not required to collect the tax imposed by this Act or to pay the tax imposed by the Retailers' Occupation Tax Act on those amounts. However, the lessor who purchased the motor vehicle assumes the liability for reporting and paying the tax on those amounts directly to the Department in the same form (Illinois Retailers' Occupation Tax, and local retailers' occupation taxes, if applicable) in which the retailer would have reported and paid such tax if the retailer had accounted for the tax to the Department. For amounts received by the lessor from the lessee that are not calculated at the time the lease is executed, the lessor must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. If the retailer is entitled under this Act to a discount for collecting and remitting the tax imposed under this Act to the Department with respect to the sale of the motor vehicle to the lessor, then the right to the discount provided in this Act shall be transferred to the lessor with respect to the tax paid by the lessor for any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed; provided that the discount is only allowed if the return is timely filed and for amounts timely paid. The "selling price" of a motor vehicle that is sold on or after July 1, 2014 for the purpose of leasing for a defined period of longer than one year shall not be reduced by the value of or credit given for traded-in tangible personal property owned by the lessor, nor shall it be reduced by the value of or credit given for traded-in tangible personal property owned by the lessee, regardless of whether the trade-in value thereof is assigned by the lessee to the lessor. In the case of a motor vehicle that is sold for the purpose of leasing for a defined period of longer than one year, the sale occurs at the time of the delivery of the vehicle, regardless of the due date of any lease payments. A lessor who incurs a Retailers' Occupation Tax liability on the sale of a motor vehicle coming off lease may not take a credit against that liability for the Use Tax the lessor paid upon the purchase of the motor vehicle (or for any tax the lessor paid

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with respect to any amount received by the lessor from the lessee for the leased vehicle that was not calculated at the time the lease was executed) if the selling price of the motor vehicle at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph. Notwithstanding any other provision of this Act to the contrary, lessors shall file all returns and make all payments required under this paragraph to the Department by electronic means in the manner and form as required by the Department. This paragraph does not apply to leases of motor vehicles for which, at the time the lease is entered into, the term of the lease is not a defined period, including leases with a defined initial period with the option to continue the lease on a month-to-month or other basis beyond the initial defined period.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a retailer hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is a retailer with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or
educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. This paragraph does not apply to nor subject to taxation occasional dinners, social or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not a retailer under this Act with respect to such transactions.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are retailers hereunder when engaged in such business.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail or a sale through a bulk vending machine does not make such person a retailer hereunder. However, any person who is engaged in a business which is not subject to the tax imposed by the "Retailers' Occupation Tax Act" because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is a retailer to the extent of the value of the tangible personal property so transferred. If, in such transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purposes of this Act, is the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property.

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"Retailer maintaining a place of business in this State", or any like term, means and includes any of the following retailers:

1. A retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State. However, the ownership of property that is located at the premises of a printer with which the retailer has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the printed product is produced shall not result in the retailer being deemed to have or maintain an office, distribution house, sales house, warehouse, or other place of business within this State.

1.1. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which the person, for a commission or other consideration based upon the sale of tangible personal property by the retailer, directly or indirectly refers potential customers to the retailer by a link on the person's Internet website. The provisions of this paragraph 1.1 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers who are referred to the retailer by all persons in this State under such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December.

1.2. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which:

A. the retailer sells the same or substantially similar line of products as the person located in this State and does so using an identical or substantially similar name, trade name, or trademark as the person located in this State; and

B. the retailer provides a commission or other consideration to the person located in this State based upon the sale of tangible personal property by the retailer.

The provisions of this paragraph 1.2 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers in this State under all such contracts exceed

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$10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December.

2. A retailer soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State.

3. A retailer, pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions.

4. A retailer soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities.

5. A retailer that is owned or controlled by the same interests that own or control any retailer engaging in business in the same or similar line of business in this State.

6. A retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section.

7. A retailer, pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State.

8. A retailer engaging in activities in Illinois, which activities in the state in which the retail business engaging in such activities is located would constitute maintaining a place of business in that state.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 95-723, eff. 6-23-08; 96-1544, eff. 3-10-11.)

Section 4. The Retailers’ Occupation Tax Act is amended by changing Section 1 as follows:

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Sec. 1. Definitions. "Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use or consumption, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced byproduct of manufacturing. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price shall be deemed to be sales.

"Sale at retail" shall be construed to include any transfer of the ownership of or title to tangible personal property to a purchaser, for use or consumption by any other person to whom such purchaser may transfer the tangible personal property without a valuable consideration, and to include any transfer, whether made for or without a valuable consideration, for resale in any form as tangible personal property unless made in compliance with Section 2c of this Act.

Sales of tangible personal property, which property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, goes into and forms a part of tangible personal property subsequently the subject of a "Sale at retail", are not sales at retail as defined in this Act: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing.

"Sale at retail" shall be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of

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the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is engaged in the business of selling tangible personal property at retail with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. The provisions of this paragraph shall not apply to nor subject to taxation occasional dinners, socials or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not engaged in the business of selling tangible personal property at retail with respect to such transactions.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of or title to tangible personal property for a valuable consideration.

"Reseller of motor fuel" means any person engaged in the business of selling or delivering or transferring title of motor fuel to another person other than for use or consumption. No person shall act as a reseller of motor fuel.
within this State without first being registered as a reseller pursuant to Section 2c or a retailer pursuant to Section 2a.

"Selling price" or the "amount of sale" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property, other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include charges that are added to prices by sellers on account of the seller's tax liability under this Act, or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by the Use Tax Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

Notwithstanding any law to the contrary, for any motor vehicle, as defined in Section 1-146 of the Vehicle Code, that is sold on or after July 1, 2014 for the purpose of leasing the vehicle for a defined period that is longer than one year and (1) is a motor vehicle of the second division that: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers; or (C) has a gross vehicle weight rating of 8,000 pounds or less or (2) is a motor vehicle of the first division, "selling price" or "amount of sale" means the consideration received by the lessor pursuant to the lease contract, including amounts due at lease signing and all monthly or other regular payments charged over the term of the lease. Also included in the selling price is any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed,

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including, but not limited to, excess mileage charges and charges for excess wear and tear. For sales that occur in Illinois, with respect to any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, the lessor who purchased the motor vehicle does not incur the tax imposed by the Use Tax Act on those amounts, and the retailer who makes the retail sale of the motor vehicle to the lessor is not required to collect the tax imposed by the Use Tax Act or to pay the tax imposed by this Act on those amounts. However, the lessor who purchased the motor vehicle assumes the liability for reporting and paying the tax on those amounts directly to the Department in the same form (Illinois Retailers' Occupation Tax, and local retailers' occupation taxes, if applicable) in which the retailer would have accounted for the tax to the Department. For amounts received by the lessor from the lessee that are not calculated at the time the lease is executed, the lessor must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. If the retailer is entitled under this Act to a discount for collecting and remitting the tax imposed under this Act to the Department with respect to the sale of the motor vehicle to the lessor, then the right to the discount provided in this Act shall be transferred to the lessor with respect to the tax paid by the lessor for any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed; provided that the discount is only allowed if the return is timely filed and for amounts timely paid. The "selling price" of a motor vehicle that is sold on or after July 1, 2014 for the purpose of leasing for a defined period of longer than one year shall not be reduced by the value of or credit given for traded-in tangible personal property owned by the lessor, nor shall it be reduced by the value of or credit given for traded-in tangible personal property owned by the lessee, regardless of whether the trade-in value thereof is assigned by the lessee to the lessor. In the case of a motor vehicle that is sold for the purpose of leasing for a defined period of longer than one year, the sale occurs at the time of the delivery of the vehicle, regardless of the due date of any lease payments. A lessor who incurs a Retailers' Occupation Tax liability on the sale of a motor vehicle coming off lease may not take a credit against that liability for the Use Tax the lessor paid upon the purchase of the motor vehicle (or for any tax the lessor paid with respect to any amount received by the lessor from the lessee for the leased vehicle that was not calculated at the time the lease was executed) if the selling price of the motor vehicle at the time of purchase was calculated using the definition of "selling price" as

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defined in this paragraph. Notwithstanding any other provision of this Act to the contrary, lessors shall file all returns and make all payments required under this paragraph to the Department by electronic means in the manner and form as required by the Department. This paragraph does not apply to leases of motor vehicles for which, at the time the lease is entered into, the term of the lease is not a defined period, including leases with a defined initial period with the option to continue the lease on a month-to-month or other basis beyond the initial defined period.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Gross receipts" from the sales of tangible personal property at retail means the total selling price or the amount of such sales, as hereinbefore defined. In the case of charge and time sales, the amount thereof shall be included only as and when payments are received by the seller. Receipts or other consideration derived by a seller from the sale, transfer or assignment of accounts receivable to a wholly owned subsidiary will not be deemed payments prior to the time the purchaser makes payment on such accounts.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail, or a sale through a bulk vending machine, does not constitute engaging in a business of selling such tangible personal property at retail within the meaning of this Act; provided that any person who is engaged in a business which is not subject to the tax imposed by this Act because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate or a construction contract to engineer, install, and maintain an integrated system of products, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate or was not engineered and installed, under any provision of a construction contract or

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real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is engaged in the business of selling tangible personal property at retail to the extent of the value of the tangible personal property so transferred. If, in such a transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purpose of this Act, shall be the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property. Construction contracts for the improvement of real estate consisting of engineering, installation, and maintenance of voice, data, video, security, and all telecommunication systems do not constitute engaging in a business of selling tangible personal property at retail within the meaning of this Act if they are sold at one specified contract price.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a person engaged in the business of selling tangible personal property at retail hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are engaged in the business of selling such property at retail and shall be liable for and shall pay the tax imposed by this Act on the basis of the retail value of the property transferred upon redemption of such stamps.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 95-723, eff. 6-23-08.)

Section 5. The Property Tax Code is amended by changing Sections 20-5 and 20-20 as follows:

(35 ILCS 200/20-5)
Sec. 20-5. Mailing or e-mailing tax bill to owner.

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(a) Every township collector, and every county collector in cases where there is no township collector, upon receiving the tax book or books, shall prepare tax bills showing each installment of property taxes assessed, which shall be filled out in accordance with Section 20-40. A copy of the bill shall be mailed by the collector, at least 30 days prior to the date upon which unpaid taxes become delinquent, to the owner of the property taxed or to the person in whose name the property is taxed.

(b) The collector may send the bill via e-mail as provided in subsection (b) of Section 20-20. However, no bill shall be sent to a property owner or taxpayer via e-mail unless that owner or taxpayer shall have first made such a request to the collector in writing.

(Source: P.A. 86-957; 87-818; 88-455.)

(35 ILCS 200/20-20)

Sec. 20-20. Changes in address for mailing tax bill.

(a) To insure that a person requesting a change of the address to which a property tax bill is sent has a legal interest in the property or authority to act on behalf of the owner of the property, the county collector in every county with less than 3,000,000 inhabitants shall establish and enforce a procedure for requiring identification or certification of the identity of taxpayers who request a change in the address to which their tax bill is mailed. No change of address shall be implemented unless the person requesting the change is the owner of the property, a trustee or a person holding the power of attorney from the owner or trustee of the property. However, if a property owner conveys a permanent change of address in writing to the United States Postal Service, then, on or after the effective date of that change of address, the county collector may mail a property tax bill to the property owner at his or her new address regardless of whether or not the owner notifies the collector of the address change.

(b) As an alternative to mailing a copy of the bill, the collector may send the tax bill via e-mail at the request of the taxpayer, subject to the provisions of subsection (b) of Section 20-5 of this Act. If the taxpayer makes such a request, then the taxpayer shall notify the collector of any change in his or her e-mail address as soon as possible after the address is changed.

(Source: P.A. 97-1084, eff. 8-24-12.)

Approved April 21, 2014.
Effective January 1, 2015.
AN ACT concerning regulation.

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

Section 5. The Illinois Health Facilities Planning Act is amended by changing Section 3 as follows:

(20 ILCS 3960/3) (from Ch. 111 1/2, par. 1153)
(Section scheduled to be repealed on December 31, 2019)
Sec. 3. Definitions. As used in this Act:
"Health care facilities" means and includes the following facilities, organizations, and related persons:

1. An ambulatory surgical treatment center required to be licensed pursuant to the Ambulatory Surgical Treatment Center Act;
2. An institution, place, building, or agency required to be licensed pursuant to the Hospital Licensing Act;
3. Skilled and intermediate long term care facilities licensed under the Nursing Home Care Act;
3.5. Skilled and intermediate care facilities licensed under the ID/DD Community Care Act;
3.7. Facilities licensed under the Specialized Mental Health Rehabilitation Act;
4. Hospitals, nursing homes, ambulatory surgical treatment centers, or kidney disease treatment centers maintained by the State or any department or agency thereof;
5. Kidney disease treatment centers, including a free-standing hemodialysis unit required to be licensed under the End Stage Renal Disease Facility Act;
6. An institution, place, building, or room used for the performance of outpatient surgical procedures that is leased, owned, or operated by or on behalf of an out-of-state facility;
7. An institution, place, building, or room used for provision of a health care category of service, including, but not limited to, cardiac catheterization and open heart surgery; and
8. An institution, place, building, or room used for provision of major medical equipment used in the direct clinical diagnosis or treatment of patients, and whose project cost is in excess of the capital expenditure minimum.

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This Act shall not apply to the construction of any new facility or the renovation of any existing facility located on any campus facility as defined in Section 5-5.8b of the Illinois Public Aid Code, provided that the campus facility encompasses 30 or more contiguous acres and that the new or renovated facility is intended for use by a licensed residential facility.

No federally owned facility shall be subject to the provisions of this Act, nor facilities used solely for healing by prayer or spiritual means.

No facility licensed under the Supportive Residences Licensing Act or the Assisted Living and Shared Housing Act shall be subject to the provisions of this Act.

No facility established and operating under the Alternative Health Care Delivery Act as a children's community-based health care center alternative health care model demonstration program or as an Alzheimer's Disease Management Center alternative health care model demonstration program shall be subject to the provisions of this Act.

A facility designated as a supportive living facility that is in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code shall not be subject to the provisions of this Act.

This Act does not apply to facilities granted waivers under Section 3-102.2 of the Nursing Home Care Act. However, if a demonstration project under that Act applies for a certificate of need to convert to a nursing facility, it shall meet the licensure and certificate of need requirements in effect as of the date of application.

This Act does not apply to a dialysis facility that provides only dialysis training, support, and related services to individuals with end stage renal disease who have elected to receive home dialysis. This Act does not apply to a dialysis unit located in a licensed nursing home that offers or provides dialysis-related services to residents with end stage renal disease who have elected to receive home dialysis within the nursing home. The Board, however, may require these dialysis facilities and licensed nursing homes to report statistical information on a quarterly basis to the Board to be used by the Board to conduct analyses on the need for proposed kidney disease treatment centers.

This Act shall not apply to the closure of an entity or a portion of an entity licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes, that

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elects to convert, in whole or in part, to an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act.

This Act does not apply to any change of ownership of a healthcare facility that is licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes. Changes of ownership of facilities licensed under the Nursing Home Care Act must meet the requirements set forth in Sections 3-101 through 3-119 of the Nursing Home Care Act.

With the exception of those health care facilities specifically included in this Section, nothing in this Act shall be intended to include facilities operated as a part of the practice of a physician or other licensed health care professional, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional group. Further, this Act shall not apply to physicians or other licensed health care professional's practices where such practices are carried out in a portion of a health care facility under contract with such health care facility by a physician or by other licensed health care professionals, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional groups, unless the entity constructs, modifies, or establishes a health care facility as specifically defined in this Section. This Act shall apply to construction or modification and to establishment by such health care facility of such contracted portion which is subject to facility licensing requirements, irrespective of the party responsible for such action or attendant financial obligation.

No permit or exemption is required for a facility licensed under the ID/DD Community Care Act prior to the reduction of the number of beds at a facility. If there is a total reduction of beds at a facility licensed under the ID/DD Community Care Act, this is a discontinuation or closure of the facility. However, if a facility licensed under the ID/DD Community Care Act reduces the number of beds or discontinues the facility, that facility must notify the Board as provided in Section 14.1 of this Act.

"Person" means any one or more natural persons, legal entities, governmental bodies other than federal, or any combination thereof.

"Consumer" means any person other than a person (a) whose major occupation currently involves or whose official capacity within the last 12 months has involved the providing, administering or financing of any type of health care facility, (b) who is engaged in health research or the teaching of

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health, (c) who has a material financial interest in any activity which involves
the providing, administering or financing of any type of health care facility,
or (d) who is or ever has been a member of the immediate family of the
person defined by (a), (b), or (c).

"State Board" or "Board" means the Health Facilities and Services
Review Board.

"Construction or modification" means the establishment, erection,
building, alteration, reconstruction, modernization, improvement, extension,
discontinuation, change of ownership, of or by a health care facility, or the
purchase or acquisition by or through a health care facility of equipment or
service for diagnostic or therapeutic purposes or for facility administration or
operation, or any capital expenditure made by or on behalf of a health care
facility which exceeds the capital expenditure minimum; however, any
capital expenditure made by or on behalf of a health care facility for (i) the
construction or modification of a facility licensed under the Assisted Living
and Shared Housing Act or (ii) a conversion project undertaken in accordance
with Section 30 of the Older Adult Services Act shall be excluded from any
obligations under this Act.

"Establish" means the construction of a health care facility or the
replacement of an existing facility on another site or the initiation of a
category of service.

"Major medical equipment" means medical equipment which is used
for the provision of medical and other health services and which costs in
excess of the capital expenditure minimum, except that such term does not
include medical equipment acquired by or on behalf of a clinical laboratory
to provide clinical laboratory services if the clinical laboratory is independent
of a physician's office and a hospital and it has been determined under Title
XVIII of the Social Security Act to meet the requirements of paragraphs (10)
and (11) of Section 1861(s) of such Act. In determining whether medical
equipment has a value in excess of the capital expenditure minimum, the
value of studies, surveys, designs, plans, working drawings, specifications,
and other activities essential to the acquisition of such equipment shall be
included.

"Capital Expenditure" means an expenditure: (A) made by or on
behalf of a health care facility (as such a facility is defined in this Act); and
(B) which under generally accepted accounting principles is not properly
chargeable as an expense of operation and maintenance, or is made to obtain
by lease or comparable arrangement any facility or part thereof or any

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equipment for a facility or part; and which exceeds the capital expenditure minimum.

For the purpose of this paragraph, the cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which an expenditure is made shall be included in determining if such expenditure exceeds the capital expenditures minimum. Unless otherwise interdependent, or submitted as one project by the applicant, components of construction or modification undertaken by means of a single construction contract or financed through the issuance of a single debt instrument shall not be grouped together as one project. Donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to review under this Act shall be considered capital expenditures, and a transfer of equipment or facilities for less than fair market value shall be considered a capital expenditure for purposes of this Act if a transfer of the equipment or facilities at fair market value would be subject to review.

"Capital expenditure minimum" means $11,500,000 for projects by hospital applicants, $6,500,000 for applicants for projects related to skilled and intermediate care long-term care facilities licensed under the Nursing Home Care Act, and $3,000,000 for projects by all other applicants, which shall be annually adjusted to reflect the increase in construction costs due to inflation, for major medical equipment and for all other capital expenditures.

"Non-clinical service area" means an area (i) for the benefit of the patients, visitors, staff, or employees of a health care facility and (ii) not directly related to the diagnosis, treatment, or rehabilitation of persons receiving services from the health care facility. "Non-clinical service areas" include, but are not limited to, chapels; gift shops; news stands; computer systems; tunnels, walkways, and elevators; telephone systems; projects to comply with life safety codes; educational facilities; student housing; patient, employee, staff, and visitor dining areas; administration and volunteer offices; modernization of structural components (such as roof replacement and masonry work); boiler repair or replacement; vehicle maintenance and storage facilities; parking facilities; mechanical systems for heating, ventilation, and air conditioning; loading docks; and repair or replacement of carpeting, tile, wall coverings, window coverings or treatments, or furniture. Solely for the purpose of this definition, "non-clinical service area" does not include health and fitness centers.
"Areawide" means a major area of the State delineated on a geographic, demographic, and functional basis for health planning and for health service and having within it one or more local areas for health planning and health service. The term "region", as contrasted with the term "subregion", and the word "area" may be used synonymously with the term "areawide".

"Local" means a subarea of a delineated major area that on a geographic, demographic, and functional basis may be considered to be part of such major area. The term "subregion" may be used synonymously with the term "local".

"Physician" means a person licensed to practice in accordance with the Medical Practice Act of 1987, as amended.

"Licensed health care professional" means a person licensed to practice a health profession under pertinent licensing statutes of the State of Illinois.

"Director" means the Director of the Illinois Department of Public Health.

"Agency" means the Illinois Department of Public Health.

"Alternative health care model" means a facility or program authorized under the Alternative Health Care Delivery Act.

"Out-of-state facility" means a person that is both (i) licensed as a hospital or as an ambulatory surgery center under the laws of another state or that qualifies as a hospital or an ambulatory surgery center under regulations adopted pursuant to the Social Security Act and (ii) not licensed under the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, or the Nursing Home Care Act. Affiliates of out-of-state facilities shall be considered out-of-state facilities. Affiliates of Illinois licensed health care facilities 100% owned by an Illinois licensed health care facility, its parent, or Illinois physicians licensed to practice medicine in all its branches shall not be considered out-of-state facilities. Nothing in this definition shall be construed to include an office or any part of an office of a physician licensed to practice medicine in all its branches in Illinois that is not required to be licensed under the Ambulatory Surgical Treatment Center Act.

"Change of ownership of a health care facility" means a change in the person who has ownership or control of a health care facility's physical plant and capital assets. A change in ownership is indicated by the following transactions: sale, transfer, acquisition, lease, change of sponsorship, or other means of transferring control.

New matter indicated by italics - deletions by strikeout
"Related person" means any person that: (i) is at least 50% owned, directly or indirectly, by either the health care facility or a person owning, directly or indirectly, at least 50% of the health care facility; or (ii) owns, directly or indirectly, at least 50% of the health care facility.

"Charity care" means care provided by a health care facility for which the provider does not expect to receive payment from the patient or a third-party payer.

"Freestanding emergency center" means a facility subject to licensure under Section 32.5 of the Emergency Medical Services (EMS) Systems Act.

"Category of service" means a grouping by generic class of various types or levels of support functions, equipment, care, or treatment provided to patients or residents, including, but not limited to, classes such as medical-surgical, pediatrics, or cardiac catheterization. A category of service may include subcategories or levels of care that identify a particular degree or type of care within the category of service. Nothing in this definition shall be construed to include the practice of a physician or other licensed health care professional while functioning in an office providing for the care, diagnosis, or treatment of patients. A category of service that is subject to the Board's jurisdiction must be designated in rules adopted by the Board.

(Source: P.A. 97-38, eff. 6-28-11; 97-277, eff. 1-1-12; 97-813, eff. 7-13-12; 97-980, eff. 8-17-12; 98-414, eff. 1-1-14.)

Section 10. The Alternative Health Care Delivery Act is amended by changing Sections 15 and 30 as follows:

(210 ILCS 3/15)
Sec. 15. License required. No health care facility or program that meets the definition and scope of an alternative health care model shall operate as such unless it is a participant in a demonstration program under this Act and licensed by the Department as an alternative health care model. The provisions of this Act concerning children's community-based health care centers children's respite care centers shall not apply to any facility licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, the ID/DD Community Care Act, or the University of Illinois Hospital Act that provides respite care services to children.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-135, eff. 7-14-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 3/30)
Sec. 30. Demonstration program requirements. The requirements set forth in this Section shall apply to demonstration programs.

New matter indicated by italics - deletions by strikeout
(a) (Blank).

(a-5) There shall be no more than the total number of postsurgical recovery care centers with a certificate of need for beds as of January 1, 2008.

(a-10) There shall be no more than a total of 9 children's community-based health care center, children's respite care center, alternative health care models in the demonstration program, which shall be located as follows:

1. Two in the City of Chicago.
2. One in Cook County outside the City of Chicago.
3. A total of 2 in the area comprised of DuPage, Kane, Lake, McHenry, and Will counties.
4. A total of 2 in municipalities with a population of 50,000 or more and not located in the areas described in paragraphs (1), (2), or (3).
5. A total of 2 in rural areas, as defined by the Health Facilities and Services Review Board.

No more than one children's community-based health care center, children's respite care model, owned and operated by a licensed skilled pediatric facility shall be located in each of the areas designated in this subsection (a-10).

(a-15) There shall be 5 authorized community-based residential rehabilitation center alternative health care models in the demonstration program.

(a-20) There shall be an authorized Alzheimer's disease management center alternative health care model in the demonstration program. The Alzheimer's disease management center shall be located in Will County, owned by a not-for-profit entity, and endorsed by a resolution approved by the county board before the effective date of this amendatory Act of the 91st General Assembly.

(a-25) There shall be no more than 10 birth center alternative health care models in the demonstration program, located as follows:

1. Four in the area comprising Cook, DuPage, Kane, Lake, McHenry, and Will counties, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.
2. Three in municipalities with a population of 50,000 or more not located in the area described in paragraph (1) of this subsection, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.

New matter indicated by italics - deletions by strikeout
(3) Three in rural areas, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center. The first 3 birth centers authorized to operate by the Department shall be located in or predominantly serve the residents of a health professional shortage area as determined by the United States Department of Health and Human Services. There shall be no more than 2 birth centers authorized to operate in any single health planning area for obstetric services as determined under the Illinois Health Facilities Planning Act. If a birth center is located outside of a health professional shortage area, (i) the birth center shall be located in a health planning area with a demonstrated need for obstetrical service beds, as determined by the Health Facilities and Services Review Board or (ii) there must be a reduction in the existing number of obstetrical service beds in the planning area so that the establishment of the birth center does not result in an increase in the total number of obstetrical service beds in the health planning area.

(b) Alternative health care models, other than a model authorized under subsection (a-10) or (a-20), shall obtain a certificate of need from the Health Facilities and Services Review Board under the Illinois Health Facilities Planning Act before receiving a license by the Department. If, after obtaining its initial certificate of need, an alternative health care delivery model that is a community based residential rehabilitation center seeks to increase the bed capacity of that center, it must obtain a certificate of need from the Health Facilities and Services Review Board before increasing the bed capacity. Alternative health care models in medically underserved areas shall receive priority in obtaining a certificate of need.

(c) An alternative health care model license shall be issued for a period of one year and shall be annually renewed if the facility or program is in substantial compliance with the Department's rules adopted under this Act. A licensed alternative health care model that continues to be in substantial compliance after the conclusion of the demonstration program shall be eligible for annual renewals unless and until a different licensure program for that type of health care model is established by legislation, except that a postsurgical recovery care center meeting the following requirements may apply within 3 years after August 25, 2009 (the effective date of Public Act 96-669) for a Certificate of Need permit to operate as a hospital:

(1) The postsurgical recovery care center shall apply to the Health Facilities and Services Review Board for a Certificate of Need permit to operate as a hospital:
permit to discontinue the postsurgical recovery care center and to establish a hospital.

(2) If the postsurgical recovery care center obtains a Certificate of Need permit to operate as a hospital, it shall apply for licensure as a hospital under the Hospital Licensing Act and shall meet all statutory and regulatory requirements of a hospital.

(3) After obtaining licensure as a hospital, any license as an ambulatory surgical treatment center and any license as a postsurgical recovery care center shall be null and void.

(4) The former postsurgical recovery care center that receives a hospital license must seek and use its best efforts to maintain certification under Titles XVIII and XIX of the federal Social Security Act.

The Department may issue a provisional license to any alternative health care model that does not substantially comply with the provisions of this Act and the rules adopted under this Act if (i) the Department finds that the alternative health care model has undertaken changes and corrections which upon completion will render the alternative health care model in substantial compliance with this Act and rules and (ii) the health and safety of the patients of the alternative health care model will be protected during the period for which the provisional license is issued. The Department shall advise the licensee of the conditions under which the provisional license is issued, including the manner in which the alternative health care model fails to comply with the provisions of this Act and rules, and the time within which the changes and corrections necessary for the alternative health care model to substantially comply with this Act and rules shall be completed.

(d) Alternative health care models shall seek certification under Titles XVIII and XIX of the federal Social Security Act. In addition, alternative health care models shall provide charitable care consistent with that provided by comparable health care providers in the geographic area.

(d-5) (Blank).

(e) Alternative health care models shall, to the extent possible, link and integrate their services with nearby health care facilities.

(f) Each alternative health care model shall implement a quality assurance program with measurable benefits and at reasonable cost.

(Source: P.A. 96-31, eff. 6-30-09; 96-129, eff. 8-4-09; 96-669, eff. 8-25-09; 96-812, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1071, eff. 7-16-10; 96-1123, eff. 1-1-11; 97-135, eff. 7-14-11; 97-333, eff. 8-12-11; 97-813, eff. 7-13-12.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning healthcare.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Community Expanded Mental Health Services Act is amended by changing Sections 15 and 25 as follows:

(405 ILCS 22/15)
Sec. 15. Creation of Expanded Mental Health Services Program and Governing Commission.

(a) Whenever in a municipality with more than 1,000,000 inhabitants, the question of creating an Expanded Mental Health Services Program within a contiguous territory included entirely within the municipality is initiated by resolution or ordinance of the corporate authorities of the municipality or by a petition signed by not less than 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election by registered voters of the territory, the registered voters of which are eligible to sign the petition, it shall be the duty of the election authority having jurisdiction over such municipality to submit the question of creating an Expanded Mental Health Services Program to the electors of the territory at the regular election specified in the resolution, ordinance, or petition initiating the question. A petition initiating a question described in this Section shall be filed with the election authority having jurisdiction over the territory, the registered voters of which are eligible to sign the petition, it shall be the duty of the election authority having jurisdiction over such municipality to submit the question of creating an Expanded Mental Health Services Program to the electors of the territory at the regular election specified in the resolution, ordinance, or petition initiating the question. A petition initiating a question described in this Section shall be filed with the election authority having jurisdiction over the territory. The petition shall be filed and objections thereto shall be made in the manner provided in the general election law. A resolution, ordinance, or petition initiating a question described in this Section shall specify the election at which the question is to be submitted. The referendum on such question shall be held in accordance with general election law. Such question, and the resolution, ordinance, or petition initiating the question, shall include a description of the territory, the name of the proposed Expanded Mental Health Services Program, and the maximum rate at which the Expanded Mental Health Services Program shall be able to levy a property tax. The question shall be in substantially the following form:

Shall there be established, to serve the territory commonly described on this ballot or notice of this question, a ........ (fill in community name)

New matter indicated by italics - deletions by strikeout
Expanded Mental Health Services Program, to provide direct free mental health services for any resident of the territory who needs assistance in overcoming or coping with mental or emotional disorders, where such program will be funded through an increase of not more than .... (fill in tax rate from .025% to .044% .004 to .007) of the equalized assessed valuation real estate property tax bill of all properties parcels within the boundaries of the territory (for example, $...... (fill in tax rate figure) for every $1,000 of taxes you currently pay)?

All of that area within the geographic boundaries of the territory described in such question shall be included in the Program, and no area outside the geographic boundaries of the territory described in such question shall be included in the Program. If the election authority determines that the description cannot be included within the space limitations of the ballot, the election authority shall prepare large printed copies of a notice of the question, which shall be prominently displayed in the polling place of each precinct in which the question is to be submitted.

(b) Whenever a majority of the voters on such public question approve the creation of an Expanded Mental Health Services Program as certified by the proper election authorities, within 90 days of the passage of the referendum the Governor shall appoint 5 members and the Mayor of the municipality shall appoint 4 members, to be known as commissioners, to serve as the governing body of the Expanded Mental Health Services Program.

(c) Of the 5 commissioners appointed by the Governor, the Governor shall choose 4 commissioners from a list of nominees supplied by a community organization or community organizations as defined in this Act; these 4 commissioners shall reside in the territory of the Program. Of the commissioners appointed by the Governor, one shall be a mental health professional and one shall be a mental health consumer residing in the territory of the Program.

(d) Of the 4 commissioners appointed by the Mayor of the municipality, the Mayor shall choose 3 commissioners from a list of nominees supplied by a community organization or community organizations as defined in this Act; these 3 commissioners shall reside in the territory of the Program. Of the commissioners appointed by the Mayor, one shall be a mental health professional and one shall be a mental health consumer residing in the territory of the Program.
(e) A community organization may recommend up to 10 individuals to the Governor and up to 10 individuals to the Mayor to serve on the Governing Commission.

(f) No fewer than 7 commissioners serving at one time shall reside within the territory of the Program.

(g) Upon creation of a Governing Commission, the terms of the initial commissioners shall be as follows: (i) of the Governor's initial appointments, 2 shall be for 3 years, one for 2 years, and 2 for one year; and (ii) of the Mayor's initial appointments, one shall be for 3 years, 2 for 2 years, and one for one year. All succeeding terms shall be for 3 years, or until a successor is appointed and qualified. Commissioners shall serve without compensation except for reimbursement for reasonable expenses incurred in the performance of duties as a commissioner. A vacancy in the office of a member of a Governing Commission shall be filled in like manner as an original appointment.

(h) Any member of the Governing Commission may be removed by a majority vote of all other commissioners for absenteeism, neglect of duty, misconduct or malfeasance in the office, after being given a written statement of the charges and an opportunity to be heard thereon.

(i) All proceedings and meetings of the Governing Commission shall be conducted in accordance with the provisions of the Open Meetings Act.

(Source: P.A. 96-1548, eff. 1-1-12.)

(405 ILCS 22/25)

Sec. 25. Expanded mental health services fund.

(a) The Governing Commission shall maintain the expanded mental health services fund for the purposes of paying the costs of administering the Program and carrying out its duties under this Act, subject to the limitations and procedures set forth in this Act.

(b) The expanded mental health services fund shall be raised by means of an annual tax levied on each property within the territory of the Program. The rate of this tax may be changed from year to year by majority vote of the Governing Commission but in no case shall it exceed the ceiling rate established by the voters in the territory of the Program in the binding referendum to approve the creation of the Expanded Mental Health Services Program. The ceiling rate must be set within the range of $0.025% to $0.044% of the equalized assessed valuation of all properties $0.004 to $0.007 on each property in the territory of the Program. A higher ceiling rate for a territory may be established within that range only by the voters in a binding referendum from time to time to be held in a manner as set forth in this Act.

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legislation. The commissioners shall cause the amount to be raised by
taxation in each year to be certified to the county clerk in the manner
provided by law, and any tax so levied and certified shall be collected and
enforced in the same manner and by the same officers as those taxes for the
purposes of the county and city within which the territory of the Governing
Commission is located. Any such tax, when collected, shall be paid over to
the proper officer of the Governing Commission who is authorized to receive
and receipt for such tax. The Governing Commission may issue tax
anticipation warrants against the taxes to be assessed for a calendar year.

(c) The moneys deposited in the expanded mental health services fund
shall, as nearly as practicable, be fully and continuously invested or
reinvested by the Governing Commission in investment obligations which
shall be in such amounts, and shall mature at such times, that the maturity or
date of redemption at the option of the holder of such investment obligations
shall coincide, as nearly as practicable, with the times at which monies will
be required for the purposes of the Program. For the purposes of this Section,
"investment obligation" means direct general municipal, state, or federal
obligations which at the time are legal investments under the laws of this
State and the payment of principal of and interest on which are
unconditionally guaranteed by the governing body issuing them.

(d) The fund shall be used solely and exclusively for the purpose of
providing expanded mental health services and no more than 15% of the
annual levy may be used for reasonable salaries, expenses, bills, and fees
incurred in administering the Program.

(e) The fund shall be maintained, invested, and expended exclusively
by the Governing Commission of the Program for whose purposes it was
created. Under no circumstances shall the fund be used by any person or
persons, governmental body, or public or private agency or concern other
than the Governing Commission of the Program for whose purposes it was
created. Under no circumstances shall the fund be commingled with other
funds or investments.

(f) No commissioner or family member of a commissioner, or
employee or family member of an employee, may receive any financial
benefit, either directly or indirectly, from the fund. Nothing in this subsection
shall be construed to prohibit payment of expenses to a commissioner in
accordance with subsection (g) of Section 15.

(g) Annually, the Governing Commission shall prepare for
informational purposes in the appropriations process: (1) an annual budget
showing the estimated receipts and intended disbursements pursuant to this
Act for the fiscal year immediately following the date the budget is submitted, which date must be at least 30 days prior to the start of the fiscal year; and (2) an independent financial audit of the fund and the management of the Program detailing the income received and disbursements made pursuant to this Act during the fiscal year just preceding the date the annual report is submitted, which date must be within 90 days of the close of that fiscal year. These reports shall be made available to the public through any office of the Governing Commission or a public facility such as a local public library located within the territory of the Program. In addition, and in an effort to increase transparency of public programming, the Governing Commission shall effectively create and operate a publicly accessible website, which shall publish results of all audits for a period of no less than six months after the initial disclosure of the results and findings of each audit.

(h) Any expanded Mental Health Services Program existing on the effective date of this amendatory Act of the 98th General Assembly and created before December 31, 2012 by majority voter support on a binding referendum shall be authorized to levy for the 2013 levy year at the minimum tax rate of .025% of the equalized assessed valuation of all properties within its territory.

(Source: P.A. 96-1548, eff. 1-1-12; 97-813, eff. 7-13-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 1, 2014.
Approved May 29, 2014.
Effective May 29, 2014.

PUBLIC ACT 98-0631
(Senate Bill No. 0221)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Officials and Employees Ethics Act is amended by changing Section 25-10 as follows:
(5 ILCS 430/25-10)
Sec. 25-10. Office of Legislative Inspector General.
(a) The independent Office of the Legislative Inspector General is created. The Office shall be under the direction and supervision of the Legislative Inspector General and shall be a fully independent office with its own appropriation.

New matter indicated by italics - deletions by strikeout
(b) The Legislative Inspector General shall be appointed without regard to political affiliation and solely on the basis of integrity and demonstrated ability. The Legislative Ethics Commission shall diligently search out qualified candidates for Legislative Inspector General and shall make recommendations to the General Assembly.

The Legislative Inspector General shall be appointed by a joint resolution of the Senate and the House of Representatives, which may specify the date on which the appointment takes effect. A joint resolution, or other document as may be specified by the Joint Rules of the General Assembly, appointing the Legislative Inspector General must be certified by the Speaker of the House of Representatives and the President of the Senate as having been adopted by the affirmative vote of three-fifths of the members elected to each house, respectively, and be filed with the Secretary of State. The appointment of the Legislative Inspector General takes effect on the day the appointment is completed by the General Assembly, unless the appointment specifies a later date on which it is to become effective.

The Legislative Inspector General shall have the following qualifications:

1. has not been convicted of any felony under the laws of this State, another state, or the United States;
2. has earned a baccalaureate degree from an institution of higher education; and
3. has 5 or more years of cumulative service (A) with a federal, State, or local law enforcement agency, at least 2 years of which have been in a progressive investigatory capacity; (B) as a federal, State, or local prosecutor; (C) as a senior manager or executive of a federal, State, or local agency; (D) as a member, an officer, or a State or federal judge; or (E) representing any combination of (A) through (D).

The Legislative Inspector General may not be a relative of a commissioner.

The term of the initial Legislative Inspector General shall commence upon qualification and shall run through June 30, 2008.

After the initial term, the Legislative Inspector General shall serve for 5-year terms commencing on July 1 of the year of appointment and running through June 30 of the fifth following year. The Legislative Inspector General may be reappointed to one or more subsequent terms.

A vacancy occurring other than at the end of a term shall be filled in the same manner as an appointment only for the balance of the term of the
Legislative Inspector General whose office is vacant. If the Office is vacant, or if a Legislative Inspector General resigns, the Commission shall designate an Acting Legislative Inspector General who shall serve until the vacancy is filled. The Commission shall file the designation in writing with the Secretary of State.

Terms shall run regardless of whether the position is filled.

(c) The Legislative Inspector General shall have jurisdiction over the members of the General Assembly and all State employees whose ultimate jurisdictional authority is (i) a legislative leader, (ii) the Senate Operations Commission, or (iii) the Joint Committee on Legislative Support Services.

The jurisdiction of each Legislative Inspector General is to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of this Act or violations of other related laws and rules.

(d) The compensation of the Legislative Inspector General shall be the greater of an amount (i) determined by the Commission or (ii) by joint resolution of the General Assembly passed by a majority of members elected in each chamber. Subject to Section 25-45 of this Act, the Legislative Inspector General has full authority to organize the Office of the Legislative Inspector General, including the employment and determination of the compensation of staff, such as deputies, assistants, and other employees, as appropriations permit. Employment of staff is subject to the approval of at least 3 of the 4 legislative leaders.

(e) No Legislative Inspector General or employee of the Office of the Legislative Inspector General may, during his or her term of appointment or employment:

(1) become a candidate for any elective office;
(2) hold any other elected or appointed public office except for appointments on governmental advisory boards or study commissions or as otherwise expressly authorized by law;
(3) be actively involved in the affairs of any political party or political organization; or
(4) actively participate in any campaign for any elective office.

In this subsection an appointed public office means a position authorized by law that is filled by an appointing authority as provided by law and does not include employment by hiring in the ordinary course of business.
(e-1) No Legislative Inspector General or employee of the Office of the Legislative Inspector General may, for one year after the termination of his or her appointment or employment:
    (1) become a candidate for any elective office;
    (2) hold any elected public office; or
    (3) hold any appointed State, county, or local judicial office.

(e-2) The requirements of item (3) of subsection (e-1) may be waived by the Legislative Ethics Commission.

(f) The Commission may remove the Legislative Inspector General only for cause. At the time of the removal, the Commission must report to the General Assembly the justification for the removal.

(Source: P.A. 93-617, eff. 12-9-03; 93-685, eff. 7-8-04.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 23, 2014.
Approved May 29, 2014.
Effective May 29, 2014.

PUBLIC ACT 98-0632
(House Bill No. 3724)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Critical Health Problems and Comprehensive Health Education Act is amended by changing Section 3 as follows:

(105 ILCS 110/3)

Sec. 3. Comprehensive Health Education Program. The program established under this Act shall include, but not be limited to, the following major educational areas as a basis for curricula in all elementary and secondary schools in this State: human ecology and health, human growth and development, the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage, prevention and control of disease, including instruction in grades 6 through 12 on the prevention, transmission and spread of AIDS, age-appropriate sexual abuse and assault awareness and prevention education in grades pre-kindergarten through 12, public and environmental health, consumer health, safety education and disaster survival, mental health and illness, personal health habits, alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse

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during pregnancy, evidence-based and medically accurate information regarding sexual abstinence, tobacco, nutrition, and dental health. The program shall also provide course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act. The program shall include information about cancer, including without limitation types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help. Notwithstanding the above educational areas, the following areas may also be included as a basis for curricula in all elementary and secondary schools in this State: basic first aid (including, but not limited to, cardiopulmonary resuscitation and the Heimlich maneuver), heart disease, diabetes, stroke, the prevention of child abuse, neglect, and suicide, and teen dating violence in grades 7 through 12. Beginning with the 2014-2015 school year, training on how to properly administer cardiopulmonary resuscitation (which training must be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization) and how to use an automated external defibrillator shall be included as a basis for curricula in all secondary schools in this State.

The school board of each public elementary and secondary school in the State shall encourage all teachers and other school personnel to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques, including without limitation the Heimlich maneuver and rescue breathing. The training shall be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization. A school board may use the services of non-governmental entities whose personnel have expertise in life-saving techniques to instruct teachers and other school personnel in these techniques. Each school board is encouraged to have in its employ, or on its volunteer staff, at least one person who is certified, by the American Red Cross or by another qualified certifying agency, as qualified to administer first aid and cardiopulmonary resuscitation. In addition, each school board is authorized to allocate appropriate portions of its institute or inservice days to conduct training programs for teachers and other school personnel who have expressed an interest in becoming qualified to administer emergency first aid or cardiopulmonary resuscitation. School boards are urged to encourage their teachers and other school personnel who coach school athletic programs and other extracurricular school activities to acquire, develop, and maintain the knowledge and skills necessary to properly administer first aid and cardiopulmonary resuscitation in accordance with

New matter indicated by italics - deletions by strikeout
standards and requirements established by the American Red Cross or another qualified certifying agency. Subject to appropriation, the State Board of Education shall establish and administer a matching grant program to pay for half of the cost that a school district incurs in training those teachers and other school personnel who express an interest in becoming qualified to administer cardiopulmonary resuscitation (which training must be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization) or in learning how to use an automated external defibrillator. A school district that applies for a grant must demonstrate that it has funds to pay half of the cost of the training for which matching grant money is sought. The State Board of Education shall award the grants on a first-come, first-serve basis.

No pupil shall be required to take or participate in any class or course on AIDS or family life instruction or to receive training on how to properly administer cardiopulmonary resuscitation or how to use an automated external defibrillator if his or her parent or guardian submits written objection thereto, and refusal to take or participate in the course or program or the training shall not be reason for suspension or expulsion of the pupil.

Curricula developed under programs established in accordance with this Act in the major educational area of alcohol and drug use and abuse shall include classroom instruction in grades 5 through 12. The instruction, which shall include matters relating to both the physical and legal effects and ramifications of drug and substance abuse, shall be integrated into existing curricula; and the State Board of Education shall develop and make available to all elementary and secondary schools in this State instructional materials and guidelines which will assist the schools in incorporating the instruction into their existing curricula. In addition, school districts may offer, as part of existing curricula during the school day or as part of an after school program, support services and instruction for pupils or pupils whose parent, parents, or guardians are chemically dependent.

(Source: P.A. 97-1147, eff. 1-24-13; 98-190, eff. 8-6-13; 98-441, eff. 1-1-14; revised 9-9-13.)

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved June 5, 2014.
Effective July 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning employment.

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

Section 5. The Workers' Compensation Act is amended by changing Section 5 as follows:

(820 ILCS 305/5) (from Ch. 48, par. 138.5)

(Text of Section WITHOUT the changes made by P.A. 89-7, which has been held unconstitutional)

Sec. 5. (a) No common law or statutory right to recover damages from the employer, his insurer, his broker, any service organization that is wholly retained by the employer, his insurer or his broker and that provides to provide safety service, advice or recommendations for the employer or the agents or employees of any of them for injury or death sustained by any employee while engaged in the line of his duty as such employee, other than the compensation herein provided, is available to any employee who is covered by the provisions of this Act, to any one wholly or partially dependent upon him, the legal representatives of his estate, or any one otherwise entitled to recover damages for such injury.

However, in any action now pending or hereafter begun to enforce a common law or statutory right to recover damages for negligently causing the injury or death of any employee it is not necessary to allege in the complaint that either the employee or the employer or both were not governed by the provisions of this Act or of any similar Act in force in this or any other State.

Any illegally employed minor or his legal representatives shall, except as hereinafter provided, have the right within 6 months after the time of injury or death, or within 6 months after the appointment of a legal representative, whichever shall be later, to file with the Commission a rejection of his right to the benefits under this Act, in which case such illegally employed minor or his legal representatives shall have the right to pursue his or their common law or statutory remedies to recover damages for such injury or death.

No payment of compensation under this Act shall be made to an illegally employed minor, or his legal representatives, unless such payment and the waiver of his right to reject the benefits of this Act has first been approved by the Commission or any member thereof, and if such payment
and the waiver of his right of rejection has been so approved such payment is a bar to a subsequent rejection of the provisions of this Act.

(b) Where the injury or death for which compensation is payable under this Act was caused under circumstances creating a legal liability for damages on the part of some person other than his employer to pay damages, then legal proceedings may be taken against such other person to recover damages notwithstanding such employer's payment of or liability to pay compensation under this Act. In such case, however, if the action against such other person is brought by the injured employee or his personal representative and judgment is obtained and paid, or settlement is made with such other person, either with or without suit, then from the amount received by such employee or personal representative there shall be paid to the employer the amount of compensation paid or to be paid by him to such employee or personal representative including amounts paid or to be paid pursuant to paragraph (a) of Section 8 of this Act.

Out of any reimbursement received by the employer pursuant to this Section the employer shall pay his pro rata share of all costs and reasonably necessary expenses in connection with such third-party claim, action or suit and where the services of an attorney at law of the employee or dependents have resulted in or substantially contributed to the procurement by suit, settlement or otherwise of the proceeds out of which the employer is reimbursed, then, in the absence of other agreement, the employer shall pay such attorney 25% of the gross amount of such reimbursement.

If the injured employee or his personal representative agrees to receive compensation from the employer or accept from the employer any payment on account of such compensation, or to institute proceedings to recover the same, the employer may have or claim a lien upon any award, judgment or fund out of which such employee might be compensated from such third party.

In such actions brought by the employee or his personal representative, he shall forthwith notify his employer by personal service or registered mail, of such fact and of the name of the court in which the suit is brought, filing proof thereof in the action. The employer may, at any time thereafter join in the action upon his motion so that all orders of court after hearing and judgment shall be made for his protection. No release or settlement of claim for damages by reason of such injury or death, and no satisfaction of judgment in such proceedings shall be valid without the written consent of both employer and employee or his personal representative, except in the case of the employers, such consent is not

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required where the employer has been fully indemnified or protected by Court order.

In the event the employee or his personal representative fails to institute a proceeding against such third person at any time prior to 3 months before such action would be barred, the employer may in his own name or in the name of the employee, or his personal representative, commence a proceeding against such other person for the recovery of damages on account of such injury or death to the employee, and out of any amount recovered the employer shall pay over to the injured employee or his personal representatives all sums collected from such other person by judgment or otherwise in excess of the amount of such compensation paid or to be paid under this Act, including amounts paid or to be paid pursuant to paragraph (a) of Section 8 of this Act, and costs, attorney's fees and reasonable expenses as may be incurred by such employer in making such collection or in enforcing such liability.

(Source: P.A. 79-79.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved June 5, 2014.
Effective June 5, 2014.

PUBLIC ACT 98-0634
(House Bill No. 2453)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-25 as follows:

(20 ILCS 2605/2605-25) (was 20 ILCS 2605/55a-1)
Sec. 2605-25. Department divisions. The Department is divided into the Illinois State Police Academy and 4 divisions: the Division of Operations, the Division of Forensic Services, the Division of Administration, and the Division of Internal Investigation. Beginning on July 1, 2015, there shall be the Division of the Statewide 9-1-1 Administrator within the Department of State Police to develop, implement, and oversee a uniform statewide 9-1-1 system for all areas of the State outside of municipalities having a population of more than 500,000.

New matter indicated by italics - deletions by strikeout
Section 10. The Emergency Telephone System Act is amended by changing Section 15.3 as follows:

Sec. 15.3. Surcharge.

(a) The corporate authorities of any municipality or any county may, subject to the limitations of subsections (c), (d), and (h), and in addition to any tax levied pursuant to the Simplified Municipal Telecommunications Tax Act, impose a monthly surcharge on billed subscribers of network connection provided by telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of the municipality or county imposing the surcharge at a rate per network connection determined in accordance with subsection (c), however the monthly surcharge shall not apply to a network connection provided for use with pay telephone services. Provided, however, that where multiple voice grade communications channels are connected between the subscriber's premises and a public switched network through private branch exchange (PBX) or centrex type service, a municipality imposing a surcharge at a rate per network connection, as determined in accordance with this Act, shall impose:

(i) in a municipality with a population of 500,000 or less or in any county, 5 such surcharges per network connection, as determined in accordance with subsections (a) and (d) of Section 2.12 of this Act, for both regular service and advanced service provisioned trunk lines;

(ii) in a municipality with a population, prior to March 1, 2010, of 500,000 or more, 5 surcharges per network connection, as determined in accordance with subsections (a) and (d) of Section 2.12 of this Act, for both regular service and advanced service provisioned trunk lines;

(iii) in a municipality with a population, as of March 1, 2010, of 500,000 or more, 5 surcharges per network connection, as determined in accordance with subsections (a) and (d) of Section 2.12 of this Act, for regular service provisioned trunk lines, and 12 surcharges per network connection, as determined in accordance with subsections (a) and (d) of Section 2.12 of this Act, for advanced service provisioned trunk lines, except where an advanced service provisioned trunk line supports at least 2 but fewer than 23 simultaneous voice grade calls ("VGC's"), a telecommunication

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carrier may elect to impose fewer than 12 surcharges per trunk line as provided in subsection (iv) of this Section; or

(iv) for an advanced service provisioned trunk line connected between the subscriber's premises and the public switched network through a P.B.X., where the advanced service provisioned trunk line is capable of transporting at least 2 but fewer than 23 simultaneous VGC's per trunk line, the telecommunications carrier collecting the surcharge may elect to impose surcharges in accordance with the table provided in this Section, without limiting any telecommunications carrier's obligations to otherwise keep and maintain records. Any telecommunications carrier electing to impose fewer than 12 surcharges per an advanced service provisioned trunk line shall keep and maintain records adequately to demonstrate the VGC capability of each advanced service provisioned trunk line with fewer than 12 surcharges imposed, provided that 12 surcharges shall be imposed on an advanced service provisioned trunk line regardless of the VGC capability where a telecommunications carrier cannot demonstrate the VGC capability of the advanced service provisioned trunk line.

<table>
<thead>
<tr>
<th>Facility</th>
<th>VGC's</th>
<th>911 Surcharges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced service provisioned trunk line</td>
<td>18-23</td>
<td>12</td>
</tr>
<tr>
<td>Advanced service provisioned trunk line</td>
<td>12-17</td>
<td>10</td>
</tr>
<tr>
<td>Advanced service provisioned trunk line</td>
<td>2-11</td>
<td>8</td>
</tr>
</tbody>
</table>

Subsections (i), (ii), (iii), and (iv) are not intended to make any change in the meaning of this Section, but are intended to remove possible ambiguity, thereby confirming the intent of paragraph (a) as it existed prior to and following the effective date of this amendatory Act of the 97th General Assembly.

For mobile telecommunications services, if a surcharge is imposed it shall be imposed based upon the municipality or county that encompasses the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. A municipality may enter into an intergovernmental agreement with any county in which it is partially located, when the county has adopted an ordinance to impose a surcharge as provided in subsection (c), to include that portion of the municipality lying outside the county in that county's surcharge referendum. If the county's surcharge referendum is approved, the portion of the municipality identified in the intergovernmental agreement shall automatically be disconnected from the county in which it lies and connected to the county which approved the referendum for purposes of a surcharge on telecommunications carriers.

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(b) For purposes of computing the surcharge imposed by subsection (a), the network connections to which the surcharge shall apply shall be those in-service network connections, other than those network connections assigned to the municipality or county, where the service address for each such network connection or connections is located within the corporate limits of the municipality or county levying the surcharge. Except for mobile telecommunication services, the "service address" shall mean the location of the primary use of the network connection or connections. For mobile telecommunication services, "service address" means the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act.

(c) Upon the passage of an ordinance to impose a surcharge under this Section the clerk of the municipality or county shall certify the question of whether the surcharge may be imposed to the proper election authority who shall submit the public question to the electors of the municipality or county in accordance with the general election law; provided that such question shall not be submitted at a consolidated primary election. The public question shall be in substantially the following form:

-------------------------------------------------------------
Shall the county (or city, village or incorporated town) of ..... impose YES
a surcharge of up to ...¢ per month per network connection, which surcharge will be added to the monthly bill you receive ...------------------
for telephone or telecommunications charges, for the purpose of installing (or improving) a 9-1-1 Emergency Telephone System? NO
-------------------------------------------------------------

If a majority of the votes cast upon the public question are in favor thereof, the surcharge shall be imposed.

However, if a Joint Emergency Telephone System Board is to be created pursuant to an intergovernmental agreement under Section 15.4, the ordinance to impose the surcharge shall be subject to the approval of a majority of the total number of votes cast upon the public question by the electors of all of the municipalities or counties, or combination thereof, that are parties to the intergovernmental agreement.

The referendum requirement of this subsection (c) shall not apply to any municipality with a population over 500,000 or to any county in which New matter indicated by italics - deletions by strikeout
a proposition as to whether a sophisticated 9-1-1 Emergency Telephone System should be installed in the county, at a cost not to exceed a specified monthly amount per network connection, has previously been approved by a majority of the electors of the county voting on the proposition at an election conducted before the effective date of this amendatory Act of 1987.

(d) A county may not impose a surcharge, unless requested by a municipality, in any incorporated area which has previously approved a surcharge as provided in subsection (c) or in any incorporated area where the corporate authorities of the municipality have previously entered into a binding contract or letter of intent with a telecommunications carrier to provide sophisticated 9-1-1 service through municipal funds.

(e) A municipality or county may at any time by ordinance change the rate of the surcharge imposed under this Section if the new rate does not exceed the rate specified in the referendum held pursuant to subsection (c).

(f) The surcharge authorized by this Section shall be collected from the subscriber by the telecommunications carrier providing the subscriber the network connection as a separately stated item on the subscriber's bill.

(g) The amount of surcharge collected by the telecommunications carrier shall be paid to the particular municipality or county or Joint Emergency Telephone System Board not later than 30 days after the surcharge is collected, net of any network or other 9-1-1 or sophisticated 9-1-1 system charges then due the particular telecommunications carrier, as shown on an itemized bill. The telecommunications carrier collecting the surcharge shall also be entitled to deduct 3% of the gross amount of surcharge collected to reimburse the telecommunications carrier for the expense of accounting and collecting the surcharge.

(h) Except as expressly provided in subsection (a) of this Section, on or after the effective date of this amendatory Act of the 98th General Assembly and until July 1, 2015, a municipality with a population of 500,000 or more shall not impose a monthly surcharge per network connection in excess of the highest monthly surcharge imposed as of January 1, 2014 by any county or municipality under subsection (c) of this Section. On or after July 1, 2015, a municipality with a population over 500,000 may not impose a monthly surcharge in excess of $2.50 per network connection.

(i) Any municipality or county or joint emergency telephone system board that has imposed a surcharge pursuant to this Section prior to the effective date of this amendatory Act of 1990 shall hereafter impose the surcharge in accordance with subsection (b) of this Section.
(j) The corporate authorities of any municipality or county may issue, in accordance with Illinois law, bonds, notes or other obligations secured in whole or in part by the proceeds of the surcharge described in this Section. Notwithstanding any change in law subsequent to the issuance of any bonds, notes or other obligations secured by the surcharge, every municipality or county issuing such bonds, notes or other obligations shall be authorized to impose the surcharge as though the laws relating to the imposition of the surcharge in effect at the time of issuance of the bonds, notes or other obligations were in full force and effect until the bonds, notes or other obligations are paid in full. The State of Illinois pledges and agrees that it will not limit or alter the rights and powers vested in municipalities and counties by this Section to impose the surcharge so as to impair the terms of or affect the security for bonds, notes or other obligations secured in whole or in part with the proceeds of the surcharge described in this Section.

(k) Any surcharge collected by or imposed on a telecommunications carrier pursuant to this Section shall be held to be a special fund in trust for the municipality, county or Joint Emergency Telephone Board imposing the surcharge. Except for the 3% deduction provided in subsection (g) above, the special fund shall not be subject to the claims of creditors of the telecommunications carrier.

(Source: P.A. 97-463, eff. 8-19-11.)

Section 15. The Wireless Emergency Telephone Safety Act is amended by changing Sections 17, 35, 45, 70, and 85 and by adding Section 27 as follows:

(50 ILCS 751/17)

Sec. 17. Wireless carrier surcharge.

(a) Except as provided in Sections 45 and 80, each wireless carrier shall impose a monthly wireless carrier surcharge per CMRS connection that either has a telephone number within an area code assigned to Illinois by the North American Numbering Plan Administrator or has a billing address in this State. No wireless carrier shall impose the surcharge authorized by this Section upon any subscriber who is subject to the surcharge imposed by a unit of local government pursuant to Section 45. Prior to January 1, 2008 (the effective date of Public Act 95-698), the surcharge amount shall be the amount set by the Wireless Enhanced 9-1-1 Board. Beginning on January 1, 2008 (the effective date of Public Act 95-698), the monthly surcharge imposed under this Section shall be $0.73 per CMRS connection. The wireless carrier that provides wireless service to the subscriber shall collect

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the surcharge from the subscriber. For mobile telecommunications services provided on and after August 1, 2002, any surcharge imposed under this Act shall be imposed based upon the municipality or county that encompasses the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. The surcharge shall be stated as a separate item on the subscriber's monthly bill. The wireless carrier shall begin collecting the surcharge on bills issued within 90 days after the Wireless Enhanced 9-1-1 Board sets the monthly wireless surcharge. State and local taxes shall not apply to the wireless carrier surcharge.

(b) Except as provided in Sections 45 and 80, a wireless carrier shall, within 45 days of collection, remit, either by check or by electronic funds transfer, to the State Treasurer the amount of the wireless carrier surcharge collected from each subscriber. Of the amounts remitted under this subsection prior to January 1, 2008 (the effective date of Public Act 95-698), and for surcharges imposed before January 1, 2008 (the effective date of Public Act 95-698) but remitted after January 1, 2008, the State Treasurer shall deposit one-third into the Wireless Carrier Reimbursement Fund and two-thirds into the Wireless Service Emergency Fund. For surcharges collected and remitted on or after January 1, 2008 (the effective date of Public Act 95-698), $0.1475 per surcharge collected shall be deposited into the Wireless Carrier Reimbursement Fund, and $0.5825 per surcharge collected shall be deposited into the Wireless Service Emergency Fund. For surcharges collected and remitted on or after July 1, 2014, $0.05 per surcharge collected shall be deposited into the Wireless Carrier Reimbursement Fund, $0.66 per surcharge shall be deposited into the Wireless Service Emergency Fund, and $0.02 per surcharge collected shall be deposited into the Wireless Service Emergency Fund and distributed in equal amounts to County Emergency System Telephone Boards in counties with a population under 100,000 according to the most recent census data. Of the amounts deposited into the Wireless Carrier Reimbursement Fund under this subsection, $0.01 per surcharge collected may be distributed to the carriers to cover their administrative costs. Of the amounts deposited into the Wireless Service Emergency Fund under this subsection, $0.01 per surcharge collected may be disbursed to the Illinois Commerce Commission to cover its administrative costs.

(c) The first such remittance by wireless carriers shall include the number of wireless subscribers by zip code, and the 9-digit zip code if currently being used or later implemented by the carrier, that shall be the means by which the Illinois Commerce Commission shall determine

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distributions from the Wireless Service Emergency Fund. This information
shall be updated no less often than every year. Wireless carriers are not
required to remit surcharge moneys that are billed to subscribers but not yet
collected. Any carrier that fails to provide the zip code information required
under this subsection (c) shall be subject to the penalty set forth in subsection
(f) of this Section.

(d) Any funds collected under the Prepaid Wireless 9-1-1 Surcharge
Act shall be distributed using a prorated method based upon zip code
information collected from post-paid wireless carriers under subsection (c)
of this Section.

(e) If before midnight on the last day of the third calendar month after
the closing date of the remit period a wireless carrier does not remit the
surcharge or any portion thereof required under this Section, then the
surcharge or portion thereof shall be deemed delinquent until paid in full, and
the Illinois Commerce Commission may impose a penalty against the carrier
in an amount equal to the greater of:

(1) $25 for each month or portion of a month from the time an
amount becomes delinquent until the amount is paid in full; or
(2) an amount equal to the product of 1% and the sum of all
delinquent amounts for each month or portion of a month that the
delinquent amounts remain unpaid.

A penalty imposed in accordance with this subsection (e) for a portion
of a month during which the carrier provides the number of subscribers by zip
code as required under subsection (c) of this Section shall be prorated for
each day of that month during which the carrier had not provided the number
of subscribers by zip code as required under subsection (c) of this Section.
Any penalty imposed under this subsection (e) is in addition to the amount
of the delinquency and is in addition to any other penalty imposed under this
Section.

(f) If, before midnight on the last day of the third calendar month after
the closing date of the remit period, a wireless carrier does not provide the
number of subscribers by zip code as required under subsection (c) of this
Section, then the report is deemed delinquent and the Illinois Commerce
Commission may impose a penalty against the carrier in an amount equal to
the greater of:

(1) $25 for each month or portion of a month that the report
is delinquent; or
(2) an amount equal to the product of 1/2¢ and the number of
subscribers served by the wireless carrier. On and after July 1, 2014,

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an amount equal to the product of $0.01 and the number of subscribers served by the wireless carrier.

A penalty imposed in accordance with this subsection (f) for a portion of a month during which the carrier pays the delinquent amount in full shall be prorated for each day of that month that the delinquent amount was paid in full. A penalty imposed and collected in accordance with subsection (e) or this subsection (f) shall be deposited into the Wireless Service Emergency Fund for distribution according to Section 25 of this Act. Any penalty imposed under this subsection (f) is in addition to any other penalty imposed under this Section.

(g) The Illinois Commerce Commission may enforce the collection of any delinquent amount and any penalty due and unpaid under this Section by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State. The Executive Director of the Illinois Commerce Commission, or his or her designee, may excuse the payment of any penalty imposed under this Section if the Executive Director, or his or her designee, determines that the enforcement of this penalty is unjust.

(h) Notwithstanding any provision of law to the contrary, nothing shall impair the right of wireless carriers to recover compliance costs for all emergency communications services that are not reimbursed out of the Wireless Carrier Reimbursement Fund directly from their wireless subscribers via line-item charges on the wireless subscriber's bill. Those compliance costs include all costs incurred by wireless carriers in complying with local, State, and federal regulatory or legislative mandates that require the transmission and receipt of emergency communications to and from the general public, including, but not limited to, E-911.

(i) The Auditor General shall conduct, on an annual basis, an audit of the Wireless Service Emergency Fund and the Wireless Carrier Reimbursement Fund for compliance with the requirements of this Act. The audit shall include, but not be limited to, the following determinations:

1. Whether the Commission is maintaining detailed records of all receipts and disbursements from the Wireless Carrier Emergency Fund and the Wireless Carrier Reimbursement Fund.
2. Whether the Commission's administrative costs charged to the funds are adequately documented and are reasonable.
3. Whether the Commission's procedures for making grants and providing reimbursements in accordance with the Act are adequate.

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(4) The status of the implementation of wireless 9-1-1 and E9-1-1 services in Illinois.
The Commission, the Department of State Police, and any other entity or person that may have information relevant to the audit shall cooperate fully and promptly with the Office of the Auditor General in conducting the audit. The Auditor General shall commence the audit as soon as possible and distribute the report upon completion in accordance with Section 3-14 of the Illinois State Auditing Act.

(Source: P.A. 97-463, eff. 1-1-12.)

(50 ILCS 751/27 new)
Sec. 27. Financial reports.
(a) The Illinois Commerce Commission shall create uniform accounting procedures, with such modification as may be required to give effect to statutory provisions applicable only to municipalities with a population in excess of 500,000, that any emergency telephone system board, qualified governmental entity, or unit of local government described in Section 15 of this Act and Section 15.4 of the Emergency Telephone System Act or any entity imposing a wireless surcharge pursuant to Section 45 of this Act must follow.

(b) By October 1, 2014, each emergency telephone system board, qualified governmental entity, or unit of local government described in Section 15 of this Act and Section 15.4 of the Emergency Telephone System Act or any entity imposing a wireless surcharge pursuant to Section 45 of this Act shall report to the Illinois Commerce Commission audited financial statements showing total revenue and expenditures for each of the last two of its fiscal years in a form and manner as prescribed by the Illinois Commerce Commission's Manager of Accounting. Such financial information shall include:

(1) a detailed summary of revenue from all sources including, but not limited to, local, State, federal, and private revenues, and any other funds received;
(2) operating expenses, capital expenditures, and cash balances; and
(3) such other financial information that is relevant to the provision of 9-1-1 services as determined by the Illinois Commerce Commission's Manager of Accounting.

The emergency telephone system board, qualified governmental entity, or unit of local government is responsible for any costs associated

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with auditing such financial statements. The Illinois Commerce Commission shall post the audited financial statements on the Commission's website.

(c) By January 31, 2016 and each year thereafter, each emergency telephone system board, qualified governmental entity, or unit of local government described in Section 15 of this Act and Section 15.4 of the Emergency Telephone System Act or any entity imposing a wireless surcharge pursuant to Section 45 of this Act shall report to the Illinois Commerce Commission audited annual financial statements showing total revenue and expenditures in a form and manner as prescribed by the Illinois Commerce Commission's Manager of Accounting.

The emergency telephone system board, qualified governmental entity, or unit of local government is responsible for any costs associated with auditing such financial statements.

The Illinois Commerce Commission shall post each entity's individual audited annual financial statements on the Commission's website.

(d) If an emergency telephone system board or qualified governmental entity that receives funds from the Wireless Service Emergency Fund fails to file the 9-1-1 system financial reports as required under this Section, the Illinois Commerce Commission shall suspend and withhold monthly grants otherwise due to the emergency telephone system board or qualified governmental entity under Section 25 of this Act until the report is filed.

Any monthly grants that have been withheld for 12 months or more shall be forfeited by the emergency telephone system board or qualified governmental entity and shall be distributed proportionally by the Illinois Commerce Commission to compliant emergency telephone system boards and qualified governmental entities that receive funds from the Wireless Service Emergency Fund.

(e) The Illinois Commerce Commission may adopt emergency rules necessary to carry out the provisions of this Section.

(50 ILCS 751/35)

(Section scheduled to be repealed on July 1, 2014)

Sec. 35. Wireless Carrier Reimbursement Fund; reimbursement.

(a) To recover costs from the Wireless Carrier Reimbursement Fund, the wireless carrier shall submit sworn invoices to the Illinois Commerce Commission. In no event may any invoice for payment be approved for (i) costs that are not related to compliance with the requirements established by the wireless enhanced 9-1-1 mandates of the Federal Communications Commission, or (ii) costs with respect to any wireless enhanced 9-1-1 service

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that is not operable at the time the invoice is submitted, or (iii) costs in excess
of the sum of (A) the carrier's balance, as determined under subsection (e) of
this Section, plus (B) 100% of the surcharge remitted to the Wireless Carrier
Reimbursement Fund by the wireless carrier under Section 17(b) since the
last annual review of the balance in the Wireless Carrier Reimbursement
Fund under subsection (e) of this Section, less reimbursements paid to the
carrier out of the Wireless Carrier Reimbursement Fund since the last annual
review of the balance under subsection (e) of this Section, unless the wireless
carrier received prior approval for the expenditures from the Illinois
Commerce Commission.

(b) If in any month the total amount of invoices submitted to the
Illinois Commerce Commission and approved for payment exceeds the
amount available in the Wireless Carrier Reimbursement Fund, wireless
carriers that have invoices approved for payment shall receive a pro-rata share
of the amount available in the Wireless Carrier Reimbursement Fund based
on the relative amount of their approved invoices available that month, and
the balance of the payments shall be carried into the following months until
all of the approved payments are made.

(c) A wireless carrier may not receive payment from the Wireless
Carrier Reimbursement Fund for its costs of providing wireless enhanced 9-
1-1 services in an area when a unit of local government or emergency
telephone system board provides wireless 9-1-1 services in that area and was
imposing and collecting a wireless carrier surcharge prior to July 1, 1998.

(d) The Illinois Commerce Commission shall maintain detailed
records of all receipts and disbursements and shall provide an annual
accounting of all receipts and disbursements to the Auditor General.

(e) The Illinois Commerce Commission must annually review the
balance in the Wireless Carrier Reimbursement Fund as of June 30 of each
year and shall direct the Comptroller to transfer into the Wireless Services
Emergency Fund for distribution in accordance with Section 25 of this Act
any amount in excess of the amount of deposits into the Fund for the 24
months prior to June 30 less:

(1) the amount of paid and payables received by June 30 for
the 24 months prior to June 30 as determined eligible under
subsection (a) of this Section;

(2) the administrative costs associated with the Fund for the
24 months prior to June 30; and

(3) the prorated portion of any other adjustments made to the
Fund in the 24 months prior to June 30.

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After making the calculation required under this subsection (e), each carrier's available balance for purposes of reimbursements must be adjusted using the same calculation.

(f) The Illinois Commerce Commission shall adopt rules to govern the reimbursement process.

(g) On January 1, 2008 (the effective date of Public Act 95-698), or as soon thereafter as practical, the State Comptroller shall order transferred and the State Treasurer shall transfer the sum of $8,000,000 from the Wireless Carrier Reimbursement Fund to the Wireless Service Emergency Fund. That amount shall be used by the Illinois Commerce Commission to make grants in the manner described in Section 25 of this Act.

(Source: P.A. 95-63, eff. 8-13-07; 95-698, eff. 1-1-08; 95-876, eff. 8-21-08.)

(50 ILCS 751/45)

(Section scheduled to be repealed on July 1, 2014)

Sec. 45. Continuation of current practices.

(a) Notwithstanding any other provision of this Act, a unit of local government or emergency telephone system board providing wireless 9-1-1 service and imposing and collecting a wireless carrier surcharge prior to July 1, 1998 may continue its practices of imposing and collecting its wireless carrier surcharge, but, except as provided in subsection (b) of this Section, in no event shall that monthly surcharge exceed $2.50 per commercial mobile radio service (CMRS) connection or in-service telephone number billed on a monthly basis. For mobile telecommunications services provided on and after August 1, 2002, any surcharge imposed shall be imposed based upon the municipality or county that encompasses the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act.

(b) On or after the effective date of this amendatory Act of the 98th General Assembly and until July 1, 2015, the corporate authorities of a municipality with a population in excess of 500,000 on the effective date of this amendatory Act may by ordinance impose and collect a monthly surcharge per commercial mobile radio service (CMRS) connection or in-service telephone number billed on a monthly basis that does not exceed the highest monthly surcharge imposed as of January 1, 2014 by any county or municipality under subsection (c) of Section 15.3 of the Emergency Telephone System Act. On or after July 1, 2015, the municipality may continue imposing and collecting its wireless carrier surcharge as provided in and subject to the limitations of subsection (a) of this Section.

(c) In addition to any other lawful purpose, a municipality with a population over 500,000 may use the moneys collected under this Section for
any anti-terrorism or emergency preparedness measures, including, but not
limited to, preparedness planning, providing local matching funds for federal
or State grants, personnel training, and specialized equipment, including
surveillance cameras as needed to deal with natural and terrorist-inspired
emergency situations or events.
(Source: P.A. 95-698, eff. 1-1-08.)

(50 ILCS 751/70)
(Section scheduled to be repealed on July 1, 2014)
Sec. 70. Repealer. This Act is repealed on July 1, 2015.
(Source: P.A. 97-1163, eff. 2-4-13; 98-45, eff. 6-28-13.)
(50 ILCS 751/85)
(Section scheduled to be repealed on July 1, 2014)
Sec. 85. 9-1-1 Services Advisory Board.

(a) There is hereby created the 9-1-1 Services Advisory Board. The
Board shall work with the Commission to determine the 9-1-1 costs
necessary for every 9-1-1 system to adequately function and shall submit, by
May 1, 2014, recommendations on whether there is a need to consolidate 9-1-
1 functions to the General Assembly. The Board shall consist of 18
members with one member each appointed by the Speaker of the House of
Representatives, the Minority Leader of the House of Representatives, the
President of the Senate, and the Minority Leader of the Senate, and with the
remainder appointed by the Governor as follows:

(1) the Executive Director of the Illinois Commerce
Commission, or his or her designee;
(2) one member representing the Illinois chapter of the
National Emergency Number Association;
(3) one member representing the Illinois chapter of the
Association of Public-Safety Communications Officials;
(4) one member representing a county 9-1-1 system from a
county with a population of 50,000 or less;
(5) one member representing a county 9-1-1 system from a
county with a population between 50,000 and 250,000;
(6) one member representing a county 9-1-1 system from a
county with a population of 250,000 or more;
(7) one member representing an incumbent local exchange 9-
1-1 system provider;
(8) one member representing a non-incumbent local exchange
9-1-1 system provider;
(9) one member representing a large wireless carrier;

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(10) one member representing a small wireless carrier; and
(11) one member representing the Illinois Telecommunications Association;
    (12) the Director of State Police, or his or her designee;
    (13) one member representing the Illinois Association of Chiefs of Police; and
    (14) one member representing the Illinois Sheriffs' Association.

(b) The Board shall work with the Illinois Commerce Commission to submit, by April 1, 2015, to the General Assembly a plan for a statewide shared 9-1-1 network ("Statewide Next Generation 9-1-1") for all areas of the State outside of municipalities having a population of more than 500,000 to be governed by the Statewide 9-1-1 Administrator within the Department of State Police. The plan shall include, but not be limited to, recommendations as to the following:
    (1) the structure of the statewide network;
    (2) a plan and timeline for the transition to a statewide network;
    (3) consolidation of 9-1-1 systems and services;
    (4) a plan for the implementation of the Statewide Next Generation 9-1-1;
    (5) a list of costs for which the moneys from the Wireless Service Emergency Fund should not be used;
    (6) the costs necessary for the 9-1-1 systems to adequately function;
    (7) the adequate amount of the wireless surcharge in order to support sufficient 9-1-1 services throughout the State;
    (8) a plan and timeline for the payment of past due Wireless Carrier Reimbursement Fund invoices to wireless carriers; and
    (9) the proper division of responsibilities between the Statewide 9-1-1 Administrator and the Illinois Commerce Commission for the oversight of funding distribution, technological standards, and system plan authorizations, modifications and consolidations going forward.

(c) The Board is abolished on July 1, 2015.

(Source: P.A. 98-45, eff. 6-28-13; 98-602, eff. 12-6-13.)

Section 20. The Prepaid Wireless 9-1-1 Surcharge Act is amended by changing Section 15 as follows:

(50 ILCS 753/15)

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Sec. 15. Prepaid wireless 9-1-1 surcharge.

(a) There is hereby imposed on consumers a prepaid wireless 9-1-1 surcharge of 1.5% per retail transaction. The surcharge authorized by this subsection (a) does not apply in a home rule municipality having a population in excess of 500,000. The amount of the surcharge may be reduced or increased pursuant to subsection (e).

(a-5) On or after the effective date of this amendatory Act of the 98th General Assembly and until July 1, 2015, a home rule municipality having a population in excess of 500,000 on the effective date of this amendatory Act may impose a prepaid wireless 9-1-1 surcharge not to exceed 9% per retail transaction sourced to that jurisdiction and collected and remitted in accordance with the provisions of subsection (b-5) of this Section. On or after July 1, 2015, a home rule municipality having a population in excess of 500,000 on the effective date of this Act may only impose a prepaid wireless 9-1-1 surcharge not to exceed 7% per retail transaction sourced to that jurisdiction and collected and remitted in accordance with the provisions of subsection (b-5).

(b) The prepaid wireless 9-1-1 surcharge shall be collected by the seller from the consumer with respect to each retail transaction occurring in this State and shall be remitted to the Department by the seller as provided in this Act. The amount of the prepaid wireless 9-1-1 surcharge shall be separately stated as a distinct item apart from the charge for the prepaid wireless telecommunications service on an invoice, receipt, or other similar document that is provided to the consumer by the seller or shall be otherwise disclosed to the consumer. If the seller does not separately state the surcharge as a distinct item to the consumer as provided in this Section, then the seller shall maintain books and records as required by this Act which clearly identify the amount of the 9-1-1 surcharge for retail transactions.

For purposes of this subsection (b), a retail transaction occurs in this State if (i) the retail transaction is made in person by a consumer at the seller's business location and the business is located within the State; (ii) the seller is a provider and sells prepaid wireless telecommunications service to a consumer located in Illinois; (iii) the retail transaction is treated as occurring in this State for purposes of the Retailers' Occupation Tax Act; or (iv) a seller that is included within the definition of a "retailer maintaining a place of business in this State" under Section 2 of the Use Tax Act makes a sale of prepaid wireless telecommunications service to a consumer located in Illinois. In the case of a retail transaction which does not occur in person at a seller's business location, if a consumer uses a credit card to purchase

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prepaid wireless telecommunications service on-line or over the telephone, and no product is shipped to the consumer, the transaction occurs in this State if the billing address for the consumer's credit card is in this State.

(b-5) The prepaid wireless 9-1-1 surcharge imposed under subsection (a-5) of this Section shall be collected by the seller from the consumer with respect to each retail transaction occurring in the municipality imposing the surcharge. The amount of the prepaid wireless 9-1-1 surcharge shall be separately stated on an invoice, receipt, or other similar document that is provided to the consumer by the seller or shall be otherwise disclosed to the consumer. If the seller does not separately state the surcharge as a distinct item to the consumer as provided in this Section, then the seller shall maintain books and records as required by this Act which clearly identify the amount of the 9-1-1 surcharge for retail transactions.

For purposes of this subsection (b-5), a retail transaction occurs in the municipality if (i) the retail transaction is made in person by a consumer at the seller's business location and the business is located within the municipality; (ii) the seller is a provider and sells prepaid wireless telecommunications service to a consumer located in the municipality; (iii) the retail transaction is treated as occurring in the municipality for purposes of the Retailers' Occupation Tax Act; or (iv) a seller that is included within the definition of a "retailer maintaining a place of business in this State" under Section 2 of the Use Tax Act makes a sale of prepaid wireless telecommunications service to a consumer located in the municipality. In the case of a retail transaction which does not occur in person at a seller's business location, if a consumer uses a credit card to purchase prepaid wireless telecommunications service on-line or over the telephone, and no product is shipped to the consumer, the transaction occurs in the municipality if the billing address for the consumer's credit card is in the municipality.

(c) The prepaid wireless 9-1-1 surcharge is imposed on the consumer and not on any provider. The seller shall be liable to remit all prepaid wireless 9-1-1 surcharges that the seller collects from consumers as provided in Section 20, including all such surcharges that the seller is deemed to collect where the amount of the surcharge has not been separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller. The surcharge collected or deemed collected by a seller shall constitute a debt owed by the seller to this State, and any such surcharge actually collected shall be held in trust for the benefit of the Department.

For purposes of this subsection (c), the surcharge shall not be imposed or collected from entities that have an active tax exemption identification

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number issued by the Department under Section 1g of the Retailers' Occupation Tax Act.

(d) The amount of the prepaid wireless 9-1-1 surcharge that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this State, any political subdivision of this State, or any intergovernmental agency.

(e) The prepaid wireless 9-1-1 charge imposed under subsection (a) of this Section shall be proportionately increased or reduced, as applicable, upon any change to the surcharge imposed under Section 17 of the Wireless Emergency Telephone Safety Act. The adjusted rate shall be determined by dividing the amount of the surcharge imposed under Section 17 of the Wireless Emergency Telephone Safety Act by $50. Such increase or reduction shall be effective on the first day of the first calendar month to occur at least 60 days after the enactment of the change to the surcharge imposed under Section 17 of the Wireless Emergency Telephone Safety Act. The Department shall provide not less than 30 days' notice of an increase or reduction in the amount of the surcharge on the Department's website.

(e-5) Any changes in the rate of the surcharge imposed by a municipality under the authority granted in subsection (a-5) of this Section shall be effective on the first day of the first calendar month to occur at least 60 days after the enactment of the change. The Department shall provide not less than 30 days' notice of the increase or reduction in the rate of such surcharge on the Department's website.

(f) When prepaid wireless telecommunications service is sold with one or more other products or services for a single, non-itemized price, then the percentage specified in subsection (a) or (a-5) of this Section 15 shall be applied to the entire non-itemized price unless the seller elects to apply the percentage to (i) the dollar amount of the prepaid wireless telecommunications service if that dollar amount is disclosed to the consumer or (ii) the portion of the price that is attributable to the prepaid wireless telecommunications service if the retailer can identify that portion by reasonable and verifiable standards from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, books and records that are kept for non-tax purposes. However, if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single, non-itemized price, then the seller may elect not to apply the percentage specified in subsection (a) or (a-5) of this

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Section 15 to such transaction. For purposes of this subsection, an amount of
service denominated as 10 minutes or less or $5 or less is considered
minimal.
(Source: P.A. 97-463, eff. 1-1-12; 97-748, eff. 7-6-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved June 6, 2014.
Effective June 6, 2014.

PUBLIC ACT 98-0635
(House Bill No. 5815)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Criminal Identification Act is amended by changing
Section 5.2 as follows:
(20 ILCS 2630/5.2)
Sec. 5.2. Expungement and sealing.
(a) General Provisions.
(1) Definitions. In this Act, words and phrases have the
meanings set forth in this subsection, except when a particular context
clearly requires a different meaning.
(A) The following terms shall have the meanings
ascribed to them in the Unified Code of Corrections, 730
ILCS 5/5-1-2 through 5/5-1-22:
(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),
(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),
(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),

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(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).

(B) As used in this Section, "charge not initiated by
arrest" means a charge (as defined by 730 ILCS 5/5-1-3)
brought against a defendant where the defendant is not
arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or
sentence entered upon a plea of guilty or upon a verdict or
finding of guilty of an offense, rendered by a legally
constituted jury or by a court of competent jurisdiction
authorized to try the case without a jury. An order of
supervision successfully completed by the petitioner is not a
conviction. An order of qualified probation (as defined in
subsection (a)(1)(J)) successfully completed by the petitioner
is not a conviction. An order of supervision or an order of
qualified probation that is terminated unsatisfactorily is a
conviction, unless the unsatisfactory termination is reversed,
vacated, or modified and the judgment of conviction, if any,
is reversed or vacated.

(D) "Criminal offense" means a petty offense,
business offense, misdemeanor, felony, or municipal
ordinance violation (as defined in subsection (a)(1)(H)). As
used in this Section, a minor traffic offense (as defined in
subsection (a)(1)(G)) shall not be considered a criminal
offense.

(E) "Expunge" means to physically destroy the records
or return them to the petitioner and to obliterate the
petitioner's name from any official index or public record, or
both. Nothing in this Act shall require the physical destruction
of the circuit court file, but such records relating to arrests or
charges, or both, ordered expunged shall be impounded as
required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the
sentence, order of supervision, or order of qualified probation
(as defined by subsection (a)(1)(J)), for a criminal offense (as
defined by subsection (a)(1)(D)) that terminates last in time
in any jurisdiction, regardless of whether the petitioner has
included the criminal offense for which the sentence or order
of supervision or qualified probation was imposed in his or

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her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts
Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (b)(8), (e), (e-5), and (e-6) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except
Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a felony offense listed in subsection (c)(2)(F) or the charge is amended to a felony offense listed in subsection (c)(2)(F);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

(vi) the charge results in a conviction, but the conviction was reversed or vacated.

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(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.

(2) Time frame for filing a petition to expunge.

(A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

(B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

(i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

(i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.
ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued

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by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Department of State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the records of the arresting authority and the Department of State Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the circuit court clerk in connection with the proceedings of the trial court concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court that finds the petitioner factually innocent of the charge shall enter an expungement order for the conviction for which the petitioner has been determined to be innocent as provided in subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of State Police from maintaining all records of any person who is admitted to probation upon terms and conditions and who fulfills those terms and conditions pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act.

(8) If the petitioner has been granted a certificate of innocence under Section 2-702 of the Code of Civil Procedure, the court that grants the certificate of innocence shall also enter an order expunging

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the conviction for which the petitioner has been determined to be innocent as provided in subsection (h) of Section 2-702 of the Code of Civil Procedure.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:

(A) All arrests resulting in release without charging;

(B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);

(C) Arrests or charges not initiated by arrest resulting in orders of supervision, including orders of supervision for municipal ordinance violations, successfully completed by the petitioner, unless excluded by subsection (a)(3);

(D) Arrests or charges not initiated by arrest resulting in convictions, including convictions on municipal ordinance violations, unless excluded by subsection (a)(3);

(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in felony convictions for the following offenses:

   (i) Class 4 felony convictions for:

       Prostitution under Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012.

       Possession of cannabis under Section 4 of the Cannabis Control Act.

       Possession of a controlled substance under Section 402 of the Illinois Controlled Substances Act.

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Offenses under the Methamphetamine Precursor Control Act.
Offenses under the Steroid Control Act.
Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.
Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.
(ii) Class 3 felony convictions for:
Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.
Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.
Possession with intent to manufacture or deliver a controlled substance under Section 401 of the Illinois Controlled Substances Act.
(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

New matter indicated by italics - deletions by strikeout
(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b), (e), and (e-6) and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and,
for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to:

(A) seal felony records under clause (c)(2)(E); 
(B) seal felony records for a violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act under clause (c)(2)(F); 
(C) seal felony records under subsection (e-5); or 
(D) expunge felony records of a qualified probation under clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition and documentation to support the petition under subsection (e), (e-5), or (e-6) on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.

(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.

(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.

(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief
Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).

(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing. Prior to the hearing, the State's Attorney shall consult with the Department as to the appropriateness of the relief sought in the petition to expunge or seal. At the hearing, the court shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing. The court may consider the following:

(A) the strength of the evidence supporting the defendant's conviction;
(B) the reasons for retention of the conviction records by the State;
(C) the petitioner's age, criminal record history, and employment history;
(D) the period of time between the petitioner's arrest on the charge resulting in the conviction and the filing of the petition under this Section; and
(E) the specific adverse consequences the petitioner may be subject to if the petition is denied.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Implementation of order.

New matter indicated by italics - deletions by strikeout
(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

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(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(B-5) Upon entry of an order to expunge records under subsection (e-6):

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to
vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for these records from anyone not authorized by law to access the records, the court, the Department, or the agency receiving the inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(D) The Department shall send written notice to the petitioner of its compliance with each order to expunge or seal records within 60 days of the date of service of that order or, if a motion to vacate, modify, or reconsider is filed, within 60 days of service of the order resolving the motion, if that order requires the Department to expunge or seal records. In the event of an appeal from the circuit court order, the Department shall send written notice to the petitioner of its compliance with an Appellate Court or Supreme Court judgment to expunge or seal records within 60 days of the issuance of the court's mandate. The notice is not required while any motion to vacate, modify, or reconsider, or any appeal or petition for discretionary appellate review, is pending.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal
records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. Under Section 2-1203 of the Code of Civil Procedure, the petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order. If filed more than 60 days after service of the order, a petition to vacate, modify, or reconsider shall comply with subsection (c) of Section 2-1401 of the Code of Civil Procedure. Upon filing of a motion to vacate, modify, or reconsider, notice of the motion shall be served upon the petitioner and all parties entitled to notice of the petition.

(13) Effect of Order. An order granting a petition under the expungement or sealing provisions of this Section shall not be considered void because it fails to comply with the provisions of this Section or because of any error asserted in a motion to vacate, modify, or reconsider. The circuit court retains jurisdiction to determine whether the order is voidable and to vacate, modify, or reconsider its terms based on a motion filed under paragraph (12) of this subsection (d).

(14) Compliance with Order Granting Petition to Seal Records. Unless a court has entered a stay of an order granting a petition to seal, all parties entitled to notice of the petition must fully comply with the terms of the order within 60 days of service of the order even if a party is seeking relief from the order through a motion...
filed under paragraph (12) of this subsection (d) or is appealing the order.

(15) Compliance with Order Granting Petition to Expunge Records. While a party is seeking relief from the order granting the petition to expunge through a motion filed under paragraph (12) of this subsection (d) or is appealing the order, and unless a court has entered a stay of that order, the parties entitled to notice of the petition must seal, but need not expunge, the records until there is a final order on the motion for relief or, in the case of an appeal, the issuance of that court's mandate.

(16) The changes to this subsection (d) made by Public Act 98-163 this amendatory Act of the 98th General Assembly apply to all petitions pending on August 5, 2013 (the effective date of Public Act 98-163) this amendatory Act of the 98th General Assembly and to all orders ruling on a petition to expunge or seal on or after August 5, 2013 (the effective date of Public Act 98-163) this amendatory Act of the 98th General Assembly.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

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(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(e-6) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for expungement by the Prisoner Review Board which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by

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this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all expunged records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for expungement.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-133, eff. 1-1-14; 98-142, eff. 1-1-14; 98-163, eff. 8-5-13; 98-164, eff. 1-1-14; 98-399, eff. 8-16-13; revised 9-4-13.)

Passed in the General Assembly May 29, 2014.
Approved June 6, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0636
(Senate Bill No. 2945)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 14-7.02 as follows:

(105 ILCS 5/14-7.02) (from Ch. 122, par. 14-7.02)
Sec. 14-7.02. Children attending private schools, public out-of-state schools, public school residential facilities or private special education facilities. The General Assembly recognizes that non-public schools or

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special education facilities provide an important service in the educational system in Illinois.

If because of his or her disability the special education program of a district is unable to meet the needs of a child and the child attends a non-public school or special education facility, a public out-of-state school or a special education facility owned and operated by a county government unit that provides special educational services required by the child and is in compliance with the appropriate rules and regulations of the State Superintendent of Education, the school district in which the child is a resident shall pay the actual cost of tuition for special education and related services provided during the regular school term and during the summer school term if the child's educational needs so require, excluding room, board and transportation costs charged the child by that non-public school or special education facility, public out-of-state school or county special education facility, or $4,500 per year, whichever is less, and shall provide him any necessary transportation. "Nonpublic special education facility" shall include a residential facility, within or without the State of Illinois, which provides special education and related services to meet the needs of the child by utilizing private schools or public schools, whether located on the site or off the site of the residential facility.

The State Board of Education shall promulgate rules and regulations for determining when placement in a private special education facility is appropriate. Such rules and regulations shall take into account the various types of services needed by a child and the availability of such services to the particular child in the public school. In developing these rules and regulations the State Board of Education shall consult with the Advisory Council on Education of Children with Disabilities and hold public hearings to secure recommendations from parents, school personnel, and others concerned about this matter.

The State Board of Education shall also promulgate rules and regulations for transportation to and from a residential school. Transportation to and from home to a residential school more than once each school term shall be subject to prior approval by the State Superintendent in accordance with the rules and regulations of the State Board.

A school district making tuition payments pursuant to this Section is eligible for reimbursement from the State for the amount of such payments actually made in excess of the district per capita tuition charge for students not receiving special education services. Such reimbursement shall be approved in accordance with Section 14-12.01 and each district shall file its

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claims, computed in accordance with rules prescribed by the State Board of Education, on forms prescribed by the State Superintendent of Education. Data used as a basis of reimbursement claims shall be for the preceding regular school term and summer school term. Each school district shall transmit its claims to the State Board of Education on or before August 15. The State Board of Education, before approving any such claims, shall determine their accuracy and whether they are based upon services and facilities provided under approved programs. Upon approval the State Board shall cause vouchers to be prepared showing the amount due for payment of reimbursement claims to school districts, for transmittal to the State Comptroller on the 30th day of September, December, and March, respectively, and the final voucher, no later than June 20. If the money appropriated by the General Assembly for such purpose for any year is insufficient, it shall be apportioned on the basis of the claims approved.

No child shall be placed in a special education program pursuant to this Section if the tuition cost for special education and related services increases more than 10 percent over the tuition cost for the previous school year or exceeds $4,500 per year unless such costs have been approved by the Illinois Purchased Care Review Board. The Illinois Purchased Care Review Board shall consist of the following persons, or their designees: the Directors of Children and Family Services, Public Health, Public Aid, and the Governor's Office of Management and Budget; the Secretary of Human Services; the State Superintendent of Education; and such other persons as the Governor may designate. The Review Board shall establish rules and regulations for its determination of allowable costs and payments made by local school districts for special education, room and board, and other related services provided by non-public schools or special education facilities and shall establish uniform standards and criteria which it shall follow. The Review Board shall approve the usual and customary rate or rates of a special education program that (i) is offered by an out-of-state, non-public provider of integrated autism specific educational and autism specific residential services, (ii) offers 2 or more levels of residential care, including at least one locked facility, and (iii) serves 12 or fewer Illinois students.

The Review Board shall establish uniform definitions and criteria for accounting separately by special education, room and board and other related services costs. The Board shall also establish guidelines for the coordination of services and financial assistance provided by all State agencies to assure that no otherwise qualified disabled child receiving services under Article 14 shall be excluded from participation in, be denied the benefits of or be
subjected to discrimination under any program or activity provided by any State agency.

The Review Board shall review the costs for special education and related services provided by non-public schools or special education facilities and shall approve or disapprove such facilities in accordance with the rules and regulations established by it with respect to allowable costs.

The State Board of Education shall provide administrative and staff support for the Review Board as deemed reasonable by the State Superintendent of Education. This support shall not include travel expenses or other compensation for any Review Board member other than the State Superintendent of Education.

The Review Board shall seek the advice of the Advisory Council on Education of Children with Disabilities on the rules and regulations to be promulgated by it relative to providing special education services.

If a child has been placed in a program in which the actual per pupil costs of tuition for special education and related services based on program enrollment, excluding room, board and transportation costs, exceed $4,500 and such costs have been approved by the Review Board, the district shall pay such total costs which exceed $4,500. A district making such tuition payments in excess of $4,500 pursuant to this Section shall be responsible for an amount in excess of $4,500 equal to the district per capita tuition charge and shall be eligible for reimbursement from the State for the amount of such payments actually made in excess of the districts per capita tuition charge for students not receiving special education services.

If a child has been placed in an approved individual program and the tuition costs including room and board costs have been approved by the Review Board, then such room and board costs shall be paid by the appropriate State agency subject to the provisions of Section 14-8.01 of this Act. Room and board costs not provided by a State agency other than the State Board of Education shall be provided by the State Board of Education on a current basis. In no event, however, shall the State's liability for funding of these tuition costs begin until after the legal obligations of third party payors have been subtracted from such costs. If the money appropriated by the General Assembly for such purpose for any year is insufficient, it shall be apportioned on the basis of the claims approved. Each district shall submit estimated claims to the State Superintendent of Education. Upon approval of such claims, the State Superintendent of Education shall direct the State Comptroller to make payments on a monthly basis. The frequency for submitting estimated claims and the method of determining payment shall be

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prescribed in rules and regulations adopted by the State Board of Education. Such current state reimbursement shall be reduced by an amount equal to the proceeds which the child or child's parents are eligible to receive under any public or private insurance or assistance program. Nothing in this Section shall be construed as relieving an insurer or similar third party from an otherwise valid obligation to provide or to pay for services provided to a disabled child.

If it otherwise qualifies, a school district is eligible for the transportation reimbursement under Section 14-13.01 and for the reimbursement of tuition payments under this Section whether the non-public school or special education facility, public out-of-state school or county special education facility, attended by a child who resides in that district and requires special educational services, is within or outside of the State of Illinois. However, a district is not eligible to claim transportation reimbursement under this Section unless the district certifies to the State Superintendent of Education that the district is unable to provide special educational services required by the child for the current school year.

Nothing in this Section authorizes the reimbursement of a school district for the amount paid for tuition of a child attending a non-public school or special education facility, public out-of-state school or county special education facility unless the school district certifies to the State Superintendent of Education that the special education program of that district is unable to meet the needs of that child because of his disability and the State Superintendent of Education finds that the school district is in substantial compliance with Section 14-4.01. However, if a child is unilaterally placed by a State agency or any court in a non-public school or special education facility, public out-of-state school, or county special education facility, a school district shall not be required to certify to the State Superintendent of Education, for the purpose of tuition reimbursement, that the special education program of that district is unable to meet the needs of a child because of his or her disability.

Any educational or related services provided, pursuant to this Section in a non-public school or special education facility or a special education facility owned and operated by a county government unit shall be at no cost to the parent or guardian of the child. However, current law and practices relative to contributions by parents or guardians for costs other than educational or related services are not affected by this amendatory Act of 1978.

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Reimbursement for children attending public school residential facilities shall be made in accordance with the provisions of this Section.

Notwithstanding any other provision of law, any school district receiving a payment under this Section or under Section 14-7.02b, 14-13.01, or 29-5 of this Code may classify all or a portion of the funds that it receives in a particular fiscal year or from general State aid pursuant to Section 18-8.05 of this Code as funds received in connection with any funding program for which it is entitled to receive funds from the State in that fiscal year (including, without limitation, any funding program referenced in this Section), regardless of the source or timing of the receipt. The district may not classify more funds as funds received in connection with the funding program than the district is entitled to receive in that fiscal year for that program. Any classification by a district must be made by a resolution of its board of education. The resolution must identify the amount of any payments or general State aid to be classified under this paragraph and must specify the funding program to which the funds are to be treated as received in connection therewith. This resolution is controlling as to the classification of funds referenced therein. A certified copy of the resolution must be sent to the State Superintendent of Education. The resolution shall still take effect even though a copy of the resolution has not been sent to the State Superintendent of Education in a timely manner. No classification under this paragraph by a district shall affect the total amount or timing of money the district is entitled to receive under this Code. No classification under this paragraph by a district shall in any way relieve the district from or affect any requirements that otherwise would apply with respect to that funding program, including any accounting of funds by source, reporting expenditures by original source and purpose, reporting requirements, or requirements of providing services.

(Source: P.A. 93-1022, eff. 8-24-04; 94-177, eff. 7-12-05.)

Approved June 6, 2014.
Effective June 6, 2014.
AN ACT concerning courts.

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

Section 5. The State Records Act is amended by changing Section 3 as follows:

(5 ILCS 160/3) (from Ch. 116, par. 43.6)

Sec. 3. Records as property of State.

(a) All records created or received by or under the authority of or coming into the custody, control, or possession of public officials of this State in the course of their public duties are the property of the State. These records may not be mutilated, destroyed, transferred, removed, or otherwise damaged or disposed of, in whole or in part, except as provided by law. Any person shall have the right of access to any public records, unless access to the records is otherwise limited or prohibited by law. This subsection (a) does not apply to records that are subject to expungement under subsections (1.5) and (1.6) of Section 5-915 of the Juvenile Court Act of 1987.

(b) Reports and records of the obligation, receipt and use of public funds of the State are public records available for inspection by the public, except as access to such records is otherwise limited or prohibited by law or pursuant to law. These records shall be kept at the official place of business of the State or at a designated place of business of the State. These records shall be available for public inspection during regular office hours except when in immediate use by persons exercising official duties which require the use of those records. Nothing in this section shall require the State to invade or assist in the invasion of any person's right to privacy. Nothing in this Section shall be construed to limit any right given by statute or rule of law with respect to the inspection of other types of records.

Warrants and vouchers in the keeping of the State Comptroller may be destroyed by him as authorized in "An Act in relation to the reproduction and destruction of records kept by the Comptroller", approved August 1, 1949, as now or hereafter amended after obtaining the approval of the State Records Commission.

(Source: P.A. 92-866, eff. 1-3-03.)

Section 10. The Criminal Identification Act is amended by changing Section 5.2 as follows:

(20 ILCS 2630/5.2)

New matter indicated by italics - deletions by strikeout
Sec. 5.2. Expungement and sealing.

(a) General Provisions.

(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.

(A) The following terms shall have the meanings ascribed to them in the Unified Code of Corrections, 730 ILCS 5/5-1-2 through 5/5-1-22:

(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),
(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),
(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),
(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).

(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by 730 ILCS 5/5-1-3) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed,
vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of
the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (b)(8), (e), (e-5), and (e-6) of this Section, the court shall not order:

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(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

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(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a felony offense listed in subsection (c)(2)(F) or the charge is amended to a felony offense listed in subsection (c)(2)(F);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.
(2) Time frame for filing a petition to expunge.

(A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

(B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

(i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

(i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years

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have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Department of State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the records of the arresting authority and the Department of State Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the
circuit court clerk in connection with the proceedings of the trial court concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court that finds the petitioner factually innocent of the charge shall enter an expungement order for the conviction for which the petitioner has been determined to be innocent as provided in subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of State Police from maintaining all records of any person who is admitted to probation upon terms and conditions and who fulfills those terms and conditions pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act.

(8) If the petitioner has been granted a certificate of innocence under Section 2-702 of the Code of Civil Procedure, the court that grants the certificate of innocence shall also enter an order expunging the conviction for which the petitioner has been determined to be innocent as provided in subsection (h) of Section 2-702 of the Code of Civil Procedure.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:
   (A) All arrests resulting in release without charging;
   (B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);

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(C) Arrests or charges not initiated by arrest resulting in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);

(D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);

(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in felony convictions for the following offenses:

(i) Class 4 felony convictions for:

   Prostitution under Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012.
   Possession of cannabis under Section 4 of the Cannabis Control Act.
   Possession of a controlled substance under Section 402 of the Illinois Controlled Substances Act.
   Offenses under the Methamphetamine Precursor Control Act.
   Offenses under the Steroid Control Act.

   Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
   Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.
   Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
   Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

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(ii) Class 3 felony convictions for:

- Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
- Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.
- Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.
- Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

Possession with intent to manufacture or deliver a controlled substance under Section 401 of the Illinois Controlled Substances Act.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).
(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b), (e), and (e-6) and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to:
(A) seal felony records under clause (c)(2)(E);
(B) seal felony records for a violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act under clause (c)(2)(F);
(C) seal felony records under subsection (e-5); or
(D) expunge felony records of a qualified probation under clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition and documentation to support the petition under subsection (e), (e-5), or (e-6) on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.
(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection. *Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, an objection to the petition may not be filed.*
(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.
(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).
(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing.
Prior to the hearing, the State's Attorney shall consult with the Department as to the appropriateness of the relief sought in the petition to expunge or seal. At the hearing, the court shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing. The court may consider the following:

(A) the strength of the evidence supporting the defendant's conviction;
(B) the reasons for retention of the conviction records by the State;
(C) the petitioner's age, criminal record history, and employment history;
(D) the period of time between the petitioner's arrest on the charge resulting in the conviction and the filing of the petition under this Section; and
(E) the specific adverse consequences the petitioner may be subject to if the petition is denied.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Implementation of order.
(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:
   (i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;
   (ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by...
the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

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(v) in response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(B-5) Upon entry of an order to expunge records under subsection (e-6):

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for these records from anyone not authorized by law to access the records, the court, the Department, or the agency receiving the inquiry shall reply as it does in response to inquiries when no records ever existed.

New matter indicated by italics - deletions by strikeout
(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(D) The Department shall send written notice to the petitioner of its compliance with each order to expunge or seal records within 60 days of the date of service of that order or, if a motion to vacate, modify, or reconsider is filed, within 60 days of service of the order resolving the motion, if that order requires the Department to expunge or seal records. In the event of an appeal from the circuit court order, the Department shall send written notice to the petitioner of its compliance with an Appellate Court or Supreme Court judgment to expunge or seal records within 60 days of the issuance of the court's mandate. The notice is not required while any motion to vacate, modify, or reconsider, or any appeal or petition for discretionary appellate review, is pending.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

New matter indicated by italics - deletions by strikeout
(12) Motion to Vacate, Modify, or Reconsider. Under Section 2-1203 of the Code of Civil Procedure, the petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order. If filed more than 60 days after service of the order, a petition to vacate, modify, or reconsider shall comply with subsection (c) of Section 2-1401 of the Code of Civil Procedure. Upon filing of a motion to vacate, modify, or reconsider, notice of the motion shall be served upon the petitioner and all parties entitled to notice of the petition.

(13) Effect of Order. An order granting a petition under the expungement or sealing provisions of this Section shall not be considered void because it fails to comply with the provisions of this Section or because of any error asserted in a motion to vacate, modify, or reconsider. The circuit court retains jurisdiction to determine whether the order is voidable and to vacate, modify, or reconsider its terms based on a motion filed under paragraph (12) of this subsection (d).

(14) Compliance with Order Granting Petition to Seal Records. Unless a court has entered a stay of an order granting a petition to seal, all parties entitled to notice of the petition must fully comply with the terms of the order within 60 days of service of the order even if a party is seeking relief from the order through a motion filed under paragraph (12) of this subsection (d) or is appealing the order.

(15) Compliance with Order Granting Petition to Expunge Records. While a party is seeking relief from the order granting the petition to expunge through a motion filed under paragraph (12) of this subsection (d) or is appealing the order, and unless a court has entered a stay of that order, the parties entitled to notice of the petition must seal, but need not expunge, the records until there is a final order on the motion for relief or, in the case of an appeal, the issuance of that court's mandate.

(16) The changes to this subsection (d) made by Public Act 98-163 of the 98th General Assembly apply to all petitions pending on August 5, 2013 (the effective date of Public Act 98-163) and to all orders ruling on a petition to expunge or seal on or after August 5, 2013.
5, 2013 (the effective date of Public Act 98-163) this amendatory Act of the 98th General Assembly.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.
be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(e-6) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for expungement by the Prisoner Review Board which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all expunged records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for expungement.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would

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allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-133, eff. 1-1-14; 98-142, eff. 1-1-14; 98-163, eff. 8-5-13; 98-164, eff. 1-1-14; 98-399, eff. 8-16-13; revised 9-4-13.)

Section 15. The Juvenile Court Act of 1987 is amended by changing Section 5-915 as follows:

(705 ILCS 405/5-915)
Sec. 5-915. Expungement of juvenile law enforcement and court records.

(0.05) For purposes of this Section and Section 5-622:

"Expunge" means to physically destroy the records and to obliterate the minor's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the internal office records, files, or databases maintained by a State's Attorney's Office or other prosecutor.

"Law enforcement record" includes but is not limited to records of arrest, station adjustments, fingerprints, probation adjustments, the issuance of a notice to appear, or any other records maintained by a law enforcement agency relating to a minor suspected of committing an offense.

(1) Whenever any person has attained the age of 18 or whenever all juvenile court proceedings relating to that person have been terminated, whichever is later, the person may petition the court to expunge law enforcement records relating to incidents occurring before his or her 18th birthday or his or her juvenile court records, or both, but only in the following circumstances:

(a) the minor was arrested and no petition for delinquency was filed with the clerk of the circuit court; or
(b) the minor was charged with an offense and was found not delinquent of that offense; or
(c) the minor was placed under supervision pursuant to Section 5-615, and the order of supervision has since been successfully terminated; or
(d) the minor was adjudicated for an offense which would be a Class B misdemeanor, Class C misdemeanor, or a petty or business offense if committed by an adult.

New matter indicated by italics - deletions by strikeout
(1.5) Commencing 180 days after the effective date of this amendatory Act of the 98th General Assembly, the Department of State Police shall automatically expunge, on or before January 1 of each year, a person's law enforcement records relating to incidents occurring before his or her 18th birthday in the Department's possession or control and which contains the final disposition which pertain to the person when arrested as a minor if:

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

(b) the person attained the age of 18 years during the last calendar year; and

(c) since the date of the minor's most recent arrest, at least 6 months have elapsed without an additional arrest, filing of a petition for delinquency whether related or not to a previous arrest, or filing of charges not initiated by arrest.

The Department of State Police shall allow a person to use the Access and Review process, established in the Department of State Police, for verifying that his or her law enforcement records relating to incidents occurring before his or her 18th birthday eligible under this subsection have been expunged as provided in this subsection.

The Department of State Police shall provide by rule the process for access, review, and automatic expungement.

(1.6) Commencing on the effective date of this amendatory Act of the 98th General Assembly, a person whose law enforcement records are not subject to subsection (1.5) of this Section and who has attained the age of 18 years may use the Access and Review process, established in the Department of State Police, for verifying his or her law enforcement records relating to incidents occurring before his or her 18th birthday in the Department's possession or control which pertain to the person when arrested as a minor, if the incident occurred no earlier than 30 years before the effective date of this amendatory Act of the 98th General Assembly. If the person identifies a law enforcement record of an eligible offense that meets the requirements of this subsection, paragraphs (a) and (c) of subsection (1.5) of this Section, and all juvenile court proceedings related to the person have been terminated, the person may file a Request for Expungement of Juvenile Law Enforcement Records, in the form and manner prescribed by the Department of State Police, with the Department and the Department shall consider expungement of the record as otherwise provided for automatic expungement under subsection (1.5) of this Section. The person shall provide notice and a copy

New matter indicated by italics - deletions by strikeout
of the Request for Expungement of Juvenile Law Enforcement Records to the arresting agency, prosecutor charged with the prosecution of the minor, or the State's Attorney of the county that prosecuted the minor. The Department of State Police shall provide by rule the process for access, review, and Request for Expungement of Juvenile Law Enforcement Records.

(1.7) Nothing in subsections (1.5) and (1.6) of this Section precludes a person from filing a petition under subsection (1) for expungement of records subject to automatic expungement under subsection (1.5) or (1.6) of this Section.

(1.8) For the purposes of subsections (1.5) and (1.6) of this Section, "eligible offense" means records relating to an arrest or incident occurring before the person's 18th birthday that if committed by an adult is not an offense classified as a Class 2 felony or higher offense, an offense under Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012, or an offense under Section 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961.

(2) Any person may petition the court to expunge all law enforcement records relating to any incidents occurring before his or her 18th birthday which did not result in proceedings in criminal court and all juvenile court records with respect to any adjudications except those based upon first degree murder and sex offenses which would be felonies if committed by an adult, if the person for whom expungement is sought has had no convictions for any crime since his or her 18th birthday and:

(a) has attained the age of 21 years; or
(b) 5 years have elapsed since all juvenile court proceedings relating to him or her have been terminated or his or her commitment to the Department of Juvenile Justice pursuant to this Act has been terminated;

whichever is later of (a) or (b). Nothing in this Section 5-915 precludes a minor from obtaining expungement under Section 5-622.

(2.5) If a minor is arrested and no petition for delinquency is filed with the clerk of the circuit court as provided in paragraph (a) of subsection (1) at the time the minor is released from custody, the youth officer, if applicable, or other designated person from the arresting agency, shall notify verbally and in writing to the minor or the minor's parents or guardians that if the State's Attorney does not file a petition for delinquency, the minor has a right to petition to have his or her arrest record expunged when the minor attains the age of 18 or when all juvenile court proceedings relating to that minor have been terminated and that unless a petition to expunge is filed, the

New matter indicated by italics - deletions by strikeout
minor shall have an arrest record and shall provide the minor and the minor's parents or guardians with an expungement information packet, including a petition to expunge juvenile records obtained from the clerk of the circuit court.

(2.6) If a minor is charged with an offense and is found not delinquent of that offense; or if a minor is placed under supervision under Section 5-615, and the order of supervision is successfully terminated; or if a minor is adjudicated for an offense that would be a Class B misdemeanor, a Class C misdemeanor, or a business or petty offense if committed by an adult; or if a minor has incidents occurring before his or her 18th birthday that have not resulted in proceedings in criminal court, or resulted in proceedings in juvenile court, and the adjudications were not based upon first degree murder or sex offenses that would be felonies if committed by an adult; then at the time of sentencing or dismissal of the case, the judge shall inform the delinquent minor of his or her right to petition for expungement as provided by law, and the clerk of the circuit court shall provide an expungement information packet to the delinquent minor, written in plain language, including a petition for expungement, a sample of a completed petition, expungement instructions that shall include information informing the minor that (i) once the case is expunged, it shall be treated as if it never occurred, (ii) he or she may apply to have petition fees waived, (iii) once he or she obtains an expungement, he or she may not be required to disclose that he or she had a juvenile record, and (iv) he or she may file the petition on his or her own or with the assistance of an attorney. The failure of the judge to inform the delinquent minor of his or her right to petition for expungement as provided by law does not create a substantive right, nor is that failure grounds for: (i) a reversal of an adjudication of delinquency, (ii) a new trial; or (iii) an appeal.

(2.7) For counties with a population over 3,000,000, the clerk of the circuit court shall send a "Notification of a Possible Right to Expungement" post card to the minor at the address last received by the clerk of the circuit court on the date that the minor attains the age of 18 based on the birthdate provided to the court by the minor or his or her guardian in cases under paragraphs (b), (c), and (d) of subsection (1); and when the minor attains the age of 21 based on the birthdate provided to the court by the minor or his or her guardian in cases under subsection (2).

(2.8) The petition for expungement for subsection (1) may include multiple offenses on the same petition and shall be substantially in the following form:

New matter indicated by italics - deletions by strikeout
IN THE CIRCUIT COURT OF ......, ILLINOIS
........ JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.
)
)

...............)
(Name of Petitioner)

PETITION TO EXPUNGE JUVENILE RECORDS
(705 ILCS 405/5-915 (SUBSECTION 1))

(Please prepare a separate petition for each offense)

Now comes ............., petitioner, and respectfully requests that this Honorable
Court enter an order expunging all juvenile law enforcement and court
records of petitioner and in support thereof states that: Petitioner has attained
the age of 18, his/her birth date being ......, or all Juvenile Court proceedings
terminated as of ......, whichever occurred later. Petitioner was arrested on ..... by the ...... Police Department for the offense or offenses of ......, and:

( ) a. no petition or petitions were was filed with the Clerk of the Circuit Court.
( ) b. was charged with ...... and was found not delinquent of the offense or offenses.
( ) c. a petition or petitions were was filed and the petition or petitions were was dismissed without a finding of delinquency on ..... 
( ) d. on ...... placed under supervision pursuant to Section 5-615 of the Juvenile Court Act of 1987 and such order of supervision successfully terminated on ...... 
( ) e. was adjudicated for the offense or offenses, which would have been a Class B misdemeanor, a Class C misdemeanor, or a petty offense or business offense if committed by an adult. Petitioner .... has .... has not been arrested on charges in this or any county other than the charges listed above. If petitioner has been arrested on additional charges, please list the charges below:

Charge(s): ......
Arresting Agency or Agencies: ...........
Disposition/Result: (choose from a. through e., above): ..... 

WHEREFORE, the petitioner respectfully requests this Honorable Court to
(1) order all law enforcement agencies to expunge all records of petitioner to
this incident or incidents, and (2) to order the Clerk of the Court to expunge all records concerning the petitioner regarding this incident or incidents.

New matter indicated by italics - deletions by strikeout
Pursuant to the penalties of perjury under the Code of Civil Procedure, 735 ILCS 5/1-109, I hereby certify that the statements in this petition are true and correct, or on information and belief I believe the same to be true.

(Petitioner (Signature))

The Petition for Expungement for subsection (2) shall be substantially in the following form:

IN THE CIRCUIT COURT OF ........ ILLINOIS
........ JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.
) )
)
)

(Name of Petitioner)

PETITION TO EXPUNGE JUVENILE RECORDS
(705 ILCS 405/5-915 (SUBSECTION 2))

(Please prepare a separate petition for each offense)

Now comes .............., petitioner, and respectfully requests that this Honorable Court enter an order expunging all Juvenile Law Enforcement and Court records of petitioner and in support thereof states that:

The incident for which the Petitioner seeks expungement occurred before the Petitioner's 18th birthday and did not result in proceedings in criminal court and the Petitioner has not had any convictions for any crime since his/her 18th birthday; and

The incident for which the Petitioner seeks expungement occurred before the Petitioner's 18th birthday and the adjudication was not based upon first-degree murder or sex offenses which would be felonies if committed by an adult, and the Petitioner has not had any convictions for any crime since his/her 18th birthday.

Petitioner was arrested on ...... by the ...... Police Department for the offense of ........, and:

New matter indicated by italics - deletions by strikeout
(Check whichever one occurred the latest:)

( ) a. The Petitioner has attained the age of 21 years, his/her birthday being .......; or

( ) b. 5 years have elapsed since all juvenile court proceedings relating to the Petitioner have been terminated; or the Petitioner's commitment to the Department of Juvenile Justice pursuant to the expungement of juvenile law enforcement and court records provisions of the Juvenile Court Act of 1987 has been terminated. Petitioner ...has ...has not been arrested on charges in this or any other county other than the charge listed above. If petitioner has been arrested on additional charges, please list the charges below:

Charge(s): ..........
Arresting Agency or Agencies: .......
Disposition/Result: (choose from a or b, above): .......... 

WHEREFORE, the petitioner respectfully requests this Honorable Court to (1) order all law enforcement agencies to expunge all records of petitioner related to this incident, and (2) to order the Clerk of the Court to expunge all records concerning the petitioner regarding this incident.

...............................
 Petitioner (Signature)

...............................
 Petitioner's Street Address

...............................
 City, State, Zip Code

...............................
 Petitioner's Telephone Number

Pursuant to the penalties of perjury under the Code of Civil Procedure, 735 ILCS 5/1-109, I hereby certify that the statements in this petition are true and correct, or on information and belief I believe the same to be true.

...............................
 Petitioner (Signature)

(3) The chief judge of the circuit in which an arrest was made or a charge was brought or any judge of that circuit designated by the chief judge may, upon verified petition of a person who is the subject of an arrest or a juvenile court proceeding under subsection (1) or (2) of this Section, order the law enforcement records or official court file, or both, to be expunged from the official records of the arresting authority, the clerk of the circuit court and the Department of State Police. The person whose records are to be expunged shall petition the court using the appropriate form containing his or her current address and shall promptly notify the clerk of the circuit court.
of any change of address. Notice of the petition shall be served upon the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, and the arresting agency or agencies by the clerk of the circuit court. If an objection is filed within 45 days of the notice of the petition, the clerk of the circuit court shall set a date for hearing after the 45 day objection period. At the hearing the court shall hear evidence on whether the expungement should or should not be granted. Unless the State's Attorney or prosecutor, the Department of State Police, or an arresting agency objects to the expungement within 45 days of the notice, the court may enter an order granting expungement. The person whose records are to be expunged shall pay the clerk of the circuit court a fee equivalent to the cost associated with expungement of records by the clerk and the Department of State Police. The clerk shall forward a certified copy of the order to the Department of State Police, the appropriate portion of the fee to the Department of State Police for processing, and deliver a certified copy of the order to the arresting agency.

(3.1) The Notice of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
 .... JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
 )
 )
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 )
TO: State's Attorney
TO: Arresting Agency
............... 
............... 
............... 
............... 
TO: Illinois State Police
............... 
............... 
............... 
............... 

ATTENTION: Expungement
You are hereby notified that on ......, at ......, in courtroom ..., located at ..., before the Honorable ..., Judge, or any judge sitting in his/her stead, I shall

New matter indicated by italics - deletions by strikeout
then and there present a Petition to Expunge Juvenile records in the above-entitled matter, at which time and place you may appear.


PROOF OF SERVICE
On the ....... day of ......, 20..., I on oath state that I served this notice and true and correct copies of the above-checked documents by:
(Check One:)
delivering copies personally to each entity to whom they are directed;
or by mailing copies to each entity to whom they are directed by depositing the same in the U.S. Mail, proper postage fully prepaid, before the hour of 5:00 p.m., at the United States Postal Depository located at ..............

Signature
Clerk of the Circuit Court or Deputy Clerk
Printed Name of Delinquent Minor/Petitioner: ....
Address: ........................................
Telephone Number: ...............................

(3.2) The Order of Expungement shall be in substantially the following form:

ORDER OF EXPUNGEMENT
(705 ILCS 405/5-915 (SUBSECTION 3))

New matter indicated by italics - deletions by strikeout
This matter having been heard on the petitioner's motion and the court being fully advised in the premises does find that the petitioner is indigent or has presented reasonable cause to waive all costs in this matter, IT IS HEREBY ORDERED that:

( ) 1. Clerk of Court and Department of State Police costs are hereby waived in this matter.

( ) 2. The Illinois State Police Bureau of Identification and the following law enforcement agencies expunge all records of petitioner relating to an arrest dated ...... for the offense of ......

   Law Enforcement Agencies:
   ........................................
   ........................................

( ) 3. IT IS FURTHER ORDERED that the Clerk of the Circuit Court expunge all records regarding the above-captioned case.

ENTER: ......................

JUDGE
DATED: ......
Name:
Attorney for:
Address: City/State/Zip:
Attorney Number:

(3.3) The Notice of Objection shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
........................................ JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
                     )
                     )
......................)
(Name of Petitioner)

NOTICE OF OBJECTION
TO:(Attorney, Public Defender, Minor)
........................................
........................................
TO:(Illinois State Police)
........................................
........................................
TO:(Clerk of the Court)
........................................

New matter indicated by italics - deletions by strikeout
TO:(Judge)

TO:(Arresting Agency/Agencies)

ATTENTION: You are hereby notified that an objection has been filed by the following entity regarding the above-named minor's petition for expungement of juvenile records:

( ) State's Attorney's Office;
( ) Prosecutor (other than State's Attorney's Office) charged with the duty of prosecuting the offense sought to be expunged;
( ) Department of Illinois State Police; or
( ) Arresting Agency or Agencies.

The agency checked above respectfully requests that this case be continued and set for hearing on whether the expungement should or should not be granted.

DATED: ........

Name:
Attorney For:
Address:
City/State/Zip:
Telephone:
Attorney No.:

FOR USE BY CLERK OF THE COURT PERSONNEL ONLY

This matter has been set for hearing on the foregoing objection, on ...... in room ...., located at ......, before the Honorable ......, Judge, or any judge sitting in his/her stead.

(Only one hearing shall be set, regardless of the number of Notices of Objection received on the same case).

A copy of this completed Notice of Objection containing the court date, time, and location, has been sent via regular U.S. Mail to the following entities. (If more than one Notice of Objection is received on the same case, each one must be completed with the court date, time and location and mailed to the following entities):

( ) Attorney, Public Defender or Minor;
( ) State's Attorney's Office;

New matter indicated by italics - deletions by strikeout
( ) Prosecutor (other than State's Attorney's Office) charged with the duty of prosecuting the offense sought to be expunged; ( ) Department of Illinois State Police; and ( ) Arresting agency or agencies. 
Date: ...... Initials of Clerk completing this section: ..... 

(4) Upon entry of an order expunging records or files, the offense, which the records or files concern shall be treated as if it never occurred. Law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the person. 
(5) Records which have not been expunged are sealed, and may be obtained only under the provisions of Sections 5-901, 5-905 and 5-915. 
(6) Nothing in this Section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the offender. This information may only be used for statistical and bona fide research purposes. 

(6.5) The Department of State Police or any employee of the Department shall be immune from civil or criminal liability for failure to expunge any records of arrest that are subject to expungement under subsection (1.5) or (1.6) of this Section because of inability to verify a record. Nothing in subsection (1.5) or (1.6) of this Section shall create Department of State Police liability or responsibility for the expungement of law enforcement records it does not possess. 

(7)(a) The State Appellate Defender shall establish, maintain, and carry out, by December 31, 2004, a juvenile expungement program to provide information and assistance to minors eligible to have their juvenile records expunged. 

(b) The State Appellate Defender shall develop brochures, pamphlets, and other materials in printed form and through the agency's World Wide Web site. The pamphlets and other materials shall include at a minimum the following information: 

(i) An explanation of the State's juvenile expungement process; 
(ii) The circumstances under which juvenile expungement may occur; 
(iii) The juvenile offenses that may be expunged; 
(iv) The steps necessary to initiate and complete the juvenile expungement process; and 

New matter indicated by italics - deletions by strikeout
(v) Directions on how to contact the State Appellate Defender.

(c) The State Appellate Defender shall establish and maintain a statewide toll-free telephone number that a person may use to receive information or assistance concerning the expungement of juvenile records. The State Appellate Defender shall advertise the toll-free telephone number statewide. The State Appellate Defender shall develop an expungement information packet that may be sent to eligible persons seeking expungement of their juvenile records, which may include, but is not limited to, a pre-printed expungement petition with instructions on how to complete the petition and a pamphlet containing information that would assist individuals through the juvenile expungement process.

(d) The State Appellate Defender shall compile a statewide list of volunteer attorneys willing to assist eligible individuals through the juvenile expungement process.

(e) This Section shall be implemented from funds appropriated by the General Assembly to the State Appellate Defender for this purpose. The State Appellate Defender shall employ the necessary staff and adopt the necessary rules for implementation of this Section.

(8)(a) Except with respect to law enforcement agencies, the Department of Corrections, State's Attorneys, or other prosecutors, an expunged juvenile record may not be considered by any private or public entity in employment matters, certification, licensing, revocation of certification or licensure, or registration. Applications for employment must contain specific language that states that the applicant is not obligated to disclose expunged juvenile records of conviction or arrest. Employers may not ask if an applicant has had a juvenile record expunged. Effective January 1, 2005, the Department of Labor shall develop a link on the Department's website to inform employers that employers may not ask if an applicant had a juvenile record expunged and that application for employment must contain specific language that states that the applicant is not obligated to disclose expunged juvenile records of arrest or conviction.

(b) A person whose juvenile records have been expunged is not entitled to remission of any fines, costs, or other money paid as a consequence of expungement. This amendatory Act of the 93rd General Assembly does not affect the right of the victim of a crime to prosecute or defend a civil action for damages.

(c) The expungement of juvenile records under Section 5-622 shall be funded by the additional fine imposed under Section 5-9-1.17 of the Unified

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Code of Corrections and additional appropriations made by the General Assembly for such purpose.

(9) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(10) The changes made in subsection (1.5) of this Section by this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after January 1, 2015. The changes made in subsection (1.6) of this Section by this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody before January 1, 2015.

(Source: P.A. 98-61, eff. 1-1-14; revised 3-27-14.)

Passed in the General Assembly May 29, 2014.
Approved June 9, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0638
(Senate Bill No. 2727)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Environmental Protection Act is amended by changing Section 42 and by adding Section 52.5 as follows:

(415 ILCS 5/42) (from Ch. 111 1/2, par. 1042)
Sec. 42. Civil penalties.
(a) Except as provided in this Section, any person that violates any provision of this Act or any regulation adopted by the Board, or any permit or term or condition thereof, or that violates any order of the Board pursuant to this Act, shall be liable for a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues; such penalties may, upon order of the Board or a court of competent jurisdiction, be made payable to the Environmental Protection Trust Fund, to be used in accordance with the provisions of the Environmental Protection Trust Fund Act.

(b) Notwithstanding the provisions of subsection (a) of this Section:

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(1) Any person that violates Section 12(f) of this Act or any NPDES permit or term or condition thereof, or any filing requirement, regulation or order relating to the NPDES permit program, shall be liable to a civil penalty of not to exceed $10,000 per day of violation.

(2) Any person that violates Section 12(g) of this Act or any UIC permit or term or condition thereof, or any filing requirement, regulation or order relating to the State UIC program for all wells, except Class II wells as defined by the Board under this Act, shall be liable to a civil penalty not to exceed $2,500 per day of violation; provided, however, that any person who commits such violations relating to the State UIC program for Class II wells, as defined by the Board under this Act, shall be liable to a civil penalty of not to exceed $10,000 for the violation and an additional civil penalty of not to exceed $1,000 for each day during which the violation continues.

(3) Any person that violates Sections 21(f), 21(g), 21(h) or 21(i) of this Act, or any RCRA permit or term or condition thereof, or any filing requirement, regulation or order relating to the State RCRA program, shall be liable to a civil penalty of not to exceed $25,000 per day of violation.

(4) In an administrative citation action under Section 31.1 of this Act, any person found to have violated any provision of subsection (o) of Section 21 of this Act shall pay a civil penalty of $500 for each violation of each such provision, plus any hearing costs incurred by the Board and the Agency. Such penalties shall be made payable to the Environmental Protection Trust Fund, to be used in accordance with the provisions of the Environmental Protection Trust Fund Act; except that if a unit of local government issued the administrative citation, 50% of the civil penalty shall be payable to the unit of local government.

(4-5) In an administrative citation action under Section 31.1 of this Act, any person found to have violated any provision of subsection (p) of Section 21, Section 22.51, Section 22.51a, or subsection (k) of Section 55 of this Act shall pay a civil penalty of $1,500 for each violation of each such provision, plus any hearing costs incurred by the Board and the Agency, except that the civil penalty amount shall be $3,000 for each violation of any provision of subsection (p) of Section 21, Section 22.51, Section 22.51a, or subsection (k) of Section 55 that is the person's second or subsequent

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adjudication violation of that provision. The penalties shall be
deposited into the Environmental Protection Trust Fund, to be used
in accordance with the provisions of the Environmental Protection
Trust Fund Act; except that if a unit of local government issued the
administrative citation, 50% of the civil penalty shall be payable to
the unit of local government.

(5) Any person who violates subsection 6 of Section 39.5 of
this Act or any CAAPP permit, or term or condition thereof, or any
fee or filing requirement, or any duty to allow or carry out inspection,
entry or monitoring activities, or any regulation or order relating to
the CAAPP shall be liable for a civil penalty not to exceed $10,000
per day of violation.

(6) Any owner or operator of a community water system that
violates subsection (b) of Section 18.1 or subsection (a) of Section
25d-3 of this Act shall, for each day of violation, be liable for a civil
penalty not to exceed $5 for each of the premises connected to the
affected community water system.

(7) Any person who violates Section 52.5 of this Act shall be
liable for a civil penalty of up to $1,000 for the first violation of that
Section and a civil penalty of up to $2,500 for a second or subsequent
violation of that Section.

(b.5) In lieu of the penalties set forth in subsections (a) and (b) of this
Section, any person who fails to file, in a timely manner, toxic chemical
release forms with the Agency pursuant to Section 25b-2 of this Act shall be
liable for a civil penalty of $100 per day for each day the forms are late, not
to exceed a maximum total penalty of $6,000. This daily penalty shall begin
accruing on the thirty-first day after the date that the person receives the
warning notice issued by the Agency pursuant to Section 25b-6 of this Act;
and the penalty shall be paid to the Agency. The daily accrual of penalties
shall cease as of January 1 of the following year. All penalties collected by
the Agency pursuant to this subsection shall be deposited into the
Environmental Protection Permit and Inspection Fund.

(c) Any person that violates this Act, any rule or regulation adopted
under this Act, any permit or term or condition of a permit, or any Board
order and causes the death of fish or aquatic life shall, in addition to the other
penalties provided by this Act, be liable to pay to the State an additional sum
for the reasonable value of the fish or aquatic life destroyed. Any money so
recovered shall be placed in the Wildlife and Fish Fund in the State Treasury.
(d) The penalties provided for in this Section may be recovered in a civil action.

(e) The State's Attorney of the county in which the violation occurred, or the Attorney General, may, at the request of the Agency or on his own motion, institute a civil action for an injunction, prohibitory or mandatory, to restrain violations of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order, or to require such other actions as may be necessary to address violations of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order.

(f) The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring such actions in the name of the people of the State of Illinois. Without limiting any other authority which may exist for the awarding of attorney's fees and costs, the Board or a court of competent jurisdiction may award costs and reasonable attorney's fees, including the reasonable costs of expert witnesses and consultants, to the State's Attorney or the Attorney General in a case where he has prevailed against a person who has committed a wilful, knowing or repeated violation of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order.

Any funds collected under this subsection (f) in which the Attorney General has prevailed shall be deposited in the Hazardous Waste Fund created in Section 22.2 of this Act. Any funds collected under this subsection (f) in which a State's Attorney has prevailed shall be retained by the county in which he serves.

(g) All final orders imposing civil penalties pursuant to this Section shall prescribe the time for payment of such penalties. If any such penalty is not paid within the time prescribed, interest on such penalty at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, shall be paid for the period from the date payment is due until the date payment is received. However, if the time for payment is stayed during the pendency of an appeal, interest shall not accrue during such stay.

(h) In determining the appropriate civil penalty to be imposed under subdivisions (a), (b)(1), (b)(2), (b)(3), or (b)(5) of this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

(1) the duration and gravity of the violation;
(2) the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and

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regulations thereunder or to secure relief therefrom as provided by this Act;

(3) any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;

(4) the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;

(5) the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;

(6) whether the respondent voluntarily self-disclosed, in accordance with subsection (i) of this Section, the non-compliance to the Agency;

(7) whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and

(8) whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In determining the appropriate civil penalty to be imposed under subsection (a) or paragraph (1), (2), (3), or (5) of subsection (b) of this Section, the Board shall ensure, in all cases, that the penalty is at least as great as the economic benefits, if any, accrued by the respondent as a result of the violation, unless the Board finds that imposition of such penalty would result in an arbitrary or unreasonable financial hardship. However, such civil penalty may be off-set in whole or in part pursuant to a supplemental environmental project agreed to by the complainant and the respondent.

(i) A person who voluntarily self-discloses non-compliance to the Agency, of which the Agency had been unaware, is entitled to a 100% reduction in the portion of the penalty that is not based on the economic benefit of non-compliance if the person can establish the following:

(1) that the non-compliance was discovered through an environmental audit or a compliance management system.
documented by the regulated entity as reflecting the regulated entity's due diligence in preventing, detecting, and correcting violations;
(2) that the non-compliance was disclosed in writing within 30 days of the date on which the person discovered it;
(3) that the non-compliance was discovered and disclosed prior to:
   (i) the commencement of an Agency inspection, investigation, or request for information;
   (ii) notice of a citizen suit;
   (iii) the filing of a complaint by a citizen, the Illinois Attorney General, or the State's Attorney of the county in which the violation occurred;
   (iv) the reporting of the non-compliance by an employee of the person without that person's knowledge; or
   (v) imminent discovery of the non-compliance by the Agency;
(4) that the non-compliance is being corrected and any environmental harm is being remediated in a timely fashion;
(5) that the person agrees to prevent a recurrence of the non-compliance;
(6) that no related non-compliance events have occurred in the past 3 years at the same facility or in the past 5 years as part of a pattern at multiple facilities owned or operated by the person;
(7) that the non-compliance did not result in serious actual harm or present an imminent and substantial endangerment to human health or the environment or violate the specific terms of any judicial or administrative order or consent agreement;
(8) that the person cooperates as reasonably requested by the Agency after the disclosure; and
(9) that the non-compliance was identified voluntarily and not through a monitoring, sampling, or auditing procedure that is required by statute, rule, permit, judicial or administrative order, or consent agreement.

If a person can establish all of the elements under this subsection except the element set forth in paragraph (1) of this subsection, the person is entitled to a 75% reduction in the portion of the penalty that is not based upon the economic benefit of non-compliance.

(j) In addition to any other remedy or penalty that may apply, whether civil or criminal, any person who violates Section 22.52 of this Act shall be

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liable for an additional civil penalty of up to 3 times the gross amount of any pecuniary gain resulting from the violation.

(k) In addition to any other remedy or penalty that may apply, whether civil or criminal, any person who violates subdivision (a)(7.6) of Section 31 of this Act shall be liable for an additional civil penalty of $2,000.
(Source: P.A. 96-603, eff. 8-24-09; 96-737, eff. 8-25-09; 96-1000, eff. 7-2-10; 96-1416, eff. 7-30-10; 97-519, eff. 8-23-11.)

(415 ILCS 5/52.5 new)

Sec. 52.5. Microbead-free waters.

(a) As used in this Section:
"Over the counter drug" means a drug that is a personal care product that contains a label that identifies the product as a drug as required by 21 CFR 201.66. An "over the counter drug" label includes:

(1) A drug facts panel; or
(2) A statement of the active ingredients with a list of those ingredients contained in the compound, substance, or preparation.

"Personal care product" means any article intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and any article intended for use as a component of any such article. "Personal care product" does not include any prescription drugs.

"Plastic" means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that can be molded or extruded at high heat into various solid forms retaining their defined shapes during life cycle and after disposal.

"Synthetic plastic microbead" means any intentionally added non-biodegradable solid plastic particle measured less than 5 millimeters in size and is used to exfoliate or cleanse in a rinse-off product.

(b) The General Assembly hereby finds that microbeads, a synthetic alternative ingredient to such natural materials as ground almonds, oatmeal, and pumice, found in over 100 personal care products, including facial cleansers, shampoos, and toothpastes, pose a serious threat to the State's environment.

Microbeads have been documented to collect harmful pollutants already present in the environment and harm fish and other aquatic organisms that form the base of the aquatic food chain. Recently, microbeads have been recorded in Illinois water bodies, and in particular, the waters of Lake Michigan.

New matter indicated by italics - deletions by strikeout
Although synthetic plastic microbeads are a safe and effective mild abrasive ingredient effectively used for gently removing dead skin, there are recent concerns about the potential environmental impact of these materials. More research is needed on any adverse consequences, but a number of cosmetic manufacturers have already begun a voluntary process for identifying alternatives that allay those concerns. Those alternatives will be carefully evaluated to assure safety and implemented in a timely manner.

Without significant and costly improvements to the majority of the State's sewage treatment facilities, microbeads contained in products will continue to pollute Illinois' waters and hinder the recent substantial economic investments in redeveloping Illinois waterfronts and the ongoing efforts to restore the State's lakes and rivers and recreational and commercial fisheries.

(c) Effective December 31, 2017, no person shall manufacture for sale a personal care product, except for an over the counter drug, that contains synthetic plastic microbeads as defined in this Section.

(d) Effective December 31, 2018, no person shall accept for sale a personal care product, except for an over the counter drug, that contains synthetic plastic microbeads as defined in this Section.

(e) Effective December 31, 2018, no person shall manufacture for sale an over the counter drug that contains synthetic plastic microbeads as defined in this Section.

(f) Effective December 31, 2019, no person shall accept for sale an over the counter drug that contains synthetic plastic microbeads as defined in this Section.

Passed in the General Assembly May 29, 2014.
Approved June 9, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0639
(House Bill No. 4527)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 27A-5 as follows:

(105 ILCS 5/27A-5)
Sec. 27A-5. Charter school; legal entity; requirements.

New matter indicated by italics - deletions by strikeout
(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(b-5) In this subsection (b-5), "virtual-schooling" means the teaching of courses through online methods with online instructors, rather than the instructor and student being at the same physical location. "Virtual-schooling" includes without limitation instruction provided by full-time, online virtual schools.

From April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.
(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. Annually, by December 1, every charter school must submit to the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article; the Illinois Educational Labor Relations Act; all federal and State laws and rules applicable to public schools that pertain to special education and the instruction of English language learners, referred to in this Code as "children of limited English-speaking ability"; and its charter. A charter school is exempt from all other State laws and regulations in the School Code governing public schools and local school board policies, except the following:

1. Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;
2. Sections 24-24 and 34-84A of the School Code regarding discipline of students;
3. The Local Governmental and Governmental Employees Tort Immunity Act;
4. Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;
5. The Abused and Neglected Child Reporting Act;
6. The Illinois School Student Records Act;
7. Section 10-17a of the School Code regarding school report cards; and
8. The P-20 Longitudinal Education Data System Act.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the

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use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 27A-11 as follows:

(105 ILCS 5/27A-11)
Sec. 27A-11. Local financing.
(a) For purposes of the School Code, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which the pupil resides. Each charter school (i) shall determine the school district in which each pupil who is enrolled in the charter school resides, (ii) shall report the aggregate number of pupils resident of a school district who are enrolled in the charter school to the school district in which those pupils reside, and (iii) shall maintain accurate records of daily attendance that shall be deemed sufficient to file claims under Section 18-8 notwithstanding any other requirements of that Section regarding hours of instruction and teacher certification.

(b) Except for a charter school established by referendum under Section 27A-6.5, as part of a charter school contract, the charter school and the local school board shall agree on funding and any services to be provided by the school district to the charter school. Agreed funding that a charter school is to receive from the local school board for a school year shall be paid in equal quarterly installments with the payment of the installment for the first quarter being made not later than July 1, unless the charter establishes a different payment schedule. However, if a charter school dismisses a pupil from the charter school after receiving a quarterly payment, the charter school shall return to the school district, on a quarterly basis, the prorated portion of public funding provided for the education of that pupil for the time the student is not enrolled at the charter school. Likewise, if a pupil transfers to a charter school between quarterly payments, the school district shall provide, on a quarterly basis, a prorated portion of the public funding to the charter school to provide for the education of that pupil.

All services centrally or otherwise provided by the school district including, but not limited to, rent, food services, custodial services, maintenance, curriculum, media services, libraries, transportation, and warehousing shall be subject to negotiation between a charter school and the

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local school board and paid for out of the revenues negotiated pursuant to this subsection (b); provided that the local school board shall not attempt, by negotiation or otherwise, to obligate a charter school to provide pupil transportation for pupils for whom a district is not required to provide transportation under the criteria set forth in subsection (a)(13) of Section 27A-7.

In no event shall the funding be less than 75% or more than 125% of the school district's per capita student tuition multiplied by the number of students residing in the district who are enrolled in the charter school.

It is the intent of the General Assembly that funding and service agreements under this subsection (b) shall be neither a financial incentive nor a financial disincentive to the establishment of a charter school.

The charter school may set and collect reasonable fees. Fees collected from students enrolled at a charter school shall be retained by the charter school.

(c) Notwithstanding subsection (b) of this Section, the proportionate share of State and federal resources generated by students with disabilities or staff serving them shall be directed to charter schools enrolling those students by their school districts or administrative units. The proportionate share of moneys generated under other federal or State categorical aid programs shall be directed to charter schools serving students eligible for that aid.

(d) The governing body of a charter school is authorized to accept gifts, donations, or grants of any kind made to the charter school and to expend or use gifts, donations, or grants in accordance with the conditions prescribed by the donor; however, a gift, donation, or grant may not be accepted by the governing body if it is subject to any condition contrary to applicable law or contrary to the terms of the contract between the charter school and the local school board. Charter schools shall be encouraged to solicit and utilize community volunteer speakers and other instructional resources when providing instruction on the Holocaust and other historical events.

(e) (Blank).

(f) The State Board shall provide technical assistance to persons and groups preparing or revising charter applications.

(g) At the non-renewal or revocation of its charter, each charter school shall refund to the local board of education all unspent funds.

(h) A charter school is authorized to incur temporary, short term debt to pay operating expenses in anticipation of receipt of funds from the local school board.

New matter indicated by italics - deletions by strikeout
June 09, 2014

To the Honorable Members of the 98th General Assembly:

After conducting a comprehensive and thorough review of this legislation, I hereby sign Senate Bill 1922, which will stabilize the City of Chicago’s pension funds for laborers and municipal workers. This legislation includes much-needed reforms that will help secure Chicago's financial future.

While I am committed to the public pension reforms embodied in Senate Bill 1922, I was dismayed by the ill-advised attempt to have the Illinois General Assembly impose a property tax increase on the people of Chicago as part of this legislation. I publicly stated that this backdoor approach was wrong and I would not approve it.

Officials of local government units in Illinois should determine their own fiscal and revenue policies in order to be directly accountable to their constituents.

It should be noted that Senate Bill 1922 was subsequently amended at my insistence to remove the legislatively-mandated property tax increase, which I strongly oppose.

I am encouraged by the public support for my position and the public opposition to automatic reliance on the property tax to solve the fiscal problems of the City of Chicago.

As the Mayor and members of the Chicago City Council work to identify savings to meet their obligations under Senate Bill 1922, I urge them to rule out a property tax increase on Chicago homeowners and businesses.

I recognize that Chicago’s mission to find real solutions to its financial challenges will not be easy. It will require hard work, creative solutions and difficult decisions, just as it did last year when we held the line and achieved comprehensive pension reform for the State of Illinois.

I strongly urge the Mayor and City Council to follow our lead and identify a comprehensive, balanced solution to Chicago’s pension crisis. Chicago’s
finances can and should be set on the track to long-term stability in a way that does not hit homeowners the hardest.

Sincerely,

PAT QUINN
Governor

PUBLIC ACT 98-0641
(Senate Bill No. 1922)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Findings. It is the intention of the General Assembly to address an immediate funding crisis that threatens the solvency and sustainability of the public pension systems ("Pension Funds") serving employees of the City of Chicago ("City"). The Pension Funds include the Municipal Employees' Annuity and Benefit Fund of Chicago ("MEABF") and the Laborers' and Retirement Board Employees' Annuity Benefit Fund of Chicago ("LABF"). The General Assembly observes that both the pension benefits provided by these Pension Funds and the City's obligation to contribute to these Pension Funds are established by State law. The General Assembly further observes that the City has continuously made the required contributions to these Pension Funds. After reviewing the condition of the Pension Funds, potential sources of funding, and assessing the need for reform thereof, the General Assembly finds and declares that:

1. The overall financial condition of these two City pension funds is so dire, even under the most optimistic assumptions, a balanced increase in funding, both from the City and from its employees, combined with a modification of annual adjustments for both current and future retirees, is necessary to stabilize and fund the pension funds.

2. While considering the combined unfunded liabilities of the MEABF and LABF, as well as other pension funding that ultimately relies on funds from the City's property tax base, a combination of modifications to employee contribution rates and annual adjustments and increased revenues are necessary to keep the City funds solvent. The City, even as a home rule unit, lacks the ability and flexibility to raise sufficient revenues to fund the...
current level of pension benefits of these Pension Funds while at the same
time providing important public services essential to the public welfare.

3. The General Assembly has been advised by the City that the City
cannot feasibly reduce its other expenses to address this serious problem
without an unprecedented reduction in basic City services. Personnel costs
constitute approximately 75% of the non-discretionary appropriations for the
City. As such, reductions in City expenditures to fund pensions would
necessarily result in substantial cuts to City personnel, including in key
services areas such as public safety, sanitation, and construction.

4. In sum, the crisis confronting the City and its Funds is so large and
immediate that it cannot be addressed through increased funding alone,
without modifying employee contribution rates and annual adjustments for
current and future retirees. The consequences to the City of attempting to do
so would be draconian. Accordingly, the General Assembly concludes that,
unless reforms are enacted, the benefits currently promised by the Pension
Funds are at risk.

Section 10. The Illinois Pension Code is amended by changing
Sections 1-160, 8-137, 8-137.1, 8-173, 8-174, 11-134.1, 11-134.3, 11-169,
and 11-170 and by adding Sections 8-173.1, 8-174.2, 11-169.1, and 11-179.1
as follows:

(40 ILCS 5/1-160)
(Text of Section before amendment by P.A. 98-622)
Sec. 1-160. Provisions applicable to new hires.

(a) The provisions of this Section apply to a person who, on or after
January 1, 2011, first becomes a member or a participant under any reciprocal
retirement system or pension fund established under this Code, other than a
retirement system or pension fund established under Article 2, 3, 4, 5, 6, 15
or 18 of this Code, notwithstanding any other provision of this Code to the
contrary, but do not apply to any self-managed plan established under this
Code, to any person with respect to service as a sheriff’s law enforcement
employee under Article 7, or to any participant of the retirement plan
established under Section 22-101. Notwithstanding anything to the contrary
in this Section, for purposes of this Section, a person who participated in a
retirement system under Article 15 prior to January 1, 2011 shall be deemed
a person who first became a member or participant prior to January 1, 2011
under any retirement system or pension fund subject to this Section. The
changes made to this Section by this amendatory Act of the 98th General Assembly
are a clarification of existing law and are intended

New matter indicated by italics - deletions by strikeout
to be retroactive to the effective date of Public Act 96-889, notwithstanding the provisions of Section 1-103.1 of this Code.

(b) "Final average salary" means the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

1. In Article 7 (except for service as sheriff's law enforcement employees), "final rate of earnings".
2. In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".
3. In Article 13, "average final salary".
4. In Article 14, "final average compensation".
5. In Article 17, "average salary".
6. In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

New matter indicated by italics - deletions by strikeout
A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67.

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1.
preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, or a security employee of the Department of Corrections or the Department of Juvenile Justice, as those terms are defined in subsection (b) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual

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employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control. (Source: P.A. 97-609, eff. 1-1-12; 98-92, eff. 7-16-13; 98-596, eff. 11-19-13; revised 1-23-14.)

(Text of Section after amendment by P.A. 98-622)

Sec. 1-160. Provisions applicable to new hires.

(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 15 or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code, to any person with respect to service as a sheriff's law enforcement employee under Article 7, or to any participant of the retirement plan established under Section 22-101. Notwithstanding anything to the contrary in this Section, for purposes of this Section, a person who participated in a retirement system under Article 15 prior to January 1, 2011 shall be deemed a person who first became a member or participant prior to January 1, 2011 under any retirement system or pension fund subject to this Section. The changes made to this Section by Public Act 98-596 this amendatory Act of the 98th General Assembly are a clarification of existing law and are intended to be retroactive to the effective date of Public Act 96-889, notwithstanding the provisions of Section 1-103.1 of this Code.

(b) "Final average salary" means the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) In Article 7 (except for service as sheriff's law enforcement employees), "final rate of earnings".

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In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".

In Article 13, "average final salary".

In Article 14, "final average compensation".

In Article 17, "average salary".

In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 (beginning January 1, 2015, age 65 with respect to service under Article 8, 11, or 12 of this Code that is subject to this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 (beginning January 1, 2015, age 60 with respect to service under Article 8, 11, or 12 of this Code that is subject to this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 (beginning January 1, 2015, age 60 with respect to service under Article 8, 11, or 12 of this Code that is subject to this Section)
with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member’s age is under age 67 (beginning January 1, 2015, age 65 with respect to service under Article 8, 11, or 12 of this Code that is subject to this Section).

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 (beginning January 1, 2015, age 65 with respect to service under Article 8, 11, or 12 of this Code that is subject to this Section) or the first anniversary (the second anniversary with respect to service under Article 8 or 11) of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

Notwithstanding any provision of this Section to the contrary, with respect to service under Article 8 or 11 of this Code that is subject to this Section, no annual increase under this subsection shall be paid or accrue to any person in year 2025. In all other years, the Fund shall continue to pay annual increases as provided in this Section.

Notwithstanding Section 1-103.1 of this Code, the changes in this amendatory Act of the 98th General Assembly are applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 98th General Assembly.

(f) The initial survivor’s or widow’s annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member’s or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor’s or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child’s annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor’s or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other

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cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, or a security employee of the Department of Corrections or the Department of Juvenile Justice, as those terms are defined in subsection (b) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or

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retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 97-609, eff. 1-1-12; 98-92, eff. 7-16-13; 98-596, eff. 11-19-13; 98-622, eff. 6-1-14; revised 1-23-14.)

(40 ILCS 5/8-137) (from Ch. 108 1/2, par. 8-137)

Sec. 8-137. Automatic increase in annuity.

(a) An employee who retired or retires from service after December 31, 1959 and before January 1, 1987, having attained age 60 or more, shall, in January of the year after the year in which the first anniversary of retirement occurs, have the amount of his then fixed and payable monthly annuity increased by 1 1/2%, and such first fixed annuity as granted at retirement increased by a further 1 1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%, and beginning with January of the year 1984 such increases shall be at the rate of 3%. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article. An employee who retires on annuity after December 31, 1959 and before January 1, 1987, but before age 60, shall receive such increases beginning in January of the year after the year in which he attains age 60.

An employee who retires from service on or after January 1, 1987 shall, upon the first annuity payment date following the first anniversary of the date of retirement, or upon the first annuity payment date following attainment of age 60, whichever occurs later, have his then fixed and payable monthly annuity increased by 3%, and such annuity shall be increased by an additional 3% of the original fixed annuity on the same date each year thereafter. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article.

(a-5) Notwithstanding the provisions of subsection (a), upon the first annuity payment date following (1) the third anniversary of retirement, (2) the

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attainment of age 53, or (3) January 1, 2002, whichever occurs latest, the monthly annuity of an employee who retires on annuity prior to the attainment of age 60 and has not received an increase under subsection (a) shall be increased by 3%, and the annuity shall be increased by an additional 3% of the current payable monthly annuity, including any increases previously granted under this Article, on the same date each year thereafter. The increases provided under this subsection are in lieu of the increases provided in subsection (a).

(a-6) Notwithstanding the provisions of subsections (a) and (a-5), for all calendar years following the year in which this amendatory Act of the 93rd General Assembly takes effect, an increase in annuity under this Section that would otherwise take effect at any time during the year shall instead take effect in January of that year.

(b) Subsections (a), (a-5), and (a-6) are not applicable to an employee retiring and receiving a term annuity, as herein defined, nor to any otherwise qualified employee who retires before he makes employee contributions (at the 1/2 of 1% rate as provided in this Act) for this additional annuity for not less than the equivalent of one full year. Such employee, however, shall make arrangement to pay to the fund a balance of such 1/2 of 1% contributions, based on his final salary, as will bring such 1/2 of 1% contributions, computed without interest, to the equivalent of or completion of one year's contributions.

Beginning with January, 1960, each employee shall contribute by means of salary deductions 1/2 of 1% of each salary payment, concurrently with and in addition to the employee contributions otherwise made for annuity purposes.

Each such additional contribution shall be credited to an account in the prior service annuity reserve, to be used, together with city contributions, to defray the cost of the specified annuity increments. Any balance in such account at the beginning of each calendar year shall be credited with interest at the rate of 3% per annum.

Such additional employee contributions are not refundable, except to an employee who withdraws and applies for refund under this Article, and in cases where a term annuity becomes payable. In such cases his contributions shall be refunded, without interest, and charged to such account in the prior service annuity reserve.

(b-5) Notwithstanding any provision of this Section to the contrary:

(1) A person retiring after the effective date of this amendatory Act of the 98th General Assembly shall not be eligible for
an annual increase under this Section until one full year after the date on which such annual increase otherwise would take effect under this Section.

(2) Except for persons eligible under subdivision (4) of this subsection for a minimum annual increase, there shall be no annual increase under this Section in years 2017, 2019, and 2025.

(3) In all other years, beginning January 1, 2015, the Fund shall pay an annual increase to persons eligible to receive one under this Section, in lieu of any other annual increase provided under this Section (but subject to the minimum increase under subdivision (4) of this subsection, if applicable) in an amount equal to the lesser of 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1 of the person's last annual annuity amount prior to January 1, 2015, or if the person was not yet receiving an annuity on that date, then this calculation shall be based on his or her originally granted annual annuity amount.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

(4) A person is eligible under this subdivision (4) to receive a minimum annual increase in a particular year if: (i) the person is otherwise eligible to receive an annual increase under subdivision (3) of this subsection, and (ii) the annual amount of the annuity payable at the time of the increase, including all increases previously received, is less than $22,000.

Beginning January 1, 2015, for a person who is eligible under this subdivision (4) to receive a minimum annual increase in the year 2017, 2019, or 2025, the annual increase shall be 1% of the person's last annual annuity amount prior to January 1, 2015, or if the person was not yet receiving an annuity on that date, then 1% of his or her originally granted annual annuity amount.

Beginning January 1, 2015, for any other year in which a person is eligible under this subdivision (4) to receive a minimum annual increase, the annual increase shall be as specified under subdivision (3), but not less than 1% of the person's last annual annuity amount prior to January 1, 2015 or, if the person was not yet
receiving an annuity on that date, then not less than 1% of his or her originally granted annual annuity amount.

For the purposes of Section 1-103.1, this subsection (b-5) is applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 98th General Assembly. This subsection (b-5) applies to any former employee who on or after the effective date of this amendatory Act of the 98th General Assembly is receiving a retirement annuity and is eligible for an automatic annual increase under this Section.

(Source: P.A. 92-599, eff. 6-28-02; 92-609, eff. 7-1-02; 93-654, eff. 1-16-04.)

(40 ILCS 5/8-137.1) (from Ch. 108 1/2, par. 8-137.1)

Sec. 8-137.1. Automatic increases in annuity for certain heretofore retired participants.

(a) A retired municipal employee who (i) (a) is receiving annuity based on a service credit of 20 or more years regardless of age at retirement or based on a service credit of 15 or more years with retirement at age 55 or over, and (ii) (b) does not qualify for the automatic increases in annuity provided for in Section 8-137 of this Article, and (iii) (c) elects to make a contribution to the Fund at a time and manner prescribed by the Retirement Board, of a sum equal to 1% of the amount of final monthly salary times the number of full years of service on which the annuity was based in those cases where the annuity was computed on the money purchase formula and in those cases in which the annuity was computed under the minimum annuity formula provisions of this Article a sum equal to 1% of the average monthly salary on which the annuity was based times such number of full years of service, shall have his original fixed and payable monthly amount of annuity increased in January of the year following the year in which he attains the age of 65 years, if such age of 65 years is attained in the year 1969 or later, by an amount equal to 1-1/2%, and by an equal additional 1-1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%, and beginning January of the year 1984 such increases shall be at the rate of 3%. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article.

Whenever the retired municipal employee receiving annuity has attained the age of 66 or more in 1969, he shall have such annuity increased in January, 1970 by an amount equal to 1-1/2% multiplied by the number equal to the number of months of January elapsing from and including
January of the year immediately following the year he attained the age of 65 if retired at or before age 65, or from and including January of the year immediately following the year of retirement if retired at an age greater than 65, to and including January, 1970, and by an equal additional 1-1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%, and beginning January of the year 1984 such increases shall be at the rate of 3%. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article.

(b) To defray the annual cost of such increases, the annual interest income of the Fund, accruing from investments held by the Fund, exclusive of gains or losses on sales or exchanges of assets during the year, over and above 4% a year, shall be used to the extent necessary and available to finance the cost of such increases for the following year, and such amount shall be transferred as of the end of each year, beginning with the year 1969, to a Fund account designated as the Supplementary Payment Reserve from the Investment and Interest Reserve set forth in Section 8-221. The sums contributed by annuitants as provided for in this Section shall also be placed in the aforesaid Supplementary Payment Reserve and shall be applied and used for the purposes of such Fund account, together with the aforesaid interest.

In the event the monies in the Supplementary Payment Reserve in any year arising from: (1) the available interest income as defined hereinbefore and accruing in the preceding year above 4% a year and (2) the contributions by retired persons, as set forth hereinbefore, are insufficient to make the total payments to all persons estimated to be entitled to the annuity increases specified hereinbefore, then (3) any interest earnings over 4% a year beginning with the year 1969 which were not previously used to finance such increases and which were transferred to the Prior Service Annuity Reserve may be used to the extent necessary and available to provide sufficient funds to finance such increases for the current year, and such sums shall be transferred from the Prior Service Annuity Reserve.  

In the event the total monies available in the Supplementary Payment Reserve from the preceding indicated sources are insufficient to make the total payments to all persons entitled to such increases for the year, a proportionate amount computed as the ratio of the monies available to the total of the total payments for that year shall be paid to each person for that year.

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The Fund shall be obligated for the payment of the increases in annuity as provided for in this Section only to the extent that the assets for such purpose, as specified herein, are available.

(b-5) Notwithstanding any provision of this Section to the contrary:

(1) Except for persons eligible under subdivision (3) of this subsection for a minimum annual increase, there shall be no annual increase under this Section in years 2017, 2019, and 2025.

(2) In all other years, beginning January 1, 2015, the Fund shall pay an annual increase to persons eligible to receive one under this Section, in lieu of any other annual increase provided under this Section (but subject to the minimum increase under subdivision (3) of this subsection, if applicable) in an amount equal to the lesser of 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1 of the person's last annual annuity amount prior to January 1, 2015.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

(3) A person is eligible under this subdivision (3) to receive a minimum annual increase in a particular year if: (i) the person is otherwise eligible to receive an annual increase under subdivision (2) of this subsection, and (ii) the annual amount of the annuity payable at the time of the increase, including all increases previously received, is less than $22,000.

Beginning January 1, 2015, for a person who is eligible under this subdivision (3) to receive a minimum annual increase in the year 2017, 2019, or 2025, the annual increase shall be 1% of the person's last annual annuity amount prior to January 1, 2015.

Beginning January 1, 2015, for any other year in which a person is eligible under this subdivision (3) to receive a minimum annual increase, the annual increase shall be as specified under subdivision (2), but not less than 1% of the person's last annual annuity amount prior to January 1, 2015.

For the purposes of Section 1-103.1, this subsection (b-5) is applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 98th General
Assembly. This subsection (b-5) applies to any former employee who on or after the effective date of this amendatory Act of the 98th General Assembly is receiving a retirement annuity and is eligible for an automatic annual increase under this Section.

(Source: P.A. 90-766, eff. 8-14-98.)

(40 ILCS 5/8-173) (from Ch. 108 1/2, par. 8-173)
Sec. 8-173. Financing; tax levy.

(a) Except as provided in subsection (f) of this Section, the city council of the city shall levy a tax annually upon all taxable property in the city at a rate that will produce a sum which, when added to the amounts deducted from the salaries of the employees or otherwise contributed by them and the amounts deposited under subsection (f), will be sufficient for the requirements of this Article, but which when extended will produce an amount not to exceed the greater of the following: (a) the sum obtained by the levy of a tax of .1093% of the value, as equalized or assessed by the Department of Revenue, of all taxable property within such city, or (b) the sum of $12,000,000. However any city in which a Fund has been established and in operation under this Article for more than 3 years prior to 1970 shall levy for the year 1970 a tax at a rate on the dollar of assessed valuation of all taxable property that will produce, when extended, an amount not to exceed 1.2 times the total amount of contributions made by employees to the Fund for annuity purposes in the calendar year 1968, and, for the year 1971 and 1972 such levy that will produce, when extended, an amount not to exceed 1.3 times the total amount of contributions made by employees to the Fund for annuity purposes in the calendar years 1969 and 1970, respectively; and for the year 1973 an amount not to exceed 1.365 times such total amount of contributions made by employees for annuity purposes in the calendar year 1971; and for the year 1974 an amount not to exceed 1.430 times such total amount of contributions made by employees for annuity purposes in the calendar year 1972; and for the year 1975 an amount not to exceed 1.495 times such total amount of contributions made by employees for annuity purposes in the calendar year 1973; and for the year 1976 an amount not to exceed 1.560 times such total amount of contributions made by employees for annuity purposes in the calendar year 1974; and for the year 1977 an amount not to exceed 1.625 times such total amount of contributions made by employees for annuity purposes in the calendar year 1975; and for the year 1978 and each year thereafter through levy year 2014, such levy as will produce, when extended, an amount not to exceed the total amount of contributions made by or on behalf of employees to the Fund for annuity

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purposes in the calendar year 2 years prior to the year for which the annual applicable tax is levied, multiplied by 1.690 for the years 1978 through 1998 and by 1.250 for the year 1999 and for each year thereafter through levy year 2014. Beginning in levy year 2015, and in each year thereafter, the levy shall not exceed the amount of the city's total required contribution to the Fund for the next payment year, as determined under subsection (a-5). For the purposes of this Section, the payment year is the year immediately following the levy year.

The tax shall be levied and collected in like manner with the general taxes of the city, and shall be exclusive of and in addition to the amount of tax the city is now or may hereafter be authorized to levy for general purposes under any laws which may limit the amount of tax which the city may levy for general purposes. The county clerk of the county in which the city is located, in reducing tax levies under the provisions of any Act concerning the levy and extension of taxes, shall not consider the tax herein provided for as a part of the general tax levy for city purposes, and shall not include the same within any limitation of the percent of the assessed valuation upon which taxes are required to be extended for such city.

Revenues derived from such tax shall be paid to the city treasurer of the city as collected and held by the city treasurer for the benefit of the fund.

If the payments on account of taxes are insufficient during any year to meet the requirements of this Article, the city may issue tax anticipation warrants against the current tax levy.

The city may continue to use other lawfully available funds in lieu of all or part of the levy, as provided under subsection (f) of this Section.

(a-5) Beginning in payment year 2016, the city's required annual contribution to the Fund shall be the lesser of:

(i) (I) for payment years 2016 through 2055, the annual amount determined by the Fund to be equal to the greater of $0, or the sum of (1) the city's portion of the projected normal cost for that fiscal year, plus (2) an amount determined on a level percentage of applicable employee payroll basis (reflecting any limits on individual participants' pay that apply for benefit and contribution purposes under this plan) that is sufficient to bring the total actuarial assets of the Fund up to 90% of the total actuarial liabilities of the Fund by the end of 2055. (II) For payment years after 2055, the annual amount determined by the Fund to be equal to the amount, if any, needed to bring the total actuarial assets of the Fund up to 90% of the total

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actuarial liabilities of the Fund as of the end of the year. In making the determinations under both (I) and (II), the actuarial calculations shall be determined under the entry age normal actuarial cost method, and any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following the fiscal year; or

(ii) for payment year 2016, 1.85 times the total amount of contributions made by or on behalf of employees to the Fund for annuity purposes in the calendar year 2013; for payment year 2017, 2.15 times the total amount of contributions made by or on behalf of employees to the Fund for annuity purposes in the calendar year 2014; for payment year 2018, 2.45 times the total amount of contributions made by or on behalf of employees to the Fund for annuity purposes in the calendar year 2015; for payment year 2019, 2.75 times the total amount of contributions made by or on behalf of employees to the Fund for annuity purposes in the calendar year 2016; for payment year 2020, 3.05 times the total amount of contributions made by or on behalf of employees to the Fund for annuity purposes in the calendar year 2017.

However, beginning in the earlier of payment year 2021 or the first payment year in which the annual contribution amount calculated under subdivision (i) is less than the contribution amount calculated under subdivision (ii), and in each year thereafter, the city's required annual contribution to the Fund shall be determined under subdivision (i).

The city's required annual contribution to the Fund may be paid with any available funds and shall be paid by the city to the city treasurer. The city treasurer shall collect and hold those funds for the benefit of the Fund.

(a-10) If the city fails to transmit to the Fund contributions required of it under this Article by December 31st of the year in which such contributions are due, the Fund may, after giving notice to the city, certify to the State Comptroller the amounts of the delinquent payments, and the Comptroller must, beginning in payment year 2016, deduct and deposit into the Fund the certified amounts or a portion of those amounts from the following proportions of grants of State funds to the city:

(1) in payment year 2016, one-third of the total amount of any grants of State funds to the city;

(2) in payment year 2017, two-thirds of the total amount of any grants of State funds to the city; and

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(3) in payment year 2018 and each payment year thereafter, the total amount of any grants of State funds to the city. The State Comptroller may not deduct from any grants of State funds to the city more than the amount of delinquent payments certified to the State Comptroller by the Fund.

(b) On or before July 1 January 10, annually, the board shall certify to notify the city council the annual amounts required under of the requirements of this Article, for which the tax herein provided may shall be levied for the following current year. The board shall compute the amounts necessary to be credited to the reserves established and maintained as herein provided, and shall make an annual determination of the amount of the required city contributions, and certify the results thereof to the city council.

(c) In respect to employees of the city who are transferred to the employment of a park district by virtue of the "Exchange of Functions Act of 1957", the corporate authorities of the park district shall annually levy a tax upon all the taxable property in the park district at such rate per cent of the value of such property, as equalized or assessed by the Department of Revenue, as shall be sufficient, when added to the amounts deducted from their salaries and otherwise contributed by them to provide the benefits to which they and their dependents and beneficiaries are entitled under this Article. The city shall not levy a tax hereunder in respect to such employees. The tax so levied by the park district shall be in addition to and exclusive of all other taxes authorized to be levied by the park district for corporate, annuity fund, or other purposes. The county clerk of the county in which the park district is located, in reducing any tax levied under the provisions of any act concerning the levy and extension of taxes shall not consider such tax as part of the general tax levy for park purposes, and shall not include the same in any limitation of the per cent of the assessed valuation upon which taxes are required to be extended for the park district. The proceeds of the tax levied by the park district, upon receipt by the district, shall be immediately paid over to the city treasurer of the city for the uses and purposes of the fund.

The various sums to be contributed by the city and park district and allocated for the purposes of this Article, and any interest to be contributed by the city, shall be derived from the revenue from the taxes authorized in this Section or otherwise as expressly provided in this Section.

If it is not possible or practicable for the city to make contributions for age and service annuity and widow's annuity at the same time that employee

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contributions are made for such purposes, such city contributions shall be construed to be due and payable as of the end of the fiscal year for which the tax is levied and shall accrue thereafter with interest at the effective rate until paid.

(d) With respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as amended (P.L. 93-203, 87 Stat. 839, P.L. 93-567, 88 Stat. 1845), hereinafter referred to as CETA, subsequent to October 1, 1978, and in instances where the board has elected to establish a manpower program reserve, the board shall compute the amounts necessary to be credited to the manpower program reserves established and maintained as herein provided, and shall make a periodic determination of the amount of required contributions from the City to the reserve to be reimbursed by the federal government in accordance with rules and regulations established by the Secretary of the United States Department of Labor or his designee, and certify the results thereof to the City Council. Any such amounts shall become a credit to the City and will be used to reduce the amount which the City would otherwise contribute during succeeding years for all employees.

(e) In lieu of establishing a manpower program reserve with respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as authorized by subsection (d), the board may elect to establish a special municipality contribution rate for all such employees. If this option is elected, the City shall contribute to the Fund from federal funds provided under the Comprehensive Employment and Training Act program at the special rate so established and such contributions shall become a credit to the City and be used to reduce the amount which the City would otherwise contribute during succeeding years for all employees.

(f) In lieu of levying all or a portion of the tax required under this Section in any year, the city may deposit with the city treasurer no later than March 1 of that year for the benefit of the fund, to be held in accordance with this Article, an amount that, together with the taxes levied under this Section for that year, is not less than the amount of the city contributions for that year as certified by the board to the city council. The deposit may be derived from any source legally available for that purpose, including, but not limited to, the proceeds of city borrowings. The making of a deposit shall satisfy fully the requirements of this Section for that year to the extent of the amounts so deposited. Amounts deposited under this subsection may be used by the fund for any of the purposes for which the proceeds of the tax levied by the city

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under this Section may be used, including the payment of any amount that is otherwise required by this Article to be paid from the proceeds of that tax. (Source: P.A. 90-31, eff. 6-27-97; 90-655, eff. 7-30-98; 90-766, eff. 8-14-98.)

Sec. 8-173.1. Funding Obligation.
(a) Beginning January 1, 2015, the city shall be obligated to contribute to the Fund in each fiscal year an amount not less than the amount determined annually under subsection (a-5) of Section 8-173 of this Code. Notwithstanding any other provision of law, if the city fails to pay the amount guaranteed under this Section on or before December 31 of the year in which such amount is due, the retirement board may bring a mandamus action in the Circuit Court of Cook County to compel the city to make the required payment, irrespective of other remedies that may be available to the Fund. The obligations and causes of action created under this Section shall be in addition to any other right or remedy otherwise accorded by common law or State or federal law, and nothing in this Section shall be construed to deny, abrogate, impair, or waive any such common law or statutory right or remedy.

(b) In ordering the city to make the required payment, the court may order a reasonable payment schedule to enable the city to make the required payment without significantly imperiling the public health, safety, or welfare. Any payments required to be made by the city pursuant to this Section are expressly subordinated to the payment of the principal, interest, premium, if any, and other payments on or related to any bonded debt obligation of the city, either currently outstanding or to be issued, for which the source of repayment or security thereon is derived directly or indirectly from any funds collected or received by the city or collected or received on behalf of the city. Payments on such bonded obligations include any statutory fund transfers or other prefunding mechanisms or formulas set forth, now or hereafter, in State law, city ordinance, or bond indentures, into debt service funds or accounts of the city related to such bonded obligations, consistent with the payment schedules associated with such obligations.

Sec. 8-174. Contributions for age and service annuities for present employees and future entrants.
(a) Beginning on the effective date and prior to July 1, 1947, 3 1/4%; and beginning on July 1, 1947 and prior to July 1, 1953, 5%; and beginning July 1, 1953, and prior to January 1, 1972, 6%; and beginning January 1, 1972, 6.5%; and beginning January 1, 2015, and prior to January 1, 2016,
7.0%; and beginning January 1, 2016, and prior to January 1, 2017, 7.5%; and, beginning January 1, 2017, and prior to January 1, 2018, 8.0%; and beginning January 1, 2018, and prior to January 1, 2019, 8.5%; and beginning January 1, 2019, and thereafter, 9.0%

of each payment of the salary of each present employee and future entrant shall be contributed to the fund as a deduction from salary for age and service annuity; provided, however, that beginning with the first pay period on or after the date when the funded ratio of the Fund is first determined to have reached the 90% funding goal set forth in subsection (a-5) of Section 8-173, and each pay period thereafter for as long as the Fund maintains a funding ratio of 90% or more, employee contributions shall be 7.75% of salary for the age and service annuity. If the funding ratio falls below 90%, then employee contributions for the age and service annuity shall revert to 9.0% of salary until such time as the Fund once again is determined to have reached a funding ratio of at least 90%, at which time employee contributions of 7.75% shall resume for the age and service annuity.

Notwithstanding Section 1-103.1, the changes to this Section made by this amendatory Act of the 98th General Assembly apply regardless of whether the employee was in active service on or after the effective date of this amendatory Act.

Such deductions beginning on the effective date and prior to July 1, 1947 shall be made for a future entrant while he is in the service until he attains age 65 and for a present employee while he is in the service until the amount so deducted from his salary with the amount deducted from his salary or paid by him according to law to any municipal pension fund in force on the effective date with interest on both such amounts at 4% per annum equals the sum that would have been to his credit from sums deducted from his salary if deductions at the rate herein stated had been made during his entire service until he attained age 65 with interest at 4% per annum for the period subsequent to his attainment of age 65. Such deductions beginning July 1, 1947 shall be made and continued for employees while in the service.

(b) Concurrently with each employee contribution beginning on the effective date and prior to July 1, 1947 the city shall contribute 5 3/4%; and beginning on July 1, 1947 and prior to July 1, 1953, 7%; and beginning July 1, 1953, 6% of each payment of such salary until the employee attains age 65. Notwithstanding any provision of this subsection (b) to the contrary, the city shall not make a contribution for any credit established by an employee under subsection (b) of Section 8-138.4.

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(c) Each employee contribution made prior to the date the age and service annuity for an employee is fixed and each corresponding city contribution shall be credited to the employee and allocated to the account of the employee for whose benefit it is made.

(Source: P.A. 93-654, eff. 1-16-04.)

(40 ILCS 5/8-174.2 new)

Sec. 8-174.2. Use of contributions for health care subsidies. Except as may be required pursuant to Sections 8-164.1 and 8-164.2 of this Code, the Fund shall not use any contribution received by the Fund under this Article to provide a subsidy for the cost of participation in a retiree health care program.

(40 ILCS 5/11-134.1) (from Ch. 108 1/2, par. 11-134.1)

Sec. 11-134.1. Automatic increase in annuity.

(a) An employee who retired or retires from service after December 31, 1963, and before January 1, 1987, having attained age 60 or more, shall, in the month of January of the year following the year in which the first anniversary of retirement occurs, have the amount of his then fixed and payable monthly annuity increased by 1 1/2%, and such first fixed annuity as granted at retirement increased by a further 1 1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%. Beginning January 1984, such increases shall be at the rate of 3%. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article. An employee who retires on annuity after December 31, 1963 and before January 1, 1987, but prior to age 60, shall receive such increases beginning with January of the year immediately following the year in which he attains the age of 60 years.

An employee who retires from service on or after January 1, 1987 shall, upon the first annuity payment date following the first anniversary of the date of retirement, or upon the first annuity payment date following attainment of age 60, whichever occurs later, have his then fixed and payable monthly annuity increased by 3%, and such annuity shall be increased by an additional 3% of the original fixed annuity on the same date each year thereafter. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article.

(a-5) Notwithstanding the provisions of subsection (a), upon the first annuity payment date following (1) the third anniversary of retirement, (2) the

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attainment of age 53, or (3) January 1, 2002, whichever occurs latest, the monthly annuity of an employee who retires on annuity prior to the attainment of age 60 and has not received an increase under subsection (a) shall be increased by 3%, and the annuity shall be increased by an additional 3% of the current payable monthly annuity, including any increases previously granted under this Article, on the same date each year thereafter. The increases provided under this subsection are in lieu of the increases provided in subsection (a).

(a-6) Notwithstanding the provisions of subsections (a) and (a-5), for all calendar years following the year in which this amendatory Act of the 93rd General Assembly takes effect, an increase in annuity under this Section that would otherwise take effect at any time during the year shall instead take effect in January of that year.

(b) Subsections (a), (a-5), and (a-6) are not applicable to an employee retiring and receiving a term annuity, as defined in this Article, nor to any otherwise qualified employee who retires before he shall have made employee contributions (at the 1/2 of 1% rate as hereinafter provided) for the purposes of this additional annuity for not less than the equivalent of one full year. Such employee, however, shall make arrangement to pay to the fund a balance of such 1/2 of 1% contributions, based on his final salary, as will bring such 1/2 of 1% contributions, computed without interest, to the equivalent of or completion of one year's contributions.

Beginning with the month of January, 1964, each employee shall contribute by means of salary deductions 1/2 of 1% of each salary payment, concurrently with and in addition to the employee contributions otherwise made for annuity purposes.

Each such additional employee contribution shall be credited to an account in the prior service annuity reserve, to be used, together with city contributions, to defray the cost of the specified annuity increments. Any balance as of the beginning of each calendar year existing in such account shall be credited with interest at the rate of 3% per annum.

Such employee contributions shall not be subject to refund, except to an employee who resigns or is discharged and applies for refund under this Article, and also in cases where a term annuity becomes payable.

In such cases the employee contributions shall be refunded him, without interest, and charged to the aforementioned account in the prior service annuity reserve.

(b-5) Notwithstanding any provision of this Section to the contrary:

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(1) A person retiring after the effective date of this amendatory Act of the 98th General Assembly shall not be eligible for an annual increase under this Section until one full year after the date on which such annual increase otherwise would take effect under this Section.

(2) Except for persons eligible under subdivision (4) of this subsection for a minimum annual increase, there shall be no annual increase under this Section in years 2017, 2019, and 2025.

(3) In all other years, beginning January 1, 2015, the Fund shall pay an annual increase to persons eligible to receive one under this Section, in lieu of any other annual increase provided under this Section (but subject to the minimum increase under subdivision (4) of this subsection, if applicable) in an amount equal to the lesser of 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1 of the person's last annual annuity amount prior to January 1, 2015, or if the person was not yet receiving an annuity on that date, then this calculation shall be based on his or her originally granted annual annuity amount.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

(4) A person is eligible under this subdivision (4) to receive a minimum annual increase in a particular year if: (i) the person is otherwise eligible to receive an annual increase under subdivision (3) of this subsection, and (ii) the annual amount of the annuity payable at the time of the increase, including all increases previously received, is less than $22,000.

Beginning January 1, 2015, for a person who is eligible under this subdivision (4) to receive a minimum annual increase in the year 2017, 2019, or 2025, the annual increase shall be 1% of the person's last annual annuity amount prior to January 1, 2015, or if the person was not yet receiving an annuity on that date, then 1% of his or her originally granted annual annuity amount.

Beginning January 1, 2015, for any other year in which a person is eligible under this subdivision (4) to receive a minimum annual increase, the annual increase shall be as specified under
subdivision (3), but not less than 1% of the person's last annual annuity amount prior to January 1, 2015 or, if the person was not yet receiving an annuity on that date, then not less than 1% of his or her originally granted annual annuity amount.

For the purposes of Section 1-103.1, this subsection (b-5) is applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 98th General Assembly. This subsection (b-5) applies to any former employee who on or after the effective date of this amendatory Act of the 98th General Assembly is receiving a retirement annuity and is eligible for an automatic annual increase under this Section.

(Source: P.A. 92-599, eff. 6-28-02; 92-609, eff. 7-1-02; 93-654, eff. 1-16-04.)

Sec. 11-134.3. Automatic increases in annuity for certain heretofore retired participants.

(a) A retired employee who (i) (a) is receiving annuity based on a service credit of 20 or more years regardless of age at retirement or based on a service credit of 15 or more years with retirement at age 55 or over, and (ii) (b) does not qualify for the automatic increases in annuity provided for in Section 11-134.1 of this Article, and (iii) (c) elects to make a contribution to the Fund at a time and manner prescribed by the Retirement Board, of a sum equal to 1% of the amount of final monthly salary times the number of full years of service on which the annuity was based in those cases where the annuity was computed on the money purchase formula, and in those cases in which the annuity was computed under the minimum annuity formula provisions of this Article a sum equal to 1% of the average monthly salary on which the annuity was based times such number of full years of service, shall have his original fixed and payable monthly amount of annuity increased in January of the year following the year in which he attains the age of 65 years, if such age of 65 years is attained in the year 1969 or later, by an amount equal to 1 1/2%, and by an equal additional 1 1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%. Beginning January, 1984, such increases shall be at the rate of 3%. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article.

In those cases in which the retired employee receiving annuity has attained the age of 66 or more years in the year 1969, he shall have such annuity increased in January of the year 1970 by an amount equal to 1 1/2%
multiplied by the number equal to the number of months of January elapsing from and including January of the year immediately following the year he attained the age of 65 years if retired at or prior to age 65, or from and including January of the year immediately following the year of retirement if retired at an age greater than 65 years, to and including January of the year 1970, and by an equal additional 1 1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%. Beginning January, 1984, such increases shall be at the rate of 3%. Beginning in January of 1999, such increases shall be at the rate of 3% of the currently payable monthly annuity, including any increases previously granted under this Article.

(b) To defray the annual cost of such increases, the annual interest income of the Fund, accruing from investments held by the Fund, exclusive of gains or losses on sales or exchanges of assets during the year, over and above 4% a year, shall be used to the extent necessary and available to finance the cost of such increases for the following year, and such amount shall be transferred as of the end of each year, beginning with the year 1969, to a Fund account designated as the Supplementary Payment Reserve from the Investment and Interest Reserve set forth in Sec. 11-210. The sums contributed by annuitants as provided for in this Section shall also be placed in the aforesaid Supplementary Payment Reserve and shall be applied for and used for the purposes of such Fund account, together with the aforesaid interest.

In the event the monies in the Supplementary Payment Reserve in any year arising from: (1) the available interest income as defined hereinbefore and accruing in the preceding year above 4% a year and (2) the contributions by retired persons, as set forth hereinbefore, are insufficient to make the total payments to all persons estimated to be entitled to the annuity increases specified hereinbefore, then (3) any interest earnings over 4% a year beginning with the year 1969 which were not previously used to finance such increases and which were transferred to the Prior Service Annuity Reserve may be used to the extent necessary and available to provide sufficient funds to finance such increases for the current year, and such sums shall be transferred from the Prior Service Annuity Reserve.

In the event the total monies available in the Supplementary Payment Reserve from the preceding indicated sources are insufficient to make the total payments to all persons entitled to such increases for the year, a proportionate amount computed as the ratio of the monies available to the

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total of the total payments for that year shall be paid to each person for that year.

The Fund shall be obligated for the payment of the increases in annuity as provided for in this Section only to the extent that the assets for such purpose, as specified herein, are available.

(b-5) Notwithstanding any provision of this Section to the contrary:

(1) Except for persons eligible under subdivision (3) of this subsection for a minimum annual increase, there shall be no annual increase under this Section in years 2017, 2019, and 2025.

(2) In all other years, beginning January 1, 2015, the Fund shall pay an annual increase to persons eligible to receive one under this Section, in lieu of any other annual increase provided under this Section (but subject to the minimum increase under subdivision (3) of this subsection, if applicable) in an amount equal to the lesser of 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1 of the person's last annual annuity amount prior to January 1, 2015.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

(3) A person is eligible under this subdivision (3) to receive a minimum annual increase in a particular year if: (i) the person is otherwise eligible to receive an annual increase under subdivision (2) of this subsection, and (ii) the annual amount of the annuity payable at the time of the increase, including all increases previously received, is less than $22,000.

Beginning January 1, 2015, for a person who is eligible under this subdivision (3) to receive a minimum annual increase in the year 2017, 2019, or 2025, the annual increase shall be 1% of the person's last annual annuity amount prior to January 1, 2015.

Beginning January 1, 2015, for any other year in which a person is eligible under this subdivision (3) to receive a minimum annual increase, the annual increase shall be as specified under subdivision (2), but not less than 1% of the person's last annual annuity amount prior to January 1, 2015.

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For the purposes of Section 1-103.1, this subsection (b-5) is applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 98th General Assembly. This subsection (b-5) applies to any former employee who on or after the effective date of this amendatory Act of the 98th General Assembly is receiving a retirement annuity and is eligible for an automatic annual increase under this Section.

(Source: P.A. 90-766, eff. 8-14-98.)

(40 ILCS 5/11-169) (from Ch. 108 1/2, par. 11-169)

Sec. 11-169. Financing; tax levy.

(a) Except as provided in subsection (f) of this Section, the city council of the city shall levy a tax annually upon all taxable property in the city at the rate that will produce a sum which, when added to the amounts deducted from the salaries of the employees or otherwise contributed by them and the amounts deposited under subsection (f), will be sufficient for the requirements of this Article. For the years prior to the year 1950 the tax rate shall be as provided for under "The 1935 Act". Beginning with the year 1950 to and including the year 1969 such tax shall be not more than .036% annually of the value, as equalized or assessed by the Department of Revenue, of all taxable property within such city. Beginning with the year 1970 and each year thereafter through levy year 2014, the city shall levy a tax annually at a rate on the dollar of the value, as equalized or assessed by the Department of Revenue of all taxable property within such city that will produce, when extended, not to exceed an amount equal to the total amount of contributions by the employees to the fund made in the calendar year 2 years prior to the year for which the annual applicable tax is levied, multiplied by 1.1 for the years 1970, 1971 and 1972; 1.145 for the year 1973; 1.19 for the year 1974; 1.235 for the year 1975; 1.280 for the year 1976; 1.325 for the year 1977; 1.370 for the years 1978 through 1998; and 1.000 for the year 1999 and for each year thereafter through levy year 2014. Beginning in levy year 2015, and in each year thereafter, the levy shall not exceed the amount of the city's total required contribution to the Fund for the next payment year, as determined under subsection (a-5). For the purposes of this Section, the payment year is the year immediately following the levy year.

The tax shall be levied and collected in like manner with the general taxes of the city, and shall be exclusive of and in addition to the amount of tax the city is now or may hereafter be authorized to levy for general purposes under any laws which may limit the amount of tax which the city may levy for general purposes. The county clerk of the county in which the city is located shall certify to the city council of the city the amount of the tax as levied and the amount of tax and contributions collected by the city under this Article.

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located, in reducing tax levies under the provisions of any Act concerning the
levy and extension of taxes, shall not consider the tax herein provided for as
a part of the general tax levy for city purposes, and shall not include the same
within any limitation of the per cent of the assessed valuation upon which
taxes are required to be extended for such city.

Revenues derived from such tax shall be paid to the city treasurer of
the city as collected and held by the city treasurer for the benefit of the
fund.

If the payments on account of taxes are insufficient during any year
to meet the requirements of this Article, the city may issue tax anticipation
warrants against the current tax levy.

The city may continue to use other lawfully available funds in lieu of
all or part of the levy, as provided under subsection (f) of this Section.

(a-5) Beginning in payment year 2016, the city's required annual
contribution to the Fund shall be the lesser of:

(i) (I) for payment years 2016 through 2055, the annual
amount determined by the Fund to be equal to the greater of $0, or
the sum of (1) the City's portion of the projected normal cost for that
fiscal year, plus (2) an amount determined on a level percentage of
applicable employee payroll basis (reflecting any limits on individual
participants' pay that apply for benefit and contribution purposes
under this plan) that is sufficient to bring the total actuarial assets of
the Fund up to 90% of the total actuarial liabilities of the Fund by the
end of 2055. (II) For payment years after 2055, the annual amount
determined by the Fund to be equal to the amount, if any, needed to
bring the total actuarial assets of the Fund up to 90% of the total
actuarial liabilities of the Fund as of the end of the year. In making
the determinations under both (I) and (II), the actuarial calculations
shall be determined under the entry age normal actuarial cost
method, and any actuarial gains or losses from investment return
incurred in a fiscal year shall be recognized in equal annual amounts
over the 5-year period following the fiscal year; or

(ii) for payment year 2016, 1.60 times the total amount of
contributions made by or on behalf of employees to the Fund for
annuity purposes in the calendar year 2013; for payment year 2017,
1.90 times the total amount of contributions made by or on behalf of
employees to the Fund for annuity purposes in the calendar year
2014; for payment year 2018, 2.20 times the total amount of
contributions made by or on behalf of employees to the Fund for

New matter indicated by italics - deletions by strikeout
annuity purposes in the calendar year 2015; for payment year 2019, 2.50 times the total amount of contributions made by or on behalf of employees to the Fund for annuity purposes in the calendar year 2016; for payment year 2020, 2.80 times the total amount of contributions made by or on behalf of employees to the Fund for annuity purposes in the calendar year 2017.

However, beginning in the earlier of payment year 2021 or the first payment year in which the annual contribution amount calculated under subdivision (i) is less than the contribution amount calculated under subdivision (ii), and in each year thereafter, the city's required annual contribution to the Fund shall be determined under subdivision (i).

The city's required annual contribution to the Fund may be paid with any available funds and shall be paid by the city to the city treasurer. The city treasurer shall collect and hold those funds for the benefit of the Fund.

(a-10) If the city fails to transmit to the Fund contributions required of it under this Article by December 31st of the year in which such contributions are due, the Fund may, after giving notice to the city, certify to the State Comptroller the amounts of the delinquent payments, and the Comptroller must, beginning in payment year 2016, deduct and deposit into the Fund the certified amounts or a portion of those amounts from the following proportions of grants of State funds to the city:

(1) in payment year 2016, one-third of the total amount of any grants of State funds to the city;
(2) in payment year 2017, two-thirds of the total amount of any grants of State funds to the city; and
(3) in payment year 2018 and each payment year thereafter, the total amount of any grants of State funds to the city.

The State Comptroller may not deduct from any grants of State funds to the city more than the amount of delinquent payments certified to the State Comptroller by the Fund.

(b) On or before July 1 January 10, annually, the board shall certify to notify the city council the annual amounts required under of the requirement of this Article, for which the tax herein provided may shall be levied for the following current year. The board shall compute the amounts necessary for the purposes of this fund to be credited to the reserves established and maintained as herein provided, and shall make an annual determination of the amount of the required city contributions; and certify the results thereof to the city council.

New matter indicated by italics - deletions by strikeout
(c) In respect to employees of the city who are transferred to the employment of a park district by virtue of "Exchange of Functions Act of 1957" the corporate authorities of the park district shall annually levy a tax upon all the taxable property in the park district at such rate per cent of the value of such property, as equalized or assessed by the Department of Revenue, as shall be sufficient, when added to the amounts deducted from their salaries and otherwise contributed by them, to provide the benefits to which they and their dependents and beneficiaries are entitled under this Article. The city shall not levy a tax hereunder in respect to such employees.

The tax so levied by the park district shall be in addition to and exclusive of all other taxes authorized to be levied by the park district for corporate, annuity fund, or other purposes. The county clerk of the county in which the park district is located, in reducing any tax levied under the provisions of any Act concerning the levy and extension of taxes shall not consider such tax as part of the general tax levy for park purposes, and shall not include the same in any limitation of the per cent of the assessed valuation upon which taxes are required to be extended for the park district. The proceeds of the tax levied by the park district, upon receipt by the district, shall be immediately paid over to the city treasurer of the city for the uses and purposes of the fund.

The various sums to be contributed by the city and allocated for the purposes of this Article, and any interest to be contributed by the city, shall be taken from the revenue derived from the taxes authorized in this Section, and no money of such city derived from any source other than the levy and collection of those taxes or the sale of tax anticipation warrants in accordance with the provisions of this Article shall be used to provide revenue for this Article, except as expressly provided in this Section.

If it is not possible for the city to make contributions for age and service annuity and widow's annuity concurrently with the employee's contributions made for such purposes, such city shall make such contributions as soon as possible and practicable thereafter with interest thereon at the effective rate to the time they shall be made.

(d) With respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as amended (P.L. 93-203, 87 Stat. 839, P.L. 93-567, 88 Stat. 1845), hereinafter referred to as CETA, subsequent to October 1, 1978, and in instances where the board has elected to establish a manpower program reserve, the board shall compute the amounts necessary to be credited to the manpower program reserves established and maintained as herein provided, and shall make a

New matter indicated by italics - deletions by strikeout
periodic determination of the amount of required contributions from the City to the reserve to be reimbursed by the federal government in accordance with rules and regulations established by the Secretary of the United States Department of Labor or his designee, and certify the results thereof to the City Council. Any such amounts shall become a credit to the City and will be used to reduce the amount which the City would otherwise contribute during succeeding years for all employees.

(e) In lieu of establishing a manpower program reserve with respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as authorized by subsection (d), the board may elect to establish a special municipality contribution rate for all such employees. If this option is elected, the City shall contribute to the Fund from federal funds provided under the Comprehensive Employment and Training Act program at the special rate so established and such contributions shall become a credit to the City and be used to reduce the amount which the City would otherwise contribute during succeeding years for all employees.

(f) In lieu of levying all or a portion of the tax required under this Section in any year, the city may deposit with the city treasurer no later than March 1 of that year for the benefit of the fund, to be held in accordance with this Article, an amount that, together with the taxes levied under this Section for that year, is not less than the amount of the city contributions for that year as certified by the board to the city council. The deposit may be derived from any source legally available for that purpose, including, but not limited to, the proceeds of city borrowings. The making of a deposit shall satisfy fully the requirements of this Section for that year to the extent of the amounts so deposited. Amounts deposited under this subsection may be used by the fund for any of the purposes for which the proceeds of the tax levied by the city under this Section may be used, including the payment of any amount that is otherwise required by this Article to be paid from the proceeds of that tax.

(Source: P.A. 90-31, eff. 6-27-97; 90-766, eff. 8-14-98.)

(40 ILCS 5/11-169.1 new)

Sec. 11-169.1. Funding Obligation.

(a) Beginning January 1, 2015, the city shall be obligated to contribute to the Fund in each fiscal year an amount not less than the amount determined annually under subsection (a-5) of Section 11-169 of this Code. Notwithstanding any other provision of law, if the city fails to pay the amount guaranteed under this Section on or before December 31 of the year in which such amount is due, the retirement board may bring a mandamus action in

New matter indicated by italics - deletions by strikeout
the Circuit Court of Cook County to compel the city to make the required payment, irrespective of other remedies that may be available to the Fund. The obligations and causes of action created under this Section shall be in addition to any other right or remedy otherwise accorded by common law or State or federal law, and nothing in this Section shall be construed to deny, abrogate, impair, or waive any such common law or statutory right or remedy.

(b) In ordering the city to make the required payment, the court may order a reasonable payment schedule to enable the city to make the required payment without significantly imperiling the public health, safety, or welfare. Any payments required to be made by the city pursuant to this Section are expressly subordinated to the payment of the principal, interest, premium, if any, and other payments on or related to any bonded debt obligation of the city, either currently outstanding or to be issued, for which the source of repayment or security thereon is derived directly or indirectly from any funds collected or received by the city or collected or received on behalf of the city. Payments on such bonded obligations include any statutory fund transfers or other prefunding mechanisms or formulas set forth, now or hereafter, in State law, city ordinance, or bond indentures, into debt service funds or accounts of the city related to such bonded obligations, consistent with the payment schedules associated with such obligations.

(40 ILCS 5/11-170) (from Ch. 108 1/2, par. 11-170)
Sec. 11-170. Contributions for age and service annuities for present employees, future entrants and re-entrants.

(a) Beginning on the effective date and prior to July 1, 1947, 3 1/4%; and beginning on July 1, 1947 and prior to July 1, 1953, 5%; and beginning July 1, 1953 and prior to January 1, 1972, 6%; and beginning January 1, 1972, 6.5%; and beginning January 1, 2015, and prior to January 1, 2016, 7.0%; and beginning January 1, 2016, and prior to January 1, 2017, 7.5%; and, beginning January 1, 2017, and prior to January 1, 2018, 8.0%; and beginning January 1, 2018, and prior to January 1, 2019, 8.5%; and beginning January 1, 2019, and thereafter, 9.0%; and each payment of the salary of each present employee, future entrant and re-entrant shall be contributed to the fund as a deduction from salary for age and service annuity; provided, however, that beginning with the first pay period on or after the date when the funded ratio of the Fund is first determined to have reached the 90% funding goal set forth in subsection (a-5) of Section 11-169 of this Code, and each pay period thereafter for as long as the Fund maintains a funding ratio of 90% or more, employee contributions shall be

New matter indicated by italics - deletions by strikeout
7.75% of salary for the age and service annuity. If the funding ratio falls below 90%, then employee contributions for the age and service annuity shall revert to 9.0% of salary until such time as the Fund once again is determined to have reached a funding ratio of at least 90%, at which time employee contributions of 7.75% shall resume for the age and service annuity. Such deductions beginning on the effective date and prior to June 30, 1947, inclusive shall be made for a future entrant while he is in service until he attains age 65, and for a present employee while he is in service until the amount so deducted from his salary with interest at the rate of 4% per annum shall be equal to the sum which would have accumulated to his credit from sums deducted from his salary if deductions at the rate herein stated had been made during his entire service until he attained age 65 with interest at 4% per annum for the period subsequent to his attainment of age 65. Such deductions beginning July 1, 1947 shall be made and continued for employees while in the service.

Notwithstanding Section 1-103.1, the changes to this Section made by this amendatory Act of the 98th General Assembly apply regardless of whether the employee was in active service on or after the effective date of this amendatory Act.

(b) Concurrently with each employee contribution, the city shall contribute beginning on the effective date and prior to July 1, 1947, 5 3/4%; and beginning July 1, 1947 and prior to July 1, 1953, 7%; and beginning July 1, 1953, 6% of each payment of such salary until the employee attains age 65.

(c) Each employee contribution made prior to the date age and service annuity for an employee is fixed and each corresponding city contribution shall be allocated to the account of and credited to the employee for whose benefit it is made.

(40 ILCS 5/11-179.1 new)

Sec. 11-179.1. Use of contributions for health care subsidies. Except as may be required pursuant to Sections 11-160.1 and 11-160.2 of this Code, the Fund shall not use any contribution received by the Fund under this Article to provide a subsidy for the cost of participation in a retiree health care program.

Section 90. The State Mandates Act is amended by adding Section 8.38 as follows:

(30 ILCS 805/8.38 new)

New matter indicated by italics - deletions by strikeout
Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

Section 93. Inseverability and severability. The provisions of this amendatory Act of 2014 set forth in Sections 1-160, 8-137, 8-137.1, 8-173, 8-173.1, 8-174, 11-134.1, 11-134.3, 11-169, 11-169.1, and 11-170 of the Illinois Pension Code are mutually dependent and inseverable. If any of those provisions is held invalid other than as applied to a particular person or circumstance, then all of those provisions are invalid. The remaining provisions of this Act are severable under Section 1.31 of the Statute on Statutes, and are not mutually dependent upon the provisions set forth in any other Section of this Act.

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

Section 99. Effective date. This Act takes effect upon becoming law. Passed in the General Assembly April 8, 2014.
Approved June 9, 2014.
Effective June 9, 2014.

PUBLIC ACT 98-0642
(House Bill No. 6060)

AN ACT making appropriations.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1

Section 5. “AN ACT making appropriations”, Public Act 98-17, approved June 5, 2013, is amended by changing Section 5 of Article 5 as follows:

(P.A. 98-17, Art. 5, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Central Management Services for provision of health care coverage as elected by eligible members per the State Employees Group Insurance Act of 1971:
From the General Revenue Fund. 1,446,000,000 1,346,000,000
From the Road Fund.......................... 131,300,000

New matter indicated by italics - deletions by strikeout
From the Health Insurance Reserve Fund.................

Total

Section 10. “AN ACT making appropriations”, Public Act 98-17, approved June 5, 2013, as amended, is amended by adding new Section 15 to Article 6 as follows:

Sec. 15. The sum of $600,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Healthcare and Family Services for deposit into the Healthcare Provider Relief Fund.

ARTICLE 2

Section 5. “AN ACT making appropriations”, Public Act 98-27, approved June 21, 2013, as amended, is amended by changing Sections 5, 45, 65, 105, 110, 115 and 170 of Article 9 as follows:

Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for income assistance and related distributive purposes, including such Federal funds as are made available by the Federal Government for the following purposes:

DISTRIBUTIVE ITEMS

GRANTS-IN-AID

Payable from General Revenue Fund:

For Aid to Aged, Blind or Disabled under Article III................. 29,548,700

For Temporary Assistance for Needy Families under Article IV and other social services including Emergency Assistance for families with Dependent Children................. 181,059,700

For State Transitional Assistance....................... 5

For State Family and Child Assistance Program......... 5

For Refugees........................................... 1,126,700

For Funeral and Burial Expenses under Articles III, IV, and V, including prior year costs......................... 9,485,000

For Grants Associated with Child Care Services, Including Operating and

New matter indicated by italics - deletions by strikeout
Administrative Costs........................................ 312,490,700
For Grants and for Administrative Expenses associated with Refugee Social Services.................................................. 208,700
For costs associated with the Illinois Welcoming Centers .............................. 533,500
For Grants and Administrative Expenses associated with Immigrant Integration Services and for other Immigrant Services pursuant to 305 ILCS 5/12-4.34................................. 6,673,600
Payable from Employment and Training Fund:
For Temporary Assistance for Needy Families under Article IV and other social services including Emergency Assistance for families with Dependent Children in accordance with applicable laws and regulations for the State portion of federal funds made available by the American Recovery and Reinvestment Act of 2009............................................... 20,000,000
Total $501,126,610

The Department, with the consent in writing from the Governor, may reapportion not more than ten percent of the total appropriation of General Revenue Funds in Section 1 above "For Income Assistance and Related Distributive Purposes" among the various purposes therein enumerated. (P.A. 98-27, Art. 9, Sec. 45)

Sec. 45. The following named sums, or so much thereof as may be necessary, is appropriated to the Department of Human Services:

HOME SERVICES PROGRAM

GRANTS-IN-AID

Payable from General Revenue Fund:
For Purchase of Services of the Home Services Program, pursuant to 20 ILCS 2405/3, including operating, administrative, and prior year costs.............................................. 334,075,400
For Capitated Care Coordination................................. 12,234,500

New matter indicated by italics - deletions by strikeout
The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 45 above among the various purposes therein enumerated.

(P.A. 98-27, Art. 9, Sec. 65)

Sec. 65. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT
GRANTS-IN-AID AND PURCHASED CARE

For all costs and administrative expenses
for Community Service Programs for
Persons with Mental Illness, Specialized Mental Health
Rehabilitative Facility Community programs, Child and
Adolescent Mental Health Programs and Mental
Health Transitions or State Operated
Mental Health Facilities:
Payable from General
Revenue Fund................. $152,699,100  $42,699,100

For Community Service Grant Programs for
Persons with Mental Illness:
Payable from Community Mental Health
Services Block Grant Fund ............... 16,025,400

For costs associated with Capitated Care
Coordination:
Payable from General
Revenue Fund............... $24,372,900  $4,372,900

The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 65 above among the various purposes therein enumerated.

(P.A. 98-27, Art. 9, Sec. 105)

Sec. 105. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Costs Associated with Community Based Addiction Treatment to Medicaid Eligible and AllKids clients, Including Prior Year Costs</td>
<td>$45,362,600</td>
</tr>
<tr>
<td>For Capitated Care Coordination</td>
<td>$7,033,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$52,396,400</strong></td>
</tr>
</tbody>
</table>

The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 105 among the various purposes therein enumerated.

(P.A. 98-27, Art. 9, Sec. 110)

Section 110. The following named sums, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

### ADDICTION TREATMENT GRANTS-IN-AID

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For costs associated with Community Based Addiction Treatment Services</td>
<td>$60,940,500</td>
</tr>
<tr>
<td>For Addiction Treatment Services for DCFS clients</td>
<td>$9,165,100</td>
</tr>
<tr>
<td>For costs associated with Addiction Treatment Services for Special Populations</td>
<td>$5,824,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$75,930,300</strong></td>
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</tbody>
</table>

Payable from State Gaming Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Costs Associated with Treatment of Individuals who are Compulsive Gamblers</td>
<td>$1,023,400</td>
</tr>
<tr>
<td>For Addiction Treatment and Related Services: Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund</td>
<td>$57,500,000</td>
</tr>
<tr>
<td>Payable from Youth Drug Abuse Prevention Fund</td>
<td>$530,000</td>
</tr>
</tbody>
</table>

For Grants and Administrative Expenses Related to Addiction Treatment and Related Services:

Payable from Drunk and Drugged Driving

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0642

Prevention Fund.............................. 3,170,100
Payable from Drug Treatment Fund.......... 5,073,700
Payable from Alcoholism and Substance
Abuse Fund................................. 22,128,900
For underwriting the cost of housing
for groups of recovering individuals:
Payable from Group Home Loan
Revolving Fund.............................. 200,000
Total........................................ 89,626,100
(P.A. 98-27, Art. 9, Sec. 115)
Sec. 115. The sum of $500,000, or as much thereof is necessary, is
appropriated from the General Revenue Fund to the Department of Human
Services for a pilot program to study the uses and effects of medication
assisted treatments for addiction and for the prevention of relapse to opioid
dependence in publicly-funded treatment program.
The Department, with the consent in writing from the Governor, may
reapportion not more than two percent of the total appropriation of General
Revenue Funds in Section 110 above "Addiction Treatment" among the
purposes therein enumerated.
(P.A. 98-27, Art. 9, Sec. 170)
Sec. 170. The following named sums, or so much thereof as may be
necessary, respectively, for the objects hereinafter named, are appropriated
to the Department of Human Services for Family and Community Services
and related distributive purposes, including such Federal funds as are made
available by the Federal government for the following purposes:
FAMILY AND COMMUNITY SERVICES
GRANTS-IN-AID
Payable from General Revenue Fund:
For Employability Development Services
including Operating and Administrative
Costs and Related Distributive Purposes...... 10,645,700
For Food Stamp Employment and Training
including Operating and Administrative
Costs and Related Distributive Purposes...... 3,651,000
For Emergency Food Program,
including Operating and Administrative Costs.... 220,400
For Homeless Prevention....................... 1,000,000
For West Side Health Authority Crisis
Intervention ................................... 200,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Addiction Prevention and Related Services........................................</td>
<td>25,000</td>
</tr>
<tr>
<td>For a grant to Children’s Place for costs associated with specialized child care for families affected by HIV/AIDS...........</td>
<td>390,000</td>
</tr>
<tr>
<td>For Grants for Programs to Reduce Infant Mortality, provide Case Management and Outreach Services, and for the Intensive Prenatal Performance Project......</td>
<td>36,792,800</td>
</tr>
<tr>
<td>For Costs Associated with the Domestic Violence Shelters and Services Program................</td>
<td>18,635,000</td>
</tr>
<tr>
<td>For Costs Associated with Teen Parent Services............................................</td>
<td>1,426,900</td>
</tr>
<tr>
<td>For Grants for Chicago Area Project (CAP) and Illinois Council of Area Projects (ICAP) programs, including Operating and Administrative Costs........</td>
<td>5,645,400</td>
</tr>
<tr>
<td>For Grants and Administrative Expenses of the Comprehensive Community-Based Services to Youth........................</td>
<td>11,046,400</td>
</tr>
<tr>
<td>For Grants and Administrative Expenses of Redeploy Illinois..................................</td>
<td>4,885,100</td>
</tr>
<tr>
<td>For Homeless Youth Services..................................................................................</td>
<td>3,598,100</td>
</tr>
<tr>
<td>For grants to provide Assistance to Sexual Assault Victims and for Sexual Assault Prevention Activities...........................</td>
<td>6,159,700</td>
</tr>
<tr>
<td>For Grants and Administrative Expenses for After School Youth Support Programs...............................</td>
<td>8,800,000</td>
</tr>
<tr>
<td>For Grants and Administrative Expenses Related to the Healthy Families Program.......</td>
<td>10,040,000</td>
</tr>
<tr>
<td>For Early Intervention................................................................. 83,691,900</td>
<td></td>
</tr>
<tr>
<td>For Parents Too Soon Program................................. 75,691,900</td>
<td></td>
</tr>
<tr>
<td>Payable from Assistance to the Homeless Fund: For costs related to Providing Assistance to the Homeless including Operating and Administrative Costs and Grants.................................</td>
<td>300,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Housing Trust Fund:
For Homeless Youth Services.................... 1,000,000
For Homelessness Prevention.................... 3,000,000
For Emergency and Transitional Housing........ 9,383,700
Payable from Employment and Training Fund:
For grants associated with Employment
and Training Programs, income assistance
and other social services including
operating, administrative and
prior year costs............................... 485,000,000
Payable from the Health and Human
Services Medicaid Trust Fund:
For grants for Supportive Housing Services..... 3,382,500
Payable from DHS Special Purposes Trust Fund:
For Emergency Food Program
Transportation and Distribution,
including grants and operations.......... 5,150,000
For Federal/State Employment Programs and
Related Services............................... 5,000,000
For Grants Associated with the Great
START Program, including Operation
and Administrative Costs.................... 5,200,000
For Grants Associated with Child
Care Services, including Operation,
Administrative and
Prior year costs............................. 197,216,800
For Grants Associated with Migrant
Child Care Services, including Operation
and Administrative Costs................... 3,388,200
For Refugee Resettlement Purchase
of Service, including Operation
and Administrative Costs.................... 10,583,200
For Grants Associated with the Head Start
State Collaboration, including
Operating and Administrative Costs........ 500,000
For SSI Advocacy Services:
Payable from General Revenue Fund.......... 1,316,100
Payable from DHS Special Purposes Trust Fund... 973,700
Payable from DHS Special Purposes Trust Fund:

New matter indicated by italics - deletions by strikeout
For Community Grants.............................. 2,257,800
For costs associated with Family Violence Prevention Services................. 5,003,400
For grants and administrative costs associated with MIEC Home Visiting Program......................... 14,000,000
Payable from the Juvenile Accountability Incentive Block Grant Trust Fund:
For grants and operational expenses of the Juvenile Accountability Block Grant Program.......................... 10,000,000
Payable from Local Initiative Fund:
For Purchase of Services under the Donated Funds Initiative Program, including Operating and Administrative Costs........ 22,642,900
Payable from Hunger Relief Fund:
For Grants for food banks for the purchase of food and related supplies for low income persons ....................... 300,000
Payable from Crisis Nursery Fund:
For Grants associated with crisis nurseries in Illinois, including operating and administrative costs.......................... 100,000
Payable from Habitat for Humanity Fund:
For Grants to Habitat for Humanity..................... 100,000
Payable from Federal National Community Services Grant Fund:
For Payment for Community Activities, including Prior Years' Costs.................. 12,977,900
Payable from Sexual Assault Services Fund:
For Grants Related to the Sexual Assault Services Program.......................... 100,000
Payable from Domestic Violence Abuser Services Fund:
For Domestic Violence Abuser Services.................... 100,000
Payable from the DHS Federal Projects Fund:
For Grants for Public Health Programs............... 10,712,100
For Grants for Family Planning Programs Pursuant to Title X of the Public Health

New matter indicated by italics - deletions by strikeout
Service Act........................................ 3,512,000
For Grants for the Federal Healthy Start Program.......................... 4,000,000
Payable from USDA Women, Infants and Children Fund:
For Grants to Public and Private Agencies for costs of administering the USDA Women, Infants, and Children (WIC) Nutrition Program....... 69,801,800
For Grants for the Federal Commodity Supplemental Food Program........... 1,400,000
For Grants and Administrative Expenses of the USDA Farmer's Market Nutrition Program.......................... 1,500,000
For Grants for Free Distribution of Food Supplies and for Grants for Nutrition Program Food Centers under the USDA Women, Infants, and Children (WIC) Nutrition Program............... 251,000,000
For Grants and operations under the USDA Women, Infants, and Children (WIC) Nutrition Program in accordance with applicable laws and regulations for the State portion of federal funds made available by the American Recovery and Reinvestment Act of 2009............... 15,000,000
Payable from the DHS Special Purposes Fund:
For Grants for the Race to the Top Program.... 10,000,000
For Grants for SNAP Education......................... 20,000,000
Payable from DHS Federal Projects Fund:
For Grants and Administrative Expenses for Partnership for Success Program........... 5,000,000
For Grants and Administrative Expenses for the Juvenile Accountability Block Grant.......................... 7,000,000
For Grants and Administrative Expenses for Justice Assistance............... 588,600
Payable from Tobacco Settlement Recovery Fund:
For a Grant to the Coalition for Technical Assistance and Training................... 250,000

New matter indicated by italics - deletions by strikeout
For all costs associated with Children’s Health Programs, including grants, contracts, equipment, vehicles and administrative expenses.............. 1,138,800

Payable from the Maternal and Child Health Services Block Grant Fund:
For Grants for Maternal and Child Health Programs, including programs appropriated elsewhere in this Section......................... 4,402,600

Payable from Domestic Violence Shelter and Service Fund:
For Domestic Violence Shelters and Services Program........................ 952,200

Payable from Gaining Early Awareness and Readiness for Undergraduate Programs Fund:
For Grants and administrative expenses of G.E.A.R.U.P.......................... 3,500,000

Payable from DHS Special Purposes Trust Fund:
For Parents Too Soon Program, including grants and operations............. 2,490,400

Payable from the Sexual Assault Services and Prevention Fund:
For Grants and administrative expenses of the Sexual Assault Services and Prevention Program................................. 100,000

Payable from the Children’s Wellness Charities Fund:
For Grants to Children’s Wellness Charities...... 100,000

Payable from the Housing for Families Fund:
For Grants for Housing for Families.............. 100,000

Payable from the Farmer’s Market Technology Improvement Fund:
For Farmer’s Market Technology............... 1,000,000

Payable from Early Intervention Services Revolving Fund:
For Grants and administrative expenses associated with the Early Intervention Services Program, including

New matter indicated by italics - deletions by strikeout
prior years costs ........................................ 160,197,300

For Grants and Administrative Expenses of Addiction Prevention and Related Services:
  Payable from Youth Alcoholism and Substance Abuse Prevention Fund.............. 1,050,000
  Payable from Alcoholism and Substance Abuse Fund................................. 8,309,300
  Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund................................. 16,000,000

Payable from the Juvenile Justice Trust Fund:
  For Grants and administrative costs associated with Juvenile Justice Planning and Action Grants for Local Units of Government and Non-Profit Organizations including Prior Year Costs..... 13,467,900

Section 10. “AN ACT making appropriations”, Public Act 98-27, approved June 21, 2013, as amended, is amended by changing Section 70 of Article 10 as follows:

(P.A. 98-27, Art. 10, Sec. 70)

Sec. 70. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROTECTION

Payable from the General Revenue Fund:
  For Expenses Incurred for the Rapid Investigation and Control of Disease or Injury......................... 472,100
  For Expenses of Environmental Health Surveillance and Prevention Activities, Including Mercury Hazards and West Nile Virus.................... 314,900
  For Expenses for Expanded Lab Capacity and Enhanced Statewide Communication Capabilities Associated with Homeland Security.......................... 339,500

New matter indicated by italics - deletions by strikeout
Screening, Prevention, and Abatement Fund.................................. 679,000
Total $1,805,500

Payable from the Public Health Services Fund:
For Personal Services...................... 5,945,700
For State Contributions to State Employees' Retirement System............. 2,396,900
For State Contributions to Social Security...... 441,000
For Group Insurance......................... 1,250,000
For Contractual Services.................... 3,182,800
For Travel..................................... 345,700
For Commodities.............................. 405,000
For Printing................................... 70,800
For Equipment............................... 365,000
For Telecommunications Services.............. 286,800
For Operation of Auto Equipment................ 40,000
For Expenses of Implementing Federal Awards, Including Services Performed by Local Health Providers........ 5,750,000
For Expenses Related to the Summer Food Inspection Program................ 45,000
Total $20,524,700

Payable from the Food and Drug Safety Fund:
For Expenses of Administering the Food and Drug Safety Program, including Refunds......... 1,400,000

Payable from the Safe Bottled Water Fund:
For Expenses for the Safe Bottled Water Program............................... 75,000

Payable from the Facility Licensing Fund:
For Expenses, including Refunds, of Environmental Health Programs............. 3,000,000

Payable from the Illinois School Asbestos Abatement Fund:
For Expenses, including Refunds, of Administering and Executing the Asbestos Abatement Act and the Federal Asbestos Hazard Emergency Response Act of 1986 (AHERA)............ 1,200,000

New matter indicated by italics - deletions by strikeout
Payable from the Emergency Public Health Fund:
For expenses of mosquito abatement in an
effort to curb the spread of West Nile Virus.............................. 5,100,000
Payable from the Public Health Water Permit Fund:
For Expenses, including Refunds,
of Administering the Groundwater Protection Act......................... 200,000
Payable from the Used Tire Management Fund:
For Expenses of Vector Control Programs,
including Mosquito Abatement................................. 500,000
Payable from the Tattoo and Body Piercing Fund:
For expenses of administering of
Tattoo and Body Piercing Establishment Registration Program............. 300,000
Payable from the Lead Poisoning Screening,
Prevention, and Abatement Fund:
For Expenses of the Lead Poisoning Screening, and Prevention Program,
including Refunds.................................. 2,897,100
Payable from the Tanning Facility Permit Fund:
For Expenses to Administer the Tanning Facility Permit Act,
including Refunds....................................... 500,000
Payable from the Plumbing Licensure and Program Fund:
For Expenses to Administer and Enforce the Illinois Plumbing License Law,
including Refunds...................................... 1,950,000
Payable from the Pesticide Control Fund:
For Public Education, Research,
and Enforcement of the Structural Pest Control Act......................... 420,000
Payable from the Pet Population Control Fund:
For expenses associated with the Illinois Public Health and Safety Animal Population Control Act..................... 250,000
Payable from the Public Health Special State Projects Fund:

New matter indicated by italics - deletions by strikeout
For Expenses of Conducting EPSDT and other Health Protection Programs

10,200,000 7,200,000

ARTICLE 3

Section 5. “AN ACT making appropriations”, Public Act 98-33, approved June 27, 2013, is amended by changing Section 15 of Article 4 as follows:

(P.A. 98-33, Art. 4, Sec. 15)
Sec. 15. The sum of $4,600,000 $1,600,000, or so much thereof as may be necessary, is appropriated from the Chicago State University Education Improvement Fund to the Board of Trustees of Chicago State University for any expenses incurred by the university.

ARTICLE 4

Section 5. “AN ACT making appropriations”, Public Act 98-34, approved June 27, 2013, is amended by changing Section 5 of Article 1 as follows:

(P.A. 98-34, Art. 1, Sec. 5)
Sec. 5. The following sums, or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2013:

From the General Revenue Fund:
For Blind/Dyslexic Persons
For Disabled Student Personnel
Reimbursement
For Disabled Student Transportation
Reimbursement
For Disabled Student Tuition,
Private Tuition
For District Consolidation Costs/
Supplemental Payments to School Districts,
18-8.2, 18-18.3, 18-8.5, 18-8.05(l) of
the School Code
For Extraordinary Funding for Children
Requiring Special Education, 14-7.02b
of the School Code
For Reimbursement for the Free Breakfast/

New matter indicated by italics - deletions by strikeout
Lunch Program........................................ 14,300,000
For Tax-Equivalent Grants, 18-4.4.............. 222,600
For After School Matters.......................... 2,000,000
For Teachers and Administrators
  Mentoring Program................................. 1
For Principal Mentoring Program................. 1
For Summer School Payments, 18-4.3
  of the School Code............................... 10,100,000
For Transportation-Regular/Vocational
  Common School Transportation
  Reimbursement, 29-5 of the School Code...... 205,808,900
For Visually Impaired/Educational
  Materials Coordinating Unit, 14-11.01
  of the School Code................................ 1,421,100
For Regular Education Reimbursement
  Per 18-3 of the School Code.................... 12,000,000
For Special Education Reimbursement
  Per 14-7.03 of the School Code................. 105,000,000
For all costs associated with Alternative
  Education/Regional Safe Schools.............. 6,300,000
For Truant Alternative and Optional
  Education Program............................... 11,500,000
For costs associated with Teach for America... 1,000,000
For grants to Local Education Agencies
  to conduct Agriculture Education Programs.... 1,250,000
For Career and Technical Education.......... 38,062,100
For Arts and Foreign Language.................... 1
For National Board Certified Teachers......... 1,000,000
Total ............................................ $1,815,670,703

From the Education Assistance Fund:
  For General State Aid......................... 404,000,000
From the Common School Fund:
  For General State Aid......................... 4,038,198,260

ARTICLE 5
Section 5. “AN ACT making appropriations”, Public Act 98-50,
approved July 2, 2013, as amended, is amended by changing Sections 5 and
20 of Article 4 as follows:
(P.A. 98-50, Art. 4, Sec. 5)

New matter indicated by italics - deletions by strikeout
Sec. 5. The sum of $1,227,667,200, $1,207,417,200 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Corrections for operating costs and expenses for the fiscal year ending June 30, 2014.

(P.A. 98-50, Art. 4, Sec. 20)

Sec. 20. The sum of $8,883,300 $6,483,300, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for expenses related to statewide hospitalization services.

Section 10. “AN ACT making appropriations”, Public Act 98-50, approved July 2, 2013, as amended, is amended by adding new Section 105 to Article 8 as follows:

(P.A. 98-50, Art. 8, Sec. 105, new)

Section 105. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Emergency Management Agency for deposit into the Disaster Response and Recovery Fund.

Section 15. “AN ACT making appropriations”, Public Act 98-50, approved July 2, 2013, as amended, is amended by changing Section 5 of Article 16 as follows:

(P.A. 98-50, Art. 16, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to meet the ordinary and contingent expenses of the Prisoner Review Board for the fiscal year ending June 30, 2014:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAYABLE FROM GENERAL REVENUE FUND</td>
<td></td>
</tr>
<tr>
<td>For Personal Services............................</td>
<td>1,006,300</td>
</tr>
<tr>
<td>For Personal Services............................</td>
<td>999,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security........</td>
<td>77,000</td>
</tr>
<tr>
<td>For Contractual Services..........................</td>
<td>218,900</td>
</tr>
<tr>
<td>For Travel........................................</td>
<td>85,000</td>
</tr>
<tr>
<td>For Commodities...................................</td>
<td>10,000</td>
</tr>
<tr>
<td>For Printing.......................................</td>
<td>3,400</td>
</tr>
<tr>
<td>For Electronic Data Processing....................</td>
<td>86,800</td>
</tr>
<tr>
<td>For Telecommunications Services.....................</td>
<td>43,600</td>
</tr>
<tr>
<td>Total</td>
<td>$1,531,000</td>
</tr>
<tr>
<td>$1,369,000</td>
<td></td>
</tr>
</tbody>
</table>

Section 20. “AN ACT making appropriations”, Public Act 98-50, approved July 2, 2013, as amended, is amended by changing Section 10 of Article 19 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 10. The sum of $868,000 $715,500, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for costs and expenses related to or in support of a public safety shared services center.

Section 23. “AN ACT making appropriations”, Public Act 98-50, approved July 2, 2013, as amended, is amended by adding new Section 90 to Article 20 as follows:

(P.A. 98-50, Art. 20, Sec. 90 new)

Sec. 90. The amount of $40,000,000, or so much thereof as may be necessary, is appropriated to the Department of State Police from the General Revenue Fund for the purpose of paying the settlement of Harden v. Kachiroubas, et al., No. 12 C 8316; Taylor v. Kachiroubas, et al., No. 12 C 8321; Barr v. Kachiroubas, et al., No. 12 C 8327; Veal v. Kachiroubas, et al., No. 12 C 8342; Sharp v. Village of Dixmoor, et al., No. 12 C 8349, pursuant to the terms of the settlement agreement entered into by the Department with the approval of the Attorney General, as ordered by the Court.

Section 25. “AN ACT making appropriations”, Public Act 98-50, approved July 2, 2013, as amended, is amended by changing Sections 25, 30, 35, 40, 45, 50, 55, 60 and 65 of Article 22; and by adding new Section 310 to Article 22 as follows:

(P.A. 98-50, Art. 22, Sec. 25)

Sec. 25. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 1, SCHAUMBURG OFFICE

<table>
<thead>
<tr>
<th>Object</th>
<th>Original Amount</th>
<th>New Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>103,534,000</td>
<td>98,034,000</td>
</tr>
<tr>
<td>For Extra Help</td>
<td>17,431,700</td>
<td>11,810,700</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td>48,763,700</td>
<td>44,280,600</td>
</tr>
<tr>
<td>Employees’ Retirement System</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>9,127,200</td>
<td>8,276,400</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>11,950,200</td>
<td></td>
</tr>
<tr>
<td>For Travel</td>
<td>240,500</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>20,946,500</td>
<td>14,451,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>1,523,600</td>
<td></td>
</tr>
<tr>
<td>For Equipment:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchase of Cars and Trucks</td>
<td>5,840,700</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Telecommunications Services .......... 3,375,000
For Operation of Automotive Equipment .......... 12,332,600 10,982,600
Total $235,065,700 $210,765,800

(P.A. 98-50, Art. 22, Sec. 30)
Sec. 30. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 2, DIXON OFFICE

For Personal Services .......... $30,678,200 29,828,200
For Extra Help ................. $3,861,000 2,000,000
For State Contributions to State Employees' Retirement System .......... $13,923,400 13,233,700
For State Contributions to Social Security ................ $2,601,100 2,470,200
For Contractual Services ....................... $3,846,400
For Travel ........................................ $82,200
For Commodities .................... $5,360,300 5,105,300
For Equipment ..................... $1,085,000
For Equipment:
  Purchase of Cars and Trucks ............... $1,606,000
  For Telecommunications Services .......... $270,000
For Operation of Automotive Equipment .......... $5,110,500 4,560,500
Total $68,424,100 $65,087,500

(P.A. 98-50, Art. 22, Sec. 35)
Sec. 35. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 3, OTTAWA OFFICE

For Personal Services .......... $28,266,600 27,416,600
For Extra Help ................. $4,151,000 2,850,000
For State Contributions to State Employees' Retirement System .......... $13,068,200 12,201,100
For State Contributions to Social Security ....................... $2,442,000 2,277,400
For Contractual Services ....................... $3,366,600
For Travel ........................................ $70,000
For Commodities ..................... $4,528,500

New matter indicated by italics - deletions by strikeout
For Equipment.................................. 1,085,000
For Equipment:
Purchase of Cars and Trucks............. 1,929,200
For Telecommunications Services......... 240,000
For Operation of Automotive
Equipment.......................... 4,801,500 4,251,500
Total $63,948,600 $60,215,900

(P.A. 98-50, Art. 22, Sec. 40)

Sec. 40. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 4, PEORIA OFFICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..................... 26,347,500</td>
<td>25,197,500</td>
<td></td>
</tr>
<tr>
<td>For Extra Help............................ 3,933,500</td>
<td>2,850,500</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System..... 12,206,900</td>
<td>11,306,700</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Social Security........ 2,278,400</td>
<td>2,107,600</td>
<td></td>
</tr>
<tr>
<td>For Contractual Services.......................... 4,130,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Travel..................................... 71,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Commodities................................ 2,828,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Equipment.................................. 1,115,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| For Equipment:
Purchase of Cars and Trucks.................. 1,708,800 |
| For Telecommunications Services............... 258,500 |
| For Operation of Automotive
Equipment.......................... 4,773,800 4,623,800 |
| Total $59,652,500 $56,198,500 |

(P.A. 98-50, Art. 22, Sec. 45)

Sec. 45. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 5, PARIS OFFICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..................... 21,607,000</td>
<td>21,032,000</td>
<td></td>
</tr>
<tr>
<td>For Extra Help............................ 2,675,900</td>
<td>2,203,900</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System..... 9,789,000</td>
<td>9,366,900</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Social Security........ 1,819,100</td>
<td>1,739,000</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Contractual Services.......................... 2,923,300
For Travel........................................... 54,100
For Commodities..................................... 2,503,800
For Equipment........................................ 1,115,000
For Equipment:
  Purchase of Cars and Trucks...................... 876,400
For Telecommunications Services................... 205,000
For Operation of Automotive
  Equipment...................................... 3,650,300
Total .............................................. $47,218,900

(P.A. 98-50, Art. 22, Sec. 50)

Sec. 50. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRIBUTION 6, SPRINGFIELD OFFICE

For Personal Services............................. 29,110,200
For Extra Help..................................... 2,627,000
For State Contributions to State
  Employees' Retirement System................... 12,793,900
For State Contributions to
  Social Security................................. 2,389,100
For Contractual Services.......................... 3,903,400
For Travel........................................... 73,100
For Commodities.................................... 3,214,100
For Equipment...................................... 1,054,300
For Equipment:
  Purchase of Cars and Trucks..................... 2,783,600
For Telecommunications Services.................. 258,000
For Operation of Automotive
  Equipment...................................... 3,792,600
Total .............................................. $61,999,300

(P.A. 98-50, Art. 22, Sec. 55)

Sec. 55. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRIBUTION 7, EFFINGHAM OFFICE

For Personal Services............................. 23,701,200
For Extra Help..................................... 2,148,800
For State Contributions to State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System...... $10,420,600 $9,929,300
For State Contributions to Social Security............... $1,941,600 $1,850,300
For Contractual Services............... 3,120,300
For Travel........................................ 79,200
For Commodities............... $2,040,900 $1,465,900
For Equipment................................. 1,084,000
For Equipment:
Purchase of Cars and Trucks............... 978,000
For Telecommunications Services............... 165,000
For Operation of Automotive
Equipment................................. $3,668,400 $3,168,400
Total $49,348,000 $46,506,400

(P.A. 98-50, Art. 22, Sec. 60)

Sec. 60. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 8, COLLINSVILLE OFFICE

For Personal Services............... $39,015,400 $37,415,400
For Extra Help................................. 3,346,500
For State Contributions to State Employees' Retirement System..... $17,076,900 $16,431,900
For State Contributions to Social Security............... $3,173,100 $3,050,700
For Contractual Services............... 7,251,700
For Travel........................................ 178,900
For Commodities............... $2,961,900 $2,736,900
For Equipment................................. 1,448,400
For Equipment:
Purchase of Cars and Trucks............... 1,351,600
For Telecommunications Services............... 660,000
For Operation of Automotive
Equipment................................. $4,980,600 $4,080,600
Total $81,445,000 $77,952,600

(P.A. 98-50, Art. 22, Sec. 65)

Sec. 65. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 9, CARBONDALE OFFICE

New matter indicated by italics - deletions by strikeout
For Personal Services............ 22,066,900 21,191,900
For Extra Help..................... 1,961,000 1,620,000
For State Contributions to State Employees' Retirement System....... 9,686,100 9,195,900
For State Contributions to Social Security......................... 1,795,700 1,702,700
For Contractual Services....................... 3,122,500
For Travel........................................ 48,100
For Commodities..................... 1,691,900 1,506,900
For Equipment.................................. 1,054,300
For Equipment:
Purchase of Cars and Trucks..................... 533,600
For Telecommunications Services.................. 147,600
For Operation of Automotive Equipment..................... 3,436,800 2,936,800
Total                                                                                              $45,544,500  $43,060,300

(P.A. 98-50, Art. 22, Sec. 310 new)

Sec. 310. The sum of $16,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for grants to the Regional Transportation Authority intended to reimburse the Service Boards for providing reduced fares on mass transportation services for students, handicapped persons, and the elderly, to be allocated proportionally among the Service Boards based upon actual costs incurred by each Service Board for such reduced fares.

ARTICLE 6

Section 5. “AN ACT making appropriations”, Public Act 98-64, approved July 10, 2013, as amended, is amended by changing Sections 10 and 35 of Article 5; and by adding new Section 55 to Article 5 as follows:

(P.A. 98-64, Art. 5, Sec. 10)

Sec. 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF ADMINISTRATIVE OPERATIONS
PAYABLE FROM STATE GARAGE REVOLVING FUND
For Contractual Services......................... 11,000
For Electronic Data Processing.................... 1,000,000
Total                                                                                              $1,011,000
PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND
For Personal Services............................ 258,200

New matter indicated by italics - deletions by strikeout
For State Contribution to State
Employees' Retirement Fund...............104,100
For State Contributions to Social
Security........................................19,800
For Group Insurance.........................81,000
For Contractual Services....................58,300
For Travel...................................9,000
For Commodities............................1,000
For Printing..................................1,000
For Equipment...............................1,000
For Telecommunications Services.........3,800
Total........................................$537,200

PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services.......................184,600
For State Contributions to State
Employees' Retirement System..............74,500
For State Contribution to
Social Security................................14,200
For Group Insurance.........................50,000
For Contractual Services....................18,000
For Travel..................................5,000
For Commodities............................2,000
For Printing..................................800
For Equipment...............................2,000
For Electronic Data Processing............2,200,000
Total........................................$2,551,100

PAYABLE FROM PROFESSIONAL SERVICES FUND
For Professional Services including
Administrative and Related Costs. 11,451,200 10,500,000

PAYABLE FROM WORKERS' COMPENSATION REVOLVING FUND
For administrative costs and claims
of any state agency or university
employee.................................140,891,000

(P.A. 98-64, Art. 5, Sec. 35)
Sec. 35. The following named sum, or so much thereof as may be
necessary, respectively, is appropriated for the objects and purposes
hereinafter named, to the Department of Central Management Services:

BUREAU OF PROPERTY MANAGEMENT

New matter indicated by italics - deletions by strikeout
PAYABLE FROM GENERAL REVENUE FUND

For Contractual Services............. $34,965,300
(P.A. 98-64, Art. 5, Sec. 55 new)

Sec. 55. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Central Management Services to pay down outstanding balances owed to the Department of Central Management Service for operational expenses by the Department of Corrections.

Section 10. “AN ACT making appropriations”, Public Act 98-64, approved July 10, 2013, as amended, is amended by changing Section 40 of Article 7 as follows:

(P.A. 98-64, Art. 7, Sec. 40)

Sec. 40. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF BUSINESS DEVELOPMENT OPERATIONS

Payable from Economic Research and Information Fund:
For Purposes Set Forth in
Section 605-20 of the Civil Administrative Code of Illinois
(20 ILCS 605/605-20)............................ $230,000

Payable from the Historic Property Administration Fund:
For Administrative Expenses in Accordance with the Historic Tax Credit Program Pursuant to 35 ILCS 5/221(b)................. $225,000 $100,000

Section 15. “AN ACT making appropriations”, Public Act 98-64, approved July 10, 2013, as amended, is amended by adding new Sections 40 through 620 to Article 12 as follows:

(P.A. 98-64, Art. 12, Sec. 40 new)

Sec. 40. The following named amounts are appropriated from the General Revenue Fund to the Court of Claims to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Refund to State Fund 063, Public Health Services............................... $3,684.00
Refund to State Fund 762, Local Initiative...... $46,438.00
No. 00-CC-0350, OSF Healthcare Systems,

New matter indicated by italics - deletions by strikeout
Inc., contract, against Department of Corrections........................................ $26,776.71
No. 02-CC-0802, Mary Davis, contract, against Board of Trustees of Chicago State University. $300,000.00
No. 04-CC-4065, Angela Kawaguchi, personal injury, against Board of Trustees of Southern Illinois University........... $552,651.00
No. 06-CC-3218, Robbie Hayes, personal injury, against Department of Corrections........ $40,000.00
No. 06-CC-3576, Perry J. Richardson, personal injury, against Department of Human Services... $10,000.00
No. 08-CC-0001, John Doe, contract, against Department of Children and Family Services.... $132,556.58
No. 08-CC-0085, Rolando Bravo, contract, against Board of Trustees of Southern Illinois University................ $16,580.12
No. 08-CC-0657, Deborah Buckingham, personal injury, against Department of Central Management Services........................ $10,820.23
No. 09-CC-1674, William Collins, personal injury, against Department of Agriculture..... $100,000.00
No. 12-CC-3285, Deborah Oxford, contract, against Department of Children and Family Services........................ $31,717.79
No. 12-CC-4003, Lutheran Child & Family Services, tort, against Department of Human Services........................ $319,902.69
No. 13-CC-0447, Ray Graham Association for People With Disabilities, debt, against Department of Human Services........... $84,706.81
No. 13-CC-3301, CCAR Industries, debt, against Department of Human Services.................. $94,122.73
No. 14-CC-0608, Chicago Commons Association, debt, against Department on Aging........ $76,227.68
No. 14-CC-1135, Catholic Charities of the Archdiocese of Chicago, debt, against Department on Aging................ $85,069.45
No. 14-CC-2063, Motorola Solutions, debt, against Department of Corrections............... $675,042.00

New matter indicated by italics - deletions by strikeout
SEC. 45. The following named amounts are appropriated to the Court of Claims from State Fund 007, Education Assistance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-2460, University of Illinois Board of Trustees, debt, against Department on Aging.......................... $1,319,161.36

No. 14-CC-1288, Latherial Boyd, unjust imprisonment.......................... $213,624.00

No. 14-CC-1944, Claude Brooks, Jr., unjust imprisonment.......................... $185,273.00

No. 14-CC-2582, Daniel Taylor, unjust imprisonment.......................... $217,042.00

No. 14-CC-2658, Carl Chatman, unjust imprisonment.......................... $185,273.00

No. 14-CC-2974, Nicole Harris, unjust imprisonment.......................... $185,273.00

No. 14-CC-2995, Jonathan Moore, unjust imprisonment.......................... $185,273.00

No. 14-CC-3323, Deon Patrick, unjust imprisonment.......................... $217,042.00

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $39.11

(P.A. 98-64, Art. 12, Sec. 45 new)

SEC. 50. The following named amounts are appropriated to the Court of Claims from State Fund 011, Road, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 96-CC-0568, Consolidated Construction Corporation, Property Damage, against Department of Transportation.......................... $92,500.00

No. 03-CC-0145, George Rech, personal injury, against Department of Transportation.......................... $58,016.23

No. 11-CC-2150, Latisa P. Moore, personal injury,
against Department of Transportation............  $12,326.31
No. 11-CC-4047, State Farm Mutual Automobile
Insurance Company, Property damage, against
Department of Transportation.....................  $14,767.51

(P.A. 98-64, Art. 12, Sec. 55 new)
Sec. 55. The following named amounts are appropriated to the Court
of Claims from State Fund 012, Motor Fuel Tax Fund, to pay claims in
conformity with awards and recommendations made by the Court of Claims
as follows:
No. 14-CC-2258, Canon Solutions America Inc.,
debt, against Department of Revenue..............  $184.08
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357......  $13,260.00

(P.A. 98-64, Art. 12, Sec. 60 new)
Sec. 60. The following named amounts are appropriated to the Court
of Claims from State Fund 013, Prevention and Treatment of Alcoholism and
Substance Abuse Block Grant Fund, to pay claims in conformity with awards
and recommendations made by the Court of Claims as follows:
No. 13-CC-1468, Youth Outreach Services, debt,
against Department of Human Services..........  $58,884.68
No. 13-CC-2232, McDermott Center, dba
Haymarket Center, debt, against Department
of Human Services.................................  $180,223.00
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357......  $22,376.00

(P.A. 98-64, Art. 12, Sec. 65 new)
Sec. 65. The following named amounts are appropriated to the Court
of Claims from State Fund 014, Food and Drug Safety Fund, to pay claims in
conformity with awards and recommendations made by the Court of Claims
as follows:
No. 14-CC-1667, Professional Consultations
Inc., debt, against Department of Corrections......  $793.92

(P.A. 98-64, Art. 12, Sec. 70 new)
Sec. 70. The following named amounts are appropriated to the Court
of Claims from State Fund 016, Teacher Certificate Fee Revolving Fund, to
pay claims in conformity with awards and recommendations made by the
Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357......  $209.70

New matter indicated by italics - deletions by strikeout
Sec. 75. The following named amounts are appropriated to the Court of Claims from State Fund 021, Financial Institution Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........  $449.96

Sec. 80. The following named amounts are appropriated to the Court of Claims from State Fund 022, General Professions Dedicated Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........  $242.44

Sec. 85. The following named amounts are appropriated to the Court of Claims from State Fund 024, Illinois Department of Agriculture Laboratory Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........  $895.64

Sec. 87. The following named amounts are appropriated to the Court of Claims from State Fund 026, Live and Learn Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........  $387.29

Sec. 90. The following named amounts are appropriated to the Court of Claims from State Fund 039, State Boating Act Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........  $4,580.00

Sec. 95. The following named amounts are appropriated to the Court of Claims from State Fund 040, State Parks Fund, to pay claims in

New matter indicated by italics - deletions by strikeout
conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-0330, Columbia Quarry Company, debt, against Department of Natural Resources........ $26,187.79

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $24.38

(P.A. 98-64, Art. 12, Sec. 100 new)

Sec. 100. The following named amounts are appropriated to the Court of Claims from State Fund 041, Wildlife and Fish Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $1,552.48

(P.A. 98-64, Art. 12, Sec. 105 new)

Sec. 105. The following named amounts are appropriated to the Court of Claims from State Fund 045, Agricultural Premium Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-0087, Altorfer Inc., debt, against Department of Agriculture............... $134.14

No. 14-CC-1113, Steven D. Chard, debt, against Department of Agriculture............... $202.84

No. 13-CC-3081, John Deere Company, debt, against Department of Agriculture............... $72,165.04

No. 13-CC-3082, John Deere Company, debt, against Department of Agriculture............... $72,165.04

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $9,131.25

(P.A. 98-64, Art. 12, Sec. 110 new)

Sec. 110. The following named amounts are appropriated to the Court of Claims from State Fund 047, Fire Prevention Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $13,812.13

(P.A. 98-64, Art. 12, Sec. 115 new)

Sec. 115. The following named amounts are appropriated to the Court of Claims from State Fund 050, Mental Health Fund, to pay claims in

New matter indicated by italics - deletions by strikeout
conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $2,632.00

(P.A. 98-64, Art. 12, Sec. 120 new)

Sec. 120. The following named amounts are appropriated to the Court of Claims from State Fund 052, Federal Title III Social Security and Employment Service Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-2001, Lincoln Land Community College, debt, against Department of Employment Security...... $41,900.00

No. 14-CC-2531, Village of Lombard, debt, against Department of Employment Security...... 100.00

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $4,740.35

(P.A. 98-64, Art. 12, Sec. 125 new)

Sec. 125. The following named amounts are appropriated to the Court of Claims from State Fund 054, State Pensions Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-1509, Hinshaw & Culbertson LLP, debt, against Illinois Office of the Treasurer...... $3,442.35

(P.A. 98-64, Art. 12, Sec. 130 new)

Sec. 130. The following named amounts are appropriated to the Court of Claims from State Fund 057, Illinois State Pharmacy Disciplinary Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $6,935.00

(P.A. 98-64, Art. 12, Sec. 135 new)

Sec. 135. The following named amount is appropriated to the Court of Claims from State Fund 063, Public Health Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-0430, Hektoen Institute, debt, against Department of Public Health...... $73,366.29

No. 13-CC-0525, Advocate Condell Medical Center, debt, against Department of Public Health...... $16,302.22

New matter indicated by italics - deletions by strikeout
No. 13-CC-2507, Northshore University Health System, debt, against Department of Public Health............ $72,194.13
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $43,596.54

(P.A. 98-64, Art. 12, Sec. 140 new)

Sec. 140. The following named amounts are appropriated to the Court of Claims from State Fund 065, US Environmental Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-0532, Tom Crause, debt, against Environmental Protection Agency............... $231.77
No. 14-CC-1118, East-West Gateway Council of Governments, debt, against Department of Public Health............................... $5,681.38
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $639.53

(P.A. 98-64, Art. 12, Sec. 145 new)

Sec. 145. The following named amounts are appropriated to the Court of Claims from State Fund 067, Radiation Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $1,018.10

(P.A. 98-64, Art. 12, Sec. 150 new)

Sec. 150. The following named amounts are appropriated to the Court of Claims from State Fund 072, Underground Storage Tank Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-1851, Comm Microfilm Company, Inc., debt, against Environmental Protection Agency...... $75.47

(P.A. 98-64, Art. 12, Sec. 155 new)

Sec. 155. The following named amount is appropriated to the Court of Claims from State Fund 081, Vocational Rehabilitation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 12-CC-2960, United Cerebral Palsy of Land of Lincoln, contract, against Department of Human Services............... $126,574.00
No. 13-CC-1478, Lester and Rosalie Anixter

New matter indicated by italics - deletions by strikeout
Center, contract, against Department of Human Services.................................. $8,159.68

No. 13-CC-1897, Lester and Rosalie Anixter Center, Contract, against Department of Human Services................................. $63,216.00

No. 13-CC-1908, Lester and Rosalie Anixter Center, Contract, against Department of Human Services................................. $15,719.35

(P.A. 98-64, Art. 12, Sec. 160 new)

Sec. 160. The following named amounts are appropriated to the Court of Claims from State Fund 093, Illinois State Medical Disciplinary Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $903.94

(P.A. 98-64, Art. 12, Sec. 160 new)

Sec. 165. The following named amounts are appropriated to the Court of Claims from State Fund 135, Heartsaver AED Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-0213, Farmington Central Unit #265, debt, against Department of Public Health............... $467.50

No. 13-CC-0225, Cairo School District #1, debt, against Department of Public Health............... $467.50

No. 13-CC-0229, City of Belleville, debt, against Department of Public Health............... $467.50

No. 13-CC-0239, Pekin Park District, debt, against Department of Public Health............... $467.50

No. 13-CC-0254, Urbana School District #116, debt, against Department of Public Health............... $467.50

No. 13-CC-0273, Franklin Elementary School, debt, against Department of Public Health............... $467.50

No. 13-CC-0275, City of Arcola Parks Department, debt, against Department of Public Health............... $467.50

No. 13-CC-0300, Lake Land College, debt, against Department of Public Health............... $467.50

No. 13-CC-0313, Griggsville-Perry CUSD #4,

New matter indicated by italics - deletions by strikeout
Sec. 170. The following named amounts are appropriated to the Court of Claims from State Fund 137, Plugging and Restoration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357......  $44.99

(P.A. 98-64, Art. 12, Sec. 170 new)

Sec. 175. The following named amounts are appropriated to the Court of Claims from State Fund 140, Illinois Department of Revenue Federal Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-2807, Centrue Bank, debt, against Department of Revenue.........................  $123.62

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357......  $356.18

(P.A. 98-64, Art. 12, Sec. 180 new)

Sec. 180. The following named amounts are appropriated to the Court of Claims from State Fund 141, Capital Development Fund, to pay claims in

New matter indicated by italics - deletions by strikeout
conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $3,124.00

(P.A. 98-64, Art. 12, Sec. 185 new)

Sec. 185. The following named amounts are appropriated to the Court of Claims from State Fund 151, Registered Certified Public Accountants’ Administration and Disciplinary Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 12-CC-3223, Frost, Ruttenberg & Rothblatt, debt, against Department of Financial and Professional Regulation.......................... $525.00

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $60.51

(P.A. 98-64, Art. 12, Sec. 190 new)

Sec. 190. The following named amounts are appropriated to the Court of Claims from State Fund 218, Professions Indirect Cost Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $15,994.24

(P.A. 98-64, Art. 12, Sec. 195 new)

Sec. 195. The following named amounts are appropriated to the Court of Claims from State Fund 248, Racing Board Fingerprint License Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $72.00

(P.A. 98-64, Art. 12, Sec. 200 new)

Sec. 200. The following named amounts are appropriated to the Court of Claims from State Fund 262, Mandatory Arbitration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-0940, Mark R. Stanley, debt, against Administrative Office of the Illinois Courts...... $397.76

No. 14-CC-1883, Elizabeth W. Flood, debt, against Judicial-Supreme Court.......................... $614.25

No. 14-CC-2632, Laner Muchin Ltd, debt, against Judicial-Supreme Court.......................... $975.00

New matter indicated by italics - deletions by strikeout
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $1,591.94
(P.A. 98-64, Art. 12, Sec. 205 new)

Sec. 205. The following named amounts are appropriated to the Court of Claims from State Fund 272, Lasalle Veterans Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $29.92
(P.A. 98-64, Art. 12, Sec. 210 new)

Sec. 210. The following named amounts are appropriated to the Court of Claims from State Fund 273, Anna Veterans Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $35.13
(P.A. 98-64, Art. 12, Sec. 215 new)

Sec. 215. The following named amounts are appropriated to the Court of Claims from State Fund 276, Drunk and Drugged Driving Prevention Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $40,230.00
(P.A. 98-64, Art. 12, Sec. 220 new)

Sec. 220. The following named amounts are appropriated to the Court of Claims from State Fund 285, Long Term Care Monitor/Receiver, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $1,032.30
(P.A. 98-64, Art. 12, Sec. 225 new)

Sec. 225. The following named amounts are appropriated to the Court of Claims from State Fund 292, Securities Investors Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $4,641.00
(P.A. 98-64, Art. 12, Sec. 230 new)

New matter indicated by italics - deletions by strikeout
Sec. 230. The following named amounts are appropriated to the Court of Claims from State Fund 294, Used Tire Management Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $71.20

(P.A. 98-64, Art. 12, Sec. 235 new)

Sec. 235. The following named amounts are appropriated to the Court of Claims from State Fund 297, Guardianship and Advocacy Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-1402, Cynthia Z. Tracy, debt, against Guardianship and Advocacy Commission................. $320.00

(P.A. 98-64, Art. 12, Sec. 240 new)

Sec. 240. The following named amounts are appropriated to the Court of Claims from State Fund 301, Working Capital Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-0194, Wiese USA, debt, against Department of Corrections................................. $5,090.12

No. 14-CC-1070, Club Tex, Inc., debt, against Illinois Correctional Industries....................... $53,472.01

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $9,420.41

No. 14-CC-0151, M.J. Kellner Company, debt, against Department of Corrections................. $28,652.50

No. 14-CC-0985, Chem-Tick Coated Fabris, Inc., debt, against Department of Corrections........ $19,400.00

(P.A. 98-64, Art. 12, Sec. 245 new)

Sec. 245. The following named amount is appropriated to the Court of Claims from State Fund 303, State Garage Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-2738, Christian County Farmers Supply Co., contract, against Department of Central Management Services...... $24,296.65

(P.A. 98-64, Art. 12, Sec. 250 new)

Sec. 250. The following named amounts are appropriated to the Court of Claims from State Fund 304, Statistical Services Revolving Fund, to pay

New matter indicated by italics - deletions by strikeout
claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-1546, Maximus, Inc., debt, against Department of Central Management Services...... $15,342.00
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $698.51
(P.A. 98-64, Art. 12, Sec. 255 new)
Sec. 255. The following named amounts are appropriated to the Court of Claims from State Fund 312, Communications Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-1546, Maximus, Inc., debt, against Department of Central Management Services...... $15,342.00
No. 14-CC-2055, Illinois State Toll Highway Authority, debt, against Department of Central Management Services......................... $1,191.95
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $9,842.04
(P.A. 98-64, Art. 12, Sec. 260 new)
Sec. 260. The following named amount is appropriated to the Court of Claims from State Fund 314, Facilities Management Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 12-CC-1095, Fire Equipment Service & Sales, debt, against Department of Central Management Services................................. $154.40
No. 13-CC-0384, Aperial Coss, D/B/A Coss Roofing, debt, against Department of Central Management Services................................. $1,370.25
No. 13-CC-3425, Anchor Mechanical, debt, against Department of Central Management Services........... $428.03
No. 13-CC-3444, Siemens Industry, debt, against Department of Central Management Services...... $11,305.35
No. 13-CC-3536, Anchor Mechanical, Inc., debt, against Department of Central Management Services...... $7,302.39
No. 14-CC-0271, Johnson Controls, Inc., debt, against Department of Central Management Services...... $6,122.00
No. 14-CC-0500, St Clair Associated Vocational Ent., debt, against Department of Central Management Services...... $7,302.39

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service/Project Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Management Services</td>
<td>$7,911.27</td>
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<tr>
<td>No. 14-CC-1043, Jones Lang Lasalle Americas, Inc., debt, against Department of Central Management Services</td>
<td>$38,318.54</td>
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<td>No. 14-CC-1046, Jones Lang Lasalle Americas, Inc., debt, against Department of Central Management Services</td>
<td>$10,128.60</td>
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<td>No. 14-CC-1440, Per Mar Security Services, debt, against Department of Central Management Services</td>
<td>$180.00</td>
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<td>No. 12-CC-3107, A-1 Corporate Hardware, contract, against Department of Central Management Services</td>
<td>$21,550.93</td>
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<tr>
<td>Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........</td>
<td>$194,512.11</td>
</tr>
<tr>
<td>(P.A. 98-64, Art. 12, Sec. 265 new)</td>
<td></td>
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<tr>
<td>Sec. 265. The following named amounts are appropriated to the Court of Claims from State Fund 317, Professional Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:</td>
<td></td>
</tr>
<tr>
<td>Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........</td>
<td>$4,676.92</td>
</tr>
<tr>
<td>(P.A. 98-64, Art. 12, Sec. 270 new)</td>
<td></td>
</tr>
<tr>
<td>Sec. 270. The following named amount is appropriated to the Court of Claims from State Fund 318, ICJIA Violence Prevention Special Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:</td>
<td></td>
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<tr>
<td>No. 14-CC-2551, Chicago Area Project, debt, against Criminal Justice Information Authority</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>No. 14-CC-1239, Chicago State University, contract, against Illinois Criminal Justice Information Authority</td>
<td>$60,770.60</td>
</tr>
<tr>
<td>(P.A. 98-64, Art. 12, Sec. 275 new)</td>
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<tr>
<td>Sec. 275. The following named amounts are appropriated to the Court of Claims from State Fund 343, Federal National Community Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:</td>
<td></td>
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<tr>
<td>No. 13-CC-2866, CJE Senior Life, debt, against</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Department of Human Services................. $24,945.07  
No. 13-CC-2948, West Suburban Pads, debt, against  
Department of Human Services................. $5,783.46  
Reimburse the General Revenue Fund for  
payment of awards pursuant to P.A. 92-357...... $4,166.67  
(P.A. 98-64, Art. 12, Sec. 280 new)  
Sec. 280. The following named amounts are appropriated to the Court of Claims from State Fund 347, Employment and Training Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:  
Reimburse the General Revenue Fund for  
payment of awards pursuant to P.A. 92-357...... $12,000.00  
(P.A. 98-64, Art. 12, Sec. 285 new)  
Sec. 285. The following named amounts are appropriated to the Court of Claims from State Fund 362, Securities Audit and Enforcement Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:  
Reimburse the General Revenue Fund for  
payment of awards pursuant to P.A. 92-357...... $29.99  
(P.A. 98-64, Art. 12, Sec. 290 new)  
Sec. 290. The following named amounts are appropriated to the Court of Claims from State Fund 365, Health and Human Services Medicaid Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:  
Reimburse the General Revenue Fund for  
payment of awards pursuant to P.A. 92-357...... $25,332.00  
(P.A. 98-64, Art. 12, Sec. 295 new)  
Sec. 295. The following named amounts are appropriated to the Court of Claims from State Fund 369, Feed Control Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:  
Reimburse the General Revenue Fund for  
payment of awards pursuant to P.A. 92-357...... $60.85  
(P.A. 98-64, Art. 12, Sec. 300 new)  
Sec. 300. The following named amounts are appropriated to the Court of Claims from State Fund 386, Appraisal Administration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:  
Reimburse the General Revenue Fund for  

New matter indicated by italics - deletions by strikeout
The following named amounts are appropriated to the Court of Claims from State Fund 389, Sexual Assault Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 98-64, Art. 12, Sec. 305 new)

Section 305. The following named amounts are appropriated to the Court of Claims from State Fund 389, Sexual Assault Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 98-64, Art. 12, Sec. 310 new)

Section 310. The following named amounts are appropriated to the Court of Claims from State Fund 394, Gaining Early Awareness and Readiness for Undergraduate Programs Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-0558, Jackie Joyner-Kersee Foundation, debt, against Department of Human Services

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 98-64, Art. 12, Sec. 315 new)

Section 315. The following named amounts are appropriated to the Court of Claims from State Fund 396, Senior Health Insurance Program Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 98-64, Art. 12, Sec. 320 new)

Section 320. The following named amounts are appropriated to the Court of Claims from State Fund 408, DHS Special Purpose Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357

(P.A. 98-64, Art. 12, Sec. 325 new)

Section 325. The following named amounts are appropriated to the Court of Claims from State Fund 410, SBE Federal Department of Agriculture Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-2140, Cumulus Bloomington, debt, against Board of Education

New matter indicated by italics - deletions by strikeout
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $366.00
(P.A. 98-64, Art. 12, Sec. 327 new)

Sec. 327. The following named amounts are appropriated to the Court of Claims from State Fund 421, Public Aid Recoveries Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-2415, Michigan Department of Community Health, debt, against Department of Healthcare and Family Services................. $2,664.94
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $55.30
(P.A. 98-64, Art. 12, Sec. 330 new)

Sec. 330. The following named amounts are appropriated to the Court of Claims from State Fund 434, Court of Claims Administration and Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $997.75
(P.A. 98-64, Art. 12, Sec. 335 new)

Sec. 335. The following named amounts are appropriated to the Court of Claims from State Fund 438, Illinois State Fair Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $1,113.50
(P.A. 98-64, Art. 12, Sec. 340 new)

Sec. 340. The following named amounts are appropriated to the Court of Claims from State Fund 447, GI Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $1,284.17
(P.A. 98-64, Art. 12, Sec. 345 new)

Sec. 345. The following named amounts are appropriated to the Court of Claims from State Fund 451, Indigent Baid Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for

New matter indicated by italics - deletions by strikeout
Sec. 350. The following named amounts are appropriated to the Court of Claims from State Fund 476, Wholesome Meat Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-1446, Xerox Corporation, debt, against Department of Agriculture
$354.72

Sec. 355. The following named amounts are appropriated to the Court of Claims from State Fund 483, Secretary of State Special Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357
$125.00

Sec. 360. The following named amount is appropriated to the Court of Claims from State Fund 488, Criminal Justice Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 13-CC-3313, Cook County Adult Probation, debt, against Illinois Criminal Justice Information Authority
$105,858.00

Sec. 365. The following named amounts are appropriated to the Court of Claims from State Fund 495, Old Age Survivors Insurance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357
13,250.00

Sec. 370. The following named amounts are appropriated to the Court of Claims from State Fund 497, Federal Civil Preparedness Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357
876.31

New matter indicated by italics - deletions by strikeout
Sec. 375. The following named amounts are appropriated to the Court of Claims from State Fund 502, Early Intervention Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........... $78.40
(P.A. 98-64, Art. 12, Sec. 380 new)

Sec. 380. The following named amounts are appropriated to the Court of Claims from State Fund 510, Illinois Fire Fighters’ Memorial Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $1,763.95
(P.A. 98-64, Art. 12, Sec. 385 new)

Sec. 385. The following named amounts are appropriated to the Court of Claims from State Fund 514, State Asset Forfeiture Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357......... $885.00
(P.A. 98-64, Art. 12, Sec. 390 new)

Sec. 390. The following named amounts are appropriated to the Court of Claims from State Fund 524, Health Facility Plan Review Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-0921, Mujeeb Ahmed, debt, against Department of Public Health...................... $1,404.89
(P.A. 98-64, Art. 12, Sec. 395 new)

Sec. 395. The following named amounts are appropriated to the Court of Claims from State Fund 537, State Offender DNA Identification System Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $550.00
(P.A. 98-64, Art. 12, Sec. 400 new)

Sec. 400. The following named amounts are appropriated to the Court of Claims from State Fund 542, Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

New matter indicated by italics - deletions by strikeout
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $1,122.80
(P.A. 98-64, Art. 12, Sec. 405 new)

Sec. 405. The following named amounts are appropriated to the Court of Claims from State Fund 550, Supplemental Low-Income Energy Assistance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $1,356.14
(P.A. 98-64, Art. 12, Sec. 410 new)

Sec. 410. The following named amounts are appropriated to the Court of Claims from State Fund 557, Illinois Prepaid Tuition Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-0992, Kutak Rock, LLP, debt, against Illinois Student Assistance Commission............ $750.00
(P.A. 98-64, Art. 12, Sec. 415 new)

Sec. 415. The following named amounts are appropriated to the Court of Claims from State Fund 561, SBE Federal Department of Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-2122, Efficiency Reporting, debt, against Illinois State Board of Education................. $315.00
(P.A. 98-64, Art. 12, Sec. 420 new)

Sec. 420. The following named amount is appropriated to the Court of Claims from State Fund 566, DCFS Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-1382, Adoptions Unlimited, Inc., contract, against Department of Children and Family Services................................. $50,601.42
(P.A. 98-64, Art. 12, Sec. 425 new)

Sec. 425. The following named amounts are appropriated to the Court of Claims from State Fund 576, Pesticide Control Fund, to pay claims in

New matter indicated by italics - deletions by strikeout
conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ \( \$950.05 \)

(P.A. 98-64, Art. 12, Sec. 430 new)

Sec. 430. The following named amounts are appropriated to the Court of Claims from State Fund 592, DHS Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-35........ \( \$3,603.56 \)

(P.A. 98-64, Art. 12, Sec. 435 new)

Sec. 435. The following named amounts are appropriated to the Court of Claims from State Fund 600, Attorney General Whistleblower Reward and Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ \( \$1,404.99 \)

(P.A. 98-64, Art. 12, Sec. 440 new)

Sec. 440. The following named amounts are appropriated to the Court of Claims from State Fund 622, Motor Vehicle License Plate Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ \( \$1,363.65 \)

(P.A. 98-64, Art. 12, Sec. 445 new)

Sec. 445. The following named amounts are appropriated to the Court of Claims from State Fund 632, Horse Racing Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ \( \$274.00 \)

(P.A. 98-64, Art. 12, Sec. 450 new)

Sec. 450. The following named amounts are appropriated to the Court of Claims from State Fund 646, Alcoholism and Substance Abuse Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ \( \$28,000.00 \)

New matter indicated by italics - deletions by strikeout
Sec. 455. The following named amounts are appropriated to the Court of Claims from State Fund 664, Student Loan Operating Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $5,464.12

Sec. 460. The following named amounts are appropriated to the Court of Claims from State Fund 692, ICCB Adult Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $11,629.47

Sec. 465. The following named amounts are appropriated to the Court of Claims from State Fund 700, U.S.D.A. Women, Infants and Children Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 13-CC-2357, Bethel New Life, debt, against Department of Human Services............... $62,900.00
No. 13-CC-2643, Cook County Public Health Department, debt, against Department of Human Services............... $329,418.12
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $41,914.00

Sec. 470. The following named amounts are appropriated to the Court of Claims from State Fund 708, Illinois Standardbred Breeders Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357....... $461.50

Sec. 475. The following named amount is appropriated to the Court of Claims from State Fund 711, State Lottery Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-0847, Holland and Knight, LLP, contract,

New matter indicated by italics - deletions by strikeout
against Department of the Lottery.......... $14,080.32
No. 14-CC-1566, E.C. Ortiz and Co. LLP, contract,
against Department of the Lottery.......... $20,437.50
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357..... $330.24
(P.A. 98-64, Art. 12, Sec. 480 new)
Sec. 480. The following named amounts are appropriated to the Court
of Claims from State Fund 731, Illinois Clear Water Fund, to pay claims in
conformity with awards and recommendations made by the Court of Claims
as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357..... $736.90
(P.A. 98-64, Art. 12, Sec. 485 new)
Sec. 485. The following named amounts are appropriated to the Court
of Claims from State Fund 732, Secretary of State DUI Administration Fund,
to pay claims in conformity with awards and recommendations made by the
Court of Claims as follows:
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357..... $450.00
(P.A. 98-64, Art. 12, Sec. 490 new)
Sec. 490. The following named amount is appropriated to the Court
of Claims from State Fund 733, Tobacco Settlement Recovery Fund, to pay
claims in conformity with awards and recommendations made by the Court
of Claims as follows:
No. 13-CC-0433, McHenry County Department of
Health, debt, against Department of
Public Health........................................ $5,775.00
No. 13-CC-2091, Midwest Litigation Services, debt,
against Department of Public Health........... $435.00
No. 13-CC-2282, Jasper County Health
Department, debt, against Department of
Public Health........................................ $1,347.83
No. 13-CC-1851, Rush University Medical
Center, contract, against Department
of Public Health................................. $25,339.08
Reimburse the General Revenue Fund for
payment of awards pursuant to P.A. 92-357..... $2,500.00
(P.A. 98-64, Art. 12, Sec. 495 new)

New matter indicated by italics - deletions by strikeout
Sec. 495. The following named amounts are appropriated to the Court of Claims from State Fund 745, State’s Attorneys Appellate Prosecutors County Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-0499, Giffin, Winning, Cohen & Bodewes, PC, debt, against Appellate Prosecutor........ $4,739.81
No. 14-CC-0623, Claudon, Kost, Beal, Walters & Lane LTD, debt, against Appellate Prosecutor........................... $3,225.00
No. 14-CC-2157, P.D. Morrison Enterprises, debt, Against State’s Attorney Appellate Prosecutor..... $558.40
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $862.98
(P.A. 98-64, Art. 12, Sec. 500 new)

Sec. 500. The following named amounts are appropriated to the Court of Claims from State Fund 757, Child Support Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $1,870.46
(P.A. 98-64, Art. 12, Sec. 505 new)

Sec. 505. The following named amounts are appropriated to the Court of Claims from State Fund 762, Local Initiative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $678.54
(P.A. 98-64, Art. 12, Sec. 510 new)

Sec. 510. The following named amounts are appropriated to the Court of Claims from State Fund 776, Presidential Library and Museum Operating Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 12-CC-2261, Interspace Services, Inc, debt, against Historic Preservation Agency.............. $4,422.60
No. 12-CC-3095, Konica Minolta Danka Imaging, debt, against Historic Preservation Agency........ $831.51
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $758.40
(P.A. 98-64, Art. 12, Sec. 515 new)

New matter indicated by italics - deletions by strikeout
Sec. 515. The following named amounts are appropriated to the Court of Claims from State Fund 796, Nuclear Safety Emergency Preparedness Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-0933, Canberra Industries, debt, against
\begin{itemize}
  \item Emergency Management Agency.......................... \$2,044.40
\end{itemize}
No. 14-CC-2016, Motorola Solutions, debt, against
\begin{itemize}
  \item Emergency Management Agency.......................... \$6,148.00
\end{itemize}
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... \$21,268.73

(P.A. 98-64, Art. 12, Sec. 520 new)

Sec. 520. The following named amounts are appropriated to the Court of Claims from State Fund 801, AG State Projects and Court Order Distribution Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-2710, Laner Muchin Ltd, debt, against
\begin{itemize}
  \item Office of the Attorney General.................. \$2,547.65
\end{itemize}
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... \$1,701.35

(P.A. 98-64, Art. 12, Sec. 525 new)

Sec. 525. The following named amounts are appropriated to the Court of Claims from State Fund 802, Personal Property Tax Replacement Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... \$1,000.00

(P.A. 98-64, Art. 12, Sec. 530 new)

Sec. 530. The following named amounts are appropriated to the Court of Claims from State Fund 821, Dram Shop Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... \$49,000.00

(P.A. 98-64, Art. 12, Sec. 535 new)

Sec. 535. The following named amounts are appropriated to the Court of Claims from State Fund 850, Real Estate License Administration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 14-CC-0303, IL Real Estate Educational

New matter indicated by italics - deletions by strikeout
Sec. 540. The following named amounts are appropriated to the Court of Claims from State Fund 865, Domestic Violence Shelter and Service Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $7,304.78

(P.A. 98-64, Art. 12, Sec. 545 new)

Sec. 545. The following named amounts are appropriated to the Court of Claims from State Fund 872, Maternal and Child Health Services Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-3373, Ann Marchetti, debt, against Department of Human Services................. $2,500.00

No. 14-CC-0420, University of IL at Chicago – Division of Special Care for Children, debt, against Department of Human Services.... $252,494.79

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $40,040.38

(P.A. 98-64, Art. 12, Sec. 550 new)

Sec. 550. The following named amounts are appropriated to the Court of Claims from State Fund 873, Preventative Health and Health Services Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $431.14

(P.A. 98-64, Art. 12, Sec. 555 new)

Sec. 555. The following named amounts are appropriated to the Court of Claims from State Fund 879, Traffic and Criminal Conviction Surcharge Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 14-CC-1464, City of Springfield Police Department, debt, against Law Enforcement Training and Standards Board.................. $2,500.00

(P.A. 98-64, Art. 12, Sec. 560 new)

Sec. 560. The following named amounts are appropriated to the Court of Claims from State Fund 903, State Surplus Property and Revolving Fund,
to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........     $50.00

(P.A. 98-64, Art. 12, Sec. 565 new)

Sec. 565. The following named amounts are appropriated to the Court of Claims from State Fund 906, State Police Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357......    $13,388.42

(P.A. 98-64, Art. 12, Sec. 570 new)

Sec. 570. The following named amounts are appropriated to the Court of Claims from State Fund 911, Juvenile Justice Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 13-CC-1441, One Hope United/Northern Region, debt, against Department of Human Services................................................. $36,700.44

No. 13-CC-3484, Franklin County Treasurer, debt, Against Department of Human Services ............... $5,192.92

No. 13-CC-3353, Access Community Health Network, debt, against Department of Human Services................................. $12,221.16

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.......    $284.76

(P.A. 98-64, Art. 12, Sec. 575 new)

Sec. 575. The following named amounts are appropriated to the Court of Claims from State Fund 922, Insurance Producer Administration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357.......    $7,908.00

(P.A. 98-64, Art. 12, Sec. 580 new)

Sec. 580. The following named amounts are appropriated to the Court of Claims from State Fund 944, Environmental Protection Permit and Inspection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for

New matter indicated by italics - deletions by strikeout
payment of awards pursuant to P.A. 92-357...... $2,402.00
(P.A. 98-64, Art. 12, Sec. 585 new)

Sec. 585. The following named amount is appropriated to the Court of Claims from State Fund 971, Build Illinois Bond Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 13-CC-3223, Village of Dunfermline, contract, Against Department of Commerce and Economic Opportunity........................... $15,897.76
(P.A. 98-64, Art. 12, Sec. 590 new)

Sec. 590. The following named amounts are appropriated to the Court of Claims from State Fund 980, Manteno Veterans Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357...... $38,486.00
(P.A. 98-64, Art. 12, Sec. 595 new)

Sec. 595. The following named amounts are appropriated to the Court of Claims from State Fund 997, Insurance Financial Regulation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payment of awards pursuant to P.A. 92-357........ $80.85
(P.A. 98-64, Art. 12, Sec. 600 new)

Sec. 600. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Court of Claims for payment of awards solely as a result of the lapsing of an appropriation originally made from any funds held by the State Treasurer.

Sec. 605. The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Court of Claims for payment of line of duty awards.

Sec. 610. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims for payment of claims as follows:
For claims under the Crime Victims Compensation Act:
Payable from the General Revenue Fund $6,000,000

New matter indicated by italics - deletions by strikeout
For claims other than Crime Victims:
Payable from the General Revenue Fund..................

(P.A. 98-64, Art. 12, Sec. 615 new)

Sec. 615. The following named amount is appropriated to the Court of Claims from State Fund 720, Medical Interagency Program, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 07-CC-2511, Saint Francis Medical Center, debt, against Department of Corrections........ $3,261.67
No. 07-CC-2570, Saint Francis Medical Center, debt, against Department of Corrections........ $10,233.55

(P.A. 98-64, Art. 12, Sec. 620 new)

Sec. 620. The sum of $75,000, or so much thereof as may be necessary, is appropriated from the Department of Children and Family Services Children’s Service Fund to the Department of Children and Family Services for all costs associated with prior year liabilities.

Section 20. “AN ACT making appropriations”, Public Act 98-64, approved July 10, 2013, as amended, is amended by changing Section 15 of Article 20 as follows:

(P.A. 98-64, Art. 20, Sec. 15)

Sec. 15. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Gaming Board from the State Gaming Fund for deposit into the Chicago State University Education Improvement Fund to Chicago State University pursuant to Section 13 of the Riverboat Gambling Act.

Section 25. “AN ACT making appropriations”, Public Act 98-64, approved July 10, 2013, as amended, is amended by changing Section 5 of Article 37 as follows:

(P.A. 98-64, Art. 37, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the State Employees' Retirement System:

SOCIAL SECURITY DIVISION
For Personal Services....................... 70,600 51,800
For State Contributions to Social Security....................... 5,400 4,000
For Contractual Services...................... 15,700

New matter indicated by italics - deletions by strikeout
For Travel...........................................  
1,200
For Commodities.....................................  
100
For Printing..........................................  
0
For Equipment.......................................  
0
For Electronic Data Processing....................  
500
For Telecommunications Services..................  
400
Total................................................................ $93,900

CENTRAL OFFICE
For Employee Retirement Contributions
Paid by Employer for Prior Fiscal Years..........  
3,000

ARTICLE 7
Section 5. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance under the Illinois Public Aid Code, the Children’s Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program Act:
Payable from the General Revenue Fund:
For Dentists...........................................  
35,000,000
For Podiatrists..........................  
5,000,000
For Hospital In-Patient,  
Disproportionate Share  
and Ambulatory Care..........................  
46,400,000
For Federally Defined  
Institutions for Mental Disease.................  
4,000,000
For all other Skilled,  
Intermediate, and Other Related Long Term Care Services..........................  
84,000,000
For Health Maintenance Organizations,  
Managed Care Entities, and  
Coordinated Care Entities....................  
16,000,000
For Supportive Living Facilities..............  
15,000,000
For Home Health Care, Therapy,  
and Nursing Services.........................  
6,500,000

Section 10. In addition to any amounts heretofore appropriated, the amount of $5,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Healthcare and Family Services for Medical Assistance under the Illinois

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Public Aid Code, the Children’s Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program Act for Prescribed Drugs, including related administrative and operation costs, and costs related to the operation of the Health Benefits for Workers with Disabilities Program.

Section 15. The sum of $600,000,000, or so much thereof as may be necessary, is appropriated from the Hospital Provider Fund to the Department of Healthcare and Family Services for payments to Health Maintenance Organizations, Managed Care Entities, and Coordinated Care Entities.

Section 20. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Supportive Living Facility Fund to the Department of Healthcare and Family Services for payments to Supportive Living Facilities and related operational expenses.

ARTICLE 8

Section 5. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

DEVELOPMENTAL DISABILITIES GRANTS
AND PROGRAM SUPPORT GRANTS-IN-AID
AND PURCHASED CARE

Payable from the General Revenue Fund
For all costs associated with
Community Based Services for persons
with Developmental Disabilities and for
Intermediate Care Facilities for
the Mentally Retarded and
Alternative Community Programs.............. 4,600,000

ARTICLE 99

Section 99. Effective date. This Act takes effect upon becoming law, except for Articles 7 and 8, which take effect July 1, 2014.
Approved June 9, 2014.
Effective June 9, 2014 and July 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning public health.

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

Section 5. The Food Handling Regulation Enforcement Act is amended by adding Section 3.4 as follows:

(410 ILCS 625/3.4 new)

Sec. 3.4. Home kitchen operation.

(a) For the purpose of this Section, "home kitchen operation" means a person who produces or packages non-potentially hazardous food in a kitchen of that person's primary domestic residence for direct sale by the owner or a family member, or for sale by a religious, charitable, or nonprofit organization, stored in the residence where the food is made. The following conditions must be met in order to qualify as a home kitchen operation:

(1) Monthly gross sales do not exceed $1,000.

(2) The food is not a potentially hazardous baked food, as defined in Section 4 of this Act.

(3) A notice is provided to the purchaser that the product was produced in a home kitchen.

(b) The Department of Public Health or the health department of a unit of local government may inspect a home kitchen operation in the event of a complaint or disease outbreak.

(c) This Section applies only to a home kitchen operation located in a municipality, township, or county where the local governing body has adopted an ordinance authorizing the direct sale of baked goods as described in Section 4 of this Act.

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

Passed in the General Assembly May 27, 2014.

Approved June 10, 2014.

Effective June 10, 2014.
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Election Code is amended by changing Section 9-7 as follows:
(10 ILCS 5/9-7) (from Ch. 46, par. 9-7)
Sec. 9-7. Records and accounts.
(1) Except as provided in subsection (2), the treasurer of a political committee shall keep a detailed and exact account of-
(a) the total of all contributions made to or for the committee;
(b) the full name and mailing address of every person making a contribution and the date and amount thereof;
(c) the total of all expenditures made by or on behalf of the committee;
(d) the full name and mailing address of every person to whom any expenditure is made, and the date and amount thereof;
(e) proof of payment, stating the particulars, for every expenditure made by or on behalf of the committee.
The treasurer shall preserve all records and accounts required by this section for a period of 2 years.
(2) The treasurer of a political committee shall keep a detailed and exact account of the total amount of contributions made to or for a committee at an event licensed under Section 8.1 of the Raffles and Poker Runs Act. For an event licensed under Section 8.1, the treasurer is not required to keep a detailed and exact account of the full name and mailing address of a person who purchases tickets at the event in an amount that does not exceed $150.
(Source: P.A. 96-832, eff. 1-1-11; 97-766, eff. 7-6-12.)
Section 10. The Raffles Act is amended by changing Sections 0.01, 1, 2, 3, 4, 5, 6, and 8 as follows:
(230 ILCS 15/0.01) (from Ch. 85, par. 2300)
Sec. 0.01. Short title. This Act may be cited as the Raffles and Poker Runs Act.
(Source: P.A. 86-1324.)
(230 ILCS 15/1) (from Ch. 85, par. 2301)
Sec. 1. Definitions. For the purposes of this Act the terms defined in this Section have the meanings given them.

New matter indicated by italics - deletions by strikeout
"Net Proceeds" means the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle or poker run.

"Key location" means the location where the poker run concludes and the prize or prizes are awarded.

"Poker run" means an event organized by an organization licensed under this Act in which participants travel to multiple predetermined locations, including a key location, drawing a playing card or equivalent item at each location, in order to assemble a facsimile of a poker hand or other numeric score. "Poker run" includes dice runs, marble runs, or other events where the objective is to build the best hand or highest score by obtaining an item at each location.

"Raffle" means a form of lottery, as defined in Section 28-2(b) of the Criminal Code of 2012, conducted by an organization licensed under this Act, in which:

(1) the player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one or more of which chances is to be designated the winning chance;

(2) the winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

(Source: P.A. 97-1150, eff. 1-25-13.)
(230 ILCS 15/2) (from Ch. 85, par. 2302)
Sec. 2. Licensing.
(a) The governing body of any county or municipality within this State may establish a system for the licensing of organizations to operate raffles. The governing bodies of a county and one or more municipalities may, pursuant to a written contract, jointly establish a system for the licensing of organizations to operate raffles within any area of contiguous territory not contained within the corporate limits of a municipality which is not a party to such contract. The governing bodies of two or more adjacent counties or two or more adjacent municipalities located within a county may, pursuant to a written contract, jointly establish a system for the licensing of organizations to operate raffles within the corporate limits of such counties or municipalities. The licensing authority may establish special categories of

New matter indicated by italics - deletions by strikeout
licenses and promulgate rules relating to the various categories. The licensing system shall provide for limitations upon (1) the aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle, (2) the maximum retail value of each prize awarded by a licensee in a single raffle, (3) the maximum price which may be charged for each raffle chance issued or sold and (4) the maximum number of days during which chances may be issued or sold. The licensing system may include a fee for each license in an amount to be determined by the local governing body. Licenses issued pursuant to this Act shall be valid for one raffle or for a specified number of raffles to be conducted during a specified period not to exceed one year and may be suspended or revoked for any violation of this Act. A local governing body shall act on a license application within 30 days from the date of application. Nothing in this Act shall be construed to prohibit a county or municipality from adopting rules or ordinances for the operation of raffles that are more restrictive than provided for in this Act. The governing body of a municipality may authorize the sale of raffle chances only within the borders of the municipality. The governing body of the county may authorize the sale of raffle chances only in those areas which are both within the borders of the county and outside the borders of any municipality.

(a-5) The governing body of any county within this State may establish a system for the licensing of organizations to operate poker runs. The governing bodies of 2 or more adjacent counties may, pursuant to a written contract, jointly establish a system for the licensing of organizations to operate poker runs within the corporate limits of such counties. The licensing authority may establish special categories of licenses and adopt rules relating to the various categories. The licensing system may include a fee not to exceed $25 for each license. Licenses issued pursuant to this Act shall be valid for one poker run or for a specified number of poker runs to be conducted during a specified period not to exceed one year and may be suspended or revoked for any violation of this Act. A local governing body shall act on a license application within 30 days after the date of application.

(b) Licenses shall be issued only to bona fide religious, charitable, labor, business, fraternal, educational or veterans' organizations that operate without profit to their members and which have been in existence continuously for a period of 5 years immediately before making application for a license and which have had during that entire 5 year period a bona fide membership engaged in carrying out their objects, or to a non-profit fundraising organization that the licensing authority determines is organized for the sole purpose of providing financial assistance to an identified

New matter indicated by italics - deletions by strikeout
individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident or disaster. A licensing authority may waive the 5-year requirement under this subsection (b) for a bona fide religious, charitable, labor, business, fraternal, educational, or veterans' organization that applies for a license to conduct a poker run if the organization is a local organization that is affiliated with and chartered by a national or State organization that meets the 5-year requirement.

For purposes of this Act, the following definitions apply. Non-profit: An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to any one as a result of the operation. Charitable: An organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public. Educational: An organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools. Religious: Any church, congregation, society, or organization founded for the purpose of religious worship. Fraternal: An organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those that otherwise would be cared for by the government. Veterans: An organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit. Labor: An organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations. Business: A voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial and civic interests of a community.

(c) Poker runs shall be licensed by the governing body with jurisdiction over the key location. The license granted by the key location shall cover the entire poker run, including locations other than the key location. Each license issued shall include the name and address of each predetermined location.
(Source: P.A. 86-820.)

New matter indicated by italics - deletions by strikeout
Sec. 3. License - Application - Issuance - Restrictions - Persons ineligible. Licenses issued by the governing body of any county or municipality are subject to the following restrictions:

(1) No person, firm or corporation shall conduct raffles or chances or poker runs without having first obtained a license therefor pursuant to this Act.

(2) The license and application for license must specify the area or areas within the licensing authority in which raffle chances will be sold or issued or a poker run will be conducted, the time period during which raffle chances will be sold or issued or a poker run will be conducted, the time of determination of winning chances and the location or locations at which winning chances will be determined.

(3) The license application must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization.

(4) The application for license shall be prepared in accordance with the ordinance of the local governmental unit.

(5) A license authorizes the licensee to conduct raffles or poker runs as defined in this Act.

The following are ineligible for any license under this Act:

(a) any person who has been convicted of a felony;
(b) any person who is or has been a professional gambler or gambling promoter;
(c) any person who is not of good moral character;
(d) any firm or corporation in which a person defined in (a), (b) or (c) has a proprietary, equitable or credit interest, or in which such a person is active or employed;
(e) any organization in which a person defined in (a), (b) or (c) is an officer, director, or employee, whether compensated or not;
(f) any organization in which a person defined in (a), (b) or (c) is to participate in the management or operation of a raffle as defined in this Act.

(Source: P.A. 85-160.)

Sec. 4. Conduct of raffles and poker runs.

(a) The conducting of raffles and poker runs is subject to the following restrictions:

New matter indicated by italics - deletions by strikeout
(1) The entire net proceeds of any raffle or poker run must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

(2) No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle or poker run.

(3) No person may receive any remuneration or profit for participating in the management or operation of the raffle or poker run.

(4) A licensee may rent a premises on which to determine the winning chance or chances in a raffle only from an organization which is also licensed under this Act. A premises where a poker run is held is not required to obtain a license if the name and location of the premises is listed as a predetermined location on the license issued for the poker run and the premises does not charge for use of the premises.

(5) Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license for a raffle.

(6) A person under the age of 18 years may participate in the conducting of raffles or chances or poker runs only with the permission of a parent or guardian. A person under the age of 18 years may be within the area where winning chances in a raffle or winning hands or scores in a poker run are being determined only when accompanied by his parent or guardian.

(b) If a lessor rents premises where a winning chance or chances on a raffle or a winning hand or score in a poker run is are determined, the lessor shall not be criminally liable if the person who uses the premises for the determining of winning chances does not hold a license issued by the governing body of any county or municipality under the provisions of this Act.

(Source: P.A. 87-1271.)

(230 ILCS 15/5) (from Ch. 85, par. 2305)

Sec. 5. Manager; bond. All operation of and the conduct of raffles and poker runs shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in an amount determined by the licensing authority in favor of the organization conditioned upon his honesty in the performance of his duties. Terms of the bond shall provide that notice shall be given in writing.
to the licensing authority not less than 30 days prior to its cancellation. The
governing body of a local unit of government may waive this bond
requirement by including a waiver provision in the license issued to an
organization under this Act, provided that a license containing such waiver
provision shall be granted only by unanimous vote of the members of the
licensed organization.
(Source: P.A. 91-357, eff. 7-29-99.)
(230 ILCS 15/6) (from Ch. 85, par. 2306)
Sec. 6. Records.
(a) Each organization licensed to conduct raffles and chances or poker
run events shall keep records of its gross receipts, expenses and net proceeds
for each single gathering or occasion at which winning chances in a raffle or
winning hands or scores in a poker run are determined. All deductions from
gross receipts for each single gathering or occasion shall be documented with
receipts or other records indicating the amount, a description of the purchased
item or service or other reason for the deduction, and the recipient. The
distribution of net proceeds shall be itemized as to payee, purpose, amount
and date of payment.
(b) Gross receipts from the operation of raffles programs or poker
runs shall be segregated from other revenues of the organization, including
bingo gross receipts, if bingo games are also conducted by the same nonprofit
organization pursuant to license therefor issued by the Department of
Revenue of the State of Illinois, and placed in a separate account. Each
organization shall have separate records of its raffles and poker runs. The
person who accounts for gross receipts, expenses and net proceeds from the
operation of raffles or poker runs shall not be the same person who accounts
for other revenues of the organization.
(c) Each organization licensed to conduct raffles or poker runs shall
report promptly after the conclusion of each raffle or poker run to its
membership, and to the licensing local unit of government, its gross receipts,
expenses and net proceeds from raffles or poker runs, and the distribution of
net proceeds itemized as required in this Section.
(d) Records required by this Section shall be preserved for 3 years,
and organizations shall make available their records relating to operation of
raffles or poker runs for public inspection at reasonable times and places.
(Source: P.A. 82-711.)
(230 ILCS 15/8) (from Ch. 85, par. 2308)
Sec. 8. Nothing in this Act shall be construed to authorize the conducting or operating of any gambling scheme, enterprise, activity or device other than raffles or poker runs as provided for herein.
(Source: P.A. 81-1365.)

Section 15. The Charitable Games Act is amended by changing Section 2 as follows:

(230 ILCS 30/2) (from Ch. 120, par. 1122)

Sec. 2. Definitions. For purposes of this Act, the following definitions apply:

"Charitable games" means the 14 games of chance involving cards, dice, wheels, random selection of numbers, and gambling tickets which may be conducted at charitable games events listed as follows: roulette, blackjack, poker, pull tabs, craps, bang, beat the dealer, big six, gin rummy, five card stud poker, chuck-a-luck, keno, hold-em poker, and merchandise wheel.

"Charitable games event" or "event" means the type of fundraising event authorized by the Act at which participants pay to play charitable games for the chance of winning cash or noncash prizes. "Charitable games event" or "event" includes a poker run.

"Charitable organization" means an organization or institution organized and operated to benefit an indefinite number of the public.

"Chips" means scrip, play money, poker or casino chips, or any other representations of money, used to make wagers on the outcome of any charitable game.

"Department" means the Department of Revenue.

"Educational organization" means an organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

"Fraternal organization" means an organization of persons having a common interest that is organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis, including but not limited to ethnic organizations.

"Labor organization" means an organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

New matter indicated by italics - deletions by strikeout
"Licensed organization" means a qualified organization that has obtained a license to conduct a charitable games event in conformance with the provisions of this Act.

"Non-profit organization" means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation.

"Organization" means a corporation, agency, partnership, association, firm, business, or other entity consisting of 2 or more persons joined by a common interest or purpose.

"Person" means any natural individual, corporation, partnership, limited liability company, organization as defined in this Section, qualified organization, licensed organization, licensee under this Act, or volunteer.

"Poker run" means an event organized by a sponsoring organization in which participants travel to 5 or more predetermined locations, drawing a playing card or equivalent item at each location, in order to assemble a facsimile of a poker hand or other numeric score. "Poker run" includes dice runs, marble runs, or other events where the objective is to build the best hand or highest score by obtaining an item at each location.

"Premises" means a distinct parcel of land and the buildings thereon.

"Provider" means the person or organization owning, leasing, or controlling premises upon which any charitable games event is to be conducted.

"Qualified organization" means:

(a) a charitable, religious, fraternal, veterans, labor, educational organization, or other institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and which is exempt from federal income taxation under Sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10) or 501(c)(19) of the Internal Revenue Code;

(b) a veterans organization as defined in Section 1.1 of the "Bingo License and Tax Act" organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation; or

(c) An auxiliary organization of a veterans organization.

"Religious organization" means any church, congregation, society, or organization founded for the purpose of religious worship.

"Sponsoring organization" means a qualified organization that has obtained a license to conduct a charitable games event in conformance with the provisions of this Act.
"Supplier" means any person, firm, or corporation that sells, leases, lends, distributes, or otherwise provides to any organization licensed to conduct charitable games events in Illinois any charitable games equipment.

"Veterans' organization" means an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

"Volunteer" means a person recruited by a licensed organization who voluntarily performs services at a charitable games event, including participation in the management or operation of a game, as defined in Section 8.

(Source: P.A. 98-426, eff. 8-16-13.)

Section 20. The Liquor Control Act of 1934 is amended by changing Section 6-2 as follows:

(235 ILCS 5/6-2) (from Ch. 43, par. 120)
Sec. 6-2. Issuance of licenses to certain persons prohibited.
(a) Except as otherwise provided in subsection (b) of this Section and in paragraph (1) of subsection (a) of Section 3-12, no license of any kind issued by the State Commission or any local commission shall be issued to:

(1) A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.

(2) A person who is not of good character and reputation in the community in which he resides.

(3) A person who is not a citizen of the United States.

(4) A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.

(5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.

(6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.

New matter indicated by italics - deletions by strikeout
(7) A person whose license issued under this Act has been revoked for cause.

(8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

(9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political subdivision, unless residency is required by local ordinance.

(10) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.

(10a) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois. The Commission shall permit and accept from an applicant for a license under this Act proof prepared from the Secretary of State's website that the corporation or limited liability company is in good standing and is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois.

(11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.

(12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.

(13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.

New matter indicated by italics - deletions by strikeout
(14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall have a direct interest in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 55,000 or less, to any alderman, member of a city council, or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected. Notwithstanding any provision of this paragraph (14) to the contrary, an alderman or member of a city council or commission, a member of a village board of trustees other than the president of the village board of trustees, or a member of a county board other than the president of a county board may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Furthermore, the mayor of a city with a population of 55,000 or less or the president of a village with a population of 55,000 or less may have an interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board over which he or she presides has made a local liquor control commissioner appointment that complies with the requirements of Section 4-2 of this Act.

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(15) A person who is not a beneficial owner of the business to be operated by the licensee.

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the Criminal Code of 2012, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.

(17) A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Raffles and Poker Runs Act or the Illinois Pull Tabs and Jar Games Act.

(18) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21.

(19) A person who is licensed by any licensing authority as a manufacturer of beer, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer, having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed in this State as a distributor or importing distributor. For purposes of this paragraph (19), a person who is licensed by any licensing authority as a "manufacturer of beer" shall also mean a brewer and a non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer.

(20) A person who is licensed in this State as a distributor or importing distributor, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed in this State as a distributor or importing distributor having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed as a manufacturer of beer by any licensing authority, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise, except for a person who owns, on or after the effective date of this amendatory Act of the

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98th General Assembly, no more than 5% of the outstanding shares of a manufacturer of beer whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934. For the purposes of this paragraph (20), a person who is licensed by any licensing authority as a "manufacturer of beer" shall also mean a brewer and a non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer.

(b) A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Commission shall determine if all provisions of this subsection (b) have been met before any action on the corporation's license is initiated.

(Source: P.A. 97-1059, eff. 8-24-12; 97-1150, eff. 1-25-13; 98-10, eff. 5-6-13; 98-21, eff. 6-13-13, revised 9-24-13.)

Section 25. The Criminal Code of 2012 is amended by changing Sections 28-1 and 28-1.1 as follows:

Sec. 28-1. Gambling.
(a) A person commits gambling when he or she:
   (1) knowingly plays a game of chance or skill for money or other thing of value, unless excepted in subsection (b) of this Section;
   (2) knowingly makes a wager upon the result of any game, contest, or any political nomination, appointment or election;
   (3) knowingly operates, keeps, owns, uses, purchases, exhibits, rents, sells, bargains for the sale or lease of, manufactures or distributes any gambling device;
   (4) contracts to have or give himself or herself or another the option to buy or sell, or contracts to buy or sell, at a future time, any grain or other commodity whatsoever, or any stock or security of any company, where it is at the time of making such contract intended by both parties thereto that the contract to buy or sell, or the option, whenever exercised, or the contract resulting therefrom, shall be

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settled, not by the receipt or delivery of such property, but by the 
payment only of differences in prices thereof; however, the issuance, 
purchase, sale, exercise, endorsement or guarantee, by or through a 
person registered with the Secretary of State pursuant to Section 8 of 
the Illinois Securities Law of 1953, or by or through a person exempt 
from such registration under said Section 8, of a put, call, or other 
option to buy or sell securities which have been registered with the 
Secretary of State or which are exempt from such registration under 
Section 3 of the Illinois Securities Law of 1953 is not gambling 
within the meaning of this paragraph (4);

(5) knowingly owns or possesses any book, instrument or 
apparatus by means of which bets or wagers have been, or are, 
recorded or registered, or knowingly possesses any money which he 
has received in the course of a bet or wager;

(6) knowingly sells pools upon the result of any game or 
contest of skill or chance, political nomination, appointment or 
election;

(7) knowingly sets up or promotes any lottery or sells, offers 
to sell or transfers any ticket or share for any lottery;

(8) knowingly sets up or promotes any policy game or sells, 
offers to sell or knowingly possesses or transfers any policy ticket, 
slip, record, document or other similar device;

(9) knowingly drafts, prints or publishes any lottery ticket or 
share, or any policy ticket, slip, record, document or similar device, 
except for such activity related to lotteries, bingo games and raffles 
authorized by and conducted in accordance with the laws of Illinois 
or any other state or foreign government;

(10) knowingly advertises any lottery or policy game, except 
for such activity related to lotteries, bingo games and raffles 
authorized by and conducted in accordance with the laws of Illinois 
or any other state;

(11) knowingly transmits information as to wagers, betting 
odds, or changes in betting odds by telephone, telegraph, radio, 
 semaphore or similar means; or knowingly installs or maintains 
equipment for the transmission or receipt of such information; except 
that nothing in this subdivision (11) prohibits transmission or receipt 
of such information for use in news reporting of sporting events or 
contests; or

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(12) knowingly establishes, maintains, or operates an Internet site that permits a person to play a game of chance or skill for money or other thing of value by means of the Internet or to make a wager upon the result of any game, contest, political nomination, appointment, or election by means of the Internet. This item (12) does not apply to activities referenced in items (6) and (6.1) of subsection (b) of this Section.

(b) Participants in any of the following activities shall not be convicted of gambling:

(1) Agreements to compensate for loss caused by the happening of chance including without limitation contracts of indemnity or guaranty and life or health or accident insurance.

(2) Offers of prizes, award or compensation to the actual contestants in any bona fide contest for the determination of skill, speed, strength or endurance or to the owners of animals or vehicles entered in such contest.

(3) Pari-mutuel betting as authorized by the law of this State.

(4) Manufacture of gambling devices, including the acquisition of essential parts therefor and the assembly thereof, for transportation in interstate or foreign commerce to any place outside this State when such transportation is not prohibited by any applicable Federal law; or the manufacture, distribution, or possession of video gaming terminals, as defined in the Video Gaming Act, by manufacturers, distributors, and terminal operators licensed to do so under the Video Gaming Act.

(5) The game commonly known as "bingo", when conducted in accordance with the Bingo License and Tax Act.

(6) Lotteries when conducted by the State of Illinois in accordance with the Illinois Lottery Law. This exemption includes any activity conducted by the Department of Revenue to sell lottery tickets pursuant to the provisions of the Illinois Lottery Law and its rules.

(6.1) The purchase of lottery tickets through the Internet for a lottery conducted by the State of Illinois under the program established in Section 7.12 of the Illinois Lottery Law.

(7) Possession of an antique slot machine that is neither used nor intended to be used in the operation or promotion of any unlawful gambling activity or enterprise. For the purpose of this subparagraph

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(b)(7), an antique slot machine is one manufactured 25 years ago or earlier.

(8) Raffles and poker runs when conducted in accordance with the Raffles and Poker Runs Act.

(9) Charitable games when conducted in accordance with the Charitable Games Act.

(10) Pull tabs and jar games when conducted under the Illinois Pull Tabs and Jar Games Act.

(11) Gambling games conducted on riverboats when authorized by the Riverboat Gambling Act.

(12) Video gaming terminal games at a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment when conducted in accordance with the Video Gaming Act.

(13) Games of skill or chance where money or other things of value can be won but no payment or purchase is required to participate.

(c) Sentence.

Gambling is a Class A misdemeanor. A second or subsequent conviction under subsections (a)(3) through (a)(12), is a Class 4 felony.

(d) Circumstantial evidence.

In prosecutions under this Section circumstantial evidence shall have the same validity and weight as in any criminal prosecution.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-1203, eff. 7-22-10; 97-1108, eff. 1-1-13.)

(720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)
Sec. 28-1.1. Syndicated gambling.

(a) Declaration of Purpose. Recognizing the close relationship between professional gambling and other organized crime, it is declared to be the policy of the legislature to restrain persons from engaging in the business of gambling for profit in this State. This Section shall be liberally construed and administered with a view to carrying out this policy.

(b) A person commits syndicated gambling when he or she operates a "policy game" or engages in the business of bookmaking.

(c) A person "operates a policy game" when he or she knowingly uses any premises or property for the purpose of receiving or knowingly does receive from what is commonly called "policy":

(1) money from a person other than the bettor or player whose bets or plays are represented by the money; or

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(2) written "policy game" records, made or used over any period of time, from a person other than the bettor or player whose bets or plays are represented by the written record.

(d) A person engages in bookmaking when he or she knowingly receives or accepts more than five bets or wagers upon the result of any trials or contests of skill, speed or power of endurance or upon any lot, chance, casualty, unknown or contingent event whatsoever, which bets or wagers shall be of such size that the total of the amounts of money paid or promised to be paid to the bookmaker on account thereof shall exceed $2,000. Bookmaking is the receiving or accepting of bets or wagers regardless of the form or manner in which the bookmaker records them.

(e) Participants in any of the following activities shall not be convicted of syndicated gambling:

(1) Agreements to compensate for loss caused by the happening of chance including without limitation contracts of indemnity or guaranty and life or health or accident insurance;

(2) Offers of prizes, award or compensation to the actual contestants in any bona fide contest for the determination of skill, speed, strength or endurance or to the owners of animals or vehicles entered in the contest;

(3) Pari-mutuel betting as authorized by law of this State;

(4) Manufacture of gambling devices, including the acquisition of essential parts therefor and the assembly thereof, for transportation in interstate or foreign commerce to any place outside this State when the transportation is not prohibited by any applicable Federal law;

(5) Raffles and poker runs when conducted in accordance with the Raffles and Poker Runs Act;

(6) Gambling games conducted on riverboats when authorized by the Riverboat Gambling Act; and

(7) Video gaming terminal games at a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment when conducted in accordance with the Video Gaming Act.

(f) Sentence. Syndicated gambling is a Class 3 felony.

(Source: P.A. 96-34, eff. 7-13-09; 97-1108, eff. 1-1-13.)


New matter indicated by italics - deletions by strikeout
Public Act 98-0644

Effective June 10, 2014.

Public Act 98-0645

(House Bill No. 4440)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 1C-2 as follows:

(105 ILCS 5/1C-2)
Sec. 1C-2. Block grants.
(a) For fiscal year 1999, and each fiscal year thereafter, the State Board of Education shall award to school districts block grants as described in subsection (c). The State Board of Education may adopt rules and regulations necessary to implement this Section. In accordance with Section 2-3.32, all state block grants are subject to an audit. Therefore, block grant receipts and block grant expenditures shall be recorded to the appropriate fund code.

(b) (Blank).

(c) An Early Childhood Education Block Grant shall be created by combining the following programs: Preschool Education, Parental Training and Prevention Initiative. These funds shall be distributed to school districts and other entities on a competitive basis. Not less than 14% of this grant shall be used to fund programs for children ages 0-3, which percentage shall increase to at least 20% by Fiscal Year 2015. However, if, in a given fiscal year, the amount appropriated for the Early Childhood Education Block Grant is insufficient to increase the percentage of the grant to fund programs for children ages 0-3 without reducing the amount of the grant for existing providers of preschool education programs, then the percentage of the grant to fund programs for children ages 0-3 may be held steady instead of increased.

(Source: P.A. 95-793, eff. 1-1-09; 96-423, eff. 8-13-09.)

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved June 11, 2014.
Effective July 1, 2014.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0646
(House Bill No. 5393)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 21B-70 as follows:

(105 ILCS 5/21B-70)
Sec. 21B-70. Illinois Teaching Excellence Program.
(a) As used in this Section:
"Poverty or low-performing school" means a school in academic early warning status or academic watch status or a school in which 50% or more of its students are eligible for free or reduced-price school lunches.
"Qualified educator" means a teacher or school counselor currently employed in a school district who is in the process of obtaining certification through the National Board for Professional Teaching Standards or who has completed certification and holds a current Professional Educator License with a National Board for Professional Teaching Standards designation or a retired teacher or school counselor who holds a Professional Educator License with a National Board for Professional Teaching Standards designation.

(b) Beginning on July 1, 2011, any funds appropriated for the Illinois Teaching Excellence Program must be used to provide monetary assistance and incentives for qualified educators who are employed by school districts and who have or are in the process of obtaining licensure through the National Board for Professional Teaching Standards. The goal of the program is to improve instruction and student performance.

The State Board of Education shall allocate an amount as annually appropriated by the General Assembly for the Illinois Teaching Excellence Program for (i) application fees for each qualified educator seeking to complete certification through the National Board for Professional Teaching Standards, to be paid directly to the National Board for Professional Teaching Standards, and (ii) incentives for each qualified educator to be distributed to the respective school district. The school district shall distribute this payment to each eligible teacher or school counselor as a single payment.

The State Board of Education's annual budget must set out by separate line item the appropriation for the program. Unless otherwise provided by

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appropriation, qualified educators are eligible for monetary assistance and incentives based on the priorities outlined in subsection (c) of this Section. (c) When there are adequate funds available, priorities (1), (2), (3), (4), and (5), as outlined in this subsection (c), must be funded. If full funding to meet all priorities as outlined in this subsection (c) is not available, funding must be distributed in the order of the priorities listed in this subsection (c). If funding is insufficient to fund a priority in full, then funding for that priority must be prorated and no further priorities shall be funded. Priorities for monetary assistance and incentives shall include the following:

1. **Priority 1**: A maximum of $2,000 towards the application fee for up to 750 teachers or school counselors in a poverty or low-performing school who apply on a first-come, first-serve basis for National Board certification.

2. **Priority 2**: A maximum of $2,000 towards the application fee for up to 250 teachers or school counselors in a school other than a poverty or low-performing school who apply on a first-come, first-serve basis for National Board certification. However, if there were fewer than 750 individuals supported in item priority (1) of this subsection (c), then the number supported in this item priority (2) may be increased as such that the combination of item priority (1) of this subsection (c) and this item priority (2) shall equal 1,000 applicants.

3. **Priority 3**: The fee for the National Board for Professional Teaching Standards' renewal application fee. Priority 3: The fee for the National Board for Professional Teaching Standards' Take One! (the test for National Board certification) for up to 500 qualified educators who apply on a first-come, first-serve basis.

4. **Priority 4**: An annual incentive equal to $1,500, which shall be paid to each qualified educator who holds both a National Board for Professional Teaching Standards designation and a current corresponding certificate issued by the National Board for Professional Teaching Standards, who is employed in a school district, and who agrees, in writing, to provide 30 hours of mentoring or National Board for Professional Teaching Standards professional development or both during the school year to teachers or school counselors in a poverty or low-performing school, as applicable.

5. **Priority 5**: An annual incentive equal to $1,500, which shall be paid to each qualified educator currently employed in a

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school district who holds both a National Board for Professional Teaching Standards designation and a current corresponding certificate issued by the National Board for Professional Teaching Standards and who agrees, in writing, to provide at least 30 hours of mentoring or National Board for Professional Teaching Standards professional development or both during the school year to classroom teachers or school counselors, as applicable. Funds must be dispersed on a first-come, first-serve basis, with priority given to poverty or low-performing schools. Mentoring for all priorities shall include, either singly or in combination, mentoring of the following:

(A) National Board for Professional Teaching Standards certification candidates.
(B) National Board for Professional Teaching Standards re-take candidates.
(C) National Board for Professional Teaching Standards renewal candidates.
(D) National Board for Professional Teaching Standards Take One! participants.

Funds may also be used for instructional leadership training for qualified educators interested in supporting implementation of the Illinois Learning Standards or teaching and learning priorities of the State Board of Education or both.

(Source: P.A. 97-607, eff. 8-26-11.)

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved June 11, 2014.
Effective July 1, 2014.

PUBLIC ACT 98-0647
(House Bill No. 1711)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Sections 2-3.62 and 3-0.01 as follows:
(105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)
Sec. 2-3.62. Educational Service Centers.

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(a) A regional network of educational service centers shall be established by the State Board of Education to coordinate and combine existing services in a manner which is practical and efficient and to provide new services to schools as provided in this Section. Services to be made available by such centers shall include the planning, implementation and evaluation of:

(1) (blank);
(2) computer technology education;
(3) mathematics, science and reading resources for teachers including continuing education, inservice training and staff development.

The centers may provide training, technical assistance, coordination and planning in other program areas such as school improvement, school accountability, financial planning, consultation, and services, career guidance, early childhood education, alcohol/drug education and prevention, family life - sex education, electronic transmission of data from school districts to the State, alternative education and regional special education, and telecommunications systems that provide distance learning. Such telecommunications systems may be obtained through the Department of Central Management Services pursuant to Section 405-270 of the Department of Central Management Services Law (20 ILCS 405/405-270). The programs and services of educational service centers may be offered to private school teachers and private school students within each service center area provided public schools have already been afforded adequate access to such programs and services.

Upon the abolition of the office, removal from office, disqualification for office, resignation from office, or expiration of the current term of office of the regional superintendent of schools, whichever is earlier, the chief administrative officer of the centers serving that portion of a Class II county school unit outside of a city of 500,000 or more inhabitants shall have and exercise, in and with respect to each educational service region having a population of 2,000,000 or more inhabitants and in and with respect to each school district located in any such educational service region, all of the rights, powers, duties, and responsibilities theretofore vested by law in and exercised and performed by the regional superintendent of schools for that area under the provisions of this Code or any other laws of this State.

The State Board of Education shall promulgate rules and regulations necessary to implement this Section. The rules shall include detailed standards which delineate the scope and specific content of programs to be

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provided by each Educational Service Center, as well as the specific planning, implementation and evaluation services to be provided by each Center relative to its programs. The Board shall also provide the standards by which it will evaluate the programs provided by each Center.

(b) Centers serving Class 1 county school units shall be governed by an 11-member board, 3 members of which shall be public school teachers nominated by the local bargaining representatives to the appropriate regional superintendent for appointment and no more than 3 members of which shall be from each of the following categories, including but not limited to superintendents, regional superintendents, school board members and a representative of an institution of higher education. The members of the board shall be appointed by the regional superintendents whose school districts are served by the educational service center. The composition of the board will reflect the revisions of this amendatory Act of 1989 as the terms of office of current members expire.

(c) The centers shall be of sufficient size and number to assure delivery of services to all local school districts in the State.

(d) From monies appropriated for this program the State Board of Education shall provide grants paid from the Personal Property Tax Replacement Fund to qualifying Educational Service Centers applying for such grants in accordance with rules and regulations promulgated by the State Board of Education to implement this Section.

(e) The governing authority of each of the 18 regional educational service centers shall appoint a family life - sex education advisory board consisting of 2 parents, 2 teachers, 2 school administrators, 2 school board members, 2 health care professionals, one library system representative, and the director of the regional educational service center who shall serve as chairperson of the advisory board so appointed. Members of the family life - sex education advisory boards shall serve without compensation. Each of the advisory boards appointed pursuant to this subsection shall develop a plan for regional teacher-parent family life - sex education training sessions and shall file a written report of such plan with the governing board of their regional educational service center. The directors of each of the regional educational service centers shall thereupon meet, review each of the reports submitted by the advisory boards and combine those reports into a single written report which they shall file with the Citizens Council on School Problems prior to the end of the regular school term of the 1987-1988 school year.

(f) The 14 educational service centers serving Class I county school units shall be disbanded on the first Monday of August, 1995, and their
statutory responsibilities and programs shall be assumed by the regional offices of education, subject to rules and regulations developed by the State Board of Education. The regional superintendents of schools elected by the voters residing in all Class I counties shall serve as the chief administrators for these programs and services. By rule of the State Board of Education, the 10 educational service regions of lowest population shall provide such services under cooperative agreements with larger regions.

(Source: P.A. 97-619, eff. 11-14-11; 98-24, eff. 6-19-13.)

(105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

Sec. 3-0.01. "County superintendent of schools" and "regional superintendent of schools" defined - Application of Article.

(a) Except as otherwise provided by subsection (b), after the effective date of this amendatory Act of 1975, the chief administrative officer of an educational service region shall be designated and referred to as the "regional superintendent of schools" or the "regional superintendent" and after the effective date of this amendatory Act of 1993 the office held by the chief administrative officer shall be designated and referred to as the "regional office of education". For purposes of the School Code and except as otherwise provided by subsection (b), any reference to "county superintendent of schools" or "county superintendent" means the regional superintendent of schools.

(b) Notwithstanding any other provisions of this Article, but subject to subsection (b-1), in educational service regions containing 2,000,000 or more inhabitants, the office of regional superintendent of schools is abolished. Subject to Section 2-3.105 of this Code, beginning on the effective date of this amendatory Act of the 96th General Assembly, all rights, powers, duties and responsibilities theretofore vested by law in, and exercised and performed by the regional superintendent of schools and by any assistant regional superintendents or other assistants or employees in the office of the regional superintendent of schools being abolished shall be vested in, exercised and performed by the chief administrative officer of the educational service centers established pursuant to Section 2-3.62 of this Code for any educational service region containing 2,000,000 or more inhabitants: (i) all books, records, maps, papers and other documents belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office shall be transferred and delivered to the State Board of Education; (ii) possession or control over all
moneys, deposits and accounts in the possession or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, including but not limited to undistributed or unexpended moneys drawn from, and all amounts on deposit in, the county, institute and supervisory expense funds, shall be transferred to and placed under the control and disposition of the State Board of Education, excepting only those moneys or accounts, if any, the source of which is the county treasury, for proper redistribution to the educational service centers; and (iii) all other equipment, furnishings, supplies and other personal property belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, excepting only those items which were provided by the county board, shall be transferred and delivered to the State Board of Education. Any Beginning on the effective date of this amendatory Act of the 96th General Assembly, any reference in this Code to "regional superintendent of schools" or "regional superintendent", or "county superintendent of schools" or "county superintendent" shall mean, with respect to any educational service region containing 2,000,000 or more inhabitants in which the office of regional superintendent of schools is abolished, the chief administrative officer of the educational service centers established pursuant to Section 2-3.62 of this Code for the educational service region. Upon and after the first Monday of August 1995, references in this Code and elsewhere to educational service regions of 2,000,000 or fewer inhabitants shall exclude any educational service region containing a city of 500,000 or more inhabitants and references in this Code and elsewhere to educational service regions of 2,000,000 or more inhabitants shall mean an educational service region containing a city of 500,000 or more inhabitants regardless of the actual population of the region.

(b-1) References to "regional superintendent" shall also include the chief administrative officer of the educational service centers established under Section 2-3.62 of this Code and serving that portion of a Class II county outside a city of 500,000 or more population elected at the general election in 1994 and every 4 years thereafter.

(c) This Article applies to the regional superintendent of a multicounty educational service region formed under Article 3A as well as to a single county or partial county region, except that in case of conflict between the provisions of this Article and of Article 3A in the case of a multicounty region, the provisions of Article 3A shall apply. Any reference to "county" or to "educational service region" in this Article means a regional office of education.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 2-3.153, 10-17a, 24-12, and 24A-5 as follows:

(a) The State Board of Education shall select for statewide administration an instrument to provide feedback from, at a minimum, students in grades 6 through 12 and teachers on the instructional environment within a school after giving consideration to the recommendations of the Performance Evaluation Advisory Council made pursuant to subdivision (6) of subsection (a) of Section 24A-20 of this Code. Subject to appropriation to the State Board of Education for the State's cost of development and administration and, subject to subsections (b) and (c) of this Section commencing with the 2012-2013 school year, each school district shall administer, at least biennially, the instrument in every public school attendance center by a date specified by the State Superintendent of Education, and data resulting from the instrument's administration must be provided to the State Board of Education. The survey component that requires completion by the teachers must be administered during teacher meetings or professional development days or at other times that would not interfere with the teachers' regular classroom and direct instructional duties. The State Superintendent, following consultation with teachers, principals, and other appropriate stakeholders, shall publicly report on selected indicators of learning conditions resulting from administration of the instrument at the individual school, district, and State levels and shall identify whether the indicators result from an anonymous administration of the instrument. If in any year the appropriation to the State Board of Education is insufficient for the State's costs associated with statewide administration

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of the instrument, the State Board of Education shall give priority to districts with low-performing schools and a representative sample of other districts.

(b) A school district may elect to use, on a district-wide basis and at the school district's sole cost and expense, an alternate survey of learning conditions instrument pre-approved by the State Superintendent under subsection (c) of this Section in lieu of the statewide survey instrument selected under subsection (a) of this Section, provided that:

(1) the school district notifies the State Board of Education, on a form provided by the State Superintendent, of its intent to administer an alternate instrument on or before a date established by the State Superintendent for the 2014-2015 school year and August 1 of each subsequent school year during which the instrument will be administered;

(2) the notification submitted to the State Board under paragraph (1) of this subsection (b) must be accompanied by a certification signed by the president of the local teachers' exclusive bargaining representative and president of the school board indicating that the alternate survey has been agreed to by the teachers' exclusive bargaining representative and the school board;

(3) the school district's administration of the alternate instrument, including providing to the State Board of Education data and reports suitable to be published on school report cards and the State School Report Card Internet website, is performed in accordance with the requirements of subsection (a) of this Section; and

(4) the alternate instrument is administered each school year that the statewide survey instrument is administered; if the statewide survey is not administrated in a given school year, the school district is not required to provide the alternative instrument in that given school year.

(c) The State Superintendent, in consultation with teachers, principals, superintendents, and other appropriate stakeholders, shall administer an approval process through which at least 2, but not more than 3, alternate survey of learning conditions instruments will be approved by the State Superintendent following a determination by the State Superintendent that each approved instrument:

(1) meets all requirements of subsection (a) of this Section;

(2) provides a summation of indicator results of the alternative survey by a date established by the State Superintendent.
in a manner that allows the indicator results to be included on school report cards pursuant to Section 10-17a of this Code by October 31 of the school year following the instrument’s administration;

(3) provides summary reports for each district and attendance center intended for parents and community stakeholders;

(4) meets scale reliability requirements using accepted testing measures;

(5) provides research-based evidence linking instrument content to one or more improved student outcomes; and

(6) has undergone and documented testing to prove validity.

The State Superintendent shall periodically review and update the list of approved alternate survey instruments, provided that at least 2, but no more than 3, alternate survey instruments shall be approved for use during any school year.

(d) Nothing contained in this amendatory Act of the 98th General Assembly repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on the effective date of this amendatory Act of the 98th General Assembly in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 97-8, eff. 6-13-11; 97-813, eff. 7-13-12.)

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. State, school district, and school report cards.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economic means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data possessed by the State Board of Education related to the following:

   (A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as limited English proficiency; the percentage of students who have individualized education plans or 504 plans that provide for special education

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services; the percentage of students who annually transferred in or out of the school district; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual enrollment courses, foreign language classes, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students meeting as well as exceeding State standards on assessments, the percentage of students in the eighth grade who pass Algebra, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college ready, the percentage of students graduating from high school who are career ready, and the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a remedial course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness; and

(E) the school environment, including, where applicable, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term

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disability, or parental leaves, the 3-year average of the percentage of
teachers returning to the school from the previous year, the number
of different principals at the school in the last 6 years, 2 or more
indicators from any school climate survey selected or approved
developed by the State and administered pursuant to Section 2-3.153
of this Code, with the same or similar indicators included on school
report cards for all surveys selected or approved by the State
pursuant to Section 2-3.153 of this Code, and the combined
percentage of teachers rated as proficient or excellent in their most
recent evaluation.

The school report card shall also provide information that allows for
comparing the current outcome, progress, and environment data to the State
average, to the school data from the past 5 years, and to the outcomes,
progress, and environment of similar schools based on the type of school and
enrollment of low-income, special education, and limited English proficiency
students.

(3) At the discretion of the State Superintendent, the school district
report card shall include a subset of the information identified in paragraphs
(A) through (E) of subsection (2) of this Section, as well as information
relating to the operating expense per pupil and other finances of the school
district, and the State report card shall include a subset of the information
identified in paragraphs (A) through (E) of subsection (2) of this Section.

(4) Notwithstanding anything to the contrary in this Section, in
consultation with key education stakeholders, the State Superintendent shall
at any time have the discretion to amend or update any and all metrics on the
school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the
school district and school report cards from the State Superintendent of
Education, each school district, including special charter districts and districts
subject to the provisions of Article 34, shall present such report cards at a
regular school board meeting subject to applicable notice requirements, post
the report cards on the school district's Internet web site, if the district
maintains an Internet web site, make the report cards available to a newspaper
of general circulation serving the district, and, upon request, send the report
cards home to a parent (unless the district does not maintain an Internet web
site, in which case the report card shall be sent home to parents without
request). If the district posts the report card on its Internet web site, the
district shall send a written notice home to parents stating (i) that the report
card is available on the web site, (ii) the address of the web site, (iii) that a

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printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.

(6) Nothing contained in this amendatory Act of the 98th General Assembly repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on the effective date of this amendatory Act of the 98th General Assembly in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 97-671, eff. 1-24-12; 98-463, eff. 8-16-13.)

(105 ILCS 5/24-12) (from Ch. 122, par. 24-12)

Sec. 24-12. Removal or dismissal of teachers in contractual continued service.

(a) This subsection (a) applies only to honorable dismissals and recalls in which the notice of dismissal is provided on or before the end of the 2010-2011 school term. If a teacher in contractual continued service is removed or dismissed as a result of a decision of the board to decrease the number of teachers employed by the board or to discontinue some particular type of teaching service, written notice shall be mailed to the teacher and also given the teacher either by certified mail, return receipt requested or personal delivery with receipt at least 60 days before the end of the school term, together with a statement of honorable dismissal and the reason therefor, and in all such cases the board shall first remove or dismiss all teachers who have not entered upon contractual continued service before removing or dismissing any teacher who has entered upon contractual continued service and who is legally qualified to hold a position currently held by a teacher who has not entered upon contractual continued service.

As between teachers who have entered upon contractual continued service, the teacher or teachers with the shorter length of continuing service with the district shall be dismissed first unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement or contract between the board and a professional faculty members' organization and except that this provision shall not impair the operation of any affirmative action program in the district, regardless of whether it exists by operation of law or is conducted on a voluntary basis by the board. Any teacher dismissed as a result of such decrease or discontinuance shall be paid all earned compensation on or before the third business day following the last day of pupil attendance in the regular school term.

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If the board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available shall be tendered to the teachers so removed or dismissed so far as they are legally qualified to hold such positions; provided, however, that if the number of honorable dismissal notices based on economic necessity exceeds 15% of the number of full time equivalent positions filled by certified employees (excluding principals and administrative personnel) during the preceding school year, then if the board has any vacancies for the following school term or within 2 calendar years from the beginning of the following school term, the positions so becoming available shall be tendered to the teachers who were so notified and removed or dismissed whenever they are legally qualified to hold such positions. Each board shall, in consultation with any exclusive employee representatives, each year establish a list, categorized by positions, showing the length of continuing service of each teacher who is qualified to hold any such positions, unless an alternative method of determining a sequence of dismissal is established as provided for in this Section, in which case a list shall be made in accordance with the alternative method. Copies of the list shall be distributed to the exclusive employee representative on or before February 1 of each year. Whenever the number of honorable dismissal notices based upon economic necessity exceeds 5, or 150% of the average number of teachers honorably dismissed in the preceding 3 years, whichever is more, then the board also shall hold a public hearing on the question of the dismissals. Following the hearing and board review the action to approve any such reduction shall require a majority vote of the board members.

(b) This subsection (b) applies only to honorable dismissals and recalls in which the notice of dismissal is provided during the 2011-2012 school term or a subsequent school term. If any teacher, whether or not in contractual continued service, is removed or dismissed as a result of a decision of a school board to decrease the number of teachers employed by the board, a decision of a school board to discontinue some particular type of teaching service, or a reduction in the number of programs or positions in a special education joint agreement, then written notice must be mailed to the teacher and also given to the teacher either by certified mail, return receipt requested, or personal delivery with receipt at least 45 days before the end of the school term, together with a statement of honorable dismissal and the reason therefor, and in all such cases the sequence of dismissal shall occur in accordance with this subsection (b); except that this subsection (b) shall not impair the operation of any affirmative action program in the school district,

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regardless of whether it exists by operation of law or is conducted on a voluntary basis by the board.

Each teacher must be categorized into one or more positions for which the teacher is qualified to hold, based upon legal qualifications and any other qualifications established in a district or joint agreement job description, on or before the May 10 prior to the school year during which the sequence of dismissal is determined. Within each position and subject to agreements made by the joint committee on honorable dismissals that are authorized by subsection (e) of this Section, the school district or joint agreement must establish 4 groupings of teachers qualified to hold the position as follows:

(1) Grouping one shall consist of each teacher who is not in contractual continued service and who (i) has not received a performance evaluation rating, (ii) is employed for one school term or less to replace a teacher on leave, or (iii) is employed on a part-time basis. "Part-time basis" for the purposes of this subsection (b) means a teacher who is employed to teach less than a full-day, teacher workload or less than 5 days of the normal student attendance week, unless otherwise provided for in a collective bargaining agreement between the district and the exclusive representative of the district's teachers. For the purposes of this Section, a teacher (A) who is employed as a full-time teacher but who actually teaches or is otherwise present and participating in the district's educational program for less than a school term or (B) who, in the immediately previous school term, was employed on a full-time basis and actually taught or was otherwise present and participated in the district's educational program for 120 days or more is not considered employed on a part-time basis.

(2) Grouping 2 shall consist of each teacher with a Needs Improvement or Unsatisfactory performance evaluation rating on either of the teacher's last 2 performance evaluation ratings.

(3) Grouping 3 shall consist of each teacher with a performance evaluation rating of at least Satisfactory or Proficient on both of the teacher's last 2 performance evaluation ratings, if 2 ratings are available, or on the teacher's last performance evaluation rating, if only one rating is available, unless the teacher qualifies for placement into grouping 4.

(4) Grouping 4 shall consist of each teacher whose last 2 performance evaluation ratings are Excellent and each teacher with
2 Excellent performance evaluation ratings out of the teacher's last 3 performance evaluation ratings with a third rating of Satisfactory or Proficient.

Among teachers qualified to hold a position, teachers must be dismissed in the order of their groupings, with teachers in grouping one dismissed first and teachers in grouping 4 dismissed last.

Within grouping one, the sequence of dismissal must be at the discretion of the school district or joint agreement. Within grouping 2, the sequence of dismissal must be based upon average performance evaluation ratings, with the teacher or teachers with the lowest average performance evaluation rating dismissed first. A teacher's average performance evaluation rating must be calculated using the average of the teacher's last 2 performance evaluation ratings, if 2 ratings are available, or the teacher's last performance evaluation rating, if only one rating is available, using the following numerical values: 4 for Excellent; 3 for Proficient or Satisfactory; 2 for Needs Improvement; and 1 for Unsatisfactory. As between or among teachers in grouping 2 with the same average performance evaluation rating and within each of groupings 3 and 4, the teacher or teachers with the shorter length of continuing service with the school district or joint agreement must be dismissed first unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement or contract between the board and a professional faculty members' organization.

Each board, including the governing board of a joint agreement, shall, in consultation with any exclusive employee representatives, each year establish a sequence of honorable dismissal list categorized by positions and the groupings defined in this subsection (b). Copies of the list showing each teacher by name and categorized by positions and the groupings defined in this subsection (b) must be distributed to the exclusive bargaining representative at least 75 days before the end of the school term, provided that the school district or joint agreement may, with notice to any exclusive employee representatives, move teachers from grouping one into another grouping during the period of time from 75 days until 45 days before the end of the school term. Each year, each board shall also establish, in consultation with any exclusive employee representatives, a list showing the length of continuing service of each teacher who is qualified to hold any such positions, unless an alternative method of determining a sequence of dismissal is established as provided for in this Section, in which case a list must be made in accordance with the alternative method. Copies of the list

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must be distributed to the exclusive employee representative at least 75 days before the end of the school term.

Any teacher dismissed as a result of such decrease or discontinuance must be paid all earned compensation on or before the third business day following the last day of pupil attendance in the regular school term.

If the board or joint agreement has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available must be tendered to the teachers so removed or dismissed who were in groupings 3 or 4 of the sequence of dismissal and are qualified to hold the positions, based upon legal qualifications and any other qualifications established in a district or joint agreement job description, on or before the May 10 prior to the date of the positions becoming available, provided that if the number of honorable dismissal notices based on economic necessity exceeds 15% of the number of full-time equivalent positions filled by certified employees (excluding principals and administrative personnel) during the preceding school year, then the recall period is for the following school term or within 2 calendar years from the beginning of the following school term. If the board or joint agreement has any vacancies within the period from the beginning of the following school term through February 1 of the following school term (unless a date later than February 1, but no later than 6 months from the beginning of the following school term, is established in a collective bargaining agreement), the positions thereby becoming available must be tendered to the teachers so removed or dismissed who were in grouping 2 of the sequence of dismissal due to one "needs improvement" rating on either of the teacher’s last 2 performance evaluation ratings, provided that, if 2 ratings are available, the other performance evaluation rating used for grouping purposes is "satisfactory", "proficient", or "excellent", and are qualified to hold the positions, based upon legal qualifications and any other qualifications established in a district or joint agreement job description, on or before the May 10 prior to the date of the positions becoming available. On and after the effective date of this amendatory Act of the 98th General Assembly, the preceding sentence shall apply to teachers removed or dismissed by honorable dismissal, even if notice of honorable dismissal occurred during the 2013-2014 school year. Among teachers eligible for recall pursuant to the preceding sentence, the order of recall must be in inverse order of dismissal, unless an alternative order of recall is established in a collective bargaining agreement or contract between the board and a professional faculty members' organization. Whenever the number of

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honorable dismissal notices based upon economic necessity exceeds 5 notices or 150% of the average number of teachers honorably dismissed in the preceding 3 years, whichever is more, then the school board or governing board of a joint agreement, as applicable, shall also hold a public hearing on the question of the dismissals. Following the hearing and board review, the action to approve any such reduction shall require a majority vote of the board members.

For purposes of this subsection (b), subject to agreement on an alternative definition reached by the joint committee described in subsection (c) of this Section, a teacher's performance evaluation rating means the overall performance evaluation rating resulting from an annual or biennial performance evaluation conducted pursuant to Article 24A of this Code by the school district or joint agreement determining the sequence of dismissal, not including any performance evaluation conducted during or at the end of a remediation period. No more than one evaluation rating each school term shall be one of the evaluation ratings used for the purpose of determining the sequence of dismissal. Except as otherwise provided in this subsection for any performance evaluations conducted during or at the end of a remediation period, if multiple performance evaluations are conducted in a school term, only the rating from the last evaluation conducted prior to establishing the sequence of honorable dismissal list in such school term shall be the one evaluation rating from that school term used for the purpose of determining the sequence of dismissal. Averaging ratings from multiple evaluations is not permitted unless otherwise agreed to in a collective bargaining agreement or contract between the board and a professional faculty members' organization. The preceding 3 sentences are not a legislative declaration that existing law does or does not already require that only one performance evaluation each school term shall be used for the purpose of determining the sequence of dismissal. For performance evaluation ratings determined prior to September 1, 2012, any school district or joint agreement with a performance evaluation rating system that does not use either of the rating category systems specified in subsection (d) of Section 24A-5 of this Code for all teachers must establish a basis for assigning each teacher a rating that complies with subsection (d) of Section 24A-5 of this Code for all of the performance evaluation ratings that are to be used to determine the sequence of dismissal. A teacher's grouping and ranking on a sequence of honorable dismissal shall be deemed a part of the teacher's performance evaluation, and that information shall may be disclosed to the exclusive bargaining representative as part of a sequence of honorable dismissal list,
notwithstanding any laws prohibiting disclosure of such information. A performance evaluation rating may be used to determine the sequence of dismissal, notwithstanding the pendency of any grievance resolution or arbitration procedures relating to the performance evaluation. If a teacher has received at least one performance evaluation rating conducted by the school district or joint agreement determining the sequence of dismissal and a subsequent performance evaluation is not conducted in any school year in which such evaluation is required to be conducted under Section 24A-5 of this Code, the teacher's performance evaluation rating for that school year for purposes of determining the sequence of dismissal is deemed Proficient. If a performance evaluation rating is nullified as the result of an arbitration, administrative agency, or court determination, then the school district or joint agreement is deemed to have conducted a performance evaluation for that school year, but the performance evaluation rating may not be used in determining the sequence of dismissal.

Nothing in this subsection (b) shall be construed as limiting the right of a school board or governing board of a joint agreement to dismiss a teacher not in contractual continued service in accordance with Section 24-11 of this Code.

Any provisions regarding the sequence of honorable dismissals and recall of honorably dismissed teachers in a collective bargaining agreement entered into on or before January 1, 2011 and in effect on the effective date of this amendatory Act of the 97th General Assembly that may conflict with this amendatory Act of the 97th General Assembly shall remain in effect through the expiration of such agreement or June 30, 2013, whichever is earlier.

(c) Each school district and special education joint agreement must use a joint committee composed of equal representation selected by the school board and its teachers or, if applicable, the exclusive bargaining representative of its teachers, to address the matters described in paragraphs (1) through (5) of this subsection (c) pertaining to honorable dismissals under subsection (b) of this Section.

(1) The joint committee must consider and may agree to criteria for excluding from grouping 2 and placing into grouping 3 a teacher whose last 2 performance evaluations include a Needs Improvement and either a Proficient or Excellent.

(2) The joint committee must consider and may agree to an alternative definition for grouping 4, which definition must take into account prior performance evaluation ratings and may take into account:

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account other factors that relate to the school district's or program's educational objectives. An alternative definition for grouping 4 may not permit the inclusion of a teacher in the grouping with a Needs Improvement or Unsatisfactory performance evaluation rating on either of the teacher's last 2 performance evaluation ratings.

(3) The joint committee may agree to including within the definition of a performance evaluation rating a performance evaluation rating administered by a school district or joint agreement other than the school district or joint agreement determining the sequence of dismissal.

(4) For each school district or joint agreement that administers performance evaluation ratings that are inconsistent with either of the rating category systems specified in subsection (d) of Section 24A-5 of this Code, the school district or joint agreement must consult with the joint committee on the basis for assigning a rating that complies with subsection (d) of Section 24A-5 of this Code to each performance evaluation rating that will be used in a sequence of dismissal.

(5) Upon request by a joint committee member submitted to the employing board by no later than 10 days after the distribution of the sequence of honorable dismissal list, a representative of the employing board shall, within 5 days after the request, provide to members of the joint committee a list showing the most recent and prior performance evaluation ratings of each teacher identified only by length of continuing service in the district or joint agreement and not by name. If, after review of this list, a member of the joint committee has a good faith belief that a disproportionate number of teachers with greater length of continuing service with the district or joint agreement have received a recent performance evaluation rating lower than the prior rating, the member may request that the joint committee review the list to assess whether such a trend may exist. Following the joint committee's review, but by no later than the end of the applicable school term, the joint committee or any member or members of the joint committee may submit a report of the review to the employing board and exclusive bargaining representative, if any. Nothing in this paragraph (5) shall impact the order of honorable dismissal or a school district's or joint agreement's authority to carry out a dismissal in accordance with subsection (b) of this Section.
Agreement by the joint committee as to a matter requires the majority vote of all committee members, and if the joint committee does not reach agreement on a matter, then the otherwise applicable requirements of subsection (b) of this Section shall apply. Except as explicitly set forth in this subsection (c), a joint committee has no authority to agree to any further modifications to the requirements for honorable dismissals set forth in subsection (b) of this Section. The joint committee must be established, and the first meeting of the joint committee each school year must occur on or before December 1.

The joint committee must reach agreement on a matter on or before February 1 of a school year in order for the agreement of the joint committee to apply to the sequence of dismissal determined during that school year. Subject to the February 1 deadline for agreements, the agreement of a joint committee on a matter shall apply to the sequence of dismissal until the agreement is amended or terminated by the joint committee.

(d) Notwithstanding anything to the contrary in this subsection (d), the requirements and dismissal procedures of Section 24-16.5 of this Code shall apply to any dismissal sought under Section 24-16.5 of this Code.

(1) If a dismissal of a teacher in contractual continued service is sought for any reason or cause other than an honorable dismissal under subsections (a) or (b) of this Section or a dismissal sought under Section 24-16.5 of this Code, including those under Section 10-22.4, the board must first approve a motion containing specific charges by a majority vote of all its members. Written notice of such charges, including a bill of particulars and the teacher's right to request a hearing, must be mailed to the teacher and also given to the teacher either by certified mail, return receipt requested, or personal delivery with receipt within 5 days of the adoption of the motion. Any written notice sent on or after July 1, 2012 shall inform the teacher of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher and the board, or a hearing before a board-selected hearing officer, with the cost of the hearing officer paid by the board.

Before setting a hearing on charges stemming from causes that are considered remediable, a board must give the teacher reasonable warning in writing, stating specifically the causes that, if not removed, may result in charges; however, no such written warning is required if the causes have been the subject of a remediation plan pursuant to Article 24A of this Code.

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If, in the opinion of the board, the interests of the school require it, the board may suspend the teacher without pay, pending the hearing, but if the board's dismissal or removal is not sustained, the teacher shall not suffer the loss of any salary or benefits by reason of the suspension.

(2) No hearing upon the charges is required unless the teacher within 17 days after receiving notice requests in writing of the board that a hearing be scheduled before a mutually selected hearing officer or a hearing officer selected by the board. The secretary of the school board shall forward a copy of the notice to the State Board of Education.

(3) Within 5 business days after receiving a notice of hearing in which either notice to the teacher was sent before July 1, 2012 or, if the notice was sent on or after July 1, 2012, the teacher has requested a hearing before a mutually selected hearing officer, the State Board of Education shall provide a list of 5 prospective, impartial hearing officers from the master list of qualified, impartial hearing officers maintained by the State Board of Education. Each person on the master list must (i) be accredited by a national arbitration organization and have had a minimum of 5 years of experience directly related to labor and employment relations matters between employers and employees or their exclusive bargaining representatives and (ii) beginning September 1, 2012, have participated in training provided or approved by the State Board of Education for teacher dismissal hearing officers so that he or she is familiar with issues generally involved in evaluative and non-evaluative dismissals.

If notice to the teacher was sent before July 1, 2012 or, if the notice was sent on or after July 1, 2012, the teacher has requested a hearing before a mutually selected hearing officer, the board and the teacher or their legal representatives within 3 business days shall alternately strike one name from the list provided by the State Board of Education until only one name remains. Unless waived by the teacher, the teacher shall have the right to proceed first with the striking. Within 3 business days of receipt of the list provided by the State Board of Education, the board and the teacher or their legal representatives shall each have the right to reject all prospective hearing officers named on the list and notify the State Board of Education of such rejection. Within 3 business days after receiving

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this notification, the State Board of Education shall appoint a qualified person from the master list who did not appear on the list sent to the parties to serve as the hearing officer, unless the parties notify it that they have chosen to alternatively select a hearing officer under paragraph (4) of this subsection (d).

If the teacher has requested a hearing before a hearing officer selected by the board, the board shall select one name from the master list of qualified impartial hearing officers maintained by the State Board of Education within 3 business days after receipt and shall notify the State Board of Education of its selection.

A hearing officer mutually selected by the parties, selected by the board, or selected through an alternative selection process under paragraph (4) of this subsection (d) (A) must not be a resident of the school district, (B) must be available to commence the hearing within 75 days and conclude the hearing within 120 days after being selected as the hearing officer, and (C) must issue a decision as to whether the teacher must be dismissed and give a copy of that decision to both the teacher and the board within 30 days from the conclusion of the hearing or closure of the record, whichever is later.

(4) In the alternative to selecting a hearing officer from the list received from the State Board of Education or accepting the appointment of a hearing officer by the State Board of Education or if the State Board of Education cannot provide a list or appoint a hearing officer that meets the foregoing requirements, the board and the teacher or their legal representatives may mutually agree to select an impartial hearing officer who is not on the master list either by direct appointment by the parties or by using procedures for the appointment of an arbitrator established by the Federal Mediation and Conciliation Service or the American Arbitration Association. The parties shall notify the State Board of Education of their intent to select a hearing officer using an alternative procedure within 3 business days of receipt of a list of prospective hearing officers provided by the State Board of Education, notice of appointment of a hearing officer by the State Board of Education, or receipt of notice from the State Board of Education that it cannot provide a list that meets the foregoing requirements, whichever is later.

(5) If the notice of dismissal was sent to the teacher before July 1, 2012, the fees and costs for the hearing officer must be paid by the State Board of Education. If the notice of dismissal was sent

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to the teacher on or after July 1, 2012, the hearing officer's fees and costs must be paid as follows in this paragraph (5). The fees and permissible costs for the hearing officer must be determined by the State Board of Education. If the board and the teacher or their legal representatives mutually agree to select an impartial hearing officer who is not on a list received from the State Board of Education, they may agree to supplement the fees determined by the State Board to the hearing officer, at a rate consistent with the hearing officer's published professional fees. If the hearing officer is mutually selected by the parties, then the board and the teacher or their legal representatives shall each pay 50% of the fees and costs and any supplemental allowance to which they agree. If the hearing officer is selected by the board, then the board shall pay 100% of the hearing officer's fees and costs. The fees and costs must be paid to the hearing officer within 14 days after the board and the teacher or their legal representatives receive the hearing officer's decision set forth in paragraph (7) of this subsection (d).

(6) The teacher is required to answer the bill of particulars and aver affirmative matters in his or her defense, and the time for initially doing so and the time for updating such answer and defenses after pre-hearing discovery must be set by the hearing officer. The State Board of Education shall promulgate rules so that each party has a fair opportunity to present its case and to ensure that the dismissal process proceeds in a fair and expeditious manner. These rules shall address, without limitation, discovery and hearing scheduling conferences; the teacher's initial answer and affirmative defenses to the bill of particulars and the updating of that information after pre-hearing discovery; provision for written interrogatories and requests for production of documents; the requirement that each party initially disclose to the other party and then update the disclosure no later than 10 calendar days prior to the commencement of the hearing, the names and addresses of persons who may be called as witnesses at the hearing, a summary of the facts or opinions each witness will testify to, and all other documents and materials, including information maintained electronically, relevant to its own as well as the other party's case (the hearing officer may exclude witnesses and exhibits not identified and shared, except those offered in rebuttal for which the party could not reasonably have anticipated prior to the hearing); pre-hearing discovery and preparation, including provision for written

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interrogatories and requests for production of documents, provided that discovery depositions are prohibited; the conduct of the hearing; the right of each party to be represented by counsel, the offer of evidence and witnesses and the cross-examination of witnesses; the authority of the hearing officer to issue subpoenas and subpoenas duces tecum, provided that the hearing officer may limit the number of witnesses to be subpoenaed on behalf of each party to no more than 7; the length of post-hearing briefs; and the form, length, and content of hearing officers' decisions. The hearing officer shall hold a hearing and render a final decision for dismissal pursuant to Article 24A of this Code or shall report to the school board findings of fact and a recommendation as to whether or not the teacher must be dismissed for conduct. The hearing officer shall commence the hearing within 75 days and conclude the hearing within 120 days after being selected as the hearing officer, provided that the hearing officer may modify these timelines upon the showing of good cause or mutual agreement of the parties. Good cause for the purpose of this subsection (d) shall mean the illness or otherwise unavoidable emergency of the teacher, district representative, their legal representatives, the hearing officer, or an essential witness as indicated in each party's pre-hearing submission. In a dismissal hearing pursuant to Article 24A of this Code, the hearing officer shall consider and give weight to all of the teacher's evaluations written pursuant to Article 24A that are relevant to the issues in the hearing.

Each party shall have no more than 3 days to present its case, unless extended by the hearing officer to enable a party to present adequate evidence and testimony, including due to the other party's cross-examination of the party's witnesses, for good cause or by mutual agreement of the parties. The State Board of Education shall define in rules the meaning of "day" for such purposes. All testimony at the hearing shall be taken under oath administered by the hearing officer. The hearing officer shall cause a record of the proceedings to be kept and shall employ a competent reporter to take stenographic or stenotype notes of all the testimony. The costs of the reporter's attendance and services at the hearing shall be paid by the party or parties who are responsible for paying the fees and costs of the hearing officer. Either party desiring a transcript of the hearing shall pay for the cost thereof. Any post-hearing briefs must be submitted by the parties by no later than 21 days after a party's receipt of the

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transcript of the hearing, unless extended by the hearing officer for good cause or by mutual agreement of the parties.

(7) The hearing officer shall, within 30 days from the conclusion of the hearing or closure of the record, whichever is later, make a decision as to whether or not the teacher shall be dismissed pursuant to Article 24A of this Code or report to the school board findings of fact and a recommendation as to whether or not the teacher shall be dismissed for cause and shall give a copy of the decision or findings of fact and recommendation to both the teacher and the school board. If a hearing officer fails without good cause, specifically provided in writing to both parties and the State Board of Education, to render a decision or findings of fact and recommendation within 30 days after the hearing is concluded or the record is closed, whichever is later, the parties may mutually agree to select a hearing officer pursuant to the alternative procedure, as provided in this Section, to rehear the charges heard by the hearing officer who failed to render a decision or findings of fact and recommendation or to review the record and render a decision. If any hearing officer fails without good cause, specifically provided in writing to both parties and the State Board of Education, to render a decision or findings of fact and recommendation within 30 days after the hearing is concluded or the record is closed, whichever is later, the hearing officer shall be removed from the master list of hearing officers maintained by the State Board of Education for not more than 24 months. The parties and the State Board of Education may also take such other actions as it deems appropriate, including recovering, reducing, or withholding any fees paid or to be paid to the hearing officer. If any hearing officer repeats such failure, he or she must be permanently removed from the master list maintained by the State Board of Education and may not be selected by parties through the alternative selection process under this paragraph (7) or paragraph (4) of this subsection (d). The board shall not lose jurisdiction to discharge a teacher if the hearing officer fails to render a decision or findings of fact and recommendation within the time specified in this Section. If the decision of the hearing officer for dismissal pursuant to Article 24A of this Code or of the school board for dismissal for cause is in favor of the teacher, then the hearing officer or school board shall order reinstatement to the same or substantially equivalent
position and shall determine the amount for which the school board is liable, including, but not limited to, loss of income and benefits.

(8) The school board, within 45 days after receipt of the hearing officer's findings of fact and recommendation as to whether (i) the conduct at issue occurred, (ii) the conduct that did occur was remediable, and (iii) the proposed dismissal should be sustained, shall issue a written order as to whether the teacher must be retained or dismissed for cause from its employ. The school board's written order shall incorporate the hearing officer's findings of fact, except that the school board may modify or supplement the findings of fact if, in its opinion, the findings of fact are against the manifest weight of the evidence.

If the school board dismisses the teacher notwithstanding the hearing officer's findings of fact and recommendation, the school board shall make a conclusion in its written order, giving its reasons therefor, and such conclusion and reasons must be included in its written order. The failure of the school board to strictly adhere to the timelines contained in this Section shall not render it without jurisdiction to dismiss the teacher. The school board shall not lose jurisdiction to discharge the teacher for cause if the hearing officer fails to render a recommendation within the time specified in this Section. The decision of the school board is final, unless reviewed as provided in paragraph (9) of this subsection (d).

If the school board retains the teacher, the school board shall enter a written order stating the amount of back pay and lost benefits, less mitigation, to be paid to the teacher, within 45 days after its retention order. Should the teacher object to the amount of the back pay and lost benefits or amount mitigated, the teacher shall give written objections to the amount within 21 days. If the parties fail to reach resolution within 7 days, the dispute shall be referred to the hearing officer, who shall consider the school board's written order and teacher's written objection and determine the amount to which the school board is liable. The costs of the hearing officer's review and determination must be paid by the board.

(9) The decision of the hearing officer pursuant to Article 24A of this Code or of the school board's decision to dismiss for cause is final unless reviewed as provided in Section 24-16 of this Act. If the school board's decision to dismiss for cause is contrary to the hearing officer's recommendation, the court on review shall give

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consideration to the school board's decision and its supplemental findings of fact, if applicable, and the hearing officer's findings of fact and recommendation in making its decision. In the event such review is instituted, the school board shall be responsible for preparing and filing the record of proceedings, and such costs associated therewith must be divided equally between the parties.

(10) If a decision of the hearing officer for dismissal pursuant to Article 24A of this Code or of the school board for dismissal for cause is adjudicated upon review or appeal in favor of the teacher, then the trial court shall order reinstatement and shall remand the matter to the school board with direction for entry of an order setting the amount of back pay, lost benefits, and costs, less mitigation. The teacher may challenge the school board's order setting the amount of back pay, lost benefits, and costs, less mitigation, through an expedited arbitration procedure, with the costs of the arbitrator borne by the school board.

Any teacher who is reinstated by any hearing or adjudication brought under this Section shall be assigned by the board to a position substantially similar to the one which that teacher held prior to that teacher's suspension or dismissal.

(11) Subject to any later effective date referenced in this Section for a specific aspect of the dismissal process, the changes made by this amendatory Act of the 97th General Assembly shall apply to dismissals instituted on or after September 1, 2011. Any dismissal instituted prior to September 1, 2011 must be carried out in accordance with the requirements of this Section prior to amendment by this amendatory Act of 97th General Assembly.

(e) Nothing contained in this amendatory Act of the 98th General Assembly repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on the effective date of this amendatory Act of the 98th General Assembly in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 97-8, eff. 6-13-11; 98-513, eff. 1-1-14.)

(105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

Sec. 24A-5. Content of evaluation plans. This Section does not apply to teachers assigned to schools identified in an agreement entered into between the board of a school district operating under Article 34 of this Code and the exclusive representative of the district's teachers in accordance with Section 34-85c of this Code.

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Each school district to which this Article applies shall establish a teacher evaluation plan which ensures that each teacher in contractual continued service is evaluated at least once in the course of every 2 school years.

By no later than September 1, 2012, each school district shall establish a teacher evaluation plan that ensures that:

(1) each teacher not in contractual continued service is evaluated at least once every school year; and

(2) each teacher in contractual continued service is evaluated at least once in the course of every 2 school years. However, any teacher in contractual continued service whose performance is rated as either "needs improvement" or "unsatisfactory" must be evaluated at least once in the school year following the receipt of such rating.

Notwithstanding anything to the contrary in this Section or any other Section of the School Code, a principal shall not be prohibited from evaluating any teachers within a school during his or her first year as principal of such school. If a first-year principal exercises this option in a school district where the evaluation plan provides for a teacher in contractual continued service to be evaluated once in the course of every 2 school years, then a new 2-year evaluation plan must be established.

The evaluation plan shall comply with the requirements of this Section and of any rules adopted by the State Board of Education pursuant to this Section.

The plan shall include a description of each teacher's duties and responsibilities and of the standards to which that teacher is expected to conform, and shall include at least the following components:

(a) personal observation of the teacher in the classroom by the evaluator, unless the teacher has no classroom duties.

(b) consideration of the teacher's attendance, planning, instructional methods, classroom management, where relevant, and competency in the subject matter taught.

(c) by no later than the applicable implementation date, consideration of student growth as a significant factor in the rating of the teacher's performance.

(d) prior to September 1, 2012, rating of the performance of teachers in contractual continued service as either:

(i) "excellent", "satisfactory" or "unsatisfactory"; or

(ii) "excellent", "proficient", "needs improvement" or "unsatisfactory".

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(e) on and after September 1, 2012, rating of the performance of all teachers as "excellent", "proficient", "needs improvement" or "unsatisfactory".

(f) specification as to the teacher's strengths and weaknesses, with supporting reasons for the comments made.

(g) inclusion of a copy of the evaluation in the teacher's personnel file and provision of a copy to the teacher.

(h) within 30 school days after the completion of an evaluation rating a teacher in contractual continued service as "needs improvement", development by the evaluator, in consultation with the teacher, and taking into account the teacher's on-going professional responsibilities including his or her regular teaching assignments, of a professional development plan directed to the areas that need improvement and any supports that the district will provide to address the areas identified as needing improvement.

(i) within 30 school days after completion of an evaluation rating a teacher in contractual continued service as "unsatisfactory", development and commencement by the district of a remediation plan designed to correct deficiencies cited, provided the deficiencies are deemed remediable. In all school districts the remediation plan for unsatisfactory, tenured teachers shall provide for 90 school days of remediation within the classroom, unless an applicable collective bargaining agreement provides for a shorter duration. In all school districts evaluations issued pursuant to this Section shall be issued within 10 days after the conclusion of the respective remediation plan. However, the school board or other governing authority of the district shall not lose jurisdiction to discharge a teacher in the event the evaluation is not issued within 10 days after the conclusion of the respective remediation plan.

(j) participation in the remediation plan by the teacher in contractual continued service rated "unsatisfactory", an evaluator and a consulting teacher selected by the evaluator of the teacher who was rated "unsatisfactory", which consulting teacher is an educational employee as defined in the Educational Labor Relations Act, has at least 5 years' teaching experience, and a reasonable familiarity with the assignment of the teacher being evaluated, and who received an "excellent" rating on his or her most recent evaluation. Where no teachers who meet these criteria are available within the district, the district shall request and the applicable regional office of education shall provide...
shall supply, to participate in the remediation process, an individual who meets these criteria.

In a district having a population of less than 500,000 with an exclusive bargaining agent, the bargaining agent may, if it so chooses, supply a roster of qualified teachers from whom the consulting teacher is to be selected. That roster shall, however, contain the names of at least 5 teachers, each of whom meets the criteria for consulting teacher with regard to the teacher being evaluated, or the names of all teachers so qualified if that number is less than 5. In the event of a dispute as to qualification, the State Board shall determine qualification.

(k) a mid-point and final evaluation by an evaluator during and at the end of the remediation period, immediately following receipt of a remediation plan provided for under subsections (i) and (j) of this Section. Each evaluation shall assess the teacher's performance during the time period since the prior evaluation; provided that the last evaluation shall also include an overall evaluation of the teacher's performance during the remediation period. A written copy of the evaluations and ratings, in which any deficiencies in performance and recommendations for correction are identified, shall be provided to and discussed with the teacher within 10 school days after the date of the evaluation, unless an applicable collective bargaining agreement provides to the contrary. These subsequent evaluations shall be conducted by an evaluator. The consulting teacher shall provide advice to the teacher rated "unsatisfactory" on how to improve teaching skills and to successfully complete the remediation plan. The consulting teacher shall participate in developing the remediation plan, but the final decision as to the evaluation shall be done solely by the evaluator, unless an applicable collective bargaining agreement provides to the contrary. Evaluations at the conclusion of the remediation process shall be separate and distinct from the required annual evaluations of teachers and shall not be subject to the guidelines and procedures relating to those annual evaluations. The evaluator may but is not required to use the forms provided for the annual evaluation of teachers in the district's evaluation plan.

(l) reinstatement to the evaluation schedule set forth in the district's evaluation plan for any teacher in contractual continued service who achieves a rating equal to or better than "satisfactory" or
"proficient" in the school year following a rating of "needs improvement" or "unsatisfactory".

(m) dismissal in accordance with subsection (d) of Section 24-12 or Section 24-16.5 or 34-85 of this Code of any teacher who fails to complete any applicable remediation plan with a rating equal to or better than a "satisfactory" or "proficient" rating. Districts and teachers subject to dismissal hearings are precluded from compelling the testimony of consulting teachers at such hearings under subsection (d) of Section 24-12 or Section 24-16.5 or 34-85 of this Code, either as to the rating process or for opinions of performances by teachers under remediation.

(n) After the implementation date of an evaluation system for teachers in a district as specified in Section 24A-2.5 of this Code, if a teacher in contractual continued service successfully completes a remediation plan following a rating of "unsatisfactory" in an annual or biennial overall performance evaluation received after the foregoing implementation date and receives a subsequent rating of "unsatisfactory" in any of the teacher's annual or biennial overall performance evaluation ratings received during the 36-month period following the teacher's completion of the remediation plan, then the school district may forego remediation and seek dismissal in accordance with subsection (d) of Section 24-12 or Section 34-85 of this Code.

Nothing in this Section or Section 24A-4 shall be construed as preventing immediate dismissal of a teacher for deficiencies which are deemed irremediable or for actions which are injurious to or endanger the health or person of students in the classroom or school, or preventing the dismissal or non-renewal of teachers not in contractual continued service for any reason not prohibited by applicable employment, labor, and civil rights laws. Failure to strictly comply with the time requirements contained in Section 24A-5 shall not invalidate the results of the remediation plan.

Nothing contained in this amendatory Act of the 98th General Assembly repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on the effective date of this amendatory Act of the 98th General Assembly in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 97-8, eff. 6-13-11; 98-470, eff. 8-16-13.)


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AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Lottery Law is amended by changing Sections 2, 9.1, and 20 and by adding Section 21.9 as follows:
(20 ILCS 1605/2) (from Ch. 120, par. 1152)
Sec. 2. This Act is enacted to implement and establish within the State a lottery to be conducted by the State through the Department. The entire net proceeds of the Lottery are to be used for the support of the State's Common School Fund, except as provided in subsection (o) of Section 9.1 and Sections 21.2, 21.5, 21.6, 21.7, and 21.8, and 21.9. The General Assembly finds that it is in the public interest for the Department to conduct the functions of the Lottery with the assistance of a private manager under a management agreement overseen by the Department. The Department shall be accountable to the General Assembly and the people of the State through a comprehensive system of regulation, audits, reports, and enduring operational oversight. The Department's ongoing conduct of the Lottery through a management agreement with a private manager shall act to promote and ensure the integrity, security, honesty, and fairness of the Lottery's operation and administration. It is the intent of the General Assembly that the Department shall conduct the Lottery with the assistance of a private manager under a management agreement at all times in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1), 1953(b)(4).
(Source: P.A. 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff. 10-11-07; 95-876, eff. 8-21-08; 96-34, eff. 7-13-09.)
(20 ILCS 1605/9.1)
Sec. 9.1. Private manager and management agreement.
(a) As used in this Section:
"Offeror" means a person or group of persons that responds to a request for qualifications under this Section.
"Request for qualifications" means all materials and documents prepared by the Department to solicit the following from offerors:
(1) Statements of qualifications.

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(2) Proposals to enter into a management agreement, including the identity of any prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.

"Final offer" means the last proposal submitted by an offeror in response to the request for qualifications, including the identity of any prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.

"Final offeror" means the offeror ultimately selected by the Governor to be the private manager for the Lottery under subsection (h) of this Section.

(b) By September 15, 2010, the Governor shall select a private manager for the total management of the Lottery with integrated functions, such as lottery game design, supply of goods and services, and advertising and as specified in this Section.

(c) Pursuant to the terms of this subsection, the Department shall endeavor to expeditiously terminate the existing contracts in support of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly in connection with the selection of the private manager. As part of its obligation to terminate these contracts and select the private manager, the Department shall establish a mutually agreeable timetable to transfer the functions of existing contractors to the private manager so that existing Lottery operations are not materially diminished or impaired during the transition. To that end, the Department shall do the following:

(1) where such contracts contain a provision authorizing termination upon notice, the Department shall provide notice of termination to occur upon the mutually agreed timetable for transfer of functions;

(2) upon the expiration of any initial term or renewal term of the current Lottery contracts, the Department shall not renew such contract for a term extending beyond the mutually agreed timetable for transfer of functions; or

(3) in the event any current contract provides for termination of that contract upon the implementation of a contract with the private manager, the Department shall perform all necessary actions to terminate the contract on the date that coincides with the mutually agreed timetable for transfer of functions.

If the contracts to support the current operation of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly are
not subject to termination as provided for in this subsection (c), then the Department may include a provision in the contract with the private manager specifying a mutually agreeable methodology for incorporation.

(c-5) The Department shall include provisions in the management agreement whereby the private manager shall, for a fee, and pursuant to a contract negotiated with the Department (the "Employee Use Contract"), utilize the services of current Department employees to assist in the administration and operation of the Lottery. The Department shall be the employer of all such bargaining unit employees assigned to perform such work for the private manager, and such employees shall be State employees, as defined by the Personnel Code. Department employees shall operate under the same employment policies, rules, regulations, and procedures, as other employees of the Department. In addition, neither historical representation rights under the Illinois Public Labor Relations Act, nor existing collective bargaining agreements, shall be disturbed by the management agreement with the private manager for the management of the Lottery.

(d) The management agreement with the private manager shall include all of the following:

1. A term not to exceed 10 years, including any renewals.
2. A provision specifying that the Department:
   A) shall exercise actual control over all significant business decisions;
   A-5 has the authority to direct or countermand operating decisions by the private manager at any time;
   B) has ready access at any time to information regarding Lottery operations;
   C) has the right to demand and receive information from the private manager concerning any aspect of the Lottery operations at any time; and
   D) retains ownership of all trade names, trademarks, and intellectual property associated with the Lottery.
3. A provision imposing an affirmative duty on the private manager to provide the Department with material information and with any information the private manager reasonably believes the Department would want to know to enable the Department to conduct the Lottery.
4. A provision requiring the private manager to provide the Department with advance notice of any operating decision that bears significantly on the public interest, including, but not limited to,
decisions on the kinds of games to be offered to the public and
decisions affecting the relative risk and reward of the games being
offered, so the Department has a reasonable opportunity to evaluate
and countermand that decision.

(5) A provision providing for compensation of the private
manager that may consist of, among other things, a fee for services
and a performance based bonus as consideration for managing the
Lottery, including terms that may provide the private manager with
an increase in compensation if Lottery revenues grow by a specified
percentage in a given year.

(6) (Blank).

(7) A provision requiring the deposit of all Lottery proceeds
to be deposited into the State Lottery Fund except as otherwise
provided in Section 20 of this Act.

(8) A provision requiring the private manager to locate its
principal office within the State.

(8-5) A provision encouraging that at least 20% of the cost of
contracts entered into for goods and services by the private manager
in connection with its management of the Lottery, other than contracts
with sales agents or technical advisors, be awarded to businesses that
are a minority owned business, a female owned business, or a
business owned by a person with disability, as those terms are defined
in the Business Enterprise for Minorities, Females, and Persons with
Disabilities Act.

(9) A requirement that so long as the private manager
complies with all the conditions of the agreement under the oversight
of the Department, the private manager shall have the following
duties and obligations with respect to the management of the Lottery:

(A) The right to use equipment and other assets used
in the operation of the Lottery.

(B) The rights and obligations under contracts with
retailers and vendors.

(C) The implementation of a comprehensive security
program by the private manager.

(D) The implementation of a comprehensive system
of internal audits.

(E) The implementation of a program by the private
manager to curb compulsive gambling by persons playing the
Lottery.

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(F) A system for determining (i) the type of Lottery games, (ii) the method of selecting winning tickets, (iii) the manner of payment of prizes to holders of winning tickets, (iv) the frequency of drawings of winning tickets, (v) the method to be used in selling tickets, (vi) a system for verifying the validity of tickets claimed to be winning tickets, (vii) the basis upon which retailer commissions are established by the manager, and (viii) minimum payouts.

(10) A requirement that advertising and promotion must be consistent with Section 7.8a of this Act.

(11) A requirement that the private manager market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet as permitted by law.

(12) A code of ethics for the private manager's officers and employees.

(13) A requirement that the Department monitor and oversee the private manager's practices and take action that the Department considers appropriate to ensure that the private manager is in compliance with the terms of the management agreement, while allowing the manager, unless specifically prohibited by law or the management agreement, to negotiate and sign its own contracts with vendors.

(14) A provision requiring the private manager to periodically file, at least on an annual basis, appropriate financial statements in a form and manner acceptable to the Department.

(15) Cash reserves requirements.

(16) Procedural requirements for obtaining the prior approval of the Department when a management agreement or an interest in a management agreement is sold, assigned, transferred, or pledged as collateral to secure financing.

(17) Grounds for the termination of the management agreement by the Department or the private manager.

(18) Procedures for amendment of the agreement.

(19) A provision requiring the private manager to engage in an open and competitive bidding process for any procurement having a cost in excess of $50,000 that is not a part of the private manager's final offer. The process shall favor the selection of a vendor deemed to have submitted a proposal that provides the Lottery with the best

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overall value. The process shall not be subject to the provisions of the Illinois Procurement Code, unless specifically required by the management agreement.

(20) The transition of rights and obligations, including any associated equipment or other assets used in the operation of the Lottery, from the manager to any successor manager of the lottery, including the Department, following the termination of or foreclosure upon the management agreement.

(21) Right of use of copyrights, trademarks, and service marks held by the Department in the name of the State. The agreement must provide that any use of them by the manager shall only be for the purpose of fulfilling its obligations under the management agreement during the term of the agreement.

(22) The disclosure of any information requested by the Department to enable it to comply with the reporting requirements and information requests provided for under subsection (p) of this Section.

(e) Notwithstanding any other law to the contrary, the Department shall select a private manager through a competitive request for qualifications process consistent with Section 20-35 of the Illinois Procurement Code, which shall take into account:

(1) the offeror's ability to market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet;

(2) the offeror's ability to address the State's concern with the social effects of gambling on those who can least afford to do so;

(3) the offeror's ability to provide the most successful management of the Lottery for the benefit of the people of the State based on current and past business practices or plans of the offeror; and

(4) the offeror's poor or inadequate past performance in servicing, equipping, operating or managing a lottery on behalf of Illinois, another State or foreign government and attracting persons who are not currently regular players of a lottery.

(f) The Department may retain the services of an advisor or advisors with significant experience in financial services or the management, operation, and procurement of goods, services, and equipment for a government-run lottery to assist in the preparation of the terms of the request for qualifications and selection of the private manager. Any prospective

New matter indicated by italics - deletions by strikeout
advisor seeking to provide services under this subsection (f) shall disclose any material business or financial relationship during the past 3 years with any potential offeror, or with a contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery. The Department shall evaluate the material business or financial relationship of each prospective advisor. The Department shall not select any prospective advisor with a substantial business or financial relationship that the Department deems to impair the objectivity of the services to be provided by the prospective advisor. During the course of the advisor's engagement by the Department, and for a period of one year thereafter, the advisor shall not enter into any business or financial relationship with any offeror or any vendor identified to assist an offeror in performing its obligations under the management agreement. Any advisor retained by the Department shall be disqualified from being an offeror. The Department shall not include terms in the request for qualifications that provide a material advantage whether directly or indirectly to any potential offeror, or any contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery, including terms contained in previous responses to requests for proposals or qualifications submitted to Illinois, another State or foreign government when those terms are uniquely associated with a particular potential offeror, contractor, or subcontractor. The request for proposals offered by the Department on December 22, 2008 as "LOT08GAMESYS" and reference number "22016176" is declared void.

(g) The Department shall select at least 2 offerors as finalists to potentially serve as the private manager no later than August 9, 2010. Upon making preliminary selections, the Department shall schedule a public hearing on the finalists' proposals and provide public notice of the hearing at least 7 calendar days before the hearing. The notice must include all of the following:

1. The date, time, and place of the hearing.
2. The subject matter of the hearing.
3. A brief description of the management agreement to be awarded.
4. The identity of the offerors that have been selected as finalists to serve as the private manager.
5. The address and telephone number of the Department.

(h) At the public hearing, the Department shall provide sufficient time for each finalist to present and explain its proposal to the Department and the Governor or the Governor's designee, including an opportunity to

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respond to questions posed by the Department, Governor, or designee and (ii)
allow the public and non-selected offerors to comment on the presentations.
The Governor or a designee shall attend the public hearing. After the public
hearing, the Department shall have 14 calendar days to recommend to the
Governor whether a management agreement should be entered into with a
particular finalist. After reviewing the Department's recommendation, the
Governor may accept or reject the Department's recommendation, and shall
select a final offeror as the private manager by publication of a notice in the
Illinois Procurement Bulletin on or before September 15, 2010. The Governor
shall include in the notice a detailed explanation and the reasons why the
final offeror is superior to other offerors and will provide management
services in a manner that best achieves the objectives of this Section. The
Governor shall also sign the management agreement with the private
manager.

(i) Any action to contest the private manager selected by the Governor
under this Section must be brought within 7 calendar days after the
publication of the notice of the designation of the private manager as
provided in subsection (h) of this Section.

(j) The Lottery shall remain, for so long as a private manager manages
the Lottery in accordance with provisions of this Act, a Lottery conducted by
the State, and the State shall not be authorized to sell or transfer the Lottery
to a third party.

(k) Any tangible personal property used exclusively in connection
with the lottery that is owned by the Department and leased to the private
manager shall be owned by the Department in the name of the State and shall
be considered to be public property devoted to an essential public and
governmental function.

(l) The Department may exercise any of its powers under this Section
or any other law as necessary or desirable for the execution of the
Department's powers under this Section.

(m) Neither this Section nor any management agreement entered into
under this Section prohibits the General Assembly from authorizing forms of
gambling that are not in direct competition with the Lottery.

(n) The private manager shall be subject to a complete investigation
in the third, seventh, and tenth years of the agreement (if the agreement is for
a 10-year term) by the Department in cooperation with the Auditor General
to determine whether the private manager has complied with this Section and
the management agreement. The private manager shall bear the cost of an
investigation or reinvestigation of the private manager under this subsection.

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(o) The powers conferred by this Section are in addition and supplemental to the powers conferred by any other law. If any other law or rule is inconsistent with this Section, including, but not limited to, provisions of the Illinois Procurement Code, then this Section controls as to any management agreement entered into under this Section. This Section and any rules adopted under this Section contain full and complete authority for a management agreement between the Department and a private manager. No law, procedure, proceeding, publication, notice, consent, approval, order, or act by the Department or any other officer, Department, agency, or instrumentality of the State or any political subdivision is required for the Department to enter into a management agreement under this Section. This Section contains full and complete authority for the Department to approve any contracts entered into by a private manager with a vendor providing goods, services, or both goods and services to the private manager under the terms of the management agreement, including subcontractors of such vendors.

Upon receipt of a written request from the Chief Procurement Officer, the Department shall provide to the Chief Procurement Officer a complete and un-redacted copy of the management agreement or any contract that is subject to the Department's approval authority under this subsection (o). The Department shall provide a copy of the agreement or contract to the Chief Procurement Officer in the time specified by the Chief Procurement Officer in his or her written request, but no later than 5 business days after the request is received by the Department. The Chief Procurement Officer must retain any portions of the management agreement or of any contract designated by the Department as confidential, proprietary, or trade secret information in complete confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act. The Department shall also provide the Chief Procurement Officer with reasonable advance written notice of any contract that is pending Department approval.

Notwithstanding any other provision of this Section to the contrary, the Chief Procurement Officer shall adopt administrative rules, including emergency rules, to establish a procurement process to select a successor private manager if a private management agreement has been terminated. The selection process shall at a minimum take into account the criteria set forth in items (1) through (4) of subsection (e) of this Section and may include provisions consistent with subsections (f), (g), (h), and (i) of this Section. The Chief Procurement Officer shall also implement and administer the adopted selection process upon the termination of a private management agreement.

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The Department, after the Chief Procurement Officer certifies that the procurement process has been followed in accordance with the rules adopted under this subsection (o), shall select a final offeror as the private manager and sign the management agreement with the private manager.

Except as provided in Sections 21.2, 21.5, 21.6, 21.7, and 21.8, and 21.9, the Department shall distribute all proceeds of lottery tickets and shares sold in the following priority and manner:

1. The payment of prizes and retailer bonuses.
2. The payment of costs incurred in the operation and administration of the Lottery, including the payment of sums due to the private manager under the management agreement with the Department.
3. On the last day of each month or as soon thereafter as possible, the State Comptroller shall direct and the State Treasurer shall transfer from the State Lottery Fund to the Common School Fund an amount that is equal to the proceeds transferred in the corresponding month of fiscal year 2009, as adjusted for inflation, to the Common School Fund.
4. On or before the last day of each fiscal year, deposit any remaining proceeds, subject to payments under items (1), (2), and (3) into the Capital Projects Fund each fiscal year.

(p) The Department shall be subject to the following reporting and information request requirements:
1. the Department shall submit written quarterly reports to the Governor and the General Assembly on the activities and actions of the private manager selected under this Section;
2. upon request of the Chief Procurement Officer, the Department shall promptly produce information related to the procurement activities of the Department and the private manager requested by the Chief Procurement Officer; the Chief Procurement Officer must retain confidential, proprietary, or trade secret information designated by the Department in complete confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act; and
3. at least 30 days prior to the beginning of the Department's fiscal year, the Department shall prepare an annual written report on the activities of the private manager selected under this Section and deliver that report to the Governor and General Assembly.

(Source: P.A. 97-464, eff. 8-19-11; 98-463, eff. 8-16-13.)

New matter indicated by italics - deletions by strikeout
Sec. 20. State Lottery Fund.

(a) There is created in the State Treasury a special fund to be known as the "State Lottery Fund". Such fund shall consist of all revenues received from (1) the sale of lottery tickets or shares, (net of commissions, fees representing those expenses that are directly proportionate to the sale of tickets or shares at the agent location, and prizes of less than $600 which have been validly paid at the agent level), (2) application fees, and (3) all other sources including moneys credited or transferred thereto from any other fund or source pursuant to law. Interest earnings of the State Lottery Fund shall be credited to the Common School Fund.

(b) The receipt and distribution of moneys under Section 21.5 of this Act shall be in accordance with Section 21.5.

(c) The receipt and distribution of moneys under Section 21.6 of this Act shall be in accordance with Section 21.6.

(d) The receipt and distribution of moneys under Section 21.7 of this Act shall be in accordance with Section 21.7.

(e) The receipt and distribution of moneys under Section 21.8 of this Act shall be in accordance with Section 21.8.

(f) The receipt and distribution of moneys under Section 21.9 of this Act shall be in accordance with Section 21.9.

(Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05; 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff. 10-11-07; 95-876, eff. 8-21-08.)

Sec. 21.9. Go For The Gold scratch-off game.

(a) The Department shall offer a special instant scratch-off game with the title of "Go For The Gold". The game must commence on July 1, 2014 or as soon thereafter, at the discretion of the Director, as is reasonably practical. The operation of the game is governed by this Act and by any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Special Olympics Illinois and Special Children's Charities Fund is created as a special fund in the State treasury. The net revenue from the Go For The Gold special instant scratch-off game must be deposited into the Special Olympics Illinois and Special Children's Charities Fund for appropriation by the General Assembly solely to the Department of Human Services, which must distribute the moneys as follows: (i) 75% of the moneys to Special Olympics Illinois to support the statewide training, competitions, and programs for future Special Olympics athletes; and (ii) 25% of the

New matter indicated by italics - deletions by strikeout
moneys to Special Children's Charities to support the City of Chicago-wide training, competitions, and programs for future Special Olympics athletes. The moneys may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and gifts, grants, and awards from any public or private entity, must be deposited into the Special Olympics and Special Children's Charities Fund. Any interest earned on moneys in the Special Olympics and Special Children's Charities Fund must be deposited into the Special Olympics and Special Children's Charities Fund.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and the actual administrative expenses of the Department solely related to the Go For The Gold game.

(c) During the time that tickets are sold for the Go For The Gold game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

Section 10. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Special Olympics Illinois and Special Children's Charities Fund.


PUBLIC ACT 98-0650
(Senate Bill No. 3411)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by adding Section 805-537 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 805-537. Conservation Police Officer quotas prohibited. The Department may not require a Conservation Police Officer to issue a specific number of citations within a designated period of time. This prohibition shall not affect the conditions of any federal or State grants or funds awarded to the Department and used to fund traffic enforcement programs.

The Department may not, for purposes of evaluating a Conservation Police Officer's job performance, compare the number of citations issued by the Conservation Police Officer to the number of citations issued by any other Conservation Police Officer who has similar job duties. Nothing in this Section shall prohibit the Department from evaluating a Conservation Police Officer based on the Conservation Police Officer's points of contact. For the purposes of this Section, "points of contact" means any quantifiable contact made in the furtherance of the Conservation Police Officer's duties, including, but not limited to, the number of traffic stops completed, arrests, written warnings, and crime prevention measures. Points of contact shall not include either the issuance of citations or the number of citations issued by a Conservation Police Officer.

Section 10. The State Police Act is amended by adding Section 24 as follows:

Sec. 24. State Police quotas prohibited. The Department may not require a Department of State Police officer to issue a specific number of citations within a designated period of time. This prohibition shall not affect the conditions of any federal or State grants or funds awarded to the Department and used to fund traffic enforcement programs.

The Department may not, for purposes of evaluating a Department of State Police officer's job performance, compare the number of citations issued by the Department of State Police officer to the number of citations issued by any other Department of State Police officer who has similar job duties. Nothing in this Section shall prohibit the Department from evaluating a Department of State Police officer based on the Department of State Police officer's points of contact. For the purposes of this Section, "points of contact" means any quantifiable contact made in the furtherance of the Department of State Police officer's duties, including, but not limited to, the number of traffic stops completed, arrests, written warnings, and crime prevention measures. Points of contact shall not include either the issuance of citations or the number of citations issued by a Department of State Police officer.

New matter indicated by italics - deletions by strikeout
Section 15. The Counties Code is amended by adding Section 5-1136 as follows:

(55 ILCS 5/5-1136 new)

Sec. 5-1136. Quotas prohibited. A county may not require a law enforcement officer to issue a specific number of citations within a designated period of time. This prohibition shall not affect the conditions of any federal or State grants or funds awarded to the county and used to fund traffic enforcement programs.

A county may not, for purposes of evaluating a law enforcement officer's job performance, compare the number of citations issued by the law enforcement officer to the number of citations issued by any other law enforcement officer who has similar job duties. Nothing in this Section shall prohibit a county from evaluating a law enforcement officer based on the law enforcement officer's points of contact.

For the purposes of this Section:

(1) "Points of contact" means any quantifiable contact made in the furtherance of the law enforcement officer's duties, including, but not limited to, the number of traffic stops completed, arrests, written warnings, and crime prevention measures. Points of contact shall not include either the issuance of citations or the number of citations issued by a law enforcement officer.

(2) "Law enforcement officer" includes any sheriff, undersheriff, deputy sheriff, county police officer, or other person employed by the county as a peace officer.

A home rule unit may not establish requirements for or assess the performance of law enforcement officers in a manner inconsistent with this Section. This Section is a denial and limitation of home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

Section 20. The Illinois Municipal Code is amended by adding Section 11-1-12 as follows:

(65 ILCS 5/11-1-12 new)

Sec. 11-1-12. Quotas prohibited. A municipality may not require a police officer to issue a specific number of citations within a designated period of time. This prohibition shall not affect the conditions of any federal or State grants or funds awarded to the municipality and used to fund traffic enforcement programs.

A municipality may not, for purposes of evaluating a police officer's job performance, compare the number of citations issued by the police officer

New matter indicated by italics - deletions by strikeout
to the number of citations issued by any other police officer who has similar job duties. Nothing in this Section shall prohibit a municipality from evaluating a police officer based on the police officer's points of contact. For the purposes of this Section, "points of contact" means any quantifiable contact made in the furtherance of the police officer's duties, including, but not limited to, the number of traffic stops completed, arrests, written warnings, and crime prevention measures. Points of contact shall not include either the issuance of citations or the number of citations issued by a police officer.

This Section shall not apply to a municipality subject to Section 10-1-18.1 of this Code with its own independent inspector general and law enforcement review authority.

A home rule municipality may not establish requirements for or assess the performance of police officers in a manner inconsistent with this Section. This Section is a denial and limitation of home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

Passed in the General Assembly May 21, 2014.
Approved June 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0651
(Senate Bill No. 0741)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Article 1
Section 1-5. The Illinois Public Aid Code is amended by adding Article V-F as follows:

(305 ILCS 5/Art. V-F heading new)
ARTICLE V-F. MEDICARE-MEDICAID ALIGNMENT INITIATIVE (MMAI) NURSING HOME RESIDENTS' MANAGED CARE RIGHTS LAW
(305 ILCS 5/5F-1 new)
Sec. 5F-1. Short title. This Article may be referred to as the Medicare-Medicaid Alignment Initiative (MMAI) Nursing Home Residents' Managed Care Rights Law.
(305 ILCS 5/5F-5 new)

New matter indicated by italics - deletions by strikeout
Sec. 5F-5. Findings. The General Assembly finds that elderly Illinoisans residing in a nursing home have the right to:

(1) quality health care regardless of the payer;
(2) receive medically necessary care prescribed by their doctors;
(3) a simple appeal process when care is denied; and
(4) make decisions about their care and where they receive it.

(305 ILCS 5/5F-10 new)

Sec. 5F-10. Scope. This Article applies to policies and contracts amended, delivered, issued, or renewed on or after the effective date of this amendatory Act of the 98th General Assembly for the nursing home component of the Medicare-Medicaid Alignment Initiative. This Article does not diminish a managed care organization's duties and responsibilities under other federal or State laws or rules adopted under those laws and the 3-way Medicare-Medicaid Alignment Initiative contract.

(305 ILCS 5/5F-15 new)

Sec. 5F-15. Definitions. As used in this Article:

"Appeal" means any of the procedures that deal with the review of adverse organization determinations on the health care services the enrollee believes he or she is entitled to receive, including delay in providing, arranging for, or approving the health care services, such that a delay would adversely affect the health of the enrollee or on any amounts the enrollee must pay for a service, as defined under 42 CFR 422.566(b). These procedures include reconsiderations by the managed care organization and, if necessary, an independent review entity as provided by the Health Carrier External Review Act, hearings before administrative law judges, review by the Medicare Appeals Council, and judicial review.

"Demonstration Project" means the nursing home component of the Medicare-Medicaid Alignment Initiative Demonstration Project.

"Department" means the Department of Healthcare and Family Services.

"Enrollee" means an individual who resides in a nursing home or is qualified to be admitted to a nursing home and is enrolled with a managed care organization participating in the Demonstration Project.

"Health care services" means the diagnosis, treatment, and prevention of disease and includes medication, primary care, nursing or medical care, mental health treatment, psychiatric rehabilitation, memory loss services, physical, occupational, and speech rehabilitation, enhanced
care, medical supplies and equipment and the repair of such equipment, and assistance with activities of daily living.

"Managed care organization" or "MCO" means an entity that meets the definition of health maintenance organization as defined in the Health Maintenance Organization Act, is licensed, regulated and in good standing with the Department of Insurance, and is authorized to participate in the nursing home component of the Medicare-Medicaid Alignment Initiative Demonstration Project by a 3-way contract with the Department of Healthcare and Family Services and the Centers for Medicare and Medicaid Services.

"Medical professional" means a physician, physician assistant, or nurse practitioner.

"Medically necessary" means health care services that a medical professional, exercising prudent clinical judgment, would provide to a patient for the purpose of preventing, evaluating, diagnosing, or treating an illness, injury, or disease or its symptoms, and that are: (i) in accordance with the generally accepted standards of medical practice; (ii) clinically appropriate, in terms of type, frequency, extent, site, and duration, and considered effective for the patient's illness, injury, or disease; and (iii) not primarily for the convenience of the patient, a medical professional, other health care provider, caregiver, family member, or other interested party.

"Nursing home" means a facility licensed under the Nursing Home Care Act.

"Nurse practitioner" means an individual properly licensed as a nurse practitioner under the Nurse Practice Act.

"Physician" means an individual licensed to practice in all branches of medicine under the Medical Practice Act of 1987.

"Physician assistant" means an individual properly licensed under the Physician Assistant Practice Act of 1987.

"Resident" means an enrollee who is receiving personal or medical care, including, but not limited to, mental health treatment, psychiatric rehabilitation, physical rehabilitation, and assistance with activities of daily living, from a nursing home.


"Resident's representative" means a person designated in writing by a resident to be the resident's representative or the resident's guardian, as described by the Nursing Home Care Act.
"SNFist" means a medical professional specializing in the care of individuals residing in nursing homes employed by or under contract with a MCO.

"Transition period" means a period of time immediately following enrollment into the Demonstration Project or an enrollee's movement from one managed care organization to another managed care organization or one care setting to another care setting.

(305 ILCS 5/5F-20 new)

Sec. 5F-20. Network adequacy.

(a) Every managed care organization shall allow every nursing home in its service area an opportunity to be a network contracted facility at the plan's standard terms, conditions, and rates. Either party may opt to limit the contract to existing residents only.

(b) With the exception of subsection (c) of this Section, a managed care organization shall only terminate or refuse to renew a contract with a nursing home if the nursing home fails to meet quality standards if the following conditions are met:

   (1) the quality standards are made known to the nursing home;

   (2) the quality standards can be objectively measured through data;

   (3) the nursing home is measured on at least a year's worth of performance;

   (4) a nursing home that the MCO has determined did not meet a quality standard has the opportunity to contest that determination by challenging the accuracy or the measurement of the data through an arbitration process agreed to by contract; and

   (5) the Department may attempt to mediate a dispute prior to arbitration.

(c) A managed care organization may terminate or refuse to renew a contract with a nursing home for a material breach of the contract, including, but not limited to, failure to grant reasonable and timely access to the MCO's care coordinators, SNFists and other providers, termination from the Medicare or Medicaid program, or revocation of license.

(305 ILCS 5/5F-25 new)

Sec. 5F-25. Care coordination. Care coordination provided to all enrollees in the Demonstration Project shall conform to the following requirements:

New matter indicated by italics - deletions by strikeout
(1) care coordination services shall be enrollee-driven and person-centered;
(2) all enrollees in the Demonstration Project shall have the right to receive health care services in the care setting of their choice, except as permitted by Part 4 of Article III of the Nursing Home Care Act with respect to involuntary transfers and discharges; and
(3) decisions shall be based on the enrollee's best interests.

Sec. 5F-30. Continuity of care. When a nursing home resident first transitions to a managed care organization from the fee-for-service system or from another managed care organization, the managed care organization shall honor the existing care plan and any necessary changes to that care plan until the MCO has completed a comprehensive assessment and new care plan, to the extent such services are covered benefits under the contract, which shall be consistent with the requirements of the RAI Manual.

When an enrollee of a managed care organization is moving from a community setting to a nursing home, and the MCO is properly notified of the proposed admission by a network nursing home, and the managed care organization fails to participate in developing a care plan within the time frames required by nursing home regulations, the MCO must honor a care plan developed by the nursing home until the MCO has completed a comprehensive assessment and a new care plan to the extent such services are covered benefits under the contract, consistent with the requirements of the RAI Manual.

A nursing home shall have the ability to refuse admission of an enrollee for whom care is required that the nursing home determines is outside the scope of its license and healthcare capabilities.

Sec. 5F-32. Non-emergency prior approval and appeal.
(a) MCOs must have a method of receiving prior approval requests 24 hours a day, 7 days a week, 365 days a year for nursing home residents. If a response is not provided within 24 hours of the request and the nursing home is required by regulation to provide a service because a physician ordered it, the MCO must pay for the service if it is a covered service under the MCO's contract in the Demonstration Project, provided that the request is consistent with the policies and procedures of the MCO.

In a non-emergency situation, notwithstanding any provisions in State law to the contrary, in the event a resident's physician orders a service,
treatment, or test that is not approved by the MCO, the physician and the
provider may utilize an expedited appeal to the MCO.

If an enrollee or provider requests an expedited appeal pursuant to
42 CFR 438.410, the MCO shall notify the enrollee or provider within 24
hours after the submission of the appeal of all information from the enrollee
or provider that the MCO requires to evaluate the appeal. The MCO shall
render a decision on an expedited appeal within 24 hours after receipt of the
required information.

(b) While the appeal is pending or if the ordered service, treatment,
or test is denied after appeal, the Department of Public Health may not cite
the nursing home for failure to provide the ordered service, treatment, or test.
The nursing home shall not be liable or responsible for an injury in any
regulatory proceeding for the following:

(1) failure to follow the appealed or denied order; or
(2) injury to the extent it was caused by the delay or failure to
perform the appealed or denied service, treatment, or test.

Provided however, a nursing home shall continue to monitor, document, and
ensure the patient's safety. Nothing in this subsection (b) is intended to
otherwise change the nursing home's existing obligations under State and
federal law to appropriately care for its residents.

(305 ILCS 5/5F-35 new)

Sec. 5F-35. Reimbursement. The Department shall provide each
managed care organization with the quarterly facility-specific RUG-IV
nursing component per diem along with any add-ons for enhanced care
services, support component per diem, and capital component per diem
effective for each nursing home under contract with the managed care
organization.

(305 ILCS 5/5F-40 new)

Sec. 5F-40. Contractual requirements.

(a) Every contract shall contain a clause for termination consistent
with the Managed Care Reform and Patient Rights Act providing nursing
homes the ability to terminate the contract.

(b) All changes to the contract by the MCO shall be preceded by 30
days' written notice sent to the nursing home.

(305 ILCS 5/5F-45 new)

Sec. 5F-45. Prohibition. No managed care organization or contract
shall contain any provision, policy, or procedure that limits, restricts, or
waives any rights set forth in this Article or is expressly prohibited by this
Article. Any such policy or procedure is void and unenforceable.

New matter indicated by italics - deletions by strikeout
Section 1-10. The Health Maintenance Organization Act is amended by changing Section 1-2 as follows:

(215 ILCS 125/1-2) (from Ch. 111 1/2, par. 1402)

Sec. 1-2. Definitions. As used in this Act, unless the context otherwise requires, the following terms shall have the meanings ascribed to them:

(1) "Advertisement" means any printed or published material, audiovisual material and descriptive literature of the health care plan used in direct mail, newspapers, magazines, radio scripts, television scripts, billboards and similar displays; and any descriptive literature or sales aids of all kinds disseminated by a representative of the health care plan for presentation to the public including, but not limited to, circulars, leaflets, booklets, depictions, illustrations, form letters and prepared sales presentations.

(2) "Director" means the Director of Insurance.

(3) "Basic health care services" means emergency care, and inpatient hospital and physician care, outpatient medical services, mental health services and care for alcohol and drug abuse, including any reasonable deductibles and co-payments, all of which are subject to the limitations described in Section 4-20 of this Act and as determined by the Director pursuant to rule.

(4) "Enrollee" means an individual who has been enrolled in a health care plan.

(5) "Evidence of coverage" means any certificate, agreement, or contract issued to an enrollee setting out the coverage to which he is entitled in exchange for a per capita prepaid sum.

(6) "Group contract" means a contract for health care services which by its terms limits eligibility to members of a specified group.

(7) "Health care plan" means any arrangement whereby any organization undertakes to provide or arrange for and pay for or reimburse the cost of basic health care services, excluding any reasonable deductibles and copayments, from providers selected by the Health Maintenance Organization and such arrangement consists of arranging for or the provision of such health care services, as distinguished from mere indemnification against the cost of such services, except as otherwise authorized by Section 2-3 of this Act, on a per capita prepaid basis, through insurance or otherwise. A "health care plan" also includes any arrangement whereby an organization undertakes to provide or arrange for or pay for or reimburse the cost of any health care service for persons who are enrolled under Article V of the Illinois Public Aid

New matter indicated by italics - deletions by strikeout
Code or under the Children's Health Insurance Program Act through providers selected by the organization and the arrangement consists of making provision for the delivery of health care services, as distinguished from mere indemnification. A "health care plan" also includes any arrangement pursuant to Section 4-17. Nothing in this definition, however, affects the total medical services available to persons eligible for medical assistance under the Illinois Public Aid Code.

(8) "Health care services" means any services included in the furnishing to any individual of medical or dental care, or the hospitalization or incident to the furnishing of such care or hospitalization as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing or healing human illness or injury.

(9) "Health Maintenance Organization" means any organization formed under the laws of this or another state to provide or arrange for one or more health care plans under a system which causes any part of the risk of health care delivery to be borne by the organization or its providers.

(10) "Net worth" means admitted assets, as defined in Section 1-3 of this Act, minus liabilities.

(11) "Organization" means any insurance company, a nonprofit corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act, or a corporation organized under the laws of this or another state for the purpose of operating one or more health care plans and doing no business other than that of a Health Maintenance Organization or an insurance company. "Organization" shall also mean the University of Illinois Hospital as defined in the University of Illinois Hospital Act or a unit of local government health system operating within a county with a population of 3,000,000 or more.

(12) "Provider" means any physician, hospital facility, facility licensed under the Nursing Home Care Act, or other person which is licensed or otherwise authorized to furnish health care services and also includes any other entity that arranges for the delivery or furnishing of health care service.

(13) "Producer" means a person directly or indirectly associated with a health care plan who engages in solicitation or enrollment.

(14) "Per capita prepaid" means a basis of prepayment by which a fixed amount of money is prepaid per individual or any other enrollment unit to the Health Maintenance Organization or for health care services which are provided during a definite time period regardless of the frequency or extent of the services rendered by the Health Maintenance Organization, except for

New matter indicated by italics - deletions by strikeout
copayments and deductibles and except as provided in subsection (f) of Section 5-3 of this Act.

(15) "Subscriber" means a person who has entered into a contractual relationship with the Health Maintenance Organization for the provision of or arrangement of at least basic health care services to the beneficiaries of such contract.

(Source: P.A. 97-1148, eff. 1-24-13.)

Section 1-15. The Managed Care Reform and Patient Rights Act is amended by changing Section 10 as follows:

(215 ILCS 134/10)

Sec. 10. Definitions:

"Adverse determination" means a determination by a health care plan under Section 45 or by a utilization review program under Section 85 that a health care service is not medically necessary.

"Clinical peer" means a health care professional who is in the same profession and the same or similar specialty as the health care provider who typically manages the medical condition, procedures, or treatment under review.

"Department" means the Department of Insurance.

"Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity (including, but not limited to, severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in:

(1) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;
(2) serious impairment to bodily functions; or
(3) serious dysfunction of any bodily organ or part.

"Emergency medical screening examination" means a medical screening examination and evaluation by a physician licensed to practice medicine in all its branches, or to the extent permitted by applicable laws, by other appropriately licensed personnel under the supervision of or in collaboration with a physician licensed to practice medicine in all its branches to determine whether the need for emergency services exists.

"Emergency services" means, with respect to an enrollee of a health care plan, transportation services, including but not limited to ambulance services, and covered inpatient and outpatient hospital services furnished by a provider qualified to furnish those services that are needed to evaluate or
stabilize an emergency medical condition. "Emergency services" does not refer to post-stabilization medical services.

"Enrollee" means any person and his or her dependents enrolled in or covered by a health care plan.

"Health care plan" means a plan, including, but not limited to, a health maintenance organization, a managed care community network as defined in the Illinois Public Aid Code, or an accountable care entity as defined in the Illinois Public Aid Code that receives capitated payments to cover medical services from the Department of Healthcare and Family Services, that establishes, operates, or maintains a network of health care providers that has entered into an agreement with the plan to provide health care services to enrollees to whom the plan has the ultimate obligation to arrange for the provision of or payment for services through organizational arrangements for ongoing quality assurance, utilization review programs, or dispute resolution. Nothing in this definition shall be construed to mean that an independent practice association or a physician hospital organization that subcontracts with a health care plan is, for purposes of that subcontract, a health care plan.

For purposes of this definition, "health care plan" shall not include the following:

1. indemnity health insurance policies including those using a contracted provider network;
2. health care plans that offer only dental or only vision coverage;
3. preferred provider administrators, as defined in Section 370g(g) of the Illinois Insurance Code;
4. employee or employer self-insured health benefit plans under the federal Employee Retirement Income Security Act of 1974;
5. health care provided pursuant to the Workers' Compensation Act or the Workers' Occupational Diseases Act; and
6. not-for-profit voluntary health services plans with health maintenance organization authority in existence as of January 1, 1999 that are affiliated with a union and that only extend coverage to union members and their dependents.

"Health care professional" means a physician, a registered professional nurse, or other individual appropriately licensed or registered to provide health care services.

"Health care provider" means any physician, hospital facility, facility licensed under the Nursing Home Care Act, or other person that is licensed

New matter indicated by italics - deletions by strikeout
or otherwise authorized to deliver health care services. Nothing in this Act shall be construed to define Independent Practice Associations or Physician-Hospital Organizations as health care providers.

"Health care services" means any services included in the furnishing to any individual of medical care, or the hospitalization incident to the furnishing of such care, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness or injury including home health and pharmaceutical services and products.

"Medical director" means a physician licensed in any state to practice medicine in all its branches appointed by a health care plan.

"Person" means a corporation, association, partnership, limited liability company, sole proprietorship, or any other legal entity.

"Physician" means a person licensed under the Medical Practice Act of 1987.

"Post-stabilization medical services" means health care services provided to an enrollee that are furnished in a licensed hospital by a provider that is qualified to furnish such services, and determined to be medically necessary and directly related to the emergency medical condition following stabilization.

"Stabilization" means, with respect to an emergency medical condition, to provide such medical treatment of the condition as may be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result.

"Utilization review" means the evaluation of the medical necessity, appropriateness, and efficiency of the use of health care services, procedures, and facilities.

"Utilization review program" means a program established by a person to perform utilization review.

(Source: P.A. 91-617, eff. 1-1-00.)

Article 5

Section 5-5. The Illinois Health Facilities Planning Act is amended by changing Sections 3 and 12 as follows:

(20 ILCS 3960/3) (from Ch. 111 1/2, par. 1153)

(Section scheduled to be repealed on December 31, 2019)

Sec. 3. Definitions. As used in this Act:

"Health care facilities" means and includes the following facilities, organizations, and related persons:

New matter indicated by italics - deletions by strikeout
1. An ambulatory surgical treatment center required to be licensed pursuant to the Ambulatory Surgical Treatment Center Act;
2. An institution, place, building, or agency required to be licensed pursuant to the Hospital Licensing Act;
3. Skilled and intermediate long term care facilities licensed under the Nursing Home Care Act;
3.5. Skilled and intermediate care facilities licensed under the ID/DD Community Care Act;
3.7. Facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013;
4. Hospitals, nursing homes, ambulatory surgical treatment centers, or kidney disease treatment centers maintained by the State or any department or agency thereof;
5. Kidney disease treatment centers, including a free-standing hemodialysis unit required to be licensed under the End Stage Renal Disease Facility Act;
6. An institution, place, building, or room used for the performance of outpatient surgical procedures that is leased, owned, or operated by or on behalf of an out-of-state facility;
7. An institution, place, building, or room used for provision of a health care category of service, including, but not limited to, cardiac catheterization and open heart surgery; and
8. An institution, place, building, or room used for provision of major medical equipment used in the direct clinical diagnosis or treatment of patients, and whose project cost is in excess of the capital expenditure minimum.

This Act shall not apply to the construction of any new facility or the renovation of any existing facility located on any campus facility as defined in Section 5-5.8b of the Illinois Public Aid Code, provided that the campus facility encompasses 30 or more contiguous acres and that the new or renovated facility is intended for use by a licensed residential facility.

No federally owned facility shall be subject to the provisions of this Act, nor facilities used solely for healing by prayer or spiritual means.

No facility licensed under the Supportive Residences Licensing Act or the Assisted Living and Shared Housing Act shall be subject to the provisions of this Act.

No facility established and operating under the Alternative Health Care Delivery Act as a children's respite care center alternative health care model demonstration program or as an Alzheimer's Disease Management

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Center alternative health care model demonstration program shall be subject to the provisions of this Act.

A facility designated as a supportive living facility that is in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code shall not be subject to the provisions of this Act.

This Act does not apply to facilities granted waivers under Section 3-102.2 of the Nursing Home Care Act. However, if a demonstration project under that Act applies for a certificate of need to convert to a nursing facility, it shall meet the licensure and certificate of need requirements in effect as of the date of application.

This Act does not apply to a dialysis facility that provides only dialysis training, support, and related services to individuals with end stage renal disease who have elected to receive home dialysis. This Act does not apply to a dialysis unit located in a licensed nursing home that offers or provides dialysis-related services to residents with end stage renal disease who have elected to receive home dialysis within the nursing home. The Board, however, may require these dialysis facilities and licensed nursing homes to report statistical information on a quarterly basis to the Board to be used by the Board to conduct analyses on the need for proposed kidney disease treatment centers.

This Act shall not apply to the closure of an entity or a portion of an entity licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes, that elects to convert, in whole or in part, to an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act and with the exception of a facility licensed under the Specialized Mental Health Rehabilitation Act of 2013 in connection with a proposal to close a facility and re-establish the facility in another location.

This Act does not apply to any change of ownership of a healthcare facility that is licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes. Changes of ownership of facilities licensed under the Nursing Home Care Act must meet the requirements set forth in Sections 3-101 through 3-119 of the Nursing Home Care Act.

With the exception of those health care facilities specifically included in this Section, nothing in this Act shall be intended to include facilities operated as a part of the practice of a physician or other licensed health care

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professional, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional group. Further, this Act shall not apply to physicians or other licensed health care professional's practices where such practices are carried out in a portion of a health care facility under contract with such health care facility by a physician or by other licensed health care professionals, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional groups, unless the entity constructs, modifies, or establishes a health care facility as specifically defined in this Section. This Act shall apply to construction or modification and to establishment by such health care facility of such contracted portion which is subject to facility licensing requirements, irrespective of the party responsible for such action or attendant financial obligation.

No permit or exemption is required for a facility licensed under the ID/DD Community Care Act prior to the reduction of the number of beds at a facility. If there is a total reduction of beds at a facility licensed under the ID/DD Community Care Act, this is a discontinuation or closure of the facility. However, if a facility licensed under the ID/DD Community Care Act reduces the number of beds or discontinues the facility, that facility must notify the Board as provided in Section 14.1 of this Act.

"Person" means any one or more natural persons, legal entities, governmental bodies other than federal, or any combination thereof.

"Consumer" means any person other than a person (a) whose major occupation currently involves or whose official capacity within the last 12 months has involved the providing, administering or financing of any type of health care facility, (b) who is engaged in health research or the teaching of health, (c) who has a material financial interest in any activity which involves the providing, administering or financing of any type of health care facility, or (d) who is or ever has been a member of the immediate family of the person defined by (a), (b), or (c).

"State Board" or "Board" means the Health Facilities and Services Review Board.

"Construction or modification" means the establishment, erection, building, alteration, reconstruction, modernization, improvement, extension, discontinuation, change of ownership, or by or a health care facility, or the purchase or acquisition by or through a health care facility of equipment or service for diagnostic or therapeutic purposes or for facility administration or operation, or any capital expenditure made by or on behalf of a health care

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facility which exceeds the capital expenditure minimum; however, any capital expenditure made by or on behalf of a health care facility for (i) the construction or modification of a facility licensed under the Assisted Living and Shared Housing Act or (ii) a conversion project undertaken in accordance with Section 30 of the Older Adult Services Act shall be excluded from any obligations under this Act.

"Establish" means the construction of a health care facility or the replacement of an existing facility on another site or the initiation of a category of service.

"Major medical equipment" means medical equipment which is used for the provision of medical and other health services and which costs in excess of the capital expenditure minimum, except that such term does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of Section 1861(s) of such Act. In determining whether medical equipment has a value in excess of the capital expenditure minimum, the value of studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition of such equipment shall be included.

"Capital Expenditure" means an expenditure: (A) made by or on behalf of a health care facility (as such a facility is defined in this Act); and (B) which under generally accepted accounting principles is not properly chargeable as an expense of operation and maintenance, or is made to obtain by lease or comparable arrangement any facility or part thereof or any equipment for a facility or part; and which exceeds the capital expenditure minimum.

For the purpose of this paragraph, the cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which an expenditure is made shall be included in determining if such expenditure exceeds the capital expenditures minimum. Unless otherwise interdependent, or submitted as one project by the applicant, components of construction or modification undertaken by means of a single construction contract or financed through the issuance of a single debt instrument shall not be grouped together as one project. Donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to review under this Act shall be considered
capital expenditures, and a transfer of equipment or facilities for less than fair market value shall be considered a capital expenditure for purposes of this Act if a transfer of the equipment or facilities at fair market value would be subject to review.

"Capital expenditure minimum" means $11,500,000 for projects by hospital applicants, $6,500,000 for applicants for projects related to skilled and intermediate care long-term care facilities licensed under the Nursing Home Care Act, and $3,000,000 for projects by all other applicants, which shall be annually adjusted to reflect the increase in construction costs due to inflation, for major medical equipment and for all other capital expenditures.

"Non-clinical service area" means an area (i) for the benefit of the patients, visitors, staff, or employees of a health care facility and (ii) not directly related to the diagnosis, treatment, or rehabilitation of persons receiving services from the health care facility. "Non-clinical service areas" include, but are not limited to, chapels; gift shops; news stands; computer systems; tunnels, walkways, and elevators; telephone systems; projects to comply with life safety codes; educational facilities; student housing; patient, employee, staff, and visitor dining areas; administration and volunteer offices; modernization of structural components (such as roof replacement and masonry work); boiler repair or replacement; vehicle maintenance and storage facilities; parking facilities; mechanical systems for heating, ventilation, and air conditioning; loading docks; and repair or replacement of carpeting, tile, wall coverings, window coverings or treatments, or furniture. Solely for the purpose of this definition, "non-clinical service area" does not include health and fitness centers.

"Areawide" means a major area of the State delineated on a geographic, demographic, and functional basis for health planning and for health service and having within it one or more local areas for health planning and health service. The term "region", as contrasted with the term "subregion", and the word "area" may be used synonymously with the term "areawide".

"Local" means a subarea of a delineated major area that on a geographic, demographic, and functional basis may be considered to be part of such major area. The term "subregion" may be used synonymously with the term "local".

"Physician" means a person licensed to practice in accordance with the Medical Practice Act of 1987, as amended.

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"Licensed health care professional" means a person licensed to practice a health profession under pertinent licensing statutes of the State of Illinois.

"Director" means the Director of the Illinois Department of Public Health.

"Agency" means the Illinois Department of Public Health.

"Alternative health care model" means a facility or program authorized under the Alternative Health Care Delivery Act.

"Out-of-state facility" means a person that is both (i) licensed as a hospital or as an ambulatory surgery center under the laws of another state or that qualifies as a hospital or an ambulatory surgery center under regulations adopted pursuant to the Social Security Act and (ii) not licensed under the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, or the Nursing Home Care Act. Affiliates of out-of-state facilities shall be considered out-of-state facilities. Affiliates of Illinois licensed health care facilities 100% owned by an Illinois licensed health care facility, its parent, or Illinois physicians licensed to practice medicine in all its branches shall not be considered out-of-state facilities. Nothing in this definition shall be construed to include an office or any part of an office of a physician licensed to practice medicine in all its branches in Illinois that is not required to be licensed under the Ambulatory Surgical Treatment Center Act.

"Change of ownership of a health care facility" means a change in the person who has ownership or control of a health care facility's physical plant and capital assets. A change in ownership is indicated by the following transactions: sale, transfer, acquisition, lease, change of sponsorship, or other means of transferring control.

"Related person" means any person that: (i) is at least 50% owned, directly or indirectly, by either the health care facility or a person owning, directly or indirectly, at least 50% of the health care facility; or (ii) owns, directly or indirectly, at least 50% of the health care facility.

"Charity care" means care provided by a health care facility for which the provider does not expect to receive payment from the patient or a third-party payer.

"Freestanding emergency center" means a facility subject to licensure under Section 32.5 of the Emergency Medical Services (EMS) Systems Act.

"Category of service" means a grouping by generic class of various types or levels of support functions, equipment, care, or treatment provided to patients or residents, including, but not limited to, classes such as medical-surgical, pediatrics, or cardiac catheterization. A category of service may

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include subcategories or levels of care that identify a particular degree or type of care within the category of service. Nothing in this definition shall be construed to include the practice of a physician or other licensed health care professional while functioning in an office providing for the care, diagnosis, or treatment of patients. A category of service that is subject to the Board's jurisdiction must be designated in rules adopted by the Board.
(Source: P.A. 97-38, eff. 6-28-11; 97-277, eff. 1-1-12; 97-813, eff. 7-13-12; 97-980, eff. 8-17-12; 98-414, eff. 1-1-14.)

(20 ILCS 3960/12) (from Ch. 111 1/2, par. 1162)
(Section scheduled to be repealed on December 31, 2019)
Sec. 12. Powers and duties of State Board. For purposes of this Act, the State Board shall exercise the following powers and duties:

(1) Prescribe rules, regulations, standards, criteria, procedures or reviews which may vary according to the purpose for which a particular review is being conducted or the type of project reviewed and which are required to carry out the provisions and purposes of this Act. Policies and procedures of the State Board shall take into consideration the priorities and needs of medically underserved areas and other health care services identified through the comprehensive health planning process, giving special consideration to the impact of projects on access to safety net services.

(2) Adopt procedures for public notice and hearing on all proposed rules, regulations, standards, criteria, and plans required to carry out the provisions of this Act.

(3) (Blank).

(4) Develop criteria and standards for health care facilities planning, conduct statewide inventories of health care facilities, maintain an updated inventory on the Board's web site reflecting the most recent bed and service changes and updated need determinations when new census data become available or new need formulae are adopted, and develop health care facility plans which shall be utilized in the review of applications for permit under this Act. Such health facility plans shall be coordinated by the Board with pertinent State Plans. Inventories pursuant to this Section of skilled or intermediate care facilities licensed under the Nursing Home Care Act, skilled or intermediate care facilities licensed under the ID/DD Community Care Act, facilities licensed under the Specialized Mental Health Rehabilitation Act, or nursing homes licensed under the Hospital Licensing Act shall be conducted on an annual basis no later than July 1 of each year and shall include among the information requested a list of all services

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provided by a facility to its residents and to the community at large and
differentiate between active and inactive beds.

In developing health care facility plans, the State Board shall consider,
but shall not be limited to, the following:

(a) The size, composition and growth of the population of the
area to be served;
(b) The number of existing and planned facilities offering
similar programs;
(c) The extent of utilization of existing facilities;
(d) The availability of facilities which may serve as
alternatives or substitutes;
(e) The availability of personnel necessary to the operation of
the facility;
(f) Multi-institutional planning and the establishment of multi-
institutional systems where feasible;
(g) The financial and economic feasibility of proposed
construction or modification; and
(h) In the case of health care facilities established by a
religious body or denomination, the needs of the members of such
religious body or denomination may be considered to be public need.

The health care facility plans which are developed and adopted in
accordance with this Section shall form the basis for the plan of the State to
deal most effectively with statewide health needs in regard to health care
facilities.

(5) Coordinate with the Center for Comprehensive Health Planning
and other state agencies having responsibilities affecting health care facilities,
including those of licensure and cost reporting. Beginning no later than
January 1, 2013, the Department of Public Health shall produce a written
annual report to the Governor and the General Assembly regarding the
development of the Center for Comprehensive Health Planning. The
Chairman of the State Board and the State Board Administrator shall also
receive a copy of the annual report.

(6) Solicit, accept, hold and administer on behalf of the State any
grants or bequests of money, securities or property for use by the State Board
or Center for Comprehensive Health Planning in the administration of this
Act; and enter into contracts consistent with the appropriations for purposes
enumerated in this Act.

(7) The State Board shall prescribe procedures for review, standards,
and criteria which shall be utilized to make periodic reviews and

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determinations of the appropriateness of any existing health services being rendered by health care facilities subject to the Act. The State Board shall consider recommendations of the Board in making its determinations.

(8) Prescribe, in consultation with the Center for Comprehensive Health Planning, rules, regulations, standards, and criteria for the conduct of an expeditious review of applications for permits for projects of construction or modification of a health care facility, which projects are classified as emergency, substantive, or non-substantive in nature.

Six months after June 30, 2009 (the effective date of Public Act 96-31), substantive projects shall include no more than the following:

(a) Projects to construct (1) a new or replacement facility located on a new site or (2) a replacement facility located on the same site as the original facility and the cost of the replacement facility exceeds the capital expenditure minimum, which shall be reviewed by the Board within 120 days;

(b) Projects proposing a (1) new service within an existing healthcare facility or (2) discontinuation of a service within an existing healthcare facility, which shall be reviewed by the Board within 60 days; or

(c) Projects proposing a change in the bed capacity of a health care facility by an increase in the total number of beds or by a redistribution of beds among various categories of service or by a relocation of beds from one physical facility or site to another by more than 20 beds or more than 10% of total bed capacity, as defined by the State Board, whichever is less, over a 2-year period.

The Chairman may approve applications for exemption that meet the criteria set forth in rules or refer them to the full Board. The Chairman may approve any unopposed application that meets all of the review criteria or refer them to the full Board.

Such rules shall not abridge the right of the Center for Comprehensive Health Planning to make recommendations on the classification and approval of projects, nor shall such rules prevent the conduct of a public hearing upon the timely request of an interested party. Such reviews shall not exceed 60 days from the date the application is declared to be complete.

(9) Prescribe rules, regulations, standards, and criteria pertaining to the granting of permits for construction and modifications which are emergent in nature and must be undertaken immediately to prevent or correct structural deficiencies or hazardous conditions that may harm or injure persons using the facility, as defined in the rules and regulations of the State
Board. This procedure is exempt from public hearing requirements of this Act.

(10) Prescribe rules, regulations, standards and criteria for the conduct of an expeditious review, not exceeding 60 days, of applications for permits for projects to construct or modify health care facilities which are needed for the care and treatment of persons who have acquired immunodeficiency syndrome (AIDS) or related conditions.

(11) Issue written decisions upon request of the applicant or an adversely affected party to the Board. Requests for a written decision shall be made within 15 days after the Board meeting in which a final decision has been made. A "final decision" for purposes of this Act is the decision to approve or deny an application, or take other actions permitted under this Act, at the time and date of the meeting that such action is scheduled by the Board. The staff of the Board shall prepare a written copy of the final decision and the Board shall approve a final copy for inclusion in the formal record. The Board shall consider, for approval, the written draft of the final decision no later than the next scheduled Board meeting. The written decision shall identify the applicable criteria and factors listed in this Act and the Board's regulations that were taken into consideration by the Board when coming to a final decision. If the Board denies or fails to approve an application for permit or exemption, the Board shall include in the final decision a detailed explanation as to why the application was denied and identify what specific criteria or standards the applicant did not fulfill.

(12) Require at least one of its members to participate in any public hearing, after the appointment of a majority of the members to the Board.

(13) Provide a mechanism for the public to comment on, and request changes to, draft rules and standards.

(14) Implement public information campaigns to regularly inform the general public about the opportunity for public hearings and public hearing procedures.

(15) Establish a separate set of rules and guidelines for long-term care that recognizes that nursing homes are a different business line and service model from other regulated facilities. An open and transparent process shall be developed that considers the following: how skilled nursing fits in the continuum of care with other care providers, modernization of nursing homes, establishment of more private rooms, development of alternative services, and current trends in long-term care services. The Chairman of the Board shall appoint a permanent Health Services Review Board Long-term Care Facility Advisory Subcommittee that shall develop and recommend to

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the Board the rules to be established by the Board under this paragraph (15). The Subcommittee shall also provide continuous review and commentary on policies and procedures relative to long-term care and the review of related projects. In consultation with other experts from the health field of long-term care, the Board and the Subcommittee shall study new approaches to the current bed need formula and Health Service Area boundaries to encourage flexibility and innovation in design models reflective of the changing long-term care marketplace and consumer preferences. The Subcommittee shall evaluate, and make recommendations to the State Board regarding, the buying, selling, and exchange of beds between long-term care facilities within a specified geographic area or drive time. The Board shall file the proposed related administrative rules for the separate rules and guidelines for long-term care required by this paragraph (15) by no later than September 30, 2011. The Subcommittee shall be provided a reasonable and timely opportunity to review and comment on any review, revision, or updating of the criteria, standards, procedures, and rules used to evaluate project applications as provided under Section 12.3 of this Act.

(16) Establish a separate set of rules and guidelines for facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013. An application for the re-establishment of a facility in connection with the relocation of the facility shall not be granted unless the applicant has a contractual relationship with at least one hospital to provide emergency and inpatient mental health services required by facility consumers, and at least one community mental health agency to provide oversight and assistance to facility consumers while living in the facility, and appropriate services, including case management, to assist them to prepare for discharge and reside stably in the community thereafter. No new facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013 shall be established after the effective date of this amendatory Act of the 98th General Assembly except in connection with the relocation of an existing facility to a new location. An application for a new location shall not be approved unless there are adequate community services accessible to the consumers within a reasonable distance, or by use of public transportation, so as to facilitate the goal of achieving maximum individual self-care and independence. At no time shall the total number of authorized beds under this Act in facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013 exceed the number of authorized beds on the effective date of this amendatory Act of the 98th General Assembly.

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Section 5-10. The Illinois Public Aid Code is amended by changing Sections 5-5.12 and 5-30 and by adding Section 5-30.1 as follows:

Sec. 5-5.12. Pharmacy payments.

(a) Every request submitted by a pharmacy for reimbursement under this Article for prescription drugs provided to a recipient of aid under this Article shall include the name of the prescriber or an acceptable identification number as established by the Department.

(b) Pharmacies providing prescription drugs under this Article shall be reimbursed at a rate which shall include a professional dispensing fee as determined by the Illinois Department, plus the current acquisition cost of the prescription drug dispensed. The Illinois Department shall update its information on the acquisition costs of all prescription drugs no less frequently than every 30 days. However, the Illinois Department may set the rate of reimbursement for the acquisition cost, by rule, at a percentage of the current average wholesale acquisition cost.

(c) (Blank).

(d) The Department shall review utilization of narcotic medications in the medical assistance program and impose utilization controls that protect against abuse.

(e) When making determinations as to which drugs shall be on a prior approval list, the Department shall include as part of the analysis for this determination, the degree to which a drug may affect individuals in different ways based on factors including the gender of the person taking the medication.

(f) The Department shall cooperate with the Department of Public Health and the Department of Human Services Division of Mental Health in identifying psychotropic medications that, when given in a particular form, manner, duration, or frequency (including "as needed") in a dosage, or in conjunction with other psychotropic medications to a nursing home resident or to a resident of a facility licensed under the ID/DD Community Care Act, may constitute a chemical restraint or an "unnecessary drug" as defined by the Nursing Home Care Act or Titles XVIII and XIX of the Social Security Act and the implementing rules and regulations. The Department shall require prior approval for any such medication prescribed for a nursing home resident or to a resident of a facility licensed under the ID/DD Community Care Act,

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that appears to be a chemical restraint or an unnecessary drug. The Department shall consult with the Department of Human Services Division of Mental Health in developing a protocol and criteria for deciding whether to grant such prior approval.

(g) The Department may by rule provide for reimbursement of the dispensing of a 90-day supply of a generic or brand name, non-narcotic maintenance medication in circumstances where it is cost effective.

(g-5) On and after July 1, 2012, the Department may require the dispensing of drugs to nursing home residents be in a 7-day supply or other amount less than a 31-day supply. The Department shall pay only one dispensing fee per 31-day supply.

(h) Effective July 1, 2011, the Department shall discontinue coverage of select over-the-counter drugs, including analgesics and cough and cold and allergy medications.

(h-5) On and after July 1, 2012, the Department shall impose utilization controls, including, but not limited to, prior approval on specialty drugs, oncolytic drugs, drugs for the treatment of HIV or AIDS, immunosuppressant drugs, and biological products in order to maximize savings on these drugs. The Department may adjust payment methodologies for non-pharmacy billed drugs in order to incentivize the selection of lower-cost drugs. For drugs for the treatment of AIDS, the Department shall take into consideration the potential for non-adherence by certain populations, and shall develop protocols with organizations or providers primarily serving those with HIV/AIDS, as long as such measures intend to maintain cost neutrality with other utilization management controls such as prior approval. For hemophilia, the Department shall develop a program of utilization review and control which may include, in the discretion of the Department, prior approvals. The Department may impose special standards on providers that dispense blood factors which shall include, in the discretion of the Department, staff training and education; patient outreach and education; case management; in-home patient assessments; assay management; maintenance of stock; emergency dispensing timeframes; data collection and reporting; dispensing of supplies related to blood factor infusions; cold chain management and packaging practices; care coordination; product recalls; and emergency clinical consultation. The Department may require patients to receive a comprehensive examination annually at an appropriate provider in order to be eligible to continue to receive blood factor.

(i) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies

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authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(j) On and after July 1, 2012, the Department shall impose limitations on prescription drugs such that the Department shall not provide reimbursement for more than 4 prescriptions, including 3 brand name prescriptions, for distinct drugs in a 30-day period, unless prior approval is received for all prescriptions in excess of the 4-prescription limit. Drugs in the following therapeutic classes shall not be subject to prior approval as a result of the 4-prescription limit: immunosuppressant drugs, oncolytic drugs, and anti-retroviral drugs, and, on or after July 1, 2014, antipsychotic drugs. On or after July 1, 2014, the Department may exempt children with complex medical needs enrolled in a care coordination entity contracted with the Department to solely coordinate care for such children, if the Department determines that the entity has a comprehensive drug reconciliation program.

(k) No medication therapy management program implemented by the Department shall be contrary to the provisions of the Pharmacy Practice Act.

(l) Any provider enrolled with the Department that bills the Department for outpatient drugs and is eligible to enroll in the federal Drug Pricing Program under Section 340B of the federal Public Health Services Act shall enroll in that program. No entity participating in the federal Drug Pricing Program under Section 340B of the federal Public Health Services Act may exclude Medicaid from their participation in that program, although the Department may exclude entities defined in Section 1905(l)(2)(B) of the Social Security Act from this requirement.

(Source: P.A. 97-38, eff. 6-28-11; 97-74, eff. 6-30-11; 97-333, eff. 8-12-11; 97-426, eff. 1-1-12; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12; 98-463, eff. 8-16-13.)

(305 ILCS 5/5-30)
Sec. 5-30. Care coordination.

(a) At least 50% of recipients eligible for comprehensive medical benefits in all medical assistance programs or other health benefit programs administered by the Department, including the Children's Health Insurance Program Act and the Covering ALL KIDS Health Insurance Act, shall be enrolled in a care coordination program by no later than January 1, 2015. For purposes of this Section, "coordinated care" or "care coordination" means delivery systems where recipients will receive their care from providers who participate under contract in integrated delivery systems that are responsible for providing or arranging the majority of care, including primary care physician services, referrals from primary care physicians, diagnostic and
treatment services, behavioral health services, in-patient and outpatient hospital services, dental services, and rehabilitation and long-term care services. The Department shall designate or contract for such integrated delivery systems (i) to ensure enrollees have a choice of systems and of primary care providers within such systems; (ii) to ensure that enrollees receive quality care in a culturally and linguistically appropriate manner; and (iii) to ensure that coordinated care programs meet the diverse needs of enrollees with developmental, mental health, physical, and age-related disabilities.

(b) Payment for such coordinated care shall be based on arrangements where the State pays for performance related to health care outcomes, the use of evidence-based practices, the use of primary care delivered through comprehensive medical homes, the use of electronic medical records, and the appropriate exchange of health information electronically made either on a capitated basis in which a fixed monthly premium per recipient is paid and full financial risk is assumed for the delivery of services, or through other risk-based payment arrangements.

(c) To qualify for compliance with this Section, the 50% goal shall be achieved by enrolling medical assistance enrollees from each medical assistance enrollment category, including parents, children, seniors, and people with disabilities to the extent that current State Medicaid payment laws would not limit federal matching funds for recipients in care coordination programs. In addition, services must be more comprehensively defined and more risk shall be assumed than in the Department's primary care case management program as of the effective date of this amendatory Act of the 96th General Assembly.

(d) The Department shall report to the General Assembly in a separate part of its annual medical assistance program report, beginning April, 2012 until April, 2016, on the progress and implementation of the care coordination program initiatives established by the provisions of this amendatory Act of the 96th General Assembly. The Department shall include in its April 2011 report a full analysis of federal laws or regulations regarding upper payment limitations to providers and the necessary revisions or adjustments in rate methodologies and payments to providers under this Code that would be necessary to implement coordinated care with full financial risk by a party other than the Department.

(e) Integrated Care Program for individuals with chronic mental health conditions.

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(1) The Integrated Care Program shall encompass services administered to recipients of medical assistance under this Article to prevent exacerbations and complications using cost-effective, evidence-based practice guidelines and mental health management strategies.

(2) The Department may utilize and expand upon existing contractual arrangements with integrated care plans under the Integrated Care Program for providing the coordinated care provisions of this Section.

(3) Payment for such coordinated care shall be based on arrangements where the State pays for performance related to mental health outcomes on a capitated basis in which a fixed monthly premium per recipient is paid and full financial risk is assumed for the delivery of services, or through other risk-based payment arrangements such as provider-based care coordination.

(4) The Department shall examine whether chronic mental health management programs and services for recipients with specific chronic mental health conditions do any or all of the following:

   (A) Improve the patient's overall mental health in a more expeditious and cost-effective manner.

   (B) Lower costs in other aspects of the medical assistance program, such as hospital admissions, emergency room visits, or more frequent and inappropriate psychotropic drug use.

(5) The Department shall work with the facilities and any integrated care plan participating in the program to identify and correct barriers to the successful implementation of this subsection (e) prior to and during the implementation to best facilitate the goals and objectives of this subsection (e).

(f) A hospital that is located in a county of the State in which the Department mandates some or all of the beneficiaries of the Medical Assistance Program residing in the county to enroll in a Care Coordination Program, as set forth in Section 5-30 of this Code, shall not be eligible for any non-claims based payments not mandated by Article V-A of this Code for which it would otherwise be qualified to receive, unless the hospital is a Coordinated Care Participating Hospital no later than 60 days after the effective date of this amendatory Act of the 97th General Assembly or 60 days after the first mandatory enrollment of a beneficiary in a Coordinated Care program. For purposes of this subsection, "Coordinated Care Program..."
Participating Hospital" means a hospital that meets one of the following criteria:

(1) The hospital has entered into a contract to provide hospital services with one or more MCOs to enrollees of the care coordination program.

(2) The hospital has not been offered a contract by a care coordination plan that the Department has determined to be a good faith offer and that pays at least as much as the Department would pay, on a fee-for-service basis, not including disproportionate share hospital adjustment payments or any other supplemental adjustment or add-on payment to the base fee-for-service rate, except to the extent such adjustments or add-on payments are incorporated into the development of the applicable MCO capitated rates.

As used in this subsection (f), "MCO" means any entity which contracts with the Department to provide services where payment for medical services is made on a capitated basis.

(g) No later than August 1, 2013, the Department shall issue a purchase of care solicitation for Accountable Care Entities (ACE) to serve any children and parents or caretaker relatives of children eligible for medical assistance under this Article. An ACE may be a single corporate structure or a network of providers organized through contractual relationships with a single corporate entity. The solicitation shall require that:

(1) An ACE operating in Cook County be capable of serving at least 40,000 eligible individuals in that county; an ACE operating in Lake, Kane, DuPage, or Will Counties be capable of serving at least 20,000 eligible individuals in those counties and an ACE operating in other regions of the State be capable of serving at least 10,000 eligible individuals in the region in which it operates. During initial periods of mandatory enrollment, the Department shall require its enrollment services contractor to use a default assignment algorithm that ensures if possible an ACE reaches the minimum enrollment levels set forth in this paragraph.

(2) An ACE must include at a minimum the following types of providers: primary care, specialty care, hospitals, and behavioral healthcare.

(3) An ACE shall have a governance structure that includes the major components of the health care delivery system, including one representative from each of the groups listed in paragraph (2).
(4) An ACE must be an integrated delivery system, including a network able to provide the full range of services needed by Medicaid beneficiaries and system capacity to securely pass clinical information across participating entities and to aggregate and analyze that data in order to coordinate care.

(5) An ACE must be capable of providing both care coordination and complex case management, as necessary, to beneficiaries. To be responsive to the solicitation, a potential ACE must outline its care coordination and complex case management model and plan to reduce the cost of care.

(6) In the first 18 months of operation, unless the ACE selects a shorter period, an ACE shall be paid care coordination fees on a per member per month basis that are projected to be cost neutral to the State during the term of their payment and, subject to federal approval, be eligible to share in additional savings generated by their care coordination.

(7) In months 19 through 36 of operation, unless the ACE selects a shorter period, an ACE shall be paid on a pre-paid capitation basis for all medical assistance covered services, under contract terms similar to Managed Care Organizations (MCO), with the Department sharing the risk through either stop-loss insurance for extremely high cost individuals or corridors of shared risk based on the overall cost of the total enrollment in the ACE. The ACE shall be responsible for claims processing, encounter data submission, utilization control, and quality assurance.

(8) In the fourth and subsequent years of operation, an ACE shall convert to a Managed Care Community Network (MCCN), as defined in this Article, or Health Maintenance Organization pursuant to the Illinois Insurance Code, accepting full-risk capitation payments. The Department shall allow potential ACE entities 5 months from the date of the posting of the solicitation to submit proposals. After the solicitation is released, in addition to the MCO rate development data available on the Department's website, subject to federal and State confidentiality and privacy laws and regulations, the Department shall provide 2 years of de-identified summary service data on the targeted population, split between children and adults, showing the historical type and volume of services received and the cost of those services to those potential bidders that sign a data use agreement. The Department may add up to 2 non-state government employees with expertise in creating integrated delivery

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systems to its review team for the purchase of care solicitation described in this subsection. Any such individuals must sign a no-conflict disclosure and confidentiality agreement and agree to act in accordance with all applicable State laws.

During the first 2 years of an ACE's operation, the Department shall provide claims data to the ACE on its enrollees on a periodic basis no less frequently than monthly.

Nothing in this subsection shall be construed to limit the Department's mandate to enroll 50% of its beneficiaries into care coordination systems by January 1, 2015, using all available care coordination delivery systems, including Care Coordination Entities (CCE), MCCNs, or MCOs, nor be construed to affect the current CCEs, MCCNs, and MCOs selected to serve seniors and persons with disabilities prior to that date.

Nothing in this subsection precludes the Department from considering future proposals for new ACEs or expansion of existing ACEs at the discretion of the Department.

(h) Department contracts with MCOs and other entities reimbursed by risk based capitation shall have a minimum medical loss ratio of 85%, shall require the MCO or other entity to pay claims within 30 days of receiving a bill that contains all the essential information needed to adjudicate the bill, and shall require the entity to pay a penalty that is at least equal to the penalty imposed under the Illinois Insurance Code for any claims not paid within this time period. The requirements of this subsection shall apply to contracts with MCOs entered into or renewed or extended after June 1, 2013.

(h-5) The Department shall monitor and enforce compliance by MCOs with agreements they have entered into with providers on issues that include, but are not limited to, timeliness of payment, payment rates, and processes for obtaining prior approval. The Department may impose

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sanctions on MCOs for violating provisions of those agreements that include, but are not limited to, financial penalties, suspension of enrollment of new enrollees, and termination of the MCO’s contract with the Department. As used in this subsection (h-5), "MCO" has the meaning ascribed to that term in Section 5-30.1 of this Code.

(Source: P.A. 97-689, eff. 6-14-12; 98-104, eff. 7-22-13.)

(305 ILCS 5/5-30.1 new)

Sec. 5-30.1. Managed care protections.

(a) As used in this Section:
"Managed care organization" or "MCO" means any entity which contracts with the Department to provide services where payment for medical services is made on a capitated basis.
"Emergency services" include:
(1) emergency services, as defined by Section 10 of the Managed Care Reform and Patient Rights Act;
(2) emergency medical screening examinations, as defined by Section 10 of the Managed Care Reform and Patient Rights Act;
(3) post-stabilization medical services, as defined by Section 10 of the Managed Care Reform and Patient Rights Act; and
(4) emergency medical conditions, as defined by Section 10 of the Managed Care Reform and Patient Rights Act.

(b) As provided by Section 5-16.12, managed care organizations are subject to the provisions of the Managed Care Reform and Patient Rights Act.

(c) An MCO shall pay any provider of emergency services that does not have in effect a contract with the contracted Medicaid MCO. The default rate of reimbursement shall be the rate paid under Illinois Medicaid fee-for-service program methodology, including all policy adjusters, including but not limited to Medicaid High Volume Adjustments, Medicaid Percentage Adjustments, Outpatient High Volume Adjustments, and all outlier add-on adjustments to the extent such adjustments are incorporated in the development of the applicable MCO capitated rates.

(d) An MCO shall pay for all post-stabilization services as a covered service in any of the following situations:
(1) the MCO authorized such services;
(2) such services were administered to maintain the enrollee’s stabilized condition within one hour after a request to the MCO for authorization of further post-stabilization services;

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(3) the MCO did not respond to a request to authorize such services within one hour;
(4) the MCO could not be contacted; or
(5) the MCO and the treating provider, if the treating provider is a non-affiliated provider, could not reach an agreement concerning the enrollee's care and an affiliated provider was unavailable for a consultation, in which case the MCO must pay for such services rendered by the treating non-affiliated provider until an affiliated provider was reached and either concurred with the treating non-affiliated provider's plan of care or assumed responsibility for the enrollee's care. Such payment shall be made at the default rate of reimbursement paid under Illinois Medicaid fee-for-service program methodology, including all policy adjusters, including but not limited to Medicaid High Volume Adjustments, Medicaid Percentage Adjustments, Outpatient High Volume Adjustments and all outlier add-on adjustments to the extent that such adjustments are incorporated in the development of the applicable MCO capitated rates.

(e) The following requirements apply to MCOs in determining payment for all emergency services:

(1) MCOs shall not impose any requirements for prior approval of emergency services.

(2) The MCO shall cover emergency services provided to enrollees who are temporarily away from their residence and outside the contracting area to the extent that the enrollees would be entitled to the emergency services if they still were within the contracting area.

(3) The MCO shall have no obligation to cover medical services provided on an emergency basis that are not covered services under the contract.

(4) The MCO shall not condition coverage for emergency services on the treating provider notifying the MCO of the enrollee's screening and treatment within 10 days after presentation for emergency services.

(5) The determination of the attending emergency physician, or the provider actually treating the enrollee, of whether an enrollee is sufficiently stabilized for discharge or transfer to another facility, shall be binding on the MCO. The MCO shall cover emergency services...
services for all enrollees whether the emergency services are provided by an affiliated or non-affiliated provider.

(6) The MCO's financial responsibility for post-stabilization care services it has not pre-approved ends when:
   
   (A) a plan physician with privileges at the treating hospital assumes responsibility for the enrollee's care;
   
   (B) a plan physician assumes responsibility for the enrollee's care through transfer;
   
   (C) a contracting entity representative and the treating physician reach an agreement concerning the enrollee's care; or
   
   (D) the enrollee is discharged.

(f) Network adequacy.

   (1) The Department shall:
   
   (A) ensure that an adequate provider network is in place, taking into consideration health professional shortage areas and medically underserved areas;
   
   (B) publicly release an explanation of its process for analyzing network adequacy;
   
   (C) periodically ensure that an MCO continues to have an adequate network in place; and
   
   (D) require MCOs to maintain an updated and public list of network providers.

(g) Timely payment of claims.

   (1) The MCO shall pay a claim within 30 days of receiving a claim that contains all the essential information needed to adjudicate the claim.

   (2) The MCO shall notify the billing party of its inability to adjudicate a claim within 30 days of receiving that claim.

   (3) The MCO shall pay a penalty that is at least equal to the penalty imposed under the Illinois Insurance Code for any claims not timely paid.

   (4) The Department may establish a process for MCOs to expedite payments to providers based on criteria established by the Department.

(h) The Department shall not expand mandatory MCO enrollment into new counties beyond those counties already designated by the Department as of June 1, 2014 for the individuals whose eligibility for medical assistance is not the seniors or people with disabilities population.

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until the Department provides an opportunity for accountable care entities and MCOs to participate in such newly designated counties.

(i) The requirements of this Section apply to contracts with accountable care entities and MCOs entered into, amended, or renewed after the effective date of this amendatory Act of the 98th General Assembly.

Article 10

Section 10-5. The Specialized Mental Health Rehabilitation Act of 2013 is amended by changing Sections 1-101.5, 1-101.6, 1-102, 4-108, and 5-101 and by adding Section 4-108.5 as follows:

(210 ILCS 49/1-101.5)

Sec. 1-101.5. Prior law.

(a) This Act provides for licensure of long term care facilities that are federally designated as institutions for the mentally diseased on the effective date of this Act and specialize in providing services to individuals with a serious mental illness. On and after the effective date of this Act, these facilities shall be governed by this Act instead of the Nursing Home Care Act.

(b) All consent decrees that apply to facilities federally designated as institutions for the mentally diseased shall continue to apply to facilities licensed under this Act.

(c) A facility licensed under this Act may voluntarily close, and the facility may reopen in an underserved region of the State, if the facility receives a certificate of need from the Health Facilities and Services Review Board. At no time shall the total number of licensed beds under this Act exceed the total number of licensed beds existing on July 22, 2013 (the effective date of Public Act 98-104).

(Source: P.A. 98-104, eff. 7-22-13.)

(210 ILCS 49/1-101.6)

Sec. 1-101.6. Mental health system planning. The General Assembly finds the services contained in this Act are necessary for the effective delivery of mental health services for the citizens of the State of Illinois. The General Assembly also finds that the mental health system in the State requires further review to develop additional needed services. To ensure the adequacy of community-based services and to offer choice to all individuals with serious mental illness who choose to live in the community, and for whom the community is the appropriate setting, but are at risk of institutional care, the Governor shall convene a working group to develop the process and procedure for identifying needed services in the different geographic regions of the State. The Governor shall include the Division of Mental Health of the

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Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health, community mental health providers, statewide associations of mental health providers, mental health advocacy groups, and any other entity as deemed appropriate for participation in the working group. The Department of Human Services shall provide staff and support to this working group.

Before September 1, 2014, the State shall develop and implement a service authorization system available 24 hours a day, 7 days a week for approval of services in the following 3 levels of care under this Act: crisis stabilization; recovery and rehabilitation supports; and transitional living units.

(Source: P.A. 98-104, eff. 7-22-13.)

(210 ILCS 49/1-102)

Sec. 1-102. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Abuse" means any physical or mental injury or sexual assault inflicted on a consumer other than by accidental means in a facility.

"Accreditation" means any of the following:

(1) the Joint Commission;
(2) the Commission on Accreditation of Rehabilitation Facilities;
(3) the Healthcare Facilities Accreditation Program; or
(4) any other national standards of care as approved by the Department.

"Applicant" means any person making application for a license or a provisional license under this Act.

"Consumer" means a person, 18 years of age or older, admitted to a mental health rehabilitation facility for evaluation, observation, diagnosis, treatment, stabilization, recovery, and rehabilitation.

"Consumer" does not mean any of the following:

(i) an individual requiring a locked setting;
(ii) an individual requiring psychiatric hospitalization because of an acute psychiatric crisis;
(iii) an individual under 18 years of age;
(iv) an individual who is actively suicidal or violent toward others;
(v) an individual who has been found unfit to stand trial;
(vi) an individual who has been found not guilty by reason of insanity based on committing a violent act, such as sexual assault, assault with a deadly weapon, arson, or murder;
(vii) an individual subject to temporary detention and examination under Section 3-607 of the Mental Health and Developmental Disabilities Code;
(viii) an individual deemed clinically appropriate for inpatient admission in a State psychiatric hospital; and
(ix) an individual transferred by the Department of Corrections pursuant to Section 3-8-5 of the Unified Code of Corrections.

"Consumer record" means a record that organizes all information on the care, treatment, and rehabilitation services rendered to a consumer in a specialized mental health rehabilitation facility.


"Department" means the Department of Public Health.

"Discharge" means the full release of any consumer from a facility.

"Drug administration" means the act in which a single dose of a prescribed drug or biological is given to a consumer. The complete act of administration entails removing an individual dose from a container, verifying the dose with the prescriber's orders, giving the individual dose to the consumer, and promptly recording the time and dose given.

"Drug dispensing" means the act entailing the following of a prescription order for a drug or biological and proper selection, measuring, packaging, labeling, and issuance of the drug or biological to a consumer.

"Emergency" means a situation, physical condition, or one or more practices, methods, or operations which present imminent danger of death or serious physical or mental harm to consumers of a facility.

"Facility" means a specialized mental health rehabilitation facility that provides at least one of the following services: (1) triage center; (2) crisis stabilization; (3) recovery and rehabilitation supports; or (4) transitional living units for 3 or more persons. The facility shall provide a 24-hour program that provides intensive support and recovery services designed to assist persons, 18 years or older, with mental disorders to develop the skills to become self-sufficient and capable of increasing levels of independent functioning. It includes facilities that meet the following criteria:
(1) 100% of the consumer population of the facility has a diagnosis of serious mental illness;
(2) no more than 15% of the consumer population of the facility is 65 years of age or older;
(3) none of the consumers are non-ambulatory;
(4) none of the consumers have a primary diagnosis of moderate, severe, or profound intellectual disability; and
(5) the facility must have been licensed under the Specialized Mental Health Rehabilitation Act or the Nursing Home Care Act immediately preceding the effective date of this Act and qualifies as a institute for mental disease under the federal definition of the term.
"Facility" does not include the following:
(1) a home, institution, or place operated by the federal government or agency thereof, or by the State of Illinois;
(2) a hospital, sanitarium, or other institution whose principal activity or business is the diagnosis, care, and treatment of human illness through the maintenance and operation as organized facilities therefor which is required to be licensed under the Hospital Licensing Act;
(3) a facility for child care as defined in the Child Care Act of 1969;
(4) a community living facility as defined in the Community Living Facilities Licensing Act;
(5) a nursing home or sanatorium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination; however, such nursing home or sanatorium shall comply with all local laws and rules relating to sanitation and safety;
(6) a facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act;
(7) a supportive residence licensed under the Supportive Residences Licensing Act;
(8) a supportive living facility in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code, except only for purposes of the employment of persons in accordance with Section 3-206.01 of the Nursing Home Care Act;

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(9) an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act, except only for purposes of the employment of persons in accordance with Section 3-206.01 of the Nursing Home Care Act;

(10) an Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act;

(11) a home, institution, or other place operated by or under the authority of the Illinois Department of Veterans' Affairs;

(12) a facility licensed under the ID/DD Community Care Act;

or

(13) a facility licensed under the Nursing Home Care Act after the effective date of this Act.

"Executive director" means a person who is charged with the general administration and supervision of a facility licensed under this Act.

"Guardian" means a person appointed as a guardian of the person or guardian of the estate, or both, of a consumer under the Probate Act of 1975.

"Identified offender" means a person who meets any of the following criteria:

(1) Has been convicted of, found guilty of, adjudicated delinquent for, found not guilty by reason of insanity for, or found unfit to stand trial for, any felony offense listed in Section 25 of the Health Care Worker Background Check Act, except for the following:

   (i) a felony offense described in Section 10-5 of the Nurse Practice Act;

   (ii) a felony offense described in Section 4, 5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card Act;

   (iii) a felony offense described in Section 5, 5.1, 5.2, 7, or 9 of the Cannabis Control Act;

   (iv) a felony offense described in Section 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act; and

   (v) a felony offense described in the Methamphetamine Control and Community Protection Act.

(2) Has been convicted of, adjudicated delinquent for, found not guilty by reason of insanity for, or found unfit to stand trial for, any sex offense as defined in subsection (c) of Section 10 of the Sex Offender Management Board Act.

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"Transitional living units" are residential units within a facility that have the purpose of assisting the consumer in developing and reinforcing the necessary skills to live independently outside of the facility. The duration of stay in such a setting shall not exceed 120 days for each consumer. Nothing in this definition shall be construed to be a prerequisite for transitioning out of a facility.

"Licensee" means the person, persons, firm, partnership, association, organization, company, corporation, or business trust to which a license has been issued.

"Misappropriation of a consumer's property" means the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a consumer's belongings or money without the consent of a consumer or his or her guardian.

"Neglect" means a facility's failure to provide, or willful withholding of, adequate medical care, mental health treatment, psychiatric rehabilitation, personal care, or assistance that is necessary to avoid physical harm and mental anguish of a consumer.

"Personal care" means assistance with meals, dressing, movement, bathing, or other personal needs, maintenance, or general supervision and oversight of the physical and mental well-being of an individual who is incapable of maintaining a private, independent residence or who is incapable of managing his or her person, whether or not a guardian has been appointed for such individual. "Personal care" shall not be construed to confine or otherwise constrain a facility's pursuit to develop the skills and abilities of a consumer to become self-sufficient and capable of increasing levels of independent functioning.

"Recovery and rehabilitation supports" means a program that facilitates a consumer's longer-term symptom management and stabilization while preparing the consumer for transitional living units by improving living skills and community socialization. The duration of stay in such a setting shall be established by the Department by rule.

"Restraint" means:

(i) a physical restraint that is any manual method or physical or mechanical device, material, or equipment attached or adjacent to a consumer's body that the consumer cannot remove easily and restricts freedom of movement or normal access to one's body; devices used for positioning, including, but not limited to, bed rails, gait belts, and cushions, shall not be considered to be restraints for purposes of this Section; or

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(ii) a chemical restraint that is any drug used for discipline or convenience and not required to treat medical symptoms; the Department shall, by rule, designate certain devices as restraints, including at least all those devices that have been determined to be restraints by the United States Department of Health and Human Services in interpretive guidelines issued for the purposes of administering Titles XVIII and XIX of the federal Social Security Act. For the purposes of this Act, restraint shall be administered only after utilizing a coercive free environment and culture.

"Self-administration of medication" means consumers shall be responsible for the control, management, and use of their own medication.

"Crisis stabilization" means a secure and separate unit that provides short-term behavioral, emotional, or psychiatric crisis stabilization as an alternative to hospitalization or re-hospitalization for consumers from residential or community placement. The duration of stay in such a setting shall not exceed 21 days for each consumer.

"Therapeutic separation" means the removal of a consumer from the milieu to a room or area which is designed to aid in the emotional or psychiatric stabilization of that consumer.

"Triage center" means a non-residential 23-hour center that serves as an alternative to emergency room care, hospitalization, or re-hospitalization for consumers in need of short-term crisis stabilization. Consumers may access a triage center from a number of referral sources, including family, emergency rooms, hospitals, community behavioral health providers, federally qualified health providers, or schools, including colleges or universities. A triage center may be located in a building separate from the licensed location of a facility, but shall not be more than 1,000 feet from the licensed location of the facility and must meet all of the facility standards applicable to the licensed location. If the triage center does operate in a separate building, safety personnel shall be provided, on site, 24 hours per day and the triage center shall meet all other staffing requirements without counting any staff employed in the main facility building.

(Source: P.A. 98-104, eff. 7-22-13.)

(210 ILCS 49/4-108)

Sec. 4-108. Surveys and inspections. The Department shall conduct surveys of licensed facilities and their certified programs and services. The Department shall review the records or premises, or both, as it deems appropriate for the purpose of determining compliance with this Act and the rules promulgated under this Act. The Department shall have access to and

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may reproduce or photocopy any books, records, and other documents maintained by the facility to the extent necessary to carry out this Act and the rules promulgated under this Act. The Department shall not divulge or disclose the contents of a record under this Section as otherwise prohibited by this Act. Any holder of a license or applicant for a license shall be deemed to have given consent to any authorized officer, employee, or agent of the Department to enter and inspect the facility in accordance with this Article. Refusal to permit such entry or inspection shall constitute grounds for denial, suspension, or revocation of a license under this Act.

(1) The Department shall conduct surveys to determine compliance and may conduct surveys to investigate complaints.

(2) Determination of compliance with the service requirements shall be based on a survey centered on individuals that sample services being provided.

(3) Determination of compliance with the general administrative requirements shall be based on a review of facility records and observation of individuals and staff.

(4) The Department shall conduct surveys of licensed facilities and their certified programs and services to determine the extent to which these facilities provide high quality interventions, especially evidence-based practices, appropriate to the assessed clinical needs of individuals in the various levels of care.

(Source: P.A. 98-104, eff. 7-22-13.)

(210 ILCS 49/4-108.5 new)

Sec. 4-108.5. Provisional licensure period; surveys. During the provisional licensure period, the Department shall conduct surveys to determine compliance with timetables and benchmarks with a facility's provisional licensure application plan of operation. Timetables and benchmarks shall be established in rule and shall include, but not be limited to, the following: (1) training of new and existing staff; (2) establishment of a data collection and reporting program for the facility's Quality Assessment and Performance Improvement Program; and (3) compliance with building environment standards beyond compliance with Chapter 33 of the National Fire Protection Association (NFPA) 101 Life Safety Code.

During the provisional licensure period, the Department shall conduct State licensure surveys as well as a conformance standard review to determine compliance with timetables and benchmarks associated with the accreditation process. Timetables and benchmarks shall be met in accordance with the preferred accrediting organization conformance.
standards and recommendations and shall include, but not be limited to, conducting a comprehensive facility self-evaluation in accordance with an established national accreditation program. The facility shall submit all data reporting and outcomes required by accrediting organization to the Department of Public Health for review to determine progress towards accreditation. Accreditation status shall supplement but not replace the State's licensure surveys of facilities licensed under this Act and their certified programs and services to determine the extent to which these facilities provide high quality interventions, especially evidence-based practices, appropriate to the assessed clinical needs of individuals in the 4 certified levels of care.

Except for incidents involving the potential for harm, serious harm, death, or substantial facility failure to address a serious systemic issue within 60 days, findings of the facility's root cause analysis of problems and the facility's Quality Assessment and Performance Improvement program in accordance with item (22) of Section 4-104 shall not be used as a basis for non-compliance.

The Department shall have the authority to hire licensed practitioners of the healing arts and qualified mental health professionals to consult with and participate in survey and inspection activities.

(210 ILCS 49/5-101)

Sec. 5-101. Managed care entity, coordinated care entity, and accountable care entity payments. For facilities licensed by the Department of Public Health under this Act, the payment for services provided shall be determined by negotiation with managed care entities, coordinated care entities, or accountable care entities. However, for 3 years after the effective date of this Act, in no event shall the reimbursement rate paid to facilities licensed under this Act be less than the rate in effect on June 30, 2013 less $7.07 times the number of occupied bed days, as that term is defined in Article V-B of the Illinois Public Aid Code, for each facility previously licensed under the Nursing Home Care Act on June 30, 2013; or the rate in effect on June 30, 2013 for each facility licensed under the Specialized Mental Health Rehabilitation Act on June 30, 2013. Any adjustment in the support component or the capital component for facilities licensed by the Department of Public Health under the Nursing Home Care Act shall apply equally to facilities licensed by the Department of Public Health under this Act for the duration of the provisional licensure period as defined in Section 4-105 of this Act.

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The Department of Healthcare and Family Services shall publish a reimbursement rate for triage, crisis stabilization, and transitional living services by December 1, 2014.
(Source: P.A. 98-104, eff. 7-22-13.)

Article 15
Section 15-5. The Illinois Public Aid Code is amended by changing Sections 5A-8 and 5A-12.2 as follows:
(305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)
Sec. 5A-8. Hospital Provider Fund.
(a) There is created in the State Treasury the Hospital Provider Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.
(b) The Fund is created for the purpose of receiving moneys in accordance with Section 5A-6 and disbursing moneys only for the following purposes, notwithstanding any other provision of law:
(1) For making payments to hospitals as required under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.
(2) For the reimbursement of moneys collected by the Illinois Department from hospitals or hospital providers through error or mistake in performing the activities authorized under this Code.
(3) For payment of administrative expenses incurred by the Illinois Department or its agent in performing activities under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.
(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.
(5) For making transfers, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.
(6) For making transfers to any other fund in the State treasury, but transfers made under this paragraph (6) shall not exceed the amount transferred previously from that other fund into the
Hospital Provider Fund plus any interest that would have been earned by that fund on the monies that had been transferred.

(6.5) For making transfers to the Healthcare Provider Relief Fund, except that transfers made under this paragraph (6.5) shall not exceed $60,000,000 in the aggregate.

(7) For making transfers not exceeding the following amounts, related to in State fiscal years 2013 through 2018 and 2014, to the following designated funds:

Health and Human Services Medicaid Trust Fund.............................. $20,000,000
Long-Term Care Provider Fund.......... $30,000,000
General Revenue Fund............... $80,000,000.

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.1) (Blank).

(7.5) (Blank).

(7.8) (Blank).

(7.9) (Blank).

(7.10) For State fiscal year years 2013 and 2014, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

Health Care Provider Relief Fund.....$100,000,000
$50,000,000

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.
The additional amount of transfers in this paragraph (7.10), authorized by this amendatory Act of the 98th General Assembly, shall be made within 10 State business days after the effective date of this amendatory Act of the 98th General Assembly. That authority shall remain in effect even if this amendatory Act of the 98th General Assembly does not become law until State fiscal year 2015.

(7.10a) For State fiscal years 2015 through 2018, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts related to each State fiscal year:

| Health Care Provider Relief Fund | $50,000,000 |

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.11) (Blank).

For State fiscal year 2015, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

| Health Care Provider Relief Fund | $25,000,000 |

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.12) For State fiscal year 2013, for increasing by 21/365ths the transfer of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

| Health Care Provider Relief Fund | $2,870,000 |

Since the federal Centers for Medicare and Medicaid Services approval of the assessment authorized under subsection (b-5) of Section 5A-2, received from hospital providers under Section 5A-4 and the payment methodologies to hospitals required under Section

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5A-12.4 was not received by the Department until State fiscal year 2014 and since the Department made retroactive payments during State fiscal year 2014 related to the referenced period of June 2012, the transfer authority granted in this paragraph (7.12) is extended through the date that is 10 State business days after the effective date of this amendatory Act of the 98th General Assembly.

(8) For making refunds to hospital providers pursuant to Section 5A-10.

(9) For making payment to capitated managed care organizations as described in subsections (s) and (t) of Section 5A-12.2 of this Code.

Disbursements from the Fund, other than transfers authorized under paragraphs (5) and (6) of this subsection, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the hospital provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(3.5) As applicable, proceeds from surety bond payments payable to the Department as referenced in subsection (s) of Section 5A-12.2 of this Code.

(4) Moneys transferred from another fund in the State treasury.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) (Blank).

(Source: P.A. 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; 98-104, eff. 7-22-13; 98-463, eff. 8-16-13; revised 10-21-13.)

(305 ILCS 5/5A-12.2)

(Section scheduled to be repealed on January 1, 2015)

Sec. 5A-12.2. Hospital access payments on or after July 1, 2008.

(a) To preserve and improve access to hospital services, for hospital services rendered on or after July 1, 2008, the Illinois Department shall,
except for hospitals described in subsection (b) of Section 5A-3, make payments to hospitals as set forth in this Section. These payments shall be paid in 12 equal installments on or before the seventh State business day of each month, except that no payment shall be due within 100 days after the later of the date of notification of federal approval of the payment methodologies required under this Section or any waiver required under 42 CFR 433.68, at which time the sum of amounts required under this Section prior to the date of notification is due and payable. Payments under this Section are not due and payable, however, until (i) the methodologies described in this Section are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed under this Article is determined to be a permissible tax under Title XIX of the Social Security Act.

(a-5) The Illinois Department may, when practicable, accelerate the schedule upon which payments authorized under this Section are made.

(b) Across-the-board inpatient adjustment.

(1) In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital an amount equal to 40% of the total base inpatient payments paid to the hospital for services provided in State fiscal year 2005.

(2) In addition to rates paid for inpatient hospital services, the Department shall pay to each freestanding Illinois specialty care hospital as defined in 89 Ill. Adm. Code 149.50(c)(1), (2), or (4) an amount equal to 60% of the total base inpatient payments paid to the hospital for services provided in State fiscal year 2005.

(3) In addition to rates paid for inpatient hospital services, the Department shall pay to each freestanding Illinois rehabilitation or psychiatric hospital an amount equal to $1,000 per Medicaid inpatient day multiplied by the increase in the hospital's Medicaid inpatient utilization ratio (determined using the positive percentage change from the rate year 2005 Medicaid inpatient utilization ratio to the rate year 2007 Medicaid inpatient utilization ratio, as calculated by the Department for the disproportionate share determination).

(4) In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois children's hospital an amount equal to 20% of the total base inpatient payments paid to the hospital for services provided in State fiscal year 2005 and an additional amount equal to 20% of the base inpatient payments paid to the hospital for psychiatric services provided in State fiscal year 2005.
(5) In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois hospital eligible for a pediatric inpatient adjustment payment under 89 Ill. Adm. Code 148.298, as in effect for State fiscal year 2007, a supplemental pediatric inpatient adjustment payment equal to:

(i) For freestanding children's hospitals as defined in 89 Ill. Adm. Code 149.50(c)(3)(A), 2.5 multiplied by the hospital's pediatric inpatient adjustment payment required under 89 Ill. Adm. Code 148.298, as in effect for State fiscal year 2008.

(ii) For hospitals other than freestanding children's hospitals as defined in 89 Ill. Adm. Code 149.50(c)(3)(B), 1.0 multiplied by the hospital's pediatric inpatient adjustment payment required under 89 Ill. Adm. Code 148.298, as in effect for State fiscal year 2008.

(c) Outpatient adjustment.

(1) In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois hospital an amount equal to 2.2 multiplied by the hospital's ambulatory procedure listing payments for categories 1, 2, 3, and 4, as defined in 89 Ill. Adm. Code 148.140(b), for State fiscal year 2005.

(2) In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois freestanding psychiatric hospital an amount equal to 3.25 multiplied by the hospital's ambulatory procedure listing payments for category 5b, as defined in 89 Ill. Adm. Code 148.140(b)(1)(E), for State fiscal year 2005.

(d) Medicaid high volume adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that provided more than 20,500 Medicaid inpatient days of care in State fiscal year 2005 amounts as follows:

(1) For hospitals with a case mix index equal to or greater than the 85th percentile of hospital case mix indices, $350 for each Medicaid inpatient day of care provided during that period; and

(2) For hospitals with a case mix index less than the 85th percentile of hospital case mix indices, $100 for each Medicaid inpatient day of care provided during that period.

(e) Capital adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay an additional payment to each Illinois hospital.
general acute care hospital that has a Medicaid inpatient utilization rate of at least 10% (as calculated by the Department for the rate year 2007 disproportionate share determination) amounts as follows:

(1) For each Illinois general acute care hospital that has a Medicaid inpatient utilization rate of at least 10% and less than 36.94% and whose capital cost is less than the 60th percentile of the capital costs of all Illinois hospitals, the amount of such payment shall equal the hospital's Medicaid inpatient days multiplied by the difference between the capital costs at the 60th percentile of the capital costs of all Illinois hospitals and the hospital's capital costs.

(2) For each Illinois general acute care hospital that has a Medicaid inpatient utilization rate of at least 36.94% and whose capital cost is less than the 75th percentile of the capital costs of all Illinois hospitals, the amount of such payment shall equal the hospital's Medicaid inpatient days multiplied by the difference between the capital costs at the 75th percentile of the capital costs of all Illinois hospitals and the hospital's capital costs.

(f) Obstetrical care adjustment.

(1) In addition to rates paid for inpatient hospital services, the Department shall pay $1,500 for each Medicaid obstetrical day of care provided in State fiscal year 2005 by each Illinois rural hospital that had a Medicaid obstetrical percentage (Medicaid obstetrical days divided by Medicaid inpatient days) greater than 15% for State fiscal year 2005.

(2) In addition to rates paid for inpatient hospital services, the Department shall pay $1,350 for each Medicaid obstetrical day of care provided in State fiscal year 2005 by each Illinois general acute care hospital that was designated a level III perinatal center as of December 31, 2006, and that had a case mix index equal to or greater than the 45th percentile of the case mix indices for all level III perinatal centers.

(3) In addition to rates paid for inpatient hospital services, the Department shall pay $900 for each Medicaid obstetrical day of care provided in State fiscal year 2005 by each Illinois general acute care hospital that was designated a level II or II+ perinatal center as of December 31, 2006, and that had a case mix index equal to or greater than the 35th percentile of the case mix indices for all level II and II+ perinatal centers.

(g) Trauma adjustment.

New matter indicated by italics - deletions by strikeout
(1) In addition to rates paid for inpatient hospital services, the Department shall pay each Illinois general acute care hospital designated as a trauma center as of July 1, 2007, a payment equal to 3.75 multiplied by the hospital's State fiscal year 2005 Medicaid capital payments.

(2) In addition to rates paid for inpatient hospital services, the Department shall pay $400 for each Medicaid acute inpatient day of care provided in State fiscal year 2005 by each Illinois general acute care hospital that was designated a level II trauma center, as defined in 89 Ill. Adm. Code 148.295(a)(3) and 148.295(a)(4), as of July 1, 2007.

(3) In addition to rates paid for inpatient hospital services, the Department shall pay $235 for each Illinois Medicaid acute inpatient day of care provided in State fiscal year 2005 by each level I pediatric trauma center located outside of Illinois that had more than 8,000 Illinois Medicaid inpatient days in State fiscal year 2005.

(h) Supplemental tertiary care adjustment. In addition to rates paid for inpatient services, the Department shall pay to each Illinois hospital eligible for tertiary care adjustment payments under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2007, a supplemental tertiary care adjustment payment equal to the tertiary care adjustment payment required under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2007.

(i) Crossover adjustment. In addition to rates paid for inpatient services, the Department shall pay each Illinois general acute care hospital that had a ratio of crossover days to total inpatient days for medical assistance programs administered by the Department (utilizing information from 2005 paid claims) greater than 50%, and a case mix index greater than the 65th percentile of case mix indices for all Illinois hospitals, a rate of $1,125 for each Medicaid inpatient day including crossover days.

(j) Magnet hospital adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital and each Illinois freestanding children's hospital that, as of February 1, 2008, was recognized as a Magnet hospital by the American Nurses Credentialing Center and that had a case mix index greater than the 75th percentile of case mix indices for all Illinois hospitals amounts as follows:

(1) For hospitals located in a county whose eligibility growth factor is greater than the mean, $450 multiplied by the eligibility growth factor for the county in which the hospital is located for each
Medicaid inpatient day of care provided by the hospital during State fiscal year 2005.

(2) For hospitals located in a county whose eligibility growth factor is less than or equal to the mean, $225 multiplied by the eligibility growth factor for the county in which the hospital is located for each Medicaid inpatient day of care provided by the hospital during State fiscal year 2005.

For purposes of this subsection, "eligibility growth factor" means the percentage by which the number of Medicaid recipients in the county increased from State fiscal year 1998 to State fiscal year 2005.

(k) For purposes of this Section, a hospital that is enrolled to provide Medicaid services during State fiscal year 2005 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this Section.

(l) For purposes of this Section, the terms "Medicaid days", "ambulatory procedure listing services", and "ambulatory procedure listing payments" do not include any days, charges, or services for which Medicare or a managed care organization reimbursed on a capitated basis was liable for payment, except where explicitly stated otherwise in this Section.

(m) For purposes of this Section, in determining the percentile ranking of an Illinois hospital's case mix index or capital costs, hospitals described in subsection (b) of Section 5A-3 shall be excluded from the ranking.

(n) Definitions. Unless the context requires otherwise or unless provided otherwise in this Section, the terms used in this Section for qualifying criteria and payment calculations shall have the same meanings as those terms have been given in the Illinois Department's administrative rules as in effect on March 1, 2008. Other terms shall be defined by the Illinois Department by rule.

As used in this Section, unless the context requires otherwise:

"Base inpatient payments" means, for a given hospital, the sum of base payments for inpatient services made on a per diem or per admission (DRG) basis, excluding those portions of per admission payments that are classified as capital payments. Disproportionate share hospital adjustment payments, Medicaid Percentage Adjustments, Medicaid High Volume Adjustments, and outlier payments, as defined by rule by the Department as of January 1, 2008, are not base payments.

"Capital costs" means, for a given hospital, the total capital costs determined using the most recent 2005 Medicare cost report as contained in
the Healthcare Cost Report Information System file, for the quarter ending on December 31, 2006, divided by the total inpatient days from the same cost report to calculate a capital cost per day. The resulting capital cost per day is inflated to the midpoint of State fiscal year 2009 utilizing the national hospital market price proxies (DRI) hospital cost index. If a hospital's 2005 Medicare cost report is not contained in the Healthcare Cost Report Information System, the Department may obtain the data necessary to compute the hospital's capital costs from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Illinois Department or its duly authorized agents and employees.

"Case mix index" means, for a given hospital, the sum of the DRG relative weighting factors in effect on January 1, 2005, for all general acute care admissions for State fiscal year 2005, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82, divided by the total number of general acute care admissions for State fiscal year 2005, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82.

"Medicaid inpatient day" means, for a given hospital, the sum of days of inpatient hospital days provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring during State fiscal year 2005 that was adjudicated by the Department through March 23, 2007.

"Medicaid obstetrical day" means, for a given hospital, the sum of days of inpatient hospital days grouped by the Department to DRGs of 370 through 375 provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring during State fiscal year 2005 that was adjudicated by the Department through March 23, 2007.

"Outpatient ambulatory procedure listing payments" means, for a given hospital, the sum of payments for ambulatory procedure listing services, as described in 89 Ill. Adm. Code 148.140(b), provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding payments for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the...
Department's paid claims data for services occurring in State fiscal year 2005 that were adjudicated by the Department through March 23, 2007.

(o) The Department may adjust payments made under this Section 5A-12.2 to comply with federal law or regulations regarding hospital-specific payment limitations on government-owned or government-operated hospitals.

(p) Notwithstanding any of the other provisions of this Section, the Department is authorized to adopt rules that change the hospital access improvement payments specified in this Section, but only to the extent necessary to conform to any federally approved amendment to the Title XIX State plan. Any such rules shall be adopted by the Department as authorized by Section 5-50 of the Illinois Administrative Procedure Act. Notwithstanding any other provision of law, any changes implemented as a result of this subsection (p) shall be given retroactive effect so that they shall be deemed to have taken effect as of the effective date of this Section.

(q) (Blank).

(r) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(s) On or after July 1, 2014, but no later than October 1, 2014, and no less than annually thereafter, the Department may increase capitation payments to capitated managed care organizations (MCOs) to equal the aggregate reduction of payments made in this Section and in Section 5A-12.4 by a uniform percentage on a regional basis to preserve access to hospital services for recipients under the Illinois Medical Assistance Program. The aggregate amount of all increased capitation payments to all MCOs for a fiscal year shall be the amount needed to avoid reduction in payments authorized under Section 5A-15. Payments to MCOs under this Section shall be consistent with actuarial certification and shall be published by the Department each year. Each MCO shall only expend the increased capitation payments it receives under this Section to support the availability of hospital services and to ensure access to hospital services, with such expenditures being made within 15 calendar days from when the MCO receives the increased capitation payment. The Department shall make available, on a monthly basis, a report of the capitation payments that are made to each MCO pursuant to this subsection, including the number of enrollees for which such payment is made, the per enrollee amount of the payment, and any adjustments that have been made. Payments made under this subsection shall be guaranteed by a surety bond obtained by the MCO in an amount

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established by the Department to approximate one month's liability of payments authorized under this subsection. The Department may advance the payments guaranteed by the surety bond. Payments to MCOs that would be paid consistent with actuarial certification and enrollment in the absence of the increased capitation payments under this Section shall not be reduced as a consequence of payments made under this subsection.

As used in this subsection, "MCO" means an entity which contracts with the Department to provide services where payment for medical services is made on a capitated basis.

(t) On or after July 1, 2014, the Department may increase capitation payments to capitated managed care organizations (MCOs) to equal the aggregate reduction of payments made in Section 5A-12.5 to preserve access to hospital services for recipients under the Illinois Medical Assistance Program. Payments to MCOs under this Section shall be consistent with actuarial certification and shall be published by the Department each year. Each MCO shall only expend the increased capitation payments it receives under this Section to support the availability of hospital services and to ensure access to hospital services, with such expenditures being made within 15 calendar days from when the MCO receives the increased capitation payment. The Department may advance the payments to hospitals under this subsection, in the event the MCO fails to make such payments. The Department shall make available, on a monthly basis, a report of the capitation payments that are made to each MCO pursuant to this subsection, including the number of enrollees for which such payment is made, the per enrollee amount of the payment, and any adjustments that have been made. Payments to MCOs that would be paid consistent with actuarial certification and enrollment in the absence of the increased capitation payments under this subsection shall not be reduced as a consequence of payments made under this subsection.

As used in this subsection, "MCO" means an entity which contracts with the Department to provide services where payment for medical services is made on a capitated basis.

(Source: P.A. 96-821, eff. 11-20-09; 97-689, eff. 6-14-12.)

Article 20

Section 20-5. The Illinois Administrative Procedure Act is amended by changing Section 5-45 as follows:

(5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)
Sec. 5-45. Emergency rulemaking.

New matter indicated by italics - deletions by strikeout
(a) "Emergency" means the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare.

(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any 24 month period, except that this limitation on the number of emergency rules that may be adopted in a 24 month period does not apply to (i) emergency rules that make additions to and deletions from the Drug Manual under Section 5-5.16 of the Illinois Public Aid Code or the generic drug formulary under Section 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii) emergency rules adopted by the Pollution Control Board before July 1, 1997 to implement portions of the Livestock Management Facilities Act, (iii) emergency rules adopted by the Illinois Department of Public Health under subsections (a) through (i) of Section 2 of the Department of Public Health Act when necessary to protect the public's health, (iv) emergency rules adopted pursuant to subsection (n) of this Section, (v) emergency rules adopted pursuant to subsection (o) of this Section, or (vi) emergency rules adopted pursuant to subsection (c-5) of this Section. Two or more emergency rules having substantially the same purpose and effect shall be deemed to be a single rule for purposes of this Section.

(c-5) To facilitate the maintenance of the program of group health benefits provided to annuitants, survivors, and retired employees under the State Employees Group Insurance Act of 1971, rules to alter the contributions to be paid by the State, annuitants, survivors, retired employees, or any combination of those entities, for that program of group health benefits, shall
be adopted as emergency rules. The adoption of those rules shall be considered an emergency and necessary for the public interest, safety, and welfare.

(d) In order to provide for the expeditious and timely implementation of the State's fiscal year 1999 budget, emergency rules to implement any provision of Public Act 90-587 or 90-588 or any other budget initiative for fiscal year 1999 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (d). The adoption of emergency rules authorized by this subsection (d) shall be deemed to be necessary for the public interest, safety, and welfare.

(e) In order to provide for the expeditious and timely implementation of the State's fiscal year 2000 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2000 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (e). The adoption of emergency rules authorized by this subsection (e) shall be deemed to be necessary for the public interest, safety, and welfare.

(f) In order to provide for the expeditious and timely implementation of the State's fiscal year 2001 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2001 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (f). The adoption of emergency rules authorized by this subsection (f) shall be deemed to be necessary for the public interest, safety, and welfare.

(g) In order to provide for the expeditious and timely implementation of the State's fiscal year 2002 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2002 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and

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the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (g). The adoption of emergency rules authorized by this subsection (g) shall be deemed to be necessary for the public interest, safety, and welfare.

(h) In order to provide for the expeditious and timely implementation of the State's fiscal year 2003 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

(i) In order to provide for the expeditious and timely implementation of the State's fiscal year 2004 budget, emergency rules to implement any provision of this amendatory Act of the 93rd General Assembly or any other budget initiative for fiscal year 2004 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (i). The adoption of emergency rules authorized by this subsection (i) shall be deemed to be necessary for the public interest, safety, and welfare.

(j) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2005 budget as provided under the Fiscal Year 2005 Budget Implementation (Human Services) Act, emergency rules to implement any provision of the Fiscal Year 2005 Budget Implementation (Human Services) Act may be adopted in accordance with this Section by the agency charged with administering that provision, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (j). The Department of Public Aid may also adopt rules under this subsection (j) necessary to administer the Illinois Public Aid Code and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (j) shall be deemed to be necessary for the public interest, safety, and welfare.

(k) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2006 budget, emergency rules to
implement any provision of this amendatory Act of the 94th General Assembly or any other budget initiative for fiscal year 2006 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (k). The Department of Healthcare and Family Services may also adopt rules under this subsection (k) necessary to administer the Illinois Public Aid Code, the Senior Citizens and Disabled Persons Property Tax Relief Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act (now the Illinois Prescription Drug Discount Program Act), and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (k) shall be deemed to be necessary for the public interest, safety, and welfare.

(l) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2007 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2007, including rules effective July 1, 2007, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (l) shall be deemed to be necessary for the public interest, safety, and welfare.

(m) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2008 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2008, including rules effective July 1, 2008, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (m) shall be deemed to be necessary for the public interest, safety, and welfare.

(n) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2010 budget, emergency rules to implement any provision of this amendatory Act of the 96th General Assembly or any other budget initiative for fiscal year 2010 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (k). The Department of Healthcare and Family Services may also adopt rules under this subsection (k) necessary to administer the Illinois Public Aid Code, the Senior Citizens and Disabled Persons Property Tax Relief Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act (now the Illinois Prescription Drug Discount Program Act), and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (k) shall be deemed to be necessary for the public interest, safety, and welfare.
Assembly or any other budget initiative authorized by the 96th General Assembly for fiscal year 2010 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (n) shall be deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (n) shall apply only to rules promulgated during Fiscal Year 2010.

(o) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2011 budget, emergency rules to implement any provision of this amendatory Act of the 96th General Assembly or any other budget initiative authorized by the 96th General Assembly for fiscal year 2011 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (o) is deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (o) applies only to rules promulgated on or after the effective date of this amendatory Act of the 96th General Assembly through June 30, 2011.

(p) In order to provide for the expeditious and timely implementation of the provisions of Public Act 97-689, emergency rules to implement any provision of Public Act 97-689 may be adopted in accordance with this subsection (p) by the agency charged with administering that provision or initiative. The 150-day limitation of the effective period of emergency rules does not apply to rules adopted under this subsection (p), and the effective period may continue through June 30, 2013. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (p). The adoption of emergency rules authorized by this subsection (p) is deemed to be necessary for the public interest, safety, and welfare.

(q) In order to provide for the expeditious and timely implementation of the provisions of Articles 7, 8, 9, 11, and 12 of this amendatory Act of the 98th General Assembly, emergency rules to implement any provision of Articles 7, 8, 9, 11, and 12 of this amendatory Act of the 98th General Assembly may be adopted in accordance with this subsection (q) by the agency charged with administering that provision or initiative. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (q). The adoption of emergency rules authorized by this subsection (q) is deemed to be necessary for the public interest, safety, and welfare.
(r) In order to provide for the expeditious and timely implementation of the provisions of this amendatory Act of the 98th General Assembly, emergency rules to implement this amendatory Act of the 98th General Assembly may be adopted in accordance with this subsection (r) by the Department of Healthcare and Family Services. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (r). The adoption of emergency rules authorized by this subsection (r) is deemed to be necessary for the public interest, safety, and welfare.
(Source: P.A. 97-689, eff. 6-14-12; 97-695, eff. 7-1-12; 98-104, eff. 7-22-13; 98-463, eff. 8-16-13.)

Section 20-10. The Children's Health Insurance Program Act is amended by changing Section 7 as follows:

(215 ILCS 106/7)

Sec. 7. Eligibility verification. Notwithstanding any other provision of this Act, with respect to applications for benefits provided under the Program, eligibility shall be determined in a manner that ensures program integrity and that complies with federal law and regulations while minimizing unnecessary barriers to enrollment. To this end, as soon as practicable, and unless the Department receives written denial from the federal government, this Section shall be implemented:

(a) The Department of Healthcare and Family Services or its designees shall:

(1) By no later than July 1, 2011, require verification of, at a minimum, one month's income from all sources required for determining the eligibility of applicants to the Program. Such verification shall take the form of pay stubs, business or income and expense records for self-employed persons, letters from employers, and any other valid documentation of income including data obtained electronically by the Department or its designees from other sources as described in subsection (b) of this Section.

(2) By no later than October 1, 2011, require verification of, at a minimum, one month's income from all sources required for determining the continued eligibility of recipients at their annual review of eligibility under the Program. Such verification shall take the form of pay stubs, business or income and expense records for self-employed persons, letters from employers, and any other valid documentation of income including data obtained electronically by the Department or its designees from other sources as described in subsection (b) of this Section. The Department shall send a notice to

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the recipient at least 60 days prior to the end of the period of eligibility that informs them of the requirements for continued eligibility. If a recipient does not fulfill the requirements for continued eligibility by the deadline established in the notice, a notice of cancellation shall be issued to the recipient and coverage shall end on the last day of the eligibility period. A recipient's eligibility may be reinstated without requiring a new application if the recipient fulfills the requirements for continued eligibility prior to the end of the third month following the last date of coverage (or longer period if required by federal regulations). Nothing in this Section shall prevent an individual whose coverage has been cancelled from reapplying for health benefits at any time.

(3) By no later than July 1, 2011, require verification of Illinois residency.

(b) The Department shall establish or continue cooperative arrangements with the Social Security Administration, the Illinois Secretary of State, the Department of Human Services, the Department of Revenue, the Department of Employment Security, and any other appropriate entity to gain electronic access, to the extent allowed by law, to information available to those entities that may be appropriate for electronically verifying any factor of eligibility for benefits under the Program. Data relevant to eligibility shall be provided for no other purpose than to verify the eligibility of new applicants or current recipients of health benefits under the Program. Data will be requested or provided for any new applicant or current recipient only insofar as that individual’s circumstances are relevant to that individual's or another individual's eligibility.

(c) Within 90 days of the effective date of this amendatory Act of the 96th General Assembly, the Department of Healthcare and Family Services shall send notice to current recipients informing them of the changes regarding their eligibility verification.

(Source: P.A. 96-1501, eff. 1-25-11.)

Section 20-15. The Covering ALL KIDS Health Insurance Act is amended by changing Sections 7 and 20 as follows:

(215 ILCS 170/7)

Sec. 7. Eligibility verification. Notwithstanding any other provision of this Act, with respect to applications for benefits provided under the Program, eligibility shall be determined in a manner that ensures program integrity and that complies with federal law and regulations while minimizing

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unnecessary barriers to enrollment. To this end, as soon as practicable, and
unless the Department receives written denial from the federal government,
this Section shall be implemented:

(a) The Department of Healthcare and Family Services or its
designees shall:

(1) By July 1, 2011, require verification of, at a minimum, one
month's income from all sources required for determining the
eligibility of applicants to the Program. Such verification shall take
the form of pay stubs, business or income and expense records for
self-employed persons, letters from employers, and any other valid
documentation of income including data obtained electronically by
the Department or its designees from other sources as described in
subsection (b) of this Section.

(2) By October 1, 2011, require verification of, at a minimum,
one month's income from all sources required for determining the
continued eligibility of recipients at their annual review of eligibility
under the Program. Such verification shall take the form of pay stubs,
business or income and expense records for self-employed persons,
letters from employers, and any other valid documentation of income
including data obtained electronically by the Department or its
designees from other sources as described in subsection (b) of this
Section. The Department shall send a notice to recipients at least 60
days prior to the end of their period of eligibility that informs them of
the requirements for continued eligibility. If a recipient does not
fulfill the requirements for continued eligibility by the deadline
established in the notice, a notice of cancellation shall be issued to the
recipient and coverage shall end on the last day of the eligibility
period. A recipient's eligibility may be reinstated without requiring a
new application if the recipient fulfills the requirements for continued
eligibility prior to the end of the third month following the last date
of coverage (or longer period if required by federal regulations).
Nothing in this Section shall prevent an individual whose coverage
has been cancelled from reapplying for health benefits at any time.

(3) By July 1, 2011, require verification of Illinois residency.

(b) The Department shall establish or continue cooperative
arrangements with the Social Security Administration, the Illinois Secretary
of State, the Department of Human Services, the Department of Revenue, the
Department of Employment Security, and any other appropriate entity to gain
electronic access, to the extent allowed by law, to information available to

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those entities that may be appropriate for electronically verifying any factor of eligibility for benefits under the Program. Data relevant to eligibility shall be provided for no other purpose than to verify the eligibility of new applicants or current recipients of health benefits under the Program. Data will be requested or provided for any new applicant or current recipient only insofar as that individual's circumstances are relevant to that individual's or another individual's eligibility.

(c) Within 90 days of the effective date of this amendatory Act of the 96th General Assembly, the Department of Healthcare and Family Services shall send notice to current recipients informing them of the changes regarding their eligibility verification.

(Source: P.A. 96-1501, eff. 1-25-11.)

(215 ILCS 170/20)

(Section scheduled to be repealed on July 1, 2016)

Sec. 20. Eligibility.

(a) To be eligible for the Program, a person must be a child:

(1) who is a resident of the State of Illinois;

(2) who is ineligible for medical assistance under the Illinois Public Aid Code or benefits under the Children's Health Insurance Program Act;

(3) who either (i) effective July 1, 2014, who has in accordance with 42 CFR 457.805 (78 FR 42313, July 15, 2013) or any other federal requirement necessary to obtain federal financial participation for expenditures made under this Act, has been without health insurance coverage for 90 days; or (ii) whose parent has lost employment that made available affordable dependent health insurance coverage, until such time as affordable employer-sponsored dependent health insurance coverage is again available for the child as set forth by the Department in rules, (iii) who is a newborn whose responsible relative does not have available affordable private or employer-sponsored health insurance; or (iii) who, within one year of applying for coverage under this Act, lost medical benefits under the Illinois Public Aid Code or the Children's Health Insurance Program Act; and

(3.5) whose household income, as determined, effective October 1, 2013, by the Department, is at or below 300% of the federal poverty level as determined in compliance with 42 U.S.C. 1397bb(b)(1)(B)(v) and applicable federal regulations. This item (3.5) is effective July 1, 2011.

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An entity that provides health insurance coverage (as defined in Section 2 of the Comprehensive Health Insurance Plan Act) to Illinois residents shall provide health insurance data match to the Department of Healthcare and Family Services as provided by and subject to Section 5.5 of the Illinois Insurance Code. The Department of Healthcare and Family Services may impose an administrative penalty as provided under Section 12-4.45 of the Illinois Public Aid Code on entities that have established a pattern of failure to provide the information required under this Section.

The Department of Healthcare and Family Services, in collaboration with the Department of Insurance, shall adopt rules governing the exchange of information under this Section. The rules shall be consistent with all laws relating to the confidentiality or privacy of personal information or medical records, including provisions under the Federal Health Insurance Portability and Accountability Act (HIPAA).

(b) The Department shall monitor the availability and retention of employer-sponsored dependent health insurance coverage and shall modify the period described in subdivision (a)(3) if necessary to promote retention of private or employer-sponsored health insurance and timely access to healthcare services, but at no time shall the period described in subdivision (a)(3) be less than 6 months.

(c) The Department, at its discretion, may take into account the affordability of dependent health insurance when determining whether employer-sponsored dependent health insurance coverage is available upon reemployment of a child's parent as provided in subdivision (a)(3).

(d) A child who is determined to be eligible for the Program shall remain eligible for 12 months, provided that the child maintains his or her residence in this State, has not yet attained 19 years of age, and is not excluded under subsection (e).

(e) A child is not eligible for coverage under the Program if:

1. the premium required under Section 40 has not been timely paid; if the required premiums are not paid, the liability of the Program shall be limited to benefits incurred under the Program for the time period for which premiums have been paid; re-enrollment shall be completed before the next covered medical visit, and the first month's required premium shall be paid in advance of the next covered medical visit; or

2. the child is an inmate of a public institution or an institution for mental diseases.

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(f) The Department may adopt rules, including, but not limited to: rules regarding annual renewals of eligibility for the Program in conformance with Section 7 of this Act; rules providing for re-enrollment, grace periods, notice requirements, and hearing procedures under subdivision (e)(1) of this Section; and rules regarding what constitutes availability and affordability of private or employer-sponsored health insurance, with consideration of such factors as the percentage of income needed to purchase children or family health insurance, the availability of employer subsidies, and other relevant factors.

(g) Each child enrolled in the Program as of July 1, 2011 whose family income, as established by the Department, exceeds 300% of the federal poverty level may remain enrolled in the Program for 12 additional months commencing July 1, 2011. Continued enrollment pursuant to this subsection shall be available only if the child continues to meet all eligibility criteria established under the Program as of the effective date of this amendatory Act of the 96th General Assembly without a break in coverage. Nothing contained in this subsection shall prevent a child from qualifying for any other health benefits program operated by the Department.

(Source: P.A. 98-130, eff. 8-2-13.)

Section 20-20. The Illinois Public Aid Code is amended by changing Sections 5-2.1a and 11-5.1 as follows:

(305 ILCS 5/5-2.1a)

Sec. 5-2.1a. Treatment of trust amounts. To the extent required by federal law, the Department of Healthcare and Family Services Illinoi...
(a) The Department of Healthcare and Family Services or its designees shall:

(1) By no later than July 1, 2011, require verification of, at a minimum, one month's income from all sources required for determining the eligibility of applicants for medical assistance under this Code. Such verification shall take the form of pay stubs, business or income and expense records for self-employed persons, letters from employers, and any other valid documentation of income including data obtained electronically by the Department or its designees from other sources as described in subsection (b) of this Section.

(2) By no later than October 1, 2011, require verification of, at a minimum, one month's income from all sources required for determining the continued eligibility of recipients at their annual review of eligibility for medical assistance under this Code. Such verification shall take the form of pay stubs, business or income and expense records for self-employed persons, letters from employers, and any other valid documentation of income including data obtained electronically by the Department or its designees from other sources as described in subsection (b) of this Section. The Department shall send a notice to recipients at least 60 days prior to the end of their period of eligibility that informs them of the requirements for continued eligibility. If a recipient does not fulfill the requirements for continued eligibility by the deadline established in the notice a notice of cancellation shall be issued to the recipient and coverage shall end on the last day of the eligibility period. A recipient's eligibility may be reinstated without requiring a new application if the recipient fulfills the requirements for continued eligibility prior to the end of the third month following the last date of coverage (or longer period if required by federal regulations). Nothing in this Section shall prevent an individual whose coverage has been cancelled from reapplying for health benefits at any time.

(3) By no later than July 1, 2011, require verification of Illinois residency.

(b) The Department shall establish or continue cooperative arrangements with the Social Security Administration, the Illinois Secretary of State, the Department of Human Services, the Department of Revenue, the Department of Employment Security, and any other appropriate entity to gain electronic access, to the extent allowed by law, to information available to

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those entities that may be appropriate for electronically verifying any factor of eligibility for benefits under the Program. Data relevant to eligibility shall be provided for no other purpose than to verify the eligibility of new applicants or current recipients of health benefits under the Program. Data shall be requested or provided for any new applicant or current recipient only insofar as that individual's circumstances are relevant to that individual's or another individual's eligibility.

(c) Within 90 days of the effective date of this amendatory Act of the 96th General Assembly, the Department of Healthcare and Family Services shall send notice to current recipients informing them of the changes regarding their eligibility verification.

(Source: P.A. 96-1501, eff. 1-25-11.)

Article 25

Section 25-5. The State Finance Act is amended by changing Section 6z-30 as follows:

(30 ILCS 105/6z-30)

Sec. 6z-30. University of Illinois Hospital Services Fund.

(a) The University of Illinois Hospital Services Fund is created as a special fund in the State Treasury. The following moneys shall be deposited into the Fund:

(1) As soon as possible after the beginning of fiscal year 2010, and in no event later than July 30, the State Comptroller and the State Treasurer shall automatically transfer $30,000,000 from the General Revenue Fund to the University of Illinois Hospital Services Fund.

(1.5) Starting in fiscal year 2011, as soon as possible after the beginning of each fiscal year, and in no event later than July 30, the State Comptroller and the State Treasurer shall automatically transfer $45,000,000 from the General Revenue Fund to the University of Illinois Hospital Services Fund; except that, in fiscal year 2012 only, the State Comptroller and the State Treasurer shall transfer $90,000,000 from the General Revenue Fund to the University of Illinois Hospital Services Fund under this paragraph, and, in fiscal year 2013 only, the State Comptroller and the State Treasurer shall transfer no amounts from the General Revenue Fund to the University of Illinois Hospital Services Fund under this paragraph.

(2) All intergovernmental transfer payments to the Department of Healthcare and Family Services by the University of Illinois made pursuant to an intergovernmental agreement under subsection (b) or (c) of Section 5A-3 of the Illinois Public Aid Code.

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(3) All federal matching funds received by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) as a result of expenditures made by the Department that are attributable to moneys that were deposited in the Fund.

(4) All other moneys received for the Fund from any other source, including interest earned thereon.

(b) Moneys in the fund may be used by the Department of Healthcare and Family Services, subject to appropriation and to an interagency agreement between that Department and the Board of Trustees of the University of Illinois, to reimburse the University of Illinois Hospital for hospital and pharmacy services, to reimburse practitioners who are employed by the University of Illinois, to reimburse other health care facilities and health plans operated by the University of Illinois, and to pass through to the University of Illinois federal financial participation earned by the State as a result of expenditures made by the University of Illinois.

(c) (Blank).

(Source: P.A. 96-45, eff. 7-15-09; 96-959, eff. 7-1-10; 97-732, eff. 6-30-12.)

Section 25-10. The Illinois Public Aid Code is amended by changing Section 12-9 as follows:

(305 ILCS 5/12-9) (from Ch. 23, par. 12-9)

Sec. 12-9. Public Aid Recoveries Trust Fund; uses. The Public Aid Recoveries Trust Fund shall consist of (1) recoveries by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) authorized by this Code in respect to applicants or recipients under Articles III, IV, V, and VI, including recoveries made by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) from the estates of deceased recipients, (2) recoveries made by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) in respect to applicants and recipients under the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (2.5) recoveries made by the Department of Healthcare and Family Services in connection with the imposition of an administrative penalty as provided under Section 12-4.45, (3) federal funds received on behalf of and earned by State universities and local governmental entities for services provided to applicants or recipients covered under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (3.5) federal financial participation revenue related to eligible disbursements made by the Department of Healthcare and Family Services from appropriations required by this Section, and (4) all other moneys received for the Fund from any other source, including interest earned thereon.

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moneys received to the Fund, including interest thereon. The Fund shall be held as a special fund in the State Treasury.

Disbursements from this Fund shall be only (1) for the reimbursement of claims collected by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) through error or mistake, (2) for payment to persons or agencies designated as payees or co-payees on any instrument, whether or not negotiable, delivered to the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) as a recovery under this Section, such payment to be in proportion to the respective interests of the payees in the amount so collected, (3) for payments to the Department of Human Services for collections made by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) on behalf of the Department of Human Services under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (4) for payment of administrative expenses incurred in performing the activities authorized under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (5) for payment of fees to persons or agencies in the performance of activities pursuant to the collection of monies owed the State that are collected under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act, (6) for payments of any amounts which are reimbursable to the federal government which are required to be paid by State warrant by either the State or federal government, and (7) for payments to State universities and local governmental entities of federal funds for services provided to applicants or recipients covered under this Code, the Children's Health Insurance Program Act, and the Covering ALL KIDS Health Insurance Act. Disbursements from this Fund for purposes of items (4) and (5) of this paragraph shall be subject to appropriations from the Fund to the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid).

The balance in this Fund on the first day of each calendar quarter, after payment therefrom of any amounts reimbursable to the federal government, and minus the amount reasonably anticipated to be needed to make the disbursements during that quarter authorized by this Section during the current and following 3 calendar months, shall be certified by the Director of Healthcare and Family Services and transferred by the State Comptroller to the Drug Rebate Fund or the Healthcare Provider Relief Fund in the State Treasury, as appropriate, on at least an annual basis by June 30th of each fiscal year within 30 days of the first day of each calendar quarter.

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The Director of Healthcare and Family Services may certify and the State Comptroller shall transfer to the Drug Rebate Fund or the Healthcare Provider Relief Fund amounts on a more frequent basis.

On July 1, 1999, the State Comptroller shall transfer the sum of $5,000,000 from the Public Aid Recoveries Trust Fund (formerly the Public Assistance Recoveries Trust Fund) into the DHS Recoveries Trust Fund.

(Source: P.A. 97-647, eff. 1-1-12; 97-689, eff. 6-14-12; 98-130, eff. 8-2-13.)

Article 30

Section 30-5. The Illinois Public Aid Code is amended by adding Section 5A-12.5 as follows:

(305 ILCS 5/5A-12.5 new)

Sec. 5A-12.5. Affordable Care Act adults; hospital access payments. The Department shall, subject to federal approval, mirror the Medical Assistance hospital reimbursement methodology, including hospital access payments as defined in Section 5A-12.2 of this Article and hospital access improvement payments as defined in Section 5A-12.4 of this Article, in compliance with the equivalent rate provisions of the Affordable Care Act.

As used in this Section, "Affordable Care Act" is the collective term for the Patient Protection and Affordable Care Act (Pub. L. 111-148) and the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111-152).

Article 35

Section 35-5. The Hospital Licensing Act is amended by changing Section 6.09 as follows:

(210 ILCS 85/6.09) (from Ch. 111 1/2, par. 147.09)

Sec. 6.09. (a) In order to facilitate the orderly transition of aged and disabled patients from hospitals to post-hospital care, whenever a patient who qualifies for the federal Medicare program is hospitalized, the patient shall be notified of discharge at least 24 hours prior to discharge from the hospital. With regard to pending discharges to a skilled nursing facility, the hospital must notify the case coordination unit, as defined in 89 Ill. Adm. Code 240.260, at least 24 hours prior to discharge. When the assessment is completed in the hospital, the case coordination unit shall provide the discharge planner with a copy of the prescreening information and accompanying materials, which the discharge planner shall transmit when the patient is discharged to a skilled nursing facility. If home health services are ordered, the hospital must inform its designated case coordination unit, as defined in 89 Ill. Adm. Code 240.260, of the pending discharge and must provide the patient with the case coordination unit's telephone number and other contact information.

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(b) Every hospital shall develop procedures for a physician with medical staff privileges at the hospital or any appropriate medical staff member to provide the discharge notice prescribed in subsection (a) of this Section. The procedures must include prohibitions against discharging or referring a patient to any of the following if unlicensed, uncertified, or unregistered: (i) a board and care facility, as defined in the Board and Care Home Act; (ii) an assisted living and shared housing establishment, as defined in the Assisted Living and Shared Housing Act; (iii) a facility licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act; (iv) a supportive living facility, as defined in Section 5-5.01a of the Illinois Public Aid Code; or (v) a free-standing hospice facility licensed under the Hospice Program Licensing Act if licensure, certification, or registration is required. The Department of Public Health shall annually provide hospitals with a list of licensed, certified, or registered board and care facilities, assisted living and shared housing establishments, nursing homes, supportive living facilities, facilities licensed under the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013, and hospice facilities. Reliance upon this list by a hospital shall satisfy compliance with this requirement. The procedure may also include a waiver for any case in which a discharge notice is not feasible due to a short length of stay in the hospital by the patient, or for any case in which the patient voluntarily desires to leave the hospital before the expiration of the 24 hour period.

(c) At least 24 hours prior to discharge from the hospital, the patient shall receive written information on the patient's right to appeal the discharge pursuant to the federal Medicare program, including the steps to follow to appeal the discharge and the appropriate telephone number to call in case the patient intends to appeal the discharge.

(d) Before transfer of a patient to a long term care facility licensed under the Nursing Home Care Act where elderly persons reside, a hospital shall as soon as practicable initiate a name-based criminal history background check by electronic submission to the Department of State Police for all persons between the ages of 18 and 70 years; provided, however, that a hospital shall be required to initiate such a background check only with respect to patients who:

1. are transferring to a long term care facility for the first time;
2. have been in the hospital more than 5 days;

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(3) are reasonably expected to remain at the long term care facility for more than 30 days;
(4) have a known history of serious mental illness or substance abuse; and
(5) are independently ambulatory or mobile for more than a temporary period of time.

A hospital may also request a criminal history background check for a patient who does not meet any of the criteria set forth in items (1) through (5).

A hospital shall notify a long term care facility if the hospital has initiated a criminal history background check on a patient being discharged to that facility. In all circumstances in which the hospital is required by this subsection to initiate the criminal history background check, the transfer to the long term care facility may proceed regardless of the availability of criminal history results. Upon receipt of the results, the hospital shall promptly forward the results to the appropriate long term care facility. If the results of the background check are inconclusive, the hospital shall have no additional duty or obligation to seek additional information from, or about, the patient.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13.)

Section 35-10. The Illinois Public Aid Code is amended by changing Section 11-5.4 as follows:

(305 ILCS 5/11-5.4)
Sec. 11-5.4. Expedited long-term care eligibility determination and enrollment.

(a) An expedited long-term care eligibility determination and enrollment system shall be established to reduce long-term care determinations to 90 days or fewer by July 1, 2014 and streamline the long-term care enrollment process. Establishment of the system shall be a joint venture of the Department of Human Services and Healthcare and Family Services and the Department on Aging. The Governor shall name a lead agency no later than 30 days after the effective date of this amendatory Act of the 98th General Assembly to assume responsibility for the full implementation of the establishment and maintenance of the system. Project outcomes shall include an enhanced eligibility determination tracking system accessible to providers and a centralized application review and eligibility determination with all applicants reviewed within 90 days of receipt by the State of a complete application. If the Department of Healthcare and Family

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Services' Office of the Inspector General determines that there is a likelihood that a non-allowable transfer of assets has occurred, and the facility in which the applicant resides is notified, an extension of up to 90 days shall be permissible. On or before December 31, 2015, a streamlined application and enrollment process shall be put in place based on the following principles:

(1) Minimize the burden on applicants by collecting only the data necessary to determine eligibility for medical services, long-term care services, and spousal impoverishment offset.

(2) Integrate online data sources to simplify the application process by reducing the amount of information needed to be entered and to expedite eligibility verification.

(3) Provide online prompts to alert the applicant that information is missing or not complete.

(b) The Department shall, on or before July 1, 2014, assess the feasibility of incorporating all information needed to determine eligibility for long-term care services, including asset transfer and spousal impoverishment financials, into the State's integrated eligibility system identifying all resources needed and reasonable timeframes for achieving the specified integration.

(c) The lead agency shall file interim reports with the Chairs and Minority Spokespersons of the House and Senate Human Services Committees no later than September 1, 2013 and on February 1, 2014. The Department of Healthcare and Family Services shall include in the annual Medicaid report for State Fiscal Year 2014 and every fiscal year thereafter information concerning implementation of the provisions of this Section.

(d) No later than August 1, 2014, the Auditor General shall report to the General Assembly concerning the extent to which the timeframes specified in this Section have been met and the extent to which State staffing levels are adequate to meet the requirements of this Section.

(e) The Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging shall take the following steps to achieve federally established timeframes for eligibility determinations for Medicaid and long-term care benefits and shall work toward the federal goal of real time determinations:

(1) The Departments shall review, in collaboration with representatives of affected providers, all forms and procedures currently in use, federal guidelines either suggested or mandated, and staff deployment by September 30, 2014 to identify additional
measures that can improve long-term care eligibility processing and make adjustments where possible.

(2) No later than June 30, 2014, the Department of Healthcare and Family Services shall issue vouchers for advance payments not to exceed $50,000,000 to nursing facilities with significant outstanding Medicaid liability associated with services provided to residents with Medicaid applications pending and residents facing the greatest delays. Each facility with an advance payment shall state in writing whether its own recoupment schedule will be in 3 or 6 equal monthly installments, as long as all advances are recouped by June 30, 2015.

(3) The Department of Healthcare and Family Services' Office of Inspector General and the Department of Human Services shall immediately forgo resource review and review of transfers during the relevant look-back period for applications that were submitted prior to September 1, 2013. An applicant who applied prior to September 1, 2013, who was denied for failure to cooperate in providing required information, and whose application was incorrectly reviewed under the wrong look-back period rules may request review and correction of the denial based on this subsection. If found eligible upon review, such applicants shall be retroactively enrolled.

(4) As soon as practicable, the Department of Healthcare and Family Services shall implement policies and promulgate rules to simplify financial eligibility verification in the following instances: (A) for applicants or recipients who are receiving Supplemental Security Income payments or who had been receiving such payments at the time they were admitted to a nursing facility and (B) for applicants or recipients with verified income at or below 100% of the federal poverty level when the declared value of their countable resources is no greater than the allowable amounts pursuant to Section 5-2 of this Code for classes of eligible persons for whom a resource limit applies. Such simplified verification policies shall apply to community cases as well as long-term care cases.

(5) As soon as practicable, but not later than July 1, 2014, the Department of Healthcare and Family Services and the Department of Human Services shall jointly begin a special enrollment project by using simplified eligibility verification policies and by redeploying caseworkers trained to handle long-term care cases to prioritize those cases, until the backlog is eliminated and processing time is

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within 90 days. This project shall apply to applications for long-term care received by the State on or before May 15, 2014.

(6) As soon as practicable, but not later than September 1, 2014, the Department on Aging shall make available to long-term care facilities and community providers upon request, through an electronic method, the information contained within the Interagency Certification of Screening Results completed by the pre-screener, in a form and manner acceptable to the Department of Human Services.

(7) Effective 30 days after the completion of 3 regionally based trainings, nursing facilities shall submit all applications for medical assistance online via the Application for Benefits Eligibility (ABE) website. This requirement shall extend to scanning and uploading with the online application any required additional forms such as the Long Term Care Facility Notification and the Additional Financial Information for Long Term Care Applicants as well as scanned copies of any supporting documentation. Long-term care facility admission documents must be submitted as required in Section 5-5 of this Code. No local Department of Human Services office shall refuse to accept an electronically filed application.

(8) Notwithstanding any other provision of this Code, the Department of Human Services and the Department of Healthcare and Family Services' Office of the Inspector General shall, upon request, allow an applicant additional time to submit information and documents needed as part of a review of available resources or resources transferred during the look-back period. The initial extension shall not exceed 30 days. A second extension of 30 days may be granted upon request. Any request for information issued by the State to an applicant shall include the following: an explanation of the information required and the date by which the information must be submitted; a statement that failure to respond in a timely manner can result in denial of the application; a statement that the applicant or the facility in the name of the applicant may seek an extension; and the name and contact information of a caseworker in case of questions. Any such request for information shall also be sent to the facility. In deciding whether to grant an extension, the Department of Human Services or the Department of Healthcare and Family Services' Office of the Inspector General shall take into account what is in the best interest of the applicant. The time limits

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for processing an application shall be tolled during the period of any extension granted under this subsection.

(9) The Department of Human Services and the Department of Healthcare and Family Services must jointly compile data on pending applications and post a monthly report on each Department's website for the purposes of monitoring long-term care eligibility processing. The report must specify the number of applications pending long-term care eligibility determination and admission in the following categories:

(A) Length of time application is pending - 0 to 90 days, 91 days to 180 days, 181 days to 12 months, over 12 months to 18 months, over 18 months to 24 months, and over 24 months.

(B) Percentage of applications pending in the Department of Human Services' Family Community Resource Centers, in the Department of Human Services' long-term care hubs, with the Department of Healthcare and Family Services' Office of Inspector General, and those applications which are being tolled due to requests for extension of time for additional information.

(C) Status of pending applications.

(Source: P.A. 98-104, eff. 7-22-13.)

Article 40

Section 40-5. The Illinois Public Aid Code is amended by changing Sections 5A-2, 5A-5, 5A-10, and 5A-14 as follows:

(305 ILCS 5/5A-2) (from Ch. 23, par. 5A-2) (Section scheduled to be repealed on January 1, 2015)

Sec. 5A-2. Assessment.

(a) Subject to Sections 5A-3 and 5A-10, for State fiscal years 2009 through 2014, and from July 1, 2014 through December 31, 2014, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to $218.38 multiplied by the difference of the hospital's occupied bed days less the hospital's Medicare bed days, provided, however, that the amount of $218.38 shall be increased by a uniform percentage to generate an amount equal to 75% of the State share of the payments authorized under Section 12-5, with such increase only taking effect upon the date that a State share for such payments is required under federal law.

For State fiscal years 2009 through 2014; and after, a hospital's occupied bed days and Medicare bed days shall be determined using the most

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recent data available from each hospital's 2005 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on December 31, 2006, without regard to any subsequent adjustments or changes to such data. If a hospital's 2005 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Illinois Department may obtain the hospital provider's occupied bed days and Medicare bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Illinois Department or its duly authorized agents and employees.

(b) (Blank).

(b-5) Subject to Sections 5A-3 and 5A-10, for the portion of State fiscal year 2012, beginning June 10, 2012 through June 30, 2012, and for State fiscal years 2013 through 2018, and July 1, 2014 through December 31, 2014, an annual assessment on outpatient services is imposed on each hospital provider in an amount equal to .008766 multiplied by the hospital's outpatient gross revenue, provided, however, that the amount of .008766 shall be increased by a uniform percentage to generate an amount equal to 25% of the State share of the payments authorized under Section 12-5, with such increase only taking effect upon the date that a State share for such payments is required under federal law. For the period beginning June 10, 2012 through June 30, 2012, the annual assessment on outpatient services shall be prorated by multiplying the assessment amount by a fraction, the numerator of which is 21 days and the denominator of which is 365 days.

For the portion of State fiscal year 2012, beginning June 10, 2012 through June 30, 2012, and State fiscal years 2013 through 2018, and July 1, 2014 through December 31, 2014, a hospital's outpatient gross revenue shall be determined using the most recent data available from each hospital's 2009 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on June 30, 2011, without regard to any subsequent adjustments or changes to such data. If a hospital's 2009 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Department may obtain the hospital provider's outpatient gross revenue from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department or its duly authorized agents and employees.

(c) (Blank).

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(d) Notwithstanding any of the other provisions of this Section, the Department is authorized to adopt rules to reduce the rate of any annual assessment imposed under this Section, as authorized by Section 5-46.2 of the Illinois Administrative Procedure Act.

(e) Notwithstanding any other provision of this Section, any plan providing for an assessment on a hospital provider as a permissible tax under Title XIX of the federal Social Security Act and Medicaid-eligible payments to hospital providers from the revenues derived from that assessment shall be reviewed by the Illinois Department of Healthcare and Family Services, as the Single State Medicaid Agency required by federal law, to determine whether those assessments and hospital provider payments meet federal Medicaid standards. If the Department determines that the elements of the plan may meet federal Medicaid standards and a related State Medicaid Plan Amendment is prepared in a manner and form suitable for submission, that State Plan Amendment shall be submitted in a timely manner for review by the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services and subject to approval by the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services. No such plan shall become effective without approval by the Illinois General Assembly by the enactment into law of related legislation. Notwithstanding any other provision of this Section, the Department is authorized to adopt rules to reduce the rate of any annual assessment imposed under this Section. Any such rules may be adopted by the Department under Section 5-50 of the Illinois Administrative Procedure Act.

(Source: P.A. 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; 98-104, eff. 7-22-13.)

(305 ILCS 5/5A-5) (from Ch. 23, par. 5A-5)
Sec. 5A-5. Notice; penalty; maintenance of records.

(a) The Illinois Department shall send a notice of assessment to every hospital provider subject to assessment under this Article. The notice of assessment shall notify the hospital of its assessment and shall be sent after receipt by the Department of notification from the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services that the payment methodologies required under this Article and, if necessary, the waiver granted under 42 CFR 433.68 have been approved. The notice shall be on a form prepared by the Illinois Department and shall state the following:

(1) The name of the hospital provider.
(2) The address of the hospital provider's principal place of business from which the provider engages in the occupation of hospital provider in this State, and the name and address of each hospital operated, conducted, or maintained by the provider in this State.

(3) The occupied bed days, occupied bed days less Medicare days, adjusted gross hospital revenue, or outpatient gross revenue of the hospital provider (whichever is applicable), the amount of assessment imposed under Section 5A-2 for the State fiscal year for which the notice is sent, and the amount of each installment to be paid during the State fiscal year.

(4) (Blank).

(5) Other reasonable information as determined by the Illinois Department.

(b) If a hospital provider conducts, operates, or maintains more than one hospital licensed by the Illinois Department of Public Health, the provider shall pay the assessment for each hospital separately.

(c) Notwithstanding any other provision in this Article, in the case of a person who ceases to conduct, operate, or maintain a hospital in respect of which the person is subject to assessment under this Article as a hospital provider, the assessment for the State fiscal year in which the cessation occurs shall be adjusted by multiplying the assessment computed under Section 5A-2 by a fraction, the numerator of which is the number of days in the year during which the provider conducts, operates, or maintains the hospital and the denominator of which is 365. Immediately upon ceasing to conduct, operate, or maintain a hospital, the person shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(d) Notwithstanding any other provision in this Article, a provider who commences conducting, operating, or maintaining a hospital, upon notice by the Illinois Department, shall pay the assessment computed under Section 5A-2 and subsection (e) in installments on the due dates stated in the notice and on the regular installment due dates for the State fiscal year occurring after the due dates of the initial notice.

(e) Notwithstanding any other provision in this Article, for State fiscal years 2009 through 2014, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in 2005, the assessment for that State fiscal year shall be computed on the basis of hypothetical occupied bed days for the full calendar year as determined by the Illinois Department. Notwithstanding any other provision in this Article, for the portion of State fiscal years 2009 through 2014, the assessment for the year as so adjusted (to the extent not previously paid).
fiscal year 2012 beginning June 10, 2012 through June 30, 2012, and for State fiscal years 2013 through 2018, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in 2009, the assessment under subsection (b-5) of Section 5A-2 for that State fiscal year shall be computed on the basis of hypothetical gross outpatient revenue for the full calendar year as determined by the Illinois Department.

(f) Every hospital provider subject to assessment under this Article shall keep sufficient records to permit the determination of adjusted gross hospital revenue for the hospital's fiscal year. All such records shall be kept in the English language and shall, at all times during regular business hours of the day, be subject to inspection by the Illinois Department or its duly authorized agents and employees.

(g) The Illinois Department may, by rule, provide a hospital provider a reasonable opportunity to request a clarification or correction of any clerical or computational errors contained in the calculation of its assessment, but such corrections shall not extend to updating the cost report information used to calculate the assessment.

(h) (Blank).

(305 ILCS 5/5A-10) (from Ch. 23, par. 5A-10)

Sec. 5A-10. Applicability.

(a) The assessment imposed by subsection (a) of Section 5A-2 shall cease to be imposed and the Department's obligation to make payments shall immediately cease, and any moneys remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid by them, if:

(1) The payments to hospitals required under this Article are not eligible for federal matching funds under Title XIX or XXI of the Social Security Act;

(2) For State fiscal years 2009 through 2014, and for July 1, 2014 through December 31, 2014, the Department of Healthcare and Family Services adopts any administrative rule change to reduce payment rates or alters any payment methodology that reduces any payment rates made to operating hospitals under the approved Title XIX or Title XXI State plan in effect January 1, 2008 except for:

(A) any changes for hospitals described in subsection (b) of Section 5A-3;

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(B) any rates for payments made under this Article V-A;
(C) any changes proposed in State plan amendment transmittal numbers 08-01, 08-02, 08-04, 08-06, and 08-07;
(D) in relation to any admissions on or after January 1, 2011, a modification in the methodology for calculating outlier payments to hospitals for exceptionally costly stays, for hospitals reimbursed under the diagnosis-related grouping methodology in effect on July 1, 2011; provided that the Department shall be limited to one such modification during the 36-month period after the effective date of this amendatory Act of the 96th General Assembly; or
(E) any changes affecting hospitals authorized by Public Act 97-689; or
(F) any changes authorized by Section 14-12 of this Code, or for any changes authorized under Section 5A-15 of this Code.

(b) The assessment imposed by Section 5A-2 shall not take effect or shall cease to be imposed, and the Department's obligation to make payments shall immediately cease, if the assessment is determined to be an impermissible tax under Title XIX of the Social Security Act. Moneys in the Hospital Provider Fund derived from assessments imposed prior thereto shall be disbursed in accordance with Section 5A-8 to the extent federal financial participation is not reduced due to the impermissibility of the assessments, and any remaining moneys shall be refunded to hospital providers in proportion to the amounts paid by them.

(c) The assessments imposed by subsection (b-5) of Section 5A-2 shall not take effect or shall cease to be imposed, the Department's obligation to make payments shall immediately cease, and any moneys remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid by them, if the payments to hospitals required under Section 5A-12.4 are not eligible for federal matching funds under Title XIX of the Social Security Act.

(d) The assessments imposed by Section 5A-2 shall not take effect or shall cease to be imposed, the Department's obligation to make payments shall immediately cease, and any moneys remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid by them, if:
(1) for State fiscal years 2013 through 2018, and July 1, 2014 through December 31, 2014, the Department reduces any

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payment rates to hospitals as in effect on May 1, 2012, or alters any payment methodology as in effect on May 1, 2012, that has the effect of reducing payment rates to hospitals, except for any changes affecting hospitals authorized in Public Act 97-689 and any changes authorized by Section 14-12 of this Code, and except for any changes authorized under Section 5A-15; or

(2) for State fiscal years 2013 through 2018, and July 1, 2014 through December 31, 2014, the Department reduces any supplemental payments made to hospitals below the amounts paid for services provided in State fiscal year 2011 as implemented by administrative rules adopted and in effect on or prior to June 30, 2011, except for any changes affecting hospitals authorized in Public Act 97-689 and any changes authorized by Section 14-12 of this Code, and except for any changes authorized under Section 5A-15; or:

(3) for State fiscal years 2015 through 2018, the Department reduces the overall effective rate of reimbursement to hospitals below the level authorized under Section 14-12 of this Code, except for any changes under Section 14-12 or Section 5A-15 of this Code.

(Source: P.A. 97-72, eff. 7-1-11; 97-74, eff. 6-30-11; 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; 98-463, eff. 8-16-13.)

(305 ILCS 5/5A-14)
Sec. 5A-14. Repeal of assessments and disbursements.
(a) Section 5A-2 is repealed on July 1, 2018.
(b) Section 5A-12 is repealed on January 1, 2015.
(c) Section 5A-12.1 is repealed on July 1, 2008.
(d) Section 5A-12.2 and Section 5A-12.4 are repealed on July 1, 2018.
(e) Section 5A-12.3 is repealed on July 1, 2011.
(Source: P.A. 96-821, eff. 11-20-09; 96-1530, eff. 2-16-11; 97-688, eff. 6-14-12; 97-689, eff. 6-14-12.)

Article 45
Section 45-5. The Illinois Public Aid Code is amended by changing Section 14-8 and by adding Section 14-12 as follows:

(305 ILCS 5/14-8) (from Ch. 23, par. 14-8)
Sec. 14-8. Disbursements to Hospitals.
(a) For inpatient hospital services rendered on and after September 1, 1991, the Illinois Department shall reimburse hospitals for inpatient services at an inpatient payment rate calculated for each hospital based upon the New matter indicated by italics - deletions by strikeout
Medicare Prospective Payment System as set forth in Sections 1886(b), (d), (g), and (h) of the federal Social Security Act, and the regulations, policies, and procedures promulgated thereunder, except as modified by this Section. Payment rates for inpatient hospital services rendered on or after September 1, 1991 and on or before September 30, 1992 shall be calculated using the Medicare Prospective Payment rates in effect on September 1, 1991. Payment rates for inpatient hospital services rendered on or after October 1, 1992 and on or before March 31, 1994 shall be calculated using the Medicare Prospective Payment rates in effect on September 1, 1992. Payment rates for inpatient hospital services rendered on or after April 1, 1994 shall be calculated using the Medicare Prospective Payment rates (including the Medicare grouping methodology and weighting factors as adjusted pursuant to paragraph (1) of this subsection) in effect 90 days prior to the date of admission. For services rendered on or after July 1, 1995, the reimbursement methodology implemented under this subsection shall not include those costs referred to in Sections 1886(d)(5)(B) and 1886(h) of the Social Security Act. The additional payment amounts required under Section 1886(d)(5)(F) of the Social Security Act, for hospitals serving a disproportionate share of low-income or indigent patients, are not required under this Section. For hospital inpatient services rendered on or after July 1, 1995 and on or before June 30, 2014, the Illinois Department shall reimburse hospitals using the relative weighting factors and the base payment rates calculated for each hospital that were in effect on June 30, 1995, less the portion of such rates attributed by the Illinois Department to the cost of medical education.

(1) The weighting factors established under Section 1886(d)(4) of the Social Security Act shall not be used in the reimbursement system established under this Section. Rather, the Illinois Department shall establish by rule Medicaid weighting factors to be used in the reimbursement system established under this Section.

(2) The Illinois Department shall define by rule those hospitals or distinct parts of hospitals that shall be exempt from the reimbursement system established under this Section. In defining such hospitals, the Illinois Department shall take into consideration those hospitals exempt from the Medicare Prospective Payment System as of September 1, 1991. For hospitals defined as exempt under this subsection, the Illinois Department shall by rule establish a reimbursement system for payment of inpatient hospital services rendered on and after September 1, 1991. For all hospitals that are

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children's hospitals as defined in Section 5-5.02 of this Code, the reimbursement methodology shall, through June 30, 1992, net of all applicable fees, at least equal each children's hospital 1990 ICARE payment rates, indexed to the current year by application of the DRI hospital cost index from 1989 to the year in which payments are made. Excepting county providers as defined in Article XV of this Code, hospitals licensed under the University of Illinois Hospital Act, and facilities operated by the Department of Mental Health and Developmental Disabilities (or its successor, the Department of Human Services) for hospital inpatient services rendered on or after July 1, 1995 and on or before June 30, 2014, the Illinois Department shall reimburse children's hospitals, as defined in 89 Illinois Administrative Code Section 149.50(c)(3), at the rates in effect on June 30, 1995, and shall reimburse all other hospitals at the rates in effect on June 30, 1995, less the portion of such rates attributed by the Illinois Department to the cost of medical education. For inpatient hospital services provided on or after August 1, 1998, the Illinois Department may establish by rule a means of adjusting the rates of children's hospitals, as defined in 89 Illinois Administrative Code Section 149.50(c)(3), that did not meet that definition on June 30, 1995, in order for the inpatient hospital rates of such hospitals to take into account the average inpatient hospital rates of those children's hospitals that did meet the definition of children's hospitals on June 30, 1995.

(3) (Blank).

(4) Notwithstanding any other provision of this Section, hospitals that on August 31, 1991, have a contract with the Illinois Department under Section 3-4 of the Illinois Health Finance Reform Act may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care.

(5) In addition to any payments made under this subsection (a), the Illinois Department shall make the adjustment payments required by Section 5-5.02 of this Code; provided, that in the case of any hospital reimbursed under a per case methodology, the Illinois Department shall add an amount equal to the product of the hospital's average length of stay, less one day, multiplied by 20, for inpatient hospital services rendered on or after September 1, 1991 and on or before September 30, 1992.

(b) (Blank).

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(b-5) Excepting county providers as defined in Article XV of this Code, hospitals licensed under the University of Illinois Hospital Act, and facilities operated by the Illinois Department of Mental Health and Developmental Disabilities (or its successor, the Department of Human Services), for outpatient services rendered on or after July 1, 1995 and before July 1, 1998 the Illinois Department shall reimburse children's hospitals, as defined in the Illinois Administrative Code Section 149.50(c)(3), at the rates in effect on June 30, 1995, less that portion of such rates attributed by the Illinois Department to the outpatient indigent volume adjustment and shall reimburse all other hospitals at the rates in effect on June 30, 1995, less the portions of such rates attributed by the Illinois Department to the cost of medical education and attributed by the Illinois Department to the outpatient indigent volume adjustment. For outpatient services provided on or after July 1, 1998 and on or before June 30, 2014, reimbursement rates shall be established by rule.

(c) In addition to any other payments under this Code, the Illinois Department shall develop a hospital disproportionate share reimbursement methodology that, effective July 1, 1991, through September 30, 1992, shall reimburse hospitals sufficiently to expend the fee monies described in subsection (b) of Section 14-3 of this Code and the federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department as required by this subsection (c) and Section 14-2 that are attributable to fee monies deposited in the Fund, less amounts applied to adjustment payments under Section 5-5.02.

(d) Critical Care Access Payments.

(1) In addition to any other payments made under this Code, the Illinois Department shall develop a reimbursement methodology that shall reimburse Critical Care Access Hospitals for the specialized services that qualify them as Critical Care Access Hospitals. No adjustment payments shall be made under this subsection on or after July 1, 1995.

(2) "Critical Care Access Hospitals" includes, but is not limited to, hospitals that meet at least one of the following criteria:

(A) Hospitals located outside of a metropolitan statistical area that are designated as Level II Perinatal Centers and that provide a disproportionate share of perinatal services to recipients; or

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(B) Hospitals that are designated as Level I Trauma Centers (adult or pediatric) and certain Level II Trauma Centers as determined by the Illinois Department; or
(C) Hospitals located outside of a metropolitan statistical area and that provide a disproportionate share of obstetrical services to recipients.

(e) Inpatient high volume adjustment. For hospital inpatient services, effective with rate periods beginning on or after October 1, 1993, in addition to rates paid for inpatient services by the Illinois Department, the Illinois Department shall make adjustment payments for inpatient services furnished by Medicaid high volume hospitals. The Illinois Department shall establish by rule criteria for qualifying as a Medicaid high volume hospital and shall establish by rule a reimbursement methodology for calculating these adjustment payments to Medicaid high volume hospitals. No adjustment payment shall be made under this subsection for services rendered on or after July 1, 1995.

(f) The Illinois Department shall modify its current rules governing adjustment payments for targeted access, critical care access, and uncompensated care to classify those adjustment payments as not being payments to disproportionate share hospitals under Title XIX of the federal Social Security Act. Rules adopted under this subsection shall not be effective with respect to services rendered on or after July 1, 1995. The Illinois Department has no obligation to adopt or implement any rules or make any payments under this subsection for services rendered on or after July 1, 1995.

(f-5) The State recognizes that adjustment payments to hospitals providing certain services or incurring certain costs may be necessary to assure that recipients of medical assistance have adequate access to necessary medical services. These adjustments include payments for teaching costs and uncompensated care, trauma center payments, rehabilitation hospital payments, perinatal center payments, obstetrical care payments, targeted access payments, Medicaid high volume payments, and outpatient indigent volume payments. On or before April 1, 1995, the Illinois Department shall issue recommendations regarding (i) reimbursement mechanisms or adjustment payments to reflect these costs and services, including methods by which the payments may be calculated and the method by which the payments may be financed, and (ii) reimbursement mechanisms or adjustment payments to reflect costs and services of federally qualified health centers with respect to recipients of medical assistance.

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(g) If one or more hospitals file suit in any court challenging any part of this Article XIV, payments to hospitals under this Article XIV shall be made only to the extent that sufficient monies are available in the Fund and only to the extent that any monies in the Fund are not prohibited from disbursement under any order of the court.

(h) Payments under the disbursement methodology described in this Section are subject to approval by the federal government in an appropriate State plan amendment.

(i) The Illinois Department may by rule establish criteria for and develop methodologies for adjustment payments to hospitals participating under this Article.

(j) Hospital Residing Long Term Care Services. In addition to any other payments made under this Code, the Illinois Department may by rule establish criteria and develop methodologies for payments to hospitals for Hospital Residing Long Term Care Services.

(k) Critical Access Hospital outpatient payments. In addition to any other payments authorized under this Code, the Illinois Department shall reimburse critical access hospitals, as designated by the Illinois Department of Public Health in accordance with 42 CFR 485, Subpart F, for outpatient services at an amount that is no less than the cost of providing such services, based on Medicare cost principles. Payments under this subsection shall be subject to appropriation.

(l) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 97-689, eff. 6-14-12; 98-463, eff. 8-16-13.)

(305 ILCS 5/14-12 new)

Sec. 14-12. Hospital rate reform payment system. The hospital payment system pursuant to Section 14-11 of this Article shall be as follows:

(a) Inpatient hospital services. Effective for discharges on and after July 1, 2014, reimbursement for inpatient general acute care services shall utilize the All Patient Refined Diagnosis Related Grouping (APR-DRG) software, version 30, distributed by 3M Health Information System.

(1) The Department shall establish Medicaid weighting factors to be used in the reimbursement system established under this subsection. Initial weighting factors shall be the weighting factors as published by 3M Health Information System, associated with Version 30.0 adjusted for the Illinois experience.

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(2) The Department shall establish a statewide-standardized amount to be used in the inpatient reimbursement system. The Department shall publish these amounts on its website no later than 10 calendar days prior to their effective date.

(3) In addition to the statewide-standardized amount, the Department shall develop adjusters to adjust the rate of reimbursement for critical Medicaid providers or services for trauma, transplantation services, perinatal care, and Graduate Medical Education (GME).

(4) The Department shall develop add-on payments to account for exceptionally costly inpatient stays, consistent with Medicare outlier principles. Outlier fixed loss thresholds may be updated to control for excessive growth in outlier payments no more frequently than on an annual basis, but at least triennially. Upon updating the fixed loss thresholds, the Department shall be required to update base rates within 12 months.

(5) The Department shall define those hospitals or distinct parts of hospitals that shall be exempt from the APR-DRG reimbursement system established under this Section. The Department shall publish these hospitals' inpatient rates on its website no later than 10 calendar days prior to their effective date.

(6) Beginning July 1, 2014 and ending on June 30, 2018, in addition to the statewide-standardized amount, the Department shall develop an adjustor to adjust the rate of reimbursement for safety-net hospitals defined in Section 5-5e.1 of this Code excluding pediatric hospitals.

(7) Beginning July 1, 2014 and ending on June 30, 2018, in addition to the statewide-standardized amount, the Department shall develop an adjustor to adjust the rate of reimbursement for Illinois freestanding inpatient psychiatric hospitals that are not designated as children’s hospitals by the Department but are primarily treating patients under the age of 21.

(b) Outpatient hospital services. Effective for dates of service on and after July 1, 2014, reimbursement for outpatient services shall utilize the Enhanced Ambulatory Procedure Grouping (E-APG) software, version 3.7 distributed by 3M™ Health Information System.

(1) The Department shall establish Medicaid weighting factors to be used in the reimbursement system established under this subsection. The initial weighting factors shall be the weighting

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factors as published by 3M Health Information System, associated with Version 3.7.

(2) The Department shall establish service specific statewide-standardized amounts to be used in the reimbursement system.

(A) The initial statewide standardized amounts, with the labor portion adjusted by the Calendar Year 2013 Medicare Outpatient Prospective Payment System wage index with reclassifications, shall be published by the Department on its website no later than 10 calendar days prior to their effective date.

(B) The Department shall establish adjustments to the statewide-standardized amounts for each Critical Access Hospital, as designated by the Department of Public Health in accordance with 42 CFR 485, Subpart F. The EAPG standardized amounts are determined separately for each critical access hospital such that simulated EAPG payments using outpatient base period paid claim data plus payments under Section 5A-12.4 of this Code net of the associated tax costs are equal to the estimated costs of outpatient base period claims data with a rate year cost inflation factor applied.

(3) In addition to the statewide-standardized amounts, the Department shall develop adjusters to adjust the rate of reimbursement for critical Medicaid hospital outpatient providers or services, including outpatient high volume or safety-net hospitals.

(c) In consultation with the hospital community, the Department is authorized to replace 89 Ill. Admin. Code 152.150 as published in 38 Ill. Reg. 4980 through 4986 within 12 months of the effective date of this amendatory Act of the 98th General Assembly. If the Department does not replace these rules within 12 months of the effective date of this amendatory Act of the 98th General Assembly, the rules in effect for 152.150 as published in 38 Ill. Reg. 4980 through 4986 shall remain in effect until modified by rule by the Department. Nothing in this subsection shall be construed to mandate that the Department file a replacement rule.

(d) Transition period. There shall be a transition period to the reimbursement systems authorized under this Section that shall begin on the effective date of these systems and continue until June 30, 2018, unless extended by rule by the Department. To help provide an orderly and predictable transition to the new reimbursement systems and to preserve and
enhance access to the hospital services during this transition, the Department shall allocate a transitional hospital access pool of at least $290,000,000 annually so that transitional hospital access payments are made to hospitals.

(1) After the transition period, the Department may begin incorporating the transitional hospital access pool into the base rate structure.

(2) After the transition period, if the Department reduces payments from the transitional hospital access pool, it shall increase base rates, develop new adjustors, adjust current adjustors, develop new hospital access payments based on updated information, or any combination thereof by an amount equal to the decreases proposed in the transitional hospital access pool payments, ensuring that the entire transitional hospital access pool amount shall continue to be used for hospital payments.

(e) Beginning 36 months after initial implementation, the Department shall update the reimbursement components in subsections (a) and (b), including standardized amounts and weighting factors, and at least triennially and no more frequently than annually thereafter. The Department shall publish these updates on its website no later than 30 calendar days prior to their effective date.

(f) Continuation of supplemental payments. Any supplemental payments authorized under Illinois Administrative Code 148 effective January 1, 2014 and that continue during the period of July 1, 2014 through December 31, 2014 shall remain in effect as long as the assessment imposed by Section 5A-2 is in effect.

(g) Notwithstanding subsections (a) through (f) of this Section, any updates to the system shall not result in any diminishment of the overall effective rates of reimbursement as of the implementation date of the new system (July 1, 2014). These updates shall not preclude variations in any individual component of the system or hospital rate variations. Nothing in this Section shall prohibit the Department from increasing the rates of reimbursement or developing payments to ensure access to hospital services. Nothing in this Section shall be construed to guarantee a minimum amount of spending in the aggregate or per hospital as spending may be impacted by factors including but not limited to the number of individuals in the medical assistance program and the severity of illness of the individuals.

(h) The Department shall have the authority to modify by rulemaking any changes to the rates or methodologies in this Section as required by the
federal government to obtain federal financial participation for expenditures made under this Section.

(i) Except for subsections (g) and (h) of this Section, the Department shall, pursuant to subsection (c) of Section 5-40 of the Illinois Administrative Procedure Act, provide for presentation at the June 2014 hearing of the Joint Committee on Administrative Rules (JCAR) additional written notice to JCAR of the following rules in order to commence the second notice period for the following rules: rules published in the Illinois Register, rule dated February 21, 2014 at 38 Ill. Reg. 4559 (Medical Payment), 4628 (Specialized Health Care Delivery Systems), 4640 (Hospital Services), 4932 (Diagnostic Related Grouping (DRG) Prospective Payment System (PPS)), and 4977 (Hospital Reimbursement Changes), and published in the Illinois Register dated March 21, 2014 at 38 Ill. Reg. 6499 (Specialized Health Care Delivery Systems) and 6505 (Hospital Services).

Article 50
Section 50-5. The Specialized Mental Health Rehabilitation Act of 2013 is amended by changing Sections 3-116 and 3-205 as follows:

(210 ILCS 49/3-116)
Sec. 3-116. Experimental research. No consumer shall be subjected to experimental research or treatment without first obtaining his or her informed, written consent. The conduct of any experimental research or treatment shall be authorized and monitored by an institutional review board appointed by the Director of the Department. The membership, operating procedures and review criteria for the institutional review board shall be prescribed under rules and regulations of the Department and shall comply with the requirements for institutional review boards established by the federal Food and Drug Administration. No person who has received compensation in the prior 3 years from an entity that manufactures, distributes, or sells pharmaceuticals, biologics, or medical devices may serve on the institutional review board.

No facility shall permit experimental research or treatment to be conducted on a consumer, or give access to any person or person's records for a retrospective study about the safety or efficacy of any care or treatment, without the prior written approval of the institutional review board. No executive director, or person licensed by the State to provide medical care or treatment to any person, may assist or participate in any experimental research on or treatment of a consumer, including a retrospective study, that does not have the prior written approval of the board. Such conduct shall be

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grounds for professional discipline by the Department of Financial and Professional Regulation.

The institutional review board may exempt from ongoing review research or treatment initiated on a consumer before the individual's admission to a facility and for which the board determines there is adequate ongoing oversight by another institutional review board. Nothing in this Section shall prevent a facility, any facility employee, or any other person from assisting or participating in any experimental research on or treatment of a consumer, if the research or treatment began before the person's admission to a facility, until the board has reviewed the research or treatment and decided to grant or deny approval or to exempt the research or treatment from ongoing review.

(Source: P.A. 98-104, eff. 7-22-13.)

(210 ILCS 49/3-205)

Sec. 3-205. Disclosure of information to public. Standards for the disclosure of information to the public shall be established by rule. These information disclosure standards shall include, but are not limited to, the following: staffing and personnel levels, licensure and inspection information, national accreditation information, consumer charges cost and reimbursement information, and consumer complaint information. Rules for the public disclosure of information shall be in accordance with the provisions for inspection and copying of public records in the Freedom of Information Act. The Department of Healthcare and Family Services shall make facility cost reports available on its website.

(Source: P.A. 98-104, eff. 7-22-13.)

Article 55

Section 55-5. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Supportive Living Facility Fund.

Section 55-10. The Specialized Mental Health Rehabilitation Act of 2013 is amended by adding Section 5-102 as follows:

(210 ILCS 49/5-102 new)

Sec. 5-102. Transition payments. In addition to payments already required by law, the Department of Healthcare and Family Services shall make payments to facilities licensed under this Act in the amount of $29.43 per licensed bed, per day, for the period beginning June 1, 2014 and ending June 30, 2014.

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Section 55-15. The Illinois Public Aid Code is amended by changing Sections 5-5, 5-5.01a, 5-5.2, 5-5.4h, 5-5e, 5-5e.1, 5-5f, 5B-1, 5C-1, 5C-2, and 5C-7 and by adding Section 5C-10 and Article V-G as follows:

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or

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premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

Upon receipt of federal approval of an amendment to the Illinois Title XIX State Plan for this purpose, the Department shall authorize the Chicago Public Schools (CPS) to procure a vendor or vendors to manufacture eyeglasses for individuals enrolled in a school within the CPS system. CPS shall ensure that its vendor or vendors are enrolled as providers in the medical assistance program and in any capitated Medicaid managed care entity (MCE) serving individuals enrolled in a school within the CPS system. Under any contract procured under this provision, the vendor or vendors must serve only individuals enrolled in a school within the CPS system. Claims for services provided by CPS's vendor or vendors to recipients of benefits in the medical assistance program under this Code, the Children's Health Insurance Program, or the Covering ALL KIDS Health Insurance Program shall be submitted to the Department or the MCE in which the individual is enrolled for payment and shall be reimbursed at the Department's or the MCE's established rates or rate methodologies for eyeglasses.

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On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer.

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prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site

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shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

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The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

1. Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.

2. The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.

3. Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the
full extent of the Illinois Optometric Practice Act of 1987 without
discriminating between service providers.

The Department shall apply for a waiver from the United States
Health Care Financing Administration to allow for the implementation of
Partnerships under this Section.

The Illinois Department shall require health care providers to
maintain records that document the medical care and services provided to
recipients of Medical Assistance under this Article. Such records must be
retained for a period of not less than 6 years from the date of service or as
provided by applicable State law, whichever period is longer, except that if
an audit is initiated within the required retention period then the records must
be retained until the audit is completed and every exception is resolved. The
Illinois Department shall require health care providers to make available,
when authorized by the patient, in writing, the medical records in a timely
fashion to other health care providers who are treating or serving persons
eligible for Medical Assistance under this Article. All dispensers of medical
services shall be required to maintain and retain business and professional
records sufficient to fully and accurately document the nature, scope, details
and receipt of the health care provided to persons eligible for medical
assistance under this Code, in accordance with regulations promulgated by
the Illinois Department. The rules and regulations shall require that proof of
the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses
by eligible persons under this Section accompany each claim for
reimbursement submitted by the dispenser of such medical services. No such
claims for reimbursement shall be approved for payment by the Illinois
Department without such proof of receipt, unless the Illinois Department
shall have put into effect and shall be operating a system of post-payment
audit and review which shall, on a sampling basis, be deemed adequate by the
Illinois Department to assure that such drugs, dentures, prosthetic devices and
eyeglasses for which payment is being made are actually being received by
eligible recipients. Within 90 days after the effective date of this amendatory
Act of 1984, the Illinois Department shall establish a current list of
acquisition costs for all prosthetic devices and any other items recognized as
medical equipment and supplies reimbursable under this Article and shall
update such list on a quarterly basis, except that the acquisition costs of all
prescription drugs shall be updated no less frequently than every 30 days as
required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that
a written statement including the required opinion of a physician shall

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accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after July 22, 2013, the effective date of Public Act 98-104 this amendatory Act of the 98th General Assembly, establish procedures to permit skilled care facilities licensed under the Nursing Home Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall have an additional 365 days to test the viability of the new system and to ensure that any necessary operational or structural changes to its information technology platforms are implemented.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department
shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

(2) In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

(4) In the case of a provider operated by a unit of local government with a population exceeding 3,000,000 when local government funds finance federal participation for claims payments. For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

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In the case of long term care facilities, within 5 days of receipt by the facility of required prescreening information, data for new admissions shall be entered into the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System or successor system, and within 15 days of receipt by the facility of required prescreening information, admission documents shall be submitted within 30 days of an admission to the facility through MEDI or REV the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System, or shall be submitted directly to the Department of Human Services using required admission forms. Effective September 1, 2014, admission documents, including all prescreening information, must be submitted through MEDI or REV. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective
methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for

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applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care; and (v) no later than October 1, 2013, establish procedures to permit long term care providers access to eligibility scores for individuals with an admission date who are seeking or receiving services from the long term care provider. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;
(b) actual statistics and trends in the provision of the various medical services by medical vendors;
(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one

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copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

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

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

Because kidney transplantation can be an appropriate, cost effective alternative to renal dialysis when medically necessary and notwithstanding the provisions of Section 1-11 of this Code, beginning October 1, 2014, the Department shall cover kidney transplantation for noncitizens with end-stage renal disease who are not eligible for comprehensive medical benefits, who meet the residency requirements of Section 5-3 of this Code, and who would otherwise meet the financial requirements of the appropriate class of eligible persons under Section 5-2 of this Code. To qualify for coverage of kidney transplantation, such person must be receiving emergency renal dialysis services covered by the Department. Providers under this Section shall be prior approved and certified by the Department to perform kidney transplantation and the services under this Section shall be limited to services associated with kidney transplantation.

(Source: P.A. 97-48, eff. 6-28-11; 97-638, eff. 1-1-12; 97-689, eff. 6-14-12; 97-1061, eff. 8-24-12; 98-104, Article 9, Section 9-5, eff. 7-22-13; 98-104, Article 12, Section 12-20, eff. 7-22-13; 98-303, eff. 8-9-13; 98-463, eff. 8-16-13; revised 9-19-13.)

(305 ILCS 5/5-5.01a)

Sec. 5-5.01a. Supportive living facilities program. The Department shall establish and provide oversight for a program of supportive living facilities that seek to promote resident independence, dignity, respect, and well-being in the most cost-effective manner.

A supportive living facility is either a free-standing facility or a distinct physical and operational entity within a nursing facility. A supportive living facility integrates housing with health, personal care, and supportive

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services and is a designated setting that offers residents their own separate, private, and distinct living units.

Sites for the operation of the program shall be selected by the Department based upon criteria that may include the need for services in a geographic area, the availability of funding, and the site's ability to meet the standards.

Beginning July 1, 2014, subject to federal approval, the Medicaid rates for supportive living facilities shall be equal to the supportive living facility Medicaid rate effective on June 30, 2014 increased by 8.85%. Once the assessment imposed at Article V-G of this Code is determined to be a permissible tax under Title XIX of the Social Security Act, the Department shall increase the Medicaid rates for supportive living facilities effective on July 1, 2014 by 9.09%. The Department shall apply this increase retroactively to coincide with the imposition of the assessment in Article V-G of this Code in accordance with the approval for federal financial participation by the Centers for Medicare and Medicaid Services.

The Department may adopt rules to implement this Section. Rules that establish or modify the services, standards, and conditions for participation in the program shall be adopted by the Department in consultation with the Department on Aging, the Department of Rehabilitation Services, and the Department of Mental Health and Developmental Disabilities (or their successor agencies).

Facilities or distinct parts of facilities which are selected as supportive living facilities and are in good standing with the Department's rules are exempt from the provisions of the Nursing Home Care Act and the Illinois Health Facilities Planning Act.

(Source: P.A. 94-342, eff. 7-26-05.)

(305 ILCS 5/5-5.2) (from Ch. 23, par. 5-5.2)
Sec. 5-5.2. Payment.

(a) All nursing facilities that are grouped pursuant to Section 5-5.1 of this Act shall receive the same rate of payment for similar services.

(b) It shall be a matter of State policy that the Illinois Department shall utilize a uniform billing cycle throughout the State for the long-term care providers.

(c) Notwithstanding any other provisions of this Code, the methodologies for reimbursement of nursing services as provided under this Article shall no longer be applicable for bills payable for nursing services rendered on or after a new reimbursement system based on the Resource

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Utilization Groups (RUGs) has been fully operationalized, which shall take effect for services provided on or after January 1, 2014.

(d) The new nursing services reimbursement methodology utilizing RUG-IV 48 grouper model, which shall be referred to as the RUGs reimbursement system, taking effect January 1, 2014, shall be based on the following:

(1) The methodology shall be resident-driven, facility-specific, and cost-based.

(2) Costs shall be annually rebased and case mix index quarterly updated. The nursing services methodology will be assigned to the Medicaid enrolled residents on record as of 30 days prior to the beginning of the rate period in the Department's Medicaid Management Information System (MMIS) as present on the last day of the second quarter preceding the rate period.

(3) Regional wage adjustors based on the Health Service Areas (HSA) groupings and adjusters in effect on April 30, 2012 shall be included.

(4) Case mix index shall be assigned to each resident class based on the Centers for Medicare and Medicaid Services staff time measurement study in effect on July 1, 2013, utilizing an index maximization approach.

(5) The pool of funds available for distribution by case mix and the base facility rate shall be determined using the formula contained in subsection (d-1).

(d-1) Calculation of base year Statewide RUG-IV nursing base per diem rate.

(1) Base rate spending pool shall be:

(A) The base year resident days which are calculated by multiplying the number of Medicaid residents in each nursing home as indicated in the MDS data defined in paragraph (4) by 365.

(B) Each facility's nursing component per diem in effect on July 1, 2012 shall be multiplied by subsection (A).

(C) Thirteen million is added to the product of subparagraph (A) and subparagraph (B) to adjust for the exclusion of nursing homes defined in paragraph (5).

(2) For each nursing home with Medicaid residents as indicated by the MDS data defined in paragraph (4), weighted days

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adjusted for case mix and regional wage adjustment shall be calculated. For each home this calculation is the product of:

(A) Base year resident days as calculated in subparagraph (A) of paragraph (1).

(B) The nursing home's regional wage adjustor based on the Health Service Areas (HSA) groupings and adjustors in effect on April 30, 2012.

(C) Facility weighted case mix which is the number of Medicaid residents as indicated by the MDS data defined in paragraph (4) multiplied by the associated case weight for the RUG-IV 48 grouper model using standard RUG-IV procedures for index maximization.

(D) The sum of the products calculated for each nursing home in subparagraphs (A) through (C) above shall be the base year case mix, rate adjusted weighted days.

(3) The Statewide RUG-IV nursing base per diem rate:

(A) on January 1, 2014 shall be the quotient of the paragraph (1) divided by the sum calculated under subparagraph (D) of paragraph (2):

(B) on and after July 1, 2014, shall be the amount calculated under subparagraph (A) of this paragraph (3) plus $1.76.

(4) Minimum Data Set (MDS) comprehensive assessments for Medicaid residents on the last day of the quarter used to establish the base rate.

(5) Nursing facilities designated as of July 1, 2012 by the Department as "Institutions for Mental Disease" shall be excluded from all calculations under this subsection. The data from these facilities shall not be used in the computations described in paragraphs (1) through (4) above to establish the base rate.

(e) Beginning July 1, 2014, the Department shall allocate funding in the amount up to $10,000,000 for per diem add-ons to the RUGS methodology for dates of service on and after July 1, 2014:

(1) $0.63 for each resident who scores in I4200 Alzheimer's Disease or I4800 non-Alzheimer's Dementia.

(2) $2.67 for each resident who scores either a "1" or "2" in any items S1200A through S1200I and also scores in RUG groups PA1, PA2, BA1, or BA2.

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Notwithstanding any other provision of this Code, the Department shall by rule develop a reimbursement methodology reflective of the intensity of care and services requirements of low-need residents in the lowest RUG-IV groupers and corresponding regulations. Only that portion of the RUGs Reimbursement System spending pool described in subsection (d-1) attributed to the groupers as of July 1, 2013 for which the methodology in this Section is developed may be diverted for this purpose. The Department shall submit the rules no later than January 1, 2014 for an implementation date no later than January 1, 2015.

If the Department does not implement this reimbursement methodology by the required date, the nursing component per diem on January 1, 2015 for residents classified in RUG-IV groups PA1, PA2, BA1, and BA2 shall be the blended rate of the calculated RUG-IV nursing component per diem and the nursing component per diem in effect on July 1, 2012. This blended rate shall be applied only to nursing homes whose resident population is greater than or equal to 70% of the total residents served and whose RUG-IV nursing component per diem rate is less than the nursing component per diem in effect on July 1, 2012. This blended rate shall be in effect until the reimbursement methodology is implemented or until July 1, 2019, whichever is sooner.

(e-1) (Blank). Notwithstanding any other provision of this Article, rates established pursuant to this subsection shall not apply to any and all nursing facilities designated by the Department as "Institutions for Mental Disease" and shall be excluded from the RUGs Reimbursement System applicable to facilities not designated as "Institutions for the Mentally Diseased" by the Department.

(e-2) For dates of services beginning January 1, 2014, the RUG-IV nursing component per diem for a nursing home shall be the product of the statewide RUG-IV nursing base per diem rate, the facility average case mix index, and the regional wage adjustor. Transition rates for services provided between January 1, 2014 and December 31, 2014 shall be as follows:

(1) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is greater than the nursing component rate in effect July 1, 2012 shall be paid the sum of:

(A) The nursing component rate in effect July 1, 2012; plus

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(B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.88.

(2) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is less than the nursing component rate in effect July 1, 2012 shall be paid the sum of:

(A) The nursing component rate in effect July 1, 2012;

plus

(B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.13.

(f) Notwithstanding any other provision of this Code, on and after July 1, 2012, reimbursement rates associated with the nursing or support components of the current nursing facility rate methodology shall not increase beyond the level effective May 1, 2011 until a new reimbursement system based on the RUGs IV 48 grouper model has been fully operationalized.

(g) Notwithstanding any other provision of this Code, on and after July 1, 2012, for facilities not designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease", rates effective May 1, 2011 shall be adjusted as follows:

(1) Individual nursing rates for residents classified in RUG IV groups PA1, PA2, BA1, and BA2 during the quarter ending March 31, 2012 shall be reduced by 10%;

(2) Individual nursing rates for residents classified in all other RUG IV groups shall be reduced by 1.0%;

(3) Facility rates for the capital and support components shall be reduced by 1.7%.

(h) Notwithstanding any other provision of this Code, on and after July 1, 2012, nursing facilities designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease" and "Institutions for Mental Disease" that are facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013 shall have the nursing, socio-developmental, capital, and support components of their reimbursement rate effective May 1, 2011 reduced in total by 2.7%.

(i) On and after July 1, 2014, the reimbursement rates for the support component of the nursing facility rate for facilities licensed under the Nursing Home Care Act as skilled or intermediate care facilities shall be the rate in effect on June 30, 2014 increased by 8.17%.

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Sec. 5-5.4h. Medicaid reimbursement for long-term care facilities for persons under 22 years of age pediatric skilled nursing facilities.

(a) Facilities licensed as long-term care facilities for persons under 22 years of age uniquely licensed as pediatric skilled nursing facilities that serve severely and chronically ill pediatric patients shall have a specific reimbursement system designed to recognize the characteristics and needs of the patients they serve.

(b) For dates of services starting July 1, 2013 and until a new reimbursement system is designed, long-term care facilities for persons under 22 years of age pediatric skilled nursing facilities that meet the following criteria:

(1) serve exceptional care patients; and
(2) have 30% or more of their patients receiving ventilator care;

shall receive Medicaid reimbursement on a 30-day expedited schedule.

(c) Subject to federal approval of changes to the Title XIX State Plan, for dates of services starting July 1, 2014 and until a new reimbursement system is designed, long-term care facilities for persons under 22 years of age which meet the criteria in subsection (b) of this Section shall receive a per diem rate for clinically complex residents of $304. Clinically complex residents on a ventilator shall receive a per diem rate of $669.

(d) To qualify for the per diem rate of $669 for clinically complex residents on a ventilator pursuant to subsection (c), facilities shall have a policy documenting their method of routine assessment of a resident’s weaning potential with interventions implemented noted in the resident’s record.

(e) For the purposes of this Section, a resident is considered clinically complex if the resident requires at least one of the following medical services:

(1) Tracheostomy care with dependence on mechanical ventilation for a minimum of 6 hours each day.
(2) Tracheostomy care requiring suctioning at least every 6 hours, room air mist or oxygen as needed, and dependence on one of the treatment procedures listed under paragraph (4) excluding the procedure listed in subparagraph (A) of paragraph (4).

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(3) Total parenteral nutrition or other intravenous nutritional support and one of the treatment procedures listed under paragraph (4).

(4) The following treatment procedures apply to the conditions in paragraphs (2) and (3) of this subsection:
   (A) Intermittent suctioning at least every 8 hours and room air mist or oxygen as needed.
   (B) Continuous intravenous therapy including administration of therapeutic agents necessary for hydration or of intravenous pharmaceuticals; or intravenous pharmaceutical administration of more than one agent via a peripheral or central line, without continuous infusion.
   (C) Peritoneal dialysis treatments requiring at least 4 exchanges every 24 hours.
   (D) Tube feeding via nasogastric or gastrostomy tube.
   (E) Other medical technologies required continuously, which in the opinion of the attending physician require the services of a professional nurse.

(Source: P.A. 98-104, eff. 7-22-13.)

(305 ILCS 5/5-5e)
Sec. 5-5e. Adjusted rates of reimbursement.

(a) Rates or payments for services in effect on June 30, 2012 shall be adjusted and services shall be affected as required by any other provision of this amendatory Act of the 97th General Assembly. In addition, the Department shall do the following:
   (1) Delink the per diem rate paid for supportive living facility services from the per diem rate paid for nursing facility services, effective for services provided on or after May 1, 2011.
   (2) Cease payment for bed reserves in nursing facilities and specialized mental health rehabilitation facilities.
   (2.5) Cease payment for bed reserves for purposes of inpatient hospitalizations to intermediate care facilities for persons with development disabilities, except in the instance of residents who are under 21 years of age.
   (3) Cease payment of the $10 per day add-on payment to nursing facilities for certain residents with developmental disabilities.

(b) After the application of subsection (a), notwithstanding any other provision of this Code to the contrary and to the extent permitted by federal

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law, on and after July 1, 2012, the rates of reimbursement for services and other payments provided under this Code shall further be reduced as follows:

(1) Rates or payments for physician services, dental services, or community health center services reimbursed through an encounter rate, and services provided under the Medicaid Rehabilitation Option of the Illinois Title XIX State Plan shall not be further reduced.

(2) Rates or payments, or the portion thereof, paid to a provider that is operated by a unit of local government or State University that provides the non-federal share of such services shall not be further reduced.

(3) Rates or payments for hospital services delivered by a hospital defined as a Safety-Net Hospital under Section 5-5e.1 of this Code shall not be further reduced.

(4) Rates or payments for hospital services delivered by a Critical Access Hospital, which is an Illinois hospital designated as a critical care hospital by the Department of Public Health in accordance with 42 CFR 485, Subpart F, shall not be further reduced.

(5) Rates or payments for Nursing Facility Services shall only be further adjusted pursuant to Section 5-5.2 of this Code.

(6) Rates or payments for services delivered by long term care facilities licensed under the ID/DD Community Care Act and developmental training services shall not be further reduced.

(7) Rates or payments for services provided under capitation rates shall be adjusted taking into consideration the rates reduction and covered services required by this amendatory Act of the 97th General Assembly.

(8) For hospitals not previously described in this subsection, the rates or payments for hospital services shall be further reduced by 3.5%, except for payments authorized under Section 5A-12.4 of this Code.

(9) For all other rates or payments for services delivered by providers not specifically referenced in paragraphs (1) through (8), rates or payments shall be further reduced by 2.7%.

(c) Any assessment imposed by this Code shall continue and nothing in this Section shall be construed to cause it to cease.

(d) Notwithstanding any other provision of this Code to the contrary, subject to federal approval under Title XIX of the Social Security Act, for dates of service on and after July 1, 2014, rates or payments for services provided for the purpose of transitioning children from a hospital to home

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placement or other appropriate setting by a children's community-based health care center authorized under the Alternative Health Care Delivery Act shall be $683 per day.

(e) Notwithstanding any other provision of this Code to the contrary, subject to federal approval under Title XIX of the Social Security Act, for dates of service on and after July 1, 2014, rates or payments for home health visits shall be $72.

(f) Notwithstanding any other provision of this Code to the contrary, subject to federal approval under Title XIX of the Social Security Act, for dates of service on and after July 1, 2014, rates or payments for the certified nursing assistant component of the home health agency rate shall be $20.

(Source: P.A. 97-689, eff. 6-14-12; 98-104, eff. 7-22-13.)

(305 ILCS 5/5-5e.1)
Sec. 5-5e.1. Safety-Net Hospitals.
(a) A Safety-Net Hospital is an Illinois hospital that:
(1) is licensed by the Department of Public Health as a general acute care or pediatric hospital; and
(2) is a disproportionate share hospital, as described in Section 1923 of the federal Social Security Act, as determined by the Department; and
(3) meets one of the following:
   (A) has a MIUR of at least 40% and a charity percent of at least 4%; or
   (B) has a MIUR of at least 50%.
(b) Definitions. As used in this Section:
(1) "Charity percent" means the ratio of (i) the hospital's charity charges for services provided to individuals without health insurance or another source of third party coverage to (ii) the Illinois total hospital charges, each as reported on the hospital's OBRA form.
(2) "MIUR" means Medicaid Inpatient Utilization Rate and is defined as a fraction, the numerator of which is the number of a hospital's inpatient days provided in the hospital's fiscal year ending 3 years prior to the rate year, to patients who, for such days, were eligible for Medicaid under Title XIX of the federal Social Security Act, 42 USC 1396a et seq., excluding those persons eligible for medical assistance pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) as set forth in paragraph 18 of Section 5-2 of this Article, and the denominator of which is the total number of the hospital's inpatient days in that same period, excluding those persons eligible for medical

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assistance pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) as set forth in paragraph 18 of Section 5-2 of this Article.

(3) "OBRA form" means form HFS-3834, OBRA '93 data collection form, for the rate year.

(4) "Rate year" means the 12-month period beginning on October 1.

(c) Beginning July 1, 2012 and ending on June 30, 2018, for the 27-month period beginning July 1, 2012, a hospital that would have qualified for the rate year beginning October 1, 2011, shall be a Safety-Net Hospital.

(d) No later than August 15 preceding the rate year, each hospital shall submit the OBRA form to the Department. Prior to October 1, the Department shall notify each hospital whether it has qualified as a Safety-Net Hospital.

(e) The Department may promulgate rules in order to implement this Section.

(f) Nothing in this Section shall be construed as limiting the ability of the Department to include the Safety-Net Hospitals in the hospital rate reform mandated by Section 14-11 of this Code and implemented under Section 14-12 of this Code and by administrative rulemaking.

(Source: P.A. 97-689, eff. 6-14-12; 98-104, eff. 7-22-13.)

(305 ILCS 5/5-5f)
Sec. 5-5f. Elimination and limitations of medical assistance services.
Notwithstanding any other provision of this Code to the contrary, on and after July 1, 2012:

(a) The following services shall no longer be a covered service available under this Code: group psychotherapy for residents of any facility licensed under the Nursing Home Care Act or the Specialized Mental Health Rehabilitation Act of 2013; and adult chiropractic services.

(b) The Department shall place the following limitations on services:
(i) the Department shall limit adult eyeglasses to one pair every 2 years; (ii) the Department shall set an annual limit of a maximum of 20 visits for each of the following services: adult speech, hearing, and language therapy services, adult occupational therapy services, and physical therapy services; on or after October 1, 2014, the annual maximum limit of 20 visits shall expire but the Department shall require prior approval for all individuals for speech, hearing, and language therapy services, occupational therapy services, and physical therapy services; (iii) the Department shall limit adult podiatry services to individuals with diabetes; on or after October 1, 2014, podiatry services shall not be limited to individuals with diabetes; (iv) the
Department shall pay for caesarean sections at the normal vaginal delivery rate unless a caesarean section was medically necessary; (v) the Department shall limit adult dental services to emergencies; beginning July 1, 2013, the Department shall ensure that the following conditions are recognized as emergencies: (A) dental services necessary for an individual in order for the individual to be cleared for a medical procedure, such as a transplant; (B) extractions and dentures necessary for a diabetic to receive proper nutrition; (C) extractions and dentures necessary as a result of cancer treatment; and (D) dental services necessary for the health of a pregnant woman prior to delivery of her baby; on or after July 1, 2014, adult dental services shall no longer be limited to emergencies, and dental services necessary for the health of a pregnant woman prior to delivery of her baby shall continue to be covered; and (vi) effective July 1, 2012, the Department shall place limitations and require concurrent review on every inpatient detoxification stay to prevent repeat admissions to any hospital for detoxification within 60 days of a previous inpatient detoxification stay. The Department shall convene a workgroup of hospitals, substance abuse providers, care coordination entities, managed care plans, and other stakeholders to develop recommendations for quality standards, diversion to other settings, and admission criteria for patients who need inpatient detoxification, which shall be published on the Department's website no later than September 1, 2013.

(c) The Department shall require prior approval of the following services: wheelchair repairs costing more than $400, coronary artery bypass graft, and bariatric surgery consistent with Medicare standards concerning patient responsibility. Wheelchair repair prior approval requests shall be adjudicated within one business day of receipt of complete supporting documentation. Providers may not break wheelchair repairs into separate claims for purposes of staying under the $400 threshold for requiring prior approval. The wholesale price of manual and power wheelchairs, durable medical equipment and supplies, and complex rehabilitation technology products and services shall be defined as actual acquisition cost including all discounts.

(d) The Department shall establish benchmarks for hospitals to measure and align payments to reduce potentially preventable hospital readmissions, inpatient complications, and unnecessary emergency room visits. In doing so, the Department shall consider items, including, but not limited to, historic and current acuity of care and historic and current trends in readmission. The Department shall publish provider-specific historical readmission data and anticipated potentially preventable targets 60 days prior

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to the start of the program. In the instance of readmissions, the Department shall adopt policies and rates of reimbursement for services and other payments provided under this Code to ensure that, by June 30, 2013, expenditures to hospitals are reduced by, at a minimum, $40,000,000.

(e) The Department shall establish utilization controls for the hospice program such that it shall not pay for other care services when an individual is in hospice.

(f) For home health services, the Department shall require Medicare certification of providers participating in the program and implement the Medicare face-to-face encounter rule. The Department shall require providers to implement auditable electronic service verification based on global positioning systems or other cost-effective technology.

(g) For the Home Services Program operated by the Department of Human Services and the Community Care Program operated by the Department on Aging, the Department of Human Services, in cooperation with the Department on Aging, shall implement an electronic service verification based on global positioning systems or other cost-effective technology.

(h) Effective with inpatient hospital admissions on or after July 1, 2012, the Department shall reduce the payment for a claim that indicates the occurrence of a provider-preventable condition during the admission as specified by the Department in rules. The Department shall not pay for services related to an other provider-preventable condition.

As used in this subsection (h):

"Provider-preventable condition" means a health care acquired condition as defined under the federal Medicaid regulation found at 42 CFR 447.26 or an other provider-preventable condition.

"Other provider-preventable condition" means a wrong surgical or other invasive procedure performed on a patient, a surgical or other invasive procedure performed on the wrong body part, or a surgical procedure or other invasive procedure performed on the wrong patient.

(i) The Department shall implement cost savings initiatives for advanced imaging services, cardiac imaging services, pain management services, and back surgery. Such initiatives shall be designed to achieve annual costs savings.

(j) The Department shall ensure that beneficiaries with a diagnosis of epilepsy or seizure disorder in Department records will not require prior approval for anticonvulsants.
Sec. 5B-1. Definitions. As used in this Article, unless the context requires otherwise:

"Fund" means the Long-Term Care Provider Fund.

"Long-term care facility" means (i) a nursing facility, whether public or private and whether organized for profit or not-for-profit, that is subject to licensure by the Illinois Department of Public Health under the Nursing Home Care Act or the ID/DD Community Care Act, including a county nursing home directed and maintained under Section 5-1005 of the Counties Code, and (ii) a part of a hospital in which skilled or intermediate long-term care services within the meaning of Title XVIII or XIX of the Social Security Act are provided; except that the term "long-term care facility" does not include a facility operated by a State agency or operated solely as an intermediate care facility for the mentally retarded within the meaning of Title XIX of the Social Security Act.

"Long-term care provider" means (i) a person licensed by the Department of Public Health to operate and maintain a skilled nursing or intermediate long-term care facility or (ii) a hospital provider that provides skilled or intermediate long-term care services within the meaning of Title XVIII or XIX of the Social Security Act. For purposes of this paragraph, "person" means any political subdivision of the State, municipal corporation, individual, firm, partnership, corporation, company, limited liability company, association, joint stock association, or trust, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court. "Hospital provider" means a person licensed by the Department of Public Health to conduct, operate, or maintain a hospital.

"Occupied bed days" shall be computed separately for each long-term care facility operated or maintained by a long-term care provider, and means the sum for all beds of the number of days during the month on which each bed was occupied by a resident, other than a resident for whom Medicare Part A is the primary payer. For a resident whose care is covered by the Medicare Medicaid Alignment initiative demonstration, Medicare Part A is considered the primary payer.

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Sec. 5C-1. Definitions. As used in this Article, unless the context requires otherwise:

"Fund" means the Care Provider Fund for Persons with a Developmental Disability.

"Developmentally disabled care facility" means an intermediate care facility for the intellectually disabled within the meaning of Title XIX of the Social Security Act, whether public or private and whether organized for profit or not-for-profit, but shall not include any facility operated by the State.

"Developmentally disabled care provider" means a person conducting, operating, or maintaining a developmentally disabled care facility. For this purpose, "person" means any political subdivision of the State, municipal corporation, individual, firm, partnership, corporation, company, limited liability company, association, joint stock association, or trust, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Adjusted gross developmentally disabled care revenue" shall be computed separately for each developmentally disabled care facility conducted, operated, or maintained by a developmentally disabled care provider, and means the developmentally disabled care provider's total revenue for inpatient residential services less contractual allowances and discounts on patients' accounts, but does not include non-patient revenue from sources such as contributions, donations or bequests, investments, day training services, television and telephone service, and rental of facility space.

"Long-term care facility for persons under 22 years of age serving clinically complex residents" means a facility licensed by the Department of Public Health as a long-term care facility for persons under 22 meeting the qualifications of Section 5-5.4h of this Code.

(Source: P.A. 97-227, eff. 1-1-12; 98-463, eff. 8-16-13.)

(305 ILCS 5/5C-2) (from Ch. 23, par. 5C-2)

Sec. 5C-2. Assessment; no local authorization to tax.

(a) For the privilege of engaging in the occupation of developmentally disabled care provider, an assessment is imposed upon each developmentally disabled care provider in an amount equal to 6%, or the maximum allowed under federal regulation, whichever is less, of its adjusted gross developmentally disabled care revenue for the prior State fiscal year. Notwithstanding any provision of any other Act to the contrary, this assessment shall be construed as a tax, but may not be added to the charges of an individual's nursing home care that is paid for in whole, or in part, by

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a federal, State, or combined federal-state medical care program, except those individuals receiving Medicare Part B benefits solely.

(b) Nothing in this amendatory Act of 1995 shall be construed to authorize any home rule unit or other unit of local government to license for revenue or impose a tax or assessment upon a developmentally disabled care provider or the occupation of developmentally disabled care provider, or a tax or assessment measured by the income or earnings of a developmentally disabled care provider.

(c) Effective July 1, 2013, for the privilege of engaging in the occupation of long-term care facility for persons under 22 years of age serving clinically complex residents provider, an assessment is imposed upon each long-term care facility for persons under 22 years of age serving clinically complex residents provider in the same amount and upon the same conditions and requirements as imposed in Article V-B of this Code and a license fee is imposed in the same amount and upon the same conditions and requirements as imposed in Article V-E of this Code. Notwithstanding any provision of any other Act to the contrary, the assessment and license fee imposed by this subsection (c) shall be construed as a tax, but may not be added to the charges of an individual's nursing home care that is paid for in whole, or in part, by a federal, State, or combined federal-State medical care program, except for those individuals receiving Medicare Part B benefits solely.

(Source: P.A. 95-707, eff. 1-11-08.)

(305 ILCS 5/5C-7) (from Ch. 23, par. 5C-7)
Sec. 5C-7. Care Provider Fund for Persons with a Developmental Disability.

(a) There is created in the State Treasury the Care Provider Fund for Persons with a Developmental Disability. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving and disbursing assessment moneys in accordance with this Article. Disbursements from the Fund shall be made only as follows:

(1) For payments to intermediate care facilities for the developmentally disabled under Title XIX of the Social Security Act and Article V of this Code.

(2) For the reimbursement of moneys collected by the Illinois Department through error or mistake, and to make required payments under Section 5-4.28(a)(1) of this Code if there are no moneys

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available for such payments in the Medicaid Developmentally Disabled Provider Participation Fee Trust Fund.

(3) For payment of administrative expenses incurred by the Department of Human Services or its agent or the Illinois Department or its agent in performing the activities authorized by this Article.

(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

(5) For making transfers to the General Obligation Bond Retirement and Interest Fund as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

(6) For making refunds as required under Section 5C-10 of this Article.

Disbursements from the Fund, other than transfers to the General Obligation Bond Retirement and Interest Fund, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the developmentally disabled care provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) Any balance in the Medicaid Developmentally Disabled Care Provider Participation Fee Trust Fund in the State Treasury. The balance shall be transferred to the Fund upon certification by the Illinois Department to the State Comptroller that all of the disbursements required by Section 5-4.21(b) of this Code have been made.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(Source: P.A. 98-463, eff. 8-16-13.)

(305 ILCS 5/5C-10 new)

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Sec. 5C-10. Adjustments. For long-term care facilities for persons under 22 years of age serving clinically complex residents previously classified as developmentally disabled care facilities under this Article, the Department shall refund any amounts paid under this Article in State fiscal year 2014 by the end of State fiscal year 2015 with at least half the refund amount being made prior to December 31, 2014. The amounts refunded shall be based on amounts paid by the facilities to the Department as the assessment under subsection (a) of Section 5C-2 less any assessment and license fee due for State fiscal year 2014.

(305 ILCS 5/Art. V-G heading new)
ARTICLE V-G. SUPPORTIVE LIVING FACILITY FUNDING.
(305 ILCS 5/5G-5 new)
Sec. 5G-5. Definitions. As used in this Article, unless the context requires otherwise:
"Care days" shall be computed separately for each supportive living facility, and means the sum for all apartment units, the number of days during the month which each apartment unit was occupied by a resident.
"Department" means the Department of Healthcare and Family Services.
"Fund" means the Supportive Living Facility Fund.
"Supportive living facility" means an enrolled supportive living site as described under Section 5-5.01a of this Code that meets the participation requirements under Section 146.215 of Title 89 of the Illinois Administrative Code.

(305 ILCS 5/5G-10 new)
Sec. 5G-10. Assessment.
(a) Subject to Section 5G-45, beginning July 1, 2014, an annual assessment on health care services is imposed on each supportive living facility in an amount equal to $2.30 multiplied by the supportive living facility's care days. This assessment shall not be billed or passed on to any resident of a supportive living facility.
(b) Nothing in this Section shall be construed to authorize any home rule unit or other unit of local government to license for revenue or impose a tax or assessment upon supportive living facilities or the occupation of operating a supportive living facility, or a tax or assessment measured by the income or earnings or care days of a supportive living facility.
(c) The assessment imposed by this Section shall not be due and payable, however, until after the Department notifies the supportive living facilities, in writing, that the payment methodologies to supportive living facilities.

New matter indicated by italics - deletions by strikeout
facilities required under Section 5-5.01a of this Code have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services.

(305 ILCS 5/5G-15 new)

Sec. 5G-15. Payment of assessment; penalty.

(a) The assessment imposed by Section 5G-10 shall be due and payable in monthly installments on the last State business day of the month for care days reported for the preceding third month prior to the month in which the assessment is payable and due. A facility that has delayed payment due to the State's failure to reimburse for services rendered may request an extension on the due date for payment pursuant to subsection (c) and shall pay the assessment within 30 days of reimbursement by the Department.

(b) The Department shall provide for an electronic submission process for each supportive living facility to report at a minimum the number of care days of the supportive living facility for the reporting period and other reasonable information the Department requires for the administration of its responsibilities under this Code. The Department shall prepare an assessment bill stating the amount due and payable each month and submit it to each supportive living facility via an electronic process. To the extent practicable, the Department shall coordinate the assessment reporting requirements with other reporting required of supportive living facilities.

(c) The Department is authorized to establish delayed payment schedules for supportive living facilities that are unable to make assessment payments when due under this Section due to financial difficulties, as determined by the Department. The Department may not deny a request for delay of payment of the assessment imposed under this Article if the supportive living facility has not been paid for services provided during the month in which the assessment is levied.

(d) If a supportive living facility fails to pay the full amount of an assessment payment when due (including any extensions granted under subsection (c)), there shall, unless waived by the Department for reasonable cause, be added to the assessment imposed by Section 5G-10 a penalty assessment equal to the lesser of (i) 1% of the amount of the assessment payment not paid on or before the due date plus 1% of the portion thereof remaining unpaid on the last day of each month thereafter or (ii) 100% of the assessment payment amount not paid on or before the due date. For purposes
of this subsection, payments will be credited first to unpaid assessment payment amounts (rather than to penalty or interest), beginning with the most delinquent assessment payments. Payment cycles of longer than 30 days shall be one factor the Director takes into account in granting a waiver under this Section.

(e) No installment of the assessment imposed by Section 5G-10 shall be due and payable until after the Department notifies the supportive living facilities, in writing, that the payment methodologies to supportive living facilities required under Section 5-5.01a of this Code have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. Upon notification to the Department of approval of the payment methodologies required under Section 5-5.01a of this Code and the waivers granted under 42 CFR 433.68, all installments otherwise due under this Section prior to the date of notification shall be due and payable to the Department upon written direction from the Department within 90 days after issuance by the Comptroller of the payments required under Section 5-5.01a of this Code.

(305 ILCS 5/5G-20 new)

Sec. 5G-20. Reporting; penalty; maintenance of records.

(a) Every supportive living facility subject to assessment under this Article shall report the number care days of the supportive living facility for the reporting period on or before the last business day of the month following the reporting period. Each supportive living facility shall ensure that an accurate e-mail address is on file with the Department in order for the Department to prepare and send an electronic bill to the supportive living facility.

(b) If a supportive living facility fails to file its monthly report with the Department when due, there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment due a penalty assessment equal to 25% of the assessment due.

(c) Every supportive living facility subject to assessment under this Article shall keep records and books that will permit the determination of care days on a calendar year basis. All such books and records shall be kept in the English language and shall, at all times during business hours of the day, be subject to inspection by the Department or its duly authorized agents and employees.

New matter indicated by italics - deletions by strikeout
(d) Notwithstanding any other provision of this Article, a facility that commences operating or maintaining a supportive living facility that was under a prior ownership and remained enrolled as a Medicaid facility by the Department shall notify the Department of the change in ownership and shall be responsible to immediately pay any prior amounts owed by the facility.

(e) The Department shall develop a procedure for sharing with a potential buyer of a facility information regarding outstanding assessments and penalties owed by that facility.

(305 ILCS 5/5G-25 new)
Sec. 5G-25. Disposition of proceeds. The Department shall pay all moneys received from supportive living facilities under this Article into the Supportive Living Facility Fund. Upon certification by the Department to the State Comptroller of its intent to withhold from a facility under Section 5G-30(b), the State Comptroller shall draw a warrant on the treasury or other fund held by the State Treasurer, as appropriate. The warrant shall state the amount for which the facility is entitled to a warrant, the amount of the deduction, and the reason therefor and shall direct the State Treasurer to pay the balance to the facility, all in accordance with Section 10.05 of the State Comptroller Act. The warrant also shall direct the State Treasurer to transfer the amount of the deduction so ordered from the treasury or other fund into the Supportive Living Facility Fund.

(305 ILCS 5/5G-30 new)
Sec. 5G-30. Administration; enforcement provisions.
(a) The Department shall administer and enforce this Article and collect the assessments and penalty assessments imposed under this Article using procedures employed in its administration of this Code generally and as follows:

(1) The Department may initiate either administrative or judicial proceedings, or both, to enforce provisions of this Article. Administrative enforcement proceedings initiated hereunder shall be governed by the Department's administrative rules. Judicial enforcement proceedings initiated hereunder shall be governed by the rules of procedure applicable in the courts of this State.

(2) No proceedings for collection, refund, credit, or other adjustment of an assessment amount shall be issued more than 3 years after the due date of the assessment, except in the case of an extended period agreed to in writing by the Department and the supportive living facility before the expiration of this limitation period.

New matter indicated by italics - deletions by strikeout
(3) Any unpaid assessment under this Article shall become a lien upon the assets of the supportive living facility upon which it was assessed. If any supportive living facility, outside the usual course of its business, sells or transfers the major part of any one or more of (A) the real property and improvements, (B) the machinery and equipment, or (C) the furniture or fixtures, of any supportive living facility that is subject to the provisions of this Article, the seller or transferor shall pay the Department the amount of any assessment, assessment penalty, and interest (if any) due from it under this Article up to the date of the sale or transfer. If the seller or transferor fails to pay any assessment, assessment penalty, and interest (if any) due, the purchaser or transferee of such asset shall be liable for the amount of the assessment, penalty, and interest (if any) up to the amount of the reasonable value of the property acquired by the purchaser or transferee. The purchaser or transferee shall continue to be liable until the purchaser or transferee pays the full amount of the assessment, penalty, and interest (if any) up to the amount of the reasonable value of the property acquired by the purchaser or transferee or until the purchaser or transferee receives from the Department a certificate showing that such assessment, penalty, and interest have been paid or a certificate from the Department showing that no assessment, penalty, or interest is due from the seller or transferor under this Article.

(b) In addition to any other remedy provided for and without sending a notice of assessment liability, the Department may collect an unpaid assessment by withholding, as payment of the assessment, reimbursements or other amounts otherwise payable by the Department to the supportive living facility.

(305 ILCS 5/5G-35 new)
Sec. 5G-35. Supportive Living Facility Fund.
(a) There is created in the State treasury the Supportive Living Facility Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving and disbursing moneys in accordance with this Article. Disbursements from the Fund, other than transfers authorized under paragraphs (5) and (6) of this subsection, shall be by warrants drawn by the State Comptroller upon receipt of
vouchers duly executed and certified by the Department. Disbursements from the Fund shall be made only as follows:

(1) For making payments to supportive living facilities as required under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

(2) For the reimbursement of moneys collected by the Department from supportive living facilities through error or mistake in performing the activities authorized under this Code.

(3) For payment of administrative expenses incurred by the Department or its agent in performing administrative oversight activities for the supportive living program or review of new supportive living facility applications.

(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

(5) For making transfers, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

(6) For making transfers to any other fund in the State treasury, but transfers made under this paragraph (6) shall not exceed the amount transferred previously from that other fund into the Supportive Living Facility Fund plus any interest that would have been earned by that fund on the money that had been transferred.

c) The Fund shall consist of the following:

(1) All moneys collected or received by the Department from the supportive living facility assessment imposed by this Article.

(2) All moneys collected or received by the Department from the supportive living facility certification fee imposed by this Article.

(3) All federal matching funds received by the Department as a result of expenditures made by the Department that are attributable to moneys deposited in the Fund.

(4) Any interest or penalty levied in conjunction with the administration of this Article.

(5) Moneys transferred from another fund in the State treasury.

New matter indicated by italics - deletions by strikeout
(6) All other moneys received for the Fund from any other source, including interest earned thereon.

Sec. 5G-40. Certification fee.

(a) The Department shall collect an annual certification fee of $100 per each operational or approved supportive living facility for the purposes of funding the administrative process of reviewing new supportive living facility applications and administrative oversight of the health care services delivered by supportive living facilities.

(b) The certification fee shall be deposited into the Supportive Living Facility Fund. The Department shall maintain a separate accounting of amounts collected under this Section.

Sec. 5G-45. Applicability.

(a) The Department must submit any necessary documentation to the Centers for Medicare and Medicaid Services which allows for an effective date of July 1, 2014 for the requirements of this Article. The documents shall include any necessary documents that satisfy federal public notice requirements, Medicaid state plan amendments, and any Medicaid waiver amendments.

(b) The assessment imposed by Section 5G-10 shall cease to be imposed if the amount of matching federal funds under Title XIX of the Social Security Act is eliminated or significantly reduced on account of the assessment. Any remaining assessments shall be refunded to supportive living facilities in proportion to the amounts of the assessments paid by them.

(c) The certification fee imposed by Section 5G-40 shall cease to be imposed if the amount of matching federal funds under Title XIX of the Social Security Act is eliminated or significantly reduced on account of the certification fee.

Section 55-20. The Immunization Data Registry Act is amended by changing Section 20 as follows:

Sec. 20. Confidentiality of information; release of information; statistics; panel on expanding access.

(a) Records maintained as part of the immunization data registry are confidential.

(b) The Department may release an individual's confidential information to the individual or to the individual's parent or guardian if the individual is less than 18 years of age.
(c) Subject to subsection (d) of this Section, the Department may release information in the immunization data registry concerning an individual to the following entities:

(1) The immunization data registry of another state.
(2) A health care provider or a health care provider's designee.
(3) A local health department.
(4) An elementary or secondary school that is attended by the individual.
(5) A licensed child care center in which the individual is enrolled.
(6) A licensed child-placing agency.
(7) A college or university that is attended by the individual.
(8) The Department of Healthcare and Family Services or a managed care entity contracted with the Department of Healthcare and Family Services to coordinate the provision of medical care to enrollees of the medical assistance program.

(d) Before immunization data may be released to an entity, the entity must enter into an agreement with the Department that provides that information that identifies a patient will not be released to any other person without the written consent of the patient.

(e) The Department may release summary statistics regarding information in the immunization data registry if the summary statistics do not reveal the identity of an individual.

(Source: P.A. 97-117, eff. 7-14-11.)

Article 60

Section 60-5. The Lead Poisoning Prevention Act is amended by adding Section 15.1 as follows:

(410 ILCS 45/15.1 new)

Sec. 15.1. Funding. Beginning July 1, 2014 and ending June 30, 2018, a hospital satisfying the definition, as of July 1, 2014, of Section 5-5e.1 of the Illinois Public Aid Code and located in DuPage County shall pay the sum of $2,000,000 annually in 4 equal quarterly installments to the human poison control center in existence as of July 1, 2014 and established under the authority of this Act.

Article 99

Section 99-1. Severability. If any clause, sentence, Section, exemption, provision, or part of this Act or the application thereof to any person or circumstance shall be adjudged to be unconstitutional or otherwise invalid, the remainder of this Act or its application to persons or
circumstances other than those to which it is held invalid shall not be affected thereby and to this end the provisions of this Act are declared to be severable.

Section 99-2. Any action required by this Act to occur prior to or on June 30, 2014 shall be completed within 30 days after the effective date of this Act.

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

Passed in the General Assembly May 29, 2014.
Approved June 16, 2014.
Effective June 16, 2014.

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Metropolitan Water Reclamation District Act is amended by changing Sections 7h and 9.6c as follows:

(a) Stormwater management in Cook County shall be under the general supervision of the Metropolitan Water Reclamation District of Greater Chicago. The District has the authority to plan, manage, implement, and finance activities relating to stormwater management in Cook County. The authority of the District with respect to stormwater management extends throughout Cook County and is not limited to the area otherwise within the territory and jurisdiction of the District under this Act. For the purposes of this Section, the term "stormwater management" includes, without limitation, the management of floods and floodwaters.

(b) The District may utilize the resources of cooperating local watershed councils (including the stormwater management planning councils created under Section 5-1062.1 of the Counties Code), councils of local governments, the Northeastern Illinois Planning Commission, and similar organizations and agencies. The District may provide those organizations and agencies with funding, on a contractual basis, for providing information to the District, providing information to the public, or performing other activities related to stormwater management.
The District, in addition to other powers vested in it, may negotiate and enter into agreements with any county for the management of stormwater runoff in accordance with subsection (c) of Section 5-1062 of the Counties Code.

The District may enter into intergovernmental agreements with Cook County or other units of local government that are located in whole or in part outside the District for the purpose of implementing the stormwater management plan and providing stormwater management services in areas not included within the territory of the District.

(c) The District shall prepare and adopt by ordinance a countywide stormwater management plan for Cook County. The countywide plan may incorporate one or more separate watershed plans.

Prior to adopting the countywide stormwater management plan, the District shall hold at least one public hearing thereon and shall afford interested persons an opportunity to be heard.

(d) The District may prescribe by ordinance reasonable rules and regulations for floodplain and stormwater management and for governing the location, width, course, and release rate of all stormwater runoff channels, streams, and basins in Cook County, in accordance with the adopted stormwater management plan. These rules and regulations shall, at a minimum, meet the standards for floodplain management established by the Office of Water Resources of the Department of Natural Resources and the requirements of the Federal Emergency Management Agency for participation in the National Flood Insurance Program.

(e) The District may impose fees on areas outside the District but within Cook County for performance of stormwater management services, including but not limited to, maintenance of streams and the development, design, planning, construction, operation and maintenance of stormwater facilities. The total amount of the fees collected from areas outside of the District but within Cook County shall not exceed the District's annual tax rate for stormwater management within the District multiplied by the aggregate equalized assessed valuation of areas outside of the District but within Cook County. The District may require the unit of local government in which the stormwater services are performed to collect the fee and remit the collected fee to the District. The District is authorized to pay a reasonable administrative fee to the unit of local government for the collection of these fees. All such fees collected by the District shall be held in a separate fund and used for implementation of this Section.
(f) Amounts realized from the tax levy for stormwater management purposes authorized in Section 12 may be used by the District for implementing this Section and for the development, design, planning, construction, operation, and maintenance of regional and local stormwater facilities provided for in the stormwater management plan.

The proceeds of any tax imposed under Section 12 for stormwater management purposes and any revenues generated as a result of the ownership or operation of facilities or land acquired with the proceeds of taxes imposed under Section 12 for stormwater management purposes shall be held in a separate fund and used either for implementing this Section or to abate those taxes.

(g) The District may plan, implement, finance, and operate regional and local stormwater management projects in accordance with the adopted countywide stormwater management plan.

The District shall provide for public review and comment on proposed stormwater management projects. The District shall conform to State and federal requirements concerning public information, environmental assessments, and environmental impacts for projects receiving State or federal funds.

The District may issue bonds under Section 9.6a of this Act for the purpose of funding stormwater management projects.

The District shall not use Cook County Forest Preserve District land for stormwater or flood control projects without the consent of the Forest Preserve District.

The District may acquire, by purchase from a willing seller in a voluntary transaction, real property in furtherance of its regional and local stormwater management activities. Nothing in this Section shall affect the District's powers of condemnation or eminent domain as otherwise set forth in this Act.

(h) Upon the creation and implementation of a county stormwater management plan, the District may petition the circuit court to dissolve any or all drainage districts created pursuant to the Illinois Drainage Code or predecessor Acts that are located entirely within the District.

However, any active drainage district implementing a plan that is consistent with and at least as stringent as the county stormwater management plan may petition the District for exception from dissolution. Upon filing of the petition, the District shall set a date for hearing not less than 2 weeks, nor more than 4 weeks, from the filing thereof, and the District shall give at least one week's notice of the hearing in one or more newspapers of general
circulation within the drainage district, and in addition shall cause a copy of the notice to be personally served upon each of the trustees of the drainage district. At the hearing, the District shall hear the drainage district's petition and allow the drainage district trustees and any interested parties an opportunity to present oral and written evidence. The District shall render its decision upon the petition for exception from dissolution based upon the best interests of the residents of the drainage district. In the event that the exception is not allowed, the drainage district may file a petition with the circuit court within 30 days of the decision. In that case, the notice and hearing requirements for the court shall be the same as provided in this subsection for the petition to the District. The court shall render its decision of whether to dissolve the district based upon the best interests of the residents of the drainage district.

The dissolution of a drainage district shall not affect the obligation of any bonds issued or contracts entered into by the drainage district nor invalidate the levy, extension, or collection of any taxes or special assessments upon the property in the former drainage district. All property and obligations of the former drainage district shall be assumed and managed by the District, and the debts of the former drainage district shall be discharged as soon as practicable.

If a drainage district lies only partly within the District, the District may petition the circuit court to disconnect from the drainage district that portion of the drainage district that lies within the District. The property of the drainage district within the disconnected area shall be assumed and managed by the District. The District shall also assume a portion of the drainage district's debt at the time of disconnection, based on the portion of the value of the taxable property of the drainage district which is located within the area being disconnected.

A drainage district that continues to exist within Cook County shall conform its operations to the countywide stormwater management plan.

(i) The District may assume responsibility for maintaining any stream within Cook County.

(j) The District may, after 10 days written notice to the owner or occupant, enter upon any lands or waters within the county for the purpose of inspecting stormwater facilities or causing the removal of any obstruction to an affected watercourse. The District shall be responsible for any damages occasioned thereby.
(k) The District shall report to the public annually on its activities and expenditures under this Section and the adopted countywide stormwater management plan.

(l) The powers granted to the District under this Section are in addition to the other powers granted under this Act. This Section does not limit the powers of the District under any other provision of this Act or any other law.

(m) This Section does not affect the power or duty of any unit of local government to take actions relating to flooding or stormwater, so long as those actions conform with this Section and the plans, rules, and ordinances adopted by the District under this Section.

A home rule unit located in whole or in part in Cook County (other than a municipality with a population over 1,000,000) may not regulate stormwater management or planning in Cook County in a manner inconsistent with this Section or the plans, rules, and ordinances adopted by the District under this Section; provided, within a municipality with a population over 1,000,000, the stormwater management planning program of Cook County shall be conducted by that municipality or, to the extent provided in an intergovernmental agreement between the municipality and the District, by the District pursuant to this Section; provided further that the power granted to such municipality shall not be inconsistent with existing powers of the District. Pursuant to paragraph (i) of Section 6 of Article VII of the Illinois Constitution, this Section specifically denies and limits the exercise of any power that is inconsistent with this Section by a home rule unit that is a county with a population of 1,500,000 or more or is located, in whole or in part, within such a county, other than a municipality with a population over 1,000,000.

(Source: P.A. 95-669, eff. 10-10-07.)

(70 ILCS 2605/9.6c)

Sec. 9.6c. Local Government Assistance Program; bonds.

(a) The General Assembly finds that governmental units located within the boundaries of the district require assistance in financing the cost of repair, replacement, reconstruction, and rehabilitation of local sewer collection systems to reduce certain excessive sanitary sewer groundwater inflows; that such inflows ultimately result in increased need for treatment and storage facilities of the district; and that the district, in the discretion of its commissioners, advantageously may provide loan funds for such purposes.

(b) For purposes of this Section, the following terms shall have the meanings set forth, as follows:

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The following terms shall have the meanings given to them in the Local Government Debt Reform Act: (A) "alternate bonds"; (B) "applicable law"; (C) "bonds"; (D) "general obligation bonds"; (E) "governmental unit"; (F) "ordinance"; and (G) "revenue source".

"Assistance bonds" means the bonds to be issued by the district to provide funds for the program as authorized in subsection (f) of this Section.

"Assistance program" means the program authorized in this Section by which the district may make loans to local governmental units for any one or more of the following undertaken with respect to the repair, replacement, reconstruction, and rehabilitation of local sewer collection systems: preliminary planning, engineering, architectural, legal, fiscal or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures or other necessary actions, erection, building acquisition, alteration, remodeling, or improvement of such collection systems, or the inspection or supervision of any of the foregoing.

"Loan" means a loan made by the district to a local governmental unit under the assistance program.

"Local governmental unit" means a governmental unit within the boundaries of the district.

"Reconstruction" shall include the construction of totally new lines or systems if reasonably designed to replace obsolete lines or systems.

(c) The commissioners may establish an assistance program.

(d) The commissioners are authorized to do any one or more of the following with respect to the assistance program:

(1) Establish the assistance program as a use or appropriation within the corporate fund of the district.

(2) Accept grants, borrow funds, and appropriate lawfully available funds for the purpose of funding the assistance program.

(3) Make the loans as provided in subsection (e).

(4) Enforce loans with all available remedies as any governmental unit or private person might have with respect to such loans.

(e) The district shall have the power to make loans and local governmental units shall have the power to obtain loans from the district, but only if authorized to borrow under such powers as may be granted to such local governmental units under other applicable law. This Section does not
grant local governmental units separate borrowing power. If authorized to issue bonds under such applicable law, however, the form of the borrowing may be such as the district and the local governmental unit may agree, including, without limitation, a loan agreement made between the district and local governmental unit to evidence the bond. Any such loan agreement shall state the statutory authority under applicable law for the bond it represents but otherwise need not be in any specific form. The district shall have all rights and remedies available to the holder of a bond otherwise issued in the form provided for same under applicable law and also such rights and remedies as may be additionally available under subsection (d)(4) of this Section. The loans may be made upon such terms and at such rates, including expressly below market rates, representing a subsidy of funds from the district to the local governmental units, as the district may specify in the loan agreements.

(f) The district may borrow money and issue its assistance bonds under this Section 9.6c for the purpose of funding the assistance program, which bonds shall be alternate revenue bonds payable from any lawfully available revenue source, including without limitation receipts from the loans. Assistance bonds shall not be subject to any referendum requirement and shall not be treated as indebtedness under any applicable provision of law setting forth a limitation upon or requirement with respect to the legal indebtedness of the district.

(Source: P.A. 90-690, eff. 7-31-98.)

Section 99. Effective date. This Act takes effect upon becoming law. Passed in the General Assembly May 23, 2014
Approved June 18, 2014.
Effective June 18, 2014.

PUBLIC ACT 98-0653
(Senate Bill No. 0497)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Township Code is amended by changing Sections 30-10, 30-50, and 30-205 as follows:

(60 ILCS 1/30-10)
Sec. 30-10. Notice of meeting; agenda.
(a) Notice of the time and place of holding the annual and any special township meetings shall be given by the township clerk (or, in the clerk's

New matter indicated by italics - deletions by strikeout
absence, the supervisor, assessor, or collector) by posting written or printed notices in 3 of the most public places in the township at least 15 days before the meeting and, if there is an English language newspaper published in the township, by at least one publication in that newspaper before the meeting. The notice shall set forth the agenda for the meeting.

(b) Agenda. Not less than 15 days before the annual meeting, the township board shall adopt an agenda for the annual meeting. Any 15 or more registered voters in the township may request an agenda item for consideration by the electors at the annual meeting by giving written notice of a specific request to the township clerk no later than March 1 prior to the annual meeting. The agenda published by the township board shall include any such request made by voters if the request is relevant to powers granted to electors under the Township Code.

(c) Additional agenda items. Any matter or proposal not set forth in the published agenda shall not be considered at the annual meeting other than advising that the matter may be considered at a special meeting of the electors at a later date.

(Source: P.A. 95-761, eff. 7-28-08.)

(60 ILCS 1/30-50)

Sec. 30-50. Purchase and use of property.

(a) The electors may make all orders for the purchase, sale, conveyance, regulation, or use of the township's corporate property (including the direct sale or lease of single township road district property) that may be deemed conducive to the interests of its inhabitants, including the lease, for up to 10 years, or for up to 25 years if the lease is for a wireless telecommunications tower, at fair market value, of corporate property for which no use or need during the lease period is anticipated at the time of leasing. The property may be leased to another governmental body, however, or to a not-for-profit corporation that has contracted to construct or fund the construction of a structure or improvement upon the real estate owned by the township and that has contracted with the township to allow the township to use at least a portion of the structure or improvement to be constructed upon the real estate leased and not otherwise used by the township, for any term not exceeding 50 years and for any consideration. In the case of a not-for-profit corporation, the township shall hold a public hearing on the proposed lease. The township clerk shall give notice of the hearing by publication in a newspaper published in the township, or in a newspaper published in the county and having general circulation in the township if no newspaper is

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published in the township, and by posting notices in at least 5 public places at least 15 days before the public hearing.

(b) If a new tax is to be levied or an existing tax rate is to be increased above the statutory limits for the purchase of the property, however, no action otherwise authorized in subsection (a) shall be taken unless a petition signed by at least 10% of the registered voters residing in the township is presented to the township clerk. If a petition is presented to the township clerk, the clerk shall order a referendum on the proposition. The referendum shall be held at the next annual or special township meeting or at an election in accordance with the general election law. If the referendum is ordered to be held at the township meeting, the township clerk shall give notice that at the next annual or special township meeting the proposition shall be voted upon. The notice shall set forth the proposition and shall be given by publication in a newspaper published in the township. If there is no newspaper published in the township, the notice shall be published in a newspaper published in the county and having general circulation in the township. Notice also shall be given by posting notices in at least 5 public places at least 15 days before the township meeting. If the referendum is ordered to be held at an election, the township clerk shall certify that proposition to the proper election officials, who shall submit the proposition at an election. The proposition shall be submitted in accordance with the general election law.

(c) If the leased property is utilized in part for private use and in part for public use, those portions of the improvements devoted to private use are fully taxable. The land is exempt from taxation to the extent that the uses on the land are public and taxable to the extent that the uses are private.

(d) Before the township makes a lease or sale of township or road district real property, the electors shall adopt a resolution stating the intent to lease or sell the real property, describing the property in full, and stating the terms and conditions the electors deem necessary and desirable for the lease or sale. A resolution stating the intent to sell real property shall also contain pertinent information concerning the size, use, and zoning of the property. The value of real property shall be determined by a State licensed real estate appraiser. The appraisal shall be available for public inspection. The resolution may direct the sale to be conducted by the staff of the township or by listing with local licensed real estate agencies (in which case the terms of the agent's compensation shall be included in the resolution).

Anytime during the year, the township or township road district may dispose of personal property by a vote of the township board or request of the township highway commissioner.

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The clerk shall thereafter publish the resolution or personal property sale notice once in a newspaper published in the township or, if no newspaper is published in the township, in a newspaper generally circulated in the township. If no newspaper is generally circulated in the township, the clerk shall post the resolution or personal property sale notice in 5 of the most public places in the township. In addition to the foregoing publication requirements, the clerk shall post the resolution or personal property sale notice at the office of the township (if township property is involved) or at the office of the road district (if road district property is involved). The following information shall be published or posted with the resolution or personal property sale notice: (i) the date by which all bids must be received by the township or road district, which shall not be less than 30 days after the date of publication or posting, and (ii) the place, time, and date at which bids shall be opened, which shall be at a regular meeting of the township board.

All bids shall be opened by the clerk (or someone duly appointed to act for the clerk) at the regular meeting of the township board described in the notice. With respect to township personal property, except personal property valued for sale at $2,500 or less, the township board may accept the high bid or any other bid determined to be in the best interests of the township by a majority vote of the board. With respect to township real property, the township board may accept the high bid or any other bid determined to be in the best interests of the township by a vote of three-fourths of the township board then holding office, but in no event at a price less than 80% of the appraised value. With respect to road district property, except personal property valued for sale at $2,500 or less, the highway commissioner may accept the high bid or any other bid determined to be in the best interests of the road district. In each case, the township board or commissioner may reject any and all bids. With respect to township or road district personal property valued for sale at $2,500 or less, the clerk shall accept at least 2 bids and the township board or highway commissioner shall accept the highest bid. This notice and competitive bidding procedure shall not be followed when property is leased to another governmental body. The notice and competitive bidding procedure shall not be followed when property is declared surplus by the electors and sold to another governmental body.

(e) A trade-in of machinery or equipment on new or different machinery or equipment does not constitute the sale of township or road district property.
(Source: P.A. 97-337, eff. 8-12-11.)

(60 ILCS 1/30-205)

New matter indicated by italics - deletions by strikeout
Sec. 30-205. Advisory referenda. Any group of registered voters may request an advisory question of public policy for consideration by the electors at the annual meeting by giving written notice of the specific advisory question to the township clerk in the same manner as required for an agenda item under subsection (b) of Section 30-10. The agenda published by the township board shall include any such advisory question if the request is timely filed. By a vote of the majority of electors present at a town meeting, the electors may authorize that an advisory question of public policy, for which notice has been given as required by this Section, be placed on the ballot at the next regularly scheduled election in the township. The township board shall certify the question to the proper election officials, who shall submit the question in accordance with the general election law.

(Source: P.A. 89-331, eff. 8-17-95.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly April 2, 2014.
Approved June 18, 2014.
Effective June 18, 2014.

PUBLIC ACT 98-0654
(Senate Bill No. 3425)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Municipal Code is amended by changing Section 8-4-1 as follows:

(65 ILCS 5/8-4-1) (from Ch. 24, par. 8-4-1)
Sec. 8-4-1. No bonds shall be issued by the corporate authorities of any municipality until the question of authorizing such bonds has been submitted to the electors of that municipality provided that notice of the bond referendum, if held before July 1, 1999, has been given in accordance with the provisions of Section 12-5 of the Election Code in effect at the time of the bond referendum, at least 10 and not more than 45 days before the date of the election, notwithstanding the time for publication otherwise imposed by Section 12-5, and approved by a majority of the electors voting upon that question. Notices required in connection with the submission of public questions on or after July 1, 1999 shall be as set forth in Section 12-5 of the Election Code. The clerk shall certify the proposition of the corporate authorities to the proper election authority who shall submit the question at

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an election in accordance with the general election law, subject to the notice provisions set forth in this Section.

Notice of any such election shall contain the amount of the bond issue, purpose for which issued, and maximum rate of interest.

In addition to all other authority to issue bonds, the Village of Indian Head Park is authorized to issue bonds for the purpose of paying the costs of making roadway improvements in an amount not to exceed the aggregate principal amount of $2,500,000, provided that 60% of the votes cast at the general primary election held on March 18, 2014 are cast in favor of the issuance of the bonds, and the bonds are issued by December 31, 2014.

However, without the submission of the question of issuing bonds to the electors, the corporate authorities of any municipality may authorize the issuance of any of the following bonds:

(1) Bonds to refund any existing bonded indebtedness;
(2) Bonds to fund or refund any existing judgment indebtedness;
(3) In any municipality of less than 500,000 population, bonds to anticipate the collection of installments of special assessments and special taxes against property owned by the municipality and to anticipate the collection of the amount apportioned to the municipality as public benefits under Article 9;
(4) Bonds issued by any municipality under Sections 8-4-15 through 8-4-23, 11-23-1 through 11-23-12, 11-25-1 through 11-26-6, 11-71-1 through 11-71-10, 11-74.3-1 through 11-74.3-7, 11-74.4-1 through 11-74.4-11, 11-74.5-1 through 11-74.5-15, 11-94-1 through 11-94-7, 11-102-1 through 11-102-10, 11-103-11 through 11-103-15, 11-118-1 through 11-118-6, 11-119-1 through 11-119-5, 11-129-1 through 11-129-7, 11-133-1 through 11-133-4, 11-139-1 through 11-139-12, 11-141-1 through 11-141-18 of this Code or 10-801 through 10-808 of the Illinois Highway Code, as amended;
(5) Bonds issued by the board of education of any school district under the provisions of Sections 34-30 through 34-36 of The School Code, as amended;
(6) Bonds issued by any municipality under the provisions of Division 6 of this Article 8; and by any municipality under the provisions of Division 7 of this Article 8; or under the provisions of Sections 11-121-4 and 11-121-5;

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(7) Bonds to pay for the purchase of voting machines by any municipality that has adopted Article 24 of The Election Code, approved May 11, 1943, as amended;
(8) Bonds issued by any municipality under Sections 15 and 46 of the "Environmental Protection Act", approved June 29, 1970;
(9) Bonds issued by the corporate authorities of any municipality under the provisions of Section 8-4-25 of this Article 8;
(10) Bonds issued under Section 8-4-26 of this Article 8 by any municipality having a board of election commissioners;
(11) Bonds issued under the provisions of "An Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and nonhome rule municipalities and counties", approved September 21, 1973;
(12) Bonds issued under Section 8-5-16 of this Code;
(13) Bonds to finance the cost of the acquisition, construction or improvement of water or wastewater treatment facilities mandated by an enforceable compliance schedule developed in connection with the federal Clean Water Act or a compliance order issued by the United States Environmental Protection Agency or the Illinois Pollution Control Board; provided that such bonds are authorized by an ordinance adopted by a three-fifths majority of the corporate authorities of the municipality issuing the bonds which ordinance shall specify that the construction or improvement of such facilities is necessary to alleviate an emergency condition in such municipality;
(14) Bonds issued by any municipality pursuant to Section 11-113.1-1;
(15) Bonds issued under Sections 11-74.6-1 through 11-74.6-45, the Industrial Jobs Recovery Law of this Code;
(16) Bonds issued under the Innovation Development and Economy Act, except as may be required by Section 35 of that Act.

(Source: P.A. 96-939, eff. 6-24-10; 96-1394, eff. 7-29-10; 97-333, eff. 8-12-11.)

AN ACT concerning finance.

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

Section 5. The Local Government Debt Reform Act is amended by changing Section 17.5 as follows:

(30 ILCS 350/17.5)

Sec. 17.5. Bond authorization by referendum.

(a) Whenever applicable law provides that the authorization of or the issuance of bonds is subject to either a referendum or backdoor referendum, the approval, once obtained, remains (i) for 5 years after the date of the referendum or (ii) for 3 years after the end of the petition period for a backdoor referendum. However, whenever the applicable law provides that the authorization of or the issuance of bonds under the Water Pollution Control Loan Program or the Public Water Supply Loan Program, under Title IV-A of the Environmental Protection Act, is subject to either a referendum or backdoor referendum, the approval, once obtained, remains (i) for 7 years after the date of the referendum or (ii) for 5 years after the end of the petition period for a backdoor referendum. In the case of bonds authorized to be issued under the Downstate Forest Preserve District Act and approved by Lake County voters in a November 2008 referendum, the approval, once obtained, remains for 10 years after the date of the referendum. In the case of bonds authorized to be issued under the Counties Code and approved by Jackson County voters in a 1994 referendum, of which less than $200,000 of the original bonds have been issued, and for which the purpose of the bonds is flooding prevention, the approval, once obtained, remains for 25 years after the date of the referendum.

(b) With respect to any bond approval under subsection (a), if, for any reason, the bonds are not issued because of a court action, then the time limits set forth under subsection (a) for the approval for the bonds is tolled during the time that the court action is pending. This subsection (b) applies to any bond issuance approved by referendum held on or after January 1, 2003 or by a backdoor referendum held on or after January 1, 2005.

(Source: P.A. 96-826, eff. 11-25-09; 97-364, eff. 8-15-11.)


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PUBLIC ACT 98-0656
(Senate Bill No. 2671)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Environmental Protection Act is amended by changing Sections 55, 55.1, 55.2, and 55.6 as follows:

Sec. 55. Prohibited activities.
(a) No person shall:
(1) Cause or allow the open dumping of any used or waste tire.
(2) Cause or allow the open burning of any used or waste tire.
(3) Except at a tire storage site which contains more than 50 used tires, cause or allow the storage of any used tire unless the tire is altered, reprocessed, converted, covered, or otherwise prevented from accumulating water.
(4) Cause or allow the operation of a tire storage site except in compliance with Board regulations.
(5) Abandon, dump or dispose of any used or waste tire on private or public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.
(6) Fail to submit required reports, tire removal agreements, or Board regulations.
(b) (Blank.)
(b-1) Beginning January 1, 1995, no person shall knowingly mix any used or waste tire, either whole or cut, with municipal waste, and no owner or operator of a sanitary landfill shall accept any used or waste tire for final disposal; except that used or waste tires, when separated from other waste, may be accepted if: (1) the sanitary landfill provides and maintains a means for shredding, slitting, or chopping whole tires and so treats whole tires and, if approved by the Agency in a permit issued under this Act, uses the used or waste tires for alternative uses, which may include on-site practices such as lining of roadways with tire scraps, alternative daily cover, or use in a leachate collection system or (2) the sanitary landfill, by its notification to the Illinois Industrial Materials Exchange Service, makes available the used or

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waste tire to an appropriate facility for reuse, reprocessing, or converting, including use as an alternate energy fuel. If, within 30 days after notification to the Illinois Industrial Materials Exchange Service of the availability of waste tires, no specific request for the used or waste tires is received by the sanitary landfill, and the sanitary landfill determines it has no alternative use for those used or waste tires, the sanitary landfill may dispose of slit, chopped, or shredded used or waste tires in the sanitary landfill. In the event the physical condition of a used or waste tire makes shredding, slitting, chopping, reuse, reprocessing, or other alternative use of the used or waste tire impractical or infeasible, then the sanitary landfill, after authorization by the Agency, may accept the used or waste tire for disposal.

Sanitary landfills and facilities for reuse, reprocessing, or converting, including use as alternative fuel, shall (i) notify the Illinois Industrial Materials Exchange Service of the availability of and demand for used or waste tires and (ii) consult with the Department of Commerce and Economic Opportunity regarding the status of marketing of waste tires to facilities for reuse.

(c) Any person who sells new or used tires at retail or operates a tire storage site or a tire disposal site which contains more than 50 used or waste tires shall give notice of such activity to the Agency. Any person engaging in such activity for the first time after January 1, 1990, shall give notice to the Agency within 30 days after the date of commencement of the activity. The form of such notice shall be specified by the Agency and shall be limited to information regarding the following:

(1) the name and address of the owner and operator;
(2) the name, address and location of the operation;
(3) the type of operations involving used and waste tires (storage, disposal, conversion or processing); and
(4) the number of used and waste tires present at the location.

(d) Beginning January 1, 1992, no person shall cause or allow the operation of:

(1) a tire storage site which contains more than 50 used tires, unless the owner or operator, by January 1, 1992 (or the January 1 following commencement of operation, whichever is later) and January 1 of each year thereafter, (i) registers the site with the Agency, except that the registration requirement in this item (i) does not apply in the case of a tire storage site required to be permitted under subsection (d-5), (ii) certifies to the Agency that the site complies with any applicable standards adopted by the Board

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pursuant to Section 55.2, (iii) reports to the Agency the number of tires accumulated, the status of vector controls, and the actions taken to handle and process the tires, and (iv) pays the fee required under subsection (b) of Section 55.6; or

(2) a tire disposal site, unless the owner or operator (i) has received approval from the Agency after filing a tire removal agreement pursuant to Section 55.4, or (ii) has entered into a written agreement to participate in a consensual removal action under Section 55.3.

The Agency shall provide written forms for the annual registration and certification required under this subsection (d).

(d-4) On or before January 1, 2015, the owner or operator of each tire storage site that contains used tires totaling more than 10,000 passenger tire equivalents, or at which more than 500 tons of used tires are processed in a calendar year, shall submit documentation demonstrating its compliance with Board rules adopted under this Title. This documentation must be submitted on forms and in a format prescribed by the Agency.

(d-5) Beginning July 1, 2016, no person shall cause or allow the operation of a tire storage site that contains used tires totaling more than 10,000 passenger tire equivalents, or at which more than 500 tons of used tires are processed in a calendar year, without a permit granted by the Agency or in violation of any conditions imposed by that permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to ensure compliance with this Act and with regulations and standards adopted under this Act.

(d-6) No person shall cause or allow the operation of a tire storage site in violation of the financial assurance rules established by the Board under subsection (b) of Section 55.2 of this Act. In addition to the remedies otherwise provided under this Act, the State’s Attorney of the county in which the violation occurred, or the Attorney General, may, at the request of the Agency or on his or her own motion, institute a civil action for an immediate injunction, prohibitory or mandatory, to restrain any violation of this subsection (d-6) or to require any other action as may be necessary to abate or mitigate any immediate danger or threat to public health or the environment at the site. Injunctions to restrain a violation of this subsection (d-6) may include, but are not limited to, the required removal of all tires for which financial assurance is not maintained and a prohibition against the acceptance of tires in excess of the amount for which financial assurance is maintained.
(e) No person shall cause or allow the storage, disposal, treatment or processing of any used or waste tire in violation of any regulation or standard adopted by the Board.

(f) No person shall arrange for the transportation of used or waste tires away from the site of generation with a person known to openly dump such tires.

(g) No person shall engage in any operation as a used or waste tire transporter except in compliance with Board regulations.

(h) No person shall cause or allow the combustion of any used or waste tire in an enclosed device unless a permit has been issued by the Agency authorizing such combustion pursuant to regulations adopted by the Board for the control of air pollution and consistent with the provisions of Section 9.4 of this Act.

(i) No person shall cause or allow the use of pesticides to treat tires except as prescribed by Board regulations.

(j) No person shall fail to comply with the terms of a tire removal agreement approved by the Agency pursuant to Section 55.4.

(k) No person shall:

1. Cause or allow water to accumulate in used or waste tires. The prohibition set forth in this paragraph (1) of subsection (k) shall not apply to used or waste tires located at a residential household, as long as not more than 12 used or waste tires are located at the site.

2. Fail to collect a fee required under Section 55.8 of this Title.

3. Fail to file a return required under Section 55.10 of this Title.

4. Transport used or waste tires in violation of the registration and vehicle placarding requirements adopted by the Board.

(Source: P.A. 96-737, eff. 8-25-09.)

(415 ILCS 5/55.1) (from Ch. 111 1/2, par. 1055.1)

Sec. 55.1.

(a) The prohibitions set forth in subdivision (a)(3) of Section 55 of this Act shall not apply to used tires:

1. generated and located at a site as a result of the growing and harvesting of agricultural crops or the raising of animals, as long as not more than 20 used tires are located at the site;

2. located at a residential household, as long as not more than 12 used tires are located at the site; or

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(3) which were placed in service for recreational purposes
prior to January 1, 1990 at a school, park or playground, provided that
the used tires are altered by January 1, 1992.

(b) The prohibitions set forth in subdivisions (a)(3), (a)(4), (c), (d), (d-5), (d-6), (e), (g), and (k)(4) of Section 55 of this Act shall not apply to used or waste tires collected by a not-for-profit corporation if:

(1) the collection location has been approved by the applicable
general purpose unit of local government;
(2) the collected tires are transported to a facility permitted by
the Agency to store, process or dispose of used or waste tires within
7 days after collection; and
(3) the collection does not occur as a continuous business
operation.

(c) The prohibitions set forth in subdivisions (a)(3), (a)(4), (c), (d), (d-5), (d-6), (e), (g), and (k)(4) of Section 55 of this Act shall not apply to used or waste tires collected by the State or a unit of local government, provided that:

(1) the collection is part of an established program to take
preventive or corrective action regarding such tires;
(2) any staging sites for handling such tires are reasonably
secure and regularly maintained in a safe manner; and
(3) the Agency is notified in writing during January of each
calendar year regarding the location of the staging sites, the number
of such tires accumulated, the status of vector controls, and actions
taken to process such tires.

The Agency shall provide written confirmation to a State agency or
unit of local government regarding the applicability of this subsection upon
receipt of a written description of its established program, and each January
following receipt of the annual report required under subdivision (c)(3) of
this subsection.

For purposes of determining the applicability of this subsection, any
municipality with a population over 1,000,000 may certify to the Agency by
January 1, 1990 that it operates an established program. Upon the filing of
such a certification, the established program shall be deemed to satisfy the
provisions of subdivisions (1) and (2) of this subsection.

(d) The prohibitions set forth in subdivision (a)(5) of Section 55 of
this Act shall not apply to used tires that are generated and located at a
permitted coal mining site after use on specialized coal hauling and extraction
vehicles.

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Sec. 55.2. (a) Not later than July 1, 1990, the Agency shall propose regulations which prescribe standards for the storage, disposal, processing and transportation of used and waste tires.

(b) Not later than one year after the receipt of the Agency's proposed regulations, the Board shall adopt, pursuant to Sections 27 and 28 of this Act, regulations which are consistent with the provisions of this Title. These regulations shall, at a minimum, specify: recordkeeping and reporting requirements; criteria for minimizing the danger of tire fires, including dimensions for piling tires and minimum aisle spacing; financial assurance criteria; and criteria for distinguishing storage from disposal. In addition, such regulations shall prohibit the use of pesticides as an ongoing means of demonstrating compliance with this Title.

(b-5) Not later than 6 months after the effective date of this amendatory Act of the 98th General Assembly, the Agency shall propose, and, not later than 9 months after receipt of the Agency's proposal, the Board shall adopt, revisions to the rules adopted under this Title that are necessary to conform those rules to the requirements of this Title, including, but not limited to, revisions to those rules that are necessary to implement the changes made to this Act by this amendatory Act of the 98th General Assembly.

(c) In adopting regulations under this Section, the Board may impose different requirements for different categories of used or waste tire storage, disposal, transport, and processing.

(d) Nothing in this Section shall be construed as limiting the general authority of the Board to promulgate regulations pursuant to Title VII of this Act.

Sec. 55.6. Used Tire Management Fund.

(a) There is hereby created in the State Treasury a special fund to be known as the Used Tire Management Fund. There shall be deposited into the Fund all monies received as (1) recovered costs or proceeds from the sale of used tires under Section 55.3 of this Act, (2) repayment of loans from the Used Tire Management Fund, or (3) penalties or punitive damages for violations of this Title, except as provided by subdivision (b)(4) or (b)(4-5) of Section 42.
(b) Beginning January 1, 1992, in addition to any other fees required by law, the owner or operator of each site required to be registered or permitted under subsection (d) or (d-5) of Section 55 shall pay to the Agency an annual fee of $100. Fees collected under this subsection shall be deposited into the Environmental Protection Permit and Inspection Fund.

(c) Pursuant to appropriation, monies up to an amount of $2 million per fiscal year from the Used Tire Management Fund shall be allocated as follows:

(1) 38% shall be available to the Agency for the following purposes, provided that priority shall be given to item (i):

   (i) To undertake preventive, corrective or removal action as authorized by and in accordance with Section 55.3, and to recover costs in accordance with Section 55.3.

   (ii) For the performance of inspection and enforcement activities for used and waste tire sites.

   (iii) To assist with marketing of used tires by augmenting the operations of an industrial materials exchange service.

   (iv) To provide financial assistance to units of local government for the performance of inspecting, investigating and enforcement activities pursuant to subsection (r) of Section 4 at used and waste tire sites.

   (v) To provide financial assistance for used and waste tire collection projects sponsored by local government or not-for-profit corporations.

   (vi) For the costs of fee collection and administration relating to used and waste tires, and to accomplish such other purposes as are authorized by this Act and regulations thereunder.

   (vii) To provide financial assistance to units of local government and private industry for the purposes of:

      (A) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

      (B) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

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(C) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(2) For fiscal years beginning prior to July 1, 2004, 23% shall be available to the Department of Commerce and Economic Opportunity for the following purposes, provided that priority shall be given to item (A):

(A) To provide grants or loans for the purposes of:

   (i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize used and waste tires and tire derived materials;

   (ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing and utilizing used and waste tires and tire derived materials; and

   (iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(B) To develop educational material for use by officials and the public to better understand and respond to the problems posed by used tires and associated insects.

(C) (Blank).

(D) To perform such research as the Director deems appropriate to help meet the purposes of this Act.

(E) To pay the costs of administration of its activities authorized under this Act.

(2.1) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 23% shall be deposited into the General Revenue Fund.

(3) 25% shall be available to the Illinois Department of Public Health for the following purposes:

(A) To investigate threats or potential threats to the public health related to mosquitoes and other vectors of disease associated with the improper storage, handling and disposal of tires, improper waste disposal, or natural conditions.

(B) To conduct surveillance and monitoring activities for mosquitoes and other arthropod vectors of disease, and
surveillance of animals which provide a reservoir for disease-producing organisms.

(C) To conduct training activities to promote vector control programs and integrated pest management as defined in the Vector Control Act.

(D) To respond to inquiries, investigate complaints, conduct evaluations and provide technical consultation to help reduce or eliminate public health hazards and nuisance conditions associated with mosquitoes and other vectors.

(E) To provide financial assistance to units of local government for training, investigation and response to public nuisances associated with mosquitoes and other vectors of disease.

(4) 2% shall be available to the Department of Agriculture for its activities under the Illinois Pesticide Act relating to used and waste tires.

(5) 2% shall be available to the Pollution Control Board for administration of its activities relating to used and waste tires.

(6) 10% shall be available to the Department of Natural Resources for the Illinois Natural History Survey to perform research to study the biology, distribution, population ecology, and biosystematics of tire-breeding arthropods, especially mosquitoes, and the diseases they spread.

(d) By January 1, 1998, and biennially thereafter, each State agency receiving an appropriation from the Used Tire Management Fund shall report to the Governor and the General Assembly on its activities relating to the Fund.

(e) Any monies appropriated from the Used Tire Management Fund, but not obligated, shall revert to the Fund.

(f) In administering the provisions of subdivisions (1), (2) and (3) of subsection (c) of this Section, the Agency, the Department of Commerce and Economic Opportunity, and the Illinois Department of Public Health shall ensure that appropriate funding assistance is provided to any municipality with a population over 1,000,000 or to any sanitary district which serves a population over 1,000,000.

(g) Pursuant to appropriation, monies in excess of $2 million per fiscal year from the Used Tire Management Fund shall be used as follows:

(1) 55% shall be available to the Agency for the following purposes, provided that priority shall be given to subparagraph (A):

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(A) To undertake preventive, corrective or renewed action as authorized by and in accordance with Section 55.3 and to recover costs in accordance with Section 55.3.

(B) To provide financial assistance to units of local government and private industry for the purposes of:

(i) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(2) For fiscal years beginning prior to July 1, 2004, 45% shall be available to the Department of Commerce and Economic Opportunity to provide grants or loans for the purposes of:

(i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize waste tires and tire derived material;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(3) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 45% shall be deposited into the General Revenue Fund.

(Source: P.A. 92-16, eff. 6-28-01; 93-839, eff. 7-30-04.)

AN ACT concerning elections.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Minimum Wage Increase Referendum Act.

Section 5. Referendum. The State Board of Elections shall cause a statewide advisory public question to be submitted to the voters at the general election to be held on November 4, 2014. The question shall appear in the following form:

"Shall the minimum wage in Illinois for adults over the age of 18 be raised to $10 per hour by January 1, 2015?"

The votes on the question shall be recorded as "Yes" or "No".

Section 10. Certification. The State Board of Elections shall immediately certify the question to be submitted to the voters of the entire State under Section 5 to each election authority in Illinois.

Section 15. Conflicts. If any provision of this Act conflicts with any other law, this Act controls.

Section 90. Repeal. This Act is repealed on January 1, 2015.

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

Approved June 23, 2014.
Effective June 23, 2014.

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 16-104d as follows:

(625 ILCS 5/16-104d)

Sec. 16-104d. Additional fee; serious traffic violation. Any person who is convicted of, pleads guilty to, or is placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of this Code, a violation of Section 11-501 of this Code, or a violation of a similar provision of a local

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ordinance shall pay an additional fee of $35. Of that fee, $15 shall be deposited into the Fire Prevention Fund in the State treasury, $15 shall be deposited into the Fire Truck Revolving Loan Fund in the State treasury, and $5 shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court.

This Section becomes inoperative on January 1, 2020 7 years after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-154, eff. 10-13-07; 96-286, eff. 8-11-09; 96-1175, eff. 9-20-10.)

Section 10. The Clerks of Courts Act is amended by changing Sections 27.5 and 27.6 as follows:

(705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

Sec. 27.5. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk that equals an amount less than $55, except restitution under Section 5-5-6 of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section, shall be disbursed within 60 days after receipt by the circuit clerk as follows: 47% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 12% shall be disbursed to the State Treasurer; and 41% shall be disbursed to the county's general corporate fund. Of the 12% disbursed to the State Treasurer, 1/6 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 1/2 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall be deposited into the Drivers Education Fund. For fiscal years 1992 and 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general fund, 25% shall be disbursed to the Traffic and Criminal Conviction Surcharge Fund, and 25% shall be disbursed to the Violent Crime Victims Assistance Fund.

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corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, Section 16-104c of the Illinois Vehicle Code, and subsection (a) of Section 5-1101 of the Counties Code, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. Unless a court ordered payment schedule is implemented or fee requirements are waived pursuant to a court order, the circuit clerk may add to any unpaid fees and costs a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited in the Circuit Court Clerk Operation and Administrative Fund to be used to defray administrative costs incurred by the circuit clerk in performing the duties required to collect and disburse funds. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012; and

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(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(c) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $29, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of $29, the person shall also pay a fee of $6, if not waived by the court. If this $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(d) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code.

This subsection (d) becomes inoperative on January 1, 2020 7 years after the effective date of Public Act 95-154.

(e) In all counties having a population of 3,000,000 or more inhabitants:

(1) A person who is found guilty of or pleads guilty to violating subsection (a) of Section 11-501 of the Illinois Vehicle Code, including any person placed on court supervision for violating subsection (a), shall be fined $750 as provided for by subsection (f) of Section 11-501.01 of the Illinois Vehicle Code, payable to the circuit clerk, who shall distribute the money pursuant to subsection (f) of Section 11-501.01 of the Illinois Vehicle Code.

(2) When a crime laboratory DUI analysis fee of $150, provided for by Section 5-9-1.9 of the Unified Code of Corrections is assessed, it shall be disbursed by the circuit clerk as provided by subsection (f) of Section 5-9-1.9 of the Unified Code of Corrections.

(3) When a fine for a violation of subsection (a) of Section 11-605 of the Illinois Vehicle Code is $150 or greater, the additional $50 which is charged as provided for by subsection (f) of Section 11-605 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to

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a school district or districts for school safety purposes as provided by subsection (f) of Section 11-605.

(4) When a fine for a violation of subsection (a) of Section 11-1002.5 of the Illinois Vehicle Code is $150 or greater, the additional $50 which is charged as provided for by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to a school district or districts for school safety purposes as provided by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code.

(5) When a mandatory drug court fee of up to $5 is assessed as provided in subsection (f) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f) of Section 5-1101 of the Counties Code.

(6) When a mandatory teen court, peer jury, youth court, or other youth diversion program fee is assessed as provided in subsection (e) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (e) of Section 5-1101 of the Counties Code.

(7) When a Children's Advocacy Center fee is assessed pursuant to subsection (f-5) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f-5) of Section 5-1101 of the Counties Code.

(8) When a victim impact panel fee is assessed pursuant to subsection (b) of Section 11-501.01 of the Illinois Vehicle Code, it shall be disbursed by the circuit clerk to the victim impact panel to be attended by the defendant.

(9) When a new fee collected in traffic cases is enacted after January 1, 2010 (the effective date of Public Act 96-735), it shall be excluded from the percentage disbursement provisions of this Section unless otherwise indicated by law.

(f) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code shall, in addition to any other fines, fees, and court costs, pay an additional fee of $50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be

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remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(g) For any conviction or disposition of court supervision for a violation of Section 11-1429 of the Illinois Vehicle Code, the circuit clerk shall distribute the fines paid by the person as specified by subsection (h) of Section 11-1429 of the Illinois Vehicle Code.

(Source: P.A. 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(705 ILCS 105/27.6)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of $55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local anti-crime program ordered pursuant to Section 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be

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deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(b-1) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $5 to the
clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c) In addition to any other fines and court costs assessed by the courts, any person convicted for a violation of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012 or a person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c-1) In addition to any other fines and court costs assessed by the courts, any person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(d) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5,

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7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(e) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $29, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of $29, the person shall also pay a fee of $6, if not waived by the court. If this $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(f) This Section does not apply to the additional child pornography fines assessed and collected under Section 5-9-1.14 of the Unified Code of Corrections.

(g) (Blank).

(h) (Blank).

(i) Of the amounts collected as fines under subsection (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(j) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code.

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This subsection (j) becomes inoperative on January 1, 2020, 7 years after the effective date of Public Act 95-154.

(k) For any conviction or disposition of court supervision for a violation of Section 11-1429 of the Illinois Vehicle Code, the circuit clerk shall distribute the fines paid by the person as specified by subsection (h) of Section 11-1429 of the Illinois Vehicle Code.

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(m) Of the amounts collected as fines under subsection (c) of Section 411.4 of the Illinois Controlled Substances Act or subsection (c) of Section 90 of the Methamphetamine Control and Community Protection Act, 99% shall be deposited to the law enforcement agency or fund specified and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(n) In addition to any other fines and court costs assessed by the courts, any person who is convicted of or pleads guilty to a violation of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, or who is convicted of, pleads guilty to, or receives a disposition of court supervision for a violation of the Illinois Vehicle Code, or a similar provision of a local ordinance, shall pay an additional fee of $15 to the clerk of the circuit court. This additional fee of $15 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the State Treasurer within 60 days after receipt for deposit into the State Police Merit Board Public Safety Fund.

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Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of $55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local anti-crime program ordered pursuant to Section 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers

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Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, Section 16-104c of the Illinois Vehicle Code, and subsection (a) of Section 5-1101 of the Counties Code, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. Unless a court ordered payment schedule is implemented or fee requirements are waived pursuant to court order, the clerk of the court may add to any unpaid fees and costs a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited in the Circuit Court Clerk Operation and Administrative Fund to be used to defray administrative costs incurred by the circuit clerk in performing the duties required to collect and disburse funds. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall
submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(b-1) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c) In addition to any other fines and court costs assessed by the courts, any person convicted for a violation of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012 or a person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c-1) In addition to any other fines and court costs assessed by the courts, any person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year
the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(d) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(e) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $29, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of $29, the person shall also pay a fee of $6, if not waived by the court. If this $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(f) This Section does not apply to the additional child pornography fines assessed and collected under Section 5-9-1.14 of the Unified Code of Corrections.

(g) Any person convicted of or pleading guilty to a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code. This subsection (g) becomes inoperative on January 1, 2020 7 years after the effective date of Public Act 95-154.

(h) In all counties having a population of 3,000,000 or more inhabitants,

(1) A person who is found guilty of or pleads guilty to violating subsection (a) of Section 11-501 of the Illinois Vehicle
Code, including any person placed on court supervision for violating subsection (a), shall be fined $750 as provided for by subsection (f) of Section 11-501.01 of the Illinois Vehicle Code, payable to the circuit clerk, who shall distribute the money pursuant to subsection (f) of Section 11-501.01 of the Illinois Vehicle Code.

(2) When a crime laboratory DUI analysis fee of $150, provided for by Section 5-9-1.9 of the Unified Code of Corrections is assessed, it shall be disbursed by the circuit clerk as provided by subsection (f) of Section 5-9-1.9 of the Unified Code of Corrections.

(3) When a fine for a violation of Section 11-605.1 of the Illinois Vehicle Code is $250 or greater, the person who violated that Section shall be charged an additional $125 as provided for by subsection (e) of Section 11-605.1 of the Illinois Vehicle Code, which shall be disbursed by the circuit clerk to a State or county Transportation Safety Highway Hire-back Fund as provided by subsection (e) of Section 11-605.1 of the Illinois Vehicle Code.

(4) When a fine for a violation of subsection (a) of Section 11-605 of the Illinois Vehicle Code is $150 or greater, the additional $50 which is charged as provided for by subsection (f) of Section 11-605 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to a school district or districts for school safety purposes as provided by subsection (f) of Section 11-605.

(5) When a fine for a violation of subsection (a) of Section 11-1002.5 of the Illinois Vehicle Code is $150 or greater, the additional $50 which is charged as provided for by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to a school district or districts for school safety purposes as provided by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code.

(6) When a mandatory drug court fee of up to $5 is assessed as provided in subsection (f) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f) of Section 5-1101 of the Counties Code.

(7) When a mandatory teen court, peer jury, youth court, or other youth diversion program fee is assessed as provided in subsection (e) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (e) of Section 5-1101 of the Counties Code.

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(8) When a Children's Advocacy Center fee is assessed pursuant to subsection (f-5) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f-5) of Section 5-1101 of the Counties Code.

(9) When a victim impact panel fee is assessed pursuant to subsection (b) of Section 11-501.01 of the Vehicle Code, it shall be disbursed by the circuit clerk to the victim impact panel to be attended by the defendant.

(10) When a new fee collected in traffic cases is enacted after the effective date of this subsection (h), it shall be excluded from the percentage disbursement provisions of this Section unless otherwise indicated by law.

(i) Of the amounts collected as fines under subsection (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(j) (Blank).

(k) For any conviction or disposition of court supervision for a violation of Section 11-1429 of the Illinois Vehicle Code, the circuit clerk shall distribute the fines paid by the person as specified by subsection (h) of Section 11-1429 of the Illinois Vehicle Code.

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(m) Of the amounts collected as fines under subsection (c) of Section 411.4 of the Illinois Controlled Substances Act or subsection (c) of Section 90 of the Methamphetamine Control and Community Protection Act, 99%
shall be deposited to the law enforcement agency or fund specified and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(n) In addition to any other fines and court costs assessed by the courts, any person who is convicted of or pleads guilty to a violation of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, or who is convicted of, pleads guilty to, or receives a disposition of court supervision for a violation of the Illinois Vehicle Code, or a similar provision of a local ordinance, shall pay an additional fee of $15 to the clerk of the circuit court. This additional fee of $15 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the State Treasurer within 60 days after receipt for deposit into the State Police Merit Board Public Safety Fund.

(Source: P.A. 96-576, eff. 8-18-09; 96-578, eff. 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10; 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-434, eff. 1-1-12; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 15. The Unified Code of Corrections is amended by changing Section 5-6-1 as follows:

(730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

Sec. 5-6-1. Sentences of Probation and of Conditional Discharge and Disposition of Supervision. The General Assembly finds that in order to protect the public, the criminal justice system must compel compliance with the conditions of probation by responding to violations with swift, certain and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of probation, conditional discharge or disposition of supervision.

(a) Except where specifically prohibited by other provisions of this Code, the court shall impose a sentence of probation or conditional discharge upon an offender unless, having regard to the nature and circumstance of the offense, and to the history, character and condition of the offender, the court is of the opinion that:

(1) his imprisonment or periodic imprisonment is necessary for the protection of the public; or

New matter indicated by italics - deletions by strikeout
(2) probation or conditional discharge would deprecate the seriousness of the offender's conduct and would be inconsistent with the ends of justice; or

(3) a combination of imprisonment with concurrent or consecutive probation when an offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act is necessary for the protection of the public and for the rehabilitation of the offender.

The court shall impose as a condition of a sentence of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of the sentence of probation, conditional discharge, or supervision, subject to the provisions of Section 5-6-4 of this Act.

(b) The court may impose a sentence of conditional discharge for an offense if the court is of the opinion that neither a sentence of imprisonment nor of periodic imprisonment nor of probation supervision is appropriate.

(b-1) Subsections (a) and (b) of this Section do not apply to a defendant charged with a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if the defendant within the past 12 months has been convicted of or pleaded guilty to a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

(c) The court may, upon a plea of guilty or a stipulation by the defendant of the facts supporting the charge or a finding of guilt, defer further proceedings and the imposition of a sentence, and enter an order for supervision of the defendant, if the defendant is not charged with: (i) a Class A misdemeanor, as defined by the following provisions of the Criminal Code of 1961 or the Criminal Code of 2012: Sections 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6; 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1; paragraph (1) through (5), (8), (10), and (11) of subsection (a) of Section 24-1; (ii) a Class A misdemeanor violation of Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals Act; or (iii) a felony. If the defendant is not barred from receiving an order for supervision as provided in this subsection, the court may enter an order for supervision after considering the circumstances of the offense, and the history, character and condition of the offender, if the court is of the opinion that:

(1) the offender is not likely to commit further crimes;

New matter indicated by italics - deletions by strikeout
(2) the defendant and the public would be best served if the defendant were not to receive a criminal record; and

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

(c-5) Subsections (a), (b), and (c) of this Section do not apply to a defendant charged with a second or subsequent violation of Section 6-303 of the Illinois Vehicle Code committed while his or her driver's license, permit or privileges were revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(d) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance when the defendant has previously been:

(1) convicted for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or

(2) assigned supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or

(3) pleaded guilty to or stipulated to the facts supporting a charge or a finding of guilty to a violation of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state, and the plea or stipulation was the result of a plea agreement.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(e) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if said defendant has within the last 5 years been:

(1) convicted for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012; or

(2) assigned supervision for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.
(f) The provisions of paragraph (c) shall not apply to a defendant charged with violating Sections 15-111, 15-112, 15-301, paragraph (b) of Section 6-104, Section 11-605, Section 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(g) Except as otherwise provided in paragraph (i) of this Section, the provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has within the last 5 years been:

(1) convicted for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance; or

(2) assigned supervision for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(h) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with violating a serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code:

(1) unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision; or

(2) if the defendant has previously been sentenced under the provisions of paragraph (c) on or after January 1, 1998 for any serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code.

(h-1) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend
and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision.

(i) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has been assigned supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(j) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the revocation or suspension was for a violation of Section 11-501 or a similar provision of a local ordinance or a violation of Section 11-501.1 or paragraph (b) of Section 11-401 of the Illinois Vehicle Code if the defendant has within the last 10 years been:

(1) convicted for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance; or

(2) assigned supervision for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(k) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if, within the 12 months preceding the date of the defendant's arrest, the defendant has been assigned court supervision on 2 occasions for a violation that governs the movement of vehicles under the Illinois Vehicle Code or a similar provision of a local ordinance. The provisions of this paragraph (k) do not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(l) A defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance who receives a disposition of supervision under subsection (c) shall pay an additional fee of $29, to be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. In addition to the $29 fee, the person shall also pay a fee of $6, which, if not waived by the court, shall be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. The $29 fee shall be disbursed as
provided in Section 16-104c of the Illinois Vehicle Code. If the $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(m) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code.

This subsection (m) becomes inoperative on January 1, 2020 7 years after October 13, 2007 (the effective date of Public Act 95-154).

(n) The provisions of paragraph (c) shall not apply to any person under the age of 18 who commits an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, except upon personal appearance of the defendant in court and upon the written consent of the defendant's parent or legal guardian, executed before the presiding judge. The presiding judge shall have the authority to waive this requirement upon the showing of good cause by the defendant.

(o) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the suspension was for a violation of Section 11-501.1 of the Illinois Vehicle Code and when:

1) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code and the defendant failed to obtain a monitoring device driving permit; or

2) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code, had subsequently obtained a monitoring device driving permit, but was driving a vehicle not equipped with a breath alcohol ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code.

(p) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-601.5 of the Illinois Vehicle Code or a similar provision of a local ordinance.
(q) The provisions of paragraph (c) shall not apply to a defendant charged with violating subsection (b) of Section 11-601 of the Illinois Vehicle Code when the defendant was operating a vehicle, in an urban district, at a speed in excess of 25 miles per hour over the posted speed limit.

(r) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance if the violation was the proximate cause of the death of another and the defendant's driving abstract contains a prior conviction or disposition of court supervision for any violation of the Illinois Vehicle Code, other than an equipment violation, or a suspension, revocation, or cancellation of the driver's license.

(Source: P.A. 97-333, eff. 8-12-11; 97-597, eff. 1-1-12; 97-831, eff. 7-1-13; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-169, eff. 1-1-14.)


PUBLIC ACT 98-0659
(House Bill No. 4593)

AN ACT concerning State government.

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

Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-17 as follows:

(20 ILCS 2105/2105-17 new)
Sec. 2105-17. Volunteer licenses.
(a) For the purposes of this Section:
"Health care professional" means a physician licensed under the Medical Practice Act of 1987, a dentist licensed under the Illinois Dental Practice Act, an optometrist licensed under the Illinois Optometric Practice Act of 1987, a physician assistant licensed under the Physician Assistant Practice Act of 1987, and a nurse or advanced practice nurse licensed under the Nurse Practice Act. The Department may expand this definition by rule.

"Volunteer practice" means the practice of a licensed health care professional for the benefit of an individual or the public and without compensation for the health care services provided.

New matter indicated by italics - deletions by strikeout
(b) The Department may grant a volunteer license to a health care professional who:

(1) meets all requirements of the State licensing Act that applies to his or her health care profession and the rules adopted under the Act; and

(2) agrees to engage in the volunteer practice of his or her health care profession in a free medical clinic, as defined in the Good Samaritan Act, or in a public health clinic, as defined in Section 6-101 of the Local Governmental and Governmental Employees Tort Immunities Act, and to not practice for compensation.

(c) A volunteer license shall be granted in accordance with the licensing Act that applies to the health care professional's given health care profession, and the licensure fee shall be set by rule in accordance with subsection (f).

(d) No health care professional shall hold a non-volunteer license in a health care profession and a volunteer license in that profession at the same time. In the event that the health care professional obtains a volunteer license in the profession for which he or she holds a non-volunteer license, that non-volunteer license shall automatically be placed in inactive status. In the event that a health care professional obtains a non-volunteer license in the profession for which he or she holds a volunteer license, the volunteer license shall be placed in inactive status. Practicing on an expired volunteer license constitutes the unlicensed practice of the health care professional's profession.

(e) Nothing in this Section shall be construed to waive or modify any statute, rule, or regulation concerning the licensure or practice of any health care profession. A health care professional who holds a volunteer license shall be subject to all statutes, rules, and regulations governing his or her profession. The Department shall waive the licensure fee for the first 500 volunteer licenses issued and may by rule provide for a fee waiver or fee reduction that shall apply to all licenses issued after the initial 500.

(f) The Department shall determine by rule the total number of volunteer licenses to be issued. The Department shall file proposed rules implementing this Section within 6 months after the effective date of this amendatory Act of the 98th General Assembly.


New matter indicated by italics - deletions by strikeout
AN ACT concerning public health.

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

Section 5. The Food Handling Regulation Enforcement Act is amended by changing Sections 3.3 and 4 and by adding Sections 3.4 and 3.5 as follows:

(410 ILCS 625/3.3)
Sec. 3.3. Farmers' markets.
(a) The General Assembly finds as follows:

(1) Farmers' markets, as defined in subsection (b) of this Section, provide not only a valuable marketplace for farmers and food artisans to sell their products directly to consumers, but also a place for consumers to access fresh fruits, vegetables, and other agricultural products.

(2) Farmers' markets serve as a stimulator for local economies and for thousands of new businesses every year, allowing farmers to sell directly to consumers and capture the full retail value of their products. They have become important community institutions and have figured in the revitalization of downtown districts and rural communities.

(3) Since 1999, the number of farmers' markets has tripled and new ones are being established every year. There is a lack of consistent regulation from one county to the next, resulting in confusion and discrepancies between counties regarding how products may be sold.

(4) In 1999, the Department of Public Health published Technical Information Bulletin/Food #30 in order to outline the food handling and sanitation guidelines required for farmers' markets, producer markets, and other outdoor food sales events.

(5) While this bulletin was revised in 2010, there continues to be inconsistencies, confusion, and lack of awareness by consumers, farmers, markets, and local health authorities of required guidelines affecting farmers' markets from county to county.

(b) For the purposes of this Section:
"Department" means the Department of Public Health.
"Director" means the Director of Public Health.

New matter indicated by italics - deletions by strikeout
"Farmers' market" means a common facility or area where the primary purpose is for farmers to gather to sell a variety of fresh fruits and vegetables and other locally produced farm and food products directly to consumers. Local food artisans may participate at farmers' markets.

(c) In order to facilitate the orderly and uniform statewide interpretation of the Department of Public Health's Technical Information Bulletin Food #30, the Farmers' Market Task Force shall be formed by the Director to assist the Department in implementing statewide administrative regulations for farmers' markets.

(d) This Act does not intend and shall not be construed to limit the power of counties, municipalities, and other local government units to regulate farmers' markets for the protection of the public health, safety, morals, and welfare, including, but not limited to, licensing requirements and time, place, and manner restrictions. This Act provides for a statewide scheme for the orderly and consistent interpretation of the Department of Public Health administrative rules pertaining to the safety of food and food products sold at farmers' markets.

(e) The Farmers' Market Task Force shall consist of at least 24 members appointed within 60 days after the effective date of this Section. Task Force members shall consist of:

1. one person appointed by the President of the Senate;
2. one person appointed by the Minority Leader of the Senate;
3. one person appointed by the Speaker of the House of Representatives;
4. one person appointed by the Minority Leader of the House of Representatives;
5. the Director of Public Health or his or her designee;
6. the Director of Agriculture or his or her designee;
7. a representative of a general agricultural production association appointed by the Department of Agriculture;
8. three representatives of local county public health departments appointed by the Director and selected from 3 different counties representing each of the northern, central, and southern portions of this State;
9. four members of the general public who are engaged in local farmers' markets appointed by the Director of Agriculture;

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(10) a representative of an association representing public health administrators appointed by the Director;
(11) a representative of an organization of public health departments that serve the City of Chicago and the counties of Cook, DuPage, Kane, Kendall, Lake, McHenry, Will, and Winnebago appointed by the Director;
(12) a representative of a general public health association appointed by the Director;
(13) the Director of Commerce and Economic Opportunity or his or her designee;
(14) the Lieutenant Governor or his or her designee; and
(15) five farmers who sell their farm products at farmers’ markets appointed by the Lieutenant Governor or his or her designee.
Task Force members' terms shall be for a period of 2 years, with ongoing appointments made according to the provisions of this Section.

(f) The Task Force shall be convened by the Director or his or her designee. Members shall elect a Task Force Chair and Co-Chair.

g) Meetings may be held via conference call, in person, or both. Three members of the Task Force may call a meeting as long as a 5-working-day notification is sent via mail, e-mail, or telephone call to each member of the Task Force.

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

(i) The Task Force shall undertake a comprehensive and thorough review of the current Statutes and administrative rules that define which products and practices are permitted and which products and practices are not permitted at farmers' markets and to assist the Department in developing statewide administrative regulations for farmers' markets.

(j) The Task Force shall advise the Department regarding the content of any administrative rules adopted under this Act prior to adoption of the rules. Any administrative rules, except emergency rules adopted pursuant to Section 5-45 of the Illinois Administrative Procedure Act, adopted without obtaining the advice of the Task Force are null and void. If the Department fails to follow the advice of the Task Force, the Department shall, prior to adopting the rules, transmit a written explanation to the Task Force. If the Task Force, having been asked for its advice, fails to advise the Department within 90 days after receiving the rules for review, the rules shall be considered to have been approved by the Task Force. The Task Force shall assist the Department of Public Health and the Department of Agriculture in developing administrative regulations and procedures regarding the
implementation of the various Acts that define which products and practices are permitted and which products and practices are not permitted at farmers' markets:

(k) The Department of Public Health shall provide staffing support to the Task Force and shall help to prepare, print, and distribute all reports deemed necessary by the Task Force.

(l) The Task Force may request assistance from any entity necessary or useful for the performance of its duties. The Task Force shall issue a report annually to the Secretary of the Senate and the Clerk of the House.

(m) The following provisions shall apply concerning statewide farmers' market food safety guidelines:

(1) The Director, in accordance with this Section, shall adopt administrative rules (as provided by the Illinois Administrative Procedure Act) for foods found at farmers' markets.

(2) The rules and regulations described in this Act shall be consistently enforced by local health authorities throughout the State.

(2.5) Notwithstanding any other provision of law except as provided in this Act, local public health departments and all other units of local government are prohibited from creating sanitation guidelines, rules, or regulations for farmers' markets that are more stringent than those farmers' market sanitation regulations contained in the administrative rules adopted by the Department for the purposes of implementing Section 3.3 of this Act. Except as provided for in Section 3.4 of this Act, this Act does not intend and shall not be construed to limit the power of local health departments and other government units from requiring licensing and permits for the sale of commercial food products, processed food products, prepared foods, and potentially hazardous foods at farmers' markets or conducting related inspections and enforcement activities, so long as those permits and licenses do not include unreasonable fees or sanitation provisions and rules that are more stringent than those laid out in the administrative rules adopted by the Department for the purposes of implementing Section 3.3 of this Act.

(3) In the case of alleged non-compliance with the provisions described in this Act, local health departments shall issue written notices to vendors and market managers of any noncompliance issues.

(4) Produce and food products coming within the scope of the provisions of this Act shall include, but not be limited to, raw agricultural products, including fresh fruits and vegetables; popcorn,
grains, seeds, beans, and nuts that are whole, unprocessed, unpackaged, and unsprouted; fresh herb springs and dried herbs in bunches; baked goods sold at farmers’ markets; cut fruits and vegetables; milk and cheese products; ice cream; syrups; wild and cultivated mushrooms; apple cider and other fruit and vegetable juices; herb vinegar; garlic-in-oil; flavored oils; pickles, relishes, salsas, and other canned or jarred items; shell eggs; meat and poultry; fish; ready-to-eat foods; and commercially produced prepackaged food products; and any additional items specified in the administrative rules adopted by the Department to implement Section 3.3 of this Act.

(n) Local health department regulatory guidelines may be applied to foods not often found at farmers' markets, all other food products not regulated by the Department of Agriculture and the Department of Public Health, as well as live animals to be sold at farmers' markets.

(o) The Task Force shall issue annual reports to the Secretary of the Senate and the Clerk of the House with recommendations for the development of administrative rules as specified. The first report shall be issued no later than December 31, 2012.

(p) The Department of Public Health and the Department of Agriculture, in conjunction with the Task Force, shall adopt administrative rules necessary to implement, interpret, and make specific the provisions of this Act, including, but not limited to, rules concerning labels, sanitation, and food product safety according to the realms of their jurisdiction in accordance with subsection (j) of this Section. The Task Force shall submit recommendations for administrative rules to the Department no later than December 15, 2014.

(q) The Department and the Task Force shall work together to create a food sampling training and license program as specified in Section 3.4 of this Act.

(410 ILCS 625/3.4 new)

Sec. 3.4. Product samples.

(a) For the purpose of this Section, "food product sampling" means food product samples distributed free of charge for promotional or educational purposes only.

(b) Notwithstanding any other provision of law, except as provided in subsection (c) of this Section, a vendor who engages in food product sampling at a farmers' market may do so without obtaining a State or local

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permit to provide those food product samples, provided the vendor complies
with the State and local permit requirements to sell the food product to be
sampled and with the food preparation, food handling, food storage, and
food sampling requirements specified in the administrative rules adopted by
the Department to implement Section 3.3 and Section 3.4 of this Act.

The Department of Public Health is instructed to work with the
Farmers' Market Task Force as created in Section 3.3 of this Act to establish
a food sampling at farmers' market training and certification program to
fulfill this requirement. The Department shall adopt rules for the food
sampling training and certification program and product sampling
requirements at farmers' markets in accordance with subsection (j) of Section
3.3. The Department may charge a reasonable fee for the training and
certification program. The Department may delegate or contract authority
to administer the food sampling training to other qualified public and private
entities.

(c) Notwithstanding the provisions of subsection (b) of this Section,
the Department of Public Health, the Department of Agriculture, a local
municipal health department, or a certified local health department may
inspect a vendor at a farmers' market to ensure compliance with the
provisions in this Section. If an imminent health hazard exists or a vendor's
product has been found to be misbranded, adulterated, or not in compliance
with the permit exemption for vendors pursuant to this Section, then the
regulatory authority may invoke cessation of sales until it deems that the
situation has been addressed.

(410 ILCS 625/3.5 new)
Sec. 3.5. Product origin.
(a) All vendors or booths selling specialty crops and raw agricultural
commodities at a farmers' market in Illinois must post at the point of sale a
placard or include on a label or packing slip the physical address of the farm
or farms on which those products were grown or produced.

Specialty crops and raw agricultural commodities purchased through
wholesale or retail markets may be offered for resale at a farmers' market. If
the physical address of the farm or farms where the products were grown
or produced is unknown, then the vendor must post at the point of sale a
placard or include on a label or packing slip the physical address and
business name, when applicable, where the products were purchased.

(b) Specialty crops and raw agricultural commodities direct marketed
at farmers' markets that do not include a placard at the point of sale or on a
A label or packing slip stating the physical location of the farm on which those products were grown or produced shall be considered misbranded.

(c) Any related federal rules or regulations adopted through the implementation of the federal Food Safety Modernization Act regarding transparency, traceability, and product origin labeling pertaining to specialty crops and raw agricultural commodities shall supersede the provisions of this Section.

(410 ILCS 625/4)

Sec. 4. Cottage food operation.

(a) For the purpose of this Section:

"Cottage food operation" means an operation conducted by a person who produces or packages non-potentially hazardous food in a kitchen located in or another appropriately designed and equipped residential or commercial-style kitchen on that property for direct sale by the owner or a family member, stored in the residence or appropriately designed and equipped residential or commercial-style kitchen on that property where the food is made.

"Department" means the Department of Public Health.

"Farmers' market" means a common facility or area where farmers gather to sell a variety of fresh fruits and vegetables and other locally produced farm and food products directly to consumers.

"Potentially hazardous food" means a food that is potentially hazardous according to the Department's administrative rules the Federal Food and Drug Administration 2009 Food Code (FDA 2009 Food Code) or any subsequent amendments to the FDA 2009 Food Code. Potentially hazardous food (PHF) in general means a food that requires time and temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation. In accordance with the FDA 2009 Food Code, potentially hazardous food does not include a food item that because of its pH or Aw value, or interaction of Aw and pH values, is designated as a non-PHF/non-TCS food in Table A or B of the FDA 2009 Food Code's potentially hazardous food definition.

(b) Notwithstanding any other provision of law and except as provided in subsections (c) and (d) of this Section, neither the Department of Public Health nor the Department of Agriculture nor the health department of a unit of local government may regulate the service of food by a cottage food operation providing that all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(1) The food is not a potentially hazardous baked good, jam, jelly, preserve, fruit butter, dry herb, dry herb blend, or dry tea blend and is intended for end-use only.

The following provisions shall apply:

(A) The following jams, jellies and preserves are allowed: apple, apricot, grape, peach, plum, quince, orange, nectarine, tangerine, blackberry, raspberry, blueberry, boysenberry, cherry, cranberry, strawberry, red currants, or a combination of these fruits. Rhubarb, tomato, and pepper jellies or jams are not allowed. Any other jams, jellies, or preserves not listed may be produced by a cottage food operation provided their recipe has been tested and documented by a commercial laboratory, at the expense of the cottage food operation, as being not potentially hazardous, containing a pH equilibrium of less than 4.6.

(B) The following fruit butters are allowed: apple, apricot, grape, peach, plum, quince, and prune. Pumpkin butter, banana butter, and pear butter are not allowed. Fruit butters not listed may be produced by a cottage food operation provided their recipe has been tested and documented by a commercial laboratory, at the expense of the cottage food operation, as being not potentially hazardous, containing a pH equilibrium of less than 4.6.

(C) Baked goods, such as, but not limited to, breads, cookies, cakes, pies, and pastries are allowed. Only high-acid fruit pies that use the following fruits are allowed: apple, apricot, grape, peach, plum, quince, orange, nectarine, tangerine, blackberry, raspberry, blueberry, boysenberry, cherry, cranberry, strawberry, red currants or a combination of these fruits. Fruit pies not listed may be produced by a cottage food operation provided their recipe has been tested and documented by a commercial laboratory, at the expense of the cottage food operation, as being not potentially hazardous, containing a pH equilibrium of less than 4.6. The following are potentially hazardous and prohibited from production and sale by a cottage food operation: pumpkin pie, sweet potato pie, cheesecake, custard pies, creme pies, and pastries with potentially hazardous fillings or toppings.

(2) The food is to be sold at a farmers' market.
(3) Gross receipts from the sale of food exempted under this Section do not exceed $25,000 in a calendar year.

(4) The food packaging conforms to the labeling requirements of the Illinois Food, Drug and Cosmetic Act and includes the following information on the label of each of its products:
   (A) the name and address of the cottage food operation;
   (B) the common or usual name of the food product;
   (C) all ingredients of the food product, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight shown with common or usual names;
   (D) the following phrase: "This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens."
   (E) the date the product was processed; and
   (F) allergen labeling as specified in federal labeling requirements.

(5) The name and residence of the person preparing and selling products as a cottage food operation is registered with the health department of a unit of local government where the cottage food operation resides. No fees shall be charged for registration. Registration shall be for a minimum period of one year.

(6) The person preparing and selling products as a cottage food operation has a Department of Public Health approved Food Service Sanitation Management Certificate.

(7) At the point of sale a placard is displayed in a prominent location that states the following: "This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens."

(c) Notwithstanding the provisions of subsection (b) of this Section, if the Department of Public Health or the health department of a unit of local government has received a consumer complaint or has reason to believe that an imminent health hazard exists or that a cottage food operation's product has been found to be misbranded, adulterated, or not in compliance with the exception for cottage food operations pursuant to this Section, then it may invoke cessation of sales until it deems that the situation has been addressed to the satisfaction of the Department.
(d) Notwithstanding the provisions of subsection (b) of this Section, a State-certified local public health department may, upon providing a written statement to the Department of Public Health, regulate the service of food by a cottage food operation. The regulation by a State-certified local public health department may include all of the following requirements:

(1) That the cottage food operation (A) register with the State-certified local public health department, which shall be for a minimum of one year and may include a reasonable fee set by the State-certified local public health department that is no greater than $25 notwithstanding paragraph (5) of subsection (b) of this Section and (B) agree in writing at the time of registration to grant access to the State-certified local public health department to conduct an inspection of the cottage food operation's primary domestic residence in the event of a consumer complaint or foodborne illness outbreak.

(2) That in the event of a consumer complaint or foodborne illness outbreak the State-certified local public health department is allowed to (A) inspect the premises of the cottage food operation in question and (B) set a reasonable fee for that inspection.

(Source: P.A. 97-393, eff. 1-1-12.)

Section 10. The Sanitary Food Preparation Act is amended by changing Section 11 as follows:

(410 ILCS 650/11) (from Ch. 56 1/2, par. 77)

Sec. 11. Except as hereinafter provided and as provided in Sections 3.3, 3.4, and 4 of the Food Handling Regulation Enforcement Act, the Department of Public Health shall enforce this Act, and for that purpose it may at all times enter every such building, room, basement, inclosure or premises occupied or used or suspected of being occupied or used for the production, preparation or manufacture for sale, or the storage, sale, distribution or transportation of such food, to inspect the premises and all utensils, fixtures, furniture and machinery used as aforesaid; and if upon inspection any such food producing or distribution establishment, conveyance, or employer, employee, clerk, driver or other person is found to be violating any of the provisions of this Act, or if the production, preparation, manufacture, packing, storage, sale, distribution or transportation of such food is being conducted in a manner detrimental to the health of the employees and operatives, or to the character or quality of the food therein being produced, manufactured, packed, stored, sold, distributed or conveyed, the officer or inspector making the inspection or examination shall report such conditions and violations to the Department. The Department of

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Agriculture shall have exclusive jurisdiction for the enforcement of this Act insofar as it relates to establishments defined by Section 2.5 of "The Meat and Poultry Inspection Act", approved July 22, 1959, as heretofore or hereafter amended. The Department of Agriculture or Department of Public Health, as the case may be, shall thereupon issue a written order to the person, firm or corporation responsible for the violation or condition aforesaid to abate such condition or violation or to make such changes or improvements as may be necessary to abate them, within such reasonable time as may be required. Notice of the order may be served by delivering a copy thereof to the person, firm or corporation, or by sending a copy thereof by registered mail, and the receipt thereof through the post office shall be prima facie evidence that notice of the order has been received. Such person, firm or corporation may appear in person or by attorney before the Department of Agriculture or the Department of Public Health, as the case may be, within the time limited in the order, and shall be given an opportunity to be heard and to show why such order or instructions should not be obeyed. The hearing shall be under such rules and regulations as may be prescribed by the Department of Agriculture or the Department of Public Health, as the case may be. If after such hearing it appears that this Act has not been violated, the order shall be rescinded. If it appears that this Act is being violated, and that the person, firm or corporation notified is responsible therefor, the previous order shall be confirmed or amended, as the facts shall warrant, and shall thereupon be final, but such additional time as is necessary may be granted within which to comply with the final order. If such person, firm or corporation is not present or represented when such final order is made, notice thereof shall be given as above provided. On failure of the party or parties to comply with the first order of the Department of Agriculture or the Department of Public Health, as the case may be, within the time prescribed, when no hearing is demanded, or upon failure to comply with the final order within the time specified, the Department shall certify the facts to the State's Attorney of the county in which such violation occurred, and such State's Attorney shall proceed against the party or parties for the fines and penalties provided by this Act, and also for the abatement of the nuisance: Provided, that the proceedings herein prescribed for the abatement of nuisances as defined in this Act shall not in any manner relieve the violator from prosecution in the first instance for every such violation, nor from the penalties for such violation prescribed by Section 13.

(Source: P.A. 97-393, eff. 1-1-12; 97-394, eff. 8-16-11; 97-813, eff. 7-13-12.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The School Safety Drill Act is amended by changing Section 25 as follows:

(105 ILCS 128/25)

Sec. 25. Annual review.

(a) Each public school district, through its school board or the board's designee, shall conduct a minimum of one annual meeting at which it will review each school building's emergency and crisis response plans, protocols, and procedures and each building's compliance with the school safety drill programs. The purpose of this annual review shall be to review and update the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings.

In updating a school building's emergency and crisis response plans, consideration may be given to making the emergency and crisis response plans available to first responders, administrators, and teachers for implementation and utilization through the use of electronic applications on electronic devices, including, but not limited to, smartphones, tablets, and laptop computers.

(b) Each school board or the board's designee is required to participate in the annual review and to invite each of the following parties to the annual review and provide each party with a minimum of 30-days' notice before the date of the annual review:

(1) The principal of each school within the school district or his or her official designee.

(2) Representatives from any other education-related organization or association deemed appropriate by the school district.

(3) Representatives from all local first responder organizations to participate, advise, and consult in the review process, including, but not limited to:

(A) the appropriate local fire department or district;
(B) the appropriate local law enforcement agency;
(C) the appropriate local emergency medical services agency if the agency is a separate, local first responder unit; and
(D) any other member of the first responder or emergency management community that has contacted the district superintendent or his or her designee during the past year to request involvement in a school's emergency planning or drill process.

(4) The school board or its designee may also choose to invite to the annual review any other persons whom it believes will aid in the review process, including, but not limited to, any members of any other education-related organization or the first responder or emergency management community.

(c) Upon the conclusion of the annual review, the school board or the board's designee shall sign a one page report, which may be in either a check-off format or a narrative format, that does the following:

(1) summarizes the review's recommended changes to the existing school safety plans and drill plans;
(2) lists the parties that participated in the annual review, and includes the annual review's attendance record;
(3) certifies that an effective review of the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings has occurred;
(4) states that the school district will implement those plans, protocols, procedures, and programs, during the academic year; and
(5) includes the authorization of the school board or the board's designee.

(d) The school board or its designee shall send a copy of the report to each party that participates in the annual review process and to the appropriate regional superintendent of schools. If any of the participating parties have comments on the certification document, those parties shall submit their comments in writing to the appropriate regional superintendent. The regional superintendent shall maintain a record of these comments. The certification document may be in a check-off format or narrative format, at the discretion of the district superintendent.

(e) The review must occur at least once during the fiscal year, at a specific time chosen at the school district superintendent's discretion.

New matter indicated by italics - deletions by strikeout
AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Finance Authority Act is amended by changing Section 825-80 as follows:

(20 ILCS 3501/825-80)

Sec. 825-80. Fire truck revolving loan program.
(a) This Section is a continuation and re-enactment of the fire truck revolving loan program enacted as Section 3-27 of the Rural Bond Bank Act by Public Act 93-35, effective June 24, 2003, and repealed by Public Act 93-205, effective January 1, 2004. Under the Rural Bond Bank Act, the program was administered by the Rural Bond Bank and the State Fire Marshal.

(a-5) For purposes of this Section, "brush truck" means a pickup chassis with or equipped with a flatbed or a pickup box. The truck must be rated by the manufacturer as between three-fourths of a ton and one ton and outfitted with a fire or rescue apparatus.

(b) The Authority and the State Fire Marshal may jointly administer a fire truck revolving loan program. The program shall, in instances where sufficient loan funds exist to permit applications to be accepted, provide zero-interest and low-interest loans for the purchase of fire trucks by a fire department, a fire protection district, or a township fire department. For the purchase of brush trucks by a fire department, a fire protection district, or a township fire department, the program shall provide loans at a 2% rate of simple interest per year for a brush truck if both the chassis and the apparatus are built outside of Illinois, a 1% rate of simple interest per year for a brush truck if either the chassis or the apparatus is built in Illinois, or a 0% rate of interest for a brush truck if both the chassis and the apparatus are built in Illinois. The Authority shall make loans based on need, as determined by the State Fire Marshal.

(c) The loan funds, subject to appropriation, shall be paid out of the Fire Truck Revolving Loan Fund, a special fund in the State Treasury. The New matter indicated by italics - deletions by strikeout
Fund shall consist of any moneys transferred or appropriated into the Fund, as well as all repayments of loans made under the program and any balance existing in the Fund on the effective date of this Section. The Fund shall be used for loans to fire departments and fire protection districts to purchase fire trucks and brush trucks and for no other purpose. All interest earned on moneys in the Fund shall be deposited into the Fund. As soon as practical after January 1, 2013 (the effective date of Public Act 97-901), all moneys in the Fire Truck Revolving Loan Fund shall be paid by the State Fire Marshal to the Authority, and, on and after that date, all future moneys deposited into the Fire Truck Revolving Loan Fund under this Section shall be paid by the State Fire Marshal to the Authority under the continuing appropriation provision of subsection (c-1) of this Section; provided that the Authority and the State Fire Marshal enter into an intergovernmental agreement to use the moneys transferred to the Authority from the Fund solely for the purposes for which the moneys would otherwise be used under this Section and to set forth procedures to otherwise administer the use of the moneys.

(c-1) There is hereby appropriated, on a continuing annual basis in each fiscal year, from the Fire Truck Revolving Loan Fund, the amount, if any, of funds received into the Fire Truck Revolving Loan Fund to the State Fire Marshal for payment to the Authority for the purposes for which the moneys would otherwise be used under this Section.

(d) A loan for the purchase of fire trucks or brush trucks may not exceed $350,000 to any fire department or fire protection district. A loan for the purchase of brush trucks may not exceed $100,000 per truck. The repayment period for the loan may not exceed 20 years. The fire department or fire protection district shall repay each year at least 5% of the principal amount borrowed or the remaining balance of the loan, whichever is less. All repayments of loans shall be deposited into the Fire Truck Revolving Loan Fund.

(e) The Authority and the State Fire Marshal may adopt rules in accordance with the Illinois Administrative Procedure Act to administer the program.

(f) Notwithstanding the repeal of Section 3-27 of the Rural Bond Bank Act, all otherwise lawful actions taken on or after January 1, 2004 and before the effective date of this Section by any person under the authority originally granted by that Section 3-27, including without limitation the granting, acceptance, and repayment of loans for the purchase of fire trucks, are hereby validated, and the rights and obligations of all parties to any such loan are hereby acknowledged and confirmed.

New matter indicated by italics - deletions by strikeout

PUBLIC ACT 98-0663
(Senate Bill No. 2710)

AN ACT concerning education.

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

Section 5. The School Safety Drill Act is amended by changing Section 25 as follows:

(105 ILCS 128/25)

Sec. 25. Annual review.

(a) Each public school district, through its school board or the board's designee, shall conduct a minimum of one annual meeting at which it will review each school building's emergency and crisis response plans, protocols, and procedures and each building's compliance with the school safety drill programs. The purpose of this annual review shall be to review and update the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings. This review must be at no cost to the school district.

(b) Each school board or the board's designee is required to participate in the annual review and to invite each of the following parties to the annual review and provide each party with a minimum of 30-days' notice before the date of the annual review:

(1) The principal of each school within the school district or his or her official designee.

(2) Representatives from any other education-related organization or association deemed appropriate by the school district.

(3) Representatives from all local first responder organizations to participate, advise, and consult in the review process, including, but not limited to:

(A) the appropriate local fire department or district;
(B) the appropriate local law enforcement agency;

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(C) the appropriate local emergency medical services agency if the agency is a separate, local first responder unit; and

(D) any other member of the first responder or emergency management community that has contacted the district superintendent or his or her designee during the past year to request involvement in a school's emergency planning or drill process.

(4) The school board or its designee may also choose to invite to the annual review any other persons whom it believes will aid in the review process, including, but not limited to, any members of any other education-related organization or the first responder or emergency management community.

(c) Upon the conclusion of the annual review, the school board or the board's designee shall sign a one page report, which may be in either a check-off format or a narrative format, that does the following:

(1) summarizes the review's recommended changes to the existing school safety plans and drill plans;

(2) lists the parties that participated in the annual review, and includes the annual review's attendance record;

(3) certifies that an effective review of the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings has occurred;

(4) states that the school district will implement those plans, protocols, procedures, and programs, during the academic year; and

(5) includes the authorization of the school board or the board's designee.

(d) The school board or its designee shall send a copy of the report to each party that participates in the annual review process and to the appropriate regional superintendent of schools. If any of the participating parties have comments on the certification document, those parties shall submit their comments in writing to the appropriate regional superintendent. The regional superintendent shall maintain a record of these comments. The certification document may be in a check-off format or narrative format, at the discretion of the district superintendent.

(e) The review must occur at least once during the fiscal year, at a specific time chosen at the school district superintendent's discretion.
(f) A private school shall conduct a minimum of one annual meeting at which the school must review each school building’s emergency and crisis response plans, protocols, and procedures and each building’s compliance with the school safety drill programs of the school. The purpose of this annual review shall be to review and update the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the school. This review must be at no cost to the private school.

The private school shall invite representatives from all local first responder organizations to participate, advise, and consult in the review process, including, but not limited to, the following:

(1) the appropriate local fire department or fire protection district;
(2) the appropriate local law enforcement agency;
(3) the appropriate local emergency medical services agency if the agency is a separate, local first responder unit; and
(4) any other member of the first responder or emergency management community that has contacted the school’s chief administrative officer or his or her designee during the past year to request involvement in the school’s emergency planning or drill process.

(Source: P.A. 96-734, eff. 8-25-09.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved June 23, 2014.
Effective June 23, 2014.

PUBLIC ACT 98-0664
(Senate Bill No. 2934)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Emergency Management Agency Act is amended by changing Section 5 as follows:
(20 ILCS 3305/5) (from Ch. 127, par. 1055)
Sec. 5. Illinois Emergency Management Agency.
(a) There is created within the executive branch of the State Government an Illinois Emergency Management Agency and a Director of the Illinois Emergency Management Agency, herein called the "Director"

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who shall be the head thereof. The Director shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve for a term of 2 years beginning on the third Monday in January of the odd-numbered year, and until a successor is appointed and has qualified; except that the term of the first Director appointed under this Act shall expire on the third Monday in January, 1989. The Director shall not hold any other remunerative public office. The Director shall receive an annual salary as set by the Compensation Review Board.

(b) The Illinois Emergency Management Agency shall obtain, under the provisions of the Personnel Code, technical, clerical, stenographic and other administrative personnel, and may make expenditures within the appropriation therefor as may be necessary to carry out the purpose of this Act. The agency created by this Act is intended to be a successor to the agency created under the Illinois Emergency Services and Disaster Agency Act of 1975 and the personnel, equipment, records, and appropriations of that agency are transferred to the successor agency as of the effective date of this Act.

(c) The Director, subject to the direction and control of the Governor, shall be the executive head of the Illinois Emergency Management Agency and the State Emergency Response Commission and shall be responsible under the direction of the Governor, for carrying out the program for emergency management of this State. The Director shall also maintain liaison and cooperate with the emergency management organizations of this State and other states and of the federal government.

(d) The Illinois Emergency Management Agency shall take an integral part in the development and revision of political subdivision emergency operations plans prepared under paragraph (f) of Section 10. To this end it shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to the emergency services and disaster agencies. These personnel shall consult with emergency services and disaster agencies on a regular basis and shall make field examinations of the areas, circumstances, and conditions that particular political subdivision emergency operations plans are intended to apply.

(e) The Illinois Emergency Management Agency and political subdivisions shall be encouraged to form an emergency management advisory committee composed of private and public personnel representing the emergency management phases of mitigation, preparedness, response, and recovery. The Local Emergency Planning Committee, as created under the Illinois Emergency Planning and Community Right to Know Act, shall serve

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as an advisory committee to the emergency services and disaster agency or agencies serving within the boundaries of that Local Emergency Planning Committee planning district for:

(1) the development of emergency operations plan provisions for hazardous chemical emergencies; and
(2) the assessment of emergency response capabilities related to hazardous chemical emergencies.

(f) The Illinois Emergency Management Agency shall:

(1) Coordinate the overall emergency management program of the State.
(2) Cooperate with local governments, the federal government and any public or private agency or entity in achieving any purpose of this Act and in implementing emergency management programs for mitigation, preparedness, response, and recovery.
(2.5) Develop a comprehensive emergency preparedness and response plan for any nuclear accident in accordance with Section 65 of the Department of Nuclear Safety Law of 2004 (20 ILCS 3310) and in development of the Illinois Nuclear Safety Preparedness program in accordance with Section 8 of the Illinois Nuclear Safety Preparedness Act.
(2.6) Coordinate with the Department of Public Health with respect to planning for and responding to public health emergencies.
(3) Prepare, for issuance by the Governor, executive orders, proclamations, and regulations as necessary or appropriate in coping with disasters.
(4) Promulgate rules and requirements for political subdivision emergency operations plans that are not inconsistent with and are at least as stringent as applicable federal laws and regulations.
(5) Review and approve, in accordance with Illinois Emergency Management Agency rules, emergency operations plans for those political subdivisions required to have an emergency services and disaster agency pursuant to this Act.
(5.5) Promulgate rules and requirements for the political subdivision emergency management exercises, including, but not limited to, exercises of the emergency operations plans.
(5.10) Review, evaluate, and approve, in accordance with Illinois Emergency Management Agency rules, political subdivision emergency management exercises for those political subdivisions
required to have an emergency services and disaster agency pursuant to this Act.

(6) Determine requirements of the State and its political subdivisions for food, clothing, and other necessities in event of a disaster.

(7) Establish a register of persons with types of emergency management training and skills in mitigation, preparedness, response, and recovery.

(8) Establish a register of government and private response resources available for use in a disaster.

(9) Expand the Earthquake Awareness Program and its efforts to distribute earthquake preparedness materials to schools, political subdivisions, community groups, civic organizations, and the media. Emphasis will be placed on those areas of the State most at risk from an earthquake. Maintain the list of all school districts, hospitals, airports, power plants, including nuclear power plants, lakes, dams, emergency response facilities of all types, and all other major public or private structures which are at the greatest risk of damage from earthquakes under circumstances where the damage would cause subsequent harm to the surrounding communities and residents.

(10) Disseminate all information, completely and without delay, on water levels for rivers and streams and any other data pertaining to potential flooding supplied by the Division of Water Resources within the Department of Natural Resources to all political subdivisions to the maximum extent possible.

(11) Develop agreements, if feasible, with medical supply and equipment firms to supply resources as are necessary to respond to an earthquake or any other disaster as defined in this Act. These resources will be made available upon notifying the vendor of the disaster. Payment for the resources will be in accordance with Section 7 of this Act. The Illinois Department of Public Health shall determine which resources will be required and requested.

(11.5) In coordination with the Department of State Police, develop and implement a community outreach program to promote awareness among the State's parents and children of child abduction prevention and response.

(12) Out of funds appropriated for these purposes, award capital and non-capital grants to Illinois hospitals or health care facilities located outside of a city with a population in excess of

New matter indicated by italics - deletions by strikeout
1,000,000 to be used for purposes that include, but are not limited to, preparing to respond to mass casualties and disasters, maintaining and improving patient safety and quality of care, and protecting the confidentiality of patient information. No single grant for a capital expenditure shall exceed $300,000. No single grant for a non-capital expenditure shall exceed $100,000. In awarding such grants, preference shall be given to hospitals that serve a significant number of Medicaid recipients, but do not qualify for disproportionate share hospital adjustment payments under the Illinois Public Aid Code. To receive such a grant, a hospital or health care facility must provide funding of at least 50% of the cost of the project for which the grant is being requested. In awarding such grants the Illinois Emergency Management Agency shall consider the recommendations of the Illinois Hospital Association.

(13) Do all other things necessary, incidental or appropriate for the implementation of this Act.

(g) The Illinois Emergency Management Agency is authorized to make grants to various higher education institutions, *public K-12 school districts, area vocational centers as designated by the State Board of Education, inter-district special education cooperatives, regional safe schools, and nonpublic K-12 schools* for safety and security improvements. For the purpose of this subsection (g), "higher education institution" means a public university, a public community college, or an independent, not-for-profit or for-profit higher education institution located in this State. Grants made under this subsection (g) shall be paid out of moneys appropriated for that purpose from the Build Illinois Bond Fund. The Illinois Emergency Management Agency shall adopt rules to implement this subsection (g). These rules may specify: (i) the manner of applying for grants; (ii) project eligibility requirements; (iii) restrictions on the use of grant moneys; (iv) the manner in which the various higher education institutions must account for the use of grant moneys; and (v) any other provision that the Illinois Emergency Management Agency determines to be necessary or useful for the administration of this subsection (g).

(h) Except as provided in Section 17.5 of this Act, any moneys received by the Agency from donations or sponsorships shall be deposited in the Emergency Planning and Training Fund and used by the Agency, subject to appropriation, to effectuate planning and training activities.

(Source: P.A. 98-465, eff. 8-16-13.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Illinois Dental Practice Act is amended by adding
Section 54.3 as follows:
(225 ILCS 25/54.3 new)
Sec. 54.3. Vaccinations.
(a) Notwithstanding Section 54.2 of this Act, a dentist may administer
vaccinations upon completion of appropriate training set forth by rule and
approved by the Department on appropriate vaccine storage, proper
administration, and addressing contraindications and adverse reactions.
Vaccinations shall be limited to patients 18 years of age and older pursuant
to a valid prescription or standing order by a physician licensed to practice
medicine in all its branches who, in the course of professional practice,
administers vaccines to patients. Methods of communication shall be
established for consultation with the physician in person or by
communications.
(b) Vaccinations administered by a dentist shall be limited to
influenza (inactivated influenza vaccine and live attenuated influenza
intranasal vaccine). Vaccines shall only be administered by the dentist and
shall not be delegated to an assistant or any other person. Vaccination of a
patient by a dentist shall be documented in the patient's dental record and the
record shall be retained in accordance with current dental recordkeeping
standards. The dentist shall notify the patient's primary care physician of
each dose of vaccine administered to the patient and shall enter all patient
level data or update the patient's current record. The dentist may provide this
notice to the patient's physician electronically. In addition, the dentist shall
enter all patient level data on vaccines administered in the immunization
data registry maintained by the Department of Public Health.
(c) A dentist shall only provide vaccinations under this Section if
contracted with and credentialed by the patient's health insurance, health
maintenance organization, or other health plan to specifically provide the

New matter indicated by italics - deletions by strikeout
vaccinations allowed under this Section. Persons enrolled in Medicare or Medicaid may only receive the vaccinations allowed for under this Section from dentists who are authorized to do so by the federal Centers for Medicare and Medicaid Services or the Department of Healthcare and Family Services.

(d) The Department shall adopt any rules necessary to implement this Section.

(e) This Section is repealed on January 1, 2020.


PUBLIC ACT 98-0665
(House Bill No. 4418)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by adding Section 10-4-12 as follows:

(65 ILCS 5/10-4-12 new)
Sec. 10-4-12. Cessation of existing municipal fire departments. If a city or village with 500 or more residents owns, operates, or maintains any fire department or departments, that city or village may not cease the operation and maintenance of that fire department or those fire departments unless the proposed cessation is first submitted by referendum to the voters of the city or village as provided by Section 15b of the Fire Protection District Act.

Section 10. The Fire Protection District Act is amended by changing Section 11b and by adding Section 15b as follows:

(70 ILCS 705/11b) (from Ch. 127 1/2, par. 31b)
Sec. 11b. In case any fire protection district organized hereunder is coterminous with or includes within its corporate limits in whole or in part any city, village or incorporated town authorized to provide protection from fire and to regulate the prevention and control of fire within such city, village or incorporated town and to levy taxes for any such purposes, then such city, village or incorporated town shall not exercise any such powers as necessarily conflict with the powers to be exercised by such district in respect to such fire

New matter indicated by italics - deletions by strikeout
protection and regulation within the fire protection district from and after the
date that it receives written notice from the State Fire Marshal to cease or
refrain from the operation of any fire protection facilities and the exercise of
such powers, which notice shall be given only after the State Fire Marshal has
ascertained that the Fire Protection District has placed its fire protection
facilities in operation. Such city, village or incorporated town shall not
thereafter own, operate, maintain, manage, control or have an interest in any
fire protection facilities located within the corporate limits of the fire
protection district, except water mains and hydrants and except as otherwise
provided in this Act. Where any city, village, or incorporated town with 500
or more residents is in fact owning, operating, and maintaining a fire
department or fire departments located in whole or in part within or adjacent
to the corporate limits of a fire protection district organized under this Act,
such city, village, or incorporated town shall not cease operating and
maintaining the fire department or departments unless such proposed
cessation of services is first submitted by referendum to voters, as provided
by Section 15b of this Act. In addition, where any city, village, or
incorporated town is in fact owning, operating, and maintaining a fire
department or fire departments located within the corporate limits of a fire
protection district organized under this Act, such city, village, or
incorporated town The State Fire Marshal, upon request of the Board of
Trustees of any Fire Protection District, shall ascertain whether the District's
fire protection facilities are in operation so that it may supersede the power
of any city, village or incorporated town to operate fire protection facilities
within the boundaries of the District. Where in case any city, village or
incorporated town is in fact owning, operating and maintaining fire protection
facilities located within the corporate limits of a fire protection district
organized under this Act, such city, village or incorporated town shall be paid
and reimbursed for its actual expenditures and for all existing obligations
incurred, including all pension and annuity plans applicable to the
maintenance of fire protection facilities theretofore made in establishing such
facilities and in acquiring, constructing, improving or developing any such
existing facilities in the manner provided for by this Act. The terms of
payment shall provide for reimbursement in full within not less than 20 years
from the date of such agreement.
(Source: P.A. 80-147.)
(70 ILCS 705/15b new)
Sec. 15b. Petition to cease operations; referendum.

New matter indicated by italics - deletions by strikeout
(a) Any local unit of government serving 500 or more residents operating a fire department organized under the provisions of the Municipal Code may cease the operation and maintenance of the fire department or fire departments by submitting a referendum to the voters served by the fire department or departments. The referendum proposing the dissolution of the fire department or departments shall be conducted in a manner that is consistent with the requirements provided by subsection (a) of this Section, except that the ballot for such election shall be in substantially the following form:

-------------------------------------------------------------
Shall the (name of fire department) serving the citizens with (list local unit(s) of government) cease to provide emergency services and be dissolved and discontinued? YES NO
-------------------------------------------------------------

If a majority of the votes cast on the question are in favor of such dissolution, the court shall enter an order discontinuing the fire department or departments.

The rights of the employees of the dissolved fire department or departments provided by the Personnel Code, any applicable collective bargaining agreements, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act of the 98th General Assembly.

(b) A municipality that is a home rule or non-home rule unit may not dissolve a fire department or fire departments in a manner that is inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

Section 90. The State Mandates Act is amended by adding Section 8.38 as follows:

(30 ILCS 805/8.38 new)
Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

Approved June 25, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)
Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as

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provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;

New matter indicated by italics - deletions by strikeout
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;

New matter indicated by italics - deletions by strikeout
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;

New matter indicated by italics - deletions by strikeout
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;

New matter indicated by italics - deletions by strikeout
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;

New matter indicated by italics - deletions by strikeout
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District;

New matter indicated by italics - deletions by strikeout
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District;

(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio;

(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville;

(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown;

(110) if the ordinance was adopted on April 28, 2003 by Gibson City;

(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance; or

(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey;

(113) if the ordinance was adopted on January 11, 1991 by the City of Chicago to create the Read/Dunning TIF District;

(114) if the ordinance was adopted on July 24, 1991 by the City of Chicago to create the Sanitary and Ship Canal TIF District; or

(115) if the ordinance was adopted on December 4, 2007 by the City of Naperville.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were

New matter indicated by italics - deletions by strikeout
authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff. 12-27-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved June 25, 2014.
Effective June 25, 2014.

PUBLIC ACT 98-0668
(Senate Bill No. 2187)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Clinical Psychologist Licensing Act is amended by changing Sections 2, 7, and 15 and by adding Sections 4.2, 4.3, and 4.5 as follows:

(225 ILCS 15/2) (from Ch. 111, par. 5352)
(Section scheduled to be repealed on January 1, 2017)
Sec. 2. Definitions. As used in this Act:
(1) "Department" means the Department of Financial and Professional Regulation.
(2) "Secretary" means the Secretary of Financial and Professional Regulation.
(3) "Board" means the Clinical Psychologists Licensing and Disciplinary Board appointed by the Secretary.
(4) "Person" means an individual, association, partnership or corporation.
(5) "Clinical psychology" means the independent evaluation, classification and treatment of mental, emotional, behavioral or nervous disorders or conditions, developmental disabilities, alcoholism and substance abuse, disorders of habit or conduct, the psychological aspects of physical illness. The practice of clinical psychology includes psychoeducational evaluation, therapy, remediation and consultation, the use of psychological and neuropsychological testing, assessment, psychotherapy, psychoanalysis, hypnosis, biofeedback, and behavioral modification when any of these are used for the purpose of preventing or eliminating psychopathology, or for the amelioration of psychological disorders of individuals or groups. "Clinical psychology" does not include the use of hypnosis by unlicensed persons pursuant to Section 3.
(6) A person represents himself to be a "clinical psychologist" or "psychologist" within the meaning of this Act when he or she holds himself out to the public by any title or description of services incorporating the words "psychological", "psychologic", "psychologist", "psychology", or "clinical psychologist" or under such title or description offers to render or renders clinical psychological services as defined in paragraph (7) of this Section to individuals, corporations, or the public for remuneration.
(7) "Clinical psychological services" refers to any services under paragraph (5) of this Section if the words "psychological", "psychologic", "psychologist", "psychology" or "clinical

New matter indicated by italics - deletions by strikeout
psychologist" are used to describe such services by the person or organization offering to render or rendering them.

(8) "Collaborating physician" means a physician licensed to practice medicine in all of its branches in Illinois who generally prescribes medications for the treatment of mental health disease or illness to his or her patients in the normal course of his or her clinical medical practice.

(9) "Prescribing psychologist" means a licensed, doctoral level psychologist who has undergone specialized training, has passed an examination as determined by rule, and has received a current license granting prescriptive authority under Section 4.2 of this Act that has not been revoked or suspended from the Department.

(10) "Prescriptive authority" means the authority to prescribe, administer, discontinue, or distribute drugs or medicines.

(11) "Prescription" means an order for a drug, laboratory test, or any medicines, including controlled substances as defined in the Illinois Controlled Substances Act.

(12) "Drugs" has the meaning given to that term in the Pharmacy Practice Act.

(13) "Medicines" has the meaning given to that term in the Pharmacy Practice Act.

This Act shall not apply to persons lawfully carrying on their particular profession or business under any valid existing regulatory Act of the State.

(Source: P.A. 94-870, eff. 6-16-06.)

(225 ILCS 15/4.2 new)

Sec. 4.2. Prescribing psychologist license.

(a) A psychologist may apply to the Department for a prescribing psychologist license. The application shall be made on a form approved by the Department, include the payment of any required fees, and be accompanied by evidence satisfactory to the Department that the applicant:

(1) holds a current license to practice clinical psychology in Illinois;

(2) has successfully completed the following minimum educational and training requirements either during the doctoral program required for licensure under this Section or in an accredited undergraduate or master level program prior to or subsequent to the doctoral program required under this Section:

New matter indicated by italics - deletions by strikeout
(A) specific minimum undergraduate biomedical prerequisite coursework, including, but not limited to: Medical Terminology (class or proficiency); Chemistry or Biochemistry with lab (2 semesters); Human Physiology (one semester); Human Anatomy (one semester); Anatomy and Physiology; Microbiology with lab (one semester); and General Biology for science majors or Cell and Molecular Biology (one semester);

(B) a minimum of 60 credit hours of didactic coursework, including, but not limited to: Pharmacology; Clinical Psychopharmacology; Clinical Anatomy and Integrated Science; Patient Evaluation; Advanced Physical Assessment; Research Methods; Advanced Pathophysiology; Diagnostic Methods; Problem Based Learning; and Clinical and Procedural Skills; and

(C) a full-time practicum of 14 months supervised clinical training of at least 36 credit hours, including a research project; during the clinical rotation phase, students complete rotations in Emergency Medicine, Family Medicine, Geriatrics, Internal Medicine, Obstetrics and Gynecology, Pediatrics, Psychiatrics, Surgery, and one elective of the students' choice; program approval standards addressing faculty qualifications, regular competency evaluation and length of clinical rotations, and instructional settings, including hospitals, hospital outpatient clinics, community mental health clinics, and correctional facilities, in accordance with those of the Accreditation Review Commission on Education for the Physician Assistant shall be set by Department by rule;

(3) has completed a National Certifying Exam, as determined by rule; and

(4) meets all other requirements for obtaining a prescribing psychologist license, as determined by rule.

(b) The Department may issue a prescribing psychologist license if it finds that the applicant has met the requirements of subsection (a) of this Section.

(c) A prescribing psychologist may only prescribe medication pursuant to the provisions of this Act if the prescribing psychologist:

New matter indicated by italics - deletions by strikeout
(1) continues to hold a current license to practice psychology in Illinois;
(2) satisfies the continuing education requirements for prescribing psychologists, including 10 hours of continuing education annually in pharmacology from accredited providers; and
(3) maintains a written collaborative agreement with a collaborating physician pursuant to Section 4.3 of this Act.

(225 ILCS 15/4.3 new)

Sec. 4.3. Written collaborative agreements.
(a) A written collaborative agreement is required for all prescribing psychologists practicing under a prescribing psychologist license issued pursuant to Section 4.2 of this Act.
(b) A written delegation of prescriptive authority by a collaborating physician may only include medications for the treatment of mental health disease or illness the collaborating physician generally provides to his or her patients in the normal course of his or her clinical practice with the exception of the following:
   (1) patients who are less than 17 years of age or over 65 years of age;
   (2) patients during pregnancy;
   (3) patients with serious medical conditions, such as heart disease, cancer, stroke, or seizures, and with developmental disabilities and intellectual disabilities; and
   (4) prescriptive authority for benzodiazepine Schedule III controlled substances.
(c) The collaborating physician shall file with the Department notice of delegation of prescriptive authority and termination of the delegation, in accordance with rules of the Department. Upon receipt of this notice delegating authority to prescribe any nonnarcotic Schedule III through V controlled substances, the licensed clinical psychologist shall be eligible to register for a mid-level practitioner controlled substance license under Section 303.05 of the Illinois Controlled Substances Act.
(d) All of the following shall apply to delegation of prescriptive authority:
   (1) Any delegation of Schedule III through V controlled substances shall identify the specific controlled substance by brand name or generic name. No controlled substance to be delivered by injection may be delegated. No Schedule II controlled substance shall be delegated.

New matter indicated by italics - deletions by strikeout
(2) A prescribing psychologist shall not prescribe narcotic drugs, as defined in Section 102 of the Illinois Controlled Substances Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(225 ILCS 15/4.5 new)
Sec. 4.5. Endorsement.

(a) Individuals who are already licensed as medical or prescribing psychologists in another state may apply for an Illinois prescribing psychologist license by endorsement from that state, or acceptance of that state's examination if they meet the requirements set forth in this Act and its rules, including proof of successful completion of the educational, testing, and experience standards. Applicants from other states may not be required to pass the examination required for licensure as a prescribing psychologist in Illinois if they meet requirements set forth in this Act and its rules, such as proof of education, testing, payment of any fees, and experience.

(b) Individuals who graduated from the Department of Defense Psychopharmacology Demonstration Project may apply for an Illinois prescribing psychologist license by endorsement. Applicants from the Department of Defense Psychopharmacology Demonstration Project may not be required to pass the examination required for licensure as a prescribing psychologist in Illinois if they meet requirements set forth in this Act and its rules, such as proof of education, testing, payment of any fees, and experience.

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(c) Individuals applying for a prescribing psychologist license by endorsement shall be required to first obtain a clinical psychologist license under this Act.

(225 ILCS 15/7) (from Ch. 111, par. 5357)
(Section scheduled to be repealed on January 1, 2017)
Sec. 7. Board. The Secretary shall appoint a Board that shall serve in an advisory capacity to the Secretary.

The Board shall consist of 11 persons: 4 of whom are licensed clinical psychologists; and actively engaged in the practice of clinical psychology; 2 of whom are licensed prescribing psychologists; 2 of whom are physicians licensed to practice medicine in all its branches in Illinois who generally prescribe medications for the treatment of mental health disease or illness in the normal course of clinical medical practice, one of whom shall be a psychiatrist and the other a primary care or family physician; 2 of whom are licensed clinical psychologists and are full time faculty members of accredited colleges or universities who are engaged in training clinical psychologists; and one of whom is a public member who is not a licensed health care provider. In appointing members of the Board, the Secretary shall give due consideration to the adequate representation of the various fields of health care psychology such as clinical psychology, school psychology and counseling psychology. In appointing members of the Board, the Secretary shall give due consideration to recommendations by members of the profession of clinical psychology and by the State-wide organizations representing the interests of clinical psychologists and organizations representing the interests of academic programs as well as recommendations by approved doctoral level psychology programs in the State of Illinois, and, with respect to the 2 physician members of the Board, the Secretary shall give due consideration to recommendations by the Statewide professional associations or societies representing physicians licensed to practice medicine in all its branches in Illinois. The members shall be appointed for a term of 4 years. No member shall be eligible to serve for more than 2 full terms. Any appointment to fill a vacancy shall be for the unexpired portion of the term. A member appointed to fill a vacancy for an unexpired term for a duration of 2 years or more may be reappointed for a maximum of one term and a member appointed to fill a vacancy for an unexpired term for a duration of less than 2 years may be reappointed for a maximum of 2 terms. The Secretary may remove any member for cause at any time prior to the expiration of his or her term.

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The 2 initial appointees to the Board who are licensed prescribing psychologists may hold a medical or prescription license issued by another state so long as the license is deemed by the Secretary to be substantially equivalent to a prescribing psychologist license under this Act and so long as the appointees also maintain an Illinois clinical psychologist license. Such initial appointees shall serve on the Board until the Department adopts rules necessary to implement licensure under Section 4.2 of this Act.

The Board shall annually elect one of its members as chairperson and vice chairperson.

The members of the Board shall be reimbursed for all authorized legitimate and necessary expenses incurred in attending the meetings of the Board.

The Secretary shall give due consideration to all recommendations of the Board. In the event the Secretary disagrees with or takes action contrary to the recommendation of the Board, he or she shall provide the Board with a written and specific explanation of his or her actions.

The Board may make recommendations on all matters relating to continuing education including the number of hours necessary for license renewal, waivers for those unable to meet such requirements and acceptable course content. Such recommendations shall not impose an undue burden on the Department or an unreasonable restriction on those seeking license renewal.

The 2 licensed prescribing psychologist members of the Board and the 2 physician members of the Board shall only deliberate and make recommendations related to the licensure and discipline of prescribing psychologists. Four members shall constitute a quorum, except that all deliberations and recommendations related to the licensure and discipline of prescribing psychologists shall require a quorum of 6 members. A quorum is required for all Board decisions.

Members of the Board shall have no liability in any action based upon any disciplinary proceeding or other activity performed in good faith as a member of the Board.

The Secretary may terminate the appointment of any member for cause which in the opinion of the Secretary reasonably justifies such termination.

(Source: P.A. 96-1050, eff. 1-1-11.)

(225 ILCS 15/15) (from Ch. 111, par. 5365)
(Section scheduled to be repealed on January 1, 2017)
Sec. 15. Disciplinary action; grounds. The Department may refuse to issue, refuse to renew, suspend, or revoke any license, or may place on probation, censure, reprimand, or take other disciplinary action deemed appropriate by the Department, including the imposition of fines not to exceed $10,000 for each violation, with regard to any license issued under the provisions of this Act for any one or a combination of the following reasons:

1. Conviction of, or entry of a plea of guilty or nolo contendere to, any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice of the profession.

2. Gross negligence in the rendering of clinical psychological services.

3. Using fraud or making any misrepresentation in applying for a license or in passing the examination provided for in this Act.

4. Aiding or abetting or conspiring to aid or abet a person, not a clinical psychologist licensed under this Act, in representing himself or herself as so licensed or in applying for a license under this Act.

5. Violation of any provision of this Act or the rules promulgated thereunder.

6. Professional connection or association with any person, firm, association, partnership or corporation holding himself, herself, themselves, or itself out in any manner contrary to this Act.

7. Unethical, unauthorized or unprofessional conduct as defined by rule. In establishing those rules, the Department shall consider, though is not bound by, the ethical standards for psychologists promulgated by recognized national psychology associations.

8. Aiding or assisting another person in violating any provisions of this Act or the rules promulgated thereunder.

9. Failing to provide, within 60 days, information in response to a written request made by the Department.

10. Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a clinical psychologist's inability to practice with reasonable judgment, skill or safety.

11. Discipline by another state, territory, the District of Columbia or foreign country, if at least one of the grounds for the

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discipline is the same or substantially equivalent to those set forth herein.

(12) Directly or indirectly giving or receiving from any person, firm, corporation, association or partnership any fee, commission, rebate, or other form of compensation for any professional service not actually or personally rendered. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) A finding by the Board that the licensee, after having his or her license placed on probationary status has violated the terms of probation.

(14) Willfully making or filing false records or reports, including but not limited to, false records or reports filed with State agencies or departments.

(15) Physical illness, including but not limited to, deterioration through the aging process, mental illness or disability that results in the inability to practice the profession with reasonable judgment, skill and safety.

(16) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(17) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(18) Violation of the Health Care Worker Self-Referral Act.

(19) Making a material misstatement in furnishing information to the Department, any other State or federal agency, or any other entity.
(20) Failing to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to an act or conduct similar to an act or conduct that would constitute grounds for action as set forth in this Section.

(21) Failing to report to the Department any adverse final action taken against a licensee or applicant by another licensing jurisdiction, including any other state or territory of the United States or any foreign state or country, or any peer review body, health care institution, professional society or association related to the profession, governmental agency, law enforcement agency, or court for an act or conduct similar to an act or conduct that would constitute grounds for disciplinary action as set forth in this Section.

(22) Prescribing, selling, administering, distributing, giving, or self-administering (A) any drug classified as a controlled substance (designated product) for other than medically accepted therapeutic purposes or (B) any narcotic drug.

(23) Violating state or federal laws or regulations relating to controlled substances, legend drugs, or ephedra as defined in the Ephedra Prohibition Act.

(24) Exceeding the terms of a collaborative agreement or the prescriptive authority delegated to a licensee by his or her collaborating physician or established under a written collaborative agreement.

The entry of an order by any circuit court establishing that any person holding a license under this Act is subject to involuntary admission or judicial admission as provided for in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension of that license. That person may have his or her license restored only upon the determination by a circuit court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient and upon the Board's recommendation to the Department that the license be restored. Where the circumstances so indicate, the Board may recommend to the Department that it require an examination prior to restoring any license so automatically suspended.

The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of the tax penalty or interest, as required by any tax Act administered by the Illinois Department of

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Revenue, until such time as the requirements of any such tax Act are satisfied.

In enforcing this Section, the Board upon a showing of a possible violation may compel any person licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians or clinical psychologists shall be those specifically designated by the Board. The Board or the Department may order the examining physician or clinical psychologist to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or clinical psychologist. The person to be examined may have, at his or her own expense, another physician or clinical psychologist of his or her choice present during all aspects of the examination. Failure of any person to submit to a mental or physical examination, when directed, shall be grounds for suspension of a license until the person submits to the examination if the Board finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Board finds a person unable to practice because of the reasons set forth in this Section, the Board may require that person to submit to care, counseling or treatment by physicians or clinical psychologists approved or designated by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling or treatment, the Board may recommend to the Department to file a complaint to immediately suspend, revoke or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions or restrictions, and who fails to comply with such terms, conditions or restrictions, shall be referred to the Secretary for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Board within 15 days after the suspension and completed without appreciable delay. The Board shall have the authority to review the subject person's record of treatment and counseling regarding the impairment,
to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-1482, eff. 11-29-10.)

Section 10. The Medical Practice Act of 1987 is amended by changing Sections 22 and 54.5 as follows:

(225 ILCS 60/22) (from Ch. 111, par. 4400-22)
(Section scheduled to be repealed on December 31, 2014)
Sec. 22. Disciplinary action.

(A) The Department may revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action as the Department may deem proper with regard to the license or permit of any person issued under this Act to practice medicine, or a chiropractic physician, including imposing fines not to exceed $10,000 for each violation, upon any of the following grounds:

(1) Performance of an elective abortion in any place, locale, facility, or institution other than:

   (a) a facility licensed pursuant to the Ambulatory Surgical Treatment Center Act;
   (b) an institution licensed under the Hospital Licensing Act;
   (c) an ambulatory surgical treatment center or hospitalization or care facility maintained by the State or any agency thereof, where such department or agency has authority under law to establish and enforce standards for the ambulatory surgical treatment centers, hospitalization, or care facilities under its management and control;
   (d) ambulatory surgical treatment centers, hospitalization or care facilities maintained by the Federal Government; or
   (e) ambulatory surgical treatment centers, hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation.

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(2) Performance of an abortion procedure in a wilful and wanton manner on a woman who was not pregnant at the time the abortion procedure was performed.

(3) A plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States of any crime that is a felony.

(4) Gross negligence in practice under this Act.

(5) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.

(6) Obtaining any fee by fraud, deceit, or misrepresentation.

(7) Habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or of any other substances which results in the inability to practice with reasonable judgment, skill or safety.

(8) Practicing under a false or, except as provided by law, an assumed name.

(9) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(10) Making a false or misleading statement regarding their skill or the efficacy or value of the medicine, treatment, or remedy prescribed by them at their direction in the treatment of any disease or other condition of the body or mind.

(11) Allowing another person or organization to use their license, procured under this Act, to practice.

(12) Disciplinary action of another state or jurisdiction against a license or other authorization to practice as a medical doctor, doctor of osteopathy, doctor of osteopathic medicine or doctor of chiropractic, a certified copy of the record of the action taken by the other state or jurisdiction being prima facie evidence thereof.

(13) Violation of any provision of this Act or of the Medical Practice Act prior to the repeal of that Act, or violation of the rules, or a final administrative action of the Secretary, after consideration of the recommendation of the Disciplinary Board.

(14) Violation of the prohibition against fee splitting in Section 22.2 of this Act.

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(15) A finding by the Disciplinary Board that the registrant after having his or her license placed on probationary status or subjected to conditions or restrictions violated the terms of the probation or failed to comply with such terms or conditions.

(16) Abandonment of a patient.

(17) Prescribing, selling, administering, distributing, giving or self-administering any drug classified as a controlled substance (designated product) or narcotic for other than medically accepted therapeutic purposes.

(18) Promotion of the sale of drugs, devices, appliances or goods provided for a patient in such manner as to exploit the patient for financial gain of the physician.

(19) Offering, undertaking or agreeing to cure or treat disease by a secret method, procedure, treatment or medicine, or the treating, operating or prescribing for any human condition by a method, means or procedure which the licensee refuses to divulge upon demand of the Department.

(20) Immoral conduct in the commission of any act including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice.

(21) Wilfully making or filing false records or reports in his or her practice as a physician, including, but not limited to, false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(22) Wilful omission to file or record, or wilfully impeding the filing or recording, or inducing another person to omit to file or record, medical reports as required by law, or wilfully failing to report an instance of suspected abuse or neglect as required by law.

(23) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(24) Solicitation of professional patronage by any corporation, agents or persons, or profiting from those representing themselves to be agents of the licensee.

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(25) Gross and willful and continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered, including, but not limited to, filing such false statements for collection of monies for services not rendered from the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(26) A pattern of practice or other behavior which demonstrates incapacity or incompetence to practice under this Act.

(27) Mental illness or disability which results in the inability to practice under this Act with reasonable judgment, skill or safety.

(28) Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in a physician's inability to practice under this Act with reasonable judgment, skill or safety.

(29) Cheating on or attempt to subvert the licensing examinations administered under this Act.

(30) Wilfully or negligently violating the confidentiality between physician and patient except as required by law.

(31) The use of any false, fraudulent, or deceptive statement in any document connected with practice under this Act.

(32) Aiding and abetting an individual not licensed under this Act in the practice of a profession licensed under this Act.

(33) Violating state or federal laws or regulations relating to controlled substances, legend drugs, or ephedra as defined in the Ephedra Prohibition Act.

(34) Failure to report to the Department any adverse final action taken against them by another licensing jurisdiction (any other state or any territory of the United States or any foreign state or country), by any peer review body, by any health care institution, by any professional society or association related to practice under this Act, by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(35) Failure to report to the Department surrender of a license or authorization to practice as a medical doctor, a doctor of osteopathy, a doctor of osteopathic medicine, or doctor of chiropractic in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society,

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while under disciplinary investigation by any of those authorities or bodies, for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(36) Failure to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(37) Failure to provide copies of medical records as required by law.

(38) Failure to furnish the Department, its investigators or representatives, relevant information, legally requested by the Department after consultation with the Chief Medical Coordinator or the Deputy Medical Coordinator.

(39) Violating the Health Care Worker Self-Referral Act.

(40) Willful failure to provide notice when notice is required under the Parental Notice of Abortion Act of 1995.

(41) Failure to establish and maintain records of patient care and treatment as required by this law.

(42) Entering into an excessive number of written collaborative agreements with licensed advanced practice nurses resulting in an inability to adequately collaborate.

(43) Repeated failure to adequately collaborate with a licensed advanced practice nurse.

(44) Violating the Compassionate Use of Medical Cannabis Pilot Program Act.

(45) Entering into an excessive number of written collaborative agreements with licensed prescribing psychologists resulting in an inability to adequately collaborate.

(46) Repeated failure to adequately collaborate with a licensed prescribing psychologist.

Except for actions involving the ground numbered (26), all proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 years next after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described herein. Except for the grounds numbered (8), (9), (26), and (29), no action shall be commenced more than 10 years after the date of the incident or act alleged to have violated this Section. For actions involving the ground numbered (26),

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a pattern of practice or other behavior includes all incidents alleged to be part of the pattern of practice or other behavior that occurred, or a report pursuant to Section 23 of this Act received, within the 10-year period preceding the filing of the complaint. In the event of the settlement of any claim or cause of action in favor of the claimant or the reduction to final judgment of any civil action in favor of the plaintiff, such claim, cause of action or civil action being grounded on the allegation that a person licensed under this Act was negligent in providing care, the Department shall have an additional period of 2 years from the date of notification to the Department under Section 23 of this Act of such settlement or final judgment in which to investigate and commence formal disciplinary proceedings under Section 36 of this Act, except as otherwise provided by law. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

The entry of an order or judgment by any circuit court establishing that any person holding a license under this Act is a person in need of mental treatment operates as a suspension of that license. That person may resume their practice only upon the entry of a Departmental order based upon a finding by the Disciplinary Board that they have been determined to be recovered from mental illness by the court and upon the Disciplinary Board's recommendation that they be permitted to resume their practice.

The Department may refuse to issue or take disciplinary action concerning the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Illinois Department of Revenue.

The Department, upon the recommendation of the Disciplinary Board, shall adopt rules which set forth standards to be used in determining:

(a) when a person will be deemed sufficiently rehabilitated to warrant the public trust;

(b) what constitutes dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(c) what constitutes immoral conduct in the commission of any act, including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice; and

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(d) what constitutes gross negligence in the practice of medicine.

However, no such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action under this Act.

In enforcing this Section, the Disciplinary Board or the Licensing Board, upon a showing of a possible violation, may compel, in the case of the Disciplinary Board, any individual who is licensed to practice under this Act or holds a permit to practice under this Act, or, in the case of the Licensing Board, any individual who has applied for licensure or a permit pursuant to this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, as required by the Licensing Board or Disciplinary Board and at the expense of the Department. The Disciplinary Board or Licensing Board shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to provide to the Department, the Disciplinary Board, or the Licensing Board any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee, permit holder, or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation. New matter indicated by italics - deletions by strikeout
evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee, permit holder, or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Disciplinary Board finds a physician unable to practice because of the reasons set forth in this Section, the Disciplinary Board shall require such physician to submit to care, counseling, or treatment by physicians approved or designated by the Disciplinary Board, as a condition for continued, reinstated, or renewed licensure to practice. Any physician, whose license was granted pursuant to Sections 9, 17, or 19 of this Act, or, continued, reinstated, renewed, disciplined or supervised, subject to such terms, conditions or restrictions who shall fail to comply with such terms, conditions or restrictions, or to complete a required program of care, counseling, or treatment, as determined by the Chief Medical Coordinator or Deputy Medical Coordinators, shall be referred to the Secretary for a determination as to whether the licensee shall have their license suspended immediately, pending a hearing by the Disciplinary Board. In instances in which the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Disciplinary Board within 15 days after such suspension and completed without appreciable delay. The Disciplinary Board shall have the authority to review the subject physician's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Disciplinary Board that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license.

The Department may promulgate rules for the imposition of fines in disciplinary cases, not to exceed $10,000 for each violation of this Act. Fines may be imposed in conjunction with other forms of disciplinary action, but

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shall not be the exclusive disposition of any disciplinary action arising out of conduct resulting in death or injury to a patient. Any funds collected from such fines shall be deposited in the Medical Disciplinary Fund.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(B) The Department shall revoke the license or permit issued under this Act to practice medicine or a chiropractic physician who has been convicted a second time of committing any felony under the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A person whose license or permit is revoked under this subsection B shall be prohibited from practicing medicine or treating human ailments without the use of drugs and without operative surgery.

(C) The Disciplinary Board shall recommend to the Department civil penalties and any other appropriate discipline in disciplinary cases when the Board finds that a physician willfully performed an abortion with actual knowledge that the person upon whom the abortion has been performed is a minor or an incompetent person without notice as required under the Parental Notice of Abortion Act of 1995. Upon the Board's recommendation, the Department shall impose, for the first violation, a civil penalty of $1,000 and for a second or subsequent violation, a civil penalty of $5,000.

(Source: P.A. 97-622, eff. 11-23-11; 98-601, eff. 12-30-13.)

(225 ILCS 60/54.5)
(Section scheduled to be repealed on December 31, 2014)
Sec. 54.5. Physician delegation of authority to physician assistants, and advanced practice nurses, and prescribing psychologists.

(a) Physicians licensed to practice medicine in all its branches may delegate care and treatment responsibilities to a physician assistant under guidelines in accordance with the requirements of the Physician Assistant Practice Act of 1987. A physician licensed to practice medicine in all its branches may enter into supervising physician agreements with no more than 5 physician assistants as set forth in subsection (a) of Section 7 of the Physician Assistant Practice Act of 1987.

(b) A physician licensed to practice medicine in all its branches in active clinical practice may collaborate with an advanced practice nurse in accordance with the requirements of the Nurse Practice Act. Collaboration is for the purpose of providing medical consultation, and no employment

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relationship is required. A written collaborative agreement shall conform to the requirements of Section 65-35 of the Nurse Practice Act. The written collaborative agreement shall be for services the collaborating physician generally provides or may provide in his or her clinical medical practice. A written collaborative agreement shall be adequate with respect to collaboration with advanced practice nurses if all of the following apply:

(1) The agreement is written to promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience. The agreement need not describe the exact steps that an advanced practice nurse must take with respect to each specific condition, disease, or symptom, but must specify those procedures that require a physician's presence as the procedures are being performed.

(2) Practice guidelines and orders are developed and approved jointly by the advanced practice nurse and collaborating physician, as needed, based on the practice of the practitioners. Such guidelines and orders and the patient services provided thereunder are periodically reviewed by the collaborating physician.

(3) The advance practice nurse provides services the collaborating physician generally provides or may provide in his or her clinical medical practice, except as set forth in subsection (b-5) of this Section. With respect to labor and delivery, the collaborating physician must provide delivery services in order to participate with a certified nurse midwife.

(4) The collaborating physician and advanced practice nurse consult at least once a month to provide collaboration and consultation.

(5) Methods of communication are available with the collaborating physician in person or through telecommunications for consultation, collaboration, and referral as needed to address patient care needs.

(6) The agreement contains provisions detailing notice for termination or change of status involving a written collaborative agreement, except when such notice is given for just cause.

(b-5) An anesthesiologist or physician licensed to practice medicine in all its branches may collaborate with a certified registered nurse anesthetist in accordance with Section 65-35 of the Nurse Practice Act for the provision of anesthesia services. With respect to the provision of anesthesia services, the collaborating anesthesiologist or physician shall have training and

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experience in the delivery of anesthesia services consistent with Department rules. Collaboration shall be adequate if:

(1) an anesthesiologist or a physician participates in the joint formulation and joint approval of orders or guidelines and periodically reviews such orders and the services provided patients under such orders; and

(2) for anesthesia services, the anesthesiologist or physician participates through discussion of and agreement with the anesthesia plan and is physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. Anesthesia services in a hospital shall be conducted in accordance with Section 10.7 of the Hospital Licensing Act and in an ambulatory surgical treatment center in accordance with Section 6.5 of the Ambulatory Surgical Treatment Center Act.

(b-10) The anesthesiologist or operating physician must agree with the anesthesia plan prior to the delivery of services.

(c) The supervising physician shall have access to the medical records of all patients attended by a physician assistant. The collaborating physician shall have access to the medical records of all patients attended to by an advanced practice nurse.

(d) (Blank).

(e) A physician shall not be liable for the acts or omissions of a prescribing psychologist, physician assistant, or advanced practice nurse solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing a prescribing psychologist, physician assistant, or advanced practice nurse to perform acts, unless the physician has reason to believe the prescribing psychologist, physician assistant, or advanced practice nurse lacked the competency to perform the act or acts or commits willful and wanton misconduct.

(f) A collaborating physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(g) A supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written supervision agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

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(h) For the purposes of this Section, "generally provides or may provide in his or her clinical medical practice" means categories of care or treatment, not specific tasks or duties, that the physician provides individually or through delegation to other persons so that the physician has the experience and ability to provide collaboration and consultation. This definition shall not be construed to prohibit an advanced practice nurse from providing primary health treatment or care within the scope of his or her training and experience, including, but not limited to, health screenings, patient histories, physical examinations, women's health examinations, or school physicals that may be provided as part of the routine practice of an advanced practice nurse or on a volunteer basis.

(i) A collaborating physician shall delegate prescriptive authority to a prescribing psychologist as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 4.3 of the Clinical Psychologist Licensing Act.

(Source: P.A. 97-358, eff. 8-12-11; 97-1071, eff. 8-24-12; 98-192, eff. 1-1-14.)

Section 15. The Illinois Controlled Substances Act is amended by changing Sections 102 and 303.05 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self control with reference to his or her addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient, research subject, or animal (as defined by the Humane Euthanasia in Animal Shelters Act) by:

(1) a practitioner (or, in his or her presence, by his or her authorized agent),

(2) the patient or research subject pursuant to an order, or

(3) a euthanasia technician as defined by the Humane Euthanasia in Animal Shelters Act.

(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, dispenser, prescriber, or

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practitioner. It does not include a common or contract carrier, public
warehouseman or employee of the carrier or warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance,
chemically and pharmacologically related to testosterone (other than
estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and
includes:

(i) 3[beta],17-dihydroxy-5a-androstane,
(ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,
(iii) 5[alpha]-androstan-3,17-dione,
(iv) 1-androstenediol (3[beta],
     17[beta]-dihydroxy-5[alpha]-androst-1-ene),
(v) 1-androstenediol (3[alpha],
     17[beta]-dihydroxy-5[alpha]-androst-1-ene),
(vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene),
(vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene),
(viii) 1-androstenedione ([5alpha]-androst-1-en-3,17-dione),
(ix) 4-androstenedione (androst-4-en-3,17-dione),
(x) 5-androstenedione (androst-5-en-3,17-dione),
(xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-
     hydroxyandrost-4-en-3-one),
(xii) boldenone (17[beta]-hydroxyandrost-
     1,4,-diene-3-one),
(xiii) boldione (androsta-1,4-
     diene-3,17-dione),
(xiv) calusterone (7[beta],17[alpha]-dimethyl-17 
     [beta]-hydroxyandrost-4-en-3-one),
(xv) clostebol (4-chloro-17[beta]-
     hydroxyandrost-4-en-3-one),
(xvi) dehydrochloromethyltestosterone (4-chloro- 
     17[beta]-hydroxy-17[alpha]-methyl-
     androst-1,4-dien-3-one),
(xvii) desoxymethyltestosterone 
     (17[alpha]-methyl-5[alpha]- 
     androst-2-en-17[beta]-ol)(a.k.a., madol),

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(xviii) [delta]1-dihydrotestosterone (a.k.a. '1-testosterone') (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one),
(xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one),
(xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one),
(xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene),
(xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
(xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one),
(xxiv) furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan),
(xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one)
(xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one),
(xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one),
(xxviii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5-androstan-3-one),
(xxix) mesterolone (1amethyl-17[beta]-hydroxy-[5a]-androstan-3-one),
(XXX) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one),
(XXXI) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene),
(XXXII) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one),
(XXXIII) 17[alpha]-methyl-3[beta], 17[beta]-dihydroxy-5a-androstane),
(XXXIV) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxyandrost-5-en-4-one),
(XXXV) 17[alpha]-methyl-5[alpha]-androstane),
(XXXVI) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
(XXXVII) methyldienolone (17[alpha]-methyl-17[beta]-

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hydroxyestra-4,9(10)-dien-3-one),
(xxxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-
hydroxyestra-4,9-11-trien-3-one),
(xxxxix) methyltestosterone (17[alpha]-methyl-17[beta]-
hydroxyandrost-4-en-3-one),
(xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-
hydroxyestr-4-en-3-one),
(xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
(17b[alpha]-hydroxy-17[alpha]-methyl-5[alpha]-
androst-1-en-3-one)(a.k.a. '17-[alpha]-methyl-
1-testosterone'),
(xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),
(xliii) 19-nor-4-androstenediol (3[beta], 17[alpha]-
dihydroxyestr-4-ene),
(xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-
dihydroxyestr-4-ene),
(xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-
dihydroxyestr-5-ene),
(xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-
dihydroxyestr-5-ene),
(xlvii) 19-nor-4,9(10)-androstadienedione
(estra-4,9(10)-diene-3,17-dione),
(xlviii) 19-nor-4-androstenedione (estra-4-
en-3,17-dione),
(xlix) 19-nor-5-androstenedione (estra-5-
en-3,17-dione),
(l) norbolethone (13[beta], 17a-diethyl-17[beta]-
hydroxygon-4-en-3-one),
(li) norclostebol (4-chloro-17[beta]-
hydroxyestr-4-en-3-one),
(lii) norethandrolone (17[alpha]-ethyl-17[beta]-
hydroxyestr-4-en-3-one),
(liii) normethandrolone (17[alpha]-methyl-17[beta]-
hydroxyestr-4-en-3-one),
(liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-
2-oxa-5[alpha]-androstan-3-one),
(lv) oxymesterone (17[alpha]-methyl-4,17[beta]-
dihydroxyandrost-4-en-3-one),
(lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-

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17[beta]-hydroxy-(5[alpha]-androstan-3-one),
(lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-
(5[alpha]-androst-2-eno[3,2-c]-pyrazole),
(lviii) stenbolone (17[beta]-hydroxy-2-methyl-
(5[alpha]-androst-1-en-3-one),
(lix) testolactone (13-hydroxy-3-oxo-13,17-
secoandrosta-1,4-dien-17-oic acid lactone),
(lx) testosterone (17[beta]-hydroxyandrost-
4-en-3-one),
(lxi) tetrahydrogestrinone (13[beta], 17[alpha]-
diethyl-17[beta]-hydroxygon-
4,9,11-trien-3-one),
(lxii) trenbolone (17[beta]-hydroxyestr-4,9,
11-trien-3-one).

Any person who is otherwise lawfully in possession of an anabolic steroid, or who otherwise lawfully manufactures, distributes, dispenses, delivers, or possesses with intent to deliver an anabolic steroid, which anabolic steroid is expressly intended for and lawfully allowed to be administered through implants to livestock or other nonhuman species, and which is approved by the Secretary of Health and Human Services for such administration, and which the person intends to administer or have administered through such implants, shall not be considered to be in unauthorized possession or to unlawfully manufacture, distribute, dispense, deliver, or possess with intent to deliver such anabolic steroid for purposes of this Act.

(d) "Administration" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.

(d-5) "Clinical Director, Prescription Monitoring Program" means a Department of Human Services administrative employee licensed to either prescribe or dispense controlled substances who shall run the clinical aspects of the Department of Human Services Prescription Monitoring Program and its Prescription Information Library.

(d-10) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or

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devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if both of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means (i) a drug, substance, or immediate precursor in the Schedules of Article II of this Act or (ii) a drug or other substance, or immediate precursor, designated as a controlled substance by the Department through administrative rule. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in the Liquor Control Act of 1934 and the Tobacco Products Tax Act of 1995.

(f-5) "Controlled substance analog" means a substance:

(1) the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II;

(2) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II; or

(3) with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.

(g) "Counterfeit substance" means a controlled substance, which, or the container or labeling of which, without authorization bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of a controlled substance, with or without consideration, whether or not there is an agency relationship.
(i) "Department" means the Illinois Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) or its successor agency.
(j) (Blank).
(k) "Department of Corrections" means the Department of Corrections of the State of Illinois or its successor agency.
(l) "Department of Financial and Professional Regulation" means the Department of Financial and Professional Regulation of the State of Illinois or its successor agency.
(m) "Depressant" means any drug that (i) causes an overall depression of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to alcohol, cannabis and its active principles and their analogs, benzodiazepines and their analogs, barbiturates and their analogs, opioids (natural and synthetic) and their analogs, and chloral hydrate and similar sedative hypnotics.
(n) (Blank).
(o) "Director" means the Director of the Illinois State Police or his or her designated agents.
(p) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a prescriber, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.
(q) "Dispenser" means a practitioner who dispenses.
(r) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.
(s) "Distributor" means a person who distributes.
(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.
(t-5) "Euthanasia agency" means an entity certified by the Department of Financial and Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under

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the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(t-10) "Euthanasia drugs" means Schedule II or Schedule III substances (nonnarcotic controlled substances) that are used by a euthanasia agency for the purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his or her treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein: and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be guided by accepted professional standards including, but not limited to the following, in making the judgment:

1. lack of consistency of prescriber-patient relationship,
2. frequency of prescriptions for same drug by one prescriber for large numbers of patients,
3. quantities beyond those normally prescribed,
4. unusual dosages (recognizing that there may be clinical circumstances where more or less than the usual dose may be used legitimately),
5. unusual geographic distances between patient, pharmacist and prescriber,
6. consistent prescribing of habit-forming drugs.

(u-0.5) "Hallucinogen" means a drug that causes markedly altered sensory perception leading to hallucinations of any type.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(u-5) "Illinois State Police" means the State Police of the State of Illinois, or its successor agency.

(v) "Immediate precursor" means a substance:
1. which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;

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(2) which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and
(3) the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

(a) statements made by the owner or person in control of the substance concerning its nature, use or effect;
(b) statements made to the buyer or recipient that the substance may be resold for profit;
(c) whether the substance is packaged in a manner normally used for the illegal distribution of controlled substances;
(d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.

Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute

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controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance other than methamphetamine, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

(1) by an ultimate user, the preparation or compounding of a controlled substance for his or her own use; or
(2) by a practitioner, or his or her authorized agent under his or her supervision, the preparation, compounding, packaging, or labeling of a controlled substance:
   (a) as an incident to his or her administering or dispensing of a controlled substance in the course of his or her professional practice; or
   (b) as an incident to lawful research, teaching or chemical analysis and not for sale.

(z-1) (Blank).

(z-5) "Medication shopping" means the conduct prohibited under subsection (a) of Section 314.5 of this Act.

(z-10) "Mid-level practitioner" means (i) a physician assistant who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches, in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, (ii) an advanced practice nurse who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches or by a podiatric physician, in
accordance with Section 65-40 of the Nurse Practice Act, or (iii) an animal euthanasia agency, or (iv) a prescribing psychologist.

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation; however the term "narcotic drug" does not include the isoquinoline alkaloids of opium;
(2) (blank);
(3) opium poppy and poppy straw;
(4) coca leaves, except coca leaves and extracts of coca leaves from which substantially all of the cocaine and ecgonine, and their isomers, derivatives and salts, have been removed;
(5) cocaine, its salts, optical and geometric isomers, and salts of isomers;
(6) ecgonine, its derivatives, their salts, isomers, and salts of isomers;
(7) any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (1) through (6).

(bb) "Nurse" means a registered nurse licensed under the Nurse Practice Act.

(cc) (Blank).

(dd) "Opiate" means any substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.

(ee) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(ee-5) "Oral dosage" means a tablet, capsule, elixir, or solution or other liquid form of medication intended for administration by mouth, but the term does not include a form of medication intended for buccal, sublingual, or transmucosal administration.

(ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.
(gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.

(hh) "Pharmacist" means any person who holds a license or certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act.

(ii-5) "Pharmacy shopping" means the conduct prohibited under subsection (b) of Section 314.5 of this Act.

(ii-10) "Physician" (except when the context otherwise requires) means a person licensed to practice medicine in all of its branches.

(jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(ll) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance; the term does not mean a written prescription that is individually generated by machine or computer in the prescriber's office.

(mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, optometrist, prescribing psychologist licensed under Section 4.2 of the Clinical Psychologist Licensing Act with prescriptive authority delegated under Section 4.3 of the Clinical Psychologist Licensing Act, podiatric physician, or veterinarian who issues a prescription, a physician assistant who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act and in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act.
"Prescription" means a written, facsimile, or oral order, or an electronic order that complies with applicable federal requirements, of a physician licensed to practice medicine in all its branches, dentist, podiatric physician or veterinarian for any controlled substance, of an optometrist for a Schedule III, IV, or V controlled substance in accordance with Section 15.1 of the Illinois Optometric Practice Act of 1987, of a prescribing psychologist licensed under Section 4.2 of the Clinical Psychologist Licensing Act with prescriptive authority delegated under Section 4.3 of the Clinical Psychologist Licensing Act, of a physician assistant for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or of an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act when required by law.

"Prescription Information Library" (PIL) means an electronic library that contains reported controlled substance data.

"Prescription Monitoring Program" (PMP) means the entity that collects, tracks, and stores reported data on controlled substances and select drugs pursuant to Section 316.

"Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance other than methamphetamine.

"Registrant" means every person who is required to register under Section 302 of this Act.

"Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

"Secretary" means, as the context requires, either the Secretary of the Department or the Secretary of the Department of Financial and Professional Regulation, and the Secretary's designated agents.

"State" includes the State of Illinois and any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

"Stimulant" means any drug that (i) causes an overall excitation of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse
problem, including but not limited to amphetamines and their analogs, methylphenidate and its analogs, cocaine, and phencyclidine and its analogs.

(ss) "Ultimate user" means a person who lawfully possesses a controlled substance for his or her own use or for the use of a member of his or her household or for administering to an animal owned by him or her or by a member of his or her household.

(Source: P.A. 97-334, eff. 1-1-12; 98-214, eff. 8-9-13; revised 11-12-13.)

(720 ILCS 570/303.05)

Sec. 303.05. Mid-level practitioner registration.

(a) The Department of Financial and Professional Regulation shall register licensed physician assistants, and licensed advanced practice nurses, and prescribing psychologists licensed under Section 4.2 of the Clinical Psychologist Licensing Act to prescribe and dispense controlled substances under Section 303 and euthanasia agencies to purchase, store, or administer animal euthanasia drugs under the following circumstances:

(1) with respect to physician assistants,

   (A) the physician assistant has been delegated written authority to prescribe any Schedule III through V controlled substances by a physician licensed to practice medicine in all its branches in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987; and the physician assistant has completed the appropriate application forms and has paid the required fees as set by rule; or

   (B) the physician assistant has been delegated authority by a supervising physician licensed to practice medicine in all its branches to prescribe or dispense Schedule II controlled substances through a written delegation of authority and under the following conditions:

      (i) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the supervising physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

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(ii) any delegation must be of controlled substances prescribed by the supervising physician;

(iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the supervising physician;

(iv) the physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician;

(v) the physician assistant must have completed the appropriate application forms and paid the required fees as set by rule;

(vi) the physician assistant must provide evidence of satisfactory completion of 45 contact hours in pharmacology from any physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA), or its predecessor agency, for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

(vii) the physician assistant must annually complete at least 5 hours of continuing education in pharmacology;

(2) with respect to advanced practice nurses,

(A) the advanced practice nurse has been delegated authority to prescribe any Schedule III through V controlled substances by a collaborating physician licensed to practice medicine in all its branches or a collaborating podiatric physician in accordance with Section 65-40 of the Nurse Practice Act. The advanced practice nurse has completed the appropriate application forms and has paid the required fees as set by rule; or

(B) the advanced practice nurse has been delegated authority by a collaborating physician licensed to practice medicine in all its branches or collaborating podiatric physician to prescribe or dispense Schedule II controlled

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substances through a written delegation of authority and under the following conditions:

(i) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating physician or podiatric physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

(ii) any delegation must be of controlled substances prescribed by the collaborating physician or podiatric physician;

(iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating physician or podiatric physician;

(iv) the advanced practice nurse must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician or podiatric physician or in the course of review as required by Section 65-40 of the Nurse Practice Act;

(v) the advanced practice nurse must have completed the appropriate application forms and paid the required fees as set by rule;

(vi) the advanced practice nurse must provide evidence of satisfactory completion of at least 45 graduate contact hours in pharmacology for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

(vii) the advanced practice nurse must annually complete 5 hours of continuing education in pharmacology; or

(3) with respect to animal euthanasia agencies, the euthanasia agency has obtained a license from the Department of Financial and New matter indicated by italics - deletions by strikeout
Professional Regulation and obtained a registration number from the Department; or:

(4) with respect to prescribing psychologists, the prescribing psychologist has been delegated authority to prescribe any nonnarcotic Schedule III through V controlled substances by a collaborating physician licensed to practice medicine in all its branches in accordance with Section 4.3 of the Clinical Psychologist Licensing Act, and the prescribing psychologist has completed the appropriate application forms and has paid the required fees as set by rule.

(b) The mid-level practitioner shall only be licensed to prescribe those schedules of controlled substances for which a licensed physician or licensed podiatric physician has delegated prescriptive authority, except that an animal euthanasia agency does not have any prescriptive authority. A physician assistant and an advanced practice nurse are prohibited from prescribing medications and controlled substances not set forth in the required written delegation of authority.

(c) Upon completion of all registration requirements, physician assistants, advanced practice nurses, and animal euthanasia agencies may be issued a mid-level practitioner controlled substances license for Illinois.

(d) A collaborating physician or podiatric physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(e) A supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written supervision agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

(f) Nothing in this Section shall be construed to prohibit generic substitution.

(Source: P.A. 97-334, eff. 1-1-12; 97-358, eff. 8-12-11; 97-813, eff. 7-13-12; 98-214, eff. 8-9-13.)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 27-23.7 and 27A-5 as follows:

(105 ILCS 5/27-23.7)

Sec. 27-23.7. Bullying prevention.

(a) The General Assembly finds that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities. The General Assembly further finds that bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence. Because of the negative outcomes associated with bullying in schools, the General Assembly finds that school districts, charter schools, and non-public, non-sectarian elementary and secondary schools should educate students, parents, and school district, charter school, or non-public, non-sectarian elementary or secondary school personnel about what behaviors constitute prohibited bullying.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in all school districts, charter schools, and non-public, non-sectarian elementary and secondary schools. No student shall be subjected to bullying:

(1) during any school-sponsored education program or activity;

(2) while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities; or

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(3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.

(a-5) Nothing in this Section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 of Article I of the Illinois Constitution.

(b) In this Section:

"Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

(1) placing the student or students in reasonable fear of harm to the student's or students' person or property;
(2) causing a substantially detrimental effect on the student's or students' physical or mental health;
(3) substantially interfering with the student's or students' academic performance; or
(4) substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying, as defined in this subsection (b), may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

(1) Includes the bullying definition provided in this Section.
(2) Includes a statement that bullying is contrary to State law and the policy of the school district, charter school, or non-public, non-sectarian elementary or secondary school and is consistent with subsection (a-5) of this Section.
(3) Includes procedures for promptly reporting bullying, including, but not limited to, identifying and providing the school e-mail address (if applicable) and school telephone number for the staff person or persons responsible for receiving such reports and a procedure for anonymous reporting; however, this shall not be

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construed to permit formal disciplinary action solely on the basis of an anonymous report.

(4) Consistent with federal and State laws and rules governing student privacy rights, includes procedures for promptly informing parents or guardians of all students involved in the alleged incident of bullying and discussing, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.

(5) Contains procedures for promptly investigating and addressing reports of bullying, including the following:

(A) Making all reasonable efforts to complete the investigation within 10 school days after the date the report of the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.

(B) Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.

(C) Notifying the principal or school administrator or his or her designee of the report of the incident of bullying as soon as possible after the report is received.

(D) Consistent with federal and State laws and rules governing student privacy rights, providing parents and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

(6) Includes the interventions that can be taken to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

(7) Includes a statement prohibiting reprisal or retaliation against any person who reports an act of bullying and the
consequences and appropriate remedial actions for a person who engages in reprisal or retaliation.

(8) Includes consequences and appropriate remedial actions for a person found to have falsely accused another of bullying as a means of retaliation or as a means of bullying.

(9) Is based on the engagement of a range of school stakeholders, including students and parents or guardians.

(10) Is posted on the school district's, charter school's, or non-public, non-sectarian elementary or secondary school's existing Internet website and is included in the student handbook, and, where applicable, posted where other policies, rules, and standards of conduct are currently posted in the school, and is distributed annually to parents, guardians, students, and school personnel, including new employees when hired.

(11) As part of the process of reviewing and re-evaluating the policy under subsection (d) of this Section, contains a policy evaluation process to assess the outcomes and effectiveness of the policy that includes, but is not limited to, factors such as the frequency of victimization; student, staff, and family observations of safety at a school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation. The school district, charter school, or non-public, non-sectarian elementary or secondary school may use relevant data and information it already collects for other purposes in the policy evaluation. The information developed as a result of the policy evaluation must be made available on the Internet website of the school district, charter school, or non-public, non-sectarian elementary or secondary school. If an Internet website is not available, the information must be provided to school administrators, school board members, school personnel, parents, guardians, and students.

(12) Is consistent with the policies of the school board, charter school, or non-public, non-sectarian elementary or secondary school.

"Restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and

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interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

"School personnel" means persons employed by, on contract with, or who volunteer in a school district, charter schools, or non-public, non-sectarian elementary or secondary school, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

(c) (Blank).

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, and maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. Each school district and non-public, non-sectarian elementary or secondary school must communicate its policy on bullying to its students and their parent or guardian on an annual basis. The policy must be updated every 2 years and filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d).

(e) This Section shall not be interpreted to prevent a victim from seeking redress under any other available civil or criminal law. Nothing in this Section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 or 4 of Article 1 of the Illinois Constitution.

(Source: P.A. 95-198, eff. 1-1-08; 95-349, eff. 8-23-07; 95-876, eff. 8-21-08; 96-952, eff. 6-28-10.)

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

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(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(b-5) In this subsection (b-5), "virtual-schooling" means the teaching of courses through online methods with online instructors, rather than the instructor and student being at the same physical location. "Virtual-schooling" includes without limitation instruction provided by full-time, online virtual schools.

From April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted.

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annually by an outside, independent contractor retained by the charter school. Annually, by December 1, every charter school must submit to the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, and its charter. A charter school is exempt from all other State laws and regulations in this the School Code governing public schools and local school board policies, except the following:

(1) Sections 10-21.9 and 34-18.5 of this the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 24-24 and 34-84A of this the School Code regarding discipline of students;

(3) the Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) the Abused and Neglected Child Reporting Act;

(6) the Illinois School Student Records Act;

(7) Section 10-17a of this the School Code regarding school report cards; and

(8) the P-20 Longitudinal Education Data System Act; and

(9) Section 27-23.7 of this Code regarding bullying prevention.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd
General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)


PUBLIC ACT 98-0670
(Senate Bill No. 2761)

AN ACT concerning State government.

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

Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-600 as follows:

(20 ILCS 2705/2705-600)

New matter indicated by italics - deletions by strikeout
Sec. 2705-600. Target market program. In order to remedy particular incidents and patterns of egregious race or gender discrimination, the chief procurement officer, in consultation with the Department, shall have the power to implement a target market program incorporating the following terms:

(0.5) Each fiscal year, the Department shall review any and all evidence of discrimination related to transportation construction projects. Evidence of discrimination may include, but is not limited to: (i) the determination of the Department's utilization of minority-owned and female-owned firms in its prime contracts and associated subcontracts; (ii) the availability of minority-owned and female-owned firms in the Department's geographic market areas and specific construction industry markets; (iii) any disparities between the utilization of minority-owned and female-owned firms in the Department's markets and the utilization of those firms on the Department's prime contracts and subcontracts in those markets; (iv) any disparities between the utilization of minority-owned and female-owned firms in the overall construction markets in which the Department purchases and the utilization of those firms in the overall construction economy in which the Department operates; (v) evidence of discrimination in the rates at which minority-owned and female-owned firms in the Department's markets form businesses compared to similar non-minority-owned and non-female-owned firms in the Department's markets and in the dollars earned by such businesses; and (vi) quantitative and qualitative anecdotal evidence of discrimination. If after reviewing such evidence, the Department finds and the chief procurement officer concurs in the findings that the Department has a strong basis in evidence that it has a compelling interest in remedying the identified discrimination against a specific group, race, or gender, and that the only remedy for such discrimination is a narrowly tailored target market, the chief procurement officer, in consultation with the Department, has the power to establish and implement a target market program tailored to address the specific findings of egregious discrimination made by the Department, after a public hearing at which minority, female, and general contractor groups, community organizations, and other interested parties shall have the opportunity to provide comments.

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(1) In January of each year, the Department and the chief procurement officer shall report jointly to the General Assembly the results of any evidentiary inquiries or studies that establish the Department's compelling interest in remedying egregious discrimination based upon strong evidence of the need for a narrowly tailored target market to remedy such discrimination and public hearings held pursuant to this Section, and shall report the actions to be taken to address the findings, including, if warranted, the establishment and implementation of any target market initiatives.

(2) The chief procurement officer shall work with the officers and divisions of the Department to determine the appropriate designation of contracts as target market contracts. The chief procurement officer, in consultation with the Department, shall determine appropriate contract formation and bidding procedures for target market contracts, including, but not limited to, the dividing of procurements so designated into contract award units in order to facilitate offers or bids from minority-owned businesses and female-owned businesses and the removal of bid bond requirements for minority-owned businesses and female-owned businesses. Minority-owned businesses and female-owned businesses shall remain eligible to seek the procurement award of contracts that have not been designated as target market contracts.

(3) The chief procurement officer may make participation in the target market program dependent upon submission to stricter compliance audits than are generally applicable. No contract shall be eligible for inclusion in the target market program unless the Department determines that there are at least 3 minority-owned businesses or female-owned businesses interested in participating in that type of contract. The Department, with the concurrence of the chief procurement officer, may develop guidelines to regulate the level of participation of individual minority-owned businesses and female-owned businesses in the target market program in order to prevent the domination of the target market program by a small number of those entities. The Department may require minority-owned businesses and female-owned businesses to participate in training programs offered by the Department or other State agencies as a condition precedent to participation in the target market program.

(4) Participation in the target market program shall be limited to minority-owned businesses and female-owned businesses and joint
ventures consisting exclusively of minority-owned businesses, female-owned businesses, or both, that are certified as disadvantaged businesses pursuant to the provisions of Section 6(d) of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. A firm awarded a target market contract may subcontract up to 50% of the dollar value of the target market contract to subcontractors who are not minority-owned businesses or female-owned businesses.

(5) The Department may include in the target market program contracts that are funded by the federal government to the extent allowed by federal law and may vary the standards of eligibility of the target market program to the extent necessary to comply with the federal funding requirements.

(6) If no satisfactory bid or response is received with respect to a contract that has been designated as part of the target market program, the chief procurement officer, in consultation with the Department, may delete that contract from the target market program. In addition, the chief procurement officer, in consultation with the Department, may thereupon designate and set aside for the target market program additional contracts corresponding in approximate value to the contract that was deleted from the target market program, in keeping with the narrowly tailored process used for selecting contracts suitable for the program and to the extent feasible.

(7) The chief procurement officer, in consultation with the Department, shall promulgate such rules as he or she deems necessary to administer the target market program.

If any part, sentence, or clause of this Section is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Section.

This Section is repealed on June 30, 2017.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of P.A. 96-795); 97-228, eff. 7-28-11.)


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AN ACT concerning public health.

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

Section 5. The Consent by Minors to Medical Procedures Act is
amended by adding Section 1.5 as follows:

(410 ILCS 210/1.5 new)

Sec. 1.5. Consent by minor seeking care for primary care services.

(a) The consent to the performance of primary care services by a
physician licensed to practice medicine in all its branches, an advanced
practice nurse who has a written collaborative agreement with a
collaborating physician that authorizes provision of services for minors, or
a physician assistant who has been delegated authority to provide services
for minors executed by a minor seeking care is not voidable because of such
minority, and for such purpose, a minor seeking care is deemed to have the
same legal capacity to act and has the same powers and obligations as has
a person of legal age under the following circumstances:

(1) the health care professional reasonably believes that the
minor seeking care understands the benefits and risks of any
proposed primary care or services; and

(2) the minor seeking care is identified in writing as a minor
seeking care by:

(A) an adult relative;
(B) a representative of a homeless service agency that
receives federal, State, county, or municipal funding to
provide those services or that is otherwise sanctioned by a
local continuum of care;
(C) an attorney licensed to practice law in this State;
(D) a public school homeless liaison or school social
worker;
(E) a social service agency providing services to at
risk, homeless, or runaway youth; or
(F) a representative of a religious organization.

(b) A health care professional rendering primary care services under
this Section shall not incur civil or criminal liability for failure to obtain
valid consent or professional discipline for failure to obtain valid consent if
he or she relied in good faith on the representations made by the minor or the

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information provided under paragraph (2) of subsection (a) of this Section. Under such circumstances, good faith shall be presumed.

(c) The confidential nature of any communication between a health care professional described in Section 1 of this Act and a minor seeking care is not waived (1) by the presence, at the time of communication, of any additional persons present at the request of the minor seeking care, (2) by the health care professional's disclosure of confidential information to the additional person with the consent of the minor seeking care, when reasonably necessary to accomplish the purpose for which the additional person is consulted, or (3) by the health care professional billing a health benefit insurance or plan under which the minor seeking care is insured, is enrolled, or has coverage for the services provided.

(d) Nothing in this Section shall be construed to limit or expand a minor's existing powers and obligations under any federal, State, or local law. Nothing in this Section shall be construed to affect the Parental Notice of Abortion Act of 1995. Nothing in this Section affects the right or authority of a parent or legal guardian to verbally, in writing, or otherwise authorize health care services to be provided for a minor in their absence.

(e) For the purposes of this Section:

"Minor seeking care" means a person at least 14 years of age but less than 18 years of age who is living separate and apart from his or her parents or legal guardian, whether with or without the consent of a parent or legal guardian who is unable or unwilling to return to the residence of a parent, and managing his or her own personal affairs. "Minor seeking care" does not include minors who are under the protective custody, temporary custody, or guardianship of the Department of Children and Family Services.

"Primary care services" means health care services that include screening, counseling, immunizations, medication, and treatment of illness and conditions customarily provided by licensed health care professionals in an out-patient setting. "Primary care services" does not include invasive care, beyond standard injections, laceration care, or non-surgical fracture care.


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AN ACT concerning public utilities.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Power Agency Act is amended by changing Section 1-56 as follows:
(20 ILCS 3855/1-56)
(a) The Illinois Power Agency Renewable Energy Resources Fund is created as a special fund in the State treasury.
(b) The Illinois Power Agency Renewable Energy Resources Fund shall be administered by the Agency to procure renewable energy resources. Prior to June 1, 2011, resources procured pursuant to this Section shall be procured from facilities located in Illinois, provided the resources are available from those facilities. If resources are not available in Illinois, then they shall be procured in states that adjoin Illinois. If resources are not available in Illinois or in states that adjoin Illinois, then they may be purchased elsewhere. Beginning June 1, 2011, resources procured pursuant to this Section shall be procured from facilities located in Illinois or states that adjoin Illinois. If resources are not available in Illinois or in states that adjoin Illinois, then they may be procured elsewhere. To the extent available, at least 75% of these renewable energy resources shall come from wind generation. Of the renewable energy resources procured pursuant to this Section at least the following specified percentages shall come from photovoltaics on the following schedule: 0.5% by June 1, 2012; 1.5% by June 1, 2013; 3% by June 1, 2014; and 6% by June 1, 2015 and thereafter. Of the renewable energy resources procured pursuant to this Section, at least the following percentages shall come from distributed renewable energy generation devices: 0.5% by June 1, 2013, 0.75% by June 1, 2014, and 1% by June 1, 2015 and thereafter. To the extent available, half of the renewable energy resources procured from distributed renewable energy generation shall come from devices of less than 25 kilowatts in nameplate capacity. Renewable energy resources procured from distributed generation devices may also count towards the required percentages for wind and solar photovoltaics. Procurement of renewable energy resources from distributed renewable energy generation devices shall be done on an annual basis through

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multi-year contracts of no less than 5 years, and shall consist solely of renewable energy credits.

The Agency shall create credit requirements for suppliers of distributed renewable energy. In order to minimize the administrative burden on contracting entities, the Agency shall solicit the use of third-party organizations to aggregate distributed renewable energy into groups of no less than one megawatt in installed capacity. These third-party organizations shall administer contracts with individual distributed renewable energy generation device owners. An individual distributed renewable energy generation device owner shall have the ability to measure the output of his or her distributed renewable energy generation device.

(c) The Agency shall procure renewable energy resources at least once each year in conjunction with a procurement event for electric utilities required to comply with Section 1-75 of the Act and shall, whenever possible, enter into long-term contracts on an annual basis for a portion of the incremental requirement for the given procurement year.

(d) The price paid to procure renewable energy credits using monies from the Illinois Power Agency Renewable Energy Resources Fund shall not exceed the winning bid prices paid for like resources procured for electric utilities required to comply with Section 1-75 of this Act.

(e) All renewable energy credits procured using monies from the Illinois Power Agency Renewable Energy Resources Fund shall be permanently retired.

(f) The procurement process described in this Section is exempt from the requirements of the Illinois Procurement Code, pursuant to Section 20-10 of that Code.

(g) All disbursements from the Illinois Power Agency Renewable Energy Resources Fund shall be made only upon warrants of the Comptroller drawn upon the Treasurer as custodian of the Fund upon vouchers signed by the Director or by the person or persons designated by the Director for that purpose. The Comptroller is authorized to draw the warrant upon vouchers so signed. The Treasurer shall accept all warrants so signed and shall be released from liability for all payments made on those warrants.

(h) The Illinois Power Agency Renewable Energy Resources Fund shall not be subject to sweeps, administrative charges, or chargebacks, including, but not limited to, those authorized under Section 8h of the State Finance Act, that would in any way result in the transfer of any funds from this Fund to any other fund of this State or in having any such funds utilized for any purpose other than the express purposes set forth in this Section.

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(i) Supplemental procurement process.

(1) Within 90 days after the effective date of this amendatory Act of the 98th General Assembly, the Agency shall develop a one-time supplemental procurement plan limited to the procurement of renewable energy credits, if available, from new or existing photovoltaics, including, but not limited to, distributed photovoltaic generation. Nothing in this subsection (i) requires procurement of wind generation through the supplemental procurement.

Renewable energy credits procured from new photovoltaics, including, but not limited to, distributed photovoltaic generation, under this subsection (i) must be procured from devices installed by a qualified person. In its supplemental procurement plan, the Agency shall establish contractually enforceable mechanisms for ensuring that the installation of new photovoltaics is performed by a qualified person.

For the purposes of this paragraph (1), "qualified person" means a person who performs installations of photovoltaics, including, but not limited to, distributed photovoltaic generation, and who: (A) has completed an apprenticeship as a journeyman electrician from a United States Department of Labor registered electrical apprenticeship and training program and received a certification of satisfactory completion; or (B) does not currently meet the criteria under clause (A) of this paragraph (1), but is enrolled in a United States Department of Labor registered electrical apprenticeship program, provided that the person is directly supervised by a person who meets the criteria under clause (A) of this paragraph (1); or (C) has obtained one of the following credentials in addition to attesting to satisfactory completion of at least 5 years or 8,000 hours of documented hands-on electrical experience: (i) a North American Board of Certified Energy Practitioners (NABCEP) Installer Certificate for Solar PV; (ii) an Underwriters Laboratories (UL) PV Systems Installer Certificate; (iii) an Electronics Technicians Association, International (ETAI) Level 3 PV Installer Certificate; or (iv) an Associate in Applied Science degree from an Illinois Community College Board approved community college program in renewable energy or a distributed generation technology.

For the purposes of this paragraph (1), "directly supervised" means that there is a qualified person who meets the qualifications under clause (A) of this paragraph (1) and who is available for

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supervision and consultation regarding the work performed by persons under clause (B) of this paragraph (1), including a final inspection of the installation work that has been directly supervised to ensure safety and conformity with applicable codes.

For the purposes of this paragraph (1), "install" means the major activities and actions required to connect, in accordance with applicable building and electrical codes, the conductors, connectors, and all associated fittings, devices, power outlets, or apparatuses mounted at the premises that are directly involved in delivering energy to the premises' electrical wiring from the photovoltaics, including, but not limited to, to distributed photovoltaic generation.

The renewable energy credits procured pursuant to the supplemental procurement plan shall be procured using up to $30,000,000 from the Illinois Power Agency Renewable Energy Resources Fund. The Agency shall not plan to use funds from the Illinois Power Agency Renewable Energy Resources Fund in excess of the monies on deposit in such fund or projected to be deposited into such fund. The supplemental procurement plan shall ensure adequate, reliable, affordable, efficient, and environmentally sustainable renewable energy resources (including credits) at the lowest total cost over time, taking into account any benefits of price stability.

To the extent available, 50% of the renewable energy credits procured from distributed renewable energy generation shall come from devices of less than 25 kilowatts in nameplate capacity. Procurement of renewable energy credits from distributed renewable energy generation devices shall be done through multi-year contracts of no less than 5 years. The Agency shall create credit requirements for counterparties. In order to minimize the administrative burden on contracting entities, the Agency shall solicit the use of third parties to aggregate distributed renewable energy. These third parties shall enter into and administer contracts with individual distributed renewable energy generation device owners. An individual distributed renewable energy generation device owner shall have the ability to measure the output of his or her distributed renewable energy generation device.

In developing the supplemental procurement plan, the Agency shall hold at least one workshop open to the public within 90 days after the effective date of this amendatory Act of the 98th General

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Assembly and shall consider any comments made by stakeholders or the public. Upon development of the supplemental procurement plan within this 90-day period, copies of the supplemental procurement plan shall be posted and made publicly available on the Agency's and Commission's websites. All interested parties shall have 14 days following the date of posting to provide comment to the Agency on the supplemental procurement plan. All comments submitted to the Agency shall be specific, supported by data or other detailed analyses, and, if objecting to all or a portion of the supplemental procurement plan, accompanied by specific alternative wording or proposals. All comments shall be posted on the Agency's and Commission's websites. Within 14 days following the end of the 14-day review period, the Agency shall revise the supplemental procurement plan as necessary based on the comments received and file its revised supplemental procurement plan with the Commission for approval.

(2) Within 5 days after the filing of the supplemental procurement plan at the Commission, any person objecting to the supplemental procurement plan shall file an objection with the Commission. Within 10 days after the filing, the Commission shall determine whether a hearing is necessary. The Commission shall enter its order confirming or modifying the supplemental procurement plan within 90 days after the filing of the supplemental procurement plan by the Agency.

(3) The Commission shall approve the supplemental procurement plan of renewable energy credits to be procured from new or existing photovoltaics, including, but not limited to, distributed photovoltaic generation, if the Commission determines that it will ensure adequate, reliable, affordable, efficient, and environmentally sustainable electric service in the form of renewable energy credits at the lowest total cost over time, taking into account any benefits of price stability.

(4) The supplemental procurement process under this subsection (i) shall include each of the following components:

(A) Procurement administrator. The Agency may retain a procurement administrator in the manner set forth in item (2) of subsection (a) of Section 1-75 of this Act to conduct the supplemental procurement or may elect to use the

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same procurement administrator administering the Agency’s annual procurement under Section 1-75.

(B) Procurement monitor. The procurement monitor retained by the Commission pursuant to Section 16-111.5 of the Public Utilities Act shall:

(i) monitor interactions among the procurement administrator and bidders and suppliers;

(ii) monitor and report to the Commission on the progress of the supplemental procurement process;

(iii) provide an independent confidential report to the Commission regarding the results of the procurement events;

(iv) assess compliance with the procurement plan approved by the Commission for the supplemental procurement process;

(v) preserve the confidentiality of supplier and bidding information in a manner consistent with all applicable laws, rules, regulations, and tariffs;

(vi) provide expert advice to the Commission and consult with the procurement administrator regarding issues related to procurement process design, rules, protocols, and policy-related matters;

(vii) consult with the procurement administrator regarding the development and use of benchmark criteria, standard form contracts, credit policies, and bid documents; and

(viii) perform, with respect to the supplemental procurement process, any other procurement monitor duties specifically delineated within subsection (i) of this Section.

(C) Solicitation, pre-qualification, and registration of bidders. The procurement administrator shall disseminate information to potential bidders to promote a procurement event, notify potential bidders that the procurement administrator may enter into a post-bid price negotiation with bidders that meet the applicable benchmarks, provide supply requirements, and otherwise explain the competitive

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procurement process. In addition to such other publication as the procurement administrator determines is appropriate, this information shall be posted on the Agency's and the Commission's websites. The procurement administrator shall also administer the prequalification process, including evaluation of credit worthiness, compliance with procurement rules, and agreement to the standard form contract developed pursuant to item (D) of this paragraph (4). The procurement administrator shall then identify and register bidders to participate in the procurement event.

(D) Standard contract forms and credit terms and instruments. The procurement administrator, in consultation with the Agency, the Commission, and other interested parties and subject to Commission oversight, shall develop and provide standard contract forms for the supplier contracts that meet generally accepted industry practices as well as include any applicable State of Illinois terms and conditions that are required for contracts entered into by an agency of the State of Illinois. Standard credit terms and instruments that meet generally accepted industry practices shall be similarly developed. Contracts for new photovoltaics shall include a provision attesting that the supplier will use a qualified person for the installation of the device pursuant to paragraph (1) of subsection (i) of this Section. The procurement administrator shall make available to the Commission all written comments it receives on the contract forms, credit terms, or instruments. If the procurement administrator cannot reach agreement with the parties as to the contract terms and conditions, the procurement administrator must notify the Commission of any disputed terms and the Commission shall resolve the dispute. The terms of the contracts shall not be subject to negotiation by winning bidders, and the bidders must agree to the terms of the contract in advance so that winning bids are selected solely on the basis of price.

(E) Requests for proposals; competitive procurement process. The procurement administrator shall design and issue requests for proposals to supply renewable energy credits in accordance with the supplemental procurement

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plan, as approved by the Commission. The requests for proposals shall set forth a procedure for sealed, binding commitment bidding with pay-as-bid settlement, and provision for selection of bids on the basis of price, provided, however, that no bid shall be accepted if it exceeds the benchmark developed pursuant to item (F) of this paragraph (4).

(F) Benchmarks. Benchmarks for each product to be procured shall be developed by the procurement administrator in consultation with Commission staff, the Agency, and the procurement monitor for use in this supplemental procurement.

(G) A plan for implementing contingencies in the event of supplier default, Commission rejection of results, or any other cause.

(5) Within 2 business days after opening the sealed bids, the procurement administrator shall submit a confidential report to the Commission. The report shall contain the results of the bidding for each of the products along with the procurement administrator's recommendation for the acceptance and rejection of bids based on the price benchmark criteria and other factors observed in the process. The procurement monitor also shall submit a confidential report to the Commission within 2 business days after opening the sealed bids. The report shall contain the procurement monitor's assessment of bidder behavior in the process as well as an assessment of the procurement administrator's compliance with the procurement process and rules. The Commission shall review the confidential reports submitted by the procurement administrator and procurement monitor and shall accept or reject the recommendations of the procurement administrator within 2 business days after receipt of the reports.

(6) Within 3 business days after the Commission decision approving the results of a procurement event, the Agency shall enter into binding contractual arrangements with the winning suppliers using the standard form contracts.

(7) The names of the successful bidders and the average of the winning bid prices for each contract type and for each contract term shall be made available to the public within 2 days after the supplemental procurement event. The Commission, the procurement

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monitor, the procurement administrator, the Agency, and all participants in the procurement process shall maintain the confidentiality of all other supplier and bidding information in a manner consistent with all applicable laws, rules, regulations, and tariffs. Confidential information, including the confidential reports submitted by the procurement administrator and procurement monitor pursuant to this Section, shall not be made publicly available and shall not be discoverable by any party in any proceeding, absent a compelling demonstration of need, nor shall those reports be admissible in any proceeding other than one for law enforcement purposes.

(8) The supplemental procurement provided in this subsection (i) shall not be subject to the requirements and limitations of subsections (c) and (d) of this Section.

(9) Expenses incurred in connection with the procurement process held pursuant to this Section, including, but not limited to, the cost of developing the supplemental procurement plan, the procurement administrator, procurement monitor, and the cost of the retirement of renewable energy credits purchased pursuant to the supplemental procurement shall be paid for from the Illinois Power Agency Renewable Energy Resources Fund. The Agency shall enter into an interagency agreement with the Commission to reimburse the Commission for its costs associated with the procurement monitor for the supplemental procurement process.

(Source: P.A. 96-159, eff. 8-10-09; 96-1000, eff. 7-2-10; 96-1437, eff. 8-17-10; 97-616, eff. 10-26-11.)


PUBLIC ACT 98-0673
(House Bill No. 3939)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 10-20.12 and 27-8.1 as follows:

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Sec. 10-20.12. School year - School age. To establish and keep in operation in each year during a school term of at least the minimum length required by Section 10-19, a sufficient number of free schools for the accommodation of all persons in the district who are 5 years of age or older but under 21 years of age, and to secure for all such persons the right and opportunity to an equal education in such schools; provided that (i) children who will attain the age of 5 years on or before September 1 of the year of the 1990-1991 school term and each school term thereafter may attend school upon the commencement of such term and (ii) based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain the age of 6 years on or before December 31 of the year of the 2009-2010 school term and each school term thereafter may attend first grade upon commencement of such term. However, Section 33 of the Educational Opportunity for Military Children Act shall apply to children of active duty military personnel. Based upon an assessment of a child's readiness to attend school, a school district may permit a child to attend school prior to the dates contained in this Section. In any school district operating on a full year school basis children who will attain age 5 within 30 days after the commencement of a term may attend school upon the commencement of such term and, based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain age 6 within 4 months after the commencement of a term may attend first grade upon the commencement of such term. The school district may, by resolution of its board, allow for a full year school plan.

(Source: P.A. 96-864, eff. 1-21-10.)

Sec. 27-8.1. Health examinations and immunizations.

(1) In compliance with rules and regulations which the Department of Public Health shall promulgate, and except as hereinafter provided, all children in Illinois shall have a health examination as follows: within one year prior to entering kindergarten or the first grade of any public, private, or parochial elementary school; upon entering the sixth and ninth grades of any public, private, or parochial school; prior to entrance into any public, private, or parochial nursery school; and, irrespective of grade, immediately prior to

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or upon entrance into any public, private, or parochial school or nursery school, each child shall present proof of having been examined in accordance with this Section and the rules and regulations promulgated hereunder. Any child who received a health examination within one year prior to entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination in order to comply with the provisions of Public Act 95-422 when he or she attends school for the 2008-2009 school year, unless the child is attending school for the first time as provided in this paragraph.

A tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. Additional health examinations of pupils, including eye examinations, may be required when deemed necessary by school authorities. Parents are encouraged to have their children undergo eye examinations at the same points in time required for health examinations.

(1.5) In compliance with rules adopted by the Department of Public Health and except as otherwise provided in this Section, all children in kindergarten and the second and sixth grades of any public, private, or parochial school shall have a dental examination. Each of these children shall present proof of having been examined by a dentist in accordance with this Section and rules adopted under this Section before May 15th of the school year. If a child in the second or sixth grade fails to present proof by May 15th, the school may hold the child's report card until one of the following occurs: (i) the child presents proof of a completed dental examination or (ii) the child presents proof that a dental examination will take place within 60 days after May 15th. The Department of Public Health shall establish, by rule, a waiver for children who show an undue burden or a lack of access to a dentist. Each public, private, and parochial school must give notice of this dental examination requirement to the parents and guardians of students at least 60 days before May 15th of each school year.

(1.10) Except as otherwise provided in this Section, all children enrolling in kindergarten in a public, private, or parochial school on or after the effective date of this amendatory Act of the 95th General Assembly and any student enrolling for the first time in a public, private, or parochial school on or after the effective date of this amendatory Act of the 95th General Assembly shall have an eye examination. Each of these children shall present proof of having been examined by a physician licensed to practice medicine in all of its branches or a licensed optometrist within the previous year, in

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accordance with this Section and rules adopted under this Section, before October 15th of the school year. If the child fails to present proof by October 15th, the school may hold the child's report card until one of the following occurs: (i) the child presents proof of a completed eye examination or (ii) the child presents proof that an eye examination will take place within 60 days after October 15th. The Department of Public Health shall establish, by rule, a waiver for children who show an undue burden or a lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or to a licensed optometrist. Each public, private, and parochial school must give notice of this eye examination requirement to the parents and guardians of students in compliance with rules of the Department of Public Health. Nothing in this Section shall be construed to allow a school to exclude a child from attending because of a parent's or guardian's failure to obtain an eye examination for the child.

(2) The Department of Public Health shall promulgate rules and regulations specifying the examinations and procedures that constitute a health examination, which shall include the collection of data relating to obesity (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), and a dental examination and may recommend by rule that certain additional examinations be performed. The rules and regulations of the Department of Public Health shall specify that a tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. The Department of Public Health shall specify that a diabetes screening as defined by rule shall be included as a required part of each health examination. Diabetes testing is not required.

Physicians licensed to practice medicine in all of its branches, advanced practice nurses who have a written collaborative agreement with a collaborating physician which authorizes them to perform health examinations, or physician assistants who have been delegated the performance of health examinations by their supervising physician shall be responsible for the performance of the health examinations, other than dental examinations, eye examinations, and vision and hearing screening, and shall sign all report forms required by subsection (4) of this Section that pertain to those portions of the health examination for which the physician, advanced practice nurse, or physician assistant is responsible. If a registered nurse performs any part of a health examination, then a physician licensed to practice medicine in all of its branches must review and sign all required

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Licensed dentists shall perform all dental examinations and shall sign all report forms required by subsection (4) of this Section that pertain to the dental examinations. Physicians licensed to practice medicine in all its branches or licensed optometrists shall perform all eye examinations required by this Section and shall sign all report forms required by subsection (4) of this Section that pertain to the eye examination. For purposes of this Section, an eye examination shall at a minimum include history, visual acuity, subjective refraction to best visual acuity near and far, internal and external examination, and a glaucoma evaluation, as well as any other tests or observations that in the professional judgment of the doctor are necessary. Vision and hearing screening tests, which shall not be considered examinations as that term is used in this Section, shall be conducted in accordance with rules and regulations of the Department of Public Health, and by individuals whom the Department of Public Health has certified. In these rules and regulations, the Department of Public Health shall require that individuals conducting vision screening tests give a child's parent or guardian written notification, before the vision screening is conducted, that states, "Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months."

(3) Every child shall, at or about the same time as he or she receives a health examination required by subsection (1) of this Section, present to the local school proof of having received such immunizations against preventable communicable diseases as the Department of Public Health shall require by rules and regulations promulgated pursuant to this Section and the Communicable Disease Prevention Act.

(4) The individuals conducting the health examination, dental examination, or eye examination shall record the fact of having conducted the examination, and such additional information as required, including for a health examination data relating to obesity (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), on uniform forms which the Department of Public Health and the State Board of Education shall prescribe for statewide use. The examiner shall summarize on the report form any condition that he or she suspects indicates a need for special services, including for a health examination factors relating to obesity. The individuals confirming the administration of required immunizations
shall record as indicated on the form that the immunizations were administered.

(5) If a child does not submit proof of having had either the health examination or the immunization as required, then the child shall be examined or receive the immunization, as the case may be, and present proof by October 15 of the current school year, or by an earlier date of the current school year established by a school district. To establish a date before October 15 of the current school year for the health examination or immunization as required, a school district must give notice of the requirements of this Section 60 days prior to the earlier established date. If for medical reasons one or more of the required immunizations must be given after October 15 of the current school year, or after an earlier established date of the current school year, then the child shall present, by October 15, or by the earlier established date, a schedule for the administration of the immunizations and a statement of the medical reasons causing the delay, both the schedule and the statement being issued by the physician, advanced practice nurse, physician assistant, registered nurse, or local health department that will be responsible for administration of the remaining required immunizations. If a child does not comply by October 15, or by the earlier established date of the current school year, with the requirements of this subsection, then the local school authority shall exclude that child from school until such time as the child presents proof of having had the health examination as required and presents proof of having received those required immunizations which are medically possible to receive immediately. During a child's exclusion from school for noncompliance with this subsection, the child's parents or legal guardian shall be considered in violation of Section 26-1 and subject to any penalty imposed by Section 26-10. This subsection (5) does not apply to dental examinations and eye examinations. If the student is an out-of-state transfer student and does not have the proof required under this subsection (5) before October 15 of the current year or whatever date is set by the school district, then he or she may only attend classes (i) if he or she has proof that an appointment for the required vaccinations has been scheduled with a party authorized to submit proof of the required vaccinations. If the proof of vaccination required under this subsection (5) is not submitted within 30 days after the student is permitted to attend classes, then the student is not to be permitted to attend classes until proof of the vaccinations has been properly submitted. No school district or employee of a school district shall be held liable for any injury or illness to

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another person that results from admitting an out-of-state transfer student to class that has an appointment scheduled pursuant to this subsection (5).

(6) Every school shall report to the State Board of Education by November 15, in the manner which that agency shall require, the number of children who have received the necessary immunizations and the health examination (other than a dental examination or eye examination) as required, indicating, of those who have not received the immunizations and examination as required, the number of children who are exempt from health examination and immunization requirements on religious or medical grounds as provided in subsection (8). On or before December 1 of each year, every public school district and registered nonpublic school shall make publicly available the immunization data they are required to submit to the State Board of Education by November 15. The immunization data made publicly available must be identical to the data the school district or school has reported to the State Board of Education.

Every school shall report to the State Board of Education by June 30, in the manner that the State Board requires, the number of children who have received the required dental examination, indicating, of those who have not received the required dental examination, the number of children who are exempt from the dental examination on religious grounds as provided in subsection (8) of this Section and the number of children who have received a waiver under subsection (1.5) of this Section.

Every school shall report to the State Board of Education by June 30, in the manner that the State Board requires, the number of children who have received the required eye examination, indicating, of those who have not received the required eye examination, the number of children who are exempt from the eye examination as provided in subsection (8) of this Section, the number of children who have received a waiver under subsection (1.10) of this Section, and the total number of children in noncompliance with the eye examination requirement.

The reported information under this subsection (6) shall be provided to the Department of Public Health by the State Board of Education.

(7) Upon determining that the number of pupils who are required to be in compliance with subsection (5) of this Section is below 90% of the number of pupils enrolled in the school district, 10% of each State aid payment made pursuant to Section 18-8.05 to the school district for such year may be withheld by the State Board of Education until the number of students in compliance with subsection (5) is the applicable specified percentage or higher.

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(8) Parents or legal guardians who object to health, dental, or eye examinations or any part thereof, or to immunizations, on religious grounds shall not be required to submit their children or wards to the examinations or immunizations to which they so object if such parents or legal guardians present to the appropriate local school authority a signed statement of objection, detailing the grounds for the objection. If the physical condition of the child is such that any one or more of the immunizing agents should not be administered, the examining physician, advanced practice nurse, or physician assistant responsible for the performance of the health examination shall endorse that fact upon the health examination form. Exempting a child from the health, dental, or eye examination does not exempt the child from participation in the program of physical education training provided in Sections 27-5 through 27-7 of this Code.

(9) For the purposes of this Section, "nursery schools" means those nursery schools operated by elementary school systems or secondary level school units or institutions of higher learning.

(Source: P.A. 96-953, eff. 6-28-10; 97-216, eff. 1-1-12; 97-910, eff. 1-1-13.)

Section 10. The Illinois School Student Records Act is amended by changing Section 8.1 as follows:

(105 ILCS 10/8.1) (from Ch. 122, par. 50-8.1)

Sec. 8.1. (a) No school may refuse to admit or enroll a student because of that student's failure to present his student permanent or temporary record from a school previously attended.

(b) When a new student applies for admission to a school and does not present his school student record, such school may notify the school or school district last attended by such student, requesting that the student's school student record be copied and sent to it; such request shall be honored within 10 days after it is received. Within 10 days after receiving a request from the Department of Children and Family Services, the school district last attended by the student shall send the student's school student record to the receiving school district.

(c) In the case of a transfer between school districts of a student who is eligible for special education and related services, when the parent or guardian of the student presents a copy of the student's then current individualized education program (IEP) to the new school, the student shall be placed in a special education program in accordance with that described in the student's IEP.

(d) Out-of-state Until June 30, 2015, out-of-state transfer students, including children of military personnel that transfer into this State, may use
unofficial transcripts for admission to a school until official transcripts are obtained from his or her last school district, *including children of military personnel that transfer into this State, subject to Section 32 of the Educational Opportunity for Military Children Act.*

(Source: P.A. 96-953, eff. 6-28-10; 97-216, eff. 1-1-12.)

Section 15. The Educational Opportunity for Military Children Act is amended by changing Sections 5, 10, 20, 25, 35, and 40 and by adding Sections 32 and 33 as follows:

(105 ILCS 70/5)

(Section scheduled to be repealed on June 30, 2015)

Sec. 5. Purpose. It is the purpose of this Act to remove barriers to educational success imposed on children of *active duty military personnel families* because of frequent moves and deployment of their parents by:

(1) facilitating the timely enrollment of children of *active duty military personnel families* and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of educational records from the previous school district;

(2) facilitating the student placement process through which children of *active duty military personnel families* are not disadvantaged by variations in attendance requirements, scheduling, sequencing, or assessment;

(3) facilitating the qualification and eligibility for enrollment and educational programs of *children of active duty military personnel*;

(4) facilitating the on-time graduation of children of *active duty military personnel families*; and

(5) promoting flexibility and cooperation between the educational system, parents, and the student in order to achieve educational success for the student.

(Source: P.A. 96-953, eff. 6-28-10.)

(105 ILCS 70/10)

(Section scheduled to be repealed on June 30, 2015)

Sec. 10. Findings; authority to enter into compact. The General Assembly finds and declares that this State recognizes that there is created an Interstate Commission on Educational Opportunity for Military Children through the Council of State Governments, in cooperation with the U.S. Department of Defense Office of Personnel and Readiness, for addressing the needs of students in transition. The Interstate Commission on Educational Opportunity for Military Children is a group of member states who have
joined to create laws easing the transition of children of active duty military personnel families. The Governor of this State is authorized and directed to enter into a compact governed by this Act on behalf of this State with any of the United States legally joining therein.
(Source: P.A. 96-953, eff. 6-28-10.)

(105 ILCS 70/20)
Sec. 20. Definitions. For purposes of this Act:
"Active duty military personnel" means active duty members of the uniformed military services, including any of the following:
(1) Members of the National Guard and Reserve that are on active duty pursuant to 10 U.S.C. 1209 and 10 U.S.C. 1211.
(2) Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement.
(3) Members of the uniformed services who die on active duty for a period of one year after death.
"Non-custodial parent" means a person who has temporary custody of the child of any active duty military personnel and who is responsible for making decisions for that child.
"State Council" means the Illinois P-20 Council and additional representatives appointed by the Illinois P-20 Council as provided under Section 40 of this Act.
(Source: P.A. 96-953, eff. 6-28-10.)

(105 ILCS 70/25)
Sec. 25. Tuition for children of active duty military personnel who are transfer students. (a) For purposes of this Section, "non-custodial parent" means a person who has temporary custody of the child of active duty military personnel and who is responsible for making decisions for that child.
(b) If a student who is a child of active duty military personnel is (i) placed with a non-custodial parent and (ii) as a result of placement, must attend a non-resident school district, then the student must not be charged the tuition of the school that the student attends as a result of placement with the non-custodial parent and the student must be counted in the calculation of average daily attendance under Section 18-8.05 of the School Code.
(Source: P.A. 96-953, eff. 6-28-10.)

(105 ILCS 70/32 new)
Sec. 32. Educational records for children of active duty military personnel.

(a) In the event that official educational records cannot be released to parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records to the extent feasible. Upon receipt of the unofficial educational records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records, pending validation by the official records as quickly as possible. This subsection (a) does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in a course or courses.

(b) Simultaneous with the enrollment and conditional placement of a student, the school in the receiving state shall request the student's official educational record from the school in the sending state. Upon receipt of this request, the school in the sending state shall process and furnish the official educational records to the receiving state within 15 days.

(105 ILCS 70/33 new)

Sec. 33. Enrollment and entrance age for children of active duty military personnel. Students must be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including kindergarten) at the school in the sending state at the time of transition. A student who has satisfactorily completed the requisite grade level in the school in the sending state is eligible for enrollment in the next highest grade level in the receiving state. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state at his or her validated grade level at an accredited school in the sending state. This Section does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

(105 ILCS 70/35)

(Section scheduled to be repealed on June 30, 2015)

Sec. 35. Course placement; program placement; placement flexibility; graduation; extracurricular activities; absences related to deployment activities for children of active duty military personnel.

(a) If a student transfers before or during the school year, the school in the receiving state shall initially honor placement of the student in...
educational courses based on the student's enrollment in the school in the sending state or educational assessments conducted at the school in the sending state if the courses are offered and space is available. Course placement includes, but is not limited to, honors, International Baccalaureate, Advanced Placement, vocational, and technical and career pathways courses. Continuing the student's academic program from the school in the sending state and promoting placement in academically and career-challenging courses must be paramount when considering placement. This subsection (a) does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course or courses. A student that transfers to a new school district may transfer into a comparable course to continue credit work for a course from which the student transferred out of only if the new school district offers the course and space is available. This subsection (a) includes courses offered for gifted and talented children pursuant to Article 14A of the School Code and courses for English as a Second Language program.

(b) The receiving school shall initially honor the placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation or placement in like programs in the school in the sending state. Such programs include, but are not limited to, gifted and talented programs and English as a Second Language (ESL). This subsection (b) does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student. The school district of a school may determine if courses taken by a transfer student at his or her old school satisfy the pre-requisite course requirements for any courses that the transfer student wishes to take at his or her current school. The school district may determine a current and future schedule that is appropriate for the student that satisfies any pre-requisite course requirements in order for that student to take any courses that he or she wishes to attend:

(c) The school district of a school shall have flexibility in waiving course or program prerequisites or other preconditions for placement in offered courses or programs. The school district of a school may work with a transfer student to determine an appropriate schedule that ensures that a student will graduate, provided that the student has met the district's minimal graduation requirements, which may be modified provided that the modifications are a result of scheduling issues and not a result of the student's academic failure.
(d) If a student transfers to a new school district during his or her senior year and the receiving school district cannot make reasonable adjustments under this Section to ensure graduation, then the school district shall make every reasonable effort to ensure that the school district from where the student transfers issues the student a diploma.

(e) Schools shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, to the extent the children are otherwise qualified and space is available as determined by the school principal.

(f) A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support posting must be granted additional absences, at the discretion of the school district's superintendent, to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

(Source: P.A. 96-953, eff. 6-28-10.)

(105 ILCS 70/40)

(Section scheduled to be repealed on June 30, 2015)

Sec. 40. State coordination.

(a) Each member state of the Interstate Commission on Educational Opportunity for Military Children shall, through the creation of a State Council or use of an existing body or board, provide for the coordination among its agencies of government, local education agencies, and military installations concerning the State's participation in and compliance with the compact and Interstate Commission activities. The State Council shall be comprised of the Illinois P-20 Council, a representative from a school district associated with U.S. Army Garrison - Rock Island Arsenal having the highest percentage of students who are children of active duty military personnel, a representative from a school district associated with Scott Air Force Base having the highest percentage of students who are children of active duty military personnel, a representative from a school district associated with Naval Station Great Lakes having the highest percentage of students who are children of active duty military personnel, a representative from the school district with the highest percentage of students who are children of active duty military personnel not already represented in the State Council, representatives appointed by the Illinois P-20 Council from the 3 school districts in this State with the highest percentage of children from military families; and a one non-voting representative appointed by each active-duty military installation commander in this State.

New matter indicated by italics - deletions by strikeout
(b) The compact commissioner responsible for the administration and
management of the State's participation in the compact shall be appointed by
the State Council.
(Source: P.A. 96-953, eff. 6-28-10; 97-216, eff. 1-1-12.)
(105 ILCS 70/995 rep.)
Section 20. The Educational Opportunity for Military Children Act
is amended by repealing Section 995.
Section 99. Effective date. This Act takes effect upon becoming law.
Approved June 30, 2014.
Effective June 30, 2014.

PUBLIC ACT 98-0674
(Senate Bill No. 0220)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
ARTICLE 1. SHORT TITLE; PURPOSE
Section 1-1. Short title. This Act may be cited as the FY2015 Budget
Implementation Act.
Section 1-5. Purpose. It is the purpose of this Act to make changes in
State programs that are necessary to implement the Governor's Fiscal Year
2015 budget recommendations.
ARTICLE 20. AMENDATORY PROVISIONS
Section 20-5. The I-FLY Act is amended by changing Section 25 as
follows:
(20 ILCS 3958/25)
Sec. 25. I-FLY Program.
(a) The Department shall establish the I-FLY Program, in cooperation
with the Commission. The Program shall consist of the following
components:
(1) air carrier recruitment and retention grants as described in
subsection (c); and
(2) planning grants under subsection (d).
The Department may make grants under this Act only to airports that
are located completely outside of Cook County.
(b) During any one-year period, an airport may receive a grant for
only one of the 2 components specified in subsection (a).

New matter indicated by italics - deletions by strikeout
(c) Air carrier recruitment and retention program grants.

(1) An airport may receive an air carrier recruitment and retention program grant from the Department only if:

(A) it is capable of supporting takeoffs and landings by aircraft that have at least 19 passenger seats or have made improvements or commitments to the Department to provide this capability; and

(B) it has a commitment from an air carrier to start or continue air service to the community that the airport serves subject to financial support from the State and from the airport or unit of local government that the airport serves. The commitment must specify that the air carrier would not provide or continue to provide service to the community if financial assistance were not available.

(2) An application for an air carrier recruitment and retention program grant must contain commitments from the airport or the unit of local government in which the airport is located as to the amount of the total project cost, the contribution from the unit of local government or airport, the method in which the contribution from the airport or unit of local government will be generated, and the requested State contribution.

(3) The air carrier recruitment and retention program grant shall be used to guarantee the financial viability of air carriers providing reasonable air service at the airport. A grant under this subsection (c) to a particular airport may be in only one of the following 3 forms:

(A) A grant may be used to guarantee that an air carrier shall receive an agreed amount of revenue per flight.

(B) A grant may be used to guarantee a reduced or subsidized consumer ticket price.

(C) A grant may be used to guarantee a profit goal established by the air carrier and airport.

(4) During the first year of a grant under this subsection (c), the grant shall pay 80% of the total cost of the guarantee and the airport or unit of local government in which the airport is located shall pay 20% of the total cost of the guarantee. During the second year of a grant under this subsection (c), the grant shall pay 80% of the total cost of the guarantee and the airport or the unit of local government in which the airport is located shall pay 20% of the total cost.
cost of the guarantee. During the third year of a grant under this subsection (c), the grant shall pay 80% of the total cost of the guarantee and the airport or the unit of local government in which the airport is located shall pay 20% of the total cost of the guarantee.

(5) The total State funding for a grant under this subsection (c) to a particular airport may not exceed $1,500,000 $1,000,000 in any year.

(6) An airport that has received a 3-year 2-year grant under this subsection (c) may apply for another grant for an additional 3-year 2-year period; however, the Department shall, in determining whether to make a grant for an additional 3-year 2-year period, give priority to other airports that have not previously received a grant under this subsection (c). The Department shall also give priority in making grants under this subsection (c) to airports at which the Department determines that a 3-year 2-year grant may result in the creation of stable and reliable commercial air service without an additional grant.

(d) Planning grants. An airport may apply for and receive a planning grant to conduct feasibility studies or business plans designed to study the recruitment, retention, or expansion of an air carrier at the airport. To be eligible for a grant under this subsection (d), the airport must have the potential for initial or expanded air service as the Department determines through its evaluation process. The grant shall pay 70% of the total cost of the feasibility studies or business plans and the airport or the unit of local government in which the airport is located shall pay 30% of the total cost of the feasibility studies or business plans. An airport may receive only one planning grant.

(Source: P.A. 94-839, eff. 6-6-06; 95-744, eff. 7-18-08.)

Section 20-10. The State Finance Act is amended by changing Sections 6z-63, 6z-64, 6z-70, 8.3, 8g-1, and 13.2 and by adding Sections 5.855 and 6z-100 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Capital Development Board Revolving Fund. This Section is repealed July 1, 2016.

(30 ILCS 105/6z-63)

Sec. 6z-63. The Professional Services Fund.

(a) The Professional Services Fund is created as a revolving fund in the State treasury. The following moneys shall be deposited into the Fund:
(1) amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;
(2) federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;
(3) interest earned on moneys in the Fund; and
(4) receipts or inter-fund transfers resulting from billings issued by the Department to State agencies for the cost of professional services rendered by the Department that are not compensated through the specific fund transfers authorized by this Section.
(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:
(1) providing professional services to State agencies or other State entities;
(2) rendering other services to State agencies at the Governor's direction or to other State entities upon agreement between the Director of Central Management Services and the appropriate official or governing body of the other State entity; or
(3) providing for payment of administrative and other expenses incurred by the Department in providing professional services.
(c) State agencies or other State entities may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Professional Services Fund in satisfaction of billings issued under subsection (a) of this Section.
(d) Reconciliation. For the fiscal year beginning on July 1, 2004 only, the Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for professional services provided by the Department on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.
(e) The following amounts are authorized for transfer into the Professional Services Fund for the fiscal year beginning July 1, 2004:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$5,440,431</td>
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<tr>
<td>Road Fund</td>
<td>$814,468</td>
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<tr>
<td>Motor Fuel Tax Fund</td>
<td>$263,500</td>
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<tr>
<td>Child Support Administrative Fund</td>
<td>$234,013</td>
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</tbody>
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New matter indicated by italics - deletions by strikeout
Professions Indirect Cost Fund................. $276,800  
Capital Development Board Revolving Fund...... $207,610  
Bank & Trust Company Fund...................... $200,214  
State Lottery Fund............................... $193,691  
Insurance Producer Administration Fund........ $174,672  
Insurance Financial Regulation Fund............ $168,327  
Illinois Clean Water Fund........................ $124,675  
Clean Air Act (CAA) Permit Fund................ $91,803  
Statistical Services Revolving Fund............. $90,959  
Financial Institution Fund...................... $109,428  
Horse Racing Fund................................. $71,127  
Health Insurance Reserve Fund................... $66,577  
Solid Waste Management Fund..................... $61,081  
Guardianship and Advocacy Fund.................. $1,068  
Agricultural Premium Fund........................ $493  
Wildlife and Fish Fund......................... $247  
Radiation Protection Fund....................... $33,277  
Nuclear Safety Emergency Preparedness Fund..... $25,652  
Tourism Promotion Fund......................... $6,814  

All of these transfers shall be made on July 1, 2004, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(e-5) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2005 and through June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

Food and Drug Safety Fund......................... $3,249  
Financial Institution Fund........................ $12,942  
General Professions Dedicated Fund.............. $8,579  
Illinois Department of Agriculture  
Laboratory Services Revolving Fund.............. $1,963  
Illinois Veterans' Rehabilitation Fund.......... $11,275  
State Boating Act Fund......................... $27,000  
State Parks Fund................................. $22,007  
Agricultural Premium Fund........................ $59,483  
Fire Prevention Fund............................ $29,862  

New matter indicated by italics - deletions by strikeout
Mental Health Fund................................................................. $78,213
Illinois State Pharmacy Disciplinary Fund.................. $2,744
Radiation Protection Fund.................................................. $16,034
Solid Waste Management Fund........................................... $37,669
Illinois Gaming Law Enforcement Fund........................... $7,260
Subtitle D Management Fund............................................ $4,659
Illinois State Medical Disciplinary Fund............................ $8,602
Department of Children and Family Services Training Fund....... $29,906
Facility Licensing Fund...................................................... $1,083
Youth Alcoholism and Substance Abuse Prevention Fund.......... $2,783
Plugging and Restoration Fund........................................... $1,105
State Crime Laboratory Fund............................................. $1,353
Motor Vehicle Theft Prevention Trust Fund........................ $9,190
Weights and Measures Fund................................................ $4,932
Solid Waste Management Revolving Loan Fund....................... $2,735
Illinois School Asbestos Abatement Fund........................... $2,166
Violence Prevention Fund.................................................... $5,176
Capital Development Board Revolving Fund............................ $14,777
DCFS Children's Services Fund........................................... $1,256,594
State Police DUI Fund........................................................ $1,434
Illinois Health Facilities Planning Fund............................ $3,191
Emergency Public Health Fund........................................... $7,996
Fair and Exposition Fund.................................................... $3,732
Nursing Dedicated and Professional Fund........................... $5,792
Optometric Licensing and Disciplinary Board Fund... $1,032
Underground Resources Conservation Enforcement Fund. $1,221
State Rail Freight Loan Repayment Fund............................ $6,434
Drunk and Drugged Driving Prevention Fund......................... $5,473
Illinois Affordable Housing Trust Fund............................... $118,222
Community Water Supply Laboratory Fund........................... $10,021
Used Tire Management Fund................................................ $17,524
Natural Areas Acquisition Fund........................................... $15,501
Open Space Lands Acquisition and Development Fund............... $49,105
Working Capital Revolving Fund......................................... $126,344
State Garage Revolving Fund............................................... $92,513

New matter indicated by italics - deletions by strikeout
<table>
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<th>Fund</th>
<th>Amount</th>
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<td>Statistical Services Revolving Fund</td>
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<td>Air Transportation Revolving Fund</td>
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<td>Communications Revolving Fund</td>
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<td>Environmental Laboratory Certification Fund</td>
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<td>Public Health Laboratory Services Revolving Fund</td>
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<td>Provider Inquiry Trust Fund</td>
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<td>Lead Poisoning Screening, Prevention, and Abatement Fund</td>
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<td>Plumbing Licensure and Program Fund</td>
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<td>Insurance Premium Tax Refund Fund</td>
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<td>Trauma Center Fund</td>
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<td>Illinois State Fair Fund</td>
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<td>State Asset Forfeiture Fund</td>
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<td>Federal Asset Forfeiture Fund</td>
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<td>Department of Corrections Reimbursement and Education Fund</td>
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<td>Health Facility Plan Review Fund</td>
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<td>LEADS Maintenance Fund</td>
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<td>State Offender DNA Identification System Fund</td>
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<td>Public Pension Regulation Fund</td>
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<td>Workforce, Technology, and Economic Development Fund</td>
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<td>Renewable Energy Resources Trust Fund</td>
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<td>Wireless Carrier Reimbursement Fund</td>
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<td>Horse Racing Fund</td>
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<td>Death Certificate Surcharge Fund</td>
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New matter indicated by italics - deletions by strikeout
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<th>Fund</th>
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<tbody>
<tr>
<td>State Police Wireless Service</td>
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<td>Emergency Fund</td>
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<td>Downstate Public Transportation Fund</td>
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<td>Motor Carrier Safety Inspection Fund</td>
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<td>State Police Whistleblower Reward and Protection Fund</td>
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<td>Independent Academic Medical Center Fund</td>
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<td>Corporate Headquarters Relocation Assistance Fund</td>
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<td>Local Initiative Fund</td>
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<td>Tourism Promotion Fund</td>
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<td>Digital Divide Elimination Fund</td>
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<td>Presidential Library and Museum Operating Fund</td>
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<td>Metro-East Public Transportation Fund</td>
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<td>Dram Shop Fund</td>
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<td>Illinois State Dental Disciplinary Fund</td>
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<td>Hazardous Waste Research Fund</td>
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<td>Real Estate License Administration Fund</td>
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<td>Traffic and Criminal Conviction Surcharge Fund</td>
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<td>Criminal Justice Information</td>
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<td>Design Professionals Administration and Investigation Fund</td>
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<td>State Surplus Property Revolving Fund</td>
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<td>Illinois Forestry Development Fund</td>
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<td>State Police Services Fund</td>
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<td>Youth Drug Abuse Prevention Fund</td>
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<td>Metabolic Screening and Treatment Fund</td>
<td>$15,947</td>
</tr>
<tr>
<td>Insurance Producer Administration Fund</td>
<td>$30,870</td>
</tr>
<tr>
<td>Coal Technology Development Assistance Fund</td>
<td>$43,692</td>
</tr>
<tr>
<td>Rail Freight Loan Repayment Fund</td>
<td>$1,016</td>
</tr>
<tr>
<td>Low-Level Radioactive Waste Facility Development and Operation Fund</td>
<td>$1,989</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Environmental Protection Permit and Inspection Fund. $32,125
Park and Conservation Fund. $41,038
Local Tourism Fund. $34,492
Illinois Capital Revolving Loan Fund. $10,624
Illinois Equity Fund. $1,929
Large Business Attraction Fund. $5,554
Illinois Beach Marina Fund. $5,053
International and Promotional Fund. $1,466
Public Infrastructure Construction Loan Revolving Fund. $3,111
Insurance Financial Regulation Fund. $42,575
Total $4,975,487

(e-7) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2006 and through June 30, 2007, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

Food and Drug Safety Fund. $3,300
Financial Institution Fund. $13,000
General Professions Dedicated Fund. $8,600
Illinois Department of Agriculture Laboratory Services Revolving Fund. $2,000
Illinois Veterans' Rehabilitation Fund. $11,300
State Boating Act Fund. $27,200
State Parks Fund. $22,100
Agricultural Premium Fund. $59,800
Fire Prevention Fund. $30,000
Mental Health Fund. $78,700
Illinois State Pharmacy Disciplinary Fund. $2,800
Radiation Protection Fund. $16,100
Solid Waste Management Fund. $37,900
Illinois Gaming Law Enforcement Fund. $7,300
Subtitle D Management Fund. $4,700
Illinois State Medical Disciplinary Fund. $8,700
Facility Licensing Fund. $1,100
Youth Alcoholism and Substance Abuse Prevention Fund. $2,800

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plugging and Restoration Fund</td>
<td>$1,100</td>
</tr>
<tr>
<td>State Crime Laboratory Fund</td>
<td>$1,400</td>
</tr>
<tr>
<td>Motor Vehicle Theft Prevention Trust Fund</td>
<td>$9,200</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$5,000</td>
</tr>
<tr>
<td>Illinois School Asbestos Abatement Fund</td>
<td>$2,200</td>
</tr>
<tr>
<td>Violence Prevention Fund</td>
<td>$5,200</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$14,900</td>
</tr>
<tr>
<td>DCFS Children's Services Fund</td>
<td>$1,294,000</td>
</tr>
<tr>
<td>State Police DUI Fund</td>
<td>$1,400</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$3,200</td>
</tr>
<tr>
<td>Emergency Public Health Fund</td>
<td>$8,000</td>
</tr>
<tr>
<td>Fair and Exposition Fund</td>
<td>$3,800</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$5,800</td>
</tr>
<tr>
<td>Optometric Licensing and Disciplinary Board Fund</td>
<td>$1,000</td>
</tr>
<tr>
<td>Underground Resources Conservation Enforcement Fund</td>
<td>$1,200</td>
</tr>
<tr>
<td>State Rail Freight Loan Repayment Fund</td>
<td>$6,500</td>
</tr>
<tr>
<td>Drunk and Drugged Driving Prevention Fund</td>
<td>$5,500</td>
</tr>
<tr>
<td>Illinois Affordable Housing Trust Fund</td>
<td>$118,900</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$10,100</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$17,600</td>
</tr>
<tr>
<td>Natural Areas Acquisition and Development Fund</td>
<td>$15,600</td>
</tr>
<tr>
<td>Open Space Lands Acquisition and Development Fund</td>
<td>$49,400</td>
</tr>
<tr>
<td>Working Capital Revolving Fund</td>
<td>$127,100</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$93,100</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$183,000</td>
</tr>
<tr>
<td>Paper and Printing Revolving Fund</td>
<td>$3,700</td>
</tr>
<tr>
<td>Air Transportation Revolving Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$306,100</td>
</tr>
<tr>
<td>Environmental Laboratory Certification Fund</td>
<td>$1,400</td>
</tr>
<tr>
<td>Public Health Laboratory Services Revolving Fund</td>
<td>$5,900</td>
</tr>
<tr>
<td>Provider Inquiry Trust Fund</td>
<td>$1,800</td>
</tr>
<tr>
<td>Lead Poisoning Screening, Prevention, and Abatement Fund</td>
<td>$8,200</td>
</tr>
<tr>
<td>Drug Treatment Fund</td>
<td>$14,100</td>
</tr>
<tr>
<td>Feed Control Fund</td>
<td>$2,500</td>
</tr>
<tr>
<td>Plumbing Licensure and Program Fund</td>
<td>$3,500</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Insurance Premium Tax Refund Fund.................. $7,900
Tax Compliance and Administration Fund............ $5,400
Appraisal Administration Fund..................... $2,900
Trauma Center Fund................................. $40,400
Alternate Fuels Fund................................ $1,500
Illinois State Fair Fund........................... $13,900
State Asset Forfeiture Fund....................... $8,300
Department of Corrections
  Reimbursement and Education Fund............... $79,400
Health Facility Plan Review Fund................... $3,500
LEADS Maintenance Fund.............................. $6,100
State Offender DNA Identification System Fund...... $1,700
Illinois Historic Sites Fund........................ $4,500
Public Pension Regulation Fund..................... $2,300
Workforce, Technology, and Economic
  Development Fund................................... $5,400
Renewable Energy Resources Trust Fund.......... $30,100
Energy Efficiency Trust Fund....................... $8,400
Pesticide Control Fund............................... $6,700
Conservation 2000 Fund............................... $30,900
Wireless Carrier Reimbursement Fund.............. $91,600
International Tourism Fund....................... $13,100
Public Transportation Fund......................... $705,900
Horse Racing Fund.................................... $18,700
Death Certificate Surcharge Fund................... $1,900
State Police Wireless Service Emergency Fund...... $1,000
Downstate Public Transportation Fund............. $112,700
Motor Carrier Safety Inspection Fund............... $6,600
State Police Whistleblower
  Reward and Protection Fund...................... $1,900
Illinois Standardbred Breeders Fund.............. $4,400
Illinois Thoroughbred Breeders Fund.............. $6,700
Illinois Clean Water Fund.......................... $17,700
Child Support Administrative Fund............... $435,100
Tourism Promotion Fund.............................. $88,600
Digital Divide Elimination Fund................... $11,700
Presidential Library and Museum Operating Fund... $4,700
Metro-East Public Transportation Fund............ $48,100
Medical Special Purposes Trust Fund............. $11,800

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dram Shop Fund</td>
<td>$11,400</td>
</tr>
<tr>
<td>Illinois State Dental Disciplinary Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Hazardous Waste Research Fund</td>
<td>$1,300</td>
</tr>
<tr>
<td>Real Estate License Administration Fund</td>
<td>$10,900</td>
</tr>
<tr>
<td>Traffic and Criminal Conviction Surcharge Fund</td>
<td>$45,100</td>
</tr>
<tr>
<td>Criminal Justice Information Systems Trust Fund</td>
<td>$5,700</td>
</tr>
<tr>
<td>Design Professionals Administration and Investigation Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>State Surplus Property Revolving Fund</td>
<td>$6,900</td>
</tr>
<tr>
<td>State Police Services Fund</td>
<td>$47,300</td>
</tr>
<tr>
<td>Youth Drug Abuse Prevention Fund</td>
<td>$1,300</td>
</tr>
<tr>
<td>Metabolic Screening and Treatment Fund</td>
<td>$16,000</td>
</tr>
<tr>
<td>Insurance Producer Administration Fund</td>
<td>$31,100</td>
</tr>
<tr>
<td>Coal Technology Development Assistance Fund</td>
<td>$43,900</td>
</tr>
<tr>
<td>Low-Level Radioactive Waste Facility Development and Operation Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Environmental Protection Permit</td>
<td>$32,300</td>
</tr>
<tr>
<td>Park and Conservation Fund</td>
<td>$41,300</td>
</tr>
<tr>
<td>Local Tourism Fund</td>
<td>$34,700</td>
</tr>
<tr>
<td>Illinois Capital Revolving Loan Fund</td>
<td>$10,700</td>
</tr>
<tr>
<td>Illinois Equity Fund</td>
<td>$1,900</td>
</tr>
<tr>
<td>Large Business Attraction Fund</td>
<td>$5,600</td>
</tr>
<tr>
<td>Illinois Beach Marina Fund</td>
<td>$5,100</td>
</tr>
<tr>
<td>International and Promotional Fund</td>
<td>$1,500</td>
</tr>
<tr>
<td>Public Infrastructure Construction Loan Revolving Fund</td>
<td>$3,100</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$42,800</td>
</tr>
<tr>
<td>Total</td>
<td>$4,918,200</td>
</tr>
</tbody>
</table>

(e-10) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Professional Services Fund amounts equal to one-fourth of each of the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$4,440,000</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$5,324,411</td>
</tr>
<tr>
<td>Total</td>
<td>$9,764,411</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
(e-15) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified herein as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$4,466,000</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$5,355,500</td>
</tr>
<tr>
<td>Total</td>
<td>$9,821,500</td>
</tr>
</tbody>
</table>

One-fourth of the specified amount shall be transferred on each of July 1 and October 1, 2006, or as soon as may be practical thereafter, and one-half of the specified amount shall be transferred on January 1, 2007, or as soon as may be practical thereafter.

(e-20) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2010 and through June 30, 2011, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade Crossing Protection Fund</td>
<td>$55,300</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$10,000</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$11,600</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>$10,800</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$23,500</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$21,200</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$55,400</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$46,100</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>$45,200</td>
</tr>
<tr>
<td>Illinois State Pharmacy Disciplinary Fund</td>
<td>$300</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$12,900</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$48,100</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$2,900</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td>$6,300</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$9,200</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$6,700</td>
</tr>
<tr>
<td>Violence Prevention Fund</td>
<td>$4,000</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$7,900</td>
</tr>
<tr>
<td>DCFS Children's Services Fund</td>
<td>$804,800</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Public Health Fund</td>
<td>$7,600</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$5,600</td>
</tr>
<tr>
<td>State Rail Freight Loan Repayment Fund</td>
<td>$1,700</td>
</tr>
<tr>
<td>Drunk and Drugged Driving Prevention Fund</td>
<td>$4,600</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$3,100</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$15,200</td>
</tr>
<tr>
<td>Natural Areas Acquisition Fund</td>
<td>$33,400</td>
</tr>
<tr>
<td>Open Space Lands Acquisition and Development Fund</td>
<td>$62,100</td>
</tr>
<tr>
<td>Working Capital Revolving Fund</td>
<td>$91,700</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$89,600</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$277,700</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$248,100</td>
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<td>Facilities Management Revolving Fund</td>
<td>$472,600</td>
</tr>
<tr>
<td>Public Health Laboratory Services Revolving Fund</td>
<td>$5,900</td>
</tr>
<tr>
<td>Lead Poisoning Screening, Prevention, and Abatement Fund</td>
<td>$7,900</td>
</tr>
<tr>
<td>Drug Treatment Fund</td>
<td>$8,700</td>
</tr>
<tr>
<td>Tax Compliance and Administration Fund</td>
<td>$8,300</td>
</tr>
<tr>
<td>Trauma Center Fund</td>
<td>$34,800</td>
</tr>
<tr>
<td>Illinois State Fair Fund</td>
<td>$12,700</td>
</tr>
</tbody>
</table>
| Department of Corrections
  Reimbursement and Education Fund                           | $77,600 |
| Illinois Historic Sites Fund                               | $4,200  |
| Pesticide Control Fund                                     | $7,000  |
| Partners for Conservation Fund                             | $25,000 |
| International Tourism Fund                                 | $14,100 |
| Horse Racing Fund                                          | $14,800 |
| Motor Carrier Safety Inspection Fund                       | $4,500  |
| Illinois Standardbred Breeders Fund                        | $3,400  |
| Illinois Thoroughbred Breeders Fund                        | $5,200  |
| Illinois Clean Water Fund                                  | $19,400 |
| Child Support Administrative Fund                          | $398,000|
| Tourism Promotion Fund                                     | $75,300 |
| Digital Divide Elimination Fund                            | $11,800 |
| Presidential Library and Museum Operating Fund             | $25,900 |
| Medical Special Purposes Trust Fund                        | $10,800 |
| Dram Shop Fund                                             | $12,700 |

New matter indicated by italics - deletions by strikeout
Cycle Rider Safety Training Fund.................. $7,100
State Police Services Fund....................... $43,600
Metabolic Screening and Treatment Fund........ $23,900
Insurance Producer Administration Fund........ $16,800
Coal Technology Development Assistance Fund.... $43,700
Environmental Protection Permit
    and Inspection Fund......................... $21,600
Park and Conservation Fund...................... $38,100
Local Tourism Fund............................. $31,800
Illinois Capital Revolving Loan Fund........... $5,800
Large Business Attraction Fund.................. $300
Adeline Jay Geo-Karis Illinois
    Beach Marina Fund.......................... $5,000
Insurance Financial Regulation Fund........... $23,000
Total $3,547,900

(e-25) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified as follows:

    General Revenue Fund....................... $4,600,000
    Road Fund................................... $4,852,500
    Total $9,452,500

One fourth of the specified amount shall be transferred on each of July 1 and October 1, 2010, or as soon as may be practical thereafter, and one half of the specified amount shall be transferred on January 1, 2011, or as soon as may be practical thereafter.

(e-30) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified as follows:

    General Revenue Fund....................... $4,600,000

One-fourth of the specified amount shall be transferred on each of July 1 and October 1, 2011, or as soon as may be practical thereafter, and one-half of the specified amount shall be transferred on January 1, 2012, or as soon as may be practical thereafter.

(e-35) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2013 and through June 30, 2014, in addition to
any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Institution Fund</td>
<td>$2,500</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>$2,300</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$5,500</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$4,800</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$9,900</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$10,300</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>$14,000</td>
</tr>
<tr>
<td>Illinois State Pharmacy Disciplinary Fund</td>
<td>$600</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$3,400</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$7,600</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$800</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td>$700</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$20,300</td>
</tr>
<tr>
<td>ICJIA Violence Prevention Fund</td>
<td>$900</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$3,100</td>
</tr>
<tr>
<td>DCFS Children's Services Fund</td>
<td>$175,500</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$800</td>
</tr>
<tr>
<td>Emergency Public Health Fund</td>
<td>$1,400</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$1,200</td>
</tr>
<tr>
<td>State Rail Freight Loan Repayment Fund</td>
<td>$2,300</td>
</tr>
<tr>
<td>Drunk and Drugged Driving Prevention Fund</td>
<td>$800</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$500</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$2,700</td>
</tr>
<tr>
<td>Natural Areas Acquisition Fund</td>
<td>$3,000</td>
</tr>
<tr>
<td>Open Space Lands Acquisition and Development Fund</td>
<td>$7,300</td>
</tr>
<tr>
<td>Working Capital Revolving Fund</td>
<td>$22,900</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$22,100</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$67,100</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$56,900</td>
</tr>
<tr>
<td>Facilities Management Revolving Fund</td>
<td>$84,400</td>
</tr>
<tr>
<td>Public Health Laboratory Services Revolving Fund</td>
<td>$300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Abatement Fund................................. $1,300
Tax Compliance and Administration Fund........ $1,700
Illinois State Fair Fund.......................... $2,300
Department of Corrections Reimbursement and Education Fund.................. $14,700
Illinois Historic Sites Fund....................... $900
Pesticide Control Fund........................... $2,000
Partners for Conservation Fund................... $3,300
International Tourism Fund........................ $1,200
Horse Racing Fund.................................. $3,100
Motor Carrier Safety Inspection Fund.............. $1,000
Illinois Thoroughbred Breeders Fund.............. $1,000
Illinois Clean Water Fund........................ $7,400
Child Support Administrative Fund................. $82,100
Tourism Promotion Fund............................ $15,200
Presidential Library and Museum
   Operating Fund.................................. $4,600
Dram Shop Fund................................... $3,200
Cycle Rider Safety Training Fund................... $2,100
State Police Services Fund........................ $8,500
Metabolic Screening and Treatment Fund............. $6,000
Insurance Producer Administration Fund........... $6,700
Coal Technology Development Assistance Fund...... $6,900
Environmental Protection Permit
   and Inspection Fund ........................... $3,800
Park and Conservation Fund......................... $7,500
Local Tourism Fund................................ $5,100
Illinois Capital Revolving Loan Fund............... $400
Adeline Jay Geo-Karis Illinois
   Beach Marina Fund ............................... $500
Insurance Financial Regulation Fund................. $8,200
Total $740,600

(e-40) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified as follows:

General Revenue Fund............................. $6,000,000
Road Fund........................................... $1,161,700

New matter indicated by italics - deletions by strikeout
Notwithstanding any other provision of State law to the contrary, on or after July 1, 2014 and through June 30, 2015, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

Financial Institution Fund.................... $2,500
General Professions Dedicated Fund........... $2,000
Illinois Veterans' Rehabilitation Fund........ $2,300
State Boating Act Fund......................... $5,500
State Parks Fund................................ $4,800
Agricultural Premium Fund..................... $9,900
Fire Prevention Fund........................... $10,300
Mental Health Fund............................. $14,000
Illinois State Pharmacy Disciplinary Fund..... $600
Radiation Protection Fund...................... $3,400
Solid Waste Management Fund.................. $7,600
Illinois Gaming Law Enforcement Fund......... $800
Subtitle D Management Fund.................... $700
Illinois State Medical Disciplinary Fund....... $2,000
Weights and Measures Fund.................... $20,300
ICJIA Violence Prevention Fund............... $900
Capital Development Board Revolving Fund..... $3,100
DCFS Children's Services Fund............... $175,500
Illinois Health Facilities Planning Fund....... $800
Emergency Public Health Fund................ $1,400
Nursing Dedicated and Professional Fund....... $1,200
State Rail Freight Loan Repayment Fund....... $2,300
Drunk and Drugged Driving Prevention Fund.... $800
Community Water Supply Laboratory Fund....... $500
Used Tire Management Fund................... $2,700
Natural Areas Acquisition Fund............... $3,000
Open Space Lands Acquisition
   and Development Fund....................... $7,300
Working Capital Revolving Fund............... $22,900
State Garage Revolving Fund.................. $22,100
Statistical Services Revolving Fund.......... $67,100

Total                                     $7,161,700

New matter indicated by italics - deletions by strikeout
Communications Revolving Fund..................... $56,900
Facilities Management Revolving Fund.............. $84,400
Public Health Laboratory Services
   Revolving Fund.................................. $300
Lead Poisoning Screening, Prevention,
   and Abatement Fund................................ $1,300
Tax Compliance and Administration Fund............. $1,700
Illinois State Fair Fund........................... $2,300
Department of Corrections
   Reimbursement and Education Fund.............. $14,700
Illinois Historic Sites Fund......................... $900
Pesticide Control Fund............................. $2,000
Partners for Conservation Fund..................... $3,300
International Tourism Fund........................ $1,200
Horse Racing Fund................................. $3,100
Motor Carrier Safety Inspection Fund............ $1,000
Illinois Thoroughbred Breeders Fund............... $1,000
Illinois Clean Water Fund......................... $7,400
Child Support Administrative Fund............... $82,100
Tourism Promotion Fund............................. $15,200
Presidential Library and Museum Operating Fund... $4,600
Dram Shop Fund..................................... $3,200
Cycle Rider Safety Training Fund................... $2,100
State Police Services Fund......................... $8,500
Metabolic Screening and Treatment Fund........... $6,000
Insurance Producer Administration Fund........... $6,700
Coal Technology Development Assistance Fund..... $6,900
Environmental Protection Permit
   and Inspection Fund............................ $3,800
Park and Conservation Fund......................... $7,500
Local Tourism Fund................................ $5,100
Illinois Capital Revolving Loan Fund............... $400
Adeline Jay Geo-Karis Illinois
   Beach Marina Fund................................ $500
Insurance Financial Regulation Fund............. $8,200
Total................................................. $740,600

(e-50) Notwithstanding any other provision of State law to the
contrary and in addition to any other transfers that may be provided for by
law, the State Comptroller shall direct and the State Treasurer shall transfer

New matter indicated by italics - deletions by strikeout
from the fund specified into the Professional Services Fund according to the schedule specified as follows:

<table>
<thead>
<tr>
<th>Road Fund</th>
<th>$1,161,700</th>
</tr>
</thead>
</table>

One-fourth of the specified amount shall be transferred on each of July 1 and October 1, 2014, or as soon as may be practical thereafter, and one-half of the specified amount shall be transferred on January 1, 2015, or as soon as may be practical thereafter.

(f) The term "professional services" means services rendered on behalf of State agencies and other State entities pursuant to Section 405-293 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

(Source: P.A. 97-641, eff. 12-19-11; 98-24, eff. 6-19-13.)

(30 ILCS 105/6z-64)

Sec. 6z-64. The Workers' Compensation Revolving Fund.

(a) The Workers' Compensation Revolving Fund is created as a revolving fund, not subject to fiscal year limitations, in the State treasury. The following moneys shall be deposited into the Fund:

1. amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;
2. federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;
3. interest earned on moneys in the Fund;
4. receipts or inter-fund transfers resulting from billings issued to State agencies and universities for the cost of workers' compensation services that are not compensated through the specific fund transfers authorized by this Section, if any;
5. amounts received from a State agency or university for workers' compensation payments for temporary total disability, as provided in Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois; and
6. amounts recovered through subrogation in workers' compensation and workers' occupational disease cases.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:
(1) providing workers' compensation services to State agencies and State universities; or

(2) providing for payment of administrative and other expenses (and, beginning January 1, 2013, fees and charges made pursuant to a contract with a private vendor) incurred in providing workers' compensation services. The Department, or any successor agency designated to enter into contracts with one or more private vendors for the administration of the workers' compensation program for State employees pursuant to subsection 10b of Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois, is authorized to establish one or more special funds, as separate accounts provided by any bank or banks as defined by the Illinois Banking Act, any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985, or any credit union as defined by the Illinois Credit Union Act, to be held by the Director outside of the State treasury, for the purpose of receiving the transfer of moneys from the Workers' Compensation Revolving Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall be deposited into the Workers' Compensation Revolving Fund. The transferred moneys, and interest accrued thereon, shall be used exclusively for transfers to contracted private vendors or their financial institutions for payments to workers' compensation claimants and providers for workers' compensation services, claims, and benefits pursuant to this Section and subsection 9 of Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement or payment of administrative fees due the contracted vendor pursuant to its contract or contracts with the Department.

(c) State agencies may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Workers' Compensation Revolving Fund in satisfaction of billings issued under subsection (a) of this Section.

(d) Reconciliation. For the fiscal year beginning on July 1, 2004 only, the Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for workers' compensation services provided by the

New matter indicated by italics - deletions by strikeout
Department and attributable to the State agency and relevant fund on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(d-5) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2005 and until June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers’ Compensation Revolving Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mental Health Fund</td>
<td>$17,694,000</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$1,252,600</td>
</tr>
<tr>
<td>Department of Corrections Reimbursement and Education Fund</td>
<td>$1,198,600</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$535,400</td>
</tr>
<tr>
<td>Child Support Administrative Fund</td>
<td>$441,900</td>
</tr>
<tr>
<td>Health Insurance Reserve Fund</td>
<td>$238,900</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$234,100</td>
</tr>
<tr>
<td>Park and Conservation Fund</td>
<td>$142,000</td>
</tr>
<tr>
<td>Motor Fuel Tax Fund</td>
<td>$132,800</td>
</tr>
<tr>
<td>Illinois Workers’ Compensation Commission Operations Fund</td>
<td>$123,900</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$112,300</td>
</tr>
<tr>
<td>Public Utility Fund</td>
<td>$106,500</td>
</tr>
<tr>
<td>State Lottery Fund</td>
<td>$101,300</td>
</tr>
<tr>
<td>Traffic and Criminal Conviction Surcharge Fund</td>
<td>$88,500</td>
</tr>
<tr>
<td>State Surplus Property Revolving Fund</td>
<td>$82,700</td>
</tr>
<tr>
<td>Natural Areas Acquisition Fund</td>
<td>$65,600</td>
</tr>
<tr>
<td>Securities Audit and Enforcement Fund</td>
<td>$65,200</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$63,400</td>
</tr>
<tr>
<td>Capital Development Fund</td>
<td>$57,500</td>
</tr>
<tr>
<td>State Gaming Fund</td>
<td>$54,300</td>
</tr>
<tr>
<td>Underground Storage Tank Fund</td>
<td>$53,700</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$53,000</td>
</tr>
<tr>
<td>Personal Property Tax Replacement Fund</td>
<td>$53,000</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$51,900</td>
</tr>
<tr>
<td>Total</td>
<td>$23,003,100</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
(d-10) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund amounts equal to one-fourth of each of the following totals:

- General Revenue Fund: $34,000,000
- Road Fund: $25,987,000
- Total: $59,987,000

(d-12) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the effective date of this amendatory Act of the 94th General Assembly, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

- General Revenue Fund: $10,000,000
- Road Fund: $5,000,000
- Total: $15,000,000

(d-15) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

- General Revenue Fund: $44,028,200
- Road Fund: $28,084,000
- Total: $72,112,200

(d-20) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2006 and until June 30, 2007, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

- Mental Health Fund: $19,121,800
- Statistical Services Revolving Fund: $1,353,700
- Department of Corrections Reimbursement and Education Fund: $1,295,300

New matter indicated by italics - deletions by strikeout
Communications Revolving Fund.................... $578,600  
Child Support Administrative Fund............... $477,600  
Health Insurance Reserve Fund.................. $258,200  
Fire Prevention Fund............................. $253,000  
Park and Conservation Fund...................... $153,500  
Motor Fuel Tax Fund.............................. $143,500  
Illinois Workers' Compensation  
  Commission Operations Fund.................... $133,900  
  State Boating Act Fund......................... $121,400  
  Public Utility Fund............................ $115,100  
  State Lottery Fund............................. $109,500  
  Traffic and Criminal Conviction Surcharge Fund.. $95,700  
  State Surplus Property Revolving Fund......... $89,400  
  Natural Areas Acquisition Fund................. $70,800  
  Securities Audit and Enforcement Fund......... $70,400  
  Agricultural Premium Fund..................... $68,500  
  State Gaming Fund.............................. $58,600  
  Underground Storage Tank Fund.................. $58,000  
  Illinois State Medical Disciplinary Fund....... $57,200  
  Personal Property Tax Replacement Fund........ $57,200  
  General Professions Dedicated Fund............ $56,100  
Total                                                                 $24,797,000

(d-25) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2009, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:
  General Revenue Fund......................... $55,000,000  
  Road Fund..................................... $34,803,000  
Total                                                                 $89,803,000

(d-30) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2009 and until June 30, 2010, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:
  Food and Drug Safety Fund..................... $13,900

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teacher Certificate Fee Revolving Fund</td>
<td>$6,500</td>
</tr>
<tr>
<td>Transportation Regulatory Fund</td>
<td>$14,500</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$25,200</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$25,300</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>$64,600</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$177,100</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$104,300</td>
</tr>
<tr>
<td>Lobbyist Registration Administration Fund</td>
<td>$14,400</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$79,100</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$360,200</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>$9,725,200</td>
</tr>
<tr>
<td>Illinois State Pharmacy Disciplinary Fund</td>
<td>$5,600</td>
</tr>
<tr>
<td>Public Utility Fund</td>
<td>$40,900</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$14,200</td>
</tr>
<tr>
<td>Firearm Owner's Notification Fund</td>
<td>$1,300</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$74,100</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$17,800</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td>$14,100</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$26,500</td>
</tr>
<tr>
<td>Facility Licensing Fund</td>
<td>$11,700</td>
</tr>
<tr>
<td>Plugging and Restoration Fund</td>
<td>$9,100</td>
</tr>
<tr>
<td>Explosives Regulatory Fund</td>
<td>$2,300</td>
</tr>
<tr>
<td>Aggregate Operations Regulatory Fund</td>
<td>$5,000</td>
</tr>
<tr>
<td>Coal Mining Regulatory Fund</td>
<td>$1,900</td>
</tr>
<tr>
<td>Registered Certified Public Accountants' Administration and Disciplinary Fund</td>
<td>$1,500</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$56,100</td>
</tr>
<tr>
<td>Division of Corporations Registered</td>
<td></td>
</tr>
<tr>
<td>Limited Liability Partnership Fund</td>
<td>$3,900</td>
</tr>
<tr>
<td>Illinois School Asbestos Abatement Fund</td>
<td>$14,000</td>
</tr>
<tr>
<td>Secretary of State Special License Plate Fund</td>
<td>$30,700</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$27,000</td>
</tr>
<tr>
<td>DCFS Children's Services Fund</td>
<td>$69,300</td>
</tr>
<tr>
<td>Asbestos Abatement Fund</td>
<td>$17,200</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$26,800</td>
</tr>
<tr>
<td>Emergency Public Health Fund</td>
<td>$5,600</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$10,000</td>
</tr>
<tr>
<td>Optometric Licensing and Disciplinary Board Fund</td>
<td>$1,600</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Underground Resources Conservation Enforcement Fund................................. $11,500
Drunk and Drugged Driving Prevention Fund........ $18,200
Long Term Care Monitor/Receiver Fund............... $35,400
Community Water Supply Laboratory Fund........... $5,600
Securities Investors Education Fund................ $2,000
Used Tire Management Fund.......................... $32,400
Natural Areas Acquisition Fund..................... $101,200
Open Space Lands Acquisition and Development Fund........ $28,400
Working Capital Revolving Fund..................... $489,100
State Garage Revolving Fund......................... $791,900
Statistical Services Revolving Fund................. $3,984,700
Communications Revolving Fund...................... $1,432,800
Facilities Management Revolving Fund.............. $1,911,600
Professional Services Fund......................... $483,600
Motor Vehicle Review Board Fund.................... $15,000
Environmental Laboratory Certification Fund........ $3,000
Public Health Laboratory Services Revolving Fund...... $2,500
Lead Poisoning Screening, Prevention, and Abatement Fund...... $28,200
Securities Audit and Enforcement Fund............. $258,400
Department of Business Services Special Operations Fund........ $111,900
Feed Control Fund.................................. $20,800
Tanning Facility Permit Fund........................ $5,400
Plumbing Licensure and Program Fund............... $24,400
Tax Compliance and Administration Fund............ $27,200
Appraisal Administration Fund....................... $2,400
Small Business Environmental Assistance Fund...... $2,200
Illinois State Fair Fund............................ $31,400
Secretary of State Special Services Fund........... $317,600
Department of Corrections Reimbursement and Education Fund........ $324,500
Health Facility Plan Review Fund................... $31,200
Illinois Historic Sites Fund......................... $11,500
Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund......... $18,500

New matter indicated by italics - deletions by strikeout
Public Pension Regulation Fund.......................... $5,600
Illinois Charity Bureau Fund.......................... $11,400
Renewable Energy Resources Trust Fund............... $6,700
Energy Efficiency Trust Fund.......................... $3,600
Pesticide Control Fund................................ $56,800
Attorney General Whistleblower Reward and Protection Fund........ $14,200
Partners for Conservation Fund....................... $36,900
Capital Litigation Trust Fund........................ $800
Motor Vehicle License Plate Fund..................... $99,700
Horse Racing Fund.................................... $18,900
Death Certificate Surcharge Fund..................... $12,800
Auction Regulation Administration Fund............... $500
Motor Carrier Safety Inspection Fund................ $55,800
Assisted Living and Shared Housing Regulatory Fund................. $900
Illinois Thoroughbred Breeders Fund............... $9,200
Illinois Clean Water Fund............................ $42,300
Secretary of State DUI Administration Fund......... $16,100
Child Support Administrative Fund.................... $1,037,900
Secretary of State Police Services Fund........... $1,200
Tourism Promotion Fund............................. $34,400
IMSA Income Fund.................................... $12,700
Presidential Library and Museum Operating Fund..... $83,000
Dram Shop Fund...................................... $44,500
Illinois State Dental Disciplinary Fund............ $5,700
Cycle Rider Safety Training Fund.................... $8,700
Traffic and Criminal Conviction Surcharge Fund... $106,100
Design Professionals Administration and Investigation Fund........ $4,500
State Police Services Fund......................... $276,100
Metabolic Screening and Treatment Fund.............. $90,800
Insurance Producer Administration Fund........... $45,600
Coal Technology Development Assistance Fund....... $11,700
Hearing Instrument Dispenser Examining and Disciplinary Fund........ $1,900
Low-Level Radioactive Waste Facility Development and Operation Fund......... $1,000
Environmental Protection Permit and

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspection Fund</td>
<td>$66,900</td>
</tr>
<tr>
<td>Park and Conservation Fund</td>
<td>$199,300</td>
</tr>
<tr>
<td>Local Tourism Fund</td>
<td>$2,400</td>
</tr>
<tr>
<td>Illinois Capital Revolving Loan Fund</td>
<td>$10,000</td>
</tr>
<tr>
<td>Large Business Attraction Fund</td>
<td>$100</td>
</tr>
<tr>
<td>Adeline Jay Geo-Karis Illinois Beach Marina</td>
<td>$27,200</td>
</tr>
<tr>
<td>Public Infrastructure Construction Loan</td>
<td>$1,700</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$69,200</td>
</tr>
</tbody>
</table>

Total: $24,197,800

(d-35) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2010, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$55,000,000</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$50,955,300</td>
</tr>
</tbody>
</table>

Total: $105,955,300

(d-40) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2010 and until June 30, 2011, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and Drug Safety Fund</td>
<td>$8,700</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$44,500</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$51,400</td>
</tr>
<tr>
<td>Live and Learn Fund</td>
<td>$10,900</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>$106,000</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$288,200</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$185,900</td>
</tr>
<tr>
<td>Wildlife and Fish Fund</td>
<td>$1,550,300</td>
</tr>
<tr>
<td>Lobbyist Registration Administration Fund</td>
<td>$18,100</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$176,100</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>$291,900</td>
</tr>
<tr>
<td>Firearm Owner's Notification Fund</td>
<td>$2,300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund and Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$11,300</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$42,300</td>
</tr>
<tr>
<td>Facility Licensing Fund</td>
<td>$14,200</td>
</tr>
<tr>
<td>Plugging and Restoration Fund</td>
<td>$15,600</td>
</tr>
<tr>
<td>Explosives Regulatory Fund</td>
<td>$4,800</td>
</tr>
<tr>
<td>Aggregate Operations Regulatory Fund</td>
<td>$6,000</td>
</tr>
<tr>
<td>Coal Mining Regulatory Fund</td>
<td>$7,200</td>
</tr>
<tr>
<td>Registered Certified Public Accountists' Administration and Disciplinary Fund</td>
<td>$1,900</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$105,200</td>
</tr>
<tr>
<td>Division of Corporations Registered</td>
<td></td>
</tr>
<tr>
<td>Limited Liability Partnership Fund</td>
<td>$5,300</td>
</tr>
<tr>
<td>Illinois School Asbestos Abatement Fund</td>
<td>$19,900</td>
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<td>Insurance Producer Administration Fund</td>
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*New matter indicated by italics - deletions by strikeout*
Hearing Instrument Dispenser Examining and Disciplinary Fund......................... $1,900
Park and Conservation Fund.................. $361,500
Adeline Jay Geo-Karis Illinois Beach Marina Fund................................. $42,800
Insurance Financial Regulation Fund.......... $108,000
Total .................................. $13,033,200

(d-45) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2011, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $45,000,000 from the General Revenue Fund into the Workers' Compensation Revolving Fund.

(d-50) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2014, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from the designated fund into the Workers' Compensation Revolving Fund the following amounts:

Road Fund.................................... $19,714,700

(d-55) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2014 and until June 30, 2015, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

Food and Drug Safety Fund.................... $5,300
Teacher Certificate Fee Revolving Fund........ $2,100
Transportation Regulatory Fund............... $5,500
Financial Institution Fund.................... $28,400
General Professions Dedicated Fund.......... $21,600
Illinois Veterans' Rehabilitation Fund......... $53,200
State Boating Act Fund....................... $117,500
State Parks Fund............................. $82,400
Wildlife and Fish Fund....................... $631,500
Lobbyist Registration Administration Fund..... $12,200
Agricultural Premium Fund.................... $43,400
Fire Prevention Fund......................... $194,800

New matter indicated by italics - deletions by strikeout
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New matter indicated by italics - deletions by strikeout
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<tr>
<td>Motor Carrier Safety Inspection Fund</td>
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New matter indicated by italics - deletions by strikeout
Assisted Living and Shared Housing
  Regulatory Fund................................. $2,300
Illinois Thoroughbred Breeders Fund............... $7,100
Illinois Clean Water Fund........................ $72,200
Secretary of State DUI Administration Fund........ $7,700
Child Support Administrative Fund................ $744,000
Secretary of State Police Services Fund............ $600
Tourism Promotion Fund.......................... $98,100
IMSA Income Fund.................................. $12,800
Presidential Library and Museum
  Operating Fund.................................. $145,800
Dram Shop Fund.................................... $35,600
Illinois State Dental Disciplinary Fund........... $4,100
Cycle Rider Safety Training Fund.................... $9,500
Traffic and Criminal Conviction Surcharge Fund.... $53,100
Design Professionals Administration
  and Investigation Fund............................ $4,200
State Police Services Fund......................... $123,100
Metabolic Screening and Treatment Fund............. $42,700
Insurance Producer Administration Fund............ $18,300
Coal Technology Development Assistance Fund....... $22,500
Violent Crime Victims Assistance Fund............. $4,700
Hearing Instrument Dispenser Examining
  and Disciplinary Fund............................ $500
Low-Level Radioactive Waste Facility
  Development and Operation Fund................... $1,700
Environmental Protection Permit
  and Inspection Fund.............................. $45,300
Park and Conservation Fund........................ $165,700
Illinois Capital Revolving Loan Fund............... $14,800
Adeline Jay Geo-Karis Illinois Beach
  Marina Fund..................................... $800
Insurance Financial Regulation Fund............... $23,800
Total............................................. $6,699,900

(e) The term "workers' compensation services" means services, claims
expenses, and related administrative costs incurred in performing the duties
under Sections 405-105 and 405-411 of the Department of Central

New matter indicated by italics - deletions by strikeout
Sec. 6z-70. The Secretary of State Identification Security and Theft Prevention Fund.

(a) The Secretary of State Identification Security and Theft Prevention Fund is created as a special fund in the State treasury. The Fund shall consist of any fund transfers, grants, fees, or moneys from other sources received for the purpose of funding identification security and theft prevention measures.

(b) All moneys in the Secretary of State Identification Security and Theft Prevention Fund shall be used, subject to appropriation, for any costs related to implementing identification security and theft prevention measures.

(c) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2007, and until June 30, 2008, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund: $100,000
- Registered Limited Liability Partnership Fund: $75,000
- Securities Investors Education Fund: $500,000
- Securities Audit and Enforcement Fund: $5,725,000
- Department of Business Services Special Operations Fund: $3,000,000
- Corporate Franchise Tax Refund Fund: $3,000,000.

(d) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2008, and until June 30, 2009, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund: $100,000
- Registered Limited Liability Partnership Fund: $75,000
- Securities Investors Education Fund: $500,000
- Securities Audit and Enforcement Fund: $5,725,000
- Department of Business Services Special Operations Fund: $3,000,000.

New matter indicated by italics - deletions by strikeout
Corporate Franchise Tax Refund Fund..........     $3,000,000
State Parking Facility Maintenance Fund.......     $100,000

(e) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2009, and until June 30, 2010, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

Lobbyist Registration Administration Fund.......     $100,000
Registered Limited Liability Partnership Fund...     $175,000
Securities Investors Education Fund..............     $750,000
Securities Audit and Enforcement Fund..........     $750,000
Department of Business Services
   Special Operations Fund..................     $3,000,000
Corporate Franchise Tax Refund Fund............     $3,000,000
State Parking Facility Maintenance Fund.......     $100,000

(f) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2010, and until June 30, 2011, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

Registered Limited Liability Partnership Fund...     $287,000
Securities Investors Education Board............     $750,000
Securities Audit and Enforcement Fund..........     $750,000
Department of Business Services Special
   Operations Fund..........................     $3,000,000
Corporate Franchise Tax Refund Fund............     $3,000,000

(g) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2011, and until June 30, 2012, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

Division of Corporations Registered
   Limited Liability Partnership Fund............     $287,000

New matter indicated by italics - deletions by strikeout
Securities Investors Education Fund.............. $750,000
Securities Audit and Enforcement Fund......... $3,500,000
Department of Business Services
  Special Operations Fund.................... $3,000,000
Corporate Franchise Tax Refund Fund............ $3,000,000

(h) Notwithstanding any other provision of State law to the contrary,
on or after the effective date of this amendatory Act of the 98th General
Assembly, and until June 30, 2014, in addition to any other transfers that may
be provided for by law, at the direction of and upon notification from the
Secretary of State, the State Comptroller shall direct and the State Treasurer
shall transfer amounts into the Secretary of State Identification Security and
Theft Prevention Fund from the designated funds not exceeding the following
totals:

Division of Corporations Registered Limited
  Liability Partnership Fund.................... $287,000
Securities Investors Education Fund............ $1,500,000
Department of Business Services Special
  Operations Fund......................... $3,000,000
Securities Audit and Enforcement Fund......... $3,500,000
Corporate Franchise Tax Refund Fund............ $3,000,000

(i) Notwithstanding any other provision of State law to the contrary,
on or after the effective date of this amendatory Act of the 98th General
Assembly, and until June 30, 2015, in addition to any other transfers that
may be provided for by law, at the direction of and upon notification of the
Secretary of State, the State Comptroller shall direct and the State Treasurer
shall transfer amounts into the Secretary of State Identification Security and
Theft Prevention Fund from the designated funds not exceeding the following
totals:

Division of Corporations Registered Limited
  Liability Partnership Fund.................... $287,000
Securities Investors Education Fund............ $1,500,000
Department of Business Services Special
  Operations Fund......................... $3,000,000
Securities Audit and Enforcement Fund......... $3,500,000
Corporate Franchise Tax Refund Fund............ $3,000,000

(Source: P.A. 97-72, eff. 7-1-11; 98-24, eff. 6-19-13.)
(30 ILCS 105/6z-100 new)

Sec. 6z-100. Capital Development Board Revolving Fund; payments
into and use. All monies received by the Capital Development Board for

New matter indicated by italics - deletions by strikeout
publications or copies issued by the Board, and all monies received for contract administration fees, charges, or reimbursements owing to the Board shall be deposited into a special fund known as the Capital Development Board Revolving Fund, which is hereby created in the State treasury. The monies in this Fund shall be used by the Capital Development Board, as appropriated, for expenditures for personal services, retirement, social security, contractual services, legal services, travel, commodities, printing, equipment, electronic data processing, or telecommunications. Unexpended moneys in the Fund shall not be transferred or allocated by the Comptroller or Treasurer to any other fund, nor shall the Governor authorize the transfer or allocation of those moneys to any other fund. This Section is repealed July 1, 2016.

(30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

Sec. 8.3. Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code, except the cost of administration of Articles I and II of Chapter 3 of that Code; and
secondly -- for expenses of the Department of Transportation for construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways in accordance with the provisions of laws relating thereto, or for any purpose related or incident to and connected therewith, including the separation of grades of those highways with railroads and with highways and including the payment of awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation; or for the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway right-of-way or for investigations to determine the reasonably anticipated future highway needs; or for making of surveys, plans, specifications and estimates for and in the construction and maintenance of flight strips and of highways

New matter indicated by italics - deletions by strikeout
necessary to provide access to military and naval reservations, to defense industries and defense-industry sites, and to the sources of raw materials and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, or for the purchase of right-of-way, except that the State shall be reimbursed in full for any expense incurred in building the flight strips; or for the operating and maintaining of highway garages; or for patrolling and policing the public highways and conserving the peace; or for the operating expenses of the Department relating to the administration of public transportation programs; or, during fiscal year 2012 only, for the purposes of a grant not to exceed $8,500,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or, during fiscal year 2013 only, for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or, during fiscal year 2014 only, for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or, during fiscal year 2015 only, for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or for any of those purposes or any other purpose that may be provided by law.

Appropriations for any of those purposes are payable from the Road Fund. Appropriations may also be made from the Road Fund for the administrative expenses of any State agency that are related to motor vehicles or arise from the use of motor vehicles.

Beginning with fiscal year 1980 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement;

1. Department of Public Health;
2. Department of Transportation, only with respect to subsidies for one-half fare Student Transportation and Reduced Fare for Elderly, except during fiscal year 2012 only when no more than $40,000,000 may be expended and except during fiscal year 2013 only when no more than $17,570,300 may be expended and except

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during fiscal year 2014 only when no more than $17,570,000 may be expended and except during fiscal year 2015 only when no more than $17,570,000 may be expended;

3. Department of Central Management Services, except for expenditures incurred for group insurance premiums of appropriate personnel;


Beginning with fiscal year 1981 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except for expenditures with respect to the Division of Operations;

2. Department of Transportation, only with respect to Intercity Rail Subsidies, except during fiscal year 2012 only when no more than $40,000,000 may be expended and except during fiscal year 2013 only when no more than $26,000,000 may be expended and except during fiscal year 2014 only when no more than $38,000,000 may be expended and except during fiscal year 2015 only when no more than $42,000,000 may be expended, and Rail Freight Services.

Beginning with fiscal year 1982 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement: Department of Central Management Services, except for awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except not more than 40% of the funds appropriated for the Division of Operations;

2. State Officers.

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Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to any Department or agency of State government for administration, grants, or operations except as provided hereafter; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement. It shall not be lawful to circumvent the above appropriation limitations by governmental reorganization or other methods. Appropriations shall be made from the Road Fund only in accordance with the provisions of this Section.

Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging during each fiscal year the principal and interest on that bonded indebtedness as it becomes due and payable as provided in the Transportation Bond Act, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

  first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code; and
  secondly -- no Road Fund monies derived from fees, excises, or license taxes relating to registration, operation and use of vehicles on public highways or to fuels used for the propulsion of those vehicles, shall be appropriated or expended other than for costs of administering the laws imposing those fees, excises, and license taxes, statutory refunds and adjustments allowed thereunder, administrative costs of the Department of Transportation, including, but not limited to, the operating expenses of the Department relating to the administration of public transportation programs, payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges, acquisition of rights-of-way for and the cost of construction, reconstruction, maintenance, repair, and operation of public highways and bridges under the direction and supervision of the State, political subdivision, or municipality collecting those monies, or during fiscal year 2012 only for the purposes of a grant not to exceed $8,500,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, or during fiscal year 2013 only for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, or during fiscal year 2014 only for the

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purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, or during fiscal year 2015 only for the purposes of a grant not to exceed $3,825,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, and the costs for patrolling and policing the public highways (by State, political subdivision, or municipality collecting that money) for enforcement of traffic laws. The separation of grades of such highways with railroads and costs associated with protection of at-grade highway and railroad crossing shall also be permissible.

Appropriations for any of such purposes are payable from the Road Fund or the Grade Crossing Protection Fund as provided in Section 8 of the Motor Fuel Tax Law.

Except as provided in this paragraph, beginning with fiscal year 1991 and thereafter, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of its total fiscal year 1990 Road Fund appropriations for those purposes unless otherwise provided in Section 5g of this Act. For fiscal years 2003, 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $97,310,000. For fiscal year 2008 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $106,100,000. For fiscal year 2009 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $114,700,000. Beginning in fiscal year 2010, no road fund moneys shall be appropriated to the Department of State Police. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods unless otherwise provided in Section 5g of this Act.

In fiscal year 1994, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1991 Road Fund appropriations to the Secretary of State for those purposes, plus $9,800,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other method.

Beginning with fiscal year 1995 and thereafter, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1994 Road Fund appropriations to the Secretary of State for those purposes. It shall not be lawful to circumvent this

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limitation on appropriations by governmental reorganization or other methods.

Beginning with fiscal year 2000, total Road Fund appropriations to the Secretary of State for the purposes of this Section shall not exceed the amounts specified for the following fiscal years:

- Fiscal Year 2000: $80,500,000
- Fiscal Year 2001: $80,500,000
- Fiscal Year 2002: $80,500,000
- Fiscal Year 2003: $130,500,000
- Fiscal Year 2004: $130,500,000
- Fiscal Year 2005: $130,500,000
- Fiscal Year 2006: $130,500,000
- Fiscal Year 2007: $130,500,000
- Fiscal Year 2008: $130,500,000
- Fiscal Year 2009: $130,500,000

For fiscal year 2010, no road fund moneys shall be appropriated to the Secretary of State.

Beginning in fiscal year 2011, moneys in the Road Fund shall be appropriated to the Secretary of State for the exclusive purpose of paying refunds due to overpayment of fees related to Chapter 3 of the Illinois Vehicle Code unless otherwise provided for by law.

It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

No new program may be initiated in fiscal year 1991 and thereafter that is not consistent with the limitations imposed by this Section for fiscal year 1984 and thereafter, insofar as appropriation of Road Fund monies is concerned.

Nothing in this Section prohibits transfers from the Road Fund to the State Construction Account Fund under Section 5e of this Act; nor to the General Revenue Fund, as authorized by this amendatory Act of the 93rd General Assembly.

The additional amounts authorized for expenditure in this Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91 shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

The additional amounts authorized for expenditure by the Secretary of State and the Department of State Police in this Section by this amendatory

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Act of the 94th General Assembly shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

(30 ILCS 105/8g-1)

Sec. 8g-1. Fund FY13 fund transfers.

(a) In addition to any other transfers that may be provided for by law, on and after July 1, 2012 and until May 1, 2013, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2013.

(b) In addition to any other transfers that may be provided for by law, on and after July 1, 2013 and until May 1, 2014, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2014.

(c) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,400,000 from the General Revenue Fund to the ICJIA Violence Prevention Fund.

(d) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,500,000 from the General Revenue Fund to the Illinois Veterans Assistance Fund.

(e) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $500,000 from the General Revenue Fund to the Senior Citizens Real Estate Deferred Tax Revolving Fund.

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(f) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $4,000,000 from the General Revenue Fund to the Digital Divide Elimination Fund.

(g) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $5,000,000 from the General Revenue Fund to the Communications Revolving Fund.

(h) In addition to any other transfers that may be provided for by law, on July 1, 2013, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $9,800,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(i) In addition to any other transfers that may be provided for by law, on and after July 1, 2014 and until May 1, 2015, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2015.

(j) In addition to any other transfers that may be provided for by law, on July 1, 2014, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $10,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(Source: P.A. 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

(30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

Sec. 13.2. Transfers among line item appropriations.

(a) Transfers among line item appropriations from the same treasury fund for the objects specified in this Section may be made in the manner provided in this Section when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made.

(a-1) No transfers may be made from one agency to another agency, nor may transfers be made from one institution of higher education to another institution of higher education except as provided by subsection (a-4).
(a-2) Except as otherwise provided in this Section, transfers may be made only among the objects of expenditure enumerated in this Section, except that no funds may be transferred from any appropriation for personal services, from any appropriation for State contributions to the State Employees' Retirement System, from any separate appropriation for employee retirement contributions paid by the employer, nor from any appropriation for State contribution for employee group insurance. During State fiscal year 2005, an agency may transfer amounts among its appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State Contributions to retirement systems; notwithstanding and in addition to the transfers authorized in subsection (c) of this Section, the fiscal year 2005 transfers authorized in this sentence may be made in an amount not to exceed 2% of the aggregate amount appropriated to an agency within the same treasury fund. During State fiscal year 2007, the Departments of Children and Family Services, Corrections, Human Services, and Juvenile Justice may transfer amounts among their respective appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State contributions to retirement systems. During State fiscal year 2010, the Department of Transportation may transfer amounts among their respective appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State contributions to retirement systems. During State fiscal years 2010 and 2014 only, an agency may transfer amounts among its respective appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State contributions to retirement systems. Notwithstanding, and in addition to, the transfers authorized in subsection (c) of this Section, these transfers may be made in an amount not to exceed 2% of the aggregate amount appropriated to an agency within the same treasury fund.

(a-2.5) During State fiscal year 2015 only, the State's Attorneys Appellate Prosecutor may transfer amounts among its respective appropriations contained in operational line items within the same treasury fund. Notwithstanding, and in addition to, the transfers authorized in subsection (c) of this Section, these transfers may be made in an amount not to exceed 4% of the aggregate amount appropriated to the State's Attorneys Appellate Prosecutor within the same treasury fund.

(a-3) Further, if an agency receives a separate appropriation for employee retirement contributions paid by the employer, any transfer by that
agency into an appropriation for personal services must be accompanied by a corresponding transfer into the appropriation for employee retirement contributions paid by the employer, in an amount sufficient to meet the employer share of the employee contributions required to be remitted to the retirement system.

(a-4) Long-Term Care Rebalancing. The Governor may designate amounts set aside for institutional services appropriated from the General Revenue Fund or any other State fund that receives monies for long-term care services to be transferred to all State agencies responsible for the administration of community-based long-term care programs, including, but not limited to, community-based long-term care programs administered by the Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging, provided that the Director of Healthcare and Family Services first certifies that the amounts being transferred are necessary for the purpose of assisting persons in or at risk of being in institutional care to transition to community-based settings, including the financial data needed to prove the need for the transfer of funds. The total amounts transferred shall not exceed 4% in total of the amounts appropriated from the General Revenue Fund or any other State fund that receives monies for long-term care services for each fiscal year. A notice of the fund transfer must be made to the General Assembly and posted at a minimum on the Department of Healthcare and Family Services website, the Governor's Office of Management and Budget website, and any other website the Governor sees fit. These postings shall serve as notice to the General Assembly of the amounts to be transferred. Notice shall be given at least 30 days prior to transfer.

(b) In addition to the general transfer authority provided under subsection (c), the following agencies have the specific transfer authority granted in this subsection:

The Department of Healthcare and Family Services is authorized to make transfers representing savings attributable to not increasing grants due to the births of additional children from line items for payments of cash grants to line items for payments for employment and social services for the purposes outlined in subsection (f) of Section 4-2 of the Illinois Public Aid Code.

The Department of Children and Family Services is authorized to make transfers not exceeding 2% of the aggregate amount appropriated to it within the same treasury fund for the following line items among these same line items: Foster Home and Specialized Foster Care and Prevention,
Institutions and Group Homes and Prevention, and Purchase of Adoption and Guardianship Services.

The Department on Aging is authorized to make transfers not exceeding 2% of the aggregate amount appropriated to it within the same treasury fund for the following Community Care Program line items among these same line items: purchase of services covered by the Community Care Program and Comprehensive Case Coordination.

The State Treasurer is authorized to make transfers among line item appropriations from the Capital Litigation Trust Fund, with respect to costs incurred in fiscal years 2002 and 2003 only, when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made, provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made.

The State Board of Education is authorized to make transfers from line item appropriations within the same treasury fund for General State Aid and General State Aid - Hold Harmless, provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made, to the line item appropriation for Transitional Assistance when the balance remaining in such line item appropriation is insufficient for the purpose for which the appropriation was made.

The State Board of Education is authorized to make transfers between the following line item appropriations within the same treasury fund: Disabled Student Services/Materials (Section 14-13.01 of the School Code), Disabled Student Transportation Reimbursement (Section 14-13.01 of the School Code), Disabled Student Tuition - Private Tuition (Section 14-7.02 of the School Code), Extraordinary Special Education (Section 14-7.02b of the School Code), Reimbursement for Free Lunch/Breakfast Program, Summer School Payments (Section 18-4.3 of the School Code), and Transportation - Regular/Vocational Reimbursement (Section 29-5 of the School Code). Such transfers shall be made only when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made and provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made.

The Department of Healthcare and Family Services is authorized to make transfers not exceeding 4% of the aggregate amount appropriated to it,
within the same treasury fund, among the various line items appropriated for Medical Assistance.

(c) The sum of such transfers for an agency in a fiscal year shall not exceed 2% of the aggregate amount appropriated to it within the same treasury fund for the following objects: Personal Services; Extra Help; Student and Inmate Compensation; State Contributions to Retirement Systems; State Contributions to Social Security; State Contribution for Employee Group Insurance; Contractual Services; Travel; Commodities; Printing; Equipment; Electronic Data Processing; Operation of Automotive Equipment; Telecommunications Services; Travel and Allowance for Committed, Paroled and Discharged Prisoners; Library Books; Federal Matching Grants for Student Loans; Refunds; Workers' Compensation, Occupational Disease, and Tort Claims; and, in appropriations to institutions of higher education, Awards and Grants. Notwithstanding the above, any amounts appropriated for payment of workers' compensation claims to an agency to which the authority to evaluate, administer and pay such claims has been delegated by the Department of Central Management Services may be transferred to any other expenditure object where such amounts exceed the amount necessary for the payment of such claims.

(c-1) Special provisions for State fiscal year 2003. Notwithstanding any other provision of this Section to the contrary, for State fiscal year 2003 only, transfers among line item appropriations to an agency from the same treasury fund may be made provided that the sum of such transfers for an agency in State fiscal year 2003 shall not exceed 3% of the aggregate amount appropriated to that State agency for State fiscal year 2003 for the following objects: personal services, except that no transfer may be approved which reduces the aggregate appropriations for personal services within an agency; extra help; student and inmate compensation; State contributions to retirement systems; State contributions to social security; State contributions for employee group insurance; contractual services; travel; commodities; printing; equipment; electronic data processing; operation of automotive equipment; telecommunications services; travel and allowance for committed, paroled, and discharged prisoners; library books; federal matching grants for student loans; refunds; workers' compensation, occupational disease, and tort claims; and, in appropriations to institutions of higher education, awards and grants.

(c-2) Special provisions for State fiscal year 2005. Notwithstanding subsections (a), (a-2), and (c), for State fiscal year 2005 only, transfers may be made among any line item appropriations from the same or any other
treasury fund for any objects or purposes, without limitation, when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made, provided that the sum of those transfers by a State agency shall not exceed 4% of the aggregate amount appropriated to that State agency for fiscal year 2005.

(d) Transfers among appropriations made to agencies of the Legislative and Judicial departments and to the constitutionally elected officers in the Executive branch require the approval of the officer authorized in Section 10 of this Act to approve and certify vouchers. Transfers among appropriations made to the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Mathematics and Science Academy and the Board of Higher Education require the approval of the Board of Higher Education and the Governor. Transfers among appropriations to all other agencies require the approval of the Governor.

The officer responsible for approval shall certify that the transfer is necessary to carry out the programs and purposes for which the appropriations were made by the General Assembly and shall transmit to the State Comptroller a certified copy of the approval which shall set forth the specific amounts transferred so that the Comptroller may change his records accordingly. The Comptroller shall furnish the Governor with information copies of all transfers approved for agencies of the Legislative and Judicial departments and transfers approved by the constitutionally elected officials of the Executive branch other than the Governor, showing the amounts transferred and indicating the dates such changes were entered on the Comptroller's records.

(e) The State Board of Education, in consultation with the State Comptroller, may transfer line item appropriations for General State Aid between the Common School Fund and the Education Assistance Fund. With the advice and consent of the Governor's Office of Management and Budget, the State Board of Education, in consultation with the State Comptroller, may transfer line item appropriations between the General Revenue Fund and the Education Assistance Fund for the following programs:

1. Disabled Student Personnel Reimbursement (Section 14-13.01 of the School Code);
2. Disabled Student Transportation Reimbursement (subsection (b) of Section 14-13.01 of the School Code);

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(3) Disabled Student Tuition - Private Tuition (Section 14-7.02 of the School Code);
(4) Extraordinary Special Education (Section 14-7.02b of the School Code);
(5) Reimbursement for Free Lunch/Breakfast Programs;
(6) Summer School Payments (Section 18-4.3 of the School Code);
(7) Transportation - Regular/Vocational Reimbursement (Section 29-5 of the School Code);
(8) Regular Education Reimbursement (Section 18-3 of the School Code); and
(9) Special Education Reimbursement (Section 14-7.03 of the School Code).
(Source: P.A. 97-689, eff. 7-1-12; 98-24, eff. 6-19-13.)

Section 20-15. The State Revenue Sharing Act is amended by changing Section 12 as follows:

(30 ILCS 115/12) (from Ch. 85, par. 616)
Sec. 12. Personal Property Tax Replacement Fund. There is hereby created the Personal Property Tax Replacement Fund, a special fund in the State Treasury into which shall be paid all revenue realized:
(a) all amounts realized from the additional personal property tax replacement income tax imposed by subsections (c) and (d) of Section 201 of the Illinois Income Tax Act, except for those amounts deposited into the Income Tax Refund Fund pursuant to subsection (c) of Section 901 of the Illinois Income Tax Act; and
(b) all amounts realized from the additional personal property replacement invested capital taxes imposed by Section 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and Section 3 of the Water Company Invested Capital Tax Act, and amounts payable to the Department of Revenue under the Telecommunications Infrastructure Maintenance Fee Act.

As soon as may be after the end of each month, the Department of Revenue shall certify to the Treasurer and the Comptroller the amount of all refunds paid out of the General Revenue Fund through the preceding month on account of overpayment of liability on taxes paid into the Personal Property Tax Replacement Fund. Upon receipt of such certification, the Treasurer and the Comptroller shall transfer the amount so certified from the Personal Property Tax Replacement Fund into the General Revenue Fund.

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The payments of revenue into the Personal Property Tax Replacement Fund shall be used exclusively for distribution to taxing districts, regional offices and officials, and local officials as provided in this Section and in the School Code, payment of the ordinary and contingent expenses of the Property Tax Appeal Board, payment of the expenses of the Department of Revenue incurred in administering the collection and distribution of monies paid into the Personal Property Tax Replacement Fund and transfers due to refunds to taxpayers for overpayment of liability for taxes paid into the Personal Property Tax Replacement Fund.

In addition, moneys in the Personal Property Tax Replacement Fund may be used to pay any of the following: (i) salary, stipends, and additional compensation as provided by law for chief election clerks, county clerks, and county recorders; (ii) costs associated with regional offices of education and educational service centers; (iii) reimbursements payable by the State Board of Elections under Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the Election Code; and (iv) expenses of the Illinois Educational Labor Relations Board; and (v) salary, personal services, and additional compensation as provided by law for court reporters under the Court Reporters Act.

As soon as may be after the effective date of this amendatory Act of 1980, the Department of Revenue shall certify to the Treasurer the amount of net replacement revenue paid into the General Revenue Fund prior to that effective date from the additional tax imposed by Section 2a.1 of the Messages Tax Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of the Public Utilities Revenue Act; Section 3 of the Water Company Invested Capital Tax Act; amounts collected by the Department of Revenue under the Telecommunications Infrastructure Maintenance Fee Act; and the additional personal property tax replacement income tax imposed by the Illinois Income Tax Act, as amended by Public Act 81-1st Special Session-1. Net replacement revenue shall be defined as the total amount paid into and remaining in the General Revenue Fund as a result of those Acts minus the amount outstanding and obligated from the General Revenue Fund in state vouchers or warrants prior to the effective date of this amendatory Act of 1980 as refunds to taxpayers for overpayment of liability under those Acts.

All interest earned by monies accumulated in the Personal Property Tax Replacement Fund shall be deposited in such Fund. All amounts allocated pursuant to this Section are appropriated on a continuing basis.

Prior to December 31, 1980, as soon as may be after the end of each quarter beginning with the quarter ending December 31, 1979, and on and after December 31, 1980, as soon as may be after January 1, March 1, April

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1, May 1, July 1, August 1, October 1 and December 1 of each year, the Department of Revenue shall allocate to each taxing district as defined in Section 1-150 of the Property Tax Code, in accordance with the provisions of paragraph (2) of this Section the portion of the funds held in the Personal Property Tax Replacement Fund which is required to be distributed, as provided in paragraph (1), for each quarter. Provided, however, under no circumstances shall any taxing district during each of the first two years of distribution of the taxes imposed by this amendatory Act of 1979 be entitled to an annual allocation which is less than the funds such taxing district collected from the 1978 personal property tax. Provided further that under no circumstances shall any taxing district during the third year of distribution of the taxes imposed by this amendatory Act of 1979 receive less than 60% of the funds such taxing district collected from the 1978 personal property tax. In the event that the total of the allocations made as above provided for all taxing districts, during either of such 3 years, exceeds the amount available for distribution the allocation of each taxing district shall be proportionately reduced. Except as provided in Section 13 of this Act, the Department shall then certify, pursuant to appropriation, such allocations to the State Comptroller who shall pay over to the several taxing districts the respective amounts allocated to them.

Any township which receives an allocation based in whole or in part upon personal property taxes which it levied pursuant to Section 6-507 or 6-512 of the Illinois Highway Code and which was previously required to be paid over to a municipality shall immediately pay over to that municipality a proportionate share of the personal property replacement funds which such township receives.

Any municipality or township, other than a municipality with a population in excess of 500,000, which receives an allocation based in whole or in part on personal property taxes which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the Illinois Local Library Act and which was previously required to be paid over to a public library shall immediately pay over to that library a proportionate share of the personal property tax replacement funds which such municipality or township receives; provided that if such a public library has converted to a library organized under The Illinois Public Library District Act, regardless of whether such conversion has occurred on, after or before January 1, 1988, such proportionate share shall be immediately paid over to the library district which maintains and operates the library. However, any library that has converted prior to January 1, 1988, and which hitherto has

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not received the personal property tax replacement funds, shall receive such funds commencing on January 1, 1988.

Any township which receives an allocation based in whole or in part on personal property taxes which it levied pursuant to Section 1c of the Public Graveyards Act and which taxes were previously required to be paid over to or used for such public cemetery or cemeteries shall immediately pay over to or use for such public cemetery or cemeteries a proportionate share of the personal property tax replacement funds which the township receives.

Any taxing district which receives an allocation based in whole or in part upon personal property taxes which it levied for another governmental body or school district in Cook County in 1976 or for another governmental body or school district in the remainder of the State in 1977 shall immediately pay over to that governmental body or school district the amount of personal property replacement funds which such governmental body or school district would receive directly under the provisions of paragraph (2) of this Section, had it levied its own taxes.

(1) The portion of the Personal Property Tax Replacement Fund required to be distributed as of the time allocation is required to be made shall be the amount available in such Fund as of the time allocation is required to be made.

The amount available for distribution shall be the total amount in the fund at such time minus the necessary administrative and other authorized expenses as limited by the appropriation and the amount determined by: (a) $2.8 million for fiscal year 1981; (b) for fiscal year 1982, .54% of the funds distributed from the fund during the preceding fiscal year; (c) for fiscal year 1983 through fiscal year 1988, .54% of the funds distributed from the fund during the preceding fiscal year less .02% of such fund for fiscal year 1983 and less .02% of such funds for each fiscal year thereafter; (d) for fiscal year 1989 through fiscal year 2011 no more than 105% of the actual administrative expenses of the prior fiscal year; (e) for fiscal year 2012 and beyond, a sufficient amount to pay (i) stipends, additional compensation, salary reimbursements, and other amounts directed to be paid out of this Fund for local officials as authorized or required by statute and (ii) no more than 105% of the actual administrative expenses of the prior fiscal year, including payment of the ordinary and contingent expenses of the Property Tax Appeal Board and payment of the expenses of the Department of Revenue incurred in administering the collection and distribution of moneys paid into the

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Fund; or (f) for fiscal years 2012 and 2013 only, a sufficient amount to pay stipends, additional compensation, salary reimbursements, and other amounts directed to be paid out of this Fund for regional offices and officials as authorized or required by statute. Such portion of the fund shall be determined after the transfer into the General Revenue Fund due to refunds, if any, paid from the General Revenue Fund during the preceding quarter. If at any time, for any reason, there is insufficient amount in the Personal Property Tax Replacement Fund for payments for regional offices and officials or local officials or payment of costs of administration or for transfers due to refunds at the end of any particular month, the amount of such insufficiency shall be carried over for the purposes of payments for regional offices and officials, local officials, transfers into the General Revenue Fund, and costs of administration to the following month or months. Net replacement revenue held, and defined above, shall be transferred by the Treasurer and Comptroller to the Personal Property Tax Replacement Fund within 10 days of such certification.

(2) Each quarterly allocation shall first be apportioned in the following manner: 51.65% for taxing districts in Cook County and 48.35% for taxing districts in the remainder of the State.

The Personal Property Replacement Ratio of each taxing district outside Cook County shall be the ratio which the Tax Base of that taxing district bears to the Downstate Tax Base. The Tax Base of each taxing district outside of Cook County is the personal property tax collections for that taxing district for the 1977 tax year. The Downstate Tax Base is the personal property tax collections for all taxing districts in the State outside of Cook County for the 1977 tax year. The Department of Revenue shall have authority to review for accuracy and completeness the personal property tax collections for each taxing district outside Cook County for the 1977 tax year.

The Personal Property Replacement Ratio of each Cook County taxing district shall be the ratio which the Tax Base of that taxing district bears to the Cook County Tax Base. The Tax Base of each Cook County taxing district is the personal property tax collections for that taxing district for the 1976 tax year. The Cook County Tax Base is the personal property tax collections for all taxing districts in Cook County for the 1976 tax year. The Department of Revenue shall have authority to review for accuracy and completeness the personal property tax collections for each taxing district within Cook County for the 1976 tax year.

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For all purposes of this Section 12, amounts paid to a taxing district for such tax years as may be applicable by a foreign corporation under the provisions of Section 7-202 of the Public Utilities Act, as amended, shall be deemed to be personal property taxes collected by such taxing district for such tax years as may be applicable. The Director shall determine from the Illinois Commerce Commission, for any tax year as may be applicable, the amounts so paid by any such foreign corporation to any and all taxing districts. The Illinois Commerce Commission shall furnish such information to the Director. For all purposes of this Section 12, the Director shall deem such amounts to be collected personal property taxes of each such taxing district for the applicable tax year or years.

Taxing districts located both in Cook County and in one or more other counties shall receive both a Cook County allocation and a Downstate allocation determined in the same way as all other taxing districts.

If any taxing district in existence on July 1, 1979 ceases to exist, or discontinues its operations, its Tax Base shall thereafter be deemed to be zero. If the powers, duties and obligations of the discontinued taxing district are assumed by another taxing district, the Tax Base of the discontinued taxing district shall be added to the Tax Base of the taxing district assuming such powers, duties and obligations.

If two or more taxing districts in existence on July 1, 1979, or a successor or successors thereto shall consolidate into one taxing district, the Tax Base of such consolidated taxing district shall be the sum of the Tax Bases of each of the taxing districts which have consolidated.

If a single taxing district in existence on July 1, 1979, or a successor or successors thereto shall be divided into two or more separate taxing districts, the tax base of the taxing district so divided shall be allocated to each of the resulting taxing districts in proportion to the then current equalized assessed value of each resulting taxing district.

If a portion of the territory of a taxing district is disconnected and annexed to another taxing district of the same type, the Tax Base of the taxing district from which disconnection was made shall be reduced in proportion to the then current equalized assessed value of the disconnected territory as compared with the then current equalized assessed value within the entire territory of the taxing district prior to disconnection, and the amount of such reduction shall be added to the Tax Base of the taxing district to which annexation is made.

If a community college district is created after July 1, 1979, beginning on the effective date of this amendatory Act of 1995, its Tax Base shall be

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3.5% of the sum of the personal property tax collected for the 1977 tax year within the territorial jurisdiction of the district.

The amounts allocated and paid to taxing districts pursuant to the provisions of this amendatory Act of 1979 shall be deemed to be substitute revenues for the revenues derived from taxes imposed on personal property pursuant to the provisions of the "Revenue Act of 1939" or "An Act for the assessment and taxation of private car line companies", approved July 22, 1943, as amended, or Section 414 of the Illinois Insurance Code, prior to the abolition of such taxes and shall be used for the same purposes as the revenues derived from ad valorem taxes on real estate.

Monies received by any taxing districts from the Personal Property Tax Replacement Fund shall be first applied toward payment of the proportionate amount of debt service which was previously levied and collected from extensions against personal property on bonds outstanding as of December 31, 1978 and next applied toward payment of the proportionate share of the pension or retirement obligations of the taxing district which were previously levied and collected from extensions against personal property. For each such outstanding bond issue, the County Clerk shall determine the percentage of the debt service which was collected from extensions against real estate in the taxing district for 1978 taxes payable in 1979, as related to the total amount of such levies and collections from extensions against both real and personal property. For 1979 and subsequent years' taxes, the County Clerk shall levy and extend taxes against the real estate of each taxing district which will yield the said percentage or percentages of the debt service on such outstanding bonds. The balance of the amount necessary to fully pay such debt service shall constitute a first and prior lien upon the monies received by each such taxing district through the Personal Property Tax Replacement Fund and shall be first applied or set aside for such purpose. In counties having fewer than 3,000,000 inhabitants, the amendments to this paragraph as made by this amendatory Act of 1980 shall be first applicable to 1980 taxes to be collected in 1981.

(Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

Section 20-20. The General Obligation Bond Act is amended by changing Section 13 as follows:

(30 ILCS 330/13) (from Ch. 127, par. 663)

Sec. 13. Appropriation of Proceeds from Sale of Bonds.

(a) At all times, the proceeds from the sale of Bonds issued pursuant to this Act are subject to appropriation by the General Assembly and, except

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as provided in Section 7.2, may be obligated or expended only with the
written approval of the Governor, in such amounts, at such times, and for
such purposes as the respective State agencies, as defined in Section 1-7 of
the Illinois State Auditing Act, as amended, deem necessary or desirable for
the specific purposes contemplated in Sections 2 through 8 of this Act.

Notwithstanding any other provision of this Act, proceeds from the sale of
Bonds issued pursuant to this Act appropriated by the General Assembly to
the Architect of the Capitol may be obligated or expended by the Architect of
the Capitol without the written approval of the Governor.

(b) Proceeds from the sale of Bonds for the purpose of development
of coal and alternative forms of energy shall be expended in such amounts
and at such times as the Department of Commerce and Economic
Opportunity, with the advice and recommendation of the Illinois Coal
Development Board for coal development projects, may deem necessary and
desirable for the specific purpose contemplated by Section 7 of this Act. In
considering the approval of projects to be funded, the Department of
Commerce and Economic Opportunity shall give special consideration to
projects designed to remove sulfur and other pollutants in the preparation and
utilization of coal, and in the use and operation of electric utility generating
plants and industrial facilities which utilize Illinois coal as their primary
source of fuel.

(c) Except as directed in subsection (c-1) or (c-2), any monies
received by any officer or employee of the state representing a reimbursement
of expenditures previously paid from general obligation bond proceeds shall
be deposited into the General Obligation Bond Retirement and Interest Fund
authorized in Section 14 of this Act.

(c-1) Any money received by the Department of Transportation as
reimbursement for expenditures for high speed rail purposes pursuant to
appropriations from the Transportation Bond, Series B Fund for (i) CREATE
(Chicago Region Environmental and Transportation Efficiency), (ii) High
Speed Rail, or (iii) AMTRAK projects authorized by the federal government
under the provisions of the American Recovery and Reinvestment Act of
2009 or the Safe Accountable Flexible Efficient Transportation Equity
Act—A Legacy for Users (SAFETEA-LU), or any successor federal
transportation authorization Act, shall be deposited into the Federal High
Speed Rail Trust Fund.

(c-2) Any money received by the Department of Transportation as
reimbursement for expenditures for transit capital purposes pursuant to
appropriations from the Transportation Bond, Series B Fund for projects
authorized by the federal government under the provisions of the American Recovery and Reinvestment Act of 2009 or the Safe Accountable Flexible Efficient Transportation Equity Act—A Legacy for Users (SAFETEA-LU), or any successor federal transportation authorization Act, shall be deposited into the Federal Mass Transit Trust Fund.
(Source: P.A. 96-1488, eff. 12-30-10.)

Section 20-25. The Build Illinois Bond Act is amended by changing Section 17 as follows:

(30 ILCS 425/17) (from Ch. 127, par. 2817)
Sec. 17. Investment of Money Not Needed for Current Expenditures - Application of Earnings. (a) The State Treasurer may, with the Governor's approval, invest and reinvest any moneys on deposit in the Build Illinois Bond Fund and the Build Illinois Bond Retirement and Interest Fund in the State Treasury which are not needed for current expenditures due or about to become due from such funds. Earnings or interest income from investments in the Build Illinois Bond Fund shall be deposited by the State Treasurer in the General Revenue Fund. Earnings or interest income from investments in the Build Illinois Bond Retirement and Interest Fund shall be deposited in the Build Illinois Bond Retirement and Interest Fund. Upon the direction of the Governor or his authorized representative, the State Treasurer and Comptroller shall transfer from the Build Illinois Bond Retirement and Interest Fund all such earnings or interest income derived from investments in the Build Illinois Bond Retirement and Interest Fund to the trustee under the Master Indenture.

(b) Moneys in the Build Illinois Bond Fund may be invested as permitted in "An Act in relation to State moneys", approved June 28, 1919, as amended, and in "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as amended. Moneys on deposit in the Build Illinois Bond Retirement and Interest Fund may be invested in securities constituting direct obligations of the United States Government, or in obligations the principal of and interest on which are guaranteed by the United States Government, or in certificates of deposit of any state or national bank which are fully secured by obligations of, or guaranteed as to principal and interest by, the United States Government. Moneys on deposit with indenture trustees shall be invested in accordance with the above laws and the provisions of the respective indentures.
(Source: P.A. 84-111.)

Section 20-30. The Illinois Grant Funds Recovery Act is amended by changing Section 4.2 as follows:

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Sec. 4.2. Suspension of grant making authority. Any grant funds and any grant program administered by a grantor agency subject to this Act are indefinitely suspended on July 1, 2015 and on July 1st of every 5th year thereafter, unless the General Assembly, by law, authorizes that grantor agency to make grants or lifts the suspension of the authorization of that grantor agency to make grants. In the case of a suspension of the authorization of a grantor agency to make grants, the authority of that grantor agency to make grants is suspended until the suspension is explicitly lifted by law by the General Assembly, even if an appropriation has been made for the explicit purpose of such grants. This suspension of grant making authority supersedes any other law or rule to the contrary.

(Source: P.A. 97-732, eff. 6-30-12; 97-1144, eff. 12-28-12; 98-24, eff. 6-19-13.)

Section 20-35. The Private Colleges and Universities Capital Distribution Formula Act is amended by changing Section 25-10 as follows:

(30 ILCS 769/25-10)

Sec. 25-10. Distribution. This Act creates a distribution formula for funds appropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Board of Higher Education for grants to various private colleges and universities.

Funds appropriated for this purpose shall be distributed by the Illinois Board of Higher Education through a formula to independent colleges that have been given operational approval by the Illinois Board of Higher Education as of the Fall 2008 term. The distribution formula shall have 2 components: a base grant portion of the appropriation and an FTE grant portion of the appropriation. Each independent college shall be awarded both a base grant portion of the appropriation and an FTE grant portion of the appropriation.

The Illinois Board of Higher Education shall distribute moneys appropriated for this purpose to independent colleges based on the following base grant criteria: for each independent college reporting between 1 and 200 FTE a base grant of $200,000 shall be awarded; for each independent college reporting between 201 and 500 FTE a base grant of $1,000,000 shall be awarded; for each independent college reporting between 501 and 4,000 FTE a base grant of $2,000,000 shall be awarded; and for each independent college reporting 4,001 or more FTE a base grant of $5,000,000 shall be awarded.

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The remainder of the moneys appropriated for this purpose shall be distributed by the Illinois Board of Higher Education to each independent college on a per capita basis as determined by the independent college's FTE as reported by the Illinois Board of Higher Education's most recent fall FTE report.

Each independent college shall have up to 10 years from the date of appropriation to access and utilize its awarded amounts. If any independent college does not utilize its full award or a portion thereof after 10 years, the remaining funds shall be re-distributed to other independent colleges on an FTE basis.

(Source: P.A. 96-37, eff. 7-13-09.)

Section 20-40. The Illinois Income Tax Act is amended by changing Section 901 as follows:

(35 ILCS 5/901) (from Ch. 120, par. 9-901)
Sec. 901. Collection Authority.
(a) In general.
The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650). Except as provided in subsections (c), (e), (f), and (g) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services.

(b) Local Government Distributive Fund.
Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/11 of

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the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995 and continuing through January 31, 2011, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month (ii) minus, beginning July 1, 2003 and ending June 30, 2004, $6,666,666, and beginning July 1, 2004, zero. Beginning February 1, 2011, and continuing through January 31, 2015, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 6% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 5% individual income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 6.86% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 7% corporate income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2015 and continuing through January 31, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 8% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.75% individual income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 9.14% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 5.25% corporate income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 9.23% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.25% individual income tax rate after 2024) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 10% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Net revenue realized for a month shall be defined as the revenue from the tax imposed by
subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Education Assistance Fund, the Income Tax Surcharge Local Government Distributive Fund, the Fund for the Advancement of Education, and the Commitment to Human Services Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 9.75%. For fiscal year 2007, the Annual Percentage shall be 9.75%. For fiscal year 2008, the Annual Percentage shall be 7.75%. For fiscal year 2009, the Annual Percentage shall be 9.75%. For fiscal year 2010, the Annual Percentage shall be 9.75%. For fiscal year 2011, the Annual Percentage shall be 8.75%. For fiscal year 2012, the Annual Percentage shall be 8.75%. For fiscal year 2013, the Annual Percentage shall be 9.75%. For fiscal year 2014, the Annual Percentage shall be 9.5%. For fiscal year 2015, the Annual Percentage shall be 10%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year,

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minus the amounts transferred into the Income Tax Refund Fund from the Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 18% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999, 2000, and 2001, the Annual Percentage shall be 19%. For fiscal year 2003, the Annual Percentage shall be 27%. For fiscal year 2004, the Annual Percentage shall be 32%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 24% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 20%. For fiscal year 2007, the Annual Percentage shall be 17.5%. For fiscal year 2008, the Annual Percentage shall be 15.5%. For fiscal year 2009, the Annual Percentage shall be 17.5%. For fiscal year 2010, the Annual Percentage shall be 17.5%. For fiscal year 2011, the Annual Percentage shall be 17.5%. For fiscal year 2012, the Annual Percentage shall be 17.5%. For fiscal year 2013, the Annual Percentage shall be 14%. For fiscal year 2014, the Annual Percentage shall be 13.4%. For fiscal year 2015, the Annual Percentage shall be 14%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of
which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.


(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose, and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the

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amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.
(f) Deposits into the Fund for the Advancement of Education. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Fund for the Advancement of Education:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
(2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (f) on or after the effective date of the reduction.

(g) Deposits into the Commitment to Human Services Fund. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Commitment to Human Services Fund:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
(2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (g) on or after the effective date of the reduction.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

Section 20-45. The Motor Fuel Tax Law is amended by changing Section 8 as follows:

(35 ILCS 505/8) (from Ch. 120, par. 424)

Sec. 8. Except as provided in Section 8a, subdivision (h)(1) of Section 12a, Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all money received by the Department under this Act, including payments made to the Department by member jurisdictions participating in the International Fuel Tax Agreement, shall be deposited in a special fund in the State treasury, to be known as the "Motor Fuel Tax Fund", and shall be used as follows:

(a) 2 1/2 cents per gallon of the tax collected on special fuel under paragraph (b) of Section 2 and Section 13a of this Act shall be transferred to the State Construction Account Fund in the State Treasury;

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(b) $420,000 shall be transferred each month to the State Boating Act Fund to be used by the Department of Natural Resources for the purposes specified in Article X of the Boat Registration and Safety Act;

(c) $3,500,000 shall be transferred each month to the Grade Crossing Protection Fund to be used as follows: not less than $12,000,000 each fiscal year shall be used for the construction or reconstruction of rail highway grade separation structures; $2,250,000 in fiscal years 2004 through 2009 and $3,000,000 in fiscal year 2010 and each fiscal year thereafter shall be transferred to the Transportation Regulatory Fund and shall be accounted for as part of the rail carrier portion of such funds and shall be used to pay the cost of administration of the Illinois Commerce Commission's railroad safety program in connection with its duties under subsection (3) of Section 18c-7401 of the Illinois Vehicle Code, with the remainder to be used by the Department of Transportation upon order of the Illinois Commerce Commission, to pay that part of the cost apportioned by such Commission to the State to cover the interest of the public in the use of highways, roads, streets, or pedestrian walkways in the county highway system, township and district road system, or municipal street system as defined in the Illinois Highway Code, as the same may from time to time be amended, for separation of grades, for installation, construction or reconstruction of crossing protection or reconstruction, alteration, relocation including construction or improvement of any existing highway necessary for access to property or improvement of any grade crossing and grade crossing surface including the necessary highway approaches thereto of any railroad across the highway or public road, or for the installation, construction, reconstruction, or maintenance of a pedestrian walkway over or under a railroad right-of-way, as provided for in and in accordance with Section 18c-7401 of the Illinois Vehicle Code. The Commission may order up to $2,000,000 per year in Grade Crossing Protection Fund moneys for the improvement of grade crossing surfaces and up to $300,000 per year for the maintenance and renewal of 4-quadrant gate vehicle detection systems located at non-high speed rail grade crossings. The Commission shall not order more than $2,000,000 per year in Grade Crossing Protection Fund moneys for pedestrian walkways. In entering orders for projects for which payments from the Grade Crossing Protection Fund will be made, the Commission shall account for expenditures authorized by the orders on a cash rather than an accrual basis. For purposes of this requirement an "accrual basis" assumes that the total cost of the project is expended in the fiscal year in which the order is entered, while a "cash basis" allocates the cost of the project among

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fiscal years as expenditures are actually made. To meet the requirements of this subsection, the Illinois Commerce Commission shall develop annual and 5-year project plans of rail crossing capital improvements that will be paid for with moneys from the Grade Crossing Protection Fund. The annual project plan shall identify projects for the succeeding fiscal year and the 5-year project plan shall identify projects for the 5 directly succeeding fiscal years. The Commission shall submit the annual and 5-year project plans for this Fund to the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives on the first Wednesday in April of each year;

(d) of the amount remaining after allocations provided for in subsections (a), (b) and (c), a sufficient amount shall be reserved to pay all of the following:

(1) the costs of the Department of Revenue in administering this Act;

(2) the costs of the Department of Transportation in performing its duties imposed by the Illinois Highway Code for supervising the use of motor fuel tax funds apportioned to municipalities, counties and road districts;

(3) refunds provided for in Section 13, refunds for overpayment of decal fees paid under Section 13a.4 of this Act, and refunds provided for under the terms of the International Fuel Tax Agreement referenced in Section 14a;

(4) from October 1, 1985 until June 30, 1994, the administration of the Vehicle Emissions Inspection Law, which amount shall be certified monthly by the Environmental Protection Agency to the State Comptroller and shall promptly be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund to the Vehicle Inspection Fund, and for the period July 1, 1994 through June 30, 2000, one-twelfth of $25,000,000 each month, for the period July 1, 2000 through June 30, 2003, one-twelfth of $30,000,000 each month, and $15,000,000 on July 1, 2003, and $15,000,000 on January 1, 2004, and $15,000,000 on each July 1 and October 1, or as soon thereafter as may be practical, during the period July 1, 2004 through June 30, 2012, and $30,000,000 on June 1, 2013, or as soon thereafter as may be practical, and $15,000,000 on July 1 and October 1, or as soon thereafter as may be practical, during the period of July 1, 2013 through June 30, 2015, and

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be transferred by the State Comptroller and Treasurer from the Motor
Fuel Tax Fund into the Vehicle Inspection Fund;
(5) amounts ordered paid by the Court of Claims; and
(6) payment of motor fuel use taxes due to member
jurisdictions under the terms of the International Fuel Tax Agreement.
The Department shall certify these amounts to the Comptroller by the
15th day of each month; the Comptroller shall cause orders to be
drawn for such amounts, and the Treasurer shall administer those
amounts on or before the last day of each month;
(e) after allocations for the purposes set forth in subsections (a), (b),
(c) and (d), the remaining amount shall be apportioned as follows:
(1) Until January 1, 2000, 58.4%, and beginning January 1,
2000, 45.6% shall be deposited as follows:
(A) 37% into the State Construction Account Fund,
and
(B) 63% into the Road Fund, $1,250,000 of which
shall be reserved each month for the Department of
Transportation to be used in accordance with the provisions
of Sections 6-901 through 6-906 of the Illinois Highway
Code;
(2) Until January 1, 2000, 41.6%, and beginning January 1,
2000, 54.4% shall be transferred to the Department of Transportation
to be distributed as follows:
(A) 49.10% to the municipalities of the State,
(B) 16.74% to the counties of the State having
1,000,000 or more inhabitants,
(C) 18.27% to the counties of the State having less
than 1,000,000 inhabitants,
(D) 15.89% to the road districts of the State.
As soon as may be after the first day of each month the Department
of Transportation shall allot to each municipality its share of the amount
apportioned to the several municipalities which shall be in proportion to the
population of such municipalities as determined by the last preceding
municipal census if conducted by the Federal Government or Federal census.
If territory is annexed to any municipality subsequent to the time of the last
preceding census the corporate authorities of such municipality may cause a
census to be taken of such annexed territory and the population so ascertained
for such territory shall be added to the population of the municipality as
determined by the last preceding census for the purpose of determining the

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allotment for that municipality. If the population of any municipality was not
determined by the last Federal census preceding any apportionment, the
apportionment to such municipality shall be in accordance with any census
taken by such municipality. Any municipal census used in accordance with
this Section shall be certified to the Department of Transportation by the
clerk of such municipality, and the accuracy thereof shall be subject to
approval of the Department which may make such corrections as it ascertains
to be necessary.

As soon as may be after the first day of each month the Department
of Transportation shall allot to each county its share of the amount
apportioned to the several counties of the State as herein provided. Each
allotment to the several counties having less than 1,000,000 inhabitants shall
be in proportion to the amount of motor vehicle license fees received from
the residents of such counties, respectively, during the preceding calendar
year. The Secretary of State shall, on or before April 15 of each year, transmit
to the Department of Transportation a full and complete report showing the
amount of motor vehicle license fees received from the residents of each
county, respectively, during the preceding calendar year. The Department of
Transportation shall, each month, use for allotment purposes the last such
report received from the Secretary of State.

As soon as may be after the first day of each month, the Department
of Transportation shall allot to the several counties their share of the amount
apportioned for the use of road districts. The allotment shall be apportioned
among the several counties in the State in the proportion which the total
mileage of township or district roads in the respective counties bears to the
total mileage of all township and district roads in the State. Funds allotted to
the respective counties for the use of road districts therein shall be allocated
to the several road districts in the county in the proportion which the total
mileage of such township or district roads in the respective road districts
bears to the total mileage of all such township or district roads in the county.
After July 1 of any year prior to 2011, no allocation shall be made for any
road district unless it levied a tax for road and bridge purposes in an amount
which will require the extension of such tax against the taxable property in
any such road district at a rate of not less than either .08% of the value
thereof, based upon the assessment for the year immediately prior to the year
in which such tax was levied and as equalized by the Department of Revenue
or, in DuPage County, an amount equal to or greater than $12,000 per mile
of road under the jurisdiction of the road district, whichever is less.
Beginning July 1, 2011 and each July 1 thereafter, an allocation shall be made

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for any road district if it levied a tax for road and bridge purposes. In counties other than DuPage County, if the amount of the tax levy requires the extension of the tax against the taxable property in the road district at a rate that is less than 0.08% of the value thereof, based upon the assessment for the year immediately prior to the year in which the tax was levied and as equalized by the Department of Revenue, then the amount of the allocation for that road district shall be a percentage of the maximum allocation equal to the percentage obtained by dividing the rate extended by the district by 0.08%. In DuPage County, if the amount of the tax levy requires the extension of the tax against the taxable property in the road district at a rate that is less than the lesser of (i) 0.08% of the value of the taxable property in the road district, based upon the assessment for the year immediately prior to the year in which such tax was levied and as equalized by the Department of Revenue, or (ii) a rate that will yield an amount equal to $12,000 per mile of road under the jurisdiction of the road district, then the amount of the allocation for the road district shall be a percentage of the maximum allocation equal to the percentage obtained by dividing the rate extended by the district by the lesser of (i) 0.08% or (ii) the rate that will yield an amount equal to $12,000 per mile of road under the jurisdiction of the road district.

Prior to 2011, if any road district has levied a special tax for road purposes pursuant to Sections 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such tax was levied in an amount which would require extension at a rate of not less than .08% of the value of the taxable property thereof, as equalized or assessed by the Department of Revenue, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such levy shall, however, be deemed a proper compliance with this Section and shall qualify such road district for an allotment under this Section. Beginning in 2011 and thereafter, if any road district has levied a special tax for road purposes under Sections 6-601, 6-602, and 6-603 of the Illinois Highway Code, and the tax was levied in an amount that would require extension at a rate of not less than 0.08% of the value of the taxable property of that road district, as equalized or assessed by the Department of Revenue or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, that levy shall be deemed a proper compliance with this Section and shall qualify such road district for a full, rather than proportionate, allotment under this Section. If the levy for the special tax is less than 0.08% of the value of the taxable property, or, in DuPage County if the levy for the special tax is less than the lesser of (i) 0.08% or (ii) $12,000

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per mile of road under the jurisdiction of the road district, and if the levy for the special tax is more than any other levy for road and bridge purposes, then the levy for the special tax qualifies the road district for a proportionate, rather than full, allotment under this Section. If the levy for the special tax is equal to or less than any other levy for road and bridge purposes, then any allotment under this Section shall be determined by the other levy for road and bridge purposes.

Prior to 2011, if a township has transferred to the road and bridge fund money which, when added to the amount of any tax levy of the road district would be the equivalent of a tax levy requiring extension at a rate of at least .08%, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such transfer, together with any such tax levy, shall be deemed a proper compliance with this Section and shall qualify the road district for an allotment under this Section.

In counties in which a property tax extension limitation is imposed under the Property Tax Extension Limitation Law, road districts may retain their entitlement to a motor fuel tax allotment or, beginning in 2011, their entitlement to a full allotment if, at the time the property tax extension limitation was imposed, the road district was levying a road and bridge tax at a rate sufficient to entitle it to a motor fuel tax allotment and continues to levy the maximum allowable amount after the imposition of the property tax extension limitation. Any road district may in all circumstances retain its entitlement to a motor fuel tax allotment or, beginning in 2011, its entitlement to a full allotment if it levied a road and bridge tax in an amount that will require the extension of the tax against the taxable property in the road district at a rate of not less than 0.08% of the assessed value of the property, based upon the assessment for the year immediately preceding the year in which the tax was levied and as equalized by the Department of Revenue or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less.

As used in this Section the term "road district" means any road district, including a county unit road district, provided for by the Illinois Highway Code; and the term "township or district road" means any road in the township and district road system as defined in the Illinois Highway Code. For the purposes of this Section, "township or district road" also includes such roads as are maintained by park districts, forest preserve districts and conservation districts. The Department of Transportation shall determine the mileage of all township and district roads for the purposes of

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making allotments and allocations of motor fuel tax funds for use in road districts.

Payment of motor fuel tax moneys to municipalities and counties shall be made as soon as possible after the allotment is made. The treasurer of the municipality or county may invest these funds until their use is required and the interest earned by these investments shall be limited to the same uses as the principal funds.

(Source: P.A. 97-72, eff. 7-1-11; 97-333, eff. 8-12-11; 98-24, eff. 6-19-13.)

Section 20-50. The Illinois Pension Code is amended by changing Section 16-158 as follows:

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)
(Text of Section before amendment by P.A. 98-599)
Sec. 16-158. Contributions by State and other employing units.
(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15 until November 15, 2011, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification under this subsection (a-1) shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

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On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year, beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a-1). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and

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Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998:


Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $738,014,500.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is $2,089,268,000 and shall be

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made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to subsection (a-1) of this Section and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable. This amount shall include, in addition to the amount certified by the System, an amount necessary to meet employer contributions required by the State as an employer under paragraph (e) of this Section, which may also be used by the System for contributions required by paragraph (a) of Section 16-127.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii)

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the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, which, beginning July 1, 2014, shall be at a rate, expressed as a percentage of salary, equal to the total minimum contribution to the System to be made by the State for that fiscal year, including both normal cost and unfunded liability components, expressed as a percentage of payroll, as determined by the System under subsection (b-3) of this Section. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System. Any contribution for fiscal year 2015 collected as a result of the change made by this amendatory Act of the 98th General Assembly shall be considered a State contribution under subsection (b-3) of this Section.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

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However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

1. Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.
2. Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee

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organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the member's annual full-time salary rate with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. If a teacher's salary for the 2005-2006 school year is used to determine final average salary under this subsection (f), then the changes made to this subsection (f) by Public Act 94-1057 shall apply in calculating whether the increase in his or her salary is in excess of 6%. For the purposes of this Section, change in employment under Section 10-21.12 of the School Code on or after June 1, 2005 shall constitute a change in employer. The System may require the employer to provide any pertinent information or documentation. The changes made to this subsection (f) by this amendatory Act of the 94th General Assembly apply without regard to whether the teacher was in service on or after its effective date.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (g) or (h) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of that subsection. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill,
then interest will be charged at a rate equal to the System's annual actuarially
assumed rate of return on investment compounded annually from the 91st day
after receipt of the bill. Payments must be concluded within 3 years after the
employer's receipt of the bill.

(g) This subsection (g) applies only to payments made or salary
increases given on or after June 1, 2005 but before July 1, 2011. The changes
made by Public Act 94-1057 shall not require the System to refund any
payments received before July 31, 2006 (the effective date of Public Act 94-
1057).

When assessing payment for any amount due under subsection (f), the
System shall exclude salary increases paid to teachers under contracts or
collective bargaining agreements entered into, amended, or renewed before
June 1, 2005.

When assessing payment for any amount due under subsection (f), the
System shall exclude salary increases paid to a teacher at a time when the
teacher is 10 or more years from retirement eligibility under Section 16-132
or 16-133.2.

When assessing payment for any amount due under subsection (f), the
System shall exclude salary increases resulting from overload work, including
summer school, when the school district has certified to the System, and the
System has approved the certification, that (i) the overload work is for the
sole purpose of classroom instruction in excess of the standard number of
classes for a full-time teacher in a school district during a school year and (ii)
the salary increases are equal to or less than the rate of pay for classroom
instruction computed on the teacher's current salary and work schedule.

When assessing payment for any amount due under subsection (f), the
System shall exclude a salary increase resulting from a promotion (i) for
which the employee is required to hold a certificate or supervisory
endorsement issued by the State Teacher Certification Board that is a
different certification or supervisory endorsement than is required for the
teacher's previous position and (ii) to a position that has existed and been
filled by a member for no less than one complete academic year and the
salary increase from the promotion is an increase that results in an amount no
greater than the lesser of the average salary paid for other similar positions
in the district requiring the same certification or the amount stipulated in the
collective bargaining agreement for a similar position requiring the same
certification.

When assessing payment for any amount due under subsection (f), the
System shall exclude any payment to the teacher from the State of Illinois or

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the State Board of Education over which the employer does not have discretion, notwithstanding that the payment is included in the computation of final average salary.

(h) When assessing payment for any amount due under subsection (f), the System shall exclude any salary increase described in subsection (g) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (f) of this Section.

(i) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculations required by the changes made to this Section by Public Act 94-1057 for each employer.

(2) The dollar amount by which each employer's contribution to the System was changed due to recalculations required by Public Act 94-1057.

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

(j) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(k) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return. (Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 96-1554, eff. 3-18-11; 97-694, eff. 6-18-12; 97-813, eff. 7-13-12.)

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(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 100% funded basis in accordance with actuarial recommendations by the end of State fiscal year 2044.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15 through November 15, 2011, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification under this subsection (a-1) shall include a copy of the actuarial recommendations upon which it is based.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year, beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes

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in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions.

On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-10) For purposes of Section (c-5) of Section 20 of the Budget Stabilization Act, on or before November 1 of each year beginning November 1, 2014, the Board shall determine the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification, along with the relevant law, actuarial assumptions, calculations, and data upon which that certification is based. On or before January 1, 2015 and every January 1 thereafter, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification. On or before January 15, 2015 and every January 1 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the State contribution to the System that would have been required for the next fiscal year if this amendatory Act of the 98th General Assembly had not taken effect, using the best and most recent available data but based on the law in effect on May 31, 2014. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the impact of not following the State Actuary's recommended changes.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified.
under subsection (a-1). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2015 through 2044, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be equal to the sum of (1) the State's portion of the projected normal cost for that fiscal year, plus (2) an amount sufficient to bring the total assets of the System up to 100% of the total actuarial liabilities of the System by the end of State fiscal year 2044. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2044 and shall be determined under the projected unit cost method for fiscal year 2015 and under the entry age normal actuarial cost method for fiscal years 2016 through 2044.

For State fiscal years 2012 through 2014, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.
For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998:

- 10.02% in FY 1999;
- 10.77% in FY 2000;
- 11.47% in FY 2001;
- 12.16% in FY 2002;
- 12.86% in FY 2003; and

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $738,014,500.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is $2,089,268,000 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to subsection (a-1) of this Section and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable. This amount shall include, in addition to the amount certified by the System, an amount necessary to meet employer

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contributions required by the State as an employer under paragraph (e) of this Section, which may also be used by the System for contributions required by paragraph (a) of Section 16-127.

Beginning in State fiscal year 2045, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 100% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 100%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter through State fiscal year 2014, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under

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or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, which, beginning July 1, 2014, shall be at a rate, expressed as a percentage of salary, equal to the total minimum contribution to the System to be made by the State for that fiscal year, including both normal cost and unfunded liability components, expressed as a percentage of payroll, as determined by the System under subsection (b-3) of this Section. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System. Any contribution for fiscal year 2015 collected as a result of the change made by this amendatory Act of the 98th General Assembly shall be considered a State contribution under subsection (b-3) of this Section.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

1. Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.
2. Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

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The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the member's annual full-time salary rate with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. If a teacher's salary for the 2005-2006 school year is used to determine final average salary under this subsection (f), then the changes made to this subsection (f) by
Public Act 94-1057 shall apply in calculating whether the increase in his or her salary is in excess of 6%. For the purposes of this Section, change in employment under Section 10-21.12 of the School Code on or after June 1, 2005 shall constitute a change in employer. The System may require the employer to provide any pertinent information or documentation. The changes made to this subsection (f) by this amendatory Act of the 94th General Assembly apply without regard to whether the teacher was in service on or after its effective date.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (g) or (h) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of that subsection. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(g) This subsection (g) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057).

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to a teacher at a time when the

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teacher is 10 or more years from retirement eligibility under Section 16-132 or 16-133.2.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from overload work, including summer school, when the school district has certified to the System, and the System has approved the certification, that (i) the overload work is for the sole purpose of classroom instruction in excess of the standard number of classes for a full-time teacher in a school district during a school year and (ii) the salary increases are equal to or less than the rate of pay for classroom instruction computed on the teacher's current salary and work schedule.

When assessing payment for any amount due under subsection (f), the System shall exclude a salary increase resulting from a promotion (i) for which the employee is required to hold a certificate or supervisory endorsement issued by the State Teacher Certification Board that is a different certification or supervisory endorsement than is required for the teacher's previous position and (ii) to a position that has existed and been filled by a member for no less than one complete academic year and the salary increase from the promotion is an increase that results in an amount no greater than the lesser of the average salary paid for other similar positions in the district requiring the same certification or the amount stipulated in the collective bargaining agreement for a similar position requiring the same certification.

When assessing payment for any amount due under subsection (f), the System shall exclude any payment to the teacher from the State of Illinois or the State Board of Education over which the employer does not have discretion, notwithstanding that the payment is included in the computation of final average salary.

(h) When assessing payment for any amount due under subsection (f), the System shall exclude any salary increase described in subsection (g) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (f) of this Section.

(i) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

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(1) The number of recalculations required by the changes made to this Section by Public Act 94-1057 for each employer.

(2) The dollar amount by which each employer's contribution to the System was changed due to recalculations required by Public Act 94-1057.

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

(j) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(k) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

(Source: P.A. 97-694, eff. 6-18-12; 97-813, eff. 7-13-12; 98-599, eff. 6-1-14.)

Section 20-55. The Illinois Police Training Act is amended by changing Section 9 as follows:

(50 ILCS 705/9) (from Ch. 85, par. 509)

Sec. 9. A special fund is hereby established in the State Treasury to be known as "The Traffic and Criminal Conviction Surcharge Fund" and shall be financed as provided in Section 9.1 of this Act and Section 5-9-1 of the "Unified Code of Corrections", unless the fines, costs or additional amounts imposed are subject to disbursement by the circuit clerk under Section 27.5 of the Clerks of Courts Act. Moneys in this Fund shall be expended as follows:

(1) A portion of the total amount deposited in the Fund may be used, as appropriated by the General Assembly, for the ordinary and contingent expenses of the Illinois Law Enforcement Training Standards Board;

(2) A portion of the total amount deposited in the Fund shall be appropriated for the reimbursement of local governmental agencies participating in training programs certified by the Board, in an

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amount equaling 1/2 of the total sum paid by such agencies during the State's previous fiscal year for mandated training for probationary police officers or probationary county corrections officers and for optional advanced and specialized law enforcement or county corrections training. These reimbursements may include the costs for tuition at training schools, the salaries of trainees while in schools, and the necessary travel and room and board expenses for each trainee. If the appropriations under this paragraph (2) are not sufficient to fully reimburse the participating local governmental agencies, the available funds shall be apportioned among such agencies, with priority first given to repayment of the costs of mandatory training given to law enforcement officer or county corrections officer recruits, then to repayment of costs of advanced or specialized training for permanent police officers or permanent county corrections officers;

(3) A portion of the total amount deposited in the Fund may be used to fund the "Intergovernmental Law Enforcement Officer's In-Service Training Act", veto overridden October 29, 1981, as now or hereafter amended, at a rate and method to be determined by the board;

(4) A portion of the Fund also may be used by the Illinois Department of State Police for expenses incurred in the training of employees from any State, county or municipal agency whose function includes enforcement of criminal or traffic law;

(5) A portion of the Fund may be used by the Board to fund grant-in-aid programs and services for the training of employees from any county or municipal agency whose functions include corrections or the enforcement of criminal or traffic law; and

(6) For fiscal years 2013, 2014, and 2015 only, a portion of the Fund also may be used by the Department of State Police to finance any of its lawful purposes or functions.

All payments from the Traffic and Criminal Conviction Surcharge Fund shall be made each year from moneys appropriated for the purposes specified in this Section. No more than 50% of any appropriation under this Act shall be spent in any city having a population of more than 500,000. The State Comptroller and the State Treasurer shall from time to time, at the direction of the Governor, transfer from the Traffic and Criminal Conviction Surcharge Fund to the General Revenue Fund in the State Treasury such
Section 20-60. The Law Enforcement Camera Grant Act is amended by changing Section 10 as follows:

(50 ILCS 707/10)
Sec. 10. Law Enforcement Camera Grant Fund; creation, rules.
(a) The Law Enforcement Camera Grant Fund is created as a special fund in the State treasury. From appropriations to the Board from the Fund, the Board must make grants to units of local government in Illinois for the purpose of installing video cameras in law enforcement vehicles and training law enforcement officers in the operation of the cameras.

Moneys received for the purposes of this Section, including, without limitation, fee receipts and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

(b) The Board may set requirements for the distribution of grant moneys and determine which law enforcement agencies are eligible.

(c) The Board shall develop model rules to be adopted by law enforcement agencies that receive grants under this Section. The rules shall include the following requirements:

1. Cameras must be installed in the law enforcement vehicles.
2. Videotaping must provide audio of the officer when the officer is outside of the vehicle.
3. Camera access must be restricted to the supervisors of the officer in the vehicle.
4. Cameras must be turned on continuously throughout the officer's shift.
5. A copy of the videotape must be made available upon request to personnel of the law enforcement agency, the local State's Attorney, and any persons depicted in the video. Procedures for distribution of the videotape must include safeguards to protect the identities of individuals who are not a party to the requested stop.
6. Law enforcement agencies that receive moneys under this grant shall provide for storage of the tapes for a period of not less than 2 years.
(d) Any law enforcement agency receiving moneys under this Section must provide an annual report to the Board, the Governor, and the General

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Assembly, which will be due on May 1 of the year following the receipt of the grant and each May 1 thereafter during the period of the grant. The report shall include (i) the number of cameras received by the law enforcement agency, (ii) the number of cameras actually installed in law enforcement vehicles, (iii) a brief description of the review process used by supervisors within the law enforcement agency, (iv) a list of any criminal, traffic, ordinance, and civil cases where video recordings were used, including party names, case numbers, offenses charged, and disposition of the matter, (this item applies, but is not limited to, court proceedings, coroner's inquests, grand jury proceedings, and plea bargains), and (v) any other information relevant to the administration of the program.

(e) No applications for grant money under this Section shall be accepted before January 1, 2007 or after January 1, 2011.

(f) Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, on July 1, 2012 only, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer any funds in excess of $1,000,000 held in the Law Enforcement Camera Grant Fund to the State Police Operations Assistance Fund.

(g) Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, on July 1, 2013 only, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the Law Enforcement Camera Grant Fund to the Traffic and Criminal Conviction Surcharge Fund.

(h) Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the Law Enforcement Camera Grant Fund to the Traffic and Criminal Conviction Surcharge Fund according to the schedule specified as follows: one-half of the specified amount shall be transferred on July 1, 2014, or as soon thereafter as practical, and one-half of the specified amount shall be transferred on June 1, 2015, or as soon thereafter as practical.

(Source: P.A. 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

Section 20-65. The Family Practice Residency Act is amended by changing Sections 2, 3, and 4.10 and by adding Section 3.09 as follows:

(110 ILCS 935/2) (from Ch. 144, par. 1452)

Sec. 2. The purpose of this Act is to establish programs a program in the Illinois Department of Public Health to upgrade primary health care services for all citizens of the State, to increase access, and to reduce health

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care disparities by providing grants to family practice and preventive medicine residency programs, scholarships to medical students, and a loan repayment program for physicians and other eligible primary care providers who will agree to practice in areas of the State demonstrating the greatest need for more professional medical care. The program shall encourage family practice physicians and other eligible primary care providers to locate in areas where health manpower shortages exist and to increase the total number of family practice physicians and other eligible primary care providers in the State.

(Source: P.A. 86-926.)

(110 ILCS 935/3) (from Ch. 144, par. 1453)

Sec. 3. The terms specified in the following Sections 3.01 through 3.08 have the meanings ascribed to them in those Sections unless the context of this Act otherwise requires.

(Source: P.A. 80-478.)

(110 ILCS 935/3.09 new)

Sec. 3.09. Eligible primary care providers. "Eligible primary care providers" means health care providers within specialties determined to be eligible by the U.S. Health Resources and Services Administration for the National Health Service Corps Loan Repayment Program.

(110 ILCS 935/4.10) (from Ch. 144, par. 1454.10)

Sec. 4.10. To establish a program, and the criteria for such program, for the repayment of the educational loans of primary care physicians and other eligible primary care providers who agree to serve in Designated Shortage Areas for a specified period of time, no less than 2 years. Payments under this program may be made for the principal, interest and related expenses of government and commercial loans received by the individual for tuition expenses, and all other reasonable educational expenses incurred by the individual. The maximum annual payment which may be made to an individual under this law is $20,000, or 25% of the total covered educational indebtedness as provided in this Section, whichever is less. Payments made under this provision shall be exempt from Illinois State Income Tax.

The Department may use tobacco settlement recovery funding or other available funding to implement this Section.

(Source: P.A. 92-16, eff. 6-28-01.)

Section 20-70. The Illinois Public Aid Code is amended by changing Sections 3-5, 5-33, and 5-34 as follows:

(305 ILCS 5/3-5) (from Ch. 23, par. 3-5)

New matter indicated by italics - deletions by strikeout
Sec. 3-5. Amount of aid. The amount and nature of financial aid granted to or in behalf of aged, blind, or disabled persons shall be determined in accordance with the standards, grant amounts, rules and regulations of the Illinois Department. Due regard shall be given to the requirements and conditions existing in each case, and to the amount of property owned and the income, money contributions, and other support, and resources received or obtainable by the person, from whatever source. However, the amount and nature of any financial aid is not affected by the payment of any grant under the "Senior Citizens and Disabled Persons Property Tax Relief Act" or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act. The aid shall be sufficient, when added to all other income, money contributions and support, to provide the person with a grant in the amount established by Department regulation for such a person, based upon standards providing a livelihood compatible with health and well-being. Financial aid under this Article granted to persons who have been found ineligible for Supplemental Security Income (SSI) due to expiration of the period of eligibility for refugees and asylees pursuant to 8 U.S.C. 1612(a)(2) shall equal 90% of the current maximum SSI payment amount per month not exceed $500 per month.

(Source: P.A. 97-689, eff. 6-14-12.)

(305 ILCS 5/5-33 new)

Sec. 5-33. Personal needs allowance; ID/DD facility. During State fiscal year 2015 only and no later than January 1, 2015, the monthly personal needs allowance required under Section 1902(g) of Title XIX of the Social Security Act (42 U.S.C. 1396(g)) for any person residing in a facility licensed under the ID/DD Community Care Act and who has been determined eligible for medical assistance under this Code shall be no less than $60.

This Section is repealed on January 1, 2016.

(305 ILCS 5/5-34 new)

Sec. 5-34. Personal needs allowance; CILA. During State fiscal year 2015 only and no later than January 1, 2015, the monthly personal needs allowance required under Section 1902(g) of Title XIX of the Social Security Act (42 U.S.C. 1396(g)) for any person residing in a facility licensed under the Community-Integrated Living Arrangements Licensure and Certification Act, who is determined to be eligible for medical assistance under this Code and who is enrolled in the Illinois Home and Community Based Services Act, shall be no less than $60.

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Medicaid Waiver program for adults with developmental disabilities, shall be no less than $60.

This Section is repealed on January 1, 2016.

ARTICLE 25. RETIREMENT CONTRIBUTIONS

Section 25-5. The State Finance Act is amended by changing Sections 8.12 and 14.1 as follows:

(30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

(a) The moneys in the State Pensions Fund shall be used exclusively for the administration of the Uniform Disposition of Unclaimed Property Act and for the expenses incurred by the Auditor General for administering the provisions of Section 2-8.1 of the Illinois State Auditing Act and for the funding of the unfunded liabilities of the designated retirement systems. Beginning in State fiscal year 2016, payments to the designated retirement systems under this Section shall be in addition to, and not in lieu of, any State contributions required under the Illinois Pension Code.

"Designated retirement systems" means:

(1) the State Employees' Retirement System of Illinois;
(2) the Teachers' Retirement System of the State of Illinois;
(3) the State Universities Retirement System;
(4) the Judges Retirement System of Illinois; and
(5) the General Assembly Retirement System.

(b) Each year the General Assembly may make appropriations from the State Pensions Fund for the administration of the Uniform Disposition of Unclaimed Property Act.

Each month, the Commissioner of the Office of Banks and Real Estate shall certify to the State Treasurer the actual expenditures that the Office of Banks and Real Estate incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Bank and Trust Company Fund and the Savings and Residential Finance Regulatory Fund an amount equal to the expenditures incurred by each Fund for that month.

Each month, the Director of Financial Institutions shall certify to the State Treasurer the actual expenditures that the Department of Financial Institutions incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month.

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preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Financial Institution Fund and the Credit Union Fund an amount equal to the expenditures incurred by each Fund for that month.

(c) As soon as possible after the effective date of this amendatory Act of the 93rd General Assembly, the General Assembly shall appropriate from the State Pensions Fund (1) to the State Universities Retirement System the amount certified under Section 15-165 during the prior year, (2) to the Judges Retirement System of Illinois the amount certified under Section 18-140 during the prior year, and (3) to the General Assembly Retirement System the amount certified under Section 2-134 during the prior year as part of the required State contributions to each of those designated retirement systems; except that amounts appropriated under this subsection (c) in State fiscal year 2005 shall not reduce the amount in the State Pensions Fund below $5,000,000. If the amount in the State Pensions Fund does not exceed the sum of the amounts certified in Sections 15-165, 18-140, and 2-134 by at least $5,000,000, the amount paid to each designated retirement system under this subsection shall be reduced in proportion to the amount certified by each of those designated retirement systems.

(c-5) For fiscal years 2006 through 2014, the General Assembly shall appropriate from the State Pensions Fund to the State Universities Retirement System the amount estimated to be available during the fiscal year in the State Pensions Fund; provided, however, that the amounts appropriated under this subsection (c-5) shall not reduce the amount in the State Pensions Fund below $5,000,000.

(c-6) For fiscal year 2015 and each fiscal year thereafter, as soon as may be practical after any money is deposited into the State Pensions Fund from the Unclaimed Property Trust Fund, the State Treasurer shall apportion the deposited amount among the designated retirement systems as defined in subsection (a) to reduce their actuarial reserve deficiencies. The State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems to fund the unfunded liabilities of the designated retirement systems. The amount apportioned to each designated retirement system shall constitute a portion of the amount estimated to be available for appropriation from the State Pensions Fund that is the same as that retirement system's portion of the total actual reserve deficiency of the systems, as determined annually by the Governor's Office of Management and Budget at the request of the State Treasurer. The amounts apportioned

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under this subsection shall not reduce the amount in the State Pensions Fund below $5,000,000.

(d) The Governor's Office of Management and Budget shall determine the individual and total reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall utilize the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Employee Pension Fund Division of the Department of Insurance.

(d-1) As soon as practicable after the effective date of this amendatory Act of the 93rd General Assembly, the Comptroller shall direct and the Treasurer shall transfer from the State Pensions Fund to the General Revenue Fund, as funds become available, a sum equal to the amounts that would have been paid from the State Pensions Fund to the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, the Judges Retirement System of Illinois, the General Assembly Retirement System, and the State Employees' Retirement System of Illinois after the effective date of this amendatory Act during the remainder of fiscal year 2004 to the designated retirement systems from the appropriations provided for in this Section if the transfers provided in Section 6z-61 had not occurred. The transfers described in this subsection (d-1) are to partially repay the General Revenue Fund for the costs associated with the bonds used to fund the moneys transferred to the designated retirement systems under Section 6z-61.

(e) The changes to this Section made by this amendatory Act of 1994 shall first apply to distributions from the Fund for State fiscal year 1996.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13; 98-463, eff. 8-16-13.)

(30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

Sec. 14.1. Appropriations for State contributions to the State Employees' Retirement System; payroll requirements.

(a) Appropriations for State contributions to the State Employees' Retirement System of Illinois shall be expended in the manner provided in this Section. Except as otherwise provided in subsections (a-1), (a-2), (a-3), and (a-4) at the time of each payment of salary to an employee under the personal services line item, payment shall be made to the State Employees' Retirement System, from the amount appropriated for State contributions to the State Employees' Retirement System, of an amount calculated at the rate certified for the applicable fiscal year by the Board of Trustees of the State Employees' Retirement System under Section 14-135.08 of the Illinois Pension Code. If a line item appropriation to an employer for this purpose is

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exhausted or is unavailable due to any limitation on appropriations that may apply, (including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act), the amounts shall be paid under the continuing appropriation for this purpose contained in the State Pension Funds Continuing Appropriation Act.

(a-1) Beginning on the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, appropriations for State contributions to the State Employees’ Retirement System of Illinois shall be expended in the manner provided in this subsection (a-1). At the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the General Revenue Fund from the amount appropriated for State contributions to the State Employees’ Retirement System of an amount calculated at the rate certified for fiscal year 2004 by the Board of Trustees of the State Employees' Retirement System under Section 14-135.08 of the Illinois Pension Code. This payment shall be made to the extent that a line item appropriation to an employer for this purpose is available or unexhausted. No payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(a-2) For fiscal year 2010 only, at the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the State Employees' Retirement System of Illinois from the amount appropriated for State contributions to the State Employees' Retirement System of Illinois of an amount calculated at the rate certified for fiscal year 2010 by the Board of Trustees of the State Employees' Retirement System of Illinois under Section 14-135.08 of the Illinois Pension Code. This payment shall be made to the extent that a line item appropriation to an employer for this purpose is available or unexhausted. For fiscal year 2010 only, no payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(a-3) For fiscal year 2011 only, at the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the State Employees' Retirement System of Illinois from the amount appropriated for State contributions to the State Employees' Retirement System of Illinois of

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an amount calculated at the rate certified for fiscal year 2011 by the Board of Trustees of the State Employees' Retirement System of Illinois under Section 14-135.08 of the Illinois Pension Code. This payment shall be made to the extent that a line item appropriation to an employer for this purpose is available or unexhausted. For fiscal year 2011 only, no payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(a-4) In fiscal years 2012 through 2014 only, at the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for deposit into the State Employees' Retirement System of Illinois from the amount appropriated for State contributions to the State Employees' Retirement System of Illinois of an amount calculated at the rate certified for the applicable fiscal year by the Board of Trustees of the State Employees' Retirement System of Illinois under Section 14-135.08 of the Illinois Pension Code. In fiscal years 2012 through 2014 only, no payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(b) Except during the period beginning on the effective date of this amendatory Act of the 93rd General Assembly and ending at the time of the payment of the final payroll from fiscal year 2004 appropriations, the State Comptroller shall not approve for payment any payroll voucher that (1) includes payments of salary to eligible employees in the State Employees' Retirement System of Illinois and (2) does not include the corresponding payment of State contributions to that retirement system at the full rate certified under Section 14-135.08 for that fiscal year for eligible employees, unless the balance in the fund on which the payroll voucher is drawn is insufficient to pay the total payroll voucher, or unavailable due to any limitation on appropriations that may apply, including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act. If the State Comptroller approves a payroll voucher under this Section for which the fund balance is insufficient to pay the full amount of the required State contribution to the State Employees' Retirement System, the Comptroller shall promptly so notify the Retirement System.

(b-1) For fiscal year 2010 and fiscal year 2011 only, the State Comptroller shall not approve for payment any non-General Revenue Fund payroll voucher that (1) includes payments of salary to eligible employees in
the State Employees' Retirement System of Illinois and (2) does not include the corresponding payment of State contributions to that retirement system at the full rate certified under Section 14-135.08 for that fiscal year for eligible employees, unless the balance in the fund on which the payroll voucher is drawn is insufficient to pay the total payroll voucher, or unavailable due to any limitation on appropriations that may apply, including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act. If the State Comptroller approves a payroll voucher under this Section for which the fund balance is insufficient to pay the full amount of the required State contribution to the State Employees' Retirement System of Illinois, the Comptroller shall promptly notify the retirement system.

(c) Notwithstanding any other provisions of law, beginning July 1, 2007, required State and employee contributions to the State Employees' Retirement System of Illinois relating to affected legislative staff employees shall be paid out of moneys appropriated for that purpose to the Commission on Government Forecasting and Accountability, rather than out of the lump-sum appropriations otherwise made for the payroll and other costs of those employees.

These payments must be made pursuant to payroll vouchers submitted by the employing entity as part of the regular payroll voucher process.

For the purpose of this subsection, "affected legislative staff employees" means legislative staff employees paid out of lump-sum appropriations made to the General Assembly, an Officer of the General Assembly, or the Senate Operations Commission, but does not include district-office staff or employees of legislative support services agencies.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

Section 25-10. The Illinois Pension Code is amended by changing Section 14-131 as follows:

(40 ILCS 5/14-131)

Sec. 14-131. Contributions by State.

(a) The State shall make contributions to the System by appropriations of amounts which, together with other employer contributions from trust, federal, and other funds, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

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For the purposes of this Section and Section 14-135.08, references to State contributions refer only to employer contributions and do not include employee contributions that are picked up or otherwise paid by the State or a department on behalf of the employee.

(b) The Board shall determine the total amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board, using the formula in subsection (e).

The Board shall also determine a State contribution rate for each fiscal year, expressed as a percentage of payroll, based on the total required State contribution for that fiscal year (less the amount received by the System from appropriations under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act, if any, for the fiscal year ending on the June 30 immediately preceding the applicable November 15 certification deadline), the estimated payroll (including all forms of compensation) for personal services rendered by eligible employees, and the recommendations of the actuary.

For the purposes of this Section and Section 14.1 of the State Finance Act, the term "eligible employees" includes employees who participate in the System, persons who may elect to participate in the System but have not so elected, persons who are serving a qualifying period that is required for participation, and annuitants employed by a department as described in subdivision (a)(1) or (a)(2) of Section 14-111.

(c) Contributions shall be made by the several departments for each pay period by warrants drawn by the State Comptroller against their respective funds or appropriations based upon vouchers stating the amount to be so contributed. These amounts shall be based on the full rate certified by the Board under Section 14-135.08 for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the several departments shall not make contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The several departments shall resume those contributions at the commencement of fiscal year 2005.

(c-1) Notwithstanding subsection (c) of this Section, for fiscal years 2010, 2012, 2013, and 2014, and 2015 only, contributions by the several departments are not required to be made for General Revenue Funds payrolls processed by the Comptroller. Payrolls paid by the several departments from all other State funds must continue to be processed pursuant to subsection (c) of this Section.

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(c-2) For State fiscal years 2010, 2012, 2013, and 2014, and 2015 only, on or as soon as possible after the 15th day of each month, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the fiscal year General Revenue Fund contribution as certified by the System pursuant to Section 14-135.08 of the Illinois Pension Code.

(d) If an employee is paid from trust funds or federal funds, the department or other employer shall pay employer contributions from those funds to the System at the certified rate, unless the terms of the trust or the federal-State agreement preclude the use of the funds for that purpose, in which case the required employer contributions shall be paid by the State. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the department or other employer shall not pay contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The department or other employer shall resume payment of contributions at the commencement of fiscal year 2005.

(e) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that (i) for State fiscal year 1998, for all purposes of this Code and any other law of this State, the certified percentage of the applicable employee payroll shall be 5.052% for employees earning eligible creditable service under Section 14-110 and 6.500% for all other employees, notwithstanding any contrary certification made under Section 14-135.08 before the effective date of this amendatory Act of 1997, and (ii) in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount
otherwise required under this subsection and subsection (a): 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2006 is $203,783,900.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2007 is $344,164,400.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2010 is $723,703,100 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 14-135.08 and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article

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to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 14-135.08, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(f) After the submission of all payments for eligible employees from personal services line items in fiscal year 2004 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2004 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 93rd General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2004 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2004 through payments under this Section and under Section 6z-61 of the State Finance Act. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2004 Shortfall" for purposes of this Section, and the Fiscal Year 2004 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the
difference shall be termed the "Fiscal Year 2004 Overpayment" for purposes of this Section, and the Fiscal Year 2004 Overpayment shall be repaid by the System to the Pension Contribution Fund as soon as practicable after the certification.

(g) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

    As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(h) For purposes of determining the required State contribution to the System for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the System's actuarially assumed rate of return.

(i) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2010 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2010 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2010 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2010 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2010 Shortfall" for purposes of this Section, and the Fiscal Year 2010 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2010 Overpayment" for purposes of this Section, and the Fiscal Year 2010 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(j) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2011 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2011 expenditures for personal

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services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2011 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2011 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2011 Shortfall" for purposes of this Section, and the Fiscal Year 2011 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2011 Overpayment" for purposes of this Section, and the Fiscal Year 2011 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(k) For fiscal years 2012 through 2014 only, after the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in the fiscal year have been made, the Comptroller shall provide to the System a certification of the sum of all expenditures in the fiscal year for personal services. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for the fiscal year in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System for the fiscal year. If the amount due is more than the amount received, the difference shall be termed the "Prior Fiscal Year Shortfall" for purposes of this Section, and the Prior Fiscal Year Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Prior Fiscal Year Overpayment" for purposes of this Section, and the Prior Fiscal Year Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

(Text of Section after amendment by P.A. 98-599)

Sec. 14-131. Contributions by State.

(a) The State shall make contributions to the System by appropriations of amounts which, together with other employer contributions from trust, federal, and other funds, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and

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administering the System on a 100% funded basis in accordance with actuarial recommendations by the end of State fiscal year 2044.

For the purposes of this Section and Section 14-135.08, references to State contributions refer only to employer contributions and do not include employee contributions that are picked up or otherwise paid by the State or a department on behalf of the employee.

(b) The Board shall determine the total amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board, using the formula in subsection (e).

The Board shall also determine a State contribution rate for each fiscal year, expressed as a percentage of payroll, based on the total required State contribution for that fiscal year (less the amount received by the System from appropriations under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act, if any, for the fiscal year ending on the June 30 immediately preceding the applicable November 15 certification deadline), the estimated payroll (including all forms of compensation) for personal services rendered by eligible employees, and the recommendations of the actuary.

For the purposes of this Section and Section 14.1 of the State Finance Act, the term "eligible employees" includes employees who participate in the System, persons who may elect to participate in the System but have not so elected, persons who are serving a qualifying period that is required for participation, and annuitants employed by a department as described in subdivision (a)(1) or (a)(2) of Section 14-111.

(c) Contributions shall be made by the several departments for each pay period by warrants drawn by the State Comptroller against their respective funds or appropriations based upon vouchers stating the amount to be so contributed. These amounts shall be based on the full rate certified by the Board under Section 14-135.08 for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the several departments shall not make contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The several departments shall resume those contributions at the commencement of fiscal year 2005.

(c-1) Notwithstanding subsection (c) of this Section, for fiscal years 2010, 2012, 2013, and 2014, and 2015 only, contributions by the several departments are not required to be made for General Revenue Funds payrolls processed by the Comptroller. Payrolls paid by the several departments from

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all other State funds must continue to be processed pursuant to subsection (c) of this Section.

(c-2) For State fiscal years 2010, 2012, 2013, and 2015 only, on or as soon as possible after the 15th day of each month, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the fiscal year General Revenue Fund contribution as certified by the System pursuant to Section 14-135.08 of the Illinois Pension Code.

(d) If an employee is paid from trust funds or federal funds, the department or other employer shall pay employer contributions from those funds to the System at the certified rate, unless the terms of the trust or the federal-State agreement preclude the use of the funds for that purpose, in which case the required employer contributions shall be paid by the State. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the department or other employer shall not pay contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The department or other employer shall resume payment of contributions at the commencement of fiscal year 2005.

(e) For State fiscal years 2015 through 2044, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be equal to the sum of (1) the State's portion of the projected normal cost for that fiscal year, plus (2) an amount sufficient to bring the total assets of the System up to 100% of the total actuarial liabilities of the System by the end of State fiscal year 2044. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2044 and shall be determined under the projected unit cost method for fiscal year 2015 and under the entry age normal actuarial cost method for fiscal years 2016 through 2044.

For State fiscal years 2012 through 2014, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

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For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that (i) for State fiscal year 1998, for all purposes of this Code and any other law of this State, the certified percentage of the applicable employee payroll shall be 5.052% for employees earning eligible creditable service under Section 14-110 and 6.500% for all other employees, notwithstanding any contrary certification made under Section 14-135.08 before the effective date of this amendatory Act of 1997, and (ii) in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a): 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2006 is $203,783,900.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2007 is $344,164,400.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2010 is $723,703,100 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State General Revenue Fund contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 14-135.08 and shall be made from the proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's...
share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2045, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 100% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 100%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter through State fiscal year 2014, as calculated under this Section and certified under Section 14-135.08, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(f) After the submission of all payments for eligible employees from personal services line items in fiscal year 2004 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal

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year 2004 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 93rd General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2004 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2004 through payments under this Section and under Section 6z-61 of the State Finance Act. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2004 Shortfall" for purposes of this Section, and the Fiscal Year 2004 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2004 Overpayment" for purposes of this Section, and the Fiscal Year 2004 Overpayment shall be repaid by the System to the Pension Contribution Fund as soon as practicable after the certification.

(g) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(h) For purposes of determining the required State contribution to the System for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the System's actuarially assumed rate of return.

(i) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2010 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2010 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2010 in order to meet the State's obligation under this Section. The System shall compare this
amount due to the amount received by the System in fiscal year 2010 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2010 Shortfall" for purposes of this Section, and the Fiscal Year 2010 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2010 Overpayment" for purposes of this Section, and the Fiscal Year 2010 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(j) After the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in fiscal year 2011 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2011 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 96th General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2011 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2011 through payments under this Section. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2011 Shortfall" for purposes of this Section, and the Fiscal Year 2011 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2011 Overpayment" for purposes of this Section, and the Fiscal Year 2011 Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(k) For fiscal years 2012 through 2014 only, after the submission of all payments for eligible employees from personal services line items paid from the General Revenue Fund in the fiscal year have been made, the Comptroller shall provide to the System a certification of the sum of all expenditures in the fiscal year for personal services. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for the fiscal year in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System for the fiscal year. If the amount due is more than the amount received, the difference shall be termed the "Prior Fiscal Year Shortfall" for purposes of this Section,
and the Prior Fiscal Year Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Prior Fiscal Year Overpayment" for purposes of this Section, and the Prior Fiscal Year Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification. (Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13; 98-599, eff. 6-1-14.)

Section 25-15. The State Pension Funds Continuing Appropriation Act is amended by changing Section 1.2 as follows:

(40 ILCS 15/1.2)

Sec. 1.2. Appropriations for the State Employees' Retirement System.
(a) From each fund from which an amount is appropriated for personal services to a department or other employer under Article 14 of the Illinois Pension Code, there is hereby appropriated to that department or other employer, on a continuing annual basis for each State fiscal year, an additional amount equal to the amount, if any, by which (1) an amount equal to the percentage of the personal services line item for that department or employer from that fund for that fiscal year that the Board of Trustees of the State Employees' Retirement System of Illinois has certified under Section 14-135.08 of the Illinois Pension Code to be necessary to meet the State's obligation under Section 14-131 of the Illinois Pension Code for that fiscal year, exceeds (2) the amounts otherwise appropriated to that department or employer from that fund for State contributions to the State Employees' Retirement System for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the final payment from a department or employer's personal services line item for fiscal year 2004, payments to the State Employees' Retirement System that otherwise would have been made under this subsection (a) shall be governed by the provisions in subsection (a-1).

(a-1) If a Fiscal Year 2004 Shortfall is certified under subsection (f) of Section 14-131 of the Illinois Pension Code, there is hereby appropriated to the State Employees' Retirement System of Illinois on a continuing basis from the General Revenue Fund an additional aggregate amount equal to the Fiscal Year 2004 Shortfall.

(a-2) If a Fiscal Year 2010 Shortfall is certified under subsection (i) (g) of Section 14-131 of the Illinois Pension Code, there is hereby appropriated to the State Employees' Retirement System of Illinois on a

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continuing basis from the General Revenue Fund an additional aggregate amount equal to the Fiscal Year 2010 Shortfall.

(b) The continuing appropriations provided for by this Section shall first be available in State fiscal year 1996.

(c) Beginning in Fiscal Year 2005, any continuing appropriation under this Section arising out of an appropriation for personal services from the Road Fund to the Department of State Police or the Secretary of State shall be payable from the General Revenue Fund rather than the Road Fund.

(d) For State fiscal year 2010 only, a continuing appropriation is provided to the State Employees' Retirement System equal to the amount certified by the System on or before December 31, 2008, less the gross proceeds of the bonds sold in fiscal year 2010 under the authorization contained in subsection (a) of Section 7.2 of the General Obligation Bond Act.

(e) For State fiscal year 2011 only, the continuing appropriation under this Section provided to the State Employees' Retirement System is limited to an amount equal to the amount certified by the System on or before December 31, 2009, less any amounts received pursuant to subsection (a-3) of Section 14.1 of the State Finance Act.

(f) For State fiscal year 2011 only, a continuing appropriation is provided to the State Employees' Retirement System equal to the amount certified by the System on or before April 1, 2011, less the gross proceeds of the bonds sold in fiscal year 2011 under the authorization contained in subsection (a) of Section 7.2 of the General Obligation Bond Act.

(Source: P.A. 96-43, eff. 7-15-09; 96-45, eff. 7-15-09; 96-958, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1511, eff. 1-27-11; 97-813, eff. 7-13-12.)

Section 25-20. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 18 as follows:

(765 ILCS 1025/18) (from Ch. 141, par. 118)

Sec. 18. Deposit of funds received under the Act.

(a) The State Treasurer shall retain all funds received under this Act, including the proceeds from the sale of abandoned property under Section 17, in a trust fund. The State Treasurer may deposit any amount in the Trust Fund into the State Pensions Fund during the fiscal year at his or her discretion; however, he or she shall, on April 15 and October 15 of each year, deposit any amount in the trust fund exceeding $2,500,000 into the State Pensions Fund. If on either April 15 or October 15, the State Treasurer determines that a balance of $2,500,000 is insufficient for the prompt payment of unclaimed

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property claims authorized under this Act, the Treasurer may retain more than $2,500,000 in the Unclaimed Property Trust Fund in order to ensure the prompt payment of claims. Beginning in State fiscal year 2015, all amounts that are deposited into the State Pensions Fund from the Unclaimed Property Trust Fund shall be apportioned to the designated retirement systems as provided in subsection (c-6) of Section 8.12 of the State Finance Act to reduce their actuarial reserve deficiencies. He or she shall make prompt payment of claims he or she duly allows as provided for in this Act for the trust fund. Before making the deposit the State Treasurer shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property. The record shall be available for public inspection during reasonable business hours.

(b) Before making any deposit to the credit of the State Pensions Fund, the State Treasurer may deduct: (1) any costs in connection with sale of abandoned property, (2) any costs of mailing and publication in connection with any abandoned property, and (3) any costs in connection with the maintenance of records or disposition of claims made pursuant to this Act. The State Treasurer shall semiannually file an itemized report of all such expenses with the Legislative Audit Commission.

(Source: P.A. 97-732, eff. 6-30-12; 98-19, eff. 6-10-13; 98-24, eff. 6-19-13; revised 9-24-13.)

ARTICLE 90. GENERAL PROVISIONS

Section 90-95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 90-97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 90-99. Effective date. This Act takes effect upon becoming law.

Approved June 30, 2014.
Effective June 30, 2014.

June 30, 2014

To the Honorable Members of the Illinois House of Representatives
98th General Assembly:

New matter indicated by italics - deletions by strikeout
Pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby return House Bill 3793, entitled “AN ACT making appropriations” with a line item veto in appropriations totaling $250,000,000.

**Item Veto**

I hereby veto the appropriation item listed below:

<table>
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<tr>
<th>Article</th>
<th>Section</th>
<th>Pages</th>
<th>Lines</th>
<th>Amount Enacted</th>
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<tbody>
<tr>
<td>1</td>
<td>25</td>
<td>4</td>
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<td>250,000,000</td>
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In addition to this specific line item veto, I hereby approve all other appropriation items in House Bill 3793.

Sincerely,

PAT QUINN
Governor

**PUBLIC ACT 98-0675**

(House Bill No. 3793)

AN ACT making appropriations.

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

ARTICLE 0.5

Section 1. It is the intent of the State that all or a portion of the costs of projects funded by appropriations made in this Act from the Capital Development Fund, the School Construction Fund, the Anti-Pollution Fund, the Transportation Bond Series A Fund, the Transportation Bond Series B Fund, the Coal Development Fund, the Transportation Bond Series D Fund, and the Build Illinois Bond Fund will be paid or reimbursed from the proceeds of tax-exempt bonds subsequently issued by the State.

ARTICLE 1

ARCHITECT OF THE CAPITOL

Section 5. The amount of $3,883, or so much thereof as may be necessary and remains unexpended on June 30, 2014, from a reappropriation

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heretofore made for such purpose in Section 5 of Article 25 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for plans, specifications, and continuation of work pursuant to the report and recommendations of the architectural, structural, and mechanical surveys of the State Capitol Building. This is for the continuation of the rehabilitation of the Capitol Building.

Section 10. The sum of $548,180, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purposes in Section 10 of Article 25 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for remodeling, planning, relocation, permanent equipment, and other related expenses, including architectural and engineering fees associated with construction, for the remodeling of office space and other support areas under the jurisdiction of the House of Representatives and the Senate.

Section 15. The sum of $34,528,423, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 25, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for all costs associated with capital upgrades and improvements.

Section 20. The following named amounts, or so much thereof as may be necessary, and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 25, Section 20 of Public Act 98-0050, as amended, are reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for the projects hereinafter enumerated:

CAPITOL BUILDING - SPRINGFIELD
(From Article 25, Section 20 of Public Act 98-0050)
For upgrading the HVAC systems
and for renovations to meet
compliance with ADA, in addition
to funds previously appropriated............. 10,038,463
For upgrades to life safety
protection systems in addition
to funds previously appropriated............. 799,120
For equipment, remodeling and all other
costs related to the maintenance, renovation
or restoration of areas located in the

New matter indicated by italics - deletions by strikeout
Capitol Building................................................. 162,751  
For all costs related to asbestos and environmental abatement in the  
Capitol Building................................................. 21,599  
Total........................................................................ $11,021,933  

Section 25. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 25, Section 25 of Public Act 98-0050, as amended, are reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for the projects hereinafter enumerated:

**CAPITOL BUILDING - SPRINGFIELD**

(From Article 25, Section 25 of Public Act 98-0050)

For capital upgrades........................................... 250,000,000  
For completing the stone restoration, in addition to funds previously appropriated......... 323,373  
For demolition of 222 S. College, and landscaping of Capitol Complex in addition to funds previously appropriated........................................... 963,567  
For demolition of 222 South College Building and landscaping of Capitol Complex........................................... 585,151  

**WILLIAM G. STRATTON BUILDING - SPRINGFIELD**

For the planning, design, reconstruction, and construction to renovate or replace the Stratton Office Building, in addition to funds previously appropriated........... 6,685,662  
Total........................................................................ $258,557,753  

Section 30. No contract shall be entered into or obligation incurred for any expenditures from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article................................................. $304,660,172  

**ARTICLE 2**

**SECRETARY OF STATE**

Section 5. The sum of $46,385,136, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 26, Section 5 of Public Act 98-0050, is reappropriated from the Build Illinois
Bond Fund to the Secretary of State for capital grants to public libraries for permanent improvements.

Section 10. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $46,385,136

ARTICLE 3
DEPARTMENT OF AGRICULTURE

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Agriculture for repairs, maintenance, and capital improvements including construction, reconstruction, improvement, repair and installation of capital facilities, cost of planning, supplies, materials, equipment, services and all other expenses required to complete the work:

Payable from Agricultural Premium Fund:
For various projects at the Illinois State Fairgrounds............................. 1,800,000
For various projects at the DuQuoin State Fairgrounds............................... 750,000

Section 10. The amount of $2,612,500, or so much thereof as may be necessary, is appropriated from the Partners for Conservation Projects Fund to the Department of Agriculture for the Conservation Practices Cost-Share program.

Total, this Article $5,162,500

ARTICLE 4
CENTRAL MANAGEMENT SERVICES

Section 5. The sum of $3,483,998, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 28, Section 5 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Department of Central Management Services for Information Technology infrastructure expenses including but not limited to related hardware and equipment.

Section 10. The amount of $5,348,472, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purposes in Section 10 of Article 28 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Department of Central Management Services for infrastructure improvement, hardware and related costs.

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Section 15. The sum of $8,350,114, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 28, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Central Management Services for the Illinois Century Network.

Section 20. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $17,182,584

ARTICLE 5
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purposes in Section 5 of Article 29 of Public Act 98-0050, as amended, is reappropriated from the Port Development Revolving Loan Fund to the Department of Commerce and Economic Opportunity for grants and loans associated with the Port Development Revolving Loan Program pursuant to 30 ILCS 750/9-11.

Section 7. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Uptown Theatre for costs associated with capital improvements.

Section 10. The sum of $17,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purposes in Section 10 of Article 29 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the redevelopment of Brownfield sites.

Section 15. The sum of $44,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for grants pursuant to 20 ILCS 605/605-332 – Coal Revival Program.

Section 17. The sum of $6,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 29, Section 17 of Public Act 98-0050, as amended, is reappropriated from the Coal Development Bond

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Fund to the Department of Commerce and Economic Opportunity for a grant to the owner of a generating facility located in Washington County, Illinois, with accredited summer capability of greater than 500 megawatts at such generating facility for the purposes specified in the Illinois Coal and Energy Development Bond Act and Section 8.1 of the Energy Conservation and Coal Development Bond Act.

Section 20. The sum of $1,975,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 20 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the Illinois Renewable Fuels Development Act.

Section 25. The sum of $4,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Medical District Commission for capital improvements, acquisition and development of land and structures, including previously incurred costs.

Section 30. The sum of $1,484,678, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 30 of Public Act 98-0050, as amended, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the specific purposes of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State.

Section 40. The sum of $15,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 40 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant for the Illinois Science and Technology Park.

Section 45. The sum of $20,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the Illinois Renewable Fuels Development Act.

New matter indicated by italics - deletions by strikeout
Section 50. The sum of $5,500,001, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 50 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the redevelopment of brownfield sites.

Section 55. The sum of $16,166,902, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 55 of Public Act 98-0050, as amended, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the specific purpose of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State, including but not limited, to a grant for a commercial scale, low emissions project that produces electric power, synthesizes natural gas or chemicals and demonstrates underground storage of at least 1 million metric tons annually of carbon dioxide.

Section 60. The sum of $3,980,704, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 60 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 65. The sum of $3,130,040, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 65 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8 or Article 10 of the Build Illinois Act.

Section 70. The sum of $2,600,251, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 70 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 75. The sum of $5,567,122, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 80. The sum of $4,524,172, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 80 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

Section 85. The sum of $135,095,303, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 85 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the purpose of making grants and loans to local governments for planning, engineering, acquisition, construction, reconstruction, development, improvement and extension of the public infrastructure, and for any other purposes authorized in subsection (a) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 90. The sum of $47,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 90 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the purpose of fostering economic development and increased employment and the well being of the citizens of Illinois, and for any other purposes authorized in subsection (b) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 95. The sum of $8,782,223, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 95 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for purposes authorized in subsection (c) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 100. The sum of $29,659,333, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 100 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for deposits into the Partners for Conservation Projects Fund and other purposes authorized by subsection (c) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 105. The sum of $30,454,926, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 105 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 110. The sum of $10,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 110 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 115. The sum of $23,125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 115 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.

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Section 120. The sum of $13,295,450, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 120 of Public Act 98-0050, as amended, is reappropriated from the Fund for Illinois’ Future to the Department of Commerce and Economic Opportunity for grants to units of government, educational facilities and not-for-profit organizations for education and training, infrastructure improvements and other capital projects including but not limited to planning, construction, reconstruction, equipment, utilities and vehicles, and all costs associated with economic development programs, community service programs, public health programs, public safety programs, other programs and activities, and for grants to other State agencies for any capital or operating purposes.

Section 125. The sum of $14,469,273, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 125 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants to local governments for capital improvements to civic centers for the projects hereinafter enumerated:

Quad Cities Metropolitan
Exposition and Auditorium
Authority............................... 4,000,000

Peoria Metropolitan Exposition
Authority................................. 3,000,000

Springfield Metropolitan
Exposition and Auditorium
Authority.................................. 0

Rockford Metropolitan Exposition,
Auditorium and Office Building
Authority................................. 1,139,707

Will County Metropolitan Exposition,
Auditorium and Office Building
Authority................................. 1,650,000

Aurora Metropolitan Exposition,
Auditorium and Office Building
Authority................................. 179,566

Decatur Metropolitan Exposition,
Auditorium and Office Building

New matter indicated by italics - deletions by strikeout
Section 135. The sum of $1,195,268, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 135 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Housing Authority for LeClaire Courts.

Section 140. The sum of $8,528,414, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 140 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the Medical District Commission for capital improvements, including previously incurred costs.

Section 150. The sum of $411,279,020, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants awarded under the Urban Weatherization Initiative Act.

Section 155. The sum of $3,654,333, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 155 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for grants and loans including but not limited to broadband deployment to expand and strengthen existing broadband network infrastructure, health information technology, telemedicine, distance learning, and public safety.

Section 156. The sum of $4,914,314, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 156 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans including but not limited to broadband deployment to expand and strengthen existing broadband network infrastructure, health information technology, telemedicine, distance learning, and public safety.

Section 160. The sum of $8,509,034, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans for transportation electrification infrastructure projects; including, but not limited to grants and loans for the purpose of encouraging electric car manufacturing and infrastructure for electric vehicles.

Section 165. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for infrastructure projects that lead directly to private sector expansion or retention activities including but not limited to public infrastructure construction and renovation, financing for the purchase of land and buildings, construction or renovation of fixed assets, site preparation and purchase of machinery and equipment.

Section 180. The sum of $11,750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 180 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide loans and grants for the modification, alteration, or retrofitting of renewable fuel plants in Illinois in order to encourage the
implementation of technologies that increase the overall efficiency of the renewable fuel production process or reduce the life-cycle greenhouse gas emissions of the renewable fuel produced including, but not limited to: (i) improved water conservation; (ii) improved energy conservation; (iii) added value to bio-fuel co-products and bi-products; (iv) utilization of renewable energy resources; (v) utilization of fractionation; or (vi) utilization of cellulosic or other biomass conversion.

Section 185. The sum of $21,641,548, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 185 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the requirements necessary to leverage capital-related American Recovery and Reinvestment Act of 2009 funds of equal or greater value in order to make Illinois or Illinois applicants more competitive and/or for costs associated with bondable improvements to match federal, local, private or other funds.

Section 190. The sum of $125,591, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Phoenix Foundation of Southern Illinois for hospital renovation and equipment.

Section 195. The sum of $9,750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 195 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with the redevelopment of brownfield sites.

Section 200. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aspira, Inc. of Illinois for costs associated with acquisition, construction, rehabilitation, renovation and equipping facilities, including prior incurred costs.

Section 205. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 29,

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Section 205 of Public Act 98-0050, as amended, are reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford District 205 for the projects hereinafter enumerated:

GREENTEK CARVER ACADEMY
For the acquisition, construction, rehabilitation, renovation and equipping to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System........................................ 0

CICS ROCKFORD CHARTER PATRIOTS CENTER
For the acquisition, construction, rehabilitation, renovation................................. 1,000,000

SIGMA BETA LEADERSHIP SCHOOL
For the acquisition, construction, rehabilitation, renovation................................. 1,000,000
Total.............................................................................................................. 2,000,000

Section 210. The sum of $9,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 210 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants for acquisition, construction, renovation and equipping new charter schools, to a silver certification from the United States Green Building Council’s Leadership in Energy and Environmental Design Green Building Rating System as approximated below:
For Instituto Del Progresso Latino.......................................................... 9,000,000

Section 215. The sum of $6,438,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 215 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide grants, loans, and other investments to emerging technology enterprises to support and encourage: (i) commercialization of technology based products and services; (ii) technology transfer projects involving the promotion of new or innovative technologies; or (iii) research and development projects to respond to unique, advanced technology projects

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and which foster the development of Illinois’ economy through the advancement of the State’s economic, scientific, and technological assets.

Section 220. The sum of $7,238,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide grants for land acquisition, infrastructure, equipment and other permissible capital expenditures to businesses that will encourage new investment and the creation or retention of jobs in economically depressed areas of the state.

Section 222. The sum of $2,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 222 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity to provide grants for land acquisition, infrastructure, equipment and other permissible capital expenditures to businesses within a city located in both St. Clair and Madison Counties having a population of 5,000 people or less that will encourage new investment and the creation or retention of jobs in economically depressed areas of the state.

Section 230. The sum of $3,740,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 230 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the University of Chicago Medical Center for costs associated with Provident Hospital.

Section 235. The sum of $1,798,133, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 235 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Masonic Hospital for capital improvements.

Section 250. The sum of $2,084,459, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 250 of Public Act 98-0050, as amended, is reappropriated from the
Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to Community Health and Emergency Services, Inc. for the construction of a hospital wing at the Cairo Megaclinic.

Section 260. The sum of $1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 29, Section 260 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Health and Emergency Services, Inc. for the construction of a hospital wing at the Cairo Megaclinic.

Section 285. The sum of $4,900,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 29, Section 285 of Public Act 98-0050, as amended, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the purpose of development costs pursuant to Section 8.1 of the Energy Conservation and Coal Development Act.

Section 290. This Article is not subject to limitations under Section 5 of Article 48 of Public Act 95-734 or any similar limitation.

Section 295. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $1,031,812,007

ARTICLE 6
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 10. The amount of $4,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 29.5, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Children’s Theater.

Section 15. The amount of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 29.5, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Erie Neighborhood House.

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Section 20. The amount of $1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 29.5, Section 20 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Guidance Center.

Section 25. The amount of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 29.5, Section 25 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Educare of West DuPage.

Section 30. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $7,500,000

ARTICLE 7
DEPARTMENT OF NATURAL RESOURCES

Section 5. The sum of $725,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 10. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 15. To the extent federal funds including reimbursements are available for such purposes, the sum of $75,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats, including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 20. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department

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of Natural Resources for a grant to the Chain O’Lakes – Fox River Waterway Management Agency for the Agency’s operational expenses.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from State Boating Act Fund:
For multiple use facilities and programs for boating purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation........ 1,500,000

Payable from State Parks Fund:
For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation............. 150,000

Section 30. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for acquisition and development, including grants, for the implementation of the North American Waterfowl Management Plan within the Dominion of Canada or the United States which specifically provides waterfowl for the Mississippi Flyway.

Section 35. To the extent federal funds including reimbursements are available for such purposes, the sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

OFFICE OF RESOURCE CONSERVATION

New matter indicated by italics - deletions by strikeout
For expenses of subgrantee payments:
Payable from the Wildlife and Fish Fund........ 1,500,000

Section 45. The following named sum, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is appropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Forest Reserve Fund:
For U.S. Forest Service Program.................. 500,000

Section 50. The sum of $110,000, or so much thereof as may be necessary, is appropriated from the Plugging and Restoration Fund to the Department of Natural Resources, Office of Mines and Minerals for the Landowner Grant Program authorized under the Oil and Gas Act, as amended by Public Act 90-0260.

Section 55. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Abandoned Mined Lands Reclamation Set-Aside Fund to the Department of Natural Resources for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines and any other expenses necessary for emergency response.

Section 60. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the State Furbearer Fund to the Department of Natural Resources for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 65. The following named sum, new appropriation, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to the Department of Natural Resources:
Payable from Natural Areas Acquisition Fund:
For the acquisition, preservation and stewardship of natural areas, including habitats for endangered and threatened species, high quality natural communities, wetlands and other areas with unique or unusual natural heritage qualities.................... 6,000,000

Section 70. The sum of $24,000,000, or so much thereof as may be necessary, is appropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses
connected with and to make grants to local governments and to distressed communities as provided in the "Open Space Lands Acquisition and Development Act".

Section 75. The sum of $550,000, or so much thereof as may be necessary, is appropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

FOR ILLINOIS HABITAT FUND PROGRAM

Section 80. The sum of $1,350,000, or so much thereof as may be necessary, is appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 85. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 90. The sum of $900,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources for expenditure by the Office of Water Resources from the Flood Control Land Lease Fund for disbursement of monies received pursuant to Act of Congress dated September 3, 1954 (68 Statutes 1266, same as appears in Section 701c-3, Title 33, United States Code Annotated), provided such disbursement shall be in compliance with 15 ILCS 515/1 Illinois Compiled Statutes.

Section 95. The following named sum, or so much thereof as may be necessary, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is appropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Land and Water Recreation Fund:
   For Outdoor Recreation Programs .................. 2,500,000

Section 100. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Off-Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and

New matter indicated by italics - deletions by strikeout
acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 105. The following named sum, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is appropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Federal Title IV Fire Protection Assistance Fund:
For Rural Community Fire Protection Programs..... 325,000

Section 110. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 115. The sum of $625,000, or so much thereof as may be necessary, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 120. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of $300,000, or so much thereof as may be necessary, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 125. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the implementation of the North American Waterfowl Management Plan within the Dominion of Canada or the United States which specifically provides waterfowl to the Mississippi Flyway as provided in the "Wildlife Code", as amended.

Section 130. The sum of $500,000, or so much thereof as may be necessary is appropriated from the Illinois Wildlife Preservation Fund to the Department of Natural Resources for the Purposes of the “Illinois Non-Game Wildlife Protection Act”.

New matter indicated by italics - deletions by strikeout
Section 135. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the development of waterfowl propagation areas within the Dominion of Canada or the United States which specifically provide waterfowl for the Mississippi Flyway as provided in the "Wildlife Code", as amended.

Section 140. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

Section 145. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 150. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 155. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance, and other related expenses of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from State or federal sources.

Section 160. The following named sum, new appropriation, or so much thereof as may be necessary, for the object and purpose hereinafter named, is appropriated to the Department of Natural Resources:

Payable from the Park and Conservation Fund:
For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation ............. 1,000,000

New matter indicated by italics - deletions by strikeout
Section 165. The following named sum, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to the Department of Natural Resources:

Payable from the Adeline Jay Geo-Karis Illinois Beach Marina Fund:
For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement of facilities at North Point Marina at Winthrop Harbor................................. 375,000

Section 170. The sum of $6,000,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 175. The sum of $20,000,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for construction and maintenance of State owned, leased, and managed sites.

Section 180. The sum of $7,500,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for (i) reallocation of Wildlife and Fish grant reimbursements, (ii) wildlife conservation and restoration plans and programs from federal and/or state funds provided for such purposes or (iii) both purposes.

Total, this Article $77,875,000

ARTICLE 8
DEPARTMENT OF NATURAL RESOURCES

Section 5. The sum of $41,717,267, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 5 of Public Act 98-0050 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in Illinois; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of Illinois; and to fund the monitoring of long-term improvements of these conservation practices as

New matter indicated by italics - deletions by strikeout
required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 10. The sum of $36,269,957, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 31, Section 10 of Public Act 98-0050 as amended is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for water development projects at the approximate cost set forth below:

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashland – Cass County – For construction of a flood control project to relieve flooding</td>
<td>153,911</td>
</tr>
<tr>
<td>County Stormwater Improvements – For funding to assist County Stormwater Programs with implementation of flood relief projects</td>
<td>650,000</td>
</tr>
<tr>
<td>Crystal Creek – Cook County – To design and construct multi-phase Crystal Creek Flood Control Projects in Schiller Park and Franklin Park</td>
<td>2,172,069</td>
</tr>
<tr>
<td>Des Plaines River Watershed - Lake and Cook County – For non-federal cost sharing requirements for the implementation of flood reduction measures</td>
<td>7,751,656</td>
</tr>
<tr>
<td>East St. Louis Ecosystem and IFC - Madison &amp; St. Clair Counties - For the non-federal funding to design and construct this multipurpose ecosystem project</td>
<td>1,200,000</td>
</tr>
<tr>
<td>Flood Hazard Mitigation – Statewide – For cost sharing to acquire flood prone structures, to implement flood hazard mitigation plans, and to acquire mitigation sites associated with flood control projects</td>
<td>10,264,456</td>
</tr>
<tr>
<td>Hickory Hills Reservoir – Cook County – For costs associated with flood control projects</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
With construction of the
Hickory Hills flood detention
Reservoir........................................ 40,208
Hickory/Spring Creek – Will County –
For implementation of Hickory/Spring
Creeks flood control project in
cooperation with the City of Joliet........... 11,641,657
Village of Union - McHenry County -
For the implementation of flood
damage relief measures....................... 1,282,000
Flood Control at 88th Ave & 99th St –
City of Palos Heights – Cook County......... 71,000
Urban Flood Control Projects –
Statewide – to fund flood damage
reduction projects in partnership
with units of local government............... 1,043,000
Total $36,269,957

Section 15. The sum of $37,472,989, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 31, Section 15 of Public
Act 98-0050 as amended, is reappropriated from the Capital Development
Fund to the Department of Natural Resources for expenditure by the Office
of Water Resources for improvements needed at publicly-owned Dams for
upgrading and rehabilitation of dams, spillways and supporting facilities,
including dam removals and the required geotechnical investigations,
preparation of plans and specifications, and the construction of the proposed
rehabilitation to ensure reduced risk of injury to the public, and for needed
repairs and improvements on and to waterways and infrastructure.

Section 20. The sum of $12,785,984, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 31, Section 20 of Public
Act 98-0050 as amended, is reappropriated from the Capital Development
Fund to the Department of Natural Resources for planning, design and
construction of ecosystem rehabilitation, habitat restoration and associated
development in cooperation with the U.S. Army Corps of Engineers.

Section 25. The sum of $142,716,196, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 31, Section 25 of Public
Act 98-0050 as amended, is reappropriated from the Build Illinois Bond Fund

New matter indicated by italics - deletions by strikeout
to the Department of Natural Resources for capital grants to parks or recreational units for permanent improvements.

Section 30. The sum of $26,862,450, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 30 of Public Act 98-0050 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for capital grants to parks or recreational units for permanent improvements.

Section 35. The sum of $1,500,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 35 of Public Act 98-0050 as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for capital grants to public museums for permanent improvements.

Section 45. The sum of $2,631,857, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 31, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the Mud to Parks dredging Illinois rivers and sediment reuse.

Section 50. The sum of $7,138,278, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 31, Section 50 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for improvements needed at publicly-owned Dams for upgrading and rehabilitation of dams, spillways and supporting facilities, including dam removals and the required geotechnical investigations, preparation of plans and specifications, and the construction of the proposed rehabilitation to ensure reduced risk of injury to the public, and for needed repairs and improvements on and to waterways and infrastructure.

Section 55. The sum of $2,525,823, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 55 of Public Act 98-0050, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

New matter indicated by italics - deletions by strikeout
Section 60. The sum of $2,104,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 5 of Public Act 98-0050 and Article 31, Section 60, of Public Act 98-0050 is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 65. The sum of $381,124, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 10 of Public Act 98-0050 and Article 31, Section 65, of Public Act 98-0050, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 70. To the extent federal funds including reimbursements are available for such purposes, the sum of $5,980,889, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 15 of Public Act 98-0050 and Article 31, Section 70, of Public Act 98-0050, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats, including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 75. The following named sum, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purpose, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from State Boating Act Fund:
(From Article 30, Section 25 of
Public Act 98-0050 and Article 31, Section 75,
of Public Act 98-0050, as amended)
For multiple use facilities and programs
for boating purposes provided by the
Department of Natural Resources including

New matter indicated by italics - deletions by strikeout
construction and development, all costs for supplies, materials, labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation. 5,989,916

Section 80. The following named sums, or so much thereof as may be necessary, respectively, and as remain unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from the State Parks Fund:
(From Article 31, Section 80, of Public Act 98-0050, as amended)
For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation. 832,382

(From Article 31, Section 80, of Public Act 98-0050, as amended)
For multiple use facilities and purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation. 244,857

(From Article 30, Section 25, of Public Act 98-0050 and Article 31, Section 80, of Public Act 98-0050, as amended)
For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor,
land acquisition, services, studies, and
all other expenses required to comply with
the intent of this appropriation................. 300,000

Section 85. The sum of $1,566,862, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from an appropriation heretofore made in Article 31, Section 85, of Public
Act 98-0050, as amended, is reappropriated from the State Parks Fund to the
Department of Natural Resources, in coordination with the Capital
Development Board, for the development of the World Shooting and
Recreation Complex including all construction and debt service expenses
required to comply with this appropriation. Provided further, to the extent
that revenues are received for such purposes, said revenues must come from
non-State sources.

Section 95. The sum of $195,541, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 31, Section 95, of Public
Act 98-0050, as amended, is reappropriated from the Wildlife and Fish Fund
to the Department of Natural Resources for wildlife conservation and
restoration plans and programs from federal and/or state funds provided for
such purposes.

Section 100. To the extent federal funds including reimbursements are
available for such purposes, the sum of $1,095,019, or so much thereof as
may be necessary and as remains unexpended at the close of business on June
30, 2014, from appropriations heretofore made in Article 30, Section 35 of
Public Act 98-0050 and Article 31, Section 100, of Public Act 98-0050, as
amended, is reappropriated from the Wildlife and Fish Fund to the
Department of Natural Resources for construction and renovation of waste
reception facilities for recreational boaters, including grants for such purposes
authorized under the Clean Vessel Act.

Section 105. The sum of $285,712, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 31, Section 105, of Public
Act 98-0050 is reappropriated from the Capital Development Fund to the
Department of Natural Resources for planning, design and construction of
ecosystem rehabilitation, habitat restoration and associated development in
cooperation with the U.S. Army Corps of Engineers.

Section 110. The sum of $853,104, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 31, Section 110, of Public

New matter indicated by italics - deletions by strikeout
Act 98-0050 is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and associated development in cooperation with the U.S. Army Corps of Engineers.

Section 115. The sum of $315,672, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 115, of Public Act 98-0050 is reappropriated from the Capital Development Fund to the Department of Natural Resources to acquire, protect and preserve open space and natural lands.

Section 120. The sum of $867,303, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 120, of Public Act 98-0050 is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in Illinois; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of Illinois; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 125. The sum of $503,341, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 125, of Public Act 98-0050 is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the acquisition of lands, buildings, and structures, including easements and other property interests, located in the 100-year floodplain in counties or portions of counties authorized to prepare stormwater management plans and for removing such buildings and structures and preparing the site for open space use.

Section 130. The sum of $8,079,294, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 130, of Public Act 98-0050 is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for water development projects at the approximate cost set forth below:

New matter indicated by italics - deletions by strikeout
Flood Hazard Mitigation - For implementation of flood hazard mitigation plans, and acquisition of wetland and tree mitigation sites for state and local joint flood control projects in cooperation with federal agencies, state agencies, and units of local government, in various counties............................. 7,850,000

Fox Chain of Lakes - Lake and McHenry Counties - For the state cost share in implementation of the comprehensive Dredging and Disposal Plan, including beneficial use of dredge material and island creation, for the Fox River and Chain of Lakes........................................ 229,294

Total  $8,079,294

FOR WATERWAY IMPROVEMENTS

Section 135. The sum of $8,378,480, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 135, of Public Act 98-0050 is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the following projects at the approximate costs set forth below:

Addison Creek Watershed - Cook and DuPage Counties............................... 10,000

Crisenberry Dam - Jackson County:
For complete rehabilitation of the dam and spillway, including the required geotechnical investigation, the preparation of plans and specifications, and the construction of the proposed rehabilitation...................... 20,000

East St. Louis and Vicinity Flood Control - Madison and St. Clair Counties - For partial payment of the non-federal cost requirements of an interior flood protection project and ecosystem restoration at East St. Louis and Vicinity area....................... 350,000

Flood Mitigation - Disaster

New matter indicated by italics - deletions by strikeout
Declaration Areas............................... 4,389,345
Fox Chain O'Lakes - Lake and McHenry Counties............................... 1,252,450
Fox River Dams - Kane, Kendall and McHenry Counties.......................... 691,577
Prairie/Farmers Creek - Cook County........................................ 1,539,137
Village of Lemont – Flood Control Reservoir............................... 100,000
Village of Bluffs – Flood Control Channel................................. 20,971
Union - McHenry County.................................................. 5,000
Total $8,378,480

Section 140. The sum of $243,702, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 55 of Public Act 98-0050 and Article 31, Section 140, of Public Act 98-0050, as amended, is reappropriated to the Department of Natural Resources from the State Furbearer Fund for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 145. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purposes, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:
Payable from Natural Areas Acquisition Fund:
(From Article 30, Section 60 of Public Act 98-0050 and Article 31, Section 145, of Public Act 98-0050 as amended)
For the acquisition, preservation and stewardship of natural areas, including habitats for endangered and threatened species, high quality natural communities, wetlands and other areas with unique or unusual natural heritage qualities......................... $13,941,391

Section 150. The sum of $83,485,514, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 65 of Public Act 98-0050 and Article 31, Section 150, of Public Act 98-0050, as amended, is reappropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with

New matter indicated by italics - deletions by strikeout
and to make grants to local governments as provided in the "Open Space Lands Acquisition and Development Act".

FOR STATE PHEASANT PROGRAM

Section 155. The sum of $2,272,125, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 70 of Public Act 98-0050 and Article 31, Section 155, of Public Act 98-0050, as amended, is reappropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

Section 160. The sum of $6,440,587, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 75 of Public Act 98-0050 and Article 31, Section 160, of Public Act 98-0050, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 165. The sum of $2,111,527, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 80 of Public Act 98-0050 and Article 31, Section 165, of Public Act 98-0050, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 170. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 90 of Public Act 98-0050 and Article 31, Section 170, of Public Act 98-0050, as amended, made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is reappropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Land and Water Recreation Fund:
   For Outdoor Recreation Programs.............. $14,274,481
Section 175. The sum of $3,209,631, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 95 of Public Act 98-0050 and Article 31, Section 175, of Public Act 98-0050, as amended, is reappropriated from the Off-Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 180. The sum of $1,432,515, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 180, of Public Act 98-0050, as amended, is reappropriated from the Partners for Conservation Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

Section 185. The sum of $1,709,943, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 185, of Public Act 98-0050, as amended, is reappropriated from the Partners for Conservation Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

Section 190. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 100 of Public Act 98-0050 and Article 31, Section 190, of Public Act 98-0050, as amended, made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is reappropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Federal Title IV Fire Protection Assistance Fund:
For Rural Community Fire Protection Program.......................... $556,548

New matter indicated by italics - deletions by strikeout
Section 195. The sum of $278,812, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 105 of Public Act 98-0050 and Article 31, Section 195, of Public Act 98-0050, as amended, is reappropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 200. The sum of $4,586,311, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 110 of Public Act 98-0050 and Article 31, Section 200, of Public Act 98-0050, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 205. The sum of $1,834,345, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Sections 40 and 105 of Public Act 98-0064, is reappropriated from the Illinois Wildlife Preservation Fund to the Department of Natural Resources for the Purposes of the "Illinois Non-Game Wildlife Protection Act".

Section 210. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of $140,952, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 115 of Public Act 98-0050 and Article 31, Section 205, of Public Act 98-0050, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 215. The sum of $2,649,959, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 130 of Public Act 98-0050 and Article 31, Section 210, of Public Act 98-0050, as amended, is reappropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

New matter indicated by italics - deletions by strikeout
FOR BIKEWAYS PROGRAMS

Section 220. The sum of $11,035,070, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 135 of Public Act 98-0050 and Article 31, Section 215, of Public Act 98-0050, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 225. The following named sum, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 30, Section 150 of Public Act 98-0050 and Article 31, Section 220, of Public Act 98-0050, as amended, is reappropriated to the Department of Natural Resources:

Payable from the Park and Conservation Fund:
For multiple use facilities and programs
for park and trail purposes provided by
the Department of Natural Resources, including
construction and development, all costs
for supplies, materials, labor, land
acquisition, services, studies, and
all other expenses required to comply with
the intent of this appropriation............ 5,499,952

Section 230. The sum of $546,011, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 225, of Public Act 98-0050, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 235. The sum of $6,258,277, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 140 of Public Act 98-0050 and Article 31, Section 230, of Public Act 98-0050, as amended, is reappropriated from the Park and Conservation Fund to the

New matter indicated by italics - deletions by strikeout
Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 240. The sum of $1,143,445, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 235, of Public Act 98-0050, as amended, is reappropriated to the Department of Natural Resources from the Park and Conservation Fund for multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 245. The sum of $9,659,558, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 30, Section 145 of Public Act 98-0050 and Article 31, Section 240, of Public Act 98-0050, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from state or federal sources.

Section 250. The following named sum, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purposes, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:
Payable from the Adeline Jay Geo-Karis Illinois Beach Marina Fund:
(From Article 30, Section 155 of Public Act 98-0050 and Article 31, Section 245, of Public Act 98-0050, as amended)
For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement of facilities at North Point Marina at Winthrop Harbor
2,928,307

Section 255. The sum of $16,988,958, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30,
2014, from appropriations heretofore made in Article 30, Section 160 of Public Act 98-0050 and Article 31, Section 250, of Public Act 98-0050, as amended, is reappropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 260. The sum of $203,973, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 255, of Public Act 98-0050, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the acquisition, engineering and rehabilitation of dedicated hunting and fishing lands in conjunction with the Illinois Hunting Heritage Protection Act; however, no more than $1,500,000 of the total appropriation may be used for engineering and rehabilitation.

Section 265. The sum of $20,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 260, of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for water resource management projects as authorized by subsection (g) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 270. The sum of $3,327,871, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 265, of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 275. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 270, of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the Illinois Open Land Trust Program as defined by the Illinois Open Land Trust Act as authorized
by subsection (m) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 280. The sum of $19,162,468, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 275, of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the Open Land Trust Program.

Section 285. The sum of $4,737,812, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 31, Section 280, of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for upgrades to lodges, camps and campsites, including but not limited to previously incurred costs.

Section 290. The sum of $9,892,608, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 30, Section 165, of Public Act 98-0050, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for construction and maintenance of State owned, leased, and managed sites.

Section 295. The sum of $10,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 30, Section 170, of Public Act 98-0050, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the acquisition, engineering, and rehabilitation of dedicated hunting and fishing lands in conjunction with the Illinois Hunting Heritage Protection Act.

Section 300. The sum of $3,157,484, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Sections 40 and 50 of Public Act 98-0064, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for expenses of subgrantee payments.

Section 305. The sum of $8,332,187, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Sections 55 and 60 of Public Act 98-0064, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for (i) reallocation of Wildlife and Fish grant reimbursements, (ii) wildlife conservation and restoration plans and

New matter indicated by italics - deletions by strikeout
programs from federal and/or state funds provided for such purposes or (iii) both purposes.

Section 310. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in Sections 5 through 50, 105 through 135, and 265 through 285 of this Article until after the purpose and amount of such expenditure has been approved in writing by the Governor.

Total, this Article $656,636,721

ARTICLE 9
DEPARTMENT OF MILITARY AFFAIRS
Section 5. The sum of $91,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 32, Section 5 of Public Act 98-0050, is reappropriated from the Illinois National Guard Construction Fund to the Department of Military Affairs for land acquisition and construction of parking facilities at armories.

Section 10. The amount of $499,969, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 32, Section 5 of Public Act 98-0050, is reappropriated from the Illinois National Guard Construction Fund to the Department of Military Affairs for all costs associated with the construction of Illinois National Guard facilities.

Total, this Article $591,569

ARTICLE 10
DEPARTMENT OF PUBLIC HEALTH
Section 5. The sum of $645,509, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 33, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Public Health for grants associated with the Hospital Capital Investment Program.

Section 10. The sum of $1,892,710, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 33, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Illinois Department of Public Health for the CLEAR-WIN Grant Program to correct lead based paint hazards in residential buildings.

New matter indicated by italics - deletions by strikeout
Section 15. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $2,538,219

ARTICLE 11
DEPARTMENT OF REVENUE
Section 5. The sum of $56,126,520, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 34, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Revenue for the Illinois Housing Development Authority for affordable housing grants, loans, and investments for low-income families, low-income senior citizens, low-income persons with disabilities and at risk displaced veterans.

Section 15. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $56,126,520

ARTICLE 12
DEPARTMENT OF TRANSPORTATION
PERMANENT IMPROVEMENTS
Section 5. The sum of $12,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for Permanent Improvements to Illinois Department of Transportation facilities, including but not limited to the purchase of land, construction, repair, alterations and improvements to maintenance and traffic facilities, district and central headquarters facilities, storage facilities, grounds, parking areas and facilities, fencing and underground drainage, including plans, specifications, utilities and fixed equipment installed and all costs and charges incident to the completion thereof at various locations.

OTHER LUMP SUMS
Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For costs associated with the identification, corrective action, and disposal of hazardous materials at storage facilities.................. 750,000
For Maintenance, Traffic and Physical Research Purposes (A)....................... 36,804,000

New matter indicated by italics - deletions by strikeout
For repair of damages by motorists to highway guardrails, fencing, lighting units, bridges, underpasses, signs, traffic signals, crash attenuators, landscaping, roadside shelters, rest areas, fringe parking facilities, sanitary facilities, maintenance facilities including salt storage buildings, vehicle weight enforcement facilities including scale houses, and other highway appurtenances, provided such amount shall not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages 5,500,000

For Maintenance, Traffic and Physical Research Purposes (B) 13,200,000
Total 56,254,000

MULTIMODAL GRANTS AND AWARDS HIGHWAYS

Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For apportionment to counties for construction of township bridges 20 feet or more in length as provided in Section 6-901 through 6-906 of the "Illinois Highway Code" 15,000,000

For apportionment to needy Townships and Road Districts, as determined by the Department in consultation with the County Superintendents of Highways, Township Highway Commissioners, or Road District Highway Commissioners 10,014,300

For apportionment to high-growth cities over 5,000 in population, as determined by the Department in consultation with the Illinois Municipal League 4,000,000

For apportionment to counties under 1,000,000 in population, $8,000,000 of the total apportioned in equal amounts to each eligible county, and $13,800,000 apportioned to each eligible county in proportion to the amount of motor vehicle license fees received from the residents of eligible counties 21,800,000
Total 50,814,300

AERONAUTICS

Section 20. The sum of $110,000,000, or so much thereof as may be necessary, is appropriated from the Federal/State/Local Airport Fund to the Department of Transportation for funding airport improvement projects,
including reimbursements and/or refunds, undertaken pursuant to pertinent state or federal laws.

PUBLIC TRANSPORTATION

Section 25. The sum of $30,000,000, or so much thereof as may be necessary, is appropriated from the Downstate Transit Improvement Fund to the Department of Transportation for making competitive capital grants pursuant to Section 2-15 of the Downstate Public Transportation Act (30 ILCS 740/2-15).

Section 30. The sum of $38,000,000, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

RAIL PASSENGER AND RAIL FREIGHT

Section 35. The sum of $14,400,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for Springfield Rail Improvements from the Transportation Investing Generating Economic Recovery V (TIGER V) Program awards as provided for in the Title VIII of the further Continuing Appropriations Act, 2013-Public Law 113-6 provided such amounts do not exceed funds made available by the federal government.

Section 40. The sum of $2,700,000, or so much thereof as may be necessary, is appropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for funding the State Rail Freight Loan Repayment Program created by Section 49.25g-1 of the Civil Administrative Code of Illinois.

Section 45. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the Rail Freight Service Assistance Program, created by Section 49.25a through 49.25g-1 of the Civil Administrative Code of Illinois.

MULTIMODAL

CONSTRUCTION AND LAND ACQUISITION

Section 50. The sum of $729,000,000, or so much thereof as may be necessary, is appropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of State highways, arterial highways, roads,
access areas, roadside shelters, rest areas fringe parking facilities and sanitary facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the Road Improvement Program as approximated below:

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1, Schaumburg</td>
<td>185,001,800</td>
</tr>
<tr>
<td>2, Dixon</td>
<td>36,408,700</td>
</tr>
<tr>
<td>3, Ottawa</td>
<td>99,254,400</td>
</tr>
<tr>
<td>4, Peoria</td>
<td>25,796,100</td>
</tr>
<tr>
<td>5, Paris</td>
<td>25,477,700</td>
</tr>
<tr>
<td>6, Springfield</td>
<td>87,130,300</td>
</tr>
<tr>
<td>7, Effingham</td>
<td>20,888,400</td>
</tr>
<tr>
<td>8, Collinsville</td>
<td>75,810,600</td>
</tr>
<tr>
<td>9, Carbondale</td>
<td>27,518,000</td>
</tr>
<tr>
<td>Statewide (including refunds)</td>
<td>0</td>
</tr>
<tr>
<td>Engineering</td>
<td>130,714,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$714,000,000</strong></td>
</tr>
</tbody>
</table>

Section 52. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, for a railroad grade separation of 65th Street and Harlem Avenue in Bedford Park.

Section 55. The sum of $39,000,000, or so much thereof as may be necessary, is appropriated from the Grade Crossing Protection Fund to the Department of Transportation for the installation of grade crossing protection or grade separations at places where a public highway crosses a railroad at grade, as ordered by the Illinois Commerce Commission, as provided by law.

**CONSTRUCTION AND LAND ACQUISITION LUMP SUMS**

Section 60. The sum of $4,500,000, or so much thereof as may be necessary, is appropriated from the Working Capital Revolving Loan Fund to the Department of Transportation for the purpose of making loans to disadvantaged business enterprises certified by IDOT for participation on IDOT-procured construction and construction-related projects under the...
provisions of the Disadvantaged Business Revolving Loan Program pursuant to Section 610 of the Department of Transportation Law.

Section 65. The sum of $410,600,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program as approximated below:

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 1, Schaumburg</td>
<td>48,100,200</td>
</tr>
<tr>
<td>District 2, Dixon</td>
<td>8,756,300</td>
</tr>
<tr>
<td>District 3, Ottawa</td>
<td>23,870,600</td>
</tr>
<tr>
<td>District 4, Peoria</td>
<td>6,203,900</td>
</tr>
<tr>
<td>District 5, Paris</td>
<td>6,127,300</td>
</tr>
<tr>
<td>District 6, Springfield</td>
<td>20,954,700</td>
</tr>
<tr>
<td>District 7, Effingham</td>
<td>5,023,600</td>
</tr>
<tr>
<td>District 8, Collinsville</td>
<td>18,232,400</td>
</tr>
<tr>
<td>District 9, Carbondale</td>
<td>6,618,000</td>
</tr>
<tr>
<td>Statewide (including refunds)</td>
<td>266,713,000</td>
</tr>
<tr>
<td>Engineering</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$410,600,000</td>
</tr>
</tbody>
</table>

Section 70. The sum of $536,585,700, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations.
laws and regulations for the local portion of the Road Improvement Program as approximated below:

District 1, Schaumburg........................ 332,598,000
District 2, Dixon.............................. 25,928,000
District 3, Ottawa............................. 17,478,000
District 4, Peoria............................. 12,373,000
District 5, Paris.............................. 12,885,000
District 6, Springfield........................ 17,337,000
District 7, Effingham.......................... 11,312,000
District 8, Collinsville....................... 18,384,000
District 9, Carbondale....................... 8,841,000
Statewide (including refunds)............... 79,449,700
Total $536,585,700

Section 75. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Public Private Partnerships for Transportation Fund to the Department of Transportation for costs associated with the development, financing, and operation of transportation facilities pursuant to the provisions of the Public Private Partnerships for Transportation Act, as amended.

Section 80. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Illiana Expressway Proceeds Fund to the Department of Transportation for costs of the Department associated with the Public Private Agreements for the Illiana Expressway Act (605 ILCS 130) provided the total amount obligated shall not exceed the amount deposited/ transferred into this Fund.

AERONAUTICS

Section 85. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the South Suburban Airport Improvement Fund to the Department of Transportation for costs associated with the development, financing, and operation of the South Suburban Airport as authorized under the Public-Private Agreements for the South Suburban Airport Act.

Section 90. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in Section 5 Permanent Improvements
Section 40 State Rail Freight Loan Repayment
Section 45 Federal Rail Freight Loan Repayment
of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

New matter indicated by italics - deletions by strikeout
ARTICLE 13
DEPARTMENT OF TRANSPORTATION
PERMANENT IMPROVEMENTS

Section 5. The sum of $42,348,317, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 5 and Article 37, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Permanent Improvements to Illinois Department of Transportation facilities, including but not limited to the purchase of land, construction, repair, alterations and improvements to maintenance and traffic facilities, district and central headquarters facilities, storage facilities, grounds, parking areas and facilities, fencing and underground drainage, including plans, specifications, utilities and fixed equipment installed and all costs and charges incident to the completion thereof at various locations.

CONSULTANT AND PRELIMINARY ENGINEERING

Section 10. The sum of $4,719,964, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Highways Engineering and Consultant Contracts only.

Section 15. The sum of $4,315,633, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 15 of Public Act 98-0050, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for Highway Engineering and Consultant Contracts only.

OTHER LUMP SUMS

Section 20. The sum of $9,087,556, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 10 and Article 37, Section 20 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the identification, corrective action, and disposal of hazardous materials at storage facilities.

Section 25. The sum of $49,294,829, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014,
from the appropriation and reappropriation heretofore made in Article 36, Section 10 and Article 37, Section 25 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Highways Formal Contract Specifics Maintenance, Traffic and Physical Research Purposes (A).

Section 30. The sum of $11,328,270, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 10 and Article 37, Section 25 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Highways Formal Contract Specifics Maintenance, Traffic and Physical Research Purposes (A).

MULTI-MODAL AWARDS AND GRANTS
HIGHWAY CONSTRUCTION AND LAND ACQUISITION

Section 35. The sum of $33,384,459, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 15 and Article 37, Section 35 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for apportionment to counties for construction of township bridges 20 feet or more in length as provided in Section 6-901 through 6-906 of the "Illinois Highway Code".

Section 40. The sum of $100,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 40 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series D Fund to the Department of Transportation for grants to counties, municipalities, and road districts for planning, engineering, acquisition, construction, reconstruction, development, improvement, extension, and all construction related expenses of the public infrastructure and other transportation improvement projects which are related to economic development in the State of Illinois as allocated in Article 50, Section 36 of Public Act 96-0035.

New matter indicated by italics - deletions by strikeout
AERONAUTICS

Section 45. The sum of $620,645,037, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 20 and Article 37, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Federal/State/Local Airport Fund to the Department of Transportation for funding the local or federal share of airport improvement projects, including reimbursements and/or refunds, undertaken pursuant to pertinent state or federal laws, provided such amounts shall not exceed funds available from federal and/or local sources.

Section 50. The sum of $27,306,728, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 50 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for such purposes as are described Section 34 of the Illinois Aeronautics Act, as amended, and Section 72 of the Illinois Aeronautics Act, as amended, for airport improvements.

PUBLIC AND INTERMODAL TRANSPORTATION

Section 55. The sum of $368,962, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 55 of Public Act 98-0050, as amended, is re appropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers, and the Intercity Rail Program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, for the counties of Cook, DuPage, Kane, Lake, McHenry and Will, pursuant to Section 4(b)(2) of the General Obligation Bond Act, as amended.

Section 60. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriations heretofore made in Article 37, Section 60 of Public Act 98-0050, as amended, are reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers, and the Intercity Rail Program for the acquisition, construction,
extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, as follows:

Pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended.......................................................... $14,132,715

For the counties of the State outside the counties of Cook, DuPage, Kane, McHenry, and Will, pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended......................................................... $622,444

For the Department of Transportation's Operation Greenlight Program pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended................................. $5,522,613

Total .................................................................................................................. $20,277,772

Section 65. The sum of $1,197,268, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 65 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation to extend the metrolink rail-line to Mid-America Airport, including but not limited to, general infrastructure improvements authorized under Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305) such as parking lot infrastructure upgrades, pedestrian access improvements, ingress and egress infrastructure and construction of a pedestrian overpass at the Southwestern Illinois College metrolink station.

Section 70. The sum of $16,999,905, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 70 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers and the Intercity rail program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended.

New matter indicated by italics - deletions by strikeout
Section 75. The sum of $900,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to the Regional Transportation Authority.

Section 80. The sum of $100,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 80 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers and the Intercity rail program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, for the purpose of downstate public transit systems.

Section 85. The sum of $1,007,271,735, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 85 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to the Regional Transportation Authority.

Section 90. The sum of $172,635,896, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 90 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers and the Intercity rail program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, for the purpose of downstate public transit systems.

New matter indicated by italics - deletions by strikeout
Section 95. The sum of $59,987,250, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 230 and Article 23, Section 140 of Public Act 98-0050, as amended, is reappropriated from the Downstate Transit Improvement Fund to the Department of Transportation for making competitive capital grants pursuant to Section 2-15 of the Downstate Public Transportation Act (30 ILCS 740/2-15).

Section 100. The sum of $89,754,301, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 25 and Article 37, Section 95 of Public Act 98-0050, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

RAIL PASSENGER AND RAIL FREIGHT

Section 105. The sum of $10,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 36, Section 30 of Public Act 98-0050 as amended, is reappropriated from the Road Fund to the Department of Transportation for grants, construction, and all other costs relating to rail projects, provided such amounts not exceed funds made available by the federal government for this purpose.

Section 110. The sum of $17,315,463, or so much thereof as may be necessary, and remains unexpended, at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 35 and Article 37, Section 105 of Public Act 98-0050, as amended, is reappropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for funding the State Rail Freight Loan Repayment Program created by Section 49.25g-1 of the Civil Administrative Code of Illinois.

Section 115. The sum of $1,090,919,959, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 40 and Article 37, Section 110 of Public Act 98-0050, as amended, is reappropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for grants, construction, and all other costs

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Section 120. The sum of $16,373,277, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 115 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation, pursuant to Section 4(b)(1) of the General Obligation Bond Act, for track and signal improvements, AMTRAK station improvements, rail passenger equipment, and rail freight facility improvements.

Section 125. The sum of $112,965,042, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 120 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for track and signal improvements, AMTRAK station improvements, rail passenger equipment, and rail freight facility improvements.

Section 130. The sum of $280,741,157, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 125 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation to leverage federal funding in accordance with the Department of Transportation’s Federal Railroad Administration’s Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service Program and any other federal grant programs made available for capital and operating improvements for intercity passenger rail.

Section 135. The sum of $4,512,749, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation concerning the federal share of the Rail Freight Loan Repayment Program heretofore made in Article 36, Section 45 and Article 37, Section 130 of Public Act 98-0050, as amended, is reappropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the Rail Freight Service Assistance Program, created by Section 49.25a through 49.25g-1 of the Civil Administrative Code of Illinois.

MULTI-MODAL CONSTRUCTION
HIGHWAY CONSTRUCTION AND LAND ACQUISITION

New matter indicated by italics - deletions by strikeout
Section 140. The following named sums or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from the reappropriations heretofore made in Article 37, Section 135 of Public Act 98-0050, as amended, are reappropriated to the Department of Transportation from the Road Fund for the FY04 federal earmarks provided in Conference Report 108-401 which accompanies Public Law 108-199. Expenditures shall not exceed funds to be made available by the federal government.

Bridge Discretionary
North Avenue Bridge, Chicago.......................... 324,335
Village of Glencoe, Green Bay
   Trail – North Branch Trail Connection............. 104,718
Long Meadow Parkway Fox River Bridge Crossing, Bolz Road.......................... 125,434
St. Charles, Illinois, Fox River Crossing at Red Gate Corridor.................. 260,467
US 51, Christian/Shelby Counties.................... 618,886
Total.................................................................. $1,433,840

Section 145. The following named sums or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from the reappropriations heretofore made in Article 37, Section 140 of Public Act 98-0050, as amended, are reappropriated to the Department of Transportation from the Road Fund for the FY05 federal earmarks provided in Conference Report 108-792 which accompanies Public Law 108-447. Expenditures shall not exceed funds to be made available by the federal government.

Bridge Discretionary
Section 117 Member Initiatives
171st Street reconstruction, East Hazel Crest........ 6,429
67th Street Pedestrian Underpass, Chicago
   Lakefront................................................. 400,000
Cermak and Kenton Avenues............................. 750,533
Cicero Avenue lighting in University Park........... 107,337
Fulton County Highway 6.................................. 51,783
I-290 Cap, Oak Park..................................... 962,626
MacArthur Boulevard Extension, Springfield........ 113,441
McHenry County / Crystal Lake Road.................. 157,681
Route 178 relocation, Phase II Engineering.......... 456,337
Sheridan Road Improvements, Evanston................. 8,036

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Section 150. The sum of $83,500,205, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 145 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations.

Section 155. The sum of $37,186, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 150 of Public Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation for Pavement Preservation Programs.

Section 160. The sum of $110,007,255, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 155 of Public Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation for High Priority Projects (HPP) and Transportation Improvement Projects (TI) pertaining to local governments as designated in Public Law 109-59, Title I, Subtitle G, Section 1702 and Subtitle I, Section 1934 of the federal reauthorization act entitled SAFETEA-LU; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations. Specific project approximations appear in Article 101, Section 25 of Public Act 94-0798.

Section 165. The sum of $8,826,695, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from the reappropriation heretofore made in Article 37, Section 160 of Public Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation, Community and System Preservation (TCSP), Discretionary Interstate Maintenance and Surface Transportation Priorities earmarks pertaining to state and local governments as designated in the Consolidated Appropriation Act, 2008, Division K, Public Law 110-161; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations, as approximated in Article 35, Section 20 of Public Act 95-0734.

Section 170. The sum of $11,676,811, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 165 of Public Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation, Community and System Preservation (TCSP), Discretionary Interstate Maintenance, Federal Lands Highway Discretionary, and Surface Transportation Priorities earmarks pertaining to state and local governments as designated in the Omnibus Appropriations Act, 2009, Public Law 111-8; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations, as approximated in Article 2, Section 20 of Public Act 96-0039.

Section 175. The sum of $6,300,998, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 170 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation, for Transportation, Community and System Preservation (TCSP), Discretionary Interstate Maintenance, and Surface Transportation Priorities earmarks pertaining to state and local governments as designated in the Consolidated Appropriations Act, 2010, Public Law 111-11 117; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations.

Section 180. The sum of $14,443,154, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 175 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Federal Discretionary Program Awards provided for in the “Department of Defense and Full-Year Continuing

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Appropriations Act, 2011” – Public Law 112-10 (H.R. 1473) provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations. Specific project approximations appear in Article 20, Section 25 of Public Act 97-0725.

Section 185. The sum of $2,107,715, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 180 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Transportation Investment Generating Economic Recovery III (TIGER III) Program awards as provided for in the “Department of Defense and Full-Year Continuing Appropriations Act, 2011” – Public Law 112-10 (H.R. 1473) provided such amounts do not exceed funds made available by the federal government.

Section 190. The sum of $131,051, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 185 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Federal Emergency Relief Program awards provided for in the FFY2012 US DOT Appropriations Bill – Public Law 112-055, provided such amounts do not exceed funds made available by the federal government for the projects listed below.

Emergency Relief
US 20 from IL 35 in East Dubuque to east edge of Galena;
IL 78 from the south edge of Stockton to 5 miles south of JoDaviess/Carroll Co. line.

Section 195. The sum of $13,265,486, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 190 of Public Act 98-0050, as amended is reappropriated from the Road Fund to the Department of Transportation for Federal Discretionary Projects identified in Article 20, Section 26 of Public Act 97-0725 provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations obligations limitations or any other federal limitations (These amounts are in additional to amounts appropriated elsewhere).

Section 200. The sum of $181,821,916, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 195, of

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Public Act 98-0050, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, and fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program.

Section 205. The sum of $1,575,020,123, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 200 of Public Act 98-0050, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series D Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, and fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program.

Section 210. The sum of $200,258, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 205 of Public Act 98-0050, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for all expenses related to Phase II of the I-57/294 interchange in the County of Cook.

Section 215. The sum of $56,156,845, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014,
from the reappropriations heretofore made in Article 37, Section 210 and Section 215 of Public Act 98-0050, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 220. The sum of $13,030,626, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 220 of Public Act 98-0050, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 225. The sum of $90,180,980, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 225 of Public Act 98-0050, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.
parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 230. The sum of $294,484,640, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 230 of Public Act 98-0050, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 235. The sum of $497,408,635, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 36, Section 50 of Public Act 98-0050, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

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scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

GRADE CROSSING PROTECTION

Section 240. The sum of $126,322,913, or so much thereof as may be necessary and remains unexpended, at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 36, Section 55 and Article 37, Section 235 of Public Act 98-0050, as amended, is reappropriated from the Grade Crossing Protection Fund to the Department of Transportation for the installation of grade crossing protection or grade separations at places where a public highway crosses a railroad at grade, as ordered by the Illinois Commerce Commission, as provided by law.

AERONAUTICS

Section 245. The sum of $87,744,476, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 35, Section 5 and Article 37, Section 240 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for expenses associated with land acquisition for the South Suburban Airport.

Section 250. The sum of $8,844,302, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 35, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for expenses associated with land acquisition for the South Suburban Airport.

MULTI-MODAL LUMP SUMS

HIGHWAY CONSTRUCTION AND LAND ACQUISITION

Section 255. The sum of $3,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 22, Section 307 of Public Act 98-0050, as amended, is reappropriated from the Working Capital Revolving Loan Fund to the Department of Transportation for the purpose of making loans to disadvantaged business enterprises certified by IDOT for participation on IDOT-procured construction and construction-related projects under the provisions of the Disadvantaged Business Revolving Loan Program pursuant to Section 610 of the Department of Transportation Law.

Section 260. The sum of $36,942,455, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 250 of Public

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Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the High Priority Projects (HPP) and Transportation Improvement Projects (TI) specifically identified in Article 101, Section 25 of Public Act 94-0798, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 265. The sum of $79,389,898, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriations heretofore made in Article 37, Section 255 and Section 260 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program, including refunds.

Section 270. The sum of $201,723,848, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 265 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in
accordance with applicable laws and regulations for the state portion of the Road Improvement Program, including refunds.

Section 275. The sum of $201,486,635, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 270 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program, including refunds.

Section 280. The sum of $505,062,832, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 275 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the state portion of the Road Improvement Program, including refunds.

Section 285. The sum of $786,278,359, or so much thereof as may be necessary, and remains unexpended, at the close of business on June 30, 2014, from the appropriation heretofore made in Article 36, Section 60 of
Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the State and local portions of the Road Improvement Program, including refunds.

Section 290. The sum of $13,852,748, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 37, Section 280 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for all costs associated with the procurement of public private agreements pursuant to the provisions of the Public Private Agreements for the Illiana Expressway Act (605 ILCS 130) as amended, that enable the Illiana Expressway to be developed, financed, constructed, managed, or operated in an entrepreneurial and business-like manner.

Section 295. The sum of $331,219,373, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriations heretofore made in Article 37, Section 285 and 290 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 300. The sum of $87,014,430, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 295 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

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parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 305. The sum of $163,008,986, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 300 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 310. The sum of $186,527,683, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 305 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

Section 315. The sum of $416,912,189, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 36, Section 65 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program, including refunds.

New matter indicated by italics - deletions by strikeout
parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program including refunds.

Section 320. The sum of $839,073, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 310 of Public Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Transportation, Community and System Preservation (TCSP) and Discretionary Interstate Maintenance earmarks specifically identified in Article 35, Section 20a of Public Act 96-0734, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 325. The sum of $29,455,477, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 315 of Public Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations (Emergency Repair Program).

Section 330. The sum of $1,980,186, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 320 of Public Act 98-0050, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Transportation, Community and System Preservation (TCSP) and Discretionary Interstate Maintenance earmarks specifically identified in Article 2, Section 20 of Public Act 96-0039, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

New matter indicated by italics - deletions by strikeout
Section 335. The sum of $657,030, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 325 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation, for the local match of all other non-federally reimbursed expenses associated with the Transportation, Community and System Preservation (TCSP) and Discretionary Interstate Maintenance earmarks specifically identified in Article 50, Section 16 of Public Act 96-0035, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 340. The sum of $7,316,710, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 330 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Transportation Investment Generating Economic Recovery II (TIGER II) awards designated in Division A of the Consolidated Appropriations Act, 2010, Public Law 111-117 as identified and approximated in Article 10, Section 20 of Public Act 97-0076; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations.

Section 345. The sum of $3,200,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 335 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Transportation Investment Generating Economic Recovery II (TIGER II) awards specifically identified in Article 10, Section 20 of Public Act 97-0076, provided such amounts do not exceed funds made available and paid in to the Road Fund by local governments.

Section 350. The sum of $624,833, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 340 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Federal Discretionary Program Awards provided for in the “Department of Defense and Full-Year Continuing Appropriations Act, 2011” – Public Law 112-10 (H.R. 1473)

New matter indicated by italics - deletions by strikeout
earmarks specifically identified in Article 20 Section 25 of Public Act 97-0725, provided such amounts do not exceed funds made available and paid in to the Road Fund by local governments.

Section 355. The sum of $770,066; or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 345 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for the local match of all other non-federally reimbursed expenses associated with the Federal Discretionary Projects (specifically identified in Article 20 Section 26 of Public Act 97-025), provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments. (These amounts are in addition to amounts appropriated elsewhere).

Section 360. The sum of $31,703,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 36, Section 70 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for land acquisition, construction engineering and construction of the Milburn Bypass (US 45 from north of Milburn Road to north of Grass lake Road) provided that such amounts do not exceed amounts reimbursed by the local agency using Lake County Challenge bonds.

PUBLIC AND INTERMODAL TRANSPORTATION

Section 365. The sum of $19,709,388, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 350 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, provided such amounts not exceed funds made available by the federal government for this program.

Section 370. The sum of $10,440,000, or so much thereof as may be necessary, and remains unexpended, at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 355 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, as awarded from the Transportation Investment Generating Economic Recovery (TIGER) IV, as provided for in the “:consolidated and Further Continuing Appropriations Act of 2012” – P.L.
112-055, provided such amounts do not exceed funds made available by the Federal government.

Section 375. The sum of $266,304,247, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 360 of Public Act 98-0050, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program.

Section 380. The sum of $1,300,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the appropriation heretofore made in Article 36, Section 85 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the relocation of locally-owned utilities along federally-designated High Speed Rail Corridors in Illinois, provided that such amounts do not exceed funds to be made available and paid into the Road Fund pursuant to agreements executed between the Department of Transportation and the affected local governments.

MULTI-MODAL STIMULUS
HIGHWAY CONSTRUCTION AND LAND ACQUISITION

Section 385. The sum of $282,563,183, or so much thereof as may be necessary, less $250,000,000 to be lapsed from the unpaid balance, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 365 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations for the State portion, provided such amounts do not exceed

Section 390. The sum of $22,269,588, or so much thereof as may be necessary, less $10,000,000 to be lapsed from the unpaid balance, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 370 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the State and Local portion, provided such amounts not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 395. The sum of $17,072,880, or so much thereof as may be necessary, less $5,000,000 to be lapsed from the unpaid balance, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 375 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation to provide local funding for project expenses in excess of the Local portion of federal funds made available from the American Recovery and Reinvestment Act of 2009, provided such amounts do not exceed funds made available and paid into the Road Fund by the local governments.

PUBLIC TRANSIT

Section 400. The sum of $7,091,485, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 380 of Public Act 98-0050, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for capital, operating, consultant services, and technical assistance grants, state administration, and intergovernmental and interagency agreements, provided such amounts not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.

RAIL PASSENGER AND RAIL FREIGHT

New matter indicated by italics - deletions by strikeout
Section 405. The sum of $214,737,827, or so much thereof as may be necessary, less $100,000,000 to be lapsed from the unpaid balance, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 385 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, provided such amounts not exceed federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 410. The sum of $1,004,289,483, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 37, Section 395 of Public Act 98-0050, as amended, is reappropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for grants, construction, and all other costs relating to high speed rail projects in compliance with the American Recovery and Reinvestment Act of 2009, provided such amounts not exceed funds made available by the federal government for this purpose.

Section 415. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in:

Section 5    Permanent Improvements
Section 40   Series D – Local Govt Grants
Section 50   Series B - Aeronautics
Section 55   Series B - Transit
Section 60   Series B - Transit
Section 65   Series B - Transit
Section 70   Series B - Transit
Section 75   Series B - Transit
Section 80   Series B - Transit
Section 85   Series B - Transit
Section 90   Series B - Transit
Section 110  State Rail Freight Loan Repayment
Section 120  Series B - Rail
Section 125  Series B - Rail
Section 130  Series B - Rail
Section 135  Federal Rail Freight Loan Repayment
Section 200  Series A - Road Program
Section 205  Series D - Road Program
Section 245  Series B - Land Acquisition 3rd Airport

New matter indicated by italics - deletions by strikeout
Section 250  Series B - Land Acquisition 3rd Airport
Section 375  Series B - Transit
of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

Total, this Article $12,560,201,643

ARTICLE 14
CAPITAL DEVELOPMENT BOARD

Section 5. The sum of $23,654,704, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 5 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for grants awarded under the Community Health Center Construction Act.

Section 10. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 10 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for grants to school-based health centers that are operated by a Community Health Center as defined in the federal Public Health Service Act (42 U.S.C. 254b).

Section 15. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 38, Section 15 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Agriculture for the projects hereinafter enumerated:

ILLINOIS STATE FAIRGROUNDS - DUQUOIN
(From Article 38, Section 15 of Public Act 98-0050)

For completing the upgrade of the electrical distribution system, in addition to funds previously appropriated, and other capital improvements ... $100,759
For constructing a multi-purpose building, and other capital improvements......... 40,803

ILLINOIS STATE FAIRGROUNDS - SPRINGFIELD
For replacing the HVAC in the administration building................. $1,475,378
For replacing roofing systems – Administration Building and

New matter indicated by italics - deletions by strikeout
Lower Roof........................................ 195,361
Plan and begin electrical
system replacement........................... 28,521
For replacement of water and sewer
Service to various buildings, and other capital
Improvements.................................... 74,479
For an airlock addition to Metrology
(Weights and Measures) Lab, and other capital
improvements.................................... 52,791
STATEWIDE
For replacing roofs.......................... 322,345
Total $2,290,437

Section 20. The following named sums, or so much thereof as may be
necessary and remain unexpended at the close of business on June 30, 2014,
from reappropriations heretofore made for such purposes in Article 38,
Section 20 of Public Act 98-0050, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Courts of
Illinois for the projects hereinafter enumerated:

SPRINGFIELD - SUPREME COURT BUILDING
(From Article 38, Section 20 of Public Act 98-0050)
Plan and begin renovation of
Supreme Court Building....................... 10,585,276
For renovating the HVAC system on
the 3rd Floor, and other capital
improvements.................................... 140,000
For installing humidifier and water
filtration systems, and other capital
improvements................................... 1,067,796
APPELLATE COURT SECOND DISTRICT - ELGIN
For miscellaneous improvements............ 60,520
Total $11,853,592

Section 25. The following named sum, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 38, Section 25 of Public
Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the
Capital Development Board for the Courts of Illinois for the projects
hereinafter enumerated:

SUPREME COURT BUILDING - SPRINGFIELD
(From Article 38, Section 25 of Public Act 98-0050)

New matter indicated by italics - deletions by strikeout
For renovating the Library and completing HVAC, in addition to funds previously appropriated, and other capital improvements.......................... 182,856

Section 30. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 30 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:

CAPITOL COMPLEX - SPRINGFIELD
(From Article 38, Section 30 of Public Act 98-0050)
For upgrading fire alarm panels.................. 65,327
Plan/begin upgrade of high voltage distribution system............... 667,337

DRIVER SERVICES FACILITIES, NORTH, SOUTH AND WEST - CHICAGO
For HVAC upgrades.............................. 1,927,622
To upgrade electrical systems, and other capital improvements.......................... 117,144

HOWLETT BUILDING- SPRINGFIELD
For upgrading the North Patio for public safety......................... 423,974
For installing an emergency generator........... 52,048
For replacing roofing systems................. 10,079

ILLINOIS STATE LIBRARY- SPRINGFIELD
For replacing the roofing system................. 35,326

MOTOR VEHICLE SERVICES FACILITY - SPRINGFIELD
For upgrading the fire alarm and security systems, and other capital improvements.......................... 16,809

Total $3,315,666

Section 35. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 35 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:

CAPITOL COMPLEX – SPRINGFIELD

New matter indicated by italics - deletions by strikeout
(From Article 38, Section 35 of Public Act 98-0050)

For upgrading fire alarm systems in
two buildings, and other capital
improvements............................................. 17,992

Total $17,992

Section 40. The following named sums, or so much thereof as may be
necessary and remain unexpended at the close of business on June 30, 2014,
from reappropriations heretofore made for such purposes in Article 38,
Section 40 of Public Act 98-0050, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Department of
Central Management Services for the projects hereinafter enumerated:

STATEWIDE

(From Article 38, Section 40 of Public Act 98-0050)

For the renovation of state-owned property....... 102,339
For renovating state owned
property, and other capital
improvements............................................. 880,521

For upgrading the building security
system at the James R. Thompson Center
and the State of Illinois building
in addition to funds previously
appropriated, and other capital
improvements............................................. 655,000

For renovation of State-owned
property at the following
locations: Kenneth Hall Regional
Office Building, AIG (Franklin Complex)
Building, James R. Thompson Center,
Sangamo Complex (IEPA), Champaign Regional
Office Building (IEPA), Springfield
Regional Office Building, Natural
Resource Center (DNR) and Read -
Building (Elgin Mental Health Center), and other capital
improvements............................................. 130,990

CHICAGO MEDICAL CENTER - OFFICE AND LAB BUILDING

For installing an emergency generator
and upgrading the electrical system............. 296,885

For planning and beginning the renovation
of the facility, and other capital

New matter indicated by italics - deletions by strikeout
improvements................................................. 462,651

 COLLINSVILLE REGIONAL OFFICE COMPLEX
For replacing the roof............................... 1,012,947
To replace an emergency generator, and other capital improvements............................................. 180,811

 ELGIN REGIONAL OFFICE BUILDING
For upgrading the HVAC system.................... 2,367,392

 ILLINOIS CENTER FOR REHABILITATION AND EDUCATION (WOOD) - CHICAGO
For upgrading fire and safety systems, and other capital improvements............................................. 27,113

 JAMES R. THOMPSON CENTER - CHICAGO
For the purpose of emergency stone repair at the James R. Thompson Center........ 1,980,286
For planning and beginning electrical system and life safety system upgrades......... 434,892
For upgrading the HVAC system.................... 531,746
For installing an emergency generator, and other capital improvements......................... 3,545,000
For rehabilitating exterior columns, in addition to funds previously appropriated, and other capital improvements........................................ 11,692
For upgrading mechanical systems, in addition to funds previously appropriated, and other capital improvements........................................ 27,341

 KENNETH HALL REGIONAL OFFICE BUILDING – EAST ST. LOUIS
For design services for emergency parapet wall repairs, and other capital improvements........................................ 22,656

 MEDICAL CENTER (DCFS DISTRICT OFFICE) - CHICAGO
For replacing roof and upgrading mechanical and electrical systems, and other capital improvements............................................ 321,956

 MEDICAL CENTER (EDWARDS CENTER) - CHICAGO
For medical center (Edwards Center), and other capital improvements........................................ 184,899

 MICHAEL A. BILANDIC BUILDING, CHICAGO
For upgrading HVAC and domestic water system, and other capital improvements

New matter indicated by italics - deletions by strikeout
improvements........................................ 697,486

ROCKFORD REGIONAL OFFICE BUILDING
For replacing Halon and upgrading
the air conditioning, and other capital
improvements........................................ 162,614

SPRINGFIELD - RESEARCH AND COLLECTION CENTER
For expanding surplus warehouse, and other capital
improvements........................................ 73,584

SPRINGFIELD - COMPUTER FACILITY
For upgrading the computer room and the
electrical system, and other capital
improvements........................................ 23,421

SPRINGFIELD REGIONAL OFFICE BUILDING
For emergency cooling tower replacement
at 4500 S. Sixth Street Road, and other capital
improvements........................................ 56,864

SUBURBAN NORTH REGIONAL OFFICE FACILITY, DES PLAINES
For renovating office space, and other capital
improvements........................................ 92,465

Total ................................. $14,283,551

Section 45. The following named sum, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 38, Section 45, of Public
Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the
Capital Development Board for the Department of Central Management
Services for the project hereinafter enumerated:

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION
(ROOSEVELT) – CHICAGO
(From Article 38, Section 45 of Public Act 98-0050)
For upgrading the kitchen and plumbing, and other capital
improvements........................................ 185,838

Total ................................. $185,838

Section 50. The following named sums, or so much thereof as may be
necessary and remain unexpended at the close of business on June 30, 2014,
from reappropriations heretofore made for such purposes in Article 38,
Section 50 of Public Act 98-0050, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Department of
Natural Resources for the projects hereinafter enumerated:

BABE WOODYARD STATE NATURAL AREA -
VERMILION COUNTY
(From Article 38, Section 50 of Public Act 98-0050)
For developing the site and associated
land acquisition, and other capital
ingratulations........................................ 244,604
BIG RIVER STATE FOREST
For ADA improvements............................. 191,122
BUFFALO ROCK STATE PARK – LASALLE COUNTY
For replacing the septic system, in
addition to funds previously appropriated....... 58,023
CARLYLE LAKE STATE PARKS
For road and site improvements at
Carlyle Lake, and other capital
improvements.......................................... 1,477,424
For infrastructure and site
improvements at Carlyle Lake, and other capital
improvements........................................... 765,485
CARLYLE STATE FISH AND WILDLIFE AREA – FAYETTE
COUNTY
To replace Cox Bridge at Carlyle State
Fish and Wildlife Area, and other capital
improvements............................................. 550,000
FERNE CLYFFE STATE PARK - JOHNSON COUNTY
For replacing the campground
sewage treatment system, and other capital
improvements.............................................. 351,469
GIANT CITY STATE PARK - JACKSON COUNTY
For replacing the sewer treatment system....... 271,565
GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY
For replacing floating boardwalk, and other capital
improvements............................................. 24,604
HENNEPIN CANAL PARKWAY STATE PARK AND ACCESS AREA
For rehabilitating/repairing railroad
bridges, in addition to funds
previously appropriated, and other capital
improvements............................................. 851,685
HORSESHOE LAKE CONSERVATION AREA - ALEXANDER
COUNTY
For dam rehabilitation and the State's share

New matter indicated by italics - deletions by strikeout
to implement the ecological restoration plan in cooperation with the U.S. Army Corps of Engineers, and land acquisition, and other capital improvements............................................. 842,605

I & M Canal - CHANNAHON – GRUNDY COUNTY
For repair of the spillway, in addition to funds previously appropriated.................. 364,320
For replacing Lock 14 Bridge, and other capital improvements.......................... 298,397
For improving the DuPage River Spillway, and other capital improvements............. 853,884
For improving DuPage River Spillway, and other capital improvements................. 2,172

ILLINOIS BEACH STATE PARK - LAKE COUNTY
For stabilizing shoreline.............................................. 923,983
For replacing sanitary sewer line, and other capital improvements.......................... 8,196

JAKE WOLF MEMORIAL FISH HATCHERY
For replacing or upgrading electrical system.................................................. 33,008

MORAINE HILLS STATE PARK – MCHENRY COUNTY
For replacing yellow-head marshy dam culverts, and other capital improvements........ 376,926

PERE MARQUETTE STATE PARK – JERSEY COUNTY
For replacing lodge pool dehumidifier, in addition to funds previously appropriated.... 262,838
For design services to replace a lodge pool dehumidifier, and other capital improvements.............................. 19,813

PYRAMID STATE PARK
For renovating the Galum building for a mine rescue station................................. 808,670

RED HILLS STATE PARK – LAWRENCE COUNTY
For miscellaneous improvements............................................. 44,740

RESEARCH & COLLECTIONS CENTER - SPRINGFIELD
For renovating the interior, and other capital improvements.................................. 17,796

ROCK CUT STATE PARK - WINNEBAGO COUNTY

New matter indicated by italics - deletions by strikeout
For rehabilitating water and sewer system........................................... 11,615

SILOAM SPRINGS STATE PARK – ADAMS COUNTY
For rehabilitating office/service area, and other capital improvements........................................... 1,119,114

STEPHEN A. FORBES STATE PARK, MARION COUNTY
For replacing dump and fish cleaning stations, in addition to funds previously appropriated............................... 9,397
For design services to replace dump and fish cleaning stations, and other capital improvements........................... 22,794

WORLD SHOOTING COMPLEX – SPARTA
For infrastructure improvements................... 45,910

SPRINGFIELD
For constructing an office building and interpretive center, and other capital improvements............................... 166,153

STARVED ROCK STATE PARK AND LODGE
For replacing roofing systems............................... 7,457

WAYNE FITZGERRELL STATE RECREATION AREA
For replacing roofs............................... 149,768

WHITE PINES FOREST STATE PARK - OGLE COUNTY
For completing the replacement of the sewer system, in addition to funds previously appropriated, and other capital improvements............................... 10,907

WILDLIFE PRAIRIE PARK
For rehabilitating the sewage treatment plant, or a grant to Friends of Wildlife Prairie Park for the same purpose, and other capital improvements............................... 673,154
For upgrading sewage treatment plant, or a grant to Friends of Wildlife Prairie Park for the same purpose, and other capital improvements............................... 1,032,000

STATEWIDE
For replacing/repairing the roofing systems

New matter indicated by italics - deletions by strikeout
at the following locations at the approximate cost set forth below, and other capital improvements.................................................. 245,000

Clinton Lake Recreational Area - DeWitt County............ 65,000
Ferne Clyffe State Park- Johnson County................... 20,000
Hennepin Canal Parkway State Park.......................... 26,000
Lake Le-Aqua-Na State Park- Stephenson County.......... 39,000
Mermet Lake Conservation Area- Massac County........... 95,000

For replacing/repairing the roofing systems at the following locations at the approximate costs set forth below, and other capital improvements................................................. 115,267

Starved Rock State Park & Lodge-LaSalle County.......... 4,726
Kaskaskia River Fish & Wildlife Area-Randolph County.... 19,500
Pyramid State Park- Perry County............................ 4,109
Region V Office (Benton) Franklin County...................... 86,932

For rehabilitating dams and bridges, and other capital improvements................................................................. 116,946

For constructing, replacing and renovating lodges and concession buildings, and other capital improvements.................................................. 878,761

For replacing roofs at the following locations, at the approximate cost set forth below, and other capital improvements................................................... 134,931

Shabbona Lake State Park............ 40,850
Hennepin Canal Parkway State Park... 15,750
Randolph Fish & Wildlife Area....... 32,271
Dixon Springs State Park............. 46,060

For replacing and constructing vault

New matter indicated by italics - deletions by strikeout
toilets at the following locations, at the approximate cost set forth below, and other capital improvements

Hennepin Canal Parkway State Trail

For rehabilitating dams at the following locations, at the approximate cost set forth below, and other capital improvements

Rock Cut State Park

For replacing roofs at the following locations, at the approximate cost set forth below, and other capital improvements

Southern IL Arts & Crafts Center
Frank Holten State Park
DNR Geological Survey-Champaign
Sangchris Lake State Park
Illini State Park
Shelbyville Fish & Wildlife Area
Trail of Tears State Forest
Sanganois Conservation Area
Rice Lake State Park
Hidden Spring State Park
Siloam Springs State Park
Mississippi Palisades State Park

For replacing vault toilets at the following locations, at the approximate cost set forth below, and other capital improvements

Anderson Lake Conservation Area - Fulton/Schuylar Counties
Giant City State Park - Jackson/Union Counties
Randolph County Conservation Area
Silver Springs State Park - Kendall County

For constructing hazardous material storage
buildings, and other capital improvements.......................... 9,935
For constructing vault toilets at the following locations at the approximate cost set forth below, and other capital improvements.......................... 137,897
Apple River Canyon State Park....... 19,699
Des Plaines Conservation Area....... 19,700
Kankakee River State Park......... 19,700
Lake Le-Aqua-Na State Park....... 19,699
Marshall County Conservation Area... 19,700
Morrison-Rockwood State Park....... 19,699
Rice Lake Conservation Area........ 19,700
For planning, construction, reconstruction, land acquisition and related costs, utilities, site improvements, and all other expenses necessary for various capital improvements at parks, conservation areas, and other facilities under the jurisdiction of the Department of Natural Resources, and other capital improvements.......................... 415,159
Total $15,631,038

Section 55. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 55 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Natural Resources for the project hereinafter enumerated:

GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY
(From Article 38, Section 55 of Public Act 98-0050)
For rehabilitating visitor's center exterior, and other capital improvements.......................... 23,345
Total $23,345

Section 60. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 38, Section 60 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Corrections for the projects hereinafter enumerated:

New matter indicated by italics - deletions by strikeout
CENTRALIA CORRECTIONAL CENTER
(From Article 38, Section 60 of Public Act 98-0050)
For replacing roofing systems, and other capital improvements.......................... 538,030
For replacing the cooling tower, and other capital improvements.......................... 201,948
To upgrade a sewage treatment plant, and other capital improvements..................... 66,918

DIXON CORRECTIONAL CENTER
For replacing the fire alarm system.............. 452,286
For planning the upgrade and expansion of the medical care facility, and other capital improvements.................................................. 24,127

EAST MOLINE CORRECTIONAL CENTER
For upgrading the roofing system, and other capital improvements.......................... 405,451

GRAHAM CORRECTIONAL CENTER
For upgrading the mechanical system, and other capital improvements.......................... 14,439

HARDIN COUNTY WORK CAMP
To upgrade a sewage treatment plant, and other capital improvements.......................... 23,581

ILLINOIS RIVER CORRECTIONAL CENTER – CANTON
For replacing domestic hot water heater, in addition to funds previously appropriated........ 239,698

ILLINOIS YOUTH CENTER - HARRISBURG
For constructing a multi-purpose medical, vocational and confinement building and other improvements, and other capital improvements.......................... 322,181
For utility upgrade, including gas and sewer, and other capital improvements.................. 4,538,856

ILLINOIS YOUTH CENTER - ST. CHARLES
For constructing an R & C building and other capital improvements.................. 61,222

JACKSONVILLE CORRECTIONAL CENTER
For upgrading the fire alarm system.............. 435,275

New matter indicated by italics - deletions by strikeout
LINCOLN CORRECTIONAL CENTER
For upgrading the building automation system............................. 2,030,596
For replacing doors and locks, and other capital improvements.......................... 31,592

LOGAN CORRECTIONAL CENTER
For replacing housing unit roofs.............................. 45,732
For planning and beginning the upgrade of the power plant, and other capital improvements.......................... 155,805
For renovating the electrical distribution system, and other capital improvements.......................... 67,033
For constructing a medical building and dietary building, and other capital improvements.......................... 722,098

MENARD CORRECTIONAL CENTER - CHESTER
For repairs and upgrades, and other capital improvements.......................... 8,929,600
For replacing the Administration Building, and other capital improvements.......................... 2,398
For replacing toilets and waste lines at E/W Cell house and upgrade North Cell house plumbing, and other capital improvements.......................... 364,351
For renovation or replacement of the Old Hospital Building, in addition to funds previously appropriated, and other capital improvements.......................... 35,574
For planning and construction of the Administration Building, and other capital improvements.......................... 15,338

PONTIAC CORRECTIONAL CENTER
For replacing doors and frames, and other capital improvements.......................... 1,620,000

SHAWNEE CORRECTIONAL CENTER
For replacing the emergency generator, and other capital improvements.......................... 44,867

SOUTHWESTERN CORRECTIONAL CENTER

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0675

For replacing the roofing system.................  68,902

STATEVILLE CORRECTIONAL CENTER - JOLIET
For replacing the X House locks.................  492,960
For the emergency compressor
failure at Stateville RNC and
other improvements.............................  865,123
For replacing doors and locks, and other capital
improvements.....................................  580,000
For replacing windows in B House, and other capital
improvements.....................................  126,480
For replacing power plant and
utility distribution system, and other capital
improvements.....................................  17,454
For upgrading electrical system and elevator
and installing HVAC system, and other capital
improvements.....................................  82,560

TAYLORVILLE CORRECTIONAL CENTER
For replacing operators and
main gates, in addition to
funds previously appropriated....................  34,242

VANDALIA CORRECTIONAL CENTER
For an emergency generator.......................  773,600
For replacing roofing systems......................  801,095
For constructing a multi-purpose program
building, and other capital
improvements.....................................  90,656
For converting Administration Building and
planning construction of an Administration/
Health Care Unit and other improvements........  308,406
For replacement of roofing system, and other capital
improvements.....................................  37,409

VIENNA CORRECTIONAL CENTER
For replacing windows............................  2,118,000
For replacing roofing systems.....................  23,987
For replacing the cooler and freezer, and other capital
improvements.....................................  356,663
For upgrading the power plant, and other capital
improvements.....................................  20,234
For upgrading the HVAC system and replacing

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>water lines in six housing units, and other capital improvements</td>
<td>423,601</td>
</tr>
<tr>
<td>For emergency roof replacement on various buildings, and other capital improvements</td>
<td>145,698</td>
</tr>
<tr>
<td><strong>STATEWIDE</strong></td>
<td></td>
</tr>
<tr>
<td>For the purpose of funding all costs associated with constructing an X-House</td>
<td>822,598</td>
</tr>
<tr>
<td>For the purpose of funding all costs associated with constructing a Centralized Medical and Long-Term Care Facility</td>
<td>4,175,151</td>
</tr>
<tr>
<td>For replacing doors and locks, and other capital improvements</td>
<td>1,015,137</td>
</tr>
<tr>
<td>For upgrading water towers, and other capital improvements</td>
<td>1,441,865</td>
</tr>
<tr>
<td>For planning, design, construction, equipment and all other necessary costs for a security facility, and other capital improvements</td>
<td>66,993,574</td>
</tr>
<tr>
<td>For planning a security facility and land acquisition, and other capital improvements</td>
<td>2,629,428</td>
</tr>
<tr>
<td>For replacing roofing systems, and other capital improvements</td>
<td>111,921</td>
</tr>
<tr>
<td>For replacing or upgrading security and monitoring systems, and other capital improvements</td>
<td>278,707</td>
</tr>
<tr>
<td>For planning and replacing windows, and other capital improvements</td>
<td>2,226,942</td>
</tr>
<tr>
<td>For replacing security fencing, and other capital improvements</td>
<td>292,225</td>
</tr>
<tr>
<td>For planning, design, construction, equipment and all other necessary costs for a correctional center, and other capital improvements</td>
<td>54,713,919</td>
</tr>
<tr>
<td>For replacing roofing systems, and other capital improvements</td>
<td>125,451</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For upgrading fire and safety systems, in addition to funds previously appropriated.............. 1,162,289
For renovating Housing Units, in addition to funds previously appropriated, and other capital improvements............................................ 270,000
For renovating buildings, in addition to funds previously appropriated, and other capital improvements............................................. 274,847
For renovation of buildings, and other capital improvements.............................................. 30,261
For repair and replacement of roofing systems, and other capital improvements......................................................... 10,221
Total                                                                                     $165,330,602

Section 65. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purpose in Article 38, Section 65, of Public Act 98-0050, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Corrections for the projects hereinafter enumerated:

BIG MUDDY CORRECTIONAL FACILITY
(From Article 38, Section 65 of Public Act 98-0050)
For replacing door locking controls and intercom systems, and other capital improvements......................................................... 2,221,298

STATEVILLE CORRECTIONAL CENTER
For installing fire alarm systems, and other capital improvements......................................................... 1,600,000
Total                                                                                     $3,821,298

Section 70. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 38, Section 70 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the projects hereinafter enumerated:

ILLINOIS YOUTH CENTER – KEWANEE
For replacing the sprinkler system.................. 1,757,792

ILLINOIS YOUTH CENTER - PERE MARQUETTE
For replacing roofs........................................ 109,102

New matter indicated by italics - deletions by strikeout
ILLINOIS YOUTH CENTER - ST. CHARLES
For upgrading HVAC system.......................... 31,724

STATEWIDE
(From Article 38, Section 70 of Public Act 98-0050)
For replacing roofs, in addition
to funds previously appropriated............... 26,089
Total $1,924,707

Section 75. The sum of $174,139, or so much thereof as may be
necessary, and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 38,
Section 75 of Public Act 98-0050, is reappropriated from the Capital
Development Fund to the Capital Development Board for the Illinois
Emergency Management Agency for costs associated with a new State
Emergency Operations Center, and other capital improvements.

Section 80. The following named sums, or so much thereof as may be
necessary and remain unexpended at the close of business on June 30, 2014,
from reappropriations heretofore made for such purposes in Article 38,
Section 80 of Public Act 98-0050, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Historic
Preservation Agency for the projects hereinafter enumerated:

BLACK HAWK STATE HISTORIC SITE – ROCK ISLAND
(From Article 38, Section 80 of Public Act 98-0050)
For renovating a retaining wall and two
shelters, and other capital
improvements ................................. 179,432

CAHOKIA MOUNDS HISTORIC SITE - COLLINSVILLE
For replacement of Monk's Mounds stairs
and other capital improvements............... 211,080
For restoration of Monk's Mound
and other capital improvements............... 606,489
For purchasing private land within historic
site boundary and other capital improvements.... 189,979
To create a new entrance around existing
bronze artwork doors and other capital
improvements................................. 67,301

DANA THOMAS HOUSE STATE HISTORIC SITE
To rehabilitate the interior and exterior
at Dana Thomas House State Historic Site....... 584,556

JARROT MANSION STATE HISTORICAL SITE

New matter indicated by italics - deletions by strikeout
For restoring the mansion, site improvements and land acquisition, in addition to funds previously appropriated, and other capital improvements.................................. 1,447,021

LINCOLN-HERNDON LAW OFFICE - SPRINGFIELD
For purchase and restoration of the Tinsley Shop. 955,289
LINCOLN LOG CABIN STATE HISTORIC SITE, COLES COUNTY
To replace a sewer system at Historic Site, and other capital improvements....................... 11,918

LINCOLN'S TOMB/VIETNAM MEMORIAL - SPRINGFIELD
For rehabilitating site and providing irrigation system, and other capital improvements..................................... 93,965

LINCOLN'S TOMB - SPRINGFIELD
For renovating the interior...................... 617,337
LINCOLN'S NEW SALEM HISTORIC SITE - MENARD COUNTY
For providing electrical at campgrounds, and other capital improvements................................. 110,444

LINCOLN'S TOMB - SPRINGFIELD
For renovating the interior...................... 617,337
LINCOLN PRESIDENTIAL CENTER - SPRINGFIELD
For constructing library and museum complex, in addition to funds previously appropriated, and other capital improvements...................................... 2,492,582

OLD STATE CAPITOL - SPRINGFIELD
For repairing elevators, and other capital improvements.............................................. 387,464

UNION STATION - SPRINGFIELD
For purchasing and rehabilitating, and other capital improvements........................................ 21,721

STATEWIDE
For statewide ISTEA 21 Match, and other capital improvements................................. 320,016
For matching ISTEA federal grant funds, and other capital improvements................................. 3,118
Total $8,299,712

Section 85. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 85, of Public Act 98-0050, are reappropriated from the Build Illinois Bond Fund to the

New matter indicated by italics - deletions by strikeout
Capital Development Board for the Historic Preservation Agency for the projects hereinafter enumerated:

MT. PULASKI COURTHOUSE HISTORIC SITE - LOGAN COUNTY
(From Article 38, Section 85 of Public Act 98-0050)
For rehabilitating interior & exterior, and other capital improvements..................................... 24,118

PULLMAN HISTORIC SITE
For all costs associated with the stabilization and restoration of the Pullman Historic Site, and other capital improvements........................................... 643,029
Total $667,147

Section 90. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 38, Section 90 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Human Services for the projects hereinafter enumerated:

ALTON MENTAL HEALTH CENTER - MADISON COUNTY
(From Article 38, Section 90 of Public Act 98-0050)
For life/safety improvements.......................... 67,119
For renovating the Forensic Complex and constructing two building additions, in addition to funds previously appropriated, and other capital improvements................. 3,900,000
For constructing two building additions at the Forensic Complex, and other capital improvements......................... 5,593,446
For rehabilitation of the central dietary, and other capital improvements................................. 9,179

CHESTER MENTAL HEALTH CENTER
For completing the replacement of smoke and heat detectors, in addition to funds previously appropriated, and other capital improvements................................. 440,000
For upgrading HVAC systems, and other capital improvements............................................. 144,664
For replacing smoke/heat detectors, and other capital improvements.......................... 37,133

New matter indicated by italics - deletions by strikeout
CHICAGO-READ MENTAL HEALTH CENTER - CHICAGO
For renovating Unit J-East for forensic use, in addition to funds previously appropriated................. 2,934,210
For replacing the emergency generator.................................................. 186,910

CHOATE MENTAL HEALTH AND DEVELOPMENTAL CENTER - ANNA
For upgrading the fire alarm system.......... 1,694,805
For life/safety improvements.................. 7,101,649
For renovating Sycamore Hall, and other capital improvements.......................... 94,930
For renovating Sycamore, and other capital improvements............................. 4,385,000

ELGIN MENTAL HEALTH CENTER - KANE COUNTY
For converting the Read Building for office space, in addition to funds previously appropriated................ 116,251
For replacing power plant and engineering building, and other capital improvements........................ 4,925,502
For renovating the central dietary and kitchen, and other capital improvements................................. 3,704,073
For construction of roads, parking lots and street lights, and other capital improvements..................... 133,664

FOX DEVELOPMENTAL CENTER - DWIGHT
For upgrading fire/life safety systems.......... 224,168
For replacing and repairing interior doors, flooring and walls, in addition to funds previously appropriated, and other capital improvements................................. 249,122
For planning and beginning replacement of interior doors and flooring and repairing walls in the Main and Administration Buildings, and other capital improvements................................. 35,888

ILLINOIS SCHOOL FOR THE DEAF - JACKSONVILLE

New matter indicated by italics - deletions by strikeout
For replacing the roof on the main building and renovating the bathrooms in three dormitories .......................... 663,716
For installing sprinkler systems in the dormitories and elementary buildings .......................... 2,160,549
For renovating the High School Building Phase II, and other capital improvements .......................... 135,066
For renovating High School Building, and other capital improvements .......................... 96,859

ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED - JACKSONVILLE
For replacing roofs .................................. 69,156
For renovating auditorium, classroom and administration buildings, and other capital improvements .......................... 2,026,155
For renovating classrooms in Building 17, and other capital improvements .......................... 1,250,724
For renovations to the powerhouse, boilers and associated coal and ash equipment, and other capital improvements .......................... 37,501
For renovating the power house, and other capital improvements .......................... 656,458

KILEY DEVELOPMENTAL CENTER - WAUKEGAN
For improving power reliability and installing emergency lighting, in addition to funds previously appropriated .......................... 385,141
For upgrading Building C ceiling .......................... 131,982
For converting the facility to natural gas, in addition to funds previously appropriated, and other capital improvements .......................... 112,391
For renovating homes, Phase II, in addition to funds previously appropriated, and other capital improvements .......................... 77,343

LUDEMAN DEVELOPMENTAL CENTER - PARK FOREST
For upgrading the electrical panel, and other capital

New matter indicated by italics - deletions by strikeout
improvements................................................. 175,717
For repairing and replacing furnaces and
duct work, in addition to funds previously
appropriated, and other capital
improvements................................................. 41,569
For renovating residential and neighborhood
homes, in addition to funds previously
appropriated, and other capital
improvements................................................. 73,252
For replacing plumbing, HVAC and boiler systems, and other
capital improvements........................................ 47,586
For renovation of residential buildings,
in addition to funds previously appropriated, and other
capital improvements........................................ 45,810

MABLEY DEVELOPMENTAL CENTER - DIXON
For replacing mechanicals and upgrading
the fire alarm systems, and other capital
improvements................................................. 38,440

MADDEN MENTAL HEALTH CENTER - HINES
For renovating residential pavilions,
in addition to funds previously appropriated.... 477,158
For renovating pavilions and
administration building for safety/security, in addition to
funds previously appropriated, and other capital
improvements................................................. 146,513
For renovating dietary, and other capital
improvements................................................. 729,885
For renovation of pavilions, in addition
to funds previously appropriated, and other capital
improvements................................................. 34,903

MCFARLAND MENTAL HEALTH CENTER - SPRINGFIELD
For upgrading fire alarm system............... 1,668,072
For replacing roofs – Kennedy and
Administration Building............................ 773,136

MURRAY DEVELOPMENTAL CENTER - CENTRALIA
For completing the renovation of
the boiler house, in addition to
funds previously appropriated, and other capital

New matter indicated by italics - deletions by strikeout
improvements.................................. 2,991,120

SHAPIRO DEVELOPMENTAL CENTER - KANKAKEE

For replacing the sewer system in south campus, and other capital improvements.................................. 2,056,004

For planning and beginning renovation of dietary, and other capital improvements.................................. 203,263

For work necessary to remedy fire damper deficiencies, and other capital improvements.................................. 117,020

For replacing water mains and valves, in addition to funds previously appropriated, and other capital improvements.................................. 210,015

STATEWIDE

For replacing roofing systems, and other capital improvements.................................. 244,866

For replacing and repairing roofing systems, and other capital improvements.................................. 35,240

For replacing and repairing roofing systems, and other capital improvements.................................. 558,859

For repairing or replacing roofs, and other capital improvements.................................. 188,248

For replacing and repairing roofing systems, and other capital improvements.................................. 58,410

For replacement of roofing systems, and other capital improvements.................................. 118,670

For completing various capital improvements.................................. 366,920

For renovating residences, and other capital improvements.................................. 85,209

For upgrading fire/life safety systems............. 36,636

For planning and beginning the renovation of the power house, and other capital improvements.................................. 37,297

For various capital improvements, including planning and construction of transitional or residential homes, and other capital

New matter indicated by italics - deletions by strikeout
For upgrading fire alarm systems, and other capital improvements.......................... 527,150
For renovating dietary and stores, and other capital improvements.......................... 47,651
For renovating mechanicals and residential areas, and other capital improvements............... 55,334
For completing the upgrade of fire and life/safety issues, in addition to funds previously appropriated, and other capital improvements............................... 691,943
Total 600,000

Section 95. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 38, Section 95 of Public Act 98-0050, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Human Services for the project hereinafter enumerated:

ILLINOIS SCHOOL FOR THE DEAF – JACKSONVILLE
(From Article 38, Section 95 of Public Act 98-0050)
For replacing dorm doors, and other capital improvements................................. 1,945,671

FOX DEVELOPMENTAL CENTER - DWIGHT
For renovating the water treatment plant, and other capital improvements.......................... 678,331

STATEWIDE
For upgrading the mechanicals in the power plant, in addition to funds previously appropriated, and other capital improvements.............................. 45,582
For repair and/or replacement of roofs, and other capital improvements.......................... 61,150
Total $2,730,734

Section 100. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 100 of Public Act 98-0050, are reappropriated from the Capital Development Fund
to the Capital Development Board for the Illinois Medical District Commission for the projects hereinafter enumerated:

**ILLINOIS MEDICAL DISTRICT COMMISSION - CHICAGO**

(From Article 38, Section 100 of Public Act 98-0050)

For upgrading utility and infrastructure,
in addition to funds previously appropriated, and other
capital improvements........................................... 412,685

For upgrading core utilities, and other capital
improvements................................................... 101,289

For upgrading research center, and other capital
improvements................................................... 346,714

**Total** $860,688

Section 105. The following named sums, or so much thereof as may
be necessary and remain unexpended at the close of business on June 30,
2014, from reappropriations heretofore made for such purposes in Article 38,
Section 105 of Public Act 98-0050, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Department of
Military Affairs for the projects hereinafter enumerated:

**BLOOMINGTON ARMORY - McLEAN COUNTY**

(From Article 38, Section 105 of Public Act 98-0050)

For rehabilitating the mechanical/electrical
systems and renovating the interior, and other capital
improvements............................................... 17,260

**CAMP LINCOLN - SPRINGFIELD**

For construction of a military academy
facility, and other capital
improvements............................................... 39,188

**ELGIN ARMORY - KANE COUNTY**

For upgrading the interior and exterior, and other capital
improvements............................................... 32,395

**MACOMB ARMORY - McDONOUGH**

For replacing the mechanical and electrical
systems and installing a kitchen, and other capital
improvements............................................... 73,371

**NORTH RIVERSIDE ARMORY**

For rehabilitating the interior and
exterior, and other capital
improvements............................................... 14,648

**NORTHWEST ARMORY - CHICAGO**

New matter indicated by italics - deletions by strikeout
For upgrading the electrical system, and other capital improvements................................. 2,357,297
For replacing the mechanical systems, and other capital improvements................................. 46,187

SYCAMORE ARMORY
For replacing the electrical system, renovating the interior and installing air conditioning, and other capital improvements................................. 22,310

STATEWIDE
For capital improvements to the Lincoln’s ChalleNGe Academy......................... 36,258,578
For constructing an army aviation support facility........................................ 5,648,580
To complete construction and Purchase equipment for the Shiloh, Mt. Vernon, and Carbondale Readiness Center........................................... 213,399
Total $44,723,213

Section 110. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 110 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Military Affairs for the project hereinafter enumerated:

LAWRENCEVILLE ARMORY
(From Article 38, Section 110 of Public Act 98-0050)
For rehabilitating the exterior and replacing roofing systems, and other capital improvements........................................ 176,837
Total $176,837

Section 115. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 38, Section 115 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Revenue for the projects hereinafter enumerated:

WILLARD ICE BUILDING - SPRINGFIELD
(From Article 38, Section 115 of Public Act 98-0050)

New matter indicated by italics - deletions by strikeout
For repairing emergency generator.................. 54,137
For renovation of the parking ramp............... 369,310
For completing the upgrade of
building management controls,
in addition to funds
previously appropriated, and other capital
improvements..................................... 400,000
For replacing the dock exhaust system, and other capital
improvements..................................... 172,722
For upgrading building management
Controls and other improvements, and other capital
improvements..................................... 3,495,466
For upgrading the plumbing system, and other capital
improvements..................................... 908,359
For renovating the interior and
upgrading HVAC and other improvements, and other capital
improvements..................................... 2,847,517
Total $8,247,511

Section 120. The following named sum, or so much thereof as may
be necessary and remain unexpended at the close of business on June 30,
2014, from a reappropriation heretofore made for such purpose in Article 38,
Section 120 of Public Act 98-0050, is reappropriated from the Build Illinois
Bond Fund to the Capital Development Board for the Department of Revenue
for the project hereinafter enumerated:

WILLARD ICE BUILDING – SPRINGFIELD
(From Article 38, Section 120 of Public Act 98-0050)
For completing the upgrade of the
Plumbing System, and other capital
improvements..................................... 600,000
Total $600,000

Section 125. The following named sums, or so much thereof as may
be necessary and remain unexpended at the close of business on June 30,
2014, from reappropriations heretofore made for such purposes in Article 38,
Section 125 of Public Act 98-0050, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Department of
State Police for the projects hereinafter enumerated:

AMERICAN GENERAL BUILDING - SPRINGFIELD
(From Article 38, Section 125 of Public Act 98-0050)
For installing an emergency generator

New matter indicated by italics - deletions by strikeout
and various improvements....................... 1,384,660

METRO-EAST FORENSIC LAB - BELLEVILLE
For constructing a new forensic lab in Belleville, in addition to funds previously appropriated.......... 18,083,205
For constructing new forensic lab, in addition to funds previously appropriated...... 1,253,651
For planning and beginning the construction of a Metro East forensic laboratory, in addition to funds previously appropriated............... 750,000

EFFINGHAM DISTRICT 12
For Effingham District 12 Firing Range, and other capital improvements................................. 61,586

CHICAGO FORENSIC LABORATORY
For planning and beginning the construction of an addition to the Chicago Forensic Laboratory, and other capital improvements.............................. 1,129,393

SPRINGFIELD ARMORY
For planning and design of the rehabilitation and site improvements of the Springfield Armory, in addition to funds previously appropriated, and other capital improvements............................... 352,523

STATE POLICE TRAINING ACADEMY - SPRINGFIELD
For planning and beginning the construction of an addition to the CODIS Laboratory and other improvements, and other capital improvements............................. 277,750

ULLIN DISTRICT 22
For emergency roof and interior and exterior repairs, and other capital improvements.......................... 71,651

STATEWIDE
For replacing communications towers equipment and tower buildings, and other capital improvements.......................... 539,005
For replacing radio communication towers,

New matter indicated by italics - deletions by strikeout
equipment buildings and installing emergency power generators at the following locations at the approximate costs set forth below, and other capital improvements.

Harlem & Irving – Cook County........ 62,500
Savanna – Carroll County.............. 62,500
Fairfield – Wayne County.............. 62,500
Niota – Hancock County.............. 62,500

Total $24,153,424

Section 130. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 38, Section 130 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Veterans' Affairs for the projects hereinafter enumerated:

ANNA VETERAN’S HOME
(From Article 38, Section 130 of Public Act 98-0050)
To plan and begin the construction of a 40-50 bed addition......... 129,638

LASALLE VETERAN’S HOME – LASALLE COUNTY
For the replacement of the galvanized water piping.................. 87,600

MANTENO VETERANS' HOME - KANKAKEE COUNTY
For replacing air conditioner chillers, and other capital improvements........................ 26,537
For replacing condensing units, and other capital improvements........................ 65,237
For upgrading or construction of roads and parking lots, and other capital improvements........................ 28,785
For planning and constructing additional storage and support areas, and other capital improvements........................ 73,248
For upgrading storm sewer, and other capital improvements........................ 97,768

QUINCY VETERANS' HOME - ADAMS COUNTY
For repairs and upgrades........................ 2,973,146
For planning and beginning

New matter indicated by italics - deletions by strikeout
renovation of Kent, Shapers
and Elmore, in addition
to funds previously appropriated............... 841,162
For constructing a bus and
ambulance garage and other capital improvements. 268,331
For improvements to various buildings
and replacement of Fletcher Building
to meet licensure standards, and other capital
improvements.................................. 1,427,900
To replace a chimney stack and ash handling
system, and other capital
improvements................................ 168,414
STATEWIDE
For the construction of a 200-bed
veterans’ home facility, in addition
to funds previously appropriated.............. 48,500,000
For planning and beginning the
Construction of a skilled care
Veterans’ home..................................... 2,000,000
For the construction of a 200-bed
veterans’ home facility, in addition
to funds previously appropriated............ 10,537,555
Total ........................................... $67,225,321
Section 135. The following named sums, or so much thereof as may
be necessary and remain unexpended at the close of business on June 30,
2014, from reappropriations heretofore made for such purposes in Article 38,
Section 135 of Public Act 98-0050, are reappropriated from the Capital
Development Fund to the Capital Development Board for the Office of the
Attorney General for the projects hereinafter enumerated:
ATTORNEY GENERAL BUILDING - SPRINGFIELD
(From Article 38, Section 135 of Public Act 98-0050)
For renovating and waterproofing terrace........ 66,953
For replacing electronic ballasts............... 784,256
For replacing the roof......................... 44,824
Total ........................................... $896,033
Section 140. The sum of $2,282,202, or so much thereof as may be
necessary and remain unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 38, Section 140 of Public
Act 98-0050, to the Capital Development Board for the Department of

New matter indicated by italics - deletions by strikeout
Corrections for the Illinois Youth Center – Rushville for planning, design, construction, equipment and all other necessary costs to add a cell house, and other capital improvements, is reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Human Services for the same purpose.

Section 145. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from appropriations and reappropriations heretofore made for such purposes in Article 38, Section 145 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the projects hereinafter enumerated:

CHICAGO
(From Article 38, Section 145 of Public Act 98-0050)
For expanding and renovating the
Bio-Safety 3 Laboratory for the
Department of Public Health, and other capital improvements........................................ 160,356

ATTORNEY GENERAL BUILDING - SPRINGFIELD
For upgrading the snow melt system at the Attorney General Building, and other capital improvements........................................ 66,116
For upgrading environmental equipment and HVAC, in addition to funds previously appropriated - Archives Building, and other capital improvements........................................ 35,633

STATEWIDE
For American with Disabilities Act (ADA) upgrades at the following locations at the approximate cost set forth below .................. 1,575,375
DNR – I & M Canal Corridor ................. 1,614,200
IBHE – Eastern Illinois University............. 1,819,039
For providing construction contingency for the following projects at the approximate cost set forth below, in addition to funds previously appropriated .................. 773,500
LINCOLN’S TOMB HISTORIC SITE -

New matter indicated by italics - deletions by strikeout
Rehab site/Provide irrigation system.......................... 85,600

MICHAEL BILANDIC BUILDING -
Upgrade HVAC and Domestic Water System.......................... 184,700

SUBURBAN NORTH REGIONAL OFFICE FACILITY -
Renovate for Office Space.......................... 300,200

SECRETARY OF STATE -
Upgrade Electrical Systems at three Motor Vehicle Facilities.............. 203,000

For all costs associated with
a timekeeping and payroll system,
including prior year costs.................. 301,122

For emergencies and abatement of
hazardous materials, in
addition to funds previously appropriated.... 1,002,048

For escalation costs for state
facility projects, in addition
to funds previously appropriated........ 14,089,755

For escalation and emergencies for
higher education projects, in
addition to funds previously appropriated.... 23,353,319

For improving energy efficiency, and other capital improvements...................... 56,107

For Emergency Repairs and Hazardous Material Abatement at State-Owned Facilities, State Universities, and Community Colleges, and other capital improvements.......................... 129,625

For the purposes of capital planning
and condition assessment and analysis of State capital facilities, to be expended only upon the direction of the Director of the Governor’s Office of Management and Budget, and other capital improvements.......................... 15,326

For abating hazardous materials, and other capital improvements.......................... 7,731

For retrofitting or upgrading mechanized

New matter indicated by italics - deletions by strikeout
refrigeration equipment (CFCs), and other capital improvements........................................ 384,100
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act (ADA), and other capital improvements........................................ 21,797
For retrofitting or upgrading mechanized refrigeration equipment (CFCs), and other capital improvements........................................ 547,036
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act, and other capital improvements........................................ 52,282
For upgrading and remediating aboveground and underground storage tanks, and other capital improvements.............................. 881,786
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act, and other capital improvements........................................ 81,823
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act, and other capital improvements........................................ 31,148

Total $43,565,985

Section 150. The sum of $34,863, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 150 of Public Act 98-0050, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for surveying and abating asbestos-containing materials statewide, and other capital improvements.

Section 155. The sum of $80,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 155 of Public Act 98-0050, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for asbestos surveys and emergency abatement in relation to asbestos abatement in state governmental buildings or higher education residential and auxiliary enterprise buildings, and other capital improvements.

New matter indicated by italics - deletions by strikeout
Section 160. The sum of $710,561,904, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 160 of Public Act 98-0050, is reappropriated from the School Construction Fund to the Capital Development Board for grants to school districts for school construction projects authorized by the School Construction Law.

Section 165. The sum of $4,949,014, or so much of that amount as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 165 of Public Act 98-0050, is reappropriated from the School Construction Fund to the Capital Development Board for Fiscal Year 2002 School Construction Program grant recipients as follows:

Silvis School District 34.......................... 4,050,040
Westmont Community Unit School District 201...... 898,974

Section 175. The sum of $1,922,434, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 175 of Public Act 98-0050, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes, and other capital improvements.

Section 185. The sum of $18,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 185 of Public Act 98-0050, is reappropriated from the School Construction Fund to the Capital Development Board for grants to school districts for school improvement projects authorized by the School Construction Law, and other capital improvements.

Section 190. The sum of $475,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 190 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for water resource management projects as authorized by subsection (g) of Section 3 of the General Obligation Bond Act and other capital improvements.

Section 195. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purposes in Article 38, Section 195 of Public Act 98-0050, are reappropriated from the Capital

New matter indicated by italics - deletions by strikeout
Development Fund to the Capital Development Board for the Illinois Community College Board for the projects hereinafter enumerated:

**CITY COLLEGES OF CHICAGO**
(From Article 38, Section 195 of Public Act 98-0050)
For various bondable capital improvements........ 570,171

**CITY COLLEGES OF CHICAGO/KENNEDY KING**
For remodeling for Workforce Preparation Centers, and other capital improvements.............................. 3,575,930
For remodeling for a culinary arts educational facility, and other capital improvements.......................... 10,875,000

**CITY COLLEGES OF CHICAGO - MALCOLM X COLLEGE**
For remodeling the Allied Health program facilities, and other capital improvements.............................. 4,298,223

**COLLEGE OF DUPAGE**
or Installation of the Instructional Center Noise Abatement........ 1,544,600

**COLLEGE OF LAKE COUNTY**
For Construction of a Student Service Building.............................. 35,927,000

**ELGIN COMMUNITY COLLEGE**
For a Public Safety Building............................. 2,244,800

**IECC – LINCOLN TRAIL COLLEGE**
For Construction of a Center for Technology...................... 7,569,800

**ILLINOIS VALLEY COMMUNITY COLLEGE**
For Construction of a Community Technology Center .................... 144,182

**JOLIET JUNIOR COLLEGE**
For renovation of Utilities.............................. 2,654,124

**KANKAKEE COMMUNITY COLLEGE**
For constructing a laboratory/classroom facility, and other capital improvements.............................. 226,567

**KASKASKIA COLLEGE**
For all costs associated with construction of new facilities as

New matter indicated by italics - deletions by strikeout
part of Phase Two of the Vandalia Campus...... 5,600,000

LAKE LAND COLLEGE
For renovating and expanding
Student Services Building Addition........... 2,135,316
For Construction of a Rural
Development Technology Center.............. 7,524,100
For Student Services Building addition, and other capital
improvements........................................... 6,498,007

MCHENRY COUNTY COLLEGE
For constructing classrooms and a
student services building and remodeling
space, in addition to funds previously
appropriated, and other capital
improvements........................................... 473,076

MORAINE VALLEY COMMUNITY COLLEGE - PALOS HILLS
For constructing a classroom/administration
building, providing site improvements and
purchasing equipment, in addition to
funds previously appropriated, and other capital
improvements........................................... 41,635

MORTON COLLEGE
For costs associated with capital
improvements........................................... 2,500,000

PARKLAND COLLEGE
For renovating and expanding
the Student Services Center Addition......... 562,835

PRAIRIE STATE COLLEGE - CHICAGO HEIGHTS
For costs associated with capital
improvements at Prairie State College........ 3,528,271
For constructing an addition to the Adult
Training/Outreach Center, in addition to
funds previously appropriated, and other capital
improvements........................................... 811,858

REND LAKE COLLEGE
For Art Program Addition
and minor remodeling.............................. 411,867

RICHLAND COMMUNITY COLLEGE
For Renovation of the Student
Success Center and Construction

New matter indicated by italics - deletions by strikeout
of an Addition to the Student Success Center
ROCK VALLEY COLLEGE
For Construction of an Arts Instructional Center and remodeling of existing classroom buildings...
SOUTH SUBURBAN COLLEGE
For improving flood retention, and other capital improvements
TRITON COMMUNITY COLLEGE - RIVER GROVE
For renovating and expanding the Technology Building
For rehabilitating the Liberal Arts Building, and other capital improvements
For rehabilitating the potable water distribution system, and other capital improvements
TRUMAN COLLEGE
For costs associated with capital improvements
WILBUR WRIGHT COLLEGE
For costs associated with capital improvements to the Humboldt Park Vocational Education Center at Wilbur Wright College
WILLIAM RAINNEY HARPER COLLEGE
For Engineering and Technology Center Renovations
For Construction of a One Stop/Admissions and Campus/Student Life Center
STATEWIDE
For the Illinois Community College Board miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various Community

New matter indicated by italics - deletions by strikeout
Colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for this purpose, and other capital improvements.......................... 1,406,085
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes, and other capital improvements.......................... 4,837,570
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes, and other capital improvements.......................... 3,563,951

Total $210,912,268

Section 205. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made for such purpose in Article 38, Section 205 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for the Temporary Facility Replacement Program for the projects hereinafter enumerated:

   COLLEGE OF DUPAGE
   (From Article 38, Section 205 of Public Act 98-0050)
   For Temporary Facilities Replacement............ 24,080,647

   COLLEGE OF LAKE COUNTY
   For Construction of a Classroom Building at the Grayslake Campus......................... 16,583,632

   IECC – LINCOLN TRAIL COLLEGE

New matter indicated by italics - deletions by strikeout
For Construction of an AC/Refrigeration
and Sheet Metal Technology Building......... 1,495,500
   IECC – OLNEY CENTRAL
For Construction of the Collision
Repair Technology Center....................... 1,016,494
   IECC – WABASH VALLEY
For Construction of a Student Center........... 4,029,400
   ILLINOIS CENTRAL COLLEGE
For Renovation and Additions to
Dirksen Hall.................................... 2,633,700
   ILLINOIS VALLEY COMMUNITY COLLEGE
For Construction of a Community
Technology Center................................ 482,652
   JOLIET JUNIOR COLLEGE
For Temporary Facilities Replacement.......... 44,082
   LAKE LAND COLLEGE
For repair, renovation, and miscellaneous
capital improvements including construction,
reconstruction, remodeling, improvement,
repair and installation of capital facilities,
costs of planning, supplies, equipment,
materials, services, and all expenses on the
Workforce Relocation Center, the Student
Services Center, and other college buildings.
This appropriation shall be in addition to
funds previously appropriated................. 9,881,700
   LEWIS & CLARK COMMUNITY COLLEGE
For Construction of a Daycare
and Montessori..................................... 1,628,869
For Construction of an Engineering Annex...... 1,536,600
   LINCOLN LAND COMMUNITY COLLEGE
For Renovations to Sangamon Hall South....... 2,991,200
   MCHENRY COUNTY COLLEGE
For Construction of a Greenhouse............... 671,600
For Construction of a Pumphouse................. 115,900
   OLIVE HARVEY COLLEGE
For Construction of a New Building............. 28,897,921
   PARKLAND COLLEGE
For Construction of an Applied

New matter indicated by italics - deletions by strikeout
Technology Addition........................................ 50,335

SOON RIVER COLLEGE
For Construction of a Multi-Purpose Building......................... 3,689,856

WAUBONSEE COMMUNITY COLLEGE
To Replace Building “A” Tempural Building......................... 2,615,200

WILLIAM RAINEY HARPER COLLEGE
To Replace the Hospitality Facility................. 3,944,800

Total $106,390,088

Section 230. The sum of $22,099,696, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 230 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete work at the various higher education institutions. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for such purposes.

Section 235. The following named sum, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 235 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for the Board of Higher Education for the project hereinafter enumerated:

ILLINOIS MATHEMATICS AND SCIENCE ACADEMY - AURORA (From Article 38, Section 235 of Public Act 98-0050)
To plan and begin construction of a space for the delivery of teacher training and development and student enrichment programs, and other capital improvements........................................ 108,843

Section 240. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 240 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education
for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete work at the various higher education institutions. These appropriated amounts shall be in addition to any other appropriated amounts which can be expended for such purposes.

Chicago State University.......................... 808,948
Eastern Illinois University........................ 1,803,587
Governors State University......................... 745,303
Illinois State University........................... 3,425,097
Northeastern Illinois University................... 1,657,123
Northern Illinois University....................... 3,584,928
Western Illinois University....................... 1,595,875
Southern Illinois University - Carbondale...... 4,709,641
Southern Illinois University - Edwardsville.... 3,100,346
University of Illinois - Chicago............... 12,119,344
University of Illinois - Springfield.............. 975,147
University of Illinois - Urbana/Champaign..... 15,084,116

Total $49,609,455

Section 245. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 245 of Public Act 98-0050, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for miscellaneous capital improvements, including construction, reconstruction, remodeling, improvement, repair, and installation of capital facilities, cost of planning, supplies, equipment, materials, services, and all other expenses required to complete the work at the various colleges and universities as set forth below. These appropriated amounts shall be in addition to any other appropriated amounts which can be expended for these purposes.

Chicago State University.......................... 299,601
Eastern Illinois University......................... 2,432,638
Governors State University......................... 75,332
Illinois State University........................... 1,147,072
Northeastern Illinois University................... 839,586
Northern Illinois University....................... 5,160,836
Western Illinois University....................... 370,858
Southern Illinois University - Carbondale...... 1,057,824
Southern Illinois University - Edwardsville..... 775,052

New matter indicated by italics - deletions by strikeout
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<th>Institution</th>
<th>Amount</th>
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<td>Southern Illinois University - Statewide</td>
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<td>University of Illinois - Chicago</td>
<td>7,848,866</td>
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<td>University of Illinois - Springfield</td>
<td>649,038</td>
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<tr>
<td>University of Illinois - Urbana/Champaign</td>
<td>9,334,693</td>
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<td>University of Illinois - Statewide</td>
<td>284,330</td>
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<td>Statewide</td>
<td>109,850</td>
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<td>Illinois Community College Board</td>
<td>17,437,870</td>
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<td><strong>Total</strong></td>
<td><strong>$47,941,565</strong></td>
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</tbody>
</table>

Section 255. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 255 of Public Act 98-0050, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Board of Higher Education for miscellaneous capital improvements, including construction, reconstruction, remodeling, improvement, repair, and installation of capital facilities, cost of planning, supplies, equipment, materials, services, and all other expenses required to complete the work at the various colleges and universities as set forth below. These appropriated amounts shall be in addition to any other appropriated amounts which can be expended for these purposes.

<table>
<thead>
<tr>
<th>Institution</th>
<th>Amount</th>
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<tr>
<td>Chicago State University</td>
<td>119,814</td>
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<tr>
<td>Eastern Illinois University</td>
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<td>Governors State University</td>
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<td>Illinois State University</td>
<td>648,351</td>
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<td>Northeastern Illinois University</td>
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<td>Northern Illinois University</td>
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<td>Western Illinois University</td>
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<td>Southern Illinois University - Carbondale</td>
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<td>Southern Illinois University - Edwardsville</td>
<td>464,253</td>
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<td>University of Illinois - Chicago</td>
<td>3,854,475</td>
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<td>University of Illinois - Springfield</td>
<td>336,118</td>
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<td>University of Illinois - Urbana/Champaign</td>
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<td>University of Illinois - Statewide</td>
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<td>Illinois Community College Board</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$63,477,840</strong></td>
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</table>

Section 270. The following named sums, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2014, from reappropriations heretofore made in Article 38, Section 270 of Public Act 98-0050, are reappropriated from the Capital Development Fund.
to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

CHICAGO STATE UNIVERSITY

(From Article 38, Section 270 of Public Act 98-0050)

For a grant for the construction of a Westside campus......................... 39,000,000
For renovating Douglas Hall, in addition to funds previously appropriated... 13,125,000
For Construction of an Early Childhood Development Center............... 2,893,588
For Remediation of the Convocation Building, in addition to funds previously appropriated.......................... 4,993,130
For replacing primary electrical feeder cable, and other capital improvements.......................... 115,049
For the construction of a conference Center, Daycare Facility, renovating Building K (Robinson Center) and Financial Outreach Building in addition to funds previously appropriated, and other capital improvements.......................... 4,835,310
For the construction of a day care facility, and other capital improvements.......................... 4,863,999
For the construction of a student financial outreach building, and other capital improvements.......................... 4,718,864
For constructing a new library facility, site improvements, utilities, and purchasing equipment, in addition to funds previously appropriated, and other capital improvements.......................... 56,133
For technology improvements and deferred maintenance, and other capital improvements.......................... 494,492
For remodeling Building K, in addition to funds previously appropriated, and other capital improvements.......................... 8,221,447

New matter indicated by italics - deletions by strikeout
For planning and beginning to remodel
Building K and improving site, and other capital
improvements.......................................574,770
For upgrades and improvements to
Electrical systems....................................6,500,000

EASTERN ILLINOIS UNIVERSITY
For remodeling of the HVAC in the
Life Science Building and Coleman Hall........4,757,100
For upgrading the electrical
distribution system, and other capital
improvements.......................................59,282
For renovating and expanding the
Fine Arts Center, in addition to
funds previously appropriated, and other capital
improvements.......................................46,796
For planning and beginning to renovate
and expand the Fine Arts Center -
Phase 1, in addition to funds
previously appropriated, and other capital
improvements.......................................133,604
For upgrading campus buildings for health,
safety and environmental improvements, and other capital
improvements.......................................6,424

GOVERNORS STATE UNIVERSITY
For renovation of a Teaching/Learning
Complex, in addition to funds
previously appropriated.........................837,846
For replacing roadways and sidewalks........1,963,995
For constructing addition and
remodeling the teaching & learning
complex, in addition to funds
previously appropriated, and other capital
improvements.....................................3,080,563

ILLINOIS STATE UNIVERSITY
For renovations of the Fine Arts
Complex.............................................54,250,100
For renovating Stevenson and Turner
Halls for life/safety, and other capital

New matter indicated by italics - deletions by strikeout
improvements........................................ 474,266
For the upgrade and remodeling of Schroeder Hall, and other capital improvements........................................ 1,869,102
For remodeling Julian and Moulton Halls, and other capital improvements........................................ 376,727

NORTHEASTERN ILLINOIS UNIVERSITY
For costs associated with renovations to the facility for the construction of a Latino Cultural Center .................... 818,315
For constructing an education building........ 72,977,200
For renovating Building "C" and remodeling and expanding Building "E" and Building "F", and other capital improvements................................. 6,233,200
For planning and beginning to remodel Buildings A, B and E, and other capital improvements................................. 126,409
For remodeling in the Science Building to upgrade heating, ventilating and air conditioning systems, and other capital improvements................................. 2,021,400
For replacing fire alarm systems, lighting and ceilings, and other capital improvements................................. 116,081

NORTHERN ILLINOIS UNIVERSITY
For the renovation of Cole Hall and expanding/renovating Stevens Building..... 2,132,380
For renovating and expanding Stevens Building................................. 21,151,047
For planning Computer Sciences Technology Center................................. 2,787,400
For renovating the Founders Library basement, in addition to funds previously appropriated, and other capital improvements................................. 626,578
For planning a classroom building and developing site in Hoffman Estates, and other capital improvements................................. 1,314,500

New matter indicated by italics - deletions by strikeout
For completing the construction of the Engineering Building, in addition to amounts previously appropriated for such purpose, and other capital improvements........................................12,488

For renovating Altgeld Hall and purchasing equipment, and other capital improvements..............................94,434

SOUTHERN ILLINOIS UNIVERSITY - EDWARDSVILLE
For renovating and constructing a Science Laboratory, in addition to funds previously appropriated........34,256,450

SOUTHERN ILLINOIS UNIVERSITY - CARBONDALE
For constructing a Transportation Education Center, in addition to funds previously appropriated........3,863,898
For planning and beginning Communications Building.................................3,783,796
For renovating and constructing an addition to the Morris Library, in addition to funds previously appropriated, and other capital improvements........................................13,826

SIU SCHOOL OF MEDICINE - SPRINGFIELD
For constructing and for equipment for an addition to the combined laboratory, in addition to funds previously appropriated, and other capital improvements........................................5,470

UNIVERSITY OF ILLINOIS AT CHICAGO
For upgrading the campus infrastructure and renovating campus buildings........19,963,016
Plan, construct, and equip the Chemical Sciences Building, and other capital improvements..........................57,600,000
For planning, construction and equipment for a chemical sciences building, and other capital improvements..........................3,549,048
To plan and begin construction of

New matter indicated by italics - deletions by strikeout
a medical imaging research/clinical facility, and other capital improvements................................. 49,753

For remodeling the Clinical Sciences Building, and other capital improvements.............................. 854,132

For the renovation of the court area and Lecture Center, in addition to funds previously appropriated, and other capital improvements.................................................. 54,793

UNIVERSITY OF ILLINOIS AT CHAMPAIGN-URBANA

For renovating Lincoln Hall, in addition to funds previously appropriated................. 9,739,693

For constructing a Post Harvest Crop Processing and Research Laboratory, in addition to funds previously appropriated.................. 20,034,000

For constructing an Electrical and Computer Engineering Building, in addition to funds previously appropriated........... 1,899,022

Expansion of Microelectronics Lab, and other capital improvements................................. 41,764

For planning, construction and equipment for a biotechnology genomic facility, and other capital improvements................................. 434,265

For planning, construction and equipment for a supercomputing application facility, and other capital improvements................................. 88,416

UNIVERSITY OF ILLINOIS - SPRINGFIELD

For renovation and construction of the Public Safety Building......................... 3,813,170

UNIVERSITY CENTER OF LAKE COUNTY

For constructing a university center and purchasing equipment, in addition to funds previously appropriated, and other capital improvements................................. 1,197

For land, planning, remodeling, construction and all costs necessary to construct a facility, and other capital

New matter indicated by italics - deletions by strikeout
WESTERN ILLINOIS UNIVERSITY - MACOMB
For constructing a performing arts center, in addition to funds previously appropriated.............. 66,615,328
Plan and construct performing arts center, and other capital improvements......................... 735,208
For improvements to Memorial Hall, and other capital improvements................................ 222,384

WESTERN ILLINOIS UNIVERSITY - QUAD CITIES
For renovation and construction of a Riverfront Campus, in addition to funds previously appropriated............... 28,284,072
For the renovation and construction of a Riverfront Campus, in addition to funds previously appropriated..................... 958,030

ILLINOIS MATH AND SCIENCE ACADEMY
For residence hall rehabilitation and main building addition............................... 6,062,420
For “A” wing laboratories remodeling.............. 3,600,000
Total $535,183,299

Section 280. The following named sum, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 280 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for the project hereinafter enumerated:

EAST ST. LOUIS COLLEGE CENTER
(From Article 38, Section 280 of Public Act 98-0050)
For construction of facilities, remodeling, site improvements, utilities and other costs necessary for adapting the former campus of Metropolitan Community College for a Community College Center and Southern Illinois University, in addition to funds previously appropriated, and other capital improvements................................. 1,724,679

New matter indicated by italics - deletions by strikeout
Section 310. The sum of $48,496,755, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 310 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the development and improvement of educational, scientific, technical and vocational programs and facilities and the expansion of health and human services, and for any other purposes authorized in subsection (c) of Section 4 of the Build Illinois Bond Act.

Section 315. The sum of $104,302,970, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 315 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for educational purposes by State universities and colleges, the Illinois Community College Board created by the Public Community College Act and for grants to public community colleges as authorized by Sections 5-11 and 5-12 of the Public Community College Act as authorized by subsection (a) of Section 3 of the General Obligation Bond Act.

Section 320. The sum of $100,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 320 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Board of Higher Education for grants to various private colleges and universities.

Section 325. The sum of $2,476,501, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 38, Section 325 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for grants to units of local government and other eligible entities for all costs associated with land acquisition, construction and rehabilitation projects, and other capital improvements.

Section 330. The sum of $2,517,200, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 330 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for child care facilities, mental and public health facilities, and facilities for the care of disabled individuals.
veterans and their spouses as authorized by subsection (d) of Section 3 of the General Obligation Bond Act.

Section 335. The sum of $77,028,128, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 335 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for correctional purposes at State prison and correctional centers as authorized by subsection (b) of Section 3 of the General Obligation Bond Act.

Section 340. The sum of $24,093,002, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 340 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for open spaces, recreational and conservation purposes and the protection of land and for deposits into the Partners for Conservation Projects Fund as authorized by subsection (c) of Section 3 of the General Obligation Bond Act.

Section 345. The sum of $4,634,414, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 345 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for child care facilities, mental and public health facilities, and facilities for the care of disabled veterans and their spouses as authorized by subsection (d) of Section 3 of the General Obligation Bond Act.

Section 350. The sum of $71,017,037, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 350 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for use by the State, its departments, authorities, public corporations, commissions and agencies as authorized by subsection (e) of Section 3 of the General Obligation Bond Act.

Section 355. The sum of $31,844,933, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 355 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for early childhood construction grants to school districts and not-for-profit providers of early New matter indicated by italics - deletions by strikeout
childhood services for children ages birth to 5 years of age for construction or renovation of early childhood facilities, with priority given to projects located in those communities in this State with the greatest underserved population of young children, as identified by the Capital Development Board, in consultation with the State Board of Education, using census data and other reliable local early childhood service data.

Section 360. The sum of $4,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 38, Section 360 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Metropolitan Family Services for an early childhood center located in Gage Park.

Section 365. The sum of $20,070,437, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 365 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for the State Board of Education for grants to school districts for energy efficiency projects.

Section 370. The sum of $75,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 38, Section 370 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Capital Development Board for the Chicago Board of Education for costs associated with school renovation and construction for the purposes of providing vocational education.

Section 372. The sum of $3,505,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 38, Section 372 of Public Act 98-0050 is reappropriated from the Capital Development Fund to the Capital Development Board for IT improvements, including but not limited to, eProcurement and Enterprise Resource Planning.

Section 375. This Article is not subject to limitations under Section 5 of Article 48 of Public Act 95-734 or any similar limitation.

Section 380. No contract shall be entered into or obligation incurred for any expenditure in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $2,850,338,797

ARTICLE 15

ILLINOIS EMERGENCY MANAGEMENT AGENCY

New matter indicated by italics - deletions by strikeout
Section 5. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 39, Section 5 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Illinois Emergency Management Agency for safety and security improvements at various public universities, private colleges or universities and community colleges or elementary or secondary schools, including prior year costs and reimbursements for prior incurred costs.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $25,000,000

ARTICLE 16
ILLINOIS STATE BOARD OF EDUCATION
Section 5. The sum of $59,059,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 40, Section 5 of Public Act 98-0050, as amended, is reappropriated from the School Construction Fund to the Illinois State Board of Education for school districts for maintenance projects authorized by School Construction Law.

Section 15. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 40, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Illinois State Board of Education for grants to school districts for school construction projects pursuant to 105 ILCS 5/2-3.146.

Section 20. No contract shall be entered into or obligation incurred or any expenditures made from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $84,059,600

ARTICLE 17
EASTERN ILLINOIS UNIVERSITY
Section 5. The sum of $610,018, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 41, Section 10 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University for

New matter indicated by italics - deletions by strikeout
all costs associated with renovation and expansion of the Doudna Fine Arts Center. This appropriation is in addition to funds previously appropriated.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $610,018

ARTICLE 18

SOUTHERN ILLINOIS UNIVERSITY

Section 5. The sum of $4,623,642, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 50, Section 5 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Board of Trustees of Southern Illinois University for construction and equipment expenses to complete the renovation and expansion of the Morris Library. This appropriation is in addition to funds previously appropriated.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $4,623,642

ARTICLE 18.5

Section 5. The sum of $13,000,000, or so much thereof as may be necessary, is appropriated from the Anti-Pollution Fund to the Environmental Protection Agency for grants or loans to units of local government for the planning, financing, and construction of municipal sewage treatment works and solid waste disposal facilities and for making of deposits into the Water Revolving Fund and for other purposes under subsection (a) of Section 6 of the General Obligation Bond Act including, but not limited to, a grant for the Spring Valley Wastewater Treatment Plant.

ARTICLE 19

ENVIRONMENTAL PROTECTION AGENCY

Section 5. The sum of $560,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $240,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 15. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for grants and contracts to address nonpoint source water quality issues.

Total, this Article $815,000,000

ARTICLE 20
ENVIRONMENTAL PROTECTION AGENCY

Section 5. The sum of $772,294,253, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 44, Section 5 of Public Act 98-0050 and Article 45, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 10. The sum of $509,581,272, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 44, Section 10 of Public Act 98-0050 and Article 45, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 15. The sum of $54,170,078, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45,
Section 15 of Public Act 98-0050, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 20. The sum of $5,025,632, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 20 of Public Act 98-0050, is reappropriated from the Capital Development Fund to the Environmental Protection Agency for financial assistance to municipalities with designated River Edge Redevelopment Zones for brownfields redevelopment in accordance with Section 58.13 of the Environmental Protection Act, including costs in prior years.

Section 25. The sum of $43,000,260, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 25 of Public Act 98-0050, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for reimbursements to eligible owners/operators of Leaking Underground Storage Tanks, including claims submitted in prior years and for costs associated with site remediation and grants and contracts associated with safe drinking water and water quality activities.

Section 30. The sum of $2,506,388, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 30 of Public Act 98-0050, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for grants to units of local government for wastewater facilities, pursuant to provisions of the "Anti-Pollution Bond Act".

Section 35. The sum of $4,385,633, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 35 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for wastewater compliance grants to units of local government or sewer systems and wastewater treatment facilities pursuant to procedures and rules established under the Anti-Pollution Bond Act. These grants are limited to projects for which the local government provides at least 30% of the project cost. There is an approved project compliance plan, and there is an enforceable compliance schedule prior to the grant award. The grant award
will be based on eligible project cost contained in the approved compliance plan.

Section 40. The sum of $2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 40 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 45. The sum of $2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 50. The sum of $9,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 50 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Hazardous Waste Fund for use pursuant to Section 22.2 of the Environmental Protection Act.

Section 55. The sum of $471,885, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 55 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for grants and contracts for public drinking water infrastructure, including design and construction, where private drinking water wells have been contaminated by a hazardous substance.

Section 60. The sum of $4,776,725, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 60 of Public Act 98-0050, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for financial assistance to municipalities with designated River Edge Redevelopment Zones for brownfields redevelopment in accordance with Section 58.13 of the Environmental Protection Act, including costs in prior years.

New matter indicated by italics - deletions by strikeout
Section 65. The sum of $40,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 65 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for grants to units of local government and privately owned community water supplies for sewer systems, wastewater treatment facilities and drinking water infrastructure projects.

Section 70. The sum of $8,942,400, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 70 of Public Act 98-0050, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 75. The sum of $1,407,069, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 80. The sum of $7,858,247, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 30, Section 80 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for the protection, preservation, restoration and conservation of environmental and natural resources, for deposits into the Water Revolving Fund, and for any other purposes authorized in subsection (d) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 85. The sum of $16,600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 45, Section 85 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for the protection, preservation, restoration and conservation of environmental and natural resources, for deposits into the Water Revolving Fund, and for any other purposes authorized in subsection (d) of Section 4 of the Build Illinois Bond Act and for grants to State Agencies for such purposes.

New matter indicated by italics - deletions by strikeout
Section 90. The sum of $10,362,294, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purpose in Article 44, Section 20, and article 45, Section 90 of Public Act 98-0050, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for a green infrastructure financial assistance program to address water quality issues.

Section 95. The sum of $2,041,453, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purpose in Article 44, Section 15 of Public Act 98-0050 and in Article 45, Section 95 of Public Act 98-0050, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for a small community water supply financial assistance program to address compliance problems.

Section 100. No contract shall be entered into or obligation incurred for any expenditure made in Sections 15 through 85 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, this Article $1,496,923,589

ARTICLE 21
HISTORIC PRESERVATION AGENCY

Section 5. The sum of $143,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 46, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Capital Development Fund to the Historic Preservation Agency for support facilities, acquisition or improvements for Sugar Loaf and/or Fox Mounds or other properties within the Cahokia Mounds National Historic Landmark Boundary.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $143,000

ARTICLE 22
ILLINOIS FINANCE AUTHORITY

Section 5. The sum of $2,383,342, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 47, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Fire Truck Revolving Loan Fund to the Illinois Finance Authority for the purpose of making loans to fire departments, fire protection districts, and township fire departments as

New matter indicated by italics - deletions by strikeout
successor in interest to the Illinois Rural Bond Bank, pursuant to Section 845-75 of Public Act 93-0205.

Section 10. The sum of $7,006,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 47, Section 10 of Public Act 98-0050, amended, is reappropriated from the Ambulance Revolving Loan Fund to the Illinois Finance Authority for the purpose of making loans to fire departments, fire protection districts, township fire departments or non-profit ambulance services as successor in interest to the Illinois Rural Bond Bank.

Total, this Article $9,390,142

ARTICLE 23
ILLINOIS COMMUNITY COLLEGE BOARD

Section 5. The sum of $314,597, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 48, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund for the Illinois Community College Board for remodeling of facilities for compliance with the Americans with Disabilities Act. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $314,597

ARTICLE 23.5

Section 1. It is the intent of the State that all or a portion of the costs of projects funded by appropriations made in this Act from the Capital Development Fund, the School Construction Fund, the Anti-Pollution Fund, the Transportation Bond Series A Fund, the Transportation Bond Series B Fund, the Coal Development Fund, the Transportation Bond Series D Fund, and the Build Illinois Bond Fund will be paid or reimbursed from the proceeds of tax-exempt bonds subsequently issued by the State.

ARTICLE 24
DEPARTMENT OF HUMAN SERVICES

Section 1. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 49, Section 1 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Human Services for building repairs at the Elgin Mental Health Center.

Section 5. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $100,000

ARTICLE 25
SOUTHERN ILLINOIS UNIVERSITY

Section 1. The sum of $99,085, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 50, Section 1 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to Southern Illinois University for general infrastructure improvements of the Katherine Dunham Museum.

Section 5. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $99,085

ARTICLE 26
DEPARTMENT OF NATURAL RESOURCES

Section 1. The sum of $159,880, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 51, Section 1 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for infrastructure improvements at the Sparta World Shooting Complex.

Section 5. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $159,880

ARTICLE 27
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 5 of Public Act 98-0050, as amended, is reappropriated from the

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with renovations to the Martin Luther King Community Center.

Section 15. The sum of $385,079, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with construction of a Martin Luther King Center Park.

Section 25. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 25 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Skip-A-Long Child Development Services for costs associated with the construction of classrooms at the Moline Campus.

Section 30. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 30 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Morrison for costs associated with renovations to the Farmers’ Market facility.

Section 35. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 35 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with capital improvements to Douglas Park.

Section 45. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Rock Island for costs associated with capital improvements to county facilities.

New matter indicated by italics - deletions by strikeout
Section 50. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 50 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for costs associated with engineering and design work associated with a new business park.

Section 65. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 65 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Avenues to Independence for costs associated with renovations to the facility.

Section 70. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 70 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for costs associated with renovations at Brookfield Zoo.

Section 75. The sum of $425,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Des Plaines for costs associated with rehabilitation of the Storm Water Master Plan Area No. 3.

Section 85. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 85 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for costs associated with capital improvements to the storm water detention system.

Section 90. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 90 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Des Plaines for costs associated with rehabilitation of the Storm Water Master Plan Area No. 3.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elk Grove Township for costs associated with improvements to street signs.

Section 95. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 95 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clearbrook for costs associated with renovations to the facility located at 87 Lancaster Road in Elk Grove Village.

Section 100. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elk Grove Village for costs associated with making repairs to the Greenleaf Lift Station.

Section 105. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to H.A.V.E. Dreams for costs associated with renovations to the facility.

Section 115. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 115 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indo-American Center for costs associated with infrastructure improvements.

Section 120. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oakton Community College for costs associated with the installation of solar panels.
Section 130. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 130 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Arlington Heights for costs associated with the modification and installation of traffic signals.

Section 135. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 135 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with the installation of pedestrian crosswalk signals.

Section 140. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with renovations to the Neighborhood Resource Center.

Section 145. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with street repairs, to include all prior incurred costs.

Section 150. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with street repairs, to include all prior incurred costs.

Section 155. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 155 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with the installation of streetlights.

Section 160. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Schaumburg for costs associated with renovations to the Emergency Operational Center.

Section 165. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with the procurement and installation of a generator.

Section 170. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 170 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Orpheum Children’s Science Museum for costs associated with expansion of the facility.

Section 175. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 175 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Crisis Nursery for costs associated with expansion of the facility located at 1309 West Hill Street in Urbana.

Section 185. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 185 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Urbana Park District for costs associated with the construction of the Meadowbrook Park Interpretive Center.

New matter indicated by italics - deletions by strikeout
Section 190. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Champaign Park District for costs associated with general infrastructure.

Section 195. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 195 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mental Health Center of Champaign County, Inc. for costs associated with renovations to facilities.

Section 200. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 200 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Preservation and Conservation Association of Champaign for costs associated with renovations to the Harwood Solon House.

Section 205. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 205 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Disabled Citizens Foundation for costs associated with the construction and renovation of group homes.

Section 225. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Danville for costs associated with renovations to the fire fighting training tower.

Section 240. The sum of $4,150, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52,
Section 240 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Armstrong G Elementary International Studies School.

Section 245. The sum of $367, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 245 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Belding Elementary School.

Section 253. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 253 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Carl Schurz Elementary School.

Section 260. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 260 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Chicago Heights for costs associated with road and infrastructure improvements.

Section 265. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 265 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with repairs to the walking and bike paths in Legion Park.

Section 275. The sum of $4,001, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 275 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Chicago Heights for costs associated with road and infrastructure improvements.
Opportunity for a grant to Chicago Public School District 299 for costs associated with capital improvements to the Decatur Classical School.

Section 280. The sum of $869, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public School District 299 for costs associated with capital improvements to the DeWitt Clinton Elementary School.

Section 290. The sum of $5,749, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 290 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Edgebrook Elementary School.

Section 295. The sum of $3,080, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 295 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Edison Regional Gifted Center.

Section 310. The sum of $199, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 310 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Frederick Von Steuben Metropolitan Science Center.

Section 320. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 320 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Frederick Von Steuben Metropolitan Science Center.

New matter indicated by italics - deletions by strikeout
Section 330. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 330 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glenview CCSD 34 for costs associated with capital improvements to the Hoffman Elementary School.

Section 335. The sum of $4,910, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Golf School District 67 for costs associated with capital improvements to the Hynes Elementary School.

Section 340. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 340 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indo-American Center for costs associated with facility renovations and expansion, including the purchase of property.

Section 345. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 345 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Irish American Heritage Center for costs associated with capital improvements.

Section 360. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the John M. Palmer Elementary School.

New matter indicated by italics - deletions by strikeout
Section 365. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Skokie School District 73.5 for costs associated with capital improvements to the John Middleton Elementary School.

Section 370. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 370 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Niles Township District for Special Education 807 for costs associated with capital improvements to the Julia S. Malloy Education Center.

Section 385. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 385 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincolnwood School District 74 for costs associated with capital improvements to the Lincoln Hall Middle School.

Section 395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 395 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincolnwood Park District for costs associated with capital improvements.

Section 400. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincolnwood Public Library for costs associated with capital improvements.

Section 410. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52,
Section 410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with road improvements in the 39th Ward.

Section 415. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Mary G. Peterson Elementary School.

Section 425. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 425 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to East Maine School District 63 for costs associated with capital improvements to the Melzer School.

Section 430. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Metropolitan Family Services for costs associated with renovations and technology infrastructure improvements at the facility.

Section 440. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Morton Grove Park District for costs associated with capital improvements.

Section 445. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Metropolitan Family Services for costs associated with renovations and technology infrastructure improvements at the facility.
Opportunity for a grant to the Morton Grove Public Library for costs associated with capital improvements.

Section 450. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Morton Grove Public Library for costs associated with capital improvements.

Section 455. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Muslim Women Resource Center for costs associated with capital improvements.

Section 460. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with road improvements in the 50th Ward.

Section 465. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Niles Park District for costs associated with capital improvements.

Section 470. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Niles Township High School District 219 for costs associated with capital improvements to Niles West High School.

Section 475. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Northside College Preparatory High School.

Section 480. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 480 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Northside TMH Learning Center.

Section 485. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Notre Dame College Prep located in Niles for costs associated with capital improvements.

Section 490. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 490 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Skokie School District 73.5 for costs associated with capital improvements to the Oliver McCracken Middle School.

Section 495. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Rogers Elementary School.

Section 500. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to Lincolnwood School District 74 for costs associated with capital improvements to the Rutledge Hall Elementary School.

Section 505. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Sauganash Elementary School.

Section 510. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sauganash Neighbors for a New Park for costs associated with a new park.

Section 515. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shalva for costs associated with renovations and improvements to the facility located at 1610 W. Highland, Chicago.

Section 520. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 520 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shore Community Services, Inc. for costs associated with accessibility improvements.

Section 530. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Skokie Public Library for costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 535. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to the Stone Scholastic Academy.

Section 540. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Telshe Yeshiva Chicago for costs associated with renovations to the facility.

Section 550. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Skokie & Morton Grove School District 69 for costs associated with capital improvements to the Thomas Edison Elementary School.

Section 555. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 555 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lincolnwood School District 74 for costs associated with capital improvements to the Todd Hall Elementary School.

Section 565. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to East Maine School District 63 for costs associated with capital improvements to the VH Maine Elementary School.

Section 570. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, New matter indicated by italics - deletions by strikeout
Section 570 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with capital improvements in the 50th Ward.

Section 575. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements to Wildwood Elementary School.

Section 585. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 585 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to PTACH for costs associated with capital improvements.

Section 590. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Korean American Resource & Cultural Center for costs associated with capital improvements.

Section 595. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 595 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with street repairs.

Section 600. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 600 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation for costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 605. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Thresholds for costs associated with capital improvements.

Section 610. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Agudath Israel for costs associated with capital improvements.

Section 615. The sum of $700,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with the construction of a sports recreations facility in the Morgan Park community.

Section 640. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Evergreen Park for costs associated with capital improvements to street and sewers located within the Village.

Section 650. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 650 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Chicago Ridge for costs associated with sewer and water projects.

Section 655. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52,
Section 655 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Merrionette Park for costs associated with the purchase of public works equipment.

Section 660. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 660 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Park for costs associated with capital improvements.

Section 665. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 665 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Hills for costs associated with capital improvements.

Section 670. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 670 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Township for costs associated with capital improvements.

Section 705. The sum of $23,620, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Metropolitan Family Services for costs associated with capital improvements to the facility.

Section 710. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Advocate Christ Hospital and Medical Center for costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 715. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 715 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Company of Mary Hospital for costs associated with capital improvements to the hospital.

Section 745. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Moraine Valley College for all costs associated with infrastructure improvements.

Section 755. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 755 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Beacon Therapeutic and Diagnostic and Treatment Center for costs associated with renovations to the Day Treatment Center for Children.

Section 760. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 760 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southwest Special Recreation Association for costs associated with purchasing an electronic marquee.

Section 775. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 775 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gordon Tech College Prep for costs associated with infrastructure improvements.

Section 780. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52,
Section 780 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements at Thomas Kelly High School.

Section 800. The sum of $478,357, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 800 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pilsen-Little Village Community Mental Health Center DBA the Pilsen Wellness Center for costs associated with capital improvements at the facility.

Section 805. The sum of $55,273, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 805 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Berwyn Park District for costs associated with capital improvements at Cuyler Park.

Section 815. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 815 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public School District 299 for costs associated with capital improvements at Marie Sklodowska Curie Metropolitan High School.

Section 820. The sum of $44,862, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 820 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Berwyn Park District for costs associated with capital improvements at various parks.

Section 825. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 825 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Senka Park.

Section 830. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 830 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Casa Aztlan for costs associated with infrastructure improvements.

Section 845. The sum of $723,334, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 845 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pilsen-Little Village Community Mental Health Center DBA the Pilsen Wellness Center for costs associated with capital improvements at the facility.

Section 860. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Puerto Rican Cultural Center for costs associated with renovations to the facility located at 2700 West Haddon in Chicago.

Section 875. The sum of $14,328, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 875 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fellowship Connection Community Center for costs associated with renovations at the facility.

Section 890. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 890 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public Schools District 299 for costs associated with renovations to the Roberto Clemente Community Academy.

New matter indicated by italics - deletions by strikeout
Section 895. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 895 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Youth Service Project for costs associated with infrastructure improvements.

Section 900. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 900 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with renovations to the Humboldt Park Family Health Center.

Section 905. The sum of $25,730, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 905 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternatives Services, Inc. for costs associated with renovations to the facility.

Section 915. The sum of $140,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Puerto Rican Cultural Center for costs associated with renovations to the Vida SIDA housing unit.

Section 925. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 925 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Near Northwest Neighborhood Network for costs associated with development of the Paseo Boricua Arts Building.

Section 926. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 926 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
Opportunity for a grant to The Center for costs associated with infrastructure improvements to facilities.

Section 945. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willow Springs for costs associated with infrastructure improvements.

Section 950. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 950 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Allendale Association for costs associated with renovations to the facility.

Section 955. The sum of $55,900, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 955 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Wellness Center for costs associated with renovations to the Northbrook facility.

Section 960. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 960 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with replacement of the sanitary sewer lining at Wadsworth Avenue.

Section 965. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 965 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with sidewalk repairs on Broadway Avenue.

Section 970. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 970 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with the installation of streetlights at the Buckley/Amstutz Underpass and 24th Avenue.

Section 975. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 975 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with replacing detector loops.

Section 980. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 980 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for costs associated with 2009 Thermoplastic Stripping Program.

Section 985. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 985 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Park City for costs associated with construction of a public works facility.

Section 995. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 995 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Anixter Center for costs associated with acquisition of a building.

Section 1000. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1000 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Countryside Association for People with Disabilities for costs associated with renovations to the facility.

New matter indicated by italics - deletions by strikeout
Section 1015. The sum of $97,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1015 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Special Education Services for costs associated with reconstruction of the parking lot at the Lake Shore Academy.

Section 1040. The sum of $485,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1040 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of McCook for costs associated with general infrastructure.

Section 1055. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1055 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arab American Family Services for costs associated with capital improvements to the Community Service Center.

Section 1060. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1060 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bridgeview for costs associated with capital improvements to the 71st Street Pedestrian Safety Fence.

Section 1065. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1065 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for costs associated with capital improvements to the 31st Street Bike Path.

Section 1075. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1075 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Berwyn for costs associated with the infrastructure improvements to the public works facility.

Section 1080. The sum of $487,564, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1080 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Evanston for costs associated with renovations to the municipal recreational facilities.

Section 1085. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1085 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenview for costs associated with the development and construction of a salt dome.

Section 1095. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1095 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with relocation and expansion of the Evanston-Rogers Park Family Health Center.

Section 1100. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Enlace Chicago for costs associated with capital improvements to the Community Service Center.

Section 1115. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1115 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Shore Senior Center for costs associated with renovations to the Wellness Center facilities.

New matter indicated by italics - deletions by strikeout
Section 1140. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Canton Family YMCA for costs associated with capital improvement to the Activity Centers.

Section 1145. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Tazewell County House of Hope for costs associated with renovations and improvements to the facility.

Section 1150. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heartland Community Health Clinic for costs associated with capital improvements to the facility.

Section 1155. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1155 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Farmington for costs associated with renovations to the water treatment plant.

Section 1160. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Friendship House of Christian Service for costs associated with renovations to the facility.

Section 1165. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Tazewell County House of Hope for costs associated with capital improvements to the facility.

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fulton County for costs associated with capital improvements to county facilities.

Section 1175. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1175 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shawnee Community College for costs associated with the capital improvements at the campus.

Section 1185. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2013, from a reappropriation heretofore made for such purpose in Article 4, Section 1185 of Public Act 97-0725, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Galatia for costs associated with infrastructure improvements.

Section 1195. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1195 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Eldorado Community School District No. 4 for costs associated with capital improvements to facilities.

Section 1200. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1200 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gallatin County for costs associated with capital improvements to county facilities.

Section 1205. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1205 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to County of Saline for costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 1210. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1210 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Norris City for costs associated with repairing and replacing the water mains.

Section 1215. The sum of $41,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1215 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mounds for costs associated with replacing sewage lift station pumps.

Section 1220. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Union County for costs associated with capital improvements to county facilities.

Section 1225. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Equality for costs associated with capital improvements.

Section 1235. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Johnston City for costs associated with repairing and replacing the water mains.

Section 1245. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1245 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Johnston City for costs associated with repairing and replacing the water mains.

New matter indicated by italics - deletions by strikeout
建伊利诺伊债券基金至商务和经济机会局，以提供给西弗兰克福特社区单位学区，用于在高中进行资本改善的费用。

第1260条。根据第52章第1260节《伊利诺伊建债法》第98-0080条的规定，从其之前为该目的重新安排的款项中，从2014年6月30日结束的业务日结束时，有205,000美元或可能是必要且未使用的款项，从商务和经济机会局向村庄Colp提供一笔赠款，用于与基础设施改善有关的费用。

第1265条。根据第52章第1265节《伊利诺伊建债法》第98-0080条的规定，从其之前为该目的重新安排的款项中，从2014年6月30日结束的业务日结束时，有324,250美元或可能是必要且未使用的款项，从商务和经济机会局向城市Herrin提供一笔赠款，用于更换水管。

第1280条。根据第52章第1280节《伊利诺伊建债法》第98-0080条的规定，从其之前为该目的重新安排的款项中，从2014年6月30日结束的业务日结束时，有125,000美元或可能是必要且未使用的款项，从商务和经济机会局向城市芝加哥提供一笔赠款，用于第九区的交通路线安装。

第1285条。根据第52章第1285节《伊利诺伊建债法》第98-0080条的规定，从其之前为该目的重新安排的款项中，从2014年6月30日结束的业务日结束时，有100,000美元或可能是必要且未使用的款项，从商务和经济机会局向村庄Markham提供一笔赠款，用于道路和基础设施改善。

第1293条。根据第52章第1293节《伊利诺伊建债法》第98-0080条的规定，从其之前为该目的重新安排的款项中，从2014年6月30日结束的业务日结束时，有80,000美元或可能是必要且未使用的款项，从商务和经济机会局向村庄Phoenix提供一笔赠款，用于道路和基础设施改善。

新事项以斜体表示 - 删除事项以删除线表示
Section 1300. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dolton for costs associated with resurfacing Kimbark Avenue and Dorchester Avenue.

Section 1305. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Harvey for costs associated with road and infrastructure improvements.

Section 1310. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1310 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Calumet City for costs associated with construction of left turn lanes at River Oaks Drive and Paxton Avenue.

Section 1315. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1315 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thornton for costs associated with repairs and maintenance to roadways within the village.

Section 1320. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1320 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of University Park for costs associated with road and infrastructure improvements.

Section 1330. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1330 of Public Act 98-0050, as amended, is reappropriated from the

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homewood for costs associated with replacement of the HVAC at the Public Safety Building.

Section 1335. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crete for costs associated with road and infrastructure improvements.

Section 1338. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1338 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Midlothian for costs associated with road and infrastructure improvements.

Section 1340. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1340 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for costs associated with road and infrastructure improvements.

Section 1345. The sum of $245,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1345 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Holland for costs associated with capital improvements to public safety buildings.

Section 1350. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harvey Park District for costs associated with infrastructure improvements to the Martin Luther King, Jr. Recreation Center.

New matter indicated by italics - deletions by strikeout
Section 1355. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the School District 149 for costs associated with infrastructure improvements to Caroline Sibley School.

Section 1360. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Harvey-Dixmoor School District 147 for costs associated with infrastructure improvements to schools.

Section 1365. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dolton Park District for costs associated with infrastructure improvements to parks.

Section 1368. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1368 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest for costs associated with road and infrastructure improvements.

Section 1370. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1370 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black on Black Love for costs associated with the acquisition and renovation of a new facility.

Section 1375. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1375 of Public Act 98-0050, as amended, is reappropriated from the

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the TCA Health, Inc. for costs associated with renovations to the facility.

Section 1380. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1380 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the TCA Health, Inc. for costs associated with renovations to the facility.

Section 1385. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1385 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southeast United Methodist Youth and Community Center for costs associated with upgrades to the heating system at the facility.

Section 1390. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lansing for costs associated with capital improvements.

Section 1400. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post 738 for costs associated with renovations to the building.

Section 1405. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1405 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Botanic Garden for costs associated with infrastructure improvements.
associated with renovations to the Edward Coles Elementary Language Academy.

Section 1410. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Developing Community Projects, Inc. for costs associated with infrastructure improvements.

Section 1415. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burnham for costs associated with repairs and maintenance to sidewalks and curbs in the city.

Section 1425. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1425 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the ETA Creative Arts Foundation for costs associated with renovations to the facility.

Section 1430. The sum of $20,873, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Global Girls for costs associated with infrastructure improvements and/or the purchase of a building.

Section 1435. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Henry’s Sober Living House for costs associated with renovations to the facility.

Section 1440. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from an appropriation heretofore made for such purpose in Article 52, Section 1440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher for costs associated with the replacement of their ballfield lighting in Fireman’s Park.

Section 1445. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Momence for costs associated with renovations to the City Hall building.

Section 1450. The sum of $20,000, or so much thereof as may be necessary, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manteno for costs associated with infrastructure improvements.

Section 1455. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southland Health Care Forum for costs associated with infrastructure improvements.

Section 1465. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Oaks Center for Sustainable Renewal Living, NFP for costs associated with purchase and development of an Aquaculture Operation System.

Section 1500. The sum of $23,094, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park District of Highland Park for costs associated with construction of a lakefront pavilion.

New matter indicated by italics - deletions by strikeout
Section 1505. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Partners for Affordable Housing for costs associated with the purchase and/or renovations of facilities.

Section 1510. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the PADS Lake County for costs associated with infrastructure improvements.

Section 1515. The sum of $3,480, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glencoe for costs associated with repairs and maintenance to Stone Bridge rails on Sheridan Road.

Section 1525. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1525 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for costs associated with repairs and maintenance to Kensington Road.

Section 1530. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palatine for costs associated with pedestrian signals at Rand and Hicks Roads.

Section 1535. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Highwood for costs associated with road improvements.

Section 1540. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Keshet for costs associated with renovations of a teaching kitchen.

Section 1545. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia for costs associated with the purchase and/or renovations to a new residential building.

Section 1550. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish United Fund of Metropolitan Chicago for costs associated with replacing elevators at the Weinberg Campus facility in Deerfield.

Section 1555. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1555 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Barnes Jewish Hospital for costs associated with lab upgrades at Alton Memorial Hospital.

Section 1565. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Township High School District 214 for costs
associated with equipment purchases and/or infrastructure improvements for the Career and Tech Education program at Wheeling High School.

Section 1575. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lewis & Clark Society of America, Inc. for costs associated with infrastructure improvements at the Lewis and Clark State Historic Site.

Section 1580. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1580 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for costs associated with lift station repairs and improvements.

Section 1590. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Anthony’s Health Center for costs associated with lab system and diagnostic improvements.

Section 1600. The sum of $600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1600 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Alton for costs associated with infrastructure improvements to Gordon Moore Park.

Section 1610. The sum of $538,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bethalto for costs associated with improvements to West Corbin Avenue.

New matter indicated by italics - deletions by strikeout
Section 1615. The sum of $310,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Alton for costs associated with road repairs from Shamrock Avenue to St. Louis Avenue.

Section 1620. The sum of $71,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1620 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Worden Public Library for costs associated with various capital upgrades.

Section 1625. The sum of $5,943, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1625 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maryville for costs associated with waterline improvements from Illinois Route 157 to Stonebridge Drive.

Section 1637. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1637 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glen Carbon for costs associated with water and drainage improvements.

Section 1640. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Collinsville for costs associated with the construction of a well for water distribution.

Section 1645. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1645 of Public Act 98-0050, as amended, is reappropriated from the...
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairview Heights for costs associated with general infrastructure improvements within the city.

Section 1650. The sum of $42,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1650 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairview Heights for costs associated with general infrastructure improvements within the city.

Section 1655. The sum of $31,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1655 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pontoon Beach for costs associated with land acquisition, development of a park, and general infrastructure improvements.

Section 1675. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belleville for costs associated with infrastructure improvements located within the City of Belleville.

Section 1685. The sum of $167,790, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1685 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East St. Louis for costs associated with infrastructure improvements located within the City of East St. Louis.

Section 1690. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1690 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Collinsville Township Highway Department for costs associated with repair, resurfacing, and infrastructure needs of Lakeview Acres, Rex’s Drive, Meyer Drive and Wilson Heights.

Section 1675. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Collinsville Township Highway Department for costs associated with repair, resurfacing, and infrastructure needs of Lakeview Acres, Rex’s Drive, Meyer Drive and Wilson Heights.

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the City of Centreville for costs associated with infrastructure improvements located within the City of Centreville.

Section 1695. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1695 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Swansea for costs associated with infrastructure improvements located within the City of Swansea.

Section 1700. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1700 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Madison for costs associated with infrastructure improvements located within the City of Madison.

Section 1705. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for costs associated with infrastructure improvements located within the City of Granite City.

Section 1710. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Millstadt for costs associated with infrastructure improvements located within the City of Millstadt.

Section 1715. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1715 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Brooklyn for costs associated with infrastructure improvements located within the City of Brooklyn.

Section 1720. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 1720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Alorton for costs associated with infrastructure improvements located within the City of Alorton.

Section 1721. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1721 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Washington Park for costs associated with infrastructure improvements located within the Village of Washington Park.

Section 1725. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1725 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Caseyville for costs associated with infrastructure improvements located within the City of Caseyville.

Section 1730. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1730 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mascoutah for costs associated with infrastructure improvements located within the City of Mascoutah.

Section 1735. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1735 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cahokia for costs associated with infrastructure improvements located within the City of Cahokia.

Section 1740. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the City of Fairview Heights for costs associated with infrastructure improvements located within the City of Fairview Heights.

Section 1745. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Shiloh for costs associated with infrastructure improvements located within the City of Shiloh.

Section 1747. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1747 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Venice Township/Eagle Park for costs associated with infrastructure improvements located within Venice Township/Eagle Park.

Section 1750. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1750 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sauget for costs associated with infrastructure improvements located within the City of Sauget.

Section 1760. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1760 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Board of Education for costs associated with capital improvements to Goethe Elementary School.

Section 1763. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1763 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Freeburg for all costs associated with

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infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 1765. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Smithton for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 1768. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1768 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of O’Fallon for all costs associated with reconstruction of manholes.

Section 1770. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1770 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with the renovation of the Armitage Family Health Center.

Section 1775. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1775 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Erie Family Health Center for costs associated with site improvements to the Erie Helping Hands Health Center.

Section 1785. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1785 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Public Library for construction of a new Independence Park Library.

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Section 1800. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1800 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Latino Pastoral Action Center, Inc. for construction and renovation of a Holistic Family Wellness Center at the Chicago Midwest location.

Section 1805. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1805 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Institute for Puerto Rican Arts & Culture for construction of a world-class museum and Fine Arts Center.

Section 1810. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1810 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Brentano Math and Science Academy for costs associated with site improvements.

Section 1815. The sum of $69,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1815 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Healthcare Alternative Systems for costs associated with the renovation of a drug rehab center and technology center.

Section 1830. The sum of $12,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1830 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ignatia House for costs associated with renovation of half-way home for women.

Section 1835. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52,
Section 1835 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with Logan Square Boulevard Renovation.

Section 1840. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1840 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with infrastructure improvements at the Avondale Park Field House.

Section 1845. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1845 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with installation of new stop light systems located at Devon and Greenview, Peterson and Ravenswood, and Foster and Albany through the Chicago Department of Transportation.

Section 1860. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Augustine College for costs associated with infrastructure improvements.

Section 1865. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1865 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations and improvements to Leone Park Beach Field House.

Section 1880. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1880 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to Chicago Public Schools for costs associated with renovations and improvements at Ravenswood Elementary School located at 4332 North Paulina Street in Chicago.

Section 1885. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1885 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Heartland Alliance Marjorie Kovler Center for costs associated with facility renovations.

Section 1890. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1890 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Epworth United Methodist Church for costs associated with renovations and improvements to the facility’s Community House.

Section 1950. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 1950 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carpentersville for costs associated with streetlight installation.

Section 1960. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1960 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elgin for costs associated with land acquisition and other capital improvements, including previously incurred costs.

Section 1965. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1965 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Village of Summit for costs associated with capital improvements.

Section 1970. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1970 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for costs associated with capital improvements.

Section 1975. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1975 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forest View for costs associated with capital improvements.

Section 1980. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1980 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lyons for costs associated with capital improvements.

Section 1985. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stickney for costs associated with capital improvements.

Section 1995. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 1995 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cicero for costs associated with capital improvements.

Section 2005. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2005 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for costs associated with capital improvements.

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Opportunity for a grant to the Village of Bedford Park for costs associated with capital improvements.

Section 2010. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of McCook for costs associated with capital improvements.

Section 2015. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2015 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Burbank for costs associated with capital improvements.

Section 2020. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the purchase and installation of street lighting within the 13th Ward.

Section 2025. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2025 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the purchase and installation of street lighting within the 14th Ward.

Section 2030. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2030 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cicero for costs associated with capital improvements to the public works facility.

Section 2035. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the purchase and installation of street lighting within the 23rd Ward.

Section 2040. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Berwyn Park District for costs associated with capital improvements at parks.

Section 2045. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2045 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Odilo Elementary School for costs associated with renovation and improvements to the facility.

Section 2050. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicagoland Czech-American Association for costs associated with capital improvements to the Community Service Center.

Section 2055. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2055 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Village Chamber of Commerce for costs associated with capital improvements.

Section 2060. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2060 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Village Community Council for costs associated with capital improvements.

Section 2062. The sum of $2,158,144, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2062 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cicero for costs associated with capital improvements.

Section 2065. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2065 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Latinos Progresando for costs associated with infrastructure improvements to the Community Service Center.

Section 2070. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2070 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Math and Science Academy for costs associated with renovations to the residence halls.

Section 2075. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2075 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to El Valor for costs associated with infrastructure improvements to the Community Service Center.

Section 2078. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2078 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Universidad Popular for costs associated with infrastructure improvements to the Community Service Center.

Section 2090. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2090 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Services, Inc. for costs associated with the construction of a rehabilitation facility.
Section 2095. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2095 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the First Tee for costs associated with capital improvements.

Section 2100. The sum of $170,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Troy Fire Protection District for costs associated with the construction of a fire station.

Section 2105. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for costs associated with construction of a Early Childhood Care and Education Center.

Section 2110. The sum of $130,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2110 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Mathematics and Science Academy for costs associated with capital improvements to residence halls.

Section 2115. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2115 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Focus for costs associated with the renovation of facilities for immigration services.

Section 2120. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Focus for costs associated with the renovation of facilities for immigration services.

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aurora University for costs associated with the construction of a new STEM school.

Section 2140. The sum of $154,398, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youthbuild Lake County for costs associated with construction affordable housing units.

Section 2205. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2205 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Matteson for costs associated with renovations to facilities.

Section 2210. The sum of $4,058, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2210 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Markham Park District for costs associated with repairs and renovations to facilities and parking lots.

Section 2215. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2215 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Country Club Hills for costs associated with renovations to facilities.

Section 2220. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Matteson for costs associated with a bridge repair.

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Section 2225. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crests for costs associated with renovations to facilities.

Section 2245. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2245 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Grand Prairie Services for costs associated with construction of the Outpatient Behavioral Healthcare Facility.

Section 2250. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2250 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban College for costs associated with repairs and maintenance to the roof at the facility.

Section 2260. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2260 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban Major Crimes Task Force for costs associated with renovations to facilities.

Section 2270. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Flossmoor for costs associated with engineering and reconstruction of the Brookwood Bridge Deck.

Section 2275. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2275 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crests for costs associated with renovations to facilities.

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for costs associated with construction and maintenance projects within the Village of Hazel Crest.

Section 2285. The sum of $155,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2285 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for costs associated with installation of Handicap Sidewalk Ramps.

Section 2295. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2295 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Olympia Fields for costs associated with renovations to facilities.

Section 2300. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rich Township for costs associated with renovations to facilities.

Section 2305. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for costs associated with renovations to facilities.

Section 2325. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2325 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Prairie Hills School District 144 for costs associated with the purchase of an air conditioner at Prairie Hills Jr. High School, including any prior incurred costs.

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Section 2330. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2330 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Richton Park for costs associated with capital improvements.

Section 2350. The sum of $6,860, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban Council on Substance and Alcohol Abuse for costs associated with repairs to the facility.

Section 2405. The sum of $210,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2405 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Kelly Park.

Section 2410. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Latino Organization of the Southwest for costs associated with capital improvements.

Section 2420. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2420 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the United Business Association of Midway for costs associated with capital improvements.

Section 2425. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2425 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Village Environmental Justice Organization for costs associated with capital improvements.

Section 2430. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Brighton Park Neighborhood Council for costs associated with capital improvements.

Section 2450. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with capital improvements to Kenwood Academy.

Section 2460. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Metropolis Convention and Tourism Council for costs associated with renovations to the facility.

Section 2465. The sum of $550,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Edward G. Irvin Foundation for costs associated with acquisition and renovation of a facility.

Section 2500. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Chicago YMCA for costs associated with renovations to the facility.

Section 2503. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2503 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Access Community Health Network for costs associated with renovation of the Booker Family Health Center.

Section 2510. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Centers for New Horizons for costs associated with renovations to the Elam House.

Section 2515. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Friend Family Health Center for costs associated with expansion and renovation of the facility.

Section 2520. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2520 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harris Park Advisory Council for costs associated with renovations to the facility.

Section 2530. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Featherfist Center for costs associated with development of the center.

Section 2545. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peggy Notebart Nature Museum for costs associated with infrastructure improvements.

Section 2560. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 2560 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Back of the Yards Neighborhood Council for costs associated with capital improvements to the community center.

Section 2562. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2562 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senior Services of Elgin for costs associated with renovations to the facility.

Section 2630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Garfield Park Gators for all costs associated with general infrastructure.

Section 2633. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2633 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the AFC Community Development Corporation for all costs associated with capital improvements.

Section 2635. The sum of $750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Garfield Park Little League for all costs associated with general infrastructure.

Section 2670. The sum of $73,116, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2670 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for
costs associated with general infrastructure improvements, including prior incurred costs.

Section 2675. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 2675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Worldwide Family Center for all costs associated with capital improvements.

Section 2700. The sum of $737,930, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2700 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southern Illinois University Edwardsville School of Dental Medicine for costs associated with a construction and renovation of a laboratory.

Section 2715. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2715 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincoln Park Conservancy Center for costs associated with construction of a North Pond Rustic Pavilion.

Section 2720. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Howard Brown Health Center for costs associated with infrastructure improvements.

Section 2740. The sum of $5,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kankakee Community College for costs associated with infrastructure improvements.

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Section 2745. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Macoupin for costs associated with capital improvements to the courthouse.

Section 2765. The sum of $59,778, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Greene for costs associated with capital improvements to the courthouse.

Section 2800. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2800 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Coffeen for costs associated with infrastructure improvements.

Section 2815. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2815 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Royal Lakes for costs associated with infrastructure improvements.

Section 2860. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greenfield Community Unit District 10 for costs associated with the purchase of a portable wheel chair lift.

Section 2895. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2895 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bunker Hill for costs associated with various capital improvements throughout the city.

Section 2905. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2905 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bunker Hill for costs associated with various capital improvements throughout the city.

Section 2925. The sum of $60,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Access Community Health Network for costs associated with renovations and repairs to the Access Melrose Park Family Health Center located at 8321 West North Avenue in Melrose Park.

Section 2940. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of West Cook County for all costs associated with renovations and repairs to the facility.

Section 2945. The sum of $95,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2945 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for costs associated with replacing the existing boiler at City Hall.

Section 2950. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2950 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for costs associated with the purchase and installation of a power generator for City Hall.

Section 2955. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 2955 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for costs associated with masonry repairs at City Hall and the Fire Department.

Section 2975. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2975 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Proviso Township for costs associated with the purchase of new equipment including a new HVAC system for the township’s office building.

Section 2985. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2985 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Resource Center for Westside Communities for costs associated with the purchase and renovation of foreclosed properties for low-income housing.

Section 2990. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2990 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Riverside for costs associated with renovations and repairs to the North Riverside Civic Center.

Section 2995. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 2995 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vision of Restoration, Inc. for costs associated with the development of the Rock Heritage Center.

Section 3005. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3005 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Hamilton Park.

Section 3010. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with construction of a field house at Harris Memorial Park.

Section 3015. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3015 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Hayes Park.

Section 3020. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for capital improvements at Mahalia Jackson Park.

Section 3031. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pleasant Dale Park District for costs associated with infrastructure improvements.

Section 3035. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3035 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the renovation of viaducts at 79th Street and 75th Street.

Section 3045. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3045 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Greater Auburn Gresham Development for costs associated with the purchase and renovation of a facility.

Section 3050. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greater Auburn Gresham Development for costs associated with renovations to the Dawes Park Ball Field.

Section 3060. The sum of $165,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3060 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations to the Dawes Park Ball Field.

Section 3065. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3065 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Direction Outreach for costs associated with construction of a family enrichment center.

Section 3070. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3070 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Lawn Park District for costs associated with capital improvements to Worthbrook Park.

Section 3073. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3073 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greater Auburn Gresham Development Corporation for costs associated with infrastructure improvements and development at the Metra Station located at 79th Street and Fielding Avenue, Chicago.

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Section 3090. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3090 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Henry’s Sober Living House for costs associated with renovations at the facility located at 7143 South Harvard in Chicago.

Section 3095. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3095 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Inner-City Muslim Action Network for costs associated with a feasibility study and capital improvements at Marquette Park.

Section 3100. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blandinsville Senior Citizens Organization for costs associated for acquisition and renovation of a new facility.

Section 3105. The sum of $13,587, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cass County for costs associated with bridge construction.

Section 3110. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3110 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the city of Beardstown for costs associated with resurfacing Sixth Street from US 67 to Arenz Street and Arenz Street from Sixth Street to Main Street.

Section 3120. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 3120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Colchester for costs associated with sewer system improvements.

Section 3130. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3130 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hamilton for costs associated with sewer system improvements.

Section 3150. The sum of $8,979, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Nauvoo for costs associated with water system improvements.

Section 3155. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3155 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Winchester for costs associated with Commercial Street Structure Replacement.

Section 3160. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fairview Fire Protection District for costs associated with construction of a storage facility.

Section 3165. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fulton County Health Department for costs

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associated with construction of a dental facility, including prior incurred costs.

Section 3170. The sum of $35,630, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3170 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hancock County for costs associated with Basco Road Truck Route connecting US 336 and IL 96.

Section 3190. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of London Mills for costs associated with infrastructure improvements.

Section 3195. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3195 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to McDonough County for costs associated with road improvements.

Section 3200. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3200 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to McDonough County for costs associated with Courthouse roof repair.

Section 3205. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3205 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Sterling for costs associated with road improvements.

Section 3220. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 3220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Colchester for costs associated with capital improvements.

Section 3225. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roseville for costs associated with sewer repairs.

Section 3230. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3230 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Roseville Fire Protection District for costs associated with construction of a new fire station.

Section 3235. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rushville for costs associated with Brick Streets Reconstruction Projects.

Section 3240. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3240 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Schuyler County Highway Department for costs associated with improvements and repairs.

Section 3255. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3255 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Village of Alsey for costs associated with water system improvements.

Section 3270. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Biggsville for costs associated with water system improvements.

Section 3275. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3275 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bluffs for costs associated with replacement of a ground storage tank.

Section 3280. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Easton for costs associated with road improvements.

Section 3300. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Versailles for costs associated with sidewalk repair and replacement.

Section 3315. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3315 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dallas City for costs associated with roadway maintenance and repairs.

Section 3320. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

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from a reappropriation heretofore made for such purpose in Article 52, Section 3320 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bushnell for costs associated with sewer system improvements.

Section 3325. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3325 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Astoria for costs associated with improvements to the water treatment plant, to include all prior incurred costs.

Section 3335. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manito for costs associated with wastewater improvements.

Section 3345. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3345 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mason City for costs associated with wastewater improvements.

Section 3350. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Camp Point for costs associated with wastewater improvements.

Section 3355. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Village of Liberty for costs associated with renovations and repairs to the City Hall building.

Section 3370. The sum of $23, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3370 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Park Community Center for costs associated with building improvements to the Center in Joliet.

Section 3380. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3380 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Greater Joliet Area YMCA for costs associated with infrastructure improvements.

Section 3395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3395 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Will County Historical Society for costs associated with renovations to the facility.

Section 3405. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3405 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Bolingbrook for costs associated with infrastructure improvements.

Section 3410. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Channahon for costs associated with infrastructure improvements.

Section 3415. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 3415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Crest Hill for costs associated with infrastructure improvements.

Section 3425. The sum of $6,747, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3425 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Joliet for costs associated with the Mound Road Overlay project.

Section 3430. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Joliet for costs associated with Rialto Square Theater—University of St. Francis Downtown Campus Project.

Section 3435. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Joliet for costs associated with the Eastside Water Treatment Facility Plant Outfall Project.

Section 3440. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Lockport for costs associated with infrastructure improvements.

Section 3450. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Lockport for costs associated with infrastructure improvements.

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Opportunity for a grant to the Village of Rockdale for costs associated with infrastructure improvements.

Section 3452. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3452 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Romeoville for costs associated with infrastructure improvements.

Section 3455. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shorewood for costs associated with construction of a Veteran’s Memorial.

Section 3460. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage Township for costs associated with infrastructure improvements.

Section 3465. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Green Garden Township Highway Department for costs associated with infrastructure improvements.

Section 3470. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jackson Township for costs associated with infrastructure improvements.

Section 3475. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 3475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Joliet Township for costs associated with renovations to the Joliet Township Animal Control building.

Section 3480. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3480 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lockport Township for costs associated with infrastructure improvements.

Section 3485. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Manhattan Township for costs associated with infrastructure improvements.

Section 3490. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3490 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Troy Township for costs associated with infrastructure improvements.

Section 3515. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Romeoville Parks and Recreation for costs associated with construction and renovation of park trails.

Section 3523. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3523 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to Cornerstone Services, Inc. for costs associated with construction and renovation of facilities in Will County.

Section 3525. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3525 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Preserve District of Will County for costs associated with infrastructure improvements.

Section 3530. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Joliet Arsenal Development Authority for costs associated with capital improvements.

Section 3535. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crestwood for costs associated with the purchase and installation of a generator for the village hall building.

Section 3545. The sum of $404, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations to the Henry R. Clissold School.

Section 3550. The sum of $79,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations of the fire alarms system at Henry R. Clissold School.

New matter indicated by italics - deletions by strikeout
Section 3560. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3560 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations of the LAN power distributor at Henry R. Clissold School.

Section 3565. The sum of $113,492, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago School District 299 for costs associated with renovations to the Fort Dearborn Elementary School.

Section 3570. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3570 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverdale for costs associated with road and infrastructure improvements.

Section 3575. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with replacing the HVAC system at the Kaptur Administrative Center.

Section 3580. The sum of $140,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3580 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with renovations and improvements to the Historic Recreation Center.

Section 3585. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52,
Section 3585 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with construction of a railroad quiet zone at 86th Street and 127th Street.

Section 3590. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with installation of traffic light signals at Creek Road and Illinois Route 45.

Section 3595. The sum of $85,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3595 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for costs associated with renovations to the McCord House.

Section 3615. The sum of $17,701, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with installation of street lights within the 34th Ward.

Section 3620. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3620 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with infrastructure improvements within the 34th Ward.

Section 3625. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3625 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with installation of street lights within the 9th Ward.

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Section 3630. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with infrastructure improvements to sidewalks within the 9th Ward.

Section 3635. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Calumet Park for costs associated with construction and renovation of the Saltdome.

Section 3645. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3645 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Calumet Park Recreation Center for costs associated with renovations to the facility.

Section 3660. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3660 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blue Island Park District for costs associated with capital improvements to parks.

Section 3665. The sum of $12,037, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3665 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Calumet Township for costs associated with capital improvements within the township and purchase of property.

Section 3680. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3680 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest for costs associated with infrastructure improvements to sidewalks.

Section 3690. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3690 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cornerstone Chicago for costs associated with the renovation of Halfway House Recovery Home.

Section 3695. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3695 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bridge the Gap, Inc. for costs associated with capital improvement to that facility.

Section 3705. The sum of $4,870, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Metropolitan Family Services for costs associated with capital improvements.

Section 3710. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blue Island Fire Department for costs associated with infrastructure improvements at that facility.

Section 3715. The sum of $85,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3715 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Developing Community Projects, Inc. for costs associated with capital improvements to their facility.

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Section 3720. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Forest Park District for costs associated with infrastructure improvements.

Section 3725. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3725 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Midlothian for costs associated with infrastructure improvements to sidewalks within the village.

Section 3735. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3735 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bremen Township for costs associated with infrastructure improvements within the township.

Section 3740. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary Perpetual Health for costs associated with capital improvements.

Section 3745. The sum of $800,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Back of the Yards Neighborhood Council for costs associated with the construction of a community center.

Section 3750. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3750 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Our Lady of Good Counsel Church for costs associated with the purchase and installation of a new heating and cooling unit for the Blessed Sacrament Youth Program.

Section 3755. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3755 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Namaste Charter School for costs associated with capital improvements.

Section 3760. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3760 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bridgeport Catholic Academy for costs associated with capital improvements.

Section 3765. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Gull Parish for costs associated with capital improvements.

Section 3768. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3768 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Bruno Parish for costs associated with capital improvements.

Section 3770. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3770 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blessed Sacrament Parish for costs associated with capital improvements.

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Section 3773. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3773 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Jerome Parish for costs associated with capital improvements.

Section 3780. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3780 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mujeres Latinas En Acción for costs associated with capital development and neighborhood improvements.

Section 3785. The sum of $273,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3785 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Louis L. Valentine Boys and Girls Club of Chicago for costs associated with renovations and repairs to the facility.

Section 3790. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the General Robert E. Woods Boys and Girls Club of Chicago for costs associated with capital improvements at the facility.

Section 3795. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3795 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rauner Family YMCA for costs associated with capital improvements at the facility.

Section 3805. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3805 of Public Act 98-0050, as amended, is reappropriated from the

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Saint Paul Parish for costs associated with capital improvements at the facility located at 2127 W. 22nd Place, Chicago.

Section 3810. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3810 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Saint Paul Parish for costs associated with capital improvements at the facility located at 2127 W. 22nd Place, Chicago.

Section 3815. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3815 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Saint Ann Catholic School for costs associated with capital improvements at the school.

Section 3820. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3820 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Barbara Church for costs associated with capital improvements.

Section 3823. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3823 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Bridgeport VFW Post 5079 for costs associated with capital improvements.

Section 3825. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3825 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network for costs associated with capital improvements to the Cabrini Family Health Center.

New matter indicated by italics - deletions by strikeout
Section 3830. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3830 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Centro De Salud Esperanza for costs associated with capital improvements at the facility.

Section 3835. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3835 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Nativity of Our Lord Church for costs associated with capital improvements.

Section 3840. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3840 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with capital improvements at DuSable High School.

Section 3845. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3845 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Centers for New Horizons for facility upgrades at Elam House.

Section 3850. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3850 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Baptist Institute for costs associated with capital improvements to the library.

Section 3855. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3855 of Public Act 98-0050, as amended, is reappropriated from the

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bishop Shepard Little Memorial Center, Inc. for costs associated with the construction of a community center.

Section 3860. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Richard Parish for costs associated with capital improvements.

Section 3865. The sum of $215,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3865 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for cost associated with the purchase and installation of lights at Washington Park.

Section 3870. The sum of $3,014, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3870 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gordie’s Foundation, Inc. for costs associated with construction and renovation to the existing facility.

Section 3875. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3875 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Urban League for costs associated with capital improvements.

Section 3880. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3880 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Plano Child Development Center for costs associated with the purchase and or rehabilitation of a building to expand the “Eye Can Learn” program.

New matter indicated by italics - deletions by strikeout
Section 3885. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3885 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pope John Paul II Catholic School for costs associated with capital improvements.

Section 3888. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3888 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gloria Day Lutheran Church for costs associated with capital improvements.

Section 3895. The sum of $33,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3895 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Daniel J. Nellum Youth Services, Inc. for costs associated with capital improvements to the facility.

Section 3910. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3910 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Union Missionary Baptist Church for costs associated with infrastructure improvements, including previously incurred costs.

Section 3920. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3920 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Park Baptist Church for costs associated with construction of the Senators Fred and Margaret Smith East of Eden Housing and Senior Services Center.

Section 3925. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 3925 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Meltcalf Collection for costs associated with infrastructure improvements.

Section 3935. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3935 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Heights Park District for costs associated with park improvements.

Section 3945. The sum of $267, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3945 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Heights School District for costs associated with the development and construction of a new middle school academy located at the corner of Dixie Highway and 10th Street, Chicago Heights.

Section 3950. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3950 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Momence for costs associated with the reconstruction of the water bank and sidewalk.

Section 3955. The sum of $137,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3955 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Eastern Will County Senior Transit for costs associated with renovations and repairs to the facility.

Section 3960. The sum of $137,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 3960 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bloom Township for costs associated with capital improvements to the food pantry.

Section 3965. The sum of $155,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3965 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Aroma Park for costs associated with roadway and maintenance repairs.

Section 3970. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3970 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Beecher for costs associated with renovations and improvements to the sewer plant.

Section 3975. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 3975 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bradley for costs associated with the construction of a new fire station.

Section 4010. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sauk Village for costs associated with renovations and repairs to Arrowhead and Carroll Parks.

Section 4020. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glenwood School for Boys for costs associated with facility improvements.

New matter indicated by italics - deletions by strikeout
Section 4025. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4025 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Heights Youth Committee for costs associated with facility improvements.

Section 4030. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4030 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban Area Project for costs associated with facility improvements.

Section 4035. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4035 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grand Prairie Services for costs associated with facility improvements.

Section 4040. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4040 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aunt Martha’s Health Care Network for costs associated with facility improvements.

Section 4045. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4045 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Star Services for costs associated with facility improvements.

Section 4050. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4050 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lynwood for costs associated with infrastructure improvements.

Section 4055. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4055 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bloom Township for costs associated with infrastructure improvements.

Section 4060. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4060 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Chicago Heights for costs associated with infrastructure improvements.

Section 4065. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4065 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Washington Township for costs associated with infrastructure improvements.

Section 4070. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4070 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kankakee Courthouse for costs associated with improvements to the courthouse.

Section 4080. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4080 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Northlake for costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 4090. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4090 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for costs associated with infrastructure improvements.

Section 4100. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Triton College for costs associated with renovations to facilities including roof replacement.

Section 4105. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Unity Temple Restoration Foundation for costs associated with the replacement of the HVAC system.

Section 4120. The sum of $675,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stone Park for costs associated with the construction of a public safety building.

Section 4135. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4135 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for costs associated with infrastructure improvements.

Section 4140. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4140 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casa Norte for costs associated with infrastructure improvements at the facility.

Section 4145. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Northbrook for costs associated with the installation of traffic signals.

Section 4165. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kwame Nkrumah Academy for costs associated with construction of a new facility.

Section 4170. The sum of $1,731,054, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4170 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Guidance Centers Inc. for Metro Prep Schools for costs associated with infrastructure improvements, including prior incurred costs.

Section 4175. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Country Club Hills for costs associated with infrastructure improvements.

Section 4185. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4185 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mendon for costs associated with street infrastructure repairs.

Section 4190. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52,
Section 4190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Steger for costs associated with the rehabilitation of water towers.

Section 4220. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Food and Shelter Foundation for costs associated with capital improvements.

Section 4230. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4230 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ambassadors for Christ Church for costs associated with capital improvements.

Section 4235. The sum of $1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Uhlich Children’s Association Network for costs associated with capital improvements to facilities.

Section 4300. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Greater Galilee Missionary Baptist Church for costs associated with infrastructure improvements to the homeless services facility.

Section 4305. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to
Opportunity for a grant to the Safer Foundation for costs associated with infrastructure improvements.

Section 4315. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4315 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Safer Foundation for costs associated with infrastructure improvements.

Section 4325. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4325 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Home of Life Community Development Corporation for costs associated with infrastructure improvements.

Section 4345. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4345 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Safe Cities, Inc. for all costs associated with capital improvements.

Section 4350. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin People’s Action Center for costs associated with the purchase and renovation of foreclosed properties for low-income housing and the development and construction of a Women’s Wellness Center.

Section 4355. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Safe Cities, Inc. for all costs associated with...
Opportunity for a grant to the Bethel New Life, Inc. for costs associated with infrastructure improvements.

Section 4360. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ebenezer Community Outreach for costs associated with purchase, renovation, and repairs of facilities.

Section 4365. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Progressive Ministries for costs associated with renovations to the facility’s Community Service Room.

Section 4370. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4370 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Proviso-Leyden Council for Community Action, Inc. for costs associated with replacement of the facility’s roof.

Section 4380. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4380 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maywood Fine Arts Association for costs associated with facility repairs and renovations.

Section 4385. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4385 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kuiche Café and Culinary Arts Academy for costs associated with the purchase and renovation of facilities.

Section 4395. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 52, Section 4395 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Suder Montessori Magnet PTA School for all costs associated with general infrastructure.

Section 4410. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Saving Our Sons Ministries for costs associated with infrastructure improvements.

Section 4415. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Youth Peace Center of Roseland for costs associated with infrastructure improvements at the facility.

Section 4420. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4420 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for costs associated with infrastructure improvements.

Section 4430. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with general infrastructure at John D. Shoop Academy of Math, Science and Technology.

Section 4435. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with general infrastructure at John D. Shoop Academy of Math, Science and Technology.

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the Village of Bridgeview for all costs associated with construction of a pedestrian safety fence.

Section 4440. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bridgeview for all costs associated with construction of a pedestrian safety fence.

Section 4445. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Central Community Services, Inc. for costs associated with renovations to the community swimming pool.

Section 4450. The sum of $188,680, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Robbins for costs associated with infrastructure improvements to the village facility.

Section 4455. The sum of $2,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hometown for costs associated with street repairs.

Section 4460. The sum of $95,889, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with renovations to Helen C. Peirce School of International Studies.

Section 4465. The sum of $2,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ethiopian Community Association of Chicago, Inc. for costs associated with the purchase of an elevator.

New matter indicated by italics - deletions by strikeout
Section 4465. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with renovations to the James Birdseye McPherson School.

Section 4475. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oquawka for road improvements.

Section 4480. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4480 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stronghurst for construction of a well.

Section 4485. The sum of $52,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Plymouth for costs associated with well improvements.

Section 4490. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4490 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clayton for costs associated with sewer improvements.

Section 4500. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Human Resources Development Institute for costs associated with capital improvements.

Section 4505. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Quinn Chapel AME Church for costs associated with capital improvements to the Fellowship Hall.

Section 4515. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Board of Education for costs associated with capital improvements at South Shore High School.

Section 4520. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4520 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vandercook College of Music for costs associated with capital improvements.

Section 4525. The sum of $38,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4525 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Adler School of Professional Psychology for costs associated with capital improvements.

Section 4530. The sum of $97,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the National Public Housing Museum for costs associated with capital improvements.

Section 4535. The sum of $975,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

New matter indicated by italics - deletions by strikeout
from a reappropriation heretofore made for such purpose in Article 52, Section 4535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Counseling Centers of Chicago for costs associated with the purchase and renovation of a facility.

Section 4540. The sum of $1,385,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Guidance Center for costs associated with infrastructure improvements to the facility, to include prior incurred costs.

Section 4550. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Erie Neighborhood House for costs associated with infrastructure improvements to the facility.

Section 4556. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4556 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to V.F.W. Post 8141 for all costs associated with infrastructure improvements.

Section 4557. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4557 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Butterfield Park District for all costs associated with infrastructure improvements to park facilities.

Section 4558. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4558 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fulfilling Our Responsibility Unto Mankind

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(F.O.R.U.M.) for all costs associated with infrastructure improvements to the facility.

Section 4559. The sum of $85,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 52, Section 4559 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Shore Hospital for all costs associated with infrastructure improvements.

Section 4565. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lifescape Community Services for all costs associated with capital improvements.

Section 4570. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4570 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Public Library for all costs associated with infrastructure upgrades to Sullivan Center.

Section 4575. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelter Care Ministries for all costs associated with infrastructure repairs for a new homeless shelter for veterans.

Section 4580. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4580 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Rockford for all costs associated with the Carlson facility capital improvements.

Section 4585. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

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from an appropriation heretofore made for such purpose in Article 52, Section 4585 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Booker Washington Center for all costs associated with infrastructure improvements.

Section 4595. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4595 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for People with Disabilities for all costs associated with capital improvements.

Section 4605. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals DuPage and the Fox Valley Region for all costs associated with capital improvements.

Section 4615. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at John C. Burroughs Elementary School.

Section 4625. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4625 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Nathan Davis Elementary School.

Section 4628. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4628 of Public Act 98-0050, as amended, is reappropriated from the...
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Charles G. Hammond Elementary School.

Section 4630. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Thomas Kelly High School.

Section 4635. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Francisco I. Madero Middle School.

Section 4685. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4685 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Queen of the Universe School for costs associated with infrastructure improvement.

Section 4695. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4695 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary Star of the Sea School for costs associated with infrastructure improvement.

Section 4700. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4700 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to St. Symphorosa School for costs associated with infrastructure improvement.

Section 4705. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Turibius School for costs associated with infrastructure improvement.

Section 4710. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Nicholas of Tolentine School for costs associated with infrastructure improvement.

Section 4715. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4715 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Gall School for costs associated with infrastructure improvement.

Section 4720. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Rene Goupil School for costs associated with infrastructure improvement.

Section 4730. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4730 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Daniel the Prophet School for costs associated with infrastructure improvement.

Section 4745. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

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from an appropriation heretofore made for such purpose in Article 52, Section 4745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Socorro Sandoval Elementary School.

Section 4750. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4750 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Farragut Career Academy High School.

Section 4790. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at James Shields Elementary School.

Section 4815. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4815 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements at Eric Solorio Academy High School.

Section 4830. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4830 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for costs associated with road and infrastructure improvements.

Section 4835. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from an appropriation heretofore made for such purpose in Article 52, Section 4835 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Steger for costs associated with road and infrastructure improvements.

Section 4840. The sum of $130,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4840 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Thornton Township High Schools District 205 for costs associated with infrastructure improvements to Thornton Township High School.

Section 4845. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4845 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Riverdale Park District for costs associated with infrastructure improvements to parks.

Section 4855. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 52, Section 4855 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Building Our Own Community for costs associated with infrastructure improvements to the food pantry.

Section 4860. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for costs associated with infrastructure improvements.

Section 4865. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for costs associated with infrastructure improvements.

Section 4870. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Village of Bartlett for costs associated with infrastructure improvements.

Section 4875. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glendale Heights for costs associated with infrastructure improvements.

Section 4880. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with renovations and improvements at Broncho Billy Playlot Park.

Section 4885. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with repairs to the viaduct at Lake Shore Drive and Lawrence Avenue.

Section 4890. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Start Project for costs associated with infrastructure improvements to the facility.

Section 4895. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Minerva Educational Foundation, Inc. for costs associated with the purchase and renovations of a facility.

Section 4900. The sum of $35,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Springfield for costs associated with building and infrastructure improvements.

Section 4905. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Decatur Park District for costs associated with infrastructure improvements.

Section 4910. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City

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of Bunker Hill for costs associated with handicap accessible restrooms and improvements at Mae Meissner-Whitaker Park.

Section 4915. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Worden for costs associated with infrastructure improvements.

Section 4920. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Benld for costs associated with infrastructure improvements.

Section 4925. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sawyerville for costs associated with infrastructure improvements.

Section 4930. The sum of $65,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Gillespie for costs associated with infrastructure improvements.

Section 4935. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wilsonville for costs associated with park improvements.

Section 4940. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Royal Lakes for costs associated with infrastructure improvements.

Section 4945. The sum of $21,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mt. Olive Township for costs associated with infrastructure improvements.

Section 4950. The sum of $12,500, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with infrastructure improvements to the Barbara Vick Early Childhood Center.

Section 4955. The sum of $12,500, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the

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Worth Township Highway District for costs associated with infrastructure improvements to the Garden Homes Community.

Section 4960. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lakeview Food Pantry for costs associated with capital improvements and/or the purchase of a building.

Section 4965. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Quad Community Development Corporation for costs associated with the acquisition and renovation of property at 4210 S. Berkley Avenue in Chicago.

Section 4970. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Innovation Exchange for costs associated with the construction of incubator space at the East 53rd Street commercial corridor in Chicago.

Section 4975. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Commons for costs associated with renovations at its property located at 515 E. 53rd Street in Chicago.

Section 4980. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with resurfacing of roads within the 23rd Ward.

Section 4985. The sum of $220,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clyde Park for costs associated with soccer field improvements at the Cicero Sports Complex.

Section 4990. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pilsen Wellness Center for costs associated with capital improvements.

Section 4995. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pilsen Wellness Center for costs associated with capital improvements.
Chicago Park District for costs associated with capital improvements at Valley Forge Park.

Section 5000. The sum of $70,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements at Wentworth Park.

Section 5005. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cicero for costs associated with road improvements within the city.

Section 5010. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $86,810,510

ARTICLE 28
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Coalition for Immigrant and Refugee Rights for the John Donahue Immigrant Training Center.

Section 40. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 40 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Ann Catholic School for building improvements.

Section 45. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mujeres Latinas en Accion for general infrastructure.

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Section 55. The sum of $17,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 55 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dorman Dunn Chapter of Veterans of Foreign Wars for general infrastructure.

Section 75. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure renovations at Prosser Career Academy.

Section 105. The sum of $520,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with construction of a playground at Mary Lyon Elementary School.

Section 120. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago International Charter School for all costs associated with a gymnasium.

Section 140. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternative Systems for the expansion of facilities.

Section 150. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for general infrastructure.

Section 180. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

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from an appropriation heretofore made for such purpose in Article 53, Section 180 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Roxana for general infrastructure.

Section 215. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 215 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Alton Township for general infrastructure.

Section 225. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hartford for general infrastructure.

Section 235. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Choteau Township for general infrastructure improvements.

Section 265. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 265 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for clean up of the Eagle Monument, new lighting, and other upgrades in Logan Square.

Section 270. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternative Systems, Inc. for façade renovation.

Section 275. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 275 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Institute for Puerto Rican Arts and Culture for completion of museum construction.

Section 290. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aspira Incorporated of Illinois for general infrastructure improvements.

Section 300. The sum of $165,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for field house improvements at Koscinszko Park.

Section 305. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bickerdike Redevelopment Corporation for the construction of affordable housing at Zapata Apartments.

Section 310. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 310 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for field house improvements at Kelvyn Park.

Section 315. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for all costs associated with street lights in the 31st Ward.

Section 330. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 330 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Kelvyn Park High School.

New matter indicated by italics - deletions by strikeout
Section 335. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Blackhawk College for energy efficient infrastructure upgrades.

Section 345. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 345 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rend Lake Conservancy District for infrastructure improvements.

Section 355. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stonefort for infrastructure improvements.

Section 360. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ziegler for infrastructure improvements.

Section 365. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Freeman Spur for infrastructure improvements.

Section 375. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 375 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Logansport for infrastructure improvements.

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crainville for infrastructure improvements.

Section 380. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North City for infrastructure improvements.

Section 390. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Marion for infrastructure improvements.

Section 400. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bush for infrastructure improvements.

Section 405. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 405 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cambria for infrastructure improvements.

Section 410. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carterville for infrastructure improvements.

Section 415. The sum of $66,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 415 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Franklin County for infrastructure improvements.

Section 420. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ewing for infrastructure improvements.

Section 430. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sesser for historical and infrastructure improvements.

Section 435. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Creal Springs for infrastructure improvements.

Section 440. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hurst for infrastructure improvements.

Section 445. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanaford for infrastructure improvements.

Section 450. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanaford for infrastructure improvements.
Opportunity for a grant to the Village of Thompsonville for infrastructure improvements.

Section 455. The sum of $2,111, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pittsburgh for infrastructure improvements.

Section 460. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spillertown for infrastructure improvements.

Section 465. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Orient for infrastructure improvements.

Section 470. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crab Orchard for infrastructure improvements.

Section 475. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of West City for infrastructure improvements.

Section 485. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Williamson County Airport Authority for infrastructure improvements.

Section 505. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Advocate Christ Medical Center for the renovation and expansion of the Pediatric Emergency Care Center.

Section 510. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Company of Mary Hospital for a hospital construction project.

Section 525. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 525 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Lawn Public Library for infrastructure improvements, to include all prior incurred costs.

Section 530. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Evergreen Park Public Library for technological upgrades.

Section 540. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Ridge Public Library for technological upgrades.

Section 545. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Metropolitan Family Services for infrastructure improvements.

Section 560. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 560 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Evergreen Park for playground improvements at Klein Park.

Section 600. The sum of $407,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 600 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for general infrastructure in the 4th Ward.

Section 605. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sewer projects and general infrastructure in the 20th Ward.

Section 625. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black United Fund of Illinois for general infrastructure.

Section 630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuSable Museum of African American History for general infrastructure.

Section 635. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Edward G. Irvin Foundation for general infrastructure.

Section 645. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 645 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Paramount Arts Centre for repair and renovation of the Paramount Theatre.

Section 650. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 650 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Resource Center for general infrastructure improvements.

Section 665. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 665 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Moecherville Fire Department for construction and infrastructure improvements.

Section 680. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for costs associated with the construction/renovation of parks in the 6th Ward.

Section 686. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fox Valley Park district for costs associated with the construction/renovation of a park.

Section 690. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,
Section 690 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to East Aurora School District 131 for infrastructure improvements.

Section 705. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Area Project for infrastructure improvements.

Section 725. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 725 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mt. Vernon Baptist Church for construction of a commercial kitchen at the JLM Abundant Life Center.

Section 730. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 730 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Haven of Rest Missionary Baptist Church for building improvements and renovations of the John Conner Fellowship Hall and Community Center.

Section 745. The sum of $72,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Xi Lambda Chapter of A Phi A, Inc. for installation and renovation of Americans with Disabilities Act (ADA) accessible improvements.

Section 755. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 755 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Xi Lambda Chapter of A Phi A, Inc. for installation and renovation of Americans with Disabilities Act (ADA) accessible improvements.
Opportunity for a grant to the Hegewisch Chamber of Commerce for renovations to the chamber office building.

Section 760. The sum of $205,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 760 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for decorative street lights in eight blocks in the 8th Ward.

Section 765. The sum of $63,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to La Causa Community Committee for facility renovations.

Section 770. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 770 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hegewisch Community Committee for interior rehabilitations.

Section 800. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 800 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Children’s Advocacy Center of North and Northwest Cook County for reconstruction of the building.

Section 805. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 805 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hoffman Estates Park District for all costs associated with construction and installation of playground equipment at Eisenhower Middle School.

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Section 815. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 815 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Streamwood Park District for all costs associated with a new indoor running track at Park Place.

Section 825. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 825 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Roosevelt University for construction of a pharmacy school.

Section 850. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Don Nash Park.

Section 855. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 855 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Rainbow Beach and Park.

Section 860. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for physical plant repairs to Russell Square Park.

Section 870. The sum of $125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for water feature rehabilitation to Harold Washington Park.

Section 880. The sum of $100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

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from a reappropriation heretofore made for such purpose in Article 53, Section 880 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Bouchet Elementary Math & Science Academy.

Section 885. The sum of $28,054, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 885 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Myra Bradwell Communications Arts and Sciences Elementary School.

Section 890. The sum of $27,890, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 890 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Canter Middle School.

Section 895. The sum of $31, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 895 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Andrew Carnegie Elementary School.

Section 900. The sum of $337, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 900 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Harte Elementary School.

Section 910. The sum of $40, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 910 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for

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a grant to Chicago Public Schools for building repairs at Ninos Heroes Elementary Academic Center.

Section 925. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 925 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at New Sullivan School.

Section 930. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 930 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Wadsworth Elementary School.

Section 935. The sum of $3,311, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 935 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Kenwood Academy High School.

Section 940. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for building repairs at Hyde Park Academy High School.

Section 945. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 945 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for median repairs at 59th and Cornell Drive.

Section 955. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
Section 955. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 955 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ada S. McKinley Community Services Incorporated for renovations to the Ersula Howard Childcare Center.

Section 960. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 960 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ada S. McKinley Community Services Incorporated for renovations to the South Chicago Neighborhood House.

Section 965. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Chicago Youth Centers for Crowne Center Building renovations.

Section 975. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Hyde Park Neighborhood Club for renovations.

Section 980. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the South Central Community Services Incorporated for renovations to the South Shore campus.

Section 990. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the YMCA of Metropolitan Chicago for renovations to the South Chicago YMCA.

Section 995. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the YMCA of Metropolitan Chicago for renovations to the South Side YMCA.

Section 1000. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1000 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to ACCESS Community Health Network for physical plant improvements at Brandon Family Health Center.

Section 1005. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1005 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hope Technical and Education Center for facility renovations.

Section 1010. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Rescue for physical plant improvements.

Section 1015. The sum of $125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black United Fund of Illinois Incorporated for physical plant improvements.

Section 1020. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Metropolitan Chicago for infrastructure improvements at the Leaning Tower YMCA.

Section 1025. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Niles Park District for improvements to athletic fields.

Section 1050. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Niles for the reconstruction of an alley between Riverside Drive and Days Terrace.

Section 1070. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 1070 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for lighting and landscaping at Wildwood Park.

Section 1080. The sum of $41,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1080 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations and additions to Solomon Elementary School.

Section 1085. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1085 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia Home for infrastructure improvements.

Section 1090. The sum of $15,362, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1090 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations and additions to Edgebrook Elementary School.

Section 1095. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1095 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Irish American Heritage Center for renovations to the building.

Section 1100. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the Morton Grove Park District for renovations to the playground at Jacob’s Park.

Section 1105. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for renovations, construction, and improvements to Wildwood World Magnet School.

Section 1110. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1110 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for renovations to the North Park Village senior center.

Section 1120. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for lights and general infrastructure improvements to Gompers Park.

Section 1140. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Brainerd Park infrastructure improvements.

Section 1145. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Oakdale Park infrastructure improvements.

Section 1180. The sum of $275,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 1180 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Morgan Park High School technology and infrastructure improvements.

Section 1190. The sum of $19,582, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for Green Elementary School technology and infrastructure improvements.

Section 1220. The sum of $533,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Brainerd Community Development Corporation for technology and infrastructure improvements.

Section 1225. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Calumet Park for local infrastructure improvements and/or renovations.

Section 1230. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1230 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverdale for local infrastructure improvements and/or renovations.

Section 1235. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Dolton for general infrastructure.

Section 1245. The sum of $77,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 1245 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Markham for local infrastructure improvements.

Section 1255. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1255 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dixmoor for local infrastructure improvements and/or renovations.

Section 1265. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1265 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for local infrastructure improvements and/or renovations.

Section 1270. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homewood for local infrastructure improvements and/or renovations.

Section 1275. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1275 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Forest for local infrastructure improvements and/or renovations.

Section 1280. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the Village of Midlothian for local infrastructure improvements and/or renovations.

Section 1285. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1285 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Posen for local infrastructure improvements and/or renovations.

Section 1290. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Posen for local infrastructure improvements and/or renovations to the Posen Recreation Center.

Section 1295. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1295 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Robbins for local infrastructure improvements and/or renovations.

Section 1310. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1310 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements and/or renovations in the 34th Ward.

Section 1315. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Robbins for local infrastructure improvements and/or renovations to the Robbins Community Center.

Section 1335. The sum of $105,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Flossmoor for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 1340. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1340 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Lenox for general infrastructure.

Section 1360. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mokena for general infrastructure.

Section 1375. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1375 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of University Park for general infrastructure.

Section 1385. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1385 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manhattan for general infrastructure.

Section 1390. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Frankfort for general infrastructure.

Section 1415. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Chicago Heights for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 1435. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Anne for general infrastructure.

Section 1445. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Wilmington for general infrastructure.

Section 1450. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Kankakee for general infrastructure.

Section 1455. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bonfield for general infrastructure.

Section 1460. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sun River Terrace for general infrastructure.

Section 1465. The sum of $53,069, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Anne for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 1470. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Limestone for general infrastructure.

Section 1475. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Aroma Park for general infrastructure.

Section 1480. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1480 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Reddick for general infrastructure.

Section 1485. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hopkins Park for general infrastructure.

Section 1490. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1490 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Peotone for general infrastructure.

Section 1495. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pembroke Township for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 1500. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Matthew House for general infrastructure upgrades.

Section 1505. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Door of Hope Rescue Mission for general infrastructure upgrades.

Section 1510. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Centers for New Horizons for construction and renovation.

Section 1515. The sum of $330,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure upgrades at McCorkle, Overton, Carter, Manierre, South Loop, and Dulles elementary schools.

Section 1545. The sum of $290,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dunbar Park for general infrastructure.

Section 1550. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to Boys’ Club/Girls’ Club of Chicago for construction and renovation at the Yancey Boys’ Club/Girls’ Club.

Section 1580. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1580 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dundee Township Park District for replacing the roof of the Recreation Center, for resurfacing parking lots, and for a bike path.

Section 1605. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lakeview Pantry for infrastructure improvement.

Section 1610. The sum of $146,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Howard Brown Health Center in Chicago for clinical space modifications.

Section 1615. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for the general renovations and repairs at the Florence Heller Jewish Community Center.

Section 1620. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1620 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Center on Halsted for all costs associated with infrastructure improvements to the 3600 North Halsted project.

Section 1630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,
Section 1630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for fire escape replacement at the Ezra Multi-Service Center.

Section 1670. The sum of $72,345, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1670 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Findlay for general infrastructure.

Section 1675. The sum of $110,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Springfield for general infrastructure improvements.

Section 1685. The sum of $80,039, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1685 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Windsor for general infrastructure.

Section 1705. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary’s Hospital for all costs associated with fire sprinkler expansion.

Section 1710. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Decatur Memorial Hospital for all costs associated with construction of a pedestrian corridor.

Section 1740. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

New matter indicated by italics - deletions by strikeout
from an appropriation heretofore made for such purpose in Article 53, Section 1740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Decatur for infrastructure improvements.

Section 1745. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 18th Ward.

Section 1765. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 21st Ward.

Section 1770. The sum of $36,214, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1770 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Holy Cross Hospital for building renovations and improvements.

Section 1775. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1775 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leo High School for land acquisition.

Section 1785. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1785 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 17th Ward.

New matter indicated by italics - deletions by strikeout
Section 1790. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Muhammad Holy Temple of Islam for facility improvements at the Salaam Conference Center.

Section 1795. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1795 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 6th Ward.

Section 1820. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1820 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to North Riverside for the purchase of a bondable vehicle.

Section 1880. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1880 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Peace Corner Youth Center for general infrastructure improvements.

Section 1930. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1930 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for infrastructure improvements.

Section 1935. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1935 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for infrastructure improvements.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hanover Park Park District for renovations and improvements at Safari Springs.

Section 1940. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elk Grove Village for renovations and infrastructure improvements to the Devon Avenue lift station.

Section 1950. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1950 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roselle for the reconstruction project to Foster Avenue.

Section 1970. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 1970 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover Park for reconstruction and infrastructure improvements to include all prior incurred costs.

Section 1995. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 1995 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Family Health Center for physical plant improvements.

Section 2005. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2005 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Daniel J. Nellum Youth Services, Inc. for renovations.

New matter indicated by italics - deletions by strikeout
Section 2010. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 2010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Inner-City Muslim Action Center for renovations to the youth and arts wellness center at 2747 West 63rd Street.

Section 2015. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2015 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bishop Shepard Little Memorial Center for new construction.

Section 2020. The sum of $69,350, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Lowe Park, to include all prior incurred costs.

Section 2050. The sum of $211,445, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buckingham for general infrastructure improvements.

Section 2090. The sum of $3,375, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2090 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Custer Township for road repairs and resurfacing projects.

Section 2095. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2095 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gardner for general infrastructure improvements.

Section 2100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Coal City for general infrastructure improvements.

Section 2105. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Herscher for general infrastructure improvements.

Section 2115. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2115 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Diamond for general infrastructure improvements.

Section 2120. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Limestone Township for general infrastructure improvements.

Section 2125. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2125 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Essex for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 2150. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Paul Church in Peoria for general infrastructure improvements.

Section 2160. The sum of $29,057, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Neighborhood Alliance of Peoria for general infrastructure improvements.

Section 2175. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2175 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals of Peoria for general infrastructure improvements.

Section 2205. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2205 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Joseph Higgins Smith Park.

Section 2210. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2210 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Union Park.

Section 2220. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 2220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Thomas Drummond Elementary.

New matter indicated by italics - deletions by strikeout
Section 2225. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 2225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Martin Luther King Boys Club for general infrastructure.

Section 2235. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 2235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Clark Park.

Section 2240. The sum of $75,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for installation of a track at Kells Park.

Section 2245. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2245 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Suder Montessori Magnet Elementary School.

Section 2250. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 2250 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements to Tilton Park.

Section 2255. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 2255 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for playground equipment at Augusta Park Playground.

New matter indicated by italics - deletions by strikeout
Section 2265. The sum of $42,305, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 2265 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Malachy Precious Blood Catholic School for infrastructure improvements.

Section 2270. The sum of $38,461, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 2270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at George W Tilton Elementary School.

Section 3010. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Evanston History Center for general infrastructure.

Section 3020. The sum of $95,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shore Community Services, Inc. for energy efficiency infrastructure upgrades.

Section 3025. The sum of $85,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3025 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for technology infrastructure upgrades.

Section 3035. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3035 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for technology infrastructure upgrades.

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Organizations Umbrella, Inc. for the construction of a new building.

Section 3070. The sum of $26,255, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3070 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Organizations Umbrella, Inc. for the construction of a new building.

Section 3085. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3085 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bunker Hill Library District for construction projects.

Section 3090. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for remodeling and replacement of equipment at the Langdon Albion play lot or other permanent improvements.

Section 3100. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for the reconstruction of the Lake Shore Drive overpass at Montrose Avenue.

Section 3105. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the expansion of the Clarendon Park Field House or other permanent improvements.

Section 3115. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Chicago Park District for the construction of a new building.
Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for general infrastructure improvements to Wilson Avenue overpass on Lake Shore Drive.

Section 3120. The sum of $4,402, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for School Life Safety and ADA improvements to Ravenswood School.

Section 3125. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Board of Education for permanent improvements at Uplift School.

Section 3135. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3135 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for new traffic signals at Foster Avenue and Albany Avenue and at Peterson Avenue and Ravenswood Avenue and at Devon Avenue and Greenview Avenue.

Section 3140. The sum of $475,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clyde Park District for soccer fields within the City of Cicero.

Section 3145. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Resource Center for general infrastructure improvements.

Section 3155. The sum of $62,776, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,
Section 3155 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cicero for construction of a dental facility at the Alivio Health Center.

Section 3160. The sum of $3,164, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Cicero for re-surfacing of the walking track and the sodding of fields at Hawthorne Park District.

Section 3165. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Berwyn Fire Department for general infrastructure.

Section 3170. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3170 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Berwyn for plumbing and concrete work at Pavek pool, lighting at Janura Park softball field, and general infrastructure at Janura Park soccer field.

Section 3200. The sum of $5,943, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3200 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maryville for the construction of a water line from Illinois Route 157 to Stonebridge Drive and general infrastructure.

Section 3215. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3215 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to Hollywood Heights Fire Department for firehouse addition and renovation and general infrastructure.

Section 3225. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the French Village Fire Department for infrastructure improvements to include the purchase of equipment.

Section 3230. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3230 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the State Park Fire Department for general infrastructure improvements to include the purchase of equipment.

Section 3250. The sum of $8,029, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3250 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for heating and air-conditioning replacement at the Senior Center.

Section 3255. The sum of $8, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3255 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Nameoki Township for replacement of pumps at Courtney and Wabash pump stations.

Section 3270. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for fire station improvements or additions and general infrastructure improvements or road repairs.

New matter indicated by italics - deletions by strikeout
Section 3280. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Granite City Township for bus garage additions and parking lot improvements and general infrastructure.

Section 3300. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fairmont City for infrastructure improvements for the Fairmont City Fire Department, to include the purchase of equipment.

Section 3315. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3315 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for fire station improvements or additions and general infrastructure or road repairs.

Section 3320. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3320 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Swansea for all costs associated with the engineering and design of Smelting Works Road, including land acquisition.

Section 3325. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3325 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Venice for general infrastructure.

Section 3335. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3335 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belleville for general infrastructure.

Section 3355. The sum of $88,765, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Caseyville for general infrastructure.

Section 3360. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Swansea for general infrastructure.

Section 3380. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3380 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 5th Ward.

Section 3385. The sum of $575,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3385 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 6th Ward.

Section 3390. The sum of $5,029, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 7th Ward.

Section 3395. The sum of $180,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3395 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 8th Ward.

Section 3405. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3405 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 10th Ward.

Section 3410. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for local infrastructure improvements in the 21st Ward.

Section 3425. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3425 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Lansing for local infrastructure improvements.

Section 3430. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Venice for City Hall, library, and senior center renovations.

Section 3435. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Madison for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 3440. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belleville for general infrastructure improvements.

Section 3445. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Washington Park for general infrastructure improvements.

Section 3460. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mascoutah for general infrastructure improvements.

Section 3465. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Millstadt for general infrastructure improvements.

Section 3470. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of O’Fallon for general infrastructure improvements.

Section 3475. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3475 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shiloh for general infrastructure improvements.

Section 3480. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3480 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cahokia for general infrastructure improvements.

Section 3485. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brooklyn for general infrastructure improvements.

Section 3490. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3490 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alorton for general infrastructure improvements.

Section 3495. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Swansea for general infrastructure improvements.

Section 3500. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stites Township for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 3505. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Madison for general infrastructure improvements at Eagle Park.

Section 3510. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Orpheum Children’s Museum for expanding new facilities.

Section 3515. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Crisis Nursery in Urbana for expanding new facilities.

Section 3540. The sum of $27,545, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Preservation & Conservation Association of Champaign County for construction and renovation.

Section 3545. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Developmental Services Center of Champaign County for construction of a larger building.

Section 3565. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Preservation & Conservation Association of Champaign County for construction and renovation.

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Elizabeth Catholic Community Center for infrastructure improvements.

Section 3570. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3570 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Elizabeth Catholic Community Center for infrastructure improvements.

Section 3575. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Mass Transit District for infrastructure improvements.

Section 3595. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3595 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Carpenter’s Place for infrastructure improvements.

Section 3600. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3600 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Progressive West Rockford Community Development Corporation for infrastructure improvements.

Section 3605. The sum of $612, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Public Library Foundation for Montague Branch infrastructure improvements.

Section 3610. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

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from a reappropriation heretofore made for such purpose in Article 53, Section 3610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Girl Scouts-Rock River Valley Council for infrastructure improvements.

Section 3615. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blackhawk Area Council of Boy Scouts of America, Inc. for infrastructure improvements.

Section 3620. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3620 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Winnebago County Health Department for infrastructure improvements to the Ellis Heights United Neighborhood Center.

Section 3625. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3625 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Rockford for infrastructure improvements.

Section 3630. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for acquisition and construction of a sports recreation facility in the Morgan Park community.

Section 3635. The sum of $87,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Chicago Park District for Kennedy Park, McKiernan Park, Munroe Park, and Ridge Park infrastructure improvements.

Section 3640. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Park for infrastructure improvements.

Section 3645. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 3645 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alsip for infrastructure improvements.

Section 3655. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3655 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Merrionette Park for infrastructure improvements.

Section 3680. The sum of $15,988, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3680 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for railroad quiet zone infrastructure improvements.

Section 3685. The sum of $120, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3685 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Worth for the salt storage building infrastructure improvement.

Section 3690. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from an appropriation heretofore made for such purpose in Article 53, Section 3690 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Hills for infrastructure improvements.

Section 3710. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for the Mt. Greenwood Elementary School technological and infrastructure improvements.

Section 3720. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Morton Grove for the Long Avenue water main installation.

Section 3725. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3725 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Morton Grove for the resurfacing of Central Avenue.

Section 3740. The sum of $26,383, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shore Community Services for improvements to its basement.

Section 3750. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3750 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to Metropolitan Family Services for remodeling its kitchen.

Section 3755. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3755 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oakton Community College for ongoing capital needs at the Skokie Campus.

Section 3765. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lincolnwood for sidewalks.

Section 3775. The sum of $820,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3775 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Skokie for resurfacing Main Street from Crawford Avenue to McCormick Boulevard.

Section 3780. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3780 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Vital Bridges NFP for infrastructure improvements.

Section 3785. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3785 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia Home for infrastructure improvements.

Section 3790. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,
Section 3790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Agudath Israel of Illinois for the purchase of bondable equipment, vehicles, and/or infrastructure improvements.

Section 3830. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3830 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure at Portage and Thomas Jefferson Memorial Parks.

Section 3835. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3835 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Daughters of St. Mary of Providence of Chicago for construction of a Developmentally Disabled Home for children and adults.

Section 3840. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3840 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Transit Authority for security infrastructure upgrades at Jefferson Park Terminal Complex.

Section 3845. The sum of $520,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3845 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the following Chicago Public Schools for general infrastructure: Beard, Beaubien, Chicago Academy Elementary, Chicago Academy High, Farnsworth, Gray, Hitch, Portage Park, Prussing, Reinberg, Smyser, Thorp Academy, and Vaughn Occupational.

Section 3850. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3850 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to New Horizons in Chicago for general infrastructure.

Section 3855. The sum of $315, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3855 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maryville Center for Children Crisis Nursery in Chicago for general infrastructure.

Section 3880. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3880 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ottawa for infrastructure improvements.

Section 3885. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3885 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cherry for infrastructure improvements.

Section 3890. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3890 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Spring Valley for infrastructure improvements.

Section 3900. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Naplate for infrastructure improvements.

Section 3905. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3905 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Naplate for infrastructure improvements.

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Opportunity for a grant to the Village of North Utica for infrastructure improvements.

Section 3910. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3910 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Cedar Point for infrastructure improvements.

Section 3920. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3920 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Grand Ridge for infrastructure improvements.

Section 3930. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3930 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hollowayville for infrastructure improvements.

Section 3940. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Standard for infrastructure improvements.

Section 3945. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3945 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Malden for infrastructure improvements.

Section 3955. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 3955 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dayton for infrastructure improvements.

Section 3965. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3965 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of LaSalle for infrastructure improvements.

Section 3975. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3975 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Troy Grove for infrastructure improvements.

Section 3995. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 3995 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mark for infrastructure improvements.

Section 4005. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4005 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oglesby for infrastructure improvements.

Section 4010. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oglesby for infrastructure improvements.

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Opportunity for a grant to the City of Mendota for infrastructure improvements.

Section 4015. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4015 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Peru for infrastructure improvements.

Section 4025. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4025 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bannockburn for general infrastructure.

Section 4035. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4035 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Deerfield for general infrastructure.

Section 4050. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Anixter Center for general infrastructure.

Section 4115. The sum of $180, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4115 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lockport Township High School District 205 for general infrastructure improvements at Lockport High School.

Section 4135. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4135 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Anixter Center for general infrastructure.
Opportunity for a grant to Cornerstone Services, Inc. for construction of a comprehensive community-based rehabilitation center in Northern Will County.

Section 4140. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lockport Township Park District for construction of an accessible playground or splash park.

Section 4145. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bolingbrook Park District for general infrastructure improvements or Remington Lakes restroom improvements.

Section 4150. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the WILCO Area Career Center for general infrastructure improvements.

Section 4155. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4155 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for renovations to the Timber Drive signal.

Section 4165. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Park for the 156th Street extension construction.

New matter indicated by italics - deletions by strikeout
Section 4175. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4175 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orland Hills for road resurfacing of 91st Avenue.

Section 4185. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4185 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Frankfort Township for road projects.

Section 4190. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Tinley Park Park District for the reconstruction of a community theatre.

Section 4195. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4195 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oak Forest Park District for construction and playground equipment at Vergne-Way Park.

Section 4200. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4200 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Big Brothers Big Sisters of Will and Grundy Counties for the purchase and renovation of a new administration center.

Section 4205. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4205 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity.
Opportunity for a grant to the Frankfort Square Park District for the design and construction of a parking garage for the South Suburban Special Recreation Association.

Section 4220. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sertoma Centre-ALSIP for the repair and replacement of the facility roof.

Section 4225. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bremen Township for the construction of a parking garage.

Section 4230. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4230 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Joliet Junior College for infrastructure improvements on campus.

Section 4235. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago House and Social Service Agency for infrastructure improvements.

Section 4255. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elwood for infrastructure improvements to Route 53.

Section 4280. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elwood for infrastructure improvements to Route 53.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Will County for the Ridgewood water and sewer improvement project.

Section 4285. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4285 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Will County for the Ridgewood water and sewer improvement project.

Section 4290. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4290 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Manhattan Township for building infrastructure improvements.

Section 4295. The sum of $57,350, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4295 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Will-Grundy Center for Independent Living for infrastructure improvements to the facility.

Section 4300. The sum of $180,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with general infrastructure to the Ceramic Building Studio.

Section 4305. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the construction of a new playground at Algonquin Playlot Park.

New matter indicated by italics - deletions by strikeout
Section 4325. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the construction of a new playground at Independence Park.

Section 4345. The sum of $19,077, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4345 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for costs associated with renovation of the auditorium at Kelly High School.

Section 4350. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for the installation of fencing at Gage Park High School.

Section 4375. The sum of $335,550, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4375 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Brighton Park Neighborhood Council for the acquisition of land and construction of a community center.

Section 4390. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network for the Kedzie Family Health Center expansion at 3213-27 West 47th Place in Chicago.

Section 4400. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the Village of Thornton for resurfacing of local streets.

Section 4405. The sum of $137,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4405 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dolton for a 911 Dispatch Switch (CADS system).

Section 4410. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dolton for general infrastructure improvements for traffic safety and control.

Section 4415. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for Glenwood Lynwood Public Library and general infrastructure.

Section 4425. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4425 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Holland for construction of a salt dome.

Section 4430. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenwood for sewer and infrastructure regarding flooding.

Section 4435. The sum of $80,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 4435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burnham for general infrastructure improvements to 143rd Street from Marquette Avenue to Manistee Avenue.

Section 4450. The sum of $110,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dolton School District #149 for general infrastructure improvements.

Section 4470. The sum of $15, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Maine Township for road resurfacing.

Section 4475. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glenview for general infrastructure.

Section 4485. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Northbrook for general infrastructure.

Section 4495. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for general infrastructure.

Section 4500. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 4500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for fire station construction.

Section 4535. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rockdale for an extension to the Route 6 water main.

Section 4540. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with playground construction at Bryn Mawr and Lake Shore Drive.

Section 4545. The sum of $108,062, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Senn High School.

Section 4550. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Chicago for all costs associated with cobblestone restoration on Glenwood Street.

Section 4555. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4555 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Chicago for all costs associated with cobblestone restoration on Glenwood Street.
Opportunity for a grant to the City of Chicago for all costs associated with street resurfacing in the 49th Ward.

Section 4590. The sum of $2,623, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Anna for general infrastructure improvements.

Section 4640. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Massac for general infrastructure improvements.

Section 4660. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4660 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Haven for general infrastructure improvements.

Section 4695. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Harrisburg for general infrastructure improvements.

Section 4700. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4700 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ridgway for general infrastructure improvements.

Section 4705. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the County of Hamilton for general infrastructure improvements.

Section 4730. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4730 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Olive Branch for general infrastructure improvements.

Section 4735. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Eldorado for general infrastructure improvements.

Section 4740. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 4740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Eldorado for general infrastructure improvements.

Section 4745. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Eldorado Egyptian Health Department for general infrastructure improvements.

Section 4770. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4770 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chester for general infrastructure.

Section 4790. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dupo for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 4795. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4795 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Carondelet for general infrastructure.

Section 4810. The sum of $3,251, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4810 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fayetteville for general infrastructure.

Section 4825. The sum of $17,935, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4825 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lenzburg for general infrastructure.

Section 4835. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4835 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sparta for general infrastructure.

Section 4915. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4915 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Randolph County for general infrastructure.

Section 4925. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4925 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Monroe County for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 4930. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4930 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jarrot Mansion for general infrastructure.

Section 4935. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4935 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Perandoe Evansville Program for general infrastructure.

Section 4940. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Beck Vocational Center for general infrastructure.

Section 4945. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 4945 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Clair County Intergovernmental Grants Department for infrastructure improvements.

Section 5010. The sum of $16,267, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Calumet Township for general infrastructure and purchase of property.

Section 5020. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the City of Chicago for infrastructure and sidewalks in the 34th Ward.

Section 5035. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5035 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Robbins for general infrastructure.

Section 5040. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5040 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Calumet for general infrastructure and purchase of property.

Section 5050. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for capital improvements to the local fire department.

Section 5070. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5070 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Recovering Community for general infrastructure.

Section 5075. The sum of $49, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5075 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Blue Island for sidewalk improvements in the 6th Ward.

Section 5080. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,

New matter indicated by italics - deletions by strikeout
Section 5080 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sidewalk improvements in the 9th Ward.

Section 5090. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5090 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crestwood for general infrastructure.

Section 5095. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5095 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bremen Township for general infrastructure.

Section 5105. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5105 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Guildhaus for general infrastructure.

Section 5120. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Calumet Park for sidewalk improvements.

Section 5125. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5125 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Metropolitan Family Services for general infrastructure.

Section 5130. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,

New matter indicated by italics - deletions by strikeout
Section 5130 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to Calumet Township for general infrastructure for
the Blue Island Little League.

Section 5140. The sum of $100,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53,
Section 5140 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Alexian Brother Center for Mental Health for
general infrastructure upgrades.

Section 5145. The sum of $100,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53,
Section 5145 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Anixter Center for general infrastructure
upgrades.

Section 5150. The sum of $75,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53,
Section 5150 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to Avenues for Independence for construction and
renovations.

Section 5160. The sum of $150,000, or so much thereof as may be
necessary is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to Vernon
Hills Park District for general infrastructure improvements to the Lakeview
Fitness Center, to include prior incurred costs.

Section 5175. The sum of $100,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53,
Section 5175 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Countryside Association for People with
Disabilities for facility expansion.

Section 5180. The sum of $25,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 5180 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Haven Center for general infrastructure upgrades.

Section 5185. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clearbrook for general infrastructure improvements.

Section 5195. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5195 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northpointe Resources, Inc. for general infrastructure upgrades.

Section 5205. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5205 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelter, Inc. for general infrastructure upgrades.

Section 5225. The sum of $1,135, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lake County Center for Independent Living for general infrastructure upgrades.

Section 5270. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Tovey Grade School for all costs associated with demolition.

Section 5290. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53,
Section 5290 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Northlake for general infrastructure.

Section 5305. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Northlake for general infrastructure.

Section 5340. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5340 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Melrose Park for general infrastructure.

Section 5380. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5380 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Erie Neighborhood House in Chicago for general infrastructure.

Section 5385. The sum of $90,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Holy Trinity High School in Chicago for renovation of science laboratories and technology.

Section 5390. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Puerto Rican Cultural Center in Chicago for capital improvements and general infrastructure at Vida-SIDA.

Section 5395. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5395 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Puerto Rican Cultural Center in Chicago for capital improvements and general infrastructure at Vida-SIDA.

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Near Northwest Neighborhood Network in Chicago for improvements and general infrastructure.

Section 5400. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Board of Education for general infrastructure at Stowe Elementary school.

Section 5403. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5403 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Resource Center for general infrastructure improvements.

Section 5405. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5405 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Healthcare Alternative Systems in Chicago for general infrastructure.

Section 5410. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Spanish Action Committee of Chicago for brick and mortar renovation and general infrastructure.

Section 5415. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for construction of hydroponics rooftop greenhouses and conservatory at Pedro Albizu Campos High School.

Section 5420. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,
Section 5420 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wilbur Wright College in Chicago for a feasibility study for a building expansion at the Humboldt Park Vocational Education Center.

Section 5430. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to New Life Covenant Church in Chicago for upgrading of the façade and installation of energy efficient windows at the North Avenue facility.

Section 5435. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the McCormick YMCA of Metropolitan Chicago for construction of an Aquatic Center.

Section 5440. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Institute for Puerto Rican Arts and Culture for renovations to its museum and construction of a Fine Arts center.

Section 5445. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hispanic Housing in Chicago for North and Talman Phase III redevelopment and general infrastructure.

Section 5450. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hispanic Housing in Chicago for North and Talman Phase III redevelopment and general infrastructure.
Opportunity for a grant to Centro Sin Fronteras in Chicago for general infrastructure.

Section 5455. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Centro Sin Fronteras in Chicago for general infrastructure.

Section 5460. The sum of $342,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network in Chicago for renovation of existing health center.

Section 5465. The sum of $9,375, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Project Brotherhood for the acquisition and rehabilitation of real property for housing of community related services.

Section 5470. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for expansion of Meyering Playground Park.

Section 5485. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hickory Hills for all costs associated with infrastructure improvements.

Section 5490. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

New matter indicated by italics - deletions by strikeout
from a reappropriation heretofore made for such purpose in Article 53, Section 5490 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for sidewalk repairs in the 18th Ward.

Section 5495. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for sidewalk repairs in the 17th Ward.

Section 5500. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Stickney for all costs associated with sidewalk repairs.

Section 5505. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Village of Hickory Hills for all costs associated with general infrastructure improvements.

Section 5510. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Stickney for all costs associated with sidewalk repair and lighting.

Section 5515. The sum of $502, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the City of Chicago for sidewalks and lighting in the 18th Ward.

Section 5525. The sum of $1,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5525 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Marquette School.

Section 5530. The sum of $33, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Brownell School.

Section 5535. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sidewalks and lighting in the 6th Ward.

Section 5540. The sum of $6,491, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for the 69th Street development in the 17th Ward.

Section 5550. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for the 71st Street development in the 17th Ward.

Section 5555. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 5555 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for the 71st Street development in the 17th Ward.

Section 5565. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to AIDScare Veterans’ Home for general infrastructure improvements.

Section 5575. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lawndale Christian Development Corporation for a housing development project.

Section 5595. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5595 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Haymarket Center for infrastructure expansion.

Section 5605. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jewish Federation of Metropolitan Chicago for expansion of the emergency and security infrastructure.

Section 5615. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Habilitative Systems Inc. for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 5625. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5625 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lawndale Christian Reform Church and School for general infrastructure renovations.

Section 5635. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mercy Home for Boys and Girls for general infrastructure renovations.

Section 5640. The sum of $109,422, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Rehabilitation Network for general infrastructure projects.

Section 5645. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5645 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Uhlich Children’s Advantage Network for Children for general infrastructure improvements.

Section 5650. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5650 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Christian Valley Baptist Church for general infrastructure improvements.

Section 5655. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5655 of Public Act 98-0050, as amended, is reappropriated from the

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to The Allendale Association for general
infrastructure improvements.

Section 5665. The sum of $50,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53,
Section 5665 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Black United Fund of Illinois, Inc. for
infrastructure renovations.

Section 5670. The sum of $70,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53,
Section 5670 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Big Island Soil and Water Preservation
Association for general infrastructure improvements.

Section 5685. The sum of $50,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53,
Section 5685 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Village of New Windsor for general
infrastructure improvements.

Section 5700. The sum of $50,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from an appropriation heretofore made for such purpose in Article 53,
Section 5700 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Village of Andalusia for general infrastructure
improvements.

Section 5705. The sum of $50,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from an appropriation heretofore made for such purpose in Article 53,
Section 5705 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic
Opportunity for a grant to the Village of Reynolds for general infrastructure
improvements.

New matter indicated by italics - deletions by strikeout
Section 5725. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5725 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for general infrastructure improvements.

Section 5730. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5730 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for general infrastructure improvements.

Section 5735. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5735 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Island for general infrastructure improvements.

Section 5740. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hope Creek Care Center Auxiliary for general infrastructure improvements.

Section 5750. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5750 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Milan for general infrastructure improvements.

Section 5765. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5765 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Moline for general infrastructure improvements.

Section 5775. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5775 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Silvis for general infrastructure improvements.

Section 5780. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5780 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elk Grove for all costs associated with street lights and traffic signal painting along the Biesterfield corridor.

Section 5795. The sum of $65,548, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5795 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Prospect for the Hatlen Heights Storm Sewer.

Section 5860. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys’ Club/Girls’ Club of Waukegan for facility renovation and upgrade.

Section 5875. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Youth Conservation Corps for general infrastructure.

Section 5895. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5895 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys’ Club/Girls’ Club of Waukegan for facility renovation and upgrade.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maywood for all costs associated with infrastructure improvements.

Section 5900. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5900 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westchester for general infrastructure improvements to the Westchester Emergency Operation Center.

Section 5915. The sum of $180,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5915 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Summit for general infrastructure.

Section 5925. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5925 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for general infrastructure.

Section 5930. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5930 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for general infrastructure.

Section 5940. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for general infrastructure improvements to Kiwanis Park.

Section 5945. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5945 of Public Act 98-0050, as amended, is reappropriated from the

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of La Grange for signal change at 47th and East Avenue.

Section 5950. The sum of $182,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5950 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for construction and renovation.

Section 5965. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5965 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cicero for general road resurfacing.

Section 5970. The sum of $105,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Park Chamber of Commerce for general infrastructure improvements.

Section 5975. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 5975 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access Community Health Network for renovations and/or infrastructure improvements at the Melrose Park facility.

Section 5980. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 5980 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago North Avenue 29th Ward for lights and resurfacing.

Section 5995. The sum of $75,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood Park for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 6000. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6000 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for street lighting and resurfacing in the 29th Ward.

Section 6005. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6005 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure.

Section 6010. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of River Grove for general infrastructure.

Section 6015. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6015 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Franklin Park for general infrastructure.

Section 6035. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6035 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Wells High School.

Section 6040. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6040 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casa Norte, Inc. for general infrastructure.

Section 6045. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6045 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Julia Center, Inc. for general infrastructure.

Section 6050. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Service Project for general infrastructure.

Section 6055. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Clubs of Chicago for general infrastructure at the Barreto Boys and Girls Club.

Section 6070. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6070 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the A. Philip Randolph Pullman Porter Museum for rehabilitation of facilities.

Section 6075. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6075 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bridging the Tys to Jordan for rehabilitation of a building.

Section 6095. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6095 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casa Norte, Inc. for general infrastructure.

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the Village of Glenwood for costs associated with elevated tank renovations.

Section 6100. The sum of $3,562, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the University of Illinois College of Dentistry for Pediatric Dental Clinic.

Section 6110. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6110 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thornton for road resurfacing.

Section 6125. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6125 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for resurfacing of Lincoln Avenue from Winnemac to Peterson.

Section 6130. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6130 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure at the West Ridge Nature Preserve.

Section 6150. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for sewer infrastructure and improvements.

Section 6160. The sum of $6,084, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53,
Section 6160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Dawes Elementary School.

Section 6165. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Department of Transportation for all costs associated with sidewalk repair and lighting in the 18th Ward.

Section 6170. The sum of $13,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6170 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of McKay School.

Section 6190. The sum of $300, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for rehabilitation of Eberhart Elementary School.

Section 6210. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6210 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Justice for road repairs.

Section 6215. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6215 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mary’s Mission in Waukegan, IL for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 6220. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sheridan Crossing for general infrastructure, upgrades, and renovations.

Section 6225. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Shore Church of Christ for general infrastructure improvements to the Southside Positive Youth Center.

Section 6230. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6230 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Daisy Resource Center for general infrastructure.

Section 6235. The sum of $3,804, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Daisy’s Resource Developmental Center for general infrastructure.

Section 6245. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6245 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Family First Center for general infrastructure.

Section 6270. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to El Rincon Community Clinic for renovations.

New matter indicated by italics - deletions by strikeout
Section 6280. The sum of $36,949, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Night’s Shield in West Frankfort for infrastructure improvements to the Roan Center.

Section 6290. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6290 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Herrin for infrastructure improvements to the Herrin Civic Center.

Section 6300. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Southern Illinois Healthcare for infrastructure improvements at Herrin Hospital.

Section 6305. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Heartland Regional Medical Center for infrastructure improvements.

Section 6310. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Franklin Hospital for infrastructure improvements.

Section 6315. The sum of $22,874, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6315 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The Lighthouse Shelter in Marion for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 6320. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6320 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to CASA of Franklin County for infrastructure improvements.

Section 6335. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Fire Department for infrastructure improvements.

Section 6340. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6340 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to La Voz Latina, Inc. in Rockford for infrastructure improvements.

Section 6350. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Veterans Memorial Hall in Rockford for infrastructure improvements.

Section 6355. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YMCA of Rock River Valley for infrastructure improvements.

Section 6360. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6360 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Young Women’s Christian Association of Rockford, Illinois for infrastructure improvements.

Section 6365. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lifescape Community Services, Inc. for infrastructure improvements.

Section 6370. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6370 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Barbara Olson Center of Hope, Inc. for infrastructure improvements.

Section 6375. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6375 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Janet Wattles Mental Health Center, Inc. for infrastructure improvements.

Section 6380. The sum of $289,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6380 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pleasant Dale Park District for general infrastructure.

Section 6400. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Holocaust Memorial Foundation of Illinois, Incorporated for general infrastructure to the Holocaust Museum.
Section 6410. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kane County Sheriff’s Department for general infrastructure.

Section 6415. The sum of $5,563,450, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Catholic Charities of the Archdiocese of Chicago for general infrastructure.

Section 6430. The sum of $1,600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Justice for general infrastructure.

Section 6435. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for lighting infrastructure improvements in the 34th Ward.

Section 6460. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Limestone Township in Peoria County for general infrastructure improvements at the Limestone Fire Department.

Section 6465. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Limestone Township in Peoria County for general infrastructure improvements at the Limestone Fire Department.
Opportunity for a grant to the West Peoria Residents Association for general infrastructure improvements.

Section 6475. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the NAACP Peoria Branch for general infrastructure.

Section 6500. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for construction and pedestrian improvements at Dixon Park.

Section 6510. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Catholic Charities of the Archdiocese of Chicago for renovations to the common recreation areas at the St. Ailbe Faith Apartments and the St. Ailbe Love Apartments.

Section 6520. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6520 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for the construction of a play lot at Grand Crossing Park.

Section 6540. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Valier for infrastructure improvements.

Section 6550. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6550 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Truth and Deliverance International Ministries for roofing work and general infrastructure improvements.

Section 6560. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6560 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Truth and Deliverance International Ministries for roofing work and general infrastructure improvements.

Section 6575. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pleasant Ridge Missionary Baptist Church for infrastructure improvements.

Section 6580. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6580 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Kenwell Park.

Section 6585. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6585 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Avondale Elementary School.

Section 6590. The sum of $11,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Barry Elementary School.

Section 6595. The sum of $2,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6595 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Barry Elementary School.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Lorenzo Brentano Math and Science Academy.

Section 6600. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6600 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Chase Elementary School.

Section 6605. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Darwin Elementary School.

Section 6610. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Falconer Elementary School.

Section 6630. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Schubert Elementary School.

Section 6635. The sum of $205, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for infrastructure improvements at Yates Elementary School.
Section 6640. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to North Center for Handicapped Children and Adults for roof repair and general infrastructure needs.

Section 6645. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6645 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grace Lutheran School in Chicago for infrastructure improvements.

Section 6655. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6655 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Salem Christian Academy for infrastructure improvements.

Section 6660. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6660 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Archdiocese of Chicago for infrastructure improvements at St. Hyacinth School.

Section 6675. The sum of $6,951,153, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Commuter Rail Division of the Regional Transportation Authority for a Metra station at Peterson Avenue and Ravenswood Avenue.

Section 6680. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53,
Section 6680 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with a soccer field at Hayt School.

Section 6715. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6715 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to CALOR (Anixter) for renovations.

Section 6720. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for capital expenditures in the 26th Ward.

Section 6755. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Brighton Park Elementary School.

Section 6760. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at John C. Burroughs Elementary School.

Section 6790. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Cyrus H. McCormick Elementary School.

Section 6805. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6805 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palatine for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 6815. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6815 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Metropolis for general infrastructure improvements.

Section 6830. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6830 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Gallatin for general infrastructure improvements.

Section 6835. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6835 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Saline for general infrastructure improvements.

Section 6860. The sum of $190,264, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Matteson for infrastructure, water, sewer, and facility projects.

Section 6865. The sum of $131,113, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6865 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Country Club Hills for infrastructure, water, sewer, and facility projects.

Section 6870. The sum of $178,784, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6870 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Country Club Hills for infrastructure, water, sewer, and facility projects.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Olympia Fields for infrastructure, water, sewer, and facility projects.

Section 6875. The sum of $2,421, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6875 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Park Forest for infrastructure, water, sewer, and facility projects.

Section 6880. The sum of $113,274, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6880 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hazel Crest for infrastructure, water, sewer, and facility projects.

Section 6885. The sum of $48,572, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6885 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homewood for infrastructure, water, sewer, and facility projects.

Section 6900. The sum of $52,364, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6900 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bremen Township for local infrastructure improvements.

Section 6910. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6910 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harvey Park District for the water park.

Section 6915. The sum of $111,953, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

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from a reappropriation heretofore made for such purpose in Article 53, Section 6915 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mobile C.A.R.E. Foundation for general infrastructure construction for a program to address asthma problems in minority populations.

Section 6940. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 6940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Park Forest for general infrastructure.

Section 6955. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6955 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Alton YWCA for building improvements.

Section 6960. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6960 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fosterburg Fire Protection District for general infrastructure improvements.

Section 6965. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 6965 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Holiday Shores Fire Department for a natural gas generator.

Section 7000. The sum of $800,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7000 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Village of Oak Lawn for street repaving, sewers, and water main repairs.

Section 7010. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7010 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park Lawn Association Inc for capital improvements and upgrades to the Park Lawn Center and Rehabilitation Center.

Section 7035. The sum of $105,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7035 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Olympia Fields for general infrastructure.

Section 7040. The sum of $305,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7040 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago Heights for general infrastructure.

Section 7045. The sum of $75,860, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7045 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fuller Park Community Development Center for construction and renovation at Eden’s Place Nature Center in Fuller Park.

Section 7050. The sum of $226,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7050 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for a streetscape of Lawrence Avenue from the Chicago River to Clark Street.

New matter indicated by italics - deletions by strikeout
Section 7055. The sum of $59,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7055 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burnham for reconstruction of Alice Avenue from State Street to Hammond Avenue.

Section 7065. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Raleigh for general infrastructure improvements.

Section 7080. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Saline for general infrastructure improvements.

Section 7090. The sum of $29,970, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7090 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hardin County for general infrastructure improvements.

Section 7095. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7095 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Marissa for general infrastructure.

Section 7100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greater Galilee Baptist Church for infrastructure upgrades.

Section 7115. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7115 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to MLK Developer LLC for housing development projects.

Section 7120. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Marissa for general infrastructure.

Section 7125. The sum of $73,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7125 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for resurfacing Hollywood Avenue from Washentaw Avenue to Western Avenue.

Section 7130. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7130 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Home of Life Missionary Baptist Church for construction of an ex-offender building.

Section 7135. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7135 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Clark G.R. Elementary School in Chicago.

Section 7145. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Park YMCA for general infrastructure.

Section 7150. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 53, Section 7150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for security infrastructure and general infrastructure at McNair Elementary School in Chicago.

Section 7160. The sum of $641, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Service and Mental Health Center of Oak Park for general infrastructure.

Section 7165. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public Schools for general infrastructure at Clark Academic Preparatory Magnet High School.

Section 7170. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7170 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mt. Bethel Healing Temple for general infrastructure.

Section 7180. The sum of $596, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7180 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Fire Department for general infrastructure upgrades.

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Opportunity for a grant to the Hope Community Church for general infrastructure improvements.

Section 7190. The sum of $1,012,906, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7190 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Marillac Social Center for construction and infrastructure improvements.

Section 7240. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7240 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for general infrastructure in the 4th Ward.

Section 7260. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7260 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Pan American Chamber of Commerce for acquisition and construction of chamber headquarters.

Section 7285. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7285 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicagoland Czech-American Community Center for a new community center.

Section 7290. The sum of $115,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7290 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sherman United Methodist Church for the construction of a new building.

Section 7295. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the

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Department of Commerce and Economic Opportunity for a grant to Heartwood Foundation for all costs associated with general infrastructure improvements and/or the purchase of a building.

Section 7300. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Riverside Historical Society for the restoration of the Melody Mill Ballroom.

Section 7305. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for Shabbona Park infrastructure improvements.

Section 7310. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7310 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Susan G. Komen Memorial Affiliate in Peoria, Illinois for infrastructure improvements to the mobile mammogram van.

Section 7320. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7320 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Pius V Church and School for infrastructure improvements.

Section 7325. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7325 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chinatown Museum for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 7330. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7330 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Bridgeport VFW Post 5079 for infrastructure improvements.

Section 7335. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 53, Section 7335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Instituto Health Sciences Career Academy for infrastructure improvements.

Section 7345. The sum of $40,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Life Center Church of Deliverance for all costs associated with infrastructure improvements.

Section 7350. The sum of $36,844, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ravenswood Budlong Congregation d.b.a. Chabad Living Room for all costs associated with infrastructure improvements.

Section 7355. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Round Lake Area School District 116 for parking lot improvements.

Section 7360. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Round Lake Beach for water distribution system improvements.

New matter indicated by italics - deletions by strikeout
Section 7365. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Grayslake Park District for a new roof for Jones Island Day Care.

Section 7370. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7370 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Round Lake Park District for construction of a gazebo in Shaw Park.

Section 7375. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7375 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Third Lake for street maintenance.

Section 7380. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mt. Ebenezer Baptist Church for general infrastructure.

Section 7385. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sankofa for general infrastructure.

Section 7390. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago North Avenue 37th Ward for lights and resurfacing.

Section 7395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7395 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin YMCA for general infrastructure.

Section 7400. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin YMCA for general infrastructure improvements.

Section 7405. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Because I Care for general infrastructure improvements.

Section 7410. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the United Pentecostal Church International Bible College for 19th Avenue beautification projects.

Section 7415. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to West Suburban Community Development Corporation for general infrastructure to the Young Men’s Residential Center.

Section 7420. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7420 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rock Heritage Center for the construction of a veterans and senior home.

Section 7425. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7425 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Proviso Leyden Council for Community Action for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 7430. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7430 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maywood Fine Arts Association for general infrastructure improvements.

Section 7435. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Progressive Fitness Center for general infrastructure.

Section 7440. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7440 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Riverbender Community Center for general infrastructure.

Section 7445. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oasis Women’s Center for general infrastructure.

Section 7455. The sum of $125,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Chicago for general infrastructure improvements.

Section 7460. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Father Gary Graf Center for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 7465. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Action Project for general infrastructure.

Section 7470. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Black Abolition Movement for the Mind for general infrastructure improvements.

Section 7475. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Airport for general infrastructure.

Section 7480. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to New Way of Life for general infrastructure improvements.

Section 7490. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7490 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Public Library for general infrastructure.

Section 7495. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lion’s Math and Science Academy for general infrastructure.

Section 7500. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Waukegan Public Library for general infrastructure.

New matter indicated by italics - deletions by strikeout
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Youth Build North Chicago for general infrastructure.

Section 7505. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Former Inmates Strive Together for general infrastructure.

Section 7510. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for construction of a sports recreation facility in Morgan Park.

Section 7515. The sum of $47,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Streamwood Park District for all costs associated with new rooftop thermal units at Park Place.

Section 7520. The sum of $15,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the North Riverside Public Library for general infrastructure improvements.

Section 7530. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for all costs associated with a bike flyover in the 42nd Ward.

Section 7535. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for all costs associated with a bike flyover in the 42nd Ward.

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Worth for infrastructure improvements.

Section 7540. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palos Park for infrastructure improvements.

Section 7545. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lake Katherine Nature Center for general infrastructure improvements.

Section 7550. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with the reconstruction of Lincoln Park.

Section 7555. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7555 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lansing Library for infrastructure improvements.

Section 7560. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7560 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lansing for infrastructure improvements.

Section 7565. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7565 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Calumet for infrastructure improvements.

Section 7570. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7570 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Calumet for infrastructure improvements.

Section 7575. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lynwood for infrastructure improvements.

Section 7580. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7580 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sauk for infrastructure improvements.

Section 7585. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lan-Oak Park District for infrastructure improvements.

Section 7590. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Thornton for infrastructure improvements.

Section 7595. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7595 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Suburban College for infrastructure improvements.

Section 7600. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7600 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sauk for infrastructure improvements.

Section 7605. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lynwood for infrastructure improvements.

Section 7610. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Holland for infrastructure improvements.

Section 7615. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manteno for infrastructure improvements.

Section 7620. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7620 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher for infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 7625. The sum of $105,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7625 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for infrastructure improvements in the 9th Ward.

Section 7630. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for infrastructure improvements in the 17th Ward.

Section 7635. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago Board of Education for infrastructure improvements at the Edgar Allan Poe Classical School.

Section 7640. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at the Lenart Elementary Regional Gifted Center.

Section 7645. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7645 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at the James E. Mcdade Classical School.

Section 7650. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7650 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund.
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at the Jane E. Neil Elementary School.

Section 7655. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7655 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at John M. Harlan Community Academy High School.

Section 7660. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7660 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Schmid Elementary School.

Section 7665. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7665 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Consolidated School District 168 for infrastructure improvements at the Wagoner Elementary School.

Section 7670. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7670 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lansing School District 168 for infrastructure improvements to the Reavis Elementary School.

Section 7675. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Beecher School District 200-U for infrastructure improvements at the Beecher Elementary School.

New matter indicated by italics - deletions by strikeout
Section 7680. The sum of $10,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Burnham School District 154-5 for infrastructure improvements to the Burnham Elementary School.

Section 7685. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7685 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Tuley Park.

Section 7690. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7690 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Greater Grand Crossing.

Section 7695. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7695 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for infrastructure improvements at Gately Park.

Section 7700. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7700 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Romeoville for general infrastructure improvements.

Section 7705. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

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Opportunity for a grant to the Village of Bolingbrook for general infrastructure improvements.

Section 7710. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Queen Bee School District 16 for all costs associated with recreational equipment construction.

Section 7715. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7715 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for road repairs.

Section 7720. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glendale Heights for road repairs.

Section 7725. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7725 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for road repairs.

Section 7730. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7730 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst Community Unit School District 205 for all costs associated with Safe Routes to School.

Section 7735. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for general infrastructure improvements in the 5th Ward.

New matter indicated by italics - deletions by strikeout
Section 7740. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7740 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Washington Park for general infrastructure improvements including parks and road repairs.

Section 7745. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brooklyn for general infrastructure improvements including parks and road repairs.

Section 7750. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7750 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Madison for general infrastructure improvements including parks and road repairs.

Section 7754. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7754 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairmont for general infrastructure improvements including parks and road repairs.

Section 7755. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7755 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Aurora University for costs associated with the construction of a new STEM school.

Section 7760. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7760 of Public Act 98-0050, as amended, is reappropriated from the

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Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with a playground at Agassiz Elementary School.

Section 7765. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for infrastructure improvements at Horace Greeley School.

Section 7775. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7775 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Claretian Associates for physical plant renovations and improvements.

Section 7780. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7780 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Chicago Arts Center for physical plant improvements.

Section 7785. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7785 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Metropolitan Family Services for physical plant improvements.

Section 7790. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Saint Gabriel Catholic School for all costs associated with replacing existing steam boilers.

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Section 7795. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7795 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Saint Gabriel Catholic Church for all costs associated with replacing existing steam boilers.

Section 7800. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 53, Section 7800 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for general infrastructure improvements to the John Hope College Preparatory High School.

Section 7805. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rhema Community Development Corporation for general infrastructure improvements.

Section 7815. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park District of Oak Park for ADA improvements, roof stabilization, and a new water playground at Rehm Pool.

Section 7820. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Angela School for construction of a community center and/or the purchase and installation of security cameras.

Section 7825. The sum of $40,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Windy City Wildcats Incorporated for general infrastructure improvements.

Section 7830. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Circle Urban Ministries for general infrastructure improvements and/or the purchase of equipment for the Circle Urban Technology Center.

New matter indicated by italics - deletions by strikeout
Section 7835. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hartford for all costs associated with general infrastructure.

Section 7840. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Alton for all costs associated with general infrastructure.

Section 7845. The sum of $45,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for all costs associated with general infrastructure.

Section 7850. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Roxana for all costs associated with general infrastructure.

Section 7855. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Granville for all costs associated with general infrastructure.

Section 7860. The sum of $55,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ada S. Mckinley Community Services, Inc. for all costs associated with general infrastructure improvements.

Section 7865. The sum of $65,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Bernard Hospital for all costs associated with Accountable Care Entity renovation.

Section 7870. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vandercook College of Music for all costs associated with facility renovation.

Section 7875. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with upgrades at Moran Playground Park.

New matter indicated by italics - deletions by strikeout
Section 7880. The sum of $5,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the La Casa Norte for all costs associated with facility upgrades.

Section 7885. The sum of $12,500, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with general infrastructure improvements at Barbara Vick Early Childhood and Family Center.

Section 7890. The sum of $37,500, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Worth Township Highway Department for all costs associated with general infrastructure within Garden Homes.

Section 7895. The sum of $70,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Highwood for all costs associated with general infrastructure.

Section 7900. The sum of $10,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lake Bluff Park District for all costs associated with general infrastructure.

Section 7905. The sum of $10,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Highland Park District for all costs associated with general infrastructure.

Section 7910. The sum of $10,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Deerfield Park District for all costs associated with general infrastructure.

Section 7915. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Evansville for all costs associated with a boat ramp.

Section 7920. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City

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Section 7925. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for all costs associated with general infrastructure within the 7th ward.

Section 7930. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for all costs associated with general infrastructure within the 3rd ward.

Section 7935. The sum of $110,500, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Thornton Township High School District 205 for all costs associated with the construction of a greenhouse at Thornwood High School.

Section 7940. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the South Holland School District 151 for all costs associated with security door construction.

Section 7945. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dolton School District 149 for all costs associated with security door construction at Caroline Sibley Elementary School.

Section 7950. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Roseland Youth Program for all costs associated with the construction of a baseball field.

Section 7955. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Thornton Township High School District 205 for all costs associated with the construction of a theater at Thornwood High School.

Section 7960. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the

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Department of Commerce and Economic Opportunity for a grant to the Village of Steger for all costs associated with infrastructure improvements.

Section 7965. The sum of $60,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dolton School District 149 for all costs associated with STEM enhancement construction.

Section 7970. The sum of $175,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sauk Village for all costs associated with infrastructure improvements.

Section 7975. The sum of $200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Westside Association for Community Action for general infrastructure improvements.

Section 7980. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kingdom Lifeline Ministries for general infrastructure improvements.

Section 7985. The sum of $150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with general infrastructure improvements at Franklin Park.

Section 7990. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Soyl Foundation for all costs associated with general infrastructure improvements.

Section 7995. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lawndale Christian Legal Center for general infrastructure improvements.

Section 8000. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Art on Sedgwick for general infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 8005. The sum of $94,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with general infrastructure improvements at Murphy Elementary School auditorium.

Section 8010. The sum of $6,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for all costs associated with safety infrastructure improvements at North River Elementary School.

Section 8015. The sum of $60,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sidewalk repairs in the 38th Ward along Irving Park Rd from Ottawa St. to Pacific St.

Section 8020. The sum of $10,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure improvements at Dunham Park.

Section 8025. The sum of $30,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Norridge for general infrastructure improvements.

Section 8030. The sum of $66,500, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for street repairs in the 45th Ward along Avondale from the Kennedy Exit to Austin.

Section 8035. The sum of $13,500, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Board of Education for all costs associated with the replacement of water fountains at Beaubien Elementary School.

Section 8040. The sum of $20,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Harwood Heights for all costs associated with sidewalk repairs.

New matter indicated by italics - deletions by strikeout
Section 8045. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Second Chance for infrastructure improvements.

Section 8050. The sum of $105,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Triton College for infrastructure improvements.

Section 8055. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Local Motions for general infrastructure improvements.

Section 8060. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. John Baptist Church for all costs associated with expansion of the youth center.

Section 8065. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to PCC Wellness Center for general infrastructure improvements.

Section 8070. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood for general infrastructure improvements.

Section 8075. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin Chamber of Commerce for general infrastructure improvements.

Section 8080. The sum of $832,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carter G Woodson Library for general infrastructure improvements.

Section 8085. The sum of $280,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to WINGS Domestic Violence Center for general infrastructure improvements.

Section 8090. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Village of Buckner for general infrastructure improvements.

Section 8095. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Christopher for general infrastructure improvements.

Section 8100. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Royalton for general infrastructure improvements.

Section 8105. The sum of $15,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to West Franklin Historical District for general infrastructure improvements.

Section 8110. The sum of $39,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Greater Peoria, Inc. for general infrastructure improvements at the 806 E. Kansas location.

Section 8115. The sum of $73,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Greater Peoria, Inc. for all costs associated with facility renovation at the 2703 Grinnell St. location.

Section 8120. The sum of $463,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southside Office of Concern for infrastructure improvements.

Section 8125. The sum of $75,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ida B. Wells Foundation for general infrastructure improvements.

Section 8130. The sum of $75,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village Leadership Academy for general infrastructure improvements.

Section 8135. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the

New matter indicated by italics - deletions by strikeout
Department of Commerce and Economic Opportunity for a grant to Moline School District 40 for general infrastructure improvements.

Section 8140. The sum of $25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rock Island-Milan School District 41 for general infrastructure improvements.

Section 8145. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Park District for general infrastructure improvements.

Section 8150. The sum of $275,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with a running track at Jesse Owens Park.

Section 8155. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin African American Business Networking Association for general infrastructure improvements.

Section 8165. The sum of $75,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DMI Information Processing Center for general infrastructure improvements.

Section 8170. The sum of $60,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the National Alliance for the Empowerment of the Formerly Incarcerated for general infrastructure improvements.

Section 8175. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for general infrastructure improvements at George Rogers Clark Elementary School.

Section 8180. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Strategic Human Services for general infrastructure.

New matter indicated by italics - deletions by strikeout
Section 8185. The sum of $242,500, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for street repairs in the 28th Ward.

Section 8190. The sum of $242,500, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for street repairs in the 37th Ward.

Section 8195. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Latino Organization of the Southwest for costs associated with capital improvements.

Section 8200. The sum of $220,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Women in Need Growing Stronger (WINGS) for general infrastructure improvements.

Section 8205. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Garden Center Services for general infrastructure improvements.

Section 8210. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chinese American Service League for infrastructure improvements.

Section 8215. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Back of the Yards Community Council.

Section 8220. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure improvements to Donovan Park.

Section 8225. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Federacion De Clubes Michoacanos En Illinois.

New matter indicated by italics - deletions by strikeout
Section 8230. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for general infrastructure improvements to Moore Park.

Section 8235. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Little Village Chamber of Commerce for infrastructure improvements.

Section 8240. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Memorial Park District for a renovation of a swimming pool.

Section 8245. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Broadview for fire station roof repair.

Section 8250. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forest Park for a back-up generator at Hannah Pump Station.

Section 8255. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Freedom Baptist Church for parking lot repairs.

Section 8260. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to United Kingdom Church for building repairs.

Section 8265. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $92,652,339

ARTICLE 29
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 2. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 2 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to

New matter indicated by italics - deletions by strikeout
the Department of Commerce and Economic Opportunity for a grant to the Village of Harwood Heights for all costs associated with capital improvements.

Section 3. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 3 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Schorsch Village Improvement Association for all costs associated with capital improvements.

Section 5. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Horizon Center for the Developmentally Disabled for all costs associated with capital improvements.

Section 7. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 7 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for all costs associated with capital improvements in various 20th District parks.

Section 10. The sum of $72,195, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Triton Community College for all costs associated with making all campus restroom facilities ADA accessible.

Section 12. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 12 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fox Valley Park District for all costs associated with utility and infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 14. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 14 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Convalescent Center for all costs associated with infrastructure, public safety, and security improvements.

Section 15. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Loaves and Fishes for all costs associated with construction of a community food pantry.

Section 16. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 16 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heritage YMCA for all costs associated with infrastructure, public safety, security, and improvements.

Section 17. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 17 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Little Friends for all costs associated with infrastructure, public safety, and security improvements.

Section 20. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 20 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Indian Prairie School District 204 for all costs associated with public safety, infrastructure, and security improvements.

Section 21. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 21 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Little Friends for all costs associated with infrastructure, public safety, and security improvements.
Fund to the Department of Commerce and Economic Opportunity for a grant to Naperville Community School District 203 for all costs associated with infrastructure, public safety, and security improvements.

Section 23. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 23 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Turning Pointe for all costs associated with capital improvements.

Section 25. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 25 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to AID for all costs associated with constructing a disability work center.

Section 27. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 27 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Batavia Township for all costs associated with road construction improvements.

Section 30. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 30 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Big Grove Township for all costs associated with road signs and capital improvements.

Section 31. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 31 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Big Rock Township for all costs associated with Township Hall improvements.

Section 32. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 32 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Big Rock Township for all costs associated with Township Hall improvements.
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Big Rock for all costs associated with the design and construction of a waste water facility.

Section 33. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 33 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Campton Township for all costs associated with community center expansion.

Section 34. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 34 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campton Hills for all costs associated with sewer replacement.

Section 35. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 35 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elburn for all costs associated with sidewalk repairs.

Section 38. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 38 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kaneville Township for all costs associated with road repair improvements.

Section 40. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 40 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maple Park for all costs associated with construction of a community center restroom and storage facility.
Section 41. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 41 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Montgomery for all costs associated with construction of a water main.

Section 42. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 42 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Newark for all costs associated with the construction of a village hall.

Section 44. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 44 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Aurora for all costs associated with the construction of a village hall.

Section 45. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oswego for all costs associated with the construction of a road.

Section 46. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 46 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senior Services Assoc., Inc. for all costs associated with the construction of a storage facility.

Section 48. The sum of $5,083, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 48 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senior Services Assoc., Inc. for all costs associated with the construction of a storage facility.
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sheridan for all costs associated with sewer and stormwater improvements.

Section 49. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 49 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Southern Kane County Training Association for all costs associated with construction of a regional training facility.

Section 50. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 50 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sugar Grove for all costs associated with road improvements.

Section 51. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 51 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the United City of Yorkville for all costs associated with the construction of a materials storage facility.

Section 52. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 52 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Virgil for all costs associated with village roadway improvements.

Section 53. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 53 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fox Township for all costs associated with infrastructure improvements.

Section 54. The sum of $7,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 54 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Virgil Township for all costs associated with construction of a fabric salt storage building.

Section 55. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 55 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Plano for all costs associated with infrastructure improvements.

Section 56. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 56 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Heyworth for all costs associated with infrastructure, public safety, and security improvements.

Section 60. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 60 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Holy Family School for all costs associated with the infrastructure, public safety, and security improvements.

Section 62. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 62 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lutheran School Association for all costs associated with the infrastructure, public safety, and security improvements.

Section 63. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 63 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Decatur Christian School for all costs associated with infrastructure, public safety, and security improvements.

New matter indicated by italics - deletions by strikeout
Section 70. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 70 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Farmer City for all costs associated with the construction of a walking path.

Section 75. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Argenta Fire Department for all costs associated with the purchase and renovation of a fire station.

Section 78. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 78 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hickory Point Fire Department for all costs associated with infrastructure, public safety, and security improvements.

Section 79. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 79 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maroa Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 82. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 82 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wapella Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

Section 83. The sum of $16,256, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 83 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Maroa Fire Protection District for all costs associated with infrastructure, public safety, and security improvements.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Kinney Fire Protection District for all costs associated with fire station repairs.

Section 86. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 86 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forsyth for all costs associated with infrastructure, public safety, and security improvements.

Section 91. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 91 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mechanicsburg for all costs associated with rebuilding Water Tower Road.

Section 93. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 93 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with remodeling the DuPage County Convalescent Center Kitchen.

Section 95. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 95 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gower School District 62 for all costs associated with the purchase of technology equipment.

Section 96. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 96 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 99. The sum of $340,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 99 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Darien for all costs associated with street repairs.

Section 100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Helping Hand Rehabilitation Center for all costs associated with capital improvements.

Section 103. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 103 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Panola for all costs associated with infrastructure improvements.

Section 104. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 104 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Tazewell County for all costs associated with infrastructure improvements.

Section 106. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 106 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Pontiac for all costs associated with infrastructure improvements.

Section 108. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 108 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Leroy for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 110. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 110 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Long Point for all costs associated with infrastructure improvements.

Section 111. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 111 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Downs for all costs associated with infrastructure improvements.

Section 112. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 112 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lexington for all costs associated with infrastructure improvements.

Section 114. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 114 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Flanagan for all costs associated with infrastructure improvements.

Section 115. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 115 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stanford for all costs associated with infrastructure improvements.

Section 116. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 116 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gridley for all costs associated with infrastructure improvements.

Section 117. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 117 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Minonk for all costs associated with infrastructure improvements.

Section 118. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 118 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hudson for all costs associated with infrastructure improvements.

Section 119. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 119 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of El Paso for all costs associated with infrastructure improvements.

Section 120. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Leonore for all costs associated with infrastructure improvements.

Section 121. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 121 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rutland for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 122. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 122 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Goodfield for all costs associated with infrastructure improvements.

Section 123. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 123 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Secor for all costs associated with infrastructure improvements.

Section 124. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 124 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East Peoria for all costs associated with infrastructure improvements.

Section 125. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 125 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cornell for all costs associated with infrastructure improvements.

Section 126. The sum of $68, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 126 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dana for all costs associated with infrastructure improvements.

Section 127. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 127 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the

New matter indicated by italics - deletions by strikeout
to the Village of Ellsworth for all costs associated with infrastructure improvements.

Section 132. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 132 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cooksville for all costs associated with infrastructure improvements.

Section 133. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 133 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Towanda for all costs associated with infrastructure improvements.

Section 134. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 134 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carlock for all costs associated with infrastructure improvements.

Section 135. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 135 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lostant for all costs associated with infrastructure improvements.

Section 136. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 136 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kappa for all costs associated with infrastructure improvements.

Section 137. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 137 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Morton Township for all costs associated with infrastructure improvements.

Section 138. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 138 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Washington Township for all costs associated with infrastructure improvements.

Section 139. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 139 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fondulac Township for all costs associated with infrastructure improvements.

Section 140. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 140 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Deer Creek Township for all costs associated with infrastructure improvements.

Section 141. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 141 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Eureka-Goodfield Fire Department for all costs associated with infrastructure improvements.

Section 142. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 142 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Allin Township for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 143. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 143 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Decker Township for all costs associated with infrastructure improvements.

Section 145. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harter/Stanford Fire District for all costs associated with new fire hydrants.

Section 146. The sum of $26,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 146 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Claremont for all costs associated with water tower infrastructure improvements.

Section 149. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 149 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jasper County Board for all costs associated with infrastructure, public safety, and security improvements.

Section 155. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 155 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Claremont Township for all costs associated with infrastructure improvements.

Section 156. The sum of $2,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 156 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Claremont Township for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to Madison Township for all costs associated with infrastructure improvements.

Section 158. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 158 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Children’s Museum Foundation Corp. for all costs associated with infrastructure improvements, to include the purchase of land and/or a building.

Section 159. The sum of $98,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 159 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Salem Lincoln League for all costs associated with infrastructure improvements at Lincoln’s New Salem State Historic Site.

Section 160. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 160 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Springfield for all costs associated with infrastructure improvements.

Section 161. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 161 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Springfield for all costs associated with capital improvements to the water system.

Section 162. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 162 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Downtown Springfield, Inc. for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 163. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 163 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to G.R.O.W.T.H. International for all costs associated with infrastructure improvements.

Section 166. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 166 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kumler Outreach Ministries for all costs associated with infrastructure improvements.

Section 167. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 167 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Historic West Side Neighborhood Association for all costs associated with community and capital improvements.

Section 168. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 168 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Enos Park Neighborhood Association for all costs associated with park improvements.

Section 169. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 169 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harvard Park Neighborhood Association for all costs associated with infrastructure improvements.

Section 170. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 170 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Woodlawn Park Neighborhood Association for all costs associated with infrastructure improvements.
Fund to the Department of Commerce and Economic Opportunity for a grant to the Salvation Army for all costs associated with infrastructure improvements.

Section 171. The sum of $17,019, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 171 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Free Mason Central Lodge #3 for all costs associated with capital improvements.

Section 172. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 172 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Iles Park Neighborhood Association for all costs associated with infrastructure improvements.

Section 173. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 173 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lincoln Park Neighborhood Association for all costs associated with infrastructure improvements.

Section 174. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 174 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oak Ridge Neighborhood Association for all costs associated with infrastructure improvements.

Section 175. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 175 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Twin Lake Homeowners Association for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 176. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 176 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Vinegar Hill Neighborhood Association for all costs associated with sidewalk and lighting improvements.

Section 177. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 177 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oakhill Cemetery of Clearlake for all costs associated with infrastructure improvements.

Section 178. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 178 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois State Fair Museum Foundation for all costs associated with infrastructure improvements.

Section 179. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 179 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois State Police Heritage Foundation for all costs associated with infrastructure improvements.

Section 180. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 180 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senior Services of Central Illinois for all costs associated with infrastructure improvements.

Section 182. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 182 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to
Fund to the Department of Commerce and Economic Opportunity for a grant to the Springfield Muni Opera for all costs associated with infrastructure improvements.

Section 183. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 183 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Springfield Muni Opera for all costs associated with infrastructure improvements.

Section 188. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 188 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cuba Township Road District for all costs associated with new construction on township property.

Section 191. The sum of $125, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 191 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Barrington Township for all costs associated with township road improvements.

Section 195. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 195 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage PADS for all costs associated with infrastructure, public safety, and security improvements.

Section 197. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 197 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lisle for all costs associated with infrastructure, public safety, and security improvements.

New matter indicated by italics - deletions by strikeout
Section 198. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 198 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with infrastructure, public safety, and security improvements.

Section 200. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 200 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bolingbrook for all costs associated with infrastructure, public safety, and security improvements.

Section 202. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 202 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lisle Park District for all costs associated with infrastructure, public safety, and security improvements.

Section 204. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 204 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Convalescent Center for all costs associated with infrastructure, public safety, and security improvements.

Section 207. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 207 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Benedictine University for all costs associated with infrastructure, public safety, and security improvements.

Section 208. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 208 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to...
Fund to the Department of Commerce and Economic Opportunity for a grant to the Lisle Woodridge Fire District for all costs associated with infrastructure, public safety, and security improvements.

Section 209. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 209 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lisle Township for all costs associated with infrastructure, public safety, and security improvements.

Section 210. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 210 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Coach Care Center for all costs associated with infrastructure, public safety, and security improvements.

Section 212. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 212 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heritage YMCA for all costs associated with infrastructure, public safety, and security improvements and flooring improvements.

Section 213. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 213 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Patrick’s Residence for all costs associated with infrastructure, public safety, and security improvements and flooring improvements.

Section 214. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 214 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Loaves and Fishes for all costs associated with the construction of a new community food pantry.
Section 215. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 215 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Casey for all costs associated with drain improvements.

Section 216. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 216 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casey-Westfield Community Unit School District 4C for all costs associated with capital improvements.

Section 217. The sum of $59,903, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 217 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Marshall for all costs associated with a city-wide broadband project.

Section 218. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 218 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Marshall Community Unit School District No. 2C for all costs associated with capital improvements.

Section 219. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 219 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lake Land College Forsyth Center for all costs associated with expansion of automotive technology center.

Section 220. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 220 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to

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to Martinsville Community Unit School District No. 3C for all costs associated with capital improvements.

Section 221. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 221 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westfield for all costs associated with infrastructure, public safety, and security improvements.

Section 222. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 222 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Union Park District for all costs associated with playground improvements.

Section 223. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 223 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Flat Rock for all costs associated with infrastructure, public safety, and security improvements.

Section 224. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 224 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hutsonville Community Unit School District No. 1 for all costs associated with capital improvements.

Section 225. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hartford for all costs associated with the Wabash River boat ramp project.

Section 226. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 226 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hutsonville for all costs associated with infrastructure, public safety, and security improvements.

Section 228. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 228 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oblong Community Unit School District No. 4 for all costs associated with capital improvements.

Section 229. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 229 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Oil Field Museum for all costs associated with capital improvements.

Section 230. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 230 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oblong for all costs associated with infrastructure, public safety, and security improvements.

Section 231. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 231 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oblong Children’s Christian Home for all costs associated with capital improvements.

Section 232. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 232 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to the Palestine Community Unit School District No. 3 for all costs associated with capital improvements.

Section 233. The sum of $32,501, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 233 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Palestine for all costs associated with infrastructure, public safety, and security improvements.

Section 234. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 234 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Robinson Community Unit School District No. 2 for all costs associated with infrastructure, public safety, and security improvements.

Section 235. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 235 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Robinson for all costs associated with Main Street and square improvements.

Section 236. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 236 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Robinson for all costs associated with road improvements.

Section 238. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 238 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Crawford County for all costs associated with broadband project expansion.

Section 240. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 240 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Jewett for all costs associated with infrastructure, public safety, and security improvements.

Section 241. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 241 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Neoga Community Unit School District No. 3 for all costs associated with capital improvements.

Section 242. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 242 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cumberland Community Unit School District No. 77 for all costs associated with capital improvements.

Section 243. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 243 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Toledo for all costs associated with infrastructure, public safety, and security improvements.

Section 244. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 244 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Edgar County Community Unit School District No. 6 for all costs associated with capital improvements.

Section 245. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 245 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kansas Community Unit School District No. 3 for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 246. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 246 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Paris Community Unit School District No. 4 for all costs associated with capital improvements.

Section 247. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 247 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Paris Union School District No. 95 for all costs associated with capital improvements.

Section 249. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 249 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Paul Warner Rescue for all costs associated with structural expansions and/or capital improvements.

Section 250. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 250 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Altamont Community Unit School District No. 10 for all costs associated with capital improvements.

Section 251. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 251 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Altamont for all costs associated with infrastructure, public safety, and security improvements.

Section 252. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 252 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Altamont for all costs associated with infrastructure, public safety, and security improvements.

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Fund to the Department of Commerce and Economic Opportunity for a grant to the Beecher City Community Unit School District No. 20 for all costs associated with capital improvements.

Section 253. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 253 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher City for all costs associated with infrastructure, public safety, and security improvements.

Section 254. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 254 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Red Hill Community Unit School District No. 10 for all costs associated with capital improvements.

Section 256. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 256 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lawrence County Community Unit School District No. 20 for all costs associated with capital improvements.

Section 257. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 257 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lawrenceville for all costs associated with infrastructure, public service, and safety improvements.

Section 258. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 258 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Francisville for all costs associated with infrastructure, public safety, and security improvements.
Section 259. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 259 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sumner for all costs associated with infrastructure, public service, and safety improvements.

Section 260. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 260 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Stewardson-Strasburg Community Unit School District No. 5A for all costs associated with capital improvements.

Section 262. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 262 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shelbyville Community Unit School District No. 4 for all costs associated with capital improvements for schools.

Section 263. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 263 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Shelbyville for all costs associated with infrastructure, public service, and safety improvements.

Section 264. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 264 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Allendale Community Unit School District No. 17 for all costs associated with capital improvements to schools.

Section 265. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 265 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sumner for all costs associated with infrastructure, public service, and safety improvements.

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Fund to the Department of Commerce and Economic Opportunity for a grant to the Wabash CUSD 348 for all costs associated with capital improvements to schools.

Section 267. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 267 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wamac for all costs associated with infrastructure, public service, and security improvements.

Section 268. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 268 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Nason for all costs associated with infrastructure improvements.

Section 270. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 270 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Belle Rive for all costs associated with water project improvements.

Section 271. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 271 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bonnie for all costs associated with infrastructure improvements.

Section 272. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 272 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bluford for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 273. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 273 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ina for all costs associated with infrastructure, public service, and security improvements.

Section 274. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 274 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodlawn for all costs associated with infrastructure, public service, and security improvements.

Section 275. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 275 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jefferson County Sheriff’s Department for all costs associated with infrastructure, public service, and security improvements.

Section 276. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 276 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mt. Vernon Police Department for all costs associated with infrastructure, public service, and security improvements.

Section 277. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 277 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Waltonville for all costs associated with infrastructure, public service, and security improvements.

Section 278. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 278 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Waltonville for all costs associated with infrastructure, public service, and security improvements.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Patoka for all costs associated with infrastructure, public service, and security improvements.

Section 279. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 279 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Walnut Hill for all costs associated with infrastructure, public service, and security improvements.

Section 280. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Community Activities Center for all costs associated with infrastructure improvements.

Section 281. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 281 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Marion County Fair Association for all costs associated with infrastructure improvements.

Section 282. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 282 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Centralia City Fire Department for all costs associated with fire station construction.

Section 283. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 283 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Police Department for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 285. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 285 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sandoval for all costs associated with infrastructure improvements.

Section 286. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 286 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Illinois Theater for all costs associated with infrastructure improvements.

Section 287. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 287 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bartelso for all costs associated with capital improvements.

Section 288. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 288 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beckemeyer for all costs associated with capital improvements.

Section 289. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 289 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Clinton County Sheriff’s Department for all costs associated with infrastructure improvements.

Section 290. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 290 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Hoffman for all costs associated with infrastructure improvements.

Section 291. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 291 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carlyle Fire Protection District for all costs associated with infrastructure improvements.

Section 292. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 292 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Fire Protection District for all costs associated with infrastructure, public service, and security improvements.

Section 293. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 293 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Alma for all costs associated with infrastructure, public service, and safety improvements, and the construction of a new community center.

Section 294. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 294 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Odin for all costs associated with infrastructure, public service, and safety improvements.

Section 295. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 295 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Iuka for all costs associated with infrastructure, public service, and safety improvements.

Section 297. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 297 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Breese Fire Department for all costs associated with the purchase of a new fire truck and/or capital improvements.

Section 301. The sum of $20,812, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 301 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carlyle for all costs associated with infrastructure, public service, and safety improvements, and purchase of property.

Section 302. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 302 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Area Aquatics Foundation for all costs associated with construction of an indoor center and pool.

Section 303. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 303 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Salem Community Theatre and Cultural Center for all costs associated with construction of ADA accessible restroom facilities and a new entrance.

Section 304. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 304 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carlyle Police Department for all costs associated with a construction project for the safe transport of prisoners.

Section 305. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to the Breese Police Department for all costs associated with infrastructure, public service, and safety improvements.

Section 306. The sum of $48,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 306 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Breese for all costs associated with the construction of a sanitary sewer main.

Section 308. The sum of $50,610, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 308 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for all costs associated with Salt Creek stabilization.

Section 309. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 309 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hoffman Estates for all costs associated with construction of a water main.

Section 310. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 310 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Inverness for all costs associated with village hall rehabilitation.

Section 311. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 311 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Palatine Park District for all costs associated with construction of Falcon Park Recreation Center.

Section 312. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 312 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rolling Meadows Park District for all costs associated with parking lot repairs.

Section 313. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 313 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Consolidated School District 15 for all costs associated with plumbing renovations and/or capital improvements.

Section 314. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 314 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township High School District 211 for all costs associated with water and sewer pipe replacement.

Section 315. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 315 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township Senior Center for all costs associated with building renovations and a parking lot.

Section 316. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 316 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township for all costs associated with building renovations and parking lot repairs.

Section 321. The sum of $48,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 321 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Alexian Brothers Center for Mental Health for all costs associated with roofing, water, and sewer improvements.

Section 322. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 322 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to WINGS for all costs associated with a building purchase.

Section 323. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 323 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelter, Inc. for all costs associated with roof renovation and/or capital improvements.

Section 325. The sum of $190,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 325 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carpentersville for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 326. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 326 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Elgin for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements, and construction of a bike bridge.

Section 328. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 328 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gilberts for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 329. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 329 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hampshire for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 330. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 330 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pingree Grove for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 331. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 331 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Algonquin for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 333. The sum of $190,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 333 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of West Dundee for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 335. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of St. Charles for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements, and electric utility upgrades.

Section 336. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 336 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
Section 337. The sum of $94,857, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 337 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Burlington for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 338. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 338 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rutland Township for all costs associated with roadway, sanitary, sewer, storm sewer, and water main improvements.

Section 340. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 340 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Geneva Township for all costs associated with roadway improvements and bridge construction.

Section 341. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 341 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Batavia Park District for all costs associated with capital park improvements and land purchases.

Section 342. The sum of $275,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 342 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Preservation District of Kane County for all costs associated with capital park improvements, land purchases, and building construction.

Section 343. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 343 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Geneva Park District for all costs associated with capital park upgrades and land purchases.

Section 344. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 344 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Charles Park District for all costs associated with capital park improvements, land purchases, and the development of a new community park.

Section 347. The sum of $6,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 347 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Anchor for all costs associated with infrastructure improvements.

Section 348. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 348 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crescent City for all costs associated with infrastructure improvements.

Section 350. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roberts for all costs associated with infrastructure improvements.

Section 351. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 351 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Village of Cissna Park for all costs associated with infrastructure improvements.

Section 352. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 352 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gibson City for all costs associated with infrastructure improvements.

Section 353. The sum of $40,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 353 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Strawn for all costs associated with infrastructure improvements.

Section 354. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 354 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Iroquois County Agriculture and 4-H Club Fair for all costs associated with infrastructure improvements.

Section 355. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 355 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Piper City for all costs associated with infrastructure improvements.

Section 357. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 357 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elliot for all costs associated with infrastructure improvements.

Section 358. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 358 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elliot for all costs associated with infrastructure improvements.
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buckley for all costs associated with infrastructure improvements.

Section 359. The sum of $22,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 359 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Danforth for all costs associated with infrastructure improvements.

Section 360. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stockland Township for all costs associated with infrastructure improvements.

Section 361. The sum of $16,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 361 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Melvin for all costs associated with infrastructure improvements.

Section 362. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 362 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Iroquois for all costs associated with infrastructure improvements.

Section 363. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 363 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Iroquois County for all costs associated with infrastructure improvements.
Section 364. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 364 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Foosland for all costs associated with infrastructure improvements.

Section 365. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bellflower for all costs associated with infrastructure improvements.

Section 366. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 366 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodland for all costs associated with infrastructure improvements.

Section 368. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 368 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Iroquois-Ford Fire Protection District for all costs associated with infrastructure improvements.

Section 369. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 369 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Emington for all costs associated with infrastructure improvements.

Section 370. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 370 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of ...
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Milford for all costs associated with infrastructure improvements.

Section 371. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 371 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clifton for all costs associated with infrastructure improvements.

Section 372. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 372 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thawville for all costs associated with infrastructure improvements.

Section 373. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 373 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Dixon Community Fire Protection District for all costs associated with light installation.

Section 378. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 378 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Amboy Fire Protection District for all costs associated with construction of a training/storage building.

Section 379. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 379 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Dixon for all costs associated with capital improvements.

Section 381. The sum of $38,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 381 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Polo Park Board for all costs associated with infrastructure improvements.

Section 383. The sum of $28,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 383 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Falls for all costs associated with capital improvements.

Section 387. The sum of $30,736, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 387 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Golden for all costs associated with a storm sewer replacement project.

Section 389. The sum of $570, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 389 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Quincy Family YMCA for all costs associated with capital improvements.

Section 390. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 390 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Winchester for all costs associated with street improvements.

Section 392. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 392 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Versailles for all costs associated with capital improvements.

Section 394. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 394 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Beardstown for all costs associated with water system improvements.

Section 395. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 395 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bluffs for all costs associated with a new water storage tank and water system improvements.

Section 396. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 396 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rushville for all costs associated with water distribution improvements.

Section 397. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 397 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Scott County Rural Water Cooperative for all costs associated with the construction of a water main.

Section 398. The sum of $1, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 398 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manchester for all costs associated with fire department improvements.

Section 399. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 399 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Ashland for all costs associated with surface water and flood control improvements.

Section 400. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kirkwood for all costs associated with water and sewer improvements.

Section 401. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 401 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Warsaw for all costs associated with infrastructure improvements.

Section 402. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 402 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hamilton for all costs associated with sewer improvements.

Section 403. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 403 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roseville for all costs associated with sewer improvements.

Section 406. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 406 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Industry for all costs associated with sewer improvements.

Section 410. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 410 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Industry for all costs associated with sewer improvements.

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Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Alexis for all costs associated with sewer improvements.

Section 412. The sum of $25,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 412 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the Hancock McDonough ROE 26 for all costs associated with a building
purchase for a co-op.

Section 413. The sum of $25,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 413 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the Little York Fire Protection District for all costs associated with the
purchase of a fire truck and fire fighting equipment and/or capital
improvements.

Section 416. The sum of $168, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 416 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the City of Belvidere for all costs associated with the purchase of a street
sweeper and capital improvements.

Section 419. The sum of $500, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 419 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the City of South Beloit for all costs associated with capital improvements.

Section 422. The sum of $70,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 422 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Cherry Valley for all costs associated with capital
improvements.

Section 426. The sum of $40,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,

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from a reappropriation heretofore made in Article 54, Section 426 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roscoe for all costs associated with capital improvements.

Section 427. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 427 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Timberlane for all costs associated with capital improvements.

Section 436. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 436 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Belvidere Park District for all costs associated with capital improvements.

Section 438. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 438 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blackhawk Area Council of Boy Scouts of America for all costs associated with a program and administration building.

Section 442. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 442 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Batavia for all costs associated with fiber optic pilot program construction.

Section 443. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 443 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of West Chicago for all costs associated with water system infrastructure improvements.
Section 445. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with stormwater infrastructure improvements and land acquisition.

Section 449. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 449 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with construction of new facilities for the convalescent center.

Section 450. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 450 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Forest Preservation District for all costs associated with West Branch-Winfield Mounds construction.

Section 451. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 451 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Geneva Township for all costs associated with bridge replacement.

Section 453. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 453 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Western DuPage Special Recreation Association for all costs associated with infrastructure improvements.

Section 455. The sum of $192,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to Triton College for all costs associated with the installation of an ADA door operator and other capital improvements.

Section 457. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 457 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with water distribution modernization and other capital improvements.

Section 458. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 458 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with the modernization of Pump House and other capital improvements.

Section 459. The sum of $11,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 459 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with a security system for Pump House and Water Tank and other capital improvements.

Section 460. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Leyden Township for all costs associated with new street lighting and other capital improvements.

Section 463. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 463 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Schiller Park for all costs associated with Irving Park Road viaduct improvements and other capital improvements.

Section 464. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 464 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Schiller Park for capital improvements.

Section 466. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 466 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood Park for all costs associated with the Harlem Avenue lighting project and other capital improvements.

Section 467. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 467 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bensenville for all costs associated with new road improvements (no resurfacing) and other capital projects.

Section 470. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood Park for all costs associated with the North Avenue decorative lighting project and other capital improvements.

Section 471. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 471 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elmwood Park for all costs associated with the Belmont Avenue streetscape and other capital improvements.

Section 472. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 472 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Downers Grove Park District for all costs associated with infrastructure improvements.

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Section 473. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 473 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Woodridge Park District for all costs associated with building a park for youth.

Section 475. The sum of $5,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post #250 for all costs associated with restoration of the veterans meeting room with new furniture and equipment.

Section 476. The sum of $5,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 476 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Westmont American Legion Post #338 for all costs associated with wheelchairs and equipment for veterans meeting room restoration.

Section 477. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 477 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Seaspar Special Recreation District for all costs associated with infrastructure improvements for a park for disabled children.

Section 478. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 478 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Westmont Park District for all costs associated with infrastructure improvements to parks.

Section 481. The sum of $14,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 481 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Water Resources Board for all costs associated with the construction of a water treatment facility.

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Fund to the Department of Commerce and Economic Opportunity for a grant to the Northeast DuPage Special Recreation Association for all costs associated with infrastructure and safety improvements for a wheelchair gym in the Special Recreation District.

Section 482. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 482 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Convalescent Center for all costs associated with infrastructure improvements in the county nursing home.

Section 483. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 483 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indian Boundary YMCA for all costs associated with renovation of the Early Childhood after school learning room.

Section 485. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 485 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Almost Home Kids for all costs associated with infrastructure improvements for a nursing office for respite care for medically fragile children.

Section 486. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 486 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Giant Steps for all costs associated with infrastructure improvements for the expansion of a community outreach autism program.

Section 487. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 487 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Easter Seals of DuPage and the Fox Valley Region for all costs associated with infrastructure improvements.

Section 491. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 491 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westmont for all costs associated with improvements to the Village Hall Police Department, commuter train, station security and safety equipment.

Section 495. The sum of $13,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Darien for all costs associated with flood project improvements.

Section 496. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 496 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Darien for all costs associated with Juniper Avenue infrastructure improvements.

Section 497. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 497 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with the construction of a gazebo at Prairie Trail Park and infrastructure improvements.

Section 498. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 498 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with the construction of a municipal salt storage building.

Section 499. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 499 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with 63rd Street stormwater inlet improvements.

Section 501. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 501 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with infrastructure, public safety, and security improvements.

Section 502. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 502 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Shelter for all costs associated with infrastructure improvements for victims of domestic violence.

Section 503. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 503 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ray Graham for all costs associated with exterior work on CILA (Community Integrated Living Arrangement) Home for Disabled Children.

Section 505. The sum of $7,290, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to University High School for all costs associated with renovation of boys’ and girls’ locker rooms.

Section 509. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 509 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant...
to the Bloomington Township Fire Department for all costs associated with construction for the expansion of the fire department.

Section 514. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 514 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Medinah Park District for all costs associated with infrastructure, public safety, and safety improvements.

Section 516. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 516 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Roselle Park District for all costs associated with infrastructure, public safety, and safety improvements.

Section 517. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 517 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carol Stream Park District for all costs associated with infrastructure, public safety, and safety improvements.

Section 518. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 518 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glendale Heights Park District for all costs associated with infrastructure, public safety, and safety improvements.

Section 520. The sum of $17,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 520 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Addison for all costs associated with infrastructure, public security, and safety improvements.

Section 523. The sum of $13,523, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 523 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for all costs associated with infrastructure, public security, and safety improvements.

Section 525. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 525 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with infrastructure, public safety, and safety improvements.

Section 528. The sum of $61,954, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 528 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County for all costs associated with infrastructure, public safety, and safety improvements.

Section 529. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 529 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with infrastructure, public safety, and safety improvements.

Section 530. The sum of $11,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 530 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with infrastructure, public safety, and safety improvements.

Section 531. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 531 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to the Western DuPage Recreation Association for all costs associated with infrastructure, public safety, and safety improvements.

Section 532. The sum of $14,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 532 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals DuPage for all costs associated with infrastructure, public safety, and safety improvements.

Section 533. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 533 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Outreach Community Center in Carol Stream for all costs associated with infrastructure, public safety, and safety improvements.

Section 535. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 535 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galesburg Fire Department for all costs associated with capital improvements and equipment.

Section 536. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 536 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Princeton for all costs associated with capital improvements.

Section 537. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 537 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Freedom House for all costs associated with capital improvements.

Section 541. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 541 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Princeton for all costs associated with capital improvements.
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Altona for all costs associated with capital improvements for water, sewer, or streets.

Section 542. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 542 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Abingdon for all costs associated with capital improvements.

Section 544. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 544 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Knox County Board for all costs associated with capital improvements.

Section 545. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elba-Salem Fire District for all costs associated with the purchase of a new fire truck and/or capital improvements.

Section 546. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 546 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wyoming for all costs associated with capital improvements.

Section 547. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 547 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Toulon for all costs associated with capital improvements.

Section 548. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 548 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to

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to Aunt Martha’s Youth Services Center for all costs associated with capital improvements for a dentistry room and permanent equipment.

Section 549. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 549 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Abilities Plus for all costs associated with capital improvements for a new group home.

Section 551. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 551 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Black Hawk College-East Campus for all costs associated with capital improvements to Kewanee Campus.

Section 553. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 553 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cambridge for all costs associated with capital improvements.

Section 556. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 556 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alpha for all costs associated with capital improvements.

Section 557. The sum of $52,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 557 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Annawan for all costs associated with capital improvements.

Section 559. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 559 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Annawan for all costs associated with capital improvements.
Section 560. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 560 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wyanet for all costs associated with capital improvements.

Section 561. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 561 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Walnut for all costs associated with capital improvements.

Section 562. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 562 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ohio for all costs associated with capital improvements.

Section 563. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 563 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Buda Fire District for all costs associated with capital improvements.

Section 565. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sheffield for all costs associated with capital improvements.

Section 566. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 566 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Manlius for all costs associated with capital improvements.
Section 568. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 568 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of West Chicago for all costs associated with infrastructure, security, and public safety improvements.

Section 570. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 570 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wayne Township Road District for all costs associated with the Powis Road Flood Control project.

Section 573. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 573 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of St. Charles for all costs associated with infrastructure, security, and public safety improvements.

Section 574. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 574 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Elgin for all costs associated with infrastructure, security, and public safety improvements.

Section 575. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 575 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover Park for all costs associated with infrastructure, security, and public safety improvements.

Section 576. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 576 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover Park for all costs associated with infrastructure, security, and public safety improvements.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wayne for all costs associated with infrastructure, security, and public safety improvements.

Section 577. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 577 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Western DuPage Special Recreation Association for all costs associated with infrastructure, security, and public safety improvements.

Section 578. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 578 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Arlington Heights School District 25 for all costs associated with capital improvements.

Section 581. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 581 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Clearbrook for all costs associated with kitchen remodeling in CILA group homes.

Section 582. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 582 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheeling Township Road District for all costs associated with road and flood improvements.

Section 583. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 583 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Indian Trails Public Library District for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 584. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 584 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arlington Heights Memorial Library for all costs associated with renovation of the children’s department.

Section 586. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 586 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mt. Prospect Park District for all costs associated with Prospect Meadows Park improvements.

Section 589. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 589 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arlington Heights Park District for all costs associated with Lake Arlington playground improvements.

Section 590. The sum of $90,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Arlington Heights Park District for all costs associated with the replacement of the Camelot Park pedestrian bridge.

Section 592. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 592 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Prospect Heights for all costs associated with a Public Works garage addition.

Section 594. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 594 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to...
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buffalo Grove for all costs associated with stormwater and flooding management programs.

Section 596. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 596 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bensenville Park District for all costs associated with Fischer Farm infrastructure improvements.

Section 599. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 599 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst Park District for all costs associated with Marjorie Davis Park upgrades and Wagner Center improvements.

Section 604. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 604 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Addison Fire Protection District for all costs associated with capital improvements.

Section 605. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with building repairs, security fencing, and parking lot repairs.

Section 606. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 606 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post 1205 for all costs associated with roof and parking lot repairs.
Section 609. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 609 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Addison Park District for all costs associated with infrastructure improvements to Army Trail Nature Center.

Section 610. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Easter Seals of DuPage and Fox Valley Region for all costs associated with a new parking lot and parking lot repairs.

Section 611. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 611 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lombard Park District for all costs associated with a new roof for the Lombard Lagoon Building and making the cemetery stairs and ramping at Washington Park ADA compliant.

Section 613. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 613 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Addison Township for all costs associated with parking lot improvements.

Section 615. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 615 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fenton Community High School District 100 for all costs associated with building and parking lot improvements.

Section 617. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 617 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to...
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with building improvements and repairs at Jefferson and Lufkin swimming pools.

Section 618. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 618 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst YMCA for all costs associated with building repairs.

Section 619. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 619 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for all costs associated with rebuilding West Avenue and restoring Fischer Farm (one room schoolhouse).

Section 620. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 620 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elmhurst CUSD 205 for all costs associated with building additional classrooms at Emerson School.

Section 621. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 621 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with Bensenville CILA improvements.

Section 623. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 623 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northeast DuPage Special Recreation Association for all costs associated with infrastructure and safety upgrades.

Section 625. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 625 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lombard for all costs associated with infrastructure projects including but not limited to road improvements.

Section 626. The sum of $24,820, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 626 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hamel for all costs associated with capital improvements.

Section 627. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 627 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the VFW Post 1377 for all costs associated with capital improvements.

Section 628. The sum of $14,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 628 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mulberry Grove Fire Department for all costs associated with a gear extractor system.

Section 630. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Troy for all costs associated with sidewalks along North Staunton Road.

Section 631. The sum of $32,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 631 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mascoutah Fire Department for all costs associated with firehouse improvements and upgrades.

New matter indicated by italics - deletions by strikeout
Section 632. The sum of $17,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 632 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Troy Fire Department for all costs associated with an indoor exhaust ventilation system.

Section 634. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 634 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Madison County Fair Association for all costs associated with capital improvements.

Section 635. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 635 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alhambra for all costs associated with stormwater improvements.

Section 636. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 636 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bond County Humane Society for all costs associated with capital improvements for an animal shelter.

Section 637. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 637 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bond County Senior Center for all costs associated with the new senior citizen center.

Section 639. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 639 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bond County Senior Center for all costs associated with the new senior citizen center.
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pocahontas for all costs associated with water treatment system upgrades.

Section 640. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Elmo Historical Society for all costs associated with the renovation of Elmo Movie Theater.

Section 641. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 641 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sorento for community building renovations.

Section 642. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 642 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Vandalia for all costs associated with a cemetery maintenance building.

Section 644. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 644 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tower Hill for all costs associated with replacing water meters.

Section 645. The sum of $95,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 645 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Summerfield for all costs associated with the construction of a new city hall.

Section 646. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 646 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Smithboro for all costs associated with stormwater drainage improvements.

Section 647. The sum of $37,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 647 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Peter for all costs associated with the design and engineering of a sewer upgrade.

Section 648. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 648 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Peter for all costs associated with the purchase and/or construction of a new community building.

Section 650. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 650 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Elmo for all costs associated with sanitary sewer improvements.

Section 651. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 651 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Panama for all costs associated with sidewalk replacement.

Section 652. The sum of $96,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 652 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of O’Fallon for all costs associated with water line replacement.
Section 653. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 653 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lebanon for all costs associated with replacement of the roof on the police station.

Section 654. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 654 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Keyesport for all costs associated with new sidewalks.

Section 655. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 655 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Highland for all costs associated with construction including incurred costs.

Section 656. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 656 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Highland for all costs associated with the sidewalk and handicap ramp improvements along Route 143.

Section 659. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 659 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brownstown for all costs associated with a severe weather warning system.

Section 660. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 660 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cowden for all costs associated with park improvements.

Section 661. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 661 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Women’s Military and Civilian Memorial Inc. for all costs associated with building a military and civilian memorial for women who have served in times of war.

Section 662. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 662 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Trinity Services, Inc. for all costs associated with capital improvements for street improvements.

Section 663. The sum of $36,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 663 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mulberry Grove for all costs associated with the purchase of bondable equipment and capital improvements.

Section 668. The sum of $1,767, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 668 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake in the Hills for all costs associated with capital improvements for Sunset Park.

Section 670. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 670 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lakeside Legacy for all costs associated with restorations and infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 675. The sum of $29,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ludlow Community Consolidated School District #142 for all costs associated with the construction of a lunch room addition and other infrastructure improvements.

Section 682. The sum of $109,700, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 682 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Potomac for all costs associated with the replacement of a water main and related repairs to a water tower.

Section 684. The sum of $18,480, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 684 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ogden for all costs associated with infrastructure improvements.

Section 688. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 688 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jo Daviess County for all costs associated with infrastructure improvements.

Section 689. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 689 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elizabeth for capital improvements.

Section 690. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 690 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jo Daviess County for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 691. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 691 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Leaf River for infrastructure improvements.

Section 693. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 693 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winnebago for infrastructure improvements.

Section 694. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 694 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dakota for capital improvements to Main Street.

Section 696. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 696 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Nora for all costs associated with capital and infrastructure improvements.

Section 698. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 698 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Freeport for capital improvements.

Section 699. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 699 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Scales Mound for infrastructure improvements to the Village Hall.
Section 700. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 700 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Orangeville for all costs associated with construction on Main Street and High Street, including sidewalks and lighting.

Section 701. The sum of $20,622, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 701 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Warren for all costs associated with the demolition of a water tower and other infrastructure improvements.

Section 703. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 703 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winslow for all costs associated with water and sewer infrastructure improvements.

Section 704. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 704 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover for all costs associated with the replacement of a water tower and other infrastructure improvements.

Section 705. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 705 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lanark for all costs associated with a sewer lift station replacement and other infrastructure improvements.

Section 706. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 706 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galena for infrastructure improvements.

Section 707. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 707 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Davis for all costs associated with infrastructure improvements.

Section 708. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 708 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Morris for infrastructure improvements.

Section 709. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 709 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Galena – Jo Davies County Historical Society and Museum for capital improvements.

Section 710. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 710 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rock City for capital improvements to the water and sewer infrastructure.

Section 712. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 712 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fullersburg Historic Foundations for capital improvements.

Section 713. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 713 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berkeley for infrastructure improvements.

Section 714. The sum of $5,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 714 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for infrastructure improvements for Brookfield Zoo.

Section 719. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 719 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for infrastructure improvements.

Section 720. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 720 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for infrastructure improvements.

Section 721. The sum of $526, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 721 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for capital improvements.

Section 722. The sum of $48,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 722 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakbrook for infrastructure improvements.

Section 723. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 723 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakbrook for infrastructure improvements.

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Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Brookfield for infrastructure improvements.

Section 725. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 725 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Riverside for infrastructure improvements.

Section 727. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 727 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Riverside Township for infrastructure improvements.

Section 729. The sum of $5,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 729 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cat Nap from the Heart for capital improvements.

Section 730. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 730 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to York Township for infrastructure improvements.

Section 731. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 731 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Way Back Inn, Inc. for capital improvements.

Section 732. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 732 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aspire for capital improvements.

New matter indicated by italics - deletions by strikeout
Section 733. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 733 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Machesney Park for capital road improvements.

Section 734. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 734 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County Forest Preserve District for capital improvements to the Macktown Historic District Barn and other capital improvements.

Section 741. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 741 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County for all costs associated with the construction of an emergency vehicle garage and other capital improvements.

Section 742. The sum of $65,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 742 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Loves Park for capital improvements to a fire station.

Section 744. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 744 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to La Voz Latina for all costs associated with classroom improvements and the purchase and installation of a fire sprinkler system.

Section 745. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 745 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Girl Scouts of Northern Illinois for all costs associated with the

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construction and capital improvements of the program and administration building.

Section 746. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 746 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Blackhawk Area Council Boy Scouts of America for all costs associated with the construction and capital improvements of the program and administration building.

Section 747. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 747 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Memorial Hospital for all costs associated with the expansion of the Neo-Natal Intensive Care Unit and other capital improvements.

Section 748. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 748 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Swedish American Hospital for capital improvements to the x-ray and emergency room facilities and other capital improvements.

Section 752. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 752 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Villa Grove for all costs associated with infrastructure improvements.

Section 753. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 753 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Charleston Transitional Facility for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 754. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 754 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Disabled Citizens Foundation for all costs associated with facility construction and capital improvements.

Section 758. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 758 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cortland for all costs associated with storm water management.

Section 759. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 759 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Cortland for all costs associated with detention pond reconstruction and other capital improvements.

Section 761. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 761 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Davis Junction for sewer and water infrastructure improvements.

Section 763. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 763 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hillcrest for all costs associated with the construction of a new sewer system and other capital improvements.

Section 764. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 764 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hillcrest for all costs associated with the construction of a new sewer system and other capital improvements.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hinckley for all costs associated with storm water management.

Section 765. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 765 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lee for all costs associated with water system improvements and other capital improvements.

Section 767. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 767 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Malta for all costs associated with water main replacement and other capital improvements.

Section 771. The sum of $31,203, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 771 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Deer Park for all costs associated with storm water drainage and other capital improvements.

Section 772. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 772 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kildeer for all costs associated with storm sewer drainage and other capital improvements.

Section 773. The sum of $131,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 773 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Long Grove for all costs associated with sidewalk and street reconstruction and other capital improvements.

New matter indicated by italics - deletions by strikeout
Section 775. The sum of $238,179, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 775 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake Zurich for all costs associated with water treatment plant expansion and other capital improvements.

Section 782. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 782 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Peoria for all costs associated with capital and infrastructure improvements.

Section 783. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 783 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Methodist Medical Center of Illinois for all costs associated with construction and capital improvement projects.

Section 785. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 785 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Antioch Township for all costs associated with the purchase of sirens for the emergency operations center and other capital and infrastructure improvements.

Section 790. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 790 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beach Park for all costs associated with water main extension and other capital improvements.

Section 791. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 791 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beach Park for all costs associated with water main extension and other capital improvements.

New matter indicated by italics - deletions by strikeout
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grant Township Highway for all costs associated with drainage and restructuring of roadways damaged by flooding and other capital infrastructure improvements.

Section 792. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 792 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake Villa for all costs associated with road construction and other infrastructure projects.

Section 794. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 794 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lindenhurst for all costs associated with road and infrastructure improvements.

Section 796. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 796 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Newport Fire Protection District for all costs associated with infrastructure improvements.

Section 799. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 799 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Zion Park District for all costs associated with infrastructure and capital improvements including for the Leisure Center roof and HVAC completion.

Section 800. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 800 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant...
to Pike County for all costs associated with the construction of a Public Safety Building and other infrastructure improvements.

Section 801. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 801 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Morgan County for all costs associated with repairs to the courthouse and other capital and infrastructure improvements.

Section 805. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 805 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Jacksonville YMCA for all costs associated with capital facility improvements.

Section 806. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 806 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Jacksonville for all costs associated with road construction, repairs, and other infrastructure improvements.

Section 807. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 807 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jefferson Park Association for all costs associated with capital improvements including roof repair.

Section 810. The sum of $162,678, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 810 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lindenhurst for all costs associated with the construction of a pedestrian walkway to connect Engle Memorial Park to the Lake Villa Library.

New matter indicated by italics - deletions by strikeout
Section 814. The sum of $1,064, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 814 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Round Lake Area Park District for capital improvements including the construction of an event shelter.

Section 816. The sum of $70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 816 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Round Lake Beach for capital and infrastructure improvements including for the purchase of an elevated tank generator.

Section 817. The sum of $8,531, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 817 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wildwood Park District for all costs associated with shore stabilization and sea wall construction.

Section 818. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 818 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bridge Communities for all costs associated with the infrastructure upgrades and capital improvements.

Section 819. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 819 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Butler School District 45 for the purchase of student lockers and other capital improvements.

Section 820. The sum of $14,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 820 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund...
Fund to the Department of Commerce and Economic Opportunity for a grant to Butterfield Park District for infrastructure and capital improvements.

Section 822. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 822 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Center for Independent Living for infrastructure and capital improvements.

Section 823. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 823 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Oak Terrace to purchase signage for City entrance and other capital improvements.

Section 824. The sum of $5,999, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 824 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Consolidated School District 89 for art room upgrades at Glen Crest Middle School and other infrastructure and capital improvements.

Section 825. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 825 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Consolidated School District 99 for all costs associated with the installation of a parking lot and other infrastructure repairs and capital improvements.

Section 826. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 826 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Housing Association of DuPage for all costs associated with roof replacement and other improvements.

New matter indicated by italics - deletions by strikeout
Section 827. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 827 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Downers Grove School District 58 for capital improvements.

Section 828. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 828 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Downers Grove Park District for all costs associated with Phase 1 of the Blodgett House Renovation and other capital improvements.

Section 830. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 830 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage P.A.D.S for the purchase of land in conjunction with the purchase of a building.

Section 831. The sum of $590, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 831 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Easter Seals of DuPage and the Fox Valley Region for the purchase and installation of three HVAC units and other capital improvements.

Section 832. The sum of $33,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 832 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glen Ellyn Historical Society for the purchase and installation of an irrigation system for the Glen Ellyn History Park Development Project.

Section 833. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 833 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

New matter indicated by italics - deletions by strikeout
Section 834. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 834 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glen Ellyn Public Library for infrastructure and capital improvements.

Section 835. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 835 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glen Ellyn School District #41 for infrastructure and capital improvements to the Courtyard classroom and the Performing Arts Center.

Section 836. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 836 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glenbard Township High School District 87 for capital improvements.

Section 837. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 837 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Helen M. Plum Memorial Library for infrastructure improvements including an air conditioner upgrade.

Section 838. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 838 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lisle Park District for all costs associated with the construction of a boat launch and other capital improvements.

Section 839. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 839 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Glen Ellyn Park District for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to Lisle Township Highway Department for all costs associated with curb replacement and infrastructure improvements.

Section 840. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 840 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lombard Elementary District 44 for all costs associated with infrastructure improvements to the kitchen and other capital improvements.

Section 841. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 841 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lombard Park District for all costs associated with the construction of a picnic shelter and other capital improvements.

Section 842. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 842 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Milton Township Highway Department for all costs associated with the sidewalk and curb installation for ADA compliance and other infrastructure improvements.

Section 843. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 843 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Northeast DuPage Special Recreation Association for infrastructure upgrades and capital improvements.

Section 844. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 844 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Oakbrook Terrace Park District for all costs associated with capital improvements.

New matter indicated by italics - deletions by strikeout
Section 845. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 845 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the People’s Resource Center for capital improvements.

Section 846. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 846 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with roof replacement.

Section 847. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 847 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to School District 45, DuPage County Schools, for all costs associated with infrastructure improvements to the science lab.

Section 848. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 848 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Downers Grove Highway Department for all costs associated with Graceland Street Road Improvement Project.

Section 849. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 849 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park Public Library for land purchase.

Section 850. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 850 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Downers Grove for all costs associated with a downtown pedestrian crossing system and other capital improvements.
Section 851. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 851 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glen Ellyn for all costs associated with storm sewer installation.

Section 854. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 854 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for infrastructure improvements.

Section 855. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 855 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Western DuPage Special Recreation Association for capital improvements.

Section 857. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 857 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with the roof replacement of the City of Wheaton Police Department building.

Section 858. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 858 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the York Center Fire Protection District for capital improvements.

Section 859. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 859 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to York Township for all costs associated with sidewalk installation.

New matter indicated by italics - deletions by strikeout
Section 860. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 860 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to York Township Highway Department for all costs associated with capital street improvements.

Section 861. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 861 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Midwest Shelter for Homeless Veterans for all costs associated with facility expansion.

Section 862. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 862 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Glen Ellyn Park District for all costs associated with the construction of a Safety Village.

Section 864. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 864 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Lenox for all costs associated with the purchase and development of a historic site.

Section 865. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 865 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Lenox for all costs associated with road improvements.

Section 867. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 867 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Village of Orland Park for all costs associated with capital improvements.

Section 868. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 868 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tinley Park for all costs associated with infrastructure, safety, and security improvements.

Section 870. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 870 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forest Preserve District of Will County for all costs associated with capital improvements to the Hickory Creek bicycle trail.

Section 875. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 875 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Homer Glen for infrastructure, safety, and security improvements.

Section 876. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 876 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Mokena Fire Protection District for infrastructure, safety, and security improvements.

Section 893. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 893 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Old Capitol Foundation for all costs associated with infrastructure improvements to the Vandalia State House.

Section 894. The sum of $27,850, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 894 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Park Ridge Fire Department for all costs associated with the construction and capital costs related to a fire department training tower.

Section 895. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 895 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Des Plaines for all costs associated with sewer improvements.

Section 899. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 899 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Avenues to Independence for all costs associated with capital improvements including but not limited to those related to sewer, plumbing, and roof replacement.

Section 901. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 901 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Des Plaines Fire Department for the purchase of a fire engine truck and/or infrastructure improvements.

Section 906. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 906 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Addieville for all costs associated with road and sidewalk improvements.

Section 907. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 907 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alto Pass for the purchase of a fire truck.

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Section 908. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 908 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ashley for the purchase of a dump truck.

Section 909. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 909 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ava for all costs associated with road and sidewalk improvements.

Section 910. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 910 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campbell Hill for all costs associated with road and sidewalk improvements.

Section 911. The sum of $262,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 911 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carbondale for infrastructure improvements and the purchase of bondable equipment.

Section 912. The sum of $26,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 912 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cobden for the purchase of bondable equipment and infrastructure improvements.

Section 913. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 913 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Village of Damiansville for all costs associated with road and sidewalk improvements.

Section 914. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 914 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dowell for all costs associated with road and sidewalk improvements.

Section 915. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 915 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dubois for all costs associated with road and sidewalk improvements.

Section 917. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 917 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hoyleton for infrastructure improvements including curbs, sidewalks, and other improvements.

Section 918. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 918 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elkville for infrastructure improvements and bondable equipment.

Section 919. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 919 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Irvington for all costs associated with street and sidewalk improvements.

Section 920. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 920 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Jonesboro for all costs associated with infrastructure improvements.

Section 921. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 921 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Makanda for all costs associated with the construction or purchase of a storage facility.

Section 923. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 923 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Murphysboro Health Center for all costs associated with construction of the facility.

Section 925. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 925 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of New Baden for all costs associated with road improvements to Hillside Drive.

Section 926. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 926 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakdale for all costs associated with infrastructure improvements.

Section 927. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 927 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Okawville for all costs associated with the construction of a water tower.

Section 929. The sum of $20,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 929 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Okawville for all costs associated with the construction of a water tower.

Section 930. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 930 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Radom for all costs associated with drainage sewer improvements.

Section 931. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 931 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Richview for all costs associated with street and sidewalk improvements.

Section 932. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 932 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Venedy for all costs associated with infrastructure improvements.

Section 933. The sum of $17,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 933 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Vergennes for the infrastructure improvements and the purchase of bondable equipment.

Section 934. The sum of $24,935, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 934 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DeSoto for capital improvements including but not limited to the construction of street curbs and a walking track.

Section 935. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 935 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Ready Set Ride for purchase of a bondable vehicle and/or capital improvements.

Section 936. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 936 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Romeoville for capital improvements including but not limited to the construction of a bike path.

Section 940. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 940 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Plainfield Township for all costs associated with capital improvements to the Senior Center, to include the purchase of land/building.

Section 941. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 941 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Plainfield Police Department for all costs associated with building expansion and other capital improvements.

Section 943. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 943 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to Plainfield Food Pantry for all costs associated with building expansion and other infrastructure improvements.

Section 945. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 945 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Conservation Plainfield for all costs associated with new building construction.

Section 946. The sum of $315,353, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 946 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Plainfield Park District for infrastructure improvements.

Section 947. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 947 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oswego Township for all costs associated with infrastructure improvements.

Section 949. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 949 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Oswego Fire Protection District for the purchase of a fire truck and/or capital improvements.

Section 951. The sum of $675,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 951 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oswego Community Unit School District 308 for capital improvements.

Section 952. The sum of $600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 952 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to...
Fund to the Department of Commerce and Economic Opportunity for a grant to the Oswego Park District for all costs associated with land purchase.

Section 953. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 953 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oswego Police Department for bondable equipment and/or the capital improvements.

Section 955. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 955 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shorewood Police Department for bondable equipment and/or the capital improvements.

Section 956. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 956 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Shorewood Public Library District for land acquisition.

Section 958. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 958 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Troy Community Consolidated School District 30C for all costs associated with capital improvements.

Section 960. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 960 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wheatland Township for all costs associated with the construction of a new Township building.

Section 961. The sum of $71,468, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 961 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wheatland Township for all costs associated with the construction of a new Township building.

New matter indicated by italics - deletions by strikeout
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kendall County Fair Association for capital improvements to the Kendall County fairgrounds.

Section 962. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 962 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kendall County Historical Society for all costs associated with roof replacement.

Section 963. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 963 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fox Valley Family YMCA for all costs associated with capital improvements.

Section 965. The sum of $2,738, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 965 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kendall County Senior Services for the construction of a storage facility.

Section 967. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 967 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary’s Church for all costs associated with infrastructure improvements, to include all prior incurred costs.

Section 968. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 968 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the C.W. Avery YMCA for capital improvements.

Section 969. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 54, Section 969 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Heritage YMCA for capital improvements.

Section 970. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 970 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Yorkville Legion for capital improvements.

Section 972. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 972 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia for the capital improvements.

Section 973. The sum of $1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 973 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Zoological Society for infrastructure improvements for Brookfield Zoo.

Section 978. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 978 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Convalescent Center for capital improvements.

Section 982. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 982 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to City of Effingham for all capital improvements.

Section 983. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 983 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund...
Fund to the Department of Commerce and Economic Opportunity for a grant to the Schaumburg Township Highway Commission for infrastructure improvements.

Section 984. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 984 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Conservation Foundation for all costs associated with infrastructure improvements.

Section 985. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 985 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bartlett Park District for all costs associated with infrastructure improvements.

Section 986. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 986 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hanover Park Park District for all costs associated with infrastructure improvements.

Section 986a. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 986a of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carol Stream Park District for all costs associated with infrastructure improvements.

Section 986b. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 986b of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the KESHET for all costs associated with the purchase of bondable equipment and infrastructure improvements.
Section 988. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 988 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rock Valley College for all costs associated with remodeling the science lab and other capital improvements.

Section 990. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 990 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Allendale Association for all costs associated with capital improvements.

Section 990a. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 990a of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Family Friendly Community Development Corp. for all costs associated with a land purchase and other capital improvements.

Section 991. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 991 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aurora Township for all costs associated with stormwater improvements.

Section 992. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 992 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Quincy Salvation Army for homeless shelter improvements.

Section 994. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 994 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cornerstone Services for all costs associated with the purchase of bondable equipment and/or capital improvements.

New matter indicated by italics - deletions by strikeout
Section 998. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 998 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Park District for capital improvements.

Section 999. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 999 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals DuPage and Fox Valley for capital improvements.

Section 1002. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 1002 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wheatland Township for capital improvements.

Section 1003. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 1003 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bloomington-Normal YMCA for all costs associated with infrastructure improvements.

Section 1004. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 1004 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YWCA McLean County for all costs associated with infrastructure improvements.

Section 1005. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 1005 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lake Barrington for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 1011. The sum of $115,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gifford for all costs associated with infrastructure improvements.

Section 1012. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 1012 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lyons for infrastructure improvements.

Section 1015. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 1015 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Danville Art League for all costs associated with infrastructure improvements.

Section 1016. The sum of $1,393, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 54, Section 1016 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kane County for road or other capital improvements.

Section 1017. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 54, Section 1017 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Boone County Historical Society for infrastructure improvements and/or capital improvements.

Section 1018. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 54, Section 1018 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Cherry Valley Public Library District for infrastructure improvements and/or capital improvements.

Section 1019. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made for such purpose in Article 54, Section 1019 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of South Beloit for infrastructure improvements and/or capital improvements.

Section 1020. The sum of $42,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 54, Section 1020 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Bloomingdale Park District for all costs associated with infrastructure and/or capital improvements.

Section 1021. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 1021 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Cherry Valley Public Library for all costs associated with capital improvements.

Section 1022. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 1022 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the village of Poplar Grove for all costs associated with capital improvements.

Section 1023. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 1023 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Boone County for all costs associated with capital improvements.

Section 1024. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 1024 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity for a grant to the Rockford Fire Department for all costs associated with capital improvements.

Section 1025. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 1025 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County for all costs associated with capital improvements.

Section 1026. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 1026 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the New Lenox Township for all costs associated with capital construction and/or infrastructure improvements.

Section 1027. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 54, Section 1027 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to city of Villa Grove for all costs associated with infrastructure improvements.

Section 1028. The sum of $35,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Roscoe for all costs associated with capital improvements.

Section 1029. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the University of Illinois for all costs associated with infrastructure improvements to Robert Allerton Park.

Section 1030. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Leroy Fire Department for all costs associated with the purchase of equipment and/or infrastructure improvements.

Section 1031. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the AmVets Post 14 for all costs associated with infrastructure improvements.

Section 1032. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mt. Zion Fire Department for all costs associated with the purchase of equipment and/or infrastructure improvements.

Section 1033. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Warrensburg Fire Department for all costs associated with infrastructure improvements.

Section 1034. The sum of $100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DeWitt County Friendship Center for all costs associated with infrastructure improvements.

Section 1035. The sum of $55,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the American Legion Post 1015 for all costs associated with infrastructure improvements.

Section 1036. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Fisher Community Foundation for Educational Enhancement for all costs associated with infrastructure improvements.

Section 1037. The sum of $40,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cisco Fire Department for all costs associated with the purchase of equipment and/or infrastructure improvements.

Section 1038. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cerro Gordo for all costs associated with infrastructure improvements.

Section 1039. The sum of $40,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to the Cerro Gordo School District #100 for all costs associated with infrastructure improvements.

Section 1040. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Teresa High School for all costs associated with infrastructure improvements.

Section 1041. The sum of $90,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hickory Point Fire Department for all costs associated with infrastructure improvements.

Section 1042. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $43,645,767

ARTICLE 30
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 7. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 7 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Burton Township for all costs associated with road infrastructure improvements.

Section 10. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Dorr Township for all costs associated with road infrastructure improvements.

Section 11. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 11 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to Dunham Township for all costs associated with road infrastructure improvements.

Section 15. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hebron Township for all costs associated with road infrastructure improvements.

Section 16. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 16 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Marengo Township for all costs associated with road infrastructure improvements.

Section 17. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 17 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to McHenry Township for all costs associated with road infrastructure improvements.

Section 22. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 22 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hebron for all costs associated with public safety construction and road infrastructure.

Section 25. The sum of $700,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 25 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Crystal Lake for all costs associated with road infrastructure improvements.

Section 28. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,

New matter indicated by italics - deletions by strikeout
from a reappropriation heretofore made in Article 55, Section 28 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Marengo for all costs associated with water and/or wastewater infrastructure improvements.

Section 32a. The sum of $81,500, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pike County for all costs associated with road infrastructure improvements.

Section 32b. The sum of $25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Jerseyville for all costs associated with infrastructure improvements.

Section 34. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 34 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berlin for all costs associated with playground equipment and lighting.

Section 35. The sum of $27,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 35 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berlin for all costs associated with lighting and parking lot repairs.

Section 36. The sum of $52,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 36 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Broadwell for all costs associated with hydropneumatic storage tank rehabilitation.

Section 38. The sum of $52,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 38 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Curran for all costs associated with sanitary sewer system renovations and improvements and/or construction of a roadway.

Section 40. The sum of $214,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 40 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elkhart for all costs associated with water system upgrades.

Section 41. The sum of $27,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 41 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Greenview Civic Improvement Association for all costs associated with construction of wheelchair accessible restrooms in the Community Building.

Section 43. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 43 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lincoln for all costs associated with general repair work in the downtown area.

Section 44. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 44 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lincoln for all costs associated with resurfacing parking lots and lighting.

Section 47. The sum of $42,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 47 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Middletown Stage Coach Inn for all costs associated with major renovations and improvements.

Section 53. The sum of $155,069, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 53 of Public

New matter indicated by italics - deletions by strikeout
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Petersburg for all costs associated with lighting, sidewalks, wiring, and water line replacement.

Section 58. The sum of $69,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 58 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the G.R.O.W.T.H Int’l for all costs associated with the purchase of a building for a senior and/or youth community center.

Section 60. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 60 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Channel Organization for all costs associated with acquisition of a facility.

Section 61. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 61 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Springfield YMCA for all costs associated with construction of a new building and parking lot.

Section 62. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 62 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tallula for all costs associated with drainage west of town.

Section 63. The sum of $145,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 63 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Williamsville for all costs associated with sanitary sewer repair.

New matter indicated by italics - deletions by strikeout
Section 64. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 64 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Amboy for all costs associated with the construction of a new maintenance building.

Section 65. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 65 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Ashton for all costs associated with the construction of a water main loop.

Section 66. The sum of $93,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 66 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Atkinson for all costs associated with emergency and industrial water well activation phase I.

Section 68. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 68 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lowden State Park for all costs associated with restoration projects.

Section 69. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 69 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Dixon for all costs associated with River Street parking reconstruction.

Section 71. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 71 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Village of Franklin Grove for all costs associated with construction of a new well house.

Section 72. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 72 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Freeport for all costs associated with water infrastructure improvements.

Section 73. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 73 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hanover for all costs associated with improvements to the wastewater collection system.

Section 75. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Historic Preservation Agency for all costs associated with the purchase of property near Grant’s Home and the Grant Washburne Facility.

Section 77. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 77 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lanark for all costs associated with sanitary sewer replacement and/or other bondable costs.

Section 78. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 78 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of West Brooklyn for all costs associated with water main replacement.

Section 78a. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 78a of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Forreston for all costs associated with water main replacement.

Section 78b. The sum of $50,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 78b of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galena for all costs associated with Gateway Park for infrastructure improvements.

Section 80. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 80 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Pearl City for all costs associated with water distribution system upgrades.

Section 81. The sum of $303,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 81 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rock Falls for all costs associated with infrastructure improvements.

Section 82. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 82 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Sterling YMCA for all costs associated with roof replacement.

Section 83. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 83 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Scales Mound for all costs associated with Village Hall renovation including handicap accessibility.

New matter indicated by italics - deletions by strikeout
Section 84. The sum of $96,347, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 84 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stephenson County for all costs associated with reconstruction of Forest and Pearl City Roads.

Section 86. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 86 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glendale Heights for all costs associated with infrastructure, public security and safety improvements.

Section 87. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 87 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Itasca for all costs associated with infrastructure, public security and safety improvements.

Section 88. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 88 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wood Dale for all costs associated with infrastructure, public security and safety improvements.

Section 91. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 91 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for all costs associated with infrastructure, public security and safety improvements.

Section 92. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 92 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carol Stream for all costs associated with infrastructure, public security and safety improvements.

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Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for all costs associated with infrastructure, public security and safety improvements.

Section 93. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 93 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roselle for all costs associated with infrastructure, public security and safety improvements.

Section 94. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 94 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Wheaton for all costs associated with infrastructure, public security and safety improvements.

Section 95. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 95 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lombard for all costs associated with infrastructure, public security and safety improvements.

Section 96. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 96 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Glen Ellyn for all costs associated with infrastructure, public security and safety improvements.

Section 97. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 97 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with infrastructure, public security and safety improvements.

New matter indicated by italics - deletions by strikeout
Section 98. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 98 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winfield for all costs associated with infrastructure, public security and safety improvements.

Section 99. The sum of $450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 99 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with infrastructure improvements.

Section 100. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 100 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with infrastructure improvements.

Section 101. The sum of $375,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 101 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with construction of a multi-purpose trail bridge on County Farm Road.

Section 102. The sum of $157,902, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 102 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with construction of Woodland Hawk multi-purpose trail.

Section 103. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 103 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with construction of a multi-purpose trail bridge on County Farm Road.
Fund to the Department of Commerce and Economic Opportunity for a grant to Addison Park District for all costs associated with infrastructure, public security and safety improvements.

Section 108. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 108 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Medinah Park District for all costs associated with infrastructure, public security and safety improvements.

Section 111. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 111 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wood Dale Park District for all costs associated with infrastructure, public security and safety improvements.

Section 116. The sum of $625,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 116 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mattoon for all costs associated with road improvements.

Section 119a. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 119a of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Charleston Transitional Facility for all costs associated with capital improvements.

Section 119b. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 119b of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Jewett for all costs associated with infrastructure improvements.

Section 119c. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 119c of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Paris for all costs associated with infrastructure improvements.

Section 119e. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 119e of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of St. Francisville for all costs associated with infrastructure improvements.

Section 119f. The sum of $55,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 119f of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Oblong Children’s Home for all costs associated with capital improvements to facilities.

Section 119g. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 119g of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Altamont for all costs associated with infrastructure improvements.

Section 119h. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 119h of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Shelbyville for all costs associated with infrastructure improvements.

Section 120. The sum of $73,073, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 120 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Coles County Association for the Retarded (CCAR) for all costs associated with renovation of physical facilities.

New matter indicated by italics - deletions by strikeout
Section 125. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 125 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Richland County Senior Citizens Senior Nutrition Program for all costs associated with renovation and/or purchase of kitchen and meal delivery facilities.

Section 126. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 126 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Shumway for all costs associated with sewer and/or septic improvements.

Section 127. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 127 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bridgeport for all costs associated with sewer lagoon improvements.

Section 128. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 128 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Neoga for all costs associated with water and/or sewer line replacement.

Section 129. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 129 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Beecher City for all costs associated with septic system improvements.

Section 131. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 131 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Beecher City for all costs associated with septic system improvements.

New matter indicated by italics - deletions by strikeout
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelby County for all costs associated with bridge improvements.

Section 133. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 133 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mount Carmel for all costs associated with water system improvements.

Section 134. The sum of $105,100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 134 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hutsonville for all costs associated with construction of a new fire station.

Section 135. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 135 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kansas for all costs associated with infrastructure improvements.

Section 136. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 136 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chrisman for all costs associated with infrastructure improvements.

Section 137. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 137 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Elmhurst for all costs associated with streetscaping along Spring Road.

New matter indicated by italics - deletions by strikeout
Section 138. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 138 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with repair of St. Charles Road Bridge over Salt Creek.

Section 139. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 139 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Villa Park for all costs associated with renovation of the Village Hall.

Section 141. The sum of $187,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 141 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oak Brook for all costs associated with repair, renovation, and improvement of park, recreation, and athletic facilities.

Section 143. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 143 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Berkeley for all costs associated with road improvements.

Section 145. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 145 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of North Riverside for all costs associated with infrastructure improvements and/or the purchase of a fire inspection vehicle.

Section 146. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 146 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Village of North Riverside for all costs associated with the purchase and installation of digital video cameras for squad cars.

Section 148. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 148 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Friends of DuPage County Animal Care and Control for all costs associated with repairs and renovations to the DuPage County facility.

Section 149. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 149 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of York for all costs associated with a water improvement project.

Section 150. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 150 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Housing Authority for all costs associated with development of housing for disabled veterans.

Section 151. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 151 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Township of Milton Highway Department for all costs associated with repairs, reconstruction of curbs, and construction of ADA accessible facilities.

Section 160a. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 160a of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Convalescent Center for all costs associated with the kitchen remodel project.
Section 161. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 161 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Child’s Voice School for all costs associated with infrastructure improvements and/or equipment purchase.

Section 164. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 164 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with restoration of Ben Fuller historic home.

Section 165. The sum of $24,150, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 165 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lisle-Woodridge Fire Protection District for all costs associated with the purchase and installation of a traffic control device at Ogden and Center in Lisle.

Section 166. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 166 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elmhurst School District 205 Foundation for all costs associated with development of technological alternatives to textbooks and textbook formats including various digital formats.

Section 167. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 167 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Villa Park School District 45 for Jackson Middle School for all costs associated with cafeteria expansion, renovation and construction.

Section 172. The sum of $84,888, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 172 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of LaSalle for all costs associated with infrastructure improvements.

Section 173. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 173 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Seatonville for all costs associated with a water plant upgrade.

Section 174. The sum of $135,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 174 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kangley for all costs associated with construction of new storm water drainage.

Section 176. The sum of $131,897, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 176 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Putnam County Emergency Management Agency for all costs associated with construction of a building.

Section 177. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 177 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to LaSalle County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 178. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 178 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant
to Bureau County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 180. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 180 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grundy County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 181. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 181 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kankakee County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 182. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 182 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Iroquois County Sheriff’s Department for all costs associated with upgrades in communication and safety equipment.

Section 187. The sum of $215,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 187 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bureau Junction for all costs associated with construction of a new building for the Fire Department.

Section 188. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 188 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Brooklyn for all costs associated with storm sewer and street improvement projects.

Section 189. The sum of $21,516, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 189 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chenoa for all costs associated with infrastructure improvements.

Section 194. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 194 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hoopeston for all costs associated with infrastructure improvements.

Section 197. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 197 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Minonk for all costs associated with infrastructure improvements.

Section 199. The sum of $530,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 199 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Pontiac for all costs associated with infrastructure improvements related to area tourism.

Section 207. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 207 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Livingston County for all costs associated with infrastructure improvements.

Section 210. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 210 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to St. James Hospital for all costs associated with infrastructure improvements.

Section 212. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 212 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rankin Fire Protection District for all costs associated with construction of a new fire station building.

Section 218. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 218 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campus for all costs associated with infrastructure improvements.

Section 219. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 219 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Carlock for all costs associated with infrastructure improvements.

Section 221. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 221 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clifton for all costs associated with infrastructure improvements.

Section 223. The sum of $1, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 223 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cooksville for all costs associated with infrastructure improvements.

Section 224. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 224 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cornell for all costs associated with infrastructure improvements.

Section 225. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 225 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Crescent City for all costs associated with infrastructure improvements.

Section 228. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 228 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Danforth for all costs associated with infrastructure improvements.

Section 231. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 231 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Downs for all costs associated with infrastructure improvements.

Section 239. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 239 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hudson for all costs associated with infrastructure improvements.

Section 242. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 242 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Village of Loda for all costs associated with infrastructure improvements.

Section 244. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 244 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lostant for all costs associated with infrastructure improvements.

Section 254. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 254 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Saybrook for all costs associated with infrastructure improvements.

Section 256. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 256 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sheldon for all costs associated with infrastructure improvements.

Section 257. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 257 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sibley for all costs associated with infrastructure improvements.

Section 258. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 258 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stanford for all costs associated with infrastructure improvements.

Section 260. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 260 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Thawville for all costs associated with infrastructure improvements.

Section 264. The sum of $1,987, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 264 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Barrington for all costs associated with a repaving project.

Section 265. The sum of $337,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 265 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cary for all costs associated with Route 14 and Jandus Road intersection improvements.

Section 267. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 267 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Deer Park for all costs associated with a storm water improvement project.

Section 273. The sum of $1,533, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 273 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Libertyville for all costs associated with construction and/or reconstruction of the driveway and parking lot at Fire Station 1 and/or infrastructure improvements at Fire Station 2.

Section 274. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 274 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Village of Long Grove for all costs associated with Route 53 pathway construction.

Section 275. The sum of $700,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 275 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of McHenry for all costs associated with infrastructure improvements.

Section 276. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 276 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mundelein for all costs associated with Community Park access, safety improvements, including, but not limited to, a pedestrian crossing signal.

Section 277. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 277 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Round Lake for all costs associated with the purchase and installation of a wireless system.

Section 280. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 280 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stark County for all costs associated with the construction of an addition and the relocation of a memorial monument and tree, utilities and fence.

Section 286. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 286 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Woodford County for all costs associated with reconstruction of County Highway 23.

New matter indicated by italics - deletions by strikeout
Section 290. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 290 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Galesburg for all costs associated with construction of the National Railroad Hall of Fame.

Section 294. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 294 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Kewanee for all costs associated with street improvements.

Section 300. The sum of $310,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 55, Section 300 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Belvidere for all costs associated with transportation enhancement for the construction of extending the Kishwaukee Riverfront Multi-Use Path and landscaping in the downtown warehouse district.

Section 302. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 302 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Poplar Grove for all costs associated with construction of low flow channels.

Section 303. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 303 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Capron for all costs associated with water/sewer infrastructure improvements.

Section 305. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 305 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Capron for all costs associated with water/sewer infrastructure improvements.
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rockford for all costs associated with infrastructure improvements and/or the purchase of a fire rescue pumper truck.

Section 306. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 306 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County for all costs associated with infrastructure improvements, to include all prior incurred costs.

Section 309. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 309 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sandwich for all costs associated with extension of Fairwind Boulevard.

Section 310. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 310 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Kirkland for all costs associated with street reconstruction.

Section 315. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 315 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Stillman Valley for all costs associated with construction of a new wastewater treatment plant.

Section 316. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 316 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Waterman for all costs associated with water system arsenic remediation project.

New matter indicated by italics - deletions by strikeout
Section 319. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 319 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Grand Prairie Township for all costs associated with road and/or bridge construction.

Section 321. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 321 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Farrington Township for all costs associated with construction of a township/equipment building.

Section 323. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 323 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Kimmundy Fire Department for all costs associated with infrastructure improvements and/or the purchase of a fire truck.

Section 325. The sum of $600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 325 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the City of Flora for all costs associated with the construction of a new fire station.

Section 329. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 329 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the City of Breese for all costs associated with construction of a new sewer line entering into the new lift station.

Section 331. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 331 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond

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Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Salem for all costs associated with water line replacement.

Section 332. The sum of $495,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 332 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Mt. Vernon for all costs associated with engineering and construction on Veterans and Davidson Drive.

Section 333. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 333 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Fairfield for all costs associated with reconstruction and/or remodeling of the Armory Building, purchase of a generator for the Police Station, and the purchase of 911 equipment.

Section 334. The sum of $225,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 334 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Olney for all costs associated with water line extension.

Section 335. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 335 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Inverness for all costs associated with village hall repairs.

Section 336. The sum of $82, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 336 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northwest Special Recreation Association for all costs associated with building renovations.

Section 338. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 338 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northwest Special Recreation Association for all costs associated with building renovations.

New matter indicated by italics - deletions by strikeout
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jewish United Fund/Jewish Federation of Metropolitan Chicago for all costs associated with building renovations.

Section 339. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 339 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jewish United Fund/Jewish Federation of Metropolitan Chicago for all costs associated with building renovation.

Section 340a. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 340a of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bridge Youth and Family Services for all costs associated with building renovation.

Section 341. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 341 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wheeling for all costs associated with infrastructure improvements.

Section 342. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 342 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to WINGS for all costs associated with the purchase of a resale store.

Section 344. The sum of $35,025, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 344 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Consolidated School District 21 for all costs associated with technology upgrades and wi-fi installation.

Section 344. The sum of $35,025, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 344 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Palatine Township Town Fund for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 346. The sum of $140,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 346 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wheeling Township for all costs associated with food pantry expansion and construction of a walkway canopy for the Wheeling Township Community Center, including all prior incurred costs.

Section 348. The sum of $22,855, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 348 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Access to Care for all costs associated with purchase and installation of a phone system, computer software, and computer system.

Section 350. The sum of $255,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 350 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for all costs associated with roadway infrastructure.

Section 356. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 356 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Indian Trails Public Library for all costs associated with lobby renovations.

Section 358. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 358 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buffalo Grove for all costs associated with resurfacing commuter parking lot and streambank erosion protection.

Section 360. The sum of $127,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 360 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Rolling Meadows for all costs associated with roadway infrastructure.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Park District for all costs associated with the purchase and/or construction of a facility for Sportscore II.

Section 365. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 365 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winnebago County for all costs associated with renovations and related work on the Courthouse.

Section 368. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 368 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of South Beloit for all costs associated with purchase/installation of the Fire Department overhead doors plus rear apron and pavement.

Section 376. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 376 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harlem Community Center for all costs associated with construction, replacement and upgrades to the physical plant.

Section 377. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 377 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rock Valley College for all costs associated with reconstruction of Stenstrom Center.

Section 379. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 379 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Loves Park for all costs associated with economic redevelopment of the Loves Park-Woodward project.

New matter indicated by italics - deletions by strikeout
Section 381. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 381 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the County of Boone for all costs associated with infrastructure improvements to include all prior incurred costs.

Section 383. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 383 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Goldie Floberg Center for all costs associated with building remodeling.

Section 384. The sum of $130,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 384 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford School District #205 for all costs associated with Sharefest remodeling projects.

Section 387. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 387 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roscoe for all costs associated with Village Park and playground construction/renovation.

Section 388. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 388 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Heyworth for all costs associated with infrastructure and security improvements.

Section 389. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 389 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

New matter indicated by italics - deletions by strikeout
to Randolph Township Fire Protection District for all costs associated with
renovation of the Fire Station, for the purchase of land for a fire station, or for
the construction of a new fire station at a different location.

Section 390. The sum of $22,500, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 390 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to Austin Township for all costs associated with bridge replacement.

Section 391a. The sum of $30,000, or so much thereof as may be
necessary, is appropriated from the Build Illinois Bond Fund to the
Department of Commerce and Economic Opportunity for a grant to LeRoy
Community Fire Protection District for all costs associated with capital
expenditures, to include all prior incurred costs.

Section 392. The sum of $22,500, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 392 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Spaulding for all costs associated with the purchase and
installation of tornado sirens.

Section 393. The sum of $50,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 393 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the Village of Hopedale for all costs associated with culvert replacement.

Section 394. The sum of $50,000, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 394 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant
to the Farmer City Fire Protection District for all costs associated with the
purchase of a fire vehicle, to include all prior incurred costs.

Section 395. The sum of $37,500, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 395 of Public
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond
Fund to the Department of Commerce and Economic Opportunity for a grant

New matter indicated by italics - deletions by strikeout
to the Argenta-Oreana Fire Protection District for all costs associated with the purchase and/or renovation of a building for a fire station.

Section 396. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 396 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to South Macon Fire Protection District for all costs associated with infrastructure improvements.

Section 397. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 397 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Beason Fire Protection District for all costs associated with infrastructure improvements.

Section 398a. The sum of $50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Tazewell County for all costs associated with infrastructure improvements.

Section 399. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 399 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mount Auburn for all costs associated with sidewalk repair.

Section 400. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 400 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Edinburg for all costs associated with infrastructure improvements at the Police Department.

Section 401. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 401 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

New matter indicated by italics - deletions by strikeout
to Atlanta Fire Protection District for all costs associated with infrastructure improvements.

Section 403. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 403 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hopedale Medical Foundation for all costs associated with construction of a heliport.

Section 404. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 404 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Mt. Pulaski for all costs associated with construction of a lift station.

Section 406. The sum of $750,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 406 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Bloomington for all costs associated with enhancement to parks and trails.

Section 407. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 407 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Town of Normal for all costs associated with enhancement of parks and trails.

Section 407a. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 407a of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to David Davis Mansion Foundation for all costs associated with construction and/or improvements at the Visitor’s Center, including, but not limited to, handicap accessibility.

New matter indicated by italics - deletions by strikeout
Section 407d. The sum of $22,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 407d of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Buffalo for all costs associated with infrastructure improvements and/or purchase of a new dump truck.

Section 409. The sum of $400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 409 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Community Cancer Center, LLC for all costs associated with construction of a new building.

Section 411. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 411 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Stonington American Legion for all costs associated with building renovations.

Section 412. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 412 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Christian County Senior Center for all costs associated with building renovations.

Section 413. The sum of $37,145, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 413 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Illinois State University for all costs associated with construction in the ROTC Building.

Section 415. The sum of $56,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 415 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Illinois State University for all costs associated with construction in the ROTC Building.

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Fund to the Department of Commerce and Economic Opportunity for a grant to DeWitt County for all costs associated with marina construction.

Section 416. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 416 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Decatur Memorial Hospital Cancer Center for all costs associated with building improvements.

Section 417. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 417 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Robert Bellarmine Catholic Newman Center for all costs associated with construction of a student services building at Illinois State University.

Section 419. The sum of $125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 419 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Heartland Community College for all costs associated with construction of Challenger Learning Center facilities.

Section 421. The sum of $103,581, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 421 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Schaumburg for all costs associated with new construction and/or infrastructure improvements.

Section 424. The sum of $175,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 424 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elk Grove Village for all costs associated with new construction and/or infrastructure improvements.

Section 426. The sum of $245,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 426 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of St. Charles for all costs associated with new construction and/or infrastructure improvements.

Section 427. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 427 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Roselle for all costs associated with new construction and/or infrastructure improvements.

Section 428. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 428 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of South Elgin for all costs associated with new construction and/or infrastructure improvements.

Section 429. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 429 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bloomingdale for all costs associated with new construction and/or infrastructure improvements.

Section 431. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 431 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Wayne for all costs associated with new construction and/or infrastructure improvements.

Section 432. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 432 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bloomingdale for all costs associated with new construction and/or infrastructure improvements.

New matter indicated by italics - deletions by strikeout
to the City of Rolling Meadows for all costs associated with new construction and/or infrastructure improvements.

Section 433. The sum of $15,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 433 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Ray Graham Association for all costs associated with patio construction.

Section 434. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 434 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Carol Stream Park District for all costs associated with new construction and/or infrastructure improvements.

Section 435. The sum of $10,316, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 435 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Northeast DuPage Special Recreation Association for all costs associated with new construction and/or infrastructure improvements.

Section 436. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 436 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Western DuPage Special Recreation Association Foundation for all costs associated with infrastructure improvements.

Section 437. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 437 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Children’s Home and Aid Society for all costs associated with infrastructure improvements.

Section 438. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014,
from a reappropriation heretofore made in Article 55, Section 438 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Children’s Advocacy Center of North and Northwest Cook County for all costs associated with new construction and/or infrastructure improvements.

Section 439. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 439 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Hanover Park Park District for all costs associated with infrastructure improvements including, but not limited to, handicap accessibility.

Section 441. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 441 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Area Project for all costs associated with acquisition of a new building.

Section 442. The sum of $96,972, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 442 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bartlett Fire Protection District for all costs associated with renovation and expansion of the fire station.

Section 443. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 443 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Wayne Township Highway Department for all costs associated with a flood control project.

Section 445. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 445 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant

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to the Kane County Sheriff’s Department for all costs associated with infrastructure improvements.

Section 446. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 446 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Schaumburg Township for all costs associated with highway and/or road reconstruction and improvements.

Section 453. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 453 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kiwanis Club of Wheaton for all costs associated with Safety City Development infrastructure improvements.

Section 455. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 455 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Gateway Foundation for all costs associated with infrastructure improvements.

Section 457. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 457 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Serenity House for all costs associated with infrastructure improvements.

Section 460. The sum of $27,700, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 460 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Easter Seals DuPage and Fox Valley for all costs associated with building repair and infrastructure improvements.

Section 463. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 463 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to ...
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of West Chicago for all costs associated with infrastructure improvements.

Section 464. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 464 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Batavia for all costs associated with infrastructure improvements.

Section 465. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 465 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Geneva for all costs associated with infrastructure improvements.

Section 466. The sum of $6,163, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 466 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Winfield for all costs associated with infrastructure improvements.

Section 467. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 467 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for all costs associated with parking lot resurfacing and infrastructure improvements.

Section 468. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 468 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of North Aurora for all costs associated with infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 470. The sum of $4,084, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 470 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Winfield Park District for all costs associated with parking lot construction.

Section 471. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 471 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Park District for all costs associated with building and park construction and repair.

Section 472. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 472 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Warrenville Park District for all costs associated with building and park construction and repair.

Section 473. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 473 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Batavia Park District for all costs associated with building and park construction and repair.

Section 474. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 474 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the West Chicago Park District for all costs associated with building and park construction and repair.

Section 475. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 475 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elgin Park District for all costs associated with building and park construction and repair.
Fund to the Department of Commerce and Economic Opportunity for a grant to the Geneva Park District for all costs associated with building and park construction and repair.

Section 477. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 477 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Naperville Park District for all costs associated with building and park construction and repair.

Section 478. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 478 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage County Convalescent Center for all costs associated with kitchen building and repair.

Section 479. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 479 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with West Branch infrastructure improvements and for infrastructure improvements at the Ben Fuller historic home.

Section 480. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 480 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Forest Preserve District of DuPage County for all costs associated with infrastructure improvements to Ben Fuller Historic Home.

Section 481. The sum of $495,001, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 481 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hinsdale for all costs associated with Oak Street Bridge replacement project.
Section 483. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 483 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westmont for all costs associated with downtown infrastructure improvements.

Section 484. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 484 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Clarendon Hills for all costs associated with a Metra Station improvement project.

Section 486. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 486 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Zoological Society for all costs associated with Brookfield Zoo infrastructure improvements.

Section 487. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 487 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bolingbrook for all costs associated with the Riverwoods Subdivision and Concord Creek Erosion Control projects.

Section 488. The sum of $69,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 488 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with streetlight installation.

Section 489. The sum of $3,039, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 489 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with streetlight installation.
Fund to the Department of Commerce and Economic Opportunity for a grant to Western Illinois University for all costs associated with Alumni House window and door replacement.

Section 492. The sum of $116,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 492 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Park District for all costs associated with infrastructure improvements for Arrowhead.

Section 495. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 495 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Woodridge Park District for all costs associated with infrastructure improvements.

Section 496. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 496 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hinsdale Adventist Hospital for all costs associated with infrastructure improvements.

Section 497. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 497 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Advocate Good Samaritan Hospital for all costs associated with infrastructure improvements.

Section 498. The sum of $200,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 498 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Delnor Community Hospital for all costs associated with capital investment in equipment and building, including, but not limited to the emergency room.

New matter indicated by italics - deletions by strikeout
Section 499. The sum of $176,041, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 499 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Provena Mercy Hospital for all costs associated with capital investment in equipment and building, restricted to Aurora and Elgin locations only.

Section 500. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 500 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Waubonsee Community College for all costs associated with capital investment in equipment and building at Sugar Grove Campus.

Section 501. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 501 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elgin Community College for all costs associated with capital investment in library and textbook purchases, campus security, and for the Radiological Technology Program.

Section 502. The sum of $300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 502 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Aurora West School District 129 for all costs associated with Washington Middle School and West Aurora High School asbestos abatement and/or locker replacement projects, to include all prior costs.

Section 504. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 504 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Gateway Foundation for all costs associated with construction of a 128-bed youth residential substance abuse treatment center for Kane, Kendall, DeKalb and Western DuPage Counties.
Section 505. The sum of $350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 505 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Gilberts for all costs associated with reconstruction of the bridge over Tyler Creek Crossing at Hennessy Court.

Section 506. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 506 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mutual Ground, Inc. for all costs associated with capital investment in equipment and structural protection at shelter residence in Aurora.

Section 507. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 507 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to TriCity Family Services for all costs associated with infrastructure improvements.

Section 509. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 509 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Public Action to Deliver Shelter Inc. for all costs associated with infrastructure improvements.

Section 510. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 510 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Prestbury Citizens Association for all costs associated with environmental remediation of three lakes in Prestbury Community.

Section 511. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 511 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to...
Fund to the Department of Commerce and Economic Opportunity for a grant to Family Service Association of Greater Elgin Area for all costs associated with capital investment for replacement of medical records system and billing data processing and/or infrastructure improvements.

Section 513. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 513 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hampshire for all costs associated with a water treatment construction project.

Section 514. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 514 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Association for Individual Development for all costs associated with capital investment for housing persons with developmental disabilities.

Section 515. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 515 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Elgin Ecker Center for Mental Health for all costs associated with capital improvements.

Section 517. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 517 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Prairie Valley Family YMCA for all costs associated with capital investment in equipment and building, restricted to the Taylor Branch.

Section 518. The sum of $187,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 518 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kane County for all costs associated with construction of a railroad crossing and/or safety and noise mitigation of railway horns.

New matter indicated by italics - deletions by strikeout
Section 520. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 520 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Alhambra for all costs associated with drainage infrastructure improvements.

Section 521. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 521 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Altamont for all costs associated with water line replacement.

Section 522. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 522 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Arthur for all costs associated with infrastructure improvements.

Section 524. The sum of $120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 524 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Decatur Memorial Hospital for all costs associated with construction of a new all-weather pedestrian corridor joining general services building and main hospital.

Section 525. The sum of $250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 525 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Mary’s Hospital for all costs associated with expansion of the fire sprinkler system.

Section 526. The sum of $281,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 526 of Public Act
Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Greenville for all costs associated with bridge culvert and road extension from Illinois Route 127 into Buckite Development.

Section 527. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 527 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Highland for all costs associated with construction of a multi-use trail.

Section 528. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 528 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Lebanon for all costs associated with the purchase and installation of pedestrian signals on Madison Street.

Section 534. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 534 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Argenta-Oreana Fire Protection District for all costs associated with renovation and/or rehabilitation of the Argenta-Oreana Firehouse, to include all prior incurred costs.

Section 536. The sum of $18,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 536 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Sorento for all costs associated with renovations of the Community Building.

Section 538. The sum of $27,750, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 538 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Greenville for all costs associated with bridge culvert and road extension from Illinois Route 127 into Buckite Development.
to the Village of St. Peter for all costs associated with design and engineering costs for a sewer upgrade.

Section 539. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 539 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sullivan for all costs associated with infrastructure improvements.

Section 540. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 540 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Troy for all costs associated with downtown streetscape-Main Street.

Section 543. The sum of $160,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 543 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Shelby County for all costs associated with infrastructure improvements.

Section 545. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 545 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Carbondale for all costs associated with building infrastructure.

Section 547. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 547 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pierre Menard Home for all costs associated with repairs to the facility.

Section 549. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 549 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Boys and Girls Club of Carbondale for all costs associated with building infrastructure.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to Shawnee Health Center (Murphysboro Campus Center) for all costs associated with construction of a new building.

Section 550. The sum of $2,075, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 550 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Addieville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 551. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 551 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Ava for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 552. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 552 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Albers for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 556. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 556 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Campbell Hill for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 557. The sum of $33,175, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 557 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cahokia for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

New matter indicated by italics - deletions by strikeout
Section 560. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 560 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Coulterville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 561. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 561 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Columbia for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 562. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 562 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Cutler for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 564. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 564 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DuBois for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 565. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 565 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of DuQuoin for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 566. The sum of $26,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 566 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of East Peoria for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DeSoto for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 567. The sum of $26,250, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 567 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dowell for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 568. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 568 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Dupo for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 569. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 569 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Elkville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 574. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 574 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hecker for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 577. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 577 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Jonesboro for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.
Section 580. The sum of $32,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 580 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maestown for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 581. The sum of $80,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 581 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Millstadt for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 582. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 582 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Murphysboro for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 587. The sum of $35,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 587 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Oakdale for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 588. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 588 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Okawville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 589. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 589 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Okawville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Percy for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 590. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 590 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Pinckneyville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 592. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 592 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Red Bud for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 593. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 593 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Richview for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 595. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 595 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of St. Libory for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 596. The sum of $60,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 596 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Smithton for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

New matter indicated by italics - deletions by strikeout
Section 597. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 597 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Sparta for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 600. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 600 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Tilden for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 601. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 601 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Valmeyer for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 602. The sum of $40,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 602 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Vergennes for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 604. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 604 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willisville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 605. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 605 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Williscroft for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fayetteville for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 606. The sum of $30,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 606 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Radom for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 609. The sum of $28,900, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 609 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Lenzburg for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 610. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 610 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Fults for all costs associated with infrastructure improvements, roads, sewer and water improvements, and/or sidewalks.

Section 612. The sum of $13,188, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 612 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Venedy for all costs associated with the purchase of a tractor and loader and/or infrastructure improvements.

Section 613. The sum of $165,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 613 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Carbondale for all costs associated with the purchase of generators and/or water and sewer infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 621. The sum of $27,365, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 621 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pillars for all costs associated with repairs and enhancements to Constance Morris House.

Section 622. The sum of $9,580, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 622 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Pillars Community Services for all costs associated with infrastructure improvements at the Summit Facility, to include all prior costs incurred.

Section 630. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 630 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Lemont Township for all costs associated with infrastructure improvements.

Section 640. The sum of $55,524, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 640 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of LaGrange for all costs associated with signalization and infrastructure improvements.

Section 647. The sum of $45,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 647 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with Knolls Lake drainage improvement project.

Section 648. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 648 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willowbrook for all costs associated with Knolls Lake drainage improvement project.

New matter indicated by italics - deletions by strikeout
Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodridge for all costs associated with infrastructure improvements.

Section 649. The sum of $41,755, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 649 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northeast DuPage Special Recreation Association for all costs associated with adaptive fitness equipment and accessibility for the veterans initiative.

Section 654. The sum of $112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 654 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Joseph Academy, Inc. for all costs associated with repairs, renovations and improvements to facilities.

Section 655. The sum of $11,208, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 655 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Northeast DuPage Special Recreation Association for all costs associated with repairs, renovations and improvements to facilities including the purchase of wheelchairs.

Section 658. The sum of $65,248, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 658 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of DePue for all costs associated with the purchase and installation of a tornado warning system.

Section 666. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 666 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Marshall County for all costs associated with highway and bridge maintenance.

New matter indicated by italics - deletions by strikeout
Section 667. The sum of $75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 667 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Henry County Board for all costs associated with courthouse improvements.

Section 669. The sum of $37,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 669 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Westchester for all costs associated with an emergency generator, to include all prior incurred costs.

Section 670. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 670 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elmhurst YMCA for all costs associated with repairs, renovations, and improvements to facilities.

Section 671. The sum of $10,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 55, Section 671 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Springfield YMCA for all costs associated with repairs, renovations, and improvements to downtown facilities.

Section 673. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 55, Section 673 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Neville House c/o Mid-Central Community Action for all costs associated with infrastructure improvements.

Section 674. The sum of $50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 55, Section 674 of Public Act 98-0050, as amended, is reappropriated from the
Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bloomington Public Library for all costs associated with infrastructure improvements.

Section 675. The sum of $25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 55, Section 675 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Timber Point Outdoor Center for all costs associated with infrastructure improvements.

Section 677. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made for such purpose in Article 55, Section 677 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage County Children’s Center for all costs associated with new construction and/or infrastructure improvements including all prior incurred costs.

Section 678. The sum of $100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 55 Section 678 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Rockford Park District for all costs associated with miscellaneous capital projects.

Section 679. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 55, Section 679 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Harvard for all costs associated with road infrastructure improvements.

Section 680. The sum of $150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made for such purpose in Article 55, Section 680 of Public Act 98-0050, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spring Grove for all costs associated with road infrastructure improvements.

New matter indicated by italics - deletions by strikeout
Section 681. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, this Article $40,254,535

ARTICLE 31

Section 5. The amount of $50,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Public School Teachers’ Pension and Retirement Fund of Chicago for the state’s contribution for retirement contributions for the fiscal year beginning July 1, 2014.

Section 10. The amount of $40,000,000, or so much thereof as may be necessary, is appropriated from the School Infrastructure Fund to the Illinois State Board of Education for grants to school districts, other than a school district organized under Article 34 of the School Code, for school maintenance projects.

Section 15. The amount of $35,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for a grant to a school district organized under Article 34 of the School Code for school construction.

ARTICLE 32

Section 5. “An Act making appropriations”, Public Act 98-27, approved June 21, 2013, is amended by adding Section 13 to Article 9 and by adding Section 7 to Article 10 as follows:

(P.A. 98-27, Article 9, Section 13 new)

Sec. 13. The sum of $9,359,300, or so much thereof as may be necessary, is appropriated to the Department of Human Services for Personal Services and State Contributions to Social Security, including prior year costs.

(P.A. 98-27, Article 10, Section 7 new)

Sec. 7. The sum of $781,100, or so much thereof as may be necessary, is appropriated to the Department of Public Health for Personal Services and State Contributions to Social Security, including prior year costs.

Section 10. “An Act making appropriations”, Public Act 98-50, approved with items vetoed by the Governor on July 2, 2013, is amended by adding Section 7 to Article 4, by adding Section 7 to Article 11, and by adding Section 3 to Article 30 as follows:

(P.A. 98-50, Article 4, Section 7 new)
Sec. 7. The sum of $36,910,500, or so much thereof as may be necessary, is appropriated to the Department of Corrections for Personal Services and State Contributions to Social Security, including prior year costs.

(P.A. 98-50, Article 11, Section 7 new)

Sec. 7. The sum of $2,503,500, or so much thereof as may be necessary, is appropriated to the Department of Juvenile Justice for Personal Services and State Contributions to Social Security, including prior year costs.

(P.A. 98-50, Article 30, Section 3 new)

Sec. 3. The sum of $445,600, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources for Personal Services and State Contributions to Social Security, including prior year costs.

ARTICLE 99

Section 99. Effective date. This Act takes effect July 1, 2014, except for Article 32 and this Section which take effect immediately.


PUBLIC ACT 98-0676
(House Bill No. 5585)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Finance Act is amended by changing Section 6z-27 as follows:

(30 ILCS 105/6z-27)

Sec. 6z-27. All moneys in the Audit Expense Fund shall be transferred, appropriated and used only for the purposes authorized by, and subject to the limitations and conditions prescribed by, the State Auditing Act.

Within 30 days after the effective date of this amendatory Act of the 98th General Assembly, the State Comptroller shall order transferred and the

New matter indicated by italics - deletions by strikeout
State Treasurer shall transfer from the following funds moneys in the specified amounts for deposit into the Audit Expense Fund:

- Agricultural Premium Fund............................. 20,958
- Appraisal Administration Fund.......................... 2,244
- Asbestos Abatement Fund................................. 2,803
- Attorney General Court Ordered and
  Voluntary Compliance Payment Projects Fund........ 8,571
- Attorney General Whistleblower Reward
  and Protection Fund...................................... 8,790
- Bank and Trust Company Fund........................................ 86,613
- Capital Development Board Revolving Fund........... 3,085
- Care Provider Fund for Persons
  with a Developmental Disability........................... 4,123
- Cemetery Oversight Licensing and Disciplinary Fund..... 1,691
- Child Support Administrative Fund........................ 3,131
- Coal Technology Development Assistance Fund.......... 8,459
- Common School Fund................................... 397,319
- The Communications Revolving Fund................. 8,424
- Community Mental Health Medicaid Trust Fund.......... 9,697
- Community Association Manager
  Licensing and Disciplinary Fund......................... 1,277
- Credit Union Fund..................................... 16,168
- Cycle Rider Safety Training Fund........................ 557
- DCFS Children's Services Fund................. 224,073
- Department of Business Services
  Special Operations Fund................................. 3,399
- Department of Corrections
  Reimbursement and Education Fund..................... 18,296
- Design Professionals Administration
  and Investigation Fund.................................. 3,767
- Department of Human Services
  Community Services Fund.............................. 1,815
- The Downstate Public Transportation Fund........... 24,530
- Dram Shop Fund......................................... 535
- Drivers Education Fund................................. 1,164
- Drug Rebate Fund....................................... 13,116
- The Education Assistance Fund ..................... 2,034,774
- Electronic Health Record Incentive Fund............. 3,082
- Energy Efficiency Portfolio Standards Fund.......... 35,988

New matter indicated by italics - deletions by strikeout
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<td>Health and Human Services Medicaid Trust Fund</td>
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<td>Live and Learn Fund</td>
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New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0676

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<td>Medical Interagency Program Fund</td>
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<td>Monitoring Device Driving Permit Administration Fee Fund</td>
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New matter indicated by italics - deletions by strikeout
The State Garage Revolving Fund.......................... 3,212
The State Lottery Fund........................................ 146,125
State Pensions Fund........................................... 500,000
The Statistical Services Revolving Fund..................... 8,303
Supplemental Low-Income Energy Assistance Fund......... 49,613
Tax Compliance and Administration Fund.................... 591
Tobacco Settlement Recovery Fund........................... 4,689
Tourism Promotion Fund...................................... 22,054
Underground Storage Tank Fund.............................. 20,282
University of Illinois Hospital Services Fund.............. 4,461
The Vehicle Inspection Fund.................................. 1,212
Violent Crime Victims Assistance Fund....................... 7,526
Weights and Measures Fund................................... 4,449
The Working Capital Revolving Fund.......................... 289,624

Within 30 days after the effective date of this amendatory Act of the
98th General Assembly, the State Comptroller shall order transferred and the
State Treasurer shall transfer from the following funds moneys in the
specified amounts for deposit into the Audit Expense Fund:

Agricultural Premium Fund.................................... 127,127
Brownfields Redevelopment Fund................................ 504
Capital Development Board Revolving Fund.................. 1,759
Care Provider Fund for Persons with
— Developmental Disability................................. 13,886
CDLIS/AAMVA Net Trust Fund.................................. 532
Child Support Administrative Fund............................ 5,256
Clean Air Act (CAA) Permit Fund.............................. 1,480
Coal Mining Regulatory Fund.................................. 609
Common School Fund.......................................... 137,473
The Communications Revolving Fund........................... 102,681
Community Mental Health Medicaid Trust Fund............... 25,891
Corporate Franchise Tax Refund Fund......................... 795
Department of Business Services Special
— Operations Fund............................................. 3,980
The Downstate Public Transportation Fund................... 6,535
Drug Rebate Fund............................................. 17,775
Drug Treatment Fund.......................................... 1,005
The Education Assistance Fund................................ 1,780,814
Electronic Health Record Incentive Fund...................... 2,136
Environmental Protection Permit and

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0676

— Inspection Fund………………………………………………………………………………………………… 736
Estate Tax Collection Distributive Fund…………………………….. 810
Facilities Management Revolving Fund…………………………… 152,269
Fair and Exposition Fund………………………………………………………… 5,367
Federal High Speed Rail Trust Fund…………………………………… 4,292
Feed Control Fund…………………………………………………………… 8,381
Fertilizer Control Fund……………………………………………………… 2,870
The Fire Prevention Fund……………………………………………….. 2,666
General Professions Dedicated Fund………………………………… 5,161
The General Revenue Fund…………………………………………… 17,491,225
Grade Crossing Protection Fund……………………………………….. 1,273
Hazardous Waste Fund…………………………………………………. 874
Health and Human Services
— Medicaid Trust Fund……………………………………………….. 10,660
Healthcare Provider Relief Fund……………………………………… 38,819
Hospital Provider Fund………………………………………………….. 44,660
Illinois Affordable Housing Trust Fund……………………………… 620
Illinois Clean Water Fund……………………………………………… 1,438
Illinois Department of Agriculture Laboratory Services
— Revolving Fund………………………………………………………… 5,526
Illinois Power Agency Operations Fund…………………………….. 8,996
Illinois Standardbred Breeders Fund………………………………… 7,806
Illinois State Fair Fund………………………………………………….. 29,614
Illinois Tax Increment Fund………………………………………….. 570
Illinois Thoroughbred Breeders Fund……………………………….. 12,274
Illinois Veterans Rehabilitation Fund………………………………. 1,435
Illinois Workers' Compensation Commission
— Operations Fund…………………………………………………… 105,103
IMSA Income Fund……………………………………………………… 5,478
Income Tax Refund Fund…………………………………………….. 58,552
Live and Learn Fund…………………………………………………… 16,348
Lobbyist Registration Administration Fund……………………… 749
The Local Government Distributive Fund………………………… 33,802
Long Term Care Provider Fund………………………………………. 19,337
Low Level Radioactive Waste Facility
— Development and Operation Fund………………………………… 3,023
Mandatory Arbitration Fund………………………………………… 2,372
Medical Interagency Program Fund…………………………………. 928
Mental Health Fund…………………………………………………….. 8,872

New matter indicated by italics - deletions by strikeout
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<th>Fund</th>
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<tr>
<td>Monitoring Device Driving Permit</td>
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<td>Administration Fee Fund</td>
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<td>The Motor Fuel Tax Fund</td>
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<td>Motor Vehicle License Plate Fund</td>
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<td>Nuclear Safety Emergency Preparedness Fund</td>
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<td>Radiation Protection Fund</td>
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<td>The Road Fund</td>
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<td>Regional Transportation Authority Occupation and Development Fund</td>
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<td>Secretary of State Special License Plate Fund</td>
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<td>Solid Waste Management Fund</td>
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<td>Special Education Medicaid Matching Fund</td>
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<td>State and Local Sales Tax Reform Fund</td>
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<td>State Construction Account Fund</td>
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<td>The State Garage Revolving Fund</td>
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<td>State Surplus Property Revolving Fund</td>
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<td>The Statistical Services Revolving Fund</td>
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<td>Supreme Court Historic Preservation Fund</td>
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</table>
Notwithstanding any provision of the law to the contrary, the General Assembly hereby authorizes the use of such funds for the purposes set forth in this Section.

These provisions do not apply to funds classified by the Comptroller as federal trust funds or State trust funds. The Audit Expense Fund may receive transfers from those trust funds only as directed herein, except where prohibited by the terms of the trust fund agreement. The Auditor General shall notify the trustees of those funds of the estimated cost of the audit to be incurred under the Illinois State Auditing Act for the fund. The trustees of those funds shall direct the State Comptroller and Treasurer to transfer the estimated amount to the Audit Expense Fund.

The Auditor General may bill entities that are not subject to the above transfer provisions, including private entities, related organizations and entities whose funds are locally-held, for the cost of audits, studies, and investigations incurred on their behalf. Any revenues received under this provision shall be deposited into the Audit Expense Fund.

In the event that moneys on deposit in any fund are unavailable, by reason of deficiency or any other reason preventing their lawful transfer, the State Comptroller shall order transferred and the State Treasurer shall transfer the amount deficient or otherwise unavailable from the General Revenue Fund for deposit into the Audit Expense Fund.

On or before December 1, 1992, and each December 1 thereafter, the Auditor General shall notify the Governor's Office of Management and Budget (formerly Bureau of the Budget) of the amount estimated to be necessary to pay for audits, studies, and investigations in accordance with the Illinois State Auditing Act during the next succeeding fiscal year for each State fund for which a transfer or reimbursement is anticipated.

Beginning with fiscal year 1994 and during each fiscal year thereafter, the Auditor General may direct the State Comptroller and Treasurer to transfer moneys from funds authorized by the General Assembly for that fund. In the event funds, including federal and State trust funds but excluding the General Revenue Fund, are transferred, during fiscal year 1994 and during

New matter indicated by italics - deletions by strikeout
each fiscal year thereafter, in excess of the amount to pay actual costs attributable to audits, studies, and investigations as permitted or required by the Illinois State Auditing Act or specific action of the General Assembly, the Auditor General shall, on September 30, or as soon thereafter as is practicable, direct the State Comptroller and Treasurer to transfer the excess amount back to the fund from which it was originally transferred.
(Source: P.A. 97-66, eff. 6-30-11; 97-732, eff. 6-30-12; 97-813, eff. 7-13-12; 98-270, eff. 8-9-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved June 30, 2014.
Effective June 30, 2014.

PUBLIC ACT 98-0677
(House Bill No. 6093)

AN ACT making appropriations.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1

Section 5. The following amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:

ALL DIVISIONS

Payable from the General Revenue Fund:

For Personal Services......................... 15,563,270
For Employee Retirement Contributions
   Paid by Employer......................... 191,800
For Retirement................................ 0
For Social Security Contributions.......... 517,600
For Contractual Services.................... 6,000,000
For Travel.................................... 166,250
For Commodities............................ 71,300
For Printing.................................. 64,700
For Equipment.............................. 132,200
For Telecommunications.................... 450,000
For Operation of Auto Equipment.......... 23,800
Total........................................ $23,180,920

New matter indicated by italics - deletions by strikeout
Payable from the Education Assistance Fund:
For General State Aid...................... 4,081,477,230

Payable from the Common School Fund:
For General State Aid...................... 241,053,300

Payable from the Fund for the Advancement of Education:
For General State Aid...................... 200,000,000

Section 10. The following amounts or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:

Payable from the General Revenue Fund:
For Blind/Dyslexic Persons.................... 816,600
For Disabled Student Personnel Reimbursement............... 440,500,000
For Disabled Student Transportation Reimbursement............... 450,500,000
For Disabled Student Tuition,
Private Tuition............................. 230,192,400
For District Consolidation Costs/
Supplemental Payments to School Districts,
18-8.2, 18-18.3, 18-8.5, 18-8.05(l) of
the School Code............................. 3,385,500
For Extraordinary Funding for Children Requiring Special Education, 14-7.02b
of the School Code............................. 302,928,900
For Arts and Foreign Language.................. 500,000
For the Philip J. Rock Center
and School.................................. 3,577,800
For Reimbursement for the Free Breakfast/
Lunch Program................................. 9,000,000
For Tax-Equivalent Grants, 18-4.4............... 222,600
For After School Matters...................... 2,500,000
For Summer School Payments, 18-4.3
of the School Code........................... 10,100,000
For Transportation-Regular/Vocational
Common School Transportation

New matter indicated by italics - deletions by strikeout
Reimbursement, 29-5 of the School Code...... 205,808,900
For Visually Impaired/Educational Materials Coordinating Unit, 14-11.01 of the School Code............... 1,421,100
For Regular Education Reimbursement Per 18-3 of the School Code............... 12,000,000
For Special Education Reimbursement Per 14-7.03 of the School Code............... 95,000,000
For all costs associated with Alternative Education/Regional Safe Schools............... 6,300,000
For Truant Alternative and Optional Education Program................... 11,500,000
For costs associated with Teach for America.... 1,000,000
For grants to Local Education Agencies to conduct Agriculture Education Programs..... 1,800,000
For Career and Technical Education............ 38,062,100
For National Board Certified Teachers............ 1,000,000
Total $1,828,115,900

Section 15. The following amounts, or so much thereof as may be necessary, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:

Payable from the General Revenue Fund:
For Autism Training and Technical Assistance................................. 100,000
For the Children’s Mental Health Partnership................................. 300,000
For Lowest Performing Schools................. 1,002,800
For Technology for Success................. 2,500,000
For Advanced Placement Classes................. 500,000
For Teachers and Administrators
  Mentoring Program ........................................... 1
  For Principal Mentoring Program............................. 1
  For Performance Evaluations............................. 1
  For Longitudinal Data System............................. 1
  For Extended Learning Time............................. 1
  For Low-Income Advanced Placement............................. 1
  For Diversified Educator Recruitment............................. 1
  For Teacher Instructional Support............................. 1
  For Early Childhood Education............................. 300,192,400

New matter indicated by italics - deletions by strikeout
Total $304,595,208

Section 20. The amount of $592,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with the Community Residential Services Authority.

Section 25. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:
Payable from the General Revenue Fund:
   For Bilingual Education.......................... 63,681,200

Section 30. The amount of $44,600,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for Student Assessments, including Bilingual Assessments.

Section 35. The amount of $184,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with Educator Misconduct Investigations.

Section 40. The following named amounts, or so much thereof as may be necessary, are appropriated from the Personal Property Tax Replacement Fund to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:
   For Regional Superintendents’ Services –
      Bus Driver Training............................... 70,000
   For Regional Superintendents’ and
      Assistants’ Compensation and Related
      Benefits........................................... 12,650,000
   For Regional Superintendents’ Services........ 4,950,000
   Total.............................................. 17,670,000

Section 45. The amount of $600,000, or so much thereof as may be necessary, is appropriated from the State Charter School Commission Fund to the State Board of Education for all costs associated with the State Charter School Commission.

Section 50. The sum of $13,090,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for the ordinary and contingent expenses of District Intervention Funding.

Section 55. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for the ordinary and contingent expenses of State Charter School Commission.

New matter indicated by italics - deletions by strikeout
State Board of Education for the ordinary and contingent expenses of the Southwest Organizing Project Parent Mentoring Program.

Section 60. The sum of $1, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for the ordinary and contingent expenses of Homeless Education.

Section 65. The sum of $3,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for targeted initiatives.

ARTICLE 2

Section 5. The following amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:

FISCAL SUPPORT SERVICES
Payable from the SBE Federal Department of Agriculture Fund:
For Personal Services............................                                            334,800
For Employee Retirement Contributions
  Paid by Employer..................................                                               5,300
  For Retirement Contributions.....................                                      133,900
  For Social Security Contributions.................                                        30,900
  For Group Insurance..............................                                           128,800
  For Contractual Services.......................                                         2,100,000
  For Travel.......................................                                                  400,000
  For Commodities...................................                                             85,000
  For Printing.....................................                                                  156,300
  For Equipment....................................                                              310,000
  For Telecommunications............................                                        50,000
Total                                                                                           $3,735,000
Payable from the SBE Federal Agency Services Fund:
For Contractual Services..........................                                           26,500
For Travel........................................                                                   30,000
For Commodities...................................                                             20,000
For Printing.........................................                                                     700
For Equipment.....................................                                               11,000
For Telecommunications.............................                                         9,000
Total                                                                                                $97,200
Payable from the SBE Federal Department of Education Fund:
For Personal Services..........................                                           2,133,400

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
Paid by Employer................................. 10,900
For Retirement Contributions............... 793,100
For Social Security Contributions.............. 160,300
For Group Insurance............................. 692,200
For Contractual Services...................... 3,150,000
For Travel....................................... 1,600,000
For Commodities.................................. 305,000
For Printing...................................... 341,000
For Equipment.................................... 679,000
For Telecommunications........................ 400,000
Total                                                                 $10,264,900

INTERNAL AUDIT
Payable from the SBE Federal Department of Education Fund:
For Contractual Services....................... 210,000

SCHOOL SUPPORT SERVICES FOR ALL SCHOOLS
Payable from the SBE Federal Department of Agriculture Fund:
For Personal Services............................ 3,496,200
For Employee Retirement Contributions
Paid by Employer................................. 11,500
For Retirement Contributions............... 1,472,900
For Social Security Contributions.............. 160,300
For Group Insurance............................. 1,028,800
For Contractual Services...................... 4,210,500
Total                                                                 $10,380,200

Payable from the SBE Federal Department of Education Fund:
For Personal Services............................ 507,300
For Employee Retirement Contributions
Paid by Employer................................. 6,400
For Retirement Contributions............... 198,400
For Social Security Contributions.............. 80,100
For Group Insurance............................. 113,100
For Contractual Services...................... 1,575,000
Total                                                                 $2,480,300

SPECIAL EDUCATION SERVICES
Payable from the SBE Federal Department of

New matter indicated by italics - deletions by strikeout
Education Fund:
For Personal Services......................... 5,502,600
For Employee Retirement Contributions
 Paid by Employer................................ 26,500
For Retirement Contributions............... 2,832,500
For Social Security Contributions.......... 310,800
For Group Insurance........................ 1,670,000
For Contractual Services.................... 4,200,000
Total ........................................ $14,542,400

TEACHING AND LEARNING SERVICES FOR ALL CHILDREN
Payable from the SBE Federal Agency Services Fund:
For Personal Services............................ 106,800
For Retirement Contributions................... 56,700
For Social Security Contributions............. 5,400
For Group Insurance............................ 26,000
For Contractual Services....................... 918,500
Total .......................................... $1,113,400

Payable from the SBE Federal Department of
Education Fund:
For Personal Services........................... 5,815,900
For Employee Retirement Contributions
 Paid by Employer............................... 54,300
For Retirement Contributions................ 2,245,200
For Social Security Contributions........... 511,500
For Group Insurance......................... 1,544,900
For Contractual Services..................... 12,235,000
Total ........................................ $22,406,800

Section 10. The following amounts or so much thereof as may be
necessary, which shall be used by the Illinois State Board of Education
exclusively for the foregoing purposes and not, under any circumstances, for
personal services expenditures or other operational or administrative costs,
are appropriated to the Illinois State Board of Education for the fiscal year
beginning July 1, 2014:
Payable from the School District Emergency
Financial Assistance Fund:
For Emergency Financial Assistance, 1B-8
of the School Code......................... 1,500,000

Payable from the Drivers Education Fund:
For Drivers Education....................... 17,900,000

New matter indicated by italics - deletions by strikeout
Payable from the Charter Schools Revolving Loan Fund:
For Charter Schools Loans.......................... 20,000

Payable from the School Technology Revolving Loan Fund:
For School Technology Loans, 2-3.117a of the School Code......................... 5,000,000

Section 15. The following amounts or so much thereof as may be necessary, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:

Payable from the SBE Federal Department of Agriculture Fund:
For Child Nutrition.......................... 725,000,000

Payable from the SBE Federal Department of Education Fund:
For Title I.................................. 940,000,000
For Title II, Teacher/Principal Training..... 157,000,000
For Title III, English Language Acquisition.......................... 45,500,000
For Title IV, 21st Century/Community Service Programs......................... 74,000,000
For Title VI, Rural and Low Income Students........................................... 2,000,000
For Title X, Homeless Education...................... 5,000,000
For Individuals with Disabilities Act, Deaf/Blind..................................... 500,000
For Individuals with Disabilities Act, IDEA.................................. 700,000,000
For Individuals with Disabilities Act, Improvement Program.......................... 4,500,000
For Individuals with Disabilities Act, Pre-School.................................. 25,000,000
For Grants for Vocational Education – Basic.......................... 55,000,000
For Advanced Placement Fee.......................... 3,000,000
For Math/Science Partnerships.......................... 14,000,000
For Longitudinal Data System.......................... 5,200,000
For Special Federal Congressional Projects........... 5,000,000
For Charter Schools.................................. 9,000,000

New matter indicated by italics - deletions by strikeout
For Race to the Top.......................... 42,800,000
Total                                                                                        $2,087,500,000

Section 20. In addition to any other amounts appropriated for such purposes, the following named amounts, or so much thereof as may be necessary, are appropriated from the SBE Federal Department of Education Fund, pursuant to the American Recovery and Reinvestment Act of 2009, to the Illinois State Board of Education for the fiscal year beginning July 1, 2014:

For Title I................................... 30,000,000
For Longitudinal Data System.................. 10,000,000
Total                                                                                         $40,000,000

Section 25. The amount of $600,000, or so much thereof as may be necessary, is appropriated from the School Infrastructure Fund to the Illinois State Board of Education for its ordinary and contingent expenses.

Section 30. The amount of $1,400,000, or so much thereof as may be necessary, is appropriated from the Temporary Relocation Expenses Revolving Grant Fund for use by the State Board of Education as provided in Section 2-3.77 of the School Code.

Section 35. The amount of $5,000,000, or so much thereof as may be necessary, is appropriated from the Teacher Certificate Fee Revolving Fund to the Illinois State Board of Education for Teacher Certificates Processing.

Section 40. The amount of $2,208,900, or so much thereof as may be necessary, is appropriated from the ISBE Teacher Certificate Institute Fund to the Illinois State Board of Education for Teacher Certificates.

Section 45. The amount of $8,484,800, or so much of that amount as may be necessary, is appropriated from the State Board of Education Special Purpose Trust Fund to the State Board of Education for expenditures by the Board in accordance with grants, gifts or donations that the Board has received or may receive from any source, public or private, in support of projects that are within the lawful powers of the Board.

Section 50. The amount of $7,015,200, or so much of that amount as may be necessary, is appropriated from the State Board of Education Special Purpose Trust Fund to the State Board of Education for its ordinary and contingent expenses.

Section 55. The amount of $200,000, or so much of that amount as may be necessary, is appropriated from the After-School Rescue Fund to the State Board of Education for its ordinary and contingent expenses.

New matter indicated by italics - deletions by strikeout
Section 60. The amount of $23,780,300, or so much thereof as may be necessary, is appropriated from the SBE Federal Department of Education Fund to the Illinois State Board of Education for Student Assessments.

Section 65. The amount of $35,000,000, or so much thereof as may be necessary, is appropriated from the SBE Federal Department of Education Fund to the Illinois State Board of Education for all costs associated with related activities for the Early Learning Challenge for the fiscal year beginning July 1, 2014.

ARTICLE 3

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated from the Personal Property Tax Replacement Fund to the Illinois Educational Labor Relations Board for the objects and purposes hereinafter named:

**OPERATIONS**

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<th>Object</th>
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<td>For State Contributions to State Employees’ Retirement System</td>
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<tr>
<td>For State Contributions to Social Security</td>
<td>64,600</td>
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<td>For Group Insurance</td>
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<td>For Contractual Services</td>
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<td>For Travel</td>
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<td>For Printing</td>
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<td>For Equipment</td>
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<tr>
<td>For Electronic Data Processing</td>
<td>1,800</td>
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<tr>
<td>For Telecommunications Services</td>
<td>15,000</td>
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<tr>
<td>For Operation of Automotive Equipment</td>
<td>1,000</td>
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<td><strong>Total</strong></td>
<td><strong>$1,698,300</strong></td>
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ARTICLE 99

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved June 30, 2014.
Effective July 1, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT making appropriations.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Board of Higher Education to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

For Personal Services.......................... 2,120,300
For State Contributions to Social Security, for Medicare........................... 30,800
For Contractual Services......................... 425,000
For Travel........................................ 50,000
For Commodities................................... 11,200
For Printing....................................... 8,500
For Equipment..................................... 10,500
For Telecommunications........................... 35,000
For Operation of Automotive Equipment.............. 4,000
Total                                                                                          $2,695,300

Section 10. The sum of $434,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for costs and expenses associated with the administration and enforcement associated with the P-20 Longitudinal Education Data System Act.

Section 15. The sum of $208,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for costs associated with the u.Select System.

Section 20. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Higher Education Cooperation Act:
Quad-Cities Graduate Study Center...................... 83,900

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois Board of Higher Education for Science, Technology, Engineering and Math

New matter indicated by italics - deletions by strikeout
(S.T.E.M.) diversity initiatives to enhance S.T.E.M. programs for students from underrepresented groups:
Chicago Area Health and Medical Careers Program (C.A.H.M.C.P.)................. 1,466,600
Illinois Mathematics and Science Academy Excellence 2000 Program in Mathematics and Science....................... 109,000
Total .................................................................................................................... $1,575,600

Section 30. The sum of $1,114,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants for Cooperative Work Study Programs to institutions of higher education.

Section 35. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for a grant to the Board of Trustees of the University Center of Lake County for the ordinary and contingent expenses of the Center.

Section 40. The sum of $1,490,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for the administration and distribution of grants authorized by the Diversifying Higher Education Faculty in Illinois Program.

Section 45. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Board of Higher Education for the Grow Your Own Teachers Program.

Section 50. The sum of $425,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for competitive grants for nursing schools to increase the number of graduating nurses.

Section 55. The sum of $224,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for nurse educator fellowships to supplement nurse faculty salaries.

Section 60. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for the Washington Center Intern Program.

Section 65. The amount of $400,000, or so much thereof as may be necessary, is appropriated from the Academic Quality Assurance Fund to the Board of Higher Education as supplemental support for costs and expenses associated with the administration and enforcement of 110 ILCS 1010.

New matter indicated by italics - deletions by strikeout
Section 70. The amount of $80,000, or so much thereof as may be necessary, is appropriated from the Private College Academic Quality Assurance Fund to the Board of Higher Education as supplemental support for costs and expenses associated with the administration and enforcement of 110 ILCS 1005.

Section 75. The amount of $550,000, or so much thereof as may be necessary, is appropriated from the Private Business and Vocational Schools Quality Assurance Fund to the Board of Higher Education as supplemental support for costs and expenses associated with the administration and enforcement of the Private Business and Vocational Schools Act of 2012.

Section 80. The sum of $5,500,000, or so much thereof as may be necessary, is appropriated from the BHE Federal Grants Fund to the Board of Higher Education to be expended under the terms and conditions associated with the federal contracts and grants moneys received.

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Education Assistance Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>12,766,200</td>
</tr>
<tr>
<td>For Retirement</td>
<td>100</td>
</tr>
<tr>
<td>For State Contributions to Social Security, for Medicare</td>
<td>189,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>4,124,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>127,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>314,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>637,600</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>134,500</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>100,000</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>52,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$18,445,700</strong></td>
</tr>
</tbody>
</table>

Section 90. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the IMSA Income Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,261,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security, for Medicare</td>
<td>45,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Contractual Services................. 294,700
For Travel................................. 126,700
For Commodities......................... 143,200
For Equipment............................ 65,000
For Telecommunications.................... 80,000
For Operation of Automotive Equipment..... 5,000
For Refunds............................... 27,600
Total ...................................... $3,050,000

ARTICLE 2
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Chicago State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:
Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015.............. 35,538,200
For State Contributions to Social Security, for Medicare................................ 0
For Group Insurance.......................... 1,024,000
For Contractual Services.................... 0
For Travel...................................... 0
For Commodities............................. 0
For Equipment............................... 0
For Telecommunications Services............. 0
For Operation of Automotive Equipment..... 0
For Awards and Grants....................... 104,400
Total ...................................... $36,666,600

Section 10. The sum of $1,600,000, or so much thereof as may be necessary, is appropriated from the Chicago State University Education Improvement Fund to the Board of Trustees of Chicago State University for any expenses incurred by the university.

Section 15. The sum of $307,000, or so much thereof as may be necessary, is appropriated from the General Professions Dedicated Fund to the Board of Trustees of Chicago State University for costs associated with

New matter indicated by italics - deletions by strikeout
the development, support or administration of pharmacy practice education or training programs.

Section 20. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Board of Trustees of Chicago State University as a grant to the Financial Assistance Outreach Center.

ARTICLE 3

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Eastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015........... 41,864,800
For Contractual Services....................... 1,300,000
For Equipment.................................... 500,000
For Telecommunications Services.............. 300,000
Total $43,964,800

Section 10. The sum of $21,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Eastern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 4

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Governors State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered

New matter indicated by italics - deletions by strikeout
during the academic year 2014-2015........... 21,819,700
For Group Insurance.............................. 656,200
For Contractual Services....................... 1,725,000
For Commodities................................... 75,000
For Equipment.................................... 250,000
For Awards and Grants......................... 90,000
Total $24,615,900

ARTICLE 5

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Illinois Community College Board for ordinary and contingent expenses:
For Personal Services.......................... 1,178,800
For State Contributions to Social Security, for Medicare........................... 16,300
For Contractual Services......................... 300,000
For Travel........................................ 39,500
For Commodities.................................... 5,000
For Printing....................................... 6,000
For Equipment...................................... 4,000
For Electronic Data Processing................... 398,600
For Telecommunications............................ 30,900
For Operation of Automotive Equipment.............. 3,400
Total $1,982,500

Section 10. The sum of $980,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to Illinois Community College Board for costs associated with administering GED tests.

Section 15. The sum of $6,950,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to the alternative schools network and other providers for educational purposes or bridge programs.

Section 20. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for Career and Technical Education Licensed Practical Nurse and Registered Nurse Preparation.

Section 25. The sum of $61,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for awarding scholarships to qualifying graduates of the Lincoln's Challenge Program.

New matter indicated by italics - deletions by strikeout
Section 30. The sum of $14,079,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for the City Colleges of Chicago for educational-related expenses.

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Community College Board for distribution to qualifying public community colleges for the purposes specified:

- Small College Grants............................. 550,000
- Retirees Health Insurance Grants............... 0
- Workforce Development Grants....................... 0
- Performance Funding Grants....................... 360,000

Total $910,000

Section 40. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for costs associated with the development, support or administration of the Illinois Longitudinal Data System.

Section 45. The sum of $1,491,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to operate an educational facility in the former community college district #541 in East St. Louis.

Section 50. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Community College Board for all costs associated with career and technical education activities:

- From the General Revenue Fund...................... 17,569,400
- From the Career and Technical Education Fund........ 18,500,000

Total $36,069,400

Section 55. The following named amounts, or so much of those amounts as may be necessary, for the objects and purposes named, are appropriated to the Illinois Community College Board for adult education and literacy activities:

From the General Revenue Fund:
- For payment of costs associated with education and educational-related services to local eligible providers for adult education and literacy........................................... 16,026,200

New matter indicated by italics - deletions by strikeout
services to local eligible providers for performance-based awards.............. 10,701,600
For operational expenses of and for payment of costs associated with education and educational-related services to recipients of Public Assistance, and, if any funds remain, for costs associated with education and educational-related services to local eligible providers for adult education and literacy.............. 5,546,200
From the ICCB Adult Education Fund:
For payment of costs associated with education and educational-related services to local eligible providers and to Support Leadership Activities, as Defined by U.S.D.O.E. for adult education and literacy as provided by the United States Department of Education...................... 23,250,000
Total $55,524,000

Section 60. The following amounts, or so much thereof as may be necessary, respectively, are appropriated from the Education Assistance Fund to the Illinois Community College Board for distribution to qualifying public community colleges for the purposes specified:
Base Operating Grants......................... 191,271,900
Equalization Grants......................... 75,570,800
Total $266,842,700

Section 65. The sum of $300,000, or so much thereof as may be necessary, is appropriated from ICCB Instructional Development and Enhancement Applications Revolving Fund to the Illinois Community College Board for costs associated with maintaining and updating instructional technology.

Section 70. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the ISBE GED Testing Fund to the Illinois Community College Board for costs associated with administering GED tests.

Section 75. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Community College Board Contracts and Grants Fund to the Illinois Community College Board to be

New matter indicated by italics - deletions by strikeout
expended under the terms and conditions associated with the moneys being received, including prior year expenditures.

Section 80. The sum of $480,000, or so much thereof as may be necessary, is appropriated from the ICCB Federal Trust Fund to the Illinois Community College Board for ordinary and contingency expenses of the Board.

Section 85. The sum of $1,250,000, or so much thereof as may be necessary, is appropriated from the ICCB Adult Education Fund to the Illinois Community College Board for operational expenses associated with administration of adult education and literacy activities.

Section 90. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for a grant to Rock Valley College for programs for transitioning high school students.

Section 95. The sum of $1,287,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board to reimburse the following colleges for costs associated with the Illinois Veterans’ Grant:

<table>
<thead>
<tr>
<th>College Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois Valley Community College</td>
<td>88,700</td>
</tr>
<tr>
<td>Southwestern Illinois College</td>
<td>86,800</td>
</tr>
<tr>
<td>Illinois Central Community College</td>
<td>85,900</td>
</tr>
<tr>
<td>Southeastern Community College</td>
<td>79,900</td>
</tr>
<tr>
<td>Kishwaukee Community College</td>
<td>72,300</td>
</tr>
<tr>
<td>Lincoln Land Community College</td>
<td>68,000</td>
</tr>
<tr>
<td>Richland Community College</td>
<td>68,000</td>
</tr>
<tr>
<td>Kankakee Community College</td>
<td>67,200</td>
</tr>
<tr>
<td>Lewis and Clark Community College</td>
<td>65,900</td>
</tr>
<tr>
<td>Parkland College</td>
<td>57,000</td>
</tr>
<tr>
<td>John A. Logan College</td>
<td>54,900</td>
</tr>
<tr>
<td>Triton College</td>
<td>45,700</td>
</tr>
<tr>
<td>Black Hawk College</td>
<td>45,700</td>
</tr>
<tr>
<td>Prairie State College</td>
<td>85,900</td>
</tr>
<tr>
<td>Spoon River College</td>
<td>72,300</td>
</tr>
<tr>
<td>Carl Sandburg College</td>
<td>72,300</td>
</tr>
<tr>
<td>John Wood Community College</td>
<td>79,900</td>
</tr>
<tr>
<td>South Suburban College</td>
<td>45,700</td>
</tr>
<tr>
<td>Olney Central College</td>
<td>45,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,287,800</strong></td>
</tr>
</tbody>
</table>

ARTICLE 7

New matter indicated by italics - deletions by strikeout
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Illinois State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015...........                              73,889,200

ARTICLE 8
Section 5. The sum of $0, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the General Revenue Fund for costs associated with marketing for the College Illinois! Prepaid Tuition Program.

Section 10. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the following purpose:
To support outreach, research, and training activities...........................                                               1,020,700

Section 15. In addition to any other sums appropriated, the sum of $0, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for operational expenses during the fiscal year ending June 30, 2015.

Section 20. The sum of $373,254,500, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the General Revenue Fund for grant awards to students eligible for the Monetary Award Program, as provided by law, and for agency administrative and operational costs not to exceed 2 percent of the total appropriation in this Section.

Section 25. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for costs associated with the Veterans’ Home Nurses’ Loan Repayment Program pursuant to Public Act 95-0576.

Section 30. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for...
Student Assistance Commission for grants to eligible nurse educators to use for payment of their educational loan pursuant to Public Act 94-1020.

Section 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for the following purposes:

Grants and Scholarships

For the payment of scholarships to students who are children of policemen or firemen killed in the line of duty, or who are dependents of correctional officers killed or permanently disabled in the line of duty, as provided by law....................... 1,050,000
For payment of Minority Teacher Scholarships.......................... 2,500,000
For payment of Illinois Scholars Scholarships........................ 40,000
Total.................................................................................. $3,590,000

Section 40. The sum of $6,647,600, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission to the Golden Apple Scholars of Illinois program, as provided by law.

Section 45. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Illinois Student Assistance Commission for the Loan Repayment for Teachers Program.

Section 50. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the ISAC Accounts Receivable Fund to the Illinois Student Assistance Commission for costs associated with the collection of delinquent scholarship awards pursuant to the Illinois State Collection Act of 1986.

Section 55. The sum of $110,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the University Grant Fund for payment of grants for the Higher Education License Plate Program, as provided by law.

Section 60. The following named sum, or so much thereof as may be necessary, is appropriated from the Illinois Student Assistance Commission Contracts and Grants Fund to the Illinois Student Assistance Commission for the following purpose:

To support outreach, research, and training activities......................... 10,000,000

New matter indicated by italics - deletions by strikeout
Section 65. The following named sum, or so much thereof as may be necessary, is appropriated from the Optometric Licensing and Disciplinary Board Fund to the Illinois Student Assistance Commission for the following purpose:

Grants and Scholarships
For payment of scholarships for the Optometric Education Scholarship Program, as provided by law.......................... 50,000

Section 70. The following named sum, or so much thereof as may be necessary, is appropriated from the National Guard and Naval Militia Grant Fund to the Illinois Student Assistance Commission for the following purpose:

Grants and Scholarships
For payment of Illinois National Guard and Naval Militia Scholarships at State-controlled universities and public community colleges in Illinois to students eligible to receive such awards, as provided by law........... 20,000

Section 75. The sum of $140,000, or so much thereof as may be necessary, is appropriated from the Golden Apple Scholars of Illinois Fund to the Illinois Student Assistance Commission for the Golden Apple Scholars of Illinois Program, as provided by law.

Section 80. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for its ordinary and contingent expenses:

For Administration
For Personal Services......................... 17,208,900
For State Contributions to State Employees Retirement System............... 7,059,100
For State Contributions to Social Security......................... 1,316,600
For State Contributions for Employees Group Insurance................. 7,000,000
For Contractual Services.................. 12,630,700
For Travel................................... 311,000
For Commodities............................ 282,200
For Printing................................ 501,000

New matter indicated by italics - deletions by strikeout
For Equipment........................................ 540,000
For Telecommunications.......................... 1,897,900
For Operation of Auto Equipment............... 38,400
Total                                       $48,785,800

Section 85. The sum of $3,500,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for costs associated with Federal Loan System Development and Maintenance.

Section 90. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for distribution as necessary for the following: for payment of collection agency fees associated with collection activities for Federal Family Education Loans, for Default Aversion Fee reversals, and for distributions as necessary and provided for under the Federal Higher Education Act.

Section 95. The following named sum, or so much thereof as may be necessary, is appropriated from the Federal Congressional Teacher Scholarship Program Fund to the Illinois Student Assistance Commission for the following purpose:
For transferring repayment funds collected under the Paul Douglas Teacher Scholarship Program to the U.S. Treasury..................... 400,000

Section 100. The sum of $290,000,000, or so much thereof as may be necessary, is appropriated from the Federal Student Loan Fund to the Illinois Student Assistance Commission for distribution when necessary as a result of the following: for guarantees of loans that are uncollectible, for collection payments to the Student Loan Operating Fund as required under agreements with the United States Secretary of Education, for payment to the Student Loan Operating Fund for Default Aversion Fees, for transfers to the U.S. Treasury, or for other distributions as necessary and provided for under the Federal Higher Education Act.

Section 105. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Federal Student Incentive Trust Fund to the Illinois Student Assistance Commission for allowable uses of federal grant funds related to college access, outreach, and training, including but not limited to funds received under the federal College Access Challenge Grant Program.

Section 110. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Federal Student Incentive Trust Fund to

New matter indicated by italics - deletions by strikeout
the Illinois Student Assistance Commission for the John R. Justice Student Loan Repayment Program.

ARTICLE 9

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northeastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015........... 36,675,500
For Group Insurance............................ 1,072,600
For Equipment........................................ 0
Total $37,748,100

ARTICLE 10

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015........... 82,410,600
For State Contributions to Social Security, for Medicare.......................... 883,500
For Group Insurance............................ 2,337,300
For Contractual Services........................... 4,240,800
For Commodities................................. 1,412,500
For Equipment....................... 1,073,500
For Telecommunications Services.............. 724,600
For Operation of Automotive Equipment......... 106,700

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $36,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Northern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 11

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Southern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
- For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015: $185,519,600
- For State Contributions to Social Security, for Medicare: $2,309,400
- For Group Insurance: $3,060,000
- For Contractual Services: $8,164,800
- For Travel: $36,600
- For Commodities: $902,800
- For Equipment: $1,006,200
- For Telecommunications Services: $1,307,300
- For Operation of Automotive Equipment: $575,100
Total: $202,881,800

Section 10. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Board of Trustees of Southern Illinois University for all costs associated with the SimmonsCooper Cancer Center.

Section 15. The sum of $27,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Southern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

Section 20. The sum of $1,250,000, or so much thereof as may be necessary, is appropriated from the General Professions Dedicated Fund to the Board of Trustees of Southern Illinois University for all costs associated

New matter indicated by italics - deletions by strikeout
with the development, support or administration of pharmacy practice education or training programs at the Edwardsville campus.

Section 25. The sum of $70,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southern Illinois University for any costs associated with the Daily Egyptian newspaper.

Section 30. The sum of $311,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Board of Trustees of Southern Illinois University for costs associated with fire protection services at the Southern Illinois University Edwardsville campus.

ARTICLE 12

Section 5. The sum of $1,202,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Universities Civil Service System to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2015.

ARTICLE 13

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of the University of Illinois to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015........... 518,756,200
For State Contributions to Social Security, for Medicare........................ 9,737,100
For Group Insurance........................... 24,893,200
For Contractual Services...................... 37,000,000
For costs associated with the School of Labor and Employment Relations:
For degree programs......................... 702,000
For certificate programs....................... 550,000
For Distributive Purposes as follows:
Awards and Grants......................... 6,057,500
Total $597,696,000

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $16,826,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for costs and expenses related to or in support of the Prairie Research Institute, in accordance with Public Act 95-0728.

Section 15. The sum of $45,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for operating costs and expenses related to or in support of the University of Illinois Hospital.

Section 20. The sum of $750,900, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Board of Trustees of the University of Illinois for costs associated with the Hispanic Center for Excellence at the Chicago campus.

Section 25. The sum of $308,200, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Board of Trustees of the University of Illinois for Dixon Springs Agricultural Center.

Section 30. The sum of $1,173,200, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Board of Trustees of the University of Illinois for costs associated with the Public Policy Institute at the Chicago campus.

Section 35. The sum of $328,500, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Board of Trustees of the University of Illinois for a grant to the College of Dentistry.

Section 40. The sum of $3,721,300, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Board of Trustees of the University of Illinois for the purpose of maintaining the Illinois Fire Service Institute, paying the Institute's expenses, and providing the facilities and structures incident thereto, including payment to the University for personal services and related costs incurred.

Section 45. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of the University of Illinois for scholarship grant awards, in accordance with Public Act 91-0083.

Section 50. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Emergency Public Health Fund to the University of Illinois for costs and expenses related to or in support of Emergency Mosquito Abatement.

New matter indicated by italics - deletions by strikeout
Section 55. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Used Tire Management Fund to the University of Illinois for costs and expenses related to or in support of mosquito research and abatement.

Section 60. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Hazardous Waste Research Fund to the University of Illinois for its ordinary and contingent expenses.

Section 65. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Professions Dedicated Fund to the Board of Trustees of University of Illinois for costs associated with the development, support or administration of pharmacy practice education or training programs for the College of Medicine at Rockford.

ARTICLE 14

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Western Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2015:

Payable from the Education Assistance Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2014-2015........... 46,471,100
For State Contributions to Social Security, for Medicare.......................... 800,000
For Group Insurance............................ 1,744,800
For Contractual Services....................... 2,500,000
For Commodities.............................. 383,400
For Equipment................................. 400,000
For Telecommunications Services............ 150,000
For Operation of Automotive Equipment...... 180,000
Total $52,629,300

Section 10. The amount of $20,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Western Illinois University for scholarship grant awards from the sale of collegiate license plates.

ARTICLE 99

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect July 1, 2014.
Approved June 30, 2014.
Effective July 1, 2014.

PUBLIC ACT 98-0679
(House Bill No. 6095)

AN ACT making appropriations.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

FOR OPERATIONS
ADMINISTRATIVE SERVICES

Payable from General Revenue Fund:
For Personal Services............................ 754,100
For State Contributions to
Social Security................................. 58,300
For Contractual Services......................... 375,000
For Travel....................................... 15,000
For Printing.................................... 15,000
For Refunds................................... 10,000
Total $1,227,400

Payable from Wholesome Meat Fund:
For Personal Services......................... 235,600
For State Contributions to State
Employees' Retirement System................. 99,800
For State Contributions to
Social Security............................... 18,200
For Group Insurance......................... 69,000
For Contractual Services..................... 110,000
For Travel.................................. 10,000
For Commodities............................. 11,100
For Printing................................. 3,100
For Equipment............................... 28,000

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $800,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for costs and expenses related to or in support of the agency’s operations.

Section 15. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wholesome Meat Fund to the Department of Agriculture for costs and expenses related to or in support of the agency’s operations.

Section 20. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture for expenses related to the Food Safety Modernization Initiative.

Section 25. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund.

Section 30. The sum of $994,700, or so much thereof as may be necessary, is appropriated from the Partners for Conservation Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund.

Section 35. The sum of $2,449,200, or so much thereof as may be necessary, is appropriated from the Partners for Conservation Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund for operational expenses and programs at the University of Illinois Cook County Cooperative Extension Service.

Section 40. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Agriculture for:

**COMPUTER SERVICES**

Payable from General Revenue Fund:
- For Personal Services............................ 334,200
- For State Contributions to Social Security....... 25,600
  Total ............................................. $359,800

Payable from Agricultural Premium Fund:
- For Personal Services............................ 300,000
- For State Contributions to State Employees’ Retirement System............... 127,000
- For State Contributions to

New matter indicated by italics - deletions by strikeout
Section 45. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

FOR OPERATIONS
AGRICULTURE REGULATION

Payable from General Revenue Fund:
For Personal Services.......................... 1,618,400
For State Contributions to
Social Security................................ 123,800
For Contractual Services...................... 67,000
For Travel...................................... 2,000
For Commodities............................... 3,000
For Printing................................... 2,000
For Equipment.................................. 20,000
For Telecommunications Services............. 7,000
For Operation of Auto Equipment............. 84,300
Total........................................ 1,927,500

Payable from the Agricultural Federal Projects Fund:
For Expenses of Various Federal Projects.................. 500,000

Section 50. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Fertilizer Control Fund to the Department of Agriculture for expenses relating to agricultural products inspection.

Section 55. The sum of $1,900,000, or so much thereof as may be necessary, is appropriated from the Feed Control Fund to the Department of Agriculture for Feed Control.

Section 60. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

MARKETING

Payable from General Revenue Fund:
For Personal Services............................ 661,000
For State Contributions to
  Social Security.................................. 50,600
For Contractual Services............................... 0
For Travel............................................. 0
For Printing......................................... 0
Total $711,600

Payable from Agricultural Premium Fund:
For Expenses Connected With the Promotion
  and Marketing of Illinois Agriculture
  and Agriculture Exports....................... 2,625,000
For Implementation of Programs
  and Activities to Promote, Develop
  and Enhance the Biotechnology
  Industry in Illinois............................ 100,000
For Expenses Related to Viticulturist
  and Enologist Contractual Staff............... 150,000
For Implementation of a Farmers' Market Technology Improvement Program........... 50,000

Payable from Agricultural Marketing Services Fund:
For Administering Illinois' Part under Public Law No. 733, "An Act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products"........... 4,000

Payable from Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects........ 850,000

Section 65. The following named amount, or so much thereof as may be necessary for the objects and purposes hereinafter named, are appropriated to the Department of Agriculture:

MEDICINAL PLANTS

New matter indicated by italics - deletions by strikeout
Payable from the General Revenue Fund:
For all costs associated with the
Compassionate Use of Medical Cannabis
Pilot Program............................................... 0

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

ANIMAL INDUSTRIES

Payable from General Revenue Fund:
For Personal Services.......................... 2,396,700
For State Contributions to
Social Security................................. 183,400
For Contractual Services......................... 275,000
For Travel........................................ 20,000
For Commodities................................. 180,300
For Printing....................................... 5,000
For Equipment...................................... 2,000
For Telecommunications Services................... 22,000
For Operation of Auto Equipment................... 15,000
Total $3,099,400

Payable from the Illinois Department of Agriculture Laboratory Services Revolving Fund:
For Expenses Authorized by the Animal Disease Laboratories Act.......................... 1,000,000

Payable from the Illinois Animal Abuse Fund:
For Expenses Associated with the Investigation of Animal Abuse and Neglect under the Humane Care for Animals Act................... 4,000

Payable from the Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects.......................... 100,000

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

MEAT AND POULTRY INSPECTION

New matter indicated by italics - deletions by strikeout
Payable from the General Revenue Fund:
For Personal Services......................... 3,139,800
For State Contributions to
Social Security.................................. 240,100
For Operation of Auto Equipment.............. 76,000
Total ................................................ $3,455,900

Payable from Wholesome Meat Fund:
For Personal Services......................... 3,566,600
For State Contributions to State
Employees' Retirement System............... 1,510,100
For State Contributions to
Social Security.................................. 272,800
For Group Insurance............................ 1,426,700
For Contractual Services....................... 682,600
For Travel......................................... 154,600
For Commodities................................ 48,300
For Printing...................................... 6,300
For Equipment.................................... 73,500
For Telecommunications Services............. 43,600
For Operation of Auto Equipment............. 153,400
Total ................................................ $7,938,500

Payable from Agricultural Master Fund:
For Expenses Relating to
Inspection of Agricultural Products........ 1,000,000

Payable from the Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects..... 315,000

Section 80. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

WEIGHTS AND MEASURES
Payable from the Agriculture Federal
Projects Fund:
For Expenses of various
Federal Projects................................. 200,000
Payable from the Weights and Measures Fund:
For Personal Services......................... 3,542,400
For State Contributions to State
Employees' Retirement System............... 1,499,800
For State Contributions to

New matter indicated by italics - deletions by strikeout
Social Security ................................. 271,000
For Group Insurance............................ 1,225,400
For Contractual Services......................... 447,800
For Travel....................................... 108,000
For Commodities................................. 36,000
For Printing..................................... 14,400
For Equipment.................................... 561,600
For Telecommunications Services................. 52,000
For Operation of Auto Equipment............... 416,200
For Refunds........................................ 3,700
Total $8,178,300

Payable from the Motor Fuel and Petroleum Standards Fund:
For the Regulation of Motor Fuel Quality......... 50,000

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

ENVIRONMENTAL PROGRAMS

Payable from the General Revenue Fund:
For Administration of the Livestock Management Facilities Act............... 275,500
For the Detection, Eradication, and Control of Exotic Pests, such as the Asian Long-Horned Beetle and Gypsy Moth................................. 456,000
Total $731,500

Payable from Agriculture Pesticide Control Act Fund:
For Expenses of Pesticide Enforcement Program.... 650,000

Payable from Pesticide Control Fund:
For Administration and Enforcement of the Pesticide Act of 1979............... 6,500,000

Payable from the Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects....... 1,500,000

Payable from Livestock Management Facilities Fund:
For Administration of the Livestock Management Facilities Act................ 30,000

Payable from the Used Tire Management Fund:
For Mosquito Control............................. 40,000

New matter indicated by italics - deletions by strikeout
Section 90. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture for:

**LAND AND WATER RESOURCES**

Payable from the Agricultural Premium Fund:
- For Personal Services: 630,400
- For State Contributions to State Employees’ Retirement System: 271,200
- For State Contributions to Social Security: 48,200
- For Contractual Services: 102,000
- For Travel: 14,000
- For Commodities: 8,000
- For Printing: 3,500
- For Equipment: 22,000
- For Telecommunications Services: 12,000
- For Operation of Automotive Equipment: 19,000
- For the Ordinary and Contingent Expenses of the Natural Resources Advisory Board: 2,000

Total: $1,132,300

Payable from the Agriculture Federal Projects Fund:
- For Expenses Relating to Various Federal Projects: 200,000

Payable from the Partners for Conservation Fund:
- For Personal Services: 425,700
- For State Contributions to State Employees’ Retirement System: 183,200
- For State Contributions to Social Security: 32,600
- For Group Insurance: 125,500

Total: $767,000

Section 95. The sum of $4,500,000, or so much thereof as may be necessary, is appropriated to the Department of Agriculture from the Partners for Conservation Fund for the Partners for Conservation Program to implement agricultural resource enhancement programs for Illinois’ natural resources, including operational expenses, consisting of the following elements at the approximate costs set forth below:

New matter indicated by italics - deletions by strikeout
Conservation Practices
Cost Sharing Program.......................... 3,900,000
Sustainable Agriculture Program............... 300,000
Streambank Restoration........................... 300,000

Section 100. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture for:

SPRINGFIELD BUILDINGS AND GROUNDS
Payable from General Revenue Fund:
For Personal Services......................... 1,625,000
For State Contributions to
Social Security................................. 155,400
For Contractual Services....................... 3,279,800
For Commodities............................... 137,600
For Equipment.................................. 150,000
For Telecommunications Services.............. 53,900
For Payment to the City of Springfield
for Fire Protection Services at the
Illinois State Fairgrounds..................... 114,400
Total                                      $5,516,100

Section 105. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Illinois State Fair Fund to the Department of Agriculture to promote and conduct activities at the Illinois State Fairgrounds at Springfield other than the Illinois State Fair, including administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairground uses sufficient to offset such expenditures have been collected and deposited into the Illinois State Fair Fund.

Section 110. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

DUQUOIN BUILDINGS AND GROUNDS
Payable from General Revenue Fund:
For Personal Services......................... 435,800
For State Contributions to
Social Security................................. 36,000
For Contractual Services...................... 1,222,300
For Commodities.............................. 120,000

New matter indicated by italics - deletions by strikeout
For Equipment........................................ 100,000
For Telecommunications Services.............. 30,000
For Operation of Auto Equipment............... 25,000
Total                                      $1,969,100

Section 115. The sum of $750,000, or so much thereof as may be
necessary, is appropriated from the Agricultural Premium Fund to the
Department of Agriculture to conduct activities at the Illinois State
Fairgrounds at DuQuoin other than the Illinois State Fair, including
administrative expenses. No expenditures from the appropriation shall be
authorized until revenues from fairgrounds uses sufficient to offset such
expenditures have been collected and deposited into the Agricultural
Premium Fund.

Section 120. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Agriculture for:

DUQUOIN STATE FAIR
Payable from General Revenue Fund:
For Personal Services......................... 556,500
For State Contributions to
  Social Security................................. 42,500
For Contractual Services..................... 362,000
For Travel........................................ 1,000
For Commodities................................... 3,000
For Printing....................................... 10,000
For Equipment................................... 5,000
For Telecommunications Services............ 30,000
Total                                      $1,010,000
Payable from the Agricultural Premium Fund:
For Entertainment and other expenses
  at the DuQuoin State Fair, including
  the Percentage Portion of
  Entertainment Contracts....................... 696,000

Section 125. The following named amount, or so much thereof as may
be necessary, is appropriated to the Department of Agriculture for:

ILLINOIS STATE FAIR
Payable from the Illinois State Fair Fund:
For Operations of the Illinois State Fair
  Including Entertainment and the Percentage
  Portion of Entertainment Contracts......... 5,500,000

New matter indicated by italics - deletions by strikeout
Section 130. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

COUNTY FAIRS AND HORSE RACING

Payable from the Agricultural Premium Fund:
- For Personal Services............................. 63,000
- For State Contributions to State Employees' Retirement System.......................... 26,700
- For State Contributions to Social Security................................... 6,700
- For Contractual Services.......................... 28,000
- For Travel......................................... 2,000
- For Commodities.................................... 1,800
- For Printing....................................... 3,100
- For Equipment...................................... 3,500
- For Telecommunications Services............. 4,700
- For Operation of Auto Equipment............... 4,000
Total $143,500

Payable from Illinois Standardbred Breeders Fund:
- For Personal Services............................. 65,000
- For State Contributions to State Employees' Retirement System.......................... 27,500
- For State Contributions to Social Security................................... 7,700
- For Contractual Services.......................... 79,000
- For Travel......................................... 2,300
- For Commodities.................................... 12,300
- For Printing....................................... 3,000
- For Operation of Auto Equipment............... 12,000
Total $208,800

Payable from Illinois Thoroughbred Breeders Fund:
- For Personal Services............................. 238,200
- For State Contributions to State Employees' Retirement System.......................... 100,900
- For State Contributions to Social Security................................... 23,900
- For Contractual Services.......................... 82,100

New matter indicated by italics - deletions by strikeout
For Travel......................................... 2,100
For Commodities.................................... 2,300
For Printing....................................... 1,900
For Equipment...................................... 4,000
For Telecommunications Services................. 10,000
For Operation of Auto Equipment............... 9,600
Total $475,000

Section 135. The following named amount, or so much thereof as may
be necessary, is appropriated to the Department of Agriculture for:

LAND AND WATER RESOURCES PROGRAMS

Payable from the Partners for Conservation Fund:
For grants to Soil and Water Conservation
Districts for clerical and other personnel,
for education and promotional assistance,
and for expenses of Soil and Water Conservation
District Boards and Administrative
Expenses...................................... 3,000,000

Section 140. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Agriculture for:

ILLINOIS STATE FAIR PROGRAMS

Payable from the Illinois State Fair Fund:
For Awards to Livestock Breeders
and Related Expenses......................... 221,500
For Awards and Premiums at the
Illinois State Fair
and related expenses......................... 483,400
For Awards and Premiums for Grand
Circuit Horse Racing at the
Illinois State Fairgrounds
and related expenses......................... 178,600
Total $883,500

Section 145. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Agriculture for:

COUNTY FAIRS AND HORSE RACING PROGRAMS

Payable from the Illinois Racing
Quarter Horse Breeders Fund:
For Promotion of the Illinois Horse
Racing and Breeding Industry............. 30,000
Payable from the Illinois Standardbred

New matter indicated by italics - deletions by strikeout
Breeders Fund:
For Grants and Other Purposes
Payable from the Illinois Thoroughbred Breeders Fund:
For Grants and Other Purposes
Payable from the Agricultural Premium Fund:
For Distribution to Encourage and Aid County Fairs and Other Agricultural Societies. This Distribution Shall be Prorated and Approved by the Department of Agriculture
For Premiums to Agricultural Extension or 4-H Clubs to be Distributed at a Uniform Rate
For Premiums to Vocational Agriculture Fairs
For Rehabilitation of County Fairgrounds
For Grants and Other Purposes for County Fair and State Fair Horse Racing
Total
Payable from Fair and Exposition Fund:
For Distribution to County Fairs and Fair and Exposition Authorities
Section 150. The sum of $950,000, new appropriation, is appropriated and the sum of $750,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 4, Section 145 of Public Act 98-0591 is reappropriated from the General Revenue Fund to the Department of Agriculture for the Forever Green Illinois Program.

ARTICLE 2
Section 1. The sum of $1,602,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for operational expenses for the fiscal year ending June 30, 2015.

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Arts Council to enhance the cultural environment in Illinois:
Payable from General Revenue Fund:
For Grants and Financial Assistance for

New matter indicated by italics - deletions by strikeout
Public Act 98-0679

Creative Sector (Arts Organizations and Individual Artists) ...................... 4,125,800
For Grants and Financial Assistance for Underserved Constituencies............... 370,000
For Grants and Financial Assistance for Arts Education............................. 582,500
Total                                                                             $5,078,300

Payable from the Illinois Arts Council
Federal Grant Fund:
For Grants and Programs to Enhance the Cultural Environment...................... 855,000
For the purposes of Administrative Costs and Awarding Grants associated with the Education Leadership Institute.......... 80,000

Section 10. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for the purpose of funding administrative and grant expenses associated with programs supporting the visual arts, performing arts, languages and related activities.

Section 15. The amount of $2,012,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for grants to certain public radio and television stations and related administrative expenses, pursuant to the Public Radio and Television Grant Act.

Section 20. In addition to other amounts appropriated for this purpose, the following named sum, or so much thereof as may be necessary, respectively, for the object and purpose hereinafter named, is appropriated to the Illinois Arts Council to enhance the cultural environment in Illinois:
Payable from Illinois Arts Council Federal Grant Fund:
For Grants and Programs to Enhance the Cultural Environment and associated administrative costs.............................. 65,000

Section 25. The sum of $417,000, for so much thereof as may be necessary, is appropriated for a grant from the Illinois Arts Council to the Illinois Humanities Council.

Article 3

Section 5. The sum of $30,843,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of

New matter indicated by italics - deletions by strikeout
the Attorney General to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 10. The sum of $1,400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Attorney General for disbursement to the Illinois Equal Justice Foundation for use as provided in the Illinois Equal Justice Act.

Section 15. The sum of $1,000,000, or so much thereof as is available for use by the Attorney General, is appropriated to the Attorney General from the Illinois Gaming Law Enforcement Fund for State law enforcement purposes.

Section 20. The sum of $10,200,000, or so much thereof as may be necessary, is appropriated from the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund to the Office of the Attorney General for use, subject to pertinent court order or agreement, in the performance of any function pertaining to the exercise of the duties of the Attorney General, including State law enforcement and public education.

Section 25. The sum of $1,900,000, or so much thereof as may be necessary, is appropriated from the Illinois Charity Bureau Fund to the Office of the Attorney General to enforce the provisions of the Solicitation for Charity Act and to gather and disseminate information about charitable trustees and organizations to the public.

Section 30. The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the Attorney General Whistleblower Reward and Protection Fund to the Office of the Attorney General for ordinary and contingent expenses, including State law enforcement purposes.

Section 35. The sum of $11,300,000, or so much thereof as may be necessary, is appropriated from the Attorney General's State Projects and Court Ordered Distribution Fund to the Attorney General for payment of interagency agreements, for court-ordered distributions to third parties, and, subject to pertinent court order, for performance of any function pertaining to the exercise of the duties of the Attorney General, including State law enforcement and public education.

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Attorney General to meet the ordinary and contingent expenses of the Attorney General:

OPERATIONS

Payable from the Violent Crime Victims Assistance Fund:
For Personal Services.......................... 1,029,300

New matter indicated by italics - deletions by strikeout
For State Contribution to State Employees’ Retirement System .......................... 435,800
For State Contribution to Social Security ............ 78,800
For Group Insurance ...................................... 460,000
For Operational Expenses,
Crime Victims Services Division...................... 150,000
For Operational Expenses,
Automated Victim Notification System............. 800,000
For Awards and Grants under the Violent Crime Victims Assistance Act............... 6,000,000
Total                                                                                    $8,953,900

Section 45. The sum of $240,000, or so much thereof as may be necessary, is appropriated from the Child Support Administrative Fund to the Office of the Attorney General for child support enforcement purposes.

Section 50. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Attorney General Federal Grant Fund to the Office of the Attorney General for funding for federal grants.

Section 55. The sum of $500,000, or so much thereof as may be necessary, is appropriated to the Office of the Attorney General from the Domestic Violence Fund pursuant to Public Act 95-711 for grants to public or private nonprofit agencies for the purposes of facilitating or providing free domestic violence legal advocacy, assistance, or services to victims of domestic violence who are married or formerly married or parties or former parties to a civil union related to order of protection proceedings, or other proceedings for civil remedies for domestic violence.

Section 60. The sum of $3,500,000, or so much thereof as may be necessary, is appropriated from the Attorney General Tobacco Fund to the Office of the Attorney General for the oversight, enforcement, and implementation of the Master Settlement Agreement entered in the case of People of the State of Illinois v. Philip Morris, et al (Circuit Court of Cook County, No. 96L13146), for the administration and enforcement of the Tobacco Product Manufacturers’ Escrow Act, for the handling of tobacco-related litigation, and for other law enforcement activities of the Attorney General.

Section 65. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Attorney General Sex Offender Awareness, Training, and Education Fund to the Office of the Attorney General to administer the I-SORT program and to alert and educate the public, victims, and witnesses of their rights under various victim notification

New matter indicated by italics - deletions by strikeout
laws and for training law enforcement agencies, State’s Attorneys, and medical providers regarding their legal duties concerning the prosecution and investigation of sex offenses.

ARTICLE 4

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Auditor General to meet the ordinary and contingent expenses of the Office of the Auditor General, as provided in the Illinois State Auditing Act:

For Personal Services:
For Regular Positions........................... 5,551,000
For Employee Contribution to Retirement System by Employer................................. 0
For State Contribution to Social Security........ 425,000
For Contractual Services........................... 636,000
For Travel............................................... 0
For Commodities..................................... 20,000
For Printing........................................ 20,000
For Equipment....................................... 25,000
For Electronic Data Processing...................... 50,000
For Telecommunications.............................. 75,000
For Operation of Auto Equipment...................... 5,000
Total $6,807,000

Section 10. The sum of $23,947,191, or so much of that amount as may be necessary, is appropriated to the Auditor General from the Audit Expense Fund for administrative and operations expenses and audits, studies, investigations, and expenses related to actuarial services.

ARTICLE 5

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

PAYABLE FROM GENERAL REVENUE FUND
For payment of claims, including prior years claims, under the Representation and Indemnification in Civil Lawsuits Act................................. 605,100
For auto liability, adjusting and Administration of claims, loss control and prevention services, and auto liability claims, including prior

New matter indicated by italics - deletions by strikeout
years claims........................................ 689,300
For Awards to Employees and Expenses
  of the Employee Suggestion Board............. 1,800
For Wage Claims.................................. 564,100
For Veterans' Job Assistance Program.......... 143,000
For Governor's and Vito Marzullo's
  Internship programs............................ 290,300
For Nurses' Tuition............................... 43,100
Total                                                                                          $2,336,700

BUREAU OF ADMINISTRATIVE OPERATIONS
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services............................ 672,000
For State Contributions to Social
  Security.......................................... 51,400
For Contractual Services....................... 50,700
For Travel......................................... 19,200
For Commodities.................................. 2,500
For Printing...................................... 1,800
For Equipment..................................... 2,400
For Electronic Data Processing................. 467,200
For Telecommunications Services............... 17,700
For Operation of Auto Equipment................ 1,100
Total                                                                                          $1,286,000

PAYABLE FROM STATE GARAGE REVOLVING FUND
For Contractual Services....................... 11,000
For Electronic Data Processing............... 1,000,000
Total                                                                                          $1,011,000

PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND
For Personal Services........................... 258,200
For State Contribution to State
  Employees' Retirement Fund.................... 109,400
For State Contributions to Social
  Security......................................... 19,800
For Group Insurance............................ 75,000
For Contractual Services........................ 49,600
For Travel........................................ 9,000
For Commodities................................ 1,000
For Printing...................................... 1,000
For Equipment.................................... 1,000

New matter indicated by italics - deletions by strikeout
For Telecommunications Services....................... 3,800
Total                                                $527,800
  PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services.................................. 184,600
For State Contributions to State
  Employees' Retirement System...................... 78,200
For State Contribution to
  Social Security................................... 14,200
For Group Insurance................................. 50,000
For Contractual Services............................ 18,000
For Travel........................................... 5,000
For Commodities.................................... 2,000
For Printing......................................... 800
For Equipment....................................... 2,000
For Electronic Data Processing...................... 1,669,100
Total                                                $2,023,900
  PAYABLE FROM PROFESSIONAL SERVICES FUND
For Professional Services including
  Administrative and Related Costs.............. 12,500,000
Section 10. In addition to any other amounts appropriated, the
following named amounts, or so much thereof as may be necessary, are
appropriated to the Department of Central Management Services for costs
and expenses associated with or in support of a General and Regulatory
Shared Services Center:
Payable from State Garage
  Revolving Fund..................................... 730,600
Payable from Statistical Services
  Revolving Fund...................................... 1,649,700
Payable from Communications Revolving Fund........ 1,224,500
Payable from Facilities Management
  Revolving Fund..................................... 1,612,700
Payable from Health Insurance Reserve Fund........ 546,300
Total                                                $5,763,800
Section 15. The following named amounts, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to the Department of Central Management Services:
  ILLINOIS INFORMATION SERVICES
  PAYABLE FROM GENERAL REVENUE FUND
For Personal Services................................. 227,200

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security: 17,400
For Contractual Services: 43,600
For Travel: 1,800
For Commodities: 1,000
For Printing: 200
For Equipment: 500
For Telecommunications Services: 10,000

Total: $301,700

PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services: 3,773,200
For State Contributions to State Employees' Retirement System: 1,597,700
For State Contributions to Social Security: 288,800
For Group Insurance: 1,125,000
For Contractual Services: 522,300
For Travel: 45,000
For Commodities: 68,000
For Printing: 51,400
For Equipment: 192,700
For Electronic Data Processing: 197,000
For Telecommunications Services: 167,000
For Operation of Auto Equipment: 11,000

Total: $8,039,100

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

BUREAU OF STRATEGIC SOURCING AND PROCUREMENT
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services: 1,258,200
For State Contributions to Social Security: 96,300
For Contractual Services: 40,500
For Travel: 10,100
For Commodities: 3,500
For Printing: 300
For Equipment: 1,300
For Telecommunications Services: 11,900

New matter indicated by italics - deletions by strikeout
Section 25. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

**BUREAU OF BENEFITS**

**PAYABLE FROM WORKERS' COMPENSATION REVOLVING FUND**

For administrative costs and claims of any state agency or university employee................................. 140,891,000

Expenditures from appropriations for treatment and expense may be made after the Department of Central Management Services has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person.

**PAYABLE FROM STATE EMPLOYEES DEFERRED COMPENSATION PLAN FUND**

For expenses related to the administration of the State Employees’ Deferred Compensation Plan................................. 1,500,000

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

**BUREAU OF PERSONNEL**

**PAYABLE FROM GENERAL REVENUE FUND**

For Personal Services............................. 3,501,600
For State Contributions to Social Security.......................... 267,900
For Contractual Services.......................... 82,100
For Travel.......................................... 5,100
For Commodities................................... 10,100
For Printing........................................ 7,600
For Equipment..................................... 1,300
For Telecommunications Services....................... 29,400
For Upward Mobility Program............................ 0
Total.............................................. $3,905,100

New matter indicated by italics - deletions by strikeout
Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

**BUSINESS ENTERPRISE PROGRAM**

**PAYABLE FROM GENERAL REVENUE FUND**

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>681,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>52,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>38,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>400</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>2,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>300</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>6,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>4,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$787,800</strong></td>
</tr>
</tbody>
</table>

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

**BUREAU OF PROPERTY MANAGEMENT**

**PAYABLE FROM GENERAL REVENUE FUND**

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>11,808,400</td>
</tr>
</tbody>
</table>

Section 45. The following named amounts, or so much thereof as may be necessary, is appropriated from the Facilities Management Revolving Fund to the Department of Central Management Services for expenses related to the following:

**PAYABLE FROM FACILITIES MANAGEMENT REVOLVING FUND**

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>20,563,900</td>
</tr>
<tr>
<td>For State Contributions to State Employees’ Retirement System</td>
<td>8,706,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,573,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>6,076,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>168,730,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>38,700</td>
</tr>
<tr>
<td>For Commodities</td>
<td>397,900</td>
</tr>
<tr>
<td>For Printing</td>
<td>100</td>
</tr>
<tr>
<td>For Equipment</td>
<td>62,800</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>622,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Telecommunications Services .......... 273,500
For Operation of Auto Equipment .......... 149,000
For Lump Sums ................................ 70,000,000
Total $277,195,000

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to the Department of Central Management Services:

BUREAU OF COMMUNICATION AND COMPUTER SERVICES

PAYABLE FROM GENERAL REVENUE FUND

For Broadband Network ...................... 1,000,000

PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND

For Personal Services ....................... 42,009,600
For State Contributions to State Employees' Retirement System ..... 17,786,500
For State Contributions to Social Security .................................. 3,213,800
For Group Insurance ......................... 11,475,000
For Contractual Services ................... 2,133,400
For Travel ...................................... 285,000
For Commodities ........................... 86,700
For Printing ................................. 203,600
For Equipment ............................... 186,300
For Electronic Data Processing ........... 85,744,400
For Telecommunications Services .......... 4,518,400
For Operation of Auto Equipment .......... 80,000
For Refunds .................................. 5,300,000
Total $173,022,700

PAYABLE FROM COMMUNICATIONS REVOLVING FUND

For Personal Services ....................... 7,301,700
For State Contributions to State Employees' Retirement System .... 3,091,500
For State Contributions to Social Security .................................. 558,600
For Group Insurance ......................... 1,975,000
For Contractual Services ................... 3,620,000
For Travel ...................................... 138,300
For Commodities ........................... 21,900
For Printing ................................. 5,500
For Equipment ............................... 33,000

New matter indicated by italics - deletions by strikeout
Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to the Department of Central Management Services:

BUREAU OF AGENCY SERVICES

PAYABLE FROM STATE GARAGE REVOLVING FUND

For Personal Services.......................... 11,575,600
For State Contributions to State
Employees' Retirement System.................. 4,901,000
For State Contributions to Social Security......................... 885,600
For Group Insurance........................................ 4,060,000
For Contractual Services....................... 2,350,000
For Travel........................................ 15,000
For Commodities................................... 85,000
For Printing...................................... 15,000
For Equipment..................................... 17,946,500
For Telecommunications Services................... 80,000
For Operation of Auto Equipment............... 34,621,000
For Refunds........................................ 1,000
Total                                                                                          $76,535,700

PAYABLE FROM COMMUNICATIONS REVOLVING FUND

For Personal Services.......................... 1,137,900
For State Contributions to State
Employees' Retirement System.................. 481,800
For State Contributions to Social Security......................... 87,100
For Group Insurance........................................ 525,000
For Contractual Services....................... 1,556,400
For Travel........................................ 3,000
For Commodities................................... 12,000
For Equipment..................................... 48,000
For Operation of Auto Equipment............... 121,000
Total                                                                                          $3,972,200

PAYABLE FROM FACILITIES MANAGEMENT REVOLVING FUND

New matter indicated by italics - deletions by strikeout
For Personal Services.......................... 287,100
For State Contributions to State
    Employees' Retirement System............ 121,600
For State Contributions to Social
    Security.................................. 22,000
For Group Insurance.......................... 100,000
For Contractual Services...................... 10,000
For Travel................................... 5,000
For Commodities................................ 2,500
For Printing................................... 2,500
For Equipment................................ 5,000
For Electronic Data Processing............. 6,000
For Telecommunications....................... 5,000
For Operation of Auto Equipment............ 5,000
Total                                                                 $571,700

PAYABLE FROM STATE SURPLUS PROPERTY REVOLVING FUND

For Expenses Related to the Administration
    and Operation of Surplus Property and
    Recycling Programs......................... 4,758,700

ARTICLE 6

Section 5. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated from the General Revenue Fund to meet the ordinary and
contingent expenses of the State Civil Service Commission:
For Personal Services.......................... 248,700
For State Contributions to
    Social Security............................ 19,600
Total                                                                 $268,300

Section 10. The sum of $110,700, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the State Civil
Service Commission to meet its operational expenses for the fiscal year
ending June 30, 2015.

ARTICLE 7

Section 5. The following named amounts, or so much thereof as may be
necessary, respectively, are appropriated for the ordinary and contingent
expenses to the Illinois Commerce Commission:
    CHAIRMAN AND COMMISSIONER'S OFFICE
Payable from Transportation Regulatory Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services......................... 68,800
For State Contributions to State
  Employees' Retirement System............... 29,200
  For State Contributions to Social Security...... 5,300
  For Group Insurance................................ 28,600
  For Contractual Services........................ 1,000
  For Travel......................................... 1,500
  For Equipment........................................ 500
  For Telecommunications................................ 4,000
  For Operation of Auto Equipment............... 0
Total $138,900

Payable from Public Utility Fund:
For Personal Services........................ 855,800
For State Contributions to State
  Employees' Retirement System............... 362,400
  For State Contributions to Social Security...... 65,500
  For Group Insurance................................ 237,900
  For Contractual Services........................ 24,600
  For Travel......................................... 59,900
  For Commodities.................................... 1,500
  For Equipment........................................ 500
  For Telecommunications........................... 14,000
  For Operation of Auto Equipment............... 1,000
Total $1,623,100

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Public Utility Fund for the ordinary and contingent expenses of the Illinois Commerce Commission.

PUBLIC UTILITIES
For Personal Services......................... 16,452,900
For State Contributions to State
  Employees' Retirement System............... 6,966,000
  For State Contributions to Social Security..... 1,254,600
  For Group Insurance.............................. 4,442,300
  For Contractual Services........................ 1,622,300
  For Travel........................................ 100,000
  For Commodities................................... 24,000
  For Printing...................................... 22,000
  For Equipment.................................... 46,000
  For Electronic Data Processing.................. 538,000

New matter indicated by italics - deletions by strikeout
For Telecommunications............................ 260,000
For Operation of Auto Equipment................... 68,500
For Refunds....................................... 26,500
Total $31,823,100

Section 15. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the Illinois Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for a grant to the Statewide One-call Notice System, as required in the Illinois Underground Utility Facilities Damage Prevention Act.

Section 20. The sum of $1,000, or so much thereof as may be necessary, is appropriated from the Illinois Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for refunds.

Section 25. The sum of $77,130,000, or so much thereof as may be necessary, is appropriated from the Wireless Service Emergency Fund to the Illinois Commerce Commission for its administrative costs and for grants to emergency telephone system boards, qualified government entities, or the Department of State Police for the design, implementation, operation, maintenance, or upgrade of wireless 9-1-1 or E9-1-1 emergency services and public safety answering points.

Section 30. The sum of $5,689,800, or so much thereof as may be necessary, is appropriated from the Wireless Carrier Reimbursement Fund to the Illinois Commerce Commission for reimbursement of wireless carriers for costs incurred in complying with the applicable provisions of Federal Communications Commission wireless enhanced 9-1-1 services mandates and for administrative costs incurred by the Illinois Commerce Commission related to administering the program.

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Transportation Regulatory Fund for ordinary and contingent expenses to the Illinois Commerce Commission:

TRANSPORTATION

For Personal Services............................ 6,605,400
For State Contributions to State Employees' Retirement System................. 2,796,700
For State Contributions to Social Security....... 502,000
For Group Insurance............................. 1,899,700
For Contractual Services........................ 884,000
For Travel........................................ 98,500
For Commodities.................................. 41,000

New matter indicated by italics - deletions by strikeout
Section 40. The sum of $4,240,000, or so much thereof as may be necessary, is appropriated from the Transportation Regulatory Fund to the Illinois Commerce Commission for (1) disbursing funds collected for the Single State Insurance Registration Program and/or Unified Carrier Registration System; (2) for refunds for overpayments; and (3) for administrative expenses.

ARTICLE 8
OPERATIONAL EXPENSES

Section 5. The sum of $10,541,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for operational expenses of the fiscal year ending June 30, 2015, including prior year costs.

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

GENERAL ADMINISTRATION

OPERATIONS

Payable from the Tourism Promotion Fund:
For ordinary and contingent expenses associated with general administration, including prior year costs................. 7,800,500

Payable from the Intra-Agency Services Fund:
For overhead costs related to federal programs, including prior year costs.......... 19,539,400

Payable from the Build Illinois Bond Fund:
For ordinary and contingent expenses associated with the administration of the capital program, including prior year costs................. 2,000,000

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF TOURISM

New matter indicated by italics - deletions by strikeout
OPERATIONS

Payable from the Tourism Promotion Fund:
For ordinary and contingent
administrative expenses of
the tourism program,
including prior year costs................. 4,091,600
For administrative and grant expenses
associated with statewide tourism promotion
and development, including prior year costs... 8,026,300
For Advertising and Promotion of Tourism
For Illinois State Fair Ethnic
Village Expenses, including prior year costs..... 50,000
For advertising and promotion of Tourism
throughout Illinois Under Subsection (2) of
Section 4a of the Illinois Promotion Act,
including prior year costs............... 18,660,000
For Advertising and Promotion of Illinois
Tourism in International Markets, including
prior year costs.............................. 5,240,500
Total ........................................ $36,068,400

Section 20. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Commerce
and Economic Opportunity:

OFFICE OF TOURISM
GRANTS

Payable from the International Tourism Fund:
For Grants, Contracts and Administrative Expenses
Associated with the International Tourism Program
Pursuant to 20 ILCS 605/605-707, including prior
year costs................................. 5,000,000

Payable from the Tourism Promotion Fund:
For the Tourism Matching Grant Program
Pursuant to 20 ILCS 665/8-1 for
Counties under 1,000,000.................... 1,828,400
For the Tourism Matching Grant Program
Pursuant to 20 ILCS 665/8-1 for
Counties over 1,000,000...................... 1,096,600
For the Tourism Attraction Development
Grant Program Pursuant to 20 ILCS 665/8a..... 2,064,600

New matter indicated by italics - deletions by strikeout
For Purposes Pursuant to the Illinois Promotion Act, 20 ILCS 665/4a-1 to Match Funds from Sources in the Private Sector.......................... 1,000,000
For Grants to Regional Tourism Development Organizations............... 792,000
For Grants, Contracts and Administrative Expenses Associated with the Development of the Illinois Grape and Wine Industry, including prior year costs........... 150,000
For a grant to the Gateway Motor Sports Park........................................ 500,000
Total $7,431,600

The Department, with the consent in writing from the Governor, may reapportion not more than ten percent of the total appropriation of Tourism Promotion Fund, in Section 20 above, among the various purposes therein recommended.

Payable from Local Tourism Fund:
For grants to Convention and Tourism Bureaus
Bureaus Outside of Chicago......................... 12,910,100
Chicago Office of Tourism ......................... 2,267,100
For grants, contracts, and administrative expenses associated with the Local Tourism and Convention Bureau Program pursuant to 20 ILCS 605/605-705 including prior year costs................. 308,000
Total $15,485,200

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF EMPLOYMENT AND TRAINING GRANTS

Payable from the General Revenue Fund:
For Grants, Contracts and Administrative Expenses Associated with a Summer Jobs for Youth Program, including prior year costs.................................. 0

Payable from the FY09 Budget Relief Fund:
For Grants, Contracts and Administrative

New matter indicated by italics - deletions by strikeout
Expenses Associated with a Summer Jobs
for Youth Program, including prior
year costs...................................... 2,000,000

Payable from the Federal Workforce Training Fund:
For Grants, Contracts and Administrative
Expenses Associated with the Workforce
Investment Act and other workforce
training programs, including refunds
and prior year costs......................... 275,000,000

Section 30. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Commerce
and Economic Opportunity:

OFFICE OF ENTREPRENEURSHIP, INNOVATION AND
TECHNOLOGY

GRANTS

Payable from the General Revenue Fund:
For grants, contracts, and administrative
expenses associated with the Illinois
Office of Entrepreneurship, Innovation
and Technology, including prior year costs.... 5,500,000
For grants, contracts, and administrative
Expenses associated with DCEO Technology-
Based Programs, including prior year
costs........................................... 2,500,000
Total $8,000,000

Payable from the Small Business Environmental
Assistance Fund:
For grants and administrative expenses of the
Small Business Environmental Assistance Program,
including prior year costs....................... 500,000

Payable from the Workforce, Technology,
and Economic Development Fund:
For Grants, Contracts, and Administrative
Expenses Pursuant to 20 ILCS 605/
605-420, including prior year costs......... 2,000,000

New matter indicated by italics - deletions by strikeout
Assistant Center Program, including prior year costs.......................... 750,000
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/605-500, including prior year costs.......... 13,000,000
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/605-30, including prior year costs .......... 3,000,000
Total $16,750,000

Payable from the Digital Divide Elimination Fund:
For the Community Technology Center Grant Program, Pursuant to 30 ILCS 780, including prior year costs.................... 5,000,000

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF BUSINESS DEVELOPMENT OPERATIONS

Payable from Economic Research and Information Fund:
For Purposes Set Forth in Section 605-20 of the Civil Administrative Code of Illinois (20 ILCS 605/605-20)...................... 230,000

Payable from the Historic Property Administration Fund:
For Administrative Expenses in Accordance with the Historic Tax Credit Program Pursuant to 35 ILCS 5/221(b)................. 150,000

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF BUSINESS DEVELOPMENT GRANTS

Payable from the General Revenue Fund:
For the Purpose of Grants, Contracts, and Administrative Expenses associated with DCEO Job Training Programs,

New matter indicated by italics - deletions by strikeout
including prior year costs................... 10,000,000
For a grant associated with
Job training to the
Illinois Manufacturers’ Association,
including prior year costs.................... 1,500,000
For a grant associated with
Job training to the
Chicago Federation of Labor,
including prior year costs..................... 1,500,000
For a grant associated with
Job training to the
Illinois Manufacturing Excellence Center,
including prior year costs..................... 1,000,000
For a grant associated with
Job training to the
Chicagoland Regional College Program,
including prior year costs..................... 2,000,000
For a grant associated with
Job training to the
New Start, Inc. for basic
nurse assistance training program
in Latino communities,
including prior year costs..................... 750,000
For grants associated with
Business and Community Development........ 7,500,000
Total $24,250,000

Payable from the Riverfront Development Fund:
For the Purpose of Contracts, Grants,
Loans, Investments and Administrative
Expenses associated with Riverfront
Development, including prior year costs....... 3,000,000

Payable from the South Suburban Brownfields Redevelopment Fund:
For the Purpose of Contracts, Grants,
Loans, Investments and Administrative
Expenses associated with South Suburban
Brownfields Redevelopment, including
prior year costs................................. 3,000,000

Payable from the South Suburban Increment Fund:

New matter indicated by italics - deletions by strikeout
For the Purpose of Contracts, Grants, Loans, Investments and Administrative Expenses associated with South Suburban Brownfields Redevelopment and other purposes of the South Suburban Increment Fund, including prior year costs.......................... 3,000,000

Payable from the State Small Business Credit Initiative Fund:
For the Purpose of Contracts, Grants, Loans, Investments and Administrative Expenses in Accordance with the State Small Business Credit Initiative Program, including prior year costs...................... 58,000,000

Payable from the Intermodal Facilities Promotion Fund:
For the purpose of promoting construction of intermodal transportation facilities including reimbursement of prior year costs.................. 3,000,000

Payable from the Illinois Capital Revolving Loan Fund:
For the Purpose of Contracts, Grants, Loans, Investments and Administrative Expenses in Accordance with the Provisions of the Small Business Development Act pursuant to 30 ILCS 750/9.................. 10,500,000

Payable from the Illinois Equity Fund:
For the purpose of Grants, Loans, and Investments in Accordance with the Provisions of the Small Business Development Act............................. 1,000,000

Payable from the Large Business Attraction Fund:
For the purpose of Grants, Loans, Investments, and Administrative Expenses in Accordance with Article 10 of the Build Illinois Act......................... 1,500,000

Payable from the Public Infrastructure Construction Loan Revolving Fund:
For the Purpose of Grants, Loans, Investments, and Administrative

New matter indicated by italics - deletions by strikeout
Expenses in Accordance with Article 8 of the Build Illinois Act............... 12,000,000

Section 45. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF COAL DEVELOPMENT
GRANTS
Payable from the Coal Technology Development Assistance Fund:
For Grants, Contracts and Administrative Expenses Under the Provisions of the Illinois Coal Technology Development Assistance Act, including prior years costs................................. 20,000,000

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

ILLINOIS FILM OFFICE
Payable from Tourism Promotion Fund:
For Administrative Expenses, Grants, and Contracts Associated with Advertising and Promotion, including prior year costs................................. 1,317,700

Section 55. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF TRADE AND INVESTMENT OPERATIONS
Payable from the General Revenue Fund:
For Grants, Contracts, and Administrative Expenses associated with the Illinois Office of Trade and Investment, including prior year costs................................. 1,500,000
Payable from the International Tourism Fund:
For Grants, Contracts, and Administrative Expenses associated with the Illinois Office of Trade and Investment, including prior year costs................................. 3,000,000
Payable from the International and Promotional Fund:

New matter indicated by italics - deletions by strikeout
For Grants, Contracts, Administrative Expenses, and Refunds Pursuant to 20 ILCS 605/605-25, including prior year costs.......................... 500,000

Payable from the Tourism Promotion Fund: For Grants, Contracts, and Administrative Expenses associated with the Illinois Office of Trade and Investment, including prior year costs.......................... 3,000,000

Section 60. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF ENERGY ASSISTANCE GRANTS

Payable from Supplemental Low-Income Energy Assistance Fund: For Grants and Administrative Expenses Pursuant to Section 13 of the Energy Assistance Act of 1989, as Amended, including refunds and prior year costs...... 165,000,000

Payable from Good Samaritan Energy Trust Fund: For Grants, Contracts and Administrative Expenses Pursuant to the Good Samaritan Energy Plan Act, including refunds and prior year costs.......................... 500,000

Payable from Energy Administration Fund: For Grants, Contracts and Administrative Expenses associated with DCEO Weatherization Programs, including refunds and prior year costs.......................... 25,000,000

Payable from Low Income Home Energy Assistance Block Grant Fund: For Grants, Contracts and Administrative Expenses associated with the Low Income Home Energy Assistance Act of 1981, including refunds and prior year.......................... 330,000,000

Section 65. The following named amounts, or so much thereof as may be necessary, respectively are appropriated to the Department of Commerce and Economic Opportunity:

New matter indicated by italics - deletions by strikeout
OFFICE OF COMMUNITY DEVELOPMENT

GRANTS

Payable from the General Revenue Fund:
For Grants, Contracts, and Administrative Expenses associated with DCEO Community Programs, including prior year costs.......................... 0

Payable from the General Revenue Fund:
For a grant to the Illinois African American Family Commission for the costs associated with assisting State agencies in developing programs, services, public policies and research strategies that will expand and enhance the social and economic well-being of African American children and families....... 750,000

For grants, contracts, and administrative expenses associated with the Northeast DuPage Special Recreation Association........... 250,000

For grants, contracts, and administrative Expenses associated with Agudath Israel of Illinois for school transportation........ 1,200,000

Total $2,200,000

Payable from the Agricultural Premium Fund:
For the Ordinary and Contingent Expenses of the Rural Affairs Institute at Western Illinois University.................. 160,000

Payable from the Community Services Block Grant Fund:
For Administrative Expenses and Grants to Eligible Recipients as Defined in the Community Services Block Grant Act, including refunds and prior year costs.............. 65,000,000

Payable from the Community Development Small Cities Block Grant Fund:
For Grants, Contracts and Administrative Expenses related to the Section 108 Loan Guarantee Program, including refunds and prior year costs....................... 130,000,000

For Grants to Local Units of Government or Other Eligible Recipients and for contracts and administrative expenses, as Defined in

New matter indicated by italics - deletions by strikeout
the Community Development Act of 1974, or by
U.S. HUD Notice approving Supplemental allocation
For the Illinois CDBG Program, including refunds
and prior year costs......................... 200,000,000
For Administrative and Grant Expenses Relating
to Training, Technical Assistance and
Administration of the Community Development
Assistance Programs, and for Grants to Local
Units of Government or Other Eligible
Recipients as Defined in the Community
Development Act of 1974, as amended,
for Illinois Cities with populations
under 50,000, including refunds,
and prior year costs....................... 120,000,000
Total $450,000,000

Section 70. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Commerce
and Economic Opportunity:

ILLINOIS ENERGY OFFICE
GRANTS

Payable from the Solid Waste Management Fund:
For Grants, Contracts and Administrative
Expenses Associated with Providing Financial
Assistance for Recycling and Reuse in
Accordance with Section 22.15 of the
Environmental Protection Act, the Illinois
Solid Waste Management Act and the Solid
Waste Planning and Recycling Act,
including prior year costs.................... 7,000,000

Payable from the Alternate Fuels Fund:
For Administration and Grant Expenses
of the Ethanol Fuel Research Program,
including prior year costs.................... 1,000,000

Payable from the Energy Efficiency Portfolio
Standards Fund:
For Grants, Contracts, and Administrative
Expenses associated with Energy Efficiency
Programs, including refunds and
prior year costs............................ 125,000,000

New matter indicated by italics - deletions by strikeout
Payable from the Renewable Energy Resources Trust Fund:
For Grants, Loans, Investments and
Administrative Expenses of the Renewable
Energy Resources Program, and the
Illinois Renewable Fuels Development
Program, including prior year costs............ 8,000,000

Payable from the Energy Efficiency Trust Fund:
For Grants and Administrative Expenses
Relating to Projects that Promote Energy
Efficiency, including prior year costs........... 9,000,000

Payable from the DCEO Energy Projects Fund:
For Expenses and Grants Connected with
Energy Programs, including prior year
costs............................................... 3,000,000

Payable from the Federal Energy Fund:
For Expenses and Grants Connected with
the State Energy Program, including
prior year costs................................... 6,000,000

Section 75. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Commerce
and Economic Opportunity:

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
GRANTS

Payable from Energy Administration Fund:
For Grants and Technical Assistance
Services for Nonprofit Community
Organizations and other Operating and
Administrative Costs under the
Provisions of the American Recovery
And Reinvestment Act of 2009, including
refunds and prior year costs..................... 5,000,000

Total, this Article $1,763,329,100

ARTICLE 9

Section 5. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the Office of
the State Comptroller:
For Personal Services......................... 15,050,000
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Paid by the Employer.................................. 0
For State Contribution to State
Employees' Retirement System.................... 0
For State Contribution to
Social Security..................................... 1,149,000
For Contractual Services......................... 4,682,500
For Travel......................................... 128,100
For Commodities.................................. 225,000
For Printing....................................... 345,000
For Equipment.................................... 12,800
For Telecommunications............................ 241,000
For Electronic Data Processing.................... 1,695,000
For Operation of Auto............................. 8,900
For Expenses of Local Government
Officials Training................................... 12,500
For Contractual Services for auditing
and assisting local governments............... 25,000
Merit Commission
For Merit Commission Expenses................... 93,000

Section 10. The sum of $1,500,000, or so much thereof as may be
necessary, is appropriated to the State Comptroller from the Comptroller's
Administrative Fund for the discharge of duties of the office.

Section 15. The sum of $50,300, or so much thereof as may be
necessary, is appropriated to the State Comptroller from the State Lottery
Fund for expenses in connection with the State Lottery.

Section 20. The sum of $70,000, or so much thereof as may be
necessary, is appropriated to the State Comptroller to meet the ordinary and
contingent expenses for the Office of Inspector General.

Section 25. The sum of $103,000, or so much thereof as may be
necessary, is appropriated to the State Comptroller for expenses and the
administration of Section 15-125 of the Pension Code.

Section 30. The sum of $200,000, or so much thereof as may be
necessary, is appropriated to the State Comptroller for ordinary and
contingent expenses associated with the Financial Reporting Standards Board
Act.

ARTICLE 10

Section 5. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are

New matter indicated by italics - deletions by strikeout
appropriated to the Office of the State Comptroller for the fiscal year ending June 30, 2015:

For Personal Services and Related Lines:
  Official Court Reporting.......................... 21,108,400

For Employee Retirement Contributions
  Paid by the Employer.................................. 0
  For State Contributions to the State Employees’ Retirement System.................. 0
  For State Contributions to Social Security..................................... 3,144,800

For Travel:
  For Official Court Reporting....................... 167,900
  For Contractual Services............................. 4,046,700
  For Commodities....................................... 1,000
  For Printing........................................... 0
  For Equipment........................................... 5,000
  For Telecommunications............................... 2,000
  For Electronic Data Processing....................... 0

Payable from Personal Property Tax Replacement Fund:
  For Personal Services and Related Lines.............. 20,000,000

Section 10. The sum of $750,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for ordinary and contingent expenses associated with the payment to official court reporters pursuant to law.

ARTICLE 11

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay the elected State officers of the Executive Branch of the State Government, at various rates prescribed by law:

For the Governor........................................ 177,500
For the Lieutenant Governor......................... 135,700
For the Secretary of State......................... 156,600
For the Attorney General....................... 156,600
For the Comptroller.................................. 135,700
For the State Treasurer................................ 135,700
Total .................................................. $897,800

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay

New matter indicated by italics - deletions by strikeout
certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:
From General Revenue Fund:
Department on Aging
   For the Director ........................................ 115,700
Department of Agriculture
   For the Director ........................................ 0
   For the Assistant Director .............................. 0
Department of Central Management Services
   For the Director ........................................ 142,400
   For 2 Assistant Directors .............................. 242,100
Department of Children and Family Services
   For the Director ........................................ 0
Department of Corrections
   For the Director ........................................ 150,300
   For the Assistant Director .............................. 127,800
Department of Commerce and Economic Opportunity
   For the Director ........................................ 142,400
   For the Assistant Director .............................. 121,100
Environmental Protection Agency
   For the Director ........................................ 133,300
Department of Financial and Professional Regulation
   For the Secretary ........................................ 0
   For the Director ........................................ 0
   For the Director ........................................ 0
Department of Human Services
   For the Secretary ........................................ 150,300
   For 2 Assistant Secretaries ............................ 255,500
Department of Insurance
   For the Director ........................................ 0
Department of Juvenile Justice
   For the Director ........................................ 120,400
Department of Labor
   For the Director ........................................ 124,100
   For the Assistant Director .............................. 113,200
   For the Chief Factory Inspector ....................... 52,200
   For the Superintendent of Safety Inspection and Education .............................. 57,400

New matter indicated by italics - deletions by strikeout
Department of State Police
  For the Director............................... 132,600
  For the Assistant Director..................... 113,200
Department of Military Affairs
  For the Adjutant General........................ 115,700
  For two Chief Assistants to the
    Adjutant General........................................ 197,100
Department of Lottery
  For the Superintendent.......................... 0
Department of Natural Resources
  For the Director........................................ 0
  For the Assistant Director......................... 0
  For six Mine Officers.................................... 0
  For four Miners' Examining Officers............... 0
Illinois Labor Relations Board
  For the Chairman................................. 104,400
  For four State Labor Relations Board
    members.................................................... 375,800
  For two Local Labor Relations Board
    members................................................... 187,900
  For the Local Labor Relations Board Chairman..... 93,900
Department of Healthcare and Family Services
  For the Director........................................ 142,400
  For the Assistant Director....................... 121,100
Department of Public Health
  For the Director........................................ 150,300
  For the Assistant Director....................... 127,800
Department of Revenue
  For the Director........................................ 142,400
  For the Assistant Director....................... 121,100
Property Tax Appeal Board
  For the Chairman........................................ 64,800
  For four members........................................ 208,800
Department of Veterans' Affairs
  For the Director........................................ 115,700
  For the Assistant Director....................... 98,600
Civil Service Commission
  For the Chairman........................................ 30,500
  For four members........................................ 101,300

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Agency</th>
<th>Chairman</th>
<th>Vice-Chairman</th>
<th>Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commerce Commission</td>
<td>134,100</td>
<td>468,200</td>
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<tr>
<td>Court of Claims</td>
<td>65,000</td>
<td>359,600</td>
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<tr>
<td>State Board of Elections</td>
<td>58,500</td>
<td>48,100</td>
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<tr>
<td>Illinois Emergency Management Agency</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Department of Human Rights</td>
<td>115,700</td>
<td>0</td>
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<tr>
<td>Human Rights Commission</td>
<td>52,200</td>
<td>563,600</td>
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<tr>
<td>Illinois Workers’ Compensation Commission</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Liquor Control Commission</td>
<td>39,000</td>
<td>204,400</td>
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<tr>
<td>For the Chairman and one member as designated by law, $200 per diem for work on a license appeal commission</td>
<td>55,000</td>
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<tr>
<td>Executive Ethics Commission</td>
<td>338,200</td>
<td></td>
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<tr>
<td>Illinois Power Agency</td>
<td>0</td>
<td></td>
<td></td>
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<tr>
<td>Pollution Control Board</td>
<td>121,100</td>
<td>468,200</td>
<td></td>
</tr>
<tr>
<td>Prisoner Review Board</td>
<td>95,900</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Prisoner Review Board.......................... 1,202,500
Secretary of State Merit Commission
   For the Chairman................................. 0
   For four members................................ 51,700
Educational Labor Relations Board
   For the Chairman................................ 104,400
   For four members............................... 375,800
Department of State Police
   For five members of the State Police Merit Board, $237 per diem,
   whichever is applicable in accordance
   with law, for a maximum of 100
   days each...................................... 118,500
Department of Transportation
   For the Secretary................................ 0
   For the Assistant Secretary..................... 0
Office of Small Business Utility Advocate
   For the small business utility advocate........ 0
   Total                                                                                   $10,096,400

Section 15. The following named sums, or so much thereof as may be
necessary, respectively, are appropriated to the State Comptroller to pay
certain officers of the Legislative Branch of the State Government, at the
various rates prescribed by law:

   Office of Auditor General
   For the Auditor General........................ 149,100
   For two Deputy Auditor Generals.............. 123,200
   Total                                                                                   $272,300

   Officers and Members of General Assembly
   For salaries of the 118 members
   of the House of Representatives at
   a base salary of $67,836....................... 7,766,100
   For salaries of the 59 members
   of the Senate at a base salary of $67,836.... 3,947,800
   Total                                                                                   $11,713,900

   For additional amounts, as prescribed
   by law, for party leaders in both
   chambers as follows:
   For the Speaker of the House,
   the President of the Senate and

New matter indicated by italics - deletions by strikeout
Minority Leaders of both Chambers................. 104,900
For the Majority Leader of the House............ 22,200
For the eleven assistant majority and
minority leaders in the Senate................. 216,800
For the twelve assistant majority
and minority leaders in the House......... 206,900
For the majority and minority
caucus chairmen in the Senate............. 39,500
For the majority and minority
county chairmen in the House............ 34,500
For the two Deputy Majority and the two
deputy Minority leaders in the House........ 75,600
For chairmen and minority spokesmen of
standing committees in the Senate
except the Committee on
Assignments..................................... 532,000
For chairmen and minority
spokesmen of standing and select
committees in the House.................... 906,400
Total $2,138,800
For per diem allowances for the
members of the Senate, as
provided by law............................ 400,000
For per diem allowances for the
members of the House, as
provided by law......................... 800,000
For mileage for all members of the
General Assembly, as provided
by law........................................ 450,000
Total $1,650,000

Section 20. The following named sums, or so much thereof as may be
necessary, respectively, are appropriated to the State Comptroller to pay
certain appointed officers of the Executive Branch of the State Government,
at the various rates prescribed by law:
Department of Agriculture
For the Director
From Weights and Measures Fund............. 133,300
For the Assistant Director
From Weights and Measures Fund............. 113,200

New matter indicated by italics - deletions by strikeout
Department of Children and Family Services
For the Director
  From DCFS Children’s Services Fund..............  150,300

Illinois Emergency Management Agency
For the Director
  From Nuclear Safety Emergency Preparedness Fund ..................  129,000
  For the Assistant Director
  From Radiation Protection Fund.................  115,700

Department of Financial and Professional Regulation
  From the Professions Indirect Cost Fund
    For the Secretary........................  135,100
    For the Director.......................  115,700
    For the Director.......................  124,100

Illinois Power Agency
For the Director
  From the Illinois Power Agency Operations Fund...  103,800

Department of Insurance
For the Director
  From Insurance Producer Administration Fund.....  135,100

Department of Lottery
  For the Superintendent
    From State Lottery Fund....................  142,000

Department of Natural Resources
Payable from Park and Conservation Fund
  For the Director .........................  133,300
  For the Assistant Director................  124,600
Payable from Coal Mining Regulatory Fund
  For six Mine Officers.......................  94,000
  For four Miners' Examining Officers.........  51,700

Department of Transportation
Payable from Road Fund
  For the Secretary.........................  150,300
  For the Assistant Secretary................  127,800

Illinois Workers’ Compensation Commission
Payable from IWCC Operations Fund
  For the Chairman..........................  125,300
  For nine members..........................  1,078,600

New matter indicated by italics - deletions by strikeout
Office of the State Fire Marshal
For the State Fire Marshal:
  From Fire Prevention Fund............... 115,700
Illinois Racing Board
For eleven members of the Illinois Racing Board, $300 per diem to a maximum 12,527 as prescribed by law:
  From the Horse Racing Fund.............. 137,800

Department of Employment Security
Payable from Title III Social Security and Employment Service Fund:
  For the Director.......................... 142,400
  For five members of the Board of Review..... 75,000

Department of Financial and Professional Regulation
Payable from Bank and Trust Company Fund:
  For the Director.......................... 136,300

Subtotals:
  Weights and Measures....................... 246,500
  DCFS Children’s Services Fund............... 150,300
  Nuclear Safety Emergency Preparedness Fund... 129,000
  Radiation Protection Fund................... 115,700
  Professions Indirect Cost Fund............... 374,900
  Illinois Power Agency Operations Fund........ 103,800
  Insurance Producer Administration Fund...... 135,100
  State Lottery Fund.......................... 142,000
  Park and Conservation Fund.................. 257,900
  Coal Mining Regulatory Fund.................. 145,700
  Road Fund................................... 278,100
  IWCC Operations Fund....................... 1,203,900
  Fire Prevention................................ 115,700
  Horse Racing.................................. 137,800
  Bank and Trust Company Fund.................. 136,300
  Title III Social Security and Employment Service Fund........... 217,400
Total........................................ 3,890,100

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the State Comptroller in connection with the payment of

New matter indicated by italics - deletions by strikeout
salaries for officers of the Executive and Legislative Branches of State Government:

For State Contribution to State Employees’ Retirement System:

- From Horse Racing Fund: $58,400
- From Fire Prevention Fund: $49,000
- From Bank and Trust Company Fund: $57,700
- From Title III Social Security and Employment Service Fund: $92,100
- From Weights and Measures Fund: $104,400
- From DCFS Children’s Services Fund: $63,700
- From Nuclear Safety Emergency Preparedness Fund: $54,600
- From Radiation Protection Fund: $49,000
- From Professions Indirect Cost Fund: $158,700
- From Illinois Power Agency Operations Fund: $44,000
- From Insurance Producer Administration Fund: $57,200
- From State Lottery Fund: $60,200
- From Park and Conservation Fund: $109,200
- From Coal Mining Regulatory Fund: $61,700
- From Road Fund: $117,700
- From IWCC Operations Fund: $509,700

Total: $1,647,300

For State Contribution to Social Security:

- From General Revenue Fund: $1,167,500
- From Horse Racing Fund: $10,600
- From Fire Prevention Fund: $8,900
- From Bank and Trust Company Fund: $9,300
- From Title III Social Security and Employment Service Fund: $15,100
- From Weights and Measures Fund: $17,900
- From DCFS Children’s Services Fund: $9,500
- From Nuclear Safety Emergency Preparedness Fund: $9,200
- From Radiation Protection Fund: $8,900
- From Professions Indirect Cost Fund: $27,200
- From Illinois Power Agency Operations Fund: $8,000
- From Insurance Producer Administration Fund: $9,300
- From State Lottery Fund: $9,400
- From Park and Conservation Fund: $18,300
- From Coal Mining Regulatory Fund: $11,200

Total: $1,647,300

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0679

<table>
<thead>
<tr>
<th>Source Fund</th>
<th>Appropriation</th>
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</thead>
<tbody>
<tr>
<td>From Road Fund</td>
<td>18,600</td>
</tr>
<tr>
<td>From IWCC Operations Fund</td>
<td>90,000</td>
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<td><strong>Total</strong></td>
<td><strong>$1,448,900</strong></td>
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<tr>
<td>For Group Insurance:</td>
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<tr>
<td>From Fire Prevention Fund</td>
<td>23,000</td>
</tr>
<tr>
<td>From Bank and Trust Company Fund</td>
<td>23,000</td>
</tr>
<tr>
<td>From Title III Social Security and Employment Service Fund</td>
<td>23,000</td>
</tr>
<tr>
<td>From Weights and Measures</td>
<td>46,000</td>
</tr>
<tr>
<td>From DCFS Children’s Services Fund</td>
<td>23,000</td>
</tr>
<tr>
<td>From Nuclear Safety Emergency Preparedness Fund</td>
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<td>From Radiation Protection Fund</td>
<td>23,000</td>
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<tr>
<td>From Professions Indirect Cost Fund</td>
<td>69,000</td>
</tr>
<tr>
<td>From Illinois Power Agency Operations Fund</td>
<td>23,000</td>
</tr>
<tr>
<td>From Insurance Producer Administration Fund</td>
<td>23,000</td>
</tr>
<tr>
<td>From State Lottery Fund</td>
<td>23,000</td>
</tr>
<tr>
<td>From Park and Conservation Fund</td>
<td>46,000</td>
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<tr>
<td>From Coal Mining Regulatory Fund</td>
<td>184,000</td>
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<tr>
<td>From Road Fund</td>
<td>46,000</td>
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<tr>
<td>From IWCC Operations Fund</td>
<td>230,000</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$828,000</strong></td>
</tr>
</tbody>
</table>

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:

**Executive Inspector Generals**

For the Executive Inspector General for the Office of the Governor | 150,200 |
For the Executive Inspector General for the Office of the Attorney General | 106,500 |
For the Executive Inspector General for the Office of the Secretary of State | 115,600 |
For the Executive Inspector General for the Office of the Comptroller | 101,100 |
For the Executive Inspector General for the Office of the Treasurer | 106,000 |
**Total** | **$579,400**

Section 35. The amount of $1,603,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for contingencies in the
event that any amounts appropriated in Sections 5 through 30 of this Article are insufficient and other expenses associated with the administration of Sections 5 through 30.

ARTICLE 12

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Court of Claims for its ordinary and contingent expenses:

CLAIMS ADJUDICATION

Payable from the General Revenue Fund:
  For Personal Services.......................... 1,173,800
  For Employee Retirement Contributions
    Paid by Employer................................. 47,000
  For State Contribution to Social Security.............................. 90,100
  For Contractual Services.......................... 20,000
  For Travel........................................ 11,250
  For Commodities.................................... 4,250
  For Printing....................................... 5,100
  For Equipment..................................... 11,000
  For Telecommunications Services.................... 3,750
  For Refunds.......................................... 400
  For Reimbursement for Incidental Expenses Incurred by Judges............... 30,000

Total                                                                                          $1,396,700

Section 10. The amount of $450,000, or so much of that amount as may be necessary, is appropriated from the Court of Claims Administration and Grant Fund to the Court of Claims for administrative expenses under the Crime Victims Compensation Act.

Section 15. The following named amounts, or so much of that amount as may be necessary, are appropriated to the Court of Claims for payment of claims as follows:

For claims under the Crime Victims Compensation Act:
  Payable from the Court of Claims
  Federal Grant Fund............................ 10,000,000

Section 20. The amount of $1,000,000, or so much thereof as may be necessary and remains unexpended from an appropriation hereto made for such purposes in Section 600 of Article 12 of Public Act 98-0064, is reappropriated from the General Revenue Fund to the Court of Claims for

New matter indicated by italics - deletions by strikeout
payment of awards solely as a result of the lapsing of an appropriation originally made from any funds held by the State Treasurer.

Section 25. The sum of $7,000,000, or so much thereof as may be necessary and remains unexpended from an appropriation hereto made for such purposes in Section 605 of Article 12 of Public Act 98-0064, is reappropriated from the General Revenue Fund to the Court of Claims for payment of line of duty awards.

Section 30. The following named amounts, or so much thereof as may be necessary, and remains unexpended from an appropriation hereto made for such purposes in Section 610 or Article 12 of Public Act 98-0064, are reappropriated to the Court of Claims for payment of claims as follows:

For claims under the Crime Victims Compensation Act:
- Payable from General Revenue Fund
  - $6,000,000

For claims other than Crime Victims:
- Payable from General Revenue Fund
  - $9,807,400
  - Total: $15,807,400

Section 35. The following named amounts, or so much of that amount as may be necessary, are appropriated to the Court of Claims for payment of claims as follows:

For claims other than the Crime Victims Compensation Act:
- Payable from the Road Fund
  - $1,000,000
- Payable from the DCFS Children's Services Fund
  - $1,500,000
- Payable from the State Garage Fund
  - $50,000
- Payable from the Traffic and Criminal Conviction Surcharge Fund
  - $100,000
- Payable from the Vocational Rehabilitation Fund
  - $125,000
- Payable from the Court of Claims Federal Recovery Victim Compensation Grant
  - $90,000
  - Total: $2,865,000

ARTICLE 13

Section 5. The sum of $5,360,000, or so much thereof as may be necessary, is appropriated from the Drycleaner Environmental Response Trust Fund to the Drycleaner Environmental Response Trust Fund Council for use in accordance with the Drycleaner Environmental Response Trust Fund Act.

New matter indicated by italics - deletions by strikeout
ARTICLE 14

Section 5. In addition to other sums appropriated, the sum of $11,600,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Board of Elections for operational expenses, grants and reimbursements for the fiscal year ending June 30, 2015.

Section 10. The following amounts, or so much of those amounts as may be necessary, respectively, are appropriated from the Personal Property Tax Replacement Fund to the State Board of Elections for its ordinary and contingent expenses as follows:

For Reimbursement to Counties for Increased Compensation to Judges and other Election Officials, as provided in Public Acts 81-850, 81-1149, and 90-672-Election Day Judges only----------------------------- 5,043,000

For Payment of Lump Sum Awards to County Clerks, County Recorders, and Chief Election Clerks as Compensation for Additional Duties required of such officials by consolidation of election law, as provided in Public Acts 82-691 and 90-713----------------------------- 799,500

Total $5,842,500

Section 15. The following amounts, or so much thereof as may be necessary, are reappropriated from the Help Illinois Vote Fund to the State Board of Elections for Implementation of the Help America Vote Act of 2002:

For distribution to Local Election Authorities under Section 251 of the Help America Vote Act----------------------------- 8,900,000

For the implementation of the Statewide Voter Registration System as required by Section 1A-25 of the Illinois Election Code, including maintenance of the IDEA/VISTA program----------------------------- 600,000

For administrative costs and discretionary grants to Local Election Authorities under Section 101 of the Help America Vote Act----------------------------- 1,500,000

Total $11,000,000

New matter indicated by italics - deletions by strikeout
Total, This Article (All Agency):
Payable from the General Revenue Fund........ 11,600,000
Payable from the Personal Property Tax Replacement Fund......................... 5,842,500
Payable from the Help Illinois Vote Fund...... 11,000,000
Total  $28,442,500

ARTICLE 15

Section 5. In addition to any other sums appropriated, the sum of $272,827,400, or so much thereof as may be necessary, is appropriated from the Title III Social Security and Employment Fund to the Department of Employment Security for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2015.

Section 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security:

WORKFORCE DEVELOPMENT

Payable from Title III Social Security and Employment Fund:
For expenses related to the Development of Training Programs.................. 100,000
For the expenses related to Employment Security Automation......................... 7,000,000
For expenses related to a Benefit Information System Redefinition.............. 4,500,000
Total  $11,600,000

Payable from the Unemployment Compensation Special Administration Fund:
For expenses related to Legal Assistance as required by law...................... 2,000,000
For deposit into the Title III Social Security and Employment Fund.................. 35,000,000
For Interest on Refunds of Erroneously Paid Contributions, Penalties and Interest................................. 100,000
Total  $37,100,000

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Employment Security:

WORKFORCE DEVELOPMENT

New matter indicated by italics - deletions by strikeout
Grants-In-Aid
Payable from Title III Social Security and Employment Fund:
For Tort Claims.................................. 675,000

Section 20. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Employment Security, for unemployment compensation benefits, other than benefits provided for in Section 3, to Former State Employees as follows:

TRUST FUND UNIT
Grants-In-Aid
Payable from the Road Fund:
For benefits paid on the basis of wages paid for insured work for the Department of Transportation.......................... 1,900,000
Payable from the Illinois Mathematics and Science Academy Income Fund.................... 16,700
Payable from Title III Social Security and Employment Fund............................. 1,734,300
Payable from the General Revenue Fund........... 24,000,000
Total $27,651,000

ARTICLE 16
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Clean Water Fund to the Environmental Protection Agency:

ADMINISTRATION
For Personal Services.......................... 1,044,900
For State Contributions to State Employees' Retirement System.................... 442,400
For State Contributions to Social Security.................................. 79,900
For Group Insurance.................................. 260,000
For Contractual Services......................... 210,000
For Travel........................................ 18,400
For Commodities................................. 37,000
For Equipment................................. 50,000
For Telecommunications Services.............. 57,900
For Operation of Auto Equipment.................. 42,500
Total $2,243,000

New matter indicated by italics - deletions by strikeout
Section 10. The following named amounts, or so much thereof as may be necessary, respectively, for objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency.

Payable from U.S. Environmental Protection Fund:
- For Contractual Services: $1,491,100
- For Electronic Data Processing: $473,300

Payable from Underground Storage Tank Fund:
- For Contractual Services: $385,300
- For Electronic Data Processing: $174,200

Payable from Solid Waste Management Fund:
- For Contractual Services: $593,000
- For Electronic Data Processing: $138,100

Payable from Subtitle D Management Fund:
- For Contractual Services: $121,400
- For Electronic Data Processing: $56,900

Payable from CAA Permit Fund:
- For Contractual Services: $1,005,900
- For Electronic Data Processing: $334,700

Payable from Water Revolving Fund:
- For Contractual Services: $942,600
- For Electronic Data Processing: $354,500

Payable from Used Tire Management Fund:
- For Contractual Services: $390,200
- For Electronic Data Processing: $153,500

Payable from Hazardous Waste Fund:
- For Contractual Services: $489,200
- For Electronic Data Processing: $141,500

Payable from Environmental Protection Permit and Inspection Fund:
- For Contractual Services: $376,100
- For Electronic Data Processing: $142,200
- For Refunds: $100,000

Payable from Vehicle Inspection Fund:
- For Contractual Services: $709,200
- For Electronic Data Processing: $341,500

Payable from the Illinois Clean Water Fund:
- For Contractual Services: $660,600
- For Electronic Data Processing: $623,700

Total: $10,198,700

New matter indicated by italics - deletions by strikeout
Section 15. The sum of $1,450,000, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency from the EPA Special States Projects Trust Fund for the purpose of funding all costs associated with environmental programs, including costs in prior years.

Section 20. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for all costs associated with environmental projects as defined by federal assistance awards.

Section 25. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Oil Spill Response Fund to the Environmental Protection Agency for use in accordance with Section 25c-1 of the Environmental Protection Act.

Section 30. The amount of $4,000,000, or so much thereof as may be necessary, is appropriated from the Environmental Protection Trust Fund to the Environmental Protection Agency for awards and grants as directed by the Environmental Protection Trust Fund Commission.

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

AIR POLLUTION CONTROL
Payable from U.S. Environmental Protection Fund:
For Personal Services.......................... 4,177,300
For State Contributions to State
    Employees' Retirement System............... 1,768,600
For State Contributions to Social Security........................ 319,600
For Group Insurance............................ 1,104,000
For Contractual Services....................... 2,704,000
For Travel........................................ 31,600
For Commodities.................................. 132,000
For Printing...................................... 15,000
For Equipment.................................... 355,000
For Telecommunications Services.............. 215,000
For Operation of Auto Equipment............... 52,000
For Use by the City of Chicago............... 374,600
For Expenses Related to Clean Air Activities.............. 4,950,000
Total                                      $16,198,700

New matter indicated by italics - deletions by strikeout
Payable from the Environmental Protection Permit and Inspection Fund for Air Permit and Inspection Activities:
For Personal Services.......................... 2,099,300
For Other Expenses............................. 2,150,000
Total $4,249,300

Payable from the Vehicle Inspection Fund:
For Personal Services.......................... 5,005,700
For State Contributions to State Employees' Retirement System................. 2,119,400
For State Contributions to Social Security................................. 382,900
For Group Insurance............................................ 1,748,000
For Contractual Services, including prior year costs............................. 18,950,000
For Travel.................................................... 40,000
For Commodities........................................ 15,000
For Printing.................................................. 334,000
For Equipment............................................ 60,900
For Telecommunications.................. 175,000
For Operation of Auto Equipment......................... 29,200
For the Alternate Fuels Rebate and Grant Program including rates from prior years.......................... 5,000,000
Total $33,860,100

Section 40. The following named amounts, or so much thereof as may be necessary, is appropriated from the CAA Permit Fund to the Environmental Protection Agency for the purpose of funding Clean Air Act Title V activities in accordance with Clean Air Act Amendments of 1990:
For Personal Services and Other Expenses of the Program.................. 17,500,000

Section 45. The named amounts, or so much thereof as may be necessary, is appropriated from the Alternate Fuels Fund to the Environmental Protection Agency for the purpose of administering the Alternate Fuels Rebate Program and the Ethanol Fuel Research Program:
For Personal Services and Other Expenses.......................... 225,000
For Grants and Rebates, including costs in prior years.................. 3,000,000

New matter indicated by italics - deletions by strikeout
Total $3,225,000

Section 50. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Alternate Compliance Market Account Fund to the Environmental Protection Agency for all costs associated with the emissions reduction market program.

LABORATORY SERVICES

Section 55. The sum of $1,414,400, or so much thereof as may be necessary, is appropriated from the Illinois Clean Water Fund to the Environmental Protection Agency for the purpose of laboratory analysis of samples.

Section 60. The following named amount, or so much thereof as may be necessary, is appropriated from the Community Water Supply Laboratory Fund to the Environmental Protection Agency for the purpose of performing laboratory testing of samples from community water supplies and for administrative costs of the Agency and the Community Water Supply Testing Council:

For Personal Services and Other Expenses of the Program ....................... 1,200,000

Section 65. The sum of $540,000, or so much thereof as may be necessary, is appropriated from the Environmental Laboratory Certification Fund to the Environmental Protection Agency for the purpose of administering the environmental laboratories certification program.

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

LAND POLLUTION CONTROL

Payable from U.S. Environmental Protection Fund:
For Personal Services ......................... 2,735,800
For State Contributions to State Employees' Retirement System .................. 1,158,300
For State Contributions to Social Security .............................. 209,300
For Group Insurance ......................... 825,000
For Contractual Services ....................... 200,000
For Travel .................................. 40,000
For Commodities .............................. 25,000
For Printing ................................ 20,000
For Equipment ............................... 26,000

New matter indicated by italics - deletions by strikeout
For Telecommunications Services................. 100,000
For Operation of Auto Equipment............... 25,000
For Use by the Office of the Attorney General... 25,000
For Underground Storage Tank Program......... 2,600,000
Total                                          $7,989,400

Section 75. The following named sums, or so much thereof as may be necessary, including prior year costs, are appropriated to the Environmental Protection Agency, payable from the U. S. Environmental Protection Fund, for use of remedial, preventive or corrective action in accordance with the Federal Comprehensive Environmental Response Compensation and Liability Act of 1980 as amended:

For Personal Services......................... 1,064,200
For State Contributions to State
  Employees' Retirement System................. 450,600
For State Contributions to
  Social Security............................. 81,400
For Group Insurance........................... 295,000
For Contractual Services...................... 140,000
For Travel..................................... 50,000
For Commodities................................ 50,000
For Contractual Expenses Related to
  Remedial, Preventive or Corrective
  Actions in Accordance with the
  Federal Comprehensive and Liability
  Act of 1980, including Costs in
  Prior Years.................................. 9,000,000
Total                                          $11,276,200

Section 80. The following named sums, or so much thereof as may be necessary, are appropriated to the Environmental Protection Agency for the purpose of funding the Underground Storage Tank Program.
Payable from the Underground Storage Tank Fund:
For Personal Services......................... 3,293,700
For State Contributions to State
  Employees' Retirement System............... 1,394,500
For State Contributions to

New matter indicated by italics - deletions by strikeout
Social Security
For Group Insurance
For Contractual Services
For Travel
For Commodities
For Printing
For Equipment
For Telecommunications Services
For Operation of Auto Equipment
For Contracts for Site Remediation and for Reimbursements to Eligible Owners/Operators of Leaking Underground Storage Tanks, including claims submitted in prior years
Total

Section 85. The following named sums, or so much thereof as may be necessary, are appropriated to the Environmental Protection Agency for use in accordance with Section 22.2 of the Environmental Protection Act:

Payable from the Hazardous Waste Fund:
For Personal Services
For State Contributions to State Employees' Retirement System
For State Contributions to Social Security
For Group Insurance
For Contractual Services
For Travel
For Commodities
For Printing
For Equipment
For Telecommunications Services
For Operation of Auto Equipment
For Refunds
For Contractual Services for Site Remediations, including costs in Prior Years
Total

Section 90. The following named sums, or so much thereof as may be necessary, are appropriated from the Environmental Protection Permit and

New matter indicated by italics - deletions by strikeout
Inspection Fund to the Environmental Protection Agency for land permit and
inspection activities:

For Personal Services..........................                                          1,880,600
For State Contributions to State
Employees' Retirement System...............                                  796,200
For State Contributions to
Social Security........................................ 143,900
For Group Insurance.................................. 570,000
For Contractual Services.........................                                         143,900
For Travel........................................                                                   6,500
For Commodities....................................                                             5,000
For Printing........................................                                                   5,000
For Equipment.....................................                                              5,000
For Telecommunications Services............                                  15,000
For Operation of Auto Equipment.............                                          5,000

Total                                                                                          $3,462,200

Section 95. The following named sums, or so much thereof as may be
necessary, are appropriated from the Solid Waste Management Fund to the
Environmental Protection Agency for use in accordance with Section 22.15
of the Environmental Protection Act:

For Personal Services..........................                                          4,819,200
For State Contributions to State
Employees' Retirement System..................                                 2,040,400
For State Contributions to
Social Security........................................ 368,700
For Group Insurance.................................. 1,380,000
For Contractual Services.........................                                         122,000
For Travel........................................                                                   25,000
For Commodities....................................                                             10,000
For Printing........................................                                                   25,000
For Equipment.....................................                                              12,500
For Telecommunications Services............                                  50,000
For Operation of Auto Equipment.............                                          15,000
For Refunds........................................                                                  5,000
For financial assistance to units of
local government for operations under
deviation agreements.........................                                         1,700,000

Total                                                                                        $10,572,800

New matter indicated by italics - deletions by strikeout
Section 100. The following named sums, or so much therefore as may be necessary, are appropriated to the Environmental Protection Agency for all costs associated with solid waste management activities, including costs from prior years:
Payable from the Solid Waste Management Fund................................. 3,000,000

Section 105. The following named amounts, or so much thereof as may be necessary, are appropriated from the Used Tire Management Fund to the Environmental Protection Agency for purposes as provided for in Section 55.6 of the Environmental Protection Act:
For Personal Services.......................... 3,173,800
For State Contributions to State Employees' Retirement System............... 1,343,800
For State Contributions to Social Security................................. 242,800
For Group Insurance.............................. 897,000
For Contractual Services, including prior year costs......................... 4,060,000
For Travel........................................ 20,000
For Commodities................................... 10,000
For Printing...................................... 10,000
For Equipment..................................... 20,000
For Telecommunications Services............ 40,000
For Operation of Auto Equipment............... 25,000
Total                                                                                                      $9,842,400

Section 110. The following named amounts, or so much thereof as may be necessary, are appropriated from the Subtitle D Management Fund to the Environmental Protection Agency for the purpose of funding the Subtitle D permit program in accordance with Section 22.44 of the Environmental Protection Act:
For Personal Services............................ 915,600
For State Contributions to State Employees' Retirement System............. 387,700
For State Contributions to Social Security........................................ 70,100
For Group Insurance................................. 253,000
For Contractual Services............................ 257,000
For Travel......................................... 8,000
For Commodities................................... 20,000

New matter indicated by italics - deletions by strikeout
For Printing................................. 25,000
For Equipment............................. 25,000
For Telecommunications.................... 75,000
For Operation of Auto Equipment........... 18,000
Total ........................................ 2,054,400

Section 115. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Landfill Closure and Post Closure Fund to the Environmental Protection Agency for the purpose of funding closure activities in accordance with Section 22.17 of the Environmental Protection Act.

Section 120. The following named amount, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency for use in accordance with the Brownfields Redevelopment program:
Payable from the Brownfields Redevelopment Fund:
For Personal Services and Other Expenses of the Program .................. 1,656,700

Section 125. The sum of $4,500,000, or so much thereof as may be necessary, is appropriated from the Brownfields Redevelopment Fund to the Environmental Protection Agency for financial assistance for Brownfields redevelopment in accordance with 58.3(5), 58.13 and 58.15 of the Environmental Protection Act, including costs in prior years.

Section 130. The sum of $1,300,000, or so much thereof as may be necessary, is appropriated from the Environmental Protection Trust Fund to the Environmental Protection Agency for all expenses related to removal or mediation actions at the Worthy Park, Cook County, hazardous waste site.

Section 135. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Electronics Recycling Fund to the Environmental Protection Agency for use in accordance with Public Act 95-0959, Electronic Products Recycling and Reuse Act.

Section 140. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

Payable from U.S. Environmental Protection Fund:
For Personal Services ...................... 7,124,500
For State Contributions to State Employees' Retirement System ........... 3,016,400
For State Contributions to

New matter indicated by italics - deletions by strikeout
Social Security................................. 545,000
For Group Insurance............................ 2,012,000
For Contractual Services....................... 1,800,000
For Travel....................................... 113,900
For Commodities............................... 30,500
For Printing..................................... 48,100
For Equipment.................................... 140,000
For Telecommunications Services.............. 106,400
For Operation of Auto Equipment.............. 34,800
For Use by the Department of Public Health................................. 830,000
For non-point source pollution management and special water pollution studies including costs in prior years............... 8,950,000
For Water Quality Planning, including costs in prior years............... 900,000
For Use by the Department of Agriculture................................. 160,000
Total $25,811,600

Section 145. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:
Payable from the Environmental Protection Permit and Inspection Fund:
For Personal Services............................ 288,600
For State Contribution to State Employees' Retirement System............. 122,200
For State Contribution to Social Security................................. 22,100
For Group Insurance......................... 115,000
For Contractual Services...................... 10,000
For Travel....................................... 10,000
For Commodities............................... 10,000
For Equipment................................. 20,000
For Telecommunications Services.............. 15,000
For Operation of Auto Equipment............. 10,000
Total $622,900

Section 150. The sum of $1,398,700, or so much thereof as may be necessary, including costs in prior years, is appropriated from the Partners for New matter indicated by italics - deletions by strikeout
Conservation Fund to the Environmental Protection Agency for financial assistance for lake management activities.

Section 155. The amount of $12,563,300, or so much thereof as may be necessary, is appropriated from the Illinois Clean Water Fund to the Environmental Protection Agency for all costs associated with clean water activities.

Section 160. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

Payable from the Water Revolving Fund:

For Administrative Costs of Water Pollution Control Revolving Loan Program .................. 3,500,000
For Program Support Costs of Water Pollution Control Program .................. 10,996,200
For Administrative Costs of the Drinking Water Revolving Loan Program .................. 2,111,000
For Program Support Costs of the Drinking Water Program .......................... 3,278,600
For Technical Assistance to Small Systems .......................... 735,000
For Administration of the Public Water System Supervision (PWSS) Program, Source Water Protection, Development and Implementation of Capacity Development, and Operator Certification Programs .......... 3,600,000
For Local Assistance and Other 1452(k) Activities .................................. 5,500,000
Total $29,720,800

Section 165. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Environmental Protection Agency for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Pollution Control Board Division:

POLLUTION CONTROL BOARD DIVISION

Payable from Pollution Control Board Fund:
For Contractual Services .......................... 45,000
For Telecommunications Services .......................... 4,000
For Refunds .......................... 1,000
Total $50,000

New matter indicated by italics - deletions by strikeout
and Inspection Fund:
- For Personal Services: $599,000
- For State Contributions to State Employees' Retirement System: $253,600
- For State Contributions to Social Security: $45,900
- For Group Insurance: $161,000
- For Contractual Services: $0
- For Travel: $0
- For Telecommunications Services: $0
Total: $1,059,500

Payable from the CAA Permit Fund:
- For Personal Services: $830,000
- For State Contributions to State Employees' Retirement System: $351,500
- For State Contributions to Social Security: $63,500
- For Group Insurance: $276,000
- For Contractual Services: $10,000
Total: $1,531,000

Section 170. The amount of $260,000, or so much thereof as may be necessary, is appropriated from the Used Tire Management Fund to the Environmental Protection Agency for the purposes as provided for in Section 55.6 of the Environmental Protection Act.

Section 175. The amount of $457,500, or so much thereof as may be necessary, is appropriated from the Underground Storage Tank Fund to the Environmental Protection Agency for case processing of leaking underground storage tank permit and claims appeals.

ARTICLE 17

Section 5. The amount of $6,589,200, or so much of that amount as may be necessary, is appropriated from the General Revenue Fund to the Executive Ethics Commission for its ordinary and contingent expenses.

ARTICLE 18

Section 5. The amount of $5,927,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Executive Inspector General to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 10. The amount of $1,610,800, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Office of the Executive Inspector General to meet its operational expenses for the fiscal year ending June 30, 2015.

New matter indicated by italics - deletions by strikeout
ARTICLE 19

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Financial Institution Fund to the Department of Financial and Professional Regulation:

For Personal Services.......................... 4,639,800
For State Contributions to the State Employees' Retirement System............... 1,964,500
For State Contributions to Social Security....... 355,000
For Group Insurance............................. 1,173,000
For Contractual Services.......................... 93,000
For Travel....................................... 228,300
For Refunds........................................ 3,400
Total                                                                                       $8,457,000

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Credit Union Fund to the Department of Financial and Professional Regulation:

CREDIT UNION
For Personal Services.......................... 2,591,900
For State Contributions to State Employees' Retirement System............... 1,097,400
For State Contributions to Social Security....... 198,300
For Group Insurance............................. 644,000
For Contractual Services.......................... 45,200
For Travel....................................... 260,700
For Refunds........................................ 1,000
Total                                                                                       $4,838,500

Section 15. In addition to the amounts heretofore appropriated, the following named amount, or so much thereof as may be necessary, is appropriated from the TOMA Consumer Protection Fund to the Department of Financial and Professional Regulation:

TOMA CONSUMER PROTECTION
For Refunds........................................ 8,700

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Bank and Trust Company Fund to the Department of Financial and Professional Regulation:

DOMESTIC AND FOREIGN COMMERCIAL BANK REGULATION
For Personal Services.......................... 11,936,900
For State Contribution to State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System............ 5,054,000
For State Contributions to Social Security....... 913,200
For Group Insurance.......................... 2,967,000
For Contractual Services......................... 273,700
For Travel..................................... 1,028,400
For Refunds........................................ 2,900
For Operational Expenses of the
Division of Banking............................. 250,000
For Corporate Fiduciary Receivership............. 235,000
Total                                                                                        $22,661,100

Section 25. The following named amounts, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated from the Pawnbroker Regulation Fund to the Department of
Financial and Professional Regulation:

**PAWNBROKER REGULATION**

For Personal Services.......................... 101,700
For State Contributions to State
Employees' Retirement System............... 43,100
For State Contributions to Social Security........ 7,800
For Group Insurance.......................... 23,000
For Contractual Services....................... 4,900
For Travel...................................... 11,900
For Refunds...................................... 1,000
Total                                                                                           $193,400

Section 30. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated from the Savings and Residential
Finance Regulatory Fund to the Department of Financial and Professional
Regulation:

**MORTGAGE BANKING AND THRIFT REGULATION**

For Personal Services......................... 1,765,500
For State Contributions to State
Employees' Retirement System............... 747,500
For State Contributions to Social Security...... 135,100
For Group Insurance.......................... 529,000
For Contractual Services....................... 134,900
For Travel...................................... 167,800
For Refunds...................................... 4,900
Total                                                                                           $3,484,700

New matter indicated by italics - deletions by strikeout
Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Real Estate License Administration Fund to the Department of Financial and Professional Regulation:

REAL ESTATE LICENSING AND ENFORCEMENT
For Personal Services.......................... 3,369,600
For State Contributions to State Employees' Retirement System............... 1,426,700
For State Contributions to Social Security...... 257,800
For Group Insurance............................ 897,000
For Contractual Services......................... 60,000
For Travel........................................ 117,700
For Refunds.................................... 7,800
Total $6,136,600

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Appraisal Administration Fund to the Department of Financial and Professional Regulation:

APPRAISAL LICENSING
For Personal Services.......................... 585,200
For State Contributions to State Employees' Retirement System............... 247,800
For State Contributions to Social Security...... 44,800
For Group Insurance............................ 161,000
For Contractual Services......................... 81,300
For Travel........................................ 21,700
For forwarding real estate appraisal fees to the federal government........ 30,000
For Refunds.................................... 2,900
Total $1,174,700

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Home Inspector Administration Fund to the Department of Financial and Professional Regulation:

HOME INSPECTOR REGULATION
For Personal Services.......................... 80,800
For State Contributions to State Employees' Retirement System............... 34,300
For State Contributions to Social Security...... 6,200

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Group Insurance</td>
<td>23,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>8,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>8,200</td>
</tr>
<tr>
<td>For Refunds</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$162,200</strong></td>
</tr>
</tbody>
</table>

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Professions Dedicated Fund to the Department of Financial and Professional Regulation:

**GENERAL PROFESSIONS**

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>3,029,300</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,282,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>231,800</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>989,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>194,100</td>
</tr>
<tr>
<td>For Travel</td>
<td>40,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>30,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,796,900</strong></td>
</tr>
</tbody>
</table>

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Dental Disciplinary Fund to the Department of Financial and Professional Regulation:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>629,400</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>266,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>48,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>184,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>68,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>19,400</td>
</tr>
<tr>
<td>For Refunds</td>
<td>2,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,218,600</strong></td>
</tr>
</tbody>
</table>

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Medical Disciplinary Fund to the Department of Financial and Professional Regulation:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,385,000</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,009,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>182,500</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Optometric Licensing and Disciplinary Committee Fund to the Department of Financial and Professional Regulation:

- For Personal Services: $134,300
- For State Contributions to State Employees' Retirement System: $56,900
- For State Contributions to Social Security: $10,300
- For Group Insurance: $46,000
- For Contractual Services: $72,800
- For Travel: $11,600
- For Refunds: $2,400

Total: $334,300

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Design Professionals Administration and Investigation Fund to the Department of Financial and Professional Regulation:

- For Personal Services: $494,500
- For State Contributions to State Employees' Retirement System: $209,400
- For State Contributions to Social Security: $37,900
- For Group Insurance: $161,000
- For Contractual Services: $87,300
- For Travel: $20,000
- For Refunds: $2,400

Total: $1,012,500

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Pharmacy Disciplinary Fund to the Department of Financial and Professional Regulation:

- For Personal Services: $823,600
- For State Contributions to State Employees' Retirement System: $348,800
- For State Contributions to Social Security: $63,000

New matter indicated by italics - deletions by strikeout
For Group Insurance.............................. 207,000
For Contractual Services......................... 112,500
For Travel........................................ 20,000
For Refunds....................................... 11,600
Total                                                                                          $1,586,500

Section 80. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Podiatric Disciplinary Fund to the Department of Financial and Professional Regulation:
For Contractual Services........................... 4,900
For Travel......................................... 4,900
For Refunds........................................ 1,000
Total                                                                                               $10,800

Section 85. The sum of $550,000, or so much thereof as may be necessary, is appropriated from the Registered Certified Public Accountant Administration and Disciplinary Fund to the Department of Financial and Professional Regulation for the administration of the Registered CPA Program.

Section 90. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Nursing Dedicated and Professional Fund to the Department of Financial and Professional Regulation:
For Personal Services.......................... 1,040,900
For State Contributions to State
    Employees’ Retirement System...............  440,800
    For State Contributions to Social Security...  79,700
For Group Insurance..............................  299,000
For Contractual Services.........................  127,100
For Travel........................................  20,000
For Refunds.......................................  9,700
Total                                                                                          $2,017,200

Section 95. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Nursing Dedicated and Professional Fund to the Department of Financial and Professional Regulation for the establishment and operation of an Illinois Center for Nursing.

Section 100. The sum of $9,700, or so much thereof as may be necessary, is appropriated from the Professional Regulation Evidence Fund to the Department of Financial and Professional Regulation for all costs

New matter indicated by italics - deletions by strikeout
associated with conducting covert activities, including equipment and other operational expenses.

Section 105. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Professions Indirect Cost Fund to the Department of Financial and Professional Regulation:

For Personal Services......................... 12,423,200
For State Contributions to State Employees' Retirement System............... 5,259,900
For State Contributions to Social Security....... 950,400
For Group Insurance......................... 3,703,000
For Contractual Services....................... 8,985,800
For Travel........................................ 71,600
For Commodities.................................. 110,900
For Printing..................................... 161,500
For Equipment.................................... 100,000
For Electronic Data Processing.................. 2,917,300
For Telecommunications Services.................. 600,000
For Operation of Auto Equipment.................. 180,000
For Ordinary and Contingent Expenses of the Department......................... 1,500,700
Total $36,964,300

Section 110. The sum of $2,770,000, or so much thereof as may be necessary, is appropriated from the Professions Indirect Cost Fund to the Department of Financial and Professional Regulation for costs and expenses related to or in support of a Regulatory/G&A shared services center.

Section 115. The sum of $2,318,300, or so much thereof as may be necessary, is appropriated from the Cemetery Oversight Licensing and Disciplinary Fund to the Department of Financial and Professional Regulation for all costs associated with administration of the Cemetery Oversight Act.

Section 120. The sum of $393,700, or so much thereof as may be necessary, is appropriated from the Community Association Manager Licensing and Disciplinary Fund to the Department of Financial and Professional Regulation for all costs associated with administration of the Community Association Manager Licensing and Disciplinary Act.

Section 125. The sum of $19,000, or so much thereof as may be necessary, is appropriated to the Department of Financial and Professional Regulation from the Real Estate Research and Education Fund for costs

New matter indicated by italics - deletions by strikeout
associated with the operation of the Office of Real Estate Research at the University of Illinois.

Section 130. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Athletics Supervision and Regulation Fund to the Department of Financial and Professional Regulation for all costs associated with administration of the Boxing and Full-contact Martial Arts Act.

Section 135. The sum of $1,400,000, or so much thereof as may be necessary, is appropriated from the Savings Institutions Regulatory Fund to the Department of Financial and Professional Regulation for the ordinary and contingent expenses of the Department of Financial and Professional Regulation and the Division of Banking, or their successors, in administering and enforcing the Illinois Savings and Loan Act of 1985, the Savings Bank Act, and other laws, rules, and regulations as may apply to the administration and enforcement of the foregoing laws, rules, and regulations, as amended from time to time.

Section 140. The sum of $964,700, or so much thereof as may be necessary, is appropriated from the Compassionate Use of Medical Cannabis Fund to the Department of Financial and Professional Regulation for all costs associated with operational expenses of the department in relation to the regulation of medical marijuana.

ARTICLE 20

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Gaming Board:

PAYABLE FROM THE STATE GAMING FUND

For Personal Services.......................... 12,402,000
For State Contributions to the
  State Employees' Retirement System.........  5,251,000
For State Contributions to
  Social Security..............................  551,000
For Group Insurance.........................  3,151,000
For Contractual Services.....................  500,000
For Travel....................................  60,000
For Commodities.............................  15,000
For Printing..................................  2,500
For Equipment................................  50,000
For Electronic Data Processing...............  138,000

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0679

For Telecommunications............................... 350,000
For Operation of Auto Equipment...................... 100,000
For Refunds.............................................. 50,000
For Expenses Related to the Illinois
State Police............................................. 15,102,500
For distributions to local
governments for admissions and
wagering tax, including prior year costs.... 110,000,000
For costs associated with the
implementation and administration
of the Video Gaming Act......................... 22,164,000
Total                                                                                        $169,887,000

Section 10. The sum of $432,000, or so much thereof as may be
necessary, is appropriated from the State Gaming Fund to the Illinois Gaming
Board for costs and expenses related to or in support of a Government
Services Shared Services Center.

ARTICLE 21

Section 5. The sum of $13,091,050, or so much thereof as may be
necessary, respectively, is appropriated to the President of the Senate and the
Speaker of the House of Representatives for furnishing the items provided in
Section 4 of the General Assembly Compensation Act to members of their
respective houses throughout the year in connection with their legislative
duties and responsibilities and not in connection with any political campaign
as prescribed by law. Of this amount, 37.436% is appropriated to the
President of the Senate for such expenditures and 62.564% is appropriated
to the Speaker of the House for such expenditures.

Section 10. Payments from the sums appropriated in Section 5 hereof
shall be made only upon the delivery of a voucher approved by the member
to the State Comptroller. The voucher shall also be approved by the President
of the Senate or the Speaker of the House of Representatives as the case may
be.

Section 15. The sum of $20,603,400, or so much thereof as may be
necessary, respectively, is appropriated to meet the ordinary and incidental
expenses of the Senate legislative leadership and legislative staff assistants
and the House Majority and Minority leadership staff, general staff and office
operations. Of this amount, 25.7% is appropriated to the President of the
Senate for such expenditures, 25.7% is appropriated to the Senate Minority
Leader for such expenditures and 24.8% is appropriated to the Speaker of the

New matter indicated by italics - deletions by strikeout
House for such expenditures, and 23.8% is appropriated to the House Minority Leader for such expenditures.

Section 20. The sum of $9,882,100, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and the Speaker of the House of Representatives for the ordinary and incidental expenses of committees, the general staff and operations, per diem employees, special and standing committees, expenses incurred in transcribing and printing of debates. Of this amount, 43.018% is appropriated to the President of the Senate for such expenditures and 56.982% is appropriated to the Speaker of the House for such expenditures.

Section 25. The sum of $309,200, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and the Speaker of the House of Representatives for the ordinary and incidental expenses, also including the purchasing on contract as required by law of printing, binding, printing paper, stationery and office supplies. For the House, no part of which shall be expended for expenses of purchasing, handling or distributing such supplies and against which no indebtedness shall be incurred without the written approval of the Speaker of the House of Representatives. Of this amount, 69.277% is appropriated to the President of the Senate for such expenditures and 30.723% is appropriated to the Speaker of the House for such expenditures.

Section 30. The sum of $6,483,050, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate for the use of standing committees for expert witnesses, technical services, consulting assistance and other research assistance associated with special studies and long range research projects which may be requested by the standing committees and the Speaker of the House of Representatives for Standing House Committees pursuant to the Legislative Commission Reorganization Act of 1984. Of this amount, 46.862% is appropriated to the President of the Senate for such expenditures and 53.138% is appropriated to the Speaker of the House for such expenditures.

Section 35. The sum of $167,000, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and the Senate Minority Leader for allowances for the particular and additional services appertaining to or entailed by the respective officers of the Senate. Of this amount, 50% is appropriated to the President of the Senate for such expenditures and 50% is appropriated to the Senate Minority Leader for such expenditures.

New matter indicated by italics - deletions by strikeout
Section 40. The sum of $88,100, or so much thereof as may be necessary, respectively, is appropriated to the President of the Senate and the Speaker of the House of Representatives for travel, including expenses to Springfield of members on official legislative business during weeks when the General Assembly is not in Session. Of this amount, 65.5% is appropriated to the President of the Senate for such expenditures and 34.5% is appropriated to the Speaker of the House for such expenditures.

Section 45. The sum of $341,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the General Assembly to meet ordinary and contingent expenses. Any use of funds appropriated under this Section must be approved jointly by the Clerk of the House of Representatives and the Secretary of the Senate.

Section 50. As used in Section 15 hereof, except where the approval of the Speaker of the House of Representatives is expressly required for the expenditure of or the incurring of indebtedness against an appropriation for certain purchases on contract, “Speaker” means the leader of the party having the largest number of members of the House of Representatives as of January 9, 2015, and “Minority Leader” means the leader of the party having the second largest number of members of the House of Representatives as of January 9, 2015.

Section 55. The sum of $312,500, or so much thereof as may be necessary, is appropriated to the Legislative Ethics Commission to meet the ordinary and contingent expenses of the Commission and the Office of Legislative Inspector General.

Section 60. The sum of $113,700, or so much thereof as may be necessary, is appropriated for the ordinary and contingent expenses of the Senate Operations Commission including the planning costs, construction costs, moving expenses and all other costs associated with the construction and reconstruction of Senate offices in the Capitol Complex area.

Section 65. The sum of $500,000, or so much thereof as may be necessary, respectively, is appropriated from the General Assembly Operations Revolving Fund to the President of the Senate and the Speaker of the House of Representatives to meet ordinary and contingent expenses. Of this amount, 50% is appropriated to the President of the Senate for such expenditures and 50% is appropriated to the Speaker of the House for such expenditures.

Section 70. The following named sums, or so much thereof as may be necessary and remain unexpended from an appropriation hereto made for such purposes in Section 75 of Article 21 of Public Act 98-0064, as amended,

New matter indicated by italics - deletions by strikeout
are re-appropriated from the General Revenue Fund for expenses in connection with the planning and preparation of redistricting of Legislative and Representative Districts as required by Article IV, Section 3 of the Illinois Constitution of 1970:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>To the Senate President</td>
<td>$500,000</td>
</tr>
<tr>
<td>To the Senate Minority Leader</td>
<td>$500,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,000,000</strong></td>
</tr>
</tbody>
</table>

Section 75. The following named sums, or so much thereof as may be necessary and remain unexpended from an appropriation hereto made for such purposes in Section 80 of Article 21 of Public Act 98-0064, as amended, are re-appropriated from the General Revenue Fund for expenses in connection with the planning and preparation of redistricting of Legislative and Representative Districts as required by Article IV, Section 3 of the Illinois Constitution of 1970:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>To the House Speaker</td>
<td>$500,000</td>
</tr>
<tr>
<td>To the House Minority Leader</td>
<td>$500,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,000,000</strong></td>
</tr>
</tbody>
</table>

Section 80. The sum of $441,600, or so much thereof as may be necessary and remains unexpended from an appropriation heretofore made for such purposes in Section 45 of Article 21 of Public Act 98-0064, as amended, is reappropriaed to the Speaker of the House for expenses in connection with the planning and preparation of redistricting of legislative and representative districts as required by Article IV, Section 3 of the Illinois Constitution on 1970.

ARTICLE 22

Section 5. The sum of $5,521,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Governor for operational expenses of the fiscal year ending June 30, 2015.

Section 10. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Governor's Grant Fund to the Office of the Governor to be expended in accordance with the terms and conditions upon which such funds were received and in the exercise of the powers or performance of the duties of the Office of the Governor.

ARTICLE 23

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

New matter indicated by italics - deletions by strikeout
FOR OPERATIONS
EXECUTIVE OFFICE
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services..........................                                          1,188,800
For State Contributions to Social Security........                                80,800
For Contractual Services..........................                                          75,600
For Travel.........................................                                                   4,600
For Commodities....................................                                             2,300
For Printing......................................                                                  19,200
For Electronic Data Processing....................                                      23,000
For Telecommunications Services...................                                  11,500
Total                                                                                          $1,655,800

Section 10. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated for the objects and purposes
hereinafter named, to meet the ordinary and contingent expenses of the
Historic Preservation Agency:

FOR OPERATIONS
EXECUTIVE OFFICE
PAYABLE FROM ILLINOIS HISTORIC SITES FUND
For historic preservation programs
administered by the Executive Office,
only to the extent that funds are received
through grants, and awards, or gifts............ 50,000

Section 15. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the Historic
Preservation Agency:

FOR OPERATIONS
PRESERVATION SERVICES DIVISION
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services............................                                           322,100
For State Contributions to Social Security........                                24,700
For Contractual Services...........................                                           2,300
For Commodities....................................                                             1,500
For Telecommunications Services...................                                   2,800
Total                                                                                             $353,400

Section 20. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are

New matter indicated by italics - deletions by strikeout
appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
PRESERVATION SERVICES DIVISION
PAYABLE FROM ILLINOIS HISTORIC SITES FUND

For Personal Services............................                                           575,700
For State Contributions to State Employees' Retirement System.............              243,800
For State Contributions to Social Security  ..........                                44,000
For Group Insurance................................                           184,000
For Contractual Services..........................                                          79,000
For historic preservation programs
made either independently or in cooperation with the Federal Government
or any agency thereof, any municipal corporation, or political subdivision
of the State, or with any public or private corporation, organization, or individual,
or for refunds..................................                                                300,000
Total                                                                                          $1,426,500

Section 25. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 30. The sum of $312,227, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purpose in Article 23, Sections 30 and 35 of Public Act 98-0064, is reappropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 35. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Historic Property Administrative Fund to the Historic Preservation Agency for administrative expenses associated with the Historic Tax Credit Program.

New matter indicated by italics - deletions by strikeout
Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

**FOR OPERATIONS**

**BUILDING AND GROUNDS MAINTENANCE SERVICES**

PAYABLE FROM THE GENERAL REVENUE FUND

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>398,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>30,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>173,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>4,900</td>
</tr>
<tr>
<td>For Printing</td>
<td>800</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>9,200</td>
</tr>
<tr>
<td>For Operation Of Auto Equipment</td>
<td>3,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$621,300</strong></td>
</tr>
</tbody>
</table>

Section 45. The sum of $275,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for the ordinary and contingent expenses of the Administrative Services division for costs associated with but not limited to Union Station, the Old State Capitol and the Old Journal Register Building.

Section 50. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

**FOR OPERATIONS**

**HISTORIC SITES DIVISION**

PAYABLE FROM GENERAL REVENUE FUND

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>3,486,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>266,700</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>505,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>46,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>15,300</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>26,800</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>13,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4,359,700</strong></td>
</tr>
</tbody>
</table>

Section 55. The sum of $550,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Historic Preservation Agency for the operational expenses of the Lewis and Clark Historic Site in Madison County.

New matter indicated by italics - deletions by strikeout
Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
HISTORIC SITES DIVISION
PAYABLE FROM ILLINOIS HISTORIC SITES FUND

For Personal Services............................ 325,000
For State Contributions to State Employees' Retirement System........... 137,600
For State Contributions to Social Security ........ 25,000
For Contractual Services.......................... 300,000
For Travel.......................................... 5,000
For Commodities................................... 20,000
For Equipment..................................... 25,000
For Telecommunications Services................... 15,000
For Operation of Auto Equipment................... 10,000
For Historic Preservation Programs Administered by the Historic Sites Division, Only to the Extent that Funds are Received Through Grants, Awards, or Gifts......................... 300,000
For Permanent Improvements....................... 75,000
For Pullman Factory Car Rehabilitation .................. 750,000
Total $1,987,600

Section 65. The sum of $450,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for operations, maintenance, repairs, permanent improvements, special events, and all other costs related to the operation of Illinois Historic Sites and only to the extent which donations are received at Illinois State Historic Sites.

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
ABRAHAM LINCOLN PRESIDENTIAL LIBRARY AND MUSEUM DIVISION
Payable from the Illinois Historic Sites Fund:

New matter indicated by italics - deletions by strikeout
For research projects associated with Abraham Lincoln.......................... 75,000
For microfilming Illinois newspapers and manuscripts and performing genealogical research.............................. 175,000
Total $250,000
Payable from the Presidential Library and Museum Operating Fund
For the ordinary and contingent expenses of the Abraham Lincoln Presidential Library and Museum in Springfield.......... 14,500,000

Section 75. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Historic Preservation Agency for a grant to the DuSable Museum of African American History for costs associated with the Amistad Commission of Illinois.

Section 80. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Historic Preservation Agency for all costs associated with the State Bicentennial Commission.

ARTICLE 24

Section 5. The sum of $803,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Independent Tax Tribunal to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 10. The sum of $79,400, or so much thereof as may be necessary, is appropriated from the Illinois Independent Tax Tribunal Fund to the Illinois Independent Tax Tribunal to meet its operational expenses for the fiscal year ending June 30, 2015.

ARTICLE 25

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Producer Administration Fund to the Department of Insurance:

PRODUCER ADMINISTRATION
For Personal Services.............................. 11,192,000
For State Contributions to the State Employees' Retirement System.................. 4,738,600
For State Contributions to Social Security...... 856,200

New matter indicated by italics - deletions by strikeout
For Group Insurance............................ 3,611,000
For Contractual Services....................... 1,850,000
For Travel....................................... 145,000
For Commodities................................... 23,400
For Printing........................................ 34,800
For Equipment..................................... 88,800
For Electronic Data Processing................... 500,000
For Telecommunications Services............... 231,300
For Operation of Auto Equipment............... 9,000
For Refunds......................................... 200,000
Total                                                                 $23,480,100

Section 10. The sum of $700,000, or so much thereof as may be necessary, is appropriated from the Insurance Producer Administration Fund to the Department of Insurance for costs and expenses related to or in support of a Regulatory/G&A Shared Services Center.

Section 15. The sum of $750,000, or so much thereof as may be necessary, is appropriated from the Insurance Producer Administration Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Financial Regulation Fund to the Department of Insurance:

FINANCIAL REGULATION
For Personal Services............................ 13,589,200
For State Contributions to the State
    Employees' Retirement System............... 5,753,500
    For State Contributions to Social Security.... 1,039,600
    For Group Insurance............................ 3,841,000
    For Contractual Services....................... 1,850,000
    For Travel....................................... 300,000
    For Commodities................................... 23,400
    For Printing........................................ 34,700
    For Equipment..................................... 65,700
    For Electronic Data Processing............... 500,000
    For Telecommunications Services............... 218,500
    For Operation of Auto Equipment............. 9,200
    For Refunds......................................... 49,000
Total                                                                 $27,273,800

New matter indicated by italics - deletions by strikeout
Section 25. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Insurance Financial Regulation Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Public Pension Regulation Fund to the Department of Insurance:

**PENSION DIVISION**

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$1,075,000</td>
</tr>
<tr>
<td>For State Contributions to the State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>$455,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$82,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>$345,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$25,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>$50,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>$5,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>$5,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>$5,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$5,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$2,052,400</td>
</tr>
</tbody>
</table>

Section 35. The sum of $950,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Department of Insurance for costs associated with the administration and operations of the Insurance Fraud Division of the Illinois Workers’ Compensation Commission’s anti-fraud program.

Section 40. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Public Pension Regulation Fund to the Department of Insurance for costs and expenses related to or in support of the agency’s operations.

**ARTICLE 26**

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois Labor Relations Board for the objects and purposes hereinafter named:

**OPERATIONS**

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$1,077,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$82,500</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Contractual Services......................... 108,000
For Travel......................................... 8,100
For Commodities................................. 1,600
For Printing....................................... 2,100
For Equipment..................................... 900
For Electronic Data Processing............... 17,800
For Telecommunications Services............. 27,200
Total............................................... $1,325,500

ARTICLE 27

Section 5. The sum of $5,166,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Information System to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 10. The following sum, or so much of that amount as may be necessary, is appropriated from the General Revenue Assembly Computer Equipment Revolving Fund to the Legislative Information System:
   For Purchase, Maintenance, and Rental of General Assembly Electronic Data Processing Equipment and for other operational purposes of the General Assembly.................. 1,600,000

Section 15. The sum of $2,160,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Printing Unit to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 20. The sum of $243,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Audit Commission to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 25. The sum of $2,950,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Research Unit to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 30. The sum of $2,489,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Reference Bureau to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 35. The sum of $1,140,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Joint

New matter indicated by italics - deletions by strikeout
Committee on Administrative Rules to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 40. The sum of $1,669,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Architect of the Capitol to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 45. The sum of $1,201,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Commission on Government Forecasting and Accountability to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 50. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Commission on Government Forecasting and Accountability for the purpose of making pension pick up contributions to the State Employees’ Retirement System of Illinois for affected legislative staff employees.

**ARTICLE 28**

Section 5. The amount of $1,396,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Lieutenant Governor to meet its operational expenses for the fiscal year beginning July 1, 2014.

Section 10. The sum of $47,500, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Office of the Lieutenant Governor for all costs associated with the Rural Affairs Council including any grants or administrative expenses.

**ARTICLE 29**

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses for the Department of the Lottery, including operating expenses related to Multi-State Lottery games pursuant to the Illinois Lottery Law:

**PAYABLE FROM STATE LOTTERY FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>11,836,500</td>
</tr>
<tr>
<td>For State Contributions for the State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>5,011,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>908,500</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>4,025,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>6,185,300</td>
</tr>
<tr>
<td>For Travel</td>
<td>100,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Commodities................................... 50,000
For Printing...................................... 15,000
For Equipment.................................... 450,000
For Electronic Data Processing................. 4,350,200
For Telecommunications Services.............. 464,000
For Operation of Auto Equipment.............. 376,000
For Refunds...................................... 100,000
For Expenses of Developing and
Promoting Lottery Games..................... 192,800,000
For Expenses of the Lottery Board............ 8,300
For payment of prizes to holders of
winning lottery tickets or shares,
including prizes related to Multi-State
Lottery games, and payment of
promotional or incentive prizes
associated with the sale of lottery
tickets, pursuant to the provisions
of the "Illinois Lottery Law"............. 1,000,000,000
Total .............................................. 1,226,680,300

Section 10. The sum of $269,200, or so much thereof as may be
necessary, is appropriated from the State Lottery Fund to the Department of
the Lottery for costs and expenses related to or in support of a Government
Services shared services center.

ARTICLE 30

Section 5. The following named amounts, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated from the General Revenue Fund for the ordinary and
contingent expenses of the Governor's Office of Management and Budget in
the Executive Office of the Governor:

GENERAL OFFICE

For Personal Services.......................... 1,308,000
For State Contributions to
Social Security................................. 101,200
For Contractual Services...................... 91,400
For Travel........................................ 23,100
For Commodities................................ 1,000
For Printing....................................... 3,200
For Equipment.................................... 1,500
For Electronic Data Processing.............. 19,600

New matter indicated by italics - deletions by strikeout
Section 10. The amount of $1,543,100, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Governor’s Office of Management and Budget for ordinary and contingent expenses associated with the sale and administration of General Obligation bonds.

Section 15. The amount of $650,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Governor’s Office of Management and Budget for ordinary and contingent expenses associated with the sale and administration of Build Illinois bonds.

Section 20. The amount of $446,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Retirement and Interest Fund to the Governor’s Office of Management and Budget for the purpose of making payments to the Trustee under the Master Indenture as defined by and pursuant to the Build Illinois Bond Act.

Section 25. The amount of $113,400, or so much thereof as may be necessary, is appropriated from the School Infrastructure Fund to the Governor’s Office of Management and Budget for operational expenses related to the School Infrastructure Program.

Section 30. The sum of $14,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Civic Center Bond Retirement and Interest Fund to the Governor’s Office of Management and Budget for the principal and interest and premium, if any, on Limited Obligation Revenue bonds issued pursuant to the Metropolitan Civic Center Support Act.

Section 35. No contract shall be entered into or obligation incurred for any expenditures from the appropriations made in Sections 5, 10, and 15 until after the purposes and amounts have been approved in writing by the Governor.

ARTICLE 31

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

GENERAL OFFICE
Payable from General Revenue Fund:
For Personal Services ......................... 3,518,600
For State Contributions to Social Security ......................... 270,100
For Contractual Services .......................... 2,990,300
For Travel........................................ 41,000
For Commodities................................. 4,600
For Printing....................................... 1,100
For Equipment..................................... 8,000
For Telecommunications......................... 315,700
For Refunds for Hunting and Fishing
Licenses and Permits............................ 1,400
Payable from the State Boating Act Fund:
For Personal Services ........................... 120,000
For State Contributions to State
Employees' Retirement System .................... 50,900
For State Contributions to
Social Security .................................. 9,300
For Group Insurance ............................. 32,700
For Contractual Services ........................ 131,000
Payable from the State Parks Fund:
For Contractual Services ........................ 100,000
Payable from the Wildlife and Fish Fund:
For Personal Services ............................. 936,800
For State Contributions to State
Employees' Retirement System ................. 396,600
For State Contributions to
Social Security .................................. 71,900
For Group Insurance ............................. 452,300
For Contractual Services ........................ 190,300
For Travel.......................................... 5,000
For Equipment..................................... 1,000
Payable from Plugging and Restoration Fund:
For Contractual Services ........................ 32,800
Payable from the Aggregate Operations
Regulatory Fund:
For Telecommunications.......................... 16,000
Payable from Underground Resources
Conservation Enforcement Fund:
For Contractual Services ........................ 17,000
Payable from Federal Surface Mining Control
and Reclamation Fund:
For Personal Services ............................ 224,800

New matter indicated by italics - deletions by strikeout
For State Contributions to State Employees' Retirement System 95,200
For State Contributions to Social Security 17,300
For Group Insurance 79,700
For Contractual Services 54,000
Payable from Park and Conservation Fund:
For Contractual Services 1,000,000
For expenses of the Park and Conservation Program 2,400,000
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund:
For Personal Services 467,600
For State Contributions to State Employees' Retirement System 198,000
For State Contributions to Social Security 35,900
For Group Insurance 141,100
For Contractual Services 72,000
Total $14,500,000

Section 10. The sum of $1,521,440, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014 from appropriations heretofore made in Article 31, Section 10 and 15 of Public Act 98-0064, is reappropriated to the Department of Natural Resources from the Park and Conservation Fund for expenses of the Park and Conservation Program.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

ARCHITECTURE, ENGINEERING AND GRANTS
Payable from the State Boating Act Fund:
For Personal Services 114,200
For State Contributions to State Employees' Retirement System 48,400
For State Contributions to Social Security 8,800
For Group Insurance 33,000
For expenses of the Heavy Equipment

New matter indicated by italics - deletions by strikeout
Dredging Crew................................. 551,500
Payable from Wildlife and Fish Fund:
For Travel ...................................... 2,300
For Equipment .................................. 23,000
For expenses of the Heavy Equipment
Dredging Crew................................. 190,000
Payable from Open Space Lands Acquisition
and Development Fund:
For expenses of the OSLAD Program: ........ 1,176,200
Payable from Park and Conservation Fund:
For Ordinary and Contingent Expenses......... 2,197,400
For expenses of the Bikeways Program .......... 319,900
Total ................................................ $4,664,700

Section 20. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the Department
of Natural Resources:

OFFICE OF REAL ESTATE AND ENVIRONMENTAL PLANNING
Payable from the General Revenue Fund:
For Personal Services .............................. 1,510,800
For State Contributions to
Social Security .................................. 116,000
For Contractual Services ......................... 75,000
Payable from the State Parks Fund:
For Commodities ................................. 8,100
For Equipment................................. 26,100
Payable from Wildlife and Fish Fund:
For Personal Services ............................ 107,200
For State Contributions to State
Employees' Retirement System ................. 45,400
For State Contributions to
Social Security.................................. 8,300
For Group Insurance........................... 33,000
Payable from the Natural Areas Acquisition Fund:
For expenses of Natural Areas Execution....... 192,500
Payable from Open Space Lands Acquisition
and Development Fund:
For expenses of the OSLAD Program
and the Statewide Comprehensive

New matter indicated by italics - deletions by strikeout
Outdoor Recreation Plan (SCORP)...................... 395,200
Payable from the Partners for Conservation Fund:
  For expenses of the Partners for Conservation Program.............................. 1,683,500
Payable from the Natural Resources Restoration Trust Fund:
  For Natural Resources Trustee Program........... 1,400,000
Payable from the Illinois Wildlife Preservation Fund:
  For operation of Consultation Program............ 1,200,000
Payable from Park and Conservation Fund:
  For Ordinary and Contingent Expenses........... 3,590,000
  For expenses of the Bikeways Program............. 504,600
  Total ........................................... $10,895,700

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

  OFFICE OF STRATEGIC SERVICES

Payable from the General Revenue Fund:
  For Personal Services ......................... 1,488,400
  For State Contributions to Social Security .................. 110,400
  For Contractual Services ....................... 525,500
  For Contractual Services ....................... 55,300
  For Commodities................................. 60,000
  For Electronic Data Processing.................. 910,000
  For Telecommunications.......................... 2,900
  For Operation of Auto Equipment.................. 73,500

Payable from State Boating Act Fund:
  For Contractual Services ....................... 171,000
  For Contractual Services for Postage Expenses for DNR Headquarters............. 35,000
  For Commodities................................. 138,900
  For Printing..................................... 211,300
  For Electronic Data Processing............... 150,000
  For Operation of Auto Equipment............... 4,800
  For expenses associated with

New matter indicated by italics - deletions by strikeout
Watercraft Titling............................. 450,000
For Refunds.................................. 30,000

Payable from the State Parks Fund:
For Electronic Data Processing.............. 40,000
For the implementation of the
Camping/Lodging Reservation System........ 332,000
For Public Events and Promotions........... 47,100
For operation and maintenance of
new sites and facilities, including Sparta.... 50,000

Payable from the Wildlife and Fish Fund:
For Personal Services ....................... 1,771,900
For State Contributions to State
Employees' Retirement System.............. 750,300
For State Contributions to
Social Security............................. 136,000
For Group Insurance ......................... 645,000
For Contractual Services................. 752,500
For Contractual Services for
Postage Expenses for DNR Headquarters..... 35,000
For Travel.................................. 31,000
For Commodities............................ 228,000
For Printing................................. 180,600
For Equipment............................. 57,000
For Electronic Data Processing.............. 940,000
For Operation of Auto Equipment........... 26,900
For expenses incurred for the
implementation, education and
maintenance of the Point of Sale System..... 3,000,000
For the transfer of check-off dollars to the
Illinois Conservation Foundation........... 5,000
For Educational Publications Services and
Expenses ...................................... 25,000
For expenses associated with the State Fair.... 15,500
For Public Events and Promotions........... 2,100
For expenses associated with the
Sportsmen Against Hunger Program........... 120,000
For Refunds.................................. 600,000

Payable from Aggregate Operations
Regulatory Fund:

New matter indicated by italics - deletions by strikeout
For Commodities................................. 2,300
Payable from Natural Areas Acquisition Fund:
  For Electronic Data Processing............... 50,000
Payable from Federal Surface Mining Control
  and Reclamation Fund:
    For Contractual Services .................... 5,400
    For Contractual Services for
      Postage Expenses for DNR Headquarters...... 25,000
    For Commodities............................. 3,300
    For Electronic Data Processing.............. 175,000
Payable from Illinois Forestry Development Fund:
  For Electronic Data Processing................. 25,000
  For expenses associated with the State Fair..... 20,000
Payable from Park and Conservation Fund:
  For Ordinary and Contingent Expenses.......... 2,335,000
  For expenses associated with the State Fair..... 56,700
Payable from Abandoned Mined Lands Reclamation
  Council Federal Trust Fund:
    For Contractual Services..................... 3,000
    For Contractual Services for
      Postage Expenses for DNR Headquarters...... 25,000
    For Commodities.............................. 1,700
    For Electronic Data Processing............... 175,000
    Total........................................ $17,110,300

Section 30. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the Department
of Natural Resources:

  SPARTA WORLD SHOOTING AND RECREATION COMPLEX

Payable from the State Parks Fund:
  For the ordinary and contingent
    expenses of the World Shooting and
    Recreational Complex......................... 1,386,800
  For the ordinary and contingent
    expenses of the World Shooting
    and Recreational Complex, of which
    no expenditures shall be authorized
    from the appropriation until revenues
    from sponsorships or donations sufficient

New matter indicated by italics - deletions by strikeout
to offset such expenditures have been collected and deposited into the State Parks Fund.......................... 350,000
For the Sparta Imprest Account......................... 200,000
Payable from the Wildlife and Fish Fund:
For the ordinary and contingent expenses of the World Shooting and Recreational Complex...................... 1,475,200
Total                                                                                          $3,412,000

Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF RESOURCE CONSERVATION

Payable from the General Revenue Fund:
For Personal Services .............................. 1,789,500
For State Contributions to
Social Security ...................................... 137,400
For Contractual Services............................ 6,000
For Commodities.................................... 82,200
For Telecommunications............................ 97,000
For Operation of Auto Equipment................... 10,000
Payable from Wildlife and Fish Fund:
For Personal Services .............................. 11,779,400
For State Contributions to State
Employees' Retirement System...................... 4,987,300
For State Contributions to
Social Security ...................................... 904,100
For Group Insurance.................................. 3,739,500
For Contractual Services............................ 2,004,300
For Travel............................................... 96,000
For Commodities.................................... 1,400,000
For Printing............................................ 95,000
For Equipment....................................... 280,000
For Telecommunications............................ 120,000
For Operation of Auto Equipment................... 734,400
For Ordinary and Contingent Expenses
of The Chronic Wasting Disease Program
and the control of feral swine population..... 1,500,000

New matter indicated by italics - deletions by strikeout
For an Urban Fishing Program in conjunction with the Chicago Park District to provide fishing and resource management at the park district lagoons........ 285,800

For workshops, training and other activities to improve the administration of fish and wildlife federal aid programs from federal aid administrative grants received for such purposes.............. 10,000

Payable from Salmon Fund:

For Personal Services ....................... 189,000
For State Contributions to State Employees' Retirement System .............. 80,100
For State Contributions to Social Security ......................... 14,600
For Group Insurance ......................... 50,000

Payable from the Illinois Fisheries Management Fund:

For operational expenses related to the Division of Fisheries................ 1,700,000

Payable from Natural Areas Acquisition Fund:

For Personal Services....................... 1,892,700
For State Contributions to State Employees' Retirement System .............. 801,400
For State Contributions to Social Security ......................... 145,300
For Group Insurance ......................... 617,500
For Contractual Services ...................... 179,300
For Travel..................................... 32,200
For Commodities............................. 40,200
For Printing.................................. 11,600
For Equipment................................. 85,000
For Telecommunications....................... 34,200
For Operation of Auto Equipment.............. 69,200

For expenses of the Natural Areas Stewardship Program...................... 1,271,800
For Expenses Related to the Endangered Species Protection Board.......... 391,900
For Administration of the "Illinois Natural Areas Preservation Act".......... 2,721,800

New matter indicated by italics - deletions by strikeout
Payable from Partners for Conservation Fund:
For ordinary and contingent expenses of operating the Partners for Conservation Program.......................... 1,965,200

Payable from Illinois Forestry Development Fund:
For ordinary and contingent expenses of the Urban Forestry Program............... 1,357,000
For payment of timber buyers’ bond forfeitures... 139,500
For payment of the expenses of the Illinois Forestry Development Council...... 118,500

Payable from the State Migratory Waterfowl Stamp Fund:
For Stamp Fund Operations.................... 250,000

Payable from the Park and Conservation Fund:
For all expenses related to Department youth employment programs............... 5,000,000

Total $49,215,900

Section 40. The sum of $2,404,405, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Sections 40 and 110 of Public Act 98-0064, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for ordinary and contingent expenses of Resource Conservation.

Section 45. The sum of $250,000, new appropriation, is appropriated and the sum of $363,037, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Section 45 of Public Act 98-0064, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long-term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 50. The sum of $293,802, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 65 of Public
Act 98-0064, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for operational expenses of Resource Conservation.

Section 55. The sum of $615,527, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 70 of Public Act 98-0064, is reappropriated from the Partners for Conservation Fund to the Department of Natural Resources to implement ecosystem-based management for Illinois' natural resources.

Section 60. The sum of $355,600, new appropriation, and the sum of $1,929,983 or so much thereof may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Section 75 of Public Act 98-0064, is reappropriated to the Department of Natural Resources from the Partners for Conservation Fund for expenses associated with Partners for Conservation Program to Implement Ecosystem-Based Management for Illinois' Natural Resources.

Section 65. The sum of $345,428, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 80 of Public Act 98-0064, is reappropriated from the DNR Federal Projects Fund to the Department of Natural Resources for projects in cooperation with the National Resources Conservation Service, Ducks Unlimited, and the National Turkey Association and to the extent that funds are made available for such purposes.

Section 70. The sum of $478,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from an appropriation heretofore made in Article 31, Section 85 of Public Act 98-0064, is reappropriated to the Department of Natural Resources from the DNR Federal Projects Fund for Shoreline Improvements associated with Conservation Reserve Enhancement Program.

Section 75. The sum of $1,078,855, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Sections 40 and 100 of Public Act 98-0064, is reappropriated to the Department of Natural Resources from the Illinois Forestry Development Fund for ordinary and contingent expenses of the Urban Forestry Program.

OFFICE OF COASTAL MANAGEMENT

Section 80. The sum of $5,300,000, new appropriation and the sum of $1,894,590, or so much thereof as may be necessary and remains

New matter indicated by italics - deletions by strikeout
unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 90 of Public Act 98-0064, is reappropriated to the Department of Natural Resources from the DNR Federal Projects Fund for expenses related to the Coastal Management Program.

Section 85. The sum of $6,255,392, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from a reappropriation heretofore made in Article 31, Section 95 of Public Act 98-0064, is reappropriated to the Department of Natural Resources from the DNR Federal Projects Fund for expenses related to the Great Lakes Initiative.

Section 90. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF LAW ENFORCEMENT

Payable from the General Revenue Fund:
- For Personal Services: $6,100,000
- For State Contributions to Social Security: $119,000
- For Contractual Services: $147,500
- For Travel: $0
- For Commodities: $0
- For Printing: $0
- For Telecommunications: $200,000
- For Operation of Auto Equipment: $119,500
- For Expenses of DUI/OUI Equipment: $0

Payable from State Boating Act Fund:
- For Personal Services: $1,989,600
- For State Contributions to State Employees' Retirement System: $842,400
- For State Contributions to Social Security: $152,700
- For Group Insurance: $588,300
- For Contractual Services: $410,200
- For Travel: $25,000
- For Commodities: $164,800
- For Equipment: $151,100
- For Telecommunications: $157,900
For Operation of Auto Equipment........................... 307,300
For Expenses of DUI/OUI Equipment...................... 20,000
For Operational Expenses of the Snowmobile Program........................................ 35,000

Payable from State Parks Fund:
For Personal Services................................. 1,713,500
For State Contributions to State Employees' Retirement System.................................. 725,500
For State Contributions to Social Security.......................... 131,600
For Group Insurance...................................... 565,700
For Equipment.......................................... 75,000

Payable from Wildlife and Fish Fund:
For Personal Services................................. 5,103,200
For State Contributions to State Employees' Retirement System.................................. 2,160,700
For State Contributions to Social Security.......................... 403,200
For Group Insurance...................................... 2,243,100
For Contractual Services................................ 525,000
For Travel.................................................. 29,100
For Commodities......................................... 45,500
For Printing.................................................. 5,800
For Equipment............................................. 115,000
For Telecommunications.................................. 247,000
For Operation of Auto Equipment......................... 300,000

Payable from Conservation Police Operations Assistance Fund:
For expenses associated with the Conservation Police Officers.......................... 1,250,000

Payable from the Drug Traffic Prevention Fund:
For use in enforcing laws regulating controlled substances and cannabis on Department of Natural Resources regulated lands and waterways to the extent funds are received by the Department........................................ 25,000

Total $27,194,200

New matter indicated by italics - deletions by strikeout
Section 95. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

**OFFICE OF LAND MANAGEMENT AND EDUCATION**

Payable from the General Revenue Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>7,871,800</td>
</tr>
<tr>
<td>For State Contributions to</td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td>612,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>609,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>212,400</td>
</tr>
<tr>
<td>For Printing</td>
<td>14,000</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>46,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>279,100</td>
</tr>
</tbody>
</table>

Payable from State Boating Act Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>928,300</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>393,100</td>
</tr>
<tr>
<td>For State Contributions to</td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td>71,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>255,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>451,200</td>
</tr>
<tr>
<td>For Travel</td>
<td>5,900</td>
</tr>
<tr>
<td>For Commodities</td>
<td>51,000</td>
</tr>
<tr>
<td>For Snowmobile Programs</td>
<td>46,900</td>
</tr>
</tbody>
</table>

Payable from State Parks Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>340,700</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>144,300</td>
</tr>
<tr>
<td>For State Contributions to</td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td>26,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>151,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,900,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>49,700</td>
</tr>
<tr>
<td>For Commodities</td>
<td>443,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>200,000</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>300,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>250,000</td>
</tr>
</tbody>
</table>

For expenses related to the
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois-Michigan Canal</td>
<td>118,000</td>
</tr>
<tr>
<td>For operations and maintenance from revenues derived from the sale of surplus crops and timber harvest</td>
<td>1,500,000</td>
</tr>
<tr>
<td>Payable from the State Parks Fund:</td>
<td></td>
</tr>
<tr>
<td>For Refunds</td>
<td>50,000</td>
</tr>
<tr>
<td>Payable from the Wildlife and Fish Fund:</td>
<td></td>
</tr>
<tr>
<td>For Personal Services</td>
<td>7,817,600</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>3,309,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>600,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>3,119,400</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,343,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>14,700</td>
</tr>
<tr>
<td>For Commodities</td>
<td>537,700</td>
</tr>
<tr>
<td>For Equipment</td>
<td>200,000</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>32,500</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>204,800</td>
</tr>
<tr>
<td>For Union County and Horseshoe Lake Conservation Areas, Farming and Wildlife operations</td>
<td>466,100</td>
</tr>
<tr>
<td>For operations and maintenance from revenues derived from the sale of surplus crops and timber harvest</td>
<td>2,100,000</td>
</tr>
<tr>
<td>Payable from Wildlife Prairie Park Fund:</td>
<td></td>
</tr>
<tr>
<td>For Wildlife Prairie Park Operations and Improvements</td>
<td>50,000</td>
</tr>
<tr>
<td>Payable from Illinois and Michigan Canal Fund:</td>
<td></td>
</tr>
<tr>
<td>For expenses related to the Illinois-Michigan Canal</td>
<td>75,000</td>
</tr>
<tr>
<td>Payable from Park and Conservation Fund:</td>
<td></td>
</tr>
<tr>
<td>For expenses of the Park and Conservation program</td>
<td>23,898,000</td>
</tr>
<tr>
<td>For expenses of the Bikeways program</td>
<td>1,664,900</td>
</tr>
<tr>
<td>For the expenses related to FEMA Grants to the extent that such funds are available to the Department</td>
<td>1,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Illinois Beach Marina Fund:
For operating expenses of the
North Point Marina at Winthrop Harbor........... 1,505,200
For Refunds.................................. 25,000
Total........................................ $65,286,100

Section 100. The sum of $2,645,674, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Sections 120 and 125 of Public Act 98-0064, are reappropriated from the State Parks Fund to the Department of Natural Resources for operations and maintenance.

Section 105. The sum of $4,267,300, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made in Article 31, Sections 120 and 130 of Public Act 98-0064, are reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for operations and maintenance.

Section 110. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF MINES AND MINERALS
Payable from the General Revenue Fund:
For Personal Services .......................... 2,041,200
For State Contributions to
Social Security............................... 156,200
For Contractual Services...................... 96,000
For Travel................................... 13,800
For Commodities............................. 12,700
For Printing................................... 2,000
For Equipment................................ 11,500
For Electronic Data Processing............... 18,000
For Telecommunications...................... 52,300
For Operation of Auto Equipment............ 59,800
Payable from the Explosives Regulatory Fund:
For expenses associated with Explosive Regulation............................. 160,000
Payable from the Aggregate Operations Regulatory Fund:
For expenses associated with Aggregate

New matter indicated by italics - deletions by strikeout
Mining Regulation............................... 237,000
Payable from the Coal Mining Regulatory Fund:
For the purpose of coordinating training and education programs for miners and laboratory analysis and testing of coal samples and mine atmospheres....................................... 50,000
For expenses associated with Surface Coal Mining Regulation............... 207,000
For operation of the Mining Safety Program........ 20,000
Payable from the Federal Surface Mining Control and Reclamation Fund:
For Personal Services.......................... 1,937,500
For State Contributions to State Employees' Retirement System............... 820,400
For State Contributions to Social Security .......................... 148,800
For Group Insurance ............................. 690,600
For Contractual Services ........................ 518,700
For expenses associated with litigation of Mining Regulatory actions............. 15,000
For Travel........................................ 31,400
For Commodities................................ 12,400
For Printing...................................... 11,200
For Equipment................................... 60,000
For Electronic Data Processing................... 119,800
For Telecommunications............................ 55,000
For Operation of Auto Equipment................... 80,000
For the purpose of coordinating training and education programs for miners and laboratory analysis and testing of coal samples and mine atmospheres............................... 412,100
For Small Operators' Assistance Program.......... 150,000
Payable from the Land Reclamation Fund:
For the purpose of reclaiming surface mined lands, with respect to which a bond has been forfeited....................... 800,000
Payable from the Abandoned Mined Lands

New matter indicated by italics - deletions by strikeout
Reclamation Council Federal Trust Fund:
For Personal Services ......................... 3,154,100
For State Contributions to State Employees' Retirement System ............... 1,335,500
For State Contributions to Social Security ............................... 242,100
For Group Insurance ......................... 1,071,500
For Contractual Services ...................... 278,200
For Travel........................................ 30,700
For Commodities................................... 25,800
For Printing....................................... 1,000
For Equipment..................................... 81,300
For Electronic Data Processing................... 146,400
For Telecommunications............................ 45,000
For Operation of Auto Equipment................... 75,000
For expenses associated with Environmental Mitigation Projects,
Studies, Research, and Administrative Support........................................ 1,000,000
Total                                                                 16,487,000

Section 115. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF OIL AND GAS RESOURCE MANAGEMENT

Payable from the General Revenue Fund:
For Personal Services ......................... 0
For State Contributions to Social Security............................... 0

Payable from the Mines and Minerals Underground Injection Control Fund:
For Personal Services ......................... 166,800
For State Contributions to Employees' Retirement System ... 70,700
For State Contributions to Social Security ......................... 12,900
For Group Insurance ......................... 71,500
For Travel........................................ 2,000
For Equipment..................................... 20,000

New matter indicated by italics - deletions by strikeout
Payable from Plugging and Restoration Fund:
  For Personal Services.........................                       425,000
  For State Contributions to State
    Employees' Retirement System ...............                      180,000
  For State Contributions to
    Social Security.............................................. 32,700
  For Group Insurance..........................                           200,000
  For Contractual Services .......................                        217,600
  For Commodities...........................................           2,500
  For Electronic Data Processing.................. 6,000
  For Telecommunications.............................                 28,000
  For Operation of Auto Equipment................ 70,000
  For Plugging & Restoration Projects...........                   100,000
  For Refunds.................................................           25,000

Payable from the Mines and Minerals Regulatory Fund:
  For expenses associated with the operations
    Of the Office of Oil and Gas......................                      8,000,000

Payable from Underground Resources Conservation Enforcement Fund:
  For Personal Services............................                        640,600
  For State Contributions to State
    Employees' Retirement System .........................                       271,300
  For State Contributions to
    Social Security........................................ 46,000
  For Group Insurance...........................................            245,700
  For Contractual Services..........................                        432,000
  For Travel..................................................               20,000
  For Commodities...........................................            17,500
  For Printing..................................................                2,000
  For Equipment.................................................           40,000
  For Electronic Data Processing.....................                     59,000
  For Telecommunications............................                     28,000
  For Operation of Auto Equipment....................                           70,000
  For Interest Penalty Escrow..........................                          500
  For Refunds..................................................           25,000

Total                                      $11,528,300

Section 120. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are

New matter indicated by italics - deletions by strikeout
appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF WATER RESOURCES

Payable from the General Revenue Fund:

For Personal Services..........................                                          4,150,600
For State Contributions to
  Social Security..................................                                          318,600
For Contractual Services ........................                                         191,700
For Travel........................................                                                  68,500
For Commodities....................................                                             6,300
For Printing.........................................                                                    100
For Equipment......................................                                               7,000
For Telecommunications.............................                                       33,900
For Operation of Auto Equipment...................                                  30,000
For operating expenses related
to the Dam Safety Program......................                                           57,200

Payable from the State Boating Act Fund:

For Personal Services............................                                           415,000
For State Contributions to State
  Employees' Retirement System.......................                                      175,800
For State Contributions to
  Social Security..................................                                                31,900
For Group Insurance................................                                         185,000
For Contractual Services.........................                                         945,200
For Travel........................................                                                  32,000
For Commodities...................................                                            14,200
For Equipment.....................................                                              60,000
For Telecommunications.............................                                        7,800
For Operation of Auto Equipment....................                                   3,500
For expenses of the Boat Grant Match.............                               130,000
For Repairs and Modifications to Facilities......                                           53,900

Payable from the Wildlife and Fish Fund:

For payment of the Department’s
  share of operation and maintenance
  of statewide stream gauging network,
  water data storage and retrieval
  system, in cooperation with the U.S.
  Geological Survey..................................                                            375,000

Payable from the National Flood Insurance

New matter indicated by italics - deletions by strikeout
Program Fund:
For execution of state assistance
programs to improve the administration
of the National Flood Insurance
Program (NFIP) and National Dam
Safety Program as approved by
the Federal Emergency Management Agency
(82 Stat. 572)................................. 650,000

Total $7,943,200

Section 125. The sum of $969,600, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Department
of Natural Resources for expenditure by the Office of Water Resources for
the objects, uses, and purposes specified, including grants for such purposes
and electronic data processing expenses, at the approximate costs set forth
below:

Corps of Engineers Studies – To
jointly plan local flood protection
projects with the U.S. Army Corps
of Engineers and to share planning
expenses as required by Section 203
of the U.S. Water Resources Development
Act of 1996 (P.L. 104-303)............... 36,900

Federal Facilities - For payment
of the State's share of operation
and maintenance costs as local sponsor
of the federal Aquatic Nuisance Barrier
in the Chicago Sanitary and ship
canal and the federal Rend
Lake Reservoir and the federal
Projects on the Kaskaskia River......... 99,400

Lake Michigan Management – For
studies carrying out the provisions
of the Level of Lake Michigan Act, 615
ILCS 50 and the Lake Michigan Shoreline
Act, 615 ILCS 55.......................... 8,000

National Water Planning – For
expenses to participate in national
and regional water planning programs
including membership in regional and

New matter indicated by italics - deletions by strikeout
national associations, commissions and compacts......................................... 85,000
River Basin Studies - For purchase of necessary mapping, surveying, test boring, field work, equipment, studies, legal fees, hearings, archaeological and environmental studies, data, engineering, technical services, appraisals and other related expenses to make water resources reconnaissance and feasibility studies of river basins, to identify drainage and flood problem areas, to determine viable alternatives for flood damage reduction and drainage improvement, and to prepare project plans and specifications........................................... 50,700
Design Investigations - For purchase of necessary mapping, equipment test boring, field work for Geotechnical investigations and other design and construction related studies............................................. 2,400
Rivers and Lakes Management – For purchase of necessary surveying, equipment, obtaining data, field work studies, publications, legal fees, hearings and other expenses in order to expedite the fulfillment of the provisions of the 1911 Act in relation to the "Regulation of Rivers, Lakes and Streams Act", 615 ILCS 5/4.9 et seq............................................. 3,300
State Facilities - For materials, equipment, supplies, services, field vehicles, and heavy construction equipment required

New matter indicated by italics - deletions by strikeout
to operate, maintain, repair, construct, modify or rehabilitate facilities controlled or constructed by the Office of Water Resources, and to assist local governments preserve the streams of the State............... 56,800
State Water Supply and Planning – For data collection, studies, equipment and related expenses for analysis and management of the water resources of the State, implementation of the State Water Plan, and management of state-owned water resources............... 30,900
USGS Cooperative Program – For payment of the Department's share of operation and maintenance of statewide stream gauging network, water data storage and retrieval system, preparation of topography mapping, and water related studies; all in cooperation with the U.S. Geological Survey............... 342,100
For operation and maintenance costs associated with a U.S. Army Corps of Engineers and State of Illinois joint use water supply agreement at Rend Lake......................... 329,800

Section 130. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resource:

OFFICE OF THE STATE MUSEUM

Payable from General Revenue Fund:
For Personal Services.......................... 4,260,300
For State Contributions to Social Security............... 327,000
For Contractual Services....................... 1,400,000
For Travel........................................ 37,800

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Commodities</td>
<td>88,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>24,100</td>
</tr>
<tr>
<td>For Equipment</td>
<td>42,800</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>85,300</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>24,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$6,290,500</strong></td>
</tr>
</tbody>
</table>

**ARTICLE 32**

Section 5. The sum of $474,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Procurement Policy Board for its ordinary and contingent expenses.

**ARTICLE 33**

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Property Tax Appeal Board:

Payable from the Personal Property Tax Replacement Fund:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,571,000</td>
</tr>
<tr>
<td>For Contributions to the State</td>
<td></td>
</tr>
<tr>
<td>Employees’ Retirement System</td>
<td>1,089,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>196,700</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>782,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>67,900</td>
</tr>
<tr>
<td>For Travel</td>
<td>30,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>9,600</td>
</tr>
<tr>
<td>For Printing</td>
<td>4,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>4,400</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>43,200</td>
</tr>
<tr>
<td>For Telecommunication Services</td>
<td>30,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>6,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>200</td>
</tr>
<tr>
<td>For Costs Associated with the Appeal Process and the Reestablishment of a Cook County Office</td>
<td>200,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,034,200</strong></td>
</tr>
</tbody>
</table>

**ARTICLE 34**

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named,

New matter indicated by italics - deletions by strikeout
are appropriated to meet the ordinary and contingent expenses of the Illinois Racing Board:

**PAYABLE FROM THE HORSE RACING FUND**

For Personal Services.......................... 1,112,200
For State Contributions to State
  Employees' Retirement System............... 470,900
For State Contributions to
  Social Security................................ 85,200
For Group Insurance............................. 368,000
For Contractual Services......................... 185,200
For Travel........................................ 24,000
For Commodities................................... 1,500
For Printing....................................... 1,000
For Equipment...................................... 2,300
For Electronic Data Processing.................... 60,000
For Telecommunications Services............... 85,000
For Operation of Auto Equipment............... 12,000
For Refunds........................................ 1,500
For Expenses related to the Laboratory
  Program.......................................... 1,675,000
For Expenses related to the Regulation
  of Racing Program............................. 3,574,400
For Distribution to local governments
  for admissions tax............................ 384,000
Total                                                                                      $8,042,200

Section 10. The sum of $154,500, or so much thereof as may be necessary, is appropriated from the Horse Racing Fund to the Illinois Racing Board for costs and expenses related to or in support of a Government Services Shared Services Center.

**ARTICLE 35**

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Revenue:

**GOVERNMENT SERVICES**

**PAYABLE FROM GENERAL REVENUE FUND**

For Refund of certain taxes in lieu
  of credit memoranda, where such
  refunds are authorized by law................... 0

New matter indicated by italics - deletions by strikeout
PAYABLE FROM THE PERSONAL PROPERTY TAX REPLACEMENT FUND:

For a portion of the state’s share of state’s attorneys’ and assistant state’s attorneys’ salaried, including prior year costs............................... 13,680,000

For a portion of the state’s share of county public defenders’ salaries pursuant to 55 ILCS 5/3-4007.............................. 7,100,000

For the State’s share of county supervisors of assessments or county assessors’ salaries, as provided by law............................... 3,200,000

For additional compensation for local assessors, as provided by Sections 2.3 and 2.6 of the “Revenue Act of 1939”, as amended................................. 350,000

For additional compensation for local assessors, as provided by Section 2.7 of the “Revenue Act of 1939”, as amended................................. 660,000

For additional compensation for county treasurers, pursuant to Public Act 84-1432, as amended................................. 663,000

For the annual stipend for sheriffs as provided in subsection (d) of Section 4-6300 and Section 4-8002 of the counties code................................. 663,000

For the annual stipend to county coroners pursuant to 55 ILCS 5/4-6002 including prior year costs................................. 663,000

For additional compensation for county auditors, pursuant to Public Act 95-0782, including prior year costs................................. 110,500

Total $27,089,500

PAYABLE FROM MOTOR FUEL TAX FUND

For Reimbursement to International Fuel Tax Agreement Member States............. 6,000,000

New matter indicated by italics - deletions by strikeout
For Refunds................................... 22,000,000
Total .................................. 28,000,000

PAYABLE FROM UNDERGROUND STORAGE TANK FUND
For Refunds as provided for in Section
13a.8 of the Motor Fuel Tax Act.............. 12,000

PAYABLE FROM STATE AND LOCAL SALES TAX REFORM FUND
For allocation to Chicago for additional
1.25% Use Tax pursuant to P.A. 86-0928...... 66,200,000

PAYABLE FROM THE MUNICIPAL TELECOMMUNICATIONS
FUND
For refunds associated with the
Simplified Municipal Telecommunications Act..... 12,000

PAYABLE FROM LOCAL GOVERNMENT DISTRIBUTIVE FUND
For allocation to local governments
for additional 1.25% Use Tax
pursuant to P.A. 86-0928..................... 191,920,000

PAYABLE FROM LOCAL GOVERNMENT VIDEO GAMING
DISTRIBUTIVE FUND
For allocation to local governments
of the net terminal income tax per
the Video Gaming Act......................... 40,000,000

PAYABLE FROM R.T.A. OCCUPATION AND
USE TAX REPLACEMENT FUND
For allocation to RTA for 10% of the
1.25% Use Tax pursuant to P.A. 86-0928...... 33,100,000

PAYABLE FROM SENIOR CITIZENS’ REAL ESTATE
DEFERRED TAX REVOLVING FUND
For payments to counties as required
by the Senior Citizens Real
Estate Tax Deferral Act, including
prior year cost............................... 8,000,000

PAYABLE FROM RENTAL HOUSING SUPPORT PROGRAM FUND
For administration of the Rental
Housing Support Program..................... 1,100,000
For rental assistance to the Rental
Housing Support Program, administered
by the Illinois Housing Development
Authority.................................... 35,000,000
Total .................................. 36,100,000

New matter indicated by italics - deletions by strikeout
PAYABLE FROM ILLINOIS AFFORDABLE HOUSING TRUST FUND
For administration of the Illinois Affordable Housing Act........................ 4,000,000

PAYABLE FROM ILLINOIS GAMING LAW ENFORCEMENT FUND
For a Grant for Allocation to Local Law Enforcement Agencies for joint state and local efforts in Administration of the Charitable Games, Pull Tabs and Jar Games Act..................................... 1,100,000

Section 10. The sum of $2,613,500, or so much thereof as may be necessary, is appropriated from the State and Local Sales Tax Reform Fund to the Department of Revenue for the purpose stated in Section 6z-17 of the State Finance Act and Section 2-2.04 of the Downstate Public Transportation Act for a grant to Madison County.

Section 15. The sum of $75,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Revenue for grants (down payment assistance, rental subsidies, security deposit subsidies, technical assistance, outreach, building an organization's capacity to develop affordable housing projects and other related purposes), mortgages, loans, or for the purpose of securing bonds pursuant to the Illinois Affordable Housing Act, administered by the Illinois Housing Development Authority.

Section 20. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the Predatory Lending Database Program Fund to the Department of Revenue for grants pursuant to the Predatory Lending Database Program, administered by the Illinois Housing Development Authority.

Section 25. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Revenue for grants to other state agencies for rental assistance, supportive living and adaptive housing.

Section 30. The sum of $20,000,000, new appropriation, is appropriated and the sum of $15,000,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2014, from appropriations and reappropriations heretofore made in Article 35, Section 30 of Public Act 98-0064 is reappropriated from the Federal HOME Investment Trust Fund to the Department of Revenue for the Illinois HOME Investment Partnerships Program administered by the Illinois Housing Development Authority.

New matter indicated by italics - deletions by strikeout
Section 35. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Foreclosure Prevention Program Fund to the Department of Revenue for administration by the Illinois Housing Development Authority, for grants and administrative expenses pursuant to the Foreclosure Prevention Program.

Section 40. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Foreclosure Prevention Program Graduated Fund to the Department of Revenue for administration by the Illinois Housing Development Authority, for grants and administrative expenses pursuant to the Foreclosure Prevention Program.

Section 45. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Abandoned Residential Property Municipality Relief Fund to the Department of Revenue for administration by the Illinois Housing Development Authority, for grants and administrative expenses pursuant to the Abandoned Residential Property Municipality Relief Program.

Section 50. The sum of $92,587,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Revenue for operational expenses of the fiscal year ending June 30, 2015.

Section 55. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Revenue:

**TAX ADMINISTRATION AND ENFORCEMENT**

**PAYABLE FROM MOTOR FUEL TAX FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services................</td>
<td>18,086,500</td>
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<tr>
<td>For State Contributions to State</td>
<td></td>
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<tr>
<td>Employees' Retirement System ........</td>
<td>7,657,600</td>
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<tr>
<td>For State Contributions to Social Security</td>
<td>1,383,600</td>
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<tr>
<td>For Group Insurance ..................</td>
<td>4,416,000</td>
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<tr>
<td>For Contractual Services ............</td>
<td>2,016,800</td>
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<td>For Travel ................................</td>
<td>773,200</td>
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<td>For Commodities ........................</td>
<td>58,400</td>
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<tr>
<td>For Printing ..........................</td>
<td>169,800</td>
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<td>For Equipment ..........................</td>
<td>15,000</td>
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<tr>
<td>For Electronic Data Processing .......</td>
<td>7,042,600</td>
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<tr>
<td>For Telecommunications Services ......</td>
<td>767,000</td>
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<tr>
<td>For Operation of Automotive Equipment</td>
<td>43,200</td>
</tr>
<tr>
<td>For Administrative Costs Associated</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
With the Motor Fuel Tax Enforcement Grant from USDOT.......................... 150,000
Total .......................... $42,579,700

PAYABLE FROM UNDERGROUND STORAGE TANK FUND
For Personal Services.......................... 844,400
For State Contributions to State Employees' Retirement System.......................... 357,500
For State Contributions to Social Security........ 64,600
For Group Insurance............................ 253,000
For Travel........................................ 30,200
For Commodities.................................. 2,100
For Printing....................................... 1,500
For Electronic Data Processing .................. 252,200
For Telecommunications Services ............... 61,400
Total ........................................... $1,866,900

PAYABLE FROM ILLINOIS GAMING LAW ENFORCEMENT FUND
For Personal Services.......................... 408,400
For State Contributions to State Employees' Retirement System.......................... 172,900
For State Contributions to Social Security........ 31,300
For Group Insurance............................ 138,000
For Contractual Services.......................... 10,000
For Telecommunications Services ............... 10,000
Total ........................................... $770,600

PAYABLE FROM COUNTY OPTION MOTOR FUEL TAX FUND
For Personal Services.......................... 324,300
For State Contributions to State Employees' Retirement System.......................... 137,300
For State Contributions to Social Security........ 24,800
For Group Insurance............................ 115,000
For Electronic Data Processing .................. 40,000
For Telecommunications Services ............... 25,000
Total ........................................... $666,400

PAYABLE FROM TAX COMPLIANCE AND ADMINISTRATION FUND
For Personal Services.......................... 5,904,500
For State Contributions to State Employees' Retirement System.......................... 2,499,900
For State Contributions to Social Security........ 451,700

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Group Insurance</td>
<td>2,323,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>300,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,400</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>2,563,900</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>62,400</td>
</tr>
<tr>
<td>For Administration of the Illinois Petroleum Education and Marketing Act</td>
<td>9,000</td>
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<tr>
<td>For Administration of the Drycleaner Environmental Response Trust Fund Act</td>
<td>138,000</td>
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<tr>
<td>For Administration of the Simplified Telecommunications Act</td>
<td>2,621,100</td>
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<td>For administrative costs associated with the Municipality Sales Tax</td>
<td>177,400</td>
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<td>Total</td>
<td>$17,053,300</td>
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PAYABLE FROM PERSONAL PROPERTY TAX REPLACEMENT FUND

<table>
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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>For Personal Services</td>
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<td>For State Contributions to State Employees' Retirement System</td>
<td>4,905,600</td>
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<td>For State Contributions to Social Security</td>
<td>886,400</td>
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<tr>
<td>For Group Insurance</td>
<td>3,703,000</td>
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<tr>
<td>For Contractual services</td>
<td>944,100</td>
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<tr>
<td>For Travel</td>
<td>243,900</td>
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<tr>
<td>For Commodities</td>
<td>52,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>27,100</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>5,483,900</td>
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<tr>
<td>For Telecommunications Services</td>
<td>561,100</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>17,800</td>
</tr>
<tr>
<td>Total</td>
<td>$28,412,000</td>
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PAYABLE FROM HOME RULE MUNICIPAL RETAILERS OCCUPATION TAX FUND

<table>
<thead>
<tr>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>For Personal Services</td>
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<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>106,400</td>
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<tr>
<td>For State Contributions to Social Security</td>
<td>19,300</td>
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<tr>
<td>For Group Insurance</td>
<td>46,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>50,800</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>44,600</td>
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</table>

New matter indicated by italics - deletions by strikeout
PAYABLE FROM ILLINOIS DEPARTMENT OF REVENUE
FEDERAL TRUST FUND
For Administrative Costs Associated
with the Illinois Department of
Revenue Federal Trust Fund ............... 250,000

LIQUOR CONTROL COMMISSION
Section 60. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to the Department of Revenue:

PAYABLE FROM DRAM SHOP FUND
For Personal Services ....................... 3,240,700
For State Contributions to State
Employees' Retirement System ............. 1,372,100
For State Contributions to
Social Security ........................... 247,900
For Group Insurance ....................... 1,035,000
For Contractual Services ................. 311,900
For Travel .................................. 90,000
For Commodities .......................... 7,000
For Printing ............................... 5,000
For Equipment ............................. 2,900
For Electronic Data Processing .......... 247,500
For Telecommunications Services ....... 80,000
For Operation of Automotive Equipment 75,400
For Refunds ................................ 5,000
For expenses related to the
Retailer Education Program .............. 256,400
For the purpose of operating the
Tobacco Study program, including the
Tobacco Retailer Inspection Program
pursuant to the USFDA reimbursement grant .... 1,396,100
For grants to local governmental
units to establish enforcement
programs that will reduce youth
access to tobacco products ............... 1,000,000
For the purpose of operating the
Beverage Alcohol Sellers and
Servers Education and Training

New matter indicated by italics - deletions by strikeout
(BASSET) Program........................................... 284,400
For costs associated with the Parental
Responsibility Grant...................................... 200,000
Total $9,857,300

SHARED SERVICES
Section 65. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the Department
of Revenue:

PAYABLE FROM THE GENERAL REVENUE FUND
For costs and expenses related to or in
support of a Government Services
shared services center............................... 1,922,900

PAYABLE FROM MOTOR FUEL TAX FUND
For costs and expenses related to or in
support of a Government Services
shared services center............................... 908,800

PAYABLE FROM DRAM SHOP FUND
For costs and expenses related
to or in support of a Government
Services shared services center............... 127,900

PAYABLE FROM TAX COMPLIANCE AND ADMINISTRATION
FUND
For costs and expenses related
to or in support of a Government
Services shared services center............... 388,800
Total $3,348,400

ARTICLE 36
Section 5. The following named sums, or so much of those amounts
as may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated to the Office of the Secretary of State to meet the
ordinary, contingent, and distributive expenses of the following
organizational units of the Office of the Secretary of State:

EXECUTIVE GROUP
For Personal Services:
For Regular Positions:
Payable from General Revenue Fund.......... 5,480,700
Payable from Securities Audit
and Enforcement Fund............................ 0

New matter indicated by italics - deletions by strikeout
For Extra Help:

Payable from General Revenue Fund.............. 84,500

For Employee Contribution to State Employees' Retirement System:

Payable from General Revenue Fund.............. 110,500
Payable from Road Fund .............................. 0
Payable from Securities Audit and Enforcement Fund ......................... 0
Payable from Vehicle Inspection Fund......................... 0

For State Contribution to State Employees' Retirement System:

Payable from Securities Audit and Enforcement Fund ......................... 0

For State Contribution to Social Security:

Payable from General Revenue Fund.............. 408,100
Payable from Securities Audit and Enforcement Fund ......................... 0

For Group Insurance:

Payable from Securities Audit and Enforcement Fund ......................... 0

For Contractual Services:

Payable from General Revenue Fund.............. 505,700

For Travel Expenses:

Payable from General Revenue Fund.............. 39,500

For Commodities:

Payable from General Revenue Fund.............. 24,800

For Printing:

Payable from General Revenue Fund.............. 8,500

For Equipment:

Payable from General Revenue Fund.............. 7,500

For Telecommunications:

Payable from General Revenue Fund.............. 91,900

GENERAL ADMINISTRATIVE GROUP

For Personal Services:

For Regular Positions:

Payable from General Revenue Fund.............. 49,930,000
Payable from Road Fund .............................. 0

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Payable from Lobbyist Registration Fund..........</td>
<td>525,200</td>
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<tr>
<td>Payable from Registered Limited Liability Partnership Fund..................</td>
<td>83,400</td>
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<tr>
<td>Payable from Securities Audit and Enforcement Fund...........................</td>
<td>4,377,400</td>
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<tr>
<td>Payable from Department of Business Services Special Operations Fund.........</td>
<td>5,939,300</td>
</tr>
<tr>
<td><strong>For Extra Help:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund...........</td>
<td>779,800</td>
</tr>
<tr>
<td>Payable from Road Fund.................</td>
<td>0</td>
</tr>
<tr>
<td>Payable from Securities Audit and Enforcement Fund...........................</td>
<td>6,800</td>
</tr>
<tr>
<td>Payable from Department of Business Services Special Operations Fund.........</td>
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<td><strong>For Employee Contribution to State Employees' Retirement System:</strong></td>
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<td>Payable from General Revenue Fund...........</td>
<td>1,009,900</td>
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<tr>
<td>Payable from Lobbyist Registration Fund........</td>
<td>10,500</td>
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<tr>
<td>Payable from Registered Limited Liability Partnership Fund..................</td>
<td>1,700</td>
</tr>
<tr>
<td>Payable from Securities Audit and Enforcement Fund...........................</td>
<td>94,500</td>
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<tr>
<td>Payable from Department of Business Services Special Operations Fund.........</td>
<td>118,800</td>
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<tr>
<td><strong>For State Contribution to State Employees' Retirement System:</strong></td>
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</tr>
<tr>
<td>Payable from Road Fund.................</td>
<td>0</td>
</tr>
<tr>
<td>Payable from Lobbyist Registration Fund........</td>
<td>222,400</td>
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<tr>
<td>Payable from Registered Limited Liability Partnership Fund..................</td>
<td>35,300</td>
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<tr>
<td>Payable from Securities Audit and Enforcement Fund...........................</td>
<td>1,856,200</td>
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<tr>
<td>Payable from Department of Business Services Special Operations Fund.........</td>
<td>2,514,600</td>
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<tr>
<td><strong>For State Contribution to Social Security:</strong></td>
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</tr>
<tr>
<td>Payable from General Revenue Fund...........</td>
<td>3,934,300</td>
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<tr>
<td>Payable from Road Fund.................</td>
<td>0</td>
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<tr>
<td>Payable from Lobbyist Registration Fund........</td>
<td>51,700</td>
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New matter indicated by italics - deletions by strikeout
<table>
<thead>
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<th>For Group Insurance:</th>
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<tbody>
<tr>
<td>Payable from Lobbyist Registration Fund........</td>
<td>184,000</td>
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<tr>
<td>Payable from Registered Limited Liability Partnership Fund.</td>
<td>46,000</td>
</tr>
<tr>
<td>Payable from Securities Audit and Enforcement Fund........</td>
<td>1,518,000</td>
</tr>
<tr>
<td>Payable from Department of Business Services Special Operations Fund..........</td>
<td>2,346,000</td>
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<table>
<thead>
<tr>
<th>For Contractual Services:</th>
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<tbody>
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<td>Payable from General Revenue Fund.........................</td>
<td>19,174,800</td>
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<tr>
<td>Payable from Road Fund.....................................</td>
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<tr>
<td>Payable from Motor Fuel Tax Fund.........................</td>
<td>1,300,000</td>
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<tr>
<td>Payable from Lobbyist Registration Fund..................</td>
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<tr>
<td>Payable from Registered Limited Liability Partnership Fund.</td>
<td>600</td>
</tr>
<tr>
<td>Payable from Securities Audit and Enforcement Fund........</td>
<td>1,403,200</td>
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<tr>
<td>Payable from Department of Business Services Special Operations Fund..........</td>
<td>746,500</td>
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<table>
<thead>
<tr>
<th>For Travel Expenses:</th>
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</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund.........................</td>
<td>142,500</td>
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<tr>
<td>Payable from Road Fund.....................................</td>
<td>0</td>
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<td>5,000</td>
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<td>Payable from Securities Audit and Enforcement Fund........</td>
<td>18,200</td>
</tr>
<tr>
<td>Payable from Department of Business Services Special Operations Fund..........</td>
<td>6,500</td>
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<table>
<thead>
<tr>
<th>For Commodities:</th>
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</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund.........................</td>
<td>972,400</td>
</tr>
<tr>
<td>Payable from Road Fund.....................................</td>
<td>0</td>
</tr>
<tr>
<td>Payable from Lobbyist Registration Fund..................</td>
<td>2,700</td>
</tr>
<tr>
<td>Payable from Registered Limited Liability Partnership Fund.</td>
<td>900</td>
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New matter indicated by italics - deletions by strikeout
<table>
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<tr>
<th>Fund</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Payable from Securities Audit and Enforcement Fund</td>
<td>14,200</td>
</tr>
<tr>
<td>Payable from Department of Business Services Special Operations Fund</td>
<td>11,000</td>
</tr>
<tr>
<td><strong>For Printing:</strong></td>
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<tr>
<td>Payable from General Revenue Fund</td>
<td>571,500</td>
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<tr>
<td>Payable from Road Fund</td>
<td>0</td>
</tr>
<tr>
<td>Payable from Lobbyist Registration Fund</td>
<td>5,500</td>
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<tr>
<td>Payable from Securities Audit and Enforcement Fund</td>
<td>7,500</td>
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<tr>
<td>Payable from Department of Business Services Special Operations Fund</td>
<td>40,000</td>
</tr>
<tr>
<td><strong>For Equipment:</strong></td>
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<tr>
<td>Payable from General Revenue Fund</td>
<td>382,100</td>
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<tr>
<td>Payable from Road Fund</td>
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<tr>
<td>Payable from Registered Limited Liability Partnership Fund</td>
<td>0</td>
</tr>
<tr>
<td>Payable from Securities Audit and Enforcement Fund</td>
<td>100,000</td>
</tr>
<tr>
<td>Payable from Department of Business Services Special Operations Fund</td>
<td>25,000</td>
</tr>
<tr>
<td><strong>For Electronic Data Processing:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from Road Fund</td>
<td>0</td>
</tr>
<tr>
<td>Payable from the Secretary of State Special Services Fund</td>
<td>9,000,000</td>
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<tr>
<td><strong>For Telecommunications:</strong></td>
<td></td>
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<tr>
<td>Payable from General Revenue Fund</td>
<td>342,000</td>
</tr>
<tr>
<td>Payable from Road Fund</td>
<td>0</td>
</tr>
<tr>
<td>Payable from Lobbyist Registration Fund</td>
<td>7,000</td>
</tr>
<tr>
<td>Payable from Registered Limited Liability Partnership Fund</td>
<td>600</td>
</tr>
<tr>
<td>Payable from Securities Audit and Enforcement Fund</td>
<td>38,800</td>
</tr>
<tr>
<td>Payable from Department of Business Services Special Operations Fund</td>
<td>61,400</td>
</tr>
<tr>
<td><strong>For Operation of Automotive Equipment:</strong></td>
<td></td>
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<tr>
<td>Payable from General Revenue Fund</td>
<td>457,000</td>
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<tr>
<td>Payable from Securities Audit</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
and Enforcement Fund.......................... 192,500
Payable from Department of Business Services
Special Operations Fund....................... 95,000
For Refunds:
Payable from General Revenue Fund.......... 10,000
Payable from Road Fund...................... 2,500,000

MOTOR VEHICLE GROUP

For Personal Services:
For Regular Positions:
Payable from General Revenue Fund......... 115,533,400
Payable from Road Fund...................... 0
Payable from the Secretary of State
Special License Plate Fund................... 790,600
Payable from Motor Vehicle Review
Board Fund................................... 145,000
Payable from Vehicle Inspection Fund........ 1,242,600
For Extra Help:
Payable from General Revenue Fund.......... 7,079,400
Payable from Road Fund...................... 0
Payable from Vehicle Inspection Fund........ 42,700

For Employee Contribution to
State Employees' Retirement System:
Payable from General Revenue Fund.......... 2,483,700
Payable from the Secretary of State
Special License Plate Fund................... 15,800
Payable from Motor Vehicle Review Board Fund.... 2,900
Payable from Vehicle Inspection Fund......... 25,700

For State Contribution to
State Employees' Retirement System:
Payable from Road Fund...................... 0
Payable from the Secretary of State
Special License Plate Fund................... 334,700
Payable from Motor Vehicle Review Board Fund.... 61,400
Payable from Vehicle Inspection Fund......... 544,200

For State Contribution to
Social Security:
Payable from General Revenue Fund.......... 9,027,900
Payable from Road Fund...................... 0
Payable from the Secretary of State

New matter indicated by italics - deletions by strikeout
Special License Plate Fund..................... 61,200
Payable from Motor Vehicle Review
Board Fund....................................... 11,100
Payable from Vehicle Inspection Fund............ 102,700

For Group Insurance:
Payable from the Secretary of State
Special License Plate Fund.................... 391,000
Payable from Motor Vehicle Review
Board Fund.......................................... 0
Payable from Vehicle Inspection Fund............ 700,600

For Contractual Services:
Payable from General Revenue Fund............ 13,870,200
Payable from Road Fund................................ 0
Payable from CDLIS/AAMVA.net/NMVTIS Trust Fund........................................ 1,300,000
Payable from the Secretary of State
Special License Plate Fund.................... 643,000
Payable from Motor Vehicle Review
Board Fund.......................................... 44,700
Payable from Vehicle Inspection Fund............ 1,030,700

For Travel Expenses:
Payable from General Revenue Fund............ 261,800
Payable from Road Fund................................ 0
Payable from the Secretary of State
Special License Plate Fund.................... 13,500
Payable from Motor Vehicle Review
Board Fund.......................................... 0
Payable from Vehicle Inspection Fund............ 0

For Commodities:
Payable from General Revenue Fund............ 220,500
Payable from Road Fund................................ 0
Payable from the Secretary of State
Special License Plate Fund.................... 1,000,000
Payable from Motor Vehicle Review Board Fund........................................ 0
Payable from Vehicle Inspection Fund............ 25,000

For Printing:
Payable from General Revenue Fund............ 1,220,000
Payable from Road Fund................................ 0

New matter indicated by italics - deletions by strikeout
Payable from the Secretary of State
Special License Plate Fund................. 2,292,400
Payable from Motor Vehicle Review Board Fund........................................ 0
Payable from Vehicle Inspection Fund........ 0

For Equipment:
Payable from General Revenue Fund........ 400,000
Payable from Road Fund........................................ 0
Payable from CDLIS/AAMVA/net/NMVTIS Trust Fund 1,600,000
Payable from the Secretary of State Special License Plate Fund................. 107,800
Payable from Motor Vehicle Review Board Fund........................................ 0
Payable from Vehicle Inspection Fund........ 0

For Telecommunications:
Payable from General Revenue Fund........ 1,435,100
Payable from Road Fund........................................ 0
Payable from the Secretary of State Special License Plate Fund................. 300,000
Payable from Motor Vehicle Review Board Fund........................................ 600
Payable from Vehicle Inspection Fund........ 30,000

For Operation of Automotive Equipment:
Payable from General Revenue Fund........ 568,000
Payable from Road Fund........................................ 0

Section 10. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitation, and nonrecurring repairs and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Office of the Secretary of State, including sidewalks, terraces, and grounds and all labor, materials, and other costs incidental to the above work:
From General Revenue Fund..................... 425,000

Section 15. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Office of the Secretary of State for new construction and alterations, and maintenance of the interiors and exteriors of the following facilities under the jurisdiction of the Secretary of State: Chicago West Facility, 5301 N. Lexington Ave., Chicago, Illinois 60644; Roger McAuliffe Facility, 5401 N.

New matter indicated by italics - deletions by strikeout

Section 20. The sum of $1,249,143, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from appropriations heretofore made for such purpose in Article 36, Section 15 and Section 20 of Public Act 98-0064, is reappropriated from the Capital Development Fund to the Office of the Secretary of State for new construction and alterations, and maintenance of the interiors and exteriors of the following facilities under the jurisdiction of the Secretary of State: Chicago West Facility, 5301 N. Lexington Ave., Chicago, Illinois 60644; Roger McAuliffe Facility, 5401 N. Elston, Chicago, Illinois 60630; Charles Crew Jr. Facility, 9901 S. King Drive, Chicago, Illinois 60628; and Capitol Complex buildings located in Springfield, Illinois.

Section 25. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the State Parking Facility Maintenance Fund to the Secretary of State for the maintenance of parking facilities owned or operated by the Secretary of State.

Section 30. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes:

For annual equalization grants, per capita and area grants to library systems, and per capita grants to public libraries, under Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From General Revenue Fund...................... 12,482,400
From Live and Learn Fund......................... 16,004,200

Section 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for library services for the blind and physically handicapped:

From General Revenue Fund....................... 865,400
From Live and Learn Fund......................... 300,000
From Accessible Electronic Information Service Fund.............................. 60,000

New matter indicated by italics - deletions by strikeout
Section 40. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes:
For annual per capita grants to all school districts of the State for the establishment and operation of qualified school libraries or the additional support of existing qualified school libraries under Section 8.4 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:
From General Revenue Fund.......................... 225,000
From Live and Learn Fund............................ 1,145,000

Section 45. The following named sums, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for grants to library systems for library computers and new technologies to promote and improve interlibrary cooperation and resource sharing programs among Illinois libraries:
From Live and Learn Fund............................ 0
From Secretary of State Special Services Fund.................. 0

Section 50. The following named sums, or so much thereof as may be necessary, are appropriated to the Office of the Secretary of State for annual library technology grants and for direct purchase of equipment and services that support library development and technology advancement in libraries statewide:
From General Revenue Fund.......................... 35,000
From Live and Learn Fund............................ 580,000
From Secretary of State Special Services Fund.................. 1,826,000
Total ................................................. $2,441,000

Section 55. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of making grants to libraries for construction and renovation as provided in Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:
From Live and Learn Fund............................ 870,800

New matter indicated by italics - deletions by strikeout
Section 60. The following named sum, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes: For library services under the Federal Library Services and Technology Act, P.L. 104-208, as amended; and the National Foundation on the Arts and Humanities Act of 1965, P.L. 89-209. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

From Federal Library Services Fund.............. 7,000,000

Section 65. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for support and expansion of the Literacy Programs administered by education agencies, libraries, volunteers, or community based organizations or a coalition of any of the above:

From General Revenue Fund...................... 3,718,300
From Live and Learn Fund......................... 750,000
From Federal Library Services Fund:
   From LSTA Title IA..................................... 0
   From Secretary of State Special
   Services Fund........................................ 1,300,000

Section 70. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for tuition and fees and other expenses related to the program for Illinois Archival Depository System Interns:

From General Revenue Fund...................... 0

Section 75. The sum of $0, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of Secretary of State for the Penny Severns Summer Family Literacy Grants.

Section 80. In addition to any other sums appropriated for such purposes, the sum of $1,288,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for a grant to the Chicago Public Library.

Section 85. The sum of $0, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for all expenditures and grants to libraries for the Project Next Generation Program.

Section 90. The following named sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of promotion of organ and tissue donations:

From Live and Learn Fund......................... 1,750,000

New matter indicated by italics - deletions by strikeout
Section 95. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Special License Plate Fund to the Office of the Secretary of State for grants to benefit Illinois Veterans Home libraries.

Section 100. The sum of $45,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Master Mason Fund to provide grants to the Illinois Masonic Foundation for the Prevention of Drug and Alcohol Abuse Among Children, Inc., a not-for-profit corporation, for the purpose of providing Model Student Assistance Programs in public and private schools in Illinois.

Section 105. The sum of $75,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Pan Hellenic Trust Fund to provide grants for charitable purposes sponsored by African-American fraternities and sororities.

Section 110. The sum of $30,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Park District Youth Program Fund to provide grants for the Illinois Association of Park Districts: After School Programming.

Section 115. The sum of $200,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Route 66 Heritage Project Fund to provide grants for the development of tourism, education, preservation and promotion of Route 66.

Section 120. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Police Memorial Committee Fund to the Office of the Secretary of State for grants to the Police Memorial Committee for maintaining a memorial statue, holding an annual memorial commemoration, and giving scholarships to children of police officers killed in the line of duty.

Section 125. The sum of $140,000, or so much thereof as may be necessary, is appropriated from the Mammogram Fund to the Office of the Secretary of State for grants to the Susan G. Komen Foundation for breast cancer research, education, screening, and treatment.

Section 130. The following named sum, or so much thereof as may be necessary, respectively, are appropriated to the Office of the Secretary of State for such purposes in Section 3-646 of the Illinois Vehicle Code (625 ILCS 5), for grants to the Regional Organ Bank of Illinois and to Mid-America Transplant Services for the purpose of promotion of organ and tissue donation awareness. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

New matter indicated by italics - deletions by strikeout
Section 135. The sum of $20,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Chicago Police Memorial Foundation Fund for grants to the Chicago Police Memorial Foundation for maintenance of a memorial and park, holding an annual memorial commemoration, giving scholarships to children of police officers killed or catastrophically injured in the line of duty, providing financial assistance to police officers and their families when a police officer is killed or injured in the line of duty, and paying the insurance premiums for police officers who are terminally ill.

Section 140. The sum of $125,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the U.S. Marine Corps Scholarship Fund to provide grants for scholarships for Higher Education.

Section 145. The sum of $700,000, or so much thereof as may be necessary, is appropriated from the SOS Federal Projects Fund to the Office of the Secretary of State for the payment of any operational expenses relating to the cost incident to augmenting the Illinois Commercial Motor Vehicle safety program by assuring and verifying the identity of drivers prior to licensure, including CDL operators; for improved security for Drivers Licenses and Personal Identification Cards; and any other related program deemed appropriate by the Office of the Secretary of State.

Section 150. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Securities Investors Education Fund for any expenses used to promote public awareness of the dangers of securities fraud.

Section 155. The sum of $5,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Secretary of State Evidence Fund for the purchase of evidence, for the employment of persons to obtain evidence, and for the payment for any goods or services related to obtaining evidence.

Section 160. The sum of $225,000, or so much thereof as may be necessary, is appropriated from the Alternate Fuels Fund to the Office of Secretary of State for the cost of administering the Alternate Fuels Act.

Section 165. The sum of $17,074,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Special Services Fund to the Office of the Secretary of State for office automation and technology.

Section 170. The sum of $14,386,300, or so much thereof as may be necessary, is appropriated from the Motor Vehicle License Plate Fund to the
Office of the Secretary of State for the cost incident to providing new or replacement plates for motor vehicles.

Section 175. The sum of $2,500,000, or so much thereof as may be necessary, is appropriated from the Secretary of State DUI Administration Fund to the Office of Secretary of State for operation of the Department of Administrative Hearings of the Office of Secretary of State and for no other purpose.

Section 180. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Police DUI Fund to the Secretary of State for the payments of goods and services that will assist in the prevention of alcohol-related criminal violence throughout the State.

Section 185. The sum of $800,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Police Services Fund to the Secretary of State for purposes as indicated by the grantor or contractor or, in the case of money bequeathed or granted for no specific purpose, for any purpose as deemed appropriate by the Director of Police, Secretary of State in administering the responsibilities of the Secretary of State Department of Police.

Section 190. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Office of the Secretary of State Grant Fund to the Office of the Secretary of State to be expended in accordance with the terms and conditions upon which such funds were received.

Section 195. The sum of $24,300, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the State Library Fund to increase the collection of books, records, and holdings; to hold public forums; to purchase equipment and resource materials for the State Library; and for the upkeep, repair, and maintenance of the State Library building and grounds.

Section 200. The following sum, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitations, new construction, and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Secretary of State to enhance security measures in the Capitol Complex:

| From General Revenue Fund | 3,700,000 |

Section 205. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Identification Security and Theft Prevention Fund to the Office of Secretary of State for all costs related to implementing identification security and theft prevention measures.

New matter indicated by italics - deletions by strikeout
Section 210. The sum of $3,600,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Driver Services Administration Fund for the payment of costs related to the issuance of temporary visitor’s driver’s licenses, and other operational costs, including personnel, facilities, computer programming, and data transmission.

Section 215. The sum of $2,500,000, or so much thereof as may be necessary, is appropriated from the Monitoring Device Driving Permit Administration Fee Fund to the Office of the Secretary of State for all Secretary of State costs associated with administering Monitoring Device Driving Permits per Public Act 95-0400.

Section 220. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Indigent BAIID Fund to the Office of the Secretary of State to reimburse ignition interlock device providers per Public Act 95-0400.

Section 225. The sum of $55,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Professional Golfers Association Junior Golf Fund for grants to the Illinois Professional Golfers Association Foundation to help Association members expose Illinois youngsters to the game of golf.

Section 230. The sum of $100,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Agriculture in the Classroom Fund for grants to support Agriculture in the Classroom programming for public and private schools within Illinois.

Section 235. The sum of $40,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Boy Scout and Girl Scout Fund for grants to the Illinois divisions of the Boy Scouts of America and the Girl Scouts of the U.S.A.

Section 240. The sum of $50,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Support Our Troops Fund for grants to Illinois Support Our Troops, Inc. for charitable assistance to the troops and their families in accordance with its Articles of Incorporation.

Section 245. The sum of $5,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois EMS Memorial Scholarship and Training Fund for grants to the EMS Memorial Scholarship and Training Council for providing scholarships for graduate study, undergraduate study, or both, to children and spouses of emergency
medical services (EMS) personnel killed in the course of their employment and for grants for the training of EMS personnel.

Section 250. The sum of $5,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Rotary Club Fund for grants for charitable purposes sponsored by the Rotary Club.

Section 255. The sum of $15,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Ovarian Cancer Awareness Fund for grants to the National Ovarian Cancer Coalition, Inc. for ovarian cancer research, education, screening, and treatment.

Section 260. The sum of $6,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Sheet Metal Workers International Association of Illinois Fund for grants for charitable purposes sponsored by Illinois chapters of the Sheet Metal Workers International Association.

Section 265. The sum of $100,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Police Association Fund for providing death benefits for the families of police officers killed in the line of duty, and for providing scholarships, for graduate study, undergraduate study, or both, to children and spouses of police officers killed in the line of duty.

Section 270. The sum of $35,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the International Brotherhood of Teamsters Fund for grants to the Teamsters Joint Council 25 Charitable Trust for religious, charitable, scientific, literary, and educational purposes.

Section 275. The sum of $0, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the 4-H Fund for grants to the Illinois 4-H Foundation for the purpose of funding 4-H programs in Illinois.

Section 280. The sum of $20,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Fraternal Order of Police Fund for grants to the Illinois Fraternal Order of Police to increase the efficiency and professionalism of law enforcement officers in Illinois, to educate the public about law enforcement issues, to more firmly establish the public confidence in law enforcement, to create partnerships with the public, and to honor the service of law enforcement officers.

New matter indicated by italics - deletions by strikeout
Section 285. The sum of $35,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Share the Road Fund for grants to the League of Illinois Bicyclists, a not for profit corporation, for educational programs instructing bicyclists and motorists how to legally and more safely share the roadways.

Section 290. The sum of $0, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the St. Jude Children’s Research Fund for grants to St. Jude Children’s Research Hospital for pediatric treatment and research.

Section 295. The sum of $10,000, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Ducks Unlimited Fund for grants to Ducks Unlimited, Inc. to fund wetland protection, enhancement, and restoration projects in the State of Illinois, to fund education and outreach for media, volunteers, members, and the general public regarding waterfowl and wetlands conservation in the State of Illinois, and to cover reasonable cost for Ducks Unlimited plate advertising and administration of the wetland conservation projects and education program.

Section 300. The sum of $200,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Family Responsibility Fund for all costs associated with enforcement of the Family Financial Responsibility Law.

Section 305. The sum of $400, or so much thereof as may be necessary, is appropriated to the Office of the Secretary of State from the Soil and Water Conservation District Fund for grants to Illinois soil and water conservation districts for projects that conserve and restore soil and water in Illinois.

ARTICLE 37

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the State Employees' Retirement System:

SOCIAL SECURITY DIVISION

For Personal Services............................. 51,800
For State Contributions to Social Security......................... 4,000
For Contractual Services.......................... 15,700
For Travel......................................... 1,200
For Commodities...................................... 100
For Printing........................................... 0

New matter indicated by italics - deletions by strikeout
For Equipment.......................................... 0
For Electronic Data Processing....................... 500
For Telecommunications Services..................... 400
Total                                           $73,700

CENTRAL OFFICE
For Employee Retirement Contributions
Paid by Employer for Prior Fiscal Years............. 0

ARTICLE 38

Section 5. In addition to other sums appropriated, the sum of $344,821,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Supreme Court for operational expenses, awards, grants, permanent improvements and probation reimbursements for the fiscal year ending June 30, 2015.

Section 10. The sum of $26,912,700, or so much thereof as may be necessary, is appropriated from the Mandatory Arbitration Fund to the Supreme Court for Mandatory Arbitration Programs.

Section 15. The sum of $654,800, or so much thereof as may be necessary, is appropriated from the Foreign Language Interpreter Fund to the Supreme Court for the Foreign Language Interpreter Program.

Section 20. The sum of $953,900, or so much thereof as may be necessary, is appropriated from the Lawyers' Assistance Program Fund to the Supreme Court for lawyers' assistance programs.

Section 25. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Supreme Court Special Purposes Fund to the Supreme Court for the oversight and management of electronic filing, case management systems, and committees and commissions of the Supreme Court.

ARTICLE 39

Section 5. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Supreme Court Historic Preservation Fund to the Supreme Court Historic Preservation Commission for historic preservation purposes.

ARTICLE 40

Section 5. The amount of $7,601,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Treasurer to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 10. The amount of $1,000,000, or so much thereof as may be necessary, is appropriated to the State Treasurer from the General Revenue

New matter indicated by italics - deletions by strikeout
Fund for the purpose of making refunds of accrued interest on protested tax cases.

Section 15. The amount of $11,051,660, or so much thereof as may be necessary, is appropriated from the State Pensions Fund to the Office of the State Treasurer to meet its operational expenses for the fiscal year ending June 30, 2015.

Section 20. The amount of $8,100,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Bank Services Trust Fund for the purpose of making payments to financial institutions for banking services pursuant to the State Treasurer's Bank Services Trust Fund Act.

Section 25. The amount of $1,000,000, or so much thereof as may be necessary, is appropriated to the State Treasurer from the General Obligation Bond Rebate Fund for the purpose of making arbitrage rebate payments to the U.S. government.

Section 30. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the Charitable Trust Stabilization Fund to the State Treasurer for the State Treasurer’s operational costs to administer the Charitable Trust Stabilization Fund and for grants to public and private entities in the State for the purposes set out in the Charitable Trust Stabilization Act.

ARTICLE 99

Section 99. Effective date. This Act takes effect July 1, 2014.


Approved June 30, 2014.

Effective July 1, 2014.

PUBLIC ACT 98-0680

(House Bill No. 6096)

AN ACT making appropriations.

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

ARTICLE 1

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

ENTIRE AGENCY

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services......................... 5,931,400
For State Contributions to Social Security...... 454,700
For Contractual Services....................... 1,657,000
For Travel....................................... 195,600
For Commodities............................... 23,700
For Printing.................................... 42,800
For Electronic Data Processing.................. 304,000
For Equipment.................................. 14,400
For Telecommunications........................ 650,000
For Operation of Automotive Equipment......... 8,000
Total                                                                                     $9,281,600

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

Payable from Services for Older Americans Fund:
For Personal Services......................... 200,100
For State Contributions to State Employees' Retirement System............... 84,700
For State Contributions to Social Security...... 15,300
For Group Insurance............................ 47,000
For Contractual Services....................... 50,000
For Travel........................................ 15,200
For Commodities............................... 6,500
For Printing..................................... 0
For Equipment................................... 2,000
For Electronic Data Processing................ 60,000
For Telecommunications......................... 60,000
For Operation of Auto Equipment............... 2,000
Total                                                                                      $542,800

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF HOME AND COMMUNITY SERVICES
Payable from Services for Older Americans Fund:
For Personal Services......................... 835,800
For State Contributions to State Employees' Retirement System............... 353,900

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0680

For State Contributions to Social Security........ 63,900
For Group Insurance............................. 216,700
For Contractual Services.......................... 36,000
For Travel........................................ 65,000
For Printing........................................... 0
For Telecommunications............................. 0
Total $1,571,300

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DISTRIBUTIVE ITEMS
OPERATIONS

Payable from General Revenue Fund:
For Expenses of the Provisions of the Statewide Centralized Abuse, Neglect, Financial Exploitation and Self-Neglect Act........ 23,059,700
For Expenses of the Senior Employment Specialist Program...................... 190,300
For Expenses of the Grandparents Raising Grandchildren Program.................. 300,000
For expenses associated with Home Delivered Meals (formula and non-formula).... 11,623,200
For Specialized Training Program................ 50,000
For Expenses of the Illinois Department on Aging for Monitoring and Support Services..................... 182,000
For Expenses of the Illinois Council on Aging............................. 26,000
For Administrative Expenses of the Senior Meal Program.......................... 31,100
For Benefits, Eligibility, Assistance and Monitoring.......................... 1,848,700
For the expenses of the Senior Helpline........ 1,393,900
Total $38,704,900

Payable from the Senior Health Insurance Program Fund:
For the Senior Health Insurance Program........ 3,000,000

Payable from the Long Term Care Ombudsman Fund:

New matter indicated by italics - deletions by strikeout
For Expenses of the Long Term Care Ombudsman Fund............................. 3,000,000

Payable from Services for Older Americans Fund:
For Expenses of Senior Meal Program............... 200,000
For Older Americans Training....................... 125,000
For Ombudsman Training and Conference Planning.................. 150,000
For Expenses of the Discretionary Government Projects................ 4,000,000
Total $4,475,000

Payable from services for Older Americans Fund:
For Administrative Expenses of Title V Services...................... 300,000

Payable from the Department on Aging State Projects Fund:
For Expenses of Private Partnership Projects...................... 345,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund for the ordinary and contingent expenses of the Department on Aging:

**DISTRIBUTIVE ITEMS**

**GRANTS-IN-AID**

For Grants for Retired Senior Volunteer Program.......................... 551,800
For Planning and Service Grants to Area Agencies on Aging.............. 7,722,000
For Grants for the Foster Grandparent Program............................ 241,400
For Expenses to the Area Agencies on Aging for Long-Term Care Systems Development.......................... 243,800
For the Ombudsman Program........................................... 1,348,400
Grants for Community Based Services for equal distribution to each of the 13 Area Agencies on Aging...................... 751,200
Total $10,858,600

Payable from the Tobacco Settlement Recovery Fund:

New matter indicated by italics - deletions by strikeout
For Grants and Administrative Expenses of Senior Health Assistance Programs........................................ 1,600,000
Payable from Services for Older Americans Fund:
For Adult Food Care Program.......................... 200,000
For Title V Employment Services...................... 6,500,000
For Title III C-1 Congregate Meals Program...... 26,000,000
For Title III C-2 Home Delivered Meals Program........................................ 16,000,000
For Title III Social Services........................ 22,000,000
For National Lunch Program.......................... 2,500,000
For National Family Caregiver Support Program........................................ 7,500,000
For Title VII Prevention of Elder Abuse, Neglect, and Exploitation.................. 500,000
For Title VII Long Term Care Ombudsman Services for Older Americans........ 1,000,000
For Title III D Preventive Health.......................... 1,000,000
For Nutrition Services Incentive Program......... 8,500,000
For Additional Title V Grant.......................... 0
Total ........................................................................ $91,700,000

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DISTRIBUTIVE ITEMS

COMMUNITY CARE

Payable from General Revenue Fund:
For grants and for administrative expenses associated with the purchase of services covered by the Community Care Program, including prior year costs........................................ 745,286,900
For grants and for administrative expenses associated with Capitated Care Coordination........................................ 32,230,000
For the Balancing Incentive Program................ 3,476,600
For the Implementation of the Colbert Consent Decree.......................... 32,496,400
For grants and for administrative expenses associated with Comprehensive

New matter indicated by italics - deletions by strikeout
Article 1

Case Coordination, including prior year costs…………………………. 60,757,900
Payable from the Commitment to Human Services Fund:
For grants and for administrative expenses associated with the purchase of services covered by the Community Care Program, including prior year costs........... 99,000,000
Total $973,247,800

The Department, with the consent in writing from the Governor, may reappropriate not more than 10 percent of the total appropriations of General Revenue Funds in Section 25 above among the various purposes therein enumerated.

Article 2

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

Entire Agency
Payable from General Revenue Fund
For Personal Services...................... 210,726,300
For State Contributions to Social Security.............................. 16,116,800
For Contractual Services...................... 26,726,700
For Travel..................................... 6,768,200
For Commodities.................................. 465,100
For Printing..................................... 474,000
For Equipment..................................... 47,400
For Electronic Data Processing............... 1,571,400
For Telecommunications........................ 4,974,900
For Operation of Automotive Equipment........ 174,000
Total $268,044,800

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

Central Administration
Payable from General Revenue Fund
For Attorney General Representation on Child Welfare Litigation Issues.......... 474,000

Payable from DCFS Special Purposes Trust Fund

New matter indicated by italics - deletions by strikeout
For Expenditures of Private Funds
for Child Welfare Improvements............... 689,100
  PAYABLE FROM DCFS CHILDREN’S SERVICES FUND
For AFCARS/SACWIS Information System....... 15,418,800
  Section 15. The following named amounts, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to the Department of Children and Family Services:

  REGULATION AND QUALITY CONTROL
  PAYABLE FROM GENERAL REVENUE FUND
For Child Death Review Teams................... 106,400
  Section 20. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Children and
Family Services:

  CHILD WELFARE
  PAYABLE FROM GENERAL REVENUE FUND
For Targeted Case Management.................. 9,907,700
  PAYABLE FROM DCFS CHILDREN’S SERVICES FUND
For Independent Living Initiative.............. 9,300,000
  PAYABLE FROM DCFS FEDERAL PROJECTS FUND
For Federal Child Welfare Projects............. 916,600
  Section 25. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Children and
Family Services:

  CHILD PROTECTION
  PAYABLE FROM DCFS FEDERAL PROJECTS FUND
For Federal Child Protection Projects......... 9,695,000
  Section 30. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Children and
Family Services:

  BUDGET, LEGAL AND COMPLIANCE
  PAYABLE FROM GENERAL REVENUE FUND
For Refunds....................................... 11,500
  PAYABLE FROM DCFS CHILDREN’S SERVICES FUND
For Title IV-E Reimbursement
  Enhancement.................................... 4,228,800
For SSI Reimbursement.......................... 1,513,300
  Total $5,742,100

New matter indicated by italics - deletions by strikeout
Section 35. The following named amounts, or so much thereof as may be necessary, respectively, for payments for care of children served by the Department of Children and Family Services:

**GRANTS-IN-AID**

**REGIONAL OFFICES**

**PAYABLE FROM GENERAL REVENUE FUND**

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Foster Homes and Specialized</td>
<td></td>
</tr>
<tr>
<td>Foster Care and Prevention</td>
<td>134,945,800</td>
</tr>
<tr>
<td>For Counseling and Auxiliary Services</td>
<td>8,700,900</td>
</tr>
<tr>
<td>For Institution and Group Home Care and Prevention</td>
<td>140,434,600</td>
</tr>
<tr>
<td>For Services Associated with the Foster Care Initiative</td>
<td>6,281,200</td>
</tr>
<tr>
<td>For Purchase of Adoption and Guardianship Services</td>
<td>88,990,100</td>
</tr>
<tr>
<td>For Health Care Network</td>
<td>1,661,900</td>
</tr>
<tr>
<td>For Cash Assistance and Housing</td>
<td></td>
</tr>
<tr>
<td>Locator Service to Families in the Class Defined in the Norman Consent Order</td>
<td>1,343,900</td>
</tr>
<tr>
<td>For Youth in Transition Program</td>
<td>886,800</td>
</tr>
<tr>
<td>For MCO Technical Assistance and Program Development</td>
<td>1,407,800</td>
</tr>
<tr>
<td>For Pre Admission/Post Discharge</td>
<td></td>
</tr>
<tr>
<td>Psychiatric Screening</td>
<td>3,003,500</td>
</tr>
<tr>
<td>For Assisting in the Development of Children's Advocacy Centers</td>
<td>1,942,300</td>
</tr>
<tr>
<td>For Psychological Assessments</td>
<td></td>
</tr>
<tr>
<td>Including Operations and Administrative Expenses</td>
<td>0</td>
</tr>
<tr>
<td>For Family Preservation Services</td>
<td>2,192,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$391,791,200</strong></td>
</tr>
</tbody>
</table>

**PAYABLE FROM DCFS CHILDREN'S SERVICES FUND**

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Foster Homes and Specialized</td>
<td></td>
</tr>
<tr>
<td>Foster Care and Prevention</td>
<td>170,924,100</td>
</tr>
<tr>
<td>For Cash Assistance and Housing Locator Services to Families in the Class Defined in the Norman Consent Order</td>
<td>2,071,300</td>
</tr>
<tr>
<td>For Counseling and Auxiliary Services</td>
<td>10,547,200</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Institution and Group Home Care and Prevention.......................... 98,711,100
For Assisting in the development of Children's Advocacy Centers........... 1,398,200
For Psychological Assessments Including Operations and Administrative Expenses........................ 3,010,100
For Children's Personal and Physical Maintenance.......................... 2,856,100
For Services Associated with the Foster Care Initiative........................ 1,477,100
For Purchase of Adoption and Guardianship Services.......................... 92,829,400
For Family Preservation Services.......................... 25,098,700
For Purchase of Children's Services........................................ 0
For Family Centered Services Initiative.......................... 16,489,700
For Health Care Network........................................ 2,361,400
Total .................................................................. $427,774,400

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

GRANTS-IN-AID
CENTRAL ADMINISTRATION
PAYABLE FROM GENERAL REVENUE FUND
For Department Scholarship Program.......................... 1,240,700

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

GRANTS-IN-AID
CHILD PROTECTION
PAYABLE FROM GENERAL REVENUE FUND
For Protective/Family Maintenance Day Care.............................. 24,334,400
PAYABLE FROM CHILD ABUSE PREVENTION FUND
For Child Abuse Prevention........................................ 300,000

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

GRANTS-IN-AID

New matter indicated by italics - deletions by strikeout
BUDGET, LEGAL AND COMPLIANCE
PAYABLE FROM GENERAL REVENUE FUND
For Tort Claims.......................... 75,000

PAYABLE FROM DCFS CHILDREN’S SERVICES FUND
For Tort Claims.......................... 2,800,000
For all expenditures related to the collection and distribution of Title IV-E reimbursements for counties included in the Title IV-E Juvenile Justice Program.... 3,000,000

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

GRANTS-IN-AID
CLINICAL SERVICES
PAYABLE FROM DCFS CHILDREN’S SERVICES FUND
For Foster Care and Adoption Care Training.... 10,000,000

ARTICLE 3
Section 5. The sum of $650,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Deaf and Hard of Hearing Commission for operational expenses of the fiscal year ending June 30, 2015.

Section 10. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Interpreters for the Deaf Fund to the Deaf and Hard of Hearing commission for administration and enforcement of the Interpreter for the Deaf Licensure Act of 2007.

ARTICLE 4
Section 5. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Guardianship and Advocacy Commission for operational expenses of the fiscal year ending June 30, 2015.

Section 10. The sum of $700,000, or so much thereof as may be necessary, is appropriated from the Guardianship and Advocacy Fund to the Guardianship and Advocacy Commission for services pursuant to Section 5 of the Guardianship and Advocacy Act.

ARTICLE 5
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Human Rights Commission for the objects and purposes hereinafter enumerated:

GENERAL OFFICE

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Human Rights Commission for the Illinois Torture Inquiry Relief Commission.

ARTICLE 6

Section 5. The sum of $8,404,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for operational expenses of the fiscal year ending June 30,2015.

Section 10. The sum of $75,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for the purpose of funding expenses associated with the Commission on Discrimination and Hate Crimes as provided in Public Act 95-0425.

Section 15. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the Department of Human Rights Training and Development Fund to the Department of Human Rights for the purpose of funding expenses associated with administration.

Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Special Projects Division Fund:

For Personal Services......................... 2,563,500
For State Contributions to State Employees' Retirement System........ 1,085,400
For State Contributions to Social Security....... 172,200
For Group Insurance............................. 464,000
For Contractual Services......................... 183,000
For Travel........................................ 37,000
For Commodities.................................... 6,800
For Printing................................. 9,300
For Equipment.............................. 9,600
For Telecommunications Services.............. 7,000
Total $4,537,800

Section 25. The sum of $1,000,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for expenses relating to the investigation and processing of human rights cases, and expenses associated with Elementary and Higher Education processing.

Section 30. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Department of Human Rights Special Fund to the Department of Human Rights for the purpose of funding expenses associated with the Department of Human Rights.

ARTICLE 7

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Illinois Council on Developmental Disabilities:
Payable from Council on Developmental Disabilities Federal Fund:
For Personal Services............................ 948,700
For State Contributions to the State Employees' Retirement System......................... 401,700
For State Contributions to Social Security.................................. 72,600
For Group Insurance.............................. 287,500
For Contractual Services......................... 469,700
For Travel........................................ 43,000
For Commodities................................... 30,000
For Printing...................................... 37,500
For Equipment..................................... 15,000
For Electronic Data Processing.................... 25,000
For Telecommunications Services.............. 45,000
Total $2,375,700

Section 10. The amount of $2,500,000, or so much thereof as may be necessary, is appropriated from the Council on Developmental Disabilities Federal Fund to the Illinois Council on Developmental Disabilities for awards and grants to community agencies and other State agencies.

ARTICLE 8

New matter indicated by italics - deletions by strikeout
Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:

**PROGRAM ADMINISTRATION**

Payable from General Revenue Fund:
- For Personal Services......................... 20,937,900
- For State Contributions to:
  - Social Security............................ 1,601,700
- For Contractual Services....................... 7,392,300
- For Travel....................................... 140,000
- For Commodities........................................ 0
- For Printing........................................... 0
- For Equipment.......................................... 0
- For Telecommunications Services................ 0
- For Operation of Auto Equipment................ 37,500
- For Deposit into the Public Aid Recoveries Trust Fund................. 4,500,000
Total $34,609,400

Payable from Public Aid Recoveries Trust Fund:
- For Personal Services............................ 270,100
- For State Contributions to State Employees' Retirement System.............. 114,400
- For State Contributions to Social Security................................. 20,700
- For Group Insurance.................................. 83,500
- For Contractual Services............................... 5,294,400
- For Commodities.................................. 320,400
- For Printing..................................... 538,400
- For Equipment.................................... 110,000
- For Telecommunications Services............. 1,300,500
- For Costs Associated with Information Technology Infrastructure........ 44,055,200
Total $52,107,600

**OFFICE OF INSPECTOR GENERAL**

Payable from General Revenue Fund:
- For Personal Services......................... 5,879,900
- For State Contributions to Social Security................................. 449,800
- For Contractual Services............................... 0

New matter indicated by italics - deletions by strikeout
For Travel: 27,500
For Equipment: 0
Total: 6,357,200

Payable from Public Aid Recoveries Trust Fund:
- For Personal Services: 11,495,400
- For State Contributions to State Employees' Retirement System: 4,867,000
- For State Contributions to Social Security: 879,400
- For State Contributions to Group Insurance: 2,667,400
- For State Contributions to Contractual Services: 5,101,800
- For Travel: 91,400
- For Commodities: 0
- For Printing: 0
- For Equipment: 345,700
- For Telecommunications Services: 0
Total: 25,448,100

Payable from Long-Term Care Provider Fund:
- For Administrative Expenses: 390,000

CHILD SUPPORT SERVICES

Payable from General Revenue Fund:
- For Deposit into the Child Support Administrative Fund: 29,938,800

Payable from Child Support Administrative Fund:
- For Personal Services: 72,793,200
- For Employee Retirement Contributions Paid by Employer: 23,300
- For State Contributions to State Employees' Retirement System: 30,819,900
- For Social Security: 5,568,700
- For Group Insurance: 20,435,200
- For Contractual Services: 67,111,100
- For Travel: 575,200
- For Commodities: 290,800
- For Printing: 229,600
- For Equipment: 1,082,200
- For Telecommunications Services: 3,944,400

New matter indicated by italics - deletions by strikeout
Demonstration Projects......................... 900,000
For Administrative Costs Related to
Enhanced Collection Efforts including
Paternity Adjudication Demonstration....... 10,800,000
For Costs Related to the State
Disbursement Unit......................... 12,843,200
Total ........................................ 225,141,000

LEGAL REPRESENTATION
Payable from General Revenue Fund:
For Personal Services......................... 1,518,200
For Employee Retirement Contributions
Paid by Employer......................... 26,000
For State Contributions to
Social Security......................... 116,100
For Contractual Services.................. 173,700
For Travel.......................... 8,000
For Equipment........................ 3,500
Total ........................................ 1,845,500

PUBLIC AID RECOVERIES
Payable from Public Aid Recoveries Trust Fund:
For Personal Services......................... 9,702,000
For State Contributions to State
Employees' Retirement System............. 4,107,700
For State Contributions to
Social Security......................... 742,200
For Group Insurance....................... 2,553,400
For Contractual Services............. 24,845,800
For Travel.......................... 100,000
For Commodities....................... 27,000
For Printing.......................... 10,000
For Equipment.................... 1,259,500
For Telecommunications Services............ 190,000
Total .................................... 43,537,600

MEDICAL
Payable from General Revenue Fund:
For Expenses Related to Community Transitions
and Long-Term Care System Rebalancing,
Including Grants, Services and Related
Operating and Administrative Costs......... 19,500,000

New matter indicated by italics - deletions by strikeout
For Deposit into the Healthcare Provider Relief Fund.................................. 64,232,900
Total $83,732,900

Payable from Provider Inquiry Trust Fund:
For Expenses Associated with Providing Access and Utilization of Department Eligibility Files............. 2,500,000

Payable from Public Aid Recoveries Trust Fund:
For Personal Services.......................... 8,674,500
For State Contributions to State Employees’ Retirement System............... 3,672,700
For State Contributions to Social Security.......................... 663,600
For Group Insurance.......................... 2,177,100
For Contractual Services.......................... 45,299,000
For Commodities.................................... 5,300
For Printing....................................... 3,500
For Equipment.................................... 136,800
For Telecommunications Services................... 22,400
For Deposit into the Medical Special Purposes Trust Fund............... 500,000
For Costs Associated with the Development, Implementation and Operation of a Medical Data Warehouse...... 6,259,100
Total $67,414,000

Payable from Healthcare Provider Relief Fund:
For Operational Expenses...................... 53,361,800

Section 10. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance:
Payable from General Revenue Fund:
For Physicians............................... 172,101,900
For Dentists................................. 108,967,600

New matter indicated by italics - deletions by strikeout
For Optometrists.............................. 17,342,900
For Podiatrists................................. 614,000
For Chiropractors................................. 78,600
For Hospital In-Patient, Disproportionate Share and Ambulatory Care............... 1,386,215,800
For federally defined Institutions for Mental Diseases.............................. 46,359,700
For Supportive Living Facilities............. 123,927,100
For all other Skilled, Intermediate, and Other Related Long Term Care Services...... 912,326,500
For Community Health Centers............... 98,458,100
For Hospice Care............................... 76,247,300
For Independent Laboratories............... 25,959,500
For Home Health Care, Therapy, and Nursing Services.......................... 14,475,300
For Appliances................................. 36,691,800
For Transportation............................ 48,208,400
For Other Related Medical Services, development, implementation, and operation of managed care and children's health programs, operating and administrative costs and related distributive purposes.................. 140,790,600
For Medicare Part A Premiums.................. 12,662,600
For Medicare Part B Premiums................. 387,164,500
For Medicare Part B Premiums for Qualified Individuals under the Federal Balanced Budget Act of 1997........ 28,278,900
For Health Maintenance Organizations, Managed Care Entities, and Coordinated Care Entities.......................... 3,064,240,600
For Division of Specialized Care for Children........................................ 107,036,500
Total ........................................ $6,808,148,200

In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for Medical Assistance under the Illinois Public Aid Code, the Children's Health Insurance Program

New matter indicated by italics - deletions by strikeout
Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program Act for prescribed drugs, including related administrative and operation costs, and costs related to the operation of the Health Benefits for Workers with Disabilities Program:

Payable from:

General Revenue Fund........................ 126,505,200
Drug Rebate Fund.............................. 700,000,000
Tobacco Settlement Recovery Fund.......... 200,600,000
Medicaid Buy-In Program Revolving Fund... 550,000
Total ........................................ $1,027,655,200

Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:

FOR MEDICAL ASSISTANCE

Payable from General Revenue Fund:

For Medical Care for Persons
  Suffering from Chronic Renal Disease........ 183,300
For Medical Care for Persons
  Suffering from Hemophilia.................... 4,275,700
For Medical Care for Sexual Assault Victims........ 224,700
For Altgeld Clinic................................ 400,000
Total ........................................ $5,083,700

The Department, with the consent in writing from the Governor, may reapportion not more than six percent of the total General Revenue Fund appropriations in this Act for “Medical Assistance” among the various purposes therein enumerated.

Section 20. In addition to any amount heretofore appropriated, the amount of $70,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Interagency Program Fund for i) Medical Assistance payments on behalf of individuals eligible for Medical Assistance programs administered by the Department of Healthcare and Family Services, and ii) pursuant to an interagency agreement, medical services and other costs associated with programs administered by another agency of state government, including operating and administrative costs.

Section 25. The sum of $28,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medicaid Research and Education Support Fund for

New matter indicated by italics - deletions by strikeout
Medicaid research and education enhancement payments to qualifying academic medical centers.

Section 30. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:


Payable from Care Provider Fund for Persons with a Developmental Disability:
For Administrative Expenditures.................. 205,000

Payable from Long-Term Care Provider Fund:
For Skilled, Intermediate, and Other Related Long-Term Care Services.................. 700,000,000
For Administrative Expenditures.................. 1,700,000
Total $701,700,000

Payable from Hospital Provider Fund:
For Hospitals and Related Operating and Administrative Costs.................. 2,500,000,000

Payable from Healthcare Provider Relief Fund:
For Medical Assistance Providers and Related Operating and Administrative Costs.................. 4,500,000,000

Section 35. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE, THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT, AND THE COVERING ALL KIDS HEALTH INSURANCE ACT

Payable from County Provider Trust Fund:
For Medical Services.................. 2,500,000,000
For Administrative Expenditures Including Pass-through of Federal Matching Funds........ 25,000,000
Total $2,525,000,000

New matter indicated by italics - deletions by strikeout
Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for refunds of overpayments of assessments or intergovernmental transfers made by providers during the period from July 1, 1991 through June 30, 2014:
Payable from:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Care Provider Fund for Persons with a Developmental Disability</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Long-Term Care Provider Fund</td>
<td>2,750,000</td>
</tr>
<tr>
<td>Hospital Provider Fund</td>
<td>5,000,000</td>
</tr>
<tr>
<td>County Provider Trust Fund</td>
<td>1,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$9,750,000</strong></td>
</tr>
</tbody>
</table>

Section 45. The amount of $15,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Trauma Center Fund for adjustment payments to certain Level I and Level II trauma centers.

Section 50. The amount of $375,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the University of Illinois Hospital Services Fund to reimburse the University of Illinois Hospital for medical services.

Section 55. The amount of $4,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Juvenile Rehabilitation Services Medicaid Matching Fund for payments to the Department of Juvenile Justice and counties for court-ordered juvenile behavioral health services under the Illinois Public Aid Code and the Children's Health Insurance Program Act.

Section 60. The amount of $30,500,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Special Purposes Trust Fund for medical demonstration projects and costs associated with the implementation of federal Health Insurance Portability and Accountability Act mandates.

Section 65. The amount of $60,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Special Purposes Trust Fund for costs associated with the development, implementation and operation of an eligibility verification and enrollment system as required by Public Act 96-1501 and the federal Patient Protection and Affordable Care Act, including grant expenditures, operating and administrative costs and related distributive purposes.

New matter indicated by italics - deletions by strikeout
Section 70. The amount of $200,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Special Education Medicaid Matching Fund for payments to local education agencies for medical services and other costs eligible for federal reimbursement under Title XIX or Title XXI of the federal Social Security Act.

Section 75. In addition to any amounts heretofore appropriated, the amount of $15,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Money Follows the Person Budget Transfer Fund for costs associated with long-term care, including related operating and administrative costs. Such costs shall include, but not necessarily be limited to, those related to long-term care rebalancing efforts, institutional long-term care services, and, pursuant to an interagency agreement, community-based services administered by another agency of state government.

Section 80. The sum of $200,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Electronic Health Record Incentive Fund for the purpose of payments to qualifying health care providers to encourage the adoption and use of certified electronic health records technology pursuant to paragraph 1903 (t)(1) of the Social Security Act.

ARTICLE 9

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

Payable from General Revenue Fund:
For Personal Services...................... 315,203,100
For State Contributions to Social Security.... 22,887,600
Total 338,090,700

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for income assistance and related distributive purposes, including such Federal funds as are made available by the Federal Government for the following purposes:

DISTRIBUTIVE ITEMS
GRANTS-IN-AID

Payable from General Revenue Fund:
For Aid to Aged, Blind or Disabled

New matter indicated by italics - deletions by strikeout
under Article III.......................... 29,748,700
For Temporary Assistance for Needy
Families under Article IV
and other social services including
Emergency Assistance for families
with Dependent Children.................. 181,059,700
For State Transitional Assistance......... 5
For State Family and Child Assistance Program.. 5
For Refugees.................................. 1,126,700
For Funeral and Burial Expenses under
Articles III, IV, and V, including
prior year costs............................. 9,485,000
For Grants Associated with Child Care
Services, Including Operating and
Administrative Costs...................... 228,401,200
For Grants and for Administrative
Expenses associated with Refugee
Social Services............................ 208,700
For costs associated with the
Illinois Welcoming Centers............... 1,033,500
For Grants and Administrative
Expenses associated with Immigrant
Integration Services and for
other Immigrant Services pursuant
to 305 ILCS 5/12-4.34..................... 6,673,600
Payable from Employment and Training Fund:
For Temporary Assistance for Needy
Families under Article IV
and other social services including
Emergency Assistance for families
with Dependent Children in accordance with
applicable laws and regulations
for the State portion of federal
funds made available by the American
Recovery and Reinvestment Act
of 2009...................................... 20,000,000
Total $477,737,110

The Department, with the consent in writing from the Governor, may
reapportion not more than ten percent of the total appropriation of General

New matter indicated by italics - deletions by strikeout
Revenue Funds in Section 5 above "For Income Assistance and Related Distributive Purposes" among the various purposes therein enumerated.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

**ADMINISTRATIVE AND PROGRAM SUPPORT**

<table>
<thead>
<tr>
<th>Payable from General Revenue Fund:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services................</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to Social Security........</td>
<td>0</td>
</tr>
<tr>
<td>For Group Insurance..........................</td>
<td>0</td>
</tr>
<tr>
<td>For Contractual Services.................</td>
<td>3,061,800</td>
</tr>
<tr>
<td>Payable from Vocational Rehabilitation Fund:</td>
<td></td>
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<tr>
<td>For Personal Services................</td>
<td>4,175,900</td>
</tr>
<tr>
<td>For Retirement Contributions.............</td>
<td>1,768,000</td>
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<tr>
<td>For State Contributions to Social Security.......</td>
<td>319,500</td>
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<tr>
<td>For Group Insurance..........................</td>
<td>1,495,000</td>
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<tr>
<td>For Contractual Services.................</td>
<td>331,000</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>For Contractual Services:</th>
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<tbody>
<tr>
<td>For Leased Property Management........</td>
<td>40,459,300</td>
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<tr>
<td>For CMS Fleet Management................</td>
<td>2,026,800</td>
</tr>
<tr>
<td>For Press Information Officers Management.......</td>
<td>206,000</td>
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<tr>
<td>For Graphic Design Management................</td>
<td>56,700</td>
</tr>
<tr>
<td>For Travel..............................</td>
<td>170,300</td>
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<tr>
<td>For Commodities.......................</td>
<td>955,100</td>
</tr>
<tr>
<td>For Printing............................</td>
<td>1,283,000</td>
</tr>
<tr>
<td>For Equipment...........................</td>
<td>222,100</td>
</tr>
<tr>
<td>For Telecommunications Services.............</td>
<td>1,374,900</td>
</tr>
<tr>
<td>For Operation of Auto Equipment..............</td>
<td>179,000</td>
</tr>
<tr>
<td>Total</td>
<td>$49,995,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Telecommunications Services................. 226,500
For Operation of Auto Equipment................. 28,500
Total $13,573,700

For Contractual Services:
For Leased Property Management:
Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund............. 0
Payable from Federal National Community Services Grant Fund.......................... 0
Payable from DHS Special Purposes Trust Fund.... 200,000
Payable from Old Age Survivors’ Insurance Fund 2,878,600
Payable from Early Intervention Services Revolving Fund................................. 0
Payable from DHS Federal Projects Fund............. 0
Payable from USDA Women, Infants and Children Fund............................. 80,000
Payable from Local Initiative Fund................. 25,000
Payable from Domestic Violence Shelter and Service Fund............................ 0
Payable from Maternal and Child Health Services Block Grant Fund.................... 40,000
Payable from Community Mental Health Services Block Grant Fund..................... 0
Payable from Juvenile Justice Trust Fund............. 0
Payable from DHS Recoveries Trust Fund........... 300,000
Total $3,523,600

Payable from DHS Private Resources Fund:
For Grants and Costs associated with Human Services Activities funded by Grants or Private Donations.......................... 10,000

Payable from Mental Health Fund:
For Costs associated with Mental Health and Developmental Disabilities Special Projects... 6,000,000
For costs associated with DHS inter-agency Support Services ......................... 3,000,000
For expenses associated with Energy Conservation and Efficiency programs........ 1,000,000

Payable from DHS Recoveries Trust Fund:
For Deposit into the DHS Technology

New matter indicated by italics - deletions by strikeout
Initiative Fund............................... 5,000,000
For ordinary and contingent expenses........ 16,263,000
Payable from DHS Technology Initiative Fund:
For Expenses of the Framework Project........ 15,000,000
Total $46,273,000

ADMINISTRATIVE AND PROGRAM SUPPORT

GRANTS-IN-AID

Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

For Tort Claims:
Payable from General Revenue Fund................ 475,000
Payable from Vocational Rehabilitation Fund....... 10,000
Total $485,000
For Reimbursement of Employees for Work-Related Personal Property Damages:
Payable from General Revenue Fund............... 10,900
For Grants and administrative expenses associated with the Open Door Project:
Payable from DHS Private Resources Fund........... 315,500
Total $326,400

PERMANENT IMPROVEMENTS

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Department of Human Services for repairs and maintenance, roof repairs and/or replacements and miscellaneous at the Department's various facilities and are to include capital improvements including construction, reconstruction, improvements, repairs and installation of capital facilities, cost of planning, supplies, materials, and all other expenses required for roof and other types of repairs and maintenance, capital improvements and demolition.

No contract shall be entered into or obligations incurred for any expenditures from appropriations made in this Section of the Article until after the purposes and amounts have been approved in writing by the Governor.

For Repair, Maintenance and other Capital Improvements at various facilities........... 1,491,100

Section 30. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Human Services as follows:

REFUNDS

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>7,700</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>100,000</td>
</tr>
<tr>
<td>Vocational Rehabilitation Fund</td>
<td>5,000</td>
</tr>
<tr>
<td>Drug Treatment Fund</td>
<td>5,000</td>
</tr>
<tr>
<td>Sexual Assault Services Fund</td>
<td>400</td>
</tr>
<tr>
<td>Early Intervention Services</td>
<td>300,000</td>
</tr>
<tr>
<td>DHS Federal Projects Fund</td>
<td>25,000</td>
</tr>
<tr>
<td>USDA Women, Infants and Children</td>
<td>200,000</td>
</tr>
<tr>
<td>Maternal and Child Health</td>
<td>5,000</td>
</tr>
<tr>
<td>Youth Drug Abuse Prevention Fund</td>
<td>30,000</td>
</tr>
</tbody>
</table>

Total $678,100

Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for ordinary and contingent expenses:

**MANAGEMENT INFORMATION SERVICES**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>0</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>0</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>17,745,900</td>
</tr>
<tr>
<td>For Information Technology Management</td>
<td>35,422,600</td>
</tr>
<tr>
<td>For Travel</td>
<td>24,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>9,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>43,300</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>2,989,700</td>
</tr>
<tr>
<td>Total</td>
<td>56,235,000</td>
</tr>
</tbody>
</table>

Payable from Mental Health Fund:

For costs related to the provision of MIS support services provided to Departmental and Non-Departmental organizations. 6,636,600

Payable from Vocational Rehabilitation Fund:

For Personal Services 1,345,300

For Retirement Contributions 569,600

For State Contributions to Social Security 102,900

For Group Insurance 299,000

New matter indicated by italics - deletions by strikeout
For Contractual Services:  
- For Information Technology Management: .......... 280,700  
- For Travel: ........................................ 10,000  
- For Commodities: ...................................... 30,600  
- For Printing: ........................................... 5,800  
- For Equipment: ........................................ 50,000  
- For Telecommunications Services: ................. 550,000  
- For Operation of Auto Equipment: ................. 2,800  
Total: $3,451,700  

Payable from USDA Women, Infants and Children Fund:  
- For Personal Services: ................................ 318,400  
- For Retirement Contributions: .................... 134,800  
- For State Contributions to Social Security: ....... 24,400  
- For Group Insurance: .................................. 69,000  
- For Contractual Services:  
  - For Information Technology Management: ........ 11,900  
  - For Electronic Data Processing: ................. 0  
Total: $583,900  

Payable from Maternal and Child Health Services Block Grant Fund:  
- For Operational Expenses Associated with Support of Maternal and Child Health Programs: .......... 406,300  

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:  

BUREAU OF DISABILITY DETERMINATION SERVICES  

Payable from Old Age Survivors' Insurance Fund:  
- For Personal Services: .............................. 35,753,400  
- For Retirement Contributions: ..................... 15,137,600  
- For State Contributions to Social Security: ....... 2,735,100  
- For Group Insurance: ................................ 10,580,000  
- For Contractual Services: ......................... 11,601,800  
- For Travel: .......................................... 198,000  
- For Commodities: .................................... 379,100  
- For Printing: ........................................ 384,000  
- For Equipment: ..................................... 1,600,900  

New matter indicated by italics - deletions by strikeout
Section 45. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Human Services:

**BUREAU OF DISABILITY DETERMINATION SERVICES**

**GRANTS-IN-AID**

**For Services to Disabled Individuals:**
- Payable from Old Age Survivors' Insurance: $25,000,000

Section 50. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Human Services:

**HOME SERVICES PROGRAM**

**GRANTS-IN-AID**

Payable from General Revenue Fund:
- For Purchase of Services of the Home Services Program, pursuant to 20 ILCS 2405/3, including operating, administrative, and prior year costs: $326,220,200
- For Capitated Care Coordination: $12,234,500

Total: $338,454,700

The Department, with the consent in writing from the Governor, may reappportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 45 above among the various purposes therein enumerated.

Section 55. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Human Services:

**HOME SERVICES PROGRAM**

**GRANTS-IN-AID**

For all costs and administrative expenses associated with Community Reintegration program:
- Payable from General Revenue Fund: $1,262,700

Payable from the Home Services Medicaid Trust Fund:
- For Purchase of Services of the Home Services Program, pursuant to 20 ILCS 2405/3, including operating, administrative, and prior year costs: $246,000,000
Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT

Payable from General Revenue Fund:
For Personal Services.................................. 0
For State Contribution to Social Security.............. 0
For Contractual Services................................ 972,100
For Travel........................................ 80,500
For Commodities................................... 17,100
For Equipment...................................... 3,900
For Telecommunications Services..................... 173,600
Total $1,247,200

Payable from Community Mental Health Services Block Grant Fund:
For Personal Services............................. 816,400
For Retirement Contributions......................... 345,700
For State Contributions to Social Security ...... 62,500
For Group Insurance.............................. 207,000
For Contractual Services......................... 119,400
For Travel........................................ 10,000
For Commodities.................................... 5,000
For Equipment...................................... 5,000
Total $1,571,000

Section 65. The sum of $203,794,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for costs associated with the operation of State Operated Mental Health Facilities or the costs associated with services for the transition of State Operated Mental Health Facilities residents to alternative community settings.

Section 70. The sum of $35,520,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for grants and administrative expenses associated with the Department’s rebalancing efforts pursuant to 20 ILCS 1305/1-50 and in support of the Department’s efforts to expand home and community-based services, including rebalancing and transition costs associated with compliance with consent decrees.

New matter indicated by italics - deletions by strikeout
Section 75. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

**MENTAL HEALTH GRANTS AND PROGRAM SUPPORT**

**GRANTS-IN-AID AND PURCHASED CARE**

For all costs and administrative expenses for Community Service Programs for Persons with Mental Illness, Child and Adolescent Mental Health Programs and Mental Health Transitions or State Operated Mental Health Facilities:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund</td>
<td>142,699,100</td>
</tr>
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For Community Service Grant Programs for Persons with Mental Illness:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Community Mental Health Services Block Grant Fund</td>
<td>16,025,400</td>
</tr>
</tbody>
</table>

For costs associated with Capitated Care Coordination:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund</td>
<td>34,372,900</td>
</tr>
</tbody>
</table>

For Community Service Grant Programs for Persons with Mental Illness including administrative costs:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from DHS Federal Projects Fund</td>
<td>16,036,100</td>
</tr>
<tr>
<td>Payable from the Department of Human Services Community Services Fund</td>
<td>20,000,000</td>
</tr>
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</table>

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For costs associated with the Purchase and Disbursement of Psychotropic Medications for Mentally Ill Clients in the Community</td>
<td>1,881,800</td>
</tr>
<tr>
<td>For grants for Mental Health Individual Care Grants</td>
<td>15,415,000</td>
</tr>
<tr>
<td>For child and adolescent mental health services, including, but not limited to, short-term residential treatment, respite services, community-based services, treatment and supports, including families at risk of lockout or re-homing</td>
<td>7,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Supportive MI Housing .................... 13,354,200
For costs associated with the Specialized Mental Health Rehabilitative Facility Community Programs......................... 16,233,300
For the costs associated with Mental Health Balancing Incentive Programs ................. 4,326,000
Payable from Community Mental Health Medicaid Trust Fund:
For all costs and administrative expenses associated with Medicaid Services and Community Services for Persons with Mental Illness, including prior year costs............................. 92,902,400
For costs associated with Capitated Care Coordination........................................ 30,000,000
For Community Service Grant Programs for Children and Adolescents with Mental Illness:
Payable from Community Mental Health Services Block Grant Fund.......................... 4,341,800
Payable from Community Mental Health Services Block Grant Fund:
For Teen Suicide Prevention Including Provisions Established in Public Act 85-0928................................. 206,400

The Department, with the consent in writing from the Governor, may reappportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 75 above among the various purposes therein enumerated.

The Department, with the consent in writing from the Governor, may reappportion not more than 10 percent of the total appropriation of Community Mental Health Medicaid Trust Funds in Section 75 above among the various purposes therein enumerated.

Section 80. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

INSPECTOR GENERAL
Payable from General Revenue Fund:
For Personal Services.................................. 0

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security............. 0
For Contractual Services......................... 59,000
For Travel........................................ 140,000
For Commodities................................ 15,100
For Equipment................................... 31,900
For Telecommunications Services................. 79,500
Total $325,500

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT

Payable from General Revenue Fund:
For Personal Services.............................. 0
For State Contribution to Social Security........... 0
For Contractual Services............................ 149,700
For Travel........................................... 166,800
For Commodities.................................. 16,800
For Equipment..................................... 294,200
For Telecommunications Services............... 66,300
For Operation of Automotive Equipment............ 0
Total $693,800

Section 90. The sum of $272,023,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for costs associated with the operation of State Operated Developmental Centers or the costs associated with services for the transition of State Operated Developmental Center residents to alternative community settings.

Section 95. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT GRANTS-IN-AID AND PURCHASED CARE

For all costs associated with Community Based Services for Persons with Developmental Disabilities

New matter indicated by italics - deletions by strikeout
and for Intermediate Care Facilities
for the Mentally Retarded and
Alternative Community Programs
Payable from General Revenue Fund........... 623,323,200

For costs associated with the Developmental
Disabilities Balancing Incentive Programs
Payable from General Revenue Fund.............. 7,400,000

For Intermediate Care Facilities
for the Mentally Retarded and
Alternative Community Programs
including prior year costs
Payable from Care Provider Fund for Persons
with a Developmental Disability................. 52,000,000

For Community Based Services for
Persons with Developmental
Disabilities at the approximate
cost set forth below:
Payable from Mental Health Fund.............. 9,965,600
Payable from Community Developmental
Disability Services Medicaid Trust Fund..... 50,000,000
Total $742,688,800

Payable from the Commitment to Human Services
Fund:
For all costs associated with
Community Based Services for Persons
with Developmental Disabilities and for
Intermediate Care Facilities for
the Mentally Retarded and
Alternative Community Programs............. 101,000,000

Payable from the General Revenue Fund:
For costs associated with the provision
of Specialized Services to Persons with
Developmental Disabilities.................... 7,667,100
For a grant to the Autism Program for an
Autism Diagnosis Education Program
for Young Children......................... 4,300,000
For a Grant to Best Buddies................. 1,000,000
For a grant to the ARC of Illinois
for the Life Span Project ................. 482,200

New matter indicated by italics - deletions by strikeout
For Developmental Disability Quality Assurance Waiver................................. 480,600
For costs associated with Developmental Disability Community Transitions or State Operated Facilities.................. 14,341,700
For costs associated with young adults Transitioning from the Department of Children and Family Services to the Developmental Disability Service System........................................... 2,394,000
Total                                                                          $30,165,600

Payable from Special Olympics Illinois Fund:
For the costs associated with Special Olympics... 100,000

Section 100. The sum of $370,000,000, or so much thereof as may be necessary, is appropriated from the Healthcare Provider Relief Fund to the Department of Human Services for medical bills and related expenses.

Section 105. The sum of $34,450,000, or so much thereof as may be necessary, is appropriated to the Department of Human Services from the Health and Human Services Medicaid Trust Fund for awards and grants to developmental disabilities and/or mental health programs.

Section 110. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Human Services for Payments to Community Providers and Administrative Expenditures, including such Federal funds as are made available by the Federal Government for the following purpose:
Payable from Autism Research Checkoff Fund:
For costs associated with autism research....... 100,000
Payable from Autism Awareness Fund:
For costs associated with autism awareness....... 100,000

Section 115. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT
Payable from General Revenue Fund:
For Personal Services.......................... 0
For State Contribution to Social Security.......... 0
For Contractual Services......................... 1,400
For Travel........................................ 1,500
For Equipment.................................... 1,100

New matter indicated by italics - deletions by strikeout
For Telecommunications Services.................. 25,000
Total  $29,000

Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund:
For Personal Services.............................. 2,787,200
For Retirement Contributions..................... 1,180,100
For State Contributions to Social Security....... 213,200
For Group Insurance............................... 644,000
For Contractual Services......................... 1,227,700
For Travel....................................... 200,000
For Commodities.................................... 53,800
For Printing...................................... 35,000
For Equipment..................................... 14,300
For Electronic Data Processing................... 300,000
For Telecommunications Services.................. 117,800
For Operation of Auto Equipment................... 20,000
For Expenses Associated with the Administration of the Alcohol and Substance Abuse Prevention and Treatment Programs.......................... 215,000
Total  $7,008,100

Section 120. The sum of $20,000,000, or so much thereof as may be necessary, is appropriated from the Healthcare Provider Relief Fund to the Department of Human Services for medical bills and related expenses.

Section 125. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

<table>
<thead>
<tr>
<th>ADDICTION TREATMENT GRANTS-IN-AID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund:</td>
</tr>
<tr>
<td>For Costs Associated with Community Based Addiction Treatment to Medicaid Eligible and AllKids clients, Including Prior Year Costs......................... 37,114,600</td>
</tr>
<tr>
<td>For Capitated Care Coordination............ 17,033,800</td>
</tr>
<tr>
<td>Total  $54,148,400</td>
</tr>
</tbody>
</table>

The Department, with the consent in writing from the Governor, may reapportion not more than 10 percent of the total appropriation of General Revenue Funds in Section 125 among the various purposes therein enumerated.

New matter indicated by italics - deletions by strikeout
Section 130. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

**ADDITION TREATMENT**

**GRANTS-IN-AID**

Payable from General Revenue Fund:
- For costs associated with Community Based Addiction Treatment Services........... 53,888,500
- For Addiction Treatment Services for DCFS clients................................. 9,165,100
- For costs associated with Addiction Treatment Services for Special Populations.... 5,824,700

Total $68,878,300

Payable from State Gaming Fund:
- For Costs Associated with Treatment of Individuals who are Compulsive Gamblers...... 1,029,500

For Addiction Treatment and Related Services:
- Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund................................. 57,500,000
- Payable from Youth Drug Abuse Prevention Fund..................................... 530,000

For Grants and Administrative Expenses Related to Addiction Treatment and Related Services:
- Payable from Drunk and Drugged Driving Prevention Fund............................ 3,212,200
- Payable from Drug Treatment Fund................................. 5,105,800
- Payable from Alcoholism and Substance Abuse Fund................................. 22,145,000

For underwriting the cost of housing for groups of recovering individuals:
- Payable from Group Home Loan Revolving Fund................................. 200,000

Total $89,722,500

The Department, with the consent in writing from the Governor, may reapportion not more than two percent of the total appropriation of General Revenue Funds in Section 130 above "Addiction Treatment" among the purposes therein enumerated.

New matter indicated by italics - deletions by strikeout
Section 135. The sum of $500,000, or as much thereof is necessary is appropriated from the General Revenue Fund to the Department of Human Services for a pilot program to study uses and effects of medication assisted treatments for addiction and for the prevention of relapse to opioid dependence in publicly-funded treatment program.

Section 140. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

### REHABILITATION SERVICES BUREAUS

<table>
<thead>
<tr>
<th>Payable from</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>For Support Services In-Service Training</td>
<td>15,200</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>For Personal Services</td>
<td>1,875,500</td>
</tr>
<tr>
<td></td>
<td>For Retirement Contributions</td>
<td>794,100</td>
</tr>
<tr>
<td></td>
<td>For State Contributions to Social Security</td>
<td>143,500</td>
</tr>
<tr>
<td></td>
<td>For Group Insurance</td>
<td>506,000</td>
</tr>
<tr>
<td></td>
<td>For Travel</td>
<td>12,200</td>
</tr>
<tr>
<td></td>
<td>For Commodities</td>
<td>5,600</td>
</tr>
<tr>
<td></td>
<td>For Equipment</td>
<td>7,000</td>
</tr>
<tr>
<td></td>
<td>For Telecommunications Services</td>
<td>19,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$3,366,400</strong></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Vocational Rehabilitation Fund</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>39,753,400</td>
<td></td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>16,831,200</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>3,041,100</td>
<td></td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>11,978,400</td>
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<tr>
<td>For Contractual Services</td>
<td>8,624,800</td>
<td></td>
</tr>
<tr>
<td>For Travel</td>
<td>1,450,000</td>
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<tr>
<td>For Commodities</td>
<td>307,200</td>
<td></td>
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<tr>
<td>For Printing</td>
<td>145,100</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>669,900</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>1,493,200</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>5,700</td>
<td></td>
</tr>
<tr>
<td>For Support Services In-Service Training</td>
<td>366,700</td>
<td></td>
</tr>
<tr>
<td>For Administrative Expenses of the Statewide Deaf Evaluation Center</td>
<td>500,900</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$85,167,600</strong></td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 145. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

REHABILITATION SERVICES BUREAUS

GRANTS-IN-AID

For Case Services to Individuals:
Payable from General Revenue Fund............. 8,950,900
Payable from Illinois Veterans' Rehabilitation Fund.......................... 2,413,700
Payable from Vocational Rehabilitation Fund, including prior year costs ......... 61,110,700

For all costs associated with the Rehabilitation Services Balancing Incentive Programs:
Payable from General Revenue Fund............. 3,578,000

For Implementation of Title VI, Part C of the Vocational Rehabilitation Act of 1973 as Amended--Supported Employment:
Payable from Vocational Rehabilitation Fund.... 1,900,000

For Small Business Enterprise Program:
Payable from Vocational Rehabilitation Fund.... 3,527,300

For Grants to Independent Living Centers:
Payable from General Revenue Fund............. 4,296,500
Payable from Vocational Rehabilitation Fund.... 2,000,000
Payable from Vocational Rehabilitation Fund....... 77,200

For Independent Living Older Blind Grant:
Payable from Vocational Rehabilitation Fund..... 245,500
Payable from General Revenue Fund............. 134,100

For Independent Living Older Blind Formula:
Payable from Vocational Rehabilitation Fund.... 1,500,000

For Project for Individuals of All Ages with Disabilities:
Payable from Vocational Rehabilitation Fund.... 1,050,000

For Case Services to Migrant Workers:
Payable from General Revenue Fund............. 18,800
Payable from Vocational Rehabilitation Fund..... 210,000

Section 150. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

CLIENT ASSISTANCE PROJECT

New matter indicated by italics - deletions by strikeout
Payable from Vocational Rehabilitation Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>478,000</td>
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<tr>
<td>For Retirement Contributions</td>
<td>202,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>36,600</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>184,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>28,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>38,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,700</td>
</tr>
<tr>
<td>For Printing</td>
<td>400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>32,100</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>12,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,015,700</strong></td>
</tr>
</tbody>
</table>

Section 155. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Vocational Rehabilitation Fund to the Department of Human Services for a grant relating to a Client Assistance Project.

Section 160. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

**DIVISION OF REHABILITATION SERVICES PROGRAM AND ADMINISTRATIVE SUPPORT**

Payable from Rehabilitation Services Elementary and Secondary Education Act Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Federally Assisted Programs</td>
<td>1,384,100</td>
</tr>
</tbody>
</table>

Section 165. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

**CENTRAL SUPPORT AND CLINICAL SERVICES**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>0</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>380,300</td>
</tr>
</tbody>
</table>

| Contractual Services:                     |          |
| For Private Hospitals for Recipients of State Facilities | 1,594,600 |
| For Travel                                 | 43,700   |
| For Commodities                           | 7,495,100 |
| For Printing                              | 24,400   |

New matter indicated by italics - deletions by strikeout
For Equipment.................................... 794,400
For Telecommunications Services.............. 33,500
Total $10,366,000

Payable from Mental Health Fund:
For Costs Related to Provision of Support Services Provided to Departmental and Non-Departmental Organizations............. 9,043,800
For Drugs and costs associated with Pharmacy Services.......................... 12,300,000
For all costs associated with Medicare Part D................................. 1,507,900

Payable from Mental Health Reporting Fund:
For Expenses related to Implementing the Firearm Concealed Carry Act........... 2,500,000

Payable from DHS Federal Projects Fund:
For Federally Assisted Programs........... 6,004,200

Section 170. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Human Services:

SEXUALLY VIOLENT PERSONS PROGRAM

Payable from General Revenue Fund:
For Personal Services............................. 0
For State Contributions to Social Security.................................. 0
For Contractual Services...................... 11,514,400
For Travel........................................ 34,700
For Commodities.................................. 546,600
For Printing....................................... 9,800
For Equipment.................................... 61,100
For Telecommunications Services............. 95,000
For Operation of Auto Equipment............... 131,000
For Sexually Violent Persons Program....... 2,388,800
Total $14,862,400

Section 175. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS SCHOOL FOR THE DEAF

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services.................................. 0
For Student, Member or Inmate Compensation....... 18,200
For State Contributions to Social Security........... 0
For Contractual Services............................... 1,681,600
For Travel............................................... 16,800
For Commodities.................................... 372,000
For Printing.......................................... 700
For Equipment.................................... 109,300
For Telecommunications Services..................... 92,200
For Operation of Auto Equipment..................... 94,500
Total...................................................... $2,385,300
Payable from Vocational Rehabilitation Fund:
For Secondary Transitional Experience Program................. 50,000

Section 180. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED
Payable from General Revenue Fund:
For Personal Services.................................. 0
For Student, Member or Inmate Compensation....... 14,600
For State Contributions to Social Security........... 0
For Contractual Services............................... 665,600
For Travel............................................... 11,300
For Commodities.................................... 187,400
For Printing.......................................... 2,000
For Equipment.................................... 35,800
For Telecommunications Services..................... 48,100
For Operation of Auto Equipment..................... 59,800
Total...................................................... $1,024,600
Payable from Vocational Rehabilitation Fund:
For Secondary Transitional Experience Program................. 42,900

Section 185. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY AND RESIDENTIAL SERVICES
FOR THE BLIND AND VISUALLY IMPAIRED
Payable from General Revenue Fund:
For Personal Services.................................. 0

New matter indicated by italics - deletions by strikeout
Section 190. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member or Inmate Compensation</td>
<td>1,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>0</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>893,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>3,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>53,100</td>
</tr>
<tr>
<td>For Printing</td>
<td>2,100</td>
</tr>
<tr>
<td>For Equipment</td>
<td>27,500</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>58,100</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>15,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,055,100</td>
</tr>
</tbody>
</table>

Payable from Vocational Rehabilitation Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Secondary Transitional Experience Program</td>
<td>60,000</td>
</tr>
</tbody>
</table>

Section 195. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

FAMILY AND COMMUNITY SERVICES

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>0</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>9,968,700</td>
</tr>
</tbody>
</table>
| For Contractual Services:
  Electronic Benefit Transfer Administration      | 10,800,000|
| For Travel                                      | 394,800 |
| For Commodities                                 | 26,600  |
| For Equipment                                   | 95,200  |

New matter indicated by italics - deletions by strikeout
Section 200. The following named amounts, or so much thereof as may be necessary, respectively, for the objects hereinafter named, are appropriated to the Department of Human Services for Family and Community Services and related distributive purposes, including such Federal funds as are made available by the Federal government for the following purposes:

**FAMILY AND COMMUNITY SERVICES GRANTS-IN-AID**

Payable from General Revenue Fund:
- For Employability Development Services including Operating and Administrative Costs and Related Distributive Purposes...... 10,645,700
- For Food Stamp Employment and Training including Operating and Administrative Costs and Related Distributive Purposes...... 3,651,000
- For Emergency Food Program, including Operating and Administrative Costs.... 220,400
- For Homeless Prevention......................... 1,000,000
- For a grant to Children’s Place for costs associated with specialized child care for families affected by HIV/AIDS............ 390,000

New matter indicated by italics - deletions by strikeout
For Grants for Programs to Reduce Infant Mortality, provide Case Management and Outreach Services, and for the Intensive Prenatal Performance Project........ 36,792,800
For Costs Associated with the Domestic Violence Shelters and Services Program.......................... 18,635,000
For Costs Associated with Teen Parent Services.................. 1,426,900
For Grants for Community Services, including operating and administrative costs............ 5,645,400
For Grants and Administrative Expenses of the Westside Health Authority Crisis Intervention.......................... 300,000
For Grants and Administrative Expenses of Addiction Prevention and related services........ 1,025,000
For Grants and Administrative Expenses of Supportive Housing Services................... 13,738,500
For Grants and Administrative Expenses of the Comprehensive Community-Based Services to Youth...................... 16,546,400
For Grants and Administrative Expenses of Redeploy Illinois.......................... 4,885,100
For Homeless Youth Services.......................... 4,598,100
For grants to provide Assistance to Sexual Assault Victims and for Sexual Assault Prevention Activities.................. 6,159,700
For Grants and Administrative Expenses for After School Youth Support Programs.................... 13,800,000
For Grants and Administrative Expenses Related to the Healthy Families Program..... 10,040,000
For Early Intervention.......................... 75,691,900
For Parents Too Soon Program.................... 6,870,300
For costs related to Providing Assistance to the Homeless including Operating and Administrative Costs and Grants............ 300,000
Payable from the Illinois Affordable Housing

New matter indicated by italics - deletions by strikeout
Trust Fund:
For Homeless Youth Services.................. 1,000,000
For Homelessness Prevention.................. 3,000,000
For Emergency and Transitional Housing...... 9,383,700
Payable from Employment and Training Fund:
For grants associated with Employment
and Training Programs, income assistance
and other social services including
operating, administrative and
prior year costs.......................... 485,000,000
Payable from the Health and Human
Service Medicaid Trust Fund:
For grants for Supportive Housing Services.... 3,382,500
Payable from DHS Special Purposes Trust Fund:
For Emergency Food Program
Transportation and Distribution,
including grants and operations.......... 5,163,800
For Federal/State Employment Programs and
Related Services.......................... 5,000,000
For Grants Associated with the Great
START Program, Including Operation
and Administrative Costs.................. 5,200,000
For Grants Associated with Child
Care Services, Including Operation,
Administrative and prior year costs...... 197,535,400
For Grants Associated with Migrant
Child Care Services, Including Operation
and Administrative Costs.................. 3,422,400
For Refugee Resettlement Purchase
of Service, Including Operation
and Administrative Costs.................. 10,611,200
For Grants Associated with the Head Start
State Collaboration, including
Operating and Administrative Costs......... 500,000
For SSI Advocacy Services:
Payable from General Revenue Fund......... 1,316,100
Payable from DHS Special Purposes Trust Fund... 1,009,400
Payable from DHS Special Purposes Trust Fund:
For Community Grants..................... 7,257,800

New matter indicated by italics - deletions by strikeout
For costs associated with Family Violence Prevention Services.............. 5,018,200
For grants and administrative costs associated with MIEC Home Visiting Program.................. 14,006,800
Payable from Local Initiative Fund:
   For Purchase of Services under the Donated Funds Initiative Program, Including Operating and Administrative Costs............. 22,729,400
Payable from Hunger Relief Fund:
   For Grants for food banks for the purchase of food and related supplies for low income persons............................... 300,000
Payable from Sexual Assault Services and Prevention Fund:
   For Grants Related to the Sexual Assault Services Program................. 100,000
Payable from Domestic Violence Abuser Services Fund:
   For Domestic Violence Abuser Services.................. 100,000
Payable from the DHS Federal Projects Fund:
   For Grants and all costs associated with implementing Public Health Programs..... 10,742,300
   For Grants for Family Planning Programs Pursuant to Title X of the Public Health Service Act........................................ 3,512,000
   For Grants for the Federal Healthy Start Program........................................ 4,000,000
Payable from USDA Women, Infants and Children Fund:
   For Grants to Public and Private Agencies for costs of administering the USDA Women, Infants, and Children (WIC) Nutrition Program......... 70,049,000
   For Grants for the Federal Commodity Supplemental Food Program........... 1,400,000
   For Grants and Administrative Expenses of the USDA Farmer's Market Nutrition Program........................................ 1,500,000
   For Grants for Free Distribution of Food Supplies and for Grants for Nutrition

New matter indicated by italics - deletions by strikeout
Program Food Centers under the USDA Women, Infants, and Children (WIC) Nutrition Program................. 251,000,000

Payable from the DHS Special Purposes Trust Fund:
For Grants and all costs associated with the Race to the Top Program......................... 16,000,000
For Grants for SNAP Education........................ 18,000,000
For Grants for SNAP Outreach......................... 2,000,000

Payable from DHS Federal Projects Fund:
For Grants and Administrative Expenses for Partnership for Success Program............... 5,000,000
For all costs associated with the Emergency Solutions Grants Program...................... 7,000,000

Payable from the Juvenile Accountability Incentive Block Grant Fund
For all costs associated with the Juvenile Accountability Block Grant (JABG)............. 10,000,000

Payable from Tobacco Settlement Recovery Fund:
For a Grant to the Coalition for Technical Assistance and Training.......................... 250,000
For all costs associated with Children’s Health Programs, including grants, contracts, equipment, vehicles and administrative expenses................. 1,138,800

Payable from the Maternal and Child Health Services Block Grant Fund:
For Grants for Maternal and Child Health Programs, including programs appropriated elsewhere in this Section......................... 4,402,600

Payable from Domestic Violence Shelter and Service Fund:
For Domestic Violence Shelters and Services Program........................................... 952,200

Payable from Gaining Early Awareness and Readiness for Undergraduate Programs Fund:
For Grants and administrative expenses of G.E.A.R.U.P........................................ 3,516,800

Payable from DHS Special Purposes Trust Fund:

New matter indicated by italics - deletions by strikeout
For Parents Too Soon Program, 
    including grants and operations.............. 2,505,000
Payable from the Sexual Assault Services 
    and Prevention fund:
    For Grants and administrative expenses 
    of the Sexual Assault Services 
    and Prevention Program...................... 600,000
Payable from the Children’s Wellness Charities fund
    For Grants to Children’s Wellness Charities...... 100,000
Payable from the Housing for Families Fund:
    For Grants for Housing for Families............ 100,000
Payable from the Farmer’s Market 
    Technology Improvement Fund:
    For Farmer’s Market Technology............... 1,000,000
Payable from Early Intervention 
    Services Revolving Fund:
    For Grants and administrative expenses 
    associated with the Early 
    Intervention Services Program, including 
    prior years costs ................................ 160,293,300
For Grants and Administrative Expenses 
    of Addiction Prevention and Related 
    Services:
    Payable from Youth Alcoholism and 
    Substance Abuse Prevention Fund............. 1,050,000
    Payable from Alcoholism and 
    Substance Abuse Fund.......................... 8,309,300
    Payable from Prevention and Treatment 
    of Alcoholism and Substance Abuse 
    Block Grant Fund.............................. 16,000,000
Payable from the Juvenile Justice 
    Trust Fund:
    For Grants and administrative costs 
    associated with Juvenile Justice 
    Planning and Action Grants for Local 
    Units of Government and Non-Profit 
    Organizations including Prior Year Costs..... 13,480,000

The Department may enter into agreements to expend amounts 
appropriated in Section 200 above “For Refugee Resettlement Purchase of

New matter indicated by italics - deletions by strikeout
Services, Including Operation and Administrative Costs” with only those entities authorized to expend amounts appropriated for the same purpose in State fiscal year 2014 as of May 24, 2014.

Section 205. The Department, with the consent in writing from the Governor, may reapportion General Revenue Funds in Section 45 above “For Home Services Program Grants-in-Aid” among Section 75 “For Mental Health Grants-in-Aid and Purchased Care” and Section 95 “For Developmental Disabilities Grants and Program Support Grants-in-Aid and Purchased Care” as a result of transferring clients to the appropriate community based service system.

ARTICLE 10

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

Payable from the General Revenue Fund:
- For Personal Services: 43,623,600
- For State Contributions to Social Security: 3,336,100
- For Operating Expenses: 10,657,100

Payable from the Public Health Services Fund:
- For Expenses Associated with the Implementation of the Illinois Health Insurance Marketplace and Related Activities: 30,000,000
- For Expenses Associated with Support of Federally Funded Public Health Programs: 300,000
- For Operational Expenses to Support Refugee Health Care: 514,000

Total: $30,814,000

Payable from the Public Health Special State Projects Fund:
- For Expenses of Public Health Programs: 750,000

Section 10. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health from the Public Health Services Fund for the objects and purposes hereinafter named:

DIRECTOR'S OFFICE
- For Grants for the Development of Refugee Health Care: 1,950,000

New matter indicated by italics - deletions by strikeout
Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF FINANCE AND ADMINISTRATION

Payable from the General Revenue Fund:
For Expenses of the Adoption Registry and Medical Information Exchange.............. 97,000
For Media and Film Production Outreach............. 50,000
For Operational Expenses of the Regional Data Base System.......................... 13,000
Total                                                                 $160,000

Payable from the Public Health Services Fund:
For Personal Services.............................. 271,700
For State Contributions to State Employees' Retirement System...................... 115,100
For State Contributions to Social Security ...... 21,100
For Group Insurance.................................. 80,000
For Contractual Services.......................... 485,000
For Travel........................................ 20,000
For Commodities...................................... 6,000
For Printing......................................... 21,000
For Equipment..................................... 80,000
For Telecommunications Services.................. 250,000
For Operational Expenses of Maintaining the Vital Records System.................. 400,000
Total                                                                 $1,749,900

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Operational Expenses for Maintaining Billings and Receivables for Lead Testing...................... 110,000

Payable from Death Certificate Surcharge Fund:
For Expenses of Statewide Database of Death Certificates and Distributions of Funds to Governmental Units, Pursuant to Public Act 91-0382...................... 2,500,000

Payable from the Illinois Adoption Registry and Medical Information Exchange Fund:

New matter indicated by italics - deletions by strikeout
For Expenses Associated with the
Adoption Registry and Medical Information
Exchange........................................ 125,000
Payable from the Public Health Special
State Projects Fund:
For operational expenses of regional and
central office facilities....................... 750,000
Payable from the Metabolic Screening
and Treatment Fund:
For Operational Expenses for Maintaining
Laboratory Billings and Receivables........... 80,000

Section 20. The following named amounts, or so much thereof as may
be necessary, are appropriated to the Department of Public Health as follows:

REFUNDS
Payable from the General Revenue Fund.......... 14,500
Payable from the Public Health Services Fund..... 75,000
Payable from the Maternal and Child
Health Services Block Grant Fund............... 5,000
Payable from the Preventive Health and
Health Services Block Grant Fund............... 5,000
Total $99,500

Section 25. The following named amounts, or so much thereof as may
be necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:

DIVISION OF INFORMATION TECHNOLOGY
Payable from the General Revenue Fund:
For Expenses for Public Health
Prevention Systems.............................. 408,600
For Expenses Associated with the Childhood
Immunization Program............................ 145,500
For Operational Expenses for Health
Information Systems Targeted for
Health Screening Programs....................... 110,200
Total $664,300
Payable from the Public Health Services Fund:
For Expenses Associated
with Support of Federally
Funded Public Health Programs............... 1,450,000
Payable from the Public Health Special

New matter indicated by italics - deletions by strikeout
State Projects Fund:
For Expenses of EPSDT and other Public Health programs......................... 200,000

Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF POLICY, PLANNING AND STATISTICS

Payable from the General Revenue Fund:
For expenses of the Adverse Pregnancy Outcomes Reporting Systems (APORS) Program and the Adverse Health Care Event Reporting and Patient Safety Initiative....... 1,038,500
For expenses of State Cancer Registry, including matching funds for National Cancer Institute grants......................... 155,100
For operating expenses of the Center for Rural Health........................... 291,000
Total                                                                                          $1,484,600

Payable from the Rural/Downstate Health Access Fund:
For expenses related to the J1 Waiver Applications........................................ 100,000

Payable from the Public Health Services Fund:
For expenses related to Epidemiological Health Outcomes Investigations and Database Development......................... 12,110,000
For expenses for Rural Health Center to expand the availability of Primary Health Care.............................. 2,000,000
For operational expenses to develop a Health Care Provider Recruitment and Retention Program.............................. 300,000
Total                                                                                       $14,410,000

Payable from Community Health Center Care Fund:
For expenses for access to Primary Health Care Services Program per Family Practice Residency Act.............................. 1,000,000

Payable from Illinois Health Facilities Planning Fund:
For expenses of the Health Facilities

New matter indicated by italics - deletions by strikeout
and Services Review Board..................... 1,200,000
For Department expenses in support
of the Health Facilities and Services
Review Board.................................. 2,500,000
Total $3,700,000

Payable from Nursing Dedicated and
Professional Fund:
For expenses of the Nursing Education
Scholarship Law............................... 1,200,000

Payable from the Long Term Care Provider Fund:
For Expenses of Identified Offenders
Assessment and other public health and
safety activities.................................. 2,000,000

Payable from the Regulatory Evaluation and Basic
Enforcement Fund:
For Expenses of the Alternative Health Care
Delivery Systems Program......................... 75,000

Payable from the Public Health Federal
Projects Fund:
For expenses of Health Outcomes,
Research, Policy and Surveillance.................. 612,000

Payable from the Preventive Health and Health
Services Block Grant Fund:
For expenses of Preventive Health and Health
Services Needs Assessment........................ 1,600,000

Payable from Public Health Special State
Projects Fund:
For expenses associated with Health
Outcomes Investigations and
other public health programs..................... 2,500,000

Payable from Illinois State Podiatric
Disciplinary Fund:
For expenses of the Podiatric Scholarship
and Residency Act................................. 100,000

Payable from the Public Health Services Fund:
For grants to develop a Health
Care Provider Recruitment and
Retention Program............................... 450,000
For grants to develop a Health Professional

New matter indicated by italics - deletions by strikeout
Educational Loan Repayment Program........... 1,364,600
Total                                          $1,814,600

Payable from the Tobacco Settlement
Recovery Fund:
For grants for the Community Health Center
Expansion Program and healthcare
workforce providers in Health
Professional Shortage Areas (HPSAs)
in Illinois........................................ 1,364,600

Section 35. The following named amounts, or so much thereof as may
be necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:

OFFICE OF HEALTH PROMOTION

Payable from the General Revenue Fund:
For expenses of the Multiple Sclerosis
Task Force........................................... 40,000
For expenses of the Violence Prevention
Task Force........................................... 100,000
For expenses of Sudden Infant Death Syndrome
(SIDS) Program.................................... 250,000
Total                                          $390,000

Payable from the Public Health Services Fund:
For Personal Services............................ 1,427,300
For State Contributions to State
   Employees' Retirement System................ 604,400
For State Contributions to Social Security ..... 109,200
For Group Insurance............................. 381,000
For Contractual Services........................ 650,000
For Travel......................................... 160,000
For Commodities................................. 13,000
For Printing....................................... 44,000
For Equipment.................................... 50,000
For Telecommunications Services................ 65,000
Total                                          $3,503,900

Payable from the Maternal and Child
Health Services Block Grant Fund:
For Operational Expenses of Maternal and
Child Health Programs............................ 500,000

Payable from the Preventive Health

New matter indicated by italics - deletions by strikeout
and Health Services Block Grant Fund:
  For Expenses of Preventive Health and Health Services Programs.................. 1,226,800
Payable from the Public Health Special State Projects Fund:
  For Expenses for Public Health Programs........ 1,500,000
Payable from the Metabolic Screening and Treatment Fund:
  For Operational Expenses for Metabolic Screening Follow-up Services............. 3,297,000
Payable from the Hearing Instrument Dispenser Examining and Disciplinary Fund:
  For Expenses Pursuant to the Hearing Aid Consumer Protection Act............... 100,000

Section 40. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROMOTION
Payable from the General Revenue Fund:
  For Expenses for the University of Illinois Sickle Cell Clinic..................... 495,000
  For Expenses of implementing the Medical Cannabis Program...................... 1,000,000
  For Prostate Cancer Awareness......................................................... 150,000
  For grants to Children’s Memorial Hospital for the Illinois Violent Death Reporting System to analyze data, identify risk factors and develop prevention efforts........ 85,200
  For Grants for Vision and Hearing Screening Programs................................ 379,700
  Total $2,109,900
Payable from the Alzheimer’s Disease Research Fund:
  For Grants Pursuant to the Alzheimer’s Disease Research Act........................ 350,000
Payable from the Food Drug and Safety fund:
  For expenditures to Implement the Medical Cannabis Program...................... 1,000,000

New matter indicated by italics - deletions by strikeout
Cannabis Fund:
For expenditures to Implement the Medical Cannabis Program.................. 4,000,000

Payable from the Childhood Cancer Research Fund:
For Grants for Childhood Cancer Research......... 100,000

Payable from the Public Health Services Fund:
For Grants for Public Health Programs, including Operational Expenses................ 9,530,000

Payable from the Diabetes Research Checkoff Fund:
For Grants for Diabetes Research.................. 250,000

Payable from the DHS Private Resources Fund:
For Expenses of Diabetes Research.................. 700,000

Payable from the Tobacco Settlement Recovery Fund:
For Certified Local Health Department
For Grants for Anti-Smoking Programs............. 5,000,000
For Grants and Administrative Expenses for the Tobacco Use Prevention Program, BASUAH Program, and Asthma Prevention........ 3,000,000
Total $8,000,000

Payable from the Maternal and Child Health Services Block Grant Fund:
For Grants for Maternal and Child Health Programs........................................ 495,000

Payable from the Preventive Health and Health Services Block Grant Fund:
For Grants for Prevention Programs including operational expenses............... 1,000,000

Payable from the Metabolic Screening and Treatment Fund:
For Grants for Metabolic Screening Follow-up Services............................... 3,250,000
For grants for Free Distribution of Medical Preparations and Food Supplies............. 2,875,000
Total $6,125,000

Payable from the Autoimmune Disease Research Fund:
For grants for Autoimmune Disease research and treatment............................ 45,000

Payable from the Prostate Cancer Research Fund:
For grants to Public and Private Entities

New matter indicated by italics - deletions by strikeout
in Illinois for Prostate Cancer Research.......................... 30,000

Payable from the Multiple Sclerosis Research Fund:
For grants to conduct Multiple Sclerosis research..................... 3,000,000

Section 45. In addition to any amounts previously appropriated, the sum of $3,100,000, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to the American Lung Association for operations of the Quitline.

Section 50. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Healthy Smiles Fund to the Department of Public Health for expenses of the Healthy Smiles Program.

Section 55. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for expenses associated with mobile health care services, including Asthma and other preventive services for children.

Section 60. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH CARE REGULATION

Payable from the General Revenue Fund:
For Expenses of the Assisted Living and Shared Housing Program............... 211,100

Payable from the Public Health Services Fund:
For Personal Services.......................... 9,420,500
For State Contributions to State Employees' Retirement System..................... 3,988,600
For State Contributions to Social Security ...... 721,700
For Group Insurance............................ 2,500,900
For Contractual Services....................... 1,000,000
For Travel..................................... 1,100,000
For Commodities..................................... 8,200
For Printing...................................... 10,000
For Equipment................................... 440,000
For Telecommunications......................... 48,500
For Expenses of Monitoring in Long Term Care Facilities......................... 1,750,000
Total $21,199,500

Payable from the Long Term Care

New matter indicated by italics - deletions by strikeout
Monitor/Receiver Fund:
For Expenses, Including Refunds, Related to Appointment of Long Term Care Monitors and Receivers..........................  24,400,000

Payable from the Home Care Services Agency Licensure Fund:
For expenses of Home Care Services Agency Licensure........................................  1,150,000

Payable from the Regulatory Evaluation and Basic Enforcement Fund:
For Expenses of the Alternative Health Care Delivery Systems Program.....................  75,000

Payable from the Health Facility Plan Review Fund:
For Expenses of Health Facility Plan Review Program and Hospital Network System, including refunds..............  2,227,000

Payable from the Hospice Fund:
For Grants for hospice services as defined in the Hospice Program Licensing Act.................................  15,000

Payable from Assisted Living and Shared Housing Regulatory Fund:
For operational expenses of the Assisted Living and Shared Housing Program, pursuant to Public Act 91-0656.................................  801,000

Payable from the Public Health Special State Projects Fund:
For Health Care Facility Regulation....................  800,000

Payable from Equity in Long Term Care Quality Fund:
For grants to assist residents of facilities licensed under the Nursing Home Care Act..........................  3,500,000

Section 65. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROTECTION

New matter indicated by italics - deletions by strikeout
Payable from the General Revenue Fund:
For Expenses Incurred for the Rapid Investigation and Control of Disease or Injury......................... 472,100
For Expenses of Environmental Health Surveillance and Prevention Activities, Including Mercury Hazards and West Nile Virus......................... 314,900
For Expenses for Expanded Lab Capacity and Enhanced Statewide Communication Capabilities Associated with Homeland Security.......................... 339,500
For Deposit into the Lead Poisoning Screening, Prevention, and Abatement Fund.......................... 679,000
Total $1,805,500

Payable from the Public Health Services Fund:
For Personal Services.......................... 5,945,700
For State Contributions to State Employees' Retirement System.......................... 2,517,400
For State Contributions to Social Security....... 441,000
For Group Insurance.......................... 1,250,000
For Contractual Services........................ 3,182,800
For Travel...................................... 345,700
For Commodities................................ 405,000
For Printing.................................... 70,800
For Equipment.................................. 365,000
For Telecommunications Services............... 286,800
For Operation of Auto Equipment................. 40,000
For Expenses of Implementing Federal Awards, Including Services Performed by Local Health Providers............... 5,750,000
For Expenses Related to the Summer Food Inspection Program.......................... 45,000
Total $20,645,200

Payable from the Food and Drug Safety Fund:
For Expenses of Administering the Food and Drug Safety Program, including Refunds............ 2,000,000

New matter indicated by italics - deletions by strikeout
Payable from the Safe Bottled Water Fund:
For Expenses for the Safe Bottled Water Program .................................. 100,000

Payable from the Facility Licensing Fund:
For Expenses, including Refunds, of Environmental Health Programs ............... 3,000,000

Payable from the Illinois School Asbestos Abatement Fund:
For Expenses, Including Refunds, of Administering and Executing
the Asbestos Abatement Act and the Federal Asbestos Hazard Emergency
Response Act of 1986 (AHERA) ................................ 1,200,000

Payable from the Emergency Public Health Fund:
For expenses of mosquito abatement in an effort to curb the spread of West Nile Virus .................................. 5,100,000

Payable from the Public Health Water Permit Fund:
For Expenses, Including Refunds, of Administering the Groundwater Protection Act .................................. 200,000

Payable from the Used Tire Management Fund:
For Expenses of Vector Control Programs, including Mosquito Abatement ............. 500,000

Payable from the Tattoo and Body Piercing Fund:
For expenses of administering of Tattoo and Body Piercing Establishment
Registration Program .................................. 300,000

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Expenses of the Lead Poisoning Screening, and Prevention Program, including Refunds .......... 2,897,100

Payable from the Tanning Facility Permit Fund:
For Expenses to Administer the Tanning Facility Permit Act, including Refunds ............. 500,000

Payable from the Plumbing Licensure and Program Fund:

New matter indicated by italics - deletions by strikeout
For Expenses to Administer and Enforce the Illinois Plumbing License Law, including Refunds: 2,450,000
Payable from the Pesticide Control Fund:
For Public Education, Research, and Enforcement of the Structural Pest Control Act: 420,000
Payable from the Pet Population Control Fund:
For expenses associated with the Illinois Public Health and Safety Animal Population Control Act: 250,000
Payable from the Public Health Special State Projects Fund:
For Expenses of Conducting EPSDT and other Health Protection Programs: 14,200,000

Section 70. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROTECTION

Payable from the General Revenue Fund:
For Grants for Immunizations and Outreach Activities: 4,619,000
For Local Health Protection Grants to Certified Local Health Departments for Health Protection Programs including, But Not Limited To, Infectious Diseases, Food Sanitation, Potable Water and Private Sewage: 17,098,500
Total: $21,717,500

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Grants for the Lead Poisoning Screening and Prevention Program: 1,500,000

Payable from the Private Sewage Disposal Program Fund:
For Expenses of administering the Private Sewage Disposal Program: 250,000

Section 75. The sum of $4,000,000, is appropriated from the Public Health Services Fund to the Department of Public Health for immunizations,

New matter indicated by italics - deletions by strikeout
chronic disease and other public health programs in accordance with applicable laws and regulations for the State portion of federal funds made available by the American Recovery and Reinvestment Act of 2009.

Section 80. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses of programs related to Acquired Immunodeficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV):

OFFICE OF HEALTH PROTECTION: AIDS/HIV

Payable from the General Revenue Fund:
For Expenses of AIDS/HIV Education, Drugs, Services, Counseling, Testing, Outreach to Minority populations, costs associated with correctional facilities Referral and Partner Notification (CTRPN), and Patient and Worker Notification pursuant to Public Act 87-763................................... 26,000,000

Payable from the Public Health Services Fund:
For Expenses of Programs for Prevention of AIDS/HIV................................. 6,250,000
For Expenses for Surveillance Programs and Seroprevalence Studies of AIDS/HIV............ 1,750,000
For Expenses Associated with the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (CARE) and other AIDS/HIV services...... 55,000,000
Total                                                                                       $63,000,000

Payable from the African-American HIV/AIDS Response Fund:
For grants and other expenses for the prevention and treatment of HIV/AIDS and the creation of an HIV/AIDS service delivery system to reduce the disparity of HIV infection and AIDS cases between African-Americans and other population groups............................. 1,500,000

Payable from the Quality of Life Endowment Fund:
For grants and expenses associated with HIV/AIDS prevention and education........ 2,400,000

New matter indicated by italics - deletions by strikeout
Section 85. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

PUBLIC HEALTH LABORATORIES

Payable from the General Revenue Fund:
For Operational Expenses to Provide Clinical and Environmental Public Health Laboratory Services.................... 3,338,700

Payable from the Public Health Services Fund:
For Personal Services.......................... 1,635,800
For State Contributions to State Employees' Retirement System............... 692,600
For State Contributions to Social Security ..... 125,200
For Group Insurance.................................. 315,700
For Contractual Services........................... 535,000
For Travel........................................ 27,000
For Commodities................................ 1,624,900
For Printing...................................... 10,000
For Equipment.................................... 500,000
For Telecommunications Services............... 9,500
Total $8,814,400

Payable from the Public Health Laboratory Services Revolving Fund:
For Expenses, Including Refunds, to Administer Public Health Laboratory Programs and Services........................................ 5,000,000

Payable from the Lead Poisoning Screening, Prevention, and Abatement Fund:
For Expenses, Including Refunds, of Lead Poisoning Screening, Prevention and Abatement Program............. 1,398,100

Payable from the Public Health Special State Projects Fund:
For operational expenses of regional and central office facilities.................... 2,200,000

Payable from the Metabolic Screening and Treatment Fund:
For Expenses, Including

New matter indicated by italics - deletions by strikeout
Refunds, of Testing and Screening
for Metabolic Diseases......................... 9,983,800

Section 90. The following named amounts, or as much thereof as may
be necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:

OFFICE OF WOMEN'S HEALTH

Payable from the General Revenue Fund:
For Expenses for Breast and Cervical
Cancer Screenings, minority outreach,
and other Related Activities.................. 13,823,400
For Expenses of the Women's Health
Promotion Programs......................... 485,000
For grants for the extension and provision
of perinatal services for premature
and high-risk infants and their mothers...... 1,114,200
Total $15,422,600

Payable from the Public Health Services Fund:
For Personal Services....................... 710,100
For State Contributions to State
Employees' Retirement System.............. 300,700
For State Contributions to
Social Security............................... 54,400
For Group Insurance.......................... 250,000
For Contractual Services.................... 500,000
For Travel..................................... 50,000
For Commodities............................ 53,200
For Printing................................... 34,500
For Equipment............................... 50,000
For Telecommunications Services.......... 10,000
For Expenses of Federally Funded Women's
Health Program.................. 3,000,000
Total $5,012,900

Payable from the Public Health Special
State Projects Fund:
For Expenses of Women's Health Programs.... 200,000

Section 95. The following named amounts, or so much thereof as may
be necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:

OFFICE OF WOMEN'S HEALTH

New matter indicated by italics - deletions by strikeout
Payable from the Penny Severns Breast, Cervical, and Ovarian Cancer Research Fund:
For Grants for Breast and Cervical Cancer Research......................... 600,000

Payable from the Public Health Services Fund:
For Grants for Breast and Cervical Cancer Screenings in Fiscal Year 2015 and all prior fiscal years..................... 6,000,000

Payable from the Carolyn Adams Ticket for the Cure Grant Fund:
For Grants and related expenses to public or private entities in Illinois for the purpose of funding research concerning breast cancer and for funding services for breast cancer victims.... 3,000,000

Section 100. The following named amounts, or as much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:
OFFICE OF WOMEN'S HEALTH

Payable from General Revenue Fund:
For Expenses associated with School Health Centers........................................ 1,279,000
For Grants to Family Planning Programs for Contraceptive Services ................. 470,400
Total $1,749,400

Payable from the Public Health Services Fund:
For Expenses associated with Maternal and Child Health Programs.................... 15,000,000

Payable from Tobacco Settlement Recovery Fund:
For costs associated with Children’s Health Programs ......................... 1,229,700

Payable from the Maternal and Child Health Services Block Grant Fund:
For Expenses associated with Maternal and Child Health Programs.................. 6,250,000
For Grants to the Chicago Department of Health for Maternal and Child Health Services........................................ 5,000,000
For Grants to the Board of Trustees of the

New matter indicated by italics - deletions by strikeout
University of Illinois, Division of
Specialized Care for Children ............
For Grants for the Extension and Provision
of Perinatal Services for Premature and
High-risk Infants and their Mothers.........
Total

7,000,000
2,500,000

Section 105. The following named amount, or so much thereof as may
be necessary, is appropriated to the Department of Public Health for the
objects and purposes hereinafter named:

OFFICE OF PREPAREDNESS AND RESPONSE

Payable from Fire Prevention Fund:
For Expenses associated with EMS Testing.........

600,000

Payable from the Public Health Services Fund:
For expenses Associated with Community,
Service and Volunteer Activities,
including Prior Year Costs................

15,000,000

Payable from the Heartsaver AED Fund:
For Expenses Associated with the
Heartsaver AED Program...........................

125,000

Payable from the Trauma Center Fund:
For Expenses of Administering the
Distribution of Payments to
Trauma Centers..........................

7,000,000

Payable from the Public Health Services Fund:
For Expenses of Federally Funded
Bioterrorism Preparedness
Activities and other Public Health
Emergency Preparedness........................

70,000,000

Payable from the EMS Assistance Fund:
For Expenses of Administering the
Distribution of Payments from the
EMS Assistance Fund, Including Refunds........

1,100,000

Payable from the Spinal Cord Injury Paralysis
Cure Research Trust Fund:
For Grants for Spinal Cord Injury Research......

800,000

Payable from the Public Health Special
Projects Fund:
For All Costs Associated with Public
Health Preparedness Including First-

New matter indicated by italics - deletions by strikeout
aid Stations and Anti-viral Purchases......... 450,000

ARTICLE 11

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Department of Veterans' Affairs:

CENTRAL OFFICE

For Personal Services......................... 3,860,400
For State Contributions to Social Security........................................ 299,000
For Contractual Services....................... 553,300
For Travel........................................ 28,100
For Commodities.................................. 6,000
For Printing...................................... 7,800
For Equipment................................... 1,000
For Electronic Data Processing............... 800,000
For Telecommunications Services.............. 59,300
For Operation of Auto Equipment............... 10,200
Total $5,625,100

Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Department of Veterans' Affairs for the objects and purposes and in the amounts set forth as follows:

GRANTS-IN-AID

For Bonus Payments to War Veterans and Peacetime Crisis Survivors......................... 198,000
For Providing Educational Opportunities for Children of Certain Veterans, as provided by law........................................ 74,300
For Cartage and Erection of Veterans' Headstones, including Prior Years Claims....... 241,000
Total $513,300

Section 15. The following named amount, or so much thereof as may be necessary, is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Veterans' Affairs for the object and purpose and in the amount set forth as follows:

For Specially Adapted Housing for Veterans...... 223,000

Section 20. The amount of $250,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the

New matter indicated by italics - deletions by strikeout
Section 25. The amount of $8,300,000, or so much thereof as may be necessary, is appropriated from the Illinois Veterans Assistance Fund to the Department of Veterans’ Affairs for making grants, funding additional services, or conducting additional research projects relating to veterans’ post traumatic stress disorder; veterans’ homelessness; the health insurance cost of veterans; veterans’ disability benefits, including but not limited to, disability benefits provided by veterans service organizations and veterans assistance commissions or centers; and the long-term care of veterans.

Section 30. The amount of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans’ Affairs for costs associated with the Illinois Warrior Assistance Program.

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans’ Affairs for objects and purposes hereinafter named:

**VETERANS’ FIELD SERVICES**

Payable from the General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..........................</td>
<td>4,483,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security..........................</td>
<td>343,100</td>
</tr>
<tr>
<td>For Contractual Services.........................</td>
<td>311,300</td>
</tr>
<tr>
<td>For Travel........................................</td>
<td>76,000</td>
</tr>
<tr>
<td>For Commodities...................................</td>
<td>11,600</td>
</tr>
<tr>
<td>For Printing.......................................</td>
<td>8,000</td>
</tr>
<tr>
<td>For Equipment........................................</td>
<td>100</td>
</tr>
<tr>
<td>For Electronic Data Processing...............</td>
<td>100</td>
</tr>
<tr>
<td>For Telecommunications Services.............</td>
<td>114,100</td>
</tr>
<tr>
<td>For Operation of Auto Equipment.............</td>
<td>30,600</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$5,378,400</td>
</tr>
</tbody>
</table>

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

**ILLINOIS VETERANS' HOME AT ANNA**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..........................</td>
<td>3,561,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security..........................</td>
<td>272,300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Contractual Services.............................                                            100
For Commodities......................................                                              100
For Electronic Data Processing.......................                                        100
Total                                                                                          $3,833,900

Payable from Anna Veterans Home Fund:
For Personal Services..........................                                         1,571,800
For State Contributions to the State
Employees' Retirement System....................                                  665,400
For State Contributions to
Social Security........................................ 120,400
For Contractual Services..........................                                         817,000
For Travel........................................                                                   5,000
For Commodities..................................                                           368,500
For Printing.......................................                                                   4,000
For Equipment.....................................                                              13,300
For Electronic Data Processing......................                                             0
For Telecommunications Services....................                                      16,000
For Operation of Auto Equipment...................                                  10,200
For Permanent Improvements........................                                    10,000
For Refunds.......................................                                                 32,700
Total                                                                                          $3,649,700

Section 45. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

   ILLINOIS VETERANS' HOME AT QUINCY

Payable from General Revenue Fund:
For Personal Services.........................                                         23,467,100
For State Contributions to
Social Security........................................ 1,795,300
For Contractual Services.........................                                         170,600
For Commodities........................................                                                0
For Electronic Data Processing......................                                             0
Total                                                                                          $25,433,000

Payable from Quincy Veterans Home Fund:
For Personal Services.........................                                        10,739,800
For Member Compensation.........................                                         20,000
For State Contributions to the State
Employees' Retirement System....................                                  4,547,100
For State Contributions to

New matter indicated by italics - deletions by strikeout
Social Security................................. 821,700
For Contractual Services.............. 3,175,300
For Travel........................................ 6,000
For Commodities.............................. 4,854,400
For Printing...................................... 25,000
For Equipment.................................. 118,500
For Electronic Data Processing......... 67,900
For Telecommunications Services....... 99,300
For Operation of Auto Equipment....... 117,700
For Permanent Improvements............ 20,000
For Refunds..................................... 44,600
Total ........................................... $24,657,300

Section 50. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Veterans'
Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT LASALLE

Payable from General Revenue Fund:
For Personal Services.................... 9,277,600
For State Contributions to Social Security.... 709,700
For Contractual Services................ 0
For Commodities.............................. 0
For Electronic Data Processing........... 0
Total ........................................... $9,987,300

Payable from LaSalle Veterans Home Fund:
For Personal Services.................... 5,550,100
For State Contributions to the State
Employees' Retirement System.......... 2,349,900
For State Contributions to
Social Security............................. 424,600
For Contractual Services............... 2,343,400
For Travel.................................... 5,000
For Commodities........................... 1,196,900
For Printing.................................. 7,500
For Equipment............................... 120,700
For Electronic Data Processing......... 25,600
For Telecommunications.................. 32,600
For Operation of Auto Equipment........ 24,700
For Permanent Improvements............. 25,000
For Refunds................................... 30,500

New matter indicated by italics - deletions by strikeout
Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans’ Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS’ HOME AT MANTENO

Payable from General Revenue Fund:
- For Personal Services.......................... 15,326,100
- For State Contributions to
  - Social Security.............................. 1,172,500
  - For Contractual Services...................... 0
  - For Commodities........................................ 0
  - For Electronic Data Processing.................. 0
- Total...................................................... $16,498,600

Payable from Manteno Veterans Home Fund:
- For Personal Services.......................... 8,276,600
- For Member Compensation...................... 20,000
- For State Contributions to the State
  - Employees' Retirement System................ 3,504,200
- For State Contributions to
  - Social Security...................................... 633,200
  - For Contractual Services...................... 6,184,400
  - For Travel........................................... 5,000
  - For Commodities................................ 1,687,900
  - For Printing....................................... 25,000
  - For Equipment..................................... 354,700
  - For Electronic Data Processing................ 52,100
  - For Telecommunications Services............ 94,800
  - For Operation of Auto Equipment............. 71,200
  - For Permanent Improvements.................. 75,000
  - For Refunds......................................... 75,000
- Total...................................................... $21,059,100

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans’ Affairs for costs associated with the operation of a program for homeless veterans at the Illinois Veterans’ Home at Manteno:

Payable from General Revenue Fund............... 745,700
Payable from the Manteno Veterans Home Fund............... 50,000

New matter indicated by italics - deletions by strikeout
Projects Fund................................. 125,000
Total ........................................... $920,700

Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

STATE APPROVING AGENCY

Payable from GI Education Fund:
For Personal Services......................... 718,700
For State Contributions to the State Employees' Retirement System.......... 304,300
For State Contributions to Social Security.......................... 55,000
For Contractual Services.......................... 184,000
For Travel........................................ 12,300
For Commodities.................................... 3,300
For Printing...................................... 12,000
For Equipment..................................... 72,000
For Electronic Data Processing................... 12,600
For Telecommunications Services.............. 17,600
For Operation of Auto Equipment............... 12,500
Total ................................................ $1,494,700

Section 70. The amount of $216,100, or so much thereof as may be necessary, is appropriated from the Veterans' Affairs Federal Projects Fund to the Department of Veterans’ Affairs for operating and administrative costs associated with the Troops to Teachers Program.

ARTICLE 12

Section 5. The sum of $1,347,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the State Universities Retirement System for the State’s contribution, as provided by law.

Section 10. The sum of $197,000,000, or so much thereof as may be necessary, is appropriated from the State Pensions Fund to the Board of Trustees of the State Universities Retirement System pursuant to the provisions of Section 8.12 of the State Finance Act.

Section 15. The sum of $4,459,547, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the State Universities Retirement System for deposit into the Community College

New matter indicated by italics - deletions by strikeout
Health Insurance Security Fund for the State’s contributions, as required by law.

ARTICLE 13

Section 5. The sum of $1,136,479,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the State Employees’ Retirement System of Illinois for the State's contribution, as provided by law.

Section 10. The sum of $133,982,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the Judges’ Retirement System of Illinois for the State's contribution, as provided by law.

Section 15. The sum of $15,809,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the General Assembly Retirement System for the State's contribution, as provided by law.

ARTICLE 14

Section 5. The sum of $3,411,878,000, or so much thereof as may be necessary, is appropriated from the Common School Fund to the Teachers' Retirement System of the State of Illinois for the State's contribution, as provided by law.

Section 10. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Teachers' Retirement System of the State of Illinois for additional costs due to the establishment of minimum retirement allowances pursuant to Sections 16-136.2 and 16-136.3 of the Illinois Pension Code, as amended.

Section 15. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the Common School Fund to the Illinois Teachers’ Retirement System for the employer contributions required by the State as an employer of teachers described under subsection (e) of Section 16-158 of the Illinois Pension Code.

Section 20. The amount of $12,145,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Public School Teachers’ Pension and Retirement Fund of Chicago for the state’s contribution for retirement contributions under Section 17-127 of the Illinois Pension Code for the fiscal year beginning July 1, 2014.

Section 25. The amount of $100,983,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Teachers’ Retirement System of the State of Illinois for deposit into the
ARTICLE 15

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the State Treasurer for the payment of interest on and retirement of State bonded indebtedness:

For payment of principal and interest on any and all bonds issued pursuant to the Anti-Pollution Bond Act, the Transportation Bond Act, the Capital Development Bond Act of 1972, the School Construction Bond Act, the Illinois Coal and Energy Development Bond Act, and the General Obligation Bond Act:

From the General Obligation Bond Retirement and Interest Fund:

Principal.................................. 2,106,704,300
Interest 1,416,450,000
Total $3,523,154,300

ARTICLE 16

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

PAYABLE FROM GENERAL REVENUE FUND
For Group Insurance........................ 1,565,374,200

PAYABLE FROM ROAD FUND
For Group Insurance........................ 123,372,000

PAYABLE FROM GROUP INSURANCE PREMIUM FUND
For Life Insurance Coverage as Elected by Members Per the State Employees Group Insurance Act of 1971................. 95,452,100

PAYABLE FROM HEALTH INSURANCE RESERVE FUND
For provisions of Health Care Coverage as Elected by Eligible Members Per the State Employees Group Insurance Act of 1971......................... 3,062,546,300

ARTICLE 99

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved June 30, 2014.
Effective July 1, 2014.

PUBLIC ACT 98-0681
(House Bill No. 6097)

AN ACT making appropriations.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Capital Development Board:

GENERAL OFFICE

Payable from Capital Development Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>8,320,400</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td>3,522,800</td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>624,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>2,070,000</td>
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<td>For Contractual Services</td>
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<tr>
<td>For Travel</td>
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<tr>
<td>For Commodities</td>
<td>14,500</td>
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<tr>
<td>For Printing</td>
<td>0</td>
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<tr>
<td>For Equipment</td>
<td>0</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
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<td>For Telecommunications Services</td>
<td>71,500</td>
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<td>For Operation of Auto Equipment</td>
<td>24,100</td>
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<tr>
<td>For Operational Expenses</td>
<td>400,000</td>
</tr>
<tr>
<td>For Facilities Conditions Assessments and Analysis</td>
<td>600,000</td>
</tr>
<tr>
<td>For Project Management Tracking</td>
<td>500,000</td>
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<tr>
<td>Total</td>
<td>$16,347,300</td>
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Payable from Capital Development Board Revolving Fund:

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<th>Description</th>
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<tbody>
<tr>
<td>For Personal Services</td>
<td>4,161,600</td>
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<tr>
<td>For State Contributions to State</td>
<td>1,762,000</td>
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<tr>
<td>Employees' Retirement System</td>
<td>312,200</td>
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<tr>
<td>For Group Insurance</td>
<td>1,125,000</td>
</tr>
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</table>

New matter indicated by italics - deletions by strikeout
For Contractual Services........................................... 282,500
For Travel.......................................................... 157,700
For Commodities.................................................... 11,400
For Printing........................................................... 14,500
For Equipment......................................................... 10,000
For Electronic Data Processing................................. 285,200
For Telecommunications Services............................. 92,100
For Operational Expenses......................................... 310,000
Total........................................................................... $8,524,200

Payable from the School Infrastructure Fund:
For operational purposes relating to
the School Infrastructure Program......................... 600,000

Section 10. The following named amounts, or so much thereof as may
be necessary and remain unexpended at the close of business on June 30,
2014, from reappropriations heretofore made for such purposes in Article 3,
Section 10 of Public Act 98-0050, respectively, for the objects and purposes
hereinafter named, are reappropriated to the Capital Development Board:

GENERAL OFFICE

Payable from the Capital Development Fund:
For Facilities Conditions Assessments
and Analysis............................................................ 900,000
For Project Management Tracking......................... 500,000
Total........................................................................... 1,400,000

ARTICLE 2

Section 5. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated from the General Revenue Fund to meet the ordinary and
contingent expenses of the following divisions of the Department of
Corrections for the fiscal year ending June 30, 2015:

FOR OPERATIONS

GENERAL OFFICE

For Personal Services............................................... 19,382,300
For State Contributions to
Social Security...................................................... 1,482,700
For Contractual Services......................................... 7,000,000
For Travel............................................................... 200,000
For Commodities..................................................... 700,000
For Printing............................................................. 14,000
For Equipment......................................................... 44,100

New matter indicated by italics - deletions by strikeout
For Electronic Data Processing................. 14,000,000
For Telecommunications Services.............. 2,500,000
For Operation of Auto Equipment............... 90,000
For Tort Claims.................................. 250,000
Total .............................................. $45,663,100

STATEWIDE SERVICES AND GRANTS

Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Corrections for the objects and purposes hereinafter named:

Payable from the General Revenue Fund:
For Sheriffs’ Fees for Conveying Prisoners....... 327,300
For the State’s share of Assistant State’s Attorney’s salaries – reimbursement to counties pursuant to Chapter 53 of the Illinois Revised Statutes................. 365,200
For Repairs, Maintenance and Other Capital Improvements....................... 2,910,600
Total .............................................. $3,603,100

Reimbursement and Education Fund:
For payment of expenses associated with School District Programs.............. 5,000,000
For payment of expenses associated with federal programs, including, but not limited to, construction of additional beds, treatment programs, and juvenile supervision....................... 5,000,000
For payment of expenses associated with miscellaneous programs, including, but not limited to, medical costs, food expenditures and various construction costs............... 25,500,000
Total .............................................. $35,500,000

Section 15. The amounts appropriated for repairs and maintenance, and other capital improvements in Sections 5 and 30 for repairs and maintenance, roof repairs and/or replacements, and miscellaneous capital improvements at the Department's various institutions are to include construction, reconstruction, improvements, repairs and installation of capital facilities, costs of planning, supplies, materials and all other expenses required for roof and other types of repairs and maintenance, capital improvements, and purchase of land.

New matter indicated by italics - deletions by strikeout
No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Sections 5 and 30 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Section 20. The amount of $6,483,300, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for expenses related to statewide hospitalization services.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Corrections:

EDUCATION SERVICES

For Personal Services.......................... 14,350,000
For Student, Member and Inmate
  Compensation.................................. 10,000
For Contributions to Teacher’s
  Retirement System............................ 2,800
For State Contributions to Social Security..... 1,097,800
For Contractual Services..................... 7,800,000
For Travel....................................... 6,400
For Commodities................................ 125,000
For Printing..................................... 28,000
For Equipment................................... 1,000
For Telecommunications Services.............. 5,000
For Operation of Auto Equipment................ 3,400
Total                                      $23,429,400

FIELD SERVICES

For Personal Services.......................... 46,796,200
For Student, Member and Inmate
  Compensation.................................. 20,000
For State Contributions to
  Social Security.............................. 3,579,900
For Contractual Services..................... 33,000,000
For Travel....................................... 175,000
For Travel and Allowance for Committed,
  Paroled and Discharged Prisoners............. 32,500
For Commodities................................ 150,000
For Printing.................................... 3,600
For Equipment................................... 70,000

New matter indicated by italics - deletions by strikeout
Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund for:

**BIG MUDDY RIVER CORRECTIONAL CENTER**

For Personal Services............... 21,327,200
For Student, Member and Inmate Compensation............... 303,000
For State Contributions to
Social Security............... 1,631,500
For Contractual Services............... 7,550,000
For Travel.......................... 12,000
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners........... 15,000
For Commodities............... 2,100,000
For Printing......................... 12,000
For Equipment....................... 45,000
For Telecommunications Services............ 80,000
For Operation of Auto Equipment............ 105,000
Total $33,140,700

**CENTRALIA CORRECTIONAL CENTER**

For Personal Services............... 24,645,000
For Student, Member and Inmate Compensation............... 280,000
For State Contributions to
Social Security............... 1,885,300
For Contractual Services............... 4,800,000
For Travel.......................... 4,300
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners........... 23,000
For Commodities............... 1,800,000
For Printing......................... 13,000
For Equipment....................... 55,000
For Telecommunications Services............ 80,000
For Operation of Auto Equipment............ 33,000
Total $33,618,600

**DANVILLE CORRECTIONAL CENTER**

For Telecommunications Services........ 6,665,600
For Operation of Auto Equipment........ 1,500,000
Total $91,992,800

New matter indicated by italics - deletions by strikeout
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<td>For Contractual Services</td>
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<td>For Travel</td>
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<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
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<td>For Commodities</td>
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<td>For Equipment</td>
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<td>For Telecommunications Services</td>
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<td>For Operation of Auto Equipment</td>
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<td>Total</td>
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**DECATUR CORRECTIONAL CENTER**

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<tr>
<td>For Student, Member and Inmate Compensation</td>
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<td>For State Contributions to Social Security</td>
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<td>For Travel</td>
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<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
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<td>For Commodities</td>
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<td>For Printing</td>
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<td>For Equipment</td>
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<tr>
<td>For Telecommunications Services</td>
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<td>30,000</td>
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<td>Total</td>
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**DIXON CORRECTIONAL CENTER**

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<td>For Student, Member and Inmate Compensation</td>
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<td>For Contractual Services</td>
<td>12,875,000</td>
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New matter indicated by italics - deletions by strikeout
For Travel........................................ 42,000
For Travel and Allowances for Committed, Paroled and Discharged Prisoners.............. 20,000
For Commodities.................................. 3,500,000
For Printing........................................ 25,000
For Equipment..................................... 70,000
For Telecommunications Services............. 105,000
For Operation of Auto Equipment............. 140,000
Total                                                                                        $58,342,600

EAST MOLINE CORRECTIONAL CENTER
For Personal Services.......................... 19,917,000
For Student, Member and Inmate Compensation.................................................. 215,000
For State Contributions to
Social Security.................................. 1,523,700
For Contractual Services...................... 4,450,000
For Travel......................................... 11,500
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............... 19,500
For Commodities.................................. 1,750,000
For Printing........................................ 5,000
For Equipment..................................... 65,000
For Telecommunications Services............. 70,000
For Operation of Auto Equipment............. 75,000
Total                                                                                        $28,101,700

SOUTHWESTERN ILLINOIS CORRECTIONAL CENTER
For Personal Services......................... 14,921,400
For Student, Member and Inmate Compensation.................................................. 130,000
For State Contributions to
Social Security.................................. 1,141,500
For Contractual Services...................... 9,835,000
For Travel......................................... 4,500
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............... 6,500
For Commodities................................. 835,000
For Printing....................................... 8,000
For Equipment..................................... 20,000
For Telecommunications Services............. 24,700

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment ...................... 24,500  
Total $26,951,100  

**GRAHAM CORRECTIONAL CENTER**  
For Personal Services ......................... 27,589,900  
For Student, Member and Inmate  
Compensation .................... 255,000  
For State Contributions to  
Social Security .................... 2,110,600  
For Contractual Services ..................... 8,600,000  
For Travel ........................................ 15,000  
For Travel and Allowances for Committed,  
Paroled and Discharged Prisoners ............... 7,000  
For Commodities ................................ 2,425,000  
For Printing ...................................... 18,000  
For Equipment ..................................... 40,000  
For Telecommunications Services ............... 70,100  
For Operation of Auto Equipment ................... 67,500  
Total $41,198,100  

**ILLINOIS RIVER CORRECTIONAL CENTER**  
For Personal Services ......................... 21,473,600  
For Student, Member and Inmate  
Compensation .................... 300,000  
For State Contributions to Social Security .... 1,642,700  
For Contractual Services ..................... 8,000,000  
For Travel ........................................ 12,000  
For Travel and Allowance for Committed, Paroled  
and Discharged Prisoners ...................... 27,000  
For Commodities ................................ 2,700,000  
For Printing ...................................... 15,000  
For Equipment ..................................... 70,000  
For Telecommunications Services ............... 50,000  
For Operation of Auto Equipment ................... 35,000  
Total $34,325,300  

**HILL CORRECTIONAL CENTER**  
For Personal Services ......................... 19,259,600  
For Student, Member and Inmate  
Compensation .................... 275,000  
For State Contributions to Social Security .... 1,473,400  
For Contractual Services ..................... 6,700,000  

New matter indicated by italics - deletions by strikeout
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<tbody>
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<tr>
<td>For Travel and Allowance for Committed, Paroled and Discharged Prisoners</td>
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<td>For Commodities</td>
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<td>For Equipment</td>
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<td>For Telecommunications Services</td>
<td>35,000</td>
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<td>For Operation of Auto Equipment</td>
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<td>Total</td>
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<td>For Telecommunications Services</td>
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<td>For Operation of Auto Equipment</td>
<td>105,000</td>
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<tr>
<td>Total</td>
<td>$35,963,500</td>
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<table>
<thead>
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<tr>
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<td>For Contractual Services</td>
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<td>For Travel</td>
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<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
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<tr>
<td>For Commodities</td>
<td>3,500,000</td>
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<tr>
<td>For Printing</td>
<td>22,000</td>
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<tr>
<td>For Equipment</td>
<td>69,500</td>
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<tr>
<td>For Telecommunications Services</td>
<td>95,000</td>
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New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment.................................  80,000
Total                                                                 $80,000

LINCOLN CORRECTIONAL CENTER
For Personal Services................................. 15,120,800
For Student, Member and Inmate
  Compensation........................................  210,000
For State Contributions to
  Social Security.................................  1,156,700
For Contractual Services..........................  4,550,000
For Travel..............................................  10,000
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners...............  6,000
For Commodities....................................  1,150,000
For Printing..........................................  10,000
For Equipment.......................................  50,000
For Telecommunications Services.................  82,500
For Operation of Auto Equipment.................  42,500
Total                                                                 $15,120,800

LOGAN CORRECTIONAL CENTER
For Personal Services................................. 29,270,100
For Student, Member and Inmate
  Compensation.....................................  325,000
For State Contributions to
  Social Security.................................  2,239,200
For Contractual Services........................  11,150,000
For Travel..............................................  5,500
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners...............  14,500
For Commodities....................................  2,450,000
For Printing..........................................  11,500
For Equipment.......................................  50,000
For Telecommunications Services.................  120,000
For Operation of Auto Equipment................  180,000
Total                                                                 $29,270,100

MENARD CORRECTIONAL CENTER
For Personal Services................................. 59,215,100
For Student, Member and Inmate
  Compensation.....................................  350,000
For State Contributions to

New matter indicated by italics - deletions by strikeout
Social Security............................... 4,530,000
For Contractual Services...................... 10,000,000
For Travel........................................ 30,000
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners............... 7,000
For Commodities............................... 6,300,000
For Printing...................................... 25,000
For Equipment.................................... 130,000
For Telecommunications Services............... 130,000
For Operation of Auto Equipment................. 170,000
Total                                                                                        $80,887,100

PINCKNEYVILLE CORRECTIONAL CENTER
For Personal Services......................... 31,080,000
For Student, Member and Inmate
  Compensation..................................... 300,000
For State Contributions to
  Social Security............................... 2,377,600
For Contractual Services...................... 8,400,000
For Travel........................................ 11,500
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners............... 40,000
For Commodities............................... 3,100,000
For Printing...................................... 17,000
For Equipment..................................... 50,000
For Telecommunications Services............... 48,000
For Operation of Auto Equipment................. 105,000
Total                                                                                        $45,529,100

PONTIAC CORRECTIONAL CENTER
For Personal Services......................... 49,172,900
For Student, Member and Inmate
  Compensation..................................... 200,000
For State Contributions to
  Social Security............................... 3,761,700
For Contractual Services...................... 10,100,000
For Travel........................................ 27,000
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners............... 5,500
For Commodities............................... 3,325,000
For Printing..................................... 22,000

New matter indicated by italics - deletions by strikeout
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<td>For Equipment</td>
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<tr>
<td>For Telecommunications Services</td>
<td>150,000</td>
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<td>For Operation of Auto Equipment</td>
<td>90,000</td>
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<td><strong>Total</strong></td>
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**ROBINSON CORRECTIONAL CENTER**

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<td>For Personal Services</td>
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<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>15,000</td>
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<td>For Commodities</td>
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<td>For Equipment</td>
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<tr>
<td>For Telecommunications Services</td>
<td>28,000</td>
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<td>For Operation of Automotive Equipment</td>
<td>43,000</td>
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**SHAWNEE CORRECTIONAL CENTER**

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<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
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<td>For Commodities</td>
<td>2,800,000</td>
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<td>For Equipment</td>
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<td>For Telecommunications Services</td>
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<td>For Operation of Auto Equipment</td>
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**SHERIDAN CORRECTIONAL CENTER**

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New matter indicated by italics - deletions by strikeout
| For Student, Member and Inmate Compensation | 260,000 |
| For State Contributions to Social Security | 2,268,400 |
| For Contractual Services | 17,250,000 |
| For Travel | 19,000 |
| For Travel and Allowances for Committed, Paroled and Discharged Prisoners | 4,000 |
| For Commodities | 2,800,000 |
| For Printing | 16,000 |
| For Equipment | 85,000 |
| For Telecommunications Services | 75,000 |
| For Operation of Auto Equipment | 75,000 |
| **Total** | **$52,504,500** |

**STATEVILLE CORRECTIONAL CENTER**

| For Personal Services | 82,353,000 |
| For Student, Member and Inmate Compensation | 275,000 |
| For State Contributions to Social Security | 6,300,000 |
| For Contractual Services | 18,800,000 |
| For Travel | 150,000 |
| For Travel and Allowances for Committed, Paroled and Discharged Prisoners | 32,000 |
| For Commodities | 6,850,000 |
| For Printing | 110,000 |
| For Equipment | 150,000 |
| For Telecommunications Services | 180,000 |
| For Operation of Auto Equipment | 350,000 |
| **Total** | **$115,550,000** |

**TAYLORVILLE CORRECTIONAL CENTER**

| For Personal Services | 15,635,700 |
| For Student, Member and Inmate Compensation | 240,000 |
| For State Contribution to Social Security | 1,196,100 |
| For Contractual Services | 5,050,000 |
| For Travel | 5,100 |
| For Travel and Allowance for Committed, Paroled and Discharged |

New matter indicated by italics - deletions by strikeout
Prisoners......................................... 5,500
For Commodities......................... 1,500,000
For Printing................................. 10,000
For Equipment.............................. 60,000
For Telecommunications Services......... 40,000
For Operation of Automotive Equipment... 37,000
Total ........................................ $23,779,400

VANDALIA CORRECTIONAL CENTER
For Personal Services...................... 23,209,600
For Student, Member and Inmate
  Compensation............................... 265,000
For State Contributions to
  Social Security............................ 1,775,500
For Contractual Services................... 4,050,000
For Travel.................................... 6,400
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners........ 12,000
For Commodities............................ 2,500,000
For Printing.................................. 13,000
For Equipment............................... 80,000
For Telecommunications Services.......... 70,000
For Operation of Auto Equipment.......... 60,000
Total ........................................ $32,041,500

VIENNA CORRECTIONAL CENTER
For Personal Services...................... 27,698,900
For Student, Member and Inmate
  Compensation............................... 235,000
For State Contributions to
  Social Security............................ 2,119,000
For Contractual Services................... 3,800,000
For Travel.................................... 7,700
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners........ 85,000
For Commodities............................ 3,000,000
For Printing.................................. 14,000
For Equipment............................... 60,000
For Telecommunications Services.......... 47,500
For Operation of Auto Equipment.......... 100,000
Total ........................................ $37,167,100

New matter indicated by italics - deletions by strikeout
WESTERN ILLINOIS CORRECTIONAL CENTER
For Personal Services....................... 23,505,700
For Student, Member and Inmate Compensation................................. 300,000
For State Contributions to Social Security............................... 1,798,200
For Contractual Services....................... 6,800,000
For Travel........................................ 12,000
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners......... 20,000
For Commodities................................ 2,500,000
For Printing...................................... 12,000
For Equipment..................................... 90,000
For Telecommunications Services............. 50,000
For Operation of Auto Equipment............. 70,000
Total $35,157,900

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the Working Capital Revolving Fund:

ILLINOIS CORRECTIONAL INDUSTRIES
For Personal Services....................... 11,243,000
For the Student, Member and Inmate Compensation................................. 2,177,400
For State Contributions to State Employees' Retirement System............... 4,760,200
For State Contributions to Social Security............................... 860,100
For Group Insurance............................ 3,335,000
For Contractual Services....................... 3,250,000
For Travel........................................ 40,300
For Commodities............................... 26,529,700
For Printing....................................... 4,800
For Equipment................................. 1,500,000
For Telecommunications Services............. 64,400
For Operation of Auto Equipment............. 1,011,400
For Green Recycling Initiatives............ 400,000
For Repairs, Maintenance and Other Capital Improvements..................... 147,000
For Refunds........................................ 7,400

New matter indicated by italics - deletions by strikeout
Section 40. The sum of $14,398,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Corrections for operating costs and expenses for the fiscal year ending June 30, 2015.

ARTICLE 3

Section 5. The amount of $100,000, or so much thereof as may be necessary, is appropriated from the Sex Offender Management Board Fund to the Sex Offender Management Board for the purposes authorized by the Sex Offender Management Board Act including, but not limited to, sex offender evaluation, treatment, and monitoring programs and grants. Funding received from private sources is to be expended in accordance with the terms and conditions placed upon the funding.

ARTICLE 4

Section 5. The sum of $668,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to the Illinois Sentencing Policy Advisory Council.

ARTICLE 5

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority:

OPERATIONS

Payable from General Revenue Fund:
  For Personal Services..........................                                          1,181,600
  For State Contributions to
    Social Security..................................                                                90,400
    For Contractual Services.........................                                         388,700
    For Travel.........................................                                                   4,800
    For Commodities....................................                                             1,600
    For Printing.......................................                                                   4,800
    For Equipment..........................................                                                  0
    For Electronic Data Processing....................                                      30,600
    For Telecommunications Services...................                                  29,100
    For Operation of Auto Equipment....................                                   2,200
  For Operational Expenses and Awards..............                              634,900
Total                                                                                          $2,368,700

Section 10. The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois

New matter indicated by italics - deletions by strikeout
Criminal Justice Information Authority for administrative costs, awards and grants for the Adult Redeploy and Diversion programs.

Section 15. The sum of $42,500,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to local units of government and non-profit organizations.

Section 20. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to state agencies.

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for activities undertaken in support of federal assistance programs administered by units of state and local government and non-profit organizations:

Payable from the Criminal Justice Trust Fund

5,800,000

Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for awards and grants and other monies received from federal agencies, from other units of government, and from private/not-for-profit organizations for activities undertaken in support of investigating issues in criminal justice and for undertaking other criminal justice information projects:

Payable from the Criminal Justice Trust Fund

1,700,000

Payable from the Criminal Justice Information Projects Fund

1,000,000

Total

$2,700,000

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Criminal Justice Information Authority for awards, grants and operational support to implement the Motor Vehicle Theft Prevention Act:

Payable from the Motor Vehicle Theft Prevention Trust Fund:

For Personal Services

291,300

For other Ordinary and Contingent Expenses

288,700

New matter indicated by italics - deletions by strikeout
and state agencies, units of local
government, corporations, and
neighborhood, community and business
organizations to include operational
activities and programs undertaken
by the Authority in support of the
Motor Vehicle Theft Prevention Act............ 7,000,000
For Refunds....................................... 75,000
Total                                      $7,655,000

Section 40. The sum of $10,000, or so much thereof as may be
necessary, is appropriated from the Illinois State Crime Stoppers Association
Fund to the Illinois Criminal Justice Information Authority for grants to
enhance and develop Crime Stoppers programs in Illinois.

Section 45. The following named amounts, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to the Illinois Criminal Justice Information Authority for the
training of law enforcement personnel and services for families of homicide
or murder:
Payable from the Death Penalty Abolition Fund:
For Personal Services......................... 291,400
For other Ordinary and Contingent Expenses...... 690,500
For Awards and Grants to Units of
Government and Non Profit Organizations
for training of law enforcement personnel
and services for families of victims of
homicide or murder............................... 5,000,000
For Awards and Grants to State Agencies
for training of law enforcement personnel
and services for families of victims of
homicide or murder............................... 5,000,000
Total                                      $10,981,900

Section 50. The sum of $150,000, or so much thereof as may be
necessary, is appropriated from the Prescription Pill and Drug Disposal Fund
to the Illinois Criminal Justice Information Authority for the purpose of
collection, transportation, and incineration of pharmaceuticals by local law
enforcement agencies.

Section 55. The following amounts, or so much thereof as may be
necessary, respectively, are appropriated for the objects and purposes named,

New matter indicated by italics - deletions by strikeout
to meet the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority:

Payable from the ICJIA Violence Prevention Fund:

For Personal Services............................ 498,200
For State Contributions to State
  Employees' Retirement System............... 210,900
For State Contribution to
  Social Security.............................. 38,200
For Group Insurance........................... 185,100
For Contractual Services....................... 7,000
For Travel........................................ 6,000
For Commodities................................ 3,000
For Printing....................................... 1,000
For Equipment.................................... 1,000
For Electronic Data Processing.................. 3,000
For Telecommunications Services.............. 10,000

Total                                                                 $963,400

Section 60. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the ICJIA Violence Prevention Fund to the Illinois Criminal Justice Information Authority for the purpose of awarding grants under the provisions of the Violence Prevention Act of 1995.

Section 65. The amount of $528,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for the Illinois Family Violence Coordinating Council Program.

Section 70. The amount of 464,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for all costs associated with Bullying Prevention.

Section 75. The amount of $4,700,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for grants and administrative expenses related to Operation CeaseFire.

Section 80. The amount of $1,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for grants and administrative expenses for Franklin County Juvenile Detention Center for Methamphetamine Pilot Program.

New matter indicated by italics - deletions by strikeout
Section 85. The sum of $97,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Criminal Justice Information Authority for a grant to the South Suburban Major Crimes Task Force.

ARTICLE 6

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

MANAGEMENT AND ADMINISTRATIVE SUPPORT

Payable from General Revenue Fund:

For Personal Services.......................... 1,082,700
For State Contributions to Social Security....................... 82,900
For Contractual Services......................... 45,000
For Travel............................................. 0
For Printing........................................... 0
For Equipment.......................................... 0
For Telecommunications............................ 0
For Training and Education.......................... 0
Total                                                                                          $1,210,600

Payable from Nuclear Safety Emergency Preparedness Fund:

For Personal Services.......................... 2,031,700
For State Contributions to Employees' Retirement System................. 860,200
For State Contributions to Social Security.......................... 155,600
For Group Insurance.............................. 554,400
For Contractual Services......................... 2,150,000
For Travel........................................... 18,000
For Commodities..................................... 5,900
For Printing.......................................... 20,000
For Equipment........................................ 21,400
For Electronic Data Processing..................... 496,600
For Telecommunications Services.................... 150,000
For Operation of Auto Equipment..................... 228,500
Total                                                                                          $6,692,300

Payable from Radiation Protection Fund:

For Contractual Services.......................... 965,100

New matter indicated by italics - deletions by strikeout
For Travel........................................... 1,700
For Commodities................................. 8,800
For Printing........................................ 0
For Electronic Data Processing.................. 230,000
For Telecommunications........................... 11,100
For Operation of Auto Equipment............... 20,500
Total.................................................. $1,237,200

Payable from the Homeland Security
Emergency Preparedness Fund:
For Terrorism Preparedness and Training costs in the current and prior years.............. 50,000,000
For Terrorism Preparedness and Training costs in the current and prior years in the Chicago Urban Area................................. 230,000,000

Payable from the September 11th Fund:
For grants, contracts, and administrative expenses pursuant to 625 ILCS 5/3-660, including prior year costs.................. 100,000

Payable from the Federal Civil Preparedness Administrative Fund:
For HMEP Planning.................................. 1,896,000
For HMEP Training................................. 1,552,000

Section 10. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for the ordinary and contingent expenses incurred by the Illinois Emergency Management Agency.

Section 15. The amount of $23,000,000, or so much thereof as may be necessary, is appropriated from the Homeland Security Emergency Preparedness Fund to the Illinois Emergency Management Agency for current and prior year expenses related to the federally funded Emergency Preparedness Grant Program.

Section 20. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for the ordinary and contingent expenses incurred by the Illinois Emergency Management Agency.

Section 25. The sum of $12,000,000, or so much thereof as may be necessary, is appropriated from the Disaster Response and Recovery Fund to

New matter indicated by italics - deletions by strikeout
the Illinois Emergency Management Agency for all current and prior year expenses associated with disaster response and recovery.

Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

OPERATIONS

Payable from General Revenue Fund:
For Personal Services............................                                           983,500
For State Contributions to Social Security.......                                75,300
Total                                                                                          $1,058,800

Payable from Nuclear Safety Emergency
Preparedness Fund:
For Personal Services..........................                                          968,200
For State Contributions to State Employees' Retirement System..................                                 410,000
For State Contributions to Social Security.......                                74,100
For Group Insurance..............................                                          265,700
For Contractual Services.........................                                          265,700
For Travel........................................                                                  20,000
For Commodities....................................                                             5,000
For Printing.......................................                                                   3,000
For Equipment......................................                                               5,000
For Telecommunications...........................                                      280,400
Total                                                                                          $2,041,400

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

RADIATION SAFETY

Payable from Radiation Protection Fund:
For Personal Services.........................                                           3,287,600
For State Contributions to State Employees' Retirement System..................                                 251,600
For State Contributions to Social Security.......                                808,500
For Group Insurance..............................                                          251,600
For Contractual Services.........................                                          70,200
For Travel........................................                                                  50,000
For Commodities....................................                                             4,000
For Printing.......................................                                                   3,000
For Equipment.......................... 27,000
For Telecommunications................. 30,000
For Refunds............................... 44,700
For reimbursing other governmental agencies for their assistance in responding to radiological emergencies........... 44,700
Total ........................................ $6,013,300

Payable from Nuclear Safety Emergency Preparedness Fund:
For Personal Services..................... 1,755,000
For State Contributions to State Employees' Retirement System............... 743,100
For State Contributions to Social Security................................. 134,300
For Group Insurance.......................... 462,000
For Contractual Services..................... 243,700
For Travel..................................... 43,500
For Commodities............................. 75,000
For Printing................................. 0
For Equipment............................... 150,000
For Telecommunications..................... 30,000
Total ........................................ $3,636,600

Payable from Low-Level Radioactive Waste Facility Development and Operation Fund:
For Refunds for Overpayments made by Low-Level Waste Generators............. 4,900

Section 40. The amount of $600,000, or so much thereof as may be necessary, is appropriated from the Indoor Radon Mitigation Fund to the Illinois Emergency Management Agency for current and prior year expenses relating to the federally funded State Indoor Radon Abatement Program.

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

NUCLEAR FACILITY SAFETY

Payable from Nuclear Safety Emergency Preparedness Fund:
For Personal Services..................... 3,742,100
For State Contributions to State Employees' Retirement System............... 1,584,400

New matter indicated by italics - deletions by strikeout
For State Contributions to
Social Security................................. 286,300
For Group Insurance.............................. 854,700
For Contractual Services.......................... 906,700
For Travel........................................ 100,000
For Commodities.................................. 184,400
For Printing........................................... 0
For Equipment..................................... 340,700
For Telecommunications Services.............. 405,000
Total $8,404,300

Section 50. The following named amounts, or so much thereof as may
be necessary, are appropriated to the Illinois Emergency Management Agency
for the objects and purposes hereinafter named:

DISASTER ASSISTANCE AND PREPAREDNESS

Payable from General Revenue Fund:
For Personal Services............................ 332,100
For State Contributions to Social
Security............................................... 25,400
Total $357,500

Payable from Nuclear Safety Emergency
Preparedness Fund:
For Personal Services............................ 551,300
For State Contributions to State
Employees’ Retirement System................... 233,400
For State Contributions to Social
Security............................................... 42,200
For Group Insurance.............................. 161,700
For Contractual Services.......................... 93,300
For Travel........................................... 35,000
For Commodities................................... 11,400
For Printing......................................... 2,500
For Equipment...................................... 2,200
For Telecommunications Services.............. 25,200
For compensation to local governments
for expenses attributable to implementation
and maintenance of plans and programs
authorized by the Nuclear Safety
Preparedness Act................................. 650,000
Total $1,808,200

New matter indicated by italics - deletions by strikeout
Payable from the Federal Aid Disaster Fund:
For Federal Disaster Declarations
in Current and Prior Years................. 70,000,000
For State administration of the
Federal Disaster Relief Program.......... 1,000,000
Disaster Relief - Hazard Mitigation
in Current and Prior Years............... 55,000,000
For State administration of the
Hazard Mitigation Program............... 1,000,000
Total ........................................ 127,000,000

Payable from the Emergency Planning and
Training Fund:
For Activities as a Result of the Illinois
Emergency Planning and Community Right
To Know Act..................................... 100,000

Payable from the Nuclear Civil Protection
Planning Fund:
For Federal Projects............................. 500,000
For Mitigation Assistance..................... 2,000,000
Total ........................................... 2,500,000

Payable from the Federal Civil
Administrative Preparedness Fund:
For Training and Education.................. 50,000

Section 55. The sum of $1,275,800, or so much thereof as may be
necessary, is appropriated from the Radiation Protection Fund to the Illinois
Emergency Management Agency for licensing facilities where radioactive
uranium and thorium mill tailings are generated or located, and related costs
for regulating the decontamination and decommissioning of such facilities
and for identification, decontamination and environmental monitoring of
unlicensed properties contaminated with such radioactive mill tailings.

Section 60. The sum of $50,000, or so much thereof as may be
necessary, is appropriated from the Radiation Protection Fund to the Illinois
Emergency Management Agency for the purpose of funding costs related to
environmental cleanup of the Ottawa Radiation Areas Superfund Project
under cooperative agreements with the Federal Government.

Section 65. The sum of $620,000, or so much thereof as may be
necessary, is appropriated from the Radiation Protection Fund to the Illinois
Emergency Management Agency for recovery and remediation of radioactive

New matter indicated by italics - deletions by strikeout
materials and contaminated facilities or properties when such expenses cannot be paid by a responsible person or an available surety.

Section 70. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for local responder training, demonstrations, research, studies and investigations under funding agreements with the Federal Government.

Section 75. The sum of $97,000, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for related training and travel expenses and to reimburse the Illinois State Police and the Illinois Commerce Commission for costs incurred for activities related to inspecting and escorting shipments of spent nuclear fuel, high-level radioactive waste, and transuranic waste in Illinois as provided under the rules of the Agency.

Section 80. The sum of $271,200, or so much thereof as may be necessary, is appropriated from the Sheffield Agreed Order Fund to the Illinois Emergency Management Agency for the care, maintenance, monitoring, testing, remediation and insurance of the low-level radioactive waste disposal site near Sheffield, Illinois.

Section 85. The sum of $990,000, or so much thereof as may be necessary, is appropriated from the Low-Level Radioactive Waste Facility Development and Operation Fund to the Illinois Emergency Management Agency for use in accordance with Section 14(a) of the Illinois Low-Level Radioactive Waste Management Act for costs related to establishing a low-level radioactive waste disposal facility.

Section 90. The sum of $230,000, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for ordinary and contingent expenses of the Illinois Emergency Management Agency to include support of a centralized administrative processing center.

ARTICLE 7

Section 5. The amount of $1,913,646, or so much thereof as may be necessary, is appropriated to the Illinois Power Agency from the Illinois Power Agency Operations Fund for its ordinary and contingent expenses.

Section 10. The amount of $1,913,646, or so much thereof as may be necessary, is appropriated to the Illinois Power Agency from the Illinois Power Agency Trust Fund for deposit into the Illinois Power Agency Operations Fund pursuant to subsection (c) of Section 6z-75 of the State Finance Act.

New matter indicated by italics - deletions by strikeout
Section 15. The amount of $50,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Power Agency from the Illinois Power Agency Renewable Energy Resources Fund for funding of purchases of renewable energy or renewable energy credits pursuant to subsections (b) and (c) of Section 1-56 of the Illinois Power Agency Act.

ARTICLE 8

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Judicial Inquiry Board to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2015:

For Personal Services....................... 320,800
For State Contribution to State Employees’ Retirement System.......................... 0
For Retirement – Pension pick-up............ 12,200
For State Contribution to Social Security... 23,300
For Contractual Services...................... 303,600
For Travel.......................................... 7,800
For Commodities.............................. 1,500
For Printing....................................... 1,500
For Equipment.................................... 1,500
For EDP............................................. 0
For Telecommunications....................... 5,400
For Operations of Auto Equipment......... 1,900
Total.............................................. $679,500

ARTICLE 9

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the following divisions of the Department of Juvenile Justice for the fiscal year ending June 30, 2015:

FOR OPERATIONS
GENERAL OFFICE

For Personal Services......................... 1,077,700
For State Contributions to
Social Security............................... 82,400
For Contractual Services..................... 400,000
For Travel...................................... 23,000
For Commodities............................ 4,500

New matter indicated by italics - deletions by strikeout
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<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Printing</td>
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<td>For Equipment</td>
<td>5,000</td>
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<tr>
<td>For Electronic Data Processing</td>
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<tr>
<td>For Telecommunications Services</td>
<td>140,000</td>
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<tr>
<td>For Operation of Auto Equipment</td>
<td>67,500</td>
</tr>
<tr>
<td>For Tort Claims</td>
<td>500,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,341,000</strong></td>
</tr>
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**SCHOOL DISTRICT**

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<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>For Personal Services</td>
<td>6,180,000</td>
</tr>
<tr>
<td>For State Contributions to Teachers' Retirement System</td>
<td>500</td>
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<tr>
<td>For State Contributions to Social Security</td>
<td>472,800</td>
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<tr>
<td>For Contractual Services</td>
<td>350,000</td>
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<tr>
<td>For Travel</td>
<td>6,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>20,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>3,600</td>
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<tr>
<td>For Equipment</td>
<td>3,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>24,000</td>
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<tr>
<td>For Operation of Auto Equipment</td>
<td>1,700</td>
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<td><strong>Total</strong></td>
<td><strong>$7,062,700</strong></td>
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**AFTERCARE SERVICES**

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<tr>
<td>For Personal Services</td>
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<tr>
<td>For State Contributions to Social Security</td>
<td>221,400</td>
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<tr>
<td>For Contractual Services</td>
<td>3,300,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>15,000</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Youth</td>
<td>1,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>25,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>1,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>110,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>70,000</td>
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<tr>
<td>For Operation of Auto Equipment</td>
<td>85,000</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$6,722,000</strong></td>
</tr>
</tbody>
</table>

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Juvenile Justice from the General Revenue Fund:

**ILLINOIS YOUTH CENTER - CHICAGO**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>For Personal Services</td>
<td>7,426,100</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Student, Member and Inmate Compensation.......................... 6,000  
For State Contributions to Social Security.................................. 568,100  
For Contractual Services................................. 2,900,000  
For Travel............................................... 3,000  
For Commodities.................................... 335,000  
For Printing...................................... 3,000  
For Equipment.................................. 26,400  
For Telecommunications Services.......................... 24,800  
For Operation of Auto Equipment............................ 15,000  
Total                                                                 $11,307,400  

ILLINOIS YOUTH CENTER - HARRISBURG  
For Personal Services.......................... 17,595,300  
For Student, Member and Inmate Compensation.......................... 37,500  
For State Contributions to Social Security.................................. 1,346,100  
For Contractual Services................................. 2,600,000  
For Travel............................................... 10,000  
For Travel and Allowances for Committed, Paroled and Discharged Youth.......................... 13,000  
For Commodities.................................... 775,000  
For Printing...................................... 9,000  
For Equipment.................................. 43,400  
For Telecommunications Services.......................... 42,100  
For Operation of Auto Equipment............................ 23,000  
Total                                                                 $22,494,400  

ILLINOIS YOUTH CENTER - KEWANEE  
For Personal Services.......................... 15,285,000  
For Student, Member and Inmate Compensation.......................... 15,000  
For State Contributions to Social Security.................................. 1,169,300  
For Contractual Services................................. 2,800,000  
For Travel............................................... 11,000  
For Travel and Allowances for Committed, Paroled and Discharged Youth.......................... 300  
For Commodities.................................... 600,000  

New matter indicated by italics - deletions by strikeout
For Printing........................................... 7,200
For Equipment....................................... 46,000
For Telecommunications Services............... 84,500
For Operation of Auto Equipment................. 32,000
Total                                                                                      $20,050,300

**ILLINOIS YOUTH CENTER - PERE MARQUETTE**

For Personal Services.........................   3,805,000
For Student, Member and Inmate
  Compensation..................................   11,000
For State Contributions to
  Social Security.............................   291,100
For Contractual Services.......................   800,000
For Travel........................................   3,000
For Travel and Allowances for Committed,
  Paroled and Discharged Youth...............   300
For Commodities................................   180,000
For Printing.......................................   1,500
For Equipment....................................   28,700
For Telecommunications Services.................   21,500
For Operation of Auto Equipment..............   9,500
Total                                                                                      $5,151,600

**ILLINOIS YOUTH CENTER - ST. CHARLES**

For Personal Services.........................   19,278,600
For Student, Member and Inmate
  Compensation..................................   35,000
For State Contributions to
  Social Security.............................   1,474,900
For Contractual Services.......................   4,500,000
For Travel........................................   8,500
For Travel and Allowances for Committed,
  Paroled and Discharged Youth...............   500
For Commodities................................   700,000
For Printing.......................................  12,000
For Equipment....................................  56,000
For Telecommunications Services.................  47,000
For Operation of Auto Equipment.............. 110,000
Total                                                                                      $26,222,500

**ILLINOIS YOUTH CENTER - WARRENVILLE**

For Personal Services.........................   7,435,400

*New matter indicated by italics - deletions by strikeout*
For Student, Member and Inmate Compensation ........................................ 10,000
For State Contributions to Social Security ........................................... 568,900
For Contractual Services ................................................................. 1,600,000
For Travel ......................................................................................... 1,500
For Commodities ............................................................................. 180,000
For Printing ....................................................................................... 7,000
For Equipment ................................................................................. 50,100
For Telecommunications Services .................................................... 33,200
For Operation of Auto Equipment ...................................................... 11,500
Total ................................................................................................... $9,897,600

STATEWIDE SERVICES AND GRANTS

Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Juvenile Justice for the objects and purposes hereinafter named:

Payable from General Revenue Fund:
For Repairs, Maintenance and Other Capital Improvements .............. 350,000

Payable from the Department of Corrections Reimbursement and Education Fund:
For payment of expenses associated with School District Programs .... 5,000,000
For payment of expenses associated with federal programs, including, but not limited to, construction of additional beds, treatment programs, and juvenile supervision .... 3,000,000
For payment of expenses associated with miscellaneous programs, including, but not limited to, medical costs, food expenditures, and various construction costs ................................. 5,000,000
Total ................................................................................................ $13,000,000

Section 20. The amounts appropriated for repairs and maintenance, and other capital improvements in Section 10 for repairs and maintenance, roof repairs and/or replacements and miscellaneous capital improvements at the Department’s various institutions are to include construction, reconstruction, improvements, repairs and installation of capital facilities,

New matter indicated by italics - deletions by strikeout
costs of planning, supplies, materials and all other expenses required for roof and other types of repairs and maintenance, capital improvements, and purchase of land.

No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Section 10 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Section 25. The sum of $40,100, or so much thereof as may be necessary, is appropriated to the Department of Juvenile Justice from the General Revenue Fund for costs and expenses associated with payment of statewide hospitalization.

Section 30. The sum of $5,580,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Juvenile Justice for operating costs and expenses for the fiscal year ending June 30, 2015.

ARTICLE 10

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Labor:

FOR OPERATIONS
ALL DIVISIONS

Payable from General Revenue Fund:
For Personal Services...................... 5,803,600
For State Contributions to
Social Security................................ 409,600
For Contractual Services.................... 261,000
For Travel..................................... 105,000
For Commodities................................ 10,600
For Printing.................................... 2,500
For Equipment................................ 27,200
For Electronic Data Processing............. 16,000
For Telecommunications Services.......... 103,000
For Operation of Auto Equipment......... 3,000
Total $6,741,500

Payable from Wage Theft Enforcement Fund:
For Personal Services..................... 84,000
For State Contributions to State
Employees Retirement System.............. 35,600

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0681

For State Contributions to
  Social Security............................  6,400
  For Group Insurance..........................  46,000
  For Contractual Services....................  20,000
  For Travel..................................  1,000
  For Commodities.............................  3,000
  For Printing..................................  5,000
  For Equipment................................  0
  For Electronic Data Processing..............  1,500
  For Telecommunications......................  3,000
  Total........................................ $205,500

Section 10. The amount of $2,000,000, or so much thereof as may be
necessary, is appropriated from the Department of Labor Federal Trust Fund
to the Department of Labor for all costs associated with promoting and
enforcing the Occupational Safety and Health Administration State Program
for public sector worksites.

Section 15. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the Department
of Labor:

FAIR LABOR STANDARDS
Payable from Child Labor and Day and
Temporary Labor Services Enforcement Fund:
  For Personal Services............................. 290,600
  For State Contributions to State Employees
     Retirement System................................ 123,000
  For State Contributions to
     Social Security................................ 22,200
  For Group Insurance............................ 115,000
  For Contractual Services...................... 12,000
  For Travel..................................... 15,000
  For Commodities...............................  5,000
  For Printing.................................... 10,000
  For Equipment..................................  2,000
  For Telecommunications Services.............  10,000
  Total........................................ $604,800
Payable from Employee Classification Fund:
  For Personal Services......................... 120,000
  For State Contributions to State Employees

New matter indicated by italics - deletions by strikeout
Retirement System ........................................ 50,800
For State Contributions to
Social Security ........................................ 9,200
For Group Insurance ................................. 46,000
For Contractual Services ......................... 25,000
For Travel .......................................... 3,000
For Commodities .................................. 5,000
For Printing ....................................... 5,000
For Equipment ..................................... 2,000
For Electronic Data Processing ................. 4,800
For Telecommunications Services ............. 5,000
Total ................................................................. 275,800

Section 20. The amount of $2,970,000, or so much thereof as necessary, is appropriated from the Federal Industrial Services Fund to the Department of Labor for administrative and other expenses, for the Occupational Safety and Health Administration Program, including refunds and prior year costs.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Labor:

PUBLIC SAFETY
Payable from Federal Industrial Services Fund:
For Contractual Services ....................... 30,000
Payable from Amusement Ride and Patron Safety Fund:
For Personal Services ........................... 102,000
For State Contributions to State Employees
Retirement System ............................... 43,200
For State Contributions to
Social Security .................................... 7,800
For Group Insurance ......................... 46,000
For Contractual Services ....................... 10,000
For Travel ......................................... 10,000
For Commodities ............................... 2,000
For Printing ........................................ 5,000
For Electronic Data Processing .............. 1,800
For Telecommunications Services ........... 3,000
Total ................................................................. 230,800

New matter indicated by italics - deletions by strikeout
Section 30. The sum of $20,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Labor for grants to state and local agencies and community providers for at-risk community support programs, after school programs, and youth employment opportunities.

ARTICLE 11
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Law Enforcement Training Standards Board:

OPERATIONS
Payable from the Traffic and Criminal Conviction Surcharge Fund:
For Personal Services.......................... 1,987,300
For State Contributions to State Employees' Retirement System.............. 815,200
For State Contributions to Social Security................................. 153,800
For Group Insurance.............................. 621,000
For Contractual Services................................. 361,500
For Travel........................................ 40,000
For Commodities................................... 10,000
For Printing....................................... 5,000
For Equipment...................................... 4,000
For Electronic Data Processing........................ 68,800
For Telecommunications Services..................... 34,900
For Operation of Auto Equipment................... 22,000
Total $4,123,500

Payable from the Police Training Board Services Fund:
For payment of and/or services related to law enforcement training in accordance with statutory provisions of the Law Enforcement Intern Training Act................................. 100,000

Payable from the Death Certificate Surcharge Fund:
For payment of and/or services related to death investigation in accordance with statutory provisions of the Vital Records Act.......... 450,000

New matter indicated by italics - deletions by strikeout
Payable from the Law Enforcement Camera
Grant Fund:
For grants to units of
local government in Illinois
related to installing video cameras
in law enforcement vehicles and
training law enforcement officers
in the operation of the cameras in
accordance with statutory provisions
of the Law Enforcement Camera
Grant Act..................................... 1,000,000

Section 10. The following named amount, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named, is
appropriated to the Law Enforcement Training Standards Board as follows:

GRANTS-IN-AID

Payable from the Traffic and Criminal
Conviction Surcharge Fund:
For payment of and/or reimbursement
of training and training services
in accordance with statutory provisions...... 12,000,000

ARTICLE 12

Section 5. The sum of $156,928,300, or so much thereof as may be
necessary, is appropriated from the McCormick Place Expansion Project
Fund to the Metropolitan Pier and Exposition Authority for debt service on
the Authority's McCormick Place Expansion Project Bonds, issued pursuant
to the "Metropolitan Pier and Exposition Authority Act", as amended, and
related trustee and legal expenses.

Section 10. The sum of $15,000,000, or so much thereof as may be
necessary, is appropriated to the Metropolitan Pier and Exposition Authority
from the Metropolitan Pier and Exposition Authority Incentive Fund for
Fiscal Year 2015 for certified incentives paid to conventions, meetings and
trade shows held at the McCormick Place Convention Center and Navy Pier
complexes during Fiscal Year 2015.

Section 15. The sum of $8,935,000, or so much thereof as may be
necessary, is appropriated to the Metropolitan Pier and Exposition Authority
from the Chicago Travel Industry and Promotion Fund for a grant to the
Chicago Convention and Tourism Bureau.

ARTICLE 13

New matter indicated by italics - deletions by strikeout
Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Military Affairs:

FOR OPERATIONS
OFFICE OF THE ADJUTANT GENERAL

Payable from General Revenue Fund:
For Personal Services.......................... 1,657,200
For State Contributions to
Social Security................................. 126,700
For Contractual Services....................... 20,300
For Travel....................................... 23,000
For Commodities................................ 20,100
For Printing..................................... 3,600
For Equipment................................... 4,900
For Electronic Data Processing............... 28,800
For Telecommunications Services.............. 31,400
For Operation of Auto Equipment............... 17,000
For State Officers’ Candidate School......... 700
For Lincoln’s Challenge........................ 2,765,200
Total                                                                 $4,698,900

Payable from Federal Support Agreement Revolving Fund:
For Lincoln’s Challenge........................ 6,600,000
For Lincoln’s Challenge Allowances........... 1,200,000
Total                                                                 $7,800,000

FACILITIES OPERATIONS

Payable from General Revenue Fund:
For Personal Services.......................... 6,187,600
For State Contributions to
Social Security................................. 473,400
For Contractual Services....................... 3,365,800
For Commodities................................ 100,000
For Equipment................................... 100,000
Total                                                                 $10,226,800

Payable from Federal Support Agreement Revolving Fund:
Army/Air Reimbursable Positions.............. 14,610,700

Section 10. The sum of $13,000,000, or so much thereof as may be necessary, is appropriated from the Federal Support Agreement Revolving

New matter indicated by italics - deletions by strikeout
Fund to the Department of Military Affairs Facilities Division for expenses related to Army National Guard Facilities operations and maintenance as provided for in the Cooperative Funding Agreements, including costs in prior years.

Section 15. The sum of $7,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs Office of the Adjutant General Division for expenses related to the care and preservation of historic artifacts.

Section 20. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Military Affairs Trust Fund to the Department of Military Affairs Office of the Adjutant General Division to support youth and other programs, provided such amounts shall not exceed funds to be made available from public or private sources.

Section 25. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the Department of Military Affairs Office of the Adjutant General Division for the issuance of grants to persons or families of persons who are members of the Illinois National Guard or Illinois residents who are members of the armed forces of the United States and who have been called to active duty as a result of the September 11, 2001 terrorist attacks, including costs in prior years.

Section 30. The sum of $800,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs for deposit into the Illinois Military Family Relief Fund.

Section 35. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs for a grant to the Veterans’ Assistance Commission of Cook County.

ARTICLE 14

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to meet the ordinary and contingent expenses of the Prisoner Review Board for the fiscal year ending June 30, 2015:

<table>
<thead>
<tr>
<th>PAYABLE FROM GENERAL REVENUE FUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services ...................................................................................................... 967,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security ........................................................................ 74,000</td>
</tr>
<tr>
<td>For Contractual Services .................................................................................................... 179,000</td>
</tr>
<tr>
<td>For Travel .......................................................................................................................... 71,800</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Commodities.................................. 12,600
For Printing....................................... 5,200
For Electronic Data Processing............... 40,300
For Telecommunications Services............. 18,400
Total                                         $1,369,000

Section 10. The amount of $200,000, or so much thereof as may be necessary, is appropriated from the Prisoner Review Board Vehicle and Equipment Fund to the Prisoner Review Board for all ordinary and contingent expenses of the Board, but not including personal services.

ARTICLE 15

Section 5. The sum of $1,348,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Laclede Steel-Illinois.

Section 10. The sum of $1,111,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Children’s Center for Behavioral Development and related trustee and legal expenses.

ARTICLE 16

Section 5. The sum of $54,620,000, or so much thereof as may be necessary, is appropriated from the Illinois Sports Facilities Fund to the Illinois Sports Facilities Authority for its corporate purposes.

ARTICLE 17

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

GENERAL OFFICE
Payable from the Fire Prevention Fund:
For Personal Services......................... 9,883,500
For State Contributions to the State
   Employees' Retirement System............. 4,048,200
   For State Contributions to Social Security.... 756,100
   For Group Insurance........................ 2,622,000
   For Contractual Services.................. 1,231,500
   For Travel.................................. 82,900
   For Commodities........................... 62,600
   For Printing................................ 23,700

New matter indicated by italics - deletions by strikeout
For Equipment................................. 92,000
For Electronic Data Processing.............. 885,900
For Telecommunications...................... 229,000
For Operation of Auto Equipment............. 200,000
For Refunds.................................... 8,800
Total ........................................... $20,126,200

Payable from the Underground Storage Tank Fund:
For Personal Services....................... 2,132,400
For State Contributions to the State
  Employees' Retirement System.......... 792,800
  For State Contributions to Social Security.... 163,100
  For Group Insurance..................... 552,000
  For Contractual Services.............. 368,300
  For Travel.................................. 10,500
  For Commodities......................... 10,200
  For Printing............................... 1,000
  For Equipment............................ 10,200
  For Electronic Data Processing......... 20,600
  For Telecommunications................ 26,100
  For Operation of Auto Equipment....... 65,000
  For Refunds................................ 8,000
Total ......................................... $4,160,200

Section 10. The sum of $775,000, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Office of the
State Fire Marshal for costs and expenses related to or in support of a public
safety shared services center.

Section 15. The sum of $65,000, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Office of the
State Fire Marshal for costs and expenses related to or in support of the Fire
Explorer and Cadet School.

Section 20. The sum of $200,000, or so much thereof as may be
necessary, is appropriated from the Illinois Firefighters' Memorial Fund to the
Office of the State Fire Marshal for expenses related to the maintenance of
the Illinois Firefighters' Memorial, holding the annual Fallen Firefighter
Ceremony, and other expenses as allowed under Public Act 91-0832.

Section 25. The following named amounts, or so much thereof as may be
necessary, respectively, are appropriated to the Office of the State Fire
Marshal as follows:
Payable from the Fire Prevention Fund:

New matter indicated by italics - deletions by strikeout
For Expenses of senior officer training .......... 55,000
For Expenses of the Risk Watch/Remember
When program...................................... 10,000
For Expenses related to fire prevention training.. 25,000
For Expenses of Firefighter Testing
and Training Audits............................. 150,000
Payable from the Fire Prevention Division Fund:
For Expenses of the U.S. Resource
Conservation and Recovery Act
Underground Storage Program................... 2,000,000

Section 30. The following named amounts, or so much thereof as may
be necessary, respectively, are appropriated for the ordinary and contingent
expenses of the Office of the State Fire Marshal, as follows:

GRANTS
Payable from the Fire Prevention Fund:
For Chicago Fire Department Training Program... 2,480,900
For payment to local governmental agencies
which participate in the State Training
Programs........................................ 950,000
Total                                                                 $3,430,900

Section 35. The sum of $1,000, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Office of the
State Fire Marshal for grants available for the development of new fire
districts.

Section 40. The sum of $125,000, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Office of the
State Fire Marshal for grants available for costs and services related to
ILEAS/MABAS administration.

Section 45. The sum of $8,000,000, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Office of the
State Fire Marshal for deposit into the Fire Truck Revolving Loan Fund.

Section 50. The sum of $1,000,000, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Office of the
State Fire Marshal for grants for the Small Equipment Grant Program.

Section 55. The sum of $550,000, or so much thereof as may be
necessary, is appropriated from the Underground Storage Tank Fund to the
Office of the State Fire Marshal for a grant to the City of Chicago for
administrative costs incurred as a result of the State’s Underground Storage
Program.

New matter indicated by italics - deletions by strikeout
ARTICLE 18

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF ADMINISTRATION

Payable from General Revenue Fund:
For Personal Services.......................... 7,132,000
For State Contributions to
  Social Security............................ 450,300
For Contractual Services..................... 1,448,000
For Travel.................................. 53,700
For Commodities............................. 302,900
For Printing................................. 88,500
For Telecommunications Services.......... 113,200
For Operation of Auto Equipment.......... 150,000
For Contractual Services:
  For Payment of Tort Claims............... 50,000
  For Refunds................................ 2,000
Total $9,790,600

Payable from the State Police Wireless Service Emergency Fund:
For costs associated with the administration and fulfillment of its responsibilities under the Wireless Emergency Telephone Safety Act.................. 1,500,000

Payable from the State Police Vehicle Fund:
For purchase of vehicles and accessories..... 12,000,000

Payable from the State Police Vehicle Maintenance Fund:
For Operation of Auto........................ 700,000

Section 10. The sum of $4,000,000, or so much thereof as may be necessary, is appropriated from the State Asset Forfeiture Fund to the Department of State Police for payment of their expenditures as outlined in the Illinois Drug Asset Forfeiture Procedure Act, the Cannabis Control Act, the Controlled Substances Act, and the Environmental Safety Act.

Section 15. The sum of $2,500,000, or so much thereof as may be necessary, is appropriated from the Federal Asset Forfeiture Fund to the

New matter indicated by italics - deletions by strikeout
Department of State Police for payment of their expenditures in accordance with the Federal Equitable Sharing Guidelines.

Section 20. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated to the Department of State Police, Division of Administration, from the Money Laundering Asset Recovery Fund for the ordinary and contingent expenses incurred by the Department of State Police.

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

**INFORMATION SERVICES BUREAU**

Payable from General Revenue Fund:
- For Personal Services.......................... 4,849,900
- For State Contributions to Social Security.............................. 363,700
- For Contractual Services......................... 975,700
- For Travel......................................... 1,700
- For Commodities................................... 20,000
- For Printing...................................... 13,500
- For Contractual Services......................... 975,700
- For Operation of Auto Equipment.................... 7,000
- For Electronic Data Processing................. 2,500,000
- For Telecommunications Services............... 458,300

Total $9,189,800

Payable from LEADS Maintenance Fund:
- For Expenses Related to LEADS System.......... 3,000,000

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

**DIVISION OF OPERATIONS**

Payable from General Revenue Fund:
- For Personal Services.......................... 143,057,400
- For State Contributions to Social Security.............................. 3,609,600
- For Contractual Services......................... 2,892,900
- For Travel......................................... 284,500
- For Commodities.................................. 478,100
- For Printing...................................... 48,400
- For Equipment.................................... 242,100
- For Telecommunications Services............... 2,931,200
- For Operation of Auto Equipment.............. 8,452,400

New matter indicated by italics - deletions by strikeout
Total $161,996,600

Payable from the Traffic and Criminal Conviction Surcharge Fund:
  For Personal Services............................ 495,600
  For State Contributions to State Employees' Retirement System............ 209,800
  For State Contributions to Social Security........................ 6,900
  For Group Insurance................................ 155,000
  For Contractual Services.......................... 465,400
  For Travel........................................ 38,300
  For Commodities.................................. 174,600
  For Printing...................................... 26,500
  For Telecommunications Services............... 1,665,700
  For Operation of Auto Equipment................. 1,762,200
  Total $5,000,000

Payable from the State Police Services Fund:
  For Payment of Expenses:
    Fingerprint Program.......................... 25,000,000
  For Payment of Expenses:
    Federal & IDOT Programs...................... 8,400,000
  For Payment of Expenses:
    Riverboat Gambling........................... 1,500,000
  For Payment of Expenses:
    Miscellaneous Programs....................... 6,300,000
  Total $41,200,000

Payable from the Illinois State Police Federal Projects Fund:
  For Payment of Expenses......................... 20,000,000

Payable from the Sex Offender Registration Fund:
  For expenses of the Sex Offender Registration Program.................... 350,000

Payable from the Motor Carrier Safety Inspection Fund:
  For expenses associated with the enforcement of Federal Motor Carrier Safety Regulations and related Illinois Motor Carrier Safety Laws................. 2,600,000

Payable from the State Police DUI Fund:

New matter indicated by italics - deletions by strikeout
For Equipment Purchases to Assist in the Prevention of Driving Under the Influence of Alcohol, Drugs, or Intoxication Compounds.......................... 1,850,000
Payable from the Sex Offender Investigation Fund:
For expenses related to sex offender investigations.................. 150,000
Payable from the Compassionate Use of Medical Cannabis Fund:
For direct and indirect costs associated with the implementation, administration and enforcement of the Compassionate Use of Medical Cannabis Pilot Program Act............ 1,000,000

Section 35. The following amount, or so much thereof as may be necessary for objects and purposes hereinafter named, are appropriated from the Drug Traffic Prevention Fund to the Department of State Police, Division of Operations, pursuant to the provisions of the “Intergovernmental Drug Laws Enforcement Act” for Grants to Metropolitan Enforcement Groups:
Payable from the Drug Traffic Prevention Fund.......................... 500,000

Section 40. In the event of the receipt of funds from the Motor Vehicle Theft Prevention Council, through a grant from the Criminal Justice Information Authority, the amount of $600,000, or so much thereof as may be necessary, is appropriated from the State Police Motor Vehicle Theft Prevention Trust Fund to the Department of State Police for payment of expenses.

Section 45. The sum of $14,000,000, or so much thereof as may be necessary, is appropriated from the State Police Whistleblower Reward and Protection Fund to the Department of State Police for payment of their expenditures for state law enforcement purposes in accordance with the State Whistleblower Protection Act.

Section 50. The sum of $22,000,000, or so much thereof as may be necessary, is appropriated from the State Police Operations Assistance Fund to the Department of State Police for the ordinary and contingent expenses incurred by the Department of State Police.

Section 55. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the State Police Streetgang-Related Crime
Fund to the Department of State Police for operations related to streetgang-related Crime Initiatives.

Section 60. The sum of $125,000, or so much thereof as may be necessary, is appropriated from the Over-Dimensional Load Police Escort Fund to the Department of State Police for expenses incurred for providing police escorts for over-dimensional loads.

Section 65. The following amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Department of State Police for the expenses of Fraud Investigations:

**DIVISION OF OPERATIONS**

**FINANCIAL FRAUD AND FORGERY UNIT**

For Personal Services.......................... 3,468,500
For State Contributions to Social Security............... 104,000
For Contractual Services....................... 1,400
For Travel........................................ 5,000
For Telecommunications Services............... 2,900
For Operation of Auto Equipment............... 10,700
Total                                       $3,592,500

Section 70. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Medicaid Fraud and Abuse Prevention Fund to the Department of State Police, Division of Operations - Financial Fraud and Forgery Unit for the detection, investigation or prosecution of recipient or vendor fraud.

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

**DIVISION OF FORENSIC SERVICES AND IDENTIFICATION**

Payable from the General Revenue Fund:
For Personal Services....................... 42,973,800
For State Contributions to Social Security.................. 3,085,500
For Contractual Services..................... 4,355,400
For Travel.................................... 20,300
For Commodities............................ 993,100
For Printing.................................. 63,900
For Equipment............................... 889,700
For Telecommunications Services........... 436,400
For Operation of Auto Equipment........... 77,100

New matter indicated by italics - deletions by strikeout
For Administration of a Statewide Sexual Assault Evidence Collection Program.............. 58,200
For Operational Expenses Related to the Combined DNA Index System..................... 2,254,800
Total                                                                                        $55,208,200

For Administration and Operation of State Crime Laboratories:
Payable from State Crime Laboratory Fund....... 5,000,000
Payable from the State Police DUI Fund......... 150,000
Payable from State Offender DNA Identification System Fund................................. 3,400,000

Section 80. The sum of $6,250,000, or so much thereof as may be necessary, is appropriated to the Department of State Police, Division of Forensic Services and Identification, from the Mental Health Reporting Fund for expenses as outlined in the Firearm Concealed Carry Act and the Firearm Owners Identification Card Act.

Section 85. The sum of $22,000,000, or so much thereof as may be necessary, is appropriated to the Department of State Police from the State Police Firearm Services Fund for expenses as outlined in the Firearm Concealed Carry Act and the Firearm Owners Identification Card Act.

Section 90. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for Internal Investigation expenses as follows:

DIVISION OF INTERNAL INVESTIGATION
Payable from the General Revenue Fund:
For Personal Services.......................... 2,649,500
For State Contributions to Social Security................................. 90,100
For Contractual Services....................... 32,400
For Travel........................................ 4,500
For Commodities................................... 11,400
For Printing....................................... 3,700
For Equipment................................. 500
For Telecommunications Services............... 66,900
For Operation of Auto Equipment............... 160,000
Total                                                                                          $3,019,000

Section 95. The sum of $717,900, or so much thereof as may be necessary, is appropriated to the Department of State Police, Division of Internal Investigation, from the General Revenue Fund for the ordinary and

New matter indicated by italics - deletions by strikeout
contingent expenses incurred while operating the Nursing Home Identified Offender Program.

Section 100. The sum of $4,236,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of State Police for operating costs and expenses for the fiscal year ending June 30, 2015.

ARTICLE 19

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the State Police Merit Board:

For Personal Services............................ 440,500
For State Contributions to Social Security......................... 32,400
For Contractual Services.......................... 335,900
For Travel.......................... 10,000
For Commodities.......................... 6,000
For Printing.......................... 5,000
For Equipment.......................... 0
For Electronic Data Processing................. 3,300
For Telecommunications Services.............. 7,300
For Operation of Automotive Equipment......... 12,000
Total $852,400

Section 10. The amount of $500,000, or so much thereof as may be necessary, is appropriated to the State Police Merit Board from the State Police Merit Board Public Safety Fund for its ordinary and contingent expenses.

Section 15. The amount of $4,300,000, or so much thereof as may be necessary, is appropriated to the State Police Merit Board from the State Police Merit Board Public Safety Fund for all costs associated with a cadet program for the Department of State Police.

ARTICLE 20

DEPARTMENT OF TRANSPORTATION
MULTI-MODAL OPERATIONS

Section 5. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR CENTRAL ADMINISTRATION AND PLANNING OFFICES

New matter indicated by italics - deletions by strikeout
For Personal Services....................... 45,999,500
For State Contributions to State
  Employees' Retirement System........... 19,475,800
For State Contributions to
  Social Security .......................... 3,416,900
For Contractual Services.................. 26,416,300
For Travel................................... 460,600
For Commodities........................... 331,900
For Printing.................................. 434,600
For Equipment............................... 7,912,700
For Contractual Services.................. 26,416,300
For Travel................................... 460,600
For Commodities........................... 331,900
For Printing.................................. 434,600
For Equipment............................... 7,912,700
For Equipment:
  Purchase of Cars & Trucks.............. 2,625,000
  For Telecommunications Services........ 425,000
  For Operation of Automotive Equipment... 5,282,900
Total ....................................... $112,781,200

Section 10. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR BUREAU OF INFORMATION PROCESSING
For Personal Services....................... 6,880,500
For State Contributions to State
  Employees' Retirement System........... 2,913,100
For State Contributions to Social Security..... 512,600
For Contractual Services.................. 10,000,000
For Travel................................... 20,900
For Commodities........................... 25,800
For Equipment............................... 6,500
For Electronic Data Processing............... 18,500,000
For Telecommunications..................... 415,000
Total........................................ $39,274,400

Section 15. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR HIGHWAYS CENTRAL OFFICES
For Personal Services....................... 32,165,400
For Extra Help............................... 1,000,000
For State Contributions to State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System................. 14,041,900
For State Contributions to Social Security .... 2,457,700
For Contractual Services....................... 4,610,000
For Travel....................................... 384,500
For Commodities.................................. 326,200
For Equipment.................................... 370,000
For Equipment:
  Purchase of Cars and Trucks...................... 75,000
For Telecommunications Services.................. 2,130,900
For Operation of Automotive Equipment............ 313,700
Total $57,875,300

Section 20. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR BUREAU OF DAY LABOR
For Personal Services......................... 3,792,600
For State Contributions to State
  Employees' Retirement System............... 1,605,700
For State Contributions to Social Security ...... 443,100
For Contractual Services....................... 4,100,000
For Travel....................................... 120,000
For Commodities.................................. 138,400
For Equipment.................................... 867,200
For Equipment:
  Purchase of Cars and Trucks..................... 546,000
For Telecommunications Services............... 28,000
For Operation of Automotive Equipment.......... 580,000
Total $12,221,000

Section 25. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

DISTRICT 1, SCHAUMBURG OFFICE
For Personal Services.......................... 100,390,100
For Extra Help................................. 11,750,000
For State Contributions to State
  Employees' Retirement System................. 47,479,000
For State Contributions to Social Security .... 8,378,000

New matter indicated by italics - deletions by strikeout
For Contractual Services.......................... 11,700,200
For Travel........................................... 260,000
For Commodities................................. 22,251,500
For Equipment..................................... 506,700
For Equipment:
Purchase of Cars and Trucks................... 6,210,000
For Telecommunications Services............... 3,075,000
For Operation of Automotive Equipment........ 11,454,700
Total                                        $223,455,200

Section 30. The following named sums, or so much thereof as may be
necessary, for the objects and purposes hereinafter named, are appropriated
from the Road Fund to meet the ordinary and contingent expenses of the
Department of Transportation:

DISTRICT 2, DIXON OFFICE
For Personal Services............................ 30,061,300
For Extra Help...................................... 3,000,000
For State Contributions to State
Employees' Retirement System................... 13,997,800
For State Contributions to Social Security .... 2,463,100
For Contractual Services........................ 3,846,400
For Travel........................................... 80,000
For Commodities.................................. 6,255,300
For Equipment..................................... 367,700
For Equipment:
Purchase of Cars and Trucks................... 1,806,000
For Telecommunications Services............... 260,000
For Operation of Automotive Equipment........ 4,600,000
Total                                        $66,737,600

Section 35. The following named sums, or so much thereof as may be
necessary, for the objects and purposes hereinafter named, are appropriated
from the Road Fund to meet the ordinary and contingent expenses of the
Department of Transportation:

DISTRICT 3, OTTAWA OFFICE
For Personal Services............................ 27,945,100
For Extra Help...................................... 2,850,000
For State Contributions to State
Employees' Retirement System................... 13,038,300
For State Contributions to Social Security.... 2,297,300
For Contractual Services......................... 3,491,600

New matter indicated by italics - deletions by strikeout
For Travel........................................ 67,600
For Commodities.............................. 6,219,700
For Equipment................................. 367,700
For Equipment:
Purchase of Cars and Trucks............... 2,370,000
For Telecommunications Services............ 240,000
For Operation of Automotive Equipment...... 4,417,500
Total $63,304,800

Section 40. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

DISTRICT 4, PEORIA OFFICE
For Personal Services....................... 26,034,400
For Extra Help............................... 2,816,000
For State Contributions to State
Employees' Retirement System.............. 12,215,000
For State Contributions to Social Security .... 2,152,300
For Contractual Services................... 3,930,300
For Travel.................................. 67,500
For Commodities............................ 4,001,900
For Equipment............................... 377,200
For Equipment:
Purchase of Cars and Trucks.............. 1,867,600
For Telecommunications Services......... 258,500
For Operation of Automotive Equipment... 4,510,500
Total $58,231,200

Section 45. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 5, PARIS OFFICE
For Personal Services....................... 21,313,000
For Extra Help............................... 2,104,000
For State Contributions to State
Employees' Retirement System.............. 9,914,500
For State Contributions to Social Security .... 1,742,200
For Contractual Services................... 2,950,000
For Travel.................................. 54,100
For Commodities............................ 3,033,800

New matter indicated by italics - deletions by strikeout
For Equipment.................................... 377,200

For Equipment:
Purchase of Cars and Trucks............... 1,185,000
For Telecommunications Services........... 200,000
For Operation of Automotive Equipment..... 3,355,300
Total $46,229,100

Section 50. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

DISTRICT 6, SPRINGFIELD OFFICE

For Personal Services....................... 29,431,600
For Extra Help.................................. 2,071,000
For State Contributions to State
Employees' Retirement System............. 13,337,900
For State Contributions to Social Security ... 2,346,900
For Contractual Services................... 3,800,000
For Travel..................................... 70,000
For Commodities............................ 4,315,200
For Equipment............................... 357,900

For Equipment:
Purchase of Cars and Trucks............. 3,065,000
For Telecommunications Services......... 248,400
For Operation of Automotive Equipment... 3,582,600
Total $62,626,500

Section 55. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

DISTRICT 7, EFFINGHAM OFFICE

For Personal Services....................... 23,899,700
For Extra Help............................... 1,770,400
For State Contributions to State
Employees' Retirement System........... 10,868,500
For State Contributions to Social Security.... 1,912,400
For Contractual Services.................. 3,222,500
For Travel................................... 75,000
For Commodities........................... 2,675,000
For Equipment............................... 367,300

New matter indicated by italics - deletions by strikeout
For Equipment:
- Purchase of Cars and Trucks: $1,270,000
- For Telecommunications Services: $165,000
- For Operation of Automotive Equipment: $3,218,400

Total: $49,444,200

Section 60. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

**DISTRICT 8, COLLINSVILLE OFFICE**
- For Personal Services: $38,575,000
- For Extra Help: $3,100,000
- For State Contributions to State Employees' Retirement System: $17,644,800
- For State Contributions to Social Security: $3,092,400
- For Contractual Services: $7,151,700
- For Travel: $142,400
- For Commodities: $5,418,000
- For Equipment: $482,800

Total: $82,527,600

Section 65. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

**DISTRICT 9, CARBONDALE OFFICE**
- For Personal Services: $21,943,300
- For Extra Help: $1,650,000
- For State Contributions to State Employees' Retirement System: $9,989,200
- For State Contributions to Social Security: $1,748,300
- For Contractual Services: $3,222,500
- For Travel: $48,500
- For Commodities: $2,773,400
- For Equipment: $357,900

New matter indicated by italics - deletions by strikeout
FOR TRAFFIC SAFETY

Section 70. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses of the Division of Traffic Safety:

ADMINISTRATIVE OFFICE FOR TRAFFIC SAFETY

OPERATIONS

For Personal Services......................... 6,938,300
For State Contributions to State
   Employees' Retirement System............. 2,937,600
For State Contributions to Social Security.... 516,900
For Contractual Services..................... 512,900
For Travel.................................... 85,000
For Commodities............................. 155,700
For Printing.................................. 289,200
For Equipment................................ 21,500
For Telecommunications Services............ 175,000
For Operation of Automotive Equipment....... 327,800
Total $11,959,900

FOR CYCLE RIDER SAFETY

Section 75. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for the administration of the Cycle Rider Safety Training Program by the Division of Traffic Safety:

OPERATIONS

For Personal Services......................... 304,500
For State Contributions to State
   Employees' Retirement System............. 128,900
For State Contributions to Social Security.... 22,700
For Group Insurance..........................  69,000
For Contractual Services..................... 14,600
For Travel.................................... 11,000
For Commodities.............................  1,000
For Printing..................................  1,700

New matter indicated by italics - deletions by strikeout
For Personal Services..............................
For State Contributions to State Employees'
    Retirement System.............................
For State Contributions to Social Security ..... 
For Contractual Services..........................
For Travel........................................
For Commodities..................................
For Printing.....................................
For Equipment.....................................
Total                                                                                          

FOR THE SECRETARY OF STATE
For Personal Services............................
For Employee Retirement
    Contributions Paid by State....................
For State Contributions to State
    Employees' Retirement System..................
For State Contributions to Social Security......
For Contractual Services..........................
For Travel........................................
For Operation of Automotive Equipment .......... 
Total                                                                                             

FOR THE DEPARTMENT OF STATE POLICE
For Personal Services.............................
For State Contributions to State
    Employees' Retirement System..................
For State Contributions to Social Security ...... 
For Contractual Services..........................
For Travel........................................
For Commodities..................................
For Printing.....................................

New matter indicated by italics - deletions by strikeout
For Equipment........................................ 6,500
For Operation of Auto Equipment............... 172,500
Total .................................................. $4,302,100

FOR THE ILLINOIS LAW ENFORCEMENT
STANDARDS TRAINING BOARD

For Contractual Services....................... 102,000
For Travel........................................... 3,000
Total ............................................... $105,000

FOR COMMERCIAL MOTOR CARRIER SAFETY

Section 85. The following named sums, or so much thereof as may be
necessary for the agencies hereinafter named, are appropriated from the Road
Fund to the Department of Transportation for implementation of the
Commercial Motor Vehicle Safety Program under provisions of Title IV of
the Surface Transportation Assistance Act of 1982, as amended by MAP-21:

FOR THE DEPARTMENT OF TRANSPORTATION

For Personal Services.......................... 2,613,100
For State Contributions to State
  Employees' Retirement System................. 1,106,300
  For State Contributions to Social Security ... 193,900
  For Contractual Services.................... 1,000,000
  For Travel....................................... 210,000
  For Commodities.............................. 65,000
  For Printing................................... 10,200
  For Equipment................................. 55,000
  For Telecommunications Services............ 90,000
Total ................................................ $5,343,500

FOR THE DEPARTMENT OF STATE POLICE

For Personal Services.......................... 5,945,000
For State Contributions to State
  Employees' Retirement System................. 2,517,000
  For State Contributions to Social Security ... 101,100
  For Contractual Services.................... 56,000
  For Travel...................................... 130,000
  For Commodities............................. 80,000
  For Printing.................................. 20,000
  For Equipment................................. 120,000
  For Equipment:
    Purchase of Cars and Trucks............... 0
  For Telecommunications Services............ 105,000

New matter indicated by italics - deletions by strikeout
For Operation of Automotive Equipment............ 735,000
Total                                           $9,809,100

FOR SAFETY
Section 90. The following named sums, or so much thereof as may be necessary for the agencies hereafter named, are appropriated from the Road Fund to the Department of Transportation for programs as authorized by Sections 405c or 405F of PL 112-141 (MAP-21), or any successor legislation.

FOR THE DEPT OF HUMAN SERVICES
For Commodities...................................... 0
For Printing......................................... 0
Total                                           $0

FOR THE DEPARTMENT OF TRANSPORTATION
For Contractual Services......................... 320,000
For Travel........................................ 20,000
For Commodities................................. 110,000
For Printing..................................... 6,500
For Equipment.................................... 135,000
Total                                           $591,500

FOR THE SECRETARY OF STATE
For the State Contribution to Social Security.......................... 35,000
For Contractual Services......................... 417,400
For Travel........................................ 5,000
For Commodities................................ 5,000
For Printing..................................... 1,500
Total                                           $463,900

FOR THE DEPARTMENT OF PUBLIC HEALTH
For Contractual Services......................... 280,000

FOR THE DEPARTMENT OF STATE POLICE
For Personal Services............................. 0
For the State Contribution to State Employees' Retirement System............... 0
For the State Contribution to Social Security.......................... 0
For Contractual Services......................... 250,000
For Travel........................................ 3,000
For Commodities................................ 0
For Equipment.................................... 45,000
For Operation of Auto Equipment................... 0

New matter indicated by italics - deletions by strikeout
FOR ALCOHOL TRAFFIC SAFETY

Section 95. The following named sums, or so much thereof as may be necessary for the agencies hereafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Alcohol Traffic Safety Programs of Title XXIII of the Surface Transportation Assistance Act of 1982, as amended by MAP-21:

FOR THE ILLINOIS LIQUOR CONTROL COMMISSION

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>500</td>
</tr>
<tr>
<td>For Travel</td>
<td>9,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>0</td>
</tr>
<tr>
<td>For Printing</td>
<td>8,000</td>
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<tr>
<td>For Equipment</td>
<td>0</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$18,000</strong></td>
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</table>

FOR THE DEPARTMENT OF TRANSPORTATION (410)

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>For Contractual Services</td>
<td>335,000</td>
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<tr>
<td>For Travel</td>
<td>27,100</td>
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<tr>
<td>For Commodities</td>
<td>17,500</td>
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<tr>
<td>For Printing</td>
<td>15,000</td>
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<tr>
<td>For Equipment</td>
<td>57,500</td>
</tr>
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<td><strong>Total</strong></td>
<td><strong>$452,100</strong></td>
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</table>

FOR THE SECRETARY OF STATE (410)

<table>
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<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>56,000</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by State</td>
<td>1,600</td>
</tr>
<tr>
<td>For the State Contribution to State Employees' Retirement System</td>
<td>23,700</td>
</tr>
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<td>For the State Contribution to Social Security</td>
<td>900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>500</td>
</tr>
<tr>
<td>For Travel</td>
<td>1,000</td>
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<tr>
<td>For Commodities</td>
<td>10,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>2,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>3,500</td>
</tr>
<tr>
<td>For Telecommunication Services</td>
<td>0</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$99,200</strong></td>
</tr>
</tbody>
</table>

FOR THE DEPARTMENT OF STATE POLICE (410)

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>650,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For the State Contribution to State Employees' Retirement System................. 275,200
For the State Contribution to Social Security............................................. 11,100
For Contractual Services................................................................. 36,000
For Travel....................................................................................... 9,600
For Commodities............................................................................... 18,100
For Printing..................................................................................... 0
For Equipment.................................................................................. 30,700
For Telecommunication Services...................................................... 0
For Operation of Auto Equipment.................................................. 62,500
Total......................................................................................................... $1,093,200

FOR THE ILLINOIS LAW ENFORCEMENT STANDARDS TRAINING BOARD (410)
For the State Contribution to Social Security............................................. 5,000
For Contractual Services................................................................. 275,000
For Travel....................................................................................... 4,500
For Commodities............................................................................... 3,000
For Printing..................................................................................... 2,500
Total......................................................................................................... $290,000

FOR THE ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS (410)
For Contractual Services................................................................. 17,000
For Travel....................................................................................... 22,500
For Commodities............................................................................... 2,500
For Printing..................................................................................... 3,000
Total......................................................................................................... $45,000

Section 100. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

FOR AERONAUTICS
For Personal Services:
Payable from the Road Fund.......................... 6,474,100
For State Contributions to State Employees' Retirement System:
Payable from the Road Fund.......................... 2,741,100
For State Contributions to Social Security:

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0681

Payable from the Road Fund................................. 483,000
For Contractual Services:
  Payable from the Road Fund................................. 2,244,200
  Payable from Air Transportation Revolving Fund...  900,000
For Travel:
  Payable from the Road Fund.................................  93,000
For Travel: Executive Air Transportation
Expenses of the General Assembly/Governor’s Office:
  Payable from the General Revenue Fund.................  265,000
For Commodities:
  Payable from the Road Fund................................. 1,074,200
  Payable from Aeronautics Fund.........................  449,500
For Equipment:
  Payable from the Road Fund.................................  65,000
For Telecommunications Services:
  Payable from the Road Fund................................. 102,500
For Operation of Automotive Equipment:
  Payable from the Road Fund.................................  18,400
Total                                                                                     $14,910,000

Section 105. The following named sums, or so much thereof as may
be necessary, for the objects and purposes hereinafter named, are
appropriated from the Road Fund to meet the ordinary and contingent
expenses of the Department of Transportation:

  FOR PUBLIC AND INTERMODAL TRANSPORTATION
For Personal Services................................. 3,961,600
For State Contributions to State
  Employees' Retirement System.............................. 1,677,300
For State Contributions to Social
  Security....................................................... 291,200
For Contractual Services................................. 101,400
For Travel......................................................... 43,000
For Commodities.............................................  4,000
For Equipment...................................................  3,000
For Telecommunications Services......................  45,000
For Operation of Automotive Equipment...............  0
Total                                                                                      $6,126,500

Section 110. The following named sums, or so much thereof as may
be necessary, are appropriated from the Motor Fuel Tax Fund to the
Department of Transportation for the ordinary and contingent expenses

New matter indicated by italics - deletions by strikeout
incident to the operations and functions of administering the provisions of the "Illinois Highway Code", relating to use of Motor Fuel Tax Funds by the counties, municipalities, road districts and townships:

MOTOR FUEL TAX ADMINISTRATION

OPERATIONS

For Personal Services......................... 8,477,900
For State Contributions to State
  Employees' Retirement System............... 3,589,500
For State Contributions to Social Security ...... 628,100
For Group Insurance........................... 2,246,400
For Contractual Services....................... 84,500
For Travel...................................... 45,000
For Commodities................................ 11,400
For Printing.................................... 34,000
For Equipment.................................. 6,900
For Telecommunications Services................. 20,500
For Operation of Automotive Equipment........... 2,700
Total ........................................ $15,146,900

MULTI-MODAL LUMP SUMS
FOR CENTRAL ADMINISTRATION AND PLANNING OFFICES

Section 115. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Planning, Research and Development
  Purposes........................................ 550,000
For costs associated with hazardous
  material abatement............................. 600,000
For metropolitan planning and research
  purposes as provided by law, provided
  such amount shall not exceed funds
  to be made available from the federal
  government or local sources................... 37,000,000
For metropolitan planning and research
  purposes as provided by law................... 2,500,000
For metropolitan planning and research
  purposes for the Chicago Metropolitan
  Agency for Planning as provided by law....... 3,000,000
For Land Use Planning for the
  South Suburban Airport....................... 500,000

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For federal reimbursement of planning activities as provided by MAP-21.............. 2,000,000
For the federal share of the IDOT ITS Program, provided expenditures do not exceed funds to be made available by the Federal Government........... 1,000,000
For the state share of the IDOT ITS Corridor Program.......................... 4,500,000
Total $51,650,000

FOR HIGHWAYS

Section 120. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for repair of damages by motorists to state vehicles and equipment or replacement of state vehicles and equipment, provided such amount not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages.

Section 125. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for costs associated with the State Radio Communications for the 21st Century (STARCOM) program.

Section 130. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for costs associated with the Technology Transfer Center, including the purchase of equipment, media initiatives, and training, provided that such expenditures do not exceed funds to be made available by the federal government for this purpose.

Section 135. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Illinois Department of Transportation for costs associated with Illinois Terrorism Task Force, that consist of approved purchases for homeland security provided such expenditures do not exceed funds made available by the federal government for this purpose.

Section 140. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Illinois Department of Transportation for costs incurred by the Department’s response to natural disasters, emergencies and acts of terrorism that receive Presidential and/or State Disaster Declaration status. These costs would include, but not be limited to, the Department’s fuel costs, cost of materials and cost of

New matter indicated by italics - deletions by strikeout
equipment rentals. This appropriation is in addition to the Department’s other appropriations for District and Central Office operations.

Section 145. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Transportation Safety Highway Hire-back Fund to the Department of Transportation for agreements with the Illinois Department of State Police to provide patrol officers in highway construction work zones.

Section 150. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the Roadside Memorial Fund to the Illinois Department of Transportation for payment of fees, in whole or in part, imposed under subsection (f) of Section 20 of the Roadside Memorial Act for DUI memorial markers, to the extent that moneys from this fund are made available.

FOR TRAFFIC SAFETY

Section 155. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for programs related to distracted driving, provided such amounts do not exceed funds to be made available from the federal government for this purpose.

Section 160. The sum of $5,800,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for costs associated with highway safety media campaigns, provided such amounts do not exceed funds to be made available from the federal government.

FOR AERONAUTICS

Section 165. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Tax Recovery Fund to the Department of Transportation for maintenance and repair costs incurred on real property owned by the Department for development of an airport in Will County, for applicable refunds of security deposits to lessees, and for payments to the Will County Treasurer in lieu of leasehold taxes lost due to government ownership.

FOR PUBLIC TRANSPORTATION

Section 170. The sum of $358,700, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for public transportation technical studies.

Section 175. The sum of $1,034,900, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the
Department of Transportation for federal reimbursement of transit studies as provided by MAP-21.

**MULTI-MODAL AWARDS AND GRANTS FOR CENTRAL ADMINISTRATION AND PLANNING**

Section 180. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Tort Claims, including payment pursuant to P.A. 80-1078. Expenditures for this purpose may be made by the Department of Transportation without regard to the fiscal year in which the service was rendered or cost incurred.......................... 850,000

For representation and indemnification for the Department of Transportation, the Illinois State Police and the Secretary of State, provided that the representation required resulted from the Road Fund portion of their normal operations. Expenditures for this purpose may be made by the Department of Transportation without regard to the fiscal year in which the service was rendered or cost incurred....... 225,000

For Transportation Enhancement, Congestion Mitigation, Air Quality, High Priority and Scenic By-way Projects not eligible for inclusion in the Highway Improvement Program Appropriation provided expenditures do not exceed funds made available by the federal government......................... 5,000,000

For auto liability payments for the Department of Transportation, the Illinois State Police, and the Secretary of State, provided that the liability resulted from the Road Fund portion of their normal operations. Expenditures for this purpose may

New matter indicated by italics - deletions by strikeout
be made by the Department of Transportation without regard to the fiscal year in which service was rendered or cost incurred.............. 3,610,800
Total $9,685,800

FOR HIGHWAYS

Section 185. The sum of $3,645,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for reimbursement to participating counties in the County Engineers Compensation Program, providing such reimbursements do not exceed funds to be made available from their federal highway allocations retained by the Department.

Section 190. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for grants to local governments for the following purposes:
For reimbursement of eligible expenses arising from local Traffic Signal Maintenance Agreements created by Part 468 of the Illinois Department of Transportation Rules and Regulations.......... 4,400,000
For reimbursement of eligible expenses arising from City, County, and other State Maintenance Agreements............. 10,500,000
Total $14,900,000

FOR CYCLE RIDER SAFETY

Section 195. The sum of $4,600,000, or so much thereof as may be necessary, is appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for reimbursements to State and local universities and colleges for Cycle Rider Safety Training Programs.

FOR HIGHWAY SAFETY

Section 200. The sum of $7,500,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation For local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of the Illinois Highway Safety Program under provisions of the National Highway Safety Act of 1966, as amended.

FOR COMMERCIAL MOTOR CARRIER SAFETY

New matter indicated by italics - deletions by strikeout
Section 205. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of the Commercial Motor Vehicle Safety Program under provisions of Title IV of the Surface Transportation Assistance Act of 1982, as amended by MAP-21.

FOR IMPAIRED DRIVING INCENTIVE

Section 210. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of programs as authorized by Sections 405c or 405F of PL 112-141 (MAP-21), or Section 1906 of PL 111-59 (SAFETEA-LU) or any successor legislation.

FOR SAFETY

Section 215. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for local highway safety grants to county and municipal governments, state and private universities and other private entities for implementation of the Alcohol Traffic Safety Programs of Title XXIII of the Surface Transportation Assistance Act of 1982, as amended by MAP-21.

FOR AERONAUTICS

Section 220. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for such purposes as are described in Sections 31 and 34 of the Illinois Aeronautics Act, as amended.

FOR PUBLIC TRANSPORTATION

Section 225. The sum of $17,570,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for grants to the Regional Transportation Authority intended to reimburse the Service Boards for providing reduced fares on mass transportation services for students, handicapped persons, and the elderly, to be allocated proportionally among the Service Boards based upon actual costs incurred by each Service Board for such reduced fares.

Section 230. The sum of $4,675,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for making a grant to the Regional Transportation Authority intended to reimburse the Service Boards for providing reduced fares on mass transportation services for students, handicapped persons, and the elderly, to be allocated proportionally among the Service Boards based upon actual costs incurred by each Service Board for such reduced fares.
Authority for the funding of the Americans with Disabilities Act of 1990 (ADA) paratransit services and for other costs and services.

Section 235. The sum of $3,825,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for the funding of the Americans with Disabilities Act of 1990 (ADA) paratransit services and for other costs and services.

Section 240. The sum of $362,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for the purpose stated in Section 4.09 of the "Regional Transportation Authority Act", as amended.

Section 245. The sum of $40,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional State Assistance to be used for its purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority pursuant to the Regional Transportation Authority Act as amended in 1989.

Section 250. The sum of $91,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional Financial Assistance to be used for its purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c-5) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority pursuant to the Regional Transportation Authority Act as amended in 1999.

Section 255. The following named sums, or so much thereof as may be necessary, are appropriated from the Downstate Public Transportation Fund to the Department of Transportation for operating assistance grants to provide a portion of the eligible operating expenses for the following carriers for the purposes stated in Article II of Public Act 78-1109, as amended:

Champaign-Urbana Mass Transit District........... 30,213,300
Greater Peoria Mass Transit District (with Service to Pekin).............................. 23,396,800
Rock Island County Metropolitan
Mass Transit District.............................. 19,050,600

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Rockford Mass Transit District.................. 15,812,300
Springfield Mass Transit District............... 15,377,100
Bloomington-Normal Public Transit System....... 8,624,900
City of Decatur.................................. 7,552,100
City of Quincy.................................... 3,776,300
City of Galesburg................................. 1,716,900
Stateline Mass Transit District (with
service to South Beloit).......................... 402,700
City of Danville.................................. 2,746,900
RIDES Mass Transit District (with
service to Edgar and Clark counties)........... 7,364,600
South Central Illinois Mass Transit District.... 5,739,700
River Valley Metro Mass Transit District........ 5,067,200
Jackson County Mass Transit District.......... 468,300
City of DeKalb.................................... 3,546,500
City of Macomb.................................... 2,370,300
Shawnee Mass Transit District.................... 2,184,200
St. Clair County Transit District.............. 56,242,300
West Central Mass Transit District
(with service to Cass and Schuyler Counties).... 1,282,800
Monroe-Randolph Transit District................. 975,500
Madison County Mass Transit District........... 22,410,300
Bond County....................................... 345,600
Bureau County (with service to Putnam County)..... 786,300
Coles County...................................... 528,600
City of Freeport/Stephenson County............. 921,100
Henry County..................................... 405,500
Jo Daviess County................................ 555,100
Kankakee County.................................. 721,900
Peoria County..................................... 503,400
Piatt County...................................... 483,600
Shelby County..................................... 801,400
Tazewell County.................................. 743,800
CRIS Rural Mass Transit District.............. 743,900
Kendall County.................................... 1,727,400
McLean County.................................... 1,652,100
Woodford County.................................. 326,500
Lee and Ogle Counties............................. 798,400
Whiteside County................................ 658,900

New matter indicated by italics - deletions by strikeout
Champaign County............................... 635,400
Boone County.................................. 133,100
DeKalb County.................................. 499,200
Grundy County.................................. 471,100
Stark County................................... 133,100
Warren County................................. 186,300
Rock Island/Mercer Counties.................... 306,100
Hancock County.................................. 193,100
Macoupin County............................... 399,300
Fulton County.................................. 266,200
Effingham County............................... 399,300
City of Ottawa (serving LaSalle County)....... 1,064,800
Carroll County.................................. 159,700
Knox County..................................... 213,000
Logan County (with service to Mason County)... 425,900
Sangamon County (with service to Menard County).... 440,000
Christian County............................... 275,000
Total ........................................ $255,225,700

Section 260. The sum of $1,644,200, or so much thereof as may be necessary, is appropriated from the Downstate Public Transportation Fund to the Department of Transportation for audit adjustments in accordance with Sections 2-7 and 2-15 of the "Downstate Public Transportation Act", as amended (30 ILCS 740/2-7 and 740/2-15), including prior year costs.

FOR RAIL PASSENGER

Section 265. The sum of $42,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for funding the State's share of intercity rail passenger service and making necessary expenditures for services and other program improvements.

Section 270. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Intercity Passenger Rail Fund to the Department of Transportation for grants to Amtrak or its successor for the operation of intercity rail services in the state.

Section 275. The following named sums, or so much thereof as are available for distribution in accordance with Section 8 of the Motor Fuel Tax Law, are appropriated from the Motor Fuel Tax Fund to the Department of Transportation for the purposes stated:

DISTRIBUTIVE ITEMS
For apportioning, allotting, and paying

New matter indicated by italics - deletions by strikeout
as provided by law:
To Counties............................... 212,868,000
To Municipalities....................... 298,040,000
To Counties for Distribution to
Road Districts......................... 96,592,000
Total $607,500,000

MULTI-MODAL REFUNDS
FOR HIGHWAYS

Section 280. The following named amount, or so much thereof as may
be necessary, is appropriated from the Road Fund to the Department of
Transportation for the objects and purposes hereinafter named:
For Refunds .............................. 250,000

FOR TRAFFIC SAFETY

Section 285. The following named amount, or so much thereof as may
be necessary, is appropriated from the Road Fund to the Department of
Transportation for the objects and purposes hereinafter named:
For Refunds .............................. 6,000

FOR AERONAUTICS

Section 290. The following named amount, or so much thereof as may
be necessary, is appropriated from the Aeronautics Fund to the Department
of Transportation for the objects and purposes hereinafter named:
For Refunds .............................. 500

Section 295. The sum of $750,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Department
of Transportation for a grant to the Illinois Latino Family Commission for the
costs associated with the assisting State agencies in developing programs,
services, public policies and research strategies that will expand and enhance
the social and economic well-being of Latino children and families.

Section 300. The sum of $1,500,000, or so much thereof as may be
necessary, is appropriated from the I-FLY Fund to the Department of
Transportation for a grant to the Metropolitan Airport Authority of Rock
Island County, pursuant to the I-FLY Act.

Section 305. The sum of $2,000,000, or so much thereof as may be
necessary, is appropriated from the Grade Crossing Protection Fund to the
Department of Transportation for costs associated with enhancements to high
speed rail or accelerated speed rail grade crossings.

Section 310. No contract shall be entered into or obligation incurred
or any expenditure made from an appropriation herein made in
Section 230  ADA Paratransit Services

New matter indicated by italics - deletions by strikeout
Section 245  SCIP Debt Service
Section 250  SCIP Debt Service
Section 295  Latino Family Commission

of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

Total, this Article $2,540,329,500

ARTICLE 21
DEPARTMENT OF TRANSPORTATION
MULTIMODAL OFFICES
LUMP SUMS

FOR CENTRAL ADMINISTRATION AND PLANNING

Section 5. The sum of $2,008,438, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 115 and Article 23, Section 5 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Planning, Research and Development Purposes.

Section 10. The sum of $1,191,853, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 115 and Article 23, Section 10 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with hazardous material abatement.

Section 15. The sum of $72,644,809, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 115 and Article 23, Section 15 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation, for metropolitan planning and research purposes as provided by law, provided such amount shall not exceed funds to be made available from the federal government or local sources.

Section 20. The sum of $16,439,085, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 115 and Article 23, Section 20 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for metropolitan planning and research purposes as provided by law.

Section 25. The sum of $18,961,885, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, 

New matter indicated by italics - deletions by strikeout
from the appropriation and reappropriation heretofore made in Article 22, Section 115 and Article 23, Section 25 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for the federal share of the IDOT ITS program, provided expenditures do not exceed funds to be made available by the Federal Government.

Section 30. The sum of $20,570,685, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 115 and Article 23, Section 30 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for the state share of the IDOT ITS program.

Section 35. The sum of $5,568,244, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 23, Section 35 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for the administrative expenses associated with the implementation of the American Recovery and Reinvestment Act of 2009 and other capital projects.

FOR HIGHWAYS

Section 40. The sum of $3,194,985, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 120 and Article 23, Section 40 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for repair of damages by motorists to state vehicles and equipment or replacement of state vehicles and equipment, provided such amount not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages.

Section 45. The sum of $3,432,617, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 125 and Article 23, Section 45 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the State Radio Communications for the 21st Century (STARCOM) program.

Section 50. The sum of $116,852, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 130 and Article 23, Section 50 of Public Act 98-0050, as amended,
is reappropriated from the Road Fund to the Department of Transportation for costs associated with the Technology Transfer Center, including the purchase of equipment, media initiatives and training, provided such expenditures do not exceed funds to be made available by the federal government for this purpose.

Section 55. The sum of $6,930,905, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 135 and Article 23, Section 55 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with the Illinois Terrorism Task Force, that consist of approved purchases for homeland security provided such expenditures do not exceed funds made available by the federal government for this purpose.

FOR TRAFFIC SAFETY

Section 60. The sum of $6,186,304, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the reappropriation heretofore made in Article 23, Section 60 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for improvements to traffic safety, provided such amount not exceed funds to be made available from the federal government pursuant to the primary seatbelt enforcement incentive grant.

Section 65. The sum of $1,200,000, or so much thereof as may be necessary and remains unexpended, less $600,000 to be lapsed from the unpaid balance, at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 155 and Article 23, Section 65 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for programs related to distracted driving, provided such amount not exceed funds to be made available from the federal government for this purpose.

FOR PUBLIC AND INTERMODAL TRANSPORTATION

Section 70. The sum of $1,090,871, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 165 and Article 23, Section 70 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for public transportation technical studies.

Section 75. The sum of $4,500,427, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22,
Section 170 and Article 23, Section 75 of Public Act 98-0050, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for federal reimbursement of transit studies as provided by SAFETEA-LU and MAP-21.

MULTIMODAL AWARDS AND GRANTS
FOR CENTRAL ADMINISTRATION AND PLANNING
Section 80. The sum of $35,369,784, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 175 and Article 23, Section 80 of Public Act 098-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for Transportation enhancement, Congestion Mitigation, Air Quality, High Priority and Scenic By-way Projects not eligible for inclusion in the Highway Improvement Program Appropriation provided expenditures do not exceed funds made available by the federal government.

FOR HIGHWAYS
Section 85. The sum of $30,717,115, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriations and reappropriation heretofore made in Article 22, Section 185 and in Article 23, Section 85 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for reimbursements of eligible expenses arising from local Traffic Signal Maintenance Agreements created by Part 468 of the Illinois Department of Transportation Rules and Regulations and reimbursements of eligible expenses arising from City, County, and other State Maintenance Agreements.

FOR CYCLE RIDER SAFETY
Section 90. The sum of $7,612,997, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made, in Article 22, Section 190 and Article 23, Section 95 of Public Act 98-0050, as amended, is reappropriated from the Cycle Rider Safety Training Fund to the Department of Transportation for reimbursements to State and local universities and colleges for Cycle Rider Safety Training Programs.

HIGHWAY SAFETY PROGRAM
Section 95. The sum of $14,926,896, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 195, and Article 23 Section 105 of Public Act 98-0050, as amended,
is reappropriated from the Road Fund to the Department of Transportation for Illinois Highway Safety Programs for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 100. The sum of $418,994, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 200, and Article 23, Section 110 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for implementation of the Commercial Motor Vehicle Safety Program for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 105. The sum of $9,085,415, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 205, and Article 23, Section 120 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for implementation of the Section 163 Impaired Driving Incentive Grant Program (.08 alcohol) for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 110. The sum of $5,150,283, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014 from the appropriation and reappropriation heretofore made in Article 22, Section 210, and Article 23, Section 130 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for implementation of the Alcohol Traffic Safety Programs (410) for local highway safety projects by county and municipal governments, state and private universities and other private entities.

FOR AERONAUTICS

Section 115. The sum of $1,417,154, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriation and reappropriation heretofore made in Article 22, Section 215 and Article 23, Section 135 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for such purposes as are described in Sections 31 and 34 of the Illinois Aeronautics Act, as amended.

FOR EQUIPMENT

Section 120. The following named sums, or so much thereof as may be necessary and remains unexpended at the close of business on June 30,
2014, from the appropriations heretofore made in Article 22, Sections 15, 20, 25, 30, 35, 40, 45, 50, 55, 60 and 65 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for equipment as follows:

**Central Offices, Division of Highways**
- For Equipment ................................... 334,001

**Day Labor**
- For Equipment ................................. 600,000

**District 1, Schaumburg Office**
- For Equipment .................................. 1,441,220

**District 2, Dixon Office**
- For Equipment ................................. 856,929

**District 3, Ottawa Office**
- For Equipment .................................. 1,047,368

**District 4, Peoria Office**
- For Equipment .................................. 1,043,997

**District 5, Paris Office**
- For Equipment................................... 1,035,595

**District 6, Springfield Office**
- For Equipment .................................. 1,011,392

**District 7, Effingham Office**
- For Equipment .................................. 1,081,946

**District 8, Collinsville Office**
- For Equipment .................................. 1,447,988

**District 9, Carbondale Office**
- For Equipment .................................. 973,858

**Total** ........................................... $10,874,294

Section 125. The following named sums, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2014, from the appropriations heretofore made in Article 22, Sections 5, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, and 65 of Public Act 98-0050, as amended, is reappropriated from the Road Fund to the Department of Transportation for the purchase of Cars and Trucks as follows:

**Central Offices, Division of Highways**
- For Purchase of Cars and Trucks .................. 62,445

**Day Labor**
- For Purchase of Cars and Trucks ................. 446,235

**District 1, Schaumburg Office**
- For Purchase of Cars and Trucks ................. 5,840,700

New matter indicated by italics - deletions by strikeout
District 2, Dixon Office
   For Purchase of Cars and Trucks ............. 1,606,000
District 3, Ottawa Office
   For Purchase of Cars and Trucks.............. 1,929,200
District 4, Peoria Office
   For Purchase of Cars and Trucks.............. 1,519,740
District 5, Paris Office
   For Purchase of Cars and Trucks .............. 781,870
District 6, Springfield Office
   For Purchase of Cars and Trucks.............. 2,515,765
District 7, Effingham Office
   For Purchase of Cars and Trucks.............. 867,715
District 8, Collinsville Office
   For Purchase of Cars and Trucks.............. 1,351,600
District 9, Carbondale Office
   For Purchase of Cars and Trucks............... 470,580
   Total                                      17,391,850
   Total, this Article                        296,402,742

ARTICLE 22

Section 5. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated to the Department of Commerce and Economic Opportunity from the Tourism Promotion Fund for deposit into the I-FLY Fund.

ARTICLE 23

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission:

GENERAL OFFICE

For Personal Services:
   Regular Positions.............................. 8,236,400
   Arbitrators................................... 3,589,800
For State Contributions to State
   Employees' Retirement System................ 3,488,300
   Arbitrators' Retirement System............. 1,519,000
   For State Contributions to Social Security.... 905,400
   For Group Insurance........................... 3,309,000
   For Contractual Services...................... 1,735,100
   For Travel.................................... 400,000

New matter indicated by italics - deletions by strikeout
For Commodities................................... 68,000
For Printing...................................... 35,000
For Equipment..................................... 25,000
For Telecommunications Services............... 100,000
Total $23,411,000

Section 10. The amount of $75,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission for the implementation and operation of an accident reporting system.

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission:

**ELECTRONIC DATA PROCESSING**

For Personal Services............................ 936,900
For State Contributions to State
  Employees' Retirement System............... 396,700
  For State Contributions to Social Security.... 71,600
  For Group Insurance........................... 227,000
  For Contractual Services....................... 225,000
  For Travel...................................... 6,000
  For Commodities................................ 15,000
  For Printing.................................... 2,000
  For Equipment.................................. 15,000
  For Telecommunications Services............. 88,000
Total $1,983,200

Section 20. The amount of $2,013,400, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to Illinois Workers’ Compensation Commission for costs associated with the establishment, administration and operations of the Insurance Compliance Division of the workers’ compensation anti-fraud program administered by Illinois Workers’ Compensation Commission.

Section 25. The amount of $90,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to Illinois Workers’ Compensation Commission for costs associated with the establishment of the Medical Fee Schedule and other provisions of the Workers’ Compensation Act.

New matter indicated by italics - deletions by strikeout
ARTICLE 24

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Office of the State Appellate Defender:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>15,200,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,109,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>2,162,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>80,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>44,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>45,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>46,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>1,010,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>155,000</td>
</tr>
<tr>
<td>For Law Student Program</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$19,851,600</strong></td>
</tr>
</tbody>
</table>

Section 10. The amount of $200,000, or so much thereof as may be necessary, is appropriated from the State Appellate Defender Federal Trust Fund to the Office of the State Appellate Defender for expenses related to federally assisted programs to work on systemic sentencing issues appeals cases to which the agency is appointed.

Section 15. The amount of $60,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender for expenses related to federally assisted programs to work on systemic sentencing issues appeals cases to which the agency is appointed.

Section 20. The amount of $175,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender for the ordinary and contingent expenses of the Expungement Program.

Section 25. The amount of $63,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender to provide statewide training to Public Defenders under the Public Defender Training Program.

ARTICLE 25

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Office of the State's Attorneys.
Appellate Prosecutor for the objects and purposes hereinafter named to meet its ordinary and contingent expenses:

For Personal Services:
Payable from General Revenue Fund for:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collective Bargaining Unit</td>
<td>3,438,400</td>
</tr>
<tr>
<td>Administrative Unit</td>
<td>1,469,400</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>125,300</td>
</tr>
</tbody>
</table>

For State Contribution to the State

Employees' Retirement System Pick Up:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collective Bargaining Unit</td>
<td>132,300</td>
</tr>
<tr>
<td>Administrative Unit</td>
<td>58,900</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>5,100</td>
</tr>
</tbody>
</table>

For State Contribution to the State

Employees' Retirement System:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collective Bargaining Unit</td>
<td>0</td>
</tr>
<tr>
<td>Administrative Unit</td>
<td>0</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>0</td>
</tr>
</tbody>
</table>

For State Contribution to Social Security:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collective Bargaining Unit</td>
<td>263,800</td>
</tr>
<tr>
<td>Administrative Unit</td>
<td>107,400</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>9,100</td>
</tr>
</tbody>
</table>

For Contractual Services:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Contractual Services</td>
<td>86,400</td>
</tr>
<tr>
<td>Tax Objection Casework</td>
<td>13,800</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>0</td>
</tr>
</tbody>
</table>

For Rental of Real Property:

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>165,200</td>
</tr>
</tbody>
</table>

For Travel:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Travel</td>
<td>9,000</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>0</td>
</tr>
</tbody>
</table>

For Commodities:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Commodities</td>
<td>10,200</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>0</td>
</tr>
</tbody>
</table>

For Printing:

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,300</td>
</tr>
</tbody>
</table>

For Equipment:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Equipment</td>
<td>4,100</td>
</tr>
<tr>
<td>Labor Unit</td>
<td>0</td>
</tr>
</tbody>
</table>

For Electronic Data Processing:

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000</td>
</tr>
</tbody>
</table>

For Telecommunications:

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>20,000</td>
</tr>
</tbody>
</table>

For Operation of Auto:

New matter indicated by italics - deletions by strikeout
General Operation of Auto.............................................. 10,000
Labor Unit................................................................. 0
For Law Intern Program.............................................. 0
For Continuing Legal Education.................................... 100,000
For Legal Publications.................................................. 0
For Expenses Pursuant to P.A. 84-1340, which requires the Office of the State's Attorneys Appellate Prosecutor to conduct training programs for Illinois State's Attorneys, Assistant State's Attorneys and Law Enforcement Officers on techniques and methods of eliminating or reducing the trauma of testifying in criminal proceedings for children who serve as witnesses in such proceedings; and other authorized criminal justice training programs..................................................... 40,000
For State Matching Purposes........................................ 85,800
For Appropriation to the State's Attorneys Appellate Prosecutor for a grant to the Cook County State's Attorney for expenses incurred in filing appeals in Cook County..................................................... 2,000,000
Payable from State's Attorney Appellate Prosecutor's County Fund:
For Personal Services:
  Administrative Unit.............................................. 1,129,800
  Labor Unit.............................................................. 70,400
For State Contribution to the State Employees' Retirement System Pick Up:
  Administrative Unit.............................................. 33,900
  Labor ................................................................. 2,800
For State Contribution to the State Employees' Retirement System:
  Administrative Unit.............................................. 478,350
  Labor Unit.............................................................. 28,400
For State Contribution to Social Security:
  Administrative Unit.............................................. 86,500
  Labor Unit.............................................................. 5,400

New matter indicated by italics - deletions by strikeout
For County Reimbursement to State for Group Insurance:
- Administrative Unit: 310,500
- Labor Unit: 23,000

For Contractual Services:
- General Contractual Services: 450,000
- Tax Objection Case Work: 36,400
- Labor Unit: 257,000

For Rental of Real Property: 138,400

For Travel:
- General Travel: 15,500
- Labor Unit: 0

For Commodities:
- General Commodities: 5,000
- Labor Unit: 0

For Printing: 800

For Equipment:
- General Equipment: 2,200
- Labor Unit: 0

For Electronic Data Processing: 2,400

For Telecommunications: 20,000

For Operation of Automotive Equipment:
- General Operation of Auto: 6,500
- Labor Unit: 0

For Law Intern Program: 18,200

For Legal Publications: 0

Payable from Continuing Legal Education Trust Fund:
- For Continuing Legal Education: 100

For Appropriation to the State’s Attorneys Appellate Prosecutor for Expenses Pursuant to Grant Agreements for Sentencing Policy Research: 0

For Appropriation to the State’s Attorneys Appellate Prosecutor for Prosecution of and Training for Violent Crimes: 0

For Appropriation to the State’s Attorneys Appellate Prosecutor for Prosecution of and Training for Violent Crimes Grants:

New matter indicated by italics - deletions by strikeout
to Cook County.............................. 150,000
For Appropriation to the State’s
Attorneys Appellate Prosecutor for
Implementation of Diversion Court
Programs in Cook County...................... 85,000
Payable from the Narcotics Profit
Forfeiture Fund:
For expenses pursuant to Narcotics Profit
Forfeiture Act................................. 0
For Expenses Pursuant to Drug Asset Forfeiture
Procedure Act............................... 2,500,000
Narcotics Profit Forfeiture Fund Total $2,500,000
Payable from the Special Federal Grant Fund:
For Expenses Related to federally assisted
Programs to assist local State's Attorneys
including special appeals, drug related
cases, and cases arising under the
Narcotics Profit Forfeiture Act on the
request of the State's Attorney.............. 2,200,000

ARTICLE 99
Section 99. Effective date. This Act takes effect July 1, 2014.
Approved June 30, 2014.
Effective July 1, 2014.

PUBLIC ACT 98-0682
(Senate Bill No. 0274)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 1. Short title. This Act may be cited as the Illinois Revenue
Volatility Study Act.
Section 5. Illinois Revenue Volatility Study.
(a) The Commission on Government Forecasting and Accountability
shall conduct a study of the volatility of the sources of general revenue funds
collected by the State of Illinois.
(b) The study shall include, but is not limited to:

New matter indicated by italics - deletions by strikeout
(1) an examination of Illinois' tax base and tax revenue volatility;
(2) the identification of economic variables that may influence the volatility of tax revenue;
(3) an analysis of the adequacy of the balances in the Budget Stabilization Fund in relation to the volatility of tax revenues; and
(4) an examination of options for a deposit mechanism linked to one or more tax sources on the basis of each tax source's observed volatility, including:
   (A) an analysis of how the options would have performed historically within Illinois; and
   (B) an analysis of how the options would likely perform based on the most recent revenue forecast.
(c) On or before December 31, 2014, the Commission shall report its findings to the General Assembly and the Governor.

Section 10. Repealer. This Act is repealed on December 1, 2015.
Section 50. The State Budget Law of the Civil Administrative Code of Illinois is amended by adding Section 50-22 as follows:

(15 ILCS 20/50-22 new)
Sec. 50-22. Funding for salaries of General Assembly members and judges; legislative operations.

(a) Beginning July 1, 2014, the aggregate appropriations available for salaries for members of the General Assembly and judges from all State funds for each State fiscal year shall be no less than the total aggregate appropriations made available for salaries for members of the General Assembly and judges for the immediately preceding fiscal year.

(b) Beginning July 1, 2014, the aggregate appropriations available for legislative operations from all State funds for each State fiscal year shall be no less than the total aggregate appropriations made available for legislative operations for the immediately preceding fiscal year. For purposes of this subsection (b), "legislative operations" means any expenditure for the operation of the Office of the Auditor General, the House of Representatives, the Senate, the Legislative Ethics Commission, the Office of the Legislative Inspector General, the Joint Committee on Legislative Support Services, and the legislative support services agencies.

(c) If for any reason the aggregate appropriations made available are insufficient to meet the levels required by subsections (a) and (b) of this Section, this Section shall constitute a continuing appropriation of all

New matter indicated by italics - deletions by strikeout
amounts necessary for these purposes. The General Assembly may appropriate lesser amounts by law.

Section 55. The General Assembly Compensation Act is amended by changing Section 1 as follows:

(25 ILCS 115/1) (from Ch. 63, par. 14)

Sec. 1. Each member of the General Assembly shall receive an annual salary of $28,000 or as set by the Compensation Review Board, whichever is greater. The following named officers, committee chairmen and committee minority spokesmen shall receive additional amounts per year for their services as such officers, committee chairmen and committee minority spokesmen respectively, as set by the Compensation Review Board or, as follows, whichever is greater: Beginning the second Wednesday in January 1989, the Speaker and the minority leader of the House of Representatives and the President and the minority leader of the Senate, $16,000 each; the majority leader in the House of Representatives $13,500; 6 assistant majority leaders and 5 assistant minority leaders in the Senate, $12,000 each; 6 assistant majority leaders and 6 assistant minority leaders in the House of Representatives, $10,500 each; 2 Deputy Majority leaders in the House of Representatives $11,500 each; and 2 Deputy Minority leaders in the House of Representatives, $11,500 each; the majority caucus chairman and minority caucus chairman in the Senate, $12,000 each; and beginning the second Wednesday in January, 1989, the majority conference chairman and the minority conference chairman in the House of Representatives, $10,500 each; beginning the second Wednesday in January, 1989, the majority conference chairman and the minority conference chairman in the Senate, except the Rules Committee, the Committee on Committees, and the Committee on Assignment of Bills, $6,000 each; and beginning the second Wednesday in January, 1989, the chairman and minority spokesman of each standing committee of the Senate, except the Rules Committee, the Committee on Committees, and the Committee on Assignment of Bills, $6,000 each. A member who serves in more than one position as an officer, committee chairman, or committee minority spokesman shall receive only one additional amount based on the position paying the highest additional amount. The compensation provided for in this Section to be paid per year to members of the General Assembly, including the additional sums payable per year to officers of the General Assembly shall be paid in 12 equal monthly installments. The first such installment is payable on January 31, 1977. All subsequent equal monthly installments are payable on the last working day of the month. A member who has held office any part of a month is entitled to compensation for an entire month.

New matter indicated by italics - deletions by strikeout
Mileage shall be paid at the rate of 20 cents per mile before January 9, 1985, and at the mileage allowance rate in effect under regulations promulgated pursuant to 5 U.S.C. 5707(b)(2) beginning January 9, 1985, for the number of actual highway miles necessarily and conveniently traveled by the most feasible route to be present upon convening of the sessions of the General Assembly by such member in each and every trip during each session in going to and returning from the seat of government, to be computed by the Comptroller. A member traveling by public transportation for such purposes, however, shall be paid his actual cost of that transportation instead of on the mileage rate if his cost of public transportation exceeds the amount to which he would be entitled on a mileage basis. No member may be paid, whether on a mileage basis or for actual costs of public transportation, for more than one such trip for each week the General Assembly is actually in session. Each member shall also receive an allowance of $36 per day for lodging and meals while in attendance at sessions of the General Assembly before January 9, 1985; beginning January 9, 1985, such food and lodging allowance shall be equal to the amount per day permitted to be deducted for such expenses under the Internal Revenue Code; however, beginning May 31, 1995, no allowance for food and lodging while in attendance at sessions is authorized for periods of time after the last day in May of each calendar year, except (i) if the General Assembly is convened in special session by either the Governor or the presiding officers of both houses, as provided by subsection (b) of Section 5 of Article IV of the Illinois Constitution or (ii) if the General Assembly is convened to consider bills vetoed, item vetoed, reduced, or returned with specific recommendations for change by the Governor as provided in Section 9 of Article IV of the Illinois Constitution. For fiscal year 2011 and for session days in fiscal years 2012, 2013, and 2014, and 2015 only (i) the allowance for lodging and meals is $111 per day and (ii) mileage for automobile travel shall be reimbursed at a rate of $0.39 per mile.

Notwithstanding any other provision of law to the contrary, beginning in fiscal year 2012, travel reimbursement for General Assembly members on non-session days shall be calculated using the guidelines set forth by the Legislative Travel Control Board, except that fiscal year 2012, 2013, and 2014, and 2015 mileage reimbursement is set at a rate of $0.39 per mile. If a member dies having received only a portion of the amount payable as compensation, the unpaid balance shall be paid to the surviving spouse of such member, or, if there be none, to the estate of such member. (Source: P.A. 97-71, eff. 6-30-11; 97-718, eff. 6-29-12; 98-30, eff. 6-24-13.)

New matter indicated by italics - deletions by strikeout
Section 60. The Compensation Review Act is amended by adding Section 6.2 as follows:

(25 ILCS 120/6.2 new)

Sec. 6.2. FY15 COLAs prohibited. Notwithstanding any former or current provision of this Act, any other law, any report of the Compensation Review Board, or any resolution of the General Assembly to the contrary, members of the General Assembly, State's attorneys, other than the county supplement, elected executive branch constitutional officers of State government, and persons in certain appointed offices of State government, including the membership of State departments, agencies, boards, and commissions, whose annual compensation previously was recommended or determined by the Compensation Review Board, are prohibited from receiving and shall not receive any increase in compensation that would otherwise apply based on a cost of living adjustment, as authorized by Senate Joint Resolution 192 of the 86th General Assembly, for or during the fiscal year beginning July 1, 2014.

Section 65. The State Finance Act is amended by adding Section 5k as follows:

(30 ILCS 105/5k new)

Sec. 5k. Cash flow borrowing and general funds liquidity; FY15.

(a) In order to meet cash flow deficits and to maintain liquidity in the General Revenue Fund and the Health Insurance Reserve Fund, on and after July 1, 2014 and through June 30, 2015, the State Treasurer and the State Comptroller shall make transfers to the General Revenue Fund and the Health Insurance Reserve Fund, as directed by the Governor, out of special funds of the State, to the extent allowed by federal law. No such transfer may reduce the cumulative balance of all of the special funds of the State to an amount less than the total debt service payable during the 12 months immediately following the date of the transfer on any bonded indebtedness of the State and any certificates issued under the Short Term Borrowing Act. At no time shall the outstanding total transfers made from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund under this Section exceed $650,000,000; once the amount of $650,000,000 has been transferred from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund, additional transfers may be made from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund under this Section only to the extent that moneys have first been re-transferred from the General Revenue Fund and the Health Insurance Reserve Fund to those special funds.

New matter indicated by italics - deletions by strikeout
of the State. Notwithstanding any other provision of this Section, no such
transfer may be made from any special fund that is exclusively collected by
or appropriated to any other constitutional officer without the written
approval of that constitutional officer.

(b) If moneys have been transferred to the General Revenue Fund and
the Health Insurance Reserve Fund pursuant to subsection (a) of this Section,
this amendatory Act of the 98th General Assembly shall constitute the
continuing authority for and direction to the State Treasurer and State
Comptroller to reimburse the funds of origin from the General Revenue Fund
by transferring to the funds of origin, at such times and in such amounts as
directed by the Governor when necessary to support appropriated
expenditures from the funds, an amount equal to that transferred from them
plus any interest that would have accrued thereon had the transfer not
occurred, except that any moneys transferred pursuant to subsection (a) of
this Section shall be repaid to the fund of origin within 18 months after the
date on which they were borrowed. When any of the funds from which
moneys have been transferred pursuant to subsection (a) have insufficient
cash from which the State Comptroller may make expenditures properly
supported by appropriations from the fund, then the State Treasurer and
State Comptroller shall transfer from the General Revenue Fund to the fund
only such amount as is immediately necessary to satisfy outstanding
expenditure obligations on a timely basis.

(c) On the first day of each quarterly period in each fiscal year, until
such time as a report indicates that all moneys borrowed and interest
pursuant to this Section have been repaid, the Governor's Office of
Management and Budget shall provide to the President and the Minority
Leader of the Senate, the Speaker and the Minority Leader of the House of
Representatives, and the Commission on Government Forecasting and
Accountability a report on all transfers made pursuant to this Section in the
prior quarterly period. The report must be provided in electronic format. The
report must include all of the following:

(1) The date each transfer was made.
(2) The amount of each transfer.
(3) In the case of a transfer from the General Revenue Fund
to a fund of origin pursuant to subsection (b) of this Section, the
amount of interest being paid to the fund of origin.
(4) The end of day balance of the fund of origin, the General
Revenue Fund and the Health Insurance Reserve Fund on the date
the transfer was made.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 1. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.190 as follows:

(210 ILCS 50/3.190)
Sec. 3.190. Emergency Department Classifications. The Department shall have the authority and responsibility to:

(a) Establish criteria for classifying the emergency departments of all hospitals within the State as Comprehensive, Basic, or Standby. In establishing such criteria, the Department may consult with the Illinois Hospital Licensing Board and incorporate by reference all or part of existing standards adopted as rules pursuant to the Hospital Licensing Act or Emergency Medical Treatment Act;

(b) Classify the emergency departments of all hospitals within the State in accordance with this Section;

(c) Annually publish, and distribute to all EMS Systems, a list reflecting the classification of all emergency departments.

For the purposes of paragraphs (a) and (b) of this Section, long-term acute care hospitals and rehabilitation hospitals, as defined under the Hospital Emergency Service Act, are not required to provide hospital emergency services. Long-term acute care hospitals and rehabilitation hospitals with no emergency department shall be classified as not available.

(Source: P.A. 97-667, eff. 1-13-12; 98-463, eff. 8-16-13.)

Section 3. The Hospital Emergency Service Act is amended by changing Sections 1 and 1.3 as follows:

(210 ILCS 80/1) (from Ch. 111 1/2, par. 86)
Sec. 1. Every hospital required to be licensed by the Department of Public Health pursuant to the Hospital Licensing Act which provides general medical and surgical hospital services, except long-term acute care hospitals

New matter indicated by italics - deletions by strikeout
and rehabilitation hospitals identified in Section 1.3 of this Act, shall provide a hospital emergency service in accordance with rules and regulations adopted by the Department of Public Health and shall furnish such hospital emergency services to any applicant who applies for the same in case of injury or acute medical condition where the same is liable to cause death or severe injury or serious illness. For purposes of this Act, "applicant" includes any person who is brought to a hospital by ambulance or specialized emergency medical services vehicle as defined in the Emergency Medical Services (EMS) Systems Act.

(Source: P.A. 97-667, eff. 1-13-12.)

(210 ILCS 80/1.3)

Sec. 1.3. Long-term acute care hospitals and rehabilitation hospitals. For the purpose of this Act, general acute care hospitals designated by Medicare as long-term acute care hospitals and rehabilitation hospitals are not required to provide hospital emergency services described in Section 1 of this Act. Hospitals defined in this Section may provide hospital emergency services at their option.

Any long-term acute care hospital defined in this Section that opts to discontinue or otherwise not provide emergency services described in Section 1 shall:

(1) comply with all provisions of the federal Emergency Medical Treatment and Labor Act (EMTALA);
(2) comply with all provisions required under the Social Security Act;
(3) provide annual notice to communities in the hospital's service area about available emergency medical services; and
(4) make educational materials available to individuals who are present at the hospital concerning the availability of medical services within the hospital's service area.

Long-term acute care hospitals that operate standby emergency services as of January 1, 2011 may discontinue hospital emergency services by notifying the Department of Public Health. Long-term acute care hospitals that operate basic or comprehensive emergency services must notify the Health Facilities and Services Review Board and follow the appropriate procedures.

Any rehabilitation hospital that opts to discontinue or otherwise not provide emergency services described in Section 1 shall:

(1) comply with all provisions of the federal Emergency Medical Treatment and Active Labor Act (EMTALA);

New matter indicated by italics - deletions by strikeout
(2) comply with all provisions required under the Social Security Act;

(3) provide annual notice to communities in the hospital's service area about available emergency medical services;

(4) make educational materials available to individuals who are present at the hospital concerning the availability of medical services within the hospital's service area;

(5) not use the term "hospital" in its name or on any signage;

and

(6) notify in writing the Department and the Health Facilities and Services Review Board of the discontinuation.

(Source: P.A. 97-667, eff. 1-13-12; revised 9-11-13.)

Section 5. The Hospital Licensing Act is amended by changing Sections 5 and 6 and by adding Section 14.5 as follows:

(210 ILCS 85/5) (from Ch. 111 1/2, par. 146)
Sec. 5. (a) An application for a permit to establish a hospital shall be made to the Department upon forms provided by it. This application shall contain such information as the Department reasonably requires, which shall include affirmative evidence on which the Director may make the findings required under Section 6a of this Act.

(b) An application for a license to open, conduct, operate, and maintain a hospital shall be made to the Department upon forms provided by it, accompanied by a license fee of $55 per bed (except as otherwise provided in this subsection), or such lesser amount as the Department may establish by administrative rule in consultation with the Department of Healthcare and Family Services to comply with the limitations on health care-related taxes imposed by 42 U.S.C. 1396b(w) that, if violated, would result in reductions to the amount of federal financial participation received by the State for Medicaid expenditures, and shall contain such information as the Department reasonably requires, which may include affirmative evidence of ability to comply with the provisions of this Act and the standards, rules, and regulations, promulgated by virtue thereof. The license fee for a critical access hospital, as defined in Section 5-5e.1 of the Illinois Public Aid Code, or a safety-net hospital, as defined in Section 5-5e of the Illinois Public Aid Code, shall be $0 per bed.

(c) All applications required under this Section shall be signed by the applicant and shall be verified. Applications on behalf of a corporation or association or a governmental unit or agency shall be made and verified by any two officers thereof.

New matter indicated by italics - deletions by strikeout
Sec. 6. (a) Upon receipt of an application for a permit to establish a hospital the Director shall issue a permit if he finds (1) that the applicant is fit, willing, and able to provide a proper standard of hospital service for the community with particular regard to the qualification, background, and character of the applicant, (2) that the financial resources available to the applicant demonstrate an ability to construct, maintain, and operate a hospital in accordance with the standards, rules, and regulations adopted pursuant to this Act, and (3) that safeguards are provided which assure hospital operation and maintenance consistent with the public interest having particular regard to safe, adequate, and efficient hospital facilities and services.

The Director may request the cooperation of county and multiple-county health departments, municipal boards of health, and other governmental and non-governmental agencies in obtaining information and in conducting investigations relating to such applications.

A permit to establish a hospital shall be valid only for the premises and person named in the application for such permit and shall not be transferable or assignable.

In the event the Director issues a permit to establish a hospital the applicant shall thereafter submit plans and specifications to the Department in accordance with Section 8 of this Act.

(b) Upon receipt of an application for license to open, conduct, operate, and maintain a hospital, the Director shall issue a license if he finds the applicant and the hospital facilities comply with standards, rules, and regulations promulgated under this Act. A license, unless sooner suspended or revoked, shall be renewable annually upon approval by the Department and payment of a license fee as established pursuant to Section 5 of this Act. Each license shall be issued only for the premises and persons named in the application and shall not be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises. The Department may, either before or after the issuance of a license, request the cooperation of the State Fire Marshal, county and multiple county health departments, or municipal boards of health to make investigations to determine if the applicant or licensee is complying with the minimum standards prescribed by the Department. The report and recommendations of any such agency shall be in writing and shall state with particularity its findings with respect to compliance or noncompliance with such minimum standards, rules, and regulations.

New matter indicated by italics - deletions by strikeout
The Director may issue a provisional license to any hospital which does not substantially comply with the provisions of this Act and the standards, rules, and regulations promulgated by virtue thereof provided that he finds that such hospital has undertaken changes and corrections which upon completion will render the hospital in substantial compliance with the provisions of this Act, and the standards, rules, and regulations adopted hereunder, and provided that the health and safety of the patients of the hospital will be protected during the period for which such provisional license is issued. The Director shall advise the licensee of the conditions under which such provisional license is issued, including the manner in which the hospital facilities fail to comply with the provisions of the Act, standards, rules, and regulations, and the time within which the changes and corrections necessary for such hospital facilities to substantially comply with this Act, and the standards, rules, and regulations of the Department relating thereto shall be completed.

(Source: P.A. 80-56.)

(210 ILCS 85/14.5 new)

Sec. 14.5. Hospital Licensure Fund.

(a) There is created in the State treasury the Hospital Licensure Fund. The Fund is created for the purpose of providing funding for the administration of the licensure program and patient safety and quality initiatives for hospitals, including, without limitation, the implementation of the Illinois Adverse Health Care Events Reporting Law of 2005.

(b) The Fund shall consist of the following:

(1) fees collected pursuant to Section 5 of the Hospital Licensing Act;

(2) federal matching funds received by the State as a result of expenditures made by the Department that are attributable to moneys deposited in the Fund;

(3) interest earned on moneys deposited in the Fund; and

(4) other moneys received for the Fund from any other source, including interest earned thereon.

(c) Disbursements from the Fund shall be made only for:

(1) initially, the implementation of the Illinois Adverse Health Care Events Reporting Law of 2005;

(2) subsequently, programs, information, or assistance, including measures to address public complaints, designed to measurably improve quality and patient safety; and

New matter indicated by italics - deletions by strikeout
(3) the reimbursement of moneys collected by the Department through error or mistake.

(d) The uses described in paragraph (2) of subsection (c) shall be developed in conjunction with a statewide organization representing a majority of hospitals.

Section 8. The Illinois Adverse Health Care Events Reporting Law of 2005 is amended by changing Sections 10-10 and 10-15 as follows:

(410 ILCS 522/10-10)

Sec. 10-10. Definitions. As used in this Law, the following terms have the following meanings:

"Adverse health care event" means any event identified as a serious reportable event by the National Quality Forum and the Centers for Medicare and Medicaid Services on the effective date of this amendatory Act of the 98th General Assembly. The Department shall adopt, by rule, the list of adverse health care events. The rules in effect on May 1, 2013, that define "adverse health care event" shall remain in effect until new rules are adopted in accordance with this amendatory Act of the 98th General Assembly. If the National Quality Forum or the Centers for Medicare and Medicaid Services thereafter revises its list of serious reportable events through addition, deletion, or modification, then the term "adverse health care event" for purposes of this Law shall be similarly revised, effective no sooner than 6 months after the revision by the originating organization described in subsections (b) through (g) of Section 10-15.

"Department" means the Illinois Department of Public Health.

"Health care facility" means a hospital maintained by the State or any department or agency thereof where such department or agency has authority under law to establish and enforce standards for the hospital under its management and control, a hospital maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation, a hospital licensed under the Hospital Licensing Act, a hospital organized under the University of Illinois Hospital Act, and an ambulatory surgical treatment center licensed under the Ambulatory Surgical Treatment Center Act.

(Source: P.A. 94-242, eff. 7-18-05.)

(410 ILCS 522/10-15)

Sec. 10-15. Health care facility requirements to report, analyze, and correct.

(a) Reports of adverse health care events required. Each health care facility shall report to the Department the occurrence of any adverse health care event.
health care events described in subsections (b) through (g) no later than 30 days after discovery of the event. The report shall be filed in a format specified by the Department and shall identify the health care facility, but shall not include any information identifying or that tends to identify any of the health care professionals, employees, or patients involved.

(b) (Blank). Surgical events. Events reportable under this subsection are:

1. Surgery performed on a wrong body part that is not consistent with the documented informed consent for that patient. Reportable events under this clause do not include situations requiring prompt action that occur in the course of surgery or situations whose urgency precludes obtaining informed consent.

2. Surgery performed on the wrong patient.

3. The wrong surgical procedure performed on a patient that is not consistent with the documented informed consent for that patient. Reportable events under this clause do not include situations requiring prompt action that occur in the course of surgery or situations whose urgency precludes obtaining informed consent.

4. Retention of a foreign object in a patient after surgery or other procedure, excluding objects intentionally implanted as part of a planned intervention and objects present prior to surgery that are intentionally retained.

5. Death during or immediately after surgery of a normal, healthy patient who has no organic, physiologic, biochemical, or psychiatric disturbance and for whom the pathologic processes for which the operation is to be performed are localized and do not entail a systemic disturbance.

(c) (Blank). Product or device events. Events reportable under this subsection are:

1. Patient death or serious disability associated with the use of contaminated drugs, devices, or biologics provided by the health care facility when the contamination is the result of generally detectable contaminants in drugs, devices, or biologics regardless of the source of the contamination or the product.

2. Patient death or serious disability associated with the use or function of a device in patient care in which the device is used or functions other than as intended. "Device" includes, but is not limited to, catheters, drains, and other specialized tubes, infusion pumps, and ventilators.

New matter indicated by italics - deletions by strikeout
(3) Patient death or serious disability associated with intravascular air embolism that occurs while being cared for in a health care facility, excluding deaths associated with neurosurgical procedures known to present a high risk of intravascular air embolism.

(d) (Blank). Patient protection events. Events reportable under this subsection are:

(1) An infant discharged to the wrong person.

(2) Patient death or serious disability associated with patient disappearance for more than 4 hours, excluding events involving adults who have decision-making capacity.

(3) Patient suicide or attempted suicide resulting in serious disability while being cared for in a health care facility due to patient actions after admission to the health care facility, excluding deaths resulting from self-inflicted injuries that were the reason for admission to the health care facility.

(e) (Blank). Care management events. Events reportable under this subsection are:

(1) Patient death or serious disability associated with a medication error, including, but not limited to, errors involving the wrong drug, the wrong dose, the wrong patient, the wrong time, the wrong rate, the wrong preparation, or the wrong route of administration, excluding reasonable differences in clinical judgment on drug selection and dose.

(2) Patient death or serious disability associated with a hemolytic reaction due to the administration of ABO-incompatible blood or blood products.

(3) Maternal death or serious disability associated with labor or delivery in a low-risk pregnancy while being cared for in a health care facility, excluding deaths from pulmonary or amniotic fluid embolism, acute fatty liver of pregnancy, or cardiomyopathy.

(4) Patient death or serious disability directly related to hypoglycemia, the onset of which occurs while the patient is being cared for in a health care facility for a condition unrelated to hypoglycemia.

(f) (Blank). Environmental events. Events reportable under this subsection are:

New matter indicated by italics - deletions by strikeout
(1) Patient death or serious disability associated with an electric shock while being cared for in a health care facility, excluding events involving planned treatments such as electric countershock.

(2) Any incident in which a line designated for oxygen or other gas to be delivered to a patient contains the wrong gas or is contaminated by toxic substances.

(3) Patient death or serious disability associated with a burn incurred from any source while being cared for in a health care facility that is not consistent with the documented informed consent for that patient. Reportable events under this clause do not include situations requiring prompt action that occur in the course of surgery or situations whose urgency precludes obtaining informed consent.

(4) Patient death associated with a fall while being cared for in a health care facility.

(5) Patient death or serious disability associated with the use of restraints or bedrails while being cared for in a health care facility.

(g) (Blank). Physical security events. Events reportable under this subsection are:

(1) Any instance of care ordered by or provided by someone impersonating a physician, nurse, pharmacist, or other licensed health care provider.

(2) Abduction of a patient of any age.

(3) Sexual assault on a patient within or on the grounds of a health care facility.

(4) Death or significant injury of a patient or staff member resulting from a physical assault that occurs within or on the grounds of a health care facility.

(g-5) If the adverse health care events subject to this Law are revised as described in Section 10-10, then the Department shall provide notice to all affected health care facilities promptly upon the revision and shall inform affected health care facilities of the effective date of the revision for purposes of reporting under this Law.

(h) Definitions. As pertains to an adverse health care event used in this Section 10-15:

"Death" means patient death related to an adverse event and not related solely to the natural course of the patient's illness or underlying condition. Events otherwise reportable under this Section 10-15 shall be reported even if the death might have otherwise occurred as the natural course of the patient's illness or underlying condition.

New matter indicated by italics - deletions by strikeout
"Serious disability" means a physical or mental impairment, including loss of a body part, related to an adverse event and not related solely to the natural course of the patient's illness or underlying condition, that substantially limits one or more of the major life activities of an individual or a loss of bodily function, if the impairment or loss lasts more than 7 days prior to discharge or is still present at the time of discharge from an inpatient health care facility.

(Source: P.A. 94-242, eff. 7-18-05.)

Section 10. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)
Sec. 5.855. The Hospital Licensure Fund.

An Act concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Commission to End the Disparities Facing the African-American Community Act is amended by changing Sections 15 and 95 as follows:

(20 ILCS 5020/15)
(Section scheduled to be repealed on July 1, 2014)
Sec. 15. Meetings; report. The Commission shall:

(1) research the disparities facing African-Americans in the areas of healthcare, healthcare services, employment, education, criminal justice, housing, and other social and economic issues;

(2) hold one or more public hearings, at which public testimony shall be heard; and

(3) report its findings and specific recommendations to the General Assembly on or before December 31, 2013, after which the Commission shall dissolve.

(Source: P.A. 97-360, eff. 8-15-11.)
(20 ILCS 5020/95)

New matter indicated by italics - deletions by strikeout
AN ACT concerning courts.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Juvenile Court Act of 1987 is amended by changing Sections 5-105, 5-410, and 5-501 as follows:

(705 ILCS 405/5-105)
Sec. 5-105. Definitions. As used in this Article:

(1) "Aftercare release" means the conditional and revocable release of an adjudicated delinquent juvenile committed to the Department of Juvenile Justice under the supervision of the Department of Juvenile Justice.

(1.5) "Court" means the circuit court in a session or division assigned to hear proceedings under this Act, and includes the term Juvenile Court.

(2) "Community service" means uncompensated labor for a community service agency as hereinafter defined.

(2.5) "Community service agency" means a not-for-profit organization, community organization, church, charitable organization, individual, public office, or other public body whose purpose is to enhance the physical or mental health of a delinquent minor or to rehabilitate the minor, or to improve the environmental quality or social welfare of the community which agrees to accept community service from juvenile delinquents and to report on the progress of the community service to the State's Attorney pursuant to an agreement or to the court or to any agency designated by the court or to the authorized diversion program that has referred the delinquent minor for community service.
(3) "Delinquent minor" means any minor who prior to his or her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, State, county or municipal law or ordinance.

(4) "Department" means the Department of Human Services unless specifically referenced as another department.

(5) "Detention" means the temporary care of a minor who is alleged to be or has been adjudicated delinquent and who requires secure custody for the minor's own protection or the community's protection in a facility designed to physically restrict the minor's movements, pending disposition by the court or execution of an order of the court for placement or commitment. Design features that physically restrict movement include, but are not limited to, locked rooms and the secure handcuffing of a minor to a rail or other stationary object. In addition, "detention" includes the court ordered care of an alleged or adjudicated delinquent minor who requires secure custody pursuant to Section 5-125 of this Act.

(6) "Diversion" means the referral of a juvenile, without court intervention, into a program that provides services designed to educate the juvenile and develop a productive and responsible approach to living in the community.

(7) "Juvenile detention home" means a public facility with specially trained staff that conforms to the county juvenile detention standards adopted promulgated by the Department of Juvenile Justice Corrections.

(8) "Juvenile justice continuum" means a set of delinquency prevention programs and services designed for the purpose of preventing or reducing delinquent acts, including criminal activity by youth gangs, as well as intervention, rehabilitation, and prevention services targeted at minors who have committed delinquent acts, and minors who have previously been committed to residential treatment programs for delinquents. The term includes children-in-need-of-services and families-in-need-of-services programs; aftercare and reentry services; substance abuse and mental health programs; community service programs; community service work programs; and alternative-dispute resolution programs serving youth-at-risk of delinquency and their families, whether offered or delivered by State or local governmental entities, public or private for-profit or not-for-profit organizations, or religious or charitable organizations. This

New matter indicated by italics - deletions by strikeout
term would also encompass any program or service consistent with the purpose of those programs and services enumerated in this subsection.

(9) "Juvenile police officer" means a sworn police officer who has completed a Basic Recruit Training Course, has been assigned to the position of juvenile police officer by his or her chief law enforcement officer and has completed the necessary juvenile officers training as prescribed by the Illinois Law Enforcement Training Standards Board, or in the case of a State police officer, juvenile officer training approved by the Director of State Police.

(10) "Minor" means a person under the age of 21 years subject to this Act.

(11) "Non-secure custody" means confinement where the minor is not physically restricted by being placed in a locked cell or room, by being handcuffed to a rail or other stationary object, or by other means. Non-secure custody may include, but is not limited to, electronic monitoring, foster home placement, home confinement, group home placement, or physical restriction of movement or activity solely through facility staff.

(12) "Public or community service" means uncompensated labor for a not-for-profit organization or public body whose purpose is to enhance physical or mental stability of the offender, environmental quality or the social welfare and which agrees to accept public or community service from offenders and to report on the progress of the offender and the public or community service to the court or to the authorized diversion program that has referred the offender for public or community service.

(13) "Sentencing hearing" means a hearing to determine whether a minor should be adjudged a ward of the court, and to determine what sentence should be imposed on the minor. It is the intent of the General Assembly that the term "sentencing hearing" replace the term "dispositional hearing" and be synonymous with that definition as it was used in the Juvenile Court Act of 1987.

(14) "Shelter" means the temporary care of a minor in physically unrestricting facilities pending court disposition or execution of court order for placement.

(15) "Site" means a not-for-profit organization, public body, church, charitable organization, or individual agreeing to accept community service from offenders and to report on the progress of

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ordered or required public or community service to the court or to the
authorized diversion program that has referred the offender for public
or community service.

(16) "Station adjustment" means the informal or formal
handling of an alleged offender by a juvenile police officer.

(17) "Trial" means a hearing to determine whether the
allegations of a petition under Section 5-520 that a minor is
delinquent are proved beyond a reasonable doubt. It is the intent of
the General Assembly that the term "trial" replace the term
"adjudicatory hearing" and be synonymous with that definition as it
was used in the Juvenile Court Act of 1987.

The changes made to this Section by Public Act 98-61 this
amendatory Act of the 98th General Assembly apply to violations or
attempted violations committed on or after January 1, 2014 (the effective
date of Public Act 98-61) this amendatory Act.
(Source: P.A. 98-61, eff. 1-1-14; 98-558, eff. 1-1-14; revised 1-21-14.)

(705 ILCS 405/5-410)
Sec. 5-410. Non-secure custody or detention.
(1) Any minor arrested or taken into custody pursuant to this Act who
requires care away from his or her home but who does not require physical
restriction shall be given temporary care in a foster family home or other
shelter facility designated by the court.

(2) (a) Any minor 10 years of age or older arrested pursuant to this
Act where there is probable cause to believe that the minor is a delinquent
minor and that (i) secured custody is a matter of immediate and urgent
necessity for the protection of the minor or of the person or property of
another, (ii) the minor is likely to flee the jurisdiction of the court, or (iii) the
minor was taken into custody under a warrant, may be kept or detained in an
authorized detention facility. No minor under 12 years of age shall be
detained in a county jail or a municipal lockup for more than 6 hours.

(b) The written authorization of the probation officer or detention
officer (or other public officer designated by the court in a county having
3,000,000 or more inhabitants) constitutes authority for the superintendent of
any juvenile detention home to detain and keep a minor for up to 40 hours,
excluding Saturdays, Sundays and court-designated holidays. These records
shall be available to the same persons and pursuant to the same conditions as
are law enforcement records as provided in Section 5-905.

(b-4) The consultation required by subsection (b-5) shall not be
applicable if the probation officer or detention officer (or other public officer

New matter indicated by italics - deletions by strikeout
designated by the court in a county having 3,000,000 or more inhabitants) utilizes a scorable detention screening instrument, which has been developed with input by the State's Attorney, to determine whether a minor should be detained, however, subsection (b-5) shall still be applicable where no such screening instrument is used or where the probation officer, detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) deviates from the screening instrument.

(b-5) Subject to the provisions of subsection (b-4), if a probation officer or detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) does not intend to detain a minor for an offense which constitutes one of the following offenses he or she shall consult with the State's Attorney's Office prior to the release of the minor: first degree murder, second degree murder, involuntary manslaughter, criminal sexual assault, aggravated criminal sexual assault, aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05, aggravated or heinous battery involving permanent disability or disfigurement or great bodily harm, robbery, aggravated robbery, armed robbery, vehicular hijacking, aggravated vehicular hijacking, vehicular invasion, arson, aggravated arson, kidnapping, aggravated kidnapping, home invasion, burglary, or residential burglary.

(c) Except as otherwise provided in paragraph (a), (d), or (e), no minor shall be detained in a county jail or municipal lockup for more than 12 hours, unless the offense is a crime of violence in which case the minor may be detained up to 24 hours. For the purpose of this paragraph, "crime of violence" has the meaning ascribed to it in Section 1-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(i) The period of detention is deemed to have begun once the minor has been placed in a locked room or cell or handcuffed to a stationary object in a building housing a county jail or municipal lockup. Time spent transporting a minor is not considered to be time in detention or secure custody.

(ii) Any minor so confined shall be under periodic supervision and shall not be permitted to come into or remain in contact with adults in custody in the building.

(iii) Upon placement in secure custody in a jail or lockup, the minor shall be informed of the purpose of the detention, the time it is expected to last and the fact that it cannot exceed the time specified under this Act.

New matter indicated by italics - deletions by strikeout
(iv) A log shall be kept which shows the offense which is the basis for the detention, the reasons and circumstances for the decision to detain and the length of time the minor was in detention.

(v) Violation of the time limit on detention in a county jail or municipal lockup shall not, in and of itself, render inadmissible evidence obtained as a result of the violation of this time limit. Minors under 18 years of age shall be kept separate from confined adults and may not at any time be kept in the same cell, room or yard with adults confined pursuant to criminal law. Persons 18 years of age and older who have a petition of delinquency filed against them may be confined in an adult detention facility. In making a determination whether to confine a person 18 years of age or older who has a petition of delinquency filed against the person, these factors, among other matters, shall be considered:

(A) The age of the person;
(B) Any previous delinquent or criminal history of the person;
(C) Any previous abuse or neglect history of the person; and
(D) Any mental health or educational history of the person, or both.

(d) (i) If a minor 12 years of age or older is confined in a county jail in a county with a population below 3,000,000 inhabitants, then the minor's confinement shall be implemented in such a manner that there will be no contact by sight, sound or otherwise between the minor and adult prisoners. Minors 12 years of age or older must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with confined adults. This paragraph (d)(i) shall only apply to confinement pending an adjudicatory hearing and shall not exceed 40 hours, excluding Saturdays, Sundays and court designated holidays. To accept or hold minors during this time period, county jails shall comply with all monitoring standards adopted by the Department of Corrections and training standards approved by the Illinois Law Enforcement Training Standards Board.

(ii) To accept or hold minors, 12 years of age or older, after the time period prescribed in paragraph (d)(i) of this subsection (2) of this Section but not exceeding 7 days including Saturdays, Sundays and holidays pending an adjudicatory hearing, county jails shall comply with all temporary detention standards adopted by the Department of Corrections and
training standards approved by the Illinois Law Enforcement Training Standards Board.

(iii) To accept or hold minors 12 years of age or older, after the time period prescribed in paragraphs (d)(i) and (d)(ii) of this subsection (2) of this Section, county jails shall comply with all county juvenile detention standards adopted programmatic and training standards for juvenile detention homes promulgated by the Department of Juvenile Justice Corrections.

(e) When a minor who is at least 15 years of age is prosecuted under the criminal laws of this State, the court may enter an order directing that the juvenile be confined in the county jail. However, any juvenile confined in the county jail under this provision shall be separated from adults who are confined in the county jail in such a manner that there will be no contact by sight, sound or otherwise between the juvenile and adult prisoners.

(f) For purposes of appearing in a physical lineup, the minor may be taken to a county jail or municipal lockup under the direct and constant supervision of a juvenile police officer. During such time as is necessary to conduct a lineup, and while supervised by a juvenile police officer, the sight and sound separation provisions shall not apply.

(g) For purposes of processing a minor, the minor may be taken to a County Jail or municipal lockup under the direct and constant supervision of a law enforcement officer or correctional officer. During such time as is necessary to process the minor, and while supervised by a law enforcement officer or correctional officer, the sight and sound separation provisions shall not apply.

(3) If the probation officer or State's Attorney (or such other public officer designated by the court in a county having 3,000,000 or more inhabitants) determines that the minor may be a delinquent minor as described in subsection (3) of Section 5-105, and should be retained in custody but does not require physical restriction, the minor may be placed in non-secure custody for up to 40 hours pending a detention hearing.

(4) Any minor taken into temporary custody, not requiring secure detention, may, however, be detained in the home of his or her parent or guardian subject to such conditions as the court may impose.

(5) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act. (Source: P.A. 98-61, eff. 1-1-14; revised 11-22-13.)

(705 ILCS 405/5-501)
Sec. 5-501. Detention or shelter care hearing. At the appearance of the minor before the court at the detention or shelter care hearing, the court shall receive all relevant information and evidence, including affidavits concerning the allegations made in the petition. Evidence used by the court in its findings or stated in or offered in connection with this Section may be by way of proffer based on reliable information offered by the State or minor. All evidence shall be admissible if it is relevant and reliable regardless of whether it would be admissible under the rules of evidence applicable at a trial. No hearing may be held unless the minor is represented by counsel and no hearing shall be held until the minor has had adequate opportunity to consult with counsel.

(1) If the court finds that there is not probable cause to believe that the minor is a delinquent minor it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is a delinquent minor, the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony may be examined before the court. The court may also consider any evidence by way of proffer based upon reliable information offered by the State or the minor. All evidence, including affidavits, shall be admissible if it is relevant and reliable regardless of whether it would be admissible under the rules of evidence applicable at trial. After such evidence is presented, the court may enter an order that the minor shall be released upon the request of a parent, guardian or legal custodian if the parent, guardian or custodian appears to take custody.

If the court finds that it is a matter of immediate and urgent necessity for the protection of the minor or of the person or property of another that the minor be detained or placed in a shelter care facility or that he or she is likely to flee the jurisdiction of the court, the court may prescribe detention or shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency; otherwise it shall release the minor from custody. If the court prescribes shelter care, then in placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. In making the determination of the existence of immediate and urgent necessity, the court shall consider among other matters:

(a) the nature and seriousness of the alleged offense; (b) the minor's record of delinquency offenses, including whether the minor has delinquency cases pending; (c) the minor's record of willful failure to appear following the issuance of a summons or warrant; (d) the availability of non-custodial
alternatives, including the presence of a parent, guardian or other responsible relative able and willing to provide supervision and care for the minor and to assure his or her compliance with a summons. If the minor is ordered placed in a shelter care facility of a licensed child welfare agency, the court shall, upon request of the agency, appoint the appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody of the minor as it deems fit and proper.

The order together with the court's findings of fact in support of the order shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that the placement is no longer necessary for the protection of the minor.

(3) Only when there is reasonable cause to believe that the minor taken into custody is a delinquent minor may the minor be kept or detained in a facility authorized for juvenile detention. This Section shall in no way be construed to limit subsection (4).

(4) Minors 12 years of age or older must be kept separate from confined adults and may not at any time be kept in the same cell, room or yard with confined adults. This paragraph (4):

(a) shall only apply to confinement pending an adjudicatory hearing and shall not exceed 40 hours, excluding Saturdays, Sundays, and court designated holidays. To accept or hold minors during this time period, county jails shall comply with all monitoring standards adopted for juvenile detention homes promulgated by the Department of Corrections and training standards approved by the Illinois Law Enforcement Training Standards Board.

(b) To accept or hold minors, 12 years of age or older, after the time period prescribed in clause (a) of subsection (4) of this Section but not exceeding 7 days including Saturdays, Sundays, and holidays, pending an adjudicatory hearing, county jails shall comply with all temporary detention standards adopted promulgated by the Department of Corrections and training standards approved by the Illinois Law Enforcement Training Standards Board.

(c) To accept or hold minors 12 years of age or older, after the time period prescribed in clause (a) and (b), of this subsection county jails shall comply with all county juvenile detention standards adopted programmatic and training standards for juvenile detention.

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homes promulgated by the Department of Juvenile Justice Corrections.

(5) If the minor is not brought before a judicial officer within the time period as specified in Section 5-415 the minor must immediately be released from custody.

(6) If neither the parent, guardian or legal custodian appears within 24 hours to take custody of a minor released from detention or shelter care, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or legal custodian to appear. At the same time the probation department shall prepare a report on the minor. If a parent, guardian or legal custodian does not appear at such rehearing, the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Human Services or a licensed child welfare agency. The time during which a minor is in custody after being released upon the request of a parent, guardian or legal custodian shall be considered as time spent in detention for purposes of scheduling the trial.

(7) Any party, including the State, the temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2 of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, may file a motion to modify or vacate a temporary custody order or vacate a detention or shelter care order on any of the following grounds:

(a) It is no longer a matter of immediate and urgent necessity that the minor remain in detention or shelter care; or

(b) There is a material change in the circumstances of the natural family from which the minor was removed; or

(c) A person, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or

(d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider have been successful in eliminating the need for temporary custody.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

(8) Whenever a petition has been filed under Section 5-520 the court can, at any time prior to trial or sentencing, order that the minor be placed in
detention or a shelter care facility after the court conducts a hearing and finds
that the conduct and behavior of the minor may endanger the health, person,
wealre, or property of himself or others or that the circumstances of his or
her home environment may endanger his or her health, person, welfare or
property.
(Source: P.A. 95-846, eff. 1-1-09.)

Section 10. The Unified Code of Corrections is amended by changing
Sections 3-1-2, 3-2.5-75, 3-15-2, and 3-15-3 as follows:
(730 ILCS 5/3-1-2) (from Ch. 38, par. 1003-1-2)
Sec. 3-1-2. Definitions.
(a) "Chief Administrative Officer" means the person designated by the
Director to exercise the powers and duties of the Department of Corrections
in regard to committed persons within a correctional institution or facility,
and includes the superintendent of any juvenile institution or facility.
(a-3) "Aftercare release" means the conditional and revocable release
of a person committed to the Department of Juvenile Justice under the
Juvenile Court Act of 1987, under the supervision of the Department of
Juvenile Justice.
(a-5) "Sex offense" for the purposes of paragraph (16) of subsection
(a) of Section 3-3-7, paragraph (10) of subsection (a) of Section 5-6-3, and
paragraph (18) of subsection (c) of Section 5-6-3.1 only means:
(i) A violation of any of the following Sections of the
Criminal Code of 1961 or the Criminal Code of 2012: 10-7 (aiding or
abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10)
(child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent
solicitation of an adult), 11-14.4 (promoting juvenile prostitution),
11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place
of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute),
11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1
(child pornography), 11-20.1B or 11-20.3 (aggravated child
pornography), 11-1.40 or 12-14.1 (predatory criminal sexual assault
of a child), or 12-33 (ritualized abuse of a child). An attempt to
commit any of these offenses.
(ii) A violation of any of the following Sections of the
Criminal Code of 1961 or the Criminal Code of 2012: 11-1.20 or 12-
13 (criminal sexual assault), 11-1.30 or 12-14 (aggravated criminal
sexual assault), 11-1.60 or 12-16 (aggravated criminal sexual abuse),
and subsection (a) of Section 11-1.50 or subsection (a) of Section 12-
15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012 when the defendant is not a parent of the victim:
- 10-1 (kidnapping),
- 10-2 (aggravated kidnapping),
- 10-3 (unlawful restraint),
- 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this subsection (a-5).

An offense violating federal law or the law of another state that is substantially equivalent to any offense listed in this subsection (a-5) shall constitute a sex offense for the purpose of this subsection (a-5). A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for a sex offense for the purposes of this subsection (a-5).

(b) "Commitment" means a judicially determined placement in the custody of the Department of Corrections on the basis of delinquency or conviction.

(c) "Committed Person" is a person committed to the Department, however a committed person shall not be considered to be an employee of the Department of Corrections for any purpose, including eligibility for a pension, benefits, or any other compensation or rights or privileges which may be provided to employees of the Department.

(c-5) "Computer scrub software" means any third-party added software, designed to delete information from the computer unit, the hard drive, or other software, which would eliminate and prevent discovery of browser activity, including but not limited to Internet history, address bar or bars, cache or caches, and/or cookies, and which would over-write files in a way so as to make previous computer activity, including but not limited to website access, more difficult to discover.

(d) "Correctional Institution or Facility" means any building or part of a building where committed persons are kept in a secured manner.

(e) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Department" means both the Department of Corrections and the Department of Juvenile Justice of this Act.
State, unless the context is specific to either the Department of Corrections or the Department of Juvenile Justice. In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Department" has the meaning ascribed to it in subsection (f-5).

(f) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Director" means both the Director of the Department of Corrections and the Director of Juvenile Justice, unless the context is specific to either the Director of Corrections or the Director of Juvenile Justice. In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Director" has the meaning ascribed to it in subsection (f-5).

(f-5) (Blank). In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, references to "Department" or "Director" refer to either the Department of Corrections or the Director of Corrections or to the Department of Juvenile Justice or the Director of Juvenile Justice unless the context is specific to the Department of Juvenile Justice or the Director of Juvenile Justice.

(g) "Discharge" means the final termination of a commitment to the Department of Corrections.

(h) "Discipline" means the rules and regulations for the maintenance of order and the protection of persons and property within the institutions and facilities of the Department and their enforcement.

(i) "Escape" means the intentional and unauthorized absence of a committed person from the custody of the Department.

(j) "Furlough" means an authorized leave of absence from the Department of Corrections for a designated purpose and period of time.

(k) "Parole" means the conditional and revocable release of a person committed to the Department of Corrections under the supervision of a parole officer.

(l) "Prisoner Review Board" means the Board established in Section 3-3-1(a), independent of the Department, to review rules and regulations with respect to good time credits, to hear charges brought by the Department against certain prisoners alleged to have violated Department rules with respect to good time credits, to set release dates for certain prisoners sentenced under the law in effect prior to the effective date of this Amendatory Act of 1977, to hear and decide the time of aftercare release for persons committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 to hear requests and make recommendations to the Governor with respect to pardon, reprieve or commutation, to set conditions

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for parole, aftercare release, and mandatory supervised release and determine whether violations of those conditions justify revocation of parole or release, and to assume all other functions previously exercised by the Illinois Parole and Pardon Board.

(m) Whenever medical treatment, service, counseling, or care is referred to in this Unified Code of Corrections, such term may be construed by the Department or Court, within its discretion, to include treatment, service or counseling by a Christian Science practitioner or nursing care appropriate therewith whenever request therefor is made by a person subject to the provisions of this Act.

(n) "Victim" shall have the meaning ascribed to it in subsection (a) of Section 3 of the Bill of Rights for Victims and Witnesses of Violent Crime Act.

(o) "Wrongfully imprisoned person" means a person who has been discharged from a prison of this State and has received:

1. a pardon from the Governor stating that such pardon is issued on the ground of innocence of the crime for which he or she was imprisoned; or
2. a certificate of innocence from the Circuit Court as provided in Section 2-702 of the Code of Civil Procedure.

(Source: P.A. 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

(730 ILCS 5/3-2.5-75)
Sec. 3-2.5-75. Release from Department of Juvenile Justice.

(a) Upon release of a youth on aftercare, the Department shall return all property held for the youth, provide the youth with suitable clothing, and procure necessary transportation for the youth to his or her designated place of residence and employment. It may provide the youth with a grant of money for travel and expenses which may be paid in installments. The amount of the money grant shall be determined by the Department.

(b) Before a wrongfully imprisoned person, as defined in Section 3-1-2 of this Code, is discharged from the Department, the Department shall provide him or her with any documents necessary after discharge, including an identification card under subsection (e) of this Section.

(c) The Department of Juvenile Justice may establish and maintain, in any institution it administers, revolving funds to be known as "Travel and Allowances Revolving Funds". These revolving funds shall be used for advancing travel and expense allowances to committed, released, and discharged youth. The moneys paid into these revolving funds shall be from

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appropriations to the Department for committed, released, and discharged prisoners.

(d) Upon the release of a youth on aftercare, the Department shall provide that youth with information concerning programs and services of the Department of Public Health to ascertain whether that youth has been exposed to the human immunodeficiency virus (HIV) or any identified causative agent of Acquired Immunodeficiency Syndrome (AIDS).

(e) Upon the release of a youth on aftercare or who has been wrongfully imprisoned, the Department shall provide the youth who has met the criteria established by the Department with an identification card identifying the youth as being on aftercare or wrongfully imprisoned, as the case may be. The Department, in consultation with the Office of the Secretary of State, shall prescribe the form of the identification card, which may be similar to the form of the standard Illinois Identification Card. The Department shall inform the youth that he or she may present the identification card to the Office of the Secretary of State upon application for a standard Illinois Identification Card in accordance with the Illinois Identification Card Act. The Department shall require the youth to pay a $1 fee for the identification card.

For purposes of a youth receiving an identification card issued by the Department under this subsection, the Department shall establish criteria that the youth must meet before the card is issued. It is the sole responsibility of the youth requesting the identification card issued by the Department to meet the established criteria. The youth's failure to meet the criteria is sufficient reason to deny the youth the identification card. An identification card issued by the Department under this subsection shall be valid for a period of time not to exceed 30 calendar days from the date the card is issued. The Department shall not be held civilly or criminally liable to anyone because of any act of any person utilizing a card issued by the Department under this subsection.

The Department shall adopt rules governing the issuance of identification cards to youth being released on aftercare or pardon.

(Source: P.A. 98-558, eff. 1-1-14.)

(730 ILCS 5/3-15-2) (from Ch. 38, par. 1003-15-2)

Sec. 3-15-2. Standards and Assistance to Local Jails and Detention and Shelter Care Facilities.

(a) The Department of Corrections shall establish for the operation of county and municipal jails and houses of correction, minimum standards for
the physical condition of such institutions and for the treatment of inmates with respect to their health and safety and the security of the community.

The Department of Juvenile Justice shall establish for the operation of county juvenile detention and shelter care facilities established pursuant to the County Shelter Care and Detention Home Act, minimum standards for the physical condition of such institutions and for the treatment of juveniles with respect to their health and safety and the security of the community.

Such standards shall not apply to county shelter care facilities which were in operation prior to January 1, 1980. Such standards shall not seek to mandate minimum floor space requirements for each inmate housed in cells and detention rooms in county and municipal jails and houses of correction. However, no more than two inmates may be housed in a single cell or detention room.

When an inmate is tested for an airborne communicable disease, as determined by the Illinois Department of Public Health including but not limited to tuberculosis, the results of the test shall be personally delivered by the warden or his or her designee in a sealed envelope to the judge of the court in which the inmate must appear for the judge's inspection in camera if requested by the judge. Acting in accordance with the best interests of those in the courtroom, the judge shall have the discretion to determine what if any precautions need to be taken to prevent transmission of the disease in the courtroom.

(b) At least once each year, the Department of Corrections may inspect each adult facility for compliance with the standards established and the results of such inspection shall be made available by the Department for public inspection. At least once each year, the Department of Juvenile Justice shall inspect each county juvenile detention and shelter care facility for compliance with the standards established, and the Department of Juvenile Justice shall make the results of such inspections available for public inspection. If any detention, shelter care or correctional facility does not comply with the standards established, the Director of Corrections or the Director of Juvenile Justice, as the case may be, shall give notice to the county board and the sheriff or the corporate authorities of the municipality, as the case may be, of such noncompliance, specifying the particular standards that have not been met by such facility. If the facility is not in compliance with such standards when six months have elapsed from the giving of such notice, the Director of Corrections or the Director of Juvenile Justice, as the case may be, may petition the appropriate court for an order

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requiring such facility to comply with the standards established by the Department or for other appropriate relief.

(c) The Department of Corrections may provide consultation services for the design, construction, programs and administration of correctional facilities and services for adults operated by counties and municipalities and may make studies and surveys of the programs and the administration of such facilities. Personnel of the Department shall be admitted to these facilities as required for such purposes. The Department may develop and administer programs of grants-in-aid for correctional services in cooperation with local agencies. The Department may provide courses of training for the personnel of such institutions and conduct pilot projects in the institutions.

(c-5) The Department of Juvenile Justice may provide consultation services for the design, construction, programs, and administration of detention and shelter care services for children operated by counties and municipalities and may make studies and surveys of the programs and the administration of such facilities. Personnel of the Department of Juvenile Justice shall be admitted to these facilities as required for such purposes. The Department of Juvenile Justice may develop and administer programs of grants-in-aid for juvenile correctional services in cooperation with local agencies. The Department of Juvenile Justice may provide courses of training for the personnel of such institutions and conduct pilot projects in the institutions.

(d) The Department is authorized to issue reimbursement grants for counties, municipalities or public building commissions for the purpose of meeting minimum correctional facilities standards set by the Department under this Section. Grants may be issued only for projects that were completed after July 1, 1980 and initiated prior to January 1, 1987.

(1) Grants for regional correctional facilities shall not exceed 90% of the project costs or $7,000,000, whichever is less.

(2) Grants for correctional facilities by a single county, municipality or public building commission shall not exceed 75% of the proposed project costs or $4,000,000, whichever is less.

(3) As used in this subsection (d), "project" means only that part of a facility that is constructed for jail, correctional or detention purposes and does not include other areas of multi-purpose buildings. Construction or renovation grants are authorized to be issued by the Capital Development Board from capital development bond funds after application by a county or counties, municipality or municipalities or public building commission or commissions and approval of a construction or

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renovation grant by the Department for projects initiated after January 1, 1987.

(e) The Department of Corrections Juvenile Justice shall adopt standards for county jails to hold juveniles on a temporary basis, as provided in Section 5-410 of the Juvenile Court Act of 1987. These standards shall include monitoring, educational, recreational, and disciplinary standards as well as access to medical services, crisis intervention, mental health services, suicide prevention, health care, nutritional needs, and visitation rights. The Department of Corrections Juvenile Justice shall also notify any county applying to hold juveniles in a county jail of the monitoring and program standards for juvenile detention facilities under Section 5-410 of the Juvenile Court Act of 1987.

(Source: P.A. 94-696, eff. 6-1-06.)

(730 ILCS 5/3-15-3) (from Ch. 38, par. 1003-15-3)

Sec. 3-15-3. Persons with mental illness and developmental disabilities.

(a) The Department of Corrections must, by rule, adopt standards and procedures for the provision of mental health and developmental disability services to persons with mental illness and persons with a developmental disability confined in a county jail or juvenile detention facility as set forth under Section 3-7-7 of this Code.

The Department of Juvenile Justice must, by rule, adopt standards and procedures for the provision of mental health and developmental disability services to persons with mental illness and persons with a developmental disability confined in a juvenile detention facility as set forth under Section 3-7-7 of this Code.

Those standards and procedures must address screening and classification, the use of psychotropic medications, suicide prevention, qualifications of staff, staffing levels, staff training, discharge, linkage and aftercare, the confidentiality of mental health records, and such other issues as are necessary to ensure that inmates with mental illness receive adequate and humane care and services.

(b) At least once each year, the Department of Corrections must inspect each county jail and juvenile detention facility for compliance with the standards and procedures established. At least once each year, the Department of Juvenile Justice must inspect each juvenile detention facility for compliance with the standards and procedures established. The results of the inspection must be made available by the Department of Corrections or the Department of Juvenile Justice, as the case may be, for public

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inspection. If any county jail or juvenile detention facility does not comply with the standards and procedures established, the Director of Corrections or the Director of Juvenile Justice, as the case may be, must give notice to the county board and the sheriff of such noncompliance, specifying the particular standards and procedures that have not been met by the county jail or juvenile detention facility. If the county jail or juvenile detention facility is not in compliance with the standards and procedures when 6 months have elapsed from the giving of such notice, the Director of Corrections or the Director of Juvenile Justice, as the case may be, may petition the appropriate court for an order requiring the jail or juvenile detention facility to comply with the standards and procedures established by the Department of Corrections or the Department of Juvenile Justice, as the case may be, or for other appropriate relief.

(Source: P.A. 92-469, eff. 1-1-02.)

Approved June 30, 2014.
Effective January 1, 2015.

**PUBLIC ACT 98-0686**

*(House Bill No. 4442)*

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 11-212 as follows:

(625 ILCS 5/11-212)

(Section scheduled to be repealed on July 1, 2015)

Sec. 11-212. Traffic stop statistical study.

(a) Whenever a State or local law enforcement officer issues a uniform traffic citation or warning citation for an alleged violation of the Illinois Vehicle Code, he or she shall record at least the following:

(1) the name, address, gender, and the officer's subjective determination of the race of the person stopped; the person's race shall be selected from the following list: American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, or White;

(2) the alleged traffic violation that led to the stop of the motorist;

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(3) the make and year of the vehicle stopped;
(4) the date and time of the stop, beginning when the vehicle was stopped and ending when the driver is free to leave or taken into physical custody;
(5) the location of the traffic stop;
(5.5) whether or not a consent search contemporaneous to the stop was requested of the vehicle, driver, passenger, or passengers; and, if so, whether consent was given or denied;
(6) whether or not a search contemporaneous to the stop was conducted of the vehicle, driver, passenger, or passengers; and, if so, whether it was with consent or by other means;
(6.2) whether or not a police dog performed a sniff of the vehicle; and, if so, whether or not the dog alerted to the presence of contraband; and, if so, whether or not an officer searched the vehicle; and, if so, whether or not contraband was discovered; and, if so, the type and amount of contraband;
(6.5) whether or not contraband was found during a search; and, if so, the type and amount of contraband seized; and
(7) the name and badge number of the issuing officer.

(b) Whenever a State or local law enforcement officer stops a motorist for an alleged violation of the Illinois Vehicle Code and does not issue a uniform traffic citation or warning citation for an alleged violation of the Illinois Vehicle Code, he or she shall complete a uniform stop card, which includes field contact cards, or any other existing form currently used by law enforcement containing information required pursuant to this Act, that records at least the following:

(1) the name, address, gender, and the officer's subjective determination of the race of the person stopped; the person's race shall be selected from the following list: American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, or White;
(2) the reason that led to the stop of the motorist;
(3) the make and year of the vehicle stopped;
(4) the date and time of the stop, beginning when the vehicle was stopped and ending when the driver is free to leave or taken into physical custody;
(5) the location of the traffic stop;
(5.5) whether or not a consent search contemporaneous to the stop was requested of the vehicle, driver, passenger, or passengers; and, if so, whether consent was given or denied;

(6) whether or not a search contemporaneous to the stop was conducted of the vehicle, driver, passenger, or passengers; and, if so, whether it was with consent or by other means;

(6.2) whether or not a police dog performed a sniff of the vehicle; and, if so, whether or not the dog alerted to the presence of contraband; and, if so, whether or not an officer searched the vehicle; and, if so, whether or not contraband was discovered; and, if so, the type and amount of contraband;

(6.5) whether or not contraband was found during a search; and, if so, the type and amount of contraband seized; and

(7) the name and badge number of the issuing officer.

c) The Illinois Department of Transportation shall provide a standardized law enforcement data compilation form on its website.

d) Every law enforcement agency shall, by March 1 with regard to data collected during July through December of the previous calendar year and by August 1 with regard to data collected during January through June of the current calendar year, compile the data described in subsections (a) and (b) on the standardized law enforcement data compilation form provided by the Illinois Department of Transportation and transmit the data to the Department.

e) The Illinois Department of Transportation shall analyze the data provided by law enforcement agencies required by this Section and submit a report of the previous year's findings to the Governor, the General Assembly, the Racial Profiling Prevention and Data Oversight Board, and each law enforcement agency no later than July 1 of each year. The Illinois Department of Transportation may contract with an outside entity for the analysis of the data provided. In analyzing the data collected under this Section, the analyzing entity shall scrutinize the data for evidence of statistically significant aberrations. The following list, which is illustrative, and not exclusive, contains examples of areas in which statistically significant aberrations may be found:

1) The percentage of minority drivers or passengers being stopped in a given area is substantially higher than the proportion of the overall population in or traveling through the area that the minority constitutes.

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(2) A substantial number of false stops including stops not resulting in the issuance of a traffic ticket or the making of an arrest.

(3) A disparity between the proportion of citations issued to minorities and proportion of minorities in the population.

(4) A disparity among the officers of the same law enforcement agency with regard to the number of minority drivers or passengers being stopped in a given area.

(5) A disparity between the frequency of searches performed on minority drivers and the frequency of searches performed on non-minority drivers.

(f) Any law enforcement officer identification information or driver identification information that is compiled by any law enforcement agency or the Illinois Department of Transportation pursuant to this Act for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided under Section 7 of the Freedom of Information Act, and the information shall not be transmitted to anyone except as needed to comply with this Section. This Section shall not exempt those materials that, prior to the effective date of this amendatory Act of the 93rd General Assembly, were available under the Freedom of Information Act. This subsection (f) shall not preclude law enforcement agencies from reviewing data to perform internal reviews.

(g) Funding to implement this Section shall come from federal highway safety funds available to Illinois, as directed by the Governor.

(h) The Illinois Department of Transportation, in consultation with law enforcement agencies, officials, and organizations, including Illinois chiefs of police, the Department of State Police, the Illinois Sheriffs Association, and the Chicago Police Department, and community groups and other experts, shall undertake a study to determine the best use of technology to collect, compile, and analyze the traffic stop statistical study data required by this Section. The Department shall report its findings and recommendations to the Governor and the General Assembly by March 1, 2004.

(h-5) For purposes of this Section:

(1) "American Indian or Alaska Native" means a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment.

(2) "Asian" means a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian

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subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

(3) "Black or African American" means a person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American".

(4) "Hispanic or Latino" means a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

(5) "Native Hawaiian or Other Pacific Islander" means a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

(6) "White" means a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

(i) This Section is repealed on July 1, 2019.

(Source: P.A. 96-658, eff. 1-1-10; 97-396, eff. 1-1-12; 97-469, eff. 7-1-12; 97-813, eff. 7-13-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved June 30, 2014.
Effective June 30, 2014.

PUBLIC ACT 98-0687
(House Bill No. 4663)

AN ACT concerning animals.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Animal Gastroenteritis Act is amended by changing Section 2 as follows:
(510 ILCS 15/2) (from Ch. 8, par. 204)
Sec. 2. The Director of Agriculture is authorized to establish within the Department an Advisory Committee to be known as the Swine Disease Control Committee. Such committee shall consist of 5 producers of swine, 2 representatives of general farm organizations in the State, one representative of general swine organizations in the State, one or more licensed practicing veterinarians, the State Veterinarian, the Director of the Galesburg Animal Disease Laboratory, the administrator of animal disease laboratories.

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programs the Dean of the College of Veterinary Medicine and the Dean of the College of Agriculture of the University of Illinois, the Dean of the College of Agricultural Science of Southern Illinois University, the Dean of the School of Agriculture of Western Illinois University, the Chair of the Department of Agriculture of the Illinois State University, the Director of Public Health, and the Chairman of the Senate Agriculture and Conservation and Energy Committee, and the Chairman of the House Agriculture and Conservation Committee. In the appointment of such committee, the Director shall consult with representative persons and recognized organizations in the respective fields concerning such appointments of producers and members of general farm organizations.

The Director is authorized to establish within the Department an advisory committee to be known as the Cattle Disease Control Research Committee. Such committee shall consist of 2 representatives of general farm organizations in the State, one representative of general cattle organizations in the State, the Dean of the College of Veterinary Medicine and the Dean of the College of Agriculture of the University of Illinois, the Dean of the College of Agricultural Science of Southern Illinois University, the Dean of the School of Agriculture of Western Illinois University, the Chair of the Department of Agriculture of the Illinois State University, the administrator of animal disease programs and the Director of Public Health, the Chairman of the Senate Agriculture and Conservation and Energy Committee, and the Chairman of the Senate Agriculture and Conservation Committee on Agriculture of the House. Eight additional members representing the following agricultural interests: feeder cattle, purebred beef cattle, dairy cattle and one or more licensed practicing veterinarians, the State Veterinarian, and the Director of the Galesburg Animal Disease Laboratory. In the appointment of such committee, the Director shall consult with representative persons and recognized organizations in the respective fields, producers and members of general farm organizations.

Meetings shall only occur in the event of a disease outbreak or other significant disease situation. The meetings shall be scheduled at the call of the members of the Committees shall receive no compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties concerning research projects to be undertaken, the priority of such research projects, and the administration of the committee.

Meetings shall only occur in the event of a disease outbreak or other significant disease situation. The meetings shall be scheduled at the call of the members of the Committees shall receive no compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties concerning research projects to be undertaken, the priority of such research projects, and the administration of the committee.
projects, the results of such research and the manner in which the results of
such research can be made available to best serve the livestock industry of the
State.

The Director may also consult with such committees concerning
problems arising in the administration of "An Act authorizing and providing
for a cooperative program between United States, state and local agencies,
public and private agencies and organizations and individuals for the control
of starlings, rodents and other injurious predatory animal and bird pests and
making an appropriation therefor", approved August 26, 1963.
(Source: P.A. 85-323.)

(510 ILCS 15/1 rep.)

Section 10. The Animal Gastroenteritis Act is amended by repealing
Section 1.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 1, 2014.
Approved June 30, 2014.
Effective June 30, 2014.

PUBLIC ACT 98-0688
(House Bill No. 4767)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:

Section 5. The School Code is amended by changing Section 21-5c
as follows:

(105 ILCS 5/21-5c)

(Section scheduled to be repealed on January 1, 2017)

(Text of Section before amendment by P.A. 98-603)

Sec. 21-5c. Alternative route to teacher certification. The State Board
of Education, in consultation with the State Teacher Certification Board, shall
establish and implement one or more alternative route to teacher certification
programs under which persons who meet the requirements of and
successfully complete the programs established by this Section shall be
issued an initial teaching certificate for teaching in schools in this State. The
State Board of Education may approve a course of study that persons in such
programs must successfully complete in order to satisfy one criterion for
issuance of a certificate under this Section. The Alternative Route to Teacher
Certification programs course of study must include content and skills
which

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have been approved by the State Board of Education, in consultation with the State Teacher Certification Board, as meeting the requirement for State teacher certification.

Programs established under this Section shall be known as Alternative Route to Teacher Certification programs. The programs may be offered by a university that offers 4-year baccalaureate and masters degree programs and that is a recognized institution as defined in Section 21B-105 of this Code, by one or more not-for-profit organizations in the State, or a combination thereof. The programs shall be comprised of the following 3 phases: (a) a course of study offered on an intensive basis in education theory, instructional methods, and practice teaching; (b) the person's assignment to a full-time teaching position for one school year, including the designation of a mentor teacher to advise and assist the person with that teaching assignment; and (c) a comprehensive assessment of the person's teaching performance by school officials and program participants and a recommendation by the program sponsor to the State Board of Education that the person be issued an initial teaching certificate. Successful completion of Alternative Route to Teacher Certification programs shall be deemed to satisfy any other practice or student teaching and subject matter requirements established by law.

A provisional alternative teaching certificate, valid for one year of teaching in the common schools and not renewable, shall be issued under this Section 21-5c to persons who at the time of applying for the provisional alternative teaching certificate under this Section:

(1) have graduated from an accredited college or university with a bachelor's degree;
(2) have been employed for a period of at least 5 years in an area requiring application of the individual's education;
(3) have successfully completed the first phase of the Alternative Teacher Certification program as provided in this Section; and
(4) have passed the tests of basic skills and subject matter knowledge required by Section 21-1a.

An initial teaching certificate, valid for teaching in the common schools, shall be issued under Section 21-3 or 21-5 to persons who first complete the requirements for the provisional alternative teaching certificate and who at the time of applying for an initial teaching certificate have successfully completed the second and third phases of the Alternative Route to Teacher Certification program as provided in this Section.
A person possessing a provisional alternative certificate or an initial teaching certificate earned under this Section shall be treated as a regularly certified teacher for purposes of compensation, benefits, and other terms and conditions of employment afforded teachers in the school who are members of a bargaining unit represented by an exclusive bargaining representative, if any.

The State Board of Education may adopt rules and regulations that are consistent with this Section and that the State Board deems necessary to establish and implement the program.

No one may be admitted to an alternative certification program under this Section after September 1, 2013, and those alternative certification candidates who are admitted on or before September 1, 2013 must complete their coursework the program before January 1, 2016, except that candidates admitted to an alternative certification program at Governors State University must be admitted on or before March 31, 2014, complete their coursework on or before August 31, 2015, and be entitled to certification on or before September 30, 2015. An alternative certification program at Governors State University shall provide the State Board of Education with the names of the candidates who will be eligible for certification under this exception.

This Section is repealed on January 1, 2016.

(Source: P.A. 97-607, eff. 8-26-11; 97-702, eff. 6-25-12; 98-38, eff. 6-28-13.)

Sec. 21-5c. Alternative route to teacher certification. The State Board of Education, in consultation with the State Teacher Certification Board, shall establish and implement one or more alternative route to teacher certification programs under which persons who meet the requirements of and successfully complete the programs established by this Section shall be issued an initial teaching certificate for teaching in schools in this State. The State Board of Education may approve a course of study that persons in such programs must successfully complete in order to satisfy one criterion for issuance of a certificate under this Section. The Alternative Route to Teacher Certification programs course of study must include content and skills which have been approved by the State Board of Education, in consultation with the State Teacher Certification Board, as meeting the requirement for State teacher certification.

Programs established under this Section shall be known as Alternative Route to Teacher Certification programs. The programs may be offered by a
university that offers 4-year baccalaureate and masters degree programs and that is a recognized institution as defined in Section 21B-105 of this Code, by one or more not-for-profit organizations in the State, or a combination thereof. The programs shall be comprised of the following 3 phases: (a) a course of study offered on an intensive basis in education theory, instructional methods, and practice teaching; (b) the person's assignment to a full-time teaching position for one school year, including the designation of a mentor teacher to advise and assist the person with that teaching assignment; and (c) a comprehensive assessment of the person's teaching performance by school officials and program participants and a recommendation by the program sponsor to the State Board of Education that the person be issued an initial teaching certificate. Successful completion of Alternative Route to Teacher Certification programs shall be deemed to satisfy any other practice or student teaching and subject matter requirements established by law.

A provisional alternative teaching certificate, valid for one year of teaching in the common schools and not renewable, shall be issued under this Section 21-5c to persons who at the time of applying for the provisional alternative teaching certificate under this Section:

(1) have graduated from an accredited college or university with a bachelor's degree;
(2) have been employed for a period of at least 5 years in an area requiring application of the individual's education;
(3) have successfully completed the first phase of the Alternative Teacher Certification program as provided in this Section; and
(4) have passed the tests of basic skills and subject matter knowledge required by Section 21-1a.

An initial teaching certificate, valid for teaching in the common schools, shall be issued under Section 21-3 or 21-5 to persons who first complete the requirements for the provisional alternative teaching certificate and who at the time of applying for an initial teaching certificate have successfully completed the second and third phases of the Alternative Route to Teacher Certification program as provided in this Section.

A person possessing a provisional alternative certificate or an initial teaching certificate earned under this Section shall be treated as a regularly certified teacher for purposes of compensation, benefits, and other terms and conditions of employment afforded teachers in the school who are members of a bargaining unit represented by an exclusive bargaining representative, if any.

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The State Board of Education may adopt rules and regulations that are consistent with this Section and that the State Board deems necessary to establish and implement the program.

No one may be admitted to an alternative certification program under this Section after September 1, 2014, and those alternative certification candidates who are admitted on or before September 1, 2014 must complete their coursework before January 1, 2016 and be entitled to certification on or before September 30, 2016. An alternative certification program shall provide the State Board of Education with the names of the candidates who will be eligible for certification.

This Section is repealed on January 1, 2017.

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

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved June 30, 2014.
Effective June 30, 2014.

PUBLIC ACT 98-0689
(House Bill No. 4781)

AN ACT concerning corrections.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 3. The School Code is amended by changing Section 13-45 as follows:
(105 ILCS 5/13-45) (from Ch. 122, par. 13-45)
Sec. 13-45. Other provisions of this Code shall not apply to the Department of Juvenile Justice School District being all of the following Articles and Sections: Articles 3, 3A, 4, 5, 6, 7, 8, and 9, those Sections of Article 10 in conflict with any provisions of Sections 13-40 through 13-45, and Articles 11, 12, 15, 17, 18, 19, 19A, 20, 22, 24, 24A, 26, 31, 32, 33, and 34. Also Article 28 shall not apply except that this School

New matter indicated by italics - deletions by strikeout
District may use any funds available from State, Federal and other funds for the purchase of textbooks, apparatus and equipment. (Source: P.A. 96-328, eff. 8-11-09.)

Section 5. The Unified Code of Corrections is amended by changing Sections 3-2.5-15 and 3-10-2 as follows:

(730 ILCS 5/3-2.5-15)
(Text of Section after amendment by P.A. 98-528)
Sec. 3-2.5-15. Department of Juvenile Justice; assumption of duties of the Juvenile Division.

(a) The Department of Juvenile Justice shall assume the rights, powers, duties, and responsibilities of the Juvenile Division of the Department of Corrections. Personnel, books, records, property, and unencumbered appropriations pertaining to the Juvenile Division of the Department of Corrections shall be transferred to the Department of Juvenile Justice on the effective date of this amendatory Act of the 94th General Assembly. Any rights of employees or the State under the Personnel Code or any other contract or plan shall be unaffected by this transfer.

(b) Department of Juvenile Justice personnel who are hired by the Department on or after the effective date of this amendatory Act of the 94th General Assembly and who participate or assist in the rehabilitative and vocational training of delinquent youths, supervise the daily activities involving direct and continuing responsibility for the youth's security, welfare and development, or participate in the personal rehabilitation of delinquent youth by training, supervising, and assisting lower level personnel who perform these duties must be over the age of 21 and have a bachelor's or advanced degree from an accredited college or university with a specialization in criminal justice, education, psychology, social work, or a closely related social science or other bachelor's or advanced degree with at least 2 years experience in the field of juvenile matters. This requirement shall not apply to security, clerical, food service, and maintenance staff that do not have direct and regular contact with youth. The degree requirements specified in this subsection (b) are not required of persons who provide vocational training and who have adequate knowledge in the skill for which they are providing the vocational training.

(c) Subsection (b) of this Section does not apply to personnel transferred to the Department of Juvenile Justice on the effective date of this amendatory Act of the 94th General Assembly.

(d) The Department shall be under the direction of the Director of Juvenile Justice as provided in this Code.
(e) The Director shall organize divisions within the Department and shall assign functions, powers, duties, and personnel as required by law. The Director may create other divisions and may assign other functions, powers, duties, and personnel as may be necessary or desirable to carry out the functions and responsibilities vested by law in the Department. The Director may, with the approval of the Office of the Governor, assign to and share functions, powers, duties, and personnel with other State agencies such that administrative services and administrative facilities are provided by a shared administrative service center. Where possible, shared services which impact youth should be done with child-serving agencies. These administrative services may include, but are not limited to, all of the following functions: budgeting, accounting related functions, auditing, human resources, legal, procurement, training, data collection and analysis, information technology, internal investigations, intelligence, legislative services, emergency response capability, statewide transportation services, and general office support.

(f) The Department of Juvenile Justice may enter into intergovernmental cooperation agreements under which minors adjudicated delinquent and committed to the Department of Juvenile Justice may participate in county juvenile impact incarceration programs established under Section 3-6039 of the Counties Code.

(g) The Department of Juvenile Justice must comply with the ethnic and racial background data collection procedures provided in Section 4.5 of the Criminal Identification Act.

(730 ILCS 5/3-10-2) (from Ch. 38, par. 1003-10-2)

Sec. 3-10-2. Examination of Persons Committed to the Department of Juvenile Justice.

(a) A person committed to the Department of Juvenile Justice shall be examined in regard to his medical, psychological, social, educational and vocational condition and history, including the use of alcohol and other drugs, the circumstances of his offense and any other information as the Department of Juvenile Justice may determine.

(a-5) Upon admission of a person committed to the Department of Juvenile Justice, the Department of Juvenile Justice must provide the person with appropriate information concerning HIV and AIDS in writing, verbally, or by video or other electronic means. The Department of Juvenile Justice shall develop the informational materials in consultation with the Department of Public Health. At the same time, the Department of Juvenile Justice also must offer the person the option of being tested, at no charge to the person,
for infection with human immunodeficiency virus (HIV). Pre-test information shall be provided to the committed person and informed consent obtained as required in subsection (d) of Section 3 and Section 5 of the AIDS Confidentiality Act. The Department of Juvenile Justice may conduct opt-out HIV testing as defined in Section 4 of the AIDS Confidentiality Act. If the Department conducts opt-out HIV testing, the Department shall place signs in English, Spanish and other languages as needed in multiple, highly visible locations in the area where HIV testing is conducted informing inmates that they will be tested for HIV unless they refuse, and refusal or acceptance of testing shall be documented in the inmate's medical record. The Department shall follow procedures established by the Department of Public Health to conduct HIV testing and testing to confirm positive HIV test results. All testing must be conducted by medical personnel, but pre-test and other information may be provided by committed persons who have received appropriate training. The Department, in conjunction with the Department of Public Health, shall develop a plan that complies with the AIDS Confidentiality Act to deliver confidentially all positive or negative HIV test results to inmates or former inmates. Nothing in this Section shall require the Department to offer HIV testing to an inmate who is known to be infected with HIV, or who has been tested for HIV within the previous 180 days and whose documented HIV test result is available to the Department electronically. The testing provided under this subsection (a-5) shall consist of a test approved by the Illinois Department of Public Health to determine the presence of HIV infection, based upon recommendations of the United States Centers for Disease Control and Prevention. If the test result is positive, a reliable supplemental test based upon recommendations of the United States Centers for Disease Control and Prevention shall be administered.

Also upon admission of a person committed to the Department of Juvenile Justice, the Department of Juvenile Justice must inform the person of the Department's obligation to provide the person with medical care.

(b) Based on its examination, the Department of Juvenile Justice may exercise the following powers in developing a treatment program of any person committed to the Department of Juvenile Justice:

(1) Require participation by him in vocational, physical, educational and corrective training and activities to return him to the community.

(2) Place him in any institution or facility of the Department of Juvenile Justice.

New matter indicated by italics - deletions by strikeout
(3) Order replacement or referral to the Parole and Pardon Board as often as it deems desirable. The Department of Juvenile Justice shall refer the person to the Parole and Pardon Board as required under Section 3-3-4.

(4) Enter into agreements with the Secretary of Human Services and the Director of Children and Family Services, with courts having probation officers, and with private agencies or institutions for separate care or special treatment of persons subject to the control of the Department of Juvenile Justice.

(c) The Department of Juvenile Justice shall make periodic reexamination of all persons under the control of the Department of Juvenile Justice to determine whether existing orders in individual cases should be modified or continued. This examination shall be made with respect to every person at least once annually.

(d) A record of the treatment decision including any modification thereof and the reason therefor, shall be part of the committed person's master record file.

(e) The Department of Juvenile Justice shall by certified mail and telephone or electronic message, return receipt requested, notify the parent, guardian or nearest relative of any person committed to the Department of Juvenile Justice of his or her physical location and any change thereof.

(Source: P.A. 97-244, eff. 8-4-11; 97-323, eff. 8-12-11; 97-813, eff. 7-13-12.)

Passed in the General Assembly May 29, 2014.
Approved June 30, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0690
(House Bill No. 5410)

AN ACT concerning public health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Lead Poisoning Prevention Act is amended by changing Sections 2, 3, 4, 5, 6, 6.01, 6.1, 6.2, 6.3, 7, 7.1, 7.2, 8, 8.1, 8.2, 9, 9.1, 9.4, 10, 11, 11.05, 11.1, 13, and 14 and by adding Sections 8.3 and 12.2 as follows:

(410 ILCS 45/2) (from Ch. 111 1/2, par. 1302)
Sec. 2. Definitions. As used in this Act:

New matter indicated by italics - deletions by strikeout
"Abatement" means the removal or encapsulation of all leadbearing substances in a residential building or dwelling unit.

"Child care facility" means any structure used by a child care provider licensed by the Department of Children and Family Services or public or private school structure frequented by children through 6 years of age or younger.

"Childhood Lead Risk Questionnaire" means the questionnaire developed by the Department for use by physicians and other health care providers to determine risk factors for children 6 years of age or younger residing in areas designated as low risk for lead exposure.

"Delegate agency" means a unit of local government or health department approved by the Department to carry out the provisions of this Act.

"Department" means the Department of Public Health of the State of Illinois.

"Director" means the Director of Public Health.

"Dwelling" means any structure all or part of which is designed or used for human habitation.

"Dwelling unit" means an individual unit within a residential building used as living quarters for one household.

"Elevated blood lead level" means a blood lead level in excess of those considered within the permissible limits as established under State and federal rules.

"Exposed surface" means any interior or exterior surface of a regulated facility.

"High risk area" means an area in the State determined by the Department to be high risk for lead exposure for children through 6 years of age or younger. The Department may consider, but is not limited to, the following factors to determine a high risk area: age and condition (using Department of Housing and Urban Development definitions of "slum" and "blighted") of housing, proximity to highway traffic or heavy local traffic or both, percentage of housing determined as rental or vacant, proximity to industry using lead, established incidence of elevated blood lead levels in children, percentage of population living below 200% of federal poverty guidelines, and number of children residing in the area who are 6 years of age or younger.

"Exposed surface" means any interior or exterior surface of a dwelling or residential building.

New matter indicated by italics - deletions by strikeout
"Lead abatement" means any approved work practices that will permanently eliminate lead exposure or remove the lead-bearing substances in a regulated facility. The Department shall establish by rule which work practices are approved or prohibited for lead abatement.

"Lead abatement contractor" means any person or entity licensed by the Department to perform lead abatement and mitigation.

"Lead abatement supervisor" means any person employed by a lead abatement contractor and licensed by the Department to perform lead abatement and lead mitigation and to supervise lead workers who perform lead abatement and lead mitigation.

"Lead abatement worker" means any person employed by a lead abatement contractor and licensed by the Department to perform lead abatement and mitigation.

"Lead activities" means the conduct of any lead services, including, lead inspection, lead risk assessment, lead mitigation, or lead abatement work or supervision in a regulated facility.

"Lead-bearing substance" means any item containing or coated with lead such that the lead content is more than six-hundredths of one percent (0.06%) lead by total weight; or any dust on surfaces or in furniture or other nonpermanent elements of the regulated facility dwelling; or any paint or other surface coating material containing more than five-tenths of one percent (0.5%) lead by total weight (calculated as lead metal) in the total non-volatile content of liquid paint; or lead-bearing substances containing greater than one milligram per square centimeter or any lower standard for lead content in residential paint as may be established by federal law or rule; or item or dust on item containing lead in excess of the amount specified in the rules and regulations authorized by this Act or a lower standard for lead content as may be established by federal law or rule. "Lead-bearing substance" does not include firearm ammunition or components as defined by the Firearm Owners Identification Card Act.

"Lead hazard" means a lead-bearing substance that poses an immediate health hazard to humans.

"Lead hazard screen" means a lead risk assessment that involves limited dust and paint sampling for lead-bearing substances and lead hazards. This service is used as a screening tool designed to determine if further lead investigative services are required for the regulated facility.

New matter indicated by italics - deletions by strikeout
"Lead inspection" means a surface-by-surface investigation to determine the presence of lead-based paint.

"Lead inspector" means an individual who has been trained by a Department-approved training program and is licensed by the Department to conduct lead inspections; to sample for the presence of lead in paint, dust, soil, and water; and to conduct compliance investigations.

"Lead mitigation" means the remediation, in a manner described in Section 9, of a lead hazard so that the lead-bearing substance does not pose an immediate health hazard to humans.

"Lead poisoning" means the condition of having blood lead levels in excess of those considered safe under State and federal rules and regulations.

"Low risk area" means an area in the State determined by the Department to be low risk for lead exposure for children through 6 years of age. The Department shall consider the factors named in "high risk area" to determine low risk areas.

"Mitigation" means the remediation, in a manner described in Section 9, of a lead hazard so that the lead bearing substance does not pose an immediate health hazard to humans.

"Lead risk assessment" means an on-site investigation to determine the existence, nature, severity, and location of lead hazards. "Lead risk assessment" includes any lead sampling and visual assessment associated with conducting a lead risk assessment and lead hazard screen and all lead sampling associated with compliance investigations.

"Lead risk assessor" means an individual who has been trained by a Department-approved training program and is licensed by the Department to conduct lead risk assessments, lead inspections, and lead hazard screens; to sample for the presence of lead in paint, dust, soil, water, and sources for lead-bearing substances; and to conduct compliance investigations.

"Lead training program provider" means any person providing Department-approved lead training in Illinois to individuals seeking licensure in accordance with the Act.

"Low risk area" means an area in the State determined by the Department to be low risk for lead exposure for children 6 years of age or younger. The Department may consider the factors named in "high risk area" to determine low risk areas.

"Owner" means any person, who alone, jointly, or severally with others:

New matter indicated by italics - deletions by strikeout
(a) Has legal title to any regulated facility dwelling or residential building, with or without accompanying actual possession of the regulated facility dwelling or residential building, or
(b) Has charge, care, or control of the regulated facility dwelling or residential building as owner or agent of the owner, or as executor, administrator, trustee, or guardian of the estate of the owner.

"Person" means any individual, partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, State agency, or any other legal entity, or their legal representative, agent, or assign one or more natural persons, legal entities, governmental bodies, or any combination.

"Regulated facility" means a residential building or child care facility.

"Residential building" means any room, group of rooms, or other interior areas of a structure designed or used for human habitation; common areas accessible by inhabitants; and the surrounding property or structures.

"Risk assessment" means a questionnaire to be developed by the Department for use by physicians and other health care providers to determine risk factors for children through 6 years of age residing in areas designated as low risk for lead exposure.

(3) Lead-bearing substances use. No person shall use or apply lead-bearing substances:
   (a) In or upon any exposed surface of a regulated facility dwelling or dwelling unit;
   (b) In or around the exposed surfaces of a child care facility or other structure frequented by children;
   (c) In or upon any fixtures or other objects used, installed, or located in or upon any exposed surface of a regulated facility dwelling or residential building, or child care facility, or intended to be so used, installed, or located and that, in the ordinary course of use, are accessible to or chewable by children;
   (d) In or upon any items, including, but not limited to, clothing, accessories, jewelry, decorative objects, edible items, candy, food, dietary supplements, toys, furniture, or other articles used by or intended to be chewable by children;

New matter indicated by italics - deletions by strikeout
(e) Within or upon a regulated facility residential building or dwelling, child care facility, school, playground, park, or recreational area, or other areas regularly frequented by children.
(Source: P.A. 94-879, eff. 6-20-06.)

(410 ILCS 45/4) (from Ch. 111 1/2, par. 1304)
Sec. 4. Sale of items containing lead-bearing lead bearing substance. No person shall sell, have, offer for sale, or transfer toys, furniture, clothing, accessories, jewelry, decorative objects, edible items, candy, food, dietary supplements, or other articles used by or intended to be chewable by children that contains a lead-bearing lead bearing substance.
(Source: P.A. 94-879, eff. 6-20-06.)

(410 ILCS 45/5) (from Ch. 111 1/2, par. 1305)
Sec. 5. Sale of objects containing lead-bearing lead bearing substance. No person shall sell or transfer or offer for sale or transfer any fixtures or other objects intended to be used, installed, or located in or upon any surface of a regulated facility dwelling or residential building, child care facility, that contains a lead-bearing lead bearing substance and that, in the ordinary course of use, are accessible to or chewable by children.
(Source: P.A. 94-879, eff. 6-20-06.)

(410 ILCS 45/6) (from Ch. 111 1/2, par. 1306)
Sec. 6. Warning statement.
(a) Definitions. As used in this Section:
"Body piercing jewelry" means any part of jewelry that is manufactured or sold for placement in a new piercing or a mucous membrane, but does not include any part of that jewelry that is not placed within a new piercing or a mucous membrane.
"Children's jewelry" means jewelry that is made for, marketed for use by, or marketed to children under the age of 12 and includes jewelry that meets any of the following conditions:

(1) represented in its packaging, display, or advertising as appropriate for use by children under the age of 12;
(2) sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children under the age of 12;
(3) sized for children and not intended for use by adults; or
(4) sold in any of the following places: a vending machine; a retail store, catalogue, or online Web site in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or a discrete portion of

New matter indicated by italics - deletions by strikeout
a retail store, catalogue, or online Web site in which a person offers for sale products that are packaged, displayed or advertised as appropriate for use by children.

"Child care article" means an item that is designed or intended by the manufacturer to facilitate the sleep, relaxation, or feeding of children under the age of 6 years of age or younger or to help with children under the age of 6 years of age or younger who are sucking or teething. An item meets this definition if it is (i) designed or intended to be used directly in the mouth by the child or (ii) is used to facilitate sleep, relaxation, or feeding of children under the age of 6 years of age or younger or help with children under the age of 6 years of age or younger who are sucking or teething and, because of its proximity to the child, is likely to be mouthed, chewed, sucked, or licked.

"Jewelry" means any of the following ornaments worn by a person:

(A) Ankle bracelet.
(B) Arm cuff.
(C) Bracelet.
(D) Brooch.
(E) Chain.
(F) Crown.
(G) Cuff link.
(H) Hair accessory.
(I) Earring.
(J) Necklace.
(K) Decorative pin.
(L) Ring.
(M) Body piercing jewelry.
(N) Jewelry placed in the mouth for display or ornament.
(O) Any charm, bead, chain, link, pendant, or other component of the items listed in this definition.
(P) A charm, bead, chain, link, pendant, or other attachment to shoes or clothing that can be removed and may be used as a component of an item listed in this definition.
(Q) A watch in which a timepiece is a component of an item listed in this definition, excluding the timepiece itself if the timepiece can be removed from the ornament.

"Toy containing paint" means a toy with an accessible component containing any external coating, including, but not limited to, paint, ink, lacquer, or screen printing, designed for or intended for use by children under the age of 12 at play. For the purposes of this Section, "toy" is any object

New matter indicated by italics - deletions by strikeout
designed, manufactured, or marketed as a plaything for children under the age of 12 and is excluded from the definitions of "child care article" and "jewelry". In determining whether a toy containing paint is designed for or intended for use by children under the age of 12, the following factors shall be considered:

(i) a statement by a manufacturer about the intended use of the product, including a label on the product, if such statement is reasonable;

(ii) whether the product is represented in its packaging, display, promotion, or advertising as appropriate for children under the age of 12; and

(iii) whether the product is commonly recognized by consumers as being intended for use by a child under the age of 12.

(b) Children's products. Effective January 1, 2010, no person, firm, or corporation shall sell, have, offer for sale, or transfer the items listed in this Section that contain a total lead content in any component part of the item that is more than 0.004% (40 parts per million) but less than 0.06% (600 parts per million) by total weight or a lower standard for lead content as may be established by federal or State law or rule regulation unless that item bears a warning statement that indicates that at least one component part of the item contains lead.

The warning statement for items covered under this subsection (b) shall contain at least the following: "WARNING: CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. COMPLIES WITH FEDERAL STANDARDS.".

An entity is in compliance with this subsection (b) if the warning statement is provided on the children's product or on the label on the immediate container of the children's product. This subsection (b) does not apply to any product for which federal law governs warning in a manner that preempts State authority.

The warning statement required under this subsection (b) is not required if the component parts of the item containing lead are inaccessible to a child through normal and reasonably foreseeable use and abuse as defined by the United States Consumer Product Safety Commission.

The warning statement required under this subsection (b) is not required if the component parts in question are exempt from third-party testing as determined by the United States Consumer Product Safety Commission.
(c) Other lead-bearing substance. No person, firm, or corporation shall have, offer for sale, sell, or give away any lead-bearing substance that may be used by the general public, except as otherwise provided in subsection (b) of this Section, unless it bears the warning statement as prescribed by federal rule regulation. (i) If no rule regulation is prescribed, the warning statement shall be as follows when the lead-bearing substance is a lead-based paint or surface coating: "WARNING--CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. See Other Cautions on (Side or Back) Panel. Do not apply on toys, or other children's articles, furniture, or interior, or exterior exposed surfaces of any residential building or facility that may be occupied or used by children. KEEP OUT OF THE REACH OF CHILDREN.". (ii) If no rule regulation is prescribed, the warning statement shall be as follows when the lead-bearing substance contains lead-based paint or a form of lead other than lead-based paint: "WARNING CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. MAY GENERATE DUST CONTAINING LEAD. KEEP OUT OF THE REACH OF CHILDREN.".

For the purposes of this subsection (c), the generic term of a product, such as "paint" may be substituted for the word "substance" in the above labeling.

(d) The warning statements on items covered in subsections (a), (b), and (c) of this Section shall be in accordance with, or substantially similar to, the following:

1. the statement shall be located in a prominent place on the item or package such that consumers are likely to see the statement when it is examined under retail conditions;
2. the statement shall be conspicuous and not obscured by other written matter;
3. the statement shall be legible; and
4. the statement shall contrast with the typography, layout and color of the other printed matter.

Compliance with 16 C.F.R. 1500.121 adopted under the Federal Hazardous Substances Act constitutes compliance with this subsection (d).

(e) The manufacturer or importer of record shall be responsible for compliance with this Section.

(f) Subsection (c) of this Section does not apply to any component part of a consumer electronic product, including, but not limited to, personal computers, audio and video equipment, calculators, wireless phones, game consoles, and handheld devices incorporating a video screen used to access

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interactive software and their associated peripherals, that is not accessible to a child through normal and reasonably foreseeable use of the product. A component part is not accessible under this subsection (f) if the component part is not physically exposed by reason of a sealed covering or casing and does not become physically exposed through reasonably foreseeable use and abuse of the product. Paint, coatings, and electroplating, singularly or in any combination, are not sufficient to constitute a sealed covering or casing for purposes of this Section. Coatings and electroplating are sufficient to constitute a sealed covering for connectors, power cords, USB cables, or other similar devices or components used in consumer electronics products.

(Source: P.A. 97-612, eff. 1-1-12.)

(410 ILCS 45/6.01)

Sec. 6.01. Warning statement where supplies sold.

(a) Any retailer, store, or commercial establishment that offers paint or other supplies intended for the removal of paint shall display, in a prominent and easily visible location, a poster containing, at a minimum, the following:

(1) a statement that dry sanding and dry scraping of paint in regulated facilities dwellings built before 1978 is dangerous;
(2) a statement that the improper removal of old paint is a significant source of lead dust and the primary cause of lead poisoning; and
(3) contact information where consumers can obtain more information.

(b) The Department shall provide sample posters and brochures that commercial establishments may use. The Department shall make these posters and brochures available in hard copy and via download from the Department's Internet website.

(c) A commercial establishment shall be deemed to be in compliance with this Section if the commercial establishment displays lead poisoning prevention posters or provides brochures to its customers that meet the minimum requirements of this Section but come from a source other than the Department.

(Source: P.A. 94-879, eff. 6-20-06.)

(410 ILCS 45/6.1) (from Ch. 111 1/2, par. 1306.1)

Sec. 6.1. Removal of leaded soil. The Department shall, in consultation with the Illinois Environmental Protection Agency IEPA, specify safety guidelines for workers undertaking removal or covering of leaded soil.

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Soil inspection requirements shall apply to inspection of \textit{regulated residential buildings or child care} facilities subject to the requirements of this Section. (Source: P.A. 87-175.)

(410 ILCS 45/6.2) (from Ch. 111 1/2, par. 1306.2)

\textbf{Sec. 6.2. Testing Physicians to screen children and pregnant persons.}

(a) \textit{Any} Every physician licensed to practice medicine in all its branches or health care provider who sees or treats children and pregnant persons shall screen children 6 months through 6 years of age or younger shall test those children for lead poisoning when those children who are determined to reside in an area defined as high risk by the Department. Children residing in areas defined as low risk by the Department shall be evaluated assessed for risk by the \textit{Childhood Lead Risk Questionnaire}, a risk assessment procedure developed by the Department and tested if indicated. Children shall be evaluated screened; in accordance with rules adopted by the Department guidelines and criteria set forth by the American Academy of Pediatrics, at the priority intervals and using the methods specified in the guidelines.

(b) Each licensed, registered, or approved health care facility serving children from 6 months through 6 years of age or younger, including but not limited to, health departments, hospitals, clinics, and health maintenance organizations approved, registered, or licensed by the Department, shall take the appropriate steps to ensure that children 6 years of age or younger be evaluated for risk or tested for the patients receive lead poisoning or both screening, where medically indicated or appropriate.

(c) Children 7 6 years and older and pregnant persons may also be tested screened by physicians or health care providers, in accordance with rules adopted by the Department guidelines and criteria set forth by the American Academy of Pediatrics, according to the priority intervals specified in the guidelines. Physicians and health care providers shall also evaluate screen children for lead poisoning in conjunction with the school health examination, as required under the School Code, when, in the medical judgement of the physician, advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advance practice nurse to perform health examinations, or physician assistant who has been delegated to perform health examinations by the supervising physician, the child is potentially at high risk of lead poisoning.

(d) (Blank). Nothing in this Section shall be construed to require any child to undergo a lead blood level screening or test whose parent or guardian objects on the grounds that the screening or test conflicts with his or her religious beliefs.

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Sec. 6.3. Information provided by the Department of Healthcare and Family Services.

(a) The Director of Healthcare and Family Services shall provide, upon request of the Director of Public Health, an electronic record of all children 6 less than 7 years of age or younger who receive Medicaid, Kidcare, or other health care benefits from the Department of Healthcare and Family Services. The records shall include a history of claims filed for each child and the health care provider who rendered the services. On at least an annual basis, the Director of Public Health shall match the records provided by the Department of Healthcare and Family Services with the records of children receiving lead tests, as reported to the Department under Section 7 of this Act.

(b) The Director of Healthcare and Family Services shall prepare a report documenting the frequency of lead testing and elevated blood and lead levels among children receiving benefits from the Department of Healthcare and Family Services. On at least an annual basis, the Director of Healthcare and Family Services shall prepare and deliver a report to each health care provider who has rendered services to children receiving benefits from the Department of Healthcare and Family Services. The report shall contain the aggregate number of children receiving benefits from the Department of Healthcare and Family Services to whom the provider has provided services, the number and percentage of children tested for lead poisoning, and the number and percentage of children having an elevated blood lead level. The Department of Public Health may exclude health care providers who provide specialized or emergency medical care and who are unlikely to be the primary medical care provider for a child. Upon the request of a provider, the Department of Public Health may generate a list of individual patients treated by that provider according to the claims records and the patients' lead test results.

Sec. 7. Reports of lead poisoning required; lead information to remain confidential; disclosure prohibited. Every physician who diagnoses, or a health care provider, nurse, hospital administrator, or public health officer who has verified information of the existence of a blood lead test result for any child or pregnant person shall report the result to the Department. Results person found or suspected to have a level of lead in the

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blood in excess of the permissible limits set forth in rules regulations adopted by the Department shall be reported to the Department; within 48 hours of receipt of verification. Reports shall include report to the Department the name, address, laboratory results, date of birth, and any other information about the child or pregnant person deemed essential by the Department. Directors of clinical laboratories must report to the Department, within 48 hours of receipt of verification, positive results of all blood lead analyses above permissible limits set forth in rule performed in their facility. The information included in the clinical laboratories report shall include, but not be limited to, the child's name, address, date of birth, name of physician ordering analysis, and specimen type. All blood lead levels less than the permissible limits set forth in rule negative results must be reported to the Department in accordance with rules adopted by the Department. These rules shall not require reporting in less than 30 days after the end of the month in which the negative results are obtained. All information obtained by the Department from any source and all information, data, reports, e-mails, letters, and other documents generated by the Department or any of its delegate agencies concerning any person subject to this Act receiving a blood lead test reports shall be treated in the same manner as information subject to the provisions of Part 21 of Article VIII of the Code of Civil Procedure and shall not be disclosed. This prohibition on disclosure extends to all information and reports obtained or created by the Department or any of its delegate agencies concerning any regulated facility that has been identified as a potential lead hazard or a source of lead poisoning. This prohibition on disclosure does not prevent the Department or its delegates from using any information it obtains civilly, criminally, or administratively to prosecute any person who violates this Act, nor does it prevent the Department or its delegates from disclosing any certificate of compliance, notice, or mitigation order issued pursuant to this Act. Any physician, nurse, hospital administrator, director of a clinical laboratory, public health officer, or allied health professional making a report in good faith shall be immune from any civil or criminal liability that otherwise might be incurred from the making of a report.

(Source: P.A. 89-381, eff. 8-18-95; 90-182, eff. 1-1-98.)

(410 ILCS 45/7.1) (from Ch. 111 1/2, par. 1307.1)

Sec. 7.1. Requirements for child care facilities. Child care facilities must require lead blood level screening for admission. Each day care center, day care home, preschool, nursery school, kindergarten, or other child care facility, licensed or approved by the State, including such programs

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operated by a public school district, shall include a requirement that each parent or legal guardian of a child between one and 7 years of age provide a statement from a physician or health care provider that the child has been assessed for risk of lead poisoning or tested or both, as provided in Section 6.2, if the child resides in an area defined as low risk by the Department, or screened for lead poisoning as provided for in Section 6.2, if the child resides in an area defined as high risk. This statement shall be provided prior to admission and subsequently in conjunction with required physical examinations.

Nothing in this Section shall be construed to require any child to undergo a lead blood level screening or test whose parent or guardian objects on the grounds that the screening or test conflicts with his or her religious beliefs.

Child care facilities that participate in the Illinois Child Care Assistance Program (CCAP) shall annually send or deliver to the parents or guardians of children enrolled in the facility's care an informational pamphlet regarding awareness of lead paint poisoning. Pamphlets shall be produced and made available by the Department and shall be downloadable from the Department's Internet website. The Department of Human Services and the Department of Public Health shall assist in the distribution of the pamphlet.

(Source: P.A. 94-879, eff. 6-20-06.)

(410 ILCS 45/7.2) (from Ch. 111 1/2, par. 1307.2)
Sec. 7.2. Fees; reimbursement. Laboratory fees for blood lead screening; Lead Poisoning Fund.

(a) The Department may establish fees according to a reasonable fee structure to cover the cost of providing a testing service for laboratory analysis of blood lead tests and any necessary follow-up. Fees collected from the Department's testing service shall be placed in a special fund in the State treasury known as the Lead Poisoning Screening, Prevention, and Abatement Fund. Other State and federal funds for expenses related to lead poisoning screening, follow-up, treatment, and abatement programs may also be placed in the Fund. Moneys shall be appropriated from the Fund to the Department of Public Health solely for the purposes of providing lead screening, follow-up, and treatment programs.

(b) The Department shall certify, as required by the Department of Healthcare and Family Services, any non-reimbursed public expenditures for all approved lead testing and evaluation activities for Medicaid-eligible children expended by the Department from the non-federal portion of funds, including, but not limited to, assessment of home, physical, and family

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environments; comprehensive environmental lead investigation; and laboratory services for Medicaid-eligible children. The Department of Healthcare and Family Services shall provide appropriate Current Procedural Terminology (CPT) Codes for all billable services and claim federal financial participation for the properly certified public expenditures submitted to it by the Department. Any federal financial participation revenue received pursuant to this Act shall be deposited in the Lead Poisoning Screening, Prevention, and Abatement Fund.

c) Any delegate agency may establish fees, according to a reasonable fee structure, to cover the costs of drawing blood for blood lead testing and evaluation screening and any necessary follow-up.

(Source: P.A. 87-175.)

(410 ILCS 45/8) (from Ch. 111 1/2, par. 1308)

Sec. 8. Inspection of dwelling units buildings occupied or previously occupied by a person with an elevated blood lead level screening positive. A representative of the Department, or delegate agency, shall may, after notification that an occupant of a regulated facility the dwelling unit in question is found to have an elevated blood lead level as value of the value set forth in Section 7, upon presentation of the appropriate credentials to the owner, occupant, or his representative, inspect the affected dwelling units dwelling or dwelling units, at reasonable times, for the purposes of ascertaining that all surfaces accessible to children are intact and in good repair, and for purposes of ascertaining the existence of lead-bearing lead bearing substances. Such representative of the Department, or delegate agency, may remove samples or objects necessary for laboratory analysis, in the determination of the presence of lead-bearing substances in the regulated facilities designated dwelling or dwelling unit.

If a regulated facility building is occupied by a child of less than 3 years of age with an elevated blood lead level screening positive, the Department, in addition to all other requirements of this Section, must inspect the dwelling unit and common place area of the child with an elevated blood lead level screening positive.

Following the inspection, the Department or its delegate agency shall:

(1) Prepare an inspection report which shall:

(A) State the address of the dwelling unit.
(B) Describe the scope of the inspection, the inspection procedures used, and the method of ascertaining the existence of a lead-bearing lead bearing substance in the dwelling unit.

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(C) State whether any lead-bearing lead-bearing substances were found in the dwelling unit.

(D) Describe the nature, extent, and location of any lead-bearing lead-bearing substance that is found.

(E) State either that a lead hazard does exist or that a lead hazard does not exist. If a lead hazard does exist, the report shall describe the source, nature and location of the lead hazard. The existence of intact lead paint does not alone constitute a lead hazard for the purposes of this Section.

(F) Give the name of the person who conducted the inspection and the person to contact for further information regarding the inspection and the requirements of this Act.

(2) Mail or otherwise provide a copy of the inspection report to the property owner and to the occupants of the dwelling unit. If a lead-bearing lead-bearing substance is found, at the time of providing a copy of the inspection report, the Department or its delegate agency shall attach an informational brochure.

(Source: P.A. 94-879, eff. 6-20-06.)

(410 ILCS 45/8.1) (from Ch. 111 1/2, par. 1308.1)

Sec. 8.1. Licensing of lead inspectors and lead risk assessors.

(a) By January 1, 1994, the Department shall establish standards and licensing procedures for lead inspectors and lead risk assessors. An integral element of these procedures shall be an education and training program prescribed by the Department which shall include but not be limited to scientific sampling, chemistry, and construction techniques. No person shall make inspections or risk assessments without first being licensed by the Department. The penalty for inspection or risk assessment without a license shall be a Class A misdemeanor and an administrative fine.

(b) The Department shall charge licensed lead inspectors and lead risk assessors reasonable license fees and the fees shall be placed in the Lead Poisoning Screening, Prevention, and Abatement Fund and used to fund the Department's licensing of lead inspectors and lead risk assessors and any other activities prescribed by this Act. A licensed lead inspector or lead risk assessor employed by the Department or its delegate agency shall not be charged a license fee.

(Source: P.A. 87-175.)

(410 ILCS 45/8.2) (from Ch. 111 1/2, par. 1308.2)

Sec. 8.2. Warrant procedures. If the occupant of a regulated facility residential building or dwelling designated for inspection under Section 8

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refuses to allow inspection, an agent of the Department or of the
Department's delegate agency may apply for a search warrant to permit entry.
A court may issue a warrant upon receiving verification a showing that a
victim of lead poisoning resides or has recently resided in the regulated
facility during the previous 6 months residential building. The findings of the
inspection shall be reported to the Department and to the appropriate
enforcement authorities established in this Act.
(Source: P.A. 87-175.)

(410 ILCS 45/8.3 new)

Sec. 8.3. Stop work orders. Whenever the Department or its delegate
agency finds that a situation exists that requires immediate action to protect
the public health, it may, without notice or hearing, issue an order requiring
that such action be taken as it may deem necessary to protect the public
health, including, but not limited to, the issuance of a stop work order,
ordering the immediate suspension of any improper activities that may
disturb a lead-bearing surface, and requiring that any person found to be
improperly conducting such activities immediately cease work.
Notwithstanding any other provision in this Act, such order shall be effective
immediately. The Attorney General, State's Attorney, or Sheriff of the county
in which the property is located has authority to enforce the order after
receiving notice thereof. Any person subject to such an order is entitled, upon
written request to the Department, to a hearing to determine the continued
validity of the order.

(410 ILCS 45/9) (from Ch. 111 1/2, par. 1309)

Sec. 9. Procedures upon determination of lead hazard.

(1) If the inspection report identifies a lead hazard, the Department or
delegate agency shall serve a mitigation notice on the property owner that the
owner is required to mitigate the lead hazard, and shall indicate the time
period specified in this Section in which the owner must complete the
mitigation. The notice shall include information describing mitigation
activities which meet the requirements of this Act.

(2) If the inspection report identifies a lead hazard, the owner shall
mitigate the lead hazard in a manner prescribed by the Department and within
the time limit prescribed by this Section. The Department shall adopt rules
regarding acceptable methods of mitigating a lead hazard. If the source of the
lead hazard identified in the inspection report is lead paint or any other lead-
bearing leadeed surface coating, the lead hazard shall be deemed to have been mitigated if:

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(A) the surface identified as the source of the lead hazard is no longer in a condition that produces a hazardous level of lead leaved chips, flakes, dust or any other form of lead-bearing leaved substance, that can be ingested or inhaled by humans, or;

(B) if the surface identified as the source of the lead hazard is no longer accessible to children and could not reasonably be chewed on by children; or, the surface coating is either removed or covered, the surface is removed, or the access to the leaded surface by children is otherwise prevented as prescribed by the Department.

(C) the surface coating identified as the source of the lead hazard is either removed or covered, or child access to the lead-bearing surface is otherwise prevented as prescribed by the Department.

(3) Mitigation activities which involve the destruction or disturbance of any lead-bearing leaded surface shall be conducted by a licensed lead abatement contractor using licensed lead abatement supervisors or lead abatement workers. The Department may prescribe by rule mitigation activities that may be performed without a licensed lead abatement contractor, lead abatement supervisor, or lead abatement worker. The Department may, on a case by case basis, grant a waiver of the requirement to use licensed lead abatement contractors, lead abatement supervisors, and lead abatement workers, provided the waiver does not endanger the health or safety of humans.

(4) The Department shall establish procedures whereby an owner, after receiving a mitigation notice under this Section, may submit a mitigation plan to the Department or delegate agency for review and approval.

(5) When a mitigation notice is issued for a dwelling unit inspected as a result of an elevated blood lead level in a pregnant person woman or a child, or if the dwelling unit is occupied by a child under 6 years of age or younger or a pregnant person woman, the owner shall mitigate the hazard within 30 days of receiving the notice; when no such child or pregnant person occupies the dwelling unit otherwise, the owner shall complete the mitigation within 90 days.

(6) An owner may apply to the Department or its delegate agency for an extension of the deadline for mitigation. If the Department or its delegate agency determines that the owner is making substantial progress toward mitigation, or that the failure to meet the deadline is the result of a shortage of licensed lead abatement contractors, lead abatement supervisors, or lead abatement workers, the owner shall submit a mitigation plan to the Department.
abatement workers, or that the failure to meet the deadline is because the owner is awaiting the review and approval of a mitigation plan, the Department or delegate agency may grant an extension of the deadline.

(7) The Department or its delegate agency may, after the deadline set for completion of mitigation, conduct a follow-up inspection of any dwelling unit for which a mitigation notice was issued for the purpose of determining whether the mitigation actions required have been completed and whether the activities have sufficiently mitigated the lead hazard as provided under this Section. The Department or its delegate agency may conduct a follow-up inspection upon the request of an owner or resident. If, upon completing the follow-up inspection, the Department or its delegate agency finds that the lead hazard for which the mitigation notice was issued is not mitigated, the Department or its delegate agency shall serve the owner with notice of the deficiency and a mitigation order. The order shall indicate the specific actions the owner must take to comply with the mitigation requirements of this Act, which may include lead abatement if lead abatement is the sole means by which the lead hazard can be mitigated. The order shall also include the date by which the mitigation shall be completed. If, upon completing the follow-up inspection, the Department or delegate agency finds that the mitigation requirements of this Act have been satisfied, the Department or delegate agency shall provide the owner with a certificate of compliance stating that the required mitigation has been accomplished.

(Source: P.A. 87-175; 87-1144.)

(410 ILCS 45/9.1) (from Ch. 111 1/2, par. 1309.1)

Sec. 9.1. Owner's obligation to give notice. An owner of a regulated facility dwelling unit or residential building who has received a mitigation notice under Section 9 of this Act shall, before entering into a new lease agreement or sales contract for the dwelling unit for which the mitigation notice was issued, provide prospective lessees or purchasers of that unit with written notice that a lead hazard has previously been identified in the dwelling unit, unless the owner has obtained a certificate of compliance for the unit under Section 9. An owner may satisfy this notice requirement by providing the prospective lessee or purchaser with a copy of the inspection report prepared pursuant to Section 9.

Before entering into a residential lease agreement or sales contract, all owners of regulated facilities containing dwelling units or residential buildings or dwelling units built before 1978 shall give prospective lessees or purchasers information on the potential health hazards posed by lead in regulated facilities or residential dwellings by providing the prospective lessees

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or purchasers lessee with a copy of an informational brochure prepared by the Department. Within one year of the effective date of this amendatory Act of 1992; owners of residential buildings or dwelling units built before 1978 shall provide current lessees with such brochure.

(Source: P.A. 87-1144.)

(410 ILCS 45/9.4)

Sec. 9.4. Owner's obligation to post notice. The owner of a regulated facility dwelling unit or residential building who has received a mitigation notice under Section 9 of this Act shall post notices at all entrances to in common areas of the regulated facility building specifying the identified lead hazards. The posted notices, drafted by the Department and sent to the property owner with the notification of lead hazards, shall indicate the following:

(1) that a unit or units in the building have been found to have lead hazards;
(2) that other units in the building may have lead hazards;
(3) that the Department recommends that children 6 years of age or younger receive a blood lead testing screening;
(4) where to seek further information; and
(5) whether 2 or more mitigation notices have been issued for the regulated facility 2 or more dwelling units within a 5-year period of time.

Once the owner has complied with a mitigation notice or mitigation order issued by the Department, the owner may remove the notices posted pursuant to this Section.

(Source: P.A. 94-879, eff. 6-20-06.)

(410 ILCS 45/10) (from Ch. 111 1/2, par. 1310)

Sec. 10. The Department, or representative of a unit of local government or health department approved by the Department for this purpose, shall report any violation of this Act to the State's Attorney of the county in which the regulated facility dwelling is located. The State's Attorney who has then the authority to charge the owner with a Class A misdemeanor, and who shall take additional measures to ensure that rent is withheld from the owner by the occupants of the dwelling or dwelling units affected, until the mitigation requirements under Section 9 of this Act are complied with.

No tenant shall be evicted because an individual with an elevated blood lead level or with suspected lead poisoning resides in the dwelling unit, or because rent is withheld under the provisions of this Act, or because of any

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action required of the dwelling owner of the regulated facility as a result of enforcement of this Act.

In cases where no action is taken which will result in the remedy of the hazard created by the lead-bearing substances within the stated time period, the local health officer and the local building officials may as practical utilize such community resources as are available to effect the relocation of the individuals who occupied the dwelling or dwelling unit affected until the remedy is made by the owner.

(Source: P.A. 87-175; 87-1144.)

(410 ILCS 45/11) (from Ch. 111 1/2, par. 1311)

Sec. 11. Lead abatement; Manner of mitigation of lead hazards. All lead abatement and lead mitigation shall be accomplished in a manner prescribed by the Department, which will not endanger the health or well-being of residential building or dwelling unit occupants of regulated facilities, and will result in the safe removal from the premises, and the safe disposition, of flakes, chips, debris, dust, and other potentially harmful materials. The Department shall establish, by rule, work practice requirements for lead abatement and lead mitigation.

(Source: P.A. 87-175; 87-1144; 88-670, eff. 12-2-94.)

(410 ILCS 45/11.05)

Sec. 11.05. Advisory Council.

(a) The General Assembly finds the following:

(1) Lead-based paint poisoning is a potentially devastating but preventable disease and is the number one environmental threat to children's health in the United States.

(2) The number of lead-poisoned children in Illinois is among the highest in the nation, especially in older, affordable properties.

(3) Lead poisoning causes irreversible damage to the development of a child's nervous system. Even at low and moderate levels, lead poisoning causes learning disabilities, speech problems, shortened attention span, hyperactivity, and behavioral problems. Recent research links high levels of lead exposure to lower IQ scores and to juvenile delinquency.

(4) Older housing is the number one risk factor for childhood lead poisoning. Properties built before 1950 are statistically much more likely to contain lead-based paint hazards than buildings constructed more recently.

(5) Illinois ranks 10th out of the 50 states in the age of its housing stock. More than 50% of the housing units in Chicago and in

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Rock Island, Peoria, Macon, Madison, and Kankakee counties were built before 1960 and more than 43% of the housing units in St. Clair, Winnebago, Sangamon, Kane, and Cook counties were built before 1950.

(6) There are nearly 1.4 million households with lead-based paint hazards in Illinois.

(7) Most children are lead-poisoned in their own homes through exposure to lead dust from deteriorated lead-paint surfaces, like windows, and when lead paint deteriorates or is disturbed through home renovation and repainting.

(8) The control of lead hazards significantly reduces lead poisoning rates. Other communities, including New York City and Milwaukee, have successfully reduced lead poisoning rates by removing lead-based paint hazards on windows.

(9) Windows are considered a higher lead exposure risk more often than other components in a housing unit. Windows are a major contributor of lead dust in the home, due to both weathering conditions and friction effects on paint.

(10) There is an insufficient pool of licensed lead abatement workers and contractors to address the problem in some areas of the State.

(11) Training, insurance, and licensing costs for lead removal workers are prohibitively high.

(12) Through grants from the United States Department of Housing and Urban Development, some communities in Illinois have begun to reduce lead poisoning of children. While this is an ongoing effort, it addresses only a small number of the low-income children statewide in communities with high levels of lead paint in the housing stock.

(b) For purposes of this Section:
"Advisory Council" means the Lead-Safe Housing Advisory Council created under subsection (c).
"Lead-Safe Housing Maintenance Standards" or "Standards" means standards developed by the Advisory Council pursuant to this Section.
"Low-income" means a household at or below 80% of the median income level for a given county as determined annually by the United States Department of Housing and Urban Development.
"Primary prevention" means removing lead hazards before a child is poisoned rather than relying on identification of a lead poisoned child as the triggering event.

(c) The Lead-Safe Housing Advisory Council is created to advise the Department on lead poisoning prevention activities. The Advisory Council shall be chaired by the Director or his or her designee and the chair of the Illinois Lead Safe Housing Task Force and provided with administrative support by the Department. The Advisory Council shall be comprised of (i) the directors, or their designees, of the Illinois Housing Development Authority and the Environmental Protection Agency; and (ii) the directors, or their designees, of public health departments of counties identified by the Department that contain communities with a concentration of high-risk, lead-contaminated properties.

The Advisory Council shall also include the following members appointed by the Governor:

(1) One representative from the Illinois Association of Realtors.

(2) One representative from the insurance industry.

(3) Two pediatricians or other physicians with knowledge of lead-paint poisoning.

(4) Two representatives from the private-sector, lead abatement industry who are licensed in Illinois as a lead abatement contractor, lead abatement supervisor, lead abatement worker, lead inspector, or lead risk assessor.

(5) Two representatives from community based organizations in communities with a concentration of high risk lead contaminated properties. High-risk communities shall be identified based upon the prevalence of low-income families whose children are lead poisoned and the age of the housing stock.

(6) At least 3 lead-safe housing advocates, including (i) the parent of a lead-poisoned child, (ii) a representative from a child advocacy organization, and (iii) a representative from a tenant housing organization.

(7) One representative from the Illinois paint and coatings industry.

Within 9 months after its formation, the Advisory Council shall submit a written report to the Governor and the General Assembly on:

(1) developing a primary prevention program for addressing lead poisoning;

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(2) developing a sufficient pool of lead abatement workers and contractors;
(3) targeting blood lead testing for screening to children residing in high-risk buildings and neighborhoods;
(4) ensuring lead-safe work practices in all remodeling, rehabilitation, and weatherization work;
(5) funding mechanisms to assist residential property owners in costs of lead abatement and mitigation;
(6) providing insurance subsidies to licensed lead abatement contractors who target their work to high-risk communities; and
(7) developing any necessary legislation or rulemaking to improve the effectiveness of State and local programs in lead abatement and other prevention and control activities.

The Advisory Council shall develop handbooks and training for property owners and tenants explaining the Standards and State and federal requirements for lead-safe housing.

The Advisory Council shall meet at least quarterly. Its members shall receive no compensation for their services, but their reasonable travel expenses actually incurred shall be reimbursed by the Department.

(Source: P.A. 93-348, eff. 1-1-04; 93-789, eff. 7-22-04.)

Sec. 11.1. Licensing of lead abatement contractors, lead abatement supervisors, and lead abatement workers. Except as otherwise provided in this Act, performing lead abatement or mitigation without a license is a Class A misdemeanor and is also subject to civil and administrative penalties. The Department shall provide by rule for the licensing of lead abatement contractors, lead abatement supervisors, and lead abatement workers and shall establish rules standards and procedures for the licensure. The Department may collect a reasonable fee for the licenses. The fees shall be deposited into the Lead Poisoning Screening, Prevention, and Abatement Fund and used by the Department for the costs of licensing lead abatement contractors and workers and other activities prescribed by this Act.

The Department shall promote and encourage minorities and females and minority and female owned entities to apply for licensure under this Act as either licensed lead abatement workers or licensed lead abatement contractors.

The Department may adopt any rules necessary to ensure proper implementation and administration of this Act and of the federal Toxic Substances Control Act, 15 USC 2682 and 2684, and the rules adopted

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regulations promulgated thereunder: Lead; Requirements for Lead-Based Paint Activities (40 CFR 745). The application of this Section shall not be limited to the activities taken in regard to lead poisoned children and shall include all activities related to lead abatement, mitigation and training.

No person may act as a lead abatement contractor unless the person is licensed as a lead abatement contractor by the Department in accordance with this Act and the rules adopted under it.

No person may act as a lead abatement supervisor unless the person is licensed as a lead abatement supervisor by the Department in accordance with this Act and the rules adopted under it.

No person may act as a lead abatement worker unless the person is licensed as a lead abatement worker by the Department in accordance with this Act and the rules adopted under it.

Except as otherwise provided by Department rule, on and after the effective date of this amendatory Act of the 98th General Assembly, any licensing requirement adopted pursuant to this Section that may be satisfied by an industrial hygienist licensed pursuant to the Industrial Hygienists Licensure Act repealed in this amendatory Act may be satisfied by a Certified Industrial Hygienist certified by the American Board of Industrial Hygiene.

(Source: P.A. 98-78, eff. 7-15-13.)

(410 ILCS 45/12.2 new)

Sec. 12.2. Violations and enforcement.

(a) The following provisions shall apply concerning criminal sanctions:

(1) Violation of any Section of this Act other than Section 6.01 or Section 7 shall be punishable as a Class A misdemeanor. A violation of Section 6.01 shall cause the Department to issue a written warning for a first offense and shall be a petty offense for a second or subsequent offense if the violation occurs at the same location within 12 months after the first offense.

(2) Any person who knowingly violates this Act or the rules adopted by the Department or who knowingly violates any determination or order of the Department under this Act shall be guilty of a Class 4 felony. A person who, after being convicted under this paragraph, knowingly violates this paragraph a second or subsequent time commits a Class 3 felony.

(3) Any person who knowingly makes a false statement, orally or in writing, to the Department related to or required by this Act, a rule adopted under this Act, any federal law or rule for which the
Department has responsibility, or any determination or order of the Department under this Act, or any permit, term, or condition thereof, commits a Class 4 felony, and each such statement or writing shall be considered a separate Class 4 felony. A person who, after being convicted under this paragraph, knowingly violates this paragraph a second or subsequent time commits a Class 3 felony.

(4) Any criminal action brought under this Section shall be brought by the State's Attorney of the county in which the violation occurred or by the Attorney General and shall be conducted in accordance with the applicable provisions of the Code of Criminal Procedure of 1963.

(5) For an offense described in this subsection (a), the period for commencing prosecution prescribed by the statute of limitations shall not begin to run until the offense is discovered by or reported to a State or local agency having the authority to investigate violations of this Act.

(6) In addition to any other penalty provided under this Act, the court in a criminal action brought under this subsection (a) may impose upon any person who violates this Act or the rules adopted under this Act or who does not comply with a notice of deficiency and a mitigation order issued under subsection (7) of Section 9 of this Act or who fails to comply with subsection (3) or subsection (5) of Section 9 of this Act a penalty not to exceed $5,000 for each violation. Each day a violation exists constitutes a separate violation. In assessing a criminal penalty under this Section, the court shall consider any civil fines the person has paid which were imposed pursuant to subsection (b) of this Section. Any penalties collected in a court proceeding shall be deposited into a delegated county lead poisoning screening, prevention, and abatement fund or, if no delegated county or lead poisoning screening, prevention, and abatement fund exists, into the Lead Poisoning Screening, Prevention, and Abatement Fund established under Section 7.2 of this Act.

(b) The Department is authorized to assess administrative civil fines against any licensee or any other person who violates this Act or the rules adopted under this Act. These fines may be assessed in addition to or in lieu of license suspensions or revocations and in addition to or in lieu of criminal sanctions. The amount of the administrative civil fine shall be determined by rules adopted by the Department. Each day a violation exists shall constitute a separate violation. The minimum civil fine shall be $50 per violation per
day and the maximum civil fine shall be $5,000 per violation per day. Any civil fines so collected shall be deposited into the Lead Poisoning Screening, Prevention, and Abatement Fund established under Section 7.2 of this Act.

(c) The Director, after notice and opportunity for hearing, may deny, suspend, or revoke a license of a licensee or fine a licensee or any other person who has violated this Act or the rules adopted under this Act. Notice shall be provided by certified mail, return receipt requested, or by personal service, fixing a date, not less than 15 days from the date of such mailing or service, at which time the person shall be given an opportunity to request a hearing. Failure to request a hearing within that time period constitutes a waiver of the right to a hearing. The hearing shall be conducted by the Director or by an individual designated in writing by the Director as a hearing officer to conduct the hearing. On the basis of any such hearing or upon default of the respondent, the Director shall make a determination specifying his or her findings and conclusions. A copy of the determination shall be sent by certified mail, return receipt requested, or served personally upon the respondent.

(d) The procedure governing hearings authorized by this Section shall be in accordance with rules adopted by the Department. A full and complete record shall be kept of all proceedings, including the notice of hearing, complaint, and all other documents in the nature of pleadings, written motions filed in the proceedings, and the report and orders of the Director and hearing officer. All testimony shall be reported, but need not be transcribed unless the decision is sought to be reviewed under the Administrative Review Law. A copy or copies of the transcript may be obtained by any interested party on payment of the cost of preparing the copy or copies. The Director or hearing officer shall, upon his or her own motion or on the written request of any party to the proceeding, issue subpoenas requiring the attendance and the giving of testimony by witnesses and subpoenas duces tecum requiring the production of books, papers, records, or memoranda. All subpoenas and subpoenas duces tecum issued under this Act may be served by any person of legal age. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the courts of this State, such fees to be paid when the witness is excused from further attendance. When the witness is subpoenaed at the instance of the Director or hearing officer, the fees shall be paid in the same manner as other expenses of the Department, and when the witness is subpoenaed at the instance of any other party to any such proceeding the Department may require that the cost of service of the subpoena or subpoena duces tecum and

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the fee of the witness be borne by the party at whose instance the witness is summoned. In such case, the Department in its discretion may require a deposit to cover the cost of such service and witness fees. A subpoena or subpoena duces tecum so issued pursuant to this subsection (d) shall be served in the same manner as a subpoena issued by a circuit court.

(e) Any circuit court of this State, upon the application of the Director or upon the application of any other party to the proceeding, may, in its discretion, compel the attendance of witnesses, the production of books, papers, records, or memoranda, and the giving of testimony before the Director or hearing officer conducting an investigation or holding a hearing authorized by this Act, by an attachment for contempt or otherwise, in the same manner as production of evidence may be compelled before the court.

(f) All final administrative decisions of the Department under this Act shall be subject to judicial review pursuant to the provisions of the Administrative Review Law and the rules adopted under it. "Administrative decision" has the meaning ascribed to it in Section 3-101 of the Code of Civil Procedure. The Department is not required to certify any record or file any answer or otherwise appear in any proceeding for judicial review unless the party filing the complaint deposits with the clerk of the court the sum of $2 per page representing the costs of the certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action.

(g) The State's Attorney of the county in which the violation occurred or the Attorney General shall bring such actions in the name of the people of the State of Illinois and may, in addition to other remedies provided in this Act, bring action for an injunction to restrain such violation, impose civil penalties, and enjoin the operation of any such person or establishment.

(410 ILCS 45/13) (from Ch. 111 1/2, par. 1313)

Sec. 13. The Department is authorized to adopt promulgate reasonable rules and regulations for carrying out the provisions of this Act. (Source: P.A. 87-175.)

(410 ILCS 45/14) (from Ch. 111 1/2, par. 1314)

Sec. 14. Departmental rules regulations and activities. The Department shall establish and publish rules regulations and guidelines governing permissible limits of lead in and about regulated facilities residential buildings and dwellings.

The Department shall also initiate activities that:

(a) Either Will either provide for or support the monitoring and validation of all medical laboratories and private and public

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hospitals that perform lead determination tests on human blood or other tissues.

(b) **Subject** Will, subject to Section 7.2 of this Act, provide laboratory testing of blood specimens for lead content to any physician, hospital, clinic, free clinic, municipality, or private organization that cannot secure or provide the services through other sources. The Department shall not assume responsibility for blood lead analysis required in programs currently in operation.

(c) **Develop** Will develop or encourage the development of appropriate programs and studies to identify sources of lead intoxication and assist other entities in the identification of lead in children's blood and the sources of that intoxication.

(d) **Provide** May provide technical assistance and consultation to local, county, or regional governmental or private agencies for the promotion and development of lead poisoning prevention programs.

(e) **Provide** Will provide recommendations by the Department on the subject of identification, case management, and treatment of lead poisoning.

(f) **Maintain** Will maintain a clearinghouse of information, and will develop additional educational materials, on (i) lead hazards to children, (ii) lead poisoning prevention, (iii) blood lead testing poisoning screening, (iv) lead mitigation, lead abatement, and disposal, and (v) health hazards during lead abatement. The Department shall make this information available to the general public.

(Source: P.A. 95-331, eff. 8-21-07.)
(410 ILCS 45/9.2 rep.)
(410 ILCS 45/9.3 rep.)
(410 ILCS 45/11.2 rep.)
(410 ILCS 45/12 rep.)

Passed in the General Assembly May 29, 2014.
Approved June 30, 2014.
Effective January 1, 2015.
AN ACT concerning elections.

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

Section 1. Short title. This Act may be cited as the Minimum Wage Increase Referendum Act.

Section 5. Referendum. The State Board of Elections shall cause a statewide advisory public question to be submitted to the voters at the general election to be held on November 4, 2014. The question shall appear in the following form:

"Shall the minimum wage in Illinois for adults over the age of 18 be raised to $10 per hour by January 1, 2015?"

The votes on the question shall be recorded as "Yes" or "No".

Section 10. Certification. The State Board of Elections shall immediately certify the question to be submitted to the voters of the entire State under Section 5 to each election authority in Illinois.

Section 15. Conflicts. If any provision of this Act conflicts with any other law, this Act controls.

Section 90. Repeal. This Act is repealed on January 1, 2015.

Section 900. The Election Code is amended by changing Sections 1-12, 4-50, 5-50, 6-100, 9-9.5, 10-6, 10-8, 10-10, 11-6, 13-2.5, 14-4.5, 18A-5, 18A-15, 19-2, 19A-10, 19A-15, and 19A-35 as follows:

(10 ILCS 5/1-12)
(a) Each appropriate election authority shall, in addition to the early voting conducted at locations otherwise required by law, conduct early voting in a high traffic location on the campus of a public university within the election authority's jurisdiction. For the purposes of this Section, "public university" means the University of Illinois at its campuses in Urbana-Champaign and Springfield, Southern Illinois University at its campuses in Carbondale and Edwardsville, Eastern Illinois University, Illinois State University, Northern Illinois University, and Western Illinois University at its campuses in Macomb and Moline. The voting required by this subsection (a) Section to be conducted on campus must be conducted as otherwise required by Article 19A of this Code. If an election authority has voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority shall extend early voting.
voting under this Section to any registered voter in the election authority's jurisdiction. However, if the election authority does not have voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority may limit early voting under this Section to registered voters in precincts where the public university is located and precincts bordering the university. Each public university shall make the space available in a high traffic area for, and cooperate and coordinate with the appropriate election authority in, the implementation of this subsection (a). Section:

(b) Each appropriate election authority shall, in addition to the voting conducted at locations otherwise required by law, conduct in-person absentee voting on election day in a high-traffic location on the campus of a public university within the election authority's jurisdiction. The procedures for conducting in-person absentee voting at a site established pursuant to this subsection (b) shall, to the extent practicable, be the same procedures required by Article 19 of this Code for in-person absentee ballots. The election authority may limit in-person absentee voting under this subsection (b) to registered voters in precincts where the public university is located and precincts bordering the university. The election authority shall have voting equipment and ballots necessary to accommodate registered voters who may cast an in-person absentee ballot at a site established pursuant to this subsection (b). Each public university shall make the space available in a high-traffic area for, and cooperate and coordinate with the appropriate election authority in, the implementation of this subsection (b).

(c) For the purposes of this Section, "public university" means the University of Illinois at its campuses in Urbana-Champaign and Springfield, Southern Illinois University at its campuses in Carbondale and Edwardsville, Eastern Illinois University, Illinois State University, Northern Illinois University, and Western Illinois University at its campuses in Macomb and Moline.

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/4-50)

Sec. 4-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 3rd day before the primary or election, except that during the 2014 general election the period shall extend until the polls close on election day. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may

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submit a change of address form, in person in the office of the election authority or at a voter registration location specifically designated for this purpose by the election authority. During the 2014 general election, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person at any permanent polling place for early voting established under Section 19A-10 through election day. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period, he or she must do so by grace period voting. The election authority shall offer in-person grace period voting at the authority's office and any permanent polling place where grace period registration is required by this Section; and may offer in-person grace period voting at additional locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid

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shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

(10 ILCS 5/5-50)

Sec. 5-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 3rd day before the primary or election, except that during the 2014 general election the period shall extend until the polls close on election day. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority or at a voter registration location specifically designated for this purpose by the election authority. During the 2014 general election, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person at any permanent polling place for early voting established pursuant to Section 19A-10 through election day. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period, he or she must do so by grace period voting. The election authority shall offer in-person grace period voting at his or her office and any permanent polling place where grace period registration is required by this Section; and may offer in-person grace period voting at additional locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and

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accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

Sec. 6-100. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 3rd day before the primary or election, except that during the 2014 general election the period shall extend until the polls close on election day. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority or at a voter registration location specifically designated for this purpose by the election authority. During the 2014 general election, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person at any permanent polling place for early voting established pursuant to Section 19A-10 through election day. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period. The election authority shall offer in-person grace period voting at the authority's office and any permanent polling place where grace period registration is required by this Section; and may offer in-person grace period voting at additional locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots

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prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

(10 ILCS 5/9-9.5)
Sec. 9-9.5. Disclosures in political communications.
(a) Any political committee, organized under the Election Code, that makes an expenditure for a pamphlet, circular, handbill, Internet or telephone communication, radio, television, or print advertisement, or other communication directed at voters and mentioning the name of a candidate in the next upcoming election shall ensure that the name of the political committee paying for any part of the communication, including, but not limited to, its preparation and distribution, is identified clearly within the communication as the payor. This subsection does not apply to items that are too small to contain the required disclosure. This subsection does not apply to an expenditure for the preparation, distribution, or publication of any printed communication directed at constituents of a member of the General Assembly if the expenditure is made by a political committee in accordance with subsection (c) of Section 9-8.10. Nothing in this subsection shall require disclosure on any telephone communication using random sampling or other

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scientific survey methods to gauge public opinion for or against any candidate or question of public policy.

Whenever any vendor or other person provides any of the services listed in this subsection, other than any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy, the vendor or person shall keep and maintain records showing the name and address of the person who purchased or requested the services and the amount paid for the services. The records required by this subsection shall be kept for a period of one year after the date upon which payment was received for the services.

(b) Any political committee, organized under this Code, that makes an expenditure for a pamphlet, circular, handbill, Internet or telephone communication, radio, television, or print advertisement, or other communication directed at voters and (i) mentioning the name of a candidate in the next upcoming election, without that candidate's permission, or (ii) advocating for or against a public policy position shall ensure that the name of the political committee paying for any part of the communication, including, but not limited to, its preparation and distribution, is identified clearly within the communication. Nothing in this subsection shall require disclosure on any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy.

(c) A political committee organized under this Code shall not make an expenditure for any unsolicited telephone call to the line of a residential telephone customer in this State using any method to block or otherwise circumvent that customer's use of a caller identification service.

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

Sec. 10-6. Time and manner of filing. Certificates of nomination and nomination papers for the nomination of candidates for offices to be filled by electors of the entire State, or any district not entirely within a county, or for congressional, state legislative or judicial offices, shall be presented to the principal office of the State Board of Elections not more than 141 nor less than 134 days previous to the day of election for which the candidates are nominated. The State Board of Elections shall endorse the certificates of nomination or nomination papers, as the case may be, and the date and hour of presentment to it. Except as otherwise provided in this section, all other certificates for the nomination of candidates shall be filed with the county clerk of the respective counties not more than 141 but at least 134 days

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Certificates of nomination and nomination papers for the nomination of candidates for school district offices to be filled at consolidated elections shall be filed with the election authority in which the principal office of the school district is located not more than 113 nor less than 106 days before the consolidated election. Certificates of nomination and nomination papers for the nomination of candidates for the other offices of political subdivisions to be filled at regular elections other than the general election shall be filed with the local election official of such subdivision:

(1) (Blank);
(2) not more than 113 nor less than 106 days prior to the consolidated election; or
(3) not more than 113 nor less than 106 days prior to the general primary in the case of municipal offices to be filled at the general primary election; or
(4) not more than 99 nor less than 92 days before the consolidated primary in the case of municipal offices to be elected on a nonpartisan basis pursuant to law (including without limitation, those municipal offices subject to Articles 4 and 5 of the Municipal Code); or
(5) not more than 113 nor less than 106 days before the municipal primary in even numbered years for such nonpartisan municipal offices where annual elections are provided; or
(6) in the case of petitions for the office of multi-township assessor, such petitions shall be filed with the election authority not more than 113 nor less than 106 days before the consolidated election.

However, where a political subdivision's boundaries are co-extensive with or are entirely within the jurisdiction of a municipal board of election commissioners, the certificates of nomination and nomination papers for candidates for such political subdivision offices shall be filed in the office of such Board.

(Source: P.A. 95-699, eff. 11-9-07; 96-1008, eff. 7-6-10.)

Sec. 10-8. Certificates of nomination and nomination papers, and petitions to submit public questions to a referendum, being filed as required by this Code, and being in apparent conformity with the provisions of this Act, shall be deemed to be valid unless objection thereto is duly made in writing within 5 business days after the last day for filing the certificate of
nominated or nomination papers or petition for a public question, with the following exceptions:

A. In the case of petitions to amend Article IV of the Constitution of the State of Illinois, there shall be a period of 35 business days after the last day for the filing of such petitions in which objections can be filed.

B. In the case of petitions for advisory questions of public policy to be submitted to the voters of the entire State, there shall be a period of 35 business days after the last day for the filing of such petitions in which objections can be filed.

Any legal voter of the political subdivision or district in which the candidate or public question is to be voted on, or any legal voter in the State in the case of a proposed amendment to Article IV of the Constitution or an advisory public question to be submitted to the voters of the entire State, having objections to any certificate of nomination or nomination papers or petitions filed, shall file an objector's petition together with 2 copies thereof in the principal office or the permanent branch office of the State Board of Elections, or in the office of the election authority or local election official with whom the certificate of nomination, nomination papers or petitions are on file. Objection petitions that do not include 2 copies thereof, shall not be accepted. In the case of nomination papers or certificates of nomination, the State Board of Elections, election authority or local election official shall note the day and hour upon which such objector's petition is filed, and shall, not later than 12:00 noon on the second business day after receipt of the petition, transmit by registered mail or receipted personal delivery the certificate of nomination or nomination papers and the original objector's petition to the chairman of the proper electoral board designated in Section 10-9 hereof, or his authorized agent, and shall transmit a copy by registered mail or receipted personal delivery of the objector's petition, to the candidate whose certificate of nomination or nomination papers are objected to, addressed to the place of residence designated in said certificate of nomination or nomination papers. In the case of objections to a petition for a proposed amendment to Article IV of the Constitution or for an advisory public question to be submitted to the voters of the entire State, the State Board of Elections shall note the day and hour upon which such objector's petition is filed and shall transmit a copy of the objector's petition by registered mail or receipted personal delivery to the person designated on a certificate attached to the petition as the principal proponent of such proposed amendment or public question, or as the proponents' attorney, for the purpose

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of receiving notice of objections. In the case of objections to a petition for a public question, to be submitted to the voters of a political subdivision, or district thereof, the election authority or local election official with whom such petition is filed shall note the day and hour upon which such objector's petition was filed, and shall, not later than 12:00 noon on the second business day after receipt of the petition, transmit by registered mail or receipted personal delivery the petition for the public question and the original objector's petition to the chairman of the proper electoral board designated in Section 10-9 hereof, or his authorized agent, and shall transmit a copy by registered mail or receipted personal delivery, of the objector's petition to the person designated on a certificate attached to the petition as the principal proponent of the public question, or as the proponent's attorney, for the purposes of receiving notice of objections.

The objector's petition shall give the objector's name and residence address, and shall state fully the nature of the objections to the certificate of nomination or nomination papers or petitions in question, and shall state the interest of the objector and shall state what relief is requested of the electoral board.

The provisions of this Section and of Sections 10-9, 10-10 and 10-10.1 shall also apply to and govern objections to petitions for nomination filed under Article 7 or Article 8, except as otherwise provided in Section 7-13 for cases to which it is applicable, and also apply to and govern petitions for the submission of public questions under Article 28.

(Source: P.A. 86-1348.)

(10 ILCS 5/10-10) (from Ch. 46, par. 10-10)

Sec. 10-10. Within 24 hours after the receipt of the certificate of nomination or nomination papers or proposed question of public policy, as the case may be, and the objector's petition, the chairman of the electoral board other than the State Board of Elections shall send a call by registered or certified mail to each of the members of the electoral board, and to the objector who filed the objector's petition, and either to the candidate whose certificate of nomination or nomination papers are objected to or to the principal proponent or attorney for proponents of a question of public policy, as the case may be, whose petitions are objected to, and shall also cause the sheriff of the county or counties in which such officers and persons reside to serve a copy of such call upon each of such officers and persons, which call shall set out the fact that the electoral board is required to meet to hear and pass upon the objections to nominations made for the office, designating it, and shall state the day, hour and place at which the electoral board shall meet

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for the purpose, which place shall be in the county court house in the county in the case of the County Officers Electoral Board, the Municipal Officers Electoral Board, the Township Officers Electoral Board or the Education Officers Electoral Board, except that the Municipal Officers Electoral Board, the Township Officers Electoral Board, and the Education Officers Electoral Board may meet at the location where the governing body of the municipality, township, or community college district, respectively, holds its regularly scheduled meetings, if that location is available; provided that voter records may be removed from the offices of an election authority only at the discretion and under the supervision of the election authority. In those cases where the State Board of Elections is the electoral board designated under Section 10-9, the chairman of the State Board of Elections shall, within 24 hours after the receipt of the certificate of nomination or nomination papers or petitions for a proposed amendment to Article IV of the Constitution or proposed statewide question of public policy, send a call by registered or certified mail to the objector who files the objector's petition, and either to the candidate whose certificate of nomination or nomination papers are objected to or to the principal proponent or attorney for proponents of the proposed Constitutional amendment or statewide question of public policy and shall state the day, hour and place at which the electoral board shall meet for the purpose, which place may be in the Capitol Building or in the principal or permanent branch office of the State Board. The day of the meeting shall not be less than 3 nor more than 5 days after the receipt of the certificate of nomination or nomination papers and the objector's petition by the chairman of the electoral board.

The electoral board shall have the power to administer oaths and to subpoena and examine witnesses and at the request of either party and only upon a vote by a majority of its members, may authorize the chairman to issue subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry before the electoral board, in the same manner as witnesses are subpoenaed in the Circuit Court.

Service of such subpoenas shall be made by any sheriff or other person in the same manner as in cases in such court and the fees of such sheriff shall be the same as is provided by law, and shall be paid by the objector or candidate who causes the issuance of the subpoena. In case any person so served shall knowingly neglect or refuse to obey any such subpoena, or to testify, the electoral board shall at once file a petition in the circuit court of the county in which such hearing is to be heard, or has been

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attempted to be heard, setting forth the facts, of such knowing refusal or neglect, and accompanying the petition with a copy of the citation and the answer, if one has been filed, together with a copy of the subpoena and the return of service thereon, and shall apply for an order of court requiring such person to attend and testify, and forthwith produce books and papers, before the electoral board. Any circuit court of the state, excluding the judge who is sitting on the electoral board, upon such showing shall order such person to appear and testify, and to forthwith produce such books and papers, before the electoral board at a place to be fixed by the court. If such person shall knowingly fail or refuse to obey such order of the court without lawful excuse, the court shall punish him or her by fine and imprisonment, as the nature of the case may require and may be lawful in cases of contempt of court.

The electoral board on the first day of its meeting shall adopt rules of procedure for the introduction of evidence and the presentation of arguments and may, in its discretion, provide for the filing of briefs by the parties to the objection or by other interested persons.

In the event of a State Electoral Board hearing on objections to a petition for an amendment to Article IV of the Constitution pursuant to Section 3 of Article XIV of the Constitution, or to a petition for a question of public policy to be submitted to the voters of the entire State, the certificates of the county clerks and boards of election commissioners showing the results of the random sample of signatures on the petition shall be prima facie valid and accurate, and shall be presumed to establish the number of valid and invalid signatures on the petition sheets reviewed in the random sample, as prescribed in Section 28-11 and 28-12 of this Code. Either party, however, may introduce evidence at such hearing to dispute the findings as to particular signatures. In addition to the foregoing, in the absence of competent evidence presented at such hearing by a party substantially challenging the results of a random sample, or showing a different result obtained by an additional sample, this certificate of a county clerk or board of election commissioners shall be presumed to establish the ratio of valid to invalid signatures within the particular election jurisdiction.

The electoral board shall take up the question as to whether or not the certificate of nomination or nomination papers or petitions are in proper form, and whether or not they were filed within the time and under the conditions required by law, and whether or not they are the genuine certificate of nomination or nomination papers or petitions which they purport to be, and whether or not in the case of the certificate of nomination in question it

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represents accurately the decision of the caucus or convention issuing it, and in general shall decide whether or not the certificate of nomination or nominating papers or petitions on file are valid or whether the objections thereto should be sustained and the decision of a majority of the electoral board shall be final subject to judicial review as provided in Section 10-10.1. The electoral board must state its findings in writing and must state in writing which objections, if any, it has sustained. A copy of the decision shall be served upon the parties to the proceedings in open proceedings before the electoral board. If a party does not appear for receipt of the decision, the decision shall be deemed to have been served on the absent party on the date when a copy of the decision is personally delivered or on the date when a copy of the decision is deposited in the United States mail, in a sealed envelope or package, with postage prepaid, addressed to each party affected by the decision or to such party's attorney of record, if any, at the address on record for such person in the files of the electoral board.

Upon the expiration of the period within which a proceeding for judicial review must be commenced under Section 10-10.1, the electoral board shall, unless a proceeding for judicial review has been commenced within such period, transmit, by registered or certified mail, a certified copy of its ruling, together with the original certificate of nomination or nomination papers or petitions and the original objector's petition, to the officer or board with whom the certificate of nomination or nomination papers or petitions, as objected to, were on file, and such officer or board shall abide by and comply with the ruling so made to all intents and purposes.

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/11-6) (from Ch. 46, par. 11-6)

Sec. 11-6. Within 60 days after the effective date of this amendatory Act of the 98th General Assembly, each election authority shall transmit to the principal office of the State Board of Elections and publish on any website maintained by the election authority maps in electronic portable document format (.PDF) showing the current boundaries of all the precincts within its jurisdiction. Whenever election precincts in an election jurisdiction have been redivided or readjusted, the county board or board of election commissioners shall prepare maps in electronic portable document format (.PDF) showing such election precinct boundaries no later than 90 days before the next scheduled election. The maps shall show the boundaries of all political subdivisions and districts. The county board or board of election commissioners shall immediately forward copies thereof to the chairman of each county central committee in the county, to each township, ward, or

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precinct committeeman, and each local election official whose political subdivision is wholly or partly in the county and, upon request, shall furnish copies thereof to each candidate for political or public office in the county and shall transmit copies thereof to the principal office of the State Board of Elections and publish copies thereof on any website maintained by the election authority.

Within 60 days of the effective date of this amendatory Act of 1983, each election authority shall transmit to the principal office of the State Board of Elections maps showing the current boundaries of all the precincts within its jurisdiction. Whenever election precincts in an election jurisdiction have been redivided or readjusted, the county board or board of election commissioners shall prepare maps showing such election precinct boundaries no later than 45 days before the next scheduled election. The maps, or transparent overlays, shall show the boundaries of all political subdivisions and districts. The county board or board of election commissioners shall immediately forward copies thereof to the chairman of each county central committee in the county, to each township, ward or precinct committeeman and each local election official whose political subdivision is wholly or partly in the county and, upon request, shall furnish copies thereof to each candidate for political or public office in the county and shall transmit copies thereof to the principal office of the State Board of Elections:

(Source: P.A. 84-861.)

(10 ILCS 5/13-2.5)

Sec. 13-2.5. Time off from work to serve as election judge. Any person who is appointed as an election judge under Section 13-1 or 13-2 may, after giving his or her employer at least 20 days' written notice, be absent from his or her place of work for the purpose of serving as an election judge. An employer may not penalize an employee for that absence other than a deduction in salary for the time the employee was absent from his or her place of employment. An employer may not require an employee to use earned vacation time or any form of paid leave time to serve as an election judge.

This Section does not apply to an employer with fewer than 25 employees. An employer with more than 25 employees shall not be required to permit more than 10% of the employees to be absent under this Section on the same election day.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/14-4.5)
Sec. 14-4.5. Time off from work to serve as election judge. Any person who is appointed as an election judge under Section 13-1 or 13-2 may, after giving his or her employer at least 20 days’ written notice, be absent from his or her place of work for the purpose of serving as an election judge. An employer may not penalize an employee for that absence other than a deduction in salary for the time the employee was absent from his or her place of employment. An employer may not require an employee to use earned vacation time or any form of paid leave time to serve as an election judge.

This Section does not apply to an employer with fewer than 25 employees. An employer with more than 25 employees shall not be required to permit more than 10% of the employees to be absent under this Section on the same election day.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/18A-5)

Sec. 18A-5. Provisional voting; general provisions.

(a) A person who claims to be a registered voter is entitled to cast a provisional ballot under the following circumstances:

(1) The person's name does not appear on the official list of eligible voters for the precinct in which the person seeks to vote. The official list is the centralized statewide voter registration list established and maintained in accordance with Section 1A-25;

(2) The person's voting status has been challenged by an election judge, a pollwatcher, or any legal voter and that challenge has been sustained by a majority of the election judges;

(3) A federal or State court order extends the time for closing the polls beyond the time period established by State law and the person votes during the extended time period;

(4) The voter registered to vote by mail and is required by law to present identification when voting either in person or by absentee ballot, but fails to do so;

(5) The voter's name appears on the list of voters who voted during the early voting period, but the voter claims not to have voted during the early voting period; or

(6) The voter received an absentee ballot but did not return the absentee ballot to the election authority; or

(7) The voter registered to vote during the grace period on the day before election day or on election day during the 2014 general election.

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(b) The procedure for obtaining and casting a provisional ballot at the polling place shall be as follows:

(1) After first verifying through an examination of the precinct register that the person's address is within the precinct boundaries, an election judge at the polling place shall notify a person who is entitled to cast a provisional ballot pursuant to subsection (a) that he or she may cast a provisional ballot in that election. An election judge must accept any information provided by a person who casts a provisional ballot that the person believes supports his or her claim that he or she is a duly registered voter and qualified to vote in the election. However, if the person's residence address is outside the precinct boundaries, the election judge shall inform the person of that fact, give the person the appropriate telephone number of the election authority in order to locate the polling place assigned to serve that address, and instruct the person to go to the proper polling place to vote.

(2) The person shall execute a written form provided by the election judge that shall state or contain all of the following that is available:

(i) an affidavit stating the following:

State of Illinois, County of ...............
Township ............, Precinct ......., Ward ......., I, ................., do solemnly swear (or affirm) that: I am a citizen of the United States; I am 18 years of age or older; I have resided in this State and in this precinct for 30 days preceding this election; I have not voted in this election; I am a duly registered voter in every respect; and I am eligible to vote in this election. Signature ...... Printed Name of Voter .......
Printed Residence Address of Voter ...... City .......
State .... Zip Code ..... Telephone Number ...... Date of Birth ....... and Illinois Driver's License Number ......
or Last 4 digits of Social Security Number ...... or State Identification Card Number issued to you by the Illinois Secretary of State........

(ii) A box for the election judge to check one of the 6 reasons why the person was given a provisional ballot under subsection (a) of Section 18A-5.

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(iii) An area for the election judge to affix his or her signature and to set forth any facts that support or oppose the allegation that the person is not qualified to vote in the precinct in which the person is seeking to vote.

The written affidavit form described in this subsection (b)(2) must be printed on a multi-part form prescribed by the county clerk or board of election commissioners, as the case may be.

(3) After the person executes the portion of the written affidavit described in subsection (b)(2)(i) of this Section, the election judge shall complete the portion of the written affidavit described in subsection (b)(2)(iii) and (b)(2)(iv).

(4) The election judge shall give a copy of the completed written affidavit to the person. The election judge shall place the original written affidavit in a self-adhesive clear plastic packing list envelope that must be attached to a separate envelope marked as a "provisional ballot envelope". The election judge shall also place any information provided by the person who casts a provisional ballot in the clear plastic packing list envelope. Each county clerk or board of election commissioners, as the case may be, must design, obtain or procure self-adhesive clear plastic packing list envelopes and provisional ballot envelopes that are suitable for implementing this subsection (b)(4) of this Section.

(5) The election judge shall provide the person with a provisional ballot, written instructions for casting a provisional ballot, and the provisional ballot envelope with the clear plastic packing list envelope affixed to it, which contains the person's original written affidavit and, if any, information provided by the provisional voter to support his or her claim that he or she is a duly registered voter. An election judge must also give the person written information that states that any person who casts a provisional ballot shall be able to ascertain, pursuant to guidelines established by the State Board of Elections, whether the provisional vote was counted in the official canvass of votes for that election and, if the provisional vote was not counted, the reason that the vote was not counted.

(6) After the person has completed marking his or her provisional ballot, he or she shall place the marked ballot inside of the provisional ballot envelope, close and seal the envelope, and return the envelope to an election judge, who shall then deposit the sealed provisional ballot envelope into a securable container separately.

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identified and utilized for containing sealed provisional ballot envelopes. Ballots that are provisional because they are cast after 7:00 p.m. by court order shall be kept separate from other provisional ballots. Upon the closing of the polls, the securable container shall be sealed with filament tape provided for that purpose, which shall be wrapped around the box lengthwise and crosswise, at least twice each way, and each of the election judges shall sign the seal.

(c) Instead of the affidavit form described in subsection (b), the county clerk or board of election commissioners, as the case may be, may design and use a multi-part affidavit form that is imprinted upon or attached to the provisional ballot envelope described in subsection (b). If a county clerk or board of election commissioners elects to design and use its own multi-part affidavit form, then the county clerk or board of election commissioners shall establish a mechanism for accepting any information the provisional voter has supplied to the election judge to support his or her claim that he or she is a duly registered voter. In all other respects, a county clerk or board of election commissioners shall establish procedures consistent with subsection (b).

(d) The county clerk or board of election commissioners, as the case may be, shall use the completed affidavit form described in subsection (b) to update the person's voter registration information in the State voter registration database and voter registration database of the county clerk or board of election commissioners, as the case may be. If a person is later determined not to be a registered voter based on Section 18A-15 of this Code, then the affidavit shall be processed by the county clerk or board of election commissioners, as the case may be, as a voter registration application.

(Source: P.A. 97-766, eff. 7-6-12.)

(10 ILCS 5/18A-15)

Sec. 18A-15. Validating and counting provisional ballots.

(a) The county clerk or board of election commissioners shall complete the validation and counting of provisional ballots within 14 calendar days of the day of the election. The county clerk or board of election commissioners shall have 7 calendar days from the completion of the validation and counting of provisional ballots to conduct its final canvass. The State Board of Elections shall complete within 31 calendar days of the election or sooner if all the returns are received, its final canvass of the vote for all public offices.

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(b) If a county clerk or board of election commissioners determines that all of the following apply, then a provisional ballot is valid and shall be counted as a vote:

(1) the provisional voter cast the provisional ballot in the correct precinct based on the address provided by the provisional voter unless the provisional voter cast a ballot pursuant to paragraph (7) of subsection (a) of Section 18A-5, in which case the provisional ballot must have been cast in the correct election jurisdiction based on the address provided. The provisional voter's affidavit shall serve as a change of address request by that voter for registration purposes for the next ensuing election if it bears an address different from that in the records of the election authority. Votes for federal and statewide offices on a provisional ballot cast in the incorrect precinct that meet the other requirements of this subsection shall be valid and counted in accordance with rules adopted by the State Board of Elections. As used in this item, "federal office" is defined as provided in Section 20-1 and "statewide office" means the Governor, Attorney General, Secretary of State, Comptroller, and Treasurer. Votes for General Assembly, countywide, citywide, or township office on a provisional ballot cast in the incorrect precinct but in the correct legislative district, representative district, county, municipality, or township, as the case may be, shall be valid and counted in accordance with rules adopted by the State Board of Elections. As used in this item, "citywide office" means an office elected by the electors of an entire municipality. As used in this item, "township office" means an office elected by the electors of an entire township;

(2) the affidavit executed by the provisional voter pursuant to subsection (b)(2) of Section 18A-5 contains, at a minimum, the provisional voter's first and last name, house number and street name, and signature or mark;

(3) the provisional voter is a registered voter based on information available to the county clerk or board of election commissioners provided by or obtained from any of the following:

i. the provisional voter;

ii. an election judge;

iii. the statewide voter registration database maintained by the State Board of Elections;

iv. the records of the county clerk or board of election commissioners' database; or

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v. the records of the Secretary of State; and

(4) for a provisional ballot cast under item (6) of subsection 
(a) of Section 18A-5, the voter did not vote by absentee ballot in the 
election at which the provisional ballot was cast.

(c) With respect to subsection (b)(3) of this Section, the county clerk 
or board of election commissioners shall investigate and record whether or 
not the specified information is available from each of the 5 identified 
sources. If the information is available from one or more of the identified 
sources, then the county clerk or board of election commissioners shall seek 
to obtain the information from each of those sources until satisfied, with 
information from at least one of those sources, that the provisional voter is 
registered and entitled to vote. The county clerk or board of election 
commissioners shall use any information it obtains as the basis for 
determining the voter registration status of the provisional voter. If a conflict 
exists among the information available to the county clerk or board of 
election commissioners as to the registration status of the provisional voter, 
then the county clerk or board of election commissioners shall make a 
determination based on the totality of the circumstances. In a case where the 
above information equally supports or opposes the registration status of the 
voter, the county clerk or board of election commissioners shall decide in 
favor of the provisional voter as being duly registered to vote. If the statewide 
voter registration database maintained by the State Board of Elections 
indicates that the provisional voter is registered to vote, but the county clerk's 
or board of election commissioners' voter registration database indicates that 
the provisional voter is not registered to vote, then the information found in 
the statewide voter registration database shall control the matter and the 
provisional voter shall be deemed to be registered to vote. If the records of 
the county clerk or board of election commissioners indicates that the 
provisional voter is registered to vote, but the statewide voter registration 
database maintained by the State Board of Elections indicates that the 
provisional voter is not registered to vote, then the information found in the 
records of the county clerk or board of election commissioners shall control 
the matter and the provisional voter shall be deemed to be registered to vote. 
If the provisional voter's signature on his or her provisional ballot request 
varies from the signature on an otherwise valid registration application solely 
because of the substitution of initials for the first or middle name, the election 
authority may not reject the provisional ballot.

(d) In validating the registration status of a person casting a 
provisional ballot, the county clerk or board of election commissioners shall 

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not require a provisional voter to complete any form other than the affidavit executed by the provisional voter under subsection (b)(2) of Section 18A-5. In addition, the county clerk or board of election commissioners shall not require all provisional voters or any particular class or group of provisional voters to appear personally before the county clerk or board of election commissioners or as a matter of policy require provisional voters to submit additional information to verify or otherwise support the information already submitted by the provisional voter. Within 2 calendar days after the election, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, of each person casting a provisional ballot to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The provisional voter may, within 7 calendar days after the election, submit additional information to the county clerk or board of election commissioners. This information must be received by the county clerk or board of election commissioners within the 7-calendar-day period.

(e) If the county clerk or board of election commissioners determines that subsection (b)(1), (b)(2), or (b)(3) does not apply, then the provisional ballot is not valid and may not be counted. The provisional ballot envelope containing the ballot cast by the provisional voter may not be opened. The county clerk or board of election commissioners shall write on the provisional ballot envelope the following: "Provisional ballot determined invalid."

(f) If the county clerk or board of election commissioners determines that a provisional ballot is valid under this Section, then the provisional ballot envelope shall be opened. The outside of each provisional ballot envelope shall also be marked to identify the precinct and the date of the election.

(g) Provisional ballots determined to be valid shall be counted at the election authority's central ballot counting location and shall not be counted in precincts. The provisional ballots determined to be valid shall be added to the vote totals for the precincts from which they were cast in the order in which the ballots were opened. The validation and counting of provisional ballots shall be subject to the provisions of this Code that apply to pollwatchers. If the provisional ballots are a ballot of a punch card voting system, then the provisional ballot shall be counted in a manner consistent with Article 24A. If the provisional ballots are a ballot of optical scan or
other type of approved electronic voting system, then the provisional ballots shall be counted in a manner consistent with Article 24B.

(h) As soon as the ballots have been counted, the election judges or election officials shall, in the presence of the county clerk or board of election commissioners, place each of the following items in a separate envelope or bag: (1) all provisional ballots, voted or spoiled; (2) all provisional ballot envelopes of provisional ballots voted or spoiled; and (3) all executed affidavits of the provisional ballots voted or spoiled. All provisional ballot envelopes for provisional voters who have been determined not to be registered to vote shall remain sealed. The county clerk or board of election commissioners shall treat the provisional ballot envelope containing the written affidavit as a voter registration application for that person for the next election and process that application. The election judges or election officials shall then securely seal each envelope or bag, initial the envelope or bag, and plainly mark on the outside of the envelope or bag in ink the precinct in which the provisional ballots were cast. The election judges or election officials shall then place each sealed envelope or bag into a box, secure and seal it in the same manner as described in item (6) of subsection (b) of Section 18A-5. Each election judge or election official shall take and subscribe an oath before the county clerk or board of election commissioners that the election judge or election official securely kept the ballots and papers in the box, did not permit any person to open the box or otherwise touch or tamper with the ballots and papers in the box, and has no knowledge of any other person opening the box. For purposes of this Section, the term "election official" means the county clerk, a member of the board of election commissioners, as the case may be, and their respective employees.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

(10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

Sec. 19-2. Any elector as defined in Section 19-1 may by mail or electronically on the website of the appropriate election authority, not more than 90 nor less than 5 days prior to the date of such election, or by personal delivery not more than 90 nor less than one day prior to the date of such election, make application to the county clerk or to the Board of Election Commissioners for an official ballot for the voter's precinct to be voted at such election. The URL address at which voters may electronically request an absentee ballot shall be fixed no later than 90 calendar days before an election and shall not be changed until after the election. Such a ballot shall be delivered to the elector only upon separate application by the elector for each election.

New matter indicated by italics - deletions by strikeout
(Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13.)

(10 ILCS 5/19A-10)

Sec. 19A-10. Permanent polling places for early voting.

(a) An election authority may establish permanent polling places for early voting by personal appearance at locations throughout the election authority's jurisdiction, including but not limited to a municipal clerk's office, a township clerk's office, a road district clerk's office, or a county or local public agency office. Except as otherwise provided in subsection (b), any person entitled to vote early by personal appearance may do so at any polling place established for early voting.

(b) If it is impractical for the election authority to provide at each polling place for early voting a ballot in every form required in the election authority's jurisdiction, the election authority may:

(1) provide appropriate forms of ballots to the office of the municipal clerk in a municipality not having a board of election commissioners; the township clerk; or in counties not under township organization, the road district clerk; and

(2) limit voting at that polling place to registered voters in that municipality, ward or group of wards, township, or road district.

If the early voting polling place does not have the correct ballot form for a person seeking to vote early, the election judge or election official conducting early voting at that polling place shall inform the person of that fact, give the person the appropriate telephone number of the election authority in order to locate an early voting polling place with the correct ballot form for use in that person's assigned precinct, and instruct the person to go to the proper early voting polling place to vote early.

(c) During each general primary and general election, each election authority in a county with a population over 250,000 shall establish at least one permanent polling place for early voting by personal appearance at a location within each of the 3 largest municipalities within its jurisdiction. If any of the 3 largest municipalities is over 80,000, the election authority shall establish at least 2 permanent polling places within the municipality. All population figures shall be determined by the federal census.

(d) During each general primary and general election, each board of election commissioners established under Article 6 of this Code in any city, village, or incorporated town with a population over 100,000 shall establish at least 2 permanent polling places for early voting by personal appearance. All population figures shall be determined by the federal census.

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(e) During each general primary and general election, each election authority in a county with a population of over 100,000 but under 250,000 persons shall establish at least one polling place for early voting by personal appearance. The location for early voting may be the election authority's main office or another location designated by the election authority. The election authority may designate additional sites for early voting by personal appearance. All population figures shall be determined by the federal census. (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07.)

(10 ILCS 5/19A-15)
Sec. 19A-15. Period for early voting; hours.
(a) The period for early voting by personal appearance begins the 15th day preceding a general primary, consolidated primary, consolidated, or general election and extends through the 3rd day before election day, except that for the 2014 general election the period for early voting by personal appearance shall extend through the 2nd day before election day.
(b) Except as otherwise provided by this Section, a permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on Saturdays and holidays, and 12:00 p.m. to 3:00 p.m. on Sundays; except that, in addition to the hours required by this subsection, a permanent early voting polling place designated by an election authority under subsection (c) of Section 19A-10 must remain open for a total of at least 8 hours on any holiday during the early voting period and a total of at least 14 hours on the final weekend during the early voting period. For the 2014 general election, a permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. on weekdays, except that beginning 8 days before election day, a permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 7:00 p.m., or 9:00 a.m. to 7:00 p.m. For the 2014 general election, a permanent polling place for early voting shall remain open during the hours of 9:00 a.m. to 12:00 p.m. on Saturdays and 10:00 a.m. to 4:00 p.m. on Sundays; except that, in addition to the hours required by this subsection (b), a permanent early voting place designated by an election authority under subsection (c) of Section 19A-10 must remain open for a total of at least 14 hours on the final weekend during the early voting period.
(c) Notwithstanding subsections (a) and (b), an election authority may close an early voting polling place if the building in which the polling place is located has been closed by the State or unit of local government in response to a severe weather emergency. In the event of a closure, the...
election authority shall conduct early voting on the 2nd day before election day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. The election authority shall notify the State Board of Elections of any closure and shall make reasonable efforts to provide notice to the public of the extended early voting period.

(d) Notwithstanding subsections (a) and (b), in 2013 only, an election authority may close an early voting place on Good Friday, Holy Saturday, and Easter Sunday, provided that the early voting place remains open 2 hours later on April 3, 4, and 5 of 2013. The election authority shall notify the State Board of Elections of any closure and shall provide notice to the public of the closure and the extended hours during the final week.

(Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4, eff. 3-12-13; 98-115, eff. 7-29-13.)

(10 ILCS 5/19A-35)
Sec. 19A-35. Procedure for voting.
(a) Not more than 23 days before the start of the election, the county clerk shall make available to the election official conducting early voting by personal appearance a sufficient number of early ballots, envelopes, and printed voting instruction slips for the use of early voters. The election official shall receipt for all ballots received and shall return unused or spoiled ballots at the close of the early voting period to the county clerk and must strictly account for all ballots received. The ballots delivered to the election official must include early ballots for each precinct in the election authority's jurisdiction and must include separate ballots for each political subdivision conducting an election of officers or a referendum at that election.

(b) In conducting early voting under this Article, the election judge or official is required to verify the signature of the early voter by comparison with the signature on the official registration card, and the judge or official must verify (i) the identity of the applicant, (ii) that the applicant is a registered voter, (iii) the precinct in which the applicant is registered, and (iv) the proper ballots of the political subdivision in which the applicant resides and is entitled to vote before providing an early ballot to the applicant. Except for during the 2014 general election, the applicant's identity must be verified by the applicant's presentation of an Illinois driver's license, a non-driver identification card issued by the Illinois Secretary of State, a photo identification card issued by a university or college, or another government-issued identification document containing the applicant's photograph. The election judge or official must verify the applicant's registration from the most recent poll list provided by the election authority, and if the applicant...
is not listed on that poll list, by telephoning the office of the election authority.

(b-5) A person requesting an early voting ballot to whom an absentee ballot was issued may vote early if the person submits that absentee ballot to the judges of election or official conducting early voting for cancellation. If the voter is unable to submit the absentee ballot, it shall be sufficient for the voter to submit to the judges or official (i) a portion of the absentee ballot if the absentee ballot was torn or mutilated or (ii) an affidavit executed before the judges or official specifying that (A) the voter never received an absentee ballot or (B) the voter completed and returned an absentee ballot and was informed that the election authority did not receive that absentee ballot.

(b-10) Within one day after a voter casts an early voting ballot, the election authority shall transmit the voter's name, street address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees.

(b-15) Immediately after voting an early ballot, the voter shall be instructed whether the voting equipment accepted or rejected the ballot or identified that ballot as under-voted for a statewide constitutional office. A voter whose ballot is identified as under-voted may return to the voting booth and complete the voting of that ballot. A voter whose early voting ballot is not accepted by the voting equipment may, upon surrendering the ballot, request and vote another early voting ballot. The voter's surrendered ballot shall be initialed by the election judge or official conducting the early voting and handled as provided in the appropriate Article governing the voting equipment used.

(c) The sealed early ballots in their carrier envelope shall be delivered by the election authority to the central ballot counting location before the close of the polls on the day of the election.

(Source: P.A. 95-699, eff. 11-9-07; 96-317, eff. 1-1-10.)

Section 905. The School Code is amended by changing Section 9-11.1 as follows:

(105 ILCS 5/9-11.1) (from Ch. 122, par. 9-11.1)

Sec. 9-11.1. The county clerk or the board of election commissioners, as the case may be, of the jurisdiction in which the principal office of the school district is located shall conduct a lottery to determine the ballot order of candidates for full terms in the event of any

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simultaneous petition filings. Such candidate lottery shall be conducted as follows:

All petitions filed by persons waiting in line as of 8:00 a.m. on the first day for filing, or as of the normal opening hour of the office involved on such day, shall be deemed simultaneously filed as of 8:00 a.m. or the normal opening hour, as the case may be. Petitions filed by mail and received after midnight of the first day for filing and in the first mail delivery or pickup of that day shall be deemed simultaneously filed as of 8:00 a.m. of that day or as of the normal opening hour of such day, as the case may be. All petitions received thereafter shall be deemed filed in the order of actual receipt. However, 2 or more petitions filed within the last hour of the filing deadline shall be deemed filed simultaneously.

Where 2 or more petitions are received simultaneously for the same office as of 8:00 a.m. on the first day for petition filing, or as of the normal opening hour of the office of the county clerk or the board of election commissioners, as the case may be, the county clerk or the board of election commissioners, local election official, the local election official with whom such petitions are filed shall break ties and determine the order of filing by means of a lottery or other fair and impartial method of random selection. Such lottery shall be conducted within 9 days following the last day for petition filing and shall be open to the public. Seven days written notice of the time and place of conducting such random selection shall be given by the county clerk or the board of election commissioners local election official to all candidates who filed their petitions simultaneously and to each organization of citizens within the election jurisdiction which was entitled, under the general election law, at the next preceding election, to have pollwatchers present on the day of election. The county clerk or the board of election commissioners local election official shall post in a conspicuous, open and public place, at the entrance of his or her office, notice of the time and place of such lottery.

All candidates shall be certified in the order in which their petitions have been filed and in the manner prescribed by Section 10-15 of the general election law. Where candidates have filed simultaneously, they shall be certified in the order prescribed by this Section and prior to candidates who filed for the same office at a later time.

Where elections are conducted for unexpired terms, a second lottery to determine ballot order shall be conducted for candidates who simultaneously file petitions for such unexpired terms. Such lottery shall be

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conducted in the same manner as prescribed by this Section for full term candidates.

(Source: P.A. 84-1338.)

Section 997. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application.

Section 999. Effective date. This Act takes effect upon becoming law.

Approved July 1, 2014.
Effective July 1, 2014.

PUBLIC ACT 98-0692
(Senate Bill No. 3443)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Governmental Ethics Act is amended by changing Section 3A-40 as follows:

(5 ILCS 420/3A-40)

Sec. 3A-40. Appointees with expired terms; temporary and acting appointees.

(a) A person who is nominated by the Governor on or after August 26, 2011 (the effective date of Public Act 97-582) for any affected office to which appointment requires the advice and consent of the Senate, who is appointed pursuant to that advice and consent, and whose term of office expires on or after August 26, 2011 shall not continue in office longer than 60 calendar days after the expiration of that term of office. After that 60th day, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section.

A person who has been nominated by the Governor before August 26, 2011 (the effective date of Public Act 97-582) for any affected office to which appointment requires the advice and consent of the Senate, who has been appointed pursuant to that advice and consent, and whose term of office has expired shall not continue in office longer than 60 calendar days after the date upon which his or her term of office has expired. After that 60 days, each such office is considered vacant and shall be filled only pursuant to the law

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applicable to making appointments to that office, subject to the provisions of this Section. If the term of office of a person who is subject to this paragraph expires more than 60 calendar days prior to the effective date of this amendatory Act of the 97th General Assembly, then that office is considered vacant on the effective date of this amendatory Act of the 97th General Assembly, and that vacancy shall be filled only pursuant to the law applicable to making appointments to that office. For the purposes of this subsection (a), "affected office" means (i) an office in which one receives any form of compensation, including salary or per diem, but not including expense reimbursement, or (ii) membership on the board of trustees of a public university.

(b) A person who is appointed by the Governor on or after August 26, 2011 (the effective date of Public Act 97-582) to serve as a temporary appointee during a recess of the Senate, pursuant to Article V, Section 9(b) of the Illinois Constitution or any other applicable statute, to any office to which appointment requires the advice and consent of the Senate shall not continue in office after the next meeting of the Senate unless the Governor has filed a message with the Secretary of the Senate nominating that person to fill that office on or before that meeting date. After that meeting date, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section. Any temporary appointment made pursuant to subsection (b) of Section 9 of Article V of the Illinois Constitution or any applicable statute shall be filed with the Secretary of State and the Secretary of the Senate. The form of the temporary appointment message shall be established by the Senate under its rules.

A person who has been appointed by the Governor before August 26, 2011 (the effective date of Public Act 97-582) to serve as a temporary appointee, pursuant to Article V, Section 9(b) of the Illinois Constitution or any other applicable statute, to any office to which appointment requires the advice and consent of the Senate shall not continue in office after August 26, 2011 or the next meeting of the Senate after August 26, 2011, as applicable, unless the Governor has filed a message with the Secretary of the Senate nominating that person to fill that office on or before the next meeting of the Senate after that temporary appointment was made. After that effective date or meeting date, as applicable, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section.
For the purposes of this subsection (b), a meeting of the Senate does not include a perfunctory session day as designated by the Senate under its rules. For the purposes of this subsection (b), the Senate is in recess on a day in which it is not in session and does not include a perfunctory session day as designated by the Senate under its rules.

(c) A person who is designated by the Governor on or after August 26, 2011 (the effective date of Public Act 97-582) to serve as an acting appointee to any office to which appointment requires the advice and consent of the Senate shall not continue in office more than 60 calendar days unless the Governor files a message with the Secretary of the Senate nominating that person to fill that office within that 60 days. After that 60 days, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section. The Governor shall file with the Secretary of the Senate the name of any person who the Governor designates as an acting appointee under this Section. The form of the message designating an appointee as acting shall be established by the Senate under its rules. No person who has been designated by the Governor to serve as an acting appointee to any office to which appointment requires the advice and consent of the Senate shall, except at the Senate's request, be designated again as an acting appointee for that office at the same session of that Senate, subject to the provisions of this Section.

A person who has been designated by the Governor before August 26, 2011 (the effective date of Public Act 97-582) to serve as an acting appointee to any office to which appointment requires the advice and consent of the Senate shall not continue in office longer than 60 calendar days after August 26, 2011 unless the Governor has filed a message with the Secretary of the Senate nominating that person to fill that office on or before that 60 days. After that 60 days, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office; subject to the provisions of this Section. No person who has been designated by the Governor to serve as an acting appointee to any office to which appointment requires the advice and consent of the Senate shall, except at the Senate's request, be designated again as an acting appointee for that office at the same session of that Senate, subject to the provisions of this Section.

During the term of a General Assembly, the Governor may not designate a person to serve as an acting appointee to any office to which appointment requires the advice and consent of the Senate if that person's

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nomination to serve as the appointee for the same office was rejected by the Senate of the same General Assembly.

For the purposes of this subsection (c), "acting appointee" means a person designated by the Governor to serve as an acting director or acting secretary pursuant to Section 5-605 of the Civil Administrative Code of Illinois. "Acting appointee" also means a person designated by the Governor pursuant to any other statute to serve as an acting holder of any office, to execute the duties and functions of any office, or both.

(d) The provisions of this Section apply notwithstanding any law to the contrary. However, the provisions of this Section do not apply to appointments made under Article 1A of the Election Code or to the appointment of any person to serve as Director of the Illinois Power Agency. (Source: P.A. 97-582, eff. 8-26-11; 97-719, eff. 6-29-12.)

Section 10. The Personnel Code is amended by changing Section 9 as follows:

(20 ILCS 415/9) (from Ch. 127, par. 63b109)

Sec. 9. Director, powers and duties. The Director, as executive head of the Department, shall direct and supervise all its administrative and technical activities. In addition to the duties imposed upon him elsewhere in this law, it shall be his duty:

(1) To apply and carry out this law and the rules adopted thereunder.
(2) To attend meetings of the Commission.
(3) To establish and maintain a roster of all employees subject to this Act, in which there shall be set forth, as to each employee, the class, title, pay, status, and other pertinent data.
(4) To appoint, subject to the provisions of this Act, such employees of the Department and such experts and special assistants as may be necessary to carry out effectively this law.
(5) Subject to such exemptions or modifications as may be necessary to assure the continuity of federal contributions in those agencies supported in whole or in part by federal funds, to make appointments to vacancies; to approve all written charges seeking discharge, demotion, or other disciplinary measures provided in this Act and to approve transfers of employees from one geographical area to another in the State, in offices, positions or places of employment covered by this Act, after consultation with the operating unit.
(6) To formulate and administer service wide policies and programs for the improvement of employee effectiveness, including training, safety, health, incentive recognition, counseling, welfare and employee relations. The Department shall formulate and administer recruitment plans and testing

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of potential employees for agencies having direct contact with significant numbers of non-English speaking or otherwise culturally distinct persons. The Department shall require each State agency to annually assess the need for employees with appropriate bilingual capabilities to serve the significant numbers of non-English speaking or culturally distinct persons. The Department shall develop a uniform procedure for assessing an agency's need for employees with appropriate bilingual capabilities. Agencies shall establish occupational titles or designate positions as "bilingual option" for persons having sufficient linguistic ability or cultural knowledge to be able to render effective service to such persons. The Department shall ensure that any such option is exercised according to the agency's needs assessment and the requirements of this Code. The Department shall make annual reports of the needs assessment of each agency and the number of positions calling for non-English linguistic ability to whom vacancy postings were sent, and the number filled by each agency. Such policies and programs shall be subject to approval by the Governor. Such policies, program reports and needs assessment reports shall be filed with the General Assembly by January 1 of each year and shall be available to the public.

The Department shall include within the report required above the number of persons receiving the bilingual pay supplement established by Section 8a.2 of this Code. The report shall provide the number of persons receiving the bilingual pay supplement for languages other than English and for signing.

The report shall also indicate the number of persons, by the categories of Hispanic and non-Hispanic, who are receiving the bilingual pay supplement for language skills other than signing, in a language other than English.

(7) To conduct negotiations affecting pay, hours of work, or other working conditions of employees subject to this Act.

(8) To make continuing studies to improve the efficiency of State services to the residents of Illinois, including but not limited to those who are non-English speaking or culturally distinct, and to report his findings and recommendations to the Commission and the Governor.

(9) To investigate from time to time the operation and effect of this law and the rules made thereunder and to report his findings and recommendations to the Commission and to the Governor.

(10) To make an annual report regarding the work of the Department, and such special reports as he may consider desirable, to the Commission and to the Governor, or as the Governor or Commission may request.
(11) (Blank). To conduct research and planning regarding the total manpower needs of all offices, including the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Superintendent of Education, and Attorney General, and of all departments, agencies, boards, and commissions of the executive branch, except state-supported colleges and universities, and for that purpose to prescribe forms for the reporting of such personnel information as the department may request both for positions covered by this Act and for those exempt in whole or in part.

(12) To prepare and publish a semi-annual statement showing the number of employees exempt and non-exempt from merit selection in each department. This report shall be in addition to other information on merit selection maintained for public information under existing law.

(13) To authorize in every department or agency subject to Jurisdiction C the use of flexible hours positions. A flexible hours position is one that does not require an ordinary work schedule as determined by the Department and includes but is not limited to: 1) a part time job of 20 hours or more per week, 2) a job which is shared by 2 employees or a compressed work week consisting of an ordinary number of working hours performed on fewer than the number of days ordinarily required to perform that job. The Department may define flexible time to include other types of jobs that are defined above.

The Director and the director of each department or agency shall together establish goals for flexible hours positions to be available in every department or agency.

The Department shall give technical assistance to departments and agencies in achieving their goals, and shall report to the Governor and the General Assembly each year on the progress of each department and agency.

When a goal of 10% of the positions in a department or agency being available on a flexible hours basis has been reached, the Department shall evaluate the effectiveness and efficiency of the program and determine whether to expand the number of positions available for flexible hours to 20%.

When a goal of 20% of the positions in a department or agency being available on a flexible hours basis has been reached, the Department shall evaluate the effectiveness and efficiency of the program and determine whether to expand the number of positions available for flexible hours.

Each department shall develop a plan for implementation of flexible work requirements designed to reduce the need for day care of employees' children outside the home. Each department shall submit a report of its plan

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to the Department of Central Management Services and the General Assembly. This report shall be submitted biennially by March 1, with the first report due March 1, 1993.

(14) To perform any other lawful acts which he may consider necessary or desirable to carry out the purposes and provisions of this law.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 86-1004; 87-552; 87-1050.)

(20 ILCS 605/605-345 rep.)

Section 15. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by repealing Section 605-345.

Section 20. The Illinois Commission on Volunteerism and Community Service Act is amended by changing Sections 1, 2, 4, 5.1, 6.1, and 7 and by adding Sections 4.1 and 4.2 as follows:

(20 ILCS 710/1) (from Ch. 127, par. 3801)

Sec. 1. Creation. There is created in the Department of Public Health Human Services the Illinois Commission on Volunteerism and Community Service.

(Source: P.A. 91-798, eff. 7-9-00.)

(20 ILCS 710/2) (from Ch. 127, par. 3802)

Sec. 2. Purpose. The purpose of the Illinois Commission on Volunteerism and Community Service is to promote and support community service in public and private programs to meet the needs of Illinois residents citizens; to stimulate new volunteerism and community service initiatives and partnerships; and to serve as a resource and advocate among all State agencies within the Department of Human Services for community service agencies, volunteers, and programs which utilize federal, State, and private volunteers.

(Source: P.A. 91-798, eff. 7-9-00.)

(20 ILCS 710/4) (from Ch. 127, par. 3804)

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Sec. 4. Operation. The Governor shall appoint a Director of the Commission on Volunteerism and Community Service who shall serve at the Governor's pleasure and who shall receive such compensation as is determined by the Governor. The Director shall employ such staff as is necessary to carry out the purpose of this Act. The Commission, working in cooperation with State agencies, individuals, local groups, and organizations throughout the State, may undertake programs and activities which further the purposes of this Act, including, but not limited to, the following:

(a) providing technical assistance to programs which depend upon volunteers;
(b) initiating community service programs to meet previously unmet needs in Illinois;
(c) promoting and coordinating efforts to expand and improve the statewide community service network;
(d) recognizing outstanding community service accomplishments;
(e) disseminating information to support community service programs and to broaden community service involvement throughout the State;
(f) implementing federally funded grant programs in Illinois such as the National and Community Service Trust Act, as amended by the Serve America Act; 
(g) taking an active role in the State's emergency management plan to coordinate volunteers for disaster preparedness and response;
(h) promoting intergenerational initiatives and efforts to promote inclusion among diverse populations; and
(i) fostering an environment that promotes social innovation throughout the State.

The Commission may receive and expend funds, grants and services from any source for purposes reasonable and necessary to carry out a coordinated plan of community service throughout the State.

(Source: P.A. 91-798, eff. 7-9-00.)
(20 ILCS 710/4.1 new)

Sec. 4.1. Illinois Service Education Award Grant. The Commission may, subject to appropriation, award an Illinois Service Education Award Grant to recipients of a national service educational award established under 42 U.S.C. 12602 and awarded by the Corporation for National Community Service. The grant must be awarded only as a partial matching grant. An

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individual who successfully completes a required term of full-time national service in an approved national service position in this State may apply to receive an Illinois Service Education Award Grant. The Commission shall adopt rules to govern the process for applying for the grant and for determining the amount of the grant and any other rules necessary to implement and administer this Section.

An Illinois Service Education Award Grant may be used for any of the following purposes:

(1) To repay student loans associated with attending an Illinois institution of higher learning, as defined in the Higher Education Student Assistance Act.

(2) To pay all or part of the cost of attendance at an Illinois institution of higher learning, as defined in the Higher Education Student Assistance Act.

(3) To pay expenses incurred in participating in an approved Illinois school-to-work program.

(4) Any other purpose for which the national service educational award may lawfully be used.

Sec. 4.2. Receiving and expending funds. The Commission may receive and expend funds, grants, and services from any source for purposes reasonable and necessary to carry out a coordinated plan of community service throughout the State.

Sec. 5.1. Commission. The Commission is established to encourage community service and volunteer participation as a means of community and State problem-solving; to promote and support voluntary resident citizen involvement in government and private programs throughout the State; to develop a long-term, comprehensive vision and plan of action for national volunteerism and community service initiatives in Illinois; and to serve as the State's liaison to national and State organizations that support its mission.

The Commission shall consist of 15 to 25 bipartisan voting members and up to 15 bipartisan nonvoting members. At least 25% of the members must be from the City of Chicago.

The Governor shall appoint up to 25 voting members and up to 15 nonvoting members. Of those initial 25 voting members, 10 shall serve for 3 years, 8 shall serve for 2 years, and 7 shall serve for one year. Voting members appointed by the Governor shall include at least one representative of each of the following: an expert in the education, training, and development needs...
of youth; an expert in philanthropy; the chairman of the City Colleges of a municipality having a population of more than 2 million; a representative of labor organizations; a representative of business; a representative of community-based the human services department of a municipality with a population of more than 2 million; community based organizations; the State Superintendent of Education; the Superintendent of Police of a municipality having a population of more than 2 million; a youth between 16 and 25 years old who is a participant or supervisor in a community service program; the President of a County Board of a county having a population of more than 3 million; an expert in older adult volunteerism; a representative of persons with disabilities; the public health commissioner of a municipality having a population of more than 2 million; a representative of local government; and a representative of a national service program. A representative of the federal Corporation for National Service shall be appointed as a nonvoting member.

Appointing authorities shall ensure, to the maximum extent practicable, that the Commission is diverse with respect to race, ethnicity, age, gender, geography, and disability. Not more than 50% of the Commission appointed by the Governor may be from the same political party.

Subsequent voting members of the Commission shall serve 3-year terms. Commissioners must be allowed to serve until new commissioners are appointed in order to maintain the federally required number of commissioners.

Each nonvoting member shall serve at the pleasure of the Governor.

Members of the Commission may not serve more than 3 consecutive terms. Vacancies shall be filled in the same manner as the original appointments and any member so appointed shall serve during the remainder of the term for which the vacancy occurred. The members shall not receive any compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(Source: P.A. 91-798, eff. 7-9-00.)

(20 ILCS 710/6.1)

Sec. 6.1. Functions of Commission. The Commission shall meet at least quarterly and shall advise and consult with the Department of Public Health and the Governor's Office Human Services and the Director on all matters relating to community service in Illinois. In addition, the Commission shall have the following duties:

(a) prepare a 3-year State national and community service plan, developed through an open, public process and updated annually;

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(b) prepare the financial assistance applications of the State under the National and Community Service Trust Fund Act of 1993, as amended by the Serve America Act;

(c) assist in the preparation of the application by the State Board of Education for assistance under that Act;

(d) prepare the State's application under that Act for the approval of national service positions;

(e) assist in the provision of health care and child care benefits under that Act;

(f) develop a State recruitment, placement, and information dissemination system for participants in programs that receive assistance under the national service laws;

(g) administer the State's grant program including selection, oversight, and evaluation of grant recipients;

(h) make technical assistance available to enable applicants to plan and implement service programs and to apply for assistance under the national service laws;

(i) develop projects, training methods, curriculum materials, and other activities related to service;

(j) coordinate its functions with any division of the federal Corporation for National and Community Service outlined in the National and Community Service Trust Fund Act of 1993, as amended by the Serve America Act.

(k) publicize Commission services and promote community involvement in the activities of the Commission;

(l) promote increased visibility and support for volunteers of all ages, especially youth and senior citizens, and community service in meeting the needs of Illinois residents citizens; and

(m) represent the Department of Public Health and the Governor's Office Human Services on such occasions and in such manner as the Department may provide.

(Source: P.A. 91-798, eff. 7-9-00.)

(20 ILCS 710/7)

Sec. 7. Program transfer. On the effective date of this amendatory Act of the 98th General Assembly and this amendatory Act of the 91st General Assembly, the authority, powers, and duties in this Act of the Department of Human Services Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) are transferred to the Department of Public Health Human Services.

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Section 25. The Energy Conservation and Coal Development Act is amended by changing Section 3 as follows:

(20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

Sec. 3. Powers and Duties.

(a) In addition to its other powers, the Department has the following powers:

(1) To administer for the State any energy programs and activities under federal law, regulations or guidelines, and to coordinate such programs and activities with other State agencies, units of local government, and educational institutions.

(2) To represent the State in energy matters involving the federal government, other states, units of local government, and regional agencies.

(3) To prepare energy contingency plans for consideration by the Governor and the General Assembly. Such plans shall include procedures for determining when a foreseeable danger exists of energy shortages, including shortages of petroleum, coal, nuclear power, natural gas, and other forms of energy, and shall specify the actions to be taken to minimize hardship and maintain the general welfare during such energy shortages.

(4) To cooperate with State colleges and universities and their governing boards in energy programs and activities.

(5) (Blank).

(6) To accept, receive, expend, and administer, including by contracts and grants to other State agencies, any energy-related gifts, grants, cooperative agreement funds, and other funds made available to the Department by the federal government and other public and private sources.

(7) To investigate practical problems, seek and utilize financial assistance, implement studies and conduct research relating to the production, distribution and use of alcohol fuels.

(8) To serve as a clearinghouse for information on alcohol production technology; provide assistance, information and data relating to the production and use of alcohol; develop informational packets and brochures, and hold public seminars to encourage the development and utilization of the best available technology.

(9) To coordinate with other State agencies in order to promote the maximum flow of information and to avoid unnecessary

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overlapping of alcohol fuel programs. In order to effectuate this goal, the Director of the Department or his representative shall consult with the Directors, or their representatives, of the Departments of Agriculture, Central Management Services, Transportation, and Revenue, the Office of the State Fire Marshal, and the Environmental Protection Agency.

(10) To operate, within the Department, an Office of Coal Development and Marketing for the promotion and marketing of Illinois coal both domestically and internationally. The Department may use monies appropriated for this purpose for necessary administrative expenses.

The Office of Coal Development and Marketing shall develop and implement an initiative to assist the coal industry in Illinois to increase its share of the international coal market.

(11) To assist the Department of Central Management Services in establishing and maintaining a system to analyze and report energy consumption of facilities leased by the Department of Central Management Services.

(12) To consult with the Departments of Natural Resources and Transportation and the Illinois Environmental Protection Agency for the purpose of developing methods and standards that encourage the utilization of coal combustion by-products as value added products in productive and benign applications.

(13) To provide technical assistance and information to sellers and distributors of storage hot water heaters doing business in Illinois, pursuant to Section 1 of the Hot Water Heater Efficiency Act.

(b) (Blank).

(c) (Blank).

(d) The Department shall develop a package of educational materials containing information regarding the necessity of waste reduction and recycling to reduce dependence on landfills and to maintain environmental quality. The Department shall make this information available to the public on its website and for schools to access for their development of materials. Those materials developed shall be suitable for instructional use in grades 3, 4 and 5. The Department shall distribute such instructional material to all public elementary and unit school districts no later than November 1, of each year.

(e) (Blank).

(f) (Blank).

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(g) (Blank).
(h) (Blank).
(i) (Blank).

(Source: P.A. 98-44, eff. 6-28-13.)

(20 ILCS 2310/2310-373 rep.)
(20 ILCS 2310/2310-396 rep.)

Section 30. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by repealing Sections 2310-373 and 2310-396.

Section 35. The Governor's Office of Management and Budget Act is amended by changing Section 7.3 as follows:

(20 ILCS 3005/7.3)

Sec. 7.3. Annual economic and fiscal policy report. No later than the 3rd business day in January of each year, the Governor's Office of Management and Budget shall submit an economic and fiscal policy report to the General Assembly. The report must outline the long-term economic and fiscal policy objectives of the State, the economic and fiscal policy intentions for the upcoming fiscal year, and the economic and fiscal policy intentions for the following 2 fiscal years. The report must highlight the total level of revenue, expenditure, deficit or surplus, and debt with respect to each of the reporting categories. The report must be posted on the Office's Internet website and allow members of the public to post comments concerning the report.

(Source: P.A. 96-1354, eff. 7-28-10.)

Section 40. The Capital Spending Accountability Law is amended by changing Section 805 as follows:

(20 ILCS 3020/805)

Sec. 805. Reports on capital spending. On the first day of each quarterly period in each fiscal year, the Governor's Office of Management and Budget shall provide to the Comptroller, the Treasurer, the President and the Minority Leader of the Senate, and the Speaker and the Minority Leader of the House of Representatives a report on the status of all capital projects in the State. The report must be provided in both written and electronic format. The report must include all of the following:

(1) A brief description or stated purpose of each capital project where applicable (as referred to in this Section, "project").

(2) The amount and source of funds (whether from bond funds or other revenues) appropriated for each project, organized into categories including roads, mass transit, schools, environment, civic

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centers and other categories as applicable (as referred to in this Section, "category or categories"), with subtotals for each category.

(3) The date the appropriation bill relating to each project was signed by the Governor, organized into categories.

(4) The date the written release of the Governor for each project was submitted to the Comptroller or is projected to be submitted and, if a release for any project has not been submitted within 6 months after its appropriation became law, an explanation why the project has not yet been released, all organized into categories.

(5) The amount of expenditures to date by the State relating to each project and estimated amount of total State expenditures and proposed schedule of future State expenditures relating to each project, all organized into categories.

(6) A timeline for completion of each project, including the dates, if applicable, of execution by the State of any grant agreement, any required engineering or design work or environmental approvals, and the estimated or actual dates of the start and completion of construction, all organized into categories. Any substantial variances on any project from this reported timeline must be explained in the next quarterly report.

(7) A summary report of the status of all projects, including the amount of undisbursed funds intended to be held or used in the next quarter.

(Source: P.A. 96-34, eff. 7-13-09.)

Section 45. The General Assembly Operations Act is amended by changing Section 2 as follows:

(25 ILCS 10/2) (from Ch. 63, par. 23.2)

Sec. 2. The Speaker of the House and the President of the Senate, and the Chairman and members of the Senate Committee on Committees shall be considered as holding continuing offices until their respective successors are elected and qualified.

In the event of death or resignation of the Speaker of the House or of the President of the Senate after the sine die adjournment of the session of the General Assembly at which he was elected, the powers held by him shall pass respectively to the Majority Leader of the House of Representatives or to the Assistant Majority Leader of the Senate who, for the purposes of such powers shall be considered as holding continuing offices until his respective successors are elected and qualified.

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Section 50. The General Assembly Compensation Act is amended by changing Section 4.1 as follows:

Sec. 4.1. Payment techniques and procedures shall be according to rules made by the Senate Committee on Assignment of Bills Operations Commission or the Rules Committee of the House, as the case may be.

Section 55. The Legislative Commission Reorganization Act of 1984 is amended by changing Sections 1-5 and 8A-15 as follows:

Sec. 1-5. Composition of agencies; directors.

(a)(1) Each legislative support services agency listed in Section 1-3 is hereafter in this Section referred to as the Agency.

(2)-(Blank):

(2.1)-(Blank):

(2.5) The Board of the Office of the Architect of the Capitol shall consist of the Secretary and Assistant Secretary of the Senate and the Clerk and Assistant Clerk of the House of Representatives. When the Board has cast a tied vote concerning the design, implementation, or construction of a project within the legislative complex, as defined in Section 8A-15, the Architect of the Capitol may cast the tie-breaking vote.

The Boards of the Joint Committee on Administrative Rules, the Commission on Government Forecasting and Accountability, the Legislative Audit Committee, and the Legislative Research Unit (3) The other legislative support services agencies shall each consist of 12 members of the General Assembly, of whom 3 shall be appointed by the President of the Senate, 3 shall be appointed by the Minority Leader of the Senate, 3 shall be appointed by the Speaker of the House of Representatives, and 3 shall be appointed by the Minority Leader of the House of Representatives. All appointments shall be in writing and filed with the Secretary of State as a public record.

Members shall serve a 2-year term, and must be appointed by the Joint Committee during the month of January in each odd-numbered year for terms beginning February 1. Any vacancy in an Agency shall be filled by appointment for the balance of the term in the same manner as the original appointment. A vacancy shall exist when a member no longer holds the elected legislative office held at the time of the appointment or at the termination of the member's legislative service.

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During the month of February of each odd-numbered year, the Joint Committee on Legislative Support Services shall select from the members of the Board of each Agency 2 co-chairpersons and such other officers as the Joint Committee deems necessary. The co-chairpersons of each Board shall serve for a 2-year term, beginning February 1 of the odd-numbered year, and the 2 co-chairpersons shall not be members of or identified with the same house or the same political party.

Each Board shall meet twice annually or more often upon the call of the chair or any 9 members. A quorum of the Board shall consist of a majority of the appointed members.

(b) The Board of each of the following legislative support agencies shall consist of the Secretary and Assistant Secretary of the Senate and the Clerk and Assistant Clerk of the House of Representatives: the Legislative Information System, the Legislative Printing Unit, the Legislative Reference Bureau, and the Office of the Architect of the Capitol. The co-chairpersons of the Board of the Office of the Architect of the Capitol shall be the Secretary of the Senate and the Clerk of the House of Representatives, each ex officio (Blank).

The Chairperson of each of the other Boards shall be the member who is affiliated with the same caucus as the then serving Chairperson of the Joint Committee on Legislative Support Services. Each Board shall meet twice annually or more often upon the call of the chair or any 3 members. A quorum of the Board shall consist of a majority of the appointed members.

When the Board of the Office of the Architect of the Capitol has cast a tied vote concerning the design, implementation, or construction of a project within the legislative complex, as defined in Section 8A-15, the Architect of the Capitol may cast the tie-breaking vote.

(c) (Blank). During the month of February of each odd-numbered year, the Joint Committee on Legislative Support Services shall select from the members of each agency, other than the Office of the Architect of the Capitol, 2 co-chairmen and such other officers as the Joint Committee deems necessary. The co-chairmen of each Agency shall serve for a 2-year term, beginning February 1 of the odd-numbered year, and the 2 co-chairmen shall not be members of or identified with the same house or the same political party. The co-chairmen of the Board of the Office of the Architect of the Capitol shall be the Secretary of the Senate and the Clerk of the House of Representatives, each ex officio.

Each Agency shall meet twice annually or more often upon the call of the chair or any 9 members (or any 3 members in the case of the Office of

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the Architect of the Capitol. A quorum of the Agency shall consist of a majority of the appointed members:

(d) Members of each Agency shall serve without compensation, but shall be reimbursed for expenses incurred in carrying out the duties of the Agency pursuant to rules and regulations adopted by the Joint Committee on Legislative Support Services.

(e) Beginning February 1, 1985, and every 2 years thereafter, the Joint Committee shall select an Executive Director who shall be the chief executive officer and staff director of each Agency. The Executive Director shall receive a salary as fixed by the Joint Committee and shall be authorized to employ and fix the compensation of necessary professional, technical and secretarial staff and prescribe their duties, sign contracts, and issue vouchers for the payment of obligations pursuant to rules and regulations adopted by the Joint Committee on Legislative Support Services. The Executive Director and other employees of the Agency shall not be subject to the Personnel Code.

The executive director of the Office of the Architect of the Capitol shall be known as the Architect of the Capitol.

(Source: P.A. 96-959, eff. 7-1-10.)

(25 ILCS 130/8A-15)
Sec. 8A-15. Master plan.

(a) The term "legislative complex" means (i) the buildings and facilities located in Springfield, Illinois, and occupied in whole or in part by the General Assembly or any of its support service agencies, (ii) the grounds, walkways, and tunnels surrounding or connected to those buildings and facilities, and (iii) the off-street parking areas serving those buildings and facilities.

(b) The Architect of the Capitol shall prepare and implement a long-range master plan of development for the State Capitol Building and the remaining portions of the legislative complex, and the land and State buildings and facilities within the area bounded by Washington, Third, Cook, and Pasfield Streets that addresses the improvement, construction, historic preservation, restoration, maintenance, repair, and landscaping needs of these State buildings and facilities and the land the State Capitol Building and the remaining portions of the legislative complex. The Architect of the Capitol shall submit the master plan to the Capitol Historic Preservation Board for its review and comment. The Board must confine its review and comment to those portions of the master plan that relate to areas of the legislative complex other than the State Capitol Building. The Architect may incorporate

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suggestions of the Board into the master plan. The master plan must be submitted to and approved by the Board of the Office of the Architect of the Capitol before its implementation.

The Architect of the Capitol may change the master plan and shall submit changes in the master plan that relate to areas of the legislative complex other than the State Capitol Building to the Capitol Historic Preservation Board for its review and comment. All changes in the master plan must be submitted to and approved by the Board of the Office of the Architect of the Capitol before implementation.

(c) The Architect of the Capitol must review the master plan every 5 years or at the direction of the Board of the Office of the Architect of the Capitol. Changes in the master plan resulting from this review must be made in accordance with the procedure provided in subsection (b).

(d) Notwithstanding any other law to the contrary, the Architect of the Capitol has the sole authority to contract for all materials and services necessary for the implementation of the master plan. The Architect (i) may comply with the procedures established by the Joint Committee on Legislative Support Services under Section 1-4 or (ii) upon approval of the Board of the Office of the Architect of the Capitol, may, but is not required to, comply with a portion or all of the Illinois Procurement Code when entering into contracts under this subsection. The Architect's compliance with the Illinois Procurement Code shall not be construed to subject the Architect or any other entity of the legislative branch to the Illinois Procurement Code with respect to any other contract.

The Architect may enter into agreements with other State agencies for the provision of materials or performance of services necessary for the implementation of the master plan.

State officers and agencies providing normal, day-to-day repair, maintenance, or landscaping or providing security, commissary, utility, parking, banking, tour guide, event scheduling, or other operational services for buildings and facilities within the legislative complex immediately prior to the effective date of this amendatory Act of the 93rd General Assembly shall continue to provide that normal, day-to-day repair, maintenance, or landscaping or those services on the same basis, whether by contract or employees, that the repair, maintenance, landscaping, or services were provided immediately prior to the effective date of this amendatory Act of the 93rd General Assembly, subject to the provisions of the master plan and as otherwise directed by the Architect of the Capitol.
(e) The Architect of the Capitol shall monitor construction, preservation, restoration, maintenance, repair, and landscaping work in the legislative complex and implementation of the master plan, as well as other activities that alter the historic integrity of the legislative complex and the other land and State buildings and facilities in the master plan.

(Source: P.A. 93-632, eff. 2-1-04.)

(30 ILCS 105/5.250 rep.)

Section 60. The State Finance Act is amended by repealing Section 5.250.

Section 65. The Adult Education Reporting Act is amended by changing Section 1 as follows:

(105 ILCS 410/1) (from Ch. 122, par. 1851)

Sec. 1. As used in this Act, "agency" means: the Departments of Corrections, Public Aid, Commerce and Economic Opportunity, Human Services, and Public Health; the Secretary of State; the Illinois Community College Board; and the Administrative Office of the Illinois Courts. On and after July 1, 2001, "agency" includes the State Board of Education and does not include the Illinois Community College Board.

(Source: P.A. 94-793, eff. 5-19-06.)

Section 70. The Public Community College Act is amended by changing Section 2-10 as follows:

(110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

Sec. 2-10. The State Board shall make a thorough, comprehensive and continuous study of the status of community college education, its problems, needs for improvement, and projected developments and shall make a detailed report thereof to the General Assembly not later than March 1 of each odd-numbered year and shall submit recommendations for such legislation as it deems necessary.

The requirement for reporting to the General Assembly shall be satisfied by electronically filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and electronically filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act. A copy of the report shall also be posted on the State Board's website.

(Source: P.A. 84-1438.)

New matter indicated by italics - deletions by strikeout
Section 75. The Illinois Insurance Code is amended by repealing Section 178.

Section 80. The Illinois Insurance Code is amended by repealing Articles XVI and XIXB.

Section 85. The Wholesale Drug Distribution Licensing Act is amended by repealing Section 24.

Section 90. The Solid Waste Site Operator Certification Law is amended by changing Section 1011 as follows:

(a) Fees for the issuance or renewal of a Solid Waste Site Operator Certificate shall be as follows:

1. (A) $400 for issuance or renewal for Class A Solid Waste Site Operators; (B) $200 for issuance or renewal for Class B Solid Waste Site Operators; and (C) $100 for issuance or renewal for special waste endorsements.

2. If the fee for renewal is not paid within the grace period, the above fees for renewal shall each be increased by $50.

(b) Before the effective date of this amendatory Act of the 98th General Assembly, all fees collected by the Agency under this Section shall be deposited into the Hazardous Waste Occupational Licensing Fund. The Agency is authorized to use monies in the Hazardous Waste Occupational Licensing Fund to perform its functions, powers, and duties under this Section.

On and after the effective date of this amendatory Act of the 98th General Assembly, all fees collected by the Agency under this Section shall be deposited into the Environmental Protection Permit and Inspection Fund to be used in accordance with the provisions of Section 22.8 of the Environmental Protection Act.

(Source: P.A. 86-1363.)

Section 95. The Illinois Athlete Agents Act is amended by changing Section 180 as follows:

New matter indicated by italics - deletions by strikeout
(a) In addition to any other penalty provided by law, any person who
violates this Act shall forfeit and pay a civil penalty to the Department in an
amount not to exceed $10,000 for each violation as determined by the
Department. The civil penalty shall be assessed by the Department in
accordance with the provisions of this Act.

(b) The Department has the authority and power to investigate any
and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective
date of the order imposing the civil penalty. The order shall constitute a
judgment and may be filed and execution had thereon in the same manner as
any judgment from any court of record.

(d) All moneys collected under this Section shall be deposited into the
General Professions Dedicated Fund.

(230 ILCS 5/30) (from Ch. 8, par. 37-30)

Sec. 30. (a) The General Assembly declares that it is the policy of this
State to encourage the breeding of thoroughbred horses in this State and the
ownership of such horses by residents of this State in order to provide for:
sufficient numbers of high quality thoroughbred horses to participate in
thoroughbred racing meetings in this State, and to establish and preserve the
agricultural and commercial benefits of such breeding and racing industries
to the State of Illinois. It is the intent of the General Assembly to further this
policy by the provisions of this Act.

(b) Each organization licensee conducting a thoroughbred racing
meeting pursuant to this Act shall provide at least two races each day limited
to Illinois conceived and foaled horses or Illinois foaled horses or both. A
minimum of 6 races shall be conducted each week limited to Illinois
conceived and foaled or Illinois foaled horses or both. No horses shall be
permitted to start in such races unless duly registered under the rules of the
Department of Agriculture.

(c) Conditions of races under subsection (b) shall be commensurate
with past performance, quality, and class of Illinois conceived and foaled and
Illinois foaled horses available. If, however, sufficient competition cannot be
had among horses of that class on any day, the races may, with consent of the
Board, be eliminated for that day and substitute races provided.

(d) There is hereby created a special fund of the State Treasury to be
known as the Illinois Thoroughbred Breeders Fund.

New matter indicated by italics - deletions by strikeout
Except as provided in subsection (g) of Section 27 of this Act, 8.5% of all the monies received by the State as privilege taxes on Thoroughbred racing meetings shall be paid into the Illinois Thoroughbred Breeders Fund.

(e) The Illinois Thoroughbred Breeders Fund shall be administered by the Department of Agriculture with the advice and assistance of the Advisory Board created in subsection (f) of this Section.

(f) The Illinois Thoroughbred Breeders Fund Advisory Board shall consist of the Director of the Department of Agriculture, who shall serve as Chairman; a member of the Illinois Racing Board, designated by it; 2 representatives of the organization licensees conducting thoroughbred racing meetings, recommended by them; 2 representatives of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by it; and 2 representatives of the Horsemen's Benevolent Protective Association or any successor organization established in Illinois comprised of the largest number of owners and trainers, recommended by it, with one representative of the Horsemen's Benevolent and Protective Association to come from its Illinois Division, and one from its Chicago Division. Advisory Board members shall serve for 2 years commencing January 1 of each odd numbered year. If representatives of the organization licensees conducting thoroughbred racing meetings, the Illinois Thoroughbred Breeders and Owners Foundation, and the Horsemen's Benevolent Protection Association have not been recommended by January 1, of each odd numbered year, the Director of the Department of Agriculture shall make an appointment for the organization failing to so recommend a member of the Advisory Board. Advisory Board members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of their official duties.

(g) No monies shall be expended from the Illinois Thoroughbred Breeders Fund except as appropriated by the General Assembly. Monies appropriated from the Illinois Thoroughbred Breeders Fund shall be expended by the Department of Agriculture, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board, for the following purposes only:

(1) To provide purse supplements to owners of horses participating in races limited to Illinois conceived and foaled and Illinois foaled horses. Any such purse supplements shall not be included in and shall be paid in addition to any purses, stakes, or breeders' awards offered by each organization licensee as determined by agreement between such organization licensee and an organization.
representing the horsemen. No monies from the Illinois Thoroughbred Breeders Fund shall be used to provide purse supplements for claiming races in which the minimum claiming price is less than $7,500.

(2) To provide stakes and awards to be paid to the owners of the winning horses in certain races limited to Illinois conceived and foaled and Illinois foaled horses designated as stakes races.

(2.5) To provide an award to the owner or owners of an Illinois conceived and foaled or Illinois foaled horse that wins a maiden special weight, an allowance, overnight handicap race, or claiming race with claiming price of $10,000 or more providing the race is not restricted to Illinois conceived and foaled or Illinois foaled horses. Awards shall also be provided to the owner or owners of Illinois conceived and foaled and Illinois foaled horses that place second or third in those races. To the extent that additional moneys are required to pay the minimum additional awards of 40% of the purse the horse earns for placing first, second or third in those races for Illinois foaled horses and of 60% of the purse the horse earns for placing first, second or third in those races for Illinois conceived and foaled horses, those moneys shall be provided from the purse account at the track where earned.

(3) To provide stallion awards to the owner or owners of any stallion that is duly registered with the Illinois Thoroughbred Breeders Fund Program prior to the effective date of this amendatory Act of 1995 whose duly registered Illinois conceived and foaled offspring wins a race conducted at an Illinois thoroughbred racing meeting other than a claiming race. Such award shall not be paid to the owner or owners of an Illinois stallion that served outside this State at any time during the calendar year in which such race was conducted.

(4) To provide $75,000 annually for purses to be distributed to county fairs that provide for the running of races during each county fair exclusively for the thoroughbreds conceived and foaled in Illinois. The conditions of the races shall be developed by the county fair association and reviewed by the Department with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board. There shall be no wagering of any kind on the running of Illinois conceived and foaled races at county fairs.

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(4.1) To provide purse money for an Illinois stallion stakes program.

(5) No less than 80% of all monies appropriated from the Illinois Thoroughbred Breeders Fund shall be expended for the purposes in (1), (2), (2.5), (3), (4), (4.1), and (5) as shown above.

(6) To provide for educational programs regarding the thoroughbred breeding industry.

(7) To provide for research programs concerning the health, development and care of the thoroughbred horse.

(8) To provide for a scholarship and training program for students of equine veterinary medicine.

(9) To provide for dissemination of public information designed to promote the breeding of thoroughbred horses in Illinois.

(10) To provide for all expenses incurred in the administration of the Illinois Thoroughbred Breeders Fund.

(h) Whenever the Governor finds that the amount in the Illinois Thoroughbred Breeders Fund is more than the total of the outstanding appropriations from such fund, the Governor shall notify the State Comptroller and the State Treasurer of such fact. The Comptroller and the State Treasurer, upon receipt of such notification, shall transfer such excess amount from the Illinois Thoroughbred Breeders Fund to the General Revenue Fund.

(i) A sum equal to 12 1/2% of the first prize money of every purse won by an Illinois foaled or an Illinois conceived and foaled horse in races not limited to Illinois foaled horses or Illinois conceived and foaled horses, or both, shall be paid by the organization licensee conducting the horse race meeting. Such sum shall be paid from the organization licensee's share of the money wagered as follows: 11 1/2% to the breeder of the winning horse and 1% to the organization representing thoroughbred breeders and owners whose representative serves on the Illinois Thoroughbred Breeders Fund Advisory Board for verifying the amounts of breeders' awards earned, assuring their distribution in accordance with this Act, and servicing and promoting the Illinois thoroughbred horse racing industry. The organization representing thoroughbred breeders and owners shall cause all expenditures of monies received under this subsection (i) to be audited at least annually by a registered public accountant. The organization shall file copies of each annual audit with the Racing Board, the Clerk of the House of Representatives and the Secretary of the Senate, and shall make copies of each annual audit available to the public upon request and upon payment of the reasonable cost

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of photocopying the requested number of copies. Such payments shall not reduce any award to the owner of the horse or reduce the taxes payable under this Act. Upon completion of its racing meet, each organization licensee shall deliver to the organization representing thoroughbred breeders and owners whose representative serves on the Illinois Thoroughbred Breeders Fund Advisory Board a listing of all the Illinois foaled and the Illinois conceived and foaled horses which won breeders' awards and the amount of such breeders' awards under this subsection to verify accuracy of payments and assure proper distribution of breeders' awards in accordance with the provisions of this Act. Such payments shall be delivered by the organization licensee within 30 days of the end of each race meeting.

(j) A sum equal to 12 1/2% of the first prize money won in each race limited to Illinois foaled horses or Illinois conceived and foaled horses, or both, shall be paid in the following manner by the organization licensee conducting the horse race meeting, from the organization licensee's share of the money wagered: 11 1/2% to the breeders of the horses in each such race which are the official first, second, third and fourth finishers and 1% to the organization representing thoroughbred breeders and owners whose representative serves on the Illinois Thoroughbred Breeders Fund Advisory Board for verifying the amounts of breeders' awards earned, assuring their proper distribution in accordance with this Act, and servicing and promoting the Illinois thoroughbred horse racing industry. The organization representing thoroughbred breeders and owners shall cause all expenditures of monies received under this subsection (j) to be audited at least annually by a registered public accountant. The organization shall file copies of each annual audit with the Racing Board, the Clerk of the House of Representatives and the Secretary of the Senate, and shall make copies of each annual audit available to the public upon request and upon payment of the reasonable cost of photocopying the requested number of copies.

The 11 1/2% paid to the breeders in accordance with this subsection shall be distributed as follows:

(1) 60% of such sum shall be paid to the breeder of the horse which finishes in the official first position;
(2) 20% of such sum shall be paid to the breeder of the horse which finishes in the official second position;
(3) 15% of such sum shall be paid to the breeder of the horse which finishes in the official third position; and
(4) 5% of such sum shall be paid to the breeder of the horse which finishes in the official fourth position.

New matter indicated by italics - deletions by strikeout
Such payments shall not reduce any award to the owners of a horse or reduce the taxes payable under this Act. Upon completion of its racing meet, each organization licensee shall deliver to the organization representing thoroughbred breeders and owners whose representative serves on the Illinois Thoroughbred Breeders Fund Advisory Board a listing of all the Illinois foaled and the Illinois conceived and foaled horses which won breeders' awards and the amount of such breeders' awards in accordance with the provisions of this Act. Such payments shall be delivered by the organization licensee within 30 days of the end of each race meeting.

(k) The term "breeder", as used herein, means the owner of the mare at the time the foal is dropped. An "Illinois foaled horse" is a foal dropped by a mare which enters this State on or before December 1, in the year in which the horse is bred, provided the mare remains continuously in this State until its foal is born. An "Illinois foaled horse" also means a foal born of a mare in the same year as the mare enters this State on or before March 1, and remains in this State at least 30 days after foaling, is bred back during the season of the foaling to an Illinois Registered Stallion (unless a veterinarian certifies that the mare should not be bred for health reasons), and is not bred to a stallion standing in any other state during the season of foaling. An "Illinois foaled horse" also means a foal born in Illinois of a mare purchased at public auction subsequent to the mare entering this State prior to February 1 of the foaling year providing the mare is owned solely by one or more Illinois residents or an Illinois entity that is entirely owned by one or more Illinois residents.

(l) The Department of Agriculture shall, by rule, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board:

1. Qualify stallions for Illinois breeding; such stallions to stand for service within the State of Illinois at the time of a foal's conception. Such stallion must not stand for service at any place outside the State of Illinois during the calendar year in which the foal is conceived. The Department of Agriculture may assess and collect application fees for the registration of Illinois-eligible stallions. All fees collected are to be paid into the Illinois Thoroughbred Breeders Fund.

2. Provide for the registration of Illinois conceived and foaled horses and Illinois foaled horses. No such horse shall compete in the races limited to Illinois conceived and foaled horses or Illinois foaled horses or both unless registered with the Department of Agriculture. The Department of Agriculture may prescribe such forms.
as are necessary to determine the eligibility of such horses. The Department of Agriculture may assess and collect application fees for the registration of Illinois-eligible foals. All fees collected are to be paid into the Illinois Thoroughbred Breeders Fund. No person shall knowingly prepare or cause preparation of an application for registration of such foals containing false information.

(m) The Department of Agriculture, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board, shall provide that certain races limited to Illinois conceived and foaled and Illinois foaled horses be stakes races and determine the total amount of stakes and awards to be paid to the owners of the winning horses in such races.

In determining the stakes races and the amount of awards for such races, the Department of Agriculture shall consider factors, including but not limited to, the amount of money appropriated for the Illinois Thoroughbred Breeders Fund program, organization licensees' contributions, availability of stakes caliber horses as demonstrated by past performances, whether the race can be coordinated into the proposed racing dates within organization licensees' racing dates, opportunity for colts and fillies and various age groups to race, public wagering on such races, and the previous racing schedule.

(n) The Board and the organizational licensee shall notify the Department of the conditions and minimum purses for races limited to Illinois conceived and foaled and Illinois foaled horses conducted for each organizational licensee conducting a thoroughbred racing meeting. The Department of Agriculture with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board may allocate monies for purse supplements for such races. In determining whether to allocate money and the amount, the Department of Agriculture shall consider factors, including but not limited to, the amount of money appropriated for the Illinois Thoroughbred Breeders Fund program, the number of races that may occur, and the organizational licensee's purse structure.

(o) (Blank). In order to improve the breeding quality of thoroughbred horses in the State, the General Assembly recognizes that existing provisions of this Section to encourage such quality breeding need to be revised and strengthened. As such, a Thoroughbred Breeder's Program Task Force is to be appointed by the Governor by September 1, 1999 to make recommendations to the General Assembly by no later than March 1, 2000. This task force is to be composed of 2 representatives from the Illinois Thoroughbred Breeders and Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's Association, 3 from Illinois race tracks operating

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thoroughbred race meets for an average of at least 30 days in the past 3 years, the Director of Agriculture, the Executive Director of the Racing Board, who shall serve as Chairman:
(Source: P.A. 91-40, eff. 6-25-99.)

Section 105. The Liquor Control Act of 1934 is amended by changing Section 6-15 as follows:
(235 ILCS 5/6-15) (from Ch. 43, par. 130)
Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the control of the State or any political subdivision thereof except as provided in this Act. The corporate authorities of any city, village, incorporated town, township, or county may provide by ordinance, however, that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality, township, or county, or in any building located on land under the control of the municipality, township, or county; provided that such township or county complies with all applicable local ordinances in any incorporated area of the township or county. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 in Mendota,
Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in Loves Park, Illinois, or, in connection with the operation of an established food serving facility during times when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the Forest Preserve District of Cook County, or on any land used for a golf course or for recreational purposes owned by the Forest Preserve District of Cook County, subject to the control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago Park District if approved by the Park District Commissioners, or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by the District's governing board, or at any airport, golf course, faculty center, or facility in which conference and convention type activities take place belonging to or under control of any State university or public community college district, provided that with respect to a facility for conference and convention type activities alcoholic liquors shall be limited to the use of the convention or conference participants or participants in cultural, political or educational activities held in such facilities, and provided further that the faculty or staff of the State university or a public community college district, or members of an organization of students, alumni, faculty or staff of the State university or a public community college district are active participants in the conference or convention, or in Memorial Stadium on the campus of the University of Illinois at Urbana-Champaign during games in which the Chicago Bears professional football team is playing in that stadium during the renovation of Soldier Field, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the Chicago Storm professional soccer team is playing in that facility, not more than one and a half hours before the start of the game and

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not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the WNBA professional women's basketball team is playing in that facility, not more than one and a half hours before the start of the game and not after the 10-minute mark of the second half of the game, or by a catering establishment which has rented facilities from a board of trustees of a public community college district, or in a restaurant that is operated by a commercial tenant in the North Campus Parking Deck building that (1) is located at 1201 West University Avenue, Urbana, Illinois and (2) is owned by the Board of Trustees of the University of Illinois, or, if approved by the District board, on land owned by the Metropolitan Sanitary District of Greater Chicago and leased to others for a term of at least 20 years. Nothing in this Section precludes the sale or delivery of alcoholic liquor in the form of original packaged goods in premises located at 500 S. Racine in Chicago belonging to the University of Illinois and used primarily as a grocery store by a commercial tenant during the term of a lease that predates the University's acquisition of the premises; but the University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to all local laws and regulations. After the acquisition by Winnebago County of the property located at 404 Elm Street in Rockford, a commercial tenant who sold alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue to do so for so long as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the sale of alcoholic liquor. Alcoholic liquors may be delivered to and sold at Memorial Hall, located at 211 North Main Street, Rockford, under conditions approved by Winnebago County and subject to all local laws and regulations regarding the sale of alcoholic liquor. Each facility shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the State, municipality, State university, airport, golf course, faculty center, facility in which conference and convention type activities take place, park district, Forest Preserve District, public community college district, aquarium, museum, or sanitary district from all financial loss, damage or harm. Alcoholic liquors may be sold at retail in buildings of golf courses owned by municipalities or Illinois State University in connection with the operation of an established food serving facility during times when food is dispensed for consumption upon the premises. Alcoholic liquors may be delivered to and sold at retail in any building owned by a fire protection district organized under the Fire

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Protection District Act, provided that such delivery and sale is approved by the board of trustees of the district, and provided further that such delivery and sale is limited to fundraising events and to a maximum of 6 events per year. However, the limitation to fundraising events and to a maximum of 6 events per year does not apply to the delivery, sale, or manufacture of alcoholic liquors at the building located at 59 Main Street in Oswego, Illinois, owned by the Oswego Fire Protection District if the alcoholic liquor is sold or dispensed as approved by the Oswego Fire Protection District and the property is no longer being utilized for fire protection purposes.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of the University of Illinois for events that the Board may determine are public events and not related student activities. The Board of Trustees shall issue a written policy within 6 months of the effective date of this amendatory Act of the 95th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, among other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) regarding the anticipated attendees at the event, the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue. In addition, any policy submitted by the Board of Trustees to the Illinois Liquor Control Commission must require that any event at which alcoholic liquors are served or sold in buildings under the control of the Board of Trustees shall require the prior written approval of the Office of the Chancellor for the University campus where the event is located. The Board of Trustees shall submit its policy, and any subsequently revised, updated, new, or amended policies, to the Illinois Liquor Control Commission, and any University event, or location for an event, exempted under such policies shall apply for a license under the applicable Sections of this Act.

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Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Northern Illinois University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after June 28, 2011 (the effective date of Public Act 97-45) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Chicago State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after August 2, 2013 (the effective date of Public Act 98-132) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.
age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Illinois State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after the effective date of this amendatory Act of the 97th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquor may be delivered to and sold at retail in the Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial loss, damage and harm.

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

(i) the Adjutant General's written consent to the issuance of a license to sell alcoholic liquor in such building is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

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(iii) the organized function is one for which the planned attendance is 25 or more persons; and
(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or harm.
Alcoholic liquors may be delivered to and sold at retail in the Chicago Civic Center, provided that:
(i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;
(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;
(iii) the organized function is one for which the planned attendance is 25 or more persons;
(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and
(v) all applicable local ordinances are complied with.
Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. In accordance with a license issued under this Act, alcoholic liquor may be sold, served, or delivered in buildings and facilities under the control of the Department of Natural Resources during events or activities lasting no more than 7 continuous days upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor

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commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

Beer and wine may be sold and dispensed at professional sporting events and at professional concerts and other entertainment events conducted on premises owned by the Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage and harm.

Nothing in this Section shall preclude the sale or delivery of beer and wine at a State or county fair or the sale or delivery of beer or wine at a city fair in any otherwise lawful manner.

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural Resources, provided:

a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. (blank), and

c. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Department of Natural Resources, and

c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight. Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or restaurant concessionaire is not subject to the provisions of Articles IV and IX. Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum provided:

a. the property has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has

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restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and

c. the alcoholic liquors are sold by the lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight.

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in State parks or golf courses owned by Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

Alcoholic liquors may be sold at retail in the Springfield Administration Building of the Department of Transportation and the Illinois State Armory in Springfield; provided, that the controlling government authority may consent to such sales only if

a. the request is from a not-for-profit organization;

b. such sales would not impede normal operations of the departments involved;

c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;

d. no such sale shall be made during normal working hours of the State of Illinois; and

e. the consent is in writing.

Alcoholic liquors may be sold at retail in buildings in recreational areas of river conservancy districts under the control of, or leased from, the river conservancy districts. Such sales are subject to reasonable local regulations as provided in Article IV; however, no such regulations may prohibit or substantially impair the sale of alcoholic liquors on Sundays or Holidays.

Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the Illinois Department of Public Health, to residents of the facility who

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have had their consumption of the alcoholic liquors provided approved in writing by a physician licensed to practice medicine in all its branches.

Alcoholic liquors may be delivered to and dispensed in State housing assigned to employees of the Department of Corrections. No person shall furnish or allow to be furnished any alcoholic liquors to any prisoner confined in any jail, reformatory, prison or house of correction except upon a physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the controlling government authority, or by (2) a not-for-profit organization, provided that such organization:

  a. Obtains written consent from the controlling government authority;
  b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
  c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
  d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at authorized functions.

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or
executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) an individual or organization provided that such individual or organization:

a. Obtains written consent from the controlling government authority;
  b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal workings of State offices or operations located at the facility, property or building;
  c. Sells or dispenses alcoholic liquors only in connection with an official activity of the individual or organization in the facility, property or building;
  d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

The controlling government authority for the Historic Sites and Preservation Division of the Historic Preservation Agency shall be the Director of the Historic Sites and Preservation, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any day care or child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

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a. obtains written consent from the Department of Central Management Services;
b. accepts delivery of and sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the building; and
d. provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of Illinois from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;
b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

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d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Department of Central Management Services.

Alcoholic liquors may be sold or delivered in a building that is owned by McLean County, situated on land owned by the county in the City of Bloomington, and used by the McLean County Historical Society if the sale or delivery is approved by an ordinance adopted by the county board, and the

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municipality in which the building is located may not prohibit that sale or
delivery, notwithstanding any other provision of this Section. The regulation
of the sale and delivery of alcoholic liquor in a building that is owned by
McLean County, situated on land owned by the county, and used by the
McLean County Historical Society as provided in this paragraph is an
exclusive power and function of the State and is a denial and limitation under
Article VII, Section 6, subsection (h) of the Illinois Constitution of the power
of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on
land held in trust for any school district organized under Article 34 of the
School Code, if the building is not used for school purposes and if the sale or
delivery is approved by the board of education.

Alcoholic liquors may be sold or delivered in buildings owned by the
Community Building Complex Committee of Boone County, Illinois if the
person or facility selling or dispensing the alcoholic liquor has provided dram
shop liability insurance with coverage and in amounts that the Committee
reasonably determines are necessary.

Alcoholic liquors may be sold or delivered in the building located at
1200 Centerville Avenue in Belleville, Illinois and occupied by either the
Belleville Area Special Education District or the Belleville Area Special
Services Cooperative.

Alcoholic liquors may be delivered to and sold at the Louis Joliet
Renaissance Center, City Center Campus, located at 214 N. Ottawa Street,
Joliet, and the Food Services/Culinary Arts Department facilities, Main
Campus, located at 1215 Houbolt Road, Joliet, owned by or under the control
of Joliet Junior College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at Triton College,
Illinois Community College District No. 504.

Alcoholic liquors may be delivered to and sold at the College of

Alcoholic liquors may be delivered to and sold at the building located
at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple
River Fire Protection District, and occupied by the Apple River Community
Association if the alcoholic liquor is sold or dispensed only in connection
with organized functions approved by the Apple River Community
Association for which the planned attendance is 20 or more persons and if the
person or facility selling or dispensing the alcoholic liquor has provided dram
shop liability insurance in maximum limits so as to hold harmless the Apple
River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

Alcoholic liquors may be delivered to and sold at the Sikia Restaurant, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, and at the Food Services in the Great Hall/Washburne Culinary Institute Department facility, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, owned by or under the control of City Colleges of Chicago, Illinois Community College District No. 508.

(Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51, eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11; 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised 9-24-13.)

(320 ILCS 65/20 rep.)

Section 110. The Family Caregiver Act is amended by repealing Section 20.

(410 ILCS 3/10 rep.)

Section 115. The Atherosclerosis Prevention Act is amended by repealing Section 10.

(410 ILCS 425/Act rep.)

Section 120. The High Blood Pressure Control Act is repealed.

Section 125. The Environmental Protection Act is amended by changing Section 22.8 as follows:

(415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

Sec. 22.8. Environmental Protection Permit and Inspection Fund.

(a) There is hereby created in the State Treasury a special fund to be known as the Environmental Protection Permit and Inspection Fund. All fees collected by the Agency pursuant to this Section, Section 9.6, 12.2, 16.1, 22.2 (j)(6)(E)(v)(IV), 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act, or pursuant to Section 22 of the Public Water Supply Operations Act or Section 1011 of the Solid Waste Site Operator Certification Law, as well as and funds collected under subsection (b.5) of Section 42 of this Act, shall be deposited into the Fund. In addition to any monies appropriated from the General Revenue Fund, monies in the Fund shall be appropriated by the General Assembly to the Agency in amounts deemed necessary for manifest, permit, and inspection activities and for performing its functions, powers, and duties under the Solid Waste Site Operator Certification Law processing requests under Section 22.2 (j)(6)(E)(v)(IV).

The General Assembly may appropriate monies in the Fund deemed necessary for Board regulatory and adjudicatory proceedings.

New matter indicated by italics - deletions by strikeout
(a-5) As soon as practicable after the effective date of this amendatory Act of the 98th General Assembly, but no later than January 1, 2014, the State Comptroller shall direct and the State Treasurer shall transfer all monies in the Industrial Hygiene Regulatory and Enforcement Fund to the Environmental Protection Permit and Inspection Fund to be used in accordance with the terms of the Environmental Protection Permit and Inspection Fund.

(a-6) As soon as practicable after the effective date of this amendatory Act of the 98th General Assembly, but no later than December 31, 2014, the State Comptroller shall order the transfer of, and the State Treasurer shall transfer, all moneys in the Hazardous Waste Occupational Licensing Fund into the Environmental Protection Permit and Inspection Fund to be used in accordance with the terms of the Environmental Protection Permit and Inspection Fund.

(b) The Agency shall collect from the owner or operator of any of the following types of hazardous waste disposal sites or management facilities which require a RCRA permit under subsection (f) of Section 21 of this Act, or a UIC permit under subsection (g) of Section 12 of this Act, an annual fee in the amount of:

1. $35,000 ($70,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is located off the site where such waste was produced;
2. $9,000 ($18,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is located on the site where such waste was produced;
3. $7,000 ($14,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is an underground injection well;
4. $2,000 ($4,000 beginning in 2004) for a hazardous waste management facility treating hazardous waste by incineration;
5. $1,000 ($2,000 beginning in 2004) for a hazardous waste management facility treating hazardous waste by a method, technique or process other than incineration;
6. $1,000 ($2,000 beginning in 2004) for a hazardous waste management facility storing hazardous waste in a surface impoundment or pile;
7. $250 ($500 beginning in 2004) for a hazardous waste management facility storing hazardous waste other than in a surface impoundment or pile; and

New matter indicated by italics - deletions by strikeout
(8) Beginning in 2004, $500 for a large quantity hazardous waste generator required to submit an annual or biennial report for hazardous waste generation.

(c) Where two or more operational units are located within a single hazardous waste disposal site, the Agency shall collect from the owner or operator of such site an annual fee equal to the highest fee imposed by subsection (b) of this Section upon any single operational unit within the site.

(d) The fee imposed upon a hazardous waste disposal site under this Section shall be the exclusive permit and inspection fee applicable to hazardous waste disposal at such site, provided that nothing in this Section shall be construed to diminish or otherwise affect any fee imposed upon the owner or operator of a hazardous waste disposal site by Section 22.2.

(e) The Agency shall establish procedures, no later than December 1, 1984, relating to the collection of the hazardous waste disposal site fees authorized by this Section. Such procedures shall include, but not be limited to the time and manner of payment of fees to the Agency, which shall be quarterly, payable at the beginning of each quarter for hazardous waste disposal site fees. Annual fees required under paragraph (7) of subsection (b) of this Section shall accompany the annual report required by Board regulations for the calendar year for which the report applies.

(f) For purposes of this Section, a hazardous waste disposal site consists of one or more of the following operational units:

(1) a landfill receiving hazardous waste for disposal;
(2) a waste pile or surface impoundment, receiving hazardous waste, in which residues which exhibit any of the characteristics of hazardous waste pursuant to Board regulations are reasonably expected to remain after closure;
(3) a land treatment facility receiving hazardous waste; or
(4) a well injecting hazardous waste.

(g) The Agency shall assess a fee for each manifest provided by the Agency. For manifests provided on or after January 1, 1989 but before July 1, 2003, the fee shall be $1 per manifest. For manifests provided on or after July 1, 2003, the fee shall be $3 per manifest.

(Source: P.A. 98-78, eff. 7-15-13.)

Section 130. The Illinois Pesticide Act is amended by changing Sections 19.3 and 22.2 as follows:

(415 ILCS 60/19.3)
Sec. 19.3. Agrichemical Facility Response Action Program.

New matter indicated by italics - deletions by strikeout
(a) It is the policy of the State of Illinois that an Agrichemical Facility Response Action Program be implemented to reduce potential agrichemical pollution and minimize environmental degradation risk potential at these sites. In this Section, "agrichemical facility" means a site where agrichemicals are stored or handled, or both, in preparation for end use. "Agrichemical facility" does not include basic manufacturing or central distribution sites utilized only for wholesale purposes. As used in this Section, "agrichemical" means pesticides or commercial fertilizers at an agrichemical facility.

The program shall provide guidance for assessing the threat of soil agrichemical contaminants to groundwater and recommending which sites need to establish a voluntary corrective action program.

The program shall establish appropriate site-specific soil cleanup objectives, which shall be based on the potential for the agrichemical contaminants to move from the soil to groundwater and the potential of the specific soil agrichemical contaminants to cause an exceedence of a Class I or Class III groundwater quality standard or a health advisory level. The Department shall use the information found and procedures developed in the Agrichemical Facility Site Contamination Study or other appropriate physical evidence to establish the soil agrichemical contaminant levels of concern to groundwater in the various hydrological settings to establish site-specific cleanup objectives.

No remediation of a site may be recommended unless (i) the agrichemical contamination level in the soil exceeds the site-specific cleanup objectives or (ii) the agrichemical contaminant level in the soil exceeds levels where physical evidence and risk evaluation indicates probability of the site causing an exceedence of a groundwater quality standard.

When a remediation plan must be carried out over a number of years due to limited financial resources of the owner or operator of the agrichemical facility, those soil agrichemical contaminated areas that have the greatest potential to adversely impact vulnerable Class I groundwater aquifers and adjacent potable water wells shall receive the highest priority rating and be remediated first.

(b) (Blank). The Agrichemical Facility Response Action Program Board ("the Board") is created. The Board members shall consist of the following:

(1) The Director or the Director's designee.
(2) One member who represents pesticide manufacturers.
(3) Two members who represent retail agrichemical dealers.
(4) One member who represents agrichemical distributors.

New matter indicated by italics - deletions by strikeout
(5) One member who represents active farmers.
(6) One member at large.

The public members of the Board shall be appointed by the Governor for terms of 2 years. Those persons on the Board who represent pesticide manufacturers, agrichemical dealers, agrichemical distributors, and farmers shall be selected from recommendations made by the associations whose membership reflects those specific areas of interest. The members of the Board shall be appointed within 90 days after the effective date of this amendatory Act of 1995. Vacancies on the Board shall be filled within 30 days. The Board may fill any membership position vacant for a period exceeding 30 days.

The members of the Board shall be paid no compensation, but shall be reimbursed for their expenses incurred in performing their duties. If a civil proceeding is commenced against a Board member arising out of an act or omission occurring within the scope of the Board member’s performance of his or her duties under this Section, the State, as provided by rule, shall indemnify the Board member for any damages awarded and court costs and attorney’s fees assessed as part of a final and unreversed judgement, or shall pay the judgment, unless the court or jury finds that the conduct or inaction that gave rise to the claim or cause of action was intentional, willful or wanton misconduct and was not intended to serve or benefit interests of the State.

The chairperson of the Board shall be selected by the Board from among the public members.

(c) (Blank). The Board has the authority to do the following:

(1) Cooperate with the Department and review and approve an agrichemical facility remediation program as outlined in the handbook or manual as set forth in subdivision (d)(8) of this Section.

(2) Review and give final approval to each agrichemical facility corrective action plan.

(3) Approve any changes to an agrichemical facility’s corrective action plan that may be necessary.

(4) Upon completion of the corrective action plan, recommend to the Department that the site-specific cleanup objectives have been met and that a notice of closure be issued by the Department stating that no further remedial action is required to remedy the past agrichemical contamination.

(5) When a soil agrichemical contaminant assessment confirms that remedial action is not required in accordance with the Agrichemical Facility Response Action Program, recommend that a
notice of closure be issued by the Department stating that no further remedial action is required to remedy the past agrichemical contamination.

(6) Periodically review the Department's administration of the Agrichemical Incident Response Trust Fund and actions taken with respect to the Fund. The Board shall also provide advice to the Interagency Committee on Pesticides regarding the proper handling of agrichemical incidents at agrichemical facilities in Illinois.

(d) The Director has the authority to do the following:

(1) When requested by the owner or operator of an agrichemical facility, may investigate the agrichemical facility site contamination.

(2) After completion of the investigation under item subdivision (d)(1) of this subsection Section, recommend to the owner or operator of an agrichemical facility that a voluntary assessment be made of the soil agrichemical contaminant when there is evidence that the evaluation of risk indicates that groundwater could be adversely impacted.

(3) Review and make recommendations on any corrective action plan submitted by the owner or operator of an agrichemical facility to the Board for final approval.

(4) On approval by the Director Board, issue an order to the owner or operator of an agrichemical facility that has filed a voluntary corrective action plan that the owner or operator may proceed with that plan.

(5) Provide remedial project oversight and monitor remedial work progress, and report to the Board on the status of remediation projects.

(6) Provide staff to support program the activities of the Board.

(7) (Blank). Take appropriate action on the Board's recommendations regarding policy needed to carry out the Board's responsibilities under this Section.

(8) Incorporate in cooperation with the Board, incorporate the following into a handbook or manual: the procedures for site assessment; pesticide constituents of concern and associated parameters; guidance on remediation techniques, land application, and corrective action plans; and other information or instructions that the Department may find necessary.

New matter indicated by italics - deletions by strikeout
(9) Coordinate preventive response actions at agrichemical facilities pursuant to the Groundwater Quality Standards adopted pursuant to Section 8 of the Illinois Groundwater Protection Act to mitigate resource groundwater impairment.

Upon completion of the corrective action plan and upon recommendation of the Board, the Department shall issue a notice of closure stating that site-specific cleanup objectives have been met and no further remedial action is required to remedy the past agrichemical contamination.

When a soil agrichemical contaminant assessment confirms that remedial action is not required in accordance with the Agrichemical Facility Response Action Program and upon the recommendation of the Board, a notice of closure shall be issued by the Department stating that no further remedial action is required to remedy the past agrichemical contamination.

(e) Upon receipt of notification of an agrichemical contaminant in groundwater pursuant to the Groundwater Quality Standards, the Department shall evaluate the severity of the agrichemical contamination and shall submit to the Environmental Protection Agency an informational notice characterizing it as follows:

(1) An agrichemical contaminant in Class I or Class III groundwater has exceeded the levels of a standard adopted pursuant to the Illinois Groundwater Protection Act or a health advisory established by the Illinois Environmental Protection Agency or the United States Environmental Protection Agency; or

(2) An agrichemical has been detected at a level that requires preventive notification pursuant to a standard adopted pursuant to the Illinois Groundwater Protection Act.

(f) When agrichemical contamination is characterized as in subsection subdivision (e)(1) of this Section, a facility may elect to participate in the Agrichemical Facility Response Action Program. In these instances, the scope of the corrective action plans developed, approved, and completed under this program shall be limited to the soil agrichemical contamination present at the site unless implementation of the plan is coordinated with the Illinois Environmental Protection Agency as follows:

(1) Upon receipt of notice of intent to include groundwater in an action by a facility, the Department shall also notify the Illinois Environmental Protection Agency.

(2) Upon receipt of the corrective action plan, the Department shall coordinate a joint review of the plan with the Illinois Environmental Protection Agency.

New matter indicated by italics - deletions by strikeout
(3) The Illinois Environmental Protection Agency may provide a written endorsement of the corrective action plan.

(4) The Illinois Environmental Protection Agency may approve a groundwater management zone for a period of 5 years after the implementation of the corrective action plan to allow for groundwater impairment mitigation results.

(5) (Blank).

The Department, in cooperation with the Illinois Environmental Protection Agency, shall recommend a proposed corrective action plan to the Board for final approval to proceed with remediation. The recommendation shall be based on the joint review conducted under subdivision (f)(2) of this Section and the status of any endorsement issued under subdivision (f)(3) of this Section.

(6) The Department, in cooperation with the Illinois Environmental Protection Agency, shall provide remedial project oversight, monitor remedial work progress, and report to the Board on the status of the remediation project.

(7) The Department shall, upon completion of the corrective action plan and recommendation of the Board, issue a notice of closure stating that no further remedial action is required to remedy the past agrichemical contamination.

(g) When an owner or operator of an agrichemical facility initiates a soil contamination assessment on the owner's or operator's own volition and independent of any requirement under this Section 19.3, information contained in that assessment may be held as confidential information by the owner or operator of the facility.

(h) Except as otherwise provided by Department rule, on and after the effective date of this amendatory Act of the 98th General Assembly, any Agrichemical Facility Response Action Program requirement that may be satisfied by an industrial hygienist licensed pursuant to the Industrial Hygienists Licensure Act repealed in this amendatory Act may be satisfied by a Certified Industrial Hygienist certified by the American Board of Industrial Hygiene.

(Source: P.A. 98-78, eff. 7-15-13.)

(415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

Sec. 22.2. (a) There is hereby created a trust fund in the State Treasury to be known as the Agrichemical Incident Response Trust Fund. Any funds received by the Director of Agriculture from the mandates of Section 13.1 shall be deposited with the Treasurer as ex-officio custodian and held separate and apart from any public money of this State, with accruing interest

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on the trust funds deposited into the trust fund. Disbursement from the fund for purposes as set forth in this Section shall be by voucher ordered by the Director and paid by a warrant drawn by the State Comptroller and countersigned by the State Treasurer. The Director shall order disbursements from the Agrichemical Incident Response Trust Fund only for payment of the expenses authorized by this Act. Monies in this trust fund shall not be subject to appropriation by the General Assembly but shall be subject to audit by the Auditor General. Should the program be terminated, all unobligated funds in the trust fund shall be transferred to a trust fund to be used for purposes as originally intended or be transferred to the Pesticide Control Fund. Interest earned on the Fund shall be deposited in the Fund. Monies in the Fund may be used by the Department of Agriculture for the following purposes:

1. for payment of costs of response action incurred by owners or operators of agrichemical facilities as provided in Section 22.3 of this Act;
2. for the Department to take emergency action in response to a release of agricultural pesticides from an agrichemical facility that has created an imminent threat to public health or the environment;
3. for the costs of administering its activities relative to the Fund as delineated in subsections (b) and (c) of this Section; and
4. for the Department to:
   (A) reimbursing members of the Agrichemical Facility Response Action Program Board for their expenses incurred in performing their duties as defined under Section 19.3 of this Act; and
   (B) administer provide staff support the activities of the Agrichemical Facility Response Action Program Board. The total annual expenditures from the Fund for these purposes under this paragraph (4) shall not be more than $120,000, and no expenditure from the Fund for these purposes shall be made when the Fund balance becomes less than $750,000.
(b) The action undertaken shall be such as may be necessary or appropriate to protect human health or the environment.
(c) The Director of Agriculture is authorized to enter into contracts and agreements as may be necessary to carry out the Department's duties under this Section.

New matter indicated by italics - deletions by strikeout
(d) Neither the State, the Director, nor any State employee shall be liable for any damages or injury arising out of or resulting from any action taken under this Section.

(e) (Blank).

On a quarterly basis, the Department shall advise and consult with the Agrichemical Facility Response Action Program Board as to the Department's administration of the Fund:

(Source: P.A. 89-94, eff. 7-6-95.)

Section 135. The Hazardous Material Emergency Response Reimbursement Act is amended by changing Sections 3, 4, and 5 as follows:

(430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

Sec. 3. Definitions. As used in this Act:

(a) "Emergency action" means any action taken at or near the scene of a hazardous materials emergency incident to prevent or minimize harm to human health, to property, or to the environments from the unintentional release of a hazardous material.

(b) "Emergency response agency" means a unit of local government, volunteer fire protection organization, or the American Red Cross that provides:

   (1) firefighting services;
   (2) emergency rescue services;
   (3) emergency medical services;
   (4) hazardous materials response teams;
   (5) civil defense;
   (6) technical rescue teams; or
   (7) mass care or assistance to displaced persons.

(c) "Responsible party" means a person who:

   (1) owns or has custody of hazardous material that is involved in an incident requiring emergency action by an emergency response agency; or
   (2) owns or has custody of bulk or non-bulk packaging or a transport vehicle that contains hazardous material that is involved in an incident requiring emergency action by an emergency response agency; and
   (3) who causes or substantially contributed to the cause of the incident.

(d) "Person" means an individual, a corporation, a partnership, an unincorporated association, or any unit of federal, State or local government.

(e) "Annual budget" means the cost to operate an emergency response agency excluding personnel costs, which include salary, benefits and training.

New matter indicated by italics - deletions by strikeout
expenses; and costs to acquire capital equipment including buildings, vehicles and other such major capital cost items.

(f) "Hazardous material" means a substance or material in a quantity and form determined by the United States Department of Transportation to be capable of posing an unreasonable risk to health and safety or property when transported in commerce.

(g) "Fund" means the Fire Prevention Fund "Panel"—means administrative panel.

(Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

(430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

Sec. 4. Establishment. The Emergency Response Reimbursement Fund in the State Treasury, hereinafter called the Fund, is hereby created. Appropriations shall be made from the general revenue fund to the Fund. Monies in the Fund shall be used as provided in this Act.

The Emergency Response Reimbursement Fund is dissolved as of the effective date of this amendatory Act of the 98th General Assembly. Any moneys remaining in the fund shall be transferred to the Fire Prevention Fund.

(Source: P.A. 86-972.)

(430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

Sec. 5. Reimbursement to agencies.

(a) It shall be the duty of the responsible party to reimburse, within 60 days after the receipt of a bill for the hazardous material emergency incident, the emergency response agencies responding to a hazardous material emergency incident, and any private contractor responding to the incident at the request of an emergency response agency, for the costs incurred in the course of providing emergency action.

(b) In the event that the emergency response agencies are not reimbursed by a responsible party as required under subsection (a), monies in the Fund, subject to appropriation, shall be used to reimburse the emergency response agencies providing emergency action at or near the scene of a hazardous materials emergency incident subject to the following limitations:

(1) Cost recovery from the Fund is limited to replacement of expended materials including, but not limited to, specialized firefighting foam, damaged hose or other reasonable and necessary supplies.

(2) The applicable cost of supplies must exceed 2% of the emergency response agency's annual budget.

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(3) A minimum of $500 must have been expended.
(4) A maximum of $10,000 may be requested per incident.
(5) The response was made to an incident involving hazardous materials facilities such as rolling stock which are not in a terminal and which are not included on the property tax roles for the jurisdiction where the incident occurred.

(c) Application for reimbursement from the Fund shall be made to the State Fire Marshal or his designee. The State Fire Marshal shall, through rulemaking, promulgate a standard form for such application. The State Fire Marshal shall adopt rules for the administration of this Act.

(d) Claims against the Fund shall be reviewed by the Illinois Fire Advisory Commission at its normally scheduled meetings, as the claims are received. The Commission shall be responsible for:

(1) reviewing claims made against the Fund and determining reasonable and necessary expenses to be reimbursed for an emergency response agency:
(2) affirming that the emergency response agency has made a reasonable effort to recover expended costs from involved parties; and
(3) advising the State Fire Marshal as to those claims against the Fund which merit reimbursement.

(e) The State Fire Marshal shall either accept or reject the Commission's recommendations as to a claim's eligibility. The eligibility decision of the State Fire Marshal shall be a final administrative decision, and may be reviewed as provided under the Administrative Review Law.

(Source: P.A. 93-989, eff. 1-1-05.)

(430 ILCS 55/7 rep.)

Section 140. The Hazardous Material Emergency Response Reimbursement Act is amended by repealing Section 7.

(510 ILCS 15/1 rep.)

Section 145. The Animal Gastroenteritis Act is amended by repealing Section 1.

Section 150. The Illinois Pseudorabies Control Act is amended by changing Section 5.1 as follows:

(510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

Sec. 5.1. Pseudorabies Advisory Committee. Upon the detection of pseudorabies within the State, the Director of Agriculture is authorized to establish within the Department an advisory committee to be known as the Pseudorabies Advisory Committee. The Committee shall

New matter indicated by italics - deletions by strikeout
consist of, but not be limited to, representatives of swine producers, general swine organizations within the State, licensed veterinarians, general farm organizations, auction markets, the packing industry and the University of Illinois. **Members of the Committee shall only be appointed and meet during the timeframe of the detection.** The Director shall, from time to time, consult with the Pseudorabies Advisory Committee on changes in the pseudorabies control program.

The Director shall appoint a Technical Committee from the membership of the Pseudorabies Advisory Committee, which shall be comprised of a veterinarian, a swine extension specialist, and a pork producer. This committee shall serve as resource persons for the technical aspects of the herd plans and may advise the Department on procedures to be followed, timetables for accomplishing the elimination of infection, assist in obtaining cooperation from swine herd owners, and recommend adjustments in the approved herd plan as necessary.

These Committee members shall be entitled to reimbursement of all necessary and actual expenses incurred in the performance of their duties. (Source: P.A. 89-154, eff. 7-19-95.)

(525 ILCS 25/10 rep.)

Section 155. The Illinois Lake Management Program Act is amended by repealing Section 10.

(815 ILCS 325/6 rep.)

Section 160. The Recyclable Metal Purchase Registration Law is amended by repealing Section 6.

Section 995. Illinois Compiled Statutes reassignment.
The Legislative Reference Bureau shall reassign the following Act to the specified location in the Illinois Compiled Statutes and file appropriate documents with the Index Division of the Office of the Secretary of State in accordance with subsection (c) of Section 5.04 of the Legislative Reference Bureau Act:

Illinois Commission on Volunteerism and Community Service Act, reassigned from 20 ILCS 710/ to 20 ILCS 2330/.

Section 999. Effective date. This Act takes effect upon becoming law, except that Section 60 takes effect January 1, 2015.


Approved July 1, 2014.

Effective July 1, 2014 and January 1, 2015.
AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois African-American Family Commission Act is amended by changing Sections 5, 15, 20, and 25 as follows:

(20 ILCS 3903/5)
Sec. 5. Legislative findings. It is the policy of this State to promote family preservation and to preserve and strengthen families.

(a) Over 12 million people live in Illinois. African-Americans represent 15% of the population and 26% of the residents living in Cook County. Despite some progress over the last few decades, African-Americans in Illinois continue to lag behind other racial groups relative to indicators of well-being in education, employment, income, and health. According to the 2000 U.S. Census, just 26% of the African-American population over 25 years of age in Illinois completed their high school education; 6% held an associate's degree; less than 10% (9%) held a bachelor's degree; less than 5% (3%) held a master's degree; and less than one percent held either a professional (.8%) or doctoral (.4%) degree.

These levels of education attainment reflect more fundamental problems with retaining African-Americans in school. The Illinois State Board of Education reported that for the 2001-2002 school year, 36,373, or 6%, of students enrolled in public high schools dropped out. Thirty-nine percent of these students were African-Americans; 38% were White; 21% were Hispanic; and 2% were classified as Other.

Although African-Americans make up 18% of the high school population, they are disproportionately represented in the number of students who are suspended and expelled. In the 2001-2002 school year, 29,068 students were suspended from school. Forty-seven percent were White, 37% were African-American, 14% were Hispanic, and 1% were classified as Other. In regards to expulsions Statewide, the total number of high school students expelled was 1,651. Forty-three percent were African-American, 41% were White, 14% were Hispanic, and 2% were classified as Other. Within Chicago public schools, 448 students were expelled. Seventy-seven of these students were African-American; 27% were White; 14% were Hispanic; and 4% were classified as Other. The fact that African-Americans
are more likely to be suspended or expelled from school also contributes to the high dropout rate among African-American high school students.

In addition to educational challenges, African-Americans face challenges in the areas of employment and income. In the year 2000, the unemployment rate for African-Americans age 16 years or older was 15% compared to only 6% for the total Illinois population. Moreover, the median household income of African-Americans in Illinois was $31,699 compared to $46,590 for the total Illinois population, and the percentage of African-American families below the poverty level in Illinois was 26% percent in 1999 compared to 10.7% for the total Illinois population in that same year.

Indicators of child welfare and criminal justice reveal still more challenges that African-American families face in Illinois. In 2000, African-American children represented 18% of children 18 years of age and under, but comprised 73% of children in substitute care. African-Americans are also overrepresented in the criminal justice population. Of the total Illinois adult inmate population in the year 2000, 65% were African-American. During this same time period, African-American youth represented 58% of the juvenile inmate population in Illinois.

While the leading causes of death among African-Americans are the same as those for the general population in Illinois, African-Americans have a higher rate of death per 100,000 residents. The rate of overall deaths per 100,000 residents among African-Americans in the year 2000 was 1,181; 847 for Whites; and 411 for those classified as Other. The rate of cancer-related deaths per 100,000 residents by racial or ethnic groups in 2000 was: 278 African-Americans; 206 Whites; and 110 of those classified as Other. The rate of diabetes-related deaths per 100,000 residents among African-Americans in 2000 was 41 compared to 23 for Whites and 13 for those classified as Other. The rate of deaths per 100,000 residents by heart disease among African-Americans in 2000 was 352 compared to 257 for Whites and 120 for those classified as Other. The rate of deaths per 100,000 residents by stroke among African-Americans in 2000 was 75; 60 for Whites; and 35 for those classified as Other.

African-Americans had higher rates of smoking and obesity than other racial groups in Illinois in 2001. African-Americans accounted for more of the new adult/adolescent AIDS cases, cumulative adult/adolescent AIDS cases, and number of people living with AIDS than other racial groups in Illinois in the year 2002. Still, 23% of uninsured persons in Illinois are African-American.
(b) The Illinois African-American Family Commission continues to be an essential key to promoting the preservation and strengthening of families. As of the effective date of this amendatory Act of the 98th General Assembly, just under 13 million people live in Illinois. African-Americans represent 15% of the population and 25% of the residents living in Cook County. Despite some progress over the last few decades, African-Americans in Illinois continue to lag behind other racial groups relative to indicators of well-being in education, employment, income, and health. According to the 2010 federal decennial census: just 28% of the African-American population over 25 years of age in Illinois completed their high school education; 36% had some college or an associate's degree; less than 12% held a bachelor's degree; less than 8% held either a graduate or professional degree.

These levels of education attainment reflect more fundamental problems with retaining African-Americans in school. The State Board of Education reported that for the 2010-2011 school year, 18,210, or 2.77%, of students enrolled in public high schools dropped out. 39.3% of these students were African-Americans; 32.6% were White; 24.2% were Hispanic; and 2% were classified as Other.

Although African-Americans make up 20% of the high school population, they are disproportionately represented in the number of students who are suspended and expelled. In the 2011-2012 school year, 29,928 students were suspended from school. 36% were White, 34% were African-American, 26% were Hispanic, and 4% were classified as Other. With regard to expulsions statewide, the total number of high school students expelled was 982. 37% were African-American, 41% were White, 21% were Hispanic, and 2% were classified as Other. Within Chicago public schools, 294 students were expelled. 80% of these students were African-American; none were White; 17% were Hispanic; and 3% were classified as Other. The fact that African-Americans are more likely to be suspended or expelled from school also contributes to the high dropout rate among African-American high school students.

In addition to educational challenges, African-Americans face challenges in the areas of employment and income. In the year 2010, the unemployment rate for African-Americans age 16 years or older was 16% compared to only 9% for the total Illinois population. Moreover, the median household income of African-Americans in Illinois was $34,874 compared to $60,433 for the total Illinois population, and the percentage of African-American families below the poverty level in Illinois was 32% percent in 2012 compared to 15% for the total Illinois population in that same year.

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Indicators of child welfare and criminal justice reveal still more challenges that African-American families face in Illinois. In 2010, African-American children represented 14% of children 18 years of age and under, but comprised 56% of children in substitute care. African-Americans are also overrepresented in the criminal justice population. Of the total Illinois adult inmate population in the year 2012, 57% were African-American. During this same time period, African-American youth represented 66% of the juvenile inmate population in Illinois.

While the leading causes of death among African-Americans are the same as those for the general population in Illinois, African-Americans have a higher rate of death per 100,000 residents. The rate of overall deaths per 100,000 residents among African-Americans in the year 2010 was 898; 741 for Whites; and 458 for those classified as Other. The rate of cancer-related deaths per 100,000 residents by racial or ethnic groups in 2010 was 216 for African-Americans; 179 for Whites; and 124 for those classified as Other. The rate of diabetes-related deaths per 100,000 residents among African-Americans in 2010 was 114 compared to 66 for Whites and 75 for those classified as Other. The rate of deaths per 100,000 residents by heart disease among African-Americans in 2010 was 232 compared to 179 for Whites and 121 for those classified as Other. The rate of deaths per 100,000 residents by stroke among African-Americans in 2010 was 108; 73 for Whites; and 56 for those classified as Other.

African-Americans had higher rates of smoking and obesity than other racial groups in Illinois in 2013. African-Americans accounted for more of the new adult/adolescent AIDS cases, cumulative adult/adolescent AIDS cases, and number of people living with AIDS than other racial groups in Illinois in the year 2013. Still, 24% of uninsured persons in Illinois are African-American.

(c) These huge disparities in education, employment, income, child welfare, criminal justice, and health demonstrate the tremendous challenges facing the African-American family in Illinois. These challenges are severe. There is a need for government, child and family advocates, and other key stakeholders to create and implement public policies to address the health and social crises facing African-American families. The development of given solutions clearly transcends any one State agency and requires a coordinated effort. The Illinois African-American Family Commission shall assist State agencies with this task.

The African-American Family Commission was created in October 1994 by Executive Order to assist the Illinois Department of Children and
Family Services in developing and implementing programs and public policies that affect the State's child welfare system. The Commission has a proven track record of bringing State agencies, community providers, and consumers together to address child welfare issues. The ability of the Commission to address the above-mentioned health issues, community factors, and the personal well-being of African-American families and children has been limited due to the Executive Order's focus on child welfare. It is apparent that broader issues of health, mental health, criminal justice, education, and economic development also directly affect the health and well-being of African-American families and children. Accordingly, the role of the Illinois African-American Family Commission is hereby expanded to encompass working relationships with every department, agency, and commission within State government if any of its activities impact African-American children and families. The focus of the Commission is hereby restructured and shall exist by legislative mandate to engage State agencies in its efforts to preserve and strengthen African-American families.

(Source: P.A. 93-867, eff. 8-5-04.)

(20 ILCS 3903/15)

Sec. 15. Purpose and objectives.

(a) The purpose of the Illinois African-American Family Commission is to advise the Governor and General Assembly, as well as work directly with State agencies, to improve and expand existing policies, services, programs, and opportunities for African-American families. The Illinois African-American Family Commission shall guide the efforts of and collaborate with State agencies, including: the Department on Aging, the Department of Children and Family Services, the Department of Commerce and Economic Opportunity, the Department of Corrections, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health, the Department of Transportation, the Department of Employment Security, and others. This shall be achieved primarily by:

(1) Monitoring and commenting on existing and proposed legislation and programs designed to address the needs of African-Americans in Illinois;

(2) Assisting State agencies in developing programs, services, public policies, and research strategies that will expand and enhance

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the social and economic well-being of African-American children and families; and

(3) Facilitating the participation of and representation of African-Americans in the development, implementation, and planning of policies, programs, and community-based services; and

(4) Promoting research efforts to document the impact of policies and programs on African-American families.

The work of the Illinois African-American Family Commission shall include the use of existing reports, research and planning efforts, procedures, and programs.

(Source: P.A. 95-331, eff. 8-21-07.)

(20 ILCS 3903/20)

Sec. 20. Appointment; terms. The Illinois African-American Family Commission shall be comprised of 15 members.

For those seats on the Commission with terms that expire in 2015, and for subsequent appointments to those seats, the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives shall each appoint one member to the Commission.

For those seats on the Commission with terms that expire in 2016, and for subsequent appointments to those seats, the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives shall each appoint one member to the Commission.

For those seats on the Commission with terms that expire in 2017, and for subsequent appointments to those seats, the Governor shall appoint 5 members to the Commission who shall be appointed by the Governor.

Each member shall have a working knowledge of human services, community development, and economic public policies in Illinois. The Governor shall appoint the chairperson or chairpersons.

The members shall reflect regional representation to ensure that the needs of African-American families and children throughout the State of Illinois are met. The members shall be selected from a variety of disciplines. They shall be representative of a partnership and collaborative effort between public and private agencies, the business sector, and community-based human services organizations.

Members shall serve 3-year terms, except in the case of initial appointments. One-third of initially appointed members, as determined by lot,
shall be appointed to 1-year terms; 1/3 shall be appointed to 2-year terms; and 1/3 shall be appointed to 3-year terms, so that the terms are staggered. Members will serve without compensation, but shall be reimbursed for Commission-related expenses.

The Department on Aging, the Department of Children and Family Services, the Department of Commerce and Economic Opportunity, the Department of Corrections, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health, the State Board of Education, the Board of Higher Education, the Illinois Community College Board, the Department of Human Rights, the Capital Development Board, the Department of Labor, and the Department of Transportation shall each appoint a liaison to serve ex-officio on the Commission. The Office of the Governor, in cooperation with the State agencies appointing liaisons to the Commission under this Section, shall provide administrative support to the Commission.

(Source: P.A. 95-331, eff. 8-21-07.)

(20 ILCS 3903/25)

Sec. 25. Funding. The African-American Family Commission may receive funding through appropriations available for its purposes made to the Department on Aging, the Department of Children and Family Services, the Department of Commerce and Economic Opportunity, the Department of Corrections, the Department of Human Services, the Department of Healthcare and Family Services (formerly Department of Public Aid), the Department of Public Health, the State Board of Education, the Board of Higher Education, the Illinois Community College Board, the Department of Human Rights, the Capital Development Board, the Department of Labor, and the Department of Transportation. The Commission may also receive and expend funding from federal and private sources, including gifts, donations, and private grants.

(Source: P.A. 95-331, eff. 8-21-07.)


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AN ACT concerning State government.

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

Section 5. The Military Code of Illinois is amended by changing Sections 14, 22, and 22-9 as follows:

(20 ILCS 1805/14) (from Ch. 129, par. 220.14)
Sec. 14. The Commander-in-Chief shall appoint from the active officers of the Illinois National Guard, The Adjutant General, Chief of Staff, with the grade of Major General. The appointment of the Adjutant General shall be for a term expiring on the 3rd Monday in January, 1971, and in each odd-numbered year thereafter. The Adjutant General shall serve as both the Director of the Department of Military Affairs and as the Commander of the Illinois National Guard.
(Source: P.A. 76-931.)

(20 ILCS 1805/22) (from Ch. 129, par. 220.22)
Sec. 22. Adjutant General; duties. The Adjutant General shall be charged with carrying out the policies of the Commander-in-Chief and shall issue orders in his name. Orders of the Adjutant General shall be considered as emanating from the Commander-in-Chief.

(a) He shall be the immediate adviser of the Commander-in-Chief on all matters relating to the militia and shall be charged with the planning, development and execution of the program of the military forces of the State. He shall be responsible for the preparation and execution of plans, for organizing, supplying, equipping and mobilizing the Organized Militia, for use in the national defense, and for State defense, and emergencies.

(b) He shall hold major organization commanders responsible for the training of their commands, and shall issue all orders and instructions for the government of the militia and of the officers, warrant officers, and enlisted personnel therein.

(c) He shall make such returns and reports as may be prescribed by the Commander-in-Chief or required by the laws or regulations of the State or of the United States.

(d) He shall, subject to the appropriation of funds by the General Assembly for this purpose, order such personnel of the Illinois National Guard into active service of the State as are required by the Commander-in-

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Chief to support non-emergency functions of the State, including but not limited to National Guard involvement in training exercises conducted in conjunction with the Illinois Emergency Management Agency. Illinois National Guard personnel placed on duty pursuant to this item (d) shall be paid in accordance with the provisions of Sections 48 and 49.

(e) The Adjutant General shall be the head of the Department of Military Affairs of the Executive Branch of the government of the State and shall be the Commander of the Illinois National Guard.

(Source: P.A. 96-509, eff. 1-1-10; 96-733, eff. 1-1-10.)

(20 ILCS 1805/22-9)
Sec. 22-9. Power to make grants from the Illinois Military Family Relief Fund. Subject to appropriation, the Department of Military Affairs shall have the power to make grants from the Illinois Military Family Relief Fund, a special fund created in the State treasury, to (i) members of the Illinois National Guard or Illinois residents who are members of the reserves of the armed forces of the United States who have been called to active duty as a result of an emergency declared by the President of the United States or Congress or as defined by administrative rule of the Department of Military Affairs; (ii) for the casualty-based grant only: Illinois National Guard members or Illinois residents who are members of the reserves of the armed forces of the United States and who, while deployed in support of operations as provided in item (i) of this Section, sustained an injury as a result of terrorist activity; sustained an injury in combat, or related to combat, as a direct result of hostile action; or sustained an injury going to or returning from a combat mission, provided that the incident leading to the injury was directly related to hostile action; this includes injuries to service members who are wounded mistakenly or accidentally by friendly fire directed at a hostile force or what is thought to be a hostile force; and (iii) members of the Illinois National Guard who have been called to State Active Duty for 30 or more consecutive days of duty; and (iv) families of the classes of persons listed in items (i), (ii), and (iii) of this Section. The Department of Military Affairs shall establish eligibility criteria for all grants by rule.

On and after the effective date of this amendatory Act of the 96th General Assembly, the Department must award at least $5,000 to each recipient of a casualty-based grant and must include Illinois residents who are active duty members of the armed forces of the United States in the eligibility for the casualty-based grant in item (ii) of this Section. Each recipient may

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receive only one casualty-based grant for injuries received during, or arising out of, the same engagement or incident.

Grants awarded from the Illinois Military Family Relief Fund shall not be subject to garnishment, wage levy, forfeiture, or other remedy, unless the denial of that remedy is inconsistent with the requirements of any other State or federal law.

In addition to amounts transferred into the Fund under Section 510 of the Illinois Income Tax Act, the State Treasurer shall accept and deposit into the Fund all gifts, grants, transfers, appropriations, and other amounts from any legal source, public or private, that are designated for deposit into the Fund. To prevent a delay of 30 or more days in the payment of casualty-based grants, the Department may use, for administration of the program, as much as 5% of the appropriations designated for the casualty-based grant program.

(Source: P.A. 96-822, eff. 11-23-09.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 3, 2014.
Effective July 3, 2014.

PUBLIC ACT 98-0695
(Senate Bill No. 2747)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Freedom of Information Act is amended by changing Section 7 as follows:
(5 ILCS 140/7) (from Ch. 116, par. 207)
Sec. 7. Exemptions.
(1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.

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(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.

(b-5) Files, documents, and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects.

(c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

(d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;

(ii) interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;

(iii) create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an
active criminal investigation conducted by the agency that is the recipient of the request;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;

(vi) endanger the life or physical safety of law enforcement personnel or any other person; or

(vii) obstruct an ongoing criminal investigation by the agency that is the recipient of the request.

(d-5) A law enforcement record created for law enforcement purposes and contained in a shared electronic record management system if the law enforcement agency that is the recipient of the request did not create the record, did not participate in or have a role in any of the events which are the subject of the record, and only has access to the record through the shared electronic record management system.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(e-5) Records requested by persons committed to the Department of Corrections if those materials are available in the library of the correctional facility where the inmate is confined.

(e-6) Records requested by persons committed to the Department of Corrections if those materials include records from staff members' personnel files, staff rosters, or other staffing assignment information.

(e-7) Records requested by persons committed to the Department of Corrections if those materials are available through an administrative request to the Department of Corrections.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers

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and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.

The information included under this exemption includes all trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the

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request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) The following information pertaining to educational matters:

(i) test questions, scoring keys and other examination data used to administer an academic examination;
(ii) information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers;
(iii) information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and
(iv) course materials or research materials used by faculty members.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security.

(l) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(m) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(n) Records relating to a public body's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.

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(o) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(p) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment.

(r) The records, documents, and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(s) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(t) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(u) Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

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(v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(w) (Blank).

(x) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency.

(y) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission.

(z) Information about students exempted from disclosure under Sections 10-20.38 or 34-18.29 of the School Code, and information about undergraduate students enrolled at an institution of higher education exempted from disclosure under Section 25 of the Illinois Credit Card Marketing Act of 2009.

(aa) Information the disclosure of which is exempted under the Viatical Settlements Act of 2009.

(bb) Records and information provided to a mortality review team and records maintained by a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(cc) Information regarding interments, entombments, or inurnments of human remains that are submitted to the Cemetery Oversight Database under the Cemetery Care Act or the Cemetery Oversight Act, whichever is applicable.

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(dd) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(ee) The names, addresses, or other personal information of persons who are minors and are also participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations.

(ff) The names, addresses, or other personal information of participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations where such programs are targeted primarily to minors.

(gg) Confidential information described in Section 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

(hh) The report submitted to the State Board of Education by the School Security and Standards Task Force under item (8) of subsection (d) of Section 2-3.160 of the School Code and any information contained in that report.

(1.5) Any information exempt from disclosure under the Judicial Privacy Act shall be redacted from public records prior to disclosure under this Act.

(2) A public record that is not in the possession of a public body but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the public body, and that directly relates to the governmental function and is not otherwise exempt under this Act, shall be considered a public record of the public body, for purposes of this Act.

(3) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 97-333, eff. 8-12-11; 97-385, eff. 8-15-11; 97-452, eff. 8-19-11; 97-783, eff. 7-13-12; 97-813, eff. 7-13-12; 97-847, eff. 9-22-12; 97-1065, eff. 8-24-12; 97-1129, eff. 8-28-12; 98-463, eff. 8-16-13; 98-578, eff. 8-27-13.)

Section 10. The School Code is amended by adding Section 2-3.160 as follows:

(105 ILCS 5/2-3.160 new)

Section scheduled to be repealed on July 1, 2015


New matter indicated by italics - deletions by strikeout
The School Security and Standards Task Force is created within the State Board of Education to study the security of schools in this State, make recommendations, and draft minimum standards for use by schools to make them more secure and to provide a safer learning environment for the children of this State. The Task Force shall consist of all of the following members:

(1) One member of the public who is a parent and one member of the Senate, appointed by the President of the Senate.

(2) One member of the public who is a parent and one member of the Senate, appointed by the Minority Leader of the Senate.

(3) One member of the public who is a parent and one member of the House of Representatives, appointed by the Speaker of the House of Representatives.

(4) One member of the public who is a parent and one member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.

(5) A representative from the State Board of Education, appointed by the Chairperson of the State Board of Education.

(6) A representative from the Department of State Police, appointed by the Director of State Police.

(7) A representative from an association representing Illinois sheriffs, appointed by the Governor.

(8) A representative from an association representing Illinois chiefs of police, appointed by the Governor.

(9) A representative from an association representing Illinois firefighters, appointed by the Governor.

(10) A representative from an association representing Illinois regional superintendents of schools, appointed by the Governor.

(11) A representative from an association representing Illinois principals, appointed by the Governor.

(12) A representative from an association representing Illinois school boards, appointed by the Governor.

(13) A representative from the security consulting profession, appointed by the Governor.

(14) An architect or engineer who specializes in security issues, appointed by the Governor.

Members of the Task Force appointed by the Governor must be individuals who have knowledge, experience, and expertise in the field of new matter indicated by italics - deletions by strikeout
security or who have worked within the school system. The appointment of members by the Governor must reflect the geographic diversity of this State.

Members of the Task Force shall serve without compensation and shall not be reimbursed for their expenses.

(b) The Task Force shall meet initially at the call of the State Superintendent of Education. At this initial meeting, the Task Force shall elect a member as presiding officer of the Task Force by a majority vote of the membership of the Task Force. Thereafter, the Task Force shall meet at the call of the presiding officer.

(c) The State Board of Education shall provide administrative and other support to the Task Force.

(d) The Task Force shall make recommendations for minimum standards for security for the schools in this State. In making those recommendations, the Task Force shall do all of the following:

(1) Gather information concerning security in schools as it presently exists.

(2) Receive reports and testimony from individuals, school district superintendents, principals, teachers, security experts, architects, engineers, and the law enforcement community.

(3) Create minimum standards for securing schools.

(4) Give consideration to securing the physical structures, security staffing recommendations, communications, security equipment, alarms, video and audio monitoring, school policies, egress and ingress, security plans, emergency exits and escape, and any other areas of security that the Task Force deems appropriate for securing schools.

(5) Create a model security plan policy.

(6) Suggest possible funding recommendations for schools to access for use in implementing enhanced security measures.

(7) On or before January 1, 2015, submit a report to the General Assembly and the Governor on specific recommendations for changes to the current law or other legislative measures.

(8) On or before January 1, 2015, submit a report to the State Board of Education on specific recommendations for model security plan policies for schools to access and use as a guideline. This report is exempt from inspection and copying under Section 7 of the Freedom of Information Act.

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The Task Force's recommendations may include proposals for specific statutory changes and methods to foster cooperation among State agencies and between this State and local government.

(e) The Task Force is abolished and this Section is repealed on July 1, 2015.


PUBLIC ACT 98-0696
(House Bill No. 5755)

AN ACT concerning elections.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Women's Health Referendum Act.

Section 5. Referendum. The State Board of Elections shall cause a statewide advisory public question to be submitted to the voters at the general election to be held on November 4, 2014. The question shall appear in the following form:

"Shall any health insurance plan in Illinois that provides prescription drug coverage be required to include prescription birth control as part of that coverage?"

The votes on the question shall be recorded as "Yes" or "No".

Section 10. Certification. The State Board of Elections shall immediately certify the question to be submitted to the voters of the entire State under Section 5 to each election authority in Illinois.

Section 15. Conflicts. If any provision of this Act conflicts with any other law, this Act controls.

Section 90. Repeal. This Act is repealed on January 1, 2015.


New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Boat Registration and Safety Act is amended by changing Section 5-14 as follows:

(625 ILCS 45/5-14) (from Ch. 95 1/2, par. 315-9)

Sec. 5-14. Towing of Persons. Water Skiing.

A. No person may operate a motorboat that has in tow or is otherwise assisting a person on water skis, an aquaplane, or a similar contrivance in or upon any waterway, unless the motorboat has a capacity of at least 3 persons and is occupied by at least 2 competent persons.

B. No person may operate a motorboat having in tow or otherwise be assisting a person on water skis, aquaplane or similar contrivance from the period of one-half hour after sunset to one-half hour before sunrise. This paragraph B does not apply to motorboats used in duly authorized water ski tournaments, competitions, exhibitions or trials therefor where adequate lighting is provided.

C. All persons operating a motorboat having in tow or otherwise assisting a person on water skis, aquaplane or similar contrivance, must be careful and prudent in their operation and keep at a reasonable distance from persons and property so as not to endanger the life or property of any person.

D. No person may operate or manipulate any vessel, tow rope or other device by which the direction or location of water skis, aquaplane, or similar device may be affected or controlled in such a way as to cause the water skis, aquaplane, or similar device, or any persons thereon to collide with or strike against any person or object, except ski jumps, buoys and like objects normally used in competitive or recreational skiing.

E. The operator of any watercraft that is towing a person or persons shall display on the watercraft a bright or brilliant orange flag measuring not less than 12 inches per side. The flag shall be displayed at the highest point of the area surrounding the boat's helm as to be visible from all directions, continuously, while the person or persons being towed depart the boat in preparation for towing and until reentry into the boat when the activity has ceased. Display of the flag for purposes other than the activity described in this Section is prohibited.

(Source: P.A. 90-412, eff. 1-1-98.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Boat Registration and Safety Act is amended by changing Section 5-18 as follows:

(625 ILCS 45/5-18) (from Ch. 95 1/2, par. 315-13)

Sec. 5-18.

(a) Beginning on January 1, 2016, no person born on or after January 1, 1998, unless exempted by subsection (i), shall operate a motorboat with over 10 horse power unless that person has a valid Boating Safety Certificate issued by the Department of Natural Resources or an entity or organization recognized and approved by the Department.

(b) No person under 10 years of age may operate a motorboat.

(c) Prior to January 1, 2016, persons at least 10 years of age and less than 12 years of age may operate a motorboat with over 10 horse power only if they are accompanied on the motorboat and under the direct control of a parent or guardian or a person at least 18 years of age designated by a parent or guardian. Beginning on January 1, 2016, persons at least 12 years of age and less than 18 years of age may operate a motorboat with over 10 horse power only if the person is under the direct on-board supervision of a parent or guardian who meets the requirements of subsection (a) or a person at least 18 years of age who meets the requirements of subsection (a) and is designated by a parent or guardian.

(d) Prior to January 1, 2016, persons at least 12 years of age and less than 18 years of age may operate a motorboat with over 10 horse power only if they are accompanied on the motorboat and under the direct control of a parent or guardian or a person at least 18 years of age designated by a parent or guardian, or the such motorboat operator is in possession of a Boating Safety Certificate issued by the Department of Natural Resources, Division of Law Enforcement, authorizing the holder to operate motorboats. Beginning on January 1, 2016, persons at least 12 years and less than 18 years of age may operate a motorboat with over 10 horse power only if the
person meets the requirements of subsection (a) or is under the direct onboard supervision of a parent or guardian who meets the requirements of subsection (a) or a person at least 18 years of age who meets the requirements of subsection (a) and is designated by a parent or guardian.

(e) Beginning January 1, 2016, the owner of a motorboat or a person given supervisory authority over a motorboat shall not permit a motorboat with over 10 horse power to be operated by a person who does not meet the Boating Safety Certificate requirements of this Section.

(f) Licensed boat livers shall offer abbreviated operating and safety instruction covering core boat safety rules to all renters, unless the renter can demonstrate compliance with the Illinois Boating Safety Certificate requirements of this Section, or is exempt under subsection (i) of this Section. A person who completes abbreviated operating and safety instruction may operate a motorboat rented from the livery providing the abbreviated operating and safety instruction without having a Boating Safety Certificate for up to one year from the date of instruction. The Department shall adopt rules to implement this subsection.

(g) Violations.

(1) A person who is operating a motorboat with over 10 horse power and is required to have a valid Boating Safety Certificate under the provisions of this Section shall present the certificate to a law enforcement officer upon request. Failure of the person to present the certificate upon request is a petty offense.

(2) A person who provides false or fictitious information in an application for a Boating Safety Certificate; or who alters, forges, counterfeits, or falsifies a Boating Safety Certificate; or who possesses a Boating Safety Certificate that has been altered, forged, counterfeited, or falsified is guilty of a Class A misdemeanor.

(3) A person who loans or permits their Boating Safety Certificate to be used by another person; or who operates a motorboat with over 10 horse power using a Boating Safety Certificate that has not been issued to that person is guilty of a Class A misdemeanor.

(4) Violations of this Section done with the knowledge of a parent or guardian shall be deemed a violation by the parent or guardian and punishable under Section 11A-1.

(h) The Department of Natural Resources, Division of Law Enforcement, shall establish a program of instruction on boating safety, laws, regulations and administrative laws, and any other subject matter which

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might be related to the subject of general boat safety. The program shall be
conducted by instructors certified by the Department of Natural Resources;
Division of Law Enforcement. The course of instruction for persons certified
to teach boating safety shall be not less than 8 hours in length, and the
Department shall have the authority to revoke the certification of any
instructor who has demonstrated his inability to conduct courses on the
subject matter. The Department of Natural Resources shall develop and
provide a method for students to complete the program online. Students
satisfactorily completing a program of not less than 8 hours in length shall
receive a certificate of safety from the Department of Natural Resources;
Division of Law Enforcement. The Department may cooperate with schools,
online vendors, private clubs and other organizations in offering boating
safety courses throughout the State of Illinois.

The Department shall issue certificates of boating safety to persons
10 years of age or older successfully completing the prescribed course of
instruction and passing such tests as may be prescribed by the Department.
The Department may charge each person who enrolls in a course of
instruction a fee not to exceed $5. If a fee is authorized by the Department,
the Department shall authorize instructors conducting such courses meeting
standards established by it to charge for the rental of facilities or for the cost
of materials utilized in the course. Fees retained by the Department shall be
utilized to defray a part of its expenses to operate the safety and accident
reporting programs of the Department.

(i) A Boating Safety Certificate is not required by:
   (1) a person who possesses a valid United States Coast Guard
       commercial vessel operator's license or a marine certificate issued by
       the Canadian government;

   (2) a person employed by the United States, this State, another
       state, or a subdivision thereof while in performance of his or her
       official duties;

   (3) a person who is not a resident, is temporarily using the
       waters of this State for a period not to exceed 90 days, and meets any
       applicable boating safety education requirements of his or her state
       of residency or possesses a Canadian Pleasure Craft Operator's Card;

   (4) a person who is a resident of this State who has met the
       applicable boating safety education requirements of another state or
       possesses a Canadian Pleasure Craft Operator's Card;

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(5) a person who has assumed operation of the motorboat due to the illness or physical impairment of the operator, and is returning the motorboat or personal watercraft to shore in order to provide assistance or care for that operator;

(6) a person who is registered as a commercial fisherman or a person who is under the onboard direct supervision of the commercial fisherman while operating the commercial fisherman's vessel;

(7) a person who is serving or has qualified as a surface warfare officer or enlisted surface warfare specialist in the United States Navy;

(8) a person who has assumed operation of the motorboat for the purpose of completing a watercraft safety course approved by the Department, the U.S. Coast Guard, or the National Association of State Boating Law Administrators;

(9) a person using only an electric motor to propel the motorboat;

(10) a person operating a motorboat on private property; or

(11) a person over the age of 12 years who holds a valid certificate issued by another state, a province of the Dominion of Canada, the United States Coast Guard Auxiliary or the United States Power Squadron need not obtain a certificate from the Department if the course content of the program in such other state, province or organization substantially meets that established by the Department under this Section. A certificate issued by the Department or by another state, province of the Dominion of Canada or approved organization shall not constitute an operator's license, but shall certify only that the student has successfully passed a course in boating safety instruction.

(j) The Department of Natural Resources, Division of Law Enforcement, shall adopt rules necessary to implement and enforce the provisions of this Section. The Department of Natural Resources shall consult and coordinate with the boating public, professional organizations for recreational boating safety, and the boating retail, leasing, and dealer business community in the adoption of these rules.

(12) a person over the age of 12 years who holds a valid certificate issued by another state, province of the Dominion of Canada, or approved organization shall not constitute an operator's license, but shall certify only that the student has successfully passed a course in boating safety instruction.

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AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Sections 36-1, 36-1a, 36-2, 36-3, and 36-4 as follows:

(720 ILCS 5/36-1) (from Ch. 38, par. 36-1)

Sec. 36-1. Seizure. Any vessel or watercraft, vehicle or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit as defined in Section 8-4 of this Code, an offense prohibited by (a) Section 9-1, 9-3, 10-2, 11-1.20, 11-1.40, 11-6, 11-14.4 except for keeping a place of juvenile prostitution, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.6, 12-7.3, 12-7.4, 12-13, 12-14, 16-1 if the theft is of precious metal or of scrap metal, 18-2, 19-1, 19-2, 19-3, 20-1, 20-2, 21-1.2, 24-1.2-5, 24-1.5, 28-1, or 29D-15.2 of this Code, subdivision (a)(1), (a)(2), (a)(4), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5), (e)(6), or (e)(7) of Section 12-3.05, paragraph (a) of Section 12-4 of this Code, paragraph (a) of Section 11-1.50, paragraph (a) of Section 12-15, paragraph (a), (c), or (d) of Section 11-1.60, or paragraphs (a), (c) or (d) of Section 12-16 of this Code, or paragraph (a)(6) or (a)(7) of Section 24-1 of this Code; (b) Section 21, 22, 23, 24 or 26 of the Cigarette Tax Act if the vessel or watercraft, vehicle or aircraft contains more than 10 cartons of such cigarettes; (c) Section 28, 29 or 30 of the Cigarette Use Tax Act if the vessel or watercraft, vehicle or aircraft contains more than 10 cartons of such cigarettes; (d) Section 44 of the Environmental Protection Act; (e) 11-204.1 of the Illinois Vehicle Code; (f) (1) driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof, Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012; (2) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof and has been previously convicted of reckless homicide or a similar provision of a law of another state relating to

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reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted of committing a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and was involved in a motor vehicle accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries; (3) the person committed a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision for the third or subsequent time; (4) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit or a monitoring device driving permit; or (5) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy; (g) an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code; or (h) an offense described in subsection (e) of Section 6-101 of the Illinois Vehicle Code; or (i) (1) operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof under Section 5-16 of the Boat Registration and Safety Act during a period in which his or her privileges to operate a watercraft are revoked or suspended and the revocation or suspension was for operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof; (2) operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and has been previously convicted of reckless homicide or a similar provision of a law in another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof as an element of the offense or the person has previously been convicted of committing a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof and was involved in an accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries; or (3) the person committed a violation of operating a watercraft under the influence of alcohol, other drug or drugs, intoxicating
compound or compounds, or combination thereof under Section 5-16 of the Boat Registration and Safety Act or a similar provision for the third or subsequent time; may be seized and delivered forthwith to the sheriff of the county of seizure.

Within 15 days after such delivery the sheriff shall give notice of seizure to each person according to the following method: Upon each such person whose right, title or interest is of record in the office of the Secretary of State, the Secretary of Transportation, the Administrator of the Federal Aviation Agency, or any other Department of this State, or any other state of the United States if such vessel or watercraft, vehicle or aircraft is required to be so registered, as the case may be, by mailing a copy of the notice by certified mail to the address as given upon the records of the Secretary of State, the Department of Aeronautics, Department of Public Works and Buildings or any other Department of this State or the United States if such vessel or watercraft, vehicle or aircraft is required to be so registered. Within that 15 day period the sheriff shall also notify the State's Attorney of the county of seizure about the seizure.

In addition, any mobile or portable equipment used in the commission of an act which is in violation of Section 7g of the Metropolitan Water Reclamation District Act shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vessels or watercraft, vehicles and aircraft, and any such equipment shall be deemed a vessel or watercraft, vehicle or aircraft for purposes of this Article.

When a person discharges a firearm at another individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm to that individual and as a result causes death or great bodily harm to that individual, the vehicle shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vehicles used in violations of clauses (a), (b), (c), or (d) of this Section.

If the spouse of the owner of a vehicle seized for an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code, a violation of subdivision (d)(1)(A), (d)(1)(D), (d)(1)(G), (d)(1)(H), or (d)(1)(I) of Section 11-501 of the Illinois Vehicle Code, or Section 9-3 of this Code makes a showing that the seized vehicle is the only source of transportation and it is determined that the financial hardship to the family as a result of the seizure outweighs the benefit to the State from the seizure, the vehicle may be forfeited to the spouse or family member and the title to the vehicle shall be transferred to the spouse or family member who is properly licensed and who

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requires the use of the vehicle for employment or family transportation purposes. A written declaration of forfeiture of a vehicle under this Section shall be sufficient cause for the title to be transferred to the spouse or family member. The provisions of this paragraph shall apply only to one forfeiture per vehicle. If the vehicle is the subject of a subsequent forfeiture proceeding by virtue of a subsequent conviction of either spouse or the family member, the spouse or family member to whom the vehicle was forfeited under the first forfeiture proceeding may not utilize the provisions of this paragraph in another forfeiture proceeding. If the owner of the vehicle seized owns more than one vehicle, the procedure set out in this paragraph may be used for only one vehicle.

Property declared contraband under Section 40 of the Illinois Streetgang Terrorism Omnibus Prevention Act may be seized and forfeited under this Article.

(Source: P.A. 96-313, eff. 1-1-10; 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1267, eff. 7-26-10; 96-1289, eff. 1-1-11; 96-1551, Article 1, Section 960, eff. 7-1-11; 96-1551, Article 2, Section 1035, eff. 7-1-11; 97-333, eff. 8-12-11; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(720 ILCS 5/36-1a) (from Ch. 38, par. 36-1a)
Sec. 36-1a. Rights of lienholders and secured parties. The State's Attorney shall promptly release a vessel or watercraft, vehicle or aircraft seized under the provisions of this Article to any lienholder or secured party whose right, title or interest is of record as described in Section 36-1 if such lienholder or secured party shows to the State's Attorney that his lien or secured interest is bona fide and was created without actual knowledge that such vessel or watercraft, vehicle or aircraft was used or to be used in the commission of the offense charged.

(Source: Laws 1965, p. 2868.)

(720 ILCS 5/36-2) (from Ch. 38, par. 36-2)
Sec. 36-2. Action for forfeiture.

(a) The State's Attorney in the county in which such seizure occurs if he finds that such forfeiture was incurred without willful negligence or without any intention on the part of the owner of the vessel or watercraft, vehicle or aircraft or any person whose right, title or interest is of record as described in Section 36-1, to violate the law, or finds the existence of such mitigating circumstances as to justify remission of the forfeiture, may cause the sheriff to remit the same upon such terms and conditions as the State's Attorney deems reasonable and just. The State's Attorney shall exercise his discretion under the foregoing provision of this Section 36-2(a) promptly.

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after notice is given in accordance with Section 36-1. If the State's Attorney does not cause the forfeiture to be remitted he shall forthwith bring an action for forfeiture in the Circuit Court within whose jurisdiction the seizure and confiscation has taken place. The State's Attorney shall give notice of the forfeiture proceeding by mailing a copy of the Complaint in the forfeiture proceeding to the persons, and upon the manner, set forth in Section 36-1. The owner of the seized vessel or watercraft, vehicle or aircraft or any person whose right, title, or interest is of record as described in Section 36-1, may within 20 days after the mailing of such notice file a verified answer to the Complaint and may appear at the hearing on the action for forfeiture. The State shall show at such hearing by a preponderance of the evidence, that such vessel or watercraft, vehicle or aircraft was used in the commission of an offense described in Section 36-1. The owner of such vessel or watercraft, vehicle or aircraft or any person whose right, title, or interest is of record as described in Section 36-1, may show by a preponderance of the evidence that he did not know, and did not have reason to know, that the vessel or watercraft, vehicle or aircraft was to be used in the commission of such an offense or that any of the exceptions set forth in Section 36-3 are applicable. Unless the State shall make such showing, the Court shall order such vessel or watercraft, vehicle or aircraft released to the owner. Where the State has made such showing, the Court may order the vessel or watercraft, vehicle or aircraft destroyed; may order it delivered to any local, municipal or county law enforcement agency, or the Department of State Police or the Department of Revenue of the State of Illinois; or may order it sold at public auction.

(b) A copy of the order shall be filed with the sheriff of the county in which the seizure occurs and with each Federal or State office or agency with which such vessel or watercraft, vehicle or aircraft is required to be registered. Such order, when filed, constitutes authority for the issuance of clear title to such vehicle, aircraft, or boat to the department or agency to whom it is delivered or any purchaser thereof. The sheriff shall comply promptly with instructions to remit received from the State's Attorney or Attorney General in accordance with Sections 36-2(a) or 36-3.

(c) The proceeds of any sale at public auction pursuant to Section 36-2 of this Act, after payment of all liens and deduction of the reasonable charges and expenses incurred by the sheriff in storing and selling such vehicle, shall be paid into the general fund of the county of seizure.

(Source: P.A. 84-25.)

(720 ILCS 5/36-3) (from Ch. 38, par. 36-3)
Sec. 36-3. Exceptions to forfeiture.

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(a) No vessel or watercraft, vehicle, or aircraft used by any person as a common carrier in the transaction of business as such common carrier may be forfeited under the provisions of Section 36-2 unless it appears that (1) in the case of a railway car or engine, the owner, or (2) in the case of any other such vessel or watercraft, vehicle or aircraft, the owner or the master of such vessel or watercraft or the owner or conductor, driver, pilot, or other person in charge of such vehicle or aircraft was at the time of the alleged illegal act a consenting party or privy thereto.

(b) No vessel or watercraft, vehicle, or aircraft shall be forfeited under the provisions of Section 36-2 by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such vessel or watercraft, vehicle, or aircraft was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States, or of any state.

(Source: Laws 1965, p. 2868.)

(720 ILCS 5/36-4) (from Ch. 38, par. 36-4)

Sec. 36-4. Remission by Attorney General. Whenever any owner of, or other person interested in, a vessel or watercraft, vehicle, or aircraft seized under the provisions of this Act files with the Attorney General before the sale or destruction of such vessel or watercraft, vehicle, or aircraft, a petition for the remission of such forfeiture the Attorney General if he finds that such forfeiture was incurred without willful negligence or without any intention on the part of the owner or any person whose right, title or interest is of record as described in Section 36-1, to violate the law, or finds the existence of such mitigating circumstances as to justify the remission of forfeiture, may cause the same to be remitted upon such terms and conditions as he deems reasonable and just, or order discontinuance of any forfeiture proceeding relating thereto.

(Source: Laws 1965, p. 2868.)

Passed in the General Assembly May 23, 2014.
Approved July 7, 2014.
Effective January 1, 2015.
Section 5. The State Comptroller Act is amended by adding Section 26 as follows:

(15 ILCS 405/26 new)
(a) The Illinois Gives Initiative is hereby created to provide a mechanism whereby an employee or annuitant may authorize the withholding of a portion of his or her salary, wages, or annuity for payment to Illinois chapters of the American Red Cross whose territories include areas affected by a declaration of disaster issued in accordance with Section 7 of the Emergency Management Act.
(b) The initiative shall be administered by the State Comptroller, who is authorized to:

(1) develop an electronic mechanism whereby an employee or annuitant may register with the Office of the Comptroller for the withholding to be deducted from the next available scheduled pay period;
(2) develop policies and procedures necessary for the efficient transmission of the notification of the withholding under this Section to the employee's Payroll Officer or the annuitant's Retirement Agency; and
(3) develop policies and procedures necessary for the efficient distribution of the withholdings under this Section to designated Illinois chapters of the American Red Cross.

Section 10. The State Salary and Annuity Withholding Act is amended by changing Section 4 as follows:

(5 ILCS 365/4) (from Ch. 127, par. 354)
Sec. 4. Authorization of withholding. An employee or annuitant may authorize the withholding of a portion of his salary, wages, or annuity for any one or more of the following purposes:

(1) for purchase of United States Savings Bonds;
(2) for payment of premiums on life or accident and health insurance as defined in Section 4 of the "Illinois Insurance Code", approved June 29, 1937, as amended, and for payment of premiums on policies of automobile insurance as defined in Section 143.13 of the "Illinois Insurance Code", as amended, and the personal multiperil coverages commonly known as homeowner's insurance. However, no portion of salaries, wages or annuities may be withheld to pay premiums on automobile, homeowner's, life or accident and health insurance policies issued by any one insurance company or insurance

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service company unless a minimum of 100 employees or annuitants insured by that company authorize the withholding by an Office within 6 months after such withholding begins. If such minimum is not satisfied the Office may discontinue withholding for such company. For any insurance company or insurance service company which has not previously had withholding, the Office may allow withholding for premiums, where less than 100 policies have been written, to cover a probationary period. An insurance company which has discontinued withholding may reinstate it upon presentation of facts indicating new management or re-organization satisfactory to the Office;

(3) for payment to any labor organization designated by the employee;
(4) for payment of dues to any association the membership of which consists of State employees and former State employees;
(5) for deposit in any credit union, in which State employees are within the field of membership as a result of their employment;
(6) for payment to or for the benefit of an institution of higher education by an employee of that institution;
(7) for payment of parking fees at the underground facility located south of the William G. Stratton State Office Building in Springfield, the parking ramp located at 401 South College Street, west of the William G. Stratton State Office Building in Springfield, or at the parking facilities located on the Urbana-Champaign campus of the University of Illinois;
(8) for voluntary payment to the State of Illinois of amounts then due and payable to the State;
(9) for investment purchases made as a participant in College Savings Programs established pursuant to Section 30-15.8a of the School Code;
(10) for voluntary payment to the Illinois Department of Revenue of amounts due or to become due under the Illinois Income Tax Act;
(11) for payment of optional contributions to a retirement system subject to the provisions of the Illinois Pension Code;
(12) for contributions to organizations found qualified by the State Comptroller under the requirements set forth in the Voluntary Payroll Deductions Act of 1983;

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(13) for payment of fringe benefit contributions to employee benefit trust funds (whether such employee benefit trust funds are governed by the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §1001 et seq. or not) for State contractual employees hired through labor organizations and working pursuant to a signed agreement between a labor organization and a State agency, whether subject to the Illinois Prevailing Wage Act or not; this item (13) is not intended to limit employee benefit trust funds and the contributions to be made thereto to be limited to those which are encompassed for purposes of computing the prevailing wage in any particular locale, but rather such employee benefit trusts are intended to include contributions to be made to such funds that are intended to assist in training, building and maintenance, industry advancement, and the like, including but not limited to those benefit trust funds such as pension and welfare that are normally computed in the prevailing wage rates and which otherwise would be subject to contribution obligations by private employers that are signatory to agreements with labor organizations; 

(14) for voluntary payment as part of the Illinois Gives Initiative under Section 26 of the State Comptroller Act.

(Source: P.A. 94-541, eff. 1-1-06.)


PUBLIC ACT 98-0701
(Senate Bill No. 2922)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Insurance Code is amended by changing Section 1570 as follows:

(215 ILCS 5/1570)
Sec. 1570. Public adjuster fees.
(a) A public adjuster shall not pay a commission, service fee, or other valuable consideration to a person for investigating or settling claims in this

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State if that person is required to be licensed under this Article and is not so licensed.

(b) A person shall not accept a commission, service fee, or other valuable consideration for investigating or settling claims in this State if that person is required to be licensed under this Article and is not so licensed.

(c) A public adjuster may pay or assign commission, service fees, or other valuable consideration to persons who do not investigate or settle claims in this State, unless the payment would violate State law.

(d) A public adjuster may not charge, agree to, or accept any compensation, payment, commissions, fee, or other valuable consideration in excess of 10% of the amount of the insurance settlement claim paid by the insurer on any claim resulting from a catastrophic event, unless approved in writing by the Director. Application for exception to the 10% limit must be made in writing. The request must contain specific reasons as to why the consideration should be in excess of 10% and proof that the policyholder would accept the consideration. The Director must act on any request within 5 business days after receipt of the request.

For the purpose of this subsection (d), "catastrophic event" means an occurrence of widespread or severe damage or loss of property producing an overwhelming demand on State and local response resources and mechanisms and a severe long-term effect on general economic activity, and that severely affects State, local, and private sector capabilities to begin to sustain response activities resulting from any catastrophic cause, including, but not limited to, fire, including arson (provided the fire was not caused by the willful action of an owner or resident of the property), flood, earthquake, wind, storm, explosion, or extended periods of severe inclement weather as determined by declaration of a State of disaster by the Governor. This declaration may be made on a county-by-county basis and shall be in effect for 90 days, but may be renewed for 30-day intervals thereafter.

(Source: P.A. 96-1332, eff. 1-1-11.)

Passed in the General Assembly May 19, 2014.
Approved July 7, 2014.
Effective January 1, 2015.
AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by adding Division 19 to Article 10 as follows:

(35 ILCS 200/Art. 10 Div. 19 heading new)
DIVISION 19. QUALIFIED COMMERCIAL AND INDUSTRIAL PROPERTY

(35 ILCS 200/10-700 new)
Sec. 10-700. Qualified commercial and industrial property; tornado disaster. Notwithstanding any other provision of law, each qualified parcel of commercial or industrial property owned and used by a small business shall be valued at the lesser of (i) its modified equalized assessed value or (ii) 33 1/3% of its fair cash value or, in the case of property located in a county that classifies property for purposes of taxation in accordance with Section 4 of Article IX of the Constitution, the percentage of fair cash value as required by county ordinance. The method of valuation under this Section shall continue until there is a change in use or ownership of the property or until the fifteenth taxable year after the tornado disaster occurs, whichever occurs first. In order to qualify for valuation under this Section, the structure must be rebuilt within 2 years after the date of the tornado disaster, and the square footage of the rebuilt structure may not be more than 110% of the square footage of the original structure as it existed immediately prior to the tornado disaster.

"Base year" means the taxable year prior to the taxable year in which the tornado disaster occurred.

"Modified equalized assessed value" means:

(1) in the first taxable year after the tornado disaster occurs, the equalized assessed value of the property for the base year; and
(2) in the second taxable year after the tornado disaster occurs and thereafter, the modified equalized assessed value of the property for the previous taxable year, increased by 4%.

"Tornado disaster" means an occurrence of widespread or severe damage or loss of property resulting from a tornado or combination of tornadoes that has been proclaimed as a natural disaster by the Governor or the President of the United States.

New matter indicated by italics - deletions by strikeout
"Qualified parcel of property" means property that (i) is owned and used exclusively for commercial or industrial purposes by a small business and (ii) has been rebuilt following a tornado disaster occurring in taxable year 2013 or any taxable year thereafter.

"Small business" means a business that employs fewer than 50 full-time employees.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 7, 2014.
Effective July 7, 2014.

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Public Funds Deposit Act is amended by changing Section 1 as follows:

Sec. 1. Deposits. Any treasurer or other custodian of public funds may deposit such funds in a savings and loan association, savings bank, or State or national bank in this State, or deposit those funds into demand deposit accounts in accordance with Section 6.5 of the Public Funds Investment Act. When such deposits become collected funds and are not needed for immediate disbursement, they shall be invested within 2 working days at prevailing rates or better. The treasurer or other custodian of public funds may require such bank, savings bank, or savings and loan association to deposit with him or her securities guaranteed by agencies and instrumentalities of the federal government equal in market value to the amount by which the funds deposited exceed the federally insured amount. Any treasurer or other custodian of public funds may accept as security for public funds deposited in such bank, savings bank, or savings and loan association any securities or other eligible collateral authorized by Sections 11 and 11.1 of the Deposit of State Moneys Act (15 ILCS 520/11 and 11.1) or Section 6 of the Public Funds Investment Act (30 ILCS 235/6). Such treasurer or other custodian is authorized to enter into an agreement with any such bank, savings bank, or savings and loan association, with any federally insured financial institution or trust company, or with any agency of the U.S.
government relating to the deposit of such securities. Any such treasurer or other custodian shall be discharged from responsibility for any funds for which securities are so deposited with him or her, and the funds for which securities are so deposited shall not be subject to any otherwise applicable limitation as to amount.

No bank, savings bank, or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of the Public Funds Investment Act or is otherwise exempt from compliance as authorized by Section 6.5 of that Act.
(Source: P.A. 93-561, eff. 1-1-04.)

Section 10. The Public Funds Investment Act is amended by changing Section 6.5 as follows:

(30 ILCS 235/6.5)
Sec. 6.5. Federally insured deposits at Illinois financial institutions.
(a) Notwithstanding any other provision of this Act or any other statute, whenever a public agency invests public funds in an interest-bearing savings account, demand deposit account, interest-bearing certificate of deposit, or interest-bearing time deposit under Section 2 of this Act, the provisions of Section 6 of this Act and any other statutory requirements pertaining to the eligibility of a bank to receive or hold public deposits or to the pledging of collateral by a bank to secure public deposits do not apply to any bank receiving or holding all or part of the invested public funds if (i) the public agency initiates the investment at or through a bank located in Illinois and (ii) the invested public funds are at all time fully insured by an agency or instrumentality of the federal government.

(b) Nothing in this Section is intended to:

(1) prohibit a public agency from requiring the bank at or through which the investment of public funds is initiated to provide the public agency with the information otherwise required by subsections (a), (b), or (c) of Section 6 of this Act as a condition of investing the public funds at or through that bank; or

(2) permit a bank to receive or hold public deposits if that bank is prohibited from doing so by any rule, sanction, or order issued by a regulatory agency or by a court.

(c) For purposes of this Section, the term "bank" includes any person doing a banking business whether subject to the laws of this or any other jurisdiction.
(Source: P.A. 93-756, eff. 7-16-04.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Adoption Act is amended by changing Sections 18.05, 18.06, 18.08, 18.1, 18.1a, 18.1b, 18.2, and 18.3a as follows:

(750 ILCS 50/18.05)
Sec. 18.05. The Illinois Adoption Registry and Medical Information Exchange.

(a) General function. Subject to appropriation, the Department of Public Health shall administer the Illinois Adoption Registry and Medical Information Exchange in the manner outlined in subsections (b) and (c) for the purpose of facilitating the voluntary exchange of identifying and medical information between mutually consenting members of birth and adoptive families. The Department shall establish rules for the confidential operation of the Illinois Adoption Registry. For the Department shall appoint an OBC-Acess Public Information Campaign Oversight Committee comprised of, but not limited to, representatives of the Department of Public Health and the Department of Children and Family Services, as well as representatives of the organizations that serve, as of the effective date of this amendatory Act of the 96th General Assembly, on the Illinois Adoption Registry Advisory Council or the Confidential Intermediary Advisory Council. On and after the effective date of this amendatory Act of the 96th General Assembly, the OBC-Acess Public Information Campaign Oversight Committee shall develop and ensure the timely implementation of a year-long, nationwide campaign to be conducted from November 1, 2010, through October 31, 2011, for the express purpose of informing the public in earnest about the conditions under which an adult adopted or surrendered person may receive a non-certified copy of his or her original birth certificate, and the procedures pursuant to which a birth parent may file a Birth Parent Preference Form to express his or her wishes with respect to contact with a surrendered son or daughter and the release of identifying information that appears on the original birth certificate.
certificate provide notices enclosed with driver's license renewal applications issued by the Secretary of State's office through November 30, 2020. This year-long informational campaign shall include, but not be limited to:

(1) Public service announcements to be distributed to local and national radio and television stations.

(2) Notices to be distributed throughout Illinois to physicians' offices, religious institutions, social welfare organizations, retirement homes, and other entities capable of reaching individuals who may be impacted by this change in the law.

(3) An informational website exclusively devoted to providing the general public with information about the new law as well as other forms of free electronic media.

(4) Press releases to be distributed to local and national radio and television stations, as well as to relevant websites.

(5) Announcements about the new law to be posted on the websites of all adoption agencies licensed in the State.

(6) Notices accompanying every vehicle registration renewal application issued by the Secretary of State's office between October 31, 2010, and November 1, 2011:

(7) Notices enclosed with driver's license renewal applications issued by the Secretary of State's office beginning 30 days after the effective date of this amendatory Act of the 96th General Assembly and through November 30, 2014.

The Illinois Adoption Registry shall also maintain an informational Internet site where interested parties may access information about the Illinois Adoption Registry and Medical Information Exchange and download all necessary application forms. The Illinois Adoption Registry shall maintain statistical records regarding Registry participation and publish and circulate to the public informational material about the function and operation of the Registry.

(b) Establishment of the Adoption/Surrender Records File. When a person has voluntarily registered with the Illinois Adoption Registry and completed an Illinois Adoption Registry Application or a Registration Identification Form, the Registry shall establish a new Adoption/Surrender Records File. Such file may concern an adoption that was finalized by a court action in the State of Illinois, an adoption of a person born in Illinois finalized by a court action in a state other than Illinois or in a foreign country, a surrender taken in the State of Illinois, or an adoption filed according to Section 16.1 of the Vital Records Act under a Record of Foreign Birth that

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was not finalized by a court action in the State of Illinois. Such file may be established for adoptions or surrenders finalized prior to as well as after the effective date of this amendatory Act. A file may be created in any manner to preserve documents including but not limited to microfilm, optical imaging, or electronic documents.

(c) Contents of the Adoption/Surrender Records File. An established Adoption/Surrender Records File shall be limited to the following items, to the extent that they are available:

1. The General Information Section and Medical Information Exchange Questionnaire of any Illinois Adoption Registry Application or a Registration Identification Form which has been voluntarily completed by any registered party.

2. Any photographs voluntarily provided by any registrant for any other registered party at the time of registration or any time thereafter. All such photographs shall be submitted in an unsealed envelope no larger than 8 1/2" x 11", and shall not include identifying information pertaining to any person other than the registrant who submitted them. Any such identifying information shall be redacted by the Department or the information shall be returned for removal of identifying information.

3. Any Information Exchange Authorization, Denial of Information Exchange, or Birth Parent Preference Form which has been filed by a registrant.

4. For all adoptions finalized after January 1, 2000, copies of the original certificate of live birth and the certificate of adoption.

5. Any updated address submitted by any registered party about himself or herself.

6. Any proof of death that has been submitted by a registrant.

7. Any birth certificate that has been submitted by a registrant.

8. Any marriage certificate that has been submitted by a registrant.

9. Any proof of guardianship that has been submitted by a registrant.

10. Any Request for a Non-Certified Copy of an Original Birth Certificate that has been filed with the Registry by an adult adopted or surrendered person or by a surviving adult child or surviving spouse of a deceased adopted or surrendered person who has registered with the Registry.

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(d) An established Adoption/Surrender Records File for an adoption filed in Illinois under a Record of Foreign Birth that was not finalized in a court action in the State of Illinois shall be limited to the following items submitted to the State Registrar of Vital Records under Section 16.1 of the Vital Records Act, to the extent that they are available:

(1) Evidence as to the child's birth date and birthplace (including the country of birth and, if available, the city and province of birth) provided by the original birth certificate, or by a certified copy, extract, or translation thereof or by other document essentially equivalent thereto (the records of the U.S. Citizenship and Immigration Services or of the U.S. Department of State to be considered essentially equivalent thereto).

(2) A certified copy, extract, or translation of the adoption decree or other document essentially equivalent thereto (the records of the U.S. Citizenship and Immigration Services or of the U.S. Department of State to be considered essentially equivalent thereto).

(3) A copy of the IR-3 or IH-3 visa.

(4) The name and address of the adoption agency that handled the adoption.

(Source: P.A. 96-895, eff. 5-21-10; 97-445, eff. 8-19-11.)

(750 ILCS 50/18.06)
Sec. 18.06. Definitions. When used in Sections 18.05 through Section 18.6, for the purposes of the Registry:

"Adopted person" means a person who was adopted pursuant to the laws in effect at the time of the adoption.

"Adoptive parent" means a person who has become a parent through the legal process of adoption.

"Adult child" means the biological child 21 years of age or over of a deceased adopted or surrendered person.

"Adult grandchild" means the biological grandchild 21 years of age or over of a deceased adopted or surrendered person.

"Adult Adopted or Surrendered Person" means an adopted or surrendered person 21 years of age or over.

"Agency" means a public child welfare agency or a licensed child welfare agency.

"Birth aunt" means the adult full or half sister of a deceased birth parent.

"Birth father" means the biological father of an adopted or surrendered person who is named on the original certificate of live birth or
on a consent or surrender document, or a biological father whose paternity has been established by a judgment or order of the court, pursuant to the Illinois Parentage Act of 1984.

"Birth mother" means the biological mother of an adopted or surrendered person.

"Birth parent" means a birth mother or birth father of an adopted or surrendered person.

"Birth Parent Preference Form" means the form prepared by the Department of Public Health pursuant to Section 18.2 completed by a birth parent registrant and filed with the Registry that indicates the birth parent's preferences regarding contact and, if applicable, the release of his or her identifying information on the non-certified copy of the original birth certificate released to an adult adopted or surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person who has filed a Request for a Non-Certified Copy of an Original Birth Certificate.

"Birth relative" means a birth mother, birth father, birth sibling, birth aunt, or birth uncle.

"Birth sibling" means the adult full or half sibling of an adopted or surrendered person.

"Birth uncle" means the adult full or half brother of a deceased birth parent.

"Confidential intermediary" means an individual certified by the Department of Children and Family Services pursuant to Section 18.3a(e).

"Denial of Information Exchange" means an affidavit completed by a registrant with the Illinois Adoption Registry and Medical Information Exchange denying the release of identifying information which has been filed with the Registry.

"Information Exchange Authorization" means an affidavit completed by a registrant with the Illinois Adoption Registry and Medical Information Exchange authorizing the release of identifying information which has been filed with the Registry.

"Medical Information Exchange Questionnaire" means the medical history questionnaire completed by a registrant of the Illinois Adoption Registry and Medical Information Exchange.

"Non-certified Copy of the Original Birth Certificate" means a non-certified copy of the original certificate of live birth of an adult adopted or surrendered person who was born in Illinois.

"Proof of death" means a death certificate.

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"Registrant" or "Registered Party" means a birth parent, birth sibling, birth aunt, birth uncle, adopted or surrendered person 21 years of age or over, adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or adoptive parent, surviving spouse, or adult child of a deceased adopted or surrendered person who has filed an Illinois Adoption Registry Application or Registration Identification Form with the Registry.

"Registry" means the Illinois Adoption Registry and Medical Information Exchange.

"Request for a Non-Certified Copy of an Original Birth Certificate" means an affidavit completed by an adult adopted or surrendered person or by the surviving adult child or surviving spouse of a deceased adopted or surrendered person and filed with the Registry requesting a non-certified copy of an adult adopted or surrendered person's original certificate of live birth in Illinois.

"Surrendered person" means a person whose parents' rights have been surrendered or terminated but who has not been adopted.

"Surviving spouse" means the wife or husband, 21 years of age or older, of a deceased adopted or surrendered person who would be 21 years of age or older if still alive and who has one or more surviving biological children who are under the age of 21.

"18.3 Statement" means a statement regarding the disclosure of identifying information signed by a birth parent under Section 18.3 of this Act as it existed immediately prior to the effective date of this amendatory Act of the 96th General Assembly.

(Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

(750 ILCS 50/18.08)

Sec. 18.08. Adoption Registry-Confidential Intermediary Advisory Council.

(a) There shall be established under the Department of Public Health and the Department of Children and Family Services the Adoption Registry-Confidential Intermediary Advisory Council. The Council shall include:

(1) the Director of the Department of Public Health, or his or her designee, who shall serve as the co-chairperson of the Council;

(2) the Director of the Department of Children and Family Services, or his or her designee, who shall serve as the co-chairperson of the Council;

(3) an attorney representing the Attorney General's Office appointed by the Attorney General;

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(4) a currently certified confidential intermediary appointed by the Director of the Department of Children and Family Services;

(5) one representative from each of the following organizations appointed by the Director of the Department of Public Health: Adoption Advocates of America, Adoptive Families Today, Catholic Conference of Illinois, Chicago Area Families for Adoption, Chicago Bar Association, Child Care Association of Illinois, Children Remembered, Inc., Children's Home and Aid Society of Illinois, Child Welfare Advisory Council, The Cradle, Healing Hearts, Illinois Foster Parents Association, Illinois State Bar Association, Illinois State Medical Society, Jewish Children's Bureau, LDS Social Services, Lutheran Social Services of Illinois, Maryville Academy, Midwest Adoption Center, St. Mary's Services, Stars of David, and Truthseekers in Adoption, and White Oak Foundation;

(6) 5 additional members appointed by the Director of the Department of Children and Family Services who shall, when making those appointments, consider advocates for adopted persons, adoptive parents, or birth parents, lawyers who represent clients in private adoptions, lawyers specializing in privacy law, and representatives of agencies involved in adoptions;

(7) an attorney from the Department of Children and Family Services, who shall serve as an ex-officio, non-voting advisor to the Council; and

(8) the person directly responsible for administering the confidential intermediary program, who shall serve as an ex-officio, non-voting advisor to the Council.

(b) If any one of the named organizations in item (5) of subsection (a) notifies the Director of the Department of Public Health or the Director of the Department of Children and Family Services in writing that the organization does not wish to participate on the Adoption Registry-Confidential Intermediary Advisory Council or that the organization is no longer functioning, the Directors may designate another organization that represents the same constituency as the named organization to replace the named organization on the Council.

(c) Council members shall receive no compensation for their service. The Council shall meet no less often than once every 6 months and shall meet as the Director of the Department of Public Health or the Director of the Department of Children and Family Services deems necessary. The Council shall have only an advisory role to the Directors and may make
recommendations to the pertinent Department regarding the development of rules, procedures, and forms that will promote the efficient and effective operation of (i) the Illinois Adoption Registry, (ii) the Office of Vital Records as it pertains to the Registry and to access to the non-certified copy of the original birth certificate, and (iii) the Confidential Intermediary Program in Illinois. The Council will also serve in an advisory capacity regarding the effective delivery of adult post-adoption services in Illinois, including:

1. advising the Department of Public Health on the development of rules, procedures, and forms utilized by the Illinois Adoption Registry and Medical Information Exchange;

2. making recommendations regarding the procedures, tools, and technology that will promote efficient and effective operation of the Registry;

3. assisting the Department of Public Health with the development, publication, and circulation of an informational pamphlet that describes the purpose, function, and mechanics of the Illinois Adoption Registry and Medical Information Exchange, including information about who is eligible to register and how to register; information about the questions and concerns that registrants may develop when they register or when they receive information from the Registry; and a list of services, programs, groups, and informational websites that are available to assist registrants with their questions and concerns;

4. collecting, compiling, and reviewing statistical data and empirical information concerning the procedures in the Registry including, but not limited to, data concerning the filing of Denials of Information Exchange, Information Exchange Authorizations, Requests for a Non-Certified Copy of an Original Birth Certificate, and Birth Parent Preference Forms;

5. making recommendations to the Director of the Department of Children and Family Services regarding the standards for certification for confidential intermediaries;

6. making recommendations to the Director of the Department of Children and Family Services concerning oversight methods used to verify that intermediaries are complying with the appropriate laws;

7. assisting the Department of Children and Family Services with training for confidential intermediaries, including training with respect to federal and State privacy laws;

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(8) reviewing the relationship between confidential intermediaries and the court system and making recommendations to the Director of the Department of Children and Family Services concerning sample orders that define the scope of the intermediaries' access to information;

(9) considering any recent violations of policy or procedures by confidential intermediaries and remedial steps, including decertification, which might be recommended to the Director of the Department of Children and Family Services so as to prevent future violations; and

(10) reviewing reports from the Department of Children and Family Services submitted by July 1 and January 1 of each year in order detailing the penalties assessed and collected, the amounts of related deposits into the DCFS Children's Services Fund, and any expenditures from such deposits.

(d) Within 45 days after the effective date of this amendatory Act of the 97th General Assembly, both the Adoption Registry Advisory Council and the Confidential Intermediary Council shall, notwithstanding any other provision of this Act, turn over the Council's records to the Adoption Registry-Confidential Intermediary Advisory Council and cease to function.

(750 ILCS 50/18.1) (from Ch. 40, par. 1522.1)
Sec. 18.1. Disclosure of identifying information.
(a) The Department of Public Health shall establish and maintain a Registry for the purpose of allowing mutually consenting members of birth and adoptive families to exchange identifying and medical information. Identifying information for the purpose of this Act shall mean any one or more of the following:

(1) The name and last known address of the consenting person or persons.

(2) A copy of the Illinois Adoption Registry Application of the consenting person or persons.

(3) A non-certified copy of the original birth certificate of an adult adopted or surrendered person.

(b) Written authorization from all parties identified must be received prior to disclosure of any identifying information, with the exception of non-certified copies of original birth certificates released to adult adopted or surrendered persons or to surviving adult children and surviving spouses of
deceased adopted or surrendered persons pursuant to the procedures outlined in Section 18.1b(e).

(c) At any time after a child is surrendered for adoption, or at any time during the adoption proceedings or at any time thereafter, either birth parent or both of them may file with the Registry a Birth Parent Registration Identification Form.

(d) A birth sibling 21 years of age or over who was not surrendered for adoption and who has submitted a copy of his or her birth certificate as well as proof of death for a deceased birth parent and such birth parent did not file a Denial of Information Exchange or a Birth Parent Preference Form on which Option E was selected with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(e) A birth aunt or birth uncle who has submitted birth certificates for himself or herself and for a deceased birth parent naming at least one common biological parent as well as proof of death for the deceased birth parent and such birth parent did not file a Denial of Information Exchange or a Birth Parent Preference Form on which Option E was selected with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(f) Any adopted person 21 years of age or over, any surrendered person 21 years of age or over, or any adoptive parent or legal guardian of an adopted or surrendered person under the age of 21 may file with the Registry a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(g) Any adult child or adult grandchild 21 years of age or over of a deceased adopted or surrendered person who has submitted a copy of his or her birth certificate naming an adopted or surrendered person as his or her biological parent as well as proof of death for the deceased adopted or surrendered person and such adopted or surrendered person did not file a Denial of Information Exchange with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(h) Any surviving spouse of a deceased adopted or surrendered person 21 years of age or over who has submitted proof of death for the deceased adopted or surrendered person and such adopted or surrendered person did not file a Denial of Information Exchange with the Registry prior to his or her death as well as a birth certificate naming themselves and the adopted or
surrendered person as the parents of a minor child under the age of 21 may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(i) Any adoptive parent or legal guardian of a deceased adopted or surrendered person who is 21 years of age or over who has submitted proof of death as well as proof of parentage or guardianship for the deceased adopted or surrendered person and such adopted or surrendered person did not file a Denial of Information Exchange with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(j) The Department of Public Health shall supply to the adopted or surrendered person or his or her adoptive parents, legal guardians, adult children, adult grandchildren, or surviving spouse, and to the birth parents identifying information only if both the adopted or surrendered person, or one of his or her adoptive parents, legal guardians, adult children, adult grandchildren, or his or her surviving spouse, and the birth parents have filed with the Registry an Information Exchange Authorization or a Birth Parent Preference Form on which Option A, B, or C was selected and the information at the Registry indicates that the consenting adopted or surrendered person, the child of the consenting adoptive parents or legal guardians, the parent of the consenting adult child of the adopted or surrendered person, or the deceased wife or husband of the consenting surviving spouse is the child of the consenting birth parents, except identifying information that appears on a non-certified copy of an original birth certificate may be provided to an adult adopted or surrendered person or to the surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person pursuant to the procedures outlined in Section 18.1b(e) of this Act.

The Department of Public Health shall supply to adopted or surrendered persons who are birth siblings identifying information only if both siblings have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting siblings have one or both birth parents in common. Identifying information shall be supplied to consenting birth siblings who were adopted or surrendered if any such sibling is 21 years of age or over. Identifying information shall be supplied to consenting birth siblings who were not adopted or surrendered if any such sibling is 21 years of age or over and has proof of death of the common birth parent and such birth parent did not file
(k) The Department of Public Health shall supply to the adopted or surrendered person or his or her adoptive parents, legal guardians, adult children, adult grandchildren, or surviving spouse, and to a birth aunt identifying information only if both the adopted or surrendered person or one of his or her adoptive parents, legal guardians, adult children, adult grandchildren, or his or her surviving spouse, and the birth aunt have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting adopted or surrendered person, or the child of the consenting adoptive parents or legal guardians, or the parent of the consenting adult child, or the deceased wife or husband of the consenting surviving spouse of the adopted or surrendered person is or was the child of the brother or sister of the consenting birth aunt.

(l) The Department of Public Health shall supply to the adopted or surrendered person or his or her adoptive parents, legal guardians, adult children, adult grandchildren, or surviving spouse, and to a birth uncle identifying information only if both the adopted or surrendered person or one of his or her adoptive parents, legal guardians, adult children, adult grandchildren, or his or her surviving spouse, and the birth uncle have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting adopted or surrendered person, or the child of the consenting adoptive parents or legal guardians, or the parent of the consenting adult child, or the deceased wife or husband of the consenting surviving spouse of the adopted or surrendered person is or was the child of the brother or sister of the consenting birth uncle.

(m) A registrant may notify the Registry of his or her desire not to have identifying information revealed or may revoke any previously filed Information Exchange Authorization by completing and filing with the Registry a Registry Identification Form along with a Denial of Information Exchange or, if applicable, a Birth Parent Preference Form. Any registrant, except a birth parent, may revoke his or her Denial of Information Exchange by filing an Information Exchange Authorization. A birth parent may revoke a Denial of Information Exchange by filing a Birth Parent Preference Form. Any birth parent who has previously filed a Birth Parent Preference Form where Option E was selected may revoke such preference by filing a subsequent Birth Parent Preference Form and selecting Option A, B, C, or D. The Department of Public Health shall act in accordance with the most recently filed affidavit.
(n) Identifying information ascertained from the Registry shall be confidential and may be disclosed only (1) upon a Court Order, which order shall name the person or persons entitled to the information, or (2) to a registrant who is the subject of an Information Exchange Authorization or, if applicable, a Birth Parent Preference Form that was completed by another registrant and filed with the Illinois Adoption Registry and Medical Information Exchange, or (3) as authorized under subsection (h) of Section 18.3 of this Act, or (4) pursuant to the procedures outlined in Section 18.1b(e) of this Act. Any person who willfully provides unauthorized disclosure of any information filed with the Registry or who knowingly or intentionally files false information with the Registry shall be guilty of a Class A misdemeanor and shall be liable for damages.

(o) If information is disclosed pursuant to this Act, the Department shall redact it to remove any identifying information about any party who has not consented to the disclosure of such identifying information, or, in the case of identifying information on the original birth certificate, pursuant to Section 18.1b(e) of this Act.

(Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

(750 ILCS 50/18.1a)

Sec. 18.1a. Registry matches.

(a) The Registry shall release identifying information, as specified on the applicant's Information Exchange Authorization or, if applicable, a Birth Parent Preference Form, to the following mutually consenting registered parties and provide them with any photographs or correspondence which have been placed in the Adoption/Surrender Records File and are specifically intended for the registered parties:

(i) an adult adopted or surrendered person and one of his or her birth relatives who have both filed an applicable Information Exchange Authorization or, if applicable, a Birth Parent Preference Form specifying the other consenting party with the Registry, if information available to the Registry confirms that the consenting adopted or surrendered person is biologically related to the consenting birth relative;

(ii) the adoptive parent or legal guardian of an adopted or surrendered person under the age of 21 and one of the adopted or surrendered person's birth relatives who have both filed an Information Exchange Authorization specifying the other consenting party, or, if applicable, a Birth Parent Preference Form, with the Registry, if information available to the Registry confirms that the
child of the consenting adoptive parent or legal guardian is biologically related to the consenting birth relative; and

(iii) the adoptive parent, adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person, and one of the adopted or surrendered person's birth relatives who have both filed an applicable Information Exchange Authorization specifying the other consenting party or, if applicable, a Birth Parent Preference Form, with the Registry, if information available to the Registry confirms that the child of the consenting adoptive parent, the parent of the consenting adult child or the deceased wife or husband of the consenting surviving spouse of the adopted or surrendered person was biologically related to the consenting birth relative.

(b) If a registrant is the subject of a Denial of Information Exchange filed by another registered party or is an adopted or surrendered person, or the surviving relative of a deceased adopted or surrendered person, and a birth parent of the adopted or surrendered person completed a Birth Parent Preference Form and selected Option E, the Registry shall not release identifying information to either registrant or, if applicable, to an adopted person who has requested a copy of his or her original birth certificate, with the exception of non-certified copies of the original birth certificate released under Section 18.1b(e), and as to a birth parent who has prohibited release of identifying information on the original birth certificate to the adult adopted or surrendered person, upon the death of said birth parent.

(c) If a registrant has completed a Medical Information Exchange Questionnaire and has consented to its disclosure, that Questionnaire shall be released to any registered party who has indicated their desire to receive such information on his or her Illinois Adoption Registry Application, if information available to the Registry confirms that the consenting parties are biologically related, that the consenting birth relative and the child of the consenting adoptive parents or legal guardians are birth relatives, or that the consenting birth relative and the deceased wife or husband of the consenting surviving spouse are birth relatives.

(Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

(750 ILCS 50/18.1b)

Sec. 18.1b. The Illinois Adoption Registry Application. The Illinois Adoption Registry Application shall substantially include the following:

(a) General Information. The Illinois Adoption Registry Application shall include the space to provide Information about the registrant including his or her surname, given name or names, social security number (optional),
mailing address, home telephone number, gender, date and place of birth, and the date of registration. If applicable and known to the registrant, he or she may include the maiden surname of the birth mother, any subsequent surnames of the birth mother, the surname of the birth father, the given name or names of the birth parents, the dates and places of birth of the birth parents, the surname and given name or names of the adopted person prior to adoption, the gender and date and place of birth of the adopted or surrendered person, the name of the adopted person following his or her adoption and the state and county where the judgment of adoption was finalized.

(b) Medical Information Exchange Questionnaire. In recognition of the importance of medical information and of recent discoveries regarding the genetic origin of many medical conditions and diseases all registrants shall be asked to voluntarily complete a Medical Information Exchange Questionnaire. The Medical Information Exchange Questionnaire shall include a comprehensive check-list of medical conditions and diseases including those of genetic origin.

(1) Birth relatives shall be asked to indicate all genetically-inherited diseases and conditions on this list which are known to exist in the adopted or surrendered person's birth family at the time of registration. In addition, all birth relatives shall be apprised of the Registry's provisions for voluntarily submitting information about their and their family's medical histories on a confidential, ongoing basis.

(2) Adopted and surrendered persons and their adoptive parents, legal guardians, adult children, adult grandchildren, and surviving spouses shall be asked to indicate all genetically-inherited diseases and medical conditions with which the adopted or surrendered person or, if applicable, his or her children have been diagnosed since birth.

(3) The Medical Information Exchange Questionnaire shall include a space where the registrant may authorize the release of the Medical Information Exchange Questionnaire to specified registered parties and a disclaimer informing registrants that the Department of Public Health cannot guarantee the accuracy of medical information exchanged through the Registry.

(c) Written statement. All registrants shall be given the opportunity to voluntarily file a written statement with the Registry. This statement shall be submitted in the space provided. No written statement submitted to the Registry shall include identifying information pertaining to any person other

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than the registrant who submitted it. Any such identifying information shall be redacted by the Department or returned for removal of identifying information.

(d) Exchange of information. All registrants except birth parents may indicate their wishes regarding contact and the exchange of identifying and/or medical information with any other registrant by completing an Information Exchange Authorization or a Denial of Information Exchange. Birth parents may indicate their wishes regarding contact by filing a Birth Parent Preference Form pursuant to the procedures outlined in this Section.

(1) Information Exchange Authorization. Adopted or surrendered persons 21 years of age or over who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of their birth relatives; birth siblings 21 years of age or over who were adopted or surrendered and who are interested in exchanging identifying and/or medical information or would welcome contact with an adopted or surrendered person, or one or more of his or her adoptive parents, legal guardians, adult children, adult grandchildren, or a surviving spouse; birth siblings 21 years of age or over who were not surrendered and who have submitted proof of death for any common birth parent who did not file a Denial of Information Exchange or a Birth Parent Preference Form on which Option E was selected prior to his or her death, and who are interested in exchanging identifying and/or medical information or would welcome contact with an adopted or surrendered person, or one or more of his or her adoptive parents, legal guardians, adult children, adult grandchildren, or a surviving spouse; birth aunts and birth uncles 21 years of age or over who have submitted birth certificates for themselves and a deceased birth parent naming at least one common biological parent as well as proof of death for a deceased birth parent and who are interested in exchanging identifying and/or medical information or would welcome contact with an adopted or surrendered person 21 years of age or over, or one or more of his or her adoptive parents, legal guardians, adult children, adult grandchildren, or a surviving spouse; adoptive parents or legal guardians of adopted or surrendered persons under the age of 21 who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of the adopted or surrendered person's birth relatives; adoptive parents and legal guardians of deceased adopted or surrendered persons 21

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years of age or over who have submitted proof of death for a deceased adopted or surrendered person who did not file a Denial of Information Exchange prior to his or her death and who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of the adopted or surrendered person's birth relatives; adult children of deceased adopted or surrendered persons who have submitted a birth certificate naming the adopted or surrendered person as their biological parent, and, in the case of adult grandchildren, their birth certificate and a birth certificate naming the adopted or surrendered person as their parent's biological parent, and proof of death for an adopted or surrendered person who did not file a Denial of Information Exchange prior to his or her death; and surviving spouses of deceased adopted or surrendered persons who have submitted a marriage certificate naming an adopted or surrendered person as their deceased wife or husband and proof of death for an adopted or surrendered person who did not file a Denial of Information Exchange prior to his or her death and who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of the adopted or surrendered person's birth relatives may specify with whom they wish to exchange identifying information by filing an Information Exchange Authorization.

(2) Denial of Information Exchange. Adopted or surrendered persons 21 years of age or over who do not wish to exchange identifying information or establish contact with one or more of their birth relatives may specify with whom they do not wish to exchange identifying information or do not wish to establish contact by filing a Denial of Information Exchange. Birth relatives other than birth parents who do not wish to establish contact with an adopted or surrendered person or one or more of his or her adoptive parents, legal guardians, or adult children or adult grandchildren may specify with whom they do not wish to exchange identifying information or do not wish to establish contact by filing a Denial of Information Exchange. Birth parents who wish to prohibit the release of their identifying information on the original birth certificate released to an adult adopted or surrendered person who was born after January 1, 1946, or to the surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person who was born after January 1, 1946, may do so by filing a Denial with the Registry.
on or before December 31, 2010. Adoptive parents or legal guardians of adopted or surrendered persons under the age of 21 who do not wish to establish contact with one or more of the adopted or surrendered person’s birth relatives may specify with whom they do not wish to exchange identifying information by filing a Denial of Information Exchange. Adoptive parents, adult children, adult grandchildren, and surviving spouses of deceased adoptees who do not wish to exchange identifying information or establish contact with one or more of the adopted or surrendered person’s birth relatives may specify with whom they do not wish to exchange identifying information or do not wish to establish contact by filing a Denial of Information Exchange.

(3) Birth Parent Preference Form. Beginning January 1, 2011, birth parents who are eligible to register with the Illinois Adoption Registry and Medical Information Exchange and whose birth child was born on or after January 1, 1946 may communicate their wishes regarding contact or may prohibit the release of identifying information on the non-certified copy of the original birth certificate released under subsection (e) of this Section by filing a Birth Parent Preference Form with the Registry. Birth parents whose birth child was born before January 1, 1946, may communicate their wishes regarding contact by completing a Birth Parent Preference Form, selecting Option A, B, C, or D, and filing the form with the Registry, but may not prohibit the release of identifying information. All Birth Parent Preference Forms on file with the Registry at the time of receipt of a Request for a Non-Certified Copy of an Original Birth Certificate from an adult adopted or surrendered person or the surviving adult child, surviving adult grandchild, or surviving spouse of a deceased adopted or surrendered person along with a non-certified copy of the adopted or surrendered person’s original birth certificate as outlined in subsection (e) of this Section.

(e) Procedures for requesting a non-certified copy of an original birth certificate by an adult adopted or surrendered person or by a surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person:
(1) On or after the effective date of this amendatory Act of the 96th General Assembly, any adult adopted or surrendered person who was born in Illinois prior to January 1, 1946, may complete and file with the Registry a Request for a Non-Certified Copy of an Original Birth Certificate. The Registry shall provide such adult adopted or surrendered person with an unaltered, non-certified copy of his or her original birth certificate upon receipt of the Request for a Non-Certified Copy of an Original Birth Certificate. Additionally, in cases where an adopted or surrendered person born in Illinois prior to January 1, 1946, is deceased, and one of his or her surviving adult children, adult grandchildren, or his or her surviving spouse has registered with the Registry, he or she may complete and file with the Registry a Request for a Non-Certified Copy of an Original Birth Certificate. The Registry shall provide such surviving adult child, adult grandchild, or surviving spouse with an unaltered, non-certified copy of the adopted or surrendered person's original birth certificate upon receipt of the Request for a Non-Certified Copy of an Original Birth Certificate.

(2) Beginning November 15, 2011, any adult adopted or surrendered person who was born in Illinois on or after January 1, 1946, may complete and file with the Registry a Request for a Non-Certified Copy of an Original Birth Certificate. Additionally, in cases where the adopted or surrendered person is deceased and one of his or her surviving adult children, adult grandchildren, or his or her surviving spouse has registered with the Registry, he or she may complete and file with the Registry a Request for a Non-Certified Copy of an Original Birth Certificate. Upon receipt of such request from an adult adopted or surrendered person or from one of his or her surviving adult children, adult grandchildren, or his or her surviving spouse, the Registry shall:

(i) Determine if there is a Denial of Information Exchange which was filed by a birth parent named on the original birth certificate prior to January 1, 2011. If a Denial was filed by a birth parent named on the original birth certificate prior to January 1, 2011, and there is no proof of death in the Registry file for the birth parent who filed said Denial, the Registry shall inform the requesting adult adopted or surrendered person or the requesting surviving adult child, adult grandchild, or surviving spouse of a deceased adopted

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or surrendered person that they may receive a non-certified copy of the original birth certificate from which all identifying information pertaining to the birth parent who filed the Denial has been redacted. A requesting adult adopted or surrendered person shall also be informed in writing of his or her right to petition the court for the appointment of a confidential intermediary pursuant to Section 18.3a of this Act and, if applicable, to conduct a search through an agency post-adoption search program once 5 years have elapsed since the birth parent filed the Denial of Information Exchange with the Registry.

(ii) Determine if a birth parent named on the original birth certificate has filed a Birth Parent Preference Form. If one of the birth parents named on the original birth certificate filed a Birth Parent Preference Form and selected Option A, B, C, or D, the Registry shall forward to the adult adopted or surrendered person or to the surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person a copy of the Birth Parent Preference Form along with an unaltered non-certified copy of his or her original birth certificate. If one of the birth parents named on the original birth certificate filed a Birth Parent Preference Form and selected Option E, and there is no proof of death in the Registry file for the birth parent who filed said Birth Parent Preference Form, the Registry shall inform the requesting adult adopted or surrendered person or the requesting surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person that he or she may receive a non-certified copy of the original birth certificate from which identifying information pertaining to the birth parent who completed the Birth Parent Preference Form has been redacted per the birth parent's specifications on the Form. The Registry shall forward to the adult adopted or surrendered person or to the surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person a copy of the Birth Parent Preference Form filed by the birth parent from which identifying information has been redacted per the birth parent's specifications on the Form. The requesting adult adopted or

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surrendered person shall also be informed in writing of his or her right to petition the court for the appointment of a confidential intermediary pursuant to Section 18.3a of this Act, and, if applicable, to conduct a search through an agency post-adoption search program once 5 years have elapsed since the birth parent filed the Birth Parent Preference Form, on which Option E was selected, with the Registry.

(iii) Determine if a birth parent named on the original birth certificate has filed an Information Exchange Authorization.

(iv) If the Registry has confirmed that a requesting adult adopted or surrendered person or the parent of a requesting adult child of a deceased adopted or surrendered person or the husband or wife of a requesting surviving spouse was not the object of a Denial of Information Exchange filed by a birth parent on or before December 31, 2010, and that no birth parent named on the original birth certificate has filed a Birth Parent Preference Form where Option E was selected prior to the receipt of a Request for a Non-Certified Copy of an Original Birth Certificate, the Registry shall provide the adult adopted or surrendered person or his or her surviving adult child or surviving spouse with an unaltered non-certified copy of the adopted or surrendered person's original birth certificate.

(3) In cases where the Registry receives a Birth Parent Preference Form from a birth parent subsequent to the release of the non-certified copy of the original birth certificate to an adult adopted or surrendered person or to the surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person, the Birth Parent Preference Form shall be immediately forwarded to the adult adopted or surrendered person or to the surviving adult child, adult grandchild, or surviving spouse of the deceased adopted or surrendered person and the birth parent who filed the form shall be informed that the relevant original birth certificate has already been released.

(4) A copy of the original birth certificate shall only be released to adopted or surrendered persons who were born in Illinois; to surviving adult children, adult grandchildren, or surviving spouses of deceased adopted or surrendered persons who were born in Illinois;

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or to 2 registered parties who have both consented to the release of a non-certified copy of the original birth certificate to one another through the Registry when the birth of the relevant adopted or surrendered person took place in Illinois.

(5) In cases where the Registry receives a Request for a Non-Certified Copy of an Original Birth Certificate from an adult adopted or surrendered person who has not completed a Registry application and the file of that adopted or surrendered person includes an Information Exchange Authorization, Birth Parent Preference Form, or Medical Information Exchange Questionnaire from one or more of his or her birth relatives, the Registry shall so inform the adult adopted or surrendered person and forward Registry application forms to him or her along with a non-certified copy of the original birth certificate consistent with the procedures outlined in this subsection (e).

(6) In cases where a birth parent registered with the Registry and filed a Medical Information Exchange Questionnaire prior to the effective date of this amendatory Act of the 96th General Assembly but gave no indication as to his or her wishes regarding contact or the sharing of identifying information, the Registry shall contact the birth parent by written letter prior to January 1, 2011, and provide him or her with the opportunity to indicate his or her preference regarding contact and the sharing of identifying information by submitting a Birth Parent Preference Form to the Registry prior to November 1, 2011.

(7) In cases where the Registry cannot locate a copy of the original birth certificate in the Registry file, they shall be authorized to request a copy of the original birth certificate from the Illinois county where the birth took place for placement in the Registry file.

(8) Adopted and surrendered persons who wish to have their names placed with the Illinois Adoption Registry and Medical Information Exchange may do so by completing a Registry application at any time, but completing a Registry application shall not be required for adopted and surrendered persons who seek only to obtain a copy of their original birth certificate or any relevant Birth Parent Preference Forms through the Registry.

(9) In cases where a birth parent filed a Denial of Information Exchange with the Registry prior to January 1, 2011, or filed a Birth Parent Preference Form with the Registry and selected Option E after

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January 1, 2011, and a proof of death for the birth parent who filed the Denial or the Birth Parent Preference Form has been filed with the Registry by a confidential intermediary, a surviving relative of the deceased birth parent, or a birth child of the deceased birth parent, the Registry shall be authorized to release an unaltered non-certified copy of the original birth certificate to an adult adopted or surrendered person or to the surviving adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person who has filed a Request for a Non-Certified Copy of the Original Birth Certificate with the Registry.

(10) On and after the effective date of this amendatory Act of the 96th General Assembly, in cases where all birth parents named on the original birth certificate of an adopted or surrendered person born after January 1, 1946, are deceased and copies of death certificates for all birth parents named on the original birth certificate have been filed with the Registry by either a confidential intermediary, a surviving relative of the deceased birth parent, or a birth child of the deceased birth parent, the Registry shall be authorized to release a non-certified copy of the original birth certificate to the adopted or surrendered person upon receipt of his or her Request for a Non-Certified Copy of an Original Birth Certificate.

(f) A registrant may complete all or any part of the Illinois Adoption Registry Application. All Illinois Adoption Registry Applications, Information Exchange Authorizations, Denials of Information Exchange, requests to revoke an Information Exchange Authorization or Denial of Information Exchange, Birth Parent Preference Forms, and affidavits submitted to the Registry shall be accompanied by proof of identification.

(Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11; 97-333, eff. 8-12-11.)

(750 ILCS 50/18.2) (from Ch. 40, par. 1522.2)
Sec. 18.2. Forms.
(a) The Department shall develop the Illinois Adoption Registry forms as provided in this Section. The General Assembly shall reexamine the content of the form as requested by the Department, in consultation with the Registry Advisory Council. The form of the Birth Parent Registration Identification Form shall be substantially as follows:

BIRTH PARENT REGISTRATION IDENTIFICATION
(Insert all known information)
I, ..... state that I am the ...... (mother or father) of the

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following child:

Child's original name: ..... (first) ..... (middle) ..... (last), ..... (hour of birth), ..... (date of birth), ..... (city and state of birth), ..... (name of hospital).

Father's full name: ..... (first) ..... (middle) ..... (last), ..... (date of birth), ..... (city and state of birth).

Name of mother inserted on birth certificate: ..... (first) ..... (middle) ..... (last), ..... (race), ..... (date of birth), ..... (city and state of birth).

That I surrendered my child to: ............. (name of agency), ..... (city and state of agency), ..... (approximate date child surrendered).

That I placed my child by private adoption: ..... (date), ..... (city and state).

Name of adoptive parents, if known: ......

Other identifying information: ......

..................................  (Signature of parent)

..............  ................................

(date)         (printed name of parent)

(b) The form of the Adopted Person Registration Identification shall be substantially as follows:

ADOPTED PERSON
REGISTRATION IDENTIFICATION

(Insert all known information)

I, ..... state the following:

Adopted Person's present name: ..... (first) ..... (middle) ..... (last).

Adopted Person's name at birth (if known): ..... (first) ..... (middle) ..... (last), ..... (birth date), ..... (city and state of birth), ..... (sex), ..... (race).

Name of adoptive father: ..... (first) ..... (middle) ..... (last), ..... (race).

Maiden name of adoptive mother: ..... (first) ..... (middle) ..... (last), ..... (race).

Name of birth mother (if known): ..... (first) ..... (middle) ..... (last), ..... (race).

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(middle) ..... (last), ..... (race).
Name of birth father (if known): ..... (first) ..... (middle) ..... (last), ..... (race).
Name(s) at birth of sibling(s) having a common birth parent with adoptee (if known): ..... (first) ..... (middle) ..... (last), ..... (race), and name of common birth parent: ..... (first) ..... (middle) ..... (last), ..... (race).
I was adopted through: ..... (name of agency).
I was adopted privately: ..... (state "yes" if known).
I was adopted in ..... (city and state), ..... (approximate date).
Other identifying information: ............

..........................................
(signature of adoptee)

........... .................................. (state "yes" if known)
(date) .................................... (printed name of adoptee)

(c) The form of the Surrendered Person Registration Identification shall be substantially as follows:

SURRENDERED PERSON REGISTRATION IDENTIFICATION
(Insert all known information)

I, ..... state the following:
Surrendered Person's present name: ..... (first) ..... (middle) ..... (last).
Surrendered Person's name at birth (if known): ..... (first) ..... (middle) ..... (last), ..... (birth date), ..... (city and state of birth), ..... (sex), ..... (race).
Name of guardian father: ..... (first) ..... (middle) ..... (last), ..... (race).
Maiden name of guardian mother: ..... (first) ..... (middle) ..... (last), ..... (race).
Name of birth mother (if known): ..... (first) ..... (middle) ..... (last) ..... (race).
Name of birth father (if known): ..... (first) ..... (middle) ..... (last), ..... (race).
Name(s) at birth of sibling(s) having a common birth parent

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with surrendered person (if known): ..... (first) ..... (middle) ..... (last), ..... (race), and name of common birth parent: ..... (first) ..... (middle) ..... (last), ..... (race).
I was surrendered for adoption to: ..... (name of agency).
I was surrendered for adoption in ..... (city and state), ..... (approximate date).
Other identifying information: ............
................................
.................................
......................
......................
............(signature of surrendered person)
............(date)        (printed name of person surrendered for adoption)
(c-3) The form of the Registration Identification Form for Surviving Relatives of Deceased Birth Parents shall be substantially as follows:
REGISTRATION IDENTIFICATION FORM
FOR SURVIVING RELATIVES OF DECEASED BIRTH PARENTS
(Insert all known information)
I, ..... state the following:
Name of deceased birth parent at time of surrender:
Deceased birth parent's date of birth:
Deceased birth parent's date of death:
Adopted or surrendered person's name at birth (if known):
       .....(first) ..... (middle) ..... (last), .....(birth date), ..... (city and state of birth), ...... (sex), ..... (race).
My relationship to the adopted or surrendered person (check one): (birth parent's non-surrendered child) (birth parent's sister) (birth parent's brother). If you are a non-surrendered child of the birth parent, provide name(s) at birth and age(s) of non-surrendered siblings having a common parent with the birth parent. If more than one sibling, please give information requested below on reverse side of this form. If you are a sibling or parent of the birth parent, provide name(s) at birth and age(s) of the sibling(s) of the birth parent. If more than one sibling, please give information requested below on reverse side of this form.
Name (First) ..... (middle) ..... (last), .....(birth date), ..... (city and state of birth), ...... (sex), ..... (race).

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Name(s) of common parent(s) (first) ..... (middle) ..... (last), .....(race), (first) ..... (middle) ..... (last), .....(race).

My birth sibling/child of my brother/child of my sister/ was surrendered for adoption to ..... (name of agency) City and state of agency ..... Date .....(approximate) Other identifying information ..... (Please note that you must: (i) be at least 21 years of age to register; (ii) submit with your registration a certified copy of the birth parent's birth certificate; (iii) submit a certified copy of the birth parent's death certificate; and (iv) if you are a non-surrendered birth sibling or a sibling of the deceased birth parent, also submit a certified copy of your birth certificate with this registration. No application from a surviving relative of a deceased birth parent can be accepted if the birth parent filed a Denial of Information Exchange prior to his or her death.)

................................
                     (signature of birth parent's surviving relative)

............ ............
                     (date) (printed name of birth parent's surviving relative)

(c-5) The form of the Registration Identification Form for Surviving Relatives of Deceased Adopted or Surrendered Persons shall be substantially as follows:

REGISTRATION IDENTIFICATION FORM FOR
SURVIVING RELATIVES OF DECEASED ADOPTED OR
SURRENDERED PERSONS
(Insert all known information)

I, ..... state the following:

Adopted or surrendered person's name at birth (if known):
   (first) ..... (middle) ..... (last), .....(birth date), ..... (city and state of birth), ..... (sex), ..... (race).

Adopted or surrendered person's date of death:

My relationship to the deceased adopted or surrendered person(check one):
(adptive mother) (adoptive father) (adult child) (surviving spouse).

If you are an adult child or surviving spouse of the adopted or surrendered person, provide name(s) at birth and age(s) of the children of the adopted or surrendered person. If the adopted or surrendered person had more than one child, please give information requested below on reverse side of this form.

Name (first) ..... (middle) ..... (last), .....(birth

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date), ..... (city and state of birth), ..... (sex),
..... (race).
Name(s) of common parent(s) (first) ..... (middle) ..... 
(last), .....(race), (first) ..... (middle) ..... 
(last), .....(race).
My child/parent/deceased spouse was surrendered for adoption to 
.....(name of agency) City and state of agency ..... Date ..... 
(approximate) Other identifying information ..... (Please note that you must: (i) be at least 21 years of age to register; (ii) submit with your registration a certified copy of the adopted or surrendered person's death certificate; (iii) if you are the child of a deceased adopted or surrendered person, also submit a certified copy of your birth certificate with this registration; and (iv) if you are the surviving wife or husband of a deceased adopted or surrendered person, also submit a copy of your marriage certificate with this registration. No application from a surviving relative of a deceased adopted or surrendered person can be accepted if the adopted or surrendered person filed a Denial of Information Exchange prior to his or her death.)

................................
(signature of adopted or surrendered person's surviving relative)

............            ............
(date)        (printed name of adopted 
person's surviving relative)

(d) The form of the Information Exchange Authorization shall be substantially as follows:

INFORMATION EXCHANGE AUTHORIZATION

I, ..... state that I am the person who completed the Registration Identification; that I am of the age of ..... years; that I hereby authorize the Department of Public Health to give to the following person(s) (birth mother ) (birth father) (birth sibling) (adopted or surrendered person ) (adoptive mother) (adoptive father) (legal guardian of an adopted or surrendered person) (birth aunt) (birth uncle) (adult child of a deceased adopted or surrendered person) (surviving spouse of a deceased adopted or surrendered person) (all eligible relatives) the following (please check the information authorized for exchange):

[ ] 1. Only my name and last known address.
[ ] 2. A copy of my Illinois Adoption Registry Application.

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[ ] 3. A non-certified copy of the adopted or surrendered person's original certificate of live birth (check only if you are an adopted or surrendered person or the surviving adult child or surviving spouse of a deceased adopted or surrendered person).

[ ] 4. A copy of my completed medical questionnaire.

I am fully aware that I can only be supplied with information about an individual or individuals who have duly executed an Information Exchange Authorization that has not been revoked or, if I am an adopted or surrendered person, from a birth parent who completed a Birth Parent Preference Form and did not prohibit the release of his or her identity to me; that I can be contacted by writing to: ..... (own name or name of person to contact) (address) (phone number). NOTE: New IARMIE registrants who do not complete a Medical Information Exchange Questionnaire and release a copy of their questionnaire to at least one Registry applicant must pay a $15 registration fee.

Dated (insert date).

...............  

(signature)

(e) The form of the Denial of Information Exchange shall be substantially as follows:

DENIAL OF INFORMATION EXCHANGE

I, ......, state that I am the person who completed the Registration Identification; that I am of the age of ..... years; that I hereby instruct the Department of Public Health not to give any identifying information about me to the following person(s) (birth mother) (birth father) (birth sibling)(adopted or surrendered person)(adoptive mother) (adoptive father)(legal guardian of an adopted or surrendered person)(birth aunt)(birth uncle)(adult child of a deceased adopted or surrendered person) (surviving spouse of a deceased adopted or surrendered person) (all eligible relatives).

I do/do not (circle appropriate response) authorize the Registry to release a copy of my completed Medical Information Exchange Questionnaire to qualified Registry applicants. NOTE: New IARMIE registrants who do not complete a Medical Information Exchange Questionnaire and release a copy of their questionnaire to at least one Registry applicant must pay a $15 registration fee. Birth parents filing a Denial of Information Exchange are advised that, under Illinois law, an adult adopted person may initiate a search for a birth parent who has filed a Denial of Information Exchange or Birth Parent Preference Form on which Option E was selected through the State

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confidential intermediary program once 5 years have elapsed since the filing of the Denial of Information Exchange or Birth Parent Preference Form. Dated (insert date).

............... (signature)

(f) The form of the Birth Parent Preference Form shall be substantially as follows:

In recognition of the basic right of all persons to access their birth records, Illinois law now provides for the release of original birth certificates to adopted and surrendered persons 21 years of age or older upon request. While many birth parents are comfortable sharing their identities or initiating contact with their birth sons and daughters once they have reached adulthood, Illinois law also recognizes that there may be unique situations where a birth parent might have a compelling reason for not wishing to establish contact with a birth son or birth daughter or for not wishing to release identifying information that appears on the original birth certificate of a birth son or birth daughter who has reached adulthood. The Illinois Adoption Registry and Medical Information Exchange (IARMIE) has therefore established the attached form to allow birth parents to express their preferences regarding contact; and, if their birth child was born on or after January 1, 1946, to express their wishes regarding the sharing of identifying information listed on the original birth certificate with an adult adopted or surrendered person who has reached the age of 21 or his or her surviving relatives.

In selecting one of the 5 options below, birth parents should keep in mind that the decision to deny an adult adopted or surrendered person access to identifying information on his or her original birth record and/or information about genetically-transmitted diseases is an important decision that may impact the adopted or surrendered person's life in many ways. A request for anonymity on this form only pertains to information that is provided to an adult adopted or surrendered person or his or her surviving relatives through the Registry. This will not prevent the disclosure of identifying information that may be available to the adoptee through his or her adoptive parents and/or other means available to him or her. Birth parents who would prefer not to be contacted by their surrendered son or daughter are strongly urged to complete both the Non-Identifying Information Section included on the final page of the attached form and the Medical Questionnaire in order to provide their surrendered son or daughter with the background information he or she may need to better understand his or her origins. Birth parents whose birth son or birth daughter is under 21 years of age are strongly urged to complete the Non-Identifying Information Section included on the final page of the attached form and the Medical Questionnaire in order to provide their surrendered son or daughter with the background information he or she may need to better understand his or her origins. Birth parents whose birth son or birth daughter is under 21 years of age are strongly urged to complete the Non-Identifying Information Section included on the final page of the attached form and the Medical Questionnaire in order to provide their surrendered son or daughter with the background information he or she may need to better understand his or her origins.

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After careful consideration, I have made the following decision regarding contact with my birth son/birth daughter, (insert birth son's/birth daughter's name at birth, if applicable) ......, who was born in (insert city/town of birth) ...... on (insert date of birth). ...... and the release of my identifying information as it appears on his/her original birth certificate when he/she reaches the age of 21, and I have chosen Option ...... (insert A, B, C, D, or E, as applicable). I realize that this form must be accompanied by a completed IARMIE application form as well as a Medical Information Exchange Questionnaire or the $15 registration fee. I am also aware that I may revoke this decision at any time by completing a new Birth Parent Preference Form and filing it with the IARMIE. I understand that it is my responsibility to update the IARMIE with any changes to contact information provided below. I also understand that, while preferences regarding the release of identifying information through the Registry are binding unless the law should change in the future, any selection I have made regarding my preferred method of contact is not.

...(Signature/Date)
(Please insert your signature and today's date above, as well as under your chosen option, A, B, C, D, or E below.)

Option A. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information as it appears on my birth son's/birth daughter's original birth certificate, OR my birth son or birth daughter was born prior to January 1, 1946. I would welcome direct contact with my birth son/birth daughter when he or she has reached the age of 21. In addition, before my birth son or birth daughter has reached the age of 21 or in the event of his or her death, I would welcome contact with the following relatives of my birth child (circle all that apply): adoptive mother, adoptive father, surviving spouse, surviving adult child. I wish to be contacted at the following mailing address, email address or phone number:

............................................................
............................................................
............................................................

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(Signature/Date)
Option B. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information as it appears on my birth son's/birth daughter's original birth certificate, OR my birth son or birth daughter was born prior to January 1, 1946. I would welcome contact with my birth son/birth daughter when he or she has reached the age of 21. In addition, before my birth son or birth daughter has reached the age of 21 or in the event of his or her death, I would welcome contact with the following relatives of my birth child (circle all that apply): adoptive mother, adoptive father, surviving spouse, surviving adult child. I would prefer to be contacted through the following person. (Insert name and mailing address, email address or phone number of chosen contact person.)

............................................
............................................................
(Signature/Date)

Option C. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information as it appears on my birth son's/birth daughter's original birth certificate, OR my birth son or birth daughter was born prior to January 1, 1946. I would welcome contact with my birth son/birth daughter when he or she has reached the age of 21. In addition, before my birth son or birth daughter has reached the age of 21 or in the event of his or her death, I would welcome contact with the following relatives of my birth child (circle all that apply): adoptive mother, adoptive father, surviving spouse, surviving adult child. I would prefer to be contacted through the Illinois Confidential Intermediary Program (please call 800-526-9022 for additional information) or through the agency that handled the adoption. (Insert agency name, address and phone number, if applicable.)

............
............................................................
(Signature/Date)

Option D. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information as it appears on my birth son's/birth daughter's original birth certificate when he or she has reached the age of 21, OR my birth son or birth daughter was born prior to January 1, 1946. I would prefer not to be contacted by my birth son/birth daughter or his or her adoptive parents or surviving relatives.

...................................................
(Signature/Date)

New matter indicated by italics - deletions by strikeout
Option E. My birth son or birth daughter was born on or after January 1, 1946, and I wish to prohibit the release of my (circle ALL applicable options) first name, last name, last known address, birth son/birth daughter's last name (if last name listed is same as mine), as they appear on my birth son's/birth daughter's original birth certificate and do not wish to be contacted by my birth son/birth daughter when he or she has reached the age of 21. If there were any special circumstances that played a role in your decision to remain anonymous which you would like to share with your birth son/birth daughter, please list them in the space provided below (optional).

...........................................
......................................................
............................................................
I understand that, although I have chosen to prohibit the release of my identity on the non-certified copy of the original birth certificate released to my birth son/birth daughter, he or she may request that a court-appointed confidential intermediary contact me to request updated medical information and/or confirm my desire to remain anonymous once 5 years have elapsed since the signing of this form; at the time of this subsequent search, I wish to be contacted through the person named below. (Insert in blank area below the name and phone number of the contact person, or leave it blank if you wish to be contacted directly.) I also understand that this request for anonymity shall expire upon my death.

......................................................
............................................................
(Signature/Date)

NOTE: A copy of this form will be forwarded to your birth son or birth daughter should he or she file a request for his or her original birth certificate with the IARMIE. However, if you have selected Option E, identifying information, per your specifications above, will be deleted from the copy of this form forwarded to your birth son or daughter during your lifetime. In the event that an adopted or surrendered person is deceased, his or her surviving adult children may request a copy of the adopted or surrendered person's original birth certificate providing they have registered with the IARMIE; the copy of this form and the non-certified copy of the original birth certificate forwarded to the surviving child of the adopted or surrendered person shall be redacted per your specifications on this form during your lifetime. Non-Identifying Information Section

I wish to voluntarily provide the following non-identifying information to my birth son or birth daughter:
My age at the time of my child's birth was ........

New matter indicated by italics - deletions by strikeout
My race is best described as: ..........................
My height is: .......... 
My body type is best described as (circle one): slim, average, muscular, a few extra pounds, or more than a few extra pounds.
My natural hair color is/was: ...............
My eye color is: ..................
My religion is best described as: ...............
My ethnic background is best described as: .............
My educational level is closest to (circle applicable response): completed elementary school, graduated from high school, attended college, earned bachelor's degree, earned master's degree, earned doctoral degree.
My occupation is best described as .................
My hobbies include ..................
My interests include ..................
My talents include ..................
In addition to my surrendered son or daughter, I also am the biological parent of (insert number) .......... boys and (insert number) .......... girls, of whom (insert number) ........ are still living.
The relationship between me and my child's birth mother/birth father would best be described as (circle appropriate response): husband and wife, ex-spouses, boyfriend and girlfriend, casual acquaintances, other (please specify) ............

(g) The form of the Request for a Non-Certified Copy of an Original Birth Certificate shall be substantially as follows:
REQUEST FOR A NON-CERTIFIED COPY OF AN ORIGINAL BIRTH CERTIFICATE

I, (requesting party's full name) .........., hereby request a non-certified copy of (check appropriate option) .......... my original birth certificate .......... the original birth certificate of my deceased adopted or surrendered parent .......... the original birth certificate of my deceased adopted or surrendered spouse (insert deceased parent's/deceased spouse's name at adoption) .......... I/my deceased parent/my deceased spouse was born in (insert city and county of adopted or surrendered person's birth) .......... on .......... (insert adopted or surrendered person's date of birth). In the event that one or both of my/my deceased parent's/my deceased spouse's birth parents has requested that their identity not be released to me/to my deceased parent/to my deceased spouse, I wish to (check appropriate option) ........ a. receive a non-certified copy of the original birth certificate
certificate from which identifying information pertaining to the birth parent who requested anonymity has been deleted; or ..... b. I do not wish to received an altered copy of the original birth certificate.

Dated (insert date).

............... (signature)

(h) Any Information Exchange Authorization, Denial of Information Exchange, or Birth Parent Preference Form filed with the Registry, or Request for a Non-Certified Copy of an Original Birth Certificate filed with the Registry by a surviving adult child or surviving spouse of a deceased adopted or surrendered person, shall be acknowledged by the person who filed it before a notary public, in form substantially as follows:

State of ............
County of ...........

I, a Notary Public, in and for the said County, in the State aforesaid, do hereby certify that ............... personally known to me to be the same person whose name is subscribed to the foregoing certificate of acknowledgement, appeared before me in person and acknowledged that (he or she) signed such certificate as (his or her) free and voluntary act and that the statements in such certificate are true.

Given under my hand and notarial seal on (insert date).

............... (signature)

(i) When the execution of an Information Exchange Authorization, Denial of Information Exchange, or Birth Parent Preference Form or Request for a Non-Certified Copy of an Original Birth Certificate completed by a surviving adult child or surviving spouse of a deceased adopted or surrendered person is acknowledged before a representative of an agency, such representative shall have his signature on said Certificate acknowledged before a notary public, in form substantially as follows:

State of..........
County of..........

I, a Notary Public, in and for the said County, in the State aforesaid, do hereby certify that ..... personally known to me to be the same person whose name is subscribed to the foregoing certificate of acknowledgement, appeared before me in person and acknowledged that (he or she) signed such certificate as (his or her) free and voluntary act and that the statements in such certificate are true.

Given under my hand and notarial seal on (insert date).

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(j) When an Illinois Adoption Registry Application, Information Exchange Authorization, Denial of Information Exchange, Birth Parent Preference Form, or Request for a Non-Certified Copy of an Original Birth Certificate completed by a surviving adult child or surviving spouse of a deceased adopted or surrendered person is executed in a foreign country, the execution of such document shall be acknowledged or affirmed before an officer of the United States consular services.

(k) If the person signing an Information Exchange Authorization, Denial of Information, Birth Parent Preference Form, or Request for a Non-Certified Copy of an Original Birth Certificate completed by a surviving adult child or surviving spouse of a deceased adopted or surrendered person is in the military service of the United States, the execution of such document may be acknowledged before a commissioned officer and the signature of such officer on such certificate shall be verified or acknowledged before a notary public or by such other procedure as is then in effect for such division or branch of the armed forces.

(l) An adopted or surrendered person, surviving adult child, adult grandchild, surviving spouse, or birth parent of an adult adopted person who completes a Request For a Non-Certified Copy of the Original Birth Certificate shall meet the same filing requirements and pay the same filing fees as a non-adopted person seeking to obtain a copy of his or her original birth certificate.

(m) Beginning on January 1, 2015, any birth parent of an adult adopted person named on the original birth certificate may request a non-certified copy of the original birth certificate reflecting the birth of the adult adopted person, provided that:

1. any non-certified copy of the original birth certificate released under this subsection (m) shall not reflect the State file number on the original birth certificate; and
2. if the Department of Public Health does not locate the original birth certificate, it shall issue a certification of no record found.

(Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

(750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)
Sec. 18.3a. Confidential intermediary.

(a) General purposes. Notwithstanding any other provision of this Act,
may petition the court in any county in the State of Illinois for appointment of a confidential intermediary as provided in this Section for the purpose of exchanging medical information with one or more mutually consenting biological relatives, obtaining identifying information about one or more mutually consenting biological relatives, or arranging contact with one or more mutually consenting biological relatives. The petitioner Additionally, in cases where an adopted or surrendered person is deceased, an adult child of the adopted or surrendered person or his or her adoptive parents or surviving spouse may file a petition under this Section and in cases where the birth parent is deceased, an adult birth sibling of the adopted or surrendered person or of the deceased birth parent may file a petition under this Section for the purpose of exchanging medical information with one or more mutually consenting biological relatives of the adopted or surrendered person, obtaining identifying information about one or more mutually consenting biological relatives of the adopted or surrendered person, or arranging contact with one or more mutually consenting biological relatives of the adopted or surrendered person. Beginning January 1, 2006, any adopted or surrendered person 21 years of age or over; any adoptive parent or legal guardian of an adopted or surrendered person under the age of 21; any birth parent, birth sibling, birth aunt, or birth uncle of an adopted or surrendered person over the age of 21; any surviving child, adoptive parent, or surviving spouse of a
deceased adopted or surrendered person who wishes to petition the court for the appointment of a confidential intermediary shall be required to accompany his or her petition with proof of registration with the Illinois Adoption Registry and Medical Information Exchange.

(b) Petition. Upon petition, by an adopted or surrendered person 21 years of age or over (an "adult adopted or surrendered person"), an adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or a birth parent of an adopted or surrendered person who is 21 years of age or over, the court shall appoint a confidential intermediary. Upon petition by an adult child, adoptive parent or surviving spouse of an adopted or surrendered person who is deceased, by an adult birth sibling of an adopted or surrendered person whose common birth parent is deceased and whose adopted or surrendered birth sibling is 21 years of age or over, or by an adult sibling of a birth parent who is deceased, and whose surrendered child is 21 years of age or over, the court may appoint a confidential intermediary if the court finds that the disclosure is of greater benefit than nondisclosure. The petition shall state which biological relative or relatives are being sought and shall indicate if the petitioner wants to do any one or more of the following as to the sought-after relative or relatives: exchange medical information with the biological relative or relatives, obtain identifying information from the biological relative or relatives, or to arrange contact with the biological relative.

(c) Order. The order appointing the confidential intermediary shall allow that intermediary to conduct a search for the sought-after relative by accessing those records described in subsection (g) of this Section.

(d) Fees and expenses. The court shall not condition the appointment of the confidential intermediary on the payment of the intermediary's fees and expenses in advance of the commencement of the work of the confidential intermediary. No fee shall be charged to any petitioner if the petitioner is an adult adopted or surrendered person and the sought-after relative is a birth parent who filed or who did not file a Denial with the Registry prior to January 1, 2011, or filed a Birth Parent Preference Form on which Option E was selected after January 1, 2011 and more than 5 years have transpired since the birth parent filed the Denial of Information Exchange or Birth Parent Preference Form on which Option E was selected.

(e) Eligibility of intermediary. The court may appoint as confidential intermediary any person certified by the Department of Children and Family Services as qualified to serve as a confidential intermediary. Certification shall be dependent upon the confidential intermediary completing a course.

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of training including, but not limited to, applicable federal and State privacy laws.

(f) (Blank).

(g) Confidential intermediary access to information access. Subject to the limitations of subsection (i) of this Section, the confidential intermediary shall have access to vital records or a comparable public entity that maintains vital records in another state in accordance with that state's laws; maintained by the Department of Public Health and its local designees for the maintenance of vital records, or a comparable public entity that maintains vital records in another state in accordance with that state's laws, and all records of the court or any adoption agency, public or private, as limited in this Section, which relate to the adoption or the identity and location of an adopted or surrendered person, of an adult child or surviving spouse of a deceased adopted or surrendered person, or of a birth parent, birth sibling, or the sibling of a deceased birth parent. The confidential intermediary shall not have access to any personal health information protected by the Standards for Privacy of Individually Identifiable Health Information adopted by the U.S. Department of Health and Human Services under the Health Insurance Portability and Accountability Act of 1996 unless the confidential intermediary has obtained written consent from the person whose information is being sought by an adult adopted or surrendered person or, if that person is a minor child, that person's parent or guardian. Confidential intermediaries shall be authorized to inspect confidential relinquishment and adoption records. The confidential intermediary shall not be authorized to access medical records, financial records, credit records, banking records, home studies, attorney file records, or other personal records. In cases where a birth parent is being sought, an adoption agency shall inform the confidential intermediary of any statement filed pursuant to Section 18.3, hereinafter referred to as "the 18.3 statement", indicating a desire of the surrendering birth parent to have identifying information shared or to not have identifying information shared. If there was a clear statement of intent by the sought-after birth parent not to have identifying information shared, the confidential intermediary shall discontinue the search and inform the petitioning party of the sought-after relative's intent unless the birth parent filed the 18.3 statement prior to the effective date of this amendatory Act of the 96th General Assembly and more than 5 years have elapsed since the filing of the 18.3 statement. If the adult adopted or surrendered person is the subject of an 18.3 statement indicating a desire not to establish contact which was filed more than 5 years prior to the search request, the confidential

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intermediary shall confirm the petitioner's desire to continue the search. Information provided to the confidential intermediary by an adoption agency shall be restricted to the full name, date of birth, place of birth, last known address, last known telephone number of the sought-after relative or, if applicable, of the children or siblings of the sought-after relative, and the 18.3 statement. If the petitioner is an adult adopted or surrendered person or the adoptive parent of a minor and if the petitioner has signed a written authorization to disclose personal medical information, an adoption agency disclosing information to a confidential intermediary shall disclose available medical information about the adopted or surrendered person from birth through adoption.

(h) Missing or lost original birth certificate; remedy. Disclosure of information by the confidential intermediary shall be consistent with the public policy and intent of laws granting original birth certificate access as expressed in Section 18.04 of this Act. The confidential intermediary shall comply with the following procedures in disclosing information to the petitioners:

(1) If the petitioner is an adult adopted or surrendered person, or the adult child, adult grandchild, or surviving spouse of a deceased adopted or surrendered person, the confidential intermediary shall disclose:

(A) identifying information about the birth parent of the adopted person which, in the ordinary course of business, would have been reflected on the original filed certificate of birth, as of the date of birth, only if:

   (i) the adopted person was born before January 1, 1946 and the petitioner has requested a non-certified copy of the adopted person's original birth certificate under Section 18.1 of this Act, and the Illinois Department of Public Health has issued a certification that the original birth certificate was not found, or the petitioner has presented the confidential intermediary with the non-certified copy of the original birth certificate which omits the name of the birth parent;

   (ii) the adopted person was born after January 1, 1946, and the petitioner has requested a non-certified copy of the adopted person's original birth certificate under Section 18.1 of this Act and the
Illinois Department of Public Health has issued a certification that the original birth certificate was not found.

In providing information pursuant to this subdivision (h)(1)(A), the confidential intermediary shall expressly inform the petitioner in writing that since the identifying information is not from an official original certificate of birth filed pursuant to the Vital Records Act, the confidential intermediary cannot attest to the complete accuracy of the information and the confidential intermediary shall not be liable if the information disclosed is not accurate. Only information from the court files shall be provided to the petitioner in this Section. If the identifying information concerning a birth father is sought by the petitioner, the confidential intermediary shall disclose only the identifying information of the birth father as defined in Section 18.06 of this Act;

(B) the name of the child welfare agency which had legal custody of the surrendered person or responsibility for placing the surrendered person and any available contact information for such agency;

(C) the name of the state in which the surrender occurred or in which the adoption was finalized; and

(D) any information for which the sought-after relative has provided his or her consent to disclose under paragraphs (1) through (4) of subsection (i) of this Section.

(2) If the petitioner is an adult adopted or surrendered person, or the adoptive parent of an adult adopted or surrendered person under the age of 21, or the adoptive parent of a deceased adopted or surrendered person, the confidential intermediary shall provide, in addition to the information listed in paragraph (1) of this subsection (h):

(A) any information which the adoption agency provides pursuant to subsection (i) of this Section pertaining to medical information about the adopted or surrendered person; and

(B) any non-identifying information, as defined in Section 18.4 of this Act, that is obtained during the search.
(3) If the petitioner is not defined in paragraph (1) or (2) of this subsection, the confidential intermediary shall provide to the petitioner:

(A) any information for which the sought-after relative has provided his or her consent under paragraphs (1) through (4) of subsection (i) of this Section;

(B) the name of the child welfare agency which had legal custody of the surrendered person or responsibility for placing the surrendered person and any available contact information for such agency; and

(C) the name of the state in which the surrender occurred or in which the adoption was finalized.

Adoption agency disclosure of medical information. If the petitioner is an adult adopted or surrendered person or the adoptive parent of a minor and if the petitioner has signed a written authorization to disclose personal medical information, an adoption agency disclosing information to a confidential intermediary shall disclose available medical information about the adopted or surrendered person from birth through adoption.

(h-5) Disclosure of information shall be made by the confidential intermediary at any time from the appointment of the confidential intermediary and the court's issuance of an order of dismissal.

(i) Duties of confidential intermediary in conducting a search. In conducting a search under this Section, the confidential intermediary shall first determine whether there is a Denial of Information Exchange or a Birth Parent Preference Form with Option E selected or an 18.3 statement referenced in subsection (g) of this Section on file with the Illinois Adoption Registry. If the petitioner is an adult child of an adopted or surrendered person who is deceased, the confidential intermediary shall additionally confirm that the adopted or surrendered person did not file a Denial of Information Exchange or a Birth Parent Preference Form with Option E selected with the Illinois Adoption Registry during his or her life. If there is a Denial on file with the Registry, the confidential intermediary must discontinue the search unless the petitioner is an adult adopted or surrendered person and the sought-after birth relative filed the Denial 5 years or more prior to the search or the birth parent has not been the object of a search through the State confidential intermediary program for 10 or more years. If the petitioner is an adult adopted or surrendered person and there is a denial, the Birth Parent Preference Form on file with the Registry and the birth parent who completed the form selected Option E, or if there is an 18.3

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statement indicating the birth parent's intent not to have identifying information shared and the birth parent did not later file an Information Exchange Authorization with the Registry, the confidential intermediary must discontinue the search unless 5 years or more have elapsed since the execution filing of the Denial of Information Exchange, Birth Parent Preference Form, or the 18.3 statement. If the petitioner is an adult birth sibling of an adopted or surrendered person or an adult sibling of a birth parent who is deceased, the confidential intermediary shall additionally confirm that the birth parent did not file a Denial of Information Exchange or a Birth Parent Preference Form with Option E selected with the Registry during his or her life. If the confidential intermediary learns that a sought-after birth parent signed an 18.3 statement indicating his or her intent not to have identifying information shared, and did not later file an Information Exchange Authorization or a Birth Parent Preference Form with the Registry, the confidential intermediary shall discontinue the search and inform the petitioning party of the birth parent's intent, unless the petitioner is an adult adopted or surrendered person and 5 years or more have elapsed since the birth parent signed the statement indicating his or her intent not to have identifying information shared. In cases where the birth parent filed a Denial of Information Exchange or Birth Parent Preference Form where Option E was selected, or statement indicating his or her intent not to have identifying information shared less than 5 years prior to the search request and the petitioner is an adult adopted or surrendered person, the confidential intermediary shall inform the petitioner of the need to discontinue the search until 5 years have elapsed since the Denial of Information Exchange or Birth Parent Preference Form where Option E was selected, or statement was filed; in cases where a birth parent was previously the subject of a search through the State confidential intermediary program, the confidential intermediary shall inform the petitioner of the need to discontinue the search until 10 years or more have elapsed since the initial search was closed. In cases where a birth parent has been the object of 2 searches through the State confidential intermediary program, no subsequent search for the birth parent shall be authorized absent a court order to the contrary.

In conducting a search under this Section, the confidential intermediary shall attempt to locate the relative or relatives from whom the petitioner has requested information. If the sought-after relative is deceased or cannot be located after a diligent search, the confidential intermediary may contact other adult relatives of the sought-after relative.

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The confidential intermediary shall contact a sought-after relative on behalf of the petitioner in a manner that respects the sought-after relative's privacy and shall inform the sought-after relative of the petitioner's request for medical information, identifying information or contact as stated in the petition. Based upon the terms of the petitioner's request, the confidential intermediary shall contact a sought-after relative on behalf of the petitioner and inform the sought-after relative of the following options:

1. The sought-after relative may totally reject one or all of the requests for medical information, identifying information or contact. The sought-after relative shall be informed that they can provide a medical questionnaire to be forwarded to the petitioner without releasing any identifying information. The confidential intermediary shall inform the petitioner of the sought-after relative's decision to reject the sharing of information or contact.

2. The sought-after relative may consent to completing a medical questionnaire only. In this case, the confidential intermediary shall provide the questionnaire and ask the sought-after relative to complete it. The confidential intermediary shall forward the completed questionnaire to the petitioner and inform the petitioner of the sought-after relative's desire to not provide any additional information.

3. The sought-after relative may communicate with the petitioner without having his or her identity disclosed. In this case, the confidential intermediary shall arrange the desired communication in a manner that protects the identity of the sought-after relative. The confidential intermediary shall inform the petitioner of the sought-after relative's decision to communicate but not disclose his or her identity.

4. The sought-after relative may consent to initiate contact with the petitioner. If both the petitioner and the sought-after relative or relatives are eligible to register with the Illinois Adoption Registry, the confidential intermediary shall provide the necessary application forms and request that the sought-after relative register with the Illinois Adoption Registry. If either the petitioner or the sought-after relative or relatives are ineligible to register with the Illinois Adoption Registry, the confidential intermediary shall obtain written consents from both parties that they wish to disclose their identities to each other and to have contact with each other.

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(j) Oath. The confidential intermediary shall sign an oath of confidentiality substantially as follows: "I, ..........., being duly sworn, on oath depose and say: As a condition of appointment as a confidential intermediary, I affirm that:

(1) I will not disclose to the petitioner, directly or indirectly, any confidential information except in a manner consistent with the law.

(2) I recognize that violation of this oath subjects me to civil liability and to a potential finding of contempt of court.

........................................

SUBSCRIBED AND SWORN to before me, a Notary Public, on (insert date)

........................................" 

(k) Sanctions.

(1) Any confidential intermediary who improperly discloses confidential information identifying a sought-after relative shall be liable to the sought-after relative for damages and may also be found in contempt of court.

(2) Any person who learns a sought-after relative's identity, directly or indirectly, through the use of procedures provided in this Section and who improperly discloses information identifying the sought-after relative shall be liable to the sought-after relative for actual damages plus minimum punitive damages of $10,000.

(3) The Department shall fine any confidential intermediary who improperly discloses confidential information in violation of item (1) or (2) of this subsection (k) an amount up to $2,000 per improper disclosure. This fine does not affect civil liability under item (2) of this subsection (k). The Department shall deposit all fines and penalties collected under this Section into the Illinois Adoption Registry and Medical Information Fund.

(l) Death of person being sought. Notwithstanding any other provision of this Act, if the confidential intermediary discovers that the person being sought has died, he or she shall report this fact to the court, along with a copy of the death certificate. If the sought-after relative is a birth parent, the confidential intermediary shall also forward a copy of the birth parent's death certificate, if available, to the Registry for inclusion in the Registry file.

(m) Any confidential information obtained by the confidential intermediary during the course of his or her search shall be kept strictly confidential and shall be used for the purpose of arranging contact between

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the petitioner and the sought-after birth relative. At the time the case is closed, all identifying information shall be returned to the court for inclusion in the impounded adoption file.

(n) (Blank). If the petitioner is an adopted or surrendered person 21 years of age or over or the adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, any non-identifying information, as defined in Section 18.4, that is ascertained during the course of the search may be given in writing to the petitioner at any time during the search before the case is closed.

(o) Except as provided in subsection (k) of this Section, no liability shall accrue to the State, any State agency, any judge, any officer or employee of the court, any certified confidential intermediary, or any agency designated to oversee confidential intermediary services for acts, omissions, or efforts made in good faith within the scope of this Section.

(p) An adoption agency that has received a request from a confidential intermediary for the full name, date of birth, last known address, or last known telephone number of a sought-after relative pursuant to subsection (g) of Section 18.3a, or for medical information regarding a sought-after relative pursuant to subsection (h) of Section 18.3a, must satisfactorily comply with this court order within a period of 45 days. The court shall order the adoption agency to reimburse the petitioner in an amount equal to all payments made by the petitioner to the confidential intermediary, and the adoption agency shall be subject to a civil monetary penalty of $1,000 to be paid to the Department of Children and Family Services. Following the issuance of a court order finding that the adoption agency has not complied with Section 18.3, the adoption agency shall be subject to a monetary penalty of $500 per day for each subsequent day of non-compliance. Proceeds from such fines shall be utilized by the Department of Children and Family Services to subsidize the fees of petitioners as referenced in subsection (d) of this Section.

(q) (Blank). Provide information to eligible petitioner: The confidential intermediary may provide to eligible petitioners as described in subsections (a) and (b) of this Section, the name of the child welfare agency which had legal custody of the surrendered person or responsibility for placing the surrendered person and any available contact information for such agency. In addition, the confidential intermediary may provide to such petitioners the name of the state in which the surrender occurred or in which the adoption was finalized:

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Any reimbursements and fines, notwithstanding any reimbursement directly to the petitioner, paid under this subsection are in addition to other remedies a court may otherwise impose by law.

The Department of Children and Family Services shall submit reports to the Adoption Registry-Confidential Intermediary Advisory Council by July 1 and January 1 of each year in order to report the penalties assessed and collected under this subsection, the amounts of related deposits into the DCFS Children's Services Fund, and any expenditures from such deposits.

(Source: P.A. 96-661, eff. 8-25-09; 96-895, eff. 5-21-10; 97-110, eff. 7-14-11; 97-1063, eff. 1-1-13.)

Passed in the General Assembly May 23, 2014.
Approved July 10, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0705
(House Bill No. 3700)

AN ACT concerning education.

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

Section 5. The School Code is amended by adding Section 2-3.160 as
follows:

(105 ILCS 5/2-3.160 new)

Sec. 2-3.160. Definition of dyslexia in rules; reading instruction
advisory group.

(a) The State Board of Education shall adopt rules that incorporate
an international definition of dyslexia into Part 226 of Title 23 of the Illinois
Administrative Code.

(b) Subject to specific State appropriation or the availability of
private donations, the State Board of Education shall establish an advisory
group to develop a training module or training modules to provide education
and professional development to teachers, school administrators, and other
education professionals regarding multi-sensory, systematic, and sequential
instruction in reading. This advisory group shall complete its work before
July 31, 2015 and is abolished on July 31, 2015.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 14, 2014.
Effective July 14, 2014.

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AN ACT concerning government.

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

Section 1. Short title. This Act may be cited as the Grant Accountability and Transparency Act.

Section 5. Legislative intent.

(a) This Act, which is the product of the work of the Illinois Single Audit Commission, created by Public Act 98-47, is intended to comply with the General Assembly's directives to (1) develop a coordinated, non-redundant process for the provision of effective and efficient oversight of the selection and monitoring of grant recipients, thereby ensuring quality programs and limiting fraud, waste, and abuse, and (2) define the purpose, scope, applicability, and responsibilities in the life cycle of a grant.

(b) This Act is intended to increase the accountability and transparency in the use of grant funds from whatever source and to reduce administrative burdens on both State agencies and grantees by adopting federal guidance and regulations applicable to such grant funds; specifically, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"), codified at 2 CFR 200.

(c) This Act is consistent with the State's focus on improving performance and outcomes while ensuring transparency and the financial integrity of taxpayer dollars through such initiatives as the Management Improvement Initiative Committee created by Section 1-37a of the Department of Human Services Act, the State prioritized goals created under Section 50-25 of the State Budget Law (also known as "Budgeting for Results"), and the Grant Information Collection Act.

(d) This Act is not intended to affect the provisions of the Illinois State Auditing Act and does not address the external audit function of the Auditor General.

Section 10. Purpose. The purpose of this Act is to establish uniform administrative requirements, cost principles, and audit requirements for State and federal pass-through awards to non-federal entities. State awarding agencies shall not impose additional or inconsistent requirements, except as provided in 2 CFR 200.102, unless specifically required by State or federal
statute. This Act and the rules adopted under this Act do not apply to private awards.

This Act and the rules adopted under this Act provide the basis for a systematic and periodic collection and uniform submission to the Governor's Office of Management and Budget of information of all State and federal financial assistance programs by State grant-making agencies. This Act also establishes policies related to the delivery of this information to the public, including through the use of electronic media.

Section 15. Definitions. As used in this Act:

"Allowable cost" means a cost allowable to a project if:

1. the costs are reasonable and necessary for the performance of the award;
2. the costs are allocable to the specific project;
3. the costs are treated consistently in like circumstances to both federally-financed and other activities of the non-federal entity;
4. the costs conform to any limitations of the cost principles or the sponsored agreement;
5. the costs are accorded consistent treatment; a cost may not be assigned to a State or federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the award as an indirect cost;
6. the costs are determined to be in accordance with generally accepted accounting principles;
7. the costs are not included as a cost or used to meet federal cost-sharing or matching requirements of any other program in either the current or prior period;
8. the costs of one State or federal grant are not used to meet the match requirements of another State or federal grant; and
9. the costs are adequately documented.

"Auditee" means any non-federal entity that expends State or federal awards that must be audited.

"Auditor" means an auditor who is a public accountant or a federal, State, or local government audit organization that meets the general standards specified in generally-accepted government auditing standards. "Auditor" does not include internal auditors of nonprofit organizations.

"Auditor General" means the Auditor General of the State of Illinois.

"Award" means financial assistance that provides support or stimulation to accomplish a public purpose. "Awards" include grants and other agreements in the form of money, or property in lieu of money, by the

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State or federal government to an eligible recipient. "Award" does not include: technical assistance that provides services instead of money; other assistance in the form of loans, loan guarantees, interest subsidies, or insurance; direct payments of any kind to individuals; or contracts that must be entered into and administered under State or federal procurement laws and regulations.

"Budget" means the financial plan for the project or program that the awarding agency or pass-through entity approves during the award process or in subsequent amendments to the award. It may include the State or federal and non-federal share or only the State or federal share, as determined by the awarding agency or pass-through entity.

"Catalog of Federal Domestic Assistance" or "CFDA" means a database that helps the federal government track all programs it has domestically funded.

"Catalog of Federal Domestic Assistance number" or "CFDA number" means the number assigned to a federal program in the CFDA.

"Catalog of State Financial Assistance" means the single, authoritative, statewide, comprehensive source document of State financial assistance program information maintained by the Governor's Office of Management and Budget.

"Catalog of State Financial Assistance Number" means the number assigned to a State program in the Catalog of State Financial Assistance. The first 3 digits represent the State agency number and the last 4 digits represent the program.

"Cluster of programs" means a grouping of closely related programs that share common compliance requirements. The types of clusters of programs are research and development, student financial aid, and other clusters. A "cluster of programs" shall be considered as one program for determining major programs and, with the exception of research and development, whether a program-specific audit may be elected.

"Cognizant agency for audit" means the federal agency designated to carry out the responsibilities described in 2 CFR 200.513(a).

"Contract" means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under an award. "Contract" does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of an award or subaward.

"Contractor" means an entity that receives a contract.

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"Cooperative agreement" means a legal instrument of financial assistance between an awarding agency or pass-through entity and a non-federal entity that:

1. is used to enter into a relationship with the principal purpose of transferring anything of value from the awarding agency or pass-through entity to the non-federal entity to carry out a public purpose authorized by law, but is not used to acquire property or services for the awarding agency's or pass-through entity's direct benefit or use; and
2. is distinguished from a grant in that it provides for substantial involvement between the awarding agency or pass-through entity and the non-federal entity in carrying out the activity contemplated by the award.

"Cooperative agreement" does not include a cooperative research and development agreement, nor an agreement that provides only direct cash assistance to an individual, a subsidy, a loan, a loan guarantee, or insurance.

"Corrective action" means action taken by the auditee that (i) corrects identified deficiencies, (ii) produces recommended improvements, or (iii) demonstrates that audit findings are either invalid or do not warrant auditee action.

"Cost objective" means a program, function, activity, award, organizational subdivision, contract, or work unit for which cost data is desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, and capital projects. A "cost objective" may be a major function of the non-federal entity, a particular service or project, an award, or an indirect cost activity.

"Cost sharing" means the portion of project costs not paid by State or federal funds, unless otherwise authorized by statute.

"Development" is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including design and development of prototypes and processes.

"Data Universal Numbering System number" means the 9-digit number established and assigned by Dun and Bradstreet, Inc. to uniquely identify entities and, under federal law, is required for non-federal entities to apply for, receive, and report on a federal award.

"Direct costs" means costs that can be identified specifically with a particular final cost objective, such as a State or federal or federal pass-through award or a particular sponsored project, an instructional activity, or
any other institutional activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

"Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or $5,000.

"Executive branch" means that branch of State government that is under the jurisdiction of the Governor.

"Federal agency" has the meaning provided for "agency" under 5 U.S.C. 551(1) together with the meaning provided for "agency" by 5 U.S.C. 552(f).

"Federal award" means:

(1) the federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity;

(2) the cost-reimbursement contract under the Federal Acquisition Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity; or

(3) the instrument setting forth the terms and conditions when the instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of 20 CFR 200.40, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.

"Federal award" does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal government owned, contractor-operated facilities.

"Federal awarding agency" means the federal agency that provides a federal award directly to a non-federal entity.

"Federal interest" means, for purposes of 2 CFR 200.329 or when used in connection with the acquisition or improvement of real property, equipment, or supplies under a federal award, the dollar amount that is the product of the federal share of total project costs and current fair market value of the property, improvements, or both, to the extent the costs of acquiring or improving the property were included as project costs.

"Federal program" means any of the following:

(1) All federal awards which are assigned a single number in the CFDA.
(2) When no CFDA number is assigned, all federal awards to non-federal entities from the same agency made for the same purpose should be combined and considered one program.

(3) Notwithstanding paragraphs (1) and (2) of this definition, a cluster of programs. The types of clusters of programs are:

(A) research and development;
(B) student financial aid; and
(C) "other clusters", as described in the definition of "cluster of programs".

"Federal share" means the portion of the total project costs that are paid by federal funds.

"Final cost objective" means a cost objective which has allocated to it both direct and indirect costs and, in the non-federal entity's accumulation system, is one of the final accumulation points, such as a particular award, internal project, or other direct activity of a non-federal entity.

"Financial assistance" means the following:

(1) For grants and cooperative agreements, "financial assistance" means assistance that non-federal entities receive or administer in the form of:

(A) grants;
(B) cooperative agreements;
(C) non-cash contributions or donations of property, including donated surplus property;
(D) direct appropriations;
(E) food commodities; and
(F) other financial assistance, except assistance listed in paragraph (2) of this definition.

(2) "Financial assistance" includes assistance that non-federal entities receive or administer in the form of loans, loan guarantees, interest subsidies, and insurance.

(3) "Financial assistance" does not include amounts received as reimbursement for services rendered to individuals.

"Fixed amount awards" means a type of grant agreement under which the awarding agency or pass-through entity provides a specific level of support without regard to actual costs incurred under the award. "Fixed amount awards" reduce some of the administrative burden and record-keeping requirements for both the non-federal entity and awarding agency or pass-through entity. Accountability is based primarily on performance and results.
"Foreign public entity" means:

(1) a foreign government or foreign governmental entity;
(2) a public international organization that is entitled to enjoy
privileges, exemptions, and immunities as an international
organization under the International Organizations Immunities Act
(22 U.S.C. 288-288f);
(3) an entity owned, in whole or in part, or controlled by a
foreign government; or
(4) any other entity consisting wholly or partially of one or
more foreign governments or foreign governmental entities.

"Foreign organization" means an entity that is:

(1) a public or private organization located in a country other
than the United States and its territories that are subject to the laws of
the country in which it is located, irrespective of the citizenship of
project staff or place of performance;
(2) a private nongovernmental organization located in a
country other than the United States that solicits and receives cash
contributions from the general public;
(3) a charitable organization located in a country other than
the United States that is nonprofit and tax exempt under the laws of
its country of domicile and operation, but is not a university, college,
accredited degree-granting institution of education, private
foundation, hospital, organization engaged exclusively in research or
scientific activities, church, synagogue, mosque, or other similar
entity organized primarily for religious purposes; or
(4) an organization located in a country other than the United
States not recognized as a Foreign Public Entity.

"Generally Accepted Accounting Principles" has the meaning
provided in accounting standards issued by the Government Accounting
Standards Board and the Financial Accounting Standards Board.

"Generally Accepted Government Auditing Standards" means
generally accepted government auditing standards issued by the Comptroller
General of the United States that are applicable to financial audits.

"Grant agreement" means a legal instrument of financial assistance
between an awarding agency or pass-through entity and a non-federal entity
that:

(1) is used to enter into a relationship, the principal purpose
of which is to transfer anything of value from the awarding agency or
pass-through entity to the non-federal entity to carry out a public
purpose authorized by law and not to acquire property or services for the awarding agency or pass-through entity's direct benefit or use; and (2) is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the awarding agency or pass-through entity and the non-federal entity in carrying out the activity contemplated by the award.

"Grant agreement" does not include an agreement that provides only direct cash assistance to an individual, a subsidy, a loan, a loan guarantee, or insurance.

"Grant application" means a specified form that is completed by a non-federal entity in connection with a request for a specific funding opportunity or a request for financial support of a project or activity.

"Hospital" means a facility licensed as a hospital under the law of any state or a facility operated as a hospital by the United States, a state, or a subdivision of a state.

"Illinois Debarred and Suspended List" means the list maintained by the Governor's Office of Management and Budget that contains the names of those individuals and entities that are ineligible, either temporarily or permanently, from receiving an award of grant funds from the State.

"Indian tribe" (or "federally recognized Indian tribe") means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the federal Alaska Native Claims Settlement Act (43 U.S.C. 1601, et seq.) that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians under 25 U.S.C. 450b(e), as set forth in the annually published Bureau of Indian Affairs list of Indian Entities Recognized and Eligible to Receive Services.

"Indirect cost" means those costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to the cost objectives specifically benefitted without effort disproportionate to the results achieved.

"Inspector General" means the Office of the Executive Inspector General for Executive branch agencies.

"Loan" means a State or federal loan or loan guarantee received or administered by a non-federal entity. "Loan" does not include a "program income" as defined in 2 CFR 200.80.

"Loan guarantee" means any State or federal government guarantee, insurance, or other pledge with respect to the payment of all or a part of the

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principal or interest on any debt obligation of a non-federal borrower to a non-federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

"Local government" has the meaning provided for the term "units of local government" under Section 1 of Article VII of the Illinois Constitution and includes school districts.

"Major program" means a federal program determined by the auditor to be a major program in accordance with 2 CFR 200.518 or a program identified as a major program by a federal awarding agency or pass-through entity in accordance with 2 CFR 200.503(e).

"Non-federal entity" means a state, local government, Indian tribe, institution of higher education, or organization, whether nonprofit or for-profit, that carries out a State or federal award as a recipient or subrecipient.

"Nonprofit organization" means any corporation, trust, association, cooperative, or other organization, not including institutions of higher education, that:

(1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;
(2) is not organized primarily for profit; and
(3) uses net proceeds to maintain, improve, or expand the operations of the organization.

"Obligations", when used in connection with a non-federal entity's utilization of funds under an award, means orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-federal entity during the same or a future period.

"Office of Management and Budget" means the Office of Management and Budget of the Executive Office of the President.

"Other clusters" has the meaning provided by the federal Office of Management and Budget in the compliance supplement or has the meaning as it is designated by a state for federal awards the state provides to its subrecipients that meet the definition of a cluster of programs. When designating an "other cluster", a state must identify the federal awards included in the cluster and advise the subrecipients of compliance requirements applicable to the cluster.

"Oversight agency for audit" means the federal awarding agency that provides the predominant amount of funding directly to a non-federal entity not assigned a cognizant agency for audit. When there is no direct funding, the awarding agency that is the predominant source of pass-through funding.

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must assume the oversight responsibilities. The duties of the oversight agency for audit and the process for any reassignments are described in 2 CFR 200.513(b).

"Pass-through entity" means a non-federal entity that provides a subaward to a subrecipient to carry out part of a program.

"Private award" means an award from a person or entity other than a State or federal entity. Private awards are not subject to the provisions of this Act.

"Property" means real property or personal property.

"Project cost" means total allowable costs incurred under an award and all required cost sharing and voluntary committed cost sharing, including third-party contributions.

"Public institutions of higher education" has the meaning provided in Section 1 of the Board of Higher Education Act.

"Recipient" means a non-federal entity that receives an award directly from an awarding agency to carry out an activity under a program. "Recipient" does not include subrecipients.

"Research and Development" means all research activities, both basic and applied, and all development activities that are performed by non-federal entities.


"State agency" means an Executive branch agency. For purposes of this Act, "State agency" does not include public institutions of higher education.

"State award" means the financial assistance that a non-federal entity receives from the State and that is funded with either State funds or federal funds; in the latter case, the State is acting as a pass-through entity.

"State awarding agency" means a State agency that provides an award to a non-federal entity.

"State grant-making agency" has the same meaning as "State awarding agency".

"State interest" means the acquisition or improvement of real property, equipment, or supplies under a State award, the dollar amount that is the product of the State share of the total project costs and current fair market value of the property, improvements, or both, to the extent the costs of acquiring or improving the property were included as project costs.

"State program" means any of the following:

New matter indicated by italics - deletions by strikeout
(1) All State awards which are assigned a single number in the Catalog of State Financial Assistance.

(2) When no Catalog of State Financial Assistance number is assigned, all State awards to non-federal entities from the same agency made for the same purpose are considered one program.

(3) A cluster of programs as defined in this Section.

"State share" means the portion of the total project costs that are paid by State funds.

"Student Financial Aid" means federal awards under those programs of general student assistance, such as those authorized by Title IV of the Higher Education Act of 1965, as amended (20 U.S.C. 1070-1099d), that are administered by the United States Department of Education and similar programs provided by other federal agencies. "Student Financial Aid" does not include federal awards under programs that provide fellowships or similar federal awards to students on a competitive basis or for specified studies or research.

"Subaward" means a State or federal award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. "Subaward" does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A "subaward" may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

"Subrecipient" means a non-federal entity that receives a State or federal subaward from a pass-through entity to carry out part of a federal program. "Subrecipient" does not include an individual that is a beneficiary of such program. A "subrecipient" may also be a recipient of other State or federal awards directly from a State or federal awarding agency.

"Suspension" means a post-award action by the State or federal agency or pass-through entity that temporarily withdraws the State or federal agency's or pass-through entity's financial assistance sponsorship under an award, pending corrective action by the recipient or subrecipient or pending a decision to terminate the award.

"Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards" means those rules applicable to grants contained in 2 CFR 200.

"Voluntary committed cost sharing" means cost sharing specifically pledged on a voluntary basis in the proposal's budget or the award on the part

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of the non-federal entity and that becomes a binding requirement of the award.

Section 20. Adoption of federal rules applicable to grants.
(a) On or before July 1, 2015, the Governor's Office of Management and Budget, with the advice and technical assistance of the Illinois Single Audit Commission, shall adopt rules which adopt the Uniform Guidance at 2 CFR 200. The rules, which shall apply to all State and federal pass-through awards effective on and after July 1, 2015, shall include the following:

(1) Administrative requirements. In accordance with Subparts B through D of 2 CFR 200, the rules shall set forth the uniform administrative requirements for grant and cooperative agreements, including the requirements for the management by State awarding agencies of federal grant programs before State and federal pass-through awards have been made and requirements that State awarding agencies may impose on non-federal entities in State and federal pass-through awards.

(2) Cost principles. In accordance with Subpart E of 2 CFR 200, the rules shall establish principles for determining the allowable costs incurred by non-federal entities under State and federal pass-through awards. The principles are intended for cost determination, but are not intended to identify the circumstances or dictate the extent of State or federal pass-through participation in financing a particular program or project. The principles shall provide that State and federal awards bear their fair share of cost recognized under these principles, except where restricted or prohibited by State or federal law.

(3) Audit and single audit requirements and audit follow-up. In accordance with Subpart F of 2 CFR 200 and the federal Single Audit Act Amendments of 1996, the rules shall set forth standards to obtain consistency and uniformity among State and federal pass-through awarding agencies for the audit of non-federal entities expending State and federal awards. These provisions shall also set forth the policies and procedures for State and federal pass-through entities when using the results of these audits.

The provisions of this item (3) do not apply to for-profit subrecipients because for-profit subrecipients are not subject to the requirements of OMB Circular A-133, Audits of States, Local and Non-Profit Organizations. Audits of for-profit subrecipients must be conducted pursuant to a Program Audit Guide issued by the Federal awarding agency. If a Program Audit Guide is not available, the State
awarding agency must prepare a Program Audit Guide in accordance with the OMB Circular A-133 Compliance Supplement. For-profit entities are subject to all other general administrative requirements and cost principles applicable to grants.

(b) This Act addresses only State and federal pass-through auditing functions and does not address the external audit function of the Auditor General.

(c) For public institutions of higher education, the provisions of this Section apply only to awards funded by State appropriations and federal pass-through awards from a State agency to public institutions of higher education. Federal pass-through awards from a State agency to public institutions of higher education are governed by and must comply with federal guidelines under 2 CFR 200.

(d) The State grant-making agency is responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients. The agreement with the for-profit subrecipient shall describe the applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for State and federal pass-through awards made to for-profit subrecipients shall include pre-award, audits, monitoring during the agreement, and post-award audits. The Governor's Office of Management and Budget shall provide such advice and technical assistance to the State grant-making agency as is necessary or indicated.

Section 25. Supplemental rules. On or before July 1, 2015, the Governor's Office of Management and Budget, with the advice and technical assistance of the Illinois Single Audit Commission, shall adopt supplemental rules pertaining to the following:

1. Criteria to define mandatory formula-based grants and discretionary grants.
2. The award of one-year grants for new applicants.
3. The award of competitive grants in 3-year terms (one-year initial terms with the option to renew for up to 2 additional years) to coincide with the federal award.
4. The issuance of grants, including:
   A. public notice of announcements of funding opportunities;
   B. the development of uniform grant applications;
   C. State agency review of merit of proposals and risk posed by applicants;

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(D) specific conditions for individual recipients (requiring the use of a fiscal agent and additional corrective conditions);

(E) certifications and representations;

(F) pre-award costs;

(G) performance measures and statewide prioritized goals under Section 50-25 of the State Budget Law of the Civil Administrative Code of Illinois, commonly referred to as "Budgeting for Results"; and

(H) for mandatory formula grants, the merit of the proposal and the risk posed should result in additional reporting, monitoring, or measures such as reimbursement-basis only.

(5) The development of uniform budget requirements, which shall include:

(A) mandatory submission of budgets as part of the grant application process;

(B) mandatory requirements regarding contents of the budget including, at a minimum, common detail line items specified under guidelines issued by the Governor's Office of Management and Budget;

(C) a requirement that the budget allow flexibility to add lines describing costs that are common for the services provided as outlined in the grant application;

(D) a requirement that the budget include information necessary for analyzing cost and performance for use in the Budgeting for Results initiative; and

(E) caps on the amount of salaries that may be charged to grants based on the limitations imposed by federal agencies.

(6) The development of pre-qualification requirements for applicants, including the fiscal condition of the organization and the provision of the following information:

(A) organization name;

(B) Federal Employee Identification Number;

(C) Data Universal Numbering System (DUNS) number;

(D) fiscal condition;

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(E) whether the applicant is in good standing with the Secretary of State;
(F) past performance in administering grants;
(G) whether the applicant is or has ever been on the Debarred and Suspended List maintained by the Governor's Office of Management and Budget;
(H) whether the applicant is or has ever been on the federal Excluded Parties List; and
(I) whether the applicant is or has ever been on the Sanctioned Party List maintained by the Illinois Department of Healthcare and Family Services.

Nothing in this Act affects the provisions of the Fiscal Control and Internal Auditing Act nor the requirement that the management of each State agency is responsible for maintaining effective internal controls under that Act.

For public institutions of higher education, the provisions of this Section apply only to awards funded by State appropriations and federal pass-through awards from a State agency to public institutions of higher education.

Section 30. Catalog of State Financial Assistance.

The Catalog of State Financial Assistance is a single, authoritative, statewide, comprehensive source document of State financial assistance program information. The Catalog shall contain, at a minimum, the following information:

(1) An introductory section that contains Catalog highlights, an explanation of how to use the Catalog, an explanation of the Catalog and its contents, and suggested grant proposal writing methods and grant application procedures.

(2) A comprehensive indexing system that categorizes programs by issuing agency, eligible applicant, application deadlines, function, popular name, and subject area.

(3) Comprehensive appendices showing State assistance programs that require coordination through this Act and regulatory, legislative, and Executive Order authority for each program, commonly used abbreviations and acronyms, agency regional and local office addresses, and sources of additional information.

(4) A list of programs that have been added to or deleted from the Catalog and the various program numbers and title changes.

(5) Program number, title, and popular name, if applicable.

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(6) The name of the State department or agency or independent agency and primary organization sub-unit administering the program.

(7) The enabling legislation, including popular name of the Act, titles and Sections, Public Act number, and citation to the Illinois Compiled Statutes.

(8) The type or types of financial and nonfinancial assistance offered by the program.

(9) Uses and restrictions placed upon the program.

(10) Eligibility requirements, including applicant eligibility criteria, beneficiary eligibility criteria, and required credentials and documentation.

(11) Objectives and goals of the program.

(12) Information regarding application and award processing; application deadlines; range of approval or disapproval time; appeal procedure; and availability of a renewal or extension of assistance.

(13) Assistance considerations, including an explanation of the award formula, matching requirements, and the length and time phasing of the assistance.

(14) Post-assistance requirements, including any reports, audits, and records that may be required.

(15) Program accomplishments (where available) describing quantitative measures of program performance.

(16) Regulations, guidelines, and literature containing citations to the Illinois Administrative Code, the Code of Federal Regulations, and other pertinent informational materials.

(17) The names, telephone numbers, and e-mail addresses of persons to be contacted for detailed program information at the headquarters, regional, and local levels.

Section 35. Conflicts of interest. The Governor's Office of Management and Budget shall adopt rules regarding conflict of interest policies for awards. A non-federal entity must disclose in writing any potential conflict of interest to the pass-through entity in accordance with applicable awarding agency policy.

Section 40. Mandatory disclosures. The Governor's Office of Management and Budget, with the advice and technical assistance of the Illinois Single Audit Commission, shall adopt rules requiring that the applicant for an award disclose, in a timely manner and in writing to the pass-through entity, all violations of State or federal criminal law involving fraud,

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bribery, or gratuity violations potentially affecting the award. Failure to make the required disclosures may result in any of the following remedial actions:

1. The temporary withholding of cash payments pending correction of the deficiency by the awarding agency or non-federal entity or more severe enforcement action by the pass-through entity.
2. Disallowance of (that is, denial of both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Whole or partial suspension or termination of the award.
4. Initiation of suspension or debarment proceedings as authorized under rules adopted under subsection (a) of Section 20 of this Act and awarding agency regulations (or, in the case of a pass-through entity, recommendation that such a proceeding be initiated by the awarding agency).
5. Withholding further awards for the project or program.
6. Taking any other remedial action that may be legally available.

Section 45. Applicability.

(a) The requirements established under this Act apply to State grant-making agencies that make State and federal pass-through awards to non-federal entities. These requirements apply to all costs related to State and federal pass-through awards. The requirements established under this Act do not apply to private awards.

(a-5) Nothing in this Act shall prohibit the use of State funds for purposes of federal match or maintenance of effort.

(b) The terms and conditions of State, federal, and pass-through awards apply to subawards and subrecipients unless a particular Section of this Act or the terms and conditions of the State or federal award specifically indicate otherwise. Non-federal entities shall comply with requirements of this Act regardless of whether the non-federal entity is a recipient or subrecipient of a State or federal pass-through award. Pass-through entities shall comply with the requirements set forth under the rules adopted under subsection (a) of Section 20 of this Act, but not to any requirements in this Act directed towards State or federal awarding agencies, unless the requirements of the State or federal awards indicate otherwise.

When a non-federal entity is awarded a cost-reimbursement contract, only 2 CFR 200.330 through 200.332 are incorporated by reference into the contract. However, when the Cost Accounting Standards are applicable to the contract, they take precedence over the requirements of this Act unless they...
are in conflict with Subpart F of 2 CFR 200. In addition, costs that are made unallowable under 10 U.S.C. 2324(e) and 41 U.S.C. 4304(a), as described in the Federal Acquisition Regulations, subpart 31.2 and subpart 31.603, are always unallowable. For requirements other than those covered in Subpart D of 2 CFR 200.330 through 200.332, the terms of the contract and the Federal Acquisition Regulations apply.

With the exception of Subpart F of 2 CFR 200, which is required by the Single Audit Act, in any circumstances where the provisions of federal statutes or regulations differ from the provisions of this Act, the provision of the federal statutes or regulations govern. This includes, for agreements with Indian tribes, the provisions of the Indian Self-Determination and Education and Assistance Act, as amended, 25 U.S.C. 450-458ddd-2.

(c) State grant-making agencies may apply subparts A through E of 2 CFR 200 to for-profit entities, foreign public entities, or foreign organizations, except where the awarding agency determines that the application of these subparts would be inconsistent with the international obligations of the United States or the statute or regulations of a foreign government.

(d) Except for 2 CFR 200.202 and 200.330 through 200.332, the requirements in Subparts C, D, and E of 2 CFR 200 do not apply to the following programs:

(1) The block grant awards authorized by the Omnibus Budget Reconciliation Act of 1981 (including Community Services; Preventive Health and Health Services; Alcohol, Drug Abuse, and Mental Health Services; Maternal and Child Health Services; Social Services; Low-Income Home Energy Assistance; States’ Program of Community Development Block Grant Awards for Small Cities; and Elementary and Secondary Education, other than programs administered by the Secretary of Education under Title V, Subtitle D, Chapter 2, Section 583 - the Secretary’s discretionary award program) and both the Alcohol and Drug Abuse Treatment and Rehabilitation Block Grant Award (42 U.S.C. 300x-21 to 300x-35 and 42 U.S.C. 300x-51 to 300x-64) and the Mental Health Service for the Homeless Block Grant Award (42 U.S.C. 300x to 300x-9) under the Public Health Services Act.

(2) Federal awards to local education agencies under 20 U.S.C. 7702 through 7703b (portions of the Impact Aid program).

(3) Payments under the Department of Veterans Affairs’ State Home Per Diem Program (38 U.S.C. 1741).

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(4) Federal awards authorized under the Child Care and Development Block Grant Act of 1990, as amended, including the following:

(A) Child Care and Development Block Grant (42 U.S.C. 9858).
(B) Child Care Mandatory and Matching Funds of the Child Care and Development Fund (42 U.S.C. 9858).

(e) Except for the 2 CFR 200.202 requirement to provide public notice of federal financial assistance programs, the guidance in Subpart C Pre-federal Award Requirements and Contents of Federal Awards does not apply to the following programs:

(1) Entitlement federal awards to carry out the following programs of the Social Security Act:
(A) Temporary Assistance to Needy Families (Title IV-A of the Social Security Act, 42 U.S.C. 601-619);
(B) Child Support Enforcement and Establishment of Paternity (Title IV-D of the Social Security Act, 42 U.S.C. 651-669b);
(C) Foster Care and Adoption Assistance (Title IV-E of the Act, 42 U.S.C. 670-679c);
(D) Aid to the Aged, Blind, and Disabled (Titles I, X, XIV, and XVI - AABD of the Act, as amended); and
(E) Medical Assistance (Medicaid) (42 U.S.C. 1396-1396w-5), not including the State Medicaid Fraud Control program authorized by Section 1903(a)(6)(B) of the Social Security Act (42 U.S.C. 1396b(a)(6)(B)).
(2) A federal award for an experimental, pilot, or demonstration project that is also supported by a federal award listed in paragraph (1) of subsection (e) of this Section.
(3) Federal awards under subsection 412(e) of the Immigration and Nationality Act of 1965 and Section 501(a) of the Refugee Education Assistance Act of 1980 for cash assistance, medical assistance, and supplemental security income benefits to refugees and entrants and the administrative costs of providing the assistance and benefits under 8 U.S.C. 1522(e).
(4) Entitlement awards under the following programs of The National School Lunch Act:
(A) National School Lunch Program (42 U.S.C. 1753);

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(B) Commodity Assistance (42 U.S.C. 1755);
(C) Special Meal Assistance (42 U.S.C. 1759a);
(D) Summer Food Service Program for Children (42 U.S.C. 1761); and
(E) Child and Adult Care Food Program (42 U.S.C. 1766).

(5) Entitlement awards under the following programs of The Child Nutrition Act of 1966:
(A) Special Milk Program (42 U.S.C. 1772);
(B) School Breakfast Program (42 U.S.C. 1773); and
(C) State Administrative Expenses (42 U.S.C. 1776).


(7) Non-discretionary federal awards under the following non-entitlement programs:
(A) Special Supplemental Nutrition Program for Women, Infants and Children under the Child Nutrition Act of 1966 (42 U.S.C. 1786);
(B) The Emergency Food Assistance Programs (Emergency Food Assistance Act of 1983) (7 U.S.C. 7501); and
(C) Commodity Supplemental Food Program (7 U.S.C. 612c).

(f) For public institutions of higher education, the provisions of this Act apply only to awards funded by State appropriations and federal pass-through awards from a State agency to public institutions of higher education.

(g) Each grant-making agency shall enhance its processes to monitor and address noncompliance with reporting requirements and with program performance standards. Where applicable, the process may include a corrective action plan. The monitoring process shall include a plan for tracking and documenting performance-based contracting decisions.

Section 50. State grant-making agency responsibilities.

(a) The specific requirements and responsibilities of State grant-making agencies and non-federal entities are set forth in this Act. State agencies making State awards to non-federal entities must adopt by rule the language in 2 CFR 200, Subpart C through Subpart F unless different provisions are required by law.

(b) Each State grant-making agency shall appoint a Chief Accountability Officer who shall serve as a liaison to the Grant
Accountability and Transparency Unit and who shall be responsible for the
State agency's implementation of and compliance with the rules.

(c) In order to effectively measure the performance of its recipients
and subrecipients, each State grant-making agency shall:

(1) require its recipients and subrecipients to relate financial
data to performance accomplishments of the award and, when
applicable, must require recipients and subrecipients to provide cost
information to demonstrate cost-effective practices. The recipient's
and subrecipient's performance should be measured in a way that will
help the State agency to improve program outcomes, share lessons
learned, and spread the adoption of promising practices; and

(2) provide recipients and subrecipients with clear
performance goals, indicators, and milestones and must establish
performance reporting frequency and content to not only allow the
State agency to understand the recipient's progress, but also to
facilitate identification of promising practices among recipients and
subrecipients and build the evidence upon which the State agency's
program and performance decisions are made.

(d) The Governor's Office of Management and Budget shall provide
such advice and technical assistance to the State grant-making agencies as is
necessary or indicated in order to ensure compliance with this Act.

Section 55. The Governor's Office of Management and Budget
responsibilities.

(a) The Governor's Office of Management and Budget shall:

(1) provide technical assistance and interpretations of policy
requirements in order to ensure effective and efficient implementation
of this Act by State grant-making agencies; and

(2) have authority to approve any exceptions to the
requirements of this Act and shall adopt rules governing the criteria
to be considered when an exception is requested; exceptions shall
only be made in particular cases where adequate justification is
presented.

(b) The Governor's Office of Management and Budget shall, on or
before July 1, 2014, establish a centralized unit within the Governor's Office
of Management and Budget. The centralized unit shall be known as the Grant
Accountability and Transparency Unit and shall be funded with a portion of
the administrative funds provided under existing and future State and federal
pass-through grants. The amounts charged will be allocated based on the
actual cost of the services provided to State grant-making agencies and public

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institutions of higher education in accordance with the applicable federal cost principles contained in 2 CFR 200 and this Act will not cause the reduction in the amount of any State or federal grant awards that have been or will be directed towards State agencies or public institutions of higher education.

Section 60. Grant Accountability and Transparency Unit responsibilities.

(a) The Grant Accountability and Transparency Unit within the Governor's Office of Management and Budget shall be responsible for:

   (1) The development of minimum requirements applicable to the staff of grant applicants to manage and execute grant awards for programmatic and administrative purposes, including grant management specialists with:

       (A) general and technical competencies;
       (B) programmatic expertise;
       (C) fiscal expertise and systems necessary to adequately account for the source and application of grant funds for each program; and
       (D) knowledge of compliance requirements.

   (2) The development of minimum training requirements, including annual training requirements.

   (3) Accurate, current, and complete disclosure of the financial results of each funded award, as set forth in the financial monitoring and reporting Section of 2 CFR 200.

   (4) Development of criteria for requiring the retention of a fiscal agent and for becoming a fiscal agent.

   (5) Development of disclosure requirements in the grant application pertaining to:

       (A) related-party status between grantees and grant-making agencies;
       (B) past employment of applicant officers and grant managers;
       (C) disclosure of current or past employment of members of immediate family; and
       (D) disclosure of senior management of grantee organization and their relationships with contracted vendors.

   (6) Implementation of rules prohibiting a grantee from charging any cost allocable to a particular award or cost objective to other State or federal awards to overcome fund deficiencies, to avoid

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restrictions imposed by law or terms of the federal awards, or for other reasons.

(7) Implementation of rules prohibiting a non-federal entity from earning or keeping any profit resulting from State or federal financial assistance, unless prior approval has been obtained from the Governor's Office of Management and Budget and is expressly authorized by the terms and conditions of the award.

(8) Maintenance of an Illinois Debarred and Suspended List that contains the names of those individuals and entities that are ineligible, either temporarily or permanently, to receive an award of grant funds from the State.

(9) Ensuring the adoption of standardized rules for the implementation of this Act by State grant-making agencies. The Grant Accountability and Transparency Unit shall provide such advice and technical assistance to the State grant-making agencies as is necessary or indicated in order to ensure compliance with this Act.

(10) Coordination of financial and Single Audit reviews.

(11) Coordination of on-site reviews of grantees and subrecipients.

(12) Maintenance of the Catalog of State Financial Assistance, which shall be posted on an Internet website maintained by the Governor's Office of Management and Budget that is available to the public.

(b) The Grant Accountability and Transparency Unit shall have no power or authority regarding the approval, disapproval, management, or oversight of grants entered into or awarded by a State agency or by a public institution of higher education. The power or authority existing under law to grant or award grants by a State agency or by a public institution of higher education shall remain with that State agency or public institution of higher education. The Unit shall be responsible for reviewing and approving amendments to the Administrative Code proposed by State grant agencies in connection with the implementation of this Act and shall be responsible for establishing standardized policies and procedures for State grant-making agencies in order to ensure compliance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards set forth in 2 CFR Part 200, all of which must be adhered to by the State grant-making agencies throughout the life cycle of the grant.

(c) The powers and functions of grant making by State agencies or public institutions of higher education may not be transferred to, nor may
prior grant approval be transferred to, any other person, office, or entity within the executive branch of State government.

Section 65. Audit requirements.

(a) The standards set forth in Subpart F of 2 CFR 200 and any other standards that apply directly to State or federal agencies shall apply to audits of fiscal years beginning on or after December 26, 2014.

(b) Books and records must be available for review or audit by appropriate officials of the pass-through entity, and the agency, the Auditor General, the Inspector General, appropriate officials of the agency, and the federal Government Accountability Office.

(c) The Governor's Office of Management and Budget, with the advice and technical assistance of the Illinois Single Audit Commission, shall adopt rules for audits of grants from a State or federal pass-through entity that are not subject to the Single Audit Act because the amount of the federal award is less than $750,000 or the subrecipient is an exempt entity and that are reasonably consistent with 2 CFR 200.

(d) This Act does not affect the provisions of the Illinois State Auditing Act and does not address the external audit function of the Auditor General.

Section 70. Review date. The Governor's Office of Management and Budget shall review this Act at least once every 5 years after December 26, 2014 in conjunction with the federal review of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as required by 2 CFR 200.109 in order to determine whether any existing rules need to be revised or new rules adopted.

Section 75. State program exceptions.

(a) With the exception of the audit requirements set forth in 2 CFR 200.102, exceptions may be allowed for classes of State or federal pass-through awards or non-federal entities subject to the requirements of this Act when such exceptions are not prohibited by State or federal law. However, in the interest of maximum uniformity, exceptions from the requirements of this Act shall be permitted only in unusual or exceptional circumstances.

(b) The Governor's Office of Management and Budget, with the advice and technical assistance of the Illinois Single Audit Commission, shall adopt rules governing the criteria that shall be used to determine when an exception may be issued. The Governor's Office of Management and Budget shall publish any allowed exceptions in the Catalogue of State Financial Assistance within 30 days of the exception being allowed.

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Section 80. Supersession. On and after July 1, 2015, in the event of a conflict with the Grant Funds Recovery Act, the provisions of this Act shall control.

Section 85. Implementation date. The Governor's Office of Management and Budget shall adopt all rules required under this Act on or before July 1, 2015.

Section 90. Agency implementation. All State grant-making agencies shall implement the rules issued by the Governor's Office of Management and Budget on or before July 1, 2015. The standards set forth in this Act, which affect administration of State and federal pass-through awards issued by State grant-making agencies, become effective once implemented by State grant-making agencies. State grant-making agencies shall implement the policies and procedures applicable to State and federal pass-through awards by adopting rules for non-federal entities that shall take effect for fiscal years on and after December 26, 2014, unless different provisions are required by State or federal statute or federal rule.

Section 95. Annual report. Effective January 1, 2016 and each January 1 thereafter, the Governor's Office of Management and Budget, in conjunction with the Illinois Single Audit Commission, shall submit to the Governor and the General Assembly a report that demonstrates the efficiencies, cost savings, and reductions in fraud, waste, and abuse as a result of the implementation of this Act and the rules adopted by the Governor's Office of Management and Budget in accordance with the provisions of this Act. The report shall include, but not be limited to:

(1) the number of entities placed on the Illinois Debarred and Suspended List;
(2) any savings realized as a result of the implementation of this Act;
(3) any reduction in the number of duplicative audits;
(4) the number of persons trained to assist grantees and subrecipients; and
(5) the number of grantees and subrecipients to whom a fiscal agent was assigned.

Section 100. Repeal. This Act is repealed 5 years after the effective date of this Act.

Section 505. The Governor's Office of Management and Budget Act is amended by changing Section 2 and by adding Sections 2.8, 2.9, and 2.10 as follows:

(20 ILCS 3005/2) (from Ch. 127, par. 412)
Sec. 2. There is created in the executive office of the Governor an Office to be known as the Governor's Office of Management and Budget. The Office shall be headed by a Director, who shall be appointed by the Governor. The functions of the Office shall be as prescribed in Sections 2.1 through 2.10 of this Act.

(Source: P.A. 93-25, eff. 6-20-03.)

(20 ILCS 3005/2.8 new)

Sec. 2.8. Pursuant to the Grant Accountability and Transparency Act, to create, on or before July 1, 2014, the Grant Accountability and Transparency Unit within the Office. The Grant Accountability and Transparency Unit shall report directly to the Director of the Governor's Office of Management and Budget.

(20 ILCS 3005/2.9 new)

Sec. 2.9. Pursuant to the Grant Accountability and Transparency Act, to maintain a list of those individuals and entities that are ineligible, either temporarily or permanently, to receive an award of grant funds from the State.

(20 ILCS 3005/2.10 new)

Sec. 2.10. To adopt rules on or before July 1, 2015 necessary to comply with the Grant Accountability and Transparency Act. Should changes to the rules be required by the review mandated by Section 65 of the Grant Accountability and Transparency Act, the Governor's Office of Management and Budget may adopt such peremptory rules as are necessary to comply with changes to corresponding federal rules. All other rules that the Governor's Office of Management and Budget deems necessary to adopt in connection with the Grant Accountability and Transparency Act must proceed through the ordinary rule-making process.

(30 ILCS 705/4.2 rep.)

Section 510. The Illinois Grant Funds Recovery Act is amended by repealing Section 4.2.

Section 515. The Illinois Grant Funds Recovery Act is amended by adding Sections 15.1 and 16 as follows:

(30 ILCS 705/15.1 new)

Sec. 15.1. Illinois Single Audit Commission.

(a) There is created the Illinois Single Audit Commission. The Commission shall assist the Governor's Office of Management and Budget in creating its annual report under Section 90 of the Grant Accountability and Transparency Act.
(b) The Commission shall be comprised of one representative from each of the following grant-making agencies who is an expert in grants subject matter, and who shall be appointed by the Governor, one of whom shall be designated as Chairperson: Department on Aging; Department of Children and Family Services; Department of Healthcare and Family Services; Department of Human Services; Department of Public Health; Criminal Justice Information Authority; Department of Commerce and Economic Opportunity; Department of Transportation; Illinois State Board of Education; Illinois Student Assistance Commission; Department of Agriculture; Environmental Protection Agency; and Department of Natural Resources.

(c) The Governor may, as he or she deems necessary or appropriate, designate representatives of additional State agencies with grant-making authority to serve as members of the Commission.

(d) The Governor may appoint a total of 4 representatives of community organizations, providers, or associations who are experts in grants subject matter to serve as members of the Commission.

(e) The Governor may appoint a total of 3 representatives of public institutions of higher education who are experts in grants subject matter to serve as members of the Commission.

(f) Should any of the State agencies listed in subsection (b) of this Section deem that additional representation by community organizations, providers, or associations is necessary or appropriate, and the Commission as a whole is in concurrence with this decision, the State agency or agencies may appoint additional members; provided, however, that no more than a total of 4 such additional members may be appointed to the Commission.

(g) The Commission shall also include: a representative of the Governor's Office of Management and Budget, appointed by the Governor; 4 members of the General Assembly, one from the House of Representatives Democratic Caucus, one from the House of Representatives Republican Caucus, one from the Senate Democratic Caucus, and one from the Senate Republican Caucus, all of whom shall be appointed by the Governor.

(h) The Co-chairpersons of the relevant subcommittees within the Management Initiative Improvement Committee under Section 1-37b of the Department of Human Services Act may be included as members of the Commission if the Commission deems their inclusion necessary for the coordination of its efforts.

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(i) The Commission shall provide advice and technical assistance to the Governor's Office of Management and Budget in connection with the rules drafted pursuant to the Grant Accountability and Transparency Act.

(j) This Section is repealed on July 1, 2019.

(30 ILCS 705/16 new)

Sec. 16. Supersession. On and after July 1, 2015, in the event of a conflict with the Grant Accountability and Transparency Act, the Grant Accountability and Transparency Act shall control.

Section 997. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 999. Effective date. This Act takes effect upon becoming law.


Approved July 16, 2014.


PUBLIC ACT 98-0707

(House Bill No. 0671)

AN ACT concerning children.

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

Section 5. The Children's Privacy Protection and Parental Empowerment Act is amended by changing Section 10 as follows:

(325 ILCS 17/10)

Sec. 10. Prohibited act.

(a) The sale or purchase of personal information concerning an individual known to be a child without parental consent is prohibited.

(b) This Section does not apply when the sale or purchase described in subsection (a) is made under a criminal or civil investigation that is otherwise lawful.

(Source: P.A. 93-462, eff. 1-1-04.)

(325 ILCS 17/15 rep.)

Section 10. The Children's Privacy Protection and Parental Empowerment Act is amended by repealing Section 15.


Approved July 16, 2014.

Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 1. Short title. This Act may be cited as the Accountable Care Organization Clinical Laboratory Testing Advisory Board Act.

Section 5. Definitions. In this Act:

"Advisory board" means a clinical laboratory testing advisory board established under this Act.

"Clinical laboratory testing" means any test or analysis performed in a clinical laboratory as defined in Section 2-103 of the Illinois Clinical Laboratory and Blood Bank Act or that is otherwise subject to Section 353 of the Public Health Service Act (42 U.S.C. 263a).

Section 10. Advisory board required. Every accountable care organization providing diagnosis and treatment for patients in this State must establish an advisory board to consider and recommend guidelines or protocols for clinical laboratory testing.

Section 15. Advisory board membership. Every advisory board established under this Act must include in its membership at least one physician who:

(1) is legally affiliated with the accountable care organization; and

(2) is a medical director, as defined in Section 2-104 of the Illinois Clinical Laboratory and Blood Bank Act, of a clinical laboratory that is providing services for the accountable care organization or a pathologist designated by such a medical director.

Section 20. Advisory board functions.

(a) An advisory board may make recommendations to the accountable care organization's governing board for the adoption of guidelines or protocols for (i) clinical laboratory testing used for diagnostic purposes or disease management and (ii) pathologist consultation on episodes of care.

(b) An advisory board may recommend guidelines or protocols for clinical laboratory testing to ensure appropriate use of such testing.

Section 25. Adoption of advisory board recommendations. Notwithstanding the requirement of this Act to establish a clinical laboratory testing advisory board, nothing contained in this Act shall be construed to require an accountable care organization's governing board to adopt a clinical
laboratory testing guideline or protocol recommended by the accountable care organization's advisory board.

Section 30. Application of Act. Nothing in this Act applies to an accountable care organization owned or operated by or affiliated with any of the following:

(1) The Cook County Health and Hospitals System.
(2) The University of Illinois.
(3) A hospital licensed under the Hospital Licensing Act.
(4) A hospital affiliate as defined in the Hospital Licensing Act.

Section 99. Effective date. This Act takes effect January 1, 2015.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0709
(House Bill No. 3659)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Metropolitan Transit Authority Act is amended by changing Sections 2 and 19 as follows:

Sec. 2. When used in this Act:
"Transportation System" means all plants, equipment, property and rights useful for transportation of passengers for hire except taxicabs and includes, without limiting the generality of the foregoing, street railways, elevated railroads, subways and underground railroads, motor vehicles, trolley buses, motor buses and any combination thereof.
"Metropolitan area of Cook County" embraces all the territory in the County of Cook, State of Illinois East of the east line of Range Eleven (11), East of the Third Principal Meridian of the United States Government survey.
"Metropolitan area" means the metropolitan area of Cook County, as above defined.
"Authority" means Chicago Transit Authority created by this Act.
"Board" means Chicago Transit Board.
"Governor" means Governor of the State of Illinois.
"Mayor" means Mayor of the City of Chicago.

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"Motor vehicle" means every vehicle which is self-propelled or which is propelled by electric power obtained from overhead trolley wires but not operated on rails.

"Municipal government" means a "municipality" as defined in Section 1 of Article VII of the Illinois Constitution.

"Unit of local government" has the meaning ascribed to it in Section 1 of Article VII of the Illinois Constitution.

(Source: Laws 1955, p. 1166.)

(70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

Sec. 19. The governing and administrative body of the Authority shall be a board consisting of seven members, to be known as Chicago Transit Board. Members of the Board shall be residents of the metropolitan area and persons of recognized business ability. No member of the Board of the Authority shall hold any other office or employment under the Federal, State or any County or any municipal government, or any other unit of local government, except an honorary office without compensation or an office in the National Guard. No employee of the Authority shall hold any other office or employment under the Federal, State or any County or any municipal government, or any other unit of local government, except an office with compensation not exceeding $15,000 annually or a position in the National Guard or the United States military reserves. Provided, however, that the Chairman may be a member of the Board of the Regional Transportation Authority. No member of the Board or employee of the Authority shall have any private financial interest, profit or benefit in any contract, work or business of the Authority nor in the sale or lease of any property to or from the Authority. The salary of each member of the initial Board shall be $15,000.00 per annum, and such salary shall not be increased or diminished during his or her term of office. The salaries of successor members of the Board shall be fixed by the Board and shall not be increased or diminished during their respective terms of office. No Board member shall be allowed any fees, perquisites or emoluments, reward or compensation for his or her services as a member or officer of the Authority aside from his or her salary or pension, but he or she shall be reimbursed for actual expenses incurred by him or her in the performance of his or her duties.

(Source: P.A. 95-968, eff. 1-1-09.)

Section 10. The Regional Transportation Authority Act is amended by changing Sections 3.01 and 3B.02 as follows:

(70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)
Sec. 3.01. Board of Directors. The corporate authorities and governing body of the Authority shall be a Board consisting of 13 Directors until April 1, 2008, and 16 Directors thereafter, appointed as follows:

(a) Four Directors appointed by the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, and, only until April 1, 2008, a fifth director who shall be the Chairman of the Chicago Transit Authority. After April 1, 2008, the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, shall appoint a fifth Director. The Directors appointed by the Mayor of the City of Chicago shall not be the Chairman or a Director of the Chicago Transit Authority. Each such Director shall reside in the City of Chicago.

(b) Four Directors appointed by the votes of a majority of the members of the Cook County Board elected from districts, a majority of the electors of which reside outside Chicago. After April 1, 2008, a fifth Director appointed by the President of the Cook County Board with the advice and consent of the members of the Cook County Board. Each Director appointed under this subparagraph shall reside in that part of Cook County outside Chicago.

(c) Until April 1, 2008, 3 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake, McHenry, and Will Counties, as follows:

   (i) Two Directors appointed by the Chairmen of the county boards of Kane, Lake, McHenry and Will Counties, with the concurrence of not less than a majority of the Chairmen from such counties, from nominees by the Chairmen. Each such Chairman may nominate not more than 2 persons for each position. Each such Director shall reside in a county in the metropolitan region other than Cook or DuPage Counties.

   (ii) One Director appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(d) After April 1, 2008, 5 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake and McHenry Counties and the County Executive of Will County, as follows:

   (i) One Director appointed by the Chairman of the Kane County Board with the advice and consent of the Kane County Board. Such Director shall reside in Kane County.

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(ii) One Director appointed by the County Executive of Will County with the advice and consent of the Will County Board. Such Director shall reside in Will County.

(iii) One Director appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(iv) One Director appointed by the Chairman of the Lake County Board with the advice and consent of the Lake County Board. Such Director shall reside in Lake County.

(v) One Director appointed by the Chairman of the McHenry County Board with the advice and consent of the McHenry County Board. Such Director shall reside in McHenry County.

(vi) To implement the changes in appointing authority under this subparagraph (d) the three Directors appointed under subparagraph (c) and residing in Lake County, DuPage County, and Kane County respectively shall each continue to serve as Director until the expiration of their respective term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Thereupon, the appointment shall be made by the officials given appointing authority with respect to the Director whose term has expired or office has become vacant.

(e) The Chairman serving on the effective date of this amendatory Act of the 95th General Assembly shall continue to serve as Chairman until the expiration of his or her term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Upon the expiration or vacancy of the term of the Chairman then serving upon the effective date of this amendatory Act of the 95th General Assembly, the Chairman shall be appointed by the other Directors, by the affirmative vote of at least 11 of the then Directors with at least 2 affirmative votes from Directors who reside in the City of Chicago, at least 2 affirmative votes from Directors who reside in Cook County outside the City of Chicago, and at least 2 affirmative votes from Directors who reside in the Counties of DuPage, Lake, Will, Kane, or McHenry. The chairman shall not be appointed from among the other Directors. The chairman shall be a resident of the metropolitan region.

(f) Except as otherwise provided by this Act no Director shall, while serving as such, be an officer, a member of the Board of Directors or Trustees or an employee of any Service Board or transportation agency, or be an employee of the State of Illinois or any department or agency thereof, or of any municipality, county, or any other unit of local government or receive

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any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a member of a school board.

(g) Each appointment made under this Section and under Section 3.03 shall be certified by the appointing authority to the Board, which shall maintain the certifications as part of the official records of the Authority.

(h) (Blank).

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

Sec. 3B.02. Commuter Rail Board.

(a) Until April 1, 2008, the governing body of the Commuter Rail Division shall be a board consisting of 7 directors appointed pursuant to Sections 3B.03 and 3B.04, as follows:

(1) One director shall be appointed by the Chairman of the Board of DuPage County with the advice and consent of the County Board of DuPage County and shall reside in DuPage County.

(2) Two directors appointed by the Chairmen of the County Boards of Kane, Lake, McHenry and Will Counties with the concurrence of not less than a majority of the chairmen from such counties, from nominees by the Chairmen. Each such chairman may nominate not more than two persons for each position. Each such director shall reside in a county in the metropolitan region other than Cook or DuPage County.

(3) Three directors appointed by the members of the Cook County Board elected from that part of Cook County outside of Chicago, or, in the event such Board of Commissioners becomes elected from single member districts, by those Commissioners elected from districts, a majority of the residents of which reside outside Chicago. In either case, such appointment shall be with the concurrence of four such Commissioners. Each such director shall reside in that part of Cook County outside Chicago.

(4) One director appointed by the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago. Such director shall reside in the City of Chicago.

(5) The chairman shall be appointed by the directors, from the members of the board, with the concurrence of 5 of such directors.

(b) After April 1, 2008 the governing body of the Commuter Rail Division shall be a board consisting of 11 directors appointed, pursuant to Sections 3B.03 and 3B.04, as follows:

New matter indicated by italics - deletions by strikeout
(1) One Director shall be appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board and shall reside in DuPage County. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (1) of subsection (a) of this Section who resides in DuPage County, a Director shall be appointed under this subparagraph.

(2) One Director shall be appointed by the Chairman of the McHenry County Board with the advice and consent of the McHenry County Board and shall reside in McHenry County. To implement the change in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (2) of subsection (a) of this Section who resides in McHenry County, a Director shall be appointed under this subparagraph.

(3) One Director shall be appointed by the Will County Executive with the advice and consent of the Will County Board and shall reside in Will County. To implement the change in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (2) of subsection (a) of this Section who resides in Will County, a Director shall be appointed under this subparagraph.

(4) One Director shall be appointed by the Chairman of the Lake County Board with the advice and consent of the Lake County Board and shall reside in Lake County.

(5) One Director shall be appointed by the Chairman of the Kane County Board with the advice and consent of the Kane County Board and shall reside in Kane County.

(6) One Director shall be appointed by the Mayor of the City of Chicago with the advice and consent of the City Council of the City of Chicago and shall reside in the City of Chicago. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (4) of subsection (a) of this Section who resides in the City of Chicago, a Director shall be appointed under this subparagraph.

(7) Five Directors residing in Cook County outside of the City of Chicago, as follows:

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(i) One Director who resides in Cook County outside of the City of Chicago, appointed by the President of the Cook County Board with the advice and consent of the members of the Cook County Board.

(ii) One Director who resides in the township of Barrington, Palatine, Wheeling, Hanover, Schaumburg, or Elk Grove. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under paragraph (3) of subsection (a) of this Section who resides in the geographic area described in this subparagraph, a Director shall be appointed under this subparagraph.

(iii) One Director who resides in the township of Northfield, New Trier, Maine, Niles, Evanston, Leyden, Norwood Park, River Forest, or Oak Park.

(iv) One Director who resides in the township of Proviso, Riverside, Berwyn, Cicero, Lyons, Stickney, Lemont, Palos, or Orland. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under paragraph (3) of subsection (a) of this Section who resides in the geographic area described in this subparagraph and whose term of office had not expired as of August 1, 2007, a Director shall be appointed under this subparagraph.

(v) One Director who resides in the township of Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under paragraph (3) of subsection (a) of this Section who resides in the geographic area described in this subparagraph and whose term of office had expired as of August 1, 2007, a Director shall be appointed under this subparagraph.

(vi) The Directors identified under the provisions of subparagraphs (ii) through (v) of this paragraph (7) shall be appointed by the members of the Cook County Board. Each individual Director shall be appointed by those members of the Cook County Board whose Board districts overlap in whole or in part with the geographic territory described in the

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relevant subparagraph. The vote of County Board members eligible to appoint directors under the provisions of subparagraphs (ii) through (v) of this paragraph (7) shall be weighted by the number of electors residing in those portions of their Board districts within the geographic territory described in the relevant subparagraph (ii) through (v) of this paragraph (7).

(8) The Chairman shall be appointed by the Directors, from the members of the Board, with the concurrence of 8 of such Directors. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Chairman appointed under item (5) of subsection (a) of this Section, a Chairman shall be appointed under this subparagraph.

(c) No director, while serving as such, shall be an officer, a member of the board of directors or trustee or an employee of any transportation agency, or be an employee of the State of Illinois or any department or agency thereof, or of any county, municipality, or any other unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois.

(d) Each appointment made under subsections (a) and (b) of this Section and under Section 3B.03 shall be certified by the appointing authority to the Commuter Rail Board which shall maintain the certifications as part of the official records of the Commuter Rail Board.

(Source: P.A. 95-708, eff. 1-18-08.)


PUBLIC ACT 98-0710
(House Bill No. 3777)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 14-4.01 as follows:

(105 ILCS 5/14-4.01) (from Ch. 122, par. 14-4.01)

New matter indicated by italics - deletions by strikeout
Sec. 14-4.01. Special educational facilities for children with disabilities.

(a) School boards of any school districts that maintain a recognized school, whether operating under the general law or under a special charter, subject to any limitations hereinafter specified, shall establish and maintain such special educational facilities as may be needed for children with disabilities as defined in Section 14-1.02 of this Article who are residents of their school district, and such children, residents of other school districts as may be authorized by this Article.

All such school boards shall place or by regulation may authorize the director of special education to place, pursuant to procedures required by this Act and rules and regulations promulgated by the State Board of Education, eligible children into special education programs designed to benefit children with disabilities defined in Sections 14-1.02 through 14-1.07 of this Act.

(b) All school districts, administrative districts or governing boards responsible for providing special education services shall submit to the appropriate regional superintendent comprehensive plans or modifications thereto for the provision of special education services in accordance with rules promulgated by the State Board of Education. Copies of comprehensive plans or modifications thereto shall be forwarded by the regional superintendent to the State Board of Education. Regional superintendents who provide special education services shall submit comprehensive plans or modifications thereto directly to the State Board of Education. Comprehensive plans or modifications thereto shall be made available by regional superintendents for public inspection during regular business hours.

The State Board of Education shall provide for the submission of comprehensive plans not more frequently than once every 3 years but may require the submission of such modifications as it deems necessary to achieve the purposes of this Act and applicable federal law.

(c) Special education cooperatives established by school districts are eligible for school maintenance project grants under Section 5-100 of the School Construction Law.

(Source: P.A. 89-397, eff. 8-20-95.)

Section 10. The School Construction Law is amended by changing Section 5-100 as follows:

(105 ILCS 230/5-100)

Sec. 5-100. School maintenance project grants.

(a) The State Board of Education is authorized to make grants to school districts and special education cooperatives established by school
districts, without regard to enrollment, for school maintenance projects. These grants shall be paid out of moneys appropriated for that purpose from the School Infrastructure Fund. No grant under this Section for one fiscal year shall exceed $50,000, but a school district or special education cooperative may receive grants for more than one project during one fiscal year. A school district or special education cooperative must provide local matching funds in an amount equal to the amount of the grant under this Section. A school district or special education cooperative has no entitlement to a grant under this Section.

(b) The State Board of Education shall adopt rules to implement this Section. These rules need not be the same as the rules for school construction project grants or debt service grants.

The rules may specify: (1) the manner of applying for grants; (2) project eligibility requirements; (3) restrictions on the use of grant moneys; (4) the manner in which school districts and special education cooperatives must account for the use of grant moneys; and (5) any other provision that the State Board determines to be necessary or useful for the administration of this Section.

The rules shall specify the methods and standards to be used by the State Board to prioritize applications. School maintenance projects shall be prioritized in the following order:

(i) emergency projects;
(ii) health/life safety projects;
(iii) State Program priority projects;
(iv) permanent improvement projects; and
(v) other projects.

(c) In each school year in which school maintenance project grants are awarded, 20% of the total amount awarded shall be awarded to a school district with a population of more than 500,000, provided that the school district complies with the requirements of this Section and the rules adopted under this Section.

(Source: P.A. 91-38, eff. 6-15-99.)

AN ACT concerning State government.

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

Section 5. The Department of Human Services Act is amended by changing Section 1-17 as follows:

(20 ILCS 1305/1-17)
Sec. 1-17. Inspector General.

(a) Nature and purpose. It is the express intent of the General Assembly to ensure the health, safety, and financial condition of individuals receiving services in this State due to mental illness, developmental disability, or both by protecting those persons from acts of abuse, neglect, or both by service providers. To that end, the Office of the Inspector General for the Department of Human Services is created to investigate and report upon allegations of the abuse, neglect, or financial exploitation of individuals receiving services within mental health facilities, developmental disabilities facilities, and community agencies operated, licensed, funded or certified by the Department of Human Services, but not licensed or certified by any other State agency.

(b) Definitions. The following definitions apply to this Section:

"Adult student with a disability" means an adult student, age 18 through 21, inclusive, with an Individual Education Program, other than a resident of a facility licensed by the Department of Children and Family Services in accordance with the Child Care Act of 1969. For purposes of this definition, "through age 21, inclusive", means through the day before the student's 22nd birthday.

"Agency" or "community agency" means (i) a community agency licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service, or (ii) a program licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service.

"Aggravating circumstance" means a factor that is attendant to a finding and that tends to compound or increase the culpability of the accused.

"Allegation" means an assertion, complaint, suspicion, or incident involving any of the following conduct by an employee, facility, or agency
against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Day" means working day, unless otherwise specified.

"Deflection" means a situation in which an individual is presented for admission to a facility or agency, and the facility staff or agency staff do not admit the individual. "Deflection" includes triage, redirection, and denial of admission.

"Department" means the Department of Human Services.

"Developmentally disabled" means having a developmental disability.

"Developmental disability" means "developmental disability" as defined in the Mental Health and Developmental Disabilities Code.

"Egregious neglect" means a finding of neglect as determined by the Inspector General that (i) represents a gross failure to adequately provide for, or a calloused indifference to, the health, safety, or medical needs of an individual and (ii) results in an individual's death or other serious deterioration of an individual's physical condition or mental condition.

"Employee" means any person who provides services at the facility or agency on-site or off-site. The service relationship can be with the individual or with the facility or agency. Also, "employee" includes any employee or contractual agent of the Department of Human Services or the community agency involved in providing or monitoring or administering mental health or developmental disability services. This includes but is not limited to: owners, operators, payroll personnel, contractors, subcontractors, and volunteers.

"Facility" or "State-operated facility" means a mental health facility or developmental disabilities facility operated by the Department.

"Financial exploitation" means taking unjust advantage of an individual's assets, property, or financial resources through deception, intimidation, or conversion for the employee's, facility's, or agency's own advantage or benefit.

"Finding" means the Office of Inspector General's determination regarding whether an allegation is substantiated, unsubstantiated, or unfounded.

"Health care worker registry" or "registry" means the health care worker registry created by the Nursing Home Care Act.

"Individual" means any person receiving mental health service, developmental disabilities service, or both from a facility or agency, while either on-site or off-site.
"Mental abuse" means the use of demeaning, intimidating, or threatening words, signs, gestures, or other actions by an employee about an individual and in the presence of an individual or individuals that results in emotional distress or maladaptive behavior, or could have resulted in emotional distress or maladaptive behavior, for any individual present.

"Mental illness" means "mental illness" as defined in the Mental Health and Developmental Disabilities Code.

"Mentally ill" means having a mental illness.

"Mitigating circumstance" means a condition that (i) is attendant to a finding, (ii) does not excuse or justify the conduct in question, but (iii) may be considered in evaluating the severity of the conduct, the culpability of the accused, or both the severity of the conduct and the culpability of the accused.

"Neglect" means an employee's, agency's, or facility's failure to provide adequate medical care, personal care, or maintenance and that, as a consequence, (i) causes an individual pain, injury, or emotional distress, (ii) results in either an individual's maladaptive behavior or the deterioration of an individual's physical condition or mental condition, or (iii) places the individual's health or safety at substantial risk.

"Physical abuse" means an employee's non-accidental and inappropriate contact with an individual that causes bodily harm. "Physical abuse" includes actions that cause bodily harm as a result of an employee directing an individual or person to physically abuse another individual.

"Recommendation" means an admonition, separate from a finding, that requires action by the facility, agency, or Department to correct a systemic issue, problem, or deficiency identified during an investigation.

"Required reporter" means any employee who suspects, witnesses, or is informed of an allegation of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Secretary" means the Chief Administrative Officer of the Department.

"Sexual abuse" means any sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual behavior that results in sexual contact, intimate physical contact, sexual behavior, or intimate physical behavior.

"Substantiated" means there is a preponderance of the evidence to support the allegation.
"Unfounded" means there is no credible evidence to support the allegation.

"Unsubstantiated" means there is credible evidence, but less than a preponderance of evidence to support the allegation.

(c) Appointment. The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary and the Governor.

(d) Operation and appropriation. The Inspector General shall function independently within the Department with respect to the operations of the Office, including the performance of investigations and issuance of findings and recommendations. The appropriation for the Office of Inspector General shall be separate from the overall appropriation for the Department.

(e) Powers and duties. The Inspector General shall investigate reports of suspected mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation of individuals in any mental health or developmental disabilities facility or agency and shall have authority to take immediate action to prevent any one or more of the following from happening to individuals under its jurisdiction: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. Upon written request of an agency of this State, the Inspector General may assist another agency of the State in investigating reports of the abuse, neglect, or abuse and neglect of persons with mental illness, persons with developmental disabilities, or persons with both. To comply with the requirements of subsection (k) of this Section, the Inspector General shall also review all reportable deaths for which there is no allegation of abuse or neglect. Nothing in this Section shall preempt any duties of the Medical Review Board set forth in the Mental Health and Developmental Disabilities Code. The Inspector General shall have no authority to investigate alleged violations of the State Officials and Employees Ethics Act. Allegations of misconduct under the State Officials and Employees Ethics Act shall be referred to the Office of the Governor's Executive Inspector General for investigation.

(f) Limitations. The Inspector General shall not conduct an investigation within an agency or facility if that investigation would be redundant to or interfere with an investigation conducted by another State agency. The Inspector General shall have no supervision over, or involvement in, the routine programmatic, licensing, funding, or certification operations of the Department. Nothing in this subsection limits investigations by the Department that may otherwise be required by law or that may be necessary.
in the Department's capacity as central administrative authority responsible for the operation of the State's mental health and developmental disabilities facilities.

(g) Rulemaking authority. The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations as well as for initiating, conducting, and completing investigations based upon the nature of the allegation or allegations. The rules shall clearly establish that if 2 or more State agencies could investigate an allegation, the Inspector General shall not conduct an investigation that would be redundant to, or interfere with, an investigation conducted by another State agency. The rules shall further clarify the method and circumstances under which the Office of Inspector General may interact with the licensing, funding, or certification units of the Department in preventing further occurrences of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, and financial exploitation.

(h) Training programs. The Inspector General shall (i) establish a comprehensive program to ensure that every person authorized to conduct investigations receives ongoing training relative to investigation techniques, communication skills, and the appropriate means of interacting with persons receiving treatment for mental illness, developmental disability, or both mental illness and developmental disability, and (ii) establish and conduct periodic training programs for facility and agency employees concerning the prevention and reporting of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. Nothing in this Section shall be deemed to prevent the Office of Inspector General from conducting any other training as determined by the Inspector General to be necessary or helpful.

(i) Duty to cooperate.

1) The Inspector General shall at all times be granted access to any facility or agency for the purpose of investigating any allegation, conducting unannounced site visits, monitoring compliance with a written response, or completing any other statutorily assigned duty. The Inspector General shall conduct unannounced site visits to each facility at least annually for the purpose of reviewing and making recommendations on systemic issues relative to preventing, reporting, investigating, and responding to all of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation.
(2) Any employee who fails to cooperate with an Office of the Inspector General investigation is in violation of this Act. Failure to cooperate with an investigation includes, but is not limited to, any one or more of the following: (i) creating and transmitting a false report to the Office of the Inspector General hotline, (ii) providing false information to an Office of the Inspector General Investigator during an investigation, (iii) colluding with other employees to cover up evidence, (iv) colluding with other employees to provide false information to an Office of the Inspector General investigator, (v) destroying evidence, (vi) withholding evidence, or (vii) otherwise obstructing an Office of the Inspector General investigation. Additionally, any employee who, during an unannounced site visit or written response compliance check, fails to cooperate with requests from the Office of the Inspector General is in violation of this Act.

(j) Subpoena powers. The Inspector General shall have the power to subpoena witnesses and compel the production of all documents and physical evidence relating to his or her investigations and any hearings authorized by this Act. This subpoena power shall not extend to persons or documents of a labor organization or its representatives insofar as the persons are acting in a representative capacity to an employee whose conduct is the subject of an investigation or the documents relate to that representation. Any person who otherwise fails to respond to a subpoena or who knowingly provides false information to the Office of the Inspector General by subpoena during an investigation is guilty of a Class A misdemeanor.

(k) Reporting allegations and deaths.

(1) Allegations. If an employee witnesses, is told of, or has reason to believe an incident of mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation has occurred, the employee, agency, or facility shall report the allegation by phone to the Office of the Inspector General hotline according to the agency's or facility's procedures, but in no event later than 4 hours after the initial discovery of the incident, allegation, or suspicion of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. A required reporter as defined in subsection (b) of this Section who knowingly or intentionally fails to comply with these reporting requirements is guilty of a Class A misdemeanor.

(2) Deaths. Absent an allegation, a required reporter shall, within 24 hours after initial discovery, report by phone to the Office of the Inspector General hotline each of the following:

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(i) Any death of an individual occurring within 14 calendar days after discharge or transfer of the individual from a residential program or facility.

(ii) Any death of an individual occurring within 24 hours after deflection from a residential program or facility.

(iii) Any other death of an individual occurring at an agency or facility or at any Department-funded site.

(3) Retaliation. It is a violation of this Act for any employee or administrator of an agency or facility to take retaliatory action against an employee who acts in good faith in conformance with his or her duties as a required reporter.

(l) Reporting to law enforcement.

(1) Reporting criminal acts. Within 24 hours after determining that there is credible evidence indicating that a criminal act may have been committed or that special expertise may be required in an investigation, the Inspector General shall notify the Department of State Police or other appropriate law enforcement authority, or ensure that such notification is made. The Department of State Police shall investigate any report from a State-operated facility indicating a possible murder, sexual assault, or other felony by an employee. All investigations conducted by the Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(2) Reporting allegations of adult students with disabilities. Upon receipt of a reportable allegation regarding an adult student with a disability, the Department's Office of the Inspector General shall determine whether the allegation meets the criteria for the Domestic Abuse Program under the Abuse of Adults with Disabilities Intervention Act. If the allegation is reportable to that program, the Office of the Inspector General shall initiate an investigation. If the allegation is not reportable to the Domestic Abuse Program, the Office of the Inspector General shall make an expeditious referral to the respective law enforcement entity. If the alleged victim is already receiving services from the Department, the Office of the Inspector General shall also make a referral to the respective Department of Human Services' Division or Bureau.

(m) Investigative reports. Upon completion of an investigation, the Office of Inspector General shall issue an investigative report identifying whether the allegations are substantiated, unsubstantiated, or unfounded.

New matter indicated by italics - deletions by strikeout
Within 10 business days after the transmittal of a completed investigative report substantiating an allegation, or if a recommendation is made, the Inspector General shall provide the investigative report on the case to the Secretary and to the director of the facility or agency where any one or more of the following occurred: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. In a substantiated case, the investigative report shall include any mitigating or aggravating circumstances that were identified during the investigation. If the case involves substantiated neglect, the investigative report shall also state whether egregious neglect was found. An investigative report may also set forth recommendations. All investigative reports prepared by the Office of the Inspector General shall be considered confidential and shall not be released except as provided by the law of this State or as required under applicable federal law. Unsubstantiated and unfounded reports shall not be disclosed except as allowed under Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act. Raw data used to compile the investigative report shall not be subject to release unless required by law or a court order. "Raw data used to compile the investigative report" includes, but is not limited to, any one or more of the following: the initial complaint, witness statements, photographs, investigator's notes, police reports, or incident reports. If the allegations are substantiated, the accused shall be provided with a redacted copy of the investigative report. Death reports where there was no allegation of abuse or neglect shall only be released pursuant to applicable State or federal law or a valid court order.

(n) Written responses and reconsideration requests.

(1) Written responses. Within 30 calendar days from receipt of a substantiated investigative report or an investigative report which contains recommendations, absent a reconsideration request, the facility or agency shall file a written response that addresses, in a concise and reasoned manner, the actions taken to: (i) protect the individual; (ii) prevent recurrences; and (iii) eliminate the problems identified. The response shall include the implementation and completion dates of such actions. If the written response is not filed within the allotted 30 calendar day period, the Secretary shall determine the appropriate corrective action to be taken.

(2) Reconsideration requests. The facility, agency, victim or guardian, or the subject employee may request that the Office of Inspector General reconsider or clarify its finding based upon additional information.

New matter indicated by italics - deletions by strikeout
(o) Disclosure of the finding by the Inspector General. The Inspector General shall disclose the finding of an investigation to the following persons: (i) the Governor, (ii) the Secretary, (iii) the director of the facility or agency, (iv) the alleged victims and their guardians, (v) the complainant, and (vi) the accused. This information shall include whether the allegations were deemed substantiated, unsubstantiated, or unfounded.

(p) Secretary review. Upon review of the Inspector General's investigative report and any agency's or facility's written response, the Secretary shall accept or reject the written response and notify the Inspector General of that determination. The Secretary may further direct that other administrative action be taken, including, but not limited to, any one or more of the following: (i) additional site visits, (ii) training, (iii) provision of technical assistance relative to administrative needs, licensure or certification, or (iv) the imposition of appropriate sanctions.

(q) Action by facility or agency. Within 30 days of the date the Secretary approves the written response or directs that further administrative action be taken, the facility or agency shall provide an implementation report to the Inspector General that provides the status of the action taken. The facility or agency shall be allowed an additional 30 days to send notice of completion of the action or to send an updated implementation report. If the action has not been completed within the additional 30 day period, the facility or agency shall send updated implementation reports every 60 days until completion. The Inspector General shall conduct a review of any implementation plan that takes more than 120 days after approval to complete, and shall monitor compliance through a random review of approved written responses, which may include, but are not limited to: (i) site visits, (ii) telephone contact, and (iii) requests for additional documentation evidencing compliance.

(r) Sanctions. Sanctions, if imposed by the Secretary under Subdivision (p)(iv) of this Section, shall be designed to prevent further acts of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation or some combination of one or more of those acts at a facility or agency, and may include any one or more of the following:

(1) Appointment of on-site monitors.
(2) Transfer or relocation of an individual or individuals.
(3) Closure of units.
(4) Termination of any one or more of the following:
   (i) Department licensing, (ii) funding, or (iii) certification.

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The Inspector General may seek the assistance of the Illinois Attorney General or the office of any State's Attorney in implementing sanctions.

(s) Health care worker registry.

(1) Reporting to the registry. The Inspector General shall report to the Department of Public Health's health care worker registry, a public registry, the identity and finding of each employee of a facility or agency against whom there is a final investigative report containing a substantiated allegation of physical or sexual abuse, financial exploitation, or egregious neglect of an individual.

(2) Notice to employee. Prior to reporting the name of an employee, the employee shall be notified of the Department's obligation to report and shall be granted an opportunity to request an administrative hearing, the sole purpose of which is to determine if the substantiated finding warrants reporting to the registry. Notice to the employee shall contain a clear and concise statement of the grounds on which the report to the registry is based, offer the employee an opportunity for a hearing, and identify the process for requesting such a hearing. Notice is sufficient if provided by certified mail to the employee's last known address. If the employee fails to request a hearing within 30 days from the date of the notice, the Inspector General shall report the name of the employee to the registry. Nothing in this subdivision (s)(2) shall diminish or impair the rights of a person who is a member of a collective bargaining unit under the Illinois Public Labor Relations Act or under any other federal labor statute.

(3) Registry hearings. If the employee requests an administrative hearing, the employee shall be granted an opportunity to appear before an administrative law judge to present reasons why the employee's name should not be reported to the registry. The Department shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that the substantiated finding warrants reporting to the registry. After considering all the evidence presented, the administrative law judge shall make a recommendation to the Secretary as to whether the substantiated finding warrants reporting the name of the employee to the registry. The Secretary shall render the final decision. The Department and the employee shall have the right to request that the administrative law judge consider a stipulated disposition of these proceedings.

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(4) Testimony at registry hearings. A person who makes a report or who investigates a report under this Act shall testify fully in any judicial proceeding resulting from such a report, as to any evidence of abuse or neglect, or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged perpetrator of abuse or neglect, or the individual alleged as the victim in the report, and the person making or investigating the report. Testimony at hearings is exempt from the confidentiality requirements of subsection (f) of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act.

(5) Employee's rights to collateral action. No reporting to the registry shall occur and no hearing shall be set or proceed if an employee notifies the Inspector General in writing, including any supporting documentation, that he or she is formally contesting an adverse employment action resulting from a substantiated finding by complaint filed with the Illinois Civil Service Commission, or which otherwise seeks to enforce the employee's rights pursuant to any applicable collective bargaining agreement. If an action taken by an employer against an employee as a result of a finding of physical abuse, sexual abuse, or egregious neglect is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement and if that employee's name has already been sent to the registry, the employee's name shall be removed from the registry.

(6) Removal from registry. At any time after the report to the registry, but no more than once in any 12-month period, an employee may petition the Department in writing to remove his or her name from the registry. Upon receiving notice of such request, the Inspector General shall conduct an investigation into the petition. Upon receipt of such request, an administrative hearing will be set by the Department. At the hearing, the employee shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that removal of the name from the registry is in the public interest. The parties may jointly request that the administrative law judge consider a stipulated disposition of these proceedings.

(t) Review of Administrative Decisions. The Department shall preserve a record of all proceedings at any formal hearing conducted by the Department involving health care worker registry hearings. Final
administrative decisions of the Department are subject to judicial review pursuant to provisions of the Administrative Review Law.

(u) Quality Care Board. There is created, within the Office of the Inspector General, a Quality Care Board to be composed of 7 members appointed by the Governor with the advice and consent of the Senate. One of the members shall be designated as chairman by the Governor. Of the initial appointments made by the Governor, 4 Board members shall each be appointed for a term of 4 years and 3 members shall each be appointed for a term of 2 years. Upon the expiration of each member's term, a successor shall be appointed for a term of 4 years. In the case of a vacancy in the office of any member, the Governor shall appoint a successor for the remainder of the unexpired term.

Members appointed by the Governor shall be qualified by professional knowledge or experience in the area of law, investigatory techniques, or in the area of care of the mentally ill or developmentally disabled. Two members appointed by the Governor shall be persons with a disability or a parent of a person with a disability. Members shall serve without compensation, but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

The Board shall meet quarterly, and may hold other meetings on the call of the chairman. Four members shall constitute a quorum allowing the Board to conduct its business. The Board may adopt rules and regulations it deems necessary to govern its own procedures.

The Board shall monitor and oversee the operations, policies, and procedures of the Inspector General to ensure the prompt and thorough investigation of allegations of neglect and abuse. In fulfilling these responsibilities, the Board may do the following:

(1) Provide independent, expert consultation to the Inspector General on policies and protocols for investigations of alleged abuse, neglect, or both abuse and neglect.
(2) Review existing regulations relating to the operation of facilities.
(3) Advise the Inspector General as to the content of training activities authorized under this Section.
(4) Recommend policies concerning methods for improving the intergovernmental relationships between the Office of the Inspector General and other State or federal offices.

(v) Annual report. The Inspector General shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary
of reports and investigations made under this Act for the prior fiscal year with respect to individuals receiving mental health or developmental disabilities services. The report shall detail the imposition of sanctions, if any, and the final disposition of any corrective or administrative action directed by the Secretary. The summaries shall not contain any confidential or identifying information of any individual, but shall include objective data identifying any trends in the number of reported allegations, the timeliness of the Office of the Inspector General's investigations, and their disposition, for each facility and Department-wide, for the most recent 3-year time period. The report shall also identify, by facility, the staff-to-patient ratios taking account of direct care staff only. The report shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

(w) Program audit. The Auditor General shall conduct a program audit of the Office of the Inspector General on an as-needed basis, as determined by the Auditor General. The audit shall specifically include the Inspector General's compliance with the Act and effectiveness in investigating reports of allegations occurring in any facility or agency. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its findings to the General Assembly no later than January 1 following the audit period.

(x) Nothing in this Section shall be construed to mean that a patient is a victim of abuse or neglect because of health care services appropriately provided or not provided by health care professionals.

(y) Nothing in this Section shall require a facility, including its employees, agents, medical staff members, and health care professionals, to provide a service to a patient in contravention of that patient's stated or implied objection to the provision of that service on the ground that that service conflicts with the patient's religious beliefs or practices, nor shall the failure to provide a service to a patient be considered abuse under this Section if the patient has objected to the provision of that service based on his or her religious beliefs or practices.

(Source: P.A. 98-49, eff. 7-1-13.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Illinois Pension Code is amended by changing Section 7-109 as follows:
(40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)
(Text of Section before amendment by P.A. 98-599)
Sec. 7-109. Employee.
(1) "Employee" means any person who:
   (a) 1. Receives earnings as payment for the performance of personal services or official duties out of the general fund of a municipality, or out of any special fund or funds controlled by a municipality, or by an instrumentality thereof, or a participating instrumentality, including, in counties, the fees or earnings of any county fee office; and
       2. Under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee with a municipality, or any instrumentality thereof, or a participating instrumentality, including, in counties, the several county fee offices.
   (b) Serves as a township treasurer appointed under the School Code, as heretofore or hereafter amended, and who receives for such services regular compensation as distinguished from per diem compensation, and any regular employee in the office of any township treasurer whether or not his earnings are paid from the income of the permanent township fund or from funds subject to distribution to the several school districts and parts of school districts as provided in the School Code, or from both such sources; or is the chief executive officer, chief educational officer, chief fiscal officer, or other employee of a Financial Oversight Panel established pursuant to Article 1H of the School Code, other than a superintendent or certified school business official, except that such person shall not be

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treated as an employee under this Section if that person has negotiated with the Financial Oversight Panel, in conjunction with the school district, a contractual agreement for exclusion from this Section.

(c) Holds an elective office in a municipality, instrumentality thereof or participating instrumentality.

(2) "Employee" does not include persons who:

(a) Are eligible for inclusion under any of the following laws:


  2. Articles 15 and 16 of this Code.

However, such persons shall be included as employees to the extent of earnings that are not eligible for inclusion under the foregoing laws for services not of an instructional nature of any kind.

However, any member of the armed forces who is employed as a teacher of subjects in the Reserve Officers Training Corps of any school and who is not certified under the law governing the certification of teachers shall be included as an employee.

(b) Are designated by the governing body of a municipality in which a pension fund is required by law to be established for policemen or firemen, respectively, as performing police or fire protection duties, except that when such persons are the heads of the police or fire department and are not eligible to be included within any such pension fund, they shall be included within this Article; provided, that such persons shall not be excluded to the extent of concurrent service and earnings not designated as being for police or fire protection duties. However, (i) any head of a police department who was a participant under this Article immediately before October 1, 1977 and did not elect, under Section 3-109 of this Act, to participate in a police pension fund shall be an "employee", and (ii) any chief of police who elects to participate in this Fund under Section 3-109.1 of this Code, regardless of whether such person continues to be employed as chief of police or is employed in some other rank or capacity within the police department, shall be an employee under this Article for so long as such person is employed to perform police duties by a participating municipality and has not lawfully rescinded that election.

(c) After August 26, 2011 (the effective date of Public Act 97-609), are contributors to or eligible to contribute to a Taft-Hartley...
pension plan established on or before June 1, 2011 and are employees of a theatre, arena, or convention center that is located in a municipality located in a county with a population greater than 5,000,000, and to which the participating municipality is required to contribute as the person's employer based on earnings from the municipality. Nothing in this paragraph shall affect service credit or creditable service for any period of service prior to the effective date of this amendatory Act of the 98th General Assembly August 26, 2011, and this paragraph shall not apply to individuals who are participating in the Fund prior to the effective date of this amendatory Act of the 98th General Assembly August 26, 2011.

(3) All persons, including, without limitation, public defenders and probation officers, who receive earnings from general or special funds of a county for performance of personal services or official duties within the territorial limits of the county, are employees of the county (unless excluded by subsection (2) of this Section) notwithstanding that they may be appointed by and are subject to the direction of a person or persons other than a county board or a county officer. It is hereby established that an employer-employee relationship under the usual common law rules exists between such employees and the county paying their salaries by reason of the fact that the county boards fix their rates of compensation, appropriate funds for payment of their earnings and otherwise exercise control over them. This finding and this amendatory Act shall apply to all such employees from the date of appointment whether such date is prior to or after the effective date of this amendatory Act and is intended to clarify existing law pertaining to their status as participating employees in the Fund.

(Source: P.A. 97-429, eff. 8-16-11; 97-609, eff. 8-26-11; 97-813, eff. 7-13-12.)

(Text of Section after amendment by P.A. 98-599)
Sec. 7-109. Employee.
(1) "Employee" means any person who:
    (a) 1. Receives earnings as payment for the performance of personal services or official duties out of the general fund of a municipality, or out of any special fund or funds controlled by a municipality, or by an instrumentality thereof, or a participating instrumentality, including, in counties, the fees or earnings of any county fee office; and
    2. Under the usual common law rules applicable in determining the employer-employee relationship, has the

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status of an employee with a municipality, or any instrumentality thereof, or a participating instrumentality, including aldermen, county supervisors and other persons (excepting those employed as independent contractors) who are paid compensation, fees, allowances or other emolument for official duties, and, in counties, the several county fee offices.

(b) Serves as a township treasurer appointed under the School Code, as heretofore or hereafter amended, and who receives for such services regular compensation as distinguished from per diem compensation, and any regular employee in the office of any township treasurer whether or not his earnings are paid from the income of the permanent township fund or from funds subject to distribution to the several school districts and parts of school districts as provided in the School Code, or from both such sources; or is the chief executive officer, chief educational officer, chief fiscal officer, or other employee of a Financial Oversight Panel established pursuant to Article 1H of the School Code, other than a superintendent or certified school business official, except that such person shall not be treated as an employee under this Section if that person has negotiated with the Financial Oversight Panel, in conjunction with the school district, a contractual agreement for exclusion from this Section.

(c) Holds an elective office in a municipality, instrumentality thereof or participating instrumentality.

(2) "Employee" does not include persons who:

(a) Are eligible for inclusion under any of the following laws:
    2. Articles 15 and 16 of this Code.

However, such persons shall be included as employees to the extent of earnings that are not eligible for inclusion under the foregoing laws for services not of an instructional nature of any kind.

However, any member of the armed forces who is employed as a teacher of subjects in the Reserve Officers Training Corps of any school and who is not certified under the law governing the certification of teachers shall be included as an employee.

(b) Are designated by the governing body of a municipality in which a pension fund is required by law to be established for
policemen or firemen, respectively, as performing police or fire protection duties, except that when such persons are the heads of the police or fire department and are not eligible to be included within any such pension fund, they shall be included within this Article; provided, that such persons shall not be excluded to the extent of concurrent service and earnings not designated as being for police or fire protection duties. However, (i) any head of a police department who was a participant under this Article immediately before October 1, 1977 and did not elect, under Section 3-109 of this Act, to participate in a police pension fund shall be an "employee", and (ii) any chief of police who elects to participate in this Fund under Section 3-109.1 of this Code, regardless of whether such person continues to be employed as chief of police or is employed in some other rank or capacity within the police department, shall be an employee under this Article for so long as such person is employed to perform police duties by a participating municipality and has not lawfully rescinded that election.

(c) Are contributors to or eligible to contribute to a Taft-Hartley pension plan established on or before June 1, 2011 and are employees of a theatre, arena, or convention center that is located in a municipality located in a county with a population greater than 5,000,000, and to which the participating municipality is required to contribute as the person's employer based on earnings from the municipality. Nothing in this paragraph shall affect service credit or creditable service for any period of service prior to the effective date of this amendatory Act of the 98th General Assembly August 26, 2011, and this paragraph shall not apply to individuals who are participating in the Fund prior to the effective date of this amendatory Act of the 98th General Assembly August 26, 2011.

(d) Become an employee of any of the following participating instrumentalities on or after the effective date of this amendatory Act of the 98th General Assembly: the Illinois Municipal League; the Illinois Association of Park Districts; the Illinois Supervisors, County Commissioners and Superintendents of Highways Association; an association, or not-for-profit corporation, membership in which is authorized under Section 85-15 of the Township Code; the United Counties Council; or the Will County Governmental League.

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(3) All persons, including, without limitation, public defenders and probation officers, who receive earnings from general or special funds of a county for performance of personal services or official duties within the territorial limits of the county, are employees of the county (unless excluded by subsection (2) of this Section) notwithstanding that they may be appointed by and are subject to the direction of a person or persons other than a county board or a county officer. It is hereby established that an employer-employee relationship under the usual common law rules exists between such employees and the county paying their salaries by reason of the fact that the county boards fix their rates of compensation, appropriate funds for payment of their earnings and otherwise exercise control over them. This finding and this amendatory Act shall apply to all such employees from the date of appointment whether such date is prior to or after the effective date of this amendatory Act and is intended to clarify existing law pertaining to their status as participating employees in the Fund.

(Source: P.A. 97-429, eff. 8-16-11; 97-609, eff. 8-26-11; 97-813, eff. 7-13-12; 98-599, eff. 6-1-14.)

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

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0713
(House Bill No. 3963)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Professional Engineering Practice Act of 1989 is amended by changing Sections 10 and 11 as follows:

(225 ILCS 325/10) (from Ch. 111, par. 5210)
(Section scheduled to be repealed on January 1, 2020)
Sec. 10. Minimum standards for licensure as professional engineer. To qualify for licensure as a professional engineer each applicant shall be:

New matter indicated by italics - deletions by strikeout
(a) A graduate of an approved engineering curriculum of at least 4 years who submits acceptable evidence to the Board of an additional 4 years or more of experience in engineering work of a grade and character which indicate that the individual may be competent to practice professional engineering, and who has passed an nominal 8-hour written examination in the fundamentals of engineering as defined by rule; and an nominal 8-hour written examination in the principles and practice of engineering as defined by rule. Upon submitting an application with proof of passing both examinations, the applicant, if otherwise qualified, shall be granted a license to practice professional engineering in this State; or

(b) A graduate of a non-approved engineering curriculum or a related science curriculum of at least 4 years and which meets the requirements as set forth by rule by submitting an application to the Department for its review and approval, who submits acceptable evidence to the Board of an additional 8 years or more of experience in engineering work of a grade and character which indicate that the individual may be competent to practice professional engineering, and who has passed an nominal 8-hour written examination in the fundamentals of engineering as defined by rule and an nominal 8-hour written examination in the principles and practice of engineering as defined by rule. Upon submitting the application with proof of passing both examinations, the applicant, if otherwise qualified, shall be granted a license to practice professional engineering in this State; or

(c) An Illinois engineer intern, by application and payment of the required fee, may then take an nominal 8-hour written examination in the principles and practice of engineering as defined by rule. If the applicant passes that examination and submits evidence to the Board that meets the experience qualification of subsection (a) or (b) of this Section, the applicant, if otherwise qualified, shall be granted a license to practice professional engineering in this State.

When considering an applicant's qualifications for licensure under this Act, the Department may take into consideration whether an applicant has engaged in conduct or actions that would constitute a violation of the Standards of Professional Conduct for this Act as provided for by administrative rules.

(Source: P.A. 96-626, eff. 8-24-09; 96-850, eff. 6-1-10; 97-333, eff. 8-12-11.)
(225 ILCS 325/11) (from Ch. 111, par. 5211)

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(Section scheduled to be repealed on January 1, 2020)

Sec. 11. Minimum standards for examination for enrollment as engineer intern. Each of the following is considered a minimum standard that an applicant must satisfy to qualify for enrollment as an engineer intern.

(a) A graduate of an approved engineering curriculum of at least 4 years, who has passed an a nominal 8-hour written examination in the fundamentals of engineering as defined by rule, shall be enrolled as an engineer intern, if the applicant is otherwise qualified; or

(b) An applicant in the last year of an approved engineering curriculum who passes an a nominal 8-hour written examination in the fundamentals of engineering as defined by rule and furnishes proof that the applicant graduated within a 12 month period following the examination shall be enrolled as an engineer intern, if the applicant is otherwise qualified; or

(c) A graduate of a non-approved engineering curriculum or a related science curriculum of at least 4 years and which meets the requirements as set forth by rule by submitting an application to the Department for its review and approval, who submits acceptable evidence to the Board of an additional 4 years or more of progressive experience in engineering work, and who has passed an a nominal 8-hour written examination in the fundamentals of engineering as defined by rule shall be enrolled as an engineer intern, if the applicant is otherwise qualified.

(Source: P.A. 96-626, eff. 8-24-09; 96-850, eff. 6-1-10.)

Section 10. The Illinois Professional Land Surveyor Act of 1989 is amended by changing Section 11 as follows:

(225 ILCS 330/11) (from Ch. 111, par. 3261)

(Section scheduled to be repealed on January 1, 2020)

Sec. 11. Examination; Failure or refusal to take. The Department shall authorize examinations, as recommended and approved by the Board, for licensure as Land Surveyors-in-Training and Professional Land Surveyors at such times and places as it may determine.

The examination of an applicant for licensure as a Land Surveyor-in-Training or a Professional Land Surveyor may include examinations written tests as defined by rule. The substance and form of the examination shall be as recommended and approved by the Board. Each applicant shall be examined as to his knowledge of the statutes of the United States of America and the State of Illinois relating to the practice of land surveying and mathematics as applied to land surveying.

All applicants for licensing as a Professional Land Surveyor shall be required to pass, as a portion of the examination, a jurisdictional examination

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to determine the applicant's knowledge of the surveying tasks unique to the State of Illinois, and the laws relating thereto.

Applicants for any examination shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee. If an applicant neglects, fails, or refuses to take an examination for registration under this Act within 3 years after filing his application, the application fee shall be forfeited to the Department and the application denied. However, the applicant may thereafter make a new application for examination, accompanied by the required fee.

(Source: P.A. 86-987.)

Section 15. The Structural Engineering Practice Act of 1989 is amended by changing Section 11 as follows:

(225 ILCS 340/11) (from Ch. 111, par. 6611)
(Section scheduled to be repealed on January 1, 2020)

Sec. 11. A person is qualified for enrollment as a structural engineer intern or licensure as a structural engineer if that person has applied in writing in form and substance satisfactory to the Department and:

(a) The applicant is of good moral character. In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or actions that would constitute grounds for discipline under this Act.

(a-5) The applicant, if a structural engineer intern applicant, has met the minimum standards for enrollment as a structural engineer intern, which are as follows:

1. is a graduate of an approved structural engineering curriculum of at least 4 years meeting the requirements as set forth by rule and passes a nominal 8-hour written examination as defined by rule in the fundamentals of engineering; or

2. is a graduate of a related science curriculum of at least 4 years meeting the requirements as set forth by rule and passes a nominal 8-hour written examination as defined by rule in the fundamentals of engineering.

(b) The applicant, if a structural engineer applicant, has met the minimum standards for licensure as a structural engineer, which are as follows:

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(1) is a graduate of an approved structural engineering curriculum of at least 4 years meeting the requirements as set forth by rule and submits evidence acceptable to the Department of an additional 4 years or more of experience in structural engineering work of a grade and character which indicates that the individual may be competent to practice structural engineering as set forth by rule; or

(2) is a graduate of an approved related science curriculum of at least 4 years meeting the requirements as set forth by rule who submits evidence acceptable to the Department of an additional 8 years or more of progressive experience in structural engineering work of a grade and character which indicates that the individual may be competent to practice structural engineering as set forth by rule.

(c) The applicant, if a structural engineer applicant, has passed an examination authorized by the Department as determined by rule to determine his or her fitness to receive a license as a structural engineer.

(Source: P.A. 96-610, eff. 8-24-09.)

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

Passed in the General Assembly May 29, 2014.

Approved July 16, 2014.

Effective July 16, 2014.

PUBLIC ACT 98-0714

(House Bill No. 4227)

AN ACT concerning safety.

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

Section 5. The Electronic Products Recycling and Reuse Act is amended by changing Sections 20, 30, and 55 as follows:

(415 ILCS 150/20)

Sec. 20. Agency responsibilities.

(a) The Agency has the authority to monitor compliance with this Act, enforce violations of the Act by administrative citation, and refer violations of this Act to the Attorney General.

(b) No later than October 1 of each program year, the Agency shall post on its website a list of underserved counties in the State for the next program year. The list of underserved counties for program years 2010 and 2011 is set forth in subsection (a) of Section 60.

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(c) From July 1, 2009 until December 31, 2015, the Agency shall implement a county and municipal government education campaign to inform those entities about this Act and the implications on solid waste collection in their localities.

(c-5) No later than February 1, 2012 and every February 1 thereafter, the Agency shall use a portion of the manufacturer, recycler, and refurbisher registration fees to provide a $2,000 grant to the recycling coordinator in each county of the State in order to inform residents in each county about this Act and opportunities to recycle CEDs and EEDs. The recycling coordinator shall expend the $2,000 grant before December 31 of the program year in which the grant is received. The recycling coordinator shall maintain records that document the use of the grant funds.

(c-10) By June 15, 2012 and by December 15, 2012, and by every June 15 and December 15 thereafter through December 15, 2015, the Agency shall meet with associations that represent Illinois retail merchants twice each year to discuss compliance with Section 40.

(c-15) By December 15, 2012 and each December 15 thereafter, the Agency shall post on its website: (i) the mailing address of each collection site at which collectors collected CEDs and EEDs during the program year and (ii) the amount in pounds of total CEDs and total EEDs each CED collected at the collection site during the program year.

(d) By July 1, 2011 for the first program year, and by May 15 for all subsequent program years, the Agency shall report to the Governor and to the General Assembly annually on the previous program year's performance. The report must be posted on the Agency's website. The report must include, but not be limited to, the following:

(1) the total overall weight of CEDs, as well as the sub-total weight of computers, the sub-total weight of computer monitors, the sub-total weight of printers, the sub-total weight of televisions, and the total weight of EEDs that were recycled or processed for reuse in the State during the program year, as reported by manufacturers and collectors under Sections 30 and 55;

(2) a listing of all collection sites, as set forth under subsection (a) of Section 55, and the addresses of those sites;

(3) a statement showing, for the preceding program year, (i) the total weight of CEDs and EEDs collected, recycled, and processed for reuse by the manufacturers pursuant to Section 30, (ii) the total weight of CEDs processed for reuse by the manufacturers, and (iii) the total weight of CEDs collected by the collectors;

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(4) a listing of all entities or persons to whom the Agency issued an administrative citation or with respect to which the Agency made a referral for enforcement to the Attorney General's Office as a result of a violation of this Act;

(5) a discussion of the Agency's education and outreach activities as set forth in subsection (c) of this Section; and

(6) a discussion of the penalties, if any, incurred by manufacturers for failure to achieve recycling goals, and a recommendation to the General Assembly of any necessary or appropriate changes to the manufacturers' recycling goals or penalty provisions included in this Act.

(e) The Agency shall post on its website: (1) a list of manufacturers that have paid the current year's registration fee as set forth in subsection (b) of Section 30; (2) a list of manufacturers that failed to pay the current year's registration fee as set forth in subsection (b) of Section 30; and (3) a list of registered collectors, the addresses of their collection sites, their business telephone numbers, and a link to their websites.

(f) In program years 2012, 2013, and 2014, and at its discretion thereafter, the Agency shall convene and host an Electronic Products Recycling Conference. The Agency may host the conferences alone or with other public entities or with organizations associated with electronic products recycling.

(g) No later than October 1 of each program year, the Agency must post on its website the following information for the next program year: (i) the individual recycling and reuse goals for each manufacturer, as set forth in subsections (c) and (c-5) of Section 15, as applicable, and (ii) the total statewide recycling goal, determined by adding each individual manufacturer's annual goal.

(h) By April 1, 2011, and by April 1 of all subsequent years, the Agency shall award those manufacturers that have met or exceeded their recycling or reuse goals for the previous program year with an Electronic Industry Recycling Award. The award shall acknowledge that the manufacturer has met or exceeded its recycling goals and shall be posted on the Agency website and in other media as appropriate.

(i) By March 1, 2011, and by March 1 of each subsequent year, the Agency shall post on its website a list of registered manufacturers that have not met their annual recycling and reuse goal for the previous program year.
(j) By July 1, 2015, the Agency shall solicit written comments regarding all aspects of the program codified in this Act, for the purpose of determining if the program requires any modifications.

(1) Issues to be reviewed by the Agency are, but not limited to, the following:

   (A) Sufficiency of the annual statewide recycling goals.

   (B) Fairness of the formulas used to determine individual manufacturer goals.

   (C) Adequacy of, or the need for, continuation of the credits outlined in Section 30(d)(1) through (3).

   (D) Any temporary rescissions of county landfill bans granted by the Illinois Pollution Control Board pursuant to Section 95(e).

   (E) Adequacy of, or the need for, the penalties listed in Section 80 of this Act, which are scheduled to take effect on January 1, 2013.

   (F) Adequacy of the collection systems that have been implemented as a result of this Act, with a particular focus on promoting the most cost-effective and convenient collection system possible for Illinois residents.

(2) By July 1, 2015, the Agency shall complete its review of the written comments received, as well as its own reports on the preceding program years. By August 1, 2015, the Agency shall hold a public hearing to present its findings and solicit additional comments. All additional comments shall be submitted to the Agency in writing no later than October 1, 2015.

(3) The Agency's final report, which shall be issued no later than February 1, 2016, shall be submitted to the Governor and the General Assembly and shall include specific recommendations for any necessary or appropriate modifications to the program.

(k) Any violation of this Act shall be enforceable by administrative citation. Whenever the Agency personnel or county personnel to whom the Agency has delegated the authority to monitor compliance with this Act shall, on the basis of direct observation, determine that any person has violated any provision of this Act, the Agency or county personnel may issue and serve, within 60 days after the observed violation, an administrative citation upon that person or the entity employing that person. Each citation shall be served

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upon the person named or the person's authorized agent for service of process
and shall include the following:
(1) a statement specifying the provisions of this Act that the
person or the entity employing the person has violated;
(2) a copy of the inspection report in which the Agency or
local government recorded the violation and the date and time of the
inspection;
(3) the penalty imposed under Section 80; and
(4) an affidavit by the personnel observing the violation,
attesting to their material actions and observations.
(l) If the person named in the administrative citation fails to petition
the Illinois Pollution Control Board for review within 35 days after the date
of service, the Board shall adopt a final order, which shall include the
administrative citation and findings of violation as alleged in the citation and
shall impose the penalty specified in Section 80.
(m) If a petition for review is filed with the Board to contest an
administrative citation issued under this Section, the Agency or unit of local
government shall appear as a complainant at a hearing before the Board to be
conducted pursuant to subsection (n) of this Section at a time not less than 21
days after notice of the hearing has been sent by the Board to the Agency or
unit of local government and the person named in the citation. In those
hearings, the burden of proof shall be on the Agency or unit of local
government. If, based on the record, the Board finds that the alleged violation
occurred, it shall adopt a final order, which shall include the administrative
citation and findings of violation as alleged in the citation, and shall impose
the penalty specified in Section 80 of this Act. However, if the Board finds
that the person appealing the citation has shown that the violation resulted
from uncontrollable circumstances, the Board shall adopt a final order that
makes no finding of violation and imposes no penalty.
(n) All hearings under this Act shall be held before a qualified hearing
officer, who may be attended by one or more members of the Board,
designated by the Chairman. All of these hearings shall be open to the public,
and any person may submit written statements to the Board in connection
with the subject of these hearings. In addition, the Board may permit any
person to offer oral testimony. Any party to a hearing under this subsection
may be represented by counsel, make oral or written argument, offer
testimony, cross-examine witnesses, or take any combination of those
actions. All testimony taken before the Board shall be recorded
stenographically. The transcript so recorded and any additional matter

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accepted for the record shall be open to public inspection, and copies of those materials shall be made available to any person upon payment of the actual cost of reproducing the original.

(o) Counties that have entered into a delegation agreement with the Agency pursuant to subsection (r) of Section 4 of the Illinois Environmental Protection Act for the purpose of conducting inspection, investigation, or enforcement-related functions may conduct inspections for noncompliance with this Act.

(Source: P.A. 96-328, eff. 8-11-09; 97-287, eff. 8-10-11.)

(415 ILCS 150/30)

Sec. 30. Manufacturer responsibilities.

(a) Prior to April 1, 2009 for the first program year, and by October 1 for program year 2011 and each program year thereafter, manufacturers who sell computers, computer monitors, printers, televisions, electronic keyboards, facsimile machines, videocassette recorders, portable digital music players, digital video disc players, video game consoles, electronic mice, scanners, digital converter boxes, cable receivers, satellite receivers, digital video disc recorders, or small-scale servers in this State must register with the Agency. The registration must be submitted in the form and manner required by the Agency. The registration must include, without limitation, all of the following:

(1) a list of all of the manufacturer's brands of computers, computer monitors, printers, televisions, electronic keyboards, facsimile machines, videocassette recorders, portable digital music players, digital video disc players, video game consoles, electronic mice, scanners, digital converter boxes, cable receivers, satellite receivers, digital video disc recorders, and small-scale servers to be offered for sale in the next program year;

(2) (blank); and

(3) a statement disclosing whether any of the manufacturer's computers, computer monitors, printers, televisions, electronic keyboards, facsimile machines, videocassette recorders, portable digital music players, digital video disc players, video game consoles, electronic mice, scanners, digital converter boxes, cable receivers, satellite receivers, digital video disc recorders, or small-scale servers sold in this State exceed the maximum concentration values established for lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (PBBs), and polybrominated diphenyl ethers (PBDEEs) under the RoHS (restricting the use of certain

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If, during the program year, any of the manufacturer's aforementioned electronic devices are sold or offered for sale in Illinois under a new brand that is not listed in the manufacturer's registration, then, within 30 days after the first sale or offer for sale under the new brand, the manufacturer must amend its registration to add the new brand.

(b) Prior to July 1, 2009 for the first program year, and by the November 1 preceding program years 2011 and later, all manufacturers whose computers, computer monitors, printers, televisions, electronic keyboards, facsimile machines, videocassette recorders, portable digital music players, digital video disc players, video game consoles, electronic mice, scanners, digital converter boxes, cable receivers, satellite receivers, digital video disc recorders, or small-scale servers are offered for sale in the State shall submit to the Agency, at an address prescribed by the Agency, the registration fee for the next program year. The registration fee for program year 2010 is $5,000. The registration fee for program year 2011 is $5,000, increased by the applicable inflation factor as described below. In program year 2012, if, in program year 2011, a manufacturer sold 250 or fewer of the aforementioned electronic devices in the State, then the registration fee for that manufacturer is $1,250. In each program year after 2012, if, in the preceding program year, a manufacturer sold 250 or fewer of the aforementioned electronic devices in the State, then the registration fee is the fee that applied in the previous year to manufacturers that sold that number of the aforementioned electronic devices, increased by the applicable inflation factor as described below. In program year 2012, if, in the preceding program year a manufacturer sold 251 or more of the aforementioned electronic devices in the State, then the registration fee for that manufacturer is $5,000. In each program year after 2012, if, in the preceding program year, a manufacturer sold 251 or more of the aforementioned electronic devices in the State, then the registration fee is the fee that applied in the previous year to manufacturers that sold that number of the aforementioned electronic devices, increased by the applicable inflation factor as described below. For program year 2011, program year 2013, and each program year thereafter, the applicable registration fee is increased each year by an inflation factor determined by the annual Implicit Price Deflator for Gross National Product, as published by the U.S. Department of Commerce in its Survey of Current
Business. The inflation factor must be calculated each year by dividing the latest published annual Implicit Price Deflator for Gross National Product by the annual Implicit Price Deflator for Gross National Product for the previous year. The inflation factor must be rounded to the nearest 1/100th, and the resulting registration fee must be rounded to the nearest whole dollar. No later than October 1 of each program year, the Agency shall post on its website the registration fee for the next program year.

(c) A manufacturer whose computers, computer monitors, printers, televisions, electronic keyboards, facsimile machines, videocassette recorders, portable digital music players, digital video disc players, video game consoles, electronic mice, scanners, digital converter boxes, cable receivers, satellite receivers, digital video disc recorders, or small-scale servers are sold or offered for sale in this State on or after January 1 of a program year must register with the Agency within 30 days after the first sale or offer for sale in accordance with subsection (a) of this Section and submit the registration fee required under subsection (b) of this Section prior to the aforementioned electronic devices being sold or offered for sale.

(d) Each manufacturer shall recycle or process for reuse CEDs and EEDs whose total weight equals or exceeds the manufacturer's individual recycling and reuse goal set forth in Section 15 of this Act. Individual consumers shall not be charged a fee when bringing their CEDs and EEDs to collection locations, unless a financial incentive of equal or greater value, such as a coupon, is provided. Collectors may charge a fee for premium services such as curbside collection, home pick-up, or a similar method of collection.

When determining whether a manufacturer has met or exceeded its individual recycling and reuse goal set forth in Section 15 of this Act, all of the following adjustments must be made:

(1) The total weight of CEDs processed by the manufacturer, its recyclers, or its refurbishers for reuse is doubled.

(2) The total weight of CEDs is tripled if they are donated for reuse by the manufacturer to a primary or secondary public education institution the majority of whose students are considered low income or developmentally disabled or to low-income children or families or to assist the developmentally disabled in Illinois. This subsection applies only to CEDs for which the manufacturer has received a written confirmation that the recipient has accepted the donation. Copies of all written confirmations must be submitted in the annual report required under Section 30.
(3) The total weight of CEDs collected by manufacturers free of charge in underserved counties is doubled. This subsection applies only to CEDs that are documented by collectors as being collected or received free of charge in underserved counties. This documentation must include, without limitation, the date and location of collection or receipt, the weight of the CEDs collected or received, and an acknowledgement by the collector that the CEDs were collected or received free of charge. Copies of the documentation must be submitted in the annual report required under subsection (h), (i), (j), (k), or (l) of Section 30.

(4) If an entity (i) collects, recycles, or refurbishes CEDs for a manufacturer, (ii) qualifies for non-profit status under Section 501(c)(3) of the Internal Revenue Code of 1986, and (iii) at least 75% of its employees are developmentally disabled, then the total weight of CEDs will be tripled. A manufacturer that uses such a recycler or refurbisher shall submit documentation in the annual report required under Section 30 identifying the name, location, and length of service of the entity that qualifies for credit under this subsection.

(e) (Blank).

(f) Manufacturers shall ensure that only recyclers and refurbishers that have registered with the Agency are used to meet the individual recycling and reuse goals set forth in this Act.

(g) Manufacturers shall ensure that the recyclers and refurbishers used to meet the individual recycling and reuse goals set forth in this Act shall, at a minimum, comply with the standards set forth under subsection (d) of Section 50 of this Act. By November 1, 2011 and every November 1 thereafter, manufacturers shall submit a document, as prescribed by the Agency, listing each registered recycler and refurbisher that will be used to meet the manufacturer's annual CED recycling and reuse goal and certifying that those recyclers or refurbishers comply with the standards set forth in subsection (d) of Section 50.

(h) By September 1, 2012 and every September 1 thereafter, manufacturers of computers, computer monitors, printers, televisions, electronic keyboards, facsimile machines, videocassette recorders, portable digital music players, digital video disc players, video game consoles, electronic mice, scanners, digital converter boxes, cable receivers, satellite receivers, digital video disc recorders, or small-scale servers shall submit to the Agency, in the form and manner required by the Agency, a report that contains the total weight of the aforementioned electronic devices sold under

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each of the manufacturer's brands to individuals in this State as calculated under subsection (c) and (c-5) of Section 15, as applicable. Each manufacturer shall indicate on the report whether the total weight of the aforementioned electronic devices was derived from its own sales records or national sales data. If a manufacturer's weight for aforementioned electronic devices is derived from national sales data, the manufacturer shall indicate the source of the sales data.

(i) (Blank).
(j) (Blank).
(k) (Blank).

(l) On or before January 31, 2013 and on or before every January 31 thereafter, manufacturers of computers, computer monitors, printers, televisions, electronic keyboards, facsimile machines, videocassette recorders, portable digital music players, digital video disc players, video game consoles, electronic mice, scanners, digital converter boxes, cable receivers, satellite receivers, digital video disc recorders, and small-scale servers shall submit to the Agency, on forms and in a format prescribed by the Agency, a report that contains all of the following information for the previous program year:

(1) The total weight of computers, the total weight of computer monitors, the total weight of printers, *facsimile machines, and scanners*, the total weight of televisions, *the total weight of the remaining CEDs*, the total weight of electronic keyboards, the total weight of facsimile machines, the total weight of videocassette recorders, the total weight of portable digital music players, the total weight of digital video disc players, the total weight of video game consoles, the total weight of electronic mice, the total weight of scanners, the total weight of digital converter boxes, the total weight of cable receivers, the total weight of satellite receivers, the total weight of digital video disc recorders, the total weight of small-scale servers; and the total weight of EEDs recycled or processed for reuse.

(2) The identification of all weights that are adjusted under subsection (d) of this Section. For all weights adjusted under item (2) of subsection (d), the manufacturer must include copies of the written confirmation required under that subsection.

(3) A list of each recycler, refurbisher, and collector used by the manufacturer to fulfill the manufacturer's individual recycling and reuse goal set forth in subsections (c) and (c-5) of Section 15 of this Act.

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(4) A summary of the manufacturer's consumer education program required under subsection (m) of this Section.

(m) Manufacturers must develop and maintain a consumer education program that complements and corresponds to the primary retailer-driven campaign required under Section 40 of this Act. The education program shall promote the recycling of electronic products and proper end-of-life management of the products by consumers.

(n) Beginning January 1, 2012, no manufacturer may sell a computer, computer monitor, printer, television, electronic keyboard, facsimile machine, videocassette recorder, portable digital music player, digital video disc player, video game console, electronic mouse, scanner, digital converter box, cable receiver, satellite receiver, digital video disc recorder, or small-scale server in this State unless the manufacturer is registered with the State as required under this Act, has paid the required registration fee, and is otherwise in compliance with the provisions of this Act.

(o) Beginning January 1, 2012, no manufacturer may sell a computer, computer monitor, printer, television, electronic keyboard, facsimile machine, videocassette recorder, portable digital music player, digital video disc player, video game console, electronic mouse, scanner, digital converter box, cable receiver, satellite receiver, digital video disc recorder, or small-scale server in this State unless the manufacturer's brand name is permanently affixed to, and is readily visible on, the computer, computer monitor, printer, or television.

(Source: P.A. 96-1154, eff. 7-21-10; 97-287, eff. 8-10-11.)

(415 ILCS 150/55)

Sec. 55. Collector responsibilities.

(a) No later than January 1 of each program year, collectors that collect or receive CEDs or EEDs for one or more manufacturers, recyclers, or refurbishers shall register with the Agency. Registration must be in the form and manner required by the Agency and must include, without limitation, the address of each location where CEDs or EEDs are received and the identification of each location at which the collector accepts CEDs or EEDs from a residence.

(b) Manufacturers, recyclers, refurbishers also acting as collectors shall so indicate on their registration under Section 30 or 50 and not register separately as collectors.

(c) No later than August 15, 2010, collectors must submit to the Agency, on forms and in a format prescribed by the Agency, a report for the period from January 1, 2010 through June 30, 2010 that contains the

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(d) By January 31 of each program year, collectors must submit to the Agency, on forms and in a format prescribed by the Agency, a report that contains the following information for the previous program year:

(1) The total weight of computers, the total weight of computer monitors, the total weight of printers, the total weight of televisions, and the total weight of the remaining individual CEDs collected, and the total weight of EEDs collected or received for each manufacturer during the previous program year.

(2) A list of each recycler and refurbisher that received CEDs and EEDs from the collector and the total weight each recycler and refurbisher received.

(3) The address of each collector's facility where the CEDs and EEDs were collected or received. Each facility address must include the county in which the facility is located.

(e) Collectors may accept no more than 10 CEDs or EEDs at one time from individual members of the public and, when scheduling collection events, shall provide no fewer than 30 days' notice to the county waste agency of those events.

(f) No collector of CEDs and EEDs may recycle, or refurbish for reuse or resale, CEDs or EEDs to a third party unless the collector registers as a recycler or refurbisher pursuant to Section 50 and pays the registration fee pursuant to Section 50.

(Source: P.A. 96-1154, eff. 7-21-10; 97-287, eff. 8-10-11.)
Section 5. The Private Colleges and Universities Capital Distribution Formula Act is amended by adding Section 25-15 as follows:

(30 ILCS 769/25-15 new)

Sec. 25-15. Transfer of funds to another independent college.

(a) If an institution received a grant under this Article and subsequently fails to meet the definition of "independent college", the remaining funds shall be re-distributed as provided in Section 25-10, unless the campus or facilities for which the grant was given are operated by another institution that qualifies as an independent college under this Article.

(b) If the facilities of a former independent college are operated by another entity that qualifies as an independent college as provided in subsection (a) of this Section, then the entire balance of the grant provided under this Article remaining on the date the former independent college ceased operations, including any amount that had been withheld after the former independent college ceased operations, shall be transferred to the successor independent college for the purpose of operating those facilities for the duration of the grant.

(c) In the event that, on or before the effective date of this amendatory Act of the 98th General Assembly, the remaining funds have been re-allocated or re-distributed to other independent colleges, or the Illinois Board of Higher Education has planned for the remaining funds to be re-allocated or re-distributed to other independent colleges, before the 5-year period provided under this Act for the utilization of funds has ended, any funds so re-allocated or re-distributed shall be deducted from future allocations to those other independent colleges and re-allocated or re-distributed to the initial institution or the successor entity operating the facilities of the original institution if: (i) the institution that failed to meet the definition of "independent college" once again meets the definition of "independent college" before the 5-year period has expired; or (ii) the facility or facilities of the former independent college are operated by another entity that qualifies as an independent college before the 5-year period has expired.

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


Approved July 16, 2014.

Effective July 16, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 24-5 as follows:

(105 ILCS 5/24-5) (from Ch. 122, par. 24-5)

Sec. 24-5. Physical fitness and professional growth.

(a) In this Section, "employee" means any employee of a school district, a student teacher, an employee of a contractor that provides services to students or in schools, or any other individual subject to the requirements of Section 10-21.9 or 34-18.5 of this Code.

(b) School boards shall require of new employees evidence of physical fitness to perform duties assigned and freedom from communicable disease, including tuberculosis. Such evidence shall consist of a physical examination and a tuberculin skin test and, if appropriate, an x-ray, made by a physician licensed in Illinois or any other state to practice medicine and surgery in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician not more than 90 days preceding time of presentation to the board, and the cost of such examination shall rest with the employee. A new or existing employee may be subject to additional health examinations, including screening for tuberculosis, as required by rules adopted by the Department of Public Health or by order of a local public health official. The board may from time to time require an examination of any employee by a physician licensed in Illinois to practice medicine and surgery in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician and shall pay the expenses thereof from school funds.

(c) School boards may require teachers in their employ to furnish from time to time evidence of continued professional growth.

(Source: P.A. 94-350, eff. 7-28-05.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 3. The Rights of Crime Victims and Witnesses Act is amended by changing Section 8.5 as follows:

(725 ILCS 120/8.5)
Sec. 8.5. Statewide victim and witness notification system.
(a) The Attorney General may establish a crime victim and witness notification system to assist public officials in carrying out their duties to notify and inform crime victims and witnesses under Section 4.5 of this Act or under subsections (a), (a-2), and (a-3) of Section 120 of the Sex Offender Community Notification Law as the Attorney General specifies by rule. The system shall download necessary information from participating officials into its computers, where it shall be maintained, updated, and automatically transmitted to victims and witnesses by telephone, computer, or written notice.

(b) The Illinois Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Prisoner Review Board shall cooperate with the Attorney General in the implementation of this Section and shall provide information as necessary to the effective operation of the system.

(c) State's attorneys, circuit court clerks, and local law enforcement and correctional authorities may enter into agreements with the Attorney General for participation in the system. The Attorney General may provide those who elect to participate with the equipment, software, or training necessary to bring their offices into the system.

(d) The provision of information to crime victims and witnesses through the Attorney General's notification system satisfies a given State or local official's corresponding obligation to provide the information.

(e) The Attorney General may provide for telephonic, electronic, or other public access to the database established under this Section.

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(f) The Attorney General shall adopt rules as necessary to implement this Section. The rules shall include, but not be limited to, provisions for the scope and operation of any system the Attorney General may establish and procedures, requirements, and standards for entering into agreements to participate in the system and to receive equipment, software, or training.

(g) There is established in the Office of the Attorney General a Crime Victim and Witness Notification Advisory Committee consisting of those victims advocates, sheriffs, State's Attorneys, circuit court clerks, Illinois Department of Corrections, the Department of Juvenile Justice, and Prisoner Review Board employees that the Attorney General chooses to appoint. The Attorney General shall designate one member to chair the Committee.

(1) The Committee shall consult with and advise the Attorney General as to the exercise of the Attorney General's authority under this Section, including, but not limited to:

(i) the design, scope, and operation of the notification system;

(ii) the content of any rules adopted to implement this Section;

(iii) the procurement of hardware, software, and support for the system, including choice of supplier or operator; and

(iv) the acceptance of agreements with and the award of equipment, software, or training to officials that seek to participate in the system.

(2) The Committee shall review the status and operation of the system and report any findings and recommendations for changes to the Attorney General and the General Assembly by November 1 of each year.

(3) The members of the Committee shall receive no compensation for their services as members of the Committee, but may be reimbursed for their actual expenses incurred in serving on the Committee.

(h) The Attorney General shall not release the names, addresses, phone numbers, personal identification numbers, or email addresses of any person registered to receive notifications to any other person except State or local officials using the notification system to satisfy the official's obligation to provide the information. The Attorney General may grant limited access to the Automated Victim Notification system (AVN) to law enforcement,
prosecution, and other agencies that provide service to victims of violent crime to assist victims in enrolling and utilizing the AVN system.
(Source: P.A. 96-1092, eff. 1-1-11.)

Section 5. The Unified Code of Corrections is amended by changing Section 3-3-4 as follows:

(730 ILCS 5/3-3-4) (from Ch. 38, par. 1003-3-4)
Sec. 3-3-4. Preparation for Parole Hearing.
(a) The Prisoner Review Board shall consider the parole of each eligible person committed to the Department of Corrections at least 30 days prior to the date he or she shall first become eligible for parole, and shall consider the aftercare release of each person committed to the Department of Juvenile Justice as a delinquent at least 30 days prior to the expiration of the first year of confinement.

(b) A person eligible for parole or aftercare release shall, no less than 15 days in advance of his or her parole interview, prepare a parole or aftercare release plan in accordance with the rules of the Prisoner Review Board. The person shall be assisted in preparing his or her parole or aftercare release plan by personnel of the Department of Corrections, or the Department of Juvenile Justice in the case of a person committed to that Department, and may, for this purpose, be released on furlough under Article 11 or on authorized absence under Section 3-9-4. The appropriate Department shall also provide assistance in obtaining information and records helpful to the individual for his or her parole hearing. If the person eligible for parole or aftercare release has a petition or any written submissions prepared on his or her behalf by an attorney or other representative, the attorney or representative for the person eligible for parole or aftercare release must serve by certified mail the State's Attorney of the county where he or she was prosecuted with the petition or any written submissions 15 days after his or her parole interview. The State's Attorney shall provide the attorney for the person eligible for parole or aftercare release with a copy of his or her letter in opposition to parole or aftercare release via certified mail within 5 business days of the en banc hearing.

(c) Any member of the Board shall have access at all reasonable times to any committed person and to his or her master record file within the Department, and the Department shall furnish such a report to the Board concerning the conduct and character of any such person prior to his or her parole interview.

(d) In making its determination of parole or aftercare release, the Board shall consider:

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(1) material transmitted to the Department of Juvenile Justice by the clerk of the committing court under Section 5-4-1 or Section 5-10 of the Juvenile Court Act or Section 5-750 of the Juvenile Court Act of 1987;

(2) the report under Section 3-8-2 or 3-10-2;

(3) a report by the Department and any report by the chief administrative officer of the institution or facility;

(4) a parole or aftercare release progress report;

(5) a medical and psychological report, if requested by the Board;

(6) material in writing, or on film, video tape or other electronic means in the form of a recording submitted by the person whose parole or aftercare release is being considered;

(7) material in writing, or on film, video tape or other electronic means in the form of a recording or testimony submitted by the State's Attorney and the victim or a concerned citizen pursuant to the Rights of Crime Victims and Witnesses Act; and

(8) the person's eligibility for commitment under the Sexually Violent Persons Commitment Act.

(e) The prosecuting State's Attorney's office shall receive from the Board reasonable written notice not less than 30 days prior to the parole or aftercare release interview and may submit relevant information by oral argument or testimony of victims and concerned citizens, or both, in writing, or on film, video tape or other electronic means or in the form of a recording to the Board for its consideration. Upon written request of the State's Attorney's office, the Prisoner Review Board shall hear protests to parole, or aftercare release, except in counties of 1,500,000 or more inhabitants where there shall be standing objections to all such petitions. If a State's Attorney who represents a county of less than 1,500,000 inhabitants requests a protest hearing, the inmate's counsel or other representative shall also receive notice of such request. This hearing shall take place the month following the inmate's parole or aftercare release interview. If the inmate's parole or aftercare release interview is rescheduled then the Prisoner Review Board shall promptly notify the State's Attorney of the new date. The person eligible for parole or aftercare release shall be heard at the next scheduled en banc hearing date. If the case is to be continued, the State's Attorney's office and the attorney or representative for the person eligible for parole or aftercare release will be notified of any continuance within 5 business days. The State's Attorney may waive the written notice.

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(f) The victim of the violent crime for which the prisoner has been sentenced shall receive notice of a parole or aftercare release hearing as provided in paragraph (4) of subsection (d) of Section 4.5 of the Rights of Crime Victims and Witnesses Act.

(g) Any recording considered under the provisions of subsection (d)(6), (d)(7) or (e) of this Section shall be in the form designated by the Board. Such recording shall be both visual and aural. Every voice on the recording and person present shall be identified and the recording shall contain either a visual or aural statement of the person submitting such recording, the date of the recording and the name of the person whose parole or aftercare release eligibility is being considered. Such recordings shall be retained by the Board and shall be deemed to be submitted at any subsequent parole or aftercare release hearing if the victim or State's Attorney submits in writing a declaration clearly identifying such recording as representing the present position of the victim or State's Attorney regarding the issues to be considered at the parole or aftercare release hearing.

(h) The Board shall not release any material to the inmate, the inmate's attorney, any third party, or any other person containing any information from the victim or from a person related to the victim by blood, adoption, or marriage who has written objections, testified at any hearing, or submitted audio or visual objections to the inmate's parole, or aftercare release, unless provided with a waiver from that objecting party. The Board shall not release the names or addresses of any person on its victim registry to any other person except the victim, a law enforcement agency, or other victim notification system.

(Original Source: P.A. 97-523, eff. 1-1-12; 97-1075, eff. 8-24-12; 97-1083, eff. 8-24-12; 98-463, eff. 8-16-13; 98-558, eff. 1-1-14.)

Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0718
(House Bill No. 4336)

AN ACT concerning education.

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

Section 5. The Personnel Code is amended by changing Section 8c as follows:

New matter indicated by italics - deletions by strikeout
Sec. 8c. Jurisdiction C; conditions of employment. For positions in the State service subject to the jurisdiction of the Department of Central Management Services with respect to conditions of employment:

1. For establishment of a plan for resolving employee grievances and complaints, excluding compulsory arbitration.

2. For hours of work, holidays, and attendance regulation in the various classes of positions in the State service; for annual, sick and special leaves of absence, with or without pay or with reduced pay; for compensatory time off for overtime or for pay for overtime, and for the rate at which compensatory time off is to be allowed or for the rate which is to be paid for overtime. If the services of an employee in the State service are terminated by reason of his retirement, disability or death, he, or his estate, as the case may be, shall be paid a lump sum, for the number of days for leave for personal business which the employee had accumulated but not used as of the date his services were terminated, in an amount equal to 1/2 of his pay per working day times the number of such leave days so accumulated and not used.

3. For the development and operation of programs to improve the work effectiveness and morale of employees in the State service, including training, safety, health, welfare, counseling, recreation, employee relations, a suggestion system, and others.

Employees whose tuition and fees are paid by the State, either directly or by reimbursement, shall incur a work commitment to the State. Employees whose State paid training has not led to a postsecondary degree shall be obligated to continue in the employ of the State, but not necessarily in the same agency, for a period of at least 18 months following completion of the most recent course. Employees whose State paid training has led to a postsecondary degree and whose State payments have paid for 50% or more of the required credit hours shall be obligated to continue in the employ of the State, but not necessarily in the same agency, for a minimum of 4 years after receiving the degree.

If the employee does not fulfill this work commitment by voluntarily leaving State employment, the State may recover payments in a civil action and may also recover interest at the rate of 1% per month from the time the State makes payment until the time the State recovers the payment. The amount the State may recover under this subsection (3) shall be reduced by 25% of the gross amount paid by the State for each year the employee is employed by the State after the employee receives a postsecondary degree,
and 1/18th of the gross amount paid by the State for each month the employee is employed by the State after the employee completes the most recent course which has not led to a postsecondary degree.

The State shall not recover payments for course work or a training program that was (a) started before the effective date of this Act; (b) completed as a requirement for a grammar school certificate or a high school diploma, to prepare for high school equivalency testing, a high school level General Educational Development Test or to improve literacy or numeracy; (c) specialized training in the form of a conference, seminar, workshop, or similar arrangement offered by public or private organizations; (d) provided as part of the Upward Mobility Program administered by the Department of Central Management Services; or (e) a condition of continued employment.

Department of State Police employees who are enrolled in an official training program that lasts longer than one year shall incur a work commitment to the State. The work commitment shall be 2 months for each month of completed training. If the employee fails to fulfill this work commitment by voluntarily leaving State employment, the State may recover wages in a civil action and may also recover interest at the rate of 1% per month from the time the State makes payment until the time the State recovers the payment. The amount the State may recover under this subsection (3) shall be reduced by the number of months served after the training is completed times the monthly salary at the time of separation.

The Department of Central Management Services shall promulgate rules governing recovery activities to be used by all State agencies paying, whether directly or by reimbursement, for employee tuition and fees. Each such agency shall make necessary efforts, including pursuing appropriate legal action, to recover the actual reimbursements and applicable interest due the State under this subsection (3).

(4) For the establishment of a sick pay plan in accordance with Section 36 of the State Finance Act.

(5) For the establishment of a family responsibility leave plan under which an employee in the State service may request and receive a leave of absence for up to one year without penalty whenever such leave is requested to enable the employee to meet a bona fide family responsibility of such employee. The procedure for determining and documenting the existence of a bona fide family responsibility shall be as provided by rule, but without limiting the circumstances which shall constitute a bona fide family responsibility under the rules, such circumstances shall include leave incident to the birth of the employee's child and the responsibility thereafter to provide
proper care to that child or to a newborn child adopted by the employee, the 
responsibility to provide regular care to a disabled, incapacitated or bedridden 
resident of the employee's household or member of the employee's family, 
and the responsibility to furnish special guidance, care and supervision to a 
resident of the employee's household or member of the employee's family in 
need thereof under circumstances temporarily inconsistent with uninterrupted 
employment in State service. The family responsibility leave plan so 
established shall provide that any such leave shall be without pay, that the 
seniority of the employee on such leave shall not be reduced during the 
period of the leave, that such leave shall not under any circumstance or for 
any purpose be deemed to cause a break in such employee's State service, that 
during the period of such leave any coverage of the employee or the 
employee's dependents which existed at the commencement of the leave 
under any group health, hospital, medical and life insurance plan provided 
through the State shall continue so long as the employee pays to the State 
when due the full premium incident to such coverage, and that upon 
expiration of the leave the employee shall be returned to the same position 
and classification which such employee held at the commencement of the 
leave. The Director of Central Management Services shall prepare proposed 
rules consistent with this paragraph within 45 days after the effective date of 
this amendatory Act of 1983, shall promptly thereafter cause a public hearing 
thereon to be held as provided in Section 8 and shall within 120 days after the 
effective date of this amendatory Act of 1983 cause such proposed rules to 
be submitted to the Civil Service Commission as provided in Section 8.

(6) For the development and operation of a plan for alternative 
employment for any employee who is able to perform alternative employment 
after a work related or non-work related disability essentially precludes that 
employee from performing his or her currently assigned duties. Such a plan 
shall be voluntary for any employee and nonparticipation shall not be grounds 
for denial of any benefit to which the employee would otherwise be eligible. 
Any plan seeking to cover positions for which there is a recognized 
bargaining agent shall be subject to collective bargaining between the parties. 

(7) For the development and operation of an Executive Development 
Program to provide scholarships for the receipt of academic degrees or senior 
executive training beyond the Bachelor's degree level for as many as 25 
employees at any given time:

(i) each of whom is nominated for such scholarship by the 
head of the employee's agency and approved by the Director;

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(ii) who are subject to Term Appointment under Section 8b.18 or who would be subject to such Term Appointment but for Federal funding or who are exempt from Jurisdiction B under subsections (2), (3) or (6) of Section 4d of this Act:

(iii) who meet the admission standards established by the institution awarding the advanced degree or conducting the training;

(iv) each of whom agrees, as a condition of accepting such scholarship, that the State may recover the scholarship by garnishment, lien or other appropriate legal action if the employee fails to continue in the employ of the State, but not necessarily in the same agency, for a minimum of 4 years following receipt of an advanced degree or training and that the State may charge interest from the time of payment until the time of recovery of such scholarship of no less than 1% per month or 12% per annum on all funds recovered by the State. The amount the State may recover under this Section will be reduced by 25% of the gross amount paid by the State for each year of employment following receipt of the advanced degree or training.

The Director shall in approving eligible employees for the Executive Development Program make every attempt to guarantee that at least 1/3 of the employees appointed to the program reflect the ratio of sex, race, and ethnicity of eligible employees.

Such scholarships shall not exceed the amount established for tuition and fees for the applicable advanced degree or training at State universities in Illinois whether the employee enrolls at any Illinois public or private institution, and shall not include any textbooks or equipment such as personal computers.

The Department of Central Management Services shall make necessary efforts, including appropriate legal action, to recover scholarships and interest thereupon due subject to recovery by the State under Subparagraph (iv) of this Subsection (7).

(Source: P.A. 91-357, eff. 7-29-99.)

Section 10. The Children and Family Services Act is amended by changing Section 8 as follows:

(20 ILCS 505/8) (from Ch. 23, par. 5008)

Sec. 8. Scholarships and fee waivers. Each year the Department may select from among the youth under care, youth who aged out of care at age 18 or older, or youth formerly under care who have been adopted or are in a guardianship placement, a maximum of 48 students (at least 4 of whom shall

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be children of veterans) who have earned a high school diploma from a public school district or a recognized nonpublic school or a high school equivalency certificate of general education development (GED); or who have met the State criteria for high school graduation; the youth selected shall be eligible for scholarships and fee waivers which will entitle them to 4 consecutive years of community college, university, or college education. Selection shall be made on the basis of scholastic record, aptitude, and general interest in higher education. In accordance with this Act, tuition scholarships and fee waivers shall be available to such students at any university or college maintained by the State of Illinois. The Department shall provide maintenance and school expenses, except tuition and fees, during the academic years to supplement the students' earnings or other resources so long as they consistently maintain scholastic records which are acceptable to their schools and to the Department. Students may attend other colleges and universities, if scholarships are awarded them, and receive the same benefits for maintenance and other expenses as those students attending any Illinois State community college, university, or college under this Section. (Source: P.A. 97-799, eff. 7-13-12.)

Section 15. The Illinois Youthbuild Act is amended by changing Section 25 as follows:

(20 ILCS 1315/25)

Sec. 25. Eligible participants. Eligible participants are youth 16 to 24 years old who are economically disadvantaged as defined in United States Code, Title 29, Section 1503, and who are part of one of the following groups:

(a) Persons who are not attending any school and have not received a secondary school diploma or its equivalent.

(b) Persons currently enrolled in a traditional or alternative school setting or a high school equivalency testing (GED) program and who are in danger of dropping out of school.

(c) A member of a low-income family, a youth in foster care (including a youth aging-out of foster care), a youth offender, a youth with a disability, a child of incarcerated parents, or a migrant youth. Not more than 25% of the participants in the program may be individuals who do not meet the requirements of subsections (a) or (b), but who are deficient in basic skills despite having attained a secondary school diploma, high school equivalency General Educational Development (GED) certificate, or other State-recognized equivalent, or who have been referred.
by a local secondary school for participation in a Youthbuild program leading to the attainment of a secondary school diploma.
(Source: P.A. 95-524, eff. 8-28-07.)

Section 20. The Illinois Guaranteed Job Opportunity Act is amended by changing Section 30 as follows:

(20 ILCS 1510/30)

Sec. 30. Education requirements. Any individual who has not completed high school and who participates in a job project under this Act may enroll, if appropriate, in and maintain satisfactory progress in a secondary school or an adult basic education or high school equivalency testing GED program. Any individual with limited English speaking ability may participate, if appropriate, in an English as a Second Language program.
(Source: P.A. 93-46, eff. 7-1-03.)

Section 25. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 15.4 as follows:

(20 ILCS 1705/15.4)

Sec. 15.4. Authorization for nursing delegation to permit direct care staff to administer medications.

(a) This Section applies to (i) all programs for persons with a developmental disability in settings of 16 persons or fewer that are funded or licensed by the Department of Human Services and that distribute or administer medications and (ii) all intermediate care facilities for the developmentally disabled with 16 beds or fewer that are licensed by the Department of Public Health. The Department of Human Services shall develop a training program for authorized direct care staff to administer oral and topical medications under the supervision and monitoring of a registered professional nurse. This training program shall be developed in consultation with professional associations representing (i) physicians licensed to practice medicine in all its branches, (ii) registered professional nurses, and (iii) pharmacists.

(b) For the purposes of this Section:

"Authorized direct care staff" means non-licensed persons who have successfully completed a medication administration training program approved by the Department of Human Services and conducted by a nurse-trainer. This authorization is specific to an individual receiving service in a specific agency and does not transfer to another agency.

"Nurse-trainer training program" means a standardized, competency-based medication administration train-the-trainer program provided by the Department of Human Services and conducted by a Department of Human Services registered nurse-training program.

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Services master nurse-trainer for the purpose of training nurse-trainers to train persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the supervision and monitoring of the nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, and a curriculum overview, including the ethical and legal aspects of supervising those administering medications.

"Self-administration of medications" means an individual administers his or her own medications. To be considered capable to self-administer their own medication, individuals must, at a minimum, be able to identify their medication by size, shape, or color, know when they should take the medication, and know the amount of medication to be taken each time.

"Training program" means a standardized medication administration training program approved by the Department of Human Services and conducted by a registered professional nurse for the purpose of training persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the delegation and supervision of a nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, curriculum overview, including ethical-legal aspects, and standardized competency-based evaluations on administration of medications and self-administration of medication training programs.

(c) Training and authorization of non-licensed direct care staff by nurse-trainers must meet the requirements of this subsection.

(1) Prior to training non-licensed direct care staff to administer medication, the nurse-trainer shall perform the following for each individual to whom medication will be administered by non-licensed direct care staff:

   (A) An assessment of the individual's health history and physical and mental status.
   (B) An evaluation of the medications prescribed.

(2) Non-licensed authorized direct care staff shall meet the following criteria:

   (A) Be 18 years of age or older.
   (B) Have completed high school or have a high school equivalency certificate its equivalent (GED).
   (C) Have demonstrated functional literacy.

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(D) Have satisfactorily completed the Health and Safety component of a Department of Human Services authorized direct care staff training program.

(E) Have successfully completed the training program, pass the written portion of the comprehensive exam, and score 100% on the competency-based assessment specific to the individual and his or her medications.

(F) Have received additional competency-based assessment by the nurse-trainer as deemed necessary by the nurse-trainer whenever a change of medication occurs or a new individual that requires medication administration enters the program.

(3) Authorized direct care staff shall be re-evaluated by a nurse-trainer at least annually or more frequently at the discretion of the registered professional nurse. Any necessary retraining shall be to the extent that is necessary to ensure competency of the authorized direct care staff to administer medication.

(4) Authorization of direct care staff to administer medication shall be revoked if, in the opinion of the registered professional nurse, the authorized direct care staff is no longer competent to administer medication.

(5) The registered professional nurse shall assess an individual's health status at least annually or more frequently at the discretion of the registered professional nurse.

(d) Medication self-administration shall meet the following requirements:

(1) As part of the normalization process, in order for each individual to attain the highest possible level of independent functioning, all individuals shall be permitted to participate in their total health care program. This program shall include, but not be limited to, individual training in preventive health and self-medication procedures.

(A) Every program shall adopt written policies and procedures for assisting individuals in obtaining preventative health and self-medication skills in consultation with a registered professional nurse, advanced practice nurse, physician assistant, or physician licensed to practice medicine in all its branches.

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(B) Individuals shall be evaluated to determine their ability to self-medicate by the nurse-trainer through the use of the Department's required, standardized screening and assessment instruments.

(C) When the results of the screening and assessment indicate an individual not to be capable to self-administer his or her own medications, programs shall be developed in consultation with the Community Support Team or Interdisciplinary Team to provide individuals with self-medication administration.

(2) Each individual shall be presumed to be competent to self-administer medications if:

(A) authorized by an order of a physician licensed to practice medicine in all its branches; and

(B) approved to self-administer medication by the individual's Community Support Team or Interdisciplinary Team, which includes a registered professional nurse or an advanced practice nurse.

(e) Quality Assurance.

(1) A registered professional nurse, advanced practice nurse, licensed practical nurse, physician licensed to practice medicine in all its branches, physician assistant, or pharmacist shall review the following for all individuals:

(A) Medication orders.

(B) Medication labels, including medications listed on the medication administration record for persons who are not self-medicating to ensure the labels match the orders issued by the physician licensed to practice medicine in all its branches, advanced practice nurse, or physician assistant.

(C) Medication administration records for persons who are not self-medicating to ensure that the records are completed appropriately for:

(i) medication administered as prescribed;

(ii) refusal by the individual; and

(iii) full signatures provided for all initials used.

(2) Reviews shall occur at least quarterly, but may be done more frequently at the discretion of the registered professional nurse or advanced practice nurse.
(3) A quality assurance review of medication errors and data collection for the purpose of monitoring and recommending corrective action shall be conducted within 7 days and included in the required annual review.

(f) Programs using authorized direct care staff to administer medications are responsible for documenting and maintaining records on the training that is completed.

(g) The absence of this training program constitutes a threat to the public interest, safety, and welfare and necessitates emergency rulemaking by the Departments of Human Services and Public Health under Section 5-45 of the Illinois Administrative Procedure Act.

(h) Direct care staff who fail to qualify for delegated authority to administer medications pursuant to the provisions of this Section shall be given additional education and testing to meet criteria for delegation authority to administer medications. Any direct care staff person who fails to qualify as an authorized direct care staff after initial training and testing must within 3 months be given another opportunity for retraining and retesting. A direct care staff person who fails to meet criteria for delegated authority to administer medication, including, but not limited to, failure of the written test on 2 occasions shall be given consideration for shift transfer or reassignment, if possible. No employee shall be terminated for failure to qualify during the 3-month time period following initial testing. Refusal to complete training and testing required by this Section may be grounds for immediate dismissal.

(i) No authorized direct care staff person delegated to administer medication shall be subject to suspension or discharge for errors resulting from the staff person's acts or omissions when performing the functions unless the staff person's actions or omissions constitute willful and wanton conduct. Nothing in this subsection is intended to supersede paragraph (4) of subsection (c).

(j) A registered professional nurse, advanced practice nurse, physician licensed to practice medicine in all its branches, or physician assistant shall be on duty or on call at all times in any program covered by this Section.

(k) The employer shall be responsible for maintaining liability insurance for any program covered by this Section.

(l) Any direct care staff person who qualifies as authorized direct care staff pursuant to this Section shall be granted consideration for a one-time additional salary differential. The Department shall determine and provide the necessary funding for the differential in the base. This subsection (l) is inoperative on and after June 30, 2000.

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Section 30. The Interagency Coordinating Council Act is amended by changing Section 3 as follows:

(20 ILCS 3970/3) (from Ch. 127, par. 3833)

Sec. 3. Scope and Functions. The Interagency Coordinating Council shall:

(a) gather and coordinate data on services for secondary age youth with disabilities in transition from school to employment, post-secondary education and training, and community living;

(b) provide information, consultation, and technical assistance to State and local agencies and local school districts involved in the delivery of services to youth with disabilities in transition from secondary school programs to employment and other post-secondary programs;

(c) assist State and local agencies and school districts, through local transition planning committees, in establishing interagency agreements to assure the necessary services for efficient and appropriate transition from school to employment, post-secondary education and training, and community living;

(d) conduct an annual statewide evaluation of student transition outcomes and needs from information collected from local transition planning committees, school districts, and other appropriate sources; indicators used to evaluate outcomes shall include (i) high school graduation or passage of high school equivalency testing the Test of General Educational Development, (ii) participation in post-secondary education, including continuing and adult education, (iii) involvement in integrated employment, supported employment, and work-based learning activities, including vocational training, and (iv) independent living, community participation, adult services, and other post-secondary activities; and

(e) provide periodic in-service training to consumers in developing and improving awareness of transition services.

(105 ILCS 5/2-3.66) (from Ch. 122, par. 2-3.66)

Sec. 2-3.66. Truants' alternative and optional education programs. To establish projects to offer modified instructional programs or other services designed to prevent students from dropping out of school, including programs pursuant to Section 2-3.41, and to serve as a part time or full time option in

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lieu of regular school attendance and to award grants to local school districts, educational service regions or community college districts from appropriated funds to assist districts in establishing such projects. The education agency may operate its own program or enter into a contract with another not-for-profit entity to implement the program. The projects shall allow dropouts, up to and including age 21, potential dropouts, including truants, uninvolved, unmotivated and disaffected students, as defined by State Board of Education rules and regulations, to enroll, as an alternative to regular school attendance, in an optional education program which may be established by school board policy and is in conformance with rules adopted by the State Board of Education. Truants' Alternative and Optional Education programs funded pursuant to this Section shall be planned by a student, the student's parents or legal guardians, unless the student is 18 years or older, and school officials and shall culminate in an individualized optional education plan. Such plan shall focus on academic or vocational skills, or both, and may include, but not be limited to, evening school, summer school, community college courses, adult education, preparation courses for high school equivalency testing, high school level Test of General Educational Development, vocational training, work experience, programs to enhance self concept and parenting courses. School districts which are awarded grants pursuant to this Section shall be authorized to provide day care services to children of students who are eligible and desire to enroll in programs established and funded under this Section, but only if and to the extent that such day care is necessary to enable those eligible students to attend and participate in the programs and courses which are conducted pursuant to this Section. School districts and regional offices of education may claim general State aid under Section 18-8.05 for students enrolled in truants' alternative and optional education programs, provided that such students are receiving services that are supplemental to a program leading to a high school diploma and are otherwise eligible to be claimed for general State aid under Section 18-8.05. (Source: P.A. 96-734, eff. 8-25-09.)

(105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

Sec. 3-15.12. High school equivalency testing program. The regional superintendent of schools shall make available for qualified individuals residing within the region a High School Equivalency Testing Program. For that purpose the regional superintendent alone or with other regional superintendents may establish and supervise a testing center or centers to administer the secure forms for high school equivalency testing, high school level Test of General Educational Development to qualified persons.

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Such centers shall be under the supervision of the regional superintendent in whose region such centers are located, subject to the approval of the President of the Illinois Community College Board.

An individual is eligible to apply to the regional superintendent of schools for the region in which he or she resides if he or she is: (a) a person who is 17 years of age or older, has maintained residence in the State of Illinois, and is not a high school graduate; (b) a person who is successfully completing an alternative education program under Section 2-3.81, Article 13A, or Article 13B; or (c) a person who is enrolled in a youth education program sponsored by the Illinois National Guard. For purposes of this Section, residence is that abode which the applicant considers his or her home. Applicants may provide as sufficient proof of such residence and as an acceptable form of identification a driver's license, valid passport, military ID, or other form of government-issued national or foreign identification that shows the applicant's name, address, date of birth, signature, and photograph or other acceptable identification as may be allowed by law or as regulated by the Illinois Community College Board. Such regional superintendent shall determine if the applicant meets statutory and regulatory state standards. If qualified the applicant shall at the time of such application pay a fee established by the Illinois Community College Board, which fee shall be paid into a special fund under the control and supervision of the regional superintendent. Such moneys received by the regional superintendent shall be used, first, for the expenses incurred in administering and scoring the examination, and next for other educational programs that are developed and designed by the regional superintendent of schools to assist those who successfully complete high school equivalency testing the high school level test of General Education Development in furthering their academic development or their ability to secure and retain gainful employment, including programs for the competitive award based on test scores of college or adult education scholarship grants or similar educational incentives. Any excess moneys shall be paid into the institute fund.

Any applicant who has achieved the minimum passing standards as established by the Illinois Community College Board shall be notified in writing by the regional superintendent and shall be issued a high school equivalency certificate on the forms provided by the Illinois Community College Board. The regional superintendent shall then certify to the Illinois Community College Board the score of the applicant and such other and additional information that may be required by the Illinois Community College Board.

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College Board. The moneys received therefrom shall be used in the same manner as provided for in this Section.

Any applicant who has attained the age of 17 years and maintained residence in the State of Illinois and is not a high school graduate, any person who has enrolled in a youth education program sponsored by the Illinois National Guard, or any person who has successfully completed an alternative education program under Section 2-3.81, Article 13A, or Article 13B is eligible to apply for a high school equivalency certificate (if he or she meets the requirements prescribed by the Illinois Community College Board) upon showing evidence that he or she has completed, successfully, high school equivalency testing the high school level General Educational Development Tests, administered by the United States Armed Forces Institute, official high school equivalency testing centers GED Centers established in other states, or at Veterans' Administration Hospitals, or the office of the State Superintendent of Education administered for the Illinois State Penitentiary System and the Department of Corrections. Such applicant shall apply to the regional superintendent of the region wherein he or she has maintained residence, and, upon payment of a fee established by the Illinois Community College Board, the regional superintendent shall issue a high school equivalency certificate; and immediately thereafter certify to the Illinois Community College Board the score of the applicant and such other and additional information as may be required by the Illinois Community College Board.

Notwithstanding the provisions of this Section, any applicant who has been out of school for at least one year may request the regional superintendent of schools to administer the restricted high school equivalency testing GED test upon written request of: the director of a program who certifies to the Chief Examiner of an official high school equivalency testing GED center that the applicant has completed a program of instruction provided by such agencies as the Job Corps, the Postal Service Academy, or an apprenticeship training program; an employer or program director for purposes of entry into apprenticeship programs; another state's department of education established by that department of education; or a post high school educational institution for purposes of admission, the Department of Financial and Professional Regulation for licensing purposes, or the Armed Forces for induction purposes. The regional superintendent shall administer such testing, test and the applicant shall be notified in writing that he or she is eligible to receive a high school equivalency certificate the
Illinois High School Equivalency Certificate shall be upon reaching age 17, provided he or she meets the standards established by the Illinois Community College Board.

Any test administered under this Section to an applicant who does not speak and understand English may at the discretion of the administering agency be given and answered in any language in which the test is printed. The regional superintendent of schools may waive any fees required by this Section in case of hardship.

In counties of over 3,000,000 population, a high school equivalency GED certificate shall contain the signatures of the President of the Illinois Community College Board, the superintendent, president, or other chief executive officer of the institution where high school equivalency testing GED instruction occurred, and any other signatures authorized by the Illinois Community College Board.

The regional superintendent of schools shall furnish the Illinois Community College Board with any information that the Illinois Community College Board requests with regard to testing and certificates under this Section.

(Source: P.A. 94-108, eff. 7-1-05; 95-609, eff. 6-1-08.)

(105 ILCS 5/10-22.20) (from Ch. 122, par. 10-22.20)

Sec. 10-22.20. Classes for adults and youths whose schooling has been interrupted; conditions for State reimbursement; use of child care facilities.

(a) To establish special classes for the instruction (1) of persons of age 21 years or over; and (2) of persons less than age 21 and not otherwise in attendance in public school, for the purpose of providing adults in the community; and youths whose schooling has been interrupted; with such additional basic education, vocational skill training, and other instruction as may be necessary to increase their qualifications for employment or other means of self-support and their ability to meet their responsibilities as citizens, including courses of instruction regularly accepted for graduation from elementary or high schools and for Americanization and high school equivalency testing review classes.

The board shall pay the necessary expenses of such classes out of school funds of the district, including costs of student transportation and such facilities or provision for child-care as may be necessary in the judgment of the board to permit maximum utilization of the courses by students with children, and other special needs of the students directly related to such

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instruction. The expenses thus incurred shall be subject to State reimbursement, as provided in this Section. The board may make a tuition charge for persons taking instruction who are not subject to State reimbursement, such tuition charge not to exceed the per capita cost of such classes.

The cost of such instruction, including the additional expenses herein authorized, incurred for recipients of financial aid under the Illinois Public Aid Code, or for persons for whom education and training aid has been authorized under Section 9-8 of that Code, shall be assumed in its entirety from funds appropriated by the State to the Illinois Community College Board.

(b) The Illinois Community College Board shall establish the standards for the courses of instruction reimbursed under this Section. The Illinois Community College Board shall supervise the administration of the programs. The Illinois Community College Board shall determine the cost of instruction in accordance with standards established by the Illinois Community College Board, including therein other incidental costs as herein authorized, which shall serve as the basis of State reimbursement in accordance with the provisions of this Section. In the approval of programs and the determination of the cost of instruction, the Illinois Community College Board shall provide for the maximum utilization of federal funds for such programs. The Illinois Community College Board shall also provide for:

(1) the development of an index of need for program planning and for area funding allocations, as defined by the Illinois Community College Board;

(2) the method for calculating hours of instruction, as defined by the Illinois Community College Board, claimable for reimbursement and a method to phase in the calculation and for adjusting the calculations in cases where the services of a program are interrupted due to circumstances beyond the control of the program provider;

(3) a plan for the reallocation of funds to increase the amount allocated for grants based upon program performance as set forth in subsection (d) below; and

(4) the development of standards for determining grants based upon performance as set forth in subsection (d) below and a plan for the phased-in implementation of those standards.

For instruction provided by school districts and community college districts beginning July 1, 1996 and thereafter, reimbursement provided by
the Illinois Community College Board for classes authorized by this Section shall be provided from funds appropriated for the reimbursement criteria set forth in subsection (c) below.

(c) Upon the annual approval of the Illinois Community College Board, reimbursement shall be first provided for transportation, child care services, and other special needs of the students directly related to instruction and then from the funds remaining an amount equal to the product of the total credit hours or units of instruction approved by the Illinois Community College Board, multiplied by the following:

(1) For adult basic education, the maximum reimbursement per credit hour or per unit of instruction shall be equal to the general state aid per pupil foundation level established in subsection (B) of Section 18-8.05, divided by 60;

(2) The maximum reimbursement per credit hour or per unit of instruction in subparagraph (1) above shall be weighted for students enrolled in classes defined as vocational skills and approved by the Illinois Community College Board by 1.25;

(3) The maximum reimbursement per credit hour or per unit of instruction in subparagraph (1) above shall be multiplied by .90 for students enrolled in classes defined as adult secondary education programs and approved by the Illinois Community College Board;

(4) (Blank); and

(5) Funding for program years after 1999-2000 shall be determined by the Illinois Community College Board.

(d) Upon its annual approval, the Illinois Community College Board shall provide grants to eligible programs for supplemental activities to improve or expand services under the Adult Education Act. Eligible programs shall be determined based upon performance outcomes of students in the programs as set by the Illinois Community College Board.

(e) Reimbursement under this Section shall not exceed the actual costs of the approved program.

If the amount appropriated to the Illinois Community College Board for reimbursement under this Section is less than the amount required under this Act, the apportionment shall be proportionately reduced.

School districts and community college districts may assess students up to $3.00 per credit hour, for classes other than Adult Basic Education level programs, if needed to meet program costs.
(f) An education plan shall be established for each adult or youth whose schooling has been interrupted and who is participating in the instructional programs provided under this Section.

Each school board and community college shall keep an accurate and detailed account of the students assigned to and receiving instruction under this Section who are subject to State reimbursement and shall submit reports of services provided commencing with fiscal year 1997 as required by the Illinois Community College Board.

For classes authorized under this Section, a credit hour or unit of instruction is equal to 15 hours of direct instruction for students enrolled in approved adult education programs at midterm and making satisfactory progress, in accordance with standards established by the Illinois Community College Board.

(g) Upon proof submitted to the Illinois Department of Human Services of the payment of all claims submitted under this Section, that Department shall apply for federal funds made available therefor and any federal funds so received shall be paid into the General Revenue Fund in the State Treasury.

School districts or community colleges providing classes under this Section shall submit applications to the Illinois Community College Board for preapproval in accordance with the standards established by the Illinois Community College Board. Payments shall be made by the Illinois Community College Board based upon approved programs. Interim expenditure reports may be required by the Illinois Community College Board. Final claims for the school year shall be submitted to the regional superintendents for transmittal to the Illinois Community College Board. Final adjusted payments shall be made by September 30.

If a school district or community college district fails to provide, or is providing unsatisfactory or insufficient classes under this Section, the Illinois Community College Board may enter into agreements with public or private educational or other agencies other than the public schools for the establishment of such classes.

(h) If a school district or community college district establishes child-care facilities for the children of participants in classes established under this Section, it may extend the use of these facilities to students who have obtained employment and to other persons in the community whose children require care and supervision while the parent or other person in charge of the children is employed or otherwise absent from the home during all or part of the day. It may make the facilities available before and after as well as during
regular school hours to school age and preschool age children who may benefit thereby, including children who require care and supervision pending the return of their parent or other person in charge of their care from employment or other activity requiring absence from the home.

The Illinois Community College Board shall pay to the board the cost of care in the facilities for any child who is a recipient of financial aid under the Illinois Public Aid Code.

The board may charge for care of children for whom it cannot make claim under the provisions of this Section. The charge shall not exceed per capita cost, and to the extent feasible, shall be fixed at a level which will permit utilization by employed parents of low or moderate income. It may also permit any other State or local governmental agency or private agency providing care for children to purchase care.

After July 1, 1970 when the provisions of Section 10-20.20 become operative in the district, children in a child-care facility shall be transferred to the kindergarten established under that Section for such portion of the day as may be required for the kindergarten program, and only the prorated costs of care and training provided in the Center for the remaining period shall be charged to the Illinois Department of Human Services or other persons or agencies paying for such care.

(i) The provisions of this Section shall also apply to school districts having a population exceeding 500,000.

(j) In addition to claiming reimbursement under this Section, a school district may claim general State aid under Section 18-8.05 for any student under age 21 who is enrolled in courses accepted for graduation from elementary or high school and who otherwise meets the requirements of Section 18-8.05.

(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/13-40) (from Ch. 122, par. 13-40)

Sec. 13-40. To increase the effectiveness of the Department of Juvenile Justice and thereby to better serve the interests of the people of Illinois the following bill is presented.

Its purpose is to enhance the quality and scope of education for inmates and wards within the Department of Juvenile Justice so that they will be better motivated and better equipped to restore themselves to constructive and law abiding lives in the community. The specific measure sought is the creation of a school district within the Department so that its educational programs can meet the needs of persons committed and so the resources of public education at the state and federal levels are best used, all of the same

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being contemplated within the provisions of the Illinois State Constitution of 1970 which provides that "A fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities." Therefore, on July 1, 2006, the Department of Corrections school district shall be transferred to the Department of Juvenile Justice. It shall be responsible for the education of youth within the Department of Juvenile Justice and inmates age 21 or under within the Department of Corrections who have not yet earned a high school diploma or a high school equivalency General Educational Development (GED) certificate, and the said district may establish primary, secondary, vocational, adult, special, and advanced educational schools as provided in this Act. The Department of Corrections retains authority as provided for in subsection (d) of Section 3-6-2 of the Unified Code of Corrections. The Board of Education for this district shall with the aid and advice of professional educational personnel of the Department of Juvenile Justice and the State Board of Education determine the needs and type of schools and the curriculum for each school within the school district and may proceed to establish the same through existing means within present and future appropriations, federal and state school funds, vocational rehabilitation grants and funds and all other funds, gifts and grants, private or public, including federal funds, but not exclusive to the said sources but inclusive of all funds which might be available for school purposes.

(Source: P.A. 94-696, eff. 6-1-06.)

(105 ILCS 5/13B-20.20)

Sec. 13B-20.20. Enrollment in other programs. High school equivalency testing General Educational Development preparation programs are not eligible for funding under this Article. A student may enroll in a program approved under Section 18-8.05 of this Code, as appropriate, or attend both the alternative learning opportunities program and the regular school program to enhance student performance and facilitate on-time graduation.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-30.15)

Sec. 13B-30.15. Statewide program evaluation of student outcomes. Alternative learning opportunities programs must be evaluated annually on a statewide basis. Indicators used to measure student outcomes for this evaluation may include program completion, elementary school graduation, high school graduation or passage of high school equivalency testing the General Educational Development test, attendance, the number of students

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involved in work-based learning activities, the number of students making an
effective transition to the regular school program, further education or work,
and improvement in the percentage of students enrolled in the sending school
district or districts that meet State standards.
(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-85)
Sec. 13B-85. High school equivalency testing Test of General
Educational Development. A student 16 years of age or over who
satisfactorily completes an alternative learning opportunities program in
accordance with school district guidelines and the Student Success Plan may
take a high school equivalency test the Test of General Educational
Development.
(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/26-2) (from Ch. 122, par. 26-2)
(Text of Section before amendment by P.A. 98-544)
Sec. 26-2. Enrolled pupils below 7 or over 17.
(a) Any person having custody or control of a child who is below the
age of 7 years or is 17 years of age or above and who is enrolled in any of
grades kindergarten through 12 in the public school shall cause him to attend
the public school in the district wherein he resides when it is in session
during the regular school term, unless he is excused under paragraph 2, 3, 4,
5, or 6 of Section 26-1.

(b) A school district shall deny reenrollment in its secondary schools
to any child 19 years of age or above who has dropped out of school and who
could not, because of age and lack of credits, attend classes during the normal
school year and graduate before his or her twenty-first birthday. A district
may, however, enroll the child in a graduation incentives program under
Section 26-16 of this Code or an alternative learning opportunities program
established under Article 13B. No child shall be denied reenrollment for the
above reasons unless the school district first offers the child due process as
required in cases of expulsion under Section 10-22.6. If a child is denied
reenrollment after being provided with due process, the school district must
provide counseling to that child and must direct that child to alternative
educational programs, including adult education programs, that lead to
graduation or receipt of a high school equivalency certificate GED diploma.

(c) A school or school district may deny enrollment to a student 17
years of age or older for one semester for failure to meet minimum academic
standards if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(1) The student achieved a grade point average of less than "D" (or its equivalent) in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is failing academically and is subject to denial from enrollment for one semester unless a "D" average (or its equivalent) or better is attained in the current semester.

(3) The parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with an academic improvement plan and academic remediation services.

(5) The student fails to achieve a "D" average (or its equivalent) or better in the current semester.

A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum attendance standards if all of the following conditions are met:

(1) The student was absent without valid cause for 20% or more of the attendance days in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is subject to denial from enrollment for one semester unless the student is absent without valid cause less than 20% of the attendance days in the current semester.

(3) The student's parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with attendance remediation services, including without limitation assessment, counseling, and support services.

(5) The student is absent without valid cause for 20% or more of the attendance days in the current semester.

A school or school district may not deny enrollment to a student (or reenrollment to a dropout) who is at least 17 years of age or older but below 19 years for more than one consecutive semester for failure to meet academic or attendance standards.

(d) No child may be denied enrollment or reenrollment under this Section in violation of the Individuals with Disabilities Education Act or the Americans with Disabilities Act.
(e) In this subsection (e), "reenrolled student" means a dropout who has reenrolled full-time in a public school. Each school district shall identify, track, and report on the educational progress and outcomes of reenrolled students as a subset of the district's required reporting on all enrollments. A reenrolled student who again drops out must not be counted again against a district's dropout rate performance measure. The State Board of Education shall set performance standards for programs serving reenrolled students.

(f) The State Board of Education shall adopt any rules necessary to implement the changes to this Section made by Public Act 93-803.

(Source: P.A. 95-417, eff. 8-24-07.)

(Text of Section after amendment by P.A. 98-544)

Sec. 26-2. Enrolled pupils not of compulsory school age.

(a) For school years before the 2014-2015 school year, any person having custody or control of a child who is below the age of 7 years or is 17 years of age or above and who is enrolled in any of grades kindergarten through 12 in the public school shall cause him to attend the public school in the district wherein he resides when it is in session during the regular school term, unless he is excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1. Beginning with the 2014-2015 school year, any person having custody or control of a child who is below the age of 6 years or is 17 years of age or above and who is enrolled in any of grades kindergarten through 12 in the public school shall cause the child to attend the public school in the district wherein he or she resides when it is in session during the regular school term, unless the child is excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1 of this Code.

(b) A school district shall deny reenrollment in its secondary schools to any child 19 years of age or above who has dropped out of school and who could not, because of age and lack of credits, attend classes during the normal school year and graduate before his or her twenty-first birthday. A district may, however, enroll the child in a graduation incentives program under Section 26-16 of this Code or an alternative learning opportunities program established under Article 13B. No child shall be denied reenrollment for the above reasons unless the school district first offers the child due process as required in cases of expulsion under Section 10-22.6. If a child is denied reenrollment after being provided with due process, the school district must provide counseling to that child and must direct that child to alternative educational programs, including adult education programs, that lead to graduation or receipt of a high school equivalency certificate GED diploma.
(c) A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum academic standards if all of the following conditions are met:

(1) The student achieved a grade point average of less than "D" (or its equivalent) in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is failing academically and is subject to denial from enrollment for one semester unless a "D" average (or its equivalent) or better is attained in the current semester.

(3) The parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with an academic improvement plan and academic remediation services.

(5) The student fails to achieve a "D" average (or its equivalent) or better in the current semester.

A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum attendance standards if all of the following conditions are met:

(1) The student was absent without valid cause for 20% or more of the attendance days in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is subject to denial from enrollment for one semester unless the student is absent without valid cause less than 20% of the attendance days in the current semester.

(3) The student's parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with attendance remediation services, including without limitation assessment, counseling, and support services.

(5) The student is absent without valid cause for 20% or more of the attendance days in the current semester.

A school or school district may not deny enrollment to a student (or reenrollment to a dropout) who is at least 17 years of age or older but below 19 years for more than one consecutive semester for failure to meet academic or attendance standards.

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(d) No child may be denied enrollment or reenrollment under this Section in violation of the Individuals with Disabilities Education Act or the Americans with Disabilities Act.

(e) In this subsection (e), "reenrolled student" means a dropout who has reenrolled full-time in a public school. Each school district shall identify, track, and report on the educational progress and outcomes of reenrolled students as a subset of the district's required reporting on all enrollments. A reenrolled student who again drops out must not be counted again against a district's dropout rate performance measure. The State Board of Education shall set performance standards for programs serving reenrolled students.

(f) The State Board of Education shall adopt any rules necessary to implement the changes to this Section made by Public Act 93-803.

(Source: P.A. 98-544, eff. 7-1-14.)

(105 ILCS 5/26-16)

Sec. 26-16. Graduation incentives program.

(a) The General Assembly finds that it is critical to provide options for children to succeed in school. The purpose of this Section is to provide incentives for and encourage all Illinois students who have experienced or are experiencing difficulty in the traditional education system to enroll in alternative programs.

(b) Any student who is below the age of 20 years is eligible to enroll in a graduation incentives program if he or she:

(1) is considered a dropout pursuant to Section 26-2a of this Code;
(2) has been suspended or expelled pursuant to Section 10-22.6 or 34-19 of this Code;
(3) is pregnant or is a parent;
(4) has been assessed as chemically dependent; or
(5) is enrolled in a bilingual education or LEP program.

(c) The following programs qualify as graduation incentives programs for students meeting the criteria established in this Section:

(1) Any public elementary or secondary education graduation incentives program established by a school district or by a regional office of education.
(2) Any alternative learning opportunities program established pursuant to Article 13B of this Code.
(3) Vocational or job training courses approved by the State Superintendent of Education that are available through the Illinois public community college system. Students may apply for

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reimbursement of 50% of tuition costs for one course per semester or a maximum of 3 courses per school year. Subject to available funds, students may apply for reimbursement of up to 100% of tuition costs upon a showing of employment within 6 months after completion of a vocational or job training program. The qualifications for reimbursement shall be established by the State Superintendent of Education by rule.

(4) Job and career programs approved by the State Superintendent of Education that are available through Illinois-accredited private business and vocational schools. Subject to available funds, pupils may apply for reimbursement of up to 100% of tuition costs upon a showing of employment within 6 months after completion of a job or career program. The State Superintendent of Education shall establish, by rule, the qualifications for reimbursement, criteria for determining reimbursement amounts, and limits on reimbursement.

(5) Adult education courses that offer preparation for high school equivalency testing the General Educational Development Test.

(d) Graduation incentives programs established by school districts are entitled to claim general State aid, subject to Sections 13B-50, 13B-50.5, and 13B-50.10 of this Code. Graduation incentives programs operated by regional offices of education are entitled to receive general State aid at the foundation level of support per pupil enrolled. A school district must ensure that its graduation incentives program receives supplemental general State aid, transportation reimbursements, and special education resources, if appropriate, for students enrolled in the program.

(Source: P.A. 93-858, eff. 1-1-05; 93-1079, eff. 1-21-05.)

Section 40. The Adult Education Act is amended by changing Section 3-1 as follows:

(105 ILCS 405/3-1) (from Ch. 122, par. 203-1)

Sec. 3-1. Apportionment for Adult Education Courses. Any school district maintaining adult education classes for the instruction of persons over 21 years of age and youths under 21 years of age whose schooling has been interrupted shall be entitled to claim an apportionment in accordance with the provisions of Section 10-22.20 of the School Code and Section 2-4 of this Act. Any public community college district maintaining adult education classes for the instruction of persons over 21 years of age and youths under 21 years of age whose schooling has been interrupted shall be entitled to

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claim an apportionment in accordance with the provisions of Section 2-16.02 of the Public Community College Act.

Reimbursement as herein provided shall be limited to courses regularly accepted for graduation from elementary or high schools and for Americanization and high school equivalency testing review General Educational Development Review classes which are approved by the Board.

If the amount appropriated for this purpose is less than the amount required under the provisions of this Section, the apportionment for local districts shall be proportionately reduced.

(Source: P.A. 93-21, eff. 7-1-03.)

Section 45. The University of Illinois Act is amended by changing Section 8 as follows:

(110 ILCS 305/8) (from Ch. 144, par. 29)

Sec. 8. Admissions.

(a) (Blank).

(b) In addition, commencing in the fall of 1993, no new student shall then or thereafter be admitted to instruction in any of the departments or colleges of the University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

(2) except that institutions may admit individual applicants if the institution determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the...
knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of the University of Illinois shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Institutions may also admit 1) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and 2) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of the 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(c) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (b).

(d) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test the high school level General Educational Development (GED) Test as a prerequisite to admission.

(Source: P.A. 96-203, eff. 8-10-09; 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 50. The Southern Illinois University Management Act is amended by changing Section 8e as follows:

(110 ILCS 520/8e) (from Ch. 144, par. 658e)
Sec. 8e. Admissions.

(a) Commencing in the fall of 1993, no new student shall then or thereafter be admitted to instruction in any of the departments or colleges of the University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

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(B) 3 years of social studies (emphasizing history and government);
   (C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);
   (D) 3 years of science (laboratory sciences); and
   (E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

(2) except that institutions may admit individual applicants if the institution determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Southern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Institutions may also admit 1) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and 2) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be
required to take a high school equivalency test the high school level General Educational Development (GED) Test as a prerequisite to admission. (Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 55. The Chicago State University Law is amended by changing Section 5-85 as follows:

(110 ILCS 660/5-85)
Sec. 5-85. Admission requirements.
(a) No new student shall be admitted to instruction in any of the departments or colleges of the Chicago State University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:
   (A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;
   (B) 3 years of social studies (emphasizing history and government);
   (C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);
   (D) 3 years of science (laboratory sciences); and
   (E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;
(2) except that Chicago State University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Chicago State University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Chicago State University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized

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special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test the high school level General Educational Development (GED) Test as a prerequisite to admission.

(Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 60. The Eastern Illinois University Law is amended by changing Section 10-85 as follows:

(110 ILCS 665/10-85)
Sec. 10-85. Admission requirements.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Eastern Illinois University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming); (D) 3 years of science (laboratory sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

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(2) except that Eastern Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Eastern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Eastern Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 65. The Governors State University Law is amended by changing Section 15-85 as follows:

(110 ILCS 670/15-85)

Sec. 15-85. Admission requirements.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Governors State University unless such student also has satisfactorily completed:

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(1) at least 15 units of high school coursework from the following 5 categories:
   (A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;
   (B) 3 years of social studies (emphasizing history and government);
   (C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);
   (D) 3 years of science (laboratory sciences); and
   (E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

(2) except that Governors State University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Governors State University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Governors State University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

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(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test, the high school level General Educational Development (GED) Test as a prerequisite to admission.

(Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 70. The Illinois State University Law is amended by changing Section 20-85 as follows:

(110 ILCS 675/20-85)
Sec. 20-85. Admission requirements.
(a) No new student shall be admitted to instruction in any of the departments or colleges of the Illinois State University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

(2) except that Illinois State University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Illinois State University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's

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enrollment in a charter school established under Article 27A of the School Code. Illinois State University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test the high school level General Educational Development (GED) Test as a prerequisite to admission.

(Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 75. The Northeastern Illinois University Law is amended by changing Section 25-85 as follows:

(110 ILCS 680/25-85)
Sec. 25-85. Admission requirements.
(a) No new student shall be admitted to instruction in any of the departments or colleges of the Northeastern Illinois University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

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(D) 3 years of science (laboratory sciences); and
(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

(2) except that Northeastern Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Northeastern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Northeastern Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test, the high school level General Educational Development (GED) Test as a prerequisite to admission.

(Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 80. The Northern Illinois University Law is amended by changing Section 30-85 as follows:

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Sec. 30-85. Admission requirements.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Northern Illinois University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

   (A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

   (B) 3 years of social studies (emphasizing history and government);

   (C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

   (D) 3 years of science (laboratory sciences); and

   (E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

(2) except that Northern Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Northern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Northern Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and
(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 85. The Western Illinois University Law is amended by changing Section 35-85 as follows:

(110 ILCS 690/35-85)

Sec. 35-85. Admission requirements.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Western Illinois University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, vocational education or art;

(2) except that Western Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including vocational education courses and courses taken in a charter school established under Article 27A of the School Code, that the

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applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Western Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Western Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(Source: P.A. 96-843, eff. 6-1-10; 96-1000, eff. 7-2-10.)

Section 90. The Public Community College Act is amended by changing Sections 2-12 and 3-17 as follows:

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

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

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

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

(c) To approve all locally funded capital projects for which no State monies are required, in accordance with standards established by rule.

(d) To cooperate with the community colleges in continuing studies of student characteristics, admission standards, grading policies, performance of transfer students, qualification and certification of facilities and any other problem of community college education.

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

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

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

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

(i) To participate in, to recommend approval or disapproval, and to assist in the coordination of the programs of community colleges participating in programs of interinstitutional cooperation with other public or nonpublic institutions of higher education. If the State Board does not approve a particular cooperative agreement, the community college district has a right to appeal the decision in accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act.

(j) To establish guidelines regarding sabbatical leaves.

(k) To establish guidelines for the admission into special, appropriate programs conducted or created by community colleges for elementary and secondary school dropouts who have received truant status from the school districts of this State in compliance with Section 26-14 of The School Code.

(l) The Community College Board shall conduct a study of community college teacher education courses to determine how the community college system can increase its participation in the preparation of elementary and secondary teachers.

(m) To establish by July 1, 1997 uniform financial accounting and reporting standards and principles for community colleges and develop procedures and systems for community colleges for reporting financial data to the State Board.

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

(o) On and after July 1, 2001, to ensure the effective teaching of adults and to prepare them for success in employment and lifelong learning by administering a network of providers, programs, and services to provide adult basic education, adult secondary and high school equivalency testing education secondary/general education development, English as a second language, and any other instruction designed to prepare adult students to function successfully in society and to experience success in postsecondary education and the world of work.

(p) On and after July 1, 2001, to supervise the administration of adult education and adult literacy programs, to establish the standards for such courses of instruction and supervise the administration thereof, to contract with other State and local agencies and eligible providers, such as local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public and private nonprofit agencies, libraries, and public housing authorities, for the purpose of promoting and establishing classes for instruction under these programs, to contract with other State and local agencies to accept and expend appropriations for educational purposes to reimburse local eligible providers for the cost of these programs, and to establish an advisory council consisting of all categories of eligible providers; agency partners, such as the State Board of Education, the Department of Human Services, the Department of Employment Security, and the Secretary of State literacy program; and other stakeholders to identify, deliberate, and make recommendations to the State Board on adult education policy and priorities. The State Board shall support statewide geographic distribution; diversity of eligible providers; and the adequacy, stability, and predictability of funding so as not to disrupt or diminish, but rather to enhance, adult education by this change of administration.

(Source: P.A. 94-1105, eff. 6-1-07.)

(110 ILCS 805/3-17) (from Ch. 122, par. 103-17)

Sec. 3-17. The community college districts shall admit all students qualified to complete any one of their programs including general education, transfer, occupational, technical, and terminal, as long as space for effective instruction is available. After entry, the college shall counsel and distribute

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the students among its programs according to their interests and abilities. Students allowed entry in college transfer programs must have ability and competence similar to that possessed by students admitted to state universities for similar programs. Entry level competence to such college transfer programs may be achieved through successful completion of other preparatory courses offered by the college. If space is not available for all students applying, the community college will accept those best qualified, using rank in class and ability and achievement tests as guides, and shall give preference to students residing in the district unless the district has entered into a contractual agreement for the mutual exchange of students with another community college district, in which case, equal enrollment preference may be granted to students residing in such contracting districts.

A student who has graduated from high school and has scored within the community college's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission. (Source: P.A. 91-374, eff. 7-30-99.)

Section 95. The Higher Education Student Assistance Act is amended by changing Sections 50 and 52 as follows:

(110 ILCS 947/50)
Sec. 50. Minority Teachers of Illinois scholarship program.
(a) As used in this Section:
"Eligible applicant" means a minority student who has graduated from high school or has received a high school equivalency certificate General Educational Development Certification and has maintained a cumulative grade point average of no less than 2.5 on a 4.0 scale, and who by reason thereof is entitled to apply for scholarships to be awarded under this Section.
"Minority student" means a student who is any of the following:

(1) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).

(2) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).

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(3) Black or African American (a person having origins in any of the black racial groups of Africa). Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American".

(4) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).

(5) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

"Qualified student" means a person (i) who is a resident of this State and a citizen or permanent resident of the United States; (ii) who is a minority student, as defined in this Section; (iii) who, as an eligible applicant, has made a timely application for a minority teaching scholarship under this Section; (iv) who is enrolled on at least a half-time basis at a qualified Illinois institution of higher learning; (v) who is enrolled in a course of study leading to teacher certification, including alternative teacher certification; (vi) who maintains a grade point average of no less than 2.5 on a 4.0 scale; and (vii) who continues to advance satisfactorily toward the attainment of a degree.

(b) In order to encourage academically talented Illinois minority students to pursue teaching careers at the preschool or elementary or secondary school level, each qualified student shall be awarded a minority teacher scholarship to any qualified Illinois institution of higher learning. However, preference may be given to qualified applicants enrolled at or above the junior level.

(c) Each minority teacher scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the qualified Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of $5,000; except that in the case of a recipient who does not reside on-campus at the institution at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of $5,000.

(d) The total amount of minority teacher scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the
institution at which the student is enrolled. If the amount of minority teacher scholarship to be awarded to a qualified student as provided in subsection (c) of this Section exceeds the cost of attendance at the institution at which the student is enrolled, the minority teacher scholarship shall be reduced by an amount equal to the amount by which the combined financial assistance available to the student exceeds the cost of attendance.

(e) The maximum number of academic terms for which a qualified student can receive minority teacher scholarship assistance shall be 8 semesters or 12 quarters.

(f) In any academic year for which an eligible applicant under this Section accepts financial assistance through the Paul Douglas Teacher Scholarship Program, as authorized by Section 551 et seq. of the Higher Education Act of 1965, the applicant shall not be eligible for scholarship assistance awarded under this Section.

(g) All applications for minority teacher scholarships to be awarded under this Section shall be made to the Commission on forms which the Commission shall provide for eligible applicants. The form of applications and the information required to be set forth therein shall be determined by the Commission, and the Commission shall require eligible applicants to submit with their applications such supporting documents or recommendations as the Commission deems necessary.

(h) Subject to a separate appropriation for such purposes, payment of any minority teacher scholarship awarded under this Section shall be determined by the Commission. All scholarship funds distributed in accordance with this subsection shall be paid to the institution and used only for payment of the tuition and fee and room and board expenses incurred by the student in connection with his or her attendance as an undergraduate student at a qualified Illinois institution of higher learning. Any minority teacher scholarship awarded under this Section shall be applicable to 2 semesters or 3 quarters of enrollment. If a qualified student withdraws from enrollment prior to completion of the first semester or quarter for which the minority teacher scholarship is applicable, the school shall refund to the Commission the full amount of the minority teacher scholarship.

(i) The Commission shall administer the minority teacher scholarship aid program established by this Section and shall make all necessary and proper rules not inconsistent with this Section for its effective implementation.

(j) When an appropriation to the Commission for a given fiscal year is insufficient to provide scholarships to all qualified students, the
Commission shall allocate the appropriation in accordance with this subsection. If funds are insufficient to provide all qualified students with a scholarship as authorized by this Section, the Commission shall allocate the available scholarship funds for that fiscal year on the basis of the date the Commission receives a complete application form.

(k) Notwithstanding the provisions of subsection (j) or any other provision of this Section, at least 30% of the funds appropriated for scholarships awarded under this Section in each fiscal year shall be reserved for qualified male minority applicants. If the Commission does not receive enough applications from qualified male minorities on or before January 1 of each fiscal year to award 30% of the funds appropriated for these scholarships to qualified male minority applicants, then the Commission may award a portion of the reserved funds to qualified female minority applicants.

(l) Prior to receiving scholarship assistance for any academic year, each recipient of a minority teacher scholarship awarded under this Section shall be required by the Commission to sign an agreement under which the recipient pledges that, within the one-year period following the termination of the program for which the recipient was awarded a minority teacher scholarship, the recipient (i) shall begin teaching for a period of not less than one year for each year of scholarship assistance he or she was awarded under this Section; and (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool, elementary school, or secondary school at which no less than 30% of the enrolled students are minority students in the year during which the recipient begins teaching at the school; and (iii) shall, upon request by the Commission, provide the Commission with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection.

(m) If a recipient of a minority teacher scholarship awarded under this Section fails to fulfill the teaching obligation set forth in subsection (l) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, at a rate of interest equal to 5%, and, if applicable, reasonable collection fees. The Commission is authorized to establish rules relating to its collection activities for repayment of scholarships under this Section. All repayments collected under this Section shall be forwarded to the State Comptroller for deposit into the State's General Revenue Fund.

(n) A recipient of minority teacher scholarship shall not be considered in violation of the agreement entered into pursuant to subsection (l) if the recipient (i) enrolls on a full time basis as a graduate student in a course of

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study related to the field of teaching at a qualified Illinois institution of higher
learning; (ii) is serving, not in excess of 3 years, as a member of the armed
services of the United States; (iii) is temporarily totally disabled for a period
of time not to exceed 3 years as established by sworn affidavit of a qualified
physician; (iv) is seeking and unable to find full time employment as a
teacher at an Illinois public, private, or parochial preschool or elementary or
secondary school that satisfies the criteria set forth in subsection (l) of this
Section and is able to provide evidence of that fact; (v) becomes permanently
totally disabled as established by sworn affidavit of a qualified physician; (vi)
is taking additional courses, on at least a half-time basis, needed to obtain
certification as a teacher in Illinois; or (vii) is fulfilling teaching requirements
associated with other programs administered by the Commission and cannot
concurrently fulfill them under this Section in a period of time equal to the
length of the teaching obligation.

(o) Scholarship recipients under this Section who withdraw from a
program of teacher education but remain enrolled in school to continue their
postsecondary studies in another academic discipline shall not be required to
commence repayment of their Minority Teachers of Illinois scholarship so
long as they remain enrolled in school on a full-time basis or if they can
document for the Commission special circumstances that warrant extension
of repayment.
(110 ILCS 947/52)
Sec. 52. Golden Apple Scholars of Illinois Program; Golden Apple
Foundation for Excellence in Teaching.

(a) In this Section, "Foundation" means the Golden Apple Foundation
for Excellence in Teaching, a registered 501(c)(3) not-for-profit corporation.

(a-2) In order to encourage academically talented Illinois students,
especially minority students, to pursue teaching careers, especially in teacher
shortage disciplines (which shall be defined to include early childhood
education) or at hard-to-staff schools (as defined by the Commission in
consultation with the State Board of Education), to provide those students
with the crucial mentoring, guidance, and in-service support that will
significantly increase the likelihood that they will complete their full teaching
commitments and elect to continue teaching in targeted disciplines and hard-
to-staff schools, and to ensure that students in this State will continue to have
access to a pool of highly-qualified teachers, each qualified student shall be
awarded a Golden Apple Scholars of Illinois Program scholarship to any
Illinois institution of higher learning. The Commission shall administer the

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Golden Apple Scholars of Illinois Program, which shall be managed by the Foundation pursuant to the terms of a grant agreement meeting the requirements of Section 4 of the Illinois Grant Funds Recovery Act.

(a-3) For purposes of this Section, a qualified student shall be a student who meets the following qualifications:

(1) is a resident of this State and a citizen or eligible noncitizen of the United States;

(2) is a high school graduate or a person who has received a General Educational Development certificate;

(3) is enrolled or accepted, on at least a half-time basis, at an institution of higher learning;

(4) is pursuing a postsecondary course of study leading to initial certification or pursuing additional course work needed to gain State Board of Education approval to teach, including alternative teacher licensure; and

(5) is a participant in programs managed by and is approved to receive a scholarship from the Foundation.

(a-5) (Blank).

(b) (Blank).

(b-5) Funds designated for the Golden Apple Scholars of Illinois Program shall be used by the Commission for the payment of scholarship assistance under this Section or for the award of grant funds, subject to the Illinois Grant Funds Recovery Act, to the Foundation. Subject to appropriation, awards of grant funds to the Foundation shall be made on an annual basis and following an application for grant funds by the Foundation.

(b-10) Each year, the Foundation shall include in its application to the Commission for grant funds an estimate of the amount of scholarship assistance to be provided to qualified students during the grant period. Any amount of appropriated funds exceeding the estimated amount of scholarship assistance may be awarded by the Commission to the Foundation for management expenses expected to be incurred by the Foundation in providing the mentoring, guidance, and in-service supports that will increase the likelihood that qualified students will complete their teaching commitments and elect to continue teaching in hard-to-staff schools. If the estimate of the amount of scholarship assistance described in the Foundation's application is less than the actual amount required for the award of scholarship assistance to qualified students, the Foundation shall be

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responsible for using awarded grant funds to ensure all qualified students receive scholarship assistance under this Section.

(b-15) All grant funds not expended or legally obligated within the time specified in a grant agreement between the Foundation and the Commission shall be returned to the Commission within 45 days. Any funds legally obligated by the end of a grant agreement shall be liquidated within 45 days or otherwise returned to the Commission within 90 days after the end of the grant agreement that resulted in the award of grant funds.

(c) Each scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of $5,000; except that in the case of a recipient who does not reside on-campus at the institution of higher learning at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of $5,000. All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of recipients.

(d) The total amount of scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the institution of higher learning at which the student is enrolled. In any academic year for which a qualified student under this Section accepts financial assistance through any other teacher scholarship program administered by the Commission, a qualified student shall not be eligible for scholarship assistance awarded under this Section.

(e) A recipient may receive up to 8 semesters or 12 quarters of scholarship assistance under this Section. Scholarship funds are applicable toward 2 semesters or 3 quarters of enrollment each academic year.

(f) All applications for scholarship assistance to be awarded under this Section shall be made to the Foundation in a form determined by the Foundation. Each year, the Foundation shall notify the Commission of the individuals awarded scholarship assistance under this Section. Each year, at least 30% of the Golden Apple Scholars of Illinois Program scholarships shall be awarded to students residing in counties having a population of less than 500,000.

(g) (Blank).

(h) The Commission shall administer the payment of scholarship assistance provided through the Golden Apple Scholars of Illinois Program.
and shall make all necessary and proper rules not inconsistent with this Section for the effective implementation of this Section.

(i) Prior to receiving scholarship assistance for any academic year, each recipient of a scholarship awarded under this Section shall be required by the Foundation to sign an agreement under which the recipient pledges that, within the 2-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient: (i) shall begin teaching for a period of not less than 5 years, (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool or an Illinois public elementary or secondary school that qualifies for teacher loan cancellation under Section 465(a)(2)(A) of the federal Higher Education Act of 1965 (20 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools deemed eligible for fulfilling the teaching commitment as designated by the Foundation, and (iii) shall, upon request of the Foundation, provide the Foundation with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection. Upon request, the Foundation shall provide evidence of teacher fulfillment to the Commission.

(j) If a recipient of a scholarship awarded under this Section fails to fulfill the teaching obligation set forth in subsection (i) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, plus interest at a rate of 5% and if applicable, reasonable collection fees. Payments received by the Commission under this subsection (j) shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(k) A recipient of a scholarship awarded by the Foundation under this Section shall not be considered to have failed to fulfill the teaching obligations of the agreement entered into pursuant to subsection (i) if the recipient (i) enrolls on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning; (ii) is serving as a member of the armed services of the United States; (iii) is temporarily totally disabled, as established by sworn affidavit of a qualified physician; (iv) is seeking and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (i) and is able to provide evidence of that fact; (v) is taking additional courses, on at

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least a half-time basis, needed to obtain certification as a teacher in Illinois; (vi) is fulfilling teaching requirements associated with other programs administered by the Commission and cannot concurrently fulfill them under this Section in a period of time equal to the length of the teaching obligation; or (vii) is participating in a program established under Executive Order 10924 of the President of the United States or the federal National Community Service Act of 1990 (42 U.S.C. 12501 et seq.). Any such extension of the period during which the teaching requirement must be fulfilled shall be subject to limitations of duration as established by the Commission.

(l) A recipient who fails to fulfill the teaching obligations of the agreement entered into pursuant to subsection (i) of this Section shall repay the amount of scholarship assistance awarded to them under this Section within 10 years.

(m) Annually, at a time determined by the Commission in consultation with the Foundation, the Foundation shall submit a report to assist the Commission in monitoring the Foundation's performance of grant activities. The report shall describe the following:

(1) the Foundation's anticipated expenditures for the next fiscal year;
(2) the number of qualified students receiving scholarship assistance at each institution of higher learning where a qualified student was enrolled under this Section during the previous fiscal year;
(3) the total monetary value of scholarship funds paid to each institution of higher learning at which a qualified student was enrolled during the previous fiscal year;
(4) the number of scholarship recipients who completed a baccalaureate degree during the previous fiscal year;
(5) the number of scholarship recipients who fulfilled their teaching obligation during the previous fiscal year;
(6) the number of scholarship recipients who failed to fulfill their teaching obligation during the previous fiscal year;
(7) the number of scholarship recipients granted an extension described in subsection (k) of this Section during the previous fiscal year;
(8) the number of scholarship recipients required to repay scholarship assistance in accordance with subsection (j) of this Section during the previous fiscal year;

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(9) the number of scholarship recipients who successfully repaid scholarship assistance in full during the previous fiscal year;
(10) the number of scholarship recipients who defaulted on their obligation to repay scholarship assistance during the previous fiscal year;
(11) the amount of scholarship assistance subject to collection in accordance with subsection (j) of this Section at the end of the previous fiscal year;
(12) the amount of collected funds to be remitted to the Comptroller in accordance with subsection (j) of this Section at the end of the previous fiscal year; and
(13) other information that the Commission may reasonably request.
(n) Nothing in this Section shall affect the rights of the Commission to collect moneys owed to it by recipients of scholarship assistance through the Illinois Future Teacher Corps Program, repealed by this amendatory Act of the 98th General Assembly.
(o) The Auditor General shall prepare an annual audit of the operations and finances of the Golden Apple Scholars of Illinois Program. This audit shall be provided to the Governor, General Assembly, and the Commission.
(p) The suspension of grant making authority found in Section 4.2 of the Illinois Grant Funds Recovery Act shall not apply to grants made pursuant to this Section.
(Source: P.A. 98-533, eff. 8-23-13.)
Section 100. The Illinois Insurance Code is amended by changing Section 500-50 as follows:
(215 ILCS 5/500-50)
Sec. 500-50. Insurance producers; examination statistics.
(a) The use of examinations for the purpose of determining qualifications of persons to be licensed as insurance producers has a direct and far-reaching effect on persons seeking those licenses, on insurance companies, and on the public. It is in the public interest and it will further the public welfare to insure that examinations for licensing do not have the effect of unlawfully discriminating against applicants for licensing as insurance producers on the basis of race, color, national origin, or sex.
(b) As used in this Section, the following words have the meanings given in this subsection.

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Examination. "Examination" means the examination in each line of insurance administered pursuant to Section 500-30.

Examinee. "Examinee" means a person who takes an examination.

Part. "Part" means a portion of an examination for which a score is calculated.

Operational item. "Operational item" means a test question considered in determining an examinee's score.

Test form. "Test form" means the test booklet or instrument used for a part of an examination.

Pretest item. "Pretest item" means a prospective test question that is included in a test form in order to assess its performance, but is not considered in determining an examinee's score.

Minority group or examinees. "Minority group" or "minority examinees" means examinees who are American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, or Native Hawaiian or Other Pacific Islander.

Correct-answer rate. "Correct-answer rate" for an item means the number of examinees who provided the correct answer on an item divided by the number of examinees who answered the item.

Correlation. "Correlation" means a statistical measure of the relationship between performance on an item and performance on a part of the examination.

(c) The Director shall ask each examinee to self-report on a voluntary basis on the answer sheet, application form, or by other appropriate means, the following information:

(1) race or ethnicity (American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, or White);

(2) education (8th grade or less; less than 12th grade; high school diploma or high school equivalency certificate G.E.D.; some college, but no 4-year degree; or 4-year degree or more); and

(3) gender (male or female).

The Director must advise all examinees that they are not required to provide this information, that they will not be penalized for not doing so, and that the Director will use the information provided exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

(d) No later than May 1 of each year, the Director must prepare, publicly announce, and publish an Examination Report of summary statistical
information relating to each examination administered during the preceding calendar year. Each Examination Report shall show with respect to each examination:

(1) For all examinees combined and separately by race or ethnicity, by educational level, by gender, by educational level within race or ethnicity, by education level within gender, and by race or ethnicity within gender:
   (A) number of examinees;
   (B) percentage and number of examinees who passed each part;
   (C) percentage and number of examinees who passed all parts;
   (D) mean scaled scores on each part; and
   (E) standard deviation of scaled scores on each part.

(2) For male examinees, female examinees, Black or African American examinees, white examinees, American Indian or Alaska Native examinees, Asian examinees, Hispanic or Latino examinees, and Native Hawaiian or Other Pacific Islander, respectively, with a high school diploma or high school equivalency certificate G.E.D., the distribution of scaled scores on each part.

No later than May 1 of each year, the Director must prepare and make available on request an Item Report of summary statistical information relating to each operational item on each test form administered during the preceding calendar year. The Item Report shall show, for each operational item, for all examinees combined and separately for Black or African American examinees, white examinees, American Indian or Alaska Native examinees, Asian examinees, Hispanic or Latino examinees, and Native Hawaiian or Other Pacific Islander, the correct-answer rates and correlations.

The Director is not required to report separate statistical information for any group or subgroup comprising fewer than 50 examinees.

(e) The Director must obtain a regular analysis of the data collected under this Section, and any other relevant information, for purposes of the development of new test forms. The analysis shall continue the implementation of the item selection methodology as recommended in the Final Report of the Illinois Insurance Producer's Licensing Examination Advisory Committee dated November 19, 1991, and filed with the Department unless some other methodology is determined by the Director to be as effective in minimizing differences between white and minority examinee pass-fail rates.
(f) The Director has the discretion to set cutoff scores for the examinations, provided that scaled scores on test forms administered after July 1, 1993, shall be made comparable to scaled scores on test forms administered in 1991 by use of professionally acceptable methods so as to minimize changes in passing rates related to the presence or absence of or changes in equating or scaling equations or methods or content outlines. Each calendar year, the scaled cutoff score for each part of each examination shall fluctuate by no more than the standard error of measurement from the scaled cutoff score employed during the preceding year.

(g) No later than May 1, 2003 and no later than May 1 of every fourth year thereafter, the Director must release to the public and make generally available one representative test form and set of answer keys for each part of each examination.

(h) The Director must maintain, for a period of 3 years after they are prepared or used, all registration forms, test forms, answer sheets, operational items and pretest items, item analyses, and other statistical analyses relating to the examinations. All personal identifying information regarding examinees and the content of test items must be maintained confidentially as necessary for purposes of protecting the personal privacy of examinees and the maintenance of test security.

(i) In administering the examinations, the Director must make such accommodations for disabled examinees as are reasonably warranted by the particular disability involved, including the provision of additional time if necessary to complete an examination or special assistance in taking an examination.

(j) For the purposes of this Section:

1) "American Indian or Alaska Native" means a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment.

2) "Asian" means a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

3) "Black or African American" means a person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American".

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(4) "Hispanic or Latino" means a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

(5) "Native Hawaiian or Other Pacific Islander" means a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

(6) "White" means a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

(Source: P.A. 97-396, eff. 1-1-12.)

Section 105. The Pharmacy Practice Act is amended by changing Section 9 as follows:

(225 ILCS 85/9) (from Ch. 111, par. 4129)

Sec. 9. Registration as pharmacy technician. Any person shall be entitled to registration as a registered pharmacy technician who is of the age of 16 or over, has not engaged in conduct or behavior determined to be grounds for discipline under this Act, is attending or has graduated from an accredited high school or comparable school or educational institution or received a high school equivalency certificate, and has filed a written application for registration on a form to be prescribed and furnished by the Department for that purpose. The Department shall issue a certificate of registration as a registered pharmacy technician to any applicant who has qualified as aforesaid, and such registration shall be the sole authority required to assist licensed pharmacists in the practice of pharmacy, under the supervision of a licensed pharmacist. A registered pharmacy technician may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform such functions as assisting in the dispensing process, offering counseling, receiving new verbal prescription orders, and having prescriber contact concerning prescription drug order clarification. A registered pharmacy technician may not engage in patient counseling, drug regimen review, or clinical conflict resolution.

Beginning on January 1, 2010, within 2 years after initial registration as a registered technician, a pharmacy technician must become certified by successfully passing the Pharmacy Technician Certification Board (PTCB) examination or another Board-approved pharmacy technician examination and register as a certified pharmacy technician with the Department in order to continue to perform pharmacy technician's duties. This requirement does not apply to pharmacy technicians registered prior to January 1, 2008.

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Any person registered as a pharmacy technician who is also enrolled in a first professional degree program in pharmacy in a school or college of pharmacy or a department of pharmacy of a university approved by the Department or has graduated from such a program within the last 18 months, shall be considered a "student pharmacist" and entitled to use the title "student pharmacist". A student pharmacist must meet all of the requirements for registration as a pharmacy technician set forth in this Section excluding the requirement of certification prior to the second registration renewal and pay the required pharmacy technician registration fees. A student pharmacist may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform any and all functions delegated to him or her by the pharmacist.

Any person seeking licensure as a pharmacist who has graduated from a pharmacy program outside the United States must register as a pharmacy technician and shall be considered a "student pharmacist" and be entitled to use the title "student pharmacist" while completing the 1,200 clinical hours of training approved by the Board of Pharmacy described and for no more than 18 months after completion of these hours. These individuals are not required to become certified pharmacy technicians while completing their Board approved clinical training, but must become licensed as a pharmacist or become a certified pharmacy technician before the second pharmacy technician registration renewal following completion of the Board approved clinical training.

The Department shall not renew the pharmacy technician license of any person who has been registered as a "student pharmacist" and has dropped out of or been expelled from an ACPE accredited college of pharmacy, who has failed to complete his or her 1,200 hours of Board approved clinical training within 24 months or who has failed the pharmacist licensure examination 3 times and shall require these individuals to meet the requirements of and become registered a certified pharmacy technician.

The Department may take any action set forth in Section 30 of this Act with regard to registrations pursuant to this Section.

Any person who is enrolled in a non-traditional Pharm.D. program at an ACPE accredited college of pharmacy and is a licensed pharmacist under the laws of another United States jurisdiction shall be permitted to engage in the program of practice experience required in the academic program by virtue of such license. Such person shall be exempt from the requirement of registration as a registered pharmacy technician while engaged in the program of practice experience required in the academic program.
An applicant for registration as a pharmacy technician may assist a pharmacist in the practice of pharmacy for a period of up to 60 days prior to the issuance of a certificate of registration if the applicant has submitted the required fee and an application for registration to the Department. The applicant shall keep a copy of the submitted application on the premises where the applicant is assisting in the practice of pharmacy. The Department shall forward confirmation of receipt of the application with start and expiration dates of practice pending registration.

(Source: P.A. 95-689, eff. 10-29-07; 96-673, eff. 1-1-10.)

Section 110. The Structural Pest Control Act is amended by changing Section 5 as follows:

(225 ILCS 235/5) (from Ch. 111 1/2, par. 2205)

(Section scheduled to be repealed on December 31, 2019)

Sec. 5. Certification requirements. No individual shall apply any general use or restricted pesticide while engaged in commercial structural pest control in this State unless certified, or supervised by someone who is certified, by the Department in accordance with this Section.

No individual shall apply any restricted pesticide while engaged in non-commercial structural pest control in this State unless certified, or supervised by someone who is certified, by the Department in accordance with this Section. In addition, any individual at any non-commercial structural pest control location using general use pesticides shall comply with the labeling requirements of the pesticides used at that location.

Each commercial structural pest control location shall be required to employ at least one certified technician at each location. In addition, each non-commercial structural pest control location utilizing restricted pesticides shall be required to employ at least one certified technician at each location. Individuals who are not certified technicians may work under the supervision of a certified technician employed at the commercial or non-commercial location who shall be responsible for their pest control activities. Any technician providing supervision for the use of restricted pesticides must be certified in the sub-category for which he is providing supervision.

A. Any individual engaging in commercial structural pest control and utilizing general use pesticides shall meet the following requirements:

1. He has a high school diploma or a high school equivalency GED certificate;

2. He has filed an original application, paid the fee required for examination, and successfully passed the General Standards examination.

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B. Any individual engaging in commercial or non-commercial structural pest control and utilizing restricted pesticides in any one of the sub-categories in Section 7 of this Act shall meet the following requirements:

1. He has a high school diploma or a high school equivalency GED certificate;
2. He has:
   a. six months of practical experience in one or more sub-categories in structural pest control; or
   b. successfully completed a minimum of 16 semester hours, or their equivalent, in entomology or related fields from a recognized college or university; or
   c. successfully completed a pest control course, approved by the Department, from a recognized educational institution or other entity.

Each applicant shall have filed an original application and paid the fee required for examination. Every applicant who successfully passes the General Standards examination and at least one sub-category examination shall be certified in each sub-category which he has successfully passed.

A certified technician who wishes to be certified in sub-categories for which he has not been previously certified may apply for any sub-category examination provided he meets the requirements set forth in this Section, files an original application, and pays the fee for examination.

An applicant who fails to pass the General Standards examination or any sub-category examination may reapply for that examination, provided that he files an application and pays the fee required for an original examination. Re-examination applications shall be on forms prescribed by the Department.

(Source: P.A. 87-703; reenacted by P.A. 95-786, eff. 8-7-08.)

Section 115. The Illinois Public Aid Code is amended by changing Section 9A-9 as follows:

(305 ILCS 5/9A-9) (from Ch. 23, par. 9A-9)

Sec. 9A-9. Program Activities. The Department shall establish education, training and placement activities by rule. Not all of the same activities need be provided in each county in the State. Such activities may include the following:

(a) Education (Below post secondary). In the Education (below post secondary) activity, the individual receives information, referral, counseling services and support services to increase the individual's employment potential. Participants may be referred to testing, counseling and education

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resources. Educational activities will include basic and remedial education; English proficiency classes; high school or its equivalency (e.g., GED) or alternative education at the secondary level; and with any educational program, structured study time to enhance successful participation. An individual's participation in an education program such as literacy, basic adult education, high school equivalency (GED), or a remedial program shall be limited to 2 years unless the individual also is working or participating in a work activity approved by the Illinois Department as defined by rule; this requirement does not apply, however, to students enrolled in high school.

(b) Job Skills Training (Vocational). Job Skills Training is designed to increase the individual's ability to obtain and maintain employment. Job Skills Training activities will include vocational skill classes designed to increase a participant's ability to obtain and maintain employment. Job Skills Training may include certificate programs.

(c) Job Readiness. The job readiness activity is designed to enhance the quality of the individual's level of participation in the world of work while learning the necessary essentials to obtain and maintain employment. This activity helps individuals gain the necessary job finding skills to help them find and retain employment that will lead to economic independence.

(d) Job Search. Job Search may be conducted individually or in groups. Job Search includes the provision of counseling, job seeking skills training and information dissemination. Group job search may include training in a group session. Assignment exclusively to job search cannot be in excess of 8 consecutive weeks (or its equivalent) in any period of 12 consecutive months.

(e) Work Experience. Work Experience assignments may be with private employers or not-for-profit or public agencies in the State. The Illinois Department shall provide workers' compensation coverage. Participants who are not members of a 2-parent assistance unit may not be assigned more hours than their cash grant amount plus food stamps divided by the minimum wage. Private employers and not-for-profit and public agencies shall not use Work Experience participants' abilities to displace regular employees. Participants in Work Experience may perform work in the public interest (which otherwise meets the requirements of this Section) for a federal office or agency with its consent, and notwithstanding the provisions of 31 U.S.C. 1342, or any other provision of law, such agency may accept such services, but participants shall not be considered federal employees for any purpose. A participant shall be reassessed at the end of assignment to Work Experience. The participant may:

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be reassigned to Work Experience or assigned to another activity, based on the reassessment.

(f) On the Job Training. In On the Job Training, a participant is hired by a private or public employer and while engaged in productive work receives training that provides knowledge or skills essential to full and adequate performance of the job.

(g) Work Supplementation. In work supplementation, the Department pays a wage subsidy to an employer who hires a participant. The cash grant which a participant would receive if not employed is diverted and the diverted cash grant is used to pay the wage subsidy.

(h) Post Secondary Education. Post secondary education must be administered by an educational institution accredited under requirements of State law.

(i) Self Initiated Education. Participants who are attending an institution of higher education or a vocational or technical program of their own choosing and who are in good standing, may continue to attend and receive supportive services only if the educational program is approved by the Department, and is in conformity with the participant's personal plan for achieving employment and self-sufficiency and the participant is employed part-time, as defined by the Illinois Department by rule.

(j) Job Development and Placement. Department staff shall develop through contacts with public and private employers unsubsidized job openings for participants. Job interviews will be secured for clients by the marketing of participants for specific job openings. Job ready individuals may be assigned to Job Development and Placement.

(k) Job Retention. The job retention component is designed to assist participants in retaining employment. Initial employment expenses and job retention services are provided. The individual's support service needs are assessed and the individual receives counseling regarding job retention skills.

(l) (Blank).

(l-5) Transitional Jobs. These programs provide temporary wage-paying work combined with case management and other social services designed to address employment barriers. The wage-paying work is treated as regular employment for all purposes under this Code, and the additional activities, as determined by the Transitional Jobs provider, shall be countable work activities. The program must comply with the anti-displacement provisions of this Code governing the Work Experience program.

(m) Pay-after-performance Program. A parent may be required to participate in a pay-after-performance program in which the parent must work...
a specified number of hours to earn the grant. The program shall comply with provisions of this Code governing work experience programs.

(n) Community Service. Community service includes unpaid work that the client performs in his or her community, such as for a school, church, government agency, or nonprofit organization.

(Source: P.A. 93-598, eff. 8-26-03.)

Section 120. The Firearm Concealed Carry Act is amended by changing Section 80 as follows:

(430 ILCS 66/80)
Sec. 80. Certified firearms instructors.
(a) Within 60 days of the effective date of this Act, the Department shall begin approval of certified firearms instructors and enter certified firearms instructors into an online registry on the Department's website.
(b) A person who is not a certified firearms instructor shall not teach applicant training courses or advertise or otherwise represent courses they teach as qualifying their students to meet the requirements to receive a license under this Act. Each violation of this subsection is a business offense with a fine of at least $1,000 per violation.
(c) A person seeking to become a certified firearms instructor shall:
(1) be at least 21 years of age;
(2) be a legal resident of the United States; and
(3) meet the requirements of Section 25 of this Act, except for the Illinois residency requirement in item (xiv) of paragraph (2) of subsection (a) of Section 4 of the Firearm Owners Identification Card Act; and any additional uniformly applied requirements established by the Department.
(d) A person seeking to become a certified firearms instructor, in addition to the requirements of subsection (c) of this Section, shall:
(1) possess a high school diploma or high school equivalency GED certificate; and
(2) have at least one of the following valid firearms instructor certifications:
   (A) certification from a law enforcement agency;
   (B) certification from a firearm instructor course offered by a State or federal governmental agency;
   (C) certification from a firearm instructor qualification course offered by the Illinois Law Enforcement Training Standards Board; or

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(D) certification from an entity approved by the Department that offers firearm instructor education and training in the use and safety of firearms.

(e) A person may have his or her firearms instructor certification denied or revoked if he or she does not meet the requirements to obtain a license under this Act, provides false or misleading information to the Department, or has had a prior instructor certification revoked or denied by the Department.

(Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13.)

Section 125. The Illinois Vehicle Code is amended by changing Sections 6-107 and 6-408.5 as follows:

(625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

Sec. 6-107. Graduated license.

(a) The purpose of the Graduated Licensing Program is to develop safe and mature driving habits in young, inexperienced drivers and reduce or prevent motor vehicle accidents, fatalities, and injuries by:

(1) providing for an increase in the time of practice period before granting permission to obtain a driver's license;

(2) strengthening driver licensing and testing standards for persons under the age of 21 years;

(3) sanctioning driving privileges of drivers under age 21 who have committed serious traffic violations or other specified offenses; and

(4) setting stricter standards to promote the public's health and safety.

(b) The application of any person under the age of 18 years, and not legally emancipated, for a drivers license or permit to operate a motor vehicle issued under the laws of this State, shall be accompanied by the written consent of either parent of the applicant; otherwise by the guardian having custody of the applicant, or in the event there is no parent or guardian, then by another responsible adult. The written consent must accompany any application for a driver's license under this subsection (b), regardless of whether or not the required written consent also accompanied the person's previous application for an instruction permit.

No graduated driver's license shall be issued to any applicant under 18 years of age, unless the applicant is at least 16 years of age and has:

(1) Held a valid instruction permit for a minimum of 9 months.

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(2) Passed an approved driver education course and submits proof of having passed the course as may be required.

(3) Certification by the parent, legal guardian, or responsible adult that the applicant has had a minimum of 50 hours of behind-the-wheel practice time, at least 10 hours of which have been at night, and is sufficiently prepared and able to safely operate a motor vehicle.

(b-1) No graduated driver's license shall be issued to any applicant who is under 18 years of age and not legally emancipated, unless the applicant has graduated from a secondary school of this State or any other state, is enrolled in a course leading to a high school equivalency general educational development (GED) certificate, has obtained a high school equivalency GED certificate, is enrolled in an elementary or secondary school or college or university of this State or any other state and is not a chronic or habitual truant as provided in Section 26-2a of the School Code, or is receiving home instruction and submits proof of meeting any of those requirements at the time of application.

An applicant under 18 years of age who provides proof acceptable to the Secretary that the applicant has resumed regular school attendance or home instruction or that his or her application was denied in error shall be eligible to receive a graduated license if other requirements are met. The Secretary shall adopt rules for implementing this subsection (b-1).

(c) No graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 of this Code or a similar out of state offense and no graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed an offense that would otherwise result in a mandatory revocation of a license or permit as provided in Section 6-205 of this Code or who has been either convicted of or adjudicated a delinquent based upon a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, the Use of Intoxicating Compounds Act, or the Methamphetamine Control and Community Protection Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a

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motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such.

(d) No graduated driver's license shall be issued for 9 months to any applicant under the age of 18 years who has committed and subsequently been convicted of an offense against traffic regulations governing the movement of vehicles, any violation of this Section or Section 12-603.1 of this Code, or who has received a disposition of court supervision for a violation of Section 6-20 of the Illinois Liquor Control Act of 1934 or a similar provision of a local ordinance.

(e) No graduated driver's license holder under the age of 18 years shall operate any motor vehicle, except a motor driven cycle or motorcycle, with more than one passenger in the front seat of the motor vehicle and no more passengers in the back seats than the number of available seat safety belts as set forth in Section 12-603 of this Code. If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the violation, the provisions of this paragraph shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code.

(f) (Blank).

(g) If a graduated driver's license holder is under the age of 18 when he or she receives the license, for the first 12 months he or she holds the license or until he or she reaches the age of 18, whichever occurs sooner, the graduated license holder may not operate a motor vehicle with more than one passenger in the vehicle who is under the age of 20, unless any additional passenger or passengers are siblings, step-siblings, children, or stepchildren of the driver. If a graduated driver's license holder committed an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code during the first 12 months the license is held and subsequently is convicted of the violation, the provisions of this paragraph shall remain in effect until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code.

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(h) It shall be an offense for a person that is age 15, but under age 20, to be a passenger in a vehicle operated by a driver holding a graduated driver's license during the first 12 months the driver holds the license or until the driver reaches the age of 18, whichever occurs sooner, if another passenger under the age of 20 is present, excluding a sibling, step-sibling, child, or step-child of the driver.

(i) No graduated driver's license shall be issued to any applicant under the age of 18 years if the applicant has been issued a traffic citation for which a disposition has not been rendered at the time of application.

(Source: P.A. 97-229, eff. 7-28-11; 97-835, eff. 7-20-12; 98-168, eff. 1-1-14.)

(625 ILCS 5/6-408.5)
Sec. 6-408.5. Courses for students or high school dropouts; limitation.
(a) No driver training school or driving training instructor licensed under this Act may request a certificate of completion from the Secretary of State as provided in Section 6-411 for any person who is enrolled as a student in any public or non-public secondary school at the time such instruction is to be provided, or who was so enrolled during the semester last ended if that instruction is to be provided between semesters or during the summer after the regular school term ends, unless that student has received a passing grade in at least 8 courses during the 2 semesters last ending prior to requesting a certificate of completion from the Secretary of State for the student.

(b) No driver training school or driving training instructor licensed under this Act may request a certificate of completion from the Secretary of State as provided in Section 6-411 for any person who has dropped out of school and has not yet attained the age of 18 years unless the driver training school or driving training instructor has: 1) obtained written documentation verifying the dropout's enrollment in a high school equivalency testing GED or alternative education program or has obtained a copy of the dropout's high school equivalency GED certificate; 2) obtained verification that the student prior to dropping out had received a passing grade in at least 8 courses during the 2 previous semesters last ending prior to requesting a certificate of completion; or 3) obtained written consent from the dropout's parents or guardians and the regional superintendent.

(c) Students shall be informed of the eligibility requirements of this Act in writing at the time of registration.

(d) The superintendent of schools of the school district in which the student resides and attends school or in which the student resides at the time he or she drops out of school (with respect to a public high school student or a dropout from the public high school) or the chief school administrator (with
respect to a student who attends a non-public high school or a dropout from a non-public high school) may waive the requirements of this Section if the superintendent or chief school administrator, as the case may be, deems it to be in the best interests of the student or dropout. Before requesting a certificate of completion from the Secretary of State for any person who is enrolled as a student in any public or non-public secondary school or who was so enrolled in the semester last ending prior to the request for a certificate of completion from the Secretary of State or who is of high school age, the driver training school shall determine from the school district in which that person resides or resided at the time of dropping out of school, or from the chief administrator of the non-public high school attended or last attended by such person, as the case may be, that such person is not ineligible to receive a certificate of completion under this Section. (Source: P.A. 96-740, eff. 1-1-10; 96-962, eff. 7-2-10.)

Section 130. The Unified Code of Corrections is amended by changing Sections 3-3-8, 3-6-3, 3-6-8, 3-12-16, 5-5-3, 5-6-3, 5-6-3.1, 5-6-3.3, 5-6-3.4, 5-7-1, and 5-8-1.3 as follows:

(730 ILCS 5/3-3-8) (from Ch. 38, par. 1003-3-8)

Sec. 3-3-8. Length of parole, aftercare release, and mandatory supervised release; discharge.)

(a) The length of parole for a person sentenced under the law in effect prior to the effective date of this amendatory Act of 1977 and the length of mandatory supervised release for those sentenced under the law in effect on and after such effective date shall be as set out in Section 5-8-1 unless sooner terminated under paragraph (b) of this Section. The aftercare release period of a juvenile committed to the Department under the Juvenile Court Act or the Juvenile Court Act of 1987 shall extend until he or she is 21 years of age unless sooner terminated under paragraph (b) of this Section.

(b) The Prisoner Review Board may enter an order releasing and discharging one from parole, aftercare release, or mandatory supervised release, and his or her commitment to the Department, when it determines that he or she is likely to remain at liberty without committing another offense.

(b-1) Provided that the subject is in compliance with the terms and conditions of his or her parole, aftercare release, or mandatory supervised release, the Prisoner Review Board may reduce the period of a parolee or releasee's parole, aftercare release, or mandatory supervised release by 90 days upon the parolee or releasee receiving a high school diploma or upon passage of high school equivalency testing the high school level Test of New matter indicated by italics - deletions by strikeout
General Educational Development during the period of his or her parole, aftercare release, or mandatory supervised release. This reduction in the period of a subject's term of parole, aftercare release, or mandatory supervised release shall be available only to subjects who have not previously earned a high school diploma or who have not previously passed high school equivalency testing the high school level Test of General Educational Development.

(c) The order of discharge shall become effective upon entry of the order of the Board. The Board shall notify the clerk of the committing court of the order. Upon receipt of such copy, the clerk shall make an entry on the record judgment that the sentence or commitment has been satisfied pursuant to the order.

(d) Rights of the person discharged under this Section shall be restored under Section 5-5-5. This Section is subject to Section 5-750 of the Juvenile Court Act of 1987.

(Source: P.A. 97-531, eff. 1-1-12; 98-558, eff. 1-1-14.)

(730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)

Sec. 3-6-3. Rules and Regulations for Sentence Credit.

(a) (1) The Department of Corrections shall prescribe rules and regulations for awarding and revoking sentence credit for persons committed to the Department which shall be subject to review by the Prisoner Review Board.

(1.5) As otherwise provided by law, sentence credit may be awarded for the following:

(A) successful completion of programming while in custody of the Department or while in custody prior to sentencing;

(B) compliance with the rules and regulations of the Department; or

(C) service to the institution, service to a community, or service to the State.

(2) The rules and regulations on sentence credit shall provide, with respect to offenses listed in clause (i), (ii), or (iii) of this paragraph (2) committed on or after June 19, 1998 or with respect to the offense listed in clause (iv) of this paragraph (2) committed on or after June 23, 2005 (the effective date of Public Act 94-71) or with respect to offense listed in clause (vi) committed on or after June 1, 2008 (the effective date of Public Act 95-625) or with respect to the offense of being an armed habitual criminal committed on or after

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August 2, 2005 (the effective date of Public Act 94-398) or with respect to the offenses listed in clause (v) of this paragraph (2) committed on or after August 13, 2007 (the effective date of Public Act 95-134) or with respect to the offense of aggravated domestic battery committed on or after July 23, 2010 (the effective date of Public Act 96-1224) or with respect to the offense of attempt to commit terrorism committed on or after January 1, 2013 (the effective date of Public Act 97-990), the following:

(i) that a prisoner who is serving a term of imprisonment for first degree murder or for the offense of terrorism shall receive no sentence credit and shall serve the entire sentence imposed by the court;

(ii) that a prisoner serving a sentence for attempt to commit terrorism, attempt to commit first degree murder, solicitation of murder, solicitation of murder for hire, intentional homicide of an unborn child, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated kidnapping, aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05, heinous battery as described in Section 12-4.1 or subdivision (a)(2) of Section 12-3.05, being an armed habitual criminal, aggravated battery of a senior citizen as described in Section 12-4.6 or subdivision (a)(4) of Section 12-3.05, or aggravated battery of a child as described in Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(iii) that a prisoner serving a sentence for home invasion, armed robbery, aggravated vehicular hijacking, aggravated discharge of a firearm, or armed violence with a category I weapon or category II weapon, when the court has made and entered a finding, pursuant to subsection (c-1) of Section 5-4-1 of this Code, that the conduct leading to conviction for the enumerated offense resulted in great bodily harm to a victim, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

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(iv) that a prisoner serving a sentence for aggravated discharge of a firearm, whether or not the conduct leading to conviction for the offense resulted in great bodily harm to the victim, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(v) that a person serving a sentence for gunrunning, narcotics racketeering, controlled substance trafficking, methamphetamine trafficking, drug-induced homicide, aggravated methamphetamine-related child endangerment, money laundering pursuant to clause (c) (4) or (5) of Section 29B-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a Class X felony conviction for delivery of a controlled substance, possession of a controlled substance with intent to manufacture or deliver, calculated criminal drug conspiracy, criminal drug conspiracy, street gang criminal drug conspiracy, participation in methamphetamine manufacturing, aggravated participation in methamphetamine manufacturing, delivery of methamphetamine, possession with intent to deliver methamphetamine, aggravated delivery of methamphetamine, aggravated possession with intent to deliver methamphetamine, methamphetamine conspiracy when the substance containing the controlled substance or methamphetamine is 100 grams or more shall receive no more than 7.5 days sentence credit for each month of his or her sentence of imprisonment;

(vi) that a prisoner serving a sentence for a second or subsequent offense of luring a minor shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment; and

(vii) that a prisoner serving a sentence for aggravated domestic battery shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.1) For all offenses, other than those enumerated in subdivision (a)(2)(i), (ii), or (iii) committed on or after June 19, 1998 or subdivision (a)(2)(iv) committed on or after June 23, 2005 (the effective date of Public Act 94-71) or subdivision (a)(2)(v) committed on or after August 13, 2007 (the effective date of Public Act 95-134) or subdivision (a)(2)(vi) committed on or after June 1, 2008 (the

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(2.2) A prisoner serving a term of natural life imprisonment or a prisoner who has been sentenced to death shall receive no sentence credit.

(2.3) The rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.4) The rules and regulations on sentence credit shall provide with respect to the offenses of aggravated battery with a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm or aggravated discharge of a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm, committed on or after July 15, 1999 (the effective date of Public Act 91-121), that a prisoner serving a sentence for any of these offenses shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

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(2.5) The rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated arson committed on or after July 27, 2001 (the effective date of Public Act 92-176) shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.6) The rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof as defined in subparagraph (C) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code committed on or after January 1, 2011 (the effective date of Public Act 96-1230) shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(3) The rules and regulations shall also provide that the Director may award up to 180 days additional sentence credit for good conduct in specific instances as the Director deems proper. The good conduct may include, but is not limited to, compliance with the rules and regulations of the Department, service to the Department, service to a community, or service to the State. However, the Director shall not award more than 90 days of sentence credit for good conduct to any prisoner who is serving a sentence for conviction of first degree murder, reckless homicide while under the influence of alcohol or any other drug, or aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, aggravated kidnapping, kidnapping, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, deviate sexual assault, aggravated criminal sexual abuse, aggravated indecent liberties with a child, indecent liberties with a child, child pornography, heinous battery as described in Section 12-4.1 or subdivision (a)(2) of Section 12-3.05, aggravated battery of a spouse, aggravated battery of a spouse with a firearm, stalking, aggravated stalking, aggravated battery of a child as described in Section 12-4.3 or subdivision (b)(1) of Section 12-3.05, endangering the life or health of a child, or cruelty to a child. Notwithstanding the foregoing, sentence credit for good conduct shall not be awarded on a sentence of imprisonment imposed for
conviction of: (i) one of the offenses enumerated in subdivision (a)(2)(i), (ii), or (iii) when the offense is committed on or after June 19, 1998 or subdivision (a)(2)(iv) when the offense is committed on or after June 23, 2005 (the effective date of Public Act 94-71) or subdivision (a)(2)(v) when the offense is committed on or after August 13, 2007 (the effective date of Public Act 95-134) or subdivision (a)(2)(vi) when the offense is committed on or after June 1, 2008 (the effective date of Public Act 95-625) or subdivision (a)(2)(vii) when the offense is committed on or after July 23, 2010 (the effective date of Public Act 96-1224), (ii) aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, (iii) one of the offenses enumerated in subdivision (a)(2.4) when the offense is committed on or after July 15, 1999 (the effective date of Public Act 91-121), (iv) aggravated arson when the offense is committed on or after July 27, 2001 (the effective date of Public Act 92-176), (v) offenses that may subject the offender to commitment under the Sexually Violent Persons Commitment Act, or (vi) aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof as defined in subparagraph (C) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code committed on or after January 1, 2011 (the effective date of Public Act 96-1230).

Eligible inmates for an award of sentence credit under this paragraph (3) may be selected to receive the credit at the Director's or his or her designee's sole discretion. Consideration may be based on, but not limited to, any available risk assessment analysis on the inmate, any history of conviction for violent crimes as defined by the Rights of Crime Victims and Witnesses Act, facts and circumstances of the inmate's holding offense or offenses, and the potential for rehabilitation.

The Director shall not award sentence credit under this paragraph (3) to an inmate unless the inmate has served a minimum of 60 days of the sentence; except nothing in this paragraph shall be construed to permit the Director to extend an inmate's sentence beyond that which was imposed by the court. Prior to awarding credit under this paragraph (3), the Director shall make a written determination that the inmate:

(A) is eligible for the sentence credit;

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(B) has served a minimum of 60 days, or as close to 60 days as the sentence will allow; and
(C) has met the eligibility criteria established by rule.
The Director shall determine the form and content of the written determination required in this subsection.
(3.5) The Department shall provide annual written reports to the Governor and the General Assembly on the award of sentence credit for good conduct, with the first report due January 1, 2014. The Department must publish both reports on its website within 48 hours of transmitting the reports to the Governor and the General Assembly. The reports must include:
(A) the number of inmates awarded sentence credit for good conduct;
(B) the average amount of sentence credit for good conduct awarded;
(C) the holding offenses of inmates awarded sentence credit for good conduct; and
(D) the number of sentence credit for good conduct revocations.
(4) The rules and regulations shall also provide that the sentence credit accumulated and retained under paragraph (2.1) of subsection (a) of this Section by any inmate during specific periods of time in which such inmate is engaged full-time in substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, or re-entry planning provided by the Department under this paragraph (4) and satisfactorily completes the assigned program as determined by the standards of the Department, shall be multiplied by a factor of 1.25 for program participation before August 11, 1993 and 1.50 for program participation on or after that date. The rules and regulations shall also provide that sentence credit, subject to the same offense limits and multiplier provided in this paragraph, may be provided to an inmate who was held in pre-trial detention prior to his or her current commitment to the Department of Corrections and successfully completed a full-time, 60-day or longer substance abuse program, educational program, behavior modification program, life skills course, or re-entry planning provided by the county department of corrections or county jail. Calculation of this county program credit shall be done at sentencing as provided in Section 5-4.5-100 of this

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Code and shall be included in the sentencing order. However, no inmate shall be eligible for the additional sentence credit under this paragraph (4) or (4.1) of this subsection (a) while assigned to a boot camp or electronic detention, or if convicted of an offense enumerated in subdivision (a)(2)(i), (ii), or (iii) of this Section that is committed on or after June 19, 1998 or subdivision (a)(2)(iv) of this Section that is committed on or after June 23, 2005 (the effective date of Public Act 94-71) or subdivision (a)(2)(v) of this Section that is committed on or after August 13, 2007 (the effective date of Public Act 95-134) or subdivision (a)(2)(vi) when the offense is committed on or after June 1, 2008 (the effective date of Public Act 95-625) or subdivision (a)(2)(vii) when the offense is committed on or after July 23, 2010 (the effective date of Public Act 96-1224), or if convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, or if convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof as defined in subparagraph (C) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code committed on or after January 1, 2011 (the effective date of Public Act 96-1230), or if convicted of an offense enumerated in paragraph (a)(2.4) of this Section that is committed on or after July 15, 1999 (the effective date of Public Act 91-121), or first degree murder, a Class X felony, criminal sexual assault, felony criminal sexual abuse, aggravated criminal sexual abuse, aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05, or any predecessor or successor offenses with the same or substantially the same elements, or any inchoate offenses relating to the foregoing offenses. No inmate shall be eligible for the additional good conduct credit under this paragraph (4) who (i) has previously received increased good conduct credit under this paragraph (4) and has subsequently been convicted of a felony, or (ii) has previously served more than one prior sentence of imprisonment for a felony in an adult correctional facility.

Educational, vocational, substance abuse, behavior modification programs, life skills courses, re-entry planning, and correctional industry programs under which sentence credit may be

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increased under this paragraph (4) and paragraph (4.1) of this subsection (a) shall be evaluated by the Department on the basis of documented standards. The Department shall report the results of these evaluations to the Governor and the General Assembly by September 30th of each year. The reports shall include data relating to the recidivism rate among program participants.

Availability of these programs shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. Eligible inmates who are denied immediate admission shall be placed on a waiting list under criteria established by the Department. The inability of any inmate to become engaged in any such programs by reason of insufficient program resources or for any other reason established under the rules and regulations of the Department shall not be deemed a cause of action under which the Department or any employee or agent of the Department shall be liable for damages to the inmate.

(4.1) The rules and regulations shall also provide that an additional 60 days of sentence credit shall be awarded to any prisoner who passes high school equivalency testing the high school level Test of General Educational Development (GED) while the prisoner is committed to the Department of Corrections. The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be pursuant to the guidelines and restrictions set forth in paragraph (4) of subsection (a) of this Section. The sentence credit provided for in this paragraph shall be available only to those prisoners who have not previously earned a high school diploma or a high school equivalency certificate GED. If, after an award of the high school equivalency testing GED sentence credit has been made, and the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also award 60 days of sentence credit to any committed person who passed high school equivalency testing the high school level Test of General Educational Development (GED) while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections.

(4.5) The rules and regulations on sentence credit shall also provide that when the court's sentencing order recommends a prisoner for substance abuse treatment and the crime was committed on or
after September 1, 2003 (the effective date of Public Act 93-354), the prisoner shall receive no sentence credit awarded under clause (3) of this subsection (a) unless he or she participates in and completes a substance abuse treatment program. The Director may waive the requirement to participate in or complete a substance abuse treatment program and award the sentence credit in specific instances if the prisoner is not a good candidate for a substance abuse treatment program for medical, programming, or operational reasons. Availability of substance abuse treatment shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. If treatment is not available and the requirement to participate and complete the treatment has not been waived by the Director, the prisoner shall be placed on a waiting list under criteria established by the Department. The Director may allow a prisoner placed on a waiting list to participate in and complete a substance abuse education class or attend substance abuse self-help meetings in lieu of a substance abuse treatment program. A prisoner on a waiting list who is not placed in a substance abuse program prior to release may be eligible for a waiver and receive sentence credit under clause (3) of this subsection (a) at the discretion of the Director.

(4.6) The rules and regulations on sentence credit shall also provide that a prisoner who has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act shall receive no sentence credit unless he or she either has successfully completed or is participating in sex offender treatment as defined by the Sex Offender Management Board. However, prisoners who are waiting to receive treatment, but who are unable to do so due solely to the lack of resources on the part of the Department, may, at the Director's sole discretion, be awarded sentence credit at a rate as the Director shall determine.

(5) Whenever the Department is to release any inmate earlier than it otherwise would because of a grant of sentence credit for good conduct under paragraph (3) of subsection (a) of this Section given at any time during the term, the Department shall give reasonable notice of the impending release not less than 14 days prior to the date of the release to the State's Attorney of the county where the prosecution of the inmate took place, and if applicable, the State's Attorney of the county into which the inmate will be released. The Department must also make identification information and a recent photo of the inmate

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being released accessible on the Internet by means of a hyperlink labeled "Community Notification of Inmate Early Release" on the Department's World Wide Web homepage. The identification information shall include the inmate's: name, any known alias, date of birth, physical characteristics, residence address, commitment offense and county where conviction was imposed. The identification information shall be placed on the website within 3 days of the inmate's release and the information may not be removed until either: completion of the first year of mandatory supervised release or return of the inmate to custody of the Department.

(b) Whenever a person is or has been committed under several convictions, with separate sentences, the sentences shall be construed under Section 5-8-4 in granting and forfeiting of sentence credit.

(c) The Department shall prescribe rules and regulations for revoking sentence credit, including revoking sentence credit awarded for good conduct under paragraph (3) of subsection (a) of this Section. The Department shall prescribe rules and regulations for suspending or reducing the rate of accumulation of sentence credit for specific rule violations, during imprisonment. These rules and regulations shall provide that no inmate may be penalized more than one year of sentence credit for any one infraction.

When the Department seeks to revoke, suspend or reduce the rate of accumulation of any sentence credits for an alleged infraction of its rules, it shall bring charges therefor against the prisoner sought to be so deprived of sentence credits before the Prisoner Review Board as provided in subparagraph (a)(4) of Section 3-3-2 of this Code, if the amount of credit at issue exceeds 30 days or when during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In those cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of 30 days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit within any calendar year for any prisoner or to increase any penalty beyond the length requested by the Department.

The Director of the Department of Corrections, in appropriate cases, may restore up to 30 days of sentence credits which have been revoked, suspended or reduced. Any restoration of sentence credits in excess of 30 days shall be subject to review by the Prisoner Review Board. However, the
Board may not restore sentence credit in excess of the amount requested by the Director.

Nothing contained in this Section shall prohibit the Prisoner Review Board from ordering, pursuant to Section 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the sentence imposed by the court that was not served due to the accumulation of sentence credit.

(d) If a lawsuit is filed by a prisoner in an Illinois or federal court against the State, the Department of Corrections, or the Prisoner Review Board, or against any of their officers or employees, and the court makes a specific finding that a pleading, motion, or other paper filed by the prisoner is frivolous, the Department of Corrections shall conduct a hearing to revoke up to 180 days of sentence credit by bringing charges against the prisoner sought to be deprived of the sentence credits before the Prisoner Review Board as provided in subparagraph (a)(8) of Section 3-3-2 of this Code. If the prisoner has not accumulated 180 days of sentence credit at the time of the finding, then the Prisoner Review Board may revoke all sentence credit accumulated by the prisoner.

For purposes of this subsection (d):

(1) "Frivolous" means that a pleading, motion, or other filing which purports to be a legal document filed by a prisoner in his or her lawsuit meets any or all of the following criteria:

(A) it lacks an arguable basis either in law or in fact;
(B) it is being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
(C) the claims, defenses, and other legal contentions therein are not warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
(D) the allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; or
(E) the denials of factual contentions are not warranted on the evidence, or if specifically so identified, are not reasonably based on a lack of information or belief.

(2) "Lawsuit" means a motion pursuant to Section 116-3 of the Code of Criminal Procedure of 1963, a habeas corpus action under Article X of the Code of Civil Procedure or under federal law

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(28 U.S.C. 2254), a petition for claim under the Court of Claims Act, an action under the federal Civil Rights Act (42 U.S.C. 1983), or a second or subsequent petition for post-conviction relief under Article 122 of the Code of Criminal Procedure of 1963 whether filed with or without leave of court or a second or subsequent petition for relief from judgment under Section 2-1401 of the Code of Civil Procedure.

(e) Nothing in Public Act 90-592 or 90-593 affects the validity of Public Act 89-404.

(f) Whenever the Department is to release any inmate who has been convicted of a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, earlier than it otherwise would because of a grant of sentence credit, the Department, as a condition of release, shall require that the person, upon release, be placed under electronic surveillance as provided in Section 5-8A-7 of this Code.

(730 ILCS 5/3-6-8)
Sec. 3-6-8. High school equivalency testing General Educational Development (GED) programs. The Department of Corrections shall develop and establish a program in the Adult Division designed to increase the number of committed persons enrolled in programs for high school equivalency testing the high school level Test of General Educational Development (GED) and pursuing high school equivalency GED certificates by at least 100% over the 4-year period following the effective date of this amendatory Act of the 94th General Assembly. Pursuant to the program, each adult institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in high school equivalency testing GED programs and those who pass high school equivalency testing the high school level Test of General Educational Development (GED), and the number of committed persons in the Adult Division who are on waiting lists for participation in the high school equivalency testing GED programs.

(730 ILCS 5/3-12-16)
Sec. 3-12-16. Helping Paws Service Dog Program.
(a) In this Section:

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"Disabled person" means a person who suffers from a physical or mental impairment that substantially limits one or more major life activities. "Program" means the Helping Paws Service Dog Program created by this Section. "Service dog" means a dog trained in obedience and task skills to meet the needs of a disabled person. "Animal care professional" means a person certified to work in animal care related services, such as grooming, kenneling, and any other related fields. "Service dog professional" means a person certified to train service dogs by an agency, organization, or school approved by the Department.

(b) The Department may establish the Helping Paws Service Dog Program to train committed persons to be service dog trainers and animal care professionals. The Department shall select committed persons in various correctional institutions and facilities to participate in the Program.

(c) Priority for participation in the Program must be given to committed persons who either have a high school diploma or have passed the high school level Test of General Educational Development (GED).

(d) The Department may contract with service dog professionals to train committed persons to be certified service dog trainers. Service dog professionals shall train committed persons in dog obedience training, service dog training, and animal health care. Upon successful completion of the training, a committed person shall receive certification by an agency, organization, or school approved by the Department.

(e) The Department may designate a non-profit organization to select animals from humane societies and shelters for the purpose of being trained as service dogs and for participation in any program designed to train animal care professionals.

(f) After a dog is trained by the committed person as a service dog, a review committee consisting of an equal number of persons from the Department and the non-profit organization shall select a disabled person to receive the service dog free of charge.

(g) Employees of the Department shall periodically visit disabled persons who have received service dogs from the Department under this Section to determine whether the needs of the disabled persons have been met by the service dogs trained by committed persons.

(h) Employees of the Department shall periodically visit committed persons who have been certified as service dog trainers or animal care professionals.
professionals and who have been paroled or placed on mandatory supervised release to determine whether the committed persons are using their skills as certified service dog trainers or animal care professionals.
(Source: P.A. 92-236, eff. 8-3-01.)

(730 ILCS 5/5-5-3) (from Ch. 38, par. 1005-5-3)
Sec. 5-5-3. Disposition.
(a) (Blank).
(b) (Blank).
(c) (1) (Blank).

(2) A period of probation, a term of periodic imprisonment or conditional discharge shall not be imposed for the following offenses. The court shall sentence the offender to not less than the minimum term of imprisonment set forth in this Code for the following offenses, and may order a fine or restitution or both in conjunction with such term of imprisonment:

(A) First degree murder where the death penalty is not imposed.
(B) Attempted first degree murder.
(C) A Class X felony.
(D) A violation of Section 401.1 or 407 of the Illinois Controlled Substances Act, or a violation of subdivision (c)(1.5) or (c)(2) of Section 401 of that Act which relates to more than 5 grams of a substance containing cocaine, fentanyl, or an analog thereof.
(D-5) A violation of subdivision (c)(1) of Section 401 of the Illinois Controlled Substances Act which relates to 3 or more grams of a substance containing heroin or an analog thereof.
(E) A violation of Section 5.1 or 9 of the Cannabis Control Act.
(F) A Class 2 or greater felony if the offender had been convicted of a Class 2 or greater felony, including any state or federal conviction for an offense that contained, at the time it was committed, the same elements as an offense now (the date of the offense committed after the prior Class 2 or greater felony) classified as a Class 2 or greater felony, within 10 years of the date on which the offender committed the offense for which he or she is being sentenced, except as

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otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(F-5) A violation of Section 24-1, 24-1.1, or 24-1.6 of the Criminal Code of 1961 or the Criminal Code of 2012 for which imprisonment is prescribed in those Sections.

(G) Residential burglary, except as otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(H) Criminal sexual assault.

(I) Aggravated battery of a senior citizen as described in Section 12-4.6 or subdivision (a)(4) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012.

(J) A forcible felony if the offense was related to the activities of an organized gang.

Before July 1, 1994, for the purposes of this paragraph, "organized gang" means an association of 5 or more persons, with an established hierarchy, that encourages members of the association to perpetrate crimes or provides support to the members of the association who do commit crimes.

Beginning July 1, 1994, for the purposes of this paragraph, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(K) Vehicular hijacking.

(L) A second or subsequent conviction for the offense of hate crime when the underlying offense upon which the hate crime is based is felony aggravated assault or felony mob action.

(M) A second or subsequent conviction for the offense of institutional vandalism if the damage to the property exceeds $300.

(N) A Class 3 felony violation of paragraph (1) of subsection (a) of Section 2 of the Firearm Owners Identification Card Act.

(O) A violation of Section 12-6.1 or 12-6.5 of the Criminal Code of 1961 or the Criminal Code of 2012.

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(P) A violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(Q) A violation of subsection (b) or (b-5) of Section 20-1, Section 20-1.2, or Section 20-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012.

(R) A violation of Section 24-3A of the Criminal Code of 1961 or the Criminal Code of 2012.

(S) (Blank).

(T) A second or subsequent violation of the Methamphetamine Control and Community Protection Act.

(U) A second or subsequent violation of Section 6-303 of the Illinois Vehicle Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(V) A violation of paragraph (4) of subsection (c) of Section 11-20.1B or paragraph (4) of subsection (c) of Section 11-20.3 of the Criminal Code of 1961, or paragraph (6) of subsection (a) of Section 11-20.1 of the Criminal Code of 2012 when the victim is under 13 years of age and the defendant has previously been convicted under the laws of this State or any other state of the offense of child pornography, aggravated child pornography, aggravated criminal sexual abuse, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or any of the offenses formerly known as rape, deviate sexual assault, indecent liberties with a child, or aggravated indecent liberties with a child where the victim was under the age of 18 years or an offense that is substantially equivalent to those offenses.

(W) A violation of Section 24-3.5 of the Criminal Code of 1961 or the Criminal Code of 2012.

(X) A violation of subsection (a) of Section 31-1a of the Criminal Code of 1961 or the Criminal Code of 2012.

(Y) A conviction for unlawful possession of a firearm by a street gang member when the firearm was loaded or contained firearm ammunition.

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(Z) A Class 1 felony committed while he or she was serving a term of probation or conditional discharge for a felony.

(AA) Theft of property exceeding $500,000 and not exceeding $1,000,000 in value.

(BB) Laundering of criminally derived property of a value exceeding $500,000.

(CC) Knowingly selling, offering for sale, holding for sale, or using 2,000 or more counterfeit items or counterfeit items having a retail value in the aggregate of $500,000 or more.

(DD) A conviction for aggravated assault under paragraph (6) of subsection (c) of Section 12-2 of the Criminal Code of 1961 or the Criminal Code of 2012 if the firearm is aimed toward the person against whom the firearm is being used.

(3) (Blank).

(4) A minimum term of imprisonment of not less than 10 consecutive days or 30 days of community service shall be imposed for a violation of paragraph (c) of Section 6-303 of the Illinois Vehicle Code.

(4.1) (Blank).

(4.2) Except as provided in paragraphs (4.3) and (4.8) of this subsection (c), a minimum of 100 hours of community service shall be imposed for a second violation of Section 6-303 of the Illinois Vehicle Code.

(4.3) A minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a second violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.4) Except as provided in paragraphs (4.5), (4.6), and (4.9) of this subsection (c), a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a third or subsequent violation of Section 6-303 of the Illinois Vehicle Code.

(4.5) A minimum term of imprisonment of 30 days shall be imposed for a third violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.
(4.6) Except as provided in paragraph (4.10) of this subsection (c), a minimum term of imprisonment of 180 days shall be imposed for a fourth or subsequent violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.7) A minimum term of imprisonment of not less than 30 consecutive days, or 300 hours of community service, shall be imposed for a violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (b-5) of that Section.

(4.8) A mandatory prison sentence shall be imposed for a second violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (c-5) of that Section. The person's driving privileges shall be revoked for a period of not less than 5 years from the date of his or her release from prison.

(4.9) A mandatory prison sentence of not less than 4 and not more than 15 years shall be imposed for a third violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (d-2.5) of that Section. The person's driving privileges shall be revoked for the remainder of his or her life.

(4.10) A mandatory prison sentence for a Class 1 felony shall be imposed, and the person shall be eligible for an extended term sentence, for a fourth or subsequent violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (d-3.5) of that Section. The person's driving privileges shall be revoked for the remainder of his or her life.

(5) The court may sentence a corporation or unincorporated association convicted of any offense to:
   (A) a period of conditional discharge;
   (B) a fine;
   (C) make restitution to the victim under Section 5-5-6 of this Code.

(5.1) In addition to any other penalties imposed, and except as provided in paragraph (5.2) or (5.3), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for at least 90 days but not more than one year, if the violation resulted in damage to the property of another person.

(5.2) In addition to any other penalties imposed, and except as provided in paragraph (5.3), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall
have his or her driver's license, permit, or privileges suspended for at least 180 days but not more than 2 years, if the violation resulted in injury to another person.  

(5.3) In addition to any other penalties imposed, a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for 2 years, if the violation resulted in the death of another person.  

(5.4) In addition to any other penalties imposed, a person convicted of violating Section 3-707 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for 3 months and until he or she has paid a reinstatement fee of $100.  

(5.5) In addition to any other penalties imposed, a person convicted of violating Section 3-707 of the Illinois Vehicle Code during a period in which his or her driver's license, permit, or privileges were suspended for a previous violation of that Section shall have his or her driver's license, permit, or privileges suspended for an additional 6 months after the expiration of the original 3-month suspension and until he or she has paid a reinstatement fee of $100.  

(6) (Blank).  

(7) (Blank).  

(8) (Blank).  

(9) A defendant convicted of a second or subsequent offense of ritualized abuse of a child may be sentenced to a term of natural life imprisonment.  

(10) (Blank).  

(11) The court shall impose a minimum fine of $1,000 for a first offense and $2,000 for a second or subsequent offense upon a person convicted of or placed on supervision for battery when the individual harmed was a sports official or coach at any level of competition and the act causing harm to the sports official or coach occurred within an athletic facility or within the immediate vicinity of the athletic facility at which the sports official or coach was an active participant of the athletic contest held at the athletic facility.  

For the purposes of this paragraph (11), "sports official" means a person at an athletic contest who enforces the rules of the contest, such as an umpire or referee; "athletic facility" means an indoor or outdoor playing field or recreational area where sports activities are

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conducted; and "coach" means a person recognized as a coach by the sanctioning authority that conducted the sporting event.

(12) A person may not receive a disposition of court supervision for a violation of Section 5-16 of the Boat Registration and Safety Act if that person has previously received a disposition of court supervision for a violation of that Section.

(13) A person convicted of or placed on court supervision for an assault or aggravated assault when the victim and the offender are family or household members as defined in Section 103 of the Illinois Domestic Violence Act of 1986 or convicted of domestic battery or aggravated domestic battery may be required to attend a Partner Abuse Intervention Program under protocols set forth by the Illinois Department of Human Services under such terms and conditions imposed by the court. The costs of such classes shall be paid by the offender.

(d) In any case in which a sentence originally imposed is vacated, the case shall be remanded to the trial court. The trial court shall hold a hearing under Section 5-4-1 of the Unified Code of Corrections which may include evidence of the defendant's life, moral character and occupation during the time since the original sentence was passed. The trial court shall then impose sentence upon the defendant. The trial court may impose any sentence which could have been imposed at the original trial subject to Section 5-5-4 of the Unified Code of Corrections. If a sentence is vacated on appeal or on collateral attack due to the failure of the trier of fact at trial to determine beyond a reasonable doubt the existence of a fact (other than a prior conviction) necessary to increase the punishment for the offense beyond the statutory maximum otherwise applicable, either the defendant may be re-sentenced to a term within the range otherwise provided or, if the State files notice of its intention to again seek the extended sentence, the defendant shall be afforded a new trial.

(e) In cases where prosecution for aggravated criminal sexual abuse under Section 11-1.60 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 results in conviction of a defendant who was a family member of the victim at the time of the commission of the offense, the court shall consider the safety and welfare of the victim and may impose a sentence of probation only where:

(1) the court finds (A) or (B) or both are appropriate:

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(A) the defendant is willing to undergo a court approved counseling program for a minimum duration of 2 years; or

(B) the defendant is willing to participate in a court approved plan including but not limited to the defendant's:
   (i) removal from the household;
   (ii) restricted contact with the victim;
   (iii) continued financial support of the family;
   (iv) restitution for harm done to the victim;
   and
   (v) compliance with any other measures that the court may deem appropriate; and

(2) the court orders the defendant to pay for the victim's counseling services, to the extent that the court finds, after considering the defendant's income and assets, that the defendant is financially capable of paying for such services, if the victim was under 18 years of age at the time the offense was committed and requires counseling as a result of the offense.

Probation may be revoked or modified pursuant to Section 5-6-4; except where the court determines at the hearing that the defendant violated a condition of his or her probation restricting contact with the victim or other family members or commits another offense with the victim or other family members, the court shall revoke the defendant's probation and impose a term of imprisonment.

For the purposes of this Section, "family member" and "victim" shall have the meanings ascribed to them in Section 11-0.1 of the Criminal Code of 2012.

(f) (Blank).

(g) Whenever a defendant is convicted of an offense under Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14, 11-14.3, 11-14.4 except for an offense that involves keeping a place of juvenile prostitution, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, the defendant shall undergo medical testing to determine whether the defendant has any sexually transmissible disease, including a test for infection with human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Any such medical test shall be performed only by appropriately licensed medical practitioners and may include an analysis of any bodily fluids as well as an

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examination of the defendant's person. Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in accordance with the best interests of the victim and the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of the test results. The court shall also notify the victim if requested by the victim, and if the victim is under the age of 15 and if requested by the victim's parents or legal guardian, the court shall notify the victim's parents or legal guardian of the test results. The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-5.01 or 12-16.2 of the Criminal Code of 1961 or the Criminal Code of 2012 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(g-5) When an inmate is tested for an airborne communicable disease, as determined by the Illinois Department of Public Health including but not limited to tuberculosis, the results of the test shall be personally delivered by the warden or his or her designee in a sealed envelope to the judge of the court in which the inmate must appear for the judge's inspection in camera if requested by the judge. Acting in accordance with the best interests of those in the courtroom, the judge shall have the discretion to determine what if any precautions need to be taken to prevent transmission of the disease in the courtroom.

(h) Whenever a defendant is convicted of an offense under Section 1 or 2 of the Hypodermic Syringes and Needles Act, the defendant shall undergo medical testing to determine whether the defendant has been exposed to human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in
accordance with the best interests of the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of a positive test showing an infection with the human immunodeficiency virus (HIV). The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-5.01 or 12-16.2 of the Criminal Code of 1961 or the Criminal Code of 2012 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(i) All fines and penalties imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(j) In cases when prosecution for any violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-8, 11-9, 11-11, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-30, 11-40, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, any violation of the Illinois Controlled Substances Act, any violation of the Cannabis Control Act, or any violation of the Methamphetamine Control and Community Protection Act results in conviction, a disposition of court supervision, or an order of probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substance Act, or Section 70 of the Methamphetamine Control and Community Protection Act of a defendant, the court shall determine whether the defendant is employed by a facility or center as defined under the Child Care Act of 1969, a public or private elementary or secondary school, or otherwise works with children under 18 years of age on a daily basis. When a defendant is so employed, the court shall order the Clerk of the Court to send a copy of the judgment of conviction or order of supervision or probation to the defendant's employer by certified mail. If the employer of the

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defendant is a school, the Clerk of the Court shall direct the mailing of a copy of the judgment of conviction or order of supervision or probation to the appropriate regional superintendent of schools. The regional superintendent of schools shall notify the State Board of Education of any notification under this subsection.

(j-5) A defendant at least 17 years of age who is convicted of a felony and who has not been previously convicted of a misdemeanor or felony and who is sentenced to a term of imprisonment in the Illinois Department of Corrections shall as a condition of his or her sentence be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward passing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program offered by the Department of Corrections. If a defendant fails to complete the educational training required by his or her sentence during the term of incarceration, the Prisoner Review Board shall, as a condition of mandatory supervised release, require the defendant, at his or her own expense, to pursue a course of study toward a high school diploma or passage of the GED test. The Prisoner Review Board shall revoke the mandatory supervised release of a defendant who wilfully fails to comply with this subsection (j-5) upon his or her release from confinement in a penal institution while serving a mandatory supervised release term; however, the inability of the defendant after making a good faith effort to obtain financial aid or pay for the educational training shall not be deemed a wilful failure to comply. The Prisoner Review Board shall recommit the defendant whose mandatory supervised release term has been revoked under this subsection (j-5) as provided in Section 3-3-9. This subsection (j-5) does not apply to a defendant who has a high school diploma or has successfully passed the GED test. This subsection (j-5) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(k) (Blank).

(l) (A) Except as provided in paragraph (C) of subsection (l), whenever a defendant, who is an alien as defined by the Immigration and Nationality Act, is convicted of any felony or misdemeanor offense, the court after sentencing the defendant may, upon motion of the State's Attorney, hold sentence in abeyance and remand the
defendant to the custody of the Attorney General of the United States or his or her designated agent to be deported when:

(1) a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and

(2) the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

Otherwise, the defendant shall be sentenced as provided in this Chapter V.

(B) If the defendant has already been sentenced for a felony or misdemeanor offense, or has been placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act, the court may, upon motion of the State's Attorney to suspend the sentence imposed, commit the defendant to the custody of the Attorney General of the United States or his or her designated agent when:

(1) a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and

(2) the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

(C) This subsection (l) does not apply to offenders who are subject to the provisions of paragraph (2) of subsection (a) of Section 3-6-3.

(D) Upon motion of the State's Attorney, if a defendant sentenced under this Section returns to the jurisdiction of the United States, the defendant shall be recommitted to the custody of the county from which he or she was sentenced. Thereafter, the defendant shall be brought before the sentencing court, which may impose any sentence that was available under Section 5-5-3 at the time of initial sentencing. In addition, the defendant shall not be eligible for additional sentence credit for good conduct as provided under Section 3-6-3.

(m) A person convicted of criminal defacement of property under Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which the property damage exceeds $300 and the property damaged is a
school building, shall be ordered to perform community service that may include cleanup, removal, or painting over the defacement.

(n) The court may sentence a person convicted of a violation of Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 (i) to an impact incarceration program if the person is otherwise eligible for that program under Section 5-8-1.1, (ii) to community service, or (iii) if the person is an addict or alcoholic, as defined in the Alcoholism and Other Drug Abuse and Dependency Act, to a substance or alcohol abuse program licensed under that Act.

(o) Whenever a person is convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act, the defendant's driver's license or permit shall be subject to renewal on an annual basis in accordance with the provisions of license renewal established by the Secretary of State. (Source: P.A. 96-348, eff. 8-12-09; 96-400, eff. 8-13-09; 96-829, eff. 12-3-09; 96-1200, eff. 7-22-10; 96-1551, Article 1, Section 970, eff. 7-1-11; 96-1551, Article 2, Section 1065, eff. 7-1-11; 96-1551, Article 10, Section 10-150, eff. 7-1-11; 97-159, eff. 7-21-11; 97-697, eff. 6-22-12; 97-917, eff. 8-9-12; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; revised 11-12-13.)

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

Sec. 5-6-3. Conditions of Probation and of Conditional Discharge.

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

(1) not violate any criminal statute of any jurisdiction;
(2) report to or appear in person before such person or agency as directed by the court;
(3) refrain from possessing a firearm or other dangerous weapon where the offense is a felony or, if a misdemeanor, the offense involved the intentional or knowing infliction of bodily harm or threat of bodily harm;
(4) not leave the State without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the prior notification and approval of the person's probation officer. Transfer of a person's probation or conditional discharge supervision to another state is subject to acceptance by the other state pursuant to the Interstate Compact for Adult Offender Supervision;

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

(6) perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, where the offense was related to or in furtherance of the criminal activities of an organized gang and was motivated by the offender's membership in or allegiance to an organized gang. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located within the municipality or county in which the violation occurred. When possible and reasonable, the community service should be performed in the offender's neighborhood. For purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act;

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

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

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

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

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

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

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

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

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

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

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

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

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or her possession. The Court shall return to the Department of State Police Firearm Owner's Identification Card Office the person's Firearm Owner's Identification Card;

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

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

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

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

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

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

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

(2) pay a fine and costs;

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

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

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(5) attend or reside in a facility established for the instruction or residence of defendants on probation;
(6) support his dependents;
(7) and in addition, if a minor:
   (i) reside with his parents or in a foster home;
   (ii) attend school;
   (iii) attend a non-residential program for youth;
   (iv) contribute to his own support at home or in a foster home;
   (v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is convicted of a crime of violence as defined in Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;
(8) make restitution as provided in Section 5-5-6 of this Code;
(9) perform some reasonable public or community service;
(10) serve a term of home confinement. In addition to any other applicable condition of probation or conditional discharge, the conditions of home confinement shall be that the offender:
   (i) remain within the interior premises of the place designated for his confinement during the hours designated by the court;
   (ii) admit any person or agent designated by the court into the offender's place of confinement at any time for purposes of verifying the offender's compliance with the conditions of his confinement; and
   (iii) if further deemed necessary by the court or the Probation or Court Services Department, be placed on an approved electronic monitoring device, subject to Article 8A of Chapter V;
   (iv) for persons convicted of any alcohol, cannabis or controlled substance violation who are placed on an approved monitoring device as a condition of probation or conditional discharge, the court shall impose a reasonable fee for each day of the use of the device, as established by the county board in subsection (g) of this Section, unless after determining the inability of the offender to pay the fee, the court assesses a

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lesser fee or no fee as the case may be. This fee shall be imposed in addition to the fees imposed under subsections (g) and (i) of this Section. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the substance abuse services fund under Section 5-1086.1 of the Counties Code; and

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

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

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

(13) contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced, (i) to a "local anti-crime program", as defined in Section 7 of the Anti-Crime Advisory Council Act, or (ii) for offenses under the jurisdiction of the Department of Natural Resources, to the fund established by the Department of Natural Resources.

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Resources for the purchase of evidence for investigation purposes and to conduct investigations as outlined in Section 805-105 of the Department of Natural Resources (Conservation) Law;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(g) An offender sentenced to probation or to conditional discharge and who during the term of either undergoes mandatory drug or alcohol testing, or both, or is assigned to be placed on an approved electronic monitoring device, shall be ordered to pay all costs incidental to such mandatory drug or alcohol testing, or both, and all costs incidental to such approved electronic monitoring in accordance with the defendant's ability to pay those costs. The county board with the concurrence of the Chief Judge of the judicial circuit in which the county is located shall establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing, or both, and all costs incidental to approved electronic monitoring, involved in a successful probation program for the county. The concurrence of the Chief Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be.

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

(i) The court shall impose upon an offender sentenced to probation after January 1, 1989 or to conditional discharge after January 1, 1992 or to

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community service under the supervision of a probation or court services department after January 1, 2004, as a condition of such probation or conditional discharge or supervised community service, a fee of $50 for each month of probation or conditional discharge supervision or supervised community service ordered by the court, unless after determining the inability of the person sentenced to probation or conditional discharge or supervised community service to pay the fee, the court assesses a lesser fee. The court may not impose the fee on a minor who is made a ward of the State under the Juvenile Court Act of 1987 while the minor is in placement. The fee shall be imposed only upon an offender who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.

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

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

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

(i-5) In addition to the fees imposed under subsection (i) of this Section, in the case of an offender convicted of a felony sex offense (as defined in the Sex Offender Management Board Act) or an offense that the court or probation department has determined to be sexually motivated (as defined in the Sex Offender Management Board Act), the court or the probation department shall assess additional fees to pay for all costs of

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treatment, assessment, evaluation for risk and treatment, and monitoring the offender, based on that offender's ability to pay those costs either as they occur or under a payment plan.

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(k) Any offender who is sentenced to probation or conditional discharge for a felony sex offense as defined in the Sex Offender Management Board Act or any offense that the court or probation department has determined to be sexually motivated as defined in the Sex Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

(l) The court may order an offender who is sentenced to probation or conditional discharge for a violation of an order of protection be placed under electronic surveillance as provided in Section 5-8A-7 of this Code.

(Source: P.A. 97-454, eff. 1-1-12; 97-560, eff. 1-1-12; 97-597, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1131, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-575, eff. 1-1-14.)

(730 ILCS 5/5-6-3.1) (from Ch. 38, par. 1005-6-3.1)
Sec. 5-6-3.1. Incidents and Conditions of Supervision.
(a) When a defendant is placed on supervision, the court shall enter an order for supervision specifying the period of such supervision, and shall defer further proceedings in the case until the conclusion of the period.
(b) The period of supervision shall be reasonable under all of the circumstances of the case, but may not be longer than 2 years, unless the defendant has failed to pay the assessment required by Section 10.3 of the Cannabis Control Act, Section 411.2 of the Illinois Controlled Substances Act, or Section 80 of the Methamphetamine Control and Community Protection Act, in which case the court may extend supervision beyond 2 years. Additionally, the court shall order the defendant to perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, when the offense (1) was related to or in furtherance of the

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criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang; or (2) is a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012 where a disposition of supervision is not prohibited by Section 5-6-1 of this Code. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damages to property located within the municipality or county in which the violation occurred. Where possible and reasonable, the community service should be performed in the offender's neighborhood.

For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

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

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of supervision;
(2) pay a fine and costs;
(3) work or pursue a course of study or vocational training;
(4) undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism;
(5) attend or reside in a facility established for the instruction or residence of defendants on probation;
(6) support his dependents;
(7) refrain from possessing a firearm or other dangerous weapon;
(8) and in addition, if a minor:
   (i) reside with his parents or in a foster home;
   (ii) attend school;
   (iii) attend a non-residential program for youth;
   (iv) contribute to his own support at home or in a foster home; or
   (v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is placed on supervision for a crime of violence as defined in

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Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;

(9) make restitution or reparation in an amount not to exceed actual loss or damage to property and pecuniary loss or make restitution under Section 5-5-6 to a domestic violence shelter. The court shall determine the amount and conditions of payment;

(10) perform some reasonable public or community service;

(11) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986 or an order of protection issued by the court of another state, tribe, or United States territory. If the court has ordered the defendant to make a report and appear in person under paragraph (1) of this subsection, a copy of the order of protection shall be transmitted to the person or agency so designated by the court;

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

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

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

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

(16) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois

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Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(17) refrain from operating any motor vehicle not equipped with an ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code; under this condition the court may allow a defendant who is not self-employed to operate a vehicle owned by the defendant's employer that is not equipped with an ignition interlock device in the course and scope of the defendant's employment; and

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

(d) The court shall defer entering any judgment on the charges until the conclusion of the supervision.

(e) At the conclusion of the period of supervision, if the court determines that the defendant has successfully complied with all of the conditions of supervision, the court shall discharge the defendant and enter a judgment dismissing the charges.

(f) Discharge and dismissal upon a successful conclusion of a disposition of supervision shall be deemed without adjudication of guilt and shall not be termed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime. Two years after the discharge and dismissal under this Section, unless the disposition of supervision was for a violation of Sections 3-707, 3-708, 3-710, 5-401.3, or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, or for a violation of Sections 12-3.2, 16-25, or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which case it shall be 5 years after discharge and dismissal, a person may have his record of arrest sealed or expunged as may be provided by law. However, any defendant placed on supervision before January 1, 1980, may move for sealing or expungement of his arrest record, as provided by law, at any time after discharge and dismissal under this Section. A person placed on

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supervision for a sexual offense committed against a minor as defined in clause (a)(1)(L) of Section 5.2 of the Criminal Identification Act or for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not have his or her record of arrest sealed or expunged.

(g) A defendant placed on supervision and who during the period of supervision undergoes mandatory drug or alcohol testing, or both, or is assigned to be placed on an approved electronic monitoring device, shall be ordered to pay the costs incidental to such mandatory drug or alcohol testing, or both, and costs incidental to such approved electronic monitoring in accordance with the defendant's ability to pay those costs. The county board with the concurrence of the Chief Judge of the judicial circuit in which the county is located shall establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing, or both, and all costs incidental to approved electronic monitoring, of all defendants placed on supervision. The concurrence of the Chief Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be.

(h) A disposition of supervision is a final order for the purposes of appeal.

(i) The court shall impose upon a defendant placed on supervision after January 1, 1992 or to community service under the supervision of a probation or court services department after January 1, 2004, as a condition of supervision or supervised community service, a fee of $50 for each month of supervision or supervised community service ordered by the court, unless after determining the inability of the person placed on supervision or supervised community service to pay the fee, the court assesses a lesser fee. The court may not impose the fee on a minor who is made a ward of the State under the Juvenile Court Act of 1987 while the minor is in placement. The fee shall be imposed only upon a defendant who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and
A circuit court may not impose a probation fee in excess of $25 per month unless the circuit court has adopted, by administrative order issued by the chief judge, a standard probation fee guide determining an offender's ability to pay. Of the amount collected as a probation fee, not to exceed $5 of that fee collected per month may be used to provide services to crime victims and their families.

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

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(k) A defendant at least 17 years of age who is placed on supervision for a misdemeanor in a county of 3,000,000 or more inhabitants and who has not been previously convicted of a misdemeanor or felony may as a condition of his or her supervision be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing high school equivalency testing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program approved by the court. The defendant placed on supervision must attend a public institution of education to obtain the educational or vocational training required by this subsection (k). The defendant placed on supervision shall be required to pay for the cost of the educational courses or high school equivalency testing GED test, if a fee is charged for those courses or testing test. The court shall revoke the supervision of a person who wilfully fails to comply with this subsection (k). The court shall resentence the defendant upon revocation of supervision as provided in Section 5-6-4. This subsection

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(k) does not apply to a defendant who has a high school diploma or has successfully passed high school equivalency testing the GED test. This subsection (k) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(l) The court shall require a defendant placed on supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act after a previous conviction or disposition of supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act or a sentence of probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act and after a finding by the court that the person is addicted, to undergo treatment at a substance abuse program approved by the court.

(m) The Secretary of State shall require anyone placed on court supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance to give proof of his or her financial responsibility as defined in Section 7-315 of the Illinois Vehicle Code. The proof shall be maintained by the individual in a manner satisfactory to the Secretary of State for a minimum period of 3 years after the date the proof is first filed. The proof shall be limited to a single action per arrest and may not be affected by any post-sentence disposition. The Secretary of State shall suspend the driver's license of any person determined by the Secretary to be in violation of this subsection.

(n) Any offender placed on supervision for any offense that the court or probation department has determined to be sexually motivated as defined in the Sex Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

(o) An offender placed on supervision for a sex offense as defined in the Sex Offender Management Board Act shall refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense. The provisions of this subsection (o) do not apply to a person convicted of a sex offense who is

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placed in a Department of Corrections licensed transitional housing facility for sex offenders.

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

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

(r) An offender placed on supervision for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after the effective date of this amendatory Act of the 95th General Assembly shall:

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

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned

New matter indicated by italics - deletions by strikeout
an or information technology specialist, including the retrieval
and copying of all data from the computer or device and any internal
or external peripherals and removal of such information, equipment,
or device to conduct a more thorough inspection;

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

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

(s) An offender placed on supervision for an offense that is a sex
offense as defined in Section 2 of the Sex Offender Registration Act that is
committed on or after January 1, 2010 (the effective date of Public Act 96-
362) that requires the person to register as a sex offender under that Act, may
not knowingly use any computer scrub software on any computer that the sex
offender uses.

(t) An offender placed on supervision for a sex offense as defined in
the Sex Offender Registration Act committed on or after January 1, 2010 (the
effective date of Public Act 96-262) shall refrain from accessing or using a
social networking website as defined in Section 17-0.5 of the Criminal Code
of 2012.

(u) Jurisdiction over an offender may be transferred from the
sentencing court to the court of another circuit with the concurrence of both
courts. Further transfers or retransfers of jurisdiction are also authorized in
the same manner. The court to which jurisdiction has been transferred shall
have the same powers as the sentencing court. The probation department
within the circuit to which jurisdiction has been transferred may impose
probation fees upon receiving the transferred offender, as provided in
subsection (i). The probation department from the original sentencing court
shall retain all probation fees collected prior to the transfer.

(Source: P.A. 96-262, eff. 1-1-10; 96-362, eff. 1-1-10; 96-409, eff. 1-1-10;
96-1000, eff. 7-2-10; 96-1414, eff. 1-1-11; 96-1551, Article 2, Section 1065,
eff. 7-1-11; 96-1551, Article 10, Section 10-150, eff. 7-1-11; 97-454, eff. 1-1-
12; 97-597, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(730 ILCS 5/5-6-3.3)

Sec. 5-6-3.3. Offender Initiative Program.

(a) Statement of purpose. The General Assembly seeks to continue
other successful programs that promote public safety, conserve valuable

New matter indicated by italics - deletions by strikeout
resources, and reduce recidivism by defendants who can lead productive lives by creating the Offender Initiative Program.

(a-1) Whenever any person who has not previously been convicted of, or placed on probation or conditional discharge for, any felony offense under the laws of this State, the laws of any other state, or the laws of the United States, is arrested for and charged with a probationable felony offense of theft, retail theft, forgery, possession of a stolen motor vehicle, burglary, possession of burglary tools, possession of cannabis, possession of a controlled substance, or possession of methamphetamine, the court, with the consent of the defendant and the State's Attorney, may continue this matter to allow a defendant to participate and complete the Offender Initiative Program.

(a-2) Exemptions. A defendant shall not be eligible for this Program if the offense he or she has been arrested for and charged with is a violent offense. For purposes of this Program, a "violent offense" is any offense where bodily harm was inflicted or where force was used against any person or threatened against any person, any offense involving sexual conduct, sexual penetration, or sexual exploitation, any offense of domestic violence, domestic battery, violation of an order of protection, stalking, hate crime, driving under the influence of drugs or alcohol, and any offense involving the possession of a firearm or dangerous weapon. A defendant shall not be eligible for this Program if he or she has previously been adjudicated a delinquent minor for the commission of a violent offense as defined in this subsection.

(b) When a defendant is placed in the Program, after both the defendant and State's Attorney waive preliminary hearing pursuant to Section 109-3 of the Code of Criminal Procedure of 1963, the court shall enter an order specifying that the proceedings shall be suspended while the defendant is participating in a Program of not less 12 months.

(c) The conditions of the Program shall be that the defendant:

(1) not violate any criminal statute of this State or any other jurisdiction;

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

(3) make full restitution to the victim or property owner pursuant to Section 5-5-6 of this Code;

(4) obtain employment or perform not less than 30 hours of community service, provided community service is available in the county and is funded and approved by the county board; and

New matter indicated by italics - deletions by strikeout
(5) attend educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing high school equivalency testing the high school level test of General Educational Development (G.E.D.) or to work toward completing a vocational training program.

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

(1) undergo medical or psychiatric treatment, or treatment or rehabilitation approved by the Illinois Department of Human Services;

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

(3) submit to periodic drug testing at a time, manner, and frequency as ordered by the court;

(4) pay fines, fees and costs; and

(5) in addition, if a minor:

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

(ii) attend school;

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

(iv) contribute to his or her own support at home or in a foster home.

(e) When the State's Attorney makes a factually specific offer of proof that the defendant has failed to successfully complete the Program or has violated any of the conditions of the Program, the court shall enter an order that the defendant has not successfully completed the Program and continue the case for arraignment pursuant to Section 113-1 of the Code of Criminal Procedure of 1963 for further proceedings as if the defendant had not participated in the Program.

(f) Upon fulfillment of the terms and conditions of the Program, the State's Attorney shall dismiss the case or the court shall discharge the person and dismiss the proceedings against the person.

(g) There may be only one discharge and dismissal under this Section with respect to any person.

(Source: P.A. 97-1118, eff. 1-1-13.)

(730 ILCS 5/5-6-3.4)

New matter indicated by italics - deletions by strikeout
Sec. 5-6-3.4. Second Chance Probation.

(a) Whenever any person who has not previously been convicted of, or placed on probation or conditional discharge for, any felony offense under the laws of this State, the laws of any other state, or the laws of the United States, including probation under Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 10 of the Cannabis Control Act, subsection (c) of Section 11-14 of the Criminal Code of 2012, Treatment Alternatives for Criminal Justice Clients (TASC) under Article 40 of the Alcoholism and Other Drug Abuse and Dependency Act, or prior successful completion of the Offender Initiative Program under Section 5-6-3.3 of this Code, and pleads guilty to, or is found guilty of, a probationable felony offense of possession of a controlled substance that is punishable as a Class 4 felony; possession of methamphetamine that is punishable as a Class 4 felony; theft that is punishable as a Class 3 felony based on the value of the property or punishable as a Class 4 felony if the theft was committed in a school or place of worship or if the theft was of governmental property; retail theft that is punishable as a Class 3 felony based on the value of the property; criminal damage to property that is punishable as a Class 4 felony; criminal damage to government supported property that is punishable as a Class 4 felony; or possession of cannabis which is punishable as a Class 4 felony, the court, with the consent of the defendant and the State's Attorney, may, without entering a judgment, sentence the defendant to probation under this Section.

(a-1) Exemptions. A defendant is not eligible for this probation if the offense he or she pleads guilty to, or is found guilty of, is a violent offense, or he or she has previously been convicted of a violent offense. For purposes of this probation, a "violent offense" is any offense where bodily harm was inflicted or where force was used against any person or threatened against any person, any offense involving sexual conduct, sexual penetration, or sexual exploitation, any offense of domestic violence, domestic battery, violation of an order of protection, stalking, hate crime, driving under the influence of drugs or alcohol, and any offense involving the possession of a firearm or dangerous weapon. A defendant shall not be eligible for this probation if he or she has previously been adjudicated a delinquent minor for the commission of a violent offense as defined in this subsection.

(b) When a defendant is placed on probation, the court shall enter an order specifying a period of probation of not less than 24 months and shall defer further proceedings in the case until the conclusion of the period or
until the filing of a petition alleging violation of a term or condition of probation.

(c) The conditions of probation shall be that the defendant:
   (1) not violate any criminal statute of this State or any other jurisdiction;
   (2) refrain from possessing a firearm or other dangerous weapon;
   (3) make full restitution to the victim or property owner under Section 5-5-6 of this Code;
   (4) obtain or attempt to obtain employment;
   (5) pay fines and costs;
   (6) attend educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing high school equivalency testing (high school level test of General Educational Development (G.E.D.) or to work toward completing a vocational training program;
   (7) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of probation, with the cost of the testing to be paid by the defendant; and
   (8) perform a minimum of 30 hours of community service.

(d) The court may, in addition to other conditions, require that the defendant:
   (1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;
   (2) undergo medical or psychiatric treatment, or treatment or rehabilitation approved by the Illinois Department of Human Services;
   (3) attend or reside in a facility established for the instruction or residence of defendants on probation;
   (4) support his or her dependents; or
   (5) refrain from having in his or her body the presence of any illicit drug prohibited by the Methamphetamine Control and Community Protection Act, the Cannabis Control Act, or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug.

New matter indicated by italics - deletions by strikeout
(e) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided by law.

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

(g) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal; however, a discharge and dismissal under this Section is not a conviction for purposes of this Code or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime.

(h) There may be only one discharge and dismissal under this Section, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 10 of the Cannabis Control Act, Treatment Alternatives for Criminal Justice Clients (TASC) under Article 40 of the Alcoholism and Other Drug Abuse and Dependency Act, the Offender Initiative Program under Section 5-6-3.3 of this Code, and subsection (c) of Section 11-14 of the Criminal Code of 2012 with respect to any person.

(i) If a person is convicted of any offense which occurred within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(730 ILCS 5/5-7-1) (from Ch. 38, par. 1005-7-1)
Sec. 5-7-1. Sentence of Periodic Imprisonment.

(a) A sentence of periodic imprisonment is a sentence of imprisonment during which the committed person may be released for periods of time during the day or night or for periods of days, or both, or if convicted of a felony, other than first degree murder, a Class X or Class 1 felony, committed to any county, municipal, or regional correctional or detention institution or facility in this State for such periods of time as the court may direct. Unless the court orders otherwise, the particular times and conditions of release shall be determined by the Department of Corrections, the sheriff, or the Superintendent of the house of corrections, who is administering the program.

(b) A sentence of periodic imprisonment may be imposed to permit the defendant to:

(1) seek employment;

New matter indicated by italics - deletions by strikeout
(2) work;
(3) conduct a business or other self-employed occupation including housekeeping;
(4) attend to family needs;
(5) attend an educational institution, including vocational education;
(6) obtain medical or psychological treatment;
(7) perform work duties at a county, municipal, or regional correctional or detention institution or facility;
(8) continue to reside at home with or without supervision involving the use of an approved electronic monitoring device, subject to Article 8A of Chapter V; or
(9) for any other purpose determined by the court.

(c) Except where prohibited by other provisions of this Code, the court may impose a sentence of periodic imprisonment for a felony or misdemeanor on a person who is 17 years of age or older. The court shall not impose a sentence of periodic imprisonment if it imposes a sentence of imprisonment upon the defendant in excess of 90 days.

(d) A sentence of periodic imprisonment shall be for a definite term of from 3 to 4 years for a Class 1 felony, 18 to 30 months for a Class 2 felony, and up to 18 months, or the longest sentence of imprisonment that could be imposed for the offense, whichever is less, for all other offenses; however, no person shall be sentenced to a term of periodic imprisonment longer than one year if he is committed to a county correctional institution or facility, and in conjunction with that sentence participate in a county work release program comparable to the work and day release program provided for in Article 13 of the Unified Code of Corrections in State facilities. The term of the sentence shall be calculated upon the basis of the duration of its term rather than upon the basis of the actual days spent in confinement. No sentence of periodic imprisonment shall be subject to the good time credit provisions of Section 3-6-3 of this Code.

(e) When the court imposes a sentence of periodic imprisonment, it shall state:

(1) the term of such sentence;
(2) the days or parts of days which the defendant is to be confined;
(3) the conditions.

(f) The court may issue an order of protection pursuant to the Illinois Domestic Violence Act of 1986 as a condition of a sentence of periodic imprisonment.
imprisonment. The Illinois Domestic Violence Act of 1986 shall govern the issuance, enforcement and recording of orders of protection issued under this Section. A copy of the order of protection shall be transmitted to the person or agency having responsibility for the case.

(f-5) An offender sentenced to a term of periodic imprisonment for a felony sex offense as defined in the Sex Offender Management Board Act shall be required to undergo and successfully complete sex offender treatment by a treatment provider approved by the Board and conducted in conformance with the standards developed under the Sex Offender Management Board Act.

(g) An offender sentenced to periodic imprisonment who undergoes mandatory drug or alcohol testing, or both, or is assigned to be placed on an approved electronic monitoring device, shall be ordered to pay the costs incidental to such mandatory drug or alcohol testing, or both, and costs incidental to such approved electronic monitoring in accordance with the defendant's ability to pay those costs. The county board with the concurrence of the Chief Judge of the judicial circuit in which the county is located shall establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing, or both, and all costs incidental to approved electronic monitoring, of all offenders with a sentence of periodic imprisonment. The concurrence of the Chief Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be.

(h) All fees and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(i) A defendant at least 17 years of age who is convicted of a misdemeanor or felony in a county of 3,000,000 or more inhabitants and who has not been previously convicted of a misdemeanor or a felony and who is sentenced to a term of periodic imprisonment may as a condition of his or her sentence be required by the court to attend educational courses designed to
prepare the defendant for a high school diploma and to work toward receiving a high school diploma or to work toward passing high school equivalency testing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program approved by the court. The defendant sentenced to periodic imprisonment must attend a public institution of education to obtain the educational or vocational training required by this subsection (i). The defendant sentenced to a term of periodic imprisonment shall be required to pay for the cost of the educational courses or high school equivalency testing GED test, if a fee is charged for those courses or testing test. The court shall revoke the sentence of periodic imprisonment of the defendant who wilfully fails to comply with this subsection (i). The court shall resentence the defendant whose sentence of periodic imprisonment has been revoked as provided in Section 5-7-2. This subsection (i) does not apply to a defendant who has a high school diploma or has successfully passed high school equivalency testing the GED test. This subsection (i) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(Source: P.A. 93-616, eff. 1-1-04.)

(730 ILCS 5/5-8-1.3)

Sec. 5-8-1.3. Pilot residential and transition treatment program for women.

(a) The General Assembly recognizes:

(1) that drug-offending women with children who have been in and out of the criminal justice system for years are a serious problem;

(2) that the intergenerational cycle of women continuously being part of the criminal justice system needs to be broken;

(3) that the effects of drug offending women with children disrupts family harmony and creates an atmosphere that is not conducive to healthy childhood development;

(4) that there is a need for an effective residential community supervision model to provide help to women to become drug free, recover from trauma, focus on healthy mother-child relationships, and establish economic independence and long-term support;

(5) that certain non-violent women offenders with children eligible for sentences of incarceration, may benefit from the rehabilitative aspects of gender responsive treatment programs and

New matter indicated by italics - deletions by strikeout
services. This Section shall not be construed to allow violent offenders to participate in a treatment program.

(b) Under the direction of the sheriff and with the approval of the county board of commissioners, the sheriff, in any county with more than 3,000,000 inhabitants, may operate a residential and transition treatment program for women established by the Illinois Department of Corrections if funding has been provided by federal, local or private entities. If the court finds during the sentencing hearing conducted under Section 5-4-1 that a woman convicted of a felony meets the eligibility requirements of the sheriff's residential and transition treatment program for women, the court may refer the offender to the sheriff's residential and transition treatment program for women for consideration as a participant as an alternative to incarceration in the penitentiary. The sheriff shall be responsible for supervising all women who are placed in the residential and transition treatment program for women for the 12-month period. In the event that the woman is not accepted for placement in the sheriff's residential and transition treatment program for women, the court shall proceed to sentence the woman to any other disposition authorized by this Code. If the woman does not successfully complete the residential and transition treatment program for women, the woman's failure to do so shall constitute a violation of the sentence to the residential and transition treatment program for women.

(c) In order to be eligible to be a participant in the pilot residential and transition treatment program for women, the participant shall meet all of the following conditions:

(1) The woman has not been convicted of a violent crime as defined in subsection (c) of Section 3 of the Rights of Crime Victims and Witnesses Act, a Class X felony, first or second degree murder, armed violence, aggravated kidnapping, criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, forcible detention, or arson and has not been previously convicted of any of those offenses.

(2) The woman must undergo an initial assessment evaluation to determine the treatment and program plan.

(3) The woman was recommended and accepted for placement in the pilot residential and transition treatment program for women by the Department of Corrections and has consented in writing to participation in the program under the terms and conditions of the program. The Department of Corrections may consider whether space is available.

New matter indicated by italics - deletions by strikeout
(d) The program may include a substance abuse treatment program designed for women offenders, mental health, trauma, and medical treatment; parenting skills and family relationship counseling, preparation for a high school equivalency GED or vocational certificate; life skills program; job readiness and job skill training, and a community transition development plan.

(e) With the approval of the Department of Corrections, the sheriff shall issue requirements for the program and inform the participants who shall sign an agreement to adhere to all rules and all requirements for the pilot residential and transition treatment program.

(f) Participation in the pilot residential and transition treatment program for women shall be for a period not to exceed 12 months. The period may not be reduced by accumulation of good time.

(g) If the woman successfully completes the pilot residential and transition treatment program for women, the sheriff shall notify the Department of Corrections, the court, and the State's Attorney of the county of the woman's successful completion.

(h) A woman may be removed from the pilot residential and transition treatment program for women for violation of the terms and conditions of the program or in the event she is unable to participate. The failure to complete the program shall be deemed a violation of the conditions of the program. The sheriff shall give notice to the Department of Corrections, the court, and the State's Attorney of the woman's failure to complete the program. The Department of Corrections or its designee shall file a petition alleging that the woman has violated the conditions of the program with the court. The State's Attorney may proceed on the petition under Section 5-4-1 of this Code.

(i) The conditions of the pilot residential and transition treatment program for women shall include that the woman while in the program:

1. not violate any criminal statute of any jurisdiction;
2. report or appear in person before any person or agency as directed by the court, the sheriff, or Department of Corrections;
3. refrain from possessing a firearm or other dangerous weapon;
4. consent to drug testing;
5. not leave the State without the consent of the court or, in circumstances in which reason for the absence is of such an emergency nature that prior consent by the court is not possible, without prior notification and approval of the Department of Corrections;

New matter indicated by italics - deletions by strikeout
(6) upon placement in the program, must agree to follow all requirements of the program.

(j) The Department of Corrections or the sheriff may terminate the program at any time by mutual agreement or with 30 days prior written notice by either the Department of Corrections or the sheriff.

(k) The Department of Corrections may enter into a joint contract with a county with more than 3,000,000 inhabitants to establish and operate a pilot residential and treatment program for women.

(l) The Director of the Department of Corrections shall have the authority to develop rules to establish and operate a pilot residential and treatment program for women that shall include criteria for selection of the participants of the program in conjunction and approval by the sentencing court. Violent crime offenders are not eligible to participate in the program.

(m) The Department shall report to the Governor and the General Assembly before September 30th of each year on the pilot residential and treatment program for women, including the composition of the program by offenders, sentence, age, offense, and race. Reporting is only required if the pilot residential and treatment program for women is operational.

(n) The Department of Corrections or the sheriff may terminate the program with 30 days prior written notice.

(o) A county with more than 3,000,000 inhabitants is authorized to apply for funding from federal, local or private entities to create a Residential and Treatment Program for Women. This sentencing option may not go into effect until the funding is secured for the program and the program has been established.

(Source: P.A. 97-800, eff. 7-13-12.)

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

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Statutes amended in order of appearance

20 ILCS 415/8c from Ch. 127, par. 63b108c
20 ILCS 505/8 from Ch. 23, par. 5008
20 ILCS 1315/25
20 ILCS 1510/30
20 ILCS 1705/15.4
20 ILCS 3970/3 from Ch. 127, par. 3833

New matter indicated by italics - deletions by strikeout
105 ILCS 5/2-3.66 from Ch. 122, par. 2-3.66
105 ILCS 5/3-15.12 from Ch. 122, par. 3-15.12
105 ILCS 5/10-22.20 from Ch. 122, par. 10-22.20
105 ILCS 5/13-40 from Ch. 122, par. 13-40
105 ILCS 5/13B-20.20 from Ch. 122, par. 13B-20.20
105 ILCS 5/13B-30.15 from Ch. 122, par. 13B-30.15
105 ILCS 5/13B-85 from Ch. 122, par. 13B-85
105 ILCS 5/26-2 from Ch. 122, par. 26-2
105 ILCS 5/26-16 from Ch. 122, par. 26-16
105 ILCS 405/3-1 from Ch. 122, par. 405/3-1
110 ILCS 305/20-85 from Ch. 122, par. 305/20-85
110 ILCS 660/5-85 from Ch. 122, par. 660/5-85
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625 ILCS 5/6-107 from Ch. 95 1/2, par. 6-107
625 ILCS 5/6-408.5 from Ch. 95 1/2, par. 6-408.5
730 ILCS 5/3-3-8 from Ch. 38, par. 1003-3-8
730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3
730 ILCS 5/3-6-8 from Ch. 38, par. 1003-6-8
730 ILCS 5/3-12-16 from Ch. 38, par. 1005-3-12-16
730 ILCS 5/5-5-3 from Ch. 38, par. 1005-5-3
730 ILCS 5/5-6-3 from Ch. 38, par. 1005-6-3
730 ILCS 5/5-6-3.1 from Ch. 38, par. 1005-6-3.1
730 ILCS 5/5-6-3.3 from Ch. 38, par. 1005-6-3.3
730 ILCS 5/5-6-3.4 from Ch. 38, par. 1005-6-3.4

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The Comprehensive Healthcare Workforce Planning Act is amended by changing Section 15 as follows:

(20 ILCS 2325/15)

Sec. 15. Members.

(a) The following 10 persons or their designees shall be members of the Council: the Director of the Department; a representative of the Governor's Office; the Secretary of Human Services; the Directors of the Departments of Commerce and Economic Opportunity, Employment Security, Financial and Professional Regulation, and Healthcare and Family Services; and the Executive Director of the Illinois Board of Higher Education, the Executive Director of the Illinois Community College Board, and the State Superintendent of Education.

(b) The Governor shall appoint 8 additional members, who shall be healthcare workforce experts, including representatives of practicing physicians, nurses, pharmacists, and dentists, State and local health professions organizations, schools of medicine and osteopathy, nursing, dental, allied health, and public health; public and private teaching hospitals; health insurers, business; and labor. The Speaker of the Illinois House of Representatives, the President of the Illinois Senate, the Minority Leader of the Illinois House of Representatives, and the Minority Leader of the Illinois Senate may each appoint 2 representatives to the Council. Members appointed under this subsection (b) shall serve 4-year terms and may be reappointed.

(c) The Director of the Department shall serve as Chair of the Council. The Governor shall appoint a healthcare workforce expert from the non-governmental sector to serve as Vice-Chair.

(Source: P.A. 97-424, eff. 7-1-12.)

New matter indicated by italics - deletions by strikeout
Section 10. The Illinois Century Network Act is amended by changing Section 15 as follows:

(20 ILCS 3921/15)

(a) Staffing and contractual services necessary to support the network's activities shall be governed by the Illinois Century Network Policy Committee. The committee shall include:

(1) 6 standing members as follows:
   (i) the Illinois State Library Director or designee;
   (ii) the Illinois State Museum Director or designee;
   (iii) the Executive Director of the Board of Higher Education or designee;
   (iv) the Executive Director of the Illinois Community College Board President or designee;
   (v) the State Board of Education State Superintendent or designee; and
   (vi) the Director of Central Management Services or designee;

(2) up to 7 members who are appointed by the Governor and who:
   (i) have experience and background in private K-12 education, private higher education, or who are from other participant constituents that are not already represented;
   (ii) shall serve staggered terms up to 3 years as designated by the Governor; and
   (iii) shall serve until a successor is appointed and qualified; and

(3) a Chairperson who is appointed by the Governor and who shall serve a term of 2 years and until a successor is appointed and qualified.

(b) Illinois Century Network Policy Committee members shall serve without compensation but shall be entitled to reimbursement for reasonable expenses of travel for members who are required to travel for a distance greater than 20 miles to participate in business of the Illinois Century Network Policy Committee.

(Source: P.A. 91-21, eff. 7-1-99; 92-691, eff. 7-18-02.)

Section 15. The School Code is amended by changing Sections 3-15.12 and 22-45 as follows:

(105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

New matter indicated by italics - deletions by strikeout
Sec. 3-15.12. High school equivalency testing program. The regional superintendent of schools shall make available for qualified individuals residing within the region a High School Equivalency Testing Program. For that purpose the regional superintendent alone or with other regional superintendents may establish and supervise a testing center or centers to administer the secure forms of the high school level Test of General Educational Development to qualified persons. Such centers shall be under the supervision of the regional superintendent in whose region such centers are located, subject to the approval of the Executive Director President of the Illinois Community College Board.

An individual is eligible to apply to the regional superintendent of schools for the region in which he or she resides if he or she is: (a) a person who is 17 years of age or older, has maintained residence in the State of Illinois, and is not a high school graduate; (b) a person who is successfully completing an alternative education program under Section 2-3.81, Article 13A, or Article 13B; or (c) a person who is enrolled in a youth education program sponsored by the Illinois National Guard. For purposes of this Section, residence is that abode which the applicant considers his or her home. Applicants may provide as sufficient proof of such residence and as an acceptable form of identification a driver's license, valid passport, military ID, or other form of government-issued national or foreign identification that shows the applicant's name, address, date of birth, signature, and photograph or other acceptable identification as may be allowed by law or as regulated by the Illinois Community College Board. Such regional superintendent shall determine if the applicant meets statutory and regulatory state standards. If qualified the applicant shall at the time of such application pay a fee established by the Illinois Community College Board, which fee shall be paid into a special fund under the control and supervision of the regional superintendent. Such moneys received by the regional superintendent shall be used, first, for the expenses incurred in administering and scoring the examination, and next for other educational programs that are developed and designed by the regional superintendent of schools to assist those who successfully complete the high school level test of General Education Development in furthering their academic development or their ability to secure and retain gainful employment, including programs for the competitive award based on test scores of college or adult education scholarship grants or similar educational incentives. Any excess moneys shall be paid into the institute fund.

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Any applicant who has achieved the minimum passing standards as established by the Illinois Community College Board shall be notified in writing by the regional superintendent and shall be issued a high school equivalency certificate on the forms provided by the Illinois Community College Board. The regional superintendent shall then certify to the Illinois Community College Board the score of the applicant and such other and additional information that may be required by the Illinois Community College Board. The moneys received therefrom shall be used in the same manner as provided for in this Section.

Any applicant who has attained the age of 17 years and maintained residence in the State of Illinois and is not a high school graduate, any person who has enrolled in a youth education program sponsored by the Illinois National Guard, or any person who has successfully completed an alternative education program under Section 2-3.81, Article 13A, or Article 13B is eligible to apply for a high school equivalency certificate (if he or she meets the requirements prescribed by the Illinois Community College Board) upon showing evidence that he or she has completed, successfully, the high school level General Educational Development Tests, administered by the United States Armed Forces Institute, official GED Centers established in other states, or at Veterans' Administration Hospitals or the office of the State Superintendent of Education administered for the Illinois State Penitentiary System and the Department of Corrections. Such applicant shall apply to the regional superintendent of the region wherein he has maintained residence, and upon payment of a fee established by the Illinois Community College Board the regional superintendent shall issue a high school equivalency certificate, and immediately thereafter certify to the Illinois Community College Board the score of the applicant and such other and additional information as may be required by the Illinois Community College Board.

Notwithstanding the provisions of this Section, any applicant who has been out of school for at least one year may request the regional superintendent of schools to administer the restricted GED test upon written request of: The director of a program who certifies to the Chief Examiner of an official GED center that the applicant has completed a program of instruction provided by such agencies as the Job Corps, the Postal Service Academy or apprenticeship training program; an employer or program director for purposes of entry into apprenticeship programs; another State Department of Education in order to meet regulations established by that Department of Education, a post high school educational institution for purposes of admission, the Department of Professional Regulation for

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licensing purposes, or the Armed Forces for induction purposes. The regional superintendent shall administer such test and the applicant shall be notified in writing that he is eligible to receive the Illinois High School Equivalency Certificate upon reaching age 17, provided he meets the standards established by the Illinois Community College Board.

Any test administered under this Section to an applicant who does not speak and understand English may at the discretion of the administering agency be given and answered in any language in which the test is printed. The regional superintendent of schools may waive any fees required by this Section in case of hardship.

In counties of over 3,000,000 population, a GED certificate shall contain the signatures of the Executive Director President of the Illinois Community College Board; the superintendent, president, or other chief executive officer of the institution where GED instruction occurred; and any other signatures authorized by the Illinois Community College Board.

The regional superintendent of schools shall furnish the Illinois Community College Board with any information that the Illinois Community College Board requests with regard to testing and certificates under this Section.

(Source: P.A. 94-108, eff. 7-1-05; 95-609, eff. 6-1-08.)

(105 ILCS 5/22-45)

Sec. 22-45. Illinois P-20 Council.

(a) The General Assembly finds that preparing Illinoisans for success in school and the workplace requires a continuum of quality education from preschool through graduate school. This State needs a framework to guide education policy and integrate education at every level. A statewide coordinating council to study and make recommendations concerning education at all levels can avoid fragmentation of policies, promote improved teaching and learning, and continue to cultivate and demonstrate strong accountability and efficiency. Establishing an Illinois P-20 Council will develop a statewide agenda that will move the State towards the common goals of improving academic achievement, increasing college access and success, improving use of existing data and measurements, developing improved accountability, fostering innovative approaches to education, promoting lifelong learning, easing the transition to college, and reducing remediation. A pre-kindergarten through grade 20 agenda will strengthen this State's economic competitiveness by producing a highly-skilled workforce. In addition, lifelong learning plans will enhance this State's ability to leverage funding.

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(b) There is created the Illinois P-20 Council. The Illinois P-20 Council shall include all of the following members:

(1) The Governor or his or her designee, to serve as chairperson.

(2) Four members of the General Assembly, one appointed by the Speaker of the House of Representatives, one appointed by the Minority Leader of the House of Representatives, one appointed by the President of the Senate, and one appointed by the Minority Leader of the Senate.

(3) Six at-large members appointed by the Governor as follows, with 2 members being from the City of Chicago, 2 members being from Lake County, McHenry County, Kane County, DuPage County, Will County, or that part of Cook County outside of the City of Chicago, and 2 members being from the remainder of the State:
   (A) one representative of civic leaders;
   (B) one representative of local government;
   (C) one representative of trade unions;
   (D) one representative of nonprofit organizations or foundations;
   (E) one representative of parents' organizations; and
   (F) one education research expert.

(4) Five members appointed by statewide business organizations and business trade associations.

(5) Six members appointed by statewide professional organizations and associations representing pre-kindergarten through grade 20 teachers, community college faculty, and public university faculty.

(6) Two members appointed by associations representing local school administrators and school board members. One of these members must be a special education administrator.

(7) One member representing community colleges, appointed by the Illinois Council of Community College Presidents.

(8) One member representing 4-year independent colleges and universities, appointed by a statewide organization representing private institutions of higher learning.

(9) One member representing public 4-year universities, appointed jointly by the university presidents and chancellors.

(10) Ex-officio members as follows:

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(A) The State Superintendent of Education or his or her designee.
(B) The Executive Director of the Board of Higher Education or his or her designee.
(C) The Executive Director or his or her designee.
(D) The Executive Director of the Illinois Student Assistance Commission or his or her designee.
(E) The Co-chairpersons of the Illinois Workforce Investment Board or their designee.
(F) The Director of Commerce and Economic Opportunity or his or her designee.
(G) The Chairperson of the Illinois Early Learning Council or his or her designee.
(H) The President of the Illinois Mathematics and Science Academy or his or her designee.
(I) The president of an association representing educators of adult learners or his or her designee.

Ex-officio members shall have no vote on the Illinois P-20 Council.

Appointed members shall serve for staggered terms expiring on July 1 of the first, second, or third calendar year following their appointments or until their successors are appointed and have qualified. Staggered terms shall be determined by lot at the organizing meeting of the Illinois P-20 Council.

Vacancies shall be filled in the same manner as original appointments, and any member so appointed shall serve during the remainder of the term for which the vacancy occurred.

(c) The Illinois P-20 Council shall be funded through State appropriations to support staff activities, research, data-collection, and dissemination. The Illinois P-20 Council shall be staffed by the Office of the Governor, in coordination with relevant State agencies, boards, and commissions. The Illinois Education Research Council shall provide research and coordinate research collection activities for the Illinois P-20 Council.

(d) The Illinois P-20 Council shall have all of the following duties:

1. To make recommendations to do all of the following:
   A. Coordinate pre-kindergarten through grade 20 (graduate school) education in this State through working at the intersections of educational systems to promote collaborative infrastructure.

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(B) Coordinate and leverage strategies, actions, legislation, policies, and resources of all stakeholders to support fundamental and lasting improvement in this State’s public schools, community colleges, and universities.

(C) Better align the high school curriculum with postsecondary expectations.

(D) Better align assessments across all levels of education.

(E) Reduce the need for students entering institutions of higher education to take remedial courses.

(F) Smooth the transition from high school to college.

(G) Improve high school and college graduation rates.

(H) Improve the rigor and relevance of academic standards for college and workforce readiness.

(I) Better align college and university teaching programs with the needs of Illinois schools.

(2) To advise the Governor, the General Assembly, the State's education and higher education agencies, and the State's workforce and economic development boards and agencies on policies related to lifelong learning for Illinois students and families.

(3) To articulate a framework for systemic educational improvement and innovation that will enable every student to meet or exceed Illinois learning standards and be well-prepared to succeed in the workforce and community.

(4) To provide an estimated fiscal impact for implementation of all Council recommendations.

(e) The chairperson of the Illinois P-20 Council may authorize the creation of working groups focusing on areas of interest to Illinois educational and workforce development, including without limitation the following areas:

(1) Preparation, recruitment, and certification of highly qualified teachers.

(2) Mentoring and induction of highly qualified teachers.

(3) The diversity of highly qualified teachers.

(4) Funding for highly qualified teachers, including developing a strategic and collaborative plan to seek federal and private grants to support initiatives targeting teacher preparation and its impact on student achievement.

(5) Highly effective administrators.

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(6) Illinois birth through age 3 education, pre-kindergarten, and early childhood education.

(7) The assessment, alignment, outreach, and network of college and workforce readiness efforts.

(8) Alternative routes to college access.

(9) Research data and accountability.

(10) Community schools, community participation, and other innovative approaches to education that foster community partnerships.

The chairperson of the Illinois P-20 Council may designate Council members to serve as working group chairpersons. Working groups may invite organizations and individuals representing pre-kindergarten through grade 20 interests to participate in discussions, data collection, and dissemination.

(Source: P.A. 98-463, eff. 8-16-13.)

Section 20. The Public Community College Act is amended by changing Section 3-33.7 as follows:

(110 ILCS 805/3-33.7)

Sec. 3-33.7. Establishment of lines of credit. The board may establish a line of credit with a bank or other financial institution in an amount not to exceed the following:

(1) if anticipating State revenues due in the current fiscal year, 85% of the amount or amounts of the revenues due in the current fiscal year, as certified by the Executive Director or President/CEO of the State Board or other official in a position to provide assurances as to the amounts; and

(2) if anticipating State revenues expected to be due in the next subsequent fiscal year, 50% of the amount or amounts of the revenues due in the current fiscal year, as certified by the Executive Director or President/CEO of the State Board or other official in a position to provide assurances as to the amounts.

All moneys so borrowed shall be repaid exclusively from the anticipated revenues within 60 days after the revenues have been received. Borrowing authorized under subdivisions (1) and (2) of this Section shall bear interest at a rate not to exceed the maximum rate authorized by the Bond Authorization Act, from the date of issuance until paid.

Prior to establishing a line of credit under this Section, the board shall authorize, by resolution, the line of credit. The resolution shall set forth facts demonstrating the need for the line of credit, state the amount to be borrowed, establish a maximum interest rate limit not to exceed that set forth in this

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Section, and provide a date by which the borrowed funds must be repaid. The resolution shall direct the relevant officials to make arrangements to set apart and hold the revenue, as received, that will be used to repay the borrowing. In addition, the resolution may authorize the relevant officials to make partial repayments of the borrowing as the revenues become available and may contain any other terms, restrictions, or limitations not inconsistent with the provisions of this Section.
(Source: P.A. 96-912, eff. 6-9-10.)

Passed in the General Assembly May 21, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0720
(House Bill No. 4360)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Business Corporation Act of 1983 is amended by changing Section 4.05 as follows:
(805 ILCS 5/4.05) (from Ch. 32, par. 4.05)
Sec. 4.05. Corporate name of domestic or foreign corporation.
(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:
(1) Shall contain, separate and apart from any other word or abbreviation in such name, the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of such words, and if the name of a foreign corporation does not contain, separate and apart from any other word or abbreviation, one of such words or abbreviations, the corporation shall add at the end of its name, as a separate word or abbreviation, one of such words or an abbreviation of one of such words.
(2) Shall not contain any word or phrase which indicates or implies that the corporation (i) is authorized or empowered to conduct the business of insurance, assurance, indemnity, or the acceptance of savings deposits; (ii) is authorized or empowered to conduct the business of banking unless otherwise permitted by the Commissioner of Banks and Real Estate pursuant to Section 46 of the Illinois Banking Act; or (iii) is authorized or empowered to be in the business

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of a corporate fiduciary unless otherwise permitted by the Commissioner of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a corporation only if it has first complied with Section 1-9 of the Corporate Fiduciary Act. The word "bank", "banker" or "banking" may only be used by a corporation if it has first complied with Section 46 of the Illinois Banking Act.

(3) Shall be distinguishable upon the records in the office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether profit or not for profit, existing under any Act of this State or of the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether profit or not for profit, authorized to transact business in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to transact business in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporate name or names in accordance with Section 4.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to transact business in this State only under such assumed corporate name or names.

(4) Shall contain the word "trust", if it be a domestic corporation organized for the purpose of accepting and executing trusts, shall contain the word "pawners", if it be a domestic corporation organized as a pawners' society, and shall contain the word "cooperative", if it be a domestic corporation organized as a cooperative association for pecuniary profit.

(5) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with.

(6) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State.

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(7) Shall be the name under which the corporation shall transact business in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name.

(8) (Blank).

(9) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; or (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) the word "corporation", "company", "incorporated", or "limited", "limited liability" or an abbreviation of one of such words;

(2) articles, conjunctions, contractions, abbreviations, different tenses or number of the same word;

(c) Nothing in this Section or Sections 4.15 or 4.20 shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any.

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of names or symbols.

(Source: P.A. 96-7, eff. 4-3-09.)

Section 10. The Limited Liability Company Act is amended by changing Sections 1-10, 35-3, 37-40, and 45-15 as follows:

(805 ILCS 180/1-10)

New matter indicated by italics - deletions by strikeout
Sec. 1-10. Limited liability company name.

(a) The name of each limited liability company or foreign limited liability company organized, existing, or subject to the provisions of this Act as set forth in its articles of organization:

1) shall contain the terms "limited liability company", "L.L.C.", or "LLC", or, if organized as a low-profit limited liability company under Section 1-26 of this Act, shall contain the term "L3C";

2) may not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless the restriction has been complied with;

3) shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the Office of the Secretary of State;

4) shall not contain any of the following terms: "Corporation," "Corp.", "Incorporated," "Inc.", "Ltd.", "Co.", "Limited Partnership" or "L.P.";

5) shall be the name under which the limited liability company transacts business in this State unless the limited liability company also elects to adopt an assumed name or names as provided in this Act; provided, however, that the limited liability company may use any divisional designation or trade name without complying with the requirements of this Act, provided the limited liability company also clearly discloses its name;

6) shall not contain any word or phrase that indicates or implies that the limited liability company is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of the Office of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a limited liability company only if it has first complied with Section 1-9 of the Corporate Fiduciary Act;

7) shall contain the word "trust", if it is a limited liability company organized for the purpose of accepting and executing trusts; and

8) shall not, as to any limited liability company organized or amending its company name on or after April 3, 2009 (the effective date of Public Act 96-7), without the express written consent of the

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United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; or (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) Nothing in this Section or Section 1-20 shall abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States of America with respect to the right to acquire and protect copyrights, trade names, trademarks, service marks, service names, or any other right to the exclusive use of names or symbols.

(c) (Blank).

(d) The name shall be distinguishable upon the records in the Office of the Secretary of State from all of the following:

(1) Any limited liability company that has articles of organization filed with the Secretary of State under Section 5-5.

(2) Any foreign limited liability company admitted to transact business in this State.

(3) Any name for which an exclusive right has been reserved in the Office of the Secretary of State under Section 1-15.

(4) Any assumed name that is registered with the Secretary of State under Section 1-20.

(5) Any corporate name or assumed corporate name of a domestic or foreign corporation subject to the provisions of Section 4.05 of the Business Corporation Act of 1983 or Section 104.05 of the General Not For Profit Corporation Act of 1986.

(e) The provisions of subsection (d) of this Section shall not apply if the organizer files with the Secretary of State a certified copy of a final decree of a court of competent jurisdiction establishing the prior right of the applicant to the use of that name in this State.

(f) The Secretary of State shall determine whether a name is "distinguishable" from another name for the purposes of this Act. Without excluding other names that may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "limited", "liability" or "company" or an abbreviation of one of those words.

(2) Articles, conjunctions, contractions, abbreviations, or different tenses or number of the same word.

(Source: P.A. 96-7, eff. 4-3-09; 96-126, eff. 1-1-10; 96-1000, eff. 7-2-10.) (805 ILCS 180/35-3)

New matter indicated by italics - deletions by strikeout
Sec. 35-3. Limited liability company continues after dissolution.

(a) Subject to subsections (b) and (c) of this Section, a limited liability company continues after dissolution only for the purpose of winding up its business.

(b) At any time after the dissolution of a limited liability company and before the winding up of its business is completed, the members, including a dissociated member whose dissociation caused the dissolution, may unanimously waive the right to have the company's business wound up and the company terminated. Any such waiver shall take effect upon in that case:

1. (blank); the limited liability company resumes carrying on its business as if dissolution had never occurred and any liability incurred by the company or a member after the dissolution and before the waiver is determined as if the dissolution had never occurred; and

2. (blank); the rights of a third party accruing under subsection (a) of Section 35-7 or arising out of conduct in reliance on the dissolution before the third party knew or received a notification of the waiver are not adversely affected.

3. the filing with the Secretary of State by the limited liability company of all reports then due and theretofore becoming due;

4. the payment to the Secretary of State by the limited liability company of all fees and penalties then due and theretofore becoming due; and

5. the filing of articles of revocation of dissolution setting forth:

   (A) the name of the limited liability company at the time of filing the articles of dissolution;

   (B) if the name is not available for use as determined by the Secretary of State at the time of filing the articles of revocation of dissolution, the name of the limited liability company as changed, provided that any change of name is properly effected under Section 1-10 and Section 5-25 of this Act;

   (C) the effective date of the dissolution that was revoked;

   (D) the date that the revocation of dissolution was authorized;

   (E) a statement that the members have unanimously waived the right to have the company's business wound up and the company terminated; and

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(F) the address, including street and number or rural route number, of the registered office of the limited liability company upon revocation of dissolution and the name of its registered agent at that address upon the revocation of dissolution of the limited liability company, provided that any change from either the registered office or the registered agent at the time of dissolution is properly reported under Section 1-35 of this Act.

Upon compliance with the provisions of this subsection, the Secretary of State shall file the articles of revocation of dissolution. Upon filing of the articles of revocation of dissolution:

(i) the limited liability company resumes carrying on its business as if dissolution had never occurred, and any liability incurred by the limited liability company or a member after the dissolution and before the waiver is determined as if the dissolution had never occurred; and

(ii) the rights of a third party accruing under subsection (a) of Section 35-7 or arising out of conduct in reliance on the dissolution before the third party knew or received a notification of the waiver are not adversely affected.

(c) Unless otherwise provided in the articles of organization or the operating agreement, the limited liability company is not dissolved and is not required to be wound up if:

(1) within 6 months or such period as is provided for in the articles of organization or the operating agreement after the occurrence of the event that caused the dissociation of the last remaining member, the personal representative of the last remaining member agrees in writing to continue the limited liability company until the admission of the personal representative of that member or its nominee or designee to the limited liability company as a member, effective as of the occurrence of the event that caused the dissociation of the last remaining member, provided that the articles of organization or the operating agreement may provide that the personal representative of the last remaining member shall be obligated to agree in writing to continue the limited liability company and to the admission of the personal representative of that member or its nominee or designee to the limited liability company as a member, effective as of the occurrence of the event that caused the dissociation of the last remaining member; or

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(2) a member is admitted to the limited liability company in the manner provided for in the articles of organization or the operating agreement, effective as of the occurrence of the event that caused the dissociation of the last remaining member, within 6 months or such other period as is provided for in the operating agreement after the occurrence of the event that caused the dissociation of the last remaining member, pursuant to a provision of the articles of organization or the operating agreement that specifically provides for the admission of a member to the limited liability company after there is no longer a remaining member of the limited liability company.

(Source: P.A. 93-59, eff. 7-1-03.)

(805 ILCS 180/37-40)

Sec. 37-40. Series of members, managers or limited liability company interests.

(a) An operating agreement may establish or provide for the establishment of designated series of members, managers or limited liability company interests having separate rights, powers or duties with respect to specified property or obligations of the limited liability company or profits and losses associated with specified property or obligations, and to the extent provided in the operating agreement, any such series may have a separate business purpose or investment objective.

(b) Notwithstanding anything to the contrary set forth in this Section or under other applicable law, in the event that an operating agreement creates one or more series, and if separate and distinct records are maintained for any such series and the assets associated with any such series are held (directly or indirectly, including through a nominee or otherwise) and accounted for separately from the other assets of the limited liability company, or any other series thereof, and if the operating agreement so provides, and notice of the limitation on liabilities of a series as referenced in this subsection is set forth in the articles of organization of the limited liability company and if the limited liability company has filed a certificate of designation for each series which is to have limited liability under this Section, then the debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series shall be enforceable against the assets of such series only, and not against the assets of the limited liability company generally or any other series thereof, and unless otherwise provided in the operating agreement, none of the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to the

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limited liability company generally or any other series thereof shall be enforceable against the assets of such series. The fact that the articles of organization contain the foregoing notice of the limitation on liabilities of a series and a certificate of designation for a series is on file in the Office of the Secretary of State shall constitute notice of such limitation on liabilities of a series. A series with limited liability shall be treated as a separate entity to the extent set forth in the articles of organization. Each series with limited liability may, in its own name, contract, hold title to assets, grant security interests, sue and be sued and otherwise conduct business and exercise the powers of a limited liability company under this Act. The limited liability company and any of its series may elect to consolidate their operations as a single taxpayer to the extent permitted under applicable law, elect to work cooperatively, elect to contract jointly or elect to be treated as a single business for purposes of qualification to do business in this or any other state. Such elections shall not affect the limitation of liability set forth in this Section except to the extent that the series have specifically accepted joint liability by contract.

(c) Except in the case of a foreign limited liability company that has adopted an assumed name pursuant to Section 45-15, the name of the series with limited liability must commence with contain the entire name of the limited liability company, as set forth in its articles of incorporation, and be distinguishable from the names of the other series set forth in the articles of organization. In the case of a foreign limited liability company that has adopted an assumed name pursuant to Section 45-15, the name of the series with limited liability must commence with contain the entire name, as set forth in the foreign limited liability company's assumed name application, under which the foreign limited liability company has been admitted to transact business in this State.

(d) Upon the filing of the certificate of designation with the Secretary of State setting forth the name of each series with limited liability, the series' existence shall begin, and each of the duplicate copies stamped "Filed" and marked with the filing date shall be conclusive evidence, except as against the State, that all conditions precedent required to be performed have been complied with and that the series has been or shall be legally organized and formed under this Act. If different from the limited liability company, the certificate of designation for each series shall list the names of the members if the series is member managed or the names of the managers if the series is manager managed. The name of a series with limited liability under subsection (b) of this Section may be changed by filing with the Secretary of State.
State a certificate of designation identifying the series whose name is being changed and the new name of such series. If not the same as the limited liability company, the names of the members of a member managed series or of the managers of a manager managed series may be changed by filing a new certificate of designation with the Secretary of State. A series with limited liability under subsection (b) of this Section may be dissolved by filing with the Secretary of State a certificate of designation identifying the series being dissolved or by the dissolution of the limited liability company as provided in subsection (m) of this Section. Certificates of designation may be executed by the limited liability company or any manager, person or entity designated in the operating agreement for the limited liability company.

(e) A series of a limited liability company will be deemed to be in good standing as long as the limited liability company is in good standing.

(f) The registered agent and registered office for the limited liability company in Illinois shall serve as the agent and office for service of process in Illinois for each series.

(g) An operating agreement may provide for classes or groups of members or managers associated with a series having such relative rights, powers and duties as the operating agreement may provide, and may make provision for the future creation of additional classes or groups of members or managers associated with the series having such relative rights, powers and duties as may from time to time be established, including rights, powers and duties senior to existing classes and groups of members or managers associated with the series.

(h) A series may be managed by either the member or members associated with the series or by a manager or managers chosen by the members of such series, as provided in the operating agreement. Unless otherwise provided in an operating agreement, the management of a series shall be vested in the members associated with such series.

(i) An operating agreement may grant to all or certain identified members or managers or a specified class or group of the members or managers associated with a series the right to vote separately or with all or any class or group of the members or managers associated with the series, on any matter. An operating agreement may provide that any member or class or group of members associated with a series shall have no voting rights.

(j) Except to the extent modified in this Section, the provisions of this Act which are generally applicable to limited liability companies, their managers, members and transferees shall be applicable to each particular series with respect to the operation of such series.

New matter indicated by italics - deletions by strikeout
(k) Except as otherwise provided in an operating agreement, any event under this Act or in an operating agreement that causes a manager to cease to be a manager with respect to a series shall not, in itself, cause such manager to cease to be a manager of the limited liability company or with respect to any other series thereof.

(l) Except as otherwise provided in an operating agreement, any event under this Act or an operating agreement that causes a member to cease to be associated with a series shall not, in itself, cause such member to cease to be associated with any other series or terminate the continued membership of a member in the limited liability company or cause the termination of the series, regardless of whether such member was the last remaining member associated with such series.

(m) Except to the extent otherwise provided in the operating agreement, a series may be dissolved and its affairs wound up without causing the dissolution of the limited liability company. The dissolution of a series established in accordance with subsection (b) of this Section shall not affect the limitation on liabilities of such series provided by subsection (b) of this Section. A series is terminated and its affairs shall be wound up upon the dissolution of the limited liability company under Article 35 of this Act.

(n) If a limited liability company with the ability to establish series does not register to do business in a foreign jurisdiction for itself and certain of its series, a series of a limited liability company may itself register to do business as a limited liability company in the foreign jurisdiction in accordance with the laws of the foreign jurisdiction.

(o) If a foreign limited liability company, as permitted in the jurisdiction of its organization, has established a series having separate rights, powers or duties and has limited the liabilities of such series so that the debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series are enforceable against the assets of such series only, and not against the assets of the limited liability company generally or any other series thereof, or so that the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to the limited liability company generally or any other series thereof are not enforceable against the assets of such series, then the limited liability company, on behalf of itself or any of its series, or any of its series on their own behalf may register to do business in the State in accordance with Section 45-5 of this Act. The limitation of liability shall be so stated on the application for admission as a foreign limited liability company and a certificate of designation shall be filed for each series being registered to do

New matter indicated by italics - deletions by strikeout
business in the State by the limited liability company. Unless otherwise provided in the operating agreement, the debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series of such a foreign limited liability company shall be enforceable against the assets of such series only, and not against the assets of the foreign limited liability company generally or any other series thereof and none of the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to such a foreign limited liability company generally or any other series thereof shall be enforceable against the assets of such series. (Source: P.A. 94-607, eff. 8-16-05; 95-368, eff. 8-23-07.)

(805 ILCS 180/45-15)

Sec. 45-15. Name. A foreign limited liability company may be admitted to transact business in this State under any name (whether or not it is the name under which it is formed in the jurisdiction of its formation) that complies with the provisions of Section 1-10 which would be available to a limited liability company. However, if the name is different from the name under which it is formed in its jurisdiction of organization, the foreign limited liability company shall also file an assumed name application in accordance with Section 1-20. (Source: P.A. 87-1062.)


PUBLIC ACT 98-0721
(House Bill No. 4385)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-575 as follows:

(20 ILCS 2705/2705-575) (was 20 ILCS 2705/49.28)

Sec. 2705-575. Sale of used vehicles. Whenever the Department has deemed a vehicle shall be replaced, it shall notify the Division of Property Control of the Department of Central Management Services and the Division of Vehicles of the Department of Central Management Services for potential

New matter indicated by italics - deletions by strikeout
reallocation of the vehicle to another State agency through inter-agency transfer per standard fleet vehicle allocation procedures. If the vehicle is not re-allocated for use into the State fleet or agencies by the Division of Property Control or the Division of Vehicles of the Department of Central Management Services, the Department shall make the vehicle available to those units of local government that have previously requested the notification and provide them the opportunity to purchase the vehicle through a sealed bid sale. Any proceeds from the sale of the vehicles to units of local government shall be deposited in the Road Fund. The term "vehicle" as used in this Section is defined to include passenger automobiles, light duty trucks, and heavy duty trucks, and other self-propelled motorized equipment in excess of 25 horsepower and attachments.
(Source: P.A. 97-42, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0722
(House Bill No. 4386)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 6-500, 6-506, 6-514, and 6-518 as follows:
(625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)
(Text of Section before amendment by P.A. 98-176)
Sec. 6-500. Definitions of words and phrases. Notwithstanding the definitions set forth elsewhere in this Code, for purposes of the Uniform Commercial Driver's License Act (UCDLA), the words and phrases listed below have the meanings ascribed to them as follows:
(1) Alcohol. "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) Alcohol concentration. "Alcohol concentration" means:
(A) the number of grams of alcohol per 210 liters of breath; or

New matter indicated by italics - deletions by strikeout
(B) the number of grams of alcohol per 100 milliliters of blood; or
(C) the number of grams of alcohol per 67 milliliters of urine.

Alcohol tests administered within 2 hours of the driver being "stopped or detained" shall be considered that driver's "alcohol concentration" for the purposes of enforcing this UCDLA.

(3) (Blank).
(4) (Blank).
(5) (Blank).

(5.3) CDLIS driver record. "CDLIS driver record" means the electronic record of the individual CDL driver's status and history stored by the State-of-Record as part of the Commercial Driver's License Information System, or CDLIS, established under 49 U.S.C. 31309.

(5.5) CDLIS motor vehicle record. "CDLIS motor vehicle record" or "CDLIS MVR" means a report generated from the CDLIS driver record meeting the requirements for access to CDLIS information and provided by states to users authorized in 49 C.F.R. 384.225(e)(3) and (4), subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

(5.7) Commercial driver's license downgrade. "Commercial driver's license downgrade" or "CDL downgrade" means either:

(A) a state allows the driver to change his or her self-certification to interstate, but operating exclusively in transportation or operation excepted from 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;

(B) a state allows the driver to change his or her self-certification to intrastate only, if the driver qualifies under that state's physical qualification requirements for intrastate only;

(C) a state allows the driver to change his or her certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(D) a state removes the CDL privilege from the driver license.

(6) Commercial Motor Vehicle.

(A) "Commercial motor vehicle" or "CMV" means a motor vehicle used in commerce, except those referred to in subdivision (B), designed to transport passengers or property if:

(i) the vehicle has a GVWR of 26,001 pounds or more or such a lesser GVWR as subsequently determined by federal regulations or the Secretary of State; or any combination of

New matter indicated by italics - deletions by strikeout
vehicles with a GCWR of 26,001 pounds or more, provided the GVWR of any vehicle or vehicles being towed is 10,001 pounds or more; or

(ii) the vehicle is designed to transport 16 or more persons; or

(iii) the vehicle is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, subpart F.

(B) Pursuant to the interpretation of the Commercial Motor Vehicle Safety Act of 1986 by the Federal Highway Administration, the definition of "commercial motor vehicle" does not include:

(i) recreational vehicles, when operated primarily for personal use;

(ii) vehicles owned by or operated under the direction of the United States Department of Defense or the United States Coast Guard only when operated by non-civilian personnel. This includes any operator on active military duty; members of the Reserves; National Guard; personnel on part-time training; and National Guard military technicians (civilians who are required to wear military uniforms and are subject to the Code of Military Justice); or

(iii) firefighting, police, and other emergency equipment (including, without limitation, equipment owned or operated by a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code), with audible and visual signals, owned or operated by or for a governmental entity, which is necessary to the preservation of life or property or the execution of emergency governmental functions which are normally not subject to general traffic rules and regulations.

(7) Controlled Substance. "Controlled substance" shall have the same meaning as defined in Section 102 of the Illinois Controlled Substances Act, and shall also include cannabis as defined in Section 3 of the Cannabis Control Act and methamphetamine as defined in Section 10 of the Methamphetamine Control and Community Protection Act.

(8) Conviction. "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal; an unvacated forfeiture of bail or collateral deposited to secure the
person's appearance in court; a plea of guilty or nolo contendere accepted by
the court; the payment of a fine or court cost regardless of whether the
imposition of sentence is deferred and ultimately a judgment dismissing the
underlying charge is entered; or a violation of a condition of release without
bail, regardless of whether or not the penalty is rebated, suspended or
probated.

(8.5) Day. "Day" means calendar day.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) (Blank).

(13) Driver. "Driver" means any person who drives, operates, or is in
physical control of a commercial motor vehicle, any person who is required
to hold a CDL, or any person who is a holder of a CDL while operating a
non-commercial motor vehicle.

(13.5) Driver applicant. "Driver applicant" means an individual who
applies to a state to obtain, transfer, upgrade, or renew a CDL.

(13.8) Electronic device. "Electronic device" includes, but is not
limited to, a cellular telephone, personal digital assistant, pager, computer, or
any other device used to input, write, send, receive, or read text.

(14) Employee. "Employee" means a person who is employed as a
commercial motor vehicle driver. A person who is self-employed as a
commercial motor vehicle driver must comply with the requirements of this
UCDLA pertaining to employees. An owner-operator on a long-term lease
shall be considered an employee.

(15) Employer. "Employer" means a person (including the United
States, a State or a local authority) who owns or leases a commercial motor
vehicle or assigns employees to operate such a vehicle. A person who is self-
employed as a commercial motor vehicle driver must comply with the
requirements of this UCDLA.

(15.3) Excepted interstate. "Excepted interstate" means a person who
operates or expects to operate in interstate commerce, but engages
exclusively in transportation or operations excepted under 49 C.F.R. 390.3(f),
391.2, 391.68, or 398.3 from all or part of the qualification requirements of
49 C.F.R. Part 391 and is not required to obtain a medical examiner's
certificate by 49 C.F.R. 391.45.

(15.5) Excepted intrastate. "Excepted intrastate" means a person who
operates in intrastate commerce but engages exclusively in transportation or

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operations excepted from all or parts of the state driver qualification requirements.

(16) (Blank).

(16.5) Fatality. "Fatality" means the death of a person as a result of a motor vehicle accident.

(16.7) Foreign commercial driver. "Foreign commercial driver" means a person licensed to operate a commercial motor vehicle by an authority outside the United States, or a citizen of a foreign country who operates a commercial motor vehicle in the United States.

(17) Foreign jurisdiction. "Foreign jurisdiction" means a sovereign jurisdiction that does not fall within the definition of "State".

(18) (Blank).

(19) (Blank).

(20) Hazardous materials. "Hazardous Material" means any material that has been designated under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73.

(20.5) Imminent Hazard. "Imminent hazard" means the existence of any condition of a vehicle, employee, or commercial motor vehicle operations that substantially increases the likelihood of death, serious illness, severe personal injury, or death if not discontinued immediately; or a condition relating to hazardous material that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment.

(21) Long-term lease. "Long-term lease" means a lease of a commercial motor vehicle by the owner-lessee to a lessee, for a period of more than 29 days.

(21.1) Medical examiner. "Medical examiner" means an individual certified by the Federal Motor Carrier Safety Administration and listed on the National Registry of Certified Medical Examiners in accordance with Federal Motor Carrier Safety Regulations, 49 C.F.R 390.101 et seq. a person who is licensed, certified, or registered in accordance with applicable state laws and regulations to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

New matter indicated by italics - deletions by strikeout
(21.2) Medical examiner's certificate. "Medical examiner's certificate" means a document prescribed or approved by the Secretary of State that is issued by a medical examiner to a driver to medically qualify him or her to drive.

(21.5) Medical variance. "Medical variance" means a driver has received one of the following from the Federal Motor Carrier Safety Administration which allows the driver to be issued a medical certificate: (1) an exemption letter permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a skill performance evaluation (SPE) certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

(21.7) Mobile telephone. "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in regulations of the Federal Communications Commission, 47 CFR 20.3. It does not include two-way or citizens band radio services.

(22) Motor Vehicle. "Motor vehicle" means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from over head trolley wires but not operated upon rails, except vehicles moved solely by human power and motorized wheel chairs.

(22.2) Motor vehicle record. "Motor vehicle record" means a report of the driving status and history of a driver generated from the driver record provided to users, such as drivers or employers, and is subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

(22.5) Non-CMV. "Non-CMV" means a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" or "CMV" in this Section.

(22.7) Non-excepted interstate. "Non-excepted interstate" means a person who operates or expects to operate in interstate commerce, is subject to and meets the qualification requirements under 49 C.F.R. Part 391, and is required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(22.8) Non-excepted intrastate. "Non-excepted intrastate" means a person who operates only in intrastate commerce and is subject to State driver qualification requirements.

(23) Non-resident CDL. "Non-resident CDL" means a commercial driver's license issued by a state under either of the following two conditions:

(i) to an individual domiciled in a foreign country meeting the requirements of Part 383.23(b)(1) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

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(ii) to an individual domiciled in another state meeting the requirements of Part 383.23(b)(2) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

(24) (Blank).

(25) (Blank).

(25.5) Railroad-Highway Grade Crossing Violation. "Railroad-highway grade crossing violation" means a violation, while operating a commercial motor vehicle, of any of the following:

(A) Section 11-1201, 11-1202, or 11-1425 of this Code.

(B) Any other similar law or local ordinance of any state relating to railroad-highway grade crossing.

(25.7) School Bus. "School bus" means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. "School bus" does not include a bus used as a common carrier.

(26) Serious Traffic Violation. "Serious traffic violation" means:

(A) a conviction when operating a commercial motor vehicle, or when operating a non-CMV while holding a CDL, of:

(i) a violation relating to excessive speeding, involving a single speeding charge of 15 miles per hour or more above the legal speed limit; or

(ii) a violation relating to reckless driving; or

(iii) a violation of any State law or local ordinance relating to motor vehicle traffic control (other than parking violations) arising in connection with a fatal traffic accident; or

(iv) a violation of Section 6-501, relating to having multiple driver's licenses; or

(v) a violation of paragraph (a) of Section 6-507, relating to the requirement to have a valid CDL; or

(vi) a violation relating to improper or erratic traffic lane changes; or

(vii) a violation relating to following another vehicle too closely; or

(viii) a violation relating to texting while driving; or

(ix) a violation relating to the use of a hand-held mobile telephone while driving; or

New matter indicated by italics - deletions by strikeout
(B) any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation, which the Secretary of State determines by administrative rule to be serious.

(27) State. "State" means a state of the United States, the District of Columbia and any province or territory of Canada.

(28) (Blank).

(29) (Blank).

(30) (Blank).

(31) (Blank).

(32) Texting. "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device.

(1) Texting includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access a World Wide Web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry for present or future communication.

(2) Texting does not include:

   (i) inputting, selecting, or reading information on a global positioning system or navigation system; or

   (ii) pressing a single button to initiate or terminate a voice communication using a mobile telephone; or

   (iii) using a device capable of performing multiple functions (for example, a fleet management system, dispatching device, smart phone, citizens band radio, or music player) for a purpose that is not otherwise prohibited by Part 392 of the Federal Motor Carrier Safety Regulations.

(33) Use a hand-held mobile telephone. "Use a hand-held mobile telephone" means:

   (1) using at least one hand to hold a mobile telephone to conduct a voice communication;

   (2) dialing or answering a mobile telephone by pressing more than a single button; or

   (3) reaching for a mobile telephone in a manner that requires a driver to maneuver so that he or she is no longer in a seated driving position, restrained by a seat belt that is installed in accordance with 49 CFR 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

New matter indicated by italics - deletions by strikeout
Sec. 6-500. Definitions of words and phrases. Notwithstanding the definitions set forth elsewhere in this Code, for purposes of the Uniform Commercial Driver's License Act (UCDLA), the words and phrases listed below have the meanings ascribed to them as follows:

(1) Alcohol. "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) Alcohol concentration. "Alcohol concentration" means:

(A) the number of grams of alcohol per 210 liters of breath; or
(B) the number of grams of alcohol per 100 milliliters of blood; or
(C) the number of grams of alcohol per 67 milliliters of urine.

Alcohol tests administered within 2 hours of the driver being "stopped or detained" shall be considered that driver's "alcohol concentration" for the purposes of enforcing this UCDLA.

(3) (Blank).

(4) (Blank).

(5) (Blank).

(5.3) CDLIS driver record. "CDLIS driver record" means the electronic record of the individual CDL driver's status and history stored by the State-of-Record as part of the Commercial Driver's License Information System, or CDLIS, established under 49 U.S.C. 31309.

(5.5) CDLIS motor vehicle record. "CDLIS motor vehicle record" or "CDLIS MVR" means a report generated from the CDLIS driver record meeting the requirements for access to CDLIS information and provided by states to users authorized in 49 C.F.R. 384.225(e)(3) and (4), subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

(5.7) Commercial driver's license downgrade. "Commercial driver's license downgrade" or "CDL downgrade" means either:

(A) a state allows the driver to change his or her self-certification to interstate, but operating exclusively in transportation or operation excepted from 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;
(B) a state allows the driver to change his or her self-certification to intrastate only, if the driver qualifies under that state's physical qualification requirements for intrastate only;
(C) a state allows the driver to change his or her certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or
(D) a state removes the CDL privilege from the driver license.

(6) Commercial Motor Vehicle.
(A) "Commercial motor vehicle" or "CMV" means a motor vehicle or combination of motor vehicles used in commerce, except those referred to in subdivision (B), designed to transport passengers or property if the motor vehicle:

(i) has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of any towed unit with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or

(i-5) has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater; or

(ii) is designed to transport 16 or more persons, including the driver; or

(iii) is of any size and is used in transporting hazardous materials as defined in 49 C.F.R. 383.5.

(B) Pursuant to the interpretation of the Commercial Motor Vehicle Safety Act of 1986 by the Federal Highway Administration, the definition of "commercial motor vehicle" does not include:

(i) recreational vehicles, when operated primarily for personal use;

(ii) vehicles owned by or operated under the direction of the United States Department of Defense or the United States Coast Guard only when operated by non-civilian personnel. This includes any operator on active military duty; members of the Reserves; National Guard; personnel on part-time training; and National Guard military technicians (civilians who are required to wear military uniforms and are subject to the Code of Military Justice); or

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(iii) firefighting, police, and other emergency equipment (including, without limitation, equipment owned or operated by a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code), with audible and visual signals, owned or operated by or for a governmental entity, which is necessary to the preservation of life or property or the execution of emergency governmental functions which are normally not subject to general traffic rules and regulations.

(7) Controlled Substance. "Controlled substance" shall have the same meaning as defined in Section 102 of the Illinois Controlled Substances Act, and shall also include cannabis as defined in Section 3 of the Cannabis Control Act and methamphetamine as defined in Section 10 of the Methamphetamine Control and Community Protection Act.

(8) Conviction. "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal; an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court; a plea of guilty or nolo contendere accepted by the court; the payment of a fine or court cost regardless of whether the imposition of sentence is deferred and ultimately a judgment dismissing the underlying charge is entered; or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated.

(8.5) Day. "Day" means calendar day.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) (Blank).

(13) Driver. "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle, any person who is required to hold a CDL, or any person who is a holder of a CDL while operating a non-commercial motor vehicle.

(13.5) Driver applicant. "Driver applicant" means an individual who applies to a state or other jurisdiction to obtain, transfer, upgrade, or renew a CDL or to obtain or renew a CLP.

(13.8) Electronic device. "Electronic device" includes, but is not limited to, a cellular telephone, personal digital assistant, pager, computer, or any other device used to input, write, send, receive, or read text.
(14) Employee. "Employee" means a person who is employed as a commercial motor vehicle driver. A person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA pertaining to employees. An owner-operator on a long-term lease shall be considered an employee.

(15) Employer. "Employer" means a person (including the United States, a State or a local authority) who owns or leases a commercial motor vehicle or assigns employees to operate such a vehicle. A person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA.

(15.1) Endorsement. "Endorsement" means an authorization to an individual's CLP or CDL required to permit the individual to operate certain types of commercial motor vehicles.

(15.3) Excepted interstate. "Excepted interstate" means a person who operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3 from all or part of the qualification requirements of 49 C.F.R. Part 391 and is not required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(15.5) Excepted intrastate. "Excepted intrastate" means a person who operates in intrastate commerce but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements.

(16) (Blank).

(16.5) Fatality. "Fatality" means the death of a person as a result of a motor vehicle accident.

(16.7) Foreign commercial driver. "Foreign commercial driver" means a person licensed to operate a commercial motor vehicle by an authority outside the United States, or a citizen of a foreign country who operates a commercial motor vehicle in the United States.

(17) Foreign jurisdiction. "Foreign jurisdiction" means a sovereign jurisdiction that does not fall within the definition of "State".

(18) (Blank).

(19) (Blank).

(20) Hazardous materials. "Hazardous Material" means any material that has been designated under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73.

New matter indicated by italics - deletions by strikeout
(20.5) Imminent Hazard. "Imminent hazard" means the existence of any condition of a vehicle, employee, or commercial motor vehicle operations relating to hazardous material that substantially increases the presents a substantial likelihood of that death, illness, injury; or death if not discontinued immediately; or a condition relating to hazardous material that presents a substantial likelihood that death, illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment.

(20.6) Issuance. "Issuance" means initial issuance, transfer, renewal, or upgrade of a CLP or CDL and non-domiciled CLP or CDL.

(20.7) Issue. "Issue" means initial issuance, transfer, renewal, or upgrade of a CLP or CDL and non-domiciled CLP or non-domiciled CDL.

(21) Long-term lease. "Long-term lease" means a lease of a commercial motor vehicle by the owner-lessee to a lessee, for a period of more than 29 days.

(21.01) Manual transmission. "Manual transmission" means a transmission utilizing a driver-operated clutch that is activated by a pedal or lever and a gear-shift mechanism operated either by hand or foot including those known as a stick shift, stick, straight drive, or standard transmission. All other transmissions, whether semi-automatic or automatic, shall be considered automatic for the purposes of the standardized restriction code.

(21.1) Medical examiner. "Medical examiner" means an individual certified by the Federal Motor Carrier Safety Administration and listed on the National Registry of Certified Medical Examiners in accordance with Federal Motor Carrier Safety Regulations, 49 CFR 390.101 et seq a person who is licensed, certified, or registered in accordance with applicable state laws and regulations to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

(21.2) Medical examiner's certificate. "Medical examiner's certificate" means a document prescribed or approved by the Secretary of State that is issued by a medical examiner to a driver to medically qualify him or her to drive.

(21.5) Medical variance. "Medical variance" means a driver has received one of the following from the Federal Motor Carrier Safety Administration which allows the driver to be issued a medical certificate: (1) an exemption letter permitting operation of a commercial motor vehicle

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pursuant to 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a skill performance evaluation (SPE) certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

(21.7) Mobile telephone. "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in regulations of the Federal Communications Commission, 47 CFR 20.3. It does not include two-way or citizens band radio services.

(22) Motor Vehicle. "Motor vehicle" means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from over head trolley wires but not operated upon rails, except vehicles moved solely by human power and motorized wheel chairs.

(22.2) Motor vehicle record. "Motor vehicle record" means a report of the driving status and history of a driver generated from the driver record provided to users, such as drivers or employers, and is subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

(22.5) Non-CMV. "Non-CMV" means a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" or "CMV" in this Section.

(22.7) Non-excepted interstate. "Non-excepted interstate" means a person who operates or expects to operate in interstate commerce, is subject to and meets the qualification requirements under 49 C.F.R. Part 391, and is required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(22.8) Non-excepted intrastate. "Non-excepted intrastate" means a person who operates only in intrastate commerce and is subject to State driver qualification requirements.

(23) Non-domiciled CLP or Non-domiciled CDL. "Non-domiciled CLP" or "Non-domiciled CDL" means a CLP or CDL, respectively, issued by a state or other jurisdiction under either of the following two conditions:

(i) to an individual domiciled in a foreign country meeting the requirements of Part 383.23(b)(1) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

(ii) to an individual domiciled in another state meeting the requirements of Part 383.23(b)(2) of 49 C.F.R. of the Federal Motor Carrier Safety Administration.

(24) (Blank).

(25) (Blank).

New matter indicated by italics - deletions by strikeout
(25.5) Railroad-Highway Grade Crossing Violation. "Railroad-highway grade crossing violation" means a violation, while operating a commercial motor vehicle, of any of the following:

(A) Section 11-1201, 11-1202, or 11-1425 of this Code.

(B) Any other similar law or local ordinance of any state relating to railroad-highway grade crossing.

(25.7) School Bus. "School bus" means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. "School bus" does not include a bus used as a common carrier.

(26) Serious Traffic Violation. "Serious traffic violation" means:

(A) a conviction when operating a commercial motor vehicle, or when operating a non-CMV while holding a CLP or CDL, of:

   (i) a violation relating to excessive speeding, involving a single speeding charge of 15 miles per hour or more above the legal speed limit; or

   (ii) a violation relating to reckless driving; or

   (iii) a violation of any State law or local ordinance relating to motor vehicle traffic control (other than parking violations) arising in connection with a fatal traffic accident; or

   (iv) a violation of Section 6-501, relating to having multiple driver's licenses; or

   (v) a violation of paragraph (a) of Section 6-507, relating to the requirement to have a valid CDL; or

   (vi) a violation relating to improper or erratic traffic lane changes; or

   (vii) a violation relating to following another vehicle too closely; or

   (viii) a violation relating to texting while driving; or

   (ix) a violation relating to the use of a hand-held mobile telephone while driving; or

(B) any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation, which the Secretary of State determines by administrative rule to be serious.

(27) State. "State" means a state of the United States, the District of Columbia and any province or territory of Canada.

(28) (Blank).

New matter indicated by italics - deletions by strikeout
(32) Texting. "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device.

(1) Texting includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access a World Wide Web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry for present or future communication.

(2) Texting does not include:
   (i) inputting, selecting, or reading information on a global positioning system or navigation system; or
   (ii) pressing a single button to initiate or terminate a voice communication using a mobile telephone; or
   (iii) using a device capable of performing multiple functions (for example, a fleet management system, dispatching device, smart phone, citizens band radio, or music player) for a purpose that is not otherwise prohibited by Part 392 of the Federal Motor Carrier Safety Regulations.

(32.3) Third party skills test examiner. "Third party skills test examiner" means a person employed by a third party tester who is authorized by the State to administer the CDL skills tests specified in 49 C.F.R. Part 383, subparts G and H.

(32.5) Third party tester. "Third party tester" means a person (including, but not limited to, another state, a motor carrier, a private driver training facility or other private institution, or a department, agency, or instrumentality of a local government) authorized by the State to employ skills test examiners to administer the CDL skills tests specified in 49 C.F.R. Part 383, subparts G and H.

(32.7) United States. "United States" means the 50 states and the District of Columbia.

(33) Use a hand-held mobile telephone. "Use a hand-held mobile telephone" means:

(1) using at least one hand to hold a mobile telephone to conduct a voice communication;

(2) dialing or answering a mobile telephone by pressing more than a single button; or

New matter indicated by italics - deletions by strikeout
(3) reaching for a mobile telephone in a manner that requires
a driver to maneuver so that he or she is no longer in a seated driving
position, restrained by a seat belt that is installed in accordance with
49 CFR 393.93 and adjusted in accordance with the vehicle
manufacturer's instructions.

(Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829, eff. 1-1-13;
98-176, eff. 7-1-14; 98-463, eff. 8-16-13.)

(625 ILCS 5/6-506) (from Ch. 95 1/2, par. 6-506)
(Text of Section before amendment by P.A. 98-176)
Sec. 6-506. Commercial motor vehicle driver - employer/owner
responsibilities.

(a) No employer or commercial motor vehicle owner shall knowingly
allow, permit, authorize, or require an employee to drive a commercial motor
vehicle on the highways if he or she knows or should reasonably know that
the during any period in which such employee:

   (1) has a driver's license suspended, revoked or cancelled by
       any state; or
   (2) has lost the privilege to drive a commercial motor vehicle
       in any state; or
   (3) has been disqualified from driving a commercial motor
       vehicle; or
   (4) has more than one driver's license, except as provided by
       this UCDLA; or
   (5) is subject to or in violation of an "out-of-service" order.

(b) No employer or commercial motor vehicle owner shall knowingly
allow, permit, authorize, or require a driver to operate a commercial motor
vehicle in violation of any law or regulation pertaining to railroad-highway
grade crossings.

(b-3) No employer or commercial motor vehicle owner shall knowingly
allow, permit, authorize, or require a driver to operate a
commercial motor vehicle during any period in which the commercial motor
vehicle is subject to an "out-of-service" order.

(b-5) No employer or commercial motor vehicle owner shall knowingly
allow, permit, authorize, or require a driver to operate a
commercial motor vehicle during any period in which the motor carrier
operation is subject to an "out-of-service" order.

(c) Any employer convicted of violating subsection (a), (b-3), or (b-5)
of this Section, whether individually or in connection with one or more other

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persons, or as principal agent, or accessory, shall be guilty of a Class A misdemeanor.
(Source: P.A. 95-382, eff. 8-23-07.)

(Text of Section after amendment by P.A. 98-176)

Sec. 6-506. Commercial motor vehicle driver - employer/owner responsibilities.

(a) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require an employee to drive a commercial motor vehicle on the highways if he or she knows or should reasonably know that the employee:

(1) has a driver's license suspended, revoked or cancelled by any state; or
(2) has lost the privilege to drive a commercial motor vehicle in any state; or
(3) has been disqualified from driving a commercial motor vehicle; or
(4) has more than one CLP or CDL, except as provided by this UCDLA; or
(5) is subject to or in violation of an "out-of-service" order; or
(6) does not have a current CLP or CDL or a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.

(b) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require a driver to operate a commercial motor vehicle in violation of any law or regulation pertaining to railroad-highway grade crossings.

(b-3) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require a driver to operate a commercial motor vehicle during any period in which the commercial motor vehicle is subject to an "out-of-service" order.

(b-5) No employer or commercial motor vehicle owner shall knowingly allow, permit, authorize, or require a driver to operate a commercial motor vehicle during any period in which the motor carrier operation is subject to an "out-of-service" order.

(c) Any employer convicted of violating subsection (a), (b-3), or (b-5) of this Section, whether individually or in connection with one or more other persons, or as principal agent, or accessory, shall be guilty of a Class A misdemeanor.

New matter indicated by italics - deletions by strikeout
Sec. 6-514. Commercial driver's license (CDL); commercial learner's permit (CLP); disqualifications.

Commercial Driver's License (CDL) - Disqualifications:
(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

(1) Refusing to submit to or failure to complete a test or tests authorized under Section 11-501.1 while driving a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

(2) Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a commercial driver's license; or

(3) Conviction for a first violation of:

   (i) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or

   (ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

New matter indicated by italics - deletions by strikeout
(iii) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while committing any felony; or

(iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or

(v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide" means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years; or

(4) If the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, operating a commercial motor vehicle under impairment resulting from the consumption of cannabis, as determined by failure of standardized field sobriety tests administered by a law enforcement officer as directed by subsection (a-5) of Section 11-501.2.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to

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manufacture, distribute or dispense a controlled substance or (ii) if the person is a CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions would result in the suspension or revocation of the CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a commercial driver's license, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CDL or commercial driver instruction permit from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

New matter indicated by italics - deletions by strikeout
(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

1. For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.
2. For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).
3. For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).
4. For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.
5. For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).
6. For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

1. General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

   New matter indicated by italics - deletions by strikeout
(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for
not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(l) A foreign commercial driver is subject to disqualification under this Section.

(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14.)

(Text of Section after amendment by P.A. 98-176)

Sec. 6-514. Commercial driver's license (CDL); commercial learner's permit (CLP); disqualifications. Commercial Driver's License (CDL) - Disqualifications.

(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

(1) Refusing to submit to or failure to complete a test or tests authorized under Section 11-501.1 while driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or

(2) Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in

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the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a CLP or CDL; or

(3) Conviction for a first violation of:
   (i) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or
   (ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or
   (iii) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while committing any felony; or
   (iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or
   (v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide" means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years; or

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(4) If the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, operating a commercial motor vehicle under impairment resulting from the consumption of cannabis, as determined by failure of standardized field sobriety tests administered by a law enforcement officer as directed by subsection (a-5) of Section 11-501.2.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CLP or CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions

New matter indicated by italics - deletions by strikeout
would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a CLP or CDL, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CLP or CDL from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

1. For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.

2. For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

3. For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

4. For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.

5. For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).
(6) For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

(1) General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in

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paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(l) A foreign commercial driver is subject to disqualification under this Section.

(625 ILCS 5/6-518) (from Ch. 95 1/2, par. 6-518)

Sec. 6-518. Notification of Traffic Convictions.

(a) Within 5 days after receiving a report of an Illinois conviction, or other verified evidence, of any driver who has been issued a CDL by another State or has been issued a foreign commercial driver's license, for a violation of any law or local ordinance of this State, relating to motor vehicle traffic control, other than parking violations, committed in any motor vehicle, the Secretary of State must notify the driver licensing authority which issued such CDL of said conviction.

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(b) Within 5 days after receiving a report of an Illinois conviction, or other verified evidence, of any driver from another state who is licensed or unlicensed or holds a foreign non-commercial driver's license, for a violation of any law or local ordinance of this State, relating to motor vehicle traffic control, other than parking violations, committed in a commercial motor vehicle, the Secretary of State must notify the driver licensing authority which issued the person's driver's license of the conviction.
(Source: P.A. 96-1080, eff. 7-16-10.)
(Text of Section after amendment by P.A. 98-176)
Sec. 6-518. Notification of Traffic Convictions.
(a) Within 5 days after receiving a report of an Illinois conviction, or other verified evidence, of any driver who has been issued a CLP or CDL by another State or has been issued a foreign commercial driver's license, for a violation of any law or local ordinance of this State, relating to motor vehicle traffic control, other than parking violations, committed in any motor vehicle, the Secretary of State must notify the driver licensing authority which issued such CLP or CDL of said conviction.
(b) Within 5 days after receiving a report of an Illinois conviction, or other verified evidence, of any driver from another state who is licensed or unlicensed or holds a foreign non-commercial driver's license, for a violation of any law or local ordinance of this State, relating to motor vehicle traffic control, other than parking violations, committed in a commercial motor vehicle, the Secretary of State must notify the driver licensing authority which issued the person's driver's license of the conviction.
(Source: P.A. 98-176, eff. 7-1-14.)
Section 10. "AN ACT concerning transportation", approved August 5, 2013, (Public Act 98-176) is amended by changing Section 99 as follows:
(P.A. 98-176, Sec. 99)
Sec. 99. Effective date. This Act takes effect July 8, 2015.
(Source: P.A. 98-176.)
Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.
Section 999. Effective date. This Act takes effect upon becoming law. Passed in the General Assembly May 20, 2014.
Approved July 16, 2014.

New matter indicated by italics - deletions by strikeout
Public Act 98-0722
(House Bill No. 4395)

AN ACT concerning land.

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

Section 5. Upon the payment of the sum of $2,300 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title, and interest in and to the following described land in McLean County, Illinois to Todd R. Eades:

Parcel No. 5X41203
A parcel of land being a part of the Northwest Quarter of Section 28, Township 25 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois and being a part of the right of way acquired by Condemnation Case No. 88ED17 filed June 27, 1988 in the McLean County Circuit Clerks Office, said parcel being more particularly described as follows:

Beginning at the intersection of the north line of the Northwest Quarter of Section 28 and the monumented east line of the Old Hudson Cemetery said point being the northwest corner of the 50 feet wide entrance right of way acquired by the aforementioned condemnation case, said point also being 1645.83 feet easterly of the monumented northwest corner of said Section 28; thence South 86 degrees 42 minutes 41 seconds East (bearings based on Illinois State Plane Coordinates East Zone, NAD 83 (07 Adj.) 50.15 feet along the north line of the Northwest Quarter of said Section 28 and north line of said 50 feet entrance right of way to the northeast corner thereof; thence South 01 degree 10 minutes 17 seconds East 126.76 feet along the east line of said 50 feet entrance right of way to the southeast corner thereof; thence North 87 degrees 06 minutes 37 seconds West 50.12 feet along the south line of said 50 feet entrance right of way to the southwest corner thereof and east line of said cemetery; thence North 01 degree 10 minutes 17 seconds West 127.11 feet along the east line of said cemetery and west line of said 50 feet entrance right of way to the Point of Beginning, containing 0.146 of an acre, more or less.

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Section 10. Upon the payment of the sum of $2,000 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title, and interest in and to the following described land in Madison County, Illinois to Darren Vollmer:

Parcel No. 800XD23
That part of the East Half of the Northwest Quarter of Section 26, Township 5 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, described as follows:
Commencing at a stone marking the Southwest corner of said East Half; thence North 01 degrees 06 minutes 03 seconds West, along the west line of said Half, 1,556.10 feet to the southwesterly corner of a tract of land described in Book 3,890, Page 767, said corner also being the Point of Beginning.
From said Point of Beginning; thence continuing North 01 degrees 06 minutes 03 seconds West, along said west line, 16.65 feet to the northwesterly corner of said tract of land; thence South 58 degrees 54 minutes 50 seconds East, along the northerly line of said tract, 143.18 feet to the northeasterly corner of said tract; thence South 01 degrees 06 minutes 03 seconds East, along the west line of said tract, 20.02 feet; thence along the southerly line of said tract, 145.00 feet along a curve to the right, having a radius of 24,505.40 feet, the chord of said curve bears North 57 degrees 47 minutes 12 seconds West, a chord distance of 145.00 feet to the Point of Beginning. Said Parcel 800XD23 contains 0.0512 acres or 2,232 square feet, more or less.
Parcel 800XD23 is subject to any and all utility easements, and the rights existing to any and all facilities for said easements on the real estate herein above described.

Section 15. Upon the payment of the sum of $3,100 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title, and interest in and to the following described land in Madison County, Illinois to SS Peter and Paul Catholic Church:

Parcel No. 800XD15
That part of Lot 4, Four (4) and Five (5) in Block Fifteen (15) in E.W. Collins Addition to Town, now City of Collinsville, located in part of the Northeast Quarter of Section 33, the Northwest Quarter of Section 34 and the Southwest Quarter of Section 27, Township 3 North, Range 8 West of the Third Principal Meridian, according to the plat.

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thereof recorded in the Recorder's Office of Madison County, Illinois in Plat Book 2, Page 1 and subsequently transcribed to Plat Book 10, Page 5 and Plat Book 15, Page 16, being more particularly described as follows:

Commencing at the southeast corner of Block fifteen (15) on the corner of Clay and Vandalia Streets; thence North 00 degrees 21 minutes 25 seconds East on the west right of way line of Vandalia Street (66 feet wide), a distance of 67.15 feet to the north line of said Lot 4; thence North 89 degrees 10 minutes 01 second West on said north line, 40.00 feet to the Point of Beginning.

From said Point of Beginning; thence continuing North 89 degrees 10 minutes 01 second West, on said north line, 75.88 feet to the easterly line of a tract of land as described in the Trustee's Deed to The Most Reverend George J. Lucas, Roman Catholic Bishop of the Diocese of Springfield in Illinois, as recorded June 19, 2000 in Book 4384, Page 231 in said Recorder's Office; thence South 21 degrees 08 minutes 44 seconds East on said easterly line, 72.49 feet; thence North 67 degrees 42 minutes 55 seconds East, 20.00 feet; thence North 31 degrees 24 minutes 45 seconds East, 57.42 feet; thence North 07 degrees 24 minutes 24 seconds East, 10.00 feet to the Point of Beginning.

Said Parcel 800XD15 herein described contains 3,094 square feet or 0.0710 acres, more or less.

Section 20. Upon the payment of the sum of $31,800 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the People of the State of Illinois hereby release the following described land located in Logan County, Illinois from all dedication and easement rights, and interest acquired for highway purposes:

Parcel No. 675X366

A part of the South Half of Section 20, Township 21 North, Range 1 West of the Third Principal Meridian, Logan County, Illinois, described as follows:

Commencing at the southeast corner of Block 2 of Hall and Dunagan's Division to the City of Atlanta, Illinois; thence along the south line of said Block 2, also being the north existing right of way line of Sharon Street, South 88 degrees 20 minutes 07 seconds West, 303.02 feet to the southwest corner of said Block 2 at U.S. 66 centerline Station 456+27.40, 146.96 feet right being the Point of Beginning;

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Thence along the existing right of way line of U.S. 66, South 66 degrees 08 minutes 22 seconds West, 158.83 feet, thence South 63 degrees 35 minutes 20 seconds West, 337.15 feet; thence South 33 degrees 24 minutes 30 seconds West, 82.88 feet; thence North 44 degrees 49 minutes 43 seconds West, 87.53 feet; thence southerly on a curve to the right having a radius of 4870.00 feet and an arc length of 184.76 feet with a chord bearing South 67 degrees 49 minutes 44 seconds West, 184.75 feet; thence South 68 degrees 54 minutes 57 seconds West, 552.38 feet; thence southerly on a curve to the right having a radius of 8096.34 feet and an arc length of 429.27 feet with a chord bearing South 67 degrees 23 minutes 49 seconds West, 429.22 feet to the westerly property line extended northerly of Schmidt Implements; thence North 04 degrees 28 minutes 44 seconds East, 85.31 feet; thence northeasterly on a curve to the left having a radius of 8171.34 feet and an arc length of 392.41 feet with a chord bearing North 67 degrees 32 minutes 24 seconds East, 392.37 feet; thence North 68 degrees 54 minutes 57 seconds East, 552.38 feet; thence northeasterly on a curve to the left having a radius of 4795.00 feet and an arc length of 792.79 feet with a chord bearing North 64 degrees 10 minutes 45 seconds East, 791.88 feet; thence South 30 degrees 33 minutes 21 seconds East, 75.00 feet to the west line of the aforesaid Block 2; thence along the west line of said Block 2, South 01 degree 37 minutes 03 seconds East, 59.28 feet to the Point of Beginning, containing 3.603 acre, more or less.

Section 25. Upon the payment of the sum of $2,900 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the People of the State of Illinois hereby release and/or restore any rights or easements of access, crossing, light, air and view from, to and over the following described line, subject to permit requirements of the State of Illinois, Department of Transportation:

Parcel No. 800XD28

A line in the Southeast Quarter of the Southwest Quarter of Section 36, Township 6 North, Range 2 West of the 3rd Principal Meridian in Bond County, Illinois, described as follows:
Commencing at the southwest corner of said Southeast Quarter of the Southwest Quarter; thence on an assumed bearing of North 00 degrees 56 minutes 43 seconds West on the west line of said Southeast Quarter of the Southwest Quarter, 362.73 feet to the south

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right of way line of FAP Route 12 (US Route 40) according to the Dedication of Right of Way for Public Purposes to the State of Illinois recorded on April 15, 1941 in Easement Record No.4 at Page 88, and the Point of Beginning of the Release of Access Control.
From said Point of Beginning; thence North 89 degrees 31 minutes 03 seconds East on said south right of way line, 314.17 feet to the Point of Terminus of the Release of Access Control, said Point of Terminus being 65.00 feet west of the most westerly corner of a tract of land as described by a Warranty Deed recorded in Deed Record 144, Page 337 in Bond County and in the State of Illinois.
Said Parcel 800XD28 consists of a line that is 314.17 linear feet.

Section 30. Upon the payment of the sum of $52,667 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the People of the State of Illinois hereby release the following described land located in McLean County, Illinois from all dedication and easement rights, and interest acquired for highway purposes:

Parcel No. 5X00402
A part of F.A. Route 5, Section 16R right-of-way situated in the Southwest Quarter of Section 17, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Commencing at the northeast corner of Lot 2 in Townley and O'Neal's Subdivision of parts of Lots 41, 42 and 43 in the Subdivision of Section 17, thence South 36 degrees 32 minutes 03 seconds West, 265.15 feet along the northwesterly line of said Lot 2 to a found iron pin; thence South 41 degrees 57 minutes 53 seconds West, 178.45 feet along said northwesterly line to a found iron pin on the northerly line of Hamilton Road; thence North 64 degrees 01 minute 35 seconds West, 70.23 feet along the northwesterly extension of the northerly line of Hamilton Road to a found iron pin on the southeasterly line of a parcel of land dedicated for a portion of F.A. Route 5, Section 16R right-of-way according to the right-of-way plat recorded October 10, 1944, in Book 463 at Page 155 in said Recorder's Office, being the Point of Beginning;
Thence North 38 degrees 51 minutes 15 seconds East, 11.25 feet along the southeasterly line of said dedication to a found iron pin; thence North 39 degrees 20 minutes 09 seconds East, 429.98 feet along said southeasterly line to the intersection with the westerly right-of-way line of Greenwood Avenue; thence North 52 degrees 24 minutes 59 seconds West, 80.00 feet; thence South 36 degrees 33

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minutes 17 seconds West, 403.59 feet; thence South 20 degrees 07
minutes 58 seconds East, 70.21 feet to the Point of Beginning,
containing 0.676 acre, or 29,461 square feet, more or less.

Note: Access not allowed to F.A. Route 5 (Veteran's Parkway) per
R.O.W. Dedication recorded Oct. 10, 1944 in Deed Book 463, page
155 in the McLean County Recorder's Office.

Section 35. Upon the payment of the sum of $4,100 to the State of
Illinois, and subject to the conditions set forth in Section 900 of this Act, the
People of the State of Illinois hereby release the following described land
located in Logan County, Illinois from all dedication and easement rights, and
interest acquired for highway purposes:

Parcel No. 675X365

A part of the Southeast Quarter of Section 26, Township 20 North,
Range 3 West of the Third Principal Meridian, Logan County,
Illinois, described as follows:
Commencing at the northeast corner of the Southeast Quarter of said
Section 26; thence South 89 degrees 52 minutes 33 seconds West,
144.16 feet; thence South 00 degrees 07 minutes 22 seconds East,
75.00 feet to Illinois Route 10 Station 136+29.51 at 75.00 feet right,
being the Point of Beginning; thence South 10 degrees 50 minutes 26
seconds East, 85.99 feet to a point 159.49 feet right of Station
136+45.49; thence North 89 degrees 39 minutes 08 seconds West,
45.87 feet to a point of 159.12 feet right of Station 135+99.62 feet,
also being the Southeast property corner; thence along the west
existing right of way line of Old US Route 66, also being the east
property line, North 10 degrees 50 minutes 26 seconds West, 85.61
feet to a point 75.00 feet right of Station 135+83.71; thence North 89
degrees 52 minutes 33 seconds East, 45.80 feet to the Point of
Beginning, containing 0.089 acres, more or less.

Section 40. Upon the payment of the sum of $2,483.33 to the State of
Illinois, and subject to the conditions set forth in Section 900 of this Act, the
People of the State of Illinois hereby release the following described land
located in Cook County, Illinois from all dedication and easement rights, and
interest acquired for highway purposes:

Parcel No. 0ZZ1018:

That part of Margaret Street located in the Northwest Quarter of
Section 34, Township 36 North, Range 14 East of the Third Principal
Meridian, in Cook County, Illinois; described as follows:

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Commencing at a point in the easterly extension of the northerly line of Margaret Street that is 66.00 feet easterly of the southeast corner of Block 13 in Thornton, according to the plat thereof recorded March 24, 1836 as Document Number 2895, in Book "H" of Maps 74, said point being also the southwest corner of a tract of land per the Judicial Sale Deed recorded September 1, 2004 as Document Number 0424503080; thence North 89 degrees 26 minutes 28 seconds East, based on the Illinois State Plane Coordinate System, East Zone, N.A.D. 83 (2011), along said easterly extension 17.06 feet to a point on the westerly face of a multi-story brick building as depicted on the Plat of Vacation recorded May 31, 1979 as Document Number 24982782; thence South 00 degrees 54 minutes 53 seconds East along said westerly face 0.15 feet, measured (0.13 feet, recorded); thence North 89 degrees 57 minutes 07 seconds East along the southerly face of said multi-story brick building as depicted on said Document Number 24982782, a distance of 59.55 feet, measured (59.62 feet, recorded) to an angle point in said southerly face and to the Point of Beginning; Thence North 75 degrees 40 minutes 36 seconds East along said southerly face 2.86 feet to said easterly extension of the northerly right of way line of Margaret Street; thence North 89 degrees 26 minutes 28 seconds East along said easterly extension 59.95 feet to the westerly face of an existing 0.67 foot wide concrete retaining wall as depicted on said Document Number 24982782; thence South 16 degrees 50 minutes 26 seconds East along said westerly face 9.64 feet; thence North 73 degrees 09 minutes 34 seconds East along the southerly face of said wall 0.67 feet; thence North 16 degrees 50 minutes 26 seconds West along the easterly face of said wall 9.44 feet to said easterly extension of the northerly right of way line of Margaret Street; thence North 89 degrees 26 minutes 28 seconds East along said easterly extension 60.79 feet to the former northwesterly face of a one story brick building as depicted on said Document Number 24982782; thence South 47 degrees 48 minutes 10 seconds West along said former northwesterly face 7.86 feet; thence South 42 degrees 11 minutes 28 seconds East along the former southwesterly face of said building 25.55 feet to the former most southerly corner of said building; thence North 80 degrees 38 minutes 56 seconds West 137.36 feet to the Point of Beginning.  
Said parcel containing 0.033 Acres, more or less.

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Section 900. The Secretary of Transportation shall obtain a certified copy of the portion of this Act containing the title, enacting clause, the effective date, the appropriate Section containing the land description of the property to be transferred or otherwise affected under this Act within 69 days after its effective date and, upon receipt of payment required by the Section shall record the certified document in the Recorder's Office in the county in which the land is located.

Section 950. "An Act concerning local government", approved September 11, 2007, Public Act 95-604, is amended by changing Section 5 as follows:

(P.A. 95-604, Sec. 5)

Sec. 5. The Director of Central Management Services is authorized to convey by Quit Claim Deed for $1 to the City of Chicago the following described real property: surplus property located within the area bordered by Oak Park Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois; provided, however, that should the property fail to be used for a charitable, educational, or public purpose within the first 10 years after the effective date of this amendatory Act of the 95th General Assembly or fail to be used at any time by the Grantee for charitable, educational, or public purposes, then title shall revert to the State of Illinois.

(Source: P.A. 95-604, eff. 9-11-07.)


Effective July 16, 2014.

PUBLIC ACT 98-0724
(House Bill No. 4405)

AN ACT concerning health.

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

Section 5. The Mental Health and Developmental Disabilities Code is amended by adding Section 1-102.1 as follows:

(405 ILCS 5/1-102.1 new)

Sec. 1-102.1. "Clinical professional counselor" means a person licensed as a clinical professional counselor in accordance with the

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Peace Officer Fire Investigation Act is amended by changing Section 1 as follows:
(20 ILCS 2910/1) (from Ch. 127 1/2, par. 501)
Sec. 1. Peace Officer Status.
(a) Any person who is a sworn member of any organized and paid fire department of a political subdivision of this State and is authorized to investigate fires or explosions for such political subdivision and to determine the cause, origin and circumstances of fires or explosions that are suspected to be arson or arson-related crimes, may be classified as a peace officer by the political subdivision or agency employing such person. A person so classified shall possess the same powers of arrest, search and seizure and the securing and service of warrants as sheriffs of counties, and police officers within the jurisdiction of their political subdivision. While in the actual investigation and matters incident thereto, such person may carry weapons as may be necessary, but only if that person has satisfactorily completed (1) a training program offered or approved by the Illinois Law Enforcement Training Standards Board which substantially conforms to standards promulgated pursuant to the Illinois Police Training Act and the Peace Officer and Probation Officer Firearm Training Act; and (2) a course in fire and arson investigation approved by the Office of the State Fire Marshal pursuant to the Illinois Fire Protection Training Act. Such training need not include exposure to vehicle and traffic law, traffic control and accident investigation, or first aid, but shall include training in the law relating to the rights of persons suspected of involvement in criminal activities.
Any person granted the powers enumerated in this subsection (a) may exercise such powers only during the actual investigation of the cause, origin
and circumstances of such fires or explosions that are suspected to be arson or arson-related crimes.

(b) Persons employed by the Office of the State Fire Marshal to conduct arson investigations shall be designated State Fire Marshal Arson Investigator Special Agents and shall be peace officers with all of the powers of peace officers in cities and sheriffs in counties, except that they may exercise those powers throughout the State. These Special Agents may exercise these powers only when engaging in official duties during the actual investigation of the cause, origin, and circumstances of such fires or explosions that are suspected to be arson or arson-related crimes and may carry weapons at all times, but only if they have satisfactorily completed (1) a training course approved by the Illinois Law Enforcement Training Standards Board that substantially conforms to the standards promulgated pursuant to the Peace Officer and Probation Officer Firearm Training Act and (2) a course in fire and arson investigation approved by the Office of the State Fire Marshal pursuant to the Illinois Fire Protection Training Act. Such training need not include exposure to vehicle and traffic law, traffic control and accident investigation, or first aid, but shall include training in the law relating to the rights of persons suspected of involvement in criminal activities.

For purposes of this subsection (b), a "State Fire Marshal Arson Investigator Special Agent" does not include any fire investigator, fireman, police officer, or other employee of the federal government; any fire investigator, fireman, police officer, or other employee of any unit of local government; or any fire investigator, fireman, police officer, or other employee of the State of Illinois other than an employee of the Office of the State Fire Marshal assigned to investigate arson.

The State Fire Marshal must authorize to each employee of the Office of the State Fire Marshal who is exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Office of the State Fire Marshal and (ii) contains a unique identifying number. No other badge shall be authorized by the Office of the State Fire Marshal, except that a badge, different from the badge issued to peace officers, may be authorized by the Office of the State Fire Marshal for the use of fire prevention inspectors employed by that Office. Nothing in this subsection prohibits the State Fire Marshal from issuing shields or other distinctive identification to employees not exercising the powers of a peace officer if the State Fire Marshal determines that a shield or distinctive
identification is needed by the employee to carry out his or her responsibilities.
(Source: P.A. 95-502, eff. 8-28-07.)

Section 10. The Illinois Police Training Act is amended by changing Section 10.4 as follows:

(50 ILCS 705/10.4)
Sec. 10.4. Weapon certification for retired law enforcement officers. The Board may initiate, administer, and conduct annual firearm certification courses consistent with the requirements enumerated in the Peace Officer and Probation Officer Firearm Training Act for retired law enforcement officers qualified under federal law to carry a concealed weapon.
(Source: P.A. 94-103, eff. 7-1-05.)

Section 15. The Peace Officer Firearm Training Act is amended by changing the title of the Act and Sections 0.01, 1, 2, 2.5, and 3 as follows:

(50 ILCS 710/Act title)
An Act in relation to firearms training for peace officers and probation officers.

(50 ILCS 710/0.01) (from Ch. 85, par. 514)
Sec. 0.01. Short title. This Act may be cited as the Peace Officer and Probation Officer Firearm Training Act.
(Source: P.A. 86-1324.)

(50 ILCS 710/1) (from Ch. 85, par. 515)
Sec. 1. Definitions. As used in this Act:

(a) "Peace officer" means (i) any person who by virtue of his office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, and who is employed in such capacity by any county or municipality or (ii) any retired law enforcement officers qualified under federal law to carry a concealed weapon.

(a-5) "Probation officer" means a county probation officer authorized by the Chief Judge of the Circuit Court to carry a firearm as part of his or her duties under Section 12 of the Probation and Probation Officers Act and Section 24-2 of the Criminal Code of 2012.

(b) "Firearms" means any weapon or device defined as a firearm in Section 1.1 of "An Act relating to the acquisition, possession and transfer of firearms and firearm ammunition, to provide a penalty for the violation thereof and to make an appropriation in connection therewith", approved August 3, 1967, as amended.
(Source: P.A. 94-103, eff. 7-1-05.)

New matter indicated by italics - deletions by strikeout
(50 ILCS 710/2) (from Ch. 85, par. 516)

Sec. 2. Training course for peace officers and probation officers. 
(a) Successful completion of a 40 hour course of training in use of a suitable type firearm shall be a condition precedent to the possession and use of that respective firearm by any peace officer or probation officer in this State in connection with the officer's official duties. The training must be approved by the Illinois Law Enforcement Training Standards Board ("the Board") and may be given in logical segments but must be completed by a peace officer within 6 months from the date of the officer's initial employment and by a probation officer before possession and use of a firearm in connection with the probation officer's official duties. To satisfy the requirements of this Act, the training must include the following:

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

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

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

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

(b) Any officer who successfully completes the Basic Training Course prescribed for recruits by the Board shall be presumed to have satisfied the requirements of this Act.

(c) The Board shall cause the training courses to be conducted twice each year within each of the Mobile Team Regions, but no training course need be held when there are no police officers or probation officers requiring the training.

(d) (Blank).

(e) The Board may waive, or may conditionally waive, the 40 hour course of training if, in the Board's opinion, the officer has previously successfully completed a course of similar content and duration. In cases of waiver, the officer shall demonstrate his or her knowledge and proficiency by passing the written examination on firearms and by successfully passing the range qualification portion of the prescribed course of training.

(Source: P.A. 97-1150, eff. 1-25-13.)

(50 ILCS 710/2.5)

Sec. 2.5. Annual range qualification. The annual range qualification for peace officers and probation officers shall consist of range fire approved by the Illinois Law Enforcement Training Standards Board.

New matter indicated by italics - deletions by strikeout
Sec. 3. The Board is charged with enforcing this Act and making inspections to insure compliance with its provisions, and is empowered to promulgate rules necessary for its administration and enforcement, including those relating to the annual certification of retired law enforcement officers qualified under federal law to carry a concealed weapon. All units of government or other agencies which employ or utilize peace officers, probation officers, or that certify retired law enforcement officers qualified under federal law to carry a concealed weapon, shall cooperate with the Board by furnishing relevant information which the Board may require. The Executive Director of the Board shall report annually, no later than February 1, to the Board, with copies to the Governor and the General Assembly, the results of these inspections and provide other related information and recommendations as it deems proper.

Section 20. The Counties Code is amended by changing Sections 3-6013 and 5-37011 as follows:

Sec. 3-6013. Duties, training and compensation of auxiliary deputies. Auxiliary deputies shall not supplement members of the regular county police department or regular deputies in the performance of their assigned and normal duties, except as provided herein. Auxiliary deputies may be assigned and directed by the sheriff to perform the following duties in the county:

To aid or direct traffic within the county, to aid in control of natural or human made disasters, to aid in case of civil disorder as assigned and directed by the sheriff, provided, that in emergency cases which render it impractical for members of the regular county police department or regular deputies to perform their assigned and normal duties, the sheriff is hereby authorized to assign and direct auxiliary deputies to perform such regular and normal duties. Identification symbols worn by such auxiliary deputies shall be different and distinct from those used by members of the regular county police department or regular deputies. Such auxiliary deputies shall at all times during the performance of their duties be subject to the direction and control of the sheriff of the county. Such auxiliary deputies shall not carry firearms, except with the permission of the sheriff, and only while in uniform and in the performance of their assigned duties.

Auxiliary deputies, prior to entering upon any of their duties, shall receive a course of training in the use of weapons and other police procedures.
as shall be appropriate in the exercise of the powers conferred upon them under this Division, which training and course of study shall be determined and provided by the sheriff of each county utilizing auxiliary deputies, provided that, before being permitted to carry a firearm an auxiliary deputy must have the same course of training as required of peace officers in Section 2 of the Peace Officer and Probation Officer Firearm Training Act. The county authorities shall require that all auxiliary deputies be residents of the county served by them. Prior to the appointment of any auxiliary deputy his or her fingerprints shall be taken and no person shall be appointed as such auxiliary deputy if he or she has been convicted of a felony or other crime involving moral turpitude.

Auxiliary deputies may receive such compensation as is set by the County Board, with the advice and consent of the Sheriff, not to exceed the lowest hourly pay of a full-time sworn member of the regular county police or sheriff’s department and not be paid a salary, except as provided in Section 3-6036, but may be reimbursed for actual expenses incurred in performing their assigned duty. The County Board must approve such actual expenses and arrange for payment.

Nothing in this Division shall preclude an auxiliary deputy from holding a simultaneous appointment as an auxiliary police officer pursuant to Section 3-6-5 of the Illinois Municipal Code.

(Source: P.A. 97-379, eff. 8-15-11.)

(55 ILCS 5/5-37011) (from Ch. 34, par. 5-37011)

Sec. 5-37011. Hospital security police force. The board of commissioners, subject to the applicable merit system rules, may establish and maintain a Hospital Security Police Force and may define and prescribe all such peace officers’ duties and compensation. Every security police officer appointed by the board to such Security Police Force, as the same shall be from time to time hereafter constituted, shall have and is hereby vested with police powers, and is hereby authorized to act as a conservator of the peace within and upon any and all hospital facilities operated and hospital premises controlled by such board, and shall have power to make arrests or cause to be arrested, with or without process, any person who breaks the peace, or may be found violating any State statutes or city or county ordinances within or upon such facilities or premises.

The board may establish reasonable eligibility requirements for appointment to such Security Police Force relating to residence, health, habits and moral character. However, no person may be appointed hereunder unless that person is at least 21 years of age. No person may be appointed to or be

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retained in the Hospital Security Police Force unless that person is of good character and not a habitual drunkard, gambler or a person convicted of a felony or a crime involving moral turpitude. All Security Police Force personnel authorized to carry weapons within or upon hospital facilities or premises while on-duty shall receive a course of training in the legal and practical use of such weapons as is required of a police officer under the Peace Officer and Probation Officer Firearm Training Act "An Act in relation to firearms training for peace officers", approved August 29, 1975, as amended; and all such Security Police Force personnel shall also have received the training and certification required by the "Illinois Police Training Act" as now or hereafter amended. Security Police Force personnel shall not carry weapons while off-duty and all weapons shall be checked and secured on the hospital premises while such personnel remain off-duty. 

(Source: P.A. 86-962.)

Section 25. The Township Code is amended by changing Section 100-10 as follows:

(60 ILCS 1/100-10)

Sec. 100-10. Township enforcement officer.

(a) The township board may appoint one or more township enforcement officers to serve for a term of one year and may remove an officer with or without cause. Every person appointed to the office of township enforcement officer, before entering on the duties of the office and within 10 days after being notified of the appointment, shall cause to be filed in the office of the township clerk a notice signifying his or her acceptance of the office. A neglect to cause the notice to be filed shall be deemed a refusal to serve.

(b) The sheriff of the county in which the township is situated may disapprove any such appointment within 30 days after the notice is filed. The disapproval precludes that person from serving as a township enforcement officer, and the township board may appoint another person to that position subject to approval by the sheriff.

(c) Every person appointed to the office of township enforcement officer, before entering upon the duties of the office, shall execute, with sufficient sureties to be approved by the supervisor or clerk of the township, an instrument in writing by which the township enforcement officer and his or her sureties shall jointly and severally agree to pay to each and every person who may be entitled thereto all sums of money as the township enforcement officer may become liable to pay on account of any neglect or default of the township enforcement officer or on account of any misfeasance

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of the township enforcement officer in the discharge of, or failure to faithfully perform, any of the duties of the office.

(d) The township enforcement officers shall have the same power and authority within the township as a deputy sheriff but only for the purpose of enforcing township ordinances. Notwithstanding any other provisions of this Section, township enforcement officers are authorized to enforce county ordinances within areas of a county located within the township pursuant to intergovernmental agreements between the respective county and township to the extent authorized by the agreement. The township enforcement officer shall not carry firearms and will not be required to comply with the Peace Officer and Probation Officer Firearm Training Act. The officer shall attend law enforcement training classes conducted by the Illinois Law Enforcement Training Standards Board. The township board shall appropriate all necessary monies for the training.

(d-5) (1) Except as provided in paragraph (2) of this subsection, in all actions for the violation of any township ordinance, township enforcement officers shall be authorized to issue and to serve upon any person who the township enforcement officer has reasonable grounds to believe is guilty of a violation of a township ordinance a notice of violation that shall constitute a summons and complaint. A copy of such notice of violation shall be forwarded to the circuit court having jurisdiction over the township where the violation is alleged to have been committed. Every person who has been issued a summons shall appear for trial, and the action shall be prosecuted in the corporate name of the township. Enforcement of county ordinances shall be in accordance with procedures adopted by the county and any applicable State law.

(2) In all actions for violation of any township ordinance when the fine would not be in excess of $500 and no jail term could be imposed, service of summons may be made by the township clerk by certified mail, return receipt requested, whether service is to be within or without the State.

(e) The township enforcement officers shall carry identification documents provided by the township board identifying him or her as a township enforcement officer. The officers shall notify the township clerk of any violations of township ordinances.

(f) Nothing in this Code precludes a county auxiliary deputy or deputy sheriff, or a municipal policeman or auxiliary police officer from serving as a township enforcement officer during off-duty hours.

(g) The township board may provide compensation for the township enforcement officer on either a per diem or a salary basis.

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(h) (Blank).

(Source: P.A. 97-330, eff. 8-12-11.)

Section 30. The Illinois Municipal Code is amended by changing Section 3.1-30-20 as follows:

(65 ILCS 5/3.1-30-20) (from Ch. 24, par. 3.1-30-20)
Sec. 3.1-30-20. Auxiliary police officers.

(a) Auxiliary police officers shall not be members of the regular police department of the municipality. Auxiliary police officers shall not supplement members of the regular police department of any municipality in the performance of their assigned and normal duties, except as otherwise provided in this Code. Auxiliary police officers shall only be assigned to perform the following duties in a municipality: (i) to aid or direct traffic within the municipality, (ii) to aid in control of natural or man made disasters, and (iii) to aid in case of civil disorder as directed by the chief of police. When it is impractical for members of the regular police department to perform those normal and regular police duties, however, the chief of police of the regular police department may assign auxiliary police officers to perform those normal and regular police duties. Identification symbols worn by auxiliary police officers shall be different and distinct from those used by members of the regular police department. Auxiliary police officers shall at all times during the performance of their duties be subject to the direction and control of the chief of police of the municipality. Auxiliary police officers shall not carry firearms, except with the permission of the chief of police and while in uniform and in the performance of their duties. Auxiliary police officers, when on duty, shall also be conservators of the peace and shall have the powers specified in Section 3.1-15-25.

(b) Auxiliary police officers, before entering upon any of their duties, shall receive a course of training in the use of weapons and other police procedures appropriate for the exercise of the powers conferred upon them under this Code. The training and course of study shall be determined and provided by the corporate authorities of each municipality employing auxiliary police officers. Before being permitted to carry a firearm, however, an auxiliary police officer must have the same course of training as required of peace officers under Section 2 of the Peace Officer and Probation Officer Firearm Training Act. The municipal authorities may require that all auxiliary police officers be residents of the municipality served by them. Before the appointment of an auxiliary police officer, the person's fingerprints shall be taken, and no person shall be appointed as an auxiliary police officer if that

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person has been convicted of a felony or other crime involving moral turpitude.

(c) The Line of Duty Compensation Act shall be applicable to auxiliary police officers upon their death in the line of duty described in this Code.

(Source: P.A. 94-984, eff. 6-30-06.)

Section 35. The Civic Center Code is amended by changing Section 240-40 as follows:

(70 ILCS 200/240-40)

Sec. 240-40. Security police force. The Board of the Authority may establish and maintain a Security Police Force and may define and prescribe all such peace officers' duties and compensation. Every security police officer appointed by the Board to such Security Police Force, as the same shall be from time to time hereafter constituted, shall have and is hereby vested with police powers, and is hereby authorized to act as a conservator of the peace within and upon driveways, sidewalks and property controlled by such Authority, and shall have power to make arrests or cause to be arrested, with or without process, any person who breaks the peace, or may be found violating any of the penal ordinances of such Authority, or of the City of Rockford or any criminal law of the State.

An arrest may be made by any such officer without a warrant when a criminal offense is committed or attempted in his presence or when a criminal offense has, in fact, been committed, and the officer has reasonable ground for believing that the person to be arrested has committed it. Any person so arrested shall, without unnecessary delay, be taken by such officer before the circuit court of the county having jurisdiction of the offense committed or charged against such person, and such police officer shall thereupon make and file a complaint in writing under oath, against such defendant, charging the violation by such defendant of such statute or ordinance, and such offender shall thereupon be dealt with according to law in the same manner as if he had been arrested in the first instance under warrant lawfully issued. However, no member of any such Security Police Force shall be vested with any police power outside the limits of the metropolitan area except pursuant to and in accordance with an intergovernmental cooperation agreement to which the Authority is a party.

In all actions for the violation of any ordinance of the Authority, the first process shall be a summons or a warrant. A warrant for the arrest of an accused person may issue upon the affidavit of any person that an ordinance has been violated, and that person making the complaint has reasonable

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grounds to believe that the party charged is guilty thereof. Every person arrested upon a warrant, without unnecessary delay, shall be taken before the proper officer for trial.

The Board of the Authority may establish reasonable eligibility requirements for appointment to such Security Police Force relating to health, habits and moral character. However, no person may be appointed hereunder unless that person is at least 21 years of age. No person may be appointed to or be retained in the Security Police Force unless that person is of good character and not a habitual drunkard, gambler or a person convicted of a felony or a crime involving moral turpitude. All such Security Police Force personnel authorized to carry weapons shall receive a course of training in the legal and practical use of such weapons as is required of a police officer under the Peace Officer and Probation Officer Firearm Training Act, and all such Security Police Force personnel shall also have received the training and certification required by the Illinois Police Training Act.

(Source: P.A. 90-328, eff. 1-1-98.)

Section 40. The Park District Police Act is amended by changing Section 1 as follows:

(70 ILCS 1325/1) (from Ch. 105, par. 330a)

Sec. 1. Park police powers.

(a) Whenever any park district establishes a police force under Section 4-7 of the Park District Code, each officer of that force is vested with police powers, is authorized to act as a conservator of the peace within that park district, and may arrest or cause to be arrested, with or without a warrant, any person who breaks the peace, or who violates any ordinance of a city, town, or village, or of the park district, or any criminal law of the State. If a park district maintains an airport, this authority also extends to any violation of a rule or regulation of a governing federal agency or any federal, State, or local law relating to that operation. The authority granted under this Section is expressly limited to park district property and shall not be construed to extend to any other jurisdiction except in cases of fresh pursuit or under a validly executed intergovernmental cooperation agreement.

(b) An arrest may be made by a park police officer without a warrant when a criminal offense is committed or attempted in his presence, or when a criminal offense has been committed and the officer has reasonable ground for believing that the person to be arrested has committed it. Any person so arrested shall, without unnecessary delay, be taken by the officer before the circuit court of the county having jurisdiction, and the officer shall file a

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complaint in writing under oath, charging the defendant with a violation of a statute or ordinance.

(c) A full or part-time police officer employed under this Section shall comply with the requirements of the Illinois Police Training Act. In addition, before carrying a firearm, each officer shall complete a training course under the Peace Officer and Probation Officer Firearm Training Act.

(Source: P.A. 89-458, eff. 5-24-96.)

Section 45. The Private College Campus Police Act is amended by changing Section 1 as follows:

(110 ILCS 1020/1) (from Ch. 144, par. 1951)

Sec. 1. The Board of Trustees of a private college or private university, may appoint persons to be members of a campus police department. The Board shall assign duties, including the enforcement of college or university regulations, and prescribe the oath of office. With respect to any such campus police department established for police protection, the members of such campus police department shall be persons who have successfully completed the Minimum Standards Basic Law Enforcement Training Course offered at a police training school established under the Illinois Police Training Act, as such Act may be now or hereafter amended. All members of such campus police departments must also successfully complete the Firearms Training for Peace Officers established under the Peace Officer and Probation Officer Firearm Training Act in Relation To Firearms Training for Peace Officers, as such Act may be now or hereafter amended. Members of the campus police department shall have the powers of municipal peace officers and county sheriffs, including the power to make arrests under the circumstances prescribed in Section 107-2 of the Code of Criminal Procedure of 1963, as amended, for violations of state statutes or municipal or county ordinances, including the ability to regulate and control traffic on the public way contiguous to the college or university property, for the protection of students, employees, visitors and their property, and the property branches, and interests of the college or university, in the county where the college or university is located. Campus police shall have no authority to serve civil process.

Members of the campus police department at a private college or private university shall not be eligible to participate in any State, county or municipal retirement fund and shall not be reimbursed for training with state funds. the uniforms, vehicles, and badges of such officers shall be distinctive from those of the local law enforcement agency where the main campus is located.

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The Board of Trustees shall provide liability insurance coverage for each member of the campus police department without cost to the member, which insures the member against any liability which arises out of or in the course of the member's employment for no less than $250,000 of coverage, unless such indemnification is provided by a program of self-insurance.

For the purposes of this Section, "private college" or "private university" means: (1) any college or university which is not owned or controlled by the State or any political subdivision thereof, and (2) which provides a program of education in residence leading to a baccalaureate degree, or which provides a program of education in residence, for which the baccalaureate degree is a prerequisite, leading to an academic or professional degree, and (3) which is accredited by the North Central Association or other nationally recognized accrediting agency.

(Source: P.A. 96-594, eff. 1-1-10.)

Section 50. The Animal Control Act is amended by changing Section 5 as follows:

(510 ILCS 5/5) (from Ch. 8, par. 355)

Sec. 5. Duties and powers.

(a) It shall be the duty of the Administrator or the Deputy Administrator, through sterilization, humane education, rabies inoculation, stray control, impoundment, quarantine, and any other means deemed necessary, to control and prevent the spread of rabies and to exercise dog and cat overpopulation control. It shall also be the duty of the Administrator to investigate and substantiate all claims made under Section 19 of this Act.

(b) Counties may by ordinance determine the extent of the police powers that may be exercised by the Administrator, Deputy Administrators, and Animal Control Wardens, which powers shall pertain only to this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may issue and serve citations and orders for violations of this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may not carry weapons unless they have been specifically authorized to carry weapons by county ordinance. Animal Control Wardens, however, may use tranquilizer guns and other nonlethal weapons and equipment without specific weapons authorization.

A person authorized to carry firearms by county ordinance under this subsection must have completed the training course for peace officers prescribed in the Peace Officer and Probation Officer Firearm Training Act. The cost of this training shall be paid by the county.

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(c) The sheriff and all sheriff's deputies and municipal police officers shall cooperate with the Administrator and his or her representatives in carrying out the provisions of this Act.

(d) The Administrator and animal control wardens shall aid in the enforcement of the Humane Care for Animals Act and have the ability to impound animals and apply for security posting for violation of that Act.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

Section 55. The Criminal Code of 2012 is amended by changing Section 24-2 as follows:

(720 ILCS 5/24-2)
Sec. 24-2. Exemptions.
(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of the following:
(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.
(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.
(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.
(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.
(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Financial and Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from

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home or place of employment, as the case may be. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a private security contractor, private detective, or private alarm contractor, or employee of a licensed agency and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. The firearm control card shall be carried by the private security contractor, private detective, or private alarm contractor, or employee of the licensed agency at all times when he or she is in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Financial and Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Financial and Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. The firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the
weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Financial and Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Financial and Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of

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employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed, **if they have received weapons training according to requirements of the Peace Officer and Probation Officer Firearm Training Act.**

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply to or affect any person carrying a concealed pistol, revolver, or handgun and the person has been issued a currently valid license under the Firearm Concealed Carry Act at the time of the commission of the offense.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(5) Carrying or possessing any pistol, revolver, stun gun or taser or other firearm on the land or in the legal dwelling of another person as an invitee with that person's permission.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

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(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

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(7) A person possessing a rifle with a barrel or barrels less than 16 inches in length if: (A) the person has been issued a Curios and Relics license from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B) the person is an active member of a bona fide, nationally recognized military re-enacting group and the modification is required and necessary to accurately portray the weapon for historical re-enactment purposes; the re-enactor is in possession of a valid and current re-enacting group membership credential; and the overall length of the weapon as modified is not less than 26 inches.

d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

2) Bonafide collectors of antique or surplus military ordinance.

3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm,
firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, these devices shall be detached from any weapon or not immediately accessible.

(g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any parole agent or parole supervisor who meets the qualifications and conditions prescribed in Section 3-14-1.5 of the Unified Code of Corrections.

(g-7) Subsection 24-1(a)(6) does not apply to a peace officer while serving as a member of a tactical response team or special operations team. A peace officer may not personally own or apply for ownership of a device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm. These devices shall be owned and maintained by lawfully recognized units of government whose duties include the investigation of criminal acts.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such

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common carrier is engaged; and nothing in this Article shall prohibit, apply
to, or affect the transportation, carrying, or possession of any pistol, revolver,
stun gun, taser, or other firearm, not the subject of and regulated by
subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded
and enclosed in a case, firearm carrying box, shipping box, or other container,
by the possessor of a valid Firearm Owners Identification Card.
(Source: P.A. 97-465, eff. 8-22-11; 97-676, eff. 6-1-12; 97-936, eff. 1-1-13;
97-1010, eff. 1-1-13; 98-63, eff. 7-9-13; 98-463, eff. 8-16-13.)
Section 60. The Probation and Probation Officers Act is amended by
adding Section 17 as follows:
(730 ILCS 110/17 new)
Sec. 17. Authorization to carry weapons. Probation officers may only
carry weapons while in the performance of their official duties, or while
commuting between their homes, places of employment, or specific locations
that are part of their assigned duties, provided they have received the prior
consent of the Chief Judge of the Circuit Court for which they are employed,
and they have received weapons training according to requirements of the
Peace Officer and Probation Officer Firearm Training Act.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0726
(House Bill No. 4422)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Illinois Identification Card Act is amended by
changing Section 4A as follows:
(15 ILCS 335/4A) (from Ch. 124, par. 24A)
Sec. 4A. (a) "Person with a disability" as used in this Act means any
person who is, and who is expected to indefinitely continue to be, subject to
any of the following five types of disabilities:
Type One: Physical disability. A physical disability is a physical
impairment, disease, or loss, which is of a permanent nature, and which
substantially limits physical ability or motor skills. The Secretary of State
shall establish standards not inconsistent with this provision necessary to
determine the presence of a physical disability.

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Type Two: Developmental disability. Developmental disability means a disability that is attributable to: (i) an intellectual disability, cerebral palsy, epilepsy, or autism or (ii) any other condition that results in impairment similar to that caused by an intellectual disability and requires services similar to those required by persons with intellectual disabilities. Such a disability must originate before the age of 18 years, be expected to continue indefinitely, and constitute a substantial handicap. The Secretary of State shall establish standards not inconsistent with this provision necessary to determine the presence of a developmental disability.

Type Three: Visual disability. A visual disability is blindness, and the term "blindness" means central vision acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye that is accompanied by a limitation in the fields of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central vision acuity of 20/200 or less. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a visual disability.

Type Four: Hearing disability. A hearing disability is a disability resulting in complete absence of hearing, or hearing that with sound enhancing or magnifying equipment is so impaired as to require the use of sensory input other than hearing as the principal means of receiving spoken language. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a hearing disability.

Type Five: Mental Disability. A mental disability is a significant impairment of an individual's cognitive, affective, or relational abilities that may require intervention and may be a recognized, medically diagnosable illness or disorder. The Secretary of State shall establish standards not inconsistent with this provision necessary to determine the presence of a mental disability.

(b) For purposes of this Act, a disability shall be classified as follows: Class 1 disability: A Class 1 disability is any type disability which does not render a person unable to engage in any substantial gainful activity or which does not impair his ability to live independently or to perform labor or services for which he is qualified. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a Class 1 disability. Class 1A disability: A Class 1A disability is a Class 1 disability which renders a person unable to walk 200 feet or more unassisted by another person or without the aid of a walker, crutches, braces, prosthetic device or a wheelchair or without great difficulty or discomfort due

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to the following impairments: neurologic, orthopedic, oncological, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a Class 1A disability. Class 2 disability: A Class 2 disability is any type disability which renders a person unable to engage in any substantial gainful activity, which substantially impairs his ability to live independently without supervision or in-home support services, or which substantially impairs his ability to perform labor or services for which he is qualified or significantly restricts the labor or services which he is able to perform. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a Class 2 disability. Class 2A disability: A Class 2A disability is a Class 2 disability which renders a person unable to walk 200 feet or more unassisted by another person or without the aid of a walker, crutches, braces, prosthetic device or a wheelchair or without great difficulty or discomfort due to the following impairments: neurologic, orthopedic, oncological, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a Class 2A disability.

(Source: P.A. 97-227, eff. 1-1-12; 97-1064, eff. 1-1-13.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 6-206 and 6-521 as follows:

(625 ILCS 5/6-206)
Sec. 6-206. Discretionary authority to suspend or revoke license or permit; Right to a hearing.
(a) The Secretary of State is authorized to suspend or revoke the driving privileges of any person without preliminary hearing upon a showing of the person's records or other sufficient evidence that the person:

1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;
2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
3. Has been repeatedly involved as a driver in motor vehicle collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in

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the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;

4. Has by the unlawful operation of a motor vehicle caused or contributed to an accident resulting in injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the accident, or shall start not more than one year after the date of the accident, whichever date occurs later;

5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;

6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;

7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;

8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;

9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;

10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;

11. Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a monitoring device driving permit, judicial driving permit issued prior to January 1, 2009, probationary license to drive, or a restricted driving permit issued under this Code;

12. Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other person;

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13. Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;

14. Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B of the Illinois Identification Card Act;

15. Has been convicted of violating Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to criminal trespass to vehicles in which case, the suspension shall be for one year;

16. Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;

17. Has refused to submit to a test, or tests, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;

18. Has, since issuance of a driver's license or permit, been adjudged to be afflicted with or suffering from any mental disability or disease;

19. Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;

20. Has been convicted of violating Section 6-104 relating to classification of driver's license;

21. Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of an accident resulting in damage to a vehicle in excess of $1,000, in which case the suspension shall be for one year;

22. Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to unlawful use of weapons, in which case the suspension shall be for one year;

23. Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;

24. Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois or in another state of or for a traffic related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;

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25. Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;

26. Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;

27. Has violated Section 6-16 of the Liquor Control Act of 1934;

28. Has been convicted for a first time of the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year. Any defendant found guilty of this offense while operating a motor vehicle, shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;

29. Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute, promoting juvenile prostitution as described in subdivision (a)(1), (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;

30. Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;

31. Has refused to submit to a test as required by Section 11-501.6 of this Code or Section 5-16c of the Boat Registration and Safety Act or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or

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compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act, a controlled substance as listed in the Illinois Controlled Substances Act, an intoxicating compound as listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, in which case the penalty shall be as prescribed in Section 6-208.1;

32. Has been convicted of Section 24-1.2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the aggravated discharge of a firearm if the offender was located in a motor vehicle at the time the firearm was discharged, in which case the suspension shall be for 3 years;

33. Has as a driver, who was less than 21 years of age on the date of the offense, been convicted a first time of a violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance;

34. Has committed a violation of Section 11-1301.5 of this Code or a similar provision of a local ordinance;

35. Has committed a violation of Section 11-1301.6 of this Code or a similar provision of a local ordinance;

36. Is under the age of 21 years at the time of arrest and has been convicted of not less than 2 offenses against traffic regulations governing the movement of vehicles committed within any 24 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;

37. Has committed a violation of subsection (c) of Section 11-907 of this Code that resulted in damage to the property of another or the death or injury of another;

38. Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance;

39. Has committed a second or subsequent violation of Section 11-1201 of this Code;

40. Has committed a violation of subsection (a-1) of Section 11-908 of this Code;

41. Has committed a second or subsequent violation of Section 11-605.1 of this Code, a similar provision of a local ordinance, or a similar violation in any other state within 2 years of

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the date of the previous violation, in which case the suspension shall be for 90 days;

42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;

43. Has received a disposition of court supervision for a violation of subsection (a), (d), or (e) of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance, in which case the suspension shall be for a period of 3 months;

44. Is under the age of 21 years at the time of arrest and has been convicted of an offense against traffic regulations governing the movement of vehicles after having previously had his or her driving privileges suspended or revoked pursuant to subparagraph 36 of this Section;

45. Has, in connection with or during the course of a formal hearing conducted under Section 2-118 of this Code: (i) committed perjury; (ii) submitted fraudulent or falsified documents; (iii) submitted documents that have been materially altered; or (iv) submitted, as his or her own, documents that were in fact prepared or composed for another person;

46. Has committed a violation of subsection (j) of Section 3-413 of this Code; or

47. Has committed a violation of Section 11-502.1 of this Code.

For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26, and 27 of this subsection, license means any driver's license, any traffic ticket issued when the person's driver's license is deposited in lieu of bail, a suspension notice issued by the Secretary of State, a duplicate or corrected driver's license, a probationary driver's license or a temporary driver's license.

(b) If any conviction forming the basis of a suspension or revocation authorized under this Section is appealed, the Secretary of State may rescind or withhold the entry of the order of suspension or revocation, as the case may be, provided that a certified copy of a stay order of a court is filed with the Secretary of State. If the conviction is affirmed on appeal, the date of the conviction shall relate back to the time the original judgment of conviction was entered and the 6 month limitation prescribed shall not apply.

(c) 1. Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The

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notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.

2. If the Secretary of State suspends the driver's license of a person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2 of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date of this suspension, a permit may be issued for the remainder of the suspension period.

The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 and upon conviction thereof shall have all driving privileges revoked without further rights.

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship (as defined by the rules of the Secretary of State), issue a restricted

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driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow the petitioner to transport himself or herself, or a family member of the petitioner's household to a medical facility, to receive necessary medical care, to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or disabled persons who do not hold driving privileges and are living in the petitioner's household to and from daycare. The petitioner must demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare. Those multiple offenders identified in subdivision (b)4 of Section 6-208 of this Code, however, shall not be eligible for the issuance of a restricted driving permit.

(A) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B) If a person's license or permit is revoked or suspended 2 or more times within a 10 year period due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs
is recited as an element of the offense, or a similar out-of-state offense; or
(ii) a statutory summary suspension or revocation under Section 11-501.1; or
(iii) a suspension under Section 6-203.1; arising out of separate occurrences; that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(C) The person issued a permit conditioned upon the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed $30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(D) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes.

(E) In each case the Secretary may issue a restricted driving permit for a period deemed appropriate, except that all permits shall expire within one year from the date of issuance. The Secretary may not, however, issue a restricted driving permit to any person whose current revocation is the result of a second or subsequent conviction for a violation of Section 11-501 of this Code or a similar provision of a local ordinance or any similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or any similar out-of-state offense, or any combination of those offenses, until the expiration of at least one year from the date of the revocation. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more

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offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program.

(c-3) In the case of a suspension under paragraph 43 of subsection (a), reports received by the Secretary of State under this Section shall, except during the actual time the suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities, the driver licensing administrator of any other state, the Secretary of State, or the parent or legal guardian of a driver under the age of 18. However, beginning January 1, 2008, if the person is a CDL holder, the suspension shall also be made available to the driver licensing administrator of any other state, the U.S. Department of Transportation, and the affected driver or motor carrier or prospective motor carrier upon request.

(c-4) In the case of a suspension under paragraph 43 of subsection (a), the Secretary of State shall notify the person by mail that his or her driving privileges and driver's license will be suspended one month after the date of the mailing of the notice.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 21 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

(d) This Section is subject to the provisions of the Drivers License Compact.

(e) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been suspended or revoked under any provisions of this Code.

(f) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified under any provisions of this Code.

New matter indicated by italics - deletions by strikeout
Sec. 6-521. Rulemaking Authority.

(a) The Secretary of State, using the authority to license motor vehicle operators under this Code, may adopt such rules and regulations as may be necessary to establish standards, policies and procedures for the licensing and sanctioning of commercial motor vehicle drivers in order to meet the requirements of the Commercial Motor Vehicle Act of 1986 (CMVSA); subsequent federal rulemaking under 49 C.F.R. Part 383 or Part 1572; and administrative and policy decisions of the U.S. Secretary of Transportation and the Federal Motor Carrier Safety Administration. The Secretary may, as provided in the CMVSA, establish stricter requirements for the licensing of commercial motor vehicle drivers than those established by the federal government.

(b) By January 1, 1994, the Secretary of State shall establish rules and regulations for the issuance of a restricted commercial driver's license for farm-related service industries consistent with federal guidelines. The restricted license shall be available for a seasonal period or periods not to exceed a total of 180 days in any 12 month period.

(c) (Blank). By July 1, 1995, the Secretary of State shall establish rules and regulations, to be consistent with federal guidelines, for the issuance and cancellation or withdrawal of a restricted commercial driver's license that is limited to the operation of a school bus. A driver whose restricted commercial driver's license has been cancelled or withdrawn may contest the sanction by requesting a hearing pursuant to Section 2-118 of this Code. The cancellation or withdrawal of the restricted commercial driver's license shall remain in effect pending the outcome of that hearing.

(d) By July 1, 1995, the Secretary of State shall establish rules and regulations for the issuance and cancellation of a School Bus Driver's Permit. The permit shall be required for the operation of a school bus as provided in subsection (c), a non-restricted CDL with passenger endorsement, or a properly classified driver's license. The permit will establish that the school bus driver has met all the requirements of the application and screening process established by Section 6-106.1 of this Code.


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AN ACT concerning public aid.

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

Section 5. The Illinois Public Aid Code is amended by changing Section 5-5.2 as follows:

(305 ILCS 5/5-5.2) (from Ch. 23, par. 5-5.2)
Sec. 5-5.2. Payment.
(a) All nursing facilities that are grouped pursuant to Section 5-5.1 of this Act shall receive the same rate of payment for similar services.
(b) It shall be a matter of State policy that the Illinois Department shall utilize a uniform billing cycle throughout the State for the long-term care providers.
(c) Notwithstanding any other provisions of this Code, the methodologies for reimbursement of nursing services as provided under this Article shall no longer be applicable for bills payable for nursing services rendered on or after a new reimbursement system based on the Resource Utilization Groups (RUGs) has been fully operationalized, which shall take effect for services provided on or after January 1, 2014.
(d) The new nursing services reimbursement methodology utilizing RUG-IV 48 grouper model, which shall be referred to as the RUGs reimbursement system, taking effect January 1, 2014, shall be based on the following:

(1) The methodology shall be resident-driven, facility-specific, and cost-based.
(2) Costs shall be annually rebased and case mix index quarterly updated. The nursing services methodology will be assigned to the Medicaid enrolled residents on record as of 30 days prior to the beginning of the rate period in the Department's Medicaid Management Information System (MMIS) as present on the last day of the second quarter preceding the rate period based upon the Assessment Reference Date of the Minimum Data Set (MDS).
Regional wage adjustors based on the Health Service Areas (HSA) groupings and adjusters in effect on April 30, 2012 shall be included.

Case mix index shall be assigned to each resident class based on the Centers for Medicare and Medicaid Services staff time measurement study in effect on July 1, 2013, utilizing an index maximization approach.

The pool of funds available for distribution by case mix and the base facility rate shall be determined using the formula contained in subsection (d-1).

Calculation of base year Statewide RUG-IV nursing base per diem rate.

Base rate spending pool shall be:

(A) The base year resident days which are calculated by multiplying the number of Medicaid residents in each nursing home as indicated in the MDS data defined in paragraph (4) by 365.

(B) Each facility's nursing component per diem in effect on July 1, 2012 shall be multiplied by subsection (A).

(C) Thirteen million is added to the product of subparagraph (A) and subparagraph (B) to adjust for the exclusion of nursing homes defined in paragraph (5).

For each nursing home with Medicaid residents as indicated by the MDS data defined in paragraph (4), weighted days adjusted for case mix and regional wage adjustment shall be calculated. For each home this calculation is the product of:

(A) Base year resident days as calculated in subparagraph (A) of paragraph (1).

(B) The nursing home's regional wage adjustor based on the Health Service Areas (HSA) groupings and adjustors in effect on April 30, 2012.

(C) Facility weighted case mix which is the number of Medicaid residents as indicated by the MDS data defined in paragraph (4) multiplied by the associated case weight for the RUG-IV 48 grouper model using standard RUG-IV procedures for index maximization.

(D) The sum of the products calculated for each nursing home in subparagraphs (A) through (C) above shall be the base year case mix, rate adjusted weighted days.
(3) The Statewide RUG-IV nursing base per diem rate on January 1, 2014 shall be the quotient of the paragraph (1) divided by the sum calculated under subparagraph (D) of paragraph (2).

(4) Minimum Data Set (MDS) comprehensive assessments for Medicaid residents on the last day of the quarter used to establish the base rate.

(5) Nursing facilities designated as of July 1, 2012 by the Department as "Institutions for Mental Disease" shall be excluded from all calculations under this subsection. The data from these facilities shall not be used in the computations described in paragraphs (1) through (4) above to establish the base rate.

(e) Notwithstanding any other provision of this Code, the Department shall by rule develop a reimbursement methodology reflective of the intensity of care and services requirements of low need residents in the lowest RUG IV groupers and corresponding regulations. Only that portion of the RUGs Reimbursement System spending pool described in subsection (d-1) attributed to the groupers as of July 1, 2013 for which the methodology in this Section is developed may be diverted for this purpose. The Department shall submit the rules no later than January 1, 2014 for an implementation date no later than January 1, 2015. If the Department does not implement this reimbursement methodology by the required date, the nursing component per diem on January 1, 2015 for residents classified in RUG-IV groups PA1, PA2, BA1, and BA2 shall be the blended rate of the calculated RUG-IV nursing component per diem and the nursing component per diem in effect on July 1, 2012. This blended rate shall be applied only to nursing homes whose resident population is greater than or equal to 70% of the total residents served and whose RUG-IV nursing component per diem rate is less than the nursing component per diem in effect on July 1, 2012. This blended rate shall be in effect until the reimbursement methodology is implemented or until July 1, 2019, whichever is sooner.

(e-1) Notwithstanding any other provision of this Article, rates established pursuant to this subsection shall not apply to any and all nursing facilities designated by the Department as "Institutions for Mental Disease" and shall be excluded from the RUGs Reimbursement System applicable to facilities not designated as "Institutions for the Mentally Diseased" by the Department.

(e-2) For dates of services beginning January 1, 2014, the RUG-IV nursing component per diem for a nursing home shall be the product of the statewide RUG-IV nursing base per diem rate, the facility average case mix.
index, and the regional wage adjustor. Transition rates for services provided between January 1, 2014 and December 31, 2014 shall be as follows:

(1) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is greater than the nursing component rate in effect July 1, 2012 shall be paid the sum of:
   (A) The nursing component rate in effect July 1, 2012; plus
   (B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.88.

(2) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is less than the nursing component rate in effect July 1, 2012 shall be paid the sum of:
   (A) The nursing component rate in effect July 1, 2012; plus
   (B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.13.

(f) Notwithstanding any other provision of this Code, on and after July 1, 2012, reimbursement rates associated with the nursing or support components of the current nursing facility rate methodology shall not increase beyond the level effective May 1, 2011 until a new reimbursement system based on the RUGs IV 48 grouper model has been fully operationalized.

(g) Notwithstanding any other provision of this Code, on and after July 1, 2012, for facilities not designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease", rates effective May 1, 2011 shall be adjusted as follows:
   (1) Individual nursing rates for residents classified in RUG IV groups PA1, PA2, BA1, and BA2 during the quarter ending March 31, 2012 shall be reduced by 10%;
   (2) Individual nursing rates for residents classified in all other RUG IV groups shall be reduced by 1.0%;
   (3) Facility rates for the capital and support components shall be reduced by 1.7%.

(h) Notwithstanding any other provision of this Code, on and after July 1, 2012, nursing facilities designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease" and "Institutions for Mental Disease New matter indicated by italics - deletions by strikeout
Mental Disease" that are facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013 shall have the nursing, socio-developmental, capital, and support components of their reimbursement rate effective May 1, 2011 reduced in total by 2.7%.

(Source: P.A. 97-689, eff. 6-14-12; 98-104, Article 6, Section 6-240, eff. 7-22-13; 98-104, Article 11, Section 11-35, eff. 7-22-13; revised 9-19-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0728
(House Bill No. 4687)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Nuclear Safety Preparedness Act is amended by changing Section 4 as follows:

(420 ILCS 5/4) (from Ch. 111 1/2, par. 4304)
Sec. 4. Nuclear accident plans; fees. Persons engaged within this State in the production of electricity utilizing nuclear energy, the operation of nuclear test and research reactors, the chemical conversion of uranium, or the transportation, storage or possession of spent nuclear fuel or high-level radioactive waste shall pay fees to cover the cost of establishing plans and programs to deal with the possibility of nuclear accidents. Except as provided below, the fees shall be used to fund those Agency and local government activities defined as necessary by the Director to implement and maintain the plans and programs authorized by this Act. Local governments incurring expenses attributable to implementation and maintenance of the plans and programs authorized by this Act may apply to the Agency for compensation for those expenses, and upon approval by the Director of applications submitted by local governments, the Agency shall compensate local governments from fees collected under this Section. Compensation for local governments shall include $250,000 in any year through fiscal year 1993, $275,000 in fiscal year 1994 and fiscal year 1995, $300,000 in fiscal year 1996, $400,000 in fiscal year 1997, and $450,000 in fiscal year 1998 and thereafter. Appropriations to the Department of Nuclear Safety (of which the Agency is the successor) for compensation to local governments from the

New matter indicated by italics - deletions by strikeout
Nuclear Safety Emergency Preparedness Fund provided for in this Section shall not exceed $650,000 per State fiscal year. Expenditures from these appropriations shall not exceed, in a single State fiscal year, the annual compensation amount made available to local governments under this Section, unexpended funds made available for local government compensation in the previous fiscal year, and funds recovered under the Illinois Grant Funds Recovery Act during previous fiscal years. Notwithstanding any other provision of this Act, the expenditure limitation for fiscal year 1998 shall include the additional $100,000 made available to local governments for fiscal year 1997 under this amendatory Act of 1997. The Agency shall, by rule, determine the method for compensating local governments under this Section. The appropriation shall not exceed $500,000 in any year preceding fiscal year 1996; the appropriation shall not exceed $625,000 in fiscal year 1996, $725,000 in fiscal year 1997, and $775,000 in fiscal year 1998 and thereafter. The fees shall consist of the following:

(1) A one-time charge of $590,000 per nuclear power station in this State to be paid by the owners of the stations.

(2) An additional charge of $240,000 per nuclear power station for which a fee under subparagraph (1) was paid before June 30, 1982.

(3) Through June 30, 1982, an annual fee of $75,000 per year for each nuclear power reactor for which an operating license has been issued by the NRC, and after June 30, 1982, and through June 30, 1984 an annual fee of $180,000 per year for each nuclear power reactor for which an operating license has been issued by the NRC, and after June 30, 1984, and through June 30, 1991, an annual fee of $400,000 for each nuclear power reactor for which an operating license has been issued by the NRC, to be paid by the owners of nuclear power reactors operating in this State. After June 30, 1991, the owners of nuclear power reactors in this State for which operating licenses have been issued by the NRC shall pay the following fees for each such nuclear power reactor: for State fiscal year 1992, $925,000; for State fiscal year 1993, $975,000; for State fiscal year 1994, $1,010,000; for State fiscal year 1995, $1,060,000; for State fiscal years 1996 and 1997, $1,110,000; for State fiscal year 1998, $1,314,000; for State fiscal year 1999, $1,368,000; for State fiscal year 2000, $1,404,000; for State fiscal year 2001, $1,696,455; for State fiscal year 2002, $1,730,636; for State fiscal year 2003 through
State fiscal year 2011, $1,757,727; for State fiscal year 2012 and subsequent fiscal years, $1,903,182.

(3.5) The owner of a nuclear power reactor that notifies the Nuclear Regulatory Commission that the nuclear power reactor has permanently ceased operations during State fiscal year 1998 shall pay the following fees for each such nuclear power reactor: $1,368,000 for State fiscal year 1999 and $1,404,000 for State fiscal year 2000.

(4) A capital expenditure surcharge of $1,400,000 per nuclear power station in this State, whether operating or under construction, shall be paid by the owners of the station.

(5) An annual fee of $25,000 per year for each site for which a valid operating license has been issued by NRC for the operation of an away-from-reactor spent nuclear fuel or high-level radioactive waste storage facility, to be paid by the owners of facilities for the storage of spent nuclear fuel or high-level radioactive waste for others in this State.

(6) A one-time charge of $280,000 for each facility in this State housing a nuclear test and research reactor, to be paid by the operator of the facility. However, this charge shall not be required to be paid by any tax-supported institution.

(7) A one-time charge of $50,000 for each facility in this State for the chemical conversion of uranium, to be paid by the owner of the facility.

(8) An annual fee of $150,000 per year for each facility in this State housing a nuclear test and research reactor, to be paid by the operator of the facility. However, this annual fee shall not be required to be paid by any tax-supported institution.

(9) An annual fee of $15,000 per year for each facility in this State for the chemical conversion of uranium, to be paid by the owner of the facility.

(10) A fee assessed at the rate of $2,500 per truck for each truck shipment and $4,500 for the first cask and $3,000 for each additional cask for each rail shipment of spent nuclear fuel, high-level radioactive waste, transuranic waste, or a highway route controlled quantity of radioactive materials received at or departing from any nuclear power station or away-from-reactor spent nuclear fuel, high-level radioactive waste, transuranic waste storage facility, or other facility in this State to be paid by the shipper of the spent nuclear fuel, high level radioactive waste, transuranic waste, or highway route accident.
controlled quantity of radioactive material. Truck shipments of greater than 250 miles in Illinois are subject to a surcharge of $25 per mile over 250 miles for each truck in the shipment.

(11) A fee assessed at the rate of $2,500 per truck for each truck shipment and $4,500 for the first cask and $3,000 for each additional cask for each rail shipment of spent nuclear fuel, high-level radioactive waste, transuranic waste, or a highway route controlled quantity of radioactive materials traversing the State to be paid by the shipper of the spent nuclear fuel, high level radioactive waste, transuranic waste, or highway route controlled quantity of radioactive material. Truck shipments of greater than 250 miles in Illinois are subject to a surcharge of $25 per mile over 250 miles for each truck in the shipment. For truck shipments of less than 100 miles in Illinois that consist entirely of cobalt-60 or other medical isotopes or both, the $2,500 per truck fee shall be reduced to $1,500 for the first truck and $750 for each additional truck in the same shipment.

(12) In each of the State fiscal years 1988 through 1991, in addition to the annual fee provided for in subparagraph (3), a fee of $400,000 for each nuclear power reactor for which an operating license has been issued by the NRC, to be paid by the owners of nuclear power reactors operating in this State. Within 120 days after the end of the State fiscal years ending June 30, 1988, June 30, 1989, June 30, 1990, and June 30, 1991, the Agency shall determine the expenses of the Illinois Nuclear Safety Preparedness Program paid from funds appropriated for those fiscal years.

(Source: P.A. 97-195, eff. 7-25-11; 97-732, eff. 6-30-12.)
Passed in the General Assembly May 21, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0729
(House Bill No. 4691)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Pension Code is amended by changing Section 7-210 as follows:
(40 ILCS 5/7-210) (from Ch. 108 1/2, par. 7-210)

New matter indicated by italics - deletions by strikeout
Sec. 7-210. Funds. (a) All money received by the board shall immediately be deposited with the State Treasurer for the account of the fund, or in the case of funds received under Section 7-199.1, in a separate account maintained for that purpose. All disbursements of funds held by the State Treasurer shall be made only upon warrants of the State Comptroller drawn upon the Treasurer as custodian of this fund upon vouchers signed by the person or persons designated for such purpose by resolution of the board. The Comptroller is authorized to draw such warrants upon vouchers so signed, including warrants payable to the Fund for deposit in a revolving account authorized by Section 7-195.1. The Treasurer shall accept all warrants so signed and shall be released from liability for all payments made thereon. Vouchers shall be drawn only upon proper authorization by the board as properly recorded in the official minute books of the meetings of the board.

(b) All securities of the fund when received shall be deposited with the State Treasurer who shall provide adequate safe deposit facilities for their preservation and have custody of them.

(c) The assets of the fund shall be invested as one fund, and no particular person, municipality, or instrumentality thereof or participating instrumentality shall have any right in any specific security or in any item of cash other than an undivided interest in the whole.

(d) Except as provided in subsection (d-5), whenever any employees of a municipality or participating instrumentality have been or shall be excluded from participation in this fund by virtue of the application of paragraph b of Section 7-109 (2), the board shall issue a voucher authorizing the Comptroller to draw his warrant upon the Treasurer as custodian of this fund in an amount equal to the accumulated contributions of such employees. Such warrant shall be drawn in favor of the appropriate fund of the retirement fund in which such employees have or shall become participants. Such transfer shall terminate any further rights of such employees under this fund.

(d-5) Upon creation of a newly established Article 3 police pension fund by referendum under Section 3-145 or by census under Section 3-105, the following amounts shall be transferred from this Fund to the new police pension fund, within 30 days after an application therefor is received from the new pension fund:

(1) the amounts actually contributed to this Fund as employee contributions by or on behalf of the police officers transferring to the new pension fund for their service as police officers of the municipality that is establishing the new pension fund, plus interest
on those amounts at the rate of 6% per year, compounded annually, from the date of contribution to the date of transfer to the new pension fund, and

(2) an amount representing employer contributions, equal to the total amount determined under item (1).

This transfer terminates any further rights of such police officers in this Fund arising out of their service as police officers of the municipality that is establishing the new pension fund.

(e) If a participating instrumentality terminates participation because it fails to meet the requirements of Section 7-108, it shall pay to the fund the amount equal to any net debit balance in its municipality reserve account and account receivable. Its successors, and assigns and transferees of its assets shall be obligated to make this payment to the extent of the value of assets transferred to them. The fund shall pay an amount equal to any net credit balance to the participating instrumentality, its successors or assigns. Any remaining net debit or credit balance not collectible or payable shall be transferred to the terminated municipality reserve account. The fund shall pay to each employee of the participating instrumentality an amount equal to his credits in the employee reserves. The employees shall have no further rights to any benefits from the fund, except that annuities awarded prior to the date of termination shall continue to be paid.

(Source: P.A. 84-812.)

Section 90. The State Mandates Act is amended by adding Section 8.38 as follows:

(30 ILCS 805/8.38 new)

Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.


PUBLIC ACT 98-0730
(House Bill No. 4707)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Public Accounting Act is amended by changing Sections 8.05, 14.2, 14.4, 16, and 17.1 as follows:

(225 ILCS 450/8.05)
(Section scheduled to be repealed on January 1, 2024)
Sec. 8.05. Accountancy activities.
(a) Accountancy activities are services performed by a CPA, including:

(1) signing, affixing, or associating the names used by a person or CPA firm to any report expressing an assurance on a financial statement or disclaiming an opinion on a financial statement based on an audit or examination of that statement or to express assurance on a financial statement;

(2) other attestation engagements not otherwise defined in paragraph (1); or

(3) offering to perform or performing one or more types of the following services involving the use of professional skills or competencies: accounting, management, financial or consulting services, compilations, internal audit, preparation of tax returns, furnishing advice on tax matters, bookkeeping, or representations of taxpayers; this includes the teaching of any of these areas at the college or university level.

(b) If offering or performing accountancy activities using the CPA title set forth in paragraphs (1), (2), and (3) of subsection (a) of this Section, then:

(1) the activities identified in paragraph (1) of subsection (a) may only be performed by licensed CPAs;

(2) the activities identified in paragraph (2) of subsection (a) may only be performed by licensed or registered CPAs; and

(3) the activities identified in paragraph (3) of subsection (a) are not restricted to licensed or registered CPAs, subject to the provisions of Section 9.02 of this Act.

(Source: P.A. 98-254, eff. 8-9-13.)

(225 ILCS 450/14.2)
(Section scheduled to be repealed on January 1, 2024)
Sec. 14.2. Licensure by endorsement.
(a) The Department shall issue a license as a licensed CPA to any applicant who holds a current, valid, and unrevoked license as a certified public accountant issued from another state with equivalent educational

New matter indicated by italics - deletions by strikeout
requirements and examination standards, applies to the Department on forms supplied by the Department, and pays the required fee, provided:

(1) the individual applicant is determined by the Department to possess qualifications substantially equivalent to this State's current licensing requirements;

(2) at the time the applicant received his or her license, the applicant possessed qualifications substantially equivalent to the qualifications for licensure then in effect in this State; or

(3) the applicant has, after passing the examination upon which his or her license to practice was based, not less than 4 years of experience as outlined in Section 14 of this Act within the 10 years immediately before the application.

(b) In determining the substantial equivalency of any state's requirements to Illinois' requirements, the Department may rely on the determinations of the National Qualification Appraisal Service of the National Association of State Boards of Accountancy or such other qualification appraisal service as it deems appropriate.

(c) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(d) Any individual who is the holder of a current, valid, and not previously disciplined license as a certified public accountant of any state and has applied in writing to the Department in form and substance satisfactory to the Department for a license as a licensed CPA may perform accountancy activities as set forth in Section 8.05 until the earlier of the following dates:

(1) the expiration of 6 months after filing the written application; or

(2) the denial of the application by the Department.

Any individual performing accountancy activities under this subsection (d) shall be subject to discipline in the same manner as an individual licensed under this Act.

(Source: P.A. 98-254, eff. 8-9-13.)

(225 ILCS 450/14.4)

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

Sec. 14.4. Qualifications for licensure as a CPA firm. The Department may license as licensed CPA firms individuals or entities meeting the following requirements:

New matter indicated by italics - deletions by strikeout
(1) A majority of the ownership of the firm, in terms of financial interests and voting rights of all partners, officers, shareholders, or members, or belongs to persons licensed or registered in some state. All partners, officers, shareholders, or members, whose principal place of business is in this State and who have overall responsibility for accountancy activities in this State, as defined in paragraph (1) of subsection (a) of Section 8.05 of this Act, must hold a valid license as a licensed CPA issued by this State. An individual exercising the practice privilege afforded under Section 5.2 who performs services for which a firm license is required under subsection (d) of Section 5.2 shall not be required to obtain an individual license under this Act.

(2) All owners of the CPA firm, whether licensed as a licensed CPA or not, shall be active participants in the CPA firm or its affiliated entities and shall comply with the rules adopted under this Act.

(3) It shall be lawful for a nonprofit cooperative association engaged in rendering an auditing and accounting service to its members only to continue to render that service provided that the rendering of auditing and accounting service by the cooperative association shall at all times be under the control and supervision of licensed CPAs.

(4) An individual who supervises services for which a license is required under paragraph (1) of subsection (a) of Section 8.05 of this Act, who signs or authorizes another to sign any report for which a license is required under paragraph (1) of subsection (a) of Section 8.05 of this Act, or who supervises services for which a CPA firm license is required under subsection (d) of Section 5.2 of this Act shall hold a valid, active licensed CPA license from this State or another state considered to be substantially equivalent under paragraph (1) of subsection (a) of Section 5.2.

(5) The CPA firm shall designate to the Department in writing an individual licensed as a licensed CPA under this Act or, in the case of a firm that must have a CPA firm license pursuant to subsection (b) of Section 13 of this Act, a licensee of another state who meets the requirements set out in paragraph (1) or (2) of subsection (a) of Section 5.2 of this Act, who shall be responsible for the proper licensure of the CPA firm.

(Source: P.A. 98-254, eff. 8-9-13.)

New matter indicated by italics - deletions by strikeout
Sec. 16. Expiration and renewal of licenses; renewal of registration; continuing education; peer review.

(a) The expiration date and renewal period for each license or registration issued under this Act shall be set by rule.

(b) Every holder of a license or registration under this Act may renew such license or registration before the expiration date upon payment of the required renewal fee as set by rule.

(c) Every application for renewal of a license by a licensed CPA who has been licensed under this Act for 3 years or more shall be accompanied or supported by any evidence the Department shall prescribe, in satisfaction of completing, each 3 years, not less than 120 hours of continuing professional education as prescribed by Department rules. Of the 120 hours, not less than 4 hours shall be courses covering the subject of professional ethics. All continuing education sponsors applying to the Department for registration shall be required to submit an initial nonrefundable application fee set by Department rule. Each registered continuing education sponsor shall be required to pay an annual renewal fee set by Department rule. Publicly supported colleges, universities, and governmental agencies located in Illinois are exempt from payment of any fees required for continuing education sponsor registration. Failure by a continuing education sponsor to be licensed or pay the fees prescribed in this Act, or to comply with the rules and regulations established by the Department under this Section regarding requirements for continuing education courses or sponsors, shall constitute grounds for revocation or denial of renewal of the sponsor's registration.

(d) Licensed CPAs are exempt from the continuing professional education requirement for the first renewal period following the original issuance of the license.

Failure by an applicant for renewal of a license as a licensed CPA to furnish the evidence shall constitute grounds for disciplinary action, unless the Department in its discretion shall determine the failure to have been due to reasonable cause. The Department, in its discretion, may renew a license despite failure to furnish evidence of satisfaction of requirements of continuing education upon condition that the applicant follow a particular program or schedule of continuing education. In issuing rules and individual orders in respect of requirements of continuing education, the Department in its discretion may, among other things, use and rely upon guidelines and pronouncements of recognized educational and professional associations;
may prescribe rules for the content, duration, and organization of courses; shall take into account the accessibility to applicants of such continuing education as it may require, and any impediments to interstate practice of public accounting that may result from differences in requirements in other states; and may provide for relaxation or suspension of requirements in regard to applicants who certify that they do not intend to engage in the performance of accountancy activities, and for instances of individual hardship.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by licensees; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

The Department may establish, by rule, guidelines for acceptance of continuing education on behalf of licensed CPAs taking continuing education courses in other jurisdictions.

(e) For renewals on and after July 1, 2012, as a condition for granting a renewal license to CPA firms and sole practitioners who perform accountancy activities outlined in paragraph (1) of subsection (a) of Section 8.05 under this Act, the Department shall require that the CPA firm or sole practitioner satisfactorily complete a peer review during the immediately preceding 3-year period, accepted by a Peer Review Administrator in accordance with established standards for performing and reporting on peer reviews, unless the CPA firm or sole practitioner is exempted under the provisions of subsection (i) of this Section. A CPA firm or sole practitioner shall, at the request of the Department, submit to the Department a letter from the Peer Review Administrator stating the date on which the peer review was satisfactorily completed.

A new CPA firm or sole practitioner shall not be required to comply with the peer review requirements for the first license renewal. A CPA firm or sole practitioner shall undergo its first peer review during the first full renewal cycle after it is granted its initial license.

The requirements of this subsection (e) shall not apply to any person providing services requiring a license under this Act to the extent that such services are provided in the capacity of an employee of the Office of the Auditor General or to a nonprofit cooperative association engaged in the rendering of licensed service to its members only under paragraph (3) of Section 14.4 of this Act or any of its employees to the extent that such services are provided in the capacity of an employee of the association.

New matter indicated by italics - deletions by strikeout
(f) The Department shall approve only Peer Review Administrators that the Department finds comply with established standards for performing and reporting on peer reviews. The Department may adopt rules establishing guidelines for peer reviews, which shall do all of the following:

1. Require that a peer review be conducted by a reviewer that is independent of the CPA firm reviewed and approved by the Peer Review Administrator under established standards.

2. Other than in the peer review process, prohibit the use or public disclosure of information obtained by the reviewer, the Peer Review Administrator, or the Department during or in connection with the peer review process. The requirement that information not be publicly disclosed shall not apply to a hearing before the Department that the CPA firm or sole practitioner requests be public or to the information described in paragraph (3) of subsection (i) of this Section.

(g) If a CPA firm or sole practitioner fails to satisfactorily complete a peer review as required by subsection (e) of this Section or does not comply with any remedial actions determined necessary by the Peer Review Administrator, the Peer Review Administrator shall notify the Department of the failure and shall submit a record with specific references to the rule, statutory provision, professional standards, or other applicable authority upon which the Peer Review Administrator made its determination and the specific actions taken or failed to be taken by the licensee that in the opinion of the Peer Review Administrator constitutes a failure to comply. The Department may at its discretion or shall upon submission of a written application by the CPA firm or sole practitioner hold a hearing under Section 20.1 of this Act to determine whether the CPA firm or sole practitioner has complied with subsection (e) of this Section. The hearing shall be confidential and shall not be open to the public unless requested by the CPA firm or sole practitioner.

(h) The CPA firm or sole practitioner reviewed shall pay for any peer review performed. The Peer Review Administrator may charge a fee to each firm and sole practitioner sufficient to cover costs of administering the peer review program.

(i) A CPA firm or sole practitioner shall not be required to comply with the peer review requirements if:

1. Within 3 years before the date of application for renewal licensure, the sole practitioner or CPA firm has undergone a peer review conducted in another state or foreign jurisdiction that meets the requirements of paragraphs (1) and (2) of subsection (f) of this Section.

New matter indicated by italics - deletions by strikeout
Section. The sole practitioner or CPA firm shall, at the request of the Department, submit to the Department a letter from the organization administering the most recent peer review stating the date on which the peer review was completed; or

(2) Within 2 years before the date of application for renewal licensure, the sole practitioner or CPA firm satisfies all of the following conditions:

(A) has not accepted or performed any accountancy activities outlined in paragraph (1) of subsection (a) of Section 8.05 of this Act; and

(B) the firm or sole practitioner agrees to notify the Peer Review Administrator within 30 days of accepting an engagement for services requiring a license under this Act and to undergo a peer review within 18 months after the end of the period covered by the engagement; or

(3) For reasons of personal health, military service, or other good cause, the Department determines that the sole practitioner or firm is entitled to an exemption, which may be granted for a period of time not to exceed 12 months.

(j) If a peer review report indicates that a CPA firm or sole practitioner complies with the appropriate professional standards and practices set forth in the rules of the Department and no further remedial action is required, the Peer Review Administrator shall, after issuance of the final letter of acceptance, destroy all working papers and documents related to the peer review, other than report-related documents and documents evidencing completion of remedial actions, if any, in accordance with rules established by the Department.

(k) (Blank).

(Source: P.A. 98-254, eff. 8-9-13.)

(225 ILCS 450/17.1) (from Ch. 111, par. 5518.1)

Sec. 17.1. Restoration.

(a) Any registered CPA who has permitted his or her registration to expire or who has had his or her registration on inactive status may have his or her registration restored by making application to the Department and filing proof acceptable to the Department as defined by rule of his or her fitness to have his or her registration restored, which may include sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department and by paying the required restoration fee.

New matter indicated by italics - deletions by strikeout
(b) Any licensed CPA who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by (1) making application to the Department and filing proof acceptable to the Department as defined by rule of his or her fitness to have his or her license restored, including sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department, (2) and by paying the required restoration fee, (3) and by submitting proof of the required continuing education and (4) in the case of a sole practitioner, satisfactory completion of peer review outlined in subsection (e) of Section 16, unless exempt from peer review under subsection (i) of Section 16.

(c) Any firm that has permitted its license to expire may have its license restored by (1) making application to the Department and filing proof acceptable to the Department as defined by rule of its fitness to have its license restored, including sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department, (2) paying the required restoration fee, and (3) satisfactory completion of peer review outlined in subsection (e) of Section 16, unless exempt from peer review under subsection (i) of Section 16.

(d) If the licensed CPA or registered CPA has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, fitness to resume active status and may require the applicant to complete a period of supervised experience.

Any licensed CPA or registered CPA whose license or registration expired while he or she was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license or registration reinstated or restored without paying any lapsed renewal and restoration fees if within 2 years after honorable termination of such service, training or education except under conditions other than honorable, he or she furnished the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(Source: P.A. 98-254, eff. 8-9-13.)

Passed in the General Assembly May 21, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Metropolitan Water Reclamation District Act is amended by adding Section 56 as follows:

(70 ILCS 2605/56 new)
Sec. 56. Resource recovery.
(a) The General Assembly finds that:
(1) technological advancements in wastewater treatment have resulted in the ability to capture recovered resources and produce renewable energy resources from material previously discarded;
(2) the capture and beneficial reuse of recovered resources and the production of renewable energy resources serves a wide variety of environmental benefits including, but not limited to, improved water quality, reduction of greenhouse gases, reduction of carbon footprint, reduction of landfill usage, reduced usage of hydrocarbon-based fuels, return of nutrients to the food cycle, and reduced water consumption;
(3) the district is a leader in the field of wastewater treatment and possesses the expertise and experience necessary to capture and beneficially reuse or prepare for beneficial reuse recovered resources, including renewable energy resources; and
(4) the district has the opportunity and ability to change the approach to wastewater treatment from that of a waste material to be disposed of to one of a collection of resources to be recovered, reused, and sold, with the opportunity to provide the district with additional sources of revenue and reduce operating costs.
(b) As used in this Section:
"Recovered resources" means any material produced by or extracted from the operation of district facilities, including, but not limited to:
(1) solids, including solids from the digestion process, semi-solids, or liquid materials;
(2) gases, including biogas, carbon dioxide, and methane;
(3) nutrients;
(4) algae;
(5) treated effluent; and

New matter indicated by italics - deletions by strikeout
(6) thermal energy or hydropower.

"Renewable energy facility" shall have the same meaning as a facility defined under Section 5 of the Renewable Energy Production District Act.

"Renewable energy resources" means resources as defined under Section 1-10 of the Illinois Power Agency Act.

"Resource recovery" means the recovery of material or energy from waste as defined under Section 3.435 of the Illinois Environmental Protection Agency Act.

(c) The district may sell or otherwise dispose of recovered resources or renewable energy resources resulting from the operation of district facilities, and may construct, maintain, finance, and operate such activities, facilities, and other works as are necessary for that purpose.

(d) The district may take in materials which are used in the generation of usable products from recovered resources, or which increase the production of renewable energy resources, including, but not limited to food waste, organic fraction of solid waste, commercial or industrial organic wastes, fats, oils, and greases, and vegetable debris.

(e) The authorizations granted to the district under this Section shall not be construed as modifying or limiting any other law or regulation. Any actions taken pursuant to the authorities granted in this Section must be in compliance with all applicable laws and regulations, including, but not limited to, the Environmental Protection Act, and rules adopted under that Act.


PUBLIC ACT 98-0732
(House Bill No. 4731)

AN ACT concerning government.

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

Section 5. The State Employee Indemnification Act is amended by changing Section 1 as follows:

(5 ILCS 350/1) (from Ch. 127, par. 1301)
Sec. 1. Definitions. For the purpose of this Act:

New matter indicated by italics - deletions by strikeout
(a) The term "State" means the State of Illinois, the General Assembly, the court, or any State office, department, division, bureau, board, commission, or committee, the governing boards of the public institutions of higher education created by the State, the Illinois National Guard, the Comprehensive Health Insurance Board, any poison control center designated under the Poison Control System Act that receives State funding, or any other agency or instrumentality of the State. It does not mean any local public entity as that term is defined in Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act or a pension fund.

(b) The term "employee" means: any present or former elected or appointed officer, trustee or employee of the State, or of a pension fund; any present or former commissioner or employee of the Executive Ethics Commission or of the Legislative Ethics Commission; any present or former Executive, Legislative, or Auditor General's Inspector General; any present or former employee of an Office of an Executive, Legislative, or Auditor General's Inspector General; any present or former member of the Illinois National Guard while on active duty; individuals or organizations who contract with the Department of Corrections, the Department of Juvenile Justice, the Comprehensive Health Insurance Board, or the Department of Veterans' Affairs to provide services; individuals or organizations who contract with the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services including but not limited to treatment and other services for sexually violent persons; individuals or organizations who contract with the Department of Military Affairs for youth programs; individuals or organizations who contract to perform carnival and amusement ride safety inspections for the Department of Labor; individuals who contract with the Office of the State's Attorneys Appellate Prosecutor to provide legal services, but only when performing duties within the scope of the Office's prosecutorial activities; individual representatives of or designated organizations authorized to represent the Office of State Long-Term Ombudsman for the Department on Aging; individual representatives of or organizations designated by the Department on Aging in the performance of their duties as adult protective services agencies or regional administrative agencies under the Adult Protective Services Act; individuals or organizations appointed as members of a review team or the Advisory Council under the Adult Protective Services Act; individuals or organizations who perform volunteer services for the State where such volunteer relationship is reduced to writing; individuals who serve on any...
public entity (whether created by law or administrative action) described in paragraph (a) of this Section; ; individuals or not for profit organizations who, either as volunteers, where such volunteer relationship is reduced to writing, or pursuant to contract, furnish professional advice or consultation to any agency or instrumentality of the State; ; individuals who serve as foster parents for the Department of Children and Family Services when caring for a Department ward; ; individuals who serve as members of an independent team of experts under Brian's Law; ; and individuals who serve as arbitrators pursuant to Part 10A of Article II of the Code of Civil Procedure and the rules of the Supreme Court implementing Part 10A, each as now or hereafter amended; the term "employee", but does not mean an independent contractor except as provided in this Section. The term includes an individual appointed as an inspector by the Director of State Police when performing duties within the scope of the activities of a Metropolitan Enforcement Group or a law enforcement organization established under the Intergovernmental Cooperation Act. An individual who renders professional advice and consultation to the State through an organization which qualifies as an "employee" under the Act is also an employee. The term includes the estate or personal representative of an employee.

(c) The term "pension fund" means a retirement system or pension fund created under the Illinois Pension Code.

(Source: P.A. 98-49, eff. 7-1-13; 98-83, eff. 7-15-13; revised 8-9-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 23, 2014.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0733
(House Bill No. 4734)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Military Code of Illinois is amended by adding Section 22-9.1 as follows:

(20 ILCS 1805/22-9.1 new)

Sec. 22-9.1. National Guard billeting operations; fund.
(a) Billeting operations. The Department of Military Affairs is authorized to provide oversight and administration of billeting operations

New matter indicated by italics - deletions by strikeout
conducted by the Illinois National Guard at locations within the State, including, but not limited to, Marseilles Training Center, Camp Lincoln, and any other training sites where military billeting operations may be established.

(b) Illinois National Guard Billeting Fund. The Illinois National Guard Billeting Fund is created as a special, non-appropriated fund in the State treasury. The Fund shall receive proceeds collected by the Department of Military Affairs in exchange for the provision of billets at any site within the State where military billeting operations are established or conducted. Moneys within the Fund shall be used to pay the expenses of billeting operations not eligible for payment with federal or State appropriated funds, including, but not limited to, the procurement of items for billeting rooms, cleaning, linen, and maintenance. The Department of Military Affairs shall administer the Fund in accordance with the laws of this State, applicable federal requirements governing the use of such funds, and appropriate rules and procedures established by the Adjutant General.

Section 10. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)
Sec. 5.855. The Illinois National Guard Billeting Fund.

Section 99. Effective date. This Act takes effect July 1, 2014.
Passed in the General Assembly May 23, 2014.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0734
(House Bill No. 4743)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 11-208.7 as follows:

(625 ILCS 5/11-208.7)
Sec. 11-208.7. Administrative fees and procedures for impounding vehicles for specified violations.

(a) Any county or municipality may, consistent with this Section, provide by ordinance procedures for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to

New matter indicated by italics - deletions by strikeout
its administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of the vehicle. The administrative fee imposed by the county or municipality may be in addition to any fees charged for the towing and storage of an impounded vehicle. The administrative fee shall be waived by the county or municipality upon verifiable proof that the vehicle was stolen at the time the vehicle was impounded.

(b) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section may impose fees for the following violations:

(1) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Criminal Code of 2012; or

(2) driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of Section 11-501 of this Code; or

(3) operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act; or

(4) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or

(5) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section 24-1, 24-1.5, or 24-3.1 of the Criminal Code of 1961 or the Criminal Code of 2012; or

(6) driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of this Code; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or

(7) operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or
(8) operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of this Code, if the period of expiration is greater than one year; or

(9) operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of this Code, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or

(10) operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of this Code; or

(11) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961 or the Criminal Code of 2012; or

(12) operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012, when so provided by local ordinance; or

(13) operation or use of a motor vehicle in violation of Section 11-503 of this Code:

(A) while the vehicle is part of a funeral procession; or

(B) in a manner that interferes with a funeral procession.

(c) The following shall apply to any fees imposed for administrative and processing costs pursuant to subsection (b):

(1) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.

(2) The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.

(3) The fees shall be uniform for all similarly situated vehicles.

(4) The fees shall be collected by and paid to the county or municipality imposing the fees.

New matter indicated by italics - deletions by strikeout
(5) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle.

(d) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section shall provide for an opportunity for a hearing, as provided in subdivision (b)(4) of Section 11-208.3 of this Code, and for the release of the vehicle to the owner of record, lessee, or a lienholder of record upon payment of all administrative fees and towing and storage fees.

(e) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include the following provisions concerning notice of impoundment:

1. Whenever a police officer has cause to believe that a motor vehicle is subject to impoundment, the officer shall provide for the towing of the vehicle to a facility authorized by the county or municipality.

2. At the time the vehicle is towed, the county or municipality shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing.

3. The county or municipality shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the county or municipality a bond equal to the administrative fee as provided by ordinance and pays for all towing and storage charges.

(f) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include a provision providing that the registered owner or lessee of the vehicle and any lienholder of record shall be provided with a notice of hearing. The notice shall:

1. be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;

2. be served upon interested parties within 10 days after a vehicle is impounded by the municipality; and

New matter indicated by italics - deletions by strikeout
(3) contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

(g) In addition to the requirements contained in subdivision (b)(4) of Section 11-208.3 of this Code relating to administrative hearings, any ordinance providing for the impoundment and release of vehicles under this Section shall include the following requirements concerning administrative hearings:

(1) administrative hearings shall be conducted by a hearing officer who is an attorney licensed to practice law in this State for a minimum of 3 years;

(2) at the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment;

(3) if the basis for the vehicle impoundment is sustained by the administrative hearing officer, any administrative fee posted to secure the release of the vehicle shall be forfeited to the county or municipality;

(4) all final decisions of the administrative hearing officer shall be subject to review under the provisions of the Administrative Review Law, unless the county or municipality allows in the enabling ordinance for direct appeal to the circuit court having jurisdiction over the county or municipality; and

(5) unless the administrative hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to the owner, lessee, or lienholder of record until all administrative fees and towing and storage charges are paid.

(h) Vehicles not retrieved from the towing facility or storage facility within 35 days after the administrative hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of this Code.

(i) Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(Source: P.A. 97-109, eff. 1-1-12; 97-1150, eff. 1-25-13; 98-518, eff. 8-22-13; revised 9-19-13.)

Passed in the General Assembly May 21, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning civil law.

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

Section 5. The Condominium Property Act is amended by changing Section 18.4 as follows:

(765 ILCS 605/18.4) (from Ch. 30, par. 318.4)

Sec. 18.4. Powers and Duties of Board of Managers. The board of managers shall exercise for the association all powers, duties and authority vested in the association by law or the condominium instruments except for such powers, duties and authority reserved by law to the members of the association. The powers and duties of the board of managers shall include, but shall not be limited to, the following:

(a) To provide for the operation, care, upkeep, maintenance, replacement and improvement of the common elements. Nothing in this subsection (a) shall be deemed to invalidate any provision in a condominium instrument placing limits on expenditures for the common elements, provided, that such limits shall not be applicable to expenditures for repair, replacement, or restoration of existing portions of the common elements. The term "repair, replacement or restoration" means expenditures to deteriorated or damaged portions of the property related to the existing decorating, facilities, or structural or mechanical components, interior or exterior surfaces, or energy systems and equipment with the functional equivalent of the original portions of such areas. Replacement of the common elements may result in an improvement over the original quality of such elements or facilities; provided that, unless the improvement is mandated by law or is an emergency as defined in item (iv) of subparagraph (8) of paragraph (a) of Section 18, if the improvement results in a proposed expenditure exceeding 5% of the annual budget, the board of managers, upon written petition by unit owners with 20% of the votes of the association delivered to the board within 14 days of the board action to approve the expenditure, shall call a meeting of the unit owners within 30 days of the date of delivery of the petition

New matter indicated by italics - deletions by strikeout
to consider the expenditure. Unless a majority of the total votes of the unit owners are cast at the meeting to reject the expenditure, it is ratified.

(b) To prepare, adopt and distribute the annual budget for the property.
(c) To levy and expend assessments.
(d) To collect assessments from unit owners.
(e) To provide for the employment and dismissal of the personnel necessary or advisable for the maintenance and operation of the common elements.
(f) To obtain adequate and appropriate kinds of insurance.
(g) To own, convey, encumber, lease, and otherwise deal with units conveyed to or purchased by it.
(h) To adopt and amend rules and regulations covering the details of the operation and use of the property, after a meeting of the unit owners called for the specific purpose of discussing the proposed rules and regulations. Notice of the meeting shall contain the full text of the proposed rules and regulations, and the meeting shall conform to the requirements of Section 18(b) of this Act, except that no quorum is required at the meeting of the unit owners unless the declaration, bylaws or other condominium instrument expressly provides to the contrary. However, no rule or regulation may impair any rights guaranteed by the First Amendment to the Constitution of the United States or Section 4 of Article I of the Illinois Constitution including, but not limited to, the free exercise of religion, nor may any rules or regulations conflict with the provisions of this Act or the condominium instruments. No rule or regulation shall prohibit any reasonable accommodation for religious practices, including the attachment of religiously mandated objects to the front-door area of a condominium unit.
(i) To keep detailed, accurate records of the receipts and expenditures affecting the use and operation of the property.
(j) To have access to each unit from time to time as may be necessary for the maintenance, repair or replacement of any common elements or for making emergency repairs necessary to prevent damage to the common elements or to other units.
(k) To pay real property taxes, special assessments, and any other special taxes or charges of the State of Illinois or of any political subdivision thereof, or other lawful taxing or assessing body, which

New matter indicated by italics - deletions by strikeout
are authorized by law to be assessed and levied upon the real property of the condominium.

(l) To impose charges for late payment of a unit owner's proportionate share of the common expenses, or any other expenses lawfully agreed upon, and after notice and an opportunity to be heard, to levy reasonable fines for violation of the declaration, by-laws, and rules and regulations of the association.

(m) Unless the condominium instruments expressly provide to the contrary, by a majority vote of the entire board of managers, to assign the right of the association to future income from common expenses or other sources, and to mortgage or pledge substantially all of the remaining assets of the association.

(n) To record the dedication of a portion of the common elements to a public body for use as, or in connection with, a street or utility where authorized by the unit owners under the provisions of Section 14.2.

(o) To record the granting of an easement for the laying of cable television or high speed Internet cable where authorized by the unit owners under the provisions of Section 14.3; to obtain, if available and determined by the board to be in the best interests of the association, cable television or bulk high speed Internet service for all of the units of the condominium on a bulk identical service and equal cost per unit basis; and to assess and recover the expense as a common expense and, if so determined by the board, to assess each and every unit on the same equal cost per unit basis.

(p) To seek relief on behalf of all unit owners when authorized pursuant to subsection (c) of Section 10 from or in connection with the assessment or levying of real property taxes, special assessments, and any other special taxes or charges of the State of Illinois or of any political subdivision thereof or of any lawful taxing or assessing body.

(q) To reasonably accommodate the needs of a handicapped unit owner as required by the federal Civil Rights Act of 1968, the Human Rights Act and any applicable local ordinances in the exercise of its powers with respect to the use of common elements or approval of modifications in an individual unit.

(r) To accept service of a notice of claim for purposes of the Mechanics Lien Act on behalf of each respective member of the Unit Owners' Association with respect to improvements performed

New matter indicated by italics - deletions by strikeout
pursuant to any contract entered into by the Board of Managers or any contract entered into prior to the recording of the condominium declaration pursuant to this Act, for a property containing more than 8 units, and to distribute the notice to the unit owners within 7 days of the acceptance of the service by the Board of Managers. The service shall be effective as if each individual unit owner had been served individually with notice.

(s) To adopt and amend rules and regulations (l) authorizing electronic delivery of notices and other communications required or contemplated by this Act to each unit owner who provides the association with written authorization for electronic delivery and an electronic address to which such communications are to be electronically transmitted; and (2) authorizing each unit owner to designate an electronic address or a U.S. Postal Service address, or both, as the unit owner's address on any list of members or unit owners which an association is required to provide upon request pursuant to any provision of this Act or any condominium instrument.

In the performance of their duties, the officers and members of the board, whether appointed by the developer or elected by the unit owners, shall exercise the care required of a fiduciary of the unit owners.

The collection of assessments from unit owners by an association, board of managers or their duly authorized agents shall not be considered acts constituting a collection agency for purposes of the Collection Agency Act.

The provisions of this Section are applicable to all condominium instruments recorded under this Act. Any portion of a condominium instrument which contains provisions contrary to these provisions shall be void as against public policy and ineffective. Any such instrument that fails to contain the provisions required by this Section shall be deemed to incorporate such provisions by operation of law.

(Source: P.A. 96-1000, eff. 7-2-10; 97-751, eff. 1-1-13.)

Approved July 16, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Toll Highway Act is amended by changing Section 9.5 as follows:
(605 ILCS 10/9.5)
Sec. 9.5. Acquisition by purchase or by condemnation. The Authority is authorized to acquire by purchase or by condemnation, in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act, any and all lands, buildings, and grounds necessary or convenient for its authorized purpose. The Authority shall comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, Public Law 91-646, as amended, and the implementing regulations in 49 CFR Part 24 and is authorized to operate a relocation program and to pay relocation costs. If there is a conflict between the provisions of this amendatory Act of 1998 and the provisions of the federal law or regulations, however, the provisions of this amendatory Act of 1998 shall control with the exception that the Authority shall use whichever law or regulation provides the highest payment limit. The Authority is authorized to exceed the maximum payment limits of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act when necessary to ensure the provision of decent, safe, or sanitary housing, or to secure a suitable relocation site. The Authority may not adopt rules to implement the federal law or regulations referenced in this Section unless those rules have received the prior approval of the Joint Committee on Administrative Rules.  
(Source: P.A. 94-1055, eff. 1-1-07.)
Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved July 16, 2014.
Effective July 16, 2014.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 12-503 as follows:

(625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

Sec. 12-503. Windshields must be unobstructed and equipped with wipers.

(a) No person shall drive a motor vehicle with any sign, poster, window application, reflective material, nonreflective material or tinted film upon the front windshield, except that a nonreflective tinted film may be used along the uppermost portion of the windshield if such material does not extend more than 6 inches down from the top of the windshield.

(a-5) No window treatment or tinting shall be applied to the windows immediately adjacent to each side of the driver, except:

(1) On vehicles where none of the windows to the rear of the driver's seat are treated in a manner that allows less than 30% light transmittance, a nonreflective tinted film that allows at least 50% light transmittance, with a 5% variance observed by any law enforcement official metering the light transmittance, may be used on the vehicle windows immediately adjacent to each side of the driver.

(2) On vehicles where none of the windows to the rear of the driver's seat are treated in a manner that allows less than 35% light transmittance, a nonreflective tinted film that allows at least 35% light transmittance, with a 5% variance observed by any law enforcement official metering the light transmittance, may be used on the vehicle windows immediately adjacent to each side of the driver.

(3) (Blank).

(4) On vehicles where a nonreflective smoked or tinted glass that was originally installed by the manufacturer on the windows to the rear of the driver's seat, a nonreflective tint that allows at least 50% light transmittance, with a 5% variance observed by a law enforcement official metering the light transmittance, may be used on the vehicle windows immediately adjacent to each side of the driver.

(a-10) No person shall install or repair any material prohibited by subsection (a) of this Section.

New matter indicated by italics - deletions by strikeout
(1) Nothing in this subsection shall prohibit a person from removing or altering any material prohibited by subsection (a) to make a motor vehicle comply with the requirements of this Section.

(2) Nothing in this subsection shall prohibit a person from installing window treatment for a person with a medical condition described in subsection (g) of this Section. An installer who installs window treatment for a person with a medical condition described in subsection (g) must obtain a copy of the certified statement or letter written by a physician described in subsection (g) from the person with the medical condition prior to installing the window treatment. The copy of the certified statement or letter must be kept in the installer's permanent records.

(b) On motor vehicles where window treatment has not been applied to the windows immediately adjacent to each side of the driver, the use of a perforated window screen or other decorative window application on windows to the rear of the driver's seat shall be allowed.

(b-5) Any motor vehicle with a window to the rear of the driver's seat treated in this manner shall be equipped with a side mirror on each side of the motor vehicle which are in conformance with Section 12-502.

(c) No person shall drive a motor vehicle with any objects placed or suspended between the driver and the front windshield, rear window, side wings or side windows immediately adjacent to each side of the driver which materially obstructs the driver's view.

(d) Every motor vehicle, except motorcycles, shall be equipped with a device, controlled by the driver, for cleaning rain, snow, moisture or other obstructions from the windshield; and no person shall drive a motor vehicle with snow, ice, moisture or other material on any of the windows or mirrors, which materially obstructs the driver's clear view of the highway.

(e) No person shall drive a motor vehicle when the windshield, side or rear windows are in such defective condition or repair as to materially impair the driver's view to the front, side or rear. A vehicle equipped with a side mirror on each side of the vehicle which are in conformance with Section 12-502 will be deemed to be in compliance in the event the rear window of the vehicle is materially obscured.

(f) Paragraphs (a), (a-5), (b), and (b-5) of this Section shall not apply to:

   (1) (Blank).

   (2) those motor vehicles properly registered in another jurisdiction.

New matter indicated by italics - deletions by strikeout
(g) Paragraphs (a) and (a-5) of this Section shall not apply to window treatment, including but not limited to a window application, nonreflective material, or tinted film, applied or affixed to a motor vehicle for which distinctive license plates or license plate stickers have been issued pursuant to subsection (k) of Section 3-412 of this Code, and which:

(1) is owned and operated by a person afflicted with or suffering from a medical disease, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism, which would require that person to be shielded from the direct rays of the sun; or

(2) is used in transporting a person when the person resides at the same address as the registered owner of the vehicle and the person is afflicted with or suffering from a medical disease which would require the person to be shielded from the direct rays of the sun, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism.

The owner must obtain a certified statement or letter written by a physician licensed to practice medicine in Illinois that such person owning and operating or being transported in a motor vehicle is afflicted with or suffers from such disease, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism. However, no exemption from the requirements of subsection (a-5) shall be granted for any condition, such as light sensitivity, for which protection from the direct rays of the sun can be adequately obtained by the use of sunglasses or other eye protective devices.

Such certification must be carried in the motor vehicle at all times. The certification shall be legible and shall contain the date of issuance, the name, address and signature of the attending physician, and the name, address, and medical condition of the person requiring exemption. The information on the certificate for a window treatment must remain current and shall be renewed every 4 years annually by the attending physician. The owner shall also submit a copy of the certification to the Secretary of State. The Secretary of State may forward notice of certification to law enforcement agencies.

(g-5) (Blank).

(g-7) Installers shall only install window treatment authorized by subsection (g) on motor vehicles for which distinctive plates or license plate stickers have been issued pursuant to subsection (k) of Section 3-412 of this Code.

New matter indicated by italics - deletions by strikeout
Code. The distinctive license plates or plate sticker must be on the motor vehicle at the time of window treatment installation.

(h) Paragraph (a) of this Section shall not apply to motor vehicle stickers or other certificates issued by State or local authorities which are required to be displayed upon motor vehicle windows to evidence compliance with requirements concerning motor vehicles.

(i) (Blank).

(j) A person found guilty of violating paragraphs (a), (a-5), (a-10), (b), (b-5), or (g-7) of this Section shall be guilty of a petty offense and fined no less than $50 nor more than $500. A second or subsequent violation of paragraphs (a), (a-5), (a-10), (b), (b-5), or (g-7) of this Section shall be treated as a Class C misdemeanor and the violator fined no less than $100 nor more than $500. Any person convicted under paragraphs (a), (a-5), (b), or (b-5) of this Section shall be ordered to alter any nonconforming windows into compliance with this Section.

(k) Nothing in this Section shall create a cause of action on behalf of a buyer against a vehicle dealer or manufacturer who sells a motor vehicle with a window which is in violation of this Section.

(l) The Secretary of State shall provide a notice of the requirements of this Section to a new resident applying for vehicle registration in this State pursuant to Section 3-801 of this Code. The Secretary of State may comply with this subsection by posting the requirements of this Section on the Secretary of State's website.

(m) A home rule unit may not regulate motor vehicles in a manner inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 98-153, eff. 1-1-14.)

Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0738
(House Bill No. 5503)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Counties Code is amended by adding Section 6-31012 as follows:

(55 ILCS 5/6-31012 new)

Sec. 6-31012. Audit report disclosure. Each fiscal year, within 60 days of the close of an audit under this Division, the auditor conducting the audit of all of the funds and accounts of a county shall do each of the following:

(1) Provide a copy of any management letter and a copy of any audited financial statements to each member of the county board. If the county maintains an Internet website, the county board shall post this information to its website.

(2) Present the information from the audit to the county board either in person or by a live phone or web connection during a public meeting.

Section 10. The Illinois Municipal Code is amended by adding Section 8-8-10.5 as follows:

(65 ILCS 5/8-8-10.5 new)

Sec. 8-8-10.5. Audit report disclosure. Each fiscal year, within 60 days of the close of an audit under this Act, the auditor conducting the audit of all of the funds and accounts of a municipality shall do each of the following:

(1) Provide a copy of any management letter and a copy of any audited financial statements to each member of the municipality's corporate authorities. If the municipality maintains an Internet website, the corporate authorities shall post this information to its website.

(2) Present the information from the audit to the municipality's corporate authorities either in person or by a live phone or web connection during a public meeting.

Approved July 16, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 2-3.25g, 2-3.32, 2-3.47, 10-22.5a, 14-7.03, 18-4.5, 18-6, 27A-5, 27A-6.5, 27A-7, 27A-9, 27A-11, and 27A-11.5 as follows:

(105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)

Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.

(a) In this Section:

"Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement.

"Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools on behalf of schools and programs operated by the regional office of education.

"Implementation date" has the meaning set forth in Section 24A-2.5 of this Code.

"State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher educator licensure certification, teacher tenure and seniority, or Section 5-2.1 of this Code or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110). Eligible applicants may not seek a waiver or seek a modification of a mandate regarding the requirements for (i) student performance data to be a...
significant factor in teacher or principal evaluations or (ii) for teachers and principals to be rated using the 4 categories of "excellent", "proficient", "needs improvement", or "unsatisfactory". On September 1, 2014, any previously authorized waiver or modification from such requirements shall terminate.

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f may submit an application for a waiver or modification authorized under this Section. Each application must include a written request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason that intent of the mandate can be addressed in a more economical manner shall include in the application a fiscal analysis showing current expenditures on the mandate and projected savings resulting from the waiver or modification. Applications and plans developed by eligible applicants must be approved by the board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following a public hearing on the application and plan and the opportunity for the board or regional superintendent to hear testimony from staff directly involved in its implementation, parents, and students. The time period for such testimony shall be separate from the time period established by the eligible applicant for public comment on other matters. If the applicant is a school district or joint agreement requesting a waiver or modification of Section 27-6 of this Code, the public hearing shall be held on a day other than the day on which a regular meeting of the board is held.

(c-5) If the applicant is a school district, then the district shall post information that sets forth the time, date, place, and general subject matter of the public hearing on its Internet website at least 14 days prior to the hearing. If the district is requesting to increase the fee charged for driver education authorized pursuant to Section 27-24.2 of this Code, the website information shall include the proposed amount of the fee the district will request. All school districts must publish a notice of the public hearing at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing. Districts requesting to increase the fee charged for driver education shall include in the published notice the proposed amount of the fee the district will request. If the applicant is a joint agreement or regional...
superintendent, then the joint agreement or regional superintendent shall post information that sets forth the time, date, place, and general subject matter of the public hearing on its Internet website at least 14 days prior to the hearing. If the joint agreement or regional superintendent is requesting to increase the fee charged for driver education authorized pursuant to Section 27-24.2 of this Code, the website information shall include the proposed amount of the fee the applicant will request. All joint agreements and regional superintendents must publish a notice of the public hearing at least 7 days prior to the hearing in a newspaper of general circulation in each school district that is a member of the joint agreement or that is served by the educational service region that sets forth the time, date, place, and general subject matter of the hearing, provided that a notice appearing in a newspaper generally circulated in more than one school district shall be deemed to fulfill this requirement with respect to all of the affected districts. Joint agreements or regional superintendents requesting to increase the fee charged for driver education shall include in the published notice the proposed amount of the fee the applicant will request. The eligible applicant must notify in writing the affected exclusive collective bargaining agent and those State legislators representing the eligible applicant's territory of its intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from staff. The affected exclusive collective bargaining agents shall be notified of such public hearing at least 7 days prior to the date of the hearing and shall be allowed to attend such public hearing. The eligible applicant shall attest to compliance with all of the notification and procedural requirements set forth in this Section.

(d) A request for a waiver or modification of administrative rules and regulations or for a modification of mandates contained in this School Code shall be submitted to the State Board of Education within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. Except with respect to contracting for adaptive driver education, an eligible applicant wishing to request a modification or waiver of administrative rules of the State Board of Education regarding contracting with a commercial driver training school to provide the course of study authorized under Section 27-24.2 of this Code must provide evidence with its application that the commercial driver training school with which it will contract holds a license issued by the Secretary of State under Article IV of Chapter 6 of the Illinois Vehicle Code and that each instructor employed by the commercial driver training school to provide instruction to students
served by the school district holds a valid teaching certificate or teaching
license, as applicable, issued under the requirements of this Code and rules
of the State Board of Education. Such evidence must include, but need not be
limited to, a list of each instructor assigned to teach students served by the
school district, which list shall include the instructor's name, personal
identification number as required by the State Board of Education, birth date,
and driver's license number. If the modification or waiver is granted, then the
eligible applicant shall notify the State Board of Education of any changes in
the personnel providing instruction within 15 calendar days after an instructor
leaves the program or a new instructor is hired. Such notification shall
include the instructor's name, personal identification number as required by
the State Board of Education, birth date, and driver's license number. If a
school district maintains an Internet website, then the district shall post a
copy of the final contract between the district and the commercial driver
training school on the district's Internet website. If no Internet website exists,
then the district shall make available the contract upon request. A record of
all materials in relation to the application for contracting must be maintained
by the school district and made available to parents and guardians upon
request. The instructor's date of birth and driver's license number and any
other personally identifying information as deemed by the federal Driver's
Privacy Protection Act of 1994 must be redacted from any public materials.
Following receipt of the waiver or modification request, the State Board shall
have 45 days to review the application and request. If the State Board fails to
disapprove the application within that 45 day period, the waiver or
modification shall be deemed granted. The State Board may disapprove any
request if it is not based upon sound educational practices, endangers the
health or safety of students or staff, compromises equal opportunities for
learning, or fails to demonstrate that the intent of the rule or mandate can be
addressed in a more effective, efficient, or economical manner or have
improved student performance as a primary goal. Any request disapproved
by the State Board may be appealed to the General Assembly by the eligible
applicant as outlined in this Section.

A request for a waiver from mandates contained in this School Code
shall be submitted to the State Board within 15 days after approval by the
board or regional superintendent of schools. The application as submitted to
the State Board of Education shall include a description of the public hearing.
The description shall include, but need not be limited to, the means of notice,
the number of people in attendance, the number of people who spoke as
proponents or opponents of the waiver, a brief description of their comments,
and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each March 1 and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within 60 calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such 60 day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

(e) An approved waiver or modification (except a waiver from or modification to a physical education mandate) may remain in effect for a period not to exceed 5 school years and may be renewed upon application by the eligible applicant. However, such waiver or modification may be changed within that 5-year period by a board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following the procedure as set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted. An approved waiver from or modification to a physical education mandate may remain in effect for a period not to exceed 2 school years and may be renewed no more than 2 times upon application by the eligible applicant. An approved waiver from or modification to a physical education mandate may be changed within the 2-year period by the board or regional superintendent of schools, whichever is applicable, following the procedure set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

(f) (Blank).

(Source: P.A. 97-1025, eff. 1-1-13; 98-513, eff. 1-1-14.)

(105 ILCS 5/2-3.32) (from Ch. 122, par. 2-3.32)

Sec. 2-3.32. Auditing department. To maintain a division of audits to consist of one qualified supervisor and junior accountants who are to be competent persons whose duty it shall be to establish a system to perform

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audits, on a sample basis, of all claims for state moneys relative to the public school system of Illinois.
(Source: Laws 1965, p. 1985.)

(105 ILCS 5/2-3.47) (from Ch. 122, par. 2-3.47)

Sec. 2-3.47. The State Board of Education shall annually submit a budget recommendation to the Governor and General Assembly that contains recommendations for funding for pre-school through grade 12.

Comprehensive Educational Plan: The State Board of Education shall analyze the current and anticipated problems and deficiencies, present and future minimum needs and requirements and immediate and future objectives and goals of elementary and secondary education in the State of Illinois, and shall design and prepare a Comprehensive Educational Plan for the development, expansion, integration, coordination, and improved and efficient utilization of the personnel, facilities, revenues, curricula and standards of elementary and secondary education for the public schools in the areas of teaching (including preparation, certification, compensation, classification, performance rating and tenure), administration, program content and enrichment, student academic achievement, class size, transportation, educational finance and budgetary and accounting procedure, and educational policy and resource planning. In formulating the Comprehensive Educational Plan for elementary and secondary education, pre-school through grade 12, in this State, the State Board of Education shall give consideration to disabled, occupational, career and other specialized areas of elementary and secondary education, and further shall consider the problems, requirements and objectives of private elementary and secondary schools within the State as the same relate to the present and future problems, deficiencies, needs, requirements, objectives and goals of the public school system of Illinois. As an integral part of the Comprehensive Educational Plan, the State Board of Education shall develop an annual budget for education for the entire State which details the required, total revenues from all sources and the estimated total expenditures for all purposes under the Comprehensive Educational Plan. The budgets shall specify the amount of revenue projected from each source and the amount of expenditure estimated for each purpose for the fiscal year, and shall specifically relate and identify such projected revenues and estimated expenditures to the particular problem, deficiency, need, requirement, objective or goal set forth in the Comprehensive Educational Plan to which such revenues for expenditures are attributable. The State Board of Education shall prepare and submit to the General Assembly and the Governor drafts of proposed legislation to implement the Comprehensive

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Educational Plan; shall engage in a continuing study, analysis and evaluation of the Comprehensive Educational Plan so designed and prepared; and shall from time to time as required with respect to such annual budgets, and as the State Board of Education shall determine with respect to any proposed amendments or modifications of any Comprehensive Educational Plan enacted by the General Assembly, submit its drafts or recommendations for proposed legislation to the General Assembly and the Governor.

(Source: P.A. 93-21, eff. 7-1-03.)

(105 ILCS 5/10-22.5a) (from Ch. 122, par. 10-22.5a)

Sec. 10-22.5a. Attendance by dependents of United States military personnel, foreign exchange students, and certain nonresident pupils.

(a) To enter into written agreements with cultural exchange organizations, or with nationally recognized eleemosynary institutions that promote excellence in the arts, mathematics, or science. The written agreements may provide for tuition free attendance at the local district school by foreign exchange students, or by nonresident pupils of eleemosynary institutions. The local board of education, as part of the agreement, may require that the cultural exchange program or the eleemosynary institutions provide services to the district in exchange for the waiver of nonresident tuition.

To enter into written agreements with adjacent school districts to provide for tuition free attendance by a student of the adjacent district when requested for the student's health and safety by the student or parent and both districts determine that the student's health or safety will be served by such attendance. Districts shall not be required to enter into such agreements nor be required to alter existing transportation services due to the attendance of such non-resident pupils.

(a-5) If, at the time of enrollment, a dependent of United States military personnel is housed in temporary housing located outside of a school district, but will be living within the district within 60 days after the time of initial enrollment, the dependent must be allowed to enroll, subject to the requirements of this subsection (a-5), and must not be charged tuition. Any United States military personnel attempting to enroll a dependent under this subsection (a-5) shall provide proof that the dependent will be living within the district within 60 days after the time of initial enrollment. Proof of residency may include, but is not limited to, postmarked mail addressed to the military personnel and sent to an address located within the district, a lease agreement for occupancy of a residence located within the district, or proof of ownership of a residence located within the district.

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(b) Nonresident pupils and foreign exchange students attending school on a tuition free basis under such agreements and nonresident dependents of United States military personnel attending school on a tuition free basis may be counted for the purposes of determining the apportionment of State aid provided under Section 18-8.05 of this Code, provided that any cultural exchange organization or eleemosynary institutions wishing to participate in an agreement authorized under this Section must be approved in writing by the State Board of Education. The State Board of Education may establish reasonable rules to determine the eligibility of cultural exchange organizations or eleemosynary institutions wishing to participate in agreements authorized under this Section. No organization or institution participating in agreements authorized under this Section may exclude any individual for participation in its program on account of the person's race, color, sex, religion or nationality.

(Source: P.A. 93-740, eff. 7-15-04.)

(105 ILCS 5/14-7.03) (from Ch. 122, par. 14-7.03)

Sec. 14-7.03. Special Education Classes for Children from Orphanages, Foster Family Homes, Children's Homes, or in State Housing Units. If a school district maintains special education classes on the site of orphanages and children's homes, or if children from the orphanages, children's homes, foster family homes, other State agencies, or State residential units for children attend classes for children with disabilities in which the school district is a participating member of a joint agreement, or if the children from the orphanages, children's homes, foster family homes, other State agencies, or State residential units attend classes for the children with disabilities maintained by the school district, then reimbursement shall be paid to eligible districts in accordance with the provisions of this Section by the Comptroller as directed by the State Superintendent of Education.

The amount of tuition for such children shall be determined by the actual cost of maintaining such classes, using the per capita cost formula set forth in Section 14-7.01, such program and cost to be pre-approved by the State Superintendent of Education.

On forms prepared by the State Superintendent of Education, the district shall certify to the regional superintendent the following:

(1) The name of the home or State residential unit with the name of the owner or proprietor and address of those maintaining it;
(2) That no service charges or other payments authorized by law were collected in lieu of taxes therefrom or on account thereof.

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during either of the calendar years included in the school year for
which claim is being made;

(3) The number of children qualifying under this Act in
special education classes for instruction on the site of the orphanages
and children's homes;

(4) The number of children attending special education classes
for children with disabilities in which the district is a participating
member of a special education joint agreement;

(5) The number of children attending special education classes
for children with disabilities maintained by the district;

(6) The computed amount of tuition payment claimed as due,
as—approved—by—the—State—Superintendent—of—Education—; for
maintaining these classes.

If a school district makes a claim for reimbursement under Section
18-3 or 18-4 of this Act it shall not include in any claim filed under this
Section a claim for such children. Payments authorized by law, including
State or federal grants for education of children included in this Section, shall
be deducted in determining the tuition amount.

Nothing in this Act shall be construed so as to prohibit reimbursement
for the tuition of children placed in for profit facilities. Private facilities shall
provide adequate space at the facility for special education classes provided
by a school district or joint agreement for children with disabilities who are
residents of the facility at no cost to the school district or joint agreement
upon request of the school district or joint agreement. If such a private facility
provides space at no cost to the district or joint agreement for special
education classes provided to children with disabilities who are residents of
the facility, the district or joint agreement shall not include any costs for the
use of those facilities in its claim for reimbursement.

Reimbursement for tuition may include the cost of providing summer
school programs for children with severe and profound disabilities served
under this Section. Claims for that reimbursement shall be filed by November
1 and shall be paid on or before December 15 from appropriations made for
the purposes of this Section.

The State Board of Education shall establish such rules and
regulations as may be necessary to implement the provisions of this Section.

Claims filed on behalf of programs operated under this Section
housed in a jail, detention center, or county-owned shelter care facility shall
be on an individual student basis only for eligible students with disabilities.
These claims shall be in accordance with applicable rules.

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Each district claiming reimbursement for a program operated as a group program shall have an approved budget on file with the State Board of Education prior to the initiation of the program's operation. On September 30, December 31, and March 31, the State Board of Education shall voucher payments to group programs based upon the approved budget during the year of operation. Final claims for group payments shall be filed on or before July 15. Final claims for group programs received at the State Board of Education on or before June 15 shall be vouched by June 30. Final claims received at the State Board of Education between June 16 and July 15 shall be vouched by August 30. Claims for group programs received after July 15 shall not be honored.

Each district claiming reimbursement for individual students shall have the eligibility of those students verified by the State Board of Education. On September 30, December 31, and March 31, the State Board of Education shall voucher payments for individual students based upon an estimated cost calculated from the prior year's claim. Final claims for individual students for the regular school term must be received at the State Board of Education by July 15. Claims for individual students received after July 15 shall not be honored. Final claims for individual students shall be vouched by August 30.

Reimbursement shall be made based upon approved group programs or individual students. The State Superintendent of Education shall direct the Comptroller to pay a specified amount to the district by the 30th day of September, December, March, June, or August, respectively. However, notwithstanding any other provisions of this Section or the School Code, beginning with fiscal year 1994 and each fiscal year thereafter, if the amount appropriated for any fiscal year is less than the amount required for purposes of this Section, the amount required to eliminate any insufficient reimbursement for each district claim under this Section shall be reimbursed on August 30 of the next fiscal year. Payments required to eliminate any insufficiency for prior fiscal year claims shall be made before any claims are paid for the current fiscal year.

The claim of a school district otherwise eligible to be reimbursed in accordance with Section 14-12.01 for the 1976-77 school year but for this amendatory Act of 1977 shall not be paid unless the district ceases to maintain such classes for one entire school year.

If a school district's current reimbursement payment for the 1977-78 school year only is less than the prior year's reimbursement payment owed, the district shall be paid the amount of the difference between the payments.

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in addition to the current reimbursement payment, and the amount so paid shall be subtracted from the amount of prior year's reimbursement payment owed to the district.

Regional superintendents may operate special education classes for children from orphanages, foster family homes, children's homes or State housing units located within the educational services region upon consent of the school board otherwise so obligated. In electing to assume the powers and duties of a school district in providing and maintaining such a special education program, the regional superintendent may enter into joint agreements with other districts and may contract with public or private schools or the orphanage, foster family home, children's home or State housing unit for provision of the special education program. The regional superintendent exercising the powers granted under this Section shall claim the reimbursement authorized by this Section directly from the State Board of Education.

Any child who is not a resident of Illinois who is placed in a child welfare institution, private facility, foster family home, State operated program, orphanage or children's home shall have the payment for his educational tuition and any related services assured by the placing agent.

For each disabled student who is placed in a residential facility by an Illinois public agency or by any court in this State, the costs for educating the student are eligible for reimbursement under this Section.

The district of residence of the disabled student as defined in Section 14-1.11a is responsible for the actual costs of the student's special education program and is eligible for reimbursement under this Section when placement is made by a State agency or the courts.

When a dispute arises over the determination of the district of residence under this Section, the district or districts may appeal the decision in writing to the State Superintendent of Education, who, upon review of materials submitted and any other items or information he or she may request for submission, shall issue a written decision on the matter. The decision of the State Superintendent of Education shall be final.

In the event a district does not make a tuition payment to another district that is providing the special education program and services, the State Board of Education shall immediately withhold 125% of the then remaining annual tuition cost from the State aid or categorical aid payment due to the school district that is determined to be the resident school district. All funds withheld by the State Board of Education shall immediately be forwarded to the school district where the student is being served.

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When a child eligible for services under this Section 14-7.03 must be placed in a nonpublic facility, that facility shall meet the programmatic requirements of Section 14-7.02 and its regulations, and the educational services shall be funded only in accordance with this Section 14-7.03.

(Source: P.A. 95-313, eff. 8-20-07; 95-844, eff. 8-15-08.)

(105 ILCS 5/18-4.5)

Sec. 18-4.5. Home Hospital Grants. Except for those children qualifying under Article 14, school districts shall be eligible to receive reimbursement for all children requiring home or hospital instruction at not more than $1,000 annually per child or $9,000 per teacher, whichever is less.

(Source: P.A. 88-386.)

(105 ILCS 5/18-6) (from Ch. 122, par. 18-6)

Sec. 18-6. Supervisory expenses. The State Board of Education shall annually request an appropriation from the common school fund for regional office of education expenses, aggregating $1,000 per county per year for each educational service region. The State Board of Education shall present vouchers to the Comptroller as soon as may be after the first day of August each year for each regional office of education. Each regional office of education may draw upon these funds for the expenses necessarily incurred in providing for supervisory services in the region.

(Source: P.A. 88-9; 89-397, eff. 8-20-95.)

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(b-5) In this subsection (b-5), "virtual-schooling" means the teaching of courses through online methods with online instructors, rather than the

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instructor and student being at the same physical location. "Virtual-
schooling" includes without limitation instruction provided by full-time,
online virtual schools.

From April 1, 2013 through April 1, 2014, there is a moratorium on
the establishment of charter schools with virtual-schooling components in
school districts other than a school district organized under Article 34 of this
Code. This moratorium does not apply to a charter school with virtual-
schooling components existing or approved prior to April 1, 2013 or to the
renewal of the charter of a charter school with virtual-schooling components
already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the
General Assembly a report on the effect of virtual-schooling, including
without limitation the effect on student performance, the costs associated
with virtual-schooling, and issues with oversight. The report shall include
policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board
of directors or other governing body in the manner provided in its charter.
The governing body of a charter school shall be subject to the Freedom of
Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety
requirements applicable to public schools under the laws of the State of
Illinois.

(e) Except as otherwise provided in the School Code, a charter school
shall not charge tuition; provided that a charter school may charge reasonable
fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and
operation of its fiscal affairs including, but not limited to, the preparation of
its budget. An audit of each charter school’s finances shall be conducted
annually by an outside, independent contractor retained by the charter school.
Annually, by December 1, every charter school must submit to the State
Board a copy of its audit and a copy of the Form 990 the charter school filed
that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article,
the Illinois Educational Labor Relations Act, and its charter. A charter school
is exempt from all other State laws and regulations in the School Code
governing public schools and local school board policies, except the
following:

(1) Sections 10-21.9 and 34-18.5 of the School Code
regarding criminal history records checks and checks of the Statewide
Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 24-24 and 34-84A of the School Code regarding discipline of students;

(3) The Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) The Abused and Neglected Child Reporting Act;

(6) The Illinois School Student Records Act;

(7) Section 10-17a of the School Code regarding school report cards; and

(8) The P-20 Longitudinal Education Data System Act.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the

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charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)

(105 ILCS 5/27A-6.5)

Sec. 27A-6.5. Charter school referendum.

(a) No charter shall go into effect be approved under this Section that would convert any existing private, parochial, or non-public school to a charter school or whose proposal has not been certified by the State Board.

(b) A local school board shall, whenever petitioned to do so by 5% or more of the voters of a school district or districts identified in a charter school proposal, order submitted to the voters thereof at a regularly scheduled election the question of whether a new charter school shall be established, which proposal has been found certified by the Commission State Board to be in compliance with the provisions of this Article, and the secretary shall certify the proposition to the proper election authorities for submission in accordance with the general election law. The proposition shall be in substantially the following form:

"FOR the establishment of (name of proposed charter school) under charter school proposal (charter school proposal number)."

AGAINST the establishment of (name of proposed charter school) under charter school proposal (charter school proposal number)"

(c) Before circulating a petition to submit the question of whether to establish a charter school to the voters under subsection (b) of this Section, the governing body of a proposed charter school that desires to establish a new charter school by referendum shall submit the charter school proposal to the Commission State Board in the form of a proposed contract to be entered into between the Commission State Board and the governing body of the proposed charter school, as provided under Section 27A-6; together with written notice of the intent to have a new charter school established by referendum. The contract shall comply with the provisions of this Article.

New matter indicated by italics - deletions by strikeout
If the Commission State Board finds that the proposed contract complies with the provisions of this Article, it shall immediately certify that the proposed contract complies with the provisions of this Article and direct the local school board to notify the proper election authorities that the question of whether to establish a new charter school shall be submitted for referendum.

(d) If the Commission State Board finds that the proposal fails to comply with the provisions of this Article, it shall refuse to certify the proposal and provide written explanation, detailing its reasons for refusal, to the local school board and to the individuals or organizations submitting the proposal. The Commission State Board shall also notify the local school board and the individuals or organizations submitting the proposal that the proposal may be amended and resubmitted under the same provisions required for an original submission.

(e) If a majority of the votes cast upon the proposition in each school district designated in the charter school proposal is in favor of establishing a charter school, the local school board shall notify the State Board and the Commission of the passage of the proposition in favor of establishing a charter school and the Commission State Board shall approve the charter within 7 days after the State Board of Elections has certified that a majority of the votes cast upon the proposition is in favor of establishing a charter school. The Commission State Board shall be the chartering entity for charter schools established by referendum under this Section.

(f) The State Board shall determine whether the charter proposal approved by the Commission is consistent with the provisions of this Article and, if the approved proposal complies, certify the proposal pursuant to this Article.

(Source: P.A. 91-407, eff. 8-3-99.)

(105 ILCS 5/27A-7)

Sec. 27A-7. Charter submission.

(a) A proposal to establish a charter school shall be submitted to the State Board and the local school board and the State Board for certification under Section 27A-6 of this Code in the form of a proposed contract entered into between the local school board and the governing body of a proposed charter school. The charter school proposal as submitted to the State Board shall include:

(1) The name of the proposed charter school, which must include the words "Charter School".

New matter indicated by italics - deletions by strikeout
(2) The age or grade range, areas of focus, minimum and maximum numbers of pupils to be enrolled in the charter school, and any other admission criteria that would be legal if used by a school district.

(3) A description of and address for the physical plant in which the charter school will be located; provided that nothing in the Article shall be deemed to justify delaying or withholding favorable action on or approval of a charter school proposal because the building or buildings in which the charter school is to be located have not been acquired or rented at the time a charter school proposal is submitted or approved or a charter school contract is entered into or submitted for certification or certified, so long as the proposal or submission identifies and names at least 2 sites that are potentially available as a charter school facility by the time the charter school is to open.

(4) The mission statement of the charter school, which must be consistent with the General Assembly's declared purposes; provided that nothing in this Article shall be construed to require that, in order to receive favorable consideration and approval, a charter school proposal demonstrate unequivocally that the charter school will be able to meet each of those declared purposes, it being the intention of the Charter Schools Law that those purposes be recognized as goals that charter schools must aspire to attain.

(5) The goals, objectives, and pupil performance standards to be achieved by the charter school.

(6) In the case of a proposal to establish a charter school by converting an existing public school or attendance center to charter school status, evidence that the proposed formation of the charter school has received the approval of certified teachers, parents and guardians, and, if applicable, a local school council as provided in subsection (b) of Section 27A-8.

(7) A description of the charter school's educational program, pupil performance standards, curriculum, school year, school days, and hours of operation.

(8) A description of the charter school's plan for evaluating pupil performance, the types of assessments that will be used to measure pupil progress towards achievement of the school's pupil performance standards, the timeline for achievement of those standards, and the procedures for taking corrective action in the event

New matter indicated by italics - deletions by strikeout
(9) Evidence that the terms of the charter as proposed are economically sound for both the charter school and the school district, a proposed budget for the term of the charter, a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school district, are to be conducted, and a plan for the displacement of pupils, teachers, and other employees who will not attend or be employed in the charter school.

(10) A description of the governance and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school.

(11) An explanation of the relationship that will exist between the charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees and their recognized representative, if any. However, a bargaining unit of charter school employees shall be separate and distinct from any bargaining units formed from employees of a school district in which the charter school is located.

(12) An agreement between the parties regarding their respective legal liability and applicable insurance coverage.

(13) A description of how the charter school plans to meet the transportation needs of its pupils, and a plan for addressing the transportation needs of low-income and at-risk pupils.

(14) The proposed effective date and term of the charter; provided that the first day of the first academic year and the first day of the fiscal year shall be no earlier than August 15 and no later than September 15 of a calendar year.

(15) Any other information reasonably required by the State Board of Education.

(b) A proposal to establish a charter school may be initiated by individuals or organizations that will have majority representation on the board of directors or other governing body of the corporation or other discrete legal entity that is to be established to operate the proposed charter school, by a board of education or an intergovernmental agreement between or among boards of education, or by the board of directors or other governing body of a discrete legal entity already existing or established to operate the proposed
charter school. The individuals or organizations referred to in this subsection may be school teachers, school administrators, local school councils, colleges or universities or their faculty members, public community colleges or their instructors or other representatives, corporations, or other entities or their representatives. The proposal shall be submitted to the local school board for consideration and, if appropriate, for development of a proposed contract to be submitted to the State Board for certification under Section 27A-6.

(c) The local school board may not without the consent of the governing body of the charter school condition its approval of a charter school proposal on acceptance of an agreement to operate under State laws and regulations and local school board policies from which the charter school is otherwise exempted under this Article.

(Source: P.A. 90-548, eff. 1-1-98; 91-405, eff. 8-3-99.)

(105 ILCS 5/27A-9)

Sec. 27A-9. Term of charter; renewal.

(a) A charter may be granted for a period not less than 5 and not more than 10 school years. A charter may be renewed in incremental periods not to exceed 5 school years.

(b) A charter school renewal proposal submitted to the local school board or the Commission, as the chartering entity, shall contain:

(1) A report on the progress of the charter school in achieving the goals, objectives, pupil performance standards, content standards, and other terms of the initial approved charter proposal; and

(2) A financial statement that discloses the costs of administration, instruction, and other spending categories for the charter school that is understandable to the general public and that will allow comparison of those costs to other schools or other comparable organizations, in a format required by the State Board.

(c) A charter may be revoked or not renewed if the local school board or the Commission, as the chartering entity, clearly demonstrates that the charter school did any of the following, or otherwise failed to comply with the requirements of this law:

(1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

(2) Failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter.

(3) Failed to meet generally accepted standards of fiscal management.

New matter indicated by italics - deletions by strikeout
(4) Violated any provision of law from which the charter school was not exempted.

In the case of revocation, the local school board or the Commission, as the chartering entity, shall notify the charter school in writing of the reason why the charter is subject to revocation. The charter school shall submit a written plan to the local school board or the Commission, whichever is applicable, to rectify the problem. The plan shall include a timeline for implementation, which shall not exceed 2 years or the date of the charter's expiration, whichever is earlier. If the local school board or the Commission, as the chartering entity, finds that the charter school has failed to implement the plan of remediation and adhere to the timeline, then the chartering entity shall revoke the charter. Except in situations of an emergency where the health, safety, or education of the charter school's students is at risk, the revocation shall take place at the end of a school year. Nothing in this amendatory Act of the 96th General Assembly shall be construed to prohibit an implementation timetable that is less than 2 years in duration.

(d) (Blank).

(e) Notice of a local school board's decision to deny, revoke or not to renew a charter shall be provided to the Commission and the State Board. The Commission may reverse a local board's decision if the Commission finds that the charter school or charter school proposal (i) is in compliance with this Article, and (ii) is in the best interests of the students it is designed to serve. The Commission may condition the granting of an appeal on the acceptance by the charter school of funding in an amount less than that requested in the proposal submitted to the local school board. Final decisions of the Commission shall be subject to judicial review under the Administrative Review Law.

(f) Notwithstanding other provisions of this Article, if the Commission on appeal reverses a local board's decision or if a charter school is approved by referendum, the Commission shall act as the authorized chartering entity for the charter school. The Commission shall approve the charter and shall perform all functions under this Article otherwise performed by the local school board. The State Board shall determine whether the charter proposal approved by the Commission is consistent with the provisions of this Article and, if the approved proposal complies, certify the proposal pursuant to this Article. The State Board shall report the aggregate number of charter school pupils resident in a school district to that district and shall notify the district of the amount of funding to be paid by the State Board to the charter school enrolling such students. The

New matter indicated by italics - deletions by strikeout
Commission shall require the charter school to maintain accurate records of daily attendance that shall be deemed sufficient to file claims under Section 18-8.05 notwithstanding any other requirements of that Section regarding hours of instruction and teacher certification. The State Board shall withhold from funds otherwise due the district the funds authorized by this Article to be paid to the charter school and shall pay such amounts to the charter school.

(g) For charter schools authorized by the Commission, the Commission shall quarterly certify to the State Board the student enrollment for each of its charter schools.

(h) For charter schools authorized by the Commission, the State Board shall pay directly to a charter school any federal or State aid attributable to a student with a disability attending the school.

(Source: P.A. 96-105, eff. 7-30-09; 97-152, eff. 7-20-11.)

(105 ILCS 5/27A-11)

Sec. 27A-11. Local financing.

(a) For purposes of the School Code, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which the pupil resides. Each charter school (i) shall determine the school district in which each pupil who is enrolled in the charter school resides, (ii) shall report the aggregate number of pupils resident of a school district who are enrolled in the charter school to the school district in which those pupils reside, and (iii) shall maintain accurate records of daily attendance that shall be deemed sufficient to file claims under Section 18-8 notwithstanding any other requirements of that Section regarding hours of instruction and teacher certification.

(b) Except for a charter school established by referendum under Section 27A-6.5, as part of a charter school contract, the charter school and the local school board shall agree on funding and any services to be provided by the school district to the charter school. Agreed funding that a charter school is to receive from the local school board for a school year shall be paid in equal quarterly installments with the payment of the installment for the first quarter being made not later than July 1, unless the charter establishes a different payment schedule.

All services centrally or otherwise provided by the school district including, but not limited to, rent, food services, custodial services, maintenance, curriculum, media services, libraries, transportation, and warehousing shall be subject to negotiation between a charter school and the local school board and paid for out of the revenues negotiated pursuant to this subsection (b); provided that the local school board shall not attempt, by

New matter indicated by italics - deletions by strikeout
negotiation or otherwise, to obligate a charter school to provide pupil transportation for pupils for whom a district is not required to provide transportation under the criteria set forth in subsection (a)(13) of Section 27A-7.

In no event shall the funding be less than 75% or more than 125% of the school district's per capita student tuition multiplied by the number of students residing in the district who are enrolled in the charter school.

It is the intent of the General Assembly that funding and service agreements under this subsection (b) shall be neither a financial incentive nor a financial disincentive to the establishment of a charter school.

The charter school may set and collect reasonable fees. Fees collected from students enrolled at a charter school shall be retained by the charter school.

(c) Notwithstanding subsection (b) of this Section, the proportionate share of State and federal resources generated by students with disabilities or staff serving them shall be directed to charter schools enrolling those students by their school districts or administrative units. The proportionate share of moneys generated under other federal or State categorical aid programs shall be directed to charter schools serving students eligible for that aid.

(d) The governing body of a charter school is authorized to accept gifts, donations, or grants of any kind made to the charter school and to expend or use gifts, donations, or grants in accordance with the conditions prescribed by the donor; however, a gift, donation, or grant may not be accepted by the governing body if it is subject to any condition contrary to applicable law or contrary to the terms of the contract between the charter school and the local school board. Charter schools shall be encouraged to solicit and utilize community volunteer speakers and other instructional resources when providing instruction on the Holocaust and other historical events.

(e) (Blank).

(f) The Commission State Board shall provide technical assistance to persons and groups preparing or revising charter applications.

(g) At the non-renewal or revocation of its charter, each charter school shall refund to the local board of education all unspent funds.

(h) A charter school is authorized to incur temporary, short term debt to pay operating expenses in anticipation of receipt of funds from the local school board.

(Source: P.A. 90-548, eff. 1-1-98; 90-757, eff. 8-14-98; 91-407, eff. 8-3-99.)

(105 ILCS 5/27A-11.5)

New matter indicated by italics - deletions by strikeout
Sec. 27A-11.5. State financing. The State Board of Education shall make the following funds available to school districts and charter schools:

(1) From a separate appropriation made to the State Board for purposes of this subdivision (1), the State Board shall make transition impact aid available to school districts that approve a new charter school or that have funds withheld by the State Board to fund a new charter school that is chartered by the Commission State Board. The amount of the aid shall equal 90% of the per capita funding paid to the charter school during the first year of its initial charter term, 65% of the per capita funding paid to the charter school during the second year of its initial term, and 35% of the per capita funding paid to the charter school during the third year of its initial term. This transition impact aid shall be paid to the local school board in equal quarterly installments, with the payment of the installment for the first quarter being made by August 1st immediately preceding the first, second, and third years of the initial term. The district shall file an application for this aid with the State Board in a format designated by the State Board. If the appropriation is insufficient in any year to pay all approved claims, the impact aid shall be prorated. However, for fiscal year 2004, the State Board of Education shall pay approved claims only for charter schools with a valid charter granted prior to June 1, 2003. If any funds remain after these claims have been paid, then the State Board of Education may pay all other approved claims on a pro rata basis. Transition impact aid shall be paid beginning in the 1999-2000 school year for charter schools that are in the first, second, or third year of their initial term. Transition impact aid shall not be paid for any charter school that is proposed and created by one or more boards of education, as authorized under the provisions of Public Act 91-405.

(2) From a separate appropriation made for the purpose of this subdivision (2), the State Board shall make grants to charter schools to pay their start-up costs of acquiring educational materials and supplies, textbooks, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, furniture, and other equipment needed during their initial term. The State Board shall annually establish the time and manner of application for these grants, which shall not exceed $250 per student enrolled in the charter school.

New matter indicated by italics - deletions by strikeout
(3) The Charter Schools Revolving Loan Fund is created as a special fund in the State treasury. Federal funds, such other funds as may be made available for costs associated with the establishment of charter schools in Illinois, and amounts repaid by charter schools that have received a loan from the Charter Schools Revolving Loan Fund shall be deposited into the Charter Schools Revolving Loan Fund, and the moneys in the Charter Schools Revolving Loan Fund shall be appropriated to the State Board and used to provide interest-free loans to charter schools. These funds shall be used to pay start-up costs of acquiring educational materials and supplies, textbooks, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, furniture, and other equipment needed in the initial term of the charter school and for acquiring and remodeling a suitable physical plant, within the initial term of the charter school. Loans shall be limited to one loan per charter school and shall not exceed $250 per student enrolled in the charter school. A loan shall be repaid by the end of the initial term of the charter school. The State Board may deduct amounts necessary to repay the loan from funds due to the charter school or may require that the local school board that authorized the charter school deduct such amounts from funds due the charter school and remit these amounts to the State Board, provided that the local school board shall not be responsible for repayment of the loan. The State Board may use up to 3% of the appropriation to contract with a non-profit entity to administer the loan program.

(4) A charter school may apply for and receive, subject to the same restrictions applicable to school districts, any grant administered by the State Board that is available for school districts.

(Source: P.A. 96-1403, eff. 7-29-10.)

Section 10. The Vocational Education Act is amended by changing Section 2.1 as follows:

(105 ILCS 435/2.1) (from Ch. 122, par. 697.1)

Sec. 2.1. Gender Equity Advisory Committee.

(a) The Superintendent of the State Board of Education shall appoint a Gender Equity Advisory Committee of at least 9 members to advise and consult with the State Board of Education and the gender equity coordinator in all aspects relating to ensuring that all students have equal educational opportunities to pursue high wage, high skill occupations leading to economic self-sufficiency.

New matter indicated by italics - deletions by strikeout
(b) Membership shall include without limitation one regional gender equity coordinator, 2 State Board of Education employees, an appointee of the Director of Labor, the Department of Labor's Displaced Homemaker Program Manager, and 5 citizen appointees who have expertise in one or more of the following areas: nontraditional training and placement, service delivery to single parents, service delivery to displaced homemakers, service delivery to female teens, business and industry experience, and Education-to-Careers experience. Membership also may include employees from the Department of Commerce and Economic Opportunity, the Department of Human Services, and the Illinois Community College Board who have expertise in one or more of the areas listed in this subsection (b) for the citizen appointees. Appointments shall be made taking into consideration expertise of services provided in secondary, postsecondary and community based programs.

(c) Members shall initially be appointed to one year terms commencing in January 1, 1990, and thereafter to two year terms commencing on January 1 of each odd numbered year. Vacancies shall be filled as prescribed in subsection (b) for the remainder of the unexpired term.

(d) Each newly appointed committee shall elect a Chair and Secretary from its members. Members shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their duties. The Committee shall meet at least bi-annually and at other times at the call of the Chair or at the request of the gender equity coordinator.

(Source: P.A. 94-793, eff. 5-19-06.)

(105 ILCS 5/2-3.70 rep.)
(105 ILCS 5/18-8.1 rep.)

Section 15. The School Code is amended by repealing Sections 2-3.70 and 18-8.1.

(105 ILCS 215/Act rep.)
Section 20. The Chicago Community Schools Study Commission Act is repealed.

(105 ILCS 225/Act rep.)
Section 25. The Education Cost-Effectiveness Agenda Act is repealed.

(105 ILCS 415/Act rep.)
Section 30. The Conservation Education Act is repealed.

Section 99. Effective date. This Act takes effect July 1, 2014.

INDEX
Statutes amended in order of appearance

New matter indicated by italics - deletions by strikeout
105 ILCS 5/2-3.25g from Ch. 122, par. 2-3.25g
105 ILCS 5/2-3.32 from Ch. 122, par. 2-3.32
105 ILCS 5/2-3.47 from Ch. 122, par. 2-3.47
105 ILCS 5/10-22.5a from Ch. 122, par. 10-22.5a
105 ILCS 5/14-7.03 from Ch. 122, par. 14-7.03
105 ILCS 5/18-4.5
105 ILCS 5/18-6 from Ch. 122, par. 18-6
105 ILCS 5/27A-5
105 ILCS 5/27A-6.5
105 ILCS 5/27A-7
105 ILCS 5/27A-9
105 ILCS 5/27A-11
105 ILCS 5/27A-11.5
105 ILCS 435/2.1 from Ch. 122, par. 697.1
105 ILCS 5/2-3.70 rep.
105 ILCS 5/18-8.1 rep.
105 ILCS 215/Act rep.
105 ILCS 225/Act rep.
105 ILCS 415/Act rep.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0740
(House Bill No. 5606)

AN ACT concerning wages.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Prevailing Wage Act is amended by changing Section 2 as follows:
(820 ILCS 130/2) (from Ch. 48, par. 39s-2)
Sec. 2. This Act applies to the wages of laborers, mechanics and other workers employed in any public works, as hereinafter defined, by any public body and to anyone under contracts for public works. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.
As used in this Act, unless the context indicates otherwise:

New matter indicated by italics - deletions by strikeout
"Public works" means all fixed works constructed or demolished by any public body, or paid for wholly or in part out of public funds. "Public works" as defined herein includes all projects financed in whole or in part with bonds, grants, loans, or other funds made available by or through the State or any of its political subdivisions, including but not limited to: bonds issued under the Industrial Project Revenue Bond Act (Article 11, Division 74 of the Illinois Municipal Code), the Industrial Building Revenue Bond Act, the Illinois Finance Authority Act, the Illinois Sports Facilities Authority Act, or the Build Illinois Bond Act; loans or other funds made available pursuant to the Build Illinois Act; loans or other funds made available pursuant to the Riverfront Development Fund under Section 10-15 of the River Edge Redevelopment Zone Act; or funds from the Fund for Illinois’ Future under Section 6z-47 of the State Finance Act, funds for school construction under Section 5 of the General Obligation Bond Act, funds authorized under Section 3 of the School Construction Bond Act, funds for school infrastructure under Section 6z-45 of the State Finance Act, and funds for transportation purposes under Section 4 of the General Obligation Bond Act. "Public works" also includes (i) all projects financed in whole or in part with funds from the Department of Commerce and Economic Opportunity under the Illinois Renewable Fuels Development Program Act for which there is no project labor agreement; (ii) all work performed pursuant to a public private agreement under the Public Private Agreements for the Illiana Expressway Act or the Public-Private Agreements for the South Suburban Airport Act; and (iii) all projects undertaken under a public-private agreement under the Public-Private Partnerships for Transportation Act. "Public works" also includes all projects at leased facility property used for airport purposes under Section 35 of the Local Government Facility Lease Act. "Public works" also includes the construction of a new wind power facility by a business designated as a High Impact Business under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act. "Public works" does not include work done directly by any public utility company, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds. "Public works" also includes any corrective action performed pursuant to Title XVI of the Environmental Protection Act for which payment from the Underground Storage Tank Fund is requested. "Public works" does not include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multi-family residence. "Public works" does not include work performed for soil and water conservation purposes on agricultural lands, whether or not done under public supervision.
or paid for wholly or in part out of public funds, done directly by an owner or person who has legal control of those lands.

"Construction" means all work on public works involving laborers, workers or mechanics. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

"Locality" means the county where the physical work upon public works is performed, except (1) that if there is not available in the county a sufficient number of competent skilled laborers, workers and mechanics to construct the public works efficiently and properly, "locality" includes any other county nearest the one in which the work or construction is to be performed and from which such persons may be obtained in sufficient numbers to perform the work and (2) that, with respect to contracts for highway work with the Department of Transportation of this State, "locality" may at the discretion of the Secretary of the Department of Transportation be construed to include two or more adjacent counties from which workers may be accessible for work on such construction.

"Public body" means the State or any officer, board or commission of the State or any political subdivision or department thereof, or any institution supported in whole or in part by public funds, and includes every county, city, town, village, township, school district, irrigation, utility, reclamation improvement or other district and every other political subdivision, district or municipality of the state whether such political subdivision, municipality or district operates under a special charter or not.

The terms "general prevailing rate of hourly wages", "general prevailing rate of wages" or "prevailing rate of wages" when used in this Act mean the hourly cash wages plus annualized fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works.

(Source: P.A. 97-502, eff. 8-23-11; 98-109, eff. 7-25-13; 98-482, eff. 1-1-14; revised 9-24-13.)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Illinois Municipal Code is amended by changing Section 11-12-5 as follows:
(65 ILCS 5/11-12-5) (from Ch. 24, par. 11-12-5)
Sec. 11-12-5. Every plan commission and planning department
authorized by this division 12 has the following powers and whenever in this
division 12 the term plan commission is used such term shall be deemed to
include the term planning department:
(1) To prepare and recommend to the corporate authorities a
comprehensive plan for the present and future development or redevelopment
of the municipality. Such plan may be adopted in whole or in separate
geographical or functional parts, each of which, when adopted, shall be the
official comprehensive plan, or part thereof, of that municipality. This plan
may include reasonable requirements with reference to streets, alleys, public
grounds, and other improvements hereinafter specified. The plan, as
recommended by the plan commission and as thereafter adopted in any
municipality in this state, may be made applicable, by the terms thereof, to
land situated within the corporate limits and contiguous territory not more
than one and one-half miles beyond the corporate limits and not included in
any municipality. Such plan may be implemented by ordinances (a)
establishing reasonable standards of design for subdivisions and for
resubdivisions of unimproved land and of areas subject to redevelopment in
respect to public improvements as herein defined; (b) establishing reasonable
requirements governing the location, width, course, and surfacing of public
streets and highways, alleys, ways for public service facilities, curbs, gutters,
sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be
used for residential purposes, storm water drainage, water supply and
distribution, sanitary sewers, and sewage collection and treatment; and (c)
may designate land suitable for annexation to the municipality and the
recommended zoning classification for such land upon annexation.
(2) To recommend changes, from time to time, in the official
comprehensive plan.

New matter indicated by italics - deletions by strikeout
(3) To prepare and recommend to the corporate authorities, from time to time, plans for specific improvements in pursuance of the official comprehensive plan.

(4) To give aid to the municipal officials charged with the direction of projects for improvements embraced within the official plan, to further the making of these projects, and, generally, to promote the realization of the official comprehensive plan.

(5) To prepare and recommend to the corporate authorities schemes for regulating or forbidding structures or activities which may hinder access to solar energy necessary for the proper functioning of solar energy systems, as defined in Section 1.2 of The Comprehensive Solar Energy Act of 1977, or to recommend changes in such schemes.

(6) To exercise such other powers germane to the powers granted by this article as may be conferred by the corporate authorities.

(7) For purposes of implementing ordinances regarding developer donations or impact fees, and specifically for expenditures thereof, "school grounds" is defined as including land or site improvements, which include school buildings or other infrastructure, including technological infrastructure, necessitated and specifically and uniquely attributed to the development or subdivision in question. This amendatory Act of the 93rd General Assembly applies to all impact fees or developer donations paid into a school district or held in a separate account or escrow fund by any school district or municipality for a school district.

(Source: P.A. 93-330, eff. 7-24-03.)

Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0742
(House Bill No. 5679)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

(110 ILCS 305/8a rep.)
Section 5. The University of Illinois Act is amended by repealing Section 8a.
(110 ILCS 520/8d rep.)

New matter indicated by italics - deletions by strikeout
Section 10. The Southern Illinois University Management Act is amended by repealing Section 8d.
   (110 ILCS 660/5-80 rep.)
Section 15. The Chicago State University Law is amended by repealing Section 5-80.
   (110 ILCS 665/10-80 rep.)
Section 20. The Eastern Illinois University Law is amended by repealing Section 10-80.
   (110 ILCS 670/15-80 rep.)
Section 25. The Governors State University Law is amended by repealing Section 15-80.
   (110 ILCS 675/20-80 rep.)
Section 30. The Illinois State University Law is amended by repealing Section 20-80.
   (110 ILCS 680/25-80 rep.)
Section 35. The Northeastern Illinois University Law is amended by repealing Section 25-80.
   (110 ILCS 685/30-80 rep.)
Section 40. The Northern Illinois University Law is amended by repealing Section 30-80.
   (110 ILCS 690/35-80 rep.)
Section 45. The Western Illinois University Law is amended by repealing Section 35-80.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0743
(ANOuHf Bill No. 5688)

AN ACT concerning law enforcement officers.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Law Enforcement Officer Bulletproof Vest Act.
Section 5. Definitions. As used in this Act:
"Armor vest" or "bulletproof vest" means body armor, no less than Type I, which has been tested through the voluntary compliance testing

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program operated by the National Law Enforcement and Corrections Technology Center of the National Institute of Justice, and found to meet or exceed the requirements of National Institute of Justice Standard 0101.03, or any subsequent revision of that standard.

"Law enforcement agency" means an agency of this State or unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

"Law enforcement officer" means any officer, agent, or employee of this State or a unit of local government authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders.

"Recruit" means any full-time or part-time law enforcement officer or full-time county corrections officer who is enrolled in an approved training course.

Section 10. Law enforcement agencies to provide bulletproof vests for officers.

(a) Each law enforcement agency within this State shall provide a bulletproof vest for every law enforcement officer of that agency who is employed as a new recruit by that agency on or after the effective date of this Act as part of the officer's initial equipment issue.

(b) All officer bulletproof vests shall be replaced before or at the expiration of the warranty period of the vest at the expense of the law enforcement agency.

(c) The State or unit of local government which has jurisdiction over the law enforcement agency shall apply to the United States Department of Justice under the Bulletproof Vest Partnership Grant Act of 1998 or a successor Act for matching grants of the purchase price of the bulletproof vests for the officers of the law enforcement agency.

(d) If the law enforcement agency is a local law enforcement agency and not a State agency, the costs of purchasing the bulletproof vests shall be from State funds and from the funds of the unit of local government, including the matching grants received from the United States Department of Justice.

Section 15. Applicability. If substantial funding for the purchase of bulletproof vests is provided to law enforcement agencies by the federal government and State government, the law enforcement agency shall comply with the provisions of this Act. This Act does not apply to a law enforcement agency if any one of the following is applicable:

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(1) substantial funding, as determined by the Illinois Law Enforcement Training Standards Board, is not provided to that agency by the federal and State government;

(2) the law enforcement agency collectively bargains with its officers or exclusive representative of the officers for uniform allowances, and bulletproof vests are considered to be a part of the uniform for which the allowance is given; or

(3) the law enforcement agency collectively bargains with its officers or exclusive representative of the officers for the provision of bulletproof vests.

Section 905. The Illinois Police Training Act is amended by changing Section 9 as follows:

(50 ILCS 705/9) (from Ch. 85, par. 509)

Sec. 9. A special fund is hereby established in the State Treasury to be known as "The Traffic and Criminal Conviction Surcharge Fund" and shall be financed as provided in Section 9.1 of this Act and Section 5-9-1 of the "Unified Code of Corrections", unless the fines, costs or additional amounts imposed are subject to disbursement by the circuit clerk under Section 27.5 of the Clerks of Courts Act. Moneys in this Fund shall be expended as follows:

(1) A portion of the total amount deposited in the Fund may be used, as appropriated by the General Assembly, for the ordinary and contingent expenses of the Illinois Law Enforcement Training Standards Board;

(2) A portion of the total amount deposited in the Fund shall be appropriated for the reimbursement of local governmental agencies participating in training programs certified by the Board, in an amount equaling 1/2 of the total sum paid by such agencies during the State's previous fiscal year for mandated training for probationary police officers or probationary county corrections officers and for optional advanced and specialized law enforcement or county corrections training. These reimbursements may include the costs for tuition at training schools, the salaries of trainees while in schools, and the necessary travel and room and board expenses for each trainee. If the appropriations under this paragraph (2) are not sufficient to fully reimburse the participating local governmental agencies, the available funds shall be apportioned among such agencies, with priority first given to repayment of the costs of mandatory training given to law enforcement officer or county...
corrections officer recruits, then to repayment of costs of advanced or specialized training for permanent police officers or permanent county corrections officers;

(3) A portion of the total amount deposited in the Fund may be used to fund the "Intergovernmental Law Enforcement Officer's In-Service Training Act", veto overridden October 29, 1981, as now or hereafter amended, at a rate and method to be determined by the board;

(4) A portion of the Fund also may be used by the Illinois Department of State Police for expenses incurred in the training of employees from any State, county or municipal agency whose function includes enforcement of criminal or traffic law;

(5) A portion of the Fund may be used by the Board to fund grant-in-aid programs and services for the training of employees from any county or municipal agency whose functions include corrections or the enforcement of criminal or traffic law; and

(6) For fiscal years 2013 and 2014 only, a portion of the Fund also may be used by the Department of State Police to finance any of its lawful purposes or functions; and:

(7) A portion of the Fund may be used by the Board, subject to appropriation, to administer grants to local law enforcement agencies for the purpose of purchasing bulletproof vests under the Law Enforcement Officer Bulletproof Vest Act.

All payments from the Traffic and Criminal Conviction Surcharge Fund shall be made each year from moneys appropriated for the purposes specified in this Section. No more than 50% of any appropriation under this Act shall be spent in any city having a population of more than 500,000. The State Comptroller and the State Treasurer shall from time to time, at the direction of the Governor, transfer from the Traffic and Criminal Conviction Surcharge Fund to the General Revenue Fund in the State Treasury such amounts as the Governor determines are in excess of the amounts required to meet the obligations of the Traffic and Criminal Conviction Surcharge Fund. (Source: P.A. 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

Approved July 16, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning courts.

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

Section 5. The Circuit Courts Act is amended by changing Section 2f-10 as follows:

(705 ILCS 35/2f-10)
Sec. 2f-10. 16th and 23rd judicial circuits.

(a) On December 3, 2012, the 16th judicial circuit is divided into the 16th and 23rd judicial circuits as provided in Section 1 of the Circuit Courts Act. This division does not invalidate any action taken by the 16th judicial circuit or any of its judges, officers, employees, or agents before December 3, 2012. This division does not affect any person's rights, obligations, or duties, including applicable civil and criminal penalties, arising out of any action taken by the 16th judicial circuit or any of its judges, officers, employees, or agents before December 3, 2012.

(b) The 16th circuit shall have one additional resident judgeship to be allotted by the Supreme Court under subsection (d). The additional resident judgeship shall be filled by election beginning at the 2012 general election.

(c) The 16th circuit shall have an additional resident judgeship from Kendall County to be allotted by the Supreme Court. The additional judgeship shall be filled by election beginning at the 2012 general election. This judgeship shall become a resident judgeship from Kendall County in the 23rd circuit on December 3, 2012.

(d) The Supreme Court shall allot: (i) all vacancies in at large judgeships or resident judgeships from the County of Kane of the 16th circuit occurring after the 2012 general election, excluding the vacancy in subsection (e); and (ii) the one resident judgeship added by subsection (b), for election from the various subcircuits until there are 2 resident judges to be elected from each subcircuit. The additional resident judgeship added by subsection (b) that shall be filled by election beginning at the 2012 general election shall be assigned to subcircuit 2 for election. The Supreme Court may fill the judgeship by appointment prior to the 2012 general election. The vacancies allotted by the Supreme Court under this subsection shall become resident judgeships of the 16th circuit to be assigned to the 3rd, 1st, and 4th subcircuits in that order. Subcircuit judgeships in the 3rd, 1st, and 4th subcircuits shall be filled by election as vacancies occur. No resident judge

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of the 16th circuit serving on the effective date of this amendatory Act of the 97th General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section. As used in this subsection, a vacancy does not include the expiration of a term of an at large judge or of a resident judge who intends to seek retention in that office at the next term.

(e) The Supreme Court shall assign to the 16th circuit the 7 circuit judgeships elected at large in the 16th circuit before and at the 2012 general election. The 3 resident judgeships elected from Kane County before the 2012 general election shall become at large circuit judgeships on December 3, 2012. An individual seeking election to one of the 7 judgeships at large or a judge seeking retention to one of the 7 judgeships at large at the 2012 general election shall seek election or retention solely within the boundaries of Kane County. The 7 circuit judgeships assigned to the 16th circuit shall continue to be elected at large, and the 3 resident judges shall be elected at large at the first general election following the expiration of a term of office. Of the 7 circuit judgeships elected at large as of April 15, 2011, and the 3 resident judgeships elected from Kane County before the general election of 2012 converting to at large judgeships on December 3, 2012, the first vacancy occurring after December 3, 2012 shall be assigned to the 23rd circuit as a Kendall County resident judge. As used in this subsection, a vacancy does not include the expiration of a term of an at large judge or of a resident judge who intends to seek retention in that office at the next term.

(f) The 3 resident judgeships elected from DeKalb County before the 2012 general election shall become resident judgeships from DeKalb County in the 23rd circuit on December 3, 2012, and the 2 resident judgeships elected from Kendall County before the 2012 general election shall become resident judgeships from Kendall County in the 23rd circuit on December 3, 2012.

(g) The 4 subcircuit judgeships of the 16th circuit elected as of April 15, 2011, shall become the 4 subcircuit judgeships of the 16th circuit as established in Section 2f-9. The remaining unfilled subcircuit judgeship of the 16th circuit as of April 15, 2011 shall be eliminated. If the judgeship of the 5th subcircuit of the 16th circuit is filled prior to the effective date of this amendatory Act of the 97th General Assembly, that judgeship shall be eliminated on December 3, 2012.

(h) On December 3, 2012, the Supreme Court shall allocate the associate judgeships of the 16th circuit before that date between the 16th and

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23rd circuits. The number of associate judges allocated to the 23rd circuit shall be no less than 5.

(i) On December 3, 2012, the Supreme Court shall allocate personnel, books, records, documents, property (real and personal), funds, assets, liabilities, and pending matters concerning the 16th circuit before that date between the 16th and 23rd circuits based on the population and staffing needs of those circuits and the efficient and proper administration of the judicial system. The rights of employees under applicable collective bargaining agreements are not affected by this amendatory Act of the 97th General Assembly.

(j) The judgeships set forth in this Section include the judgeships authorized under Sections 2g, 2h, 2j, 2k, 2m, and 2n. The judgeships authorized in those Sections are not in addition to those set forth in this Section.

(k) Of the 23rd circuit's associate judgeships, the first associate judgeship that is or becomes vacant on or after the effective date of this amendatory Act of the 98th General Assembly shall become a resident judgeship from DeKalb County in the 23rd circuit. The additional resident judgeship shall be filled by election beginning at the 2016 general election. The Supreme Court may fill the judgeship by appointment prior to the 2016 general election. As used in this subsection, a vacancy does not include the expiration of a term of a resident judge who seeks retention in that office at the next term. A vacancy does not exist or occur at the expiration of an associate judge's term if the associate judge is reappointed. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term, or when a new judgeship is authorized under subsection (a) of Section 2 of the Associate Judges Act but is not filled.

(Source: P.A. 97-81, eff. 8-26-11; 97-585, eff. 8-26-11.)

Section 10. The Judicial Vacancies Act is amended by changing Section 2 as follows:

(705 ILCS 40/2) (from Ch. 37, par. 72.42)

Sec. 2. (a) Except as provided in paragraphs (1), (2), (3), (4), and (5) of this subsection (a), vacancies in the office of a resident circuit judge in any county or in any unit or subcircuit of any circuit shall not be filled.

(1) If in any county of less than 45,000 inhabitants there remains in office no other resident judge following the occurrence of a vacancy, such vacancy shall be filled.

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(2) If in any county of 45,000 or more but less than 60,000 inhabitants there remains in office only one resident judge following the occurrence of a vacancy, such vacancy shall be filled.

(3) If in any county of 60,000 or more inhabitants, other than the County of Cook or as provided in paragraph (5), there remain in office no more than 2 resident judges following the occurrence of a vacancy, such vacancy shall be filled.

(4) The County of Cook shall have 165 resident judges on and after the effective date of this amendatory Act of 1990. Of those resident judgeships, (i) 56 shall be those authorized before the effective date of this amendatory Act of 1990 from the unit of the Circuit of Cook County within Chicago, (ii) 27 shall be those authorized before the effective date of this amendatory Act of 1990 from the unit of the Circuit of Cook County outside Chicago, (iii) 12 shall be additional resident judgeships first elected at the general election in November of 1992, (iv) 10 shall be additional resident judgeships first elected at the general election in November of 1994, and (v) 60 shall be additional resident judgeships to be authorized one each for each reduction upon vacancy in the office of associate judge in the Circuit of Cook County as those vacancies exist or occur on and after the effective date of this amendatory Act of 1990 and as those vacancies are determined under subsection (b) of Section 2 of the Associate Judges Act until the total resident judgeships authorized under this item (v) is 60. Seven of the 12 additional resident judgeships provided in item (iii) may be filled by appointment by the Supreme Court during the period beginning on the effective date of this amendatory Act of 1990 and ending 60 days before the primary election in March of 1992; those judicial appointees shall serve until the first Monday in December of 1992. Five of the 12 additional resident judgeships provided in item (iii) may be filled by appointment by the Supreme Court during the period beginning July 1, 1991 and ending 60 days before the primary election in March of 1992; those judicial appointees shall serve until the first Monday in December of 1992. Five of the 10 additional resident judgeships provided in item (iv) may be filled by appointment by the Supreme Court during the period beginning July 1, 1992 and ending 60 days before the primary election in March of 1994; those judicial appointees shall serve until the first Monday in December of 1994. The remaining 5 of the 10 additional resident judgeships provided in

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item (iv) may be filled by appointment by the Supreme Court during the period beginning July 1, 1993 and ending 60 days before the primary election in March of 1994; those judicial appointees shall serve until the first Monday in December 1994. The additional resident judgeships created upon vacancy in the office of associate judge provided in item (v) may be filled by appointment by the Supreme Court beginning on the effective date of this amendatory Act of 1990; but no additional resident judgeships created upon vacancy in the office of associate judge provided in item (v) shall be filled during the 59 day period before the next primary election to nominate judges. The Circuit of Cook County shall be divided into units to be known as subcircuits as provided in Section 2f of the Circuit Courts Act. A vacancy in the office of resident judge of the Circuit of Cook County existing on or occurring on or after the effective date of this amendatory Act of 1990, but before the date the subcircuits are created by law, shall be filled by appointment by the Supreme Court from the unit within Chicago or the unit outside Chicago, as the case may be, in which the vacancy occurs and filled by election from the subcircuit to which it is allotted under Section 2f of the Circuit Courts Act. A vacancy in the office of resident judge of the Circuit of Cook County existing on or occurring on or after the date the subcircuits are created by law shall be filled by appointment by the Supreme Court and by election from the subcircuit to which it is allotted under Section 2f of the Circuit Courts Act.

(5) Notwithstanding paragraphs (1), (2), and (3) of this subsection (a), resident judges in the 12th, 16th, 17th, 19th, and 22nd, and 23rd judicial circuits are as provided in Sections 2f-1, 2f-2, 2f-4, 2f-5, 2f-6, and 2f-9, and 2f-10 of the Circuit Courts Act.

(b) Nothing in paragraphs (2) or (3) of subsection (a) of this Section shall be construed to require or permit in any county a greater number of resident judges than there were resident associate judges on January 1, 1967.

(c) Vacancies authorized to be filled by this Section 2 shall be filled in the manner provided in Article VI of the Constitution.

(d) A person appointed to fill a vacancy in the office of circuit judge shall be, at the time of appointment, a resident of the subcircuit from which the person whose vacancy is being filled was elected if the vacancy occurred in a circuit divided into subcircuits. If a vacancy in the office of circuit judge occurred in a circuit not divided into subcircuits, a person appointed to fill the vacancy shall be, at the time of appointment, a resident of the circuit from

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which the person whose vacancy is being filled was elected. Except as provided in Sections 2f-1, 2f-2, 2f-4, 2f-5, 2f-6, and 2f-9 of the Circuit Courts Act, if a vacancy occurred in the office of a resident circuit judge, a person appointed to fill the vacancy shall be, at the time of appointment, a resident of the county from which the person whose vacancy is being filled was elected.

(Source: P.A. 93-541, eff. 8-18-03; 93-1102, eff. 4-7-05.)

Section 15. The Associate Judges Act is amended by changing Section 2 as follows:

(705 ILCS 45/2) (from Ch. 37, par. 160.2)

Sec. 2. (a) The maximum number of associate judges authorized for each circuit is the greater of the applicable minimum number specified in this Section or one for each 35,000 or fraction thereof in population as determined by the last preceding Federal census, except for circuits with a population of more than 3,000,000 where the maximum number of associate judges is one for each 29,000 or fraction thereof in population as determined by the last preceding federal census, reduced in circuits of less than 200,000 inhabitants by the number of resident circuit judges elected in the circuit in excess of one per county. In addition, in circuits of 1,000,000 or more inhabitants, there shall be one additional associate judge authorized for each municipal district of the circuit court. The number of associate judges to be appointed in each circuit, not to exceed the maximum authorized, shall be determined from time to time by the Circuit Court. The minimum number of associate judges authorized for any circuit consisting of a single county shall be 14, except that the minimum in the 22nd circuit shall be 8 and except that the minimum in the 19th circuit on and after December 4, 2006 shall be 20. The minimum number of associate judges authorized for any circuit consisting of 2 counties with a combined population of at least 275,000 but less than 300,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 303,000, but not more than 335,000 shall be 11. The minimum number of associate judges authorized for any circuit with a population of at least 173,000 shall be 5. As used in this Section, the term "resident circuit judge" has the meaning given it in the Judicial Vacancies Act.

(b) The maximum number of associate judges authorized under subsection (a) for a circuit with a population of more than 3,000,000 shall be reduced as provided in this subsection (b). For each vacancy that exists on or
occurs on or after the effective date of this amendatory Act of 1990, that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 60. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

(c) The maximum number of associate judges authorized under subsection (a) for the 17th judicial circuit shall be reduced as provided in this subsection (c). Due to the vacancy that exists on or after the effective date of this amendatory Act of the 93rd General Assembly in the associate judgeship that is converted into a resident judgeship under subsection (a-10) of Section 2f-6 of the Circuit Courts Act, the maximum number of judges authorized under subsection (a) of this Section shall be reduced by one. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

(d) The maximum number of associate judges authorized under subsection (a) for the 23rd judicial circuit shall be reduced as provided in this subsection (d). Due to the vacancy that exists on or after the effective date of this amendatory Act of the 98th General Assembly in the associate judgeship that is converted into a resident judgeship under subsection (k) of Section 2f-10 of the Circuit Courts Act, the maximum number of judges authorized under subsection (a) of this Section shall be reduced by one.

(Source: P.A. 92-17, eff. 6-28-01; 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0745
(House Bill No. 5864)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Safety Agency Network Act is amended by changing Sections 15, 20, 30, and 35 as follows:

(50 ILCS 752/15)

New matter indicated by italics - deletions by strikeout
Sec. 15. Partnership established. A not-for-profit corporation to be known as "Illinois Public Safety Agency Network" shall be created. IPSAN shall be incorporated under the General Not for Profit Corporation Act of 1986 and shall be registered, incorporated, organized, and operated in compliance with the laws of this State. IPSAN shall not be a State agency but shall have statewide jurisdiction to fulfill the findings and purpose declared in Section 10. The General Assembly determines, however, that public policy dictates that IPSAN operate in the most open and accessible manner consistent with its public purpose. To this end, the General Assembly specifically declares that IPSAN and its Board and Advisory Committee shall adopt and adhere to the provisions of the General Not for Profit Corporation Act of 1986 and related regulations promulgated by the Secretary of State, the Open Meetings Act, the State Records Act, and the Freedom of Information Act. IPSAN shall establish one or more corporate offices as determined by the Board.

(Source: P.A. 94-896, eff. 7-1-06.)

(50 ILCS 752/20)

Sec. 20. Board of directors. IPSAN shall be governed by a board of directors. The IPSAN Board shall consist of 6 voting members. Three members shall be voting members, 2 of whom shall be appointed by the Illinois Sheriffs' Association, and 3 members of whom shall be appointed by the Illinois Association of Chiefs of Police. To the extent practical, voting members should be active or retired chiefs of police or sheriffs, should represent Statewide interests of the Associations that appointed them, and should attend board meetings, and 3 of whom shall be appointed by the Illinois Fire Chiefs Association, all of those Associations consisting of representatives of criminal justice agencies that are the users of criminal justice information systems developed and operated for them by the Authority before the effective date of this Act or by the IPSAN on or after the effective date of this Act. Voting members shall be appointed in such a fashion as to guarantee the representation of all 3 systems (ALERTS, ALECS, and PIMS). The Director of Corrections, the Director of the Illinois Emergency Management Agency, the Director of the Illinois State Police, the Sheriff of Cook County, and the Superintendent of the Chicago Police Department, or the designee of each, may be invited by the board of directors to serve as non-voting ex officio members. The Executive Director appointed under Section 30 of this Act shall serve as a non-voting ex-officio member of the board.

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Members shall serve terms of one year at the pleasure of the Association making the appointment, but shall be eligible for re-appointment. Of the initial members appointed, 6 members shall serve 4-year terms and 3 members shall serve 2-year terms, as designated by the respective Associations. Thereafter, members appointed shall serve 4-year terms. A vacancy among members appointed shall be filled in the same manner as the original by appointment for the remainder of the vacated term.

Members of the Board shall receive no compensation but shall be reimbursed for reasonable expenses incurred in the performance of their duties. However, a board member who is a retired chief of police or retired sheriff may be entitled to reimbursement for services provided to or on behalf of IPSAN as may be appropriate.

The Board shall designate a temporary president chair of the Board from among the members, who shall serve until a permanent president chair is elected by the Board of Directors. The Board shall meet at the call of the president, or as otherwise provided in the bylaws, rules, and policies of the board chair.

IPSAN shall comply with reporting requirements under the General Not for Profit Corporation Act of 1986 and related regulations promulgated by the Secretary of State. The Executive Director appointed under Section 30 of this Act shall have the authority to sign and file all required reports.

Not less than 90 days after a majority of the members of the Board of Directors of the IPSAN are appointed, the Board shall develop a policy adopted by resolution of the Board stating the Board's plan for the use of services provided by businesses owned by minorities, females, and persons with disabilities, as defined under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. The Board shall provide a copy of this resolution to the Governor and the General Assembly upon its adoption.

On December 31 of each year, the Board shall report to the General Assembly and the Governor regarding the use of services provided by businesses owned by minorities, females, and persons with disabilities, as defined under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(Source: P.A. 94-896, eff. 7-1-06.)

(50 ILCS 752/30)

Sec. 30. Powers of the Board of Directors. The Board of Directors shall have the power to:

New matter indicated by italics - deletions by strikeout
(1) Secure funding for programs and activities of IPSAN from federal, State, local, and private sources and from fees charged for services and published materials; solicit, receive, hold, invest, and administer any grant. Such grants shall include federal and State grants for enhancements to public safety communications and management systems, and the promotion of interoperability between all public safety disciplines throughout the State; administer any payment, or gift of funds or property; execute a note or notes and to execute a mortgage or trust deed to secure the payment of the same with real estate, or some part thereof, or personal property owned by the corporation. Proceeds of the note or notes may be used in the acquisition of personal property or of real estate or in the erection of improvements on such real estate; and make expenditures consistent with the powers granted to it.

(2) Make and enter into contracts, agreements, and other instruments necessary or convenient for the exercise of its powers and to facilitate the use by the members of IPSAN of other criminal justice information systems and networks.

(2.5) Purchase or lease either real or personal property to be used for corporate purposes. Such purchases or leases shall be made through contracts that provide for the consideration for any such purchase or lease to be paid through installments to be made at stated intervals during a certain period of time. In no case shall such contracts provide for the consideration to be paid during a period of time in excess of 25 years.

(3) Sue and be sued, and appear and defend in all actions and proceedings, in its corporate name to the same extent as a natural person.

(4) Adopt, use, and alter a common corporate seal for IPSAN.

(5) Elect, employ, or appoint officers and agents as its affairs require and allow them reasonable compensation.

(6) Adopt, amend, and repeal bylaws and policies, not inconsistent with the powers granted to it or the articles of incorporation, for the administration of the affairs of IPSAN and the exercise of its corporate powers.

(7) Acquire, enjoy, use, and dispose of patents, copyrights, and trademarks and any licenses, radio frequencies, royalties, and other rights or interests thereunder or therein.

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(8) Do all acts and things necessary or convenient to carry out the powers granted to it.

(9) Appoint an Executive Director who shall serve as the Chief Operations Officer of IPSAN and who shall direct and supervise the administrative affairs and activities of the Board and of IPSAN, in accordance with this Act and the Board's bylaws, rules, and policies.

(Source: P.A. 94-896, eff. 7-1-06.)

(50 ILCS 752/35)
Sec. 35. Finances; audits; annual report.
(a) (Blank).
(b) The current balance of the Criminal Justice Information Systems Trust Fund upon the effective date of this Act and all future moneys deposited into that Fund shall be promptly transferred to the IPSAN operating fund by the State Treasurer notwithstanding current obligations as determined by the IPSAN Board in cooperation with the Authority.

(b) IPSAN may accept funds, grants, gifts, and services from the government of the United States or its agencies, from this State or its departments, agencies, or instrumentalities, from any other governmental unit, and from private and civic sources for the purpose of funding any projects authorized by this Act.

(c) (Blank).

(d) The Board shall arrange for the annual financial audit of IPSAN by one or more independent certified public accountants in accordance with generally accepted accounting principles. The annual audit results shall be included in the annual report required under subsection (e) of this Section.

(e) IPSAN shall report annually on its activities and finances to the Governor and the members of the General Assembly.

(f) IPSAN shall comply with reporting requirements as prescribed in the General Not for Profit Corporation Act of 1986 and related regulations promulgated by the Secretary of State.

(Source: P.A. 94-896, eff. 7-1-06.)

Approved July 16, 2014.
Effective July 16, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 6-113 as follows:

(625 ILCS 5/6-113) (from Ch. 95 1/2, par. 6-113)

Sec. 6-113. Restricted licenses and permits.

(a) The Secretary of State upon issuing a drivers license or permit shall have the authority whenever good cause appears to impose restrictions suitable to the licensee's driving ability with respect to the type of, or special mechanical control devices required on, a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the Secretary of State may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) The Secretary of State may either issue a special restricted license or permit or may set forth such restrictions upon the usual license or permit form.

(c) The Secretary of State may issue a probationary license to a person whose driving privileges have been suspended pursuant to subsection (d) of this Section or subsection (a)(2) of Section 6-206 of this Code. This subsection (c) does not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle. The Secretary of State shall promulgate rules pursuant to the Illinois Administrative Procedure Act, setting forth the conditions and criteria for the issuance and cancellation of probationary licenses.

(d) The Secretary of State may upon receiving satisfactory evidence of any violation of the restrictions of such license or permit suspend, revoke or cancel the same without preliminary hearing, but the licensee or permittee shall be entitled to a hearing as in the case of a suspension or revocation.

(e) It is unlawful for any person to operate a motor vehicle in any manner in violation of the restrictions imposed on a restricted license or permit issued to him.

(f) Whenever the holder of a restricted driving permit is issued a citation for any of the following offenses including similar local ordinances, the restricted driving permit is immediately invalidated:

New matter indicated by italics - deletions by strikeout
1. Reckless homicide resulting from the operation of a motor vehicle;
   2. Violation of Section 11-501 of this Act relating to the operation of a motor vehicle while under the influence of intoxicating liquor or narcotic drugs;
   3. Violation of Section 11-401 of this Act relating to the offense of leaving the scene of a traffic accident involving death or injury;
   4. Violation of Section 11-504 of this Act relating to the offense of drag racing; or
   5. Violation of Section 11-506 of this Act relating to the offense of street racing.

The police officer issuing the citation shall confiscate the restricted driving permit and forward it, along with the citation, to the Clerk of the Circuit Court of the county in which the citation was issued.

(g) The Secretary of State may issue a special restricted license for a period of 12 months to individuals using vision aid arrangements other than standard eyeglasses or contact lenses, allowing the operation of a motor vehicle during nighttime hours. The Secretary of State shall adopt rules defining the terms and conditions by which the individual may obtain and renew this special restricted license. At a minimum, all drivers must meet the following requirements:

1. Possess a valid driver's license and have operated a motor vehicle during daylight hours for a period of 12 months using vision aid arrangements other than standard eyeglasses or contact lenses.
2. Have a driving record that does not include any traffic accidents that occurred during nighttime hours, for which the driver has been found to be at fault, during the 12 months before he or she applied for the special restricted license.
3. Successfully complete a road test administered during nighttime hours.

At a minimum, all drivers renewing this license must meet the following requirements:

1. Successfully complete a road test administered during nighttime hours.
2. Have a driving record that does not include any traffic accidents that occurred during nighttime hours, for which the driver has been found to be at fault, during the 12 months before he or she applied for the special restricted license.

New matter indicated by italics - deletions by strikeout
(h) Any driver issued a special restricted license as defined in
subsection (g) whose privilege to drive during nighttime hours has been
suspended due to an accident occurring during nighttime hours may request
a hearing as provided in Section 2-118 of this Code to contest that
suspension. If it is determined that the accident for which the driver was at
fault was not influenced by the driver's use of vision aid arrangements other
than standard eyeglasses or contact lenses, the Secretary may reinstate that
driver's privilege to drive during nighttime hours.

(i) The Secretary of State may issue a special restricted training
permit for a period of 6 months to individuals using vision aid arrangements
other than standard eyeglasses or contact lenses, allowing the operation of
a motor vehicle between sunset and 10:00 p.m. provided the driver is
accompanied by a person holding a valid driver's license without nighttime
operation restrictions. The Secretary may adopt rules defining the terms and
conditions by which the individual may obtain and renew this special
restricted training permit. At a minimum, all persons applying for a special
restricted training permit must meet the following requirements:

1. Possess a valid driver's license and have operated a motor
   vehicle during daylight hours for a period of 6 months using vision
   aid arrangements other than standard eyeglasses or contact lenses.

2. Have a driving record that does not include any traffic
   accidents, for which the person has been found to be at fault, during
   the 6 months before he or she applied for the special restricted
   training permit.

(Source: P.A. 97-229, eff. 7-28-11.)

Passed in the General Assembly May 23, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0747
(House Bill No. 5897)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections
6-113 and 6-201 as follows:
(625 ILCS 5/6-113) (from Ch. 95 1/2, par. 6-113)
Sec. 6-113. Restricted licenses and permits.

New matter indicated by italics - deletions by strikeout
(a) The Secretary of State upon issuing a drivers license or permit shall have the authority whenever good cause appears to impose restrictions suitable to the licensee's driving ability with respect to the type of, or special mechanical control devices required on, a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the Secretary of State may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) The Secretary of State may either issue a special restricted license or permit or may set forth such restrictions upon the usual license or permit form.

(c) The Secretary of State may issue a probationary license to a person whose driving privileges have been suspended pursuant to subsection (d) of this Section or subsection (a)(2) of Section 6-206 of this Code. This subsection (c) does not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle. The Secretary of State shall promulgate rules pursuant to the Illinois Administrative Procedure Act, setting forth the conditions and criteria for the issuance and cancellation of probationary licenses.

(d) The Secretary of State may upon receiving satisfactory evidence of any violation of the restrictions of such license or permit suspend, revoke or cancel the same without preliminary hearing, but the licensee or permittee shall be entitled to a hearing as in the case of a suspension or revocation.

(e) It is unlawful for any person to operate a motor vehicle in any manner in violation of the restrictions imposed on a restricted license or permit issued to him.

(f) Whenever the holder of a restricted driving permit is issued a citation for any of the following offenses including similar local ordinances, the restricted driving permit is immediately invalidated:

1. Reckless homicide resulting from the operation of a motor vehicle;
2. Violation of Section 11-501 of this Act relating to the operation of a motor vehicle while under the influence of intoxicating liquor or narcotic drugs;
3. Violation of Section 11-401 of this Act relating to the offense of leaving the scene of a traffic accident involving death or injury;
4. Violation of Section 11-504 of this Act relating to the offense of drag racing; or

New matter indicated by italics - deletions by strikeout
5. Violation of Section 11-506 of this Act relating to the offense of street racing.

The police officer issuing the citation shall confiscate the restricted driving permit and forward it, along with the citation, to the Clerk of the Circuit Court of the county in which the citation was issued.

(g) The Secretary of State may issue a special restricted license for a period of 48 months to individuals using vision aid arrangements other than standard eyeglasses or contact lenses, allowing the operation of a motor vehicle during nighttime hours. The Secretary of State shall adopt rules defining the terms and conditions by which the individual may obtain and renew this special restricted license. At a minimum, all drivers must meet the following requirements:

1. Possess a valid driver's license and have operated a motor vehicle during daylight hours for a period of 12 months using vision aid arrangements other than standard eyeglasses or contact lenses.

2. Have a driving record that does not include any traffic accidents that occurred during nighttime hours, for which the driver has been found to be at fault, during the 12 months before he or she applied for the special restricted license.

3. Successfully complete a road test administered during nighttime hours.

The special restricted license holder must submit to the Secretary annually a vision specialist report from his or her ophthalmologist or optometrist that the special restricted license holder's vision has not changed. If the special restricted license holder fails to submit this vision specialist report the special restricted license shall be cancelled under Section 6-201 of this Code.

At a minimum, all drivers renewing this license must meet the following requirements:

1. Successfully complete a road test administered during nighttime hours.

2. Have a driving record that does not include any traffic accidents that occurred during nighttime hours, for which the driver has been found to be at fault, during the 12 months before he or she applied for the special restricted license.

(h) Any driver issued a special restricted license as defined in subsection (g) whose privilege to drive during nighttime hours has been suspended due to an accident occurring during nighttime hours may request a hearing as provided in Section 2-118 of this Code to contest that
suspension. If it is determined that the accident for which the driver was at fault was not influenced by the driver's use of vision aid arrangements other than standard eyeglasses or contact lenses, the Secretary may reinstate that driver's privilege to drive during nighttime hours.

(Source: P.A. 97-229, eff. 7-28-11.)

(625 ILCS 5/6-201)

(Text of Section before amendment by P.A. 98-176)

Sec. 6-201. Authority to cancel licenses and permits.

(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:

1. was not entitled to the issuance thereof hereunder; or

2. failed to give the required or correct information in his application; or

3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or

4. committed any fraud in the making of such application; or

5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or

6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or

7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public

New matter indicated by italics - deletions by strikeout
safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow transportation for the petitioner or a household member of the petitioner's family for the receipt of necessary medical care, or provide transportation for the petitioner to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or for the petitioner to attend classes, as a student, in an accredited educational institution. The petitioner must demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under this Code; or

8. failed to submit a report as required by Section 6-116.5 of this Code; or

9. has been convicted of a sex offense as defined in the Sex Offender Registration Act. The driver's license shall remain cancelled until the driver registers as a sex offender as required by the Sex Offender Registration Act, proof of the registration is furnished to the Secretary of State and the sex offender provides proof of current address to the Secretary; or

New matter indicated by italics - deletions by strikeout
10. is ineligible for a license or permit under Section 6-107, 6-107.1, or 6-108 of this Code; or
11. refused or neglected to appear at a Driver Services facility to have the license or permit corrected and a new license or permit issued or to present documentation for verification of identity; or
12. failed to submit a medical examiner's certificate or medical variance as required by 49 C.F.R. 383.71 or submitted a fraudulent medical examiner's certificate or medical variance; or
13. has had his or her medical examiner's certificate, medical variance, or both removed or rescinded by the Federal Motor Carrier Safety Administration; or
14. failed to self-certify as to the type of driving in which the CDL driver engages or expects to engage; or
15. has submitted acceptable documentation indicating out-of-state residency to the Secretary of State to be released from the requirement of showing proof of financial responsibility in this State.

(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.

(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.

(d) The Secretary of State may adopt rules to implement this Section.

(Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11; 97-813, eff. 7-13-12; 97-835, eff. 7-20-12; 98-178, eff. 1-1-14.)

(Text of Section after amendment by P.A. 98-176)
Sec. 6-201. Authority to cancel licenses and permits.
(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:
1. was not entitled to the issuance thereof hereunder; or
2. failed to give the required or correct information in his application; or
3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or
4. committed any fraud in the making of such application; or
5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or

New matter indicated by italics - deletions by strikeout
6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or

7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow transportation for the petitioner or a household member of the petitioner's family for the receipt of necessary medical care, or provide transportation for the petitioner to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or for the petitioner to attend classes, as a student, in an accredited educational institution. The petitioner must demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license.

New matter indicated by italics - deletions by strikeout
license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under this Code; or

8. failed to submit a report as required by Section 6-116.5 of this Code; or

9. has been convicted of a sex offense as defined in the Sex Offender Registration Act. The driver's license shall remain cancelled until the driver registers as a sex offender as required by the Sex Offender Registration Act, proof of the registration is furnished to the Secretary of State and the sex offender provides proof of current address to the Secretary; or

10. is ineligible for a license or permit under Section 6-107, 6-107.1, or 6-108 of this Code; or

11. refused or neglected to appear at a Driver Services facility to have the license or permit corrected and a new license or permit issued or to present documentation for verification of identity; or

12. failed to submit a medical examiner's certificate or medical variance as required by 49 C.F.R. 383.71 or submitted a fraudulent medical examiner's certificate or medical variance; or

13. has had his or her medical examiner's certificate, medical variance, or both removed or rescinded by the Federal Motor Carrier Safety Administration; or

14. failed to self-certify as to the type of driving in which the CDL driver engages or expects to engage; or

15. has submitted acceptable documentation indicating out-of-state residency to the Secretary of State to be released from the requirement of showing proof of financial responsibility in this State; or

16. **was convicted of fraud relating to the testing or issuance of a CDL or CLP, in which case only the CDL or CLP shall**

New matter indicated by italics - deletions by strikeout
be cancelled. After cancellation, the Secretary shall not issue a CLP or CDL for a period of one year from the date of cancellation; or:

17. has a special restricted license under subsection (g) of Section 6-113 of this Code and failed to submit the required annual vision specialist report that the special restricted license holder's vision has not changed; or

18. has a special restricted license under subsection (g) of Section 6-113 of this Code and was convicted or received court supervision for a violation of this Code that occurred during nighttime hours or was involved in a motor vehicle accident during nighttime hours in which the restricted license holder was at fault.

(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.

(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.

(d) The Secretary of State may adopt rules to implement this Section.

(Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11; 97-813, eff. 7-13-12; 97-835, eff. 7-20-12; 98-176, eff. 7-1-14; 98-178, eff. 1-1-14; revised 9-19-13.)

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

Passed in the General Assembly May 23, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 2012 is amended by changing Section 21-5 as follows:

(720 ILCS 5/21-5) (from Ch. 38, par. 21-5)
Sec. 21-5. Criminal Trespass to State Supported Land.

New matter indicated by italics - deletions by strikeout
(a) A person commits criminal trespass to State supported land when he or she enters upon land supported in whole or in part with State funds, or federal funds administered or granted through State agencies or any building on the land, after receiving, prior to the entry, notice from the State or its representative that the entry is forbidden, or remains upon the land or in the building after receiving notice from the State or its representative to depart, and who thereby interferes with another person's lawful use or enjoyment of the building or land.

A person has received notice from the State within the meaning of this subsection if he or she has been notified personally, either orally or in writing, or if a printed or written notice forbidding entry to him or her or a group of which he or she is a part, has been conspicuously posted or exhibited at the main entrance to the land or the forbidden part thereof.

(a-5) A person commits criminal trespass to State supported land when he or she enters upon a right of way, including facilities and improvements thereon, owned, leased, or otherwise used by a public body or district organized under the Metropolitan Transit Authority Act, the Local Mass Transit District Act, or the Regional Transportation Authority Act, after receiving, prior to the entry, notice from the public body or district, or its representative, that the entry is forbidden, or the person remains upon the right of way after receiving notice from the public body or district, or its representative, to depart, and in either of these instances intends to compromise public safety by causing a delay in transit service lasting more than 15 minutes or destroying property.

A person has received notice from the public body or district within the meaning of this subsection if he or she has been notified personally, either orally or in writing, or if a printed or written notice forbidding entry to him or her has been conspicuously posted or exhibited at any point of entrance to the right of way or the forbidden part of the right of way.

As used in this subsection (a-5), "right of way" has the meaning ascribed to it in Section 18c-7502 of the Illinois Vehicle Code.

(b) A person commits criminal trespass to State supported land when he or she enters upon land supported in whole or in part with State funds, or federal funds administered or granted through State agencies or any building on the land by presenting false documents or falsely representing his or her identity orally to the State or its representative in order to obtain permission from the State or its representative to enter the building or land; or remains upon the land or in the building by presenting false documents or falsely representing his or her identity orally to the State or its representative in order

New matter indicated by italics - deletions by strikeout
to remain upon the land or in the building, and who thereby interferes with another person's lawful use or enjoyment of the building or land.

This subsection does not apply to a peace officer or other official of a unit of government who enters upon land supported in whole or in part with State funds, or federal funds administered or granted through State agencies or any building on the land in the performance of his or her official duties.

(c) Sentence. Criminal trespass to State supported land is a Class A misdemeanor, except a violation of subsection (a-5) of this Section is a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation.

(Source: P.A. 97-1108, eff. 1-1-13.)

Passed in the General Assembly May 29, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0749

(House Bill No. 5938)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 5. CONVEYANCE AND ENCUMBRANCE OF MANUFACTURED HOMES AS REAL PROPERTY AND SEVERANCE ACT

Section 5-1. Short title. This Act may be cited as the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. All references in this Article to "this Act" mean this Article.

Section 5-2. Findings and purpose.
(a) The General Assembly finds that there is a need to clarify the legal status of manufactured homes affixed or to be affixed to real property in the State.

(b) The purpose of this Act is to establish a clear statutory procedure for converting to real property manufactured homes located outside of mobile home parks that are affixed to real property and for the severance of manufactured homes from real property.

Section 5-5. Manufactured home; permanently affixed to real property. For the purposes of this Act, "manufactured home" means a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. Notwithstanding the foregoing, for the purposes

New matter indicated by italics - deletions by strikeout
of subsection (b)(2) of Section 1322 of the federal Bankruptcy Code (11 U.S.C. § 1322(b)(2)), a manufactured home shall be deemed to be real property. For the purposes of this Act, a manufactured home is "affixed to a permanent foundation" if the wheels, axles, and towing hitch are removed, and it is anchored to real property by attachment to a permanent foundation and connected to residential utilities (such as water, gas, electricity, or sewer or septic service). The certification of a certified residential real estate appraiser, a certified general real estate appraiser, a licensed manufactured home installer, or a licensed professional engineer that the home is affixed to a permanent foundation shall establish conclusively that the home is affixed to a permanent foundation.

Section 5-10. Act not mandatory; record notice. The owner of a manufactured home that is personal property or a fixture may, but need not, cause that manufactured home to be deemed to be real property by satisfying the requirements of Section 5-30 of this Act and the requirements of Section 3-116.1 or 3-116.2 of the Illinois Vehicle Code, as applicable.

To convey or voluntarily encumber a manufactured home as real property, the following conditions must be met:

1. the manufactured home must be affixed to a permanent foundation on real property;
2. the ownership interests in the manufactured home and the real property to which the manufactured home is affixed must be identical, or, if the manufactured home is not located in a mobile home park as defined in Section 2.5 of the Mobile Home Park Act, and if the owner of the manufactured home, if not the owner of the real property, is in possession of the real property pursuant to the terms of a lease in recordable form that has a term that continues for at least 20 years after the date of execution, then the consent of the lessor of the real property must be given;
3. the person (all, if more than one) having an ownership interest in such manufactured home shall execute and record with the recording officer of the county in which the real property is located an affidavit of affixation as provided in Section 5-15 of this Act and satisfy the other applicable requirements of this Act; and
4. upon receipt of a certified copy of the recorded affidavit of affixation pursuant to Section 5-25 of this Act, any person designated therein for filing with the Secretary of State shall file the certified copy of affidavit of affixation with the Secretary of State; except that

New matter indicated by italics - deletions by strikeout
(A) in a case described in subsection (a)(4)(A) of Section 5-15 of this Act, a certified copy of the affidavit of affixation and the original Manufacturer's Statement of Origin, each as recorded in the county in which the real property is located, must be filed with the Secretary of State pursuant to Section 3-116.1 of the Illinois Vehicle Code; and

(B) in a case described in subsection (a)(4)(B) of Section 5-15 of this Act, a certified copy of the recorded affidavit of affixation as recorded in the county in which the real property is located, and the original certificate of title, including, if applicable, a certificate of title issued in accordance with subsection (b) of Section 3-109 of the Illinois Vehicle Code, must be filed with the Secretary of State pursuant to Section 3-116.2 of the Illinois Vehicle Code.

Section 5-15. Affidavit of affixation.
(a) An affidavit of affixation shall contain or be accompanied by:

(1) the name of the manufacturer, the make, the model name, the model year, the dimensions, and the manufacturer's serial number or numbers of the manufactured home, and whether the manufactured home is new or used;

(2)(A) a statement that the party executing the affidavit is the owner of the real property described therein or (B) if the party executing the affidavit is not the owner of the real property, (1) a statement that the manufactured home is not located in a mobile home park as defined in Section 2.5 of the Mobile Home Park Act and that the party executing the affidavit is in possession of the real property pursuant to the terms of a lease in recordable form that has a term that continues for at least 20 years after the date of execution of the affidavit and (2) the consent of the lessor of the real property, endorsed upon or attached to the affidavit and acknowledged or proved in the manner as to entitle a conveyance to be recorded;

(3) the street address and the legal description of the real property to which the manufactured home is or shall be affixed; and

(4) as applicable:

(A) if the manufactured home is not covered by a certificate of title, including, if applicable, a certificate of title issued in accordance with subsection (b) of Section 3-109 of the Illinois Vehicle Code, a statement by the owner to that effect, and
(i) a statement by the owner of the manufactured home that the manufactured home is covered by a Manufacturer's Statement of Origin, the date the Manufacturer's Statement of Origin was issued, and the manufacturer's serial number or numbers of the manufactured home; and

(ii) a statement that annexed to the affidavit of affixation is the original Manufacturer's Statement of Origin for the manufactured home, duly endorsed to the owner of the manufactured home, and that the owner of the manufactured home shall surrender the Manufacturer's Statement of Origin; or

(B) if the manufactured home is covered by a certificate of title, including, if applicable, a certificate of title issued in accordance with subsection (b) of Section 3-109 of the Illinois Vehicle Code, a statement by the owner of the manufactured home that the manufactured home is covered by a certificate of title, the date the title was issued, the title number, and that the owner of the manufactured home shall surrender the title;

(5) a statement whether or not the manufactured home is subject to one or more security interests or liens, and

(A) if the manufactured home is subject to one or more security interests or liens, the name and address of each party holding a security interest in or lien on the manufactured home, including but not limited to, each holder shown on any certificate of title issued by the Secretary of State, if any, the original principal amount secured by each security interest or lien; and a statement that the security interest or lien shall be released; or

(B) a statement that each security interest in or lien on the manufactured home, if any, has been released, together with due proof of each such release;

(6) a statement that the manufactured home is or shall be affixed to a permanent foundation;

(7) the name and address of a person designated for filing the certified copy of the affidavit of affixation with the Secretary of State, to whom the recording officer shall return the certified copy of the
affidavit of affixation after it has been duly recorded in the real
property records, as provided in Section 5-25 of this Act; and
(8) the certification of a certified residential real estate
appraiser, a certified general real estate appraiser, a licensed
manufactured home installer, or a licensed professional engineer, as
provided in Section 5-5 of this Act.
(b) An affidavit of affixation shall be in the form set forth in this
Section, duly acknowledged or proved in like manner as to entitle a
conveyance to be recorded, and when so acknowledged or proved and upon
payment of the lawful fees therefor, the recording officer shall immediately
cause the affidavit of affixation and any attachments thereto to be duly
recorded and indexed in the record of deeds.
(c) An affidavit of affixation shall be in the form set forth below:
MANUFACTURED HOME
AFFIDAVIT OF AFFIXATION
STATE OF ........................................
)SS.
COUNTY OF ............................
BEFORE ME, the undersigned Notary Public, on this day personally
appeared ............................... (type the name(s) of each person signing this
Affidavit) known to me to be the person(s) whose name(s) is/are subscribed
below (each a "Homeowner"), and who, being by me first duly sworn, did
each on his or her oath state as follows:
1. Homeowner owns the manufactured home ("Home") described as follows:
..........................................................
..........................................................
..........................................................
..........................................................
(Year; Manufacturer's Name; Manufacturer's Serial No(s.).)
2. The street address of the real property to which the Home is or shall be
permanently affixed ("Property Address") is:
..........................................................
(Street or Route; City; County; State; Zip Code)
3. The legal description of the real property to which the Home is or shall be
affixed ("Land") is:
..........................................................
..........................................................
..........................................................
..........................................................
4. Homeowner is the owner of the Land or, if not the owner of the Land, the
Home is not located in a mobile home park, as defined in Section 2.5 of the
Mobile Home Park Act, and Homeowner is in possession of the Land pursuant to a lease in recordable form that has a term that continues for at least 20 years after the date of the execution of this Affidavit, and the consent of the lessor is attached to this Affidavit.

5. The Home is or shall be assessed and taxed as an improvement to the Land.

6. As of the date of the execution of this Affidavit, or, if the Home is not yet located at the Property Address, upon the delivery of the Home to the Property Address:

   (a) The Home [ ] is [ ] shall be affixed to a permanent foundation as defined in Section 5-5 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act;

   (b) The wheels, axles, towbar, or hitch were removed when the Home was placed on the Property Address; and

7. The Home [ ] was [ ] was not permanently affixed before January 1, 2011.

8. If Homeowner is the owner of the Land, any conveyance or financing of the Home and the Land shall be a single transaction under applicable State law.

9. The Home is subject to the following security interests or liens:

   Name of Lienholder: ................
   Address: ....................................................

   Name of Lienholder: ................
   Address: ....................................................

10. Other than those disclosed in this Affidavit, Homeowner is not aware of (i) any other security interest, claim, lien, or encumbrance affecting the Home or (ii) any other facts or information that could reasonably affect the validity of the title of the Home or the existence or non-existence of security interests in it.

11. A release of lien from each of the lienholders identified in paragraph 11 of this Affidavit [] has been [] shall be delivered to the Secretary of State.

12. Homeowner shall initial only one of the following, as it applies to the Home:

   [] The Home is not covered by a certificate of title. The Home is covered by a Manufacturer's Statement of Origin, issued on the ...... of .........., ..... manufacturer's serial number ......................, which Homeowner shall surrender. The original Manufacturer's Statement of Origin, duly endorsed to Homeowner, is attached to this Affidavit.

New matter indicated by italics - deletions by strikeout
[ ] The Home is covered by a certificate of title issued on the ...... day of ........, ......, title number ........................, which Homeowner shall surrender.

13. Homeowner designates the following person to file a certified copy of this Affidavit with the Secretary of State, and the person to whom the Recorder shall return a certified copy of this Affidavit after it has been duly recorded in the real property records:
Name: ..............................................
Address: ..............................................

14. This Affidavit is executed by Homeowner pursuant to Section 5-15 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

15. The certification, pursuant to Section 5-5 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, of a certified residential real estate appraiser, a certified general real estate appraiser, a licensed manufactured home installer, or a licensed professional engineer that the home is affixed to a permanent foundation is attached to this Affidavit.

IN WITNESS WHEREOF, Homeowner(s) has/have executed this Affidavit in my presence and in the presence of the undersigned witnesses on this ...... day of ......, ......

Homeowner #1        Witness

Homeowner #2        Witness

Homeowner #3        Witness

Homeowner #4        Witness

STATE OF .........................)
) SS.

New matter indicated by italics - deletions by strikeout
COUNTY OF ................................

The foregoing instrument was acknowledged before me this (date) by (name(s) of person(s) who acknowledged).

........................................ Notary Public
Signature
My commission expires: ......................
Official Seal:

ATTENTION RECORDER: This instrument covers goods that are or are to become fixtures on the Property described herein and is to be filed for record in the records where conveyances of real estate are recorded.

Section 5-20. Disposition of liens. Neither the act of affixing a manufactured home to a permanent foundation nor the recording of the affidavit of affixation shall impair the rights of any holder of a security interest in or lien on a manufactured home perfected as provided in Section 3-202 of the Illinois Vehicle Code, unless and until the due filing with and acceptance by the Secretary of State of an application to surrender the title as provided in Section 3-116.2 of the Illinois Vehicle Code and release of all security interests or liens as provided in Section 3-205 of the Illinois Vehicle Code. Upon the filing of such releases, the security interests or liens perfected under Section 3-202 of the Illinois Vehicle Code are terminated. The recording of an affidavit of affixation does not change the character of any security interest or lien noted on a certificate of title, and no recording tax shall be imposed at the time an affidavit of affixation is recorded upon any security interest in or lien on a manufactured home perfected under Section 3-202 of the Illinois Vehicle Code.

Section 5-25. Notice to Secretary of State. Upon payment of the fees provided by law and recordation of the affidavit of affixation, the recording officer shall endorse the affidavit as "recorded in land records", setting forth thereon the indexing information for the affidavit of affixation, and the recording officer shall forthwith forward a certified copy of the recorded affidavit of affixation and all attachments thereto to the person designated therein for filing with the Secretary of State. Upon receipt of a certified copy of the recorded affidavit of affixation by the person designated therein for filing with the Secretary of State, such person shall forthwith deliver for filing to the Secretary a certified copy of the affidavit of affixation and other documents as provided in item (4) of Section 5-10 of this Act.

Section 5-30. Effect of recorded affidavit of affixation. A manufactured home shall be deemed to be real property when all of the following events have occurred:

New matter indicated by italics - deletions by strikeout
(1) the manufactured home is affixed to a permanent foundation as provided in Section 5-5 of this Act;
(2) an affidavit of affixation conforming to the requirements of Section 5-15 of this Act has been recorded;
(3) a certified copy of the recorded affidavit of affixation has been delivered for filing to the Secretary of State as provided in Section 5-25 of this Act; and
(4) the requirements of Section 3-116.1 or 3-116.2 of the Illinois Vehicle Code, as applicable, have been satisfied.

A conclusive presumption shall arise that the averments of the recorded affidavit of affixation establish that, for all purposes, the manufactured home is real property.

Section 5-35. Conveyance and encumbrance as real property. Upon the satisfaction of the requirements of Section 5-30 of this Act and the requirements of Section 3-116.1 or 3-116.2 of the Illinois Vehicle Code, as applicable, such manufactured home shall be deemed to be real property; any mortgage, deed of trust, lien, or security interest that can attach to land, buildings erected thereon, or fixtures affixed thereto shall attach as of the date of its recording in the same manner as if the manufactured home were built from ordinary building materials on site; title to such manufactured home shall be transferred by deed or other form of conveyance that is effective to transfer an interest in real property, together with the land to which such structure has been affixed; and the manufactured home shall be deemed to be real property and shall be governed by the laws applicable to real property.

Section 5-40. Exclusive procedure. The method of converting a manufactured home to real property set forth in Section 5-10 of this Act shall be exclusive, and shall supplant the common law of fixtures as it relates to manufactured homes.

Section 5-45. Applicability. Nothing in this Act shall impair any rights existing under law prior to the effective date of this Act of anyone claiming an interest in the manufactured home.

Section 5-50. Affidavit of severance.
(a) If and when a manufactured home for which an affidavit of affixation has been recorded is detached or severed from the real property to which it is affixed, the person (all, if more than one) having an interest in the real property shall record an affidavit of severance in the land records of the county where the affidavit of affixation with respect to the manufactured home is recorded. The affidavit of severance shall contain or be accompanied by:

New matter indicated by italics - deletions by strikeout
(i) the name, residence, and mailing address of the owner of the manufactured home;

(ii) a description of the manufactured home including the name of the manufacturer, manufacturer's serial number or numbers of the manufactured home;

(iii) the book number, page number and date of recordation of the affidavit of affixation;

(iv) a statement of either (A) any facts or information known to the party executing the affidavit that could reasonably affect the validity of the title of the manufactured home or the existence or non-existence of a security interest in or lien on it, or (B) that no such facts or information are known to such party; and

(v) the name and address of the person designated for filing the certified copy of the recorded affidavit of severance with the Secretary of State, to whom the recording officer shall return the certified copy of the affidavit of severance after it has been duly recorded in the real property records, as provided in subsection (d) of this Section.

(b) The affidavit of severance shall be in the form set forth in subsection (d) of this Section, duly acknowledged or proved in like manner as to entitle a conveyance to be recorded, and when so acknowledged or proved and upon payment of the lawful fees therefor, such recording officer shall immediately cause the affidavit and any attachments thereto to be duly recorded and indexed in the record of deeds.

(c) Upon payment of the fees provided by law and recordation of the affidavit of severance, the recording officer shall endorse the affidavit as "recorded in land records", setting forth thereon the indexing information for the recorded affidavit of severance, and the recording officer shall forthwith forward a certified copy of the recorded affidavit of severance to the person designated therein for filing with the Secretary of State. Upon receipt of a certified copy of the recorded affidavit of severance by the person designated therein for filing with the Secretary of State, such person shall deliver for filing to the Secretary of State such certified copy of the affidavit of severance and the other documents provided in subsection (a) of this Section, together with an application for a certificate of title to the manufactured home, to be issued in accordance with subsection (b) of Section 3-109 of the Illinois Vehicle Code.

(d) An affidavit of severance shall be in the form set forth below:

MANUFACTURED HOME

New matter indicated by italics - deletions by strikeout
AFFIDAVIT OF SEVERANCE

STATE OF .......................)
)SS.
COUNTY OF .....................)

BEFORE ME, the undersigned notary public, on this day personally appeared
................... (type the name(s) of each person signing this Affidavit) known
to me to be the person(s) whose name(s) is/are subscribed below (each an
"Affiant"), and who, being by me first duly sworn, did each on his or her oath
state as follows:
1. The owner(s) of the manufactured home described below reside(s) at the
following address:

..........................
(Street or Route; City; County; State; Zip Code)
Mailing address, if different:

..........................
(Street or Route; City; County; State; Zip Code)

2. The manufactured home that is the subject of this Affidavit
("Home") is described as follows:

..........................
(Year; Manufacturer's Name; Manufacturer's Serial No(s).)

3. The Home was severed from the following address ("Land"):

..........................
(Street or Route; City; County; State; Zip Code)

4. An Affidavit of Affixation was duly recorded in the land records of the
county in which the Land is located on (date) ............., in book number ......
at page number ......

5. Affiant is the owner of the Land or, if not the owner of the Land, is in
possession of the Land pursuant to a lease in recordable form, and the consent
of the lessor is attached to this Affidavit.

6. The Home is subject to the following security interests:
Name of Lienholder: ..............
Address: ...............................
Name of Lienholder: ..............
Address: ...............................

7. Other than those disclosed in this Affidavit, Affiant is not aware of (i) any
other security interest, claim, lien, or encumbrance affecting the Home or (ii)
any other facts or information that could reasonably affect the validity of the
title of the Home or the existence or non-existence of security interests in it.

New matter indicated by italics - deletions by strikeout
8. A release of lien from each of the lienholders identified in paragraph 6 of this Affidavit [] has been [] shall be delivered to the Secretary of State.

9. Affiant designates the following person to file a certified copy of this Affidavit with the Secretary of State, and the person to whom the Recorder shall return a certified copy of this Affidavit after it has been duly recorded in the real property records:
   Name: ...............................................
   Address: ................................................

10. This Affidavit is executed by Affiant pursuant to Section 5-50 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

    IN WITNESS WHEREOF, Affiant(s) has/have executed this Affidavit in my presence and in the presence of the undersigned witnesses on this ....... day of

    ..............................................(SEAL) ..........................
    Homeowner #1      Witness
    ..............................................
    Printed Name
    ..............................................(SEAL) ..........................
    Homeowner #2      Witness
    ..............................................
    Printed Name
    ..............................................(SEAL) ..........................
    Homeowner #3      Witness
    ..............................................
    Printed Name
    ..............................................(SEAL) ..........................
    Homeowner #4      Witness
    ..............................................
    Printed Name
    STATE OF .........................)
    ) SS.
    COUNTY OF .........................)

    The foregoing instrument was acknowledged before me this (date) by (name(s) of person(s) who acknowledged).

    .............................. Notary Public
    Signature
    My commission expires: ........................

New matter indicated by italics - deletions by strikeout
ATTENTION RECORDER: This instrument covers goods that had been fixtures on the Property described herein and is to be filed for record in the records where conveyances of real estate are recorded.

Section 5-55. Documents in trust.
(a) Manufacturer's Statement of Origin. The holder of a Manufacturer's Statement of Origin to a manufactured home may deliver it to any person to facilitate conveying or encumbering the home. Any person receiving a Manufacturer's Statement of Origin so delivered holds it in trust for the person delivering it.

(b) Lien Release. The holder of a security interest in a manufactured home may deliver lien release documents to any person to facilitate conveying or encumbering the home. Any person receiving any such documents so delivered holds the documents in trust for the lienholder.

ARTICLE 10. AMENDATORY PROVISIONS
Section 10-15. The Property Tax Code is amended by changing Section 1-130 as follows:

(35 ILCS 200/1-130)
Sec. 1-130. Property; real property; real estate; land; tract; lot.
(a) The land itself, with all things contained therein, and also all buildings, structures and improvements, and other permanent fixtures thereon, including all oil, gas, coal, and other minerals in the land and the right to remove oil, gas and other minerals, excluding coal, from the land, and all rights and privileges belonging or pertaining thereto, except where otherwise specified by this Code. Not included therein are low-income housing tax credits authorized by Section 42 of the Internal Revenue Code, 26 U.S.C. 42.

(b) Notwithstanding any other provision of law, mobile homes and manufactured homes that (i) are located outside of mobile home parks and (ii) are taxed under the Mobile Home Local Services Tax Act on the effective date of this amendatory Act of the 96th General Assembly shall continue to be taxed under the Mobile Home Local Services Tax Act and shall not be classified, assessed; and taxed as real property until the home is sold or transferred or until the home is relocated to a different parcel of land outside of a mobile home park. If a mobile home or manufactured home described in this subsection (b) is sold, transferred, or relocated to a different parcel of land outside of a mobile home park, then the home shall be classified, assessed; and taxed as real property whether or not that mobile home or manufactured home is affixed to a permanent foundation, as defined in

New matter indicated by italics - deletions by strikeout
Section 5-5 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, or installed on a permanent foundation, and whether or not such mobile home or manufactured home is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. Mobile homes and manufactured homes that are located outside of mobile home parks and classified, assessed; and taxed as real property on the effective date of this amendatory Act of the 96th General Assembly shall continue to be classified, assessed; and taxed as real property whether or not those mobile homes or manufactured homes are affixed to a permanent foundation as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act or installed on permanent foundations and whether or not those mobile homes or manufactured homes are real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. If a mobile or manufactured home that is located outside of a mobile home park is relocated to a mobile home park, it must be considered chattel and must be taxed according to the Mobile Home Local Services Tax Act. The owner of a mobile home or manufactured home that is located outside of a mobile home park may file a request with the chief county assessment officer that the home be classified, assessed, and taxed as real property.

(c) Mobile homes and manufactured homes that are located in mobile home parks must be considered chattel and must be taxed according to the Mobile Home Local Services Tax Act.

(d) If the provisions of this Section conflict with the Illinois Manufactured Housing and Mobile Home Safety Act, the Mobile Home Local Services Tax Act, the Mobile Home Park Act, or any other provision of law with respect to the taxation of mobile homes or manufactured homes located outside of mobile home parks, the provisions of this Section shall control.

(Source: P.A. 96-1477, eff. 1-1-11.)
is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and
(iii) 320 or more square feet, constructed to be towed on its own chassis
(compromised of frame and wheels) from the place of its construction to the
location, or subsequent locations, at which it is installed and setup according
to the manufacturer's instructions and connected to utilities for year-round
occupancy for use as a permanent habitation, and designed and situated so as
to permit its occupancy as a dwelling place for one or more persons, and
specifically includes a "manufactured home" as defined in subdivision (53)
of Section 9-102 of the Uniform Commercial Code. The term shall include
units containing parts that may be folded, collapsed, or telescoped when
being towed and that may be expected to provide additional cubic capacity,
and that are designed to be joined into one integral unit capable of being
separated again into the components for repeated towing. The term excludes
campers and recreational vehicles. Mobile homes and manufactured homes
in mobile home parks must be assessed and taxed as chattel. Mobile homes
and manufactured homes outside of mobile home parks must be assessed and
taxed as real property whether or not such mobile homes and manufactured
homes are affixed to a permanent foundation as defined in Section 5-5 of the
Conveyance and Encumbrance of Manufactured Homes as Real Property and
Severance Act, and whether or not such mobile homes and manufactured
homes are real property as defined in Section 5-35 of the Conveyance and
Encumbrance of Manufactured Homes as Real Property and Severance Act.
The words "mobile home" and "manufactured home" are synonymous for the
purposes of this Act. Any such structure located outside of a mobile home
park shall not be assessed and taxed as chattel, but must be
assessed and taxed as real property as defined by Section 1-130 of the
Property Tax Code. All mobile homes and manufactured homes located
inside mobile home parks must be considered as chattel and taxed according
to this Act. Mobile homes and manufactured homes located on a dealer's lot
for resale purposes or as a temporary office shall not be subject to this tax.

(b) Mobile homes and manufactured homes that (i) are located outside
of mobile home parks and (ii) are taxed under this Act on the effective date
of this amendatory Act of the 96th General Assembly must continue to be
taxed under this Act and shall not be classified, assessed, and taxed as real
property until the home is sold, transferred, or relocated to a different parcel
of land outside of a mobile home park. If a mobile home or manufactured
home described in this subsection (b) is sold, transferred, or relocated to a
different parcel of land outside of a mobile home park, then the home must
be classified, assessed, and taxed as real property whether or not the mobile

New matter indicated by italics - deletions by strikeout
home or manufactured home is affixed to a permanent foundation as defined in Section 5-5 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act and whether or not the mobile home or manufactured home is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. Mobile homes and manufactured homes that are located outside of mobile home parks and classified, assessed; and taxed as real property on the effective date of this amendatory Act of the 96th General Assembly must continue to be classified, assessed; and taxed as real property whether or not the mobile homes and manufactured homes are affixed to a permanent foundation as defined in Section 5-5 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act or installed on permanent foundations and whether or not the mobile homes and manufactured homes are real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. If a mobile or manufactured home that is located outside of a mobile home park is relocated to a mobile home park, the home must be considered chattel and must be taxed according to the Mobile Home Local Services Tax Act. The owner of a mobile home or manufactured home that is located outside of a mobile home park may file a request with the county that the home be classified; assessed; and taxed as real property.

(c) Mobile homes and manufactured homes that are located in mobile home parks must be considered chattel and must be taxed according to this Act.

(Source: P.A. 96-1477, eff. 1-1-11.)

(35 ILCS 515/4) (from Ch. 120, par. 1204)

Sec. 4. The owner of each inhabited mobile home or manufactured home located in this State, but not located inside of a mobile home park, on the effective date of this amendatory Act of the 96th General Assembly shall, within 30 days after such date, record with the Office of the Recorder in the county where the mobile home or manufactured home is located file with the township assessor, if any, or with the Supervisor of Assessments or county assessor if there is no township assessor, or with the county assessor in those counties in which a county assessor is elected pursuant to Section 3-45 of the Property Tax Code, a mobile home registration form containing the information hereinafter specified, subject to the county's recording fees and record a signed copy of the title or certificate of origin in the county where the home is located or surrender the signed title or certificate of origin to be held by the county until such time as the home is to be removed from the

New matter indicated by italics - deletions by strikeout
Mobile home park operators shall forward a copy of the mobile home registration form provided in Section 12 of "An Act to provide for, license and regulate mobile homes and mobile home parks and to repeal an Act named herein", approved September 8, 1971, as amended, to the township assessor, if any, or to Supervisor of Assessments or county assessor if there is no township assessor, or to the county assessor in those counties in which a county assessor is elected pursuant to Section 3-45 of the Property Tax Code, within 5 days of the entry of a mobile home into such park. The owner of a mobile home or manufactured home not located in a mobile home park, other than a mobile home or manufactured home with respect to which the requirements of Section 5-30 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act and the requirements of Section 3-116.1 or Section 3-116.2 of the Illinois Vehicle Code, as applicable, have been satisfied unless with respect to the same manufactured home there has been recorded an affidavit of severance pursuant to Section 5-50 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, shall, within 30 days after initial placement of such mobile home or manufactured home in any county and within 30 days after movement of such mobile home or manufactured home to a new location, record with the Office of the Recorder in the county where the mobile home or manufactured home is located file with the county assessor, Supervisor of Assessments or township assessor, as the case may be, a mobile home registration showing the name and address of the owner and every occupant of the mobile home or manufactured home, the location of the mobile home or manufactured home, the year of manufacture, and the square feet of floor space contained in such mobile home or manufactured home together with the date that the mobile home or manufactured home became inhabited, was initially installed and set up in the county, or was moved to a new location. Such registration shall also include the license number of such mobile home or manufactured home and of the towing vehicle, if there be any, and the State issuing such licenses, subject to the county's recording fees. In the case of a mobile home or manufactured home not located in a mobile home park, the registration shall be signed by the owner or occupant of the mobile home or manufactured home, and the title or certificate of origin shall be signed and recorded in the county where the home is located or surrendered to the county and held until such time the home is removed from the county. Titles or certificates of origin held by a mortgage company on the home shall be signed and recorded in the county where located or surrendered to the county once the mortgage is released.

New matter indicated by italics - deletions by strikeout
Failure to record the registration or surrender the title or certificate of origin shall not prevent the home from being assessed and taxed as real property. It is the duty of each township assessor, if any, and each Supervisor of Assessments or county assessor if there is no township assessor, or the county assessor in those counties in which a county assessor is elected pursuant to Section 3-45 of the Property Tax Code, to require timely filing of a properly completed registration for each mobile home or manufactured home located in a mobile home park in his or her township or county, as the case may be. Any person furnishing misinformation for purposes of registration or failing to record a required registration is guilty of a Class A misdemeanor. This Section applies only when the tax permitted by Section 3 has been imposed on mobile homes and manufactured homes located inside mobile home parks.

(Source: P.A. 96-1477, eff. 1-1-11.)

Section 10-25. The Illinois Banking Act is amended by changing Sections 3, 5a, 5d, and 6.1 as follows:

(205 ILCS 5/3) (from Ch. 17, par. 309)

Sec. 3. Formation and primary powers. It shall be lawful to form banks, as herein provided, for the purpose of discount and deposit, buying and selling exchange and doing a general banking business, excepting the issuing of bills to circulate as money; and such banks shall have the power to loan money on personal and real estate security, and to accept and execute trusts upon obtaining a certificate of authority pursuant to the "Corporate Fiduciary Act", and shall be subject to all of the provisions of this Act. For purposes of this Section, "real estate" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(Source: P.A. 85-1402.)

(205 ILCS 5/5a) (from Ch. 17, par. 312)

Sec. 5a. Reverse mortgage loans. Notwithstanding any other provision of this Act, a bank may engage in making "reverse mortgage" loans. For purposes of this Section, a "reverse mortgage" loan shall be a loan extended on the basis of existing equity in homestead property. A bank, in making a "reverse mortgage" loan, may add deferred interest to principal or otherwise provide for the charging of interest or premium on the deferred interest.

The loans shall be repaid upon sale of the property or upon the death of the owner or, if the property is in joint tenancy, upon the death of the last

New matter indicated by italics - deletions by strikeout
surviving joint tenant who had an interest in the property at the time the loan was initiated.

"Homestead" property, for purposes of this Section, means the domicile and contiguous real estate owned and occupied by the mortgagor. For purposes of this Section, "homestead" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code, used as the domicile, that is real property, as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, and is owned and occupied by the mortgagor.

The Commissioner of Banks and Real Estate shall prescribe rules governing this Section and Section 1-6a of the Illinois Savings and Loan Act of 1985. (Source: P.A. 88-643, eff. 1-1-95; 89-508, eff. 7-3-96.)

(205 ILCS 5/5d) (from Ch. 17, par. 312.3)

Sec. 5d. Notwithstanding any other provision of this Act, a bank may engage in making revolving credit loans secured by mortgages or deeds of trust on real property or by security assignments of beneficial interests in land trusts.

For purposes of this Section, "revolving credit", has the meaning defined in Section 4.1 of "An Act in relation to the rate of interest and other charges in connection with sales on credit and the lending of money", approved May 24, 1879, as amended.

Any mortgage or deed of trust given to secure a revolving credit loan may, and when so expressed therein shall, secure not only the existing indebtedness, but also such future advances, whether such advances are obligatory or to be made at the option of the lender, or otherwise, as are made within twenty years from the date thereof, to the same extent as if such future advances were made on the date of the execution of such mortgage or deed of trust, although there may be no advance made at the time of execution of such mortgage or other instrument, and although there may be no indebtedness outstanding at the time any advance is made. The lien of such mortgage or deed of trust, as to third persons without actual notice thereof, shall be valid as to all such indebtedness and future advances from the time said mortgage or deed of trust is filed for record in the office of the Recorder of Deeds or the Registrar of Titles of the county where the real property described therein is located. The total amount of indebtedness that may be so secured may increase or decrease from time to time, but the total unpaid balance so secured at any one time shall not exceed a maximum principal amount which must be specified in such mortgage or deed of trust, plus interest thereon, and any disbursements made for the payment of taxes,
special assessments, or insurance on said real property, with interest on such disbursements.

Any such mortgage or deed of trust shall be valid and have priority over all subsequent liens and encumbrances, including statutory liens, except taxes and assessments levied on said real property.

For purposes of this Section, "real property" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code, that is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(Source: P.A. 83-1539; 83-1380.)

(205 ILCS 5/6.1) (from Ch. 17, par. 313.1)

Sec. 6.1. Non-recourse reverse mortgage loans.

(a) It is the intent of this amendatory Act of 1991 that homeowners at least 62 years of age be permitted to meet their financial needs by accessing the equity in their homes through a reverse mortgage. The General Assembly recognizes that many restrictions and requirements that exist to govern traditional mortgage transactions are inapplicable in the context of reverse mortgages. In order to foster reverse mortgage transactions and better serve the citizens of this State, this Section authorizes the making of reverse mortgages, and expressly relieves reverse mortgage lenders and borrowers from compliance with inappropriate requirements.

As used in this Section, "borrower" means any homeowner who is, or whose spouse is, at least 62 years of age.

For purposes of this Section, "real property" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code which is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

As used in this Section, "reverse mortgage" means a non-recourse loan, secured by real property, that complies with all of the following:

1. Provides cash advances to a borrower based on the equity in a borrower's owner-occupied principal residence, provided that it is a residence designed to be occupied by not more than 4 families.
2. Requires no payment of principal or interest until the entire loan becomes due and payable.

(b) Reverse mortgage loans shall be subject only to all of the following provisions:

New matter indicated by italics - deletions by strikeout
(1) Payment, in whole or in part, shall be permitted without penalty at any time during the term of the mortgage.

(2) A reverse mortgage may provide for an interest rate that is fixed or adjustable and may provide for interest that is contingent on appreciation in the value of the property.

(3) If a reverse mortgage provides for periodic advances to a borrower, the advances may not be reduced in amount or number based on any adjustment in the interest rate.

(4) A reverse mortgage may be subject to any additional terms and conditions imposed by a lender that are required under the provisions of the federal Housing and Community Development Act of 1987 to enable the lender to obtain federal government insurance on the mortgage if the loans are to be insured under that Act.

(c) The repayment obligation under a reverse mortgage is subject to all of the following:

(1) Temporary absences from the home not exceeding 60 consecutive days shall not cause the mortgage to become due and payable.

(2) Temporary absences from the home exceeding 60 days, but not exceeding one year shall not cause the mortgage to become due and payable, provided that the borrower has taken action that secures the home in a manner satisfactory to the lender.

(3) The lender must disclose any interest or other fees to be charged during the period that commences on the date the mortgage becomes due and payable and ends when repayment in full is made in accordance with applicable State and federal laws, rules, and regulations.

(d) A reverse mortgage shall become due and payable upon the occurrence of any of the following events:

(1) The real property securing the loan is sold.

(2) All borrowers cease to occupy the home as a principal residence.

(3) A fixed maturity date agreed to by the lender and the borrower is reached.

(4) An event that is specified in the loan documents and that jeopardizes the lender's security occurs.

(e) No reverse mortgage commitment may be made by a lender unless the loan applicant attests, in writing, that the applicant has received from the lender, at the time of initial inquiry, a statement prepared by the Department

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on Aging regarding the advisability and availability of independent information and counseling services on reverse mortgages.
(Source: P.A. 87-488.)

Section 10-30. The Illinois Savings and Loan Act of 1985 is amended by changing Sections 1-10.30 and 5-2 as follows:

(205 ILCS 105/1-10.30) (from Ch. 17, par. 3301-10.30)
Sec. 1-10.30. "Real property": the interests, benefits, and rights inherent in the ownership of the physical real estate. It is the rights with which the ownership of real estate is endowed. "Real property" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. For purposes of this Act, the term "Real Estate" is synonymous with "Real Property".
(Source: P.A. 84-543.)

(205 ILCS 105/5-2) (from Ch. 17, par. 3305-2)
Sec. 5-2. Investment in loans. An association may loan funds to members as follows:
(a) On the security of withdrawable capital accounts, but no such loan shall exceed the withdrawal value of the pledged account;
(b) On the security of real estate:
   (1) Of a value, determined in accordance with Section 5-12 of this Act, sufficient to provide good and ample security for the loan;
   (2) With a fee simple title or a leasehold title of not less duration than 10 years beyond the maturity of the loan;
   (3) With the title established by such evidence of title as is consistent with sound lending practices in the locality;
   (4) With the security interest in such real estate evidenced by an appropriate written instrument and the loan evidenced by a note, bond or similar written instrument. A loan on the security of the whole of the beneficial interest in a land trust satisfies the requirements of this paragraph if the title to the land is held by a corporate trustee and if the real estate held in the land trust meets the other requirements of this subsection; and
   (5) With a mortgage loan not to exceed 40 years;
(c) For the purpose of repair, improvement, rehabilitation, furnishing or equipment of real estate or any other purpose;
(d) For the purpose of financing or refinancing an existing ownership interest in certificates of stock, certificates of beneficial interest or other evidence of an ownership interest in, and a proprietary lease from, a

New matter indicated by italics - deletions by strikeout
corporation, trust or partnership formed for the purpose of the cooperative ownership of real estate, secured by the assignment or transfer of such certificates or other evidence of ownership of the borrower;

(e) Through the purchase of loans which at the time of purchase the association could make in accordance with this Section and the by-laws;

(f) Through the purchase of installment contracts for the sale of real estate, and title thereto which is subject to such contracts, but in each instance only if the association at the time of purchase could make a mortgage loan of the same amount and for the same length of time on the security of such real estate;

(g) Through loans guaranteed or insured, wholly or in part by the United States or any of its instrumentalities, and without regard to the limits in amount and terms otherwise imposed by this Article;

(h) Through secured or unsecured loans for business, corporate, personal, family, or household purposes, or for secured or unsecured loans for agricultural or commercial purposes to the same extent that such agricultural or commercial loans are authorized by federal law for any savings and loan association organized under federal law and authorized to do business in this State, except that loans to service corporations shall not be subject to the limitations of this paragraph;

(i) For the purpose of manufactured mobile home financing subject, however, to the regulation of the Commissioner; as used in this Section, "manufactured home" means a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code;

(j) Through loans to its members secured by the cash surrender value of any life insurance policy or any collateral which would be a legal investment if made by such association pursuant to the terms of this Act; and

(k) Any provision of this Act to the contrary notwithstanding, any association may make any loan to its members or investment which such association could make if it were incorporated and operating as an association organized under the laws of the United States.

(Source: P.A. 86-137.)

Section 10-35. The Savings Bank Act is amended by changing Sections 6002 and 6008 as follows:

(a) Subject to the regulations of the Commissioner, a savings bank may loan funds as follows:

New matter indicated by italics - deletions by strikeout
(1) On the security of deposit accounts, but no such loan shall exceed the withdrawal value of the pledged account.

(2) On the security of real estate:
   (A) of a value, determined in accordance with this Act, sufficient to provide good and ample security for the loan;
   (B) with a fee simple title or a leasehold title;
   (C) with the title established by evidence of title as is consistent with sound lending practices in the locality;
   (D) with the security interest in the real estate evidenced by an appropriate written instrument and the loan evidenced by a note, bond, or similar written instrument; a loan on the security of the whole of the beneficial interest in a land trust satisfies the requirements of this paragraph if the title to the land is held by a corporate trustee and if the real estate held in the land trust meets the other requirements of this subsection;
   (E) with a mortgage loan not to exceed 40 years.

(3) For the purpose of repair, improvement, rehabilitation, furnishing, or equipment of real estate.

(4) For the purpose of financing or refinancing an existing ownership interest in certificates of stock, certificates of beneficial interest, other evidence of an ownership interest in, or a proprietary lease from a corporation, trust, or partnership formed for the purpose of the cooperative ownership of real estate, secured by the assignment or transfer of certificates or other evidence of ownership of the borrower.

(5) Through the purchase of loans that, at the time of purchase, the savings bank could make in accordance with this Section and the bylaws.

(6) Through the purchase of installment contracts for the sale of real estate and title thereto that is subject to the contracts, but in each instance only if the savings bank, at the time of purchase, could make a mortgage loan of the same amount and for the same length of time on the security of the real estate.

(7) Through loans guaranteed or insured, wholly or in part, by the United States or any of its instrumentalities.

(8) Subject to regulations adopted by the Commissioner, through secured or unsecured loans for business, corporate, commercial, or agricultural purposes; provided that the total of all loans granted under this paragraph shall not exceed 15% of the savings bank's total assets unless a greater amount is authorized in writing by the Commissioner.
(9) For the purpose of manufactured mobile home financing subject, however, to the regulation of the Commissioner. As used in this Section, "manufactured home" means a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code.

(10) Through loans secured by the cash surrender value of any life insurance policy or any collateral that would be a legal investment under the terms of this Act if made by the savings bank.

(11) Any provision of this Act or any other law, except for paragraph (18) of Section 6003, to the contrary notwithstanding, but subject to the Financial Institutions Insurance Sales Law and subject to the Commissioner's regulations, any savings bank may make any loan or investment or engage in any activity that it could make or engage in if it were organized under State law as a savings and loan association or under federal law as a federal savings and loan association or federal savings bank.

(12) A savings bank may issue letters of credit or other similar arrangements only as provided for by regulation of the Commissioner with regard to aggregate amounts permitted, take out commitments for stand-by letters of credit, underlying documentation and underwriting, legal limitations on loans of the savings bank, control and subsidiary records, and other procedures deemed necessary by the Commissioner.

(13) For the purpose of automobile financing, subject to the regulation of the Commissioner.

(14) For the purpose of financing primary, secondary, undergraduate, or postgraduate education.

(15) Through revolving lines of credit on the security of a first or junior lien on the borrower's personal residence, based primarily on the borrower's equity, the proceeds of which may be used for any purpose; those loans being commonly referred to as home equity loans.

(16) As secured or unsecured credit to cover the payment of checks, drafts, or other funds transfer orders in excess of the available balance of an account on which they are drawn, subject to the regulations of the Commissioner.

(b) For purposes of this Section, "real estate" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code which is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(Source: P.A. 90-301, eff. 8-1-97; 91-97, eff. 7-9-99.)

(205 ILCS 205/6008) (from Ch. 17, par. 7306-8)

New matter indicated by italics - deletions by strikeout
Sec. 6008. Purchase of real estate at forced sale. A savings bank may purchase at any sheriff's or other judicial sale, either public or private, any real estate upon which the savings bank has any mortgage, lien or other encumbrance, or in which the savings bank has any other interest. The savings bank thereafter may repair, insure, improve, sell, convey, lease, preserve, mortgage, exchange, or otherwise dispose of real estate so acquired in the best interests of the savings bank. For purposes of this Section, "real estate" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code which is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(Source: P.A. 86-1213.)

Section 10-40. The Illinois Credit Union Act is amended by changing Sections 46 and 46.1 as follows:

(205 ILCS 305/46) (from Ch. 17, par. 4447)
Sec. 46. Loans and interest rate.

(1) A credit union may make loans to its members for such purpose and upon such security and terms, including rates of interest, as the credit committee, credit manager, or loan officer approves. Notwithstanding the provisions of any other law in connection with extensions of credit, a credit union may elect to contract for and receive interest and fees and other charges for extensions of credit subject only to the provisions of this Act and rules promulgated under this Act, except that extensions of credit secured by residential real estate shall be subject to the laws applicable thereto. The rates of interest to be charged on loans to members shall be set by the board of directors of each individual credit union in accordance with Section 30 of this Act and such rates may be less than, but may not exceed, the maximum rate set forth in this Section. A borrower may repay his loan prior to maturity, in whole or in part, without penalty. The credit contract may provide for the payment by the member and receipt by the credit union of all costs and disbursements, including reasonable attorney's fees and collection agency charges, incurred by the credit union to collect or enforce the debt in the event of a delinquency by the member, or in the event of a breach of any obligation of the member under the credit contract. A contingency or hourly arrangement established under an agreement entered into by a credit union with an attorney or collection agency to collect a loan of a member in default shall be presumed prima facie reasonable.

(2) Credit unions may make loans based upon the security of any interest or equity in real estate, subject to rules and regulations promulgated
by the Secretary. In any contract or loan which is secured by a mortgage, deed of trust, or conveyance in the nature of a mortgage, on residential real estate, the interest which is computed, calculated, charged, or collected pursuant to such contract or loan, or pursuant to any regulation or rule promulgated pursuant to this Act, may not be computed, calculated, charged or collected for any period of time occurring after the date on which the total indebtedness, with the exception of late payment penalties, is paid in full.

For purposes of this subsection (2) of this Section 46, a prepayment shall mean the payment of the total indebtedness, with the exception of late payment penalties if incurred or charged, on any date before the date specified in the contract or loan agreement on which the total indebtedness shall be paid in full, or before the date on which all payments, if timely made, shall have been made. In the event of a prepayment of the indebtedness which is made on a date after the date on which interest on the indebtedness was last computed, calculated, charged, or collected but before the next date on which interest on the indebtedness was to be calculated, computed, charged, or collected, the lender may calculate, charge and collect interest on the indebtedness for the period which elapsed between the date on which the prepayment is made and the date on which interest on the indebtedness was last computed, calculated, charged or collected at a rate equal to 1/360 of the annual rate for each day which so elapsed, which rate shall be applied to the indebtedness outstanding as of the date of prepayment. The lender shall refund to the borrower any interest charged or collected which exceeds that which the lender may charge or collect pursuant to the preceding sentence. The provisions of this amendatory Act of 1985 shall apply only to contracts or loans entered into on or after the effective date of this amendatory Act.

(3) Notwithstanding any other provision of this Act, a credit union authorized under this Act to make loans secured by an interest or equity in real estate may engage in making "reverse mortgage" loans to persons for the purpose of making home improvements or repairs, paying insurance premiums or paying real estate taxes on the homestead properties of such persons. If made, such loans shall be made on such terms and conditions as the credit union shall determine and as shall be consistent with the provisions of this Section and such rules and regulations as the Secretary shall promulgate hereunder. For purposes of this Section, a "reverse mortgage" loan shall be a loan extended on the basis of existing equity in homestead property and secured by a mortgage on such property. Such loans shall be repaid upon the sale of the property or upon the death of the owner or, if the property is in joint tenancy, upon the death of the last surviving joint tenant.
who had such an interest in the property at the time the loan was initiated, provided, however, that the credit union and its member may by mutual agreement, establish other repayment terms. A credit union, in making a "reverse mortgage" loan, may add deferred interest to principal or otherwise provide for the charging of interest or premiums on such deferred interest. "Homestead" property, for purposes of this Section, means the domicile and contiguous real estate owned and occupied by the mortgagor.

(4) Notwithstanding any other provisions of this Act, a credit union authorized under this Act to make loans secured by an interest or equity in real property may engage in making revolving credit loans secured by mortgages or deeds of trust on such real property or by security assignments of beneficial interests in land trusts.

For purposes of this Section, "revolving credit" has the meaning defined in Section 4.1 of the Interest Act.

Any mortgage or deed of trust given to secure a revolving credit loan may, and when so expressed therein shall, secure not only the existing indebtedness but also such future advances, whether such advances are obligatory or to be made at the option of the lender, or otherwise, as are made within twenty years from the date thereof, to the same extent as if such future advances were made on the date of the execution of such mortgage or deed of trust, although there may be no advance made at the time of execution of such mortgage or other instrument, and although there may be no indebtedness outstanding at the time any advance is made. The lien of such mortgage or deed of trust, as to third persons without actual notice thereof, shall be valid as to all such indebtedness and future advances form the time said mortgage or deed of trust is filed for record in the office of the recorder of deeds or the registrar of titles of the county where the real property described therein is located. The total amount of indebtedness that may be so secured may increase or decrease from time to time, but the total unpaid balance so secured at any one time shall not exceed a maximum principal amount which must be specified in such mortgage or deed of trust, plus interest thereon, and any disbursements made for the payment of taxes, special assessments, or insurance on said real property, with interest on such disbursements.

Any such mortgage or deed of trust shall be valid and have priority over all subsequent liens and encumbrances, including statutory liens, except taxes and assessments levied on said real property.

(4-5) For purposes of this Section, "real estate" and "real property" include a manufactured home as defined in subdivision (53) of Section 9-102
of the Uniform Commercial Code which is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(5) Compliance with federal or Illinois preemptive laws or regulations governing loans made by a credit union chartered under this Act shall constitute compliance with this Act.

(6) Credit unions may make residential real estate mortgage loans on terms and conditions established by the United States Department of Agriculture through its Rural Development Housing and Community Facilities Program. The portion of any loan in excess of the appraised value of the real estate shall be allocable only to the guarantee fee required under the program.

(Source: P.A. 96-141, eff. 8-7-09; 97-133, eff. 1-1-12.)

(205 ILCS 305/46.1) (from Ch. 17, par. 4447.1)

Sec. 46.1. Non-recourse reverse mortgage loans. Any credit union authorized under this Act to make loans secured by an interest or equity in real estate may make non-recourse reverse mortgage loans as provided in Section 6.1 of the Illinois Banking Act.

For purposes of this Section, "real estate" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(Source: P.A. 87-488.)

Section 10-45. The Residential Mortgage License Act of 1987 is amended by changing Section 1-4 as follows:

(205 ILCS 635/1-4)

Sec. 1-4. Definitions.

(a) "Residential real property" or "residential real estate" shall mean any real property located in Illinois, upon which is constructed or intended to be constructed a dwelling. Those terms include a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code which is real property as defined in Section 5-35 of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(b) "Making a residential mortgage loan" or "funding a residential mortgage loan" shall mean for compensation or gain, either directly or indirectly, advancing funds or making a commitment to advance funds to a loan applicant for a residential mortgage loan.

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(c) "Soliciting, processing, placing, or negotiating a residential mortgage loan" shall mean for compensation or gain, either directly or indirectly, accepting or offering to accept an application for a residential mortgage loan, assisting or offering to assist in the processing of an application for a residential mortgage loan on behalf of a borrower, or negotiating or offering to negotiate the terms or conditions of a residential mortgage loan with a lender on behalf of a borrower including, but not limited to, the submission of credit packages for the approval of lenders, the preparation of residential mortgage loan closing documents, including a closing in the name of a broker.

(d) "Exempt person or entity" shall mean the following:

(1) (i) Any banking organization or foreign banking corporation licensed by the Illinois Commissioner of Banks and Real Estate or the United States Comptroller of the Currency to transact business in this State; (ii) any national bank, federally chartered savings and loan association, federal savings bank, federal credit union; (iii) any pension trust, bank trust, or bank trust company; (iv) any bank, savings and loan association, savings bank, or credit union organized under the laws of this or any other state; (v) any Illinois Consumer Installment Loan Act licensee; (vi) any insurance company authorized to transact business in this State; (vii) any entity engaged solely in commercial mortgage lending; (viii) any service corporation of a savings and loan association or savings bank organized under the laws of this State or the service corporation of a federally chartered savings and loan association or savings bank having its principal place of business in this State, other than a service corporation licensed or entitled to reciprocity under the Real Estate License Act of 2000; or (ix) any first tier subsidiary of a bank, the charter of which is issued under the Illinois Banking Act by the Illinois Commissioner of Banks and Real Estate, or the first tier subsidiary of a bank chartered by the United States Comptroller of the Currency and that has its principal place of business in this State, provided that the first tier subsidiary is regularly examined by the Illinois Commissioner of Banks and Real Estate or the Comptroller of the Currency, or a consumer compliance examination is regularly conducted by the Federal Reserve Board.

(1.5) Any employee of a person or entity mentioned in item (1) of this subsection, when acting for such person or entity, or any

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registered mortgage loan originator when acting for an entity described in subsection (tt) of this Section.

(1.8) Any person or entity that does not originate mortgage loans in the ordinary course of business, but makes or acquires residential mortgage loans with his or her own funds for his or her or its own investment without intent to make, acquire, or resell more than 3 residential mortgage loans in any one calendar year.

(2) (Blank).

(3) Any person employed by a licensee to assist in the performance of the residential mortgage licensee's activities regulated by this Act who is compensated in any manner by only one licensee.

(4) (Blank).

(5) Any individual, corporation, partnership, or other entity that originates, services, or brokers residential mortgage loans, as these activities are defined in this Act, and who or which receives no compensation for those activities, subject to the Commissioner's regulations and the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008 and the rules promulgated under that Act with regard to the nature and amount of compensation.

(6) (Blank).

(e) "Licensee" or "residential mortgage licensee" shall mean a person, partnership, association, corporation, or any other entity who or which is licensed pursuant to this Act to engage in the activities regulated by this Act.

(f) "Mortgage loan" "residential mortgage loan" or "home mortgage loan" shall mean any loan primarily for personal, family, or household use that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling as defined in Section 103(v) of the federal Truth in Lending Act, or residential real estate upon which is constructed or intended to be constructed a dwelling.

(g) "Lender" shall mean any person, partnership, association, corporation, or any other entity who either lends or invests money in residential mortgage loans.

(h) "Ultimate equitable owner" shall mean a person who, directly or indirectly, owns or controls an ownership interest in a corporation, foreign corporation, alien business organization, trust, or any other form of business organization regardless of whether the person owns or controls the ownership interest through one or more persons or one or more proxies, powers of attorney, nominees, corporations, associations, partnerships, trusts, joint stock companies, or other entities or devices, or any combination thereof.

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(i) "Residential mortgage financing transaction" shall mean the negotiation, acquisition, sale, or arrangement for or the offer to negotiate, acquire, sell, or arrange for, a residential mortgage loan or residential mortgage loan commitment.

(j) "Personal residence address" shall mean a street address and shall not include a post office box number.

(k) "Residential mortgage loan commitment" shall mean a contract for residential mortgage loan financing.

(l) "Party to a residential mortgage financing transaction" shall mean a borrower, lender, or loan broker in a residential mortgage financing transaction.

(m) "Payments" shall mean payment of all or any of the following: principal, interest and escrow reserves for taxes, insurance and other related reserves, and reimbursement for lender advances.

(n) "Commissioner" shall mean the Commissioner of Banks and Real Estate, except that, beginning on April 6, 2009 (the effective date of Public Act 95-1047), all references in this Act to the Commissioner of Banks and Real Estate are deemed, in appropriate contexts, to be references to the Secretary of Financial and Professional Regulation, or his or her designee, including the Director of the Division of Banking of the Department of Financial and Professional Regulation.

(n-1) "Director" shall mean the Director of the Division of Banking of the Department of Financial and Professional Regulation, except that, beginning on July 31, 2009 (the effective date of Public Act 96-112), all references in this Act to the Director are deemed, in appropriate contexts, to be the Secretary of Financial and Professional Regulation, or his or her designee, including the Director of the Division of Banking of the Department of Financial and Professional Regulation.

(o) "Loan brokering", "brokering", or "brokerage service" shall mean the act of helping to obtain from another entity, for a borrower, a loan secured by residential real estate situated in Illinois or assisting a borrower in obtaining a loan secured by residential real estate situated in Illinois in return for consideration to be paid by either the borrower or the lender including, but not limited to, contracting for the delivery of residential mortgage loans to a third party lender and soliciting, processing, placing, or negotiating residential mortgage loans.

(p) "Loan broker" or "broker" shall mean a person, partnership, association, corporation, or limited liability company, other than those persons, partnerships, associations, corporations, or limited liability

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companies exempted from licensing pursuant to Section 1-4, subsection (d), of this Act, who performs the activities described in subsections (c), (o), and (yy) of this Section.

(q) "Servicing" shall mean the collection or remittance for or the right or obligation to collect or remit for any lender, noteowner, noteholder, or for a licensee's own account, of payments, interests, principal, and trust items such as hazard insurance and taxes on a residential mortgage loan in accordance with the terms of the residential mortgage loan; and includes loan payment follow-up, delinquency loan follow-up, loan analysis and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing. "Servicing" includes management of third-party entities acting on behalf of a residential mortgage licensee for the collection of delinquent payments and the use by such third-party entities of said licensee's servicing records or information, including their use in foreclosure.

(r) "Full service office" shall mean an office, provided by the licensee and not subleased from the licensee's employees, and staff in Illinois reasonably adequate to handle efficiently communications, questions, and other matters relating to any application for, or an existing home mortgage secured by residential real estate situated in Illinois with respect to which the licensee is brokering, funding originating, purchasing, or servicing. The management and operation of each full service office must include observance of good business practices such as proper signage; adequate, organized, and accurate books and records; ample phone lines, hours of business, staff training and supervision, and provision for a mechanism to resolve consumer inquiries, complaints, and problems. The Commissioner shall issue regulations with regard to these requirements and shall include an evaluation of compliance with this Section in his or her periodic examination of each licensee.

(s) "Purchasing" shall mean the purchase of conventional or government-insured mortgage loans secured by residential real estate situated in Illinois from either the lender or from the secondary market.

(t) "Borrower" shall mean the person or persons who seek the services of a loan broker, originator, or lender.

(u) "Originating" shall mean the issuing of commitments for and funding of residential mortgage loans.

(v) "Loan brokerage agreement" shall mean a written agreement in which a broker or loan broker agrees to do either of the following:

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(1) obtain a residential mortgage loan for the borrower or assist the borrower in obtaining a residential mortgage loan; or
(2) consider making a residential mortgage loan to the borrower.

(w) "Advertisement" shall mean the attempt by publication, dissemination, or circulation to induce, directly or indirectly, any person to enter into a residential mortgage loan agreement or residential mortgage loan brokerage agreement relative to a mortgage secured by residential real estate situated in Illinois.

(x) "Residential Mortgage Board" shall mean the Residential Mortgage Board created in Section 1-5 of this Act.

(y) "Government-insured mortgage loan" shall mean any mortgage loan made on the security of residential real estate insured by the Department of Housing and Urban Development or Farmers Home Loan Administration, or guaranteed by the Veterans Administration.

(z) "Annual audit" shall mean a certified audit of the licensee's books and records and systems of internal control performed by a certified public accountant in accordance with generally accepted accounting principles and generally accepted auditing standards.

(aa) "Financial institution" shall mean a savings and loan association, savings bank, credit union, or a bank organized under the laws of Illinois or a savings and loan association, savings bank, credit union or a bank organized under the laws of the United States and headquartered in Illinois.

(bb) "Escrow agent" shall mean a third party, individual or entity charged with the fiduciary obligation for holding escrow funds on a residential mortgage loan pending final payout of those funds in accordance with the terms of the residential mortgage loan.

(cc) "Net worth" shall have the meaning ascribed thereto in Section 3-5 of this Act.

(dd) "Affiliate" shall mean:

(1) any entity that directly controls or is controlled by the licensee and any other company that is directly affecting activities regulated by this Act that is controlled by the company that controls the licensee;

(2) any entity:

(A) that is controlled, directly or indirectly, by a trust or otherwise, by or for the benefit of shareholders who beneficially or otherwise control, directly or indirectly, by

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trust or otherwise, the licensee or any company that controls the licensee; or

(B) a majority of the directors or trustees of which constitute a majority of the persons holding any such office with the licensee or any company that controls the licensee;

(3) any company, including a real estate investment trust, that is sponsored and advised on a contractual basis by the licensee or any subsidiary or affiliate of the licensee.

The Commissioner may define by rule and regulation any terms used in this Act for the efficient and clear administration of this Act.

(ee) "First tier subsidiary" shall be defined by regulation incorporating the comparable definitions used by the Office of the Comptroller of the Currency and the Illinois Commissioner of Banks and Real Estate.

(ff) "Gross delinquency rate" means the quotient determined by dividing (1) the sum of (i) the number of government-insured residential mortgage loans funded or purchased by a licensee in the preceding calendar year that are delinquent and (ii) the number of conventional residential mortgage loans funded or purchased by the licensee in the preceding calendar year that are delinquent by (2) the sum of (i) the number of government-insured residential mortgage loans funded or purchased by the licensee in the preceding calendar year and (ii) the number of conventional residential mortgage loans funded or purchased by the licensee in the preceding calendar year.

(gg) "Delinquency rate factor" means the factor set by rule of the Commissioner that is multiplied by the average gross delinquency rate of licensees, determined annually for the immediately preceding calendar year, for the purpose of determining which licensees shall be examined by the Commissioner pursuant to subsection (b) of Section 4-8 of this Act.

(hh) "Loan originator" means any natural person who, for compensation or in the expectation of compensation, either directly or indirectly makes, offers to make, solicits, places, or negotiates a residential mortgage loan. This definition applies only to Section 7-1 of this Act.

(ii) "Confidential supervisory information" means any report of examination, visitation, or investigation prepared by the Commissioner under this Act, any report of examination visitation, or investigation prepared by the state regulatory authority of another state that examines a licensee, any document or record prepared or obtained in connection with or relating to any examination, visitation, or investigation, and any record prepared or obtained by the Commissioner to the extent that the record summarizes or contains

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information derived from any report, document, or record described in this subsection. "Confidential supervisory information" does not include any information or record routinely prepared by a licensee and maintained in the ordinary course of business or any information or record that is required to be made publicly available pursuant to State or federal law or rule.

(jj) "Mortgage loan originator" means an individual who for compensation or gain or in the expectation of compensation or gain:

(i) takes a residential mortgage loan application; or

(ii) offers or negotiates terms of a residential mortgage loan.

"Mortgage loan originator" includes an individual engaged in loan modification activities as defined in subsection (yy) of this Section. A mortgage loan originator engaged in loan modification activities shall report those activities to the Department of Financial and Professional Regulation in the manner provided by the Department; however, the Department shall not impose a fee for reporting, nor require any additional qualifications to engage in those activities beyond those provided pursuant to this Act for mortgage loan originators.

"Mortgage loan originator" does not include an individual engaged solely as a loan processor or underwriter except as otherwise provided in subsection (d) of Section 7-1A of this Act.

"Mortgage loan originator" does not include a person or entity that only performs real estate brokerage activities and is licensed in accordance with the Real Estate License Act of 2000, unless the person or entity is compensated by a lender, a mortgage broker, or other mortgage loan originator, or by any agent of that lender, mortgage broker, or other mortgage loan originator.

"Mortgage loan originator" does not include a person or entity solely involved in extensions of credit relating to timeshare plans, as that term is defined in Section 101(53D) of Title 11, United States Code.

(kk) "Depository institution" has the same meaning as in Section 3 of the Federal Deposit Insurance Act, and includes any credit union.

(ll) "Dwelling" means a residential structure or mobile home which contains one to 4 family housing units, or individual units of condominiums or cooperatives.

(mm) "Immediate family member" means a spouse, child, sibling, parent, grandparent, or grandchild, and includes step-parents, step-children, step-siblings, or adoptive relationships.

(nn) "Individual" means a natural person.
"Loan processor or underwriter" means an individual who performs clerical or support duties as an employee at the direction of and subject to the supervision and instruction of a person licensed, or exempt from licensing, under this Act. "Clerical or support duties" includes subsequent to the receipt of an application:

(i) the receipt, collection, distribution, and analysis of information common for the processing or underwriting of a residential mortgage loan; and

(ii) communicating with a consumer to obtain the information necessary for the processing or underwriting of a loan, to the extent that the communication does not include offering or negotiating loan rates or terms, or counseling consumers about residential mortgage loan rates or terms. An individual engaging solely in loan processor or underwriter activities shall not represent to the public, through advertising or other means of communicating or providing information, including the use of business cards, stationery, brochures, signs, rate lists, or other promotional items, that the individual can or will perform any of the activities of a mortgage loan originator.

"Nationwide Mortgage Licensing System and Registry" means a mortgage licensing system developed and maintained by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators for the licensing and registration of licensed mortgage loan originators.

"Nontraditional mortgage product" means any mortgage product other than a 30-year fixed rate mortgage.

"Person" means a natural person, corporation, company, limited liability company, partnership, or association.

"Real estate brokerage activity" means any activity that involves offering or providing real estate brokerage services to the public, including:

1. acting as a real estate agent or real estate broker for a buyer, seller, lessor, or lessee of real property;

2. bringing together parties interested in the sale, purchase, lease, rental, or exchange of real property;

3. negotiating, on behalf of any party, any portion of a contract relating to the sale, purchase, lease, rental, or exchange of real property, other than in connection with providing financing with respect to any such transaction;

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(4) engaging in any activity for which a person engaged in the activity is required to be registered or licensed as a real estate agent or real estate broker under any applicable law; or
(5) offering to engage in any activity, or act in any capacity, described in this subsection (ss).

(tt) "Registered mortgage loan originator" means any individual that:
(1) meets the definition of mortgage loan originator and is an employee of:
(A) a depository institution;
(B) a subsidiary that is:
   (i) owned and controlled by a depository institution; and
   (ii) regulated by a federal banking agency; or
(C) an institution regulated by the Farm Credit Administration; and
(2) is registered with, and maintains a unique identifier through, the Nationwide Mortgage Licensing System and Registry.

(uu) "Unique identifier" means a number or other identifier assigned by protocols established by the Nationwide Mortgage Licensing System and Registry.

(vv) "Residential mortgage license" means a license issued pursuant to Section 1-3, 2-2, or 2-6 of this Act.

(ww) "Mortgage loan originator license" means a license issued pursuant to Section 7-1A, 7-3, or 7-6 of this Act.

(xx) "Secretary" means the Secretary of the Department of Financial and Professional Regulation, or a person authorized by the Secretary or by this Act to act in the Secretary's stead.

(yy) "Loan modification" means, for compensation or gain, either directly or indirectly offering or negotiating on behalf of a borrower or homeowner to adjust the terms of a residential mortgage loan in a manner not provided for in the original or previously modified mortgage loan.

(zz) "Short sale facilitation" means, for compensation or gain, either directly or indirectly offering or negotiating on behalf of a borrower or homeowner to facilitate the sale of residential real estate subject to one or more residential mortgage loans or debts constituting liens on the property in which the proceeds from selling the residential real estate will fall short of the amount owed and the lien holders are contacted to agree to release their lien on the residential real estate and accept less than the full amount owed on the debt.
Section 10-50. The Mobile Home Park Act is amended by changing Section 2.1 as follows:

(210 ILCS 115/2.1) (from Ch. 111 1/2, par. 712.1)

Sec. 2.1. "Manufactured home" means a factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and (iii) 320 or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons, and specifically includes a "manufactured home" as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles. The term "mobile home" shall not include modular homes and their support systems. The words "mobile home" and "manufactured home" are synonymous for the purposes of this Act.

(Source: P.A. 96-1477, eff. 1-1-11.)

Section 10-55. The Abandoned Mobile Home Act is amended by changing Section 10 as follows:

(210 ILCS 117/10)

Sec. 10. Definitions. As used in this Act:

"Manufactured home" means a factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and (iii) 320 or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons, and specifically includes a "manufactured home" as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles. The term "mobile home" shall not include modular homes and their support systems. The words "mobile home" and "manufactured home" are synonymous for the purposes of this Act.

(Source: P.A. 96-1112, eff. 7-31-09; 96-1000, eff. 7-2-10; 96-1216, eff. 1-1-11; 97-143, eff. 7-14-11; 97-891, eff. 8-3-12.)
to the manufacturer's instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons, and specifically includes a "manufactured home" as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles. The words "mobile home" and "manufactured home" are synonymous for the purposes of this Act.

"Abandoned mobile home" means a mobile home located inside a mobile home park that has no owner currently residing in the mobile home or authorized tenant of the owner currently residing in the mobile home to the best knowledge of the municipality; has had its electricity, natural gas, sewer, and water payments declared delinquent by the utility companies that are providing such services; and for which the Mobile Home Privilege Tax, imposed under the Mobile Home Local Services Tax Act, is delinquent for at least 3 months. A mobile home abandoned outside a mobile home park must be treated like other real property for condemnation purposes.

"Municipality" means any city, village, incorporated town, or its duly authorized agent. If an abandoned mobile home is located in an unincorporated area, the county where the mobile home is located shall have all powers granted to a municipality under this Act. (Source: P.A. 96-1477, eff. 1-1-11.)

Section 10-60. The Illinois Manufactured Housing and Mobile Home Safety Act is amended by changing Section 2 as follows:

(430 ILCS 115/2) (from Ch. 67 1/2, par. 502)

Sec. 2. Unless clearly indicated otherwise by the context, the following words and terms when used in this Act, for the purpose of this Act, shall have the following meanings:

(a) "Manufactured home" means a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. "Mobile home" means a factory-assembled, completely integrated structure, constructed on or before June 30, 1976, designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, that is a movable or portable unit that is constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or
subsequent locations, at which it is connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons. A factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and (iii) 320 or more square feet, constructed to be towed on its own chassis (comprising of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer’s instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons. The terms "manufactured home" and "mobile home" term shall include units otherwise meeting their respective definitions containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The terms "mobile home" and "manufactured home" exclude term excludes campers and recreational vehicles. The terms "mobile home" and "manufactured home" do not include modular homes or manufactured housing units.

(b) "Person" means a person, partnership, corporation, or other legal entity.

(c) "Manufacturer" means any person who manufactures mobile homes or manufactured housing at the place or places, either on or away from the building site, at which machinery, equipment and other capital goods are assembled and operated for the purpose of making, fabricating, forming or assembling mobile homes or manufactured housing.

(d) "Department" means the Department of Public Health.

(e) "Director" means the Director of the Department of Public Health.

(f) "Dealer" means any person, other than a manufacturer, as defined in this Act, who sells 3 or more mobile homes or manufactured housing units in any consecutive 12-month period.

(g) "Codes" means the safety codes for manufactured housing and mobile homes promulgated by the Department. The Codes shall contain the standards and requirements for manufactured housing and mobile homes so that adequate performance for the intended use is made the test of acceptability. The Code of Standards shall permit the use of new and used

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technology, techniques, methods and materials, for both manufactured housing and mobile homes, consistent with recognized and accepted codes and standards developed by the International Code Council (ICC) or by the organizations that formed the ICC in 1994: Building Officials and Code Administrators, the International Conference of Building Officials, the Southern Building Codes Congress International, the National Fire Protection Association, the International Association of Plumbing and Mechanical Officials, the American National Standards Institute, the Illinois State Plumbing Code, and the United States Department of Housing and Urban Development, hereinafter referred to as "HUD", applying to manufactured housing and mobile homes installed and set up according to the manufacturer's instructions. A copy of said safety codes, including said revisions thereof is on file with the Department.

(h) "Seal" means a device or insignia issued by the Department to be displayed on the exterior of the mobile home or the interior of a manufactured housing unit or modular home to evidence compliance with the applicable safety code.

(i) "Modular home" means a building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilating and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation, on the building site, installed and set up according to the manufacturer's instructions on an approved foundation and support system. The construction of modular dwelling units located in Illinois is regulated by the Illinois Department of Public Health.

(j) "Closed construction" is any building, component, assembly or system manufactured in such a manner that all portions cannot readily be inspected at the installation site without disassembly, damage to, or destruction thereof.

(k) "Open construction" is any building, component, assembly or system manufactured in such a manner that all portions can be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

(l) "Approved foundation and support system" means, for a modular home or modular dwelling unit, a closed perimeter formation consisting of materials such as concrete, mortared concrete block, or mortared brick extending into the ground below the frost line which shall include, but not necessarily be limited to, cellars, basements, or crawl spaces, and does
include the use of piers supporting the marriage wall of the home that extend below the frost line.

(m) "Code compliance certificate" means the certificate provided by the manufacturer to the Department that warrants that the manufactured housing unit or mobile home complies with the applicable code.

(n) "Manufactured housing", "manufactured housing unit", "modular dwelling", and "modular home" shall not be confused with "manufactured home" or "mobile home".

(Source: P.A. 96-1477, eff. 1-1-11.)

Section 10-65. The Manufactured Home Quality Assurance Act is amended by changing Section 10 as follows:

(430 ILCS 117/10)

Sec. 10. Definitions. In this Act:

"Department" means the Illinois Department of Public Health.

"Licensed installer" means a person who has successfully completed a manufactured home installation course approved by the Department and paid the required fees.

"Manufactured home" means a "manufactured home", as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. "Mobile home" means a factory-assembled, completely integrated structure, constructed on or before June 30, 1976, designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, that is a movable or portable unit that is constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons.

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"mobile home" term shall include units otherwise meeting their respective definitions containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The terms "manufactured home" and "mobile home" exclude term excludes campers and recreational vehicles.

"Manufacturer" means a manufacturer of a manufactured home, whether the manufacturer is located within or outside of the State of Illinois.

"Mobile home" or "manufactured home" does not include a modular home.

"Mobile home park" means a tract of land or 2 contiguous tracts of land that contain sites with the necessary utilities for 5 or more mobile homes or manufactured homes. A mobile home park may be operated either free of charge or for revenue purposes.

(Source: P.A. 96-1477, eff. 1-1-11.)

Section 10-70. The Illinois Vehicle Code is amended by changing Sections 3-100, 3-102, 3-103, 3-104, 3-106, 3-107, 3-109, 3-110, 3-116, 3-202, 3-205, 3-207, and 3-208 and by adding Sections 1-144.03, 3-116.1, 3-116.2, and 3-116.3 as follows:

(625 ILCS 5/1-144.03 new)
Sec. 1-144.03. Mobile home or manufactured home. A mobile home or manufactured home means a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code.

(625 ILCS 5/3-100) (from Ch. 95 1/2, par. 3-100)
Sec. 3-100. Definitions. For the purposes of this Chapter, the following words shall have the meanings ascribed to them:

"Electronic" includes electrical, digital, magnetic, optical, electromagnetic, or any other form of technology that entails capabilities similar to these technologies.

"Electronic record" means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.

"Electronic signature" means a signature in electronic form attached to or logically associated with an electronic record.

"Owner" means a person who holds legal document of ownership of a vehicle, limited to a certificate of origin, certificate of title, salvage certificate, or junking certificate. However, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right

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of purchase upon performance of the conditions stated in the agreement and
with an immediate right of possession vested in the conditional vendee or
lessee, or in the event a mortgagor of such vehicle is entitled to possession,
then such conditional vendee or lessee or mortgagor shall be deemed the
owner for the purpose of this Chapter, except as provided under paragraph (c)
of Section 3-118.

"Record" means information that is inscribed, stored, or otherwise
fixed on a tangible medium or that is stored in an electronic or other medium
and is retrievable in perceivable form.

"Signature" or "signed" includes any symbol executed or adopted, or
any security procedure employed or adopted, using electronic means or
otherwise, by or on behalf of a person with intent to authenticate a record.

"Vehicle" means a vehicle as defined in Section 1-217 of this Code.
Unless otherwise specified, "vehicle" also means a "manufactured home" as
defined in Section 1-144.03 of this Code.

(Source: P.A. 91-79, eff. 1-1-00; 91-357, eff. 7-29-99; 91-772, eff. 1-1-01.)
(625 ILCS 5/3-102) (from Ch. 95 1/2, par. 3-102)
Sec. 3-102. Exclusions.
No certificate of title need be obtained for:
1. A vehicle owned by the State of Illinois; or a vehicle owned by the
United States unless it is registered in this State;
2. A vehicle owned by a manufacturer or dealer and held for sale,
even though incidentally moved on the highway or used for purposes of
testing or demonstration, provided a dealer reassignment area is still available
on the manufacturer's certificate of origin or the Illinois title; or a vehicle
used by a manufacturer solely for testing;
3. A vehicle owned by a non-resident of this State and not required by
law to be registered in this State;
4. A motor vehicle regularly engaged in the interstate transportation
of persons or property for which a currently effective certificate of title has
been issued in another State;
5. A vehicle moved solely by animal power;
6. An implement of husbandry;
7. Special mobile equipment;
8. An apportionable trailer or an apportionable semitrailer registered
in the State prior to April 1, 1998.

9. A manufactured home for which an affidavit of affixture has been
recorded pursuant to the Conveyance and Encumbrance of Manufactured
Homes as Real Property and Severance Act unless with respect to the same

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manufactured home there has been recorded an affidavit of severance pursuant to that Act.
(Source: P.A. 91-441, eff. 1-1-00.)

(625 ILCS 5/3-103) (from Ch. 95 1/2, par. 3-103)

Sec. 3-103. Optional certificate of title.
(a) The owner of an implement of husbandry or special mobile equipment may apply for and obtain a certificate of title on it. All of the provisions of this chapter, except part (e) of Section 3-104, are applicable to a certificate of title so issued, except that a person who receives a transfer of an interest in the vehicle without knowledge of the certificate of title is not prejudiced by reason of the existence of the certificate, and the perfection of a security interest under this act is not effective until the lienholder has complied with the provisions of applicable law which otherwise relate to the perfection of security interests in personal property.

An application for an optional certificate of title must be accompanied by either an exemption determination from the Department of Revenue showing that no tax imposed under the "Use Tax Act" or the "Retailers' Occupation Tax Act" is owed by anyone with respect to that vehicle or by a receipt from the Department of Revenue showing that any tax so imposed has been paid. No optional certificate of title shall be issued in the absence of such a receipt or exemption determination.

If the proof of payment or of nonliability is, after the issuance of the optional certificate of title, found to be invalid, the Secretary of State shall revoke the optional certificate of title and require that it be returned to him.

(b) The owner of a manufactured home which is affixed to a permanent foundation and for which a certificate of title has not previously been issued and surrendered for cancellation may apply for a certificate of title, including, if applicable, a certificate of title issued in accordance with subsection (b) of Section 3-109, which shall be issued for the sole purpose of (i) surrendering such certificate of title for cancellation in accordance with Section 3-116.2 or (ii) satisfying the requirements of subdivision (e)(4) of Section 9-334 of the Uniform Commercial Code. The Secretary of State shall issue a certificate of title, in accordance with this Chapter, upon satisfaction of the application requirements of this Code.
(Source: P.A. 78-1165.)

(625 ILCS 5/3-104) (from Ch. 95 1/2, par. 3-104)

Sec. 3-104. Application for certificate of title.

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(a) The application for a certificate of title for a vehicle in this State must be made by the owner to the Secretary of State on the form prescribed and must contain:

1. The name, Illinois residence and mail address of the owner;
2. A description of the vehicle including, so far as the following data exists: Its make, year-model, identifying number, type of body, whether new or used, as to house trailers as defined in Section 1-128 of this Code, and as to manufactured homes as defined in Section 1-144.03 of this Code, the square footage of the house trailer based upon the outside dimensions of the house trailer excluding the length of the tongue and hitch, and, as to vehicles of the second division, whether for-hire, not-for-hire, or both for-hire and not-for-hire;
3. The date of purchase by applicant and, if applicable, the name and address of the person from whom the vehicle was acquired and the names and addresses of any lienholders in the order of their priority and signatures of owners;
4. The current odometer reading at the time of transfer and that the stated odometer reading is one of the following: actual mileage, not the actual mileage or mileage is in excess of its mechanical limits; and
5. Any further information the Secretary of State reasonably requires to identify the vehicle and to enable him to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle.

(a-5) The Secretary of State shall designate on the prescribed application form a space where the owner of a vehicle may designate a beneficiary, to whom ownership of the vehicle shall pass in the event of the owner's death.

(b) If the application refers to a vehicle purchased from a dealer, it must also be signed by the dealer as well as the owner, and the dealer must promptly mail or deliver the application and required documents to the Secretary of State.

(c) If the application refers to a vehicle last previously registered in another State or country, the application must contain or be accompanied by:

1. Any certified document of ownership so recognized and issued by the other State or country and acceptable to the Secretary of State, and

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2. Any other information and documents the Secretary of State reasonably requires to establish the ownership of the vehicle and the existence or nonexistence of security interests in it.

(d) If the application refers to a new vehicle it must be accompanied by the Manufacturer's Statement of Origin, or other documents as required and acceptable by the Secretary of State, with such assignments as may be necessary to show title in the applicant.

(e) If an application refers to a vehicle rebuilt from a vehicle previously salvaged, that application shall comply with the provisions set forth in Sections 3-302 through 3-304 of this Code.

(f) An application for a certificate of title for any vehicle, whether purchased in Illinois or outside Illinois, and even if previously registered in another State, must be accompanied by either an exemption determination from the Department of Revenue showing that no tax imposed pursuant to the Use Tax Act or the vehicle use tax imposed by Section 3-1001 of the Illinois Vehicle Code is owed by anyone with respect to that vehicle, or a receipt from the Department of Revenue showing that any tax so imposed has been paid. An application for a certificate of title for any vehicle purchased outside Illinois, even if previously registered in another state, must be accompanied by either an exemption determination from the Department of Revenue showing that no tax imposed pursuant to the Municipal Use Tax Act or the County Use Tax Act is owed by anyone with respect to that vehicle, or a receipt from the Department of Revenue showing that any tax so imposed has been paid. In the absence of such a receipt for payment or determination of exemption from the Department, no certificate of title shall be issued to the applicant.

If the proof of payment of the tax or of nonliability therefor is, after the issuance of the certificate of title and display certificate of title, found to be invalid, the Secretary of State shall revoke the certificate and require that the certificate of title and, when applicable, the display certificate of title be returned to him.

(g) If the application refers to a vehicle not manufactured in accordance with federal safety and emission standards, the application must be accompanied by all documents required by federal governmental agencies to meet their standards before a vehicle is allowed to be issued title and registration.

(h) If the application refers to a vehicle sold at public sale by a sheriff, it must be accompanied by the required fee and a bill of sale issued and signed by a sheriff. The bill of sale must identify the new owner's name and
address, the year model, make and vehicle identification number of the vehicle, court order document number authorizing such sale, if applicable, and the name and address of any lienholders in order of priority, if applicable.

(i) If the application refers to a vehicle for which a court of law determined the ownership, it must be accompanied with a certified copy of such court order and the required fee. The court order must indicate the new owner's name and address, the complete description of the vehicle, if known, the name and address of the lienholder, if any, and must be signed and dated by the judge issuing such order.

(j) If the application refers to a vehicle sold at public auction pursuant to the Labor and Storage Lien (Small Amount) Act, it must be accompanied by an affidavit or affirmation furnished by the Secretary of State along with the documents described in the affidavit or affirmation and the required fee.

(k) The Secretary may provide an expedited process for the issuance of vehicle titles. Expedited title applications must be delivered to the Secretary of State's Vehicle Services Department in Springfield by express mail service or hand delivery. Applications must be complete, including necessary forms, fees, and taxes. Applications received before noon on a business day will be processed and shipped that same day. Applications received after noon on a business day will be processed and shipped the next business day. The Secretary shall charge an additional fee of $30 for this service, and that fee shall cover the cost of return shipping via an express mail service. All fees collected by the Secretary of State for expedited services shall be deposited into the Motor Vehicle License Plate Fund. In the event the Vehicle Services Department determines that the volume of expedited title requests received on a given day exceeds the ability of the Vehicle Services Department to process those requests in an expedited manner, the Vehicle Services Department may decline to provide expedited services, and the additional fee for the expedited service shall be refunded to the applicant.

(l) If the application refers to a homemade trailer, (i) it must be accompanied by the appropriate documentation regarding the source of materials used in the construction of the trailer, as required by the Secretary of State, (ii) the trailer must be inspected by a Secretary of State employee prior to the issuance of the title, and (iii) upon approval of the Secretary of State, the trailer must have a vehicle identification number, as provided by the Secretary of State, stamped or riveted to the frame.

(m) The holder of a Manufacturer's Statement of Origin to a manufactured home may deliver it to any person to facilitate conveying or
encumbering the manufactured home. Any person receiving any such Manufacturer's Statement of Origin so delivered holds it in trust for the person delivering it.

(n) Within 45 days after the completion of the first retail sale of a manufactured home, the Manufacturer's Statement of Origin to that manufactured home must be surrendered to the Secretary of State either in conjunction with an application for a certificate of title for that manufactured home or in accordance with Section 3-116.1.

(Source: P.A. 96-519, eff. 1-1-10; 96-554, eff. 5-27-10; 96-1000, eff. 7-2-10; 97-918, eff. 1-1-13.)

(625 ILCS 5/3-106) (from Ch. 95 1/2, par. 3-106)

Sec. 3-106. Certificate of title - Issuance - Records. (a) The Secretary of State shall file each application received and, when satisfied as to its genuineness and regularity, and that no tax imposed by the "Use Tax Act" or the vehicle use tax, as imposed by Section 3-1001 of "The Illinois Vehicle Code", or pursuant to the "Municipal Use Tax Act" or pursuant to the "County Use Tax Act" is owed as evidenced by the receipt for payment or determination of exemption from the Department of Revenue provided for in Section 3-104 of this Act, and that the applicant is entitled to the issuance of a certificate of title, shall issue a certificate of title of the vehicle.

(b) The Secretary of State shall maintain a record of all certificates of title issued by him under a distinctive title number assigned to the vehicle; and, in the discretion of the Secretary of State, in any other method determined.

(c) The Secretary of State shall not issue a certificate of title, including a certificate of title issued in accordance with subsection (b) of Section 3-109, to a manufactured home for which there has been recorded an affidavit of affixation pursuant to the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act unless with respect to the same manufactured home there has been recorded an affidavit of severance pursuant to the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(d) The Secretary of State shall file, upon receipt, each affidavit of affixation and each affidavit of severance relating to a manufactured home that is delivered in accordance with the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, when satisfied as to its genuineness and regularity.

(e) The Secretary of State shall maintain a record of each affidavit of affixation and each affidavit of severance filed in accordance with subsection

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(d) of this Section. The record shall state the name of the owner of the related manufactured home, the name of manufacturer, model year, manufacturer's serial number, and any other data the Secretary of State prescribes.

(f) The Secretary of State shall file, upon receipt, each application for surrender of the Manufacturer's Statement of Origin relating to a manufactured home that is delivered in accordance with Section 3-116.1, when satisfied as to its genuineness and regularity.

(g) The Secretary of State shall file, upon receipt, each application for surrender of the certificate of title relating to a manufactured home that is delivered in accordance with Section 3-116.2, when satisfied as to its genuineness and regularity.

(h) The Secretary of State shall maintain a record, including a record in the form of a searchable electronic database accessible to the public, of each Manufacturer's Statement of Origin accepted for surrender as provided in Section 3-116.1. The record shall state the date the Manufacturer's Statement of Origin was accepted for surrender, the name of manufacturer, make, model name, model year, manufacturer's serial number, and any other data the Secretary of State prescribes.

(i) The Secretary of State shall maintain a record, including a record in the form of a searchable electronic database accessible to the public, of each manufactured home certificate of title accepted for surrender as provided in Section 3-116.2. The record shall state the date the certificate of title was accepted for surrender, the name of manufacturer, model year, manufacturer's serial number, and any other data the Secretary of State prescribes.

(Source: P.A. 86-444.)

(625 ILCS 5/3-107) (from Ch. 95 1/2, par. 3-107)
Sec. 3-107. Contents and effect.
(a) Each certificate of title issued by the Secretary of State shall contain:

1. the date issued;
2. the name and address of the owner;
3. the names and addresses of any lienholders, in the order of priority as shown on the application or, if the application is based on a certificate of title, as shown on the certificate;
4. the title number assigned to the vehicle;
5. a description of the vehicle including, so far as the following data exists: its make, year-model, identifying number, type of body, whether new or used, as to house trailers as defined in

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Section 1-128 of this Code, and as to manufactured homes as defined in Section 1-144.03 of this Code, the square footage of the vehicle based upon the outside dimensions of the house trailer excluding the length of the tongue and hitch, and, if a new vehicle, the date of the first sale of the vehicle for use;

6. an odometer certification as provided for in this Code; and

7. any other data the Secretary of State prescribes.

(a-5) In the event the applicant seeks to have the vehicle titled as a custom vehicle or street rod, that fact must be stated in the application. The custom vehicle or street rod must be inspected as required by Section 3-406 of this Code prior to issuance of the title. Upon successful completion of the inspection, the vehicle may be titled in the following manner. The make of the vehicle shall be listed as the make of the actual vehicle or the make it is designed to resemble (e.g., Ford or Chevrolet); the model of the vehicle shall be listed as custom vehicle or street rod; and the year of the vehicle shall be listed as the year the actual vehicle was manufactured or the year it is designed to resemble. A vehicle previously titled as other than a custom vehicle or street rod may be issued a corrected title reflecting the custom vehicle or street rod model if it otherwise meets the requirements for the designation.

(b) The certificate of title shall contain forms for assignment and warranty of title by the owner, and for assignment and warranty of title by a dealer, and may contain forms for applications for a certificate of title by a transferee, the naming of a lienholder and the assignment or release of the security interest of a lienholder.

(b-5) The Secretary of State shall designate on a certificate of title a space where the owner of a vehicle may designate a beneficiary, to whom ownership of the vehicle shall pass in the event of the owner's death.

(c) A certificate of title issued by the Secretary of State is prima facie evidence of the facts appearing on it.

(d) A certificate of title for a vehicle is not subject to garnishment, attachment, execution or other judicial process, but this subsection does not prevent a lawful levy upon the vehicle.

(e) Any certificate of title issued by the Secretary of State is subject to a lien in favor of the State of Illinois for any fees or taxes required to be paid under this Act and as have not been paid, as provided for in this Code.

(f) Notwithstanding any other provision of law, a certificate of title issued by the Secretary of State to a manufactured home is prima facie evidence of the facts appearing on it, notwithstanding the fact that such

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manufactured home, at any time, shall have become affixed in any manner to real property.

(Source: P.A. 95-784, eff. 1-1-09; 96-487, eff. 1-1-10.)

(625 ILCS 5/3-109) (from Ch. 95 1/2, par. 3-109)

Sec. 3-109. Registration without certificate of title; bond. If the Secretary of State is not satisfied as to the ownership of the vehicle, including but not limited to, in the case of a manufactured home, a circumstance in which the manufactured home is covered by a Manufacturer's Statement of Origin that the owner of the manufactured home, after diligent search and inquiry, is unable to produce, or that there are no undisclosed security interests in it, the Secretary of State may register the vehicle but shall either:

(a) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the Secretary of State as to the applicant's ownership of the vehicle and that there are no undisclosed security interests in it; or

(b) As a condition of issuing a certificate of title, require the applicant to file with the Secretary of State a bond in the form prescribed by the Secretary of State and executed by a person authorized to conduct a surety business in this State. The bond shall be in an amount equal to one and one-half times the value of the vehicle as determined by the Secretary of State and conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of three (3) years or prior thereto if (i) the vehicle is no longer registered in this State and the currently valid certificate of title is surrendered to the Secretary of State or (ii), in the case of a certificate of title to a manufactured home, the currently valid certificate of title is surrendered to the Secretary of State in accordance with Section 3-116.2, unless the Secretary of State has been notified of the pendency of an action to recover on the bond.

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Security deposited as a bond hereunder shall be placed by the Secretary of State in the custody of the State Treasurer.

(c) During July, annually, the Secretary shall compile a list of all bonds on deposit, pursuant to this Section, for more than 3 years and concerning which he has received no notice as to the pendency of any judicial proceeding that could affect the disposition thereof. Thereupon, he shall promptly send a notice by certified mail to the last known address of each depositor advising him that his bond will be subject to escheat to the State of Illinois if not claimed within 30 days after the mailing date of such notice. At the expiration of such time, the Secretary of State shall file with the State Treasurer an order directing the transfer of such deposit to the Road Fund in the State Treasury. Upon receipt of such order, the State Treasurer shall make such transfer, after converting to cash any other type of security. Thereafter any person having a legal claim against such deposit may enforce it by appropriate proceedings in the Court of Claims subject to the limitations prescribed for such Court. At the expiration of such limitation period such deposit shall escheat to the State of Illinois.

(Source: P.A. 81-1458.)

(625 ILCS 5/3-110) (from Ch. 95 1/2, par. 3-110)
Sec. 3-110. Refusing certificate of title. The Secretary of State shall refuse issuance of a certificate of title if any required fee is not paid or if he has reasonable grounds to believe that:

(a) the applicant is not the owner of the vehicle;
(b) the application contains a false or fraudulent statement;
(c) the applicant fails to furnish required information or documents or any additional information the Secretary of State reasonably requires; or
(d) the applicant has not paid to the Secretary of State any fees or taxes due under this Act and have not been paid upon reasonable notice and demand.

Except as provided in Section 3-116.2, the Secretary of State shall not refuse to issue a certificate of title to a manufactured home by reason of the fact that, at any time, in any manner, it shall have been affixed to real property.

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

(625 ILCS 5/3-116) (from Ch. 95 1/2, par. 3-116)
Sec. 3-116. When Secretary of State to issue a certificate of title.
(a) The Secretary of State, upon receipt of a properly assigned certificate of title, with an application for a certificate of title, the required fee

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and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner and mail it to the first lienholder named in it or, if none, to the owner or owner's designee.

(b) The Secretary of State, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner.

(c) Any person, firm or corporation, who shall knowingly possess, buy, sell, exchange or give away, or offer to buy, sell, exchange or give away the certificate of title to any motor vehicle which is a junk or salvage, or who shall fail to surrender the certificate of title to the Secretary of State as required under the provisions of this Section and Section 3-117.2, shall be guilty of Class 3 felony.

(d) The Secretary of State shall file and retain for four (4) years a record of every surrendered certificate of title or proof of ownership accepted by the Secretary of State, the file to be maintained so as to permit the tracing of title of the vehicle designated therein. Such filing and retention requirements shall be in addition to and not in substitution for the recordkeeping requirements set forth in Section 3-106 of this Code, which recordkeeping requirements are not limited to any period of time.

(e) The Secretary of State, upon receipt of an application for corrected certificate of title, with the original title, the required fee and any other required documents, shall issue a corrected certificate of title in the name of the owner and mail it to the first lienholder named in it or, if none, to the owner or owner's designee.

(f) The Secretary of State, upon receipt of a certified copy of a court order awarding ownership to an applicant along with an application for a certificate of title and the required fee, shall issue a certificate of title to the applicant.

(Source: P.A. 90-212, eff. 1-1-98.)

Sec. 3-116.1. Surrender of Manufacturer's Statement of Origin to a manufactured home.

(a) The owner (all, if more than one) of a manufactured home that is covered by a Manufacturer's Statement of Origin and that is affixed to a permanent foundation as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, or which the owner intends to affix to a permanent foundation as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and
Severance Act, may surrender the Manufacturer's Statement of Origin to the manufactured home to the Secretary of State by filing with the Secretary of State an application for surrender of Manufacturer's Statement of Origin containing or accompanied by:

1. the name, residence, and mailing address of the owner;
2. a description of the manufactured home including the name of the manufacturer, the make, the model name, the model year, the dimensions, and the vehicle identification number of the manufactured home and whether it is new or used, and any other information the Secretary of State requires;
3. the date of purchase by the owner of the manufactured home, the name and address of the person from whom the home was acquired, and the names and addresses of any security interest holders and lienholders in the order of their apparent priority;
4. a statement signed by the owner, stating either (i) any facts or information known to the owner that could reasonably affect the validity of the title to the manufactured home or the existence or non-existence of a security interest in or lien on it or (ii) that no such facts or information are known to the owner;
5. a certified copy of the recorded affidavit of affixation in accordance with the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act;
6. the original Manufacturer's Statement of Origin;
7. the name and mailing address of each owner of the manufactured home or such owner's designee wishing to receive written acknowledgment of surrender from the Secretary of State; and
8. any other information and documents the Secretary of State reasonably requires to identify the owner of the manufactured home and to enable him or her to determine whether the owner satisfied the requirements of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act and is entitled to surrender the Manufacturer's Statement of Origin, and the existence or non-existence of security interests in or liens on the manufactured home.

(b) When satisfied as to the genuineness and regularity of the surrender of a Manufacturer's Statement of Origin to a manufactured home, payment of any applicable fees and upon satisfaction of the requirements of subsection (a) of this Section, the Secretary of State shall (i) cancel the

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Manufacturer's Statement of Origin and update his or her records in accordance with the provisions of Section 3-106 and (ii) provide written acknowledgment of compliance with the provisions of this Section to each person identified on the application for surrender of Manufacturer's Statement of Origin pursuant to subsection (a)(7) of this Section.

(c) Upon satisfaction of the requirements of this Section, a manufactured home shall be conveyed and encumbered as provided in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. If the application to surrender a Manufacturer's Statement of Origin is delivered to the Secretary of State within 60 days of recording the related affidavit of affixation with the recording officer in the county in which the real property to which the manufactured home is or shall be affixed and the application is thereafter accepted by the Secretary of State, the requirements of this Section shall be deemed satisfied as of the date the affidavit of affixation is recorded.

(d) Upon written request by a person identified on the application for surrender of Manufacturer's Statement of Origin pursuant to subsection (a)(7) of this Section, the Secretary of State shall provide written acknowledgment of compliance with the provisions of this Section.

(625 ILCS 5/3-116.2 new)
Sec. 3-116.2. Application for surrender of title.

(a) The owner (all, if more than one) of a manufactured home that is covered by a certificate of title, including, if applicable, a certificate of title issued in accordance with subsection (b) of Section 3-109, and that is permanently affixed to real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, or which the owner intends to permanently affix to real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, may surrender the certificate of title to the manufactured home to the Secretary of State by filing with the Secretary of State an application for surrender of title containing or accompanied by:

(1) the name, residence, and mailing address of the owner;
(2) a description of the manufactured home including the name of the manufacturer, the make, the model name, the model year, the dimensions, and the vehicle identification number or numbers of the manufactured home and whether it is new or used and any other information the Secretary of State requires;
(3) the date of purchase by the owner of the manufactured home, the name and address of the person from whom the home was purchased;

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acquired and the names and addresses of any security interest
holders and lienholders in the order of their apparent priority;
(4) a statement signed by the owner, stating either, (i) any
facts or information known to the owner that could reasonably affect
the validity of the title to the manufactured home or the existence or
non-existence of a security interest in or lien on it; or (ii) that no such
facts or information are known to the owner;
(5) a certified copy of the affidavit of affixation in accordance
with the Conveyance and Encumbrance of Manufactured Homes as
Real Property and Severance Act;
(6) the original certificate of title;
(7) the name and mailing address of each owner of the
manufactured home or such owner's designee wishing written
acknowledgment of surrender from the Secretary of State;
(8) a release of security interests (if any) pursuant to Section
3-205 of this Code; and
(9) any other information and documents the Secretary of
State reasonably requires to identify the owner of the manufactured
home and to enable him or her to determine whether the owner
satisfied the requirements of the Conveyance and Encumbrance of
Manufactured Homes as Real Property and Severance Act and is
entitled to surrender the certificate of title and the existence or non-
existence of security interests in or liens on the manufactured home.
(b) The Secretary of State shall not accept for surrender a certificate
of title to a manufactured home unless and until all security interests or liens
perfected pursuant to Sections 3-106 and 3-202 have been released.
(c) When satisfied as to the genuineness and regularity of the
surrender of a certificate of title to a manufactured home, payment of any
applicable fees and upon satisfaction of the requirements of subsections (a)
and (b) of this Section, the Secretary of State shall (i) cancel the certificate
of title and update his or her records in accordance with the provisions of
Section 3-106 and (ii) provide written acknowledgment of compliance with
the provisions of this Section to each person identified on the application for
surrender of title pursuant to subsection (a)(7) of this Section.
(d) Upon satisfaction of the requirements of this Section, a
manufactured home shall be conveyed and encumbered as provided in the
Conveyance and Encumbrance of Manufactured Homes as Real Property and
Severance Act. If the application to surrender a certificate of title is delivered
to the Secretary of State within 60 days of recording the related affidavit of
affixation with the recording officer in the county in which the real property to which the manufactured home is or shall be affixed, and the application is thereafter accepted by the Secretary of State, the requirements of this Section shall be deemed satisfied as of the date the affidavit of affixation is recorded.

(e) Upon written request by a person identified on the application for surrender of title pursuant to subsection (a)(7) of this Section, the Secretary of State shall provide written acknowledgment of compliance with the provisions of this Section.

(625 ILCS 5/3-116.3 new)
Sec. 3-116.3. Application for a certificate of title to a severed manufactured home.

(a) Notwithstanding any other provision of law, where a manufactured home has been affixed to a permanent foundation, and an affidavit of affixation has been recorded as part of the real property records in the county in which the manufactured home is located in accordance with the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, and where the manufactured home subsequently is detached or severed from the real property, the owner (all, if more than one) of the manufactured home shall, unless exempted by other provisions of this Code, apply for a new certificate of title by filing with the Secretary of State an application for a certificate of title to a manufactured home, to be issued in accordance with subsection (b) of Section 3-109, containing or accompanied by:

(1) the name, residence, and mailing address of the owner;
(2) a description of the manufactured home, including the name of the manufacturer, the make, the model name, the model year, the dimensions, and the vehicle identification number or numbers of the manufactured home and whether it is new or used, and any other information the Secretary of State requires;
(3) a statement signed by the applicant, stating either: (i) any facts or information known to the applicant that could reasonably affect the validity of the title of the manufactured home or the existence or non-existence of any security interest in or lien on it or (ii) that no such facts or information are known to the applicant;
(4) a certified copy of the recorded affidavit of severance provided in accordance with the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act; and

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(5) any other information and documents the Secretary of State reasonably requires.

(b) Upon satisfaction of the requirements of subsection (a) of this Section and subsection (b) of Section 3-109, the Secretary of State shall issue a new certificate of title pursuant to subsection (b) of Section 3-109 and update his or her records in accordance with the provisions of Section 3-106.

(c) Immediately upon satisfaction of the requirements of this Section and thereafter, a manufactured home shall be conveyed and encumbered as personal property.

(d) The satisfaction of the requirements of this Section with respect to a manufactured home shall have no effect on the manner in which such manufactured home is taxed pursuant to the Property Tax Code or the Mobile Home Local Services Tax Act.

(625 ILCS 5/3-202) (from Ch. 95 1/2, par. 3-202)

Sec. 3-202. Perfection of security interest.

(a) Unless excepted by Section 3-201, a security interest in a vehicle of a type for which a certificate of title is required is not valid against subsequent transferees or lienholders of the vehicle unless perfected as provided in this Act. A purchase money security interest in a manufactured home is perfected against the rights of judicial lien creditors and execution creditors on and after the date such purchase money security interest attaches.

(b) A security interest is perfected by the delivery to the Secretary of State of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the lienholder and the required fee. The security interest is perfected as of the time of its creation if the delivery to the Secretary of State is completed within 30 days after the creation of the security interest or receipt by the new lienholder of the existing certificate of title from a prior lienholder or licensed dealer, otherwise as of the time of the delivery.

(c) If a vehicle is subject to a security interest when brought into this State, the validity of the security interest is determined by the law of the jurisdiction where the vehicle was when the security interest attached, subject to the following:

1. If the parties understood at the time the security interest attached that the vehicle would be kept in this State and it was brought into this State within 30 days thereafter for purposes other than transportation through this State, the validity of the security interest in this State is determined by the law of this State.
2. If the security interest was perfected under the law of the jurisdiction where the vehicle was when the security interest attached, the following rules apply:
   
   (A) If the name of the lienholder is shown on an existing certificate of title issued by that jurisdiction, his security interest continues perfected in this State.
   
   (B) If the name of the lienholder is not shown on an existing certificate of title issued by that jurisdiction, a security interest may be perfected by the lienholder delivering to the Secretary of State the prescribed notice and by payment of the required fee. Such security interest is perfected as of the time of delivery of the prescribed notice and payment of the required fee.

3. If the security interest was not perfected under the law of the jurisdiction where the vehicle was when the security interest attached, it may be perfected in this State; in that case perfection dates from the time of perfection in this State.

4. A security interest may be perfected under paragraph 3 of this subsection either as provided in subsection (b) or by the lienholder delivering to the Secretary of State a notice of security interest in the form the Secretary of State prescribes and the required fee.

(d) Except as otherwise provided in Sections 3-116.1, 3-116.2, 3-207, and the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, after a certificate of title has been issued for a manufactured home and as long as the manufactured home is subject to any security interest perfected pursuant to this Section, the Secretary of State shall not file an affidavit of affixation, nor cancel the Manufacturer's Statement of Origin, nor revoke the certificate of title, nor issue a certificate of title under Section 3-106, and, in any event, the validity and priority of any security interest perfected pursuant to this Section shall continue, notwithstanding the provision of any other law.

(Source: P.A. 95-284, eff. 1-1-08.)

(625 ILCS 5/3-205) (from Ch. 95 1/2, par. 3-205)
Sec. 3-205. Release of security interest.

(a) Within 21 days after receiving payment to satisfy a security interest in a vehicle for which the certificate of title is in the possession of the lienholder, he shall execute a release of his security interest, and mail or deliver the certificate and release to the next lienholder named therein, or, if

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none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. If the payment is in the form of cash, a cashier's check, or a certified check, the number of days is reduced to 10 business days. If the owner desires a new certificate reflecting no lien, the certificate and release from the lienholder may be submitted to the Secretary of State, along with the prescribed application and required fee, for issuance of that new certificate.

(b) Within 21 days after receiving payment to satisfy a security interest in a vehicle for which the certificate of title is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall execute a release and deliver the release to the owner or any person who delivers to the lienholder an authorization from the owner to receive it. If the payment is in the form of cash, a cashier's check, or a certified check, the number of days is reduced to 10 business days. The lienholder in possession of the certificate of title may either deliver the certificate to the owner, or the person authorized by him, for delivery to the Secretary of State, or, upon receipt of the release, may mail or may deliver the certificate and release, along with prescribed application and require fee, to the Secretary of State, who shall issue a new certificate.

(c) In addition to any other penalty, a lienholder who fails to execute a release of his or her security interest or who fails to mail or deliver the certificate and release within the time limit provided in subsection (a) or (b) is liable to the person or entity that was supposed to receive the release or certificate for $150 plus reasonable attorney fees and court costs. An action under this Section may be brought in small claims court or in any other appropriate court.

(d) The holder of a security interest in or a lien on a manufactured home may deliver lien release documents to any person to facilitate conveying or encumbering the manufactured home. Any person receiving any such documents so delivered holds the documents in trust for the security interest holder or the lienholder.

(Source: P.A. 93-621, eff. 12-15-03.)

(625 ILCS 5/3-207) (from Ch. 95 1/2, par. 3-207)

Sec. 3-207. Exclusiveness of procedure.

The method provided in this act of perfecting and giving notice of security interests subject to this act is exclusive. Security interests subject to this act are hereby exempted from the provisions of law which otherwise require or relate to the recording or filing of instruments creating or evidencing security interests in vehicles including chattel mortgages and

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conditional sale agreements, provided, however, that with respect to a manufactured home that is or will be affixed to a permanent foundation, upon recordation of an affidavit of affixation pursuant to the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act and satisfaction of the requirements of Section 3-116.1 or 3-116.2, as applicable, any perfection or termination of a security interest with respect to such permanently affixed property shall be governed by the laws applicable to real property.

(Source: P.A. 76-1586.)

Sec. 3-208. Suspension or revocation of certificates.

(a) The Secretary of State may suspend or revoke a certificate of title, upon notice and reasonable opportunity to be heard in accordance with Section 2-118, when authorized by any other provision of law or if he finds:

  1. The certificate of title was fraudulently procured or erroneously issued, or
  2. The vehicle has been scrapped, dismantled or destroyed.

Except as provided in Section 3-116.2, the Secretary of State shall not suspend or revoke a certificate of title to a manufactured home by reason of the fact that, at any time, it shall have become affixed in any manner to real property.

(b) Suspension or revocation of a certificate of title does not, in itself, affect the validity of a security interest noted on it.

(c) When the Secretary of State suspends or revokes a certificate of title, the owner or person in possession of it shall, immediately upon receiving notice of the suspension or revocation, mail or deliver the certificate to the Secretary of State.

(d) The Secretary of State may seize and impound any certificate of title which has been suspended or revoked.

(Source: P.A. 76-1586.)

Section 10-75. The Code of Civil Procedure is amended by changing Section 15-1213 as follows:

Sec. 15-1213. Real Estate. "Real estate" means land or any estate or interest in, over or under land (including minerals, air rights, structures, fixtures and other things which by custom, usage or law pass with a conveyance of land though not described or mentioned in the contract of sale or instrument of conveyance). "Mortgaged real estate" means the real estate which is the subject of a mortgage. "Real Estate" includes a manufactured
home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. (Source: P.A. 84-1462.)

Section 10-80. The Conveyances Act is amended by changing Section 38 as follows:

(765 ILCS 5/38) (from Ch. 30, par. 37)
Sec. 38. The term "real estate," as used in this act, shall be construed as co-extensive in meaning with "lands, tenements and hereditaments," and as embracing all chattels real. "Real estate" and "real property" include a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. This act shall not be construed so as to embrace last wills, except as herein expressly provided.
(Source: P.A. 84-551.)

Section 10-85. The Residential Real Property Disclosure Act is amended by changing Section 5 as follows:

(765 ILCS 77/5)
Sec. 5. Definitions. As used in this Act, unless the context otherwise requires the following terms have the meaning given in this Section.
"Residential real property" means real property improved with not less than one nor more than 4 residential dwelling units; units in residential cooperatives; or, condominium units, including the limited common elements allocated to the exclusive use thereof that form an integral part of the condominium unit. The term includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.
"Seller" means every person or entity who is an owner, beneficiary of a trust, contract purchaser or lessee of a ground lease, who has an interest (legal or equitable) in residential real property. However, "seller" shall not include any person who has both (i) never occupied the residential real property and (ii) never had the management responsibility for the residential real property nor delegated such responsibility for the residential real property to another person or entity.
"Prospective buyer" means any person or entity negotiating or offering to become an owner or lessee of residential real property by means of a transfer for value to which this Act applies.

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Section 10-90. The Mobile Home Landlord and Tenant Rights Act is amended by changing Section 3 as follows:

Sec. 3. Definitions. Unless otherwise expressly defined, all terms in this Act shall be construed to have their ordinarily accepted meanings or such meaning as the context therein requires.

(a) "Person" means any legal entity, including but not limited to, an individual, firm, partnership, association, trust, joint stock company, corporation or successor of any of the foregoing.

(b) "Manufactured home" means a factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and (iii) 320 or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons, and specifically includes a "manufactured home" as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles. The words "mobile home" and "manufactured home" are synonymous for the purposes of this Act.

(c) "Mobile Home Park" or "Park" means a tract of land or 2 contiguous tracts of land that contain sites with the necessary utilities for 5 or more mobile homes or manufactured homes. A mobile home park may be operated either free of charge or for revenue purposes.

(d) "Park Owner" means the owner of a mobile home park and any person authorized to exercise any aspect of the management of the premises, including any person who directly or indirectly receives rents and has no obligation to deliver the whole of such receipts to another person.
(e) "Tenant" means any person who occupies a mobile home rental unit for dwelling purposes or a lot on which he parks a mobile home for an agreed upon consideration.

(f) "Rent" means any money or other consideration given for the right of use, possession and occupancy of property, be it a lot, a mobile home, or both.

(g) "Master antenna television service" means any and all services provided by or through the facilities of any closed circuit coaxial cable communication system, or any microwave or similar transmission services other than a community antenna television system as defined in Section 11-42-11 of the Illinois Municipal Code.

(Source: P.A. 96-1477, eff. 1-1-11.)

Section 10-95. The Mortgage Act is amended by adding Section 13.1 as follows:

(765 ILCS 905/13.1 new)
Sec. 13.1. Real estate; real property. As used in this Act, "real estate" and "real property" include a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

Section 10-100. The Joint Tenancy Act is amended by adding Section 5 as follows:

(765 ILCS 1005/5 new)
Sec. 5. Real estate; real property. As used in this Act, "real estate" and "real property" include a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

Section 10-105. The Uniform Commercial Code is amended by changing Section 9-102 as follows:

(810 ILCS 5/9-102) (from Ch. 26, par. 9-102)
Sec. 9-102. Definitions and index of definitions.
(a) Article 9 definitions. In this Article:

(1) "Accession" means goods that are physically united with other goods in such a manner that the identity of the original goods is not lost.

(2) "Account", except as used in "account for", means a right to payment of a monetary obligation, whether or not earned by performance, (i) for property that has been or is to be sold, leased,
licensed, assigned, or otherwise disposed of, (ii) for services rendered 
or to be rendered, (iii) for a policy of insurance issued or to be issued, 
(iv) for a secondary obligation incurred or to be incurred, (v) for 
energy provided or to be provided, (vi) for the use or hire of a vessel 
under a charter or other contract, (vii) arising out of the use of a credit 
or charge card or information contained on or for use with the card, 
or (viii) as winnings in a lottery or other game of chance operated or 
sponsored by a State, governmental unit of a State, or person licensed 
or authorized to operate the game by a State or governmental unit of 
a State. The term includes health-care-insurance receivables. The 
term does not include (i) rights to payment evidenced by chattel paper 
or an instrument, (ii) commercial tort claims, (iii) deposit accounts, 
(iv) investment property, (v) letter-of-credit rights or letters of credit, 
or (vi) rights to payment for money or funds advanced or sold, other 
than rights arising out of the use of a credit or charge card or 
information contained on or for use with the card.

(3) "Account debtor" means a person obligated on an account, 
chattel paper, or general intangible. The term does not include 
persons obligated to pay a negotiable instrument, even if the 
instrument constitutes part of chattel paper.

(4) "Accounting", except as used in "accounting for", means 
a record:

(A) authenticated by a secured party;
(B) indicating the aggregate unpaid secured 
obligations as of a date not more than 35 days earlier or 35 
days later than the date of the record; and
(C) identifying the components of the obligations in 
reasonable detail.

(5) "Agricultural lien" means an interest, other than a security 
interest, in farm products:

(A) which secures payment or performance of an 
obligation for goods or services furnished in connection with 
a debtor's farming operation;
(B) which is created by statute in favor of a person 
that in the ordinary course of its business furnished goods or 
services to a debtor in connection with a debtor's farming 
operation; and
(C) whose effectiveness does not depend on the 
person's possession of the personal property.
(6) "As-extracted collateral" means:
   (A) oil, gas, or other minerals that are subject to a security interest that:
       (i) is created by a debtor having an interest in the minerals before extraction; and
       (ii) attaches to the minerals as extracted; or
   (B) accounts arising out of the sale at the wellhead or minehead of oil, gas, or other minerals in which the debtor had an interest before extraction.
(7) "Authenticate" means:
   (A) to sign; or
   (B) with present intent to adopt or accept a record, to attach to or logically associate with the record an electronic sound, symbol, or process.
(8) "Bank" means an organization that is engaged in the business of banking. The term includes savings banks, savings and loan associations, credit unions, and trust companies.
(9) "Cash proceeds" means proceeds that are money, checks, deposit accounts, or the like.
(10) "Certificate of title" means a certificate of title with respect to which a statute provides for the security interest in question to be indicated on the certificate as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the collateral. The term includes another record maintained as an alternative to a certificate of title by the governmental unit that issues certificates of title if a statute permits the security interest in question to be indicated on the record as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the collateral.
(11) "Chattel paper" means a record or records that evidence both a monetary obligation and a security interest in specific goods, a security interest in specific goods and software used in the goods, a security interest in specific goods and license of software used in the goods, a lease of specific goods, or a lease of specified goods and a license of software used in the goods. In this paragraph, "monetary obligation" means a monetary obligation secured by the goods or owed under a lease of the goods and includes a monetary obligation with respect to software used in the goods. The term does not include (i) charters or other contracts involving the use or hire of a vessel or
(ii) records that evidence a right to payment arising out of the use of a credit or charge card or information contained on or for use with the card. If a transaction is evidenced by records that include an instrument or series of instruments, the group of records taken together constitutes chattel paper.

(12) "Collateral" means the property subject to a security interest or agricultural lien. The term includes:
   (A) proceeds to which a security interest attaches;
   (B) accounts, chattel paper, payment intangibles, and promissory notes that have been sold; and
   (C) goods that are the subject of a consignment.

(13) "Commercial tort claim" means a claim arising in tort with respect to which:
   (A) the claimant is an organization; or
   (B) the claimant is an individual and the claim:
       (i) arose in the course of the claimant's business or profession; and
       (ii) does not include damages arising out of personal injury to or the death of an individual.

(14) "Commodity account" means an account maintained by a commodity intermediary in which a commodity contract is carried for a commodity customer.

(15) "Commodity contract" means a commodity futures contract, an option on a commodity futures contract, a commodity option, or another contract if the contract or option is:
   (A) traded on or subject to the rules of a board of trade that has been designated as a contract market for such a contract pursuant to federal commodities laws; or
   (B) traded on a foreign commodity board of trade, exchange, or market, and is carried on the books of a commodity intermediary for a commodity customer.

(16) "Commodity customer" means a person for which a commodity intermediary carries a commodity contract on its books.

(17) "Commodity intermediary" means a person that:
   (A) is registered as a futures commission merchant under federal commodities law; or
   (B) in the ordinary course of its business provides clearance or settlement services for a board of trade that has
been designated as a contract market pursuant to federal commodities law.

(18) "Communicate" means:
   (A) to send a written or other tangible record;
   (B) to transmit a record by any means agreed upon by the persons sending and receiving the record; or
   (C) in the case of transmission of a record to or by a filing office, to transmit a record by any means prescribed by filing-office rule.

(19) "Consignee" means a merchant to which goods are delivered in a consignment.

(20) "Consignment" means a transaction, regardless of its form, in which a person delivers goods to a merchant for the purpose of sale and:
   (A) the merchant:
      (i) deals in goods of that kind under a name other than the name of the person making delivery;
      (ii) is not an auctioneer; and
      (iii) is not generally known by its creditors to be substantially engaged in selling the goods of others;
   (B) with respect to each delivery, the aggregate value of the goods is $1,000 or more at the time of delivery;
   (C) the goods are not consumer goods immediately before delivery; and
   (D) the transaction does not create a security interest that secures an obligation.

(21) "Consignor" means a person that delivers goods to a consignee in a consignment.

(22) "Consumer debtor" means a debtor in a consumer transaction.

(23) "Consumer goods" means goods that are used or bought for use primarily for personal, family, or household purposes.

(24) "Consumer-goods transaction" means a consumer transaction in which:
   (A) an individual incurs an obligation primarily for personal, family, or household purposes; and
   (B) a security interest in consumer goods secures the obligation.

New matter indicated by italics - deletions by strikeout
(25) "Consumer obligor" means an obligor who is an individual and who incurred the obligation as part of a transaction entered into primarily for personal, family, or household purposes.

(26) "Consumer transaction" means a transaction in which (i) an individual incurs an obligation primarily for personal, family, or household purposes, (ii) a security interest secures the obligation, and (iii) the collateral is held or acquired primarily for personal, family, or household purposes. The term includes consumer-goods transactions.

(27) "Continuation statement" means an amendment of a financing statement which:

(A) identifies, by its file number, the initial financing statement to which it relates; and

(B) indicates that it is a continuation statement for, or that it is filed to continue the effectiveness of, the identified financing statement.

(28) "Debtor" means:

(A) a person having an interest, other than a security interest or other lien, in the collateral, whether or not the person is an obligor;

(B) a seller of accounts, chattel paper, payment intangibles, or promissory notes; or

(C) a consignee.

(29) "Deposit account" means a demand, time, savings, passbook, nonnegotiable certificates of deposit, uncertificated certificates of deposit, nontransferrable certificates of deposit, or similar account maintained with a bank. The term does not include investment property or accounts evidenced by an instrument.

(30) "Document" means a document of title or a receipt of the type described in Section 7-201(b).

(31) "Electronic chattel paper" means chattel paper evidenced by a record or records consisting of information stored in an electronic medium.

(32) "Encumbrance" means a right, other than an ownership interest, in real property. The term includes mortgages and other liens on real property.

(33) "Equipment" means goods other than inventory, farm products, or consumer goods.

New matter indicated by italics - deletions by strikeout
(34) "Farm products" means goods, other than standing timber, with respect to which the debtor is engaged in a farming operation and which are:
   (A) crops grown, growing, or to be grown, including:
      (i) crops produced on trees, vines, and bushes;
      and
      (ii) aquatic goods produced in aquacultural operations;
   (B) livestock, born or unborn, including aquatic goods produced in aquacultural operations;
   (C) supplies used or produced in a farming operation;
   or
   (D) products of crops or livestock in their unmanufactured states.

(35) "Farming operation" means raising, cultivating, propagating, fattening, grazing, or any other farming, livestock, or aquacultural operation.

(36) "File number" means the number assigned to an initial financing statement pursuant to Section 9-519(a).

(37) "Filing office" means an office designated in Section 9-501 as the place to file a financing statement.

(38) "Filing-office rule" means a rule adopted pursuant to Section 9-526.

(39) "Financing statement" means a record or records composed of an initial financing statement and any filed record relating to the initial financing statement.

(40) "Fixture filing" means the filing of a financing statement covering goods that are or are to become fixtures and satisfying Section 9-502(a) and (b). The term includes the filing of a financing statement covering goods of a transmitting utility which are or are to become fixtures.

(41) "Fixtures" means goods that have become so related to particular real property that an interest in them arises under real property law.

(42) "General intangible" means any personal property, including things in action, other than accounts, chattel paper, commercial tort claims, deposit accounts, documents, goods, instruments, investment property, letter-of-credit rights, letters of
credit, money, and oil, gas, or other minerals before extraction. The term includes payment intangibles and software.

(43) "Good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing.

(44) "Goods" means all things that are movable when a security interest attaches. The term includes (i) fixtures, (ii) standing timber that is to be cut and removed under a conveyance or contract for sale, (iii) the unborn young of animals, (iv) crops grown, growing, or to be grown, even if the crops are produced on trees, vines, or bushes, and (v) manufactured homes. The term also includes a computer program embedded in goods and any supporting information provided in connection with a transaction relating to the program if (i) the program is associated with the goods in such a manner that it customarily is considered part of the goods, or (ii) by becoming the owner of the goods, a person acquires a right to use the program in connection with the goods. The term does not include a computer program embedded in goods that consist solely of the medium in which the program is embedded. The term also does not include accounts, chattel paper, commercial tort claims, deposit accounts, documents, general intangibles, instruments, investment property, letter-of-credit rights, letters of credit, money, or oil, gas, or other minerals before extraction.

(45) "Governmental unit" means a subdivision, agency, department, county, parish, municipality, or other unit of the government of the United States, a State, or a foreign country. The term includes an organization having a separate corporate existence if the organization is eligible to issue debt on which interest is exempt from income taxation under the laws of the United States.

(46) "Health-care-insurance receivable" means an interest in or claim under a policy of insurance which is a right to payment of a monetary obligation for health-care goods or services provided.

(47) "Instrument" means a negotiable instrument or any other writing that evidences a right to the payment of a monetary obligation, is not itself a security agreement or lease, and is of a type that in ordinary course of business is transferred by delivery with any necessary indorsement or assignment. The term does not include (i) investment property, (ii) letters of credit, (iii) nonnegotiable certificates of deposit, (iv) uncertificated certificates of deposit, (v) nontransferrable certificates of deposit, or (vi) writings that evidence

New matter indicated by italics - deletions by strikeout
a right to payment arising out of the use of a credit or charge card or information contained on or for use with the card.

(48) "Inventory" means goods, other than farm products, which:

(A) are leased by a person as lessor;
(B) are held by a person for sale or lease or to be furnished under a contract of service;
(C) are furnished by a person under a contract of service; or
(D) consist of raw materials, work in process, or materials used or consumed in a business.

(49) "Investment property" means a security, whether certificated or uncertificated, security entitlement, securities account, commodity contract, or commodity account.

(50) "Jurisdiction of organization", with respect to a registered organization, means the jurisdiction under whose law the organization is formed or organized.

(51) "Letter-of-credit right" means a right to payment or performance under a letter of credit, whether or not the beneficiary has demanded or is at the time entitled to demand payment or performance. The term does not include the right of a beneficiary to demand payment or performance under a letter of credit.

(52) "Lien creditor" means:

(A) a creditor that has acquired a lien on the property involved by attachment, levy, or the like;
(B) an assignee for benefit of creditors from the time of assignment;
(C) a trustee in bankruptcy from the date of the filing of the petition; or
(D) a receiver in equity from the time of appointment.

(53) "Manufactured home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term includes any structure that meets all of the requirements of this paragraph except the size

New matter indicated by italics - deletions by strikeout
requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United States Code. The term "manufactured home" does not include campers and recreational vehicles factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and (iii) 320 or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term shall exclude campers and recreational vehicles.

(54) "Manufactured-home transaction" means a secured transaction:

(A) that creates a purchase-money security interest in a manufactured home, other than a manufactured home held as inventory; or

(B) in which a manufactured home, other than a manufactured home held as inventory, is the primary collateral.

(55) "Mortgage" means a consensual interest in real property, including fixtures, which secures payment or performance of an obligation.

(56) "New debtor" means a person that becomes bound as debtor under Section 9-203(d) by a security agreement previously entered into by another person.

(57) "New value" means (i) money, (ii) money's worth in property, services, or new credit, or (iii) release by a transferee of an

New matter indicated by italics - deletions by strikeout
interest in property previously transferred to the transferee. The term does not include an obligation substituted for another obligation.

(58) "Noncash proceeds" means proceeds other than cash proceeds.

(59) "Obligor" means a person that, with respect to an obligation secured by a security interest in or an agricultural lien on the collateral, (i) owes payment or other performance of the obligation, (ii) has provided property other than the collateral to secure payment or other performance of the obligation, or (iii) is otherwise accountable in whole or in part for payment or other performance of the obligation. The term does not include issuers or nominated persons under a letter of credit.

(60) "Original debtor", except as used in Section 9-310(c), means a person that, as debtor, entered into a security agreement to which a new debtor has become bound under Section 9-203(d).

(61) "Payment intangible" means a general intangible under which the account debtor's principal obligation is a monetary obligation.

(62) "Person related to", with respect to an individual, means:
   (A) the spouse of the individual;
   (B) a brother, brother-in-law, sister, or sister-in-law of the individual;
   (C) an ancestor or lineal descendant of the individual or the individual's spouse; or
   (D) any other relative, by blood or marriage, of the individual or the individual's spouse who shares the same home with the individual.

(63) "Person related to", with respect to an organization, means:
   (A) a person directly or indirectly controlling, controlled by, or under common control with the organization;
   (B) an officer or director of, or a person performing similar functions with respect to, the organization;
   (C) an officer or director of, or a person performing similar functions with respect to, a person described in subparagraph (A);
   (D) the spouse of an individual described in subparagraph (A), (B), or (C); or

New matter indicated by italics - deletions by strikeout
(E) an individual who is related by blood or marriage to an individual described in subparagraph (A), (B), (C), or (D) and shares the same home with the individual.

(64) "Proceeds", except as used in Section 9-609(b), means the following property:

(A) whatever is acquired upon the sale, lease, license, exchange, or other disposition of collateral;

(B) whatever is collected on, or distributed on account of, collateral;

(C) rights arising out of collateral;

(D) to the extent of the value of collateral, claims arising out of the loss, nonconformity, or interference with the use of, defects or infringement of rights in, or damage to, the collateral; or

(E) to the extent of the value of collateral and to the extent payable to the debtor or the secured party, insurance payable by reason of the loss or nonconformity of, defects or infringement of rights in, or damage to, the collateral.

(65) "Promissory note" means an instrument that evidences a promise to pay a monetary obligation, does not evidence an order to pay, and does not contain an acknowledgment by a bank that the bank has received for deposit a sum of money or funds.

(66) "Proposal" means a record authenticated by a secured party which includes the terms on which the secured party is willing to accept collateral in full or partial satisfaction of the obligation it secures pursuant to Sections 9-620, 9-621, and 9-622.

(67) "Public-finance transaction" means a secured transaction in connection with which:

(A) debt securities are issued;

(B) all or a portion of the securities issued have an initial stated maturity of at least 20 years; and

(C) the debtor, obligor, secured party, account debtor or other person obligated on collateral, assignor or assignee of a secured obligation, or assignor or assignee of a security interest is a State or a governmental unit of a State.

(68) "Public organic record" means a record that is available to the public for inspection and is:

(A) a record consisting of the record initially filed with or issued by a State or the United States to form or
organize an organization and any record filed with or issued by the State or the United States which amends or restates the initial record;

(B) an organic record of a business trust consisting of the record initially filed with a State and any record filed with the State which amends or restates the initial record, if a statute of the State governing business trusts requires that the record be filed with the State; or

(C) a record consisting of legislation enacted by the legislature of a State or the Congress of the United States which forms or organizes an organization, any record amending the legislation, and any record filed with or issued by the State or the United States which amends or restates the name of the organization.

(69) "Pursuant to commitment", with respect to an advance made or other value given by a secured party, means pursuant to the secured party's obligation, whether or not a subsequent event of default or other event not within the secured party's control has relieved or may relieve the secured party from its obligation.

(70) "Record", except as used in "for record", "of record", "record or legal title", and "record owner", means information that is inscribed on a tangible medium or which is stored in an electronic or other medium and is retrievable in perceivable form.

(71) "Registered organization" means an organization formed or organized solely under the law of a single State or the United States by the filing of a public organic record with, the issuance of a public organic record by, or the enactment of legislation by the State or the United States. The term includes a business trust that is formed or organized under the law of a single State if a statute of the State governing business trusts requires that the business trust's organic record be filed with the State.

(72) "Secondary obligor" means an obligor to the extent that:

(A) the obligor's obligation is secondary; or

(B) the obligor has a right of recourse with respect to an obligation secured by collateral against the debtor, another obligor, or property of either.

(73) "Secured party" means:

New matter indicated by italics - deletions by strikeout
(A) a person in whose favor a security interest is created or provided for under a security agreement, whether or not any obligation to be secured is outstanding;
(B) a person that holds an agricultural lien;
(C) a consignor;
(D) a person to which accounts, chattel paper, payment intangibles, or promissory notes have been sold;
(E) a trustee, indenture trustee, agent, collateral agent, or other representative in whose favor a security interest or agricultural lien is created or provided for; or
(F) a person that holds a security interest arising under Section 2-401, 2-505, 2-711(3), 2A-508(5), 4-210, or 5-118.
(74) "Security agreement" means an agreement that creates or provides for a security interest.
(75) "Send", in connection with a record or notification, means:
   (A) to deposit in the mail, deliver for transmission, or transmit by any other usual means of communication, with postage or cost of transmission provided for, addressed to any address reasonable under the circumstances; or
   (B) to cause the record or notification to be received within the time that it would have been received if properly sent under subparagraph (A).
(76) "Software" means a computer program and any supporting information provided in connection with a transaction relating to the program. The term does not include a computer program that is included in the definition of goods.
(77) "State" means a State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.
(78) "Supporting obligation" means a letter-of-credit right or secondary obligation that supports the payment or performance of an account, chattel paper, a document, a general intangible, an instrument, or investment property.
(79) "Tangible chattel paper" means chattel paper evidenced by a record or records consisting of information that is inscribed on a tangible medium.

New matter indicated by italics - deletions by strikeout
(80) "Termination statement" means an amendment of a financing statement which:
   (A) identifies, by its file number, the initial financing statement to which it relates; and
   (B) indicates either that it is a termination statement or that the identified financing statement is no longer effective.
(81) "Transmitting utility" means a person primarily engaged in the business of:
   (A) operating a railroad, subway, street railway, or trolley bus;
   (B) transmitting communications electrically, electromagnetically, or by light;
   (C) transmitting goods by pipeline or sewer; or
   (D) transmitting or producing and transmitting electricity, steam, gas, or water.

(b) Definitions in other Articles. "Control" as provided in Section 7-106 and the following definitions in other Articles apply to this Article:
   "Applicant". Section 5-102.
   "Beneficiary". Section 5-102.
   "Broker". Section 8-102.
   "Certificated security". Section 8-102.
   "Check". Section 3-104.
   "Clearing corporation". Section 8-102.
   "Contract for sale". Section 2-106.
   "Customer". Section 4-104.
   "Entitlement holder". Section 8-102.
   "Financial asset". Section 8-102.
   "Holder in due course". Section 3-302.
   "Issuer" (with respect to a letter of credit or letter-of-credit right). Section 5-102.
   "Issuer" (with respect to a security). Section 8-201.
   "Issuer" (with respect to documents of title). Section 7-102.
   "Lease". Section 2A-103.
   "Lease agreement". Section 2A-103.
   "Lease contract". Section 2A-103.
   "Leasehold interest". Section 2A-103.
   "Lessee". Section 2A-103.
   "Lessee in ordinary course of business". Section 2A-103.
   "Lessor". Section 2A-103.

New matter indicated by italics - deletions by strikeout
"Lessor's residual interest". Section 2A-103.
"Letter of credit". Section 5-102.
"Merchant". Section 2-104.
"Negotiable instrument". Section 3-104.
"Nominated person". Section 5-102.
"Note". Section 3-104.
"Proceeds of a letter of credit". Section 5-114.
"Prove". Section 3-103.
"Sale". Section 2-106.
"Securities account". Section 8-501.
"Securities intermediary". Section 8-102.
"Security". Section 8-102.
"Security certificate". Section 8-102.
"Security entitlement". Section 8-102.
"Uncertificated security". Section 8-102.

(c) Article 1 definitions and principles. Article 1 contains general definitions and principles of construction and interpretation applicable throughout this Article.

(Source: P.A. 96-1477, eff. 1-1-11; 97-1034, eff. 7-1-13.)

Section 10-110. The Interest Act is amended by changing Sections 4, 4.2, and 4a as follows:

(815 ILCS 205/4) (from Ch. 17, par. 6404)
Sec. 4. General interest rate.

(1) Except as otherwise provided in Section 4.05, in all written contracts it shall be lawful for the parties to stipulate or agree that 9% per annum, or any less sum of interest, shall be taken and paid upon every $100 of money loaned or in any manner due and owing from any person to any other person or corporation in this state, and after that rate for a greater or less sum, or for a longer or shorter time, except as herein provided.

The maximum rate of interest that may lawfully be contracted for is determined by the law applicable thereto at the time the contract is made. Any provision in any contract, whether made before or after July 1, 1969, which provides for or purports to authorize, contingent upon a change in the Illinois law after the contract is made, any rate of interest greater than the maximum lawful rate at the time the contract is made, is void.

It is lawful for a state bank or a branch of an out-of-state bank, as those terms are defined in Section 2 of the Illinois Banking Act, to receive or to contract to receive and collect interest and charges at any rate or rates agreed upon by the bank or branch and the borrower. It is lawful for a savings

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bank chartered under the Savings Bank Act or a savings association chartered
under the Illinois Savings and Loan Act of 1985 to receive or contract to
receive and collect interest and charges at any rate agreed upon by the savings
bank or savings association and the borrower.

It is lawful to receive or to contract to receive and collect interest and
charges as authorized by this Act and as authorized by the Consumer
Installment Loan Act and by the "Consumer Finance Act", approved July 10,
1935, as now or hereafter amended, or by the Payday Loan Reform Act. It is
lawful to charge, contract for, and receive any rate or amount of interest or
compensation with respect to the following transactions:

(a) Any loan made to a corporation;

(b) Advances of money, repayable on demand, to an amount
not less than $5,000, which are made upon warehouse receipts, bills
of lading, certificates of stock, certificates of deposit, bills of
exchange, bonds or other negotiable instruments pledged as collateral
security for such repayment, if evidenced by a writing;

(c) Any credit transaction between a merchandise wholesaler
and retailer; any business loan to a business association or
copartnership or to a person owning and operating a business as sole
proprietor or to any persons owning and operating a business as joint
venturers, joint tenants or tenants in common, or to any limited
partnership, or to any trustee owning and operating a business or
whose beneficiaries own and operate a business, except that any loan
which is secured (1) by an assignment of an individual obligor's
salary, wages, commissions or other compensation for services, or (2)
by his household furniture or other goods used for his personal,
family or household purposes shall be deemed not to be a loan within
the meaning of this subsection; and provided further that a loan which
otherwise qualifies as a business loan within the meaning of this
subsection shall not be deemed as not so qualifying because of the
inclusion, with other security consisting of business assets of any such
obligor, of real estate occupied by an individual obligor solely as his
residence. The term "business" shall be deemed to mean a
commercial, agricultural or industrial enterprise which is carried on
for the purpose of investment or profit, but shall not be deemed to
mean the ownership or maintenance of real estate occupied by an
individual obligor solely as his residence;

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(d) Any loan made in accordance with the provisions of Subchapter I of Chapter 13 of Title 12 of the United States Code, which is designated as "Housing Renovation and Modernization";
(e) Any mortgage loan insured or upon which a commitment to insure has been issued under the provisions of the National Housing Act, Chapter 13 of Title 12 of the United States Code;
(f) Any mortgage loan guaranteed or upon which a commitment to guaranty has been issued under the provisions of the Veterans' Benefits Act, Subchapter II of Chapter 37 of Title 38 of the United States Code;
(g) Interest charged by a broker or dealer registered under the Securities Exchange Act of 1934, as amended, or registered under the Illinois Securities Law of 1953, approved July 13, 1953, as now or hereafter amended, on a debit balance in an account for a customer if such debit balance is payable at will without penalty and is secured by securities as defined in Uniform Commercial Code-Investment Securities;
(h) Any loan made by a participating bank as part of any loan guarantee program which provides for loans and for the refinancing of such loans to medical students, interns and residents and which are guaranteed by the American Medical Association Education and Research Foundation;
(i) Any loan made, guaranteed, or insured in accordance with the provisions of the Housing Act of 1949, Subchapter III of Chapter 8A of Title 42 of the United States Code and the Consolidated Farm and Rural Development Act, Subchapters I, II, and III of Chapter 50 of Title 7 of the United States Code;
(j) Any loan by an employee pension benefit plan, as defined in Section 3 (2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C.A. Sec. 1002), to an individual participating in such plan, provided that such loan satisfies the prohibited transaction exemption requirements of Section 408 (b) (1) (29 U.S.C.A. Sec. 1108 (b) (1)) or Section 2003 (a) (26 U.S.C.A. Sec. 4975 (d) (1)) of the Employee Retirement Income Security Act of 1974;
(k) Written contracts, agreements or bonds for deed providing for installment purchase of real estate, including a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance

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and Encumbrance of Manufactured Homes as Real Property and Severance Act;

(1) Loans secured by a mortgage on real estate, including a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act;

(m) Loans made by a sole proprietorship, partnership, or corporation to an employee or to a person who has been offered employment by such sole proprietorship, partnership, or corporation made for the sole purpose of transferring an employee or person who has been offered employment to another office maintained and operated by the same sole proprietorship, partnership, or corporation;

(n) Loans to or for the benefit of students made by an institution of higher education.

(2) Except for loans described in subparagraph (a), (c), (d), (e), (f) or (i) of subsection (1) of this Section, and except to the extent permitted by the applicable statute for loans made pursuant to Section 4a or pursuant to the Consumer Installment Loan Act:

(a) Whenever the rate of interest exceeds 8% per annum on any written contract, agreement or bond for deed providing for the installment purchase of residential real estate, or on any loan secured by a mortgage on residential real estate, it shall be unlawful to provide for a prepayment penalty or other charge for prepayment.

(b) No agreement, note or other instrument evidencing a loan secured by a mortgage on residential real estate, or written contract, agreement or bond for deed providing for the installment purchase of residential real estate, may provide for any change in the contract rate of interest during the term thereof. However, if the Congress of the United States or any federal agency authorizes any class of lender to enter, within limitations, into mortgage contracts or written contracts, agreements or bonds for deed in which the rate of interest may be changed during the term of the contract, any person, firm, corporation or other entity not otherwise prohibited from entering into mortgage contracts or written contracts, agreements or bonds for deed in which the rate of interest may be changed during the term of the contract, within the same limitations.

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(3) In any contract or loan which is secured by a mortgage, deed of
trust, or conveyance in the nature of a mortgage, on residential real estate, the
interest which is computed, calculated, charged, or collected pursuant to such
contract or loan, or pursuant to any regulation or rule promulgated pursuant
to this Act, may not be computed, calculated, charged or collected for any
period of time occurring after the date on which the total indebtedness, with
the exception of late payment penalties, is paid in full.

(4) For purposes of this Section, a prepayment shall mean the payment
of the total indebtedness, with the exception of late payment penalties if
incurred or charged, on any date before the date specified in the contract or
loan agreement on which the total indebtedness shall be paid in full, or before
the date on which all payments, if timely made, shall have been made. In the
event of a prepayment of the indebtedness which is made on a date after the
date on which interest on the indebtedness was last computed, calculated,
charged, or collected but before the next date on which interest on the
indebtedness was to be calculated, computed, charged, or collected, the
lender may calculate, charge and collect interest on the indebtedness for the
period which elapsed between the date on which the prepayment is made and
the date on which interest on the indebtedness was last computed, calculated,
charged or collected at a rate equal to $\frac{1}{360}$ of the annual rate for each day
which so elapsed, which rate shall be applied to the indebtedness outstanding
as of the date of prepayment. The lender shall refund to the borrower any
interest charged or collected which exceeds that which the lender may charge
or collect pursuant to the preceding sentence. The provisions of this
amendatory Act of 1985 shall apply only to contracts or loans entered into on
or after the effective date of this amendatory Act, but shall not apply to
contracts or loans entered into on or after that date that are subject to Section
4a of this Act, the Consumer Installment Loan Act, the Payday Loan Reform
Act, or the Retail Installment Sales Act, or that provide for the refund of
precomputed interest on prepayment in the manner provided by such Act.

(5) For purposes of items (a) and (c) of subsection (1) of this Section,
a rate or amount of interest may be lawfully computed when applying the
ratio of the annual interest rate over a year based on 360 days. The provisions
of this amendatory Act of the 96th General Assembly are declarative of
existing law.

(6) For purposes of this Section, "real estate" and "real property"
include a manufactured home, as defined in subdivision (53) of Section 9-102
of the Uniform Commercial Code that is real property as defined in the

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Sec. 4.2. Revolving credit; billing statements; disclosures. On a revolving credit which complies with subparagraphs (a), (b), (c), (d) and (e) of this Section 4.2, it is lawful for any bank that has its main office or, after May 31, 1997, a branch in this State, a state or federal savings and loan association with its main office in this State, a state or federal credit union with its main office in this State, or a lender licensed under the Consumer Finance Act, the Consumer Installment Loan Act or the Sales Finance Agency Act, as such Acts are now and hereafter amended, to receive or contract to receive and collect interest in any amount or at any rate agreed upon by the parties to the revolving credit arrangement. It is lawful for any other lender to receive or contract to receive and collect interest in an amount not in excess of 1 1/2% per month of either the average daily unpaid balance of the principal of the debt during the billing cycle, or of the unpaid balance of the debt on approximately the same day of the billing cycle. If a lender under a revolving credit arrangement notifies the debtor at least 30 days in advance of any lawful increase in the amount or rate of interest to be charged under the revolving credit arrangement, and the debtor, after the effective date of such notice, incurs new debt pursuant to the revolving credit arrangement, the increased interest amount or rate may be applied only to any such new debt incurred under the revolving credit arrangement. For purposes of determining the balances to which the increased interest rate applies, all payments and other credits may be deemed to be applied to the balance existing prior to the change in rate until that balance is paid in full. The face amount of the drafts, items, orders for the payment of money, evidences of debt, or similar written instruments received by the lender in connection with the revolving credit, less the amounts applicable to principal from time to time paid thereon by the debtor, are the unpaid balance of the debt upon which the interest is computed. If the billing cycle is not monthly, the maximum interest rate for the billing cycle is the percentage which bears the same relation to the monthly percentage provided for in the preceding sentence as the number of days in the billing cycle bears to 30. For the purposes of the foregoing computation, a “month” is deemed to be any time of 30 consecutive days. In addition to the interest charge provided for, it is lawful to receive, contract for or collect a charge not exceeding 25 cents for each transaction in which a loan or advance is made under the revolving

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credit or in lieu of this additional charge an annual fee for the privilege of receiving and using the revolving credit in an amount not exceeding $20. In addition, with respect to revolving credit secured by an interest in real estate, including a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, it is also lawful to receive, contract for or collect fees lawfully paid to any public officer or agency to record, file or release the security, and costs and disbursements actually incurred for any title insurance, title examination, abstract of title, survey, appraisal, escrow fees, and fees paid to a trustee in connection with a trust deed.

(a) At or before the date a bill or statement is first rendered to the debtor under a revolving credit arrangement, the lender must mail or deliver to the debtor a written description of the conditions under which a charge for interest may be made and the method, including the rate, of computing these interest charges. The rate of interest must be expressed as an annual percentage rate.

(b) If during any billing cycle any debit or credit entry is made to a debtor's revolving credit account, and if at the end of that billing cycle there is an unpaid balance owing to the lender from the debtor, the lender must give to the debtor the following information within a reasonable time after the end of the billing cycle:

(i) the unpaid balance at the beginning of the billing cycle;
(ii) the date and amount of all loans or advances made during the billing cycle, which information may be supplied by enclosing a copy of the drafts, items, orders for the payment of money, evidences of debt or similar written instruments presented to the lender during the billing cycle;
(iii) the payments by the debtor to the lender and any other credits to the debtor during the billing cycle;
(iv) the amount of interest and other charges, if any, charged to the debtor's account during the billing cycle;
(v) the amount which must be currently paid by the debtor and the date on which that amount must be paid in order to avoid delinquency;
(vi) the total amount remaining unpaid at the end of the billing cycle and the right of the debtor to prepay that amount in full without penalty; and

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(vii) information required by (iv), (v) and (vi) must be set forth in type of equal size and equal conspicuousness.

(c) The revolving credit arrangement may provide for the payment by the debtor and receipt by the lender of all costs and disbursements, including reasonable attorney's fees, incurred by the lender in legal proceedings to collect or enforce the debt in the event of delinquency by the debtor or in the event of a breach of any obligation of the debtor under the arrangement.

(d) The lender under a revolving credit arrangement may provide credit life insurance or credit accident and health insurance, or both, with respect to the debtor and may charge the debtor therefor. Credit life insurance and credit accident and health insurance, and any charge therefor made to the debtor, shall comply with Article IX 1/2 of the Illinois Insurance Code, as now or hereafter amended, and all lawful requirements of the Director of Insurance related thereto. This insurance is in force with respect to each loan or advance made under a revolving credit arrangement as soon as the loan or advance is made. The purchase of this insurance from an agent, broker or insurer specified by the lender may not be a condition precedent to the revolving credit arrangement or to the making of any loan or advance thereunder.

(e) Whenever interest is contracted for or received under this Section, no amount in addition to the charges authorized by this Act may be directly or indirectly charged, contracted for or received whether as interest, service charges, costs of investigations or enforcements or otherwise.

(f) The lender under a revolving credit arrangement must compute at year end the total amount charged to the debtor's account during the year, including service charges, finance charges, late charges and any other charges authorized by this Act, and upon request must furnish such information to the debtor within 30 days after the end of the year, or if the account has been terminated during such year, may give such requested information within 30 days after such termination. The lender shall annually inform the debtor of his right to obtain such information.

(g) A lender who complies with the federal Truth in Lending Act, amendments thereto, and any regulations issued or which may be issued thereunder, shall be deemed to be in compliance with the provisions of subparagraphs (a) and (b) of this Section.

(h) Anything in this Section 4.2 to the contrary notwithstanding, if the Congress of the United States or any federal agency authorizes any class of lenders to enter, within limitations, into a revolving credit arrangement secured by a mortgage or deed of trust on residential real property, any

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person, firm, corporation or other entity, not otherwise prohibited by the Congress of the United States or any federal agency from entering into revolving credit arrangements secured by a mortgage or deed of trust on residential real property, may enter into such arrangements within the same limitations.

(Source: P.A. 89-208, eff. 9-29-95.)

(815 ILCS 205/4a) (from Ch. 17, par. 6410)

Sec. 4a. Installment loan rate.

(a) On money loaned to or in any manner owing from any person, whether secured or unsecured, except where the money loaned or in any manner owing is directly or indirectly for the purchase price of real estate or an interest therein and is secured by a lien on or retention of title to that real estate or interest therein, to an amount not more than $25,000 (excluding interest) which is evidenced by a written instrument providing for the payment thereof in 2 or more periodic installments over a period of not more than 181 months from the date of the execution of the written instrument, it is lawful to receive or to contract to receive and collect either:

(i) interest in an amount equivalent to interest computed at a rate not exceeding 9% per year on the entire principal amount of the money loaned or in any manner owing for the period from the date of the making of the loan or the incurring of the obligation for the amount owing evidenced by the written instrument until the date of the maturity of the last installment thereof, and to add that amount to the principal, except that there shall be no limit on the rate of interest which may be received or contracted to be received and collected by (1) any bank that has its main office or, after May 31, 1997, a branch in this State; (2) a savings and loan association chartered under the Illinois Savings and Loan Act of 1985, a savings bank chartered under the Savings Bank Act, or a federal savings and loan association established under the laws of the United States and having its main office in this State; or (3) any lender licensed under either the Consumer Finance Act or the Consumer Installment Loan Act, but in any case in which interest is received, contracted for or collected on the basis of this clause (i), the debtor may satisfy in full at any time before maturity the debt evidenced by the written instrument, and in so satisfying must receive a refund credit against the total amount of interest added to the principal computed in the manner provided under Section 15(f)(3) of the Consumer Installment Loan Act for

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refunds or credits of applicable interest on payment in full of precomputed loans before the final installment due date; or

(ii) interest accrued on the principal balance from time to time remaining unpaid, from the date of making of the loan or the incurring of the obligation to the date of the payment of the debt in full, at a rate not exceeding the annual percentage rate equivalent of the rate permitted to be charged under clause (i) above, but in any such case the debtor may, provided that the debtor shall have paid in full all interest and other charges accrued to the date of such prepayment, prepay the principal balance in full or in part at any time, and interest shall, upon any such prepayment, cease to accrue on the principal amount which has been prepaid.

(b) Whenever the principal amount of an installment loan is $300 or more and the repayment period is 6 months or more, a minimum charge of $15 may be collected instead of interest, but only one minimum charge may be collected from the same person during one year. When the principal amount of the loan (excluding interest) is $800 or less, the lender or creditor may contract for and receive a service charge not to exceed $5 in addition to interest; and that service charge may be collected when the loan is made, but only one service charge may be contracted for, received, or collected from the same person during one year.

(c) Credit life insurance and credit accident and health insurance, and any charge therefor which is deducted from the loan or paid by the obligor, must comply with Article IX 1/2 of the Illinois Insurance Code and all lawful requirements of the Director of Insurance related thereto. When there are 2 or more obligors on the loan contract, only one charge for credit life insurance and credit accident and health insurance may be made and only one of the obligors may be required to be insured. Insurance obtained from, by or through the lender or creditor must be in effect when the loan is transacted. The purchase of that insurance from an agent, broker or insurer specified by the lender or creditor may not be a condition precedent to the granting of the loan.

(d) The lender or creditor may require the obligor to provide property insurance on security other than household goods, furniture and personal effects. The amount and term of the insurance must be reasonable in relation to the amount and term of the loan contract and the type and value of the security, and the insurance must be procured in accordance with the insurance laws of this State. The purchase of that insurance from an agent, broker or

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insurer specified by the lender or creditor may not be a condition precedent to the granting of the loan.

(e) The lender or creditor may, if the contract provides, collect a delinquency and collection charge on each installment in default for a period of not less than 10 days in an amount not exceeding 5% of the installment on installments in excess of $200 or $10 on installments of $200 or less, but only one delinquency and collection charge may be collected on any installment regardless of the period during which it remains in default. In addition, the contract may provide for the payment by the borrower or debtor of attorney's fees incurred by the lender or creditor. The lender or creditor may enforce such a provision to the extent of the reasonable attorney's fees incurred by him in the collection or enforcement of the contract or obligation. Whenever interest is contracted for or received under this Section, no amount in addition to the charges authorized by this Section may be directly or indirectly charged, contracted for or received, except lawful fees paid to a public officer or agency to record, file or release security, and except costs and disbursements including reasonable attorney's fees, incurred in legal proceedings to collect a loan or to realize on a security after default. This Section does not prohibit the receipt of any commission, dividend or other benefit by the creditor or an employee, affiliate or associate of the creditor from the insurance authorized by this Section.

(f) When interest is contracted for or received under this Section, the lender must disclose the following items to the obligor in a written statement before the loan is consummated:

1. the amount and date of the loan contract;
2. the amount of loan credit using the term "amount financed";
3. every deduction from the amount financed or payment made by the obligor for insurance and the type of insurance for which each deduction or payment was made;
4. every other deduction from the loan or payment made by the obligor in connection with obtaining the loan;
5. the date on which the finance charge begins to accrue if different from the date of the transaction;
6. the total amount of the loan charge for the scheduled term of the loan contract with a description of each amount included using the term "finance charge";
7. the finance charge expressed as an annual percentage rate using the term "annual percentage rate".

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means the nominal annual percentage rate of finance charge determined in accordance with the actuarial method of computation with an accuracy at least to the nearest 1/4 of 1%; or at the option of the lender by application of the United States rule so that it may be disclosed with an accuracy at least to the nearest 1/4 of 1%;

(8) the number, amount and due dates or periods of payments scheduled to repay the loan and the sum of such payments using the term "total of payments";

(9) the amount, or method of computing the amount of any default, delinquency or similar charges payable in the event of late payments;

(10) the right of the obligor to prepay the loan and the fact that such prepayment will reduce the charge for the loan;

(11) a description or identification of the type of any security interest held or to be retained or acquired by the lender in connection with the loan and a clear identification of the property to which the security interest relates. If after-acquired property will be subject to the security interest, or if other or future indebtedness is or may be secured by any such property, this fact shall be clearly set forth in conjunction with the description or identification of the type of security interest held, retained or acquired;

(12) a description of any penalty charge that may be imposed by the lender for prepayment of the principal of the obligation with an explanation of the method of computation of such penalty and the conditions under which it may be imposed;

(13) unless the contract provides for the accrual and payment of the finance charge on the balance of the amount financed from time to time remaining unpaid, an identification of the method of computing any unearned portion of the finance charge in the event of prepayment of the loan.

The terms "finance charge" and "annual percentage rate" shall be printed more conspicuously than other terminology required by this Section.

(g) At the time disclosures are made, the lender shall deliver to the obligor a duplicate of the instrument or statement by which the required disclosures are made and on which the lender and obligor are identified and their addresses stated. All of the disclosures shall be made clearly, conspicuously and in meaningful sequence and made together on either:

(i) the note or other instrument evidencing the obligation on the same side of the page and above or adjacent to the place for the
obligor's signature; however, where a creditor elects to combine disclosures with the contract, security agreement, and evidence of a transaction in a single document, the disclosures required under this Section shall be made on the face of the document, on the reverse side, or on both sides, provided that the amount of the finance charge and the annual percentage rate shall appear on the face of the document, and, if the reverse side is used, the printing on both sides of the document shall be equally clear and conspicuous, both sides shall contain the statement, "NOTICE: See other side for important information", and the place for the customer's signature shall be provided following the full content of the document; or

(ii) one side of a separate statement which identifies the transaction.

The amount of the finance charge shall be determined as the sum of all charges, payable directly or indirectly by the obligor and imposed directly or indirectly by the lender as an incident to or as a condition to the extension of credit, whether paid or payable by the obligor, any other person on behalf of the obligor, to the lender or to a third party, including any of the following types of charges:

(1) Interest, time price differential, and any amount payable under a discount or other system of additional charges.
(2) Service, transaction, activity, or carrying charge.
(3) Loan fee, points, finder's fee, or similar charge.
(4) Fee for an appraisal, investigation, or credit report.
(5) Charges or premiums for credit life, accident, health, or loss of income insurance, written in connection with any credit transaction unless (a) the insurance coverage is not required by the lender and this fact is clearly and conspicuously disclosed in writing to the obligor; and (b) any obligor desiring such insurance coverage gives specific dated and separately signed affirmative written indication of such desire after receiving written disclosure to him of the cost of such insurance.

(6) Charges or premiums for insurance, written in connection with any credit transaction, against loss of or damage to property or against liability arising out of the ownership or use of property, unless a clear, conspicuous, and specific statement in writing is furnished by the lender to the obligor setting forth the cost of the insurance if obtained from or through the lender and stating that the obligor may choose the person through which the insurance is to be obtained.

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(7) Premium or other charges for any other guarantee or insurance protecting the lender against the obligor's default or other credit loss.

(8) Any charge imposed by a lender upon another lender for purchasing or accepting an obligation of an obligor if the obligor is required to pay any part of that charge in cash, as an addition to the obligation, or as a deduction from the proceeds of the obligation. A late payment, delinquency, default, reinstatement or other such charge is not a finance charge if imposed for actual unanticipated late payment, delinquency, default or other occurrence.

(h) Advertising for loans transacted under this Section may not be false, misleading, or deceptive. That advertising, if it states a rate or amount of interest, must state that rate as an annual percentage rate of interest charged. In addition, if charges other than for interest are made in connection with those loans, those charges must be separately stated. No advertising may indicate or imply that the rates or charges for loans are in any way "recommended", "approved", "set" or "established" by the State government or by this Act.

(i) A lender or creditor who complies with the federal Truth in Lending Act, amendments thereto, and any regulations issued or which may be issued thereunder, shall be deemed to be in compliance with the provisions of subsections (f), (g) and (h) of this Section.

(j) For purposes of this Section, "real estate" and "real property" include a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act.

(Source: P.A. 92-483, eff. 8-23-01.)

Section 10-115. The Motor Vehicle Retail Installment Sales Act is amended by changing Section 2.1 as follows:

(815 ILCS 375/2.1) (from Ch. 121 1/2, par. 562.1)
Sec. 2.1.
"Motor vehicle" means a motor vehicle as defined in The Illinois Vehicle Code but does not include bicycles, motorcycles, motor scooters, snowmobiles, trailers, and farm equipment, and manufactured homes as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code.

(Source: P.A. 77-1167.)

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Section 10-120. The Retail Installment Sales Act is amended by changing Section 2.1 as follows:

(815 ILCS 405/2.1) (from Ch. 121 1/2, par. 502.1)

Sec. 2.1. "Goods" means all goods used or purchased primarily for personal, family, or household purposes. "Goods" includes goods purchased primarily for agricultural purposes only for the purposes of the credit disclosure requirements of this Act. "Goods" includes merchandise certificates or coupons issued by a retail seller to be used in their face amount in the purchase of goods or services sold by such a seller but does not include money or other things in action. It also includes goods which are furnished or used, at the time of sale or subsequently, in the modernization, rehabilitation, repair, alteration, improvement, or construction of real estate so as to become a part of that real estate whether or not severable therefrom. "Goods" includes a manufactured home as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code that is not real property as defined in the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act. "Goods" does not include a motor vehicle as defined in The Illinois Vehicle Code, but does include bicycles, motorcycles, motor scooters, snowmobiles and trailers when purchased primarily for personal, family or household purposes. "Goods" does not include goods used or purchased primarily for business or commercial purposes.

(Source: P.A. 77-1166.)

ARTICLE 99. EFFECTIVE DATE

Section 99-999. Effective date. This Act takes effect upon becoming law.

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Statutes amended in order of appearance

New Act
35 ILCS 200/1-130
35 ILCS 515/1 from Ch. 120, par. 1201
35 ILCS 515/4 from Ch. 120, par. 1204
205 ILCS 5/3 from Ch. 17, par. 309
205 ILCS 5/5a from Ch. 17, par. 312
205 ILCS 5/5d from Ch. 17, par. 312.3
205 ILCS 5/6.1 from Ch. 17, par. 313.1
205 ILCS 105/1-10.30 from Ch. 17, par. 3301-10.30
205 ILCS 105/5-2 from Ch. 17, par. 3305-2
205 ILCS 205/6002 from Ch. 17, par. 7306-2

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Passed in the General Assembly May 29, 2014.
Approved July 16, 2014.

New matter indicated by italics - deletions by strikeout
Effective July 16, 2014.

PUBLIC ACT 98-0750
(Senate Bill No. 0498)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Central Illinois Economic Development Authority Act is amended by changing Sections 10 and 35 as follows:
(70 ILCS 504/10)
Sec. 10. Definitions. In this Act:
"Authority" means the Central Illinois Economic Development Authority.
"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality thereof, corporate or otherwise.
"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.
"Revenue bond" means any bond issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.
"Board" means the Board of Directors of the Central Illinois Economic Development Authority.
"Governor" means the Governor of the State of Illinois.
"City" means any city, village, incorporated town, or township within the geographical territory of the Authority.
"Industrial project" means the following:
(1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, port facility, solid waste and wastewater treatment and disposal sites and

New matter indicated by italics - deletions by strikeout
other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or

(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Housing project" or "residential project" includes a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are an integral part of a planned large-scale project or new community.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project

New matter indicated by italics - deletions by strikeout
upon termination of the lease term, including purchase options or abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan repayment installments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other terms deemed advisable by the Authority.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority for the development, construction, acquisition or improvement of a project, through the issuance of revenue bonds, notes, or other evidences of indebtedness.

"Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following:

1. the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other property, rights, easements, and franchises acquired which are deemed necessary for the construction;
2. financing charges;
3. interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter;
4. engineering and legal expenses; and
5. the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the same in operation.

(Source: P.A. 94-995, eff. 7-3-06.)
(70 ILCS 504/35)
Sec. 35. Bonds.
(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of

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indebtedness in an aggregate amount outstanding not to exceed $250,000,000 for the following purposes: (i) development, construction, acquisition, or improvement of projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority; (ii) entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority; and (iii) acquisition and improvement of any property necessary and useful in connection therewith. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes, or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes. The bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium, as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of the bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of the bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin the corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any contract or covenant.

New matter indicated by italics - deletions by strikeout
(c) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the bond becomes due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which the default of payment exists or by an indenture trustee acting on behalf of the holders. Delivery of a summons and a copy of the complaint to the chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other evidence of indebtedness and in the absence of any express recital on its face that it is non-negotiable, all such bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any bonds, notes, or other evidences of indebtedness, temporary bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

New matter indicated by italics - deletions by strikeout
(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(h) (Blank). Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring, or improving housing or residential projects, as defined in this Act, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within 30 days after the notice is provided, the Illinois Housing Development Authority shall, in writing, either express interest in financing the project or notify the Authority that it is not interested in providing financing and that the Authority may finance the project or seek alternative financing.

(Source: P.A. 94-995, eff. 7-3-06.)

Section 10. The Eastern Illinois Economic Development Authority Act is amended by changing Sections 10 and 35 as follows:

(70 ILCS 506/10)
Sec. 10. Definitions. In this Act:
"Authority" means the Eastern Illinois Economic Development Authority.
"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality thereof, corporate or otherwise.
"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.
"Revenue bond" means any bond issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.

"Board" means the Board of Directors of the Eastern Illinois Economic Development Authority.

"Governor" means the Governor of the State of Illinois.

"City" means any city, village, incorporated town, or township within the geographical territory of the Authority.

"Industrial project" means the following:

(1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, port facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or

(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Housing project" or "residential project" includes a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction, or rehabilitation of lands, buildings, and community facilities, and to provide non-housing facilities which are an integral part of a planned large-scale project or new community.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter

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acquired, suitable for use by any retail or wholesale concern, distributorship, or agency.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan repayment installments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other terms deemed advisable by the Authority.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority for the development, construction, acquisition or improvement of a project, through the issuance of revenue bonds, notes, or other evidences of indebtedness.

"Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following:

(1) the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other
property, rights, easements, and franchises acquired which are deemed necessary for the construction;
(2) financing charges;
(3) interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter;
(4) engineering and legal expenses; and
(5) the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the same in operation.
(Source: P.A. 94-203, eff. 7-13-05.)
(70 ILCS 506/35)
Sec. 35. Bonds.
(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount outstanding not to exceed $250,000,000 for the following purposes: (i) development, construction, acquisition, or improvement of projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority; (ii) entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority; (iii) acquisition and improvement of any property necessary and useful in connection therewith; and (iv) for the purposes of the Employee Ownership Assistance Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes, or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes. The bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times...

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not exceeding 40 years from their respective dates, may bear interest at such
rate or rates not exceeding the maximum rate permitted by the Bond
Authorization Act, may be in such form, may carry such registration
privileges, may be executed in such manner, may be payable at such place or
places, may be made subject to redemption in such manner and upon such
terms, with or without premium, as is stated on the face thereof, may be
authenticated in such manner and may contain such terms and covenants as
may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of
indebtedness issued by the Authority may bring suits at law or proceedings
in equity to compel the performance and observance by any corporation or
person or by the Authority or any of its agents or employees of any contract
or covenant made with the holders of the bonds, notes, or other evidences of
indebtedness, to compel such corporation, person, the Authority, and any of
its agents or employees to perform any duties required to be performed for the
benefit of the holders of the bonds, notes, or other evidences of indebtedness
by the provision of the resolution authorizing their issuance and to enjoin the
corporation, person, the Authority, and any of its agents or employees from
taking any action in conflict with any contract or covenant.

(c) If the Authority fails to pay the principal of or interest on any of
the bonds or premium, if any, as the bond becomes due, a civil action to
compel payment may be instituted in the appropriate circuit court by the
holder or holders of the bonds on which the default of payment exists or by
an indenture trustee acting on behalf of the holders. Delivery of a summons
and a copy of the complaint to the chairman of the Board shall constitute
sufficient service to give the circuit court jurisdiction over the subject matter
of the suit and jurisdiction over the Authority and its officers named as
defendants for the purpose of compelling such payment. Any case,
controversy, or cause of action concerning the validity of this Act relates to
the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other
evidence of indebtedness and in the absence of any express recital on its face
that it is non-negotiable, all such bonds, notes, and other evidences of
indebtedness shall be negotiable instruments. Pending the preparation and
execution of any bonds, notes, or other evidences of indebtedness, temporary
bonds, notes, or evidences of indebtedness may be issued as provided by
ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other
evidences of indebtedness, the revenues to be received by the Authority from

New matter indicated by italics - deletions by strikeout
a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(h) (Blank). Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring, or improving housing or residential projects, as defined in this Act, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within

New matter indicated by italics - deletions by strikeout
30 days after the notice is provided, the Illinois Housing Development Authority shall, in writing, either express interest in financing the project or notify the Authority that it is not interested in providing financing and that the Authority may finance the project or seek alternative financing.

(Source: P.A. 94-203, eff. 7-13-05.)

Section 15. The Southeastern Illinois Economic Development Authority Act is amended by changing Sections 15, 35, and 70 as follows:

(70 ILCS 518/15)

Sec. 15. Definitions. In this Act:

"Authority" means the Southeastern Illinois Economic Development Authority.

"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality thereof, corporate or otherwise.

"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.

"Revenue bond" means any bond issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.

"Board" means the Board of Directors of the Southeastern Illinois Economic Development Authority.

"Governor" means the Governor of the State of Illinois.

"City" means any city, village, incorporated town, or township within the geographical territory of the Authority.

"Industrial project" means the following:

(1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, power generation facility, mining operation, railroad facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, tourism-related facilities, including hotels, theaters,
water parks, and amusement parks, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or

(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Housing project" or "residential project" includes a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are an integral part of a planned large-scale project or new community.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency, or health facility or retirement facility.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or

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abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan repayment installments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other terms deemed advisable by the Authority.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority for the development, construction, acquisition or improvement of a project, through the issuance of revenue bonds, notes, or other evidences of indebtedness.

"Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following:

1. the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other property, rights, easements, and franchises acquired which are deemed necessary for the construction;
2. financing charges;
3. interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter;
4. engineering and legal expenses; and
5. the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the same in operation.

(Source: P.A. 93-968, eff. 8-20-04.)

(70 ILCS 518/35)
Sec. 35. Bonds.
(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount outstanding not to exceed $250,000,000
for the following purposes: (i) development, construction, acquisition, or improvement of projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority; (ii) entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority; (iii) acquisition and improvement of any property necessary and useful in connection therewith; and (iv) for the purposes of the Employee Ownership Assistance Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes, or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes. The bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium, as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of the bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of the bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin the corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any contract or covenant.

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(c) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the bond becomes due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which the default of payment exists or by an indenture trustee acting on behalf of the holders. Delivery of a summons and a copy of the complaint to the chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other evidence of indebtedness and in the absence of any express recital on its face that it is non-negotiable, all such bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any bonds, notes, or other evidences of indebtedness, temporary bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

New matter indicated by italics - deletions by strikeout
(g) In the event that the Authority determines that moneys of the Authority will not be sufficient for the payment of the principal of and interest on its bonds during the next State fiscal year, the chairman, as soon as practicable, shall certify to the Governor the amount required by the Authority to enable it to pay the principal of and interest on the bonds. The Governor shall submit the certified amount to the General Assembly as soon as practicable, but no later than the end of the current State fiscal year. This Section shall not apply to any bonds or notes to which the Authority determines, in the resolution authorizing the issuance of the bonds or notes, that this Section shall not apply. Whenever the Authority makes this determination, it shall be plainly stated on the face of the bonds or notes and the determination shall also be reported to the Governor. In the event of a withdrawal of moneys from a reserve fund established with respect to any issue or issues of bonds of the Authority to pay principal or interest on those bonds, the chairman of the Authority, as soon as practicable, shall certify to the Governor the amount required to restore the reserve fund to the level required in the resolution or indenture securing those bonds. The Governor shall submit the certified amount to the General Assembly as soon as practicable, but no later than the end of the current State fiscal year. This subsection (g) shall not apply to any bond issued on or after the effective date of this amendatory Act of the 97th General Assembly.

(h) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(Source: P.A. 97-717, eff. 6-29-12.)

(70 ILCS 518/70)

Sec. 70. Reports and audit.

New matter indicated by italics - deletions by strikeout
(a) The Authority shall annually submit a report of its finances to the Auditor General. The Authority shall annually submit a report of its activities to the Governor and to the General Assembly.

(b) (Blank). Beginning 5 years after the effective date of this Act and every 5 years thereafter, the Auditor General shall conduct a financial audit of the Authority.

(Source: P.A. 93-968, eff. 8-20-04.)

Section 20. The Southern Illinois Economic Development Authority Act is amended by changing Sections 5-15 and 5-40 as follows:

(70 ILCS 519/5-15)
Sec. 5-15. Definitions. In this Act:
"Authority" means the Southern Illinois Economic Development Authority.
"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality thereof, corporate or otherwise.
"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.
"Revenue bond" means any bond issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.
"Board" means the Board of Directors of the Southern Illinois Economic Development Authority.
"Governor" means the Governor of the State of Illinois.
"City" means any city, village, incorporated town, or township within the geographical territory of the Authority.
"Industrial project" means the following:
(1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, port facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction,
recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or

(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Housing project" or "residential project" includes a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are an integral part of a planned large-scale project or new community.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or
abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan repayment installments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other terms deemed advisable by the Authority.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority for the development, construction, acquisition or improvement of a project, through the issuance of revenue bonds, notes, or other evidences of indebtedness.

"Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following:

(1) the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other property, rights, easements, and franchises acquired which are deemed necessary for the construction;

(2) financing charges;

(3) interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter;

(4) engineering and legal expenses; and

(5) the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the same in operation.

(Source: P.A. 94-1021, eff. 7-12-06.)

(70 ILCS 519/5-40)
Sec. 5-40. Bonds.

(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount outstanding not to exceed $250,000,000

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for the following purposes: (i) development, construction, acquisition, or improvement of projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority; (ii) entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority; and (iii) acquisition and improvement of any property necessary and useful in connection therewith. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes, or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes. The bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium, as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of the bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of the bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin the corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any contract or covenant.
(c) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the bond becomes due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which the default of payment exists or by an indenture trustee acting on behalf of the holders. Delivery of a summons and a copy of the complaint to the chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other evidence of indebtedness and in the absence of any express recital on its face that it is non-negotiable, all such bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any bonds, notes, or other evidences of indebtedness, temporary bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

New matter indicated by italics - deletions by strikeout
(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(h) (Blank). Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring, or improving housing or residential projects, as defined in this Act, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within 30 days after the notice is provided, the Illinois Housing Development Authority shall, in writing, either express interest in financing the project or notify the Authority that it is not interested in providing financing and that the Authority may finance the project or seek alternative financing.

(Source: P.A. 94-1021, eff. 7-12-06.)

Section 25. The Tri-County River Valley Development Authority Law is amended by changing Section 2007 and by adding Section 2007.1 as follows:

(70 ILCS 525/2007) (from Ch. 85, par. 7507)
Sec. 2007. Bonds.
(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount outstanding not to exceed $250,000,000 for the purpose of developing, constructing, acquiring or improving projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority, for entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority, for acquiring and improving any property necessary and useful in connection therewith and

New matter indicated by italics - deletions by strikeout
for the purposes of the Employee Ownership Assistance Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time issue and dispose of its interest bearing revenue bonds, notes or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes or other evidences of indebtedness shall be payable from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects or from any other funds available to the Authority for such purposes. The bonds, notes or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b-1) The holder or holders of any bonds, notes or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of such bonds, notes or other evidences of indebtedness, to compel such corporation, person, the Authority and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of any such bonds, notes or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin such corporation, person, the Authority and any of its agents or employees from taking any action in conflict with any such contract or covenant.

(b-2) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the same become due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which such default of payment exists or by an indenture trustee acting on behalf of such holders. Delivery of a summons and a copy of the complaint to the Chairman of the Board shall constitute
sufficient service to give the circuit court jurisdiction of the subject matter of such a suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy or cause of action concerning the validity of this Article relates to the revenue of the State of Illinois.

(c) Notwithstanding the form and tenor of any such bonds, notes or other evidences of indebtedness and in the absence of any express recital on the face thereof that it is non-negotiable, all such bonds, notes and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any such bonds, notes or other evidences of indebtedness, temporary bonds, notes or evidences of indebtedness may be issued as provided by ordinance.

(d) To secure the payment of any or all of such bonds, notes or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance thereof and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any such mortgage or trust agreement by the Authority may be by mandamus proceedings in the appropriate circuit court to compel the performance and compliance therewith, but the trust agreement may prescribe by whom or on whose behalf such action may be instituted.

(e) Such bonds or notes shall be secured as provided in the authorizing ordinance which may, notwithstanding any other provision of this Article, include in addition to any other security a specific pledge or assignment of and lien on or security interest in any or all revenues or money of the Authority from whatever source which may by law be used for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of such bonds or notes.

(f) In the event that the Authority determines that monies of the Authority will not be sufficient for the payment of the principal of and interest on its bonds during the next State fiscal year, the Chairman, as soon as practicable, shall certify to the Governor the amount required by the Authority to enable it to pay such principal of and interest on the bonds. The Governor shall submit the amount so certified to the General Assembly as soon as practicable, but no later than the end of the current State fiscal year.

New matter indicated by italics - deletions by strikeout
This subsection shall not apply to any bonds or notes as to which the Authority shall have determined, in the resolution authorizing the issuance of the bonds or notes, that this subsection shall not apply. Whenever the Authority makes such a determination, that fact shall be plainly stated on the face of the bonds or notes and that fact shall also be reported to the Governor.

In the event of a withdrawal of moneys from a reserve fund established with respect to any issue or issues of bonds of the Authority to pay principal or interest on those bonds, the Chairman of the Authority, as soon as practicable, shall certify to the Governor the amount required to restore the reserve fund to the level required in the resolution or indenture securing those bonds. The Governor shall submit the amount so certified to the General Assembly as soon as practicable, but no later than the end of the current state fiscal year. **This subsection (f) shall not apply to any bond issued on or after the effective date of this amendatory Act of the 98th General Assembly.**

(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Article so as to impair the terms of any contract made by the Authority with such holders or in any way impair the rights and remedies of such holders until such bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(h) *(Blank)*. Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring or improving housing or residential projects, as defined in Section 2003, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within 30 days after receipt of the notice, the Illinois Housing Development Authority shall notify the Authority as to its interest in financing the project. If the Illinois Housing Development Authority notifies the Authority that it
is not interested in financing the project, the Authority may finance the project or seek alternative financing for the project.
(Source: P.A. 91-357, eff. 7-29-99.)

(70 ILCS 525/2007.1 new)

Sec. 2007.1. Bonds and notes; exemption from taxation. The creation of the Authority is in all respects for the benefit of the people of Illinois and for the improvement of their health, safety, welfare, comfort, and security, and its purposes are public purposes. In consideration thereof, the notes and bonds of the Authority issued pursuant to this Act and the income from these notes and bonds may be free from all taxation by the State or its political subdivisions, except for estate, transfer, and inheritance taxes. The exemption from taxation set forth in this Section shall apply to the income on any notes or bonds of the Authority only if the Authority in its sole judgment determines that the exemption enhances the marketability of the bonds or notes or reduces the interest rates that would otherwise be borne by the bonds or notes. For purposes of Section 250 of the Illinois Income Tax Act, the exemption of the Authority shall terminate after all of the bonds have been paid. The amount of the income that shall be added and then subtracted on the Illinois income tax return of a taxpayer, subject to Section 203 of the Illinois Income Tax Act, from federal adjusted gross income or federal taxable income in computing Illinois base income shall be the interest net of any bond premium amortization.

Section 30. The Upper Illinois River Valley Development Authority Act is amended by changing Section 7 as follows:

(70 ILCS 530/7) (from Ch. 85, par. 7157)

Sec. 7. Bonds.

(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount outstanding not to exceed $500,000,000 for the purpose of developing, constructing, acquiring or improving projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority, for entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority, for acquiring and improving any property necessary and useful in connection therewith and for the purposes of the Employee Ownership Assistance Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time issue and dispose of its interest bearing revenue bonds, notes or other evidences of indebtedness and may also

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from time to time issue and dispose of such bonds, notes or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects or from any other funds available to the Authority for such purposes. The bonds, notes or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as amended, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b-1) The holder or holders of any bonds, notes or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of such bonds, notes or other evidences of indebtedness, to compel such corporation, person, the Authority and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of any such bonds, notes or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin such corporation, person, the Authority and any of its agents or employees from taking any action in conflict with any such contract or covenant.

(b-2) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the same become due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which such default of payment exists or by an indenture trustee acting on behalf of such holders. Delivery of a summons and a copy of the complaint to the Chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction of the subject matter of such a suit and jurisdiction over the Authority and its officers named as

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defendants for the purpose of compelling such payment. Any case, controversy or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(c) Notwithstanding the form and tenor of any such bonds, notes or other evidences of indebtedness and in the absence of any express recital on the face thereof that it is non-negotiable, all such bonds, notes and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any such bonds, notes or other evidences of indebtedness, temporary bonds, notes or evidences of indebtedness may be issued as provided by ordinance.

(d) To secure the payment of any or all of such bonds, notes or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance thereof and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any such mortgage or trust agreement by the Authority may be by mandamus proceedings in the appropriate circuit court to compel the performance and compliance therewith, but the trust agreement may prescribe by whom or on whose behalf such action may be instituted.

(e) Such bonds or notes shall be secured as provided in the authorizing ordinance which may, notwithstanding any other provision of this Act, include in addition to any other security a specific pledge or assignment of and lien on or security interest in any or all revenues or money of the Authority from whatever source which may by law be used for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of such bonds or notes.

(f) In the event that the Authority determines that monies of the Authority will not be sufficient for the payment of the principal of and interest on its bonds during the next State fiscal year, the Chairman, as soon as practicable, shall certify to the Governor the amount required by the Authority to enable it to pay such principal of and interest on the bonds. The Governor shall submit the amount so certified to the General Assembly as soon as practicable, but no later than the end of the current State fiscal year. This Section shall not apply to any bonds or notes as to which the Authority shall have determined, in the resolution authorizing the issuance of the bonds.
or notes, that this Section shall not apply. Whenever the Authority makes
such a determination, that fact shall be plainly stated on the face of the bonds
or notes and that fact shall also be reported to the Governor.

In the event of a withdrawal of moneys from a reserve fund
established with respect to any issue or issues of bonds of the Authority to
pay principal or interest on those bonds, the Chairman of the Authority, as
soon as practicable, shall certify to the Governor the amount required to
restore the reserve fund to the level required in the resolution or indenture
securing those bonds. The Governor shall submit the amount so certified to
the General Assembly as soon as practicable, but no later than the end of the
current State fiscal year. This subsection (f) shall not apply to any bond
issued on or after the effective date of this amendatory Act of the 97th
General Assembly.

(g) The State of Illinois pledges to and agrees with the holders of the
bonds and notes of the Authority issued pursuant to this Section that the State
will not limit or alter the rights and powers vested in the Authority by this Act
so as to impair the terms of any contract made by the Authority with such
holders or in any way impair the rights and remedies of such holders until
such bonds and notes, together with interest thereon, with interest on any
unpaid installments of interest, and all costs and expenses in connection with
any action or proceedings by or on behalf of such holders, are fully met and
discharged. In addition, the State pledges to and agrees with the holders of the
bonds and notes of the Authority issued pursuant to this Section that the State
will not limit or alter the basis on which State funds are to be paid to the
Authority as provided in this Act, or the use of such funds, so as to impair the
terms of any such contract. The Authority is authorized to include these
pledges and agreements of the State in any contract with the holders of bonds
or notes issued pursuant to this Section.

(h) (Blank). Not less than 30 days prior to the commitment to issue
bonds, notes, or other evidences of indebtedness for the purpose of
developing, constructing, acquiring or improving housing or residential
projects, as defined in Section 3, the Authority shall provide notice to the
Executive Director of the Illinois Housing Development Authority. Within
30 days after notice is provided, the Illinois Housing Development Authority
shall either in writing express interest in financing the project or notify the
Authority that it is not interested in providing such financing and the
Authority may finance the project or seek alternative financing.

(Source: P.A. 97-312, eff. 8-11-11.)

New matter indicated by italics - deletions by strikeout
Section 35. The Western Illinois Economic Development Authority Act is amended by changing Sections 15 and 40 as follows:

(70 ILCS 532/15)

Sec. 15. Definitions. In this Act:

"Authority" means the Western Illinois Economic Development Authority.

"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality thereof, corporate or otherwise.

"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.

"Revenue bond" means any bond issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.

"Board" means the Board of Directors of the Western Illinois Economic Development Authority.

"Governor" means the Governor of the State of Illinois.

"City" means any city, village, incorporated town, or township within the geographical territory of the Authority.

"Industrial project" means the following:

(1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, port facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal,

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switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or
(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Housing project" or "residential project" includes a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are an integral part of a planned large-scale project or new community.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan
repayment installments at least sufficient to pay, when due, all principal of
and interest and premium, if any, on any bonds, notes, or other evidences of
indebtedness of the Authority issued with respect to the project, providing for
maintenance, insurance, and operation of the project on terms satisfactory to
the Authority and providing for other terms deemed advisable by the
Authority.

"Financial aid" means the expenditure of Authority funds or funds
provided by the Authority for the development, construction, acquisition or
improvement of a project, through the issuance of revenue bonds, notes, or
other evidences of indebtedness.

"Costs incurred in connection with the development, construction,
acquisition or improvement of a project" means the following:

(1) the cost of purchase and construction of all lands and
improvements in connection therewith and equipment and other
property, rights, easements, and franchises acquired which are
deemed necessary for the construction;
(2) financing charges;
(3) interest costs with respect to bonds, notes, and other
evidences of indebtedness of the Authority prior to and during
construction and for a period of 6 months thereafter;
(4) engineering and legal expenses; and
(5) the costs of plans, specifications, surveys, and estimates of
costs and other expenses necessary or incident to determining the
feasibility or practicability of any project, together with such other
expenses as may be necessary or incident to the financing, insuring,
acquisition, and construction of a specific project and the placing of
the same in operation.

(Source: P.A. 93-874, eff. 8-6-04.)
(70 ILCS 532/40)
Sec. 40. Bonds.

(a) The Authority, with the written approval of the Governor, shall
have the continuing power to issue bonds, notes, or other evidences of
indebtedness in an aggregate amount outstanding not to exceed $250,000,000
for the following purposes: (i) development, construction, acquisition, or
improvement of projects, including those established by business entities
locating or expanding property within the territorial jurisdiction of the
Authority; (ii) entering into venture capital agreements with businesses
locating or expanding within the territorial jurisdiction of the Authority; (iii)
acquisition and improvement of any property necessary and useful in

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connection therewith; and (iv) for the purposes of the Employee Ownership Assistance Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes, or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes. The bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium, as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of the bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of the bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin the corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any contract or covenant.

(c) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the bond becomes due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which the default of payment exists or by an indenture trustee acting on behalf of the holders. Delivery of a summons and a copy of the complaint to the chairman of the Board shall constitute

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sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other evidence of indebtedness and in the absence of any express recital on its face that it is non-negotiable, all such bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any bonds, notes, or other evidences of indebtedness, temporary bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

(g) In the event that the Authority determines that moneys of the Authority will not be sufficient for the payment of the principal of and interest on its bonds during the next State fiscal year, the chairman, as soon as practicable, shall certify to the Governor the amount required by the Authority to enable it to pay the principal of and interest on the bonds. The Governor shall submit the certified amount to the General Assembly as soon

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as practicable, but no later than the end of the current State fiscal year. This Section shall not apply to any bonds or notes to which the Authority determines, in the resolution authorizing the issuance of the bonds or notes, that this Section shall not apply. Whenever the Authority makes this determination, it shall be plainly stated on the face of the bonds or notes and the determination shall also be reported to the Governor. In the event of a withdrawal of moneys from a reserve fund established with respect to any issue or issues of bonds of the Authority to pay principal or interest on those bonds, the chairman of the Authority, as soon as practicable, shall certify to the Governor the amount required to restore the reserve fund to the level required in the resolution or indenture securing those bonds. The Governor shall submit the certified amount to the General Assembly as soon as practicable, but no later than the end of the current State fiscal year. This subsection (g) shall not apply to any bond issued on or after the effective date of this amendatory Act of the 98th General Assembly.

(h) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(i) (Blank). Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring, or improving housing or residential projects, as defined in this Act, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within 30 days after the notice is provided, the Illinois Housing Development Authority shall, in writing, either express interest in financing the project or notify the Authority that it is not interested in providing financing and that the Authority may finance the project or seek alternative financing.

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Section 40. The Will-Kankakee Regional Development Authority Law is amended by changing Sections 3 and 5 as follows:

Sec. 3. Definitions. The following terms, whenever used or referred to in this Act, shall have the following meanings, except in such instances where the context may clearly indicate otherwise:

(a) "Authority" means the Will-Kankakee Regional Development Authority created by this Act.

(b) "Governmental agency" means any federal, State or local governmental body, and any agency or instrumentality thereof, corporate or otherwise.

(c) "Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.

(d) "Revenue bond" means any bond issued by the Authority the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.

(e) "Board" means the Will-Kankakee Regional Development Authority Board of Directors.

(f) "Governor" means the Governor of the State of Illinois.

(g) "City" means any city, village, incorporated town or township within the geographical territory of the Authority.

(h) "Industrial project" means (1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefor whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other

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improvements necessary or convenient thereto; or (2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

(h-5) "Housing project" or "residential project" includes a specific work or improvement undertaken to provide dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are an integral part of a planned large-scale project or new community.

(i) "Commercial project" means any project, including but not limited to one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship or agency, any cultural facilities of a for-profit or not-for-profit type including but not limited to educational, theatrical, recreational and entertainment, sports facilities, racetracks, stadiums, convention centers, exhibition halls, arenas, opera houses and theaters, waterfront improvements, swimming pools, boat storage, moorage, docking facilities, restaurants, velodromes, coliseums, sports training facilities, parking facilities, terminals, hotels and motels, gymnasiums, medical facilities and port facilities.

(j) "Project" means an industrial, commercial or service project or any combination thereof provided that all uses shall fall within one of the categories described above. Any project, of any nature whatsoever, shall automatically include all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways and runways.

(k) "Lease agreement" shall mean an agreement whereby a project acquired by the Authority by purchase, gift or lease is leased to any person or corporation which will use or cause the project to be used as a project as heretofore defined upon terms providing for lease rental payments at least sufficient to pay when due all principal of and interest and premium, if any, on any bonds, notes or other evidences of indebtedness of the Authority issued with respect to such project, providing for the maintenance, insurance and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with such other terms as may be deemed desirable by the Authority.

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(l) "Loan agreement" means any agreement pursuant to which the Authority agrees to loan the proceeds of its bonds, notes or other evidences of indebtedness issued with respect to a project to any person or corporation which will use or cause the project to be used as a project as heretofore defined upon terms providing for loan repayment installments at least sufficient to pay when due all principal of and interest and premium, if any, on any bonds, notes or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance and operation of the project on terms satisfactory to the Authority and providing for other matters as may be deemed advisable by the Authority.

(m) "Financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its revenue bonds, notes or other evidences of indebtedness for the development, construction, acquisition or improvement of a project.

(n) "Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following: the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other property, rights, easements and franchises acquired which are deemed necessary for such construction; financing charges; interest costs with respect to bonds, notes and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter; engineering and legal expenses; the costs of plans, specifications, surveys and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition and construction of a specific project and the placing of the same in operation.

(o) "Terminal" means a public place, station or depot for receiving and delivering passengers, baggage, mail, freight or express matter and any combination thereof in connection with the transportation of persons and property on water or land or in the air.

(p) "Terminal facilities" means all land, buildings, structures, improvements, equipment and appliances useful in the operation of public warehouse, storage and transportation facilities and industrial, manufacturing or commercial activities for the accommodation of or in connection with commerce by water or land or in the air or useful as an aid, or constituting an advantage or convenience to, the safe landing, taking off and navigation of aircraft or the safe and efficient operation or maintenance of a public airport.
(q) "Port facilities" means all public structures, except terminal facilities as defined herein, that are in, over, under or adjacent to navigable waters and are necessary for or incident to the furtherance of water commerce and includes the widening and deepening of slips, harbors and navigable waters.

(r) "Airport" means any locality, either land or water, which is used or designed for the landing and taking off of aircraft or for the location of runways, landing fields, aerodromes, hangars, buildings, structures, airport roadways and other facilities.

(Source: P.A. 86-1481.)

(70 ILCS 535/5) (from Ch. 85, par. 7455)

Sec. 5. Duty. All official acts of the Authority shall require the approval of at least 6 members. It shall be the duty of the Authority to promote development within the geographic confines of Will and Kankakee counties. The Authority shall use the powers herein conferred upon it to assist in the development, construction and acquisition of industrial, housing, residential, or commercial projects within those counties.

(Source: P.A. 86-1481.)

Passed in the General Assembly May 16, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0751
(Senate Bill No. 0587)

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 21B-20 as follows:

(105 ILCS 5/21B-20)

Sec. 21B-20. Types of licenses. Before July 1, 2013, the State Board of Education shall implement a system of educator licensure, whereby individuals employed in school districts who are required to be licensed must have one of the following licenses: (i) a professional educator license; (ii) a professional educator license with stipulations; or (iii) a substitute teaching license. References in law regarding individuals certified or certificated or required to be certified or certificated under Article 21 of this Code shall also include individuals licensed or required to be licensed under this Article. The

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first year of all licenses ends on June 30 following one full year of the license being issued.

The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to govern the requirements for licenses and endorsements under this Section.

(1) Professional Educator License. Persons who (i) have successfully completed an approved educator preparation program and are recommended for licensure by the Illinois institution offering the educator preparation program, (ii) have successfully completed the required testing under Section 21B-30 of this Code, (iii) have successfully completed coursework on the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled, (iv) have successfully completed coursework in methods of reading and reading in the content area, and (v) have met all other criteria established by rule of the State Board of Education shall be issued a Professional Educator License. All Professional Educator Licenses are valid until June 30 immediately following 5 years of the license being issued. The Professional Educator License shall be endorsed with specific areas and grade levels in which the individual is eligible to practice.

Individuals can receive subsequent endorsements on the Professional Educator License. Subsequent endorsements shall require a minimum of 24 semester hours of coursework in the endorsement area, unless otherwise specified by rule, and passage of the applicable content area test.

(2) Educator License with Stipulations. An Educator License with Stipulations shall be issued an endorsement that limits the license holder to one particular position or does not require completion of an approved educator program or both.

An individual with an Educator License with Stipulations must not be employed by a school district or any other entity to replace any presently employed teacher who otherwise would not be replaced for any reason.

An Educator License with Stipulations may be issued with the following endorsements:

(A) Provisional educator. A provisional educator endorsement in a specific content area or areas on an Educator License with Stipulations may be issued to an applicant who

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holds an educator license with a minimum of 15 semester hours in content coursework from another state, U.S. territory, or foreign country and who, at the time of applying for an Illinois license, does not meet the minimum requirements under Section 21B-35 of this Code, but does, at a minimum, meet both of the following requirements:

(i) Holds the equivalent of a minimum of a bachelor's degree, unless a master's degree is required for the endorsement, from a regionally accredited college or university or, for individuals educated in a country other than the United States, the equivalent of a minimum of a bachelor's degree issued in the United States, unless a master's degree is required for the endorsement.

(ii) Has passed a test of basic skills and content area test, as required by Section 21B-30 of this Code.

However, a provisional educator endorsement for principals may not be issued, nor may any person with a provisional educator endorsement serve as a principal in a public school in this State. In addition, out-of-state applicants shall not receive a provisional educator endorsement if the person completed an alternative licensure program in another state, unless the program has been determined to be equivalent to Illinois program requirements.

Notwithstanding any other requirements of this Section, a service member or spouse of a service member may obtain a Professional Educator License with Stipulations, and a provisional educator endorsement in a specific content area or areas, if he or she holds a valid teaching certificate or license in good standing from another state, meets the qualifications of educators outlined in Section 21B-15 of this Code, and has not engaged in any misconduct that would prohibit an individual from obtaining a license pursuant to Illinois law, including without limitation any administrative rules of the State Board of Education; however, the service member or spouse may not serve as a principal under the Professional Educator License with Stipulations or provisional educator endorsement.

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In this Section, "service member" means any person who, at the time of application under this Section, is an active duty member of the United States Armed Forces or any reserve component of the United States Armed Forces or the National Guard of any state, commonwealth, or territory of the United States or the District of Columbia.

A provisional educator endorsement is valid until June 30 immediately following 2 years of the license being issued, during which time any remaining testing and coursework deficiencies must be met. Failure to satisfy all stated deficiencies shall mean the individual, including any service member or spouse who has obtained a Professional Educator License with Stipulations and a provisional educator endorsement in a specific content area or areas, is ineligible to receive a Professional Educator License at that time. A provisional educator endorsement on an Educator License with Stipulations shall not be renewed.

(B) Alternative provisional educator. An alternative provisional educator endorsement on an Educator License with Stipulations may be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited college or university with a minimum of a bachelor's degree.

(ii) Successfully completed the first phase of the Alternative Educator Licensure Program for Teachers, as described in Section 21B-50 of this Code.

(iii) Passed a test of basic skills and content area test, as required under Section 21B-30 of this Code.

The alternative provisional educator endorsement is valid for 2 years of teaching and may be renewed for a third year by an individual meeting the requirements set forth in Section 21B-50 of this Code.

(C) Alternative provisional superintendent. An alternative provisional superintendent endorsement on an Educator License with Stipulations entitles the holder to serve
only as a superintendent or assistant superintendent in a school district's central office. This endorsement may only be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited college or university with a minimum of a master's degree in a management field other than education.

(ii) Been employed for a period of at least 5 years in a management level position in a field other than education.

(iii) Successfully completed the first phase of an alternative route to superintendent endorsement program, as provided in Section 21B-55 of this Code.

(iv) Passed a test of basic skills and content area tests required under Section 21B-30 of this Code.

The endorsement may be registered for 2 fiscal years in order to complete one full year of serving as a superintendent or assistant superintendent.

(D) Resident teacher endorsement. A resident teacher endorsement on an Educator License with Stipulations may be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited institution of higher education with a minimum of a bachelor's degree.

(ii) Enrolled in an approved Illinois educator preparation program.

(iii) Passed a test of basic skills and content area test, as required under Section 21B-30 of this Code.

The resident teacher endorsement on an Educator License with Stipulations is valid for 4 years of teaching and shall not be renewed.

A resident teacher may teach only under the direction of a licensed teacher, who shall act as the resident mentor teacher, and may not teach in place of a licensed teacher. A resident teacher endorsement on an Educator License with Stipulations shall no longer be valid after June 30, 2017.

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(E) Career and technical educator. A career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 60 semester hours of coursework from a regionally accredited institution of higher education; has passed a test of basic skills required under Section 21B-30 of this Code; and has a minimum of 2,000 hours of experience in the last 10 years outside of education in each area to be taught.

The career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed if the individual passes a test of basic skills, as required under Section 21B-30 of this Code.

(F) Part-time provisional career and technical educator or provisional career and technical educator. A part-time provisional career and technical educator endorsement or a provisional career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 8,000 hours of work experience in the skill for which the applicant is seeking the endorsement. It is the responsibility of each employing school board and regional office of education to provide verification, in writing, to the State Superintendent of Education at the time the application is submitted that no qualified teacher holding a Professional Educator License or an Educator License with Stipulations with a career and technical educator endorsement is available and that actual circumstances require such issuance.

The provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed only one time for 5 years if the individual passes a test of basic skills, as required under Section 21B-30 of this Code, and has completed a minimum of 20 semester hours from a regionally accredited institution.

A part-time provisional career and technical educator endorsement on an Educator License with Stipulations may be

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issued for teaching no more than 2 courses of study for grades 6 through 12. The part-time provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed for 5 years if the individual makes application for renewal.

(G) Transitional bilingual educator. A transitional bilingual educator endorsement on an Educator License with Stipulations may be issued for the purpose of providing instruction in accordance with Article 14C of this Code to an applicant who provides satisfactory evidence that he or she meets all of the following requirements:

(i) Possesses adequate speaking, reading, and writing ability in the language other than English in which transitional bilingual education is offered.

(ii) Has the ability to successfully communicate in English.

(iii) Either possessed, within 5 years previous to his or her applying for a transitional bilingual educator endorsement, a valid and comparable teaching certificate or comparable authorization issued by a foreign country or holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

A transitional bilingual educator endorsement shall be valid for prekindergarten through grade 12, is valid until June 30 immediately following 5 years of the endorsement being issued, and shall not be renewed.

Persons holding a transitional bilingual educator endorsement shall not be employed to replace any presently employed teacher who otherwise would not be replaced for any reason.

(H) Language endorsement. In an effort to alleviate the shortage of teachers speaking a language other than English in the public schools, an individual who holds an Educator License with Stipulations may also apply for a

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language endorsement, provided that the applicant provides satisfactory evidence that he or she meets all of the following requirements:

(i) Holds a transitional bilingual endorsement.
(ii) Has demonstrated proficiency in the language for which the endorsement is to be issued by passing the applicable language content test required by the State Board of Education.
(iii) Holds a bachelor's degree or higher from a regionally accredited institution of higher education or, for individuals educated in a country other than the United States, holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.
(iv) Has passed a test of basic skills, as required under Section 21B-30 of this Code.

A language endorsement on an Educator License with Stipulations is valid for prekindergarten through grade 12 for the same validity period as the individual's transitional bilingual educator endorsement on the Educator License with Stipulations and shall not be renewed.

(I) Visiting international educator. A visiting international educator endorsement on an Educator License with Stipulations may be issued to an individual who is being recruited by a particular school district that conducts formal recruitment programs outside of the United States to secure the services of qualified teachers and who meets all of the following requirements:

(i) Holds the equivalent of a minimum of a bachelor's degree issued in the United States.
(ii) Has been prepared as a teacher at the grade level for which he or she will be employed.
(iii) Has adequate content knowledge in the subject to be taught.
(iv) Has an adequate command of the English language.

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A holder of a visiting international educator endorsement on an Educator License with Stipulations shall be permitted to teach in bilingual education programs in the language that was the medium of instruction in his or her teacher preparation program, provided that he or she passes the English Language Proficiency Examination or another test of writing skills in English identified by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

A visiting international educator endorsement on an Educator License with Stipulations is valid for 3 years and shall not be renewed.

(J) Paraprofessional educator. A paraprofessional educator endorsement on an Educator License with Stipulations may be issued to an applicant who holds a high school diploma or its recognized equivalent and either holds an associate's degree or a minimum of 60 semester hours of credit from a regionally accredited institution of higher education or has passed a test of basic skills required under Section 21B-30 of this Code. The paraprofessional educator endorsement is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed through application and payment of the appropriate fee, as required under Section 21B-40 of this Code. An individual who holds only a paraprofessional educator endorsement is not subject to additional requirements in order to renew the endorsement.

(3) Substitute Teaching License. A Substitute Teaching License may be issued to qualified applicants for substitute teaching in all grades of the public schools, prekindergarten through grade 12. Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Substitute Teaching License must hold a bachelor's degree or higher from a regionally accredited institution of higher education.

Substitute Teaching Licenses are valid for 5 years and may be renewed if the individual has passed a test of basic skills, as authorized under Section 21B-30 of this Code. An individual who has passed a test of basic skills for the first licensure renewal is not required to retake the test again for further renewals.

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Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked or has not met the renewal requirements for licensure, then that individual is not eligible to obtain a Substitute Teaching License.

A substitute teacher may only teach in the place of a licensed teacher who is under contract with the employing board. If, however, there is no licensed teacher under contract because of an emergency situation, then a district may employ a substitute teacher for no longer than 30 calendar days per each vacant position in the district if the district notifies the appropriate regional office of education within 5 business days after the employment of the substitute teacher in the emergency situation. An emergency situation is one in which an unforeseen vacancy has occurred and (i) a teacher is unable to fulfill his or her contractual duties or (ii) teacher capacity needs of the district exceed previous indications, and the district is actively engaged in advertising to hire a fully licensed teacher for the vacant position.

There is no limit on the number of days that a substitute teacher may teach in a single school district, provided that no substitute teacher may teach for longer than 90 school days for any one licensed teacher under contract in the same school year. A substitute teacher who holds a Professional Educator License or Educator License with Stipulations shall not teach for more than 120 school days for any one licensed teacher under contract in the same school year. The limitations in this paragraph (3) on the number of days a substitute teacher may be employed do not apply to any school district operating under Article 34 of this Code.

(Source: P.A. 97-607, eff. 8-26-11; 97-710, eff. 1-1-13; 98-28, eff. 7-1-13.)
Approved July 16, 2014.
Effective January 1, 2015.

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AN ACT concerning wildlife.

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

ARTICLE 1. GENERAL PROVISIONS
Section 1-1. Short title. This Act may be cited as the Herptiles-Herps Act.

Section 1-5. Purpose. For purposes of this Act, reptiles and amphibians shall be exempt from the definition of "aquatic life" under Section 1-20 of the Fish and Aquatic Life Code. All rules and enforcement actions under the Illinois Conservation Law and the dangerous animals provisions in Section 48-10 of the Criminal Code of 2012 related to reptiles and amphibians shall be covered exclusively by this Act.

Section 1-10. Administrative agency. This Act shall be administered and under the direction of the Department of Natural Resources.

Section 1-15. Definitions. For the purposes of this Act, unless the context clearly requires otherwise, the following terms are defined as:

"Administrative rule" means a regulatory measure issued by the Director under this Act.

"Authorized law enforcement officer" means all sworn members of the Law Enforcement Division of the Department and those persons specifically granted law enforcement authorization by the Director.

"Bona fide scientific or educational institution" means confirming educational or scientific tax-exemption, from the federal Internal Revenue Service or the applicant's national, state, or local tax authority, or a statement of accreditation or recognition as an educational institution.

"Contraband" means all reptile or amphibian life or any part of reptile or amphibian life taken, bought, sold or bartered, shipped, or held in possession or any conveyance, vehicle, watercraft, or other means of transportation whatsoever, except sealed railroad cars or other sealed common carriers, used to transport or ship any reptile or amphibian life or any part of reptile or amphibian life taken, contrary to this Act, including administrative rules, or used to transport, contrary to this Act, including administrative rules, any of the specified species when taken illegally.

"Culling" means picking out from others and removing rejected members because of inferior quality.

"Department" means the Illinois Department of Natural Resources.

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"Director" means the Director of the Illinois Department of Natural Resources.

"Educational program" means a program of organized instruction or study for providing education intended to meet a public need.

"Endangered or threatened species" means any species listed as endangered or threatened to the species level on either the Illinois List of Endangered and Threatened Fauna or the federal U.S. Fish and Wildlife Service List of Threatened and Endangered Species.

"Herptile" means collectively any amphibian or reptile taxon, whether indigenous to this State or not.

"Indigenous or native taxa" means those amphibians and reptiles to the subspecies level that can be found naturally in this State.

"Individual" means a natural person.

"Medically significant" means a venomous or poisonous species whose venom or toxin can cause death or serious illness or injury in humans that may require emergency room care or the immediate care of a physician. These species are categorized as being "medically significant" or "medically important".

"Owner" means an individual who has a legal right to the possession of a herptile.

"Person" means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, or group.

"Possession limit" means the maximum number or amount of herptiles that can be lawfully held or possessed by one person at any time.

"Possessor" means any person who possesses, keeps, harbors, brings into the State, cares for, acts as a custodian for, has in his or her custody or control, or holds a property right to a herptile.

"Reptile show" means any event open to the public, for a fee or without a fee, that is not a licensed pet store, where herptiles or herptiles together with other animals are exhibited, displayed, sold, bought, traded, or otherwise made available for public display.

"Resident" means a person who in good faith makes application for any license or permit and verifies by statement that he or she has maintained his or her permanent abode in this State for a period of at least 30 consecutive days immediately preceding the person's application, and who does not maintain permanent abode or claim residency in another state for the purposes of obtaining any of the same or similar licenses or permits under this Act. A person's permanent abode is his or her fixed and permanent residence.

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dwelling place, as distinguished from a temporary or transient place of residence. Domiciliary intent is required to establish that the person is maintaining his or her permanent abode in this State. Evidence of domiciliary intent includes, but is not limited to, the location where the person votes, pays personal income tax, or obtains a drivers license. Any person on active duty in the Armed Forces shall be considered a resident of Illinois during his or her period of military duty.

"Special use herptile" means any taxon of amphibian or reptile for which a Herptile Special Use permit is required.

"Take" means possess, collect, catch, detain, hunt, shoot, pursue, lure, kill, destroy, capture, gig or spear, trap or ensnare, harass, or an attempt to do so.

"Transport" or "ship" means to convey by parcel post, express, freight, baggage, or shipment by common carrier or any description; by automobile, motorcycle, or other vehicle of any kind; by water or aircraft of any kind; or by any other means of transportation.

"Turtle farming" means the act of breeding, hatching, raising, selling turtles, or any combination commercially for the purpose of providing turtles, turtle eggs, or turtle parts to pet suppliers, exporters, and food industries.

"Wildlife sanctuary" means any non-profit organization that: (1) is exempt from taxation under the federal Internal Revenue Code and is currently confirmed as tax exempt by the federal Internal Revenue Service; (2) operates a place of refuge where wild animals are provided care for their lifetime or released back to their natural range; (3) does not conduct activities on animals in its possession that are not inherent to the animal's nature; (4) does not use animals in its possession for entertainment; (5) does not sell, trade, or barter animals in its possession or parts of those animals; and (6) does not breed animals in its possession.

ARTICLE 5. INDIGENOUS OR NATIVE HERPTILE TAXA

Section 5-5. Possession limits.

(a) The possession limit for indigenous amphibian and reptile taxa (excluding common snapping turtles and bullfrogs) is 8 total collectively with no more than 4 per species. Young of gravid wild-collected amphibians and reptiles shall be returned to the site of adult capture after birth.

(b) Only residents may possess herptiles collected from the wild within this State under a valid sport fishing license; non-residents may not possess herptiles collected from the wild within this State except for scientific purposes, with a Herptile Scientific Collection permit.

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(c) All herptile species (other than bullfrogs and common snapping turtles) may be captured by hand. This shall not restrict the use of legally taken herptiles as bait by anglers. Any captured herptiles that are not to be retained in the possession of the captor shall be immediately released at the site of capture, unless taken with a lethal method such as bow and arrow, gig, spear, or pitchfork which does not permit release without harm. All common snapping turtles and bullfrogs taken for personal consumption must be kept and counted in the daily catch creel or bag. No culling of these 2 species for personal consumption is permitted.

(d) The trier of fact may infer that a person is collecting from the wild within this State if he or she possesses indigenous reptiles or amphibians, in whole or in part, if no documentation exists stating that the animals were legally collected from the wild outside of this State.

(e) Residents may possess a total of 8 native herp specimens collectively, with no more than 4 per species, without obtaining and possessing either a Herptile Scientific Collection permit or Herpetoculture permit from the Department, regardless of the origin of the species. A sport fishing license is required for residents to legally collect any native herp taxon on private land, with the landowner's permission. Collecting herptiles on public lands shall require additional permits.

(f) Any resident wishing to possess more than his or her allowed possession limit shall first apply to the Department for a Herptile Scientific Collection permit or Herpetoculture permit to do so. Issuance, modification, or denial of any and all of these permits shall be at the sole discretion of the Department.

(g) Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the Department, or its agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable, and shall be included in an individual's overall possession limit.

Section 5-10. Commercialization; herpetoculture.

(a) It is unlawful to take, possess, buy, sell, offer to buy or sell or barter any reptile, amphibian, or their eggs, any resulting offspring, or parts taken from the wild in this State for commercial purposes unless otherwise authorized by law.

(b) The trier of fact may infer that a person is collecting from the wild within this State for commercial purposes if he or she possesses indigenous reptiles or amphibians, in whole or in part, for which no documentation exists.
stating that the animals were legally collected from the wild outside this State.

(c) Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the Department, or its agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable, and shall be included in an individual's overall possession limit.

(d) A valid, Department-issued Herpetoculture permit shall apply only to indigenous herp taxa. A Herpetoculture permit shall not be required in order to commercialize non-indigenous herp taxa except as otherwise prohibited or regulated under this Act.

(e) Indigenous herp taxa collected from the wild in this State may not be bred unless otherwise authorized by the Department for research or recovery purposes.

Section 5-15. Protection of habitat. Habitat features that are disturbed in the course of searching for reptiles and amphibians shall be returned to as near its original position and condition as possible, for example overturned stones and logs shall be restored to their original locations.

Section 5-20. Taking of endangered or threatened species.

(a) No person shall take or possess any of the herptiles listed in the Illinois Endangered Species Protection Act or subsequent administrative rules, except as provided by that Act.

(b) Any Department-permitted threatened or endangered (T/E) herptile species shall be exempt from an individual's overall possession under the permitting system set forth in this Act. However, any and all T/E specimens shall be officially recorded with the Department's Endangered Species Conservation Program. Any species occurring on the federal T/E list also requires a Department permit for possession, propagation, sale, or offer for sale unless otherwise permitted through the Department.

(c) Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the Department, or agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable, and shall be included in an individual's overall possession limit.

(d) Federally licensed exhibits shall not be exempt from the Illinois Endangered Species Protection Act.

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(e) Any changes in T/E permit numbers for herptiles by current, existing permit holders shall be reported to the Department in writing no later than the first business day after that change occurred. Requests for permits by any resident acquiring a T/E species who is not permitted shall not be issued after-the-fact.

(f) Annual reports are due by January 31 of each year for the preceding year’s activities. Failure to submit the annual report by the due date shall result in a permit violation.

(g) An annual fee for herptile T/E species permits, per permittee, shall be set by administrative rule. All fees for herptile T/E species permits shall be deposited into the Wildlife Preservation Fund.

(h) Procedures for acquisition, breeding, and sales of T/E herptile species shall be set forth in administrative rule.

(i) Record keeping requirements for T/E herptile species shall be set forth in administrative rule.

Section 5-25. Taking of snakes. Unless otherwise provided in this Act, any non-threatened or non-endangered snake may be taken by the owners or bona fide tenants of lands actually residing on the lands and their children, parents, brothers, and sisters permanently residing with them.

Section 5-30. Taking of turtles or bullfrogs; illegal devices.

(a) No person shall take turtles or bullfrogs by commercial fishing devices, including dip nets, hoop nets, traps, or seines, or by the use of firearms, airguns, or gas guns. Turtles may be taken only by hand or means of hook and line.

(b) Bullfrog; common snapping turtle; open season.

(1) All individuals taking bullfrogs shall possess a valid sport fishing license and may take bullfrogs only during the open season to be specified by administrative rule. Bullfrogs may only be taken by hook and line, gig, pitchfork, spear, bow and arrow, hand, or landing net.

(2) The daily catch limit and total possession limit for all properly licensed persons shall be specified by administrative rule.

(3) All persons taking common snapping turtles shall possess a valid sport fishing license and may take common snapping turtles only during the open season to be specified by administrative rule. Common snapping turtles (Chelydra serpentina) may be taken only by hand, hook and line, or bow and arrow, except in the counties listed in Section 5-35 where bowfishing for common snapping turtles is not allowed.

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(4) The daily catch limit and total possession limit for all properly licensed persons shall be specified by administrative rule.

(c) The alligator snapping turtle (Macrochelys temminckii) is protected and may not be taken by any method including, but not limited to, any sport fishing method.

Section 5-35. Areas closed to the taking of reptiles and amphibians.

(a) Unless otherwise allowed by law or administrative rule, the taking of reptiles and amphibians at any time and by any method is prohibited in the following areas:

The LaRue-Pine Hills or Otter Pond Research Natural Area in Union County. The closed area shall include the Research Natural Area as designated by the U.S. Forest Service and the right-of-way of Forest Road 345 with Forest Road 236 to the intersection of Forest Road 345 with the Missouri Pacific railroad tracks. Unless otherwise authorized, possession of any collecting equipment is prohibited within the closed area.

(b) In the following counties bowfishing for common snapping turtles is not permitted: Randolph, Perry, Franklin, Hamilton, White, Gallatin, Saline, Williamson, Jackson, Union, Johnson, Pope, Hardin, Massac, Pulaski, and Alexander, or in any additional counties added through administrative rule.

(c) Collection of wild turtles for races or other types of events involving congregating and gathering numbers of wild turtles is prohibited in counties where ranavirus has been documented. Inclusion on the county list shall be determined by rule.

Section 5-40. Translocation and release of herptiles.

(a) Except as provided for in subsection (a) of Section 5-5, no herptile indigenous species may be moved, translocated, or populations repatriated within this State without approval of the Department, after review of a proposal complete with long-term monitoring plan at least 5 years post-release.

(b) It shall be unlawful to intentionally or negligently release any non-indigenous herptile species into this State.

ARTICLE 10. VENOMOUS REPTILES

Section 10-5. Venomous reptile defined. Venomous reptiles include, but are not limited to, any medically significant venomous species of the families or genera of the Order Squamata: Helodermatidae, such as gila monsters and beaded lizards; Elapidae, such as cobras and coral snakes; Hydrophiidae, such as sea snakes; Viperidae and Crotalinae, such as vipers

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and pit vipers; Atractaspidae, such as burrowing asps; Colubridae in the following genera that shall be determined by administrative rule: West Indian racers (Alsophis); boigas and mangrove snakes (Boiga); road guarders (Conophis); Boomslangs (Dispholidus); false water cobras (Hydrodynastes); varied or hooded keelbacks (Macropistodon); Montpellier snakes (Malpolon); kukri snakes (Oligodon); collared snakes (Phalotris); palm snakes or green racers (Philodryas); sand snakes or racers (Psammophis); keelbacks (Rhabdophis); beaked snakes (Rhamphiophis); twig snakes (Thelotornis); black tree snakes (Thrasops); Pampas snakes (Tomodon); Wagler's snakes (Waglerophis); false fer-de-lances (Xenodon); specimens or eggs of the brown tree snake (Boiga irregularis); and any other species added through legislative process designated.

Section 10-10. Surgically altered venomous reptiles. It is not a defense to a violation of Article 65 that the person violating that Article has had the venomous reptile surgically altered to render it harmless.

Section 10-15. Venomous reptile permit requirements. In addition to those requirements listed in Articles 60 and 65 of this Act, Herptile Special Use permits may be issued to residents using approved venomous reptile species only for bona fide educational programs, following an inspection and approval of the proposed facilities. A minimum of 6 documented programs shall be required of each permittee per calendar year. Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department by administrative rule and documented proof of educational programs completed on the recipient's letterhead. Prospective permittees must have 250 documented hours of experience with venomous reptiles. The Department or the Department of Agriculture reserves the right to inspect permittees and facilities during reasonable hours. Additions to permits must be approved prior to acquisition of additional venomous reptiles, and any changes shall be reported to the Department in writing no later than the first business day after that change occurred.

Section 10-20. Approved venomous reptiles. Permittees may keep legally obtained venomous reptile specimens native to the United States, except the following species: Eastern diamondback rattlesnakes (Crotalus adamanteus); Western diamondback rattlesnakes (Crotalus atrox); Mojave rattlesnakes (Crotalus scutulatus); Southern Pacific rattlesnakes (Crotalus oreganus helleri); Eastern and Texas coral snakes (Micrurus fulvius); Sonoran coral snakes (Micruroides euryxanthus); and timber/canebrake rattlesnakes (Crotalus horridus) from the southern portions of their range.
(Oklahoma, southern Arkansas, Louisiana, and also southeastern South Carolina south through eastern Georgia to northern Florida), known as "Type A" and containing canebrake toxin.

Except for Boomslangs (Dispholidus), twig snakes (Thelotornis), keelbacks (Rhabdophis), Lichtenstein's green racer (Philodryas olfersii), and brown tree snake (Boiga irregularis), medically significant snakes in the family Colubridae defined in Section 10-5 of this Article may be possessed with a permit.

Section 10-25. Maintenance of venomous reptiles. Permittees shall keep approved venomous reptiles in strong escape-proof enclosures that at a minimum are: impact resistant, locked at all times, prominently labeled with the permittee's full name, address, telephone number, list of cage contents by scientific and common names, and a sign labeled "venomous". The signage shall also include the type and location of antivenom and contact information of the person or organization possessing the antivenom.

Section 10-30. Educational programs with approved venomous reptiles. Permittees shall keep approved venomous reptiles in strong escape-proof enclosures that at a minimum are: impact resistant, locked at all times, prominently labeled with the permittee's full name, address, telephone number, list of cage contents by scientific and common names, and a sign labeled "venomous". Labeling shall also include the type and location of antivenom and contact information of the person or organization possessing the antivenom. Interiors of enclosures may not be accessible to the public.

Section 10-35. Transport of approved venomous reptiles. During transport of any approved venomous reptile, it must be kept out of sight of the public in an escape-proof enclosure at all times that is labeled "venomous". Transport of any venomous reptile to any public venue, commercial establishment, retail establishment, or educational institution shall only be for bona fide educational programs or veterinary care.

Section 10-40. Additional regulations. Venomous reptiles shall not be bred, sold, or offered for sale within this State. The Department may approve limited transfers among existing permittees at the sole discretion of the Department.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to use venomous reptiles in bona fide educational programs. The fee for the permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

ARTICLE 15. BOAS,

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PYTHONS, AND ANACONDAS

Section 15-5. Boas, pythons, and anacondas. Nothing shall prohibit lawfully acquired possession of any of the Boidae family, such as boas, pythons, and anacondas, provided captive maintenance requirements from the Department as set forth in this Act are met. All boas, pythons, and anacondas referenced in this Act are exempt from the permit process, associated annual fee, and liability insurance coverage.

Section 15-10. Maintenance of boas, pythons, and anacondas. Any species of boa, python, or anaconda not native to the United States, regardless of length, must be properly maintained in suitable, strong, impact resistant, escape-proof enclosures at all times unless being used for bona fide educational programs or trips for veterinary care.

Section 15-15. Educational programs with boas, pythons, and anacondas. During any bona fide educational program involving boas, pythons, or anacondas not native to the United States, the owner or affiliated agent must maintain physical possession of the snake at all times if removed from a container or cage. Interiors of cages or containers used during educational programs may not be accessible to the public.

Section 15-20. Transport of boas, pythons, and anacondas. During transport of any boa, python, or anaconda, the snake must be kept out of sight of the public in an escape-proof enclosure at all times.

Section 15-25. Use of boas, pythons, and anacondas at reptile shows. An owner or affiliated agent must have physical possession and control of any boa, python, or anaconda that is not native to the United States at all times if removed from a container or cage. Uncontained boas, pythons, or anacondas removed from cages for examination or onlooker interaction must be kept confined either behind or at a display table. Interiors of cages or containers may not be accessible to the public.

ARTICLE 20. CROCODILIANS

Section 20-5. Crocodilians. "Crocodilians" means any species of the Order Crocodylia, such as crocodiles, alligators, caimans, and gavials.

Section 20-10. Crocodileian permit requirements. In addition to the requirements listed in Articles 60 and 65 of this Act, Herptile Special Use permits may be issued to residents using crocodilian species only for bona fide educational programs, following an inspection and approval of the proposed facilities. A minimum of 6 documented programs shall be required of each permittee per calendar year. Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department and documented proof of educational

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programs completed on the recipient's letterhead. The Department or the Department of Agriculture reserves the right to inspect permittees and facilities during reasonable hours. Additions to permits must be approved prior to acquisition of additional crocodilians, and any changes shall be reported to the Department in writing no later than the first business day after that change occurred.

Section 20-15. Maintenance of crocodilians. Permittees shall keep crocodilians maintained in suitable, strong, impact resistant, escape-proof enclosures at all times unless being used for bona fide educational programs or trips for veterinary care.

Section 20-20. Educational programs with crocodilians. During any bona fide educational program involving crocodilians, the owner or affiliated agent must maintain physical possession and control of the crocodilian at all times if removed from a container or cage. Interiors of cages or containers used during educational programs may not be accessible to the public. Crocodilians removed from their cage or enclosure for educational programs must have either the mouth banded or taped shut or kept at a minimum of 10 feet from the public and also kept out of direct contact with the public.

Section 20-25. Transport of crocodilians. During transport of any crocodilian, it must be kept out of sight of the public in an escape-proof enclosure at all times. Transport of any crocodilian to any public venue, commercial establishment, retail establishment, or educational institution shall only be for bona fide educational programs or veterinary care.

Section 20-30. Additional regulations. Crocodilians shall not be bred, sold, or offered for sale within this State.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to use crocodilians in bona fide educational programs. The fee for this permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

ARTICLE 25. MONITOR LIZARDS

Section 25-5. Monitor lizards. "Monitor lizards" means the following members of the Varanidae family, specifically crocodile monitors as well as Komodo dragons.

Section 25-10. Monitor lizard permit requirements. In addition to those requirements listed in Articles 60 and 65 of this Act, Herptile Special Use permits may be issued to residents using monitor lizard species only for bona fide educational programs, following an inspection and approval of the proposed facilities. A minimum of 6 documented programs on the family Varanidae shall be required of each permittee per calendar year. Unless
addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department and documented proof of educational programs completed on the recipient's letterhead. The Department or the Department of Agriculture reserves the right to inspect permittees and facilities during reasonable hours. Additions to permits must be approved prior to acquisition of additional monitor lizards, and any changes shall be reported to the Department in writing no later than the first business day after that change occurred.

Section 25-15. Maintenance of monitor lizards. Permittees shall keep monitor lizards maintained in suitable, strong, impact resistant, escape-proof enclosures at all times unless being used for bona fide educational programs or trips for veterinary care.

Section 25-20. Educational programs with monitor lizards. During any bona fide educational program involving monitor lizards, the owner or affiliated agent must maintain physical possession and control of the monitor lizard at all times if removed from a container or cage. Interiors of cages or containers used during educational programs may not be accessible to the public. Monitor lizards removed from their cage or enclosure for educational programs must have either the mouth banded or taped shut, or kept at a minimum of 10 feet from the public and also kept out of direct contact with the public.

Section 25-25. Transport of monitor lizards. During transport of any monitor lizard, it must be kept out of sight of the public in an escape-proof enclosure at all times. Transport of a monitor lizard to any public venue, commercial establishment, retail establishment, or educational institution shall only be for bona fide educational programs or veterinary care.

Section 25-30. Additional regulations. Monitor lizards shall not be bred, sold, or offered for sale within this State.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to use monitor lizards in bona fide educational programs. The fee for the permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

ARTICLE 30. TURTLES

Section 30-5. Turtle farming. Turtles shall not be commercially farmed in this State.

Section 30-10. Turtle collection. Collection of wild turtles for races or other types of events involving congregating and gathering numbers of wild turtles is prohibited in counties where ranavirus has been documented. Inclusion on the county list shall be determined by rule.
ARTICLE 35. AMPHIBIANS

Section 35-5. Amphibians. For the purposes of this Section, "amphibians" means those medically significant poisonous amphibians capable of causing bodily harm to humans or animals, including, but not limited to, cane or marine toads (Bufo marinus) and Colorado river toads (Bufo alvarius), or any other amphibian found to be medically significant and shall only be allowed for bona fide educational purposes or research purposes by exempted institutions.

Poison dart frogs bred and raised in captivity shall be exempt from the permit process.

ARTICLE 40. HERPTILE SCIENTIFIC COLLECTION PERMITS

Section 40-5. Permit issuance. Herptile Scientific Collection permits may be granted by the Department, in its sole discretion, to any properly accredited person at least 18 years of age, permitting the capture, marking, handling, banding, or collecting (including hide, skin, bones, teeth, claws, nests, eggs, or young), for strictly scientific purposes, of any of the herptiles not listed as endangered or threatened but now protected under this Act. A Herptile Scientific Collection permit may be granted to qualified individuals for purpose of salvaging dead, sick, or injured herptiles not listed as endangered or threatened but protected by this Act for permanent donation to bona fide public or state scientific, educational, or zoological institutions. Collecting herptiles on public lands shall require additional permits.

Section 40-10. Permit requirements. The criteria and standards for a Herptile Scientific Collection permit shall be provided by administrative rule. The Department shall set forth applicable rules covering qualifications and facilities needed to obtain a permit. Disposition of herptiles taken under the authority of this Article shall be specified by the Department. The holder of each permit shall make to the Department a report in writing upon forms furnished by the Department. These reports shall be made (i) annually if the permit is granted for a period of one year or (ii) within 30 days after the expiration of the permit if the permit is granted for a period of less than one year. These reports shall include information that the Department considers necessary.

ARTICLE 45. HERPTILE SCIENTIFIC COLLECTION PERMIT APPLICATION AND FEES

Section 45-5. Permit application and fees. An applicant for a Herptile Scientific Collection permit must file an application with the Department on a form provided by the Department. The application must include all

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information and requirements as set by administrative rule. The application for these permits shall be reviewed by the Department to determine if a permit should be issued.

Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by non-refundable fee as set by the Department. The annual fee for a Herptile Scientific Collection permit shall be set by administrative rule. The Department shall adopt, by administrative rule, any additional procedures for the renewal of a Herptile Scientific Collection permit. All fees shall be deposited into the Fish and Wildlife Fund.

ARTICLE 50. HERPETOCULTURE PERMITS

Section 50-5. Permit issuance. Any person or business who engages in the breeding, hatching, propagation, sale, or offer for sale of any indigenous herptile, regardless of origin, shall procure a permit from the Department. Herptiles specified, which are bred, hatched, propagated, or legally obtained by a person or business holding a permit as provided for in this Article, may be transported and sold or offered for sale within this State. Indigenous herp taxa collected from the wild in this State shall not be bred unless otherwise authorized by the Department for research or recovery purposes.

Section 50-10. Permit requirements. Herpetoculture permit holders shall maintain written records of all herptiles indigenous to this State bought, sold, hatched, propagated, sold, or shipped for a minimum of 2 years after the date of the transaction and shall be made immediately available to authorized employees of the Department upon request. These records shall include the name and address of the buyer and seller, the appropriate permit number of the buyer and seller, the date of the transaction, the species name (both common and scientific), and the origin of herptile involved. Records of the annual operations, as may be required by the Department, shall be forwarded to the Department upon request.

The criteria and standards for a Herpetoculture permit shall be provided by administrative rule. The Department shall set forth applicable rules, including a list of herptiles indigenous to this State.

ARTICLE 55. HERPETOCULTURE PERMIT APPLICATION AND FEES

Section 55-5. Permit application and fees. An applicant for a Herpetoculture permit must file an application with the Department on a form provided by the Department. The application must include all information and requirements as set forth by administrative rule. The application for these

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permits shall be reviewed by the Department to determine if a permit should be issued.

Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department. The annual fee for a residential Herpetoculture permit shall be set by administrative rule. The Department shall adopt, by administrative rule, any additional procedures for the renewal of a Herpetoculture permit. All fees shall be deposited into the Wildlife and Fish Fund.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to commercialize herptiles indigenous to this State as outlined in this Article. The fee for the permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

The Department shall adopt, by administrative rule, additional procedures for the renewal of annual Herpetoculture permits.

Section 55-10. Additional regulations. Nothing in Articles 50 and 55 shall be construed to give permittees authority to breed, hatch, propagate, sell, offer for sale, or otherwise commercialize any herptile or parts thereof from herptiles indigenous to this State, either partially or in whole, that originate from the wild in this State.

Any offspring resulting from the breeding of herptiles where one parent has been taken from the wild in this State and the other parent from non-Illinois stock or captive bred stock may not be legally sold or otherwise commercialized and shall be treated as indigenous or native Illinois herp taxa subject to Article 5 of this Act.

Color or pattern variations (morphs) of any herptile indigenous to this State are not exempt from this Article.

Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the Department, or its agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable.

ARTICLE 60. HERPTILE SPECIAL USE PERMIT REQUIREMENTS

Section 60-5. Permit requirements. Prior to any person obtaining a Herptile Special Use permit, the following criteria must be met:

(1) the person was in legal possession and is the legal possessor of the herptile prior to the effective date of this Act and the person applies for and is granted a Personal Possession permit for

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each special use herptile in the person's possession within 30 days after the enactment of this Act; or

(2) prior to acquiring a Herptile Special Use permit, the person must provide the name, address, date of birth, permit number, telephone number of the possessor, type or species, and the date the herptile is to be acquired.

The applicant must comply with all requirements of this Act and the rules adopted by the Department to obtain a Herptile Special Use permit. Prior to the issuance of the Herptile Special Use permit, the applicant must provide proof of liability insurance or surety bond, either individually, or in the name of the entity giving the bona fide educational programs, in the amount of $100,000 for each special use herptile up to a maximum of $1,000,000 and the insurance or surety bond is to be maintained during the term of the permit for liability for any incident arising out of or relating to the special use herptile.

ARTICLE 65. HERPTILE SPECIAL USE
PERMIT APPLICATION AND FEES

Section 65-5. Permit application and fees. An applicant for a Herptile Special Use permit must file an application with the Department on a form provided by the Department. The application must include all information and requirements as set forth by administrative rule.

The annual fee for a residential Herptile Special Use permit shall be set by administrative rule on a per person basis. The Herptile Special Use permit shall not be based on the number of special use herptile kept by an owner or possessor. All fees shall be deposited into the Wildlife and Fish Fund.

The Department shall adopt, by administrative rule, procedures for the renewal of annual Herptile Special Use permits.

Any person possessing and in legal possession of a special use herptile as stipulated in this Article that no longer wishes to keep the herptile may be assisted by the Department, at no charge to them and without prosecution, to place the special use herptile in a new home, within 30 days after the effective date of this Act.

The Department may issue a Limited Entry permit to an applicant who: (i) is not a resident of this State; (ii) complies with the requirements of this Act and all rules adopted by the Department under the authority of this Act; (iii) provides proof to the Department that he or she shall, during the permit term, maintain sufficient liability insurance coverage; (iv) pays to the Department, along with each application for a Limited Entry permit, a non-

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refundable fee as set by administrative rule, which the Department shall deposit into the Wildlife and Fish Fund; and (v) uses the herptile for an activity authorized in the Limited Entry permit. A Limited Entry permit shall be valid for not more than 30 consecutive days unless extended by the Department, however, no extension shall be longer than 15 days.

ARTICLE 70. SUSPENSION OF PRIVILEGES AND REVOCATION OF HERPTILE SPECIAL USE PERMITS

Section 70-5. Suspension of privileges and revocation of permits. A person who does not hold a Herptile Special Use permit or Limited Entry permit and who violates a provision of this Act or an administrative rule authorized under this Act shall have his or her privileges under this Act suspended for up to 5 years after the date that he or she is in violation of an initial offense, for up to 10 years after the date that he or she is in violation of a second offense, and for life for a third or subsequent offense. Department suspensions and revocations shall be addressed by administrative rule.

A person who holds a Herptile Special Use permit or Limited Entry permit and who violates the provisions of this Act shall have his or her permit revoked and permit privileges under this Act suspended for a period of up to 2 years after the date that he or she is found guilty of an initial offense, for up to 10 years after the date that he or she is found guilty of a second offense, and for life for a third offense. Department suspensions and revocations shall be addressed by administrative rule.

A person whose privileges to possess a special use herptile have been suspended or permit revoked may appeal that decision in accordance with the provisions set forth in administrative rule.

ARTICLE 75. RECORD KEEPING REQUIREMENTS OF SPECIAL USE HERPTILES

Section 75-5. Record keeping requirements. A person who possesses a special use herptile must maintain records pertaining to the acquisition, possession, and disposition of the special use herptile as provided by administrative rule. These records shall be maintained for a minimum of 2 years after the date the special use herptile is no longer in possession of the permit holder. All records are subject to inspection by authorized law enforcement officers. In addition to maintaining records, all special use herptiles must be either pit-tagged or microchipped to individually identify them and the pit-tag or microchip numbers are also to be maintained as other pertinent records, unless otherwise provided by administrative rule.

ARTICLE 80. INJURY TO A

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MEMBER OF PUBLIC BY SPECIAL USE HERPTILES

Section 80-5. Injury to a member of public by special use herptiles. A person who possesses a special use herptile without complying with the requirements of this Act and the rules adopted under the authority of this Act and whose special use herptile harms a person when the possessor knew or should have known that the herptile had a propensity, when provoked or unprovoked, to harm, cause injury to, or otherwise substantially endanger a member of the public is guilty of a Class A misdemeanor. A person who fails to comply with the provisions of this Act and the rules adopted under the authority of this Act and who intentionally or knowingly allow a special use herptile to cause great bodily harm to, or the death of, a human is guilty of a Class 4 felony.

ARTICLE 85. PROHIBITED ACTS WITH SPECIAL USE HERPTILES

Section 85-5. Prohibited acts. Except as otherwise provided in this Act or by administrative rule, a person shall not own, possess, keep, import, transfer, harbor, bring into this State, breed, propagate, buy, sell, or offer to sell, or have in his or her custody or control a special use herptile.

A person shall not release any special use herptile into the wild at any time unless authorized by the Director in writing. The possessor of a special use herptile must immediately contact the animal control authority or law enforcement agency of the municipality or county where the possessor resides if a special use herptile escapes or is released.

The possessor of a special use herptile shall not keep, harbor, care for, transport, act as the custodian of, or maintain in his or her possession the special use herptile in anything other than an escape-proof enclosure.

The possessor of a special use herptile shall not transport the special use herptile to or possess the special use herptile at a public venue, commercial establishment, retail establishment, or educational institution unless specifically authorized by permit or required to render veterinary care to the special use herptile.

The possessor of a special use herptile, at all reasonable times, shall not deny the Department or its designated agents and officers access to premises where the possessor keeps a special use herptile to ensure compliance with this Act.

Except as otherwise provided in this Act or by administrative rule, a person shall not buy, sell, or barter, or offer to buy, sell, or barter a special use herptile.

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ARTICLE 90. PENALTIES

Section 90-5. Penalties. A person who violates Article 85 of this Act is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense occurring within one year after a finding of guilt on a first offense. A person who violates Article 75 of this Act is guilty of a Class B misdemeanor. Each day of a violation constitutes a separate offense. Any other violation of this Act is a Class A misdemeanor unless otherwise stated.

All fines and penalties collected under the authority of this Act or its administrative rules shall be deposited into the Wildlife and Fish Fund.

ARTICLE 95. CIVIL LIABILITY AND IMMUNITY

Section 95-5. Assumption of risk. Each person who owns, possesses, or keeps a herptile expressly assumes the risk of and legal responsibility for injury, loss, or damage to the person or the person's property that results from the ownership, possession, or keeping, of the herptile. Each owner, keeper, or possessor of a herptile shall be solely liable to manage, care for, and control a particular species, and it shall be the duty of each owner, keeper, or possessor, to maintain reasonable control of the particular herptile at all times, and to refrain from acting in a manner that may cause or contribute to the injury of person, whether in public or on private property.

Section 95-10. Civil liability and immunity. If any herptile escapes or is released, the owner and possessor of the herptile shall be strictly liable for all costs incurred in apprehending and confining the herptile, including any injuries incurred to humans or damage to property, both real and personal, including pets and livestock, and the owner shall indemnify any animal control officer, police officer, or Department employee acting in his or her official capacity to capture or control an escaped herptile.

The owner, keeper, or possessor of an escaped herptile shall be solely responsible for any and all liabilities arising out of or in connection with the escape or release of any herptile including liability for any damage, injury, or death caused by or to the herptile during or after the herptile's escape or release or as a result of the apprehension or confinement of the herptile after its escape or release. In addition, the owner, keeper, or possessor of an escaped herptile shall be solely responsible for any and all costs incurred by an animal control officer, police officer, or Department employee acting in his or her official capacity to capture or control an escaped herptile.

A licensed veterinarian who may have cause to treat a special use herptile that is in violation of this Act shall not be held liable, except for

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willful and wanton misconduct, under this Act provided that the veterinarian
(i) promptly reports violations of this Act of which he or she has knowledge
to a law enforcement agency within 24 hours after becoming aware of the
incident; (ii) provides the name, address, and phone number of the person
possessing the special use herptile at time of incident or treatment; (iii)
provides the name and address of the owner of the special use herptile if
known; (iv) identifies the kind and number of special use herptiles being
treated; and (v) describes the reason for the treatment of the special use
herptile.

ARTICLE 100. SEIZURE AND FORFEITURE

Section 100-5. Prima facie evidence; confiscation. The possession of
any reptile or amphibian life or any part of reptile or amphibian life protected
under this Act is prima facie evidence that the reptile or amphibian life or any
part of reptile or amphibian life is subject to the provisions of this Act,
including administrative rules.

Whenever the contents of any box, barrel, package, or receptacle
consists partly of contraband and partly of legal reptile or amphibian life or
any part of reptile or amphibian life, the entire contents of the box, barrel, or
package, or other receptacle are subject to confiscation.

Whenever a person has in his or her possession in excess of the
number of reptile or amphibian life or any parts of reptile or amphibian life
permitted under this Act, including administrative rules, the entire number of
reptile or amphibian life or any parts of reptile or amphibian life in his or her
possession is subject to confiscation.

Section 100-10. Search and seizure. Whenever any authorized
employee of the Department, sheriff, deputy sheriff, or other peace office of
the State has reason to believe that any person, owner, possessor, commercial
institution, pet store, or reptile show vendor or attendee possesses any reptile
or amphibian life or any part of reptile or amphibian life contrary to the
provisions of this Act, including administrative rules, he or she may file, or
cause to be filed, a sworn complaint to that effect before the circuit court and
procure and execute a search warrant. Upon execution of the search warrant,
the officer executing the search warrant shall make due return of the search
warrant to the court issuing the search warrant, together with an inventory of
all the reptile or amphibian life or any part of reptile or amphibian life taken
under the search warrant. The court shall then issue process against the party
owning, controlling, or transporting the reptile or amphibian life or any part
of reptile or amphibian life seized, and upon its return shall proceed to
determine whether or not the reptile or amphibian life or any part of reptile

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or amphibian life was held, possessed, or transported in violation of this Act, including administrative rules. In case of a finding that the reptile or amphibian life was illegally held, possessed, transported, or sold, a judgment shall be entered against the owner or party found in possession of the reptile or amphibian life or any part of reptile or amphibian life for the costs of the proceeding and providing for the disposition of the property seized, as provided for by this Act.

Section 100-15. Seizure and forfeiture. If any person is found to possess a special use herptile that is in violation of this Act, including any administrative rules, then the special use herptile and any equipment or items used contrary to this Act shall be subject to seizure and forfeiture by the Department. Any special use herptile seized in violation of this Act may immediately be placed in a facility approved by the Department.

If a person's special use herptile has been seized by the Department, then the owner and possessor of the special use herptile is liable for the reasonable costs associated with the seizure, placement, testing, and care for the special use herptile from the time of confiscation until the time the special use herptile is relocated to an approved facility or person holding a valid Herptile Special Use permit or is otherwise disposed of by the Department.

Any special use herptile and related items found abandoned shall become the property of the Department and disposed of according to Department rule.

The circuit court, in addition to any other penalty, may award any seized or confiscated special use herptiles or items to the Department as provided for in Section 1-215 of the Fish and Aquatic Life Code and Section 1.25 of the Wildlife Code. Further, the court, in addition to any other penalty, may assess a fee upon a person who pleads guilty to the provisions of this Act equal to the amount established or determined to maintain the special use herptile until it is permanently placed in a facility approved by the Department or otherwise disposed of.

ARTICLE 105. GENERAL PROVISIONS

Section 105-5. Administrative rules. The Department is authorized to adopt administrative rules for carrying out, administering, and enforcing the provisions of this Act. The administrative rules shall be adopted in accordance with the Illinois Administrative Procedure Act.

Rules, after becoming effective, shall be enforced in the same manner as other provisions of this Act. It is unlawful for any person to violate any provision of any administrative rule adopted by the Department. Violators of administrative rules are subject to the penalties in this Act.

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Section 105-10. Conservation of reptiles and amphibians. The Department shall take all measures necessary for the conservation, distribution, introduction, and restoration of reptiles and amphibians. The Department shall also bring or cause to be brought actions and proceedings, in the name and by the authority of the People of the State of Illinois, to enforce this Act, including administrative rules, and to recover any and all fines and penalties provided for in this Act. Nothing in this Act shall be construed to authorize the Department to change any penalty prescribed by law or to change the amount of license fees or the authority conferred by licenses prescribed by law. The Department is authorized to cooperate with the appropriate Departments of the federal government and other Departments or agencies of State government and educational institutions in conducting surveys, experiments, or work of joint interest or benefit.

Section 105-15. Peace officers. All employees of the Department authorized by the Director shall have the power of, and shall be, peace officers in the enforcement of this Act, including administrative rules, and may carry weapons as may be necessary in the performance of his or her duties.

Section 105-20. Arrests; warrants. All authorized employees of the Department and all sheriffs, deputy sheriffs, and other police officers shall arrest any person detected in violation of any of the provisions of this Act, including administrative rules. Any duly accredited officer of the federal Fish and Wildlife Service and U.S. Forest Service may arrest any person detected in violation of any of the provisions of this Act, including administrative rules.

All officers shall make prompt investigation of any violation of this Act, including administrative rules, reported by any other persons and shall cause a complaint to be filed when there seems just ground for a complaint and evidence procurable to support the complaint.

Upon the filing of a complaint, the officers shall render assistance in the prosecution of the party against whom the complaint is made.

Peace officers, other than employees of the Department, making arrests and serving warrants provided for by this Act shall receive the fees and mileage as provided for by law for sheriffs.

Each duly accredited officer and authorized employee of the Department is empowered to execute and serve all warrants and processes issued by the circuit court.

Section 105-25. Prosecutions; State's Attorneys. All prosecutions shall be brought in the name and by the authority of the People of the State of
Illinois before the circuit court for the county where the offense was committed.

All State's Attorneys shall enforce the provisions of this Act, including administrative rules, in his or her respective county and shall prosecute all persons charged with violating its provisions when requested by the Department.

Section 105-30. Statute of limitations. All prosecutions under this Act shall be commenced within 2 years after the time the offense charged was committed.

Section 105-35. Collection of fines. All fines provided for by this Act shall be collected and remitted to the Department's Wildlife and Fish Fund, within 30 days after the collection of the fine, by the clerk of the circuit court collecting the fines who shall submit at the same time to the Department a statement of the names of the persons so fined and the name of the arresting officer, the offense committed, the amount of the fine, and the date of the conviction.

Section 105-40. Power of entry and examination; access to lands and waters. Authorized employees of the Department are empowered, under law, to enter all lands and waters to enforce this Act. Authorized employees are further empowered to examine all buildings, private or public clubs (except dwellings), fish markets, reptile shows, pet stores, camps, vessels, cars (except sealed railroad cars or other sealed common carriers), conveyances, vehicles, watercraft, or any other means of transportation or shipping, tents, bags, pillowcases, coats, jackets, or other receptacles and to open any box, barrel, package, or other receptacle in the possession of a common carrier, that they have reason to believe contains reptile or amphibian life or any part of reptile or amphibian life taken, bought, sold or bartered, shipped, or had in possession contrary to this Act, including administrative rules, or that the receptacle containing the reptile or amphibian is falsely labeled.

Authorized employees of the Department shall be given free access to and shall not be hindered or interfered with in making an entry and examination. Any permit or license held by a person preventing free access or interfering with or hindering an employee shall not be issued to that person for the period of one year after his or her action.

Employees of the Department, as specifically authorized by the Director, are empowered to enter all lands and waters for the purpose of reptile or amphibian investigations, State and federal permit inspections, as well as reptile or amphibian censuses or inventories, and are further

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empowered to conduct examination of equipment and devices in the field, under law, to ensure compliance with this Act.

Section 105-45. Obstructing an officer. It shall be unlawful for any person to resist or obstruct any officer or employee of the Department in the discharge of his or her duties under this Act. Any person who violates this provision is guilty of a Class A misdemeanor.

Section 105-50. Posing as an officer or employee. It shall be unlawful for any person to represent himself or herself falsely to be an officer or employee of the Department or to assume to act as an officer or employee of the Department without having been duly appointed and employed. Any person who violates this provision is guilty of a Class A misdemeanor.

Section 105-55. Illegal collecting devices; public nuisance. Every collecting device, including seines, nets, traps, pillowcases, bags, snake hooks or tongs, or any electrical device or any other devices including vehicles or conveyance, watercraft, or aircraft used or operated illegally or attempted to be used or operated illegally by any person in taking, transporting, holding, or conveying any reptile or amphibian life or any part of reptile or amphibian life, contrary to this Act, including administrative rules, shall be deemed a public nuisance and therefore illegal and subject to seizure and confiscation by any authorized employee of the Department. Upon the seizure of this item, the Department shall take and hold the item until disposed of as provided in this Act.

Upon the seizure of any device because of its illegal use, the officer or authorized employee of the Department making the seizure shall, as soon as reasonably possible, cause a complaint to be filed before the circuit court and a summons to be issued requiring the owner or person in possession of the property to appear in court and show cause why the device seized should not be forfeited to the State. Upon the return of the summons duly served or upon posting or publication of notice as provided in this Act, the court shall proceed to determine the question of the illegality of the use of the seized property. Upon judgment being entered that the property was illegally used, an order shall be entered providing for the forfeiture of the seized property to the State. The owner of the property may have a jury determine the illegality of its use and shall have the right of an appeal as in other civil cases. Confiscation or forfeiture shall not preclude or mitigate against prosecution and assessment of penalties provided in Article 90 of this Act.

Upon seizure of any property under circumstances supporting a reasonable belief that the property was abandoned, lost, stolen, or otherwise illegally possessed or used contrary to this Act, except property seized during

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a search or arrest, and ultimately returned, destroyed, or otherwise disposed of under order of a court in accordance with this Act, the authorized employee of the Department shall make reasonable inquiry and efforts to identify and notify the owner or other person entitled to possession of the property and shall return the property after the person provides reasonable and satisfactory proof of his or her ownership or right to possession and reimburses the Department for all reasonable expenses of custody. If the identity or location of the owner or other person entitled to possession of the property has not been ascertained within 6 months after the Department obtains possession, the Department shall effectuate the sale of the property for cash to the highest bidder at a public auction. The owner or other person entitled to possession of the property may claim and recover possession of the property at any time before its sale at public auction upon providing reasonable and satisfactory proof of ownership or right of possession and reimbursing the Department for all reasonable expenses of custody.

Any property forfeited to the State by court order under this Section may be disposed of by public auction, except that any property that is the subject of a court order shall not be disposed of pending appeal of the order. The proceeds of the sales at auction shall be deposited in the Wildlife and Fish Fund.

The Department shall pay all costs of posting or publication of notices required by this Section.

Section 105-60. Violations; separate offenses. Each act of pursuing, taking, shipping, offered or received for shipping, offering or receiving for shipment, transporting, buying, selling or bartering, or having in one's possession any protected reptile or amphibian life or any part of reptile or amphibian life, seines, nets, bags, snake hooks or tongs, or other devices used or to be used in violation of this Act, including administrative rules, constitutes a separate offense.

Section 105-65. Accessory to violation. Any person who aids in or contributes in any way to a violation of this Act, including administrative rules, is individually liable, as a separate offense under this Act, for the penalties imposed against the person who committed the violation.

Section 105-70. Permit fraudulently obtained. No person shall at any time:

(1) falsify, alter, or change in any manner, or provide deceptive or false information required for any permit issued under the provisions of this Act;

(2) falsify any record required by this Act;

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(3) counterfeit any form of permit provided for by this Act;
(4) loan or transfer to another person any permit issued under this Act; or
(5) use any permit issued to another person under this Act.

It is unlawful to possess any permit issued under the provisions of this Act that was fraudulently obtained or which the person or permittee knew, or should have known, was falsified, altered, changed in any manner, or fraudulently obtained.

The Department shall revoke all permits and suspend all privileges under this Act of any person violating this Section for a period of not less than 3 years. The procedures for suspension under this Section shall be as provided for in administrative rule. Anyone who violates a provision of this Section shall be guilty of a Class A misdemeanor.

Section 105-75. Wildlife and Fish Fund; disposition of money received. All fees, fines, income of whatever kind or nature derived from reptile and amphibian activities regulated by this Act on lands, waters, or both under the jurisdiction or control of the Department and all penalties collected under this Act shall be deposited into the State treasury and shall be set apart in a special fund known as the Wildlife and Fish Fund.

Section 105-80. Ownership and title of wild indigenous reptiles and amphibians. The ownership of and title to all wild indigenous reptile and amphibian life within the boundaries of the State are hereby declared to be in the State and no wild indigenous reptile and amphibian life shall be taken or killed, in any manner or at any time, unless the person or persons taking or killing the wild indigenous reptile and amphibian life shall consent that the title to the wild indigenous reptile and amphibian life shall be and remain in the State for the purpose of regulating the taking, killing, possession, use, sale, and transportation of wild indigenous reptile and amphibian life after taking or killing, as set forth in this Act.

Section 105-85. Application. This Act shall apply to reptile and amphibian life or any part of reptile and amphibian life (i) in or from any of the waters or lands wholly within the boundaries of the State or over which the State has concurrent jurisdiction with any other state or (ii) which may be possessed in or brought into the State.

Section 105-90. Taking on private property. It is unlawful for any person to take or attempt to take any species of reptile or amphibian, or parts thereof, within or upon the land of another, or upon waters flowing over or standing on the land of another, without first obtaining permission from the owner or the owner's designee. For the purposes of this Section, the owner's
designee means anyone who the owner designates in a written authorization and the authorization must contain (i) the legal or common description of property for which the authority is given, (ii) the extent that the owner's designee is authorized to make decisions regarding who is allowed to take or attempt to take any species of reptiles or amphibians, or parts thereof, and (iii) the owner's notarized signature. Before enforcing this Section, the law enforcement officer must have received notice from the owner or the owner's designee of a violation of this Section. Statements made to a law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice. Any person who violates this Section shall be guilty of a Class B misdemeanor.

Section 105-95. Financial value of herptiles.
(a) For purposes of this Section, the financial value of all reptiles and amphibians described under this Act taken, possessed, or used in violation of this Act, whether in whole or in part, is as follows:

(1) for processed turtle parts, $8 for each pound or fraction of a pound; for each non-processed turtle, $15 per whole turtle or fair market value, whichever is greater;

(2) for frogs, toads, salamanders, lizards, and snakes, $5 per herptile or fair market value, whichever is greater, in whole or in part, unless specified as a special use herptile;

(3) for any special use herptile, the value shall be no less than $250 per special use herptile or fair market value, whichever is greater;

(4) for any endangered or threatened herptile, the value shall be no less than $150 per endangered or threatened herptile or fair market value, whichever is greater; and

(5) any person who, for profit or commercial purposes, knowingly captures or kills, possesses, offers for sale, sells, offers to barter, barters, offers to purchase, purchases, delivers for shipment, ships, exports, imports, causes to be shipped, exported, or imported, delivers for transportation, transports, or causes to be transported, carries or causes to be carried, or receives for shipment, transportation, carriage, or export any reptile or amphibian life, in part or in whole, of any of the reptiles and amphibians protected by this Act, and that reptile or amphibian life, in whole or in part, is valued at or in excess of a total of $300 or fair market value, whichever is greater, as per value specified in paragraphs (1), (2), (3), and (4) of this subsection commits a Class 3 felony.

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(b) The trier of fact may infer that a person "knowingly possesses" a reptile or amphibian, in whole or in part, captured or killed in violation of this Act, valued at or in excess of $600, as per value specified in paragraphs (1), (2), (3), and (4) of subsection (a) of this Section.

Section 105-100. Home rule. A municipality or county may adopt an ordinance governing amphibian and reptile species that is more restrictive than this Act.

ARTICLE 110. EXEMPTIONS

Section 110-5. Exemptions. When acting in their official capacity, the following entities and their agents are exempt from Articles 75 and 85 of this Act:

(1) public zoos or aquaria accredited by the Association of Zoos and Aquariums or the Zoological Association of America;
(2) licensed veterinarians or anyone operating under the authority of a licensed veterinarian;
(3) wildlife sanctuaries;
(4) accredited research or medical institutions;
(5) licensed or accredited educational institutions;
(6) circuses licensed and in compliance with the Animal Welfare Act and all rules adopted by the Department of Agriculture;
(7) federal, State, and local law enforcement officers, including animal control officers acting under the authority of this Act;
(8) members of federal, State, or local agencies approved by the Department;
(9) any bona fide wildlife rehabilitation facility licensed or otherwise authorized by the Department; and
(10) any motion picture or television production company that uses licensed dealers, exhibitors, and transporters under the federal Animal Welfare Act, 7 U.S.C. 2132.

Section 900-5. The Fish and Aquatic Life Code is amended by changing Sections 1-20, 5-25, 10-30, 10-35, 10-60, 10-65, and 10-115 as follows:

(515 ILCS 5/1-20) (from Ch. 56, par. 1-20)
Sec. 1-20. Aquatic life. "Aquatic life" means all fish, reptiles, amphibians, crayfish, and mussels. For the purposes of Section 20-90, the definition of "aquatic life" shall include, but is not limited to, all fish, reptiles, amphibians, mollusks, crustaceans, algae or other aquatic plants, and

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invertebrates. *Aquatic life does not mean any herptiles that are found in the Herptiles-Herps Act.*
(Source: P.A. 89-66, eff. 1-1-96.)

(515 ILCS 5/5-25) (from Ch. 56, par. 5-25)

Sec. 5-25. Value of protected species; violations.

(a) Any person who, for profit or commercial purposes, knowingly captures or kills, possesses, offers for sale, sells, offers to barter, barters, offers to purchase, purchases, delivers for shipment, ships, exports, imports, causes to be shipped, exported, or imported, delivers for transportation, transports or causes to be transported, carries or causes to be carried, or receives for shipment, transportation, carriage, or export any aquatic life, in part or in whole of any of the species protected by this Code, contrary to the provisions of the Code, and that aquatic life, in whole or in part, is valued at or in excess of a total of $300, as per species value specified in subsection (c) of this Section, commits a Class 3 felony.

A person is guilty of a Class 4 felony if convicted under this Section for more than one violation within a 90-day period if the aquatic life involved in each violation are not valued at or in excess of $300 but the total value of the aquatic life involved with the multiple violations is at or in excess of $300. The prosecution for a Class 4 felony for these multiple violations must be alleged in a single charge or indictment and brought in a single prosecution.

Any person who violates this subsection (a) when the total value of species is less than $300 commits a Class A misdemeanor except as otherwise provided.

(b) Possession of aquatic life, in whole or in part, captured or killed in violation of this Code, valued at or in excess of $600, as per species value specified in subsection (c) of this Section, shall be considered prima facie evidence of possession for profit or commercial purposes.

(c) For purposes of this Section, the fair market value or replacement cost, whichever is greater, must be used to determine the value of the species protected by this Code, but in no case shall the minimum value of all aquatic life and their hybrids protected by this Code, whether dressed or not dressed, be less than the following:

1. For each muskellunge, northern pike, walleye, striped bass, sauger, largemouth bass, smallmouth bass, spotted bass, trout (all species), salmon (all species other than chinook caught from August 1 through December 31), and sturgeon (other than pallid or lake sturgeon) of a weight, dressed or not dressed, of one pound or

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more, $4 for each pound or fraction of a pound. For each individual fish with a dressed or not dressed weight of less than one pound, $4. For parts of fish processed past the dressed state, $8 per pound.

(2) For each warmouth, rock bass, white bass, yellow bass, sunfish (all species except largemouth, smallmouth, and spotted bass), bluegill, crappie, bullheads, pickerels, yellow perch, catfish (all species), and mussels of a weight, dressed or not dressed, of one pound or more, $4 for each pound or fraction of a pound of aquatic life. For each individual aquatic life with a dressed or not dressed weight of less than one pound, $4. For aquatic life parts processed past the dressed state, $8 per pound.

(3) (Blank). For processed turtle parts, $6 for each pound or fraction of a pound. For each non-processed turtle, $8 per turtle.

(4) (Blank). For frogs, toads, salamanders, lizards, and snakes, $8 per animal in whole or in part.

(5) For goldeye, mooneye, carp, carpsuckers (all species), suckers (all species), redhorse (all species), buffalo (all species), freshwater drum, skipjack, shad (all species), alewife, smelt, gar, bowfin, chinook salmon caught from August 1 through December 31, and all other aquatic life protected by this Code, not listed in paragraphs (1), (2), or (5) (3), or (4) of subsection (c) of this Section, $1 per pound, in part or in whole.

(6) For each species listed on the federal or State endangered and threatened species list, and for lake and pallid sturgeon, $150 per animal in whole or in part.

(Source: P.A. 95-147, eff. 8-14-07.)

(515 ILCS 5/10-30) (from Ch. 56, par. 10-30)
Sec. 10-30. Bullfrog; open season. Bullfrog open season is found in Section 5-30 of the Herptiles-Herps Act. All individuals taking bullfrogs shall possess a valid sport fishing license and may take bullfrogs only during the following open season of June 15 through August 31, both inclusive.
(Source: P.A. 87-833.)

(515 ILCS 5/10-35) (from Ch. 56, par. 10-35)
Sec. 10-35. Daily limit; bullfrogs. Bullfrog daily limit is found in Section 5-30 of the Herptiles-Herps Act. The daily limit for all properly licensed individuals is 8 bullfrogs. The possession limit total is 16 bullfrogs.
(Source: P.A. 87-833.)

(515 ILCS 5/10-60) (from Ch. 56, par. 10-60)

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Sec. 10-60. Taking of turtles or bullfrogs; illegal devices. Taking of turtles or bullfrogs is found in Section 5-30 of the Herptiles-Herps Act. No person shall take turtles or bullfrogs by commercial fishing devices, including hoop nets, traps, or seines, or by the use of firearms, airguns, or gas guns.
(Source: P.A. 87-833.)

(515 ILCS 5/10-65) (from Ch. 56, par. 10-65)

Sec. 10-65. Taking of snakes. Taking of snakes is found in Section 5-25 of the Herptiles-Herps Act. Unless otherwise provided in this Code, snakes may be taken by the owners or bonafide tenants of lands actually residing on the lands and their children, parents, brothers, and sisters actually permanently residing with them.
(Source: P.A. 87-833.)

(515 ILCS 5/10-115) (from Ch. 56, par. 10-115)

Sec. 10-115. Taking of turtles. Taking of turtles is found in Section 5-30 of the Herptiles-Herps Act. Turtles may be taken only by hand or means of hook and line. The provisions of this Section are subject to modification by administrative rule.
(Source: P.A. 87-833.)

Section 900-10. The Illinois Endangered Species Protection Act is amended by changing Sections 4 and 5 as follows:

(520 ILCS 10/4) (from Ch. 8, par. 334)

Sec. 4. Upon receipt of proper application and approval of the same, the Department may issue to any qualified person a permit which allows the taking, possession, transport, purchase, or disposal of specimens or products of an endangered or threatened species of animal or federal endangered plant after the effective date of this Act for justified purposes, that will enhance the survival of the affected species by zoological, botanical or educational or for scientific purposes only. Section 5-20 of the Herptiles-Herps Act has provisions for permits to acquire, breed, and sell captive, legally obtained endangered and threatened amphibians and reptiles. Rules for the issuance and maintenance of permits shall be promulgated by the Department after consultation with and written approval of the Board. The Department shall, upon notice and hearing, revoke the permit of any holder thereof upon finding that the person is not complying with the terms of the permit, the person is knowingly providing incorrect or inadequate information, the activity covered by the permit is placing the species in undue jeopardy, or for other cause.
(Source: P.A. 84-1065.)

(520 ILCS 10/5) (from Ch. 8, par. 335)
Sec. 5. (a) Upon receipt of proper application and approval of same, the Department may issue a limited permit authorizing the possession, purchase or disposition of animals or animal products of an endangered or threatened species, or federal endangered plants to any person which had in its possession prior to the effective date of this Act such an item or which obtained such an item legally out-of-state. Such permit shall specifically name and describe each pertinent item possessed by the permit holder and shall be valid only for possession, purchase or disposition of the items so named. The Department may require proof that acquisition of such items was made before the effective date of this Act. The Department may also issue a limited permit authorizing the possession, purchase or disposition of live animals or such item to any person to whom a holder of a valid permit issued pursuant to this section gives, sells, or otherwise transfers the item named in the permit. Section 5-20 of the Herptiles-Herps Act has provisions for permits to acquire, breed, and sell captive, legally obtained endangered and threatened amphibians and reptiles. Limited permits issued pursuant to this section shall be valid only as long as the item remains in the possession of the person to whom the permit was issued.

(b) The limited permit shall be revoked by the Department if it finds that the holder has received it on the basis of false information, is not complying with its terms, or for other cause.

(Source: P.A. 84-1065.)

Section 900-15. The Criminal Code of 2012 is amended by changing Section 48-10 as follows:

(720 ILCS 5/48-10)

Sec. 48-10. Dangerous animals.

(a) Definitions. As used in this Section, unless the context otherwise requires:

"Dangerous animal" means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf or coyote, or any poisonous or life-threatening reptile. Dangerous animal does not mean any herptiles included in the Herptiles-Herps Act.

"Owner" means any person who (1) has a right of property in a dangerous animal or primate, (2) keeps or harbors a dangerous animal or primate, (3) has a dangerous animal or primate in his or her care, or (4) acts as custodian of a dangerous animal or primate.

"Person" means any individual, firm, association, partnership, corporation, or other legal entity, any public or private institution, the

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State, or any municipal corporation or political subdivision of the State.

"Primate" means a nonhuman member of the order primate, including but not limited to chimpanzee, gorilla, orangutan, bonobo, gibbon, monkey, lemur, loris, aye-aye, and tarsier.

(b) Dangerous animal or primate offense. No person shall have a right of property in, keep, harbor, care for, act as custodian of or maintain in his or her possession any dangerous animal or primate except at a properly maintained zoological park, federally licensed exhibit, circus, college or university, scientific institution, research laboratory, veterinary hospital, hound running area, or animal refuge in an escape-proof enclosure.

(c) Exemptions.

(1) This Section does not prohibit a person who had lawful possession of a primate before January 1, 2011, from continuing to possess that primate if the person registers the animal by providing written notification to the local animal control administrator on or before April 1, 2011. The notification shall include:

(A) the person's name, address, and telephone number; and
(B) the type of primate, the age, a photograph, a description of any tattoo, microchip, or other identifying information, and a list of current inoculations.

(2) This Section does not prohibit a person who is permanently disabled with a severe mobility impairment from possessing a single capuchin monkey to assist the person in performing daily tasks if:

(A) the capuchin monkey was obtained from and trained at a licensed nonprofit organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, the nonprofit tax status of which was obtained on the basis of a mission to improve the quality of life of severely mobility-impaired individuals; and
(B) the person complies with the notification requirements as described in paragraph (1) of this subsection (c).

(d) A person who registers a primate shall notify the local animal control administrator within 30 days of a change of address. If the person moves to another locality within the State, the person shall register the primate with the new local animal control administrator within 30 days of

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moving by providing written notification as provided in paragraph (1) of subsection (c) and shall include proof of the prior registration.

(e) A person who registers a primate shall notify the local animal control administrator immediately if the primate dies, escapes, or bites, scratches, or injures a person.

(f) It is no defense to a violation of subsection (b) that the person violating subsection (b) has attempted to domesticate the dangerous animal. If there appears to be imminent danger to the public, any dangerous animal found not in compliance with the provisions of this Section shall be subject to seizure and may immediately be placed in an approved facility. Upon the conviction of a person for a violation of subsection (b), the animal with regard to which the conviction was obtained shall be confiscated and placed in an approved facility, with the owner responsible for all costs connected with the seizure and confiscation of the animal. Approved facilities include, but are not limited to, a zoological park, federally licensed exhibit, humane society, veterinary hospital or animal refuge.

(g) Sentence. Any person violating this Section is guilty of a Class C misdemeanor. Any corporation or partnership, any officer, director, manager or managerial agent of the partnership or corporation who violates this Section or causes the partnership or corporation to violate this Section is guilty of a Class C misdemeanor. Each day of violation constitutes a separate offense.

(Source: P.A. 97-1108, eff. 1-1-13.)

Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0753
(Senate Bill No. 1047)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Findings. The General Assembly finds:

(1) "An Act to create the Rosehill Cemetery Company", approved February 11, 1859 (hereinafter "the 1859 Act"), created the Rosehill Cemetery Company and constituted its charter. The 1859 Act appears on pages 29 through 33 of the "Private Laws" portion of the volume "Laws of the State of Illinois, Passed by the Twenty-first General Assembly, Convened
January 3, 1859". (The pages of that volume are not numbered in a single sequence. The portions labeled "Public Laws" and "Private Laws" have separate page numbering.)

(2) "An Act to amend "An act to create the Rosehill Cemetery Company," approved February 11, 1859", approved February 13, 1863 (hereinafter "the 1863 Act"), amended the charter of the Rosehill Cemetery Company as set forth in the 1859 Act. The 1863 Act appears on pages 174 through 177 of the volume "Private Laws of the State of Illinois, Passed by the Twenty-third General Assembly, Convened January 5, 1863". Among other things, the 1863 Act: required 10% of the proceeds received from the sale of lots by the Rosehill Cemetery Company to be reserved and set apart until the sum reserved and set apart amounted to $100,000; required that sum to be kept as a fund (hereinafter "the reserve fund") for the preservation, maintenance, and ornamentation of the cemetery; created the Board of Trustees of the Rosehill Cemetery; required the Rosehill Cemetery Company to pay the amounts reserved and set apart to the Board of Trustees of the Rosehill Cemetery; imposed various requirements upon the investment of funds by the Board of Trustees of the Rosehill Cemetery; and imposed various requirements regarding the composition and selection of the Board of Trustees of the Rosehill Cemetery.

(3) On September 15, 1983, a decree was entered by the Circuit Court of Cook County in Rosehill Cemetery Company et al. v. Chicago Title and Trust Company et al., No. 83 CH 339, which dealt with various matters involving the successor to the Rosehill Cemetery Company as well as 4 funds dedicated to the care and upkeep of the Rosehill Cemetery, including the reserve fund. Regarding the reserve fund, the Court found:

"4. On July 6, 1894, a decree was entered by the Circuit Court of Cook County in Case No. 120206, Lunt and Farwell vs. The Rosehill Cemetery Company et. al., which found that the Reserve Fund had reached $100,000, and ordered that it be administered by lot owner trustees pursuant to the Amendment to Charter, with The Northern Trust Company of Chicago, Illinois acting as custodian of the securities in which said Reserve Fund is invested." Regarding the reserve fund, the Court ordered:

"5. That, upon the purchase of the assets of Rosehill Cemetery Company, the dissolution of Rosehill Cemetery Company, and the commencement of the operation of Rosehill Cemetery in perpetuity by Rosehill Memorial, Inc., the Reserve Fund and the trustees thereof shall continue to operate in the manner provided, since 1863, by
Section 7 of the Charter of Rosehill Cemetery Company as amended by the Special Act approved February 13, 1863 and pursuant to the provisions of the first paragraph of Paragraph Second of the decree entered on July 6, 1894 by the Circuit Court of Cook County in Case No. 120206, Lunt and Farwell vs. The Rosehill Cemetery Company et. al., and said trustees shall continue to expend the income therefrom with the advice of Rosehill Memorial, Inc."

(4) The Board of Trustees of the Rosehill Cemetery have administered the reserve fund in accordance with the 1863 Act. The 1863 Act must be amended to enable the Board of Trustees of the Rosehill Cemetery to manage the reserve fund according to modern investment principles and to ensure the continued operation of the reserve fund.

Section 5. "An Act to amend "An act to create the Rosehill Cemetery Company," approved February 11, 1859", approved February 13, 1863, is amended by adding Sections 14.1 and 14.2 as follows:

(Private Laws 1863, p. 174-177, Sec. 14.1 new)

Sec. 14.1. Notwithstanding any other provision of law, as an alternative to the investment provisions of Sections 3 through 7 of this Act, the Board of Trustees of the Rosehill Cemetery may invest assets of the fund created under Section 2 of this Act in accordance with Section 5 of the Trusts and Trustees Act or any successor provision.

(Private Laws 1863, p. 174-177, Sec. 14.2 new)

Sec. 14.2. Notwithstanding any other provision of law, as an alternative to the provisions of Sections 3 and 10 of this Act concerning the number of trustees and the manner of electing trustees, the Board of Trustees of the Rosehill Cemetery may adopt bylaws establishing procedures for the governance of the Board, including, but not limited to, the number of trustees and the manner of electing trustees.

Approved July 16, 2014.
Effective July 16, 2016.
AN ACT concerning civil law.

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

General Assembly:

Section 5. The Residential Real Property Disclosure Act is amended
by changing Section 35 as follows:

(765 ILCS 77/35)

Sec. 35. Disclosure report form. The disclosures required of a seller
by this Act shall be made in the following form:

RESIDENTIAL REAL PROPERTY DISCLOSURE REPORT

NOTICE: THE PURPOSE OF THIS REPORT IS TO PROVIDE
PROSPECTIVE BUYERS WITH INFORMATION ABOUT MATERIAL
DEFECTS IN THE RESIDENTIAL REAL PROPERTY. THIS REPORT
DOES NOT LIMIT THE PARTIES' RIGHT TO CONTRACT FOR THE
SALE OF RESIDENTIAL REAL PROPERTY IN "AS IS" CONDITION.
UNDER COMMON LAW, SELLERS WHO DISCLOSE MATERIAL
DEFECTS MAY BE UNDER A CONTINUING OBLIGATION TO
ADVISE THE PROSPECTIVE BUYERS ABOUT THE CONDITION OF
THE RESIDENTIAL REAL PROPERTY EVEN AFTER THE REPORT IS
DELIVERED TO THE PROSPECTIVE BUYER. COMPLETION OF THIS
REPORT BY THE SELLER CREATES LEGAL OBLIGATIONS ON THE
SELLER; THEREFORE THE SELLER MAY WISH TO CONSULT AN
ATTORNEY PRIOR TO COMPLETION OF THIS REPORT.

Property Address: ...........................................

City, State & Zip Code: .....................................

Seller's Name: ..............................................

This Report is a disclosure of certain conditions of the residential real
property listed above in compliance with the Residential Real Property
Disclosure Act. This information is provided as of...(month) ...(day) ...(year),
and does not reflect any changes made or occurring after that date or
information that becomes known to the seller after that date. The disclosures
herein shall not be deemed warranties of any kind by the seller or any person
representing any party in this transaction.

In this form, "am aware" means to have actual notice or actual
knowledge without any specific investigation or inquiry. In this form,
"material defect" means a condition that would have a substantial adverse
effect on the value of the residential real property or that would significantly

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impair the health or safety of future occupants of the residential real property unless the seller reasonably believes that the condition has been corrected.

The seller discloses the following information with the knowledge that even though the statements herein are not deemed to be warranties, prospective buyers may choose to rely on this information in deciding whether or not and on what terms to purchase the residential real property.

The seller represents that to the best of his or her actual knowledge, the following statements have been accurately noted as "yes" (correct), "no" (incorrect), or "not applicable" to the property being sold. If the seller indicates that the response to any statement, except number 1, is yes or not applicable, the seller shall provide an explanation, in the additional information area of this form.

YES NO N/A

1. ..... ..... Seller has occupied the property within the last 12 months.
   (No explanation is needed.)

2. ..... ..... I am aware of flooding or recurring leakage problems in the crawl space or basement.

3. ..... ..... I am aware that the property is located in a flood plain or that I currently have flood hazard insurance on the property.

4. ..... ..... I am aware of material defects in the basement or foundation (including cracks and bulges).

5. ..... ..... I am aware of leaks or material defects in the roof, ceilings, or chimney.

6. ..... ..... I am aware of material defects in the walls, windows, doors, or floors.

7. ..... ..... I am aware of material defects in the electrical system.

8. ..... ..... I am aware of material defects in the plumbing system (includes such things as water heater, sump pump, water treatment system, sprinkler system, and swimming pool).

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9. ..... ..... ..... I am aware of material defects in the well or well equipment.
10. ..... ..... ..... I am aware of unsafe conditions in the drinking water.
11. ..... ..... ..... I am aware of material defects in the heating, air conditioning, or ventilating systems.
12. ..... ..... ..... I am aware of material defects in the fireplace or woodburning stove.
13. ..... ..... ..... I am aware of material defects in the septic, sanitary sewer, or other disposal system.
14. ..... ..... ..... I am aware of unsafe concentrations of radon on the premises.
15. ..... ..... ..... I am aware of unsafe concentrations of or unsafe conditions relating to asbestos on the premises.
16. ..... ..... ..... I am aware of unsafe concentrations of or unsafe conditions relating to lead paint, lead water pipes, lead plumbing pipes or lead in the soil on the premises.
17. ..... ..... ..... I am aware of mine subsidence, underground pits, settlement, sliding, upheaval, or other earth stability defects on the premises.
18. ..... ..... ..... I am aware of current infestations of termites or other wood boring insects.
19. ..... ..... ..... I am aware of a structural defect caused by previous infestations of termites or other wood boring insects.
20. ..... ..... ..... I am aware of underground fuel storage tanks on the property.
21. ..... ..... ..... I am aware of boundary or lot line disputes.

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22. ..... ..... .....I have received notice of violation of local, state or federal laws or regulations relating to this property, which violation has not been corrected.

23. ..... ..... .....I am aware that this property has been used for the manufacture of methamphetamine as defined in Section 10 of the Methamphetamine Control and Community Protection Act.

Note: These disclosures are not intended to cover the common elements of a condominium, but only the actual residential real property including limited common elements allocated to the exclusive use thereof that form an integral part of the condominium unit.

Note: These disclosures are intended to reflect the current condition of the premises and do not include previous problems, if any, that the seller reasonably believes have been corrected.

If any of the above are marked "not applicable" or "yes", please explain here or use additional pages, if necessary:

............................................................
............................................................
............................................................

Check here if additional pages used: ..... Seller certifies that seller has prepared this statement and certifies that the information provided is based on the actual notice or actual knowledge of the seller without any specific investigation or inquiry on the part of the seller. The seller hereby authorizes any person representing any principal in this transaction to provide a copy of this report, and to disclose any information in the report, to any person in connection with any actual or anticipated sale of the property.

Seller: ......................... Date: ..............
Seller: ......................... Date: ..............

THE PROSPECTIVE BUYER IS AWARE THAT THE PARTIES MAY CHOOSE TO NEGOTIATE AN AGREEMENT FOR THE SALE OF THE PROPERTY SUBJECT TO ANY OR ALL MATERIAL DEFECTS DISCLOSED IN THIS REPORT ("AS IS"). THIS DISCLOSURE IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THAT THE PROSPECTIVE BUYER OR SELLER MAY WISH TO OBTAIN OR

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NEGOTIATE. THE FACT THAT THE SELLER IS NOT AWARE OF A PARTICULAR CONDITION OR PROBLEM IS NO GUARANTEE THAT IT DOES NOT EXIST. THE PROSPECTIVE BUYER IS AWARE THAT HE MAY REQUEST AN INSPECTION OF THE PREMISES PERFORMED BY A QUALIFIED PROFESSIONAL.

Prospective Buyer: .................. Date: ...... Time: ....
Prospective Buyer: .................. Date: ...... Time: ....

(Source: P.A. 96-232, eff. 8-11-09.)
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0755
(Senate Bill No. 2634)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Insurance Code is amended by changing Section 59.1 as follows:
(215 ILCS 5/59.1)
(Section scheduled to be repealed on January 1, 2017)
Sec. 59.1. Conversion to stock company.
(1) Definitions. For the purposes of this Section, the following terms shall have the meanings indicated:
(a) "Eligible member" is a member as of the date the mutual company's board of directors adopts a plan of conversion. A person insured under a group policy is not an eligible member, unless:
(i) the person is insured or covered under a group life policy or group annuity contract under which funds are accumulated and allocated to the respective covered persons;
(ii) the person has the right to direct the application of the funds so allocated;
(iii) the group policyholder makes no contribution to the premiums or deposits for the policy or contract; and
(iv) the mutual company has the names and addresses of the persons covered under the group life policy or group annuity contract.

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A person whose policy is issued after the board of directors adopts the plan but before the plan's effective date is not an eligible member but shall have those rights set forth in subsection (10) of this Section.

(b) "Converted stock company" is an Illinois domiciled stock company that converted from an Illinois domiciled mutual company under this Section.

(c) "Plan of conversion" or "plan" is a plan adopted by an Illinois domestic mutual company's board of directors under this Section to convert the mutual company into an Illinois domiciled stock company.

(d) "Policy" includes an annuity contract.

(e) "Member" means a person who, on the records of the mutual company and pursuant to its articles of incorporation or bylaws, is deemed to be a holder of a membership interest in the mutual company.

(2) Adoption of the plan of conversion by the board of directors.

(a) A mutual company seeking to convert to a stock company shall, by the affirmative vote of two-thirds of its board of directors, adopt a plan of conversion consistent with the requirements of subsection (6) of this Section.

(b) At any time before approval of a plan by the Director, the mutual company by the affirmative vote of two-thirds of its board of directors, may amend or withdraw the plan.

(3) Approval of the plan of conversion by the Director of Insurance.

(a) Required findings. After adoption by the mutual company's board of directors, the plan shall be submitted to the Director for review and approval. The Director shall approve the plan upon finding that:

   (i) the provisions of this Section have been complied with;

   (ii) the plan will not prejudice the interests of the members; and

   (iii) the plan's method of allocating subscription rights is fair and equitable.

(b) Documents to be filed.

   (i) Prior to the members' approval of the plan, a mutual company seeking the Director's approval of a plan

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shall file the following documents with the Director for review and approval:

(A) the plan of conversion, including the independent evaluation of pro forma market value required by item (f) of subsection (6) of this Section;
(B) the form of notice required by item (b) of subsection (4) of this Section for eligible members of the meeting to vote on the plan;
(C) any proxies to be solicited from eligible members pursuant to subitem (ii) of item (c) of subsection (4) of this Section;
(D) the form of notice required by item (a) of subsection (10) of this Section for persons whose policies are issued after adoption of the plan but before its effective date; and
(E) the proposed articles of incorporation and bylaws of the converted stock company.

Once filed, these documents shall be approved or disapproved by the Director within a reasonable time.

(ii) After the members have approved the plan, the converted stock company shall file the following documents with the Director:

(A) the minutes of the meeting of the members at which the plan was voted upon; and
(B) the revised articles of incorporation and bylaws of the converted stock company.

(c) Consultant. The Director may retain, at the mutual company's expense, any qualified expert not otherwise a part of the Director's staff to assist in reviewing the plan and the independent evaluation of the pro forma market value which is required by item (f) of subsection (6) of this Section.

(4) Approval of the plan by the members.

(a) Members entitled to notice of and to vote on the plan. All eligible members shall be given notice of and an opportunity to vote upon the plan.

(b) Notice required. All eligible members shall be given notice of the members' meeting to vote upon the plan. A copy of the plan or a summary of the plan shall accompany the notice. The notice shall be mailed to each member's last known address, as shown on the

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mutual company's records, within 45 days of the Director's approval of the plan. The meeting to vote upon the plan shall not be set for a date less than 30 days after the date when the notice of the meeting is mailed by the mutual company. If the meeting to vote upon the plan is held coincident with the mutual company's annual meeting of policyholders, only one combined notice of meeting is required.

(c) Vote required for approval.
   (i) After approval by the Director, the plan shall be adopted upon receiving the affirmative vote of at least two-thirds of the votes cast by eligible members.
   (ii) Members entitled to vote upon the proposed plan may vote in person or by proxy. Any proxies to be solicited from eligible members shall be filed with and approved by the Director.
   (iii) The number of votes each eligible member may cast shall be determined by the mutual company's bylaws. If the bylaws are silent, each eligible member may cast one vote.

(5) Adoption of revised articles of incorporation. Adoption of the revised articles of incorporation of the converted stock company is necessary to implement the plan and shall be governed by the applicable provisions of Section 57 of this Code. For a Class 1 mutual company, the members may adopt the revised articles of incorporation at the same meeting at which the members approve the plan. For a Class 2 or 3 mutual company, the revised articles of incorporation may be adopted solely by the board of directors or trustees, as provided in Section 57 of this Code.

(5.5) Prior to the completion of a plan of conversion filed by a mutual company with the Director, no person shall knowingly acquire, make any offer, or make any announcement of an offer for any security issued or to be issued by the converting mutual company in connection with its plan of conversion or for any security issued or to be issued by any other company authorized in item(c)(i) of subsection (6) of this Section and organized for purposes of effecting the conversion, except in compliance with the maximum purchase limitations imposed by item (i) of subsection (6) of this Section or the terms of the plan of conversion as approved by the Director.

(6) Required provisions in a plan of conversion. The following provisions shall be included in the plan:
   (a) Reasons for conversion. The plan shall set forth the reasons for the proposed conversion.
   (b) Effect of conversion on existing policies.

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(i) The plan shall provide that all policies in force on the effective date of conversion shall continue to remain in force under the terms of those policies, except that any voting rights of the policyholders provided for under the policies or under this Code and any contingent liability policy provisions of the type described in Section 55 of this Code shall be extinguished on the effective date of the conversion.

(ii) The plan shall further provide that holders of participating policies in effect on the date of conversion shall continue to have the right to receive dividends as provided in the participating policies, if any.

(iii) Except for a mutual company's participating life policies, guaranteed renewable accident and health policies, and non-cancelable accident and health policies, the converted stock company may issue the insured a nonparticipating policy as a substitute for the participating policy upon the renewal date of a participating policy.

(c) Subscription rights to eligible members.

(i) The plan shall provide that each eligible member is to receive, without payment, nontransferable subscription rights to purchase a portion of the capital stock of the converted stock company. As an alternative to subscription rights in the converted stock company, the plan may provide that each eligible member is to receive, without payment, nontransferable subscription rights to purchase a portion of the capital stock of: (A) a corporation organized and owned by the mutual company for the purpose of acquiring or holding all the stock of the converted stock company; or (B) a stock insurance company owned by the mutual company into which the mutual company will be merged.

(ii) The subscription rights shall be allocated in whole shares among the eligible members using a fair and equitable formula. This formula may but need not take into account how the different classes of policies of the eligible members contributed to the surplus of the mutual company.

(d) Oversubscription. The plan shall provide a fair and equitable means for the allocation of shares of capital stock in the event of an oversubscription to shares by eligible members exercising New matter indicated by italics - deletions by strikeout
subscription rights received pursuant to item (c) of subsection (6) of this Section.

(e) Undersubscription. The plan shall provide that any shares of capital stock not subscribed to by eligible members exercising subscription rights received under item (c) of subsection (6) of this Section shall be sold in a public offering through an underwriter. If the number of shares of capital stock not subscribed by eligible members is so small or the additional time or expense required for a public offering of those shares would be otherwise unwarranted under the circumstances, the plan of conversion may provide for the purchase of the unsubscribed shares by a private placement or other alternative method approved by the Director that is fair and equitable to the eligible members.

(f) Total price of stock. The plan shall set the total price of the capital stock equal to the estimated pro forma market value of the converted stock company based upon an independent evaluation by a qualified person. The pro forma market value may be the value that is estimated to be necessary to attract full subscription for the shares as indicated by the independent evaluation.

(g) Purchase price of each share. The plan shall set the purchase price of each share of capital stock equal to any reasonable amount that will not inhibit the purchase of shares by members. The purchase price of each share shall be uniform for all purchasers except the price may be modified by the Director by reason of his consideration of a plan for the purchase of unsubscribed stock pursuant to item (e) of subsection (6) of this Section.

(h) Closed block of business for participating life policies of a Class 1 mutual company.

(i) The plan shall provide that a Class 1 mutual company's participating life policies in force on the effective date of the conversion shall be operated by the converted stock company for dividend purposes as a closed block of participating business except that any or all classes of group participating policies may be excluded from the closed block.

(ii) The plan shall establish one or more segregated accounts for the benefit of the closed block of business and shall allocate to those segregated accounts enough assets of the mutual company so that the assets together with the revenue from the closed block of business are sufficient to

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support the closed block including, but not limited to, the payment of claims, expenses, taxes, and any dividends that are provided for under the terms of the participating policies with appropriate adjustments in the dividends for experience changes. The plan shall be accompanied by an opinion of a qualified actuary or an appointed actuary who meets the standards set forth in the insurance laws or regulations for the submission of actuarial opinions as to the adequacy of reserves or assets. The opinion shall relate to the adequacy of the assets allocated to the segregated accounts in support of the closed block of business. The actuarial opinion shall be based on methods of analysis deemed appropriate for those purposes by the Actuarial Standards Board.

(iii) The amount of assets allocated to the segregated accounts of the closed block shall be based upon the mutual company's last annual statement that is updated to the effective date of the conversion.

(iv) The converted stock company shall keep a separate accounting for the closed block and shall make and include in the annual statement to be filed with the Director each year a separate statement showing the gains, losses, and expenses properly attributable to the closed block.

(v) Periodically, upon the Director's approval, those assets allocated to the closed block as provided in subitem (ii) of item (h) of subsection (6) of this Section that are in excess of the amount of assets necessary to support the remaining policies in the closed block shall revert to the benefit of the converted stock company.

(vi) The Director may waive the requirement for the establishment of a closed block of business if the Director deems it to be in the best interests of the participating policyholders of the mutual insurer to do so.

(i) Limitations on acquisition of control. The plan shall provide that any one person or group of persons acting in concert may not acquire, through public offering or subscription rights, more than 5% of the capital stock of the converted stock company for a period of 5 years from the effective date of the plan except with the approval of the Director. This limitation does not apply to any entity that is to purchase 100% of the capital stock of the converted company as part

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of the plan of conversion approved by the Director or to a purchase
of stock by a tax-qualified employee benefit plan pursuant to
subscription grants granted to that plan as authorized under item (b)
of subsection (7) of this Section and to a purchase of unsubscribed
stock pursuant to item (e) of subsection (6) of this Section.
(7) Optional provisions in a plan of conversion. The following
provisions may be included in the plan:

(a) Directors and officers subscription rights.
   (i) The plan may provide that the directors and officers
   of the mutual company shall receive, without payment,
   nontransferable subscription rights to purchase capital stock
   of the converted stock company or the stock of another
   corporation that is participating in the conversion plan as
   provided in subitem (i) of item (c) of subsection (6) of this
   Section. Those subscription rights shall be allocated among
   the directors and officers by a fair and equitable formula.
   (ii) The total number of shares that may be purchased
   under subitem (i) of item (a) of subsection (7) of this Section
   may not exceed 35% of the total number of shares to be
   issued in the case of a mutual company with total assets of
   less than $50 million or 25% of the total shares to be issued
   in the case of a mutual company with total assets of more than
   $500 million. For mutual companies with total assets between
   $50 million and $500 million, the total number of shares that
   may be purchased shall be interpolated.
   (iii) Stock purchased by a director or officer under
   subitem (i) of item (a) of subsection (7) of this Section may
   not be sold within one year following the effective date of the
   conversion.
   (iv) The plan may also provide that a director or
   officer or person acting in concert with a director or officer of
   the mutual company may not acquire any capital stock of the
   converted stock company for 3 years after the effective date
   of the plan, except through a broker or dealer, without the
   permission of the Director. That provision may not apply to
   prohibit the directors and officers from purchasing stock
   through subscription rights received in the plan under subitem
   (i) of item (a) of subsection (7) of this Section.

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(b) Tax-qualified employee stock benefit plan. The plan may allocate to a tax-qualified employee benefit plan nontransferable subscription rights to purchase up to 10% of the capital stock of the converted stock company or the stock of another corporation that is participating in the conversion plan as provided in subitem (i) of item (c) of subsection (6) of this Section. That employee benefit plan shall be entitled to exercise its subscription rights regardless of the amount of shares purchased by other persons.

(8) Alternative plan of conversion. The board of directors may adopt a plan of conversion that does not rely in whole or in part upon the issuance to members of non-transferable subscription rights to purchase stock of the converted stock company if the Director finds that the plan does not prejudice the interests of the members, is fair and equitable, and is based upon an independent appraisal of the market value of the mutual company by a qualified person and a fair and equitable allocation of any consideration to be given eligible members. The Director may retain, at the mutual company's expense, any qualified expert not otherwise a part of the Director's staff to assist in reviewing whether the plan may be approved by the Director.

(9) Effective date of the plan. A plan shall become effective when the Director has approved the plan, the members have approved the plan, and the revised articles of incorporation have been adopted.

(10) Rights of members whose policies are issued after adoption of the plan and before its effective date.

(a) Notice. All members whose policies are issued after the proposed plan has been adopted by the board of directors and before the effective date of the plan shall be given written notice of the plan of conversion. The notice shall specify the member's right to rescind that policy as provided in item (b) of subsection (10) of this Section within 45 days after the effective date of the plan. A copy of the plan or a summary of the plan shall accompany the notice. The form of the notice shall be filed with and approved by the Director.

(b) Option to rescind. Any member entitled to receive the notice described in item (a) of subsection (10) of this Section shall be entitled to rescind his or her policy and receive a full refund of any amounts paid for the policy or contract within 10 days after the receipt of the notice.

(11) Corporate existence.

(a) Upon the conversion of a mutual company to a converted stock company according to the provisions of this Section, the
corporate existence of the mutual company shall be continued in the converted stock company. All the rights, franchises, and interests of the mutual company in and to every type of property, real, personal, and mixed, and things in action thereunto belonging, is deemed transferred to and vested in the converted stock company without any deed or transfer. Simultaneously, the converted stock company is deemed to have assumed all the obligations and liabilities of the mutual company.

(b) The directors and officers of the mutual company, unless otherwise specified in the plan of conversion, shall serve as directors and officers of the converted stock company until new directors and officers of the converted stock company are duly elected pursuant to the articles of incorporation and bylaws of the converted stock company.

(12) Conflict of interest. No director, officer, agent, or employee of the mutual company or any other person shall receive any fee, commission, or other valuable consideration, other than his or her usual regular salary and compensation, for in any manner aiding, promoting, or assisting in the conversion except as set forth in the plan approved by the Director. This provision does not prohibit the payment of reasonable fees and compensation to attorneys, accountants, and actuaries for services performed in the independent practice of their professions, even if the attorney, accountant, or actuary is also a Director of the mutual company.

(13) Costs and expenses. All the costs and expenses connected with a plan of conversion shall be paid for or reimbursed by the mutual company or the converted stock company except where the plan provides either for a holding company to acquire the stock of the converted stock company or for the merger of the mutual company into a stock insurance company as provided in subitem (i) of item (c) of subsection (6) of this Section. In those cases, the acquiring holding company or the stock insurance company shall pay for or reimburse all the costs and expenses connected with the plan.

(14) Failure to give notice. If the mutual company complies substantially and in good faith with the notice requirements of this Section, the mutual company's failure to give any member or members any required notice does not impair the validity of any action taken under this Section.

(15) Limitation of actions. Any action challenging the validity of or arising out of acts taken or proposed to be taken under this Section shall be commenced within 30 days after the effective date of the plan.

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AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
   Section 1. Nature of this Act.
(a) This Act may be cited as the First 2014 General Revisory Act.
(b) This Act is not intended to make any substantive change in the
   law. It reconciles conflicts that have arisen from multiple amendments
   and enactments and makes technical corrections and revisions in the law.

   This Act revises and, where appropriate, renumbers certain Sections
   that have been added or amended by more than one Public Act. In certain
   cases in which a repealed Act or Section has been replaced with a successor
   law, this Act may incorporate amendments to the repealed Act or Section into
   the successor law. This Act also corrects errors, revises cross-references, and
   deletes obsolete text.

   (c) In this Act, the reference at the end of each amended Section
   indicates the sources in the Session Laws of Illinois that were used in the
   preparation of the text of that Section. The text of the Section included in this
   Act is intended to include the different versions of the Section found in the
   Public Acts included in the list of sources, but may not include other versions
   of the Section to be found in Public Acts not included in the list of sources.
   The list of sources is not a part of the text of the Section.

   (d) Public Acts 97-1145 through 98-589 were considered in the
   preparation of the combining revisories included in this Act. Many of those
   combining revisories contain no striking or underscoring because no
   additional changes are being made in the material that is being combined.

   Section 5. The Regulatory Sunset Act is amended by changing
   Section 4.34 as follows:
   (5 ILCS 80/4.34)
   Sec. 4.34. Acts and Section Act repealed on January 1, 2024. The
   following Acts and Section of an Act are repealed on January 1, 2024:

   New matter indicated by italics - deletions by strikeout
The Electrologist Licensing Act.
The Illinois Occupational Therapy Practice Act.
The Illinois Public Accounting Act.
The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.
Section 2.5 of the Illinois Plumbing License Law.
The Veterinary Medicine and Surgery Practice Act of 2004.
(Source: P.A. 98-140, eff. 12-31-13; 98-253, eff. 8-9-13; 98-254, eff. 8-9-13; 98-264, eff. 12-31-13; 98-339, eff. 12-31-13; 98-363, eff. 8-16-13; 98-364, eff. 12-31-13; 98-445, eff. 12-31-13; revised 9-10-13.)
Section 10. The Open Meetings Act is amended by changing Section 2 as follows:

(5 ILCS 120/2) (from Ch. 102, par. 42)
Sec. 2. Open meetings.
(a) Openness required. All meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a.

(b) Construction of exceptions. The exceptions contained in subsection (c) are in derogation of the requirement that public bodies meet in the open, and therefore, the exceptions are to be strictly construed, extending only to subjects clearly within their scope. The exceptions authorize but do not require the holding of a closed meeting to discuss a subject included within an enumerated exception.

(c) Exceptions. A public body may hold closed meetings to consider the following subjects:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

(3) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the
discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(7) The sale or purchase of securities, investments, or investment contracts. This exception shall not apply to the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law.

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or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(25) Meetings of an independent team of experts under Brian's Law.

(26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

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(27) (Blank).

(28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.

(30) Those meetings or portions of meetings of an at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council during which a review of the death of an eligible adult in which abuse or neglect is suspected, alleged, or substantiated is conducted pursuant to Section 15 of the Adult Protective Services Act.

(31) Meetings and deliberations for decisions of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act.

(d) Definitions. For purposes of this Section:

"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to assist the body in the conduct of its business.

"Quasi-adjudicative body" means an administrative body charged by law or ordinance with the responsibility to conduct hearings, receive evidence or testimony and make determinations based thereon, but does not include local electoral boards when such bodies are considering petition challenges.

(e) Final action. No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the

New matter indicated by italics - deletions by strikeout
Section 15. The Freedom of Information Act is amended by changing Sections 3.2 and 7.5 as follows:

(5 ILCS 140/3.2)
Sec. 3.2. Recurrent requesters.

(a) Notwithstanding any provision of this Act to the contrary, a public body shall respond to a request from a recurrent requester, as defined in subsection (g) of Section 2, within 21 business days after receipt. The response shall (i) provide to the requester an estimate of the time required by the public body to provide the records requested and an estimate of the fees to be charged, which the public body may require the person to pay in full before copying the requested documents, (ii) deny the request pursuant to one or more of the exemptions set out in this Act, (iii) notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions, or (iv) provide the records requested.

(b) Within 5 business days after receiving a request from a recurrent requester, as defined in subsection (g) of Section 2, the public body shall notify the requester (i) that the public body is treating the request as a request under subsection (g) of Section 2, (ii) of the reasons why the public body is treating the request as a request under subsection (g) of Section 2, and (iii) that the public body will send an initial response within 21 business days after receipt in accordance with subsection (a) of this Section. The public body shall also notify the requester of the proposed responses that can be asserted pursuant to subsection (a) of this Section.

(c) Unless the records are exempt from disclosure, a public body shall comply with a request within a reasonable period considering the size and complexity of the request.

(5 ILCS 140/7.5)
Sec. 7.5. Statutory Exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

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

(b) Library circulation and order records identifying library users with

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specific materials under the Library Records Confidentiality Act.

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

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

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


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

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

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

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

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

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

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

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

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

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

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

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

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

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Accountability and Portability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

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

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

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

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

(z) Records and information provided to an at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(Source: P.A. 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13; 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; revised 7-23-13.)

Section 20. The State Employee Indemnification Act is amended by changing Section 1 as follows:

(5 ILCS 350/1) (from Ch. 127, par. 1301)
Sec. 1. Definitions. For the purpose of this Act:
(a) The term "State" means the State of Illinois, the General Assembly, the court, or any State office, department, division, bureau, board, commission, or committee, the governing boards of the public institutions of higher education created by the State, the Illinois National Guard, the Comprehensive Health Insurance Board, any poison control center designated under the Poison Control System Act that receives State funding, or any other agency or instrumentality of the State. It does not mean any local public entity as that term is defined in Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act or a pension fund.
(b) The term "employee" means any present or former elected or appointed officer, trustee or employee of the State, or of a pension fund, any present or former commissioner or employee of the Executive Ethics Commission or of the Legislative Ethics Commission, any present or former Executive, Legislative, or Auditor General's Inspector General, any present or former employee of an Office of an Executive, Legislative, or Auditor General's Inspector General, any present or former member of the Illinois National Guard while on active duty, individuals or organizations who contract with the Department of Corrections, the Department of Juvenile Justice, the Comprehensive Health Insurance Board, or the Department of Veterans' Affairs to provide services, individuals or organizations who

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contract with the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services including but not limited to treatment and other services for sexually violent persons, individuals or organizations who contract with the Department of Military Affairs for youth programs, individuals or organizations who contract to perform carnival and amusement ride safety inspections for the Department of Labor, individual representatives of or designated organizations authorized to represent the Office of State Long-Term Ombudsman for the Department on Aging, individual representatives of or organizations designated by the Department on Aging in the performance of their duties as adult protective services agencies or regional administrative agencies under the Adult Protective Services Act, individuals or organizations appointed as members of a review team or the Advisory Council under the Adult Protective Services Act, individuals or organizations who perform volunteer services for the State where such volunteer relationship is reduced to writing, individuals who serve on any public entity (whether created by law or administrative action) described in paragraph (a) of this Section, individuals or not for profit organizations who, either as volunteers, where such volunteer relationship is reduced to writing, or pursuant to contract, furnish professional advice or consultation to any agency or instrumentality of the State, individuals who serve as foster parents for the Department of Children and Family Services when caring for a Department ward, individuals who serve as members of an independent team of experts under Brian's Law, and individuals who serve as arbitrators pursuant to Part 10A of Article II of the Code of Civil Procedure and the rules of the Supreme Court implementing Part 10A, each as now or hereafter amended, but does not mean an independent contractor except as provided in this Section. The term includes an individual appointed as an inspector by the Director of State Police when performing duties within the scope of the activities of a Metropolitan Enforcement Group or a law enforcement organization established under the Intergovernmental Cooperation Act. An individual who renders professional advice and consultation to the State through an organization which qualifies as an "employee" under the Act is also an employee. The term includes the estate or personal representative of an employee.

(c) The term "pension fund" means a retirement system or pension fund created under the Illinois Pension Code.

(Source: P.A. 98-49, eff. 7-1-13; 98-83, eff. 7-15-13; revised 8-9-13.)

Section 25. The State Employees Group Insurance Act of 1971 is

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amended by setting forth, renumbering, and changing multiple versions of Section 2.5 as follows:

(5 ILCS 375/2.5)

Sec. 2.5. Application to Regional Transportation Authority Board members. Notwithstanding any other provision of this Act to the contrary, this Act does not apply to any member of the Regional Transportation Authority Board who first becomes a member of that Board on or after July 23, 2013 (the effective date of Public Act 98-108) this amendatory Act of the 98th General Assembly with respect to service of that Board.
(Source: P.A. 98-108, eff. 7-23-13; revised 9-6-13.)

(5 ILCS 375/2.9)

Sec. 2.9 2.5. State healthcare purchasing. On and after the date 6 months after August 16, 2013 (the effective date of Public Act 98-488) this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Act that were transferred from the Department of Central Management Services to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department.
(Source: P.A. 98-488, eff. 8-16-13; revised 9-6-13.)

Section 30. The State Commemorative Dates Act is amended by setting forth, renumbering, and changing multiple versions of Section 175 as follows:

(5 ILCS 490/175)

Sec. 175. Mother Mary Ann Bickerdyke Day. The second Wednesday in May of each year is designated as Mother Mary Ann Bickerdyke Day, to be observed throughout the State as a day set apart to honor Mother Mary Ann Bickerdyke of Galesburg, military nurses, and the contribution of nurses to the State of Illinois and the United States of America.
(Source: P.A. 98-141, eff. 8-2-13.)

(5 ILCS 490/180)

Sec. 180 175. Chronic Obstructive Pulmonary Disease (COPD) Month. The month of November in each year is designated as Chronic Obstructive Pulmonary Disease (COPD) Month to be observed throughout the State as a month for the people of Illinois to support efforts to decrease the prevalence of COPD, develop better treatments, and work toward an eventual cure through increased research, treatment, and prevention.
(Source: P.A. 98-220, eff. 8-9-13; revised 9-9-13.)

(5 ILCS 490/185)

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Sec. 185. Eat Local, Buy Illinois Products Day. The first Saturday of each month is designated as Eat Local, Buy Illinois Products Day to promote local food initiatives and Illinois agribusiness; and to encourage residents to re-invest in the local economy. The Department of Agriculture's Illinois Product Logo Program shall assist in increasing awareness and sales of Illinois food and agribusiness products.
(Source: P.A. 98-341, eff. 8-13-13; revised 9-9-13.)

Section 35. The Election Code is amended by changing Sections 1A-16.5, 4-10, 5-9, 10-4, 19-4, 24A-15.1, 24A-16, and 28-3 as follows:

(10 ILCS 5/1A-16.5)
Sec. 1A-16.5. Online voter registration.

(a) The State Board of Elections shall establish and maintain a system for online voter registration that permits a person to apply to register to vote or to update his or her existing voter registration. In accordance with technical specifications provided by the State Board of Elections, each election authority shall maintain a voter registration system capable of receiving and processing voter registration application information, including electronic signatures, from the online voter registration system established by the State Board of Elections.

(b) The online voter registration system shall employ security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this Section.

(c) The Board may receive voter registration information provided by applicants using the State Board of Elections' website, may cross reference that information with data or information contained in the Secretary of State's database in order to match the information submitted by applicants, and may receive from the Secretary of State the applicant's digitized signature upon a successful match of that applicant's information with that contained in the Secretary of State's database.

(d) Notwithstanding any other provision of law, a person who is qualified to register to vote and who has an authentic Illinois driver's license or State identification card issued by the Secretary of State may submit an application to register to vote electronically on a website maintained by the State Board of Elections.

(e) An online voter registration application shall contain all of the information that is required for a paper application as provided in Section 1A-16 of this Code, except that the applicant shall be required to provide:

(1) the applicant's full Illinois driver's license or State identification card number;

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(2) the last 4 digits of the applicant's social security number; and

(3) the date the Illinois driver's license or State identification card was issued.

(f) For an applicant's registration or change in registration to be accepted, the applicant shall mark the box associated with the following statement included as part of the online voter registration application:

"By clicking on the box below, I swear or affirm all of the following:

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote in the State of Illinois.

(2) All the information I have provided on this form is true and correct as of the date I am submitting this form.

(3) I authorize the Secretary of State to transmit to the State Board of Elections my signature that is on file with the Secretary of State and understand that such signature will be used by my local election authority on this online voter registration application for admission as an elector as if I had signed this form personally."

(g) Immediately upon receiving a completed online voter registration application, the online voter registration system shall send, by electronic mail, a confirmation notice that the application has been received. Within 48 hours of receiving such an application, the online voter registration system shall send by electronic mail, a notice informing the applicant of whether the following information has been matched with the Secretary of State database:

(1) that the applicant has an authentic Illinois driver's license or State identification card issued by the Secretary of State and that the driver's license or State identification number provided by the applicant matches the driver's license or State identification card number for that person on file with the Secretary of State;

(2) that the date of issuance of the Illinois driver's license or State identification card listed on the application matches the date of issuance of that card for that person on file with the Secretary of State;

(3) that the date of birth provided by the applicant matches the date of birth for that person on file with the Secretary of State; and

(4) that the last 4 digits of the applicant's social security number matches the last 4 four digits for that person on file with the Secretary of State.

(h) If the information provided by the applicant matches the information on the Secretary of State's databases for any driver's license and
State identification card holder and is matched as provided in subsection (g) above, the online voter registration system shall:

(1) retrieve from the Secretary of State's database files an electronic copy of the applicant's signature from his or her Illinois driver's license or State identification card and such signature shall be deemed to be the applicant's signature on his or her online voter registration application;

(2) within 2 days of receiving the application, forward to the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration: (i) the application, along with the applicant's relevant data that can be directly loaded into the jurisdiction's voter registration system and (ii) a copy of the applicant's electronic signature and a certification from the State Board of Elections that the applicant's driver's license or State identification card number, driver's license or State identification card date of issuance, and date of birth and social security information have been successfully matched.

(i) Upon receipt of the online voter registration application, the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration shall promptly search its voter registration database to determine whether the applicant is already registered to vote at the address on the application and whether the new registration would create a duplicate registration. If the applicant is already registered to vote at the address on the application, the clerk or board, as the case may be, shall send the applicant by first class mail, and electronic mail if the applicant has provided an electronic mail address on the original voter registration form for that address, a disposition notice as otherwise required by law informing the applicant that he or she is already registered to vote at such address. If the applicant is not already registered to vote at the address on the application and the applicant is otherwise eligible to register to vote, the clerk or board, as the case may be, shall:

(1) enter the name and address of the applicant on the list of registered voters in the jurisdiction; and
(2) send by mail, and electronic mail if the applicant has provided an electronic mail address on the voter registration form, a disposition notice to the applicant as otherwise provided by law setting forth the applicant's name and address as it appears on the application and stating that the person is registered to vote.

(j) An electronic signature of the person submitting a duplicate
registration application or a change of address form that is retrieved and imported from the Secretary of State's driver's license or State identification card database as provided herein may, in the discretion of the clerk or board, be substituted for and replace any existing signature for that individual in the voter registration database of the county clerk or board of election commissioners.

(k) Any new registration or change of address submitted electronically as provided in this Section shall become effective as of the date it is received by the county clerk or board of election commissioners having jurisdiction over said registration. Disposition notices prescribed in this Section shall be sent within 5 business days of receipt of the online application or change of address by the county clerk or board of election commissioners.

(l) All provisions of this Code governing voter registration and applicable thereto and not inconsistent with this Section shall apply to online voter registration under this Section. All applications submitted on a website maintained by the State Board of Elections shall be deemed timely filed if they are submitted no later than 11:59 p.m. on the final day for voter registration prior to an election. After the registration period for an upcoming election has ended and until the 2nd day following such election, the web page containing the online voter registration form on the State Board of Elections website shall inform users of the procedure for grace period voting.

(m) The State Board of Elections shall maintain a list of the name, street address, e-mail address, and likely precinct, ward, township, and district numbers, as the case may be, of people who apply to vote online through the voter registration system and those names and that information shall be stored in an electronic format on its website, arranged by county and accessible to State and local political committees.

(n) The Illinois State Board of Elections shall submit a report to the General Assembly and the Governor by January 31, 2014 detailing the progress made to implement the online voter registration system described in this Section.

(o) The online voter registration system provided for in this Section shall be fully operational by July 1, 2014.

(Source: P.A. 98-115, eff. 7-29-13; revised 9-4-13.)

(10 ILCS 5/4-10) (from Ch. 46, par. 4-10)

Sec. 4-10. Except as herein provided, no person shall be registered, unless he applies in person to a registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to
furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the registration officers or a deputy registration officer, county clerk, or clerk in the office of the county clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your name, place of residence, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The registration officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?" Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of any precinct registration and shall have the right to challenge any applicant who applies to be registered.

In case the officer is not satisfied that the applicant is qualified he shall forthwith notify such applicant in writing to appear before the county clerk to complete his registration. Upon the card of such applicant shall be written the word "incomplete" and no such applicant shall be permitted to vote unless such registration is satisfactorily completed as hereinafter provided. No registration shall be taken and marked as incomplete if information to complete it can be furnished on the date of the original application.

New matter indicated by italics - deletions by strikeout
Any person claiming to be an elector in any election precinct and whose registration card is marked "Incomplete" may make and sign an application in writing, under oath, to the county clerk in substance in the following form:

"I do solemnly swear that I, ...., did on (insert date) make application to the board of registry of the .... precinct of the township of .... (or to the county clerk of .... county) and that said board or clerk refused to complete my registration as a qualified voter in said precinct. That I reside in said precinct, that I intend to reside in said precinct, and am a duly qualified voter of said precinct and am entitled to be registered to vote in said precinct at the next election.

(Signature of applicant) ..........................................................

All such applications shall be presented to the county clerk or to his duly authorized representative by the applicant, in person between the hours of 9:00 a.m. and 5:00 p.m. on any day after the days on which the 1969 and 1970 precinct re-registrations are held but not on any day within 27 days preceding the ensuing general election and thereafter for the registration provided in Section 4-7 all such applications shall be presented to the county clerk or his duly authorized representative by the applicant in person between the hours of 9:00 a.m. and 5:00 p.m. on any day prior to 27 days preceding the ensuing general election. Such application shall be heard by the county clerk or his duly authorized representative at the time the application is presented. If the applicant for registration has registered with the county clerk, such application may be presented to and heard by the county clerk or by his duly authorized representative upon the dates specified above or at any time prior thereto designated by the county clerk.

Any otherwise qualified person who is absent from his county of residence either due to business of the United States or because he is temporarily outside the territorial limits of the United States may become registered by mailing an application to the county clerk within the periods of registration provided for in this Article, or by simultaneous application for absentee registration and absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle
name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

Electronic mail address, if the registrant has provided this information.

Term of residence in the State of Illinois and the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ..........................

AFFIDAVIT OF REGISTRATION

State of ...........)  )ss
County of ..........)  

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

.............................

(His or her signature or mark)

Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

.............................

Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 4-8 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

New matter indicated by italics - deletions by strikeout
Sec. 5-9. Except as herein provided, no person shall be registered unless he applies in person to registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the Deputy Registrars, the Judge of Registration, or an Officer of Registration, County Clerk, or clerk in the office of the County Clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The Registration Officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?" Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of precinct registration, and shall have the right to challenge any applicant who applies to be registered.

New matter indicated by italics - deletions by strikeout
In case the officer is not satisfied that the applicant is qualified, he shall forthwith in writing notify such applicant to appear before the County Clerk to furnish further proof of his qualifications. Upon the card of such applicant shall be written the word "Incomplete" and no such applicant shall be permitted to vote unless such registration is satisfactorily completed as hereinafter provided. No registration shall be taken and marked as "incomplete" if information to complete it can be furnished on the date of the original application.

Any person claiming to be an elector in any election precinct in such township, city, village or incorporated town and whose registration is marked "Incomplete" may make and sign an application in writing, under oath, to the County Clerk in substance in the following form:

"I do solemnly swear that I, ........, did on (insert date) make application to the Board of Registry of the ........ precinct of ........ ward of the City of .... or of the ........ District ........ Town of ........ (or to the County Clerk of ..........) and ........... County; that said Board or Clerk refused to complete my registration as a qualified voter in said precinct, that I reside in said precinct (or that I intend to reside in said precinct), am a duly qualified voter and entitled to vote in said precinct at the next election.

..............................................
(Signature of Applicant)"

All such applications shall be presented to the County Clerk by the applicant, in person between the hours of nine o'clock a.m. and five o'clock p.m., on Monday and Tuesday of the third week subsequent to the weeks in which the 1961 and 1962 precinct re-registrations are to be held, and thereafter for the registration provided in Section 5-17 of this Article, all such applications shall be presented to the County Clerk by the applicant in person between the hours of nine o'clock a.m. and nine o'clock p.m. on Monday and Tuesday of the third week prior to the date on which such election is to be held.

Any otherwise qualified person who is absent from his county of residence either due to business of the United States or because he is temporarily outside the territorial limits of the United States may become registered by mailing an application to the county clerk within the periods of registration provided for in this Article or by simultaneous application for absentee registration and absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the
following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

Electronic mail address, if the registrant has provided this information.

Term of residence in the State of Illinois and the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ..........................

AFFIDAVIT OF REGISTRATION

State of ...........

County of ...........

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois for 6 months and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

...........................

(His or her signature or mark)

Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

...............................

Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the

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county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 5-7 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13; 98-115, eff. 10-1-13; revised 8-9-13.)

(10 ILCS 5/10-4) (from Ch. 46, par. 10-4)

Sec. 10-4. Form of petition for nomination. All petitions for nomination under this Article 10 for candidates for public office in this State, shall in addition to other requirements provided by law, be as follows: Such petitions shall consist of sheets of uniform size and each sheet shall contain, above the space for signature, an appropriate heading, giving the information as to name of candidate or candidates in whose behalf such petition is signed; the office; the party; place of residence; and such other information or wording as required to make same valid, and the heading of each sheet shall be the same. Such petition shall be signed by the qualified voters in their own proper persons only, and opposite the signature of each signer his residence address shall be written or printed. The residence address required to be written or printed opposite each qualified primary elector's name shall include the street address or rural route number of the signer, as the case may be, as well as the signer's county, and city, village or town, and state. However, the county or city, village or town, and state of residence of such electors may be printed on the petition forms where all of the such electors signing the petition reside in the same county or city, village or town, and state. Standard abbreviations may be used in writing the residence address, including street number, if any. No signature shall be valid or be counted in considering the validity or sufficiency of such petition unless the requirements of this Section are complied with. At the bottom of each sheet of such petition shall be added a circulator's statement, signed by a person 18 years of age or older who is a citizen of the United States; stating the street address or rural route number, as the case may be, as well as the county, city, village or town, and state; certifying that the signatures on that sheet of the petition were signed in his or her presence; certifying that the signatures are genuine; and either (1) indicating the dates on which that sheet was circulated, or (2) indicating the first and last dates on which the sheet was circulated, or (3) certifying that none of the signatures on the sheet were signed more than 90 days preceding the last day for the filing of the petition; and certifying that to the best of his knowledge and belief the persons so signing were at the time of signing the
petition duly registered voters under Articles 4, 5 or 6 of the Code of the political subdivision or district for which the candidate or candidates shall be nominated, and certifying that their respective residences are correctly stated therein. Such statement shall be sworn to before some officer authorized to administer oaths in this State. No petition sheet shall be circulated more than 90 days preceding the last day provided in Section 10-6 for the filing of such petition. Such sheets, before being presented to the electoral board or filed with the proper officer of the electoral district or division of the state or municipality, as the case may be, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. All petition sheets which are filed with the proper local election officials, election authorities or the State Board of Elections shall be the original sheets which have been signed by the voters and by the circulator, and not photocopies or duplicates of such sheets. A petition, when presented or filed, shall not be withdrawn, altered, or added to, and no signature shall be revoked except by revocation in writing presented or filed with the officers or officer with whom the petition is required to be presented or filed, and before the presentment or filing of such petition. Whoever forges any name of a signer upon any petition shall be deemed guilty of a forgery, and on conviction thereof, shall be punished accordingly. The word "petition" or "petition for nomination", as used herein, shall mean what is sometimes known as nomination papers, in distinction to what is known as a certificate of nomination. The words "political division for which the candidate is nominated", or its equivalent, shall mean the largest political division in which all qualified voters may vote upon such candidate or candidates, as the state in the case of state officers; the township in the case of township officers et cetera. Provided, further, that no person shall circulate or certify petitions for candidates of more than one political party, or for an independent candidate or candidates in addition to one political party, to be voted upon at the next primary or general election, or for such candidates and parties with respect to the same political subdivision at the next consolidated election.

(Source: P.A. 91-57, eff. 6-30-99; 92-129, eff. 7-20-01; revised 9-4-13.)

(10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

Sec. 19-4. Mailing or delivery of ballots; time. Immediately upon the receipt of such application either by mail or electronic means, not more than 40 days nor less than 5 days prior to such election, or
by personal delivery not more than 40 days nor less than one day prior to such election, at the office of such election authority, it shall be the duty of such election authority to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, including a verification of the applicant's signature by comparison with the signature on the official registration record card, and if found so to be entitled to vote, to post within one business day thereafter the name, street address, ward and precinct number or township and district number, as the case may be, of such applicant given on a list, the pages of which are to be numbered consecutively to be kept by such election authority for such purpose in a conspicuous, open and public place accessible to the public at the entrance of the office of such election authority, and in such a manner that such list may be viewed without necessity of requesting permission therefor. Within one day after posting the name and other information of an applicant for an absentee ballot, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections that name and other posted information to the State Board of Elections, which shall maintain those names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. Within 2 business days after posting a name and other information on the list within its office, the election authority shall mail, postage prepaid, or deliver in person in such office an official ballot or ballots if more than one are to be voted at said election. Mail delivery of Temporarily Absent Student ballot applications pursuant to Section 19-12.3 shall be by nonforwardable mail. However, for the consolidated election, absentee ballots for certain precincts may be delivered to applicants not less than 25 days before the election if so much time is required to have prepared and printed the ballots containing the names of persons nominated for offices at the consolidated primary. The election authority shall enclose with each absentee ballot or application written instructions on how voting assistance shall be provided pursuant to Section 17-14 and a document, written and approved by the State Board of Elections, enumerating the circumstances under which a person is authorized to vote by absentee ballot pursuant to this Article; such document shall also include a statement informing the applicant that if he or she falsifies or is solicited by another to falsify his or her eligibility to cast an absentee ballot, such applicant or other is subject to penalties pursuant to Section 29-10 and Section 29-20 of the Election Code. Each election authority shall maintain a list of the name, street address, ward and precinct, or township and district number, as the case may be, of all applicants who have returned absentee

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ballots to such authority, and the name of such absent voter shall be added to such list within one business day from receipt of such ballot. If the absentee ballot envelope indicates that the voter was assisted in casting the ballot, the name of the person so assisting shall be included on the list. The list, the pages of which are to be numbered consecutively, shall be kept by each election authority in a conspicuous, open, and public place accessible to the public at the entrance of the office of the election authority and in a manner that the list may be viewed without necessity of requesting permission for viewing.

Each election authority shall maintain a list for each election of the voters to whom it has issued absentee ballots. The list shall be maintained for each precinct within the jurisdiction of the election authority. Prior to the opening of the polls on election day, the election authority shall deliver to the judges of election in each precinct the list of registered voters in that precinct to whom absentee ballots have been issued by mail.

Each election authority shall maintain a list for each election of voters to whom it has issued temporarily absent student ballots. The list shall be maintained for each election jurisdiction within which such voters temporarily abide. Immediately after the close of the period during which application may be made by mail or electronic means for absentee ballots, each election authority shall mail to each other election authority within the State a certified list of all such voters temporarily abiding within the jurisdiction of the other election authority.

In the event that the return address of an application for ballot by a physically incapacitated elector is that of a facility licensed or certified under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, within the jurisdiction of the election authority, and the applicant is a registered voter in the precinct in which such facility is located, the ballots shall be prepared and transmitted to a responsible judge of election no later than 9 a.m. on the Saturday, Sunday or Monday immediately preceding the election as designated by the election authority under Section 19-12.2. Such judge shall deliver in person on the designated day the ballot to the applicant on the premises of the facility from which application was made. The election authority shall by mail notify the applicant in such facility that the ballot will be delivered by a judge of election on the designated day.

All applications for absentee ballots shall be available at the office of the election authority for public inspection upon request from the time of receipt thereof by the election authority until 30 days after the election, except

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during the time such applications are kept in the office of the election authority pursuant to Section 19-7, and except during the time such applications are in the possession of the judges of election.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13; 98-115, eff. 7-29-13; revised 8-9-13.)

(10 ILCS 5/24A-15.1) (from Ch. 46, par. 24A-15.1)

Sec. 24A-15.1. Except as herein provided, discovery recounts and election contests shall be conducted as otherwise provided for in "The Election Code", as amended. The automatic tabulating equipment shall be tested prior to the discovery recount or election contest as provided in Section 24A-9, and then the official ballots or ballot cards shall be recounted on the automatic tabulating equipment. In addition, (1) the ballot or ballot cards shall be checked for the presence or absence of judges' initials and other distinguishing marks, and (2) the ballots marked "Rejected", "Defective", Objected to", "Absentee Ballot", and "Early Ballot" shall be examined to determine the propriety of the such labels, and (3) the "Duplicate Absentee Ballots", "Duplicate Early Ballots", "Duplicate Overvoted Ballots" and "Duplicate Damaged Ballots" shall be compared with their respective originals to determine the correctness of the duplicates.

Any person who has filed a petition for discovery recount may request that a redundant count be conducted in those precincts in which the discovery recount is being conducted. The additional costs of such a redundant count shall be borne by the requesting party.

The log of the computer operator and all materials retained by the election authority in relation to vote tabulation and canvass shall be made available for any discovery recount or election contest.

(Source: P.A. 94-645, eff. 8-22-05; revised 9-4-13.)

(10 ILCS 5/24A-16) (from Ch. 46, par. 24A-16)

Sec. 24A-16. The State Board of Elections shall approve all voting systems provided by this Article.

No voting system shall be approved unless it fulfills the following requirements:

(1) It enables a voter to vote in absolute secrecy;
(2) (Blank);
(3) It enables a voter to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all parties, and in part from independent candidates and in part of candidates whose names are written in by the voter;
(4) It enables a voter to vote a written or printed ticket of his...
own selection for any person for any office for whom he may desire to vote;

(5) It will reject all votes for an office or upon a proposition when the voter has cast more votes for such office or upon such proposition than he is entitled to cast;

(5.5) It will identify when a voter has not voted for all statewide constitutional offices;

(6) It will accommodate all propositions to be submitted to the voters in the form provided by law or, where no such form is provided, then in brief form, not to exceed 75 words;

(7) It will accommodate the tabulation programming requirements of Sections 24A-6.2, 24B-6.2, and 24C-6.2.

The State Board of Elections shall not approve any voting equipment or system that includes an external Infrared Data Association (IrDA) communications port.

The State Board of Elections is authorized to withdraw its approval of a voting system if the system fails to fulfill the above requirements.

The vendor, person, or other private entity shall be solely responsible for the production and cost of: all application fees; all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software.

Any voting system vendor, person, or other private entity seeking the State Board of Elections' approval of a voting system shall, as part of the approval application, submit to the State Board a non-refundable fee. The State Board of Elections by rule shall establish an appropriate fee structure, taking into account the type of voting system approval that is requested (such as approval of a new system, a modification of an existing system, the size of the modification, etc.). No voting system or modification of a voting system shall be approved unless the fee is paid.

No vendor, person, or other entity may sell, lease, or loan, or have a written contract, including a contract contingent upon State Board approval of the voting system or voting system component, to sell, lease, or loan, a voting system or voting system component to any election jurisdiction unless the voting system or voting system component is first approved by the State Board of Elections pursuant to this Section.

(Source: P.A. 98-115, eff. 7-29-13; revised 9-4-13.)

(10 ILCS 5/28-3) (from Ch. 46, par. 28-3)

Sec. 28-3. Form of petition for public question. Petitions for the

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submission of public questions shall consist of sheets of uniform size and each sheet shall contain, above the space for signature, an appropriate heading, giving the information as to the question of public policy to be submitted, and specifying the state at large or the political subdivision or district or precinct or combination of precincts or other territory in which it is to be submitted and, where by law the public question must be submitted at a particular election, the election at which it is to be submitted. In the case of a petition for the submission of a public question described in subsection (b) of Section 28-6, the heading shall also specify the regular election at which the question is to be submitted and include the precincts included in the territory concerning which the public question is to be submitted, as well as a common description of such territory in plain and nonlegal language, such description to describe the territory by reference to streets, natural or artificial landmarks, addresses or any other method which would enable a voter signing the petition to be informed of the territory concerning which the question is to be submitted. The heading of each sheet shall be the same. Such petition shall be signed by the registered voters of the political subdivision or district or precinct or combination of precincts in which the question of public policy is to be submitted in their own proper persons only, and opposite the signature of each signer his residence address shall be written or printed, which residence address shall include the street address or rural route number of the signer, as the case may be, as well as the signer's county, and city, village or town, and state; provided that the county or city, village or town, and state of residence of such electors may be printed on the petition forms where all of the such electors signing the petition reside in the same county or city, village or town, and state. Standard abbreviations may be used in writing the residence address, including street number, if any. No signature shall be valid or be counted in considering the validity or sufficiency of such petition unless the requirements of this Section are complied with.

At the bottom of each sheet of such petition shall be added a circulator's statement, signed by a person 18 years of age or older who is a citizen of the United States, stating the street address or rural route number, as the case may be, as well as the county, city, village or town, and state; certifying that the signatures on that sheet of the petition were signed in his or her presence and are genuine, and that to the best of his or her knowledge and belief the persons so signing were at the time of signing the petition registered voters of the political subdivision or district or precinct or combination of precincts in which the question of public policy is to be

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submitted and that their respective residences are correctly stated therein. Such statement shall be sworn to before some officer authorized to administer oaths in this State.

Such sheets, before being filed with the proper officer or board shall be bound securely and numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. All petition sheets which are filed with the proper local election officials, election authorities or the State Board of Elections shall be the original sheets which have been signed by the voters and by the circulator, and not photocopies or duplicates of such sheets. A petition, when presented or filed, shall not be withdrawn, altered, or added to, and no signature shall be revoked except by revocation in writing presented or filed with the board or officer with whom the petition is required to be presented or filed, and before the presentation or filing of such petition, except as may otherwise be provided in another statute which authorize the public question. Whoever forges any name of a signer upon any petition shall be deemed guilty of a forgery, and on conviction thereof, shall be punished accordingly.

In addition to the foregoing requirements, a petition proposing an amendment to Article IV of the Constitution pursuant to Section 3 of Article XIV of the Constitution or a petition proposing a question of public policy to be submitted to the voters of the entire State shall be in conformity with the requirements of Section 28-9 of this Article.

If multiple sets of petitions for submission of the same public questions are filed, the State Board of Elections, appropriate election authority or local election official where the petitions are filed shall within 2 business days notify the proponent of his or her multiple petition filings and that proponent has 3 business days after receipt of the notice to notify the State Board of Elections, appropriate election authority or local election official that he or she may cancel prior sets of petitions. If the proponent notifies the State Board of Elections, appropriate election authority or local election official, the last set of petitions filed shall be the only petitions to be considered valid by the State Board of Elections, appropriate election authority or local election official. If the proponent fails to notify the State Board of Elections, appropriate election authority or local election official then only the first set of petitions filed shall be valid and all subsequent petitions shall be void.

(Source: P.A. 91-57, eff. 6-30-99; 92-129, eff. 7-20-01; revised 9-12-13.)

Section 40. The Executive Reorganization Implementation Act is amended by changing Section 5 as follows:

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Sec. 5. An executive order of the Governor proposing reorganization may not provide for, and a reorganization under this Act may not have the effect of:

(a) continuing any function beyond the period authorized by law for its exercise, or beyond the time when it would have terminated if the reorganization had not been made;

(b) authorizing any agency to exercise any function which is not expressly authorized by law to be exercised by an agency in the executive branch when the executive order is transmitted to the General Assembly;

(c) increasing the term of any office beyond that provided by law for the office; or

(d) eliminating any qualifications of or procedures for selecting or appointing any agency or department head or commission or board member; or

(e) abolishing any agency created by the Illinois Constitution, or transferring to any other agency any function conferred by the Illinois Constitution on an agency created by that Constitution.

(15 ILCS 15/5) (from Ch. 127, par. 1805)

Section 45. The Illinois Identification Card Act is amended by changing Section 4 as follows:

Sec. 4. Identification Card.

(a) The Secretary of State shall issue a standard Illinois Identification Card to any natural person who is a resident of the State of Illinois who applies for such card, or renewal thereof, or who applies for a standard Illinois Identification Card upon release as a committed person on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections or Department of Juvenile Justice by submitting an identification card issued by the Department of Corrections or Department of Juvenile Justice under Section 3-14-1 or Section 3-2.5-70 of the Unified Code of Corrections, together with the prescribed fees. No identification card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards to any person who meets the requirements of this Section and for whom a photograph and signature or mark are not available.

(15 ILCS 335/4) (from Ch. 124, par. 24)

Sec. 4. Identification Card.

(a) The Secretary of State shall issue a standard Illinois Identification Card to any natural person who is a resident of the State of Illinois who applies for such card, or renewal thereof, or who applies for a standard Illinois Identification Card upon release as a committed person on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections or Department of Juvenile Justice by submitting an identification card issued by the Department of Corrections or Department of Juvenile Justice under Section 3-14-1 or Section 3-2.5-70 of the Unified Code of Corrections, together with the prescribed fees. No identification card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards to any person who meets the requirements of this Section and for whom a photograph and signature or mark are not available.
Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. The Illinois Identification Card may be used for identification purposes in any lawful situation only by the person to whom it was issued. As used in this Act, "photograph" means any color photograph or digitally produced and captured image of an applicant for an identification card. As used in this Act, "signature" means the name of a person as written by that person and captured in a manner acceptable to the Secretary of State.

(a-5) If an applicant for an identification card has a current driver's license or instruction permit issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-10) If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act or a peace officer, the applicant may elect to have his or her office or work address listed on the card instead of the applicant's residence or mailing address. The Secretary may promulgate rules to implement this provision. For the purposes of this subsection (a-10), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(b) The Secretary of State shall issue a special Illinois Identification Card, which shall be known as an Illinois Person with a Disability Identification Card, to any natural person who is a resident of the State of Illinois, who is a person with a disability as defined in Section 4A of this Act, who applies for such card, or renewal thereof. No Illinois Person with a Disability Identification Card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall charge no fee to issue such card. The card shall be prepared and supplied by the Secretary of State, and shall include a photograph and signature or mark of the applicant, a designation indicating that the card is an Illinois Person with a Disability Identification Card, and shall include a comprehensible designation of the type and classification of the applicant's disability as set out in Section 4A of this Act. However, the Secretary of State may provide by rule for the issuance of Illinois Person with a Disability Identification Cards without photographs.
if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of two witnesses who attest to the authenticity of the mark. The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued.

The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant who has been delegated the authority to make this determination by his or her supervising physician, a determination of disability from an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this determination, or any other documentation of disability whenever any State law requires that a disabled person provide such documentation of disability, however an Illinois Person with a Disability Identification Card shall not qualify the cardholder to participate in any program or to receive any benefit which is not available to all persons with like disabilities. Notwithstanding any other provisions of law, an Illinois Person with a Disability Identification Card, or evidence that the Secretary of State has issued an Illinois Person with a Disability Identification Card, shall not be used by any person other than the person named on such card to prove that the person named on such card is a disabled person or for any other purpose unless the card is used for the benefit of the person named on such card, and the person named on such card consents to such use at the time the card is so used.

An optometrist's determination of a visual disability under Section 4A of this Act is acceptable as documentation for the purpose of issuing an Illinois Person with a Disability Identification Card.

When medical information is contained on an Illinois Person with a Disability Identification Card, the Office of the Secretary of State shall not be liable for any actions taken based upon that medical information.

(c) The Secretary of State shall provide that each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall be of a distinct nature from those Illinois Identification Cards or Illinois Person with a Disability Identification Cards.
Identification Cards issued to individuals 21 years of age or older. The color designated for Illinois Identification Cards or Illinois Person with a Disability Identification Cards for persons under the age of 21 shall be at the discretion of the Secretary of State.

(c-1) Each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall display the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(c-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue Illinois Identification Cards and Illinois Person with a Disability Identification Cards with the word "veteran" appearing on the face of the cards. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other identification card which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the identification card holder which is unrelated to the purpose of the identification card.

(c-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal identification card where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (b) of Section 5 of this Act who was discharged or separated under honorable conditions.

(d) The Secretary of State may issue a Senior Citizen discount card, to any natural person who is a resident of the State of Illinois who is 60 years of age or older and who applies for such a card or renewal thereof. The Secretary of State shall charge no fee to issue such card. The card shall be issued in every county and applications shall be made available at, but not limited to, nutrition sites, senior citizen centers and Area Agencies on Aging. The applicant, upon receipt of such card and prior to its use for any purpose, shall have affixed thereon in the space provided therefor his signature or mark.

(e) The Secretary of State, in his or her discretion, may designate on each Illinois Identification Card or Illinois Person with a Disability Identification Card a space where the card holder may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may

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specify, that shall indicate in appropriate language that the card holder has
renewed his or her Illinois Identification Card or Illinois Person with a
Disability Identification Card.
(Source: P.A. 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13;
97-1064, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463, eff. 8-16-13; 98-558, eff.
1-1-14; revised 9-4-13.)

Section 50. The State Comptroller Act is amended by changing
Sections 10 and 10.10 as follows:
(15 ILCS 405/10) (from Ch. 15, par. 210)
Sec. 10. Warrants; procedure
Warrants Procedure. The powers and
duties of the Comptroller as respects warrants are set out in the
Sections following this Section and preceding Section 11 Sections through 10.15.
(Source: P.A. 77-2807; revised 9-4-13.)
(15 ILCS 405/10.10) (from Ch. 15, par. 210.10)
Sec. 10.10. (a) If any Comptroller's warrant is lost, mislaid or
destroyed, or becomes void after issuance, so that it cannot be presented for
payment by the person entitled thereto, the Comptroller, at any time before
that warrant is paid by the State Treasurer, but within 5 years of the date of
issuance, may issue a replacement warrant to the person entitled thereto. If
the original warrant was not cancelled or did not become void, the
Comptroller, before issuing the replacement warrant, shall issue a stop
payment order on the State Treasurer and receive a confirmation of the stop
payment order on the original warrant from the State Treasurer.

(b) Only the person entitled to the original warrant, or his heirs or
legal representatives, or a third party to whom it was properly negotiated or
the heirs or legal representatives of such party, may request a replacement
warrant. In the case of a warrant issued to a payee who dies before the
warrant is paid by the State Treasurer and whose estate has been probated
pursuant to law, the Comptroller, upon receipt of a certified copy of a judicial
order establishing the person or entity entitled to payment, may issue a
replacement warrant to such person or entity.

(c) Within 12 months from the date of issuance of the original
warrant, if the original warrant has not been canceled for redeposit, the
Comptroller may issue a replacement warrant on the original voucher
drawing upon the same fund and charging the same appropriation or other
expenditure authorization as the original warrant.

(d) Within 12 months from the date of issuance of the original
warrant, if the original warrant has been canceled for redeposit, and if the

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issuance of the replacement warrant would not over-obligate the appropriation or other expenditure authority against which it is drawn, the Comptroller may issue the replacement warrant. If the original warrant was issued against an appropriation or other expenditure authority which has lapsed, the replacement warrant shall be drawn on the Warrant Escheat Fund. If the appropriation or other obligational authority against which the replacement warrant is drawn has not lapsed, the Comptroller shall notify the originating agency of the request for a replacement warrant and shall receive a replacement voucher from that agency before drawing the replacement warrant, which shall be drawn on the same fund and charged to the same appropriation or other expenditure authority as the original warrant.

(e) Within 12 months from the date of issuance of the original warrant, if the original warrant has been canceled for redeposit, the Comptroller may not issue a replacement warrant where such issuance would over-obligate the appropriation or other expenditure authority against which the original warrant was drawn. Whenever the Comptroller is presented with a request for a replacement warrant which may not be issued under the limitation of this subsection, if the appropriation or other expenditure authority against which the original warrant was drawn has not lapsed, the Comptroller shall immediately inform the originating agency of the request and that the request may not be honored because of the resulting over-obligation, and shall request the agency to determine whether or not that agency will take some corrective action before the applicable expenditure authorization lapses. The originating agency shall respond to the Comptroller's inquiry within 5 business days.

(f) After 12 months from the date of issuance of the original warrant, if the original warrant has not been cancelled for redeposit, the Comptroller shall issue the replacement warrant on the Warrant Escheat Fund.

(f-5) After 5 years from the date of issuance of the original warrant but no later than 10 years after that date, the Comptroller may issue a replacement warrant on the Warrant Escheat Fund to a person or entity entitled thereto, as those persons and entities are described in subsection (b) of this Section, if the following requirements are met:

1. the person or entity verifies that they are entitled to the original warrant;
2. in the case of a warrant that is not presented by the requestor, the paying agency certifies that the original payee is still entitled to the payment; and
3. the Comptroller's records are available and confirm that
the warrant was not replaced.

(g) Except as provided in this Section, requests for replacement warrants for more than $500 shall show entitlement to such warrant by including an affidavit, in writing, sworn before a person authorized to administer oaths and affirmations, stating the loss or destruction of the warrant, or the fact that the warrant is void. However, when the written request for a replacement warrant submitted by the person to whom the original warrant was issued is accompanied by the original warrant, no affidavit is required. Requests for replacement warrants for $500 or less shall show entitlement to such warrant by submitting a written statement of the loss or destruction of the warrant, or the fact that the warrant is void on an application form prescribed by the Comptroller. If the person requesting the replacement is in possession of the original warrant, or any part thereof, the original warrant or the part thereof must accompany the request for replacement. The Comptroller shall then draw such replacement warrant, and the treasurer shall pay the replacement warrant. If at the time of a loss or destruction a warrant was negotiated to a third party, however (which fact shall be ascertained by the oath of the party making the application, or otherwise), before the replacement warrant is drawn by the Comptroller, the person requesting the replacement warrant must give the Comptroller a bond or bonds with sufficient sureties, to be approved by the Comptroller, when required by regulation of the Comptroller, payable to the People of the State of Illinois, for the refunding of the amount, together with all costs and charges, should the State afterwards be compelled to pay the original warrant.

(Source: P.A. 98-411, eff. 8-16-13; revised 11-14-13.)

Section 55. The Illinois Act on the Aging is amended by changing Section 4.01 as follows:

(20 ILCS 105/4.01) (from Ch. 23, par. 6104.01)

Sec. 4.01. Additional powers and duties of the Department. In addition to powers and duties otherwise provided by law, the Department shall have the following powers and duties:

(1) To evaluate all programs, services, and facilities for the aged and for minority senior citizens within the State and determine the extent to which present public or private programs, services and facilities meet the needs of the aged.

(2) To coordinate and evaluate all programs, services, and facilities for the Aging and for minority senior citizens presently furnished by State agencies and make appropriate recommendations regarding such services, programs and facilities to the Governor and/or the General Assembly.

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(2-a) To request, receive, and share information electronically through the use of data-sharing agreements for the purpose of (i) establishing and verifying the initial and continuing eligibility of older adults to participate in programs administered by the Department; (ii) maximizing federal financial participation in State assistance expenditures; and (iii) investigating allegations of fraud or other abuse of publicly funded benefits. Notwithstanding any other law to the contrary, but only for the limited purposes identified in the preceding sentence, this paragraph (2-a) expressly authorizes the exchanges of income, identification, and other pertinent eligibility information by and among the Department and the Social Security Administration, the Department of Employment Security, the Department of Healthcare and Family Services, the Department of Revenue, the Secretary of State, the U.S. Department of Veterans Affairs, and any other governmental entity. The confidentiality of information otherwise shall be maintained as required by law. In addition, the Department on Aging shall verify employment information at the request of a community care provider for the purpose of ensuring program integrity under the Community Care Program.

(3) To function as the sole State agency to develop a comprehensive plan to meet the needs of the State's senior citizens and the State's minority senior citizens.

(4) To receive and disburse State and federal funds made available directly to the Department including those funds made available under the Older Americans Act and the Senior Community Service Employment Program for providing services for senior citizens and minority senior citizens or for purposes related thereto, and shall develop and administer any State Plan for the Aging required by federal law.

(5) To solicit, accept, hold, and administer in behalf of the State any grants or legacies of money, securities, or property to the State of Illinois for services to senior citizens and minority senior citizens or purposes related thereto.

(6) To provide consultation and assistance to communities, area agencies on aging, and groups developing local services for senior citizens and minority senior citizens.

(7) To promote community education regarding the problems of senior citizens and minority senior citizens through institutes, publications, radio, television and the local press.

(8) To cooperate with agencies of the federal government in studies and conferences designed to examine the needs of senior citizens and
minority senior citizens and to prepare programs and facilities to meet those needs.

(9) To establish and maintain information and referral sources throughout the State when not provided by other agencies.

(10) To provide the staff support that may reasonably be required by the Council.

(11) To make and enforce rules and regulations necessary and proper to the performance of its duties.

(12) To establish and fund programs or projects or experimental facilities that are specially designed as alternatives to institutional care.

(13) To develop a training program to train the counselors presently employed by the Department's aging network to provide Medicare beneficiaries with counseling and advocacy in Medicare, private health insurance, and related health care coverage plans. The Department shall report to the General Assembly on the implementation of the training program on or before December 1, 1986.

(14) To make a grant to an institution of higher learning to study the feasibility of establishing and implementing an affirmative action employment plan for the recruitment, hiring, training and retraining of persons 60 or more years old for jobs for which their employment would not be precluded by law.

(15) To present one award annually in each of the categories of community service, education, the performance and graphic arts, and the labor force to outstanding Illinois senior citizens and minority senior citizens in recognition of their individual contributions to either community service, education, the performance and graphic arts, or the labor force. The awards shall be presented to 4 senior citizens and minority senior citizens selected from a list of 44 nominees compiled annually by the Department. Nominations shall be solicited from senior citizens' service providers, area agencies on aging, senior citizens' centers, and senior citizens' organizations. The Department shall establish a central location within the State to be designated as the Senior Illinoisans Hall of Fame for the public display of all the annual awards, or replicas thereof.

(16) To establish multipurpose senior centers through area agencies on aging and to fund those new and existing multipurpose senior centers through area agencies on aging, the establishment and funding to begin in such areas of the State as the Department shall designate by rule and as specifically appropriated funds become available.

(17) To develop the content and format of the acknowledgment

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regarding non-recourse reverse mortgage loans under Section 6.1 of the Illinois Banking Act; to provide independent consumer information on reverse mortgages and alternatives; and to refer consumers to independent counseling services with expertise in reverse mortgages.

(18) To develop a pamphlet in English and Spanish which may be used by physicians licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, pharmacists licensed pursuant to the Pharmacy Practice Act, and Illinois residents 65 years of age or older for the purpose of assisting physicians, pharmacists, and patients in monitoring prescriptions provided by various physicians and to aid persons 65 years of age or older in complying with directions for proper use of pharmaceutical prescriptions. The pamphlet may provide space for recording information including but not limited to the following:
   (a) name and telephone number of the patient;
   (b) name and telephone number of the prescribing physician;
   (c) date of prescription;
   (d) name of drug prescribed;
   (e) directions for patient compliance; and
   (f) name and telephone number of dispensing pharmacy.

In developing the pamphlet, the Department shall consult with the Illinois State Medical Society, the Center for Minority Health Services, the Illinois Pharmacists Association and senior citizens organizations. The Department shall distribute the pamphlets to physicians, pharmacists and persons 65 years of age or older or various senior citizen organizations throughout the State.

(19) To conduct a study of the feasibility of implementing the Senior Companion Program throughout the State.

(20) The reimbursement rates paid through the community care program for chore housekeeping services and home care aides shall be the same.

(21) From funds appropriated to the Department from the Meals on Wheels Fund, a special fund in the State treasury that is hereby created, and in accordance with State and federal guidelines and the intrastate funding formula, to make grants to area agencies on aging, designated by the Department, for the sole purpose of delivering meals to homebound persons 60 years of age and older.

(22) To distribute, through its area agencies on aging, information alerting seniors on safety issues regarding emergency weather conditions, including extreme heat and cold, flooding, tornadoes, electrical storms, and

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other severe storm weather. The information shall include all necessary instructions for safety and all emergency telephone numbers of organizations that will provide additional information and assistance.

(23) To develop guidelines for the organization and implementation of Volunteer Services Credit Programs to be administered by Area Agencies on Aging or community based senior service organizations. The Department shall hold public hearings on the proposed guidelines for public comment, suggestion, and determination of public interest. The guidelines shall be based on the findings of other states and of community organizations in Illinois that are currently operating volunteer services credit programs or demonstration volunteer services credit programs. The Department shall offer guidelines for all aspects of the programs including, but not limited to, the following:

(a) types of services to be offered by volunteers;
(b) types of services to be received upon the redemption of service credits;
(c) issues of liability for the volunteers and the administering organizations;
(d) methods of tracking service credits earned and service credits redeemed;
(e) issues of time limits for redemption of service credits;
(f) methods of recruitment of volunteers;
(g) utilization of community volunteers, community service groups, and other resources for delivering services to be received by service credit program clients;
(h) accountability and assurance that services will be available to individuals who have earned service credits; and
(i) volunteer screening and qualifications.

The Department shall submit a written copy of the guidelines to the General Assembly by July 1, 1998.

(24) To function as the sole State agency to receive and disburse State and federal funds for providing adult protective services in a domestic living situation in accordance with the Adult Protective Services Act.

(25) (24) To hold conferences, trainings, and other programs for which the Department shall determine by rule a reasonable fee to cover related administrative costs. Rules to implement the fee authority granted by this paragraph (25) (24) must be adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted,

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for whatever reason, is unauthorized.
(Source: P.A. 98-8, eff. 5-3-13; 98-49, eff. 7-1-13; 98-380, eff. 8-16-13; revised 9-4-13.)

Section 60. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Sections 405-120 and 405-335 as follows:

(20 ILCS 405/405-120) (was 20 ILCS 405/67.29)

Sec. 405-120. Hispanic, Asian-American, and bilingual employees. The Department shall develop and implement plans to increase the number of Hispanics employed by State government and the number of bilingual persons employed in State government at supervisory, technical, professional, and managerial levels.

The Department shall prepare and revise annually a State Hispanic Employment Plan and a State Asian-American Employment Plan in consultation with individuals and organizations informed on these subjects, including the Hispanic Employment Plan Advisory Council and the Asian-American Employment Plan Advisory Council. The Department shall report to the General Assembly by February 1 of each year each State agency's activities in implementing the State Hispanic Employment Plan and the State Asian-American Employment Plan.
(Source: P.A. 97-856, eff. 7-27-12; 98-329, eff. 1-1-14; revised 10-8-13.)

(20 ILCS 405/405-335)

Sec. 405-335. Illinois Transparency and Accountability Portal (ITAP).

(a) The Department, within 12 months after the effective date of this amendatory Act of the 96th General Assembly, shall establish and maintain a website, known as the Illinois Transparency and Accountability Portal (ITAP), with a full-time webmaster tasked with compiling and updating the ITAP database with information received from all State agencies as defined in this Section. Subject to appropriation, the full-time webmaster must also compile and update the ITAP database with information received from all counties, townships, library districts, and municipalities.

(b) For purposes of this Section:

"State agency" means the offices of the constitutional officers identified in Article V of the Illinois Constitution, executive agencies, and departments, boards, commissions, and Authorities under the Governor.

"Contracts" means payment obligations with vendors on file with the Office of the Comptroller to purchase goods and services exceeding $10,000 in value (or, in the case of professional or artistic services, exceeding $5,000 in value).

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"Appropriation" means line-item detail of spending approved by the General Assembly and Governor, categorized by object of expenditure. "Individual consultants" means temporary workers eligible to receive State benefits paid on a State payroll. "Recipients" means State agencies receiving appropriations.

(c) The ITAP shall provide direct access to each of the following:

1. A database of all current State employees and individual consultants, except sworn law enforcement officers, sorted separately by:
   
   i. Name.
   ii. Employing State agency.
   iii. Employing State division.
   v. Current pay rate and year-to-date pay.

2. A database of all current State expenditures, sorted separately by agency, category, recipient, and Representative District.

3. A database of all development assistance reportable pursuant to the Corporate Accountability for Tax Expenditures Act, sorted separately by tax credit category, taxpayer, and Representative District.

4. A database of all revocations and suspensions of State occupation and use tax certificates of registration and all revocations and suspensions of State professional licenses, sorted separately by name, geographic location, and certificate of registration number or license number, as applicable. Professional license revocations and suspensions shall be posted only if resulting from a failure to pay taxes, license fees, or child support.

5. A database of all current State contracts, sorted separately by contractor name, awarding officer or agency, contract value, and goods or services provided.

6. A database of all employees hired after the effective date of this amendatory Act of 2010, sorted searchably by each of the following at the time of employment:
   
   i. Name.
   ii. Employing State agency.
   iii. Employing State division.
   v. Current pay rate and year-to-date pay.
   vi. County of employment location.

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(vii) Rutan status.
(viii) Status of position as subject to collective bargaining, subject to merit compensation, or exempt under Section 4d of the Personnel Code.
(ix) Employment status as probationary, trainee, intern, certified, or exempt from certification.
(x) Status as a military veteran.
(7) A searchable database of all current county, township, library district, and municipal employees sorted separately by:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.
(8) A searchable database of all county, township, and municipal employees hired on or after the effective date of this amendatory Act of the 97th General Assembly, sorted separately by each of the following at the time of employment:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.
(9) A searchable database of all library district employees hired on or after August 9, 2013 (the effective date of Public Act 98-246) this amendatory Act of the 98th General Assembly, sorted separately by each of the following at the time of employment:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.
(d) The ITAP shall include all information required to be published by subsection (c) of this Section that is available to the Department in a format the Department can compile and publish on the ITAP. The Department shall update the ITAP as additional information becomes available in a format that can be compiled and published on the ITAP by the Department.
(e) Each State agency, county, township, library district, and municipality shall cooperate with the Department in furnishing the information necessary for the implementation of this Section within a timeframe specified by the Department.
(f) Each county, township, library district, or municipality submitting information to be displayed on the Illinois Transparency and Accountability Portal (ITAP) is responsible for the accuracy of the information provided.

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(g) The Department, within 6 months after January 1, 2014 (the effective date of Public Act 98-283) this amendatory Act of the 98th General Assembly, shall distribute a spreadsheet or otherwise make data entry available to each State agency to facilitate the collection of data on the State's annual workforce characteristics, workforce compensation, and employee mobility. The Department shall determine the data to be collected by each State agency. Each State agency shall cooperate with the Department in furnishing the data necessary for the implementation of this subsection within the timeframe specified by the Department. The Department shall publish the data received from each State agency on the ITAP or another open data site annually.

(Source: P.A. 97-744, eff. 1-1-13; 98-246, eff. 8-9-13; 98-283, eff. 1-1-14; revised 9-4-13.)

Section 65. The Children and Family Services Act is amended by changing Section 5 as follows:

(20 ILCS 505/5) (from Ch. 23, par. 5005)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

   (A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987, as amended, prior to the age of 18 and who continue under the jurisdiction of the court; or

   (B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following

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purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent or neglected children;

(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible or appropriate;

(F) assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of this Section so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

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(i) who are in a foster home, or
(ii) who are persons with a developmental
disability, as defined in the Mental Health and
Developmental Disabilities Code, or
(iii) who are female children who are pregnant,
pregnant and parenting or parenting, or
(iv) who are siblings, in facilities that provide
separate living quarters for children 18 years of age
and older and for children under 18 years of age.

(b) Nothing in this Section shall be construed to authorize the
expenditure of public funds for the purpose of performing abortions.

(c) The Department shall establish and maintain tax-supported child
welfare services and extend and seek to improve voluntary services
throughout the State, to the end that services and care shall be available on
an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new
program initiative to any agency contracting with the Department. As a
prerequisite for an advance disbursement, the contractor must post a surety
bond in the amount of the advance disbursement and have a purchase of
service contract approved by the Department. The Department may pay up to
2 months operational expenses in advance. The amount of the advance
disbursement shall be prorated over the life of the contract or the remaining
months of the fiscal year, whichever is less, and the installment amount shall
then be deducted from future bills. Advance disbursement authorizations for
new initiatives shall not be made to any agency after that agency has operated
during 2 consecutive fiscal years. The requirements of this Section
concerning advance disbursements shall not apply with respect to the
following: payments to local public agencies for child day care services as
authorized by Section 5a of this Act; and youth service programs receiving
grant funds under Section 17a-4.

(e) (Blank).
(f) (Blank).

(g) The Department shall establish rules and regulations concerning
its operation of programs designed to meet the goals of child safety and
protection, family preservation, family reunification, and adoption, including
but not limited to:

(1) adoption;
(2) foster care;
(3) family counseling;

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(4) protective services;
(5) (blank);
(6) homemaker service;
(7) return of runaway children;
(8) (blank);
(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and
(10) interstate services.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in alcohol and drug abuse screening techniques approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred to an alcohol and drug abuse treatment program for professional evaluation.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a ward and that no licensed private facility has an adequate and appropriate program or none agrees to accept the ward, the Department shall create an appropriate individualized, program-oriented plan for such ward. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:
(1) case management;
(2) homemakers;
(3) counseling;
(4) parent education;
(5) day care; and
(6) emergency assistance and advocacy.

In addition, the following services may be made available to assess and meet the needs of children and families:
(1) comprehensive family-based services;
(2) assessments;
(3) respite care; and
(4) in-home health services.

The Department shall provide transportation for any of the services...
it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt physically or mentally handicapped, older and other hard-to-place children who (i) immediately prior to their adoption were legal wards of the Department or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 for children who were wards of the Department for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child. Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation

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services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and his family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and his family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child

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who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. A minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency.

As soon as is possible after August 7, 2009 (the effective date of Public Act 96-134), the Department shall develop and implement a special program of family preservation services to support intact, foster, and adoptive families who are experiencing extreme hardships due to the difficulty and stress of caring for a child who has been diagnosed with a pervasive developmental disorder if the Department determines that those services are necessary to ensure the health and safety of the child. The Department may offer services to any family whether or not a report has been filed under the Abused and Neglected Child Reporting Act. The Department may refer the child or family to services available from other agencies in the community if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of these services shall be voluntary. The Department shall develop and implement a public information campaign to alert health and social service providers and the general public about these special family preservation services. The nature and scope of the services offered and the number of families served under the special program implemented under this paragraph shall be determined by the level of funding that the Department annually allocates for this purpose. The term "pervasive developmental disorder" under this paragraph means a neurological condition, including but not limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

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The legislature recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practically possible. To achieve this goal, the legislature directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

1. the likelihood of prompt reunification;
2. the past history of the family;
3. the barriers to reunification being addressed by the family;
4. the level of cooperation of the family;
5. the foster parents' willingness to work with the family to reunite;
6. the willingness and ability of the foster family to provide
an adoptive home or long-term placement;
(7) the age of the child;
(8) placement of siblings.

(m) The Department may assume temporary custody of any child if:

(1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or

(2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in his or her residence without a parent, guardian, custodian or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian or custodian of a child in the temporary custody of the Department who would have custody of the child if he were not in the

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temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10 day period, the child shall be surrendered to the custody of the requesting parent, guardian or custodian not later than the expiration of the 10 day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a ward who was placed under the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the

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placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, garnishment or otherwise.

(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide. The Department shall adopt regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Children who are wards of the Department and are placed by private child welfare agencies, and foster families with whom those children are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall insure that any private child welfare agency, which accepts wards of the Department for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family
concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner. A court determination that a current foster home placement is necessary and appropriate under Section 2-28 of the Juvenile Court Act of 1987 does not constitute a judicial determination on the merits of an administrative appeal, filed by a former foster parent, involving a change of placement decision.

(p) There is hereby created the Department of Children and Family Services Emergency Assistance Fund from which the Department may provide special financial assistance to families which are in economic crisis when such assistance is not available through other public or private sources and the assistance is deemed necessary to prevent dissolution of the family unit or to reunite families which have been separated due to child abuse and neglect. The Department shall establish administrative rules specifying the criteria for determining eligibility for and the amount and nature of assistance to be provided. The Department may also enter into written agreements with private and public social service agencies to provide emergency financial services to families referred by the Department. Special financial assistance payments shall be available to a family no more than once during each fiscal year and the total payments to a family may not exceed $500 during a fiscal year.

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

(1) Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all

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circumstances, the Department's "Guardianship Administrator" or his or her designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of $13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of $13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or his or her guardian, or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place or handicapped child and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and Family Services for damages sustained by the foster parents as a result of the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for

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such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

1. an order entered by an Illinois court specifically directs the Department to perform such services; and
2. the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents or in a licensed foster home, group home, child care institution, or in a relative home, the Department shall provide to the prospective adoptive parent or parents or other caretaker:

1. available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;
2. a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and
3. information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home. The Department may prepare a written summary of the information

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required by this paragraph, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the prospective adoptive parent or parents or other caretaker a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the prospective adoptive parent or parents or other caretaker. The information provided to the prospective adoptive parent or parents or other caretaker shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family home may continue to receive foster care payments only until the Department determines that they may be licensed as a foster family home or that their application for licensure is denied or until September 30, 1995, whichever occurs first.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Department of State Police Law (20 ILCS 2605/2605-355) if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Department of State Police's central criminal history.
data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Department of State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Department of State Police relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child, the Department shall conduct a criminal records background check of the prospective foster or adoptive parent, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child, the Department shall check its child abuse and neglect registry for information concerning prospective foster and adoptive parents, and any adult living in the home. If any prospective foster or adoptive parent or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry.

(w) Within 120 days of August 20, 1995 (the effective date of Public Act 89-392), the Department shall prepare and submit to the Governor and the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic distribution of these facilities in Illinois; and a proposed timetable for development of such facilities.

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(x) The Department shall conduct annual credit history checks to determine the financial history of children placed under its guardianship pursuant to the Juvenile Court Act of 1987. The Department shall conduct such credit checks starting when a ward turns 12 years old and each year thereafter for the duration of the guardianship as terminated pursuant to the Juvenile Court Act of 1987. The Department shall determine if financial exploitation of the child's personal information has occurred. If financial exploitation appears to have taken place or is presently ongoing, the Department shall notify the proper law enforcement agency, the proper State's Attorney, or the Attorney General.

(y) Beginning on the effective date of this amendatory Act of the 96th General Assembly, a child with a disability who receives residential and educational services from the Department shall be eligible to receive transition services in accordance with Article 14 of the School Code from the age of 14.5 through age 21, inclusive, notwithstanding the child's residential services arrangement. For purposes of this subsection, "child with a disability" means a child with a disability as defined by the federal Individuals with Disabilities Education Improvement Act of 2004.

(z) The Department shall access criminal history record information as defined as "background information" in this subsection and criminal history record information as defined in the Illinois Uniform Conviction Information Act for each Department employee or Department applicant. Each Department employee or Department applicant shall submit his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and the Federal Bureau of Investigation criminal history records databases. The Department of State Police shall charge a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. The Department of State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the Department of Children and Family Services. For purposes of this subsection:

"Background information" means all of the following:

(i) Upon the request of the Department of Children and Family Services, conviction information obtained from the Department of State Police as a result of a fingerprint-based criminal history records check of the Illinois criminal history records database

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and the Federal Bureau of Investigation criminal history records database concerning a Department employee or Department applicant.

(ii) Information obtained by the Department of Children and Family Services after performing a check of the Department of State Police's Sex Offender Database, as authorized by Section 120 of the Sex Offender Community Notification Law, concerning a Department employee or Department applicant.

(iii) Information obtained by the Department of Children and Family Services after performing a check of the Child Abuse and Neglect Tracking System (CANTS) operated and maintained by the Department.

"Department employee" means a full-time or temporary employee coded or certified within the State of Illinois Personnel System.

"Department applicant" means an individual who has conditional Department full-time or part-time work, a contractor, an individual used to replace or supplement staff, an academic intern, a volunteer in Department offices or on Department contracts, a work-study student, an individual or entity licensed by the Department, or an unlicensed service provider who works as a condition of a contract or an agreement and whose work may bring the unlicensed service provider into contact with Department clients or client records.

(Source: P.A. 97-1150, eff. 1-25-13; 98-249, eff. 1-1-14; 98-570, eff. 8-27-13; revised 9-4-13.)

Section 70. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Sections 605-300 and 605-320 as follows:

Sec. 605-300. Economic and business development plans; Illinois Business Development Council.

(a) Economic development plans. The Department shall develop a strategic economic development plan for the State by July 1, 2014. By no later than July 1, 2015, and by July 1 annually thereafter, the Department shall make modifications to the plan as modifications are warranted by changes in economic conditions or by other factors, including changes in policy. In addition to the annual modification, the plan shall be reviewed and redeveloped in full every 5 years. In the development of the annual economic development plan, the Department shall consult with representatives of the private sector, other State agencies, academic institutions, local economic development organizations, local governments, and not-for-profit

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organizations. The annual economic development plan shall set specific, measurable, attainable, relevant, and time-sensitive goals and shall include a focus on areas of high unemployment or poverty.

The term "economic development" shall be construed broadly by the Department and may include, but is not limited to, job creation, job retention, tax base enhancements, development of human capital, workforce productivity, critical infrastructure, regional competitiveness, social inclusion, standard of living, environmental sustainability, energy independence, quality of life, the effective use of financial incentives, the utilization of public-private partnerships where appropriate, and other metrics determined by the Department.

The plan shall be based on relevant economic data, focus on economic development as prescribed by this Section, and emphasize strategies to retain and create jobs.

The plan shall identify and develop specific strategies for utilizing the assets of regions within the State defined as counties and municipalities or other political subdivisions in close geographical proximity that share common economic traits such as commuting zones, labor market areas, or other economically integrated characteristics.

If the plan includes strategies that have a fiscal impact on the Department or any other agency, the plan shall include a detailed description of the estimated fiscal impact of such strategies.

Prior to publishing the plan in its final form, the Department shall allow for a reasonable time for public input.

The Department shall transmit copies of the economic development plan to the Governor and the General Assembly no later than July 1, 2014, and by July 1 annually thereafter. The plan and its corresponding modifications shall be published and made available to the public in both paper and electronic media, on the Department's website, and by any other method that the Department deems appropriate.

The Department shall annually submit legislation to implement the strategic economic development plan or modifications to the strategic economic development plan to the Governor, the President and Minority Leader of the Senate, and the Speaker and the Minority Leader of the House of Representatives. The legislation shall be in the form of one or more substantive bills drafted by the Legislative Reference Bureau.

(b) Business development plans; Illinois Business Development Council.

(1) There is created the Illinois Business Development Council.

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Council, hereinafter referred to as the Council. The Council shall consist of the Director, who shall serve as co-chairperson, and 12 voting members who shall be appointed by the Governor with the advice and consent of the Senate.

(A) The voting members of the Council shall include one representative from each of the following businesses and groups: small business, coal, healthcare, large manufacturing, small or specialized manufacturing, agriculture, high technology or applied science, local economic development entities, private sector organized labor, a local or state business association or chamber of commerce.

(B) There shall be 2 at-large voting members who reside within areas of high unemployment within counties or municipalities that have had an annual average unemployment rate of at least 120% of the State's annual average unemployment rate as reported by the Department of Employment Security for the 5 years preceding the date of appointment.

(2) All appointments shall be made in a geographically diverse manner.

(3) For the initial appointments to the Council, 6 voting members shall be appointed to serve a 2-year term and 6 voting members shall be appointed to serve a 4-year term. Thereafter, all appointments shall be for terms of 4 years. The initial term of voting members shall commence on the first Wednesday in February 2014. Thereafter, the terms of voting members shall commence on the first Wednesday in February, except in the case of an appointment to fill a vacancy. Vacancies occurring among the members shall be filled in the same manner as the original appointment for the remainder of the unexpired term. For a vacancy occurring when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill the office, and, upon confirmation by the Senate, he or she shall hold office during the remainder of the term. A vacancy in membership does not impair the ability of a quorum to exercise all rights and perform all duties of the Council. A member is eligible for reappointment.

(4) Members shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of new matter indicated by italics - deletions by strikeout
their duties from funds appropriated for that purpose.

(5) In addition, the following shall serve as ex officio, non-voting members of the Council in order to provide specialized advice and support to the Council: the Secretary of Transportation, or his or her designee; the Director of Employment Security, or his or her designee; the Executive Director of the Illinois Finance Authority, or his or her designee; the Director of Agriculture, or his or her designee; the Director of Revenue, or his or her designee; the Director of Labor, or his or her designee; and the Director of the Environmental Protection Agency, or his or her designee. Ex officio members shall provide staff and technical assistance to the Council when appropriate.

(6) In addition to the Director, the voting members shall elect a co-chairperson.

(7) The Council shall meet at least twice annually and at such other times as the co-chairpersons or any 5 voting members consider necessary. Seven voting members shall constitute a quorum of the Council.

(8) The Department shall provide staff assistance to the Council.

(9) The Council shall provide the Department relevant information in a timely manner pursuant to its duties as enumerated in this Section that can be used by the Department to enhance the State's strategic economic development plan.

(10) The Council shall:

(A) Develop an overall strategic business development plan for the State of Illinois and update the plan at least annually.

(B) Develop business marketing plans for the State of Illinois to effectively solicit new company investment and existing business expansion. Insofar as allowed under the Illinois Procurement Code, and subject to appropriations made by the General Assembly for such purposes, the Council may assist the Department in the procurement of outside vendors to carry out such marketing plans.

(C) Seek input from local economic development officials to develop specific strategies to effectively link State and local business development and marketing efforts focusing on areas of high unemployment or poverty.

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(D) Provide the Department with advice on strategic business development and business marketing for the State of Illinois.

(E) Provide the Department research and recommend best practices for developing investment tools for business attraction and retention.

(Source: P.A. 98-397, eff. 8-16-13; revised 10-8-13.)

Sec. 605-320. Encouragement of existing industries. To encourage the growth and expansion of industries now existing within the State by providing comprehensive business services and promoting interdepartmental cooperation for assistance to industries.

As a condition of any financial incentives provided by the Department in the form of (1) tax credits and tax exemptions (other than given under tax increment financing) given as an incentive to a recipient business organization pursuant to an initial certification or an initial designation made by the Department under the Economic Development for a Growing Economy Tax Credit Act, the River Edge Redevelopment Zone Act, and the Illinois Enterprise Zone Act, including the High Impact Business program, (2) grants or loans given to a recipient as an incentive to a business organization pursuant to the River Edge Redevelopment Zone Act, the Large Business Development Program, the Business Development Public Infrastructure Program, or the Industrial Training Program, the Department shall require the recipient of such financial incentives to report at least quarterly the number of jobs to be created or retained, or both created and retained, by the recipient as a result of the financial incentives, including the number of full-time, permanent jobs, the number of part-time jobs, and the number of temporary jobs. Further, the recipient of such financial incentives shall provide the Department at least annually a detailed list of the occupation or job classifications and number of new employees or retained employees to be hired in full-time, permanent jobs, a schedule of anticipated starting dates of the new hires and the actual average wage by occupation or job classification and total payroll to be created as a result of the financial incentives.

(Source: P.A. 98-397, eff. 8-16-13; revised 10-8-13.)

Section 75. The Lake Michigan Wind Energy Act is amended by changing Section 20 as follows:

Sec. 20. Offshore Wind Energy Economic Development Policy Task

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Force.

(a) The Governor shall convene an Offshore Wind Energy Economic Development Policy Task Force, to be chaired by the Director of Commerce and Economic Opportunity, or his or her designee, to analyze and evaluate policy and economic options to facilitate the development of offshore wind energy, and to propose an appropriate Illinois mechanism for purchasing and selling power from possible offshore wind energy projects. The Task Force shall examine mechanisms used in other states and jurisdictions, including, without limitation, feed-in tariffs, renewable energy certificates, renewable energy certificate carve-outs, power purchase agreements, and pilot projects. The Task Force shall report its findings and recommendations to the Governor and General Assembly by December 31, 2013.

(b) The Director of the Illinois Power Agency (or his or her designee), the Executive Director of the Illinois Commerce Commission (or his or her designee), the Director of Natural Resources (or his or her designee), and the Attorney General (or his or her designee) shall serve as ex officio members of the Task Force.

(c) The Governor shall appoint the following public members to serve on the Task Force:

(1) one individual from an institution of higher education in Illinois representing the discipline of economics with experience in the study of renewable energy;
(2) one individual representing an energy industry with experience in renewable energy markets;
(3) one individual representing a Statewide consumer or electric ratepayer organization;
(4) one individual representing the offshore wind energy industry;
(5) one individual representing the wind energy supply chain industry;
(6) one individual representing an Illinois electrical cooperative, municipal electrical utility, or association of such cooperatives or utilities;
(7) one individual representing an Illinois industrial union involved in the construction, maintenance, or transportation of electrical generation, distribution, or transmission equipment or components;
(8) one individual representing an Illinois commercial or
industrial electrical consumer;
   (9) one individual representing an Illinois public education electrical consumer;
   (10) one individual representing an independent transmission company;
   (11) one individual from the Illinois legal community with experience in contracts, utility law, municipal law, and constitutional law;
   (12) one individual representing a Great Lakes regional organization with experience assessing or studying wind energy;
   (13) one individual representing a Statewide environmental organization;
   (14) one resident of the State representing an organization advocating for persons of low or limited incomes;
   (15) one individual representing Argonne National Laboratory; and
   (16) one individual representing a local community that has aggregated the purchase of electricity.
(d) The Governor may appoint additional public members to the Task Force.

(e) The Speaker of the House of Representatives, Minority Leader of the House of Representatives, Senate President, and Minority Leader of the Senate shall each appoint one member of the General Assembly to serve on the Task Force.

(f) Members of the Task Force shall serve without compensation.
(Source: P.A. 98-447, eff. 8-16-13; revised 10-7-13.)

Section 80. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 14 as follows:
(20 ILCS 1705/14) (from Ch. 91 1/2, par. 100-14)
Sec. 14. Chester Mental Health Center. To maintain and operate a facility for the care, custody, and treatment of persons with mental illness or habilitation of persons with developmental disabilities hereinafter designated, to be known as the Chester Mental Health Center.
   Within the Chester Mental Health Center there shall be confined the following classes of persons, whose history, in the opinion of the Department, discloses dangerous or violent tendencies and who, upon examination under the direction of the Department, have been found a fit subject for confinement in that facility:
   (a) Any male person who is charged with the commission of

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a crime but has been acquitted by reason of insanity as provided in
Section 5-2-4 of the Unified Code of Corrections.

(b) Any male person who is charged with the commission of
a crime but has been found unfit under Article 104 of the Code of
Criminal Procedure of 1963.

(c) Any male person with mental illness or developmental
disabilities or person in need of mental treatment now confined under
the supervision of the Department or hereafter admitted to any facility
thereof or committed thereto by any court of competent jurisdiction.

If and when it shall appear to the facility director of the Chester
Mental Health Center that it is necessary to confine persons in order to
maintain security or provide for the protection and safety of recipients and
staff, the Chester Mental Health Center may confine all persons on a unit to
their rooms. This period of confinement shall not exceed 10 hours in a 24
hour period, including the recipient's scheduled hours of sleep, unless
approved by the Secretary of the Department. During the period of
confinement, the persons confined shall be observed at least every 15
minutes. A record shall be kept of the observations. This confinement shall
not be considered seclusion as defined in the Mental Health and
Developmental Disabilities Code.

The facility director of the Chester Mental Health Center may
authorize the temporary use of handcuffs on a recipient for a period not to
exceed 10 minutes when necessary in the course of transport of the recipient
within the facility to maintain custody or security. Use of handcuffs is subject
to the provisions of Section 2-108 of the Mental Health and Developmental
Disabilities Code. The facility shall keep a monthly record listing each
instance in which handcuffs are used, circumstances indicating the need for
use of handcuffs, and time of application of handcuffs and time of release
therefrom. The facility director shall allow the Illinois Guardianship and
Advocacy Commission, the agency designated by the Governor under Section
1 of the Protection and Advocacy for Developmentally Disabled Persons Act,
and the Department to examine and copy such record upon request.

The facility director of the Chester Mental Health Center may
authorize the temporary use of transport devices on a civil recipient when
necessary in the course of transport of the civil recipient outside the facility
to maintain custody or security. The decision whether to use any transport
devices shall be reviewed and approved on an individualized basis by a
physician based upon a determination of the civil recipient's: (1) history of
violence, (2) history of violence during transports, (3) history of escapes and

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escape attempts, (4) history of trauma, (5) history of incidents of restraint or seclusion and use of involuntary medication, (6) current functioning level and medical status, and (7) prior experience during similar transports, and (8) the length, duration, and purpose of the transport. The least restrictive transport device consistent with the individual's need shall be used. Staff transporting the individual shall be trained in the use of the transport devices, recognizing and responding to a person in distress, and shall observe and monitor the individual while being transported. The facility shall keep a monthly record listing all transports, including those transports for which use of transport devices was not sought, those for which use of transport devices were sought but denied, and each instance in which transport devices are used, circumstances indicating the need for use of transport devices, time of application of transport devices, time of release from those devices, and any adverse events. The facility director shall allow the Illinois Guardianship and Advocacy Commission, the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act, and the Department to examine and copy the record upon request. This use of transport devices shall not be considered restraint as defined in the Mental Health and Developmental Disabilities Code. For the purpose of this Section "transport device" means ankle cuffs, handcuffs, waist chains or wrist-waist devices designed to restrict an individual's range of motion while being transported. These devices must be approved by the Division of Mental Health, used in accordance with the manufacturer's instructions, and used only by qualified staff members who have completed all training required to be eligible to transport patients and all other required training relating to the safe use and application of transport devices, including recognizing and responding to signs of distress in an individual whose movement is being restricted by a transport device.

If and when it shall appear to the satisfaction of the Department that any person confined in the Chester Mental Health Center is not or has ceased to be such a source of danger to the public as to require his subjection to the regimen of the center, the Department is hereby authorized to transfer such person to any State facility for treatment of persons with mental illness or habilitation of persons with developmental disabilities, as the nature of the individual case may require.

Subject to the provisions of this Section, the Department, except where otherwise provided by law, shall, with respect to the management, conduct and control of the Chester Mental Health Center and the discipline, custody and treatment of the persons confined therein, have and exercise the

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same rights and powers as are vested by law in the Department with respect to any and all of the State facilities for treatment of persons with mental illness or habilitation of persons with developmental disabilities, and the recipients thereof, and shall be subject to the same duties as are imposed by law upon the Department with respect to such facilities and the recipients thereof.

The Department may elect to place persons who have been ordered by the court to be detained under the Sexually Violent Persons Commitment Act in a distinct portion of the Chester Mental Health Center. The persons so placed shall be separated and shall not comingle with the recipients of the Chester Mental Health Center. The portion of Chester Mental Health Center that is used for the persons detained under the Sexually Violent Persons Commitment Act shall not be a part of the mental health facility for the enforcement and implementation of the Mental Health and Developmental Disabilities Code nor shall their care and treatment be subject to the provisions of the Mental Health and Developmental Disabilities Code. The changes added to this Section by this amendatory Act of the 98th General Assembly are inoperative on and after June 30, 2015.

(Source: P.A. 98-79, eff. 7-15-13; 98-356, eff. 8-16-13; revised 9-4-13.)

Section 85. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by changing Section 2105-15 as follows:

(20 ILCS 2105/2105-15)
Sec. 2105-15. General powers and duties.
(a) The Department has, subject to the provisions of the Civil Administrative Code of Illinois, the following powers and duties:

(1) To authorize examinations in English to ascertain the qualifications and fitness of applicants to exercise the profession, trade, or occupation for which the examination is held.

(2) To prescribe rules and regulations for a fair and wholly impartial method of examination of candidates to exercise the respective professions, trades, or occupations.

(3) To pass upon the qualifications of applicants for licenses, certificates, and authorities, whether by examination, by reciprocity, or by endorsement.

(4) To prescribe rules and regulations defining, for the respective professions, trades, and occupations, what shall constitute a school, college, or university, or department of a university, or other institution, reputable and in good standing, and to determine the

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reputability and good standing of a school, college, or university, or department of a university, or other institution, reputable and in good standing, by reference to a compliance with those rules and regulations; provided, that no school, college, or university, or department of a university, or other institution that refuses admittance to applicants solely on account of race, color, creed, sex, or national origin shall be considered reputable and in good standing.

(5) To conduct hearings on proceedings to revoke, suspend, refuse to renew, place on probationary status, or take other disciplinary action as authorized in any licensing Act administered by the Department with regard to licenses, certificates, or authorities of persons exercising the respective professions, trades, or occupations and to revoke, suspend, refuse to renew, place on probationary status, or take other disciplinary action as authorized in any licensing Act administered by the Department with regard to those licenses, certificates, or authorities. The Department shall issue a monthly disciplinary report. The Department shall deny any license or renewal authorized by the Civil Administrative Code of Illinois to any person who has defaulted on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State; however, the Department may issue a license or renewal if the aforementioned persons have established a satisfactory repayment record as determined by the Illinois Student Assistance Commission or other appropriate governmental agency of this State. Additionally, beginning June 1, 1996, any license issued by the Department may be suspended or revoked if the Department, after the opportunity for a hearing under the appropriate licensing Act, finds that the licensee has failed to make satisfactory repayment to the Illinois Student Assistance Commission for a delinquent or defaulted loan. For the purposes of this Section, "satisfactory repayment record" shall be defined by rule. The Department shall refuse to issue or renew a license to, or shall suspend or revoke a license of, any person who, after receiving notice, fails to comply with a subpoena or warrant relating to a paternity or child support proceeding. However, the Department may issue a license or renewal upon compliance with the subpoena or warrant.

The Department, without further process or hearings, shall revoke, suspend, or deny any license or renewal authorized by the Civil Administrative Code of Illinois to a person who is certified by
the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) as being more than 30 days delinquent in complying with a child support order or who is certified by a court as being in violation of the Non-Support Punishment Act for more than 60 days. The Department may, however, issue a license or renewal if the person has established a satisfactory repayment record as determined by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) or if the person is determined by the court to be in compliance with the Non-Support Punishment Act. The Department may implement this paragraph as added by Public Act 89-6 through the use of emergency rules in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For purposes of the Illinois Administrative Procedure Act, the adoption of rules to implement this paragraph shall be considered an emergency and necessary for the public interest, safety, and welfare.

(6) To transfer jurisdiction of any realty under the control of the Department to any other department of the State Government or to acquire or accept federal lands when the transfer, acquisition, or acceptance is advantageous to the State and is approved in writing by the Governor.

(7) To formulate rules and regulations necessary for the enforcement of any Act administered by the Department.

(8) To exchange with the Department of Healthcare and Family Services information that may be necessary for the enforcement of child support orders entered pursuant to the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support of Spouse and Children Act, the Non-Support Punishment Act, the Revised Uniform Reciprocal Enforcement of Support Act, the Uniform Interstate Family Support Act, or the Illinois Parentage Act of 1984. Notwithstanding any provisions in this Code to the contrary, the Department of Professional Regulation shall not be liable under any federal or State law to any person for any disclosure of information to the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) under this paragraph (8) or for any other action taken in good faith to comply with the requirements of this paragraph (8).

(9) To perform other duties prescribed by law.

(a-5) Except in cases involving default on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance New matter indicated by italics - deletions by strikeout
Commission or any governmental agency of this State or in cases involving delinquency in complying with a child support order or violation of the Non-Support Punishment Act, no person or entity whose license, certificate, or authority has been revoked as authorized in any licensing Act administered by the Department may apply for restoration of that license, certification, or authority until 3 years after the effective date of the revocation.

(b) The Department may, when a fee is payable to the Department for a wall certificate of registration provided by the Department of Central Management Services, require that portion of the payment for printing and distribution costs be made directly or through the Department to the Department of Central Management Services for deposit into the Paper and Printing Revolving Fund. The remainder shall be deposited into the General Revenue Fund.

(c) For the purpose of securing and preparing evidence, and for the purchase of controlled substances, professional services, and equipment necessary for enforcement activities, recoupment of investigative costs, and other activities directed at suppressing the misuse and abuse of controlled substances, including those activities set forth in Sections 504 and 508 of the Illinois Controlled Substances Act, the Director and agents appointed and authorized by the Director may expend sums from the Professional Regulation Evidence Fund that the Director deems necessary from the amounts appropriated for that purpose. Those sums may be advanced to the agent when the Director deems that procedure to be in the public interest. Sums for the purchase of controlled substances, professional services, and equipment necessary for enforcement activities and other activities as set forth in this Section shall be advanced to the agent who is to make the purchase from the Professional Regulation Evidence Fund on vouchers signed by the Director. The Director and those agents are authorized to maintain one or more commercial checking accounts with any State banking corporation or corporations organized under or subject to the Illinois Banking Act for the deposit and withdrawal of moneys to be used for the purposes set forth in this Section; provided, that no check may be written nor any withdrawal made from any such account except upon the written signatures of 2 persons designated by the Director to write those checks and make those withdrawals. Vouchers for those expenditures must be signed by the Director. All such expenditures shall be audited by the Director, and the audit shall be submitted to the Department of Central Management Services for approval.

(d) Whenever the Department is authorized or required by law to consider some aspect of criminal history record information for the purpose

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of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the Department of State Police Law (20 ILCS 2605/2605-400), the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files that is necessary to fulfill the request.

(e) The provisions of this Section do not apply to private business and vocational schools as defined by Section 15 of the Private Business and Vocational Schools Act of 2012.

(f) Beginning July 1, 1995, this Section does not apply to those professions, trades, and occupations licensed under the Real Estate License Act of 2000, nor does it apply to any permits, certificates, or other authorizations to do business provided for in the Land Sales Registration Act of 1989 or the Illinois Real Estate Time-Share Act.

(g) Notwithstanding anything that may appear in any individual licensing statute or administrative rule, the Department shall deny any license application or renewal authorized under any licensing Act administered by the Department to any person who has failed to file a return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirement of any such tax Act are satisfied; however, the Department may issue a license or renewal if the person has established a satisfactory repayment record as determined by the Illinois Department of Revenue. For the purpose of this Section, "satisfactory repayment record" shall be defined by rule.

In addition, a complaint filed with the Department by the Illinois Department of Revenue that includes a certification, signed by its Director or designee, attesting to the amount of the unpaid tax liability or the years for which a return was not filed, or both, is prima facie evidence of the licensee's failure to comply with the tax laws administered by the Illinois Department of Revenue. Upon receipt of that certification, the Department shall, without a hearing, immediately suspend all licenses held by the licensee. Enforcement of the Department's order shall be stayed for 60 days. The Department shall provide notice of the suspension to the licensee by mailing a copy of the Department's order by certified and regular mail to the licensee's last known address as registered with the Department. The notice shall advise the licensee that the suspension shall be effective 60 days after the issuance of the Department's order unless the Department receives, from the licensee, a request for a hearing before the Department to dispute the

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matters contained in the order.

Any suspension imposed under this subsection (g) shall be terminated by the Department upon notification from the Illinois Department of Revenue that the licensee is in compliance with all tax laws administered by the Illinois Department of Revenue.

The Department shall promulgate rules for the administration of this subsection (g).

(h) The Department may grant the title "Retired", to be used immediately adjacent to the title of a profession regulated by the Department, to eligible retirees. The use of the title "Retired" shall not constitute representation of current licensure, registration, or certification. Any person without an active license, registration, or certificate in a profession that requires licensure, registration, or certification shall not be permitted to practice that profession.

(i) Within 180 days after December 23, 2009 (the effective date of Public Act 96-852), the Department shall promulgate rules which permit a person with a criminal record, who seeks a license or certificate in an occupation for which a criminal record is not expressly a per se bar, to apply to the Department for a non-binding, advisory opinion to be provided by the Board or body with the authority to issue the license or certificate as to whether his or her criminal record would bar the individual from the licensure or certification sought, should the individual meet all other licensure requirements including, but not limited to, the successful completion of the relevant examinations.

(Source: P.A. 96-459, eff. 8-14-09; 96-852, eff. 12-23-09; 96-1000, eff. 7-2-10; 97-650, eff. 2-1-12; revised 9-9-13.)

Section 90. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by setting forth, renumbering, and changing multiple versions of Section 2310-665 as follows:

(20 ILCS 2310/2310-665)

Sec. 2310-665. Educational materials on streptococcal infection. The Department, in conjunction with the Illinois State Board of Education, shall develop educational material on streptococcal infection for distribution in elementary and secondary schools. The material shall include, but not be limited to:

(1) a process to notify parents or guardians of an outbreak in the school;

(2) a process to provide information on all of the symptoms of streptococcal infection to teachers, parents, and students; and

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(3) guidelines for schools to control the spread of streptococcal infections.
(Source: P.A. 98-236, eff. 8-9-13; revised 9-12-13.)
(20 ILCS 2310/2310-670)
(a) The General Assembly makes the following findings:
   (1) Annually, about 207,090 new cases of breast cancer are diagnosed, according to the American Cancer Society.
   (2) Breast cancer has a disproportionate and detrimental impact on African-American women and is the most common cancer among Hispanic and Latina women.
   (3) African-American women under the age of 40 have a greater incidence of breast cancer than Caucasian women of the same age.
   (4) Individuals undergoing surgery for breast cancer should give due consideration to the option of breast reconstructive surgery, either at the same time as the breast cancer surgery or at a later date.
   (5) According to the American Cancer Society, immediate breast reconstruction offers the advantage of combining the breast cancer surgery with the reconstructive surgery and is cost effective.
   (6) According to the American Cancer Society, delayed breast reconstruction may be advantageous in women who require post-surgical radiation or other treatments.
   (7) A woman suffering from the loss of her breast may not be a candidate for surgical breast reconstruction or may choose not to undergo additional surgery and instead choose breast prostheses.
   (8) The federal Women's Health and Cancer Rights Act of 1998 requires health plans that offer breast cancer coverage to also provide for breast reconstruction.
   (9) Required coverage for breast reconstruction includes all the necessary stages of reconstruction. Surgery of the opposite breast for symmetry may be required. Breast prostheses may be necessary. Other sequelae of breast cancer treatment, such as lymphedema, must be covered.
   (10) Several states have enacted laws to require that women receive information on their breast cancer treatment and reconstruction options.
(b) In this Section:
"Hispanic" has the same meaning as in Section 1707 of the

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"Racial and ethnic minority group" has the same meaning as in Section 1707 of the federal Public Health Services Act.

(c) The Director shall provide for the planning and implementation of an education campaign to inform breast cancer patients, especially those in racial and ethnic minority groups, anticipating surgery regarding the availability and coverage of breast reconstruction, prostheses, and other options. The campaign shall include the dissemination, at a minimum, on relevant State health Internet websites, including the Department of Public Health's Internet website, of the following information:

1. Breast reconstruction is possible at the time of breast cancer surgery or in a delayed fashion.
2. Prostheses or breast forms may be available.
3. Federal law mandates both public and private health plans to include coverage of breast reconstruction and prostheses.
4. The patient has a right to choose the provider of reconstructive care, including the potential transfer of care to a surgeon that provides breast reconstructive care.
5. The patient may opt to undergo breast reconstruction in a delayed fashion for personal reasons or after completion of all other breast cancer treatments.

The campaign may include dissemination of such other information, whether developed by the Director or by other entities, as the Director determines relevant. The campaign shall not specify, or be designed to serve as a tool to limit, the health care providers available to patients.

(d) In developing the information to be disseminated under this Section, the Director shall consult with appropriate medical societies and patient advocates related to breast cancer, patient advocates representing racial and ethnic minority groups, with a special emphasis on African-American and Hispanic populations' breast reconstructive surgery, and breast prostheses and breast forms.

(e) Beginning no later than January 1, 2016 (2 years after the effective date of Public Act 98-479) this amendatory Act of the 98th General Assembly and continuing each second year thereafter, the Director shall submit to the General Assembly a report describing the activities carried out under this Section during the preceding 2 fiscal years, including evaluating the extent to which the activities have been effective in improving the health of racial and ethnic minority groups.

(Source: P.A. 98-479, eff. 1-1-14; revised 9-12-13.)

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Sec. 2310-665. Hepatitis C Task Force.

(a) The General Assembly finds and declares the following:

(1) Viral hepatitis is a contagious and life-threatening disease that has a substantial and increasing effect upon the lifespans and quality of life of at least 5,000,000 persons living in the United States and as many as 180,000,000 worldwide. According to the U.S. Department of Health and Human Services (HHS), the chronic form of the hepatitis C virus (HCV) and hepatitis B virus (HBV) account for the vast majority of hepatitis-related mortalities in the U.S., yet as many as 65% to 75% of infected Americans remain unaware that they are infected with the virus, prompting the U.S. Centers for Disease Control and Prevention (CDC) to label these viruses as the silent epidemic. HCV and HBV are major public health problems that cause chronic liver diseases, such as cirrhosis, liver failure, and liver cancer. The 5-year survival rate for primary liver cancer is less than 5%. These viruses are also the leading cause of liver transplantation in the United States. While there is a vaccine for HBV, no vaccine exists for HCV. However, there are anti-viral treatments for HCV that can improve the prognosis or actually clear the virus from the patient's system. Unfortunately, the vast majority of infected patients remain unaware that they have the virus since there are generally no symptoms. Therefore, there is a dire need to aid the public in identifying certain risk factors that would warrant testing for these viruses. Millions of infected patients remain undiagnosed and continue to be at elevated risks for developing more serious complications. More needs to be done to educate the public about this disease and the risk factors that warrant testing. In some cases, infected patients play an unknowing role in further spreading this infectious disease.

(2) The existence of HCV was definitively published and discovered by medical researchers in 1989. Prior to this date, HCV is believed to have spread unchecked. The American Association for the Study of Liver Diseases (AASLD) recommends that primary care physicians screen all patients for a history of any viral hepatitis risk factor and test those individuals with at least one identifiable risk factor for the virus. Some of the most common risk factors have been identified by AASLD, HHS, and the U.S. Department of Veterans Affairs.

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Affairs, as well as other public health and medical research organizations, and include the following:

(A) anyone who has received a blood transfusion prior to 1992;  
(B) anyone who is a Vietnam-era veteran;  
(C) anyone who has abnormal liver function tests;  
(D) anyone infected with the HIV virus;  
(E) anyone who has used a needle to inject drugs;  
(F) any health care, emergency medical, or public safety worker who has been stuck by a needle or exposed to any mucosal fluids of an HCV-infected person; and

(G) any children born to HCV-infected mothers.

A 1994 study determined that Caucasian Americans statistically accounted for the most number of infected persons in the United States, while the highest incidence rates were among African and Hispanic Americans.

(3) In January of 2010, the Institute of Medicine (IOM), commissioned by the CDC, issued a comprehensive report entitled *Hepatitis and Liver Cancer: A National Strategy for Prevention and Control of Hepatitis B and C*. The key findings and recommendations from the IOM's report are (A) there is a lack of knowledge and awareness about chronic viral hepatitis on the part of health care and social service providers, (B) there is a lack of knowledge and awareness about chronic viral hepatitis among at-risk populations, members of the public, and policy makers, and (C) there is insufficient understanding about the extent and seriousness of the public health problem, so inadequate public resources are being allocated to prevention, control, and surveillance programs.

(4) In this same 2010 IOM report, researchers compared the prevalence and incidences of HCV, HBV, and HIV and found that, although there are only 1,100,000 HIV/AIDS infected persons in the United States and over 4,000,000 Americans infected with viral hepatitis, the percentage of those with HIV that are unaware they have HIV is only 21% as opposed to approximately 70% of those with viral hepatitis being unaware that they have viral hepatitis. It appears that public awareness of risk factors associated with each of these diseases could be a major factor in the alarming disparity between the percentage of the population that is infected with one of these blood viruses, but unaware that they are infected.

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(5) In light of the widely varied nature of the risk factors mentioned in this subsection (a), the previous findings by the Institute of Medicine, and the clear evidence of the disproportional public awareness between HIV and viral hepatitis, it is clearly in the public interest for this State to establish a task force to gather testimony and develop an action plan to (A) increase public awareness of the risk factors for these viruses, (B) improve access to screening for these viruses, and (C) provide those infected with information about the prognosis, treatment options, and elevated risk of developing cirrhosis and liver cancer. There is clear and increasing evidence that many adults in Illinois and in the United States have at least one of the risk factors mentioned in this subsection (a).

(6) The General Assembly also finds that it is in the public interest to bring communities of Illinois-based veterans of American military service into familiarity with the issues created by this disease, because many veterans, especially Vietnam-era veterans, have at least one of the previously enumerated risk factors and are especially prone to being affected by this disease; and because veterans of American military service should enjoy in all cases, and do enjoy in most cases, adequate access to health care services that include medical management and care for preexisting and long-term medical conditions, such as infection with the hepatitis virus.

(b) There is established the Hepatitis C Task Force within the Department of Public Health. The purpose of the Task Force shall be to:

(1) develop strategies to identify and address the unmet needs of persons with hepatitis C in order to enhance the quality of life of persons with hepatitis C by maximizing productivity and independence and addressing emotional, social, financial, and vocational challenges of persons with hepatitis C;

(2) develop strategies to provide persons with hepatitis C greater access to various treatments and other therapeutic options that may be available; and

(3) develop strategies to improve hepatitis C education and awareness.

(c) The Task Force shall consist of 17 members as follows:

(1) the Director of Public Health, the Director of Veterans' Affairs, and the Director of Human Services, or their designees, who shall serve ex officio;

(2) ten public members who shall be appointed by the Director
of Public Health from the medical, patient, and service provider communities, including, but not limited to, HCV Support, Inc.; and

(3) four members of the General Assembly, appointed one each by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

Vacancies in the membership of the Task Force shall be filled in the same manner provided for in the original appointments.

(d) The Task Force shall organize within 120 days following the appointment of a majority of its members and shall select a chairperson and vice-chairperson from among the members. The chairperson shall appoint a secretary, who need not be a member of the Task Force.

(e) The public members shall serve without compensation and shall not be reimbursed for necessary expenses incurred in the performance of their duties, unless funds become available to the Task Force.

(f) The Task Force shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes.

(g) The Task Force may meet and hold hearings as it deems appropriate.

(h) The Department of Public Health shall provide staff support to the Task Force.

(i) The Task Force shall report its findings and recommendations to the Governor and to the General Assembly, along with any legislative bills that it desires to recommend for adoption by the General Assembly, no later than December 31, 2015.

(j) The Task Force is abolished and this Section is repealed on January 1, 2016.

(Source: P.A. 98-493, eff. 8-16-13; revised 9-12-13.)

(20 ILCS 2310/2310-680)

(Section scheduled to be repealed on January 1, 2016)

Sec. 2310-665. Multiple Sclerosis Task Force.

(a) The General Assembly finds and declares the following:

(1) Multiple sclerosis (MS) is a chronic, often disabling, disease that attacks the central nervous system, which is comprised of the brain, spinal cord, and optic nerves. MS is the number one disabling disease among young adults, striking in the prime of life. It is a disease in which the body, through its immune system, launches
a defensive and damaging attack against its own tissues. MS damages the nerve-insulating myelin sheath that surrounds and protects the brain. The damage to the myelin sheath slows down or blocks messages between the brain and the body.

(2) Most people experience their first symptoms of MS between the ages of 20 and 40, but MS can appear in young children and teens as well as much older adults. MS symptoms can include visual disturbances, muscle weakness, trouble with coordination and balance, sensations such as numbness, prickling or pins and needles, and thought and memory problems. MS patients can also experience partial or complete paralysis, speech impediments, tremors, dizziness, stiffness and spasms, fatigue, paresthesias, pain, and loss of sensation.

(3) The cause of MS remains unknown; however, having a first-degree relative, such as a parent or sibling, with MS significantly increases a person's risk of developing the disease. According to the National Institute of Neurological Disorders and Stroke, it is estimated that there are approximately 250,000 to 350,000 persons in the United States who are diagnosed with MS. This estimate suggests that approximately 200 new cases are diagnosed each week. Other sources report a population of at least 400,000 in the United States. The estimate of persons with MS in Illinois is 20,000, with at least 2 areas of MS clusters identified in Illinois.

(4) Presently, there is no cure for MS. The complex and variable nature of the disease makes it very difficult to diagnose, treat, and research. The cost to the family, often with young children, can be overwhelming. Among common diagnoses, non-stroke neurologic illnesses, such as multiple sclerosis, were associated with the highest out-of-pocket expenditures (a mean of $34,167), followed by diabetes ($26,971), injuries ($25,096), stroke ($23,380), mental illnesses ($23,178), and heart disease ($21,955). Median out-of-pocket costs for health care among people with MS, excluding insurance premiums, were almost twice as much as the general population. The costs associated with MS increase with greater disability. Costs for severely disabled individuals are more than twice those for persons with a relatively mild form of the disease. A recent study of medical bankruptcy found that 62.1% of all personal bankruptcies in the United States were related to medical costs.

(5) Therefore, it is in the public interest for the State to establish a Multiple Sclerosis Task Force in order to identify and
address the unmet needs of persons with MS and develop ways to enhance their quality of life.

(b) There is established the Multiple Sclerosis Task Force in the Department of Public Health. The purpose of the Task Force shall be to:

1. develop strategies to identify and address the unmet needs of persons with MS in order to enhance the quality of life of persons with MS by maximizing productivity and independence and addressing emotional, social, financial, and vocational challenges of persons with MS;

2. develop strategies to provide persons with MS greater access to various treatments and other therapeutic options that may be available; and

3. develop strategies to improve multiple sclerosis education and awareness.

(c) The Task Force shall consist of 16 members as follows:

1. the Director of Public Health and the Director of Human Services, or their designees, who shall serve ex officio; and

2. fourteen public members, who shall be appointed by the Director of Public Health as follows: 2 neurologists licensed to practice medicine in this State; 3 registered nurses or other health professionals with MS certification and extensive expertise with progressed MS; one person upon the recommendation of the National Multiple Sclerosis Society; 3 persons who represent agencies that provide services or support to individuals with MS in this State; 3 persons who have MS, at least one of whom having progressed MS; and 2 members of the public with a demonstrated expertise in issues relating to the work of the Task Force.

Vacancies in the membership of the Task Force shall be filled in the same manner provided for in the original appointments.

(d) The Task Force shall organize within 120 days following the appointment of a majority of its members and shall select a chairperson and vice-chairperson from among the members. The chairperson shall appoint a secretary who need not be a member of the Task Force.

(e) The public members shall serve without compensation and shall not be reimbursed for necessary expenses incurred in the performance of their duties unless funds become available to the Task Force.

(f) The Task Force may meet and hold hearings as it deems appropriate.

(g) The Department of Public Health shall provide staff support to the

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Task Force.

(h) The Task Force shall report its findings and recommendations to the Governor and to the General Assembly, along with any legislative bills that it desires to recommend for adoption by the General Assembly, no later than December 31, 2015.

(i) The Task Force is abolished and this Section is repealed on January 1, 2016.

(Source: P.A. 98-530, eff. 8-23-13; revised 9-12-13.)

Section 95. The Disabilities Services Act of 2003 is amended by changing Section 10 as follows:

(20 ILCS 2407/10)

Sec. 10. Application of Act; definitions.

(a) This Act applies to persons with disabilities. The disabilities included are defined for purposes of this Act as follows:

"Disability" means a disability as defined by the Americans with Disabilities Act of 1990 that is attributable to a developmental disability, a mental illness, or a physical disability, or combination of those.

"Developmental disability" means a disability that is attributable to an intellectual disability or a related condition. A related condition must meet all of the following conditions:

(1) It must be attributable to cerebral palsy, epilepsy, or any other condition (other than mental illness) found to be closely related to an intellectual disability because that condition results in impairment of general intellectual functioning or adaptive behavior similar to that of individuals with an intellectual disability, and requires treatment or services similar to those required for those individuals. For purposes of this Section, autism is considered a related condition.

(2) It must be manifested before the individual reaches age 22.

(3) It must be likely to continue indefinitely.

(4) It must result in substantial functional limitations in 3 or more of the following areas of major life activity: self-care, language, learning, mobility, self-direction, and capacity for independent living.

"Mental Illness" means a mental or emotional disorder verified by a diagnosis contained in the Diagnostic and Statistical Manual of Mental Disorders-Fourth Edition, published by the American Psychiatric Association (DSM-IV), or its successor, or International Classification of Diseases, 9th Revision, Clinical Modification (ICD-9-CM), or its successor, that substantially impairs a person's cognitive, emotional, or behavioral

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functioning, or any combination of those, excluding (i) conditions that may
be the focus of clinical attention but are not of sufficient duration or severity
to be categorized as a mental illness, such as parent-child relational problems,
partner-relational problems, sexual abuse of a child, bereavement, academic
problems, phase-of-life problems, and occupational problems (collectively,
"V codes"), (ii) organic disorders such as substance intoxication dementia,
substance withdrawal dementia, Alzheimer's disease, vascular dementia,
dementia due to HIV infection, and dementia due to Creutzfeldt-Jakob
Creutzfeldt-Jakob disease and disorders associated with known or unknown
physical conditions such as hallucinosis, amnestic disorders and delirium, and
psychoactive substance-induced organic disorders, and (iii) an intellectual
disability or psychoactive substance use disorders.

"Intellectual disability" means significantly sub-average general
intellectual functioning existing concurrently with deficits in adaptive
behavior and manifested before the age of 22 years.

"Physical disability" means a disability as defined by the Americans
with Disabilities Act of 1990 that meets the following criteria:

1. It is attributable to a physical impairment.
2. It results in a substantial functional limitation in any of the
   following areas of major life activity: (i) self-care, (ii) receptive and
   expressive language, (iii) learning, (iv) mobility, (v) self-direction,
   (vi) capacity for independent living, and (vii) economic sufficiency.
3. It reflects the person's need for a combination and
   sequence of special, interdisciplinary, or general care, treatment, or
   other services that are of lifelong or of extended duration and must be
   individually planned and coordinated.

(b) In this Act:

"Chronological age-appropriate services" means services, activities,
and strategies for persons with disabilities that are representative of the
lifestyle activities of nondisabled peers of similar age in the community.

"Comprehensive evaluation" means procedures used by qualified
professionals selectively with an individual to determine whether a person
has a disability and the nature and extent of the services that the person with
a disability needs.

"Department" means the Department on Aging, the Department of
Human Services, the Department of Public Health, the Department of Public
Aid (now Department Healthcare and Family Services), the University of
Illinois Division of Specialized Care for Children, the Department of
Children and Family Services, and the Illinois State Board of Education,

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where appropriate, as designated in the implementation plan developed under Section 20.

"Family" means a natural, adoptive, or foster parent or parents or other person or persons responsible for the care of an individual with a disability in a family setting.

"Family or individual support" means those resources and services that are necessary to maintain an individual with a disability within the family home or his or her own home. These services may include, but are not limited to, cash subsidy, respite care, and counseling services.

"Independent service coordination" means a social service that enables persons with developmental disabilities and their families to locate, use, and coordinate resources and opportunities in their communities on the basis of individual need. Independent service coordination is independent of providers of services and funding sources and is designed to ensure accessibility, continuity of care, and accountability and to maximize the potential of persons with developmental disabilities for independence, productivity, and integration into the community. Independent service coordination includes, at a minimum: (i) outreach to identify eligible individuals; (ii) assessment and periodic reassessment to determine each individual's strengths, functional limitations, and need for specific services; (iii) participation in the development of a comprehensive individual service or treatment plan; (iv) referral to and linkage with needed services and supports; (v) monitoring to ensure the delivery of appropriate services and to determine individual progress in meeting goals and objectives; and (vi) advocacy to assist the person in obtaining all services for which he or she is eligible or entitled.

"Individual service or treatment plan" means a recorded assessment of the needs of a person with a disability, a description of the services recommended, the goals of each type of element of service, an anticipated timetable for the accomplishment of the goals, and a designation of the qualified professionals responsible for the implementation of the plan.

"Least restrictive environment" means an environment that represents the least departure from the normal patterns of living and that effectively meets the needs of the person receiving the service.

(Source: P.A. 97-227, eff. 1-1-12; revised 9-4-13.)

Section 100. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by setting forth and renumbering multiple versions of Section 2605-595 as follows:

(20 ILCS 2605/2605-595)

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Sec. 2605-595. State Police Firearm Services Fund.
(a) There is created in the State treasury a special fund known as the State Police Firearm Services Fund. The Fund shall receive revenue under the Firearm Concealed Carry Act and Section 5 of the Firearm Owners Identification Card Act. The Fund may also receive revenue from grants, pass-through grants, donations, appropriations, and any other legal source.
(b) The Department of State Police may use moneys in the Fund to finance any of its lawful purposes, mandates, functions, and duties under the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act, including the cost of sending notices of expiration of Firearm Owner’s Identification Cards, concealed carry licenses, the prompt and efficient processing of applications under the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act, the improved efficiency and reporting of the LEADS and federal NICS law enforcement data systems, and support for investigations required under these Acts and law. Any surplus funds beyond what is needed to comply with the aforementioned purposes shall be used by the Department to improve the Law Enforcement Agencies Data System (LEADS) and criminal history background check system.
(c) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.
(Source: P.A. 98-63, eff. 7-9-13.)

Sec. 2605-600. Crimes Against Police Officers Advisory.
(a) For purposes of this Section:
"Attempt" has the meaning ascribed to that term in Section 8-4 of the Criminal Code of 2012.
"Concealment of homicidal death" has the meaning ascribed to that term in Section 9-3.4 of the Criminal Code of 2012.
"First degree murder" has the meaning ascribed to that term in Section 9-1 of the Criminal Code of 2012.
"Involuntary manslaughter" and "reckless homicide" have the meanings ascribed to those terms in Section 9-3 of the Criminal Code of 2012.
"Second degree murder" has the meaning ascribed to that term in Section 9-2 of the Criminal Code of 2012.
(b) A coordinated program known as the Crimes Against Police Officers Advisory is established within the Department of State Police. The purpose of the Crimes Against Police Officers Advisory is to provide a regional system for the rapid dissemination of information regarding a person

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who is suspected of committing or attempting to commit any of the offenses described in subsection (c).

(c) The Department of State Police shall develop an advisory to assist law enforcement agencies when the commission or attempted commission of the following offenses against a peace officer occur:

1. first degree murder;
2. second degree murder;
3. involuntary manslaughter;
4. reckless homicide; and
5. concealment of homicidal death.

(d) Law enforcement agencies participating in the advisory may request assistance when:

1. the agency believes that a suspect has not been apprehended;
2. the agency believes that the suspect may be a serious threat to the public; and
3. sufficient information is available to disseminate to the public that could assist in locating the suspect.

(e) The Department of State Police shall reserve the authority to determine if dissemination of the information will pose a significant risk to the public or jeopardize the investigation.

(f) The Department of State Police may partner with media and may request a media broadcast concerning details of the suspect in order to obtain the public's assistance in locating the suspect or vehicle used in the offense, or both.

(Source: P.A. 98-263, eff. 1-1-14; revised 10-17-13.)

Section 105. The Criminal Identification Act is amended by changing Sections 4 and 5.2 as follows:

Sec. 4. The Department may use the following systems of identification: the Bertillon system, the fingerprint system, and any system of measurement or identification that may be adopted by law or rule in the various penal institutions or bureaus of identification wherever located.

The Department shall make a record consisting of duplicates of all measurements, processes, operations, signalletic cards, plates, photographs, outline pictures, measurements, descriptions of and data relating to all persons confined in penal institutions wherever located, so far as the same are obtainable, in accordance with whatever system or systems may be found

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most efficient and practical.
(Source: Laws 1957, p. 1422; revised 9-4-13.)

(20 ILCS 2630/5.2)
Sec. 5.2. Expungement and sealing.
(a) General Provisions.
(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.
(A) The following terms shall have the meanings ascribed to them in the Unified Code of Corrections, 730 ILCS 5/5-1-2 through 5/5-1-22:
   (i) Business Offense (730 ILCS 5/5-1-2),
   (ii) Charge (730 ILCS 5/5-1-3),
   (iii) Court (730 ILCS 5/5-1-6),
   (iv) Defendant (730 ILCS 5/5-1-7),
   (v) Felony (730 ILCS 5/5-1-9),
   (vi) Imprisonment (730 ILCS 5/5-1-10),
   (vii) Judgment (730 ILCS 5/5-1-12),
   (viii) Misdemeanor (730 ILCS 5/5-1-14),
   (ix) Offense (730 ILCS 5/5-1-15),
   (x) Parole (730 ILCS 5/5-1-16),
   (xi) Petty Offense (730 ILCS 5/5-1-17),
   (xii) Probation (730 ILCS 5/5-1-18),
   (xiii) Sentence (730 ILCS 5/5-1-19),
   (xiv) Supervision (730 ILCS 5/5-1-21), and
   (xv) Victim (730 ILCS 5/5-1-22).
(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by 730 ILCS 5/5-1-3) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.
(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of

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qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

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(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (b)(8), (e), (e-5), and (e-6) of this Section, the court
shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

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(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a felony offense listed in subsection (c)(2)(F) or the charge is amended to a felony offense listed in subsection (c)(2)(F);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(A) He or she has never been convicted of a criminal offense; and

(B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.
(2) Time frame for filing a petition to expunge.
   (A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.
   (B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:
      
      (i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

      (i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

      (ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

   (C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.
have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Department of State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the records of the arresting authority and the Department of State Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the

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(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:

(A) All arrests resulting in release without charging;

(B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);

(C) Arrests or charges not initiated by arrest resulting

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in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);

(D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);

(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in felony convictions for the following offenses:

(i) Class 4 felony convictions for:

   Prostitution under Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012.

   Possession of cannabis under Section 4 of the Cannabis Control Act.

   Possession of a controlled substance under Section 402 of the Illinois Controlled Substances Act.

   Offenses under the Methamphetamine Precursor Control Act.

   Offenses under the Steroid Control Act.

   Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

   Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.

   Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

   Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

   Possession of burglary tools under Section 19-2 of the Criminal Code of 1961 or

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the Criminal Code of 2012.

(ii) Class 3 felony convictions for:

Theft under Section 16-1 of the

Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.

Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

Possession with intent to manufacture or deliver a controlled substance under Section 401 of the Illinois Controlled Substances Act.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have
subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b), (e), and (e-6) and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to:

(A) seal felony records under clause (c)(2)(E);

(B) seal felony records for a violation of the Illinois Controlled Substances Act, the Methamphetamine Control

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and Community Protection Act, or the Cannabis Control Act under clause (c)(2)(F);
(C) seal felony records under subsection (e-5); or
(D) expunge felony records of a qualified probation under clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition and documentation to support the petition under subsection (e), (e-5), or (e-6) on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.
(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.
(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.
(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).
(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing. Prior to the hearing, the State's Attorney shall consult with the Department as to the appropriateness of the relief sought in the petition to expunge or seal. At the hearing, the court shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing. The court may consider the

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following:

(A) the strength of the evidence supporting the defendant's conviction;
(B) the reasons for retention of the conviction records by the State;
(C) the petitioner's age, criminal record history, and employment history;
(D) the period of time between the petitioner's arrest on the charge resulting in the conviction and the filing of the petition under this Section; and
(E) the specific adverse consequences the petitioner may be subject to if the petition is denied.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Implementation of order.

(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency

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receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.  

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(B-5) Upon entry of an order to expunge records under

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subsection (e-6):

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for these records from anyone not authorized by law to access the records, the court, the Department, or the agency receiving the inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the
agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(D) The Department shall send written notice to the petitioner of its compliance with each order to expunge or seal records within 60 days of the date of service of that order or, if a motion to vacate, modify, or reconsider is filed, within 60 days of service of the order resolving the motion, if that order requires the Department to expunge or seal records. In the event of an appeal from the circuit court order, the Department shall send written notice to the petitioner of its compliance with an Appellate Court or Supreme Court judgment to expunge or seal records within 60 days of the issuance of the court's mandate. The notice is not required while any motion to vacate, modify, or reconsider, or any appeal or petition for discretionary appellate review, is pending.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. Under Section 2-1203 of the Code of Civil Procedure, the petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order. If filed more than 60 days after service of the order, a petition to vacate, modify, or reconsider shall comply

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with subsection (c) of Section 2-1401 of the Code of Civil Procedure. Upon filing of a motion to vacate, modify, or reconsider, notice of the motion shall be served upon the petitioner and all parties entitled to notice of the petition.

(13) Effect of Order. An order granting a petition under the expungement or sealing provisions of this Section shall not be considered void because it fails to comply with the provisions of this Section or because of any error asserted in a motion to vacate, modify, or reconsider. The circuit court retains jurisdiction to determine whether the order is voidable and to vacate, modify, or reconsider its terms based on a motion filed under paragraph (12) of this subsection (d).

(14) Compliance with Order Granting Petition to Seal Records. Unless a court has entered a stay of an order granting a petition to seal, all parties entitled to notice of the petition must fully comply with the terms of the order within 60 days of service of the order even if a party is seeking relief from the order through a motion filed under paragraph (12) of this subsection (d) or is appealing the order.

(15) Compliance with Order Granting Petition to Expunge Records. While a party is seeking relief from the order granting the petition to expunge through a motion filed under paragraph (12) of this subsection (d) or is appealing the order, and unless a court has entered a stay of that order, the parties entitled to notice of the petition must seal, but need not expunge, the records until there is a final order on the motion for relief or, in the case of an appeal, the issuance of that court's mandate.

(16) The changes to this subsection (d) made by Public Act 98-163 this amendatory Act of the 98th General Assembly apply to all petitions pending on August 5, 2013 (the effective date of Public Act 98-163) this amendatory Act of the 98th General Assembly and to all orders ruling on a petition to expunge or seal on or after August 5, 2013 (the effective date of Public Act 98-163) this amendatory Act of the 98th General Assembly.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000

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inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the

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person who was granted the certificate of eligibility for sealing.

(e-6) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for expungement by the Prisoner Review Board which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all expunged records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for expungement.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-133, eff. 1-1-14; 98-142, eff. 1-1-14; 98-163, eff. 8-5-13; 98-164, eff. 1-1-14; 98-399, eff. 8-16-13; revised 9-4-13.)

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Section 110. The Governor's Office of Management and Budget Act is amended by changing Section 2.7 as follows:

(20 ILCS 3005/2.7)
Sec. 2.7. Securities information. To assist those entities underwriting securities that are payable from State appropriations, whether issued by the State or by others, by providing financial and other information regarding the State to securities investors, nationally recognized securities information repositories, or the federal Municipal Securities Rulemaking Board, and to any State information depository as required by the federal Securities and Exchange Act of 1934 and the rules promulgated thereunder. The Governor's Office of Management and Budget is the only State office authorized to provide such information.
(Source: P.A. 93-25, eff. 6-20-03; revised 9-4-13.)

Section 115. The Capital Development Board Act is amended by changing Section 14 as follows:

(20 ILCS 3105/14) (from Ch. 127, par. 783.01)
Sec. 14. (a) It is the purpose of this Act to provide for the promotion and preservation of the arts by securing suitable works of art for the adornment of public buildings constructed or subjected to major renovation by the State or which utilize State funds, and thereby reflecting the diverse cultural heritage of Illinois, with emphasis on the works of Illinois artists.

(b) As used in this Act, "works of art" shall apply to and include paintings, prints, sculptures, graphics, mural decorations, stained glass, statues, bas reliefs, ornaments, fountains, ornamental gateways, or other creative works which reflect form, beauty and aesthetic perceptions.

(c) Beginning with the fiscal year ending June 30, 1979, and for each succeeding fiscal year thereafter, for construction projects managed by the Capital Development Board, the Capital Development Board shall set aside 1/2 of 1 percent of the amount authorized and appropriated for construction or reconstruction of each public building financed in whole or in part by State funds and generally accessible to and used by the public for purchase and placement of suitable works of art in such public buildings. The location and character of the work or works of art to be installed in such public buildings shall be determined by the Chairperson of the Illinois Arts Council, in consultation with the designing architect. The work or works of art shall be in a permanent and prominent location.

(d) There is created a Fine Arts Review Committee consisting of the designing architect, the Chairperson of the Illinois Arts Council or his or her designee, who shall serve as the chair of the Committee, the Director of the

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Illinois State Museum or his or her designee, and a representative of the using agency. The Committee, after such study as it deems necessary, shall recommend three artists or works of art in order of preference. The Chairperson of the Illinois Arts Council will make the final selection from among the recommendations submitted. The Illinois Arts Council shall provide administrative support for the Fine Arts Review Committee and may promulgate rules to implement this subsection.

(e) Subsection (c) does not apply to construction projects for which the amount appropriated is less than $1,000,000.

(f) The Capital Development Board shall enter into a contract with the artist, or with the owner of the work or works of art, selected by the Chairperson of the Illinois Arts Council as provided in subsection (d) of this Section. The total amount of the contract or contracts shall not exceed the amount set aside pursuant to subsection (c) of this Section. If the Capital Development Board cannot reach an agreement with the artist or owner of the work or works of art, then the Board shall notify the Chairperson of the Illinois Arts Council, and the Chairperson may select a different artist or work or works of art from the three recommendations made by the Fine Arts Review Committee.

(Source: P.A. 98-572, eff. 1-1-14; revised 11-12-13.)

Section 120. The Illinois Emergency Management Agency Act is amended by changing Section 21 as follows:

Sec. 21. No Private Liability.

(a) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual or impending disaster, or an exercise together with his or her successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission, or for negligently causing loss of, or damage to, the property of such person.

(b) Any private person, firm or corporation and employees and agents of such person, firm or corporation in the performance of a contract with, and under the direction of, the State, or any political subdivision of the State under the provisions of this Act shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.

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(c) Any private person, firm or corporation, and any employee or agent of such person, firm or corporation, who renders assistance or advice at the request of the State, or any political subdivision of the State under this Act during an actual or impending disaster, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.

The immunities provided in this subsection (c) shall not apply to any private person, firm or corporation, or to any employee or agent of such person, firm or corporation whose act or omission caused in whole or in part such actual or impending disaster and who would otherwise be liable therefor.

(Source: P.A. 92-73, eff. 1-1-02; revised 10-7-13.)

Section 125. The Illinois Finance Authority Act is amended by changing Section 801-10 as follows:

(20 ILCS 3501/801-10)

Sec. 801-10. Definitions. The following terms, whenever used or referred to in this Act, shall have the following meanings, except in such instances where the context may clearly indicate otherwise:

(a) The term "Authority" means the Illinois Finance Authority created by this Act.

(b) The term "project" means an industrial project, conservation project, housing project, public purpose project, higher education project, health facility project, cultural institution project, municipal bond program project, agricultural facility or agribusiness, and "project" may include any combination of one or more of the foregoing undertaken jointly by any person with one or more other persons.

(c) The term "public purpose project" means any project or facility, including without limitation land, buildings, structures, machinery, equipment and all other real and personal property, which is authorized or required by law to be acquired, constructed, improved, rehabilitated, reconstructed, replaced or maintained by any unit of government or any other lawful public purpose which is authorized or required by law to be undertaken by any unit of government.

(d) The term "industrial project" means the acquisition, construction, refurbishment, creation, development or redevelopment of any facility, equipment, machinery, real property or personal property for use by any instrumentality of the State or its political subdivisions, for use by any person or institution, public or private, for profit or not for profit, or for use in any trade or business, including, but not limited to, any industrial, manufacturing

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or commercial enterprise that is located within or outside the State, provided that, with respect to a project involving property located outside the State, the property must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, and which is (1) a capital project, including, but not limited to: (i) land and any rights therein, one or more buildings, structures or other improvements, machinery and equipment, whether now existing or hereafter acquired, and whether or not located on the same site or sites; (ii) all appurtenances and facilities incidental to the foregoing, including, but not limited to, utilities, access roads, railroad sidings, track, docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling or related equipment, site preparation and landscaping; and (iii) all non-capital costs and expenses relating thereto or (2) any addition to, renovation, rehabilitation or improvement of a capital project or (3) any activity or undertaking within or outside the State, provided that, with respect to a project involving property located outside the State, the property must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, which the Authority determines will aid, assist or encourage economic growth, development or redevelopment within the State or any area thereof, will promote the expansion, retention or diversification of employment opportunities within the State or any area thereof or will aid in stabilizing or developing any industry or economic sector of the State economy. The term "industrial project" also means the production of motion pictures.

(e) The term "bond" or "bonds" shall include bonds, notes (including bond, grant or revenue anticipation notes), certificates and/or other evidences of indebtedness representing an obligation to pay money, including refunding bonds.

(f) The terms "lease agreement" and "loan agreement" shall mean: (i) an agreement whereby a project acquired by the Authority by purchase, gift or lease is leased to any person, corporation or unit of local government which will use or cause the project to be used as a project as heretofore defined upon terms providing for lease rental payments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority issued with respect to such project, providing for the maintenance, insuring and operation of the project on terms satisfactory to the Authority, providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, and such other terms as may be deemed desirable by the Authority, or (ii) any
agreement pursuant to which the Authority agrees to loan the proceeds of its bonds issued with respect to a project or other funds of the Authority to any person which will use or cause the project to be used as a project as heretofore defined upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority, if any, issued with respect to the project, and providing for maintenance, insurance and other matters as may be deemed desirable by the Authority.

(g) The term "financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its bonds, notes or other evidences of indebtedness or from other sources for the development, construction, acquisition or improvement of a project.

(h) The term "person" means an individual, corporation, unit of government, business trust, estate, trust, partnership or association, 2 or more persons having a joint or common interest, or any other legal entity.

(i) The term "unit of government" means the federal government, the State or unit of local government, a school district, or any agency or instrumentality, office, officer, department, division, bureau, commission, college or university thereof.

(j) The term "health facility" means: (a) any public or private institution, place, building, or agency required to be licensed under the Hospital Licensing Act; (b) any public or private institution, place, building, or agency required to be licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act; (c) any public or licensed private hospital as defined in the Mental Health and Developmental Disabilities Code; (d) any such facility exempted from such licensure when the Director of Public Health attests that such exempted facility meets the statutory definition of a facility subject to licensure; (e) any other public or private health service institution, place, building, or agency which the Director of Public Health attests is subject to certification by the Secretary, U.S. Department of Health and Human Services under the Social Security Act, as now or hereafter amended, or which the Director of Public Health attests is subject to standard-setting by a recognized public or voluntary accrediting or standard-setting agency; (f) any public or private institution, place, building or agency engaged in providing one or more supporting services to a health facility; (g) any public or private institution, place, building or agency engaged in providing training in the healing arts, including, but not limited to, schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy or nursing, schools for
the training of x-ray, laboratory or other health care technicians and schools for the training of para-professionals in the health care field; (h) any public or private congregate, life or extended care or elderly housing facility or any public or private home for the aged or infirm, including, without limitation, any Facility as defined in the Life Care Facilities Act; (i) any public or private mental, emotional or physical rehabilitation facility or any public or private educational, counseling, or rehabilitation facility or home, for those persons with a developmental disability, those who are physically ill or disabled, the emotionally disturbed, those persons with a mental illness or persons with learning or similar disabilities or problems; (j) any public or private alcohol, drug or substance abuse diagnosis, counseling treatment or rehabilitation facility, (k) any public or private institution, place, building or agency licensed by the Department of Children and Family Services or which is not so licensed but which the Director of Children and Family Services attests provides child care, child welfare or other services of the type provided by facilities subject to such licensure; (l) any public or private adoption agency or facility; and (m) any public or private blood bank or blood center. "Health facility" also means a public or private structure or structures suitable primarily for use as a laboratory, laundry, nurses or interns residence or other housing or hotel facility used in whole or in part for staff, employees or students and their families, patients or relatives of patients admitted for treatment or care in a health facility, or persons conducting business with a health facility, physician's facility, surgicenter, administration building, research facility, maintenance, storage or utility facility and all structures or facilities related to any of the foregoing or required or useful for the operation of a health facility, including parking or other facilities or other supporting service structures required or useful for the orderly conduct of such health facility. "Health facility" also means, with respect to a project located outside the State, any public or private institution, place, building, or agency which provides services similar to those described above, provided that such project is owned, operated, leased or managed by a participating health institution located within the State, or a participating health institution affiliated with an entity located within the State.

(k) The term "participating health institution" means (i) a private corporation or association or (ii) a public entity of this State, in either case authorized by the laws of this State or the applicable state to provide or operate a health facility as defined in this Act and which, pursuant to the provisions of this Act, undertakes the financing, construction or acquisition of a project or undertakes the refunding or refinancing of obligations, loans,
indebtedness or advances as provided in this Act.

(l) The term "health facility project", means a specific health facility work or improvement to be financed or refinanced (including without limitation through reimbursement of prior expenditures), acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, with funds provided in whole or in part hereunder, any accounts receivable, working capital, liability or insurance cost or operating expense financing or refinancing program of a health facility with or involving funds provided in whole or in part hereunder, or any combination thereof.

(m) The term "bond resolution" means the resolution or resolutions authorizing the issuance of, or providing terms and conditions related to, bonds issued under this Act and includes, where appropriate, any trust agreement, trust indenture, indenture of mortgage or deed of trust providing terms and conditions for such bonds.

(n) The term "property" means any real, personal or mixed property, whether tangible or intangible, or any interest therein, including, without limitation, any real estate, leasehold interests, appurtenances, buildings, easements, equipment, furnishings, furniture, improvements, machinery, rights of way, structures, accounts, contract rights or any interest therein.

(o) The term "revenues" means, with respect to any project, the rents, fees, charges, interest, principal repayments, collections and other income or profit derived therefrom.

(p) The term "higher education project" means, in the case of a private institution of higher education, an educational facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(q) The term "cultural institution project" means, in the case of a cultural institution, a cultural facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(r) The term "educational facility" means any property located within the State, or any property located outside the State, provided that, if the property is located outside the State, it must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, in each case constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the instruction, feeding, recreation or housing of students, the conducting of research or other work of a private institution of higher education, the use by a private institution of higher education in connection

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with any educational, research or related or incidental activities then being or to be conducted by it, or any combination of the foregoing, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an academic facility, administrative facility, agricultural facility, assembly hall, athletic facility, auditorium, boating facility, campus, communication facility, computer facility, continuing education facility, classroom, dining hall, dormitory, exhibition hall, fire fighting facility, fire prevention facility, food service and preparation facility, gymnasium, greenhouse, health care facility, hospital, housing, instructional facility, laboratory, library, maintenance facility, medical facility, museum, offices, parking area, physical education facility, recreational facility, research facility, stadium, storage facility, student union, study facility, theatre or utility.

(s) The term "cultural facility" means any property located within the State, or any property located outside the State, provided that, if the property is located outside the State, it must be owned, operated, leased or managed by an entity located within the State or an entity affiliated with an entity located within the State, in each case constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the particular purposes or needs of a cultural institution, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an administrative facility, aquarium, assembly hall, auditorium, botanical garden, exhibition hall, gallery, greenhouse, library, museum, scientific laboratory, theater or zoological facility, and shall also include, without limitation, books, works of art or music, animal, plant or aquatic life or other items for display, exhibition or performance. The term "cultural facility" includes buildings on the National Register of Historic Places which are owned or operated by nonprofit entities.

(t) "Private institution of higher education" means a not-for-profit educational institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which is authorized by law to provide a program of education beyond the high school level and which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Provides an educational program for which it awards a bachelor's degree, or provides an educational program, admission into which is conditioned upon the prior attainment of a bachelor's degree.

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or its equivalent, for which it awards a postgraduate degree, or
provides not less than a 2-year program which is acceptable for full
credit toward such a degree, or offers a 2-year program in
engineering, mathematics, or the physical or biological sciences
which is designed to prepare the student to work as a technician and
at a semiprofessional level in engineering, scientific, or other
technological fields which require the understanding and application
of basic engineering, scientific, or mathematical principles or
knowledge;

(3) Is accredited by a nationally recognized accrediting agency
or association or, if not so accredited, is an institution whose credits
are accepted, on transfer, by not less than 3 institutions which are so
accredited, for credit on the same basis as if transferred from an
institution so accredited, and holds an unrevoked certificate of
approval under the Private College Act from the Board of Higher
Education, or is qualified as a "degree granting institution" under the
Academic Degree Act; and

(4) Does not discriminate in the admission of students on the
basis of race or color. "Private institution of higher education" also
includes any "academic institution".

(u) The term "academic institution" means any not-for-profit
institution which is not owned by the State or any political subdivision,
agency, instrumentality, district or municipality thereof, which institution
engages in, or facilitates academic, scientific, educational or professional
research or learning in a field or fields of study taught at a private institution
of higher education. Academic institutions include, without limitation,
libraries, archives, academic, scientific, educational or professional societies,
institutions, associations or foundations having such purposes.

(v) The term "cultural institution" means any not-for-profit institution
which is not owned by the State or any political subdivision, agency,
instrumentality, district or municipality thereof, which institution engages in
the cultural, intellectual, scientific, educational or artistic enrichment of the
people of the State. Cultural institutions include, without limitation, aquaria,
botanical societies, historical societies, libraries, museums, performing arts
associations or societies, scientific societies and zoological societies.

(w) The term "affiliate" means, with respect to financing of an
agricultural facility or an agribusiness, any lender, any person, firm or
corporation controlled by, or under common control with, such lender, and
any person, firm or corporation controlling such lender.
(x) The term "agricultural facility" means land, any building or other improvement thereon or thereto, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in farming, ranching, the production of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the treating, processing or storing of such agricultural commodities when such activities are customarily engaged in by farmers as a part of farming and which land, building, improvement or personal property is located within the State, or is located outside the State, provided; that, if such property is located outside the State, it must be owned, operated, leased, or managed by an entity located within the State or an entity affiliated with an entity located within the State.

(y) The term "lender" with respect to financing of an agricultural facility or an agribusiness, means any federal or State chartered bank, Federal Land Bank, Production Credit Association, Bank for Cooperatives, federal or State chartered savings and loan association or building and loan association, Small Business Investment Company or any other institution qualified within this State to originate and service loans, including, but without limitation to, insurance companies, credit unions and mortgage loan companies. "Lender" also means a wholly owned subsidiary of a manufacturer, seller or distributor of goods or services that makes loans to businesses or individuals, commonly known as a "captive finance company".

(z) The term "agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation or cooperative which operates or will operate a facility located within the State or outside the State, provided; that, if any facility is located outside the State, it must be owned, operated, leased, or managed by an entity located within the State or an entity affiliated with an entity located within the State, that is related to the processing of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the manufacturing, production or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production. Agribusiness includes but is not limited to the following:

1. grain handling and processing, including grain storage, drying, treatment, conditioning, mailing and packaging;
2. seed and feed grain development and processing;
3. fruit and vegetable processing, including preparation, canning and packaging;

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(4) processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apiarian products, including slaughter, shearing, collecting, preparation, canning and packaging;

(5) fertilizer and agricultural chemical manufacturing, processing, application and supplying;

(6) farm machinery, equipment and implement manufacturing and supplying;

(7) manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning or packaging of agricultural commodities;

(8) farm building and farm structure manufacturing, construction and supplying;

(9) construction, manufacturing, implementation, supplying or servicing of irrigation, drainage and soil and water conservation devices or equipment;

(10) fuel processing and development facilities that produce fuel from agricultural commodities or byproducts;

(11) facilities and equipment for processing and packaging agricultural commodities specifically for export;

(12) facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of prefabricated buildings, paper, furniture or other goods from forestry products;

(13) facilities and equipment for research and development of products, processes and equipment for the production, processing, preparation or packaging of agricultural commodities and byproducts.

(aa) The term "asset" with respect to financing of any agricultural facility or any agribusiness, means, but is not limited to the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interests in trusts; government payments or grants; and any other assets.

(bb) The term "liability" with respect to financing of any agricultural facility or any agribusiness shall include, but not be limited to the following:

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accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

(cc) The term "Predecessor Authorities" means those authorities as described in Section 845-75.

(dd) The term "housing project" means a specific work or improvement located within the State or outside the State and undertaken to provide residential dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are part of the housing project, including land, buildings, improvements, equipment and all ancillary facilities for use for offices, stores, retirement homes, hotels, financial institutions, service, health care, education, recreation or research establishments, or any other commercial purpose which are or are to be related to a housing development, provided that any work or improvement located outside the State is owned, operated, leased or managed by an entity located within the State, or any entity affiliated with an entity located within the State.

(ee) The term "conservation project" means any project including the acquisition, construction, rehabilitation, maintenance, operation, or upgrade that is intended to create or expand open space or to reduce energy usage through efficiency measures. For the purpose of this definition, "open space" has the definition set forth under Section 10 of the Illinois Open Land Trust Act.

(ff) The term "significant presence" means the existence within the State of the national or regional headquarters of an entity or group or such other facility of an entity or group of entities where a significant amount of the business functions are performed for such entity or group of entities.

(gg) The term "municipal bond issuer" means the State or any other state or commonwealth of the United States, or any unit of local government, school district, agency or instrumentality, office, department, division, bureau, commission, college or university thereof located in the State or any other state or commonwealth of the United States.

(hh) The term "municipal bond program project" means a program for the funding of the purchase of bonds, notes or other obligations issued by or on behalf of a municipal bond issuer.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-90, eff. 7-15-13; 98-104, eff. 7-22-13; revised 8-9-13.)

Section 130. The Illinois Power Agency Act is amended by changing
Sections 1-57 and 1-92 as follows:

(20 ILCS 3855/1-57)
Sec. 1-57. Facility financing.
(a) The Agency shall have the power (1) to borrow from the Authority, through one or more Agency loan agreements, the net proceeds of revenue bonds for costs incurred in connection with the development and construction of a facility, provided that the stated maturity date of any of those revenue bonds shall not exceed 40 years from their respective issuance dates, (2) to accept prepayments from purchasers of electric energy from a project and to apply the same to costs incurred in connection with the development and construction of a facility, subject to any obligation to refund the same under the circumstances specified in the purchasers' contract for the purchase and sale of electric energy from that project, (3) to enter into leases or similar arrangements to finance the property constituting a part of a project and associated costs incurred in connection with the development and construction of a facility, provided that the term of any such lease or similar arrangement shall not exceed 40 years from its inception, and (4) to enter into agreements for the sale of revenue bonds that bear interest at a rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act. All Agency loan agreements shall include terms making the obligations thereunder subject to redemption before maturity.

(b) The Agency may from time to time engage the services of the Authority, attorneys, appraisers, architects, engineers, accountants, credit analysts, bond underwriters, bond trustees, credit enhancement providers, and other financial professionals and consultants, if the Agency deems it advisable.

(c) The Agency may pledge, as security for the payment of its revenue bonds in respect of a project, (1) revenues derived from the operation of the project in part or whole, (2) the real and personal property, machinery, equipment, structures, fixtures, and inventories directly associated with the project, (3) grants or other revenues or taxes expected to be received by the Agency directly linked to the project, (4) payments to be made by another governmental unit or other entity pursuant to a service, user, or other similar agreement with that governmental unit or other entity that is a result of the project, (5) any other revenues or moneys deposited or to be deposited directly linked to the project, (6) all design, engineering, procurement, construction, installation, management, and operation agreements associated with the project, (7) any reserve or debt service funds created under the agreements governing the indebtedness, (8) the Illinois Power Agency
Facilities Fund or the Illinois Power Agency Debt Service Fund, or (9) any combination thereof. Any such pledge shall be authorized in a writing, signed by the Director of the Agency, and then signed by the Governor of Illinois. At no time shall the funds contained in the Illinois Power Agency Trust Fund be pledged or used in any way to pay for the indebtedness of the Agency. The Director shall not authorize the issuance or grant of any pledge until he or she has certified that any associated project is in full compliance with Sections 1-85 and 1-86 of this Act. The certification shall be duly attached or referenced in the agreements reflecting the pledge. Any such pledge made by the Agency shall be valid and binding from the time the pledge is made. The revenues, property, or funds that are pledged and thereafter received by the Agency shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act; and, subject only to the provisions of prior liens, the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the Agency irrespective of whether the parties have notice thereof. All bonds issued on behalf of the Agency must be issued by the Authority and must be revenue bonds. These revenue bonds may be taxable or tax-exempt.

(d) All indebtedness issued by or on behalf of the Agency, including, without limitation, any revenue bonds issued by the Authority on behalf of the Agency, shall not be a debt of the State, the Authority, any political subdivision thereof (other than the Agency to the extent provided in agreements governing the indebtedness), any local government, any governmental aggregator as defined in this Act, or any local government, and none of the State, the Authority, any political subdivision thereof (other than the Agency to the extent provided in agreements governing the indebtedness), any local government, or any governmental aggregator shall be liable thereon. Neither the Authority nor the Agency shall have the power to pledge the credit, the revenues, or the taxing power of the State, any political subdivision thereof (other than the Agency), any governmental aggregator, or of any local government, and neither the credit, the revenues, nor the taxing power of the State, any political subdivision thereof (other than the Agency), any governmental aggregator, or any local government shall be, or shall be deemed to be, pledged to the payment of any revenue bonds, notes, or other obligations of the Agency. In addition, the agreements governing any issue of indebtedness shall provide that all holders of that indebtedness, by virtue of their acquisition thereof, have agreed to waive and release all claims and causes of action against the State of Illinois in respect of the indebtedness or any project associated therewith based on any theory of law. However, the

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waiver shall not prohibit the holders of indebtedness issued on behalf of the Agency from filing any cause of action against or recovering damages from the Agency, recovering from any property or funds pledged to secure the indebtedness, or recovering from any property or funds to which the Agency holds title, provided the property or funds are directly associated with the project for which the indebtedness was specifically issued. Each evidence of indebtedness of the Agency, including the revenue bonds issued by the Authority on behalf of the Agency, shall contain a clear and explicit statement of the provisions of this Section.

(e) The Agency may from time to time enter into an agreement or agreements to defease indebtedness issued on its behalf or to refund, at maturity, at a redemption date or in advance of either, any indebtedness issued on its behalf or pursuant to redemption provisions or at any time before maturity. All such refunding indebtedness shall be subject to the requirements set forth in subsections (a), (c), and (d) of this Section. No revenue bonds issued to refund or advance refund revenue bonds issued under this Section may mature later than the longest maturity date of the series of bonds being refunded. After the aggregate original principal amount of revenue bonds authorized in this Section has been issued, the payment of any principal amount of those revenue bonds does not authorize the issuance of additional revenue bonds (except refunding revenue bonds).

(f) If the Agency fails to pay the principal of, interest, or premium, if any, on any indebtedness as the same becomes due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the indebtedness on which the default of payment exists or by any administrative agent, collateral agent, or indenture trustee acting on behalf of those holders. Delivery of a summons and a copy of the complaint to the Director of the Agency shall constitute sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Agency and its officers named as defendants for the purpose of compelling that payment. Any case, controversy, or cause of action concerning the validity of this Act shall relate to the revenue of the Agency. Any such claims and related proceedings are subject in all respects to the provisions of subsection (d) of this Section. The State of Illinois shall not be liable or in any other way financially responsible for any indebtedness issued by or on behalf of the Agency or the performance or non-performance of any covenants associated with any such indebtedness. The foregoing statement shall not prohibit the holders of any indebtedness issued on behalf of the Agency from filing any cause of action against or recovering damages from

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the Agency recovering from any property pledged to secure that indebtedness or recovering from any property or funds to which the Agency holds title provided such property or funds are directly associated with the project for which the indebtedness is specifically issued.

(g) Upon each delivery of the revenue bonds authorized to be issued by the Authority under this Act, the Agency shall compute and certify to the State Comptroller the total amount of principal of and interest on the Agency loan agreement supporting the revenue bonds issued that will be payable in order to retire those revenue bonds and the amount of principal of and interest on the Agency loan agreement that will be payable on each payment date during the then current and each succeeding fiscal year. As soon as possible after the first day of each month, beginning on the date set forth in the Agency loan agreement where that date specifies when the Agency shall begin setting aside revenues and other moneys for repayment of the revenue bonds per the agreed to schedule, the Agency shall certify to the Comptroller and the Comptroller shall order transferred and the Treasurer shall transfer from the Illinois Power Agency Facilities Fund to the Illinois Power Agency Debt Service Fund for each month remaining in the State fiscal year a sum of money, appropriated for that purpose, equal to the result of the amount of principal of and interest on those revenue bonds payable on the next payment date divided by the number of full calendar months between the date of those revenue bonds, and the first such payment date, and thereafter divided by the number of months between each succeeding payment date after the first. The Comptroller is authorized and directed to draw warrants on the State Treasurer from the Illinois Power Agency Facilities Fund and the Illinois Power Agency Debt Service Fund for the amount of all payments of principal and interest on the Agency loan agreement relating to the Authority revenue bonds issued under this Act. The State Treasurer or the State Comptroller shall deposit or cause to be deposited any amount of grants or other revenues expected to be received by the Agency that the Agency has pledged to the payment of revenue bonds directly into the Illinois Power Agency Debt Service Fund.

(Source: P.A. 95-481, eff. 8-28-07; revised 9-12-13.)

(20 ILCS 3855/1-92)

Sec. 1-92. Aggregation of electrical load by municipalities, townships, and counties.

(a) The corporate authorities of a municipality, township board, or county board of a county may adopt an ordinance under which it may aggregate in accordance with this Section residential and small commercial

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retail electrical loads located, respectively, within the municipality, the township, or the unincorporated areas of the county and, for that purpose, may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.

The corporate authorities, township board, or county board may also exercise such authority jointly with any other municipality, township, or county. Two or more municipalities, townships, or counties, or a combination of both, may initiate a process jointly to authorize aggregation by a majority vote of each particular municipality, township, or county as required by this Section.

If the corporate authorities, township board, or the county board seek to operate the aggregation program as an opt-out program for residential and small commercial retail customers, then prior to the adoption of an ordinance with respect to aggregation of residential and small commercial retail electric loads, the corporate authorities of a municipality, the township board, or the county board of a county shall submit a referendum to its residents to determine whether or not the aggregation program shall operate as an opt-out program for residential and small commercial retail customers. Any county board that seeks to submit such a referendum to its residents shall do so only in unincorporated areas of the county where no electric aggregation ordinance has been adopted.

In addition to the notice and conduct requirements of the general election law, notice of the referendum shall state briefly the purpose of the referendum. The question of whether the corporate authorities, the township board, or the county board shall adopt an opt-out aggregation program for residential and small commercial retail customers shall be submitted to the electors of the municipality, township board, or county board at a regular election and approved by a majority of the electors voting on the question. The corporate authorities, township board, or county board must certify to the proper election authority, which must submit the question at an election in accordance with the Election Code.

The election authority must submit the question in substantially the following form:

Shall the (municipality, township, or county in which the question is being voted upon) have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the
affirmative, then the corporate authorities, township board, or county board may implement an opt-out aggregation program for residential and small commercial retail customers.

A referendum must pass in each particular municipality, township, or county that is engaged in the aggregation program. If the referendum fails, then the corporate authorities, township board, or county board shall operate the aggregation program as an opt-in program for residential and small commercial retail customers.

An ordinance under this Section shall specify whether the aggregation will occur only with the prior consent of each person owning, occupying, controlling, or using an electric load center proposed to be aggregated. Nothing in this Section, however, authorizes the aggregation of electric loads that are served or authorized to be served by an electric cooperative as defined by and pursuant to the Electric Supplier Act or loads served by a municipality that owns and operates its own electric distribution system. No aggregation shall take effect unless approved by a majority of the members of the corporate authority, township board, or county board voting upon the ordinance.

A governmental aggregator under this Section is not a public utility or an alternative retail electric supplier.

For purposes of this Section, "township" means the portion of a township that is an unincorporated portion of a county that is not otherwise a part of a municipality. In addition to such other limitations as are included in this Section, a township board shall only have authority to aggregate residential and small commercial customer loads in accordance with this Section if the county board of the county in which the township is located (i) is not also submitting a referendum to its residents at the same general election that the township board proposes to submit a referendum under this subsection (a), (ii) has not received authorization through passage of a referendum to operate an opt-out aggregation program for residential and small commercial retail customers under this subsection (a), and (iii) has not otherwise enacted an ordinance under this subsection (a) authorizing the operation of an opt-in aggregation program for residential and small commercial retail customers as described in this Section.

(b) Upon the applicable requisite authority under this Section, the corporate authorities, the township board, or the county board, with assistance from the Illinois Power Agency, shall develop a plan of operation and governance for the aggregation program so authorized. Before adopting a plan under this Section, the corporate authorities, township board, or county board...
board shall hold at least 2 public hearings on the plan. Before the first hearing, the corporate authorities, township board, or county board shall publish notice of the hearings once a week for 2 consecutive weeks in a newspaper of general circulation in the jurisdiction. The notice shall summarize the plan and state the date, time, and location of each hearing. Any load aggregation plan established pursuant to this Section shall:

(1) provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers;

(2) describe demand management and energy efficiency services to be provided to each class of customers; and

(3) meet any requirements established by law concerning aggregated service offered pursuant to this Section.

c) The process for soliciting bids for electricity and other related services and awarding proposed agreements for the purchase of electricity and other related services shall be conducted in the following order:

(1) The corporate authorities, township board, or county board may solicit bids for electricity and other related services. The bid specifications may include a provision requiring the bidder to disclose the fuel type of electricity to be procured or generated on behalf of the aggregation program customers. The corporate authorities, township board, or county board may consider the proposed source of electricity to be procured or generated to be put into the grid on behalf of aggregation program customers in the competitive bidding process. The Agency and Commission may collaborate to issue joint guidance on voluntary uniform standards for bidder disclosures of the source of electricity to be procured or generated to be put into the grid on behalf of aggregation program customers.

(1.5) A township board shall request from the electric utility those residential and small commercial customers within their aggregate area either by zip code or zip codes or other means as determined by the electric utility. The electric utility shall then provide to the township board the residential and small commercial customers, including the names and addresses of residential and small commercial customers, electronically. The township board shall be responsible for authenticating the residential and small commercial customers contained in this listing and providing edits of the data to affirm, add, or delete the residential and small commercial customers located within its jurisdiction. The township board shall provide the

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edited list to the electric utility in an electronic format or other means selected by the electric utility and certify that the information is accurate.

(2) Notwithstanding Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, an electric utility that provides residential and small commercial retail electric service in the aggregate area must, upon request of the corporate authorities, township board, or the county board in the aggregate area, submit to the requesting party, in an electronic format, those account numbers, names, and addresses of residential and small commercial retail customers in the aggregate area that are reflected in the electric utility’s records at the time of the request; provided, however, that any township board has first provided an accurate customer list to the electric utility as provided for herein.

Any corporate authority, township board, or county board receiving customer information from an electric utility shall be subject to the limitations on the disclosure of the information described in Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, and an electric utility shall not be held liable for any claims arising out of the provision of information pursuant to this item (2).

(d) If the corporate authorities, township board, or county board operate under an opt-in program for residential and small commercial retail customers, then the corporate authorities, township board, or county board shall comply with all of the following:

1. Within 60 days after receiving the bids, the corporate authorities, township board, or county board shall allow residential and small commercial retail customers to commit to the terms and conditions of a bid that has been selected by the corporate authorities, township board, or county board.

2. If (A) the corporate authorities, township board, or county board award proposed agreements for the purchase of electricity and other related services and (B) an agreement is reached between the corporate authorities, township board, or county board for those services, then customers committed to the terms and conditions according to item (1) of this subsection (d) shall be committed to the agreement.

(e) If the corporate authorities, township board, or county board
operate as an opt-out program for residential and small commercial retail customers, then it shall be the duty of the aggregated entity to fully inform residential and small commercial retail customers in advance that they have the right to opt out of the aggregation program. The disclosure shall prominently state all charges to be made and shall include full disclosure of the cost to obtain service pursuant to Section 16-103 of the Public Utilities Act, how to access it, and the fact that it is available to them without penalty, if they are currently receiving service under that Section. The Illinois Power Agency shall furnish, without charge, to any citizen a list of all supply options available to them in a format that allows comparison of prices and products.

(f) Any person or entity retained by a municipality or county, or jointly by more than one such unit of local government, to provide input, guidance, or advice in the selection of an electricity supplier for an aggregation program shall disclose in writing to the involved units of local government the nature of any relationship through which the person or entity may receive, either directly or indirectly, commissions or other remuneration as a result of the selection of any particular electricity supplier. The written disclosure must be made prior to formal approval by the involved units of local government of any professional services agreement with the person or entity, or no later than October 1, 2012 with respect to any such professional services agreement entered into prior to the effective date of this amendatory Act of the 97th General Assembly. The disclosure shall cover all direct and indirect relationships through which commissions or remuneration may result, including the pooling of commissions or remuneration among multiple persons or entities, and shall identify all involved electricity suppliers. The disclosure requirements in this subsection (f) are to be liberally construed to ensure that the nature of financial interests are fully revealed, and these disclosure requirements shall apply regardless of whether the involved person or entity is licensed under Section 16-115C of the Public Utilities Act. Any person or entity that fails to make the disclosure required under this subsection (f) is liable to the involved units of local government in an amount equal to all compensation paid to such person or entity by the units of local government for the input, guidance, or advice in the selection of an electricity supplier, plus reasonable attorneys fees and court costs incurred by the units of local government in connection with obtaining such amount.

(g) The Illinois Power Agency shall provide assistance to municipalities, townships, counties, or associations working with municipalities to help complete the plan and bidding process.

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(h) This Section does not prohibit municipalities or counties from entering into an intergovernmental agreement to aggregate residential and small commercial retail electric loads.
(Source: P.A. 97-338, eff. 8-12-11; 97-823, eff. 7-18-12; 97-1067, eff. 8-24-12; 98-404, eff. 1-1-14; 98-434, eff. 1-1-14; 98-463, eff. 8-16-13; revised 9-24-13.)

Section 135. The Addison Creek Restoration Commission Act is amended by changing Section 20 as follows:

(20 ILCS 3901/20)
(Section scheduled to be repealed on January 1, 2015)
Sec. 20. Taxing powers.
(a) After the first Monday in October and by the first Monday in December in each year, the Commission shall levy the general taxes for the Commission by general categories for the next fiscal year. A certified copy of the levy ordinance shall be filed with the county clerk of each county in which the part of the territory of the Commission that is within the Addison Creek floodplain is located by the last Tuesday in December each year.

(b) The amount of taxes levied for general corporate purposes for a fiscal year may not exceed the rate of .01% of the value, as equalized or assessed by the Department of Revenue, of the taxable property located within that part of the territory of the Commission that is within the Addison Creek floodplain, provided that the total amount levied and extended under this Section and Section 17, in the aggregate, in any single taxable year, shall not exceed $10,000,000.

(c) This tax and tax rate are exclusive of the taxes required for the payment of the principal of and interest on bonds.

(d) The rate of the tax levied for general corporate purposes of the Commission may be initially imposed or thereafter increased, up to the maximum rate identified in subsection (b), by the Commission by a resolution calling for the submission of the question of imposing or increasing the rate to the voters of that part of the territory of the Commission that is within the Addison Creek floodplain in accordance with the general election law. The question must be in substantially the following form:

Shall the Commission be authorized to establish its general corporate tax rate at (insert rate) on the equalized assessed value on all taxable property located within that part of the territory of the Commission that is within the Addison Creek floodplain for its general purposes?

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The ballot must have printed on it, but not as part of the proposition submitted, the following: "The approximate impact of the proposed (tax rate or increase) on the owner of a single family home having a market value of (insert value) would be (insert amount) in the first year of the (tax rate or increase) if the (tax rate or increase) is fully implemented." The ballot may have printed on it, but not as part of the proposition, one or both of the following: "The last tax rate extended for the purposes of the Commission was (insert rate). The last rate increase approved for the purposes of the Commission was in (insert year)." No other information needs to be included on the ballot.

The votes must be recorded as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, the Commission may thereafter levy the tax.

(Source: P.A. 93-948, eff. 8-19-04; 94-682, eff. 11-3-05; revised 9-24-13.)

Section 140. The Illinois Criminal Justice Information Act is amended by changing Sections 3 and 14 as follows:

(a) The term "criminal justice system" includes all activities by public agencies pertaining to the prevention or reduction of crime or enforcement of the criminal law, and particularly, but without limitation, the prevention, detection, and investigation of crime; the apprehension of offenders; the protection of victims and witnesses; the administration of juvenile justice; the prosecution and defense of criminal cases; the trial, conviction, and sentencing of offenders; as well as the correction and rehabilitation of offenders, which includes imprisonment, probation, parole, aftercare release, and treatment.

(b) The term "Authority" means the Illinois Criminal Justice Information Authority created by this Act.

(c) The term "criminal justice information" means any and every type of information that is collected, transmitted, or maintained by the criminal justice system.

(d) The term "criminal history record information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal
ordinances) and the nature of any disposition arising therefrom, including
sentencing, court or correctional supervision, rehabilitation, and release. The
term does not apply to statistical records and reports in which individuals are
not identified and from which their identities are not ascertainable, or to
information that is for criminal investigative or intelligence purposes.
(e) The term "unit of general local government" means any county,
municipality or other general purpose political subdivision of this State.
(Source: P.A. 98-558, eff. 1-1-14.)

(Text of Section after amendment by P.A. 98-528)
Sec. 3. Definitions. Whenever used in this Act, and for the purposes
of this Act unless the context clearly denotes otherwise:
(a) The term "criminal justice system" includes all activities by public
agencies pertaining to the prevention or reduction of crime or enforcement
of the criminal law, and particularly, but without limitation, the prevention,
detection, and investigation of crime; the apprehension of offenders; the
protection of victims and witnesses; the administration of juvenile justice; the
prosecution and defense of criminal cases; the trial, conviction, and
sentencing of offenders; as well as the correction and rehabilitation of
offenders, which includes imprisonment, probation, parole, aftercare release,
and treatment.
(b) The term "Authority" means the Illinois Criminal Justice
Information Authority created by this Act.
(c) The term "criminal justice information" means any and every type
of information that is collected, transmitted, or maintained by the criminal
justice system.
(d) The term "criminal history record information" means data
identifiable to an individual, including information collected under Section
4.5 of the Criminal Identification Act, and consisting of descriptions or
notations of arrests, detentions, indictments, informations, pre-trial
proceedings, trials, or other formal events in the criminal justice system or
descriptions or notations of criminal charges (including criminal violations
of local municipal ordinances) and the nature of any disposition arising
therefrom, including sentencing, court or correctional supervision,
rehabilitation, and release. The term does not apply to statistical records and
reports in which individuals are not identified and from which their identities
are not ascertainable, or to information that is for criminal investigative or
intelligence purposes.
(e) The term "unit of general local government" means any county,
municipality or other general purpose political subdivision of this State.

New matter indicated by italics - deletions by strikeout
Section 14. Illinois Law Enforcement Commission. Effective April 1, 1983:

(a) The position of Executive Director of the Illinois Law Enforcement Commission is abolished;

(b) The Illinois Law Enforcement Commission is abolished, and the terms and appointments of its members and Chairman are terminated; and

(c) "An Act creating an Illinois Law Enforcement Commission and defining its powers and duties", approved September 20, 1977, as now or hereafter amended, is repealed.

Section 145. The Violence Prevention Task Force Act is amended by changing Section 5 as follows:

(a) There is created the Violence Prevention Task Force (hereinafter referred to as the Task Force) consisting of 6 members appointed as follows:

(1) one member of the Senate appointed by the President of the Senate;

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

(3) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

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

(5) 2 members appointed by the Governor, one of whom shall be designated the chairperson by the Governor.

(b) The members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose.

(c) The Task Force may employ skilled experts with the approval of the chairperson, and shall receive the cooperation of those State agencies it deems appropriate to assist the Task Force in carrying out its duties.

(d) The Illinois African-American Family Commission, the Illinois Department of Public Health, and the Illinois Latino Family Commission shall provide administrative and other support to the Task Force.

New matter indicated by italics - deletions by strikeout
Section 150. The State Finance Act is amended by setting forth and renumbering multiple versions of Sections 5.826, 5.827, 5i, and 6z-98 and by changing Section 25 as follows:

(30 ILCS 105/5.826)
Sec. 5.826. The Driver Services Administration Fund.
(Source: P.A. 97-1157, eff. 11-28-13.)

(30 ILCS 105/5.827)
Sec. 5.827. The Illinois State Museum Fund.
(Source: P.A. 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

(30 ILCS 105/5.830)
Sec. 5.830. The Chicago State University Education Improvement Fund.
(Source: P.A. 98-18, eff. 6-7-13; revised 10-17-13.)

(30 ILCS 105/5.831)
Sec. 5.831. The Foreclosure Prevention Program Graduated Fund.
(Source: P.A. 98-18, eff. 6-7-13; revised 10-17-13.)

(30 ILCS 105/5.832)
Sec. 5.832. The Mines and Minerals Regulatory Fund.
(Source: P.A. 98-22, eff. 6-17-13; revised 10-17-13.)

(30 ILCS 105/5.833)
(Source: P.A. 98-58, eff. 7-8-13; revised 10-17-13.)

(30 ILCS 105/5.834)
Sec. 5.834. The Mental Health Reporting Fund.
(Source: P.A. 98-63, eff. 7-9-13; revised 10-17-13.)

(30 ILCS 105/5.835)
Sec. 5.835. The National Wild Turkey Federation Fund.
(Source: P.A. 98-66, eff. 1-1-14; revised 10-17-13.)

(30 ILCS 105/5.836)
Sec. 5.836. The Medicaid Research and Education Support Fund.
(Source: P.A. 98-104, eff. 7-22-13; revised 10-17-13.)

(30 ILCS 105/5.837)
Sec. 5.837. The South Suburban Airport Improvement Fund.
(Source: P.A. 98-109, eff. 7-25-13; revised 10-17-13.)

(30 ILCS 105/5.838)
Sec. 5.838. The Working Capital Revolving Loan Fund.

New matter indicated by italics - deletions by strikeout
Sec. 5.839. The Compassionate Use of Medical Cannabis Fund.

Sec. 5.840. The Illinois Nurses Foundation Fund.

Sec. 5.841. The American Red Cross Fund.

Sec. 5.842. The Illinois Police Benevolent and Protective Association Fund.

Sec. 5.843. The Alzheimer's Awareness Fund.

Sec. 5.844. The Supreme Court Special Purposes Fund.

Sec. 5.845. The Access to Justice Fund.

Sec. 5.846. The Illinois Police K-9 Memorial Fund.

Sec. 5.847. The Public Safety Diver Fund.

Sec. 5.848. The Committed to a Cure Fund.

Sec. 5.849. The Illinois Sheriffs' Association Scholarship and Training Fund.
Sec. 5.851. The Amusement Ride and Patron Safety Fund.
(Source: P.A. 98-541, eff. 8-23-13; revised 10-17-13.)
(30 ILCS 105/5.852)
Sec. 5.852. The State Police Firearm Services Fund.
(Source: P.A. 98-63, eff. 7-9-13; revised 10-17-13.)
(30 ILCS 105/5.853)
Sec. 5.853. The Curing Childhood Cancer Fund.
(Source: P.A. 98-66, eff. 1-1-14; revised 10-17-13.)
(30 ILCS 105/5.854)
Sec. 5.854. The South Suburban Brownfields Redevelopment Fund.
(Source: P.A. 98-109, eff. 7-25-13; revised 10-17-13.)
(30 ILCS 105/5i)
Sec. 5i. Transfers. Each year, the Governor's Office of Management and Budget shall, at the time set forth for the submission of the State budget under Section 50-5 of the State Budget Law, provide to the Chairperson and the Minority Spokesperson of each of the appropriations committees of the House of Representatives and the Senate a report of (i) all full fiscal year transfers from State general funds to any other special fund of the State in the previous fiscal year and during the current fiscal year to date, and (ii) all projected full fiscal year transfers from State general funds to those funds for the remainder of the current fiscal year and the next fiscal year, based on estimates prepared by the Governor's Office of Management and Budget. The report shall include a detailed summary of the estimates upon which the projected transfers are based. The report shall also indicate, for each transfer:
(1) whether or not there is statutory authority for the transfer;
(2) if there is statutory authority for the transfer, whether that statutory authority exists for the next fiscal year; and
(3) whether there is debt service associated with the transfer.
The General Assembly shall consider the report in the appropriations process.
(Source: P.A. 98-24, eff. 6-19-13.)
(30 ILCS 105/5j)
Sec. 5j. Closure of State mental health facilities or developmental disabilities facilities. Consistent with the provisions of Sections 4.4 and 4.5 of the Community Services Act, whenever a State mental health facility operated by the Department of Human Services or a State developmental disabilities facility operated by the Department of Human Services is closed,
the Department of Human Services, at the direction of the Governor, shall transfer funds from the closed facility to the appropriate line item providing appropriation authority for the new venue of care to facilitate the transition of services to the new venue of care, provided that the new venue of care is a Department of Human Services funded provider or facility.

As used in this Section, the terms "mental health facility" and "developmental disabilities facility" have the meanings ascribed to those terms in the Mental Health and Developmental Disabilities Code.

(Source: P.A. 98-403, eff. 1-1-14; revised 10-17-13.)

(30 ILCS 105/6z-98)

Sec. 6z-98. The Chicago State University Education Improvement Fund. The Chicago State University Education Improvement Fund is hereby created as a special fund in the State treasury. The moneys deposited into the Fund shall be used by Chicago State University, subject to appropriation, for expenses incurred by the University. All interest earned on moneys in the Fund shall remain in the Fund.

(Source: P.A. 98-18, eff. 6-7-13.)

(30 ILCS 105/6z-99)

Sec. 6z-99. The Mental Health Reporting Fund.

(a) There is created in the State treasury a special fund known as the Mental Health Reporting Fund. The Fund shall receive revenue under the Firearm Concealed Carry Act. The Fund may also receive revenue from grants, pass-through grants, donations, appropriations, and any other legal source.

(b) The Department of State Police and Department of Human Services shall coordinate to use moneys in the Fund to finance their respective duties of collecting and reporting data on mental health records and ensuring that mental health firearm possession prohibitors are enforced as set forth under the Firearm Concealed Carry Act and the Firearm Owners Identification Card Act. Any surplus in the Fund beyond what is necessary to ensure compliance with mental health reporting under these Acts shall be used by the Department of Human Services for mental health treatment programs.

(c) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

(30 ILCS 105/25) (from Ch. 127, par. 161)

Sec. 25. Fiscal year limitations.

(a) All appropriations shall be available for expenditure for the fiscal
year or for a lesser period if the Act making that appropriation so specifies. A deficiency or emergency appropriation shall be available for expenditure only through June 30 of the year when the Act making that appropriation is enacted unless that Act otherwise provides.

(b) Outstanding liabilities as of June 30, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 2-month period ending at the close of business on August 31. Any service involving professional or artistic skills or any personal services by an employee whose compensation is subject to income tax withholding must be performed as of June 30 of the fiscal year in order to be considered an "outstanding liability as of June 30" that is thereby eligible for payment out of the expiring appropriation.

(b-1) However, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code may be made by the State Board of Education from its appropriations for those respective purposes for any fiscal year, even though the claims reimbursed by the payment may be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code as of June 30, payable from appropriations that have otherwise expired, may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-2) All outstanding liabilities as of June 30, 2010, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2010, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2010, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2010.

(b-2.5) All outstanding liabilities as of June 30, 2011, payable from appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2011, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2011, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2011.

(b-2.6) All outstanding liabilities as of June 30, 2012, payable from

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appropriations that would otherwise expire at the conclusion of the lapse period for fiscal year 2012, and interest penalties payable on those liabilities under the State Prompt Payment Act, may be paid out of the expiring appropriations until December 31, 2012, without regard to the fiscal year in which the payment is made, as long as vouchers for the liabilities are received by the Comptroller no later than August 31, 2012.

(b-2.7) For fiscal years 2012, 2013, and 2014, interest penalties payable under the State Prompt Payment Act associated with a voucher for which payment is issued after June 30 may be paid out of the next fiscal year's appropriation. The future year appropriation must be for the same purpose and from the same fund as the original payment. An interest penalty voucher submitted against a future year appropriation must be submitted within 60 days after the issuance of the associated voucher, and the Comptroller must issue the interest payment within 60 days after acceptance of the interest voucher.

(b-3) Medical payments may be made by the Department of Veterans' Affairs from its appropriations for those purposes for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-4) Medical payments and child care payments may be made by the Department of Human Services (as successor to the Department of Public Aid) from appropriations for those purposes for any fiscal year, without regard to the fact that the medical or child care services being compensated for by such payment may have been rendered in a prior fiscal year; and payments may be made at the direction of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical and child care payments made by the Department of Human Services and payments made at the discretion of the Department of Healthcare and Family Services (or successor agency) from the Health Insurance Reserve Fund and payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-5) Medical payments may be made by the Department of Human

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Services from its appropriations relating to substance abuse treatment services for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Healthcare and Family Services, except as required by subsection (j) of this Section. Beginning on June 30, 2021, medical payments made by the Department of Human Services relating to substance abuse treatment services payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-6) Additionally, payments may be made by the Department of Human Services from its appropriations, or any other State agency from its appropriations with the approval of the Department of Human Services, from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986, without regard to any fiscal year limitations, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Human Services from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986 payable from appropriations that have otherwise expired may be paid out of the expiring appropriation during the 4-month period ending at the close of business on October 31.

(b-7) Payments may be made in accordance with a plan authorized by paragraph (11) or (12) of Section 405-105 of the Department of Central Management Services Law from appropriations for those payments without regard to fiscal year limitations.

(b-8) Reimbursements to eligible airport sponsors for the construction or upgrading of Automated Weather Observation Systems may be made by the Department of Transportation from appropriations for those purposes for any fiscal year, without regard to the fact that the qualification or obligation may have occurred in a prior fiscal year, provided that at the time the expenditure was made the project had been approved by the Department of Transportation prior to June 1, 2012 and, as a result of recent changes in federal funding formulas, can no longer receive federal reimbursement.

(b-9) Medical payments not exceeding $150,000,000 may be made by the Department on Aging from its appropriations relating to the Community Care Program for fiscal year 2014, without regard to the fact that the medical services being compensated for by such payment may have been rendered in

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a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Healthcare and Family Services, except as required by subsection (j) of this Section.

(c) Further, payments may be made by the Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program, for any fiscal year without regard to the fact that the services being compensated for by such payment may have been rendered in a prior fiscal year, except as required by subsection (j) of this Section. Beginning on June 30, 2021, payments made by the Department of Public Health and the Department of Human Services from their respective appropriations for grants for medical care to or on behalf of premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program payable from appropriations that have otherwise expired may be paid out of the expiring appropriations during the 4-month period ending at the close of business on October 31.

(d) The Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(e) The Department of Healthcare and Family Services, the Department of Human Services (acting as successor to the Department of Public Aid), and the Department of Human Services making fee-for-service payments relating to substance abuse treatment services provided during a previous fiscal year shall each annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, the respective Chairmen and Minority Spokesmen of the
Appropriations Committees of the Senate and the House, on or before November 30, a report that shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for (i) services provided in prior fiscal years and (ii) services for which claims were received in prior fiscal years.

(f) The Department of Human Services (as successor to the Department of Public Aid) shall annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the Appropriations Committees of the Senate and the House, on or before December 31, a report of fiscal year funds used to pay for services (other than medical care) provided in any prior fiscal year. This report shall document by program or service category those expenditures from the most recently completed fiscal year used to pay for services provided in prior fiscal years.

(g) In addition, each annual report required to be submitted by the Department of Healthcare and Family Services under subsection (e) shall include the following information with respect to the State's Medicaid program:

(1) Explanations of the exact causes of the variance between the previous year's estimated and actual liabilities.

(2) Factors affecting the Department of Healthcare and Family Services' liabilities, including but not limited to numbers of aid recipients, levels of medical service utilization by aid recipients, and inflation in the cost of medical services.

(3) The results of the Department's efforts to combat fraud and abuse.

(h) As provided in Section 4 of the General Assembly Compensation Act, any utility bill for service provided to a General Assembly member's district office for a period including portions of 2 consecutive fiscal years may be paid from funds appropriated for such expenditure in either fiscal year.

(i) An agency which administers a fund classified by the Comptroller as an internal service fund may issue rules for:

(1) billing user agencies in advance for payments or authorized inter-fund transfers based on estimated charges for goods or services;

(2) issuing credits, refunding through inter-fund transfers, or reducing future inter-fund transfers during the subsequent fiscal year for all user agency payments or authorized inter-fund transfers

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received during the prior fiscal year which were in excess of the final amounts owed by the user agency for that period; and

(3) issuing catch-up billings to user agencies during the subsequent fiscal year for amounts remaining due when payments or authorized inter-fund transfers received from the user agency during the prior fiscal year were less than the total amount owed for that period.

User agencies are authorized to reimburse internal service funds for catch-up billings by vouchers drawn against their respective appropriations for the fiscal year in which the catch-up billing was issued or by increasing an authorized inter-fund transfer during the current fiscal year. For the purposes of this Act, "inter-fund transfers" means transfers without the use of the voucher-warrant process, as authorized by Section 9.01 of the State Comptroller Act.

(i-1) Beginning on July 1, 2021, all outstanding liabilities, not payable during the 4-month lapse period as described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this Section, that are made from appropriations for that purpose for any fiscal year, without regard to the fact that the services being compensated for by those payments may have been rendered in a prior fiscal year, are limited to only those claims that have been incurred but for which a proper bill or invoice as defined by the State Prompt Payment Act has not been received by September 30th following the end of the fiscal year in which the service was rendered.

(j) Notwithstanding any other provision of this Act, the aggregate amount of payments to be made without regard for fiscal year limitations as contained in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and determined by using Generally Accepted Accounting Principles, shall not exceed the following amounts:

(1) $6,000,000,000 for outstanding liabilities related to fiscal year 2012;
(2) $5,300,000,000 for outstanding liabilities related to fiscal year 2013;
(3) $4,600,000,000 for outstanding liabilities related to fiscal year 2014;
(4) $4,000,000,000 for outstanding liabilities related to fiscal year 2015;
(5) $3,300,000,000 for outstanding liabilities related to fiscal year 2016;
(6) $2,600,000,000 for outstanding liabilities related to fiscal year 2017.
year 2017;
(7) $2,000,000,000 for outstanding liabilities related to fiscal year 2018;
(8) $1,300,000,000 for outstanding liabilities related to fiscal year 2019;
(9) $600,000,000 for outstanding liabilities related to fiscal year 2020; and
(10) $0 for outstanding liabilities related to fiscal year 2021 and fiscal years thereafter.

(k) Department of Healthcare and Family Services Medical Assistance Payments.

(1) Definition of Medical Assistance.
For purposes of this subsection, the term "Medical Assistance" shall include, but not necessarily be limited to, medical programs and services authorized under Titles XIX and XXI of the Social Security Act, the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, the Long Term Acute Care Hospital Quality Improvement Transfer Program Act, and medical care to or on behalf of persons suffering from chronic renal disease, persons suffering from hemophilia, and victims of sexual assault.

(2) Limitations on Medical Assistance payments that may be paid from future fiscal year appropriations.

(A) The maximum amounts of annual unpaid Medical Assistance bills received and recorded by the Department of Healthcare and Family Services on or before June 30th of a particular fiscal year attributable in aggregate to the General Revenue Fund, Healthcare Provider Relief Fund, Tobacco Settlement Recovery Fund, Long-Term Care Provider Fund, and the Drug Rebate Fund that may be paid in total by the Department from future fiscal year Medical Assistance appropriations to those funds are: $700,000,000 for fiscal year 2013 and $100,000,000 for fiscal year 2014 and each fiscal year thereafter.

(B) Bills for Medical Assistance services rendered in a particular fiscal year, but received and recorded by the Department of Healthcare and Family Services after June 30th of that fiscal year, may be paid from either appropriations for

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that fiscal year or future fiscal year appropriations for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(C) Medical Assistance bills received by the Department of Healthcare and Family Services in a particular fiscal year, but subject to payment amount adjustments in a future fiscal year may be paid from a future fiscal year's appropriation for Medical Assistance. Such payments shall not be subject to the requirements of subparagraph (A).

(D) Medical Assistance payments made by the Department of Healthcare and Family Services from funds other than those specifically referenced in subparagraph (A) may be made from appropriations for those purposes for any fiscal year without regard to the fact that the Medical Assistance services being compensated for by such payment may have been rendered in a prior fiscal year. Such payments shall not be subject to the requirements of subparagraph (A).

(3) Extended lapse period for Department of Healthcare and Family Services Medical Assistance payments. Notwithstanding any other State law to the contrary, outstanding Department of Healthcare and Family Services Medical Assistance liabilities, as of June 30th, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 6-month period ending at the close of business on December 31st.

(I) The changes to this Section made by Public Act 97-691 shall be effective for payment of Medical Assistance bills incurred in fiscal year 2013 and future fiscal years. The changes to this Section made by Public Act 97-691 shall not be applied to Medical Assistance bills incurred in fiscal year 2012 or prior fiscal years.

(m) The Comptroller must issue payments against outstanding liabilities that were received prior to the lapse period deadlines set forth in this Section as soon thereafter as practical, but no payment may be issued after the 4 months following the lapse period deadline without the signed authorization of the Comptroller and the Governor.

(Source: P.A. 97-75, eff. 6-30-11; 97-333, eff. 8-12-11; 97-691, eff. 7-1-12; 97-732, eff. 6-30-12; 97-932, eff. 8-10-12; 98-8, eff. 5-3-13; 98-24, eff. 6-19-13; 98-215, eff. 8-9-13; 98-463, eff. 8-16-13; revised 9-9-13.)

Section 155. The Public Funds Investment Act is amended by changing Sections 2 and 6.5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 2. Authorized investments.
(a) Any public agency may invest any public funds as follows:
   (1) in bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued, which are guaranteed by the full faith and credit of the United States of America as to principal and interest;
   (2) in bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities;
   (3) in interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act;
   (4) in short term obligations of corporations organized in the United States with assets exceeding $500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and which mature not later than 270 days from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding obligations and (iii) no more than one-third of the public agency's funds may be invested in short term obligations of corporations; or
   (5) in money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.
   (a-1) In addition to any other investments authorized under this Act, a municipality, park district, forest preserve district, conservation district, county, or other governmental unit may invest its public funds in interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be registered in the name of the municipality, park district, forest preserve district, conservation district, county, or other governmental unit, or held under a custodial agreement at a bank. The bonds shall be rated at the time of purchase within the 4 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.

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(b) Investments may be made only in banks which are insured by the Federal Deposit Insurance Corporation. Any public agency may invest any public funds in short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of such governing authority, the public funds so invested will be required for expenditure by such public agency or its governing authority. The expressed judgment of any such governing authority as to the time when any public funds will be required for expenditure or be redeemable is final and conclusive. Any public agency may invest any public funds in dividend-bearing share accounts, share certificate accounts or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.

(c) For purposes of this Section, the term "agencies of the United States of America" includes: (i) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) and Acts amendatory thereto; (ii) the federal home loan banks and the federal home loan mortgage corporation; and (iii) any other agency created by Act of Congress.

(d) Except for pecuniary interests permitted under subsection (f) of Section 3-14-4 of the Illinois Municipal Code or under Section 3.2 of the Public Officer Prohibited Practices Act, no person acting as treasurer or financial officer or who is employed in any similar capacity by or for a public agency may do any of the following:

(1) have any interest, directly or indirectly, in any investments in which the agency is authorized to invest.

(2) have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.

(3) receive, in any manner, compensation of any kind from

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any investments in which the agency is authorized to invest.

(e) Any public agency may also invest any public funds in a Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. Any public agency may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.

(f) To the extent a public agency has custody of funds not owned by it or another public agency and does not otherwise have authority to invest such funds, the public agency may invest such funds as if they were its own. Such funds must be released to the appropriate person at the earliest reasonable time, but in no case exceeding 31 days, after the private person becomes entitled to the receipt of them. All earnings accruing on any investments or deposits made pursuant to the provisions of this Act shall be credited to the public agency by or for which such investments or deposits were made, except as provided otherwise in Section 4.1 of the State Finance Act or the Local Governmental Tax Collection Act, and except where by specific statutory provisions such earnings are directed to be credited to and paid to a particular fund.

(g) A public agency may purchase or invest in repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued thereunder. The government securities, unless registered or inscribed in the name of the public agency, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

(h) Except for repurchase agreements of government securities which are subject to the Government Securities Act of 1986, as now or hereafter amended or succeeded, no public agency may purchase or invest in instruments which constitute repurchase agreements, and no financial institution may enter into such an agreement with or on behalf of any public agency unless the instrument and the transaction meet the following requirements:

1. The securities, unless registered or inscribed in the name of the public agency, are purchased through banks or trust companies authorized to do business in the State of Illinois.

2. An authorized public officer after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The

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"custodial bank" is the bank or trust company, or agency of government, which acts for the public agency in connection with repurchase agreements involving the investment of funds by the public agency. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements. To the extent the Treasurer acts in this capacity, he is hereby authorized to pass through to such public agencies any charges assessed by the Federal Reserve Bank.

(3) A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank's computer records through a member bank of the Federal Reserve System. These securities must be credited to the public agency on the records of the custodial bank and the transaction must be confirmed in writing to the public agency by the custodial bank.

(4) Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.

(5) The security interest must be perfected.

(6) The public agency enters into a written master repurchase agreement which outlines the basic responsibilities and liabilities of both buyer and seller.

(7) Agreements shall be for periods of 330 days or less.

(8) The authorized public officer of the public agency informs the custodial bank in writing of the maturity details of the repurchase agreement.

(9) The custodial bank must take delivery of and maintain the securities in its custody for the account of the public agency and confirm the transaction in writing to the public agency. The Custodial Undertaking shall provide that the custodian takes possession of the securities exclusively for the public agency; that the securities are free of any claims against the trading partner; and any claims by the custodian are subordinate to the public agency's claims to rights to those securities.

(10) The obligations purchased by a public agency may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the public agency or officer authorized to make such investments.

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(11) The custodial bank shall be liable to the public agency for any monetary loss suffered by the public agency due to the failure of the custodial bank to take and maintain possession of such securities.

(i) Notwithstanding the foregoing restrictions on investment in instruments constituting repurchase agreements the Illinois Housing Development Authority may invest in, and any financial institution with capital of at least $250,000,000 may act as custodian for, instruments that constitute repurchase agreements, provided that the Illinois Housing Development Authority, in making each such investment, complies with the safety and soundness guidelines for engaging in repurchase transactions applicable to federally insured banks, savings banks, savings and loan associations or other depository institutions as set forth in the Federal Financial Institutions Examination Council Policy Statement Regarding Repurchase Agreements and any regulations issued, or which may be issued by the supervisory federal authority pertaining thereto and any amendments thereto; provided further that the securities shall be either (i) direct general obligations of, or obligations the payment of the principal of and/or interest on which are unconditionally guaranteed by, the United States of America or (ii) any obligations of any agency, corporation or subsidiary thereof controlled or supervised by and acting as an instrumentality of the United States Government pursuant to authority granted by the Congress of the United States and provided further that the security interest must be perfected by either the Illinois Housing Development Authority, its custodian or its agent receiving possession of the securities either physically or transferred through a nationally recognized book entry system.

(j) In addition to all other investments authorized under this Section, a community college district may invest public funds in any mutual funds that invest primarily in corporate investment grade or global government short term bonds. Purchases of mutual funds that invest primarily in global government short term bonds shall be limited to funds with assets of at least $100 million and that are rated at the time of purchase as one of the 10 highest classifications established by a recognized rating service. The investments shall be subject to approval by the local community college board of trustees. Each community college board of trustees shall develop a policy regarding the percentage of the college's investment portfolio that can be invested in such funds.

Nothing in this Section shall be construed to authorize an intergovernmental risk management entity to accept the deposit of public funds except for risk management purposes.

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(Source: P.A. 97-129, eff. 7-14-11; 98-297, eff. 1-1-14; 98-390, eff. 8-16-13; revised 9-10-13.)

(30 ILCS 235/6.5)
Sec. 6.5. Federally insured deposits at Illinois financial institutions.
(a) Notwithstanding any other provision of this Act or any other statute, whenever a public agency invests public funds in an interest-bearing savings account, interest-bearing certificate of deposit, or interest-bearing time deposit under Section 2 of this Act, the provisions of Section 6 of this Act and any other statutory requirements pertaining to the eligibility of a bank to receive or hold public deposits or to the pledging of collateral by a bank to secure public deposits do not apply to any bank receiving or holding all or part of the invested public funds if (i) the public agency initiates the investment at or through a bank located in Illinois and (ii) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government.
(b) Nothing in this Section is intended to:
(1) prohibit a public agency from requiring the bank at or through which the investment of public funds is initiated to provide the public agency with the information otherwise required by subsections (a), (b), or (c) of Section 6 of this Act as a condition of investing the public funds at or through that bank; or
(2) permit a bank to receive or hold public deposits if that bank is prohibited from doing so by any rule, sanction, or order issued by a regulatory agency or by a court.
(c) For purposes of this Section, the term "bank" includes any person doing a banking business whether subject to the laws of this or any other jurisdiction.
(Source: P.A. 93-756, eff. 7-16-04; revised 10-7-13.)

Section 160. The Illinois Procurement Code is amended by changing Section 1-10 as follows:
(30 ILCS 500/1-10)
Sec. 1-10. Application.
(a) This Code applies only to procurements for which contractors were first solicited on or after July 1, 1998. This Code shall not be construed to affect or impair any contract, or any provision of a contract, entered into based on a solicitation prior to the implementation date of this Code as described in Article 99, including but not limited to any covenant entered into with respect to any revenue bonds or similar instruments. All procurements for which contracts are solicited between the effective date of Articles 50 and

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99 and July 1, 1998 shall be substantially in accordance with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with which the contracts are paid, including federal assistance moneys. This Code shall not apply to:

(1) Contracts between the State and its political subdivisions or other governments, or between State governmental bodies except as specifically provided in this Code.

(2) Grants, except for the filing requirements of Section 20-80.

(3) Purchase of care.

(4) Hiring of an individual as employee and not as an independent contractor, whether pursuant to an employment code or policy or by contract directly with that individual.

(5) Collective bargaining contracts.

(6) Purchase of real estate, except that notice of this type of contract with a value of more than $25,000 must be published in the Procurement Bulletin within 7 days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.

(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) Contracts for services to Northern Illinois University by a person, acting as an independent contractor, who is qualified by education, experience, and technical ability and is selected by negotiation for the purpose of providing non-credit educational service activities or products by means of specialized programs offered by the university.

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

(10) Procurement expenditures by the Illinois Health Information Exchange Authority involving private funds from the Health Information Exchange Fund. "Private funds" means gifts,
donations, and private grants.

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(12) Contracts for legal, financial, and other professional and artistic services entered into on or before December 31, 2018 by the Illinois Finance Authority in which the State of Illinois is not obligated. Such contracts shall be awarded through a competitive process authorized by the Board of the Illinois Finance Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the Board of the Illinois Finance Authority of the terms of the contract.

Notwithstanding any other provision of law, contracts entered into under item (12) of this subsection (b) shall be published in the Procurement Bulletin within 14 days after contract execution. The chief procurement officer shall prescribe the form and content of the notice. The Illinois Finance Authority shall provide the chief procurement officer, on a monthly basis, in the form and content prescribed by the chief procurement officer, a report of contracts that are related to the procurement of goods and services identified in item (12) of this subsection (b). At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of each of these contracts shall be made available to the chief procurement officer immediately upon request. The chief procurement officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer.

(c) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.

(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital
Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) This Code does not apply to the process used by the Illinois Power Agency to retain a mediator to mediate sourcing agreement disputes between gas utilities and the clean coal SNG brownfield facility, as defined in Section 1-10 of the Illinois Power Agency Act, as required under subsection (h-1) of Section 9-220 of the Public Utilities Act.

(g) This Code does not apply to the processes used by the Illinois Power Agency to retain a mediator to mediate contract disputes between gas utilities and the clean coal SNG facility and to retain an expert to assist in the review of contracts under subsection (h) of Section 9-220 of the Public Utilities Act. This Code does not apply to the process used by the Illinois Commerce Commission to retain an expert to assist in determining the actual incurred costs of the clean coal SNG facility and the reasonableness of those costs as required under subsection (h) of Section 9-220 of the Public Utilities Act.

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(j) This Code does not apply to the process used by the Capital Development Board to retain an artist or work or works of art as required in Section 14 of the Capital Development Board Act.

(30 ILCS 805/8.37)

Sec. 8.37. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any

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mandate created by Public Act 98-218, 98-389, 98-391, 98-427, 98-599, or 
98-622 this amendatory Act of the 98th General Assembly.
(Source: P.A. 98-218, eff. 8-9-13; 98-389, eff. 8-16-13; 98-391, eff. 8-16-13; 
98-427, eff. 8-16-13; 98-599, eff. 6-1-14; 98-622, eff. 6-1-14; revised 1-15-
14.)

Section 170. The Illinois Income Tax Act is amended by changing 
Sections 201 and 304 as follows:
(35 ILCS 5/201) (from Ch. 120, par. 2-201)
Sec. 201. Tax Imposed.
(a) In general. A tax measured by net income is hereby imposed on 
every individual, corporation, trust and estate for each taxable year ending 
after July 31, 1969 on the privilege of earning or receiving income in or as a 
resident of this State. Such tax shall be in addition to all other occupation or 
privilege taxes imposed by this State or by any municipal corporation or 
political subdivision thereof.
(b) Rates. The tax imposed by subsection (a) of this Section shall be 
determined as follows, except as adjusted by subsection (d-1):
(1) In the case of an individual, trust or estate, for taxable 
years ending prior to July 1, 1989, an amount equal to 2 1/2% of the 
taxpayer's net income for the taxable year.
(2) In the case of an individual, trust or estate, for taxable 
years beginning prior to July 1, 1989 and ending after June 30, 1989, 
an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income 
for the period prior to July 1, 1989, as calculated under Section 202.3, 
and (ii) 3% of the taxpayer's net income for the period after June 30, 
1989, as calculated under Section 202.3.
(3) In the case of an individual, trust or estate, for taxable 
years beginning after June 30, 1989, and ending prior to January 1, 
2011, an amount equal to 3% of the taxpayer's net income for the 
taxable year.
(4) In the case of an individual, trust, or estate, for taxable 
years beginning prior to January 1, 2011, and ending after December 
31, 2010, an amount equal to the sum of (i) 3% of the taxpayer's net 
income for the period prior to January 1, 2011, as calculated under 
Section 202.5, and (ii) 5% of the taxpayer's net income for the period 
after December 31, 2010, as calculated under Section 202.5.
(5) In the case of an individual, trust, or estate, for taxable 
years beginning on or after January 1, 2011, and ending prior to 
January 1, 2015, an amount equal to 5% of the taxpayer's net income

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for the taxable year.

(5.1) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 5% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 3.75% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(5.2) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2015, and ending prior to January 1, 2025, an amount equal to 3.75% of the taxpayer's net income for the taxable year.

(5.3) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2025, and ending after December 31, 2024, an amount equal to the sum of (i) 3.75% of the taxpayer's net income for the period prior to January 1, 2025, as calculated under Section 202.5, and (ii) 3.25% of the taxpayer's net income for the period after December 31, 2024, as calculated under Section 202.5.

(5.4) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2025, an amount equal to 3.25% of the taxpayer's net income for the taxable year.

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(9) In the case of a corporation, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 4.8% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(10) In the case of a corporation, for taxable years beginning

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on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 7% of the taxpayer's net income for the taxable year.

(11) In the case of a corporation, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 7% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 5.25% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(12) In the case of a corporation, for taxable years beginning on or after January 1, 2015, and ending prior to January 1, 2025, an amount equal to 5.25% of the taxpayer's net income for the taxable year.

(13) In the case of a corporation, for taxable years beginning prior to January 1, 2025, and ending after December 31, 2024, an amount equal to the sum of (i) 5.25% of the taxpayer's net income for the period prior to January 1, 2025, as calculated under Section 202.5, and (ii) 4.8% of the taxpayer's net income for the period after December 31, 2024, as calculated under Section 202.5.

(14) In the case of a corporation, for taxable years beginning on or after January 1, 2025, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

The rates under this subsection (b) are subject to the provisions of Section 201.5.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year.
taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code,

equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This

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paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).

This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than the year in which the property was placed in service in Illinois. For tax years ending on or after December 31, 1987, and on or before December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the
original liability or the liability as later amended, such excess may be
carried forward and applied to the tax liability of the 5 taxable years
following the excess credit years if the taxpayer (i) makes
investments which cause the creation of a minimum of 2,000 full-
time equivalent jobs in Illinois, (ii) is located in an enterprise zone
established pursuant to the Illinois Enterprise Zone Act and (iii) is
certified by the Department of Commerce and Community Affairs
(now Department of Commerce and Economic Opportunity) as
complying with the requirements specified in clause (i) and (ii) by
July 1, 1986. The Department of Commerce and Community Affairs
(now Department of Commerce and Economic Opportunity) shall
notify the Department of Revenue of all such certifications
immediately. For tax years ending after December 31, 1988, the credit
shall be allowed for the tax year in which the property is placed in
service, or, if the amount of the credit exceeds the tax liability for that
year, whether it exceeds the original liability or the liability as later
amended, such excess may be carried forward and applied to the tax
liability of the 5 taxable years following the excess credit years. The
credit shall be applied to the earliest year for which there is a liability.
If there is credit from more than one tax year that is available to offset
a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including
buildings and structural components of buildings and signs
that are real property, but not including land or improvements
to real property that are not a structural component of a
building such as landscaping, sewer lines, local access roads,
fencing, parking lots, and other appurtenances;

(B) is depreciable pursuant to Section 167 of the
Internal Revenue Code, except that "3-year property" as
defined in Section 168(c)(2)(A) of that Code is not eligible
for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section
179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily
engaged in manufacturing, or in mining coal or fluorite, or in
retailing, or was placed in service on or after July 1, 2006 in
a River Edge Redevelopment Zone established pursuant to the
River Edge Redevelopment Zone Act; and

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(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this subsection (e), the term "retailing" means the sale of tangible personal property for use or consumption and not for resale, or services rendered in conjunction with the sale of tangible personal property for use or consumption and not for resale. For purposes of this subsection (e), "tangible personal property" has the same meaning as when that term is used in the Retailers' Occupation Tax Act, and, for taxable years ending after December 31, 2008, does not include the generation, transmission, or distribution of electricity.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a

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reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2018, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2018.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property
placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and

(E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

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(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) There shall be allowed an additional credit equal to 0.5% of the basis of qualified property placed in service during the taxable year in a River Edge Redevelopment Zone, provided such property is placed in service on or after July 1, 2006, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is 0.5% and the denominator of which is 1%, but shall not exceed 0.5%.

(g) (Blank).

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the
Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as
defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);
(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and
(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.
(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.
(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.
(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.
(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.
(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

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(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a

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credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit. For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, and ending prior to January 1, 2016, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs.

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first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from this amendatory Act of the 91st General Assembly in construing this Section for taxable years beginning before January 1, 1999.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the

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taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection
(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed $500. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:
"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.

(i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14a of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge...
Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not

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be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(o) For each of taxable years during the Compassionate Use of Medical Cannabis Pilot Program, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles of an organization registrant under the Compassionate Use of Medical Cannabis Pilot Program Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year attributable to those sales and exchanges. The surcharge imposed does not apply if:

(1) the medical cannabis cultivation center registration, medical cannabis dispensary registration, or the property of a registration is transferred as a result of any of the following:

(A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial registration or the substantial owners of the initial registration;

(B) cancellation, revocation, or termination of any registration by the Illinois Department of Public Health;

(C) a determination by the Illinois Department of Public Health that transfer of the registration is in the best interests of Illinois qualifying patients as defined by the Compassionate Use of Medical Cannabis Pilot Program Act;

(D) the death of an owner of the equity interest in a registrant;

(E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;

(F) a transfer by a parent company to a wholly owned subsidiary; or

(G) the transfer or sale to or by one person to another person where both persons were initial owners of the registration when the registration was issued; or

(2) the cannabis cultivation center registration, medical cannabis dispensary registration, or the controlling interest in a registrant's property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized.

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Sec. 304. Business income of persons other than residents.

(a) In general. The business income of a person other than a resident shall be allocated to this State if such person's business income is derived solely from this State. If a person other than a resident derives business income from this State and one or more other states, then, for tax years ending on or before December 30, 1998, and except as otherwise provided by this Section, such person's business income shall be apportioned to this State by multiplying the income by a fraction, the numerator of which is the sum of the property factor (if any), the payroll factor (if any) and 200% of the sales factor (if any), and the denominator of which is 4 reduced by the number of factors other than the sales factor which have a denominator of zero and by an additional 2 if the sales factor has a denominator of zero. For tax years ending on or after December 31, 1998, and except as otherwise provided by this Section, persons other than residents who derive business income from this State and one or more other states shall compute their apportionment factor by weighting their property, payroll, and sales factors as provided in subsection (h) of this Section.

(1) Property factor.

(A) The property factor is a fraction, the numerator of which is the average value of the person's real and tangible personal property owned or rented and used in the trade or business in this State during the taxable year and the denominator of which is the average value of all the person's real and tangible personal property owned or rented and used in the trade or business during the taxable year.

(B) Property owned by the person is valued at its original cost. Property rented by the person is valued at 8 times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the person less any annual rental rate received by the person from sub-rentals.

(C) The average value of property shall be determined by averaging the values at the beginning and ending of the taxable year but the Director may require the averaging of monthly values during the taxable year if reasonably required to reflect properly the average value of the person's property.

(2) Payroll factor.

(A) The payroll factor is a fraction, the numerator of which is
the total amount paid in this State during the taxable year by the person for compensation, and the denominator of which is the total compensation paid everywhere during the taxable year.

(B) Compensation is paid in this State if:

(i) The individual's service is performed entirely within this State;

(ii) The individual's service is performed both within and without this State, but the service performed without this State is incidental to the individual's service performed within this State; or

(iii) Some of the service is performed within this State and either the base of operations, or if there is no base of operations, the place from which the service is directed or controlled is within this State, or the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this State.

(iv) Compensation paid to nonresident professional athletes.

(a) General. The Illinois source income of a nonresident individual who is a member of a professional athletic team includes the portion of the individual's total compensation for services performed as a member of a professional athletic team during the taxable year which the number of duty days spent within this State performing services for the team in any manner during the taxable year bears to the total number of duty days spent both within and without this State during the taxable year.

(b) Travel days. Travel days that do not involve either a game, practice, team meeting, or other similar team event are not considered duty days spent in this State. However, such travel days are considered in the total duty days spent both within and without this State.

(c) Definitions. For purposes of this subpart (iv):

(1) The term "professional athletic team" includes, but is not limited to, any professional baseball, basketball, football, soccer, or hockey team.

(2) The term "member of a professional athletic team" includes those employees who are
active players, players on the disabled list, and any other persons required to travel and who travel with and perform services on behalf of a professional athletic team on a regular basis. This includes, but is not limited to, coaches, managers, and trainers.

(3) Except as provided in items (C) and (D) of this subpart (3), the term "duty days" means all days during the taxable year from the beginning of the professional athletic team's official pre-season training period through the last game in which the team competes or is scheduled to compete. Duty days shall be counted for the year in which they occur, including where a team's official pre-season training period through the last game in which the team competes or is scheduled to compete, occurs during more than one tax year.

(A) Duty days shall also include days on which a member of a professional athletic team performs service for a team on a date that does not fall within the foregoing period (e.g., participation in instructional leagues, the "All Star Game", or promotional "caravans"). Performing a service for a professional athletic team includes conducting training and rehabilitation activities, when such activities are conducted at team facilities.

(B) Also included in duty days are game days, practice days, days spent at team meetings, promotional caravans, pre-season training camps, and days served with the team through all post-season games in which the team competes or is scheduled to compete.

(C) Duty days for any person who joins a team during the period from the beginning of the professional athletic team's official pre-season training period through the last game in which the team competes, or is scheduled to compete, shall begin on the day that person joins the team. Conversely, duty
days for any person who leaves a team during this period shall end on the day that person leaves the team. Where a person switches teams during a taxable year, a separate duty-day calculation shall be made for the period the person was with each team.

(D) Days for which a member of a professional athletic team is not compensated and is not performing services for the team in any manner, including days when such member of a professional athletic team has been suspended without pay and prohibited from performing any services for the team, shall not be treated as duty days.

(E) Days for which a member of a professional athletic team is on the disabled list and does not conduct rehabilitation activities at facilities of the team, and is not otherwise performing services for the team in Illinois, shall not be considered duty days spent in this State. All days on the disabled list, however, are considered to be included in total duty days spent both within and without this State.

(4) The term "total compensation for services performed as a member of a professional athletic team" means the total compensation received during the taxable year for services performed:

(A) from the beginning of the official pre-season training period through the last game in which the team competes or is scheduled to compete during that taxable year; and

(B) during the taxable year on a date which does not fall within the foregoing period (e.g., participation in instructional leagues, the "All Star Game", or promotional caravans).
This compensation shall include, but is not
limited to, salaries, wages, bonuses as described in this subpart, and any other type of compensation paid during the taxable year to a member of a professional athletic team for services performed in that year. This compensation does not include strike benefits, severance pay, termination pay, contract or option year buy-out payments, expansion or relocation payments, or any other payments not related to services performed for the team.

For purposes of this subparagraph, "bonuses" included in "total compensation for services performed as a member of a professional athletic team" subject to the allocation described in Section 302(c)(1) are: bonuses earned as a result of play (i.e., performance bonuses) during the season, including bonuses paid for championship, playoff or "bowl" games played by a team, or for selection to all-star league or other honorary positions; and bonuses paid for signing a contract, unless the payment of the signing bonus is not conditional upon the signee playing any games for the team or performing any subsequent services for the team or even making the team, the signing bonus is payable separately from the salary and any other compensation, and the signing bonus is nonrefundable.

(3) Sales factor.

(A) The sales factor is a fraction, the numerator of which is the total sales of the person in this State during the taxable year, and the denominator of which is the total sales of the person everywhere during the taxable year.

(B) Sales of tangible personal property are in this State if:

(i) The property is delivered or shipped to a purchaser, other than the United States government, within this State regardless of the f. o. b. point or other conditions of the sale; or

(ii) The property is shipped from an office, store, warehouse, factory or other place of storage in this State and either the purchaser is the United States government or the person is not taxable in the state of the purchaser; provided,
however, that premises owned or leased by a person who has independently contracted with the seller for the printing of newspapers, periodicals or books shall not be deemed to be an office, store, warehouse, factory or other place of storage for purposes of this Section. Sales of tangible personal property are not in this State if the seller and purchaser would be members of the same unitary business group but for the fact that either the seller or purchaser is a person with 80% or more of total business activity outside of the United States and the property is purchased for resale.

(B-1) Patents, copyrights, trademarks, and similar items of intangible personal property.

(i) Gross receipts from the licensing, sale, or other disposition of a patent, copyright, trademark, or similar item of intangible personal property, other than gross receipts governed by paragraph (B-7) of this item (3), are in this State to the extent the item is utilized in this State during the year the gross receipts are included in gross income.

(ii) Place of utilization.

(I) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing, or other processing in the state or to the extent that a patented product is produced in the state. If a patent is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts of the licensee or purchaser from sales or leases of items produced, fabricated, manufactured, or processed within that state using the patent and of patented items produced within that state, divided by the total of such gross receipts for all states in which the patent is utilized.

(II) A copyright is utilized in a state to the extent that printing or other publication originates in the state. If a copyright is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts from sales or licenses of materials printed or published in that state divided by the total of such gross receipts for all states in which the copyright is utilized.

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(III) Trademarks and other items of intangible personal property governed by this paragraph (B-1) are utilized in the state in which the commercial domicile of the licensee or purchaser is located.

(iii) If the state of utilization of an item of property governed by this paragraph (B-1) cannot be determined from the taxpayer's books and records or from the books and records of any person related to the taxpayer within the meaning of Section 267(b) of the Internal Revenue Code, 26 U.S.C. 267, the gross receipts attributable to that item shall be excluded from both the numerator and the denominator of the sales factor.

(B-2) Gross receipts from the license, sale, or other disposition of patents, copyrights, trademarks, and similar items of intangible personal property, other than gross receipts governed by paragraph (B-7) of this item (3), may be included in the numerator or denominator of the sales factor only if gross receipts from licenses, sales, or other disposition of such items comprise more than 50% of the taxpayer's total gross receipts included in gross income during the tax year and during each of the 2 immediately preceding tax years; provided that, when a taxpayer is a member of a unitary business group, such determination shall be made on the basis of the gross receipts of the entire unitary business group.

(B-5) For taxable years ending on or after December 31, 2008, except as provided in subsections (ii) through (vii), receipts from the sale of telecommunications service or mobile telecommunications service are in this State if the customer's service address is in this State.

(i) For purposes of this subparagraph (B-5), the following terms have the following meanings:

"Ancillary services" means services that are associated with or incidental to the provision of "telecommunications services", including but not limited to "detailed telecommunications billing", "directory assistance", "vertical service", and "voice mail services".

"Air-to-Ground Radiotelephone service" means a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in
"Call-by-call Basis" means any method of charging for telecommunications services where the price is measured by individual calls.

"Communications Channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

"Conference bridging service" means an "ancillary service" that links two or more participants of an audio or video conference call and may include the provision of a telephone number. "Conference bridging service" does not include the "telecommunications services" used to reach the conference bridge.

"Customer Channel Termination Point" means the location where the customer either inputs or receives the communications.

"Detailed telecommunications billing service" means an "ancillary service" of separately stating information pertaining to individual calls on a customer's billing statement.

"Directory assistance" means an "ancillary service" of providing telephone number information, and/or address information.

"Home service provider" means the facilities based carrier or reseller with which the customer contracts for the provision of mobile telecommunications services.

"Mobile telecommunications service" means commercial mobile radio service, as defined in Section 20.3 of Title 47 of the Code of Federal Regulations as in effect on June 1, 1999.

"Place of primary use" means the street address representative of where the customer's use of the telecommunications service primarily occurs, which must be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, "place of primary use" must be within the licensed service area of the home service provider.

"Post-paid telecommunication service" means the
telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunication service.

"Prepaid telecommunication service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

"Prepaid Mobile telecommunication service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other non-telecommunication services, including but not limited to ancillary services, which must be paid for in advance that is sold in predetermined units or dollars of which the number declines with use in a known amount.

"Private communication service" means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels.

"Service address" means:

(a) The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;

(b) If the location in line (a) is not known,
service address means the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider where the system used to transport such signals is not that of the seller; and

(c) If the locations in line (a) and line (b) are not known, the service address means the location of the customer's place of primary use.

"Telecommunications service" means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points. The term "telecommunications service" includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such service is referred to as voice over Internet protocol services or is classified by the Federal Communications Commission as enhanced or value added. "Telecommunications service" does not include:

(a) Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser when such purchaser's primary purpose for the underlying transaction is the processed data or information;

(b) Installation or maintenance of wiring or equipment on a customer's premises;

(c) Tangible personal property;

(d) Advertising, including but not limited to directory advertising.

(e) Billing and collection services provided to third parties;

(f) Internet access service;

(g) Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming

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service provider. Radio and television audio and video programming services shall include but not be limited to cable service as defined in 47 USC 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

(h) "Ancillary services"; or

(i) Digital products "delivered electronically", including but not limited to software, music, video, reading materials or ring tones.

"Vertical service" means an "ancillary service" that is offered in connection with one or more "telecommunications services", which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including "conference bridging services".

"Voice mail service" means an "ancillary service" that enables the customer to store, send or receive recorded messages. "Voice mail service" does not include any "vertical services" that the customer may be required to have in order to utilize the "voice mail service".

(ii) Receipts from the sale of telecommunications service sold on an individual call-by-call basis are in this State if either of the following applies:

(a) The call both originates and terminates in this State.

(b) The call either originates or terminates in this State and the service address is located in this State.

(iii) Receipts from the sale of postpaid telecommunications service at retail are in this State if the origination point of the telecommunication signal, as first identified by the service provider's telecommunication system or as identified by information received by the seller from its service provider if the system used to transport telecommunication signals is not the seller's, is located in this State.

(iv) Receipts from the sale of prepaid telecommunications service or prepaid mobile telecommunications service at retail are in this State if the
purchaser obtains the prepaid card or similar means of conveyance at a location in this State. Receipts from recharging a prepaid telecommunications service or mobile telecommunications service is in this State if the purchaser's billing information indicates a location in this State.

(v) Receipts from the sale of private communication services are in this State as follows:

(a) 100% of receipts from charges imposed at each channel termination point in this State.

(b) 100% of receipts from charges for the total channel mileage between each channel termination point in this State.

(c) 50% of the total receipts from charges for service segments when those segments are between 2 customer channel termination points, 1 of which is located in this State and the other is located outside of this State, which segments are separately charged.

(d) The receipts from charges for service segments with a channel termination point located in this State and in two or more other states, and which segments are not separately billed, are in this State based on a percentage determined by dividing the number of customer channel termination points in this State by the total number of customer channel termination points.

(vi) Receipts from charges for ancillary services for telecommunications service sold to customers at retail are in this State if the customer's primary place of use of telecommunications services associated with those ancillary services is in this State. If the seller of those ancillary services cannot determine where the associated telecommunications are located, then the ancillary services shall be based on the location of the purchaser.

(vii) Receipts to access a carrier's network or from the sale of telecommunication services or ancillary services for resale are in this State as follows:

(a) 100% of the receipts from access fees attributable to intrastate telecommunications service that both originates and terminates in this State.

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(b) 50% of the receipts from access fees attributable to interstate telecommunications service if the interstate call either originates or terminates in this State.

(c) 100% of the receipts from interstate end user access line charges, if the customer's service address is in this State. As used in this subdivision, "interstate end user access line charges" includes, but is not limited to, the surcharge approved by the federal communications commission and levied pursuant to 47 CFR 69.

(d) Gross receipts from sales of telecommunication services or from ancillary services for telecommunications services sold to other telecommunication service providers for resale shall be sourced to this State using the apportionment concepts used for non-resale receipts of telecommunications services if the information is readily available to make that determination. If the information is not readily available, then the taxpayer may use any other reasonable and consistent method.

(B-7) For taxable years ending on or after December 31, 2008, receipts from the sale of broadcasting services are in this State if the broadcasting services are received in this State. For purposes of this paragraph (B-7), the following terms have the following meanings:

"Advertising revenue" means consideration received by the taxpayer in exchange for broadcasting services or allowing the broadcasting of commercials or announcements in connection with the broadcasting of film or radio programming, from sponsorships of the programming, or from product placements in the programming.

"Audience factor" means the ratio that the audience or subscribers located in this State of a station, a network, or a cable system bears to the total audience or total subscribers for that station, network, or cable system. The audience factor for film or radio programming shall be determined by reference to the books and records of the taxpayer or by reference to published rating statistics provided the method used by the taxpayer is consistently used from year to year for

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this purpose and fairly represents the taxpayer's activity in this State.

"Broadcast" or "broadcasting" or "broadcasting services" means the transmission or provision of film or radio programming, whether through the public airwaves, by cable, by direct or indirect satellite transmission, or by any other means of communication, either through a station, a network, or a cable system.

"Film" or "film programming" means the broadcast on television of any and all performances, events, or productions, including but not limited to news, sporting events, plays, stories, or other literary, commercial, educational, or artistic works, either live or through the use of video tape, disc, or any other type of format or medium. Each episode of a series of films produced for television shall constitute separate "film" notwithstanding that the series relates to the same principal subject and is produced during one or more tax periods.

"Radio" or "radio programming" means the broadcast on radio of any and all performances, events, or productions, including but not limited to news, sporting events, plays, stories, or other literary, commercial, educational, or artistic works, either live or through the use of an audio tape, disc, or any other format or medium. Each episode in a series of radio programming produced for radio broadcast shall constitute a separate "radio programming" notwithstanding that the series relates to the same principal subject and is produced during one or more tax periods.

(i) In the case of advertising revenue from broadcasting, the customer is the advertiser and the service is received in this State if the commercial domicile of the advertiser is in this State.

(ii) In the case where film or radio programming is broadcast by a station, a network, or a cable system for a fee or other remuneration received from the recipient of the broadcast, the portion of the service that is received in this State is measured by the portion of the recipients of the broadcast located in this State. Accordingly, the fee or

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other remuneration for such service that is included in the Illinois numerator of the sales factor is the total of those fees or other remuneration received from recipients in Illinois. For purposes of this paragraph, a taxpayer may determine the location of the recipients of its broadcast using the address of the recipient shown in its contracts with the recipient or using the billing address of the recipient in the taxpayer's records.

(iii) In the case where film or radio programming is broadcast by a station, a network, or a cable system for a fee or other remuneration from the person providing the programming, the portion of the broadcast service that is received by such station, network, or cable system in this State is measured by the portion of recipients of the broadcast located in this State. Accordingly, the amount of revenue related to such an arrangement that is included in the Illinois numerator of the sales factor is the total fee or other total remuneration from the person providing the programming related to that broadcast multiplied by the Illinois audience factor for that broadcast.

(iv) In the case where film or radio programming is provided by a taxpayer that is a network or station to a customer for broadcast in exchange for a fee or other remuneration from that customer the broadcasting service is received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. Accordingly, in such a case the revenue derived by the taxpayer that is included in the taxpayer's Illinois numerator of the sales factor is the revenue from such customers who receive the broadcasting service in Illinois.

(v) In the case where film or radio programming is provided by a taxpayer that is not a network or station to another person for broadcasting in exchange for a fee or other remuneration from that person, the broadcasting service is received at the

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location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. Accordingly, in such a case the revenue derived by the taxpayer that is included in the taxpayer's Illinois numerator of the sales factor is the revenue from such customers who receive the broadcasting service in Illinois.

(B-8) Gross receipts from winnings under the Illinois Lottery Law from the assignment of a prize under Section 13-1 of the Illinois Lottery Law are received in this State. This paragraph (B-8) applies only to taxable years ending on or after December 31, 2013.

(C) For taxable years ending before December 31, 2008, sales, other than sales governed by paragraphs (B), (B-1), (B-2), and (B-8) are in this State if:

(i) The income-producing activity is performed in this State; or

(ii) The income-producing activity is performed both within and without this State and a greater proportion of the income-producing activity is performed within this State than without this State, based on performance costs.

(C-5) For taxable years ending on or after December 31, 2008, sales, other than sales governed by paragraphs (B), (B-1), (B-2), (B-5), and (B-7), are in this State if any of the following criteria are met:

(i) Sales from the sale or lease of real property are in this State if the property is located in this State.

(ii) Sales from the lease or rental of tangible personal property are in this State if the property is located in this State during the rental period. Sales from the lease or rental of tangible personal property that is characteristically moving property, including, but not limited to, motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are in this State to the extent that the property is used in this State.

(iii) In the case of interest, net gains (but not less than zero) and other items of income from intangible personal property, the sale is in this State if:

(a) in the case of a taxpayer who is a dealer in the item of intangible personal property within the meaning of Section 475 of the Internal Revenue Code, the income or gain is received from a customer in this State.
State. For purposes of this subparagraph, a customer is in this State if the customer is an individual, trust or estate who is a resident of this State and, for all other customers, if the customer's commercial domicile is in this State. Unless the dealer has actual knowledge of the residence or commercial domicile of a customer during a taxable year, the customer shall be deemed to be a customer in this State if the billing address of the customer, as shown in the records of the dealer, is in this State; or

(b) in all other cases, if the income-producing activity of the taxpayer is performed in this State or, if the income-producing activity of the taxpayer is performed both within and without this State, if a greater proportion of the income-producing activity of the taxpayer is performed within this State than in any other state, based on performance costs.

(iv) Sales of services are in this State if the services are received in this State. For the purposes of this section, gross receipts from the performance of services provided to a corporation, partnership, or trust may only be attributed to a state where that corporation, partnership, or trust has a fixed place of business. If the state where the services are received is not readily determinable or is a state where the corporation, partnership, or trust receiving the service does not have a fixed place of business, the services shall be deemed to be received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business. If the ordering office cannot be determined, the services shall be deemed to be received at the office of the customer to which the services are billed. If the taxpayer is not taxable in the state in which the services are received, the sale must be excluded from both the numerator and the denominator of the sales factor. The Department shall adopt rules prescribing where specific types of service are received, including, but not limited to, publishing, and utility service.

(D) For taxable years ending on or after December 31, 1995, the following items of income shall not be included in the numerator

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or denominator of the sales factor: dividends; amounts included under Section 78 of the Internal Revenue Code; and Subpart F income as defined in Section 952 of the Internal Revenue Code. No inference shall be drawn from the enactment of this paragraph (D) in construing this Section for taxable years ending before December 31, 1995.

(E) Paragraphs (B-1) and (B-2) shall apply to tax years ending on or after December 31, 1999, provided that a taxpayer may elect to apply the provisions of these paragraphs to prior tax years. Such election shall be made in the form and manner prescribed by the Department, shall be irrevocable, and shall apply to all tax years; provided that, if a taxpayer's Illinois income tax liability for any tax year, as assessed under Section 903 prior to January 1, 1999, was computed in a manner contrary to the provisions of paragraphs (B-1) or (B-2), no refund shall be payable to the taxpayer for that tax year to the extent such refund is the result of applying the provisions of paragraph (B-1) or (B-2) retroactively. In the case of a unitary business group, such election shall apply to all members of such group for every tax year such group is in existence, but shall not apply to any taxpayer for any period during which that taxpayer is not a member of such group.

(b) Insurance companies.

(1) In general. Except as otherwise provided by paragraph (2), business income of an insurance company for a taxable year shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the direct premiums written for insurance upon property or risk in this State, and the denominator of which is the direct premiums written for insurance upon property or risk everywhere. For purposes of this subsection, the term "direct premiums written" means the total amount of direct premiums written, assessments and annuity considerations as reported for the taxable year on the annual statement filed by the company with the Illinois Director of Insurance in the form approved by the National Convention of Insurance Commissioners or such other form as may be prescribed in lieu thereof.

(2) Reinsurance. If the principal source of premiums written by an insurance company consists of premiums for reinsurance accepted by it, the business income of such company shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the sum of (i) direct premiums written for
insurance upon property or risk in this State, plus (ii) premiums
written for reinsurance accepted in respect of property or risk in this
State, and the denominator of which is the sum of (iii) direct
premiums written for insurance upon property or risk everywhere,
plus (iv) premiums written for reinsurance accepted in respect of
property or risk everywhere. For purposes of this paragraph,
premiums written for reinsurance accepted in respect of property or
risk in this State, whether or not otherwise determinable, may, at the
election of the company, be determined on the basis of the proportion
which premiums written for reinsurance accepted from companies
commercially domiciled in Illinois bears to premiums written for
reinsurance accepted from all sources, or, alternatively, in the
proportion which the sum of the direct premiums written for
insurance upon property or risk in this State by each ceding company
from which reinsurance is accepted bears to the sum of the total direct
premiums written by each such ceding company for the taxable year.
The election made by a company under this paragraph for its first
taxable year ending on or after December 31, 2011, shall be binding
for that company for that taxable year and for all subsequent taxable
years, and may be altered only with the written permission of the
Department, which shall not be unreasonably withheld.
(c) Financial organizations.
   (1) In general. For taxable years ending before December 31,
2008, business income of a financial organization shall be
apportioned to this State by multiplying such income by a fraction,
the numerator of which is its business income from sources within
this State, and the denominator of which is its business income from
all sources. For the purposes of this subsection, the business income
of a financial organization from sources within this State is the sum
of the amounts referred to in subparagraphs (A) through (E)
following, but excluding the adjusted income of an international
banking facility as determined in paragraph (2):
   (A) Fees, commissions or other compensation for
financial services rendered within this State;
   (B) Gross profits from trading in stocks, bonds or
other securities managed within this State;
   (C) Dividends, and interest from Illinois customers,
which are received within this State;
   (D) Interest charged to customers at places of business

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maintained within this State for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying such accounts; and

(E) Any other gross income resulting from the operation as a financial organization within this State. In computing the amounts referred to in paragraphs (A) through (E) of this subsection, any amount received by a member of an affiliated group (determined under Section 1504(a) of the Internal Revenue Code but without reference to whether any such corporation is an "includible corporation" under Section 1504(b) of the Internal Revenue Code) from another member of such group shall be included only to the extent such amount exceeds expenses of the recipient directly related thereto.

(2) International Banking Facility. For taxable years ending before December 31, 2008:

(A) Adjusted Income. The adjusted income of an international banking facility is its income reduced by the amount of the floor amount.

(B) Floor Amount. The floor amount shall be the amount, if any, determined by multiplying the income of the international banking facility by a fraction, not greater than one, which is determined as follows:

(i) The numerator shall be:

The average aggregate, determined on a quarterly basis, of the financial organization's loans to banks in foreign countries, to foreign domiciled borrowers (except where secured primarily by real estate) and to foreign governments and other foreign official institutions, as reported for its branches, agencies and offices within the state on its "Consolidated Report of Condition", Schedule A, Lines 2.c., 5.b., and 7.a., which was filed with the Federal Deposit Insurance Corporation and other regulatory authorities, for the year 1980, minus

The average aggregate, determined on a quarterly basis, of such loans (other than loans of an international banking facility), as reported by the financial institution for its branches, agencies and

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offices within the state, on the corresponding Schedule and lines of the Consolidated Report of Condition for the current taxable year, provided, however, that in no case shall the amount determined in this clause (the subtrahend) exceed the amount determined in the preceding clause (the minuend); and

(ii) the denominator shall be the average aggregate, determined on a quarterly basis, of the international banking facility's loans to banks in foreign countries, to foreign domiciled borrowers (except where secured primarily by real estate) and to foreign governments and other foreign official institutions, which were recorded in its financial accounts for the current taxable year.

(C) Change to Consolidated Report of Condition and in Qualification. In the event the Consolidated Report of Condition which is filed with the Federal Deposit Insurance Corporation and other regulatory authorities is altered so that the information required for determining the floor amount is not found on Schedule A, lines 2.c., 5.b. and 7.a., the financial institution shall notify the Department and the Department may, by regulations or otherwise, prescribe or authorize the use of an alternative source for such information. The financial institution shall also notify the Department should its international banking facility fail to qualify as such, in whole or in part, or should there be any amendment or change to the Consolidated Report of Condition, as originally filed, to the extent such amendment or change alters the information used in determining the floor amount.

(3) For taxable years ending on or after December 31, 2008, the business income of a financial organization shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is its gross receipts from sources in this State or otherwise attributable to this State's marketplace and the denominator of which is its gross receipts everywhere during the taxable year. "Gross receipts" for purposes of this subparagraph (3) means gross income, including net taxable gain on disposition of assets, including securities and money market instruments, when derived from transactions and activities in the regular course of the financial

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organization's trade or business. The following examples are illustrative:

(i) Receipts from the lease or rental of real or tangible personal property are in this State if the property is located in this State during the rental period. Receipts from the lease or rental of tangible personal property that is characteristically moving property, including, but not limited to, motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are from sources in this State to the extent that the property is used in this State.

(ii) Interest income, commissions, fees, gains on disposition, and other receipts from assets in the nature of loans that are secured primarily by real estate or tangible personal property are from sources in this State if the security is located in this State.

(iii) Interest income, commissions, fees, gains on disposition, and other receipts from consumer loans that are not secured by real or tangible personal property are from sources in this State if the debtor is a resident of this State.

(iv) Interest income, commissions, fees, gains on disposition, and other receipts from commercial loans and installment obligations that are not secured by real or tangible personal property are from sources in this State if the proceeds of the loan are to be applied in this State. If it cannot be determined where the funds are to be applied, the income and receipts are from sources in this State if the office of the borrower from which the loan was negotiated in the regular course of business is located in this State. If the location of this office cannot be determined, the income and receipts shall be excluded from the numerator and denominator of the sales factor.

(v) Interest income, fees, gains on disposition, service charges, merchant discount income, and other receipts from credit card receivables are from sources in this State if the card charges are regularly billed to a customer in this State.

(vi) Receipts from the performance of services, including, but not limited to, fiduciary, advisory, and brokerage services, are in this State if the services are received in this State within the meaning of subparagraph
(a)(3)(C-5)(iv) of this Section.

(vii) Receipts from the issuance of travelers checks and money orders are from sources in this State if the checks and money orders are issued from a location within this State.

(viii) Receipts from investment assets and activities and trading assets and activities are included in the receipts factor as follows:

1. Interest, dividends, net gains (but not less than zero) and other income from investment assets and activities from trading assets and activities shall be included in the receipts factor. Investment assets and activities and trading assets and activities include but are not limited to: investment securities; trading account assets; federal funds; securities purchased and sold under agreements to resell or repurchase; options; futures contracts; forward contracts; notional principal contracts such as swaps; equities; and foreign currency transactions. With respect to the investment and trading assets and activities described in subparagraphs (A) and (B) of this paragraph, the receipts factor shall include the amounts described in such subparagraphs.

   A. The receipts factor shall include the amount by which interest from federal funds sold and securities purchased under resale agreements exceeds interest expense on federal funds purchased and securities sold under repurchase agreements.

   B. The receipts factor shall include the amount by which interest, dividends, gains and other income from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book, and foreign currency transactions, exceed amounts paid in lieu of interest, amounts paid in lieu of dividends, and losses from such assets and activities.

2. The numerator of the receipts factor includes interest, dividends, net gains (but not less
than zero), and other income from investment assets and activities and from trading assets and activities described in paragraph (1) of this subsection that are attributable to this State.

(A) The amount of interest, dividends, net gains (but not less than zero), and other income from investment assets and activities in the investment account to be attributed to this State and included in the numerator is determined by multiplying all such income from such assets and activities by a fraction, the numerator of which is the gross income from such assets and activities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such assets and activities.

(B) The amount of interest from federal funds sold and purchased and from securities purchased under resale agreements and securities sold under repurchase agreements attributable to this State and included in the numerator is determined by multiplying the amount described in subparagraph (A) of paragraph (1) of this subsection from such funds and such securities by a fraction, the numerator of which is the gross income from such funds and such securities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such funds and such securities.

(C) The amount of interest, dividends, gains, and other income from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book and foreign currency transactions (but excluding amounts described
in subparagraphs (A) or (B) of this paragraph), attributable to this State and included in the numerator is determined by multiplying the amount described in subparagraph (B) of paragraph (1) of this subsection by a fraction, the numerator of which is the gross income from such trading assets and activities which are properly assigned to a fixed place of business of the taxpayer within this State and the denominator of which is the gross income from all such assets and activities.

(D) Properly assigned, for purposes of this paragraph (2) of this subsection, means the investment or trading asset or activity is assigned to the fixed place of business with which it has a preponderance of substantive contacts. An investment or trading asset or activity assigned by the taxpayer to a fixed place of business without the State shall be presumed to have been properly assigned if:

(i) the taxpayer has assigned, in the regular course of its business, such asset or activity on its records to a fixed place of business consistent with federal or state regulatory requirements;

(ii) such assignment on its records is based upon substantive contacts of the asset or activity to such fixed place of business; and

(iii) the taxpayer uses such records reflecting assignment of such assets or activities for the filing of all state and local tax returns for which an assignment of such assets or activities to a fixed place of business is required.

(E) The presumption of proper assignment of an investment or trading asset

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or activity provided in subparagraph (D) of paragraph (2) of this subsection may be rebutted upon a showing by the Department, supported by a preponderance of the evidence, that the preponderance of substantive contacts regarding such asset or activity did not occur at the fixed place of business to which it was assigned on the taxpayer's records. If the fixed place of business that has a preponderance of substantive contacts cannot be determined for an investment or trading asset or activity to which the presumption in subparagraph (D) of paragraph (2) of this subsection does not apply or with respect to which that presumption has been rebutted, that asset or activity is properly assigned to the state in which the taxpayer's commercial domicile is located. For purposes of this subparagraph (E), it shall be presumed, subject to rebuttal, that taxpayer's commercial domicile is in the state of the United States or the District of Columbia to which the greatest number of employees are regularly connected with the management of the investment or trading income or out of which they are working, irrespective of where the services of such employees are performed, as of the last day of the taxable year.

(4) (Blank).
(5) (Blank).

(c-1) Federally regulated exchanges. For taxable years ending on or after December 31, 2012, business income of a federally regulated exchange shall, at the option of the federally regulated exchange, be apportioned to this State by multiplying such income by a fraction, the numerator of which is its business income from sources within this State, and the denominator of which is its business income from all sources. For purposes of this subsection, the business income within this State of a federally regulated exchange is the sum of the following:

(1) Receipts attributable to transactions executed on a physical trading floor if that physical trading floor is located in this State.
(2) Receipts attributable to all other matching, execution, or clearing transactions, including without limitation receipts from the provision of matching, execution, or clearing services to another entity, multiplied by (i) for taxable years ending on or after December 31, 2012 but before December 31, 2013, 63.77%; and (ii) for taxable years ending on or after December 31, 2013, 27.54%.

(3) All other receipts not governed by subparagraphs (1) or (2) of this subsection (c-1), to the extent the receipts would be characterized as "sales in this State" under item (3) of subsection (a) of this Section.

"Federally regulated exchange" means (i) a "registered entity" within the meaning of 7 U.S.C. Section 1a(40)(A), (B), or (C), (ii) an "exchange" or "clearing agency" within the meaning of 15 U.S.C. Section 78c (a)(1) or (23), (iii) any such entities regulated under any successor regulatory structure to the foregoing, and (iv) all taxpayers who are members of the same unitary business group as a federally regulated exchange, determined without regard to the prohibition in Section 1501(a)(27) of this Act against including in a unitary business group taxpayers who are ordinarily required to apportion business income under different subsections of this Section; provided that this subparagraph (iv) shall apply only if 50% or more of the business receipts of the unitary business group determined by application of this subparagraph (iv) for the taxable year are attributable to the matching, execution, or clearing of transactions conducted by an entity described in subparagraph (i), (ii), or (iii) of this paragraph.

In no event shall the Illinois apportionment percentage computed in accordance with this subsection (c-1) for any taxpayer for any tax year be less than the Illinois apportionment percentage computed under this subsection (c-1) for that taxpayer for the first full tax year ending on or after December 31, 2013 for which this subsection (c-1) applied to the taxpayer.

(d) Transportation services. For taxable years ending before December 31, 2008, business income derived from furnishing transportation services shall be apportioned to this State in accordance with paragraphs (1) and (2):

(1) Such business income (other than that derived from transportation by pipeline) shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For purposes of this paragraph, a revenue mile is the transportation of 1 passenger or
1 net ton of freight the distance of 1 mile for a consideration. Where a person is engaged in the transportation of both passengers and freight, the fraction above referred to shall be determined by means of an average of the passenger revenue mile fraction and the freight revenue mile fraction, weighted to reflect the person's

(A) relative railway operating income from total passenger and total freight service, as reported to the Interstate Commerce Commission, in the case of transportation by railroad, and

(B) relative gross receipts from passenger and freight transportation, in case of transportation other than by railroad.

(2) Such business income derived from transportation by pipeline shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For the purposes of this paragraph, a revenue mile is the transportation by pipeline of 1 barrel of oil, 1,000 cubic feet of gas, or of any specified quantity of any other substance, the distance of 1 mile for a consideration.

(3) For taxable years ending on or after December 31, 2008, business income derived from providing transportation services other than airline services shall be apportioned to this State by using a fraction, (a) the numerator of which shall be (i) all receipts from any movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline) that both originates and terminates in this State, plus (ii) that portion of the person's gross receipts from movements or shipments of people, goods, mail, oil, gas, or any other substance (other than by airline) that originates in one state or jurisdiction and terminates in another state or jurisdiction, that is determined by the ratio that the miles traveled in this State bears to total miles everywhere and (b) the denominator of which shall be all revenue derived from the movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline). Where a taxpayer is engaged in the transportation of both passengers and freight, the fraction above referred to shall first be determined separately for passenger miles and freight miles. Then an average of the passenger miles fraction and the freight miles fraction shall be weighted to reflect the taxpayer's:

(A) relative railway operating income from total passenger and total freight service, as reported to the Interstate Commerce Commission, in the case of transportation by railroad, and

(B) relative gross receipts from passenger and freight transportation, in case of transportation other than by railroad.

New matter indicated by italics - deletions by strikeout
passenger and total freight service, as reported to the Surface Transportation Board, in the case of transportation by railroad; and

(B) relative gross receipts from passenger and freight transportation, in case of transportation other than by railroad.

(4) For taxable years ending on or after December 31, 2008, business income derived from furnishing airline transportation services shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. For purposes of this paragraph, a revenue mile is the transportation of one passenger or one net ton of freight the distance of one mile for a consideration. If a person is engaged in the transportation of both passengers and freight, the fraction above referred to shall be determined by means of an average of the passenger revenue mile fraction and the freight revenue mile fraction, weighted to reflect the person's relative gross receipts from passenger and freight airline transportation.

(e) Combined apportionment. Where 2 or more persons are engaged in a unitary business as described in subsection (a)(27) of Section 1501, a part of which is conducted in this State by one or more members of the group, the business income attributable to this State by any such member or members shall be apportioned by means of the combined apportionment method.

(f) Alternative allocation. If the allocation and apportionment provisions of subsections (a) through (e) and of subsection (h) do not, for taxable years ending before December 31, 2008, fairly represent the extent of a person's business activity in this State, or, for taxable years ending on or after December 31, 2008, fairly represent the market for the person's goods, services, or other sources of business income, the person may petition for, or the Director may, without a petition, permit or require, in respect of all or any part of the person's business activity, if reasonable:

(1) Separate accounting;
(2) The exclusion of any one or more factors;
(3) The inclusion of one or more additional factors which will fairly represent the person's business activities or market in this State; or

(4) The employment of any other method to effectuate an equitable allocation and apportionment of the person's business income.

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(g) Cross reference. For allocation of business income by residents, see Section 301(a).

(h) For tax years ending on or after December 31, 1998, the apportionment factor of persons who apportion their business income to this State under subsection (a) shall be equal to:

1. for tax years ending on or after December 31, 1998 and before December 31, 1999, 16 2/3% of the property factor plus 16 2/3% of the payroll factor plus 66 2/3% of the sales factor;
2. for tax years ending on or after December 31, 1999 and before December 31, 2000, 8 1/3% of the property factor plus 8 1/3% of the payroll factor plus 83 1/3% of the sales factor;
3. for tax years ending on or after December 31, 2000, the sales factor.

If, in any tax year ending on or after December 31, 1998 and before December 31, 2000, the denominator of the payroll, property, or sales factor is zero, the apportionment factor computed in paragraph (1) or (2) of this subsection for that year shall be divided by an amount equal to 100% minus the percentage weight given to each factor whose denominator is equal to zero.

(Source: P.A. 97-507, eff. 8-23-11; 97-636, eff. 6-1-12; 98-478, eff. 1-1-14; 98-496, eff. 1-1-14; revised 9-9-13.)

Section 175. The Use Tax Act is amended by changing Sections 3-5 and 9 as follows:

35 ILCS 105/3-5
Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

1. Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.
2. Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.
3. Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or
services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

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(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Until June 30, 2013, fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight
number of that aircraft.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Coal and aggregate exploration, mining, off-highway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code. The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is
made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the manufacturer's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser. The exemption provided by this paragraph (18) does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of Public Act 98-583 this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (21) is exempt from the provisions of Section 3-90, and the exemption provided for under this item (21) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair

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market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State
or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated
amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

(30) Beginning January 1, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers’ Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers’ Occupation Tax Act. If the property is leased in a manner that does not
qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(35) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement,
repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the use of qualifying tangible personal property by persons who modify, refurbish, complete, repair, replace, or maintain aircraft and who (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made to this paragraph (35) by Public Act 98-534 this amendatory Act of the 98th General Assembly are declarative of existing law.

(36) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-90.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12; 98-104, eff. 7-22-13; 98-422, eff. 8-16-13; 98-456, eff. 8-16-13; 98-534, eff. 8-23-13; 98-574, eff. 1-1-14; 98-583, eff. 1-1-14; revised 9-9-13.)

(35 ILCS 105/9) (from Ch. 120, par. 439.9)

Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is
allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:
1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

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4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5.5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer.

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funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to

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January 1, 1996, each payment shall be in an amount equal to 22.5% of the
taxpayer's actual liability for the month or 25% of the taxpayer's liability for
the same calendar month of the preceding year or 100% of the taxpayer's
actual liability for the quarter monthly reporting period. The amount of such
quarter monthly payments shall be credited against the final tax liability of
the taxpayer's return for that month. Before October 1, 2000, once applicable,
the requirement of the making of quarter monthly payments to the
Department shall continue until such taxpayer's average monthly liability to
the Department during the preceding 4 complete calendar quarters (excluding
the month of highest liability and the month of lowest liability) is less than
$9,000, or until such taxpayer's average monthly liability to the Department
as computed for each calendar quarter of the 4 preceding complete calendar
quarter period is less than $10,000. However, if a taxpayer can show the
Department that a substantial change in the taxpayer's business has occurred
which causes the taxpayer to anticipate that his average monthly tax liability
for the reasonably foreseeable future will fall below the $10,000 threshold
stated above, then such taxpayer may petition the Department for change in
such taxpayer's reporting status. On and after October 1, 2000, once
applicable, the requirement of the making of quarter monthly payments to the
Department shall continue until such taxpayer's average monthly liability to
the Department during the preceding 4 complete calendar quarters (excluding
the month of highest liability and the month of lowest liability) is less than
$19,000 or until such taxpayer's average monthly liability to the Department
as computed for each calendar quarter of the 4 preceding complete calendar
quarter period is less than $20,000. However, if a taxpayer can show the
Department that a substantial change in the taxpayer's business has occurred
which causes the taxpayer to anticipate that his average monthly tax liability
for the reasonably foreseeable future will fall below the $20,000 threshold
stated above, then such taxpayer may petition the Department for a change
in such taxpayer's reporting status. The Department shall change such
taxpayer's reporting status unless it finds that such change is seasonal in
nature and not likely to be long term. If any such quarter monthly payment is
not paid at the time or in the amount required by this Section, then the
taxpayer shall be liable for penalties and interest on the difference between
the minimum amount due and the amount of such quarter monthly payment
actually and timely paid, except insofar as the taxpayer has previously made
payments for that month to the Department in excess of the minimum
payments previously due as provided in this Section. The Department shall
make reasonable rules and regulations to govern the quarter monthly payment

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amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.
Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold;

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such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules
to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.
Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into

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the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Retailers' Occupation Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the

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difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

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Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
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<th>Fiscal Year</th>
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Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the

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McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 97-95, eff. 7-12-11; 97-333, eff. 8-12-11; 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-496, eff. 1-1-14; revised 9-9-13.)

Section 180. The Service Use Tax Act is amended by changing Sections 3-5, 3-10, and 9 as follows:

(35 ILCS 110/3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited

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liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse
wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Until June 30, 2013, fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight number of that aircraft.

(9) Proceeds of mandatory service charges separately stated on customers’ bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with

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respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Coal and aggregate exploration, mining, off-highway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code. The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (14) is exempt from the provisions of Section 3-75, and the exemption provided for under this item (14) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after the effective date of this amendatory Act of the 95th General Assembly for such taxes paid during the period beginning May 30, 2000 and ending on the effective date of this amendatory Act of the 95th General Assembly.

(15) Computers and communications equipment utilized for any...
hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax

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exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by

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the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers’ Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor

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is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(26) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-75.

(27) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the use of qualifying tangible personal property transferred incident to the modification, refurbishment,
completion, replacement, repair, or maintenance of aircraft by persons who (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made to this paragraph (27) by Public Act 98-534 this amending Act of the 98th General Assembly are declarative of existing law.

(28) Tangible personal property purchased by a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12; 98-104, eff. 7-22-13; 98-422, eff. 8-16-13; 98-456, eff. 8-16-13; 98-534, eff. 8-23-13; revised 9-9-13.)

(35 ILCS 110/3-10) (from Ch. 120, par. 439.33-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the selling price of tangible personal property transferred as an incident to the sale of service, but, for the purpose of computing this tax, in no event shall the selling price be less than the cost price of the property to the serviceman.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the selling price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred
as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the selling price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred as an incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community

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Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does
not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or
(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on January 1, 2014 (the effective date of Public Act 98-122) this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act.

If the property that is acquired from a serviceman is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use.

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return

New matter indicated by italics - deletions by strikeout
is filed, but only if the Department's decision to revoke the certificate of registration has become final. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5.5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of

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the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on
an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury,

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the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be,
of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from

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other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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2012  153,000,000
2013  161,000,000
2014  170,000,000
2015  179,000,000
2016  189,000,000
2017  199,000,000
2018  210,000,000
2019  221,000,000
2020  233,000,000
2021  246,000,000
2022  260,000,000
2023  275,000,000
2024  275,000,000
2025  275,000,000
2026  279,000,000
2027  292,000,000
2028  307,000,000
2029  322,000,000
2030  338,000,000
2031  350,000,000
2032  350,000,000

and

each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year
thereafter, one-eighth of the amount requested in the certificate of the
Chairman of the Metropolitan Pier and Exposition Authority for that fiscal
year, less the amount deposited into the McCormick Place Expansion Project
Fund by the State Treasurer in the respective month under subsection (g) of
Section 13 of the Metropolitan Pier and Exposition Authority Act, plus
cumulative deficiencies in the deposits required under this Section for
previous months and years, shall be deposited into the McCormick Place
Expansion Project Fund, until the full amount requested for the fiscal year,

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but not in excess of the amount specified above as "Total Deposit", has been
deposited.

Subject to payment of amounts into the Build Illinois Fund and the MCCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the MCCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-298, eff. 8-9-13; 98-496, eff. 1-1-14; revised 9-9-13.)

Section 185. The Service Occupation Tax Act is amended by changing Sections 3-5, 3-10, and 9 as follows:

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(35 ILCS 115/3-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

1. Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

2. Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

3. Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

4. Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

5. Until July 1, 2003 and beginning again on September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

6. Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

7. Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including

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machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Until June 30, 2013, fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight number of that aircraft.

(9) Proceeds of mandatory service charges separately stated on customers’ bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as
tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Coal and aggregate exploration, mining, off-highway off-highway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code. The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly.

(13) Beginning January 1, 1992 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or in a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

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(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (15) is exempt from the provisions of Section 3-55, and the exemption provided for under this item (15) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessee who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessee who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.
(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

(24) Beginning on the effective date of this amendatory Act of the

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92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(26) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (26). The permit issued under this paragraph (26) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(27) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-55.

(28) Tangible personal property sold to a public-facilities corporation,
as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 3-55.

(29) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the transfer of qualifying tangible personal property incident to the modification, refurbishment, completion, replacement, repair, or maintenance of an aircraft by persons who (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made to this paragraph (29) by Public Act 98-534 this amendatory Act of the 98th General Assembly are declarative of existing law.

(Source: P.A. 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12; 98-104, eff. 7-22-13; 98-422, eff. 8-16-13; 98-456, eff. 8-16-13; 98-534, eff. 8-23-13; revised 9-9-13.)

(35 ILCS 115/3-10) (from Ch. 120, par. 439.103-10)
Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the
tax imposed by this Act is at the rate of 6.25% of the "selling price", as defined in Section 2 of the Service Use Tax Act, of the tangible personal property. For the purpose of computing this tax, in no event shall the "selling price" be less than the cost price to the serviceman of the tangible personal property transferred. The selling price of each item of tangible personal property transferred as an incident of a sale of service may be shown as a distinct and separate item on the serviceman's billing to the service customer. If the selling price is not so shown, the selling price of the tangible personal property is deemed to be 50% of the serviceman's entire billing to the service customer. When, however, a serviceman contracts to design, develop, and produce special order machinery or equipment, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the completion of the contract.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act shall apply to (i) 70% of the cost price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018, and (iii) 100% of the cost price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to
100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel material, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning
September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or
(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on January 1, 2014 (the effective date of Public Act 98-122) this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and drugs" includes medical cannabis purchased

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from a registered dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act.
(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-636, eff. 6-1-12; 98-104, eff. 7-22-13; 98-122, eff. 1-1-14; revised 8-9-13.)
(35 ILCS 115/9) (from Ch. 120, par. 439.109)
Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.
Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.
Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.
The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:
1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and

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time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

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Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer.

The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the

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The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor vehicle fuels used in the commercial motor vehicles.
Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are is now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Acts, such Acts being hereinafter called the "State and Local Sales Tax Acts", and provided, however, that if in any fiscal year the sum of (1) the aggregate of New matter indicated by italics - deletions by strikeout
Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget).

If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund

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are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue.
realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, pay roll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

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(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-298, eff. 8-9-13; 98-496, eff. 1-1-14; revised 9-9-13.)

Section 190. The Retailers’ Occupation Tax Act is amended by changing Sections 2-5, 2a, and 3 as follows:

(35 ILCS 120/2-5)

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Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (2) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004 through August 30, 2014, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on
special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act. This paragraph is exempt from the provisions of Section 2-70.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no

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entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items

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of no commercial value on special order for a particular purchaser. The exemption provided by this paragraph (14) does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of Public Act 98-583 this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Coal and aggregate exploration, mining, off-highway off-highway.
hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code. The changes made to this Section by Public Act 97-767 apply on and after July 1, 2003, but no claim for credit or refund is allowed on or after August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly for such taxes paid during the period beginning July 1, 2003 and ending on August 16, 2013 (the effective date of Public Act 98-456) this amendatory Act of the 98th General Assembly.

(22) Until June 30, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

Beginning July 1, 2013, fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight that (i) is engaged in foreign trade or is engaged in trade between the United States and any of its possessions and (ii) transports at least one individual or package for hire from the city of origination to the city of final destination on the same aircraft, without regard to a change in the flight number of that aircraft.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that

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the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(25-7) Beginning on July 1, 2007, no tax is imposed under this Act on the sale of an aircraft, as defined in Section 3 of the Illinois Aeronautics Act, if all of the following conditions are met:

(1) the aircraft leaves this State within 15 days after the later of either the issuance of the final billing for the sale of the aircraft, or the authorized approval for return to service, completion of the maintenance record entry, and completion of the test flight and ground test for inspection, as required by 14 C.F.R. 91.407;

(2) the aircraft is not based or registered in this State after the sale of the aircraft; and

(3) the seller retains in his or her books and records and provides to the Department a signed and dated certification from the purchaser, on a form prescribed by the Department, certifying that the requirements of this item (25-7) are met. The certificate must also include the name and address of the purchaser, the address of the location where the aircraft is to be titled or registered, the address of
the primary physical location of the aircraft, and other information that the Department may reasonably require. For purposes of this item (25-7):

"Based in this State" means hangared, stored, or otherwise used, excluding post-sale customizations as defined in this Section, for 10 or more days in each 12-month period immediately following the date of the sale of the aircraft.

"Registered in this State" means an aircraft registered with the Department of Transportation, Aeronautics Division, or titled or registered with the Federal Aviation Administration to an address located in this State. This paragraph (25-7) is exempt from the provisions of Section 2-70.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes. This item (27) is exempt from the provisions of Section 2-70, and the exemption provided for under this item (27) applies for all periods beginning May 30, 1995, but no claim for credit or refund is allowed on or after January 1, 2008 (the effective date of Public Act 95-88) for such taxes paid during the period beginning May 30, 2000 and ending on January 1, 2008 (the effective date of Public Act 95-88).

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax
exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" as that term is used in the Wildlife Code. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by

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the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2016, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act, or a licensed facility as defined in the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2016, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or

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consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction or maintenance of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 2-70.

(40) Beginning January 1, 2010, materials, parts, equipment, components, and furnishings incorporated into or upon an aircraft as part of the modification, refurbishment, completion, replacement, repair, or maintenance of the aircraft. This exemption includes consumable supplies used in the modification, refurbishment, completion, replacement, repair, and maintenance of aircraft, but excludes any materials, parts, equipment, components, and consumable supplies used in the modification, replacement, repair, and maintenance of aircraft engines or power plants, whether such engines or power plants are installed or uninstalled upon any such aircraft. "Consumable supplies" include, but are not limited to, adhesive, tape, sandpaper, general purpose lubricants, cleaning solution, latex gloves, and protective films. This exemption applies only to the sale of qualifying tangible personal property to persons who modify, refurbish, complete, replace, or maintain an aircraft and who (i) hold an Air Agency Certificate and are empowered to operate an approved repair station by the Federal Aviation Administration, (ii) have a Class IV Rating, and (iii) conduct operations in accordance with Part 145 of the Federal Aviation Regulations. The exemption does not include aircraft operated by a commercial air carrier providing scheduled passenger air service pursuant to authority issued under Part 121 or Part 129 of the Federal Aviation Regulations. The changes made
to this paragraph (40) by Public Act 98-534 this amendatory Act of the 98th General Assembly are declarative of existing law.

(41) Tangible personal property sold to a public-facilities corporation, as described in Section 11-65-10 of the Illinois Municipal Code, for purposes of constructing or furnishing a municipal convention hall, but only if the legal title to the municipal convention hall is transferred to the municipality without any further consideration by or on behalf of the municipality at the time of the completion of the municipal convention hall or upon the retirement or redemption of any bonds or other debt instruments issued by the public-facilities corporation in connection with the development of the municipal convention hall. This exemption includes existing public-facilities corporations as provided in Section 11-65-25 of the Illinois Municipal Code. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 97-38, eff. 6-28-11; 97-73, eff. 6-30-11; 97-227, eff. 1-1-12; 97-431, eff. 8-16-11; 97-636, eff. 6-1-12; 97-767, eff. 7-9-12; 98-104, eff. 7-22-13; 98-422, eff. 8-16-13; 98-456, eff. 8-16-13; 98-534, eff. 8-23-13; 98-574, eff. 1-1-14; 98-583, eff. 1-1-14; revised 9-9-13.)

(35 ILCS 120/2a) (from Ch. 120, par. 441a)

Sec. 2a. It is unlawful for any person to engage in the business of selling tangible personal property at retail in this State without a certificate of registration from the Department. Application for a certificate of registration shall be made to the Department upon forms furnished by it. Each such application shall be signed and verified and shall state: (1) the name and social security number of the applicant; (2) the address of his principal place of business; (3) the address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State and the addresses of all other places of business, if any (enumerating such addresses, if any, in a separate list attached to and made a part of the application), from which he engages in the business of selling tangible personal property at retail in this State; (4) the name and address of the person or persons who will be responsible for filing returns and payment of taxes due under this Act; (5) in the case of a publicly traded corporation, the name and title of the Chief Financial Officer, Chief Operating Officer, and any other officer or employee with responsibility for preparing tax returns under this Act, along with the last 4 digits of each of their social security numbers, and, in the case of all other corporations, the name, title, and social security number of each corporate officer; (6) in the case of a limited liability company, the name, social security number, and FEIN number of each manager and member; and (7) such other information as the Department may

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reasonably require. The application shall contain an acceptance of responsibility signed by the person or persons who will be responsible for filing returns and payment of the taxes due under this Act. If the applicant will sell tangible personal property at retail through vending machines, his application to register shall indicate the number of vending machines to be so operated. If requested by the Department at any time, that person shall verify the total number of vending machines he or she uses in his or her business of selling tangible personal property at retail.

The Department may deny a certificate of registration to any applicant if a person who is named as the owner, a partner, a manager or member of a limited liability company, or a corporate officer of the applicant on the application for the certificate of registration; is or has been named as the owner, a partner, a manager or member of a limited liability company, or a corporate officer; on the application for the certificate of registration of another retailer that is in default for moneys due under this Act or any other tax or fee Act administered by the Department. For purposes of this paragraph only, in determining whether a person is in default for moneys due, the Department shall include only amounts established as a final liability within the 20 years prior to the date of the Department's notice of denial of a certificate of registration.

The Department may require an applicant for a certificate of registration hereunder to, at the time of filing such application, furnish a bond from a surety company authorized to do business in the State of Illinois, or an irrevocable bank letter of credit or a bond signed by 2 personal sureties who have filed, with the Department, sworn statements disclosing net assets equal to at least 3 times the amount of the bond to be required of such applicant, or a bond secured by an assignment of a bank account or certificate of deposit, stocks or bonds, conditioned upon the applicant paying to the State of Illinois all moneys becoming due under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution. In making a determination as to whether to require a bond or other security, the Department shall take into consideration whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer of another retailer that is in default for moneys due under this Act or any other tax or fee Act administered by the Department; and

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whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer of another retailer whose certificate of registration has been revoked within the previous 5 years under this Act or any other tax or fee Act administered by the Department. If a bond or other security is required, the Department shall fix the amount of the bond or other security, taking into consideration the amount of money expected to become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance, or resolution. The amount of security required by the Department shall be such as, in its opinion, will protect the State of Illinois against failure to pay the amount which may become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution, but the amount of the security required by the Department shall not exceed three times the amount of the applicant's average monthly tax liability, or $50,000.00, whichever amount is lower.

No certificate of registration under this Act shall be issued by the Department until the applicant provides the Department with satisfactory security, if required, as herein provided for.

Upon receipt of the application for certificate of registration in proper form, and upon approval by the Department of the security furnished by the applicant, if required, the Department shall issue to such applicant a certificate of registration which shall permit the person to whom it is issued to engage in the business of selling tangible personal property at retail in this State. The certificate of registration shall be conspicuously displayed at the place of business which the person so registered states in his application to be the principal place of business from which he engages in the business of selling tangible personal property at retail in this State.

No certificate of registration issued to a taxpayer who files returns required by this Act on a monthly basis shall be valid after the expiration of 5 years from the date of its issuance or last renewal. The expiration date of a sub-certificate of registration shall be that of the certificate of registration to which the sub-certificate relates. A certificate of registration shall

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automatically be renewed, subject to revocation as provided by this Act, for an additional 5 years from the date of its expiration unless otherwise notified by the Department as provided by this paragraph. Where a taxpayer to whom a certificate of registration is issued under this Act is in default to the State of Illinois for delinquent returns or for moneys due under this Act or any other State tax law or municipal or county ordinance administered or enforced by the Department, the Department shall, not less than 120 days before the expiration date of such certificate of registration, give notice to the taxpayer to whom the certificate was issued of the account period of the delinquent returns, the amount of tax, penalty and interest due and owing from the taxpayer, and that the certificate of registration shall not be automatically renewed upon its expiration date unless the taxpayer, on or before the date of expiration, has filed and paid the delinquent returns or paid the defaulted amount in full. A taxpayer to whom such a notice is issued shall be deemed an applicant for renewal. The Department shall promulgate regulations establishing procedures for taxpayers who file returns on a monthly basis but desire and qualify to change to a quarterly or yearly filing basis and will no longer be subject to renewal under this Section, and for taxpayers who file returns on a yearly or quarterly basis but who desire or are required to change to a monthly filing basis and will be subject to renewal under this Section.

The Department may in its discretion approve renewal by an applicant who is in default if, at the time of application for renewal, the applicant files all of the delinquent returns or pays to the Department such percentage of the defaulted amount as may be determined by the Department and agrees in writing to waive all limitations upon the Department for collection of the remaining defaulted amount to the Department over a period not to exceed 5 years from the date of renewal of the certificate; however, no renewal application submitted by an applicant who is in default shall be approved if the immediately preceding renewal by the applicant was conditioned upon the installment payment agreement described in this Section. The payment agreement herein provided for shall be in addition to and not in lieu of the security that may be required by this Section of a taxpayer who is no longer considered a prior continuous compliance taxpayer. The execution of the payment agreement as provided in this Act shall not toll the accrual of interest at the statutory rate.

The Department may suspend a certificate of registration if the Department finds that the person to whom the certificate of registration has been issued knowingly sold contraband cigarettes.

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A certificate of registration issued under this Act more than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the next anniversary of the date of issuance of such certificate which occurs more than 6 months after the effective date of this amendatory Act of 1989. A certificate of registration issued less than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the 5th anniversary of the issuance of the certificate.

If the person so registered states that he operates other places of business from which he engages in the business of selling tangible personal property at retail in this State, the Department shall furnish him with a sub-certificate of registration for each such place of business, and the applicant shall display the appropriate sub-certificate of registration at each such place of business. All sub-certificates of registration shall bear the same registration number as that appearing upon the certificate of registration to which such sub-certificates relate.

If the applicant will sell tangible personal property at retail through vending machines, the Department shall furnish him with a sub-certificate of registration for each such vending machine, and the applicant shall display the appropriate sub-certificate of registration on each such vending machine by attaching the sub-certificate of registration to a conspicuous part of such vending machine. If a person who is registered to sell tangible personal property at retail through vending machines adds an additional vending machine or additional vending machines to the number of vending machines he or she uses in his or her business of selling tangible personal property at retail, he or she shall notify the Department, on a form prescribed by the Department, to request an additional sub-certificate or additional sub-certificates of registration, as applicable. With each such request, the applicant shall report the number of sub-certificates of registration he or she is requesting as well as the total number of vending machines from which he or she makes retail sales.

Where the same person engages in 2 or more businesses of selling tangible personal property at retail in this State, which businesses are substantially different in character or engaged in under different trade names or engaged in under other substantially dissimilar circumstances (so that it is more practicable, from an accounting, auditing or bookkeeping standpoint, for such businesses to be separately registered), the Department may require or permit such person (subject to the same requirements concerning the furnishing of security as those that are provided for hereinbefore in this

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Section as to each application for a certificate of registration) to apply for and obtain a separate certificate of registration for each such business or for any of such businesses, under a single certificate of registration supplemented by related sub-certificates of registration.

Any person who is registered under the "Retailers' Occupation Tax Act" as of March 8, 1963, and who, during the 3-year period immediately prior to March 8, 1963, or during a continuous 3-year period part of which passed immediately before and the remainder of which passes immediately after March 8, 1963, has been so registered continuously and who is determined by the Department not to have been either delinquent or deficient in the payment of tax liability during that period under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, shall be considered to be a Prior Continuous Compliance taxpayer. Also any taxpayer who has, as verified by the Department, faithfully and continuously complied with the condition of his bond or other security under the provisions of this Act for a period of 3 consecutive years shall be considered to be a Prior Continuous Compliance taxpayer.

Every Prior Continuous Compliance taxpayer shall be exempt from all requirements under this Act concerning the furnishing of a bond or other security as a condition precedent to his being authorized to engage in the business of selling tangible personal property at retail in this State. This exemption shall continue for each such taxpayer until such time as he may be determined by the Department to be delinquent in the filing of any returns, or is determined by the Department (either through the Department's issuance of a final assessment which has become final under the Act, or by the taxpayer's filing of a return which admits tax that is not paid to be due) to be delinquent or deficient in the paying of any tax under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, at which time that taxpayer shall become subject to all the financial responsibility requirements of this Act and, as a condition of being allowed to continue to engage in the business of selling tangible personal property at retail, may be required to post bond or other acceptable security with the Department covering liability which such taxpayer may thereafter incur. Any taxpayer who fails to pay an
admitted or established liability under this Act may also be required to post bond or other acceptable security with this Department guaranteeing the payment of such admitted or established liability.

No certificate of registration shall be issued to any person who is in default to the State of Illinois for moneys due under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution.

Any person aggrieved by any decision of the Department under this Section may, within 20 days after notice of such decision, protest and request a hearing, whereupon the Department shall give notice to such person of the time and place fixed for such hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to such person. In the absence of such a protest within 20 days, the Department's decision shall become final without any further determination being made or notice given.

With respect to security other than bonds (upon which the Department may sue in the event of a forfeiture), if the taxpayer fails to pay, when due, any amount whose payment such security guarantees, the Department shall, after such liability is admitted by the taxpayer or established by the Department through the issuance of a final assessment that has become final under the law, convert the security which that taxpayer has furnished into money for the State, after first giving the taxpayer at least 10 days' written notice, by registered or certified mail, to pay the liability or forfeit such security to the Department. If the security consists of stocks or bonds or other securities which are listed on a public exchange, the Department shall sell such securities through such public exchange. If the security consists of an irrevocable bank letter of credit, the Department shall convert the security in the manner provided for in the Uniform Commercial Code. If the security consists of a bank certificate of deposit, the Department shall convert the security into money by demanding and collecting the amount of such bank certificate of deposit from the bank which issued such certificate. If the security consists of a type of stocks or other securities which are not listed on a public exchange, the Department shall sell such security to the highest and best bidder after giving at least 10 days' notice of the date, time and place of the intended sale by publication in the "State Official Newspaper". If the Department realizes more than the amount of such liability from the security, plus the expenses incurred by the Department in converting the security into

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money, the Department shall pay such excess to the taxpayer who furnished such security, and the balance shall be paid into the State Treasury.

The Department shall discharge any surety and shall release and return any security deposited, assigned, pledged or otherwise provided to it by a taxpayer under this Section within 30 days after:

(1) such taxpayer becomes a Prior Continuous Compliance taxpayer; or

(2) such taxpayer has ceased to collect receipts on which he is required to remit tax to the Department, has filed a final tax return, and has paid to the Department an amount sufficient to discharge his remaining tax liability, as determined by the Department, under this Act and under every other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration issued under this Act permits the registrant to engage in business without registering separately under such other law, ordinance or resolution. The Department shall make a final determination of the taxpayer's outstanding tax liability as expeditiously as possible after his final tax return has been filed; if the Department cannot make such final determination within 45 days after receiving the final tax return, within such period it shall so notify the taxpayer, stating its reasons therefor.

(Source: P.A. 97-335, eff. 1-1-12; 98-496, eff. 1-1-14; 98-583, eff. 1-1-14; revised 9-9-13.)

(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;

2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;

3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;

4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible

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personal property, and from services furnished, by him prior to the
month or quarter for which the return is filed;
5. Deductions allowed by law;
6. Gross receipts which were received by him during the
preceding calendar month or quarter and upon the basis of which the
tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may
require.

If a taxpayer fails to sign a return within 30 days after the proper
notice and demand for signature by the Department, the return shall be
considered valid and any amount shown to be due on the return shall be
deemed assessed.

Each return shall be accompanied by the statement of prepaid tax
issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a
retailer may accept a Manufacturer's Purchase Credit certification from a
purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use
Tax Act if the purchaser provides the appropriate documentation as required
by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit
certification, accepted by a retailer prior to October 1, 2003 and on and after
September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be
used by that retailer to satisfy Retailers' Occupation Tax liability in the
amount claimed in the certification, not to exceed 6.25% of the receipts
subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit
reported on any original or amended return filed under this Act after October
20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed.
Manufacturer's Purchaser Credit reported on annual returns due on or after
January 1, 2005 will be disallowed for periods prior to September 1, 2004.
No Manufacturer's Purchase Credit may be used after September 30, 2003
through August 31, 2004 to satisfy any tax liability imposed under this Act,
including any audit liability.

The Department may require returns to be filed on a quarterly basis.
If so required, a return for each calendar quarter shall be filed on or before the
twentieth day of the calendar month following the end of such calendar
quarter. The taxpayer shall also file a return with the Department for each of
the first two months of each calendar quarter, on or before the twentieth day

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of the following calendar month, stating:
1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and
6. Such other reasonable information as the Department may require.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month.

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during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than $1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to $1 if it is 50 cents or more.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.
All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the
Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the
purchaser; the amount of the selling price including the amount allowed by
the retailer for traded-in property, if any; the amount allowed by the retailer
for the traded-in tangible personal property, if any, to the extent to which
Section 1 of this Act allows an exemption for the value of traded-in property;
the balance payable after deducting such trade-in allowance from the total
selling price; the amount of tax due from the retailer with respect to such
transaction; the amount of tax collected from the purchaser by the retailer on
such transaction (or satisfactory evidence that such tax is not due in that
particular instance, if that is claimed to be the fact); the place and date of the
sale, a sufficient identification of the property sold, and such other
information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days
after the day of delivery of the item that is being sold, but may be filed by the
retailer at any time sooner than that if he chooses to do so. The transaction
reporting return and tax remittance or proof of exemption from the Illinois
use tax may be transmitted to the Department by way of the State agency with
which, or State officer with whom the tangible personal property must be
titled or registered (if titling or registration is required) if the Department and
such agency or State officer determine that this procedure will expedite the
processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the
proper amount of tax due (or shall submit satisfactory evidence that the sale
is not taxable if that is the case), to the Department or its agents, whereupon
the Department shall issue, in the purchaser's name, a use tax receipt (or a
certificate of exemption if the Department is satisfied that the particular sale
is tax exempt) which such purchaser may submit to the agency with which,
or State officer with whom, he must title or register the tangible personal
property that is involved (if titling or registration is required) in support of
such purchaser's application for an Illinois certificate or other evidence of title
or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a
user, who has paid the proper tax to the retailer, from obtaining his certificate
of title or other evidence of title or registration (if titling or registration is
required) upon satisfying the Department that such user has paid the proper
tax (if tax is due) to the retailer. The Department shall adopt appropriate rules
to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the
transaction reporting return filed and the payment of the tax or proof of
exemption made to the Department before the retailer is willing to take these

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actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke
the certificate of registration has become final.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year.

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amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department.
in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of $25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is $25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of $20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by

New matter indicated by italics - deletions by strikeout
Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than $20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue

New matter indicated by italics - deletions by strikeout
the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the
preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Use Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Specified Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>$54,800,000</td>
</tr>
<tr>
<td>1987</td>
<td>$76,650,000</td>
</tr>
<tr>
<td>1988</td>
<td>$80,480,000</td>
</tr>
<tr>
<td>1989</td>
<td>$88,510,000</td>
</tr>
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</table>
and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and
shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
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<tr>
<td>1994</td>
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<td>58,000,000</td>
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<td>1996</td>
<td>61,000,000</td>
</tr>
<tr>
<td>1997</td>
<td>64,000,000</td>
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<tr>
<td>1998</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>71,000,000</td>
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<tr>
<td>2000</td>
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<td>126,000,000</td>
</tr>
<tr>
<td>2009</td>
<td>132,000,000</td>
</tr>
<tr>
<td>2010</td>
<td>139,000,000</td>
</tr>
<tr>
<td>2011</td>
<td>146,000,000</td>
</tr>
<tr>
<td>2012</td>
<td>153,000,000</td>
</tr>
<tr>
<td>2013</td>
<td>161,000,000</td>
</tr>
<tr>
<td>2014</td>
<td>170,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
2015  179,000,000
2016  189,000,000
2017  199,000,000
2018  210,000,000
2019  221,000,000
2020  233,000,000
2021  246,000,000
2022  260,000,000
2023  275,000,000
2024  275,000,000
2025  275,000,000
2026  279,000,000
2027  292,000,000
2028  307,000,000
2029  322,000,000
2030  338,000,000
2031  350,000,000
2032  350,000,000

and

each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding

New matter indicated by italics - deletions by strikeout
paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

New matter indicated by italics - deletions by strikeout
If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionnaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar

New matter indicated by italics - deletions by strikeout
exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed $250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 97-95, eff. 7-12-11; 97-333, eff. 8-12-11; 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-496, eff. 1-1-14; revised 9-9-13.)

Section 195. The Property Tax Code is amended by changing Sections 9-275 and 15-170 as follows:

(35 ILCS 200/9-275)
Sec. 9-275. Erroneous homestead exemptions.
(a) For purposes of this Section:
"Erroneous homestead exemption" means a homestead exemption that was granted for real property in a taxable year if the property was not eligible for that exemption in that taxable year. If the taxpayer receives an erroneous homestead exemption under a single Section of this Code for the same property in multiple years, that exemption is considered a single erroneous homestead exemption for purposes of this Section. However, if the taxpayer

New matter indicated by italics - deletions by strikeout
receives erroneous homestead exemptions under multiple Sections of this Code for the same property, or if the taxpayer receives erroneous homestead exemptions under the same Section of this Code for multiple properties, then each of those exemptions is considered a separate erroneous homestead exemption for purposes of this Section.


(b) Notwithstanding any other provision of law, in counties with 3,000,000 or more inhabitants, the chief county assessment officer shall include the following information with each assessment notice sent in a general assessment year: (1) a list of each homestead exemption available under Article 15 of this Code and a description of the eligibility criteria for that exemption; (2) a list of each homestead exemption applied to the property in the current assessment year; (3) information regarding penalties and interest that may be incurred under this Section if the property owner received an erroneous homestead exemption in a previous taxable year; and (4) notice of the 60-day grace period available under this subsection. If, within 60 days after receiving his or her assessment notice, the property owner notifies the chief county assessment officer that he or she received an erroneous homestead exemption in a previous assessment year, and if the property owner pays the principal amount of back taxes due and owing with respect to that exemption, plus interest as provided in subsection (f), then the property owner shall not be liable for the penalties provided in subsection (f) with respect to that exemption.

(c) The chief county assessment officer in a county with 3,000,000 or more inhabitants may cause a lien to be recorded against property that (1) is located in the county and (2) received one or more erroneous homestead exemptions if, upon determination of the chief county assessment officer, the property owner received: (A) one or 2 erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 3 assessment years immediately prior to the assessment year in which the notice of intent to record at tax lien is served; or (B) (2) 3 or more erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 6 assessment years immediately prior to the
assessment year in which the notice of intent to record a tax lien is served. Prior to recording the lien against the property, the chief county assessment officer shall cause to be served, by both regular mail and certified mail, return receipt requested, on the person to whom the most recent tax bill was mailed and the owner of record, a notice of intent to record a tax lien against the property.

(d) The notice of intent to record a tax lien described in subsection (c) shall: (1) identify, by property index number, the property against which the lien is being sought; (2) identify each specific homestead exemption that was erroneously granted and the year or years in which each exemption was granted; (3) set forth the arrearage of taxes that would have been due if not for the erroneous homestead exemptions; (4) inform the property owner that he or she may request a hearing within 30 days after service and may appeal the hearing officer's ruling to the circuit court; and (5) inform the property owner that he or she may pay the amount due, plus interest and penalties, within 30 days after service.

(e) The notice must also include a form that the property owner may return to the chief county assessment officer to request a hearing. The property owner may request a hearing by returning the form within 30 days after service. The hearing shall be held within 90 days after the property owner is served. The chief county assessment officer shall promulgate rules of service and procedure for the hearing. The chief county assessment officer must generally follow rules of evidence and practices that prevail in the county circuit courts, but, because of the nature of these proceedings, the chief county assessment officer is not bound by those rules in all particulars. The chief county assessment officer shall appoint a hearing officer to oversee the hearing. The property owner shall be allowed to present evidence to the hearing officer at the hearing. After taking into consideration all the relevant testimony and evidence, the hearing officer shall make an administrative decision on whether the property owner was erroneously granted a homestead exemption for the assessment year in question. The property owner may appeal the hearing officer's ruling to the circuit court of the county where the property is located as a final administrative decision under the Administrative Review Law.

(f) A lien against the property imposed under this Section shall be filed with the county recorder of deeds, but may not be filed sooner than 60 days after the notice was delivered to the property owner if the property owner does not request a hearing, or until the conclusion of the hearing and all appeals if the property owner does request a hearing. If a lien is filed
pursuant to this Section and the property owner received one or 2 erroneous homestead exemptions during any of the 3 assessment years immediately prior to the assessment year in which the notice of intent to record at tax lien is served, then the arrearages of taxes that might have been assessed for that property, plus 10% interest per annum, shall be charged against the property by the county treasurer. However, if a lien is filed pursuant to this Section and the property owner received 3 or more erroneous homestead exemptions during any of the 6 assessment years immediately prior to the assessment year in which the notice of intent to record at tax lien is served, the arrearages of taxes that might have been assessed for that property, plus a penalty of 50% of the total amount of unpaid taxes for each year for that property and 10% interest per annum, shall be charged against the property by the county treasurer.

(g) If a person received an erroneous homestead exemption under Section 15-170 and: (1) the person was the spouse, child, grandchild, brother, sister, niece, or nephew of the previous owner; and (2) the person received the property by bequest or inheritance; then the person is not liable for the penalties imposed under this subsection for any year or years during which the county did not require an annual application for the exemption. However, that person is responsible for any interest owed under subsection (f).

(h) If the erroneous homestead exemption was granted as a result of a clerical error or omission on the part of the chief county assessment officer, and if the owner has paid its tax bills as received for the year in which the error occurred, then the interest and penalties authorized by this Section with respect to that homestead exemption shall not be chargeable to the owner. However, nothing in this Section shall prevent the collection of the principal amount of back taxes due and owing.

(i) A lien under this Section is not valid as to (1) any bona fide purchaser for value without notice of the erroneous homestead exemption whose rights in and to the underlying parcel arose after the erroneous homestead exemption was granted but before the filing of the notice of lien; or (2) any mortgagee, judgment creditor, or other lienor whose rights in and to the underlying parcel arose before the filing of the notice of lien. A title insurance policy for the property that is issued by a title company licensed to do business in the State showing that the property is free and clear of any liens imposed under this Section shall be prima facie evidence that the property owner is without notice of the erroneous homestead exemption. Nothing in this Section shall be deemed to impair the rights of subsequent creditors and subsequent purchasers under Section 30 of the Conveyances.
(j) When a lien is filed against the property pursuant to this Section, the chief county assessment officer shall mail a copy of the lien to the person to whom the most recent tax bill was mailed and to the owner of record, and the outstanding liability created by such a lien is due and payable within 30 days after the mailing of the lien by the chief county assessment officer. Payment shall be made to the chief county assessment officer who shall, upon receipt of the full amount due, provide in reasonable form a release of the lien and shall transmit the funds received to the county treasurer for distribution as provided in subsection (i) of this Section. This liability is deemed delinquent and shall bear interest beginning on the day after the due date.

(k) The unpaid taxes shall be paid to the appropriate taxing districts. Interest shall be paid to the county where the property is located. The penalty shall be paid to the chief county assessment officer's office for the administration of the provisions of this amendatory Act of the 98th General Assembly.

(l) The chief county assessment officer in a county with 3,000,000 or more inhabitants shall establish an amnesty period for all taxpayers owing any tax due to an erroneous homestead exemption granted in a tax year prior to the 2013 tax year. The amnesty period shall begin on the effective date of this amendatory Act of the 98th General Assembly and shall run through December 31, 2013. If, during the amnesty period, the taxpayer pays the entire arrearage of taxes due for tax years prior to 2013, the county clerk shall abate and not seek to collect any interest or penalties that may be applicable and shall not seek civil or criminal prosecution for any taxpayer for tax years prior to 2013. Failure to pay all such taxes due during the amnesty period established under this Section shall invalidate the amnesty period for that taxpayer.

The chief county assessment officer in a county with 3,000,000 or more inhabitants shall (i) mail notice of the amnesty period with the tax bills for the second installment of taxes for the 2012 assessment year and (ii) as soon as possible after the effective date of this amendatory Act of the 98th General Assembly, publish notice of the amnesty period in a newspaper of general circulation in the county. Notices shall include information on the amnesty period, its purpose, and the method in which to make payment.

Taxpayers who are a party to any criminal investigation or to any civil or criminal litigation that is pending in any circuit court or appellate court, or in the Supreme Court of this State, for nonpayment, delinquency, or fraud in relation to any property tax imposed by any taxing district located in the State

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on the effective date of this amendatory Act of the 98th General Assembly may not take advantage of the amnesty period.

A taxpayer who has claimed 3 or more homestead exemptions in error shall not be eligible for the amnesty period established under this subsection.

(Source: P.A. 98-93, eff. 7-16-13; revised 9-11-13.)

(35 ILCS 200/15-170)

Sec. 15-170. Senior Citizens Homestead Exemption. An annual homestead exemption limited, except as described here with relation to cooperatives or life care facilities, to a maximum reduction set forth below from the property's value, as equalized or assessed by the Department, is granted for property that is occupied as a residence by a person 65 years of age or older who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as a residence by a person 65 years or older who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. Before taxable year 2004, the maximum reduction shall be $2,500 in counties with 3,000,000 or more inhabitants and $2,000 in all other counties. For taxable years 2004 through 2005, the maximum reduction shall be $3,000 in all counties. For taxable years 2006 and 2007, the maximum reduction shall be $3,500. For taxable years 2008 through 2011, the maximum reduction is $4,000 in all counties. For taxable year 2012, the maximum reduction is $5,000 in counties with 3,000,000 or more inhabitants and $4,000 in all other counties. For taxable years 2013 and thereafter, the maximum reduction is $5,000 in all counties.

For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by a person 65 years of age or older who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For land improved with a life care facility, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by persons 65 years of age or older, irrespective of any legal, equitable, or leasehold interest in the facility, who are liable, under a contract with the owner or owners of record of the facility, for paying property taxes on the property. In a cooperative or a life care

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facility where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor. Under this Section and Sections 15-175, 15-176, and 15-177, "life care facility" means a facility, as defined in Section 2 of the Life Care Facilities Act, with which the applicant for the homestead exemption has a life care contract as defined in that Act.

When a homestead exemption has been granted under this Section and the person qualifying subsequently becomes a resident of a facility licensed under the Assisted Living and Shared Housing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the exemption shall continue so long as the residence continues to be occupied by the qualifying person's spouse if the spouse is 65 years of age or older, or if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

A person who will be 65 years of age during the current assessment year shall be eligible to apply for the homestead exemption during that assessment year. Application shall be made during the application period in effect for the county of his residence.

Beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the senior citizens homestead exemption under this Section must be granted a pro-rata exemption for the assessment year. The amount of the pro-rata exemption is the exemption allowed in the county under this Section divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a person eligible for the exemption under this Section. The chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption.

The assessor or chief county assessment officer may determine the eligibility of a life care facility to receive the benefits provided by this Section, by affidavit, application, visual inspection, questionnaire or other reasonable methods in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The assessor may request reasonable proof that the management firm has so credited the exemption.

The chief county assessment officer of each county with less than

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3,000,000 inhabitants shall provide to each person allowed a homestead exemption under this Section a form to designate any other person to receive a duplicate of any notice of delinquency in the payment of taxes assessed and levied under this Code on the property of the person receiving the exemption. The duplicate notice shall be in addition to the notice required to be provided to the person receiving the exemption, and shall be given in the manner required by this Code. The person filing the request for the duplicate notice shall pay a fee of $5 to cover administrative costs to the supervisor of assessments, who shall then file the executed designation with the county collector. Notwithstanding any other provision of this Code to the contrary, the filing of such an executed designation requires the county collector to provide duplicate notices as indicated by the designation. A designation may be rescinded by the person who executed such designation at any time, in the manner and form required by the chief county assessment officer.

The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department.

In counties with 3,000,000 or more inhabitants, beginning in taxable year 2010, each taxpayer who has been granted an exemption under this Section must reapply on an annual basis. The chief county assessment officer shall mail the application to the taxpayer. In counties with less than 3,000,000 inhabitants, the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

In counties with less than 3,000,000 inhabitants, if the assessor or chief county assessment officer requires annual application for verification of eligibility for an exemption once granted under this Section, the application shall be mailed to the taxpayer.

The assessor or chief county assessment officer shall notify each person who qualifies for an exemption under this Section that the person may also qualify for deferral of real estate taxes under the Senior Citizens Real Estate Tax Deferral Act. The notice shall set forth the qualifications needed for deferral of real estate taxes, the address and telephone number of county collector, and a statement that applications for deferral of real estate taxes may be obtained from the county collector.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any
mandate created by this Section.
(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-7, eff. 4-23-13; 98-104, eff. 7-22-13; revised 8-12-13.)

Section 200. The Illinois Hydraulic Fracturing Tax Act is amended by changing Sections 2-15, 2-45, and 2-50 as follows:

(35 ILCS 450/2-15)

Sec. 2-15. Tax imposed.
(a) For oil and gas removed on or after July 1, 2013, there is hereby imposed a tax upon the severance and production of oil or gas from a well on a production unit in this State permitted, or required to be permitted, under the Illinois Hydraulic Fracturing Regulatory Act, for sale, transport, storage, profit, or commercial use. The tax shall be applied equally to all portions of the value of each barrel of oil severed and subject to such tax and to the value of the gas severed and subject to such tax. For a period of 24 months from the month in which oil or gas was first produced from the well, the rate of tax shall be 3% of the value of the oil or gas severed from the earth or water in this State. Thereafter, the rate of the tax shall be as follows:

(1) For oil:

(A) where the average daily production from the well during the month is less than 25 barrels, 3% of the value of the oil severed from the earth or water;
(B) where the average daily production from the well during the month is 25 or more barrels but less than 50 barrels, 4% of the value of the oil severed from the earth or water;
(C) where the average daily production from the well during the month is 50 or more barrels but less than 100 barrels, 5% of the value of the oil severed from the earth or water; or
(D) where the average daily production from the well during the month is 100 or more barrels, 6% of the value of the oil severed from the earth or water.

(2) For gas, 6% of the value of the gas severed from the earth or water.

If a well is required to be permitted under the Illinois Hydraulic Fracturing Regulatory Act, the tax imposed by this Section applies, whether or not a permit was obtained.

(b) Oil produced from a well whose average daily production is 15 barrels or less for the 12-month period immediately preceding the production
is exempt from the tax imposed by this Act.

(c) For the purposes of the tax imposed by this Act the amount of oil produced shall be measured or determined, in the case of oil, by tank tables, without deduction for overage or losses in handling. Allowance for any reasonable and bona fide deduction for basic sediment and water, and for correction of temperature to 60 degrees Fahrenheit will be allowed. For the purposes of the tax imposed by this Act the amount of gas produced shall be measured or determined, by meter readings showing 100% of the full volume expressed in cubic feet at a standard base and flowing temperature of 60 degrees Fahrenheit, and at the absolute pressure at which the gas is sold and purchased. Correction shall be made for pressure according to Boyle's law, and used for specific gravity according to the gravity at which the gas is sold and purchased.

(d) The following severance and production of gas shall be exempt from the tax imposed by this Act: gas injected into the earth for the purpose of lifting oil, recycling, or repressuring; gas used for fuel in connection with the operation and development for, or production of, oil or gas in the production unit where severed; and gas lawfully vented or flared; gas inadvertently lost on the production unit by reason of leaks, blowouts, or other accidental losses.

(e) All oil and gas removed from the premises where severed is subject to the tax imposed by this Act unless exempt under the terms of this Act.

(f) The liability for the tax accrues at the time the oil or gas is removed from the production unit.

(Source: P.A. 98-22, eff. 6-17-13; revised 10-7-13.)

(35 ILCS 450/2-45)

Sec. 2-45. Purchaser's return and tax remittance. Each purchaser shall make a return to the Department showing the quantity of oil or gas purchased during the month for which the return is filed, the price paid therefor, total value, the name and address of the operator or other person from whom the same was purchased, a description of the production unit in the manner prescribed by the Department from which such oil or gas was severed and the amount of tax due from each production unit for each calendar month. All taxes due, or to be remitted, by the purchaser shall accompany this return. The return shall be filed on or before the last day of the month after the calendar month for which the return is required. The Department shall forward the necessary information to each Chief County Assessment Officer for the administration and application of ad valorem real

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property taxes at the county level. This information shall be forwarded to the Chief County Assessment Officers in a yearly summary before March 1 of the following calendar year. The Department may require any additional report or information it may deem necessary for the proper administration of this Act.

Such returns shall be filed electronically in the manner prescribed by the Department. Purchasers shall make all payments of that tax to the Department by electronic funds transfer unless, as provided by rule, the Department grants an exception upon petition of a purchaser. Purchasers' returns must be accompanied by appropriate computer generated magnetic media supporting schedule data in the format required by the Department, unless, as provided by rule, the Department grants an exception upon petition of a purchaser.

(Source: P.A. 98-22, eff. 6-17-13; 98-23, eff. 6-17-13; revised 10-7-13.)

(35 ILCS 450/2-50)
Sec. 2-50. Operator returns; payment of tax.
(a) If, on or after July 1, 2013, oil or gas is transported off the production unit where severed by the operator, used on the production unit where severed, or if the manufacture and conversion of oil and gas into refined products occurs on the production unit where severed, the operator is responsible for remitting the tax imposed under subsections (a) of Section 2-15, on or before the last day of the month following the end of the calendar month in which the oil and gas is removed from the production unit, and such payment shall be accompanied by a return to the Department showing the gross quantity of oil or gas removed during the month for which the return is filed, the price paid therefor, and if no price is paid therefor, the value of the oil and gas, a description of the production unit from which such oil or gas was severed, and the amount of tax. The Department may require any additional information it may deem necessary for the proper administration of this Act.

(b) Operators shall file all returns electronically in the manner prescribed by the Department unless, as provided by rule, the Department grants an exception upon petition of an operator. Operators shall make all payments of that tax to the Department by electronic funds transfer unless, as provided by rule, the Department grants an exception upon petition of an operator. Operators' returns must be accompanied by appropriate computer generated magnetic media supporting schedule data in the format required by the Department, unless, as provided by rule, the Department grants an exception upon petition of a purchaser.

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(c) Any operator who makes a monetary payment to a producer for his or her portion of the value of products from a production unit shall withhold from such payment the amount of tax due from the producer. Any operator who pays any tax due from a producer shall be entitled to reimbursement from the producer for the tax so paid and may take credit for such amount from any monetary payment to the producer for the value of products. To the extent that an operator required to collect the tax imposed by this Act has actually collected that tax, such tax is held in trust for the benefit of the State of Illinois.

(d) In the event the operator fails to make payment of the tax to the State as required herein, the operator shall be liable for the tax. A producer shall be entitled to bring an action against such operator to recover the amount of tax so withheld together with penalties and interest which may have accrued by failure to make such payment. A producer shall be entitled to all attorney fees and court costs incurred in such action. To the extent that a producer liable for the tax imposed by this Act collects the tax, and any penalties and interest, from an operator, such tax, penalties, and interest are held in trust by the producer for the benefit of the State of Illinois.

(e) When the title to any oil or gas severed from the earth or water is in dispute and the operator of such oil or gas is withholding payments on account of litigation, or for any other reason, such operator is hereby authorized, empowered and required to deduct from the gross amount thus held the amount of the tax imposed and to make remittance thereof to the Department as provided in this Section.

(f) An operator required to file a return and pay the tax under this Section shall register with the Department. Application for a certificate of registration shall be made to the Department upon forms furnished by the Department and shall contain any reasonable information the Department may require. Upon receipt of the application for a certificate of registration in proper form, the Department shall issue to the applicant a certificate of registration.

(g) If oil or gas is transported off the production unit where severed by the operator and sold to a purchaser or refiner, the State shall have a lien on all the oil or gas severed from the production unit in this State in the hands of the operator, the first or any subsequent purchaser thereof, or refiner to secure the payment of the tax. If a lien is filed by the Department, the purchaser or refiner shall withhold from the operator the amount of tax, penalty and interest identified in the lien.

(Source: P.A. 98-22, eff. 6-17-13; revised 10-7-13.)

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Section 205. The Motor Fuel Tax Law is amended by changing Sections 1 and 1.13A as follows:

(35 ILCS 505/1) (from Ch. 120, par. 417)
Sec. 1. For the purposes of this Act the terms set out in the Sections following this Section and preceding Section 2 have the meanings ascribed to them in those Sections.
(Source: P.A. 86-16; 86-1028; revised 10-7-13.)

(35 ILCS 505/1.13A) (from Ch. 120, par. 417.13A)
Sec. 1.13A. "1-K Kerosene" means a special low-sulfur grade kerosene suitable for use in non-flue connected kerosene burner appliances, and in wick-fed illuminate lamps which has a maximum limit of .04% sulfur mass, and a freezing point of -22 degrees Fahrenheit, and has a minimum saybolt color of +16. For purposes of this Law, 1-K Kerosene includes 1-K Kerosene that has been dyed in accordance with Section 4d of this Law.
(Source: P.A. 91-173, eff. 1-1-00; revised 11-12-13.)

Section 210. The Water Company Invested Capital Tax Act is amended by changing Section 14 as follows:

(35 ILCS 625/14) (from Ch. 120, par. 1424)
Sec. 14. The Illinois Administrative Procedure Act, as now or hereafter amended, is hereby expressly adopted and shall apply to all administrative rules and procedures of the Department of Revenue under this Act, except that (1) paragraph (b) of Section 5-10 of that Act does not apply to final orders, decisions and opinions of the Department; (2) subparagraph 2 of paragraph (a) of Section 5-10 of that Act does not apply to forms established by the Department for use under this Act; and (3) the provisions of Section 10-45 of that Act regarding proposals for decision are excluded and not applicable to the Department under this Act to the extent Section 10-45 applies to hearings not otherwise subject to the Illinois Independent Tax Tribunal Act of 2012.
(Source: P.A. 97-1129, eff. 8-28-12; revised 10-17-13.)

Section 215. The Electricity Infrastructure Maintenance Fee Law is amended by changing Section 5-6 as follows:

(35 ILCS 645/5-6)
Sec. 5-6. Validity of existing franchise fees and agreement; police powers.
(a) On and after the effective date of this Law, no electricity deliverer paying an infrastructure maintenance fee imposed under this Law may be denied the right to use, directly or indirectly, public rights of way because of the failure to pay any other fee or charge for the right to use those rights of public ways.

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way except to the extent that the electricity deliverer during the Initial Period fails under any existing franchise agreement to pay franchise fees which are based on the gross receipts or gross revenues attributable to non-residential customers or to provide free electrical service or other compensation attributable to non-residential customers. A municipality that imposes an infrastructure maintenance fee pursuant to Section 5-5 shall impose no other fees or charges upon electricity deliverers for such use except as provided by subsections (b) or (c) of this Section.

(b) Agreements between electricity deliverers and municipalities regarding use of the public way shall remain valid according to and for their stated terms. However, a municipality that, pursuant to a franchise agreement in existence on the effective date of this Law, receives any franchise fees, permit fees, free electrical service or other compensation for use of the public rights of way, may impose an infrastructure maintenance fee pursuant to this Law only if the municipality: (1) waives its right to receive all compensation from the electricity deliverer for use of the public rights of way during the time the infrastructure maintenance fee is imposed, except as provided in subsection (c), and except that during the Initial Period any municipality may continue to receive franchise fees, free electrical service or other compensation from the electricity deliverer which are equal in value to the Initial Period Compensation; and (2) provides written notice of this waiver to the appropriate electricity deliverer at the time that the municipality provides notice of the imposition of the infrastructure maintenance fee under subsection (d) of Section 5-5. For purposes of this Section, "Initial Period Compensation" shall mean the total amount of compensation due under the existing franchise agreement during the Initial Period less the amount of the infrastructure maintenance fee imposed under this Section during the Initial Period.

(c) Nothing in this Law prohibits a municipality from the reasonable exercise of its police powers over the public rights of way. In addition, a municipality may require an electricity deliverer to reimburse any special or extraordinary expenses or costs reasonably incurred by the municipality as a direct result of damages to its property or public rights of way, such as the costs of restoration of streets damaged by an electricity deliverer that does not make timely repair of the damage, or for the loss of revenue due to the inability to use public facilities as a direct result of the actions of the electricity deliverer, such as parking meters that are required to be removed because of work of an electricity deliverer.

(Source: P.A. 90-561, eff. 8-1-98; revised 10-17-13.)
Section 220. The Illinois Pension Code is amended by changing Sections 4-114, 8-138, 9-102, 11-134, and 13-809 as follows:

(40 ILCS 5/4-114) (from Ch. 108 1/2, par. 4-114)

Sec. 4-114. Pension to survivors. If a firefighter who is not receiving a disability pension under Section 4-110 or 4-110.1 dies (1) as a result of any illness or accident, or (2) from any cause while in receipt of a disability pension under this Article, or (3) during retirement after 20 years service, or (4) while vested for or in receipt of a pension payable under subsection (b) of Section 4-109, or (5) while a deferred pensioner, having made all required contributions, a pension shall be paid to his or her survivors, based on the monthly salary attached to the firefighter's rank on the last day of service in the fire department, as follows:

(a)(1) To the surviving spouse, a monthly pension of 40% of the monthly salary, and if there is a surviving spouse, to the guardian of any minor child or children including a child which has been conceived but not yet born, 12% of such monthly salary for each such child until attainment of age 18 or until the child's marriage, whichever occurs first. Beginning July 1, 1993, the monthly pension to the surviving spouse shall be 54% of the monthly salary for all persons receiving a surviving spouse pension under this Article, regardless of whether the deceased firefighter was in service on or after the effective date of this amendatory Act of 1993.

(2) Beginning July 1, 2004, unless the amount provided under paragraph (1) of this subsection (a) is greater, the total monthly pension payable under this paragraph (a), including any amount payable on account of children, to the surviving spouse of a firefighter who died (i) while receiving a retirement pension, (ii) while he or she was a deferred pensioner with at least 20 years of creditable service, or (iii) while he or she was in active service having at least 20 years of creditable service, regardless of age, shall be no less than 100% of the monthly retirement pension earned by the deceased firefighter at the time of death, regardless of whether death occurs before or after attainment of age 50, including any increases under Section 4-109.1. This minimum applies to all such surviving spouses who are eligible to receive a surviving spouse pension, regardless of whether the deceased firefighter was in service on or after the effective date of this amendatory Act of the 93rd General Assembly, and notwithstanding any limitation on maximum pension under paragraph (d) or any other provision of this Article.

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(3) If the pension paid on and after July 1, 2004 to the surviving spouse of a firefighter who died on or after July 1, 2004 and before the effective date of this amendatory Act of the 93rd General Assembly was less than the minimum pension payable under paragraph (1) or (2) of this subsection (a), the fund shall pay a lump sum equal to the difference within 90 days after the effective date of this amendatory Act of the 93rd General Assembly.

The pension to the surviving spouse shall terminate in the event of the surviving spouse's remarriage prior to July 1, 1993; remarriage on or after that date does not affect the surviving spouse's pension, regardless of whether the deceased firefighter was in service on or after the effective date of this amendatory Act of 1993.

The surviving spouse's pension shall be subject to the minimum established in Section 4-109.2.

(b) Upon the death of the surviving spouse leaving one or more minor children, or upon the death of a firefighter leaving one or more minor children but no surviving spouse, to the duly appointed guardian of each such child, for support and maintenance of each such child until the child reaches age 18 or marries, whichever occurs first, a monthly pension of 20% of the monthly salary.

In a case where the deceased firefighter left one or more minor children but no surviving spouse and the guardian of a child is receiving a pension of 12% of the monthly salary on August 16, 2013 (the effective date of Public Act 98-391), the pension is increased by 20% of the monthly salary for each such child, beginning on the pension payment date occurring on or next following August 16, 2013 the effective date of this amendatory Act. The changes to this Section made by Public Act 98-391 this amendatory Act of the 98th General Assembly apply without regard to whether the deceased firefighter was in service on or after August 16, 2013 the effective date of this amendatory Act.

(c) If a deceased firefighter leaves no surviving spouse or unmarried minor children under age 18, but leaves a dependent father or mother, to each dependent parent a monthly pension of 18% of the monthly salary. To qualify for the pension, a dependent parent must furnish satisfactory proof that the deceased firefighter was at the time of his or her death the sole supporter of the parent or that the parent was the deceased's dependent for federal income tax purposes.

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(d) The total pension provided under paragraphs (a), (b) and (c) of this Section shall not exceed 75% of the monthly salary of the deceased firefighter (1) when paid to the survivor of a firefighter who has attained 20 or more years of service credit and who receives or is eligible to receive a retirement pension under this Article, or (2) when paid to the survivor of a firefighter who dies as a result of illness or accident, or (3) when paid to the survivor of a firefighter who dies from any cause while in receipt of a disability pension under this Article, or (4) when paid to the survivor of a deferred pensioner. For all other survivors of deceased firefighters, the total pension provided under paragraphs (a), (b) and (c) of this Section shall not exceed 50% of the retirement annuity the firefighter would have received on the date of death.

The maximum pension limitations in this paragraph (d) do not control over any contrary provision of this Article explicitly establishing a minimum amount of pension or granting a one-time or annual increase in pension.

(e) If a firefighter leaves no eligible survivors under paragraphs (a), (b) and (c), the board shall refund to the firefighter's estate the amount of his or her accumulated contributions, less the amount of pension payments, if any, made to the firefighter while living.

(f) (Blank).

(g) If a judgment of dissolution of marriage between a firefighter and spouse is judicially set aside subsequent to the firefighter's death, the surviving spouse is eligible for the pension provided in paragraph (a) only if the judicial proceedings are filed within 2 years after the date of the dissolution of marriage and within one year after the firefighter's death and the board is made a party to the proceedings. In such case the pension shall be payable only from the date of the court's order setting aside the judgment of dissolution of marriage.

(h) Benefits payable on account of a child under this Section shall not be reduced or terminated by reason of the child's attainment of age 18 if he or she is then dependent by reason of a physical or mental disability but shall continue to be paid as long as such dependency continues. Individuals over the age of 18 and adjudged as a disabled person pursuant to Article XIa of the Probate Act of 1975, except for persons receiving benefits under Article III of the

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Illinois Public Aid Code, shall be eligible to receive benefits under this Act.

(i) Beginning January 1, 2000, the pension of the surviving spouse of a firefighter who dies on or after January 1, 1994 as a result of sickness, accident, or injury incurred in or resulting from the performance of an act of duty or from the cumulative effects of acts of duty shall not be less than 100% of the salary attached to the rank held by the deceased firefighter on the last day of service, notwithstanding subsection (d) or any other provision of this Article.

(j) Beginning July 1, 2004, the pension of the surviving spouse of a firefighter who dies on or after January 1, 1988 as a result of sickness, accident, or injury incurred in or resulting from the performance of an act of duty or from the cumulative effects of acts of duty shall not be less than 100% of the salary attached to the rank held by the deceased firefighter on the last day of service, notwithstanding subsection (d) or any other provision of this Article.

Notwithstanding any other provision of this Article, if a person who first becomes a firefighter under this Article on or after January 1, 2011 and who is not receiving a disability pension under Section 4-110 or 4-110.1 dies (1) as a result of any illness or accident, (2) from any cause while in receipt of a disability pension under this Article, (3) during retirement after 20 years service, (4) while vested for or in receipt of a pension payable under subsection (b) of Section 4-109, or (5) while a deferred pensioner, having made all required contributions, then a pension shall be paid to his or her survivors in the amount of 66 2/3% of the firefighter's earned pension at the date of death. Nothing in this Section shall act to diminish the survivor's benefits described in subsection (j) of this Section.

Notwithstanding any other provision of this Article, the monthly pension of a survivor of a person who first becomes a firefighter under this Article on or after January 1, 2011 shall be increased on the January 1 after attainment of age 60 by the recipient of the survivor's pension and each January 1 thereafter by 3% or one-half the annual unadjusted percentage increase in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's pension. If the annual unadjusted percentage change in the consumer price index-u for a 12-month period ending in September is zero or, when compared with the preceding period, decreases, then the survivor's pension shall not be increased.

For the purposes of this Section, "consumer price index-u" means the

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index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the pension funds.

(Source: P.A. 98-391, eff. 8-16-13; revised 10-7-13.)

(40 ILCS 5/8-138) (from Ch. 108 1/2, par. 8-138)

Sec. 8-138. Minimum annuities - Additional provisions.

(a) An employee who withdraws after age 65 or more with at least 20 years of service, for whom the amount of age and service and prior service annuity combined is less than the amount stated in this Section, shall from the date of withdrawal, instead of all annuities otherwise provided, be entitled to receive an annuity for life of $150 a year, plus 1 1/2% for each year of service, to and including 20 years, and 1 2/3% for each year of service over 20 years, of his highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal.

An employee who withdraws after 20 or more years of service, before age 65, shall be entitled to such annuity, to begin not earlier than upon attained age of 55 years if under such age at withdrawal, reduced by 2% for each full year or fractional part thereof that his attained age is less than 65, plus an additional 2% reduction for each full year or fractional part thereof that his attained age when annuity is to begin is less than 60 so that the total reduction at age 55 shall be 30%.

(b) An employee who withdraws after July 1, 1957, at age 60 or over, with 20 or more years of service, for whom the age and service and prior service annuity combined, is less than the amount stated in this paragraph, shall, from the date of withdrawal, instead of such annuities, be entitled to receive an annuity for life equal to 1 2/3% for each year of service, of the highest average annual salary for any 5 consecutive years within the last 10 years of service immediately preceding the date of withdrawal; provided, that in the case of any employee who withdraws on or after July 1, 1971, such employee age 60 or over with 20 or more years of service, shall receive an annuity for life equal to 1.67% for each of the first 10 years of service; 1.90% for each of the next 10 years of service; 2.10% for each year of service in excess of 20 but not exceeding 30; and 2.30% for each year of service in excess of 30, based on the highest average annual salary for any 4

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consecutive years within the last 10 years of service immediately preceding the date of withdrawal.

An employee who withdraws after July 1, 1957 and before January 1, 1988, with 20 or more years of service, before age 60 years is entitled to annuity, to begin not earlier than upon attained age of 55 years, if under such age at withdrawal, as computed in the last preceding paragraph, reduced 0.25% for each full month or fractional part thereof that his attained age when annuity is to begin is less than 60 if the employee was born before January 1, 1936, or 0.5% for each such month if the employee was born on or after January 1, 1936.

Any employee born before January 1, 1936, who withdraws with 20 or more years of service, and any employee with 20 or more years of service who withdraws on or after January 1, 1988, may elect to receive, in lieu of any other employee annuity provided in this Section, an annuity for life equal to 1.80% for each of the first 10 years of service, 2.00% for each of the next 10 years of service, 2.20% for each year of service in excess of 20 but not exceeding 30, and 2.40% for each year of service in excess of 30, of the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal, to begin not earlier than upon attained age of 55 years, if under such age at withdrawal, reduced 0.25% for each full month or fractional part thereof that his attained age when annuity is to begin is less than 60; except that an employee retiring on or after January 1, 1988, at age 55 or over but less than age 60, having at least 35 years of service, or an employee retiring on or after July 1, 1990, at age 55 or over but less than age 60, having at least 30 years of service, or an employee retiring on or after the effective date of this amendatory Act of 1997, at age 55 or over but less than age 60, having at least 25 years of service, shall not be subject to the reduction in retirement annuity because of retirement below age 60.

However, in the case of an employee who retired on or after January 1, 1985 but before January 1, 1988, at age 55 or older and with at least 35 years of service, and who was subject under this subsection (b) to the reduction in retirement annuity because of retirement below age 60, that reduction shall cease to be effective January 1, 1991, and the retirement annuity shall be recalculated accordingly.

Any employee who withdraws on or after July 1, 1990, with 20 or more years of service, may elect to receive, in lieu of any other employee annuity provided in this Section, an annuity for life equal to 2.20% for each year of service if withdrawal is before January 1, 2002, or 2.40% for each

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year of service if withdrawal is on or after January 1, 2002, of the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal, to begin not earlier than upon attained age of 55 years, if under such age at withdrawal, reduced 0.25% for each full month or fractional part thereof that his attained age when annuity is to begin is less than 60; except that an employee retiring at age 55 or over but less than age 60, having at least 30 years of service, shall not be subject to the reduction in retirement annuity because of retirement below age 60.

Any employee who withdraws on or after the effective date of this amendatory Act of 1997 with 20 or more years of service may elect to receive, in lieu of any other employee annuity provided in this Section, an annuity for life equal to 2.20% for each year of service, if withdrawal is before January 1, 2002, or 2.40% for each year of service if withdrawal is on or after January 1, 2002, of the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal, to begin not earlier than upon attainment of age 55 (age 50 if the employee has at least 30 years of service), reduced 0.25% for each full month or remaining fractional part thereof that the employee's attained age when annuity is to begin is less than 60; except that an employee retiring at age 50 or over with at least 30 years of service or at age 55 or over with at least 25 years of service shall not be subject to the reduction in retirement annuity because of retirement below age 60.

The maximum annuity payable under part (a) and (b) of this Section shall not exceed 70% of highest average annual salary in the case of an employee who withdraws prior to July 1, 1971, 75% if withdrawal takes place on or after July 1, 1971 and prior to January 1, 2002, or 80% if withdrawal takes place on or after January 1, 2002. For the purpose of the minimum annuity provided in this Section $1,500 is considered the minimum annual salary for any year; and the maximum annual salary for the computation of such annuity is $4,800 for any year before 1953, $6000 for the years 1953 to 1956, inclusive, and the actual annual salary, as salary is defined in this Article, for any year thereafter.

To preserve rights existing on December 31, 1959, for participants and contributors on that date to the fund created by the Court and Law Department Employees' Annuity Act, who became participants in the fund provided for on January 1, 1960, the maximum annual salary to be considered for such persons for the years 1955 and 1956 is $7,500.

(c) For an employee receiving disability benefit, his salary for annuity

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purposes under paragraphs (a) and (b) of this Section, for all periods of
disability benefit subsequent to the year 1956, is the amount on which his
disability benefit was based.

(d) An employee with 20 or more years of service, whose entire
disability benefit credit period expires before attainment of age 55 while still
disabled for service, is entitled upon withdrawal to the larger of (1) the
minimum annuity provided above, assuming he is then age 55, and reducing
such annuity to its actuarial equivalent as of his attained age on such date or
(2) the annuity provided from his age and service and prior service annuity
credits.

(e) The minimum annuity provisions do not apply to any former
municipal employee receiving an annuity from the fund who re-enters service
as a municipal employee, unless he renders at least 3 years of additional
service after the date of re-entry.

(f) An employee in service on July 1, 1947, or who became a
contributor after July 1, 1947 and before attainment of age 70, who
withdraws after age 65, with less than 20 years of service for whom the
annuity has been fixed under this Article shall, instead of the annuity so fixed,
receive an annuity as follows:

Such amount as he could have received had the accumulated amounts
for annuity been improved with interest at the effective rate to the date of his
withdrawal, or to attainment of age 70, whichever is earlier, and had the city
contributed to such earlier date for age and service annuity the amount that
it would have contributed had he been under age 65, after the date his annuity
was fixed in accordance with this Article, and assuming his annuity were
computed from such accumulations as of his age on such earlier date. The
annuity so computed shall not exceed the annuity which would be payable
under the other provisions of this Section if the employee was credited with
20 years of service and would qualify for annuity thereunder.

(g) Instead of the annuity provided in this Article, an employee having
attained age 65 with at least 15 years of service who withdraws from service
on or after July 1, 1971 and whose annuity computed under other provisions
of this Article is less than the amount provided under this paragraph, is
entitled to a minimum annuity for life equal to 1% of the highest average
annual salary, as salary is defined and limited in this Section for any 4
consecutive years within the last 10 years of service for each year of service,
plus the sum of $25 for each year of service. The annuity shall not exceed
60% of such highest average annual salary.

(g-1) Instead of any other retirement annuity provided in this Article,

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an employee who has at least 10 years of service and withdraws from service on or after January 1, 1999 may elect to receive a retirement annuity for life, beginning no earlier than upon attainment of age 60, equal to 2.2% if withdrawal is before January 1, 2002, or 2.4% if withdrawal is on or after January 1, 2002, of final average salary for each year of service, subject to a maximum of 75% of final average salary if withdrawal is before January 1, 2002, or 80% if withdrawal is on or after January 1, 2002. For the purpose of calculating this annuity, "final average salary" means the highest average annual salary for any 4 consecutive years in the last 10 years of service. Notwithstanding any provision of this subsection to the contrary, the "final average salary" for a participant that received credit under subsection (c) of Section 8-226 means the highest average salary for any 4 consecutive years (or any 8 consecutive years if the employee first became a participant on or after January 1, 2011) in the 10 years immediately prior to the leave of absence, and adding to that highest average salary, the product of (i) that highest average salary, (ii) the average percentage increase in the Consumer Price Index during each 12-month calendar year for the calendar years during the participant's leave of absence, and (iii) the length of the leave of absence in years, provided that this shall not exceed the participant's salary at the local labor organization. For purposes of this Section, the Consumer Price Index is the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

(h) The minimum annuities provided under this Section shall be paid in equal monthly installments.

(i) The amendatory provisions of part (b) and (g) of this Section shall be effective July 1, 1971 and apply in the case of every qualifying employee withdrawing on or after July 1, 1971.

(j) The amendatory provisions of this amendatory Act of 1985 (P.A. 84-23) relating to the discount of annuity because of retirement prior to attainment of age 60, and to the retirement formula, for those born before January 1, 1936, shall apply only to qualifying employees withdrawing on or after July 18, 1985.

(j-1) The changes made to this Section by Public Act 92-609 (increasing the retirement formula to 2.4% per year of service and increasing the maximum to 80%) apply to persons who withdraw from service on or after January 1, 2002, regardless of whether that withdrawal takes place before the effective date of that Act. In the case of a person who withdraws from service on or after January 1, 2002 but begins to receive a retirement annuity before July 1, 2002, the annuity shall be recalculated, with the
increase resulting from Public Act 92-609 accruing from the date the retirement annuity began. The changes made by Public Act 92-609 control over the changes made by Public Act 92-599, as provided in Section 95 of P.A. 92-609.

(k) Beginning on January 1, 1999, the minimum amount of employee's annuity shall be $850 per month for life for the following classes of employees, without regard to the fact that withdrawal occurred prior to the effective date of this amendatory Act of 1998:

(1) any employee annuitant alive and receiving a life annuity on the effective date of this amendatory Act of 1998, except a reciprocal annuity;

(2) any employee annuitant alive and receiving a term annuity on the effective date of this amendatory Act of 1998, except a reciprocal annuity;

(3) any employee annuitant alive and receiving a reciprocal annuity on the effective date of this amendatory Act of 1998, whose service in this fund is at least 5 years;

(4) any employee annuitant withdrawing after age 60 on or after the effective date of this amendatory Act of 1998, with at least 10 years of service in this fund.

The increases granted under items (1), (2) and (3) of this subsection (k) shall not be limited by any other Section of this Act.

(Source: P.A. 97-651, eff. 1-5-12; revised 9-16-13.)

(40 ILCS 5/9-102) (from Ch. 108 1/2, par. 9-102)
Sec. 9-102. Terms defined. The terms used in this Article have the meanings ascribed to them in the Sections following this Section and preceding Section 9-120, Sections 9-103 to 9-119, inclusive, except when the context otherwise requires.

(Source: Laws 1963, p. 161; revised 11-13-13.)

(40 ILCS 5/11-134) (from Ch. 108 1/2, par. 11-134)
Sec. 11-134. Minimum annuities.

(a) An employee whose withdrawal occurs after July 1, 1957 at age 60 or over, with 20 or more years of service, (as service is defined or computed in Section 11-216), for whom the age and service and prior service annuity combined is less than the amount stated in this Section, shall, from and after the date of withdrawal, in lieu of all annuities otherwise provided in this Article, be entitled to receive an annuity for life of an amount equal to 1 2/3% for each year of service, of the highest average annual salary for any 5 consecutive years within the last 10 years of service immediately preceding

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the date of withdrawal; provided, that in the case of any employee who withdraws on or after July 1, 1971, such employee age 60 or over with 20 or more years of service, shall be entitled to instead receive an annuity for life equal to 1.67% for each of the first 10 years of service; 1.90% for each of the next 10 years of service; 2.10% for each year of service in excess of 20 but not exceeding 30; and 2.30% for each year of service in excess of 30, based on the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal.

An employee who withdraws after July 1, 1957 and before January 1, 1988, with 20 or more years of service, before age 60, shall be entitled to an annuity, to begin not earlier than age 55, if under such age at withdrawal, as computed in the last preceding paragraph, reduced 0.25% if the employee was born before January 1, 1936, or 0.5% if the employee was born on or after January 1, 1936, for each full month or fractional part thereof that his attained age when such annuity is to begin is less than 60.

Any employee born before January 1, 1936 who withdraws with 20 or more years of service, and any employee with 20 or more years of service who withdraws on or after January 1, 1988, may elect to receive, in lieu of any other employee annuity provided in this Section, an annuity for life equal to 1.80% for each of the first 10 years of service, 2.00% for each of the next 10 years of service, 2.20% for each year of service in excess of 20, but not exceeding 30, and 2.40% for each year of service in excess of 30, of the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal, to begin not earlier than upon attained age of 55 years, if under such age at withdrawal, reduced 0.25% for each full month or fractional part thereof that his attained age when annuity is to begin is less than 60; except that an employee retiring on or after January 1, 1985 but before January 1, 1988, at age 55 or older and with at least 35 years of service, and who was subject under this subsection (a) to the reduction in retirement annuity because of retirement below age 60, that reduction shall cease to be effective January 1, 1991, and the retirement

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annuity shall be recalculated accordingly.

Any employee who withdraws on or after July 1, 1990, with 20 or more years of service, may elect to receive, in lieu of any other employee annuity provided in this Section, an annuity for life equal to 2.20% for each year of service if withdrawal is before January 1, 2002, or 2.40% for each year of service if withdrawal is on or after January 1, 2002, of the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal, to begin not earlier than upon attained age of 55 years, if under such age at withdrawal, reduced 0.25% for each full month or fractional part thereof that his attained age when annuity is to begin is less than 60; except that an employee retiring at age 55 or over but less than age 60, having at least 30 years of service, shall not be subject to the reduction in retirement annuity because of retirement below age 60.

Any employee who withdraws on or after the effective date of this amendatory Act of 1997 with 20 or more years of service may elect to receive, in lieu of any other employee annuity provided in this Section, an annuity for life equal to 2.20% for each year of service if withdrawal is before January 1, 2002, or 2.40% for each year of service if withdrawal is on or after January 1, 2002, of the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal, to begin not earlier than upon attainment of age 55 (age 50 if the employee has at least 30 years of service), reduced 0.25% for each full month or remaining fractional part thereof that the employee's attained age when annuity is to begin is less than 60; except that an employee retiring at age 50 or over with at least 30 years of service or at age 55 or over with at least 25 years of service shall not be subject to the reduction in retirement annuity because of retirement below age 60.

The maximum annuity payable under this paragraph (a) of this Section shall not exceed 70% of highest average annual salary in the case of an employee who withdraws prior to July 1, 1971, 75% if withdrawal takes place on or after July 1, 1971 and prior to January 1, 2002, or 80% if withdrawal is on or after January 1, 2002. For the purpose of the minimum annuity provided in said paragraphs $1,500 shall be considered the minimum annual salary for any year; and the maximum annual salary to be considered for the computation of such annuity shall be $4,800 for any year prior to 1953, $6,000 for the years 1953 to 1956, inclusive, and the actual annual salary, as salary is defined in this Article, for any year thereafter.

(b) For an employee receiving disability benefit, his salary for annuity

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purposes under this Section shall, for all periods of disability benefit subsequent to the year 1956, be the amount on which his disability benefit was based.

(c) An employee with 20 or more years of service, whose entire disability benefit credit period expires prior to attainment of age 55 while still disabled for service, shall be entitled upon withdrawal to the larger of (1) the minimum annuity provided above assuming that he is then age 55, and reducing such annuity to its actuarial equivalent at his attained age on such date, or (2) the annuity provided from his age and service and prior service annuity credits.

(d) The minimum annuity provisions as aforesaid shall not apply to any former employee receiving an annuity from the fund, and who re-enters service as an employee, unless he renders at least 3 years of additional service after the date of re-entry.

(e) An employee in service on July 1, 1947, or who became a contributor after July 1, 1947 and prior to July 1, 1950, or who shall become a contributor to the fund after July 1, 1950 prior to attainment of age 70, who withdraws after age 65 with less than 20 years of service, for whom the annuity has been fixed under the foregoing Sections of this Article shall, in lieu of the annuity so fixed, receive an annuity as follows:

Such amount as he could have received had the accumulated amounts for annuity been improved with interest at the effective rate to the date of his withdrawal, or to attainment of age 70, whichever is earlier, and had the city contributed to such earlier date for age and service annuity the amount that would have been contributed had he been under age 65, after the date his annuity was fixed in accordance with this Article, and assuming his annuity were computed from such accumulations as of his age on such earlier date. The annuity so computed shall not exceed the annuity which would be payable under the other provisions of this Section if the employee was credited with 20 years of service and would qualify for annuity thereunder.

(f) In lieu of the annuity provided in this or in any other Section of this Article, an employee having attained age 65 with at least 15 years of service who withdraws from service on or after July 1, 1971 and whose annuity computed under other provisions of this Article is less than the amount provided under this paragraph shall be entitled to receive a minimum annual annuity for life equal to 1% of the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding retirement for each year of his service plus the sum of $25 for each year of service. Such annual annuity shall not exceed the maximum

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percentages stated under paragraph (a) of this Section of such highest average annual salary.

(f-1) Instead of any other retirement annuity provided in this Article, an employee who has at least 10 years of service and withdraws from service on or after January 1, 1999 may elect to receive a retirement annuity for life, beginning no earlier than upon attainment of age 60, equal to 2.2% if withdrawal is before January 1, 2002, or 2.4% for each year of service if withdrawal is on or after January 1, 2002, of final average salary for each year of service, subject to a maximum of 75% of final average salary if withdrawal is before January 1, 2002, or 80% if withdrawal is on or after January 1, 2002. For the purpose of calculating this annuity, "final average salary" means the highest average annual salary for any 4 consecutive years in the last 10 years of service. Notwithstanding any provision of this subsection to the contrary, the "final average salary" for a participant that received credit under item (3) of subsection (c) of Section 11-215 means the highest average salary for any 4 consecutive years (or any 8 consecutive years if the employee first became a participant on or after January 1, 2011) in the 10 years immediately prior to the leave of absence, and adding to that highest average salary, the product of (i) that highest average salary, (ii) the average percentage increase in the Consumer Price Index during each 12-month calendar year for the calendar years during the participant's leave of absence, and (iii) the length of the leave of absence in years, provided that this shall not exceed the participant's salary at the local labor organization. For purposes of this Section, the Consumer Price Index is the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

(g) Any annuity payable under the preceding subsections of this Section 11-134 shall be paid in equal monthly installments.

(h) The amendatory provisions of part (a) and (f) of this Section shall be effective July 1, 1971 and apply in the case of every qualifying employee withdrawing on or after July 1, 1971.

(h-1) The changes made to this Section by Public Act 92-609 (increasing the retirement formula to 2.4% per year of service and increasing the maximum to 80%) apply to persons who withdraw from service on or after January 1, 2002, regardless of whether that withdrawal takes place before the effective date of that Act. In the case of a person who withdraws from service on or after January 1, 2002 but begins to receive a retirement annuity before July 1, 2002, the annuity shall be recalculated, with the increase resulting from Public Act 92-609 accruing from the date the...
retirement annuity began. The changes made by Public Act 92-609 control over the changes made by Public Act 92-599, as provided in Section 95 of P.A. 92-609.

(i) The amendatory provisions of this amendatory Act of 1985 relating to the discount of annuity because of retirement prior to attainment of age 60 and increasing the retirement formula for those born before January 1, 1936, shall apply only to qualifying employees withdrawing on or after August 16, 1985.

(j) Beginning on January 1, 1999, the minimum amount of employee's annuity shall be $850 per month for life for the following classes of employees, without regard to the fact that withdrawal occurred prior to the effective date of this amendatory Act of 1998:

1. any employee annuitant alive and receiving a life annuity on the effective date of this amendatory Act of 1998, except a reciprocal annuity;
2. any employee annuitant alive and receiving a term annuity on the effective date of this amendatory Act of 1998, except a reciprocal annuity;
3. any employee annuitant alive and receiving a reciprocal annuity on the effective date of this amendatory Act of 1998, whose service in this fund is at least 5 years;
4. any employee annuitant withdrawing after age 60 on or after the effective date of this amendatory Act of 1998, with at least 10 years of service in this fund.

The increases granted under items (1), (2) and (3) of this subsection (j) shall not be limited by any other Section of this Act.

(Source: P.A. 97-651, eff. 1-5-12; revised 9-16-13.)

(40 ILCS 5/13-809) (from Ch. 108 1/2, par. 13-809)

Sec. 13-809. Administrative review. The provisions of the Administrative Review Act, and all amendments and modifications thereof and the rules adopted pursuant thereto shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Retirement Board provided for under this Article. The term "administrative decision" is as defined in Section 3-101 of the Code of Civil Procedure.

(Source: P.A. 87-794; revised 10-7-13.)

Section 225. The Illinois Police Training Act is amended by changing Section 7 and by setting forth and renumbering multiple versions of Section 10.14 as follows:

(50 ILCS 705/7) (from Ch. 85, par. 507)
Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include but not be limited to the following:

a. The curriculum for probationary police officers which shall be offered by all certified schools shall include but not be limited to courses of arrest, search and seizure, civil rights, human relations, cultural diversity, including racial and ethnic sensitivity, criminal law, law of criminal procedure, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first-aid (including cardiopulmonary resuscitation), handling of juvenile offenders, recognition of mental conditions which require immediate assistance and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum for permanent police officers shall include but not be limited to (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary police officers, including University police officers.

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

c. Minimum requirements for instructors.

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

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

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

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

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of the effective date of this amendatory Act of 1996. Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after the effective date of this amendatory Act of 1996 shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit
Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

(Source: P.A. 97-815, eff. 1-1-13; 97-862, eff. 1-1-13; 98-49, eff. 7-1-13; 98-358, eff. 1-1-14; 98-463, eff. 8-16-13; revised 9-11-13.)

(50 ILCS 705/10.14)
Sec. 10.14. Training; animal fighting awareness and humane response. The Illinois Law Enforcement Training Standards Board shall conduct or approve a training program in animal fighting awareness and humane response for law enforcement officers of local government agencies. The purpose of that training shall be to equip law enforcement officers of local government agencies to identify animal fighting operations and respond appropriately. This training shall also include a humane response component that will provide guidelines for appropriate law enforcement response to animal abuse, cruelty, and neglect, or similar condition, as well as training on canine behavior and nonlethal ways to subdue a canine.

(Source: P.A. 98-311, eff. 1-1-14.)

(50 ILCS 705/10.15)
(Section scheduled to be repealed on July 1, 2016)
Sec. 10.15  Electronic control devices used by local law enforcement agencies; inspections.

(a) For the purposes of this Section, "electronic control device" means:

(1) any device which is powered by electrical charging units, such as, batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render the person incapable of normal functioning; or

(2) any device which is powered by electrical charging units, such as batteries, and which, upon contact with a human or clothing worn by a human, can send out current capable of disrupting the person's nervous system in such a manner as to render the person incapable of normal functioning.

(b) Beginning January 1, 2014 and ending December 31, 2015, the Board shall randomly inspect police departments of units of local government and university police departments concerning the use of electronic control devices by law enforcement officers of the departments to determine whether the officers received appropriate training in their use. The Board shall compile the information from the random inspections and analyze the results.

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(c) Based on the analysis required in subsection (b), the Board shall issue a report and present its report and findings to the Governor and General Assembly on or before June 30, 2016. The Board in its report may recommend legislation concerning the use of electronic control devices by law enforcement officers and the training of law enforcement officers in the use of those devices.

(d) This Section is repealed on July 1, 2016.

(Source: P.A. 98-358, eff. 1-1-14; revised 10-17-13.)

Section 230. The Counties Code is amended by changing Sections 3-3016.5, 3-5018, 5-1062.3, 5-12001.2, 5-44020, and 6-27005 and by setting forth and renumbering multiple versions of Section 5-1134 as follows:

(55 ILCS 5/3-3016.5)
Sec. 3-3016.5. Sudden, unexpected death in epilepsy (SUDEP).
(a) All autopsies conducted in this State shall include an inquiry to determine whether the death was a direct result of a seizure or epilepsy. If the findings in an autopsy of a medical examiner, examining physician, or coroner are consistent with known or suspected sudden, unexpected death in epilepsy (SUDEP), then the medical examiner, examining physician, or coroner shall:

(1) cause to be indicated on the death certificate that SUDEP is the cause or suspected cause of death; and

(2) forward a copy of the death certificate to the North American SUDEP Registry at the Langone Medical Center at New York University within 30 days.

(b) For the purposes of this Section, "sudden, unexpected death in epilepsy" refers to a death in a patient previously diagnosed with epilepsy that is not due to trauma, drowning, status epilepticus, or other known causes, but for which there is often evidence of an associated seizure. A finding of sudden, unexpected death in epilepsy is definite when clinical criteria are met and autopsy reveals no alternative cause of death, such as stroke, myocardial infarction, or drug intoxication, although there may be evidence of a seizure.

(Source: P.A. 98-340, eff. 1-1-14; revised 10-8-13.)

(55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)
Sec. 3-5018. Fees. The recorder elected as provided for in this Division shall receive such fees as are or may be provided for him or her by law, in case of provision therefor; otherwise he or she shall receive the same fees as are or may be provided in this Section, except when increased by county ordinance pursuant to the provisions of this Section, to be paid to the county clerk for his or her services in the office of recorder for like services.

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For recording deeds or other instruments, $12 for the first 4 pages thereof, plus $1 for each additional page thereof, plus $1 for each additional document number therein noted. The aggregate minimum fee for recording any one instrument shall not be less than $12.

For recording deeds or other instruments wherein the premises affected thereby are referred to by document number and not by legal description, a fee of $1 in addition to that hereinabove referred to for each document number therein noted.

For recording assignments of mortgages, leases or liens, $12 for the first 4 pages thereof, plus $1 for each additional page thereof. However, except for leases and liens pertaining to oil, gas and other minerals, whenever a mortgage, lease or lien assignment assigns more than one mortgage, lease or lien document, a $7 fee shall be charged for the recording of each such mortgage, lease or lien document after the first one.

For recording any document that affects an interest in real property other than documents which solely affect or relate to an easement for water, sewer, electricity, gas, telephone or other public service, the recorder shall charge a fee of $1 per document to all filers of documents not filed by any State agency, any unit of local government, or any school district. Fifty cents of the $1 fee hereby established shall be deposited into the County General Revenue Fund. The remaining $0.50 shall be deposited into the Recorder's Automation Fund and may not be appropriated or expended for any other purpose. The additional amounts available to the recorder for expenditure from the Recorder's Automation Fund shall not offset or reduce any other county appropriations or funding for the office of the recorder.

For recording maps or plats of additions or subdivisions approved by the county or municipality (including the spreading of the same of record in map case or other proper books) or plats of condominiums, $50 for the first page, plus $1 for each additional page thereof except that in the case of recording a single page, legal size 8 1/2 x 14, plat of survey in which there are no more than two lots or parcels of land, the fee shall be $12. In each county where such maps or plats are to be recorded, the recorder may require the same to be accompanied by such number of exact, true and legible copies thereof as the recorder deems necessary for the efficient conduct and operation of his or her office.

For non-certified copies of records, an amount not to exceed one-half of the amount provided in this Section for certified copies, according to a standard scale of fees, established by county ordinance and made public. The provisions of this paragraph shall not be applicable to any person or entity

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who obtains non-certified copies of records in the following manner: (i) in bulk for all documents recorded on any given day in an electronic or paper format for a negotiated amount less than the amount provided for in this paragraph for non-certified copies, (ii) under a contractual relationship with the recorder for a negotiated amount less than the amount provided for in this paragraph for non-certified copies, or (iii) by means of Internet access pursuant to Section 5-1106.1.

For certified copies of records, the same fees as for recording, but in no case shall the fee for a certified copy of a map or plat of an addition, subdivision or otherwise exceed $10.

Each certificate of such recorder of the recording of the deed or other writing and of the date of recording the same signed by such recorder, shall be sufficient evidence of the recording thereof, and such certificate including the indexing of record, shall be furnished upon the payment of the fee for recording the instrument, and no additional fee shall be allowed for the certificate or indexing.

The recorder shall charge an additional fee, in an amount equal to the fee otherwise provided by law, for recording a document (other than a document filed under the Plat Act or the Uniform Commercial Code) that does not conform to the following standards:

(1) The document shall consist of one or more individual sheets measuring 8.5 inches by 11 inches, not permanently bound and not a continuous form. Graphic displays accompanying a document to be recorded that measure up to 11 inches by 17 inches shall be recorded without charging an additional fee.

(2) The document shall be legibly printed in black ink, by hand, type, or computer. Signatures and dates may be in contrasting colors if they will reproduce clearly.

(3) The document shall be on white paper of not less than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side. Margins may be used for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.

(4) The first page of the document shall contain a blank space, measuring at least 3 inches by 5 inches, from the upper right corner.

(5) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded.

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except upon payment of the additional fee required under this paragraph. This paragraph, as amended by this amendatory Act of 1995, applies only to documents dated after the effective date of this amendatory Act of 1995.

The county board of any county may provide for an additional charge of $3 for filing every instrument, paper, or notice for record, (1) in order to defray the cost of converting the county recorder's document storage system to computers or micrographics and (2) in order to defray the cost of providing access to records through the global information system known as the Internet.

A special fund shall be set up by the treasurer of the county and such funds collected pursuant to Public Act 83-1321 shall be used (1) for a document storage system to provide the equipment, materials and necessary expenses incurred to help defray the costs of implementing and maintaining such a document records system and (2) for a system to provide electronic access to those records.

The county board of any county that provides and maintains a countywide map through a Geographic Information System (GIS) may provide for an additional charge of $3 for filing every instrument, paper, or notice for record (1) in order to defray the cost of implementing or maintaining the county's Geographic Information System and (2) in order to defray the cost of providing electronic or automated access to the county's Geographic Information System or property records. Of that amount, $2 must be deposited into a special fund set up by the treasurer of the county, and any moneys collected pursuant to this amendatory Act of the 91st General Assembly and deposited into that fund must be used solely for the equipment, materials, and necessary expenses incurred in implementing and maintaining a Geographic Information System and in order to defray the cost of providing electronic access to the county's Geographic Information System records. The remaining $1 must be deposited into the recorder's special funds created under Section 3-5005.4. The recorder may, in his or her discretion, use moneys in the funds created under Section 3-5005.4 to defray the cost of implementing or maintaining the county's Geographic Information System and to defray the cost of providing electronic access to the county's Geographic Information System records.

The recorder shall collect a $9 Rental Housing Support Program State surcharge for the recordation of any real estate-related document. Payment of the Rental Housing Support Program State surcharge shall be evidenced by a receipt that shall be marked upon or otherwise affixed to the real estate-related document by the recorder. The form of this receipt shall be prescribed.
by the Department of Revenue and the receipts shall be issued by the
Department of Revenue to each county recorder.

The recorder shall not collect the Rental Housing Support Program
State surcharge from any State agency, any unit of local government or any
school district.

On the 15th day of each month, each county recorder shall report to
the Department of Revenue, on a form prescribed by the Department, the
number of real estate-related documents recorded for which the Rental
Housing Support Program State surcharge was collected. Each recorder shall
submit $9 of each surcharge collected in the preceding month to the
Department of Revenue and the Department shall deposit these amounts in
the Rental Housing Support Program Fund. Subject to appropriation, amounts
in the Fund may be expended only for the purpose of funding and
administering the Rental Housing Support Program.

For purposes of this Section, "real estate-related document" means
that term as it is defined in Section 7 of the Rental Housing Support Program
Act.

The foregoing fees allowed by this Section are the maximum fees that
may be collected from any officer, agency, department or other
instrumentality of the State. The county board may, however, by ordinance,
increase the fees allowed by this Section and collect such increased fees from
all persons and entities other than officers, agencies, departments and other
instrumentalities of the State if the increase is justified by an acceptable cost
study showing that the fees allowed by this Section are not sufficient to cover
the cost of providing the service. Regardless of any other provision in this
Section, the maximum fee that may be collected from the Department of
Revenue for filing or indexing a lien, certificate of lien release or
subordination, or any other type of notice or other documentation affecting
or concerning a lien is $5. Regardless of any other provision in this Section,
the maximum fee that may be collected from the Department of Revenue for
indexing each additional name in excess of one for any lien, certificate of lien
release or subordination, or any other type of notice or other documentation
affecting or concerning a lien is $1.

A statement of the costs of providing each service, program and
activity shall be prepared by the county board. All supporting documents
shall be public record and subject to public examination and audit. All direct
and indirect costs, as defined in the United States Office of Management and
Budget Circular A-87, may be included in the determination of the costs of
each service, program and activity.

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Sec. 5-1062.3. Stormwater management; DuPage and Peoria Counties.

(a) The purpose of this Section is to allow management and mitigation of the effects of urbanization on stormwater drainage in the metropolitan counties of DuPage and Peoria, and references to "county" in this Section apply only to those counties. This Section does not apply to a municipality that only partially lies within one of these counties and, on the effective date of this amendatory Act of the 98th General Assembly, is served by an existing Section in the Counties Code regarding stormwater management. The purpose of this Section shall be achieved by:

(1) consolidating the existing stormwater management framework into a united, countywide structure;

(2) setting minimum standards for floodplain and stormwater management; and

(3) preparing a countywide plan for the management of stormwater runoff, including the management of natural and man-made drainageways. The countywide plan may incorporate watershed plans.

(b) A stormwater management planning committee may be established by county board resolution, with its membership consisting of equal numbers of county board and municipal representatives from each county board district, and such other members as may be determined by the county and municipal members. If the county has more than 6 county board districts, however, the county board may by ordinance divide the county into not less than 6 areas of approximately equal population, to be used instead of county board districts for the purpose of determining representation on the stormwater management planning committee.

The county board members shall be appointed by the chairman of the county board. Municipal members from each county board district or other represented area shall be appointed by a majority vote of the mayors of those municipalities that have the greatest percentage of their respective populations residing in that county board district or other represented area. All municipal and county board representatives shall be entitled to a vote; the other members shall be nonvoting members, unless authorized to vote by the unanimous consent of the municipal and county board representatives. A municipality that is located in more than one county may choose, at the time of formation of the stormwater management planning committee and based

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on watershed boundaries, to participate in the stormwater management planning program of either county. Subcommittees of the stormwater management planning committee may be established to serve a portion of the county or a particular drainage basin that has similar stormwater management needs. The stormwater management planning committee shall adopt bylaws, by a majority vote of the county and municipal members, to govern the functions of the committee and its subcommittees. Officers of the committee shall include a chair and vice chair, one of whom shall be a county representative and one a municipal representative.

The principal duties of the committee shall be to develop a stormwater management plan for presentation to and approval by the county board, and to direct the plan's implementation and revision. The committee may retain engineering, legal, and financial advisors and inspection personnel. The committee shall meet at least quarterly and shall hold at least one public meeting during the preparation of the plan and prior to its submittal to the county board. The committee may make grants to units of local government that have adopted an ordinance requiring actions consistent with the stormwater management plan and to landowners for the purposes of stormwater management, including special projects; use of the grant money must be consistent with the stormwater management plan.

The committee shall not have or exercise any power of eminent domain.

(c) In the preparation of a stormwater management plan, a county stormwater management planning committee shall coordinate the planning process with each adjoining county to ensure that recommended stormwater projects will have no significant impact on the levels or flows of stormwaters in inter-county watersheds or on the capacity of existing and planned stormwater retention facilities. An adopted stormwater management plan shall identify steps taken by the county to coordinate the development of plan recommendations with adjoining counties.

(d) The stormwater management committee may not enforce any rules or regulations that would interfere with (i) any power granted by the Illinois Drainage Code (70 ILCS 605/) to operate, construct, maintain, or improve drainage systems or (ii) the ability to operate, maintain, or improve the drainage systems used on or by land or a facility used for production agriculture purposes, as defined in the Use Tax Act (35 ILCS 105/), except newly constructed buildings and newly installed impervious paved surfaces. Disputes regarding an exception shall be determined by a mutually agreed upon arbitrator paid by the disputing party or parties.

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(e) Before the stormwater management planning committee recommends to the county board a stormwater management plan for the county or a portion thereof, it shall submit the plan to the Office of Water Resources of the Department of Natural Resources for review and recommendations. The Office, in reviewing the plan, shall consider such factors as impacts on the levels or flows in rivers and streams and the cumulative effects of stormwater discharges on flood levels. The Office of Water Resources shall determine whether the plan or ordinances enacted to implement the plan complies with the requirements of subsection (f). Within a period not to exceed 60 days, the review comments and recommendations shall be submitted to the stormwater management planning committee for consideration. Any amendments to the plan shall be submitted to the Office for review.

(f) Prior to recommending the plan to the county board, the stormwater management planning committee shall hold at least one public hearing thereon and shall afford interested persons an opportunity to be heard. The hearing shall be held in the county seat. Notice of the hearing shall be published at least once and no less than 15 days in advance of the hearing in a newspaper of general circulation published in the county. The notice shall state the time and place of the hearing and the place where copies of the proposed plan will be accessible for examination by interested parties. If an affected municipality having a stormwater management plan adopted by ordinance wishes to protest the proposed county plan provisions, it shall appear at the hearing and submit in writing specific proposals to the stormwater management planning committee. After consideration of the matters raised at the hearing, the committee may amend or approve the plan and recommend it to the county board for adoption.

The county board may enact the proposed plan by ordinance. If the proposals for modification of the plan made by an affected municipality having a stormwater management plan are not included in the proposed county plan, and the municipality affected by the plan opposes adoption of the county plan by resolution of its corporate authorities, approval of the county plan shall require an affirmative vote of at least two-thirds of the county board members present and voting. If the county board wishes to amend the county plan, it shall submit in writing specific proposals to the stormwater management planning committee. If the proposals are not approved by the committee, or are opposed by resolution of the corporate authorities of an affected municipality having a municipal stormwater management plan, amendment of the plan shall require an affirmative vote.

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of at least two-thirds of the county board members present and voting.

(g) The county board may prescribe by ordinance reasonable rules and regulations for floodplain management and for governing the location, width, course, and release rate of all stormwater runoff channels, streams, and basins in the county, in accordance with the adopted stormwater management plan. Land, facilities, and drainage district facilities used for production agriculture as defined in subsection (d) shall not be subjected to regulation by the county board or stormwater management committee under this Section for floodplain management and for governing location, width, course, maintenance, and release rate of stormwater runoff channels, streams and basins, or water discharged from a drainage district. These rules and regulations shall, at a minimum, meet the standards for floodplain management established by the Office of Water Resources and the requirements of the Federal Emergency Management Agency for participation in the National Flood Insurance Program. With respect to DuPage County only, the Chicago Metropolitan Agency for Planning may not impose more stringent regulations regarding water quality on entities discharging in accordance with a valid National Pollution Discharge Elimination System permit issued under the Environmental Protection Act.

(h) For the purpose of implementing this Section and for the development, design, planning, construction, operation, and maintenance of stormwater facilities provided for in the adopted stormwater management plan, a county board that has established a stormwater management planning committee pursuant to this Section or has participated in a stormwater management planning process may adopt a schedule of fees applicable to all real property within the county which benefits from the county's stormwater management facilities and activities, and as may be necessary to mitigate the effects of increased stormwater runoff resulting from development. The total amount of the fees assessed must be specifically and uniquely attributable to the actual costs of the county in the preparation, administration, and implementation of the adopted stormwater management plan, construction and maintenance of stormwater facilities, and other activities related to the management of the runoff from the property. The individual fees must be specifically and uniquely attributable to the portion of the actual cost to the county of managing the runoff from the property. The fees shall be used to finance activities undertaken by the county or its included municipalities to mitigate the effects of urban stormwater runoff by providing and maintaining stormwater collection, retention, detention, and particulate treatment facilities, and improving water bodies impacted by stormwater runoff, as

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identified in the county plan. In establishing, maintaining, or replacing such facilities, the county shall not duplicate facilities operated by other governmental bodies within its corporate boundaries. The schedule of fees established by the county board shall include a procedure for a full or partial fee waiver for property owners who have taken actions or put in place facilities that reduce or eliminate the cost to the county of providing stormwater management services to their property. The county board may also offer tax or fee rebates or incentive payments to property owners who construct, maintain, and use approved green infrastructure stormwater management devices or any other methods that reduce or eliminate the cost to the county of providing stormwater management services to the property, including but not limited to facilities that reduce the volume, temperature, velocity, and pollutant load of the stormwater managed by the county, such as systems that infiltrate, evapotranspirate, or harvest stormwater for reuse, known as "green infrastructure". In exercising this authority, the county shall provide notice to the municipalities within its jurisdiction of any fees proposed under this Section and seek the input of each municipality with respect to the calculation of the fees. The county shall also give property owners at least 2 years' notice of the fee, during which time the county shall provide education on green infrastructure practices and an opportunity to take action to reduce or eliminate the fee. All these fees collected by the county shall be held in a separate fund, and shall be expended only in the watershed within which they were collected. The county may enter into intergovernmental agreements with other government bodies for the joint administration of stormwater management and the collection of the fees authorized in this Section.

A fee schedule authorized by this subsection must have the same limit as the authorized stormwater tax. In Peoria County only, the fee schedule shall not be adopted unless (i) a referendum has been passed approving a stormwater tax as provided in subsection (i) of this Section; or (ii) the question of the adoption of a fee schedule with the same limit as the authorized stormwater tax has been approved in a referendum by a majority of those voting on the question.

(i) In the alternative to a fee imposed under subsection (h), the county board may cause an annual tax of not to exceed 0.20% of the value, as equalized or assessed by the Department of Revenue, of all taxable property in the county to be levied upon all the taxable property in the county. The property tax shall be in addition to all other taxes authorized by law to be levied and collected in the county and shall be in addition to the maximum

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tax rate authorized by law for general county purposes. The 0.20% limitation provided in this Section may be increased or decreased by referendum in accordance with the provisions of Sections 18-120, 18-125, and 18-130 of the Property Tax Code (35 ILCS 200/).

Any revenues generated as a result of ownership or operation of facilities or land acquired with the tax funds collected pursuant to this subsection shall be held in a separate fund and be used either to abate such property tax or for implementing this Section.

If at least part of the county has been declared by a presidential proclamation after July 1, 1986 and before December 31, 1987, to be a disaster area as a result of flooding, the tax authorized by this subsection does not require approval by referendum. However, in Peoria County, the tax authorized by this subsection shall not be levied until the question of its adoption, either for a specified period or indefinitely, has been submitted to the electors thereof and approved by a majority of those voting on the question. This question may be submitted at any election held in the county after the adoption of a resolution by the county board providing for the submission of the question to the electors of the county. The county board shall certify the resolution and proposition to the proper election officials, who shall submit the proposition at an election in accordance with the general election law. If a majority of the votes cast on the question is in favor of the levy of the tax, it may thereafter be levied in the county for the specified period or indefinitely, as provided in the proposition. The question shall be put in substantially the following form:

Shall an annual tax be levied for stormwater management purposes (for a period of not more than _____ years) at a rate not exceeding _____% of the equalized assessed value of the taxable property of _____ County?

Votes shall be recorded as Yes or No.

The following question may be submitted at any election held in the county after the adoption of a resolution by the county board providing for the submission of the question to the electors of the county to authorize adoption of a schedule of fees applicable to all real property within the county:

Shall the county board be authorized to adopt a schedule of fees, at a rate not exceeding that of the stormwater management tax, applicable to all real property for preparation, administration, and implementation of an adopted stormwater management plan, construction and maintenance of related facilities, and management of the runoff from the property?

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Votes shall be recorded as Yes or No.

If these questions have been approved by a majority of those voting prior to the effective date of this amendatory Act of the 98th General Assembly, this subsection does not apply.

(j) For those counties that adopt a property tax in accordance with the provisions in this Section, the stormwater management committee shall offer property tax abatements or incentive payments to property owners who construct, maintain, and use approved stormwater management devices. The stormwater management committee is authorized to offer credits to the property tax, if applicable, based on authorized practices consistent with the stormwater management plan and approved by the committee. Expenses of staff of a stormwater management committee that are expended on regulatory project review may be no more than 20% of the annual budget of the committee, including funds raised under subsections (h) and (i).

(k) Upon the creation and implementation of a county stormwater management plan, the county may petition the circuit court to dissolve any or all drainage districts created pursuant to the Illinois Drainage Code or predecessor Acts which are located entirely within the area of the county covered by the plan.

However, any active drainage district implementing a plan that is consistent with and at least as stringent as the county stormwater management plan may petition the stormwater management planning committee for exception from dissolution. Upon filing of the petition, the committee shall set a date for hearing not less than 2 weeks, nor more than 4 weeks, from the filing thereof, and the committee shall give at least one week's notice of the hearing in one or more newspapers of general circulation within the district, and in addition shall cause a copy of the notice to be personally served upon each of the trustees of the district. At the hearing, the committee shall hear the district's petition and allow the district trustees and any interested parties an opportunity to present oral and written evidence. The committee shall render its decision upon the petition for exception from dissolution based upon the best interests of the residents of the district. In the event that the exception is not allowed, the district may file a petition within 30 days of the decision with the circuit court. In that case, the notice and hearing requirements for the court shall be the same as herein provided for the committee. The court shall likewise render its decision of whether to dissolve the district based upon the best interests of residents of the district.

The dissolution of any drainage district shall not affect the obligation of any bonds issued or contracts entered into by the district nor invalidate the
levy, extension or collection of any taxes or special assessments upon the property in the former drainage district. All property and obligations of the former drainage district shall be assumed and managed by the county, and the debts of the former drainage district shall be discharged as soon as practicable.

If a drainage district lies only partly within a county that adopts a county stormwater management plan, the county may petition the circuit court to disconnect from the drainage district that portion of the district that lies within that county. The property of the drainage district within the disconnected area shall be assumed and managed by the county. The county shall also assume a portion of the drainage district's debt at the time of disconnection, based on the portion of the value of the taxable property of the drainage district which is located within the area being disconnected.

The operations of any drainage district that continues to exist in a county that has adopted a stormwater management plan in accordance with this Section shall be in accordance with the adopted plan.

(l) Any county that has adopted a county stormwater management plan under this Section may, after 10 days’ written notice receiving consent of the owner or occupant, enter upon any lands or waters within the county for the purpose of inspecting stormwater facilities or causing the removal of any obstruction to an affected watercourse. If consent is denied or cannot be reasonably obtained, the county ordinance shall provide a process or procedure for an administrative warrant to be obtained. The county shall be responsible for any damages occasioned thereby.

(m) Except as otherwise provided in subsection (a) of this Section, upon petition of the municipality, and based on a finding of the stormwater management planning committee, the county shall not enforce rules and regulations adopted by the county in any municipality located wholly or partly within the county that has a municipal stormwater management ordinance that is consistent with and at least as stringent as the county plan and ordinance, and is being enforced by the municipal authorities. On issues that the county ordinance is more stringent as deemed by the committee, the county shall only enforce rules and regulations adopted by the county on the more stringent issues and accept municipal permits. The county shall have no more than 60 days to review permits or the permits shall be deemed approved.

(n) A county may issue general obligation bonds for implementing any stormwater plan adopted under this Section in the manner prescribed in Section 5-1012; except that the referendum requirement of Section 5-1012
does not apply to bonds issued pursuant to this Section on which the principal and interest are to be paid entirely out of funds generated by the taxes and fees authorized by this Section.

(o) A county that has adopted a fee schedule pursuant to this Section may not thereafter issue any bond extensions related to implementing a stormwater management plan.

(p) The powers authorized by this Section may be implemented by the county board for a portion of the county subject to similar stormwater management needs.

(q) The powers and taxes authorized by this Section are in addition to the powers and taxes authorized by Division 5-15; in exercising its powers under this Section, a county shall not be subject to the restrictions and requirements of that Division.

(r) Stormwater management projects and actions related to stormwater management in a county that has adopted a fee schedule or tax pursuant to this Section prior to the effective date of this amendatory Act of the 98th General Assembly are not altered by this amendatory Act of the 98th General Assembly.

(Source: P.A. 98-335, eff. 8-13-13; revised 10-8-13.)

(55 ILCS 5/5-1134)
Sec. 5-1134. Project labor agreements.

(a) Any sports, arts, or entertainment facilities that receive revenue from a tax imposed under subsection (b) of Section 5-1030 of this Code shall be considered to be public works within the meaning of the Prevailing Wage Act. The county authorities responsible for the construction, renovation, modification, or alteration of the sports, arts, or entertainment facilities shall enter into project labor agreements with labor organizations as defined in the National Labor Relations Act to assure that no labor dispute interrupts or interferes with the construction, renovation, modification, or alteration of the projects.

(b) The project labor agreements must include the following:

(1) provisions establishing the minimum hourly wage for each class of labor organization employees;

(2) provisions establishing the benefits and other compensation for such class of labor organization; and

(3) provisions establishing that no strike or disputes will be engaged in by the labor organization employees.

The county, taxing bodies, municipalities, and the labor organizations shall have the authority to include other terms and conditions as they deem

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necessary.

(c) The project labor agreement shall be filed with the Director of the Illinois Department of Labor in accordance with procedures established by the Department. At a minimum, the project labor agreement must provide the names, addresses, and occupations of the owner of the facilities and the individuals representing the labor organization employees participating in the project labor agreement. The agreement must also specify the terms and conditions required in subsection (b) of this Section.

(d) In any agreement for the construction or rehabilitation of a facility using revenue generated under subsection (b) of Section 5-1030 of this Code, in connection with the prequalification of general contractors for construction or rehabilitation of the facility, it shall be required that a commitment will be submitted detailing how the general contractor will expend 15% or more of the aggregate dollar value of the project as a whole with one or more minority-owned businesses, female-owned businesses, or businesses owned by a person with a disability, as these terms are defined in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(Source: P.A. 98-313, eff. 8-12-13.)

(55 ILCS 5/5-1135)

Sec. 5-1135. Borrowing from financial institutions. The county board of a county may borrow money for any corporate purpose from any bank or other financial institution provided such money shall be repaid within 2 years from the time the money is borrowed. The county board chairman or county executive, as the case may be, shall execute a promissory note or similar debt instrument, but not a bond, to evidence the indebtedness incurred by the borrowing. The obligation to make the payments due under the promissory note or other debt instrument shall be a lawful direct general obligation of the county payable from the general funds of the county and such other sources of payment as are otherwise lawfully available. The promissory note or other debt instrument shall be authorized by an ordinance passed by the county board and shall be valid whether or not an appropriation with respect to that ordinance is included in any annual or supplemental appropriation adopted by the county board. The indebtedness incurred under this Section, when aggregated with the existing indebtedness of the county, may not exceed any debt limitation otherwise provided for by law. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, any credit union subject to the

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Illinois Credit Union Act, and any federally chartered commercial bank, savings and loan association, savings bank, or credit union organized and operated in this State pursuant to the laws of the United States.  
(Source: P.A. 98-525, eff. 8-23-13; revised 10-17-13.)

(55 ILCS 5/5-12001.2)

Sec. 5-12001.2. Regulation of telecommunications facilities; Lake County pilot project. In addition to any other requirements under this Division concerning the regulation of telecommunications facilities, the following applies to any new telecommunications facilities in Lake County that are not AM telecommunications towers or facilities:

(a) For every new wireless telecommunications facility requiring a new tower structure, a telecommunications carrier shall provide the county with documentation consisting of the proposed location, a site plan, and an elevation that sufficiently describes a proposed wireless facility location.

(b) The county shall have 7 days to review the facility proposal and contact the telecommunications carrier in writing via e-mail or other written means as specified by the telecommunications carrier. This written communication shall either approve the proposed location or request a meeting to review other possible alternative locations. If requested, the meeting shall take place within 7 days after the date of the written communication.

(c) At the meeting, the telecommunications carrier shall provide the county documentation consisting of radio frequency engineering criteria and a corresponding telecommunications facility search ring map, together with documentation of the carrier's efforts to site the proposed facility within the telecommunications facility search ring.

(d) Within 21 days after receipt of the carrier's documentation, the county shall propose either an alternative site within the telecommunications facility search ring, or an alternative site outside of the telecommunications search ring that meets the radio frequency engineering criteria provided by the telecommunications carrier and that will not materially increase the construction budget beyond what was estimated on the original carrier proposed site.

(e) If the county's proposed alternative site meets the radio frequency engineering criteria provided by the telecommunications carrier, and will not materially increase the construction budget beyond what was estimated on the original carrier proposed site, then

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the telecommunications carrier shall agree to build the facility at the alternative location, subject to the negotiation of a lease with commercially reasonable terms and the obtainment of the customary building permits.

(f) If the telecommunications carrier can demonstrate that: (i) the county's proposed alternative site does not meet the radio frequency engineering criteria, (ii) the county's proposed alternative site will materially increase the construction budget beyond what was estimated on the original carrier proposed site, (iii) the county has failed to provide an alternative site, or (iv) after a period of 90 days after receipt of the alternative site, the telecommunications carrier has failed, after acting in good faith and with due diligence, to obtain a lease or, at a minimum, a letter of intent to lease the alternative site at lease rates not materially greater than the lease rate for the original proposed site; then the carrier can proceed to permit and construct the site under the provisions and standards of Section 5-12001.1 of this Code.

(Source: P.A. 98-197, eff. 8-9-13; revised 10-8-13.)

Sec. 5-44020. Definitions. In this Division 5-44:

"Fire protection jurisdiction" means a fire protection district, municipal fire department, or service organized under Section 5-1056.1 of the Counties Code, Sections 195 and 200 of the Township Code, Section 10-2.1 of the Illinois Municipal Code, or the Illinois Fire Protection District Act.

"Governing board" means the individual or individuals who constitute the corporate authorities of a unit of local government.

"Unit of local government" or "unit" means any unit of local government located entirely within one county, to which the county board chairman or county executive directly appoints a majority of its governing board with the advice and consent of the county board, but shall not include a fire protection district that directly employs any regular full-time employees or a special district organized under the Water Commission Act of 1985.

(Source: P.A. 98-126, eff. 8-2-13; revised 9-13-13.)

Sec. 6-27005. Transfer to general corporate fund. Moneys shall be transferred from said working cash fund to the general corporate fund only upon the authority of the county board, which shall from time to time by separate resolution direct the county treasurer to make transfers of such sums as may be required for the purposes herein authorized. Every such resolution

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shall set forth (a) the taxes or other moneys in anticipation of the collection or receipt of which such transfer is to be made and from which such working cash fund is to be reimbursed, (b) with respect only to transfers made in anticipation of the levy of real property taxes, the entire amount of taxes extended or which the county board estimates will be extended, for any year, by the county clerk upon the books of the collectors of State and county taxes within such county, in anticipation of the collection of all or part of which such transfer is to be made, (c) the aggregate amount of warrants theretofore issued in anticipation of the collection of such taxes, together with the amount of interest accrued, and/or which the county board estimates will accrue, thereon, (d) the aggregate amount of notes theretofore issued in anticipation of the collection of such taxes, together with the amount of the interest accrued, and/or which the county board estimates will accrue, thereon, and (e) the amount of moneys, which the county board estimates will be earned by the county clerk and the county collector, respectively, as fees or commissions for extending or collecting taxes for any year, in anticipation of the receipt of all or part of which such transfer is to be made, (f) the amount of such taxes, as by law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5(c) of the Constitution of the State of Illinois which the county board estimates will be received by the county for any year, (g) the aggregate amount of receipts from taxes imposed to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5(c) of the Constitution of the State of Illinois, which the corporate authorities estimate will be set aside for the payment of the proportionate amount of debt service and pension or retirement obligations, as required by Section 12 of "An Act in relation to State Revenue Sharing with local government entities", approved July 31, 1969, as amended, and (h) the aggregate amount of moneys theretofore transferred from the working cash fund to the general corporate fund in anticipation of the collection of such taxes or of the receipt of such other moneys to be derived from fees or commissions or of the receipt of such taxes, as by law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5(c) of the Constitution of the State of Illinois. The amount which any such resolution

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shall direct the county treasurer so to transfer, in anticipation of the collection of taxes levied for any year, together with the aggregate amount of such anticipation tax warrants and notes theretofore drawn against such taxes and the amount of the interest accrued; and the aggregate amount of such transfers theretofore made in anticipation of the collection of such taxes, shall not exceed ninety (90) per centum of the actual or estimated amount of such taxes extended or to be extended, as set forth in such resolution. The amount which any such resolution shall direct the county treasurer so to transfer, in anticipation of the receipt of any moneys to be derived from fees or commissions, or of the receipt of such taxes, as by law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5(c) of the Constitution of the State of Illinois together with the aggregate amount theretofore transferred in anticipation of the receipt of any such moneys and the amount estimated to be required to satisfy debt service and pension or retirement obligations, as set forth in Section 12 of "An Act in relation to State revenue sharing with local government entities", approved July 31, 1969, as amended, shall not exceed the total amount which it is so estimated will be received from such sources. To the extent that at any time moneys are available in the working cash fund they shall be transferred to the general corporate fund and disbursed for the payment of salaries and other corporate expenses so as to avoid, whenever possible, the issuance of anticipation tax warrants or notes.

(Source: P.A. 86-962; revised 10-8-13.)

Section 235. The Township Code is amended by changing Section 27-10 as follows:

(60 ILCS 1/27-10)

Sec. 27-10. Petition and referendum to discontinue and abolish a township organization within a coterminous municipality. Upon adoption of an ordinance adopted by the city council of a township described under Section 27-5 of this Article, or upon petition of at least 10% of the registered voters of that township, the city council shall certify and cause to be submitted to the voters of the township, at the next election or consolidated election, a proposition to discontinue and abolish the township organization and to transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township organization to the coterminous municipality.

A signature on a petition shall not be valid or counted in considering

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the petition unless the form requirements are complied with and the date of each signature is less than 90 days before the last day for filing the petition. The statement of the person who circulates the petition must include an attestation (i) indicating the dates on which that sheet was circulated, (ii) indicating the first and last date on which that sheet was circulated, or (iii) certifying that none of the signatures on the sheet was signed more than 90 days before the last day for filing the petition. The petition shall be treated and the proposition certified in the manner provided by the general election law. After the proposition has once been submitted to the electorate, the proposition shall not be resubmitted for 4 years.

The proposition shall be in substantially the following form:

Shall the township organization be continued in [Name of Township] Township?

The votes shall be recorded as "Yes" or "No".

(Source: P.A. 98-127, eff. 8-2-13; revised 10-8-13.)

Section 240. The Illinois Municipal Code is amended by changing Section 11-80-9 as follows:

(65 ILCS 5/11-80-9) (from Ch. 24, par. 11-80-9)

Sec. 11-80-9. The corporate authorities of each municipality may prevent and regulate all amusements and activities having a tendency to annoy or endanger persons or property on the sidewalks, streets, and other municipal property. However, no municipality may prohibit a charitable organization, as defined in Section 2 of the Charitable Games Act, from soliciting for charitable purposes, including solicitations taking place on public roadways from passing motorists, if all of the following requirements are met.

1) The persons to be engaged in the solicitation are law enforcement personnel, firefighters, or other persons employed to protect the public safety of a local agency, and that are soliciting solely in an area that is within the service area of that local agency.

2) The charitable organization files an application with the municipality having jurisdiction over the location or locations where the solicitation is to occur. The application applications shall be filed not later than 10 business days before the date that the solicitation is to begin and shall include all of the following:

A) The date or dates and times of day when the solicitation is to occur.

B) The location or locations where the solicitation is to occur along with a list of 3 alternate locations listed in
order of preference.

(C) The manner and conditions under which the solicitation is to occur.

(D) Proof of a valid liability insurance policy in the amount of at least $1,000,000 insuring the charity or local agency against bodily injury and property damage arising out of or in connection with the solicitation.

The municipality shall approve the application within 5 business days after the filing date of the application, but may impose reasonable conditions in writing that are consistent with the intent of this Section and are based on articulated public safety concerns. If the municipality determines that the applicant's location cannot be permitted due to significant safety concerns, such as high traffic volumes, poor geometrics, construction, maintenance operations, or past accident history, then the municipality may deny the application for that location and must approve one of the 3 alternate locations following the order of preference submitted by the applicant on the alternate location list. By acting under this Section, a local agency does not waive or limit any immunity from liability provided by any other provision of law.

For purposes of this Section, "local agency" means a municipality, special district, fire district, joint powers of authority, or other political subdivision of the State of Illinois.

A home rule unit may not regulate a charitable organization in a manner that is inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 97-692, eff. 6-15-12; 98-134, eff. 8-2-13; revised 10-8-13.)

Section 245. The Fire Protection District Act is amended by changing Sections 8.20 and 11j as follows:

Sec. 8.20. Open burning.

(a) The board of trustees of any fire protection district incorporated under this Act may, by ordinance, require that the district be notified of open burning within the district before it takes place, but shall not require that a permit for open burning be obtained from the district. The district may not enforce an ordinance adopted under this Section within the corporate limits of a county with a population of 3,000,000 or more or a municipality with a population of 1,000,000 or more.

(b) The fire department of a fire protection district may extinguish any
open burn that presents a clear, present, and unreasonable danger to persons or adjacent property or that presents an unreasonable risk because of wind, weather, or the types of combustibles. The unreasonable risk may include the height of flames, windblown embers, the creation of hazardous fumes, or an unattended fire. Fire departments may not unreasonably interfere with permitted and legal open burning.

(c) The fire protection district may provide that persons setting open burns on any agricultural land with an area of 50 acres or more may voluntarily comply with the provisions of an ordinance adopted under this Section.

(d) The fire chief or any other designated officer of a fire department of any fire protection district incorporated under this Act may, with the authorization of the board of trustees of the fire protection district, prohibit open burning within the district on an emergency basis, for a limited period of time, if (i) the atmospheric conditions or other circumstances create an unreasonable risk of fire because of wind, weather, or the types of combustibles and (ii) the resources of the fire department are not sufficient to control and suppress a fire resulting from one or more of the conditions or circumstances described in clause (i) of this subsection. For the purposes of this subsection, "open burning" includes, but is not limited to, the burning of landscape waste, agricultural waste, household trash, and garbage.

(e) The fire chief or any other designated officer of a fire department of any fire protection district incorporated under this Act may fix, charge, and collect fees associated with the fire department extinguishing an open burning that is prohibited under subsection (d) of this Section. The fee may be imposed against any person causing or engaging in the prohibited activity. The total amount collected for compensation of the fire protection district shall be assessed in accordance with both the rates provided in Section 11f(c) of this Act and the fire chief's determination of the cost of personnel and equipment utilized to extinguish the fire.

(f) This Section does not authorize the open burning of any waste. The open burning of waste is subject to the restrictions and prohibitions of the Environmental Protection Act and the rules and regulations adopted under its authority.

(Source: P.A. 97-488, eff. 1-1-12; 98-279, eff. 8-9-13; revised 10-8-13.)

(70 ILCS 705/11j

Sec. 11j. Installation of access or key boxes. The board of trustees of any fire protection district may, by ordinance, require the installation of an access or key box if: (1) a structure is protected by an automatic fire alarm or
security system or access to or within the structure or area is unduly difficult because of secured openings; and (2) immediate access is necessary for lifesaving purposes. In the case of a health care facility that is secured by an electronic code box that is in good working order, if the owner of the health care facility provides the fire department with a valid access code, then that health care facility is not required to be accessible by an access or key box.

For the purposes of this Section, "health care facility" means: a hospital licensed under the Hospital Licensing Act or the University of Illinois Hospital Act; a nursing home or long-term care facility licensed under the Nursing Home Care Act; an assisted living establishment, as defined in the Assisted Living and Shared Housing Act; a mental health facility, as defined in the Mental Health and Developmental Disabilities Code; a supportive living facility certified to participate in the supportive living facilities program under Section 5-5.01a of the Illinois Public Aid Code; or a facility licensed under the Specialized Mental Health Rehabilitation Act of 2013.

"Access or key box" means a secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.

The access or key box shall be of an approved type listed in accordance with the most recently published version of the standard Underwriters Laboratories 1037 and shall contain keys to gain access as required by the fire chief of the fire protection district, or his or her designee.

An ordinance enacted under this Section may specify particular classes or types of structures or occupancies that are required to install an access or key box. However, an ordinance enacted under this Section shall not apply to single family residential structures or to facilities owned or operated by a public utility, as that term is defined under Section 3-105 of the Public Utilities Act.

(Source: P.A. 98-388, eff. 8-16-13; revised 10-8-13.)

Section 250. The Park District Code is amended by changing Section 11.2-1 as follows:

(70 ILCS 1205/11.2-1) (from Ch. 105, par. 11.2-1)

Sec. 11.2-1. In each park district a fund to be known as a "Working Cash Fund" may be created, set apart, maintained and administered in the manner prescribed in this Article, for the purpose of enabling the district to have in its treasury at all times sufficient money to meet demands thereon for ordinary and necessary expenditures for corporate purposes.

(Source: P.A. 79-1379; revised 9-24-13.)

Section 255. The Elmwood Park Grade Separation Authority Act is

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amended by changing Sections 10, 50, and 60 as follows:

(70 ILCS 1935/10)

Sec. 10. Legislative declaration. The General Assembly declares that the welfare, health, prosperity, and moral and general well being of the people of the State are, in large measure, dependent upon the sound and orderly development of municipal areas. The Village of Elmwood Park, by reason of the location there of Grand Avenue and its use for vehicular travel in access to the entire west metropolitan Chicago area, including municipalities in 2 counties, as well as commercial and industrial growth patterns and accessibility to O'Hare International Airport, manufacturing and freight related services, has become and will increasingly be the hub of transportation from all parts of the region and throughout the west metropolitan area. Motor vehicle traffic, pedestrian travel, and the safety of both motorists and pedestrians are substantially aggravated by the location of a major railroad right-of-way that divides the Village into north and south halves. The presence of the railroad right-of-way has effectively impeded the development of highway usage and rights-of-way and is detrimental to the orderly expansion of industry and commerce and to progress throughout the region. Additionally, the railroad grade crossing located on Grand Avenue within the Village of Elmwood Park has posed a significant safety hazard to the public. The Illinois Commerce Commission Collision History illustrates that there have been 8 fatalities and 29 injuries since 1956 at the railroad grade crossing located on Grand Avenue within the Village. The presence of the railroad right-of-way at grade crossing within the Village is detrimental to the safety of the public, as well as to the orderly expansion of industry and commerce and to progress of the region. To alleviate this situation, it is necessary to separate the grade crossing on Grand Avenue within the Village, to relocate the railroad tracks and right-of-way, and to acquire property for separation of the railroad or highway, and to create an agency to facilitate and accomplish that grade separation.

(Source: P.A. 98-564, eff. 8-27-13; revised 10-8-13.)

(70 ILCS 1935/50)

Sec. 50. Board; composition; qualification; compensation and expenses. The Authority shall be governed by a 9-member board consisting of members appointed by the Governor with the advice and consent of the Senate. Five members shall be voting members and 4 members shall be non-voting members. The voting members shall consist of the following:

(1) two former public officials who served within the Township of Leyden or the Village of Elmwood Park and are

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recommended to the Governor by the Village President of the Village of Elmwood Park;

(2) two prior employees of Canadian Pacific Railway with management experience; and

(3) one resident of the Township of Leyden or the Village of Elmwood Park.

The non-voting members shall consist of the following:

(1) the Village President of the Village of Elmwood Park;

(2) one current employee of Canadian Pacific Railway with management experience;

(3) one current employee of Northeast Illinois Regional Commuter Railroad Corporation with management experience; and

(4) one current employee of the Department of Transportation with management experience.

The members of the board shall serve without compensation, but may be reimbursed for actual expenses incurred by them in the performance of their duties prescribed by the Authority. However, any member of the board who serves as secretary or treasurer may receive compensation for services as that officer.

(70 ILCS 1935/60)
Sec. 60. Organization; chair and temporary secretary. As soon as possible after the effective date of this amendatory Act of the 98th General Assembly, the board shall organize for the transaction of business, select a chair from its voting members and a temporary secretary from its own number, and adopt bylaws to govern its proceedings. The initial chair and successors shall be elected by the board from time to time from among members. The Authority may act through its board members by entering into an agreement that a member act on the Authority's behalf, in which instance the act or performance directed shall be deemed to be exclusively of, for, and by the Authority and not the individual act of the member or its represented person.

(70 ILCS 1935/60)
Sec. 60. Organization; chair and temporary secretary. As soon as possible after the effective date of this amendatory Act of the 98th General Assembly, the board shall organize for the transaction of business, select a chair from its voting members and a temporary secretary from its own number, and adopt bylaws to govern its proceedings. The initial chair and successors shall be elected by the board from time to time from among members. The Authority may act through its board members by entering into an agreement that a member act on the Authority's behalf, in which instance the act or performance directed shall be deemed to be exclusively of, for, and by the Authority and not the individual act of the member or its represented person.

(70 ILCS 2005/12) (from Ch. 85, par. 6862)
Sec. 12. A district organized under this Act, in the preparation of its annual budget and appropriation ordinance, may provide that an amount equal to not more than 0.5% of the total equalized assessed value of real

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property situated in the district shall be allocated to and accumulated in an Equipment Repair or Replacement Fund for the purposes of equipment repairs or replacements of specific types of district equipment. Expenditures from the Equipment Repair or Replacement Fund shall be budgeted and appropriated for the fiscal year in which the equipment repair or replacement will occur. Upon completion or abandonment of any object or purpose for which an Equipment Repair or Replacement Fund has been initiated, monies remaining in the fund shall be transferred into the general corporate fund of the district on the first day of the fiscal year following the abandonment or completion resulting in the surplus moneys in such fund.

(Source: P.A. 86-916; revised 10-8-13.)

Section 265. The Regional Transportation Authority Act is amended by changing Section 3B.09b as follows:

(70 ILCS 3615/3B.09b)

Sec. 3B.09b. Payment of fares by credit card.

(a) By February 28, 2010, the Commuter Rail Board shall allow passengers to purchase fares by credit card (i) through an Internet website operated by the Board, (ii) at its LaSalle Street Station, Union Station, Ogilvie Transportation Center, and Millennium Station, (iii) at stations with agents, and (iv) from vending machines capable of providing fares by credit card at the 14 largest stations on the Metra Electric Line.

(b) The Board may not require a passenger who chooses to purchase a fare by credit card to pay an additional fee.

(Source: P.A. 96-621, eff. 1-1-10; revised 9-13-13.)

Section 270. The School Code is amended by setting forth and renumbering multiple versions of Section 2-3.157 and by changing Sections 10-19, 20-1, 21B-30, and 27-24 as follows:

(105 ILCS 5/2-3.157)

Sec. 2-3.157. (Repealed).

(Source: P.A. 98-578, eff. 8-27-13. Repealed internally, eff. 1-2-14.)

(105 ILCS 5/2-3.158)


(a) The State Board of Education shall establish the Task Force on Civic Education, to be comprised of all of the following members, with an emphasis on bipartisan legislative representation and diverse non-legislative stakeholder representation:

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

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(2) One member appointed by the President of the Senate.
(3) One member appointed by the Minority Leader of the House of Representatives.
(4) One member appointed by the Minority Leader of the Senate.
(5) One member appointed by the head of an association representing a teachers union.
(6) One member appointed by the head of an association representing the Chicago Teachers Union.
(7) One member appointed by the head of an association representing social studies teachers.
(8) One member appointed by the head of an association representing school boards.
(9) One member appointed by the head of an association representing the media.
(10) One member appointed by the head of an association representing the non-profit sector that promotes civic education as a core mission.
(11) One member appointed by the head of an association representing the non-profit sector that promotes civic engagement among the general public.
(12) One member appointed by the president of an institution of higher education who teaches college or graduate-level government courses or facilitates a program dedicated to cultivating civic leaders.
(13) One member appointed by the head of an association representing principals or district superintendents.

(b) The members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated to the State Board of Education for that purpose. The members of the Task Force shall be reimbursed for their travel expenses from appropriations to the State Board of Education available for that purpose and subject to the rules of the appropriate travel control board.

(c) The members of the Task Force shall be considered members with voting rights. A quorum of the Task Force shall consist of a simple majority of the members of the Task Force. All actions and recommendations of the Task Force must be approved by a simple majority vote of the members.

(d) The Task Force shall meet initially at the call of the State Superintendent of Education, shall elect one member as chairperson at its initial meeting through a simple majority vote of the Task Force, and shall
thereafter meet at the call of the chairperson.

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

(f) The Task Force is charged with all of the following tasks:

1. To analyze the current state of civic education in this State.
2. To analyze current civic education laws in other jurisdictions, both mandated and permissive.
3. To identify best practices in civic education in other jurisdictions.
4. To make recommendations to the General Assembly focused on substantially increasing civic literacy and the capacity of youth to obtain the requisite knowledge, skills, and practices to be civically informed members of the public.
5. To make funding recommendations if the Task Force's recommendations to the General Assembly would require a fiscal commitment.

(g) No later than May 31, 2014, the Task Force shall summarize its findings and recommendations in a report to the General Assembly, filed as provided in Section 3.1 of the General Assembly Organization Act. Upon filing its report, the Task Force is dissolved.

(h) This Section is repealed on May 31, 2015.

(Source: P.A. 98-301, eff. 8-9-13; revised 10-4-13.)

(105 ILCS 5/2-3.159)

Sec. 2-3.159. State Seal of Biliteracy.

(a) In this Section, "foreign language" means any language other than English, including all modern languages, Latin, American Sign Language, Native American languages, and native languages.

(b) The State Seal of Biliteracy program is established to recognize public high school graduates who have attained a high level of proficiency in one or more languages in addition to English. The State Seal of Biliteracy shall be awarded beginning with the 2014-2015 school year. School district participation in this program is voluntary.

(c) The purposes of the State Seal of Biliteracy are as follows:

1. To encourage pupils to study languages.
2. To certify attainment of biliteracy.
3. To provide employers with a method of identifying people with language and biliteracy skills.
4. To provide universities with an additional method to recognize applicants seeking admission.

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(5) To prepare pupils with 21st century skills.
(6) To recognize the value of foreign language and native language instruction in public schools.
(7) To strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.
(d) The State Seal of Biliteracy certifies attainment of a high level of proficiency, sufficient for meaningful use in college and a career, by a graduating public high school pupil in one or more languages in addition to English.
(e) The State Board of Education shall adopt such rules as may be necessary to establish the criteria that pupils must achieve to earn a State Seal of Biliteracy, which may include without limitation attainment of units of credit in English language arts and languages other than English and passage of such assessments of foreign language proficiency as may be approved by the State Board of Education for this purpose.
(f) The State Board of Education shall do both of the following:
(1) Prepare and deliver to participating school districts an appropriate mechanism for designating the State Seal of Biliteracy on the diploma and transcript of the pupil indicating that the pupil has been awarded a State Seal of Biliteracy by the State Board of Education.
(2) Provide other information the State Board of Education deems necessary for school districts to successfully participate in the program.
(g) A school district that participates in the program under this Section shall do both of the following:
(1) Maintain appropriate records in order to identify pupils who have earned a State Seal of Biliteracy.
(2) Make the appropriate designation on the diploma and transcript of each pupil who earns a State Seal of Biliteracy.
(h) No fee shall be charged to a pupil to receive the designation pursuant to this Section. Notwithstanding this prohibition, costs may be incurred by the pupil in demonstrating proficiency, including without limitation any assessments required under subsection (e) of this Section.
(Source: P.A. 98-560, eff. 8-27-13; revised 10-4-13.)
(105 ILCS 5/10-19) (from Ch. 122, par. 10-19)
Sec. 10-19. Length of school term - experimental programs. Each school board shall annually prepare a calendar for the school term, specifying
the opening and closing dates and providing a minimum term of at least 185 days to insure 176 days of actual pupil attendance, computable under Section 18-8.05, except that for the 1980-1981 school year only 175 days of actual pupil attendance shall be required because of the closing of schools pursuant to Section 24-2 on January 29, 1981 upon the appointment by the President of that day as a day of thanksgiving for the freedom of the Americans who had been held hostage in Iran. Any days allowed by law for teachers' institutes but not used as such or used as parental institutes as provided in Section 10-22.18d shall increase the minimum term by the school days not so used. Except as provided in Section 10-19.1, the board may not extend the school term beyond such closing date unless that extension of term is necessary to provide the minimum number of computable days. In case of such necessary extension school employees shall be paid for such additional time on the basis of their regular contracts. A school board may specify a closing date earlier than that set on the annual calendar when the schools of the district have provided the minimum number of computable days under this Section. Nothing in this Section prevents the board from employing superintendents of schools, principals and other nonteaching personnel for a period of 12 months, or in the case of superintendents for a period in accordance with Section 10-23.8, or prevents the board from employing other personnel before or after the regular school term with payment of salary proportionate to that received for comparable work during the school term.

A school board may make such changes in its calendar for the school term as may be required by any changes in the legal school holidays prescribed in Section 24-2. A school board may make changes in its calendar for the school term as may be necessary to reflect the utilization of teachers' institute days as parental institute days as provided in Section 10-22.18d.

The calendar for the school term and any changes must be submitted to and approved by the regional superintendent of schools before the calendar or changes may take effect.

With the prior approval of the State Board of Education and subject to review by the State Board of Education every 3 years, any school board may, by resolution of its board and in agreement with affected exclusive collective bargaining agents, establish experimental educational programs, including but not limited to programs for self-directed learning or outside of formal class periods, which programs when so approved shall be considered to comply with the requirements of this Section as respects numbers of days of actual pupil attendance and with the other requirements of this Act as respects courses of instruction.

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Sec. 20-1. Authority to create working cash fund. In each school district, whether organized under general law or special charter, having a population of less than 500,000 inhabitants, a fund to be known as a "Working Cash Fund" may be created and maintained consistent with the limitations of this Article, for the purpose of enabling the district to have in its treasury at all times sufficient money to meet demands thereon for expenditures for corporate purposes.

Sec. 21B-30. Educator testing.

(a) This Section applies beginning on July 1, 2012.

(b) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall design and implement a system of examinations, which shall be required prior to the issuance of educator licenses. These examinations and indicators must be based on national and State professional teaching standards, as determined by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The State Board of Education may adopt such rules as may be necessary to implement and administer this Section. No score on a test required under this Section, other than a test of basic skills, shall be more than 5 years old at the time that an individual makes application for an educator license or endorsement.

(c) Applicants seeking a Professional Educator License or an Educator License with Stipulations shall be required to pass a test of basic skills before the license is issued, unless the endorsement the individual is seeking does not require passage of the test. All applicants completing Illinois-approved, teacher education or school service personnel preparation programs shall be required to pass the State Board of Education's recognized test of basic skills prior to starting their student teaching or starting the final semester of their internship, unless required earlier at the discretion of the recognized, Illinois institution in which they are completing their approved program. An individual who passes a test of basic skills does not need to do so again for subsequent endorsements or other educator licenses.

(d) All applicants seeking a State license shall be required to pass a test of content area knowledge for each area of endorsement for which there is an applicable test. There shall be no exception to this requirement. No candidate shall be allowed to student teach or serve as the teacher of record...
until he or she has passed the applicable content area test.

(e) All applicants seeking a State license endorsed in a teaching field shall pass the assessment of professional teaching (APT). Passage of the APT is required for completion of an approved Illinois educator preparation program.

(f) Beginning on September 1, 2015, all candidates completing teacher preparation programs in this State are required to pass an evidence-based assessment of teacher effectiveness approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. All recognized institutions offering approved teacher preparation programs must begin phasing in the approved teacher performance assessment no later than July 1, 2013.

(g) Tests of basic skills and content area knowledge and the assessment of professional teaching shall be the tests that from time to time are designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and may be tests prepared by an educational testing organization or tests designed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The areas to be covered by a test of basic skills shall include reading, language arts, and mathematics. The test of content area knowledge shall assess content knowledge in a specific subject field. The tests must be designed to be racially neutral to ensure that no person taking the tests is discriminated against on the basis of race, color, national origin, or other factors unrelated to the person's ability to perform as a licensed employee. The score required to pass the tests shall be fixed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The tests shall be administered not fewer than 3 times a year at such time and place as may be designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

The State Board shall implement a test or tests to assess the speaking, reading, writing, and grammar skills of applicants for an endorsement or a license issued under subdivision (G) of paragraph (2) of Section 21B-20 of this Code in the English language and in the language of the transitional bilingual education program requested by the applicant.

(h) Except as provided in Section 34-6 of this Code, the provisions of this Section shall apply equally in any school district subject to Article 34 of this Code.

(i) The rules developed to implement and enforce the testing requirements under this Section shall include provisions governing test

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selection, test validation and determination of a passing score, administration of the tests, frequency of administration, applicant fees, frequency of applicants taking the tests, the years for which a score is valid, and appropriate special accommodations. The State Board of Education shall develop such rules as may be needed to ensure uniformity from year to year in the level of difficulty for each form of an assessment.

(Source: P.A. 97-607, eff. 8-26-11; 98-361, eff. 1-1-14; 98-581, eff. 8-27-13; revised 9-9-13.)

(105 ILCS 5/27-24) (from Ch. 122, par. 27-24)

Sec. 27-24. Short title. Sections 27-24 through 27-24.10 of this Article are known and may be cited as the Driver Education Act.

(105 ILCS 110/3)

Sec. 3. Comprehensive Health Education Program. The program established under this Act shall include, but not be limited to, the following major educational areas as a basis for curricula in all elementary and secondary schools in this State: human ecology and health, human growth and development, the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage, prevention and control of disease, including instruction in grades 6 through 12 on the prevention, transmission and spread of AIDS, age-appropriate sexual abuse and assault awareness and prevention education in grades pre-kindergarten through 12, public and environmental health, consumer health, safety education and disaster survival, mental health and illness, personal health habits, alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy, evidence-based and medically accurate information regarding sexual abstinence, tobacco, nutrition, and dental health. The program shall also provide course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act. The program shall include information about cancer, including without limitation types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help. Notwithstanding the above educational areas, the following areas may also be included as a basis for curricula in all elementary and secondary schools in this State: basic first aid (including, but not limited to, cardiopulmonary resuscitation and the Heimlich maneuver), heart disease, diabetes, stroke, the prevention of child...
abuse, neglect, and suicide, and teen dating violence in grades 7 through 12.

The school board of each public elementary and secondary school in the State shall encourage all teachers and other school personnel to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques, including without limitation the Heimlich maneuver and rescue breathing. The training shall be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization. A school board may use the services of non-governmental entities whose personnel have expertise in life-saving techniques to instruct teachers and other school personnel in these techniques. Each school board is encouraged to have in its employ, or on its volunteer staff, at least one person who is certified, by the American Red Cross or by another qualified certifying agency, as qualified to administer first aid and cardiopulmonary resuscitation. In addition, each school board is authorized to allocate appropriate portions of its institute or inservice days to conduct training programs for teachers and other school personnel who have expressed an interest in becoming qualified to administer emergency first aid or cardiopulmonary resuscitation. School boards are urged to encourage their teachers and other school personnel who coach school athletic programs and other extracurricular school activities to acquire, develop, and maintain the knowledge and skills necessary to properly administer first aid and cardiopulmonary resuscitation in accordance with standards and requirements established by the American Red Cross or another qualified certifying agency. Subject to appropriation, the State Board of Education shall establish and administer a matching grant program to pay for half of the cost that a school district incurs in training those teachers and other school personnel who express an interest in becoming qualified to administer cardiopulmonary resuscitation (which training must be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization) or in learning how to use an automated external defibrillator. A school district that applies for a grant must demonstrate that it has funds to pay half of the cost of the training for which matching grant money is sought. The State Board of Education shall award the grants on a first-come, first-serve basis.

No pupil shall be required to take or participate in any class or course on AIDS or family life instruction if his parent or guardian submits written objection thereto, and refusal to take or participate in the course or program shall not be reason for suspension or expulsion of the pupil.

Curricula developed under programs established in accordance with

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this Act in the major educational area of alcohol and drug use and abuse shall include classroom instruction in grades 5 through 12. The instruction, which shall include matters relating to both the physical and legal effects and ramifications of drug and substance abuse, shall be integrated into existing curricula; and the State Board of Education shall develop and make available to all elementary and secondary schools in this State instructional materials and guidelines which will assist the schools in incorporating the instruction into their existing curricula. In addition, school districts may offer, as part of existing curricula during the school day or as part of an after school program, support services and instruction for pupils or pupils whose parent, parents, or guardians are chemically dependent.

(Source: P.A. 97-1147, eff. 1-24-13; 98-190, eff. 8-6-13; 98-441, eff. 1-1-14; revised 9-9-13.)

Section 280. The Public Community College Act is amended by changing Section 2-16.02 as follows:

(110 ILCS 805/2-16.02) (from Ch. 122, par. 102-16.02)

Sec. 2-16.02. Grants. Any community college district that maintains a community college recognized by the State Board shall receive, when eligible, grants enumerated in this Section. Funded semester credit hours or other measures or both as specified by the State Board shall be used to distribute grants to community colleges. Funded semester credit hours shall be defined, for purposes of this Section, as the greater of (1) the number of semester credit hours, or equivalent, in all funded instructional categories of students who have been certified as being in attendance at midterm during the respective terms of the base fiscal year or (2) the average of semester credit hours, or equivalent, in all funded instructional categories of students who have been certified as being in attendance at midterm during the respective terms of the base fiscal year and the 2 prior fiscal years. For purposes of this Section, "base fiscal year" means the fiscal year 2 years prior to the fiscal year for which the grants are appropriated. Such students shall have been residents of Illinois and shall have been enrolled in courses that are part of instructional program categories approved by the State Board and that are applicable toward an associate degree or certificate. Courses that are eligible for reimbursement are those courses for which the district pays 50% or more of the program costs from unrestricted revenue sources, with the exception of courses offered by contract with the Department of Corrections in correctional institutions. For the purposes of this Section, "unrestricted revenue sources" means those revenues in which the provider of the revenue imposes no financial limitations upon the district as it relates to the

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expenditure of the funds. Except for Fiscal Year 2012, base operating grants shall be paid based on rates per funded semester credit hour or equivalent calculated by the State Board for funded instructional categories using cost of instruction, enrollment, inflation, and other relevant factors. For Fiscal Year 2012, the allocations for base operating grants to community college districts shall be the same as they were in Fiscal Year 2011, reduced or increased proportionately according to the appropriation for base operating grants for Fiscal Year 2012.

Equalization grants shall be calculated by the State Board by determining a local revenue factor for each district by: (A) adding (1) each district's Corporate Personal Property Replacement Fund allocations from the base fiscal year or the average of the base fiscal year and prior year, whichever is less, divided by the applicable statewide average tax rate to (2) the district's most recently audited year's equalized assessed valuation or the average of the most recently audited year and prior year, whichever is less, (B) then dividing by the district's audited full-time equivalent resident students for the base fiscal year or the average for the base fiscal year and the 2 prior fiscal years, whichever is greater, and (C) then multiplying by the applicable statewide average tax rate. The State Board shall calculate a statewide weighted average threshold by applying the same methodology to the totals of all districts' Corporate Personal Property Tax Replacement Fund allocations, equalized assessed valuations, and audited full-time equivalent district resident students and multiplying by the applicable statewide average tax rate. The difference between the statewide weighted average threshold and the local revenue factor, multiplied by the number of full-time equivalent resident students, shall determine the amount of equalization funding that each district is eligible to receive. A percentage factor, as determined by the State Board, may be applied to the statewide threshold as a method for allocating equalization funding. A minimum equalization grant of an amount per district as determined by the State Board shall be established for any community college district which qualifies for an equalization grant based upon the preceding criteria, but becomes ineligible for equalization funding, or would have received a grant of less than the minimum equalization grant, due to threshold prorations applied to reduce equalization funding. As of July 1, 2013, a community college district eligible to receive an equalization grant based upon the preceding criteria must maintain a minimum required combined in-district tuition and universal fee rate per semester credit hour equal to 70% of the State-average combined rate, as determined by the State Board, or the total revenue received by the community college district from

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combined in-district tuition and universal fees must be at least 30% of the total revenue received by the community college district, as determined by the State Board, for equalization funding. As of July 1, 2004, a community college district must maintain a minimum required operating tax rate equal to at least 95% of its maximum authorized tax rate to qualify for equalization funding. This 95% minimum tax rate requirement shall be based upon the maximum operating tax rate as limited by the Property Tax Extension Limitation Law.

The State Board shall distribute such other grants as may be authorized or appropriated by the General Assembly.

Each community college district entitled to State grants under this Section must submit a report of its enrollment to the State Board not later than 30 days following the end of each semester, quarter, or term in a format prescribed by the State Board. These semester credit hours, or equivalent, shall be certified by each district on forms provided by the State Board. Each district's certified semester credit hours, or equivalent, are subject to audit pursuant to Section 3-22.1.

The State Board shall certify, prepare, and submit monthly vouchers to the State Comptroller setting forth an amount equal to one-twelfth of the grants approved by the State Board for base operating grants and equalization grants. The State Board shall prepare and submit to the State Comptroller vouchers for payments of other grants as appropriated by the General Assembly. If the amount appropriated for grants is different from the amount provided for such grants under this Act, the grants shall be proportionately reduced or increased accordingly.

For the purposes of this Section, "resident student" means a student in a community college district who maintains residency in that district or meets other residency definitions established by the State Board, and who was enrolled either in one of the approved instructional program categories in that district, or in another community college district to which the resident's district is paying tuition under Section 6-2 or with which the resident's district has entered into a cooperative agreement in lieu of such tuition.

For the purposes of this Section, a "full-time equivalent" student is equal to 30 semester credit hours.

The Illinois Community College Board Contracts and Grants Fund is hereby created in the State Treasury. Items of income to this fund shall include any grants, awards, endowments, or like proceeds, and where appropriate, other funds made available through contracts with governmental,
public, and private agencies or persons. The General Assembly shall from

time to time make appropriations payable from such fund for the support,

improvement, and expenses of the State Board and Illinois community
college districts.

(Source: P.A. 97-72, eff. 7-1-11; 97-1160, eff. 2-1-13; 98-46, eff. 6-28-13;

revised 8-12-13.)

Section 285. The Pawnbroker Regulation Act is amended by changing

Section 7 as follows:

(205 ILCS 510/7) (from Ch. 17, par. 4657)

Sec. 7. Daily report.

(a) Except as provided in subsection (b), it shall be the duty of every

pawnbroker to make out and deliver to the sheriff of the county in which such

pawnbroker does business, on each day before the hours of 12 o'clock noon,

a legible and exact copy from the standard record book, as required in Section

5 of this Act, that lists all personal property and any other valuable thing

received on deposit or purchased during the preceding day, including the

exact time when received or purchased, and a description of the person or

person by whom left in pledge, or from whom the same were purchased;

provided, that in cities or towns having 25,000 or more inhabitants, a copy of

the such report shall at the same time also be delivered to the superintendent

of police or the chief police officer of such city or town. Such report may be

made by computer printout or input memory device if the format has been

approved by the local law enforcement agency.

(b) In counties with more than 3,000,000 inhabitants, a pawnbroker

must provide the daily report to the sheriff only if the pawnshop is located in

an unincorporated area of the county. Pawnbrokers located in cities or towns

in such counties must deliver such reports to the superintendent of police or

the chief police officer of such city or town.

(Source: P.A. 90-477, eff. 7-1-98; 90-602, eff. 7-1-98; revised 11-14-13.)

Section 290. The Alternative Health Care Delivery Act is amended by

changing Section 30 as follows:

(210 ILCS 3/30)

Sec. 30. Demonstration program requirements. The requirements set

forth in this Section shall apply to demonstration programs.

(a) (Blank).

(a-5) There shall be no more than the total number of postsurgical

recovery care centers with a certificate of need for beds as of January 1, 2008.

(a-10) There shall be no more than a total of 9 children's respite care

center alternative health care models in the demonstration program, which

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shall be located as follows:

(1) Two in the City of Chicago.

(2) One in Cook County outside the City of Chicago.

(3) A total of 2 in the area comprised of DuPage, Kane, Lake, McHenry, and Will counties.

(4) A total of 2 in municipalities with a population of 50,000 or more and not located in the areas described in paragraphs (1), (2), or (3).

(5) A total of 2 in rural areas, as defined by the Health Facilities and Services Review Board.

No more than one children's respite care model owned and operated by a licensed skilled pediatric facility shall be located in each of the areas designated in this subsection (a-10).

(a-15) There shall be 5 authorized community-based residential rehabilitation center alternative health care models in the demonstration program.

(a-20) There shall be an authorized Alzheimer's disease management center alternative health care model in the demonstration program. The Alzheimer's disease management center shall be located in Will County, owned by a not-for-profit entity, and endorsed by a resolution approved by the county board before the effective date of this amendatory Act of the 91st General Assembly.

(a-25) There shall be no more than 10 birth center alternative health care models in the demonstration program, located as follows:

(1) Four in the area comprising Cook, DuPage, Kane, Lake, McHenry, and Will counties, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.

(2) Three in municipalities with a population of 50,000 or more not located in the area described in paragraph (1) of this subsection, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.

(3) Three in rural areas, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.

The first 3 birth centers authorized to operate by the Department shall be located in or predominantly serve the residents of a health professional shortage area as determined by the United States Department of Health and

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Human Services. There shall be no more than 2 birth centers authorized to operate in any single health planning area for obstetric services as determined under the Illinois Health Facilities Planning Act. If a birth center is located outside of a health professional shortage area, (i) the birth center shall be located in a health planning area with a demonstrated need for obstetrical service beds, as determined by the Health Facilities and Services Review Board or (ii) there must be a reduction in the existing number of obstetrical service beds in the planning area so that the establishment of the birth center does not result in an increase in the total number of obstetrical service beds in the health planning area.

(b) Alternative health care models, other than a model authorized under subsection (a-10) or (a-20), shall obtain a certificate of need from the Health Facilities and Services Review Board under the Illinois Health Facilities Planning Act before receiving a license by the Department. If, after obtaining its initial certificate of need, an alternative health care delivery model that is a community based residential rehabilitation center seeks to increase the bed capacity of that center, it must obtain a certificate of need from the Health Facilities and Services Review Board before increasing the bed capacity. Alternative health care models in medically underserved areas shall receive priority in obtaining a certificate of need.

(c) An alternative health care model license shall be issued for a period of one year and shall be annually renewed if the facility or program is in substantial compliance with the Department's rules adopted under this Act. A licensed alternative health care model that continues to be in substantial compliance after the conclusion of the demonstration program shall be eligible for annual renewals unless and until a different licensure program for that type of health care model is established by legislation, except that a postsurgical recovery care center meeting the following requirements may apply within 3 years after August 25, 2009 (the effective date of Public Act 96-669) for a Certificate of Need permit to operate as a hospital:

1. The postsurgical recovery care center shall apply to the Health Facilities and Services Review Board for a Certificate of Need permit to discontinue the postsurgical recovery care center and to establish a hospital.

2. If the postsurgical recovery care center obtains a Certificate of Need permit to operate as a hospital, it shall apply for licensure as a hospital under the Hospital Licensing Act and shall meet all statutory and regulatory requirements of a hospital.

3. After obtaining licensure as a hospital, any license as an...
ambulatory surgical treatment center and any license as a postsurgical recovery care center shall be null and void.

(4) The former postsurgical recovery care center that receives a hospital license must seek and use its best efforts to maintain certification under Titles XVIII and XIX of the federal Social Security Act.

The Department may issue a provisional license to any alternative health care model that does not substantially comply with the provisions of this Act and the rules adopted under this Act if (i) the Department finds that the alternative health care model has undertaken changes and corrections which upon completion will render the alternative health care model in substantial compliance with this Act and rules and (ii) the health and safety of the patients of the alternative health care model will be protected during the period for which the provisional license is issued. The Department shall advise the licensee of the conditions under which the provisional license is issued, including the manner in which the alternative health care model fails to comply with the provisions of this Act and rules, and the time within which the changes and corrections necessary for the alternative health care model to substantially comply with this Act and rules shall be completed.

(d) Alternative health care models shall seek certification under Titles XVIII and XIX of the federal Social Security Act. In addition, alternative health care models shall provide charitable care consistent with that provided by comparable health care providers in the geographic area.

(d-5) (Blank).

(e) Alternative health care models shall, to the extent possible, link and integrate their services with nearby health care facilities.

(f) Each alternative health care model shall implement a quality assurance program with measurable benefits and at reasonable cost.

(Source: P.A. 96-31, eff. 6-30-09; 96-129, eff. 8-4-09; 96-669, eff. 8-25-09; 96-812, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1071, eff. 7-16-10; 96-1123, eff. 1-1-11; 97-135, eff. 7-14-11; 97-333, eff. 8-12-11; 97-813, eff. 7-13-12; revised 11-12-13.)

Section 295. The Illinois Clinical Laboratory and Blood Bank Act is amended by changing Section 7-101 as follows:

(210 ILCS 25/7-101) (from Ch. 111 1/2, par. 627-101)

Sec. 7-101. Examination of specimens. A clinical laboratory shall examine specimens only at the request of (i) a licensed physician, (ii) a licensed dentist, (iii) a licensed podiatric physician, (iv) a licensed optometrist, (v) a licensed physician assistant in accordance with the written

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guidelines required under subdivision (3) of Section 4 and under Section 7.5 of the Physician Assistant Practice Act of 1987, (v-A) an advanced practice nurse in accordance with the written collaborative agreement required under Section 65-35 of the Nurse Practice Act, (vi) an authorized law enforcement agency or, in the case of blood alcohol, at the request of the individual for whom the test is to be performed in compliance with Sections 11-501 and 11-501.1 of the Illinois Vehicle Code, or (vii) a genetic counselor with the specific authority from a referral to order a test or tests pursuant to subsection (b) of Section 20 of the Genetic Counselor Licensing Act. If the request to a laboratory is oral, the physician or other authorized person shall submit a written request to the laboratory within 48 hours. If the laboratory does not receive the written request within that period, it shall note that fact in its records. For purposes of this Section, a request made by electronic mail or fax constitutes a written request.

(Source: P.A. 97-333, eff. 8-12-11; 98-185, eff. 1-1-14; 98-214, eff. 8-9-13; revised 10-15-13.)

Section 300. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Section 4 as follows:

(210 ILCS 30/4) (from Ch. 111 1/2, par. 4164)

Sec. 4. Any long term care facility administrator, agent or employee or any physician, hospital, surgeon, dentist, osteopath, chiropractor, podiatric physician, accredited religious practitioner who provides treatment by spiritual means alone through prayer in accordance with the tenets and practices of the accrediting church, coroner, social worker, social services administrator, registered nurse, law enforcement officer, field personnel of the Department of Healthcare and Family Services, field personnel of the Illinois Department of Public Health and County or Municipal Health Departments, personnel of the Department of Human Services (acting as the successor to the Department of Mental Health and Developmental Disabilities or the Department of Public Aid), personnel of the Guardianship and Advocacy Commission, personnel of the State Fire Marshal, local fire department inspectors or other personnel, or personnel of the Illinois Department on Aging, or its subsidiary Agencies on Aging, or employee of a facility licensed under the Assisted Living and Shared Housing Act, having reasonable cause to believe any resident with whom they have direct contact has been subjected to abuse or neglect shall immediately report or cause a report to be made to the Department. Persons required to make reports or cause reports to be made under this Section include all employees of the State of Illinois who are involved in providing services to residents, including

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professionals providing medical or rehabilitation services and all other persons having direct contact with residents; and further include all employees of community service agencies who provide services to a resident of a public or private long term care facility outside of that facility. Any long term care surveyor of the Illinois Department of Public Health who has reasonable cause to believe in the course of a survey that a resident has been abused or neglected and initiates an investigation while on site at the facility shall be exempt from making a report under this Section but the results of any such investigation shall be forwarded to the central register in a manner and form described by the Department.

The requirement of this Act shall not relieve any long term care facility administrator, agent or employee of responsibility to report the abuse or neglect of a resident under Section 3-610 of the Nursing Home Care Act or under Section 3-610 of the ID/DD Community Care Act or under Section 2-107 of the Specialized Mental Health Rehabilitation Act of 2013.

In addition to the above persons required to report suspected resident abuse and neglect, any other person may make a report to the Department, or to any law enforcement officer, if such person has reasonable cause to suspect a resident has been abused or neglected.

This Section also applies to residents whose death occurs from suspected abuse or neglect before being found or brought to a hospital.

A person required to make reports or cause reports to be made under this Section who fails to comply with the requirements of this Section is guilty of a Class A misdemeanor.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13; 98-214, eff. 8-9-13; revised 9-9-13.)

Section 305. The Community Living Facilities Licensing Act is amended by changing Section 9 as follows:

(210 ILCS 35/9) (from Ch. 111 1/2, par. 4189)
Sec. 9. Regular licenses.

(1) A regular license shall be valid for a one-year period from the date of authorization. A license is not transferable.

(2) Within 120 to 150 days prior to the date of expiration of the license, the licensee shall apply to the Department for renewal of the license. The procedure for renewing a valid license for a Community Living Facility shall be the same as for applying for the initial license, pursuant to subsections (1) through (4) of Section 7 of this Act. If the Department has determined on the basis of available documentation that the Community Living Facility is in substantial compliance with this Act and the rules

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promulgated under this Act, and has provided to the Department an accurate disclosure document in accordance with the Alzheimer's Disease and Related Dementias Special Care Disclosure Act, it shall renew the regular license for another one-year period.

(3) Whenever ownership of a facility is transferred from the licensee to any other person, agency, association, corporation, partnership, or organization, the transferee must obtain a new probationary license. The transferee shall notify the Department of the transfer and apply for a new license at least 30 days prior to final transfer. The requirement for an on-site inspection in Section 7 may be waived if the Department has conducted a survey of the Community Living Facility within the past 60 days and the survey disclosed substantial compliance with this Act and rules and regulations promulgated hereunder.

(Source: P.A. 96-990, eff. 7-2-10; revised 9-11-13.)

Section 310. The Nursing Home Care Act is amended by changing Sections 3-112 and 3-304.1 as follows:

(210 ILCS 45/3-112) (from Ch. 111 1/2, par. 4153-112)
Sec. 3-112. (a) Whenever ownership of a facility is transferred from the person named in the license to any other person, the transferee must obtain a new probationary license. The transferee shall notify the Department of the transfer and apply for a new license at least 30 days prior to final transfer.

(b) The transferor shall notify the Department at least 30 days prior to final transfer. The transferor shall remain responsible for the operation of the facility until such time as a license is issued to the transferee.

(Source: P.A. 81-223; revised 9-11-13.)

(210 ILCS 45/3-304.1)
Sec. 3-304.1. Public computer access to information.
(a) The Department must make information regarding nursing homes in the State available to the public in electronic form on the World Wide Web, including all of the following information:

(1) who regulates nursing homes;
(2) information in the possession of the Department that is listed in Sections 3-210 and 3-304;
(3) deficiencies and plans of correction;
(4) enforcement remedies;
(5) penalty letters;
(6) designation of penalty monies;
(7) the U.S. Department of Health and Human Services'
Health Care Financing Administration special projects or federally required inspections;

(8) advisory standards;
(9) deficiency-free surveys;
(10) enforcement actions and enforcement summaries;
(11) distressed facilities; and
(12) the report submitted under Section 3-518;

(13) a link to the most recent facility cost report filed with the Department of Healthcare and Family Services;

(14) a link to the most recent Consumer Choice Information Report filed with the Department on Aging;

(15) whether the facility is part of a chain; the facility shall be deemed part of a chain if it meets criteria established by the United States Department of Health and Human Services that identify it as owned by a chain organization;

(16) whether the facility is a for-profit or not-for-profit facility; and

(17) whether the facility is or is part of a continuing care retirement community.

(b) No fee or other charge may be imposed by the Department as a condition of accessing the information.

(c) The electronic public access provided through the World Wide Web shall be in addition to any other electronic or print distribution of the information.

(d) The information shall be made available as provided in this Section in the shortest practicable time after it is publicly available in any other form.

(Source: P.A. 98-85, eff. 7-15-13; 98-505, eff. 1-1-14; revised 9-9-13.)

Section 315. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.117 as follows:

(210 ILCS 50/3.117)
Sec. 3.117. Hospital Designations.
(a) The Department shall attempt to designate Primary Stroke Centers in all areas of the State.

(1) The Department shall designate as many certified Primary Stroke Centers as apply for that designation provided they are certified by a nationally-recognized certifying body, approved by the Department, and certification criteria are consistent with the most current nationally-recognized, evidence-based stroke guidelines

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related to reducing the occurrence, disabilities, and death associated with stroke.

(2) A hospital certified as a Primary Stroke Center by a nationally-recognized certifying body approved by the Department, shall send a copy of the Certificate to the Department and shall be deemed, within 30 days of its receipt by the Department, to be a State-designated Primary Stroke Center.

(3) With respect to a hospital that is a designated Primary Stroke Center, the Department shall have the authority and responsibility to do the following:

(A) Suspend or revoke a hospital's Primary Stroke Center designation upon receiving notice that the hospital's Primary Stroke Center certification has lapsed or has been revoked by the State recognized certifying body.

(B) Suspend a hospital's Primary Stroke Center designation, in extreme circumstances where patients may be at risk for immediate harm or death, until such time as the certifying body investigates and makes a final determination regarding certification.

(C) Restore any previously suspended or revoked Department designation upon notice to the Department that the certifying body has confirmed or restored the Primary Stroke Center certification of that previously designated hospital.

(D) Suspend a hospital's Primary Stroke Center designation at the request of a hospital seeking to suspend its own Department designation.

(4) Primary Stroke Center designation shall remain valid at all times while the hospital maintains its certification as a Primary Stroke Center, in good standing, with the certifying body. The duration of a Primary Stroke Center designation shall coincide with the duration of its Primary Stroke Center certification. Each designated Primary Stroke Center shall have its designation automatically renewed upon the Department's receipt of a copy of the accrediting body's certification renewal.

(5) A hospital that no longer meets nationally-recognized, evidence-based standards for Primary Stroke Centers, or loses its Primary Stroke Center certification, shall immediately notify the Department and the Regional EMS Advisory Committee.
(b) The Department shall attempt to designate hospitals as Emergent Stroke Ready Hospitals capable of providing emergent stroke care in all areas of the State.

(1) The Department shall designate as many Emergent Stroke Ready Hospitals as apply for that designation as long as they meet the criteria in this Act.

(2) Hospitals may apply for, and receive, Emergent Stroke Ready Hospital designation from the Department, provided that the hospital attests, on a form developed by the Department in consultation with the State Stroke Advisory Subcommittee, that it meets, and will continue to meet, the criteria for Emergent Stroke Ready Hospital designation.

(3) Hospitals seeking Emergent Stroke Ready Hospital designation shall develop policies and procedures that consider nationally-recognized, evidence-based protocols for the provision of emergent stroke care. Hospital policies relating to emergent stroke care and stroke patient outcomes shall be reviewed at least annually, or more often as needed, by a hospital committee that oversees quality improvement. Adjustments shall be made as necessary to advance the quality of stroke care delivered. Criteria for Emergent Stroke Ready Hospital designation of hospitals shall be limited to the ability of a hospital to:

(A) create written acute care protocols related to emergent stroke care;
(B) maintain a written transfer agreement with one or more hospitals that have neurosurgical expertise;
(C) designate a director of stroke care, which may be a clinical member of the hospital staff or the designee of the hospital administrator, to oversee the hospital's stroke care policies and procedures;
(D) administer thrombolytic therapy, or subsequently developed medical therapies that meet nationally-recognized, evidence-based stroke guidelines;
(E) conduct brain image tests at all times;
(F) conduct blood coagulation studies at all times; and
(G) maintain a log of stroke patients, which shall be available for review upon request by the Department or any hospital that has a written transfer agreement with the Emergent Stroke Ready Hospital.

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(4) With respect to Emergent Stroke Ready Hospital designation, the Department shall have the authority and responsibility to do the following:

(A) Require hospitals applying for Emergent Stroke Ready Hospital designation to attest, on a form developed by the Department in consultation with the State Stroke Advisory Subcommittee, that the hospital meets, and will continue to meet, the criteria for an Emergent Stroke Ready Hospital.

(B) Designate a hospital as an Emergent Stroke Ready Hospital no more than 20 business days after receipt of an attestation that meets the requirements for attestation.

(C) Require annual written attestation, on a form developed by the Department in consultation with the State Stroke Advisory Subcommittee, by Emergent Stroke Ready Hospitals to indicate compliance with Emergent Stroke Ready Hospital criteria, as described in this Section, and automatically renew Emergent Stroke Ready Hospital designation of the hospital.

(D) Issue an Emergency Suspension of Emergent Stroke Ready Hospital designation when the Director, or his or her designee, has determined that the hospital no longer meets the Emergent Stroke Ready Hospital criteria and an immediate and serious danger to the public health, safety, and welfare exists. If the Emergent Stroke Ready Hospital fails to eliminate the violation immediately or within a fixed period of time, not exceeding 10 days, as determined by the Director, the Director may immediately revoke the Emergent Stroke Ready Hospital designation. The Emergent Stroke Ready Hospital may appeal the revocation within 15 days after receiving the Director's revocation order, by requesting an administrative hearing.

(E) After notice and an opportunity for an administrative hearing, suspend, revoke, or refuse to renew an Emergent Stroke Ready Hospital designation, when the Department finds the hospital is not in substantial compliance with current Emergent Stroke Ready Hospital criteria.

(c) The Department shall consult with the State Stroke Advisory Subcommittee for developing the designation and de-designation processes for Primary Stroke Centers and Emergent Stroke Ready Hospitals.

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Section 320. The End Stage Renal Disease Facility Act is amended by changing Section 60 as follows:

(210 ILCS 62/60)

Sec. 60. Notice of administrative actions; hearing procedures.
(a) Notice of all administrative actions taken under this Act shall be effected by registered mail, certified mail, or personal service and shall set forth the particular reasons for the proposed action and provide the applicant or licensee with an opportunity to request a hearing. If a hearing request is not received within 10 days after receipt of the notice of administrative action, the right to a hearing is waived.

(b) The procedure governing hearings authorized by this Section shall be in accordance with rules promulgated by the Department consistent with this Act. A hearing shall be conducted by the Director or by an individual designated in writing by the Director as administrative law judge. A full and complete record shall be kept of all proceedings, including notice of hearing, complaint, and all other documents in the nature of pleadings, written motions filed in the proceedings, and the report and orders of the Director and administrative law judge. All testimony shall be reported but need not be transcribed unless the decision is appealed pursuant to Section 70 of this Act. Any interested party may obtain a copy or copies of the transcript on payment of the cost of preparing such copy or copies.

(c) The Director or administrative law judge shall, upon his own motion or on the written request of any party to the proceeding, issue subpoenas requiring the attendance and testimony of witnesses and subpoenas duces tecum requiring the production of books, papers, records or memoranda. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before any circuit court of this State. Such fees shall be paid when the witness is excused from further attendance. When the witness is subpoenaed at the instance of the Director or administrative law judge, such fees shall be paid in the same manner as other expenses of the Department. When the witness is subpoenaed at the instance of any other party to a proceeding, the Department may require that the cost of service of the subpoena or subpoena duces tecum and the fee of the witness be borne by the party at whose instance the witness is summoned. In such case, the Department, in its discretion, may require a deposit to cover the cost of such service and witness fees. A subpoena or subpoena duces tecum issued under this Section shall be served in the same manner as a subpoena issued by a court.

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(d) Any circuit court of this State, upon the application of the Director or the application of any other party to the proceeding, may, in its discretion, compel the attendance of witnesses, the production of books, papers, records or memoranda, and the giving of testimony before the Director or administrative law judge conducting an investigation or holding a hearing authorized by this Act, by an attachment for contempt, or otherwise, in the same manner as production of evidence may be compelled before the court.

(e) The Director or administrative law judge, or any party in a hearing before the Department, may compel the attendance of witnesses and the production of books, papers, records, or memoranda.

(f) The Director or administrative law judge shall make findings of fact in such hearing and the Director shall render his decision within 60 days after the termination or waiving of the hearing unless he or she requires additional time for a proper disposition of the matter. When an administrative law judge has conducted the hearing, the Director shall review the record and findings of fact before rendering a decision. A copy of the findings of fact and decision of the Director shall be served upon the applicant or licensee in person, by registered mail or by certified mail in the same manner as the service of the notice of hearing. The decision denying, suspending, or revoking a license shall become final 35 days after it is mailed or served, unless the applicant or licensee, within the 35-day period, petitions for review pursuant to Section 70 of this Act.

(Source: P.A. 92-794, eff. 7-1-03; revised 11-13-13.)

Section 325. The Hospital Emergency Service Act is amended by changing Section 1.3 as follows:

(210 ILCS 80/1.3)

Sec. 1.3. Long-term acute care hospitals. For the purpose of this Act, general acute care hospitals designated by Medicare as long-term acute care hospitals are not required to provide hospital emergency services described in Section 1 of this Act. Hospitals defined in this Section may provide hospital emergency services at their option.

Any hospital defined in this Section that opts to discontinue emergency services described in Section 1 shall:

(1) comply with all provisions of the federal Emergency Medical Treatment and Labor Act (EMTALA);
(2) comply with all provisions required under the Social Security Act;
(3) provide annual notice to communities in the hospital's service area about available emergency medical services; and

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(4) make educational materials available to individuals who are present at the hospital concerning the availability of medical services within the hospital's service area.

Long-term acute care hospitals that operate standby emergency services as of January 1, 2011 may discontinue hospital emergency services by notifying the Department of Public Health. Long-term acute care hospitals that operate basic or comprehensive emergency services must notify the Health Facilities and Services Review Board and follow the appropriate procedures.

(Source: P.A. 97-667, eff. 1-13-12; revised 9-11-13.)

Section 330. The Language Assistance Services Act is amended by changing Section 15 as follows:

(210 ILCS 87/15)

Sec. 15. Language assistance services.

(a) To ensure access to health care information and services for limited-English-speaking or non-English-speaking residents and deaf residents, a health facility must do the following:

(1) Adopt and review annually a policy for providing language assistance services to patients with language or communication barriers. The policy shall include procedures for providing, to the extent possible as determined by the facility, the use of an interpreter whenever a language or communication barrier exists, except where the patient, after being informed of the availability of the interpreter service, chooses to use a family member or friend who volunteers to interpret. The procedures shall be designed to maximize efficient use of interpreters and minimize delays in providing interpreters to patients. The procedures shall insure, to the extent possible as determined by the facility, that interpreters are available, either on the premises or accessible by telephone, 24 hours a day. The facility shall annually transmit to the Department of Public Health a copy of the updated policy and shall include a description of the facility's efforts to insure adequate and speedy communication between patients with language or communication barriers and staff.

(2) Develop, and post in conspicuous locations, notices that advise patients and their families of the availability of interpreters, the procedure for obtaining an interpreter, and the telephone numbers to call for filing complaints concerning interpreter service problems, including, but not limited to, a TTY number for persons who are deaf or hard of hearing. The notices shall be posted, at a minimum, in the
emergency room, the admitting area, the facility entrance, and the outpatient area. Notices shall inform patients that interpreter services are available on request, shall list the languages most commonly encountered at the facility for which interpreter services are available, and shall instruct patients to direct complaints regarding interpreter services to the Department of Public Health, including the telephone numbers to call for that purpose.

(3) Notify the facility's employees of the language services available at the facility and train them on how to make those language services available to patients.

(b) In addition, a health facility may do one or more of the following:

(1) Identify and record a patient's primary language and dialect on one or more of the following: a patient medical chart, hospital bracelet, bedside notice, or nursing card.

(2) Prepare and maintain, as needed, a list of interpreters who have been identified as proficient in sign language according to the Interpreter for the Deaf Licensure Act of 2007 and a list of the languages of the population of the geographical area served by the facility.

(3) Review all standardized written forms, waivers, documents, and informational materials available to patients on admission to determine which to translate into languages other than English.

(4) Consider providing its nonbilingual staff with standardized picture and phrase sheets for use in routine communications with patients who have language or communication barriers.

(5) Develop community liaison groups to enable the facility and the limited-English-speaking, non-English-speaking, and deaf communities to ensure the adequacy of the interpreter services.

(Source: P.A. 95-667, eff. 10-11-07; revised 10-7-13.)

Section 335. The Mobile Home Park Act is amended by changing Section 2 as follows:

(210 ILCS 115/2) (from Ch. 111 1/2, par. 712)

Sec. 2. Unless the context clearly requires otherwise, the words and phrases set forth in the Sections following this Section and preceding Section 3 Sections 2.1 to 2.9 inclusive, shall have the meanings set forth in this Act. (Source: P.A. 78-1170; revised 11-13-13.)

Section 340. The Illinois Insurance Code is amended by changing Section 500-100 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 500-100. Limited lines producer license.

(a) An individual who is at least 18 years of age and whom the Director considers to be competent, trustworthy, and of good business reputation may obtain a limited lines producer license for one or more of the following classes:

1. insurance on baggage or limited travel health, accident, or trip cancellation insurance sold in connection with transportation provided by a common carrier;
2. industrial life insurance, as defined in Section 228 of this Code;
3. industrial accident and health insurance, as defined in Section 368 of this Code;
4. insurance issued by a company organized under the Farm Mutual Insurance Company Act of 1986;
5. legal expense insurance;
6. enrollment of recipients of public aid or medicare in a health maintenance organization;
7. a limited health care plan issued by an organization having a certificate of authority under the Limited Health Service Organization Act;
8. credit life and credit accident and health insurance and other credit insurance policies approved or permitted by the Director; a credit insurance company must conduct a training program in which an applicant shall receive basic instruction about the credit insurance products that he or she they will be selling.

(b) The application for a limited lines producer license must be submitted on a form prescribed by the Director by a designee of the insurance company, health maintenance organization, or limited health service organization appointing the limited insurance representative. The insurance company, health maintenance organization, or limited health service organization must pay the fee required by Section 500-135.

(c) A limited lines producer may represent more than one insurance company, health maintenance organization, or limited health service organization.

(d) An applicant who has met the requirements of this Section shall be issued a perpetual limited lines producer license.

(e) A limited lines producer license shall remain in effect as long as
the appointing insurance company pays the respective fee required by Section 500-135 prior to January 1 of each year, unless the license is revoked or suspended pursuant to Section 500-70. Failure of the insurance company to pay the license fee or to submit the required documents shall cause immediate termination of the limited line insurance producer license with respect to which the failure occurs.

(f) A limited lines producer license may be terminated by the insurance company or the licensee.

(g) A person whom the Director considers to be competent, trustworthy, and of good business reputation may be issued a car rental limited line license. A car rental limited line license for a rental company shall remain in effect as long as the car rental limited line licensee pays the respective fee required by Section 500-135 prior to the next fee date unless the car rental license is revoked or suspended pursuant to Section 500-70. Failure of the car rental limited line licensee to pay the license fee or to submit the required documents shall cause immediate suspension of the car rental limited line license. A car rental limited line license for rental companies may be voluntarily terminated by the car rental limited line licensee. The license fee shall not be refunded upon termination of the car rental limited line license by the car rental limited line licensee.

(h) A limited lines producer issued a license pursuant to this Section is not subject to the requirements of Section 500-30.

(i) A limited lines producer license must contain the name, address and personal identification number of the licensee, the date the license was issued, general conditions relative to the license's expiration or termination, and any other information the Director considers proper. A limited line producer license, if applicable, must also contain the name and address of the appointing insurance company.

(Source: P.A. 98-159, eff. 8-2-13; revised 11-12-13.)

Section 345. The Reinsurance Intermediary Act is amended by changing Sections 20 and 45 as follows:

(215 ILCS 100/20) (from Ch. 73, par. 1620)

Sec. 20. Books and records; reinsurance intermediary brokers.

(a) For at least 10 years after expiration of each contract of reinsurance transacted by it, the intermediary broker shall keep a complete record for each transaction showing:

(1) The type of contract, limits, underwriting restrictions, classes or risks, and territory.

(2) Period of coverage, including effective and expiration

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dates, cancellation provisions, and notice required of cancellations.

(3) Reporting and settlement requirements of balances.

(4) Rate used to compute the reinsurance premium.

(5) Names and addresses of assuming reinsurers.

(6) Rates of all reinsurance commissions, including the commissions on any retrocessions handled by the intermediary broker.

(7) Related correspondence and memoranda.

(8) Proof of placement.

(9) Details regarding retrocessions handled by the intermediary broker including the identity of retrocessionaires and percentage of each contract assumed or ceded.

(10) Financial records including, but not limited to, premium and loss accounts.

(11) When an intermediary broker procures a reinsurance contract on behalf of a licensed ceding insurer:

(A) directly from any assuming reinsurer, written evidence that the assuming reinsurer has agreed to assume the risk;

(B) if placed through a representative of the assuming reinsurer, other than an employee, written evidence that the reinsurer has delegated binding authority to the representative.

(b) The insurer shall have access and the right to copy and audit all accounts and records maintained by the intermediary broker related to its business in a form usable by the insurer.

(Source: P.A. 87-108; revised 11-13-13.)

(215 ILCS 100/45) (from Ch. 73, par. 1645)

Sec. 45. Duties of reinsurers utilizing the services of a reinsurance intermediary manager.

(a) A reinsurer shall not engage the services of any person, firm, association, or corporation to act as an intermediary manager on its behalf unless the person is licensed as required by Section 10.

(b) The reinsurer shall annually obtain a copy of statements, audited by an independent certified public accountant in a form acceptable to the Director, of the financial condition of each intermediary manager that the reinsurer has contracted.

(c) If an intermediary manager establishes loss reserves, the reinsurer shall annually obtain the opinion of an actuary attesting to the adequacy of loss reserves established for losses incurred and outstanding on business

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produced by the intermediary manager. This opinion shall be in addition to any other required loss reserve certification.

(d) Binding authority for all retrocessional contracts or participation in reinsurance syndicates shall rest with an officer of the reinsurer who shall not be affiliated with the intermediary manager.

(e) Within 30 days of termination of a contract with an intermediary manager, the reinsurer shall provide written notification of termination to the Director.

(f) A reinsurer shall not appoint to its board of directors, any officer, director, employee, controlling shareholder, or subproducer of its intermediary manager. This subsection shall not apply to relationships governed by the Holding Company Act.

(Source: P.A. 87-108; revised 11-14-13.)

Section 350. The Illinois Health Benefits Exchange Law is amended by changing Section 5-10 as follows:

(215 ILCS 122/5-10)
Sec. 5-10. Exchange functions.
(a) The Illinois Health Benefits Exchange shall meet the core functions identified by Section 1311 of the Patient Protection and Affordable Care Act and subsequent federal guidance and regulations.

(b) In order to meet the deadline of October 1, 2013 established by federal law to have operational a State exchange, the Department of Insurance and the Commission on Government Forecasting and Accountability is authorized to apply for, accept, receive, and use as appropriate for and on behalf of the State any grant money provided by the federal government and to share federal grant funding with, give support to, and coordinate with other agencies of the State and federal government or third parties as determined by the Governor.

(Source: P.A. 97-142, eff. 7-14-11; revised 9-11-13.)

Section 355. The Viatical Settlements Act of 2009 is amended by changing Section 72 as follows:

(215 ILCS 159/72)
Sec. 72. Crimes and offenses.
(a) A person acting in this State as a viatical settlement provider without having been licensed pursuant to Section 10 of this Act who willfully violates any provision of this Act or any rule adopted or order issued under this Act is guilty of a Class A misdemeanor and may be subject to a fine of not more than $3,000. When such violation results in a loss of more than $10,000, the person shall be guilty of a Class 3 felony and may be subject to

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a fine of not more than $10,000.

(b) A person acting in this State as a viatical settlement broker without having met the licensure and notification requirements established by Section 10 of this Act who willfully violates any provision of this Act or any rule adopted or order issued under this Act is guilty of a Class A misdemeanor and may be subject to a fine of not more than $3,000. When such violation results in a loss of more than $10,000, the person shall be guilty of a Class 3 felony and may be subject to a fine of not more than $10,000.

(c) The Director may refer such evidence as is available concerning violations of this Act or any rule adopted or order issued under this Act or of the failure of a person to comply with the licensing requirements of this Act to the Attorney General or the proper county attorney who may, with or without such reference, institute the appropriate criminal proceedings under this Act.

(d) A person commits the offense of viatical settlement fraud when:

(1) For the purpose of depriving another of property or for pecuniary gain any person knowingly:

(A) presents, causes to be presented, or prepares with knowledge or belief that it will be presented to or by a viatical settlement provider, viatical settlement broker, life expectancy provider, viatical settlement purchaser, financing entity, insurer, insurance producer, or any other person, false material information, or conceals material information, as part of, in support of or concerning a fact material to one or more of the following:

(i) an application for the issuance of a viatical settlement contract or insurance policy;
(ii) the underwriting of a viatical settlement contract or insurance policy;
(iii) a claim for payment or benefit pursuant to a viatical settlement contract or insurance policy;
(iv) premiums paid on an insurance policy;
(v) payments and changes in ownership or beneficiary made in accordance with the terms of a viatical settlement contract or insurance policy;
(vi) the reinstatement or conversion of an insurance policy;
(vii) in the solicitation, offer, effectuation, or

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sale of a viatical settlement contract or insurance policy;

(viii) the issuance of written evidence of a viatical settlement contract or insurance; or

(ix) a financing transaction; or

(B) employs any plan, financial structure, device, scheme, or artifice to defraud related to viaticated policies; or

(C) enters into any act, practice, or arrangement which involves stranger-originated life insurance;

(2) In furtherance of a scheme to defraud, to further a fraud, or to prevent or hinder the detection of a scheme to defraud any person knowingly does or permits his employees or agents to do any of the following:

(A) remove, conceal, alter, destroy, or sequester from the Director the assets or records of a licensee or other person engaged in the business of viatical settlements;

(B) misrepresent or conceal the financial condition of a licensee, financing entity, insurer, or other person;

(C) transact the business of viatical settlements in violation of laws requiring a license, certificate of authority, or other legal authority for the transaction of the business of viatical settlements; or

(D) file with the Director or the equivalent chief insurance regulatory official of another jurisdiction a document containing false information or otherwise conceals information about a material fact from the Director;

(3) Any person knowingly steals, misappropriates, or converts monies, funds, premiums, credits, or other property of a viatical settlement provider, insurer, insured, viator, insurance policyowner, or any other person engaged in the business of viatical settlements or insurance;

(4) Any person recklessly enters into, negotiates, brokers, or otherwise deals in a viatical settlement contract, the subject of which is a life insurance policy that was obtained by presenting false information concerning any fact material to the policy or by concealing, for the purpose of misleading another, information concerning any fact material to the policy, where the person or the persons intended to defraud the policy's issuer, the viatical settlement provider or the viator; or

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(5) Any person facilitates the change of state of ownership of a policy or the state of residency of a viator to a state or jurisdiction that does not have a law similar to this Act for the express purposes of evading or avoiding the provisions of this Act.

e) For purposes of this Section, "person" means (i) an individual, (ii) a corporation, (iii) an officer, agent, or employee of a corporation, (iv) a member, agent, or employee of a partnership, or (v) a member, manager, employee, officer, director, or agent of a limited liability company who, in any such capacity described by this subsection (e), commits viatical settlement fraud.

(Source: P.A. 96-736, eff. 7-1-10; 97-813, eff. 7-13-12; revised 11-14-13.)

Section 360. The Health Carrier External Review Act is amended by changing Section 10 as follows:

(215 ILCS 180/10)

Sec. 10. Definitions. For the purposes of this Act:
"Adverse determination" means:

(1) a determination by a health carrier or its designee utilization review organization that, based upon the information provided, a request for a benefit under the health carrier's health benefit plan upon application of any utilization review technique does not meet the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness or is determined to be experimental or investigational and the requested benefit is therefore denied, reduced, or terminated or payment is not provided or made, in whole or in part, for the benefit;

(2) the denial, reduction, or termination of or failure to provide or make payment, in whole or in part, for a benefit based on a determination by a health carrier or its designee utilization review organization that a preexisting condition was present before the effective date of coverage; or

(3) a **recession** of coverage determination, which does not include a cancellation or discontinuance of coverage that is attributable to a failure to timely pay required premiums or contributions towards the cost of coverage.

"Authorized representative" means:

(1) a person to whom a covered person has given express written consent to represent the covered person for purposes of this Law;

(2) a person authorized by law to provide substituted consent

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for a covered person;
(3) a family member of the covered person or the covered person's treating health care professional when the covered person is unable to provide consent;
(4) a health care provider when the covered person's health benefit plan requires that a request for a benefit under the plan be initiated by the health care provider; or
(5) in the case of an urgent care request, a health care provider with knowledge of the covered person's medical condition.

"Best evidence" means evidence based on:
(1) randomized clinical trials;
(2) if randomized clinical trials are not available, then cohort studies or case-control studies;
(3) if items (1) and (2) are not available, then case-series; or
(4) if items (1), (2), and (3) are not available, then expert opinion.

"Case-series" means an evaluation of a series of patients with a particular outcome, without the use of a control group.

"Clinical review criteria" means the written screening procedures, decision abstracts, clinical protocols, and practice guidelines used by a health carrier to determine the necessity and appropriateness of health care services.

"Cohort study" means a prospective evaluation of 2 groups of patients with only one group of patients receiving specific intervention.

"Concurrent review" means a review conducted during a patient's stay or course of treatment in a facility, the office of a health care professional, or other inpatient or outpatient health care setting.

"Covered benefits" or "benefits" means those health care services to which a covered person is entitled under the terms of a health benefit plan.

"Covered person" means a policyholder, subscriber, enrollee, or other individual participating in a health benefit plan.

"Director" means the Director of the Department of Insurance.

"Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including, but not limited to, severe pain, such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in:
(1) placing the health of the individual or, with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy;

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(2) serious impairment to bodily functions; or
(3) serious dysfunction of any bodily organ or part.

"Emergency services" means health care items and services furnished or required to evaluate and treat an emergency medical condition.

"Evidence-based standard" means the conscientious, explicit, and judicious use of the current best evidence based on an overall systematic review of the research in making decisions about the care of individual patients.

"Expert opinion" means a belief or an interpretation by specialists with experience in a specific area about the scientific evidence pertaining to a particular service, intervention, or therapy.

"Facility" means an institution providing health care services or a health care setting.

"Final adverse determination" means an adverse determination involving a covered benefit that has been upheld by a health carrier, or its designee utilization review organization, at the completion of the health carrier's internal grievance process procedures as set forth by the Managed Care Reform and Patient Rights Act.

"Health benefit plan" means a policy, contract, certificate, plan, or agreement offered or issued by a health carrier to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services.

"Health care provider" or "provider" means a physician, hospital facility, or other health care practitioner licensed, accredited, or certified to perform specified health care services consistent with State law, responsible for recommending health care services on behalf of a covered person.

"Health care services" means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease.

"Health carrier" means an entity subject to the insurance laws and regulations of this State, or subject to the jurisdiction of the Director, that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, or any other entity providing a plan of health insurance, health benefits, or health care services. "Health carrier" also means Limited Health Service Organizations (LHSO) and Voluntary Health Service Plans.

"Health information" means information or data, whether oral or recorded in any form or medium, and personal facts or information about events or relationships that relate to:

(1) the past, present, or future physical, mental, or behavioral

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health or condition of an individual or a member of the individual's family;

(2) the provision of health care services to an individual; or

(3) payment for the provision of health care services to an individual.

"Independent review organization" means an entity that conducts independent external reviews of adverse determinations and final adverse determinations.

"Medical or scientific evidence" means evidence found in the following sources:

(1) peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff;

(2) peer-reviewed medical literature, including literature relating to therapies reviewed and approved by a qualified institutional review board, biomedical compendia, and other medical literature that meet the criteria of the National Institutes of Health's Library of Medicine for indexing in Index Medicus (Medline) and Elsevier Science Ltd. for indexing in Excerpta Medicus (EMBASE);

(3) medical journals recognized by the Secretary of Health and Human Services under Section 1861(t)(2) of the federal Social Security Act;

(4) the following standard reference compendia:
(a) The American Hospital Formulary Service-Drug Information;
(b) Drug Facts and Comparisons;
(c) The American Dental Association Accepted Dental Therapeutics; and
(d) The United States Pharmacopoeia-Drug Information;

(5) findings, studies, or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes, including:
(a) the federal Agency for Healthcare Research and Quality;
(b) the National Institutes of Health;
(c) the National Cancer Institute;

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(d) the National Academy of Sciences;
(e) the Centers for Medicare & Medicaid Services;
(f) the federal Food and Drug Administration; and
(g) any national board recognized by the National
Institutes of Health for the purpose of evaluating the medical
value of health care services; or
(6) any other medical or scientific evidence that is comparable
to the sources listed in items (1) through (5).

"Person" means an individual, a corporation, a partnership, an
association, a joint venture, a joint stock company, a trust, an unincorporated
organization, any similar entity, or any combination of the foregoing.

"Prospective review" means a review conducted prior to an admission
or the provision of a health care service or a course of treatment in
accordance with a health carrier's requirement that the health care service or
course of treatment, in whole or in part, be approved prior to its provision.

"Protected health information" means health information (i) that
identifies an individual who is the subject of the information; or (ii) with
respect to which there is a reasonable basis to believe that the information
could be used to identify an individual.

"Randomized clinical trial" means a controlled prospective study of
patients that have been randomized into an experimental group and a control
group at the beginning of the study with only the experimental group of
patients receiving a specific intervention, which includes study of the groups
for variables and anticipated outcomes over time.

"Retrospective review" means any review of a request for a benefit
that is not a concurrent or prospective review request. "Retrospective review"
does not include the review of a claim that is limited to veracity of
documentation or accuracy of coding.

"Utilization review" has the meaning provided by the Managed Care
Reform and Patient Rights Act.

"Utilization review organization" means a utilization review program
as defined in the Managed Care Reform and Patient Rights Act.
(Source: P.A. 96-857, eff. 7-1-10; 97-574, eff. 8-26-11; 97-813, eff. 7-13-12;
revised 11-14-13.)

Section 365. The Public Utilities Act is amended by changing
Sections 13-903 and 21-401 as follows:
(220 ILCS 5/13-903)
(Section scheduled to be repealed on July 1, 2015)
Sec. 13-903. Authorization, verification or notification, and dispute

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resolution for covered product and service charges on the telephone bill.

(a) Definitions. As used in this Section:

(1) "Subscriber" means a telecommunications carrier's retail business customer served by not more than 20 lines or a retail residential customer.

(2) "Telecommunications carrier" has the meaning given in Section 13-202 of the Public Utilities Act and includes agents and employees of a telecommunications carrier, except that "telecommunications carrier" does not include a provider of commercial mobile radio services (as defined by 47 U.S.C. 332(d)(1)).

(b) Applicability of Section. This Section does not apply to:

(1) changes in a subscriber's local exchange telecommunications service or interexchange telecommunications service;

(2) message telecommunications charges that are initiated by dialing 1+, 0+, 0-, 1010XXX, or collect calls and charges for video services if the service provider has the necessary call detail record to establish the billing for the call or service; and

(3) telecommunications services available on a subscriber's line when the subscriber activates and pays for the services on a per use basis.

(c) Requirements for billing authorized charges. A telecommunications carrier shall meet all of the following requirements before submitting charges for any product or service to be billed on any subscriber's telephone bill:

(1) Inform the subscriber. The telecommunications carrier offering the product or service must thoroughly inform the subscriber of the product or service being offered, including all associated charges, and explicitly inform the subscriber that the associated charges for the product or service will appear on the subscriber's telephone bill.

(2) Obtain subscriber authorization. The subscriber must have clearly and explicitly consented to obtaining the product or service offered and to having the associated charges appear on the subscriber's telephone bill. The consent must be verified by the service provider in accordance with subsection (d) of this Section. A record of the consent must be maintained by the telecommunications carrier offering the product or service for at least 24 months.

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immediately after the consent and verification were obtained.

(d) Verification or notification. Except in subscriber-initiated transactions with a certificated telecommunications carrier for which the telecommunications carrier has the appropriate documentation, the telecommunications carrier, after obtaining the subscriber's authorization in the required manner, shall either verify the authorization or notify the subscriber as follows:

(1) Independent third-party verification:

(A) Verification shall be obtained by an independent third party that:

(i) operates from a facility physically separate from that of the telecommunications carrier;

(ii) is not directly or indirectly managed, controlled, directed, or owned wholly or in part by the telecommunications carrier or the carrier's marketing agent; and

(iii) does not derive commissions or compensation based upon the number of sales confirmed.

(B) The third-party verification agent shall state, and shall obtain the subscriber's acknowledgment of, the following disclosures:

(i) the subscriber's name, address, and the telephone numbers of all telephone lines that will be charged for the product or service of the telecommunications carrier;

(ii) that the person speaking to the third party verification agent is in fact the subscriber;

(iii) that the subscriber wishes to purchase the product or service of the telecommunications carrier and is agreeing to do so;

(iv) that the subscriber understands that the charges for the product or service of the telecommunications carrier will appear on the subscriber's telephone bill; and

(v) the name and customer service telephone number of the telecommunications carrier.

(C) The telecommunications carrier shall retain, electronically or otherwise, proof of the verification of sales

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for a minimum of 24 months.

(2) Notification. Written notification shall be provided as follows:

(A) the telecommunications carrier shall mail a letter to the subscriber using first class mail, postage prepaid, no later than 10 days after initiation of the product or service;

(B) the letter shall be a separate document sent for the sole purpose of describing the product or service of the telecommunications carrier;

(C) the letter shall be printed with 10-point or larger type and clearly and conspicuously disclose the material terms and conditions of the offer of the telecommunications carrier, as described in paragraph (1) of subsection (c);

(D) the letter shall contain a toll-free telephone number the subscriber can call to cancel the product or service;

(E) the telecommunications carrier shall retain, electronically or otherwise, proof of written notification for a minimum of 24 months; and

(F) written notification can be provided via electronic mail if consumers are given the disclosures required by Section 101(c) of the Electronic Signatures in Global and National Commerce Act.

(e) Unauthorized charges.

(1) Responsibilities of the billing telecommunications carrier for unauthorized charges. If a subscriber's telephone bill is charged for any product or service without proper subscriber authorization and verification or notification of authorization in compliance with this Section, the telecommunications carrier that billed the subscriber, on its knowledge or notification of any unauthorized charge, shall promptly, but not later than 45 days after the date of the knowledge or notification of an unauthorized charge:

(A) notify the product or service provider to immediately cease charging the subscriber for the unauthorized product or service;

(B) remove the unauthorized charge from the subscriber's bill; and

(C) refund or credit to the subscriber all money that the subscriber has paid for any unauthorized charge.

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(f) The Commission shall promulgate any rules necessary to ensure that subscribers are not billed on the telephone bill for products or services in a manner not in compliance with this Section. The rules promulgated under this Section shall comport with the rules, if any, promulgated by the Attorney General pursuant to the Consumer Fraud and Deceptive Business Practices Act and with any rules promulgated by the Federal Communications Commission or Federal Trade Commission.

(g) Complaints may be filed with the Commission under this Section by a subscriber who has been billed on the telephone bill for products or services not in compliance with this Section or by the Commission on its own motion. Upon filing of the complaint, the parties may mutually agree to submit the complaint to the Commission's established mediation process. Remedies in the mediation process may include, but shall not be limited to, the remedies set forth in paragraphs (1) through (4) of this subsection. In its discretion, the Commission may deny the availability of the mediation process and submit the complaint to hearings. If the complaint is not submitted to mediation or if no agreement is reached during the mediation process, hearings shall be held on the complaint pursuant to Article $X+\theta$ of this Act. If after notice and hearing, the Commission finds that a telecommunications carrier has violated this Section or a rule promulgated under this Section, the Commission may in its discretion order any one or more of the following:

   (1) Require the violating telecommunications carrier to pay a fine of up to $1,000 into the Public Utility Fund for each repeated and intentional violation of this Section.

   (2) Require the violating carrier to refund or cancel all charges for products or services not billed in compliance with this Section.

   (3) Issue a cease and desist order.

   (4) For a pattern of violation of this Section or for intentionally violating a cease and desist order, revoke the violating telecommunications carrier's certificate of service authority.

(Source: P.A. 92-22, eff. 6-30-01; revised 11-12-13.)

(220 ILCS 5/21-401)

(Section scheduled to be repealed on July 1, 2015)

Sec. 21-401. Applications.

(a) (1) A person or entity seeking to provide cable service or video service pursuant to this Article shall not use the public rights-of-way for the installation or construction of facilities for the provision of cable service or video service or offer cable service or video service until it has obtained a

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State-issued authorization to offer or provide cable or video service under this Section, except as provided for in item (2) of this subsection (a). All cable or video providers offering or providing service in this State shall have authorization pursuant to either (i) the Cable and Video Competition Law of 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section 5-1095 of the Counties Code (55 ILCS 5/5-1095).

(2) Nothing in this Section shall prohibit a local unit of government from granting a permit to a person or entity for the use of the public rights-of-way to install or construct facilities to provide cable service or video service, at its sole discretion. No unit of local government shall be liable for denial or delay of a permit prior to the issuance of a State-issued authorization.

(b) The application to the Commission for State-issued authorization shall contain a completed affidavit submitted by the applicant and signed by an officer or general partner of the applicant affirming all of the following:

(1) That the applicant has filed or will timely file with the Federal Communications Commission all forms required by that agency in advance of offering cable service or video service in this State.

(2) That the applicant agrees to comply with all applicable federal and State statutes and regulations.

(3) That the applicant agrees to comply with all applicable local unit of government regulations.

(4) An exact description of the cable service or video service area where the cable service or video service will be offered during the term of the State-issued authorization. The service area shall be identified in terms of either (i) exchanges, as that term is defined in Section 13-206 of this Act; (ii) a collection of United States Census Bureau Block numbers (13 digit); (iii) if the area is smaller than the areas identified in either (i) or (ii), by geographic information system digital boundaries meeting or exceeding national map accuracy standards; or (iv) local unit of government. The description shall include the number of low-income households within the service area or footprint. If an applicant is a incumbent cable operator, the incumbent cable operator and any successor-in-interest shall be obligated to provide access to cable services or video services within any local units of government at the same levels required by the local franchising authorities for the local unit of government on June 30, 2007 (the effective date of Public Act 95-9), and its application shall

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provide a description of an area no smaller than the service areas contained in its franchise or franchises within the jurisdiction of the local unit of government in which it seeks to offer cable or video service.

(5) The location and telephone number of the applicant's principal place of business within this State and the names of the applicant's principal executive officers who are responsible for communications concerning the application and the services to be offered pursuant to the application, the applicant's legal name, and any name or names under which the applicant does or will provide cable services or video services in this State.

(6) A certification that the applicant has concurrently delivered a copy of the application to all local units of government that include all or any part of the service area identified in item (4) of this subsection (b) within such local unit of government's jurisdictional boundaries.

(7) The expected date that cable service or video service will be initially offered in the area identified in item (4) of this subsection (b). In the event that a holder does not offer cable services or video services within 3 months after the expected date, it shall amend its application and update the expected date service will be offered and explain the delay in offering cable services or video services.

(8) For any entity that received State-issued authorization prior to this amendatory Act of the 98th General Assembly as a cable operator and that intends to proceed as a cable operator under this Article, the entity shall file a written affidavit with the Commission and shall serve a copy of the affidavit with any local units of government affected by the authorization within 30 days after the effective date of this amendatory Act of the 98th General Assembly stating that the holder will be providing cable service under the State-issued authorization.

The application shall include adequate assurance that the applicant possesses the financial, managerial, legal, and technical qualifications necessary to construct and operate the proposed system, to promptly repair any damage to the public right-of-way caused by the applicant, and to pay the cost of removal of its facilities. To accomplish these requirements, the applicant may, at the time the applicant seeks to use the public rights-of-way in that jurisdiction, be required by the State of Illinois or later be required by the local unit of government, or both, to post a bond, produce a certificate of

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insurance, or otherwise demonstrate its financial responsibility.

The application shall include the applicant's general standards related to customer service required by Section 22-501 of this Act, which shall include, but not be limited to, installation, disconnection, service and repair obligations; appointment hours; employee ID requirements; customer service telephone numbers and hours; procedures for billing, charges, deposits, refunds, and credits; procedures for termination of service; notice of deletion of programming service and changes related to transmission of programming or changes or increases in rates; use and availability of parental control or lock-out devices; complaint procedures and procedures for bill dispute resolution and a description of the rights and remedies available to consumers if the holder does not materially meet their customer service standards; and special services for customers with visual, hearing, or mobility disabilities.

(c)(1) The applicant may designate information that it submits in its application or subsequent reports as confidential or proprietary, provided that the applicant states the reasons the confidential designation is necessary. The Commission shall provide adequate protection for such information pursuant to Section 4-404 of this Act. If the Commission, a local unit of government, or any other party seeks public disclosure of information designated as confidential, the Commission shall consider the confidential designation in a proceeding under the Illinois Administrative Procedure Act, and the burden of proof to demonstrate that the designated information is confidential shall be upon the applicant. Designated information shall remain confidential pending the Commission's determination of whether the information is entitled to confidential treatment. Information designated as confidential shall be provided to local units of government for purposes of assessing compliance with this Article as permitted under a Protective Order issued by the Commission pursuant to the Commission's rules and to the Attorney General pursuant to Section 6.5 of the Attorney General Act (15 ILCS 205/6.5). Information designated as confidential under this Section or determined to be confidential upon Commission review shall only be disclosed pursuant to a valid and enforceable subpoena or court order or as required by the Freedom of Information Act. Nothing herein shall delay the application approval timeframes set forth in this Article.

(2) Information regarding the location of video services that have been or are being offered to the public and aggregate information included in the reports required by this Article shall not be designated or treated as confidential.

(d)(1) The Commission shall post all applications it receives under
this Article on its web site within 5 business days.

(2) The Commission shall notify an applicant for a cable service or video service authorization whether the applicant's application and affidavit are complete on or before the 15th business day after the applicant submits the application. If the application and affidavit are not complete, the Commission shall state in its notice all of the reasons the application or affidavit are incomplete, and the applicant shall resubmit a complete application. The Commission shall have 30 days after submission by the applicant of a complete application and affidavit to issue the service authorization. If the Commission does not notify the applicant regarding the completeness of the application and affidavit or issue the service authorization within the time periods required under this subsection, the application and affidavit shall be considered complete and the service authorization issued upon the expiration of the 30th day.

(e) Any authorization issued by the Commission will expire on December 31, 2015 and shall contain or include all of the following:

(1) A grant of authority, including an authorization issued prior to this amendatory Act of the 98th General Assembly, to provide cable service or video service in the service area footprint as requested in the application, subject to the provisions of this Article in existence on the date the grant of authority was issued, and any modifications to this Article enacted at any time prior to the date in Section 21-1601 of this Act, and to the laws of the State and the ordinances, rules, and regulations of the local units of government.

(2) A grant of authority to use, occupy, and construct facilities in the public rights-of-way for the delivery of cable service or video service in the service area footprint, subject to the laws, ordinances, rules, or regulations of this State and local units of governments.

(3) A statement that the grant of authority is subject to lawful operation of the cable service or video service by the applicant, its affiliated entities, or its successors-in-interest.

(4) The Commission shall notify a local unit of government within 3 business days of the grant of any authorization within a service area footprint if that authorization includes any part of the local unit of government's jurisdictional boundaries and state whether the holder will be providing video service or cable service under the authorization.

(f) The authorization issued pursuant to this Section by the Commission may be transferred to any successor-in-interest to the applicant.

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to which it is initially granted without further Commission action if the successor-in-interest (i) submits an application and the information required by subsection (b) of this Section for the successor-in-interest and (ii) is not in violation of this Article or of any federal, State, or local law, ordinance, rule, or regulation. A successor-in-interest shall file its application and notice of transfer with the Commission and the relevant local units of government no less than 15 business days prior to the completion of the transfer. The Commission is not required or authorized to act upon the notice of transfer; however, the transfer is not effective until the Commission approves the successor-in-interest's application. A local unit of government or the Attorney General may seek to bar a transfer of ownership by filing suit in a court of competent jurisdiction predicated on the existence of a material and continuing breach of this Article by the holder, a pattern of noncompliance with customer service standards by the potential successor-in-interest, or the insolvency of the potential successor-in-interest. If a transfer is made when there are violations of this Article or of any federal, State, or local law, ordinance, rule, or regulation, the successor-in-interest shall be subject to 3 times the penalties provided for in this Article.

(g) The authorization issued pursuant to Section 21-401 of this Article by the Commission may be terminated, or its cable service or video service area footprint may be modified, by the cable service provider or video service provider by submitting notice to the Commission and to the relevant local unit of government containing a description of the change on the same terms as the initial description pursuant to item (4) of subsection (b) of this Section. The Commission is not required or authorized to act upon that notice. It shall be a violation of this Article for a holder to discriminate against potential residential subscribers because of the race or income of the residents in the local area in which the group resides by terminating or modifying its cable service or video service area footprint. It shall be a violation of this Article for a holder to terminate or modify its cable service or video service area footprint if it leaves an area with no cable service or video service from any provider.

(h) The Commission's authority to administer this Article is limited to the powers and duties explicitly provided under this Article. Its authority under this Article does not include or limit the powers and duties that the Commission has under the other Articles of this Act, the Illinois Administrative Procedure Act, or any other law or regulation to conduct proceedings, other than as provided in subsection (c), or has to promulgate rules or regulations. The Commission shall not have the authority to limit or
expand the obligations and requirements provided in this Section or to regulate or control a person or entity to the extent that person or entity is providing cable service or video service, except as provided in this Article. (Source: P.A. 98-45, eff. 6-28-13; revised 11-12-13.)

Section 370. The Illinois Gas Pipeline Safety Act is amended by changing Section 2 as follows:

(220 ILCS 20/2) (from Ch. 111 2/3, par. 552)
Sec. 2. As used in this Act, unless the context otherwise requires, the terms specified in the Sections following this Section and preceding Section 3 Sections 2.01 through 2.07 have the meanings ascribed to them in those Sections.
(Source: P.A. 76-1588; revised 11-14-13.)

Section 375. The Child Care Act of 1969 is amended by changing Section 2 as follows:

(225 ILCS 10/2) (from Ch. 23, par. 2212)
Sec. 2. Terms used in this Act, unless the context otherwise requires, have the meanings ascribed to them in the Sections following this Section and preceding Section 3 Sections 2.01 through 2.27.
(Source: P.A. 94-586, eff. 8-15-05; revised 11-14-13.)

Section 380. The Clinical Social Work and Social Work Practice Act is amended by changing Section 19 as follows:

(225 ILCS 20/19) (from Ch. 111, par. 6369)
(Section scheduled to be repealed on January 1, 2018)
Sec. 19. Grounds for disciplinary action.
(1) The Department may refuse to issue, refuse to renew, suspend, or revoke any license, or may place on probation, censure, reprimand, or take other disciplinary or non-disciplinary action deemed appropriate by the Department, including the imposition of fines not to exceed $10,000 for each violation, with regard to any license issued under the provisions of this Act for any one or a combination of the following reasons:

(a) material misstatements of fact in furnishing information to the Department or to any other State agency or in furnishing information to any insurance company with respect to a claim on behalf of a licensee or a patient;

(b) violations or negligent or intentional disregard of this Act, or any of the rules promulgated hereunder;

(c) conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor, of which an

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essential element is dishonesty, or any crime that is directly related to the practice of the clinical social work or social work professions;

(d) making any misrepresentation for the purpose of obtaining licenses, or violating any provision of this Act or any of the rules promulgated hereunder;

(e) professional incompetence;

(f) malpractice;

(g) aiding or assisting another person in violating any provision of this Act or any rules;

(h) failing to provide information within 30 days in response to a written request made by the Department;

(i) engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Board and published by the Department;

(j) habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a clinical social worker's or social worker's inability to practice with reasonable judgment, skill, or safety;

(k) discipline by another jurisdiction, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section;

(l) directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional service not actually rendered. Nothing in this paragraph (l) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (l) shall be construed to require an employment arrangement to receive professional fees for services rendered;

(m) a finding by the Board that the licensee, after having the license placed on probationary status, has violated the terms of probation;

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(n) abandonment, without cause, of a client;
(o) wilfully filing false reports relating to a licensee's practice, including but not limited to false records filed with Federal or State agencies or departments;
(p) wilfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;
(q) being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be or failed to take reasonable steps to prevent a child from being an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act;
(r) physical illness, mental illness, or any other impairment or disability, including, but not limited to, deterioration through the aging process, or loss of motor skills that results in the inability to practice the profession with reasonable judgment, skill or safety;
(s) solicitation of professional services by using false or misleading advertising; or
(t) violation of the Health Care Worker Self-Referral Act.

(2) (Blank).
(3) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, will result in an automatic suspension of his license. Such suspension will end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume professional practice.

(4) The Department may refuse to issue or renew or may suspend the license of a person who (i) fails to file a return, pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied or (ii) has failed to pay any court-ordered child support as determined by a court order or by referral from the Department of Healthcare and Family Services.

(5) In enforcing this Section, the Board upon a showing of a possible violation may compel a person licensed to practice under this Act, or who has

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applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians shall be those specifically designated by the Board. The Board or the Department may order the examining physician to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The person to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any person to submit to a mental or physical examination, when directed, shall be grounds for suspension of a license until the person submits to the examination if the Board finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Board finds a person unable to practice because of the reasons set forth in this Section, the Board may require that person to submit to care, counseling, or treatment by physicians approved or designated by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling or treatment, the Board may recommend to the Department to file a complaint to immediately suspend, revoke or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Board within 30 days after the suspension and completed without appreciable delay. The Board shall have the authority to review the subject person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 95-687, eff. 10-23-07; 96-1482, eff. 11-29-10; revised 11-14-
13.) Section 385. The Illinois Dental Practice Act is amended by changing Section 17 as follows:
(225 ILCS 25/17) (from Ch. 111, par. 2317)
(Section scheduled to be repealed on January 1, 2016)
Sec. 17. Acts Constituting the Practice of Dentistry. A person practices dentistry, within the meaning of this Act:
   (1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums or jaw; or
   (2) Who is a manager, proprietor, operator or conductor of a business where dental operations are performed; or
   (3) Who performs dental operations of any kind; or
   (4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or
   (5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or
   (6) Who offers or undertakes, by any means or method, to diagnose, treat or remove stains, calculus, and bonding materials from human teeth or jaws; or
   (7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or
   (8) Who takes impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth or associated tissues by means of a filling, crown, a bridge, a denture or other appliance; or
   (9) Who offers to furnish, supply, construct, reproduce or repair, or who furnishes, supplies, constructs, reproduces or repairs, prosthetic dentures, bridges or other substitutes for natural teeth, to the user or prospective user thereof; or
   (10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or
   (11) Who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose

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of assisting in the application of teeth whitening materials. A person does not practice dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a consumer purchasing these materials; (ii) provides instruction on the use of teeth whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

   (i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

   (ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or

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component parts thereof, alumni meetings of dental colleges, or any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental assistant, if such service is performed under the supervision and full responsibility of a dentist.

For purposes of this paragraph (g), "dental service" is defined to mean any intraoral procedure or act which shall be prescribed by rule or regulation of the Department. Dental service, however, shall not include:

(1) Any and all diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury or physical condition of the human teeth or jaws, or adjacent structures.

(2) Removal of, or restoration of, or addition to the hard or soft tissues of the oral cavity, except for the placing, carving, and finishing of amalgam restorations by dental assistants who have had additional formal education and certification as determined by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for placing, carving, and finishing of amalgam restorations.

(3) Any and all correction of malformation of teeth or of the jaws.

(4) Administration of anesthetics, except for monitoring of nitrous oxide, conscious sedation, deep sedation, and general anesthetic as provided in Section 8.1 of this Act, that may be performed only after successful completion of a training program approved by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for the monitoring of nitrous oxide.

(5) Removal of calculus from human teeth.

(6) Taking of impressions for the fabrication of prosthetic appliances, crowns, bridges, inlays, onlays, or other restorative or replacement dentistry.

(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal

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polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

The limitations on the number of dental assistants a dentist may supervise contained in items (2), (4), and (7) of this paragraph (g) Section mean a limit of 4 total dental assistants or dental hygienists doing expanded functions covered by these Sections being supervised by one dentist.

(h) The practice of dentistry by an individual who:

(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e) of Section 9 of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c) of Section 11 of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

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The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:
- (1) the decision of the Department that the applicant has failed the examination; or
- (2) denial of licensure by the Department; or
- (3) withdrawal of the application.

(Source: P.A. 97-526, eff. 1-1-12; 97-886, eff. 8-2-12; 97-1013, eff. 8-17-12; 98-147, eff. 1-1-14; 98-463, eff. 8-16-13; revised 11-14-13.)

Section 390. The Dietitian Nutritionist Practice Act is amended by changing Section 95 as follows:

(225 ILCS 30/95) (from Ch. 111, par. 8401-95)

Sec. 95. Grounds for discipline.

(1) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any license or certificate for any one or combination of the following causes:

- (a) Material misstatement in furnishing information to the Department.
- (b) Violations of this Act or of rules adopted under this Act.
- (c) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.
- (d) Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.
- (e) Professional incompetence or gross negligence.
- (f) Malpractice.
- (g) Aiding or assisting another person in violating any provision of this Act or its rules.
- (h) Failing to provide information within 60 days in response

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to a written request made by the Department.

(i) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(j) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety.

(k) Discipline by another state, the District of Columbia, territory, country, or governmental agency if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(l) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered. Nothing in this paragraph (l) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (l) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(m) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(n) Willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments.

(o) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(p) Practicing under a false or, except as provided by law, an assumed name.

(q) Gross and willful overcharging for professional services.

(r) (Blank).

(s) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(t) Cheating on or attempting to subvert a licensing examination administered under this Act.

New matter indicated by italics - deletions by strikeout
(u) Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety.

(v) Physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill that results in a licensee's inability to practice under this Act with reasonable judgment, skill, or safety.

(w) Advising an individual to discontinue, reduce, increase, or otherwise alter the intake of a drug prescribed by a physician licensed to practice medicine in all its branches or by a prescriber as defined in Section 102 of the Illinois Controlled Substance Act.

(2) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, or pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(3) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(4) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(5) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

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(6) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, then the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section

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shall be afforded an opportunity to demonstrate to the Department that he or
she can resume practice in compliance with acceptable and prevailing
standards under the provisions of his or her license.
(Source: P.A. 97-1141, eff. 12-28-12; 98-148, eff. 8-2-13; revised 11-14-13.)

Section 395. The Funeral Directors and Embalmers Licensing Code
is amended by changing Sections 5-5, 10-5, and 15-75 as follows:

(225 ILCS 41/5-5)

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

Sec. 5-5. License requirement. It is unlawful for any person to
practice, or to attempt to practice, funeral directing without a license as a
funeral director issued by the Department.

No person shall practice funeral directing unless he or she is they are
employed by or contracted with a fixed place of practice or establishment
devoted to the care and preparation for burial or for the transportation of
deceased human bodies.

No person shall practice funeral directing independently at the fixed
place of practice or establishment of another licensee unless that person's
name is published and displayed at all times in connection therewith.
(Source: P.A. 97-1130, eff. 8-28-12; revised 11-14-13.)

(225 ILCS 41/10-5)

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

Sec. 10-5. License requirement. It is unlawful for any person to
practice or attempt to practice funeral directing and embalming without being
licensed by the Department.

No person shall practice funeral directing and embalming unless he
or she is they are employed by or contracted with a fixed place of practice or
establishment devoted to the care and preparation for burial or for the
transportation of deceased human bodies.

No person shall practice funeral directing and embalming independently at the fixed
place of practice or establishment of another licensee unless his or her name shall be published and displayed at all times
in connection therewith.

No licensed intern shall independently practice funeral directing and
embalming; however, a licensed funeral director and embalmer intern may
under the immediate personal supervision of a licensed funeral director and
embalmer assist a licensed funeral director and embalmer in the practice of
funeral directing and embalming.

No person shall practice as a funeral director and embalmer intern
unless he or she possesses a valid license in good standing to do so in the

New matter indicated by italics - deletions by strikeout
Sec. 15-75. Violations; grounds for discipline; penalties.

(a) Each of the following acts is a Class A misdemeanor for the first offense, and a Class 4 felony for each subsequent offense. These penalties shall also apply to unlicensed owners of funeral homes.

1. Practicing the profession of funeral directing and embalming or funeral directing, or attempting to practice the profession of funeral directing and embalming or funeral directing without a license as a funeral director and embalmer or funeral director.

2. Serving or attempting to serve as an intern under a licensed funeral director and embalmer without a license as a licensed funeral director and embalmer intern.

3. Obtaining or attempting to obtain a license, practice or business, or any other thing of value, by fraud or misrepresentation.

4. Permitting any person in one's employ, under one's control or in or under one's service to serve as a funeral director and embalmer, funeral director, or funeral director and embalmer intern when the person does not have the appropriate license.

5. Failing to display a license as required by this Code.

6. Giving false information or making a false oath or affidavit required by this Code.

(b) The Department may refuse to issue or renew, revoke, suspend, place on probation or administrative supervision, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any license under the Code for any one or combination of the following:

1. Fraud or any misrepresentation in applying for or procuring a license under this Code or in connection with applying for renewal of a license under this Code.

2. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony or
(ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(3) Violation of the laws of this State relating to the funeral, burial or disposition of deceased human bodies or of the rules and regulations of the Department, or the Department of Public Health.

(4) Directly or indirectly paying or causing to be paid any sum of money or other valuable consideration for the securing of business or for obtaining authority to dispose of any deceased human body.

(5) Professional incompetence, gross negligence, malpractice, or untrustworthiness in the practice of funeral directing and embalming or funeral directing.

(6) (Blank).

(7) Engaging in, promoting, selling, or issuing burial contracts, burial certificates, or burial insurance policies in connection with the profession as a funeral director and embalmer, funeral director, or funeral director and embalmer intern in violation of any laws of the State of Illinois.

(8) Refusing, without cause, to surrender the custody of a deceased human body upon the proper request of the person or persons lawfully entitled to the custody of the body.

(9) Taking undue advantage of a client or clients as to amount to the perpetration of fraud.

(10) Engaging in funeral directing and embalming or funeral directing without a license.

(11) Encouraging, requesting, or suggesting by a licensee or some person working on his behalf and with his consent for compensation that a person utilize the services of a certain funeral director and embalmer, funeral director, or funeral establishment unless that information has been expressly requested by the person. This does not prohibit general advertising or pre-need solicitation.

(12) Making or causing to be made any false or misleading statements about the laws concerning the disposition of human remains, including, but not limited to, the need to embalm, the need for a casket for cremation or the need for an outer burial container.

(13) (Blank).

(14) Embalming or attempting to embalm a deceased human body without express prior authorization of the person responsible for making the funeral arrangements for the body. This does not apply to cases where embalming is directed by local authorities who have
jurisdiction or when embalming is required by State or local law. A licensee may embalm without express prior authorization if a good faith effort has been made to contact family members and has been unsuccessful and the licensee has no reason to believe the family opposes embalming.

(15) Making a false statement on a Certificate of Death where the person making the statement knew or should have known that the statement was false.

(16) Soliciting human bodies after death or while death is imminent.

(17) Performing any act or practice that is a violation of this Code, the rules for the administration of this Code, or any federal, State or local laws, rules, or regulations governing the practice of funeral directing or embalming.

(18) Performing any act or practice that is a violation of Section 2 of the Consumer Fraud and Deceptive Business Practices Act.

(19) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud or harm the public.

(20) Taking possession of a dead human body without having first obtained express permission from the person holding the right to control the disposition in accordance with Section 5 of the Disposition of Remains Act or a public agency legally authorized to direct, control or permit the removal of deceased human bodies.

(21) Advertising in a false or misleading manner or advertising using the name of an unlicensed person in connection with any service being rendered in the practice of funeral directing or funeral directing and embalming. The use of any name of an unlicensed or unregistered person in an advertisement so as to imply that the person will perform services is considered misleading advertising. Nothing in this paragraph shall prevent including the name of any owner, officer or corporate director of a funeral home, who is not a licensee, in any advertisement used by a funeral home with which the individual is affiliated, if the advertisement specifies the individual's affiliation with the funeral home.

(22) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

(23) Failing to account for or remit any monies, documents,
or personal property that belongs to others that comes into a licensee's possession.

(24) Treating any person differently to his detriment because of race, color, creed, gender, religion, or national origin.

(25) Knowingly making any false statements, oral or otherwise, of a character likely to influence, persuade or induce others in the course of performing professional services or activities.

(26) Willfully making or filing false records or reports in the practice of funeral directing and embalming, including, but not limited to, false records filed with State agencies or departments.

(27) Failing to acquire continuing education required under this Code.

(28) (Blank).

(29) Aiding or assisting another person in violating any provision of this Code or rules adopted pursuant to this Code.

(30) Failing within 10 days, to provide information in response to a written request made by the Department.

(31) Discipline by another state, District of Columbia, territory, foreign nation, or governmental agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(32) (Blank).

(33) Mental illness or disability which results in the inability to practice the profession with reasonable judgment, skill, or safety.

(34) Gross, willful, or continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered.

(35) Physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill which results in a licensee's inability to practice under this Code with reasonable judgment, skill, or safety.

(36) Failing to comply with any of the following required activities:

   (A) When reasonably possible, a funeral director licensee or funeral director and embalmer licensee or anyone acting on his or her behalf shall obtain the express authorization of the person or persons responsible for making the funeral arrangements for a deceased human body prior to removing a body from the place of death or any place it may

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be or embalming or attempting to embalm a deceased human body, unless required by State or local law. This requirement is waived whenever removal or embalming is directed by local authorities who have jurisdiction. If the responsibility for the handling of the remains lawfully falls under the jurisdiction of a public agency, then the regulations of the public agency shall prevail.

(B) A licensee shall clearly mark the price of any casket offered for sale or the price of any service using the casket on or in the casket if the casket is displayed at the funeral establishment. If the casket is displayed at any other location, regardless of whether the licensee is in control of that location, the casket shall be clearly marked and the registrant shall use books, catalogues, brochures, or other printed display aids to show the price of each casket or service.

(C) At the time funeral arrangements are made and prior to rendering the funeral services, a licensee shall furnish a written statement of services to be retained by the person or persons making the funeral arrangements, signed by both parties, that shall contain: (i) the name, address and telephone number of the funeral establishment and the date on which the arrangements were made; (ii) the price of the service selected and the services and merchandise included for that price; (iii) a clear disclosure that the person or persons making the arrangement may decline and receive credit for any service or merchandise not desired and not required by law or the funeral director or the funeral director and embalmer; (iv) the supplemental items of service and merchandise requested and the price of each item; (v) the terms or method of payment agreed upon; and (vi) a statement as to any monetary advances made by the registrant on behalf of the family. The licensee shall maintain a copy of the written statement of services in its permanent records. All written statements of services are subject to inspection by the Department.

(D) In all instances where the place of final disposition of a deceased human body or the cremated remains of a deceased human body is a cemetery, the licensed funeral director and embalmer, or licensed funeral director, who has
been engaged to provide funeral or embalming services shall remain at the cemetery and personally witness the placement of the human remains in their designated grave or the sealing of the above ground depository, crypt, or urn. The licensed funeral director or licensed funeral director and embalmer may designate a licensed funeral director and embalmer intern or representative of the funeral home to be his or her witness to the placement of the remains. If the cemetery authority, cemetery manager, or any other agent of the cemetery takes any action that prevents compliance with this paragraph (D), then the funeral director and embalmer or funeral director shall provide written notice to the Department within 5 business days after failing to comply. If the Department receives this notice, then the Department shall not take any disciplinary action against the funeral director and embalmer or funeral director for a violation of this paragraph (D) unless the Department finds that the cemetery authority, manager, or any other agent of the cemetery did not prevent the funeral director and embalmer or funeral director from complying with this paragraph (D) as claimed in the written notice.

(E) A funeral director or funeral director and embalmer shall fully complete the portion of the Certificate of Death under the responsibility of the funeral director or funeral director and embalmer and provide all required information. In the event that any reported information subsequently changes or proves incorrect, a funeral director or funeral director and embalmer shall immediately upon learning the correct information correct the Certificate of Death.

(37) A finding by the Department that the license, after having his or her license placed on probationary status or subjected to conditions or restrictions, violated the terms of the probation or failed to comply with such terms or conditions.

(38) (Blank).

(39) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act and, upon proof by clear and convincing evidence, being found to have caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.
Neglected Child Reporting Act.

(40) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance which results in the inability to practice with reasonable judgment, skill, or safety.

(41) Practicing under a false or, except as provided by law, an assumed name.

(42) Cheating on or attempting to subvert the licensing examination administered under this Code.

(c) The Department may refuse to issue or renew or may suspend without a hearing, as provided for in the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, the license of any person who fails to file a return, to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest as required by any tax Act administered by the Illinois Department of Revenue, until the time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(d) No action may be taken under this Code against a person licensed under this Code unless the action is commenced within 5 years after the occurrence of the alleged violations. A continuing violation shall be deemed to have occurred on the date when the circumstances last existed that give rise to the alleged violation.

(e) Nothing in this Section shall be construed or enforced to give a funeral director and embalmer, or his or her designees, authority over the operation of a cemetery or over cemetery employees. Nothing in this Section shall be construed or enforced to impose duties or penalties on cemeteries with respect to the timing of the placement of human remains in their designated grave or the sealing of the above ground depository, crypt, or urn due to patron safety, the allocation of cemetery staffing, liability insurance, a collective bargaining agreement, or other such reasons.

(f) All fines imposed under this Section shall be paid 60 days after the effective date of the order imposing the fine.

(g) The Department shall deny a license or renewal authorized by this Code to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

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(h) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(i) A person not licensed under this Code who is an owner of a funeral establishment or funeral business shall not aid, abet, assist, procure, advise, employ, or contract with any unlicensed person to offer funeral services or aid, abet, assist, or direct any licensed person contrary to or in violation of any rules or provisions of this Code. A person violating this subsection shall be treated as a licensee for the purposes of disciplinary action under this Section and shall be subject to cease and desist orders as provided in this Code, the imposition of a fine up to $10,000 for each violation and any other penalty provided by law.

(j) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as amended, operates as an automatic suspension. The suspension may end only upon a finding by a court that the licensee is no longer subject to the involuntary admission or judicial admission and issues an order so finding and discharging the licensee, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(k) In enforcing this Code, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Code, or who has applied for licensure under this Code, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physician shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be

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performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Code or who has applied for a license under this Code who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Code and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-863, eff. 3-1-10; 96-1463, eff. 1-1-11; 97-1130, eff. 8-28-12; revised 11-14-13.)

Section 400. The Health Care Worker Background Check Act is amended by changing Section 70 as follows:

(225 ILCS 46/70)

Sec. 70. Centers for Medicare and Medicaid Services (CMMS) grant. (a) In this Section:

"Centers for Medicare and Medicaid Services (CMMS) grant" means the grant awarded to and distributed by the Department of Public Health to

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enhance the conduct of criminal history records checks of certain health care employees. The CMMS grant is authorized by Section 307 of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003, which establishes the framework for a program to evaluate national and state background checks on prospective employees with direct access to patients of long-term care facilities or providers.

"Selected health care employer" means any of the following selected to participate in the CMMS grant:

(1) a community living facility as defined in the Community Living Facility Act;
(2) a long-term care facility as defined in the Nursing Home Care Act;
(3) a home health agency as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act;
(4) a full hospice as defined in the Hospice Licensing Act;
(5) an establishment licensed under the Assisted Living and Shared Housing Act;
(6) a supportive living facility as defined in the Illinois Public Aid Code;
(7) a day training program certified by the Department of Human Services;
(8) a community integrated living arrangement operated by a community mental health and developmental service agency as defined in the Community-Integrated Community Integrated Living Arrangements Licensing and Certification Act; or
(9) a long-term care hospital or hospital with swing beds.

(b) Selected health care employers shall be phased in to participate in the CMMS grant between January 1, 2006 and January 1, 2007, as prescribed by the Department of Public Health by rule.

(c) With regards to individuals hired on or after January 1, 2006 who have direct access to residents, patients, or clients of the selected health care employer, selected health care employers must comply with Section 25 of this Act.

"Individuals who have direct access" includes, but is not limited to, (i) direct care workers as described in subsection (a) of Section 25; (ii) individuals licensed by the Department of Financial and Professional Regulation, such as nurses, social workers, physical therapists, occupational therapists, and pharmacists; (iii) individuals who provide services on site, through contract; and (iv) non-direct care workers, such as those who work

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in environmental services, food service, and administration.

"Individuals who have direct access" does not include physicians or volunteers.

The Department of Public Health may further define "individuals who have direct access" by rule.

(d) Each applicant seeking employment in a position described in subsection (c) of this Section with a selected health care employer shall, as a condition of employment, have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information by the Department of State Police and the Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history records check. The Department of State Police shall charge a fee for conducting the criminal history records check, which shall not exceed the actual cost of the records check and shall be deposited into the State Police Services Fund. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department of Public Health.

(e) A selected health care employer who makes a conditional offer of employment to an applicant shall:

(1) ensure that the applicant has complied with the fingerprinting requirements of this Section;
(2) complete documentation relating to any criminal history record, as revealed by the applicant, as prescribed by rule by the Department of Public Health;
(3) complete documentation of the applicant's personal identifiers as prescribed by rule by the Department of Public Health; and
(4) provide supervision, as prescribed by rule by the licensing agency, if the applicant is hired and allowed to work prior to the results of the criminal history records check being obtained.

(f) A selected health care employer having actual knowledge from a source that an individual with direct access to a resident, patient, or client has been convicted of committing or attempting to commit one of the offenses enumerated in Section 25 of this Act shall contact the licensing agency or follow other instructions as prescribed by administrative rule.

(g) A fingerprint-based criminal history records check submitted in accordance with subsection (d) of this Section must be submitted as a fee
applicant inquiry in the form and manner prescribed by the Department of State Police.

(h) This Section shall be inapplicable upon the conclusion of the CMMS grant.
(Source: P.A. 94-665, eff. 1-1-06; 94-931, eff. 6-26-06; 95-331, eff. 8-21-07; revised 11-14-13.)

Section 405. The Hearing Instrument Consumer Protection Act is amended by changing Section 31 as follows:

(225 ILCS 50/31) (from Ch. 111, par. 7431)
(Section scheduled to be repealed on January 1, 2016)
Sec. 31. The provisions of "The Illinois Administrative Procedure Act", approved September 22, 1975, as amended, shall apply to this Act. All final administrative decisions of the Department are subject to judicial review pursuant to the provisions of Article III of the "Code of Civil Procedure", approved August 19, 1981, as amended. Any circuit court, upon the application of the licensee or the Department, may order the attendance of witnesses and the production of relevant records in any Departmental hearing relative to the application for or refusal, recall, suspension or revocation of a license.
(Source: P.A. 86-800; revised 11-14-13.)

Section 410. The Massage Licensing Act is amended by changing Section 45 as follows:

(225 ILCS 57/45) (Section scheduled to be repealed on January 1, 2022)
Sec. 45. Grounds for discipline.
(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action, as the Department considers appropriate, including the imposition of fines not to exceed $10,000 for each violation, with regard to any license or licensee for any one or more of the following:

(1) violations of this Act or of the rules adopted under this Act;

(2) conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony; or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession;

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(3) professional incompetence;
(4) advertising in a false, deceptive, or misleading manner;
(5) aiding, abetting, assisting, procuring, advising, employing, or contracting with any unlicensed person to practice massage contrary to any rules or provisions of this Act;
(6) engaging in immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice;
(7) engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
(8) practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform;
(9) knowingly delegating professional responsibilities to a person unqualified by training, experience, or licensure to perform;
(10) failing to provide information in response to a written request made by the Department within 60 days;
(11) having a habitual or excessive use of or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in the inability to practice with reasonable judgment, skill, or safety;
(12) having a pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act;
(13) discipline by another state, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section;
(14) a finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation;
(15) willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments;
(16) making a material misstatement in furnishing information to the Department or otherwise making misleading, deceptive, untrue, or fraudulent representations in violation of this Act or otherwise in the practice of the profession;
(17) fraud or misrepresentation in applying for or procuring

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a license under this Act or in connection with applying for renewal of a license under this Act;

(18) inability to practice the profession with reasonable judgment, skill, or safety as a result of physical illness, including, but not limited to, deterioration through the aging process, loss of motor skill, or a mental illness or disability;

(19) charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered;

(20) practicing under a false or, except as provided by law, an assumed name; or

(21) cheating on or attempting to subvert the licensing examination administered under this Act.

All fines shall be paid within 60 days of the effective date of the order imposing the fine.

(b) A person not licensed under this Act and engaged in the business of offering massage therapy services through others, shall not aid, abet, assist, procure, advise, employ, or contract with any unlicensed person to practice massage therapy contrary to any rules or provisions of this Act. A person violating this subsection (b) shall be treated as a licensee for the purposes of disciplinary action under this Section and shall be subject to cease and desist orders as provided in Section 90 of this Act.

(c) The Department shall revoke any license issued under this Act of any person who is convicted of prostitution, rape, sexual misconduct, or any crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act and any such conviction shall operate as a permanent bar in the State of Illinois to practice as a massage therapist.

(d) The Department may refuse to issue or may suspend the license of any person who fails to file a tax return, to pay the tax, penalty, or interest shown in a filed tax return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.
(f) In cases where the Department of Healthcare and Family Services has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(g) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of a court order so finding and discharging the patient.

(h) In enforcing this Act, the Department or Board, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling,
or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 97-514, eff. 8-23-11; revised 11-14-13.)

Section 415. The Nurse Practice Act is amended by changing Section 65-35 as follows:

(225 ILCS 65/65-35) (was 225 ILCS 65/15-15)
(Section scheduled to be repealed on January 1, 2018)
Sec. 65-35. Written collaborative agreements.
(a) A written collaborative agreement is required for all advanced practice nurses engaged in clinical practice, except for advanced practice nurses who are authorized to practice in a hospital or ambulatory surgical treatment center.

(a-5) If an advanced practice nurse engages in clinical practice outside of a hospital or ambulatory surgical treatment center in which he or she is authorized to practice, the advanced practice nurse must have a written collaborative agreement.

(b) A written collaborative agreement shall describe the working relationship of the advanced practice nurse with the collaborating physician or podiatric physician and shall authorize the categories of care, treatment, or procedures to be performed by the advanced practice nurse. A collaborative agreement with a dentist must be in accordance with subsection (c-10) of this

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Section. Collaboration does not require an employment relationship between the collaborating physician and advanced practice nurse. Collaboration means the relationship under which an advanced practice nurse works with a collaborating physician or podiatric physician in an active clinical practice to deliver health care services in accordance with (i) the advanced practice nurse's training, education, and experience and (ii) collaboration and consultation as documented in a jointly developed written collaborative agreement.

The agreement shall promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience. The services to be provided by the advanced practice nurse shall be services that the collaborating physician or podiatric physician is authorized to and generally provides or may provide in his or her clinical medical or podiatric practice, except as set forth in subsection (b-5) or (c-5) of this Section. The agreement need not describe the exact steps that an advanced practice nurse must take with respect to each specific condition, disease, or symptom but must specify which authorized procedures require the presence of the collaborating physician or podiatric physician as the procedures are being performed. The collaborative relationship under an agreement shall not be construed to require the personal presence of a physician or podiatric physician at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician or podiatric physician in person or by telecommunications in accordance with established written guidelines as set forth in the written agreement.

(b-5) Absent an employment relationship, a written collaborative agreement may not (1) restrict the categories of patients of an advanced practice nurse within the scope of the advanced practice nurses training and experience, (2) limit third party payors or government health programs, such as the medical assistance program or Medicare with which the advanced practice nurse contracts, or (3) limit the geographic area or practice location of the advanced practice nurse in this State.

(c) Collaboration and consultation under all collaboration agreements shall be adequate if a collaborating physician or podiatric physician does each of the following:

(1) Participates in the joint formulation and joint approval of orders or guidelines with the advanced practice nurse and he or she periodically reviews such orders and the services provided patients under such orders in accordance with accepted standards of medical

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practice or podiatric practice and advanced practice nursing practice.

(2) Provides collaboration and consultation with the advanced practice nurse at least once a month. In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, a physician, a dentist, or a podiatric physician must participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.

(3) Is available through telecommunications for consultation on medical problems, complications, or emergencies or patient referral. In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, a physician, a dentist, or a podiatric physician must participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.

The agreement must contain provisions detailing notice for termination or change of status involving a written collaborative agreement, except when such notice is given for just cause.

(c-5) A certified registered nurse anesthetist, who provides anesthesia services outside of a hospital or ambulatory surgical treatment center shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the podiatric physician performing the procedure. Outside of a hospital or ambulatory surgical treatment center, the certified registered nurse anesthetist may provide only those services that the collaborating podiatric physician is authorized to provide pursuant to the Podiatric Medical Practice Act of 1987 and rules adopted thereunder. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or the operating physician or operating podiatric physician.

(c-10) A certified registered nurse anesthetist who provides anesthesia services in a dental office shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the operating dentist performing the procedure. The agreement shall describe the working relationship of the certified registered nurse

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anesthetist and dentist and shall authorize the categories of care, treatment, or procedures to be performed by the certified registered nurse anesthetist. In a collaborating dentist's office, the certified registered nurse anesthetist may only provide those services that the operating dentist with the appropriate permit is authorized to provide pursuant to the Illinois Dental Practice Act and rules adopted thereunder. For anesthesia services, an anesthesiologist, physician, or operating dentist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the operating dentist.

(d) A copy of the signed, written collaborative agreement must be available to the Department upon request from both the advanced practice nurse and the collaborating physician or podiatric physician.

(e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons in accordance with Section 54.2 of the Medical Practice Act of 1987. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.

(f) An advanced practice nurse shall inform each collaborating physician, dentist, or podiatric physician of all collaborative agreements he or she has signed and provide a copy of these to any collaborating physician, dentist, or podiatric physician upon request.

(g) For the purposes of this Act, "generally provides or may provide in his or her clinical medical practice" means categories of care or treatment, not specific tasks or duties, the physician podiatric physician provides individually or through delegation to other persons so that the physician podiatric physician has the experience and ability to provide collaboration and consultation. This definition shall not be construed to prohibit an advanced practice nurse from providing primary health treatment or care within the scope of his or her training and experience, including, but not limited to, health screenings, patient histories, physical examinations, women's health examinations, or school physicals that may be provided as part of the routine practice of an advanced practice nurse or on a volunteer

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basis.

For the purposes of this Act, "generally provides or may provide in to his or her patients in the normal course of his or her clinical podiatric practice" means services, not specific tasks or duties, that the podiatric physician podiatrist routinely provides individually or through delegation to other persons so that the podiatric physician podiatrist has the experience and ability to provide collaboration and consultation.

(Source: P.A. 97-358, eff. 8-12-11; 98-192, eff. 1-1-14; 98-214, eff. 8-9-13; revised 9-24-13.)

Section 420. The Illinois Occupational Therapy Practice Act is amended by changing Sections 3, 3.1, 15, 19, and 21 as follows:

(225 ILCS 75/3) (from Ch. 111, par. 3703)

(Sec. 3. Licensure requirement; exempt activities. After the effective date of this Act, no person shall practice occupational therapy or hold himself out as an occupational therapist or an occupational therapy assistant, or as being able to practice occupational therapy or to render services designated as occupational therapy in this State, unless he is licensed in accordance with the provisions of this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed in this State by any other law from engaging in the profession or occupation for which he is licensed; or

(2) Any person employed as an occupational therapist or occupational therapy assistant by the Government of the United States, if such person provides occupational therapy solely under the direction or control of the organization by which he or she is employed; or

(3) Any person pursuing a course of study leading to a degree or certificate in occupational therapy at an accredited or approved educational program if such activities and services constitute a part of a supervised course of study, and if such person is designated by a title which clearly indicates his or her status as a student or trainee; or

(4) Any person fulfilling the supervised work experience requirements of Sections 8 and 9 of this Act, if such activities and services constitute a part of the experience necessary to meet the requirement of those Sections; or

(5) Any person performing occupational therapy services in

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the State, if such a person is not a resident of this State and is not licensed under this Act, and if such services are performed for no more than 60 days a calendar year in association with an occupational therapist licensed under this Act and if such person meets the qualifications for license under this Act and:

(i) such person is licensed under the law of another state which has licensure requirements at least as restrictive as the requirements of this Act, or

(ii) such person meets the requirements for certification as an Occupational Therapist Registered (O.T.R.) or a Certified Occupational Therapy Assistant (C.O.T.A.) established by the National Board for Certification of Occupational Therapy or another nationally recognized credentialing body approved by the Board; or

(6) The practice of occupational therapy by one who has applied in writing to the Department for a license, in form and substance satisfactory to the Department, and has complied with all the provisions of either Section 8 or 9 except the passing of the examination to be eligible to receive such license. In no event shall this exemption extend to any person for longer than 6 months, except as follows:

(i) if the date on which a person can take the next available examination authorized by the Department extends beyond 6 months from the date the person completes the occupational therapy program as required under Section 8 or 9, the Department shall extend the exemption until the results of that examination become available to the Department; or

(ii) if the Department is unable to complete its evaluation and processing of a person's application for a license within 6 months after the date on which the application is submitted to the Department in proper form, the Department shall extend the exemption until the Department has completed its evaluation and processing of the application.

In the event such applicant fails the examination, the applicant shall cease work immediately until such time as the applicant is licensed to practice occupational therapy in this State; or

(7) The practice of occupational therapy by one who has applied to the Department, in form and substance satisfactory to the

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Department, and who is licensed to practice occupational therapy under the laws of another state, territory of the United States or country and who is qualified to receive a license under the provisions of either Section 8 or 9 of this Act. In no event shall this exemption extend to any person for longer than 6 months; or:

(8) (Blank).

(Source: P.A. 98-264, eff. 12-31-13; revised 11-14-13.)

(225 ILCS 75/3.1)

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

Sec. 3.1. Referrals.

(a) A licensed occupational therapist or licensed occupational therapy assistant may consult with, educate, evaluate, and monitor services for individuals, groups, and populations concerning occupational therapy needs. Except as indicated in subsections (b) and (c) of this Section, implementation of direct occupational therapy treatment to individuals for their specific health care conditions shall be based upon a referral from a licensed physician, dentist, podiatric physician, or advanced practice nurse who has a written collaborative agreement with a collaborating physician to provide or accept referrals from licensed occupational therapists, physician assistant who has been delegated authority to provide or accept referrals from or to licensed occupational therapists, or optometrist.

(b) A referral is not required for the purpose of providing consultation, habilitation, screening, education, wellness, prevention, environmental assessments, and work-related ergonomic services to individuals, groups, or populations.

(c) Referral from a physician or other health care provider is not required for evaluation or intervention for children and youths if an occupational therapist or occupational therapy assistant provides services in a school-based or educational environment, including the child's home.

(d) An occupational therapist shall refer to a licensed physician, dentist, optometrist, advanced practice nurse, physician assistant, or podiatric physician any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the occupational therapist.

(Source: P.A. 98-214, eff. 8-9-13; 98-264, eff. 12-31-13; revised 9-9-13.)

(225 ILCS 75/15) (from Ch. 111, par. 3715)

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

Sec. 15. Any person who is issued a license as an occupational therapist registered under the terms of this Act may use the words

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"occupational therapist" or "licensed occupational therapist", or may use the letters "O.T.", "OT/L", or "OTR/L", in connection with his or her name or place of business to denote his or her licensure under this Act.

Any person who is issued a license as an occupational therapy assistant under the terms of this Act may use the words, "occupational therapy assistant" or "licensed occupational therapy assistant", or he or she may use the letters "O.T.A.", "OTA/L", or "COTA/L" in connection with his or her name or place of business to denote his or her licensure under this Act.

(Source: P.A. 98-264, eff. 12-31-13; revised 11-12-13.)

(225 ILCS 75/19) (from Ch. 111, par. 3719)

(Sec. 19. Grounds for discipline.

(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, including imposing fines not to exceed $10,000 for each violation and the assessment of costs as provided under Section 19.3 of this Act, with regard to any license for any one or combination of the following:

(1) Material misstatement in furnishing information to the Department;

(2) Violations of this Act, or of the rules promulgated thereunder;

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession;

(4) Fraud or any misrepresentation in applying for or procuring a license under this Act, or in connection with applying for renewal of a license under this Act;

(5) Professional incompetence;

(6) Aiding or assisting another person, firm, partnership or corporation in violating any provision of this Act or rules;

(7) Failing, within 60 days, to provide information in response to a written request made by the Department;

(8) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public;

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(9) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety;

(10) Discipline by another state, unit of government, government agency, the District of Columbia, a territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (11) shall be construed to require an employment arrangement to receive professional fees for services rendered;

(12) A finding by the Department that the license holder, after having his license disciplined, has violated the terms of the discipline;

(13) Wilfully making or filing false records or reports in the practice of occupational therapy, including but not limited to false records filed with the State agencies or departments;

(14) Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice under this Act with reasonable judgment, skill, or safety;

(15) Solicitation of professional services other than by permitted advertising;

(16) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act;

(17) Practicing under a false or, except as provided by law, assumed name;

(18) Professional incompetence or gross negligence;

(19) Malpractice;

(20) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in any manner to exploit the client for

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financial gain of the licensee;
   (21) Gross, willful, or continued overcharging for professional services;
   (22) Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety;
   (23) Violating the Health Care Worker Self-Referral Act;
   (24) Having treated patients other than by the practice of occupational therapy as defined in this Act, or having treated patients as a licensed occupational therapist independent of a referral from a physician, advanced practice nurse or physician assistant in accordance with Section 3.1, dentist, podiatric physician, or optometrist, or having failed to notify the physician, advanced practice nurse, physician assistant, dentist, podiatric physician, or optometrist who established a diagnosis that the patient is receiving occupational therapy pursuant to that diagnosis;
   (25) Cheating on or attempting to subvert the licensing examination administered under this Act; and
   (26) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(b) The determination by a circuit court that a license holder is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as now or hereafter amended, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and an order by the court so finding and discharging the patient. In any case where a license is suspended under this provision, the licensee shall file a petition for restoration and shall include evidence acceptable to the Department that the licensee can resume practice in compliance with acceptable and prevailing standards of their profession.

(c) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in

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accordance with subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(d) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual who is licensed under this Act or any individual who has applied for licensure to submit to a mental or physical examination or evaluation, or both, which may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice.
present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination or evaluation, or both, when directed, shall result in an automatic suspension without hearing, until such time as the individual submits to the examination. If the Department finds a licensee unable to practice because of the reasons set forth in this Section, the Department shall require the licensee to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition for continued, reinstated, or renewed licensure.

When the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the licensee's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals licensed under this Act that are affected under this Section, shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 98-214, eff. 8-9-13; 98-264, eff. 12-31-13; revised 9-24-13.)

(225 ILCS 75/21) (from Ch. 111, par. 3737)

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

Sec. 21. Home rule. The regulation and licensing as an occupational

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therapist are exclusive powers and functions of the State. A home rule unit may not regulate or license an occupational therapist or the practice of occupational therapy. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 98-264, eff. 12-31-13; revised 11-12-13.)

Section 425. The Orthotics, Prosthetics, and Pedorthics Practice Act is amended by changing Section 90 as follows:

(225 ILCS 84/90)

(Section scheduled to be repealed on January 1, 2020)

Sec. 90. Grounds for discipline.

(a) The Department may refuse to issue or renew a license, or may revoke or suspend a license, or may suspend, place on probation, or reprimand a licensee or take other disciplinary or non-disciplinary action as the Department may deem proper, including, but not limited to, the imposition of fines not to exceed $10,000 for each violation for one or any combination of the following:

(1) Making a material misstatement in furnishing information to the Department or the Board.
(2) Violations of or negligent or intentional disregard of this Act or its rules.
(3) Conviction of, or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice of the profession.
(4) Making a misrepresentation for the purpose of obtaining a license.
(5) A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.
(6) Gross negligence under this Act.
(7) Aiding or assisting another person in violating a provision of this Act or its rules.
(8) Failing to provide information within 60 days in response to a written request made by the Department.
(9) Engaging in dishonorable, unethical, or unprofessional conduct or conduct of a character likely to deceive, defraud, or harm the public.
(10) Inability to practice with reasonable judgment, skill, or
safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

(11) Discipline by another state or territory of the United States, the federal government, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to one set forth in this Section.

(12) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) A finding by the Board that the licensee or registrant, after having his or her license placed on probationary status, has violated the terms of probation.

(14) Abandonment of a patient or client.

(15) Willfully making or filing false records or reports in his or her practice including, but not limited to, false records filed with State agencies or departments.

(16) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(17) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(18) Solicitation of professional services using false or misleading advertising.

(b) In enforcing this Section, the Department or Board upon a showing of a possible violation, may compel a licensee or applicant to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the

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examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall be grounds for the immediate suspension of his or her license until the individual submits to the examination if the Department finds that the refusal to submit to the examination was without reasonable cause as defined by rule.

In instances in which the Secretary immediately suspends a person's license for his or her failure to submit to a mental or physical examination, when directed, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

In instances in which the Secretary otherwise suspends a person's license pursuant to the results of a compelled mental or physical examination, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with subsection (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(d) In cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to

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the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with subsection (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(e) The Department may refuse to issue or renew a license, or may revoke or suspend a license, for failure to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(Source: P.A. 96-682, eff. 8-25-09; 96-1482, eff. 11-29-10; revised 11-14-13.)

Section 430. The Pharmacy Practice Act is amended by changing Section 3 as follows:

(225 ILCS 85/3)

(Section scheduled to be repealed on January 1, 2018)

Sec. 3. Definitions. For the purpose of this Act, except where otherwise limited therein:

(a) "Pharmacy" or "drugstore" means and includes every store, shop, pharmacy department, or other place where pharmacist care is provided by a pharmacist (1) where drugs, medicines, or poisons are dispensed, sold or offered for sale at retail, or displayed for sale at retail; or (2) where prescriptions of physicians, dentists, advanced practice nurses, physician assistants, veterinarians, podiatric physicians, or optometrists, within the limits of their licenses, are compounded, filled, or dispensed; or (3) which has upon it or displayed within it, or affixed to or used in connection with it, a sign bearing the word or words "Pharmacist", "Druggist", "Pharmacy", "Pharmaceutical Care", "Apothecary", "Drugstore", "Medicine Store", "Prescriptions", "Drugs", "Dispensary", "Medicines", or any word or words of similar or like import, either in the English language or any other language; or (4) where the characteristic prescription sign (Rx) or similar design is exhibited; or (5) any store, or shop, or other place with respect to which any of the above words, objects, signs or designs are used in any advertisement.

(b) "Drugs" means and includes (l) articles recognized in the official United States Pharmacopoeia/National Formulary (USP/NF), or any

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supplement thereto and being intended for and having for their main use the
diagnosis, cure, mitigation, treatment or prevention of disease in man or other
animals, as approved by the United States Food and Drug Administration, but
does not include devices or their components, parts, or accessories; and (2)
all other articles intended for and having for their main use the diagnosis,
cure, mitigation, treatment or prevention of disease in man or other animals,
as approved by the United States Food and Drug Administration, but does not
include devices or their components, parts, or accessories; and (3) articles
(other than food) having for their main use and intended to affect the structure
or any function of the body of man or other animals; and (4) articles having
for their main use and intended for use as a component or any articles
specified in clause (1), (2) or (3); but does not include devices or their
components, parts or accessories.

(c) "Medicines" means and includes all drugs intended for human or
veterinary use approved by the United States Food and Drug Administration.

(d) "Practice of pharmacy" means (1) the interpretation and the
provision of assistance in the monitoring, evaluation, and implementation of
prescription drug orders; (2) the dispensing of prescription drug orders; (3)
participation in drug and device selection; (4) drug administration limited to
the administration of oral, topical, injectable, and inhalation as follows: in the
context of patient education on the proper use or delivery of medications;
vaccination of patients 14 years of age and older pursuant to a valid
prescription or standing order, by a physician licensed to practice medicine
in all its branches, upon completion of appropriate training, including how to
address contraindications and adverse reactions set forth by rule, with
notification to the patient's physician and appropriate record retention, or
pursuant to hospital pharmacy and therapeutics committee policies and
procedures; (5) vaccination of patients ages 10 through 13 limited to the
Influenza (inactivated influenza vaccine and live attenuated influenza
intranasal vaccine) and Tdap (defined as tetanus, diphtheria, acellular
pertussis) vaccines, pursuant to a valid prescription or standing order, by a
physician licensed to practice medicine in all its branches, upon completion
of appropriate training, including how to address contraindications and
adverse reactions set forth by rule, with notification to the patient's physician
and appropriate record retention, or pursuant to hospital pharmacy and
therapeutics committee policies and procedures; (6) drug regimen review; (7)
drug or drug-related research; (8) the provision of patient counseling; (9) the
practice of telepharmacy; (10) the provision of those acts or services
necessary to provide pharmacist care; (11) medication therapy management;
and (12) the responsibility for compounding and labeling of drugs and devices (except labeling by a manufacturer, repackager, or distributor of non-prescription drugs and commercially packaged legend drugs and devices), proper and safe storage of drugs and devices, and maintenance of required records. A pharmacist who performs any of the acts defined as the practice of pharmacy in this State must be actively licensed as a pharmacist under this Act.

(e) "Prescription" means and includes any written, oral, facsimile, or electronically transmitted order for drugs or medical devices, issued by a physician licensed to practice medicine in all its branches, dentist, veterinarian, or podiatric physician, or optometrist, within the limits of their licenses, by a physician assistant in accordance with subsection (f) of Section 4, or by an advanced practice nurse in accordance with subsection (g) of Section 4, containing the following: (1) name of the patient; (2) date when prescription was issued; (3) name and strength of drug or description of the medical device prescribed; and (4) quantity; (5) directions for use; (6) prescriber's name, address, and signature; and (7) DEA number where required, for controlled substances. The prescription may, but is not required to, list the illness, disease, or condition for which the drug or device is being prescribed. DEA numbers shall not be required on inpatient drug orders.

(f) "Person" means and includes a natural person, copartnership, association, corporation, government entity, or any other legal entity.

(g) "Department" means the Department of Financial and Professional Regulation.

(h) "Board of Pharmacy" or "Board" means the State Board of Pharmacy of the Department of Financial and Professional Regulation.

(i) "Secretary" means the Secretary of Financial and Professional Regulation.

(j) "Drug product selection" means the interchange for a prescribed pharmaceutical product in accordance with Section 25 of this Act and Section 3.14 of the Illinois Food, Drug and Cosmetic Act.

(k) "Inpatient drug order" means an order issued by an authorized prescriber for a resident or patient of a facility licensed under the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Hospital Licensing Act, or "An Act in relation to the founding and operation of the University of Illinois Hospital and the conduct of University of Illinois health care programs", approved July 3, 1931, as amended, or a facility which is operated by the Department of Human Services (as successor to the Department of Mental Health and

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(k-5) "Pharmacist" means an individual health care professional and provider currently licensed by this State to engage in the practice of pharmacy.

(l) "Pharmacist in charge" means the licensed pharmacist whose name appears on a pharmacy license and who is responsible for all aspects of the operation related to the practice of pharmacy.

(m) "Dispense" or "dispensing" means the interpretation, evaluation, and implementation of a prescription drug order, including the preparation and delivery of a drug or device to a patient or patient's agent in a suitable container appropriately labeled for subsequent administration to or use by a patient in accordance with applicable State and federal laws and regulations. "Dispense" or "dispensing" does not mean the physical delivery to a patient or a patient's representative in a home or institution by a designee of a pharmacist or by common carrier. "Dispense" or "dispensing" also does not mean the physical delivery of a drug or medical device to a patient or patient's representative by a pharmacist's designee within a pharmacy or drugstore while the pharmacist is on duty and the pharmacy is open.

(n) "Nonresident pharmacy" means a pharmacy that is located in a state, commonwealth, or territory of the United States, other than Illinois, that delivers, dispenses, or distributes, through the United States Postal Service, commercially acceptable parcel delivery service, or other common carrier, to Illinois residents, any substance which requires a prescription.

(o) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if all of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(p) (Blank).

(q) (Blank).

(r) "Patient counseling" means the communication between a
pharmacist or a student pharmacist under the supervision of a pharmacist and a patient or the patient's representative about the patient's medication or device for the purpose of optimizing proper use of prescription medications or devices. "Patient counseling" may include without limitation (1) obtaining a medication history; (2) acquiring a patient's allergies and health conditions; (3) facilitation of the patient's understanding of the intended use of the medication; (4) proper directions for use; (5) significant potential adverse events; (6) potential food-drug interactions; and (7) the need to be compliant with the medication therapy. A pharmacy technician may only participate in the following aspects of patient counseling under the supervision of a pharmacist: (1) obtaining medication history; (2) providing the offer for counseling by a pharmacist or student pharmacist; and (3) acquiring a patient's allergies and health conditions.

(s) "Patient profiles" or "patient drug therapy record" means the obtaining, recording, and maintenance of patient prescription information, including prescriptions for controlled substances, and personal information.

(t) (Blank).

(u) "Medical device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component part or accessory, required under federal law to bear the label "Caution: Federal law requires dispensing by or on the order of a physician". A seller of goods and services who, only for the purpose of retail sales, compounds, sells, rents, or leases medical devices shall not, by reasons thereof, be required to be a licensed pharmacy.

(v) "Unique identifier" means an electronic signature, handwritten signature or initials, thumb print, or other acceptable biometric or electronic identification process as approved by the Department.

(w) "Current usual and customary retail price" means the price that a pharmacy charges to a non-third-party payor.

(x) "Automated pharmacy system" means a mechanical system located within the confines of the pharmacy or remote location that performs operations or activities, other than compounding or administration, relative to storage, packaging, dispensing, or distribution of medication, and which collects, controls, and maintains all transaction information.

(y) "Drug regimen review" means and includes the evaluation of prescription drug orders and patient records for (1) known allergies; (2) drug or potential therapy contraindications; (3) reasonable dose, duration of use, and route of administration, taking into consideration factors such as age, gender, and contraindications; (4) reasonable directions for use; (5) potential adverse events; (6) potential food-drug interactions; and (7) the need to be compliant with the medication therapy.

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or actual adverse drug reactions; (6) drug-drug interactions; (7) drug-food interactions; (8) drug-disease contraindications; (9) therapeutic duplication; (10) patient laboratory values when authorized and available; (11) proper utilization (including over or under utilization) and optimum therapeutic outcomes; and (12) abuse and misuse.

(z) "Electronic transmission prescription" means any prescription order for which a facsimile or electronic image of the order is electronically transmitted from a licensed prescriber to a pharmacy. "Electronic transmission prescription" includes both data and image prescriptions.

(aa) "Medication therapy management services" means a distinct service or group of services offered by licensed pharmacists, physicians licensed to practice medicine in all its branches, advanced practice nurses authorized in a written agreement with a physician licensed to practice medicine in all its branches, or physician assistants authorized in guidelines by a supervising physician that optimize therapeutic outcomes for individual patients through improved medication use. In a retail or other non-hospital pharmacy, medication therapy management services shall consist of the evaluation of prescription drug orders and patient medication records to resolve conflicts with the following:

1. known allergies;
2. drug or potential therapy contraindications;
3. reasonable dose, duration of use, and route of administration, taking into consideration factors such as age, gender, and contraindications;
4. reasonable directions for use;
5. potential or actual adverse drug reactions;
6. drug-drug interactions;
7. drug-food interactions;
8. drug-disease contraindications;
9. identification of therapeutic duplication;
10. patient laboratory values when authorized and available;
11. proper utilization (including over or under utilization) and optimum therapeutic outcomes; and
12. drug abuse and misuse.

"Medication therapy management services" includes the following:

1. documenting the services delivered and communicating the information provided to patients' prescribers within an appropriate time frame, not to exceed 48 hours;
2. providing patient counseling designed to enhance a
patient's understanding and the appropriate use of his or her medications; and

(3) providing information, support services, and resources designed to enhance a patient's adherence with his or her prescribed therapeutic regimens.

"Medication therapy management services" may also include patient care functions authorized by a physician licensed to practice medicine in all its branches for his or her identified patient or groups of patients under specified conditions or limitations in a standing order from the physician.

"Medication therapy management services" in a licensed hospital may also include the following:

(1) reviewing assessments of the patient's health status; and
(2) following protocols of a hospital pharmacy and therapeutics committee with respect to the fulfillment of medication orders.

(bb) "Pharmacist care" means the provision by a pharmacist of medication therapy management services, with or without the dispensing of drugs or devices, intended to achieve outcomes that improve patient health, quality of life, and comfort and enhance patient safety.

(cc) "Protected health information" means individually identifiable health information that, except as otherwise provided, is:

(1) transmitted by electronic media;
(2) maintained in any medium set forth in the definition of "electronic media" in the federal Health Insurance Portability and Accountability Act; or
(3) transmitted or maintained in any other form or medium.

"Protected health information" does not include individually identifiable health information found in:

(1) education records covered by the federal Family Educational Right and Privacy Act; or
(2) employment records held by a licensee in its role as an employer.

(dd) "Standing order" means a specific order for a patient or group of patients issued by a physician licensed to practice medicine in all its branches in Illinois.

(ee) "Address of record" means the address recorded by the Department in the applicant's or licensee's application file or license file, as maintained by the Department's licensure maintenance unit.

(ff) "Home pharmacy" means the location of a pharmacy's primary

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Section 435. The Boxing and Full-contact Martial Arts Act is amended by changing Section 8 as follows:

Sec. 8. Permits.
(a) A promoter who desires to obtain a permit to conduct a professional or amateur contest, or a combination of both, shall apply to the Department at least 20 days prior to the event, in writing, on forms furnished by the Department. The application shall be accompanied by the required fee and shall contain, but not be limited to, the following information to be submitted at times specified by rule:

1. the legal names and addresses of the promoter;
2. the name of the matchmaker;
3. the time and exact location of the professional or amateur contest, or a combination of both. It is the responsibility of the promoter to ensure that the building to be used for the event complies with all laws, ordinances, and regulations in the city, town, village, or county where the contest is to be held;
4. proof of adequate security measures, as determined by Department rule, to ensure the protection of the safety of contestants and the general public while attending professional or amateur contests, or a combination of both;
5. proof of adequate medical supervision, as determined by Department rule, to ensure the protection of the health and safety of professionals' or amateurs' while participating in the contest;
6. the names of the professionals or amateurs competing subject to Department approval;
7. proof of insurance for not less than $50,000 as further defined by rule for each professional or amateur participating in a professional or amateur contest, or a combination of both; insurance required under this paragraph (7) shall cover (i) hospital, medication, physician, and other such expenses as would accrue in the treatment of an injury as a result of the professional or amateur contest; (ii) payment to the estate of the professional or amateur in the event of his or her death as a result of his or her participation in the

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professional or amateur contest; and (iii) accidental death and dismemberment; the terms of the insurance coverage must not require the contestant to pay a deductible. The promoter may not carry an insurance policy with a deductible in an amount greater than $500 for the medical, surgical, or hospital care for injuries a contestant sustains while engaged in a contest, and if a licensed or registered contestant pays for the medical, surgical, or hospital care, the insurance proceeds must be paid to the contestant or his or her beneficiaries as reimbursement for such payment;

(8) the amount of the purses to be paid to the professionals for the event; the Department shall adopt rules for payment of the purses;

(9) organizational or internationally accepted rules, per discipline, for professional or amateur full-contact martial arts contests where the Department does not provide the rules;

(10) proof of contract indicating the requisite registration and sanctioning by a Department approved sanctioning body for any full-contact martial arts contest with scheduled amateur bouts; and

(11) any other information that the Department may require to determine whether a permit shall be issued.

(b) The Department may issue a permit to any promoter who meets the requirements of this Act and the rules. The permit shall only be issued for a specific date and location of a professional or amateur contest, or a combination of both, and shall not be transferable. The Department may allow a promoter to amend a permit application to hold a professional or amateur contest, or a combination of both, in a different location other than the application specifies and may allow the promoter to substitute professionals or amateurs, respectively.

(c) The Department shall be responsible for assigning the judges, timekeepers, referees, and physicians, for a professional contest. Compensation shall be determined by the Department, and it shall be the responsibility of the promoter to pay the individuals utilized.

(Source: P.A. 96-663, eff. 8-25-09; 97-119, eff. 7-14-11; revised 11-14-13.)
by the Secretary. The Board shall be composed of 8 persons who shall serve in an advisory capacity to the Secretary. The Board shall elect a chairperson and a vice chairperson.

(b) In appointing members of the Board, the Secretary shall give due consideration to recommendations by members of the profession of sex offender evaluation and treatment.

c) Three members of the Board shall be sex offender evaluation or treatment providers, or both, who have been in active practice for at least 5 years immediately preceding their appointment. The appointees shall be licensed under this Act.

(d) One member shall represent the Department of Corrections.

(e) One member shall represent the Department of Human Services.

(f) One member shall represent the Administrative Office of the Illinois Courts representing the interests of probation services.

(g) One member shall represent the Sex Offender Management Board.

(h) One member shall be representative of the general public who has no direct affiliation or work experience with the practice of sex offender evaluation and treatment and who clearly represents consumer interests.

(i) Board members shall be appointed for a term of 4 years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Board member whom he or she shall succeed. Upon the expiration of his or her term of office, a Board member shall continue to serve until a successor is appointed and qualified. No member shall be reappointed to the Board for a term that would cause continuous service on the Board to be longer than 8 years.

(j) The membership of the Board shall reasonably reflect representation from the various geographic areas of the State.

(k) A member of the Board shall be immune from suit in any action based upon any disciplinary proceedings or other activities performed in good faith as a member of the Board.

(l) The Secretary may remove a member of the Board for any cause that, in the opinion of the Secretary, reasonably justifies termination.

(m) The Secretary may consider the recommendations of the Board on questions of standards of professional conduct, discipline, and qualification of candidates or licensees under this Act.

(n) The members of the Board shall be reimbursed for all legitimate, necessary, and authorized expenses.

(o) A majority of the Board members currently appointed shall

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constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Board.
(Source: P.A. 97-1098, eff. 7-1-13; revised 11-14-13.)

(225 ILCS 109/75)
Sec. 75. Refusal, revocation, or suspension.
(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or nondisciplinary action, as the Department considers appropriate, including the imposition of fines not to exceed $10,000 for each violation, with regard to any license or licensee for any one or more of the following:

(1) violations of this Act or of the rules adopted under this Act;

(2) discipline by the Department under other state law and rules which the licensee is subject to;

(3) conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing for any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony; or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession;

(4) professional incompetence;

(5) advertising in a false, deceptive, or misleading manner;

(6) aiding, abetting, assisting, procuring, advising, employing, or contracting with any unlicensed person to provide sex offender evaluation or treatment services contrary to any rules or provisions of this Act;

(7) engaging in immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice;

(8) engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(9) practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform;

(10) knowingly delegating professional responsibilities to a person unqualified by training, experience, or licensure to perform;

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(11) failing to provide information in response to a written request made by the Department within 60 days;
(12) having a habitual or excessive use of or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in the inability to practice with reasonable judgment, skill, or safety;
(13) having a pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act;
(14) discipline by another state, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section;
(15) a finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation;
(16) willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments;
(17) making a material misstatement in furnishing information to the Department or otherwise making misleading, deceptive, untrue, or fraudulent representations in violation of this Act or otherwise in the practice of the profession;
(18) fraud or misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act;
(19) inability to practice the profession with reasonable judgment, skill, or safety as a result of physical illness, including, but not limited to, deterioration through the aging process, loss of motor skill, or a mental illness or disability;
(20) charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered; or
(21) practicing under a false or, except as provided by law, an assumed name.
All fines shall be paid within 60 days of the effective date of the order imposing the fine.

(b) The Department may refuse to issue or may suspend the license of any person who fails to file a tax return, to pay the tax, penalty, or interest shown in a filed tax return, or to pay any final assessment of tax, penalty, or
interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of a court order so finding and discharging the patient.

(f) In enforcing this Act, the Department or Board, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physician shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension.
without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and subject to action under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 97-1098, eff. 7-1-13; revised 11-14-13.)

Section 445. The Perfusionist Practice Act is amended by changing Section 105 as follows:

(225 ILCS 125/105)

Sec. 105. Disciplinary actions.

(a) The Department may refuse to issue, renew, or restore a license, or may revoke or suspend a license, or may place on probation, reprimand, or take other disciplinary or non-disciplinary action with regard to a person licensed under this Act, including but not limited to the imposition of fines

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not to exceed $10,000 for each violation, for one or any combination of the following causes:

   (1) Making a material misstatement in furnishing information to the Department.

   (2) Violation of this Act or any rule promulgated under this Act.

   (3) Conviction of, or entry of a plea of guilty or nolo contendere to, any crime that is a felony under the laws of the United States or any state or territory thereof, or any crime that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice as a perfusionist.

   (4) Making a misrepresentation for the purpose of obtaining, renewing, or restoring a license.

   (5) Aiding or assisting another person in violating a provision of this Act or its rules.

   (6) Failing to provide information within 60 days in response to a written request made by the Department.

   (7) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public, as defined by rule of the Department.

   (8) Discipline by another state, the District of Columbia, or territory, or a foreign nation, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section.

   (9) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (9) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (9) shall be construed to require an employment arrangement to receive professional fees for services rendered.

   (10) A finding by the Board that the licensee, after having his or her license placed on probationary status, has violated the terms of
probation.

(11) Wilfully making or filing false records or reports in his or her practice, including but not limited to false records or reports filed with State agencies or departments.

(12) Wilfully making or signing a false statement, certificate, or affidavit to induce payment.

(13) Wilfully failing to report an instance of suspected child abuse or neglect as required under the Abused and Neglected Child Reporting Act.

(14) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(15) Employment of fraud, deception, or any unlawful means in applying for or securing a license as a perfusionist.

(16) Allowing another person to use his or her license to practice.

(17) Failure to report to the Department (A) any adverse final action taken against the licensee by another licensing jurisdiction, government agency, law enforcement agency, or any court or (B) liability for conduct that would constitute grounds for action as set forth in this Section.

(18) Inability to practice the profession with reasonable judgment, skill or safety as a result of a physical illness, including but not limited to deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(19) Inability to practice the profession for which he or she is licensed with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

(20) Gross malpractice.

(21) Immoral conduct in the commission of an act related to the licensee's practice, including but not limited to sexual abuse, sexual misconduct, or sexual exploitation.

(22) Violation of the Health Care Worker Self-Referral Act.

(23) Solicitation of business or professional services, other than permitted advertising.

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(24) Conviction of or cash compromise of a charge or violation of the Illinois Controlled Substances Act.

(25) Gross, willful, or continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered.

(26) Practicing under a false name or, except as allowed by law, an assumed name.

(27) Violating any provision of this Act or the rules promulgated under this Act, including, but not limited to, advertising.

(b) A licensee or applicant who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling or treatment by physicians approved or designated by the Department, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling or treatment as required by the Department shall not be considered discipline of the licensee. If the licensee refuses to enter into a care, counseling or treatment agreement or fails to abide by the terms of the agreement the Department may file a complaint to suspend or revoke the license or otherwise discipline the licensee. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in the disciplinary actions involving physical or mental illness or impairment.

(b-5) The Department may refuse to issue or may suspend, without a hearing as provided for in the Civil Administrative Code of Illinois, the license of a person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as amended, operates as an automatic suspension. The suspension will end only upon a finding by a court that the licensee is no longer subject to the involuntary admission or judicial admission and issues an order so finding and discharging the licensee; and

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upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(d) In enforcing this Section, the Department or Board, upon a showing of a possible violation, may order a licensee or applicant to submit to a mental or physical examination, or both, at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning his or her examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The licensee or applicant may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of a licensee or applicant to submit to any such examination when directed, without reasonable cause as defined by rule, shall be grounds for either the immediate suspension of his or her license or immediate denial of his or her application.

If the Secretary immediately suspends the license of a licensee for his or her failure to submit to a mental or physical examination when directed, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

If the Secretary otherwise suspends a license pursuant to the results of the licensee's mental or physical examination, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the licensee's record of treatment and counseling regarding the relevant impairment or impairments to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Any licensee suspended or otherwise affected under this subsection (d) shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with the acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 96-682, eff. 8-25-09; 96-1482, eff. 11-29-10; revised 11-14-13.)

Section 450. The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act is amended by changing Section 10 as follows:

(225 ILCS 130/10)
(Section scheduled to be repealed on January 1, 2024)

New matter indicated by italics - deletions by strikeout
Sec. 10. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Department in the applicant's or registrant's application file or registration file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or registrant to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Department" means the Department of Financial and Professional Regulation.

"Direct supervision" means supervision by a licensed physician, licensed podiatric physician, or licensed dentist who is physically present and who personally directs delegated acts and remains available to personally respond to an emergency until the patient is released from the operating room. A registered professional nurse may also provide direct supervision within the scope of his or her license. A registered surgical assistant or registered surgical technologist shall perform duties as assigned.

"Physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

"Registered surgical assistant" means a person who (i) is not licensed to practice medicine in all of its branches, (ii) is certified by the National Surgical Assistant Association as a Certified Surgical Assistant, the National Board of Surgical Technology and Surgical Assisting as a Certified Surgical First Assistant, or the American Board of Surgical Assistants as a Surgical Assistant-Certified, (iii) performs duties under direct supervision, (iv) provides services only in a licensed hospital, ambulatory treatment center, or office of a physician licensed to practice medicine in all its branches, and (v) is registered under this Act.

"Registered surgical technologist" means a person who (i) is not a physician licensed to practice medicine in all of its branches, (ii) is certified by the National Board for Surgical Technology and Surgical Assisting, (iii) performs duties under direct supervision, (iv) provides services only in a licensed hospital, ambulatory treatment center, or office of a physician licensed to practice medicine in all its branches, and (v) is registered under this Act.

"Secretary" means the Secretary of Financial and Professional Regulation.

(Source: P.A. 98-214, eff. 8-9-13; 98-364, eff. 12-31-13; revised 9-24-13.)

Section 455. The Illinois Architecture Practice Act of 1989 is amended by changing Section 22 as follows:

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Sec. 22. Refusal, suspension and revocation of licenses; Causes.

(a) The Department may, singularly or in combination, refuse to issue, renew or restore, or may suspend, revoke, place on probation, or take other disciplinary or non-disciplinary action as deemed appropriate, including, but not limited to, the imposition of fines not to exceed $10,000 for each violation, as the Department may deem proper, with regard to a license for any one or combination of the following causes:

1. material misstatement in furnishing information to the Department;
2. negligence, incompetence or misconduct in the practice of architecture;
3. failure to comply with any of the provisions of this Act or any of the rules;
4. making any misrepresentation for the purpose of obtaining licensure;
5. purposefully making false statements or signing false statements, certificates or affidavits to induce payment;
6. conviction of or plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor, an essential element of which is dishonesty, or any crime that is directly related to the practice of the profession of architecture;
7. aiding or assisting another person in violating any provision of this Act or its rules;
8. signing, affixing the architect's seal or permitting the architect's seal to be affixed to any technical submission not prepared by the architect or under that architect's responsible control;
9. engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public;
10. habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety;
11. making a statement of compliance pursuant to the Environmental Barriers Act that technical submissions prepared by the architect or prepared under the architect’s responsible control for construction or alteration of an occupancy required to be in compliance with the Environmental Barriers Act are in compliance.

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with the Environmental Barriers Act when such technical submissions are not in compliance;

(12) a finding by the Board that an applicant or registrant has failed to pay a fine imposed by the Department or a registrant, whose license has been placed on probationary status, has violated the terms of probation;

(13) discipline by another state, territory, foreign country, the District of Columbia, the United States government, or any other governmental agency, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth herein;

(14) failure to provide information in response to a written request made by the Department within 30 days after the receipt of such written request;

(15) physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, mental illness, or disability which results in the inability to practice the profession with reasonable judgment, skill, and safety, including without limitation deterioration through the aging process, mental illness, or disability.

(a-5) In enforcing this Section, the Department or Board, upon a showing of a possible violation, may order a licensee or applicant to submit to a mental or physical examination, or both, at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning his or her examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The licensee or applicant may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of a licensee or applicant to submit to any such examination when directed, without reasonable cause as defined by rule, shall be grounds for either the immediate suspension of his or her license or immediate denial of his or her application.

If the Secretary immediately suspends the license of a licensee for his or her failure to submit to a mental or physical examination when directed, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

If the Secretary otherwise suspends a license pursuant to the results of the licensee's mental or physical examination, a hearing must be convened

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by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the licensee's record of treatment and counseling regarding the relevant impairment or impairments to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Any licensee suspended under this subsection (a-5) shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with the acceptable and prevailing standards under the provisions of his or her license.

(b) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Secretary that the licensee be allowed to resume practice.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services (formerly the Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department shall refuse to issue or renew or shall revoke or suspend that person's license or shall take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has failed to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Revenue.
Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) Persons who assist the Department as consultants or expert witnesses in the investigation or prosecution of alleged violations of the Act, licensure matters, restoration proceedings, or criminal prosecutions, shall not be liable for damages in any civil action or proceeding as a result of such assistance, except upon proof of actual malice. The attorney general shall defend such persons in any such action or proceeding.
(Source: P.A. 96-610, eff. 8-24-09; revised 11-14-13.)

Section 460. The Professional Engineering Practice Act of 1989 is amended by changing Sections 24 and 46 as follows:
(225 ILCS 325/24) (from Ch. 111, par. 5224)
(Section scheduled to be repealed on January 1, 2020)
Sec. 24. Rules of professional conduct; disciplinary or administrative action.

(a) The Department shall adopt rules setting standards of professional conduct and establish appropriate penalties for the breach of such rules.

(a-1) The Department may, singularly or in combination, refuse to issue, renew, or restore a license or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action with regard to a person licensed under this Act, including but not limited to, the imposition of a fine not to exceed $10,000 per violation upon any person, corporation, partnership, or professional design firm licensed or registered under this Act, for any one or combination of the following causes:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act or any of its rules.

(3) Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof, or that is a misdemeanor, an essential element of which is dishonesty, or any crime that is directly related to the practice of engineering.

(4) Making any misrepresentation for the purpose of obtaining, renewing, or restoring a license or violating any provision of this Act or the rules promulgated under this Act pertaining to advertising.

(5) Willfully making or signing a false statement, certificate, or affidavit to induce payment.

(6) Negligence, incompetence or misconduct in the practice

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of professional engineering as a licensed professional engineer or in working as an engineer intern.

(7) Aiding or assisting another person in violating any provision of this Act or its rules.

(8) Failing to provide information in response to a written request made by the Department within 30 days after receipt of such written request.

(9) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.

(10) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or mental illness or disability.

(11) Discipline by the United States Government, another state, District of Columbia, territory, foreign nation or government agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered.

(13) A finding by the Department that an applicant or registrant has failed to pay a fine imposed by the Department, a registrant whose license has been placed on probationary status has violated the terms of probation, or a registrant has practiced on an expired, inactive, suspended, or revoked license.

(14) Signing, affixing the professional engineer's seal or permitting the professional engineer's seal to be affixed to any technical submissions not prepared as required by Section 14 or completely reviewed by the professional engineer or under the professional engineer's direct supervision.

(15) Inability to practice the profession with reasonable judgment, skill or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

(16) The making of a statement pursuant to the Environmental Barriers Act that a plan for construction or alteration of a public facility or for construction of a multi-story housing unit is in compliance with the Environmental Barriers Act when such plan is
not in compliance.

(17) (Blank).

(a-2) The Department shall deny a license or renewal authorized by this Act to a person who has failed to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(a-3) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(a-4) In cases where the Department of Healthcare and Family Services (formerly the Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department shall refuse to issue or renew or shall revoke or suspend that person's license or shall take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(a-5) In enforcing this Section, the Department or Board, upon a showing of a possible violation, may order a licensee or applicant to submit to a mental or physical examination, or both, at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning his or her examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The licensee or applicant may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of a licensee or applicant to submit to any such examination when directed, without

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reasonable cause as defined by rule, shall be grounds for either the immediate suspension of his or her license or immediate denial of his or her application. If the Secretary immediately suspends the license of a licensee for his or her failure to submit to a mental or physical examination when directed, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

If the Secretary otherwise suspends a license pursuant to the results of the licensee's mental or physical examination, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the licensee's record of treatment and counseling regarding the relevant impairment or impairments to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Any licensee suspended under this subsection (a-5) shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with the acceptable and prevailing standards under the provisions of his or her license.

(b) The determination by a circuit court that a registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as now or hereafter amended, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Director that the registrant be allowed to resume practice.

(225 ILCS 325/46) (from Ch. 111, par. 5246)

Sec. 46. Home rule. The regulation and licensing of professional engineers is an exclusive power and function of the State. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule unit may not regulate or license the occupation of professional engineer. This section is a denial and limitation of home rule powers and functions.

(225 ILCS 330/27) (from Ch. 111, par. 3277)

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Sec. 27. Grounds for disciplinary action.

(a) The Department may refuse to issue or renew a license, or may place on probation or administrative supervision, suspend, or revoke any license, or may reprimand or take any disciplinary or non-disciplinary action as the Department may deem proper, including the imposition of fines not to exceed $10,000 per violation, upon any person, corporation, partnership, or professional land surveying firm licensed or registered under this Act for any of the following reasons:

1. material misstatement in furnishing information to the Department;
2. violation, including, but not limited to, neglect or intentional disregard, of this Act, or its rules;
3. conviction of, or entry of a plea of guilty or nolo contendere to, any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice of the profession;
4. making any misrepresentation for the purpose of obtaining a license, or in applying for restoration or renewal, or the practice of any fraud or deceit in taking any examination to qualify for licensure under this Act;
5. purposefully making false statements or signing false statements, certificates, or affidavits to induce payment;
6. proof of carelessness, incompetence, negligence, or misconduct in practicing land surveying;
7. aiding or assisting another person in violating any provision of this Act or its rules;
8. failing to provide information in response to a written request made by the Department within 30 days after receipt of such written request;
9. engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
10. inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use of, or addiction to, alcohol, narcotics, stimulants or any other chemical agent or drug;
11. discipline by the United States government, another state, District of Columbia, territory, foreign nation or government agency if at least one of the grounds for the discipline is the same or

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substantially equivalent to those set forth in this Act;

(12) directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered;

(12.5) issuing a map or plat of survey where the fee for professional services is contingent on a real estate transaction closing;

(13) a finding by the Department that an applicant or licensee has failed to pay a fine imposed by the Department or a licensee whose license has been placed on probationary status has violated the terms of probation;

(14) practicing on an expired, inactive, suspended, or revoked license;

(15) signing, affixing the Professional Land Surveyor's seal or permitting the Professional Land Surveyor's seal to be affixed to any map or plat of survey not prepared by the Professional Land Surveyor or under the Professional Land Surveyor's direct supervision and control;

(16) inability to practice the profession with reasonable judgment, skill, or safety as a result of physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill or a mental illness or disability;

(17) (blank); or

(18) failure to adequately supervise or control land surveying operations being performed by subordinates.

(a-5) In enforcing this Section, the Department or Board, upon a showing of a possible violation, may compel a person licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of an individual to submit to a mental or physical examination when directed shall be grounds for the immediate suspension of
his or her license until the individual submits to the examination if the Department finds that the refusal to submit to the examination was without reasonable cause as defined by rule.

If the Secretary immediately suspends the license of a licensee for his or her failure to submit to a mental or physical examination when directed, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

If the Secretary otherwise suspends a person's license pursuant to the results of a compelled mental or physical examination, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Any licensee suspended under this subsection (a-5) shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with the acceptable and prevailing standards under the provisions of his or her license.

(b) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as now or hereafter amended, operates as an automatic license suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient and upon the recommendation of the Board to the Director that the licensee be allowed to resume his or her practice.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with subdivision (a)(5) of Section 2105-15.5 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(d) In cases where the Department of Healthcare and Family Services (formerly the Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department shall refuse to issue or renew or shall revoke or suspend that person's license or shall take other disciplinary action against
that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(e) The Department shall refuse to issue or renew or shall revoke or suspend a person's license or shall take other disciplinary action against that person for his or her failure to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15).

(Source: P.A. 96-626, eff. 8-24-09; revised 11-14-13.)

Sec. 47. Home rule. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule unit may not regulate the profession of land surveying in a manner more restrictive than the regulation by the State of the profession of land surveying as provided in this Act. This Section is a limitation on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 86-987; revised 11-14-13.)

Section 470. The Structural Engineering Practice Act of 1989 is amended by changing Sections 20 and 37 as follows:

(a) The Department may refuse to issue or renew, or may revoke a license, or may suspend, place on probation, fine, or take any disciplinary or non-disciplinary action as the Department may deem proper, including a fine not to exceed $10,000 for each violation, with regard to any licensee for any one or combination of the following reasons:

(1) Material misstatement in furnishing information to the Department;

(2) Negligence, incompetence or misconduct in the practice of structural engineering;

(3) Making any misrepresentation for the purpose of obtaining

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licensure;
(4) The affixing of a licensed structural engineer's seal to any plans, specifications or drawings which have not been prepared by or under the immediate personal supervision of that licensed structural engineer or reviewed as provided in this Act;
(5) Conviction of, or entry of a plea of guilty or nolo contendere to, any crime that is a felony under the laws of the United States or of any state or territory thereof, or that is a misdemeanor an essential element of which is dishonesty, or any crime that is directly related to the practice of the profession;
(6) Making a statement of compliance pursuant to the Environmental Barriers Act, as now or hereafter amended, that a plan for construction or alteration of a public facility or for construction of a multi-story housing unit is in compliance with the Environmental Barriers Act when such plan is not in compliance;
(7) Failure to comply with any of the provisions of this Act or its rules;
(8) Aiding or assisting another person in violating any provision of this Act or its rules;
(9) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public, as defined by rule;
(10) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety;
(11) Failure of an applicant or licensee to pay a fine imposed by the Department or a licensee whose license has been placed on probationary status has violated the terms of probation;
(12) Discipline by another state, territory, foreign country, the District of Columbia, the United States government, or any other governmental agency, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section;
(13) Failure to provide information in response to a written request made by the Department within 30 days after the receipt of such written request; or
(14) Physical illness, including but not limited to, deterioration through the aging process or loss of motor skill, mental illness, or disability which results in the inability to practice the profession of structural engineering with reasonable judgment, skill,
or safety.

(a-5) In enforcing this Section, the Department or Board, upon a showing of a possible violation, may order a licensee or applicant to submit to a mental or physical examination, or both, at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning his or her examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The licensee or applicant may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of a licensee or applicant to submit to any such examination when directed, without reasonable cause as defined by rule, shall be grounds for either the immediate suspension of his or her license or immediate denial of his or her application.

If the Secretary immediately suspends the license of a licensee for his or her failure to submit to a mental or physical examination when directed, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay.

If the Secretary otherwise suspends a license pursuant to the results of the licensee's mental or physical examination, a hearing must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the licensee's record of treatment and counseling regarding the relevant impairment or impairments to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Any licensee suspended under this subsection (a-5) shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with the acceptable and prevailing standards under the provisions of his or her license.

(b) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Secretary that the licensee be allowed to resume practice.

(c) The Department shall deny a license or renewal authorized by this
Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services (formerly the Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department shall refuse to issue or renew or shall revoke or suspend that person's license or shall take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has failed to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) Persons who assist the Department as consultants or expert witnesses in the investigation or prosecution of alleged violations of the Act, licensure matters, restoration proceedings, or criminal prosecutions, are not liable for damages in any civil action or proceeding as a result of such assistance, except upon proof of actual malice. The Attorney General of the State of Illinois shall defend such persons in any such action or proceeding.

(225 ILCS 340/37) (from Ch. 111, par. 6637)

Sec. 37. Pursuant to subsection (i) of Section 6 of Article VII of the Illinois Constitution, a home rule unit may not regulate the profession of structural engineering in a manner more restrictive than the regulation by the State of the profession of structural engineering as provided in this Act. This Section is a limitation on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 475. The Illinois Certified Shorthand Reporters Act of 1984

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is amended by changing Sections 23 and 23.2a as follows:
(225 ILCS 415/23) (from Ch. 111, par. 6223)
(Section scheduled to be repealed on January 1, 2024)
Sec. 23. Grounds for disciplinary action.
(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation and the assessment of costs as provided for in Section 23.3 of this Act, with regard to any license for any one or combination of the following:
(1) Material misstatement in furnishing information to the Department;
(2) Violations of this Act, or of the rules promulgated thereunder;
(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession;
(4) Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act;
(5) Professional incompetence;
(6) Aiding or assisting another person, firm, partnership or corporation in violating any provision of this Act or rules;
(7) Failing, within 60 days, to provide information in response to a written request made by the Department;
(8) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public;
(9) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substances that results in the inability to practice with reasonable judgment, skill, or safety;
(10) Discipline by another state, unit of government, government agency, the District of Columbia, a territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;
(11) Charging for professional services not rendered,

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including filing false statements for the collection of fees for which services were not rendered, or giving, directly or indirectly, any gift or anything of value to attorneys or their staff or any other persons or entities associated with any litigation, that exceeds $100 total per year; for the purposes of this Section, pro bono services, as defined by State law, are permissible in any amount;

(12) A finding by the Board that the certificate holder, after having his certificate placed on probationary status, has violated the terms of probation;

(13) Willfully making or filing false records or reports in the practice of shorthand reporting, including but not limited to false records filed with State agencies or departments;

(14) Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice under this Act with reasonable judgment, skill or safety;

(15) Solicitation of professional services other than by permitted advertising;

(16) Willful failure to take full and accurate stenographic notes of any proceeding;

(17) Willful alteration of any stenographic notes taken at any proceeding;

(18) Willful failure to accurately transcribe verbatim any stenographic notes taken at any proceeding;

(19) Willful alteration of a transcript of stenographic notes taken at any proceeding;

(20) Affixing one's signature to any transcript of his stenographic notes or certifying to its correctness unless the transcript has been prepared by him or under his immediate supervision;

(21) Willful failure to systematically retain stenographic notes or transcripts on paper or any electronic media for 10 years from the date that the notes or transcripts were taken;

(22) Failure to deliver transcripts in a timely manner or in accordance with contractual agreements;

(23) Establishing contingent fees as a basis of compensation;

(24) Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety;

(25) Practicing under a false or assumed name, except as provided by law;

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(26) Cheating on or attempting to subvert the licensing examination administered under this Act;

(27) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(b) The determination by a circuit court that a certificate holder is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, an order by the court so finding and discharging the patient. In any case where a license is suspended under this Section, the licensee may file a petition for restoration and shall include evidence acceptable to the Department that the licensee can resume practice in compliance with acceptable and prevailing standards of the profession.

(c) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(d) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual who is certified under this Act or any individual who has applied for certification under this Act to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical...
professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the certified shorthand reporter or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the certified shorthand reporter or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Department finds a certified shorthand reporter unable to practice because of the reasons set forth in this Section, the Department shall require the certified shorthand reporter to submit to care, counseling, or treatment by physicians approved or designated by the Department, as a condition for continued, reinstated, or renewed certification.

When the Secretary immediately suspends a certificate under this Section, a hearing upon the person's certificate must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the
certified shorthand reporter's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals certified under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their certification.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(f) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(Source: P.A. 98-445, eff. 12-31-13; revised 11-14-13.)

Sec. 23.2a. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or to a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 415/23.2a)

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

Sec. 23.2a. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or to a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(Source: P.A. 98-445, eff. 12-31-13; revised 11-12-13.)
Disciplinary Act is amended by changing Section 85 as follows:

(225 ILCS 427/85)
(Section scheduled to be repealed on January 1, 2020)

Sec. 85. Grounds for discipline; refusal, revocation, or suspension.

(a) The Department may refuse to issue or renew a license, or may place on probation, reprimand, suspend, or revoke any license, or take any other disciplinary or non-disciplinary action as the Department may deem proper and impose a fine not to exceed $10,000 for each violation upon any licensee or applicant under this Act or any person or entity who holds himself, herself, or itself out as an applicant or licensee for any one or combination of the following causes:

(1) Material misstatement in furnishing information to the Department.
(2) Violations of this Act or its rules.
(3) Conviction of or entry of a plea of guilty or plea of nolo contendere to a felony or a misdemeanor under the laws of the United States, any state, or any other jurisdiction or entry of an administrative sanction by a government agency in this State or any other jurisdiction. Action taken under this paragraph (3) for a misdemeanor or an administrative sanction is limited to a misdemeanor or administrative sanction that has as an essential element dishonesty or fraud, that involves larceny, embezzlement, or obtaining money, property, or credit by false pretenses or by means of a confidence game, or that is directly related to the practice of the profession.
(4) Making any misrepresentation for the purpose of obtaining a license or violating any provision of this Act or its rules.
(5) Professional incompetence.
(6) Gross negligence.
(7) Aiding or assisting another person in violating any provision of this Act or its rules.
(8) Failing, within 30 days, to provide information in response to a request made by the Department.
(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Department.
(10) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results

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in the inability to practice with reasonable judgment, skill, or safety.

(11) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, or a governmental agency authorized to impose discipline if at least one of the grounds for the discipline is the same or substantially equivalent of one of the grounds for which a licensee may be disciplined under this Act. A certified copy of the record of the action by the other state or jurisdiction shall be prima facie evidence thereof.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered.

(13) A finding by the Department that the licensee, after having his, her, or its license placed on probationary status, has violated the terms of probation.

(14) Willfully making or filing false records or reports relating to a licensee's practice, including but not limited to false records filed with any State or federal agencies or departments.

(15) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(16) Physical illness or mental illness or impairment, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(17) Solicitation of professional services by using false or misleading advertising.

(18) A finding that licensure has been applied for or obtained by fraudulent means.

(19) Practicing or attempting to practice under a name other than the full name as shown on the license or any other legally authorized name.

(20) Gross overcharging for professional services including, but not limited to, (i) collection of fees or moneys for services that are not rendered; and (ii) charging for services that are not in accordance with the contract between the licensee and the community.

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association.

(21) Improper commingling of personal and client funds in violation of this Act or any rules promulgated thereto.

(22) Failing to account for or remit any moneys or documents coming into the licensee's possession that belong to another person or entity.

(23) Giving differential treatment to a person that is to that person's detriment because of race, color, creed, sex, religion, or national origin.

(24) Performing and charging for services without reasonable authorization to do so from the person or entity for whom service is being provided.

(25) Failing to make available to the Department, upon request, any books, records, or forms required by this Act.

(26) Purporting to be a supervising community association manager of a firm without active participation in the firm.

(27) Failing to make available to the Department at the time of the request any indicia of licensure or registration issued under this Act.

(28) Failing to maintain and deposit funds belonging to a community association in accordance with subsection (b) of Section 55 of this Act.

(29) Violating the terms of a disciplinary order issued by the Department.

(b) In accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15), the Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will terminate only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice as a licensed community association manager.

(d) In accordance with subsection (g) of Section 2105-15 of the

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Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15), the Department may refuse to issue or renew or may suspend the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of that tax Act are satisfied.

(e) In accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15) and in cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services.

(f) In enforcing this Section, the Department or Board upon a showing of a possible violation may compel a licensee or an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall be grounds for suspension of his or her license or denial of his or her application or renewal until the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure.

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to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, deny, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 97-333, eff. 8-12-11; 98-365, eff. 1-1-14; revised 11-14-13.)

Section 485. The Detection of Deception Examiners Act is amended by changing Section 14 as follows:

(225 ILCS 430/14) (from Ch. 111, par. 2415)

Sec. 14. (a) The Department may refuse to issue or renew or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $10,000 for each violation, with regard to any license for any one or a combination of the following:

1. Material misstatement in furnishing information to the Department.
2. Violations of this Act, or of the rules adopted under this Act.
3. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under
the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Making any misrepresentation for the purpose of obtaining licensure or violating any provision of this Act or the rules adopted under this Act pertaining to advertising.

(5) Professional incompetence.

(6) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(7) Aiding or assisting another person in violating this Act or any rule adopted under this Act.

(8) Where the license holder has been adjudged mentally ill, mentally deficient or subject to involuntary admission as provided in the Mental Health and Developmental Disabilities Code.

(9) Failing, within 60 days, to provide information in response to a written request made by the Department.

(10) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(11) Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

(12) Discipline by another state, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(13) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(14) Willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments.

(15) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(16) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

(17) Practicing under a false or, except as provided by law, an
assumed name.

(18) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(19) Cheating on or attempting to subvert the licensing examination administered under this Act.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(b) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, or pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

(f) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or psychiatric examination and to reveal to the Department any information, past or present, in the individual's possession or under the individual's control, which the Department may require for the purpose of determining whether the individual has committed a violation of the Act. The Department may also, upon a showing of a possible violation, require any person who has been licensed or who has applied for licensure under this Act, to account for all funds, property, and records relating to the performance of the person's professional duties under this Act, and to reveal to the Department any information, past or present, in the person's possession or under the person's control, which the Department may require for the purpose of determining whether the person has committed a violation of the Act.

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physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

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Section 490. The Highway Advertising Control Act of 1971 is amended by changing Section 3 and by setting forth, renumbering, and changing multiple versions of Section 15 as follows:

(225 ILCS 440/3) (from Ch. 121, par. 503)
Sec. 3. As used in this Act, unless the context otherwise requires, the terms defined in the Sections following this Section and preceding Section 4 3.01 through 3.16 have the meanings ascribed to them in those Sections.
(Source: P.A. 92-651, eff. 7-11-02; revised 11-14-13.)

(225 ILCS 440/14.1)
Sec. 14.1 Applicability. The changes made to this Act by Public Act 98-56 this amendatory Act of the 98th General Assembly shall not be applicable if the application would impact the receipt, use, or reimbursement of federal funds by the Illinois Department of Transportation other than the reimbursement of Bonus Agreement funds. Any permit granted pursuant to an inapplicable provision is void.
(Source: P.A. 98-56, eff. 7-5-13; revised 10-25-13.)

(225 ILCS 440/15)
Sec. 15. "An Act relating to the restriction, prohibition, regulation, and control of billboards and other outdoor advertising devices on certain lands adjacent to National System of Interstate and Defense Highways in Illinois", approved June 28, 1965, is repealed.
(Source: P.A. 77-1815.)

Section 495. The Home Inspector License Act is amended by changing Section 15-10 as follows:

(225 ILCS 441/15-10)
(Section scheduled to be repealed on January 1, 2022)
Sec. 15-10. Grounds for disciplinary action.
(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed $25,000 for each violation, with regard to any license for any one or combination of the following:

(1) Fraud or misrepresentation in applying for, or procuring a license under this Act or in connection with applying for renewal of a license under this Act.

(2) Failing to meet the minimum qualifications for licensure as a home inspector established by this Act.

(3) Paying money, other than for the fees provided for by this
Act, or anything of value to an employee of the Department to procure licensure under this Act.

(4) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony; (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession; or (iii) that is a crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act.

(5) Committing an act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the licensee or another person or with the intent to substantially injure another person.

(6) Violating a provision or standard for the development or communication of home inspections as provided in Section 10-5 of this Act or as defined in the rules.

(7) Failing or refusing to exercise reasonable diligence in the development, reporting, or communication of a home inspection report, as defined by this Act or the rules.

(8) Violating a provision of this Act or the rules.

(9) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, a governmental agency, or any other entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or substantially equivalent to one of the grounds for which a licensee may be disciplined under this Act.

(10) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(11) Accepting an inspection assignment when the employment itself is contingent upon the home inspector reporting a predetermined analysis or opinion, or when the fee to be paid is contingent upon the analysis, opinion, or conclusion reached or upon the consequences resulting from the home inspection assignment.

(12) Developing home inspection opinions or conclusions based on the race, color, religion, sex, national origin, ancestry, age, marital status, family status, physical or mental disability, or unfavorable military discharge, as defined under the Illinois Human

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Rights Act, of the prospective or present owners or occupants of the area or property under home inspection.

(13) Being adjudicated liable in a civil proceeding on grounds of fraud, misrepresentation, or deceit. In a disciplinary proceeding based upon a finding of civil liability, the home inspector shall be afforded an opportunity to present mitigating and extenuating circumstances, but may not collaterally attack the civil adjudication.

(14) Being adjudicated liable in a civil proceeding for violation of a State or federal fair housing law.

(15) Engaging in misleading or untruthful advertising or using a trade name or insignia of membership in a home inspection organization of which the licensee is not a member.

(16) Failing, within 30 days, to provide information in response to a written request made by the Department.

(17) Failing to include within the home inspection report the home inspector's license number and the date of expiration of the license. All home inspectors providing significant contribution to the development and reporting of a home inspection must be disclosed in the home inspection report. It is a violation of this Act for a home inspector to sign a home inspection report knowing that a person providing a significant contribution to the report has not been disclosed in the home inspection report.

(18) Advising a client as to whether the client should or should not engage in a transaction regarding the residential real property that is the subject of the home inspection.

(19) Performing a home inspection in a manner that damages or alters the residential real property that is the subject of the home inspection without the consent of the owner.

(20) Performing a home inspection when the home inspector is providing or may also provide other services in connection with the residential real property or transaction, or has an interest in the residential real property, without providing prior written notice of the potential or actual conflict and obtaining the prior consent of the client as provided by rule.

(21) Aiding or assisting another person in violating any provision of this Act or rules adopted under this Act.

(22) Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

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(23) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(24) Willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments.

(25) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

(26) Practicing under a false or, except as provided by law, an assumed name.

(27) Cheating on or attempting to subvert the licensing examination administered under this Act.

(b) The Department may suspend, revoke, or refuse to issue or renew an education provider's license, may reprimand, place on probation, or otherwise discipline an education provider licensee, and may suspend or revoke the course approval of any course offered by an education provider, for any of the following:

(1) Procuring or attempting to procure licensure by knowingly making a false statement, submitting false information, making any form of fraud or misrepresentation, or refusing to provide complete information in response to a question in an application for licensure.

(2) Failing to comply with the covenants certified to on the application for licensure as an education provider.

(3) Committing an act or omission involving dishonesty, fraud, or misrepresentation or allowing any such act or omission by any employee or contractor under the control of the education provider.

(4) Engaging in misleading or untruthful advertising.

(5) Failing to retain competent instructors in accordance with rules adopted under this Act.

(6) Failing to meet the topic or time requirements for course approval as the provider of a pre-license curriculum course or a continuing education course.

(7) Failing to administer an approved course using the course materials, syllabus, and examinations submitted as the basis of the course approval.

(8) Failing to provide an appropriate classroom environment for presentation of courses, with consideration for student comfort,
acoustics, lighting, seating, workspace, and visual aid material.

(9) Failing to maintain student records in compliance with the rules adopted under this Act.

(10) Failing to provide a certificate, transcript, or other student record to the Department or to a student as may be required by rule.

(11) Failing to fully cooperate with a Department investigation by knowingly making a false statement, submitting false or misleading information, or refusing to provide complete information in response to written interrogatories or a written request for documentation within 30 days of the request.

(c) In appropriate cases, the Department may resolve a complaint against a licensee through the issuance of a Consent to Administrative Supervision order. A licensee subject to a Consent to Administrative Supervision order shall be considered by the Department as an active licensee in good standing. This order shall not be reported as or considered by the Department to be a discipline of the licensee. The records regarding an investigation and a Consent to Administrative Supervision order shall be considered confidential and shall not be released by the Department except as mandated by law. The complainant shall be notified that his or her complaint has been resolved by a Consent to Administrative Supervision order.

(d) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a tax return, to pay the tax, penalty, or interest shown in a filed tax return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(f) In cases where the Department of Healthcare and Family Services has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take
other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(g) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of a court order so finding and discharging the patient.

(h) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physician shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act, who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be

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assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 97-226, eff. 7-28-11; 97-877, eff. 8-2-12; revised 11-14-13.)

Section 500. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 is amended by changing Section 25-20 as follows:

(225 ILCS 447/25-20)
(Section scheduled to be repealed on January 1, 2024)
Sec. 25-20. Training; private security contractor and employees.
(a) Registered employees of the private security contractor agency who provide traditional guarding or other private security related functions or who respond to alarm systems shall complete, within 30 days of their employment, a minimum of 20 hours of classroom basic training provided by a qualified instructor, which shall include the following subjects:

(1) The law regarding arrest and search and seizure as it applies to private security.

(2) Civil and criminal liability for acts related to private security.

(3) The use of force, including but not limited to the use of nonlethal force (i.e., disabling spray, baton, stun gun or similar weapon).

(4) Arrest and control techniques.

(5) The offenses under the Criminal Code of 2012 that are directly related to the protection of persons and property.

(6) The law on private security forces and on reporting to law enforcement agencies.

(7) Fire prevention, fire equipment, and fire safety.

(8) The procedures for report writing. (9) Civil rights and

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public relations.

(10) The identification of terrorists, acts of terrorism, and terrorist organizations, as defined by federal and State statutes.

(b) All other employees of a private security contractor agency shall complete a minimum of 20 hours of training provided by the qualified instructor within 30 days of their employment. The substance of the training shall be related to the work performed by the registered employee.

(c) Registered employees of the private security contractor agency who provide guarding or other private security related functions, in addition to the classroom training required under subsection (a), within 6 months of their employment, shall complete an additional 8 hours of training on subjects to be determined by the employer, which training may be site-specific and may be conducted on the job.

(d) In addition to the basic training provided for in subsections (a) and (c), registered employees of the private security contractor agency who provide guarding or other private security related functions shall complete an additional 8 hours of refresher training on subjects to be determined by the employer each calendar year commencing with the calendar year following the employee's first employment anniversary date, which refresher training may be site-specific and may be conducted on the job.

(e) It is the responsibility of the employer to certify, on a form provided by the Department, that the employee has successfully completed the basic and refresher training. The form shall be a permanent record of training completed by the employee and shall be placed in the employee's file with the employer for the period the employee remains with the employer. An agency may place a notarized copy of the Department form in lieu of the original into the permanent employee registration card file. The original form shall be given to the employee when his or her employment is terminated. Failure to return the original form to the employee is grounds for disciplinary action. The employee shall not be required to repeat the required training once the employee has been issued the form. An employer may provide or require additional training.

(f) Any certification of completion of the 20-hour basic training issued under the Private Detective, Private Alarm, Private Security and Locksmith Act of 1993 or any prior Act shall be accepted as proof of training under this Act.

(Source: P.A. 97-1150, eff. 1-25-13; 98-253, eff. 8-9-13; revised 9-24-13.)

Section 505. The Illinois Public Accounting Act is amended by changing Sections 2.1 and 28 as follows:

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Sec. 2.1. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, continuation or renewal of the license is specifically excluded. For the purposes of this Act the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the licensee's address of record.

(Source: P.A. 98-254, eff. 8-9-13; revised 11-14-13.)

Sec. 28. Criminal penalties. Each of the following acts perpetrated in the State of Illinois is a Class A misdemeanor:

(a) the practice of accountancy activities as defined in paragraph (1) of subsection (a) of Section 8.05 without an active CPA license in violation of the provisions of this Act;

(b) the obtaining or attempting to obtain licensure as a licensed CPA or registration as a registered CPA by fraud;

(c) the use of the title "Certified Public Accountant", "public accountant", or the abbreviation "C.P.A.", "RCPA", "LCPA", "PA" or use of any similar words or letters indicating the user is a certified public accountant, or the title "Registered Certified Public Accountant";

(c-5) (blank);

(d) the use of the title "Certified Public Accountant", "public accountant", or the abbreviation "C.P.A.", "RCPA", "LCPA", "PA" or any similar words or letters indicating that the members are certified public accountants, by any partnership, limited liability company, corporation, or other entity in violation of this Act;

(e) the unauthorized practice in the performance of accountancy activities as defined in Section 8.05 and in violation of this Act;

(f) (blank);

(g) making false statements to the Department regarding compliance with continuing professional education or peer review

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Section 510. The Real Estate License Act of 2000 is amended by changing Sections 5-32 and 20-20 as follows:

(225 ILCS 454/5-32)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5-32. Real estate auction certification.

(a) An auctioneer licensed under the Auction License Act who does not possess a valid and active broker's or managing broker's license under this Act, or who is not otherwise exempt from licensure, may not engage in the practice of auctioning real estate, except as provided in this Section.

(b) The Department shall issue a real estate auction certification to applicants who:

(1) possess a valid auctioneer's license under the Auction License Act;

(2) successfully complete a real estate auction course of at least 30 hours approved by the Department, which shall cover the scope of activities that may be engaged in by a person holding a real estate auction certification and the activities for which a person must hold a real estate license, as well as other material as provided by the Department;

(3) provide documentation of the completion of the real estate auction course; and

(4) successfully complete any other reasonable requirements as provided by rule.

(c) The auctioneer's role shall be limited to establishing the time, place, and method of the real estate auction, placing advertisements regarding the auction, and crying or calling the auction; any other real estate brokerage activities must be performed by a person holding a valid and active real estate broker's or managing broker's license under the provisions of this Act or by a person who is exempt from holding a license under paragraph (13) of Section 5-20 who has a certificate under this Section.

(d) An auctioneer who conducts any real estate auction activities in violation of this Section is guilty of unlicensed practice under Section 20-10 of this Act.

(e) The Department may revoke, suspend, or otherwise discipline the real estate auction certification of an auctioneer who is adjudicated to be in violation of the provisions of this Section or Section 20-15 of the Auction

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License Act.

(f) Advertising for the real estate auction must contain the name and address of the licensed real estate broker, managing broker, or a licensed auctioneer under paragraph (13) of Section 5-20 of this Act who is providing brokerage services for the transaction.

(g) The requirement to hold a real estate auction certification shall not apply to a person exempt from this Act under the provisions of paragraph (13) of Section subsection 5-20 of this Act, unless that person is performing licensed activities in a transaction in which a licensed auctioneer with a real estate certification is providing the limited services provided for in subsection (c) of this Section.

(h) Nothing in this Section shall require a person licensed under this Act as a real estate broker or managing broker to obtain a real estate auction certification in order to auction real estate.

(i) The Department may adopt rules to implement this Section.

(Source: P.A. 98-553, eff. 1-1-14; revised 11-15-13.)

(225 ILCS 454/20-20)

Section scheduled to be repealed on January 1, 2020

Sec. 20-20. Grounds for discipline.

(a) The Department may refuse to issue or renew a license, may place on probation, suspend, or revoke any license, reprimand, or take any other disciplinary or non-disciplinary action as the Department may deem proper and impose a fine not to exceed $25,000 upon any licensee or applicant under this Act or any person who holds himself or herself out as an applicant or licensee or against a licensee in handling his or her own property, whether held by deed, option, or otherwise, for any one or any combination of the following causes:

(1) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(2) The conviction of or plea of guilty or plea of nolo contendere to a felony or misdemeanor in this State or any other jurisdiction; or the entry of an administrative sanction by a government agency in this State or any other jurisdiction. Action taken under this paragraph (2) for a misdemeanor or an administrative sanction is limited to a misdemeanor or administrative sanction that has as an essential element dishonesty or fraud or involves larceny, embezzlement, or obtaining money, property, or credit by false pretenses or by means of a confidence game.

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(3) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(4) Practice under this Act as a licensee in a retail sales establishment from an office, desk, or space that is not separated from the main retail business by a separate and distinct area within the establishment.

(5) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, or a governmental agency authorized to impose discipline if at least one of the grounds for that discipline is the same as or the equivalent of one of the grounds for which a licensee may be disciplined under this Act. A certified copy of the record of the action by the other state or jurisdiction shall be prima facie evidence thereof.

(6) Engaging in the practice of real estate brokerage without a license or after the licensee's license was expired or while the license was inoperative.

(7) Cheating on or attempting to subvert the Real Estate License Exam or continuing education exam.

(8) Aiding or abetting an applicant to subvert or cheat on the Real Estate License Exam or continuing education exam administered pursuant to this Act.

(9) Advertising that is inaccurate, misleading, or contrary to the provisions of the Act.

(10) Making any substantial misrepresentation or untruthful advertising.

(11) Making any false promises of a character likely to influence, persuade, or induce.

(12) Pursuing a continued and flagrant course of misrepresentation or the making of false promises through licensees, employees, agents, advertising, or otherwise.

(13) Any misleading or untruthful advertising, or using any trade name or insignia of membership in any real estate organization of which the licensee is not a member.

(14) Acting for more than one party in a transaction without providing written notice to all parties for whom the licensee acts.

(15) Representing or attempting to represent a broker other than the sponsoring broker.

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(16) Failure to account for or to remit any moneys or documents coming into his or her possession that belong to others.

(17) Failure to maintain and deposit in a special account, separate and apart from personal and other business accounts, all escrow moneys belonging to others entrusted to a licensee while acting as a real estate broker, escrow agent, or temporary custodian of the funds of others or failure to maintain all escrow moneys on deposit in the account until the transactions are consummated or terminated, except to the extent that the moneys, or any part thereof, shall be:

(A) disbursed prior to the consummation or termination (i) in accordance with the written direction of the principals to the transaction or their duly authorized agents, (ii) in accordance with directions providing for the release, payment, or distribution of escrow moneys contained in any written contract signed by the principals to the transaction or their duly authorized agents, or (iii) pursuant to an order of a court of competent jurisdiction; or

(B) deemed abandoned and transferred to the Office of the State Treasurer to be handled as unclaimed property pursuant to the Uniform Disposition of Unclaimed Property Act. Escrow moneys may be deemed abandoned under this subparagraph (B) only: (i) in the absence of disbursement under subparagraph (A); (ii) in the absence of notice of the filing of any claim in a court of competent jurisdiction; and (iii) if 6 months have elapsed after the receipt of a written demand for the escrow moneys from one of the principals to the transaction or the principal's duly authorized agent.

The account shall be noninterest bearing, unless the character of the deposit is such that payment of interest thereon is otherwise required by law or unless the principals to the transaction specifically require, in writing, that the deposit be placed in an interest bearing account.

(18) Failure to make available to the Department all escrow records and related documents maintained in connection with the practice of real estate within 24 hours of a request for those documents by Department personnel.

(19) Failing to furnish copies upon request of documents relating to a real estate transaction to a party who has executed that

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Failure of a sponsoring broker to timely provide information, sponsor cards, or termination of licenses to the Department.

Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

Commingling the money or property of others with his or her own money or property.

Employing any person on a purely temporary or single deal basis as a means of evading the law regarding payment of commission to nonlicensees on some contemplated transactions.

Permitting the use of his or her license as a broker to enable a salesperson or unlicensed person to operate a real estate business without actual participation therein and control thereof by the broker.

Any other conduct, whether of the same or a different character from that specified in this Section, that constitutes dishonest dealing.

Displaying a "for rent" or "for sale" sign on any property without the written consent of an owner or his or her duly authorized agent or advertising by any means that any property is for sale or for rent without the written consent of the owner or his or her authorized agent.

Failing to provide information requested by the Department, or otherwise respond to that request, within 30 days of the request.

Advertising by means of a blind advertisement, except as otherwise permitted in Section 10-30 of this Act.

Offering guaranteed sales plans, as defined in clause (A) of this subdivision (29), except to the extent hereinafter set forth:

(A) A "guaranteed sales plan" is any real estate purchase or sales plan whereby a licensee enters into a conditional or unconditional written contract with a seller, prior to entering into a brokerage agreement with the seller, by the terms of which a licensee agrees to purchase a property of the seller within a specified period of time at a specific price in the event the property is not sold in accordance with the terms of a brokerage agreement to be entered into between the sponsoring broker and the seller.
(B) A licensee offering a guaranteed sales plan shall provide the details and conditions of the plan in writing to the party to whom the plan is offered.

(C) A licensee offering a guaranteed sales plan shall provide to the party to whom the plan is offered evidence of sufficient financial resources to satisfy the commitment to purchase undertaken by the broker in the plan.

(D) Any licensee offering a guaranteed sales plan shall undertake to market the property of the seller subject to the plan in the same manner in which the broker would market any other property, unless the agreement with the seller provides otherwise.

(E) The licensee cannot purchase seller’s property until the brokerage agreement has ended according to its terms or is otherwise terminated.

(F) Any licensee who fails to perform on a guaranteed sales plan in strict accordance with its terms shall be subject to all the penalties provided in this Act for violations thereof and, in addition, shall be subject to a civil fine payable to the party injured by the default in an amount of up to $25,000.

(30) Influencing or attempting to influence, by any words or acts, a prospective seller, purchaser, occupant, landlord, or tenant of real estate, in connection with viewing, buying, or leasing real estate, so as to promote or tend to promote the continuance or maintenance of racially and religiously segregated housing or so as to retard, obstruct, or discourage racially integrated housing on or in any street, block, neighborhood, or community.

(31) Engaging in any act that constitutes a violation of any provision of Article 3 of the Illinois Human Rights Act, whether or not a complaint has been filed with or adjudicated by the Human Rights Commission.

(32) Inducing any party to a contract of sale or lease or brokerage agreement to break the contract of sale or lease or brokerage agreement for the purpose of substituting, in lieu thereof, a new contract for sale or lease or brokerage agreement with a third party.

(33) Negotiating a sale, exchange, or lease of real estate directly with any person if the licensee knows that the person has an exclusive brokerage agreement with another broker, unless

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specifically authorized by that broker.

(34) When a licensee is also an attorney, acting as the attorney for either the buyer or the seller in the same transaction in which the licensee is acting or has acted as a broker or salesperson.

(35) Advertising or offering merchandise or services as free if any conditions or obligations necessary for receiving the merchandise or services are not disclosed in the same advertisement or offer. These conditions or obligations include without limitation the requirement that the recipient attend a promotional activity or visit a real estate site. As used in this subdivision (35), "free" includes terms such as "award", "prize", "no charge", "free of charge", "without charge", and similar words or phrases that reasonably lead a person to believe that he or she may receive or has been selected to receive something of value, without any conditions or obligations on the part of the recipient.

(36) Disregarding or violating any provision of the Land Sales Registration Act of 1989, the Illinois Real Estate Time-Share Act, or the published rules promulgated by the Department to enforce those Acts.

(37) Violating the terms of a disciplinary order issued by the Department.

(38) Paying or failing to disclose compensation in violation of Article 10 of this Act.

(39) Requiring a party to a transaction who is not a client of the licensee to allow the licensee to retain a portion of the escrow moneys for payment of the licensee's commission or expenses as a condition for release of the escrow moneys to that party.

(40) Disregarding or violating any provision of this Act or the published rules promulgated by the Department to enforce this Act or aiding or abetting any individual, partnership, registered limited liability partnership, limited liability company, or corporation in disregarding any provision of this Act or the published rules promulgated by the Department to enforce this Act.

(41) Failing to provide the minimum services required by Section 15-75 of this Act when acting under an exclusive brokerage agreement.

(42) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a managing broker, broker, salesperson, or leasing agent's inability

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to practice with reasonable skill or safety.

(43) Enabling, aiding, or abetting an auctioneer, as defined in the Auction License Act, to conduct a real estate auction in a manner that is in violation of this Act.

(b) The Department may refuse to issue or renew or may suspend the license of any person who fails to file a return, pay the tax, penalty or interest shown in a filed return, or pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of that tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(c) The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(d) In cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) In enforcing this Section, the Department or Board upon a showing of a possible violation may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall be grounds for suspension of his or her license until the

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individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 97-813, eff. 7-13-12; 97-1002, eff. 8-17-12; 98-553, eff. 1-1-14; revised 11-14-13.)

Section 515. The Hydraulic Fracturing Regulatory Act is amended by changing Sections 1-15, 1-35, 1-60, 1-70, 1-75, and 1-95 as follows:

(225 ILCS 732/1-15)


(a) Except as otherwise provided, the Department shall enforce this Act and all rules and orders adopted in accordance with this Act.

(b) Except as otherwise provided, the Department shall have jurisdiction and authority over all persons and property necessary to enforce

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the provisions of this Act effectively. In aid of this jurisdiction, the Director, or anyone designated in writing by the Director, shall have the authority to administer oaths and to issue subpoenas for the production of records or other documents and for the attendance of witnesses at any proceedings of the Department.

(c) The Department may authorize any employee of the Department, qualified by training and experience, to perform the powers and duties set forth in this Act.

(d) For the purpose of determining compliance with the provisions of this Act and any orders or rules entered or adopted under this Act, the Department shall have the right at all times to go upon and inspect properties where high volume horizontal hydraulic fracturing operations are being or have been conducted.

(e) The Department shall make any inquiries as it may deem proper to determine whether a violation of this Act or any orders or rules entered or adopted under this Act exists or is imminent. In the exercise of these powers, the Department shall have the authority to collect data; to require testing and sampling; to make investigation and inspections; to examine properties, including records and logs; to examine, check, and test hydrocarbon wells; to hold hearings; to adopt administrative rules; and to take any action as may be reasonably necessary to enforce this Act.

(f) Except as otherwise provided, the Department may specify the manner in which all information required to be submitted under this Act is submitted.

(Source: P.A. 98-22, eff. 6-17-13; revised 11-18-13.)

(225 ILCS 732/1-35)

Sec. 1-35. High volume horizontal hydraulic fracturing permit application.

(a) Every applicant for a permit under this Act shall first register with the Department at least 30 days before applying for a permit. The Department shall make available a registration form within 90 days after the effective date of this Act. The registration form shall require the following information:

(1) the name and address of the registrant and any parent, subsidiary, or affiliate thereof;

(2) disclosure of all findings of a serious violation or an equivalent violation under federal or state laws or regulations in the development or operation of an oil or gas exploration or production site via hydraulic fracturing by the applicant or any parent, subsidiary, or affiliate thereof within the previous 5 years; and

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(3) proof of insurance to cover injuries, damages, or loss related to pollution or diminution in the amount of at least $5,000,000, from an insurance carrier authorized, licensed, or permitted to do this insurance business in this State that holds at least an A- rating by A.M. Best & Co. or any comparable rating service.

A registrant must notify the Department of any change in the information identified in paragraphs (1), (2), or (3) of this subsection (a) at least annually or upon request of the Department.

(b) Every applicant for a permit under this Act must submit the following information to the Department on an application form provided by the Department:

(1) the name and address of the applicant and any parent, subsidiary, or affiliate thereof;

(2) the proposed well name and address and legal description of the well site and its unit area;

(3) a statement whether the proposed location of the well site is in compliance with the requirements of Section 1-25 of this Act and a plat, which shows the proposed surface location of the well site, providing the distance in feet, from the surface location of the well site to the features described in subsection (a) of Section 1-25 of this Act;

(4) a detailed description of the proposed well to be used for the high volume horizontal hydraulic fracturing operations including, but not limited to, the following information:

   (A) the approximate total depth to which the well is to be drilled or deepened;

   (B) the proposed angle and direction of the well;

   (C) the actual depth or the approximate depth at which the well to be drilled deviates from vertical;

   (D) the angle and direction of any nonvertical portion of the wellbore until the well reaches its total target depth or its actual final depth; and

   (E) the estimated length and direction of the proposed horizontal lateral or wellbore;

(5) the estimated depth and elevation, according to the most recent publication of the Illinois State Geological Survey of Groundwater for the location of the well, of the lowest potential fresh water along the entire length of the proposed wellbore;

(6) a detailed description of the proposed high volume
horizontal hydraulic fracturing operations, including, but not limited to, the following:

(A) the formation affected by the high volume horizontal hydraulic fracturing operations, including, but not limited to, geologic name and geologic description of the formation that will be stimulated by the operation;

(B) the anticipated surface treating pressure range;

(C) the maximum anticipated injection treating pressure;

(D) the estimated or calculated fracture pressure of the producing and confining zones; and

(E) the planned depth of all proposed perforations or depth to the top of the open hole section;

(7) a plat showing all known previous wellbores well bores within 750 feet of any part of the horizontal wellbore well bore that penetrated within 400 vertical feet of the formation that will be stimulated as part of the high volume horizontal hydraulic fracturing operations;

(8) unless the applicant documents why the information is not available at the time the application is submitted, a chemical disclosure report identifying each chemical and proppant anticipated to be used in hydraulic fracturing fluid for each stage of the hydraulic fracturing operations including the following:

(A) the total volume of water anticipated to be used in the hydraulic fracturing treatment of the well or the type and total volume of the base fluid anticipated to be used in the hydraulic fracturing treatment, if something other than water;

(B) each hydraulic fracturing additive anticipated to be used in the hydraulic fracturing fluid, including the trade name, vendor, a brief descriptor of the intended use or function of each hydraulic fracturing additive, and the Material Safety Data Sheet (MSDS), if applicable;

(C) each chemical anticipated to be intentionally added to the base fluid, including for each chemical, the Chemical Abstracts Service number, if applicable; and

(D) the anticipated concentration in the base fluid, in percent by mass, of each chemical to be intentionally added to the base fluid;

(9) a certification of compliance with the Water Use Act of

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1983 and applicable regional water supply plans;

(10) a fresh water withdrawal and management plan that shall include the following information:

(A) the source of the water, such as surface or groundwater, anticipated to be used for water withdrawals, and the anticipated withdrawal location;

(B) the anticipated volume and rate of each water withdrawal from each withdrawal location;

(C) the anticipated months when water withdrawals shall be made from each withdrawal location;

(D) the methods to be used to minimize water withdrawals as much as feasible; and

(E) the methods to be used for surface water withdrawals to minimize adverse impact to aquatic life.

Where a surface water source is wholly contained within a single property, and the owner of the property expressly agrees in writing to its use for water withdrawals, the applicant is not required to include this surface water source in the fresh water withdrawal and management plan;

(11) a plan for the handling, storage, transportation, and disposal or reuse of hydraulic fracturing fluids and hydraulic fracturing flowback. The plan shall identify the specific Class II injection well or wells that will be used to dispose of the hydraulic fracturing flowback. The plan shall describe the capacity of the tanks to be used for the capture and storage of flowback and of the lined reserve pit to be used, if necessary, to temporarily store any flowback in excess of the capacity of the tanks. Identification of the Class II injection well or wells shall be by name, identification number, and specific location and shall include the date of the most recent mechanical integrity test for each Class II injection well;

(12) a well site safety plan to address proper safety measures to be employed during high volume horizontal hydraulic fracturing operations for the protection of persons on the site as well as the general public. Within 15 calendar days after submitting the permit application to the Department, the applicant must provide a copy of the plan to the county or counties in which hydraulic fracturing operations will occur. Within 5 calendar days of its receipt, the Department shall provide a copy of the well site safety plan to the Office of the State Fire Marshal;

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(13) a containment plan describing the containment practices and equipment to be used and the area of the well site where containment systems will be employed, and within 5 calendar days of its receipt, the Department shall provide a copy of the containment plan to the Office of the State Fire Marshal;

(14) a casing and cementing plan that describes the casing and cementing practices to be employed, including the size of each string of pipe, the starting point, and depth to which each string is to be set and the extent to which each string is to be cemented;

(15) a traffic management plan that identifies the anticipated roads, streets, and highways that will be used for access to and egress from the well site. The traffic management plan will include a point of contact to discuss issues related to traffic management. Within 15 calendar days after submitting the permit application to the Department, the applicant must provide a copy of the traffic management plan to the county or counties in which the well site is located, and within 5 calendar days of its receipt, the Department shall provide a copy of the traffic management plan to the Office of the State Fire Marshal;

(16) the names and addresses of all owners of any real property within 1,500 feet of the proposed well site, as disclosed by the records in the office of the recorder of the county or counties;

(17) drafts of the specific public notice and general public notice as required by Section 1-40 of this Act;

(18) a statement that the well site at which the high volume horizontal hydraulic fracturing operation will be conducted will be restored in compliance with Section 240.1181 of Title 62 of the Illinois Administrative Code and Section 1-95 of this Act;

(19) proof of insurance to cover injuries, damages, or loss related to pollution in the amount of at least $5,000,000; and

(20) any other relevant information which the Department may, by rule, require.

(c) Where an application is made to conduct high volume horizontal fracturing operations at a well site located within the limits of any city, village, or incorporated town, the application shall state the name of the city, village, or incorporated town and be accompanied with a certified copy of the official consent for the hydraulic fracturing operations to occur from the municipal authorities where the well site is proposed to be located. No permit shall be issued unless consent is secured and filed with the permit application.

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In the event that an amended location is selected, the original permit shall not be valid unless a new certified consent is filed for the amended location.

(d) The hydraulic fracturing permit application shall be accompanied by a bond as required by subsection (a) of Section 1-65 of this Act.

(e) Each application for a permit under this Act shall include payment of a non-refundable fee of $13,500. Of this fee, $11,000 shall be deposited into the Mines and Minerals Regulatory Fund for the Department to use to administer and enforce this Act and otherwise support the operations and programs of the Office of Mines and Minerals. The remaining $2,500 shall be deposited into the Illinois Clean Water Fund for the Agency to use to carry out its functions under this Act. The Department shall not initiate its review of the permit application until the applicable fee under this subsection (e) has been submitted to and received by the Department.

(f) Each application submitted under this Act shall be signed, under the penalty of perjury, by the applicant or the applicant's designee who has been vested with the authority to act on behalf of the applicant and has direct knowledge of the information contained in the application and its attachments. Any person signing an application shall also sign an affidavit with the following certification:

"I certify, under penalty of perjury as provided by law and under penalty of refusal, suspension, or revocation of a high volume horizontal hydraulic fracturing permit, that this application and all attachments are true, accurate, and complete to the best of my knowledge."

(g) The permit application shall be submitted to the Department in both electronic and hard copy format. The electronic format shall be searchable.

(h) The application for a high volume horizontal hydraulic fracturing permit may be submitted as a combined permit application with the operator's application to drill on a form as the Department shall prescribe. The combined application must include the information required in this Section. If the operator elects to submit a combined permit application, information required by this Section that is duplicative of information required for an application to drill is only required to be provided once as part of the combined application. The submission of a combined permit application under this subsection shall not be interpreted to relieve the applicant or the Department from complying with the requirements of this Act or the Illinois Oil and Gas Act.

(i) Upon receipt of a permit application, the Department shall have no
more than 60 calendar days from the date it receives the permit application to approve, with any conditions the Department may find necessary, or reject the application for the high volume horizontal hydraulic fracturing permit. The applicant may waive, in writing, the 60-day deadline upon its own initiative or in response to a request by the Department.

(j) If at any time during the review period the Department determines that the permit application is not complete under this Act, does not meet the requirements of this Section, or requires additional information, the Department shall notify the applicant in writing of the application's deficiencies and allow the applicant to correct the deficiencies and provide the Department any information requested to complete the application. If the applicant fails to provide adequate supplemental information within the review period, the Department may reject the application.

(Source: P.A. 98-22, eff. 6-17-13; revised 11-12-13.)

(225 ILCS 732/1-60)
Sec. 1-60. High volume horizontal hydraulic fracturing permit; denial, suspension, or revocation.

(a) The Department may suspend, revoke, or refuse to issue a high volume horizontal hydraulic fracturing permit under this Act for one or more of the following causes:

(1) providing incorrect, misleading, incomplete, or materially untrue information in a permit application or any document required to be filed with the Department;
(2) violating any condition of the permit;
(3) violating any provision of or any regulation adopted under this Act or the Illinois Oil and Gas Act;
(4) using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere;
(5) having a high volume horizontal hydraulic fracturing permit, or its equivalent, revoked in any other state, province, district, or territory for incurring a material or major violation or using fraudulent or dishonest practices; or
(6) an emergency condition exists under which conduct of the high volume horizontal hydraulic fracturing operations would pose a significant hazard to public health, aquatic life, wildlife, or the environment.

(b) In every case in which a permit is suspended or revoked, the Department shall serve notice of its action, including a statement of the
reasons for the action, either personally or by certified mail, receipt return requested, to the permittee.

(c) The order of suspension or revocation of a permit shall take effect upon issuance of the order. The permittee may request, in writing, within 30 days after the date of receiving the notice, a hearing. Except as provided under subsection (d) of this Section, in the event a hearing is requested, the order shall remain in effect until a final order is entered pursuant to the hearing.

(d) The order of suspension or revocation of a permit may be stayed if requested by the permittee and evidence is submitted demonstrating that there is no significant threat to the public health, aquatic life, wildlife, or the environment if the operation is allowed to continue.

(e) The hearing shall be held at a time and place designated by the Department. The Director of the Department or any administrative law judge designated by him or her has the power to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of books, papers, correspondence, and other records or information that he or she considers relevant or material.

(f) The costs of the administrative hearing shall be set by rule and shall be borne by the permittee.

(g) The Department's decision to suspend or revoke a high volume horizontal hydraulic fracturing permit is subject to judicial review under the Administrative Review Law.

(Source: P.A. 98-22, eff. 6-17-13; revised 11-12-13.)

(225 ILCS 732/1-70)
Sec. 1-70. Well preparation, construction, and drilling.
(a) This Section shall apply to all horizontal wells that are to be completed using high volume horizontal hydraulic fracturing operations under a high volume horizontal hydraulic fracturing permit. The requirements of this Section shall be in addition to any other laws or rules regarding wells and well sites.

(b) Site preparation standards shall be as follows:

(1) The access road to the well site must be located in accordance with access rights identified in the Illinois Oil and Gas Act and located as far as practical from occupied structures, places of assembly, and property lines of leased property.

(2) Unless otherwise approved or directed by the Department, all topsoil stripped to facilitate the construction of the well pad and access roads must be stockpiled, stabilized, and remain on site for use.

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in either partial or final reclamation. In the event it is anticipated that the final reclamation shall take place in excess of one year from drilling the well the topsoil may be disposed of in any lawful manner provided the operator reclaims the site with topsoil of similar characteristics of the topsoil removed.

(3) Piping, conveyances, valves, and tanks in contact with hydraulic fracturing fluid, hydraulic fracturing flowback, or produced water must be constructed of materials compatible with the composition of the hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water.

(4) The improvement, construction, or repair of a publicly owned highway or roadway, if undertaken by the owner, operator, permittee, or any other private entity, shall be performed using bidding procedures outlined in the Illinois Department of Transportation rules governing local roads and streets or applicable bidding requirements outlined in the Illinois Procurement Code as though the project were publicly funded.

(c) Site maintenance standards shall be as follows:

(1) Secondary containment is required for all fueling tanks.
(2) Fueling tanks shall be subject to Section 1-25 of this Act.
(3) Fueling tank filling operations shall be supervised at the fueling truck and at the tank if the tank is not visible to the fueling operator from the truck.
(4) Troughs, drip pads, or drip pans are required beneath the fill port of a fueling tank during filling operations if the fill port is not within the secondary containment required by paragraph (1) of this subsection.

(d) All wells shall be constructed, and casing and cementing activities shall be conducted, in a manner that shall provide for control of the well at all times, prevent the migration of oil, gas, and other fluids into the fresh water and coal seams, and prevent pollution or diminution of fresh water. In addition to any of the Department's casing and cementing requirements, the following shall apply:

(1) All casings must conform to the current industry standards published by the American Petroleum Institute.
(2) Casing thread compound and its use must conform to the current industry standards published by the American Petroleum Institute.
(3) Surface casing shall be centralized at the shoe, above and
below a stage collar or diverting tool, if run, and through usable-quality water zones. In non-deviated holes, pipe centralization as follows is required: a centralizer shall be placed every fourth joint from the cement shoe to the ground surface or to the bottom of the cellar. All centralizers shall meet specifications in, or equivalent to, API Spec 10D, Specification for Bow-Spring Casing Centralizers; API Spec 10 TR4, Technical Report on Considerations Regarding Selection of Centralizers for Primary Cementing Operations; and API RP 10D-2, Recommended Practice for Centralizer Placement and Stop Collar Testing. The Department may require additional centralization as necessary to ensure the integrity of the well design is adequate. All centralizers must conform to the current industry standards published by the American Petroleum Institute.

(4) Cement must conform to current industry standards published by the American Petroleum Institute and the cement slurry must be prepared to minimize its free water content in accordance with the current industry standards published by the American Petroleum Institute; the cement must also:

(A) secure the casing in the wellbore;
(B) isolate and protect fresh groundwater;
(C) isolate abnormally pressured zones, lost circulation zones, and any potential flow zones including hydrocarbon and fluid-bearing zones;
(D) properly control formation pressure and any pressure from drilling, completion and production;
(E) protect the casing from corrosion and degradation;
and
(F) prevent gas flow in the annulus.

(5) Prior to cementing any casing string, the borehole must be circulated and conditioned to ensure an adequate cement bond.

(6) A pre-flush or spacer must be pumped ahead of the cement.

(7) The cement must be pumped at a rate and in a flow regime that inhibits channeling of the cement in the annulus.

(8) Cement compressive strength tests must be performed on all surface, intermediate, and production casing strings; after the cement is placed behind the casing, the operator shall wait on cement to set until the cement achieves a calculated compressive strength of

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at least 500 pounds per square inch, and a minimum of 8 hours before
the casing is disturbed in any way, including installation of a blowout
preventer. The cement shall have a 72-hour compressive strength of
at least 1,200 psi, and the free water separation shall be no more than
6 milliliters per 250 milliliters of cement, tested in accordance with
current American Petroleum Institute standards.

(9) A copy of the cement job log for any cemented casing
string in the well shall be maintained in the well file and available to
the Department upon request.

(10) Surface casing shall be used and set to a depth of at least
200 feet, or 100 feet below the base of the deepest fresh water,
whichever is deeper, but no more than 200 feet below the base of the
deepest fresh water and prior to encountering any hydrocarbon-
bearing zones. The surface casing must be run and cemented as soon
as practicable after the hole has been adequately circulated and
conditioned.

(11) The Department must be notified at least 24 hours prior
to surface casing cementing operations. Surface casing must be fully
cemented to the surface with excess cements. Cementing must be by
the pump and plug method with a minimum of 25% excess cement
with appropriate lost circulation material, unless another amount of
excess cement is approved by the Department. If cement returns are
not observed at the surface, the operator must perform remedial
actions as appropriate.

(12) Intermediate casing must be installed when necessary to
isolate fresh water not isolated by surface casing and to seal off
potential flow zones, anomalous pressure zones, lost circulation zones
and other drilling hazards.

Intermediate casing must be set to protect fresh water if
surface casing was set above the base of the deepest fresh water, if
additional fresh water was found below the surface casing shoe, or
both. Intermediate casing used to isolate fresh water must not be used
as the production string in the well in which it is installed, and may
not be perforated for purposes of conducting a hydraulic fracture
treatment through it.

When intermediate casing is installed to protect fresh water,
the operator shall set a full string of new intermediate casing at least
100 feet below the base of the deepest fresh water and bring cement
to the surface. In instances where intermediate casing was set solely

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to protect fresh water encountered below the surface casing shoe, and cementing to the surface is technically infeasible, would result in lost circulation, or both, cement must be brought to a minimum of 600 feet above the shallowest fresh water zone encountered below the surface casing shoe or to the surface if the fresh water zone is less than 600 feet from the surface. The location and depths of any hydrocarbon-bearing zones or fresh water zones that are open to the wellbore above the casing shoe must be confirmed by coring, electric logs, or testing and must be reported to the Department.

In the case that intermediate casing was set for a reason other than to protect strata that contains fresh water, the intermediate casing string shall be cemented from the shoe to a point at least 600 true vertical feet above the shoe. If there is a hydrocarbon-bearing zone capable of producing exposed above the intermediate casing shoe, the casing shall be cemented from the shoe to a point at least 600 true vertical feet above the shallowest hydrocarbon-bearing zone or to a point at least 200 feet above the shoe of the next shallower casing string that was set and cemented in the well (or to the surface if less than 200 feet).

(13) The Department must be notified prior to intermediate casing cementing operations. Cementing must be by the pump and plug method with a minimum of 25% excess cement. A radial cement bond evaluation log, or other evaluation approved by the Department, must be run to verify the cement bond on the intermediate casing. Remedial cementing is required if the cement bond is not adequate for drilling ahead.

(14) Production casing must be run and fully cemented to 500 feet above the top perforated zone, if possible. The Department must be notified at least 24 hours prior to production casing cementing operations. Cementing must be by the pump and plug method with a minimum of 25% excess cement.

(15) At any time, the Department, as it deems necessary, may require installation of an additional cemented casing string or strings in the well.

(16) After the setting and cementing of a casing string, except the conductor casing, and prior to further drilling, the casing string shall be tested with fresh water, mud, or brine to no less than 0.22 psi per foot of casing string length or 1,500 psi, whichever is greater but not to exceed 70% of the minimum internal yield, for at least 30 minutes.
minutes with less than a 5% pressure loss, except that any casing string that will have pressure exerted on it during stimulation of the well shall be tested to at least the maximum anticipated treatment pressure. If the pressure declines more than 5% or if there are other indications of a leak, corrective action shall be taken before conducting further drilling and high volume horizontal hydraulic fracturing operations. The operator shall contact the Department's District Office for any county in which the well is located at least 24 hours prior to conducting a pressure test to enable an inspector to be present when the test is done. A record of the pressure test must be maintained by the operator and must be submitted to the Department on a form prescribed by the Department prior to conducting high volume horizontal hydraulic fracturing operations. The actual pressure must not exceed the test pressure at any time during high volume horizontal hydraulic fracturing operations.

(17) Any hydraulic fracturing string used in the high volume horizontal hydraulic fracturing operations must be either strung into a production liner or run with a packer set at least 100 feet below the deepest cement top and must be tested to not less than the maximum anticipated treating pressure minus the annulus pressure applied between the fracturing string and the production or immediate casing. The pressure test shall be considered successful if the pressure applied has been held for 30 minutes with no more than 5% pressure loss. A function-tested relief valve and diversion line must be installed and used to divert flow from the hydraulic fracturing string-casing annulus to a covered watertight steel tank in case of hydraulic fracturing string failure. The relief valve must be set to limit the annular pressure to no more than 95% of the working pressure rating of the casings forming the annulus. The annulus between the hydraulic fracturing string and casing must be pressurized to at least 250 psi and monitored.

(18) After a successful pressure test under paragraph (16) of this subsection, a formation pressure integrity test must be conducted below the surface casing and below all intermediate casing. The operator shall notify the Department's District Office for any county in which the well is located at least 24 hours prior to conducting a formation pressure integrity test to enable an inspector to be present when the test is done. A record of the pressure test must be maintained by the operator and must be submitted to the Department.
on a form prescribed by the Department prior to conducting high volume horizontal hydraulic fracturing operations. The actual hydraulic fracturing treatment pressure must not exceed the test pressure at any time during high volume horizontal hydraulic fracturing operations.

(e) Blowout prevention standards shall be set as follows:

(1) The operator shall use blowout prevention equipment after setting casing with a competent casing seat. Blowout prevention equipment shall be in good working condition at all times.

(2) The operator shall use pipe fittings, valves, and unions placed on or connected to the blow out blow-out prevention systems that have a working pressure capability that exceeds the anticipated pressures.

(3) During all drilling and completion operations when a blowout preventer is installed, tested, or in use, the operator or operator's designated representative shall be present at the well site and that person or personnel shall have a current well control certification from an accredited training program that is acceptable to the Department. The certification shall be available at the well site and provided to the Department upon request.

(4) Appropriate pressure control procedures and equipment in proper working order must be properly installed and employed while conducting drilling and completion operations including tripping, logging, running casing into the well, and drilling out solid-core stage plugs.

(5) Pressure testing of the blowout preventer and related equipment for any drilling or completion operation must be performed. Testing must be conducted in accordance with current industry standards published by the American Petroleum Institute. Testing of the blowout preventer shall include testing after the blowout preventer is installed on the well but prior to drilling below the last cemented casing seat. Pressure control equipment, including the blowout preventer, that fails any pressure test shall not be used until it is repaired and passes the pressure test.

(6) A remote blowout preventer actuator, that is powered by a source other than rig hydraulics, shall be located at least 50 feet from the wellhead and have an appropriate rated working pressure.

(Source: P.A. 98-22, eff. 6-17-13; revised 11-14-13.)

(225 ILCS 732/1-75)
Sec. 1-75. High volume horizontal hydraulic fracturing operations.

(a) General.

(1) During all phases of high volume horizontal hydraulic fracturing operations, the permittee shall comply with all terms of the permit.

(2) All phases of high volume horizontal hydraulic fracturing operations shall be conducted in a manner that shall not pose a significant risk to public health, life, property, aquatic life, or wildlife.

(3) The permittee shall notify the Department by phone, electronic communication, or letter, at least 48 hours prior to the commencement of high volume horizontal hydraulic fracturing operations.

(b) Integrity tests and monitoring.

(1) Before the commencement of high volume horizontal hydraulic fracturing operations, all mechanical integrity tests required under subsection (d) of Section 1-70 and this subsection must be successfully completed.

(2) Prior to commencing high volume horizontal hydraulic fracturing operations and pumping of hydraulic fracturing fluid, the injection lines and manifold, associated valves, fracture head or tree and any other wellhead component or connection not previously tested must be tested with fresh water, mud, or brine to at least the maximum anticipated treatment pressure for at least 30 minutes with less than a 5% pressure loss. A record of the pressure test must be maintained by the operator and made available to the Department upon request. The actual high volume horizontal hydraulic fracturing treatment pressure must not exceed the test pressure at any time during high volume horizontal hydraulic fracturing operations.

(3) The pressure exerted on treating equipment including valves, lines, manifolds, hydraulic fracturing head or tree, casing and hydraulic fracturing string, if used, must not exceed 95% of the working pressure rating of the weakest component. The high volume horizontal hydraulic fracturing treatment pressure must not exceed the test pressure of any given component at any time during high volume horizontal hydraulic fracturing operations.

(4) During high volume horizontal hydraulic fracturing operations, all annulus pressures, the injection pressure, and the rate of injection shall be continuously monitored and recorded. The records of the monitoring shall be maintained by the operator and
shall be provided to the Department upon request at any time during the period up to and including 5 years after the well is permanently plugged or abandoned.

(5) High volume horizontal hydraulic fracturing operations must be immediately suspended if any anomalous pressure or flow condition or any other anticipated pressure or flow condition is occurring in a way that indicates the mechanical integrity of the well has been compromised and continued operations pose a risk to the environment. Remedial action shall be undertaken immediately prior to recommencing high volume horizontal hydraulic fracturing operations. The permittee shall notify the Department within 1 hour of suspending operations for any matters relating to the mechanical integrity of the well or risk to the environment.

(c) Fluid and waste management.

(1) For the purposes of storage at the well site and except as provided in paragraph (2) of this subsection, hydraulic fracturing additives, hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water shall be stored in above-ground tanks during all phases of drilling, high volume horizontal hydraulic fracturing, and production operations until removed for proper disposal. For the purposes of centralized storage off site for potential reuse prior to disposal, hydraulic fracturing additives, hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water shall be stored in above-ground tanks.

(2) In accordance with the plan required by paragraph (11) of subsection (b) of Section 1-35 of this Act and as approved by the Department, the use of a reserve pit is allowed for the temporary storage of hydraulic fracturing flowback. The reserve pit shall be used only in the event of a lack of capacity for tank storage due to higher than expected volume or rate of hydraulic fracturing flowback, or other unanticipated flowback occurrence. Any reserve pit must comply with the following construction standards and liner specifications:

(A) the synthetic liner material shall have a minimum thickness of 24 mils with high puncture and tear strength and be impervious and resistant to deterioration;

(B) the pit lining system shall be designed to have a capacity at least equivalent to 110% of the maximum volume of hydraulic fracturing flowback anticipated to be recovered;

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(C) the lined pit shall be constructed, installed, and maintained in accordance with the manufacturers' specifications and good engineering practices to prevent overflow during any use;

(D) the liner shall have sufficient elongation to cover the bottom and interior sides of the pit with the edges secured with at least a 12 inch deep anchor trench around the pit perimeter to prevent any slippage or destruction of the liner materials; and

(E) the foundation for the liner shall be free of rock and constructed with soil having a minimum thickness of 12 inches after compaction covering the entire bottom and interior sides of the pit.

(3) Fresh water may be stored in tanks or pits at the election of the operator.

(4) Tanks required under this subsection must be above-ground tanks that are closed, watertight, and will resist corrosion. The permittee shall routinely inspect the tanks for corrosion.

(5) Hydraulic fracturing fluids and hydraulic fracturing flowback must be removed from the well site within 60 days after completion of high volume horizontal fracturing operations, except that any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.

(6) Tanks, piping, and conveyances, including valves, must be constructed of suitable materials, be of sufficient pressure rating, be able to resist corrosion, and be maintained in a leak-free condition. Fluid transfer operations from tanks to tanker trucks must be supervised at the truck and at the tank if the tank is not visible to the truck operator from the truck. During transfer operations, all interconnecting piping must be supervised if not visible to transfer personnel at the truck and tank.

(7) Hydraulic fracturing flowback must be tested for volatile organic chemicals, semi-volatile organic chemicals, inorganic chemicals, heavy metals, and naturally occurring radioactive material prior to removal from the site. Testing shall occur once per well site and the analytical results shall be filed with the Department and the Agency, and provided to the liquid oilfield waste transportation and disposal operators. Prior to plugging and site restoration, the ground

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adjacent to the storage tanks and any hydraulic fracturing flowback reserve pit must be measured for radioactivity.

(8) Hydraulic fracturing flowback may only be disposed of by injection into a Class II injection well that is below interface between fresh water and naturally occurring Class IV groundwater. Produced water may be disposed of by injection in a permitted enhanced oil recovery operation. Hydraulic fracturing flowback and produced water may be treated and recycled for use in hydraulic fracturing fluid for high volume horizontal hydraulic fracturing operations.

(9) Discharge of hydraulic fracturing fluids, hydraulic fracturing flowback, and produced water into any surface water or water drainage way is prohibited.

(10) Transport of all hydraulic fracturing fluids, hydraulic fracturing flowback, and produced water by vehicle for disposal must be undertaken by a liquid oilfield waste hauler permitted by the Department under Section 8c of the Illinois Oil and Gas Act. The liquid oilfield waste hauler transporting hydraulic fracturing fluids, hydraulic fracturing flowback, or produced water under this Act shall comply with all laws, rules, and regulations concerning liquid oilfield waste.

(11) Drill cuttings, drilling fluids, and drilling wastes not containing oil-based mud or polymer-based mud may be stored in tanks or pits. Pits used to store cuttings, fluids, and drilling wastes from wells not using fresh water mud shall be subject to the construction standards identified in paragraph (2) of this subsection (c) Section. Drill cuttings not contaminated with oil-based mud or polymer-based mud may be disposed of onsite subject to the approval of the Department. Drill cuttings contaminated with oil-based mud or polymer-based mud shall not be disposed of onsite. Annular disposal of drill cuttings or fluid is prohibited.

(12) Any release of hydraulic fracturing fluid, hydraulic fracturing additive, or hydraulic fracturing flowback, used or generated during or after high volume horizontal hydraulic fracturing operations shall be immediately cleaned up and remediated pursuant to Department requirements. Any release of hydraulic fracturing fluid or hydraulic fracturing flowback in excess of 1 barrel, shall be reported to the Department. Any release of a hydraulic fracturing additive shall be reported to the Department in accordance with the appropriate reportable quantity thresholds established under the...
federal Emergency Planning and Community Right-to-Know Act as published in the Code of Federal Regulations (CFR), 40 CFR Parts 355, 370, and 372, the federal Comprehensive Environmental Response, Compensation, and Liability Act as published in 40 CFR Part 302, and subsection (r) of Section 112 of the federal Clean Air Act as published in 40 CFR Part 68. Any release of produced water in excess of 5 barrels shall be cleaned up, remediated, and reported pursuant to Department requirements.

(13) Secondary containment for tanks required under this subsection and additive staging areas is required. Secondary containment measures may include, as deemed appropriate by the Department, one or a combination of the following: dikes, liners, pads, impoundments, curbs, sumps, or other structures or equipment capable of containing the substance. Any secondary containment must be sufficient to contain 110% of the total capacity of the single largest container or tank within a common containment area. No more than one hour before initiating any stage of the high volume horizontal hydraulic fracturing operations, all secondary containment must be visually inspected to ensure all structures and equipment are in place and in proper working order. The results of this inspection must be recorded and documented by the operator, and available to the Department upon request.

(14) A report on the transportation and disposal of the hydraulic fracturing fluids and hydraulic fracturing flowback shall be prepared and included in the well file. The report must include the amount of fluids transported, identification of the company that transported the fluids, the destination of the fluids, and the method of disposal.

(15) Operators operating wells permitted under this Act must submit an annual report to the Department detailing the management of any produced water associated with the permitted well. The report shall be due to the Department no later than April 30th of each year and shall provide information on the operator’s management of any produced water for the prior calendar year. The report shall contain information relative to the amount of produced water the well permitted under this Act produced, the method by which the produced water was disposed, and the destination where the produced water was disposed in addition to any other information the Department determines is necessary by rule.

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(d) Hydraulic fracturing fluid shall be confined to the targeted formation designated in the permit. If the hydraulic fracturing fluid or hydraulic fracturing flowback are migrating into the freshwater zone or to the surface from the well in question or from other wells, the permittee shall immediately notify the Department and shut in the well until remedial action that prevents the fluid migration is completed. The permittee shall obtain the approval of the Department prior to resuming operations.

(e) Emissions controls.

(1) This subsection applies to all horizontal wells that are completed with high volume horizontal hydraulic fracturing.

(2) Except as otherwise provided in paragraph (8) of this subsection (e), permittees shall be responsible for managing gas and hydrocarbon fluids produced during the flowback period by routing recovered hydrocarbon fluids to one or more storage vessels or re-injecting into the well or another well, and routing recovered natural gas into a flow line or collection system, re-injecting the gas into the well or another well, using the gas as an on-site fuel source, or using the gas for another useful purpose that a purchased fuel or raw material would serve, with no direct release to the atmosphere.

(3) If it is technically infeasible or economically unreasonable to minimize emissions associated with the venting of hydrocarbon fluids and natural gas during the flowback period using the methods specified in paragraph (2) of this subsection (e), the permittee shall capture and direct the emissions to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact waterways. Completion combustion devices must be equipped with a reliable continuous ignition source over the duration of the flowback period.

(4) Except as otherwise provided in paragraph (8) of this subsection (e), permittees shall be responsible for minimizing the emissions associated with venting of hydrocarbon fluids and natural gas during the production phase by:

(A) routing the recovered fluids into storage vessels and (i) routing the recovered gas into a gas gathering line, collection system, or to a generator for onsite energy generation, providing that gas to the surface owner of the well site for use for heat or energy generation, or (ii) using another method other than venting or flaring; and

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(B) employing sand traps, surge vessels, separators, and tanks as soon as practicable during cleanout operations to safely maximize resource recovery and minimize releases to the environment.

(5) If the permittee establishes that it is technically infeasible or economically unreasonable to minimize emissions associated with the venting of hydrocarbon fluids and natural gas during production using the methods specified in paragraph (4) of this subsection (e), the Department shall require the permittee to capture and direct any natural gas produced during the production phase to a flare. Any flare used pursuant to this paragraph shall be equipped with a reliable continuous ignition source over the duration of production. In order to establish technical infeasibility or economic unreasonableness under this paragraph (5), the permittee must demonstrate, for each well site on an annual basis, that taking the actions listed in paragraph (4) of this subsection (e) are not cost effective based on a site-specific analysis. Permittees that use a flare during the production phase for operations other than emergency conditions shall file an updated site-specific analysis annually with the Department. The analysis shall be due one year from the date of the previous submission and shall detail whether any changes have occurred that alter the technical infeasibility or economic unreasonableness of the permittee to reduce their emissions in accordance with paragraph (4) of this subsection (e).

(6) Uncontrolled emissions exceeding 6 tons per year from storage tanks shall be recovered and routed to a flare that is designed in accordance with 40 CFR 60.18 and is certified by the manufacturer of the device. The permittee shall maintain and operate the flare in accordance with manufacturer specifications. Any flare used under this paragraph must be equipped with a reliable continuous ignition source over the duration of production.

(7) The Department may approve an exemption that waives the flaring requirements of paragraphs (5) and (6) of this subsection (e) only if the permittee demonstrates that the use of the flare will pose a significant risk of injury or property damage and that alternative methods of collection will not threaten harm to the environment. In determining whether to approve a waiver, the Department shall consider the quantity of casinghead gas produced, the topographical and climatological features at the well site, and the

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proximity of agricultural structures, crops, inhabited structures, public buildings, and public roads and railways.

(8) For each wildcat well, delineation well, or low pressure well, permittees shall be responsible for minimizing the emissions associated with venting of hydrocarbon fluids and natural gas during the flowback period and production phase by capturing and directing the emissions to a completion combustion device during the flowback period and to a flare during the production phase, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device or flare may negatively impact waterways. Completion combustion devices and flares shall be equipped with a reliable continuous ignition source over the duration of the flowback period and the production phase, as applicable.

(9) On or after July 1, 2015, all flares used under paragraphs (5) and (8) of this subsection (e) shall (i) operate with a combustion efficiency of at least 98% and in accordance with 40 CFR 60.18; and (ii) be certified by the manufacturer of the device. The permittee shall maintain and operate the flare in accordance with manufacturer specifications.

(10) Permittees shall employ practices for control of fugitive dust related to their operations. These practices shall include, but are not limited to, the use of speed restrictions, regular road maintenance, and restriction of construction activity during high-wind days. Additional management practices such as road surfacing, wind breaks and barriers, or automation of wells to reduce truck traffic may also be required by the Department if technologically feasible and economically reasonable to minimize fugitive dust emissions.

(11) Permittees shall record and report to the Department on an annual basis the amount of gas flared or vented from each high volume horizontal hydraulic fracturing well. Three years after the effective date of the first high volume horizontal hydraulic fracturing well permit issued by the Department, and every 3 years thereafter, the Department shall prepare a report that analyzes the amount of gas that has been flared or vented and make recommendations to the General Assembly on whether steps should be taken to reduce the amount of gas that is being flared or vented in this State.

(f) High volume horizontal hydraulic fracturing operations completion
Within 60 calendar days after the conclusion of high volume horizontal hydraulic fracturing operations, the operator shall file a high volume horizontal hydraulic fracturing operations completion report with the Department. A copy of each completion report submitted to the Department shall be provided by the Department to the Illinois State Geological Survey. The completion reports required by this Section shall be considered public information and shall be made available on the Department's website. The high volume horizontal hydraulic fracturing operations completion report shall contain the following information:

1. the permittee name as listed in the permit application;
2. the dates of the high volume horizontal hydraulic fracturing operations;
3. the county where the well is located;
4. the well name and Department reference number;
5. the total water volume used in the high volume horizontal hydraulic fracturing operations of the well, and the type and total volume of the base fluid used if something other than water;
6. each source from which the water used in the high volume horizontal hydraulic fracturing operations was drawn, and the specific location of each source, including, but not limited to, the name of the county and latitude and longitude coordinates;
7. the quantity of hydraulic fracturing flowback recovered from the well;
8. a description of how hydraulic fracturing flowback recovered from the well was disposed and, if applicable, reused;
9. a chemical disclosure report identifying each chemical and proppant used in hydraulic fracturing fluid for each stage of the hydraulic fracturing operations including the following:
   A. the total volume of water used in the hydraulic fracturing treatment of the well or the type and total volume of the base fluid used in the hydraulic fracturing treatment, if something other than water;
   B. each hydraulic fracturing additive used in the hydraulic fracturing fluid, including the trade name, vendor, a brief descriptor of the intended use or function of each hydraulic fracturing additive, and the Material Safety Data Sheet (MSDS), if applicable;
   C. each chemical intentionally added to the base fluid, including for each chemical, the Chemical Abstracts
Service number, if applicable; and

(D) the actual concentration in the base fluid, in percent by mass, of each chemical intentionally added to the base fluid;

(10) all pressures recorded during the high volume horizontal hydraulic fracturing operations; and

(11) any other reasonable or pertinent information related to the conduct of the high volume horizontal hydraulic fracturing operations the Department may request or require by administrative rule.

(Source: P.A. 98-22, eff. 6-17-13; revised 11-12-13.)

(225 ILCS 732/1-95)

Sec. 1-95. Plugging; restoration.

(a) The permittee shall perform and complete plugging of the well and restoration of the well site in accordance with the Illinois Oil and Gas Act and any and all rules adopted thereunder. The permittee shall bear all costs related to plugging of the well and reclamation of the well site. If the permittee fails to plug the well in accordance with this Section, the owner of the well shall be responsible for complying with this Section.

(b) Prior to conducting high volume horizontal hydraulic fracturing operations at a well site, the permittee shall cause to be plugged all previously unplugged wellbores within 750 feet of any part of the horizontal wellbore that penetrated within 400 vertical feet of the formation that will be stimulated as part of the high volume horizontal hydraulic fracturing operations.

(c) For well sites where high volume horizontal hydraulic fracturing operations were permitted to occur, the operator shall restore any lands used by the operator other than the well site and production facility to a condition as closely approximating the pre-drilling conditions that existed before the land was disturbed for any stage of site preparation activities, drilling, and high volume horizontal hydraulic fracturing operations. Restoration shall be commenced within 6 months of completion of the well site and completed within 12 months. Restoration shall include, but is not limited to, repair of tile lines, repair of fences and barriers, mitigation of soil compaction and rutting, application of fertilizer or lime to restore the fertility of disturbed soil, and repair of soil conservation practices such as terraces and grassed waterways.

(d) Unless contractually agreed to the contrary by the permittee and surface owner, the permittee shall restore the well site and production facility.
in accordance with the applicable restoration requirements in subsection (c) of this Section and shall remove all equipment and materials involved in site preparation, drilling, and high volume horizontal hydraulic fracturing operations, including tank batteries, rock and concrete pads, oilfield debris, injection and flow lines at or above the surface, electric power lines and poles extending on or above the surface, tanks, fluids, pipes at or above the surface, secondary containment measures, rock or concrete bases, drilling equipment and supplies, and any and all other equipment, facilities, or materials used during any stage of site preparation work, drilling, or hydraulic fracturing operations at the well site. Work on the removal of equipment and materials at the well site shall begin within 6 months after plugging the final well on the well site and be completed no later than 12 months after the last producing well on the well site has been plugged. Roads installed as part of the oil and gas operation may be left in place if provided in the lease or pursuant to agreement with the surface owner, as applicable.

(Source: P.A. 98-22, eff. 6-17-13; revised 11-12-13.)

Section 520. The Riverboat Gambling Act is amended by changing Section 8 as follows:

(230 ILCS 10/8) (from Ch. 120, par. 2408)

Sec. 8. Suppliers licenses.

(a) The Board may issue a suppliers license to such persons, firms or corporations which apply therefor upon the payment of a non-refundable application fee set by the Board, upon a determination by the Board that the applicant is eligible for a suppliers license and upon payment of a $5,000 annual license fee.

(b) The holder of a suppliers license is authorized to sell or lease, and to contract to sell or lease, gambling equipment and supplies to any licensee involved in the ownership or management of gambling operations.

(c) Gambling supplies and equipment may not be distributed unless supplies and equipment conform to standards adopted by rules of the Board.

(d) A person, firm or corporation is ineligible to receive a suppliers license if:

(1) the person has been convicted of a felony under the laws of this State, any other state, or the United States;

(2) the person has been convicted of any violation of Article 28 of the Criminal Code of 1961 or the Criminal Code of 2012, or substantially similar laws of any other jurisdiction;

(3) the person has submitted an application for a license under this Act which contains false information;

New matter indicated by italics - deletions by strikeout
(4) the person is a member of the Board;
(5) the firm or corporation is one in which a person defined in
(1), (2), (3) or (4), is an officer, director or managerial employee;
(6) the firm or corporation employs a person who participates
in the management or operation of riverboat gambling authorized
under this Act;
(7) the license of the person, firm or corporation issued under
this Act, or a license to own or operate gambling facilities in any
other jurisdiction, has been revoked.
(e) Any person that supplies any equipment, devices, or supplies to a
licensed riverboat gambling operation must first obtain a suppliers license.
A supplier shall furnish to the Board a list of all equipment, devices and
supplies offered for sale or lease in connection with gambling games
authorized under this Act. A supplier shall keep books and records for the
furnishing of equipment, devices and supplies to gambling operations
separate and distinct from any other business that the supplier might operate.
A supplier shall file a quarterly return with the Board listing all sales and
leases. A supplier shall permanently affix its name or a distinctive logo or
other mark or design element identifying the manufacturer or supplier to all
its equipment, devices, and supplies, except gaming chips without a value
impressed, engraved, or imprinted on it, for gambling operations. The Board
may waive this requirement for any specific product or products if it
determines that the requirement is not necessary to protect the integrity of the
game. Items purchased from a licensed supplier may continue to be used even
though the supplier subsequently changes its name, distinctive logo, or other
mark or design element; undergoes a change in ownership; or ceases to be
licensed as a supplier for any reason. Any supplier's equipment, devices or
supplies which are used by any person in an unauthorized gambling operation
shall be forfeited to the State. A licensed owner may own its own equipment,
deVICES and supplies. Each holder of an owners license under the Act shall
file an annual report listing its inventories of gambling equipment, devices
and supplies.
(f) Any person who knowingly makes a false statement on an
application is guilty of a Class A misdemeanor.
(g) Any gambling equipment, devices and supplies provided by any
licensed supplier may either be repaired on the riverboat or removed from the
riverboat to an on-shore facility owned by the holder of an owners license for
repair.
(Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13; revised 6-10-13.)

New matter indicated by italics - deletions by strikeout
Section 525. The Raffles Act is amended by changing Section 8.1 as follows:

(230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

Sec. 8.1. (a) Political Committees.

(a) For the purposes of this Section the terms defined in this subsection have the meanings given them.

"Net Proceeds" means the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, license fees and other reasonable operating expenses incurred as a result of operating a raffle.

"Raffle" means a form of lottery, as defined in Section 28-2 (b) of the Criminal Code of 2012, conducted by a political committee licensed under this Section, in which:

(1) the player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one or more of which chances is to be designated the winning chance;

(2) the winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

"Unresolved claim" means a claim for civil penalty under Sections 9-3, 9-10, and 9-23 of The Election Code which has been begun by the State Board of Elections, has been disputed by the political committee under the applicable rules of the State Board of Elections, and has not been finally decided either by the State Board of Elections, or, where application for review has been made to the Courts of Illinois, remains finally undecided by the Courts.

"Owes" means that a political committee has been finally determined under applicable rules of the State Board of Elections to be liable for a civil penalty under Sections 9-3, 9-10, and 9-23 of The Election Code.

(b) Licenses issued pursuant to this Section shall be valid for one raffle or for a specified number of raffles to be conducted during a specified period not to exceed one year and may be suspended or revoked for any violation of this Section. The State Board of Elections shall act on a license application within 30 days from the date of application.

(c) Licenses issued by the State Board of Elections are subject to the following restrictions:

(1) No political committee shall conduct raffles or chances

New matter indicated by italics - deletions by strikeout
without having first obtained a license therefor pursuant to this Section.

(2) The application for license shall be prepared in accordance with regulations of the State Board of Elections and must specify the area or areas within the State in which raffle chances will be sold or issued, the time period during which raffle chances will be sold or issued, the time of determination of winning chances and the location or locations at which winning chances will be determined.

(3) A license authorizes the licensee to conduct raffles as defined in this Section.

The following are ineligible for any license under this Section:

(i) any political committee which has an officer who has been convicted of a felony;

(ii) any political committee which has an officer who is or has been a professional gambler or gambling promoter;

(iii) any political committee which has an officer who is not of good moral character;

(iv) any political committee which has an officer who is also an officer of a firm or corporation in which a person defined in (i), (ii) or (iii) has a proprietary, equitable or credit interest, or in which such a person is active or employed;

(v) any political committee in which a person defined in (i), (ii) or (iii) is an officer, director, or employee, whether compensated or not;

(vi) any political committee in which a person defined in (i), (ii) or (iii) is to participate in the management or operation of a raffle as defined in this Section;

(vii) any committee which, at the time of its application for a license to conduct a raffle, owes the State Board of Elections any unpaid civil penalty authorized by Sections 9-3, 9-10, and 9-23 of The Election Code, or is the subject of an unresolved claim for a civil penalty under Sections 9-3, 9-10, and 9-23 of The Election Code;

(viii) any political committee which, at the time of its application to conduct a raffle, has not submitted any report or document required to be filed by Article 9 of The Election Code and such report or document is more than 10 days overdue.

(d) (1) The conducting of raffles is subject to the following

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restrictions:

(i) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the political committee permitted to conduct that game.

(ii) No person except a bona fide member of the political committee may participate in the management or operation of the raffle.

(iii) No person may receive any remuneration or profit for participating in the management or operation of the raffle.

(iv) Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license.

(v) A person under the age of 18 years may participate in the conducting of raffles or chances only with the permission of a parent or guardian. A person under the age of 18 years may be within the area where winning chances are being determined only when accompanied by his parent or guardian.

(2) If a lessor rents premises where a winning chance or chances on a raffle are determined, the lessor shall not be criminally liable if the person who uses the premises for the determining of winning chances does not hold a license issued under the provisions of this Section.

(e) (1) Each political committee licensed to conduct raffles and chances shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.

(2) Each political committee licensed to conduct raffles shall report on the next report due to be filed under Article 9 of The Election Code its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required in this subsection.

Such reports shall be included in the regular reports required of political committees by Article 9 of The Election Code.

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(3) Records required by this subsection shall be preserved for 3 years, and political committees shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

(f) Violation of any provision of this Section is a Class C misdemeanor.

(g) Nothing in this Section shall be construed to authorize the conducting or operating of any gambling scheme, enterprise, activity or device other than raffles as provided for herein.

(Source: P.A. 97-1150, eff. 1-25-13; revised 11-12-13.)

Section 530. The Video Gaming Act is amended by changing Sections 5, 15, 25, and 45 as follows:

(230 ILCS 40/5)
Sec. 5. Definitions. As used in this Act:
"Board" means the Illinois Gaming Board.
"Credit" means one, 5, 10, or 25 cents either won or purchased by a player.
"Distributor" means an individual, partnership, corporation, or limited liability company licensed under this Act to buy, sell, lease, or distribute video gaming terminals or major components or parts of video gaming terminals to or from terminal operators.
"Electronic card" means a card purchased from a licensed establishment, licensed fraternal establishment, licensed veterans establishment, or licensed truck stop establishment for use in that establishment as a substitute for cash in the conduct of gaming on a video gaming terminal.
"Electronic voucher" means a voucher printed by an electronic video game machine that is redeemable in the licensed establishment for which it was issued.
"Terminal operator" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, or licensed veterans establishments.
"Licensed technician" means an individual who is licensed under this Act to repair, service, and maintain video gaming terminals.
"Licensed terminal handler" means a person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under

New matter indicated by italics - deletions by strikeout
this Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, corporation, or limited liability company defined as a manufacturer, distributor, supplier, technician, or terminal operator under this Act.

"Manufacturer" means an individual, partnership, corporation, or limited liability company that is licensed under this Act and that manufactures or assembles video gaming terminals.

"Supplier" means an individual, partnership, corporation, or limited liability company that is licensed under this Act to supply major components or parts to video gaming terminals to licensed terminal operators.

"Net terminal income" means money put into a video gaming terminal minus credits paid out to players.

"Video gaming terminal" means any electronic video game machine that, upon insertion of cash, electronic cards or vouchers, or any combination thereof, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

"Licensed establishment" means any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises, whether the establishment operates on a nonprofit or for-profit basis. "Licensed establishment" includes any such establishment that has a contractual relationship with an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975, provided any contractual relationship shall not include any transfer or offer of revenue from the operation of video gaming under this Act to any licensee licensed under the Illinois Horse Racing Act of 1975. Provided, however, that the licensed establishment that has such a contractual relationship with an inter-track wagering location licensee may not, itself, be (i) an inter-track wagering location licensee, (ii) the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975, or (iii) the corporate subsidiary of a corporation that is also the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975. "Licensed establishment" does not include a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track
wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act, except as provided in this paragraph. The changes made to this definition by Public Act 98-587 this amendatory Act of the 98th General Assembly are declarative of existing law.

"Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed veterans establishment" means the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

"Licensed truck stop establishment" means a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.

(Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; revised 9-19-13.)

(230 ILCS 40/15)

Sec. 15. Minimum requirements for licensing and registration. Every video gaming terminal offered for play shall first be tested and approved pursuant to the rules of the Board, and each video gaming terminal offered in this State for play shall conform to an approved model. For the examination of video gaming machines and associated equipment as required by this Section, the Board may utilize the services of one or more independent outside testing laboratories that have been accredited by a national accreditation body and that, in the judgment of the Board, are qualified to perform such examinations. Every video gaming terminal offered in this State for play must meet minimum standards set by an independent outside testing laboratory approved by the Board. Each approved model shall, at a minimum, meet the following criteria:

1. It must conform to all requirements of federal law and regulations, including FCC Class A Emissions Standards.

2. It must theoretically pay out a mathematically demonstrable percentage during the expected lifetime of the machine of all amounts played, which must not be less than 80%. The Board
shall establish a maximum payout percentage for approved models by rule. Video gaming terminals that may be affected by skill must meet this standard when using a method of play that will provide the greatest return to the player over a period of continuous play.

(3) It must use a random selection process to determine the outcome of each play of a game. The random selection process must meet 99% confidence limits using a standard chi-squared test for (randomness) goodness of fit.

(4) It must display an accurate representation of the game outcome.

(5) It must not automatically alter pay tables or any function of the video gaming terminal based on internal computation of hold percentage or have any means of manipulation that affects the random selection process or probabilities of winning a game.

(6) It must not be adversely affected by static discharge or other electromagnetic interference.

(7) It must be capable of detecting and displaying the following conditions during idle states or on demand: power reset; door open; and door just closed.

(8) It must have the capacity to display complete play history (outcome, intermediate play steps, credits available, bets placed, credits paid, and credits cashed out) for the most recent game played and 10 games prior thereto.

(9) The theoretical payback percentage of a video gaming terminal must not be capable of being changed without making a hardware or software change in the video gaming terminal, either on site or via the central communications system.

(10) Video gaming terminals must be designed so that replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters.

(11) It must have nonresettable meters housed in a locked area of the terminal that keep a permanent record of all cash inserted into the machine, all winnings made by the terminal printer, credits played in for video gaming terminals, and credits won by video gaming players. The video gaming terminal must provide the means for on-demand display of stored information as determined by the Board.

(12) Electronically stored meter information required by this Section must be preserved for a minimum of 180 days after a power loss to the service.

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(13) It must have one or more mechanisms that accept cash in the form of bills. The mechanisms shall be designed to prevent obtaining credits without paying by stringing, slamming, drilling, or other means. If such attempts at physical tampering are made, the video gaming terminal shall suspend itself from operating until reset.

(14) It shall have accounting software that keeps an electronic record which includes, but is not limited to, the following: total cash inserted into the video gaming terminal; the value of winning tickets claimed by players; the total credits played; the total credits awarded by a video gaming terminal; and pay back percentage credited to players of each video game.

(15) It shall be linked by a central communications system to provide auditing program information as approved by the Board. The central communications system shall use a standard industry protocol, as defined by the Gaming Standards Association, and shall have the functionality to enable the Board or its designee to activate or deactivate individual gaming devices from the central communications system. In no event may the communications system approved by the Board limit participation to only one manufacturer of video gaming terminals by either the cost in implementing the necessary program modifications to communicate or the inability to communicate with the central communications system.

(16) The Board, in its discretion, may require video gaming terminals to display Amber Alert messages if the Board makes a finding that it would be economically and technically feasible and pose no risk to the integrity and security of the central communications system and video gaming terminals.

The Board may adopt rules to establish additional criteria to preserve the integrity and security of video gaming in this State. The central communications system vendor may be licensed as a video gaming terminal manufacturer or a video gaming terminal distributor, or both, but in no event shall the central communications system vendor be licensed as a video gaming terminal operator.

The Board shall not permit the development of information or the use by any licensee of gaming device or individual game performance data. Nothing in this Act shall inhibit or prohibit the Board from the use of gaming device or individual game performance data in its regulatory duties. The Board shall adopt rules to ensure that all licensees are treated and all licensees act in a non-discriminatory manner and develop processes and penalties to

New matter indicated by italics - deletions by strikeout
enforce those rules.
(Source: P.A. 98-31, eff. 6-24-13; 98-377, eff. 1-1-14; 98-582, eff. 8-27-13; revised 9-19-13.)

(230 ILCS 40/25)
Sec. 25. Restriction of licensees.
(a) Manufacturer. A person may not be licensed as a manufacturer of a video gaming terminal in Illinois unless the person has a valid manufacturer's license issued under this Act. A manufacturer may only sell video gaming terminals for use in Illinois to persons having a valid distributor's license.

(b) Distributor. A person may not sell, distribute, or lease or market a video gaming terminal in Illinois unless the person has a valid distributor's license issued under this Act. A distributor may only sell video gaming terminals for use in Illinois to persons having a valid distributor's or terminal operator's license.

(c) Terminal operator. A person may not own, maintain, or place a video gaming terminal unless he has a valid terminal operator's license issued under this Act. A terminal operator may only place video gaming terminals for use in Illinois in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. No terminal operator may give anything of value, including but not limited to a loan or financing arrangement, to a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment as any incentive or inducement to locate video terminals in that establishment. Of the after-tax profits from a video gaming terminal, 50% shall be paid to the terminal operator and 50% shall be paid to the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, notwithstanding any agreement to the contrary. A video terminal operator that violates one or more requirements of this subsection is guilty of a Class 4 felony and is subject to termination of his or her license by the Board.

(d) Licensed technician. A person may not service, maintain, or repair a video gaming terminal in this State unless he or she (1) has a valid technician's license issued under this Act, (2) is a terminal operator, or (3) is employed by a terminal operator, distributor, or manufacturer.

(d-5) Licensed terminal handler. No person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator licensed pursuant to this
Act, shall have possession or control of a video gaming terminal, or access to the inner workings of a video gaming terminal, unless that person possesses a valid terminal handler's license issued under this Act.

(e) Licensed establishment. No video gaming terminal may be placed in any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment unless the owner or agent of the owner of the licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment has entered into a written use agreement with the terminal operator for placement of the terminals. A copy of the use agreement shall be on file in the terminal operator's place of business and available for inspection by individuals authorized by the Board. A licensed establishment, licensed truck stop establishment, licensed veterans establishment, or licensed fraternal establishment may operate up to 5 video gaming terminals on its premises at any time.

(f) (Blank).

(g) Financial interest restrictions. As used in this Act, "substantial interest" in a partnership, a corporation, an organization, an association, a business, or a limited liability company means:

(A) When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

(B) When, with respect to a partnership, the individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or

(C) When, with respect to a corporation, an individual or his or her spouse is an officer or director, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

(D) When, with respect to an organization not covered in (A), (B) or (C) above, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is the owner of or otherwise controls 10% or more of the assets of the organization; or

(E) When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year; or

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(F) When, with respect to a limited liability company, an individual or his or her spouse is a member, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company.

For purposes of this subsection (g), "individual" includes all individuals or their spouses whose combined interest would qualify as a substantial interest under this subsection (g) and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

(h) Location restriction. A licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that is (i) located within 1,000 feet of a facility operated by an organization licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act or (ii) located within 100 feet of a school or a place of worship under the Religious Corporation Act, is ineligible to operate a video gaming terminal. The location restrictions in this subsection (h) do not apply if (A) a facility operated by an organization licensee, a school, or a place of worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment becomes licensed under this Act or (B) a school or place of worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment obtains its original liquor license. For the purpose of this subsection, "school" means an elementary or secondary public school, or an elementary or secondary private school registered with or recognized by the State Board of Education.

Notwithstanding the provisions of this subsection (h), the Board may waive the requirement that a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment not be located within 1,000 feet from a facility operated by an organization licensee or licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act. The Board shall not grant such waiver if there is any common ownership or control, shared business activity, or contractual arrangement of any type between the establishment and the organization licensee or owners licensee of a riverboat. The Board shall adopt rules to implement the provisions of this paragraph.

(i) Undue economic concentration. In addition to considering all other

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requirements under this Act, in deciding whether to approve the operation of video gaming terminals by a terminal operator in a location, the Board shall consider the impact of any economic concentration of such operation of video gaming terminals. The Board shall not allow a terminal operator to operate video gaming terminals if the Board determines such operation will result in undue economic concentration. For purposes of this Section, "undue economic concentration" means that a terminal operator would have such actual or potential influence over video gaming terminals in Illinois as to:

(1) substantially impede or suppress competition among terminal operators;
(2) adversely impact the economic stability of the video gaming industry in Illinois; or
(3) negatively impact the purposes of the Video Gaming Act.

The Board shall adopt rules concerning undue economic concentration with respect to the operation of video gaming terminals in Illinois. The rules shall include, but not be limited to, (i) limitations on the number of video gaming terminals operated by any terminal operator within a defined geographic radius and (ii) guidelines on the discontinuation of operation of any such video gaming terminals the Board determines will cause undue economic concentration.

(j) The provisions of the Illinois Antitrust Act are fully and equally applicable to the activities of any licensee under this Act.

(Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77, eff. 7-15-13; 98-112, eff. 7-26-13; revised 10-17-13.)

(230 ILCS 40/45)
Sec. 45. Issuance of license.

(a) The burden is upon each applicant to demonstrate his suitability for licensure. Each video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, and licensed veterans establishment shall be licensed by the Board. The Board may issue or deny a license under this Act to any person pursuant to the same criteria set forth in Section 9 of the Riverboat Gambling Act.

(a-5) The Board shall not grant a license to a person who has facilitated, enabled, or participated in the use of coin-operated devices for gambling purposes or who is under the significant influence or control of such a person. For the purposes of this Act, "facilitated, enabled, or participated in the use of coin-operated amusement devices for gambling purposes" means that the person has been convicted of any violation of
Article 28 of the Criminal Code of 1961 or the Criminal Code of 2012. If there is pending legal action against a person for any such violation, then the Board shall delay the licensure of that person until the legal action is resolved.

(b) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall submit to a background investigation conducted by the Board with the assistance of the State Police or other law enforcement. To the extent that the corporate structure of the applicant allows, the background investigation shall include any or all of the following as the Board deems appropriate or as provided by rule for each category of licensure: (i) each beneficiary of a trust, (ii) each partner of a partnership, (iii) each member of a limited liability company, (iv) each director and officer of a publicly or non-publicly held corporation, (v) each stockholder of a non-publicly held corporation, (vi) each stockholder of 5% or more of a publicly held corporation, or (vii) each stockholder of 5% or more in a parent or subsidiary corporation.

(c) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall disclose the identity of every person, association, trust, corporation, or limited liability company having a greater than 1% direct or indirect pecuniary interest in the video gaming terminal operation for which the license is sought. If the disclosed entity is a trust, the application shall disclose the names and addresses of the beneficiaries; if a corporation, the names and addresses of all stockholders and directors; if a limited liability company, the names and addresses of all members; or if a partnership, the names and addresses of all partners, both general and limited.

(d) No person may be licensed as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment if that person has been found by the Board to:

(1) have a background, including a criminal record, reputation, habits, social or business associations, or prior activities that pose a threat to the public interests of the State or to the security and integrity of video gaming;

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(2) create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of video gaming; or

(3) present questionable business practices and financial arrangements incidental to the conduct of video gaming activities.

(e) Any applicant for any license under this Act has the burden of proving his or her qualifications to the satisfaction of the Board. The Board may adopt rules to establish additional qualifications and requirements to preserve the integrity and security of video gaming in this State.

(f) A non-refundable application fee shall be paid at the time an application for a license is filed with the Board in the following amounts:

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<th>Fee</th>
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<td>Terminal operator</td>
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<td>Supplier</td>
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<td>Technician</td>
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<td>Terminal Handler</td>
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(g) The Board shall establish an annual fee for each license not to exceed the following:

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<tbody>
<tr>
<td>Licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment</td>
<td>$100</td>
</tr>
<tr>
<td>Video gaming terminal</td>
<td>$100</td>
</tr>
<tr>
<td>Terminal Handler</td>
<td>$50</td>
</tr>
</tbody>
</table>

(h) A terminal operator and a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall equally split the fees specified in item (7) of subsection (g).

(Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13; 98-587, eff. 8-27-13; revised 9-19-13.)

Section 535. The Liquor Control Act of 1934 is amended by changing Sections 5-1, 6-2, 6-6, 6-15, and 7-1 as follows:

(235 ILCS 5/5-1) (from Ch. 43, par. 115)

Sec. 5-1. Licenses issued by the Illinois Liquor Control Commission
shall be of the following classes:


(b) Distributor's license,

(c) Importing Distributor's license,

(d) Retailer's license,

(e) Special Event Retailer's license (not-for-profit),

(f) Railroad license,

(g) Boat license,

(h) Non-Beverage User's license,

(i) Wine-maker's premises license,

(j) Airplane license,

(k) Foreign importer's license,

(l) Broker's license,

(m) Non-resident dealer's license,

(n) Brew Pub license,

(o) Auction liquor license,

(p) Caterer retailer license,

(q) Special use permit license,

(r) Winery shipper's license.

No person, firm, partnership, corporation, or other legal business entity that is engaged in the manufacturing of wine may concurrently obtain and hold a wine-maker's license and a wine manufacturer's license.

(a) A manufacturer's license shall allow the manufacture, importation in bulk, storage, distribution and sale of alcoholic liquor to persons without the State, as may be permitted by law and to licensees in this State as follows:

Class 1. A Distiller may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.

Class 2. A Rectifier, who is not a distiller, as defined herein, may make sales and deliveries of alcoholic liquor to rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.

Class 3. A Brewer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under subsection (e) of Section 6-4 of this Act.

New matter indicated by italics - deletions by strikeout
Class 4. A first class wine-manufacturer may make sales and deliveries of up to 50,000 gallons of wine to manufacturers, importing distributors and distributors, and to no other licensees.

Class 5. A second class wine manufacturer may make sales and deliveries of more than 50,000 gallons of wine to manufacturers, importing distributors and distributors and to no other licensees.

Class 6. A first-class wine-maker's license shall allow the manufacture of up to 50,000 gallons of wine per year, and the storage and sale of such wine to distributors in the State and to persons without the State, as may be permitted by law. A person who, prior to the effective date of this amendatory Act of the 95th General Assembly, is a holder of a first-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with this amendatory Act of the 95th General Assembly.

Class 7. A second-class wine-maker's license shall allow the manufacture of between 50,000 and 150,000 gallons of wine per year, and the storage and sale of such wine to distributors in the State and to persons without the State, as may be permitted by law. A person who, prior to the effective date of this amendatory Act of the 95th General Assembly, is a holder of a second-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with this amendatory Act of the 95th General Assembly.

Class 8. A limited wine-manufacturer may make sales and deliveries not to exceed 40,000 gallons of wine per year to distributors, and to non-licensees in accordance with the provisions of this Act.

Class 9. A craft distiller license shall allow the manufacture of up to 30,000 gallons of spirits by distillation for one year after the effective date of this amendatory Act of the 97th General Assembly and up to 35,000 gallons of spirits by distillation per year thereafter and the storage of such spirits. If a craft distiller licensee is not affiliated with any other manufacturer, then the craft distiller licensee may sell such spirits to distributors in this State and up to 2,500 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the Commission pursuant to Section 6-4 of this Act.

Any craft distiller licensed under this Act who on the effective date of this amendatory Act of the 96th General Assembly was licensed as a distiller and manufactured no more spirits than permitted by this Section shall not be required to pay the initial licensing fee.

New matter indicated by italics - deletions by strikeout
Class 10. A craft brewer's license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 930,000 gallons of beer per year. A craft brewer licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (18) of subsection (a) of Section 3-12 of this Act.

(a-1) A manufacturer which is licensed in this State to make sales or deliveries of alcoholic liquor to licensed distributors or importing distributors and which enlists agents, representatives, or individuals acting on its behalf who contact licensed retailers on a regular and continual basis in this State must register those agents, representatives, or persons acting on its behalf with the State Commission.

Registration of agents, representatives, or persons acting on behalf of a manufacturer is fulfilled by submitting a form to the Commission. The form shall be developed by the Commission and shall include the name and address of the applicant, the name and address of the manufacturer he or she represents, the territory or areas assigned to sell to or discuss pricing terms of alcoholic liquor, and any other questions deemed appropriate and necessary. All statements in the forms required to be made by law or by rule shall be deemed material, and any person who knowingly misstates any material fact under oath in an application is guilty of a Class B misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions, or suppression of material facts in the securing of a registration are grounds for suspension or revocation of the registration. The State Commission shall post a list of registered agents on the Commission's website.

(b) A distributor's license shall allow the wholesale purchase and storage of alcoholic liquors and sale of alcoholic liquors to licensees in this State and to persons without the State, as may be permitted by law.

(c) An importing distributor's license may be issued to and held by those only who are duly licensed distributors, upon the filing of an application by a duly licensed distributor, with the Commission and the Commission shall, without the payment of any fee, immediately issue such importing distributor's license to the applicant, which shall allow the importation of alcoholic liquor by the licensee into this State from any point in the United States outside this State, and the purchase of alcoholic liquor in barrels, casks or other bulk containers and the bottling of such alcoholic liquors before resale thereof, but all bottles or containers so filled shall be sealed, labeled, stamped and otherwise made to comply with all provisions, rules and regulations governing manufacturers in the preparation and bottling

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of alcoholic liquors. The importing distributor's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers and foreign importers only.

(d) A retailer's license shall allow the licensee to sell and offer for sale at retail, only in the premises specified in the license, alcoholic liquor for use or consumption, but not for resale in any form. Nothing in this amendatory Act of the 95th General Assembly shall deny, limit, remove, or restrict the ability of a holder of a retailer's license to transfer, deliver, or ship alcoholic liquor to the purchaser for use or consumption subject to any applicable local law or ordinance. Any retail license issued to a manufacturer shall only permit the manufacturer to sell beer at retail on the premises actually occupied by the manufacturer. For the purpose of further describing the type of business conducted at a retail licensed premises, a retailer's licensee may be designated by the State Commission as (i) an on premise consumption retailer, (ii) an off premise sale retailer, or (iii) a combined on premise consumption and off premise sale retailer.

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).

(e) A special event retailer's license (not-for-profit) shall permit the licensee to purchase alcoholic liquors from an Illinois licensed distributor (unless the licensee purchases less than $500 of alcoholic liquors for the special event, in which case the licensee may purchase the alcoholic liquors from a licensed retailer) and shall allow the licensee to sell and offer for sale, at retail, alcoholic liquors for use or consumption, but not for resale in any form and only at the location and on the specific dates designated for the special event in the license. An applicant for a special event retailer license must (i) furnish with the application: (A) a resale number issued under Section 2c of the Retailers' Occupation Tax Act or evidence that the applicant is registered under Section 2a of the Retailers' Occupation Tax Act, (B) a current, valid exemption identification number issued under Section 1g of the Retailers' Occupation Tax Act, and a certification to the Commission that the purchase of alcoholic liquors will be a tax-exempt purchase, or (C) a statement that the applicant is not registered under Section 2a of the Retailers' Occupation Tax Act, does not hold a resale number under Section 2c of the Retailers' Occupation Tax Act, and does not hold an exemption number under Section 1g of the Retailers' Occupation Tax Act, in which event the Commission shall set forth on the special event retailer's license a statement to that effect; (ii) submit with the application proof satisfactory to the State Commission that the purchase of alcoholic liquors for the special event will be tax-exempt; and (iii) submit with the application a statement certifying that the applicant is not registered as a retailer under Section 2a of the Retailers' Occupation Tax Act or holds an exemption number under Section 1g of the Retailers' Occupation Tax Act, in which event the Commission shall set forth on the special event retailer's license a statement to that effect.

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).
Commission that the applicant will provide dram shop liability insurance in the maximum limits; and (iii) show proof satisfactory to the State Commission that the applicant has obtained local authority approval.

(f) A railroad license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on a club, buffet, lounge or dining car operated on an electric, gas or steam railway in this State; and provided further, that railroad licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. A railroad license shall also permit the licensee to sell or dispense alcoholic liquors on any club, buffet, lounge or dining car operated on an electric, gas or steam railway regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A license shall be obtained for each car in which such sales are made.

(g) A boat license shall allow the sale of alcoholic liquor in individual drinks, on any passenger boat regularly operated as a common carrier on navigable waters in this State or on any riverboat operated under the Riverboat Gambling Act, which boat or riverboat maintains a public dining room or restaurant thereon.

(h) A non-beverage user's license shall allow the licensee to purchase alcoholic liquor from a licensed manufacturer or importing distributor, without the imposition of any tax upon the business of such licensed manufacturer or importing distributor as to such alcoholic liquor to be used by such licensee solely for the non-beverage purposes set forth in subsection (a) of Section 8-1 of this Act, and such licenses shall be divided and classified and shall permit the purchase, possession and use of limited and stated quantities of alcoholic liquor as follows:
- Class 1, not to exceed 500 gallons
- Class 2, not to exceed 1,000 gallons
- Class 3, not to exceed 5,000 gallons
- Class 4, not to exceed 10,000 gallons
- Class 5, not to exceed 50,000 gallons

(i) A wine-maker's premises license shall allow a licensee that

New matter indicated by italics - deletions by strikeout
concurrently holds a first-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license not more than 50,000 gallons of the first-class wine-maker's wine that is made at the first-class wine-maker's licensed premises per year for use or consumption, but not for resale in any form. A wine-maker's premises license shall allow a licensee who concurrently holds a second-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license up to 100,000 gallons of the second-class wine-maker's wine that is made at the second-class wine-maker's licensed premises per year for use or consumption but not for resale in any form. A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license or a second-class wine-maker's license to sell and offer for sale at retail at the premises specified in the wine-maker's premises license, for use or consumption but not for resale in any form, any beer, wine, and spirits purchased from a licensed distributor. Upon approval from the State Commission, a wine-maker's premises license shall allow the licensee to sell and offer for sale at (i) the wine-maker's licensed premises and (ii) at up to 2 additional locations for use and consumption and not for resale. Each location shall require additional licensing per location as specified in Section 5-3 of this Act. A wine-maker's premises licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(j) An airplane license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on an airplane; and provided further, that airplane licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. An airplane licensee shall also permit the sale or dispensing of alcoholic liquors on any passenger airplane regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A single airplane license shall be required of an airline company if liquor service is provided on board aircraft in this State. The annual fee for such license shall be as determined in Section 5-3.

New matter indicated by italics - deletions by strikeout
(k) A foreign importer's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers only, and to import alcoholic liquor other than in bulk from any point outside the United States and to sell such alcoholic liquor to Illinois licensed importing distributors and to no one else in Illinois; provided that (i) the foreign importer registers with the State Commission every brand of alcoholic liquor that it proposes to sell to Illinois licensees during the license period, (ii) the foreign importer complies with all of the provisions of Section 6-9 of this Act with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the foreign importer complies with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(l) (i) A broker's license shall be required of all persons who solicit orders for, offer to sell or offer to supply alcoholic liquor to retailers in the State of Illinois, or who offer to retailers to ship or cause to be shipped or to make contact with distillers, rectifiers, brewers or manufacturers or any other party within or without the State of Illinois in order that alcoholic liquors be shipped to a distributor, importing distributor or foreign importer, whether such solicitation or offer is consummated within or without the State of Illinois.

No holder of a retailer's license issued by the Illinois Liquor Control Commission shall purchase or receive any alcoholic liquor, the order for which was solicited or offered for sale to such retailer by a broker unless the broker is the holder of a valid broker's license.

The broker shall, upon the acceptance by a retailer of the broker's solicitation of an order or offer to sell or supply or deliver or have delivered alcoholic liquors, promptly forward to the Illinois Liquor Control Commission a notification of said transaction in such form as the Commission may by regulations prescribe.

(ii) A broker's license shall be required of a person within this State, other than a retail licensee, who, for a fee or commission, promotes, solicits, or accepts orders for alcoholic liquor, for use or consumption and not for resale, to be shipped from this State and delivered to residents outside of this State by an express company, common carrier, or contract carrier. This Section does not apply to any person who promotes, solicits, or accepts orders for wine as specifically authorized in Section 6-29 of this Act.

A broker's license under this subsection (l) shall not entitle the holder to buy or sell any alcoholic liquors for his own account or to take or deliver title to such alcoholic liquors.

New matter indicated by italics - deletions by strikeout
This subsection (l) shall not apply to distributors, employees of distributors, or employees of a manufacturer who has registered the trademark, brand or name of the alcoholic liquor pursuant to Section 6-9 of this Act, and who regularly sells such alcoholic liquor in the State of Illinois only to its registrants thereunder.

Any agent, representative, or person subject to registration pursuant to subsection (a-1) of this Section shall not be eligible to receive a broker's license.

(m) A non-resident dealer's license shall permit such licensee to ship into and warehouse alcoholic liquor into this State from any point outside of this State, and to sell such alcoholic liquor to Illinois licensed foreign importers and importing distributors and to no one else in this State; provided that (i) said non-resident dealer shall register with the Illinois Liquor Control Commission each and every brand of alcoholic liquor which it proposes to sell to Illinois licensees during the license period, (ii) it shall comply with all of the provisions of Section 6-9 hereof with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the non-resident dealer shall comply with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(n) A brew pub license shall allow the licensee (i) to manufacture beer only on the premises specified in the license, (ii) to make sales of the beer manufactured on the premises or, with the approval of the Commission, beer manufactured on another brew pub licensed premises that is substantially owned and operated by the same licensee to importing distributors, distributors, and to non-licensees for use and consumption, (iii) to store the beer upon the premises, and (iv) to sell and offer for sale at retail from the licensed premises, provided that a brew pub licensee shall not sell for off-premises consumption more than 50,000 gallons per year. A person who holds a brew pub license may simultaneously hold a craft brewer license if he or she otherwise qualifies for the craft brewer license and the craft brewer license is for a location separate from the brew pub's licensed premises. A brew pub license shall permit a person who has received prior approval from the Commission to annually transfer no more than a total of 50,000 gallons of beer manufactured on premises to all other licensed brew pubs that are substantially owned and operated by the same person.

(o) A caterer retailer license shall allow the holder to serve alcoholic liquors as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal, either on or off-
site whether licensed or unlicensed.

(p) An auction liquor license shall allow the licensee to sell and offer for sale at auction wine and spirits for use or consumption, or for resale by an Illinois liquor licensee in accordance with provisions of this Act. An auction liquor license will be issued to a person and it will permit the auction liquor licensee to hold the auction anywhere in the State. An auction liquor license must be obtained for each auction at least 14 days in advance of the auction date.

(q) A special use permit license shall allow an Illinois licensed retailer to transfer a portion of its alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created, and to sell or offer for sale at retail, only in the premises specified in the license hereby created, the transferred alcoholic liquor for use or consumption, but not for resale in any form. A special use permit license may be granted for the following time periods: one day or less; 2 or more days to a maximum of 15 days per location in any 12 month period. An applicant for the special use permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(r) A winery shipper's license shall allow a person with a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license or who is licensed to make wine under the laws of another state to ship wine made by that licensee directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Prior to receiving a winery shipper's license, an applicant for the license must provide the Commission with a true copy of its current license in any state in which it is licensed as a manufacturer of wine. An applicant for a winery shipper's license must also complete an application form that provides any other information the Commission deems necessary. The application form shall include an acknowledgement consenting to the jurisdiction of the Commission, the Illinois Department of Revenue, and the courts of this State concerning the enforcement of this Act and any related laws, rules, and regulations, including authorizing the Department of Revenue and the Commission to conduct audits for the purpose of ensuring compliance with this amendatory Act.

A winery shipper licensee must pay to the Department of Revenue the State liquor gallonage tax under Section 8-1 for all wine that is sold by the licensee and shipped to a person in this State. For the purposes of Section 8-1, a winery shipper licensee shall be taxed in the same manner as a

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manufacturer of wine. A licensee who is not otherwise required to register under the Retailers' Occupation Tax Act must register under the Use Tax Act to collect and remit use tax to the Department of Revenue for all gallons of wine that are sold by the licensee and shipped to persons in this State. If a licensee fails to remit the tax imposed under this Act in accordance with the provisions of Article VIII of this Act, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act. If a licensee fails to properly register and remit tax under the Use Tax Act or the Retailers' Occupation Tax Act for all wine that is sold by the winery shipper and shipped to persons in this State, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act.

A winery shipper licensee must collect, maintain, and submit to the Commission on a semi-annual basis the total number of cases per resident of wine shipped to residents of this State. A winery shipper licensed under this subsection (r) must comply with the requirements of Section 6-29 of this amendatory Act.

(Source: P.A. 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-394, eff. 8-16-13; 98-401, eff. 8-16-13; revised 9-12-13.)

(235 ILCS 5/6-2) (from Ch. 43, par. 120)
Sec. 6-2. Issuance of licenses to certain persons prohibited.
(a) Except as otherwise provided in subsection (b) of this Section and in paragraph (1) of subsection (a) of Section 3-12, no license of any kind issued by the State Commission or any local commission shall be issued to:

(1) A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.

(2) A person who is not of good character and reputation in the community in which he resides.

(3) A person who is not a citizen of the United States.

(4) A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.

(5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or
promoting juvenile prostitution that involves keeping a place of juvenile prostitution.

(6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.

(7) A person whose license issued under this Act has been revoked for cause.

(8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

(9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political subdivision, unless residency is required by local ordinance.

(10) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.

(10a) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois. The Commission shall permit and accept from an applicant for a license under this Act proof prepared from the Secretary of State's website that the corporation or limited liability company is in good standing and is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois.

(11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.

(12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.

New matter indicated by italics - deletions by strikeout
(13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.

(14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall have a direct interest in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 55,000 or less, to any alderman, member of a city council, or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected. Notwithstanding any provision of this paragraph (14) to the contrary, an alderman or member of a city council or commission, a member of a village board of trustees other than the president of the village board of trustees, or a member of a county board other than the president of a county board may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Furthermore, the mayor of a city with a population of 55,000 or less or the president of a village with a population of 55,000 or less may have an interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board over which he or she presides has made

New matter indicated by italics - deletions by strikeout
a local liquor control commissioner appointment that complies with the requirements of Section 4-2 of this Act.

(15) A person who is not a beneficial owner of the business to be operated by the licensee.

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the Criminal Code of 2012, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.

(17) A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Raffles Act or the Illinois Pull Tabs and Jar Games Act.

(18) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21.

(19) A person who is licensed by any licensing authority as a manufacturer of beer, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer, having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed in this State as a distributor or importing distributor. For purposes of this paragraph (19), a person who is licensed by any licensing authority as a "manufacturer of beer" shall also mean a brewer and a non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer.

(20) A person who is licensed in this State as a distributor or importing distributor, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed in this State as a distributor or importing distributor having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed as a manufacturer of beer by any licensing authority, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer.

New matter indicated by italics - deletions by strikeout
thereof, or any other form of business enterprise, except for a person who owns, on or after the effective date of this amendatory Act of the 98th General Assembly, no more than 5% of the outstanding shares of a manufacturer of beer whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934. For the purposes of this paragraph (20), a person who is licensed by any licensing authority as a "manufacturer of beer" shall also mean a brewer and a non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer.

(b) A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Commission shall determine if all provisions of this subsection (b) have been met before any action on the corporation's license is initiated.

(Source: P.A. 97-1059, eff. 8-24-12; 97-1150, eff. 1-25-13; 98-10, eff. 5-6-13; 98-21, eff. 6-13-13, revised 9-24-13.)

(235 ILCS 5/6-6) (from Ch. 43, par. 123)

Sec. 6-6. Except as otherwise provided in this Act no manufacturer or distributor or importing distributor shall, directly or indirectly, sell, supply, furnish, give or pay for, or loan or lease, any furnishing, fixture or equipment on the premises of a place of business of another licensee authorized under this Act to sell alcoholic liquor at retail, either for consumption on or off the premises, nor shall he or she, directly or indirectly, pay for any such license, or advance, furnish, lend or give money for payment of such license, or purchase or become the owner of any note, mortgage, or other evidence of indebtedness of such licensee or any form of security therefor, nor shall such manufacturer, or distributor, or importing distributor, directly or indirectly, be interested in the ownership, conduct or operation of the business of any licensee authorized to sell alcoholic liquor at retail, nor shall any manufacturer, or distributor, or importing distributor be interested directly or indirectly or as owner or part owner of said premises or as lessee or lessor thereof, in any premises upon which alcoholic liquor is sold at retail.

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No manufacturer or distributor or importing distributor shall, directly or indirectly or through a subsidiary or affiliate, or by any officer, director or firm of such manufacturer, distributor or importing distributor, furnish, give, lend or rent, install, repair or maintain, to or for any retail licensee in this State, any signs or inside advertising materials except as provided in this Section and Section 6-5. With respect to retail licensees, other than any government owned or operated auditorium, exhibition hall, recreation facility or other similar facility holding a retailer's license as described in Section 6-5, a manufacturer, distributor, or importing distributor may furnish, give, lend or rent and erect, install, repair and maintain to or for any retail licensee, for use at any one time in or about or in connection with a retail establishment on which the products of the manufacturer, distributor or importing distributor are sold, the following signs and inside advertising materials as authorized in subparts (i), (ii), (iii), and (iv):

(i) Permanent outside signs shall be limited to one outside sign, per brand, in place and in use at any one time, costing not more than $893, exclusive of erection, installation, repair and maintenance costs, and permit fees and shall bear only the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbols commonly associated with and generally used in identifying the product including, but not limited to, "cold beer", "on tap", "carry out", and "packaged liquor".

(ii) Temporary outside signs shall be limited to one temporary outside sign per brand. Examples of temporary outside signs are banners, flags, pennants, streamers, and other items of a temporary and non-permanent nature. Each temporary outside sign must include the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbol commonly associated with and generally used in identifying the product. Temporary outside signs may also include, for example, the product, price, packaging, date or dates of a promotion and an announcement of a retail licensee's specific sponsored event, if the temporary outside sign is intended to promote a product, and provided that the announcement of the retail licensee's event and the product promotion are held simultaneously. However, temporary outside signs may not include names, slogans, markings, or logos that relate to the retailer. Nothing in this subpart (ii) shall prohibit a distributor or importing distributor from bearing the cost of creating or printing a temporary outside sign for the retail licensee's specific sponsored event or from bearing the cost of creating or

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printing a temporary sign for a retail licensee containing, for example, community goodwill expressions, regional sporting event announcements, or seasonal messages, provided that the primary purpose of the temporary outside sign is to highlight, promote, or advertise the product. In addition, temporary outside signs provided by the manufacturer to the distributor or importing distributor may also include, for example, subject to the limitations of this Section, preprinted community goodwill expressions, sporting event announcements, seasonal messages, and manufacturer promotional announcements. However, a distributor or importing distributor shall not bear the cost of such manufacturer preprinted signs.

(iii) Permanent inside signs, whether visible from the outside or the inside of the premises, include, but are not limited to: alcohol lists and menus that may include names, slogans, markings, or logos that relate to the retailer; neons; illuminated signs; clocks; table lamps; mirrors; tap handles; decalcomanias; window painting; and window trim. All permanent inside signs in place and in use at any one time shall cost in the aggregate not more than $2000 per manufacturer. A permanent inside sign must include the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbol commonly associated with and generally used in identifying the product. However, permanent inside signs may not include names, slogans, markings, or logos that relate to the retailer. For the purpose of this subpart (iii), all permanent inside signs may be displayed in an adjacent courtyard or patio commonly referred to as a "beer garden" that is a part of the retailer's licensed premises.

(iv) Temporary inside signs shall include, but are not limited to, lighted chalk boards, acrylic table tent beverage or hors d'oeuvre list holders, banners, flags, pennants, streamers, and inside advertising materials such as posters, placards, bowling sheets, table tents, inserts for acrylic table tent beverage or hors d'oeuvre list holders, sports schedules, or similar printed or illustrated materials; however, such items, for example, as coasters, trays, napkins, glassware and cups shall not be deemed to be inside signs or advertising materials and may only be sold to retailers. All temporary inside signs and inside advertising materials in place and in use at any one time shall cost in the aggregate not more than $325 per manufacturer. Nothing in this subpart (iv) prohibits a distributor or

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importing distributor from paying the cost of printing or creating any temporary inside banner or inserts for acrylic table tent beverage or hors d'oeuvre list holders for a retail licensee, provided that the primary purpose for the banner or insert is to highlight, promote, or advertise the product. For the purpose of this subpart (iv), all temporary inside signs and inside advertising materials may be displayed in an adjacent courtyard or patio commonly referred to as a "beer garden" that is a part of the retailer's licensed premises.

A "cost adjustment factor" shall be used to periodically update the dollar limitations prescribed in subparts (i), (iii), and (iv). The Commission shall establish the adjusted dollar limitation on an annual basis beginning in January, 1997. The term "cost adjustment factor" means a percentage equal to the change in the Bureau of Labor Statistics Consumer Price Index or 5%, whichever is greater. The restrictions contained in this Section 6-6 do not apply to signs, or promotional or advertising materials furnished by manufacturers, distributors or importing distributors to a government owned or operated facility holding a retailer's license as described in Section 6-5.

No distributor or importing distributor shall directly or indirectly or through a subsidiary or affiliate, or by any officer, director or firm of such manufacturer, distributor or importing distributor, furnish, give, lend or rent, install, repair or maintain, to or for any retail licensee in this State, any signs or inside advertising materials described in subparts (i), (ii), (iii), or (iv) of this Section except as the agent for or on behalf of a manufacturer, provided that the total cost of any signs and inside advertising materials including but not limited to labor, erection, installation and permit fees shall be paid by the manufacturer whose product or products said signs and inside advertising materials advertise and except as follows:

A distributor or importing distributor may purchase from or enter into a written agreement with a manufacturer or a manufacturer's designated supplier and such manufacturer or the manufacturer's designated supplier may sell or enter into an agreement to sell to a distributor or importing distributor permitted signs and advertising materials described in subparts (ii), (iii), or (iv) of this Section for the purpose of furnishing, giving, lending, renting, installing, repairing, or maintaining such signs or advertising materials to or for any retail licensee in this State. Any purchase by a distributor or importing distributor from a manufacturer or a manufacturer's designated supplier shall be voluntary and the manufacturer may not require the distributor or the importing distributor to purchase signs or advertising materials from the manufacturer or the manufacturer's designated supplier.

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A distributor or importing distributor shall be deemed the owner of such signs or advertising materials purchased from a manufacturer or a manufacturer's designated supplier.

The provisions of Public Act 90-373 concerning signs or advertising materials delivered by a manufacturer to a distributor or importing distributor shall apply only to signs or advertising materials delivered on or after August 14, 1997.

No person engaged in the business of manufacturing, importing or distributing alcoholic liquors shall, directly or indirectly, pay for, or advance, furnish, or lend money for the payment of any license for another. Any licensee who shall permit or assent, or be a party in any way to any violation or infringement of the provisions of this Section shall be deemed guilty of a violation of this Act, and any money loaned contrary to a provision of this Act shall not be recovered back, or any note, mortgage or other evidence of indebtedness, or security, or any lease or contract obtained or made contrary to this Act shall be unenforceable and void.

This Section shall not apply to airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act.

Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the control of the State or any political subdivision thereof except as provided in this Act. The corporate authorities of any city, village, incorporated town, township, or county may provide by ordinance, however, that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality, township, or county, or in any building located on land under the control of the municipality, township, or county; provided that such township or county complies with all applicable local ordinances in any incorporated area of the township or county. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or

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under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 in Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in Loves Park, Illinois, or, in connection with the operation of an established food serving facility during times when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the Forest Preserve District of Cook County, or on any land used for a golf course or for recreational purposes owned by the Forest Preserve District of Cook County, subject to the control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago Park District if approved by the Park District Commissioners, or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by the District's governing board, or at any airport, golf course, faculty center, or facility in which conference and convention type activities take place belonging to or under control of any State university or public community college district, provided that with respect to a facility for conference and convention type activities alcoholic beverage is sold or served.

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liquors shall be limited to the use of the convention or conference participants or participants in cultural, political or educational activities held in such facilities, and provided further that the faculty or staff of the State university or a public community college district, or members of an organization of students, alumni, faculty or staff of the State university or a public community college district are active participants in the conference or convention, or in Memorial Stadium on the campus of the University of Illinois at Urbana-Champaign during games in which the Chicago Bears professional football team is playing in that stadium during the renovation of Soldier Field, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the Chicago Storm professional soccer team is playing in that facility, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the WNBA professional women's basketball team is playing in that facility, not more than one and a half hours before the start of the game and not after the 10-minute mark of the second half of the game, or by a catering establishment which has rented facilities from a board of trustees of a public community college district, or in a restaurant that is operated by a commercial tenant in the North Campus Parking Deck building that (1) is located at 1201 West University Avenue, Urbana, Illinois and (2) is owned by the Board of Trustees of the University of Illinois, or, if approved by the District board, on land owned by the Metropolitan Sanitary District of Greater Chicago and leased to others for a term of at least 20 years. Nothing in this Section precludes the sale or delivery of alcoholic liquor in the form of original packaged goods in premises located at 500 S. Racine in Chicago belonging to the University of Illinois and used primarily as a grocery store by a commercial tenant during the term of a lease that predates the University's acquisition of the premises; but the University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to all local laws and regulations. After the acquisition by Winnebago County of the property located at 404 Elm Street in Rockford, a commercial tenant who sold alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue to do so for so long as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the sale of alcoholic liquor. Alcoholic

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liquors may be delivered to and sold at Memorial Hall, located at 211 North Main Street, Rockford, under conditions approved by Winnebago County and subject to all local laws and regulations regarding the sale of alcoholic liquor. Each facility shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the State, municipality, State university, airport, golf course, faculty center, facility in which conference and convention type activities take place, park district, Forest Preserve District, public community college district, aquarium, museum, or sanitary district from all financial loss, damage or harm. Alcoholic liquors may be sold at retail in buildings of golf courses owned by municipalities or Illinois State University in connection with the operation of an established food serving facility during times when food is dispensed for consumption upon the premises. Alcoholic liquors may be delivered to and sold at retail in any building owned by a fire protection district organized under the Fire Protection District Act, provided that such delivery and sale is approved by the board of trustees of the district, and provided further that such delivery and sale is limited to fundraising events and to a maximum of 6 events per year. However, the limitation to fundraising events and to a maximum of 6 events per year does not apply to the delivery, sale, or manufacture of alcoholic liquors at the building located at 59 Main Street in Oswego, Illinois, owned by the Oswego Fire Protection District if the alcoholic liquor is sold or dispensed as approved by the Oswego Fire Protection District and the property is no longer being utilized for fire protection purposes.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of the University of Illinois for events that the Board may determine are public events and not related student activities. The Board of Trustees shall issue a written policy within 6 months of the effective date of this amendatory Act of the 95th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, among other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) regarding the anticipated attendees at the event, the relative proportion of individuals under the age of 21 to individuals age 21 or older;
(v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue. In addition, any policy submitted by the Board of Trustees to the Illinois Liquor Control Commission must require that any event at which alcoholic liquors are served or sold in buildings under the control of the Board of Trustees shall require the prior written approval of the Office of the Chancellor for the University campus where the event is located. The Board of Trustees shall submit its policy, and any subsequently revised, updated, new, or amended policies, to the Illinois Liquor Control Commission, and any University event, or location for an event, exempted under such policies shall apply for a license under the applicable Sections of this Act.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Northern Illinois University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after June 28, 2011 (the effective date of Public Act 97-45) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Chicago State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after August 2, 2013

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(the effective date of Public Act 98-132) this amendatory Act of the 98th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be delivered to and sold at retail in the

Alcoholic liquor may be served or sold in buildings under the control of the Board of Trustees of Illinois State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after the effective date of this amendatory Act of the 97th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquor may be delivered to and sold at retail in the

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Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial loss, damage and harm.

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

(i) the Adjutant General's written consent to the issuance of a license to sell alcoholic liquor in such building is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons; and

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or harm.

Alcoholic liquors may be delivered to and sold at retail in the Chicago Civic Center, provided that:

(i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons;

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and

(v) all applicable local ordinances are complied with.

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. In accordance with a license issued under this Act, alcoholic

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liquor may be sold, served, or delivered in buildings and facilities under the control of the Department of Natural Resources during events or activities lasting no more than 7 continuous days upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

Beer and wine may be sold and dispensed at professional sporting events and at professional concerts and other entertainment events conducted on premises owned by the Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage and harm.

Nothing in this Section shall preclude the sale or delivery of beer and wine at a State or county fair or the sale or delivery of beer or wine at a city fair in any otherwise lawful manner.

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural Resources, provided:

a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors

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in the buildings has been filed with the commission by the Department of Natural Resources, and

c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight. Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or restaurant concessionaire is not subject to the provisions of Articles IV and IX.

Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum provided:

a. the property has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and

c. the alcoholic liquors are sold by the lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight.

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in State parks or golf courses owned by Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

Alcoholic liquors may be sold at retail in the Springfield Administration Building of the Department of Transportation and the Illinois State Armory in Springfield; provided, that the controlling government authority may consent to such sales only if

a. the request is from a not-for-profit organization;

b. such sales would not impede normal operations of the departments involved;

c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;

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d. no such sale shall be made during normal working hours of
the State of Illinois; and

e. the consent is in writing.

Alcoholic liquors may be sold at retail in buildings in recreational
areas of river conservancy districts under the control of, or leased from, the
river conservancy districts. Such sales are subject to reasonable local
regulations as provided in Article IV; however, no such regulations may
prohibit or substantially impair the sale of alcoholic liquors on Sundays or
Holidays.

Alcoholic liquors may be provided in long term care facilities owned
or operated by a county under Division 5-21 or 5-22 of the Counties Code,
when approved by the facility operator and not in conflict with the regulations
of the Illinois Department of Public Health, to residents of the facility who
have had their consumption of the alcoholic liquors provided approved in
writing by a physician licensed to practice medicine in all its branches.

Alcoholic liquors may be delivered to and dispensed in State housing
assigned to employees of the Department of Corrections. No person shall
furnish or allow to be furnished any alcoholic liquors to any prisoner confined
in any jail, reformatory, prison or house of correction except upon a
physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice
Building in Springfield, at the State Library in Springfield, and at Illinois
State Museum facilities by (1) an agency of the State, whether legislative,
judicial or executive, provided that such agency first obtains written
permission to sell or dispense alcoholic liquors from the controlling
government authority, or by (2) a not-for-profit organization, provided that
such organization:

a. Obtains written consent from the controlling government
authority;

b. Sells or dispenses the alcoholic liquors in a manner that
does not impair normal operations of State offices located in the
building;

c. Sells or dispenses alcoholic liquors only in connection with
an official activity in the building;

d. Provides, or its catering service provides, dram shop
liability insurance in maximum coverage limits and in which the
carrier agrees to defend, save harmless and indemnify the State of
Illinois from all financial loss, damage or harm arising out of the
selling or dispensing of alcoholic liquors.

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Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at authorized functions.

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) an individual or organization provided that such individual or organization:

a. Obtains written consent from the controlling government authority;
   b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal workings of State offices or operations located at the facility, property or building;
   c. Sells or dispenses alcoholic liquors only in connection with an official activity of the individual or organization in the facility, property or building;
   d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

The controlling government authority for the Historic Sites and Preservation Division of the Historic Preservation Agency shall be the Director of the Historic Sites and Preservation, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any day care or

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child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. obtains written consent from the Department of Central Management Services;

b. accepts delivery of and sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the building; and

d. provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of Illinois from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless the State of Illinois from all financial loss, damage or harm arising

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out of the sale or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:
   a. Obtains written consent from the Department of Central Management Services;
   b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
   c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
   d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:
   a. Obtains written consent from the Department of Central Management Services;
   b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
   c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
   d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

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liability insurance in maximum coverage limits and in which the
carrier agrees to defend, save harmless and indemnify the State of
Illinois from all financial loss, damage or harm arising out of the
selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or
agency of the State from employing the services of a catering establishment
for the selling or dispensing of alcoholic liquors at functions authorized by
the Department of Central Management Services.

Alcoholic liquors may be sold or delivered in a building that is owned
by McLean County, situated on land owned by the county in the City of
Bloomington, and used by the McLean County Historical Society if the sale
or delivery is approved by an ordinance adopted by the county board, and the
municipality in which the building is located may not prohibit that sale or
delivery, notwithstanding any other provision of this Section. The regulation
of the sale and delivery of alcoholic liquor in a building that is owned by
McLean County, situated on land owned by the county, and used by the
McLean County Historical Society as provided in this paragraph is an
exclusive power and function of the State and is a denial and limitation under
Article VII, Section 6, subsection (h) of the Illinois Constitution of the power
of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on
land held in trust for any school district organized under Article 34 of the
School Code, if the building is not used for school purposes and if the sale or
delivery is approved by the board of education.

Alcoholic liquors may be sold or delivered in buildings owned by the
Community Building Complex Committee of Boone County, Illinois if the
person or facility selling or dispensing the alcoholic liquor has provided dram
shop liability insurance with coverage and in amounts that the Committee
reasonably determines are necessary.

Alcoholic liquors may be sold or delivered in the building located at
1200 Centerville Avenue in Belleville, Illinois and occupied by either the
Belleville Area Special Education District or the Belleville Area Special
Services Cooperative.

Alcoholic liquors may be delivered to and sold at the Louis Joliet
Renaissance Center, City Center Campus, located at 214 N. Ottawa Street,
Joliet, and the Food Services/Culinary Arts Department facilities, Main
Campus, located at 1215 Houbolt Road, Joliet, owned by or under the control
of Joliet Junior College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at Triton College,

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Illinois Community College District No. 504.

Alcoholic liquors may be delivered to and sold at the College of DuPage, Illinois Community College District No. 502.

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Apple River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

Alcoholic liquors may be delivered to and sold at the Sikia Restaurant, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, and at the Food Services in the Great Hall/Washburne Culinary Institute Department facility, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, owned by or under the control of City Colleges of Chicago, Illinois Community College District No. 508.

(Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51, eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11; 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised 9-24-13.)

(235 ILCS 5/7-1) (from Ch. 43, par. 145)

Sec. 7-1. An applicant for a retail license from the State Commission shall submit to the State Commission an application in writing under oath stating:

(1) The applicant's name and mailing address;
(2) The name and address of the applicant's business;
(3) If applicable, the date of the filing of the "assumed name" of the business with the County Clerk;
(4) In case of a copartnership, the date of the formation of the partnership; in the case of an Illinois corporation, the date of its incorporation; or in the case of a foreign corporation, the State where it was incorporated and the date of its becoming qualified under the Business Corporation Act of 1983 to transact business in the State of Illinois;
(5) The number, the date of issuance and the date of expiration of the applicant's current local retail liquor license;

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(6) The name of the city, village, or county that issued the local retail liquor license;

(7) The name and address of the landlord if the premises are leased;

(8) The date of the applicant's first request for a State liquor license and whether it was granted, denied or withdrawn;

(9) The address of the applicant when the first application for a State liquor license was made;

(10) The applicant's current State liquor license number;

(11) The date the applicant began liquor sales at his place of business;

(12) The address of the applicant's warehouse if he warehouses liquor;

(13) The applicant's Retailers' Occupation Tax (ROT) Registration Number;

(14) The applicant's document locator number on his Federal Special Tax Stamp;

(15) Whether the applicant is delinquent in the payment of the Retailers' Occupation Tax (Sales Tax), and if so, the reasons therefor;

(16) Whether the applicant is delinquent under the cash beer law, and if so, the reasons therefor;

(17) In the case of a retailer, whether he is delinquent under the 30-day credit law, and if so, the reasons therefor;

(18) In the case of a distributor, whether he is delinquent under the 15-day credit law, and if so, the reasons therefor;

(19) Whether the applicant has made an application for a liquor license which has been denied, and if so, the reasons therefor;

(20) Whether the applicant has ever had any previous liquor license suspended or revoked, and if so, the reasons therefor;

(21) Whether the applicant has ever been convicted of a gambling offense or felony, and if so, the particulars thereof;

(22) Whether the applicant possesses a current Federal Wagering Stamp, and if so, the reasons therefor;

(23) Whether the applicant, or any other person, directly in his place of business is a public official, and if so, the particulars thereof;

(24) The applicant's name, sex, date of birth, social security number, position and percentage of ownership in the business; and the name, sex, date of birth, social security number, position and

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percentage of ownership in the business of every sole owner, partner, corporate officer, director, manager and any person who owns 5% or more of the shares of the applicant business entity or parent corporations of the applicant business entity; and

(25) That he has not received or borrowed money or anything else of value, and that he will not receive or borrow money or anything else of value (other than merchandising credit in the ordinary course of business for a period not to exceed 90 days as herein expressly permitted under Section 6-5 hereof), directly or indirectly, from any manufacturer, importing distributor or distributor or from any representative of any such manufacturer, importing distributor or distributor, nor be a party in any way, directly or indirectly, to any violation by a manufacturer, distributor or importing distributor of Section 6-6 of this Act.

In addition to any other requirement of this Section, an applicant for a special use permit license and a special event retailer's license shall also submit (A) proof satisfactory to the Commission that the applicant has a resale number issued under Section 2c of the Retailers' Occupation Tax Act or that the applicant is registered under Section 2a of the Retailers' Occupation Tax Act, (B) proof satisfactory to the Commission that the applicant has a current, valid exemption identification number issued under Section 1g of the Retailers' Occupation Tax Act and a certification to the Commission that the purchase of alcoholic liquors will be a tax-exempt purchase, or (C) a statement that the applicant is not registered under Section 2a of the Retailers' Occupation Tax Act, does not hold a resale number under Section 2c of the Retailers' Occupation Tax Act, and does not hold an exemption number under Section 1g of the Retailers' Occupation Tax Act. The applicant shall also submit proof of adequate dram shop insurance for the special event prior to being issued a license.

In addition to the foregoing information, such application shall contain such other and further information as the State Commission and the local commission may, by rule or regulation not inconsistent with law, prescribe.

If the applicant reports a felony conviction as required under paragraph (21) of this Section, such conviction may be considered by the Commission in determining qualifications for licensing, but shall not operate as a bar to licensing.

If said application is made in behalf of a partnership, firm, association, club or corporation, then the same shall be signed by one

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member of such partnership or the president or secretary of such corporation or an authorized agent of said partnership or corporation.

All other applications shall be on forms prescribed by the State Commission, and which may exclude any of the above requirements which the State Commission rules to be inapplicable.

(Source: P.A. 90-596, eff. 6-24-98; 91-357, eff. 7-29-99; revised 11-12-13.)

Section 540. The Illinois Public Aid Code is amended by changing Sections 1-10, 5-5, 5-5.2, 5-5.4, 5-5f, 5A-5, 5A-8, 5A-12.4, 11-5.2, and 12-4.25 and by setting forth and renumbering multiple versions of Section 12-4.45 as follows:

(305 ILCS 5/1-10)
Sec. 1-10. Drug convictions.
(a) Persons convicted of an offense under the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act which is a Class X felony, or a Class I felony, or comparable federal criminal law which has as an element the possession, use, or distribution of a controlled substance, as defined in Section 102(6) of the federal Controlled Substances Act (21 U.S.C. 802(c)), shall not be eligible for cash assistance provided under this Code.
(b) Persons convicted of any other felony under the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act which is not a Class X or Class I felony, or comparable federal criminal law which has as an element the possession, use, or distribution of a controlled substance, as defined in Section 102(6) of the federal Controlled Substances Act (21 U.S.C. 802(c)), shall not be eligible for cash assistance provided under this Code for 2 years from the date of conviction. This prohibition shall not apply if the person is in a drug treatment program, aftercare program, or similar program as defined by rule.
(c) Persons shall not be determined ineligible for food stamps provided under this Code based upon a conviction of any felony or comparable federal or State criminal law which has as an element the possession, use or distribution of a controlled substance, as defined in Section 102(6) of the federal Controlled Substances Act (21 U.S.C. 802(c)).

(Source: P.A. 94-556, eff. 9-11-05; revised 11-12-13.)

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)
Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical assistance shall be paid from the State share of the medical services fund,

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services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an

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abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide

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coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.
(B) An annual mammogram for women 40 years of age or older.
(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.
(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and

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other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and

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Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

1. Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
2. The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.

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may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department.

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Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after July 22, 2013 (the effective date of Public Act 98-104) this amendatory Act of the 98th General Assembly, establish procedures to permit skilled care facilities licensed under the Nursing Home Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall have an additional 365 days to test the viability of the new system and to ensure that any necessary operational or structural changes to its information technology platforms are implemented.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could

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indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

(2) In the case of errors attributable to the Illinois Department
or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

(4) In the case of a provider operated by a unit of local government with a population exceeding 3,000,000 when local government funds finance federal participation for claims payments. For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

In the case of long term care facilities, admission documents shall be submitted within 30 days of an admission to the facility through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System, or shall be submitted directly to the Department of Human Services using required admission forms. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

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The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department
of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care; and (v) no later than October 1, 2013, establish procedures to permit long term care providers access to eligibility scores for individuals with an admission date who are seeking or receiving services from the long term care provider. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;
(b) actual statistics and trends in the provision of the various medical services by medical vendors;
(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
(d) efforts at utilization review and control by the Illinois

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Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

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

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 97-48, eff. 6-28-11; 97-638, eff. 1-1-12; 97-689, eff. 6-14-12; 97-1061, eff. 8-24-12; 98-104, Article 9, Section 9-5, eff. 7-22-13; 98-104, Article 12, Section 12-20, eff. 7-22-13; 98-303, eff. 8-9-13; 98-463, eff. 8-16-13; revised 9-19-13.)

(305 ILCS 5/5-5.2) (from Ch. 23, par. 5-5.2)

Sec. 5-5.2. Payment.

(a) All nursing facilities that are grouped pursuant to Section 5-5.1 of this Act shall receive the same rate of payment for similar services.

(b) It shall be a matter of State policy that the Illinois Department shall utilize a uniform billing cycle throughout the State for the long-term care providers.

(c) Notwithstanding any other provisions of this Code, the methodologies for reimbursement of nursing services as provided under this Article shall no longer be applicable for bills payable for nursing services rendered on or after a new reimbursement system based on the Resource Utilization Groups (RUGs) has been fully operationalized, which shall take effect for services provided on or after January 1, 2014.

(d) The new nursing services reimbursement methodology utilizing RUG-IV 48 grouper model, which shall be referred to as the RUGs

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reimbursement system, taking effect January 1, 2014, shall be based on the following:

(1) The methodology shall be resident-driven, facility-specific, and cost-based.

(2) Costs shall be annually rebased and case mix index quarterly updated. The nursing services methodology will be assigned to the Medicaid enrolled residents on record as of 30 days prior to the beginning of the rate period in the Department's Medicaid Management Information System (MMIS) as present on the last day of the second quarter preceding the rate period.

(3) Regional wage adjustors based on the Health Service Areas (HSA) groupings and adjusters in effect on April 30, 2012 shall be included.

(4) Case mix index shall be assigned to each resident class based on the Centers for Medicare and Medicaid Services staff time measurement study in effect on July 1, 2013, utilizing an index maximization approach.

(5) The pool of funds available for distribution by case mix and the base facility rate shall be determined using the formula contained in subsection (d-1).

(d-1) Calculation of base year Statewide RUG-IV nursing base per diem rate.

(1) Base rate spending pool shall be:

(A) The base year resident days which are calculated by multiplying the number of Medicaid residents in each nursing home as indicated in the MDS data defined in paragraph (4) by 365.

(B) Each facility's nursing component per diem in effect on July 1, 2012 shall be multiplied by subsection (A).

(C) Thirteen million is added to the product of subparagraph (A) and subparagraph (B) to adjust for the exclusion of nursing homes defined in paragraph (5).

(2) For each nursing home with Medicaid residents as indicated by the MDS data defined in paragraph (4), weighted days adjusted for case mix and regional wage adjustment shall be calculated. For each home this calculation is the product of:

(A) Base year resident days as calculated in subparagraph (A) of paragraph (1).

(B) The nursing home's regional wage adjustor based

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on the Health Service Areas (HSA) groupings and adjustors in effect on April 30, 2012.

(C) Facility weighted case mix which is the number of Medicaid residents as indicated by the MDS data defined in paragraph (4) multiplied by the associated case weight for the RUG-IV 48 grouper model using standard RUG-IV procedures for index maximization.

(D) The sum of the products calculated for each nursing home in subparagraphs (A) through (C) above shall be the base year case mix, rate adjusted weighted days.

(3) The Statewide RUG-IV nursing base per diem rate on January 1, 2014 shall be the quotient of the paragraph (1) divided by the sum calculated under subparagraph (D) of paragraph (2).

(4) Minimum Data Set (MDS) comprehensive assessments for Medicaid residents on the last day of the quarter used to establish the base rate.

(5) Nursing facilities designated as of July 1, 2012 by the Department as "Institutions for Mental Disease" shall be excluded from all calculations under this subsection. The data from these facilities shall not be used in the computations described in paragraphs (1) through (4) above to establish the base rate.

(e) Notwithstanding any other provision of this Code, the Department shall by rule develop a reimbursement methodology reflective of the intensity of care and services requirements of low need residents in the lowest RUG IV groupers and corresponding regulations. Only that portion of the RUGs Reimbursement System spending pool described in subsection (d-1) attributed to the groupers as of July 1, 2013 for which the methodology in this Section is developed may be diverted for this purpose. The Department shall submit the rules no later than January 1, 2014 for an implementation date no later than January 1, 2015. If the Department does not implement this reimbursement methodology by the required date, the nursing component per diem on January 1, 2015 for residents classified in RUG-IV groups PA1, PA2, BA1, and BA2 shall be the blended rate of the calculated RUG-IV nursing component per diem and the nursing component per diem in effect on July 1, 2012. This blended rate shall be applied only to nursing homes whose resident population is greater than or equal to 70% of the total residents served and whose RUG-IV nursing component per diem rate is less than the nursing component per diem in effect on July 1, 2012. This blended rate shall be in effect until the reimbursement methodology is implemented.
or until July 1, 2019, whichever is sooner.

(e-1) Notwithstanding any other provision of this Article, rates established pursuant to this subsection shall not apply to any and all nursing facilities designated by the Department as "Institutions for Mental Disease" and shall be excluded from the RUGs Reimbursement System applicable to facilities not designated as "Institutions for the Mentally Diseased" by the Department.

(e-2) For dates of services beginning January 1, 2014, the RUG-IV nursing component per diem for a nursing home shall be the product of the statewide RUG-IV nursing base per diem rate, the facility average case mix index, and the regional wage adjustor. Transition rates for services provided between January 1, 2014 and December 31, 2014 shall be as follows:

(1) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is greater than the nursing component rate in effect July 1, 2012 shall be paid the sum of:

   (A) The nursing component rate in effect July 1, 2012;
   
   (B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.88.

(2) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is less than the nursing component rate in effect July 1, 2012 shall be paid the sum of:

   (A) The nursing component rate in effect July 1, 2012;
   
   (B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.13.

(f) Notwithstanding any other provision of this Code, on and after July 1, 2012, reimbursement rates associated with the nursing or support components of the current nursing facility rate methodology shall not increase beyond the level effective May 1, 2011 until a new reimbursement system based on the RUGs IV 48 grouper model has been fully operationalized.

(g) Notwithstanding any other provision of this Code, on and after July 1, 2012, for facilities not designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease", rates effective May 1, 2011 shall be adjusted as follows:

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(1) Individual nursing rates for residents classified in RUG IV groups PA1, PA2, BA1, and BA2 during the quarter ending March 31, 2012 shall be reduced by 10%;

(2) Individual nursing rates for residents classified in all other RUG IV groups shall be reduced by 1.0%;

(3) Facility rates for the capital and support components shall be reduced by 1.7%.

(h) Notwithstanding any other provision of this Code, on and after July 1, 2012, nursing facilities designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease" and "Institutions for Mental Disease" that are facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013 shall have the nursing, socio-developmental, capital, and support components of their reimbursement rate effective May 1, 2011 reduced in total by 2.7%.

(Source: P.A. 97-689, eff. 6-14-12; 98-104, Article 6, Section 6-240, eff. 7-22-13; 98-104, Article 11, Section 11-35, eff. 7-22-13; revised 9-19-13.)

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

Sec. 5-5.4. Standards of Payment - Department of Healthcare and Family Services. The Department of Healthcare and Family Services shall develop standards of payment of nursing facility and ICF/DD services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for nursing facility or ICF/DD services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the ID/DD Community Care Act or the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994, unless specifically provided for in this Section. The changes made by Public Act 93-841 extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the
Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus $1.10 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2009 shall include an increase sufficient to provide a $0.50 per hour wage increase for non-executive staff.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus $3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by $4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid
(now Healthcare and Family Services) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 184 days after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, except facilities participating in the Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, the numerator of the ratio used by the Department of Healthcare and Family Services to compute the rate payable under this Section using the

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Minimum Data Set (MDS) methodology shall incorporate the following annual amounts as the additional funds appropriated to the Department specifically to pay for rates based on the MDS nursing component methodology in excess of the funding in effect on December 31, 2006:

(i) For rates taking effect January 1, 2007, $60,000,000.
(ii) For rates taking effect January 1, 2008, $110,000,000.
(iii) For rates taking effect January 1, 2009, $194,000,000.
(iv) For rates taking effect April 1, 2011, or the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 96th General Assembly, $416,500,000 or an amount as may be necessary to complete the transition to the MDS methodology for the nursing component of the rate. Increased payments under this item (iv) are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the support component of the rates taking effect on January 1, 2008 shall be computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities...
licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, or facilities licensed by the Department of Public Health under the Specialized Mental Health Rehabilitation Act of 2013, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006. The socio-development component of the rate shall be increased by a factor of 2.53 on the first day of the month that begins at least 45 days after January 11, 2008 (the effective date of Public Act 95-707). As of August 1, 2008, the socio-development component rate shall be equal to 6.6% of the facility's nursing component rate as of January 1, 2006, multiplied by a factor

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of 3.53. For services provided on or after April 1, 2011, or the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 96th General Assembly, whichever is later, the Illinois Department may by rule adjust these socio-development component rates, and may use different adjustment methodologies for those facilities participating, and those not participating, in the Illinois Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, but in no case may such rates be diminished below those in effect on August 1, 2008.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 95th General Assembly shall include a statewide increase of 2.5%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on

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file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

The Department shall develop enhanced payments to offset the additional costs incurred by a facility serving exceptional need residents and shall allocate at least $4,000,000 of the funds collected from the assessment established by Section 5B-2 of this Code for such payments. For the purpose of this Section, "exceptional needs" means, but need not be limited to, ventilator care and traumatic brain injury care. The enhanced payments for exceptional need residents under this paragraph are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Beginning January 1, 2014 the methodologies for reimbursement of nursing facility services as provided under this Section 5-5.4 shall no longer be applicable for services provided on or after January 1, 2014.

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No payment increase under this Section for the MDS methodology, exceptional care residents, or the socio-development component rate established by Public Act 96-1530 of the 96th General Assembly and funded by the assessment imposed under Section 5B-2 of this Code shall be due and payable until after the Department notifies the long-term care providers, in writing, that the payment methodologies to long-term care providers required under this Section have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. Upon notification to the Department of approval of the payment methodologies required under this Section and the waivers granted under 42 CFR 433.68, all increased payments otherwise due under this Section prior to the date of notification shall be due and payable within 90 days of the date federal approval is received.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 97-10, eff. 6-14-11; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-584, eff. 8-26-11; 97-689, eff. 6-14-12; 97-813, eff. 7-13-12; 98-24, eff. 6-19-13; 98-104, eff. 7-22-13; revised 9-19-13.)

(305 ILCS 5/5-5f)

Sec. 5-5f. Elimination and limitations of medical assistance services. Notwithstanding any other provision of this Code to the contrary, on and after July 1, 2012:

(a) The following services shall no longer be a covered service available under this Code: group psychotherapy for residents of any facility licensed under the Nursing Home Care Act or the Specialized Mental Health Rehabilitation Act of 2013; and adult chiropractic services.

(b) The Department shall place the following limitations on services: (i) the Department shall limit adult eyeglasses to one pair every 2 years; (ii) the Department shall set an annual limit of a maximum of 20 visits for each of the following services: adult speech, hearing, and language therapy services, adult occupational therapy services, and physical therapy services; (iii) the Department shall limit adult podiatry services to individuals with diabetes; (iv) the Department shall pay for caesarean sections at the normal vaginal delivery rate unless a caesarean section was medically necessary; (v)

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the Department shall limit adult dental services to emergencies; beginning July 1, 2013, the Department shall ensure that the following conditions are recognized as emergencies: (A) dental services necessary for an individual in order for the individual to be cleared for a medical procedure, such as a transplant; (B) extractions and dentures necessary for a diabetic to receive proper nutrition; (C) extractions and dentures necessary as a result of cancer treatment; and (D) dental services necessary for the health of a pregnant woman prior to delivery of her baby; and (vi) effective July 1, 2012, the Department shall place limitations and require concurrent review on every inpatient detoxification stay to prevent repeat admissions to any hospital for detoxification within 60 days of a previous inpatient detoxification stay. The Department shall convene a workgroup of hospitals, substance abuse providers, care coordination entities, managed care plans, and other stakeholders to develop recommendations for quality standards, diversion to other settings, and admission criteria for patients who need inpatient detoxification, which shall be published on the Department's website no later than September 1, 2013.

(c) The Department shall require prior approval of the following services: wheelchair repairs costing more than $400, coronary artery bypass graft, and bariatric surgery consistent with Medicare standards concerning patient responsibility. Wheelchair repair prior approval requests shall be adjudicated within one business day of receipt of complete supporting documentation. Providers may not break wheelchair repairs into separate claims for purposes of staying under the $400 threshold for requiring prior approval. The wholesale price of manual and power wheelchairs, durable medical equipment and supplies, and complex rehabilitation technology products and services shall be defined as actual acquisition cost including all discounts.

(d) The Department shall establish benchmarks for hospitals to measure and align payments to reduce potentially preventable hospital readmissions, inpatient complications, and unnecessary emergency room visits. In doing so, the Department shall consider items, including, but not limited to, historic and current acuity of care and historic and current trends in readmission. The Department shall publish provider-specific historical readmission data and anticipated potentially preventable targets 60 days prior to the start of the program. In the instance of readmissions, the Department shall adopt policies and rates of reimbursement for services and other payments provided under this Code to ensure that, by June 30, 2013, expenditures to hospitals are reduced by, at a minimum, $40,000,000.

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(e) The Department shall establish utilization controls for the hospice program such that it shall not pay for other care services when an individual is in hospice.

(f) For home health services, the Department shall require Medicare certification of providers participating in the program and implement the Medicare face-to-face encounter rule. The Department shall require providers to implement audit electronic service verification based on global positioning systems or other cost-effective technology.

(g) For the Home Services Program operated by the Department of Human Services and the Community Care Program operated by the Department on Aging, the Department of Human Services, in cooperation with the Department on Aging, shall implement an electronic service verification based on global positioning systems or other cost-effective technology.

(h) Effective with inpatient hospital admissions on or after July 1, 2012, the Department shall reduce the payment for a claim that indicates the occurrence of a provider-preventable condition during the admission as specified by the Department in rules. The Department shall not pay for services related to an other provider-preventable condition.

As used in this subsection (h):

"Provider-preventable condition" means a health care acquired condition as defined under the federal Medicaid regulation found at 42 CFR 447.26 or an other provider-preventable condition.

"Other provider-preventable condition" means a wrong surgical or other invasive procedure performed on a patient, a surgical or other invasive procedure performed on the wrong body part, or a surgical procedure or other invasive procedure performed on the wrong patient.

(i) The Department shall implement cost savings initiatives for advanced imaging services, cardiac imaging services, pain management services, and back surgery. Such initiatives shall be designed to achieve annual costs savings.

(j) The Department shall ensure that beneficiaries with a diagnosis of epilepsy or seizure disorder in Department records will not require prior approval for anticonvulsants.

(Source: P.A. 97-689, eff. 6-14-12; 98-104, Article 6, Section 6-240, eff. 7-22-13; 98-104, Article 9, Section 9-5, eff. 7-22-13; revised 9-19-13.)

(305 ILCS 5/5A-5) (from Ch. 23, par. 5A-5)

Sec. 5A-5. Notice; penalty; maintenance of records.

(a) The Illinois Department shall send a notice of assessment to every
hospital provider subject to assessment under this Article. The notice of assessment shall notify the hospital of its assessment and shall be sent after receipt by the Department of notification from the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services that the payment methodologies required under this Article and, if necessary, the waiver granted under 42 CFR 433.68 have been approved. The notice shall be on a form prepared by the Illinois Department and shall state the following:

   (1) The name of the hospital provider.
   (2) The address of the hospital provider's principal place of business from which the provider engages in the occupation of hospital provider in this State, and the name and address of each hospital operated, conducted, or maintained by the provider in this State.
   (3) The occupied bed days, occupied bed days less Medicare days, adjusted gross hospital revenue, or outpatient gross revenue of the hospital provider (whichever is applicable), the amount of assessment imposed under Section 5A-2 for the State fiscal year for which the notice is sent, and the amount of each installment to be paid during the State fiscal year.
   (4) (Blank).
   (5) Other reasonable information as determined by the Illinois Department.

(b) If a hospital provider conducts, operates, or maintains more than one hospital licensed by the Illinois Department of Public Health, the provider shall pay the assessment for each hospital separately.

(c) Notwithstanding any other provision in this Article, in the case of a person who ceases to conduct, operate, or maintain a hospital in respect of which the person is subject to assessment under this Article as a hospital provider, the assessment for the State fiscal year in which the cessation occurs shall be adjusted by multiplying the assessment computed under Section 5A-2 by a fraction, the numerator of which is the number of days in the year during which the provider conducts, operates, or maintains the hospital and the denominator of which is 365. Immediately upon ceasing to conduct, operate, or maintain a hospital, the person shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(d) Notwithstanding any other provision in this Article, a provider who commences conducting, operating, or maintaining a hospital, upon notice by the Illinois Department, shall pay the assessment computed under

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Section 5A-2 and subsection (e) in installments on the due dates stated in the notice and on the regular installment due dates for the State fiscal year occurring after the due dates of the initial notice.

(e) Notwithstanding any other provision in this Article, for State fiscal years 2009 through 2014, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in 2005, the assessment for that State fiscal year shall be computed on the basis of hypothetical occupied bed days for the full calendar year as determined by the Illinois Department. Notwithstanding any other provision in this Article, for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012, and for State fiscal years 2013 through 2014, and for July 1, 2014 through December 31, 2014, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in 2009, the assessment under subsection (b-5) of Section 5A-2 for that State fiscal year shall be computed on the basis of hypothetical gross outpatient revenue for the full calendar year as determined by the Illinois Department.

(f) Every hospital provider subject to assessment under this Article shall keep sufficient records to permit the determination of adjusted gross hospital revenue for the hospital's fiscal year. All such records shall be kept in the English language and shall, at all times during regular business hours of the day, be subject to inspection by the Illinois Department or its duly authorized agents and employees.

(g) The Illinois Department may, by rule, provide a hospital provider a reasonable opportunity to request a clarification or correction of any clerical or computational errors contained in the calculation of its assessment, but such corrections shall not extend to updating the cost report information used to calculate the assessment.

(h) (Blank).

(Source: P.A. 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; 98-104, eff. 7-22-13; 98-463, eff. 8-16-13; revised 10-21-13.)

(305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)

Sec. 5A-8. Hospital Provider Fund.

(a) There is created in the State Treasury the Hospital Provider Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving moneys in accordance with Section 5A-6 and disbursing moneys only for the following purposes, notwithstanding any other provision of law:

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(1) For making payments to hospitals as required under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

(2) For the reimbursement of moneys collected by the Illinois Department from hospitals or hospital providers through error or mistake in performing the activities authorized under this Code.

(3) For payment of administrative expenses incurred by the Illinois Department or its agent in performing activities under this Code, under the Children's Health Insurance Program Act, under the Covering ALL KIDS Health Insurance Act, and under the Long Term Acute Care Hospital Quality Improvement Transfer Program Act.

(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

(5) For making transfers, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

(6) For making transfers to any other fund in the State treasury, but transfers made under this paragraph (6) shall not exceed the amount transferred previously from that other fund into the Hospital Provider Fund plus any interest that would have been earned by that fund on the monies that had been transferred.

(6.5) For making transfers to the Healthcare Provider Relief Fund, except that transfers made under this paragraph (6.5) shall not exceed $60,000,000 in the aggregate.

(7) For making transfers not exceeding the following amounts, in State fiscal years 2013 and 2014 in each State fiscal year during which an assessment is imposed pursuant to Section 5A-2, to the following designated funds:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and Human Services Medicaid Trust Fund</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Long-Term Care Provider Fund</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$80,000,000</td>
</tr>
</tbody>
</table>

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

New matter indicated by italics - deletions by strikeout
(7.1) For making transfers not exceeding the following amounts, in State fiscal year 2015, to the following designated funds:

- Health and Human Services Medicaid Trust Fund.......................... $10,000,000
- Long-Term Care Provider Fund........... $15,000,000
- General Revenue Fund.................. $40,000,000.

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.5) (Blank).

(7.8) (Blank).

(7.9) (Blank).

(7.10) For State fiscal years 2013 and 2014, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

- Health Care Provider Relief Fund...... $50,000,000

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.11) For State fiscal year 2015, for making transfers of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

- Health Care Provider Relief Fund...... $25,000,000

Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.12) For State fiscal year 2013, for increasing by 21/365ths the transfer of the moneys resulting from the assessment under subsection (b-5) of Section 5A-2 and received from hospital providers under Section 5A-4 for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in that State fiscal year:

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Health Care Provider Relief Fund...... $2,870,000

(8) For making refunds to hospital providers pursuant to Section 5A-10.

Disbursements from the Fund, other than transfers authorized under paragraphs (5) and (6) of this subsection, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the hospital provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) Moneys transferred from another fund in the State treasury.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) (Blank).

(Source: P.A. 97-688, eff. 6-14-12; 97-689, eff. 6-14-12; 98-104, eff. 7-22-13; 98-463, eff. 8-16-13; revised 10-21-13.)

(305 ILCS 5/5A-12.4)

(Section scheduled to be repealed on January 1, 2015)

Sec. 5A-12.4. Hospital access improvement payments on or after June 10, 2012.

(a) Hospital access improvement payments. To preserve and improve access to hospital services, for hospital and physician services rendered on or after June 10, 2012, the Illinois Department shall, except for hospitals described in subsection (b) of Section 5A-3, make payments to hospitals as set forth in this Section. These payments shall be paid in 12 equal installments on or before the 7th State business day of each month, except that no payment shall be due within 100 days after the later of the date of notification of federal approval of the payment methodologies required under this Section or any waiver required under 42 CFR 433.68, at which time the sum of amounts required under this Section prior to the date of notification is due and payable. Payments under this Section are not due and payable, however, until (i) the methodologies described in this Section are approved...
by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed under subsection (b-5) of Section 5A-2 of this Article is determined to be a permissible tax under Title XIX of the Social Security Act. The Illinois Department shall take all actions necessary to implement the payments under this Section effective June 10, 2012, including but not limited to providing public notice pursuant to federal requirements, the filing of a State Plan amendment, and the adoption of administrative rules. For State fiscal year 2013, payments under this Section shall be increased by 21/365ths. The funding source for these additional payments shall be from the increased assessment under subsection (b-5) of Section 5A-2 that was received from hospital providers under Section 5A-4 for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012.

(a-5) Accelerated schedule. The Illinois Department may, when practicable, accelerate the schedule upon which payments authorized under this Section are made.

(b) Magnet and perinatal hospital adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that, as of August 25, 2011, was recognized as a Magnet hospital by the American Nurses Credentialing Center and that, as of September 14, 2011, was designated as a level III perinatal center amounts as follows:

(1) For hospitals with a case mix index equal to or greater than the 80th percentile of case mix indices for all Illinois hospitals, $470 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009.

(2) For all other hospitals, $170 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009.

(c) Trauma level II adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that, as of July 1, 2011, was designated as a level II trauma center amounts as follows:

(1) For hospitals with a case mix index equal to or greater than the 50th percentile of case mix indices for all Illinois hospitals, $470 for each Medicaid general acute care inpatient day of care provided by the hospital during State fiscal year 2009.

(2) For all other hospitals, $170 for each Medicaid general acute care inpatient day of care provided by the hospital during State

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fiscal year 2009.

(3) For the purposes of this adjustment, hospitals located in the same city that alternate their trauma center designation as defined in 89 Ill. Adm. Code 148.295(a)(2) shall have the adjustment provided under this Section divided between the 2 hospitals.

(d) Dual-eligible adjustment. In addition to rates paid for inpatient services, the Department shall pay each Illinois general acute care hospital that had a ratio of crossover days to total inpatient days for programs under Title XIX of the Social Security Act administered by the Department (utilizing information from 2009 paid claims) greater than 50%, and a case mix index equal to or greater than the 75th percentile of case mix indices for all Illinois hospitals, a rate of $400 for each Medicaid inpatient day during State fiscal year 2009 including crossover days.

(e) Medicaid volume adjustment. In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that provided more than 10,000 Medicaid inpatient days of care in State fiscal year 2009, has a Medicaid inpatient utilization rate of at least 29.05% as calculated by the Department for the Rate Year 2011 Disproportionate Share determination, and is not eligible for Medicaid Percentage Adjustment payments in rate year 2011 an amount equal to $135 for each Medicaid inpatient day of care provided during State fiscal year 2009.

(f) Outpatient service adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois hospital an amount at least equal to $100 multiplied by the hospital's outpatient ambulatory procedure listing services (excluding categories 3B and 3C) and by the hospital's end stage renal disease treatment services provided for State fiscal year 2009.

(g) Ambulatory service adjustment.

(1) In addition to the rates paid for outpatient hospital services provided in the emergency department, the Department shall pay each Illinois hospital an amount equal to $105 multiplied by the hospital's outpatient ambulatory procedure listing services for categories 3A, 3B, and 3C for State fiscal year 2009.

(2) In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois freestanding psychiatric hospital an amount equal to $200 multiplied by the hospital's ambulatory procedure listing services for category 5A for State fiscal year 2009.

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(h) Specialty hospital adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois long term acute care hospital and each Illinois hospital devoted exclusively to the treatment of cancer, an amount equal to $700 multiplied by the hospital's outpatient ambulatory procedure listing services and by the hospital's end stage renal disease treatment services (including services provided to individuals eligible for both Medicaid and Medicare) provided for State fiscal year 2009.

(h-1) ER Safety Net Payments. In addition to rates paid for outpatient services, the Department shall pay to each Illinois general acute care hospital with an emergency room ratio equal to or greater than 55%, that is not eligible for Medicaid percentage adjustments payments in rate year 2011, with a case mix index equal to or greater than the 20th percentile, and that is not designated as a trauma center by the Illinois Department of Public Health on July 1, 2011, as follows:

(1) Each hospital with an emergency room ratio equal to or greater than 74% shall receive a rate of $225 for each outpatient ambulatory procedure listing and end-stage renal disease treatment service provided for State fiscal year 2009.

(2) For all other hospitals, $65 shall be paid for each outpatient ambulatory procedure listing and end-stage renal disease treatment service provided for State fiscal year 2009.

(i) Physician supplemental adjustment. In addition to the rates paid for physician services, the Department shall make an adjustment payment for services provided by physicians as follows:

(1) Physician services eligible for the adjustment payment are those provided by physicians employed by or who have a contract to provide services to patients of the following hospitals: (i) Illinois general acute care hospitals that provided at least 17,000 Medicaid inpatient days of care in State fiscal year 2009 and are eligible for Medicaid Percentage Adjustment Payments in rate year 2011; and (ii) Illinois freestanding children's hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(3)(A).

(2) The amount of the adjustment for each eligible hospital under this subsection (i) shall be determined by rule by the Department to spend a total pool of at least $6,960,000 annually. This pool shall be allocated among the eligible hospitals based on the difference between the upper payment limit for what could have been paid under Medicaid for physician services provided during State fiscal year 2009.

New matter indicated by italics - deletions by strikeout
fiscal year 2009 by physicians employed by or who had a contract with the hospital and the amount that was paid under Medicaid for such services, provided however, that in no event shall physicians at any individual hospital collectively receive an annual, aggregate adjustment in excess of $435,000, except that any amount that is not distributed to a hospital because of the upper payment limit shall be reallocated among the remaining eligible hospitals that are below the upper payment limitation, on a proportionate basis.

(i-5) For any children's hospital which did not charge for its services during the base period, the Department shall use data supplied by the hospital to determine payments using similar methodologies for freestanding children's hospitals under this Section or Section 5A-12.2.

(j) For purposes of this Section, a hospital that is enrolled to provide Medicaid services during State fiscal year 2009 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this Section.

(k) For purposes of this Section, the terms "Medicaid days", "ambulatory procedure listing services", and "ambulatory procedure listing payments" do not include any days, charges, or services for which Medicare or a managed care organization reimbursed on a capitated basis was liable for payment, except where explicitly stated otherwise in this Section.

(l) Definitions. Unless the context requires otherwise or unless provided otherwise in this Section, the terms used in this Section for qualifying criteria and payment calculations shall have the same meanings as those terms have been given in the Illinois Department's administrative rules as in effect on October 1, 2011. Other terms shall be defined by the Illinois Department by rule.

As used in this Section, unless the context requires otherwise:

"Case mix index" means, for a given hospital, the sum of the per admission (DRG) relative weighting factors in effect on January 1, 2005, for all general acute care admissions for State fiscal year 2009, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82, divided by the total number of general acute care admissions for State fiscal year 2009, excluding Medicare crossover admissions and transplant admissions reimbursed under 89 Ill. Adm. Code 148.82.

"Emergency room ratio" means, for a given hospital, a fraction, the denominator of which is the number of the hospital's outpatient ambulatory procedure listing and end-stage renal disease treatment services provided for
State fiscal year 2009 and the numerator of which is the hospital's outpatient ambulatory procedure listing services for categories 3A, 3B, and 3C for State fiscal year 2009.

"Medicaid inpatient day" means, for a given hospital, the sum of days of inpatient hospital days provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring during State fiscal year 2009 that was adjudicated by the Department through June 30, 2010.

"Outpatient ambulatory procedure listing services" means, for a given hospital, ambulatory procedure listing services, as described in 89 Ill. Adm. Code 148.140(b), provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding services for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for services occurring in State fiscal year 2009 that were adjudicated by the Department through September 2, 2010.

"Outpatient end-stage renal disease treatment services" means, for a given hospital, the services, as described in 89 Ill. Adm. Code 148.140(c), provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding payments for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for services occurring in State fiscal year 2009 that were adjudicated by the Department through September 2, 2010.

(m) The Department may adjust payments made under this Section 5A-12.4 to comply with federal law or regulations regarding hospital-specific payment limitations on government-owned or government-operated hospitals.

(n) Notwithstanding any of the other provisions of this Section, the Department is authorized to adopt rules that change the hospital access improvement payments specified in this Section, but only to the extent necessary to conform to any federally approved amendment to the Title XIX State plan. Any such rules shall be adopted by the Department as authorized by Section 5-50 of the Illinois Administrative Procedure Act. Notwithstanding any other provision of law, any changes implemented as a result of this subsection (n) shall be given retroactive effect so that they shall be deemed to have taken effect as of the effective date of this Section.

(o) The Department of Healthcare and Family Services must submit

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a State Medicaid Plan Amendment to the Centers for Medicare and Medicaid Services to implement the payments under this Section June 14, 2012 (Public Act 97-688).

(Source: P.A. 97-688, eff. 6-14-12; 98-104, eff. 7-22-13; 98-463, eff. 8-16-13; revised 10-21-13.)

(305 ILCS 5/11-5.2)

Sec. 11-5.2. Income, Residency, and Identity Verification System.

(a) The Department shall ensure that its proposed integrated eligibility system shall include the computerized functions of income, residency, and identity eligibility verification to verify eligibility, eliminate duplication of medical assistance, and deter fraud. Until the integrated eligibility system is operational, the Department may enter into a contract with the vendor selected pursuant to Section 11-5.3 as necessary to obtain the electronic data matching described in this Section. This contract shall be exempt from the Illinois Procurement Code pursuant to subsection (h) of Section 1-10 of that Code.

(b) Prior to awarding medical assistance at application under Article V of this Code, the Department shall, to the extent such databases are available to the Department, conduct data matches using the name, date of birth, address, and Social Security Number of each applicant or recipient or responsible relative of an applicant or recipient against the following:

(1) Income tax information.

(2) Employer reports of income and unemployment insurance payment information maintained by the Department of Employment Security.

(3) Earned and unearned income, citizenship and death, and other relevant information maintained by the Social Security Administration.

(4) Immigration status information maintained by the United States Citizenship and Immigration Services.

(5) Wage reporting and similar information maintained by states contiguous to this State.


(8) Veterans' benefits information maintained by the United States Department of Health and Human Services, in coordination
with the Department of Health and Human Services and the Department of Veterans' Affairs, in the federal Public Assistance Reporting Information System (PARIS) database.

(9) Residency information maintained by the Illinois Secretary of State.

(10) A database which is substantially similar to or a successor of a database described in this Section that contains information relevant for verifying eligibility for medical assistance.

(c) (Blank).

(d) If a discrepancy results between information provided by an applicant, recipient, or responsible relative and information contained in one or more of the databases or information tools listed under subsection (b) or (c) of this Section or subsection (c) of Section 11-5.3 and that discrepancy calls into question the accuracy of information relevant to a condition of eligibility provided by the applicant, recipient, or responsible relative, the Department or its contractor shall review the applicant's or recipient's case using the following procedures:

(1) If the information discovered under subsection (b) or (c) of this Section or subsection (c) of Section 11-5.3 does not result in the Department finding the applicant or recipient ineligible for assistance under Article V of this Code, the Department shall finalize the determination or redetermination of eligibility.

(2) If the information discovered results in the Department finding the applicant or recipient ineligible for assistance, the Department shall provide notice as set forth in Section 11-7 of this Article.

(3) If the information discovered is insufficient to determine that the applicant or recipient is eligible or ineligible, the Department shall provide written notice to the applicant or recipient which shall describe in sufficient detail the circumstances of the discrepancy, the information or documentation required, the manner in which the applicant or recipient may respond, and the consequences of failing to take action. The applicant or recipient shall have 10 business days to respond.

(4) If the applicant or recipient does not respond to the notice, the Department shall deny assistance for failure to cooperate, in which case the Department shall provide notice as set forth in Section 11-7. Eligibility for assistance shall not be established until the discrepancy has been resolved.

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(5) If an applicant or recipient responds to the notice, the Department shall determine the effect of the information or documentation provided on the applicant's or recipient's case and shall take appropriate action. Written notice of the Department's action shall be provided as set forth in Section 11-7 of this Article.

(6) Suspected cases of fraud shall be referred to the Department's Inspector General.

(e) The Department shall adopt any rules necessary to implement this Section.

(Source: P.A. 97-689, eff. 6-14-12; revised 11-12-13.)

(305 ILCS 5/12-4.25) (from Ch. 23, par. 12-4.25)

Sec. 12-4.25. Medical assistance program; vendor participation.

(A) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, and may deny, suspend, or recover payments, if after reasonable notice and opportunity for a hearing the Illinois Department finds:

(a) Such vendor is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its vendor agreement, which document shall be developed by the Department as a result of negotiations with each vendor category, including physicians, hospitals, long term care facilities, pharmacists, optometrists, podiatric physicians, and dentists setting forth the terms and conditions applicable to the participation of each vendor group in the program; or

(b) Such vendor has failed to keep or make available for inspection, audit or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed for providing services. This section does not require vendors to make available patient records of patients for whom services are not reimbursed under this Code; or

(c) Such vendor has failed to furnish any information requested by the Department regarding payments for providing goods or services; or

(d) Such vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the medical assistance program; or

New matter indicated by italics - deletions by strikeout
(e) Such vendor has furnished goods or services to a recipient which are (1) in excess of need, (2) harmful, or (3) of grossly inferior quality, all of such determinations to be based upon competent medical judgment and evaluations; or

(f) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

(1) was previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or was terminated, suspended, or excluded from participation in another state or federal medical assistance or health care program; or

(2) was a person with management responsibility for a vendor previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in another state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in a state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(4) was an owner of a sole proprietorship or partner of a partnership previously terminated, suspended, or excluded from participation in the Illinois medical assistance program, or terminated, suspended, or excluded from participation in a state or federal medical assistance or health care program during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(f-1) Such vendor has a delinquent debt owed to the Illinois Department; or

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(g) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

1) has engaged in practices prohibited by applicable federal or State law or regulation; or

2) was a person with management responsibility for a vendor at the time that such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

4) was an owner of a sole proprietorship or partner of a partnership which was a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation; or

(h) The direct or indirect ownership of the vendor (including the ownership of a vendor that is a sole proprietorship, a partner's interest in a vendor that is a partnership, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor) has been transferred by an individual who is terminated, suspended, or excluded or barred from participating as a vendor to the individual's spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

(A-5) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that the vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship that is a vendor; or a partner in a partnership

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that is a vendor has been convicted of an offense based on fraud or willful misrepresentation related to any of the following:

(1) The medical assistance program under Article V of this Code.

(2) A medical assistance or health care program in another state.

(3) The Medicare program under Title XVIII of the Social Security Act.

(4) The provision of health care services.

(5) A violation of this Code, as provided in Article VIIIA, or another state or federal medical assistance program or health care program.

(A-10) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that (i) the vendor, (ii) a person with management responsibility for a vendor, (iii) an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship that is a vendor, or (v) a partner in a partnership that is a vendor has been convicted of an offense related to any of the following:

(1) Murder.

(2) A Class X felony under the Criminal Code of 1961 or the Criminal Code of 2012.

(3) Sexual misconduct that may subject recipients to an undue risk of harm.

(4) A criminal offense that may subject recipients to an undue risk of harm.

(5) A crime of fraud or dishonesty.

(6) A crime involving a controlled substance.

(7) A misdemeanor relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct related to a health care program.

(A-15) The Illinois Department may deny the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor, if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that (i) the vendor, (ii) a person with management responsibility for a vendor, (iii) an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship that is a vendor, or (v) a partner in a partnership that is a vendor has been convicted of an offense related to any of the following:

(1) Murder.

(2) A Class X felony under the Criminal Code of 1961 or the Criminal Code of 2012.

(3) Sexual misconduct that may subject recipients to an undue risk of harm.

(4) A criminal offense that may subject recipients to an undue risk of harm.

(5) A crime of fraud or dishonesty.

(6) A crime involving a controlled substance.

(7) A misdemeanor relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct related to a health care program.

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assistance program under Article V if, after reasonable notice and opportunity for a hearing, the Illinois Department finds:

(1) The applicant or any person with management responsibility for the applicant; an officer or member of the board of directors of an applicant; an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor applicant; an owner of a sole proprietorship applicant; a partner in a partnership applicant; or a technical or other advisor to an applicant has a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by the applicant.

(2) The applicant or any person with management responsibility for the applicant; an officer or member of the board of directors of an applicant; an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor applicant; an owner of a sole proprietorship applicant; a partner in a partnership vendor applicant; or a technical or other advisor to an applicant was (i) a person with management responsibility, (ii) an officer or member of the board of directors of an applicant, (iii) an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship, (v) a partner in a partnership vendor, (vi) a technical or other advisor to a vendor, during a period of time where the conduct of that vendor resulted in a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by that vendor.

(3) There is a credible allegation of the use, transfer, or lease of assets of any kind to an applicant from a current or prior vendor who has a debt owed to the Illinois Department, no payment arrangements acceptable to the Illinois Department have been made by that vendor or the vendor's alternate payee, and the applicant knows or should have known of such debt.

(4) There is a credible allegation of a transfer of management responsibilities, or direct or indirect ownership, to an applicant from a current or prior vendor who has a debt owed to the Illinois Department, and no payment arrangements acceptable to the Illinois Department have been made by that vendor or the vendor's alternate payee, and the applicant knows or should have known of such debt.

(5) There is a credible allegation of the use, transfer, or lease
of assets of any kind to an applicant who is a spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, relative by marriage, nephew, cousin, or relative of a current or prior vendor who has a debt owed to the Illinois Department and no payment arrangements acceptable to the Illinois Department have been made.

(6) There is a credible allegation that the applicant's previous affiliations with a provider of medical services that has an uncollected debt, a provider that has been or is subject to a payment suspension under a federal health care program, or a provider that has been previously excluded from participation in the medical assistance program, poses a risk of fraud, waste, or abuse to the Illinois Department.

As used in this subsection, "credible allegation" is defined to include an allegation from any source, including, but not limited to, fraud hotline complaints, claims data mining, patterns identified through provider audits, civil actions filed under the Illinois False Claims Act, and law enforcement investigations. An allegation is considered to be credible when it has indicia of reliability.

(B) The Illinois Department shall deny, suspend or terminate the eligibility of any person, firm, corporation, association, agency, institution or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, or may exclude any such person or entity from participation as such a vendor:

(1) immediately, if such vendor is not properly licensed, certified, or authorized;
(2) within 30 days of the date when such vendor's professional license, certification or other authorization has been refused renewal, restricted, revoked, suspended, or otherwise terminated; or
(3) if such vendor has been convicted of a violation of this Code, as provided in Article VIIIA.

(C) Upon termination, suspension, or exclusion of a vendor of goods or services from participation in the medical assistance program authorized by this Article, a person with management responsibility for such vendor during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion is barred from participation in the medical assistance program.

Upon termination, suspension, or exclusion of a corporate vendor, the officers and persons owning, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in the vendor during the time of any
conduct which served as the basis for that vendor's termination, suspension, or exclusion are barred from participation in the medical assistance program. A person who owns, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a terminated, suspended, or excluded vendor may not transfer his or her ownership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Upon termination, suspension, or exclusion of a sole proprietorship or partnership, the owner or partners during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion are barred from participation in the medical assistance program. The owner of a terminated, suspended, or excluded vendor that is a sole proprietorship, and a partner in a terminated, suspended, or excluded vendor that is a partnership, may not transfer his or her ownership or partnership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

A person who owns, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor who owes a debt to the Department, if that vendor has not made payment arrangements acceptable to the Department, shall not transfer his or her ownership interest in that vendor, or vendor assets of any kind, to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Rules adopted by the Illinois Department to implement these provisions shall specifically include a definition of the term "management responsibility" as used in this Section. Such definition shall include, but not be limited to, typical job titles, and duties and descriptions which will be considered as within the definition of individuals with management responsibility for a provider.

A vendor or a prior vendor who has been terminated, excluded, or suspended from the medical assistance program, or from another state or federal medical assistance or health care program, and any individual currently or previously barred from the medical assistance program, or from another state or federal medical assistance or health care program, as a result of being an officer or a person owning, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate or limited liability company vendor during the time of any conduct which served as the basis for that vendor's termination, suspension, or exclusion, may be required to post a surety bond as part of a condition of enrollment or participation in

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the medical assistance program. The Illinois Department shall establish, by
rule, the criteria and requirements for determining when a surety bond must
be posted and the value of the bond.

A vendor or a prior vendor who has a debt owed to the Illinois
Department and any individual currently or previously barred from the
medical assistance program, or from another state or federal medical
assistance or health care program, as a result of being an officer or a person
owning, directly or indirectly, 5% or more of the shares of stock or other
evidences of ownership in that corporate or limited liability company vendor
during the time of any conduct which served as the basis for the debt, may be
required to post a surety bond as part of a condition of enrollment or
participation in the medical assistance program. The Illinois Department shall
establish, by rule, the criteria and requirements for determining when a surety
bond must be posted and the value of the bond.

(D) If a vendor has been suspended from the medical assistance
program under Article V of the Code, the Director may require that such
vendor correct any deficiencies which served as the basis for the suspension.
The Director shall specify in the suspension order a specific period of time,
which shall not exceed one year from the date of the order, during which a
suspended vendor shall not be eligible to participate. At the conclusion of the
period of suspension the Director shall reinstate such vendor, unless he finds
that such vendor has not corrected deficiencies upon which the suspension
was based.

If a vendor has been terminated, suspended, or excluded from the
medical assistance program under Article V, such vendor shall be barred
from participation for at least one year, except that if a vendor has been
terminated, suspended, or excluded based on a conviction of a violation of
Article VIIIA or a conviction of a felony based on fraud or a willful
misrepresentation related to (i) the medical assistance program under Article
V, (ii) a federal or another state's medical assistance or health care program,
or (iii) the provision of health care services, then the vendor shall be barred
from participation for 5 years or for the length of the vendor's sentence for
that conviction, whichever is longer. At the end of one year a vendor who has
been terminated, suspended, or excluded may apply for reinstatement to the
program. Upon proper application to be reinstated such vendor may be
deemed eligible by the Director providing that such vendor meets the
requirements for eligibility under this Code. If such vendor is deemed not
eligible for reinstatement, he shall be barred from again applying for
reinstatement for one year from the date his application for reinstatement is

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A vendor whose termination, suspension, or exclusion from participation in the Illinois medical assistance program under Article V was based solely on an action by a governmental entity other than the Illinois Department may, upon reinstatement by that governmental entity or upon reversal of the termination, suspension, or exclusion, apply for rescission of the termination, suspension, or exclusion from participation in the Illinois medical assistance program. Upon proper application for rescission, the vendor may be deemed eligible by the Director if the vendor meets the requirements for eligibility under this Code.

If a vendor has been terminated, suspended, or excluded and reinstated to the medical assistance program under Article V and the vendor is terminated, suspended, or excluded a second or subsequent time from the medical assistance program, the vendor shall be barred from participation for at least 2 years, except that if a vendor has been terminated, suspended, or excluded a second time based on a conviction of a violation of Article VIIIA or a conviction of a felony based on fraud or a willful misrepresentation related to (i) the medical assistance program under Article V, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services, then the vendor shall be barred from participation for life. At the end of 2 years, a vendor who has been terminated, suspended, or excluded may apply for reinstatement to the program. Upon application to be reinstated, the vendor may be deemed eligible if the vendor meets the requirements for eligibility under this Code. If the vendor is deemed not eligible for reinstatement, the vendor shall be barred from again applying for reinstatement for 2 years from the date the vendor's application for reinstatement is denied.

(E) The Illinois Department may recover money improperly or erroneously paid, or overpayments, either by setoff, crediting against future billings or by requiring direct repayment to the Illinois Department. The Illinois Department may suspend or deny payment, in whole or in part, if such payment would be improper or erroneous or would otherwise result in overpayment.

(1) Payments may be suspended, denied, or recovered from a vendor or alternate payee: (i) for services rendered in violation of the Illinois Department's provider notices, statutes, rules, and regulations; (ii) for services rendered in violation of the terms and conditions prescribed by the Illinois Department in its vendor agreement; (iii) for any vendor who fails to grant the Office of Inspector General timely

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access to full and complete records, including, but not limited to, records relating to recipients under the medical assistance program for the most recent 6 years, in accordance with Section 140.28 of Title 89 of the Illinois Administrative Code, and other information for the purpose of audits, investigations, or other program integrity functions, after reasonable written request by the Inspector General; this subsection (E) does not require vendors to make available the medical records of patients for whom services are not reimbursed under this Code or to provide access to medical records more than 6 years old; (iv) when the vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the medical assistance program; or (v) when the vendor previously rendered services while terminated, suspended, or excluded from participation in the medical assistance program or while terminated or excluded from participation in another state or federal medical assistance or health care program.

(2) Notwithstanding any other provision of law, if a vendor has the same taxpayer identification number (assigned under Section 6109 of the Internal Revenue Code of 1986) as is assigned to a vendor with past-due financial obligations to the Illinois Department, the Illinois Department may make any necessary adjustments to payments to that vendor in order to satisfy any past-due obligations, regardless of whether the vendor is assigned a different billing number under the medical assistance program.

(E-5) Civil monetary penalties.

(1) As used in this subsection (E-5):
   (a) "Knowingly" means that a person, with respect to information: (i) has actual knowledge of the information; (ii) acts in deliberate ignorance of the truth or falsity of the information; or (iii) acts in reckless disregard of the truth or falsity of the information. No proof of specific intent to defraud is required.

   (b) "Overpayment" means any funds that a person receives or retains from the medical assistance program to which the person, after applicable reconciliation, is not entitled under this Code.

   (c) "Remuneration" means the offer or transfer of items or services for free or for other than fair market value by a person; however, remuneration does not include items or
services of a nominal value of no more than $10 per item or service, or $50 in the aggregate on an annual basis, or any other offer or transfer of items or services as determined by the Department.

(d) "Should know" means that a person, with respect to information: (i) acts in deliberate ignorance of the truth or falsity of the information; or (ii) acts in reckless disregard of the truth or falsity of the information. No proof of specific intent to defraud is required.

(2) Any person (including a vendor, provider, organization, agency, or other entity, or an alternate payee thereof, but excluding a recipient) who:

(a) knowingly presents or causes to be presented to an officer, employee, or agent of the State, a claim that the Department determines:

(i) is for a medical or other item or service that the person knows or should know was not provided as claimed, including any person who engages in a pattern or practice of presenting or causing to be presented a claim for an item or service that is based on a code that the person knows or should know will result in a greater payment to the person than the code the person knows or should know is applicable to the item or service actually provided;

(ii) is for a medical or other item or service and the person knows or should know that the claim is false or fraudulent;

(iii) is presented for a vendor physician's service, or an item or service incident to a vendor physician's service, by a person who knows or should know that the individual who furnished, or supervised the furnishing of, the service:

(AA) was not licensed as a physician;

(BB) was licensed as a physician but such license had been obtained through a misrepresentation of material fact (including cheating on an examination required for licensing); or

(CC) represented to the patient at the
time the service was furnished that the physician was certified in a medical specialty by a medical specialty board, when the individual was not so certified;

(iv) is for a medical or other item or service furnished during a period in which the person was excluded from the medical assistance program or a federal or state health care program under which the claim was made pursuant to applicable law; or

(v) is for a pattern of medical or other items or services that a person knows or should know are not medically necessary;

(b) knowingly presents or causes to be presented to any person a request for payment which is in violation of the conditions for receipt of vendor payments under the medical assistance program under Section 11-13 of this Code;

(c) knowingly gives or causes to be given to any person, with respect to medical assistance program coverage of inpatient hospital services, information that he or she knows or should know is false or misleading, and that could reasonably be expected to influence the decision when to discharge such person or other individual from the hospital;

(d) in the case of a person who is not an organization, agency, or other entity, is excluded from participating in the medical assistance program or a federal or state health care program and who, at the time of a violation of this subsection (E-5):

(i) retains a direct or indirect ownership or control interest in an entity that is participating in the medical assistance program or a federal or state health care program, and who knows or should know of the action constituting the basis for the exclusion; or

(ii) is an officer or managing employee of such an entity;

(e) offers or transfers remuneration to any individual eligible for benefits under the medical assistance program that such person knows or should know is likely to influence such individual to order or receive from a particular vendor, provider, practitioner, or supplier any item or service for

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which payment may be made, in whole or in part, under the medical assistance program;

(f) arranges or contracts (by employment or otherwise) with an individual or entity that the person knows or should know is excluded from participation in the medical assistance program or a federal or state health care program, for the provision of items or services for which payment may be made under such a program;

(g) commits an act described in subsection (b) or (c) of Section 8A-3;

(h) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim for payment for items and services furnished under the medical assistance program;

(i) fails to grant timely access, upon reasonable request (as defined by the Department by rule), to the Inspector General, for the purpose of audits, investigations, evaluations, or other statutory functions of the Inspector General of the Department;

(j) orders or prescribes a medical or other item or service during a period in which the person was excluded from the medical assistance program or a federal or state health care program, in the case where the person knows or should know that a claim for such medical or other item or service will be made under such a program;

(k) knowingly makes or causes to be made any false statement, omission, or misrepresentation of a material fact in any application, bid, or contract to participate or enroll as a vendor or provider of services or a supplier under the medical assistance program;

(l) knows of an overpayment and does not report and return the overpayment to the Department in accordance with paragraph (6);

shall be subject, in addition to any other penalties that may be prescribed by law, to a civil money penalty of not more than $10,000 for each item or service (or, in cases under subparagraph (c), $15,000 for each individual with respect to whom false or misleading information was given; in cases under subparagraph (d), $10,000 for each day the prohibited relationship occurs; in cases under
(g), $50,000 for each such act; in cases under subparagraph (h), $50,000 for each false record or statement; in cases under subparagraph (i), $15,000 for each day of the failure described in such subparagraph; or in cases under subparagraph (k), $50,000 for each false statement, omission, or misrepresentation of a material fact). In addition, such a person shall be subject to an assessment of not more than 3 times the amount claimed for each such item or service in lieu of damages sustained by the State because of such claim (or, in cases under subparagraph (g), damages of not more than 3 times the total amount of remuneration offered, paid, solicited, or received, without regard to whether a portion of such remuneration was offered, paid, solicited, or received for a lawful purpose; or in cases under subparagraph (k), an assessment of not more than 3 times the total amount claimed for each item or service for which payment was made based upon the application, bid, or contract containing the false statement, omission, or misrepresentation of a material fact).

(3) In addition, the Director or his or her designee may make a determination in the same proceeding to exclude, terminate, suspend, or bar the person from participation in the medical assistance program.

(4) The Illinois Department may seek the civil monetary penalties and exclusion, termination, suspension, or barment identified in this subsection (E-5). Prior to the imposition of any penalties or sanctions, the affected person shall be afforded an opportunity for a hearing after reasonable notice. The Department shall establish hearing procedures by rule.

(5) Any final order, decision, or other determination made, issued, or executed by the Director under the provisions of this subsection (E-5), whereby a person is aggrieved, shall be subject to review in accordance with the provisions of the Administrative Review Law, and the rules adopted pursuant thereto, which shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Director.

(6)(a) If a person has received an overpayment, the person shall:

   (i) report and return the overpayment to the Department at the correct address; and
   (ii) notify the Department in writing of the reason for the overpayment.

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(b) An overpayment must be reported and returned under subparagraph (a) by the later of:
   (i) the date which is 60 days after the date on which
       the overpayment was identified; or
   (ii) the date any corresponding cost report is due, if
       applicable.

   (E-10) A vendor who disputes an overpayment identified as part of a
   Department audit shall utilize the Department's self-referral disclosure
   protocol as set forth under this Code to identify, investigate, and return to the
   Department any undisputed audit overpayment amount. Unless the disputed
   overpayment amount is subject to a fraud payment suspension, or involves
   a termination sanction, the Department shall defer the recovery of the
   disputed overpayment amount up to one year after the date of the
   Department's final audit determination, or earlier, or as required by State or
   federal law. If the administrative hearing extends beyond one year, and such
   delay was not caused by the request of the vendor, then the Department shall
   not recover the disputed overpayment amount until the date of the final
   administrative decision. If a final administrative decision establishes that the
   disputed overpayment amount is owed to the Department, then the amount
   shall be immediately due to the Department. The Department shall be entitled
   to recover interest from the vendor on the overpayment amount from the date
   of the overpayment through the date the vendor returns the overpayment to
   the Department at a rate not to exceed the Wall Street Journal Prime Rate, as
   published from time to time, but not to exceed 5%. Any interest billed by the
   Department shall be due immediately upon receipt of the Department's billing
   statement.

   (F) The Illinois Department may withhold payments to any vendor or
   alternate payee prior to or during the pendency of any audit or proceeding
   under this Section, and through the pendency of any administrative appeal or
   administrative review by any court proceeding. The Illinois Department shall
   state by rule with as much specificity as practicable the conditions under
   which payments will not be withheld under this Section. Payments may be
   denied for bills submitted with service dates occurring during the pendency
   of a proceeding, after a final decision has been rendered, or after the
   conclusion of any administrative appeal, where the final administrative
   decision is to terminate, exclude, or suspend eligibility to participate in the
   medical assistance program. The Illinois Department shall state by rule with
   as much specificity as practicable the conditions under which payments will
   not be denied for such bills. The Illinois Department shall state by rule a
process and criteria by which a vendor or alternate payee may request full or partial release of payments withheld under this subsection. The Department must complete a proceeding under this Section in a timely manner.

Notwithstanding recovery allowed under subsection (E) or this subsection (F), the Illinois Department may withhold payments to any vendor or alternate payee who is not properly licensed, certified, or in compliance with State or federal agency regulations. Payments may be denied for bills submitted with service dates occurring during the period of time that a vendor is not properly licensed, certified, or in compliance with State or federal regulations. Facilities licensed under the Nursing Home Care Act shall have payments denied or withheld pursuant to subsection (I) of this Section.

(F-5) The Illinois Department may temporarily withhold payments to a vendor or alternate payee if any of the following individuals have been indicted or otherwise charged under a law of the United States or this or any other state with an offense that is based on alleged fraud or willful misrepresentation on the part of the individual related to (i) the medical assistance program under Article V of this Code, (ii) a federal or another state's medical assistance or health care program, or (iii) the provision of health care services:

(1) If the vendor or alternate payee is a corporation: an officer of the corporation or an individual who owns, either directly or indirectly, 5% or more of the shares of stock or other evidence of ownership of the corporation.

(2) If the vendor is a sole proprietorship: the owner of the sole proprietorship.

(3) If the vendor or alternate payee is a partnership: a partner in the partnership.

(4) If the vendor or alternate payee is any other business entity authorized by law to transact business in this State: an officer of the entity or an individual who owns, either directly or indirectly, 5% or more of the evidences of ownership of the entity.

If the Illinois Department withholds payments to a vendor or alternate payee under this subsection, the Department shall not release those payments to the vendor or alternate payee while any criminal proceeding related to the indictment or charge is pending unless the Department determines that there is good cause to release the payments before completion of the proceeding. If the indictment or charge results in the individual's conviction, the Illinois Department shall retain all withheld payments, which shall be considered forfeited to the Department. If the indictment or charge does not result in the
individual's conviction, the Illinois Department shall release to the vendor or alternate payee all withheld payments.

(F-10) If the Illinois Department establishes that the vendor or alternate payee owes a debt to the Illinois Department, and the vendor or alternate payee subsequently fails to pay or make satisfactory payment arrangements with the Illinois Department for the debt owed, the Illinois Department may seek all remedies available under the law of this State to recover the debt, including, but not limited to, wage garnishment or the filing of claims or liens against the vendor or alternate payee.

(F-15) Enforcement of judgment.

(1) Any fine, recovery amount, other sanction, or costs imposed, or part of any fine, recovery amount, other sanction, or cost imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law is a debt due and owing the State and may be collected using all remedies available under the law.

(2) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final administrative decision, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the Director may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(3) In any case in which any person or entity has failed to comply with a judgment ordering or imposing any fine or other sanction, any expenses incurred by the Illinois Department to enforce the judgment, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or the Director, shall be a debt due and owing the State and may be collected in accordance with applicable law. Prior to any expenses being fixed by a final administrative decision pursuant to this subsection (F-15), the Illinois Department shall provide notice to the individual or entity that states that the individual or entity shall appear at a hearing before the administrative hearing officer to determine whether the individual or entity has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than 7 days from the date that notice is served. If notice is served by mail, the 7-day period shall begin to run on the date that the notice was deposited in the mail.

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(4) Upon being recorded in the manner required by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code, a lien shall be imposed on the real estate or personal estate, or both, of the individual or entity in the amount of any debt due and owing the State under this Section. The lien may be enforced in the same manner as a judgment of a court of competent jurisdiction. A lien shall attach to all property and assets of such person, firm, corporation, association, agency, institution, or other legal entity until the judgment is satisfied.

(5) The Director may set aside any judgment entered by default and set a new hearing date upon a petition filed at any time (i) if the petitioner's failure to appear at the hearing was for good cause, or (ii) if the petitioner established that the Department did not provide proper service of process. If any judgment is set aside pursuant to this paragraph (5), the hearing officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the Illinois Department as a result of the vacated default judgment.

(G) The provisions of the Administrative Review Law, as now or hereafter amended, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Illinois Department under this Section. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(G-5) Vendors who pose a risk of fraud, waste, abuse, or harm.

(1) Notwithstanding any other provision in this Section, the Department may terminate, suspend, or exclude vendors who pose a risk of fraud, waste, abuse, or harm from participation in the medical assistance program prior to an evidentiary hearing but after reasonable notice and opportunity to respond as established by the Department by rule.

(2) Vendors who pose a risk of fraud, waste, abuse, or harm shall submit to a fingerprint-based criminal background check on current and future information available in the State system and current information available through the Federal Bureau of Investigation's system by submitting all necessary fees and information in the form and manner prescribed by the Department of State Police. The following individuals shall be subject to the check:

(A) In the case of a vendor that is a corporation, every
shareholder who owns, directly or indirectly, 5% or more of the outstanding shares of the corporation.

(B) In the case of a vendor that is a partnership, every partner.

(C) In the case of a vendor that is a sole proprietorship, the sole proprietor.

(D) Each officer or manager of the vendor.

Each such vendor shall be responsible for payment of the cost of the criminal background check.

(3) Vendors who pose a risk of fraud, waste, abuse, or harm may be required to post a surety bond. The Department shall establish, by rule, the criteria and requirements for determining when a surety bond must be posted and the value of the bond.

(4) The Department, or its agents, may refuse to accept requests for authorization from specific vendors who pose a risk of fraud, waste, abuse, or harm, including prior-approval and post-approval requests, if:

(A) the Department has initiated a notice of termination, suspension, or exclusion of the vendor from participation in the medical assistance program; or

(B) the Department has issued notification of its withholding of payments pursuant to subsection (F-5) of this Section; or

(C) the Department has issued a notification of its withholding of payments due to reliable evidence of fraud or willful misrepresentation pending investigation.

(5) As used in this subsection, the following terms are defined as follows:

(A) "Fraud" means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or herself or some other person. It includes any act that constitutes fraud under applicable federal or State law.

(B) "Abuse" means provider practices that are inconsistent with sound fiscal, business, or medical practices and that result in an unnecessary cost to the medical assistance program or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care. It also includes recipient

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practices that result in unnecessary cost to the medical assistance program. Abuse does not include diagnostic or therapeutic measures conducted primarily as a safeguard against possible vendor liability.

(C) "Waste" means the unintentional misuse of medical assistance resources, resulting in unnecessary cost to the medical assistance program. Waste does not include diagnostic or therapeutic measures conducted primarily as a safeguard against possible vendor liability.

(D) "Harm" means physical, mental, or monetary damage to recipients or to the medical assistance program.

(G-6) The Illinois Department, upon making a determination based upon information in the possession of the Illinois Department that continuation of participation in the medical assistance program by a vendor would constitute an immediate danger to the public, may immediately suspend such vendor's participation in the medical assistance program without a hearing. In instances in which the Illinois Department immediately suspends the medical assistance program participation of a vendor under this Section, a hearing upon the vendor's participation must be convened by the Illinois Department within 15 days after such suspension and completed without appreciable delay. Such hearing shall be held to determine whether to recommend to the Director that the vendor's medical assistance program participation be denied, terminated, suspended, placed on provisional status, or reinstated. In the hearing, any evidence relevant to the vendor constituting an immediate danger to the public may be introduced against such vendor; provided, however, that the vendor, or his or her counsel, shall have the opportunity to discredit, impeach, and submit evidence rebutting such evidence.

(H) Nothing contained in this Code shall in any way limit or otherwise impair the authority or power of any State agency responsible for licensing of vendors.

(I) Based on a finding of noncompliance on the part of a nursing home with any requirement for certification under Title XVIII or XIX of the Social Security Act (42 U.S.C. Sec. 1395 et seq. or 42 U.S.C. Sec. 1396 et seq.), the Illinois Department may impose one or more of the following remedies after notice to the facility:

(1) Termination of the provider agreement.
(2) Temporary management.
(3) Denial of payment for new admissions.

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(4) Civil money penalties.
(5) Closure of the facility in emergency situations or transfer of residents, or both.
(6) State monitoring.
(7) Denial of all payments when the U.S. Department of Health and Human Services has imposed this sanction.

The Illinois Department shall by rule establish criteria governing continued payments to a nursing facility subsequent to termination of the facility's provider agreement if, in the sole discretion of the Illinois Department, circumstances affecting the health, safety, and welfare of the facility's residents require those continued payments. The Illinois Department may condition those continued payments on the appointment of temporary management, sale of the facility to new owners or operators, or other arrangements that the Illinois Department determines best serve the needs of the facility's residents.

Except in the case of a facility that has a right to a hearing on the finding of noncompliance before an agency of the federal government, a facility may request a hearing before a State agency on any finding of noncompliance within 60 days after the notice of the intent to impose a remedy. Except in the case of civil money penalties, a request for a hearing shall not delay imposition of the penalty. The choice of remedies is not appealable at a hearing. The level of noncompliance may be challenged only in the case of a civil money penalty. The Illinois Department shall provide by rule for the State agency that will conduct the evidentiary hearings.

The Illinois Department may collect interest on unpaid civil money penalties.

The Illinois Department may adopt all rules necessary to implement this subsection (I).

(J) The Illinois Department, by rule, may permit individual practitioners to designate that Department payments that may be due the practitioner be made to an alternate payee or alternate payees.

(a) Such alternate payee or alternate payees shall be required to register as an alternate payee in the Medical Assistance Program with the Illinois Department.

(b) If a practitioner designates an alternate payee, the alternate payee and practitioner shall be jointly and severally liable to the Department for payments made to the alternate payee. Pursuant to subsection (E) of this Section, any Department action to suspend or deny payment or recover money or overpayments from an alternate

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payee shall be subject to an administrative hearing.

(c) Registration as an alternate payee or alternate payees in the Illinois Medical Assistance Program shall be conditional. At any time, the Illinois Department may deny or cancel any alternate payee's registration in the Illinois Medical Assistance Program without cause. Any such denial or cancellation is not subject to an administrative hearing.

(d) The Illinois Department may seek a revocation of any alternate payee, and all owners, officers, and individuals with management responsibility for such alternate payee shall be permanently prohibited from participating as an owner, an officer, or an individual with management responsibility with an alternate payee in the Illinois Medical Assistance Program, if after reasonable notice and opportunity for a hearing the Illinois Department finds that:

1. the alternate payee is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its alternate payee registration agreement; or
2. the alternate payee has failed to keep or make available for inspection, audit, or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed as an alternate payee; or
3. the alternate payee has failed to furnish any information requested by the Illinois Department regarding payments claimed as an alternate payee; or
4. the alternate payee has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the Illinois Medical Assistance Program; or
5. the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate alternate payee, or a partner in a partnership which is an alternate payee:
   (a) was previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program.

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Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code; or

(b) was a person with management responsibility for a vendor previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion or alternate payee's revocation; or

(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion; or

(d) was an owner of a sole proprietorship or partner in a partnership previously terminated, suspended, or excluded from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated, suspended, or excluded from participation as a vendor

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in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination, suspension, or exclusion or alternate payee's revocation; or

(6) the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate alternate payee, or a partner in a partnership which is an alternate payee:

(a) has engaged in conduct prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(b) was a person with management responsibility for a vendor or alternate payee at the time that the vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(d) was an owner of a sole proprietorship or partner in a partnership which was a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(7) the direct or indirect ownership of the vendor or alternate payee (including the ownership of a vendor or alternate payee that is a partner's interest in a vendor or alternate payee, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor

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or alternate payee) has been transferred by an individual who is terminated, suspended, or excluded or barred from participating as a vendor or is prohibited or revoked as an alternate payee to the individual's spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

(K) The Illinois Department of Healthcare and Family Services may withhold payments, in whole or in part, to a provider or alternate payee where there is credible evidence, received from State or federal law enforcement or federal oversight agencies or from the results of a preliminary Department audit, that the circumstances giving rise to the need for a withholding of payments may involve fraud or willful misrepresentation under the Illinois Medical Assistance program. The Department shall by rule define what constitutes "credible" evidence for purposes of this subsection. The Department may withhold payments without first notifying the provider or alternate payee of its intention to withhold such payments. A provider or alternate payee may request a reconsideration of payment withholding, and the Department must grant such a request. The Department shall state by rule a process and criteria by which a provider or alternate payee may request full or partial release of payments withheld under this subsection. This request may be made at any time after the Department first withholds such payments.

(a) The Illinois Department must send notice of its withholding of program payments within 5 days of taking such action. The notice must set forth the general allegations as to the nature of the withholding action, but need not disclose any specific information concerning its ongoing investigation. The notice must do all of the following:

1. State that payments are being withheld in accordance with this subsection.
2. State that the withholding is for a temporary period, as stated in paragraph (b) of this subsection, and cite the circumstances under which withholding will be terminated.
3. Specify, when appropriate, which type or types of Medicaid claims withholding is effective.
4. Inform the provider or alternate payee of the right to submit written evidence for reconsideration of the withholding by the Illinois Department.
5. Inform the provider or alternate payee that a

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written request may be made to the Illinois Department for full or partial release of withheld payments and that such requests may be made at any time after the Department first withholds such payments.

(b) All withholding-of-payment actions under this subsection shall be temporary and shall not continue after any of the following:

(1) The Illinois Department or the prosecuting authorities determine that there is insufficient evidence of fraud or willful misrepresentation by the provider or alternate payee.

(2) Legal proceedings related to the provider's or alternate payee's alleged fraud, willful misrepresentation, violations of this Act, or violations of the Illinois Department's administrative rules are completed.

(3) The withholding of payments for a period of 3 years.

(c) The Illinois Department may adopt all rules necessary to implement this subsection (K).

(K-5) The Illinois Department may withhold payments, in whole or in part, to a provider or alternate payee upon initiation of an audit, quality of care review, investigation when there is a credible allegation of fraud, or the provider or alternate payee demonstrating a clear failure to cooperate with the Illinois Department such that the circumstances give rise to the need for a withholding of payments. As used in this subsection, "credible allegation" is defined to include an allegation from any source, including, but not limited to, fraud hotline complaints, claims data mining, patterns identified through provider audits, civil actions filed under the Illinois False Claims Act, and law enforcement investigations. An allegation is considered to be credible when it has indicia of reliability. The Illinois Department may withhold payments without first notifying the provider or alternate payee of its intention to withhold such payments. A provider or alternate payee may request a hearing or a reconsideration of payment withholding, and the Illinois Department must grant such a request. The Illinois Department shall state by rule a process and criteria by which a provider or alternate payee may request a hearing or a reconsideration for the full or partial release of payments withheld under this subsection. This request may be made at any time after the Illinois Department first withholds such payments.

(a) The Illinois Department must send notice of its withholding of program payments within 5 days of taking such action.

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The notice must set forth the general allegations as to the nature of the withholding action but need not disclose any specific information concerning its ongoing investigation. The notice must do all of the following:

1. State that payments are being withheld in accordance with this subsection.
2. State that the withholding is for a temporary period, as stated in paragraph (b) of this subsection, and cite the circumstances under which withholding will be terminated.
3. Specify, when appropriate, which type or types of claims are withheld.
4. Inform the provider or alternate payee of the right to request a hearing or a reconsideration of the withholding by the Illinois Department, including the ability to submit written evidence.
5. Inform the provider or alternate payee that a written request may be made to the Illinois Department for a hearing or a reconsideration for the full or partial release of withheld payments and that such requests may be made at any time after the Illinois Department first withholds such payments.

(b) All withholding of payment actions under this subsection shall be temporary and shall not continue after any of the following:

1. The Illinois Department determines that there is insufficient evidence of fraud, or the provider or alternate payee demonstrates clear cooperation with the Illinois Department, as determined by the Illinois Department, such that the circumstances do not give rise to the need for withholding of payments; or
2. The withholding of payments has lasted for a period in excess of 3 years.

(c) The Illinois Department may adopt all rules necessary to implement this subsection (K-5).

(L) The Illinois Department shall establish a protocol to enable health care providers to disclose an actual or potential violation of this Section pursuant to a self-referral disclosure protocol, referred to in this subsection as "the protocol". The protocol shall include direction for health care providers on a specific person, official, or office to whom such disclosures...
shall be made. The Illinois Department shall post information on the protocol on the Illinois Department's public website. The Illinois Department may adopt rules necessary to implement this subsection (L). In addition to other factors that the Illinois Department finds appropriate, the Illinois Department may consider a health care provider's timely use or failure to use the protocol in considering the provider's failure to comply with this Code.

(M) Notwithstanding any other provision of this Code, the Illinois Department, at its discretion, may exempt an entity licensed under the Nursing Home Care Act and the ID/DD Community Care Act from the provisions of subsections (A-15), (B), and (C) of this Section if the licensed entity is in receivership.

(Source: P.A. 97-689, eff. 6-14-12; 97-1150, eff. 1-25-13; 98-214, eff. 8-9-13; 98-550, eff. 8-27-13; revised 9-19-13.)

(305 ILCS 5/12-4.45)
Sec. 12-4.45. Third party liability.

(a) To the extent authorized under federal law, the Department of Healthcare and Family Services shall identify individuals receiving services under medical assistance programs funded or partially funded by the State who may be or may have been covered by a third party health insurer, the period of coverage for such individuals, and the nature of coverage. A company, as defined in Section 5.5 of the Illinois Insurance Code and Section 2 of the Comprehensive Health Insurance Plan Act, must provide the Department eligibility information in a federally recommended or mutually agreed-upon format that includes at a minimum:

(1) The names, addresses, dates, and sex of primary covered persons.
(2) The policy group numbers of the covered persons.
(3) The names, dates of birth, and sex of covered dependents, and the relationship of dependents to the primary covered person.
(4) The effective dates of coverage for each covered person.
(5) The generally defined covered services information, such as drugs, medical, or any other similar description of services covered.

(b) The Department may impose an administrative penalty on a company that does not comply with the request for information made under Section 5.5 of the Illinois Insurance Code and paragraph (3) of subsection (a) of Section 20 of the Covering ALL KIDS Health Insurance Act. The amount of the penalty shall not exceed $10,000 per day for each day of noncompliance that occurs after the 180th day after the date of the request.
The first day of the 180-day period commences on the business day following the date of the correspondence requesting the information sent by the Department to the company. The amount shall be based on:

(1) The seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation.
(2) The economic harm caused by the violation.
(3) The history of previous violations.
(4) The amount necessary to deter a future violation.
(5) Efforts to correct the violation.
(6) Any other matter that justice may require.

c) The enforcement of the penalty may be stayed during the time the order is under administrative review if the company files an appeal.

d) The Attorney General may bring suit on behalf of the Department to collect the penalty.

e) Recoveries made by the Department in connection with the imposition of an administrative penalty as provided under this Section shall be deposited into the Public Aid Recoveries Trust Fund created under Section 12-9.

(Source: P.A. 98-130, eff. 8-2-13.)

Sec. 12-4.46. Change in legal guardianship; notification.

Whenever there is a change in legal guardianship of a minor child who receives benefits under this Code, the appropriate State agency shall immediately inform the Department of Human Services of the change in legal guardianship to ensure such benefits are sent directly to the minor child's legal guardian.

For purposes of this Section, "legal guardian" means a person appointed guardian, or given custody, of a minor by a circuit court of the State, but does not include a person appointed guardian, or given custody, of a minor under the Juvenile Court Act or the Juvenile Court Act of 1987.

(Source: P.A. 98-256, eff. 8-9-13; revised 10-31-13.)

Section 545. The Adult Protective Services Act is amended by changing Sections 2 and 7.5 as follows:

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

(a) "Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources.

Nothing in this Act shall be construed to mean that an eligible adult

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is a victim of abuse, neglect, or self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

(a-5) "Abuser" means a person who abuses, neglects, or financially exploits an eligible adult.

(a-6) "Adult with disabilities" means a person aged 18 through 59 who resides in a domestic living situation and whose disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.

(a-7) "Caregiver" means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living.

(b) "Department" means the Department on Aging of the State of Illinois.

c) "Director" means the Director of the Department.

c-5) "Disability" means a physical or mental disability, including, but not limited to, a developmental disability, an intellectual disability, a mental illness as defined under the Mental Health and Developmental Disabilities Code, or dementia as defined under the Alzheimer's Disease Assistance Act.

d) "Domestic living situation" means a residence where the eligible adult at the time of the report lives alone or with his or her family or a caregiver, or others, or other community-based unlicensed facility, but is not:

1. A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;
   (1.5) A facility licensed under the ID/DD Community Care Act;
2. A facility licensed under the Specialized Mental Health Rehabilitation Act of 2013;
3. A "life care facility" as defined in the Life Care Facilities Act;
4. A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;
5. A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized
facilities therefor, which is required to be licensed under the Hospital Licensing Act;

(5) A "community living facility" as defined in the Community Living Facilities Licensing Act;

(6) (Blank);

(7) A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act or a "community residential alternative" as licensed under that Act;

(8) An assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; or

(9) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

(e) "Eligible adult" means either an adult with disabilities aged 18 through 59 or a person aged 60 or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself.

(f) "Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.

(f-1) "Financial exploitation" means the use of an eligible adult's resources by another to the disadvantage of that adult or the profit or advantage of a person other than that adult.

(f-5) "Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

(1) a professional or professional's delegate while engaged in:

(i) social services, (ii) law enforcement, (iii) education, (iv) the care of an eligible adult or eligible adults, or (v) any of the occupations required to be licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietitian Nutritionist Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nurse Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice

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Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, and the Illinois Public Accounting Act;

(1.5) an employee of an entity providing developmental disabilities services or service coordination funded by the Department of Human Services;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community based facility;

(4) any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;

(5) field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;

(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies, and the Office of State Long Term Care Ombudsman;

(7) any employee of the State of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

(8) a person who performs the duties of a coroner or medical examiner; or

(9) a person who performs the duties of a paramedic or an emergency medical technician.

(g) "Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or health care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible

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adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) "Provider agency" means any public or nonprofit agency in a planning and service area appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation. A provider agency is also referenced as a "designated agency" in this Act.

(i) "Regional administrative agency" means any public or nonprofit agency in a planning and service area so designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the functions of the regional administrative agency for any planning and service area where another agency is not so designated.

(i-5) "Self-neglect" means a condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. The term includes compulsive hoarding, which is characterized by the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety.

(j) "Substantiated case" means a reported case of alleged or suspected abuse, neglect, financial exploitation, or self-neglect in which a provider agency, after assessment, determines that there is reason to believe abuse, neglect, or financial exploitation has occurred.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-300, eff. 8-11-11; 97-706, eff. 6-25-12; 97-813, eff. 7-13-12; 97-1141, eff. 12-28-12; 98-49, eff. 7-1-13; 98-104, eff. 7-22-13; revised 9-19-13.)

(320 ILCS 20/7.5)

Sec. 7.5. Health Care Worker Registry.

(a) Reporting to the Registry. The Department on Aging shall report to the Department of Public Health's Health Care Worker Registry the identity and administrative finding of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult under this Act that is made against any caregiver, including consultants and volunteers, employed by a provider licensed, certified, or regulated by, or paid with

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public funds from, the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging. For uncompensated or privately paid caregivers, the Department on Aging shall report only a verified and substantiated decision of significant abuse, neglect, or financial exploitation of an eligible adult under this Act. An administrative finding placed in the Registry shall preclude any caregiver from providing direct access or other services, including consulting and volunteering, in a position with a provider that is licensed, certified, or regulated by, or paid with public funds from or on behalf of, the State of Illinois or any Department thereof, that permits the caregiver direct access to an adult aged 60 or older or an adult, over 18, with a disability or to that individual's living quarters or personal, financial, or medical records.

(b) Definitions. As used in this Section:

"Direct care" includes, but is not limited to, direct access to an individual, his or her living quarters, or his or her personal, financial, or medical records for the purpose of providing nursing care or assistance with feeding, dressing, movement, bathing, toileting, other personal needs and activities of daily living, or assistance with financial transactions.

"Privately paid caregiver" means any caregiver who has been paid with resources other than public funds, regardless of licensure, certification, or regulation by the State of Illinois and any Department thereof. A privately paid caregiver does not include any caregiver that has been licensed, certified, or regulated by a State agency, or paid with public funds.

"Significant" means a finding of abuse, neglect, or financial exploitation as determined by the Department that (i) represents a meaningful failure to adequately provide for, or a material indifference to, the financial, health, safety, or medical needs of an eligible adult or (ii) results in an eligible adult's death or other serious deterioration of an eligible adult's financial resources, physical condition, or mental condition.

"Uncompensated caregiver" means a caregiver who, in an informal capacity, assists an eligible adult with activities of daily living, financial transactions, or chore housekeeping type duties. "Uncompensated caregiver" does not refer to an individual serving in a formal capacity as a volunteer with a provider licensed, certified, or regulated by a State agency.

(c) Access to and use of the Registry. Access to the Registry shall be limited to licensed, certified, or regulated providers by the Department of Public Health, Healthcare and Family Service, or Human Services, or the Department on Aging. The State of Illinois, any Department thereof, or a provider licensed, certified, or regulated, or paid with public funds by, from,
or on behalf of the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging, shall not hire or compensate any person seeking employment, retain any contractors, or accept any volunteers to provide direct care without first conducting an online check of the person through the Department of Public Health's Health Care Worker Registry. The provider shall maintain a copy of the results of the online check to demonstrate compliance with this requirement. The provider is prohibited from hiring, compensating, or accepting a person, including as a consultant or volunteer, for whom the online check reveals a verified and substantiated claim of abuse, neglect, or financial exploitation, to provide direct access to any adult aged 60 or older or any adult, over 18, with a disability. Additionally, a provider is prohibited from retaining a person for whom they gain knowledge of a verified and substantiated claim of abuse, neglect, or financial exploitation in a position that permits the caregiver direct access to provide direct care to any adult aged 60 or older or any adult, over 18, with a disability or direct access to that individual's living quarters or personal, financial, or medical records. Failure to comply with this requirement may subject such a provider to corrective action by the appropriate regulatory agency or other lawful remedies provided under the applicable licensure, certification, or regulatory laws and rules.

(d) Notice to caregiver. The Department on Aging shall establish rules concerning notice to the caregiver in cases of abuse, neglect, or financial exploitation.

(e) Notification to eligible adults, guardians, or agents. As part of its investigation, the Department on Aging shall notify an eligible adult, or an eligible adult's guardian or agent, that a caregiver's name may be placed on the Registry based on a finding as described in subsection (a) (a-1) of this Section.

(f) Notification to employer. A provider licensed, certified, or regulated by the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging shall be notified of an administrative finding against any caregiver who is an employee, consultant, or volunteer of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult under this Act. If there is an imminent risk of danger to the eligible adult or an imminent risk of misuse of personal, medical, or financial information, the caregiver shall immediately be barred from direct access to the eligible adult, his or her living quarters, or his or her personal, financial, or medical records, pending the outcome of any challenge, criminal prosecution, or other type of collateral

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(g) Caregiver challenges. The Department on Aging shall establish, by rule, procedures concerning caregiver challenges.

(h) Caregiver's rights to collateral action. The Department on Aging shall not make any report to the Registry if a caregiver notifies the Department in writing, including any supporting documentation, that he or she is formally challenging an adverse employment action resulting from a verified and substantiated finding of abuse, neglect, or financial exploitation by complaint filed with the Illinois Civil Service Commission, or by another means which seeks to enforce the caregiver's rights pursuant to any applicable collective bargaining agreement. If an action taken by an employer against a caregiver as a result of a finding of abuse, neglect, or financial exploitation is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement after that caregiver's name has already been sent to the Registry, the caregiver's name shall be removed from the Registry.

(i) Removal from Registry. At any time after a report to the Registry, but no more than once in each successive 3-year period thereafter, for a maximum of 3 such requests, a caregiver may write to the Director of the Department on Aging to request removal of his or her name from the Registry in relationship to a single incident. The caregiver shall bear the burden of showing cause that establishes, by a preponderance of the evidence, that removal of his or her name from the Registry is in the public interest. Upon receiving such a request, the Department on Aging shall conduct an investigation and consider any evidentiary material provided. The Department shall issue a decision either granting or denying removal within 60 calendar days, and shall issue such decision to the caregiver and the Registry. The waiver process at the Department of Public Health does not apply to Registry reports from the Department on Aging. The Department on Aging shall establish standards for the removal of a name from the Registry by rule.

(j) Referral of Registry reports to health care facilities. In the event an eligible adult receiving services from a provider agency changes his or her residence from a domestic living situation to that of a health care facility, the provider agency shall use reasonable efforts to promptly inform the health care facility and the appropriate Regional Long Term Care Ombudsman about any Registry reports relating to the eligible adult. For purposes of this Section, a health care facility includes, but is not limited to, any residential facility licensed, certified, or regulated by the Department of Public Health,
Section 550. The Abused and Neglected Child Reporting Act is amended by changing Sections 4 and 7.16 as follows:

(325 ILCS 5/4)
(Text of Section before amendment by P.A. 98-408)

Sec. 4. Persons required to report; privileged communications; transmitting false report. Any physician, resident, intern, hospital, hospital administrator and personnel engaged in examination, care and treatment of persons, surgeon, dentist, dentist hygienist, osteopath, chiropractor, podiatric physician, physician assistant, substance abuse treatment personnel, funeral home director or employee, coroner, medical examiner, emergency medical technician, acupuncturist, crisis line or hotline personnel, school personnel (including administrators and both certified and non-certified school employees), personnel of institutions of higher education, educational advocate assigned to a child pursuant to the School Code, member of a school board or the Chicago Board of Education or the governing body of a private school (but only to the extent required in accordance with other provisions of this Section expressly concerning the duty of school board members to report suspected child abuse), truant officers, social worker, social services administrator, domestic violence program personnel, registered nurse, licensed practical nurse, genetic counselor, respiratory care practitioner, advanced practice nurse, home health aide, director or staff assistant of a nursery school or a child day care center, recreational or athletic program or facility personnel, early intervention provider as defined in the Early Intervention Services System Act, law enforcement officer, licensed professional counselor, licensed clinical professional counselor, registered psychologist and assistants working under the direct supervision of a psychologist, psychiatrist, or field personnel of the Department of Healthcare and Family Services, Juvenile Justice, Public Health, Human Services (acting as successor to the Department of Mental Health and Developmental Disabilities, Rehabilitation Services, or Public Aid), Corrections, Human Rights, or Children and Family Services, supervisor and administrator of general assistance under the Illinois Public Aid Code, probation officer, animal control officer or Illinois Department of Agriculture Bureau of Animal Health and Welfare field investigator, or any other foster parent, homemaker or child care worker having reasonable cause to believe a child known to them in their professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be

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made to the Department.

Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional capacity may be an abused child as defined in item (c) of the definition of "abused child" in Section 3 of this Act shall immediately report or cause a report to be made to the Department.

Any physician, physician's assistant, registered nurse, licensed practical nurse, medical technician, certified nursing assistant, social worker, or licensed professional counselor of any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives having reasonable cause to believe a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child as defined in Section 3 of this Act, the member shall direct or cause the school board to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse. For purposes of this paragraph, a school board member is granted the authority in his or her individual capacity to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse.

Notwithstanding any other provision of this Act, if an employee of a school district has made a report or caused a report to be made to the Department under this Act involving the conduct of a current or former employee of the school district and a request is made by another school district for the provision of information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for employment with the requesting school district, the general superintendent of the school district to which the request is being made must disclose to the requesting school district the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department, as required under this Act. Only the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department may be disclosed by the general superintendent of the school district to which the request for information concerning the applicant is made,

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and this fact may be disclosed only in cases where the employee and the general superintendent have not been informed by the Department that the allegations were unfounded. An employee of a school district who is or has been the subject of a report made pursuant to this Act during his or her employment with the school district must be informed by that school district that if he or she applies for employment with another school district, the general superintendent of the former school district, upon the request of the school district to which the employee applies, shall notify that requesting school district that the employee is or was the subject of such a report.

Whenever such person is required to report under this Act in his capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, or as a member of the clergy, he shall make report immediately to the Department in accordance with the provisions of this Act and may also notify the person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent that such report has been made. Under no circumstances shall any person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to the Department.

The privileged quality of communication between any professional person required to report and his patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report as required by this Act or constitute grounds for failure to share information or documents with the Department during the course of a child abuse or neglect investigation. If requested by the professional, the Department shall confirm in writing that the information or documents disclosed by the professional were gathered in the course of a child abuse or neglect investigation.

The reporting requirements of this Act shall not apply to the contents of a privileged communication between an attorney and his or her client or to confidential information within the meaning of Rule 1.6 of the Illinois Rules of Professional Conduct relating to the legal representation of an individual client.

A member of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure.

Any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives shall provide to all office
personnel copies of written information and training materials about abuse and neglect and the requirements of this Act that are provided to employees of the office, clinic, or physical location who are required to make reports to the Department under this Act, and instruct such office personnel to bring to the attention of an employee of the office, clinic, or physical location who is required to make reports to the Department under this Act any reasonable suspicion that a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child. In addition to the above persons required to report suspected cases of abused or neglected children, any other person may make a report if such person has reasonable cause to believe a child may be an abused child or a neglected child.

Any person who enters into employment on and after July 1, 1986 and is mandated by virtue of that employment to report under this Act, shall sign a statement on a form prescribed by the Department, to the effect that the employee has knowledge and understanding of the reporting requirements of this Act. The statement shall be signed prior to commencement of the employment. The signed statement shall be retained by the employer. The cost of printing, distribution, and filing of the statement shall be borne by the employer.

The Department shall provide copies of this Act, upon request, to all employers employing persons who shall be required under the provisions of this Section to report under this Act.

Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 2012. A violation of this provision is a Class 4 felony.

Any person who knowingly and willfully violates any provision of this Section other than a second or subsequent violation of transmitting a false report as described in the preceding paragraph, is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation; except that if the person acted as part of a plan or scheme having as its object the prevention of discovery of an abused or neglected child by lawful authorities for the purpose of protecting or insulating any person or entity from arrest or prosecution, the person is guilty of a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense (regardless of whether the second or subsequent offense involves any of the same facts or persons as the first or other prior offense).

A child whose parent, guardian or custodian in good faith selects and depends upon spiritual means through prayer alone for the treatment or cure

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of disease or remedial care may be considered neglected or abused, but not for the sole reason that his parent, guardian or custodian accepts and practices such beliefs.

A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code, as amended.

Nothing in this Act prohibits a mandated reporter who reasonably believes that an animal is being abused or neglected in violation of the Humane Care for Animals Act from reporting animal abuse or neglect to the Department of Agriculture's Bureau of Animal Health and Welfare.

A home rule unit may not regulate the reporting of child abuse or neglect in a manner inconsistent with the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.

(Source: P.A. 97-189, eff. 7-22-11; 97-254, eff. 1-1-12; 97-387, eff. 8-15-11; 97-711, eff. 6-27-12; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13; 98-67, eff. 7-15-13; 98-214, eff. 8-9-13; revised 9-19-13.)

(Text of Section after amendment by P.A. 98-408)

Sec. 4. Persons required to report; privileged communications; transmitting false report. Any physician, resident, intern, hospital, hospital administrator and personnel engaged in examination, care and treatment of persons, surgeon, dentist, dentist hygienist, osteopath, chiropractor, podiatric physician, physician assistant, substance abuse treatment personnel, funeral home director or employee, coroner, medical examiner, emergency medical technician, acupuncturist, crisis line or hotline personnel, school personnel (including administrators and both certified and non-certified school employees), personnel of institutions of higher education, educational advocate assigned to a child pursuant to the School Code, member of a school board or the Chicago Board of Education or the governing body of a private school (but only to the extent required in accordance with other provisions of this Section expressly concerning the duty of school board members to report suspected child abuse), truant officers, social worker, social services administrator, domestic violence program personnel, registered nurse, licensed practical nurse, genetic counselor, respiratory care practitioner, advanced practice nurse, home health aide, director or staff assistant of a nursery school or a child day care center, recreational or athletic program or
facility personnel, early intervention provider as defined in the Early Intervention Services System Act, law enforcement officer, licensed professional counselor, licensed clinical professional counselor, registered psychologist and assistants working under the direct supervision of a psychologist, psychiatrist, or field personnel of the Department of Healthcare and Family Services, Juvenile Justice, Public Health, Human Services (acting as successor to the Department of Mental Health and Developmental Disabilities, Rehabilitation Services, or Public Aid), Corrections, Human Rights, or Children and Family Services, supervisor and administrator of general assistance under the Illinois Public Aid Code, probation officer, animal control officer or Illinois Department of Agriculture Bureau of Animal Health and Welfare field investigator, or any other foster parent, homemaker or child care worker having reasonable cause to believe a child known to them in their professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional capacity may be an abused child as defined in item (c) of the definition of "abused child" in Section 3 of this Act shall immediately report or cause a report to be made to the Department.

Any physician, physician's assistant, registered nurse, licensed practical nurse, medical technician, certified nursing assistant, social worker, or licensed professional counselor of any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives having reasonable cause to believe a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child as defined in Section 3 of this Act, the member shall direct or cause the school board to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse. For purposes of this paragraph, a school board member is granted the authority in his or her individual capacity to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse.

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Notwithstanding any other provision of this Act, if an employee of a school district has made a report or caused a report to be made to the Department under this Act involving the conduct of a current or former employee of the school district and a request is made by another school district for the provision of information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for employment with the requesting school district, the general superintendent of the school district to which the request is being made must disclose to the requesting school district the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department, as required under this Act. Only the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made to the Department may be disclosed by the general superintendent of the school district to which the request for information concerning the applicant is made, and this fact may be disclosed only in cases where the employee and the general superintendent have not been informed by the Department that the allegations were unfounded. An employee of a school district who is or has been the subject of a report made pursuant to this Act during his or her employment with the school district must be informed by that school district that if he or she applies for employment with another school district, the general superintendent of the former school district, upon the request of the school district to which the employee applies, shall notify that requesting school district that the employee is or was the subject of such a report.

Whenever such person is required to report under this Act in his capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, or as a member of the clergy, he shall make report immediately to the Department in accordance with the provisions of this Act and may also notify the person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent that such report has been made. Under no circumstances shall any person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to the Department.

The privileged quality of communication between any professional person required to report and his patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for
failure to report as required by this Act or constitute grounds for failure to share information or documents with the Department during the course of a child abuse or neglect investigation. If requested by the professional, the Department shall confirm in writing that the information or documents disclosed by the professional were gathered in the course of a child abuse or neglect investigation.

The reporting requirements of this Act shall not apply to the contents of a privileged communication between an attorney and his or her client or to confidential information within the meaning of Rule 1.6 of the Illinois Rules of Professional Conduct relating to the legal representation of an individual client.

A member of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure.

Any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives shall provide to all office personnel copies of written information and training materials about abuse and neglect and the requirements of this Act that are provided to employees of the office, clinic, or physical location who are required to make reports to the Department under this Act, and instruct such office personnel to bring to the attention of an employee of the office, clinic, or physical location who is required to make reports to the Department under this Act any reasonable suspicion that a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child. In addition to the above persons required to report suspected cases of abused or neglected children, any other person may make a report if such person has reasonable cause to believe a child may be an abused child or a neglected child.

Any person who enters into employment on and after July 1, 1986 and is mandated by virtue of that employment to report under this Act, shall sign a statement on a form prescribed by the Department, to the effect that the employee has knowledge and understanding of the reporting requirements of this Act. The statement shall be signed prior to commencement of the employment. The signed statement shall be retained by the employer. The cost of printing, distribution, and filing of the statement shall be borne by the employer.

Within one year of initial employment and at least every 5 years thereafter, school personnel required to report child abuse as provided under this Section must complete mandated reporter training by a provider or agency with expertise in recognizing and reporting child abuse.

The Department shall provide copies of this Act, upon request, to all

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employers employing persons who shall be required under the provisions of this Section to report under this Act.

Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 2012. A violation of this provision is a Class 4 felony.

Any person who knowingly and willfully violates any provision of this Section other than a second or subsequent violation of transmitting a false report as described in the preceding paragraph, is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation; except that if the person acted as part of a plan or scheme having as its object the prevention of discovery of an abused or neglected child by lawful authorities for the purpose of protecting or insulating any person or entity from arrest or prosecution, the person is guilty of a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense (regardless of whether the second or subsequent offense involves any of the same facts or persons as the first or other prior offense).

A child whose parent, guardian or custodian in good faith selects and depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care may be considered neglected or abused, but not for the sole reason that his parent, guardian or custodian accepts and practices such beliefs.

A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code, as amended.

Nothing in this Act prohibits a mandated reporter who reasonably believes that an animal is being abused or neglected in violation of the Humane Care for Animals Act from reporting animal abuse or neglect to the Department of Agriculture's Bureau of Animal Health and Welfare.

A home rule unit may not regulate the reporting of child abuse or neglect in a manner inconsistent with the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.

(Source: P.A. 97-189, eff. 7-22-11; 97-254, eff. 1-1-12; 97-387, eff. 8-15-11; 97-711, eff. 6-27-12; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13; 98-67, eff. 7-15-13; 98-214, eff. 8-9-13; 98-408, eff. 7-1-14; revised 9-19-13.)

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Sec. 7.16. For any investigation or appeal initiated on or after, or pending on July 1, 1998, the following time frames shall apply. Within 60 days after the notification of the completion of the Child Protective Service Unit investigation, determined by the date of the notification sent by the Department, the perpetrator named in the notification may request the Department to amend the record or remove the record of the report from the register, except that the 60-day deadline for filing a request to amend the record or remove the record of the report from the State Central Register shall be tolled until after the conclusion of any criminal court action in the circuit court or after adjudication in any juvenile court action concerning the circumstances that give rise to an indicated report. Such request shall be in writing and directed to such person as the Department designates in the notification letter notifying the perpetrator of the indicated finding. The perpetrator shall have the right to a timely hearing within the Department to determine whether the record of the report should be amended or removed on the grounds that it is inaccurate or it is being maintained in a manner inconsistent with this Act, except that there shall be no such right to a hearing on the ground of the report's inaccuracy if there has been a court finding of child abuse or neglect or a criminal finding of guilt as to the perpetrator. Such hearing shall be held within a reasonable time after the perpetrator's request and at a reasonable place and hour. The appropriate Child Protective Service Unit shall be given notice of the hearing. If the minor, who is the victim named in the report sought to be amended or removed from the State Central Register, is the subject of a pending action under Article II of the Juvenile Court Act of 1987, and the report was made while a guardian ad litem was appointed for the minor under Section 2-17 of the Juvenile Court Act of 1987, then the minor shall, through the minor's attorney or guardian ad litem appointed under Section 2-17 of the Juvenile Court Act of 1987, have the right to participate and be heard in such hearing as defined under the Department's rules. In such hearings, the burden of proving the accuracy and consistency of the record shall be on the Department and the appropriate Child Protective Service Unit. The hearing shall be conducted by the Director or his designee, who is hereby authorized and empowered to order the amendment or removal of the record to make it accurate and consistent with this Act. The decision shall be made, in writing, at the close of the hearing, or within 60 days thereof, and shall state the reasons upon which it is based. Decisions of the Department under this Section are administrative decisions subject to judicial review under the Administrative Review Law.

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Should the Department grant the request of the perpetrator pursuant to this Section either on administrative review or after an administrative hearing to amend an indicated report to an unfounded report, the report shall be released and expunged in accordance with the standards set forth in Section 7.14 of this Act.

(Source: P.A. 98-453, eff. 8-16-13; 98-487, eff. 1-1-14; revised 10-1-13.)

Section 555. The Early Intervention Services System Act is amended by changing Section 5 as follows:

(325 ILCS 20/5) (from Ch. 23, par. 4155)

Sec. 5. Lead Agency. The Department of Human Services is designated the lead agency and shall provide leadership in establishing and implementing the coordinated, comprehensive, interagency and interdisciplinary system of early intervention services. The lead agency shall not have the sole responsibility for providing these services. Each participating State agency shall continue to coordinate those early intervention services relating to health, social service and education provided under this authority.

The lead agency is responsible for carrying out the following:

(a) The general administration, supervision, and monitoring of programs and activities receiving assistance under Section 673 of the Individuals with Disabilities Education Act (20 United States Code 1473).

(b) The identification and coordination of all available resources within the State from federal, State, local and private sources.

(c) The development of procedures to ensure that services are provided to eligible infants and toddlers and their families in a timely manner pending the resolution of any disputes among public agencies or service providers.

(d) The resolution of intra-agency and interagency regulatory and procedural disputes.

(e) The development and implementation of formal interagency agreements, and the entry into such agreements, between the lead agency and (i) the Department of Healthcare and Family Services, (ii) the University of Illinois Division of Specialized Care for Children, and (iii) other relevant State agencies that:

(1) define the financial responsibility of each agency for paying for early intervention services (consistent with existing State and federal law and rules, including the

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requirement that early intervention funds be used as the payor of last resort), a hierarchical order of payment as among the agencies for early intervention services that are covered under or may be paid by programs in other agencies, and procedures for direct billing, collecting reimbursements for payments made, and resolving service and payment disputes; and

(2) include all additional components necessary to ensure meaningful cooperation and coordination.

Interagency agreements under this paragraph (e) must be reviewed and revised to implement the purposes of this amendatory Act of the 92nd General Assembly no later than 60 days after the effective date of this amendatory Act of the 92nd General Assembly.

(f) The maintenance of an early intervention website. Within 30 days after the effective date of this amendatory Act of the 92nd General Assembly, the lead agency shall post and keep posted on this website the following: (i) the current annual report required under subdivision (b)(5) of Section 4 of this Act, and the annual reports of the prior 3 years, (ii) the most recent Illinois application for funds prepared under Section 637 of the Individuals with Disabilities Education Act filed with the United States Department of Education, (iii) proposed modifications of the application prepared for public comment, (iv) notice of Council meetings, Council agendas, and minutes of its proceedings for at least the previous year, (v) proposed and final early intervention rules, (vi) requests for proposals, and (vii) all reports created for dissemination to the public that are related to the early intervention program, including reports prepared at the request of the Council and the General Assembly. Each such document shall be posted on the website within 3 working days after the document's completion.

(g) Before adopting any new policy or procedure (including any revisions to an existing policy or procedure) needed to comply with Part C of the Individuals with Disabilities Education Act, the lead agency must hold public hearings on the new policy or procedure, provide notice of the hearings at least 30 days before the hearings are conducted to enable public participation, and provide an opportunity for the general public, including individuals with disabilities and parents of infants and toddlers with disabilities, early intervention providers, and members of the Council to comment for at least 30 days on the new policy or procedure needed to comply

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with Part C of the Individuals with Disabilities Education Act and with 34 CFR Part 300 and Part 303.
(Source: P.A. 98-41, eff. 6-28-13; revised 11-12-13.)

Section 560. The Mental Health and Developmental Disabilities Code is amended by changing Section 2-107.1 as follows:

(405 ILCS 5/2-107.1) (from Ch. 91 1/2, par. 2-107.1)
Sec. 2-107.1. Administration of psychotropic medication and electroconvulsive therapy upon application to a court.

(a) (Blank).

(a-5) Notwithstanding the provisions of Section 2-107 of this Code, psychotropic medication and electroconvulsive therapy may be administered to an adult recipient of services on an inpatient or outpatient basis without the informed consent of the recipient under the following standards:

(1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of psychotropic medication and electroconvulsive therapy to a recipient of services. The petition shall state that the petitioner has made a good faith attempt to determine whether the recipient has executed a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act and to obtain copies of these instruments if they exist. If either of the above-named instruments is available to the petitioner, the instrument or a copy of the instrument shall be attached to the petition as an exhibit. The petitioner shall deliver a copy of the petition, and notice of the time and place of the hearing, to the respondent, his or her attorney, any known agent or attorney-in-fact, if any, and the guardian, if any, no later than 3 days prior to the date of the hearing. Service of the petition and notice of the time and place of the hearing may be made by transmitting them via facsimile machine to the respondent or other party. Upon receipt of the petition and notice, the party served, or the person delivering the petition and notice to the party served, shall acknowledge service. If the party sending the petition and notice does not receive acknowledgement of service within 24 hours, service must be made by personal service.

The petition may include a request that the court authorize such testing and procedures as may be essential for the safe and effective administration of the psychotropic medication or electroconvulsive therapy sought to be administered, but only where

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the petition sets forth the specific testing and procedures sought to be administered.

If a hearing is requested to be held immediately following the hearing on a petition for involuntary admission, then the notice requirement shall be the same as that for the hearing on the petition for involuntary admission, and the petition filed pursuant to this Section shall be filed with the petition for involuntary admission.

(2) The court shall hold a hearing within 7 days of the filing of the petition. The People, the petitioner, or the respondent shall be entitled to a continuance of up to 7 days as of right. An additional continuance of not more than 7 days may be granted to any party (i) upon a showing that the continuance is needed in order to adequately prepare for or present evidence in a hearing under this Section or (ii) under exceptional circumstances. The court may grant an additional continuance not to exceed 21 days when, in its discretion, the court determines that such a continuance is necessary in order to provide the recipient with an examination pursuant to Section 3-803 or 3-804 of this Act, to provide the recipient with a trial by jury as provided in Section 3-802 of this Act, or to arrange for the substitution of counsel as provided for by the Illinois Supreme Court Rules. The hearing shall be separate from a judicial proceeding held to determine whether a person is subject to involuntary admission but may be heard immediately preceding or following such a judicial proceeding and may be heard by the same trier of fact or law as in that judicial proceeding.

(3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter III 3 of this Act, including the provisions regarding appointment of counsel, shall govern hearings held under this subsection (a-5).

(4) Psychotropic medication and electroconvulsive therapy may be administered to the recipient if and only if it has been determined by clear and convincing evidence that all of the following factors are present. In determining whether a person meets the criteria specified in the following paragraphs (A) through (G), the court may consider evidence of the person's history of serious violence, repeated past pattern of specific behavior, actions related to the person's illness, or past outcomes of various treatment options.

(A) That the recipient has a serious mental illness or developmental disability.

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(B) That because of said mental illness or developmental disability, the recipient currently exhibits any one of the following: (i) deterioration of his or her ability to function, as compared to the recipient's ability to function prior to the current onset of symptoms of the mental illness or disability for which treatment is presently sought, (ii) suffering, or (iii) threatening behavior.

(C) That the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in item (B) of this subdivision (4) or the repeated episodic occurrence of these symptoms.

(D) That the benefits of the treatment outweigh the harm.

(E) That the recipient lacks the capacity to make a reasoned decision about the treatment.

(F) That other less restrictive services have been explored and found inappropriate.

(G) If the petition seeks authorization for testing and other procedures, that such testing and procedures are essential for the safe and effective administration of the treatment.

(5) In no event shall an order issued under this Section be effective for more than 90 days. A second 90-day period of involuntary treatment may be authorized pursuant to a hearing that complies with the standards and procedures of this subsection (a-5). Thereafter, additional 180-day periods of involuntary treatment may be authorized pursuant to the standards and procedures of this Section without limit. If a new petition to authorize the administration of psychotropic medication or electroconvulsive therapy is filed at least 15 days prior to the expiration of the prior order, and if any continuance of the hearing is agreed to by the recipient, the administration of the treatment may continue in accordance with the prior order pending the completion of a hearing under this Section.

(6) An order issued under this subsection (a-5) shall designate the persons authorized to administer the treatment under the standards and procedures of this subsection (a-5). Those persons shall have complete discretion not to administer any treatment authorized under this Section. The order shall also specify the medications and the anticipated range of dosages that have been authorized and may

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include a list of any alternative medications and range of dosages deemed necessary.

(a-10) The court may, in its discretion, appoint a guardian ad litem for a recipient before the court or authorize an existing guardian of the person to monitor treatment and compliance with court orders under this Section.

(b) A guardian may be authorized to consent to the administration of psychotropic medication or electroconvulsive therapy to an objecting recipient only under the standards and procedures of subsection (a-5).

(c) Notwithstanding any other provision of this Section, a guardian may consent to the administration of psychotropic medication or electroconvulsive therapy to a non-objecting recipient under Article XIa of the Probate Act of 1975.

(d) Nothing in this Section shall prevent the administration of psychotropic medication or electroconvulsive therapy to recipients in an emergency under Section 2-107 of this Act.

(e) Notwithstanding any of the provisions of this Section, psychotropic medication or electroconvulsive therapy may be administered pursuant to a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act.

(f) The Department shall conduct annual trainings for physicians and registered nurses working in State-operated mental health facilities on the appropriate use of psychotropic medication and electroconvulsive therapy, standards for their use, and the preparation of court petitions under this Section.

(Source: P.A. 97-375, eff. 8-15-11; revised 9-11-13.)

Section 565. The Developmental Disability and Mental Disability Services Act is amended by changing Section 2-5 as follows:

Sec. 2-5. The Department shall establish eligibility standards for the Program, taking into consideration the disability levels and service needs of the target population. The Department shall create application forms which shall be used to determine the eligibility of mentally disabled adults to participate in the Program. The forms shall be made available by the Department and shall require at least the following items of information which constitute eligibility criteria for participation in the Program:

(a) A statement that the mentally disabled adult resides in the State of Illinois and is over the age of 18 years.

(b) Verification that the mentally disabled adult has one of the

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following conditions: severe autism, severe mental illness, a severe or profound intellectual disability, or severe and multiple impairments.

(c) Verification that the mentally disabled adult has applied and is eligible for federal Supplemental Security Income or federal Social Security Disability Income benefits.

(d) Verification that the mentally disabled adult resides full-time in his or her own home or that, within 2 months of receipt of services under this Article, he or she will reside full-time in his or her own home.

The Department may by rule adopt provisions establishing liability of responsible relatives of a recipient of services under this Article for the payment of sums representing charges for services to such recipient. Such rules shall be substantially similar to the provisions for such liability contained in Chapter V § of the Mental Health and Developmental Disabilities Code, as now or hereafter amended, and rules adopted pursuant thereto.

(Source: P.A. 97-227, eff. 1-1-12; revised 9-11-13.)

Section 570. The Illinois Mental Health First Aid Training Act is amended by changing Section 30 as follows:

(405 ILCS 105/30)

Sec. 30. Distribution of training grants. When awarding training grants under this Act, the Department or other appropriate State agency shall distribute training grants equitably among the geographical regions of the State, paying particular attention to the training needs of rural areas and areas with underserved populations or professional shortages.

(Source: P.A. 98-195, eff. 8-7-13; revised 11-12-13.)

Section 575. The Mercury-added Product Prohibition Act is amended by changing Section 25 as follows:

(410 ILCS 46/25)

Sec. 25. Sale, distribution, or promotional gifts of mercury-added novelty products prohibited. On and after July 1, 2004, no mercury-added novelty products may be offered for sale or distributed for promotional purposes in Illinois if the offeror knows or has reason to know that the product contains mercury, unless the mercury is solely within a button-cell battery or a fluorescent light bulb.

(Source: P.A. 93-165, eff. 1-1-04; revised 9-11-13.)

Section 580. The Newborn Metabolic Screening Act is amended by changing Section 2 as follows:

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Sec. 2. General provisions. The Department of Public Health shall administer the provisions of this Act and shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning disorders included in newborn screening. This educational program shall include information about the nature of the diseases and examinations for the detection of the diseases in early infancy in order that measures may be taken to prevent the disabilities resulting from the diseases.

(a-5) Require that all newborns be screened for the presence of certain genetic, metabolic, and congenital anomalies as determined by the Department, by rule.

(a-5.1) Require that all blood and biological specimens collected pursuant to this Act or the rules adopted under this Act be submitted for testing to the nearest Department laboratory designated to perform such tests. The following provisions shall apply concerning testing:

(1) The Department may develop a reasonable fee structure and may levy fees according to such structure to cover the cost of providing this testing service and for the follow-up of infants with an abnormal screening test. Fees collected from the provision of this testing service shall be placed in the Metabolic Screening and Treatment Fund. Other State and federal funds for expenses related to metabolic screening, follow-up, and treatment programs may also be placed in the Fund.

(2) Moneys shall be appropriated from the Fund to the Department solely for the purposes of providing newborn screening, follow-up, and treatment programs. Nothing in this Act shall be construed to prohibit any licensed medical facility from collecting additional specimens for testing for metabolic or neonatal diseases or any other diseases or conditions, as it deems fit. Any person violating the provisions of this subsection (a-5.1) is guilty of a petty offense.

(3) If the Department is unable to provide the screening using the State Laboratory, it shall temporarily provide such screening through an accredited laboratory selected by the Department until the Department has the capacity to provide screening through the State Laboratory. If screening is provided on a temporary basis through an accredited laboratory, the Department shall substitute the fee charged by the accredited laboratory, plus a 5% surcharge for documentation and handling, for the fee authorized in this subsection (a-5.1).

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(a-5.2) Maintain a registry of cases, including information of importance for the purpose of follow-up services to assess long-term outcomes.

(a-5.3) Supply the necessary metabolic treatment formulas where practicable for diagnosed cases of amino acid metabolism disorders, including phenylketonuria, organic acid disorders, and fatty acid oxidation disorders for as long as medically indicated, when the product is not available through other State agencies.

(a-5.4) Arrange for or provide public health nursing, nutrition, and social services and clinical consultation as indicated.

(a-5.5) Utilize The Department shall utilize the Genetic and Metabolic Diseases Advisory Committee established under the Genetic and Metabolic Diseases Advisory Committee Act to provide guidance and recommendations to the Department's newborn screening program. The Genetic and Metabolic Diseases Advisory Committee shall review the feasibility and advisability of including additional metabolic, genetic, and congenital disorders in the newborn screening panel, according to a review protocol applied to each suggested addition to the screening panel. The Department shall consider the recommendations of the Genetic and Metabolic Diseases Advisory Committee in determining whether to include an additional disorder in the screening panel prior to proposing an administrative rule concerning inclusion of an additional disorder in the newborn screening panel. Notwithstanding any other provision of law, no new screening may begin prior to the occurrence of all the following:

(1) the establishment and verification of relevant and appropriate performance specifications as defined under the federal Clinical Laboratory Improvement Amendments and regulations thereunder for U.S. Food and Drug Administration-cleared or in-house developed methods, performed under an institutional review board-approved protocol, if required;

(2) the availability of quality assurance testing methodology for the processes set forth in item (1) of this subsection (a-5.5);

(3) the acquisition and installment by the Department of the equipment necessary to implement the screening tests;

(4) the establishment of precise threshold values ensuring defined disorder identification for each screening test;

(5) the authentication of pilot testing achieving each milestone described in items (1) through (4) of this subsection (a-5.5) for each disorder screening test; and

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(6) the authentication of achieving the potential of high throughput standards for statewide volume of each disorder screening test concomitant with each milestone described in items (1) through (4) of this subsection (a-5.5).

(a-6) (Blank).

(a-7) (Blank).

(a-8) (Blank).

(b) (Blank).

(c) (Blank).

(d) (Blank).

(e) (Blank).

(Source: P.A. 97-227, eff. 1-1-12; 97-532, eff. 8-23-11; 97-813, eff. 7-13-12; 98-440, eff. 8-16-13; revised 11-15-13.)

Section 585. The Illinois Sexually Transmissible Disease Control Act is amended by changing Section 5.5 as follows:

(410 ILCS 325/5.5) (from Ch. 111 1/2, par. 7405.5)

Sec. 5.5. Risk assessment.

(a) Whenever the Department receives a report of HIV infection or AIDS pursuant to this Act and the Department determines that the subject of the report may present or may have presented a possible risk of HIV transmission, the Department shall, when medically appropriate, investigate the subject of the report and that person's contacts as defined in subsection (c), to assess the potential risks of transmission. Any investigation and action shall be conducted in a timely fashion. All contacts other than those defined in subsection (c) shall be investigated in accordance with Section 5 of this Act.

(b) If the Department determines that there is or may have been potential risks of HIV transmission from the subject of the report to other persons, the Department shall afford the subject the opportunity to submit any information and comment on proposed actions the Department intends to take with respect to the subject's contacts who are at potential risk of transmission of HIV prior to notification of the subject's contacts. The Department shall also afford the subject of the report the opportunity to notify the subject's contacts in a timely fashion who are at potential risk of transmission of HIV prior to the Department taking any steps to notify such contacts. If the subject declines to notify such contacts or if the Department determines the notices to be inadequate or incomplete, the Department shall endeavor to notify such other persons of the potential risk, and offer testing and counseling services to these individuals. When the contacts are notified, they shall be informed

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of the disclosure provisions of the AIDS Confidentiality Act and the penalties therein and this Section.

(c) Contacts investigated under this Section shall in the case of HIV infection include (i) individuals who have undergone invasive procedures performed by an HIV infected health care provider and (ii) health care providers who have performed invasive procedures for persons infected with HIV, provided the Department has determined that there is or may have been potential risk of HIV transmission from the health care provider to those individuals or from infected persons to health care providers. The Department shall have access to the subject's records to review for the identity of contacts. The subject's records shall not be copied or seized by the Department.

For purposes of this subsection, the term "invasive procedures" means those procedures termed invasive by the Centers for Disease Control in current guidelines or recommendations for the prevention of HIV transmission in health care settings, and the term "health care provider" means any physician, dentist, podiatric physician, advanced practice nurse, physician assistant, nurse, or other person providing health care services of any kind.

(d) All information and records held by the Department and local health authorities pertaining to activities conducted pursuant to this Section shall be strictly confidential and exempt from copying and inspection under the Freedom of Information Act. Such information and records shall not be released or made public by the Department or local health authorities, and shall not be admissible as evidence, nor discoverable in any action of any kind in any court or before any tribunal, board, agency or person and shall be treated in the same manner as the information and those records subject to the provisions of Part 21 of the Code of Civil Procedure except under the following circumstances:

(1) When made with the written consent of all persons to whom this information pertains;

(2) When authorized under Section 8 to be released under court order or subpoena pursuant to Section 12-5.01 or 12-16.2 of the Criminal Code of 1961 or the Criminal Code of 2012; or

(3) When made by the Department for the purpose of seeking a warrant authorized by Sections 6 and 7 of this Act. Such disclosure shall conform to the requirements of subsection (a) of Section 8 of this Act.

(e) Any person who knowingly or maliciously disseminates any information or report concerning the existence of any disease under this

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Section is guilty of a Class A misdemeanor.
(Source: P.A. 97-1150, eff. 1-25-13; 98-214, eff. 8-9-13; revised 9-19-13.)

Section 590. The Environmental Protection Act is amended by changing Sections 3.330, 21, 22.2, and 58.16 as follows:
(415 ILCS 5/3.330) (was 415 ILCS 5/3.32)
Sec. 3.330. Pollution control facility.
(a) "Pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.

The following are not pollution control facilities:
(1) (blank);
(2) waste storage sites regulated under 40 CFR, Part 761.42;
(3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;
(4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;
(5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;
(6) sites or facilities used by any person to specifically conduct a landscape composting operation;
(7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;
(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;
(9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;

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(10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);

(11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;

(11.5) processing sites or facilities that receive only on-specification used oil, as defined in 35 Ill. Admin. Code 739, originating from used oil collectors for processing that is managed under 35 Ill. Admin. Code 739 to produce products for sale to off-site petroleum facilities, if these processing sites or facilities are: (i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 federal census, that home rule unit of local government has been designated as an Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements;

(12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

(13) the portion of a site or facility that (i) accepts exclusively general construction or demolition debris, (ii) is located in a county with a population over 3,000,000 as of January 1, 2000 or in a county that is contiguous to such a county, and (iii) is operated and located in accordance with Section 22.38 of this Act;

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with

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or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products;

(15) the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of this Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station;

(16) a site or facility that temporarily holds in transit for 10 days or less, non-putrescible solid waste in original containers, no larger in capacity than 500 gallons, provided that such waste is further transferred to a recycling, disposal, treatment, or storage facility on a non-contiguous site and provided such site or facility complies with the applicable 10-day transfer requirements of the federal Resource Conservation and Recovery Act of 1976 and United States Department of Transportation hazardous material requirements. For purposes of this Section only, "non-putrescible solid waste" means waste other than municipal garbage that does not rot or become putrid, including, but not limited to, paints, solvent, filters, and absorbents;

(17) the portion of a site or facility located in a county with a population greater than 3,000,000 that has obtained local siting approval, under Section 39.2 of this Act, for a municipal waste incinerator on or before July 1, 2005 and that is used for wood combustion facilities for energy recovery that accept and burn only wood material, as included in a fuel specification approved by the Agency;

(18) a transfer station used exclusively for landscape waste, including a transfer station where landscape waste is ground to reduce its volume, where the landscape waste is held no longer than 24 hours from the time it was received;

(19) the portion of a site or facility that (i) is used for the composting of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste, including, but not limited to, corrugated paper or cardboard, and (ii) meets all of the following requirements:

(A) There must not be more than a total of 30,000

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cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

(B) All food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the composting operation must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the composting operation must be located outside the boundary of the 10-year floodplain or floodproofed.

(iii) Except in municipalities with more than 1,000,000 inhabitants, the portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the nearest residence, other than a residence located on the same property as the site or facility.

(iv) The portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the property line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

(III) Any facility for child care licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all food
scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be (i) processed into windrows or other piles and (ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

(C) Food scrap, livestock waste, crop residue, uncontaminated wood waste, paper waste, and compost must not be placed within 5 feet of the water table.

(D) The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(E) The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around structures at the facility.

(F) The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

(i) an irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;

(ii) a natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

(iii) a natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.

(G) The site or facility must not be located in an area where it may jeopardize the continued existence of any designated endangered species, result in the destruction or adverse modification of the critical habitat for such species, or cause or contribute to the taking of any endangered or threatened species of plant, fish, or wildlife listed under the Endangered Species Act (16 U.S.C. 1531 et seq.) or the
Illinois Endangered Species Protection Act;

(20) the portion of a site or facility that is located entirely within a home rule unit having a population of no less than 120,000 and no more than 135,000, according to the 2000 federal census, and that meets all of the following requirements:

(i) the portion of the site or facility is used exclusively to perform testing of a thermochemical conversion technology using only woody biomass, collected as landscape waste within the boundaries of the home rule unit, as the hydrocarbon feedstock for the production of synthetic gas in accordance with Section 39.9 of this Act;

(ii) the portion of the site or facility is in compliance with all applicable zoning requirements; and

(iii) a complete application for a demonstration permit at the portion of the site or facility has been submitted to the Agency in accordance with Section 39.9 of this Act within one year after July 27, 2010 (the effective date of Public Act 96-1314);

(21) the portion of a site or facility used to perform limited testing of a gasification conversion technology in accordance with Section 39.8 of this Act and for which a complete permit application has been submitted to the Agency prior to one year from April 9, 2010 (the effective date of Public Act 96-887);

(22) the portion of a site or facility that is used to incinerate only pharmaceuticals from residential sources that are collected and transported by law enforcement agencies under Section 17.9A of this Act; and

(23) until July 1, 2017, the portion of a site or facility:

(A) that is used exclusively for the transfer of commingled landscape waste and food scrap held at the site or facility for no longer than 24 hours after their receipt;

(B) that is located entirely within a home rule unit having a population of either (i) not less than 100,000 and not more than 115,000 according to the 2010 federal census or (ii) not less than 5,000 and not more than 10,000 according to the 2010 federal census;

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(C) that is permitted, by the Agency, prior to January 1, 2002, for the transfer of landscape waste; and

(D) for which a permit application is submitted to the Agency within 6 months after January 1, 2014 (the effective date of Public Act 98-146) this amendatory Act of the 98th General Assembly to modify an existing permit for the transfer of landscape waste to also include, on a demonstration basis not to exceed 18 months, the transfer of commingled landscape waste and food scrap.

(b) A new pollution control facility is:

(1) a pollution control facility initially permitted for development or construction after July 1, 1981; or

(2) the area of expansion beyond the boundary of a currently permitted pollution control facility; or

(3) a permitted pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste.

(Source: P.A. 97-333, eff. 8-12-11; 97-545, eff. 1-1-12; 98-146, eff. 1-1-14; 98-239, eff. 8-9-13; revised 9-19-13.)

(415 ILCS 5/21) (from Ch. 111 1/2, par. 1021)

Sec. 21. Prohibited acts. No person shall:

(a) Cause or allow the open dumping of any waste.

(b) Abandon, dump, or deposit any waste upon the public highways or other public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.

(c) Abandon any vehicle in violation of the "Abandoned Vehicles Amendment to the Illinois Vehicle Code", as enacted by the 76th General Assembly.

(d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:

(1) without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; provided, however, that, except for municipal solid waste landfill units that receive waste on or after October 9, 1993, no permit shall be required for (i) any person conducting a waste-storage, waste-treatment, or waste-disposal operation for wastes generated by such person's own
activities which are stored, treated, or disposed within the site where such wastes are generated, or (ii) a facility located in a county with a population over 700,000 as of January 1, 2000, operated and located in accordance with Section 22.38 of this Act, and used exclusively for the transfer, storage, or treatment of general construction or demolition debris, provided that the facility was receiving construction or demolition debris on the effective date of this amendatory Act of the 96th General Assembly;

(2) in violation of any regulations or standards adopted by the Board under this Act; or

(3) which receives waste after August 31, 1988, does not have a permit issued by the Agency, and is (i) a landfill used exclusively for the disposal of waste generated at the site, (ii) a surface impoundment receiving special waste not listed in an NPDES permit, (iii) a waste pile in which the total volume of waste is greater than 100 cubic yards or the waste is stored for over one year, or (iv) a land treatment facility receiving special waste generated at the site; without giving notice of the operation to the Agency by January 1, 1989, or 30 days after the date on which the operation commences, whichever is later, and every 3 years thereafter. The form for such notification shall be specified by the Agency, and shall be limited to information regarding: the name and address of the location of the operation; the type of operation; the types and amounts of waste stored, treated or disposed of on an annual basis; the remaining capacity of the operation; and the remaining expected life of the operation.

Item (3) of this subsection (d) shall not apply to any person engaged in agricultural activity who is disposing of a substance that constitutes solid waste, if the substance was acquired for use by that person on his own property, and the substance is disposed of on his own property in accordance with regulations or standards adopted by the Board.

This subsection (d) shall not apply to hazardous waste.

(e) Dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

(f) Conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation:

(1) without a RCRA permit for the site issued by the Agency
under subsection (d) of Section 39 of this Act, or in violation of any
condition imposed by such permit, including periodic reports and full
access to adequate records and the inspection of facilities, as may be
necessary to assure compliance with this Act and with regulations and
standards adopted thereunder; or

(2) in violation of any regulations or standards adopted by the
Board under this Act; or

(3) in violation of any RCRA permit filing requirement
established under standards adopted by the Board under this Act; or

(4) in violation of any order adopted by the Board under this
Act.

Notwithstanding the above, no RCRA permit shall be required under
this subsection or subsection (d) of Section 39 of this Act for any person
engaged in agricultural activity who is disposing of a substance which has
been identified as a hazardous waste, and which has been designated by
Board regulations as being subject to this exception, if the substance was
acquired for use by that person on his own property and the substance is
disposed of on his own property in accordance with regulations or standards
adopted by the Board.

(g) Conduct any hazardous waste-transportation operation:

(1) without registering with and obtaining a special waste
hauling permit from the Agency in accordance with the regulations
adopted by the Board under this Act; or

(2) in violation of any regulations or standards adopted by the
Board under this Act.

(h) Conduct any hazardous waste-recycling or hazardous waste-
reclamation or hazardous waste-reuse operation in violation of any
regulations, standards or permit requirements adopted by the Board under this
Act.

(i) Conduct any process or engage in any act which produces
hazardous waste in violation of any regulations or standards adopted by the
Board under subsections (a) and (c) of Section 22.4 of this Act.

(j) Conduct any special waste transportation operation in violation of
any regulations, standards or permit requirements adopted by the Board under
this Act. However, sludge from a water or sewage treatment plant owned and
operated by a unit of local government which (1) is subject to a sludge
management plan approved by the Agency or a permit granted by the Agency,
and (2) has been tested and determined not to be a hazardous waste as
required by applicable State and federal laws and regulations, may be

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transported in this State without a special waste hauling permit, and the
preparation and carrying of a manifest shall not be required for such sludge
under the rules of the Pollution Control Board. The unit of local government
which operates the treatment plant producing such sludge shall file a
semiannual report with the Agency identifying the volume of such sludge
transported during the reporting period, the hauler of the sludge, and the
disposal sites to which it was transported. This subsection (j) shall not apply
to hazardous waste.

(k) Fail or refuse to pay any fee imposed under this Act.

(l) Locate a hazardous waste disposal site above an active or inactive
shaft or tunneled mine or within 2 miles of an active fault in the earth's crust.
In counties of population less than 225,000 no hazardous waste disposal site
shall be located (1) within 1 1/2 miles of the corporate limits as defined on
June 30, 1978, of any municipality without the approval of the governing
body of the municipality in an official action; or (2) within 1000 feet of an
existing private well or the existing source of a public water supply measured
from the boundary of the actual active permitted site and excluding existing
private wells on the property of the permit applicant. The provisions of this
subsection do not apply to publicly-owned sewage works or the disposal or
utilization of sludge from publicly-owned sewage works.

(m) Transfer interest in any land which has been used as a hazardous
waste disposal site without written notification to the Agency of the transfer
and to the transferee of the conditions imposed by the Agency upon its use
under subsection (g) of Section 39.

(n) Use any land which has been used as a hazardous waste disposal
site except in compliance with conditions imposed by the Agency under
subsection (g) of Section 39.

(o) Conduct a sanitary landfill operation which is required to have a
permit under subsection (d) of this Section, in a manner which results in any
of the following conditions:

1. refuse in standing or flowing waters;
2. leachate flows entering waters of the State;
3. leachate flows exiting the landfill confines (as determined
by the boundaries established for the landfill by a permit issued by the
Agency);
4. open burning of refuse in violation of Section 9 of this
Act;
5. uncovered refuse remaining from any previous operating
day or at the conclusion of any operating day, unless authorized by

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permit;
(6) failure to provide final cover within time limits established
by Board regulations;
(7) acceptance of wastes without necessary permits;
(8) scavenging as defined by Board regulations;
(9) deposition of refuse in any unpermitted portion of the
landfill;
(10) acceptance of a special waste without a required
manifest;
(11) failure to submit reports required by permits or Board
regulations;
(12) failure to collect and contain litter from the site by the
end of each operating day;
(13) failure to submit any cost estimate for the site or any
performance bond or other security for the site as required by this Act
or Board rules.

The prohibitions specified in this subsection (o) shall be enforceable
by the Agency either by administrative citation under Section 31.1 of this Act
or as otherwise provided by this Act. The specific prohibitions in this
subsection do not limit the power of the Board to establish regulations or
standards applicable to sanitary landfills.

(p) In violation of subdivision (a) of this Section, cause or allow the
open dumping of any waste in a manner which results in any of the following
occurrences at the dump site:
(1) litter;
(2) scavenging;
(3) open burning;
(4) deposition of waste in standing or flowing waters;
(5) proliferation of disease vectors;
(6) standing or flowing liquid discharge from the dump site;
(7) deposition of:
   (i) general construction or demolition debris as
defined in Section 3.160(a) of this Act; or
   (ii) clean construction or demolition debris as defined
in Section 3.160(b) of this Act.

The prohibitions specified in this subsection (p) shall be enforceable
by the Agency either by administrative citation under Section 31.1 of this Act
or as otherwise provided by this Act. The specific prohibitions in this
subsection do not limit the power of the Board to establish regulations or
standards applicable to open dumping.

(q) Conduct a landscape waste composting operation without an Agency permit, provided, however, that no permit shall be required for any person:

(1) conducting a landscape waste composting operation for landscape wastes generated by such person's own activities which are stored, treated, or disposed of within the site where such wastes are generated; or

(1.5) conducting a landscape waste composting operation that (i) has no more than 25 cubic yards of landscape waste, composting additives, composting material, or end-product compost on-site at any one time and (ii) is not engaging in commercial activity; or

(2) applying landscape waste or composted landscape waste at agronomic rates; or

(2.5) operating a landscape waste composting facility at a site having 10 or more occupied non-farm residences within 1/2 mile of its boundaries, if the facility meets all of the following criteria:

(A) the composting facility is operated by the farmer on property on which the composting material is utilized, and the composting facility constitutes no more than 2% of the site's total acreage;

(A-5) any composting additives that the composting facility accepts and uses at the facility are necessary to provide proper conditions for composting and do not exceed 10% of the total composting material at the facility at any one time;

(B) the property on which the composting facility is located, and any associated property on which the compost is used, is principally and diligently devoted to the production of agricultural crops and is not owned, leased, or otherwise controlled by any waste hauler or generator of nonagricultural compost materials, and the operator of the composting facility is not an employee, partner, shareholder, or in any way connected with or controlled by any such waste hauler or generator;

(C) all compost generated by the composting facility is applied at agronomic rates and used as mulch, fertilizer, or soil conditioner on land actually farmed by the person operating the composting facility, and the finished compost is

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not stored at the composting site for a period longer than 18 months prior to its application as mulch, fertilizer, or soil conditioner;

(D) no fee is charged for the acceptance of materials to be composted at the facility; and

(E) the owner or operator, by January 1, 2014 (or the January 1 following commencement of operation, whichever is later) and January 1 of each year thereafter, registers the site with the Agency; (ii) reports to the Agency on the volume of composting material received and used at the site; (iii) certifies to the Agency that the site complies with the requirements set forth in subparagraphs (A), (A-5), (B), (C), and (D) of this paragraph (2.5); and (iv) certifies to the Agency that all composting material was placed more than 200 feet from the nearest potable water supply well, was placed outside the boundary of the 10-year floodplain or on a part of the site that is floodproofed, was placed at least 1/4 mile from the nearest residence (other than a residence located on the same property as the facility) or a lesser distance from the nearest residence (other than a residence located on the same property as the facility) if the municipality in which the facility is located has by ordinance approved a lesser distance than 1/4 mile, and was placed more than 5 feet above the water table; any ordinance approving a residential setback of less than 1/4 mile that is used to meet the requirements of this subparagraph (E) of paragraph (2.5) of this subsection must specifically reference this paragraph; or

(3) operating a landscape waste composting facility on a farm, if the facility meets all of the following criteria:

(A) the composting facility is operated by the farmer on property on which the composting material is utilized, and the composting facility constitutes no more than 2% of the property's total acreage, except that the Board may allow a higher percentage for individual sites where the owner or operator has demonstrated to the Board that the site's soil characteristics or crop needs require a higher rate;

(A-1) the composting facility accepts from other agricultural operations for composting with landscape waste
no materials other than uncontaminated and source-separated
(i) crop residue and other agricultural plant residue generated
from the production and harvesting of crops and other
customary farm practices, including, but not limited to, stalks,
leaves, seed pods, husks, bagasse, and roots and (ii) plant-
derived animal bedding, such as straw or sawdust, that is free
of manure and was not made from painted or treated wood;
(A-2) any composting additives that the composting
facility accepts and uses at the facility are necessary to
provide proper conditions for composting and do not exceed
10% of the total composting material at the facility at any one
time;
(B) the property on which the composting facility is
located, and any associated property on which the compost is
used, is principally and diligently devoted to the production
of agricultural crops and is not owned, leased or otherwise
controlled by any waste hauler or generator of nonagricultural
compost materials, and the operator of the composting facility
is not an employee, partner, shareholder, or in any way
connected with or controlled by any such waste hauler or
generator;
(C) all compost generated by the composting facility
is applied at agronomic rates and used as mulch, fertilizer or
soil conditioner on land actually farmed by the person
operating the composting facility, and the finished compost is
not stored at the composting site for a period longer than 18
months prior to its application as mulch, fertilizer, or soil
conditioner;
(D) the owner or operator, by January 1 of each year,
(i) registers the site with the Agency, (ii) reports to the
Agency on the volume of composting material received and
used at the site, (iii) certifies to the Agency that the site
complies with the requirements set forth in subparagraphs
(A), (A-1), (A-2), (B), and (C) of this paragraph (q)(3), and
(iv) certifies to the Agency that all composting material:
(I) was placed more than 200 feet from the
nearest potable water supply well;
(II) was placed outside the boundary of the 10-
year floodplain or on a part of the site that is
floodproofed;

(III) was placed either (aa) at least 1/4 mile from the nearest residence (other than a residence located on the same property as the facility) and there are not more than 10 occupied non-farm residences within 1/2 mile of the boundaries of the site on the date of application or (bb) a lesser distance from the nearest residence (other than a residence located on the same property as the facility) provided that the municipality or county in which the facility is located has by ordinance approved a lesser distance than 1/4 mile and there are not more than 10 occupied non-farm residences within 1/2 mile of the boundaries of the site on the date of application; and

(IV) was placed more than 5 feet above the water table.

Any ordinance approving a residential setback of less than 1/4 mile that is used to meet the requirements of this subparagraph (D) must specifically reference this subparagraph.

For the purposes of this subsection (q), "agronomic rates" means the application of not more than 20 tons per acre per year, except that the Board may allow a higher rate for individual sites where the owner or operator has demonstrated to the Board that the site's soil characteristics or crop needs require a higher rate.

(r) Cause or allow the storage or disposal of coal combustion waste unless:

(1) such waste is stored or disposed of at a site or facility for which a permit has been obtained or is not otherwise required under subsection (d) of this Section; or

(2) such waste is stored or disposed of as a part of the design and reclamation of a site or facility which is an abandoned mine site in accordance with the Abandoned Mined Lands and Water Reclamation Act; or

(3) such waste is stored or disposed of at a site or facility which is operating under NPDES and Subtitle D permits issued by the Agency pursuant to regulations adopted by the Board for mine-related water pollution and permits issued pursuant to the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) or the

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rules and regulations thereunder or any law or rule or regulation
adopted by the State of Illinois pursuant thereto, and the owner or
operator of the facility agrees to accept the waste; and either

(i) such waste is stored or disposed of in accordance
with requirements applicable to refuse disposal under
regulations adopted by the Board for mine-related water
pollution and pursuant to NPDES and Subtitle D permits
issued by the Agency under such regulations; or

(ii) the owner or operator of the facility demonstrates
all of the following to the Agency, and the facility is operated
in accordance with the demonstration as approved by the
Agency: (1) the disposal area will be covered in a manner that
will support continuous vegetation, (2) the facility will be
adequately protected from wind and water erosion, (3) the pH
will be maintained so as to prevent excessive leaching of
metal ions, and (4) adequate containment or other measures
will be provided to protect surface water and groundwater
from contamination at levels prohibited by this Act, the
Illinois Groundwater Protection Act, or regulations adopted
pursuant thereto.

Notwithstanding any other provision of this Title, the disposal of coal
combustion waste pursuant to item (2) or (3) of this subdivision (r) shall be
exempt from the other provisions of this Title V, and notwithstanding the
provisions of Title X of this Act, the Agency is authorized to grant
experimental permits which include provision for the disposal of wastes from
the combustion of coal and other materials pursuant to items (2) and (3) of
this subdivision (r).

(s) After April 1, 1989, offer for transportation, transport, deliver,
receive or accept special waste for which a manifest is required, unless the
manifest indicates that the fee required under Section 22.8 of this Act has
been paid.

(t) Cause or allow a lateral expansion of a municipal solid waste
landfill unit on or after October 9, 1993, without a permit modification,
granted by the Agency, that authorizes the lateral expansion.

(u) Conduct any vegetable by-product treatment, storage, disposal or
transportation operation in violation of any regulation, standards or permit
requirements adopted by the Board under this Act. However, no permit shall
be required under this Title V for the land application of vegetable by-
products conducted pursuant to Agency permit issued under Title III of this

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Act to the generator of the vegetable by-products. In addition, vegetable by-products may be transported in this State without a special waste hauling permit, and without the preparation and carrying of a manifest.

(v) (Blank).

(w) Conduct any generation, transportation, or recycling of construction or demolition debris, clean or general, or uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads that is not commingled with any waste, without the maintenance of documentation identifying the hauler, generator, place of origin of the debris or soil, the weight or volume of the debris or soil, and the location, owner, and operator of the facility where the debris or soil was transferred, disposed, recycled, or treated. This documentation must be maintained by the generator, transporter, or recycler for 3 years. This subsection (w) shall not apply to (1) a permitted pollution control facility that transfers or accepts construction or demolition debris, clean or general, or uncontaminated soil for final disposal, recycling, or treatment, (2) a public utility (as that term is defined in the Public Utilities Act) or a municipal utility, (3) the Illinois Department of Transportation, or (4) a municipality or a county highway department, with the exception of any municipality or county highway department located within a county having a population of over 3,000,000 inhabitants or located in a county that is contiguous to a county having a population of over 3,000,000 inhabitants; but it shall apply to an entity that contracts with a public utility, a municipal utility, the Illinois Department of Transportation, or a municipality or a county highway department. The terms "generation" and "recycling" as used in this subsection do not apply to clean construction or demolition debris when (i) used as fill material below grade outside of a setback zone if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, (ii) solely broken concrete without protruding metal bars is used for erosion control, or (iii) milled asphalt or crushed concrete is used as aggregate in construction of the shoulder of a roadway. The terms "generation" and "recycling", as used in this subsection, do not apply to uncontaminated soil that is not commingled with any waste when (i) used as fill material below grade or contoured to grade, or (ii) used at the site of generation.

(Source: P.A. 97-220, eff. 7-28-11; 98-239, eff. 8-9-13; 98-484, eff. 8-16-13; revised 9-19-13.)

(415 ILCS 5/22.2) (from Ch. 111 1/2, par. 1022.2)
Sec. 22.2. Hazardous waste; fees; liability.
(a) There are hereby created within the State Treasury 2 special funds to be known respectively as the "Hazardous Waste Fund" and the "Hazardous Waste Research Fund", constituted from the fees collected pursuant to this Section. In addition to the fees collected under this Section, the Hazardous Waste Fund shall include other moneys made available from any source for deposit into the Fund.

(b)(1) On and after January 1, 1989, the Agency shall collect from the owner or operator of each of the following sites a fee in the amount of:

(A) 9 cents per gallon or $18.18 per cubic yard, if the hazardous waste disposal site is located off the site where such waste was produced. The maximum amount payable under this subdivision (A) with respect to the hazardous waste generated by a single generator and deposited in monofills is $30,000 per year. If, as a result of the use of multiple monofills, waste fees in excess of the maximum are assessed with respect to a single waste generator, the generator may apply to the Agency for a credit.

(B) 9 cents or $18.18 per cubic yard, if the hazardous waste disposal site is located on the site where such waste was produced, provided however the maximum amount of fees payable under this paragraph (B) is $30,000 per year for each such hazardous waste disposal site.

(C) If the hazardous waste disposal site is an underground injection well, $6,000 per year if not more than 10,000,000 gallons per year are injected, $15,000 per year if more than 10,000,000 gallons but not more than 50,000,000 gallons per year are injected, and $27,000 per year if more than 50,000,000 gallons per year are injected.

(D) 3 cents per gallon or $6.06 per cubic yard of hazardous waste received for treatment at a hazardous waste treatment site, if the hazardous waste treatment site is located off the site where such waste was produced and if such hazardous waste treatment site is owned, controlled and operated by a person other than the generator of such waste. After treatment at such hazardous waste treatment site, the waste shall not be subject to any other fee imposed by this subsection (b). For purposes of this subsection (b), the term "treatment" is defined as in Section 3.505 but shall not
include recycling, reclamation or reuse.

(2) The General Assembly shall annually appropriate to the Fund such amounts as it deems necessary to fulfill the purposes of this Act.

(3) The Agency shall have the authority to accept, receive, and administer on behalf of the State any moneys made available to the State from any source for the purposes of the Hazardous Waste Fund set forth in subsection (d) of this Section.

(4) Of the amount collected as fees provided for in this Section, the Agency shall manage the use of such funds to assure that sufficient funds are available for match towards federal expenditures for response action at sites which are listed on the National Priorities List; provided, however, that this shall not apply to additional monies appropriated to the Fund by the General Assembly, nor shall it apply in the event that the Director finds that revenues in the Hazardous Waste Fund must be used to address conditions which create or may create an immediate danger to the environment or public health or to the welfare of the people of the State of Illinois.

(5) Notwithstanding the other provisions of this subsection (b), sludge from a publicly-owned sewage works generated in Illinois, coal mining wastes and refuse generated in Illinois, bottom boiler ash, flyash and flue gas desulphurization sludge from public utility electric generating facilities located in Illinois, and bottom boiler ash and flyash from all incinerators which process solely municipal waste shall not be subject to the fee.

(6) For the purposes of this subsection (b), "monofill" means a facility, or a unit at a facility, that accepts only wastes bearing the same USEPA hazardous waste identification number, or compatible wastes as determined by the Agency.

(c) The Agency shall establish procedures, not later than January 1, 1984, relating to the collection of the fees authorized by this Section. Such procedures shall include, but not be limited to: (1) necessary records identifying the quantities of hazardous waste received or disposed; (2) the form and submission of reports to accompany the payment of fees to the Agency; and (3) the time and manner of payment of fees to the Agency, which payments shall be not more often than quarterly.

(d) Beginning July 1, 1996, the Agency shall deposit all such receipts in the State Treasury to the credit of the Hazardous Waste Fund, except as provided in subsection (e) of this Section. All monies in the Hazardous Waste Fund
Fund shall be used by the Agency for the following purposes:

(1) Taking whatever preventive or corrective action is necessary or appropriate, in circumstances certified by the Director, including but not limited to removal or remedial action whenever there is a release or substantial threat of a release of a hazardous substance or pesticide; provided, the Agency shall expend no more than $1,000,000 on any single incident without appropriation by the General Assembly.

(2) To meet any requirements which must be met by the State in order to obtain federal funds pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, (P.L. 96-510).

(3) In an amount up to 30% of the amount collected as fees provided for in this Section, for use by the Agency to conduct groundwater protection activities, including providing grants to appropriate units of local government which are addressing protection of underground waters pursuant to the provisions of this Act.

(4) To fund the development and implementation of the model pesticide collection program under Section 19.1 of the Illinois Pesticide Act.

(5) To the extent the Agency has received and deposited monies in the Fund other than fees collected under subsection (b) of this Section, to pay for the cost of Agency employees for services provided in reviewing the performance of response actions pursuant to Title XVII of this Act.

(6) In an amount up to 15% of the fees collected annually under subsection (b) of this Section, for use by the Agency for administration of the provisions of this Section.

(e) The Agency shall deposit 10% of all receipts collected under subsection (b) of this Section, but not to exceed $200,000 per year, in the State Treasury to the credit of the Hazardous Waste Research Fund established by this Act. Pursuant to appropriation, all monies in such Fund shall be used by the University of Illinois for the purposes set forth in this subsection.

The University of Illinois may enter into contracts with business, industrial, university, governmental or other qualified individuals or organizations to assist in the research and development intended to recycle, reduce the volume of, separate, detoxify or reduce the hazardous properties of hazardous wastes in Illinois. Monies in the Fund may also be used by the
University of Illinois for technical studies, monitoring activities, and educational and research activities which are related to the protection of underground waters. Monies in the Hazardous Waste Research Fund may be used to administer the Illinois Health and Hazardous Substances Registry Act. Monies in the Hazardous Waste Research Fund shall not be used for any sanitary landfill or the acquisition or construction of any facility. This does not preclude the purchase of equipment for the purpose of public demonstration projects. The University of Illinois shall adopt guidelines for cost sharing, selecting, and administering projects under this subsection.

(f) Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois or any unit of local government as a result of a release or substantial threat of a release of a hazardous substance or pesticide:

1. the owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance or pesticide;

2. any person who at the time of disposal, transport, storage or treatment of a hazardous substance or pesticide owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance or pesticide;

3. any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances or pesticides owned, controlled or possessed by such person at a facility owned or operated by another party or entity from which facility there is a release or substantial threat of a release of such hazardous substances or pesticides; and

4. any person who accepts or accepted any hazardous substances or pesticides for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance or pesticide.

Any monies received by the State of Illinois pursuant to this subsection (f) shall be deposited in the State Treasury to the credit of the Hazardous Waste Fund.

In accordance with the other provisions of this Section, costs of removal or remedial action incurred by a unit of local government may be recovered in an action before the Board brought by the unit of local government.
government under subsection (i) of this Section. Any monies so recovered shall be paid to the unit of local government.

(g)(1) No indemnification, hold harmless, or similar agreement or conveyance shall be effective to transfer from the owner or operator of any vessel or facility or from any person who may be liable for a release or substantial threat of a release under this Section, to any other person the liability imposed under this Section. Nothing in this Section shall bar any agreement to insure, hold harmless or indemnify a party to such agreements for any liability under this Section.

(2) Nothing in this Section, including the provisions of paragraph (g)(1) of this Section, shall bar a cause of action that an owner or operator or any other person subject to liability under this Section, or a guarantor, has or would have, by reason of subrogation or otherwise against any person.

(h) For purposes of this Section:

(1) The term "facility" means:

(A) any building, structure, installation, equipment, pipe or pipeline including but not limited to any pipe into a sewer or publicly owned treatment works, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft; or

(B) any site or area where a hazardous substance has been deposited, stored, disposed of, placed, or otherwise come to be located.

(2) The term "owner or operator" means:

(A) any person owning or operating a vessel or facility;

(B) in the case of an abandoned facility, any person owning or operating the abandoned facility or any person who owned, operated, or otherwise controlled activities at the abandoned facility immediately prior to such abandonment;

(C) in the case of a land trust as defined in Section 2 of the Land Trustee as Creditor Act, the person owning the beneficial interest in the land trust;

(D) in the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and not the fiduciary. For the purposes of this Section, "fiduciary" means a trustee, executor, administrator, guardian, receiver, conservator or

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other person holding a facility or vessel in a fiduciary capacity;

(E) in the case of a "financial institution", meaning the Illinois Housing Development Authority and that term as defined in Section 2 of the Illinois Banking Act, that has acquired ownership, operation, management, or control of a vessel or facility through foreclosure or under the terms of a security interest held by the financial institution or under the terms of an extension of credit made by the financial institution, the financial institution only if the financial institution takes possession of the vessel or facility and the financial institution exercises actual, direct, and continual or recurrent managerial control in the operation of the vessel or facility that causes a release or substantial threat of a release of a hazardous substance or pesticide resulting in removal or remedial action;

(F) In the case of an owner of residential property, the owner if the owner is a person other than an individual, or if the owner is an individual who owns more than 10 dwelling units in Illinois, or if the owner, or an agent, representative, contractor, or employee of the owner, has caused, contributed to, or allowed the release or threatened release of a hazardous substance or pesticide. The term "residential property" means single family residences of one to 4 dwelling units, including accessory land, buildings, or improvements incidental to those dwellings that are exclusively used for the residential use. For purposes of this subparagraph (F), the term "individual" means a natural person, and shall not include corporations, partnerships, trusts, or other non-natural persons.

(G) In the case of any facility, title or control of which was conveyed due to bankruptcy, foreclosure, tax delinquency, abandonment, or similar means to a unit of State or local government, any person who owned, operated, or otherwise controlled activities at the facility immediately beforehand.

(H) The term "owner or operator" does not include a unit of State or local government which acquired ownership or control through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government acquires title.

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by virtue of its function as sovereign. The exclusion provided under this paragraph shall not apply to any State or local government which has caused or contributed to the release or threatened release of a hazardous substance from the facility, and such a State or local government shall be subject to the provisions of this Act in the same manner and to the same extent, both procedurally and substantively, as any nongovernmental entity, including liability under Section 22.2(f).

(i) The costs and damages provided for in this Section may be imposed by the Board in an action brought before the Board in accordance with Title VIII of this Act, except that Section 33(c) of this Act shall not apply to any such action.

(j)(1) There shall be no liability under this Section for a person otherwise liable who can establish by a preponderance of the evidence that the release or substantial threat of release of a hazardous substance and the damages resulting therefrom were caused solely by:

(A) an act of God;
(B) an act of war;
(C) an act or omission of a third party other than an employee or agent of the defendant, or other than one whose act or omission occurs in connection with a contractual relationship, existing directly or indirectly, with the defendant (except where the sole contractual arrangement arises from a published tariff and acceptance for carriage by a common carrier by rail), if the defendant establishes by a preponderance of the evidence that (i) he exercised due care with respect to the hazardous substance concerned, taking into consideration the characteristics of such hazardous substance, in light of all relevant facts and circumstances, and (ii) he took precautions against foreseeable acts or omissions of any such third party and the consequences that could foreseeably result from such acts or omissions; or
(D) any combination of the foregoing paragraphs.

(2) There shall be no liability under this Section for any release permitted by State or federal law.

(3) There shall be no liability under this Section for damages as a result of actions taken or omitted in the course of rendering care, assistance, or advice in accordance with this Section or the National Contingency Plan pursuant to the Comprehensive Environmental Response, Compensation and

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Liability Act of 1980 (P.L. 96-510) or at the direction of an on-scene coordinator appointed under such plan, with respect to an incident creating a danger to public health or welfare or the environment as a result of any release of a hazardous substance or a substantial threat thereof. This subsection shall not preclude liability for damages as the result of gross negligence or intentional misconduct on the part of such person. For the purposes of the preceding sentence, reckless, willful, or wanton misconduct shall constitute gross negligence.

(4) There shall be no liability under this Section for any person (including, but not limited to, an owner of residential property who applies a pesticide to the residential property or who has another person apply a pesticide to the residential property) for response costs or damages as the result of the storage, handling and use, or recommendation for storage, handling and use, of a pesticide consistent with:

(A) its directions for storage, handling and use as stated in its label or labeling;

(B) its warnings and cautions as stated in its label or labeling; and

(C) the uses for which it is registered under the Federal Insecticide, Fungicide and Rodenticide Act and the Illinois Pesticide Act.

(4.5) There shall be no liability under subdivision (f)(1) of this Section for response costs or damages as the result of a release of a pesticide from an agrichemical facility site if the Agency has received notice from the Department of Agriculture pursuant to Section 19.3 of the Illinois Pesticide Act, the owner or operator of the agrichemical facility is proceeding with a corrective action plan under the Agrichemical Facility Response Action Program implemented under that Section, and the Agency has provided a written endorsement of a corrective action plan.

(4.6) There shall be no liability under subdivision (f)(1) of this Section for response costs or damages as the result of a substantial threat of a release of a pesticide from an agrichemical facility site if the Agency has received notice from the Department of Agriculture pursuant to Section 19.3 of the Illinois Pesticide Act and the owner or operator of the agrichemical facility is proceeding with a corrective action plan under the Agrichemical Facility Response Action Program implemented under that Section.

(5) Nothing in this subsection (j) shall affect or modify in any way the obligations or liability of any person under any other provision of this Act or State or federal law, including common law, for damages, injury, or loss.

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resulting from a release or substantial threat of a release of any hazardous substance or for removal or remedial action or the costs of removal or remedial action of such hazardous substance.

(6)(A) The term "contractual relationship", for the purpose of this subsection includes, but is not limited to, land contracts, deeds or other instruments transferring title or possession, unless the real property on which the facility concerned is located was acquired by the defendant after the disposal or placement of the hazardous substance on, in, or at the facility, and one or more of the circumstances described in clause (i), (ii), or (iii) of this paragraph is also established by the defendant by a preponderance of the evidence:

(i) At the time the defendant acquired the facility the defendant did not know and had no reason to know that any hazardous substance which is the subject of the release or threatened release was disposed of on, in or at the facility.

(ii) The defendant is a government entity which acquired the facility by escheat, or through any other involuntary transfer or acquisition, or through the exercise of eminent domain authority by purchase or condemnation.

(iii) The defendant acquired the facility by inheritance or bequest.

In addition to establishing the foregoing, the defendant must establish that he has satisfied the requirements of subparagraph (C) of paragraph (l) of this subsection (j).

(B) To establish the defendant had no reason to know, as provided in clause (i) of subparagraph (A) of this paragraph, the defendant must have undertaken, at the time of acquisition, all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability. For purposes of the preceding sentence, the court shall take into account any specialized knowledge or experience on the part of the defendant, the relationship of the purchase price to the value of the property if uncontaminated, commonly known or reasonably ascertainable information about the property, the obviousness of the presence or likely presence of contamination at the property, and the ability to detect such contamination by appropriate inspection.

(C) Nothing in this paragraph (6) or in subparagraph (C) of paragraph (1) of this subsection shall diminish the liability of any previous owner or operator of such facility who would otherwise be liable under this Act.

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Notwithstanding this paragraph (6), if the defendant obtained actual knowledge of the release or threatened release of a hazardous substance at such facility when the defendant owned the real property and then subsequently transferred ownership of the property to another person without disclosing such knowledge, such defendant shall be treated as liable under subsection (f) of this Section and no defense under subparagraph (C) of paragraph (1) of this subsection shall be available to such defendant.

(D) Nothing in this paragraph (6) shall affect the liability under this Act of a defendant who, by any act or omission, caused or contributed to the release or threatened release of a hazardous substance which is the subject of the action relating to the facility.

(E)(i) Except as provided in clause (ii) of this subparagraph (E), a defendant who has acquired real property shall have established a rebuttable presumption against all State claims and a conclusive presumption against all private party claims that the defendant has made all appropriate inquiry within the meaning of subdivision (6)(B) of this subsection (j) if the defendant proves that immediately prior to or at the time of the acquisition:

(I) the defendant obtained a Phase I Environmental Audit of the real property that meets or exceeds the requirements of this subparagraph (E), and the Phase I Environmental Audit did not disclose the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property; or

(II) the defendant obtained a Phase II Environmental Audit of the real property that meets or exceeds the requirements of this subparagraph (E), and the Phase II Environmental Audit did not disclose the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property.

(ii) No presumption shall be created under clause (i) of this subparagraph (E), and a defendant shall be precluded from demonstrating that the defendant has made all appropriate inquiry within the meaning of subdivision (6)(B) of this subsection (j), if:

(I) the defendant fails to obtain all Environmental Audits required under this subparagraph (E) or any such Environmental Audit fails to meet or exceed the requirements of this subparagraph (E);

(II) a Phase I Environmental Audit discloses the presence or likely presence of a release or a substantial threat of a release of a

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hazardous substance or pesticide at, on, to, or from real property, and the defendant fails to obtain a Phase II Environmental Audit;

(III) a Phase II Environmental Audit discloses the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property;

(IV) the defendant fails to maintain a written compilation and explanatory summary report of the information reviewed in the course of each Environmental Audit under this subparagraph (E); or

(V) there is any evidence of fraud, material concealment, or material misrepresentation by the defendant of environmental conditions or of related information discovered during the course of an Environmental Audit.

(iii) For purposes of this subparagraph (E), the term "environmental professional" means an individual (other than a practicing attorney) who, through academic training, occupational experience, and reputation (such as engineers, industrial hygienists, or geologists) can objectively conduct one or more aspects of an Environmental Audit and who either:

(I) maintains at the time of the Environmental Audit and for at least one year thereafter at least $500,000 of environmental consultants' professional liability insurance coverage issued by an insurance company licensed to do business in Illinois; or

(II) is an Illinois licensed professional engineer or a Certified Industrial Hygienist certified by the American Board of Industrial Hygiene.

An environmental professional may employ persons who are not environmental professionals to assist in the preparation of an Environmental Audit if such persons are under the direct supervision and control of the environmental professional.

(iv) For purposes of this subparagraph (E), the term "real property" means any interest in any parcel of land, and includes, but is not limited to, buildings, fixtures, and improvements.

(v) For purposes of this subparagraph (E), the term "Phase I Environmental Audit" means an investigation of real property, conducted by environmental professionals, to discover the presence or likely presence of a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from real property, and whether a release or a substantial threat of a release of a hazardous substance or pesticide has occurred or may occur at, on, to, or from the real property. Until such time as the United States Environmental Protection Agency establishes standards for

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making appropriate inquiry into the previous ownership and uses of the facility pursuant to 42 U.S.C. Sec. 9601(35)(B)(ii), the investigation shall comply with the procedures of the American Society for Testing and Materials, including the document known as Standard E1527-97, entitled "Standard Procedures for Environmental Site Assessment: Phase I Environmental Site Assessment Process". Upon their adoption, the standards promulgated by USEPA pursuant to 42 U.S.C. Sec. 9601(35)(B)(ii) shall govern the performance of Phase I Environmental Audits. In addition to the above requirements, the Phase I Environmental Audit shall include a review of recorded land title records for the purpose of determining whether the real property is subject to an environmental land use restriction such as a No Further Remediation Letter, Environmental Land Use Control, or Highway Authority Agreement.

(vi) For purposes of subparagraph (E), the term "Phase II Environmental Audit" means an investigation of real property, conducted by environmental professionals, subsequent to a Phase I Environmental Audit. If the Phase I Environmental Audit discloses the presence or likely presence of a hazardous substance or a pesticide or a release or a substantial threat of a release of a hazardous substance or pesticide:

(I) In or to soil, the defendant, as part of the Phase II Environmental Audit, shall perform a series of soil borings sufficient to determine whether there is a presence or likely presence of a hazardous substance or pesticide and whether there is or has been a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property.

(II) In or to groundwater, the defendant, as part of the Phase II Environmental Audit, shall: review information regarding local geology, water well locations, and locations of waters of the State as may be obtained from State, federal, and local government records, including but not limited to the United States Geological Survey, the State Geological Survey of the University of Illinois, and the State Water Survey of the University of Illinois; and perform groundwater monitoring sufficient to determine whether there is a presence or likely presence of a hazardous substance or pesticide, and whether there is or has been a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property.

(III) On or to media other than soil or groundwater, the defendant, as part of the Phase II Environmental Audit, shall perform an investigation sufficient to determine whether there is a presence or
likely presence of a hazardous substance or pesticide, and whether there is or has been a release or a substantial threat of a release of a hazardous substance or pesticide at, on, to, or from the real property.

(vii) The findings of each Environmental Audit prepared under this subparagraph (E) shall be set forth in a written audit report. Each audit report shall contain an affirmation by the defendant and by each environmental professional who prepared the Environmental Audit that the facts stated in the report are true and are made under a penalty of perjury as defined in Section 32-2 of the Criminal Code of 2012. It is perjury for any person to sign an audit report that contains a false material statement that the person does not believe to be true.

(viii) The Agency is not required to review, approve, or certify the results of any Environmental Audit. The performance of an Environmental Audit shall in no way entitle a defendant to a presumption of Agency approval or certification of the results of the Environmental Audit.

The presence or absence of a disclosure document prepared under the Responsible Property Transfer Act of 1988 shall not be a defense under this Act and shall not satisfy the requirements of subdivision (6)(A) of this subsection (j).

(7) No person shall be liable under this Section for response costs or damages as the result of a pesticide release if the Agency has found that a pesticide release occurred based on a Health Advisory issued by the U.S. Environmental Protection Agency or an action level developed by the Agency, unless the Agency notified the manufacturer of the pesticide and provided an opportunity of not less than 30 days for the manufacturer to comment on the technical and scientific justification supporting the Health Advisory or action level.

(8) No person shall be liable under this Section for response costs or damages as the result of a pesticide release that occurs in the course of a farm pesticide collection program operated under Section 19.1 of the Illinois Pesticide Act, unless the release results from gross negligence or intentional misconduct.

(k) If any person who is liable for a release or substantial threat of release of a hazardous substance or pesticide fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the Agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as a result of such failure to take such

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removal or remedial action. The punitive damages imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law.

Any monies received by the State pursuant to this subsection (k) shall be deposited in the Hazardous Waste Fund.

(l) Beginning January 1, 1988, and prior to January 1, 2013, the Agency shall annually collect a $250 fee for each Special Waste Hauling Permit Application and, in addition, shall collect a fee of $20 for each waste hauling vehicle identified in the annual permit application and for each vehicle which is added to the permit during the annual period. Beginning January 1, 2013, the Agency shall issue 3-year Special Waste Hauling Permits instead of annual Special Waste Hauling Permits and shall collect a $750 fee for each Special Waste Hauling Permit Application. In addition, beginning January 1, 2013, the Agency shall collect a fee of $60 for each waste hauling vehicle identified in the permit application and for each vehicle that is added to the permit during the 3-year period. The Agency shall deposit 85% of such fees collected under this subsection in the State Treasury to the credit of the Hazardous Waste Research Fund; and shall deposit the remaining 15% of such fees collected in the State Treasury to the credit of the Environmental Protection Permit and Inspection Fund. The majority of such receipts which are deposited in the Hazardous Waste Research Fund pursuant to this subsection shall be used by the University of Illinois for activities which relate to the protection of underground waters.

(l-5) (Blank).

(m) (Blank).

(n) (Blank).

(Source: P.A. 97-220, eff. 7-28-11; 97-1081, eff. 8-24-12; 97-1150, eff. 1-25-13; 98-78, eff. 7-15-13; revised 9-19-13.)

(415 ILCS 5/58.16)

Sec. 58.16. Construction of school; requirements. This Section applies only to counties with a population of more than 3,000,000. In this Section, "school" means any public school located in whole or in part in a county with a population of more than 3,000,000. No person shall commence construction on real property of a building intended for use as a school unless:

(1) a Phase I + Environmental Audit, conducted in accordance with Section 22.2 of this Act, is obtained;

(2) if the Phase I + Environmental Audit discloses the presence or likely presence of a release or a substantial threat of a
release of a regulated substance at, on, to, or from the real property, a Phase II Environmental Audit, conducted in accordance with Section 22.2 of this Act, is obtained; and

(3) if the Phase II Environmental Audit discloses the presence or likely presence of a release or a substantial threat of a release of a regulated substance at, on, to, or from the real property; and (i) the real property is enrolled in the Site Remediation Program, and (ii) the remedial action plan is approved by the Agency, if a remedial action plan is required by Board regulations.

No person shall cause or allow any person to occupy a building intended to be used as a school for which a remedial action plan is required by Board regulations unless all work pursuant to the remedial action plan is completed.

(Source: P.A. 91-442, eff. 1-1-00; 92-16, eff. 6-28-01; 92-151, eff. 7-24-01; revised 11-14-13.)

Section 595. The Illinois Pesticide Act is amended by changing Section 4 as follows:

(415 ILCS 60/4) (from Ch. 5, par. 804)
Sec. 4. Definitions. As used in this Act:

1. "Director" means Director of the Illinois Department of Agriculture or his authorized representative.

2. "Active Ingredient" means any ingredient which will prevent, destroy, repel, control or mitigate a pest or which will act as a plant regulator, defoliant or desiccant.

3. "Adulterated" shall apply to any pesticide if the strength or purity is not within the standard of quality expressed on the labeling under which it is sold, distributed or used, including any substance which has been substituted wholly or in part for the pesticide as specified on the labeling under which it is sold, distributed or used, or if any valuable constituent of the pesticide has been wholly or in part abstracted.

4. "Agricultural Commodity" means produce of the land including but not limited to plants and plant parts, livestock and poultry and livestock or poultry products, seeds, sod, shrubs and other products of agricultural origin including "the premises necessary to and used directly in agricultural production. Agricultural commodity also includes aquatic products as defined in the Aquaculture Development Act.

5. "Animal" means all vertebrate and invertebrate species including, but not limited to, man and other mammals, bird, fish, and shellfish.

6. "Beneficial Insects" means those insects which during their life...
cycle are effective pollinators of plants, predators of pests or are otherwise beneficial.

7. "Certified applicator".
   A. "Certified applicator" means any individual who is certified under this Act to purchase, use, or supervise the use of pesticides which are classified for restricted use.
   B. "Private applicator" means a certified applicator who purchases, uses, or supervises the use of any pesticide classified for restricted use, for the purpose of producing any agricultural commodity on property owned, rented, or otherwise controlled by him or his employer, or applied to other property if done without compensation other than trading of personal services between no more than 2 producers of agricultural commodities.
   C. "Licensed Commercial Applicator" means a certified applicator, whether or not he is a private applicator with respect to some uses, who owns or manages a business that is engaged in applying pesticides, whether classified for general or restricted use, for hire. The term also applies to a certified applicator who uses or supervises the use of pesticides, whether classified for general or restricted use, for any purpose or on property of others excluding those specified by subparagraphs 7 (B), (D), (E) of Section 4 of this Act.
   D. "Commercial Not For Hire Applicator" means a certified applicator who uses or supervises the use of pesticides classified for general or restricted use for any purpose on property of an employer when such activity is a requirement of the terms of employment and such application of pesticides under this certification is limited to property under the control of the employer only and includes, but is not limited to, the use or supervision of the use of pesticides in a greenhouse setting.
   E. "Licensed Public Applicator" means a certified applicator who uses or supervises the use of pesticides classified for general or restricted use as an employee of a state agency, municipality, or other duly constituted governmental agency or unit.

8. "Defoliant" means any substance or combination of substances which cause leaves or foliage to drop from a plant with or without causing abscission.

9. "Desiccant" means any substance or combination of substances intended for artificially accelerating the drying of plant tissue.

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10. "Device" means any instrument or contrivance, other than a firearm or equipment for application of pesticides when sold separately from pesticides, which is intended for trapping, repelling, destroying, or mitigating any pest, other than bacteria, virus, or other microorganisms on or living in man or other living animals.

11. "Distribute" means offer or hold for sale, sell, barter, ship, deliver for shipment, receive and then deliver, or offer to deliver pesticides, within the State.

12. "Environment" includes water, air, land, and all plants and animals including man, living therein and the interrelationships which exist among these.

13. "Equipment" means any type of instruments and contrivances using motorized, mechanical or pressure power which is used to apply any pesticide, excluding pressurized hand-size household apparatus containing dilute ready to apply pesticide or used to apply household pesticides.


15. "Fungi" means any non-chlorophyll bearing thallophytes, any non-chlorophyll bearing plant of a lower order than mosses or liverworts, as for example rust, smut, mildew, mold, yeast and bacteria, except those on or in living animals including man and those on or in processed foods, beverages or pharmaceuticals.

16. "Household Substance" means any pesticide customarily produced and distributed for use by individuals in or about the household.

17. "Imminent Hazard" means a situation which exists when continued use of a pesticide would likely result in unreasonable adverse effect on the environment or will involve unreasonable hazard to the survival of a species declared endangered by the U.S. Secretary of the Interior or to species declared to be protected by the Illinois Department of Natural Resources.

18. "Inert Ingredient" means an ingredient which is not an active ingredient.

19. "Ingredient Statement" means a statement of the name and percentage of each active ingredient together with the total percentage of inert ingredients in a pesticide and for pesticides containing arsenic in any form, the ingredient statement shall include percentage of total and water soluble arsenic, each calculated as elemental arsenic. In the case of spray adjuvants the ingredient statement need contain only the names of the functioning agents and the total percent of those constituents ineffective as spray adjuvants.

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20. "Insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented for the most part belonging to the class Insects, comprised of six-legged, usually winged forms, as for example beetles, caterpillars, and flies. This definition encompasses other allied classes of arthropods whose members are wingless and usually have more than 6 legs as for example spiders, mites, ticks, centipedes, and millipedes.

21. "Label" means the written, printed or graphic matter on or attached to the pesticide or device or any of its containers or wrappings.

22. "Labeling" means the label and all other written, printed or graphic matter: (a) on the pesticide or device or any of its containers or wrappings, (b) accompanying the pesticide or device or referring to it in any other media used to disseminate information to the public, (c) to which reference is made to the pesticide or device except when references are made to current official publications of the U. S. Environmental Protection Agency, Departments of Agriculture, Health, Education and Welfare or other Federal Government institutions, the state experiment station or colleges of agriculture or other similar state institution authorized to conduct research in the field of pesticides.

23. "Land" means all land and water area including airspace, and all plants, animals, structures, buildings, contrivances, and machinery appurtenant thereto or situated thereon, fixed or mobile, including any used for transportation.

24. "Licensed Operator" means a person employed to apply pesticides to the lands of others under the direction of a "licensed commercial applicator" or a "licensed public applicator" or a "licensed commercial not-for-hire applicator".

25. "Nematode" means invertebrate animals of the phylum nemathelminthes and class nematoda, also referred to as nemas or eelworms, which are unsegmented roundworms with elongated fusiform or sac-like bodies covered with cuticle and inhabiting soil, water, plants or plant parts.

26. "Permit" means a written statement issued by the Director or his authorized agent, authorizing certain acts of pesticide purchase or of pesticide use or application on an interim basis prior to normal certification, registration, or licensing.

27. "Person" means any individual, partnership, association, fiduciary, corporation, or any organized group of persons whether incorporated or not.

28. "Pest" means (a) any insect, rodent, nematode, fungus, weed, or (b) any other form of terrestrial or aquatic plant or animal life or virus,

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bacteria, or other microorganism, excluding virus, bacteria, or other microorganism on or in living animals including man, which the Director declares to be a pest.

29. "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

30. "Pesticide Dealer" means any person who distributes registered pesticides to the user.

31. "Plant Regulator" means any substance or mixture of substances intended through physiological action to affect the rate of growth or maturation or otherwise alter the behavior of ornamental or crop plants or the produce thereof. This does not include substances which are not intended as plant nutrient trace elements, nutritional chemicals, plant or seed inoculants or soil conditioners or amendments.

32. "Protect Health and Environment" means to guard against any unreasonable adverse effects on the environment.

33. "Registrant" means person who has registered any pesticide pursuant to the provision of FIFRA and this Act.

34. "Restricted Use Pesticide" means any pesticide with one or more of its uses classified as restricted by order of the Administrator of USEPA.

35. "SLN Registration" means registration of a pesticide for use under conditions of special local need as defined by FIFRA.

36. "State Restricted Pesticide Use" means any pesticide use which the Director determines, subsequent to public hearing, that an additional restriction for that use is needed to prevent unreasonable adverse effects.

37. "Structural Pest" means any pests which attack and destroy buildings and other structures or which attack clothing, stored food, commodities stored at food manufacturing and processing facilities or manufactured and processed goods.

38. "Unreasonable Adverse Effects on the Environment" means the unreasonable risk to the environment, including man, from the use of any pesticide, when taking into account accrued benefits of as well as the economic, social, and environmental costs of its use.


40. "Use inconsistent with the label" means to use a pesticide in a manner not consistent with the label instruction, the definition adopted in FIFRA as interpreted by USEPA shall apply in Illinois.

41. "Weed" means any plant growing in a place where it is not
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wanted.

42. "Wildlife" means all living things, not human, domestic, or pests.

43. "Bulk pesticide" means any registered pesticide which is transported or held in an individual container in undivided quantities of greater than 55 U.S. gallons liquid measure or 100 pounds net dry weight.

44. "Bulk repackaging" means the transfer of a registered pesticide from one bulk container (containing undivided quantities of greater than 100 U.S. gallons liquid measure or 100 pounds net dry weight) to another bulk container (containing undivided quantities of greater than 100 U.S. gallons liquid measure or 100 pounds net dry weight) in an unaltered state in preparation for sale or distribution to another person.

45. "Business" means any individual, partnership, corporation or association engaged in a business operation for the purpose of selling or distributing pesticides or providing the service of application of pesticides in this State.

46. "Facility" means any building or structure and all real property contiguous thereto, including all equipment fixed thereon used for the operation of the business.

47. "Chemigation" means the application of a pesticide through the systems or equipment employed for the primary purpose of irrigation of land and crops.

48. "Use" means any activity covered by the pesticide label including but not limited to application of pesticide, mixing and loading, storage of pesticides or pesticide containers, disposal of pesticides and pesticide containers and reentry into treated sites or areas.

(Source: P.A. 92-113, eff. 7-20-01; revised 11-14-13.)

Section 600. The Firearm Owners Identification Card Act is amended by changing Section 8 as follows:

(430 ILCS 65/8) (from Ch. 38, par. 83-8)

Sec. 8. Grounds for denial and revocation. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has

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revoked such written consent, or where such parent or guardian does not qualify to have a Firearm Owner's Identification Card;

(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental health facility within the past 5 years or a person who has been a patient in a mental health facility more than 5 years ago who has not received the certification required under subsection (u) of this Section. An active law enforcement officer employed by a unit of government who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under this subsection (e) may obtain relief as described in subsection (c-5) of Section 10 of this Act if the officer did not act in a manner threatening to the officer, another person, or the public as determined by the treating clinical psychologist or physician, and the officer seeks mental health treatment;

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community;

(g) A person who is intellectually disabled;

(h) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application;

(i) An alien who is unlawfully present in the United States under the laws of the United States;

(i-5) An alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), except that this subsection (i-5) does not apply to any alien who has been lawfully admitted to the United States under a non-immigrant visa if that alien is:

(1) admitted to the United States for lawful hunting or sporting purposes;

(2) an official representative of a foreign government who is:

(A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or

(B) en route to or from another country to

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which that alien is accredited;

(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;

(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or

(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);

(j) (Blank);

(k) A person who has been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

(l) A person who has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant or person who has been previously issued a Firearm Owner's Identification Card under this Act knowingly and intelligently waives the right to have an offense described in this paragraph (l) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying an application for and for revoking and seizing a Firearm Owner's Identification Card previously issued to the person under this Act;

(m) (Blank);

(n) A person who is prohibited from acquiring or possessing firearms or firearm ammunition by any Illinois State statute or by federal law;

(o) A minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony;

(p) An adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an

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offense that if committed by an adult would be a felony;

(q) A person who is not a resident of the State of Illinois, except as provided in subsection (a-10) of Section 4;

(r) A person who has been adjudicated as a mentally disabled person;

(s) A person who has been found to be developmentally disabled;

(t) A person involuntarily admitted into a mental health facility; or

(u) A person who has had his or her Firearm Owner's Identification Card revoked or denied under subsection (e) of this Section or item (iv) of paragraph (2) of subsection (a) of this Act because he or she was a patient in a mental health facility as provided in item (2) of subsection (e) of this Section, shall not be permitted to obtain a Firearm Owner's Identification Card, after the 5-year period has lapsed, unless he or she has received a mental health evaluation by a physician, clinical psychologist, or qualified examiner as those terms are defined in the Mental Health and Developmental Disabilities Code, and has received a certification that he or she is not a clear and present danger to himself, herself, or others. The physician, clinical psychologist, or qualified examiner making the certification and his or her employer shall not be held criminally, civilly, or professionally liable for making or not making the certification required under this subsection, except for willful or wanton misconduct. This subsection does not apply to a person whose firearm possession rights have been restored through administrative or judicial action under Section 10 or 11 of this Act. or

(v) Upon revocation of a person's Firearm Owner's Identification Card, the Department of State Police shall provide notice to the person and the person shall comply with Section 9.5 of this Act.

(Source: P.A. 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13; 97-1167, eff. 6-1-13; 98-63, eff. 7-9-13; 98-508, eff. 8-19-13; revised 9-24-13.)

Section 605. The Firearm Concealed Carry Act is amended by changing Sections 25, 35, 50, and 70 as follows:

(430 ILCS 66/25)

Sec. 25. Qualifications for a license.

The Department shall issue a license to an applicant completing an application in accordance with Section 30 of this Act if the person:

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(1) is at least 21 years of age;
(2) has a currently valid Firearm Owner's Identification Card
and at the time of application meets the requirements for the issuance
of a Firearm Owner's Identification Card and is not prohibited under
the Firearm Owners Identification Card Act or federal law from
possessing or receiving a firearm;
(3) has not been convicted or found guilty in this State or in
any other state of:
   (A) a misdemeanor involving the use or threat of
physical force or violence to any person within the 5 years
preceding the date of the license application; or
   (B) 2 or more violations related to driving while under
the influence of alcohol, other drug or drugs, intoxicating
compound or compounds, or any combination thereof, within
the 5 years preceding the date of the license application; and
(4) is not the subject of a pending arrest warrant, prosecution,
or proceeding for an offense or action that could lead to
disqualification to own or possess a firearm;
(5) has not been in residential or court-ordered treatment for
alcoholism, alcohol detoxification, or drug treatment within the 5
years immediately preceding the date of the license application; and
(6) has completed firearms training and any education
component required under Section 75 of this Act.
(Source: P.A. 98-63, eff. 7-9-13; revised 11-12-13.)
(430 ILCS 66/35)
Sec. 35. Investigation of the applicant.
The Department shall conduct a background check of the applicant to
ensure compliance with the requirements of this Act and all federal, State,
and local laws. The background check shall include a search of the following:
(1) the National Instant Criminal Background Check System
of the Federal Bureau of Investigation;
(2) all available state and local criminal history record
information files, including records of juvenile adjudications;
(3) all available federal, state, and local records regarding
wanted persons;
(4) all available federal, state, and local records of domestic
violence restraining and protective orders;
(5) the files of the Department of Human Services relating to
mental health and developmental disabilities; and

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(6) all other available records of a federal, state, or local agency or other public entity in any jurisdiction likely to contain information relevant to whether the applicant is prohibited from purchasing, possessing, or carrying a firearm under federal, state, or local law.

(7) Fingerprints collected under Section 30 shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department shall charge applicants a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check.

(Source: P.A. 98-63, eff. 7-9-13; revised 11-12-13.)

(430 ILCS 66/50)
Sec. 50. License renewal. Applications for renewal of a license shall be made to the Department. A license shall be renewed for a period of 5 years upon receipt of a completed renewal application, completion of 3 hours of training required under Section 75 of this Act, payment of the applicable renewal fee, and completion of an investigation under Section 35 of this Act. The renewal application shall contain the information required in Section 30 of this Act, except that the applicant need not resubmit a full set of fingerprints.

(Source: P.A. 98-63, eff. 7-9-13; revised 11-12-13.)

(430 ILCS 66/70)
Sec. 70. Violations.

(a) A license issued or renewed under this Act shall be revoked if, at any time, the licensee is found to be ineligible for a license under this Act or the licensee no longer meets the eligibility requirements of the Firearm Owners Identification Card Act.

(b) A license shall be suspended if an order of protection, including an emergency order of protection, plenary order of protection, or interim order of protection under Article 112A of the Code of Criminal Procedure of 1963 or under the Illinois Domestic Violence Act of 1986, is issued against a licensee for the duration of the order, or if the Department is made aware of a similar order issued against the licensee in any other jurisdiction. If an order of protection is issued against a licensee, the licensee shall surrender the license, as applicable, to the court at the time the order is entered or to the law enforcement agency or entity serving process at the time the licensee is served the order. The court, law enforcement agency, or entity responsible for serving the order of protection shall notify the Department within 7 days and

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transmit the license to the Department.

(c) A license is invalid upon expiration of the license, unless the licensee has submitted an application to renew the license, and the applicant is otherwise eligible to possess a license under this Act.

(d) A licensee shall not carry a concealed firearm while under the influence of alcohol, other drug or drugs, intoxicating compound or combination of compounds, or any combination thereof, under the standards set forth in subsection (a) of Section 11-501 of the Illinois Vehicle Code.

A licensee in violation of this subsection (d) shall be guilty of a Class A misdemeanor for a first or second violation and a Class 4 felony for a third violation. The Department may suspend a license for up to 6 months for a second violation and shall permanently revoke a license for a third violation.

(e) Except as otherwise provided, a licensee in violation of this Act shall be guilty of a Class B misdemeanor. A second or subsequent violation is a Class A misdemeanor. The Department may suspend a license for up to 6 months for a second violation and shall permanently revoke a license for 3 or more violations of Section 65 of this Act. Any person convicted of a violation under this Section shall pay a $150 fee to be deposited into the Mental Health Reporting Fund, plus any applicable court costs or fees.

(f) A licensee convicted or found guilty of a violation of this Act who has a valid license and is otherwise eligible to carry a concealed firearm shall only be subject to the penalties under this Section and shall not be subject to the penalties under Section 21-6, paragraph (4), (8), or (10) of subsection (a) of Section 24-1, or subparagraph (A-5) or (B-5) of paragraph (3) of subsection (a) of Section 24-1.6 of the Criminal Code of 2012. Except as otherwise provided in this subsection, nothing in this subsection prohibits the licensee from being subjected to penalties for violations other than those specified in this Act.

(g) A licensee whose license is revoked, suspended, or denied shall, within 48 hours of receiving notice of the revocation, suspension, or denial, surrender his or her concealed carry license to the local law enforcement agency where the person resides. The local law enforcement agency shall provide the licensee a receipt and transmit the concealed carry license to the Department of State Police. If the licensee whose concealed carry license has been revoked, suspended, or denied fails to comply with the requirements of this subsection, the law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the concealed carry license in the possession and under the custody or control of the licensee whose concealed carry license has been revoked, suspended, or

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denied. The observation of a concealed carry license in the possession of a person whose license has been revoked, suspended, or denied constitutes a sufficient basis for the arrest of that person for violation of this subsection. A violation of this subsection is a Class A misdemeanor.

(h) A license issued or renewed under this Act shall be revoked if, at any time, the licensee is found ineligible for a Firearm Owner's Identification Card, or the licensee no longer possesses a valid Firearm Owner's Identification Card. A licensee whose license is revoked under this subsection (h) shall surrender his or her concealed carry license as provided for in subsection (g) of this Section.

This subsection shall not apply to a person who has filed an application with the State Police for renewal of a Firearm Owner's Identification Card and who is not otherwise ineligible to obtain a Firearm Owner's Identification Card.

(Source: P.A. 98-63, eff. 7-9-13; revised 11-12-13.)

Section 610. The Boiler and Pressure Vessel Safety Act is amended by changing Section 5 as follows:

(430 ILCS 75/5) (from Ch. 111 1/2, par. 3206)
Sec. 5. Exemptions.
(a) This Act shall not apply to the following boilers and pressure vessels:

(1) Boilers and pressure vessels under federal regulations, except for boiler and pressure vessels in nuclear facilities subject to Section 2a, and boilers and pressure vessels located in cities of more than 500,000 inhabitants.

(2) Pressure vessels used for transportation and storage of compressed or liquefied gases when constructed in compliance with specifications of the Department of Transportation and charged with gas or liquid, marked, maintained, and periodically requalified for use, as required by appropriate regulations of the Department of Transportation.

(3) Pressure vessels located on vehicles operating under the rules of other State authorities and used for carrying passengers or freight.

(4) Pressure vessels installed on the right of way of railroads and used directly in the operation of trains.

(5) Boilers and pressure vessels under the inspection jurisdiction of the Department of Natural Resources and located on mine property.

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(6) Boilers and pressure vessels located on farms and used solely for agricultural purposes.

(7) Steam boilers of a miniature model locomotive, boat, tractor, or stationary engine constructed and maintained as a hobby and not for commercial use, that have an inside diameter not exceeding 12 inches and a grate area not exceeding 1 1/2 square feet, provided they are constantly attended while in operation and are equipped with a water level indicator, pressure gauge, and a safety valve of adequate capacity.


(9) Pressure vessels containing liquefied petroleum gas regulated under the Liquefied Petroleum Gas Regulation Act.

(b) The following boilers and pressure vessels shall be exempt from the requirements of Sections 10, 11, 12, and 13 of this Act:

(1) Steam boilers used for heating purposes and operated at a pressure not in excess of 15 pounds per square inch gauge (psig) and having a rating not in excess of 200,000 B.T.U. per hour input.

(2) Hot water heating boilers operated at a pressure not in excess of 30 psig and having a rating not in excess of 200,000 B.T.U. per hour.

(3) Boilers and pressure vessels, located in private residences or in multi-family buildings having fewer than 6 dwelling units.

(4) Hot water supply boilers that are directly fired with oil, gas, or electricity when none of the following limitations are exceeded:

   (A) Heat input of 200,000 BTU per hour.
   (B) Water temperature of 200 degrees Fahrenheit.
   (C) Nominal water containing capacity of 120 U.S. gallons.

(5) Coil type hot water boilers where the water can flash into steam when released directly to the atmosphere through a manually operated nozzle provided the following conditions are met:

   (A) There is no drum, headers, or other steam space.
   (B) No steam is generated within the coil.
   (C) Outside diameter of tubing does not exceed 1 inch.
   (D) Pipe size does not exceed 3/4 inch NPS.
   (E) Water capacity of unit does not exceed 6 U.S. gallons.

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gallons.

(F) Water temperature does not exceed 350 degrees Fahrenheit.

(6) Pressure vessels containing only water under pressure for domestic supply purposes, including those containing air, the compression of which serves only a cushion or airlift pumping function.

(7) Pressure vessels operated at a pressure not exceeding 15 psig with no limitation on size.

(8) Pressure vessels that do not exceed:
   (A) Both a volume of 15 cubic feet and 250 psig when not located in a place of public assembly.
   (B) Both a volume of 5 cubic and 250 psig when located in a place of public assembly.
   (C) A volume of 1 1/2 cubic feet or an inside diameter of 6 inches with no limitation on pressure.

(9) Water conditioning equipment used for the removal of minerals, chemicals, or organic or inorganic particles from water by means other than application of heat including, without limitation, water softeners, water filters, dealkalizers, and demineralizers.

(10) Steam boilers of railroad locomotives and traction engines built prior to 1955 that were constructed or operated in compliance with the Federal Locomotive Inspection Law and are in the permanent collection of a museum or historical association are exempt from the requirements of subsection (c) of Section 10 upon proof of such construction or inspection being furnished to the Board.

(Blank).

(Source: P.A. 94-748, eff. 5-8-06; revised 11-12-13.)

Section 615. The Carnival and Amusement Rides Safety Act is amended by changing Sections 2-8.1, 2-12, and 2-15 as follows:

(430 ILCS 85/2-8.1)

Sec. 2-8.1. Suspension and revocation of permit to operate.

(a) The Department shall have the power to suspend or revoke an owner's permit for any good cause under the meaning and purpose of this Act. If a person whose permit has been suspended or revoked, or whose application for a permit has been denied, believes that the violation or condition justifying suspension, revocation, or denial of the permit does not exist, the person may apply to the Department for reconsideration through a hearing within 10 working days after the Department's action. A hearing shall

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be scheduled, unless otherwise mutually agreed by the parties, within 48 hours after the request for hearing.

(b) Service of notice of a hearing shall be made by personal service or certified mail to the address shown on the application for permit, or to any other address on file with the Department and reasonably believed to be the current address of the permit holder.

(c) The written notice of a hearing shall specify the time, date, and location of the hearing and the reasons for the action proposed by the Department.

(d) At the hearing, the Department shall have the burden of establishing good cause for its action. Good cause exists if the Department establishes that the permit holder has failed to comply with the requirements of a permit under this Act and its rules.

(e) All hearings held under this Section shall comply with Article 10 of the Illinois Administrative Procedure Act and the Department's rules of procedure in administrative hearings, except that formal discovery, such as production requests, interrogatories, requests to admit, and depositions shall not be allowed. The parties shall exchange documents and witness lists prior to hearing and may request third party subpoenas to be issued.

(f) The final determination by the Department of Labor shall be rendered within 5 working days after the conclusion of the hearing.

(g) Final determinations made under this Section are subject to the Administrative Review Law.

(Source: P.A. 98-541, eff. 8-23-13; revised 11-14-13.)

(430 ILCS 85/2-12) (from Ch. 111 1/2, par. 4062)

Sec. 2-12. Order for cessation of operation of amusement ride or attraction.

(a) The Department of Labor may order, in writing, a temporary and immediate cessation of operation of any amusement ride or amusement attraction if it:

(1) has been determined after inspection to be hazardous or unsafe;

(2) is in operation before the Director has issued a permit to operate such equipment; or

(3) the owner or operator is not in compliance with the insurance requirements contained in Section 2-14 of this Act and any rules or regulations adopted hereunder.

(b) Operation of the amusement ride or amusement attraction shall not resume until:

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(1) the unsafe or hazardous condition is corrected to the satisfaction of the Director or such inspector;

(2) the Director has issued a permit to operate such equipment; or

(3) the owner or operator is in compliance with the insurance requirements contained in Section 2-14 of this Act and any rules or regulations adopted hereunder, respectively.

(c) The Department shall notify the owner or operator in writing of the grounds for the cessation of operation of the amusement ride or attraction and of the conditions in need of correction at the time the order for cessation is issued.

(d) The owner or operator may appeal an order of cessation by filing a request for a hearing. The Department shall afford the owner or operator 10 working days after the date of the notice to request a hearing. Upon written request for hearing, the Department shall schedule a formal administrative hearing in compliance with Article 10 of the Illinois Administrative Procedure Act and pursuant to the provisions of the Department's rules of procedure in administrative hearings, except that formal discovery, such as production requests, interrogatories, requests to admit, and depositions will not be allowed. The parties shall exchange documents and witness lists prior to hearing and may request third party subpoenas to be issued.

(e) The final determination by the Department of Labor shall be rendered within 5 working days after the conclusion of the hearing.

(f) The provisions of the Administrative Review Law shall apply to and govern all proceedings for the judicial review of a final determination under this Section.

(Source: P.A. 98-541, eff. 8-23-13; revised 11-15-13.)

(430 ILCS 85/2-15) (from Ch. 111 1/2, par. 4065)
Sec. 2-15. Penalties.

(a) Criminal penalties.

1. Any person who operates an amusement ride or amusement attraction at a carnival or fair without having obtained a permit from the Department or who violates any order or rule issued by the Department under this Act is guilty of a Class A misdemeanor. Each day shall constitute a separate and distinct offense.

2. Any person who interferes with, impedes, or obstructs in any manner the Director or any authorized representative of the Department in the performance of their duties under this Act is guilty of a Class A misdemeanor.
(b) Civil penalties. Unless otherwise provided in this Act, any person who operates an amusement ride or amusement attraction without having obtained a permit from the Department in violation of this Act is subject to a civil penalty not to exceed $2,500 per violation for a first violation and not to exceed $5,000 for a second or subsequent violation.

Prior to any determination, or the imposition of any civil penalty, under this subsection (b), the Department shall notify the operator in writing of the alleged violation. The Department shall afford the operator 10 working days after the date of the notice to request a hearing. Upon written request of the operator, the Department shall schedule a formal administrative hearing in compliance with Article 10 of the *Illinois Administrative Procedure Act* and the Department's rules of procedure in administrative hearings, except that formal discovery, such as production requests, interrogatories, requests to admit, and depositions shall not be allowed. The parties shall exchange documents and witness lists prior to hearing and may request third party subpoenas to be issued. The final determination by the Department of Labor shall be rendered within 5 working days after the conclusion of the hearing. Final determinations made under this Section are subject to the provisions of the Administrative Review Law. In determining the amount of a penalty, the Director may consider the appropriateness of the penalty to the person or entity charged, upon determination of the gravity of the violation. The penalties, when finally determined, may be recovered in a civil action brought by the Director of Labor in any circuit court. In this litigation, the Director of Labor shall be represented by the Attorney General.

(Source: P.A. 98-541, eff. 8-23-13; revised 11-15-13.)

Section 620. The Agricultural Production Contract Code is amended by changing Section 50 as follows:

(505 ILCS 17/50)

Sec. 50. Enforcement; offenses; remedies. The Attorney General is primarily responsible for enforcing this Act.

A violation of Section 20, 25, 30, or 35 is a business offense under the *Unified Code of Corrections* punishable by a fine of not more than $10,000 per offense.

A producer may recover his or her actual damages for a contractor's violation of Section 40 or 45 of this Act.

(Source: P.A. 93-522, eff. 1-1-05; 93-815, eff. 1-1-05; revised 11-14-13.)

Section 625. The Illinois AgriFIRST Program Act of 2001 is amended by changing Section 5 as follows:

(505 ILCS 19/5)

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Sec. 5. Definitions. In this Act:

"Agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation, or cooperative that operates or will operate a facility located within the State of Illinois that is related to the processing of agricultural commodities (including, but not limited to, the products of aquaculture, hydroponics, and silviculture) or the manufacturing, production, or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production. "Agribusiness" includes but is not limited to the following:

1. grain handling and processing, including grain storage, drying, treatment, conditioning, milling, and packaging;
2. seed and feed grain development and processing;
3. fruit and vegetable processing, including preparation, canning, and packaging;
4. processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apiarian products, including slaughter, shearing, collecting, preparation, canning, and packaging;
5. fertilizer and agricultural chemical manufacturing, processing, application and supplying;
6. farm machinery, equipment, and implement manufacturing and supplying;
7. manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning, or packaging of agricultural commodities;
8. farm building and farm structure manufacturing, construction, and supplying;
9. construction, manufacturing, implementation, supplying, or servicing of irrigation, drainage, and soil and water conservation devices or equipment;
10. fuel processing and development facilities that produce fuel from agricultural commodities or by-products;
11. facilities and equipment for processing and packaging agricultural commodities specifically for export;
12. facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of...
prefabricated buildings, paper, furniture, or other goods from forestry products; and

(13) facilities and equipment for research and development of products, processes, and equipment for the production, processing, preparation, or packaging of agricultural commodities and by-products.

"Agricultural facility" means land, any building or other improvement on or to land, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in farming, ranching, the production of agricultural commodities (including, but not limited to, the products of aquaculture, hydroponics, and silviculture) or the treating, processing, or storing of agricultural commodities.

"Agricultural land" means land suitable for agriculture production.

"Asset" includes, but is not limited to, the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interest in trusts; government payments or grants; and any other assets.

"Department" means the Department of Agriculture.

"Director" means the Director of Agriculture.

"Fund" means the Illinois AgriFIRST Program Fund.

"Grantee" means the person or entity to whom a grant is made to from the Fund.

"Lender" means any federal or State chartered bank, federal land bank, production credit association, bank for cooperatives, federal or state chartered savings and loan association or building and loan association, small business investment company, or any other institution qualified within this State to originate and service loans, including, but not limited to, insurance companies, credit unions, and mortgage loan companies. "Lender" includes a wholly owned subsidiary of a manufacturer, seller or distributor of goods or services that makes loans to businesses or individuals, commonly known as a "captive finance company".

"Liability" includes, but is not limited to, the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

"Person" means, unless limited to a natural person by the context in
which it is used, a person, corporation, association, trust, partnership, limited partnership, joint venture, or cooperative.

"State" means the State of Illinois.

"Value-added" means the processing, packaging, or otherwise enhancing the value of farm and agricultural products or by-products produced in Illinois.

(Source: P.A. 92-346, eff. 8-14-01; revised 9-24-13.)

Section 630. The Illinois Fertilizer Act of 1961 is amended by changing Sections 3, 4, 6, and 12 as follows:

(505 ILCS 80/3) (from Ch. 5, par. 55.3)

Sec. 3. Definitions of words and terms. When used in this Act unless the context otherwise requires:

"AAPFCO" means the Association of American Plant Food Control Officials.

"Adulterated" shall apply to any fertilizer:

(i) that contains any deleterious or harmful substance, defined under the provisions of this Act or its rules or regulations, in sufficient amount to render it injurious to beneficial plant life, animals, humans, aquatic life, soil, or water when applied in accordance with directions for use on the label;

(ii) when its composition falls below or differs from that which it is purported to possess by its labeling;

(iii) that contains unwanted crop seed or weed seed.

"Anhydrous ammonia" means the compound formed by the combination of 2 gaseous elements, nitrogen and hydrogen, in the proportion of one part of nitrogen to 3 parts of hydrogen (NH\textsubscript{3}) by volume. Anhydrous ammonia is a fertilizer of ammonia gas in compressed and liquified form. It is not aqueous ammonia which is a solution of ammonia gas in water and which is considered a low-pressure nitrogen solution.

"Blender" means any entity or system engaged in the business of blending fertilizer. This includes both mobile and fixed equipment, excluding application equipment, used to achieve this function.

"Blending" means the physical mixing or combining of: one or more fertilizer materials and one or more filler materials; 2 or more fertilizer materials; 2 or more fertilizer materials and filler materials, including mixing through the simultaneous or sequential application of any of the outlined combinations listed in this definition, to produce a uniform mixture.

"Brand" means a term, design, or trademark used in connection with one or several grades of fertilizers.

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"Bulk" means any fertilizer distributed in a single container greater than 100 pounds.

"Consumer or end user" means the final purchaser prior to application.

"Custom blend" means a fertilizer blended according to specifications provided to a blender in a soil test nutrient recommendation or to meet the specific consumer request prior to blending.

"Custom blender" means any entity who produces and sells custom blended fertilizers.

"Deficiency" means the amount of nutrient found by analysis less than that guaranteed that may result from a lack of nutrient ingredients or from lack of uniformity.

"Department" means the Illinois Department of Agriculture.

"Department rules or regulations" means any rule or regulation implemented by the Department as authorized under Section 14 of this Act.

"Director" means the Director of Agriculture or a duly authorized representative.

"Distribute" means to import, consign, manufacture, produce, store, transport, custom blend, compound, or blend fertilizer or to transfer from one container to another for the purpose of selling, giving away, bartering, or otherwise supplying fertilizer in this State.

"Distributor" means any entity that distributes fertilizer.

"Entity" means any individual, partnership, association, firm, or corporation.

"Fertilizer" means any substance containing one or more of the recognized plant nutrient nitrogen, phosphate, potash, or those defined under 8 Ill. Adm. Code 210.20 that is used for its plant nutrient content and that is designed for use or claimed to have value in promoting plant growth, except unmanipulated animal and vegetable manures, sea solids, marl, lime, limestone, wood ashes, and other products exempted by regulation by the Director.

"Fertilizer material" means a fertilizer that either:

(A) contains important quantities of no more than one of the primary plant nutrients: nitrogen (N), phosphate (P₂O₅), and potash (K₂O);

(B) has 85% or more of its plant nutrient content present in the form of a single chemical compound; or

(C) is derived from a plant or animal residue or by-product or natural material deposit that has been processed in such a way that its

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content of plant nutrients has not been materially changed except by purification and concentration.

"Grade" means the minimum percentage of total nitrogen, available phosphate (P₂O₅), and soluble potash (K₂O) stated in the whole numbers in the same terms, order, and percentages as in the guaranteed analysis, provided that specialty fertilizers may be guaranteed in fractional units of less than 1% of total nitrogen, available phosphate, and soluble potash and that fertilizer materials, bone meal, manures, and similar materials may be guaranteed in fractional units.

"Guaranteed analysis" means the minimum percentages of plant nutrients claimed in the following order and form:

A. Total Nitrogen (N)............................... %
   Available Phosphate (P₂O₅)....................... %
   Soluble Potash (K₂O)............................. %

B. For unacidulated mineral phosphatic materials and basic slag, both total and available phosphate and the degree of fineness. For bone, tankage, and other organic phosphatic materials, total phosphate.

C. Guarantees for plant nutrients other than nitrogen, phosphate, and potash may be permitted or required by regulation by the Director. The guarantees for such other nutrients shall be expressed in the form of the element.

"Investigational allowance" means an allowance for variations inherent in the taking, preparation, and analysis of an official sample of fertilizer.

"Label" means the display of all written, printed, or graphic matter upon the immediate container or a statement accompanying a fertilizer.

"Labeling" means all (i) written, printed, or graphic matter upon or accompanying any fertilizer or (ii) advertisements, Internet, brochures, posters, and television and radio announcements used in promoting the sale of fertilizer.

"Lot" means an identifiable quantity of fertilizer that can be sampled according to AOAC International procedures, such as the amount contained in a single vehicle, the amount delivered under a single invoice, or in the case of bagged fertilizer, not more than 25 tons.

"Low-pressure nitrogen solution" means a solution containing 2 percent or more by weight of free ammonia and/or having vapor pressure of 5 pounds or more per square inch gauge at 104 degrees Fahrenheit (104°F).

"Misbranded" shall apply to any fertilizer:

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(i) with labeling that is false or misleading in any particular;
(ii) that is distributed under the name of another fertilizer
product;
(iii) that is not labeled as required by this Act or its rules; or
(iv) that which purports to be or is represented as a fertilizer,
or is represented as containing a plant nutrient or fertilizer unless such
plant nutrient or fertilizer conforms to the definition of identity, if
any, prescribed by regulation.
"Mixed fertilizer" means any combination or mixture of fertilizer
materials designed for use or claimed to have value in promoting plant
growth.
"NREC" means the Nutrient Research and Education Council.
"Official sample" means any sample of fertilizer taken by the Director
or his or her agent and designated as official by the Director.
"Per cent" or "percentage" means the percentage by weight.
"Registrant" means the entity that registers fertilizer and obtains
a license under the provisions of this Act.
"Specialty fertilizer" means a fertilizer distributed primarily for
nonfarm use, such as home gardens, lawns, shrubbery, flowers, golf courses,
municipal parks, cemeteries, green houses and nurseries, and may include
fertilizer used for research or experimental purposes.
"Ton" means a net weight of 2,000 pounds avoirdupois.
"Unit" means 20 pounds or 1% of a ton of plant nutrient.
(Source: P.A. 97-960, eff. 8-15-12; revised 11-18-13.)
(505 ILCS 80/4) (from Ch. 5, par. 55.4)
Sec. 4. License and product registration.
(a) Each brand and grade of fertilizer shall be registered by the entity
whose name appears upon the label before being distributed in this State. The
application for registration shall be submitted with a label or facsimile of
same to the Director on forms furnished by the Director, and shall be
accompanied by a fee of $20 per grade within a brand. Upon approval by the
Director a copy of the registration shall be furnished to the applicant. All
registrations expire on December 31 of each year.
The application shall include the following information:
(1) The net weight
(2) The brand and grade
(3) The guaranteed analysis
(4) The name and address of the registrant.
(a-5) No entity whose name appears on the label shall distribute a

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fertilizer in the State unless the entity has secured a license under this Act on forms provided by the Director. The license application shall be accompanied by a fee of $100. Entities that store anhydrous ammonia as a fertilizer, store bulk fertilizer, or custom blend a fertilizer at more than one site under the same entity's name shall list any and all additional sites with a complete address for each site and remit a license fee of $50 for each site identified. Entities performing lawn care applications for hire are exempt from obtaining a license under this Act. All licenses expire on December 31 of each year.

(b) A distributor shall not be required to register any brand of fertilizer or a custom blend which is already registered under this Act by another entity.

(c) The plant nutrient content of each and every fertilizer must remain uniform for the period of registration and, in no case, shall the percentage of any guaranteed plant nutrient element be changed in such a manner that the crop-producing quality of the fertilizer is lowered.

(d) (Blank).

(e) A custom blend, as defined in Section 3, prepared for one consumer or end user shall not be co-mingled with the custom blended fertilizer prepared for another consumer or end user.

(f) All fees collected pursuant to this Section shall be paid to the Fertilizer Control Fund for activities related to the administration and enforcement of this Act.

(Source: P.A. 97-960, eff. 8-15-12; revised 11-18-13.)

(505 ILCS 80/6) (from Ch. 5, par. 55.6)

Sec. 6. Inspection fees.

(a) There shall be paid to the Director for all fertilizers distributed in this State an inspection fee at the rate of 25¢ per ton with a minimum inspection fee of $15. Sales or exchanges between registrants are hereby exempted from the inspection fee.

On individual packages of fertilizers containing 5 pounds or less, or if in liquid form containers of 4,000 cubic centimeters or less, there shall be paid instead of the 25¢ per ton inspection fee, an annual inspection fee of $50 for each grade within a brand sold or distributed. Where an entity sells fertilizers in packages of 5 pounds or less, or 4,000 cubic centimeters or less if in liquid form, and also sells in larger packages than 5 pounds or liquid containers larger than 4,000 cubic centimeters, this annual inspection fee of $50 applies only to that portion sold in packages of 5 pounds or less or 4,000 cubic centimeters or less, and that portion sold in larger packages or containers shall be subject to the same inspection fee of 25¢ per ton as

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provided in this Act.

(b) Every entity that distributes a fertilizer, custom blend, or specialty fertilizer in this State shall file with the Director, on forms furnished by the Director, a semi-annual statement for the periods ending June 30 and December 31, setting forth the number of net tons of each grade of fertilizers within a brand or the net tons of custom blend distributed. The report shall be due on or before the 30th day of the month following the close of each semi-annual period and upon the statement shall pay the inspection fee at the rate stated in paragraph (a) of this Section.

If the tonnage report is not filed and the payment of inspection fee is not made within 30 days after the end of the semi-annual period, a collection fee amounting to 15% (minimum $15) of the amount shall be assessed against the registrant. The amount of fees due shall constitute a debt and become the basis of a judgment against the registrant. Upon the written request to the Director additional time may be granted past the normal date of filing the semi-annual statement.

(c) When more than one entity is involved in the distribution of a fertilizer, the last registrant who distributes to the consumer or end user is responsible for reporting the tonnage and paying the inspection fee.

(d) All fees collected under this Section shall be paid to the Fertilizer Control Fund for activities related to the administration and enforcement of this Act.

(505 ILCS 80/12) (from Ch. 5, par. 55.12)
Sec. 12. Tonnage reports; records.
(a) Any entity distributing fertilizer to a consumer or end user in this State shall provide the Director with a summary report on or before the 10th day of each month covering the shipments made during the preceding month of tonnage on a form, provided by the Director, for that purpose.

Specialty fertilizer sold in packages weighing 5 pounds or less or in container of 4000 cubic centimeters or less; shall be reported but no inspection fee will be charged. No information furnished under this Section shall be disclosed by the Department in such a way as to divulge the operation of any entity.

(b) Each entity location engaged in the sale of ammonium nitrate shall obtain the following information upon its distribution:
(1) the date of distribution;
(2) the quantity purchased;

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(3) the license number of the purchaser's valid State or federal
driver's license, or an equivalent number taken from another form of
picture identification approved for purchaser identification by the
Director; and

(4) the purchaser's name, current physical address, and
telephone number.

Any retailer of ammonium nitrate may refuse to sell ammonium
nitrate to any person attempting to purchase ammonium nitrate (i) out of
season, (ii) in unusual quantities, or (iii) under suspect purchase patterns.

(c) Records created under subsection (b) of this Section shall be
maintained for a minimum of 2 years. Such records shall be available for
inspection, copying, and audit by the Department as provided under this Act.
(Source: P.A. 97-960, eff. 8-15-12; revised 11-18-13.)

Section 635. The Animal Control Act is amended by changing
Section 2 as follows:

(510 ILCS 5/2) (from Ch. 8, par. 352)

Sec. 2. As used in this Act, unless the context otherwise requires, the
terms specified in the Sections following this Section and preceding Section
3 Sections 2.01 through 2.19 have the meanings ascribed to them in those
Sections.
(Source: P.A. 78-795; revised 11-18-13.)

Section 640. The Bees and Apiaries Act is amended by changing
Section 2-1 as follows:

(510 ILCS 20/2-1)

Sec. 2-1. Nuisances. All bees, colonies, or items of bee equipment,
where bee diseases, bee parasites or exotic strains of bees exist; or hives that
cannot be readily inspected; or colonies that are not registered, are declared
to be nuisances to be regulated as prescribed by the Department.

If the Department finds by inspection that any person is maintaining
a nuisance as described in this Section, it shall proceed to regulate the
nuisance by methods or procedures deemed necessary for control in
accordance with rules and regulations of the Department.

If the owner or beekeeper cannot be found or will not consent to the
terms for regulation of the nuisance, the Department shall notify in writing
the owner or beekeeper, disclose the fact that a nuisance exists, exits and
prescribe the method by which the nuisance may be abated. The notice
declaring that a nuisance exists and ordering its abatement shall include:

(1) a statement of conditions constituting the nuisance;

(2) establishment of the time period within which the nuisance

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is to be abated;

(3) directions, written or printed, pointing out the methods
that shall be employed to abate the nuisance;

(4) a statement of the consequences should the owner or
beekeeper fail to comply.

The notice may be served personally or by certified mail with a return
receipt requested. The directions for abatement of a nuisance may consist of
a printed circular, bulletin or report of the Department, the United States
Department of Agriculture or others, or an extract from such document.

If the person so notified refuses or fails to abate the nuisance in the
manner and in the time prescribed in the notice, the Department may cause
the nuisance to be abated. The Department shall certify, to the owner or
beekeeper, the cost of the abatement. The owner or beekeeper shall pay to the
Department any costs of that action, within 60 days after certification that the
nuisance has been abated. If the costs of abatement are not remitted, the
Department may recover the costs before any court in the State having
competent jurisdiction.

(Source: P.A. 88-138; revised 11-19-13.)

Section 645. The Wildlife Code is amended by changing Sections 1.2
and 2.33 as follows:

(520 ILCS 5/1.2) (from Ch. 61, par. 1.2)

Sec. 1.2. This Act shall be administered by and under the direction of
the Department of Natural Resources. As used in this Act, unless the context
otherwise requires, the terms specified in the Sections following this Section
and preceding Section 1.3 have the meanings ascribed to them in those Sections.

(Source: P.A. 89-445, eff. 2-7-96; revised 11-19-13.)

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

Sec. 2.33. Prohibitions.

(a) It is unlawful to carry or possess any gun in any State refuge unless
otherwise permitted by administrative rule.

(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.

(c) It is unlawful for any person at any time to take a wild mammal
protected by this Act from its den by means of any mechanical device, spade,
or digging device or to use smoke or other gases to dislodge or remove such

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mammal except as provided in Section 2.37.

(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.

(e) (Blank).

(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.

(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.

(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.

(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.

(l) It is unlawful to take any species of wild game, except white-tailed deer and fur-bearing mammals, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area

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other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.5.

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.

(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.

(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to take or attempt to take any species of wildlife or parts thereof, intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, or to knowingly shoot a gun or bow and arrow device at any wildlife physically on or flying over the property of another without first obtaining permission from the owner or the owner's designee. For the purposes of this Section, the owner's designee means anyone who the owner designates in a written authorization and the authorization must contain (i) the legal or common description of property for such authority is given, (ii) the extent that the owner's designee is authorized to make decisions regarding who is allowed to take or attempt to take any species of wildlife or parts thereof, and (iii) the owner's notarized signature. Before enforcing this Section the law enforcement officer must have received notice from the owner or the owner's designee of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the
required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on property operated under a Migratory Waterfowl Hunting Area Permit, on federally owned and managed lands and on Department owned, managed, leased or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.

(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.

(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that hunting hours between one half hour after sunset and one half hour before sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

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(aa) It is unlawful to use or possess any device that may be used for
        tree climbing or cutting, while hunting fur-bearing mammals, excluding
coyotes.

(bb) It is unlawful for any person, except licensed game breeders,
pursuant to Section 2.29 to import, carry into, or possess alive in this State
any species of wildlife taken outside of this State, without obtaining
permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any
freshly killed species protected by this Act during the season closed for
taking.

(dd) It is unlawful to take any species protected by this Act and retain
it alive except as provided by administrative rule.

(ee) It is unlawful to possess any rifle while in the field during gun
deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this
Act, except migratory waterfowl, during the gun deer hunting season in those
counties open to gun deer hunting, unless he or she wears, when in the field,
a cap and upper outer garment of a solid blaze orange color, with such articles
of clothing displaying a minimum of 400 square inches of blaze orange
material.

(gg) It is unlawful during the upland game season for any person to
take upland game with a firearm unless he or she wears, while in the field, a
cap of solid blaze orange color. For purposes of this Act, upland game is
defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant,
Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this
Act for which there is a bag limit without making a reasonable effort to
retrieve such species and include such in the bag limit. It shall be unlawful
for any person having control over harvested game mammals, game birds, or
migratory game birds for which there is a bag limit to wantonly waste or
destroy the usable meat of the game, except this shall not apply to wildlife
taken under Sections 2.37 or 3.22 of this Code. For purposes of this
subsection, "usable meat" means the breast meat of a game bird or migratory
game bird and the hind ham and front shoulders of a game mammal. It shall
be unlawful for any person to place, leave, dump, or abandon a wildlife
carcass or parts of it along or upon a public right-of-way or highway or on
public or private property, including a waterway or stream, without the
permission of the owner or tenant. It shall not be unlawful to discard game
meat that is determined to be unfit for human consumption.

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(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) (Blank).

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other disabled persons who meet the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

(ll) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

(mm) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.

(nn) It shall be unlawful to possess any species of wildlife or wildlife parts taken unlawfully in Illinois, any other state, or any other country, whether or not the wildlife or wildlife parts is indigenous to Illinois. For the purposes of this subsection, the statute of limitations for unlawful possession of wildlife or wildlife parts shall not cease until 2 years after the possession has permanently ended.

(Source: P.A. 97-645, eff. 12-30-11; 97-907, eff. 8-7-12; 98-119, eff. 1-1-14; 98-181, eff. 8-5-13; 98-183, eff. 1-1-14; 98-290, eff. 8-9-13; revised 9-24-13.)

Section 650. The Open Space Lands Acquisition and Development Act is amended by changing Section 3 as follows:

(525 ILCS 35/3) (from Ch. 85, par. 2103)

Sec. 3. From appropriations made from the Capital Development Fund, Build Illinois Bond Fund or other available or designated funds for such purposes, the Department shall make grants to local governments as financial assistance for the capital development and improvement of park, recreation or conservation areas, marinas and shorelines, including planning and engineering costs, and for the acquisition of open space lands, including

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acquisition of easements and other property interests less than fee simple ownership if the Department determines that such property interests are sufficient to carry out the purposes of this Act, subject to the conditions and limitations set forth in this Act.

No more than 10% of the amount so appropriated for any fiscal year may be committed or expended on any one project described in an application under this Act.

Any grant under this Act to a local government shall be conditioned upon the state providing assistance on a 50/50 matching basis for the acquisition of open space lands and for capital development and improvement proposals. However, a local government defined as "distressed" under criteria adopted by the Department through administrative rule shall be eligible for assistance up to 90% for the acquisition of open space lands and for capital development and improvement proposals, provided that no more than 10% of the amount appropriated under this Act in any fiscal year is made available as grants to distressed local governments.

A minimum of 50% of any grant made to a unit of local government under this Act must be paid to the unit of local government at the time the Department awards the grant. The remainder of the grant shall be distributed to the local government quarterly on a reimbursement basis.

(Source: P.A. 98-326, eff. 8-12-13; 98-520, eff. 8-23-13; revised 9-19-13.)

Section 655. The Illinois Highway Code is amended by renumbering Section 223 as follows:

(605 ILCS 5/4-223)
Sec. 4-223. Electric vehicle charging stations. By January 1, 2016 or as soon thereafter as possible, the Department may provide for at least one electric vehicle charging station at each Interstate highway rest area where electrical service will reasonably permit and if these stations and charging user fees at these stations are allowed by federal regulations.

The Department may adopt and publish specifications detailing the kind and type of electric vehicle charging station to be provided and may adopt rules governing the place of erection, user fees, and maintenance of electric vehicle charging stations.

(Source: P.A. 98-442, eff. 1-1-14; revised 9-17-13.)

Section 660. The Illinois Aeronautics Act is amended by changing Section 43d as follows:

(620 ILCS 5/43d) (from Ch. 15 1/2, par. 22.43d)
Sec. 43d. Intoxicated persons in or about aircraft.
(a) No person shall:

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(1) Operate or attempt to operate any aircraft in this State while under the influence of intoxicating liquor or any narcotic drug or other controlled substance.

(2) Knowingly permit any individual who is under the influence of intoxicating liquor or any narcotic drug or other controlled substance to operate any aircraft owned by the person or in his custody or control.

(3) Perform any act in connection with the maintenance or operation of any aircraft when under the influence of intoxicating liquor or any narcotic drug or other controlled substance, except medication prescribed by a physician which will not render the person incapable of performing his duties safely.

(4) (i) Consume alcoholic liquor within 8 hours prior to operating or acting as a crew member of any aircraft within this State.

(ii) Act as a crew member of any aircraft within this State while under the influence of alcohol or when the alcohol concentration in the person's blood or breath is 0.04 or more based on the definition of blood and breath units contained in Section 11-501.2 of the Illinois Vehicle Code.

(iii) Operate any aircraft within this State when the alcohol concentration in the person's blood or breath is 0.04 or more based on the definition of blood and breath units contained in Section 11-501.2 of the Illinois Vehicle Code.

(iv) Operate or act as a crew member of any aircraft within this State when there is any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act or a controlled substance as listed in the Illinois Controlled Substance Act.

(5) Knowingly consume while a crew member of any aircraft any intoxicating liquor, narcotic drug, or other controlled substance while the aircraft is in operation.

(b) Any person who violates clause (4)(i) of subsection (a) of this Section is guilty of a Class A misdemeanor. A person who violates paragraph (2), (3), or (5) or clause (4)(ii) of subsection (a) of this Section is guilty of a Class 4 felony. A person who violates paragraph (1) or clause (4)(iii) or (4)(iv) of subsection (a) of this Section is guilty of a Class 3 felony.

(Source: P.A. 92-517, eff. 6-1-02; revised 11-19-13.)

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Section 665. The County Airport Law of 1943 is amended by changing Section 6 as follows:

(620 ILCS 45/6) (from Ch. 15 1/2, par. 89)

Sec. 6. The directors shall, immediately after appointment, meet and organize by the election of one of their number as president and one as secretary, and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the airport and landing field, buildings, equipment and other facilities or activities and institutions connected therewith as may be expedient, not inconsistent with the "Illinois Aeronautics Act", as now or hereafter amended or supplemented, or any rule, ruling, regulation, order or decision of the Department of Transportation of this State. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the Airport Fund, and of the construction of any airport, building, landing strips or other facilities connected therewith, or auxiliary institutions or activities in connection therewith, and of the supervision, care and custody of the grounds, buildings and facilities constructed, leased, or set apart for that purpose: Provided, that all moneys received for such airport with the exception of moneys the title to which rests in the Board of Directors in accordance with Section 9, shall be deposited in the treasury of the county to the credit of the Airport fund and shall not be used for any other purpose, and shall be drawn upon by the proper officers of the county upon the properly authenticated vouchers of the Board of Directors. The Board of Directors may purchase or lease ground within the limits of such county, and occupy, lease or erect an appropriate building or buildings for the use of the airport, auxiliary institutions and activities connected therewith: Provided, however, that no such building, landing strips or other facilities shall be constructed or erected until detailed plans therefor shall have been submitted to and approved by the Department of Transportation of this State. The Board of Directors may appoint suitable managers, assistants and employees and fix their compensation by resolution duly adopted, and may also remove such appointees, and shall carry out the spirit and intent of this Act in establishing and maintaining an airport and landing field.

The Board of Directors shall, in addition to the powers set forth in this Act, specifically have the powers designated as follows:

1. To locate, establish and maintain an airport and airport facilities within the area of its jurisdiction, and to develop, expand, extend and improve any such airport or airport facility.

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2. To acquire land, rights in and over land and easements upon, over or across land, and leasehold interests in land, and tangible and intangible personal property, used or useful for the location, establishment, maintenance, development, expansion, extension or improvement of any such airport or airport facility. Such acquisition may be by dedication, purchase, gift, agreement, lease, or by user or adverse possession or condemnation. In the determination of the compensation to be paid in any condemnation proceeding under this subsection involving property or facilities used in agriculture, commerce, industry or trade there shall be included not only the value of the property and facilities affected and the cost of any changes in or relocation of such property and facilities but also compensation for any loss occasioned in the operation thereof.

3. To operate, manage, lease, sublease, and to make and enter into contracts for the use, operation or management of, and to provide rules and regulations for the operation, management or use of any such airport or airport facility.

4. To fix, charge and collect rentals, tolls, fees and charges for the use of any such airport, or any part thereof, or any such airport facility, and to grant privileges within any airport or structure therein or any part thereof, and to charge and collect compensation for such privileges and to lease any building or structure or any part thereof to private or public concerns or corporations in connection with the use and operation of such airport and to enter into contracts or agreements permitting private or public concerns to erect and build structures for airport purposes and purposes auxiliary thereto and connected therewith, on such terms and conditions as the directors deem expedient and in the public interest; provided, that no such structure may be erected by any public or private concern or corporation pursuant to such agreement until the plans and specifications therefor shall have been submitted to and approved by the Department of Transportation of this State.

5. To establish, maintain, extend and improve roadways and approaches by land, water or air to any such airport.

6. To contract or otherwise to provide by condemnation if necessary for the removal or relocation of all private structures, railways, mains, pipes, conduits, wires, poles and all other facilities and equipment which may interfere with the location, expansion, development, or improvement of airports or with the safe approach thereto or takeoff therefrom by aircraft, and to assume any obligation and pay any expense incidental to such removal or relocation.

7. Within territory two miles from any airport or landing field, as
measured at a right angle from any side, or in a radial line from the corner of any established boundary line thereof, to enter into contracts for a term of years or permanently with the owners of such land to restrict the height of any structure upon the relationship of one foot of height to each twenty feet of distance from the boundary line, upon such terms and conditions and for the such consideration as the Board of Directors deems equitable; and to adopt, administer and enforce airport zoning regulations for and within the county and within any territory which extends not more than 2 miles beyond the boundaries of any Airport under the control of the Board of Directors.

8. To borrow money and to issue bonds, notes, certificates or other evidences of indebtedness for the purpose of accomplishing any of the corporate purposes, subject, however, to compliance with the conditions or limitations of this Act or otherwise provided by the constitution or laws of the State of Illinois.

9. To employ or enter into contracts for the employment of any person, firm or corporation, and for professional services, necessary or desirable for the accomplishment of the objects of the Board of Directors or the proper administration, management, protection or control of its property.

10. To police its property and to exercise police powers in respect thereto or in respect to the enforcement of any rule or regulation provided by the resolutions of the Board of Directors and to employ and commission police officers and other qualified persons to enforce the same.

Nothing in this section or in other provisions of this Act shall be construed to authorize the Board of Directors to establish or enforce any regulation or rule in respect to aviation or the operation or maintenance of any airport or any airport facility within its jurisdiction which is in conflict with any federal or state law or regulation applicable to the same subject matter.

This section is subject to the "Illinois Aeronautics Act", as now or hereafter amended or supplemented, or any rule, ruling, regulation, order or decision of the Department of Transportation of this State.

The Federal Government or any department or agency thereof, the State of Illinois or any department or agency thereof, or any political subdivision of the State of Illinois and any public or private aircraft shall be permitted to use any airport facility subject to the regulation and control of, and upon such terms and conditions as shall be established by the Board of Directors.

(Source: P.A. 81-840; revised 11-19-13.)

Section 670. The Public-Private Agreements for the South Suburban
Airport Act is amended by changing Section 2-35 as follows:

(620 ILCS 75/2-35)

Sec. 2-35. Provisions of the public-private agreement.

(a) The public-private agreement shall include all of the following:

(1) the term of the public-private agreement that is consistent with Section 2-20 of this Act;

(2) the powers, duties, responsibilities, obligations, and functions of the Department and the contractor;

(3) compensation or payments to the Department;

(4) compensation or payments to the contractor;

(5) a provision specifying that the Department has:

(A) ready access to information regarding the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement;

(B) the right to demand and receive information from the contractor concerning any aspect of the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement; and

(C) the authority to direct or countermand decisions by the contractor at any time;

(6) a provision imposing an affirmative duty on the contractor to provide the Department with any information the Department reasonably would want to know or would need to know to enable the Department to exercise its powers, carry out its duties, responsibilities, and obligations, and perform its functions under this Act or the public-private agreement or as otherwise required by law;

(7) a provision requiring the contractor to provide the Department with advance written notice of any decision that bears significantly on the public interest so the Department has a reasonable opportunity to evaluate and countermand that decision under this Section;

(8) a requirement that the Department monitor and oversee the contractor's practices and take action that the Department considers appropriate to ensure that the contractor is in compliance with the terms of the public-private agreement;

(9) the authority of the Department to enter into contracts with third parties pursuant to Section 2-65 of this Act;

(10) a provision governing the contractor's authority to negotiate and execute subcontracts with third parties;

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(11) the authority of the contractor to impose user fees and the amounts of those fees;

(12) a provision governing the deposit and allocation of revenues including user fees;

(13) a provision governing rights to real and personal property of the State, the Department, the contractor, and other third parties;

(14) a provision stating that the contractor shall, pursuant to Section 2-85 of this Act, pay the costs of an independent audit if the construction costs under the contract exceed $50,000,000;

(15) a provision regarding the implementation and delivery of a comprehensive system of internal audits;

(16) a provision regarding the implementation and delivery of reports, which shall include a requirement that the contractor file with the Department, at least on an annual basis, financial statements containing information required by generally accepted accounting principles (GAAP);

(17) procedural requirements for obtaining the prior approval of the Department when rights that are the subject of the agreement, including, but not limited to development rights, construction rights, property rights, and rights to certain revenues, are sold, assigned, transferred, or pledged as collateral to secure financing or for any other reason;

(18) grounds for termination of the agreement by the Department or the contractor and a restatement of the Department's rights under Section 2-45 of this Act;

(19) a requirement that the contractor enter into a project labor agreement under Section 2-120 of this Act;

(20) a provision stating that construction contractors shall comply with Section 2-120 of this Act;

(21) timelines, deadlines, and scheduling;

(22) review of plans, including development, financing, construction, management, operations, or maintenance plans, by the Department;

(23) a provision regarding inspections by the Department, including inspections of construction work and improvements;

(24) rights and remedies of the Department in the event that the contractor defaults or otherwise fails to comply with the terms of the public-private agreement;

(25) a code of ethics for the contractor's officers and

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employees; and
(26) procedures for amendment to the agreement.

(b) The public-private agreement may include any or all of the following:

(1) a provision regarding the extension of the agreement that is consistent with Section 2-20 of this Act;
(2) provisions leasing to the contractor all or any portion of the South Suburban Airport, provided that the lease may not extend beyond the term of the public-private agreement;
(3) cash reserves requirements;
(4) delivery of performance and payment bonds or other performance security in a form and amount that is satisfactory to the Department;
(5) maintenance of public liability insurance;
(6) maintenance of self-insurance;
(7) provisions governing grants and loans, pursuant to which the Department may agree to make grants or loans for the development, financing, construction, management, or operation of the South Suburban Airport project from time to time from amounts received from the federal government or any agency or instrumentality of the federal government or from any State or local agency;
(8) reimbursements to the Department for work performed and goods, services, and equipment provided by the Department;
(9) provisions allowing the Department to submit any contractual disputes with the contractor relating to the public-private agreement to non-binding alternative dispute resolution proceedings; and
(10) any other terms, conditions, and provisions acceptable to the Department that the Department deems necessary and proper and in the public interest.

(Source: P.A. 98-109, eff. 7-25-13; revised 11-19-13.)

Section 675. The Illinois Vehicle Code is amended by changing Sections 1-105, 2-119, 3-918, 5-301, 6-103, 6-106, 6-108, 6-118, 6-201, 6-206, 6-303, 6-508, 6-514, 11-208, 11-208.7, 11-501, 11-709.2, 12-215, 12-610.2, and 15-111 and by setting forth, renumbering, and changing multiple versions of Section 3-699 as follows:

(625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)
Sec. 1-105. Authorized emergency vehicle. Emergency vehicles of
municipal departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the fire department; vehicles of a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code; ambulances; vehicles of the Illinois Department of Corrections; vehicles of the Illinois Department of Juvenile Justice; vehicles of the Illinois Emergency Management Agency; vehicles of the Office of the Illinois State Fire Marshal; mine rescue and explosives emergency response vehicles of the Department of Natural Resources; vehicles of the Illinois Department of Public Health; vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; and vehicles of a municipal or county emergency services and disaster agency, as defined by the Illinois Emergency Management Agency Act.

(Source: P.A. 97-149, eff. 7-14-11; 97-333, eff. 7-12-11; 98-123, eff. 1-1-14; 98-468, eff. 8-16-13; revised 9-19-13.)

Sec. 2-119. Disposition of fees and taxes.

(a) All moneys received from Salvage Certificates shall be deposited in the Common School Fund in the State Treasury.

(b) Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $0.50 shall be deposited into the Used Tire Management Fund. Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $1.50 shall be deposited in the Park and Conservation Fund. Beginning January 1, 1995, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $3.25 shall be deposited in the Park and Conservation Fund. The moneys deposited in the Park and Conservation Fund pursuant to this Section shall be used for the acquisition and development of bike paths as provided for in Section 805-420 of the Department of Natural Resources (Conservation) Law (20 ILCS 805/805-420). The monies deposited into the Park and Conservation Fund under this subsection shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

Beginning January 1, 2000, of the moneys collected for each certificate of title, duplicate certificate of title, and corrected certificate of title, $48 shall be deposited into the Road Fund and $4 shall be deposited into
the Motor Vehicle License Plate Fund, except that if the balance in the Motor Vehicle License Plate Fund exceeds $40,000,000 on the last day of a calendar month, then during the next calendar month the $4 shall instead be deposited into the Road Fund.

Beginning January 1, 2005, of the moneys collected for each delinquent vehicle registration renewal fee, $20 shall be deposited into the General Revenue Fund.

Except as otherwise provided in this Code, all remaining moneys collected for certificates of title, and all moneys collected for filing of security interests, shall be placed in the General Revenue Fund in the State Treasury.

(c) All moneys collected for that portion of a driver's license fee designated for driver education under Section 6-118 shall be placed in the Driver Education Fund in the State Treasury.

(d) Beginning January 1, 1999, of the monies collected as a registration fee for each motorcycle, motor driven cycle and moped, 27% of each annual registration fee for such vehicle and 27% of each semiannual registration fee for such vehicle is deposited in the Cycle Rider Safety Training Fund.

(e) Of the monies received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 of this Code, 37% shall be deposited into the State Construction Account Fund.

(f) Of the total money collected for a CDL instruction permit or original or renewal issuance of a commercial driver's license (CDL) pursuant to the Uniform Commercial Driver's License Act (UCDLA): (i) $6 of the total fee for an original or renewal CDL, and $6 of the total CDL instruction permit fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund) and shall be used for the purposes provided in Section 6z-23 of the State Finance Act and (ii) $20 of the total fee for an original or renewal CDL or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund, which is hereby created as a special fund in the State Treasury, to be used by the Department of State Police, subject to appropriation, to hire additional officers to conduct motor carrier safety inspections pursuant to Chapter 18b of this Code.
(g) All remaining moneys received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7)(A) of subsection (b) of Section 5-101 and Section 5-109 of this Code, shall be deposited in the Road Fund in the State Treasury. Moneys in the Road Fund shall be used for the purposes provided in Section 8.3 of the State Finance Act.

(h) (Blank).

(i) (Blank).

(j) (Blank).

(k) There is created in the State Treasury a special fund to be known as the Secretary of State Special License Plate Fund. Money deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State (i) to help defray plate manufacturing and plate processing costs for the issuance and, when applicable, renewal of any new or existing registration plates authorized under this Code and (ii) for grants made by the Secretary of State to benefit Illinois Veterans Home libraries.

On or before October 1, 1995, the Secretary of State shall direct the State Comptroller and State Treasurer to transfer any unexpended balance in the Special Environmental License Plate Fund, the Special Korean War Veteran License Plate Fund, and the Retired Congressional License Plate Fund to the Secretary of State Special License Plate Fund.

(l) The Motor Vehicle Review Board Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 shall, subject to appropriation, be used by the Office of the Secretary of State to administer the Motor Vehicle Review Board, including without limitation payment of compensation and all necessary expenses incurred in administering the Motor Vehicle Review Board under the Motor Vehicle Franchise Act.

(m) Effective July 1, 1996, there is created in the State Treasury a special fund to be known as the Family Responsibility Fund. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State for the purpose of enforcing the Family Financial Responsibility Law.

(n) The Illinois Fire Fighters' Memorial Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the State Fire Marshal for construction of the Illinois Fire Fighters' Memorial to be located at the State Capitol grounds in Springfield, Illinois. Upon the completion of the Memorial,
moneys in the Fund shall be used in accordance with Section 3-634.

(o) Of the money collected for each certificate of title for all-terrain vehicles and off-highway motorcycles, $17 shall be deposited into the Off-Highway Vehicle Trails Fund.

(p) For audits conducted on or after July 1, 2003 pursuant to Section 2-124(d) of this Code, 50% of the money collected as audit fees shall be deposited into the General Revenue Fund.

(Source: P.A. 97-1136, eff. 1-1-13; 98-177, eff. 1-1-14; revised 9-19-13.)

(Text of Section after amendment by P.A. 98-176)
Sec. 2-119. Disposition of fees and taxes.

(a) All moneys received from Salvage Certificates shall be deposited in the Common School Fund in the State Treasury.

(b) Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $0.50 shall be deposited into the Used Tire Management Fund. Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $1.50 shall be deposited in the Park and Conservation Fund.

Beginning January 1, 1995, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, $3.25 shall be deposited in the Park and Conservation Fund. The moneys deposited in the Park and Conservation Fund pursuant to this Section shall be used for the acquisition and development of bike paths as provided for in Section 805-420 of the Department of Natural Resources (Conservation) Law (20 ILCS 805/805-420). The monies deposited into the Park and Conservation Fund under this subsection shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

Beginning January 1, 2000, of the moneys collected for each certificate of title, duplicate certificate of title, and corrected certificate of title, $48 shall be deposited into the Road Fund and $4 shall be deposited into the Motor Vehicle License Plate Fund, except that if the balance in the Motor Vehicle License Plate Fund exceeds $40,000,000 on the last day of a calendar month, then during the next calendar month the $4 shall instead be deposited into the Road Fund.

Beginning January 1, 2005, of the moneys collected for each delinquent vehicle registration renewal fee, $20 shall be deposited into the General Revenue Fund.

Except as otherwise provided in this Code, all remaining moneys

New matter indicated by italics - deletions by strikeout
collected for certificates of title, and all moneys collected for filing of security interests, shall be placed in the General Revenue Fund in the State Treasury.

(c) All moneys collected for that portion of a driver's license fee designated for driver education under Section 6-118 shall be placed in the Driver Education Fund in the State Treasury.

(d) Beginning January 1, 1999, of the moneys collected as a registration fee for each motorcycle, motor driven cycle and moped, 27% of each annual registration fee for such vehicle and 27% of each semiannual registration fee for such vehicle is deposited in the Cycle Rider Safety Training Fund.

(e) Of the moneys received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 of this Code, 37% shall be deposited into the State Construction Account Fund.

(f) Of the total money collected for a commercial learner's permit (CLP) or original or renewal issuance of a commercial driver's license (CDL) pursuant to the Uniform Commercial Driver's License Act (UCDLA): (i) $6 of the total fee for an original or renewal CDL, and $6 of the total CLP fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVA/Net/NMVTIS Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund) and shall be used for the purposes provided in Section 6z-23 of the State Finance Act and (ii) $20 of the total fee for an original or renewal CDL or CLP shall be paid into the Motor Carrier Safety Inspection Fund, which is hereby created as a special fund in the State Treasury, to be used by the Department of State Police, subject to appropriation, to hire additional officers to conduct motor carrier safety inspections pursuant to Chapter 18b of this Code.

(g) All remaining moneys received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7)(A) of subsection (b) of Section 5-101 and Section 5-109 of this Code, shall be deposited in the Road Fund in the State Treasury. Moneys in the Road Fund shall be used for the purposes provided in Section 8.3 of the State Finance Act.

(h) (Blank).

(i) (Blank).

New matter indicated by italics - deletions by strikeout.
(j) (Blank).

(k) There is created in the State Treasury a special fund to be known as the Secretary of State Special License Plate Fund. Money deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State (i) to help defray plate manufacturing and plate processing costs for the issuance and, when applicable, renewal of any new or existing registration plates authorized under this Code and (ii) for grants made by the Secretary of State to benefit Illinois Veterans Home libraries.

On or before October 1, 1995, the Secretary of State shall direct the State Comptroller and State Treasurer to transfer any unexpended balance in the Special Environmental License Plate Fund, the Special Korean War Veteran License Plate Fund, and the Retired Congressional License Plate Fund to the Secretary of State Special License Plate Fund.

(l) The Motor Vehicle Review Board Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 shall, subject to appropriation, be used by the Office of the Secretary of State to administer the Motor Vehicle Review Board, including without limitation payment of compensation and all necessary expenses incurred in administering the Motor Vehicle Review Board under the Motor Vehicle Franchise Act.

(m) Effective July 1, 1996, there is created in the State Treasury a special fund to be known as the Family Responsibility Fund. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State for the purpose of enforcing the Family Financial Responsibility Law.

(n) The Illinois Fire Fighters' Memorial Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the State Fire Marshal for construction of the Illinois Fire Fighters' Memorial to be located at the State Capitol grounds in Springfield, Illinois. Upon the completion of the Memorial, moneys in the Fund shall be used in accordance with Section 3-634.

(o) Of the money collected for each certificate of title for all-terrain vehicles and off-highway motorcycles, $17 shall be deposited into the Off-Highway Vehicle Trails Fund.

(p) For audits conducted on or after July 1, 2003 pursuant to Section 2-124(d) of this Code, 50% of the money collected as audit fees shall be deposited into the General Revenue Fund.

(Source: P.A. 97-1136, eff. 1-1-13; 98-176, eff. 7-1-14; 98-177, eff. 1-1-14; revised 9-19-13.)

New matter indicated by italics - deletions by strikeout
Sec. 3-699. National Wild Turkey Federation license plates.

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as National Wild Turkey Federation license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the National Wild Turkey Federation Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the National Wild Turkey Federation Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The National Wild Turkey Federation Fund is created as a special fund in the State treasury. All moneys in the National Wild Turkey Federation Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to National Wild Turkey Federation, Inc., a tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, to fund turkey habitat protection, enhancement, and restoration projects in the State of Illinois, to fund education and outreach for media, volunteers, members, and the general public regarding turkeys and turkey habitat conservation in the State of Illinois, and to cover the reasonable cost for National Wild Turkey Federation special plate advertising and administration of the conservation projects and education program.

(Source: P.A. 98-66, eff. 1-1-14.)

Sec. 3-699.2. Diabetes Awareness license plates.

(a) The Secretary, upon receipt of an application made in the form
prescribed by the Secretary, may issue special registration plates designated as Diabetes Awareness license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary of State. The Secretary, in his or her discretion, may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the Diabetes Research Checkoff Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the Diabetes Research Checkoff Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(Source: P.A. 98-96, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.3)

Sec. 3-699.3  Illinois Nurses license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Nurses license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $35 fee for original issuance in addition to the appropriate registration fee. Of this fee, $20 shall be deposited into the Illinois Nurses Foundation Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray administrative processing costs.

New matter indicated by italics - deletions by strikeout
For each registration renewal period, a $22 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $20 shall be deposited into the Illinois Nurses Foundation Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Nurses Foundation Fund is created as a special fund in the State treasury. All money in the Illinois Nurses Foundation Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Nurses Foundation, to promote the health of the public by advancing the nursing profession in this State. (Source: P.A. 98-150, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.4)

Sec. 3-699.4 3-699. American Red Cross license plates.

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as American Red Cross license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be within the discretion of the Secretary, but shall include the American Red Cross official logo. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the American Red Cross Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the American Red Cross Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The American Red Cross Fund is created as a special fund in the State treasury. All moneys in the American Red Cross Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the American Red Cross or to charitable entities

New matter indicated by italics - deletions by strikeout
designated by the American Red Cross.
(Source: P.A. 98-151, eff. 1-1-14; revised 10-16-13.)

Sec. 3-699.5 Illinois Police Benevolent and Protective Association license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Police Benevolent and Protective Association license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

(c) An applicant for the special plate shall be charged a $25 fee for original issuance in addition to the appropriate registration fee. Of this fee, $10 shall be deposited into the Illinois Police Benevolent and Protective Association Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois Police Benevolent and Protective Association Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Police Benevolent and Protective Association Fund is created as a special fund in the State treasury. All money in the Illinois Police Benevolent and Protective Association Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Police Benevolent and Protective Association for the purposes of providing death benefits for the families of police officers killed in the line of duty, providing scholarships for undergraduate study to children and spouses of police officers killed in the line of duty, and educating the
public and police officers regarding policing and public safety.
(Source: P.A. 98-233, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.6)

Sec. 3-699.6. Alzheimer's Awareness license plates.

(a) The Secretary, upon receipt of an application made in the form
prescribed by the Secretary, may issue special registration plates designated
as Alzheimer's Awareness license plates. The special plates issued under this
Section shall be affixed only to passenger vehicles of the first division and
motor vehicles of the second division weighing not more than 8,000 pounds.
Plates issued under this Section shall expire according to the multi-year
procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion
of the Secretary. The Secretary may allow the plates to be issued as vanity
plates or personalized under Section 3-405.1 of this Code. The Secretary shall
prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $25 fee for
original issuance in addition to the appropriate registration fee. Of this fee,
$10 shall be deposited into the Alzheimer's Awareness Fund and $15 shall be
deposited into the Secretary of State Special License Plate Fund, to be used
by the Secretary to help defray administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the
appropriate registration fee, shall be charged. Of this fee, $23 shall be
deposited into the Alzheimer's Awareness Fund and $2 shall be deposited
into the Secretary of State Special License Plate Fund.

(d) The Alzheimer's Awareness Fund is created as a special fund in
the State treasury. All money in the Alzheimer's Awareness Fund shall be
paid, subject to appropriation by the General Assembly and distribution by
the Secretary, as grants to the Alzheimer's Disease and Related Disorders
Association, Greater Illinois Chapter, for Alzheimer's care, support,
education, and awareness programs.
(Source: P.A. 98-259, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.7)

Sec. 3-699.7. Prince Hall Freemasonry plates.

(a) The Secretary, upon receipt of all applicable fees and applications
made in the form prescribed by the Secretary, may issue special registration
plates designated as Prince Hall Freemasonry license plates.

The special plates issued under this Section shall be affixed only to
passenger vehicles of the first division or motor vehicles of the second
division weighing not more than 8,000 pounds.

New matter indicated by italics - deletions by strikeout
Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application.

(c) An applicant for the special plate shall be charged a $25 fee for original issuance in addition to the appropriate registration fee. Of this fee, $10 shall be deposited into the Master Mason Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Master Mason Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(Source: P.A. 98-300, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.8)

Sec. 3-699.8 Illinois Police K-9 Memorial Plates.

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Police K-9 Memorial license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant shall be charged a $40 fee for original issuance in addition to the applicable registration fee. Of this additional fee, $15 shall be deposited into the Secretary of State Special License Plate Fund and $25 shall be deposited into the Illinois Police K-9 Memorial Fund. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this additional fee, $2 shall be deposited into the Secretary of State Special License Plate Fund and $25 shall be deposited into the Illinois Police K-9 Memorial Fund.

(d) The Illinois Police K-9 Memorial Fund is created as a special fund

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in the State treasury. All moneys in the Illinois Police K-9 Memorial Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Northern Illinois Police K-9 Memorial for the creation, operation, and maintenance of a police K-9 memorial monument.

(Source: P.A. 98-360, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.9)

Sec. 3-699.9 3-699. Public Safety Diver license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated to be Public Safety Diver license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motor vehicles of the second division weighing not more than 8,000 pounds, and recreational vehicles as defined by Section 1-169 of this Code. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, shall accompany the application. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

(c) An applicant shall be charged a $45 fee for original issuance in addition to the appropriate registration fee, if applicable. Of this fee, $30 shall be deposited into the Public Safety Diver Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the Public Safety Diver Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Public Safety Diver Fund is created as a special fund in the State treasury. All moneys in the Public Safety Diver Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, to the Illinois Law Enforcement Training Standards Board for the purposes of providing grants based on need for training, standards, and equipment to public safety disciplines within the State and to units of local government involved in public safety diving and water rescue services.

(e) The Public Safety Diver Advisory Committee shall recommend grant rewards with the intent of achieving reasonably equitable distribution of funds between police, firefighting, and public safety diving services.

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making application for grants under this Section.

(f) The administrative costs related to management of grants made from the Public Safety Diver Fund shall be paid from the Public Safety Diver Fund to the Illinois Law Enforcement Training Standards Board.

(Source: P.A. 98-376, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.10)

Sec. 3-699.10. The H Foundation - Committed to a Cure for Cancer plates.

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as The H Foundation - Committed to a Cure for Cancer license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application.

(c) An applicant for the special plate shall be charged a $40 fee for original issuance in addition to the appropriate registration fee. Of this fee, $25 shall be deposited into the Committed to a Cure Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a $27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $25 shall be deposited into the Committed to a Cure Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Committed to a Cure Fund is created as a special fund in the State treasury. All money in the Committed to a Cure Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Robert H. Lurie Comprehensive Cancer Center of Northwestern University for the purpose of funding scientific research on cancer.

(Source: P.A. 98-382, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.11)

Sec. 3-699.11. Retired Law Enforcement license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated

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as Retired Law Enforcement license plates to residents of Illinois who meet eligibility requirements prescribed by the Secretary of State. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $25 fee for original issuance in addition to the appropriate registration fee. Of this fee, $10 shall be deposited into the Illinois Sheriffs' Association Scholarship and Training Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois Sheriffs' Association Scholarship and Training Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Sheriffs' Association Scholarship and Training Fund is created as a special fund in the State treasury. All money in the Illinois Sheriffs' Association Scholarship and Training Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Sheriffs' Association, for scholarships obtained in a competitive process to attend the Illinois Teen Institute or an accredited college or university, for programs designed to benefit the elderly and teens, and for law enforcement training.

(Source: P.A. 98-395, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.12)

Sec. 3-699.12 3-699. Legion of Merit plates. The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated as Legion of Merit license plates to recipients awarded the Legion of Merit by a branch of the armed forces of the United States who reside in Illinois. The special plates issued pursuant to this Section should be affixed only to passenger vehicles of the 1st division, including motorcycles, or motor vehicles of the 2nd division and motor vehicles of the 2nd division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a $25 fee for original issuance in addition to the appropriate registration fee. Of this fee, $10 shall be deposited into the Illinois Sheriffs' Association Scholarship and Training Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois Sheriffs' Association Scholarship and Training Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Sheriffs' Association Scholarship and Training Fund is created as a special fund in the State treasury. All money in the Illinois Sheriffs' Association Scholarship and Training Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Sheriffs' Association, for scholarships obtained in a competitive process to attend the Illinois Teen Institute or an accredited college or university, for programs designed to benefit the elderly and teens, and for law enforcement training.

(Source: P.A. 98-395, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.12)
division weighing not more than 8,000 pounds. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The Secretary of State must make a version of the special registration plates authorized under this Section in a form appropriate for motorcycles.

The design and color of such plates shall be wholly within the discretion of the Secretary of State. No registration fee, including the fees established under Section 3-806 of this Code, shall be charged for the issuance or renewal of any plates issued under this Section.

(Source: P.A. 98-406, eff. 1-1-14; revised 10-16-13.)

(625 ILCS 5/3-699.13)
Sec. 3-699.13 3-699. Illinois State Police Memorial Park license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated as Illinois State Police Memorial Park license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be wholly within the discretion of the Secretary of State. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant shall be charged a $25 fee for original issuance in addition to the appropriate registration fee, if applicable. Of this fee, $10 shall be deposited into the Illinois State Police Memorial Park Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund. For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois State Police Memorial Park Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois State Police Memorial Park Fund is created as a special fund in the State treasury. All moneys in the Illinois State Police Memorial Park Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois State Police Heritage Foundation, Inc. for building and maintaining a memorial and park, holding an annual memorial commemoration, giving scholarships to

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children of State police officers killed or catastrophically injured in the line of duty, and providing financial assistance to police officers and their families when a police officer is killed or injured in the line of duty.
(Source: P.A. 98-469, eff. 8-16-13; revised 10-16-13.)

(625 ILCS 5/3-918)
Sec. 3-918. Vehicle registration and insurance. Beginning with the 2016 registration year, any remittance agent engaged in the business of remitting applications for the issuance or renewal of vehicle registration shall ask applicants for information relating to the insurance policy for the motor vehicle, including the name of the insurer that issued the policy, the policy number, and the expiration date of the policy. This information shall be remitted to the Secretary of State as part of the application. Failure to obtain this information and supply it to the Secretary of State shall subject the remittance agent to suspension or revocation of their license as described in Section 3-907 of this Code.
(Source: P.A. 98-539, eff. 1-1-14; revised 11-19-13.)

(625 ILCS 5/5-301) (from Ch. 95 1/2, par. 5-301)
Sec. 5-301. Automotive parts recyclers, scrap processors, repairers and rebuilders must be licensed.

(a) No person in this State shall, except as an incident to the servicing of vehicles, carry on or conduct the business of an automotive parts recycler, a scrap processor, a repairer, or a rebuilder, unless licensed to do so in writing by the Secretary of State under this Section. No person shall rebuild a salvage vehicle unless such person is licensed as a rebuilder by the Secretary of State under this Section. No person shall engage in the business of acquiring 5 or more previously owned vehicles in one calendar year for the primary purpose of disposing of those vehicles in the manner described in the definition of a "scrap processor" in this Code unless the person is licensed as an automotive parts recycler by the Secretary of State under this Section. Each license shall be applied for and issued separately, except that a license issued to a new vehicle dealer under Section 5-101 of this Code shall also be deemed to be a repairer license.

(b) Any application filed with the Secretary of State, shall be duly verified by oath, in such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization of the applicant and his principal or additional places of business, if any, in this State.
2. The kind or kinds of business enumerated in subsection (a) of this Section to be conducted at each location.

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3. If the applicant is a corporation, a list of its officers, directors, and shareholders having a ten percent or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the names and residence address of the proprietor or of each partner, member, officer, director, trustee or manager.

4. A statement that the applicant's officers, directors, shareholders having a ten percent or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principals in the business have not committed in the past three years any one violation as determined in any civil or criminal or administrative proceedings of any one of the following Acts:

   (b) The "Certificate of Title Laws" of the Illinois Vehicle Code;
   (c) The "Offenses against Registration and Certificates of Title Laws" of the Illinois Vehicle Code;
   (d) The "Dealers, Transporters, Wreckers and Rebuilders Laws" of the Illinois Vehicle Code;
   (e) Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles; or

5. A statement that the applicant's officers, directors, shareholders having a ten percent or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other principals in the business have not committed in any calendar year 3 or more violations, as determined in any civil or criminal or administrative proceedings, of any one or more of the following Acts:

   (a) The Consumer Finance Act;
   (b) The Consumer Installment Loan Act;
   (c) The Retail Installment Sales Act;
   (d) The Motor Vehicle Retail Installment Sales Act;
   (e) The Interest Act;
   (f) The Illinois Wage Assignment Act;
   (g) Part 8 of Article XII of the Code of Civil

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Procedure; or

(h) The Consumer Fraud Act.

6. An application for a license shall be accompanied by the following fees: $50 for applicant's established place of business; $25 for each additional place of business, if any, to which the application pertains; provided, however, that if such an application is made after June 15 of any year, the license fee shall be $25 for applicant's established place of business plus $12.50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that such application shall be denied by the Secretary of State.

7. A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

8. A statement that the applicant shall comply with subsection (e) of this Section.

(c) Any change which renders no longer accurate any information contained in any application for a license filed with the Secretary of State shall be amended within 30 days after the occurrence of such change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of $2.

(d) Anything in this chapter to the contrary, notwithstanding, no person shall be licensed under this Section unless such person shall maintain an established place of business as defined in this Chapter.

(e) The Secretary of State shall within a reasonable time after receipt thereof, examine an application submitted to him under this Section and unless he makes a determination that the application submitted to him does not conform with the requirements of this Section or that grounds exist for a denial of the application, as prescribed in Section 5-501 of this Chapter, grant the applicant an original license as applied for in writing for his established place of business and a supplemental license in writing for each additional place of business in such form as he may prescribe by rule or regulation which shall include the following:

1. The name of the person licensed;

2. If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;

3. A designation of the kind or kinds of business enumerated
in subsection (a) of this Section to be conducted at each location;

4. In the case of an original license, the established place of business of the licensee;

5. In the case of a supplemental license, the established place of business of the licensee and the additional place of business to which such supplemental license pertains.

(f) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State shall be kept, posted, conspicuously in the established place of business of the licensee and in each additional place of business, if any, maintained by such licensee. The licensee also shall post conspicuously in the established place of business and in each additional place of business a notice which states that such business is required to be licensed by the Secretary of State under Section 5-301, and which provides the license number of the business and the license expiration date. This notice also shall advise the consumer that any complaints as to the quality of service may be brought to the attention of the Attorney General. The information required on this notice also shall be printed conspicuously on all estimates and receipts for work by the licensee subject to this Section. The Secretary of State shall prescribe the specific format of this notice.

(g) Except as provided in subsection (h) hereof, licenses granted under this Section shall expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked or cancelled under the provisions of Section 5-501 of this Chapter.

(h) Any license granted under this Section may be renewed upon application and payment of the fee required herein as in the case of an original license, provided, however, that in case an application for the renewal of an effective license is made during the month of December, such effective license shall remain in force until such application is granted or denied by the Secretary of State.

(i) All automotive repairers and rebuilders shall, in addition to the requirements of subsections (a) through (h) of this Section, meet the following licensing requirements:

1. Provide proof that the property on which first time applicants plan to do business is in compliance with local zoning laws and regulations, and a listing of zoning classification;

2. Provide proof that the applicant for a repairer's license complies with the proper workers' compensation rate code or classification, and listing the code of classification for that industry;

3. Provide proof that the applicant for a rebuilder's license

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complies with the proper workers' compensation rate code or classification for the repair industry or the auto parts recycling industry and listing the code of classification;

4. Provide proof that the applicant has obtained or applied for a hazardous waste generator number, and listing the actual number if available or certificate of exemption;

5. Provide proof that applicant has proper liability insurance, and listing the name of the insurer and the policy number; and

6. Provide proof that the applicant has obtained or applied for the proper State sales tax classification and federal identification tax number, and listing the actual numbers if available.

(i-1) All automotive repairers shall provide proof that they comply with all requirements of the Automotive Collision Repair Act.

(j) All automotive parts recyclers shall, in addition to the requirements of subsections (a) through (h) of this Section, meet the following licensing requirements:

1. Provide a statement that the applicant purchases 5 vehicles per year or has 5 hulks or chassis in stock;

2. Provide proof that the property on which all first time applicants will do business does comply to the proper local zoning laws in existence, and a listing of zoning classifications;

3. Provide proof that applicant complies with the proper workers' compensation rate code or classification, and listing the code of classification; and

4. Provide proof that applicant has obtained or applied for the proper State sales tax classification and federal identification tax number, and listing the actual numbers if available.

(Source: P.A. 97-832, eff. 7-20-12; 97-1150, eff. 1-25-13; revised 9-24-13.)

(625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

Sec. 6-103. What persons shall not be licensed as drivers or granted permits. The Secretary of State shall not issue, renew, or allow the retention of any driver's license nor issue any permit under this Code:

1. To any person, as a driver, who is under the age of 18 years except as provided in Section 6-107, and except that an instruction permit may be issued under Section 6-107.1 to a child who is not less than 15 years of age if the child is enrolled in an approved driver education course as defined in Section 1-103 of this Code and requires an instruction permit to participate therein, except that an
instruction permit may be issued under the provisions of Section 6-107.1 to a child who is 17 years and 3 months of age without the child having enrolled in an approved driver education course and except that an instruction permit may be issued to a child who is at least 15 years and 3 months of age, is enrolled in school, meets the educational requirements of the Driver Education Act, and has passed examinations the Secretary of State in his or her discretion may prescribe;

2. To any person who is under the age of 18 as an operator of a motorcycle other than a motor driven cycle unless the person has, in addition to meeting the provisions of Section 6-107 of this Code, successfully completed a motorcycle training course approved by the Illinois Department of Transportation and successfully completes the required Secretary of State's motorcycle driver's examination;

3. To any person, as a driver, whose driver's license or permit has been suspended, during the suspension, nor to any person whose driver's license or permit has been revoked, except as provided in Sections 6-205, 6-206, and 6-208;

4. To any person, as a driver, who is a user of alcohol or any other drug to a degree that renders the person incapable of safely driving a motor vehicle;

5. To any person, as a driver, who has previously been adjudged to be afflicted with or suffering from any mental or physical disability or disease and who has not at the time of application been restored to competency by the methods provided by law;

6. To any person, as a driver, who is required by the Secretary of State to submit an alcohol and drug evaluation or take an examination provided for in this Code unless the person has successfully passed the examination and submitted any required evaluation;

7. To any person who is required under the provisions of the laws of this State to deposit security or proof of financial responsibility and who has not deposited the security or proof;

8. To any person when the Secretary of State has good cause to believe that the person by reason of physical or mental disability would not be able to safely operate a motor vehicle upon the highways, unless the person shall furnish to the Secretary of State a verified written statement, acceptable to the Secretary of State, from a competent medical specialist, a licensed physician assistant who has

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been delegated the performance of medical examinations by his or her supervising physician, or a licensed advanced practice nurse who has a written collaborative agreement with a collaborating physician which authorizes him or her to perform medical examinations, to the effect that the operation of a motor vehicle by the person would not be inimical to the public safety;

9. To any person, as a driver, who is 69 years of age or older, unless the person has successfully complied with the provisions of Section 6-109;

10. To any person convicted, within 12 months of application for a license, of any of the sexual offenses enumerated in paragraph 2 of subsection (b) of Section 6-205;

11. To any person who is under the age of 21 years with a classification prohibited in paragraph (b) of Section 6-104 and to any person who is under the age of 18 years with a classification prohibited in paragraph (c) of Section 6-104;

12. To any person who has been either convicted of or adjudicated under the Juvenile Court Act of 1987 based upon a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act while that person was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. The Secretary of State shall not issue a new license or permit for a period of one year;

13. To any person who is under the age of 18 years and who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 or a similar out of state offense;

14. To any person who is 90 days or more delinquent in court ordered child support payments or has been adjudicated in arrears in an amount equal to 90 days' obligation or more and who has been

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found in contempt of court for failure to pay the support, subject to the requirements and procedures of Article VII of Chapter 7 of the Illinois Vehicle Code;

14.5. To any person certified by the Illinois Department of Healthcare and Family Services as being 90 days or more delinquent in payment of support under an order of support entered by a court or administrative body of this or any other State, subject to the requirements and procedures of Article VII of Chapter 7 of this Code regarding those certifications;

15. To any person released from a term of imprisonment for violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a law of another state relating to reckless homicide or for violating subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code relating to aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, if the violation was the proximate cause of a death, within 24 months of release from a term of imprisonment;

16. To any person who, with intent to influence any act related to the issuance of any driver's license or permit, by an employee of the Secretary of State's Office, or the owner or employee of any commercial driver training school licensed by the Secretary of State, or any other individual authorized by the laws of this State to give driving instructions or administer all or part of a driver's license examination, promises or tenders to that person any property or personal advantage which that person is not authorized by law to accept. Any persons promising or tendering such property or personal advantage shall be disqualified from holding any class of driver's license or permit for 120 consecutive days. The Secretary of State shall establish by rule the procedures for implementing this period of disqualification and the procedures by which persons so disqualified may obtain administrative review of the decision to disqualify;

17. To any person for whom the Secretary of State cannot verify the accuracy of any information or documentation submitted in application for a driver's license; or

18. To any person who has been adjudicated under the Juvenile Court Act of 1987 based upon an offense that is determined by the court to have been committed in furtherance of the criminal activities of an organized gang, as provided in Section 5-710 of that

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Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The person shall be denied a license or permit for the period determined by the court.

The Secretary of State shall retain all conviction information, if the information is required to be held confidential under the Juvenile Court Act of 1987.

(Source: P.A. 96-607, eff. 8-24-09; 96-740, eff. 1-1-10; 96-962, eff. 7-2-10; 96-1000, eff. 7-2-10; 97-185, eff. 7-22-11; 97-1150, eff. 1-25-13.)

(Text of Section after amendment by P.A. 98-167)

Sec. 6-103. What persons shall not be licensed as drivers or granted permits. The Secretary of State shall not issue, renew, or allow the retention of any driver's license nor issue any permit under this Code:

1. To any person, as a driver, who is under the age of 18 years except as provided in Section 6-107, and except that an instruction permit may be issued under Section 6-107.1 to a child who is not less than 15 years of age if the child is enrolled in an approved driver education course as defined in Section 1-103 of this Code and requires an instruction permit to participate therein, except that an instruction permit may be issued under the provisions of Section 6-107.1 to a child who is 17 years and 3 months of age without the child having enrolled in an approved driver education course and except that an instruction permit may be issued to a child who is at least 15 years and 3 months of age, is enrolled in school, meets the educational requirements of the Driver Education Act, and has passed examinations the Secretary of State in his or her discretion may prescribe;

1.5. To any person at least 18 years of age but less than 21 years of age unless the person has, in addition to any other requirements of this Code, successfully completed an adult driver education course as provided in Section 6-107.5 of this Code;

2. To any person who is under the age of 18 as an operator of a motorcycle other than a motor driven cycle unless the person has, in addition to meeting the provisions of Section 6-107 of this Code, successfully completed a motorcycle training course approved by the Illinois Department of Transportation and successfully completes the required Secretary of State's motorcycle driver's examination;

3. To any person, as a driver, whose driver's license or permit has been suspended, during the suspension, nor to any person whose driver's license or permit has been revoked, except as provided in
Sections 6-205, 6-206, and 6-208;

4. To any person, as a driver, who is a user of alcohol or any other drug to a degree that renders the person incapable of safely driving a motor vehicle;

5. To any person, as a driver, who has previously been adjudged to be afflicted with or suffering from any mental or physical disability or disease and who has not at the time of application been restored to competency by the methods provided by law;

6. To any person, as a driver, who is required by the Secretary of State to submit an alcohol and drug evaluation or take an examination provided for in this Code unless the person has successfully passed the examination and submitted any required evaluation;

7. To any person who is required under the provisions of the laws of this State to deposit security or proof of financial responsibility and who has not deposited the security or proof;

8. To any person when the Secretary of State has good cause to believe that the person by reason of physical or mental disability would not be able to safely operate a motor vehicle upon the highways, unless the person shall furnish to the Secretary of State a verified written statement, acceptable to the Secretary of State, from a competent medical specialist, a licensed physician assistant who has been delegated the performance of medical examinations by his or her supervising physician, or a licensed advanced practice nurse who has a written collaborative agreement with a collaborating physician which authorizes him or her to perform medical examinations, to the effect that the operation of a motor vehicle by the person would not be inimical to the public safety;

9. To any person, as a driver, who is 69 years of age or older, unless the person has successfully complied with the provisions of Section 6-109;

10. To any person convicted, within 12 months of application for a license, of any of the sexual offenses enumerated in paragraph 2 of subsection (b) of Section 6-205;

11. To any person who is under the age of 21 years with a classification prohibited in paragraph (b) of Section 6-104 and to any person who is under the age of 18 years with a classification prohibited in paragraph (c) of Section 6-104;

12. To any person who has been either convicted of or

New matter indicated by italics - deletions by strikeout
adjudicated under the Juvenile Court Act of 1987 based upon a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act while that person was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. The Secretary of State shall not issue a new license or permit for a period of one year;

13. To any person who is under the age of 18 years and who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 or a similar out of state offense;

14. To any person who is 90 days or more delinquent in court ordered child support payments or has been adjudicated in arrears in an amount equal to 90 days' obligation or more and who has been found in contempt of court for failure to pay the support, subject to the requirements and procedures of Article VII of Chapter 7 of the Illinois Vehicle Code;

14.5. To any person certified by the Illinois Department of Healthcare and Family Services as being 90 days or more delinquent in payment of support under an order of support entered by a court or administrative body of this or any other State, subject to the requirements and procedures of Article VII of Chapter 7 of this Code regarding those certifications;

15. To any person released from a term of imprisonment for violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a law of another state relating to reckless homicide or for violating subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code relating to aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, if the violation was the proximate cause of a death, within 24
months of release from a term of imprisonment;

16. To any person who, with intent to influence any act related to the issuance of any driver's license or permit, by an employee of the Secretary of State's Office, or the owner or employee of any commercial driver training school licensed by the Secretary of State, or any other individual authorized by the laws of this State to give driving instructions or administer all or part of a driver's license examination, promises or tenders to that person any property or personal advantage which that person is not authorized by law to accept. Any persons promising or tendering such property or personal advantage shall be disqualified from holding any class of driver's license or permit for 120 consecutive days. The Secretary of State shall establish by rule the procedures for implementing this period of disqualification and the procedures by which persons so disqualified may obtain administrative review of the decision to disqualify;

17. To any person for whom the Secretary of State cannot verify the accuracy of any information or documentation submitted in application for a driver's license; or

18. To any person who has been adjudicated under the Juvenile Court Act of 1987 based upon an offense that is determined by the court to have been committed in furtherance of the criminal activities of an organized gang, as provided in Section 5-710 of that Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The person shall be denied a license or permit for the period determined by the court.

The Secretary of State shall retain all conviction information, if the information is required to be held confidential under the Juvenile Court Act of 1987.

(Source: P.A. 97-185, eff. 7-22-11; 97-1150, eff. 1-25-13; 98-167, eff. 7-1-14; revised 9-18-13.)

(625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

Sec. 6-106. Application for license or instruction permit.

(a) Every application for any permit or license authorized to be issued under this Code Act shall be made upon a form furnished by the Secretary of State. Every application shall be accompanied by the proper fee and payment of such fee shall entitle the applicant to not more than 3 attempts to pass the examination within a period of one year after the date of application.

(b) Every application shall state the legal name, social security number, zip code, date of birth, sex, and residence address of the applicant;

New matter indicated by italics - deletions by strikeout
briefly describe the applicant; state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been cancelled, suspended, revoked or refused, and, if so, the date and reason for such cancellation, suspension, revocation or refusal; shall include an affirmation by the applicant that all information set forth is true and correct; and shall bear the applicant's signature. In addition to the residence address, the Secretary may allow the applicant to provide a mailing address. In the case of an applicant who is a judicial officer or peace officer, the Secretary may allow the applicant to provide an office or work address in lieu of a residence or mailing address. The application form may also require the statement of such additional relevant information as the Secretary of State shall deem necessary to determine the applicant's competency and eligibility. The Secretary of State may, in his discretion, by rule or regulation, provide that an application for a drivers license or permit may include a suitable photograph of the applicant in the form prescribed by the Secretary, and he may further provide that each drivers license shall include a photograph of the driver. The Secretary of State may utilize a photograph process or system most suitable to deter alteration or improper reproduction of a drivers license and to prevent substitution of another photo thereon. For the purposes of this subsection (b), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(c) The application form shall include a notice to the applicant of the registration obligations of sex offenders under the Sex Offender Registration Act. The notice shall be provided in a form and manner prescribed by the Secretary of State. For purposes of this subsection (c), "sex offender" has the meaning ascribed to it in Section 2 of the Sex Offender Registration Act.

(d) Any male United States citizen or immigrant who applies for any permit or license authorized to be issued under this Code or for a renewal of any permit or license, and who is at least 18 years of age but less than 26 years of age, must be registered in compliance with the requirements of the federal Military Selective Service Act. The Secretary of State must forward in an electronic format the necessary personal information regarding the applicants identified in this subsection (d) to the Selective Service System. The applicant's signature on the application serves as an indication that the applicant either has already registered with the Selective Service System or that he is authorizing the Secretary to forward to the Selective Service System.
the necessary information for registration. The Secretary must notify the applicant at the time of application that his signature constitutes consent to registration with the Selective Service System, if he is not already registered.

(e) Beginning on or before July 1, 2015, for each original or renewal driver's license application under this Chapter, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing a driver's license with a veteran designation under subsection (e-5) of Section 6-110 of this Chapter. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214. The Secretary shall determine by rule what other forms of proof of a person's status as a veteran are acceptable.

The Illinois Department of Veterans' Affairs shall confirm the status of the applicant as an honorably discharged veteran before the Secretary may issue the driver's license.

For purposes of this subsection (e):
"Active duty" means active duty under an executive order of the President of the United States, an Act of the Congress of the United States, or an order of the Governor.

"Armed forces" means any of the Armed Forces of the United States, including a member of any reserve component or National Guard unit called to active duty.

"Veteran" means a person who has served on active duty in the armed forces and was discharged or separated under honorable conditions.

(Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463, eff. 8-16-13; revised 11-19-13.)
(625 ILCS 5/6-108) (from Ch. 95 1/2, par. 6-108)
Sec. 6-108. Cancellation of license issued to minor.
(a) The Secretary of State shall cancel the license or permit of any minor under the age of 18 years in any of the following events:

1. Upon the verified written request of the person who consented to the application of the minor that the license or permit be cancelled;
2. Upon receipt of satisfactory evidence of the death of the person who consented to the application of the minor;
3. Upon receipt of satisfactory evidence that the person who consented to the application of a minor no longer has legal custody of the minor;
4. Upon receipt of information, submitted on a form prescribed by the Secretary of State under Section 26-3a of the School

New matter indicated by italics - deletions by strikeout
Code and provided voluntarily by nonpublic schools, that a license-holding minor no longer meets the school attendance requirements defined in Section 6-107 of this Code.

A minor who provides proof acceptable to the Secretary that the minor has resumed regular school attendance or home instruction or that his or her license or permit was cancelled in error shall have his or her license reinstated. The Secretary shall adopt rules for implementing this subdivision (a).4

5. Upon determination by the Secretary that at the time of license issuance, the minor held an instruction permit and had a traffic citation for which a disposition had not been rendered. After cancellation, the Secretary of State shall not issue a new license or permit until the applicant meets the provisions of Section 6-107 of this Code.

(b) The Secretary of State shall cancel the license or permit of any person under the age of 18 years if he or she is convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act while that person was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation or until the minor attains the age of 18 years, whichever is longer. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the person's residence and person's place of employment or within the scope of the person's employment related duties, or to allow transportation for the person or a household member of the person's family for the receipt of necessary medical care or, if the professional evaluation indicates, provide transportation for the petitioner for alcohol remedial or rehabilitative activity, or for the person to attend classes, as a student, in an accredited educational institution; if the person is able to

New matter indicated by italics - deletions by strikeout
demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue a restricted driving permit for a period as he deems appropriate, except that the permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. Thereafter, upon reapplication for a license as provided in Section 6-106 of this Code or a permit as provided in Section 6-105 of this Code and upon payment of the appropriate application fee, the Secretary of State shall issue the applicant a license as provided in Section 6-106 of this Code or shall issue the applicant a permit as provided in Section 6-105.

(Source: P.A. 98-168, eff. 1-1-14; revised 11-19-13.)

(625 ILCS 5/6-118)

Sec. 6-118. Fees.

(a) The fee for licenses and permits under this Article is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original driver's license</td>
<td>$30</td>
</tr>
<tr>
<td>Original or renewal driver's license</td>
<td></td>
</tr>
<tr>
<td>issued to 18, 19 and 20 year olds</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 69 through age 80</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 81 through age 86</td>
<td>2</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 87 or older</td>
<td>0</td>
</tr>
<tr>
<td>Renewal driver's license (except for applicants ages 18, 19 and 20 or age 69 and older)</td>
<td>30</td>
</tr>
<tr>
<td>Original instruction permit issued to persons (except those age 69 and older)</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
who do not hold or have not previously held an Illinois instruction permit or driver's license................................. 20

Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications, other than at the time of renewal.................. 5

Any instruction permit issued to a person age 69 and older.................................................. 5

Instruction permit issued to any person, under age 69, not currently holding a valid Illinois driver's license or instruction permit but who has previously been issued either document in Illinois............................................. 10

Restricted driving permit.......................................... 8

Monitoring device driving permit.............................. 8

Duplicate or corrected driver's license or permit................................................................. 5

Duplicate or corrected restricted driving permit................................................................. 5

Duplicate or corrected monitoring device driving permit.................................................. 5

Duplicate driver's license or permit issued to an active-duty member of the United States Armed Forces, the member's spouse, or the dependent children living with the member................................................. 0

Original or renewal M or L endorsement......................... 5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under Article V shall be as follows:

Commercial driver's license:

S$ for the CDLIS/AAMVA/Net/NMVTIS Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund);

New matter indicated by italics - deletions by strikeout
Renewal commercial driver's license:
$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license; and
$24 for the CDL:.................................                             $60

Commercial driver instruction permit
issued to any person holding a valid Illinois driver's license for the purpose of changing to a CDL classification: $6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund; $20 for the Motor Carrier Safety Inspection Fund; and $24 for the CDL classification...................                      $50

Commercial driver instruction permit
issued to any person holding a valid Illinois CDL for the purpose of making a change in a classification, endorsement or restriction........................                         $5

CDL duplicate or corrected license..........................             $5

In order to ensure the proper implementation of the Uniform Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to pro-rate the $24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any
provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

| Suspension                        | $100  
|-----------------------------------|-------
| Summary suspension under Section 3-707 |       
| Summary suspension under Section 11-501.1 | $250  
| Summary revocation under Section 11-501.1 | $500  
| Other suspension                  | $70   
| Revocation                        | $500  

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

| Summary suspension under Section 11-501.1 | $500  
| Summary revocation under Section 11-501.1 | $500  
| Revocation                              | $500  

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:
   (A) $16 of the $20 fee for an original driver's instruction permit;
   (B) $5 of the $30 fee for an original driver's license;
   (C) $5 of the $30 fee for a 4 year renewal driver's license;
   (D) $4 of the $8 fee for a restricted driving permit; and
   (E) $4 of the $8 fee for a monitoring device driving permit.

2. $30 of the $250 fee for reinstatement of a license summarily suspended under Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or Section

New matter indicated by italics - deletions by strikeout
9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, $190 of the $500 fee for reinstatement of a license summarily suspended under Section 11-501.1, and $190 of the $500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. $190 of the $500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. $6 of such original or renewal fee for a commercial driver's license and $6 of the commercial driver instruction permit fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVA net/NMVTIS Trust Fund.

4. $30 of the $70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. $20 of any original or renewal fee for a commercial driver's license or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:

   (A) $190 of the $250 reinstatement fee for a summary suspension under Section 11-501.1;
   (B) $40 of the $70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and
   (C) $440 of the $500 reinstatement fee for a first offense revocation and $310 of the $500 reinstatement fee for a second or subsequent revocation.

(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the

New matter indicated by italics - deletions by strikeout
Governor.
(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-177, eff. 1-1-14.)

(Text of Section after amendment by P.A. 98-176)
Sec. 6-118. Fees.
(a) The fee for licenses and permits under this Article is as follows:

<table>
<thead>
<tr>
<th>License or Permit</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original driver's license</td>
<td>$30</td>
</tr>
<tr>
<td>Original or renewal driver's license</td>
<td></td>
</tr>
<tr>
<td>issued to 18, 19 and 20 year olds</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 69 through age 80</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 81 through age 86</td>
<td>2</td>
</tr>
<tr>
<td>All driver's licenses for persons</td>
<td></td>
</tr>
<tr>
<td>age 87 or older</td>
<td>0</td>
</tr>
<tr>
<td>Renewal driver's license (except for</td>
<td></td>
</tr>
<tr>
<td>applicants ages 18, 19 and 20 or</td>
<td></td>
</tr>
<tr>
<td>age 69 and older)</td>
<td>30</td>
</tr>
<tr>
<td>Original instruction permit issued to</td>
<td></td>
</tr>
<tr>
<td>persons (except those age 69 and older)</td>
<td></td>
</tr>
<tr>
<td>who do not hold or have not previously held an</td>
<td></td>
</tr>
<tr>
<td>Illinois instruction permit or</td>
<td></td>
</tr>
<tr>
<td>driver's license</td>
<td>20</td>
</tr>
<tr>
<td>Instruction permit issued to any person</td>
<td></td>
</tr>
<tr>
<td>holding an Illinois driver's license</td>
<td></td>
</tr>
<tr>
<td>who wishes a change in classifications, other than at</td>
<td></td>
</tr>
<tr>
<td>the time of renewal</td>
<td>5</td>
</tr>
<tr>
<td>Any instruction permit issued to a person</td>
<td></td>
</tr>
<tr>
<td>age 69 and older</td>
<td>5</td>
</tr>
<tr>
<td>Instruction permit issued to any person, under age</td>
<td></td>
</tr>
<tr>
<td>69, not currently holding a valid Illinois driver's</td>
<td></td>
</tr>
<tr>
<td>license or instruction permit but who has</td>
<td></td>
</tr>
<tr>
<td>previously been issued either document in Illinois</td>
<td>10</td>
</tr>
<tr>
<td>Restricted driving permit</td>
<td>8</td>
</tr>
<tr>
<td>Monitoring device driving permit</td>
<td>8</td>
</tr>
<tr>
<td>Duplicate or corrected driver's license or permit</td>
<td>5</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Duplicate or corrected restricted
driving permit................................. 5
Duplicate or corrected monitoring
device driving permit........................... 5
Duplicate driver's license or permit issued to
an active-duty member of the
United States Armed Forces,
the member's spouse, or
the dependent children living
with the member................................ 0
Original or renewal M or L endorsement.......... 5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under
Article V shall be as follows:

Commercial driver's license:
  $6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
  (Commercial Driver's License Information
  System/American Association of Motor Vehicle
  Administrators network/National Motor Vehicle
  Title Information Service Trust Fund);
  $20 for the Motor Carrier Safety Inspection Fund;
  $10 for the driver's license;
  and $24 for the CDL:............................. $60

Renewal commercial driver's license:
  $6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
  $20 for the Motor Carrier Safety Inspection Fund;
  $10 for the driver's license; and
  $24 for the CDL:................................. $60

Commercial learner's permit
  issued to any person holding a valid
  Illinois driver's license for the
  purpose of changing to a
  CDL classification: $6 for the
  CDLIS/AAMVAnet/NMVTIS Trust Fund;
  $20 for the Motor Carrier
  Safety Inspection Fund; and
  $24 for the CDL classification................. $50

Commercial learner's permit
  issued to any person holding a valid
Illinois CDL for the purpose of
making a change in a classification,
endorsement or restriction...................... $5
CDL duplicate or corrected license.............. $5

In order to ensure the proper implementation of the Uniform Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to pro-rate the $24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

<table>
<thead>
<tr>
<th>Suspension</th>
<th>$100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary suspension under Section 11-501.1</td>
<td>$250</td>
</tr>
<tr>
<td>Summary revocation under Section 11-501.1</td>
<td>$500</td>
</tr>
<tr>
<td>Other suspension</td>
<td>$70</td>
</tr>
<tr>
<td>Revocation</td>
<td>$500</td>
</tr>
</tbody>
</table>

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

| Summary suspension under Section 11-501.1 | $500 |

New matter indicated by italics - deletions by strikeout
Summary revocation under Section 11-501.1 .......... $500
Revocation ........................................... $500

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:
   (A) $16 of the $20 fee for an original driver's instruction permit;
   (B) $5 of the $30 fee for an original driver's license;
   (C) $5 of the $30 fee for a 4 year renewal driver's license;
   (D) $4 of the $8 fee for a restricted driving permit; and
   (E) $4 of the $8 fee for a monitoring device driving permit.

2. $30 of the $250 fee for reinstatement of a license summarily suspended under Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, $190 of the $500 fee for reinstatement of a license summarily suspended under Section 11-501.1, and $190 of the $500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. $190 of the $500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. $6 of the original or renewal fee for a commercial driver's license and $6 of the commercial learner's permit fee when the permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

4. $30 of the $70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. $20 of any original or renewal fee for a commercial driver's license or commercial learner's permit shall be paid into the Motor Carrier Safety Inspection Fund.

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7. The following amounts shall be paid into the General Revenue Fund:

(A) $190 of the $250 reinstatement fee for a summary suspension under Section 11-501.1;

(B) $40 of the $70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and

(C) $440 of the $500 reinstatement fee for a first offense revocation and $310 of the $500 reinstatement fee for a second or subsequent revocation.

(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-176, eff. 7-1-14; 98-177, eff. 1-1-14; revised 9-19-13.)

(625 ILCS 5/6-201)

Sec. 6-201. Authority to cancel licenses and permits.

(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:

1. was not entitled to the issuance thereof hereunder; or
2. failed to give the required or correct information in his application; or
3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or
4. committed any fraud in the making of such application; or
5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or
6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or

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7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow transportation for the petitioner or a household member of the petitioner's family for the receipt of necessary medical care, or provide transportation for the petitioner to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or for the petitioner to attend classes, as a student, in an accredited educational institution. The petitioner must demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed

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sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under this Code; or

8. failed to submit a report as required by Section 6-116.5 of this Code; or

9. has been convicted of a sex offense as defined in the Sex Offender Registration Act. The driver's license shall remain cancelled until the driver registers as a sex offender as required by the Sex Offender Registration Act, proof of the registration is furnished to the Secretary of State and the sex offender provides proof of current address to the Secretary; or

10. is ineligible for a license or permit under Section 6-107, 6-107.1, or 6-108 of this Code; or

11. refused or neglected to appear at a Driver Services facility to have the license or permit corrected and a new license or permit issued or to present documentation for verification of identity; or

12. failed to submit a medical examiner's certificate or medical variance as required by 49 C.F.R. 383.71 or submitted a fraudulent medical examiner's certificate or medical variance; or

13. has had his or her medical examiner's certificate, medical variance, or both removed or rescinded by the Federal Motor Carrier Safety Administration; or

14. failed to self-certify as to the type of driving in which the CDL driver engages or expects to engage; or

15. has submitted acceptable documentation indicating out-of-state residency to the Secretary of State to be released from the requirement of showing proof of financial responsibility in this State.

(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.

(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.

(d) The Secretary of State may adopt rules to implement this Section.

New matter indicated by italics - deletions by strikeout
(Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11; 97-813, eff. 7-13-12; 97-835, eff. 7-20-12; 98-178, eff. 1-1-14.)

(Text of Section after amendment by P.A. 98-176)

Sec. 6-201. Authority to cancel licenses and permits.

(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:

1. was not entitled to the issuance thereof hereunder; or
2. failed to give the required or correct information in his application; or
3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or
4. committed any fraud in the making of such application; or
5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or
6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or
7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow transportation for

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the petitioner or a household member of the petitioner's family for the receipt of necessary medical care, or provide transportation for the petitioner to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or for the petitioner to attend classes, as a student, in an accredited educational institution. The petitioner must demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under this Code; or

8. failed to submit a report as required by Section 6-116.5 of this Code; or

9. has been convicted of a sex offense as defined in the Sex Offender Registration Act. The driver's license shall remain cancelled until the driver registers as a sex offender as required by the Sex Offender Registration Act, proof of the registration is furnished to the Secretary of State and the sex offender provides proof of current address to the Secretary; or

10. is ineligible for a license or permit under Section 6-107, 6-107.1, or 6-108 of this Code; or

11. refused or neglected to appear at a Driver Services facility to have the license or permit corrected and a new license or permit

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issued or to present documentation for verification of identity; or
12. failed to submit a medical examiner's certificate or medical variance as required by 49 C.F.R. 383.71 or submitted a fraudulent medical examiner's certificate or medical variance; or
13. has had his or her medical examiner's certificate, medical variance, or both removed or rescinded by the Federal Motor Carrier Safety Administration; or
14. failed to self-certify as to the type of driving in which the CDL driver engages or expects to engage; or
15. has submitted acceptable documentation indicating out-of-state residency to the Secretary of State to be released from the requirement of showing proof of financial responsibility in this State; or
16. was convicted of fraud relating to the testing or issuance of a CDL or CLP, in which case only the CDL or CLP shall be cancelled. After cancellation, the Secretary shall not issue a CLP or CDL for a period of one year from the date of cancellation.
(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.
(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.
(d) The Secretary of State may adopt rules to implement this Section.
(Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11; 97-813, eff. 7-13-12; 97-835, eff. 7-20-12; 98-176, eff. 7-1-14; 98-178, eff. 1-1-14; revised 9-19-13.)
(625 ILCS 5/6-206)
Sec. 6-206. Discretionary authority to suspend or revoke license or permit; Right to a hearing.
(a) The Secretary of State is authorized to suspend or revoke the driving privileges of any person without preliminary hearing upon a showing of the person's records or other sufficient evidence that the person:
1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;
2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
3. Has been repeatedly involved as a driver in motor vehicle
collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;

4. Has by the unlawful operation of a motor vehicle caused or contributed to an accident resulting in injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the accident, or shall start not more than one year after the date of the accident, whichever date occurs later;

5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;

6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;

7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;

8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;

9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;

10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;

11. Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a monitoring device driving permit, judicial driving permit issued prior to January 1, 2009, probationary license to drive, or a restricted driving permit issued under this Code;

12. Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other

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person;
13. Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;
14. Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B of the Illinois Identification Card Act;
15. Has been convicted of violating Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to criminal trespass to vehicles in which case, the suspension shall be for one year;
16. Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;
17. Has refused to submit to a test, or tests, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;
18. Has, since issuance of a driver's license or permit, been adjudged to be afflicted with or suffering from any mental disability or disease;
19. Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;
20. Has been convicted of violating Section 6-104 relating to classification of driver's license;
21. Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of an accident resulting in damage to a vehicle in excess of $1,000, in which case the suspension shall be for one year;
22. Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to unlawful use of weapons, in which case the suspension shall be for one year;
23. Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;
24. Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois of or for a traffic related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;

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25. Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;
26. Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;
27. Has violated Section 6-16 of the Liquor Control Act of 1934;
28. Has been convicted for a first time of the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year. Any defendant found guilty of this offense while operating a motor vehicle, shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;
29. Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute, promoting juvenile prostitution as described in subdivision (a)(1), (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;
30. Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;
31. Has refused to submit to a test as required by Section 11-501.6 of this Code or Section 5-16c of the Boat Registration and Safety Act or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or
compound resulting from the unlawful use or consumption of
cannabis as listed in the Cannabis Control Act, a controlled substance
as listed in the Illinois Controlled Substances Act, an intoxicating
compound as listed in the Use of Intoxicating Compounds Act, or
methamphetamine as listed in the Methamphetamine Control and
Community Protection Act, in which case the penalty shall be as
prescribed in Section 6-208.1; 32. Has been convicted of Section 24-
1.2 of the Criminal Code of 1961 or the Criminal Code of 2012
relating to the aggravated discharge of a firearm if the offender was
located in a motor vehicle at the time the firearm was discharged, in
which case the suspension shall be for 3 years;

33. Has as a driver, who was less than 21 years of age on the
date of the offense, been convicted a first time of a violation of
paragraph (a) of Section 11-502 of this Code or a similar provision of
a local ordinance;

34. Has committed a violation of Section 11-1301.5 of this
Code or a similar provision of a local ordinance;

35. Has committed a violation of Section 11-1301.6 of this
Code or a similar provision of a local ordinance;

36. Is under the age of 21 years at the time of arrest and has
been convicted of not less than 2 offenses against traffic regulations
governing the movement of vehicles committed within any 24 month
period. No revocation or suspension shall be entered more than 6
months after the date of last conviction;

37. Has committed a violation of subsection (c) of Section 11-
907 of this Code that resulted in damage to the property of another or
the death or injury of another;

38. Has been convicted of a violation of Section 6-20 of the
Liquor Control Act of 1934 or a similar provision of a local
ordinance;

39. Has committed a second or subsequent violation of
Section 11-1201 of this Code;

40. Has committed a violation of subsection (a-1) of Section
11-908 of this Code;

41. Has committed a second or subsequent violation of
Section 11-605.1 of this Code, a similar provision of a local
ordinance, or a similar violation in any other state within 2 years of
the date of the previous violation, in which case the suspension shall
be for 90 days;

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42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;

43. Has received a disposition of court supervision for a violation of subsection (a), (d), or (e) of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance, in which case the suspension shall be for a period of 3 months;

44. Is under the age of 21 years at the time of arrest and has been convicted of an offense against traffic regulations governing the movement of vehicles after having previously had his or her driving privileges suspended or revoked pursuant to subparagraph 36 of this Section;

45. Has, in connection with or during the course of a formal hearing conducted under Section 2-118 of this Code: (i) committed perjury; (ii) submitted fraudulent or falsified documents; (iii) submitted documents that have been materially altered; or (iv) submitted, as his or her own, documents that were in fact prepared or composed for another person;

46. Has committed a violation of subsection (j) of Section 3-413 of this Code; or

47. Has committed a violation of Section 11-502.1 of this Code.

For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26, and 27 of this subsection, license means any driver's license, any traffic ticket issued when the person's driver's license is deposited in lieu of bail, a suspension notice issued by the Secretary of State, a duplicate or corrected driver's license, a probationary driver's license or a temporary driver's license.

(b) If any conviction forming the basis of a suspension or revocation authorized under this Section is appealed, the Secretary of State may rescind or withhold the entry of the order of suspension or revocation, as the case may be, provided that a certified copy of a stay order of a court is filed with the Secretary of State. If the conviction is affirmed on appeal, the date of the conviction shall relate back to the time the original judgment of conviction was entered and the 6 month limitation prescribed shall not apply.

(c) 1. Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.

2. If the Secretary of State suspends the driver's license of a
person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2 of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date of this suspension, a permit may be issued for the remainder of the suspension period.

The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 and upon conviction thereof shall have all driving privileges revoked without further rights.

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship (as defined by the rules of the Secretary of State), issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment.

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related duties, or to allow the petitioner to transport himself or herself, or a family member of the petitioner's household to a medical facility, to receive necessary medical care, to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or disabled persons who do not hold driving privileges and are living in the petitioner's household to and from daycare. The petitioner must demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare. Those multiple offenders identified in subdivision (b)4 of Section 6-208 of this Code, however, shall not be eligible for the issuance of a restricted driving permit.

(A) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B) If a person's license or permit is revoked or suspended 2 or more times within a 10 year period due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense; or

(ii) a statutory summary suspension or revocation under Section 11-501.1; or

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(iii) a suspension under Section 6-203.1;
arising out of separate occurrences; that person, if issued a
restricted driving permit, may not operate a vehicle unless it
has been equipped with an ignition interlock device as defined
in Section 1-129.1.

(C) The person issued a permit conditioned upon the
use of an ignition interlock device must pay to the Secretary
of State DUI Administration Fund an amount not to exceed
$30 per month. The Secretary shall establish by rule the
amount and the procedures, terms, and conditions relating to
these fees.

(D) If the restricted driving permit is issued for
employment purposes, then the prohibition against operating
a motor vehicle that is not equipped with an ignition interlock
device does not apply to the operation of an occupational
vehicle owned or leased by that person's employer when used
solely for employment purposes.

(E) In each case the Secretary may issue a restricted
driving permit for a period deemed appropriate, except that all
permits shall expire within one year from the date of issuance.
The Secretary may not, however, issue a restricted driving
permit to any person whose current revocation is the result of
a second or subsequent conviction for a violation of Section
11-501 of this Code or a similar provision of a local
ordinance or any similar out-of-state offense, or Section 9-3
of the Criminal Code of 1961 or the Criminal Code of 2012,
where the use of alcohol or other drugs is recited as an
element of the offense, or any similar out-of-state offense, or
any combination of those offenses, until the expiration of at
least one year from the date of the revocation. A restricted
driving permit issued under this Section shall be subject to
cancellation, revocation, and suspension by the Secretary of
State in like manner and for like cause as a driver's license
issued under this Code may be cancelled, revoked, or
suspended; except that a conviction upon one or more
offenses against laws or ordinances regulating the movement
of traffic shall be deemed sufficient cause for the revocation,
suspension, or cancellation of a restricted driving permit. The
Secretary of State may, as a condition to the issuance of a

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restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program.

(c-3) In the case of a suspension under paragraph 43 of subsection (a), reports received by the Secretary of State under this Section shall, except during the actual time the suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities, the driver licensing administrator of any other state, the Secretary of State, or the parent or legal guardian of a driver under the age of 18. However, beginning January 1, 2008, if the person is a CDL holder, the suspension shall also be made available to the driver licensing administrator of any other state, the U.S. Department of Transportation, and the affected driver or motor carrier or prospective motor carrier upon request.

(c-4) In the case of a suspension under paragraph 43 of subsection (a), the Secretary of State shall notify the person by mail that his or her driving privileges and driver's license will be suspended one month after the date of the mailing of the notice.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 21 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

(d) This Section is subject to the provisions of the Drivers License Compact.

(e) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been suspended or revoked under any provisions of this Code.

(f) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified under any provisions of this Code.

(Source: P.A. 97-229, eff. 7-28-11; 97-333, eff. 8-12-11; 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-103, eff. 1-1-14; 98-122, eff. 1-1-14; revised 9-19-13.)

(625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

New matter indicated by italics - deletions by strikeout
Sec. 6-303. Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked.

(a) Except as otherwise provided in subsection (a-5), any person who drives or is in actual physical control of a motor vehicle on any highway of this State at a time when such person's driver's license, permit or privilege to do so or the privilege to obtain a driver's license or permit is revoked or suspended as provided by this Code or the law of another state, except as may be specifically allowed by a judicial driving permit issued prior to January 1, 2009, monitoring device driving permit, family financial responsibility driving permit, probationary license to drive, or a restricted driving permit issued pursuant to this Code or under the law of another state, shall be guilty of a Class A misdemeanor.

(a-3) A second or subsequent violation of subsection (a) of this Section is a Class 4 felony if committed by a person whose driving or operation of a motor vehicle is the proximate cause of a motor vehicle accident that causes personal injury or death to another. For purposes of this subsection, a personal injury includes any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severe bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(a-5) Any person who violates this Section as provided in subsection (a) while his or her driver's license, permit or privilege is revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide or a similar provision of a law of another state, is guilty of a Class 4 felony. The person shall be required to undergo a professional evaluation, as provided in Section 11-501 of this Code, to determine if an alcohol, drug, or intoxicating compound problem exists and the extent of the problem, and to undergo the imposition of treatment as appropriate.

(a-10) A person's driver's license, permit, or privilege to obtain a driver's license or permit may be subject to multiple revocations, multiple suspensions, or any combination of both simultaneously. No revocation or suspension shall serve to negate, invalidate, cancel, postpone, or in any way lessen the effect of any other revocation or suspension entered prior or subsequent to any other revocation or suspension.

(b) (Blank).

(b-1) Upon receiving a report of the conviction of any violation

New matter indicated by italics - deletions by strikeout
indicating a person was operating a motor vehicle during the time when the person's driver's license, permit or privilege was suspended by the Secretary of State or the driver's licensing administrator of another state, except as specifically allowed by a probationary license, judicial driving permit, restricted driving permit or monitoring device driving permit the Secretary shall extend the suspension for the same period of time as the originally imposed suspension unless the suspension has already expired, in which case the Secretary shall be authorized to suspend the person's driving privileges for the same period of time as the originally imposed suspension.

(b-2) Except as provided in subsection (b-6), upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle when the person's driver's license, permit or privilege was revoked by the Secretary of State or the driver's license administrator of any other state, except as specifically allowed by a restricted driving permit issued pursuant to this Code or the law of another state, the Secretary shall not issue a driver's license for an additional period of one year from the date of such conviction indicating such person was operating a vehicle during such period of revocation.

(b-3) (Blank).

(b-4) When the Secretary of State receives a report of a conviction of any violation indicating a person was operating a motor vehicle that was not equipped with an ignition interlock device during a time when the person was prohibited from operating a motor vehicle not equipped with such a device, the Secretary shall not issue a driver's license to that person for an additional period of one year from the date of the conviction.

(b-5) Any person convicted of violating this Section shall serve a minimum term of imprisonment of 30 consecutive days or 300 hours of community service when the person's driving privilege was revoked or suspended as a result of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(b-6) Upon receiving a report of a first conviction of operating a motor vehicle while the person's driver's license, permit or privilege was revoked where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide or a similar out-of-state offense, the Secretary shall not issue a driver's license for an additional period of three years from the date of such conviction.

(c) Except as provided in subsections (c-3) and (c-4), any person
convicted of violating this Section shall serve a minimum term of imprisonment of 10 consecutive days or 30 days of community service when the person's driving privilege was revoked or suspended as a result of:

(1) a violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a vehicle while under the influence of alcohol, any other drug or any combination thereof; or

(2) a violation of paragraph (b) of Section 11-401 of this Code or a similar provision of a local ordinance relating to the offense of leaving the scene of a motor vehicle accident involving personal injury or death; or

(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code.

Such sentence of imprisonment or community service shall not be subject to suspension in order to reduce such sentence.

(c-1) Except as provided in subsections (c-5) and (d), any person convicted of a second violation of this Section shall be ordered by the court to serve a minimum of 100 hours of community service.

(c-2) In addition to other penalties imposed under this Section, the court may impose on any person convicted a fourth time of violating this Section any of the following:

(1) Seizure of the license plates of the person's vehicle.

(2) Immobilization of the person's vehicle for a period of time to be determined by the court.

(c-3) Any person convicted of a violation of this Section during a period of summary suspension imposed pursuant to Section 11-501.1 when the person was eligible for a MDDP shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-4) Any person who has been issued a MDDP and who is convicted of a violation of this Section as a result of operating or being in actual physical control of a motor vehicle not equipped with an ignition interlock device at the time of the offense shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-5) Any person convicted of a second violation of this Section is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and shall serve a mandatory term of imprisonment, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the
offense of reckless homicide, or a similar out-of-state offense; and

(2) the prior conviction under this Section occurred while the
person's driver's license was suspended or revoked for a violation of
Section 9-3 of the Criminal Code of 1961 or the Criminal Code of
2012 relating to the offense of reckless homicide, or a similar out-of-
state offense, or was suspended or revoked for a violation of Section
11-401 or 11-501 of this Code, a similar out-of-state offense, a
similar provision of a local ordinance, or a statutory summary
suspension or revocation under Section 11-501.1 of this Code.

(d) Any person convicted of a second violation of this Section shall
be guilty of a Class 4 felony and shall serve a minimum term of
imprisonment of 30 days or 300 hours of community service, as determined
by the court, if:

(1) the current violation occurred when the person's driver's
license was suspended or revoked for a violation of Section 11-401
or 11-501 of this Code, a similar out-of-state offense, a similar
provision of a local ordinance, or a statutory summary suspension or
revocation under Section 11-501.1 of this Code; and

(2) the prior conviction under this Section occurred while the
person's driver's license was suspended or revoked for a violation of
Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a
similar provision of a local ordinance, or a statutory summary suspension or
revocation under Section 11-501.1 of this Code.

(d-1) Except as provided in subsections (d-2), (d-2.5), and (d-3), any
person convicted of a third or subsequent violation of this Section shall serve
a minimum term of imprisonment of 30 days or 300 hours of community
service, as determined by the court.

(d-2) Any person convicted of a third violation of this Section is
guilty of a Class 4 felony and must serve a minimum term of imprisonment
of 30 days, if:

(1) the current violation occurred when the person's driver's
license was suspended or revoked for a violation of Section 11-401
or 11-501 of this Code, a similar out-of-state offense, or a similar
provision of a local ordinance, or a statutory summary suspension or
revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the
person's driver's license was suspended or revoked for a violation of
Section 11-401 or 11-501 of this Code, a similar out-of-state offense, or a similar
provision of a local ordinance, or a statutory summary suspension or
revocation under Section 11-501.1 of this Code.
person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-2.5) Any person convicted of a third violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, if:

(1) the current violation occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense. The person's driving privileges shall be revoked for the remainder of the person's life; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-3) Any person convicted of a fourth, fifth, sixth, seventh, eighth, or ninth violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 180 days, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide,

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or a similar out-of-state offense.

(d-3.5) Any person convicted of a fourth or subsequent violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, and is eligible for an extended term, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-4) Any person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth violation of this Section is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(d-5) Any person convicted of a fifteenth or subsequent violation of this Section is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.
provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar out-of-state offense.

(e) Any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements, in addition to other penalties imposed under this Section, shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed driver upon a showing of proof of insurance for the vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(f) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(g) The motor vehicle used in a violation of this Section is subject to seizure and forfeiture as provided in Sections 36-1 and 36-2 of the Criminal Code of 2012 if the person's driving privilege was revoked or suspended as a result of:

(1) a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;

(2) a violation of paragraph (b) of Section 11-401 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;

(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code or a similar provision of a law of another state; or

(4) a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a similar provision of a law of another state.

(Source: P.A. 97-984, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-285, eff. 1-1-14; 98-573, eff. 8-27-13; revised 9-19-13.)
(625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)
Sec. 6-508. Commercial Driver's License (CDL) - qualification standards.

(a) Testing.

(1) General. No person shall be issued an original or renewal CDL unless that person is domiciled in this State. The Secretary shall cause to be administered such tests as the Secretary deems necessary to meet the requirements of 49 C.F.R. Part 383, subparts F, G, H, and J.

(2) Third party testing. The Secretary of State may authorize a "third party tester", pursuant to 49 C.F.R. Part 383.75, to administer the skills test or tests specified by the Federal Motor Carrier Safety Administration pursuant to the Commercial Motor Vehicle Safety Act of 1986 and any appropriate federal rule.

(b) Waiver of Skills Test. The Secretary of State may waive the skills test specified in this Section for a driver applicant for a commercial driver license who meets the requirements of 49 C.F.R. Part 383.77 and Part 383.123. The Secretary of State shall waive the skills tests specified in this Section for a driver applicant who has military commercial motor vehicle experience, subject to the requirements of 49 C.F.R. 383.77.

(b-1) No person shall be issued a commercial driver instruction permit or CDL unless the person certifies to the Secretary one of the following types of driving operations in which he or she will be engaged:

(1) non-excepted interstate;
(2) non-excepted intrastate;
(3) excepted interstate; or
(4) excepted intrastate.

(b-2) Persons who hold a commercial driver instruction permit or CDL on January 30, 2012 must certify to the Secretary no later than January 30, 2014 one of the following applicable self-certifications:

(1) non-excepted interstate;
(2) non-excepted intrastate;
(3) excepted interstate; or
(4) excepted intrastate.

(c) Limitations on issuance of a CDL. A CDL, or a commercial driver instruction permit, shall not be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, or unless otherwise permitted by this Code, while the person's driver's license is suspended, revoked or cancelled in any state, or any territory or province of

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Canada; nor may a CDL be issued to a person who has a CDL issued by any other state, or foreign jurisdiction, unless the person first surrenders all such licenses. No CDL shall be issued to or renewed for a person who does not meet the requirement of 49 CFR 391.41(b)(11). The requirement may be met with the aid of a hearing aid.

(c-1) The Secretary may issue a CDL with a school bus driver endorsement to allow a person to drive the type of bus described in subsection (d-5) of Section 6-104 of this Code. The CDL with a school bus driver endorsement may be issued only to a person meeting the following requirements:

1. the person has submitted his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases;
2. the person has passed a written test, administered by the Secretary of State, on charter bus operation, charter bus safety, and certain special traffic laws relating to school buses determined by the Secretary of State to be relevant to charter buses, and submitted to a review of the driver applicant's driving habits by the Secretary of State at the time the written test is given;
3. the person has demonstrated physical fitness to operate school buses by submitting the results of a medical examination, including tests for drug use; and
4. the person has not been convicted of committing or attempting to commit any one or more of the following offenses: (i) those offenses defined in Sections 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6, 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2, 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,

New matter indicated by italics - deletions by strikeout
24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in subsection (b) of Section 8-1, and in subdivisions (a)(1), (a)(2), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), and (f)(1) of Section 12-3.05, and in subsection (a) and subsection (b), clause (1), of Section 12-4, and in subsection (A), clauses (a) and (b), of Section 24-3, and those offenses contained in Article 29D of the Criminal Code of 1961 or the Criminal Code of 2012; (ii) those offenses defined in the Cannabis Control Act except those offenses defined in subsections (a) and (b) of Section 4, and subsection (a) of Section 5 of the Cannabis Control Act; (iii) those offenses defined in the Illinois Controlled Substances Act; (iv) those offenses defined in the Methamphetamine Control and Community Protection Act; (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State would be punishable as one or more of the foregoing offenses; (vi) the offenses defined in Sections 4.1 and 5.1 of the Wrongs to Children Act or Section 11-9.1A of the Criminal Code of 1961 or the Criminal Code of 2012; (vii) those offenses defined in Section 6-16 of the Liquor Control Act of 1934; and (viii) those offenses defined in the Methamphetamine Precursor Control Act.

The Department of State Police shall charge a fee for conducting the criminal history records check, which shall be deposited into the State Police Services Fund and may not exceed the actual cost of the records check.

(c-2) The Secretary shall issue a CDL with a school bus endorsement to allow a person to drive a school bus as defined in this Section. The CDL shall be issued according to the requirements outlined in 49 C.F.R. 383. A person may not operate a school bus as defined in this Section without a school bus endorsement. The Secretary of State may adopt rules consistent with Federal guidelines to implement this subsection (c-2).

(d) Commercial driver instruction permit. A commercial driver instruction permit may be issued to any person holding a valid Illinois driver's license if such person successfully passes such tests as the Secretary determines to be necessary. A commercial driver instruction permit shall not be issued to a person who does not meet the requirements of 49 CFR 391.41 (b)(11), except for the renewal of a commercial driver instruction permit for a person who possesses a commercial instruction permit prior to the effective date of this amendatory Act of 1999.

(Source: P.A. 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-52, eff. 1-1-14; revised 9-19-13.)

New matter indicated by italics - deletions by strikeout
Sec. 6-508. Commercial Driver's License (CDL) - qualification standards.

(a) Testing.

(1) General. No person shall be issued an original or renewal CDL unless that person is domiciled in this State or is applying for a non-domiciled CDL under Sections 6-509 and 6-510 of this Code. The Secretary shall cause to be administered such tests as the Secretary deems necessary to meet the requirements of 49 C.F.R. Part 383, subparts F, G, H, and J.

(1.5) Effective July 1, 2014, no person shall be issued an original CDL or an upgraded CDL that requires a skills test unless that person has held a CLP, for a minimum of 14 calendar days, for the classification of vehicle and endorsement, if any, for which the person is seeking a CDL.

(2) Third party testing. The Secretary of State may authorize a "third party tester", pursuant to 49 C.F.R. Part 383.75 and 49 C.F.R. 384.228 and 384.229, to administer the skills test or tests specified by the Federal Motor Carrier Safety Administration pursuant to the Commercial Motor Vehicle Safety Act of 1986 and any appropriate federal rule.

(b) Waiver of Skills Test. The Secretary of State may waive the skills test specified in this Section for a driver applicant for a commercial driver license who meets the requirements of 49 C.F.R. Part 383.77. The Secretary of State shall waive the skills tests specified in this Section for a driver applicant who has military commercial motor vehicle experience, subject to the requirements of 49 C.F.R. 383.77.

(b-1) No person shall be issued a CDL unless the person certifies to the Secretary one of the following types of driving operations in which he or she will be engaged:

(1) non-excepted interstate;
(2) non-excepted intrastate;
(3) excepted interstate; or
(4) excepted intrastate.

(b-2) (Blank).

(c) Limitations on issuance of a CDL. A CDL shall not be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, or unless otherwise permitted by this Code, while the person's driver's license is suspended, revoked or cancelled in any state.

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or any territory or province of Canada; nor may a CLP or CDL be issued to a person who has a CLP or CDL issued by any other state, or foreign jurisdiction, nor may a CDL be issued to a person who has an Illinois CLP unless the person first surrenders all of these licenses or permits. However, a person may hold an Illinois CLP and an Illinois CDL providing the CLP is necessary to train or practice for an endorsement or vehicle classification not present on the current CDL. No CDL shall be issued to or renewed for a person who does not meet the requirement of 49 CFR 391.41(b)(11). The requirement may be met with the aid of a hearing aid.

(c-1) The Secretary may issue a CDL with a school bus driver endorsement to allow a person to drive the type of bus described in subsection (d-5) of Section 6-104 of this Code. The CDL with a school bus driver endorsement may be issued only to a person meeting the following requirements:

(1) the person has submitted his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases;

(2) the person has passed a written test, administered by the Secretary of State, on charter bus operation, charter bus safety, and certain special traffic laws relating to school buses determined by the Secretary of State to be relevant to charter buses, and submitted to a review of the driver applicant's driving habits by the Secretary of State at the time the written test is given;

(3) the person has demonstrated physical fitness to operate school buses by submitting the results of a medical examination, including tests for drug use; and

(4) the person has not been convicted of committing or attempting to commit any one or more of the following offenses: (i) those offenses defined in Sections 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6, 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.01, 12-6, 12-6.2, 12-
7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-
16, 12-16.2, 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-
30, 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1,
20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,
24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1, 31A-1.1, 33A-
2, and 33D-1, and in subsection (b) of Section 8-1, and in
subdivisions (a)(1), (a)(2), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), and
(f)(1) of Section 12-3.05, and in subsection (a) and subsection (b),
clause (1), of Section 12-4, and in subsection (A), clauses (a) and (b),
of Section 24-3, and those offenses contained in Article 29D of the
Criminal Code of 1961 or the Criminal Code of 2012; (ii) those
offenses defined in the Cannabis Control Act except those offenses
defined in subsections (a) and (b) of Section 4, and subsection (a) of
Section 5 of the Cannabis Control Act; (iii) those offenses defined in
the Illinois Controlled Substances Act; (iv) those offenses defined in
the Methamphetamine Control and Community Protection Act; (v)
any offense committed or attempted in any other state or against the
laws of the United States, which if committed or attempted in this
State would be punishable as one or more of the foregoing offenses;
(vi) the offenses defined in Sections 4.1 and 5.1 of the Wrongs to
Children Act or Section 11-9.1A of the Criminal Code of 1961 or the
Criminal Code of 2012; (vii) those offenses defined in Section 6-16
of the Liquor Control Act of 1934; and (viii) those offenses defined
in the Methamphetamine Precursor Control Act.

The Department of State Police shall charge a fee for conducting the
criminal history records check, which shall be deposited into the State Police
Services Fund and may not exceed the actual cost of the records check.

(c-2) The Secretary shall issue a CDL with a school bus endorsement
to allow a person to drive a school bus as defined in this Section. The CDL
shall be issued according to the requirements outlined in 49 C.F.R. 383. A
person may not operate a school bus as defined in this Section without a
school bus endorsement. The Secretary of State may adopt rules consistent
with Federal guidelines to implement this subsection (c-2).

(d) (Blank).

(Source: P.A. 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13;
97-1150, eff. 1-25-13; 98-52, eff. 1-1-14; 98-176, eff. 7-1-14; revised 9-19-
13.)

(625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)
(Text of Section before amendment by P.A. 98-176)

New matter indicated by italics - deletions by strikeout
Sec. 6-514. Commercial Driver's License (CDL) - Disqualifications.
(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

(1) Refusing to submit to or failure to complete a test or tests authorized under Section 11-501.1 while driving a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

(2) Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a commercial driver's license; or

(3) Conviction for a first violation of:

(i) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or

(ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

(iii) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while committing any felony; or

(iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is

New matter indicated by italics - deletions by strikeout
revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or

(v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide" means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years; or

(4) If the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, operating a commercial motor vehicle under impairment resulting from the consumption of cannabis, as determined by failure of standardized field sobriety tests administered by a law enforcement officer as directed by subsection (a-5) of Section 11-501.2.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for

New matter indicated by italics - deletions by strikeout
life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions would result in the suspension or revocation of the CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a commercial driver's license, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CDL or commercial driver instruction permit from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

   (1) For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.

New matter indicated by italics - deletions by strikeout
(2) For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(3) For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(4) For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.

(5) For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(6) For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

(1) General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

New matter indicated by italics - deletions by strikeout
(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation,
Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14.)

(Text of Section after amendment by P.A. 98-176)

Sec. 6-514. Commercial driver's license (CDL); commercial learner's permit (CLP); disqualifications. Commercial Driver's License (CDL) - Disqualifications.

(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

(1) Refusing to submit to or failure to complete a test or tests authorized under Section 11-501.1 while driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or

(2) Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a CLP or CDL; or

(3) Conviction for a first violation of:

(i) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person
incapable of safely driving; or
  (ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or
  (iii) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while committing any felony; or
  (iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or
  (v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide" means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years; or

(4) If the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, operating a commercial motor vehicle under impairment resulting from the consumption of cannabis, as determined by failure of standardized field sobriety tests administered by a law enforcement officer as directed by subsection (a-5) of Section 11-501.2.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

New matter indicated by italics - deletions by strikeout
(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CLP or CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a CLP or CDL, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any
person who has been issued a CLP or CDL from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

(1) For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.

(2) For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(3) For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(4) For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.

(5) For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(6) For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

(1) General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the period

New matter indicated by italics - deletions by strikeout
of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.
(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)
Sec. 11-208. Powers of local authorities.
(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Sections 11-1306 and 11-1307 of this Act;
2. Regulating traffic by means of police officers or traffic control signals;
3. Regulating or prohibiting processions or assemblages on the highways; and certifying persons to control traffic for processions or assemblages;
4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;
6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;
7. Restricting the use of highways as authorized in Chapter

New matter indicated by italics - deletions by strikeout
8. Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee;

9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;

10. Altering the speed limits as authorized in Section 11-604;

11. Prohibiting U-turns;

12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;

13. Prohibiting parking during snow removal operation;

14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran;

15. Adopting such other traffic regulations as are specifically authorized by this Code; or

16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under subsections 1, 4, 5, 6, 7, 9, 10, 11 or 13 of paragraph (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway.

No unit of local government, including a home rule unit, may enact an

New matter indicated by italics - deletions by strikeout
ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(h) A municipality designated in Section 11-208.8 may enact an ordinance providing for an automated speed enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(i) A municipality or county designated in Section 11-208.9 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1414 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(Source: P.A. 97-29, eff. 1-1-12; 97-672, eff. 7-1-12; 98-396, eff. 1-1-14; 98-556, eff. 1-1-14; revised 9-19-13.)

(625 ILCS 5/11-208.7)

Sec. 11-208.7. Administrative fees and procedures for impounding vehicles for specified violations.

(a) Any municipality may, consistent with this Section, provide by ordinance procedures for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to its administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of the vehicle. The administrative fee imposed by the municipality may be in addition to any fees charged for the towing and storage of an impounded vehicle.

New matter indicated by italics - deletions by strikeout
vehicle. The administrative fee shall be waived by the municipality upon verifiable proof that the vehicle was stolen at the time the vehicle was impounded.

(b) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section may impose fees for the following violations:

(1) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Criminal Code of 2012; or

(2) driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of Section 11-501 of this Code; or

(3) operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act; or

(4) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or

(5) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section 24-1, 24-1.5, or 24-3.1 of the Criminal Code of 1961 or the Criminal Code of 2012; or

(6) driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of this Code; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or

(7) operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or

(8) operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of this Code, if the period of expiration is greater than one year; or

(9) operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of this Code, or operating a motor vehicle without ever having been

New matter indicated by italics - deletions by strikeout
issued a driver's license or permit due to a person's age; or

(10) operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of this Code; or

(11) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961 or the Criminal Code of 2012; or

(12) operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012, when so provided by local ordinance; or

(13) operation or use of a motor vehicle in violation of Section 11-503 of this Code:

(A) while the vehicle is part of a funeral procession; or

(B) in a manner that interferes with a funeral procession.

(c) The following shall apply to any fees imposed for administrative and processing costs pursuant to subsection (b):

(1) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.

(2) The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.

(3) The fees shall be uniform for all similarly situated vehicles.

(4) The fees shall be collected by and paid to the municipality imposing the fees.

(5) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle.

(d) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section shall provide for an opportunity for a hearing, as provided in subdivision (b)(4) of Section 11-208.3 of this Code, and for the release of the vehicle to the owner of record, lessee, or a lienholder of record upon payment of all administrative fees and towing and

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storage fees.

(e) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include the following provisions concerning notice of impoundment:

(1) Whenever a police officer has cause to believe that a motor vehicle is subject to impoundment, the officer shall provide for the towing of the vehicle to a facility authorized by the municipality.

(2) At the time the vehicle is towed, the municipality shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing.

(3) The municipality shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the municipality a bond equal to the administrative fee as provided by ordinance and pays for all towing and storage charges.

(f) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include a provision providing that the registered owner or lessee of the vehicle and any lienholder of record shall be provided with a notice of hearing. The notice shall:

(1) be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;

(2) be served upon interested parties within 10 days after a vehicle is impounded by the municipality; and

(3) contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

(g) In addition to the requirements contained in subdivision (b)(4) of Section 11-208.3 of this Code relating to administrative hearings, any ordinance providing for the impoundment and release of vehicles under this Section shall include the following requirements concerning administrative hearings:

(1) administrative hearings shall be conducted by a hearing officer who is an attorney licensed to practice law in this State for a minimum of 3 years;

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(2) at the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment;
(3) if the basis for the vehicle impoundment is sustained by the administrative hearing officer, any administrative fee posted to secure the release of the vehicle shall be forfeited to the municipality;
(4) all final decisions of the administrative hearing officer shall be subject to review under the provisions of the Administrative Review Law; and
(5) unless the administrative hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to the owner, lessee, or lienholder of record until all administrative fees and towing and storage charges are paid.

(h) Vehicles not retrieved from the towing facility or storage facility within 35 days after the administrative hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of this Code.

(i) Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.
(Source: P.A. 97-109, eff. 1-1-12; 97-1150, eff. 1-25-13; 98-518, eff. 8-22-13; revised 9-19-13.)

(625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)
Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.
(a) A person shall not drive or be in actual physical control of any vehicle within this State while:
(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;
(2) under the influence of alcohol;
(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;
(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;
(5) under the combined influence of alcohol, other drug or
drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act. Subject to all other requirements and provisions under this Section, this paragraph (6) does not apply to the lawful consumption of cannabis by a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, unless that person is impaired by the use of cannabis.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, cannabis under the Compassionate Use of Medical Cannabis Pilot Program Act, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(c) Penalties.

(1) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(2) A person who violates subsection (a) or a similar provision a second time shall be sentenced to a mandatory minimum term of either 5 days of imprisonment or 240 hours of community service in addition to any other criminal or administrative sanction.

(3) A person who violates subsection (a) is subject to 6 months of imprisonment, an additional mandatory minimum fine of $1,000, and 25 days of community service in a program benefiting children if the person was transporting a person under the age of 16 at the time of the violation.

(4) A person who violates subsection (a) a first time, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

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(5) A person who violates subsection (a) a second time, if at the time of the second violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(d) Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof.

(1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with one or more passengers on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of
subsection (a) was a proximate cause of the bodily harm;

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death;

(G) the person committed a violation of subsection (a) during a period in which the defendant's driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a) or a similar provision, Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012;

(H) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit or a monitoring device driving permit;

(I) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

(J) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in bodily harm, but not great bodily harm, to the child under the age of 16 being transported by the person, if the violation was the proximate cause of the injury;

(K) the person in committing a second violation of subsection (a) or a similar provision was transporting a person under the age of 16; or

(L) the person committed a violation of subsection (a) of this Section while transporting one or more passengers in a vehicle for-hire.

(2)(A) Except as provided otherwise, a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony.

(B) A third violation of this Section or a similar provision is a Class 2 felony. If at the time of the third violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012;
501.2, a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the third violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(C) A fourth violation of this Section or a similar provision is a Class 2 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fourth violation, the defendant was transporting a person under the age of 16 a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(D) A fifth violation of this Section or a similar provision is a Class 1 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fifth violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(E) A sixth or subsequent violation of this Section or similar provision is a Class X felony. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, a mandatory minimum fine of $5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the violation, the defendant was transporting a person under the age of 16, a mandatory fine of $25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

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(F) For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years.

(G) A violation of subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, unless the court determines that extraordinary circumstances exist and require probation, shall be sentenced to: (i) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (ii) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons.

(H) For a violation of subparagraph (J) of paragraph (1) of this subsection (d), a mandatory fine of $2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(I) A violation of subparagraph (K) of paragraph (1) of this subsection (d), is a Class 2 felony and a mandatory fine of $2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction. If the child being transported suffered bodily harm, but not great bodily harm, in a motor vehicle accident, and the violation was the proximate cause of that injury, a mandatory fine of $5,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(J) A violation of subparagraph (D) of paragraph (1) of this subsection (d) is a Class 3 felony, for which a sentence of probation or conditional discharge may not be imposed.

(3) Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge in addition to any other criminal or administrative sanction.

(e) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state or an offense committed on a military installation that is similar to a violation of subsection (a) of this Section.

(f) The imposition of a mandatory term of imprisonment or assignment of community service for a violation of this Section shall not be
suspended or reduced by the court.

(g) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(h) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(Source: P.A. 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14; 98-573, eff. 8-27-13; revised 9-19-13.)

(625 ILCS 5/11-709.2)

Sec. 11-709.2. Bus on shoulder pilot program.

(a) For purposes of this Section, "bus on shoulders" is the use of specifically designated shoulders of roadways by authorized transit buses. The shoulders may be used by transit buses at times and locations as set by the Department in cooperation with the Regional Transportation Authority and the Suburban Bus Division of the Regional Transportation Authority.

(b) Commencing on the effective date of this amendatory Act of the 97th General Assembly, the Department along with the Regional Transportation Authority and Suburban Bus Division of the Regional Transportation Authority in cooperation with the Illinois State Police shall establish a 5-year pilot program within the boundaries of the Regional Transportation Authority for transit buses on highways and shoulders. The pilot program may be implemented on shoulders of highways as designated by the Department in cooperation with the Regional Transportation Authority and Suburban Bus Division of the Regional Transportation Authority. The Department may adopt rules necessary for transit buses to use roadway shoulders.

(c) After the pilot program established under subsection (b) of this Section has been operating for 2 years, the Department in cooperation with the Regional Transportation Transit Authority, the Suburban Bus Division of the Regional Transportation Authority, and the Illinois State Police shall issue a report to the General Assembly on the effectiveness of the bus on shoulders pilot program.

(Source: P.A. 97-292, eff. 8-11-11; revised 11-19-13.)

(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:

(a) The use of red or white oscillating, rotating or flashing lights,
whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;


7. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization; and

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10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response; and:

11. Vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; the lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except as required in this paragraph 1; such lights shall be lighted when such vehicles are actually being used at the scene of an accident or disablement; if the towing vehicle is equipped with a flat bed that supports all wheels of the vehicle being transported, the lights shall not be lighted while the vehicle is engaged in towing on a highway; if the towing vehicle is not equipped with a flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code; in addition, these vehicles may use white oscillating, rotating, or flashing lights in combination with amber oscillating, rotating, or flashing lights as provided in this paragraph;

2. Motor vehicles or equipment of the State of Illinois, local authorities and contractors; furthermore, such lights shall not be lighted except while such vehicles are engaged in maintenance or construction operations within the limits of construction projects;

3. Vehicles or equipment used by engineering or survey crews; furthermore, such lights shall not be lighted except while such vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other construction, maintenance or automotive service vehicles except that such lights shall be lighted only as a means for indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing while such vehicles are engaged in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only be lighted when moving under permit issued by the Department under

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Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways;

6.1. (6.1) The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local authorities;

9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;

9.5. Propane delivery trucks;

10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;

10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;

11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;

13. Vehicles used by a security company, alarm responder, control agency, or the Illinois Department of Corrections;

14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of

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the facility where the vehicle is located; and

15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by:
   - voluntary firefighter;
   - paid firefighter;
   - part-paid firefighter;
   - call firefighter;
   - member of the board of trustees of a fire protection district;
   - paid or unpaid member of a rescue squad;
   - paid or unpaid member of a voluntary ambulance unit;

or

paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(C) the member's term of service; and

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(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.


8. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white

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headlights and blue grill lights, which may be used only in responding to an emergency call or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on second division vehicles designed and used for towing or hoisting vehicles or motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives; furthermore, such lights shall not be lighted on second division vehicles designed and used for towing or hoisting vehicles or vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in a tow operation, highway maintenance, or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative or authorized vendor from temporarily mounting such lights on a vehicle for demonstration purposes only. If the lights are not covered while the vehicle is operated upon a highway, the vehicle shall display signage indicating that the vehicle is out of service or not an emergency vehicle. The signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one-half inch wide. A vehicle authorized to have oscillating, rotating, or flashing lights mounted for demonstration purposes may not activate the lights while the vehicle is operated upon a highway.

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.
(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.
(Source: P.A. 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12; 97-1173, eff. 1-1-14; 98-80, eff. 7-15-13; 98-123, eff. 1-1-14; 98-468, eff. 8-16-13; revised 10-17-13.)

(625 ILCS 5/12-610.2)
Sec. 12-610.2. Electronic communication devices.
(a) As used in this Section:
"Electronic communication device" means an electronic device, including but not limited to a hand-held wireless telephone, hand-held personal digital assistant, or a portable or mobile computer, but does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.

(b) A person may not operate a motor vehicle on a roadway while using an electronic communication device.

(b-5) A person commits aggravated use of an electronic communication device when he or she violates subsection (b) and in committing the violation he or she was involved in a motor vehicle accident that results in great bodily harm, permanent disability, disfigurement, or death to another and the violation was a proximate cause of the injury or death.

(c) A second or subsequent violation of this Section is an offense against traffic regulations governing the movement of vehicles. A person who violates this Section shall be fined a maximum of $75 for a first offense, $100 for a second offense, $125 for a third offense, and $150 for a fourth or subsequent offense.

(d) This Section does not apply to:
(1) a law enforcement officer or operator of an emergency vehicle while performing his or her official duties;
(2) a driver using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation;
(3) a driver using an electronic communication device in hands-free or voice-operated mode, which may include the use of a headset;
(4) a driver of a commercial motor vehicle reading a message displayed on a permanently installed communication device designed for a commercial motor vehicle with a screen that does not exceed 10

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inches tall by 10 inches wide in size;
(5) a driver using an electronic communication device while
parked on the shoulder of a roadway;
(6) a driver using an electronic communication device when
the vehicle is stopped due to normal traffic being obstructed and the
driver has the motor vehicle transmission in neutral or park;
(7) a driver using two-way or citizens band radio services;
(8) a driver using two-way mobile radio transmitters or
receivers for licensees of the Federal Communications Commission
in the amateur radio service;
(9) a driver using an electronic communication device by
pressing a single button to initiate or terminate a voice
communication; or
(10) a driver using an electronic communication device
 capable of performing multiple functions, other than a hand-held
wireless telephone or hand-held personal digital assistant (for
example, a fleet management system, dispatching device, citizens
band radio, or music player) for a purpose that is not otherwise
prohibited by this Section.
(e) A person convicted of violating subsection (b-5) commits a Class
A misdemeanor if the violation resulted in great bodily harm, permanent
disability, or disfigurement to another. A person convicted of violating
subsection (b-5) commits a Class 4 felony if the violation resulted in the
death of another person.
(Source: P.A. 97-828, eff. 7-20-12; 98-506, eff. 1-1-14; 98-507, eff. 1-1-14;
revised 9-19-13.)
(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)
Sec. 15-111. Wheel and axle loads and gross weights.
(a) No vehicle or combination of vehicles with pneumatic tires may
be operated, unladen or with load, when the total weight on the road surface
exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a
tandem axle with no axle within the tandem exceeding 20,000 pounds;
80,000 pounds gross weight for vehicle combinations of 5 or more axles; or
a total weight on a group of 2 or more consecutive axles in excess of that
weight produced by the application of the following formula: W = 500 times
the sum of (LN divided by N-1) + 12N + 36, where "W" equals overall total
weight on any group of 2 or more consecutive axles to the nearest 500
pounds, "L" equals the distance measured to the nearest foot between
extremes of any group of 2 or more consecutive axles, and "N" equals the

New matter indicated by italics - deletions by strikeout
number of axles in the group under consideration.

The above formula when expressed in tabular form results in allowable loads as follows:

<table>
<thead>
<tr>
<th>Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles</th>
<th>Maximum weight in pounds of any group of 2 or more consecutive axles</th>
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*If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (a) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (a) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum gross weight on any one axle shall not exceed 20,000 pounds and the maximum

New matter indicated by italics - deletions by strikeout
total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

(1) Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.

(2) Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code. These vehicles are not subject to the bridge formula.

(3) Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

(4) Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

(5) Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more, notwithstanding the lower limit resulting from the application of the above formula.

(6) A truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle.

(7) A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on
a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(7.5) A 3-axle rear discharge truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(8) Except as provided in paragraph (7.5) of this subsection (a), tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2024 and first registered in Illinois prior to January 1, 2025, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 20,000 pounds. Any vehicle of this type manufactured after the model year of 2024 or first registered in Illinois after December 31, 2024 may not exceed a combined weight of 34,000 pounds through the series of 2 axles and neither axle of the series may exceed 20,000 pounds.

A 3-axle combination sewer cleaning jetting vacuum truck registered as a Special Hauling Vehicle, used exclusively for the transportation of non-hazardous solid waste, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(9) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles.
greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this paragraph (9) of subsection (a).

(10) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the model year of 2024, and registered in Illinois prior to January 1, 2025, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of P.A. 92-0417, the overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2024 may not exceed the weights allowed by the bridge formula.

(11) The maximum weight allowed on a vehicle with crawler type tracks is 40,000 pounds.

(12) A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

(i) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes;

(ii) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

New matter indicated by italics - deletions by strikeout
(iii) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles; and

(iv) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed. If a roll-back carrier is registered and being used as a tow truck, however, the license plate or plates for the tow truck must cover the gross vehicle weight, including any load carried on the bed of the roll-back carrier.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(b) As used in this Section, "recycling haul" or "recycling operation" means the hauling of non-hazardous, non-special, non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

New matter indicated by italics - deletions by strikeout
(c) No vehicle or combination of vehicles equipped with pneumatic
tires shall be operated, unladen or with load, upon the highways of this State
in violation of the provisions of any permit issued under the provisions of
Sections 15-301 through 15-319 of this Chapter.

(d) No vehicle or combination of vehicles equipped with other than
pneumatic tires may be operated, unladen or with load, upon the highways of
this State when the gross weight on the road surface through any wheel
exceeds 800 pounds per inch width of tire tread or when the gross weight on
the road surface through any axle exceeds 16,000 pounds.

(e) No person shall operate a vehicle or combination of vehicles over
a bridge or other elevated structure constituting part of a highway with a
gross weight that is greater than the maximum weight permitted by the
Department, when the structure is sign posted as provided in this Section.

(f) The Department upon request from any local authority shall, or
upon its own initiative may, conduct an investigation of any bridge or other
elevated structure constituting a part of a highway, and if it finds that the
structure cannot with safety to itself withstand the weight of vehicles
otherwise permissible under this Code the Department shall determine and
declare the maximum weight of vehicles that the structures can withstand,
and shall cause or permit suitable signs stating maximum weight to be erected
and maintained before each end of the structure. No person shall operate a
vehicle or combination of vehicles over any structure with a gross weight that
is greater than the posted maximum weight.

(g) Upon the trial of any person charged with a violation of subsection
(e) or (f) of this Section, proof of the determination of the maximum
allowable weight by the Department and the existence of the signs,
constitutes conclusive evidence of the maximum weight that can be
maintained with safety to the bridge or structure.
(Source: P.A. 97-201, eff. 1-1-12; 98-409, eff. 1-1-14; 98-410, eff. 8-16-13;
revised 9-19-13.)

Section 680. The Snowmobile Registration and Safety Act is amended
by changing Section 1-2.06 as follows:

(625 ILCS 40/1-2.06) (from Ch. 95 1/2, par. 601-2.06)
Sec. 1-2.06. "Intoxicating Beverage" means any beverage enumerated
in the "Liquor Control Act of 1934".
(Source: P.A. 78-856; revised 9-23-13.)

Section 685. The Circuit Courts Act is amended by changing Section
1 as follows:

(705 ILCS 35/1) (from Ch. 37, par. 72.1)

New matter indicated by italics - deletions by strikeout
Sec. 1. Judicial circuits created. The county of Cook shall be one judicial circuit and the State of Illinois, exclusive of the county of Cook, shall be and is divided into judicial circuits as follows:

First Circuit--The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.


Third Circuit--The counties of Madison and Bond.

Fourth Circuit--The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.

Fifth Circuit--The counties of Vermilion, Edgar, Clark, Cumberland and Coles.

Sixth Circuit--The counties of Champaign, Douglas, Moultrie, Macon, DeWitt and Piatt.

Seventh Circuit--The counties of Sangamon, Macoupin, Morgan, Scott, Greene and Jersey.

Eighth Circuit--The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun and Menard.

Ninth Circuit--The counties of Knox, Warren, Henderson, Hancock, McDonough and Fulton.

Tenth Circuit--The counties of Peoria, Marshall, Putnam, Stark and Tazewell.

Eleventh Circuit--The counties of McLean, Livingston, Logan, Ford and Woodford.

Twelfth Circuit--The county of Will.

Thirteenth Circuit--The counties of Bureau, LaSalle and Grundy.

Fourteenth Circuit--The counties of Rock Island, Mercer, Whiteside and Henry.

Fifteenth Circuit--The counties of Jo Daviess, Stephenson, Carroll, Ogle and Lee.

Sixteenth Circuit--Before December 3, 2012, the counties of Kane, DeKalb, and Kendall. On and after December 3, 2012, the County of Kane.

Seventeenth Circuit--The counties of Winnebago and Boone.

Eighteenth Circuit--The county of DuPage.

Nineteenth Circuit--Before December 4, 2006, the counties of Lake and McHenry. On and after December 4, 2006, the County of Lake.

Twentieth Circuit--The counties of Randolph, Monroe, St. Clair, Washington and Perry.

New matter indicated by italics - deletions by strikeout
Twenty-first Circuit--The counties of Iroquois and Kankakee.

Twenty-second Circuit--On and after December 4, 2006, the County of McHenry.

Twenty-third Circuit--On and after December 3, 2012, the counties of DeKalb and Kendall.

(Source: P.A. 97-585, eff. 8-26-11; revised 11-22-13.)

Section 690. The Juvenile Court Act of 1987 is amended by changing Sections 1-7, 1-8, 2-10, 2-28, 3-12, 4-9, 5-105, 5-130, 5-401.5, 5-410, 5-901, 5-905, and 5-915 as follows:

(705 ILCS 405/1-7) (from Ch. 37, par. 801-7)
Sec. 1-7. Confidentiality of law enforcement records.
(A) Inspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been arrested or taken into custody before his or her 18th birthday shall be restricted to the following:

(1) Any local, State or federal law enforcement officers of any jurisdiction or agency when necessary for the discharge of their official duties during the investigation or prosecution of a crime or relating to a minor who has been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activities by a criminal street gang, or, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers. For purposes of this Section, "criminal street gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(2) Prosecutors, probation officers, social workers, or other individuals assigned by the court to conduct a pre-adjudication or pre-disposition investigation, and individuals responsible for supervising or providing temporary or permanent care and custody for minors pursuant to the order of the juvenile court, when essential to performing their responsibilities.

(3) Prosecutors and probation officers:
   (a) in the course of a trial when institution of criminal proceedings has been permitted or required under Section 5-805; or

New matter indicated by italics - deletions by strikeout
(b) when institution of criminal proceedings has been permitted or required under Section 5-805 and such minor is the subject of a proceeding to determine the amount of bail; or

c) when criminal proceedings have been permitted or required under Section 5-805 and such minor is the subject of a pre-trial investigation, pre-sentence investigation, fitness hearing, or proceedings on an application for probation.

(4) Adult and Juvenile Prisoner Review Board.

(5) Authorized military personnel.

(6) Persons engaged in bona fide research, with the permission of the Presiding Judge of the Juvenile Court and the chief executive of the respective law enforcement agency; provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the minor's record.

(7) Department of Children and Family Services child protection investigators acting in their official capacity.

(8) The appropriate school official only if the agency or officer believes that there is an imminent threat of physical harm to students, school personnel, or others who are present in the school or on school grounds.

(A) Inspection and copying shall be limited to law enforcement records transmitted to the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest by a local law enforcement agency under a reciprocal reporting system established and maintained between the school district and the local law enforcement agency under Section 10-20.14 of the School Code concerning a minor enrolled in a school within the school district who has been arrested or taken into custody for any of the following offenses:

(i) any violation of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012;

(ii) a violation of the Illinois Controlled Substances Act;

(iii) a violation of the Cannabis Control Act;

(iv) a forcible felony as defined in Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012;

New matter indicated by italics - deletions by strikeout
(v) a violation of the Methamphetamine Control and Community Protection Act;
(vi) a violation of Section 1-2 of the Harassing and Obscene Communications Act;
(vii) a violation of the Hazing Act; or

The information derived from the law enforcement records shall be kept separate from and shall not become a part of the official school record of that child and shall not be a public record. The information shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest to aid in the proper rehabilitation of the child and to protect the safety of students and employees in the school. If the designated law enforcement and school officials deem it to be in the best interest of the minor, the student may be referred to in-school or community based social services if those services are available. "Rehabilitation services" may include interventions by school support personnel, evaluation for eligibility for special education, referrals to community-based agencies such as youth services, behavioral healthcare service providers, drug and alcohol prevention or treatment programs, and other interventions as deemed appropriate for the student.

(B) Any information provided to appropriate school officials whom the school has determined to have a legitimate educational or safety interest by local law enforcement officials about a minor who is the subject of a current police investigation that is directly related to school safety shall consist of oral information only, and not written law enforcement records, and shall be used solely by the appropriate school official or officials to protect the safety of students and employees in the school and aid in the proper rehabilitation of the child. The information derived orally from the local law enforcement officials shall be kept separate from and shall not become a part of the official school record of the child and shall not be a public record. This limitation

New matter indicated by italics - deletions by strikeout
on the use of information about a minor who is the subject of a current police investigation shall in no way limit the use of this information by prosecutors in pursuing criminal charges arising out of the information disclosed during a police investigation of the minor. For purposes of this paragraph, "investigation" means an official systematic inquiry by a law enforcement agency into actual or suspected criminal activity.

(9) Mental health professionals on behalf of the Illinois Department of Corrections or the Department of Human Services or prosecutors who are evaluating, prosecuting, or investigating a potential or actual petition brought under the Sexually Violent Persons Commitment Act relating to a person who is the subject of juvenile law enforcement records or the respondent to a petition brought under the Sexually Violent Persons Commitment Act who is the subject of the juvenile law enforcement records sought. Any records and any information obtained from those records under this paragraph (9) may be used only in sexually violent persons commitment proceedings.

(10) The president of a park district. Inspection and copying shall be limited to law enforcement records transmitted to the president of the park district by the Illinois State Police under Section 8-23 of the Park District Code or Section 16a-5 of the Chicago Park District Act concerning a person who is seeking employment with that park district and who has been adjudicated a juvenile delinquent for any of the offenses listed in subsection (c) of Section 8-23 of the Park District Code or subsection (c) of Section 16a-5 of the Chicago Park District Act.

(B)(1) Except as provided in paragraph (2), no law enforcement officer or other person or agency may knowingly transmit to the Department of Corrections or the Department of State Police or to the Federal Bureau of Investigation any fingerprint or photograph relating to a minor who has been arrested or taken into custody before his or her 18th birthday, unless the court in proceedings under this Act authorizes the transmission or enters an order under Section 5-805 permitting or requiring the institution of criminal proceedings.

(2) Law enforcement officers or other persons or agencies shall transmit to the Department of State Police copies of fingerprints and descriptions of all minors who have been arrested or taken into custody before their 18th birthday.

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custody before their 18th birthday for the offense of unlawful use of weapons under Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, a Class X or Class 1 felony, a forcible felony as defined in Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012, or a Class 2 or greater felony under the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or Chapter 4 of the Illinois Vehicle Code, pursuant to Section 5 of the Criminal Identification Act. Information reported to the Department pursuant to this Section may be maintained with records that the Department files pursuant to Section 2.1 of the Criminal Identification Act. Nothing in this Act prohibits a law enforcement agency from fingerprinting a minor taken into custody or arrested before his or her 18th birthday for an offense other than those listed in this paragraph (2).

(C) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all minors under 18 years of age must be maintained separate from the records of arrests and may not be open to public inspection or their contents disclosed to the public except by order of the court presiding over matters pursuant to this Act or when the institution of criminal proceedings has been permitted or required under Section 5-805 or such a person has been convicted of a crime and is the subject of pre-sentence investigation or proceedings on an application for probation or when provided by law. For purposes of obtaining documents pursuant to this Section, a civil subpoena is not an order of the court.

(1) In cases where the law enforcement, or independent agency, records concern a pending juvenile court case, the party seeking to inspect the records shall provide actual notice to the attorney or guardian ad litem of the minor whose records are sought.

(2) In cases where the records concern a juvenile court case that is no longer pending, the party seeking to inspect the records shall provide actual notice to the minor or the minor's parent or legal guardian, and the matter shall be referred to the chief judge presiding over matters pursuant to this Act.

(3) In determining whether the records should be available for inspection, the court shall consider the minor's interest in confidentiality and rehabilitation over the moving party's interest in
obtaining the information. Any records obtained in violation of this subsection (C) shall not be admissible in any criminal or civil proceeding, or operate to disqualify a minor from subsequently holding public office or securing employment, or operate as a forfeiture of any public benefit, right, privilege, or right to receive any license granted by public authority.

(D) Nothing contained in subsection (C) of this Section shall prohibit the inspection or disclosure to victims and witnesses of photographs contained in the records of law enforcement agencies when the inspection and disclosure is conducted in the presence of a law enforcement officer for the purpose of the identification or apprehension of any person subject to the provisions of this Act or for the investigation or prosecution of any crime.

(E) Law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity of any minor in releasing information to the general public as to the arrest, investigation or disposition of any case involving a minor.

(F) Nothing contained in this Section shall prohibit law enforcement agencies from communicating with each other by letter, memorandum, teletype or intelligence alert bulletin or other means the identity or other relevant information pertaining to a person under 18 years of age if there are reasonable grounds to believe that the person poses a real and present danger to the safety of the public or law enforcement officers. The information provided under this subsection (F) shall remain confidential and shall not be publicly disclosed, except as otherwise allowed by law.

(G) Nothing in this Section shall prohibit the right of a Civil Service Commission or appointing authority of any state, county or municipality examining the character and fitness of an applicant for employment with a law enforcement agency, correctional institution, or fire department from obtaining and examining the records of any law enforcement agency relating to any record of the applicant having been arrested or taken into custody before the applicant's 18th birthday.

(H) The changes made to this Section by Public Act 98-61 apply to law enforcement records of a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61).

(Source: P.A. 97-700, eff. 6-22-12; 97-1083, eff. 8-24-12; 97-1104, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; revised 11-22-13.)

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Sec. 1-8. Confidentiality and accessibility of juvenile court records. 

(A) Inspection and copying of juvenile court records relating to a minor who is the subject of a proceeding under this Act shall be restricted to the following:

(1) The minor who is the subject of record, his parents, guardian and counsel.

(2) Law enforcement officers and law enforcement agencies when such information is essential to executing an arrest or search warrant or other compulsory process, or to conducting an ongoing investigation or relating to a minor who has been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activities by a criminal street gang.

Before July 1, 1994, for the purposes of this Section,"criminal street gang" means any ongoing organization, association, or group of 3 or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts and that has a common name or common identifying sign, symbol or specific color apparel displayed, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity.

Beginning July 1, 1994, for purposes of this Section,"criminal street gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(3) Judges, hearing officers, prosecutors, probation officers, social workers or other individuals assigned by the court to conduct a pre-adjudication or predisposition investigation, and individuals responsible for supervising or providing temporary or permanent care and custody for minors pursuant to the order of the juvenile court when essential to performing their responsibilities.

(4) Judges, prosecutors and probation officers:

(a) in the course of a trial when institution of criminal proceedings has been permitted or required under Section 5-805; or

(b) when criminal proceedings have been permitted or required under Section 5-805 and a minor is the subject of a proceeding to determine the amount of bail; or

(c) when criminal proceedings have been permitted or
required under Section 5-805 and a minor is the subject of a
pre-trial investigation, pre-sentence investigation or fitness
hearing, or proceedings on an application for probation; or
(d) when a minor becomes 18 years of age or older,
and is the subject of criminal proceedings, including a hearing
to determine the amount of bail, a pre-trial investigation, a
pre-sentence investigation, a fitness hearing, or proceedings
on an application for probation.
(5) Adult and Juvenile Prisoner Review Boards.
(6) Authorized military personnel.
(7) Victims, their subrogees and legal representatives;
however, such persons shall have access only to the name and address
of the minor and information pertaining to the disposition or
alternative adjustment plan of the juvenile court.
(8) Persons engaged in bona fide research, with the permission
of the presiding judge of the juvenile court and the chief executive of
the agency that prepared the particular records; provided that
publication of such research results in no disclosure of a minor's
identity and protects the confidentiality of the record.
(9) The Secretary of State to whom the Clerk of the Court
shall report the disposition of all cases, as required in Section 6-204
of the Illinois Vehicle Code. However, information reported relative
to these offenses shall be privileged and available only to the
Secretary of State, courts, and police officers.
(10) The administrator of a bonafide substance abuse student
assistance program with the permission of the presiding judge of the
juvenile court.
(11) Mental health professionals on behalf of the Illinois
Department of Corrections or the Department of Human Services or
prosecutors who are evaluating, prosecuting, or investigating a
potential or actual petition brought under the Sexually Violent
Persons Commitment Act relating to a person who is the subject of
juvenile court records or the respondent to a petition brought under
the Sexually Violent Persons Commitment Act, who is the subject of
juvenile court records sought. Any records and any information
obtained from those records under this paragraph (11) may be used
only in sexually violent persons commitment proceedings.
(A-1) Findings and exclusions of paternity entered in proceedings
occurring under Article II of this Act shall be disclosed, in a manner and form

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approved by the Presiding Judge of the Juvenile Court, to the Department of Healthcare and Family Services when necessary to discharge the duties of the Department of Healthcare and Family Services under Article X of the Illinois Public Aid Code.

(B) A minor who is the victim in a juvenile proceeding shall be provided the same confidentiality regarding disclosure of identity as the minor who is the subject of record.

(C) Except as otherwise provided in this subsection (C), juvenile court records shall not be made available to the general public. Subject to the limitations in paragraphs (0.1) through (0.4) of this subsection (C), the judge presiding over a juvenile court proceeding brought under this Act, in his or her discretion, may order that juvenile court records of an individual case be made available for inspection upon request by a representative of an agency, association, or news media entity or by a properly interested person. For purposes of inspecting documents under this subsection (C), a civil subpoena is not an order of the court.

(0.1) In cases where the records concern a pending juvenile court case, the requesting party seeking to inspect the juvenile court records shall provide actual notice to the attorney or guardian ad litem of the minor whose records are sought.

(0.2) In cases where the records concern a juvenile court case that is no longer pending, the requesting party seeking to inspect the juvenile court records shall provide actual notice to the minor or the minor's parent or legal guardian, and the matter shall be referred to the chief judge presiding over matters pursuant to this Act.

(0.3) In determining whether records should be made available for inspection and whether inspection should be limited to certain parts of the file, the court shall consider the minor's interest in confidentiality and rehabilitation over the requesting party's interest in obtaining the information. The State's Attorney, the minor, and the minor's parents, guardian, and counsel shall at all times have the right to examine court files and records.

(0.4) Any records obtained in violation of this subsection (C) shall not be admissible in any criminal or civil proceeding, or operate to disqualify a minor from subsequently holding public office, or operate as a forfeiture of any public benefit, right, privilege, or right to receive any license granted by public authority.

(1) The court shall allow the general public to have access to the name, address, and offense of a minor who is adjudicated a

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delinquent minor under this Act under either of the following circumstances:

(A) The adjudication of delinquency was based upon the minor's commission of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault; or

(B) The court has made a finding that the minor was at least 13 years of age at the time the act was committed and the adjudication of delinquency was based upon the minor's commission of: (i) an act in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (ii) an act involving the use of a firearm in the commission of a felony, (iii) an act that would be a Class X felony offense under or the minor's second or subsequent Class 2 or greater felony offense under the Cannabis Control Act if committed by an adult, (iv) an act that would be a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act if committed by an adult, (v) an act that would be an offense under Section 401 of the Illinois Controlled Substances Act if committed by an adult, (vi) an act that would be a second or subsequent offense under Section 60 of the Methamphetamine Control and Community Protection Act, or (vii) an act that would be an offense under another Section of the Methamphetamine Control and Community Protection Act.

(2) The court shall allow the general public to have access to the name, address, and offense of a minor who is at least 13 years of age at the time the offense is committed and who is convicted, in criminal proceedings permitted or required under Section 5-4, under either of the following circumstances:

(A) The minor has been convicted of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault,

(B) The court has made a finding that the minor was at least 13 years of age at the time the offense was committed and the conviction was based upon the minor's commission of: (i) an offense in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (ii) an offense involving the use of a firearm in the commission of a felony,
felony, (iii) a Class X felony offense under or a second or subsequent Class 2 or greater felony offense under the Cannabis Control Act, (iv) a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act, (v) an offense under Section 401 of the Illinois Controlled Substances Act, (vi) an act that would be a second or subsequent offense under Section 60 of the Methamphetamine Control and Community Protection Act, or (vii) an act that would be an offense under another Section of the Methamphetamine Control and Community Protection Act.

(D) Pending or following any adjudication of delinquency for any offense defined in Sections 11-1.20 through 11-1.60 or 12-13 through 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, the victim of any such offense shall receive the rights set out in Sections 4 and 6 of the Bill of Rights for Victims and Witnesses of Violent Crime Act; and the juvenile who is the subject of the adjudication, notwithstanding any other provision of this Act, shall be treated as an adult for the purpose of affording such rights to the victim.

(E) Nothing in this Section shall affect the right of a Civil Service Commission or appointing authority of any state, county or municipality examining the character and fitness of an applicant for employment with a law enforcement agency, correctional institution, or fire department to ascertain whether that applicant was ever adjudicated to be a delinquent minor and, if so, to examine the records of disposition or evidence which were made in proceedings under this Act.

(F) Following any adjudication of delinquency for a crime which would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012, the State's Attorney shall ascertain whether the minor respondent is enrolled in school and, if so, shall provide a copy of the dispositional order to the principal or chief administrative officer of the school. Access to such juvenile records shall be limited to the principal or chief administrative officer of the school and any guidance counselor designated by him.

(G) Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

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(H) When a Court hearing a proceeding under Article II of this Act becomes aware that an earlier proceeding under Article II had been heard in a different county, that Court shall request, and the Court in which the earlier proceedings were initiated shall transmit, an authenticated copy of the Court record, including all documents, petitions, and orders filed therein and the minute orders, transcript of proceedings, and docket entries of the Court.

(I) The Clerk of the Circuit Court shall report to the Department of State Police, in the form and manner required by the Department of State Police, the final disposition of each minor who has been arrested or taken into custody before his or her 18th birthday for those offenses required to be reported under Section 5 of the Criminal Identification Act. Information reported to the Department under this Section may be maintained with records that the Department files under Section 2.1 of the Criminal Identification Act.

(J) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(705 ILCS 405/2-10) (from Ch. 37, par. 802-10)
Sec. 2-10. Temporary custody hearing. At the appearance of the minor before the court at the temporary custody hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

(1) If the court finds that there is not probable cause to believe that the minor is abused, neglected or dependent it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is abused, neglected or dependent, the court shall state in writing the factual basis supporting its finding and the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. The Department of Children and Family Services shall give testimony concerning indicated reports of abuse and neglect, of which they are aware of through the central registry, involving the minor's parent, guardian or custodian. After such testimony, the court may, consistent with the health, safety and best interests of the minor, enter an order that the minor shall be released upon the request of parent, guardian or custodian if the parent, guardian or custodian appears to take custody. If it is determined that

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a parent's, guardian's, or custodian's compliance with critical services mitigates the necessity for removal of the minor from his or her home, the court may enter an Order of Protection setting forth reasonable conditions of behavior that a parent, guardian, or custodian must observe for a specified period of time, not to exceed 12 months, without a violation; provided, however, that the 12-month period shall begin anew after any violation. Custodian shall include any agency of the State which has been given custody or wardship of the child. If it is consistent with the health, safety and best interests of the minor, the court may also prescribe shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency; however, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except a minor less than 15 years of age and committed to the Department of Children and Family Services under Section 5-710 of this Act or a minor for whom an independent basis of abuse, neglect, or dependency exists. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency.

In placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. In determining the health, safety and best interests of the minor to prescribe shelter care, the court must find that it is a matter of immediate and urgent necessity for the safety and protection of the minor or of the person or property of another that the minor be placed in a shelter care facility or that he or she is likely to flee the jurisdiction of the court, and must further find that reasonable efforts have been made or that, consistent with the health, safety and best interests of the minor, no efforts reasonably can be made to prevent or eliminate the necessity of removal of the minor from his or her home. The court shall require documentation from the Department of Children and Family Services as to the reasonable efforts that were made to prevent or eliminate the necessity of removal of the minor from his or her home or the reasons why no efforts reasonably could be made to prevent or eliminate the necessity of removal. When a minor is placed in the home of a relative, the Department of Children and Family Services shall complete a preliminary background review of the members of the minor's custodian's household in accordance with Section 4.3 of the Child Care Act.

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of 1969 within 90 days of that placement. If the minor is ordered placed in a shelter care facility of the Department of Children and Family Services or a licensed child welfare agency, the court shall, upon request of the appropriate Department or other agency, appoint the Department of Children and Family Services Guardianship Administrator or other appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody as it deems fit and proper, including the provision of services to the minor or his family to ameliorate the causes contributing to the finding of probable cause or to the finding of the existence of immediate and urgent necessity.

Where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, the Department of Children and Family Services shall file with the court and serve on the parties a parent-child visiting plan, within 10 days, excluding weekends and holidays, after the appointment. The parent-child visiting plan shall set out the time and place of visits, the frequency of visits, the length of visits, who shall be present at the visits, and where appropriate, the minor's opportunities to have telephone and mail communication with the parents.

Where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, and when the child has siblings in care, the Department of Children and Family Services shall file with the court and serve on the parties a sibling placement and contact plan within 10 days, excluding weekends and holidays, after the appointment. The sibling placement and contact plan shall set forth whether the siblings are placed together, and if they are not placed together, what, if any, efforts are being made to place them together. If the Department has determined that it is not in a child's best interest to be placed with a sibling, the Department shall document in the sibling placement and contact plan the basis for its determination. For siblings placed separately, the sibling placement and contact plan shall set the time and place for visits, the frequency of the visits, the length of visits, who shall be present for the visits, and where appropriate, the child's opportunities to have contact with their siblings in addition to in person contact. If the Department determines it is not in the best interest of a sibling to have contact with a sibling, the Department shall document in the sibling placement and contact plan the basis for its determination. The sibling placement and contact plan shall specify a date for development of the Sibling Contact Support Plan, under subsection (f) of Section 7.4 of the Children and Family Services Act, and shall remain in effect until the Sibling Contact Support Plan is developed.

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For good cause, the court may waive the requirement to file the parent-child visiting plan or the sibling placement and contact plan, or extend the time for filing either plan. Any party may, by motion, request the court to review the parent-child visiting plan to determine whether it is reasonably calculated to expeditiously facilitate the achievement of the permanency goal. A party may, by motion, request the court to review the parent-child visiting plan or the sibling placement and contact plan to determine whether it is consistent with the minor's best interest. The court may refer the parties to mediation where available. The frequency, duration, and locations of visitation shall be measured by the needs of the child and family, and not by the convenience of Department personnel. Child development principles shall be considered by the court in its analysis of how frequent visitation should be, how long it should last, where it should take place, and who should be present. If upon motion of the party to review either plan and after receiving evidence, the court determines that the parent-child visiting plan is not reasonably calculated to expeditiously facilitate the achievement of the permanency goal or that the restrictions placed on parent-child contact or sibling placement or contact are contrary to the child's best interests, the court shall put in writing the factual basis supporting the determination and enter specific findings based on the evidence. The court shall enter an order for the Department to implement changes to the parent-child visiting plan or sibling placement or contact plan, consistent with the court's findings. At any stage of proceeding, any party may by motion request the court to enter any orders necessary to implement the parent-child visiting plan, sibling placement or contact plan or subsequently developed Sibling Contact Support Plan. Nothing under this subsection (2) shall restrict the court from granting discretionary authority to the Department to increase opportunities for additional parent-child contacts or sibling contacts, without further court orders. Nothing in this subsection (2) shall restrict the Department from immediately restricting or terminating parent-child contact or sibling contacts, without either amending the parent-child visiting plan or the sibling contact plan or obtaining a court order, where the Department or its assigns reasonably believe that continuation of the contact, as set out in the plan, would be contrary to the child's health, safety, and welfare. The Department shall file with the court and serve on the parties any amendments to the plan within 10 days, excluding weekends and holidays, of the change of the visitation.

Acceptance of services shall not be considered an admission of any allegation in a petition made pursuant to this Act, nor may a referral of
services be considered as evidence in any proceeding pursuant to this Act, except where the issue is whether the Department has made reasonable efforts to reunite the family. In making its findings that it is consistent with the health, safety and best interests of the minor to prescribe shelter care, the court shall state in writing (i) the factual basis supporting its findings concerning the immediate and urgent necessity for the protection of the minor or of the person or property of another and (ii) the factual basis supporting its findings that reasonable efforts were made to prevent or eliminate the removal of the minor from his or her home or that no efforts reasonably could be made to prevent or eliminate the removal of the minor from his or her home. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian shall maintain a copy of the court order and written findings in the case record for the child. The order together with the court's findings of fact in support thereof shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

If the child is placed in the temporary custody of the Department of Children and Family Services for his or her protection, the court shall admonish the parents, guardian, custodian or responsible relative that the parents must cooperate with the Department of Children and Family Services, comply with the terms of the service plans, and correct the conditions which require the child to be in care, or risk termination of their parental rights.

(3) If prior to the shelter care hearing for a minor described in Sections 2-3, 2-4, 3-3 and 4-3 the moving party is unable to serve notice on the party respondent, the shelter care hearing may proceed ex-parte. A shelter care order from an ex-parte hearing shall be endorsed with the date and hour of issuance and shall be filed with the clerk's office and entered of record. The order shall expire after 10 days from the time it is issued unless before its expiration it is renewed, at a hearing upon appearance of the party respondent, or upon an affidavit of the moving party as to all diligent efforts to notify the party respondent by notice as herein prescribed. The notice prescribed shall be in writing and shall be personally delivered to the minor or the minor's attorney and to the last known address of the other person or persons entitled to notice. The notice shall also state the nature of the allegations, the nature of the order sought by the State, including whether

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temporary custody is sought, and the consequences of failure to appear and shall contain a notice that the parties will not be entitled to further written notices or publication notices of proceedings in this case, including the filing of an amended petition or a motion to terminate parental rights, except as required by Supreme Court Rule 11; and shall explain the right of the parties and the procedures to vacate or modify a shelter care order as provided in this Section. The notice for a shelter care hearing shall be substantially as follows:

NOTICE TO PARENTS AND CHILDREN
OF SHELTER CARE HEARING

On ................ at .........., before the Honorable ...............,
(address:) ..............., the State of Illinois will present evidence (1)
that (name of child or children) ....................... are abused, neglected
or dependent for the following reasons: ..............................................
and (2) whether there is "immediate and urgent necessity" to remove
the child or children from the responsible relative.

YOUR FAILURE TO APPEAR AT THE HEARING MAY
RESULT IN PLACEMENT of the child or children in foster care
until a trial can be held. A trial may not be held for up to 90 days.
You will not be entitled to further notices of proceedings in this case,
including the filing of an amended petition or a motion to terminate
parental rights.

At the shelter care hearing, parents have the following rights:

1. To ask the court to appoint a lawyer if they cannot afford one.
2. To ask the court to continue the hearing to allow them time to prepare.
3. To present evidence concerning:
   a. Whether or not the child or children were abused, neglected or dependent.
   b. Whether or not there is "immediate and urgent necessity" to remove the child from home
      (including: their ability to care for the child, conditions in the home, alternative means of
      protecting the child other than removal).
   c. The best interests of the child.
4. To cross examine the State's witnesses.

The Notice for rehearings shall be substantially as follows:

NOTICE OF PARENT'S AND CHILDREN'S RIGHTS
TO REHEARING ON TEMPORARY CUSTODY

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If you were not present at and did not have adequate notice of the Shelter Care Hearing at which temporary custody of ............. was awarded to .............., you have the right to request a full rehearing on whether the State should have temporary custody of ............. To request this rehearing, you must file with the Clerk of the Juvenile Court (address): ................... in person or by mailing a statement (affidavit) setting forth the following:

1. That you were not present at the shelter care hearing.
2. That you did not get adequate notice (explaining how the notice was inadequate).
3. Your signature.
4. Signature must be notarized.

The rehearing should be scheduled within 48 hours of your filing this affidavit.

At the rehearing, your rights are the same as at the initial shelter care hearing. The enclosed notice explains those rights.

At the Shelter Care Hearing, children have the following rights:

1. To have a guardian ad litem appointed.
2. To be declared competent as a witness and to present testimony concerning:
   a. Whether they are abused, neglected or dependent.
   b. Whether there is "immediate and urgent necessity" to be removed from home.
   c. Their best interests.
3. To cross examine witnesses for other parties.
4. To obtain an explanation of any proceedings and orders of the court.

(4) If the parent, guardian, legal custodian, responsible relative, minor age 8 or over, or counsel of the minor did not have actual notice of or was not present at the shelter care hearing, he or she may file an affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 48 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105
may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 18 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with adults confined pursuant to the criminal law.

(7) If the minor is not brought before a judicial officer within the time period as specified in Section 2-9, the minor must immediately be released from custody.

(8) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to subsection (2) of this Section, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or custodian to appear. At the same time the probation department shall prepare a report on the minor. If a parent, guardian or custodian does not appear at such rehearing, the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Children and Family Services or a licensed child welfare agency.

(9) Notwithstanding any other provision of this Section any interested party, including the State, the temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2 of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, on notice to all parties entitled to notice, may file a motion that it is in the best interests of the minor to modify or vacate a temporary custody order on any of the following grounds:

(a) It is no longer a matter of immediate and urgent necessity that the minor remain in shelter care; or

(b) There is a material change in the circumstances of the natural family from which the minor was removed and the child can be cared for at home without endangering the child's health or safety; or

(c) A person not a party to the alleged abuse, neglect or dependency, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or

(d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider

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have been successful in eliminating the need for temporary custody and the child can be cared for at home without endangered the child's health or safety.

In ruling on the motion, the court shall determine whether it is consistent with the health, safety and best interests of the minor to modify or vacate a temporary custody order.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary custody order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

(10) When the court finds or has found that there is probable cause to believe a minor is an abused minor as described in subsection (2) of Section 2-3 and that there is an immediate and urgent necessity for the abused minor to be placed in shelter care, immediate and urgent necessity shall be presumed for any other minor residing in the same household as the abused minor provided:

(a) Such other minor is the subject of an abuse or neglect petition pending before the court; and
(b) A party to the petition is seeking shelter care for such other minor.

Once the presumption of immediate and urgent necessity has been raised, the burden of demonstrating the lack of immediate and urgent necessity shall be on any party that is opposing shelter care for the other minor.

(11) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(705 ILCS 405/2-28) (from Ch. 37, par. 802-28)
Sec. 2-28. Court review.

(1) The court may require any legal custodian or guardian of the person appointed under this Act to report periodically to the court or may cite him into court and require him or his agency, to make a full and accurate report of his or its doings in behalf of the minor. The custodian or guardian, within 10 days after such citation, shall make the report, either in writing verified by affidavit or orally under oath in open court, or otherwise as the

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court directs. Upon the hearing of the report the court may remove the custodian or guardian and appoint another in his stead or restore the minor to the custody of his parents or former guardian or custodian. However, custody of the minor shall not be restored to any parent, guardian or legal custodian in any case in which the minor is found to be neglected or abused under Section 2-3 or dependent under Section 2-4 of this Act, unless the minor can be cared for at home without endangering the minor's health or safety and it is in the best interests of the minor, and if such neglect, abuse, or dependency is found by the court under paragraph (1) of Section 2-21 of this Act to have come about due to the acts or omissions or both of such parent, guardian or legal custodian, until such time as an investigation is made as provided in paragraph (5) and a hearing is held on the issue of the fitness of such parent, guardian or legal custodian to care for the minor and the court enters an order that such parent, guardian or legal custodian is fit to care for the minor.

(2) The first permanency hearing shall be conducted by the judge. Subsequent permanency hearings may be heard by a judge or by hearing officers appointed or approved by the court in the manner set forth in Section 2-28.1 of this Act. The initial hearing shall be held (a) within 12 months from the date temporary custody was taken, regardless of whether an adjudication or dispositional hearing has been completed within that time frame, (b) if the parental rights of both parents have been terminated in accordance with the procedure described in subsection (5) of Section 2-21, within 30 days of the order for termination of parental rights and appointment of a guardian with power to consent to adoption, or (c) in accordance with subsection (2) of Section 2-13.1. Subsequent permanency hearings shall be held every 6 months or more frequently if necessary in the court's determination following the initial permanency hearing, in accordance with the standards set forth in this Section, until the court determines that the plan and goal have been achieved. Once the plan and goal have been achieved, if the minor remains in substitute care, the case shall be reviewed at least every 6 months thereafter, subject to the provisions of this Section, unless the minor is placed in the guardianship of a suitable relative or other person and the court determines that further monitoring by the court does not further the health, safety or best interest of the child and that this is a stable permanent placement. The permanency hearings must occur within the time frames set forth in this subsection and may not be delayed in anticipation of a report from any source or due to the agency's failure to timely file its written report (this written report means the one required under the next paragraph and does not mean the service plan also referred to in that paragraph).

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The public agency that is the custodian or guardian of the minor, or another agency responsible for the minor's care, shall ensure that all parties to the permanency hearings are provided a copy of the most recent service plan prepared within the prior 6 months at least 14 days in advance of the hearing. If not contained in the plan, the agency shall also include a report setting forth (i) any special physical, psychological, educational, medical, emotional, or other needs of the minor or his or her family that are relevant to a permanency or placement determination and (ii) for any minor age 16 or over, a written description of the programs and services that will enable the minor to prepare for independent living. The agency's written report must detail what progress or lack of progress the parent has made in correcting the conditions requiring the child to be in care; whether the child can be returned home without jeopardizing the child's health, safety, and welfare, and if not, what permanency goal is recommended to be in the best interests of the child, and why the other permanency goals are not appropriate. The caseworker must appear and testify at the permanency hearing. If a permanency hearing has not previously been scheduled by the court, the moving party shall move for the setting of a permanency hearing and the entry of an order within the time frames set forth in this subsection.

At the permanency hearing, the court shall determine the future status of the child. The court shall set one of the following permanency goals:

(A) The minor will be returned home by a specific date within 5 months.

(B) The minor will be in short-term care with a continued goal to return home within a period not to exceed one year, where the progress of the parent or parents is substantial giving particular consideration to the age and individual needs of the minor.

(B-1) The minor will be in short-term care with a continued goal to return home pending a status hearing. When the court finds that a parent has not made reasonable efforts or reasonable progress to date, the court shall identify what actions the parent and the Department must take in order to justify a finding of reasonable efforts or reasonable progress and shall set a status hearing to be held not earlier than 9 months from the date of adjudication nor later than 11 months from the date of adjudication during which the parent's progress will again be reviewed.

(C) The minor will be in substitute care pending court determination on termination of parental rights.

(D) Adoption, provided that parental rights have been

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(E) The guardianship of the minor will be transferred to an individual or couple on a permanent basis provided that goals (A) through (D) have been ruled out.

(F) The minor over age 15 will be in substitute care pending independence.

(G) The minor will be in substitute care because he or she cannot be provided for in a home environment due to developmental disabilities or mental illness or because he or she is a danger to self or others, provided that goals (A) through (D) have been ruled out. In selecting any permanency goal, the court shall indicate in writing the reasons the goal was selected and why the preceding goals were ruled out. Where the court has selected a permanency goal other than (A), (B), or (B-1), the Department of Children and Family Services shall not provide further reunification services, but shall provide services consistent with the goal selected.

(H) Notwithstanding any other provision in this Section, the court may select the goal of continuing foster care as a permanency goal if:

1. The Department of Children and Family Services has custody and guardianship of the minor;
2. The court has ruled out all other permanency goals based on the child's best interest;
3. The court has found compelling reasons, based on written documentation reviewed by the court, to place the minor in continuing foster care. Compelling reasons include:
   a. The child does not wish to be adopted or to be placed in the guardianship of his or her relative or foster care placement;
   b. The child exhibits an extreme level of need such that the removal of the child from his or her placement would be detrimental to the child; or
   c. The child who is the subject of the permanency hearing has existing close and strong bonds with a sibling, and achievement of another permanency goal would substantially interfere with the subject child's sibling relationship, taking into consideration the nature and extent of the relationship, and whether ongoing contact is in the subject child's
best interest, including long-term emotional interest, as compared with the legal and emotional benefit of permanence;
(4) The child has lived with the relative or foster parent for at least one year; and
(5) The relative or foster parent currently caring for the child is willing and capable of providing the child with a stable and permanent environment.

The court shall set a permanency goal that is in the best interest of the child. In determining that goal, the court shall consult with the minor in an age-appropriate manner regarding the proposed permanency or transition plan for the minor. The court's determination shall include the following factors:

   (1) Age of the child.
   (2) Options available for permanence, including both out-of-State and in-State placement options.
   (3) Current placement of the child and the intent of the family regarding adoption.
   (4) Emotional, physical, and mental status or condition of the child.
   (5) Types of services previously offered and whether or not the services were successful and, if not successful, the reasons the services failed.
   (6) Availability of services currently needed and whether the services exist.
   (7) Status of siblings of the minor.

The court shall consider (i) the permanency goal contained in the service plan, (ii) the appropriateness of the services contained in the plan and whether those services have been provided, (iii) whether reasonable efforts have been made by all the parties to the service plan to achieve the goal, and (iv) whether the plan and goal have been achieved. All evidence relevant to determining these questions, including oral and written reports, may be admitted and may be relied on to the extent of their probative value.

The court shall make findings as to whether, in violation of Section 8.2 of the Abused and Neglected Child Reporting Act, any portion of the service plan compels a child or parent to engage in any activity or refrain from any activity that is not reasonably related to remedying a condition or conditions that gave rise or which could give rise to any finding of child abuse or neglect. The services contained in the service plan shall include services reasonably related to remedy the conditions that gave rise to removal

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of the child from the home of his or her parents, guardian, or legal custodian or that the court has found must be remedied prior to returning the child home. Any tasks the court requires of the parents, guardian, or legal custodian or child prior to returning the child home, must be reasonably related to remedying a condition or conditions that gave rise to or which could give rise to any finding of child abuse or neglect.

If the permanency goal is to return home, the court shall make findings that identify any problems that are causing continued placement of the children away from the home and identify what outcomes would be considered a resolution to these problems. The court shall explain to the parents that these findings are based on the information that the court has at that time and may be revised, should additional evidence be presented to the court.

The court shall review the Sibling Contact and Support Plan developed or modified under subsection (f) of Section 7.4 of the Children and Family Services Act, if applicable. If the Department has not convened a meeting to develop or modify a Sibling Contact Support Plan, or if the court finds that the existing Plan is not in the child's best interest, the court may enter an order requiring the Department to develop, modify or implement a Sibling Contact Support Plan, or order mediation.

If the goal has been achieved, the court shall enter orders that are necessary to conform the minor's legal custody and status to those findings.

If, after receiving evidence, the court determines that the services contained in the plan are not reasonably calculated to facilitate achievement of the permanency goal, the court shall put in writing the factual basis supporting the determination and enter specific findings based on the evidence. The court also shall enter an order for the Department to develop and implement a new service plan or to implement changes to the current service plan consistent with the court's findings. The new service plan shall be filed with the court and served on all parties within 45 days of the date of the order. The court shall continue the matter until the new service plan is filed. Unless otherwise specifically authorized by law, the court is not empowered under this subsection (2) or under subsection (3) to order specific placements, specific services, or specific service providers to be included in the plan.

A guardian or custodian appointed by the court pursuant to this Act shall file updated case plans with the court every 6 months.

Rights of wards of the court under this Act are enforceable against any public agency by complaints for relief by mandamus filed in any proceedings in the county in which the complaint is brought.

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brought under this Act.

(3) Following the permanency hearing, the court shall enter a written order that includes the determinations required under subsection (2) of this Section and sets forth the following:

(a) The future status of the minor, including the permanency goal, and any order necessary to conform the minor's legal custody and status to such determination; or

(b) If the permanency goal of the minor cannot be achieved immediately, the specific reasons for continuing the minor in the care of the Department of Children and Family Services or other agency for short term placement, and the following determinations:

   (i) (Blank).

   (ii) Whether the services required by the court and by any service plan prepared within the prior 6 months have been provided and (A) if so, whether the services were reasonably calculated to facilitate the achievement of the permanency goal or (B) if not provided, why the services were not provided.

   (iii) Whether the minor's placement is necessary, and appropriate to the plan and goal, recognizing the right of minors to the least restrictive (most family-like) setting available and in close proximity to the parents' home consistent with the health, safety, best interest and special needs of the minor and, if the minor is placed out-of-State, whether the out-of-State placement continues to be appropriate and consistent with the health, safety, and best interest of the minor.

   (iv) (Blank).

   (v) (Blank).

(4) The minor or any person interested in the minor may apply to the court for a change in custody of the minor and the appointment of a new custodian or guardian of the person or for the restoration of the minor to the custody of his parents or former guardian or custodian.

When return home is not selected as the permanency goal:

(a) The Department, the minor, or the current foster parent or relative caregiver seeking private guardianship may file a motion for private guardianship of the minor. Appointment of a guardian under this Section requires approval of the court.

(b) The State's Attorney may file a motion to terminate
parental rights of any parent who has failed to make reasonable efforts to correct the conditions which led to the removal of the child or reasonable progress toward the return of the child, as defined in subdivision (D)(m) of Section 1 of the Adoption Act or for whom any other unfitness ground for terminating parental rights as defined in subdivision (D) of Section 1 of the Adoption Act exists.

When parental rights have been terminated for a minimum of 3 years and the child who is the subject of the permanency hearing is 13 years old or older and is not currently placed in a placement likely to achieve permanency, the Department of Children and Family Services shall make reasonable efforts to locate parents whose rights have been terminated, except when the Court determines that those efforts would be futile or inconsistent with the subject child's best interests. The Department of Children and Family Services shall assess the appropriateness of the parent whose rights have been terminated, and shall, as appropriate, foster and support connections between the parent whose rights have been terminated and the youth. The Department of Children and Family Services shall document its determinations and efforts to foster connections in the child's case plan.

Custody of the minor shall not be restored to any parent, guardian or legal custodian in any case in which the minor is found to be neglected or abused under Section 2-3 or dependent under Section 2-4 of this Act, unless the minor can be cared for at home without endangering his or her health or safety and it is in the best interest of the minor, and if such neglect, abuse, or dependency is found by the court under paragraph (1) of Section 2-21 of this Act to have come about due to the acts or omissions or both of such parent, guardian or legal custodian, until such time as an investigation is made as provided in paragraph (5) and a hearing is held on the issue of the health, safety and best interest of the minor and the fitness of such parent, guardian or legal custodian to care for the minor and the court enters an order that such parent, guardian or legal custodian is fit to care for the minor. In the event that the minor has attained 18 years of age and the guardian or custodian petitions the court for an order terminating his guardianship or custody, guardianship or custody shall terminate automatically 30 days after the receipt of the petition unless the court orders otherwise. No legal custodian or guardian of the person may be removed without his consent until given notice and an opportunity to be heard by the court.

When the court orders a child restored to the custody of the parent or

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parents, the court shall order the parent or parents to cooperate with the Department of Children and Family Services and comply with the terms of an after-care plan, or risk the loss of custody of the child and possible termination of their parental rights. The court may also enter an order of protective supervision in accordance with Section 2-24.

(5) Whenever a parent, guardian, or legal custodian files a motion for restoration of custody of the minor, and the minor was adjudicated neglected, abused, or dependent as a result of physical abuse, the court shall cause to be made an investigation as to whether the movant has ever been charged with or convicted of any criminal offense which would indicate the likelihood of any further physical abuse to the minor. Evidence of such criminal convictions shall be taken into account in determining whether the minor can be cared for at home without endangering his or her health or safety and fitness of the parent, guardian, or legal custodian.

(a) Any agency of this State or any subdivision thereof shall co-operate with the agent of the court in providing any information sought in the investigation.

(b) The information derived from the investigation and any conclusions or recommendations derived from the information shall be provided to the parent, guardian, or legal custodian seeking restoration of custody prior to the hearing on fitness and the movant shall have an opportunity at the hearing to refute the information or contest its significance.

(c) All information obtained from any investigation shall be confidential as provided in Section 5-150 of this Act.

(705 ILCS 405/3-12) (from Ch. 37, par. 803-12)

Sec. 3-12. Shelter care hearing. At the appearance of the minor before the court at the shelter care hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

(1) If the court finds that there is not probable cause to believe that the minor is a person requiring authoritative intervention, it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is a person requiring authoritative intervention, the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. After such testimony, the court may enter

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an order that the minor shall be released upon the request of a parent, guardian or custodian if the parent, guardian or custodian appears to take custody. Custodian shall include any agency of the State which has been given custody or wardship of the child. The Court shall require documentation by representatives of the Department of Children and Family Services or the probation department as to the reasonable efforts that were made to prevent or eliminate the necessity of removal of the minor from his or her home, and shall consider the testimony of any person as to those reasonable efforts. If the court finds that it is a matter of immediate and urgent necessity for the protection of the minor or of the person or property of another that the minor be placed in a shelter care facility, or that he or she is likely to flee the jurisdiction of the court, and further finds that reasonable efforts have been made or good cause has been shown why reasonable efforts cannot prevent or eliminate the necessity of removal of the minor from his or her home, the court may prescribe shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency; otherwise it shall release the minor from custody. If the court prescribes shelter care, then in placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. If the minor is ordered placed in a shelter care facility of the Department of Children and Family Services or a licensed child welfare agency, the court shall, upon request of the Department or other agency, appoint the Department of Children and Family Services Guardianship Administrator or other appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody as it deems fit and proper, including the provision of services to the minor or his family to ameliorate the causes contributing to the finding of probable cause or to the finding of the existence of immediate and urgent necessity. Acceptance of services shall not be considered an admission of any allegation in a petition made pursuant to this Act, nor may a referral of services be considered as evidence in any proceeding pursuant to this Act, except where the issue is whether the Department has made reasonable efforts to reunite the family. In making its findings that reasonable efforts have been made or that good cause has been shown why reasonable efforts cannot prevent or eliminate the necessity of removal of the minor from his or her home, the court shall state in writing its findings concerning the nature of the services that were offered or the efforts that were made to prevent removal of the child and the apparent

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reasons that such services or efforts could not prevent the need for removal. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian shall maintain a copy of the court order and written findings in the case record for the child.

The order together with the court's findings of fact and support thereof shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

(3) If prior to the shelter care hearing for a minor described in Sections 2-3, 2-4, 3-3 and 4-3 the petitioner is unable to serve notice on the party respondent, the shelter care hearing may proceed ex-parte. A shelter care order from an ex-parte hearing shall be endorsed with the date and hour of issuance and shall be filed with the clerk's office and entered of record. The order shall expire after 10 days from the time it is issued unless before its expiration it is renewed, at a hearing upon appearance of the party respondent, or upon an affidavit of the moving party as to all diligent efforts to notify the party respondent by notice as herein prescribed. The notice prescribed shall be in writing and shall be personally delivered to the minor or the minor's attorney and to the last known address of the other person or persons entitled to notice. The notice shall also state the nature of the allegations, the nature of the order sought by the State, including whether temporary custody is sought, and the consequences of failure to appear; and shall explain the right of the parties and the procedures to vacate or modify a shelter care order as provided in this Section. The notice for a shelter care hearing shall be substantially as follows:

NOTICE TO PARENTS AND CHILDREN OF SHELTER CARE HEARING

On ................. at .........., before the Honorable ................., (address:)
................., the State of Illinois will present evidence (1) that (name of child or children) ................. are abused, neglected or dependent for the following reasons:
...............................
and (2) that there is "immediate and urgent necessity" to remove the child or children from the responsible relative.

YOUR FAILURE TO APPEAR AT THE HEARING MAY RESULT

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IN PLACEMENT of the child or children in foster care until a trial can be held. A trial may not be held for up to 90 days.

At the shelter care hearing, parents have the following rights:

1. To ask the court to appoint a lawyer if they cannot afford one.

2. To ask the court to continue the hearing to allow them time to prepare.

3. To present evidence concerning:
   a. Whether or not the child or children were abused, neglected or dependent.
   b. Whether or not there is "immediate and urgent necessity" to remove the child from home (including: their ability to care for the child, conditions in the home, alternative means of protecting the child other than removal).
   c. The best interests of the child.

4. To cross examine the State's witnesses.

The Notice for rehearings shall be substantially as follows:

NOTICE OF PARENT'S AND CHILDREN'S RIGHTS TO REHEARING ON TEMPORARY CUSTODY

If you were not present at and did not have adequate notice of the Shelter Care Hearing at which temporary custody of ............... was awarded to ................, you have the right to request a full rehearing on whether the State should have temporary custody of ............... To request this rehearing, you must file with the Clerk of the Juvenile Court (address): ........................, in person or by mailing a statement (affidavit) setting forth the following:

1. That you were not present at the shelter care hearing.
2. That you did not get adequate notice (explaining how the notice was inadequate).
3. Your signature.
4. Signature must be notarized.

The rehearing should be scheduled within one day of your filing this affidavit.

At the rehearing, your rights are the same as at the initial shelter care hearing. The enclosed notice explains those rights.

At the Shelter Care Hearing, children have the following rights:

1. To have a guardian ad litem appointed.
2. To be declared competent as a witness and to present testimony concerning:
   a. Whether they are abused, neglected or dependent.
b. Whether there is "immediate and urgent necessity" to be removed from home.
c. Their best interests.

3. To cross examine witnesses for other parties.
4. To obtain an explanation of any proceedings and orders of the court.

(4) If the parent, guardian, legal custodian, responsible relative, or counsel of the minor did not have actual notice of or was not present at the shelter care hearing, he or she may file an affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 48 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105 may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 18 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with adults confined pursuant to the criminal law.

(7) If the minor is not brought before a judicial officer within the time period specified in Section 3-11, the minor must immediately be released from custody.

(8) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to subsection (2) of this Section, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or custodian to appear. At the same time the probation department shall prepare a report on the minor. If a parent, guardian or custodian does not appear at such rehearing, the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Children and Family Services or a licensed child welfare agency.

(9) Notwithstanding any other provision of this Section, any interested party, including the State, the temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2

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of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, on notice to all parties entitled to notice, may file a motion to modify or vacate a temporary custody order on any of the following grounds:

(a) It is no longer a matter of immediate and urgent necessity that the minor remain in shelter care; or
(b) There is a material change in the circumstances of the natural family from which the minor was removed; or
(c) A person, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or
(d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider have been successful in eliminating the need for temporary custody.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary custody order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

(10) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(705 ILCS 405/4-9) (from Ch. 37, par. 804-9)

Sec. 4-9. Shelter care hearing. At the appearance of the minor before the court at the shelter care hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

(1) If the court finds that there is not probable cause to believe that the minor is addicted, it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is addicted, the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. After such testimony, the court may enter an order that the minor shall be released upon the request of a parent, guardian or custodian if the parent, guardian or custodian appears to take custody and agrees to abide by a court order which requires the minor and his or her parent, guardian, or legal custodian to complete an evaluation by an entity licensed by the Department of Human Services, as the successor to the Department of Alcoholism and

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Substance Abuse, and complete any treatment recommendations indicated by 
the assessment. Custodian shall include any agency of the State which has 
been given custody or wardship of the child.

The Court shall require documentation by representatives of the 
Department of Children and Family Services or the probation department as 
to the reasonable efforts that were made to prevent or eliminate the necessity 
of removal of the minor from his or her home, and shall consider the 
testimony of any person as to those reasonable efforts. If the court finds that 
it is a matter of immediate and urgent necessity for the protection of the 
minor or of the person or property of another that the minor be or placed in 
a shelter care facility or that he or she is likely to flee the jurisdiction of the 
court, and further, finds that reasonable efforts have been made or good cause 
has been shown why reasonable efforts cannot prevent or eliminate the 
necessity of removal of the minor from his or her home, the court may 
preserve shelter care and order that the minor be kept in a suitable place 
designated by the court or in a shelter care facility designated by the 
Department of Children and Family Services or a licensed child welfare 
agency, or in a facility or program licensed by the Department of Human 
Services for shelter and treatment services; otherwise it shall release the 
minor from custody. If the court prescribes shelter care, then in placing the 
minor, the Department or other agency shall, to the extent compatible with 
the court's order, comply with Section 7 of the Children and Family Services 
Act. If the minor is ordered placed in a shelter care facility of the Department 
of Children and Family Services or a licensed child welfare agency, or in a 
facility or program licensed by the Department of Human Services for shelter 
and treatment services, the court shall, upon request of the appropriate 
Department or other agency, appoint the Department of Children and Family 
Services Guardianship Administrator or other appropriate agency executive 
temporary custodian of the minor and the court may enter such other orders 
related to the temporary custody as it deems fit and proper, including the 
provision of services to the minor or his family to ameliorate the causes 
contributing to the finding of probable cause or to the finding of the existence 
of immediate and urgent necessity. Acceptance of services shall not be 
considered an admission of any allegation in a petition made pursuant to this 
Act, nor may a referral of services be considered as evidence in any 
proceeding pursuant to this Act, except where the issue is whether the 
Department has made reasonable efforts to reunite the family. In making its 
findings that reasonable efforts have been made or that good cause has been 
shown why reasonable efforts cannot prevent or eliminate the necessity of 

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removal of the minor from his or her home, the court shall state in writing its findings concerning the nature of the services that were offered or the efforts that were made to prevent removal of the child and the apparent reasons that such services or efforts could not prevent the need for removal. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian shall maintain a copy of the court order and written findings in the case record for the child. The order together with the court's findings of fact in support thereof shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

(3) If neither the parent, guardian, legal custodian, responsible relative nor counsel of the minor has had actual notice of or is present at the shelter care hearing, he or she may file his or her affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 24 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(4) If the minor is not brought before a judicial officer within the time period as specified in Section 4-8, the minor must immediately be released from custody.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105 may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 18 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room or yard with adults confined pursuant to the criminal law.

(7) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to subsection (2) of this Section, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or custodian to appear. At the same time the

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probation department shall prepare a report on the minor. If a parent, guardian or custodian does not appear at such rehearing, the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Children and Family Services or a licensed child welfare agency.

(8) Any interested party, including the State, the temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2 of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, may file a motion to modify or vacate a temporary custody order on any of the following grounds:
   (a) It is no longer a matter of immediate and urgent necessity that the minor remain in shelter care; or
   (b) There is a material change in the circumstances of the natural family from which the minor was removed; or
   (c) A person, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or
   (d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider have been successful in eliminating the need for temporary custody.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary custody order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

(9) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of this amendatory Act).

(Source: P.A. 98-61, eff. 1-1-14; revised 11-22-13.)

(705 ILCS 405/5-105)

Sec. 5-105. Definitions. As used in this Article:
   (1) "Aftercare release" means the conditional and revocable release of an adjudicated delinquent juvenile committed to the Department of Juvenile Justice under the supervision of the Department of Juvenile Justice.
   (1.5) "Court" means the circuit court in a session or division assigned to hear proceedings under this Act, and includes the term Juvenile Court.
   (2) "Community service" means uncompensated labor for a
(2.5) "Community service agency" means a not-for-profit organization, community organization, church, charitable organization, individual, public office, or other public body whose purpose is to enhance the physical or mental health of a delinquent minor or to rehabilitate the minor, or to improve the environmental quality or social welfare of the community which agrees to accept community service from juvenile delinquents and to report on the progress of the community service to the State's Attorney pursuant to an agreement or to the court or to any agency designated by the court or to the authorized diversion program that has referred the delinquent minor for community service.

(3) "Delinquent minor" means any minor who prior to his or her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, State, county or municipal law or ordinance.

(4) "Department" means the Department of Human Services unless specifically referenced as another department.

(5) "Detention" means the temporary care of a minor who is alleged to be or has been adjudicated delinquent and who requires secure custody for the minor's own protection or the community's protection in a facility designed to physically restrict the minor's movements, pending disposition by the court or execution of an order of the court for placement or commitment. Design features that physically restrict movement include, but are not limited to, locked rooms and the secure handcuffing of a minor to a rail or other stationary object. In addition, "detention" includes the court ordered care of an alleged or adjudicated delinquent minor who requires secure custody pursuant to Section 5-125 of this Act.

(6) "Diversion" means the referral of a juvenile, without court intervention, into a program that provides services designed to educate the juvenile and develop a productive and responsible approach to living in the community.

(7) "Juvenile detention home" means a public facility with specially trained staff that conforms to the county juvenile detention standards promulgated by the Department of Corrections.

(8) "Juvenile justice continuum" means a set of delinquency prevention programs and services designed for the purpose of preventing or reducing delinquent acts, including criminal activity by
youth gangs, as well as intervention, rehabilitation, and prevention services targeted at minors who have committed delinquent acts, and minors who have previously been committed to residential treatment programs for delinquents. The term includes children-in-need-of-services and families-in-need-of-services programs; aftercare and reentry services; substance abuse and mental health programs; community service programs; community service work programs; and alternative-dispute resolution programs serving youth-at-risk of delinquency and their families, whether offered or delivered by State or local governmental entities, public or private for-profit or not-for-profit organizations, or religious or charitable organizations. This term would also encompass any program or service consistent with the purpose of those programs and services enumerated in this subsection.

(9) "Juvenile police officer" means a sworn police officer who has completed a Basic Recruit Training Course, has been assigned to the position of juvenile police officer by his or her chief law enforcement officer and has completed the necessary juvenile officers training as prescribed by the Illinois Law Enforcement Training Standards Board, or in the case of a State police officer, juvenile officer training approved by the Director of State Police.

(10) "Minor" means a person under the age of 21 years subject to this Act.

(11) "Non-secure custody" means confinement where the minor is not physically restricted by being placed in a locked cell or room, by being handcuffed to a rail or other stationary object, or by other means. Non-secure custody may include, but is not limited to, electronic monitoring, foster home placement, home confinement, group home placement, or physical restriction of movement or activity solely through facility staff.

(12) "Public or community service" means uncompensated labor for a not-for-profit organization or public body whose purpose is to enhance physical or mental stability of the offender, environmental quality or the social welfare and which agrees to accept public or community service from offenders and to report on the progress of the offender and the public or community service to the court or to the authorized diversion program that has referred the offender for public or community service.

(13) "Sentencing hearing" means a hearing to determine
whether a minor should be adjudged a ward of the court, and to
determine what sentence should be imposed on the minor. It is the
intention of the General Assembly that the term "sentencing hearing"
replace the term "dispositional hearing" and be synonymous with that
definition as it was used in the Juvenile Court Act of 1987.

(14) "Shelter" means the temporary care of a minor in
physically unrestricting facilities pending court disposition or
execution of court order for placement.

(15) "Site" means a not-for-profit organization, public body,
church, charitable organization, or individual agreeing to accept
community service from offenders and to report on the progress of
ordered or required public or community service to the court or to the
authorized diversion program that has referred the offender for public
or community service.

(16) "Station adjustment" means the informal or formal
handling of an alleged offender by a juvenile police officer.

(17) "Trial" means a hearing to determine whether the
allegations of a petition under Section 5-520 that a minor is
delinquent are proved beyond a reasonable doubt. It is the intention of
the General Assembly that the term "trial" replace the term
"adjudicatory hearing" and be synonymous with that definition as it
was used in the Juvenile Court Act of 1987.

The changes made to this Section by Public Act 98-61 this
amendatory Act of the 98th General Assembly apply to violations or
attempted violations committed on or after January 1, 2014 (the effective
date of Public Act 98-61) this amendatory Act.

(Source: P.A. 98-61, eff. 1-1-14; 98-558, eff. 1-1-14; revised 1-21-14.)

(705 ILCS 405/5-130)
Sec. 5-130. Excluded jurisdiction.

(1)(a) The definition of delinquent minor under Section 5-120 of this
Article shall not apply to any minor who at the time of an offense was at least
15 years of age and who is charged with: (i) first degree murder, (ii)
aggravated criminal sexual assault, (iii) aggravated battery with a firearm as
described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of
Section 12-3.05 where the minor personally discharged a firearm as defined
in Section 2-15.5 of the Criminal Code of 1961 or the Criminal Code of
2012, (iv) armed robbery when the armed robbery was committed with a
firearm, or (v) aggravated vehicular hijacking when the hijacking was
committed with a firearm.

New matter indicated by italics - deletions by strikeout
These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(b)(i) If before trial or plea an information or indictment is filed that does not charge an offense specified in paragraph (a) of this subsection (1) the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes one or more charges specified in paragraph (a) of this subsection (1) and additional charges that are not specified in that paragraph, all of the charges arising out of the same incident shall be prosecuted under the Criminal Code of 1961 or the Criminal Code of 2012.

(c)(i) If after trial or plea the minor is convicted of any offense covered by paragraph (a) of this subsection (1), then, in sentencing the minor, the court shall have available any or all dispositions prescribed for that offense under Chapter V of the Unified Code of Corrections.

(ii) If after trial or plea the court finds that the minor committed an offense not covered by paragraph (a) of this subsection (1), that finding shall not invalidate the verdict or the prosecution of the minor under the criminal laws of the State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict. Reasonable notice of the motion shall be given to the minor or his or her counsel. If the motion is made by the State, the court shall conduct a hearing to determine if the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the security of the public requires sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under
Chapter V of the Unified Code of Corrections, then the court shall sentence the minor accordingly having available to it any or all dispositions so prescribed.

(2) (Blank).

(3)(a) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who at the time of the offense was at least 15 years of age and who is charged with a violation of the provisions of paragraph (1), (3), (4), or (10) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 while in school, regardless of the time of day or the time of year, or on the real property comprising any school, regardless of the time of day or the time of year. School is defined, for purposes of this Section as any public or private elementary or secondary school, community college, college, or university. These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(b)(i) If before trial or plea an information or indictment is filed that does not charge an offense specified in paragraph (a) of this subsection (3) the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed under the criminal laws of this State on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes one or more charges specified in paragraph (a) of this subsection (3) and additional charges that are not specified in that paragraph, all of the charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(c)(i) If after trial or plea the minor is convicted of any offense covered by paragraph (a) of this subsection (3), then, in sentencing the minor, the court shall have available any or all dispositions prescribed for that offense under Chapter V of the Unified Code of Corrections.

(ii) If after trial or plea the court finds that the minor committed an offense not covered by paragraph (a) of this subsection (3), that finding shall not invalidate the verdict or the prosecution of the minor under the criminal laws of the State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict. Reasonable notice
of the motion shall be given to the minor or his or her counsel. If the motion is made by the State, the court shall conduct a hearing to determine if the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the security of the public requires sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under Chapter V of the Unified Code of Corrections, then the court shall sentence the minor accordingly having available to it any or all dispositions so prescribed.

(4)(a) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who at the time of an offense was at least 13 years of age and who is charged with first degree murder committed during the course of either aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnaping. However, this subsection (4) does not include a minor charged with first degree murder based exclusively upon the accountability provisions of the Criminal Code of 1961 or the Criminal Code of 2012.

(b)(i) If before trial or plea an information or indictment is filed that does not charge first degree murder committed during the course of aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnaping, the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed under the criminal laws of this State on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes first degree murder committed during the course of aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnaping, and additional charges that are not specified in paragraph (a) of this subsection, all of the charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

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(c)(i) If after trial or plea the minor is convicted of first degree murder committed during the course of aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnaping, in sentencing the minor, the court shall have available any or all dispositions prescribed for that offense under Chapter V of the Unified Code of Corrections.

(ii) If the minor was not yet 15 years of age at the time of the offense, and if after trial or plea the court finds that the minor committed an offense other than first degree murder committed during the course of either aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnaping, the finding shall not invalidate the verdict or the prosecution of the minor under the criminal laws of the State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict. Reasonable notice of the motion shall be given to the minor or his or her counsel. If the motion is made by the State, the court shall conduct a hearing to determine whether the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous delinquent history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the best interest of the minor and the security of the public require sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under Chapter V of the Unified Code of Corrections, then the court shall sentence the minor accordingly having available to it any or all dispositions so prescribed.

(5)(a) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who is charged with a violation of subsection (a) of Section 31-6 or Section 32-10 of the Criminal Code of 1961 or the Criminal Code of 2012 when the minor is subject to prosecution under the criminal laws of this State as a result of the application of the provisions of Section 5-125, or subsection (1) or (2) of this Section. These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

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(b)(i) If before trial or plea an information or indictment is filed that does not charge an offense specified in paragraph (a) of this subsection (5), the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed under the criminal laws of this State on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, his or her right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes one or more charges specified in paragraph (a) of this subsection (5) and additional charges that are not specified in that paragraph, all of the charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(c)(i) If after trial or plea the minor is convicted of any offense covered by paragraph (a) of this subsection (5), then, in sentencing the minor, the court shall have available any or all dispositions prescribed for that offense under Chapter V of the Unified Code of Corrections.

(ii) If after trial or plea the court finds that the minor committed an offense not covered by paragraph (a) of this subsection (5), the conviction shall not invalidate the verdict or the prosecution of the minor under the criminal laws of this State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict. Reasonable notice of the motion shall be given to the minor or his or her counsel. If the motion is made by the State, the court shall conduct a hearing to determine if whether the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous delinquent history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the security of the public requires sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under Chapter V of the Unified Code of Corrections, then the court shall sentence the minor accordingly having available to it any or all dispositions

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so prescribed.

(6) The definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who, pursuant to subsection (1) or (3) or Section 5-805 or 5-810, has previously been placed under the jurisdiction of the criminal court and has been convicted of a crime under an adult criminal or penal statute. Such a minor shall be subject to prosecution under the criminal laws of this State.

(7) The procedures set out in this Article for the investigation, arrest and prosecution of juvenile offenders shall not apply to minors who are excluded from jurisdiction of the Juvenile Court, except that minors under 18 years of age shall be kept separate from confined adults.

(8) Nothing in this Act prohibits or limits the prosecution of any minor for an offense committed on or after his or her 18th birthday even though he or she is at the time of the offense a ward of the court.

(9) If an original petition for adjudication of wardship alleges the commission by a minor 13 years of age or over of an act that constitutes a crime under the laws of this State, the minor, with the consent of his or her counsel, may, at any time before commencement of the adjudicatory hearing, file with the court a motion that criminal prosecution be ordered and that the petition be dismissed insofar as the act or acts involved in the criminal proceedings are concerned. If such a motion is filed as herein provided, the court shall enter its order accordingly.

(10) If, prior to August 12, 2005 (the effective date of Public Act 94-574), a minor is charged with a violation of Section 401 of the Illinois Controlled Substances Act under the criminal laws of this State, other than a minor charged with a Class X felony violation of the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, any party including the minor or the court sua sponte may, before trial, move for a hearing for the purpose of trying and sentenced the minor as a delinquent minor. To request a hearing, the party must file a motion prior to trial. Reasonable notice of the motion shall be given to all parties. On its own motion or upon the filing of a motion by one of the parties including the minor, the court shall conduct a hearing to determine whether the minor should be tried and sentenced as a delinquent minor under this Article. In making its determination, the court shall consider among other matters:

(a) The age of the minor;
(b) Any previous delinquent or criminal history of the minor;
(c) Any previous abuse or neglect history of the minor;
(d) Any mental health or educational history of the minor, or

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both; and

e) Whether there is probable cause to support the charge, whether the minor is charged through accountability, and whether there is evidence the minor possessed a deadly weapon or caused serious bodily harm during the offense.

Any material that is relevant and reliable shall be admissible at the hearing. In all cases, the judge shall enter an order permitting prosecution under the criminal laws of Illinois unless the judge makes a finding based on a preponderance of the evidence that the minor would be amenable to the care, treatment, and training programs available through the facilities of the juvenile court based on an evaluation of the factors listed in this subsection (10).

(11) The changes made to this Section by Public Act 98-61 apply to a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61).

(Source: P.A. 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; revised 11-22-13.)

(705 ILCS 405/5-401.5)

Sec. 5-401.5. When statements by minor may be used.

(a) In this Section, "custodial interrogation" means any interrogation (i) during which a reasonable person in the subject's position would consider himself or herself to be in custody and (ii) during which a question is asked that is reasonably likely to elicit an incriminating response.

In this Section, "electronic recording" includes motion picture, audiotape, videotape, or digital recording.

In this Section, "place of detention" means a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons or allegations that those persons are delinquent minors.

(b) An oral, written, or sign language statement of a minor who, at the time of the commission of the offense was under the age of 18 years, made as a result of a custodial interrogation conducted at a police station or other place of detention on or after the effective date of this amendatory Act of the 93rd General Assembly shall be presumed to be inadmissible as evidence against the minor in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, or 9-3.3, of the Criminal Code of 1961 or the Criminal Code of 2012, or under clause (d)(1)(F) of Section 11-501 of the

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Illinois Vehicle Code unless:

(1) an electronic recording is made of the custodial interrogation; and

(2) the recording is substantially accurate and not intentionally altered.

(b-5) Under the following circumstances, an oral, written, or sign language statement of a minor who, at the time of the commission of the offense was under the age of 17 years, made as a result of a custodial interrogation conducted at a police station or other place of detention shall be presumed to be inadmissible as evidence against the minor, unless an electronic recording is made of the custodial interrogation and the recording is substantially accurate and not intentionally altered:

(1) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 11-1.40 or 20-1.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2014;

(2) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 10-2, 18-4, or 19-6 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2015; and

(3) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 11-1.30 or 18-2 or subsection (e) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2016.

(b-10) If, during the course of an electronically recorded custodial interrogation conducted under this Section of a minor who, at the time of the commission of the offense was under the age of 17 years, the minor makes a statement that creates a reasonable suspicion to believe the minor has committed an act that if committed by an adult would be an offense other than an offense required to be recorded under subsection (b) or (b-5), the interrogators may, without the minor's consent, continue to record the interrogation as it relates to the other offense notwithstanding any provision of law to the contrary. Any oral, written, or sign language statement of a minor made as a result of an interrogation under this subsection shall be presumed to be inadmissible as evidence against the minor in any criminal proceeding or juvenile court proceeding, unless the recording is substantially accurate and not intentionally altered.
(c) Every electronic recording made under this Section must be preserved until such time as the minor's adjudication for any offense relating to the statement is final and all direct and habeas corpus appeals are exhausted, or the prosecution of such offenses is barred by law.

(d) If the court finds, by a preponderance of the evidence, that the minor was subjected to a custodial interrogation in violation of this Section, then any statements made by the minor during or following that non-recorded custodial interrogation, even if otherwise in compliance with this Section, are presumed to be inadmissible in any criminal proceeding or juvenile court proceeding against the minor except for the purposes of impeachment.

(e) Nothing in this Section precludes the admission (i) of a statement made by the minor in open court in any criminal proceeding or juvenile court proceeding, before a grand jury, or at a preliminary hearing, (ii) of a statement made during a custodial interrogation that was not recorded as required by this Section because electronic recording was not feasible, (iii) of a voluntary statement, whether or not the result of a custodial interrogation, that has a bearing on the credibility of the accused as a witness, (iv) of a spontaneous statement that is not made in response to a question, (v) of a statement made after questioning that is routinely asked during the processing of the arrest of the suspect, (vi) of a statement made during a custodial interrogation by a suspect who requests, prior to making the statement, to respond to the interrogator's questions only if an electronic recording is not made of the statement, provided that an electronic recording is made of the statement of agreeing to respond to the interrogator's question, only if a recording is not made of the statement, (vii) of a statement made during a custodial interrogation that is conducted out-of-state, (viii) of a statement given in violation of subsection (b) at a time when the interrogators are unaware that a death has in fact occurred, (ix) of a statement given in violation of subsection (b-5) at a time when the interrogators are unaware of facts and circumstances that would create probable cause to believe that the minor committed an act that if committed by an adult would be an offense required to be recorded under subsection (b-5), or (x) of any other statement that may be admissible under law. The State shall bear the burden of proving, by a preponderance of the evidence, that one of the exceptions described in this subsection (e) is applicable. Nothing in this Section precludes the admission of a statement, otherwise inadmissible under this Section, that is used only for impeachment and not as substantive evidence.

(f) The presumption of inadmissibility of a statement made by a
suspect at a custodial interrogation at a police station or other place of
detention may be overcome by a preponderance of the evidence that the
statement was voluntarily given and is reliable, based on the totality of the
circumstances.

(g) Any electronic recording of any statement made by a minor during
a custodial interrogation that is compiled by any law enforcement agency as
required by this Section for the purposes of fulfilling the requirements of this
Section shall be confidential and exempt from public inspection and copying,
as provided under Section 7 of the Freedom of Information Act, and the
information shall not be transmitted to anyone except as needed to comply
with this Section.

(h) A statement, admission, confession, or incriminating information
made by or obtained from a minor related to the instant offense, as part of any
behavioral health screening, assessment, evaluation, or treatment, whether or
not court-ordered, shall not be admissible as evidence against the minor on
the issue of guilt only in the instant juvenile court proceeding. The provisions
of this subsection (h) are in addition to and do not override any existing
statutory and constitutional prohibition on the admission into evidence in
delinquency proceedings of information obtained during screening,
assessment, or treatment.

(i) The changes made to this Section by Public Act 98-61 this
amendatory Act of the 98th General Assembly apply to statements of a minor
made on or after January 1, 2014 (the effective date of Public Act 98-61) this
amendatory Act.

(Source: P.A. 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; 98-547, eff. 1-1-14;
revised 9-24-13.)

(705 ILCS 405/5-410)
Sec. 5-410. Non-secure custody or detention.
(1) Any minor arrested or taken into custody pursuant to this Act who
requires care away from his or her home but who does not require physical
restriction shall be given temporary care in a foster family home or other
shelter facility designated by the court.

(2) (a) Any minor 10 years of age or older arrested pursuant to this
Act where there is probable cause to believe that the minor is a delinquent
minor and that (i) secured custody is a matter of immediate and urgent
necessity for the protection of the minor or of the person or property of
another, (ii) the minor is likely to flee the jurisdiction of the court, or (iii) the
minor was taken into custody under a warrant, may be kept or detained in an
authorized detention facility. No minor under 12 years of age shall be

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detained in a county jail or a municipal lockup for more than 6 hours.

(b) The written authorization of the probation officer or detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) constitutes authority for the superintendent of any juvenile detention home to detain and keep a minor for up to 40 hours, excluding Saturdays, Sundays and court-designated holidays. These records shall be available to the same persons and pursuant to the same conditions as are law enforcement records as provided in Section 5-905.

(b-4) The consultation required by subsection (b-5) shall not be applicable if the probation officer or detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) utilizes a scorable detention screening instrument, which has been developed with input by the State's Attorney, to determine whether a minor should be detained, however, subsection (b-5) shall still be applicable where no such screening instrument is used or where the probation officer, detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) deviates from the screening instrument.

(b-5) Subject to the provisions of subsection (b-4), if a probation officer or detention officer (or other public officer designated by the court in a county having 3,000,000 or more inhabitants) does not intend to detain a minor for an offense which constitutes one of the following offenses he or she shall consult with the State's Attorney's Office prior to the release of the minor: first degree murder, second degree murder, involuntary manslaughter, criminal sexual assault, aggravated criminal sexual assault, aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05, aggravated or heinous battery involving permanent disability or disfigurement or great bodily harm, robbery, aggravated robbery, armed robbery, vehicular hijacking, aggravated vehicular hijacking, vehicular invasion, arson, aggravated arson, kidnapping, aggravated kidnapping, home invasion, burglary, or residential burglary.

(c) Except as otherwise provided in paragraph (a), (d), or (e), no minor shall be detained in a county jail or municipal lockup for more than 12 hours, unless the offense is a crime of violence in which case the minor may be detained up to 24 hours. For the purpose of this paragraph, "crime of violence" has the meaning ascribed to it in Section 1-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(i) The period of detention is deemed to have begun once the minor has been placed in a locked room or cell or handcuffed to a stationary object in a building housing a county jail or municipal

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lockup. Time spent transporting a minor is not considered to be time in detention or secure custody.

(ii) Any minor so confined shall be under periodic supervision and shall not be permitted to come into or remain in contact with adults in custody in the building.

(iii) Upon placement in secure custody in a jail or lockup, the minor shall be informed of the purpose of the detention, the time it is expected to last and the fact that it cannot exceed the time specified under this Act.

(iv) A log shall be kept which shows the offense which is the basis for the detention, the reasons and circumstances for the decision to detain and the length of time the minor was in detention.

(v) Violation of the time limit on detention in a county jail or municipal lockup shall not, in and of itself, render inadmissible evidence obtained as a result of the violation of this time limit. Minors under 18 years of age shall be kept separate from confined adults and may not at any time be kept in the same cell, room or yard with adults confined pursuant to criminal law. Persons 18 years of age and older who have a petition of delinquency filed against them may be confined in an adult detention facility. In making a determination whether to confine a person 18 years of age or older who has a petition of delinquency filed against the person, these factors, among other matters, shall be considered:

(A) The age of the person;

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

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

(D) Any mental health or educational history of the person, or both.

(d) (i) If a minor 12 years of age or older is confined in a county jail in a county with a population below 3,000,000 inhabitants, then the minor's confinement shall be implemented in such a manner that there will be no contact by sight, sound or otherwise between the minor and adult prisoners. Minors 12 years of age or older must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with confined adults. This paragraph (d)(i) shall only apply to confinement pending an adjudicatory hearing and shall not exceed 40 hours, excluding Saturdays, Sundays and court designated holidays. To accept or hold minors during this

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time period, county jails shall comply with all monitoring standards promulgated by the Department of Corrections and training standards approved by the Illinois Law Enforcement Training Standards Board.

(ii) To accept or hold minors, 12 years of age or older, after the time period prescribed in paragraph (d)(i) of this subsection (2) of this Section but not exceeding 7 days including Saturdays, Sundays and holidays pending an adjudicatory hearing, county jails shall comply with all temporary detention standards promulgated by the Department of Corrections and training standards approved by the Illinois Law Enforcement Training Standards Board.

(iii) To accept or hold minors 12 years of age or older, after the time period prescribed in paragraphs (d)(i) and (d)(ii) of this subsection (2) of this Section, county jails shall comply with all programmatic and training standards for juvenile detention homes promulgated by the Department of Corrections.

(e) When a minor who is at least 15 years of age is prosecuted under the criminal laws of this State, the court may enter an order directing that the juvenile be confined in the county jail. However, any juvenile confined in the county jail under this provision shall be separated from adults who are confined in the county jail in such a manner that there will be no contact by sight, sound or otherwise between the juvenile and adult prisoners.

(f) For purposes of appearing in a physical lineup, the minor may be taken to a county jail or municipal lockup under the direct and constant supervision of a juvenile police officer. During such time as is necessary to conduct a lineup, and while supervised by a juvenile police officer, the sight and sound separation provisions shall not apply.

(g) For purposes of processing a minor, the minor may be taken to a County Jail or municipal lockup under the direct and constant supervision of a law enforcement officer or correctional officer. During such time as is necessary to process the minor, and while supervised by a law enforcement officer or correctional officer, the sight and sound separation provisions shall not apply.

(3) If the probation officer or State's Attorney (or such other public officer designated by the court in a county having 3,000,000 or more inhabitants) determines that the minor may be a delinquent minor as described in subsection (3) of Section 5-105, and should be retained in custody but does not require physical restriction, the minor may be placed in non-secure custody for up to 40 hours pending a detention hearing.

(4) Any minor taken into temporary custody, not requiring secure
detention, may, however, be detained in the home of his or her parent or
guardian subject to such conditions as the court may impose.

(5) The changes made to this Section by Public Act 98-61 this
amendatory Act of the 98th General Assembly apply to a minor who has been
arrested or taken into custody on or after January 1, 2014 (the effective date
of Public Act 98-61) this amendatory Act.

(Source: P.A. 98-61, eff. 1-1-14; revised 11-22-13.)

(705 ILCS 405/5-901)
Sec. 5-901. Court file.

(1) The Court file with respect to proceedings under this Article shall
consist of the petitions, pleadings, victim impact statements, process, service
of process, orders, writs and docket entries reflecting hearings held and
judgments and decrees entered by the court. The court file shall be kept
separate from other records of the court.

(a) The file, including information identifying the victim or
alleged victim of any sex offense, shall be disclosed only to the
following parties when necessary for discharge of their official duties:

(i) A judge of the circuit court and members of the
staff of the court designated by the judge;
(ii) Parties to the proceedings and their attorneys;
(iii) Victims and their attorneys, except in cases of
multiple victims of sex offenses in which case the information
identifying the nonrequesting victims shall be redacted;
(iv) Probation officers, law enforcement officers or
prosecutors or their staff;
(v) Adult and juvenile Prisoner Review Boards.

(b) The Court file redacted to remove any information
identifying the victim or alleged victim of any sex offense shall be
disclosed only to the following parties when necessary for discharge
of their official duties:

(i) Authorized military personnel;
(ii) Persons engaged in bona fide research, with the
permission of the judge of the juvenile court and the chief
executive of the agency that prepared the particular recording:
provided that publication of such research results in no
disclosure of a minor's identity and protects the confidentiality
of the record;
(iii) The Secretary of State to whom the Clerk of the
Court shall report the disposition of all cases, as required in

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Section 6-204 or Section 6-205.1 of the Illinois Vehicle Code. However, information reported relative to these offenses shall be privileged and available only to the Secretary of State, courts, and police officers;

(iv) The administrator of a bonafide substance abuse student assistance program with the permission of the presiding judge of the juvenile court;

(v) Any individual, or any public or private agency or institution, having custody of the juvenile under court order or providing educational, medical or mental health services to the juvenile or a court-approved advocate for the juvenile or any placement provider or potential placement provider as determined by the court.

(3) A minor who is the victim or alleged victim in a juvenile proceeding shall be provided the same confidentiality regarding disclosure of identity as the minor who is the subject of record. Information identifying victims and alleged victims of sex offenses, shall not be disclosed or open to public inspection under any circumstances. Nothing in this Section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing his or her identity.

(4) Relevant information, reports and records shall be made available to the Department of Juvenile Justice when a juvenile offender has been placed in the custody of the Department of Juvenile Justice.

(5) Except as otherwise provided in this subsection (5), juvenile court records shall not be made available to the general public but may be inspected by representatives of agencies, associations and news media or other properly interested persons by general or special order of the court. The State's Attorney, the minor, his or her parents, guardian and counsel shall at all times have the right to examine court files and records.

(a) The court shall allow the general public to have access to the name, address, and offense of a minor who is adjudicated a delinquent minor under this Act under either of the following circumstances:

(i) The adjudication of delinquency was based upon the minor's commission of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault; or

(ii) The court has made a finding that the minor was at least 13 years of age at the time the act was committed and

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the adjudication of delinquency was based upon the minor's commission of: (A) an act in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (B) an act involving the use of a firearm in the commission of a felony, (C) an act that would be a Class X felony offense under or the minor's second or subsequent Class 2 or greater felony offense under the Cannabis Control Act if committed by an adult, (D) an act that would be a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act if committed by an adult, (E) an act that would be an offense under Section 401 of the Illinois Controlled Substances Act if committed by an adult, or (F) an act that would be an offense under the Methamphetamine Control and Community Protection Act if committed by an adult.

(b) The court shall allow the general public to have access to the name, address, and offense of a minor who is at least 13 years of age at the time the offense is committed and who is convicted, in criminal proceedings permitted or required under Section 5-805, under either of the following circumstances:

   (i) The minor has been convicted of first degree murder, attempt to commit first degree murder, aggravated criminal sexual assault, or criminal sexual assault,

   (ii) The court has made a finding that the minor was at least 13 years of age at the time the offense was committed and the conviction was based upon the minor's commission of: (A) an offense in furtherance of the commission of a felony as a member of or on behalf of a criminal street gang, (B) an offense involving the use of a firearm in the commission of a felony, (C) a Class X felony offense under the Cannabis Control Act or a second or subsequent Class 2 or greater felony offense under the Cannabis Control Act, (D) a second or subsequent offense under Section 402 of the Illinois Controlled Substances Act, (E) an offense under Section 401 of the Illinois Controlled Substances Act, or (F) an offense under the Methamphetamine Control and Community Protection Act.

(6) Nothing in this Section shall be construed to limit the use of a adjudication of delinquency as evidence in any juvenile or criminal

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proceeding, where it would otherwise be admissible under the rules of evidence, including but not limited to, use as impeachment evidence against any witness, including the minor if he or she testifies.

(7) Nothing in this Section shall affect the right of a Civil Service Commission or appointing authority examining the character and fitness of an applicant for a position as a law enforcement officer to ascertain whether that applicant was ever adjudicated to be a delinquent minor and, if so, to examine the records or evidence which were made in proceedings under this Act.

(8) Following any adjudication of delinquency for a crime which would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012, the State's Attorney shall ascertain whether the minor respondent is enrolled in school and, if so, shall provide a copy of the sentencing order to the principal or chief administrative officer of the school. Access to such juvenile records shall be limited to the principal or chief administrative officer of the school and any guidance counselor designated by him or her.

(9) Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

(11) The Clerk of the Circuit Court shall report to the Department of State Police, in the form and manner required by the Department of State Police, the final disposition of each minor who has been arrested or taken into custody before his or her 18th birthday for those offenses required to be reported under Section 5 of the Criminal Identification Act. Information reported to the Department under this Section may be maintained with records that the Department files under Section 2.1 of the Criminal Identification Act.

(12) Information or records may be disclosed to the general public when the court is conducting hearings under Section 5-805 or 5-810.

(13) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to juvenile court records of a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(Source: P.A. 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; revised 11-22-13.) (705 ILCS 405/5-905)
Sec. 5-905. Law enforcement records.

(1) Law Enforcement Records. Inspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been arrested or taken into custody before his or her 18th birthday shall be restricted to the following and when necessary for the discharge of their official duties:

   (a) A judge of the circuit court and members of the staff of the court designated by the judge;

   (b) Law enforcement officers, probation officers or prosecutors or their staff, or, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers;

   (c) The minor, the minor's parents or legal guardian and their attorneys, but only when the juvenile has been charged with an offense;

   (d) Adult and Juvenile Prisoner Review Boards;

   (e) Authorized military personnel;

   (f) Persons engaged in bona fide research, with the permission of the judge of juvenile court and the chief executive of the agency that prepared the particular recording: provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the record;

   (g) Individuals responsible for supervising or providing temporary or permanent care and custody of minors pursuant to orders of the juvenile court or directives from officials of the Department of Children and Family Services or the Department of Human Services who certify in writing that the information will not be disclosed to any other party except as provided under law or order of court;

   (h) The appropriate school official only if the agency or officer believes that there is an imminent threat of physical harm to students, school personnel, or others who are present in the school or on school grounds.

(A) Inspection and copying shall be limited to law enforcement records transmitted to the appropriate school official or officials whom the school has determined to have

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a legitimate educational or safety interest by a local law enforcement agency under a reciprocal reporting system established and maintained between the school district and the local law enforcement agency under Section 10-20.14 of the School Code concerning a minor enrolled in a school within the school district who has been arrested or taken into custody for any of the following offenses:

(i) any violation of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012;
(ii) a violation of the Illinois Controlled Substances Act;
(iii) a violation of the Cannabis Control Act;
(iv) a forcible felony as defined in Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012;
(v) a violation of the Methamphetamine Control and Community Protection Act;
(vi) a violation of Section 1-2 of the Harassing and Obscene Communications Act;
(vii) a violation of the Hazing Act; or

The information derived from the law enforcement records shall be kept separate from and shall not become a part of the official school record of that child and shall not be a public record. The information shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest to aid in the proper rehabilitation of the child and to protect the safety of students and employees in the school. If the designated law enforcement and school officials deem it to be in the best interest of the minor, the student may be referred to in-school or community based social services if those services are available. "Rehabilitation services" may include interventions by school support personnel, evaluation for eligibility for special education, referrals to community-based agencies such as youth services, behavioral healthcare services

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providers, drug and alcohol prevention or treatment programs, and other interventions as deemed appropriate for the student.

(B) Any information provided to appropriate school officials whom the school has determined to have a legitimate educational or safety interest by local law enforcement officials about a minor who is the subject of a current police investigation that is directly related to school safety shall consist of oral information only, and not written law enforcement records, and shall be used solely by the appropriate school official or officials to protect the safety of students and employees in the school and aid in the proper rehabilitation of the child. The information derived orally from the local law enforcement officials shall be kept separate from and shall not become a part of the official school record of the child and shall not be a public record. This limitation on the use of information about a minor who is the subject of a current police investigation shall in no way limit the use of this information by prosecutors in pursuing criminal charges arising out of the information disclosed during a police investigation of the minor. For purposes of this paragraph, "investigation" means an official systematic inquiry by a law enforcement agency into actual or suspected criminal activity;

(i) The president of a park district. Inspection and copying shall be limited to law enforcement records transmitted to the president of the park district by the Illinois State Police under Section 8-23 of the Park District Code or Section 16a-5 of the Chicago Park District Act concerning a person who is seeking employment with that park district and who has been adjudicated a juvenile delinquent for any of the offenses listed in subsection (c) of Section 8-23 of the Park District Code or subsection (c) of Section 16a-5 of the Chicago Park District Act.

(2) Information identifying victims and alleged victims of sex offenses, shall not be disclosed or open to public inspection under any circumstances. Nothing in this Section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing his or her identity.

(2.5) If the minor is a victim of aggravated battery, battery, attempted first degree murder, or other non-sexual violent offense, the identity of the victim may be disclosed to appropriate school officials, for the purpose of preventing foreseeable future violence involving minors, by a local law enforcement agency.

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enforcement agency pursuant to an agreement established between the school district and a local law enforcement agency subject to the approval by the presiding judge of the juvenile court.

(3) Relevant information, reports and records shall be made available to the Department of Juvenile Justice when a juvenile offender has been placed in the custody of the Department of Juvenile Justice.

(4) Nothing in this Section shall prohibit the inspection or disclosure to victims and witnesses of photographs contained in the records of law enforcement agencies when the inspection or disclosure is conducted in the presence of a law enforcement officer for purposes of identification or apprehension of any person in the course of any criminal investigation or prosecution.

(5) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all minors under 18 years of age must be maintained separate from the records of adults and may not be open to public inspection or their contents disclosed to the public except by order of the court or when the institution of criminal proceedings has been permitted under Section 5-130 or 5-805 or required under Section 5-130 or 5-805 or such a person has been convicted of a crime and is the subject of pre-sentence investigation or when provided by law.

(6) Except as otherwise provided in this subsection (6), law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity of any minor in releasing information to the general public as to the arrest, investigation or disposition of any case involving a minor. Any victim or parent or legal guardian of a victim may petition the court to disclose the name and address of the minor and the minor's parents or legal guardian, or both. Upon a finding by clear and convincing evidence that the disclosure is either necessary for the victim to pursue a civil remedy against the minor or the minor's parents or legal guardian, or both, or to protect the victim's person or property from the minor, then the court may order the disclosure of the information to the victim or to the parent or legal guardian of the victim only for the purpose of the victim pursuing a civil remedy against the minor or the minor's parents or legal guardian, or both, or to protect the victim's person or property from the minor.

(7) Nothing contained in this Section shall prohibit law enforcement

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agencies when acting in their official capacity from communicating with each other by letter, memorandum, teletype or intelligence alert bulletin or other means the identity or other relevant information pertaining to a person under 18 years of age. The information provided under this subsection (7) shall remain confidential and shall not be publicly disclosed, except as otherwise allowed by law.

(8) No person shall disclose information under this Section except when acting in his or her official capacity and as provided by law or order of court.

(9) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61). (Source: P.A. 97-700, eff. 6-22-12; 97-1104, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; revised 11-22-13.)

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

(0.05) For purposes of this Section and Section 5-622:

"Expunge" means to physically destroy the records and to obliterate the minor's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the internal office records, files, or databases maintained by a State's Attorney's Office or other prosecutor.

"Law enforcement record" includes but is not limited to records of arrest, station adjustments, fingerprints, probation adjustments, the issuance of a notice to appear, or any other records maintained by a law enforcement agency relating to a minor suspected of committing an offense.

(1) Whenever any person has attained the age of 18 or whenever all juvenile court proceedings relating to that person have been terminated, whichever is later, the person may petition the court to expunge law enforcement records relating to incidents occurring before his or her 18th birthday or his or her juvenile court records, or both, but only in the following circumstances:

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

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

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(c) the minor was placed under supervision pursuant to Section 5-615, and the order of supervision has since been successfully terminated; or
(d) the minor was adjudicated for an offense which would be a Class B misdemeanor, Class C misdemeanor, or a petty or business offense if committed by an adult.

(2) Any person may petition the court to expunge all law enforcement records relating to any incidents occurring before his or her 18th birthday which did not result in proceedings in criminal court and all juvenile court records with respect to any adjudications except those based upon first degree murder and sex offenses which would be felonies if committed by an adult, if the person for whom expungement is sought has had no convictions for any crime since his or her 18th birthday and:
(a) has attained the age of 21 years; or
(b) 5 years have elapsed since all juvenile court proceedings relating to him or her have been terminated or his or her commitment to the Department of Juvenile Justice pursuant to this Act has been terminated;
whichever is later of (a) or (b). Nothing in this Section 5-915 precludes a minor from obtaining expungement under Section 5-622.

(2.5) If a minor is arrested and no petition for delinquency is filed with the clerk of the circuit court as provided in paragraph (a) of subsection (1) at the time the minor is released from custody, the youth officer, if applicable, or other designated person from the arresting agency, shall notify verbally and in writing to the minor or the minor's parents or guardians that if the State's Attorney does not file a petition for delinquency, the minor has a right to petition to have his or her arrest record expunged when the minor attains the age of 18 or when all juvenile court proceedings relating to that minor have been terminated and that unless a petition to expunge is filed, the minor shall have an arrest record and shall provide the minor and the minor's parents or guardians with an expungement information packet, including a petition to expunge juvenile records obtained from the clerk of the circuit court.

(2.6) If a minor is charged with an offense and is found not delinquent of that offense; or if a minor is placed under supervision under Section 5-615, and the order of supervision is successfully terminated; or if a minor is adjudicated for an offense that would be a Class B misdemeanor, a Class C misdemeanor, or a business or petty offense if committed by an adult; or if a minor has incidents occurring before his or her 18th birthday that have not

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resulted in proceedings in criminal court, or resulted in proceedings in juvenile court, and the adjudications were not based upon first degree murder or sex offenses that would be felonies if committed by an adult; then at the time of sentencing or dismissal of the case, the judge shall inform the delinquent minor of his or her right to petition for expungement as provided by law, and the clerk of the circuit court shall provide an expungement information packet to the delinquent minor, written in plain language, including a petition for expungement, a sample of a completed petition, expungement instructions that shall include information informing the minor that (i) once the case is expunged, it shall be treated as if it never occurred, (ii) he or she may apply to have petition fees waived, (iii) once he or she obtains an expungement, he or she may not be required to disclose that he or she had a juvenile record, and (iv) he or she may file the petition on his or her own or with the assistance of an attorney. The failure of the judge to inform the delinquent minor of his or her right to petition for expungement as provided by law does not create a substantive right, nor is that failure grounds for: (i) a reversal of an adjudication of delinquency, (ii) a new trial; or (iii) an appeal.

(2.7) For counties with a population over 3,000,000, the clerk of the circuit court shall send a "Notification of a Possible Right to Expungement" post card to the minor at the address last received by the clerk of the circuit court on the date that the minor attains the age of 18 based on the birthdate provided to the court by the minor or his or her guardian in cases under paragraphs (b), (c), and (d) of subsection (1); and when the minor attains the age of 21 based on the birthdate provided to the court by the minor or his or her guardian in cases under subsection (2).

(2.8) The petition for expungement for subsection (1) shall be substantially in the following form:

IN THE CIRCUIT COURT OF ....... ILLINOIS

......... JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.

) )

) )

) )

(Name of Petitioner)

PETITION TO EXPUNGE JUVENILE RECORDS

(705 ILCS 405/5-915 (SUBSECTION 1))

(Please prepare a separate petition for each offense)

Now comes ............., petitioner, and respectfully requests that this Honorable

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Court enter an order expunging all juvenile law enforcement and court records of petitioner and in support thereof states that: Petitioner has attained the age of 18, his/her birth date being ......., or all Juvenile Court proceedings terminated as of ......., whichever occurred later. Petitioner was arrested on ...... by the ....... Police Department for the offense of ......., and:

(Check One:)

( ) a. no petition was filed with the Clerk of the Circuit Court.
( ) b. was charged with ...... and was found not delinquent of the offense.
( ) c. a petition was filed and the petition was dismissed without a finding of delinquency on ......
( ) d. on ...... placed under supervision pursuant to Section 5-615 of the Juvenile Court Act of 1987 and such order of supervision successfully terminated on .......
( ) e. was adjudicated for the offense, which would have been a Class B misdemeanor, a Class C misdemeanor, or a petty offense or business offense if committed by an adult.

Petitioner .... has .... has not been arrested on charges in this or any county other than the charges listed above. If petitioner has been arrested on additional charges, please list the charges below:
Charge(s): ......
Arresting Agency or Agencies: ...........
Disposition/Result: (choose from a. through e., above): ......

WHEREFORE, the petitioner respectfully requests this Honorable Court to (1) order all law enforcement agencies to expunge all records of petitioner to this incident, and (2) to order the Clerk of the Court to expunge all records concerning the petitioner regarding this incident.

....................
Petitioner (Signature)
.....................
Petitioner's Street Address
....................
City, State, Zip Code

Pursuant to the penalties of perjury under the Code of Civil Procedure, 735 ILCS 5/1-109, I hereby certify that the statements in this petition are true and correct, or on information and belief I believe the same to be true.

....................
Petitioner (Signature)

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The Petition for Expungement for subsection (2) shall be substantially in the following form:

IN THE CIRCUIT COURT OF ........., ILLINOIS

......... JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.

)

)

)

(............)

(Name of Petitioner)

PETITION TO EXPUNGE JUVENILE RECORDS

(705 ILCS 405/5-915 (SUBSECTION 2))

(Please prepare a separate petition for each offense)

Now comes ............, petitioner, and respectfully requests that this Honorable Court enter an order expunging all Juvenile Law Enforcement and Court records of petitioner and in support thereof states that:

The incident for which the Petitioner seeks expungement occurred before the Petitioner's 18th birthday and did not result in proceedings in criminal court and the Petitioner has not had any convictions for any crime since his/her 18th birthday; and

The incident for which the Petitioner seeks expungement occurred before the Petitioner's 18th birthday and the adjudication was not based upon first-degree murder or sex offenses which would be felonies if committed by an adult, and the Petitioner has not had any convictions for any crime since his/her 18th birthday.

Petitioner was arrested on ...... by the ....... Police Department for the offense of ........., and:

(Choose whichever one occurred the latest:)

( ) a. The Petitioner has attained the age of 21 years, his/her birthday being .......; or

( ) b. 5 years have elapsed since all juvenile court proceedings relating to the Petitioner have been terminated; or the Petitioner's commitment to the Department of Juvenile Justice pursuant to the expungement of juvenile law enforcement and court records provisions of the Juvenile Court Act of 1987 has been terminated. Petitioner ...has ...has not been arrested on charges in this or any other county other than the charge listed above. If petitioner has been arrested on additional charges, please list the charges below:

Charge(s): ..........

Arresting Agency or Agencies: .......

Disposition/Result: (choose from a or b, above): .........

New matter indicated by italics - deletions by strikeout
WHEREFORE, the petitioner respectfully requests this Honorable Court to (1) order all law enforcement agencies to expunge all records of petitioner related to this incident, and (2) to order the Clerk of the Court to expunge all records concerning the petitioner regarding this incident.

..............................
Petitioner (Signature)

..............................
Petitioner's Street Address

..............................
City, State, Zip Code

..............................
Petitioner's Telephone Number

Pursuant to the penalties of perjury under the Code of Civil Procedure, 735 ILCS 5/1-109, I hereby certify that the statements in this petition are true and correct, or on information and belief I believe the same to be true.

..............................
Petitioner (Signature)

(3) The chief judge of the circuit in which an arrest was made or a charge was brought or any judge of that circuit designated by the chief judge may, upon verified petition of a person who is the subject of an arrest or a juvenile court proceeding under subsection (1) or (2) of this Section, order the law enforcement records or official court file, or both, to be expunged from the official records of the arresting authority, the clerk of the circuit court and the Department of State Police. The person whose records are to be expunged shall petition the court using the appropriate form containing his or her current address and shall promptly notify the clerk of the circuit court of any change of address. Notice of the petition shall be served upon the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, and the arresting agency or agencies by the clerk of the circuit court. If an objection is filed within 45 days of the notice of the petition, the clerk of the circuit court shall set a date for hearing after the 45 day objection period. At the hearing the court shall hear evidence on whether the expungement should or should not be granted. Unless the State's Attorney or prosecutor, the Department of State Police, or an arresting agency objects to the expungement within 45 days of the notice, the court may enter an order granting expungement. The person whose records are to be expunged shall pay the clerk of the circuit court a fee equivalent to the cost associated with expungement of records by the clerk and the Department of State Police. The clerk shall forward a certified copy of the order to the

New matter indicated by italics - deletions by strikeout
Department of State Police, the appropriate portion of the fee to the Department of State Police for processing, and deliver a certified copy of the order to the arresting agency.

(3.1) The Notice of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ....., ILLINOIS

.... JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.

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delivering copies personally to each entity to whom they are directed; or by mailing copies to each entity to whom they are directed by depositing the same in the U.S. Mail, proper postage fully prepaid, before the hour of 5:00 p.m., at the United States Postal Depository located at ............... ........................................ Signature Clerk of the Circuit Court or Deputy Clerk Printed Name of Delinquent Minor/Petitioner: .... Address: ........................................ Telephone Number: ......................... (3.2) The Order of Expungement shall be in substantially the following form:

IN THE CIRCUIT COURT OF ..... ILLINOIS .... JUDICIAL CIRCUIT
IN THE INTEREST OF ) NO.
 )
 )
 ................)
(Name of Petitioner)
DOB ............
Arresting Agency/Agencies ...... ORDER OF EXPUNGEMENT (705 ILCS 405/5-915 (SUBSECTION 3))
This matter having been heard on the petitioner's motion and the court being fully advised in the premises does find that the petitioner is indigent or has presented reasonable cause to waive all costs in this matter, IT IS HEREBY ORDERED that:
 ( ) 1. Clerk of Court and Department of State Police costs are hereby waived in this matter.
 ( ) 2. The Illinois State Police Bureau of Identification and the following law enforcement agencies expunge all records of petitioner relating to an arrest dated ..... for the offense of ..... Law Enforcement Agencies:
 .........................
 .........................
 ( ) 3. IT IS FURTHER ORDERED that the Clerk of the Circuit Court expunge all records regarding the above-captioned case.
ENTER: ..........................

New matter indicated by italics - deletions by strikeout
The Notice of Objection shall be in substantially the following form:

IN THE CIRCUIT COURT OF ......, ILLINOIS
.......................... JUDICIAL CIRCUIT

IN THE INTEREST OF ) NO.

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)..............

(Name of Petitioner)

NOTICE OF OBJECTION

TO:(Attorney, Public Defender, Minor)

............................

TO:(Illinois State Police)

...........................

TO:(Clerk of the Court)

............................

TO:(Judge)

............................

TO:(Arresting Agency/Agencies)

............................

ATTENTION: You are hereby notified that an objection has been filed by the following entity regarding the above-named minor's petition for expungement of juvenile records:

( ) State's Attorney's Office;
( ) Prosecutor (other than State's Attorney's Office) charged with the duty of prosecuting the offense sought to be expunged;
( ) Department of Illinois State Police; or
( ) Arresting Agency or Agencies.

New matter indicated by italics - deletions by strikeout
The agency checked above respectfully requests that this case be continued and set for hearing on whether the expungement should or should not be granted.

DATED: .......

Name:
Attorney For:
Address:
City/State/Zip:
Telephone:
Attorney No.:

FOR USE BY CLERK OF THE COURT PERSONNEL ONLY

This matter has been set for hearing on the foregoing objection, on ..... in room ..... , located at ..... , before the Honorable ..... , Judge, or any judge sitting in his/her stead. (Only one hearing shall be set, regardless of the number of Notices of Objection received on the same case). A copy of this completed Notice of Objection containing the court date, time, and location, has been sent via regular U.S. Mail to the following entities. (If more than one Notice of Objection is received on the same case, each one must be completed with the court date, time and location and mailed to the following entities):

( ) Attorney, Public Defender or Minor;
( ) State's Attorney's Office;
( ) Prosecutor (other than State's Attorney's Office) charged with the duty of prosecuting the offense sought to be expunged;
( ) Department of Illinois State Police; and
( ) Arresting agency or agencies.

Date: ......

Initials of Clerk completing this section: .....  

(4) Upon entry of an order expunging records or files, the offense, which the records or files concern shall be treated as if it never occurred. Law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the person.

(5) Records which have not been expunged are sealed, and may be obtained only under the provisions of Sections 5-901, 5-905 and 5-915.

(6) Nothing in this Section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the offender. This information may only be used for statistical and bona fide research purposes.

New matter indicated by italics - deletions by strikeout
(7) (a) The State Appellate Defender shall establish, maintain, and carry out, by December 31, 2004, a juvenile expungement program to provide information and assistance to minors eligible to have their juvenile records expunged.

(b) The State Appellate Defender shall develop brochures, pamphlets, and other materials in printed form and through the agency's World Wide Web site. The pamphlets and other materials shall include at a minimum the following information:

(i) An explanation of the State's juvenile expungement process;
(ii) The circumstances under which juvenile expungement may occur;
(iii) The juvenile offenses that may be expunged;
(iv) The steps necessary to initiate and complete the juvenile expungement process; and
(v) Directions on how to contact the State Appellate Defender.

(c) The State Appellate Defender shall establish and maintain a statewide toll-free telephone number that a person may use to receive information or assistance concerning the expungement of juvenile records. The State Appellate Defender shall advertise the toll-free telephone number statewide. The State Appellate Defender shall develop an expungement information packet that may be sent to eligible persons seeking expungement of their juvenile records, which may include, but is not limited to, a pre-printed expungement petition with instructions on how to complete the petition and a pamphlet containing information that would assist individuals through the juvenile expungement process.

(d) The State Appellate Defender shall compile a statewide list of volunteer attorneys willing to assist eligible individuals through the juvenile expungement process.

(e) This Section shall be implemented from funds appropriated by the General Assembly to the State Appellate Defender for this purpose. The State Appellate Defender shall employ the necessary staff and adopt the necessary rules for implementation of this Section.

(8) (a) Except with respect to law enforcement agencies, the Department of Corrections, State's Attorneys, or other prosecutors, an expunged juvenile record may not be considered by any private or public entity in employment matters, certification, licensing, revocation of certification or licensure, or registration. Applications for employment must contain specific language that states that the applicant is not obligated to
disclose expunged juvenile records of conviction or arrest. Employers may not ask if an applicant has had a juvenile record expunged. Effective January 1, 2005, the Department of Labor shall develop a link on the Department's website to inform employers that employers may not ask if an applicant had a juvenile record expunged and that application for employment must contain specific language that states that the applicant is not obligated to disclose expunged juvenile records of arrest or conviction.

(b) A person whose juvenile records have been expunged is not entitled to remission of any fines, costs, or other money paid as a consequence of expungement. This amendatory Act of the 93rd General Assembly does not affect the right of the victim of a crime to prosecute or defend a civil action for damages.

(c) The expungement of juvenile records under Section 5-622 shall be funded by the additional fine imposed under Section 5-9-1.17 of the Unified Code of Corrections and additional appropriations made by the General Assembly for such purpose.

(9) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to law enforcement records of a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(Source: P.A. 98-61, eff. 1-1-14; revised 3-27-14.)

Section 695. The Criminal Code of 2012 is amended by changing Sections 2-10.1, 3-6, 10-9, 11-1.40, 11-9.1B, 11-14, 12-3.05, 12C-10, 19-4, 21-1.3, 31A-1.1, 33-1, and 33E-18 as follows:

(720 ILCS 5/2-10.1) (from Ch. 38, par. 2-10.1)

Sec. 2-10.1. "Severely or profoundly intellectually disabled person" means a person (i) whose intelligence quotient does not exceed 40 or (ii) whose intelligence quotient does not exceed 55 and who suffers from significant mental illness to the extent that the person's ability to exercise rational judgment is impaired. In any proceeding in which the defendant is charged with committing a violation of Section 10-2, 10-5, 11-1.30, 11-1.60, 11-14.4, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-4.3, 12-14, or 12-16, or subdivision (b)(1) of Section 12-3.05, of this Code against a victim who is alleged to be a severely or profoundly intellectually disabled person, any findings concerning the victim's status as a severely or profoundly intellectually disabled person, made by a court after a judicial admission hearing concerning the victim under Articles V and VI of Chapter IV of the Mental Health and Developmental Disabilities Code shall be admissible.

New matter indicated by italics - deletions by strikeout
Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 or other applicable statute is extended under the following conditions:

(a) A prosecution for theft involving a breach of a fiduciary obligation to the aggrieved person may be commenced as follows:

(1) If the aggrieved person is a minor or a person under legal disability, then during the minority or legal disability or within one year after the termination thereof.

(2) In any other instance, within one year after the discovery of the offense by an aggrieved person, or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense, and is not himself or herself a party to the offense; or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b) A prosecution for any offense based upon misconduct in office by a public officer or employee may be commenced within one year after discovery of the offense by a person having a legal duty to report such offense, or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b-5) When the victim is under 18 years of age at the time of the offense, a prosecution for involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons and related offenses under Section 10-9 of this Code may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(c) (Blank).

(d) A prosecution for child pornography, aggravated child pornography, indecent solicitation of a child, soliciting for a juvenile prostitute, juvenile pimping, exploitation of a child, or promoting juvenile prostitution except for keeping a place of juvenile prostitution may be commenced within one year of the victim attaining the age of 18 years.

New matter indicated by italics - deletions by strikeout
However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense. When the victim is under 18 years of age, a prosecution for criminal sexual abuse may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(e) Except as otherwise provided in subdivision (j), a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 11-0.1 of this Code, where the defendant was within a professional or fiduciary relationship or a purported professional or fiduciary relationship with the victim at the time of the commission of the offense may be commenced within one year after the discovery of the offense by the victim.

(f) A prosecution for any offense set forth in Section 44 of the "Environmental Protection Act", approved June 29, 1970, as amended, may be commenced within 5 years after the discovery of such an offense by a person or agency having the legal duty to report the offense or in the absence of such discovery, within 5 years after the proper prosecuting officer becomes aware of the offense.

(f-5) A prosecution for any offense set forth in Section 16-30 of this Code may be commenced within 5 years after the discovery of the offense by the victim of that offense.

(g) (Blank).

(h) (Blank).

(i) Except as otherwise provided in subdivision (j), a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 years after the commission of the offense.

Nothing in this subdivision (i) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(j) (1) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse may be commenced at any time when corroborating physical evidence is available or an individual who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act fails to do so.

(2) In circumstances other than as described in paragraph (1) of this
subsection (j), when the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse, or a prosecution for failure of a person who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act may be commenced within 20 years after the child victim attains 18 years of age.

(3) When the victim is under 18 years of age at the time of the offense, a prosecution for misdemeanor criminal sexual abuse may be commenced within 10 years after the child victim attains 18 years of age.

(4) Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(k) A prosecution for theft involving real property exceeding $100,000 in value under Section 16-1, identity theft under subsection (a) of Section 16-30, aggravated identity theft under subsection (b) of Section 16-30, or any offense set forth in Article 16H or Section 17-10.6 may be commenced within 7 years of the last act committed in furtherance of the crime.

(l) A prosecution for any offense set forth in Section 26-4 of this Code may be commenced within one year after the discovery of the offense by the victim of that offense.

(Source: P.A. 97-597, eff. 1-1-12; 97-897, eff. 1-1-13; 98-293, eff. 1-1-14; 98-379, eff. 1-1-14; revised 9-24-13.)

(720 ILCS 5/10-9)
Sec. 10-9. Trafficking in persons, involuntary servitude, and related offenses.

(a) Definitions. In this Section:

(1) "Intimidation" has the meaning prescribed in Section 12-6.

(2) "Commercial sexual activity" means any sex act on account of which anything of value is given, promised to, or received by any person.

(3) "Financial harm" includes intimidation that brings about financial loss, criminal usury, or employment contracts that violate the Frauds Act.

(4) (Blank).

(5) "Labor" means work of economic or financial value.

(6) "Maintain" means, in relation to labor or services, to secure continued performance thereof, regardless of any initial

New matter indicated by italics - deletions by strikeout
agreement on the part of the victim to perform that type of service.

(7) "Obtain" means, in relation to labor or services, to secure performance thereof.

(7.5) "Serious harm" means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

(8) "Services" means activities resulting from a relationship between a person and the actor in which the person performs activities under the supervision of or for the benefit of the actor. Commercial sexual activity and sexually-explicit performances are forms of activities that are "services" under this Section. Nothing in this definition may be construed to legitimize or legalize prostitution.

(9) "Sexually-explicit performance" means a live, recorded, broadcast (including over the Internet), or public act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons.

(10) "Trafficking victim" means a person subjected to the practices set forth in subsection (b), (c), or (d).

(b) Involuntary servitude. A person commits involuntary servitude when he or she knowingly subjects, attempts to subject, or engages in a conspiracy to subject another person to labor or services obtained or maintained through any of the following means, or any combination of these means:

(1) causes or threatens to cause physical harm to any person;
(2) physically restrains or threatens to physically restrain another person;
(3) abuses or threatens to abuse the law or legal process;
(4) knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person;
(5) uses intimidation, or exerts financial control over any person; or
(6) uses any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform the labor or services, that person or another person would suffer serious harm or

New matter indicated by italics - deletions by strikeout
physical restraint.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of subsection (b)(1) is a Class X felony, (b)(2) is a Class 1 felony, (b)(3) is a Class 2 felony, (b)(4) is a Class 3 felony, (b)(5) and (b)(6) is a Class 4 felony.

(c) Involuntary sexual servitude of a minor. A person commits involuntary sexual servitude of a minor when he or she knowingly recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, provide, or obtain by any means, another person under 18 years of age, knowing that the minor will engage in commercial sexual activity, a sexually-explicit performance, or the production of pornography, or causes or attempts to cause a minor to engage in one or more of those activities and:

(1) there is no overt force or threat and the minor is between the ages of 17 and 18 years;
(2) there is no overt force or threat and the minor is under the age of 17 years; or
(3) there is overt force or threat.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of subsection (c)(1) is a Class 1 felony, (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

(d) Trafficking in persons. A person commits trafficking in persons when he or she knowingly: (1) recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person, intending or knowing that the person will be subjected to involuntary servitude; or (2) benefits, financially or by receiving anything of value, from participation in a venture that has engaged in an act of involuntary servitude or involuntary sexual servitude of a minor.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of this subsection is a Class 1 felony.

(e) Aggravating factors. A violation of this Section involving kidnapping or an attempt to kidnap, aggravated criminal sexual assault or an attempt to commit aggravated criminal sexual assault, or an attempt to commit first degree murder is a Class X felony.

(f) Sentencing considerations.

(1) Bodily injury. If, pursuant to a violation of this Section, a victim suffered bodily injury, the defendant may be sentenced to an extended-term sentence under Section 5-8-2 of the Unified Code of

New matter indicated by italics - deletions by strikeout
Corrections. The sentencing court must take into account the time in which the victim was held in servitude, with increased penalties for cases in which the victim was held for between 180 days and one year, and increased penalties for cases in which the victim was held for more than one year.

(2) Number of victims. In determining sentences within statutory maximums, the sentencing court should take into account the number of victims, and may provide for substantially increased sentences in cases involving more than 10 victims.

(g) Restitution. Restitution is mandatory under this Section. In addition to any other amount of loss identified, the court shall order restitution including the greater of (1) the gross income or value to the defendant of the victim's labor or services or (2) the value of the victim's labor as guaranteed under the Minimum Wage Law and overtime provisions of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law, whichever is greater.

(h) Trafficking victim services. Subject to the availability of funds, the Department of Human Services may provide or fund emergency services and assistance to individuals who are victims of one or more offenses defined in this Section.

(i) Certification. The Attorney General, a State's Attorney, or any law enforcement official shall certify in writing to the United States Department of Justice or other federal agency, such as the United States Department of Homeland Security, that an investigation or prosecution under this Section has begun and the individual who is a likely victim of a crime described in this Section is willing to cooperate or is cooperating with the investigation to enable the individual, if eligible under federal law, to qualify for an appropriate special immigrant visa and to access available federal benefits. Cooperation with law enforcement shall not be required of victims of a crime described in this Section who are under 18 years of age. This certification shall be made available to the victim and his or her designated legal representative.

(j) A person who commits involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons under subsection (b), (c), or (d) of this Section is subject to the property forfeiture provisions set forth in Article 124B of the Code of Criminal Procedure of 1963.

(Source: P.A. 96-710, eff. 1-1-10; incorporates 96-712, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-897, eff. 1-1-13; revised 11-12-13.)

(720 ILCS 5/11-1.40) (was 720 ILCS 5/12-14.1)

New matter indicated by italics - deletions by strikeout
Sec. 11-1.40. Predatory criminal sexual assault of a child.

(a) A person commits predatory criminal sexual assault of a child if that person commits an act of sexual penetration or an act of contact, however slight, between the sex organ or anus of one person and the part of the body of another, and the accused is 17 years of age or older, and:

(1) the victim is under 13 years of age; or
(2) the victim is under 13 years of age and that person:
   (A) is armed with a firearm;
   (B) personally discharges a firearm during the commission of the offense;
   (C) causes great bodily harm to the victim that:
      (i) results in permanent disability; or
      (ii) is life threatening; or
   (D) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.

(b) Sentence.

(1) A person convicted of a violation of subsection (a)(1) commits a Class X felony, for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years. A person convicted of a violation of subsection (a)(2)(A) commits a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2)(B) commits a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2)(C) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years or up to a term of natural life imprisonment.

(1.1) A person convicted of a violation of subsection (a)(2)(D) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years and not more than 60 years.

(1.2) A person convicted of predatory criminal sexual assault of a child committed against 2 or more persons regardless of whether the offenses occurred as the result of the same act or of several related or unrelated acts shall be sentenced to a term of natural life imprisonment.

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(2) A person who is convicted of a second or subsequent offense of predatory criminal sexual assault of a child, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted of the offense of criminal sexual assault or the offense of aggravated criminal sexual assault, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of predatory criminal sexual assault of a child, the offense of aggravated criminal sexual assault or the offense of criminal sexual assault, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply.

(Source: P.A. 98-370, eff. 1-1-14; revised 11-12-13.)

(720 ILCS 5/11-9.1B)

Sec. 11-9.1B. Failure to report sexual abuse of a child.

(a) For the purposes of this Section:

"Child" means any person under the age of 13.

"Sexual abuse" means any contact, however slight, between the sex organ or anus of the victim or the accused and an object or body part, including, but not limited to, the sex organ, mouth, or anus of the victim or the accused, or any intrusion, however slight, of any part of the body of the victim or the accused or of any animal or object into the sex organ or anus of the victim or the accused, including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual abuse.

(b) A person over the age of 18 commits failure to report sexual abuse of a child when he or she personally observes sexual abuse, as defined by this Section, between a person who he or she knows is over the age of 18 and a person he or she knows is a child, and knowingly fails to report the sexual abuse to law enforcement.

(c) This Section does not apply to a person who makes timely and reasonable efforts to stop the sexual abuse by reporting the sexual abuse in conformance with the Abused and Neglected Child Reporting Act or by reporting the sexual abuse or causing a report to be made, to medical or law enforcement authorities or anyone who is a mandated reporter under Section 4 of the Abused and Neglected Child Reporting Act.

(d) A person may not be charged with the offense of failure to report new matter indicated by italics - deletions by strikeout
sexual abuse of a child under this Section until the person who committed the
offense is charged with criminal sexual assault, aggravated criminal sexual
assault, predatory criminal sexual assault of a child, criminal sexual abuse,
or aggravated criminal sexual abuse.

e) It is an affirmative defense to a charge of failure to report sexual
abuse of a child under this Section that the person who personally observed
the sexual abuse had a reasonable apprehension that timely action to stop the
abuse would result in the imminent infliction of death, great bodily harm,
permanent disfigurement, or permanent disability to that person or another in
retaliation for reporting.

f) Sentence. A person who commits failure to report sexual abuse of
a child is guilty of a Class A misdemeanor for the first violation and a Class
4 felony for a second or subsequent violation.

g) Nothing in this Section shall be construed to allow prosecution of
a person who personally observes the act of sexual abuse and assists with an
investigation and any subsequent prosecution of the offender.

(Source: P.A. 98-370, eff. 1-1-14; revised 11-12-13.)

(720 ILCS 5/11-14) (from Ch. 38, par. 11-14)
Sec. 11-14. Prostitution.

(a) Any person who knowingly performs, offers or agrees to perform
any act of sexual penetration as defined in Section 11-0.1 of this Code for
anything of value, or any touching or fondling of the sex organs of one person
by another person, for anything of value, for the purpose of sexual arousal or
gratification commits an act of prostitution.

(b) Sentence. A violation of this Section is a Class A misdemeanor.

c) (Blank). or 5-6-3.4

d) Notwithstanding the foregoing, if it is determined, after a
reasonable detention for investigative purposes, that a person suspected of or
charged with a violation of this Section is a person under the age of 18, that
person shall be immune from prosecution for a prostitution offense under this
Section, and shall be subject to the temporary protective custody provisions
of Sections 2-5 and 2-6 of the Juvenile Court Act of 1987. Pursuant to the
provisions of Section 2-6 of the Juvenile Court Act of 1987, a law
enforcement officer who takes a person under 18 years of age into custody
under this Section shall immediately report an allegation of a violation of
Section 10-9 of this Code to the Illinois Department of Children and Family
Services State Central Register, which shall commence an initial
investigation into child abuse or child neglect within 24 hours pursuant to
Section 7.4 of the Abused and Neglected Child Reporting Act.

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(Source: P.A. 97-1118, eff. 1-1-13; 98-164, eff. 1-1-14; 98-538, eff. 8-23-13; revised 9-24-13.)
(720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)
Sec. 12-3.05. Aggravated battery.
(a) Offense based on injury. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she knowingly does any of the following:

(1) Causes great bodily harm or permanent disability or disfigurement.

(2) Causes severe and permanent disability, great bodily harm, or disfigurement by means of a caustic or flammable substance, a poisonous gas, a deadly biological or chemical contaminant or agent, a radioactive substance, or a bomb or explosive compound.

(3) Causes great bodily harm or permanent disability or disfigurement to an individual whom the person knows to be a peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.

(4) Causes great bodily harm or permanent disability or disfigurement to an individual 60 years of age or older.

(5) Strangles another individual.

(b) Offense based on injury to a child or intellectually disabled person. A person who is at least 18 years of age commits aggravated battery when, in committing a battery, he or she knowingly and without legal justification by any means:

(1) causes great bodily harm or permanent disability or disfigurement to any child under the age of 13 years, or to any severely or profoundly intellectually disabled person; or

(2) causes bodily harm or disability or disfigurement to any child under the age of 13 years or to any severely or profoundly intellectually disabled person.

(c) Offense based on location of conduct. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she knowingly does any of the following:

(1) Causes great bodily harm or permanent disability or disfigurement to an individual 60 years of age or older.

(2) Causes severe and permanent disability, great bodily harm, or disfigurement by means of a caustic or flammable substance, a poisonous gas, a deadly biological or chemical contaminant or agent, a radioactive substance, or a bomb or explosive compound.

(3) Causes great bodily harm or permanent disability or disfigurement to an individual whom the person knows to be a peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:
   (i) performing his or her official duties;
   (ii) battered to prevent performance of his or her official duties; or
   (iii) battered in retaliation for performing his or her official duties.

(4) Causes great bodily harm or permanent disability or disfigurement to an individual 60 years of age or older.

(5) Strangles another individual.

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of a firearm, he or she is or the person battered is on or about a public way, public property, a public place of accommodation or amusement, a sports venue, or a domestic violence shelter.

(d) Offense based on status of victim. A person commits aggravated battery when, in committing a battery, other than by discharge of a firearm, he or she knows the individual battered to be any of the following:

1. A person 60 years of age or older.
2. A person who is pregnant or physically handicapped.
3. A teacher or school employee upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.
4. A peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:
   i. performing his or her official duties;
   ii. battered to prevent performance of his or her official duties; or
   iii. battered in retaliation for performing his or her official duties.
5. A judge, emergency management worker, emergency medical technician, or utility worker:
   i. performing his or her official duties;
   ii. battered to prevent performance of his or her official duties; or
   iii. battered in retaliation for performing his or her official duties.
6. An officer or employee of the State of Illinois, a unit of local government, or a school district, while performing his or her official duties.
7. A transit employee performing his or her official duties, or a transit passenger.
8. A taxi driver on duty.
9. A merchant who detains the person for an alleged commission of retail theft under Section 16-26 of this Code and the person without legal justification by any means causes bodily harm to the merchant.
10. A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special process server appointed
by the circuit court while that individual is in the performance of his or her duties as a process server.

(11) A nurse while in the performance of his or her duties as a nurse.

(e) Offense based on use of a firearm. A person commits aggravated battery when, in committing a battery, he or she knowingly does any of the following:

(1) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to another person.

(2) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee, or emergency management worker:

(i) performing his or her official duties;
(ii) battered to prevent performance of his or her official duties; or
(iii) battered in retaliation for performing his or her official duties.

(3) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be an emergency medical technician employed by a municipality or other governmental unit:

(i) performing his or her official duties;
(ii) battered to prevent performance of his or her official duties; or
(iii) battered in retaliation for performing his or her official duties.

(4) Discharges a firearm and causes any injury to a person he or she knows to be a teacher, a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(5) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to another person.

(6) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a

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peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee or emergency management worker:
  (i) performing his or her official duties;
  (ii) battered to prevent performance of his or her official duties; or
  (iii) battered in retaliation for performing his or her official duties.
(7) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be an emergency medical technician employed by a municipality or other governmental unit:
  (i) performing his or her official duties;
  (ii) battered to prevent performance of his or her official duties; or
  (iii) battered in retaliation for performing his or her official duties.
(8) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a teacher, or a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.
(f) Offense based on use of a weapon or device. A person commits aggravated battery when, in committing a battery, he or she does any of the following:
  (1) Uses a deadly weapon other than by discharge of a firearm, or uses an air rifle as defined in Section 24.8-0.1 of this Code the Air Rifle Act.
  (2) Wears a hood, robe, or mask to conceal his or her identity.
  (3) Knowingly and without lawful justification shines or flashes a laser gunsight or other laser device attached to a firearm, or used in concert with a firearm, so that the laser beam strikes upon or against the person of another.
  (4) Knowingly video or audio records the offense with the intent to disseminate the recording.
(g) Offense based on certain conduct. A person commits aggravated battery when, other than by discharge of a firearm, he or she does any of the following:

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(1) Violates Section 401 of the Illinois Controlled Substances Act by unlawfully delivering a controlled substance to another and any user experiences great bodily harm or permanent disability as a result of the injection, inhalation, or ingestion of any amount of the controlled substance.

(2) Knowingly administers to an individual or causes him or her to take, without his or her consent or by threat or deception, and for other than medical purposes, any intoxicating, poisonous, stupefying, narcotic, anesthetic, or controlled substance, or gives to another person any food containing any substance or object intended to cause physical injury if eaten.

(3) Knowingly causes or attempts to cause a correctional institution employee or Department of Human Services employee to come into contact with blood, seminal fluid, urine, or feces by throwing, tossing, or expelling the fluid or material, and the person is an inmate of a penal institution or is a sexually dangerous person or sexually violent person in the custody of the Department of Human Services.

(h) Sentence. Unless otherwise provided, aggravated battery is a Class 3 felony.

Aggravated battery as defined in subdivision (a)(4), (d)(4), or (g)(3) is a Class 2 felony.

Aggravated battery as defined in subdivision (a)(3) or (g)(1) is a Class 1 felony.

Aggravated battery as defined in subdivision (a)(1) is a Class 1 felony when the aggravated battery was intentional and involved the infliction of torture, as defined in paragraph (14) of subsection (b) of Section 9-1 of this Code, as the infliction of or subjecting to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering, or agony of the victim.

Aggravated battery under subdivision (a)(5) is a Class 1 felony if:

(A) the person used or attempted to use a dangerous instrument while committing the offense; or

(B) the person caused great bodily harm or permanent disability or disfigurement to the other person while committing the offense; or

(C) the person has been previously convicted of a violation of subdivision (a)(5) under the laws of this State or laws similar to subdivision (a)(5) of any other state.

Aggravated battery as defined in subdivision (e)(1) is a Class X
felony.

Aggravated battery as defined in subdivision (a)(2) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 6 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(5) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 12 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(2), (e)(3), or (e)(4) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 15 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (e)(6), (e)(7), or (e)(8) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 20 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (b)(1) is a Class X felony, except that:

(1) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(2) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(3) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(i) Definitions. For the purposes of this Section:

"Building or other structure used to provide shelter" has the meaning ascribed to "shelter" in Section 1 of the Domestic Violence Shelters Act.

"Domestic violence" has the meaning ascribed to it in Section 103 of the Illinois Domestic Violence Act of 1986.

"Domestic violence shelter" means any building or other structure used to provide shelter or other services to victims or to the dependent children of victims of domestic violence pursuant to the Illinois Domestic Violence Act of 1986 or the Domestic Violence Shelters Act, or any place within 500 feet of such a building or other structure in the case of a person who is going to or from such a building or other structure.

"Firearm" has the meaning provided under Section 1.1 of the Firearm Owners Identification Card Act, and does not include an air rifle as defined
by Section 24.8-0.1 of this Code.

"Machine gun" has the meaning ascribed to it in Section 24-1 of this Code.

"Merchant" has the meaning ascribed to it in Section 16-0.1 of this Code.

"Strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.

(Source: P.A. 97-597, eff. 1-1-12; incorporates 97-227, eff. 1-1-12, 97-313, eff. 1-1-12, and 97-467, eff. 1-1-12; 97-1109, eff. 1-1-13; 98-369, eff. 1-1-14; 98-385, eff. 1-1-14; revised 9-24-13.)

(720 ILCS 5/12C-10) (was 720 ILCS 5/12-21.5)

Sec. 12C-10. Child abandonment.

(a) A person commits child abandonment when he or she, as a parent, guardian, or other person having physical custody or control of a child, without regard for the mental or physical health, safety, or welfare of that child, knowingly leaves that child who is under the age of 13 without supervision by a responsible person over the age of 14 for a period of 24 hours or more. It is not a violation of this Section for a person to relinquish a child in accordance with the Abandoned Newborn Infant Protection Act.

(b) For the purposes of determining whether the child was left without regard for the mental or physical health, safety, or welfare of that child, the trier of fact shall consider the following factors:

(1) the age of the child;
(2) the number of children left at the location;
(3) special needs of the child, including whether the child is physically or mentally handicapped, or otherwise in need of ongoing prescribed medical treatment such as periodic doses of insulin or other medications;
(4) the duration of time in which the child was left without supervision;
(5) the condition and location of the place where the child was left without supervision;
(6) the time of day or night when the child was left without supervision;
(7) the weather conditions, including whether the child was left in a location with adequate protection from the natural elements such as adequate heat or light;
(8) the location of the parent, guardian, or other person having

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physical custody or control of the child at the time the child was left without supervision, the physical distance the child was from the parent, guardian, or other person having physical custody or control of the child at the time the child was without supervision;

(9) whether the child's movement was restricted, or the child was otherwise locked within a room or other structure;

(10) whether the child was given a phone number of a person or location to call in the event of an emergency and whether the child was capable of making an emergency call;

(11) whether there was food and other provision left for the child;

(12) whether any of the conduct is attributable to economic hardship or illness and the parent, guardian or other person having physical custody or control of the child made a good faith effort to provide for the health and safety of the child;

(13) the age and physical and mental capabilities of the person or persons who provided supervision for the child;

(14) any other factor that would endanger the health or safety of that particular child;

(15) whether the child was left under the supervision of another person.

(c) Child abandonment is a Class 4 felony. A second or subsequent offense after a prior conviction is a Class 3 felony. A parent, who is found to be in violation of this Section with respect to his or her child, may be sentenced to probation for this offense pursuant to Section 12C-15.

(Source: P.A. 97-1109, eff. 1-1-13; revised 11-12-13.)

(720 ILCS 5/19-4) (from Ch. 38, par. 19-4)

Sec. 19-4. Criminal trespass to a residence.

(a) (1) A person commits criminal trespass to a residence when, without authority, he or she knowingly enters or remains within any residence, including a house trailer that is the dwelling place of another.

(2) A person commits criminal trespass to a residence when, without authority, he or she knowingly enters the residence of another and knows or has reason to know that one or more persons is present or he or she knowingly enters the residence of another and remains in the residence after he or she knows or has reason to know that one or more persons is present.

(a-5) For purposes of this Section, in the case of a multi-unit residential building or complex, "residence" shall only include the portion of the building or complex which is the actual dwelling place of any person and
shall not include such places as common recreational areas or lobbies.

(b) Sentence.

(1) Criminal trespass to a residence under paragraph (1) of subsection (a) is a Class A misdemeanor.

(2) Criminal trespass to a residence under paragraph (2) of subsection (a) is a Class 4 felony.

(Source: P.A. 97-1108, eff. 1-1-13; revised 11-12-13.)

(720 ILCS 5/21-1.3)

Sec. 21-1.3. Criminal defacement of property.

(a) A person commits criminal defacement of property when the person knowingly damages the property of another by defacing, deforming, or otherwise damaging the property by the use of paint or any other similar substance, or by the use of a writing instrument, etching tool, or any other similar device. It is an affirmative defense to a violation of this Section that the owner of the property damaged consented to such damage.

(b) Sentence.

(1) Criminal defacement of property is a Class A misdemeanor for a first offense when the aggregate value of the damage to the property does not exceed $300. Criminal defacement of property is a Class 4 felony when the aggregate value of the damage to property does not exceed $300 and the property damaged is a school building or place of worship or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces or National Guard, or veterans. Criminal defacement of property is a Class 4 felony for a second or subsequent conviction or when the aggregate value of the damage to the property exceeds $300. Criminal defacement of property is a Class 3 felony when the aggregate value of the damage to property exceeds $300 and the property damaged is a school building or place of worship or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces or National Guard, or veterans.

(2) In addition to any other sentence that may be imposed for a violation of this Section, a person convicted of criminal defacement of property shall:

(A) pay the actual costs incurred by the property owner or the unit of government to abate, remediate, repair, or remove the effect of the damage to the property. To the extent permitted by law, reimbursement for the costs of abatement, remediation, repair, or removal shall be payable to the person who incurred the costs; and

(B) if convicted of criminal defacement of property that is
chargeable as a Class 3 or Class 4 felony, pay a mandatory minimum fine of $500.

(3) In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal defacement of property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage to property that was caused by the offense, or similar damage to property located in the municipality or county in which the offense occurred. When the property damaged is a school building, the community service may include cleanup, removal, or painting over the defacement. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service.

(4) For the purposes of this subsection (b), aggregate value shall be determined by adding the value of the damage to one or more properties if the offenses were committed as part of a single course of conduct.

(Source: P.A. 97-1108, eff. 1-1-13; 98-315, eff. 1-1-14; 98-466, eff. 8-16-13; revised 9-24-13.)

(720 ILCS 5/31A-1.1) (from Ch. 38, par. 31A-1.1)
Sec. 31A-1.1. Bringing Contraband into a Penal Institution; Possessing Contraband in a Penal Institution.

(a) A person commits bringing contraband into a penal institution when he or she knowingly and without authority of any person designated or authorized to grant this authority (1) brings an item of contraband into a penal institution or (2) causes another to bring an item of contraband into a penal institution or (3) places an item of contraband in such proximity to a penal institution as to give an inmate access to the contraband.

(b) A person commits possessing contraband in a penal institution when he or she knowingly possesses contraband in a penal institution, regardless of the intent with which he or she possesses it.

(c) (Blank).

(d) Sentence.

(1) Bringing into or possessing alcoholic liquor in a penal institution is a Class 4 felony.

(2) Bringing into or possessing cannabis in a penal institution is a Class 3 felony.

(3) Bringing into or possessing any amount of a controlled substance classified in Schedules III, IV or V of Article II of the

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Illinois Controlled Substances Substance Act in a penal institution is a Class 2 felony.

(4) Bringing into or possessing any amount of a controlled substance classified in Schedules I or II of Article II of the Illinois Controlled Substances Substance Act in a penal institution is a Class 1 felony.

(5) Bringing into or possessing a hypodermic syringe in a penal institution is a Class 1 felony.

(6) Bringing into or possessing a weapon, tool to defeat security mechanisms, cutting tool, or electronic contraband in a penal institution is a Class 1 felony.

(7) Bringing into or possessing a firearm, firearm ammunition, or explosive in a penal institution is a Class X felony.

(e) It shall be an affirmative defense to subsection (b), that the possession was specifically authorized by rule, regulation, or directive of the governing authority of the penal institution or order issued under it.

(f) It shall be an affirmative defense to subsection (a)(1) and subsection (b) that the person bringing into or possessing contraband in a penal institution had been arrested, and that person possessed the contraband at the time of his or her arrest, and that the contraband was brought into or possessed in the penal institution by that person as a direct and immediate result of his or her arrest.

(g) Items confiscated may be retained for use by the Department of Corrections or disposed of as deemed appropriate by the Chief Administrative Officer in accordance with Department rules or disposed of as required by law.

(Source: P.A. 96-1112, eff. 1-1-11; 97-1108, eff. 1-1-13; revised 11-12-13.)

(720 ILCS 5/33-1) (from Ch. 38, par. 33-1)

Sec. 33-1. Bribery. A person commits bribery when:

(a) With intent to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness, he or she promises or tenders to that person any property or personal advantage which he or she is not authorized by law to accept; or

(b) With intent to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness, he or she promises or tenders to one whom he or she believes to be a public officer, public employee, juror or witness, any property or personal advantage which a public officer, public

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employee, juror or witness would not be authorized by law to accept; or

(c) With intent to cause any person to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness, he or she promises or tenders to that person any property or personal advantage which he or she is not authorized by law to accept; or

(d) He or she receives, retains or agrees to accept any property or personal advantage which he or she is not authorized by law to accept knowing that the property or personal advantage was promised or tendered with intent to cause him or her to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness; or

(e) He or she solicits, receives, retains, or agrees to accept any property or personal advantage pursuant to an understanding that he or she shall improperly influence or attempt to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness.

(f) As used in this Section, "tenders" means any delivery or proffer made with the requisite intent.

(g) Sentence. Bribery is a Class 2 felony.

(720 ILCS 5/33E-18)
Sec. 33E-18. Unlawful stringing of bids.

(a) A person commits unlawful stringing of bids when he or she, with the intent to evade the bidding requirements of any unit of local government or school district, knowingly strings or assists in stringing, or attempts to string any contract or job order with the unit of local government or school district.

(b) Sentence. Unlawful stringing of bids is a Class 4 felony.

(720 ILCS 550/15.1) (from Ch. 56 1/2, par. 715.1)
Sec. 15.1. (a) If any cannabis derivative is designated or rescheduled as a controlled substance under federal law and notice thereof is given to the Department, the Department shall similarly control the substance under the Illinois Controlled Substances Act after the expiration of 30 days from publication in the Federal Register of a final order designating a substance as

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a controlled substance or rescheduling a substance unless within that 30 day period the Department objects, or a party adversely affected files with the Department substantial written objections to inclusion or rescheduling. In that case, the Department shall publish the reasons for objection or the substantial written objections and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the Department shall publish its decision, by means of a rule, which shall be final unless altered by statute. Upon publication of objections by the Department, similar control under the Illinois Controlled Substances Act whether by inclusion or rescheduling is suspended until the Department publishes its ruling.

(b) If any cannabis derivative is deleted as a controlled substance under Federal law and notice thereof is given to the Department, the Department shall similarly control the substance under this Act after the expiration of 30 days from publication in the Federal Register of a final order deleting a substance as a controlled substance or rescheduling a substance unless within that 30 day period the Department objects, or a party adversely affected files with the Department substantial written objections to inclusion or rescheduling. In that case, the Department shall publish the reasons for objection or the substantial written objections and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the Department shall publish its decision, by means of a rule, which shall be final unless altered by statute. Upon publication of objections by the Department, similar control under this Act whether by inclusion or rescheduling is suspended until the Department publishes its ruling.

(c) Cannabis derivatives are deemed to be regulated under this Act until such time as those derivatives are scheduled as provided for under the Illinois Controlled Substances Act. Following such scheduling, those derivatives shall be excepted from this Act and shall be regulated pursuant to the Illinois Controlled Substances Act. At such time that any derivative is deleted from schedules provided for under the Illinois Controlled Substances Act, that derivative shall be regulated pursuant to this Act.

(Source: P.A. 84-1313; 84-1362; revised 11-12-13.)

Section 705. The Illinois Controlled Substances Act is amended by changing Sections 102 and 201 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger
the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self control with reference to his or her addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient, research subject, or animal (as defined by the Humane Euthanasia in Animal Shelters Act) by:

(1) a practitioner (or, in his or her presence, by his or her authorized agent),
(2) the patient or research subject pursuant to an order, or
(3) a euthanasia technician as defined by the Humane Euthanasia in Animal Shelters Act.

(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, dispenser, prescriber, or practitioner. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes:

(i) 3\(\beta\),17-dihydroxy-5a-androstane,
(ii) 3\(\alpha\),17\(\beta\)-dihydroxy-5a-androstane,
(iii) 5\(\alpha\)-androstan-3,17-dione,
(iv) 1-androstenediol (3\(\beta\),
    17\(\beta\)-dihydroxy-5\(\alpha\)-androst-1-ene),
(v) 1-androstenediol (3\(\alpha\),
    17\(\beta\)-dihydroxy-5\(\alpha\)-androst-1-ene),
(vi) 4-androstenediol
    (3\(\beta\),17\(\beta\)-dihydroxy-androst-4-ene),
(vii) 5-androstenediol
    (3\(\beta\),17\(\beta\)-dihydroxy-androst-5-ene),
(viii) 1-androstenedione
    ([5\(\alpha\)-androst-1-en-3,17-dione),
(ix) 4-androstenedione
    (androst-4-en-3,17-dione),
(x) 5-androstenedione
    (androst-5-en-3,17-dione),
(xi) bolasterone (7\(\alpha\),17a-dimethyl-17\(\beta\)-
    hydroxyandrost-4-en-3-one),

New matter indicated by italics - deletions by strikeout
(xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one),
(xiii) boldione (androsta-1,4-diene-3,17-dione),
(xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one),
(xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one),
(xvi) dehydrochloromethyltestosterone (4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one),
(xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol)(a.k.a., madol),
(xviii) [delta]1-dihydrotestosterone (a.k.a. '1-testosterone') (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one),
(xix) 4-dihydrotestosterone (17[beta]-hydroxyandrostan-3-one),
(xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one),
(xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene),
(xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
(xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one),
(xxiv) furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furan),
(xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one)
(xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxy-androst-4-en-3-one),
(xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxy-estr-4-en-3-one),
(xxviii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5-androstan-3-one),
(xxix) mesterolone (1amethyl-17[beta]-hydroxy-[5a]-androstan-3-one),
(xxx) methandienone (17[alpha]-methyl-17[beta]-

New matter indicated by italics - deletions by strikeout
hydroxyandrost-1,4-dien-3-one),
(xxxi) methandriol (17[alpha]-methyl-3[beta], 17[beta]-
dihydroxyandrost-5-ene),
(xxxii) methenolone (1-methyl-17[beta]-hydroxy-
5[alpha]-androst-1-en-3-one),
(xxxiii) 17[alpha]-methyl-3[beta], 17[beta]-
dihydroxy-5a-androstane),
(xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy
-5a-androstane),
(xxxv) 17[alpha]-methyl-3[beta], 17[beta]-
dihydroxyandrost-4-ene),
(xxxvi) 17[alpha]-methyl-4-hydroxynandrolo (17[alpha]-
methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
(xxxvii) methylidenolone (17[alpha]-methyl-17[beta]-
hydroxyestra-4,9(10)-dien-3-one),
(xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-
hydroxyestra-4,9-11-trien-3-one),
(xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-
hydroxyandrost-4-en-3-one),
(xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-
hydroxyestr-4-en-3-one),
(xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
(17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-
androst-1-en-3-one)(a.k.a. '17-[alpha]-methyl-
1-testosterone'),
(xlii) nandrolo (17[beta]-hydroxyestr-4-en-3-one),
(xliii) 19-nor-4-androstenediol (3[beta], 17[beta]-
dihydroxyestr-4-ene),
(xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-
dihydroxyestr-4-ene),
(xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-
dihydroxyestr-5-ene),
(xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-
dihydroxyestr-5-ene),
(xlvii) 19-nor-4,9(10)-androstadienedione
(estra-4,9(10)-dien-3,17-dione),
(xlviii) 19-nor-4-androstenedione (estr-4-
en-3,17-dione),
(xlix) 19-nor-5-androstenedione (estr-5-

New matter indicated by italics - deletions by strikeout
en-3,17-dione),
(l) norbolethone (13[beta], 17a-diethyl-17[beta]-
hydroxyestr-4-en-3-one),
(li) norclostebol (4-chloro-17[beta]-
hydroxyestr-4-en-3-one),
(lii) norethandrolone (17[alpha]-ethyl-17[beta]-
hydroxyestr-4-en-3-one),
(liii) normethandrolone (17[alpha]-methyl-17[beta]-
hydroxyestr-4-en-3-one),
(liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-
2-oxa-5[alpha]-androstan-3-one),
(lv) oxymesterone (17[alpha]-methyl-4,17[beta]-
dihydroxyandrostan-4-en-3-one),
(lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-
17[beta]-hydroxy-(5[alpha]-androstan-3-one),
(lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-
(5[alpha]-androst-2-eno[3,2-c]-pyrazole),
(lviii) stenbolone (17[beta]-hydroxy-2-methyl-
(5[alpha]-androst-1-en-3-one),
(lix) testolactone (13-hydroxy-3-oxo-13,17-
secoandrosta-1,4-dien-17-oic acid lactone),
(lx) testosterone (17[beta]-hydroxyandrost-
4-en-3-one),
(lxi) tetrahydrogestrinone (13[beta], 17[alpha]-
diethyl-17[beta]-hydroxyestr-
4,9,11-trien-3-one),
(lxii) trenbolone (17[beta]-hydroxyestr-4,9,
11-trien-3-one).

Any person who is otherwise lawfully in possession of an anabolic
steroid, or who otherwise lawfully manufactures, distributes, dispenses,
delivers, or possesses with intent to deliver an anabolic steroid, which
anabolic steroid is expressly intended for and lawfully allowed to be
administered through implants to livestock or other nonhuman species, and
which is approved by the Secretary of Health and Human Services for such
administration, and which the person intends to administer or have
administered through such implants, shall not be considered to be in
unauthorized possession or to unlawfully manufacture, distribute, dispense,
deliver, or possess with intent to deliver such anabolic steroid for purposes

New matter indicated by italics - deletions by strikeout
of this Act.

(d) "Administration" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.

(d-5) "Clinical Director, Prescription Monitoring Program" means a Department of Human Services administrative employee licensed to either prescribe or dispense controlled substances who shall run the clinical aspects of the Department of Human Services Prescription Monitoring Program and its Prescription Information Library.

(d-10) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if both of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means (i) a drug, substance, or immediate precursor in the Schedules of Article II of this Act or (ii) a drug or other substance, or immediate precursor, designated as a controlled substance by the Department through administrative rule. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in the Liquor Control Act of 1934 and the Tobacco Products Tax Act of 1995.

(f-5) "Controlled substance analog" means a substance:

(1) the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II;

(2) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II; or

(3) with respect to a particular person, which such person...
represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.

(g) "Counterfeit substance" means a controlled substance, which, or the container or labeling of which, without authorization bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of a controlled substance, with or without consideration, whether or not there is an agency relationship.

(i) "Department" means the Illinois Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) or its successor agency.

(j) (Blank).

(k) "Department of Corrections" means the Department of Corrections of the State of Illinois or its successor agency.

(l) "Department of Financial and Professional Regulation" means the Department of Financial and Professional Regulation of the State of Illinois or its successor agency.

(m) "Depressant" means any drug that (i) causes an overall depression of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to alcohol, cannabis and its active principles and their analogs, benzodiazepines and their analogs, barbiturates and their analogs, opioids (natural and synthetic) and their analogs, and chloral hydrate and similar sedative hypnotics.

(n) (Blank).

(o) "Director" means the Director of the Illinois State Police or his or her designated agents.

(p) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a prescriber, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

(q) "Dispenser" means a practitioner who dispenses.

(r) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

New matter indicated by italics - deletions by strikeout
(s) "Distributor" means a person who distributes.

(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-5) "Euthanasia agency" means an entity certified by the Department of Financial and Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(t-10) "Euthanasia drugs" means Schedule II or Schedule III substances (nonnarcotic controlled substances) that are used by a euthanasia agency for the purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his or her treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein: and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be guided by accepted professional standards including, but not limited to the following, in making the judgment:

1. lack of consistency of prescriber-patient relationship,
2. frequency of prescriptions for same drug by one prescriber for large numbers of patients,
3. quantities beyond those normally prescribed,
4. unusual dosages (recognizing that there may be clinical circumstances where more or less than the usual dose may be used legitimately),
5. unusual geographic distances between patient, pharmacist and prescriber,
6. consistent prescribing of habit-forming drugs.

New matter indicated by italics - deletions by strikeout
(u-0.5) "Hallucinogen" means a drug that causes markedly altered sensory perception leading to hallucinations of any type.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(u-5) "Illinois State Police" means the State Police of the State of Illinois, or its successor agency.

(v) "Immediate precursor" means a substance:

1) which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;

2) which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and

3) the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

(a) statements made by the owner or person in control of the substance concerning its nature, use or effect;

(b) statements made to the buyer or recipient that the substance may be resold for profit;

(c) whether the substance is packaged in a manner normally
used for the illegal distribution of controlled substances;

(d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.

Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance other than methamphetamine, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

(1) by an ultimate user, the preparation or compounding of a controlled substance for his or her own use; or

(2) by a practitioner, or his or her authorized agent under his or her supervision, the preparation, compounding, packaging, or labeling of a controlled substance:

(a) as an incident to his or her administering or dispensing of a controlled substance in the course of his or her professional practice; or

(b) as an incident to lawful research, teaching or
chemical analysis and not for sale.

(z-1) (Blank).

(z-5) "Medication shopping" means the conduct prohibited under subsection (a) of Section 314.5 of this Act.

(z-10) "Mid-level practitioner" means (i) a physician assistant who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches, in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, (ii) an advanced practice nurse who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches or by a podiatric physician, in accordance with Section 65-40 of the Nurse Practice Act, or (iii) an animal euthanasia agency.

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation; however the term "narcotic drug" does not include the isoquinoline alkaloids of opium;
(2) (blank);
(3) opium poppy and poppy straw;
(4) coca leaves, except coca leaves and extracts of coca leaves from which substantially all of the cocaine and ecdronine, and their isomers, derivatives and salts, have been removed;
(5) cocaine, its salts, optical and geometric isomers, and salts of isomers;
(6) ecdronine, its derivatives, their salts, isomers, and salts of isomers;
(7) any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (1) through (6).

(bb) "Nurse" means a registered nurse licensed under the Nurse Practice Act.

(cc) (Blank).

(dd) "Opiate" means any substance having an addiction forming or
addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.

(ee) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(ee-5) "Oral dosage" means a tablet, capsule, elixir, or solution or other liquid form of medication intended for administration by mouth, but the term does not include a form of medication intended for buccal, sublingual, or transmucosal administration.

(ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.

(gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.

(hh) "Pharmacist" means any person who holds a license or certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act.

(ii-5) "Pharmacy shopping" means the conduct prohibited under subsection (b) of Section 314.5 of this Act.

(ii-10) "Physician" (except when the context otherwise requires) means a person licensed to practice medicine in all of its branches.

(jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(ll) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance; the term does not mean a written prescription that is individually generated by machine or computer in the prescriber's office.

(mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician or veterinarian who
issues a prescription, a physician assistant who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act and in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act.

(nn) "Prescription" means a written, facsimile, or oral order, or an electronic order that complies with applicable federal requirements, of a physician licensed to practice medicine in all its branches, dentist, podiatric physician or veterinarian for any controlled substance, of an optometrist for a Schedule III, IV, or V controlled substance in accordance with Section 15.1 of the Illinois Optometric Practice Act of 1987, of a physician assistant for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or of an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act when required by law.

(nn-5) "Prescription Information Library" (PIL) means an electronic library that contains reported controlled substance data.

(nn-10) "Prescription Monitoring Program" (PMP) means the entity that collects, tracks, and stores reported data on controlled substances and select drugs pursuant to Section 316.

(oo) "Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance other than methamphetamine.

(pp) "Registrant" means every person who is required to register under Section 302 of this Act.

(qq) "Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

(qq-5) "Secretary" means, as the context requires, either the Secretary of the Department or the Secretary of the Department of Financial and Professional Regulation, and the Secretary's designated agents.

(rr) "State" includes the State of Illinois and any state, district,
commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(rr-5) "Stimulant" means any drug that (i) causes an overall excitation of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to amphetamines and their analogs, methylphenidate and its analogs, cocaine, and phencyclidine and its analogs.

(ss) "Ultimate user" means a person who lawfully possesses a controlled substance for his or her own use or for the use of a member of his or her household or for administering to an animal owned by him or her or by a member of his or her household.

(720 ILCS 570/201) (from Ch. 56 1/2, par. 1201)
Sec. 201. (a) The Department shall carry out the provisions of this Article. The Department or its successor agency may, by administrative rule, add additional substances to or delete or reschedule all controlled substances in the Schedules of Sections 204, 206, 208, 210 and 212 of this Act. In making a determination regarding the addition, deletion, or rescheduling of a substance, the Department shall consider the following:

(1) the actual or relative potential for abuse;
(2) the scientific evidence of its pharmacological effect, if known;
(3) the state of current scientific knowledge regarding the substance;
(4) the history and current pattern of abuse;
(5) the scope, duration, and significance of abuse;
(6) the risk to the public health;
(7) the potential of the substance to produce psychological or physiological dependence;
(8) whether the substance is an immediate precursor of a substance already controlled under this Article;
(9) the immediate harmful effect in terms of potentially fatal dosage; and
(10) the long-range effects in terms of permanent health impairment.
(b) (Blank).
(c) (Blank).
(d) If any substance is scheduled, rescheduled, or deleted as a controlled substance under Federal law and notice thereof is given to the

New matter indicated by italics - deletions by strikeout
Department, the Department shall similarly control the substance under this Act after the expiration of 30 days from publication in the Federal Register of a final order scheduling a substance as a controlled substance or rescheduling or deleting a substance, unless within that 30 day period the Department objects, or a party adversely affected files with the Department substantial written objections objecting to inclusion, rescheduling, or deletion. In that case, the Department shall publish the reasons for objection or the substantial written objections and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the Department shall publish its decision, by means of a rule, which shall be final unless altered by statute. Upon publication of objections by the Department, similar control under this Act whether by inclusion, rescheduling or deletion is stayed until the Department publishes its ruling.

(e) (Blank).

(f) (Blank).

(g) Authority to control under this Section does not extend to distilled spirits, wine, malt beverages, or tobacco as those terms are defined or used in the Liquor Control Act of 1934 and the Tobacco Products Tax Act of 1995.

(h) Persons registered with the Drug Enforcement Administration to manufacture or distribute controlled substances shall maintain adequate security and provide effective controls and procedures to guard against theft and diversion, but shall not otherwise be required to meet the physical security control requirements (such as cage or vault) for Schedule V controlled substances containing pseudoephedrine or Schedule II controlled substances containing dextromethorphan.

(Source: P.A. 97-334, eff. 1-1-12; revised 11-12-13.)

Section 710. The Rights of Crime Victims and Witnesses Act is amended by changing Section 4.5 as follows:

(725 ILCS 120/4.5)

Sec. 4.5. Procedures to implement the rights of crime victims. To afford crime victims their rights, law enforcement, prosecutors, judges and corrections will provide information, as appropriate of the following procedures:

(a) At the request of the crime victim, law enforcement authorities investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.

(a-5) When law enforcement authorities re-open a closed case to

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resume investigating, they shall provide notice of the re-opening of the case, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation.

(b) The office of the State's Attorney:

(1) shall provide notice of the filing of information, the return of an indictment by which a prosecution for any violent crime is commenced, or the filing of a petition to adjudicate a minor as a delinquent for a violent crime;

(2) shall provide notice of the date, time, and place of trial;

(3) or victim advocate personnel shall provide information of social services and financial assistance available for victims of crime, including information of how to apply for these services and assistance;

(3.5) or victim advocate personnel shall provide information about available victim services, including referrals to programs, counselors, and agencies that assist a victim to deal with trauma, loss, and grief;

(4) shall assist in having any stolen or other personal property held by law enforcement authorities for evidentiary or other purposes returned as expeditiously as possible, pursuant to the procedures set out in Section 115-9 of the Code of Criminal Procedure of 1963;

(5) or victim advocate personnel shall provide appropriate employer intercession services to ensure that employers of victims will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

(6) shall provide information whenever possible, of a secure waiting area during court proceedings that does not require victims to be in close proximity to defendant or juveniles accused of a violent crime, and their families and friends;

(7) shall provide notice to the crime victim of the right to have a translator present at all court proceedings and, in compliance with the federal Americans with Disabilities Act of 1990, the right to communications access through a sign language interpreter or by other means;

(8) in the case of the death of a person, which death occurred in the same transaction or occurrence in which acts occurred for which a defendant is charged with an offense, shall notify the spouse, parent, child or sibling of the decedent of the date of the trial of the

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person or persons allegedly responsible for the death;

(9) shall inform the victim of the right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice, and the right to retain an attorney, at the victim's own expense, who, upon written notice filed with the clerk of the court and State's Attorney, is to receive copies of all notices, motions and court orders filed thereafter in the case, in the same manner as if the victim were a named party in the case;

(9.5) shall inform the victim of (A) the victim's right under Section 6 of this Act to make a victim impact statement at the sentencing hearing; (B) the right of the victim's spouse, guardian, parent, grandparent and other immediate family and household members under Section 6 of this Act to present an impact statement at sentencing; and (C) if a presentence report is to be prepared, the right of the victim's spouse, guardian, parent, grandparent and other immediate family and household members to submit information to the preparer of the presentence report about the effect the offense has had on the victim and the person;

(10) at the sentencing hearing shall make a good faith attempt to explain the minimum amount of time during which the defendant may actually be physically imprisoned. The Office of the State's Attorney shall further notify the crime victim of the right to request from the Prisoner Review Board information concerning the release of the defendant under subparagraph (d)(1) of this Section;

(11) shall request restitution at sentencing and shall consider restitution in any plea negotiation, as provided by law; and

(12) shall, upon the court entering a verdict of not guilty by reason of insanity, inform the victim of the notification services available from the Department of Human Services, including the statewide telephone number, under subparagraph (d)(2) of this Section.

(c) At the written request of the crime victim, the office of the State's Attorney shall:

(1) provide notice a reasonable time in advance of the following court proceedings: preliminary hearing, any hearing the effect of which may be the release of defendant from custody, or to alter the conditions of bond and the sentencing hearing. The crime victim shall also be notified of the cancellation of the court proceeding in sufficient time, wherever possible, to prevent an

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unnecessary appearance in court;

(2) provide notice within a reasonable time after receipt of notice from the custodian, of the release of the defendant on bail or personal recognizance or the release from detention of a minor who has been detained for a violent crime;

(3) explain in nontechnical language the details of any plea or verdict of a defendant, or any adjudication of a juvenile as a delinquent for a violent crime;

(4) where practical, consult with the crime victim before the Office of the State's Attorney makes an offer of a plea bargain to the defendant or enters into negotiations with the defendant concerning a possible plea agreement, and shall consider the written victim impact statement, if prepared prior to entering into a plea agreement;

(5) provide notice of the ultimate disposition of the cases arising from an indictment or an information, or a petition to have a juvenile adjudicated as a delinquent for a violent crime;

(6) provide notice of any appeal taken by the defendant and information on how to contact the appropriate agency handling the appeal;

(7) provide notice of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time and place of any hearing concerning the petition. Whenever possible, notice of the hearing shall be given in advance;

(8) forward a copy of any statement presented under Section 6 to the Prisoner Review Board to be considered by the Board in making its determination under subsection (b) of Section 3-3-8 of the Unified Code of Corrections.

(d)(1) The Prisoner Review Board shall inform a victim or any other concerned citizen, upon written request, of the prisoner's release on parole, aftercare release, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a violent crime from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The Prisoner Review Board, upon written request, shall provide to a victim or any other concerned citizen a recent photograph of any person convicted of a felony, upon his or her release from custody. The Prisoner Review Board, upon written request, shall inform a victim or any other concerned citizen when feasible at least 7

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days prior to the prisoner's release on furlough of the times and dates of such furlough. Upon written request by the victim or any other concerned citizen, the State's Attorney shall notify the person once of the times and dates of release of a prisoner sentenced to periodic imprisonment. Notification shall be based on the most recent information as to victim's or other concerned citizen's residence or other location available to the notifying authority.

(2) When the defendant has been committed to the Department of Human Services pursuant to Section 5-2-4 or any other provision of the Unified Code of Corrections, the victim may request to be notified by the releasing authority of the approval by the court of an on-grounds pass, a supervised off-grounds pass, an unsupervised off-grounds pass, or conditional release; the release on an off-grounds pass; the return from an off-grounds pass; transfer to another facility; conditional release; escape; death; or final discharge from State custody. The Department of Human Services shall establish and maintain a statewide telephone number to be used by victims to make notification requests under these provisions and shall publicize this telephone number on its website and to the State's Attorney of each county.

(3) In the event of an escape from State custody, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board of the escape and the Prisoner Review Board shall notify the victim. The notification shall be based upon the most recent information as to the victim's residence or other location available to the Board. When no such information is available, the Board shall make all reasonable efforts to obtain the information and make the notification. When the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board and the Board shall notify the victim.

(4) The victim of the crime for which the prisoner has been sentenced shall receive reasonable written notice not less than 30 days prior to the parole or aftercare release hearing and may submit, in writing, on film, videotape or other electronic means or in the form of a recording or in person at the parole or aftercare release hearing or if a victim of a violent crime, by calling the toll-free number established in subsection (f) of this Section, information for consideration by the Prisoner Review Board. The victim shall be notified within 7 days after the prisoner has been granted parole or aftercare release and shall be informed of the right to inspect the registry of parole or aftercare release decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections. The provisions of this paragraph (4) are subject to the Open Parole Hearings Act.

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(5) If a statement is presented under Section 6, the Prisoner Review Board shall inform the victim of any order of discharge entered by the Board pursuant to Section 3-3-8 of the Unified Code of Corrections.

(6) At the written request of the victim of the crime for which the prisoner was sentenced or the State's Attorney of the county where the person seeking parole or aftercare release was prosecuted, the Prisoner Review Board shall notify the victim and the State's Attorney of the county where the person seeking parole or aftercare release was prosecuted of the death of the prisoner if the prisoner died while on parole or aftercare release or mandatory supervised release.

(7) When a defendant who has been committed to the Department of Corrections, the Department of Juvenile Justice, or the Department of Human Services is released or discharged and subsequently committed to the Department of Human Services as a sexually violent person and the victim had requested to be notified by the releasing authority of the defendant's discharge, conditional release, death, or escape from State custody, the releasing authority shall provide to the Department of Human Services such information that would allow the Department of Human Services to contact the victim.

(8) When a defendant has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act and has been sentenced to the Department of Corrections or the Department of Juvenile Justice, the Prisoner Review Board shall notify the victim of the sex offense of the prisoner's eligibility for release on parole, aftercare release, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a sex offense from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The notification shall be made to the victim at least 30 days, whenever possible, before release of the sex offender.

(e) The officials named in this Section may satisfy some or all of their obligations to provide notices and other information through participation in a statewide victim and witness notification system established by the Attorney General under Section 8.5 of this Act.

(f) To permit a victim of a violent crime to provide information to the Prisoner Review Board for consideration by the Board at a parole or aftercare release hearing of a person who committed the crime against the victim in accordance with clause (d)(4) of this Section or at a proceeding to determine the conditions of mandatory supervised release of a person sentenced to a

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determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence, the Board shall establish a toll-free number that may be accessed by the victim of a violent crime to present that information to the Board.

(Source: P.A. 97-457, eff. 1-1-12; 97-572, eff. 1-1-12; 97-813, eff. 7-13-12; 97-815, eff. 1-1-13; 98-372, eff. 1-1-14; 98-558, eff. 1-1-14; revised 9-24-13.)

Section 715. The Sexually Violent Persons Commitment Act is amended by changing Section 30 as follows:

(725 ILCS 207/30)
Sec. 30. Detention; probable cause hearing; transfer for examination.
(a) Upon the filing of a petition under Section 15 of this Act, the court shall review the petition to determine whether to issue an order for detention of the person who is the subject of the petition. The person shall be detained only if there is cause to believe that the person is eligible for commitment under subsection (f) of Section 35 of this Act. A person detained under this Section shall be held in a facility approved by the Department. The Department may elect to place persons who have been ordered by the court to be detained in a State-operated mental health facility or a portion of that facility. Persons placed in a State-operated mental health facility under this Act shall be separated and shall not comingle with the recipients of the mental health facility. The portion of a State-operated mental health facility that is used for the persons detained under this Act shall not be a part of the mental health facility for the enforcement and implementation of the Mental Health and Developmental Disabilities Code nor shall their care and treatment be subject to the provisions of the Mental Health and Developmental Disabilities Code. The changes added to this Section by Public Act 98-79 this amendatory Act of the 98th General Assembly are inoperative on and after June 30, 2015. If the person is serving a sentence of imprisonment, is in a Department of Corrections correctional facility or juvenile correctional facility or is committed to institutional care, and the court orders detention under this Section, the court shall order that the person be transferred to a detention facility approved by the Department. A detention order under this Section remains in effect until the person is discharged after a trial under Section 35 of this Act or until the effective date of a commitment order under Section 40 of this Act, whichever is applicable.

(b) Whenever a petition is filed under Section 15 of this Act, the court shall hold a hearing to determine whether there is probable cause to believe that the person named in the petition is a sexually violent person. If the

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person named in the petition is in custody, the court shall hold the probable cause hearing within 72 hours after the petition is filed, excluding Saturdays, Sundays and legal holidays. The court may grant a continuance of the probable cause hearing for no more than 7 additional days upon the motion of the respondent, for good cause. If the person named in the petition has been released, is on parole, is on aftercare release, is on mandatory supervised release, or otherwise is not in custody, the court shall hold the probable cause hearing within a reasonable time after the filing of the petition. At the probable cause hearing, the court shall admit and consider all relevant hearsay evidence.

(c) If the court determines after a hearing that there is probable cause to believe that the person named in the petition is a sexually violent person, the court shall order that the person be taken into custody if he or she is not in custody and shall order the person to be transferred within a reasonable time to an appropriate facility for an evaluation as to whether the person is a sexually violent person. If the person who is named in the petition refuses to speak to, communicate with, or otherwise fails to cooperate with the examining evaluator from the Department of Human Services or the Department of Corrections, that person may only introduce evidence and testimony from any expert or professional person who is retained or court-appointed to conduct an examination of the person that results from a review of the records and may not introduce evidence resulting from an examination of the person. Notwithstanding the provisions of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act, all evaluations conducted pursuant to this Act and all Illinois Department of Corrections treatment records shall be admissible at all proceedings held pursuant to this Act, including the probable cause hearing and the trial.

If the court determines that probable cause does not exist to believe that the person is a sexually violent person, the court shall dismiss the petition.

(d) The Department shall promulgate rules that provide the qualifications for persons conducting evaluations under subsection (c) of this Section.

(e) If the person named in the petition claims or appears to be indigent, the court shall, prior to the probable cause hearing under subsection (b) of this Section, appoint counsel.

(Source: P.A. 98-79, eff. 7-15-13; 98-558, eff. 1-1-14; revised 9-24-13.)

Section 720. The Unified Code of Corrections is amended by changing Sections 3-2-2, 3-2.5-20, 3-3-2, 3-5-1, 5-5-3, 5-5-3.2, 5-5-5, and 5-
8A-3 as follows:

(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)
Sec. 3-2-2. Powers and Duties of the Department.

(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional...

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institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control,

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rehabilitation and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may

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examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations. This subsection shall not apply to persons committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 on aftercare release.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of sentence credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are
located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Department of Healthcare and Family Services for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

1. The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.
2. Participants shall be required to maintain employment.
3. Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.
4. Each participant shall:
   A. provide restitution to victims in accordance with any court order;
   B. provide financial support to his dependents; and
   C. make appropriate payments toward any other court-ordered obligations.
5. Each participant shall complete community service in addition to employment.
6. Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.
7. Participants shall submit to drug and alcohol screening.
8. The Department shall promulgate rules governing

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the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;

(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in

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Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(u-5) To issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she is assigned. The order shall be certified by the Director, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed. The order shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order. Any order issued pursuant to this subdivision (1) (u-5) shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose
bonds have an investment grade or higher rating by a bond rating organization.

(5) On and after the date 6 months after August 16, 2013 (the effective date of Public Act 98-488), this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were transferred from the Department of Corrections to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Corrections; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(Source: P.A. 97-697, eff. 6-22-12; 97-800, eff. 7-13-12; 97-802, eff. 7-13-12; 98-463, eff. 8-16-13; 98-488, eff. 8-16-13; 98-558, eff. 1-1-14; revised 9-24-13.)

(730 ILCS 5/3-2.5-20)
Sec. 3-2.5-20. General powers and duties.
(a) In addition to the powers, duties, and responsibilities which are otherwise provided by law or transferred to the Department as a result of this Article, the Department, as determined by the Director, shall have, but are not limited to, the following rights, powers, functions and duties:

(1) To accept juveniles committed to it by the courts of this State for care, custody, treatment, and rehabilitation.

(2) To maintain and administer all State juvenile correctional institutions previously under the control of the Juvenile and Women's & Children Divisions of the Department of Corrections, and to establish and maintain institutions as needed to meet the needs of the youth committed to its care.

(3) To identify the need for and recommend the funding and implementation of an appropriate mix of programs and services within the juvenile justice continuum, including but not limited to prevention, nonresidential and residential commitment programs, day treatment, and conditional release programs and services, with the support of educational, vocational, alcohol, drug abuse, and mental health services where appropriate.

(3.5) To assist youth committed to the Department of Juvenile Justice.
Justice under the Juvenile Court Act of 1987 with successful reintegration into society, the Department shall retain custody and control of all adjudicated delinquent juveniles released under Section 3-3-10 of this Code, shall provide a continuum of post-release treatment and services to those youth, and shall supervise those youth during their release period in accordance with the conditions set by the Prisoner Review Board.

(4) To establish and provide transitional and post-release treatment programs for juveniles committed to the Department. Services shall include but are not limited to:

(i) family and individual counseling and treatment placement;
(ii) referral services to any other State or local agencies;
(iii) mental health services;
(iv) educational services;
(v) family counseling services; and
(vi) substance abuse services.

(5) To access vital records of juveniles for the purposes of providing necessary documentation for transitional services such as obtaining identification, educational enrollment, employment, and housing.

(6) To develop staffing and workload standards and coordinate staff development and training appropriate for juvenile populations.

(7) To develop, with the approval of the Office of the Governor and the Governor's Office of Management and Budget, annual budget requests.

(8) To administer the Interstate Compact for Juveniles, with respect to all juveniles under its jurisdiction, and to cooperate with the Department of Human Services with regard to all non-offender juveniles subject to the Interstate Compact for Juveniles.

(b) The Department may employ personnel in accordance with the Personnel Code and Section 3-2.5-15 of this Code, provide facilities, contract for goods and services, and adopt rules as necessary to carry out its functions and purposes, all in accordance with applicable State and federal law.

(c) On and after the date 6 months after August 16, 2013 (the effective date of Public Act 98-488) this amendatory Act of the 98th General Assembly, as provided in the Executive Order 1 (2012) Implementation Act,
all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were transferred from the Department of Corrections to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Corrections; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(Source: P.A. 98-488, eff. 8-16-13; 98-558, eff. 1-1-14; revised 9-24-13.)

(730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

Sec. 3-3-2. Powers and Duties.

(a) The Parole and Pardon Board is abolished and the term "Parole and Pardon Board" as used in any law of Illinois, shall read "Prisoner Review Board." After the effective date of this amendatory Act of 1977, the Prisoner Review Board shall provide by rule for the orderly transition of all files, records, and documents of the Parole and Pardon Board and for such other steps as may be necessary to effect an orderly transition and shall:

(1) hear by at least one member and through a panel of at least 3 members decide, cases of prisoners who were sentenced under the law in effect prior to the effective date of this amendatory Act of 1977, and who are eligible for parole;

(2) hear by at least one member and through a panel of at least 3 members decide, the conditions of parole and the time of discharge from parole, impose sanctions for violations of parole, and revoke parole for those sentenced under the law in effect prior to this amendatory Act of 1977; provided that the decision to parole and the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the Prisoner Review Board. One representative supporting parole and one representative opposing parole will be allowed to speak. Their comments shall be limited to making corrections and filling in omissions to the Board's presentation and discussion;

(3) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose

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sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after the effective date of this amendatory Act of 1977;

(3.5) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those serving extended supervised release terms pursuant to paragraph (4) of subsection (d) of Section 5-8-1;

(3.6) hear by at least one member and through a panel of at least 3 members decide, the time of aftercare release, the conditions of aftercare release and the time of discharge from aftercare release, impose sanctions for violations of aftercare release, and revoke aftercare release for those adjudicated delinquent under the Juvenile Court Act of 1987;

(4) hear by at least one member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to sentence credits under Section 3-6-3 of this Code in which the Department seeks to revoke sentence credits, if the amount of time at issue exceeds 30 days or when, during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In such cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of thirty days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit for any prisoner or to increase any penalty beyond the length requested by the Department;

(5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation,

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and make confidential recommendations to the Governor;

(7) comply with the requirements of the Open Parole Hearings Act;

(8) hear by at least one member and, through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks to revoke up to 180 days of sentence credit, and if the prisoner has not accumulated 180 days of sentence credit at the time of the dismissal, then all sentence credit accumulated by the prisoner shall be revoked;

(9) hear by at least 3 members, and, through a panel of at least 3 members, decide whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V;

(10) upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for sealing recommending that the court order the sealing of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for sealing:

   (A) until 5 years have elapsed since the expiration of his or her sentence;

   (B) until 5 years have elapsed since any arrests or detentions by a law enforcement officer for an alleged violation of law, other than a petty offense, traffic offense, conservation offense, or local ordinance offense;

   (C) if convicted of a violation of the Cannabis Control Act, Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or the Methamphetamine Precursor Tracking Act unless the petitioner has completed a drug abuse program for the offense on which sealing is sought and provides proof that he or she has completed the program successfully;

   (D) if convicted of:

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(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012;
(ii) aggravated assault;
(iii) aggravated battery;
(iv) domestic battery;
(v) aggravated domestic battery;
(vi) violation of an order of protection;
(vii) an offense under the Criminal Code of 1961 or the Criminal Code of 2012 involving a firearm;
(viii) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof;
(ix) aggravated driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof; or
(x) any crime defined as a crime of violence under Section 2 of the Crime Victims Compensation Act.

If a person has applied to the Board for a certificate of eligibility for sealing and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for pardon from the Governor unless the Chairman of the Prisoner Review Board grants a waiver.

The decision to issue or refrain from issuing a certificate of eligibility for sealing shall be at the Board's sole discretion, and shall not give rise to any cause of action against either the Board or its members.

The Board may only authorize the sealing of Class 3 and 4 felony convictions of the petitioner from one information or indictment under this paragraph (10). A petitioner may only receive one certificate of eligibility for sealing under this provision for life; and

(11) upon a petition by a person who after having been convicted of a Class 3 or Class 4 felony thereafter served in the United States Armed Forces or National Guard of this or any other state and had received an honorable discharge from the United States

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Armed Forces or National Guard or who at the time of filing the petition is enlisted in the United States Armed Forces or National Guard of this or any other state and served one tour of duty and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for expungement recommending that the court order the expungement of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for expungement:

(A) if convicted of:
   (i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or Criminal Code of 2012;
   (ii) an offense under the Criminal Code of 1961 or Criminal Code of 2012 involving a firearm; or
   (iii) a crime of violence as defined in Section 2 of the Crime Victims Compensation Act; or
(B) if the person has not served in the United States Armed Forces or National Guard of this or any other state or has not received an honorable discharge from the United States Armed Forces or National Guard of this or any other state or who at the time of the filing of the petition is serving in the United States Armed Forces or National Guard of this or any other state and has not completed one tour of duty.

If a person has applied to the Board for a certificate of eligibility for expungement and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for a pardon with authorization for expungement from the Governor unless the Governor or Chairman of the Prisoner Review Board grants a waiver.

(a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall implement a pilot project in 3 correctional institutions providing for the conduct of hearings under paragraphs (1) and (4) of subsection (a) of this Section through interactive video conferences. The project shall be implemented within 6 months after

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the effective date of this amendatory Act of 1996. Within 6 months after the implementation of the pilot project, the Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report to the Governor and the General Assembly regarding the use, costs, effectiveness, and future viability of interactive video conferences for Prisoner Review Board hearings.

(b) Upon recommendation of the Department the Board may restore sentence credit previously revoked.

(c) The Board shall cooperate with the Department in promoting an effective system of parole, aftercare release, and mandatory supervised release.

(d) The Board shall promulgate rules for the conduct of its work, and the Chairman shall file a copy of such rules and any amendments thereto with the Director and with the Secretary of State.

(e) The Board shall keep records of all of its official actions and shall make them accessible in accordance with law and the rules of the Board.

(f) The Board or one who has allegedly violated the conditions of his or her parole, aftercare release, or mandatory supervised release may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation or hearing. The Chairman of the Board may sign subpoenas which shall be served by any agent or public official authorized by the Chairman of the Board, or by any person lawfully authorized to serve a subpoena under the laws of the State of Illinois. The attendance of witnesses, and the production of documentary evidence, may be required from any place in the State to a hearing location in the State before the Chairman of the Board or his or her designated agent or agents or any duly constituted Committee or Subcommittee of the Board. Witnesses so summoned shall be paid the same fees and mileage that are paid witnesses in the circuit courts of the State, and witnesses whose depositions are taken and the persons taking those depositions are each entitled to the same fees as are paid for like services in actions in the circuit courts of the State. Fees and mileage shall be vouchered for payment when the witness is discharged from further attendance.

In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order requiring the attendance and testimony of witnesses or the production of documentary evidence or both. A copy of such petition shall be served by personal service or by registered or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a hearing upon the petition will be requested.

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in a court room to be designated in such notice before the judge hearing motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after the deposit of the copy of the written notice and petition in the U.S. mails addressed to the person at his last known address or after the personal service of the copy of the notice and petition upon such person. The court upon the filing of such a petition, may order the person refusing to obey the subpoena to appear at an investigation or hearing, or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that investigation or hearing. Any failure to obey such order of the circuit court may be punished by that court as a contempt of court.

Each member of the Board and any hearing officer designated by the Board shall have the power to administer oaths and to take the testimony of persons under oath.

(g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.

(h) The Prisoner Review Board shall annually transmit to the Director a detailed report of its work for the preceding calendar year. The annual report shall also be transmitted to the Governor for submission to the Legislature.

(Source: P.A. 97-697, eff. 6-22-12; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-399, eff. 8-16-13; 98-558, eff. 1-1-14; revised 8-28-13.)

(730 ILCS 5/3-5-1) (from Ch. 38, par. 1003-5-1)

Sec. 3-5-1. Master Record File.

(a) The Department of Corrections and the Department of Juvenile Justice shall maintain a master record file on each person committed to it, which shall contain the following information:

(1) all information from the committing court;
(2) reception summary;
(3) evaluation and assignment reports and recommendations;
(4) reports as to program assignment and progress;
(5) reports of disciplinary infractions and disposition, including tickets and Administrative Review Board action;
(6) any parole or aftercare release plan;
(7) any parole or aftercare release reports;
(8) the date and circumstances of final discharge; 
(9) criminal history;

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(10) current and past gang affiliations and ranks;
(11) information regarding associations and family relationships;
(12) any grievances filed and responses to those grievances; and
(13) other information that the respective Department determines is relevant to the secure confinement and rehabilitation of the committed person.

(b) All files shall be confidential and access shall be limited to authorized personnel of the respective Department. Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.

(c) The master file shall be maintained at a place convenient to its use by personnel of the respective Department in charge of the person. When custody of a person is transferred from the Department to another department or agency, a summary of the file shall be forwarded to the receiving agency with such other information required by law or requested by the agency under rules and regulations of the respective Department.

(d) The master file of a person no longer in the custody of the respective Department shall be placed on inactive status and its use shall be restricted subject to rules and regulations of the Department.

(e) All public agencies may make available to the respective Department on request any factual data not otherwise privileged as a matter of law in their possession in respect to individuals committed to the respective Department.

(Source: P.A. 97-696, eff. 6-22-12; 98-558, eff. 1-1-14.)

(Text of Section after amendment by P.A. 98-528)
Sec. 3-5-1. Master Record File.

New matter indicated by italics - deletions by strikeout
(a) The Department of Corrections and the Department of Juvenile Justice shall maintain a master record file on each person committed to it, which shall contain the following information:

(1) all information from the committing court;
(1.5) ethnic and racial background data collected in accordance with Section 4.5 of the Criminal Identification Act;
(2) reception summary;
(3) evaluation and assignment reports and recommendations;
(4) reports as to program assignment and progress;
(5) reports of disciplinary infractions and disposition, including tickets and Administrative Review Board action;
(6) any parole or aftercare release plan;
(7) any parole or aftercare release reports;
(8) the date and circumstances of final discharge;
(9) criminal history;
(10) current and past gang affiliations and ranks;
(11) information regarding associations and family relationships;
(12) any grievances filed and responses to those grievances; and
(13) other information that the respective Department determines is relevant to the secure confinement and rehabilitation of the committed person.

(b) All files shall be confidential and access shall be limited to authorized personnel of the respective Department. Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.

(c) The master file shall be maintained at a place convenient to its use.

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by personnel of the respective Department in charge of the person. When custody of a person is transferred from the Department to another department or agency, a summary of the file shall be forwarded to the receiving agency with such other information required by law or requested by the agency under rules and regulations of the respective Department.

(d) The master file of a person no longer in the custody of the respective Department shall be placed on inactive status and its use shall be restricted subject to rules and regulations of the Department.

(e) All public agencies may make available to the respective Department on request any factual data not otherwise privileged as a matter of law in their possession in respect to individuals committed to the respective Department.

(Source: P.A. 97-696, eff. 6-22-12; 98-528, eff. 1-1-15; 98-558, eff. 1-1-14; revised 9-24-13.)

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

Sec. 5-5-3. Disposition.

(a) (Blank).

(b) (Blank).

(c) (1) (Blank).

(2) A period of probation, a term of periodic imprisonment or conditional discharge shall not be imposed for the following offenses. The court shall sentence the offender to not less than the minimum term of imprisonment set forth in this Code for the following offenses, and may order a fine or restitution or both in conjunction with such term of imprisonment:

(A) First degree murder where the death penalty is not imposed.

(B) Attempted first degree murder.

(C) A Class X felony.

(D) A violation of Section 401.1 or 407 of the Illinois Controlled Substances Act, or a violation of subdivision (c)(1.5) or (c)(2) of Section 401 of that Act which relates to more than 5 grams of a substance containing cocaine, fentanyl, or an analog thereof.

(D-5) A violation of subdivision (c)(1) of Section 401 of the Illinois Controlled Substances Act which relates to 3 or more grams of a substance containing heroin or an analog thereof.

(E) A violation of Section 5.1 or 9 of the Cannabis

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Control Act.

(F) A Class 2 or greater felony if the offender had been convicted of a Class 2 or greater felony, including any state or federal conviction for an offense that contained, at the time it was committed, the same elements as an offense now (the date of the offense committed after the prior Class 2 or greater felony) classified as a Class 2 or greater felony, within 10 years of the date on which the offender committed the offense for which he or she is being sentenced, except as otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(F-5) A violation of Section 24-1, 24-1.1, or 24-1.6 of the Criminal Code of 1961 or the Criminal Code of 2012 for which imprisonment is prescribed in those Sections.

(G) Residential burglary, except as otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(H) Criminal sexual assault.

(I) Aggravated battery of a senior citizen as described in Section 12-4.6 or subdivision (a)(4) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012.

(J) A forcible felony if the offense was related to the activities of an organized gang.

Before July 1, 1994, for the purposes of this paragraph, "organized gang" means an association of 5 or more persons, with an established hierarchy, that encourages members of the association to perpetrate crimes or provides support to the members of the association who do commit crimes.

Beginning July 1, 1994, for the purposes of this paragraph, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(K) Vehicular hijacking.

(L) A second or subsequent conviction for the offense of hate crime when the underlying offense upon which the hate crime is based is felony aggravated assault or felony mob action.

(M) A second or subsequent conviction for the offense

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of institutional vandalism if the damage to the property exceeds $300.

(N) A Class 3 felony violation of paragraph (1) of subsection (a) of Section 2 of the Firearm Owners Identification Card Act.

(O) A violation of Section 12-6.1 or 12-6.5 of the Criminal Code of 1961 or the Criminal Code of 2012.

(P) A violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(Q) A violation of subsection (b) or (b-5) of Section 20-1, Section 20-1.2, or Section 20-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012.

(R) A violation of Section 24-3A of the Criminal Code of 1961 or the Criminal Code of 2012.

(S) (Blank).

(T) A second or subsequent violation of the Methamphetamine Control and Community Protection Act.

(U) A second or subsequent violation of Section 6-303 of the Illinois Vehicle Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(V) A violation of paragraph (4) of subsection (c) of Section 11-20.1B or paragraph (4) of subsection (c) of Section 11-20.3 of the Criminal Code of 1961, or paragraph (6) of subsection (a) of Section 11-20.1 of the Criminal Code of 2012 when the victim is under 13 years of age and the defendant has previously been convicted under the laws of this State or any other state of the offense of child pornography, aggravated child pornography, aggravated criminal sexual abuse, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or any of the offenses formerly known as rape, deviate sexual assault, indecent liberties with a child, or aggravated indecent liberties with a child where the victim was under the age of 18 years or an offense that is substantially equivalent to those offenses.

(W) A violation of Section 24-3.5 of the Criminal

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(X) A violation of subsection (a) of Section 31-1a of the Criminal Code of 1961 or the Criminal Code of 2012.

(Y) A conviction for unlawful possession of a firearm by a street gang member when the firearm was loaded or contained firearm ammunition.

(Z) A Class 1 felony committed while he or she was serving a term of probation or conditional discharge for a felony.

(AA) Theft of property exceeding $500,000 and not exceeding $1,000,000 in value.

(BB) Laundering of criminally derived property of a value exceeding $500,000.

(CC) Knowingly selling, offering for sale, holding for sale, or using 2,000 or more counterfeit items or counterfeit items having a retail value in the aggregate of $500,000 or more.

(DD) A conviction for aggravated assault under paragraph (6) of subsection (c) of Section 12-2 of the Criminal Code of 1961 or the Criminal Code of 2012 if the firearm is aimed toward the person against whom the firearm is being used.

(3) (Blank).

(4) A minimum term of imprisonment of not less than 10 consecutive days or 30 days of community service shall be imposed for a violation of paragraph (c) of Section 6-303 of the Illinois Vehicle Code.

(4.1) (Blank).

(4.2) Except as provided in paragraphs (4.3) and (4.8) of this subsection (c), a minimum of 100 hours of community service shall be imposed for a second violation of Section 6-303 of the Illinois Vehicle Code.

(4.3) A minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a second violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.4) Except as provided in paragraphs (4.5), (4.6), and (4.9) of this subsection (c), a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a third violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.
be imposed for a third or subsequent violation of Section 6-303 of the Illinois Vehicle Code.

(4.5) A minimum term of imprisonment of 30 days shall be imposed for a third violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.6) Except as provided in paragraph (4.10) of this subsection (c), a minimum term of imprisonment of 180 days shall be imposed for a fourth or subsequent violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.7) A minimum term of imprisonment of not less than 30 consecutive days, or 300 hours of community service, shall be imposed for a violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (b-5) of that Section.

(4.8) A mandatory prison sentence shall be imposed for a second violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (c-5) of that Section. The person's driving privileges shall be revoked for a period of not less than 5 years from the date of his or her release from prison.

(4.9) A mandatory prison sentence of not less than 4 and not more than 15 years shall be imposed for a third violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (d-2.5) of that Section. The person's driving privileges shall be revoked for the remainder of his or her life.

(4.10) A mandatory prison sentence for a Class 1 felony shall be imposed, and the person shall be eligible for an extended term sentence, for a fourth or subsequent violation of subsection (a-5) of Section 6-303 of the Illinois Vehicle Code, as provided in subsection (d-3.5) of that Section. The person's driving privileges shall be revoked for the remainder of his or her life.

(5) The court may sentence a corporation or unincorporated association convicted of any offense to:

(A) a period of conditional discharge;

(B) a fine;

(C) make restitution to the victim under Section 5-5-6 of this Code.

(5.1) In addition to any other penalties imposed, and except as provided in paragraph (5.2) or (5.3), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for at

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least 90 days but not more than one year, if the violation resulted in
damage to the property of another person.

(5.2) In addition to any other penalties imposed, and except as
provided in paragraph (5.3), a person convicted of violating
subsection (c) of Section 11-907 of the Illinois Vehicle Code shall
have his or her driver's license, permit, or privileges suspended for at
least 180 days but not more than 2 years, if the violation resulted in
injury to another person.

(5.3) In addition to any other penalties imposed, a person
convicted of violating subsection (c) of Section 11-907 of the Illinois
Vehicle Code shall have his or her driver's license, permit, or
privileges suspended for 2 years, if the violation resulted in the death
of another person.

(5.4) In addition to any other penalties imposed, a person
convicted of violating Section 3-707 of the Illinois Vehicle Code
shall have his or her driver's license, permit, or privileges suspended
for 3 months and until he or she has paid a reinstatement fee of $100.

(5.5) In addition to any other penalties imposed, a person
convicted of violating Section 3-707 of the Illinois Vehicle Code
during a period in which his or her driver's license, permit, or
privileges were suspended for a previous violation of that Section
shall have his or her driver's license, permit, or privileges suspended
for an additional 6 months after the expiration of the original 3-month
 suspension and until he or she has paid a reinstatement fee of $100.

(6) (Blank).

(7) (Blank).

(8) (Blank).

(9) A defendant convicted of a second or subsequent offense
of ritualized abuse of a child may be sentenced to a term of natural
life imprisonment.

(10) (Blank).

(11) The court shall impose a minimum fine of $1,000 for a
first offense and $2,000 for a second or subsequent offense upon a
person convicted of or placed on supervision for battery when the
individual harmed was a sports official or coach at any level of
competition and the act causing harm to the sports official or coach
occurred within an athletic facility or within the immediate vicinity
of the athletic facility at which the sports official or coach was an
active participant of the athletic contest held at the athletic facility.

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For the purposes of this paragraph (11), "sports official" means a person at an athletic contest who enforces the rules of the contest, such as an umpire or referee; "athletic facility" means an indoor or outdoor playing field or recreational area where sports activities are conducted; and "coach" means a person recognized as a coach by the sanctioning authority that conducted the sporting event.

(12) A person may not receive a disposition of court supervision for a violation of Section 5-16 of the Boat Registration and Safety Act if that person has previously received a disposition of court supervision for a violation of that Section.

(13) A person convicted of or placed on court supervision for an assault or aggravated assault when the victim and the offender are family or household members as defined in Section 103 of the Illinois Domestic Violence Act of 1986 or convicted of domestic battery or aggravated domestic battery may be required to attend a Partner Abuse Intervention Program under protocols set forth by the Illinois Department of Human Services under such terms and conditions imposed by the court. The costs of such classes shall be paid by the offender.

(d) In any case in which a sentence originally imposed is vacated, the case shall be remanded to the trial court. The trial court shall hold a hearing under Section 5-4-1 of the Unified Code of Corrections which may include evidence of the defendant's life, moral character and occupation during the time since the original sentence was passed. The trial court shall then impose sentence upon the defendant. The trial court may impose any sentence which could have been imposed at the original trial subject to Section 5-5-4 of the Unified Code of Corrections. If a sentence is vacated on appeal or on collateral attack due to the failure of the trier of fact at trial to determine beyond a reasonable doubt the existence of a fact (other than a prior conviction) necessary to increase the punishment for the offense beyond the statutory maximum otherwise applicable, either the defendant may be re-sentenced to a term within the range otherwise provided or, if the State files notice of its intention to again seek the extended sentence, the defendant shall be afforded a new trial.

(e) In cases where prosecution for aggravated criminal sexual abuse under Section 11-1.60 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 results in conviction of a defendant who was a family member of the victim at the time of the commission of the offense, the court shall consider the safety and welfare of the victim and may impose a sentence of

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probation only where:

(1) the court finds (A) or (B) or both are appropriate:
   (A) the defendant is willing to undergo a court approved counseling program for a minimum duration of 2 years; or
   (B) the defendant is willing to participate in a court approved plan including but not limited to the defendant's:
      (i) removal from the household;
      (ii) restricted contact with the victim;
      (iii) continued financial support of the family;
      (iv) restitution for harm done to the victim;
   and
   (v) compliance with any other measures that the court may deem appropriate; and

(2) the court orders the defendant to pay for the victim's counseling services, to the extent that the court finds, after considering the defendant's income and assets, that the defendant is financially capable of paying for such services, if the victim was under 18 years of age at the time the offense was committed and requires counseling as a result of the offense.

Probation may be revoked or modified pursuant to Section 5-6-4; except where the court determines at the hearing that the defendant violated a condition of his or her probation restricting contact with the victim or other family members or commits another offense with the victim or other family members, the court shall revoke the defendant's probation and impose a term of imprisonment.

For the purposes of this Section, "family member" and "victim" shall have the meanings ascribed to them in Section 11-0.1 of the Criminal Code of 2012.

(f) (Blank).

(g) Whenever a defendant is convicted of an offense under Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14, 11-14.3, 11-14.4 except for an offense that involves keeping a place of juvenile prostitution, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, the defendant shall undergo medical testing to determine whether the defendant has any sexually transmissible disease, including a test for infection with human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Any such
medical test shall be performed only by appropriately licensed medical practitioners and may include an analysis of any bodily fluids as well as an examination of the defendant's person. Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in accordance with the best interests of the victim and the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of the test results. The court shall also notify the victim if requested by the victim, and if the victim is under the age of 15 and if requested by the victim's parents or legal guardian, the court shall notify the victim's parents or legal guardian of the test results. The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-5.01 or 12-16.2 of the Criminal Code of 1961 or the Criminal Code of 2012 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(g-5) When an inmate is tested for an airborne communicable disease, as determined by the Illinois Department of Public Health including but not limited to tuberculosis, the results of the test shall be personally delivered by the warden or his or her designee in a sealed envelope to the judge of the court in which the inmate must appear for the judge's inspection in camera if requested by the judge. Acting in accordance with the best interests of those in the courtroom, the judge shall have the discretion to determine what if any precautions need to be taken to prevent transmission of the disease in the courtroom.

(h) Whenever a defendant is convicted of an offense under Section 1 or 2 of the Hypodermic Syringes and Needles Act, the defendant shall undergo medical testing to determine whether the defendant has been exposed to human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be

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personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in accordance with the best interests of the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of a positive test showing an infection with the human immunodeficiency virus (HIV). The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-5.01 or 12-16.2 of the Criminal Code of 1961 or the Criminal Code of 2012 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(i) All fines and penalties imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(j) In cases when prosecution for any violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-8, 11-9, 11-11, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-30, 11-40, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, any violation of the Illinois Controlled Substances Act, any violation of the Cannabis Control Act, or any violation of the Methamphetamine Control and Community Protection Act results in conviction, a disposition of court supervision, or an order of probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act of a defendant, the court shall determine whether the defendant is employed by a facility or center as defined under the Child Care Act of 1969, a public or private elementary or secondary school, or otherwise works with children under 18 years of age on a daily basis. When a defendant is so employed, the court shall order the Clerk of the Court to

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send a copy of the judgment of conviction or order of supervision or probation to the defendant's employer by certified mail. If the employer of the defendant is a school, the Clerk of the Court shall direct the mailing of a copy of the judgment of conviction or order of supervision or probation to the appropriate regional superintendent of schools. The regional superintendent of schools shall notify the State Board of Education of any notification under this subsection.

(j-5) A defendant at least 17 years of age who is convicted of a felony and who has not been previously convicted of a misdemeanor or felony and who is sentenced to a term of imprisonment in the Illinois Department of Corrections shall as a condition of his or her sentence be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program offered by the Department of Corrections. If a defendant fails to complete the educational training required by his or her sentence during the term of incarceration, the Prisoner Review Board shall, as a condition of mandatory supervised release, require the defendant, at his or her own expense, to pursue a course of study toward a high school diploma or passage of the GED test. The Prisoner Review Board shall revoke the mandatory supervised release of a defendant who wilfully fails to comply with this subsection (j-5) upon his or her release from confinement in a penal institution while serving a mandatory supervised release term; however, the inability of the defendant after making a good faith effort to obtain financial aid or pay for the educational training shall not be deemed a wilful failure to comply. The Prisoner Review Board shall recommit the defendant whose mandatory supervised release term has been revoked under this subsection (j-5) as provided in Section 3-3-9. This subsection (j-5) does not apply to a defendant who has a high school diploma or has successfully passed the GED test. This subsection (j-5) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(k) (Blank).

(l) (A) Except as provided in paragraph (C) of subsection (l), whenever a defendant, who is an alien as defined by the Immigration and Nationality Act, is convicted of any felony or misdemeanor offense, the court after sentencing the defendant may, upon motion of the State's Attorney, hold sentence in abeyance and remand the

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defendant to the custody of the Attorney General of the United States or his or her designated agent to be deported when:

(1) a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and

(2) the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

Otherwise, the defendant shall be sentenced as provided in this Chapter V.

(B) If the defendant has already been sentenced for a felony or misdemeanor offense, or has been placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act, the court may, upon motion of the State's Attorney to suspend the sentence imposed, commit the defendant to the custody of the Attorney General of the United States or his or her designated agent when:

(1) a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and

(2) the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

(C) This subsection (l) does not apply to offenders who are subject to the provisions of paragraph (2) of subsection (a) of Section 3-6-3.

(D) Upon motion of the State's Attorney, if a defendant sentenced under this Section returns to the jurisdiction of the United States, the defendant shall be recommitted to the custody of the county from which he or she was sentenced. Thereafter, the defendant shall be brought before the sentencing court, which may impose any sentence that was available under Section 5-5-3 at the time of initial sentencing. In addition, the defendant shall not be eligible for additional sentence credit for good conduct as provided under Section 3-6-3.

(m) A person convicted of criminal defacement of property under Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which the property damage exceeds $300 and the property damaged is a New matter indicated by italics - deletions by strikeout
school building, shall be ordered to perform community service that may
include cleanup, removal, or painting over the defacement.

(n) The court may sentence a person convicted of a violation of
Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-
4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 (i) to an
impact incarceration program if the person is otherwise eligible for that
program under Section 5-8-1.1, (ii) to community service, or (iii) if the
person is an addict or alcoholic, as defined in the Alcoholism and Other Drug
Abuse and Dependency Act, to a substance or alcohol abuse program licensed
under that Act.

(o) Whenever a person is convicted of a sex offense as defined in
Section 2 of the Sex Offender Registration Act, the defendant's driver's
license or permit shall be subject to renewal on an annual basis in accordance
with the provisions of license renewal established by the Secretary of State.
(Source: P.A. 96-348, eff. 8-12-09; 96-400, eff. 8-13-09; 96-829, eff. 12-3-
09; 96-1200, eff. 7-22-10; 96-1551, Article 1, Section 970, eff. 7-1-11; 96-
1551, Article 2, Section 1065, eff. 7-1-11; 96-1551, Article 10, Section 10-
150, eff. 7-1-11; 97-159, eff. 7-21-11; 97-159, eff. 7-21-11; 97-697, eff. 6-22-12; 97-917, eff. 8-9-
12; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; revised
11-12-13.)

(730 ILCS 5/5-5-3.2)
Sec. 5-5-3.2. Factors in Aggravation and Extended-Term Sentencing.
(a) The following factors shall be accorded weight in favor of
imposing a term of imprisonment or may be considered by the court as
reasons to impose a more severe sentence under Section 5-8-1 or Article 4.5
of Chapter V:

(1) the defendant's conduct caused or threatened serious harm;
(2) the defendant received compensation for committing the
offense;
(3) the defendant has a history of prior delinquency or
criminal activity;
(4) the defendant, by the duties of his office or by his position,
was obliged to prevent the particular offense committed or to bring
the offenders committing it to justice;
(5) the defendant held public office at the time of the offense,
and the offense related to the conduct of that office;
(6) the defendant utilized his professional reputation or
position in the community to commit the offense, or to afford him an
easier means of committing it;

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(7) the sentence is necessary to deter others from committing the same crime;
(8) the defendant committed the offense against a person 60 years of age or older or such person's property;
(9) the defendant committed the offense against a person who is physically handicapped or such person's property;
(10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the purposes of this Section, "sexual orientation" means heterosexuality, homosexuality, or bisexuality;
(11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;
(12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;
(13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;
(14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 11-0.1 of the Criminal Code of 2012, teacher, scout leader, baby sitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11, 11-14.4 except for an offense that involves keeping a place of juvenile prostitution, 11-15.1,

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(15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;

(16) the defendant committed an offense in violation of one of the following Sections while in a school, regardless of the time of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the
Illinois Department of Public Health under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act;

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of Section 3 of the Firearm Owners Identification Card Act and has now committed either a felony violation of the Firearm Owners Identification Card Act or an act of armed violence while armed with a firearm;

(20) the defendant (i) committed the offense of reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(21) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(22) the defendant committed the offense against a person that the defendant knew, or reasonably should have known, was a member of the Armed Forces of the United States serving on active duty. For purposes of this clause

(22), the term "Armed Forces" means any of the Armed Forces of the United States, including a member of any reserve component thereof or National Guard unit called to active duty;

(23) the defendant committed the offense against a person who was elderly, disabled, or infirm by taking advantage of a family or fiduciary relationship with the elderly, disabled, or infirm person;

(24) the defendant committed any offense under Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 and possessed 100 or more images;

(25) the defendant committed the offense while the defendant or the victim was in a train, bus, or other vehicle used for public transportation;

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(26) the defendant committed the offense of child pornography or aggravated child pornography, specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context and specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1B or Section 11-20.3 of the Criminal Code of 1961 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context;

(27) the defendant committed the offense of first degree murder, assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person who was a veteran and the defendant knew, or reasonably should have known, that the person was a veteran performing duties as a representative of a veterans' organization. For the purposes of this paragraph (27), "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces; and "veterans' organization" means an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit; or

(28) the defendant committed the offense of assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person that the defendant knew or reasonably should have known was a letter carrier or postal worker while that person was performing his or her duties delivering mail for the United States Postal Service. 

For the purposes of this Section:
"School" is defined as a public or private elementary or secondary school, community college, college, or university.
"Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care

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"Public transportation" means the transportation or conveyance of persons by means available to the general public, and includes paratransit services.

(b) The following factors, related to all felonies, may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender:

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of any felony committed against:

(i) a person under 12 years of age at the time of the offense or such person's property;
(ii) a person 60 years of age or older at the time of the offense or such person's property; or
(iii) a person physically handicapped at the time of the offense or such person's property; or

(4) When a defendant is convicted of any felony and the offense involved any of the following types of specific misconduct committed as part of a ceremony, rite, initiation, observance, performance, practice or activity of any actual or ostensible religious, fraternal, or social group:

(i) the brutalizing or torturing of humans or animals;
(ii) the theft of human corpses;
(iii) the kidnapping of humans;
(iv) the desecration of any cemetery, religious, fraternal, business, governmental, educational, or other building or property; or
(v) ritualized abuse of a child; or

(5) When a defendant is convicted of a felony other than conspiracy and the court finds that the felony was committed under an agreement with 2 or more other persons to commit that offense and
the defendant, with respect to the other individuals, occupied a position of organizer, supervisor, financier, or any other position of management or leadership, and the court further finds that the felony committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's leadership in an organized gang; or

(6) When a defendant is convicted of an offense committed while using a firearm with a laser sight attached to it. For purposes of this paragraph, "laser sight" has the meaning ascribed to it in Section 26-7 of the Criminal Code of 2012; or

(7) When a defendant who was at least 17 years of age at the time of the commission of the offense is convicted of a felony and has been previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a Class X or Class 1 felony when the conviction has occurred within 10 years after the previous adjudication, excluding time spent in custody; or

(8) When a defendant commits any felony and the defendant used, possessed, exercised control over, or otherwise directed an animal to assault a law enforcement officer engaged in the execution of his or her official duties or in furtherance of the criminal activities of an organized gang in which the defendant is engaged; or

(9) When a defendant commits any felony and the defendant knowingly video or audio records the offense with the intent to disseminate the recording.

(c) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 (730 ILCS 5/5-8-2) upon any offender for the listed offenses:

(1) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3 (730 ILCS 5/5-5-3), when that conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and the charges are separately brought and tried and arise out of different series of acts.

(1.5) When a defendant is convicted of first degree murder, after having been previously convicted of domestic battery (720 ILCS 5/12-3.2) or aggravated domestic battery (720 ILCS 5/12-3.3) committed on the same victim or after having been previously convicted of violation of an order of protection (720 ILCS 5/12-30)

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in which the same victim was the protected person.

(2) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter, or reckless homicide in which the defendant has been convicted of causing the death of more than one individual.

(3) When a defendant is convicted of aggravated criminal sexual assault or criminal sexual assault, when there is a finding that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective.

(4) If the victim was under 18 years of age at the time of the commission of the offense, when a defendant is convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 11-1.40 or subsection (a)(1) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/11-1.40 or 5/12-14.1).

(5) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) and there is a finding that the defendant is a member of an organized gang.

(6) When a defendant was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) for possessing a weapon that is not readily distinguishable as one of the weapons enumerated in Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1).

(7) When a defendant is convicted of an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), the illegal manufacture of methamphetamine under Section 25 of the Methamphetamine Control and Community Protection Act (720 ILCS 646/25), or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph,
"emergency" means a situation in which a person's life, health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel.

(8) When the defendant is convicted of attempted mob action, solicitation to commit mob action, or conspiracy to commit mob action under Section 8-1, 8-2, or 8-4 of the Criminal Code of 2012, where the criminal object is a violation of Section 25-1 of the Criminal Code of 2012, and an electronic communication is used in the commission of the offense. For the purposes of this paragraph (8), "electronic communication" shall have the meaning provided in Section 26.5-0.1 of the Criminal Code of 2012.

(d) For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(e) The court may impose an extended term sentence under Article 4.5 of Chapter V upon an offender who has been convicted of a felony violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 when the victim of the offense is under 18 years of age at the time of the commission of the offense and, during the commission of the offense, the victim was under the influence of alcohol, regardless of whether or not the alcohol was supplied by the offender; and the offender, at the time of the commission of the offense, knew or should have known that the victim had consumed alcohol.

(Source: P.A. 97-38, eff. 6-28-11, 97-227, eff. 1-1-12; 97-333, eff. 8-12-11; 97-693, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-14, eff. 1-1-14; 98-104, eff. 7-22-13; 98-385, eff. 1-1-14; revised 9-24-13.)

(730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)
Sec. 5-5-5. Loss and Restoration of Rights.
(a) Conviction and disposition shall not entail the loss by the defendant of any civil rights, except under this Section and Sections 29-6 and 29-10 of The Election Code, as now or hereafter amended.

(b) A person convicted of a felony shall be ineligible to hold an office created by the Constitution of this State until the completion of his sentence.

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(c) A person sentenced to imprisonment shall lose his right to vote until released from imprisonment.

(d) On completion of sentence of imprisonment or upon discharge from probation, conditional discharge or periodic imprisonment, or at any time thereafter, all license rights and privileges granted under the authority of this State which have been revoked or suspended because of conviction of an offense shall be restored unless the authority having jurisdiction of such license rights finds after investigation and hearing that restoration is not in the public interest. This paragraph (d) shall not apply to the suspension or revocation of a license to operate a motor vehicle under the Illinois Vehicle Code.

(e) Upon a person's discharge from incarceration or parole, or upon a person's discharge from probation or at any time thereafter, the committing court may enter an order certifying that the sentence has been satisfactorily completed when the court believes it would assist in the rehabilitation of the person and be consistent with the public welfare. Such order may be entered upon the motion of the defendant or the State or upon the court's own motion.

(f) Upon entry of the order, the court shall issue to the person in whose favor the order has been entered a certificate stating that his behavior after conviction has warranted the issuance of the order.

(g) This Section shall not affect the right of a defendant to collaterally attack his conviction or to rely on it in bar of subsequent proceedings for the same offense.

(h) No application for any license specified in subsection (i) of this Section granted under the authority of this State shall be denied by reason of an eligible offender who has obtained a certificate of relief from disabilities, as defined in Article 5.5 of this Chapter, having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when the finding is based upon the fact that the applicant has previously been convicted of one or more criminal offenses, unless:

1. there is a direct relationship between one or more of the previous criminal offenses and the specific license sought; or
2. the issuance of the license would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

In making such a determination, the licensing agency shall consider the following factors:

1. the public policy of this State, as expressed in Article 5.5 of this Chapter, to encourage the licensure and employment of
persons previously convicted of one or more criminal offenses;
(2) the specific duties and responsibilities necessarily related to the license being sought;
(3) the bearing, if any, the criminal offenses or offenses for which the person was previously convicted will have on his or her fitness or ability to perform one or more such duties and responsibilities;
(4) the time which has elapsed since the occurrence of the criminal offense or offenses;
(5) the age of the person at the time of occurrence of the criminal offense or offenses;
(6) the seriousness of the offense or offenses;
(7) any information produced by the person or produced on his or her behalf in regard to his or her rehabilitation and good conduct, including a certificate of relief from disabilities issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified in the certificate; and
(8) the legitimate interest of the licensing agency in protecting property, and the safety and welfare of specific individuals or the general public.
(i) A certificate of relief from disabilities shall be issued only for a license or certification issued under the following Acts:
(1) the Animal Welfare Act; except that a certificate of relief from disabilities may not be granted to provide for the issuance or restoration of a license under the Animal Welfare Act for any person convicted of violating Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane Care for Animals Act or Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;
(2) the Illinois Athletic Trainers Practice Act;
(3) the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985;
(4) the Boiler and Pressure Vessel Repairer Regulation Act;
(5) the Boxing and Full-contact Martial Arts Act;
(6) the Illinois Certified Shorthand Reporters Act of 1984;
(7) the Illinois Farm Labor Contractor Certification Act;
(8) the Interior Design Title Act;
(9) the Illinois Professional Land Surveyor Act of 1989;
(10) the Illinois Landscape Architecture Act of 1989;

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(11) the Marriage and Family Therapy Licensing Act;
(12) the Private Employment Agency Act;
(13) the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act;
(14) the Real Estate License Act of 2000;
(15) the Illinois Roofing Industry Licensing Act;
(16) the Professional Engineering Practice Act of 1989;
(17) the Water Well and Pump Installation Contractor's License Act;
(18) the Electrologist Licensing Act;
(19) the Auction License Act;
(20) the Illinois Architecture Practice Act of 1989;
(21) the Dietitian Nutritionist Practice Act;
(22) the Environmental Health Practitioner Licensing Act;
(23) the Funeral Directors and Embalmers Licensing Code;
(24) the Land Sales Registration Act of 1999;
(25) the Professional Geologist Licensing Act;
(26) the Illinois Public Accounting Act; and

(Source: P.A. 96-1246, eff. 1-1-11; 97-119, eff. 7-14-11; 97-706, eff. 6-25-12; 97-1108, eff. 1-1-13; 97-1141, eff. 12-28-12; 97-1150, eff. 1-25-13; revised 2-22-13.)

(730 ILCS 5/5-8A-3) (from Ch. 38, par. 1005-8A-3)
Sec. 5-8A-3. Application.

(a) Except as provided in subsection (d), a person charged with or convicted of an excluded offense may not be placed in an electronic home detention program, except for bond pending trial or appeal or while on parole, aftercare release, or mandatory supervised release.

(b) A person serving a sentence for a conviction of a Class 1 felony, other than an excluded offense, may be placed in an electronic home detention program for a period not to exceed the last 90 days of incarceration.

(c) A person serving a sentence for a conviction of a Class X felony, other than an excluded offense, may be placed in an electronic home detention program for a period not to exceed the last 90 days of incarceration, provided that the person was sentenced on or after the effective date of this amendatory Act of 1993 and provided that the court has not prohibited the program for the person in the sentencing order.

(d) A person serving a sentence for conviction of an offense other than for predatory criminal sexual assault of a child, aggravated criminal

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sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or felony criminal sexual abuse, may be placed in an electronic home detention program for a period not to exceed the last 12 months of incarceration, provided that (i) the person is 55 years of age or older; (ii) the person is serving a determinate sentence; (iii) the person has served at least 25% of the sentenced prison term; and (iv) placement in an electronic home detention program is approved by the Prisoner Review Board.

(e) A person serving a sentence for conviction of a Class 2, 3 or 4 felony offense which is not an excluded offense may be placed in an electronic home detention program pursuant to Department administrative directives.

(f) Applications for electronic home detention may include the following:

(1) pretrial or pre-adjudicatory detention;
(2) probation;
(3) conditional discharge;
(4) periodic imprisonment;
(5) parole, aftercare release, or mandatory supervised release;
(6) work release;
(7) furlough; or
(8) post-trial incarceration.

(g) A person convicted of an offense described in clause (4) or (5) of subsection (d) of Section 5-8-1 of this Code shall be placed in an electronic home detention program for at least the first 2 years of the person's mandatory supervised release term.

(Source: P.A. 98-558, eff. 1-1-14; revised 11-12-13.)

Section 725. The Code of Civil Procedure is amended by changing Sections 8-2001, 8-2005, 11-106, and 13-110 as follows:

(735 ILCS 5/8-2001) (from Ch. 110, par. 8-2001)
Sec. 8-2001. Examination of health care records.
(a) In this Section:
"Health care facility" or "facility" means a public or private hospital, ambulatory surgical treatment center, nursing home, independent practice association, or physician hospital organization, or any other entity where health care services are provided to any person. The term does not include a health care practitioner.
"Health care practitioner" means any health care practitioner, including a physician, dentist, podiatric physician, advanced practice nurse, physician assistant, clinical psychologist, or clinical social worker. The term

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includes a medical office, health care clinic, health department, group practice, and any other organizational structure for a licensed professional to provide health care services. The term does not include a health care facility.

(b) Every private and public health care facility shall, upon the request of any patient who has been treated in such health care facility, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, or as authorized by Section 8-2001.5, permit the patient, his or her health care practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative to examine the health care facility patient care records, including but not limited to the history, bedside notes, charts, pictures and plates, kept in connection with the treatment of such patient, and permit copies of such records to be made by him or her or his or her health care practitioner or authorized attorney.

(c) Every health care practitioner shall, upon the request of any patient who has been treated by the health care practitioner, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient and the patient's legally authorized representative, permit the patient and the patient's health care practitioner or authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, to examine and copy the patient's records, including but not limited to those relating to the diagnosis, treatment, prognosis, history, charts, pictures and plates, kept in connection with the treatment of such patient.

(d) A request for copies of the records shall be in writing and shall be delivered to the administrator or manager of such health care facility or to the health care practitioner. The person (including patients, health care practitioners and attorneys) requesting copies of records shall reimburse the facility or the health care practitioner at the time of such copying for all reasonable expenses, including the costs of independent copy service companies, incurred in connection with such copying not to exceed a $20 handling charge for processing the request and the actual postage or shipping charge, if any, plus: (1) for paper copies 75 cents per page for the first through 25th pages, 50 cents per page for the 26th through 50th pages, and 25 cents per page for all pages in excess of 50 (except that the charge shall not exceed $1.25 per page for any copies made from microfiche or microfilm; records retrieved from scanning, digital imaging, electronic information or other digital format do not qualify as microfiche or microfilm retrieval for

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purposes of calculating charges); and (2) for electronic records, retrieved from a scanning, digital imaging, electronic information or other digital format in an electronic document, a charge of 50% of the per page charge for paper copies under subdivision (d)(1). This per page charge includes the cost of each CD Rom, DVD, or other storage media. Records already maintained in an electronic or digital format shall be provided in an electronic format when so requested. If the records system does not allow for the creation or transmission of an electronic or digital record, then the facility or practitioner shall inform the requester in writing of the reason the records cannot be provided electronically. The written explanation may be included with the production of paper copies, if the requester chooses to order paper copies. These rates shall be automatically adjusted as set forth in Section 8-2006. The facility or health care practitioner may, however, charge for the reasonable cost of duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as x-ray films or pictures.  

(d-5) The handling fee shall not be collected from the patient or the patient's personal representative who obtains copies of records under Section 8-2001.5.  

(e) The requirements of this Section shall be satisfied within 30 days of the receipt of a written request by a patient or by his or her legally authorized representative, health care practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative. If the facility or health care practitioner needs more time to comply with the request, then within 30 days after receiving the request, the facility or health care practitioner must provide the requesting party with a written statement of the reasons for the delay and the date by which the requested information will be provided. In any event, the facility or health care practitioner must provide the requested information no later than 60 days after receiving the request.  

(f) A health care facility or health care practitioner must provide the public with at least 30 days prior notice of the closure of the facility or the health care practitioner's practice. The notice must include an explanation of how copies of the facility's records may be accessed by patients. The notice may be given by publication in a newspaper of general circulation in the area in which the health care facility or health care practitioner is located.  

(g) Failure to comply with the time limit requirement of this Section shall subject the denying party to expenses and reasonable attorneys' fees
incurred in connection with any court ordered enforcement of the provisions of this Section.
(Source: P.A. 97-623, eff. 11-23-11; 97-867, eff. 7-30-12; 98-214, eff. 8-9-13; revised 11-22-13.)

(735 ILCS 5/8-2005)
Sec. 8-2005. Attorney's records. This Section applies only if a client and his or her authorized attorney have complied with all applicable legal requirements regarding examination and copying of client files, including but not limited to satisfaction of expenses and attorney retaining liens.

Upon the request of a client, an attorney shall permit the client's authorized attorney to examine and copy the records kept by the attorney in connection with the representation of the client, with the exception of attorney work product. The request for examination and copying of the records shall be in writing and shall be delivered to the attorney. Within a reasonable time after the attorney receives the written request, the attorney shall comply with the written request at his or her office or any other place designated by him or her. At the time of copying, the person requesting the records shall reimburse the attorney for all reasonable expenses, including the costs of independent copy service companies, incurred by the attorney in connection with the copying not to exceed a $20 handling charge for processing the request, and the actual postage or shipping charges, if any, plus (1) for paper copies 75 cents per page for the first through 25th pages, 50 cents per page for the 26th through 50th pages, and 25 cents per page for all pages in excess of 50 (except that the charge shall not exceed $1.25 per page for any copies made from microfiche or microfilm; records retrieved from scanning, digital imaging, electronic information or other digital format do not qualify as microfiche or microfilm retrieval for purposes of calculating charges); and (2) for electronic records, retrieved from a scanning, digital imaging, electronic information or other digital format in an electronic document, a charge of 50% of the per page charge for paper copies under subdivision (d)(1). This per page charge includes the cost of each CD Rom, DVD, or other storage media. Records already maintained in an electronic or digital format shall be provided in an electronic format when so requested. If the records system does not allow for the creation or transmission of an electronic or digital record, then the attorney shall inform the requester in writing of the reason the records cannot be provided electronically. The written explanation may be included with the production of paper copies, if the requester chooses to order paper copies. These rates shall be automatically adjusted as set forth in Section 8-2006. The attorney may, however, charge

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for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as pictures.

An attorney shall satisfy the requirements of this Section within 60 days after he or she receives a request from a client or his or her authorized attorney. An attorney who fails to comply with the time limit requirement of this Section shall be required to pay expenses and reasonable attorney's fees incurred in connection with any court-ordered enforcement of the requirements of this Section.

(Source: P.A. 95-478, eff. 1-1-08 (changed from 8-27-07 by P.A. 95-480); 95-480, eff. 1-1-08; revised 11-22-13.)

(735 ILCS 5/11-106) (from Ch. 110, par. 11-106)

Sec. 11-106. Injunctive relief on Saturday, Sunday or legal holiday.
When an application is made on a Saturday, Sunday, legal holiday or on a day when courts are not in session for injunctive relief and there is filed with the complaint an affidavit of the plaintiff, or his, her or their agent or attorney, stating that the benefits of injunctive relief will be lost or endangered, or irremediable damage occasioned unless such injunctive relief is immediately granted, and stating the bases for such alleged consequence, and if it appears to the court from such affidavit that the benefits of injunctive relief will be lost or endangered, or irremediable damage occasioned unless such injunctive relief is immediately granted, and if the plaintiff otherwise is entitled to such relief under the law, the court may grant injunctive relief on a Saturday, Sunday, legal holiday, or on a day when courts are not in session; and it shall be lawful for the clerk to certify, and for the sheriff or coroner to serve such order for injunctive relief on a Saturday, Sunday, legal holiday or on a day when courts are not in session as on any other day, and all affidavits and bonds made and proceedings had in such case shall have the same force and effect as if made or had on any other day.

(735 ILCS 5/13-110) (from Ch. 110, par. 13-110)

Sec. 13-110. Vacant land - Payment of taxes with color of title.
Whenever a person having color of title, made in good faith, to vacant and unoccupied land, pays all taxes legally assessed thereon for 7 successive years, he or she shall be deemed and adjudged to be the legal owner of such vacant and unoccupied land, to the extent and according to the purport of his or her paper title. All persons holding under such taxpayer, by purchase, legacy or descent, before such 7 years expired, and who continue to pay the taxes, as above set out, so as to complete the payment of taxes for the such

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term, are entitled to the benefit of this Section. However, if any person, having a better paper title to such vacant and unoccupied land, during the term of 7 years, pays the taxes assessed on such land for any one or more years of the term of 7 years, then such taxpayer, his or her heirs, legatees or assigns, shall not be entitled to the benefit of this Section. (Source: P.A. 83-707; revised 11-22-13.)

Section 730. The Eminent Domain Act is amended by changing Sections 15-5-15, 15-5-35, and 15-5-47 and by setting forth and renumbering multiple versions of Section 25-5-45 as follows:

(735 ILCS 30/15-5-15)

Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70 through 75. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:

(70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport authorities; for public airport facilities.

(70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport authorities; for removal of airport hazards.

(70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport authorities; for reduction of the height of objects or structures.

(70 ILCS 10/4); Interstate Airport Authorities Act; interstate airport authorities; for general purposes.

(70 ILCS 15/3); Kankakee River Valley Area Airport Authority Act; Kankakee River Valley Area Airport Authority; for acquisition of land for airports.

(70 ILCS 200/2-20); Civic Center Code; civic center authorities; for grounds, centers, buildings, and parking.

(70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/15-40); Civic Center Code; Benton Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/20-15); Civic Center Code; Bloomington Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/35-35); Civic Center Code; Brownstown Park District Civic Center Authority; for grounds, centers,
buildings, and parking.
(70 ILCS 200/40-35); Civic Center Code; Carbondale Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/55-60); Civic Center Code; Chicago South Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/60-30); Civic Center Code; Collinsville Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/80-15); Civic Center Code; DuPage County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/115-35); Civic Center Code; Jasper County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/120-25); Civic Center Code; Jefferson County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/125-15); Civic Center Code; Jo Daviess County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/130-30); Civic Center Code; Katherine Dunham Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.

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(70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/150-35); Civic Center Code; Mason County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/165-35); Civic Center Code; Melrose Park Metropolitan Exposition Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/170-20); Civic Center Code; certain Metropolitan Exposition, Auditorium and Office Building Authorities; for general purposes.
(70 ILCS 200/180-35); Civic Center Code; Normal Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/215-15); Civic Center Code; Illinois Quad City Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/225-35); Civic Center Code; Randolph County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/230-35); Civic Center Code; River Forest Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.

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Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/235-40); Civic Center Code; Riverside Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/245-35); Civic Center Code; Salem Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/255-20); Civic Center Code; Springfield Metropolitan Exposition and Auditorium Authority; for grounds, centers, and parking.
(70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/265-20); Civic Center Code; Vermilion County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/280-20); Civic Center Code; Will County Metropolitan Exposition and Auditorium Authority; for grounds, centers, and parking.
(70 ILCS 210/5); Metropolitan Pier and Exposition Authority Act; Metropolitan Pier and Exposition Authority; for general purposes, including quick-take power.
(70 ILCS 405/22.04); Soil and Water Conservation Districts Act; soil and water conservation districts; for general purposes.
(70 ILCS 410/10 and 410/12); Conservation District Act; conservation districts; for open space, wildland, scenic roadway, pathway, outdoor recreation, or other conservation benefits.
(70 ILCS 503/25); Chanute-Rantoul National Aviation Center Redevelopment Commission Act; Chanute-Rantoul National Aviation Center Redevelopment Commission; for general purposes.
(70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act; Fort Sheridan Redevelopment Commission; for general purposes or to carry out comprehensive or redevelopment

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plans.
(70 ILCS 520/8); Southwestern Illinois Development Authority Act; Southwestern Illinois Development Authority; for general purposes, including quick-take power.
(70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code; drainage districts; for general purposes.
(70 ILCS 615/5 and 615/6); Chicago Drainage District Act; corporate authorities; for construction and maintenance of works.
(70 ILCS 705/10); Fire Protection District Act; fire protection districts; for general purposes.
(70 ILCS 750/20); Flood Prevention District Act; flood prevention districts; for general purposes.
(70 ILCS 805/6); Downstate Forest Preserve District Act; certain forest preserve districts; for general purposes.
(70 ILCS 805/18.8); Downstate Forest Preserve District Act; certain forest preserve districts; for recreational and cultural facilities.
(70 ILCS 810/8); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for general purposes.
(70 ILCS 810/38); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for recreational facilities.
(70 ILCS 910/15 and 910/16); Hospital District Law; hospital districts; for hospitals or hospital facilities.
(70 ILCS 915/3); Illinois Medical District Act; Illinois Medical District Commission; for general purposes.
(70 ILCS 915/4.5); Illinois Medical District Act; Illinois Medical District Commission; quick-take power for the Illinois State Police Forensic Science Laboratory (obsolete).
(70 ILCS 920/5); Tuberculosis Sanitarium District Act; tuberculosis sanitarium districts; for tuberculosis sanitariums.
(70 ILCS 925/20); Mid-Illinois Medical District Act; Mid-Illinois Medical District; for general purposes.
(70 ILCS 930/20); Mid-America Medical District Act; Mid-America Medical District Commission; for general purposes.

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purposes.
(70 ILCS 935/20); Roseland Community Medical District Act; medical district; for general purposes.
(70 ILCS 1005/7); Mosquito Abatement District Act; mosquito abatement districts; for general purposes.
(70 ILCS 1105/8); Museum District Act; museum districts; for general purposes.
(70 ILCS 1205/7-1); Park District Code; park districts; for streets and other purposes.
(70 ILCS 1205/8-1); Park District Code; park districts; for parks.
(70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park districts; for airports and landing fields.
(70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park districts; for State land abutting public water and certain access rights.
(70 ILCS 1205/11.1-3); Park District Code; park districts; for harbors.
(70 ILCS 1225/2); Park Commissioners Land Condemnation Act; park districts; for street widening.
(70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water Control Act; park districts; for parks, boulevards, driveways, parkways, viaducts, bridges, or tunnels.
(70 ILCS 1250/2); Park Commissioners Street Control (1889) Act; park districts; for boulevards or driveways.
(70 ILCS 1290/1); Park District Aquarium and Museum Act; municipalities or park districts; for aquariums or museums.
(70 ILCS 1305/2); Park District Airport Zoning Act; park districts; for restriction of the height of structures.
(70 ILCS 1310/5); Park District Elevated Highway Act; park districts; for elevated highways.
(70 ILCS 1505/15); Chicago Park District Act; Chicago Park District; for parks and other purposes.
(70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park District; for parking lots or garages.
(70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park District; for harbors.
(70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation

New matter indicated by italics - deletions by strikeout
Act; Lincoln Park Commissioners; for land and interests in land, including riparian rights.
(70 ILCS 1801/30); Alexander-Cairo Port District Act; Alexander-Cairo Port District; for general purposes.
(70 ILCS 1805/8); Havana Regional Port District Act; Havana Regional Port District; for general purposes.
(70 ILCS 1810/7); Illinois International Port District Act; Illinois International Port District; for general purposes.
(70 ILCS 1815/13); Illinois Valley Regional Port District Act; Illinois Valley Regional Port District; for general purposes.
(70 ILCS 1820/4); Jackson-Union Counties Regional Port District Act; Jackson-Union Counties Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.
(70 ILCS 1820/5); Jackson-Union Counties Regional Port District Act; Jackson-Union Counties Regional Port District; for general purposes.
(70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet Regional Port District; for removal of airport hazards.
(70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet Regional Port District; for reduction of the height of objects or structures.
(70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet Regional Port District; for removal of hazards from ports and terminals.
(70 ILCS 1825/5); Joliet Regional Port District Act; Joliet Regional Port District; for general purposes.
(70 ILCS 1830/7.1); Kaskaskia Regional Port District Act; Kaskaskia Regional Port District; for removal of hazards from ports and terminals.
(70 ILCS 1830/14); Kaskaskia Regional Port District Act; Kaskaskia Regional Port District; for general purposes.
(70 ILCS 1831/30); Massac-Metropolis Port District Act; Massac-Metropolis Port District; for general purposes.
(70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for removal of airport hazards.

New matter indicated by italics - deletions by strikeout
(70 ILCS 1835/5.11); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for reduction of the height of objects or structures.

(70 ILCS 1835/6); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for general purposes.

(70 ILCS 1837/30); Ottawa Port District Act; Ottawa Port District; for general purposes.

(70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca Regional Port District; for removal of airport hazards.

(70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca Regional Port District; for reduction of the height of objects or structures.

(70 ILCS 1845/5); Seneca Regional Port District Act; Seneca Regional Port District; for general purposes.

(70 ILCS 1850/4); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.

(70 ILCS 1850/5); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for general purposes.

(70 ILCS 1855/4); Southwest Regional Port District Act; Southwest Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.

(70 ILCS 1855/5); Southwest Regional Port District Act; Southwest Regional Port District; for general purposes.

(70 ILCS 1860/4); Tri-City Regional Port District Act; Tri-City Regional Port District; for removal of airport hazards.

(70 ILCS 1860/5); Tri-City Regional Port District Act; Tri-City Regional Port District; for the development of facilities.

(70 ILCS 1863/11); Upper Mississippi River International Port District Act; Upper Mississippi River International Port District; for general purposes.

(70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port District; for removal of airport hazards.

(70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port District; for restricting the height of objects or structures.

(70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port District; for general purposes.
District; for the development of facilities.

(70 ILCS 1870/8); White County Port District Act; White County Port District; for the development of facilities.

(70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad Terminal Authority (Chicago); for general purposes.

(70 ILCS 1915/25); Grand Avenue Railroad Relocation Authority Act; Grand Avenue Railroad Relocation Authority; for general purposes, including quick-take power (now obsolete).

(70 ILCS 1935/25); Elmwood Park Grade Separation Authority Act; Elmwood Park Grade Separation Authority; for general purposes.

(70 ILCS 2105/9b); River Conservancy Districts Act; river conservancy districts; for general purposes.

(70 ILCS 2105/10a); River Conservancy Districts Act; river conservancy districts; for corporate purposes.

(70 ILCS 2205/15); Sanitary District Act of 1907; sanitary districts; for corporate purposes.

(70 ILCS 2205/18); Sanitary District Act of 1907; sanitary districts; for improvements and works.

(70 ILCS 2205/19); Sanitary District Act of 1907; sanitary districts; for access to property.

(70 ILCS 2305/8); North Shore Sanitary District Act; North Shore Sanitary District; for corporate purposes.

(70 ILCS 2305/15); North Shore Sanitary District Act; North Shore Sanitary District; for improvements.

(70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary District of Decatur; for carrying out agreements to sell, convey, or disburse treated wastewater to a private entity.

(70 ILCS 2405/8); Sanitary District Act of 1917; sanitary districts; for corporate purposes.

(70 ILCS 2405/15); Sanitary District Act of 1917; sanitary districts; for improvements.

(70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of 1917; sanitary districts; for waterworks.

(70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary districts; for public sewer and water utility treatment works.

(70 ILCS 2405/18); Sanitary District Act of 1917; sanitary districts; for improvements.

New matter indicated by italics - deletions by strikeout
districts; for dams or other structures to regulate water flow.

(70 ILCS 2605/8); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for corporate purposes.

(70 ILCS 2605/16); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; quick-take power for improvements.

(70 ILCS 2605/17); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for bridges.

(70 ILCS 2605/35); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for widening and deepening a navigable stream.

(70 ILCS 2805/10); Sanitary District Act of 1936; sanitary districts; for corporate purposes.

(70 ILCS 2805/24); Sanitary District Act of 1936; sanitary districts; for improvements.

(70 ILCS 2805/26i and 2805/26j); Sanitary District Act of 1936; sanitary districts; for drainage systems.

(70 ILCS 2805/27); Sanitary District Act of 1936; sanitary districts; for dams or other structures to regulate water flow.

(70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary districts; for water supply.

(70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary districts; for waterworks.

(70 ILCS 2905/2-7); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for corporate purposes.

(70 ILCS 2905/2-8); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for access to property.

(70 ILCS 3010/10); Sanitary District Revenue Bond Act; sanitary districts; for sewerage systems.

(70 ILCS 3205/12); Illinois Sports Facilities Authority Act; Illinois Sports Facilities Authority; quick-take power for its corporate purposes (obsolete).

(70 ILCS 3405/16); Surface Water Protection District Act; surface water protection districts; for corporate purposes.

(70 ILCS 3605/7); Metropolitan Transit Authority Act; Chicago

New matter indicated by italics - deletions by strikeout
Transit Authority; for transportation systems.
(70 ILCS 3605/8); Metropolitan Transit Authority Act; Chicago
Transit Authority; for general purposes.
(70 ILCS 3605/10); Metropolitan Transit Authority Act; Chicago
Transit Authority; for general purposes, including
railroad property.
(70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act;
local mass transit districts; for general purposes.
(70 ILCS 3615/2.13); Regional Transportation Authority Act;
Regional Transportation Authority; for general purposes.
(70 ILCS 3705/8 and 3705/12); Public Water District Act; public
water districts; for waterworks.
(70 ILCS 3705/23a); Public Water District Act; public water
districts; for sewerage properties.
(70 ILCS 3705/23e); Public Water District Act; public water
districts; for combined waterworks and sewerage systems.
(70 ILCS 3715/6); Water Authorities Act; water authorities; for
facilities to ensure adequate water supply.
(70 ILCS 3715/27); Water Authorities Act; water authorities;
for access to property.
(75 ILCS 5/4-7); Illinois Local Library Act; boards of library
trustees; for library buildings.
(75 ILCS 16/30-55.80); Public Library District Act of 1991;
public library districts; for general purposes.
(75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate
authorities of city or park district, or board of park
commissioners; for free public library buildings.
(Source: P.A. 96-1000, eff. 7-2-10; 97-333, eff. 8-12-11; incorporates 96-
1522, eff. 2-14-11, and 97-259, eff. 8-5-11; 97-813, eff. 7-13-12; incorporates
98-564, eff. 8-27-13; revised 11-25-13.)

Sec. 15-5-35. Eminent domain powers in ILCS Chapters 605 through
625. The following provisions of law may include express grants of the
power to acquire property by condemnation or eminent domain:
(605 ILCS 5/4-501); Illinois Highway Code; Department of
Transportation and counties; for highway purposes.
(605 ILCS 5/4-502); Illinois Highway Code; Department of
Transportation; for ditches and drains.
(605 ILCS 5/4-505); Illinois Highway Code; Department of

New matter indicated by italics - deletions by strikeout
Transportation; for replacement of railroad and public utility property taken for highway purposes.

(605 ILCS 5/4-509); Illinois Highway Code; Department of Transportation; for replacement of property taken for highway purposes.

(605 ILCS 5/4-510); Illinois Highway Code; Department of Transportation; for rights-of-way for future highway purposes.

(605 ILCS 5/4-511); Illinois Highway Code; Department of Transportation; for relocation of structures taken for highway purposes.

(605 ILCS 5/5-107); Illinois Highway Code; counties; for county highway relocation.

(605 ILCS 5/5-801); Illinois Highway Code; counties; for highway purposes.

(605 ILCS 5/5-802); Illinois Highway Code; counties; for ditches and drains.

(605 ILCS 5/6-309); Illinois Highway Code; highway commissioners or county superintendents; for township or road district roads.

(605 ILCS 5/6-801); Illinois Highway Code; highway commissioners; for road district or township roads.

(605 ILCS 5/6-802); Illinois Highway Code; highway commissioners; for ditches and drains.

(605 ILCS 5/8-102); Illinois Highway Code; Department of Transportation, counties, and municipalities; for limiting freeway access.

(605 ILCS 5/8-103); Illinois Highway Code; Department of Transportation, counties, and municipalities; for freeway purposes.

(605 ILCS 5/8-106); Illinois Highway Code; Department of Transportation and counties; for relocation of existing crossings for freeway purposes.

(605 ILCS 5/9-113); Illinois Highway Code; highway authorities; for utility and other uses in rights-of-ways.

(605 ILCS 5/10-302); Illinois Highway Code; counties; for bridge purposes.

(605 ILCS 5/10-602); Illinois Highway Code; municipalities; for ferry and bridge purposes.

New matter indicated by italics - deletions by strikeout
(605 ILCS 5/10-702); Illinois Highway Code; municipalities; for bridge purposes.
(605 ILCS 5/10-901); Illinois Highway Code; Department of Transportation; for ferry property.
(605 ILCS 10/9); Toll Highway Act; Illinois State Toll Highway Authority; for toll highway purposes.
(605 ILCS 10/9.5); Toll Highway Act; Illinois State Toll Highway Authority; for its authorized purposes.
(605 ILCS 10/10); Toll Highway Act; Illinois State Toll Highway Authority; for property of a municipality or political subdivision for toll highway purposes.
(605 ILCS 115/14); Toll Bridge Act; counties; for toll bridge purposes.
(605 ILCS 115/15); Toll Bridge Act; counties; for the purpose of taking a toll bridge to make it a free bridge.
(605 ILCS 130/80); Public Private Agreements for the Illiana Expressway Act; Department of Transportation; for the Illiana Expressway project.
(610 ILCS 5/17); Railroad Incorporation Act; railroad corporation; for real estate for railroad purposes.
(610 ILCS 5/18); Railroad Incorporation Act; railroad corporations; for materials for railways.
(610 ILCS 5/19); Railroad Incorporation Act; railways; for land along highways.
(610 ILCS 70/1); Railroad Powers Act; purchasers and lessees of railroad companies; for railroad purposes.
(610 ILCS 115/2 and 115/3); Street Railroad Right of Way Act; street railroad companies; for street railroad purposes.
(615 ILCS 5/19); Rivers, Lakes, and Streams Act; Department of Natural Resources; for land along public waters for pleasure, recreation, or sport purposes.
(615 ILCS 10/7.8); Illinois Waterway Act; Department of Natural Resources; for waterways and appurtenances.
(615 ILCS 15/7); Flood Control Act of 1945; Department of Natural Resources; for the purposes of the Act.
(615 ILCS 30/9); Illinois and Michigan Canal Management Act; Department of Natural Resources; for dams, locks, and improvements.
(615 ILCS 45/10); Illinois and Michigan Canal Development Act;

New matter indicated by italics - deletions by strikeout
Department of Natural Resources; for development and management of the canal.

(620 ILCS 5/72); Illinois Aeronautics Act; Division of Aeronautics of the Department of Transportation; for airport purposes.

(620 ILCS 5/73); Illinois Aeronautics Act; Division of Aeronautics of the Department of Transportation; for removal of airport hazards.

(620 ILCS 5/74); Illinois Aeronautics Act; Division of Aeronautics of the Department of Transportation; for airport purposes.

(620 ILCS 25/33); Airport Zoning Act; Division of Aeronautics of the Department of Transportation; for air rights.

(620 ILCS 40/2 and 40/3); General County Airport and Landing Field Act; counties; for airport purposes.

(620 ILCS 40/5); General County Airport and Landing Field Act; counties; for removing hazards.

(620 ILCS 45/6 and 45/7); County Airport Law of 1943; boards of directors of airports and landing fields; for airport and landing field purposes.

(620 ILCS 50/22 and 50/31); County Airports Act; counties; for airport purposes.

(620 ILCS 50/24); County Airports Act; counties; for removal of airport hazards.

(620 ILCS 50/26); County Airports Act; counties; for acquisition of airport protection privileges.

(620 ILCS 52/15); County Air Corridor Protection Act; counties; for airport zones.

(620 ILCS 55/1); East St. Louis Airport Act; Department of Transportation; for airport in East St. Louis metropolitan area.

(620 ILCS 65/15); O'Hare Modernization Act; Chicago; for the O'Hare modernization program, including quick-take power.

(620 ILCS 75/2-15 and 75/2-90); Public-Private Agreements for the South Suburban Airport Act; Department of Transportation; for South Suburban Airport purposes.

(625 ILCS 5/2-105); Illinois Vehicle Code; Secretary of State; for general purposes.

(625 ILCS 5/18c-7501); Illinois Vehicle Code; rail carriers;

New matter indicated by italics - deletions by strikeout
for railroad purposes, including quick-take power.
(Source: P.A. 97-808, eff. 7-13-12; incorporates 98-109, eff. 7-25-13; revised 11-25-13.)
(735 ILCS 30/15-5-47)
Sec. 15-5-47. Eminent domain powers in new Acts. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(Reserved).
The Elmwood Park Grade Separation Authority Act; Elmwood Park Grade Separation Authority; for general purposes.
Public-Private Agreements for the South Suburban Airport Act; Department of Transportation; for South Suburban Airport purposes.
(Source: P.A. 98-109, eff. 7-25-13; 98-564, eff. 8-27-13; revised 11-25-13.)
(735 ILCS 30/25-5-45)
Sec. 25-5-45. Quick-take; South Suburban Airport. Quick-take proceedings under Article 20 may be used by the Department of Transportation for the purpose of development of the South Suburban Airport within the boundaries designated on the map filed with the Secretary of State on May 28, 2013 and known as file number 98-GA-D01.
(Source: P.A. 98-109, eff. 7-25-13.)
(735 ILCS 30/25-5-50)
Sec. 25-5-50 25-5-45. Quick-take; McHenry County. Quick-take proceedings under Article 20 may be used for a period of no longer than one year from the effective date of this amendatory Act of the 98th General Assembly by McHenry County for the acquisition of the following described property for the purpose of public improvements to serve McHenry County:
Route: F.A.U. 168 (Johnsburg Road)
Section: 05-00314-00-WR
County: McHenry Job No.: R-91-005-06
Parcel: 1HK0045
Sta. 58+07.09 To Sta. 58+31.89
Sta. 176+10.72 To Sta. 177+36.15
Owner: JNL-Johnsburg Properties, Inc.
Index No. 09-13-277-001
09-13-277-002
That part of Sub Lot 2 of Lot 28 in Plat Number 3 McHenry, County Clerk's Plat of Section 13, Township 45 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded May 6, 1902 as document

New matter indicated by italics - deletions by strikeout
Commencing at the southeast corner of the Northeast Quarter of said Section 13; thence on an assumed bearing of South 89 degrees 15 minutes 13 seconds West along the south line of the Northeast Quarter of said Section 13, as monumented and occupied, a distance of 824.94 feet (825.2 feet, recorded) (826.0 feet, recorded) to a point of intersection with the Southerly extension of the east line of the grantor; thence North 1 degree 20 minutes 53 seconds East along the said Southerly extension of the east line of the grantor, a distance of 132.49 feet to the northeasterly right of way line of Chapel Hill Road recorded January 26, 1932 as document number 100422, being also the southeast corner of the grantor; thence North 46 degrees 56 minutes 58 seconds West along the said northeasterly right of way line of Chapel Hill Road and along the northeasterly right of way line of Chapel Hill Road recorded January 26, 1932 as document number 100421, a distance of 261.08 feet to the point of beginning; thence continuing North 46 degrees 56 minutes 58 seconds West along the said norheasterly right of way line of Chapel Hill Road recorded as document number 100421, a distance of 14.94 feet to the east right of way line of Chapel Hill Road recorded January 26, 1932 as document number 100420; thence North 2 degrees 09 minutes 50 seconds East along the said east right of way line of Chapel Hill Road and the Northerly extension thereof, a distance of 64.92 feet (64.91 feet, more or less, recorded) to the center line of Johnsburg Road; thence North 87 degrees 42 minutes 42 seconds East along the said center line of Johnsburg Road, a distance of 123.08 feet; thence South 2 degrees 17 minutes 07 seconds East, a distance of 30.00 feet to the south right of way line of Johnsburg Road according to a Plat of Survey by the County Surveyor dated October 21, 1952 in Surveyor Book Number 5, page 204; thence South 2 degrees 48 minutes 02 seconds East, a distance of 1.05 feet; thence westerly 59.83 feet along a curve to the left having a radius of 987.47 feet, the chord of said curve bears South 85 degrees 27 minutes 49 seconds West, 59.82 feet; thence South 70 degrees 14 minutes 11 seconds West, a distance of 47.08 feet; thence South 22 degrees 40 minutes 19 seconds West, a distance of 30.69 feet to the point of beginning.

Said parcel containing 0.117 acre, more or less, of which 0.086 acre, more or less, was previously dedicated or used for highway purposes.

(Source: P.A. 98-229, eff. 8-9-13; revised 10-25-13.)

Section 735. The Crime Victims Compensation Act is amended by changing Section 17 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 17. (a) Subrogation.

(a) The Court of Claims may award compensation on the condition that the applicant subrogate to the State his rights to collect damages from the assailant or any third party who may be liable in damages to the applicant. In such a case the Attorney General may, on behalf of the State, bring an action against an assailant or third party for money damages, but must first notify the applicant and give him an opportunity to participate in the prosecution of the action. The excess of the amount recovered in such action over the amount of the compensation offered and accepted or awarded under this Act plus costs of the action and attorneys' fees actually incurred shall be paid to the applicant.

(b) Nothing in this Act affects the right of the applicant to seek civil damages from the assailant and any other party, but that applicant must give written notice to the Attorney General within 10 days after the making of a claim or the filing of an action for such damages, and within 10 days after the conclusion of the claim or action. The applicant must attach to the written notice a copy of the complaint, settlement agreement, jury verdict, or judgment. Failure to timely notify the Attorney General of such claims and actions is a willful omission of fact and the applicant thereby becomes subject to the provisions of Section 20 of this Act.

(c) The State has a charge for the amount of compensation paid under this Act upon all claims or causes of action against an assailant and any other party to recover for the injuries or death of a victim which were the basis for that payment of compensation. At the time compensation is ordered to be paid under this Act, the Court of Claims shall give written notice of this charge to the applicant. The charge attaches to any verdict or judgment entered and to any money or property which is recovered on account of the claim or cause of action against the assailant or any other party after the notice is given. On petition filed by the Attorney General on behalf of the State or by the applicant, the circuit court, on written notice to all interested parties, shall adjudicate the right of the parties and enforce the charge. This subsection does not affect the priority of a lien under "AN ACT creating attorney's lien and for enforcement of same", filed June 16, 1909, as amended.

Only the Court of Claims may reduce the State's lien under this Act. The Court of Claims may consider the nature and extent of the injury, economic loss, settlements, hospital costs, physician costs, attorney's fees and costs, and all other appropriate costs. The burden of producing evidence

New matter indicated by italics - deletions by strikeout
sufficient to support the exercise by the Court of Claims of its discretion to reduce the amount of a proven charge sought to be enforced against the recovery shall rest with the party seeking such reduction. The charges of the State described in this Section, however, shall take priority over all other liens and charges existing under the laws of the State of Illinois.

(d) Where compensation is awarded under this Act and the person receiving same also receives any sum required to be, and that has not been deducted under Section 10.1, he shall refund to the State the amount of compensation paid to him which would have been deducted at the time the award was made.

(e) An amount not to exceed 25% of all money recovered under subsections (b) or (c) of this Section shall be placed in the Violent Crime Victims Assistance Fund to assist with costs related to recovery efforts. "Recovery efforts" means those activities that are directly attributable to obtaining restitution, civil suit recoveries, and other reimbursements.

(f) The applicant must give written notice to the Attorney General within 10 days after an offender is ordered by a court to pay restitution. The applicant shall attach a copy of the restitution order or judgment to the written notice. Failure to timely notify the Attorney General of court-ordered restitution is a willful omission of fact and the applicant thereby becomes subject to the provisions of Section 20 of this Act. The Attorney General may file a written copy of the Court of Claims' decision awarding crime victims compensation in a criminal case in which the offender has been ordered to pay restitution for the victim's expenses incurred as a result of the same criminal conduct. Upon the filing of the order, the circuit court clerk shall send restitution payments directly to the compensation program for any paid expense reflected in the Court of Claims' decision.

(Source: P.A. 97-817, eff. 1-1-13; revised 11-12-13.)

Section 740. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Section 12.2 as follows:

(740 ILCS 110/12.2) (from Ch. 91 1/2, par. 812.2)

Sec. 12.2. (a) When a recipient who has been judicially or involuntarily admitted, or is a forensic recipient admitted to a developmental disability or mental health facility, as defined in Section 1-107 or 1-114 of the Mental Health and Developmental Disabilities Code, is on an unauthorized absence or otherwise has left the facility without being discharged or being free to do so, the facility director shall immediately furnish and disclose to the appropriate local law enforcement agency identifying information, as defined in this Section, and all further information unrelated to the diagnosis,

New matter indicated by italics - deletions by strikeout
treatment or evaluation of the recipient's mental or physical health that would aid the law enforcement agency in locating and apprehending the recipient and returning him to the facility. When a forensic recipient is on an unauthorized absence or otherwise has left the facility without being discharged or being free to do so, the facility director, or designee, of a mental health facility or developmental facility operated by the Department shall also immediately notify, in like manner, the Department of State Police.

(b) If a law enforcement agency requests information from a developmental disability or mental health facility, as defined in Section 1-107 or 1-114 of the Mental Health and Developmental Disabilities Code, relating to a recipient who has been admitted to the facility and for whom a missing person report has been filed with a law enforcement agency, the facility director shall, except in the case of a voluntary recipient wherein the recipient's permission in writing must first be obtained, furnish and disclose to the law enforcement agency identifying information as is necessary to confirm or deny whether that person is, or has been since the missing person report was filed, a resident of that facility. The facility director shall notify the law enforcement agency if the missing person is admitted after the request. Any person participating in good faith in the disclosure of information in accordance with this provision shall have immunity from any liability, civil, criminal, or otherwise, if the information is disclosed relying upon the representation of an officer of a law enforcement agency that a missing person report has been filed.

(c) Upon the request of a law enforcement agency in connection with the investigation of a particular felony or sex offense, when the investigation case file number is furnished by the law enforcement agency, a facility director shall immediately disclose to that law enforcement agency identifying information on any forensic recipient who is admitted to a developmental disability or mental health facility, as defined in Section 1-107 or 1-114 of the Mental Health and Developmental Disabilities Code, who was or may have been away from the facility at or about the time of the commission of a particular felony or sex offense, and: (1) whose description, clothing, or both reasonably match the physical description of any person allegedly involved in that particular felony or sex offense; or (2) whose past modus operandi matches the modus operandi of that particular felony or sex offense.

(d) For the purposes of this Section and Section 12.1, "law enforcement agency" means an agency of the State or unit of local government that is vested by law or ordinance with the duty to maintain
public order and to enforce criminal laws or ordinances, the Federal Bureau of Investigation, the Central Intelligence Agency, and the United States Secret Service.

(e) For the purpose of this Section, "identifying information" means the name, address, age, and a physical description, including clothing, of the recipient of services, the names and addresses of the recipient's nearest known relatives, where the recipient was known to have been during any past unauthorized absences from a facility, whether the recipient may be suicidal, and the condition of the recipient's physical health as it relates to exposure to the weather. Except as provided in Section 11, in no case shall the facility director disclose to the law enforcement agency any information relating to the diagnosis, treatment, or evaluation of the recipient's mental or physical health, unless the disclosure is deemed necessary by the facility director to insure the safety of the investigating officers or general public.

(f) For the purpose of this Section, "forensic recipient" means a recipient who is placed in a developmental disability facility or mental health facility, as defined in Section 1-107 or 1-114 of the Mental Health and Developmental Disabilities Code, pursuant to Article 104 of the Code of Criminal Procedure of 1963 or Sections 3-8-5, 3-10-5 or 5-2-4 of the Unified Code of Corrections.

(Source: P.A. 96-1191, eff. 7-22-10; revised 11-22-13.)

Section 745. The Illinois Parentage Act of 1984 is amended by changing Section 15 as follows:

(750 ILCS 45/15) (from Ch. 40, par. 2515)
Sec. 15. Enforcement of Judgment or Order.
(a) If existence of the parent and child relationship is declared, or paternity or duty of support has been established under this Act or under prior law or under the law of any other jurisdiction, the judgment rendered thereunder may be enforced in the same or other proceedings by any party or any person or agency that has furnished or may furnish financial assistance or services to the child. The Income Withholding for Support Act and Sections 14 and 16 of this Act shall also be applicable with respect to entry, modification and enforcement of any support judgment entered under provisions of the "Paternity Act", approved July 5, 1957, as amended, repealed July 1, 1985.

(b) Failure to comply with any order of the court shall be punishable as contempt as in other cases of failure to comply under the "Illinois Marriage and Dissolution of Marriage Act", as now or hereafter amended. In addition to other penalties provided by law, the court may, after finding the party

New matter indicated by italics - deletions by strikeout
guilty of contempt, order that the party be:

(1) Placed on probation with such conditions of probation as the court deems advisable;

(2) Sentenced to periodic imprisonment for a period not to exceed 6 months. However, the court may permit the party to be released for periods of time during the day or night to work or conduct business or other self-employed occupation. The court may further order any part of all the earnings of a party during a sentence of periodic imprisonment to be paid to the Clerk of the Circuit Court or to the person or parent having custody of the minor child for the support of said child until further order of the court.

(c) (2.5) The court may also pierce the ownership veil of a person, persons, or business entity to discover assets of a non-custodial parent held in the name of that person, those persons, or that business entity if there is a unity of interest and ownership sufficient to render no financial separation between the non-custodial parent and that person, those persons, or the business entity. The following circumstances are sufficient for a court to order discovery of the assets of a person, persons, or business entity and to compel the application of any discovered assets toward payment on the judgment for support:

(1) The (A) the non-custodial parent and the person, persons, or business entity maintain records together.

(2) The (B) the non-custodial parent and the person, persons, or business entity fail to maintain an arms length relationship between themselves with regard to any assets.

(3) The (C) the non-custodial parent transfers assets to the person, persons, or business entity with the intent to perpetrate a fraud on the custodial parent.

With respect to assets which are real property, no order entered under this subsection (c) subdivision (2.5) shall affect the rights of bona fide purchasers, mortgagees, judgment creditors, or other lien holders who acquire their interests in the property prior to the time a notice of lis pendens pursuant to the Code of Civil Procedure or a copy of the order is placed of record in the office of the recorder of deeds for the county in which the real property is located.

(d) (3) The court may also order that, in cases where the party is 90 days or more delinquent in payment of support or has been adjudicated in arrears in an amount equal to 90 days obligation or more, that the party's Illinois driving privileges be suspended until the court determines that the

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party is in compliance with the judgement or duty of support. The court may also order that the parent be issued a family financial responsibility driving permit that would allow limited driving privileges for employment and medical purposes in accordance with Section 7-702.1 of the Illinois Vehicle Code. The clerk of the circuit court shall certify the order suspending the driving privileges of the parent or granting the issuance of a family financial responsibility driving permit to the Secretary of State on forms prescribed by the Secretary. Upon receipt of the authenticated documents, the Secretary of State shall suspend the party's driving privileges until further order of the court and shall, if ordered by the court, subject to the provisions of Section 7-702.1 of the Illinois Vehicle Code, issue a family financial responsibility driving permit to the parent.

(e) In addition to the penalties or punishment that may be imposed under this Section, any person whose conduct constitutes a violation of Section 15 of the Non-Support Punishment Act may be prosecuted under that Act, and a person convicted under that Act may be sentenced in accordance with that Act. The sentence may include but need not be limited to a requirement that the person perform community service under Section 50 of that Act or participate in a work alternative program under Section 50 of that Act. A person may not be required to participate in a work alternative program under Section 50 of that Act if the person is currently participating in a work program pursuant to Section 15.1 of this Act.

(f) If a party who is found guilty of contempt for a failure to comply with an order to pay support is a person who conducts a business or who is self-employed, the court may in addition to other penalties provided by law order that the party do one or more of the following: (i) provide to the court monthly financial statements showing income and expenses from the business or the self-employment; (ii) seek employment and report periodically to the court with a diary, listing, or other memorandum of his or her employment search efforts; or (iii) report to the Department of Employment Security for job search services to find employment that will be subject to withholding of child support.

(g) In any post-judgment proceeding to enforce or modify the judgment the parties shall continue to be designated as in the original proceeding.

(Source: P.A. 97-1029, eff. 1-1-13; revised 11-22-13.)

Section 750. The Adoption Act is amended by changing Section 1 as follows:

(750 ILCS 50/1) (from Ch. 40, par. 1501)

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Sec. 1. Definitions. When used in this Act, unless the context otherwise requires:

A. "Child" means a person under legal age subject to adoption under this Act.

B. "Related child" means a child subject to adoption where either or both of the adopting parents stands in any of the following relationships to the child by blood or marriage: parent, grand-parent, brother, sister, step-parent, step-grandparent, step-brother, step-sister, uncle, aunt, great-uncle, great-aunt, or cousin of first degree. A child whose parent has executed a final irrevocable consent to adoption or a final irrevocable surrender for purposes of adoption, or whose parent has had his or her parental rights terminated, is not a related child to that person, unless the consent is determined to be void or is void pursuant to subsection O of Section 10.

C. "Agency" for the purpose of this Act means a public child welfare agency or a licensed child welfare agency.

D. "Unfit person" means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following, except that a person shall not be considered an unfit person for the sole reason that the person has relinquished a child in accordance with the Abandoned Newborn Infant Protection Act:

(a) Abandonment of the child.

(a-1) Abandonment of a newborn infant in a hospital.

(a-2) Abandonment of a newborn infant in any setting where the evidence suggests that the parent intended to relinquish his or her parental rights.

(b) Failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare.

(c) Desertion of the child for more than 3 months next preceding the commencement of the Adoption proceeding.

(d) Substantial neglect of the child if continuous or repeated.

(d-1) Substantial neglect, if continuous or repeated, of any child residing in the household which resulted in the death of that child.

(e) Extreme or repeated cruelty to the child.

(f) There is a rebuttable presumption, which can be overcome only by clear and convincing evidence, that a parent is unfit if:

(1) Two or more findings of physical abuse have been entered regarding any children under Section 2-21 of the

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Juvenile Court Act of 1987, the most recent of which was determined by the juvenile court hearing the matter to be supported by clear and convincing evidence; or

(2) The parent has been convicted or found not guilty by reason of insanity and the conviction or finding resulted from the death of any child by physical abuse; or

(3) There is a finding of physical child abuse resulting from the death of any child under Section 2-21 of the Juvenile Court Act of 1987.

No conviction or finding of delinquency pursuant to Article V § of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (f).

(g) Failure to protect the child from conditions within his environment injurious to the child's welfare.

(h) Other neglect of, or misconduct toward the child; provided that in making a finding of unfitness the court hearing the adoption proceeding shall not be bound by any previous finding, order or judgment affecting or determining the rights of the parents toward the child sought to be adopted in any other proceeding except such proceedings terminating parental rights as shall be had under either this Act, the Juvenile Court Act or the Juvenile Court Act of 1987.

(i) Depravity. Conviction of any one of the following crimes shall create a presumption that a parent is depraved which can be overcome only by clear and convincing evidence: (1) first degree murder in violation of paragraph 1 or 2 of subsection (a) of Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 or conviction of second degree murder in violation of subsection (a) of Section 9-2 of the Criminal Code of 1961 or the Criminal Code of 2012 of a parent of the child to be adopted; (2) first degree murder or second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (3) attempt or conspiracy to commit first degree murder or second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (4) solicitation to commit murder of any child, solicitation to commit murder of any child for hire, or solicitation to commit second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (5) predatory criminal sexual assault of a child in violation of Section 11-1.40 or 12-14.1 of the Criminal Code

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There is a rebuttable presumption that a parent is depraved if the parent has been criminally convicted of at least 3 felonies under the laws of this State or any other state, or under federal law, or the criminal laws of any United States territory; and at least one of these convictions took place within 5 years of the filing of the petition or motion seeking termination of parental rights.

There is a rebuttable presumption that a parent is depraved if that parent has been criminally convicted of either first or second degree murder of any person as defined in the Criminal Code of 1961 or the Criminal Code of 2012 within 10 years of the filing date of the petition or motion to terminate parental rights.

No conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (i).

(j) Open and notorious adultery or fornication.
(j-1) (Blank).
(k) Habitual drunkenness or addiction to drugs, other than those prescribed by a physician, for at least one year immediately prior to the commencement of the unfitness proceeding.

There is a rebuttable presumption that a parent is unfit under this subsection with respect to any child to which that parent gives birth where there is a confirmed test result that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or metabolites of such substances, the presence of which in the newborn infant was not the result of medical treatment administered to the mother or the newborn infant; and the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987.

(l) Failure to demonstrate a reasonable degree of interest, concern or responsibility as to the welfare of a new born child during the first 30 days after its birth.

(m) Failure by a parent (i) to make reasonable efforts to
correct the conditions that were the basis for the removal of the child from the parent during any 9-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act, or (ii) to make reasonable progress toward the return of the child to the parent during any 9-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act. If a service plan has been established as required under Section 8.2 of the Abused and Neglected Child Reporting Act to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, "failure to make reasonable progress toward the return of the child to the parent" includes the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care during any 9-month period following the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987. Notwithstanding any other provision, when a petition or motion seeks to terminate parental rights on the basis of item (ii) of this subsection (m), the petitioner shall file with the court and serve on the parties a pleading that specifies the 9-month period or periods relied on. The pleading shall be filed and served on the parties no later than 3 weeks before the date set by the court for closure of discovery, and the allegations in the pleading shall be treated as incorporated into the petition or motion. Failure of a respondent to file a written denial of the allegations in the pleading shall not be treated as an admission that the allegations are true.

(m-1) Pursuant to the Juvenile Court Act of 1987, a child has been in foster care for 15 months out of any 22 month period which begins on or after the effective date of this amendatory Act of 1998 unless the child's parent can prove by a preponderance of the evidence that it is more likely than not that it will be in the best interests of the child to be returned to the parent within 6 months of the date on which a petition for termination of parental rights is filed under the Juvenile Court Act of 1987. The 15 month time limit is tolled during any period for which there is a court finding that the appointed custodian or guardian failed to make reasonable efforts to reunify the child with his or her family, provided that (i) the finding of no reasonable efforts is made within 60 days of the period when

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reasonable efforts were not made or (ii) the parent filed a motion requesting a finding of no reasonable efforts within 60 days of the period when reasonable efforts were not made. For purposes of this subdivision (m-1), the date of entering foster care is the earlier of: (i) the date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or (ii) 60 days after the date on which the child is removed from his or her parent, guardian, or legal custodian.

(n) Evidence of intent to forgo his or her parental rights, whether or not the child is a ward of the court, (1) as manifested by his or her failure for a period of 12 months: (i) to visit the child, (ii) to communicate with the child or agency, although able to do so and not prevented from doing so by an agency or by court order, or (iii) to maintain contact with or plan for the future of the child, although physically able to do so, or (2) as manifested by the father's failure, where he and the mother of the child were unmarried to each other at the time of the child's birth, (i) to commence legal proceedings to establish his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within 30 days of being informed, pursuant to Section 12a of this Act, that he is the father or the likely father of the child or, after being so informed where the child is not yet born, within 30 days of the child's birth, or (ii) to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances, including the financial condition of both parents; provided that the ground for termination provided in this subparagraph (n)(2)(ii) shall only be available where the petition is brought by the mother or the husband of the mother.

Contact or communication by a parent with his or her child that does not demonstrate affection and concern does not constitute reasonable contact and planning under subdivision (n). In the absence of evidence to the contrary, the ability to visit, communicate, maintain contact, pay expenses and plan for the future shall be presumed. The subjective intent of the parent, whether expressed or otherwise, unsupported by evidence of the foregoing parental acts manifesting that intent, shall not preclude a determination that the parent has intended to forgo his or her parental rights. In making this determination, the court may consider but shall not require a showing

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of diligent efforts by an authorized agency to encourage the parent to perform the acts specified in subdivision (n).

It shall be an affirmative defense to any allegation under paragraph (2) of this subsection that the father's failure was due to circumstances beyond his control or to impediments created by the mother or any other person having legal custody. Proof of that fact need only be by a preponderance of the evidence.

(o) Repeated or continuous failure by the parents, although physically and financially able, to provide the child with adequate food, clothing, or shelter.

(p) Inability to discharge parental responsibilities supported by competent evidence from a psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or an intellectual disability as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code, or developmental disability as defined in Section 1-106 of that Code, and there is sufficient justification to believe that the inability to discharge parental responsibilities shall extend beyond a reasonable time period. However, this subdivision (p) shall not be construed so as to permit a licensed clinical social worker to conduct any medical diagnosis to determine mental illness or mental impairment.

(q) (Blank).

(r) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated as a result of criminal conviction at the time the petition or motion for termination of parental rights is filed, prior to incarceration the parent had little or no contact with the child or provided little or no support for the child, and the parent's incarceration will prevent the parent from discharging his or her parental responsibilities for the child for a period in excess of 2 years after the filing of the petition or motion for termination of parental rights.

(s) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated at the time the petition or motion for termination of parental rights is filed, the parent has been repeatedly incarcerated as a result of criminal convictions, and the parent's repeated incarceration has prevented the parent from discharging his or her parental responsibilities for the child.

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(t) A finding that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act, or a metabolite of a controlled substance, with the exception of controlled substances or metabolites of such substances, the presence of which in the newborn infant was the result of medical treatment administered to the mother or the newborn infant, and that the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987, after which the biological mother had the opportunity to enroll in and participate in a clinically appropriate substance abuse counseling, treatment, and rehabilitation program.

E. "Parent" means the father or mother of a lawful child of the parties or child born out of wedlock. For the purpose of this Act, a person who has executed a final and irrevocable consent to adoption or a final and irrevocable surrender for purposes of adoption, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent or surrender, unless the consent is void pursuant to subsection O of Section 10.

F. A person is available for adoption when the person is:
   (a) a child who has been surrendered for adoption to an agency and to whose adoption the agency has thereafter consented;
   (b) a child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required pursuant to Section 8 of this Act;
   (c) a child who is in the custody of persons who intend to adopt him through placement made by his parents;
   (c-1) a child for whom a parent has signed a specific consent pursuant to subsection O of Section 10;
   (d) an adult who meets the conditions set forth in Section 3 of this Act; or
   (e) a child who has been relinquished as defined in Section 10 of the Abandoned Newborn Infant Protection Act.

A person who would otherwise be available for adoption shall not be deemed unavailable for adoption solely by reason of his or her death.

G. The singular includes the plural and the plural includes the singular and the "male" includes the "female", as the context of this Act may require.

H. "Adoption disruption" occurs when an adoptive placement does

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not prove successful and it becomes necessary for the child to be removed from placement before the adoption is finalized.

I. "Habitual residence" has the meaning ascribed to it in the federal Intercountry Adoption Act of 2000 and regulations promulgated thereunder.

J. "Immediate relatives" means the biological parents, the parents of the biological parents and siblings of the biological parents.

K. "Intercountry adoption" is a process by which a child from a country other than the United States is adopted by persons who are habitual residents of the United States, or the child is a habitual resident of the United States who is adopted by persons who are habitual residents of a country other than the United States.

L. "Intercountry Adoption Coordinator" means a staff person of the Department of Children and Family Services appointed by the Director to coordinate the provision of services related to an intercountry adoption.

M. "Interstate Compact on the Placement of Children" is a law enacted by all states and certain territories for the purpose of establishing uniform procedures for handling the interstate placement of children in foster homes, adoptive homes, or other child care facilities.

N. (Blank).

O. "Preadoption requirements" means any conditions or standards established by the laws or administrative rules of this State that must be met by a prospective adoptive parent prior to the placement of a child in an adoptive home.

P. "Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon the child physical injury, by other than accidental means, that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to the child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits or allows to be committed any sex offense against the child, as sex offenses are defined in the Criminal Code of 2012 and extending those definitions of sex offenses to include children under 18 years of age;

(d) commits or allows to be committed an act or acts of torture
upon the child; or
(e) inflicts excessive corporal punishment.

Q. "Neglected child" means any child whose parent or other person responsible for the child's welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare.

A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of the Abused and Neglected Child Reporting Act. A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for the child's welfare failed to vaccinate, delayed vaccination, or refused vaccination for the child due to a waiver on religious or medical grounds as permitted by law.

R. "Putative father" means a man who may be a child's father, but who (1) is not married to the child's mother on or before the date that the child was or is to be born and (2) has not established paternity of the child in a court proceeding before the filing of a petition for the adoption of the child. The term includes a male who is less than 18 years of age. "Putative father" does not mean a man who is the child's father as a result of criminal sexual abuse or assault as defined under Article 11 of the Criminal Code of 2012.

S. "Standby adoption" means an adoption in which a parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, which is either the death of the parent or the request of the parent for the entry of a final judgment of adoption.

T. (Blank).

U. "Interstate adoption" means the placement of a minor child with a prospective adoptive parent for the purpose of pursuing an adoption for that child that is subject to the provisions of the Interstate Compact on Placement of Children.

V. "Endorsement letter" means the letter issued by the Department of

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Children and Family Services to document that a prospective adoptive parent has met preadoption requirements and has been deemed suitable by the Department to adopt a child who is the subject of an intercountry adoption.

W. "Denial letter" means the letter issued by the Department of Children and Family Services to document that a prospective adoptive parent has not met preadoption requirements and has not been deemed suitable by the Department to adopt a child who is the subject of an intercountry adoption.

(Source: P.A. 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-455, eff. 1-1-14; 98-532, eff. 1-1-14; revised 9-24-13.)

Section 755. The Illinois Religious Freedom Protection and Civil Union Act is amended by changing Section 25 as follows:

(750 ILCS 75/25)

Sec. 25. Prohibited civil unions. The following civil unions are prohibited:

(1) a civil union entered into prior to both parties attaining 18 years of age;
(2) a civil union entered into prior to the dissolution of a marriage or civil union or substantially similar legal relationship of one of the parties;
(3) a civil union between an ancestor and a descendant or between siblings whether the relationship is by the half or the whole blood or by adoption;
(4) a civil union between an aunt or uncle and a niece or nephew, whether the relationship is by the half or the whole blood or by adoption; and
(5) a civil union between first cousins.

(Source: P.A. 96-1513, eff. 6-1-11; revised 11-22-13.)

Section 760. The Probate Act of 1975 is amended by changing Sections 11a-10 and 11a-23 as follows:

(755 ILCS 5/11a-10) (from Ch. 110 1/2, par. 11a-10)

Sec. 11a-10. Procedures preliminary to hearing.

(a) Upon the filing of a petition pursuant to Section 11a-8, the court shall set a date and place for hearing to take place within 30 days. The court shall appoint a guardian ad litem to report to the court concerning the respondent's best interests consistent with the provisions of this Section, except that the appointment of a guardian ad litem shall not be required when the court determines that such appointment is not necessary for the protection of the respondent or a reasonably informed decision on the petition. If the

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guardian ad litem is not a licensed attorney, he or she shall be qualified, by training or experience, to work with or advocate for the developmentally disabled, mentally ill, physically disabled, the elderly, or persons disabled because of mental deterioration, depending on the type of disability that is alleged in the petition. The court may allow the guardian ad litem reasonable compensation. The guardian ad litem may consult with a person who by training or experience is qualified to work with persons with a developmental disability, persons with mental illness, or physically disabled persons, or persons disabled because of mental deterioration, depending on the type of disability that is alleged. The guardian ad litem shall personally observe the respondent prior to the hearing and shall inform him orally and in writing of the contents of the petition and of his rights under Section 11a-11. The guardian ad litem shall also attempt to elicit the respondent's position concerning the adjudication of disability, the proposed guardian, a proposed change in residential placement, changes in care that might result from the guardianship, and other areas of inquiry deemed appropriate by the court. Notwithstanding any provision in the Mental Health and Developmental Disabilities Confidentiality Act or any other law, a guardian ad litem shall have the right to inspect and copy any medical or mental health record of the respondent which the guardian ad litem deems necessary, provided that the information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with the proceedings. At or before the hearing, the guardian ad litem shall file a written report detailing his or her observations of the respondent, the responses of the respondent to any of the inquires detailed in this Section, the opinion of the guardian ad litem or other professionals with whom the guardian ad litem consulted concerning the appropriateness of guardianship, and any other material issue discovered by the guardian ad litem. The guardian ad litem shall appear at the hearing and testify as to any issues presented in his or her report.

(b) The court (1) may appoint counsel for the respondent, if the court finds that the interests of the respondent will be best served by the appointment, and (2) shall appoint counsel upon respondent's request or if the respondent takes a position adverse to that of the guardian ad litem. The respondent shall be permitted to obtain the appointment of counsel either at the hearing or by any written or oral request communicated to the court prior to the hearing. The summons shall inform the respondent of this right to obtain appointed counsel. The court may allow counsel for the respondent reasonable compensation.

(c) If the respondent is unable to pay the fee of the guardian ad litem

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or appointed counsel, or both, the court may enter an order for the petitioner to pay all such fees or such amounts as the respondent or the respondent’s estate may be unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, where the public guardian is the petitioner, consistent with Section 13-5 of the Probate Act of 1975, where an adult protective services agency is the petitioner, pursuant to Section 9 of the Adult Protective Services Act, or where the Department of Children and Family Services is the petitioner under subparagraph (d) of subsection (1) of Section 2-27 of the Juvenile Court Act of 1987, no guardian ad litem or legal fees shall be assessed against the Office of State Guardian, the public guardian, or the adult protective services agency, or the Department of Children and Family Services.

(d) The hearing may be held at such convenient place as the court directs, including at a facility in which the respondent resides.

(e) Unless he is the petitioner, the respondent shall be personally served with a copy of the petition and a summons not less than 14 days before the hearing. The summons shall be printed in large, bold type and shall include the following notice:

NOTICE OF RIGHTS OF RESPONDENT

You have been named as a respondent in a guardianship petition asking that you be declared a disabled person. If the court grants the petition, a guardian will be appointed for you. A copy of the guardianship petition is attached for your convenience.
The date and time of the hearing are:
The place where the hearing will occur is:
The Judge's name and phone number is:

If a guardian is appointed for you, the guardian may be given the right to make all important personal decisions for you, such as where you may live, what medical treatment you may receive, what places you may visit, and who may visit you. A guardian may also be given the right to control and manage your money and other property, including your home, if you own one. You may lose the right to make these decisions for yourself.

You have the following legal rights:

(1) You have the right to be present at the court hearing.
(2) You have the right to be represented by a lawyer, either one that you retain, or one appointed by the Judge.
(3) You have the right to ask for a jury of six persons to hear your case.

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(4) You have the right to present evidence to the court and to confront and cross-examine witnesses.

(5) You have the right to ask the Judge to appoint an independent expert to examine you and give an opinion about your need for a guardian.

(6) You have the right to ask that the court hearing be closed to the public.

(7) You have the right to tell the court whom you prefer to have for your guardian.

You do not have to attend the court hearing if you do not want to be there. If you do not attend, the Judge may appoint a guardian if the Judge finds that a guardian would be of benefit to you. The hearing will not be postponed or canceled if you do not attend.

IT IS VERY IMPORTANT THAT YOU ATTEND THE HEARING IF YOU DO NOT WANT A GUARDIAN OR IF YOU WANT SOMEONE OTHER THAN THE PERSON NAMED IN THE GUARDIANSHIP PETITION TO BE YOUR GUARDIAN. IF YOU DO NOT WANT A GUARDIAN OR IF YOU HAVE ANY OTHER PROBLEMS, YOU SHOULD CONTACT AN ATTORNEY OR COME TO COURT AND TELL THE JUDGE.

Service of summons and the petition may be made by a private person 18 years of age or over who is not a party to the action.

(f) Notice of the time and place of the hearing shall be given by the petitioner by mail or in person to those persons, including the proposed guardian, whose names and addresses appear in the petition and who do not waive notice, not less than 14 days before the hearing.

(Source: P.A. 97-375, eff. 8-15-11; 97-1095, eff. 8-24-12; 98-49, eff. 7-1-13; 98-89, eff. 7-15-13; revised 9-24-13.)

(755 ILCS 5/11a-23)
Sec. 11a-23. Reliance on authority of guardian, standby guardian, short-term guardian.

(a) For the purpose of this Section, "guardian", "standby guardian", and "short-term guardian" includes temporary, plenary, or limited guardians of all wards.

(b) Every health care provider and other person (reliant) has the right to rely on any decision or direction made by the guardian, standby guardian, or short-term guardian that is not clearly contrary to the law, to the same extent and with the same effect as though the decision or direction had been made or given by the ward. Any person dealing with the guardian, standby

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guardian, or short-term guardian may presume in the absence of actual knowledge to the contrary that the acts of the guardian, standby guardian, or short-term guardian conform to the provisions of the law. A reliant shall not be protected if the reliant has actual knowledge that the guardian, standby guardian, or short-term guardian is not entitled to act or that any particular action or inaction is contrary to the provisions of the law.

(c) A health care provider (provider) who relies on and carries out a guardian's, standby guardian's, or short-term guardian's directions and who acts with due care and in accordance with the law shall not be subject to any claim based on lack of consent, or to criminal prosecution, or to discipline for unprofessional conduct. Nothing in this Section shall be deemed to protect a provider from liability for the provider's own negligence in the performance of the provider's duties or in carrying out any instructions of the guardian, standby guardian, or short-term guardian, and nothing in this Section shall be deemed to alter the law of negligence as it applies to the acts of any guardian or provider.

(d) A guardian, standby guardian, or short-term guardian, who acts or refrains from acting is not subject to criminal prosecution or any claim based upon lack of his or her authority or failure to act, if the act or failure to act was with due care and in accordance with law. The guardian, standby guardian, or short-term guardian, shall not be liable merely because he or she may benefit from the act, has individual or conflicting interests in relation to the care and affairs of the ward, or acts in a different manner with respect to the guardian's, standby guardian's, or short-term guardian's own care or interests.

(Source: P.A. 89-438, eff. 12-15-95; 90-796, eff. 12-15-98; revised 11-22-13.)

Section 765. The Illinois Power of Attorney Act is amended by changing Sections 2-7 and 2-10 as follows:

(755 ILCS 45/2-7) (from Ch. 110 1/2, par. 802-7)
(a) The agent shall be under no duty to exercise the powers granted by the agency or to assume control of or responsibility for any of the principal's property, care or affairs, regardless of the principal's physical or mental condition. Whenever a power is exercised, the agent shall act in good faith for the benefit of the principal using due care, competence, and diligence in accordance with the terms of the agency and shall be liable for negligent exercise. An agent who acts with due care for the benefit of the principal shall not be liable or limited merely because the agent also benefits

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from the act, has individual or conflicting interests in relation to the property, care or affairs of the principal or acts in a different manner with respect to the agency and the agent's individual interests. The agent shall not be affected by any amendment or termination of the agency until the agent has actual knowledge thereof. The agent shall not be liable for any loss due to error of judgment nor for the act or default of any other person.

(b) An agent that has accepted appointment must act in accordance with the principal's expectations to the extent actually known to the agent and otherwise in the principal's best interests.

(c) An agent shall keep a record of all receipts, disbursements, and significant actions taken under the authority of the agency and shall provide a copy of this record when requested to do so by:

(1) the principal, a guardian, another fiduciary acting on behalf of the principal, and, after the death of the principal, the personal representative or successors in interest of the principal's estate;

(2) a representative of a provider agency, as defined in Section 2 of the Adult Protective Services Act, acting in the course of an assessment of a complaint of elder abuse or neglect under that Act;

(3) a representative of the Office of the State Long Term Care Ombudsman, acting in the course of an investigation of a complaint of financial exploitation of a nursing home resident under Section 4.04 of the Illinois Act on the Aging;

(4) a representative of the Office of Inspector General for the Department of Human Services, acting in the course of an assessment of a complaint of financial exploitation of an adult with disabilities pursuant to Section 35 of the Abuse of Adults with Disabilities Intervention Act;

(5) a court under Section 2-10 of this Act; or

(6) a representative of the Office of State Guardian or public guardian for the county in which the principal resides acting in the course of investigating whether to file a petition for guardianship of the principal under Section 11a-4 or 11a-8 of the Probate Act of 1975.

(d) If the agent fails to provide his or her record of all receipts, disbursements, and significant actions within 21 days after a request under subsection (c), the adult abuse provider agency, the State Guardian, the public guardian, or the State Long Term Care Ombudsman may petition the court for an order requiring the agent to produce his or her record of receipts, disbursements, and significant actions. If the court finds that the agent's
failure to provide his or her record in a timely manner to the adult abuse provider agency, the State Guardian, the public guardian, or the State Long Term Care Ombudsman was without good cause, the court may assess reasonable costs and attorney's fees against the agent, and order such other relief as is appropriate.

(e) An agent is not required to disclose receipts, disbursements, or other significant actions conducted on behalf of the principal except as otherwise provided in the power of attorney or as required under subsection (c).

(f) An agent that violates this Act is liable to the principal or the principal's successors in interest for the amount required (i) to restore the value of the principal's property to what it would have been had the violation not occurred, and (ii) to reimburse the principal or the principal's successors in interest for the attorney's fees and costs paid on the agent's behalf. This subsection does not limit any other applicable legal or equitable remedies.

(Source: P.A. 98-49, eff. 7-1-13; 98-562, eff. 8-27-13; revised 9-24-13.)

(755 ILCS 45/2-10) (from Ch. 110 1/2, par. 802-10)

Sec. 2-10. Agency-court relationship.

(a) Upon petition by any interested person (including the agent), with such notice to interested persons as the court directs and a finding by the court that the principal lacks either the capacity to control or the capacity to revoke the agency, the court may construe a power of attorney, review the agent's conduct, and grant appropriate relief including compensatory damages.

(b) If the court finds that the agent is not acting for the benefit of the principal in accordance with the terms of the agency or that the agent's action or inaction has caused or threatens substantial harm to the principal's person or property in a manner not authorized or intended by the principal, the court may order a guardian of the principal's person or estate to exercise any powers of the principal under the agency, including the power to revoke the agency, or may enter such other orders without appointment of a guardian as the court deems necessary to provide for the best interests of the principal.

(c) If the court finds that the agency requires interpretation, the court may construe the agency and instruct the agent, but the court may not amend the agency.

(d) If the court finds that the agent has not acted for the benefit of the principal in accordance with the terms of the agency and the Illinois Power of Attorney Act, or that the agent's action caused or threatened substantial harm to the principal's person or property in a manner not authorized or

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intended by the principal, then the agent shall not be authorized to pay or be reimbursed from the estate of the principal the attorneys' fees and costs of the agent in defending a proceeding brought pursuant to this Section.

(e) Upon a finding that the agent's action has caused substantial harm to the principal's person or property, the court may assess against the agent reasonable costs and attorney's fees to a prevailing party who is a provider agency as defined in Section 2 of the Adult Protective Services Act, a representative of the Office of the State Long Term Care Ombudsman, the State Guardian, a public guardian, or a governmental agency having regulatory authority to protect the welfare of the principal.

(f) As used in this Section, the term "interested person" includes (1) the principal or the agent; (2) a guardian of the person, guardian of the estate, or other fiduciary charged with management of the principal's property; (3) the principal's spouse, parent, or descendant; (4) a person who would be a presumptive heir-at-law of the principal; (5) a person named as a beneficiary to receive any property, benefit, or contractual right upon the principal's death, or as a beneficiary of a trust created by or for the principal; (6) a provider agency as defined in Section 2 of the Adult Protective Services Act, a representative of the Office of the State Long Term Care Ombudsman, the State Guardian, a public guardian, or a governmental agency having regulatory authority to protect the welfare of the principal; and (7) the principal's caregiver or another person who demonstrates sufficient interest in the principal's welfare.

(g) Absent court order directing a guardian to exercise powers of the principal under the agency, a guardian will have no power, duty or liability with respect to any property subject to the agency or any personal or health care matters covered by the agency.

(h) Proceedings under this Section shall be commenced in the county where the guardian was appointed or, if no Illinois guardian is acting, then in the county where the agent or principal resides or where the principal owns real property.

(i) This Section shall not be construed to limit any other remedies available.

(Source: P.A. 98-49, eff. 7-1-13; 98-562, eff. 8-27-13; revised 9-24-13.)

Section 770. The Illinois Anatomical Gift Act is amended by changing Section 1-10 as follows:

(755 ILCS 50/1-10) (was 755 ILCS 50/2)
Sec. 1-10. Definitions.
"Close friend" means any person 18 years of age or older who has

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exhibited special care and concern for the decedent and who presents an affidavit to the decedent's attending physician, or the hospital administrator or his or her designated representative, stating that he or she (i) was a close friend of the decedent, (ii) is willing and able to authorize the donation, and (iii) maintained such regular contact with the decedent as to be familiar with the decedent's health and social history, and religious and moral beliefs. The affidavit must also state facts and circumstances that demonstrate that familiarity.

"Death" means, for the purposes of the Act, when, according to accepted medical standards, there is (i) an irreversible cessation of circulatory and respiratory functions; or (ii) an irreversible cessation of all functions of the entire brain, including the brain stem.

"Decedent" means a deceased individual and includes a stillborn infant or fetus.

"Disinterested witness" means a witness other than the spouse, child, parent, sibling, grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to make an anatomical gift, or another adult who exhibited special care and concern for the individual. The term does not include a person to whom an anatomical gift could pass under Section 5-12.

"Document of gift" means a donor card or other record used to make an anatomical gift. The term includes a donor registry.

"Donee" means the individual designated by the donor as the intended recipient or an entity which receives the anatomical gift, including, but not limited to, a hospital; an accredited medical school, dental school, college, or university; an organ procurement organization; an eye bank; a tissue bank; for research or education, a non-transplant anatomic bank; or other appropriate person.

"Donor" means an individual whose body or part is the subject of an anatomical gift.

"Hospital" means a hospital licensed, accredited or approved under the laws of any state; and includes a hospital operated by the United States government, a state, or a subdivision thereof, although not required to be licensed under state laws.

"Non-transplant anatomic bank" means any facility or program operating or providing services in this State that is accredited by the American Association of Tissue Banks and that is involved in procuring, furnishing, or distributing whole bodies or parts for the purpose of medical education. For purposes of this Section, a non-transplant anatomic bank

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operating under the auspices of a hospital, accredited medical school, dental school, college or university, or federally designated organ procurement organization is not required to be accredited by the American Association of Tissue Banks.

"Organ" means a human kidney, liver, heart, lung, pancreas, small bowel, or other transplantable vascular body part as determined by the Organ Procurement and Transplantation Network, as periodically selected by the U.S. Department of Health and Human Services.

"Organ procurement organization" means the organ procurement organization designated by the Secretary of the U.S. Department of Health and Human Services for the service area in which a hospital is located, or the organ procurement organization for which the Secretary of the U.S. Department of Health and Human Services has granted the hospital a waiver pursuant to 42 U.S.C. 1320b-8(a).

"Part" means organs, tissues, eyes, bones, arteries, blood, other fluids and any other portions of a human body.

"Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

"Physician" or "surgeon" means a physician or surgeon licensed or authorized to practice medicine in all of its branches under the laws of any state.

"Procurement organization" means an organ procurement organization or a tissue bank.

"Reasonably available for the giving of consent or refusal" means being able to be contacted by a procurement organization without undue effort and being willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift.

"Recipient" means an individual into whose body a donor's part has been or is intended to be transplanted.

"State" includes any state, district, commonwealth, territory, insular possession, and any other area subject to the legislative authority of the United States of America.

"Technician" means an individual trained and certified to remove tissue, by a recognized medical training institution in the State of Illinois.

"Tissue" means eyes, bones, heart valves, veins, skin, and any other portions of a human body excluding blood, blood products or organs.

"Tissue bank" means any facility or program operating in Illinois that is accredited by the American Association of Tissue Banks, the Eye Bank

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Association of America, or the Association of Organ Procurement Organizations and is involved in procuring, furnishing, donating, or distributing corneas, bones, or other human tissue for the purpose of injecting, transfusing, or transplanting any of them into the human body or for the purpose of research or education. "Tissue bank" does not include a licensed blood bank. For the purposes of this Act, "tissue" does not include organs or blood or blood products.
(Source: P.A. 98-172, eff. 1-1-14; revised 11-22-13.)

Section 775. The Common Interest Community Association Act is amended by changing Section 1-30 as follows:
(765 ILCS 160/1-30)
Sec. 1-30. Board duties and obligations; records.
(a) The board shall meet at least 4 times annually.
(b) A common interest community association may not enter into a contract with a current board member, or with a corporation or partnership in which a board member or a member of his or her immediate family has 25% or more interest, unless notice of intent to enter into the contract is given to members within 20 days after a decision is made to enter into the contract and the members are afforded an opportunity by filing a petition, signed by 20% of the membership, for an election to approve or disapprove the contract; such petition shall be filed within 20 days after such notice and such election shall be held within 30 days after filing the petition. For purposes of this subsection, a board member's immediate family means the board member's spouse, parents, siblings, and children.
(c) The bylaws shall provide for the maintenance, repair, and replacement of the common areas and payments therefor, including the method of approving payment vouchers.
(d) (Blank).
(e) The association may engage the services of a manager or management company.
(f) The association shall have one class of membership unless the declaration or bylaws provide otherwise; however, this subsection (f) shall not be construed to limit the operation of subsection (c) of Section 1-20 of this Act.
(g) The board shall have the power, after notice and an opportunity to be heard, to levy and collect reasonable fines from members or unit owners for violations of the declaration, bylaws, and rules and regulations of the common interest community association.
(h) Other than attorney's fees and court or arbitration costs, no fees

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pertaining to the collection of a member's or unit owner's financial obligation to the association, including fees charged by a manager or managing agent, shall be added to and deemed a part of a member's or unit owner's respective share of the common expenses unless: (i) the managing agent fees relate to the costs to collect common expenses for the association; (ii) the fees are set forth in a contract between the managing agent and the association; and (iii) the authority to add the management fees to a member's or unit owner's respective share of the common expenses is specifically stated in the declaration or bylaws of the association.

(i) Board records.

   (1) The board shall maintain the following records of the association and make them available for examination and copying at convenient hours of weekdays by any member or unit owner in a common interest community subject to the authority of the board, their mortgagees, and their duly authorized agents or attorneys:

      (i) Copies of the recorded declaration, other community instruments, other duly recorded covenants and bylaws and any amendments, articles of incorporation, annual reports, and any rules and regulations adopted by the board shall be available. Prior to the organization of the board, the developer shall maintain and make available the records set forth in this paragraph (i) for examination and copying.

      (ii) Detailed and accurate records in chronological order of the receipts and expenditures affecting the common areas, specifying and itemizing the maintenance and repair expenses of the common areas and any other expenses incurred, and copies of all contracts, leases, or other agreements entered into by the board shall be maintained.

      (iii) The minutes of all meetings of the board which shall be maintained for not less than 7 years.

      (iv) With a written statement of a proper purpose, ballots and proxies related thereto, if any, for any election held for the board and for any other matters voted on by the members, which shall be maintained for not less than one year.

      (v) With a written statement of a proper purpose, such other records of the board as are available for inspection by members of a not-for-profit corporation pursuant to Section 107.75 of the General Not For Profit Corporation Act of 1986.

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shall be maintained.

(vi) With respect to units owned by a land trust, a living trust, or other legal entity, the trustee, officer, or manager of the entity may designate, in writing, a person to cast votes on behalf of the member or unit owner and a designation shall remain in effect until a subsequent document is filed with the association.

(2) Where a request for records under this subsection is made in writing to the board or its agent, failure to provide the requested record or to respond within 30 days shall be deemed a denial by the board.

(3) A reasonable fee may be charged by the board for the cost of retrieving and copying records properly requested.

(4) If the board fails to provide records properly requested under paragraph (1) of this subsection (i) within the time period provided in that paragraph (1), the member may seek appropriate relief and shall be entitled to an award of reasonable attorney's fees and costs if the member prevails and the court finds that such failure is due to the acts or omissions of the board of managers or the board of directors.

(j) The board shall have standing and capacity to act in a representative capacity in relation to matters involving the common areas or more than one unit, on behalf of the members or unit owners as their interests may appear.

(Source: P.A. 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12; 98-232, eff. 1-1-14; 98-241, eff. 8-9-13; revised 9-24-13.)

Section 780. The Illinois Coordinate System Act is amended by changing Section 3 as follows:

(765 ILCS 225/3) (from Ch. 133, par. 103)

Sec. 3. For the purpose of the use of the Illinois Coordinate System, the State is divided into an "East Zone" and a "West Zone".

The area now included in the following counties constitutes the "East Zone": Boone, Champaign, Clark, Clay, Coles, Cook, Crawford, Cumberland, DeKalb, DeWitt, Douglas, DuPage, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Grundy, Hamilton, Hardin, Iroquois, Jasper, Jefferson, Johnson, Kane, Kankakee, Kendall, Lake, LaSalle, Lawrence, Livingston, McHenry, McLean, Macon, Marion, Massac, Moultrie, Piatt, Pope, Richland, Saline, Shelby, Vermilion, Wabash, Wayne, White, Will and Williamson.

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The area now included in the following counties constitutes the "West Zone": Adams, Alexander, Bond, Brown, Bureau, Calhoun, Carroll, Cass, Christian, Clinton, Fulton, Greene, Hancock, Henderson, Henry, Jackson, Jersey, Jo Daviess, Knox, Lee, Logan, McDonough, Macoupin, Madison, Marshall, Mason, Menard, Mercer, Monroe, Montgomery, Morgan, Ogle, Peoria, Perry, Pike, Pulaski, Putnam, Randolph, Rock Island, St. Clair, Sangamon, Schuyler, Scott, Stark, Stephenson, Tazewell, Union, Warren, Washington, Whiteside, Winnebago and Woodford. (Source: P.A. 83-742; revised 11-22-13.)

Section 785. The Security Deposit Return Act is amended by changing Section 1.2 as follows:

(765 ILCS 710/1.2)

Sec. 1.2. Security deposit transfer. Notwithstanding Section 1.1, when a lessor transfers actual possession of a security deposit received from a lessee, including any statutory interest that has not been paid to a lessee, to a holder of the certificate of sale or deed issued pursuant to that certificate or, if no certificate or deed was issued, the purchaser of a foreclosed property under Article XV of the Code of Civil Procedure, the holder or purchaser shall be liable to a lessee for the transferred security deposit, including any statutory interest that has not been paid to the lessee, as provided in this Act. Within 21 days after the transfer of the security deposits and receipt of the name and address of any lessee who paid a deposit, the holder or purchaser shall post a written notice on the primary entrance of each dwelling unit at the property with respect to which the holder or purchaser has acquired actual possession of a security deposit. The written notice shall state that the holder or purchaser has acquired the security deposit paid by the lessee in connection with the lessee's rental of that dwelling unit. 

(765 ILCS 710/1.2) (from Ch. 21, par. 21.6)

Sec. 13. In the event that, at any time within one year after adjudication of abandonment, the owner or claimant of an interment right, entombment rights in a community mausoleum or lawn crypt section, or an inurnment right in a community columbarium which has been adjudged abandoned, shall contact the court or the cemetery authority and pay all maintenance or care charges that are due and unpaid, shall reimburse the cemetery authority for the costs of suit and necessary expenses incurred in the proceeding with respect to such interment right, entombment rights in a

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community mausoleum or lawn crypt section, or inurnment right in a community columbarium and shall contract for its future care and maintenance, then such lot, or part thereof, shall not be sold as herein provided and, upon petition of the owner or claimant, the order or judgment adjudging the same to have been abandoned shall be vacated as to such interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium.

(Source: P.A. 94-44, eff. 6-17-05; revised 11-22-13.)

Sec. 14. After the expiration of one year from the date of entry of an order adjudging an interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium to have been abandoned, a cemetery authority shall have the right to do so and may sell such interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium at public sale and grant an easement therein for burial purposes to the purchaser at such sale, subject to the interment of any human remains theretofore placed therein and the right to maintain memorials placed thereon. A cemetery authority may bid at and purchase such interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium at such sale.

Notice of the time and place of any sale held pursuant to an order adjudicating abandonment of a cemetery interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium shall be published once in a newspaper of general circulation in the county in which the cemetery is located, such publication to be not less than 30 days prior to the date of sale.

The proceeds derived from any sale shall be used to reimburse the petitioner for the costs of suit and necessary expenses, including attorney's fees, incurred by petitioner in the proceeding, and the balance, if any, shall be deposited into the cemetery authority's care fund or, if there is no care fund, used by the cemetery authority for the care of its cemetery and for no other purpose.

(Source: P.A. 94-44, eff. 6-17-05; revised 11-22-13.)

Section 795. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 18 as follows:

(765 ILCS 1025/18) (from Ch. 141, par. 118)

Sec. 18. Deposit of funds received under the Act.

(a) The State Treasurer shall retain all funds received under this Act,

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including the proceeds from the sale of abandoned property under Section 17, in a trust fund. The State Treasurer may deposit any amount in the Trust Fund into the State Pensions Fund during the fiscal year at his or her discretion; however, he or she shall, on April 15 and October 15 of each year, deposit any amount in the trust fund exceeding $2,500,000 into the State Pensions Fund. If on either April 15 or October 15, the State Treasurer determines that a balance of $2,500,000 is insufficient for the prompt payment of unclaimed property claims authorized under this Act, the Treasurer may retain more than $2,500,000 in the Unclaimed Property Trust Fund in order to ensure the prompt payment of claims. Beginning in State fiscal year 2015, all amounts that are deposited into the State Pensions Fund from the Unclaimed Property Trust Fund shall be apportioned to the designated retirement systems as provided in subsection (c-6) of Section 8.12 of the State Finance Act to reduce their actuarial reserve deficiencies. He or she shall make prompt payment of claims he or she duly allows as provided for in this Act for the trust fund. Before making the deposit the State Treasurer shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property. The record shall be available for public inspection during reasonable business hours.

(b) Before making any deposit to the credit of the State Pensions Fund, the State Treasurer may deduct: (1) any costs in connection with sale of abandoned property, (2) any costs of mailing and publication in connection with any abandoned property, and (3) any costs in connection with the maintenance of records or disposition of claims made pursuant to this Act. The State Treasurer shall semiannually file an itemized report of all such expenses with the Legislative Audit Commission.

(Source: P.A. 97-732, eff. 6-30-12; 98-19, eff. 6-10-13; 98-24, eff. 6-19-13; revised 9-24-13.)

Section 800. The Business Corporation Act of 1983 is amended by changing Section 15.75 as follows:

(805 ILCS 5/15.75) (from Ch. 32, par. 15.75)
Sec. 15.75. Rate of franchise taxes payable by foreign corporations.
(a) The annual franchise tax payable by each foreign corporation shall be computed at the rate of 1/12 of 1/10 of 1% for each calendar month or fraction thereof for the period commencing on the first day of July 1983 to the first day of the anniversary month in 1984, but in no event shall the amount of the annual franchise tax be less than $2.083333 per month based on a minimum of $25 per annum or more than $83,333.33333 per month; commencing on January 1, 1984 to the first day of the anniversary month in
2004, the annual franchise tax payable by each foreign corporation shall be computed at the rate of 1/10 of 1% for the 12-months' period commencing on the first day of the anniversary month or, in the case of a corporation that has established an extended filing month, the extended filing month of the corporation, but in no event shall the amount of the annual franchise tax be less than $25 nor more than $1,000,000 per annum; commencing on January 1, 2004, the annual franchise tax payable by each foreign corporation shall be computed at the rate of 1/10 of 1% for the 12-month period commencing on the first day of the anniversary month or, in the case of a corporation that has established an extended filing month, the extended filing month of the corporation, but in no event shall the amount of the annual franchise tax be less than $25 nor more than $2,000,000 per annum.

(b) The annual franchise tax payable by each foreign corporation at the time of filing a statement of election and interim annual report in connection with an anniversary month prior to January, 2004 shall be computed at the rate of 1/10 of 1% for the 12 month period commencing on the first day of the anniversary month of the corporation next following the filing, but in no event shall the amount of the annual franchise tax be less than $25 nor more than $1,000,000 per annum; commencing with the first anniversary month that occurs after December, 2003, the annual franchise tax payable by each foreign corporation at the time of filing a statement of election and interim annual report shall be computed at the rate of 1/10 of 1% for the 12-month period commencing on the first day of the anniversary month of the corporation next following such filing, but in no event shall the amount of the annual franchise tax be less than $25 nor more than $2,000,000 per annum.

(c) The annual franchise tax payable at the time of filing the final transition annual report in connection with an anniversary month prior to January, 2004 shall be an amount equal to (i) 1/12 of 1/10 of 1% per month of the proportion of paid-in capital represented in this State as shown in the final transition annual report multiplied by (ii) the number of months commencing with the anniversary month next following the filing of the statement of election until, but excluding, the second extended filing month, less the annual franchise tax theretofore paid at the time of filing the statement of election, but in no event shall the amount of the annual franchise tax be less than $2.083333 per month based on a minimum of $25 per annum or more than $83,333.333333 per month; commencing with the first anniversary month that occurs after December, 2003, the annual franchise tax payable at the time of filing the final transition annual report shall be an

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amount equal to (i) 1/12 of 1/10 of 1% per month of the proportion of paid-in capital represented in this State as shown in the final transition annual report multiplied by (ii) the number of months commencing with the anniversary month next following the filing of the statement of election until, but excluding, the second extended filing month, less the annual franchise tax theretofore paid at the time of filing the statement of election, but in no event shall the amount of the annual franchise tax be less than $2.083333 per month based on a minimum of $25 per annum or more than $166,666.666666 per month.

(d) The initial franchise tax payable after January 1, 1983, but prior to January 1, 1991, by each foreign corporation shall be computed at the rate of 1/10 of 1% for the 12 months' period commencing on the first day of the anniversary month in which the application for authority is filed by the corporation under Section 13.15 of this Act, but in no event shall the franchise tax be less than $25 nor more than $1,000,000 per annum. Except in the case of a foreign corporation that has begun transacting business in Illinois prior to January 1, 1991, the initial franchise tax payable on or after January 1, 1991, by each foreign corporation, shall be computed at the rate of 15/100 of 1% for the 12-month period commencing on the first day of the anniversary month in which the application for authority is filed by the corporation under Section 13.15 of this Act, but in no event shall the franchise tax for a taxable year commencing prior to January 1, 2004 be less than $25 nor more than $2,000,000 per annum plus 1/20 of 1% of the basis therefor and in no event shall the franchise tax for a taxable year commencing on or after January 1, 2004 be less than $25 or more than $2,000,000 per annum plus 1/20 of 1% of the basis therefor.

(e) Whenever the application for authority indicates that the corporation commenced transacting business:

(1) prior to January 1, 1991, the initial franchise tax shall be computed at the rate of 1/12 of 1/10 of 1% for each calendar month; or

(2) after December 31, 1990, the initial franchise tax shall be computed at the rate of 1/12 of 15/100 of 1% for each calendar month.

(f) Each additional franchise tax payable by each foreign corporation for the period beginning January 1, 1983 through December 31, 1983 shall be computed at the rate of 1/12 of 1/10 of 1% for each calendar month or fraction thereof between the date of each respective increase in its paid-in capital and its anniversary month in 1984; thereafter until the last day of the
month that is both after December 31, 1990 and the third month immediately preceding the anniversary month in 1991, each additional franchise tax payable by each foreign corporation shall be computed at the rate of 1/12 of 1/10 of 1% for each calendar month, or fraction thereof, between the date of each respective increase in its paid-in capital and its next anniversary month; however, if the increase occurs within the 2 month period immediately preceding the anniversary month, the tax shall be computed to the anniversary month of the next succeeding calendar year. Commencing with increases in paid-in capital that occur subsequent to both December 31, 1990 and the last day of the third month immediately preceding the anniversary month in 1991, the additional franchise tax payable by a foreign corporation shall be computed at the rate of 15/100 of 1%.

(Source: P.A. 92-33, eff. 7-1-01; 93-32, eff. 12-1-03; revised 11-14-13.)

Section 805. The Illinois Securities Law of 1953 is amended by changing Section 11.5 as follows:

(815 ILCS 5/11.5)
Sec. 11.5. Securities exchange registration.
(a) A person shall not operate a securities exchange in this State unless it has been registered with the Secretary of State.
(b) The Secretary of State shall adopt rules or regulations necessary to carry out the provisions of this Section, including rules or regulations prescribing:
   (1) The fees for the registration of a securities exchange; and
   (2) The bonding and minimum capitalization requirements for a securities exchange.
(c) The Securities Director, or his or her designee, shall investigate the qualifications of each person who applies to the Secretary of State for the registration of a securities exchange. The applicant shall pay the cost of the investigation.
(d) The Secretary of State may deny, suspend, or revoke the registration of a securities exchange if the Securities Director, or his or her designee, determines that such action is in the public interest and the provisions of subsection (a) of this Section are applicable to the person who applied for the registration of a securities exchange.
(e) A securities exchange located in this State shall not allow the trading of a security in this State unless it is issued by an issuer that has complied with the requirements of this Act and any other applicable requirements of federal or State law.
(f) Any transaction, solicitation, or other activity directly related to the
purchase, sale, or other transfer of securities listed on a securities exchange located in this State shall be deemed to be a transaction in this State.

(g) The Secretary of State may establish reasonable fees by rule or regulation.

(h) A registered dealer or salesperson shall not use a securities exchange to effect or report any transaction concerning a security unless the securities exchange is registered with the Secretary of State or is excluded from the provisions of Section 2.28 and this Section of the Act.

(Source: P.A. 89-209, eff. 1-1-96; revised 11-14-13.)

Section 810. The Waste Oil Recovery Act is amended by changing Section 2 as follows:

(815 ILCS 440/2) (from Ch. 96 1/2, par. 7702)

Sec. 2. Definitions. As used in this Act, unless the context otherwise requires, words and phrases shall have the meanings ascribed to them in the Sections following this Section and preceding Section 3 Sections 2.1 through 2.10.

(Source: P.A. 81-379; revised 11-14-13.)

Section 815. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2MM as follows:

(815 ILCS 505/2MM)

Sec. 2MM. Verification of accuracy of consumer reporting information used to extend consumers credit and security freeze on credit reports.

(a) A credit card issuer who mails an offer or solicitation to apply for a credit card and who receives a completed application in response to the offer or solicitation which lists an address that is not substantially the same as the address on the offer or solicitation may not issue a credit card based on that application until reasonable steps have been taken to verify the applicant's change of address.

(b) Any person who uses a consumer credit report in connection with the approval of credit based on the application for an extension of credit, and who has received notification of a police report filed with a consumer reporting agency that the applicant has been a victim of financial identity theft, as defined in Section 16-30 or 16G-15 of the Criminal Code of 1961 or the Criminal Code of 2012, may not lend money or extend credit without taking reasonable steps to verify the consumer's identity and confirm that the application for an extension of credit is not the result of financial identity theft.

(c) A consumer may request that a security freeze be placed on his or

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her credit report by sending a request in writing by certified mail to a consumer reporting agency at an address designated by the consumer reporting agency to receive such requests.

The following persons may request that a security freeze be placed on the credit report of a disabled person:

1. a guardian of the disabled person that is the subject of the request, appointed under Article XIa of the Probate Act of 1975; and
2. an agent of the disabled person that is the subject of the request, under a written durable power of attorney that complies with the Illinois Power of Attorney Act.

The following persons may request that a security freeze be placed on the credit report of a minor:

1. a guardian of the minor that is the subject of the request, appointed under Article XI of the Probate Act of 1975;
2. a parent of the minor that is the subject of the request; and
3. a guardian appointed under the Juvenile Court Act of 1987 for a minor under the age of 18 who is the subject of the request or, with a court order authorizing the guardian consent power, for a youth who is the subject of the request who has attained the age of 18, but who is under the age of 21.

This subsection (c) does not prevent a consumer reporting agency from advising a third party that a security freeze is in effect with respect to the consumer's credit report.

(d) A consumer reporting agency shall place a security freeze on a consumer's credit report no later than 5 business days after receiving a written request from the consumer:

1. a written request described in subsection (c);
2. proper identification; and
3. payment of a fee, if applicable.

(e) Upon placing the security freeze on the consumer's credit report, the consumer reporting agency shall send to the consumer within 10 business days a written confirmation of the placement of the security freeze and a unique personal identification number or password or similar device, other than the consumer's Social Security number, to be used by the consumer when providing authorization for the release of his or her credit report for a specific party or period of time.

(f) If the consumer wishes to allow his or her credit report to be accessed for a specific party or period of time while a freeze is in place, he or she shall contact the consumer reporting agency using a point of contact

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designated by the consumer reporting agency, request that the freeze be temporarily lifted, and provide the following:

(1) Proper identification;
(2) The unique personal identification number or password or similar device provided by the consumer reporting agency;
(3) The proper information regarding the third party or time period for which the report shall be available to users of the credit report; and
(4) A fee, if applicable.

A security freeze for a minor may not be temporarily lifted. This Section does not require a consumer reporting agency to provide to a minor or a parent or guardian of a minor on behalf of the minor a unique personal identification number, password, or similar device provided by the consumer reporting agency for the minor, or parent or guardian of the minor, to use to authorize the consumer reporting agency to release information from a minor.

(g) A consumer reporting agency shall develop a contact method to receive and process a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection (f) in an expedited manner.

A contact method under this subsection shall include: (i) a postal address; and (ii) an electronic contact method chosen by the consumer reporting agency, which may include the use of telephone, fax, Internet, or other electronic means.

(h) A consumer reporting agency that receives a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection (f), shall comply with the request no later than 3 business days after receiving the request.

(i) A consumer reporting agency shall remove or temporarily lift a freeze placed on a consumer's credit report only in the following cases:

(1) upon consumer request, pursuant to subsection (f) or subsection (l) of this Section; or
(2) if the consumer's credit report was frozen due to a material misrepresentation of fact by the consumer.

If a consumer reporting agency intends to remove a freeze upon a consumer's credit report pursuant to this subsection, the consumer reporting agency shall notify the consumer in writing prior to removing the freeze on the consumer's credit report.

(j) If a third party requests access to a credit report on which a security freeze is in effect, and this request is in connection with an application for credit or any other use, and the consumer does not allow his or her credit

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report to be accessed for that specific party or period of time, the third party may treat the application as incomplete.

(k) If a consumer requests a security freeze, the credit reporting agency shall disclose to the consumer the process of placing and temporarily lifting a security freeze, and the process for allowing access to information from the consumer's credit report for a specific party or period of time while the freeze is in place.

(l) A security freeze shall remain in place until the consumer or person authorized under subsection (c) to act on behalf of the minor or disabled person that is the subject of the security freeze requests, using a point of contact designated by the consumer reporting agency, that the security freeze be removed. A credit reporting agency shall remove a security freeze within 3 business days of receiving a request for removal from the consumer, who provides:

(1) Proper identification;
(2) The unique personal identification number or password or similar device provided by the consumer reporting agency; and
(3) A fee, if applicable.

(m) A consumer reporting agency shall require proper identification of the person making a request to place or remove a security freeze and may require proper identification and proper authority from the person making the request to place or remove a freeze on behalf of the disabled person or minor.

(n) The provisions of subsections (c) through (m) of this Section do not apply to the use of a consumer credit report by any of the following:

(1) A person or entity, or a subsidiary, affiliate, or agent of that person or entity, or an assignee of a financial obligation owing by the consumer to that person or entity, or a prospective assignee of a financial obligation owing by the consumer to that person or entity in conjunction with the proposed purchase of the financial obligation, with which the consumer has or had prior to assignment an account or contract, including a demand deposit account, or to whom the consumer issued a negotiable instrument, for the purposes of reviewing the account or collecting the financial obligation owing for the account, contract, or negotiable instrument. For purposes of this subsection, "reviewing the account" includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

(2) A subsidiary, affiliate, agent, assignee, or prospective assignee of a person to whom access has been granted under
subsection (f) of this Section for purposes of facilitating the extension of credit or other permissible use.

(3) Any state or local agency, law enforcement agency, trial court, or private collection agency acting pursuant to a court order, warrant, or subpoena.

(4) A child support agency acting pursuant to Title IV-D of the Social Security Act.

(5) The State or its agents or assigns acting to investigate fraud.

(6) The Department of Revenue or its agents or assigns acting to investigate or collect delinquent taxes or unpaid court orders or to fulfill any of its other statutory responsibilities.

(7) The use of credit information for the purposes of prescreening as provided for by the federal Fair Credit Reporting Act.

(8) Any person or entity administering a credit file monitoring subscription or similar service to which the consumer has subscribed.

(9) Any person or entity for the purpose of providing a consumer with a copy of his or her credit report or score upon the consumer's request.

(10) Any person using the information in connection with the underwriting of insurance.

(n-5) This Section does not prevent a consumer reporting agency from charging a fee of no more than $10 to a consumer for each freeze, removal, or temporary lift of the freeze, regarding access to a consumer credit report, except that a consumer reporting agency may not charge a fee to (i) a consumer 65 years of age or over for placement and removal of a freeze, or (ii) a victim of identity theft who has submitted to the consumer reporting agency a valid copy of a police report, investigative report, or complaint that the consumer has filed with a law enforcement agency about unlawful use of his or her personal information by another person.

(o) If a security freeze is in place, a consumer reporting agency shall not change any of the following official information in a credit report without sending a written confirmation of the change to the consumer within 30 days of the change being posted to the consumer's file: (i) name, (ii) date of birth, (iii) Social Security number, and (iv) address. Written confirmation is not required for technical modifications of a consumer's official information, including name and street abbreviations, complete spellings, or transposition of numbers or letters. In the case of an address change, the written confirmation shall be sent to both the new address and to the former address.

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(p) The following entities are not required to place a security freeze in a consumer report, however, pursuant to paragraph (3) of this subsection, a consumer reporting agency acting as a reseller shall honor any security freeze placed on a consumer credit report by another consumer reporting agency:

(1) A check services or fraud prevention services company, which issues reports on incidents of fraud or authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar methods of payment.

(2) A deposit account information service company, which issues reports regarding account closures due to fraud, substantial overdrafts, ATM abuse, or similar negative information regarding a consumer to inquiring banks or other financial institutions for use only in reviewing a consumer request for a deposit account at the inquiring bank or financial institution.

(3) A consumer reporting agency that:
   (A) acts only to resell credit information by assembling and merging information contained in a database of one or more consumer reporting agencies; and
   (B) does not maintain a permanent database of credit information from which new credit reports are produced.

(q) For purposes of this Section:
"Credit report" has the same meaning as "consumer report", as ascribed to it in 15 U.S.C. Sec. 1681a(d).
"Consumer reporting agency" has the meaning ascribed to it in 15 U.S.C. Sec. 1681a(f).
"Security freeze" means a notice placed in a consumer's credit report, at the request of the consumer and subject to certain exceptions, that prohibits the consumer reporting agency from releasing the consumer's credit report or score relating to an extension of credit, without the express authorization of the consumer.
"Extension of credit" does not include an increase in an existing open-end credit plan, as defined in Regulation Z of the Federal Reserve System (12 C.F.R. 226.2), or any change to or review of an existing credit account.
"Proper authority" means documentation that shows that a parent, guardian, or agent has authority to act on behalf of a minor or disabled person. "Proper authority" includes (1) an order issued by a court of law that shows that a guardian has authority to act on behalf of a minor or disabled person, (2) a written, notarized statement signed by a parent that expressly
describes the authority of the parent to act on behalf of the minor, or (3) a durable power of attorney that complies with the Illinois Power of Attorney Act.

"Proper identification" means information generally deemed sufficient to identify a person. Only if the consumer is unable to reasonably identify himself or herself with the information described above, may a consumer reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his or her identity.

(r) Any person who violates this Section commits an unlawful practice within the meaning of this Act.

(Source: P.A. 97-597, eff. 1-1-12; 97-1150, eff. 1-25-13; 98-486, eff. 1-1-14; revised 11-14-13.)

Section 820. The Dating Referral Services Act is amended by changing Sections 20 and 25 as follows:

(815 ILCS 615/20) (from Ch. 29, par. 1051-20)
Sec. 20. Cancellation and refund requirements.
(a) Every contract for dating referral services shall provide the following:

(1) That the contract may be cancelled by the customer within 3 business days after the first business day after the contract is signed by the customer, and that all monies paid under the contract shall be refunded to the customer. For the purposes of this Section, "business day" means any day on which the facility is open for business. A customer purchasing a plan at a facility that has not yet opened for business at the time the contract is signed, or who does not purchase a contract at an existing facility, shall have 7 calendar days in which to cancel the contract and receive a full refund of all monies paid. The customer's rights to cancel described in this Section are in addition to any other contract rights or remedies provided by law.

(2) In the event of the relocation of a customer's residence to a location that is more than 20 miles farther than the original distance from the customer's residence to the original enterprise, and upon the failure of the original enterprise to designate an enterprise, with comparable facilities and services within 25 miles of the customer's new residence that agrees to accept the original enterprise's obligations under the contract, the customer may cancel the contract and shall be liable for only that portion of the charges allocable to the time before reasonable evidence of the relocation is presented to the

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enterprise, plus a reasonable fee if so provided in the contract, but the fee shall not exceed 10% of the unused balance, or $50, whichever is less.

(3) If the customer dies during the term of the contract, the customer's estate shall be liable for only that portion of the charges allocable to the time before the customer's death. The enterprise shall have the right to require and verify reasonable evidence of the death.

(b) Every contract for dating referral services shall provide that notice of cancellation under subsection (a) of this Section shall be made in writing and delivered by certified or registered mail to the enterprise at the address specified in the contract. All refunds to which a customer or his or her estate is entitled shall be made within 30 days of receipt by the enterprise of the cancellation notice.

(Source: P.A. 87-450; revised 11-14-13.)

(815 ILCS 615/25) (from Ch. 29, par. 1051-25)

Sec. 25. Contract requirements for planned enterprises. Every contract for dating referral services at a planned dating referral enterprise or an enterprise under construction shall further provide that, in the event that the facilities and services contracted for are not available within 6 months from the date the contract is entered into, or within 3 months of a date specified in the contract, whichever is earlier, the contract may be cancelled at the option of the customer, and all payments refunded within 30 days of receipt by the enterprise of the cancellation notice.

(Source: P.A. 87-450; revised 11-14-13.)

Section 825. The Prevailing Wage Act is amended by changing Sections 2 and 5 as follows:

(820 ILCS 130/2) (from Ch. 48, par. 39s-2)

Sec. 2. This Act applies to the wages of laborers, mechanics and other workers employed in any public works, as hereinafter defined, by any public body and to anyone under contracts for public works. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

As used in this Act, unless the context indicates otherwise:

"Public works" means all fixed works constructed or demolished by any public body, or paid for wholly or in part out of public funds. "Public works" as defined herein includes all projects financed in whole or in part with bonds, grants, loans, or other funds made available by or through the State or any of its political subdivisions, including but not limited to: bonds issued under the Industrial Project Revenue Bond Act (Article 11, Division

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74 of the Illinois Municipal Code), the Industrial Building Revenue Bond Act, the Illinois Finance Authority Act, the Illinois Sports Facilities Authority Act, or the Build Illinois Bond Act; loans or other funds made available pursuant to the Build Illinois Act; loans or other funds made available pursuant to the Riverfront Development Fund under Section 10-15 of the River Edge Redevelopment Zone Act; or funds from the Fund for Illinois' Future under Section 6z-47 of the State Finance Act, funds for school construction under Section 5 of the General Obligation Bond Act, funds authorized under Section 3 of the School Construction Bond Act, funds for school infrastructure under Section 6z-45 of the State Finance Act, and funds for transportation purposes under Section 4 of the General Obligation Bond Act. "Public works" also includes (i) all projects financed in whole or in part with funds from the Department of Commerce and Economic Opportunity under the Illinois Renewable Fuels Development Program Act for which there is no project labor agreement; (ii) all work performed pursuant to a public private agreement under the Public Private Agreements for the Illiana Expressway Act or the Public-Private Agreements for the South Suburban Airport Act; and (iii) all projects undertaken under a public-private agreement under the Public-Private Partnerships for Transportation Act. "Public works" also includes all projects at leased facility property used for airport purposes under Section 35 of the Local Government Facility Lease Act. "Public works" also includes the construction of a new wind power facility by a business designated as a High Impact Business under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act. "Public works" does not include work done directly by any public utility company, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds. "Public works" also includes any corrective action performed pursuant to Title XVI of the Environmental Protection Act for which payment from the Underground Storage Tank Fund is requested. "Public works" does not include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multi-family residence.

"Construction" means all work on public works involving laborers, workers or mechanics. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

"Locality" means the county where the physical work upon public works is performed, except (1) that if there is not available in the county a sufficient number of competent skilled laborers, workers and mechanics to construct the public works efficiently and properly, "locality" includes any other county nearest the one in which the work or construction is to be

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performed and from which such persons may be obtained in sufficient numbers to perform the work and (2) that, with respect to contracts for highway work with the Department of Transportation of this State, "locality" may at the discretion of the Secretary of the Department of Transportation be construed to include two or more adjacent counties from which workers may be accessible for work on such construction.

"Public body" means the State or any officer, board or commission of the State or any political subdivision or department thereof, or any institution supported in whole or in part by public funds, and includes every county, city, town, village, township, school district, irrigation, utility, reclamation improvement or other district and every other political subdivision, district or municipality of the state whether such political subdivision, municipality or district operates under a special charter or not.

The terms "general prevailing rate of hourly wages", "general prevailing rate of wages" or "prevailing rate of wages" when used in this Act mean the hourly cash wages plus annualized fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works.

(820 ILCS 130/5) (from Ch. 48, par. 39s-5)

Sec. 5. Certified payroll.

(a) Any contractor and each subcontractor who participates in public works shall:

(1) make and keep, for a period of not less than 3 years from the date of the last payment made before January 1, 2014 (the effective date of Public Act 98-328) the effective date of this amendatory Act of the 98th General Assembly and for a period of 5 years from the date of the last payment made on or after January 1, 2014 (the effective date of Public Act 98-328) the effective date of this amendatory Act of the 98th General Assembly on a contract or subcontract for public works, records of all laborers, mechanics, and other workers employed by them on the project; the records shall include (i) the worker's name, (ii) the worker's address, (iii) the worker's telephone number when available, (iv) the worker's social security number, (v) the worker's classification or classifications, (vi) the worker's gross and net wages paid in each pay period, (vii) the

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(2) no later than the 15th day of each calendar month file a certified payroll for the immediately preceding month with the public body in charge of the project. A certified payroll must be filed for only those calendar months during which construction on a public works project has occurred. The certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (a), but may exclude the starting and ending times of work each day. The certified payroll shall be accompanied by a statement signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor which avers that: (i) he or she has examined the certified payroll records required to be submitted by the Act and such records are true and accurate; (ii) the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by this Act; and (iii) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class A misdemeanor. A general contractor is not prohibited from relying on the certification of a lower tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification. Any contractor or subcontractor subject to this Act and any officer, employee, or agent of such contractor or subcontractor whose duty as such officer, employee, or agent it is to file such certified payroll who willfully fails to file such a certified payroll on or before the date such certified payroll is required by this paragraph to be filed and any person who willfully files a false certified payroll that is false as to any material fact is in violation of this Act and guilty of a Class A misdemeanor. The public body in charge of the project shall keep the records submitted in accordance with this paragraph (2) of subsection (a) before January 1, 2014 (the effective date of Public Act 98-328) the effective date of this amendatory Act of the 98th General Assembly for a period of not less than 3 years, and the records submitted in accordance with this paragraph (2) of subsection (a) on or after
January 1, 2014 (the effective date of Public Act 98-328) the effective date of this amendatory Act of the 98th General Assembly for a period of 5 years, from the date of the last payment for work on a contract or subcontract for public works. The records submitted in accordance with this paragraph (2) of subsection (a) shall be considered public records, except an employee's address, telephone number, and social security number, and made available in accordance with the Freedom of Information Act. The public body shall accept any reasonable submissions by the contractor that meet the requirements of this Section.

A contractor, subcontractor, or public body may retain records required under this Section in paper or electronic format.

(b) Upon 7 business days' notice, the contractor and each subcontractor shall make available for inspection and copying at a location within this State during reasonable hours, the records identified in paragraph (1) of subsection (a) of this Section to the public body in charge of the project, its officers and agents, the Director of Labor and his deputies and agents, and to federal, State, or local law enforcement agencies and prosecutors.

(c) A contractor or subcontractor who remits contributions to fringe benefit funds that are jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act shall make and keep certified payroll records that include the information required under items (i) through (viii) of paragraph (1) of subsection (a) only. However, the information required under items (ix) through (xiv) of paragraph (1) of subsection (a) shall be required for any contractor or subcontractor who remits contributions to a fringe benefit fund that is not jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act.

(Source: P.A. 97-571, eff. 1-1-12; 98-328, eff. 1-1-14; 98-482, eff. 1-1-14; revised 9-24-13.)

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

Section 996. No revival or extension. This Act does not revive or extend any Section or Act otherwise repealed.

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PUBLIC ACT 98-0757
(Senate Bill No. 2668)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Unified Code of Corrections is amended by changing Section 3-7-2.5 as follows:

(730 ILCS 5/3-7-2.5)

Sec. 3-7-2.5. Zero tolerance drug policy.

(a) Any person employed by the Department of Corrections who tests positive in accordance with established Departmental drug testing procedures for any substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall be discharged from employment. Refusal to submit to a drug test, ordered in accordance with Departmental procedures, by any person employed by the Department shall be construed as a positive test, and the person shall be discharged from employment.

Testing of employees shall be conducted in accordance with established Departmental drug testing procedures. Changes to established drug testing procedures that are inconsistent with the federal guidelines specified in the Mandatory Guidelines for Federal Workplace Drug Testing Program, 59 FR 29908, or that affect terms and conditions of employment, shall be negotiated with an exclusive bargaining representative in accordance with the Illinois Public Labor Relations Act.

(1) All samples used for the purpose of drug testing shall be collected by persons who have at least 15 hours of initial training in the proper collection procedures and at least 8 hours of annual follow-up training. Proof of this training shall be available upon request. In order to ensure that these persons possess the necessary knowledge, skills, and experience to carry out their duties, their training must include guidelines and procedures on maintaining the integrity of the collection process, ensuring the privacy of employees being tested, ensuring the security of the specimen, and avoiding

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conduct or statements that could be viewed as offensive or inappropriate. Proficiency in the proper collection process must be demonstrated prior to certification used for the collection process and must also incorporate training on the appropriate interpersonal skills required during the collection process.

(2) With respect to any bargaining unit employee, the Department shall not initiate discipline of any employee who authorizes the testing of a split urine sample in accordance with established Departmental drug testing procedures until receipt by the Department of the test results from the split urine sample evidencing a positive test for any substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act.

(b) Any employee discharged in accordance with the provisions of subsection (a) shall not be eligible for rehire by the Department.

(Source: P.A. 94-556, eff. 9-11-05.)

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0758
(Senate Bill No. 2769)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Organ Donor Leave Act is amended by changing Sections 5, 10, and 20 as follows:

(5 ILCS 327/5)
Sec. 5. Purpose. This Act is intended to provide time off with pay for State employees who donate an organ, bone marrow, or blood, or blood platelets.
(Source: P.A. 92-754, eff. 1-1-03.)

(5 ILCS 327/10)
Sec. 10. Definitions. As used in this Act:
"Agency" means any branch, department, board, committee, or commission of State government, but does not include units of local government, school districts, or boards of election commissioners.

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"Blood" means both the liquid that circulates in the arteries and veins of a human body and any cells or parts thereof, including, but not limited to, whole blood, plasma, red blood cells, white blood cells, and platelets.

"Department" means the Department of Central Management Services.

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

"Participating employee" means a permanent full-time or part-time employee who has been employed by an agency for a period of 6 months or more and who donates an organ, bone marrow, or blood, or blood platelets. (Source: P.A. 92-754, eff. 1-1-03.)

(5 ILCS 327/20)

Sec. 20. Administration of Act.

(a) A participating employee subject to this Act who wishes to donate blood, an organ, or bone marrow shall request in advance leave under this Act may be entitled to organ donation leave with pay.

(b) An employee may use (i) up to 30 days of organ donation leave in any 12-month period to serve as a bone marrow donor, (ii) up to 30 days of organ donation leave in any 12-month period to serve as an organ donor, (iii) up to one hour or more to donate blood every 56 days, (iv) up to 1.5 hours to donate double red cells, and (v) up to 2 hours or more to donate blood platelets. The frequency of the blood donation times shall be set by rule in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other nationally-recognized standards. Leave under item (iv) may not be granted more than 24 times in a 12-month period.

(c) An employee may use organ donation leave or other leave authorized in subsection (b) of this Section only after obtaining approval from the employee's agency.

(d) An employee may not be required to use accumulated sick or vacation leave time before being eligible for organ donor leave.

(e) The Department must adopt rules governing organ donation leave, including rules that (i) establish conditions and procedures for requesting and approving leave and (ii) require medical documentation of the proposed organ or bone marrow donation before leave is approved by the employing agency.

(Source: P.A. 94-33, eff. 1-1-06; 95-354, eff. 1-1-08.)

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

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AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Procurement Code is amended by changing Section 25-75 as follows:

(30 ILCS 500/25-75)
Sec. 25-75. Purchase of motor vehicles.
(a) Beginning on the effective date of this amendatory Act of the 94th General Assembly, all gasoline-powered vehicles purchased from State funds must be flexible fuel vehicles. Beginning July 1, 2007, all gasoline-powered vehicles purchased from State funds must be flexible fuel or fuel efficient hybrid vehicles. For purposes of this Section, "flexible fuel vehicles" are automobiles or light trucks that operate on either gasoline or E-85 (85% ethanol, 15% gasoline) fuel and "Fuel efficient hybrid vehicles" are automobiles or light trucks that use a gasoline or diesel engine and an electric motor to provide power and gain at least a 20% increase in combined US-EPA city-highway fuel economy over the equivalent or most-similar conventionally-powered model.
(b) On and after the effective date of this amendatory Act of the 94th General Assembly, any vehicle purchased from State funds that is fueled by diesel fuel shall be certified by the manufacturer to run on 5% biodiesel (B5) fuel.
(b-5) On and after January 1, 2016, 25% of vehicles, other than Department of Corrections vehicles, Secretary of State vehicles (except for mid-sized sedans), and Department of State Police patrol vehicles, purchased with State funds shall be vehicles fueled by electricity, compressed natural gas, liquid petroleum gas, or liquid natural gas.
(c) The Chief Procurement Officer may determine that certain vehicle procurements are exempt from this Section based on intended use or other reasonable considerations such as health and safety of Illinois citizens.
(Source: P.A. 98-442, eff. 1-1-14.)
Section 99. Effective date. This Act takes effect upon becoming law.

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AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Sections 10-1-7.1, 10-1-7.2, 10-2.1-6.3, and 10-2.1-6.4 as follows:

(65 ILCS 5/10-1-7.1)
Sec. 10-1-7.1. Original appointments; full-time fire department.
(a) Applicability. Unless a commission elects to follow the provisions of Section 10-1-7.2, this Section shall apply to all original appointments to an affected full-time fire department. Existing registers of eligibles shall continue to be valid until their expiration dates, or up to a maximum of 2 years after the effective date of this amendatory Act of the 97th General Assembly.

Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to an affected department to which this Section applies shall be administered in the manner provided for in this Section. Provisions of the Illinois Municipal Code, municipal ordinances, and rules adopted pursuant to such authority and other laws relating to initial hiring of firefighters in affected departments shall continue to apply to the extent they are compatible with this Section, but in the event of a conflict between this Section and any other law, this Section shall control.

A home rule or non-home rule municipality may not administer its fire department process for original appointments in a manner that is less stringent than this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

A municipality that is operating under a court order or consent decree regarding original appointments to a full-time fire department before the effective date of this amendatory Act of the 97th General Assembly is exempt from the requirements of this Section for the duration of the court order or consent decree.

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Notwithstanding any other provision of this subsection (a), this Section does not apply to a municipality with more than 1,000,000 inhabitants.

(b) Original appointments. All original appointments made to an affected fire department shall be made from a register of eligibles established in accordance with the processes established by this Section. Only persons who meet or exceed the performance standards required by this Section shall be placed on a register of eligibles for original appointment to an affected fire department.

Whenever an appointing authority authorizes action to hire a person to perform the duties of a firefighter or to hire a firefighter-paramedic to fill a position that is a new position or vacancy due to resignation, discharge, promotion, death, the granting of a disability or retirement pension, or any other cause, the appointing authority shall appoint to that position the person with the highest ranking on the final eligibility list. If the appointing authority has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the appointing authority believes an alternate candidate would better serve the needs of the department, then the appointing authority has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the register of eligibles or (ii) any person who is among the top 5 highest ranked persons on the list of eligibles if the number of people who have a ranking in the top 5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his or her position on the register of eligibles. Any candidate who passes a second time may be removed from the list by the appointing authority provided that such action shall not prejudice a person's opportunities to participate in future examinations, including an examination held during the time a candidate is already on the municipality's register of eligibles.

The sole authority to issue certificates of appointment shall be vested in the Civil Service Commission. All certificates of appointment issued to any officer or member of an affected department shall be signed by the chairperson and secretary, respectively, of the commission upon appointment of such officer or member to the affected department by the commission. Each person who accepts a certificate of appointment and successfully completes his or her probationary period shall be enrolled as a firefighter and as a regular member of the fire department.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the

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97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

(c) Qualification for placement on register of eligibles. The purpose of establishing a register of eligibles is to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department shall be subject to examination and testing which shall be public, competitive, and open to all applicants unless the municipality shall by ordinance limit applicants to residents of the municipality, county or counties in which the municipality is located, State, or nation. Any examination and testing procedure utilized under subsection (e) of this Section shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Municipalities may establish educational, emergency medical service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any municipality may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a municipality cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of fire chief and for no more than 2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No person who is 35 years of age or older shall be eligible to take an examination for a position as a firefighter unless the person has had previous employment status as a firefighter in the regularly constituted fire department of the municipality, except as provided in this Section. The age limitation does not apply to:

(1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21
of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or

(2) any person who has served a municipality as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the municipality begins to use full-time firefighters to provide all or part of its fire protection service.

No person who is under 21 years of age shall be eligible for employment as a firefighter.

No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the commissioners of the municipality or their designees and agents.

No municipality shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic certification.

In the event that any applicant who has been found eligible for appointment and whose name has been placed upon the final eligibility register provided for in this Division 1 has not been appointed to a firefighter position within one year after the date of his or her physical ability examination, the commission may cause a second examination to be made of that applicant's physical ability prior to his or her appointment. If, after the second examination, the physical ability of the applicant shall be found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed. The applicant's name may be retained upon the register of candidates eligible for appointment and when next reached for certification and appointment that applicant may be again examined as provided in this Section, and if the physical ability of that applicant is found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed, and the name of the applicant shall be removed from the register.

(d) Notice, examination, and testing components. Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the commission, by a publication at least

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2 weeks preceding the examination: (i) in one or more newspapers published in the municipality, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the municipality, or (ii) on the municipality's Internet website. Additional notice of the examination may be given as the commission shall prescribe.

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the commission. Scores from the examination must be made available to the public.

(e) Mental aptitude. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the local appointing authority.

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(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

Physical ability examinations administered under this Section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the commission.

(g) Scoring of examination components. Appointing authorities may create a preliminary eligibility register. A person shall be placed on the list based upon his or her passage of the written examination or the passage of the written examination and the physical ability component. Passage of the written examination means attaining the minimum score set by the commission a score that is at or above the median score for all applicants participating in the written test. Minimum scores should be set by the commission so as to demonstrate a candidate's ability to perform the essential functions of the job. The minimum score set by the commission shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. The appointing authority may conduct the physical ability component and any subjective components subsequent to the posting of the preliminary eligibility register.

The examination components for an initial eligibility register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability component, and (iii) the person's results on any subjective component as described in subsection (d).

In order to qualify for placement on the final eligibility register, an applicant's score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the minimum score set by the commission be at or above the median score. The local appointing authority may prescribe the score to qualify for placement on the
final eligibility register, but the score shall not be less than the minimum score set by the commission median score.

The commission shall prepare and keep a register of persons whose total score is not less than the minimum score for passage fixed by this Section and who have passed the physical ability examination. These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this Section. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission. The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

Commissions may conduct additional examinations, including without limitation a polygraph test, after a final eligibility register is established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

(h) Preferences. The following are preferences:

(1) Veteran preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department.

(2) Fire cadet preference. Persons who have successfully completed 2 years of study in fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may be preferred for appointment to and employment with the fire department.

(3) Educational preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department.

(4) Paramedic preference. Persons who have obtained certification as an Emergency Medical Technician-Paramedic (EMT-
P) may be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services.

(5) Experience preference. All persons employed by a municipality who have been paid-on-call or part-time certified Firefighter II, certified Firefighter III, State of Illinois or nationally licensed EMT-B or EMT-I, licensed paramedic, or any combination of those capacities may be awarded up to a maximum of 5 points. However, the applicant may not be awarded more than 0.5 points for each complete year of paid-on-call or part-time service. Applicants from outside the municipality who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or another municipality may be awarded up to 5 experience preference points. However, the applicant may not be awarded more than one point for each complete year of full-time service.

Upon request by the commission, the governing body of the municipality or in the case of applicants from outside the municipality the governing body of any fire protection district or any other municipality shall certify to the commission, within 10 days after the request, the number of years of successful paid-on-call, part-time, or full-time service of any person. A candidate may not receive the full amount of preference points under this subsection if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

(6) Residency preference. Applicants whose principal residence is located within the fire department's jurisdiction may be preferred for appointment to and employment with the fire department.

(7) Additional preferences. Up to 5 additional preference points may be awarded for unique categories based on an applicant's experience or background as identified by the commission.

(8) Scoring of preferences. The commission shall give preference for original appointment to persons designated in item (1) by adding to the final grade that they receive 5 points for the

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recognized preference achieved. The commission shall determine the number of preference points for each category except (1). The number of preference points for each category shall range from 0 to 5. In determining the number of preference points, the commission shall prescribe that if a candidate earns the maximum number of preference points in all categories, that number may not be less than 10 nor more than 30. The commission shall give preference for original appointment to persons designated in items (2) through (7) by adding the requisite number of points to the final grade for each recognized preference achieved. The numerical result thus attained shall be applied by the commission in determining the final eligibility list and appointment from the eligibility list. The local appointing authority may prescribe the total number of preference points awarded under this Section, but the total number of preference points shall not be less than 10 points or more than 30 points.

No person entitled to any preference shall be required to claim the credit before any examination held under the provisions of this Section, but the preference shall be given after the posting or publication of the initial eligibility list or register at the request of a person entitled to a credit before any certification or appointments are made from the eligibility register, upon the furnishing of verifiable evidence and proof of qualifying preference credit. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial eligibility list, or the claim shall be deemed waived. Final eligibility registers shall be established after the awarding of verified preference points. All employment shall be subject to the commission's initial hire background review including, but not limited to, criminal history, employment history, moral character, oral examination, and medical and psychological examinations, all on a pass-fail basis. The medical and psychological examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

Any person placed on an eligibility list who exceeds the age requirement before being appointed to a fire department shall remain eligible for appointment until the list is abolished, or his or her name has been on the list for a period of 2 years. No person who has attained the age of 35 years shall be inducted into a fire department, except as otherwise provided in this Section.

The commission shall strike off the names of candidates for original appointment after the names have been on the list for more than 2 years.

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(i) Moral character. No person shall be appointed to a fire department unless he or she is a person of good character; not a habitual drunkard, a gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. However, no person shall be disqualified from appointment to the fire department because of the person's record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrest for any cause without conviction thereon. Any such person who is in the department may be removed on charges brought for violating this subsection and after a trial as hereinafter provided.

A classifiable set of the fingerprints of every person who is offered employment as a certificated member of an affected fire department whether with or without compensation, shall be furnished to the Illinois Department of State Police and to the Federal Bureau of Investigation by the commission.

Whenever a commission is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the State Police Law of the Civil Administrative Code of Illinois, the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files as is necessary to fulfill the request.

(j) Temporary appointments. In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this Division, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12; 97-1150, eff. 1-25-13.)
Sec. 10-1-7.2. Alternative procedure; original appointment; full-time firefighter.

(a) Authority. The Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may establish a community outreach program to market the profession of firefighter and firefighter-paramedic so as to ensure the pool of applicants recruited is of broad diversity and the highest quality.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

(b) Eligibility. Persons eligible for placement on the master register of eligibles shall consist of the following:

Persons who have participated in and received a passing total score on the mental aptitude, physical ability, and preference components of a regionally administered test based on the standards described in this Section. The standards for administering these tests and the minimum passing score required for placement on this list shall be as is set forth in this Section.

Qualified candidates shall be listed on the master register of eligibles in highest to lowest rank order based upon their test scores without regard to their date of examination. Candidates listed on the master register of eligibles shall be eligible for appointment for 2 years after the date of the certification of their final score on the register without regard to the date of their examination. After 2 years, the candidate's name shall be struck from the list.

Any person currently employed as a full-time member of a fire department or any person who has experienced a non–voluntary (and non-disciplinary) separation from the active workforce due to a reduction in the number of departmental officers, who was appointed pursuant to this Division, Division 2.1 of Article 10 of the Illinois Municipal Code, or the Fire Protection District Act, and who during

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the previous 24 months participated in and received a passing score on the physical ability and mental aptitude components of the test may request that his or her name be added to the master register. Any eligible person may be offered employment by a local commission under the same procedures as provided by this Section except that the apprenticeship period may be waived and the applicant may be immediately issued a certificate of original appointment by the local commission.

(c) Qualifications for placement on register of eligibles. The purpose for establishing a master register of eligibles shall be to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department through examination conducted by the Joint Labor and Management Committee (JLMC) shall be subject to examination and testing which shall be public, competitive, and open to all applicants. Any examination and testing procedure utilized under subsection (e) of this Section shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Any subjective component of the testing must be administered by certified assessors. All qualifying and disqualifying factors applicable to examination processes for local commissions in this amendatory Act of the 97th General Assembly shall be applicable to persons participating in Joint Labor and Management Committee examinations unless specifically provided otherwise in this Section.

Notice of the time, place, general scope, and fee of every JLMC examination shall be given by the JLMC or designated testing agency, as applicable, by publication at least 30 days preceding the examination, in one or more newspapers published in the region, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the region. The JLMC may publish the notice on the JLMC's Internet website. Additional notice of the examination may be given as the JLMC shall prescribe.

(d) Examination and testing components for placement on register of eligibles. The examination and qualifying standards for placement on the master register of eligibles and employment shall be based on the following components: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the master
register of eligibles. The consideration of an applicant's general moral character and health shall be administered on a pass-fail basis after a conditional offer of employment is made by a local commission.

(e) Mental aptitude. Examination of an applicant's mental aptitude shall be based upon written examination and an applicant's prior experience demonstrating an aptitude for and commitment to service as a member of a fire department. Written examinations shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved. Any subjective component of the testing must be administered by certified assessors. No person who does not possess a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Local commissions may establish educational, emergency medical service licensure, and other pre-requisites for hire within their jurisdiction.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in each of the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested are to be based on industry standards developed by the JLMC by rule.

(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and

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dark with tightly enclosed spaces, flashing lights, sirens, and other
distractions.

The tests utilized to measure each applicant's capabilities in each of
these dimensions may be tests based on industry standards currently in use or
equivalent tests approved by the Joint Labor-Management Committee of the
Office of the State Fire Marshal.

(g) Scoring of examination components. The examination
components shall be graded on a 100-point scale. A person's position on the
master register of eligibles shall be determined by the person's score on the
written examination, the person successfully passing the physical ability
component, and the addition of any applicable preference points.

Applicants who have achieved at least the minimum median score on
of all applicants participating in the written examination, as set by the JLMC
at the same time, and who successfully pass the physical ability examination
shall be placed on the initial eligibility register. Minimum scores should be
set by the JLMC so as to demonstrate a candidate's ability to perform the
essential functions of the job. The minimum score set by the JLMC shall be
supported by appropriate validation evidence and shall comply with all
applicable state and federal laws. Applicable preference points shall be
added to the written examination scores for all applicants who qualify for the
initial eligibility register. Applicants who score at or above the minimum
passing score as set by the JLMC in the top 70th percentile or higher,
including any applicable preference points, shall be placed on the master
register of eligibles by the JLMC.

These persons shall take rank upon the register as candidates in the
order of their relative excellence based on the highest to the lowest total
points scored on the mental aptitude and physical ability components, plus
any applicable preference points requested and verified by the JLMC, or
approved testing agency.

No more than 60 days after each examination, a revised master
register of eligibles shall be posted by the JLMC showing the final grades of
the candidates without reference to priority of time of examination.

(h) Preferences. The board shall give military, education, and
experience preference points to those who qualify for placement on the
master register of eligibles, on the same basis as provided for examinations
administered by a local commission.

No person entitled to preference or credit shall be required to claim
the credit before any examination held under the provisions of this Section.
The preference shall be given after the posting or publication of the

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applicant's initial score at the request of the person before finalizing the scores from all applicants taking part in a JLMC examination. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial scores from any JLMC test or the claim shall be deemed waived. Once preference points are awarded, the candidates shall be certified to the master register in accordance with their final score including preference points.

(i) Firefighter apprentice and firefighter-paramedic apprentice. The employment of an applicant to an apprentice position (including a currently employed full-time member of a fire department whose apprenticeship may be reduced or waived) shall be subject to the applicant passing the moral character standards and health examinations of the local commission. In addition, a local commission may require as a condition of employment that the applicant demonstrate current physical ability by either passing the local commission's approved physical ability examination, or by presenting proof of participating in and receiving a passing score on the physical ability component of a JLMC test within a period of up to 12 months before the date of the conditional offer of employment. Applicants shall be subject to the local commission's initial hire background review including criminal history, employment history, moral character, oral examination, and medical examinations which may include polygraph, psychological, and drug screening components, all on a pass-fail basis. The medical examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

(j) Selection from list. Any municipality or fire protection district that is a party to an intergovernmental agreement under the terms of which persons have been tested for placement on the master register of eligibles shall be entitled to offer employment to any person on the list irrespective of their ranking on the list. The offer of employment shall be to the position of firefighter apprentice or firefighter-paramedic apprentice.

Applicants passing these tests may be employed as a firefighter apprentice or a firefighter-paramedic apprentice who shall serve an apprenticeship period of 12 months or less according to the terms and conditions of employment as the employing municipality or district offers, or as provided for under the terms of any collective bargaining agreement then in effect. The apprenticeship period is separate from the probationary period.

Service during the apprenticeship period shall be on a probationary basis. During the apprenticeship period, the apprentice's training and

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performance shall be monitored and evaluated by a Joint Apprenticeship Committee.

The Joint Apprenticeship Committee shall consist of 4 members who shall be regular members of the fire department with at least 10 years of full-time work experience as a firefighter or firefighter-paramedic. The fire chief and the president of the exclusive bargaining representative recognized by the employer shall each appoint 2 members to the Joint Apprenticeship Committee. In the absence of an exclusive collective bargaining representative, the chief shall appoint the remaining 2 members who shall be from the ranks of company officer and firefighter with at least 10 years of work experience as a firefighter or firefighter-paramedic. In the absence of a sufficient number of qualified firefighters, the Joint Apprenticeship Committee members shall have the amount of experience and the type of qualifications as is reasonable given the circumstances of the fire department. In the absence of a full-time member in a rank between chief and the highest rank in a bargaining unit, the Joint Apprenticeship Committee shall be reduced to 2 members, one to be appointed by the chief and one by the union president, if any. If there is no exclusive bargaining representative, the chief shall appoint the second member of the Joint Apprenticeship Committee from among qualified members in the ranks of company officer and below. Before the conclusion of the apprenticeship period, the Joint Apprenticeship Committee shall meet to consider the apprentice's progress and performance and vote to retain the apprentice as a member of the fire department or to terminate the apprenticeship. If 3 of the 4 members of the Joint Apprenticeship Committee affirmatively vote to retain the apprentice (if a 2 member Joint Apprenticeship Committee exists, then both members must affirmatively vote to retain the apprentice), the local commission shall issue the apprentice a certificate of original appointment to the fire department.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(l) Applicability. This Section does not apply to a municipality with more than 1,000,000 inhabitants.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12.)

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Sec. 10-2.1-6.3. Original appointments; full-time fire department.
(a) Applicability. Unless a commission elects to follow the provisions of Section 10-2.1-6.4, this Section shall apply to all original appointments to an affected full-time fire department. Existing registers of eligibles shall continue to be valid until their expiration dates, or up to a maximum of 2 years after the effective date of this amendatory Act of the 97th General Assembly.

Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to an affected department to which this Section applies shall be administered in the manner provided for in this Section. Provisions of the Illinois Municipal Code, municipal ordinances, and rules adopted pursuant to such authority and other laws relating to initial hiring of firefighters in affected departments shall continue to apply to the extent they are compatible with this Section, but in the event of a conflict between this Section and any other law, this Section shall control.

A home rule or non-home rule municipality may not administer its fire department process for original appointments in a manner that is less stringent than this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

A municipality that is operating under a court order or consent decree regarding original appointments to a full-time fire department before the effective date of this amendatory Act of the 97th General Assembly is exempt from the requirements of this Section for the duration of the court order or consent decree.

Notwithstanding any other provision of this subsection (a), this Section does not apply to a municipality with more than 1,000,000 inhabitants.

(b) Original appointments. All original appointments made to an affected fire department shall be made from a register of eligibles established in accordance with the processes established by this Section. Only persons who meet or exceed the performance standards required by this Section shall be placed on a register of eligibles for original appointment to an affected fire department.

Whenever an appointing authority authorizes action to hire a person to perform the duties of a firefighter or to hire a firefighter-paramedic to fill a position that is a new position or vacancy due to resignation, discharge,

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promotion, death, the granting of a disability or retirement pension, or any other cause, the appointing authority shall appoint to that position the person with the highest ranking on the final eligibility list. If the appointing authority has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the appointing authority believes an alternate candidate would better serve the needs of the department, then the appointing authority has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the register of eligibles or (ii) any person who is among the top 5 highest ranked persons on the list of eligibles if the number of people who have a ranking in the top 5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his or her position on the register of eligibles. Any candidate who passes a second time may be removed from the list by the appointing authority provided that such action shall not prejudice a person's opportunities to participate in future examinations, including an examination held during the time a candidate is already on the municipality's register of eligibles.

The sole authority to issue certificates of appointment shall be vested in the board of fire and police commissioners. All certificates of appointment issued to any officer or member of an affected department shall be signed by the chairperson and secretary, respectively, of the board upon appointment of such officer or member to the affected department by action of the board. Each person who accepts a certificate of appointment and successfully completes his or her probationary period shall be enrolled as a firefighter and as a regular member of the fire department.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

(c) Qualification for placement on register of eligibles. The purpose of establishing a register of eligibles is to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest

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quality of service to the public. To this end, all applicants for original appointment to an affected fire department shall be subject to examination and testing which shall be public, competitive, and open to all applicants unless the municipality shall by ordinance limit applicants to residents of the municipality, county or counties in which the municipality is located, State, or nation. Any examination and testing procedure utilized under subsection (e) of this Section shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Municipalities may establish educational, emergency medical service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any municipality may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a municipality cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of fire chief and for no more than 2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No person who is 35 years of age or older shall be eligible to take an examination for a position as a firefighter unless the person has had previous employment status as a firefighter in the regularly constituted fire department of the municipality, except as provided in this Section. The age limitation does not apply to:

(1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or

(2) any person who has served a municipality as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the municipality begins to use full-time firefighters to provide all or part of its fire protection service.

No person who is under 21 years of age shall be eligible for employment as a firefighter.

No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the commissioners of the municipality or their designees and agents.

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No municipality shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic certification.

In the event that any applicant who has been found eligible for appointment and whose name has been placed upon the final eligibility register provided for in this Section has not been appointed to a firefighter position within one year after the date of his or her physical ability examination, the commission may cause a second examination to be made of that applicant's physical ability prior to his or her appointment. If, after the second examination, the physical ability of the applicant shall be found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed. The applicant's name may be retained upon the register of candidates eligible for appointment and when next reached for certification and appointment that applicant may be again examined as provided in this Section, and if the physical ability of that applicant is found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed, and the name of the applicant shall be removed from the register.

(d) Notice, examination, and testing components. Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the commission, by a publication at least 2 weeks preceding the examination: (i) in one or more newspapers published in the municipality, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the municipality, or (ii) on the municipality's Internet website. Additional notice of the examination may be given as the commission shall prescribe.

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the
commission. Scores from the examination must be made available to the public.

(e) Mental aptitude. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the local appointing authority.

(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or

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equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

Physical ability examinations administered under this Section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the commission.

(g) Scoring of examination components. Appointing authorities may create a preliminary eligibility register. A person shall be placed on the list based upon his or her passage of the written examination or the passage of the written examination and the physical ability component. Passage of the written examination means attaining the minimum score set by the commission a score that is at or above the median score for all applicants participating in the written test. Minimum scores should be set by the commission so as to demonstrate a candidate's ability to perform the essential functions of the job. The minimum score set by the commission shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. The appointing authority may conduct the physical ability component and any subjective components subsequent to the posting of the preliminary eligibility register.

The examination components for an initial eligibility register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability component, and (iii) the person's results on any subjective component as described in subsection (d).

In order to qualify for placement on the final eligibility register, an applicant's score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the minimum score as set by the commission median score. The local appointing authority may prescribe the score to qualify for placement on the final eligibility register, but the score shall not be less than the minimum score set by the commission median score.

The commission shall prepare and keep a register of persons whose total score is not less than the minimum score for passage fixed by this Section and who have passed the physical ability examination. These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this Section. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission.
The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

Commissions may conduct additional examinations, including without limitation a polygraph test, after a final eligibility register is established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

(h) Preferences. The following are preferences:

(1) Veteran preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department.

(2) Fire cadet preference. Persons who have successfully completed 2 years of study in fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may be preferred for appointment to and employment with the fire department.

(3) Educational preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department.

(4) Paramedic preference. Persons who have obtained certification as an Emergency Medical Technician-Paramedic (EMT-P) shall be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services.

(5) Experience preference. All persons employed by a municipality who have been paid-on-call or part-time certified Firefighter II, State of Illinois or nationally licensed EMT-B or EMT-I, or any combination of those capacities shall be awarded 0.5 point for each year of successful service in one or more of those capacities, up to a maximum of 5 points. Certified Firefighter III and State of Illinois or nationally licensed paramedics shall be awarded one point

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per year up to a maximum of 5 points. Applicants from outside the municipality who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or another municipality for at least 2 years shall be awarded 5 experience preference points. These additional points presuppose a rating scale totaling 100 points available for the eligibility list. If more or fewer points are used in the rating scale for the eligibility list, the points awarded under this subsection shall be increased or decreased by a factor equal to the total possible points available for the examination divided by 100.

Upon request by the commission, the governing body of the municipality or in the case of applicants from outside the municipality the governing body of any fire protection district or any other municipality shall certify to the commission, within 10 days after the request, the number of years of successful paid-on-call, part-time, or full-time service of any person. A candidate may not receive the full amount of preference points under this subsection if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

(6) Residency preference. Applicants whose principal residence is located within the fire department's jurisdiction shall be preferred for appointment to and employment with the fire department.

(7) Additional preferences. Up to 5 additional preference points may be awarded for unique categories based on an applicant's experience or background as identified by the commission.

(8) Scoring of preferences. The commission shall give preference for original appointment to persons designated in item (1) by adding to the final grade that they receive 5 points for the recognized preference achieved. The commission shall determine the number of preference points for each category except (1). The number of preference points for each category shall range from 0 to 5. In determining the number of preference points, the commission shall prescribe that if a candidate earns the maximum number of preference points...
points in all categories, that number may not be less than 10 nor more than 30. The commission shall give preference for original appointment to persons designated in items (2) through (7) by adding the requisite number of points to the final grade for each recognized preference achieved. The numerical result thus attained shall be applied by the commission in determining the final eligibility list and appointment from the eligibility list. The local appointing authority may prescribe the total number of preference points awarded under this Section, but the total number of preference points shall not be less than 10 points or more than 30 points.

No person entitled to any preference shall be required to claim the credit before any examination held under the provisions of this Section, but the preference shall be given after the posting or publication of the initial eligibility list or register at the request of a person entitled to a credit before any certification or appointments are made from the eligibility register, upon the furnishing of verifiable evidence and proof of qualifying preference credit. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial eligibility list, or the claim shall be deemed waived. Final eligibility registers shall be established after the awarding of verified preference points. All employment shall be subject to the commission's initial hire background review including, but not limited to, criminal history, employment history, moral character, oral examination, and medical and psychological examinations, all on a pass-fail basis. The medical and psychological examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

Any person placed on an eligibility list who exceeds the age requirement before being appointed to a fire department shall remain eligible for appointment until the list is abolished, or his or her name has been on the list for a period of 2 years. No person who has attained the age of 35 years shall be inducted into a fire department, except as otherwise provided in this Section.

The commission shall strike off the names of candidates for original appointment after the names have been on the list for more than 2 years.

(i) Moral character. No person shall be appointed to a fire department unless he or she is a person of good character; not a habitual drunkard, a gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. However, no person shall be disqualified from appointment to the fire department because of the person's record of misdemeanor

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convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrest for any cause without conviction thereon. Any such person who is in the department may be removed on charges brought for violating this subsection and after a trial as hereinafter provided.

A classifiable set of the fingerprints of every person who is offered employment as a certificated member of an affected fire department whether with or without compensation, shall be furnished to the Illinois Department of State Police and to the Federal Bureau of Investigation by the commission.

Whenever a commission is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the State Police Law of the Civil Administrative Code of Illinois, the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files as is necessary to fulfill the request.

(j) Temporary appointments. In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this Division, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12; 97-1150, eff. 1-25-13.)

Sec. 10-2.1-6.4. Alternative procedure; original appointment; full-time firefighter.

(a) Authority. The Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may establish
a community outreach program to market the profession of firefighter and firefighter-paramedic so as to ensure the pool of applicants recruited is of broad diversity and the highest quality.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

(b) Eligibility. Persons eligible for placement on the master register of eligibles shall consist of the following:

Persons who have participated in and received a passing total score on the mental aptitude, physical ability, and preference components of a regionally administered test based on the standards described in this Section. The standards for administering these tests and the minimum passing score required for placement on this list shall be as is set forth in this Section.

Qualified candidates shall be listed on the master register of eligibles in highest to lowest rank order based upon their test scores without regard to their date of examination. Candidates listed on the master register of eligibles shall be eligible for appointment for 2 years after the date of the certification of their final score on the register without regard to the date of their examination. After 2 years, the candidate's name shall be struck from the list.

Any person currently employed as a full-time member of a fire department or any person who has experienced a non-voluntary (and non-disciplinary) separation from the active workforce due to a reduction in the number of departmental officers, who was appointed pursuant to Division 1 of Article 10 of the Illinois Municipal Code, Division 2.1 of Article 10 of the Illinois Municipal Code, or the Fire Protection District Act, and who during the previous 24 months participated in and received a passing score on the physical ability and mental aptitude components of the test may request that his or her name be added to the master register. Any eligible person may be offered employment by a local commission under the same

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procedures as provided by this Section except that the apprenticeship period may be waived and the applicant may be immediately issued a certificate of original appointment by the local commission.

(c) Qualifications for placement on register of eligibles. The purpose for establishing a master register of eligibles shall be to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department through examination conducted by the Joint Labor and Management Committee (JLMC) shall be subject to examination and testing which shall be public, competitive, and open to all applicants. Any examination and testing procedure utilized under subsection (e) of this Section shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Any subjective component of the testing must be administered by certified assessors. All qualifying and disqualifying factors applicable to examination processes for local commissions in this amendatory Act of the 97th General Assembly shall be applicable to persons participating in Joint Labor and Management Committee examinations unless specifically provided otherwise in this Section.

Notice of the time, place, general scope, and fee of every JLMC examination shall be given by the JLMC or designated testing agency, as applicable, by a publication at least 30 days preceding the examination, in one or more newspapers published in the region, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the region. The JLMC may publish the notice on the JLMC's Internet website. Additional notice of the examination may be given as the JLMC shall prescribe.

(d) Examination and testing components for placement on register of eligibles. The examination and qualifying standards for placement on the master register of eligibles and employment shall be based on the following components: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the master register of eligibles. The consideration of an applicant's general moral character and health shall be administered on a pass-fail basis after a conditional offer of employment is made by a local commission.

(e) Mental aptitude. Examination of an applicant's mental aptitude shall be based upon written examination and an applicant's prior experience

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demonstrating an aptitude for and commitment to service as a member of a fire department. Written examinations shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved. Any subjective component of the testing must be administered by certified assessors. No person who does not possess a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Local commissions may establish educational, emergency medical service licensure, and other pre-requisites for hire within their jurisdiction.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in each of the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested are to be based on industry standards developed by the JLMC by rule.

(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or
equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

(g) Scoring of examination components. The examination components shall be graded on a 100-point scale. A person's position on the master register of eligibles shall be determined by the person's score on the written examination, the person successfully passing the physical ability component, and the addition of any applicable preference points.

Applicants who have achieved at least the minimum score as set by the JLMC median score of all applicants participating in the written examination at the same time, and who successfully pass the physical ability examination shall be placed on the initial eligibility register. Minimum scores should be set by the commission so as to demonstrate a candidate's ability to perform the essential functions of the job. The minimum score set by the commission shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Applicable preference points shall be added to the written examination scores for all applicants who qualify for the initial eligibility register. Applicants who score at or above the minimum passing score as set by the JLMC in the top 70th percentile or higher, including any applicable preference points, shall be placed on the master register of eligibles by the JLMC.

These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude and physical ability components, plus any applicable preference points requested and verified by the JLMC, or approved testing agency.

No more than 60 days after each examination, a revised master register of eligibles shall be posted by the JLMC showing the final grades of the candidates without reference to priority of time of examination.

(h) Preferences. The board shall give military, education, and experience preference points to those who qualify for placement on the master register of eligibles, on the same basis as provided for examinations administered by a local commission.

No person entitled to preference or credit shall be required to claim the credit before any examination held under the provisions of this Section. The preference shall be given after the posting or publication of the applicant's initial score at the request of the person before finalizing the scores from all applicants taking part in a JLMC examination. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial scores from any JLMC test or the claim

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shall be deemed waived. Once preference points are awarded, the candidates shall be certified to the master register in accordance with their final score including preference points.

(i) Firefighter apprentice and firefighter-paramedic apprentice. The employment of an applicant to an apprentice position (including a currently employed full-time member of a fire department whose apprenticeship may be reduced or waived) shall be subject to the applicant passing the moral character standards and health examinations of the local commission. In addition, a local commission may require as a condition of employment that the applicant demonstrate current physical ability by either passing the local commission's approved physical ability examination, or by presenting proof of participating in and receiving a passing score on the physical ability component of a JLMC test within a period of up to 12 months before the date of the conditional offer of employment. Applicants shall be subject to the local commission's initial hire background review including criminal history, employment history, moral character, oral examination, and medical examinations which may include polygraph, psychological, and drug screening components, all on a pass-fail basis. The medical examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

(j) Selection from list. Any municipality or fire protection district that is a party to an intergovernmental agreement under the terms of which persons have been tested for placement on the master register of eligibles shall be entitled to offer employment to any person on the list irrespective of their ranking on the list. The offer of employment shall be to the position of firefighter apprentice or firefighter-paramedic apprentice.

Applicants passing these tests may be employed as a firefighter apprentice or a firefighter-paramedic apprentice who shall serve an apprenticeship period of 12 months or less according to the terms and conditions of employment as the employing municipality or district offers, or as provided for under the terms of any collective bargaining agreement then in effect. The apprenticeship period is separate from the probationary period.

Service during the apprenticeship period shall be on a probationary basis. During the apprenticeship period, the apprentice's training and performance shall be monitored and evaluated by a Joint Apprenticeship Committee.

The Joint Apprenticeship Committee shall consist of 4 members who shall be regular members of the fire department with at least 10 years of full-time work experience as a firefighter or firefighter-paramedic. The fire chief

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and the president of the exclusive bargaining representative recognized by the employer shall each appoint 2 members to the Joint Apprenticeship Committee. In the absence of an exclusive collective bargaining representative, the chief shall appoint the remaining 2 members who shall be from the ranks of company officer and firefighter with at least 10 years of work experience as a firefighter or firefighter-paramedic. In the absence of a sufficient number of qualified firefighters, the Joint Apprenticeship Committee members shall have the amount of experience and the type of qualifications as is reasonable given the circumstances of the fire department. In the absence of a full-time member in a rank between chief and the highest rank in a bargaining unit, the Joint Apprenticeship Committee shall be reduced to 2 members, one to be appointed by the chief and one by the union president, if any. If there is no exclusive bargaining representative, the chief shall appoint the second member of the Joint Apprenticeship Committee from among qualified members in the ranks of company officer and below. Before the conclusion of the apprenticeship period, the Joint Apprenticeship Committee shall meet to consider the apprentice's progress and performance and vote to retain the apprentice as a member of the fire department or to terminate the apprenticeship. If 3 of the 4 members of the Joint Apprenticeship Committee affirmatively vote to retain the apprentice (if a 2 member Joint Apprenticeship Committee exists, then both members must affirmatively vote to retain the apprentice), the local commission shall issue the apprentice a certificate of original appointment to the fire department.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(l) Applicability. This Section does not apply to a municipality with more than 1,000,000 inhabitants.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12.)

Section 10. The Fire Protection District Act is amended by changing Sections 16.06b and 16.06c as follows:

(70 ILCS 705/16.06b)

Sec. 16.06b. Original appointments; full-time fire department.

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(a) Applicability. Unless a commission elects to follow the provisions of Section 16.06c, this Section shall apply to all original appointments to an affected full-time fire department. Existing registers of eligibles shall continue to be valid until their expiration dates, or up to a maximum of 2 years after the effective date of this amendatory Act of the 97th General Assembly.

Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to an affected department to which this Section applies shall be administered in a no less stringent manner than the manner provided for in this Section. Provisions of the Illinois Municipal Code, Fire Protection District Act, fire district ordinances, and rules adopted pursuant to such authority and other laws relating to initial hiring of firefighters in affected departments shall continue to apply to the extent they are compatible with this Section, but in the event of a conflict between this Section and any other law, this Section shall control.

A fire protection district that is operating under a court order or consent decree regarding original appointments to a full-time fire department before the effective date of this amendatory Act of the 97th General Assembly is exempt from the requirements of this Section for the duration of the court order or consent decree.

(b) Original appointments. All original appointments made to an affected fire department shall be made from a register of eligibles established in accordance with the processes required by this Section. Only persons who meet or exceed the performance standards required by the Section shall be placed on a register of eligibles for original appointment to an affected fire department.

Whenever an appointing authority authorizes action to hire a person to perform the duties of a firefighter or to hire a firefighter-paramedic to fill a position that is a new position or vacancy due to resignation, discharge, promotion, death, the granting of a disability or retirement pension, or any other cause, the appointing authority shall appoint to that position the person with the highest ranking on the final eligibility list. If the appointing authority has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the appointing authority believes an alternate candidate would better serve the needs of the department, then the appointing authority has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the register of eligibles or (ii) any person who is among the top 5 highest ranked persons
on the list of eligibles if the number of people who have a ranking in the top 5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his or her position on the register of eligibles. Any candidate who passes a second time may be removed from the list by the appointing authority provided that such action shall not prejudice a person's opportunities to participate in future examinations, including an examination held during the time a candidate is already on the fire district's register of eligibles.

The sole authority to issue certificates of appointment shall be vested in the board of fire commissioners, or board of trustees serving in the capacity of a board of fire commissioners. All certificates of appointment issued to any officer or member of an affected department shall be signed by the chairperson and secretary, respectively, of the commission upon appointment of such officer or member to the affected department by action of the commission. Each person who accepts a certificate of appointment and successfully completes his or her probationary period shall be enrolled as a firefighter and as a regular member of the fire department.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

(c) Qualification for placement on register of eligibles. The purpose of establishing a register of eligibles is to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department shall be subject to examination and testing which shall be public, competitive, and open to all applicants unless the district shall by ordinance limit applicants to residents of the district, county or counties in which the district is located, State, or nation. Any examination and testing procedure utilized under subsection (e) of this Section shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Districts may establish

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educational, emergency medical service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any fire protection district may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a district cannot be made more restrictive for that individual during his or her period of service for that district, or be made a condition of promotion, except for the rank or position of fire chief and for no more than 2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No person who is 35 years of age or older shall be eligible to take an examination for a position as a firefighter unless the person has had previous employment status as a firefighter in the regularly constituted fire department of the district, except as provided in this Section. The age limitation does not apply to:

(1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or

(2) any person who has served a fire district as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the district begins to use full-time firefighters to provide all or part of its fire protection service.

No person who is under 21 years of age shall be eligible for employment as a firefighter.

No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the commissioners of the district or their designees and agents.

No district shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic certification.

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In the event that any applicant who has been found eligible for appointment and whose name has been placed upon the final eligibility register provided for in this Section has not been appointed to a firefighter position within one year after the date of his or her physical ability examination, the commission may cause a second examination to be made of that applicant's physical ability prior to his or her appointment. If, after the second examination, the physical ability of the applicant shall be found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed. The applicant's name may be retained upon the register of candidates eligible for appointment and when next reached for certification and appointment that applicant may be again examined as provided in this Section, and if the physical ability of that applicant is found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed, and the name of the applicant shall be removed from the register.

(d) Notice, examination, and testing components. Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the commission, by a publication at least 2 weeks preceding the examination: (i) in one or more newspapers published in the district, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the district, or (ii) on the fire protection district's Internet website. Additional notice of the examination may be given as the commission shall prescribe.

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the commission. Scores from the examination must be made available to the public.

(e) Mental aptitude. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved.

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(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

1. Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the local appointing authority.

2. The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

3. The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

Physical ability examinations administered under this Section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the commission.

(g) Scoring of examination components. Appointing authorities may create a preliminary eligibility register. A person shall be placed on the list based upon his or her passage of the written examination or the passage of the written examination and the physical ability component. Passage of the written examination means attaining the minimum score set by the commission or a score that is at or above the median score for all applicants.

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participating in the written test. Minimum scores should be set by the appointing authorities so as to demonstrate a candidate's ability to perform the essential functions of the job. The minimum score set by the commission shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. The appointing authority may conduct the physical ability component and any subjective components subsequent to the posting of the preliminary eligibility register.

The examination components for an initial eligibility register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability component, and (iii) the person's results on any subjective component as described in subsection (d).

In order to qualify for placement on the final eligibility register, an applicant's score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the minimum score set by the commission. The local appointing authority may prescribe the score to qualify for placement on the final eligibility register, but the score shall not be less than the minimum score set by the commission.

The commission shall prepare and keep a register of persons whose total score is not less than the minimum score for passage fixed by this Section and who have passed the physical ability examination. These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this Section. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission. The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

Commissions may conduct additional examinations, including without limitation a polygraph test, after a final eligibility register is established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

(h) Preferences. The following are preferences:

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(1) Veteran preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department.

(2) Fire cadet preference. Persons who have successfully completed 2 years of study in fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may be preferred for appointment to and employment with the fire department.

(3) Educational preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department.

(4) Paramedic preference. Persons who have obtained certification as an Emergency Medical Technician-Paramedic (EMT-P) may be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services.

(5) Experience preference. All persons employed by a district who have been paid-on-call or part-time certified Firefighter II, certified Firefighter III, State of Illinois or nationally licensed EMT-B or EMT-I, licensed paramedic, or any combination of those capacities may be awarded up to a maximum of 5 points. However, the applicant may not be awarded more than 0.5 points for each complete year of paid-on-call or part-time service. Applicants from outside the district who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or municipality for at least 2 years may be awarded up to 5 experience preference points. However, the applicant may not be awarded more than one point for each complete year of full-time service.

Upon request by the commission, the governing body of the district or in the case of applicants from outside the district the governing body of any other fire protection district or any municipality shall certify to the commission, within 10 days after the request, the number of years of successful paid-on-call, part-time, or

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full-time service of any person. A candidate may not receive the full amount of preference points under this subsection if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

(6) Residency preference. Applicants whose principal residence is located within the fire department's jurisdiction may be preferred for appointment to and employment with the fire department.

(7) Additional preferences. Up to 5 additional preference points may be awarded for unique categories based on an applicant's experience or background as identified by the commission.

(8) Scoring of preferences. The commission shall give preference for original appointment to persons designated in item (1) by adding to the final grade that they receive 5 points for the recognized preference achieved. The commission shall determine the number of preference points for each category except (1). The number of preference points for each category shall range from 0 to 5. In determining the number of preference points, the commission shall prescribe that if a candidate earns the maximum number of preference points in all categories, that number may not be less than 10 nor more than 30. The commission shall give preference for original appointment to persons designated in items (2) through (7) by adding the requisite number of points to the final grade for each recognized preference achieved. The numerical result thus attained shall be applied by the commission in determining the final eligibility list and appointment from the eligibility list. The local appointing authority may prescribe the total number of preference points awarded under this Section, but the total number of preference points shall not be less than 10 points or more than 30 points.

No person entitled to any preference shall be required to claim the credit before any examination held under the provisions of this Section, but the preference shall be given after the posting or publication of the initial eligibility list or register at the request of a person entitled to a credit before any certification or appointments are made from the eligibility register, upon

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the furnishing of verifiable evidence and proof of qualifying preference credit. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial eligibility list, or the claim shall be deemed waived. Final eligibility registers shall be established after the awarding of verified preference points. All employment shall be subject to the commission's initial hire background review including, but not limited to, criminal history, employment history, moral character, oral examination, and medical and psychological examinations, all on a pass-fail basis. The medical and psychological examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

Any person placed on an eligibility list who exceeds the age requirement before being appointed to a fire department shall remain eligible for appointment until the list is abolished, or his or her name has been on the list for a period of 2 years. No person who has attained the age of 35 years shall be inducted into a fire department, except as otherwise provided in this Section.

The commission shall strike off the names of candidates for original appointment after the names have been on the list for more than 2 years.

(i) Moral character. No person shall be appointed to a fire department unless he or she is a person of good character; not a habitual drunkard, a gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. However, no person shall be disqualified from appointment to the fire department because of the person's record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrest for any cause without conviction thereon. Any such person who is in the department may be removed on charges brought for violating this subsection and after a trial as hereinafter provided.

A classifiable set of the fingerprints of every person who is offered employment as a certificated member of an affected fire department whether with or without compensation, shall be furnished to the Illinois Department of State Police and to the Federal Bureau of Investigation by the commission.

Whenever a commission is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the
State Police Law of the Civil Administrative Code of Illinois, the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files as is necessary to fulfill the request.

(j) Temporary appointments. In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this Section, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12; 97-1150, eff. 1-25-13.)

Sec. 16.06c. Alternative procedure; original appointment; full-time firefighter.

(a) Authority. The Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may establish a community outreach program to market the profession of firefighter and firefighter-paramedic so as to ensure the pool of applicants recruited is of broad diversity and the highest quality.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

(b) Eligibility. Persons eligible for placement on the master register of eligibles shall consist of the following:

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Persons who have participated in and received a passing total score on the mental aptitude, physical ability, and preference components of a regionally administered test based on the standards described in this Section. The standards for administering these tests and the minimum passing score required for placement on this list shall be as is set forth in this Section.

Qualified candidates shall be listed on the master register of eligibles in highest to lowest rank order based upon their test scores without regard to their date of examination. Candidates listed on the master register of eligibles shall be eligible for appointment for 2 years after the date of the certification of their final score on the register without regard to the date of their examination. After 2 years, the candidate's name shall be struck from the list.

Any person currently employed as a full-time member of a fire department or any person who has experienced a non–voluntary (and non-disciplinary) separation from the active workforce due to a reduction in the number of departmental officers, who was appointed pursuant to Division 1 of Article 10 of the Illinois Municipal Code, Division 2.1 of Article 10 of the Illinois Municipal Code, or the Fire Protection District Act, and who during the previous 24 months participated in and received a passing score on the physical ability and mental aptitude components of the test may request that his or her name be added to the master register. Any eligible person may be offered employment by a local commission under the same procedures as provided by this Section except that the apprenticeship period may be waived and the applicant may be immediately issued a certificate of original appointment by the local commission.

(c) Qualifications for placement on register of eligibles. The purpose for establishing a master register of eligibles shall be to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department through examination conducted by the Joint Labor and Management Committee (JLMC) shall be subject to examination and testing which shall be public, competitive, and open to all applicants. Any examination and testing procedure utilized under subsection (e) of this Section shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Any subjective component of the testing must be administered by certified
assessors. All qualifying and disqualifying factors applicable to examination processes for local commissions in this amendatory Act of the 97th General Assembly shall be applicable to persons participating in Joint Labor and Management Committee examinations unless specifically provided otherwise in this Section.

Notice of the time, place, general scope, and fee of every JLMC examination shall be given by the JLMC or designated testing agency, as applicable, by a publication at least 30 days preceding the examination, in one or more newspapers published in the region, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the region. The JLMC may publish the notice on the JLMC's Internet website. Additional notice of the examination may be given as the JLMC shall prescribe.

(d) Examination and testing components for placement on register of eligibles. The examination and qualifying standards for placement on the master register of eligibles and employment shall be based on the following components: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the master register of eligibles. The consideration of an applicant's general moral character and health shall be administered on a pass-fail basis after a conditional offer of employment is made by a local commission.

(e) Mental aptitude. Examination of an applicant's mental aptitude shall be based upon written examination and an applicant's prior experience demonstrating an aptitude for and commitment to service as a member of a fire department. Written examinations shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved. Any subjective component of the testing must be administered by certified assessors. No person who does not possess a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Local commissions may establish educational, emergency medical service licensure, and other pre-requisites for hire within their jurisdiction.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the
job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in each of the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested are to be based on industry standards developed by the JLMC by rule.

(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

(g) Scoring of examination components. The examination components shall be graded on a 100-point scale. A person's position on the master register of eligibles shall be determined by the person's score on the written examination, the person successfully passing the physical ability component, and the addition of any applicable preference points.

Applicants who have achieved at least the minimum score as set by the JLMC on the median score of all applicants participating in the written examination at the same time, and who successfully pass the physical ability examination shall be placed on the initial eligibility register. Minimum scores should be set by the JLMC so as to demonstrate a candidate's ability to perform the essential functions of the job. The minimum score set by the JLMC shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws. Applicable preference points shall be added to the written examination scores for all applicants who

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qualify for the initial eligibility register. Applicants who score at or above the minimum passing score as set by the JLMC in the top 70th percentile or higher, including any applicable preference points, shall be placed on the master register of eligibles by the JLMC.

These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude and physical ability components, plus any applicable preference points requested and verified by the JLMC, or approved testing agency.

No more than 60 days after each examination, a revised master register of eligibles shall be posted by the JLMC showing the final grades of the candidates without reference to priority of time of examination.

(h) Preferences. The board shall give military, education, and experience preference points to those who qualify for placement on the master register of eligibles, on the same basis as provided for examinations administered by a local commission.

No person entitled to preference or credit shall be required to claim the credit before any examination held under the provisions of this Section. The preference shall be given after the posting or publication of the applicant's initial score at the request of the person before finalizing the scores from all applicants taking part in a JLMC examination. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial scores from any JLMC test or the claim shall be deemed waived. Once preference points are awarded, the candidates shall be certified to the master register in accordance with their final score including preference points.

(i) Firefighter apprentice and firefighter-paramedic apprentice. The employment of an applicant to an apprentice position (including a currently employed full-time member of a fire department whose apprenticeship may be reduced or waived) shall be subject to the applicant passing the moral character standards and health examinations of the local commission. In addition, a local commission may require as a condition of employment that the applicant demonstrate current physical ability by either passing the local commission's approved physical ability examination, or by presenting proof of participating in and receiving a passing score on the physical ability component of a JLMC test within a period of up to 12 months before the date of the conditional offer of employment. Applicants shall be subject to the local commission's initial hire background review including criminal history, employment history, moral character, oral examination, and medical

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examinations which may include polygraph, psychological, and drug screening components, all on a pass-fail basis. The medical examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

(j) Selection from list. Any municipality or fire protection district that is a party to an intergovernmental agreement under the terms of which persons have been tested for placement on the master register of eligibles shall be entitled to offer employment to any person on the list irrespective of their ranking on the list. The offer of employment shall be to the position of firefighter apprentice or firefighter-paramedic apprentice.

Applicants passing these tests may be employed as a firefighter apprentice or a firefighter-paramedic apprentice who shall serve an apprenticeship period of 12 months or less according to the terms and conditions of employment as the employing municipality or district offers, or as provided for under the terms of any collective bargaining agreement then in effect. The apprenticeship period is separate from the probationary period.

Service during the apprenticeship period shall be on a probationary basis. During the apprenticeship period, the apprentice's training and performance shall be monitored and evaluated by a Joint Apprenticeship Committee.

The Joint Apprenticeship Committee shall consist of 4 members who shall be regular members of the fire department with at least 10 years of full-time work experience as a firefighter or firefighter-paramedic. The fire chief and the president of the exclusive bargaining representative recognized by the employer shall each appoint 2 members to the Joint Apprenticeship Committee. In the absence of an exclusive collective bargaining representative, the chief shall appoint the remaining 2 members who shall be from the ranks of company officer and firefighter with at least 10 years of work experience as a firefighter or firefighter-paramedic. In the absence of a sufficient number of qualified firefighters, the Joint Apprenticeship Committee members shall have the amount of experience and the type of qualifications as is reasonable given the circumstances of the fire department. In the absence of a full-time member in a rank between chief and the highest rank in a bargaining unit, the Joint Apprenticeship Committee shall be reduced to 2 members, one to be appointed by the chief and one by the union president, if any. If there is no exclusive bargaining representative, the chief shall appoint the second member of the Joint Apprenticeship Committee from among qualified members in the ranks of company officer and below.

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Before the conclusion of the apprenticeship period, the Joint Apprenticeship Committee shall meet to consider the apprentice's progress and performance and vote to retain the apprentice as a member of the fire department or to terminate the apprenticeship. If 3 of the 4 members of the Joint Apprenticeship Committee affirmatively vote to retain the apprentice (if a 2 member Joint Apprenticeship Committee exists, then both members must affirmatively vote to retain the apprentice), the local commission shall issue the apprentice a certificate of original appointment to the fire department.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 19, 2014.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0761
(Senate Bill No. 2956)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 11-1.10 as follows:

(720 ILCS 5/11-1.10) (was 720 ILCS 5/12-18)
Sec. 11-1.10. General provisions concerning offenses described in Sections 11-1.20 through 11-1.60.
(a) No person accused of violating Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of this Code shall be presumed to be incapable of committing an offense prohibited by Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of this Code because of age, physical condition or relationship to the victim. Nothing in this Section shall be construed to modify or abrogate the affirmative defense of infancy under Section 6-1 of

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this Code or the provisions of Section 5-805 of the Juvenile Court Act of 1987.

(b) Any medical examination or procedure which is conducted by a physician, nurse, medical or hospital personnel, parent, or caretaker for purposes and in a manner consistent with reasonable medical standards is not an offense under Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of this Code.

(c) (Blank).

(d) (Blank).

(e) The prosecuting State's Attorney shall seek an order from the court to compel the accused to be tested for any sexually transmissible disease, including a test for infection with human immunodeficiency virus (HIV), within 48 hours:

1. After a finding at a preliminary hearing that there is probable cause to believe that an accused has committed a violation of Section 11-1.20, 11-1.30, or 11-1.40 of this Code, or
2. After an indictment is returned charging an accused with a violation of Section 11-1.20, 11-1.30, or 11-1.40 of this Code, or
3. After a finding that a defendant charged with a violation of Section 11-1.20, 11-1.30, or 11-1.40 of this Code is unfit to stand trial pursuant to Section 104-16 of the Code of Criminal Procedure of 1963 where the finding is made prior to the preliminary hearing, or
4. After at the request of the person who was the victim of the violation of Section 11-1.20, 11-1.30, or 11-1.40.

The prosecuting State's attorney shall seek an order from the court to compel the accused to be tested within 48 hours for any sexually transmissible disease, including a test for infection with human immunodeficiency virus (HIV). The medical tests shall be performed only by appropriately licensed medical practitioners. The testing shall consist of a test approved by the Illinois Department of Public Health to determine the presence of HIV infection, based upon recommendations of the United States Centers for Disease Control and Prevention; in the event of a positive result, a reliable supplemental test based upon recommendations of the United States Centers for Disease Control and Prevention shall be administered. The results of the tests and any follow-up tests shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the victim, to the defendant, to the State's Attorney, and to the judge who entered the order, for the judge's inspection in camera. The judge shall provide to the victim a referral to the Illinois Department of Public Health.
Health HIV/AIDS toll-free hotline for counseling and information in connection with the test result. Acting in accordance with the best interests of the victim and the public, the judge shall have the discretion to determine to whom, if anyone, the result of the testing may be revealed; however, in no case shall the identity of the victim be disclosed. The court shall order that the cost of the tests shall be paid by the county, and shall be taxed as costs against the accused if convicted.

(f) Whenever any law enforcement officer has reasonable cause to believe that a person has been delivered a controlled substance without his or her consent, the law enforcement officer shall advise the victim about seeking medical treatment and preserving evidence.

(g) Every hospital providing emergency hospital services to an alleged sexual assault survivor, when there is reasonable cause to believe that a person has been delivered a controlled substance without his or her consent, shall designate personnel to provide:

1. An explanation to the victim about the nature and effects of commonly used controlled substances and how such controlled substances are administered.
2. An offer to the victim of testing for the presence of such controlled substances.
3. A disclosure to the victim that all controlled substances or alcohol ingested by the victim will be disclosed by the test.
4. A statement that the test is completely voluntary.
5. A form for written authorization for sample analysis of all controlled substances and alcohol ingested by the victim.

A physician licensed to practice medicine in all its branches may agree to be a designated person under this subsection.

No sample analysis may be performed unless the victim returns a signed written authorization within 30 days after the sample was collected.

Any medical treatment or care under this subsection shall be only in accordance with the order of a physician licensed to practice medicine in all of its branches. Any testing under this subsection shall be only in accordance with the order of a licensed individual authorized to order the testing.

(Source: P.A. 96-1551, eff. 7-1-11; incorporates 97-244, eff. 8-4-11; 97-1109, eff. 1-1-13.)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Condominium Property Act is amended by changing Section 12 as follows:

(765 ILCS 605/12) (from Ch. 30, par. 312)
Sec. 12. Insurance.
(a) Required coverage. No policy of insurance shall be issued or delivered to a condominium association, and no policy of insurance issued to a condominium association shall be renewed, unless the insurance coverage under the policy includes the following:

(1) Property insurance. Property insurance (i) on the common elements and the units, including the limited common elements and except as otherwise determined by the board of managers, the bare walls, floors, and ceilings of the unit, (ii) providing coverage for special form causes of loss, and (iii) providing coverage, at the time the insurance is purchased and at each renewal date, in a total amount of not less than the full insurable replacement cost of the insured property, less deductibles, but including coverage sufficient to rebuild the insured property in compliance with building code requirements subsequent to an insured loss, including: Coverage B, demolition costs; and Coverage C, increased cost of construction coverage. The combined total of Coverage B and Coverage C shall be no less than 10% of each insured building value, or $500,000, whichever is less in a total amount of not less than the full insurable replacement cost of the insured property, less deductibles, but including coverage for the increased costs of construction due to building code requirements, at the time the insurance is purchased and at each renewal date.

(2) General liability insurance. Commercial general liability insurance against claims and liabilities arising in connection with the ownership, existence, use, or management of the property in a minimum amount of $1,000,000, or a greater amount deemed sufficient in the judgment of the board, insuring the board, the association, the management agent, and their respective employees and agents and all persons acting as agents. The developer must be

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included as an additional insured in its capacity as a unit owner, manager, board member, or officer. The unit owners must be included as additional insured parties but only for claims and liabilities arising in connection with the ownership, existence, use, or management of the common elements. The insurance must cover claims of one or more insured parties against other insured parties.

(3) Fidelity bond; directors and officers coverage.
   (A) An association with 6 or more dwelling units must obtain and maintain a fidelity bond covering persons, including the managing agent and its employees who control or disburse funds of the association, for the maximum amount of coverage available to protect funds in the custody or control of the association, plus the association reserve fund.
   (B) All management companies that are responsible for the funds held or administered by the association must be covered by a fidelity bond for the maximum amount of coverage available to protect those funds. The association has standing to make a loss claim against the bond of the managing agent as a party covered under the bond.
   (C) For purposes of paragraphs (A) and (B), the fidelity bond must be in the full amount of association funds and reserves in the custody of the association or the management company.
   (D) The board of directors must obtain directors and officers liability coverage at a level deemed reasonable by the board, if not otherwise established by the declaration or bylaws. Directors and officers liability coverage must extend to all contracts and other actions taken by the board in their official capacity as directors and officers, but this coverage shall exclude actions for which the directors are not entitled to indemnification under the General Not For Profit Corporation Act of 1986 or the declaration and bylaws of the association. The coverage required by this subparagraph (D) shall include, but not be limited to, coverage of: defense of non-monetary actions; defense of breach of contract; and defense of decisions related to the placement or adequacy of insurance. The coverage required by this subparagraph (D) shall include as an insured: past, present, and future board members while acting in their capacity as members of the association.
board of directors; the managing agent; and employees of the board of directors and the managing agent.

(b) Contiguous units; improvements and betterments. The insurance maintained under subdivision (a)(1) must include the units, the limited common elements except as otherwise determined by the board of managers, and the common elements. The insurance need not cover improvements and betterments to the units installed by unit owners, but if improvements and betterments are covered, any increased cost may be assessed by the association against the units affected.

Common elements include fixtures located within the unfinished interior surfaces of the perimeter walls, floors, and ceilings of the individual units initially installed by the developer. Common elements exclude floor, wall, and ceiling coverings. "Improvements and betterments" means all decorating, fixtures, and furnishings installed or added to and located within the boundaries of the unit, including electrical fixtures, appliances, air conditioning and heating equipment, water heaters, or built-in cabinets installed by unit owners, or any other additions, alterations, or upgrades installed or purchased by any unit owner.

(c) Deductibles. The board of directors of the association may, in the case of a claim for damage to a unit or the common elements, (i) pay the deductible amount as a common expense, (ii) after notice and an opportunity for a hearing, assess the deductible amount against the owners who caused the damage or from whose units the damage or cause of loss originated, or (iii) require the unit owners of the units affected to pay the deductible amount.

(d) Other coverages. The declaration may require the association to carry any other insurance, including workers compensation, employment practices, environmental hazards, and equipment breakdown, the board of directors considers appropriate to protect the association, the unit owners, or officers, directors, or agents of the association.

(e) Insured parties; waiver of subrogation. Insurance policies carried pursuant to subsections (a) and (b) must include each of the following provisions:

(1) Each unit owner and secured party is an insured person under the policy with respect to liability arising out of the unit owner's interest in the common elements or membership in the association.

(2) The insurer waives its right to subrogation under the policy against any unit owner of the condominium or members of the unit

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owner's household and against the association and members of the board of directors.

(3) The unit owner waives his or her right to subrogation under the association policy against the association and the board of directors.

(f) Primary insurance. If at the time of a loss under the policy there is other insurance in the name of a unit owner covering the same property covered by the policy, the association's policy is primary insurance.

(g) Adjustment of losses; distribution of proceeds. Any loss covered by the property policy under subdivision (a)(1) must be adjusted by and with the association. The insurance proceeds for that loss must be payable to the association, or to an insurance trustee designated by the association for that purpose. The insurance trustee or the association must hold any insurance proceeds in trust for unit owners and secured parties as their interests may appear. The proceeds must be disbursed first for the repair or restoration of the damaged common elements, the bare walls, ceilings, and floors of the units, and then to any improvements and betterments the association may insure. Unit owners are not entitled to receive any portion of the proceeds unless there is a surplus of proceeds after the common elements and units have been completely repaired or restored or the association has been terminated as trustee.

(h) Mandatory unit owner coverage. The board of directors may, under the declaration and bylaws or by rule, require condominium unit owners to obtain insurance covering their personal liability and compensatory (but not consequential) damages to another unit caused by the negligence of the owner or his or her guests, residents, or invitees, or regardless of any negligence originating from the unit. The personal liability of a unit owner or association member must include the deductible of the owner whose unit was damaged, any damage not covered by insurance required by this subsection, as well as the decorating, painting, wall and floor coverings, trim, appliances, equipment, and other furnishings.

If the unit owner does not purchase or produce evidence of insurance requested by the board, the directors may purchase the insurance coverage and charge the premium cost back to the unit owner. In no event is the board liable to any person either with regard to its decision not to purchase the insurance, or with regard to the timing of its purchase of the insurance or the amounts or types of coverages obtained.

(i) Certificates of insurance. Contractors and vendors (except public utilities) doing business with a condominium association under contracts

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exceeding $10,000 per year must provide certificates of insurance naming the 
association, its board of directors, and its managing agent as additional 
insured parties.

(j) Non-residential condominiums. The provisions of this Section may 
be varied or waived in the case of a condominium community in which all 
units are restricted to nonresidential use.

(k) Settlement of claims. Any insurer defending a liability claim 
against a condominium association must notify the association of the terms 
of the settlement no less than 10 days before settling the claim. The 
association may not veto the settlement unless otherwise provided by contract 
or statute.

(l) The changes to this Section made by this amendatory Act of the 98th 
General Assembly apply only to insurance policies issued or renewed 
on or after June 1, 2015.

(Source: P.A. 92-518, eff. 6-1-02.)

Section 99. Effective date. This Act takes effect June 1, 2015.
Approved July 16, 2014.
Effective June 1, 2015.

PUBLIC ACT 98-0763
(Senate Bill No. 3022)

AN ACT concerning courts.

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

Section 5. The Access to Justice Act is amended by changing Section 
25 as follows:

(705 ILCS 95/25)
Sec. 25. Statutory Court Fee Task Force.
(a) There is hereby created the Statutory Court Fee Task Force. The 
purpose of the Task Force is to conduct a thorough review of the various 
statutory fees imposed or assessed on criminal defendants and civil litigants. 
(b) The Task Force shall consist of 15 members, appointed as follows: 
one each by the Speaker of the House of Representatives, the Minority Leader 
of the House of Representatives, the President of the Senate, and the Minority 
Leader of the Senate; 2 by the association representing circuit court clerks; 
2 by the Governor, and 7 by the Supreme Court.

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(c) At the direction of the Supreme Court, the Administrative Office of the Illinois Courts shall provide administrative support to the Task Force.
(d) The Task Force shall submit a report containing its findings and any recommendations to the Supreme Court and the General Assembly by June 1, 2014.
(Source: P.A. 98-351, eff. 8-15-13.)

Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0764
(Senate Bill No. 3023)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Mechanics Lien Act is amended by changing Sections 1 and 21 as follows:
(770 ILCS 60/1) (from Ch. 82, par. 1)
Sec. 1. Contractor defined; amount of lien; waiver of lien; attachment of lien; agreement to waive; when not enforceable.
(a) Any person who shall by any contract or contracts, express or implied, or partly expressed or implied, with the owner of a lot or tract of land, or with one whom the owner has authorized or knowingly permitted to contract, to improve the lot or tract of land or for the purpose of improving the tract of land, or to manage a structure under construction thereon, is known under this Act as a contractor and has a lien upon the whole of such lot or tract of land and upon adjoining or adjacent lots or tracts of land of such owner constituting the same premises and occupied or used in connection with such lot or tract of land as a place of residence or business; and in case the contract relates to 2 or more buildings, on 2 or more lots or tracts of land, upon all such lots and tracts of land and improvements thereon for the amount due to him or her for the material, fixtures, apparatus, machinery, services or labor, and interest at the rate of 10% per annum from the date the same is due. This lien extends to an estate in fee, for life, for years, or any other estate or any right of redemption or other interest that the owner may have in the lot or tract of land at the time of making such contract

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or may subsequently acquire and this lien attaches as of the date of the contract.

(b) As used in subsection (a) of this Section, "improve" means to furnish labor, services, material, fixtures, apparatus or machinery, forms or form work in the process of construction where cement, concrete or like material is used for the purpose of or in the building, altering, repairing or ornamenting any house or other building, walk or sidewalk, whether the walk or sidewalk is on the land or bordering thereon, driveway, fence or improvement or appurtenances to the lot or tract of land or connected therewith, and upon, over or under a sidewalk, street or alley adjoining; or fill, sod or excavate such lot or tract of land, or do landscape work thereon or therefor; or raise or lower any house thereon or remove any house thereto, or remove any house or other structure therefrom, or perform any services or incur any expense as an architect, structural engineer, professional engineer, land surveyor or property manager in, for or on a lot or tract of land for any such purpose; or drill any water well thereon; or furnish or perform labor or services as superintendent, time keeper, mechanic, laborer or otherwise, in the building, altering, repairing or ornamenting of the same; or furnish material, fixtures, apparatus, machinery, labor or services, forms or form work used in the process of construction where concrete, cement or like material is used, or drill any water well on the order of his agent, architect, structural engineer or superintendent having charge of the improvements, building, altering, repairing or ornamenting the same.

(c) The taking of additional security by the contractor or subcontractor is not a waiver of any right of lien which he may have by virtue of this Act, unless made a waiver by express agreement of the parties and the waiver is not prohibited by this Act.

(d) An agreement to waive any right to enforce or claim any lien under this Act, or an agreement to subordinate the lien, where the agreement is in anticipation of and in consideration for the awarding of a contract or subcontract, either express or implied, to perform work or supply materials for an improvement upon real property is against public policy and unenforceable. This Section does not prohibit release of lien under subsection (b) of Section 35 of this Act, nor does it prohibit an agreement to subordinate a mechanics lien to a mortgage lien that secures a construction loan if that agreement is made after more than 50% of the loan has been disbursed to fund improvements to the property or prohibit subordination of the lien, except as provided in Section 21.

(Source: P.A. 94-627, eff. 1-1-06.)

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Sec. 21. Sub-contractor defined; lien of sub-contractor; notice; size of type; service of notice; amount of lien; default by contractor.

(a) Subject to the provisions of Section 5, every mechanic, worker or other person who shall furnish any labor, services, material, fixtures, apparatus or machinery, forms or form work for the contractor, or shall furnish any material to be employed in the process of construction as a means for assisting in the erection of the building or improvement in what is commonly termed form or form work where concrete, cement or like material is used in whole or in part, shall be known under this Act as a sub-contractor, and shall have a lien for the value thereof, with interest on such amount from the date the same is due, from the same time, on the same property as provided for the contractor, and, also, as against the creditors and assignees, and personal and legal representatives of the contractor, on the material, fixtures, apparatus or machinery furnished, and on the moneys or other considerations due or to become due from the owner under the original contract.

(b) If the legal effect of a provision in any contract between the owner and contractor or contractor and subcontractor is that no lien or claim may be filed or maintained by any one and the waiver is not prohibited by this Act, or that such contractor’s lien shall be subordinated to the interests of any other party, and the provision is not prohibited by this Act, such provision shall be binding if made as part of an agreement not prohibited by this Act. Such provision shall be binding; but the only admissible evidence thereof as against a subcontractor or material supplier, shall be proof of actual notice thereof to him or her before his or her contract is entered into. Such subordination provision shall not be binding on the subcontractor unless set forth in its entirety in writing in the contract between the contractor and subcontractor or material supplier.

(c) It shall be the duty of each subcontractor who has furnished, or is furnishing, labor, services, material, fixtures, apparatus or machinery, forms or form work for an existing owner-occupied single family residence, in order to preserve his lien, to notify the occupant either personally or by certified mail, return receipt requested, addressed to the occupant or his agent of the residence within 60 days from his first furnishing labor, services, material, fixtures, apparatus or machinery, forms or form work, that he is supplying labor, services, material, fixtures, apparatus or machinery, forms or form work provided, however, that any notice given after 60 days by the subcontractor shall preserve his lien, but only to the extent that the owner has

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not been prejudiced by payments made prior to receipt of the notice. The notification shall include a warning to the owner that before any payment is made to the contractor, the owner should receive a waiver of lien executed by each subcontractor who has furnished labor, services, material, fixtures, apparatus or machinery, forms or form work.

The notice shall contain the name and address of the subcontractor or material man, the date he started to work or to deliver materials, the type of work done and to be done or the type of materials delivered and to be delivered, and the name of the contractor requesting the work. The notice shall also contain the following warning:

"NOTICE TO OWNER

The subcontractor providing this notice has performed work for or delivered material to your home improvement contractor. These services or materials are being used in the improvements to your residence and entitle the subcontractor to file a lien against your residence if the services or materials are not paid for by your home improvement contractor. A lien waiver will be provided to your contractor when the subcontractor is paid, and you are urged to request this waiver from your contractor when paying for your home improvements."

Such warning shall be in at least 10 point bold face type. For purposes of this Section, notice by certified mail is considered served at the time of its mailing.

(d) In no case, except as hereinafter provided, shall the owner be compelled to pay a greater sum for or on account of the completion of such house, building or other improvement than the price or sum stipulated in said original contract or agreement, unless payment be made to the contractor or to his order, in violation of the rights and interests of the persons intended to be benefited by this Act: Provided, if it shall appear to the court that the owner and contractor fraudulently, and for the purpose of defrauding subcontractors fixed an unreasonably low price in their original contract for the erection or repairing of such house, building or other improvement, then the court shall ascertain how much of a difference exists between a fair price for labor, services, material, fixtures, apparatus or machinery, forms or form work used in said house, building or other improvement, and the sum named in said original contract, and said difference shall be considered a part of the contract and be subject to a lien. But where the contractor's statement, made as provided in Section 5, shows the amount to be paid to the sub-contractor, or party furnishing material, or the sub-contractor's statement, made pursuant to Section 22, shows the amount to become due for material; or notice is

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given to the owner, as provided in Sections 24 and 25, and thereafter such sub-contract shall be performed, or material to the value of the amount named in such statements or notice, shall be prepared for use and delivery, or delivered without written protest on the part of the owner previous to such performance or delivery, or preparation for delivery, then, and in any of such cases, such sub-contractor or party furnishing or preparing material, regardless of the price named in the original contract, shall have a lien therefor to the extent of the amount named in such statements or notice. In case of default or abandonment by the contractor, the sub-contractor or party furnishing material, shall have and may enforce his lien to the same extent and in the same manner that the contractor may under conditions that arise as provided for in Section 4 of this Act, and shall have and may exercise the same rights as are therein provided for the contractor.

(e) Any provision in a contract, agreement, or understanding, when payment from a contractor to a subcontractor or supplier is conditioned upon receipt of the payment from any other party including a private or public owner, shall not be a defense by the party responsible for payment to a claim brought under Section 21, 22, 23, or 28 of this Act against the party. For the purpose of this Section, "contractor" also includes subcontractor or supplier. The provisions of Public Act 87-1180 shall be construed as declarative of existing law and not as a new enactment.

(Source: P.A. 94-615, eff. 1-1-06; 94-627, eff. 1-1-06.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 16, 2014.
Effective July 16, 2014.
hand to meet those expenses, the Department may reimburse the receiver or the monitor for those expenses from funds appropriated for its ordinary and contingent expenses by the General Assembly after funds contained in the Long Term Care Monitor/Receiver Fund, not allocated for the costs associated with hiring and maintaining of surveyors, have been exhausted. (Source: P.A. 86-663.)


PUBLIC ACT 98-0766
(Senate Bill No. 3038)

AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Victims' Economic Security and Safety Act is amended by changing Section 30 as follows:

(820 ILCS 180/30)

Sec. 30. Victims' employment sustainability; prohibited discriminatory acts.

(a) An employer shall not fail to hire, refuse to hire, discharge, constructively discharge, or harass any individual, otherwise discriminate against any individual with respect to the compensation, terms, conditions, or privileges of employment of the individual, or retaliate against an individual in any form or manner, and a public agency shall not deny, reduce, or terminate the benefits of, otherwise sanction, or harass any individual, otherwise discriminate against any individual with respect to the amount, terms, or conditions of public assistance of the individual, or retaliate against an individual in any form or manner, because:

(1) the individual involved:

(A) is or is perceived to be a victim of domestic or sexual violence;

(B) attended, participated in, prepared for, or requested leave to attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the individual or a family or household member of the individual was a victim;

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or requested or took leave for any other reason provided under Section 20; or

(C) requested an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure in response to actual or threatened domestic or sexual violence, regardless of whether the request was granted; or

(D) is an employee whose employer is subject to Section 21 of the Workplace Violence Prevention Act; or

(2) the workplace is disrupted or threatened by the action of a person whom the individual states has committed or threatened to commit domestic or sexual violence against the individual or the individual's family or household member.

(b) In this Section:

(1) "Discriminate", used with respect to the terms, conditions, or privileges of employment or with respect to the terms or conditions of public assistance, includes not making a reasonable accommodation to the known limitations resulting from circumstances relating to being a victim of domestic or sexual violence or a family or household member being a victim of domestic or sexual violence of an otherwise qualified individual:

(A) who is:

(i) an applicant or employee of the employer (including a public agency); or

(ii) an applicant for or recipient of public assistance from a public agency; and

(B) who is:

(i) a victim of domestic or sexual violence; or

(ii) with a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the individual in subparagraph (A) as it relates to the domestic or sexual violence;

unless the employer or public agency can demonstrate that the accommodation would impose an undue hardship on the operation of the employer or public agency.

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A reasonable accommodation must be made in a timely fashion. Any exigent circumstances or danger facing the employee or his or her family or household member shall be considered in determining whether the accommodation is reasonable.

(2) "Qualified individual" means:

(A) in the case of an applicant or employee described in paragraph (1)(A)(i), an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can perform the essential functions of the employment position that such individual holds or desires; or

(B) in the case of an applicant or recipient described in paragraph (1)(A)(ii), an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can satisfy the essential requirements of the program providing the public assistance that the individual receives or desires.

(3) "Reasonable accommodation" may include an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure, or assistance in documenting domestic or sexual violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic or sexual violence.

(4) Undue hardship.

(A) In general. "Undue hardship" means an action requiring significant difficulty or expense, when considered in light of the factors set forth in subparagraph (B).

(B) Factors to be considered. In determining whether a reasonable accommodation would impose an undue hardship on the operation of an employer or public agency, factors to be considered include:

(i) the nature and cost of the reasonable accommodation needed under this Section;

(ii) the overall financial resources of the facility involved in the provision of the reasonable accommodation, the number of persons employed at

New matter indicated by italics - deletions by strikeout
such facility, the effect on expenses and resources, or the impact otherwise of such accommodation on the operation of the facility; 

(iii) the overall financial resources of the employer or public agency, the overall size of the business of an employer or public agency with respect to the number of employees of the employer or public agency, and the number, type, and location of the facilities of an employer or public agency; and

(iv) the type of operation of the employer or public agency, including the composition, structure, and functions of the workforce of the employer or public agency, the geographic separateness of the facility from the employer or public agency, and the administrative or fiscal relationship of the facility to the employer or public agency.

(c) An employer subject to Section 21 of the Workplace Violence Prevention Act shall not violate any provisions of the Workplace Violence Prevention Act.

(Source: P.A. 96-635, eff. 8-24-09.)

Section 10. The Workplace Violence Prevention Act is amended by changing Sections 10, 15, 20, 25, 30, and 35 and by adding Sections 21, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, and 130 as follows:

(820 ILCS 275/10)
Sec. 10. Definitions. As used in this Act:
"Credible threat of violence" means a statement or course of conduct that does not serve a legitimate purpose and that causes a reasonable person to fear for the person's safety at his or her workplace or for the safety of others at his or her workplace or for the safety of the person's immediate family.
"Employee" means:
(1) a person employed or permitted to work or perform a service for remuneration;
(2) a member of a board of directors of any organization;
(3) an elected or appointed public officer; and
(4) a volunteer, independent contractor, agency worker, or any other person who performs services for an employer at the employer's place of work.

New matter indicated by italics - deletions by strikeout
"Employer" means an individual, partnership, association, limited liability company, corporation, business trust, the State, a governmental agency, or a political subdivision that has at least 15 employees during any work week.

"Petitioner" means any employer who commences a proceeding for a workplace protection restraining order.

"Respondent" means a person against whom a workplace protection restraining order proceeding has been commenced.

"Workplace" or "place of work" means any property that is owned or leased by the employer and at which the official business of the petitioner is conducted.

"Unlawful violence" means any act of violence, harassment, or stalking as defined by the Criminal Code of 2012 laws of this State.

(Source: P.A. 98-430, eff. 1-1-14.)

Sec. 15. Employer's right to a workplace protection restraining order of protection. An employer may seek a workplace protection restraining order to prohibit further violence or threats of violence by the respondent a person if:

(1) an the employee has suffered unlawful violence and the respondent has made a credible threat of violence to be carried out at the employee's workplace; or a credible threat of violence from the person; and

(2) an employee believes that the respondent has made a credible threat of violence to be carried out at the employee's workplace; or

(3) an unlawful act of violence has been carried out at the workplace employee's place of work or the respondent has made a credible threat of violence at the workplace credible threat of violence can reasonably be constructed to be carried out at the employee's place of work by the person.

(Source: P.A. 98-430, eff. 1-1-14.)

Sec. 20. Affidavit irreparable harm. An employer may obtain a workplace protection restraining order if the employer files an affidavit that shows by a preponderance of the evidence that:

(1) the conditions of Section 15 of this Act have been met;

New matter indicated by italics - deletions by strikeout
(2) if the petitioner is seeking an emergency order, great or irreparable harm has been suffered, will be suffered, or is likely to be suffered by an employee at the workplace;

(3) if the employer is seeking a workplace protection restraining order involving an employee who is a victim of unlawful violence by a family or household member as defined by item (6) of Section 103 of the Illinois Domestic Violence Act of 1986, the conditions of Section 21 of this Act have been met. An employer may obtain an order of protection under the Illinois Domestic Violence Act of 1986 if the employer:

(1) files an affidavit that shows, to the satisfaction of the court, reasonable proof that an employee has suffered either unlawful violence or a credible threat of violence by the defendant; and

(2) demonstrates that great or irreparable harm has been suffered, will be suffered, or is likely to be suffered by the employee.

(Source: P.A. 98-430, eff. 1-1-14.)

(820 ILCS 275/21 new)

Sec. 21. Employee notification.

(a) In cases in which an employer is seeking a workplace protection restraining order involving an employee who is a victim of unlawful violence by a family or household member as defined by item (6) of Section 103 of the Illinois Domestic Violence Act of 1986 or is an employee who is a victim of unlawful violence as proscribed in Article 11 or Sections 12-7.3, 12-7.4, and 12-7.5 of the Criminal Code of 2012, the employer shall:

(1) prior to the filing of the petition, notify the employee in writing of the employer's intent to seek a workplace protection restraining order; and

(2) conduct a direct verbal consultation in conversation with the employee prior to seeking a workplace protection restraining order under this Act to determine whether any safety or well-being concerns exist in relation to the employer's pursuit of the order or whether seeking the order may interfere with the employee's own legal actions.

If, after direct verbal consultation in conversation with the employee, the employee does not give the employer full and voluntary consent to seek a workplace protection restraining order, the employer shall not file for that order until a 4-day waiting period has elapsed following the date of the direct consultation. The 4-day waiting period does not apply if there is an

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immediate threat of imminent physical harm to the work site and the petitioner is seeking an emergency order.

(b) Employers subject to the Victims' Economic Security and Safety Act shall additionally include in the written notice to the employee in subsection (a) the following: "As your employer, we are subject to the Victims' Economic Security and Safety Act, which includes provisions for leave, accommodations, and prohibitions against discrimination, and we are notifying you of your rights under this Act. A summary of your rights under the Victims' Economic Security and Safety Act is provided on the workplace poster we are required under law to post in your workplace."

(820 ILCS 275/25)

Sec. 25. Remedies. Employer remedies under this Act are limited to a workplace protection restraining order. Nothing in this Act, however, waives, reduces, or diminishes any other civil or criminal remedy available to an employer under any other mechanism. A workplace protection restraining order issued by the court may:

(1) Prohibit the respondent's unlawful violence in the workplace, including ordering the respondent to stay away from the workplace. When the respondent is employed at the workplace location, the court, when issuing a workplace protection restraining order, shall consider the severity of the act and any continuing physical danger or emotional distress to any employee in the workplace.

(2) Upon notice to the respondent, order the respondent to pay the petitioner for property losses suffered as a direct result of the actions of the respondent. Such losses include, but are not limited to, repair or replacement of property damaged or taken, reasonable attorney's fees, and court costs to recover the property losses. The remedies provided in this Section are in addition to other civil or criminal remedies available to the employer.

(820 ILCS 275/30)

Sec. 30. Action for workplace protection restraining order

(a) An action for a workplace protection restraining order may be commenced independently by filing a petition for a workplace protection restraining order in any civil court, unless specific courts are designated by local rule or order.

New matter indicated by italics - deletions by strikeout
(b) The clerk of the circuit court shall charge fees in accordance with the Clerks of Courts Act.

(c) Notwithstanding the requirements of Section 20 of this Act, if the specific address or geographic location of the workplace is not currently known to the respondent due to the efforts by the employer or the employee to minimize the threat of unlawful violence to the employee, and the petition provides that disclosure of the employee's current workplace would risk violence, the workplace address may be omitted from all documents filed with the court. If the petitioner does not disclose the workplace address, the petitioner shall designate an alternative address at which the respondent may serve notice of any motions.

(d) Any proceeding to obtain, modify, reopen, or appeal a workplace protection restraining order shall be governed by the rules of civil procedure of this State. The standard of proof in such a proceeding is proof by a preponderance of the evidence. The Code of Civil Procedure and Supreme Court and local rules applicable to civil proceedings apply.

(e) There is no right to trial by jury in any proceeding to obtain, modify, vacate, or extend any workplace protection restraining order under this Act. Issues of jurisdiction, venue, procedure, and enforcement shall be governed by the Illinois Domestic Violence Act of 1986.

(Source: P.A. 98-430, eff. 1-1-14.)

(820 ILCS 275/35)
Sec. 35. Subject matter jurisdiction
Law enforcement responsibilities. Each of the circuit courts of this State has the power to issue workplace protection restraining orders. Law enforcement personnel shall have the same responsibilities under this Act as are provided in Article 3 of the Illinois Domestic Violence Act of 1986.

(Source: P.A. 98-430, eff. 1-1-14.)

(820 ILCS 275/40 new)
Sec. 40. Jurisdiction over persons. The courts of this State have jurisdiction to bind: (1) State residents; and (2) non-residents having minimum contacts with this State to the extent permitted by Section 2-209 of the Code of Civil Procedure.

(820 ILCS 275/45 new)
Sec. 45. Venue. A petition for a workplace protection restraining order may be filed in any county where: (i) the petitioner resides; (ii) the respondent resides; or (iii) the alleged violence occurred.

(820 ILCS 275/50 new)
Sec. 50. Process.

New matter indicated by italics - deletions by strikeout
(a) Any action for a workplace protection restraining order requires that a separate summons be issued and served. The summons shall require the respondent to answer and appear within 7 days. Attachments to the summons or notice shall include the petition for a workplace protection restraining order, supporting affidavits, if any, and any emergency workplace protection restraining order that has been issued.

(b) The summons shall be served by the sheriff or other law enforcement officer at the earliest time possible and shall take precedence over other summonses except those of a similar emergency nature. A special process server may be appointed at any time, and the appointment of a special process server shall not affect the responsibilities and authority of the sheriff or other official process servers.

(c) Service of summons on a member of the respondent's household or by publication is adequate if: (1) the petitioner has made all reasonable efforts to accomplish actual service of process personally upon the respondent, but the respondent cannot be found to effect the service; and (2) the petitioner files an affidavit or presents sworn testimony describing those efforts.

(d) A plenary workplace protection restraining order may be entered by default for the remedy sought in the petition if the respondent has been served in accordance with subsection (a) of this Section or given notice and if the respondent then fails to appear as directed or fails to appear on any subsequent appearance or hearing date agreed to by the parties or set by the court.

(e) An employee who has been a victim of domestic violence by the respondent is not required to and the court may not order the employee to testify, participate in, or appear in this process for any purpose.

(820 ILCS 275/55 new)
Sec. 55. Hearing notice. Except as otherwise provided by law or court rule, notice of hearings on petitions or motions shall be served upon the respondent in accordance with Supreme Court Rules 11 and 12.

(820 ILCS 275/60 new)
Sec. 60. Hearings. The court shall treat a petition for a workplace protection restraining order as an expedited proceeding and may not transfer or otherwise decline to decide all or part of the petition. Nothing in this Section prevents the court from reserving issues if jurisdiction or notice requirements are not met.

(820 ILCS 275/65 new)
Sec. 65. Continuances.

New matter indicated by italics - deletions by strikeout
(a) A petition for an emergency workplace protection restraining order shall be granted or denied in accordance with the standards of Section 70 of this Act, regardless of the respondent's appearance or presence in court.

(b) Any action for a workplace protection restraining order is an expedited proceeding. Continuances shall be granted only for good cause shown and kept to a minimum reasonable duration, taking into account the reason for the continuance.

(820 ILCS 275/70 new)

Sec. 70. Emergency order.

(a) The court shall issue an emergency workplace protection restraining order if the petitioner establishes that:

   (1) the court has jurisdiction under Section 40 of this Act;

   (2) the requirements of Sections 15 and 21 of this Act are satisfied; and

   (3) there is good cause to grant the remedy, regardless of prior service of notice upon the respondent, because the harm which that remedy is intended to prevent would be likely to occur if the respondent were given prior notice or greater notice than was actually given of the petitioner's efforts to obtain judicial relief.

An emergency workplace protection restraining order shall be issued by the court if it appears from the contents of the petition and the examination of the petitioner that the averments are sufficient to indicate irreparable harm under Section 20 of this Act by the respondent and to support the granting of relief through the issuance of the emergency workplace protection restraining order.

(b) If the respondent appears in court for the hearing for an emergency order, he or she may elect to file a general appearance and testify. Any resulting order may be an emergency order, governed by this Section. Notwithstanding the requirements of this Section, if all requirements of Section 75 of this Act have been met, the court may issue a plenary order.

(c) If the court is unavailable at the close of business, the petitioner may file a petition for a 21-day emergency order before any available judge who may grant relief under this Act. If the judge finds that there is an immediate and present danger of irreparable harm and that the petitioner has satisfied the prerequisites set forth in subsection (a) of this Section, that judge may issue an emergency workplace protection restraining order.

(d) The chief judge of the circuit court may designate for each county in the circuit at least one judge to be reasonably available to issue orally, by
telephone, by facsimile, by electronic means that comply with procedures established by the court, or otherwise, an emergency workplace protection restraining order at all times, whether or not the court is in session.

(e) Any order issued under this Section and any documentation in support of the order shall be certified on the next court day to the appropriate court. The clerk of the court shall immediately assign a case number, file the petition, order, and other documents with the court, and enter the order of record and file it with the sheriff for service in accordance with Section 85 of this Act. Filing the petition shall commence proceedings for further relief under Section 30 of this Act. Failure to comply with the requirements of this subsection (e) does not affect the validity of the order.

(820 ILCS 275/75 new)

Sec. 75. Plenary order. The court shall issue a plenary workplace protection restraining order if the petitioner has served notice of the hearing for that order on the respondent in accordance with Section 55 of this Section and establishes that:

(1) the court has jurisdiction under Section 40 of this Act;
(2) the requirements of Sections 15 and 21 of this Act are satisfied;
(3) a general appearance was made or filed by or for the respondent or process was served on the respondent in the manner required by Section 50 of this Act; and
(4) the respondent has answered or is in default.

(820 ILCS 275/80 new)

Sec. 80. Employee testimony. In a plenary workplace protection restraining order hearing, if the court finds that testimony in the courtroom voluntarily offered by the employee who has suffered the violence may result in serious emotional distress to the employee who has suffered the violence, the court may order that the examination of the employee be conducted in chambers. Counsel shall be present at the examination unless otherwise agreed upon by the parties. The court shall cause a court reporter to be present who shall make a complete record of the examination instantaneously to be part of the record in the case.

(820 ILCS 275/85 new)

Sec. 85. Duration and extension of orders.

(a) Unless reopened or extended or voided by entry of an order of greater duration, an emergency order is effective for not less than 14 nor more than 21 days.

New matter indicated by italics - deletions by strikeout
(b) A plenary workplace protection restraining order is effective for a fixed period of time not to exceed one year.
(820 ILCS 275/90 new)
Sec. 90. Contents of orders.
(a) A workplace protection restraining order shall describe each remedy granted by the court, in reasonable detail and not by reference to any other document, so that the respondent may clearly understand what he or she must do or refrain from doing.
(b) A workplace protection restraining order shall include the following:
(1) the name of the petitioner;
(2) the date and time the workplace protection restraining order was issued, whether it is an emergency or plenary order, and the duration of the order;
(3) the date, time, and place for any scheduled hearing for extension of the workplace protection restraining order or for another order of greater duration or scope;
(4) for each remedy in an emergency workplace protection restraining order, the reason for entering that remedy without prior notice to the respondent or greater notice than was actually given; and
(5) for emergency workplace protection restraining orders, that the respondent may petition the court, in accordance with Section 100, to reopen the order if he or she did not receive actual prior notice of the hearing as required under Section 55 of this Act and if the respondent alleges that he or she had a meritorious defense to the order or that the order or its remedy is not authorized by this Act.
(820 ILCS 275/95 new)
Sec. 95. Notice of orders.
(a) Upon issuance of a workplace protection restraining order, the clerk shall immediately, or on the next court day if an emergency order is issued in accordance with subsection (c) of Section 70 of this Act:
(1) enter the order on the record and file it in accordance with the circuit court procedures; and
(2) provide a file stamped copy of the order to the respondent, if present, and to the petitioner.
(820 ILCS 275/100 new)
Sec. 100. Modification.

New matter indicated by italics - deletions by strikeout
(a) Except as otherwise provided in this Section, upon motion of the petitioner, the court may modify an emergency or plenary workplace protection restraining order by altering the remedy, subject to Section 25 of this Act.

(b) After 30 days following the entry of a plenary workplace protection restraining order, a court may modify the order only if a change in the applicable law or facts since the plenary order was entered warrants a modification of its terms.

(c) Upon 2 days' notice to the petitioner, or shorter notice as the court may prescribe, a respondent subject to an emergency workplace protection restraining order issued under this Act may appear and petition the court to rehear the original or amended petition. A petition to rehear shall be verified and shall allege that:

(1) the respondent did not receive prior notice of the initial hearing in which the emergency workplace protection restraining order was entered under Sections 55 and 70 of this Act; and
(2) the respondent had a meritorious defense to the order or any of its remedies or the order or any of its remedies was not authorized by this Act.

Sec. 105. Enforcement. The court may enforce workplace protection restraining orders through civil contempt proceedings.

Sec. 110. Employment discrimination. An employer seeking or obtaining a workplace protection restraining order shall comply with any federal or State law to which it is subject, including any provision under the Victims' Economic Security and Safety Act and the Illinois Human Rights Act, regarding employee protections and the rights of the employee who has suffered the violence.

Sec. 115. Effect on other laws and employment benefits.
(a) Nothing in this Act shall be construed to supersede any provision of any federal, State, or local law, collective bargaining agreement, or employment benefits program or plan that provides employment protections for employees, including any provision under the Victims' Economic Security and Safety Act and the Illinois Human Rights Act.
(b) Any other claims under the Victims' Economic Security and Safety Act against the employer may be heard as part of a civil action under this Act.

New matter indicated by italics - deletions by strikeout
Sec. 120. Exemptions.

(a) The court may not enter a workplace protection restraining order that enjoins the following activities:

(1) lawful monitoring of compliance with public or worker safety laws, wage and hour requirements, or other statutory workplace requirements;

(2) lawful picketing, patrolling, using a banner, or other lawful protesting at the workplace which arises out of a bona fide labor dispute; and

(3) engaging in concerted and protected activities as defined in applicable labor law.

(b) As used in this Section, "bona fide labor dispute" means any activity recognized as a labor dispute by the National Labor Relations Act, the Illinois Public Labor Relations Act, or the Illinois Educational Labor Relations Act, and includes a controversy concerning: wages, salaries, hours, working conditions, or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions; the terms to be included in collective bargaining agreements; and the making, maintaining, administering, and filing of protests or grievances under a collective bargaining agreement.

Sec. 125. Confidentiality and privacy. The employer shall keep all information relating to a workplace protection restraining order in the strictest confidence, limiting information only to those employees who have a current demonstrable interest related to the safety of the employee who has suffered the violence.

Sec. 130. Exemption.

(a) This Act does not apply to any individual or organization that is lawfully (i) monitoring for compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements or (ii) picketing, patrolling, using a banner, or otherwise protesting at the workplace in relation to a bona fide labor dispute including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements.

New matter indicated by italics - deletions by strikeout
(b) This Act does not apply to any lawful exercise of the right of free speech or assembly.


PUBLIC ACT 98-0767
(Senate Bill No. 3077)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Clinical Laboratory and Blood Bank Act is amended by changing Section 7-101 as follows:

(210 ILCS 25/7-101) (from Ch. 111 1/2, par. 627-101)
Sec. 7-101. Examination of specimens. A clinical laboratory shall examine specimens only at the request of (i) a licensed physician, (ii) a licensed dentist, (iii) a licensed podiatric physician, (iv) a licensed optometrist, (v) a licensed physician assistant in accordance with the written supervision agreement guidelines required under subdivision (3) of Section 4 and under Section 7.5 of the Physician Assistant Practice Act of 1987 or when authorized under Section 7.7 of the Physician Assistant Practice Act of 1987, (v-A) an advanced practice nurse in accordance with the written collaborative agreement required under Section 65-35 of the Nurse Practice Act or when authorized under Section 65-45 of the Nurse Practice Act, (vi) an authorized law enforcement agency or, in the case of blood alcohol, at the request of the individual for whom the test is to be performed in compliance with Sections 11-501 and 11-501.1 of the Illinois Vehicle Code, or (vii) a genetic counselor with the specific authority from a referral to order a test or tests pursuant to subsection (b) of Section 20 of the Genetic Counselor Licensing Act. If the request to a laboratory is oral, the physician or other authorized person shall submit a written request to the laboratory within 48 hours. If the laboratory does not receive the written request within that period, it shall note that fact in its records. For purposes of this Section, a request made by electronic mail or fax constitutes a written request.
(Source: P.A. 97-333, eff. 8-12-11; 98-185, eff. 1-1-14; 98-214, eff. 8-9-13; revised 10-15-13.)
Passed in the General Assembly May 9, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Physical Therapy Act is amended by changing Section 16.5 as follows:
(225 ILCS 90/16.5)
(Section scheduled to be repealed on January 1, 2016)
Sec. 16.5. Advertising services.
(a) A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.
(b) It is unlawful for any person licensed under this Act to use testimonials or claims of superior quality of care to entice the public. It shall be unlawful to advertise fee comparisons of available services with those of other persons licensed under this Act.
(c) This Act does not authorize the advertising of professional services that the offeror of such services is not licensed to render. Nor shall the advertiser use statements that contain false, fraudulent, deceptive or misleading material or guarantees of success, play upon the vanity or fears of the public, or promote or produce unfair competition.
(d) It is unlawful and punishable under Section 31 for any person licensed under this Act to knowingly advertise that the licensee will accept as payment for services rendered by assignment from any third-party payor the amount the third-party payor covers as payment in full, if the effect is to give the impression of eliminating the need of payment by the patient of any required deductible or copayment applicable in the patient's health benefit plan.
(e) As used in this Section, "advertise" means solicitation by the licensee or through another by means of handbills, posters, circulars, motion pictures, radio, newspapers, or television or in any other manner.
(Source: P.A. 93-1010, eff. 8-24-04.)
Approved July 16, 2014.
AN ACT concerning safety.

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

Section 5. The Carnival and Amusement Rides Safety Act is amended by changing Sections 2-1, 2-2, 2-3, 2-10, 2-15, 2-17, and 2-20 as follows:

Sec. 2-1. This Article shall be known and may be cited as the "Carnival and Amusement Rides Safety Act".

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

1. "Director" means the Director of Labor or his or her designee.
2. "Department" means Department of Labor.
3. "Amusement attraction" means an enclosed building or structure, including electrical equipment which is an integral part of the building or structure, through which people walk without the aid of any moving device, that provides amusement, thrills or excitement at a fair, or carnival, or an amusement enterprise, except any such enclosed building or structure which is subject to the jurisdiction of a local building code.
4. "Amusement ride" means:
   a) any mechanized device or combination of devices, including electrical equipment which is an integral part of the device or devices, which carries passengers along, around, or over a fixed or restricted course for the primary purpose of giving its passengers amusement, pleasure, thrills, or excitement;
   b) any ski lift, rope tow, or other device used to transport snow skiers;
   c) (blank);
   d) any dry slide over 20 feet in height, alpine slide, or toboggan slide;
   e) any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device which is not licensed by
the Secretary of State, which may, but does not necessarily follow a
fixed or restricted course, and is used primarily for the purpose of
giving its passengers amusement, pleasure, thrills or excitement, and
for which an individual fee is charged or a donation accepted with the
exception of hayrack rides;
   (f) any bungee cord or similar elastic device; or
   (g) any inflatable attraction.
5. "Carnival" or "amusement enterprise" means an enterprise which
offers amusement or entertainment to the public by means of one or more
amusement attractions or amusement rides.
6. "Fair" means an enterprise principally devoted to the exhibition of
products of agriculture or industry in connection with which amusement rides
or amusement attractions are operated.
7. "Operator" means a person, or the agent of a person, who owns or
controls or has the duty to control the operation of an amusement ride or an
amusement attraction at a carnival, amusement enterprise, or fair. "Operator"
includes an agency of the State or any of its political subdivisions.
8. "Carnival worker" or "amusement enterprise worker" means a
person who is employed (and is therefore not a volunteer) by a carnival,
amusement enterprise, or fair to manage, physically operate, or assist in the
operation of an amusement ride or amusement attraction when it is open to
the public.
9. "Volunteer" means a person who operates or assists in the operation
of an amusement ride or amusement attraction for an owner or operator
without pay or lodging. An individual shall not be considered a volunteer if
the individual is otherwise employed by the same owner or operator to
perform the same type of service as those for which the individual proposes
to volunteer.
10. "Inflatable attraction" means an amusement ride or device
designed for use that may include, but not be limited to, bounce, climb, slide,
or interactive play, which is made of flexible fabric, is kept inflated by
continuous air flow by one or more blowers, and relies upon air pressure to
maintain its shape.
(Source: P.A. 98-541, eff. 8-23-13.)
(430 ILCS 85/2-3) (from Ch. 111 1/2, par. 4053)
Sec. 2-3. There is hereby created the Amusement Ride and Attraction
Safety Board, Carnival-Amusement Safety Board, hereafter in this Act
referred to as the "Board", to consist of 9 members. One member shall be the
Director. Eight members shall be appointed by the Governor with the advice

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and consent of the Senate. The term of members shall be 4 years. Of the 8 appointed members of the Board, 2 shall be operators of amusement rides, 1 shall be a registered professional engineer, 1 shall represent the insurance industry, and 4 shall represent the general public. The Board shall advise the Department on carnival, amusement enterprise, and amusement safety matters.
(Source: P.A. 97-737, eff. 7-3-12.)

(430 ILCS 85/2-10) (from Ch. 111 1/2, par. 4060)

Sec. 2-10. No amusement ride or amusement attraction shall be operated at a carnival, amusement enterprise, or fair in this State without a permit having been issued by the Director to an operator of such equipment. At least 30 days prior to the first day of operation or the expiration of the permit, any person required to obtain a permit by this Act shall apply to the Director for a permit on a form furnished by the Director which form shall contain such information as the Director may require. The Director may waive the requirement that an application for a permit must be filed at least 30 days prior to the first day of operation or the expiration of the permit if the applicant gives satisfactory proof to the Director that he could not reasonably comply with the date requirement and if the applicant immediately applies for a permit after the need for a permit is first determined. For the purpose of determining if an amusement ride or amusement attraction is in safe operating condition and will provide protection to the public using such amusement ride or amusement attraction, each amusement ride or amusement attraction shall be inspected by the Director before it is initially placed in operation in this State, and shall thereafter be inspected at least once each year.

If, after inspection, an amusement ride or amusement attraction is found to comply with the rules adopted under this Act, the Director shall issue a permit for the operation of the amusement ride or amusement attraction. The permit shall be issued conditioned upon the payment of the permit fee and any applicable inspection fee at the time the application for permit to operate is filed with the Department and may be suspended as provided in the Department's rules.

If, after inspection, additions or alterations are contemplated which change a structure, mechanism, classification or capacity, the operator shall notify the Director of his intentions in writing and provide any plans or diagrams requested by the Director.
(Source: P.A. 96-151, eff. 8-7-09.)

(430 ILCS 85/2-15) (from Ch. 111 1/2, par. 4065)

New matter indicated by italics - deletions by strikeout
Sec. 2-15. Penalties.

(a) Criminal penalties.

1. Any person who operates an amusement ride or amusement attraction at a carnival, \textit{amusement enterprise}, or fair without having obtained a permit from the Department or who violates any order or rule issued by the Department under this Act is guilty of a Class A misdemeanor. Each day shall constitute a separate and distinct offense.

2. Any person who interferes with, impedes, or obstructs in any manner the Director or any authorized representative of the Department in the performance of their duties under this Act is guilty of a Class A misdemeanor.

(b) Civil penalties. Unless otherwise provided in this Act, any person who operates an amusement ride or amusement attraction without having obtained a permit from the Department in violation of this Act is subject to a civil penalty not to exceed $2,500 per violation for a first violation and not to exceed $5,000 for a second or subsequent violation.

Prior to any determination, or the imposition of any civil penalty, under this subsection (b), the Department shall notify the operator in writing of the alleged violation. The Department shall afford the operator 10 working days after the date of the notice to request a hearing. Upon written request of the operator, the Department shall schedule a formal administrative hearing in compliance with Article 10 of the \textit{Illinois} Administrative Procedure Act and the Department's rules of procedure in administrative hearings, except that formal discovery, such as production requests, interrogatories, requests to admit, and depositions shall not be allowed. The parties shall exchange documents and witness lists prior to hearing and may request third party subpoenas to be issued. The final determination by the Department of Labor shall be rendered within 5 working days after the conclusion of the hearing. Final determinations made under this Section are subject to the provisions of the Administrative Review Law. In determining the amount of a penalty, the Director may consider the appropriateness of the penalty to the person or entity charged, upon determination of the gravity of the violation. The penalties, when finally determined, may be recovered in a civil action brought by the Director of Labor in any circuit court. In this litigation, the Director of Labor shall be represented by the Attorney General.

(Source: P.A. 98-541, eff. 8-23-13; revised 11-15-13.)

(430 ILCS 85/2-17) (from Ch. 111 1/2, par. 4067)
Sec. 2-17. A municipality within its corporate limits and a county within unincorporated areas within its boundaries may inspect, license or regulate any amusement ride or amusement attraction operated at a carnival, 
*amusement enterprise,* or fair, provided that any safety standards or regulations implemented by a municipality or county in connection therewith shall be at least as stringent as those provided for in this Act and the rules and regulations adopted hereunder. Any municipality or county which inspects, licenses, or otherwise regulates amusement rides or amusement attractions may impose reasonable fees to cover the costs thereof.  
(Source: P.A. 83-1240.)  
(430 ILCS 85/2-20)

Sec. 2-20. Employment of carnival and *amusement enterprise* workers.

(a) Beginning on January 1, 2008, no person, firm, corporation, or other entity that owns or operates a carnival, *amusement enterprise,* or fair shall employ a carnival or *amusement enterprise* worker who (i) has been convicted of any offense set forth in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012, (ii) is a registered sex offender, as defined in the Sex Offender Registration Act, or (iii) has ever been convicted of any offense set forth in Article 9 of the Criminal Code of 1961 or the Criminal Code of 2012.

(b) A person, firm, corporation, or other entity that owns or operates a carnival, *amusement enterprise,* or fair must conduct a criminal history records check and perform a check of the National Sex Offender Public Registry for carnival or *amusement enterprise* workers at the time they are hired, and annually thereafter except if they are in the continued employ of the entity.

The criminal history records check performed under this subsection (b) shall be performed by the Illinois State Police, another State or federal law enforcement agency, or a business belonging to the National Association of Professional Background Check Screeners. Any criminal history checks performed by the Illinois State Police shall be pursuant to the Illinois Uniform Conviction Information Act.

Individuals who are under the age of 17 are exempt from the criminal history records check requirements set forth in this subsection (b).

(c) Any person, firm, corporation, or other entity that owns or operates a carnival, *amusement enterprise,* or fair must have a substance abuse policy in place for its workers, which shall include random drug testing of carnival or *amusement enterprise* workers.

New matter indicated by italics - deletions by strikeout
(d) Any person, firm, corporation, or other entity that owns or operates a carnival, amusement enterprise, or fair that violates the provisions of subsection (a) of this Section or fails to conduct a criminal history records check or a sex offender registry check for carnival or amusement enterprise workers in its employ, as required by subsection (b) of this Section, shall be assessed a civil penalty in an amount not to exceed $1,000 for a first offense, not to exceed $5,000 for a second offense, and not to exceed $15,000 for a third or subsequent offense. The collection of these penalties shall be enforced in a civil action brought by the Attorney General on behalf of the Department.

(e) A carnival, amusement enterprise, or fair owner is not responsible for:

1. any personal information submitted by a carnival or amusement enterprise worker for criminal history records check purposes; or
2. any information provided by a third party for a criminal history records check or a sex offender registry check.

(f) Recordkeeping requirements. Any person, firm, corporation, or other entity that owns or operates a carnival, amusement enterprise, or fair subject to the provisions of this Act shall make, preserve, and make available to the Department, upon its request, all records that are required by this Act, including but not limited to a written substance abuse policy, evidence of the required criminal history records check and sex offender registry check, and any other information the Director may deem necessary and appropriate for enforcement of this Act.

(g) A carnival, amusement enterprise, or fair owner shall not be liable to any employee in carrying out the requirements of this Section.

(Source: P.A. 96-151, eff. 8-7-09; 97-1150, eff. 1-25-13.)

Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0770
(Senate Bill No. 3332)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Criminal Code of 2012 is amended by changing Section 31-6 as follows:

Sec. 31-6. Escape; failure to report to a penal institution or to report for periodic imprisonment.

(a) A person convicted of a felony or charged with the commission of a felony, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a felony, who intentionally escapes from any penal institution or from the custody of an employee of that institution commits a Class 2 felony; however, a person convicted of a felony, or adjudicated delinquent for an act which, if committed by an adult, would constitute a felony, who knowingly fails to report to a penal institution or to report for periodic imprisonment at any time or knowingly fails to return from furlough or from work and day release or who knowingly fails to abide by the terms of home confinement is guilty of a Class 3 felony.

(b) A person convicted of a misdemeanor or charged with the commission of a misdemeanor, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a misdemeanor, who intentionally escapes from any penal institution or from the custody of an employee of that institution commits a Class A misdemeanor; however, a person convicted of a misdemeanor, or adjudicated delinquent for an act which, if committed by an adult, would constitute a misdemeanor, who knowingly fails to report to a penal institution or to report for periodic imprisonment at any time or knowingly fails to return from furlough or from work and day release or who knowingly fails to abide by the terms of home confinement is guilty of a Class B misdemeanor.

(b-1) A person in the custody of committed to the Department of Human Services under the provisions of the Sexually Violent Persons Commitment Act under a detention order, commitment order, conditional release order, or other court order or in detention with the Department of Human Services awaiting such a commitment, who intentionally escapes from any secure residential facility or from the custody of an employee of that facility commits a Class 2 felony.

(c) A person in the lawful custody of a peace officer for the alleged commission of a felony offense or an act which, if committed by an adult, would constitute a felony, and who intentionally escapes from custody commits a Class 2 felony; however, a person in the lawful custody of a peace officer for the alleged commission of a misdemeanor offense or an act which,
if committed by an adult, would constitute a misdemeanor, who intentionally
escapes from custody commits a Class A misdemeanor.

(c-5) A person in the lawful custody of a peace officer for an alleged
violation of a term or condition of probation, conditional discharge, parole,
aftercare release, or mandatory supervised release for a felony or an act
which, if committed by an adult, would constitute a felony, who intentionally
escapes from custody is guilty of a Class 2 felony.

(c-6) A person in the lawful custody of a peace officer for an alleged
violation of a term or condition of supervision, probation, or conditional
discharge for a misdemeanor or an act which, if committed by an adult,
would constitute a misdemeanor, who intentionally escapes from custody is
guilty of a Class A misdemeanor.

(d) A person who violates this Section while armed with a dangerous
weapon commits a Class 1 felony.

(Source: P.A. 98-558, eff. 1-1-14.)

Passed in the General Assembly May 21, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0771
(Senate Bill No. 3333)

AN ACT concerning fish.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Fish and Aquatic Life Code is amended by changing
Section 1-20 as follows:

(515 ILCS 5/1-20) (from Ch. 56, par. 1-20)
Sec. 1-20. Aquatic life. "Aquatic life" means all fish, reptiles,
amphibians, crayfish, and mussels. For the purposes of Section 20-90, the
definition of "aquatic life" shall include, but is not limited to, all fish, reptiles,
amphibians, mollusks, crustaceans, algae, or other aquatic plants, and aquatic
invertebrates, and any other aquatic animals or plants that the Department
identifies in rules adopted after consultation with biologists, zoologists, or
other wildlife experts.
(Source: P.A. 89-66, eff. 1-1-96.)

Passed in the General Assembly May 9, 2014.
Approved July 16, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Park District Code is amended by changing Sections 2-18, 8-1, and 8-9 and by adding Section 2-17.5 as follows:

(70 ILCS 1205/2-17.5 new)
Sec. 2-17.5. Fox Valley Park District.
(a) The Fox Valley Pleasure Driveway and Park District is reorganized by operation of law as the Fox Valley Park District under this Code on the effective date of this amendatory Act of the 98th General Assembly.
(b) Each Fox Valley Park District commissioner shall be a legal voter and reside within the park district. The proper election authority shall conduct the elections for commissioners at the time and in the manner provided by the general election law.
(c) Beginning with the consolidated election in 2017, 7 commissioners shall be elected for 4-year terms, consisting of 6 commissioners from 3 2-member districts, and 1 commissioner elected at large. The terms of office of the initial commissioners elected under this amendatory Act of the 98th General Assembly will run as follows, to be determined by lot: 4 members shall serve a 4-year term and may be re-elected for subsequent 4-year terms, and 3 members shall serve a 2-year term and may be re-elected for subsequent 4-year terms thereafter.

The initial three districts of the Fox Valley Park District shall be as follows:

(1) Those portions of Kane County and Kendall County west of the Fox River.
(2) Those portions of Kane County and Kendall County east of the Fox River and south and west of a line following Indian Trail Road from the center line of the Fox River easterly to the intersection with Farnsworth Avenue, then southerly along Farnsworth Avenue to the intersection with the Burlington Northern Santa Fe Railroad, then easterly to the county line.
(3) Those portions of the district in DuPage County and Will County and that portion of Kane County generally north and east of a line following Indian Trail Road from the center line of the Fox

New matter indicated by italics - deletions by strikeout
River easterly to the intersection with Farnsworth Avenue, then southerly along Farnsworth Avenue to the intersection with Burlington Northern Santa Fe Railroad, then easterly to the county line.

In the year following the next decennial census and each decennial census thereafter, the board of commissioners shall reapportion the districts to reflect the results of the census. The term of office for the commissioners elected under this Section shall commence on the first Monday of the month following the month of election. The terms of all appointed trustees serving on the effective date of this amendatory Act of the 98th General Assembly shall end when their successors have been elected and qualified.

(d) The Fox Valley Park District board of commissioners shall elect officers of the board at the first meeting of the board following the next consolidated election for park district commissioners.

(e) As of the effective date of this amendatory Act of the 98th General Assembly, each Fox Valley Pleasure Driveway and Park District trustee in office shall, as a member of the board of the Fox Valley Park District, perform the duties and exercise the powers conferred upon park board commissioners under this Code, until his or her successor is elected and has qualified.

(f) Any tax authorized by referendum or other means under this Code and levied by the Fox Valley Pleasure Driveway and Park District before the effective date of this amendatory Act of the 98th General Assembly shall not be affected or abrogated because of the name change, and the Fox Valley Park District may continue to levy and collect that tax.

(70 ILCS 1205/2-18) (from Ch. 105, par. 2-18)

Sec. 2-18. (a) Except for the Fox Valley Park District on and after the effective date of this amendatory Act of the 98th General Assembly, in any Pleasure Driveway and Park District in which the legal voters have heretofore determined that the governing board shall be appointed, such method shall continue in effect and the board shall consist of 7 trustees. In such case and if the district is wholly contained within a single county the trustees shall be appointed by the presiding officer of the county board with the advice and consent of the county board. If the district is located in more than one county, the number of trustees who are residents of a county shall be in proportion, as nearly as practicable, to the number of residents of the district who reside in that county in relation to the total population of the district, except that the board of trustees may determine that one trustee is to be appointed from each county within the district, such appointment to be made by the appropriate
appointing authority as hereinafter provided. Each trustee shall be appointed by the county board of his or her county of residence, or in the case of a home rule county, by the chief executive officer of the county with the advice and consent of the county board.

(b) Upon the expiration of the term of a trustee who is in office at the time of the publication of each decennial Federal census of population, the successor shall be a resident of whichever county is entitled to such representation as determined under subsection (a), and he shall be appointed by the county board of that county, or in the case of a home rule county as defined by Article VII, Section 6 of the Illinois Constitution, the chief executive officer of that county, with the advice and consent of the county board. Thereafter, each trustee shall be succeeded by a resident of the same county who shall be appointed by the same appointing authority. The appropriate appointing authority shall appoint trustees biennially for such district on the first Monday in July, to fill the vacancies on the board of trustees caused by the expiration of the term of office of trustees and the trustees shall be legal voters and reside within the park district; provided, that no more than 4 trustees at any one time shall belong to the same political party. Each of the trustees shall receive a certificate of appointment and qualify within 10 days from the receipt of notice of appointment.

Trustees shall be appointed for a period of 4 years and shall hold their office until their successors are appointed and qualified.

Whenever a vacancy is created other than by the expiration of a trustee's term of office, it shall be filled by the appropriate appointing authority as provided in subsection (a).

All trustees appointed for any park district, as herein provided, shall have and exercise all the powers conferred upon trustees elected under the provisions of this Code.

In a Pleasure Driveway and Park District the trustees of which are appointed as herein provided, whenever a provision in this Code or any other applicable law authorizes a public question of any kind to be submitted to the electors of the district at an election, a petition by electors of the district asking that such question be submitted shall be signed by a number of registered voters of such district equal to not less than 10% of the number of registered voters in the district as of the last preceding regular election.

(Source: P.A. 86-694.)

(70 ILCS 1205/8-1) (from Ch. 105, par. 8-1)
Sec. 8-1. General corporate powers. Every park district shall, from the time of its organization, be a body corporate and politic by the such name as

New matter indicated by italics - deletions by strikeout
set forth in the petition for its organization, the specific name set forth in this Code, or the such name as it may adopt under Section 8-9 hereof, and shall have and exercise the following powers:

(a) To adopt a corporate seal and alter the same at pleasure; to sue and be sued; and to contract in furtherance of any of its corporate purposes.

(b) (1) To acquire by gift, legacy, grant or purchase, or by condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act, any and all real estate, or rights therein necessary for building, laying out, extending, adorning and maintaining any such parks, boulevards and driveways, or for effecting any of the powers or purposes granted under this Code as its board may deem proper, whether such lands be located within or without such district; but no park district, except as provided in paragraph (2) of this subsection, shall have any power of condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act or otherwise as to any real estate, lands, riparian rights or estate, or other property situated outside of such district, but shall only have power to acquire the same by gift, legacy, grant or purchase, and such district shall have the same control of and power over lands so acquired without the district as over parks, boulevards and driveways within such district.

(2) In addition to the powers granted in paragraph (1) of subsection (b), a park district located in more than one county, the majority of its territory located in a county over 450,000 in population and none of its territory located in a county over 1,000,000 in population, shall have condemnation power in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act or as otherwise granted by law as to any and all real estate situated up to one mile outside of such district which is not within the boundaries of another park district.

(c) To acquire by gift, legacy or purchase any personal property necessary for its corporate purposes provided that all contracts for supplies, materials or work involving an expenditure in excess of $20,000 shall be let to the lowest responsible bidder after due advertisement. No district shall be required to accept a bid that does not meet the district's established specifications, terms of delivery, quality, and serviceability requirements. Contracts which, by their nature, are not adapted to award by competitive bidding, such as contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part, contracts for the printing of finance committee reports and departmental reports, contracts for the printing or engraving of bonds, tax...
warrants and other evidences of indebtedness, contracts for utility services such as water, light, heat, telephone or telegraph, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases of equipment previously owned by some entity other than the district itself, and contracts for the purchase of magazines, books, periodicals, pamphlets and reports are not subject to competitive bidding. Contracts for emergency expenditures are also exempt from competitive bidding when the emergency expenditure is approved by 3/4 of the members of the board.

All competitive bids for contracts involving an expenditure in excess of $20,000 must be sealed by the bidder and must be opened by a member or employee of the park board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days notice of the time and place of the bid opening.

For purposes of this subsection, "due advertisement" includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district or, if no newspaper is published in the district, in a newspaper of general circulation in the area of the district.

(d) To pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the board and district and to establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction, and to effect the objects for which such districts are formed.

(e) To prescribe such fines and penalties for the violation of ordinances as it shall deem proper not exceeding $1,000 for any one offense, which fines and penalties may be recovered by an action in the name of such district in the circuit court for the county in which such violation occurred. The park district may also seek in the action, in addition to or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from violations, and the court shall grant such relief where appropriate. The procedure in such actions shall be the same as that provided by law for like actions for the violation of ordinances in cities organized under the general laws of this State, and offenders may be imprisoned for non-payment of fines and costs in the same manner as in such cities. All fines when collected shall be paid into the treasury of such district.

(f) To manage and control all officers and property of such districts and to provide for joint ownership with one or more cities, villages or
incorporated towns of real and personal property used for park purposes by one or more park districts. In case of joint ownership, the terms of the agreement shall be fair, just and equitable to all parties and shall be set forth in a written agreement entered into by the corporate authorities of each participating district, city, village or incorporated town.

(g) To secure grants and loans, or either, from the United States Government, or any agency or agencies thereof, for financing the acquisition or purchase of any and all real estate, or rights therein, or for effecting any of the powers or purposes granted under this Code as its Board may deem proper.

(h) To establish fees for the use of facilities and recreational programs of the districts and to derive revenue from non-resident fees from their operations. Fees charged non-residents of such district need not be the same as fees charged to residents of the district. Charging fees or deriving revenue from the facilities and recreational programs shall not affect the right to assert or utilize any defense or immunity, common law or statutory, available to the districts or their employees.

(i) To make contracts for a term exceeding one year, but not to exceed 3 years, notwithstanding any provision of this Code to the contrary, relating to: (1) the employment of a park director, superintendent, administrator, engineer, health officer, land planner, finance director, attorney, police chief, or other officer who requires technical training or knowledge; (2) the employment of outside professional consultants such as engineers, doctors, land planners, auditors, attorneys, or other professional consultants who require technical training or knowledge; (3) the provision of data processing equipment and services; and (4) the purchase of energy from a utility or an alternative retail electric supplier. With respect to any contract made under this subsection (i), the corporate authorities shall include in the annual appropriation ordinance for each fiscal year an appropriation of a sum of money sufficient to pay the amount which, by the terms of the contract, is to become due and payable during that fiscal year.

(j) To enter into licensing or management agreements with not-for-profit corporations organized under the laws of this State to operate park district facilities if the corporation covenants to use the facilities to provide public park or recreational programs for youth.

(Source: P.A. 98-325, eff. 8-12-13.)

(70 ILCS 1205/8-9) (from Ch. 105, par. 8-9)
Sec. 8-9. Name change.

New matter indicated by italics - deletions by strikeout
(a) Whenever two-thirds of the governing board of a park district shall approve an ordinance or resolution to change the name of such park district, a copy of such ordinance or resolution shall be duly certified by the president and secretary of such board and filed in the office of the county clerk of the counties wherein such park district is located. Upon the filing of the aforesaid ordinance or resolution for change of name in the office of said county clerk such change of name of such park district shall be complete.

(b) Whenever a Public Act changes the name of a park district, the secretary of the board of the park district shall, within 30 days after the date upon which the Public Act becomes law, obtain copies of the Public Act that are duly certified by the Secretary of State and file a certified copy of the Public Act in the office of the county clerk of each county in which the park district is located. The change of name of a park district by a Public Act shall be complete upon the Public Act becoming law.

(Source: Laws 1951, p. 113.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 16, 2014.
Effective July 16, 2014.

PUBLIC ACT 98-0773
(House Bill No. 3199)

AN ACT concerning local government.

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

Section 5. The Election Code is amended by changing Section 11-4.1 as follows:

(10 ILCS 5/11-4.1) (from Ch. 46, par. 11-4.1)

Sec. 11-4.1.

(a) In appointing polling places under this Article, the county board or board of election commissioners shall, insofar as they are convenient and available, use schools and other public buildings as polling places.

(b) Upon request of the county board or board of election commissioners, the proper agency of government (including school districts and units of local government) shall make a public building under its control available for use as a polling place on an election day and for a reasonably necessary time before and after election day, without charge. If the county board or board of election commissioners chooses a school to be a polling

New matter indicated by italics - deletions by strikeout
place, then the school district must make the school available for use as a polling place. However, for the day of the election, a school district is encouraged to (i) close the school or (ii) hold a teachers institute on that day with students not in attendance may choose to (i) keep the school open or (ii) hold a teachers institute on that day.

(c) A government agency which makes a public building under its control available for use as a polling place shall (i) ensure the portion of the building to be used as the polling place is accessible to handicapped and elderly voters and (ii) allow the election authority to administer the election as authorized under this Code.

(d) If a qualified elector's precinct polling place is a school and the elector will be unable to enter that polling place without violating Section 11-9.3 of the Criminal Code of 2012 because the elector is a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012, that elector may vote by absentee ballot in accordance with Article 19 of this Code or may vote early in accordance with Article 19A of this Code.

(Source: P.A. 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 18, 2014.
Effective July 18, 2014.

PUBLIC ACT 98-0774
(House Bill No. 5701)

AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Job Opportunities for Qualified Applicants Act.

Section 5. Findings. The General Assembly finds that it is in the public interest to do more to give Illinois employers access to the broadest pool of qualified applicants possible, protect the civil rights of those seeking employment, and ensure that all qualified applicants are properly considered for employment opportunities and are not pre-screened or denied an employment opportunity unnecessarily or unjustly.

Section 10. Definitions. As used in this Act:
"Applicant" means any person pursuing employment with an employer or with or through an employment agency.

New matter indicated by italics - deletions by strikeout
"Employer" means any person or private entity that has 15 or more employees in the current or preceding calendar year, and any agent of such an entity or person.

"Employment agency" means any person or entity regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person.

"Employment" means any occupation or vocation.

Section 15. Employer pre-screening.

(a) An employer or employment agency may not inquire about or into, consider, or require disclosure of the criminal record or criminal history of an applicant until the applicant has been determined qualified for the position and notified that the applicant has been selected for an interview by the employer or employment agency or, if there is not an interview, until after a conditional offer of employment is made to the applicant by the employer or employment agency.

(b) The requirements set forth in subsection (a) of this Section do not apply for positions where:

(1) employers are required to exclude applicants with certain criminal convictions from employment due to federal or State law;

(2) a standard fidelity bond or an equivalent bond is required and an applicant's conviction of one or more specified criminal offenses would disqualify the applicant from obtaining such a bond, in which case an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses; or

(3) employers employ individuals licensed under the Emergency Medical Services (EMS) Systems Act.

(c) This Section does not prohibit an employer from notifying applicants in writing of the specific offenses that will disqualify an applicant from employment in a particular position due to federal or State law or the employer's policy.

Section 20. Administration of Act and rulemaking authority.

(a) The Illinois Department of Labor shall investigate any alleged violations of this Act by an employer or employment agency. If the Department finds that a violation has occurred, the Director of Labor may impose the following civil penalties:

(1) For the first violation, the Director shall issue a written warning to the employer or employment agency that includes notice
regarding penalties for subsequent violations and the employer shall have 30 days to remedy the violation;

(2) For the second violation, or if the first violation is not remedied within 30 days of notice by the Department, the Director may impose a civil penalty of up to $500;

(3) For the third violation, or if the first violation is not remedied within 60 days of notice by the Department, the Director may impose an additional civil penalty of up to $1,500;

(4) For subsequent violations, or if the first violation is not remedied within 90 days of notice by the Department, the Director may impose an additional civil penalty of up to $1,500 for every 30 days that passes thereafter without compliance.

(b) Penalties under this Section may be assessed by the Department and recovered in a civil action brought by the Department in any circuit court or in any administrative adjudicative proceeding under this Act. In any such civil action or administrative adjudicative proceeding under this Act, the Department shall be represented by the Attorney General.

(c) All moneys recovered as civil penalties under this Section shall be deposited into the Job Opportunities for Qualified Applicants Enforcement Fund, a special fund which is created in the State treasury. Moneys in the Fund may be used only to enforce employer violations of this Act.

(d) The Department may adopt rules necessary to administer this Act and may establish an administrative procedure to adjudicate claims and issue final and binding decisions subject to the Administrative Review Law.

Section 90. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Job Opportunities for Qualified Applicants Enforcement Fund.

Section 99. Effective date. This Act takes effect January 1, 2015.
Passed in the General Assembly May 29, 2014.
Effective January 1, 2015.
AN ACT concerning public health.

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

Section 5. The Compassionate Use of Medical Cannabis Pilot Program Act is amended by changing Sections 10 and 60 as follows:

(410 ILCS 130/10)
(Section scheduled to be repealed on January 1, 2018)
Sec. 10. Definitions. The following terms, as used in this Act, shall have the meanings set forth in this Section:

(a) "Adequate supply" means:

(1) 2.5 ounces of usable cannabis during a period of 14 days and that is derived solely from an intrastate source.

(2) Subject to the rules of the Department of Public Health, a patient may apply for a waiver where a physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, 2.5 ounces is an insufficient adequate supply for a 14-day period to properly alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

(3) This subsection may not be construed to authorize the possession of more than 2.5 ounces at any time without authority from the Department of Public Health.

(4) The pre-mixed weight of medical cannabis used in making a cannabis infused product shall apply toward the limit on the total amount of medical cannabis a registered qualifying patient may possess at any one time.

(b) "Cannabis" has the meaning given that term in Section 3 of the Cannabis Control Act.

(c) "Cannabis plant monitoring system" means a system that includes, but is not limited to, testing and data collection established and maintained by the registered cultivation center and available to the Department for the purposes of documenting each cannabis plant and for monitoring plant development throughout the life cycle of a cannabis plant cultivated for the intended use by a qualifying patient from seed planting to final packaging.

New matter indicated by italics - deletions by strikeout
(d) "Cardholder" means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Department of Public Health.

(e) "Cultivation center" means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

(f) "Cultivation center agent" means a principal officer, board member, employee, or agent of a registered cultivation center who is 21 years of age or older and has not been convicted of an excluded offense.

(g) "Cultivation center agent identification card" means a document issued by the Department of Agriculture that identifies a person as a cultivation center agent.

(h) "Debilitating medical condition" means one or more of the following:

1. cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease, agitation of Alzheimer's disease, cachexia/wasting syndrome, muscular dystrophy, severe fibromyalgia, spinal cord disease, including but not limited to arachnoiditis, Tarlov cysts, hydromyelia, syringomyelia, Rheumatoid arthritis, fibrous dysplasia, spinal cord injury, traumatic brain injury and post-concussion syndrome, Multiple Sclerosis, Arnold-Chiari malformation and Syringomyelia, Spinocerebellar Ataxia (SCA), Parkinson's, Tourette's, Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD (Complex Regional Pain Syndromes Type I), Causalgia, CRPS (Complex Regional Pain Syndromes Type II), Neurofibromatosis, Chronic Inflammatory Demyelinating Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella syndrome, residual limb pain, seizures (including those characteristic of epilepsy), or the treatment of these conditions; or
2. any other debilitating medical condition or its treatment that is added by the Department of Public Health by rule as provided in Section 45.

(i) "Designated caregiver" means a person who: (1) is at least 21 years of age; (2) has agreed to assist with a patient's medical use of cannabis; (3) has not been convicted of an excluded offense; and (4) assists no more than one registered qualifying patient with his or her medical use of cannabis.

New matter indicated by italics - deletions by strikeout
(j) "Dispensing organization agent identification card" means a document issued by the Department of Financial and Professional Regulation that identifies a person as a medical cannabis dispensing organization agent.

(k) "Enclosed, locked facility" means a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center's agents or a dispensing organization's agent working for the registered cultivation center or the registered dispensing organization to cultivate, store, and distribute cannabis for registered qualifying patients.

(l) "Excluded offense" means:
   (1) a violent crime defined in Section 3 of the Rights of Crime Victims and Witnesses Act or a substantially similar offense that was classified as a felony in the jurisdiction where the person was convicted; or
   (2) a violation of a state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted, except that the registering Department may waive this restriction if the person demonstrates to the registering Department's satisfaction that his or her conviction was for the possession, cultivation, transfer, or delivery of a reasonable amount of cannabis intended for medical use. This exception does not apply if the conviction was under state law and involved a violation of an existing medical cannabis law.

(m) "Medical cannabis cultivation center registration" means a registration issued by the Department of Agriculture.

(n) "Medical cannabis container" means a sealed, traceable, food compliant, tamper resistant, tamper evident container, or package used for the purpose of containment of medical cannabis from a cultivation center to a dispensing organization.

(o) "Medical cannabis dispensing organization", or "dispensing organization", or "dispensary organization" means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

(p) "Medical cannabis dispensing organization agent" or "dispensing organization agent" means a principal officer, board member, employee, or agent of a registered medical cannabis dispensing organization who is 21 years of age or older and has not been convicted of an excluded offense.

New matter indicated by italics - deletions by strikeout
(q) "Medical cannabis infused product" means food, oils, ointments, or other products containing usable cannabis that are not smoked.

(r) "Medical use" means the acquisition; administration; delivery; possession; transfer; transportation; or use of cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

(s) "Physician" means a doctor of medicine or doctor of osteopathy licensed under the Medical Practice Act of 1987 to practice medicine and who has a controlled substances license under Article III of the Illinois Controlled Substances Act. It does not include a licensed practitioner under any other Act including but not limited to the Illinois Dental Practice Act.

(t) "Qualifying patient" means a person who has been diagnosed by a physician as having a debilitating medical condition.

(u) "Registered" means licensed, permitted, or otherwise certified by the Department of Agriculture, Department of Public Health, or Department of Financial and Professional Regulation.

(v) "Registry identification card" means a document issued by the Department of Public Health that identifies a person as a registered qualifying patient or registered designated caregiver.

(w) "Usable cannabis" means the seeds, leaves, buds, and flowers of the cannabis plant and any mixture or preparation thereof, but does not include the stalks, and roots of the plant. It does not include the weight of any non-cannabis ingredients combined with cannabis, such as ingredients added to prepare a topical administration, food, or drink.

(x) "Verification system" means a Web-based system established and maintained by the Department of Public Health that is available to the Department of Agriculture, the Department of Financial and Professional Regulation, law enforcement personnel, and registered medical cannabis dispensing organization agents on a 24-hour basis for the verification of registry identification cards, the tracking of delivery of medical cannabis to medical cannabis dispensing organizations, and the tracking of the date of sale, amount, and price of medical cannabis purchased by a registered qualifying patient.

(y) "Written certification" means a document dated and signed by a physician, stating (1) that in the physician's professional opinion the patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition; (2) that the qualifying patient has a debilitating medical condition and specifying the
debilitating medical condition the qualifying patient has; and (3) that the patient is under the physician's care for the debilitating medical condition. A written certification shall be made only in the course of a bona fide physician-patient relationship, after the physician has completed an assessment of the qualifying patient's medical history, reviewed relevant records related to the patient's debilitating condition, and conducted a physical examination.

A veteran who has received treatment at a VA hospital shall be deemed to have a bona fide physician-patient relationship with a VA physician if the patient has been seen for his or her debilitating medical condition at the VA Hospital in accordance with VA Hospital protocols.

A bona fide physician-patient relationship under this subsection is a privileged communication within the meaning of Section 8-802 of the Code of Civil Procedure.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/60)

Sec. 60. Issuance of registry identification cards.

(a) Except as provided in subsection (b), the Department of Public Health shall:

(1) verify the information contained in an application or renewal for a registry identification card submitted under this Act, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation specified in Section 55;

(2) issue registry identification cards to a qualifying patient and his or her designated caregiver, if any, within 15 business days of approving the application or renewal;

(3) enter the registry identification number of the registered dispensing organization the patient designates into the verification system; and

(4) allow for an electronic application process, and provide a confirmation by electronic or other methods that an application has been submitted.

(b) The Department of Public Health may not issue a registry identification card to a qualifying patient who is under 18 years of age, unless that patient suffers from seizures, including those characteristic of epilepsy, or as provided by administrative rule. The Department of Public Health shall adopt rules for the issuance of a registry identification card for qualifying patients who are under 18 years of age and suffering from seizures, including

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those characteristic of epilepsy. The Department of Public Health may adopt rules to allow other individuals under 18 years of age to become registered qualifying patients under this Act with the consent of a parent or legal guardian. Registered qualifying patients under 18 years of age shall be prohibited from consuming forms of cannabis other than medical cannabis infused products and purchasing any usable cannabis.

(c) A veteran who has received treatment at a VA hospital is deemed to have a bona fide physician-patient relationship with a VA physician if the patient has been seen for his or her debilitating medical condition at the VA hospital in accordance with VA hospital protocols. All reasonable inferences regarding the existence of a bona fide physician-patient relationship shall be drawn in favor of an applicant who is a veteran and has undergone treatment at a VA hospital.

(d) Upon the approval of the registration and issuance of a registry card under this Section, the Department of Public Health shall forward the designated caregiver or registered qualified patient's driver's registration number to the Secretary of State and certify that the individual is permitted to engage in the medical use of cannabis. For the purposes of law enforcement, the Secretary of State shall make a notation on the person's driving record stating the person is a registered qualifying patient who is entitled to the lawful medical use of cannabis. If the person no longer holds a valid registry card, the Department shall notify the Secretary of State and the Secretary of State shall remove the notation from the person's driving record. The Department and the Secretary of State may establish a system by which the information may be shared electronically.

(Source: P.A. 98-122, eff. 1-1-14.)

Effective January 1, 2015.

PUBLIC ACT 98-0776
(Senate Bill No. 1098)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Business Corporation Act of 1983 is amended by changing Sections 8.65, 12.40, 12.45, and 12.80 as follows:

(805 ILCS 5/8.65) (from Ch. 32, par. 8.65)

New matter indicated by italics - deletions by strikeout
Sec. 8.65. Liability of directors in certain cases.
(a) In addition to any other liabilities imposed by law upon directors of a corporation, they are liable as follows:

(1) The directors of a corporation who vote for or assent to any distribution prohibited by Section 9.10 of this Act shall be jointly and severally liable to the corporation for the amount of such distribution.

(2) If a dissolved corporation shall proceed to bar any known claims against it under Section 12.75, the directors of such corporation who fail to take reasonable steps to cause the notice required by Section 12.75 of this Act to be given to any known creditor of such corporation shall be jointly and severally liable to such creditor for all loss and damage occasioned thereby.

(3) Unless dissolution is subsequently revoked pursuant to Section 12.25 of this Act, the directors of a corporation that carries on its business after the filing by the Secretary of State of articles of dissolution with respect to a voluntary dissolution authorized as provided by this Act, otherwise than so far as may be necessary or appropriate to wind up and liquidate its business and affairs for the winding up thereof, shall be jointly and severally liable to the creditors of such corporation for all debts and liabilities of the corporation incurred in so carrying on its business. Directors of a corporation that carries on its business during a period of administrative dissolution shall not be liable under this paragraph (a)(3) if the Secretary of State subsequently files an application for reinstatement under subsection (c) of Section 12.45, which reinstatement shall have the effect described in subsection (d) of Section 12.45.

(b) A director of a corporation who is present at a meeting of its board of directors at which action on any corporate matter is taken is conclusively presumed to have assented to the action taken unless his or her dissent is entered in the minutes of the meeting or unless he or she files his or her written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or forwards such dissent by registered or certified mail to the secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent does not apply to a director who voted in favor of such action.

(c) A director shall not be liable for a distribution of assets to the shareholders of a corporation in excess of the amount authorized by Section

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9.10 of this Act if he or she relied and acted in good faith upon a balance sheet and profit and loss statement of the corporation represented to him or her to be correct by the president or the officer of such corporation having charge of its books of account, or certified by an independent public or certified public accountant or firm of such accountants to fairly reflect the financial condition of such corporation, nor shall he or she be so liable if in good faith in determining the amount available for any such dividend or distribution he or she considered the assets to be of their book value.

(d) Any director against whom a claim is asserted under this Section and who is held liable thereon, is entitled to contribution from the other directors who are likewise liable thereon.

Any director against whom a claim is asserted for the improper distribution of assets of a corporation and who is held liable thereon, is entitled to contribution from the shareholders who knowingly accepted or received any such distribution in proportion to the amounts received by them respectively.

(Source: P.A. 84-924.)

(805 ILCS 5/12.40) (from Ch. 32, par. 12.40)

Sec. 12.40. Procedure for administrative dissolution.

(a) After the Secretary of State determines that one or more grounds exist under Section 12.35 for the administrative dissolution of a corporation, he or she shall send by regular mail to each delinquent corporation a Notice of Delinquency to its registered office, or, if the corporation has failed to maintain a registered office, then to the president or other principal officer at the last known office of said officer.

(b) If the corporation does not correct the default described in paragraphs (a) through (e) of Section 12.35 within 90 days following such notice, the Secretary of State shall thereupon dissolve the corporation by issuing a certificate of dissolution that recites the ground or grounds for dissolution and its effective date. If the corporation does not correct the default described in paragraphs (f) through (h) of Section 12.35, within 30 days following such notice, the Secretary of State shall thereupon dissolve the corporation by issuing a certificate of dissolution as herein prescribed. The Secretary of State shall file the original of the certificate in his or her office and mail one copy to the corporation at its registered office or, if the corporation has failed to maintain a registered office, then to the president or other principal officer at the last known office of said officer.

(c) The administrative dissolution of a corporation terminates its corporate existence and such a dissolved corporation shall not thereafter carry
on any business, provided however, that such a dissolved corporation may take all action authorized under Section 12.75 or as otherwise necessary or appropriate to wind up and liquidate its business and affairs under Section 12.30.

(Source: P.A. 96-1121, eff. 1-1-11.)

(805 ILCS 5/12.45) (from Ch. 32, par. 12.45)

Sec. 12.45. Reinstatement following administrative dissolution.

(a) A domestic corporation administratively dissolved under Section 12.40 may be reinstated by the Secretary of State following the date of issuance of the certificate of dissolution upon:
   (1) The filing of an application for reinstatement.
   (2) The filing with the Secretary of State by the corporation of all reports then due and theretofore becoming due.
   (3) The payment to the Secretary of State by the corporation of all fees, franchise taxes, and penalties then due and theretofore becoming due.

(b) The application for reinstatement shall be executed and filed in duplicate in accordance with Section 1.10 of this Act and shall set forth:
   (1) The name of the corporation at the time of the issuance of the certificate of dissolution.
   (2) If such name is not available for use as determined by the Secretary of State at the time of filing the application for reinstatement, the name of the corporation as changed, provided however, and any change of name is properly effected pursuant to Section 10.05 and Section 10.30 of this Act.
   (3) The date of the issuance of the certificate of dissolution.
   (4) The address, including street and number, or rural route number of the registered office of the corporation upon reinstatement thereof, and the name of its registered agent at such address upon the reinstatement of the corporation, provided however, that any change from either the registered office or the registered agent at the time of dissolution is properly reported pursuant to Section 5.10 of this Act.

(c) When a dissolved corporation has complied with the provisions of this Section the Secretary of State shall file the application for reinstatement.

(d) Upon the filing of the application for reinstatement, the corporate existence for all purposes shall be deemed to have continued without interruption from the date of the issuance of the certificate of dissolution, and the corporation shall stand revived with such powers, duties and obligations

New matter indicated by italics - deletions by strikeout
as if it had not been dissolved; and all acts and proceedings of its **officers, directors and shareholders, directors, officers, employees, and agents**, acting or purporting to act in that capacity as such, and which would have been legal and valid but for such dissolution, shall stand ratified and confirmed.

*(e) Without limiting the generality of subsection (d), upon the filing of the application for reinstatement, no shareholder, director, or officer shall be personally liable, under Section 8.65 of this Act or otherwise, for the debts and liabilities of the corporation incurred during the period of administrative dissolution by reason of the fact that the corporation was administratively dissolved at the time the debts or liabilities were incurred.*

(Source: P.A. 96-328, eff. 8-11-09.)

(805 ILCS 5/12.80) (from Ch. 32, par. 12.80)

Sec. 12.80. Survival of remedy after dissolution. The dissolution of a corporation either (1) by filing articles of dissolution in accordance with Section 12.20 of this Act, (2) by the issuance of a certificate of dissolution in accordance with Section 12.40 of this Act, (3) by a judgment of dissolution by a circuit court of this State, or (4) by expiration of its period of duration, shall not take away nor impair any civil remedy available to or against such corporation, its directors, or shareholders, for any right or claim existing, or any liability accrued or incurred, either prior to, at the time of, or after such dissolution if action or other proceeding thereon is commenced within five years after the date of such dissolution. Any such action or proceeding by or against the corporation may be prosecuted or defended by the corporation in its corporate name. *This provision does not extend any applicable statute of limitations.*

(Source: P.A. 92-33, eff. 7-1-01.)

Section 10. The General Not For Profit Corporation Act of 1986 is amended by changing Sections 108.65, 112.40, and 112.45 as follows:

(805 ILCS 105/108.65) (from Ch. 32, par. 108.65)

Sec. 108.65. Liability of directors in certain cases.

(a) In addition to any other liabilities imposed by law upon directors of a corporation, they are liable as follows:

(1) The directors of a corporation who vote for or assent to any distribution not authorized by Section 109.10 or Article 12 of this Act shall be jointly and severally liable to the corporation for the amount of such distribution.

(2) If a dissolved corporation shall proceed to bar any known claims against it under Section 112.75 of this Act, the directors of such corporation who fail to take reasonable steps to cause the notice

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required by Section 112.75 of this Act to be given to any known creditor of such corporation shall be jointly and severally liable to such creditor for all loss and damage occasioned thereby.

(3) Unless dissolution is subsequently revoked pursuant to Section 112.25 of this Act, the directors of a corporation that conducts its affairs after the filing by the Secretary of State of articles of dissolution with respect to a voluntary dissolution authorized as provided by this Act, otherwise than so far as may be necessary or appropriate to wind up and liquidate its affairs for the winding up thereof, shall be jointly and severally liable to the creditors of such corporation for all debts and liabilities of the corporation incurred in so conducting its affairs. Directors of a corporation that conducts its affairs during a period of administrative dissolution shall not be liable under this paragraph (a)(3) if the Secretary of State subsequently files an application for reinstatement under subsection (c) of Section 112.45, which reinstatement shall have the effect described in subsection (d) of Section 112.45.

(b) A director of a corporation who is present at a meeting of its board of directors at which action on any corporate matter is taken is conclusively presumed to have assented to the action taken unless his or her dissent or abstention is entered in the minutes of the meeting or unless he or she files his or her written dissent or abstention to such action with the person acting as the secretary of the meeting before the adjournment thereof or forwards such dissent or abstention by registered or certified mail to the secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent or abstain does not apply to a director who voted in favor of such action.

(c) A director shall not be liable for a distribution of assets to any person in excess of the amount authorized by Section 109.10 or Article 12 of this Act if he or she relied and acted in good faith upon a balance sheet and profit and loss statement of the corporation represented to him or her to be correct by the president or the officer of such corporation having charge of its books of account, or certified by an independent public or certified public accountant or firm of such accountants to fairly reflect the financial condition of such corporation, nor shall he or she be so liable if in good faith in determining the amount available for any such distribution he or she considered the assets to be of their book value.

(d) Any director against whom a claim is asserted under this Section and who is held liable thereon, is entitled to contribution from the other

New matter indicated by italics - deletions by strikeout
directors who are likewise liable thereon. Any director against whom a claim is asserted for the improper distribution of assets of a corporation, and who is held liable thereon, is entitled to contribution from the persons who knowingly accepted or received any such distribution in proportion to the amounts received by them respectively.

(Source: P.A. 84-1423.)

(805 ILCS 105/112.40) (from Ch. 32, par. 112.40)

Sec. 112.40. Procedure for administrative dissolution.

(a) After the Secretary of State determines that one or more grounds exist under Section 112.35 of this Act for the administrative dissolution of a corporation, he or she shall send by regular mail to each delinquent corporation a Notice of Delinquency to its registered office, or, if the corporation has failed to maintain a registered office, then to the president or other principal officer at the last known office of said officer.

(b) If the corporation does not correct the default within 90 days following such notice, the Secretary of State shall thereupon dissolve the corporation by issuing a certificate of dissolution that recites the ground or grounds for dissolution and its effective date. The Secretary of State shall file the original of the certificate in his or her office and mail one copy to the corporation at its registered office or, if the corporation has failed to maintain a registered office, then to the president or other principal officer at the last known office of said officer.

(c) The administrative dissolution of a corporation terminates its corporate existence and such a dissolved corporation shall not thereafter carry on any affairs, provided however, that such a dissolved corporation may take all action authorized under Section 112.75 of this Act or as otherwise necessary or appropriate to wind up and liquidate its affairs under Section 112.30 of this Act.

(Source: P.A. 96-1121, eff. 1-1-11.)

(805 ILCS 105/112.45) (from Ch. 32, par. 112.45)

Sec. 112.45. Reinstatement following administrative dissolution.

(a) A domestic corporation administratively dissolved under Section 112.40 of this Act may be reinstated by the Secretary of State following the date of issuance of the certificate of dissolution upon:

(1) The filing of an application for reinstatement;
(2) The filing with the Secretary of State by the corporation of all reports then due and theretofore becoming due;
(3) The payment to the Secretary of State by the corporation of all fees and penalties then due and theretofore becoming due.

New matter indicated by italics - deletions by strikeout
(b) The application for reinstatement shall be executed and filed in duplicate in accordance with Section 101.10 of this Act and shall set forth:

1. The name of the corporation at the time of the issuance of the certificate of dissolution;
2. If such name is not available for use as determined by the Secretary of State at the time of filing the application for reinstatement, the name of the corporation as changed; provided, however, that any change of name is properly effected pursuant to Section 110.05 and Section 110.30 of this Act;
3. The date of the issuance of the certificate of dissolution;
4. The address, including street and number, or rural route number, of the registered office of the corporation upon reinstatement thereof, and the name of its registered agent at such address upon the reinstatement of the corporation, provided however, that any change from either the registered office or the registered agent at the time of dissolution is properly reported pursuant to Section 105.10 of this Act.

(c) When a dissolved corporation has complied with the provisions of this Section, the Secretary of State shall file the application for reinstatement.

(d) Upon the filing of the application for reinstatement, the corporate existence for all purposes shall be deemed to have continued without interruption from the date of the issuance of the certificate of dissolution, and the corporation shall stand revived with such powers, duties and obligations as if it had not been dissolved; and all acts and proceedings of its shareholders, members, officers, employees, and agents, and directors and members, acting or purporting to act in that capacity as such, and which would have been legal and valid but for such dissolution, shall stand ratified and confirmed.

(e) Without limiting the generality of subsection (d), upon filing of the application for reinstatement, no shareholder, director, or officer shall be personally liable, under Section 108.65 of this Act or otherwise, for the debts and liabilities of the corporation incurred during the period of administrative dissolution by reason of the fact that the corporation was administratively dissolved at the time the debts or liabilities were incurred.

(Source: P.A. 94-605, eff. 1-1-06.)

Section 15. The Limited Liability Company Act is amended by changing Sections 35-30 and 35-40 as follows:

(805 ILCS 180/35-30)

New matter indicated by italics - deletions by strikeout
Sec. 35-30. Procedure for administrative dissolution.

(a) After the Secretary of State determines that one or more grounds exist under Section 35-25 for the administrative dissolution of a limited liability company, the Secretary of State shall send a notice of delinquency by regular mail to each delinquent limited liability company at its registered office or, if the limited liability company has failed to maintain a registered office, then to the last known address shown on the records of the Secretary of State for the principal place of business of the limited liability company.

(b) If the limited liability company does not correct the default described in paragraphs (1) or (2) of Section 35-25 within 120 days following the date of the notice of delinquency, the Secretary of State shall thereupon dissolve the limited liability company by issuing a certificate of dissolution that recites the grounds for dissolution and its effective date. If the limited liability company does not correct the default described in paragraphs (2.5), (3), (4), or (5) of Section 35-25 within 60 days following the notice, the Secretary of State shall dissolve the limited liability company by issuing a certificate of dissolution that recites the grounds for dissolution and its effective date. The Secretary of State shall file the original of the certificate in his or her office and mail one copy to the limited liability company at its registered office or, if the limited liability company has failed to maintain a registered office, then to the last known address shown on the records of the Secretary of State for the principal place of business of the limited liability company.

(c) Upon the administrative dissolution of a limited liability company, a dissolved limited liability company shall continue for only the purpose of winding up its business. A dissolved limited liability company may take all action authorized under Section 1-30 or otherwise necessary or appropriate to wind up its business and affairs and terminate.

(Source: P.A. 98-171, eff. 8-5-13.)

Sec. 35-40. Reinstatement following administrative dissolution.

(a) A limited liability company administratively dissolved under Section 35-25 may be reinstated by the Secretary of State following the date of issuance of the notice of dissolution upon:

(1) The filing of an application for reinstatement.

(2) The filing with the Secretary of State by the limited liability company of all reports then due and theretofore becoming due.

New matter indicated by italics - deletions by strikeout
(3) The payment to the Secretary of State by the limited liability company of all fees and penalties then due and theretofore becoming due.

(b) The application for reinstatement shall be executed and filed in duplicate in accordance with Section 5-45 of this Act and shall set forth all of the following:

1. The name of the limited liability company at the time of the issuance of the notice of dissolution.
2. If the name is not available for use as determined by the Secretary of State at the time of filing the application for reinstatement, the name of the limited liability company as changed, provided that any change of name is properly effected under Section 1-10 and Section 5.25 of this Act.
3. The date of issuance of the notice of dissolution.
4. The address, including street and number or rural route number of the registered office of the limited liability company upon reinstatement thereof and the name of its registered agent at that address upon the reinstatement of the limited liability company, provided that any change from either the registered office or the registered agent at the time of dissolution is properly reported under Section 1-35 of this Act.

(c) When a dissolved limited liability company has complied with the provisions of the Section, the Secretary of State shall file the application for reinstatement.

(d) Upon the filing of the application for reinstatement, the limited liability company existence shall be deemed to have continued without interruption from the date of the issuance of the notice of dissolution, and the limited liability company shall stand revived with the powers, duties, and obligations as if it had not been dissolved; and all acts and proceedings of its members, or managers, officers, employees, and agents, acting or purporting to act in that capacity, and which would have been legal and valid but for the dissolution, shall stand ratified and confirmed.

(e) Without limiting the generality of subsection (d), upon the filing of the application for reinstatement, no member, manager, or officer shall be personally liable for the debts and liabilities of the limited liability company incurred during the period of administrative dissolution by reason of the fact that the limited liability company was administratively dissolved at the time the debts or liabilities were incurred.

(Source: P.A. 94-605, eff. 1-1-06.)

New matter indicated by italics - deletions by strikeout
Section 20. The Uniform Limited Partnership Act (2001) is amended by changing Sections 809 and 810 as follows:

(805 ILCS 215/809)
Sec. 809. Administrative dissolution.
(a) The Secretary of State may dissolve a limited partnership administratively if the limited partnership does not, within 60 days after the due date:

1. pay any fee, tax, or penalty due to the Secretary of State under this Act or other law;
2. file its annual report with the Secretary of State; or
3. appoint and maintain an agent for service of process in Illinois after a registered agent's notice of resignation under Section 116.

(b) If the Secretary of State determines that a ground exists for administratively dissolving a limited partnership, the Secretary of State shall file a record of the determination and send a copy of the filed record to the limited partnership's agent for service of process in this State, or if the limited partnership does not appoint and maintain a proper agent, to the limited partnership's designated office.

(c) If within 60 days after service of the copy of the record of determination the limited partnership does not correct each ground for dissolution or demonstrate to the reasonable satisfaction of the Secretary of State that each ground determined by the Secretary of State does not exist, the Secretary of State shall administratively dissolve the limited partnership by preparing, signing, and filing a declaration of dissolution that states the grounds for dissolution. The Secretary of State shall send a copy to the limited partnership's agent for service of process in this State, or if the limited partnership does not appoint and maintain a proper agent, to the limited partnership's designated office.

(d) A limited partnership administratively dissolved continues its existence but may carry on only activities necessary or appropriate to wind up its activities and liquidate its assets under Sections 803 and 812 and to notify claimants under Sections 806 and 807.

(e) The administrative dissolution of a limited partnership does not terminate the authority of its agent for service of process.

(Source: P.A. 97-839, eff. 7-20-12.)

(805 ILCS 215/810)
Sec. 810. Reinstatement following administrative dissolution.

New matter indicated by italics - deletions by strikeout
(a) A limited partnership that has been administratively dissolved under Section 809 may be reinstated by the Secretary of State following the date of dissolution upon:

(1) the filing of an application for reinstatement;
(2) the filing with the Secretary of State of all reports then due and becoming due; and
(3) the payment to the Secretary of State of all fees and penalties then due and becoming due.

(b) The application for reinstatement shall be executed and filed in duplicate in accordance with Section 204 and shall set forth all of the following:

(1) the name of the limited partnership at the time of dissolution;
(2) the date of dissolution;
(3) the agent for service of process and the address of the agent for service of process; provided that any change to either the agent for service of process or the address of the agent for service of process is properly reported under Section 115.

(c) When a limited partnership that has been administratively dissolved has complied with the provisions of this Section, the Secretary of State shall file the application for reinstatement.

(d) Upon filing of the application for reinstatement, (i) the limited partnership existence shall be deemed to have continued without interruption from the date of dissolution and shall stand revived with such the powers, duties, and obligations, as if it had not been dissolved. and (ii) All acts and proceedings of its partners, officers, employees, and agents, acting or purporting to act in that capacity, and which would have been legal and valid but for the dissolution shall stand ratified and confirmed.

(e) Without limiting the generality of subsection (d), upon the filing of the application for reinstatement, no limited partner or officer of the partnership shall be personally liable for the debts and liabilities of the limited partnership incurred during the period of administrative dissolution by reason of the fact that the limited partnership was administratively dissolved at the time the debts or liabilities were incurred.

(Source: P.A. 97-839, eff. 7-20-12.)

Effective January 1, 2015.
AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 1-147, 3-109, 3-412, 3-413, 3-600, 3-806, 3-806.1, 3-806.5, and 6-104 and by adding Section 1-104.2 as follows:
(625 ILCS 5/1-104.2 new)
Sec. 1-104.2. Autocycle. A 3-wheel motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

(625 ILCS 5/1-147) (from Ch. 95 1/2, par. 1-147)
Sec. 1-147. Motorcycle.
Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground, but excluding an autocycle or tractor.
(Source: P.A. 80-262.)
(625 ILCS 5/3-109) (from Ch. 95 1/2, par. 3-109)
Sec. 3-109. Registration without certificate of title; bond. If the Secretary of State is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interests in it, the Secretary of State may register the vehicle but shall either:
(a) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the Secretary of State as to the applicant's ownership of the vehicle and that there are no undisclosed security interests in it; or
(b) As a condition of issuing a certificate of title, require the applicant to file with the Secretary of State a bond in the form prescribed by the Secretary of State and executed by the applicant, and either accompanied by the deposit of cash with the Secretary of State or also executed by a person authorized to conduct a surety business in this State. The bond shall be in an amount equal to one and one-half times the value of the vehicle as determined by the Secretary of State and conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account

New matter indicated by italics - deletions by strikeout
of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of three (3) years or prior thereto if the vehicle is no longer registered in this State and the currently valid certificate of title is surrendered to the Secretary of State, unless the Secretary of State has been notified of the pendency of an action to recover on the bond; or:

(b-5) Require the applicant to file with the Secretary of State an application for a provisional title in the form prescribed by the Secretary and executed by the applicant, and accompanied by a $50 fee to be deposited in the CDLIS/AAMVAnet/NMVTIS Trust Fund. The Secretary shall designate by rule the documentation acceptable for an individual to apply for a provisional title. A provisional title shall be valid for 3 years and is nontransferable for the 3-year period. A provisional title shall be clearly marked and otherwise distinguished from a certificate of title. Three years after the issuance of a provisional title, the provisional title holder shall apply for the appropriate transferrable title in the applicant's name. If a claim of ownership for the vehicle is brought against a holder of a provisional title, then the provisional title holder shall apply for a bond under subsection (b) of this Section for the amount of time remaining on the provisional title. A provisional title holder or an individual who asserts a claim to the motor vehicle may petition a circuit court of competent jurisdiction for an order to determine the ownership of the vehicle. A provisional title shall not be available to individuals or entities that rebuild, repair, store, or tow vehicles or have a claim against the vehicle under the Labor and Storage Lien Act or the Labor and Storage Lien (Small Amount) Act.

Security deposited as a bond hereunder shall be placed by the Secretary of State in the custody of the State Treasurer.

(c) During July, annually, the Secretary shall compile a list of all bonds on deposit, pursuant to this Section, for more than 3 years and concerning which he has received no notice as to the pendency of any judicial proceeding that could affect the disposition thereof. Thereupon, he shall promptly send a notice by certified mail to the last known address of each depositor advising him that his bond will be subject to escheat to the State of Illinois if not claimed within 30 days after the mailing date of such notice. At the expiration of such time, the Secretary of State shall file with the State

New matter indicated by italics - deletions by strikeout
Treasurer an order directing the transfer of such deposit to the Road Fund in the State Treasury. Upon receipt of such order, the State Treasurer shall make such transfer, after converting to cash any other type of security. Thereafter any person having a legal claim against such deposit may enforce it by appropriate proceedings in the Court of Claims subject to the limitations prescribed for such Court. At the expiration of such limitation period such deposit shall escheat to the State of Illinois.

(Source: P.A. 81-1458.)

(625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

Sec. 3-412. Registration plates and registration stickers to be furnished by the Secretary of State.

(a) The Secretary of State upon registering a vehicle subject to annual registration for the first time shall issue or shall cause to be issued to the owner one registration plate for a motorcycle, trailer, semitrailer, moped, automobile, or truck-tractor, 2 registration plates for other motor vehicles and, where applicable, current registration stickers for motor vehicles of the first division. The provisions of this Section may be made applicable to such vehicles of the second division, as the Secretary of State may, from time to time, in his discretion designate. On subsequent annual registrations during the term of the registration plate as provided in Section 3-414.1, the Secretary shall issue or cause to be issued registration stickers as evidence of current registration. However, the issuance of annual registration stickers to vehicles registered under the provisions of Sections 3-402.1 and 3-405.3 of this Code may not be required if the Secretary deems the issuance unnecessary.

(b) Every registration plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, the name of this State, which may be abbreviated, the year number for which it was issued, which may be abbreviated, the phrase "Land of Lincoln" (except as otherwise provided in this Code), and such other letters or numbers as the Secretary may prescribe. However, for apportionment plates issued to vehicles registered under Section 3-402.1 and fleet plates issued to vehicles registered under Section 3-405.3, the phrase "Land of Lincoln" may be omitted to allow for the word "apportioned", the word "fleet", or other similar language to be displayed. Registration plates issued to a vehicle registered as a fleet vehicle may display a designation determined by the Secretary.

The Secretary may in his discretion prescribe that letters be used as prefixes only on registration plates issued to vehicles of the first division which are registered under this Code and only as suffixes on registration plates issued to other vehicles. Every registration sticker issued as evidence
of current registration shall designate the year number for which it is issued and such other letters or numbers as the Secretary may prescribe and shall be of a contrasting color with the registration plates and registration stickers of the previous year.

(c) Each registration plate and the required letters and numerals thereon, except the year number for which issued, shall be of sufficient size to be plainly readable from a distance of 100 feet during daylight, and shall be coated with reflectorizing material. The dimensions of the plate issued to vehicles of the first division shall be 6 by 12 inches.

(d) The Secretary of State shall issue for every passenger motor vehicle rented without a driver the same type of registration plates as the type of plates issued for a private passenger vehicle.

(e) The Secretary of State shall issue for every passenger car used as a taxicab or livery, distinctive registration plates.

(f) The Secretary of State shall issue for every motorcycle distinctive registration plates distinguishing between motorcycles having 150 or more cubic centimeters piston displacement, or having less than 150 cubic centimeter piston displacement.

(g) Registration plates issued to vehicles for-hire may display a designation as determined by the Secretary that such vehicles are for-hire.

(h) (Blank).

(i) The Secretary of State shall issue for every public and private ambulance registration plates identifying the vehicle as an ambulance. The Secretary shall forward to the Department of Healthcare and Family Services registration information for the purpose of verification of claims filed with the Department by ambulance owners for payment for services to public assistance recipients.

(j) The Secretary of State shall issue for every public and private medical carrier or rescue vehicle livery registration plates displaying numbers within ranges of numbers reserved respectively for medical carriers and rescue vehicles. The Secretary shall forward to the Department of Healthcare and Family Services registration information for the purpose of verification of claims filed with the Department by owners of medical carriers or rescue vehicles for payment for services to public assistance recipients.

(k) The Secretary of State shall issue distinctive license plates or distinctive license plate stickers for every vehicle exempted from subsections (a) and (a-5) of Section 12-503 by subsection (g) of that Section, and by subsection (g-5) of that Section before its deletion by this amendatory Act of the 95th General Assembly. The Secretary shall issue these plates or stickers
immediately upon receiving the physician's certification required under subsection (g) of Section 12-503. New plates or stickers shall also be issued when the certification is renewed as provided in that subsection.

(l) The Secretary of State shall issue distinctive registration plates for low-speed vehicles.

(m) The Secretary of State shall issue distinctive registration plates for autocycles. The dimensions of the plate issued to autocycles shall be 4 by 7 inches.

(Source: P.A. 95-202, eff. 8-16-07; 95-331, eff. 8-21-07; 96-554, eff. 1-1-10; 96-653, eff. 1-1-10; 96-815, eff. 10-30-09; 96-1000, eff. 7-2-10.)

Sec. 3-413. Display of registration plates, registration stickers, and drive-away permits; registration plate covers.

(a) Registration plates issued for a motor vehicle other than a motorcycle, autocycle, trailer, semitrailer, truck-tractor, apportioned bus, or apportioned truck shall be attached thereto, one in the front and one in the rear. The registration plate issued for a motorcycle, autocycle, trailer or semitrailer required to be registered hereunder and any apportionment plate issued to a bus under the provisions of this Code shall be attached to the rear thereof. The registration plate issued for a truck-tractor or an apportioned truck required to be registered hereunder shall be attached to the front thereof.

(b) Every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging and at a height of not less than 5 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible and shall be maintained in a condition to be clearly legible, free from any materials that would obstruct the visibility of the plate. A registration plate on a motorcycle may be mounted vertically as long as it is otherwise clearly visible. Registration stickers issued as evidence of renewed annual registration shall be attached to registration plates as required by the Secretary of State, and be clearly visible at all times.

(c) Every drive-away permit issued pursuant to this Code shall be firmly attached to the motor vehicle in the manner prescribed by the Secretary of State. If a drive-away permit is affixed to a motor vehicle in any other manner the permit shall be void and of no effect.

(d) The Illinois prorate decal issued to a foreign registered vehicle part of a fleet prorated or apportioned with Illinois, shall be displayed on a registration plate and displayed on the front of such vehicle in the same manner as an Illinois registration plate.

New matter indicated by italics - deletions by strikeout
(e) The registration plate issued for a camper body mounted on a truck displaying registration plates shall be attached to the rear of the camper body.

(f) No person shall operate a vehicle, nor permit the operation of a vehicle, upon which is displayed an Illinois registration plate, plates or registration stickers after the termination of the registration period for which issued or after the expiration date set pursuant to Sections 3-414 and 3-414.1 of this Code.

(g) A person may not operate any motor vehicle that is equipped with registration plate covers. A violation of this subsection (g) or a similar provision of a local ordinance is an offense against laws and ordinances regulating the movement of traffic.

(h) A person may not sell or offer for sale a registration plate cover. A violation of this subsection (h) is a business offense.

(i) A person may not advertise for the purpose of promoting the sale of registration plate covers. A violation of this subsection (i) is a business offense.

(j) A person may not modify the original manufacturer's mounting location of the rear registration plate on any vehicle so as to conceal the registration or to knowingly cause it to be obstructed in an effort to hinder a peace officer from obtaining the registration for the enforcement of a violation of this Code, Section 27.1 of the Toll Highway Act concerning toll evasion, or any municipal ordinance. Modifications prohibited by this subsection (j) include but are not limited to the use of an electronic device. A violation of this subsection (j) is a Class A misdemeanor.

(Source: P.A. 97-743, eff. 1-1-13.)

(625 ILCS 5/3-600) (from Ch. 95 1/2, par. 3-600)
Sec. 3-600. Requirements for issuance of special plates.

(a) The Secretary of State shall issue only special plates that have been authorized by the General Assembly. The Secretary of State shall not issue a series of special plates unless applications, as prescribed by the Secretary, have been received for 10,000 plates of that series; except that the Secretary of State may prescribe some other required number of applications if that number is sufficient to pay for the total cost of designing, manufacturing and issuing the special license plate. Where a special plate is authorized by law to raise funds for a specific civic group, charitable entity, or other identified organization, and where the Secretary of State has not received the required number of applications to issue that special plate within 2 years of the effective date of the Public Act authorizing the special plate, the Secretary of State's authority to issue the special plate is nullified.

New matter indicated by italics - deletions by strikeout
(b) The Secretary of State, upon issuing a new series of special license plates, shall notify all law enforcement officials of the design, color and other special features of the special license plate series.

(c) This Section shall not apply to the Secretary of State's discretion as established in Section 3-611.

(d) If a law authorizing a special license plate provides that the sponsoring organization is to designate a charitable entity as the recipient of the funds from the sale of that license plate, the designated charitable entity must be in compliance with the registration and reporting requirements of the Charitable Trust Act and the Solicitation for Charity Act. In addition, the charitable entity must annually provide the Secretary of State's office a letter of compliance issued by the Illinois Attorney General's office verifying the entity is in compliance with the Acts.

In the case of a law in effect before the effective date of this amendatory Act of the 97th General Assembly, the name of the charitable entity which is to receive the funds shall be provided to the Secretary of State within one year after the effective date of this amendatory Act of the 97th General Assembly. In the case of a law that takes effect on or after the effective date of this amendatory Act of the 97th General Assembly, the name of the charitable entity which is to receive the funds shall be provided to the Secretary of State within one year after the law takes effect. If the organization fails to designate an appropriate charitable entity within the one-year period, or if the designated charitable entity fails to annually provide the Secretary of State a letter of compliance issued by the Illinois Attorney General's office, any funds collected from the sale of plates authorized for that organization and not previously disbursed shall be transferred to the General Revenue Fund, and the special plates shall be discontinued.

(e) If fewer than 1,000 sets of any special license plate authorized by law and issued by the Secretary of State are actively registered for 2 consecutive calendar years, the Secretary of State may discontinue the issuance of that special license plate.

(f) Where special license plates have been discontinued pursuant to subsection (d) or (e) of this Section, all previously issued plates of that type shall be recalled. Owners of vehicles which were registered with recalled plates shall not be charged a reclassification or registration sticker replacement plate fee upon the issuance of new plates for those vehicles.

(g) Any special plate that is authorized to be issued for motorcycles may also be issued for autocycles.

(Source: P.A. 97-409, eff. 1-1-12.)

New matter indicated by italics - deletions by strikeout
Sec. 3-806. Registration Fees; Motor Vehicles of the First Division. Every owner of any other motor vehicle of the first division, except as provided in Sections 3-804, 3-804.01, 3-804.3, 3-805, 3-806.3, 3-806.7, and 3-808, and every second division vehicle weighing 8,000 pounds or less, shall pay the Secretary of State an annual registration fee at the following rates:

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<th>SCHEDULE OF REGISTRATION FEES REQUIRED BY LAW</th>
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Beginning with the 2010 registration year a $1 surcharge shall be collected in addition to the above fees for motor vehicles of the first division, autocycles, motorcycles, motor driven cycles, and pedalcycles to be deposited into the State Police Vehicle Fund.

All of the proceeds of the additional fees imposed by Public Act 96-34 shall be deposited into the Capital Projects Fund.

Beginning with the 2014 registration year, a $2 surcharge shall be collected in addition to the above fees for motor vehicles of the first division, autocycles, motorcycles, motor driven cycles, and pedalcycles to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

(Source: P.A. 97-412, eff. 1-1-12; 97-811, eff. 7-13-12; 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

New matter indicated by italics - deletions by strikeout
shall be charged $94 for each set of vanity license plates issued to a vehicle of the first division or a vehicle of the second division registered at not more than 8,000 pounds or to a recreational vehicle and $50 for each set of vanity plates issued to an autocycle or a motorcycle. In addition to the regular renewal fee, an applicant for a vanity plate, other than a vanity plate in any military series or a vanity plate issued under Section 3-664, shall be charged $13 for the renewal of each set of vanity license plates. There shall be no additional fees for a vanity license plate in any military series of plates or a vanity plate issued under Section 3-664.

(625 ILCS 5/3-806.5)

Sec. 3-806.5. Additional fees for personalized license plates. For registration periods commencing after December 31, 2003, in addition to the regular registration fee, an applicant for a personalized license plate, other than a personalized plate in any military series or a personalized plate issued under Section 3-664, shall be charged $47 for each set of personalized license plates issued to a vehicle of the first division or a vehicle of the second division registered at not more than 8,000 pounds or to a recreational vehicle and $25 for each set of personalized plates issued to an autocycle or a motorcycle. In addition to the regular renewal fee, an applicant for a personalized plate other than a personalized plate in any military series or a personalized plate issued under Section 3-664, shall be charged $7 for the renewal of each set of personalized license plates. There shall be no additional fees charged for a personalized plate in any military series of plates or a personalized plate issued under Section 3-664. Of the money received by the Secretary of State as additional fees for personalized license plates, 50% shall be deposited into the Secretary of State Special License Plate Fund and 50% shall be deposited into the General Revenue Fund.

(625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)

Sec. 6-104. Classification of Driver - Special Restrictions.

(a) A driver's license issued under the authority of this Act shall indicate the classification for which the applicant therefor has qualified by examination or by such other means that the Secretary of State shall prescribe. Driver's license classifications shall be prescribed by rule or regulation promulgated by the Secretary of State and such may specify classifications as to operation of motor vehicles of the first division, or of those of the second division, whether operated singly or in lawful
combination, and whether for-hire or not-for-hire, and may specify such other classifications as the Secretary deems necessary.

No person shall operate a motor vehicle unless such person has a valid license with a proper classification to permit the operation of such vehicle, except that any person may operate a moped if such person has a valid current Illinois driver's license, regardless of classification.

(b) No person who is under the age of 21 years or has had less than 1 year of driving experience shall drive: (1) in connection with the operation of any school, day camp, summer camp, or nursery school, any public or private motor vehicle for transporting children to or from any school, day camp, summer camp, or nursery school, or (2) any motor vehicle of the second division when in use for the transportation of persons for compensation.

(c) No person who is under the age of 18 years shall be issued a license for the purpose of transporting property for hire, or for the purpose of transporting persons for compensation in a motor vehicle of the first division.

(d) No person shall drive: (1) a school bus when transporting school children unless such person possesses a valid school bus driver permit or is accompanied and supervised, for the specific purpose of training prior to routine operation of a school bus, by a person who has held a valid school bus driver permit for at least one year; or (2) any other vehicle owned or operated by or for a public or private school, or a school operated by a religious institution, where such vehicle is being used over a regularly scheduled route for the transportation of persons enrolled as a student in grade 12 or below, in connection with any activity of the entities unless such person possesses a valid school bus driver permit.

(d-5) No person may drive a bus that does not meet the special requirements for school buses provided in Sections 12-801, 12-802, 12-803, and 12-805 of this Code that has been chartered for the sole purpose of transporting students regularly enrolled in grade 12 or below to or from interscholastic athletic or interscholastic or school sponsored activities unless the person has a valid and properly classified commercial driver's license as provided in subsection (c-1) of Section 6-508 of this Code in addition to any other permit or license that is required to operate that bus. This subsection (d-5) does not apply to any bus driver employed by a public transportation provider authorized to conduct local or interurban transportation of passengers when the bus is not traveling a specific school bus route but is on a regularly scheduled route for the transporting of other fare paying passengers.

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A person may operate a chartered bus described in this subsection (d-5) if he or she is not disqualified from driving a chartered bus of that type and if he or she holds a CDL that is:

(1) issued to him or her by any other state or jurisdiction in accordance with 49 CFR 383;
(2) not suspended, revoked, or canceled; and
(3) valid under 49 CFR 383, subpart F, for the type of vehicle being driven.

A person may also operate a chartered bus described in this subsection (d-5) if he or she holds a valid CDL and a valid school bus driver permit that was issued on or before December 31, 2003.

(e) No person shall drive a religious organization bus unless such person has a valid and properly classified drivers license or a valid school bus driver permit.

(f) No person shall drive a motor vehicle for the purpose of providing transportation for the elderly in connection with the activities of any public or private organization unless such person has a valid and properly classified driver's license issued by the Secretary of State.

(g) No person shall drive a bus which meets the special requirements for school buses provided in Section 12-801, 12-802, 12-803 and 12-805 of this Code for the purpose of transporting persons 18 years of age or less in connection with any youth camp licensed under the Youth Camp Act or any child care facility licensed under the Child Care Act of 1969 unless such person possesses a valid school bus driver permit or is accompanied and supervised, for the specific purpose of training prior to routine operation of a school bus, by a person who has held a valid school bus driver permit for at least one year; however, a person who has a valid and properly classified driver's license issued by the Secretary of State may operate a school bus for the purpose of transporting persons 18 years of age or less in connection with any such youth camp or child care facility if the "SCHOOL BUS" signs are covered or concealed and the stop signal arm and flashing signal systems are not operable through normal controls.

(h) No person shall operate an autocycle unless he or she has a valid Class D driver's license.

(Source: P.A. 96-554, eff. 1-1-10.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Passed in the General Assembly May 9, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The University of Illinois Trustees Act is amended by changing Section 1 as follows:

(110 ILCS 310/1) (from Ch. 144, par. 41)

Sec. 1. The Board of Trustees of the University of Illinois shall consist of the Governor and at least 12 trustees. Nine trustees shall be appointed by the Governor, by and with the advice and consent of the Senate. The other trustees shall be students, of whom one student shall be selected from each University campus.

Each student trustee shall serve a term of one year, beginning on July 1 or on the date of his or her selection, whichever is later, and expiring on the next succeeding June 30.

Each trustee shall have all of the privileges of membership, except that only one student trustee shall have the right to cast a legally binding vote. The Governor shall designate which one of the student trustees shall possess, for his or her entire term, the right to cast a legally binding vote. Each student trustee who does not possess the right to cast a legally binding vote shall have the right to cast an advisory vote and the right to make and second motions and to attend executive sessions.

Each trustee shall be governed by the same conflict of interest standards. Pursuant to those standards, it shall not be a conflict of interest for a student trustee to vote on matters pertaining to students generally, such as tuition and fees. However, it shall be a conflict of interest for a student trustee to vote on faculty member tenure or promotion. Student trustees shall be chosen by campus-wide student election, and the student trustee designated by the Governor to possess a legally binding vote shall be one of the students selected by this method. A student trustee who does not possess a legally binding vote on a measure at a meeting of the Board or any of its committees shall not be considered a trustee for the purpose of determining whether a quorum is present at the time that measure is voted upon. To be eligible for selection as a student trustee and to be eligible to remain as a voting or nonvoting student trustee, a student trustee must be a resident of this State, must have and maintain a grade point average that is equivalent to at least 2.5 on a 4.0 scale, and must be a full time student enrolled at all times during his

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or her term of office except for that part of the term which follows the completion of the last full regular semester of an academic year and precedes the first full regular semester of the succeeding academic year at the University (sometimes commonly referred to as the summer session or summer school). If a voting or nonvoting student trustee fails to continue to meet or maintain the residency, minimum grade point average, or enrollment requirement established by this Section, his or her membership on the Board shall be deemed to have terminated by operation of law. *The University may not use residency for tuition purposes as a factor in making the determination that a student is or is not a resident of this State. The following factors shall positively demonstrate residency in this State for the purposes of the residency requirement for student trustees and candidates for student trustee:*

1. evidence of the student's Illinois domicile for at least the previous 6 months;
2. evidence of the student's current, valid Illinois driver's license; and
3. evidence of the student's valid Illinois voter registration.  

*A positive demonstration of residency in this State for student trustees and candidates for student trustees under this Section does not apply to residency requirements for tuition purposes.*

If a voting student trustee resigns or otherwise ceases to serve on the Board, the Governor shall, within 30 days, designate one of the remaining student trustees to possess the right to cast a legally binding vote for the remainder of his or her term. If a nonvoting student trustee resigns or otherwise ceases to serve on the Board, the chief executive of the student government from that campus shall, within 30 days, select a new nonvoting student trustee to serve for the remainder of the term.

No more than 5 of the 9 appointed trustees shall be affiliated with the same political party. Each trustee appointed by the Governor must be a resident of this State. A failure to meet or maintain this residency requirement constitutes a resignation from and creates a vacancy in the Board. The term of office of each appointed trustee shall be 6 years from the third Monday in January of each odd numbered year. The regular terms of office of the appointed trustees shall be staggered so that 3 terms expire in each odd-numbered year.

Vacancies for appointed trustees shall be filled for the unexpired term in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make temporary appointments until the next meeting of the Senate, when he shall...
appoint persons to fill such memberships for the remainder of their respective terms. If the Senate is not in session when appointments for a full term are made, appointments shall be made as in the case of vacancies.

No action of the board shall be invalidated by reason of any vacancies on the board, or by reason of any failure to select student trustees.

(Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00; 92-16, eff. 6-28-01.)

Section 99. Effective date. This Act takes effect June 1, 2014.

**PUBLIC ACT 98-0779**
(Senate Bill No. 3552)

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 5-1133 as follows:

(55 ILCS 5/5-1133)

Sec. 5-1133. Counties of greater than 300,000 but less than 2,000,000; reporting of information; code of conduct for county appointees.

(a) A county board in a county with a population greater than 300,000 but less than 2,000,000 may by ordinance require any unit of local government or agency to which the county board chairman or county executive nominates and the county board confirms a majority of member appointments to provide the county with detailed information, including, but not limited to, the unit's or agency's finances, budget, contracts, employment, and ethics policies, in the manner and with the frequency specified by the ordinance. The ordinance may require the unit of local government or agency to immediately disclose to the county any internal or external findings of non-compliance with any law or regulation involving the unit of local government or agency and its personnel.

(b) Notwithstanding any provision of law to the contrary, a county board may by ordinance adopt a code of conduct regarding the fiscal responsibility and procurement authority, as required by State law, local ordinance, or county board policy, as well as the accountability, transparency, and ethical conduct of county appointees, in addition to those requirements mandated by law for and applicable to the appointees to any

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unit of local government, agency, or commission for which the county board chairman, county executive, or county board serves as the appointing authority. The ordinance may provide that good cause for removing an appointee is established when an appointee violates the code of conduct. Appointees appointed by a county board chairman or county executive, with or without the consent of the county board, may be removed from office for violating the code of conduct by the county board chairman or county executive with concurrence by a 2/3 majority vote of the county board. The appointee shall be provided reasonable notice of the violation and a hearing before the county board or its designee prior to the vote. Appointees appointed by the county board may be removed by a 2/3 majority vote of the county board for violating the code of conduct after providing the appointee with reasonable notice of the violation and a hearing before the county board or its designee.

(c) The provisions of this Section do not apply to the removal of county superintendent of highways or county engineer as provided under Section 5-203 of the Illinois Highway Code.

(Source: P.A. 97-84, eff. 7-6-11.)

Passed in the General Assembly May 29, 2014.


Effective January 1, 2015.

PUBLIC ACT 98-0780
(House Bill No. 3794)

AN ACT making appropriations.

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

ARTICLE 1

Section 5. The sum of $1,000,000,000, or so much thereof as may be necessary for statewide purposes, is appropriated from the Transportation Bond Series D Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local highways, arterial highways, roads, access areas, roadside shelters, rest areas, and fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of

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natural beauty; and for capital improvements which directly facilitate an
effective vehicle weight enforcement program, such as scales (fixed and
portable), scale pits and scale installations and scale houses, in accordance
with applicable laws and regulations for the state and local portions of the
Road Improvement Program.

Section 10. The sum of $100,000,000, or so much thereof as may be
necessary, is appropriated from the Transportation Bond Series D Fund to the
Department of Transportation for grants to counties, municipalities, and road
districts for planning, engineering, acquisition, construction, reconstruction,
development, improvement, extension, and all construction related expenses
of the public infrastructure and other transportation improvement projects
which are related to economic development in the State of Illinois allocated
as follows:

For the municipalities of the State........... 49,100,000
For the counties of the State having
1,000,000 or more inhabitants............... 16,740,000
For the counties of the State having less
than 1,000,000 inhabitants............... 18,270,000
For the road districts of the State........... 15,890,000
Total..................................... $100,000,000

ARTICLE 99

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved July 22, 2014.
Effective July 22, 2014.

PUBLIC ACT 98-0781
(Senate Bill No. 3224)

AN ACT concerning State government.

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

Section 5. The General Obligation Bond Act is amended by changing
Sections 2, 4, and 7 as follows:

(30 ILCS 330/2) (from Ch. 127, par. 652)
Sec. 2. Authorization for Bonds. The State of Illinois is authorized to
issue, sell and provide for the retirement of General Obligation Bonds of the
State of Illinois for the categories and specific purposes expressed in Sections

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2 through 8 of this Act, in the total amount of $49,917,925,743.

The bonds authorized in this Section 2 and in Section 16 of this Act are herein called "Bonds".

Of the total amount of Bonds authorized in this Act, up to $2,200,000,000 in aggregate original principal amount may be issued and sold in accordance with the Baccalaureate Savings Act in the form of General Obligation College Savings Bonds.

Of the total amount of Bonds authorized in this Act, up to $300,000,000 in aggregate original principal amount may be issued and sold in accordance with the Retirement Savings Act in the form of General Obligation Retirement Savings Bonds.

Of the total amount of Bonds authorized in this Act, the additional $10,000,000,000 authorized by Public Act 93-2, the $3,466,000,000 authorized by Public Act 96-43, and the $4,096,348,300 authorized by Public Act 96-1497 shall be used solely as provided in Section 7.2.

The issuance and sale of Bonds pursuant to the General Obligation Bond Act is an economical and efficient method of financing the long-term capital needs of the State. This Act will permit the issuance of a multi-purpose General Obligation Bond with uniform terms and features. This will not only lower the cost of registration but also reduce the overall cost of issuing debt by improving the marketability of Illinois General Obligation Bonds.

(Source: P.A. 97-333, eff. 8-12-11; 97-771, eff. 7-10-12; 97-813, eff. 7-13-12; 98-94, eff. 7-17-13; 98-463, eff. 8-16-13.)

(30 ILCS 330/4) (from Ch. 127, par. 654)

Sec. 4. Transportation. The amount of $15,948,199,000 is authorized for use by the Department of Transportation for the specific purpose of promoting and assuring rapid, efficient, and safe highway, air and mass transportation for the inhabitants of the State by providing monies, including the making of grants and loans, for the acquisition, construction, reconstruction, extension and improvement of the following transportation facilities and equipment, and for the acquisition of real property and interests in real property required or expected to be required in connection therewith as follows:

(a) $5,432,129,000 for State highways, arterial highways, freeways, roads, bridges, structures separating highways and railroads and roads, and bridges on roads maintained by counties, municipalities, townships or road districts for the following specific purposes:

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(1) $3,330,000,000 for use statewide,
(2) $3,677,000 for use outside the Chicago urbanized area,
(3) $7,543,000 for use within the Chicago urbanized area,
(4) $13,060,600 for use within the City of Chicago,
(5) $58,987,500 for use within the counties of Cook, DuPage, Kane, Lake, McHenry and Will,
(6) $18,860,900 for use outside the counties of Cook, DuPage, Kane, Lake, McHenry and Will, and
(7) $2,000,000,000 for use on projects included in either (i) the FY09-14 Proposed Highway Improvement Program as published by the Illinois Department of Transportation in May 2008 or (ii) the FY10-15 Proposed Highway Improvement Program to be published by the Illinois Department of Transportation in the spring of 2009; except that all projects must be maintenance projects for the existing State system with the goal of reaching 90% acceptable condition in the system statewide and further except that all projects must reflect the generally accepted historical distribution of projects throughout the State.

(b) $5,379,670,000 for rail facilities and for mass transit facilities, as defined in Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305), including rapid transit, rail, bus and other equipment used in connection therewith by the State or any unit of local government, special transportation district, municipal corporation or other corporation or public authority authorized to provide and promote public transportation within the State or two or more of the foregoing jointly, for the following specific purposes:

(1) $4,283,870,000 statewide,
(2) $83,350,000 for use within the counties of Cook, DuPage, Kane, Lake, McHenry and Will,
(3) $12,450,000 for use outside the counties of Cook, DuPage, Kane, Lake, McHenry and Will, and
(4) $1,000,000,000 for use on projects that shall reflect the generally accepted historical distribution of projects throughout the State.

(c) $482,600,000 for airport or aviation facilities and any equipment used in connection therewith, including engineering and land acquisition costs, by the State or any unit of local government, special transportation district, municipal corporation or other corporation or public authority authorized to provide public transportation within the State, or two or more
of the foregoing acting jointly, and for the making of deposits into the Airport Land Loan Revolving Fund for loans to public airport owners pursuant to the Illinois Aeronautics Act.

(d) $4,653,800,000 for use statewide for State or local highways, arterial highways, freeways, roads, bridges, and structures separating highways and railroads and roads, and for grants to counties, municipalities, townships, or road districts for planning, engineering, acquisition, construction, reconstruction, development, improvement, extension, and all construction-related expenses of the public infrastructure and other transportation improvement projects which are related to economic development in the State of Illinois.

(Source: P.A. 97-771, eff. 7-10-12; 98-94, eff. 7-17-13.)

(30 ILCS 330/7) (from Ch. 127, par. 657)

Sec. 7. Coal and Energy Development. The amount of $242,700,000 is authorized to be used by the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs) for coal and energy development purposes, pursuant to Sections 2, 3 and 3.1 of the Illinois Coal and Energy Development Bond Act, for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act, for the purposes specified in Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois, and for the purpose of facility cost reports prepared pursuant to Sections 1-58 or 1-75(d)(4) of the Illinois Power Agency Act and for the purpose of development costs pursuant to Section 8.1 of the Energy Conservation and Coal Development Act. Of this amount:

(a) $143,500,000 is for the specific purposes of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State and for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act;

(b) $35,000,000 is for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act and making grants to generating stations and coal gasification facilities within the State of Illinois and to the owner of a generating station located in Illinois and having at least three coal-fired generating units with accredited summer capability greater than 500 megawatts each at such generating station as provided in Section 6 of that Bond Act;

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(c) $13,200,000 is for research, development and demonstration of forms of energy other than that derived from coal, either on or off State property;

(d) $500,000,000 is for the purpose of providing financial assistance to new electric generating facilities as provided in Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois; and

(e) $51,000,000 is for the purpose of facility cost reports prepared for not more than one facility pursuant to Section 1-75(d)(4) of the Illinois Power Agency Act and not more than one facility pursuant to Section 1-58 of the Illinois Power Agency Act and for the purpose of up to $6,000,000 of development costs pursuant to Section 8.1 of the Energy Conservation and Coal Development Act.

(Source: P.A. 98-94, eff. 7-17-13.)


PUBLIC ACT 98-0782
( Senate Bill No. 2780)

AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by changing Sections 19.1, 19.2, 19.3, and 19.4 as follows:

Sec. 19.1. Legislative findings. The General Assembly finds:

(a) that local government units require assistance in financing the construction of water wastewater treatment works and projects in order to comply with the State's program of environmental protection and federally mandated requirements;

(b) that the federal Water Quality Act of 1987 provides an important source of grant awards to the State for providing assistance to local government units through the Water Pollution Control Loan Program;

(c) that local government units and privately owned community water supplies require assistance in financing the construction of their public water

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supplies to comply with State and federal drinking water laws and regulations;

(d) that the federal Safe Drinking Water Act ("SDWA"), P.L. 93-523, as now or hereafter amended, provides an important source of capitalization grant awards to the State to provide assistance to local government units and privately owned community water supplies through the Public Water Supply Loan Program;

(e) that violations of State and federal drinking water standards threaten the public interest, safety, and welfare, which demands that the Illinois Environmental Protection Agency expeditiously adopt emergency rules to administer the Public Water Supply Loan Program;

(f) that the General Assembly agrees with the conclusions and recommendations of the "Report to the Illinois General Assembly on the Issue of Expanding Public Water Supply Loan Eligibility to Privately Owned Community Water Supplies", dated August 1998, including the stated access to the Public Water Supply Loan Program by the privately owned public water supplies so that the long term integrity and viability of the corpus of the Fund will be assured; and

(g) that the American Recovery and Reinvestment Act of 2009 provides a source of capitalization grant awards to the State to provide loans and additional subsidization, including, but not limited to, forgiveness of principal, negative interest loans, and grants, to local government units through the Water Pollution Control Loan Program and to local government units and privately owned community water supplies through the Public Water Supply Loan Program;

(h) that expanding eligibility to include publicly owned municipal storm water projects eligible for financing as treatment works, as defined under Section 212 of the Federal Water Pollution Control Act, will provide the Agency with the statutory authority to use moneys in the Water Pollution Control Loan Program to provide financial assistance for eligible projects, including those that encourage green infrastructure, that manage and treat storm water, and that maintain and restore natural hydrology by infiltrating, evapotranspiring, and capturing and using storm water;

(i) that in planning projects for which financing will be sought from the Water Pollution Control Loan Program, municipalities may benefit from efforts to consider a project's lifetime costs; the availability of long-term funding for the construction, operation, maintenance, and replacement of the project; the resilience of the project to the effects of climate change; the project's ability to increase water efficiency; the capacity of the project to
restore natural hydrology or to preserve or restore landscape features; the cost-effectiveness of the project; and the overall environmental innovativeness of the project; and

(j) that projects implementing a management program established under Section 319 of the Federal Water Pollution Control Act may benefit from the creation of a linked deposit program that would make loans available at or below market interest rates through private lenders.
(Source: P.A. 96-8, eff. 4-28-09.)

(415 ILCS 5/19.2) (from Ch. 111 1/2, par. 1019.2)

Sec. 19.2. As used in this Title, unless the context clearly requires otherwise:

(a) "Agency" means the Illinois Environmental Protection Agency.
(b) "Fund" means the Water Revolving Fund created pursuant to this Title, consisting of the Water Pollution Control Loan Program, the Public Water Supply Loan Program, and the Loan Support Program.
(c) "Loan" means a loan made from the Water Pollution Control Loan Program or the Public Water Supply Loan Program to an eligible applicant as a result of a contractual agreement between the Agency and such applicant.
(d) "Construction" means any one or more of the following which is undertaken for a public purpose: preliminary planning to determine the feasibility of the treatment works or public water supply, engineering, architectural, legal, fiscal or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures or other necessary actions, erection, building, acquisition, alteration, remodeling, improvement or extension of treatment works or public water supplies, or the inspection or supervision of any of the foregoing items. "Construction" also includes implementation of source water quality protection measures and establishment and implementation of wellhead protection programs in accordance with Section 1452(k)(1) of the federal Safe Drinking Water Act.
(e) "Intended use plan" means a plan which includes a description of the short and long term goals and objectives of the Water Pollution Control Loan Program and the Public Water Supply Loan Program, project categories, discharge requirements, terms of financial assistance and the loan applicants to be served.
(f) "Treatment works" means treatment works, as defined in Section 212 of the Federal Water Pollution Control Act, including, but not limited to, the following: any devices and systems owned by a local government unit and used in the storage, treatment, recycling, and reclamation of sewerage or industrial wastes of a liquid nature, including intercepting sewers, outfall

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sewers, sewage collection systems, pumping power and other equipment, and appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply, such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process for wastewater facilities; and any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems as those terms are defined in the Federal Water Pollution Control Act.

(g) "Local government unit" means a county, municipality, township, municipal or county sewerage or utility authority, sanitary district, public water district, improvement authority or any other political subdivision whose primary purpose is to construct, operate and maintain wastewater treatment facilities, including storm water treatment systems, or public water supply facilities or both.

(h) "Privately owned community water supply" means:

(1) an investor-owned water utility, if under Illinois Commerce Commission regulation and operating as a separate and distinct water utility;

(2) a not-for-profit water corporation, if operating specifically as a water utility; and

(3) a mutually owned or cooperatively owned community water system, if operating as a separate water utility.

(Source: P.A. 91-36, eff. 6-15-99; 91-52, eff. 6-30-99; 91-501, eff. 8-13-99; 92-16, eff. 6-28-01.)

(415 ILCS 5/19.3) (from Ch. 111 1/2, par. 1019.3)

Sec. 19.3. Water Revolving Fund.

(a) There is hereby created within the State Treasury a Water Revolving Fund, consisting of 3 interest-bearing special programs to be known as the Water Pollution Control Loan Program, the Public Water Supply Loan Program, and the Loan Support Program, which shall be used and administered by the Agency.

(b) The Water Pollution Control Loan Program shall be used and administered by the Agency to provide assistance for the following purposes:

(1) to accept and retain funds from grant awards, appropriations, transfers, and payments of interest and principal;

(2) to make direct loans at or below market interest rates and to provide additional subsidization, including, but not limited to,
forgiveness of principal, negative interest rates, and grants, to any eligible local government unit to finance the construction of wastewater treatments works, including storm water treatment systems that are treatment works, and projects that fulfill federal State Revolving Fund grant requirements for a green project reserve;

(2.5) with respect to funds provided under the American Recovery and Reinvestment Act of 2009:

(A) to make direct loans at or below market interest rates to any eligible local government unit and to provide additional subsidization to any eligible local government unit, including, but not limited to, forgiveness of principal, negative interest rates, and grants;

(B) to make direct loans at or below market interest rates to any eligible local government unit to buy or refinance debt obligations for treatment works incurred on or after October 1, 2008; and

(C) to provide additional subsidization, including, but not limited to, forgiveness of principal, negative interest rates, and grants for treatment works incurred on or after October 1, 2008;

(3) to make direct loans at or below market interest rates and to provide additional subsidization, including, but not limited to, forgiveness of principal, negative interest rates, and grants, to any eligible local government unit to buy or refinance debt obligations for costs incurred after March 7, 1985, for the construction of wastewater treatment works, including storm water treatment systems that are treatment works, and projects that fulfill federal State Revolving Fund grant requirements for a green project reserve;

(3.5) to make direct loans, including, but not limited to, loans through a linked deposit program, at or below market interest rates for the implementation of a management program established under Section 319 of the Federal Water Pollution Control Act, as amended;

(4) to guarantee or purchase insurance for local obligations where such action would improve credit market access or reduce interest rates;

(5) as a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the State or any political subdivision or instrumentality thereof, if the proceeds of such bonds will be deposited in the Fund;

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(6) to finance the reasonable costs incurred by the Agency in the administration of the Fund; and
(7) to transfer funds to the Public Water Supply Loan Program; and:

(8) notwithstanding any other provision of this subsection (b), to provide, in accordance with rules adopted under this Title, any financial assistance that may be provided under Section 603 of the Federal Water Pollution Control Act for any projects eligible for assistance under subsections (c)(1) or (c)(2) of that Section or federal rules adopted under those subsections.

(c) The Loan Support Program shall be used and administered by the Agency for the following purposes:

(1) to accept and retain funds from grant awards and appropriations;
(2) to finance the reasonable costs incurred by the Agency in the administration of the Fund, including activities under Title III of this Act, including the administration of the State construction grant program;
(3) to transfer funds to the Water Pollution Control Loan Program and the Public Water Supply Loan Program;
(4) to accept and retain a portion of the loan repayments;
(5) to finance the development of the low interest loan programs for water pollution control and public water supply projects;
(6) to finance the reasonable costs incurred by the Agency to provide technical assistance for public water supplies; and
(7) to finance the reasonable costs incurred by the Agency for public water system supervision programs, to administer or provide for technical assistance through source water protection programs, to develop and implement a capacity development strategy, to delineate and assess source water protection areas, and for an operator certification program in accordance with Section 1452 of the federal Safe Drinking Water Act.

(d) The Public Water Supply Loan Program shall be used and administered by the Agency to provide assistance to local government units and privately owned community water supplies for public water supplies for the following public purposes:

(1) to accept and retain funds from grant awards, appropriations, transfers, and payments of interest and principal;

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(2) to make direct loans at or below market interest rates and to provide additional subsidization, including, but not limited to, forgiveness of principal, negative interest rates, and grants, to any eligible local government unit or to any eligible privately owned community water supply to finance the construction of water supplies and projects that fulfill federal State Revolving Fund grant requirements for a green project reserve;

(2.5) with respect to funds provided under the American Recovery and Reinvestment Act of 2009:

(A) to make direct loans at or below market interest rates to any eligible local government unit or to any eligible privately owned community water supply, and to provide additional subsidization to any eligible local government unit or to any eligible privately owned community water supply, including, but not limited to, forgiveness of principal, negative interest rates, and grants;

(B) to buy or refinance the debt obligation of a local government unit for costs incurred on or after October 1, 2008; and

(C) to provide additional subsidization, including, but not limited to, forgiveness of principal, negative interest rates, and grants for a local government unit for costs incurred on or after October 1, 2008;

(3) to make direct loans at or below market interest rates and to provide additional subsidization, including, but not limited to, forgiveness of principal, negative interest rates, and grants, to any eligible local government unit or to any eligible privately owned community water supply to buy or refinance debt obligations for costs incurred on or after July 17, 1997, for the construction of water supplies and projects that fulfill federal State Revolving Fund requirements for a green project reserve;

(4) to guarantee local obligations where such action would improve credit market access or reduce interest rates;

(5) as a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the State or any political subdivision or instrumentality thereof, if the proceeds of such bonds will be deposited into the Fund; and

(6) to transfer funds to the Water Pollution Control Loan Program.

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(e) The Agency is designated as the administering agency of the Fund. The Agency shall submit to the Regional Administrator of the United States Environmental Protection Agency an intended use plan which outlines the proposed use of funds available to the State. The Agency shall take all actions necessary to secure to the State the benefits of the federal Water Pollution Control Act and the federal Safe Drinking Water Act, as now or hereafter amended.

(f) The Agency shall have the power to enter into intergovernmental agreements with the federal government or the State, or any instrumentality thereof, for purposes of capitalizing the Water Revolving Fund. Moneys on deposit in the Water Revolving Fund may be used for the creation of reserve funds or pledged funds that secure the obligations of repayment of loans made pursuant to this Section. For the purpose of obtaining capital for deposit into the Water Revolving Fund, the Agency may also enter into agreements with financial institutions and other persons for the purpose of selling loans and developing a secondary market for such loans. The Agency shall have the power to create and establish such reserve funds and accounts as may be necessary or desirable to accomplish its purposes under this subsection and to allocate its available moneys into such funds and accounts. Investment earnings on moneys held in the Water Revolving Fund, including any reserve fund or pledged fund, shall be deposited into the Water Revolving Fund.

(Source: P.A. 96-8, eff. 4-28-09; 96-917, eff. 6-9-10.)

(415 ILCS 5/19.4) (from Ch. 111 1/2, par. 1019.4)

Sec. 19.4. Regulations; priorities.

(a) The Agency shall have the authority to promulgate regulations for the administration of this Title, including, but not limited to, rules setting forth procedures and criteria concerning loan applications and the issuance of loans. For loans to units of local government, the regulations shall include, but need not be limited to, the following elements:

1. loan application requirements;
2. determination of credit worthiness of the loan applicant;
3. special loan terms, as necessary, for securing the repayment of the loan;
4. assurance of payment;
5. interest rates;
6. loan support rates;
7. impact on user charges;
8. eligibility of proposed construction;
9. priority of needs;

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(10) special loan terms for disadvantaged communities;
(11) maximum limits on annual distributions of funds to applicants or groups of applicants;
(12) penalties for noncompliance with loan requirements and conditions, including stop-work orders, termination, and recovery of loan funds; and
(13) indemnification of the State of Illinois and the Agency by the loan recipient.

(b) The Agency shall have the authority to promulgate regulations to set forth procedures and criteria concerning loan applications for loan recipients other than units of local government. In addition to all of the elements required for units of local government under subsection (a), the regulations shall include, but need not be limited to, the following elements:
(1) types of security required for the loan;
(2) types of collateral, as necessary, that can be pledged for the loan; and
(3) staged access to fund privately owned community water supplies.

(c) Rules adopted under this Title shall also include, but shall not be limited to, criteria for prioritizing the issuance of loans under this Title according to applicant need. The Agency shall develop and maintain a priority list of loan applicants as categorized by need. Priority in making loans from the Public Water Supply Loan Program must first be given to local government units and privately owned community water supplies that need to make capital improvements to protect human health and to achieve compliance with the State and federal primary drinking water standards adopted pursuant to this Act and the federal Safe Drinking Water Act, as now and hereafter amended. Rules for prioritizing loans from the Water Pollution Control Loan Program may include, but shall not be limited to, criteria designed to encourage green infrastructure, water efficiency, environmentally innovative projects, and nutrient pollution removal.

(d) The Agency shall have the authority to promulgate regulations to set forth procedures and criteria concerning loan applications for funds provided under the American Recovery and Reinvestment Act of 2009. In addition, due to time constraints in the American Recovery and Reinvestment Act of 2009, the Agency shall adopt emergency rules as necessary to timely administration of funds provided under the American Recovery and Reinvestment Act of 2009. Emergency rules adopted under this subsection

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(d) shall be adopted in accordance with Section 5-45 of the Illinois Administrative Procedure Act.

(e) The Agency may adopt rules to create a linked deposit loan program through which loans made pursuant to paragraph (3.5) of subsection (b) of Section 19.3 may be made through private lenders. Rules adopted under this subsection (e) shall include, but shall not be limited to, provisions requiring private lenders, prior to disbursing loan proceeds through the linked deposit loan program, to verify that the loan recipients have been approved by the Agency for financing under paragraph (3.5) of subsection (b) of Section 19.3.

(Source: P.A. 96-8, eff. 4-28-09.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved July 23, 2014.

PUBLIC ACT 98-0783
(House Bill No. 3232)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Sections 27A-4 and 27A-5 and by adding Sections 27A-10.5 and 27A-10.10 as follows:

(105 ILCS 5/27A-4)

Sec. 27A-4. General Provisions.

(a) The General Assembly does not intend to alter or amend the provisions of any court-ordered desegregation plan in effect for any school district. A charter school shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.

(b) The total number of charter schools operating under this Article at any one time shall not exceed 120. Not more than 70 charter schools shall operate at any one time in any city having a population exceeding 500,000, with at least 5 charter schools devoted exclusively to students from low-performing or overcrowded schools operating at any one time in that city; and not more than 45 charter schools shall operate at any one time in the remainder of the State, with not more than one charter school that has been

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initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located. In addition to these charter schools, up to but no more than 5 charter schools devoted exclusively to re-enrolled high school dropouts and/or students 16 or 15 years old at risk of dropping out may operate at any one time in any city having a population exceeding 500,000. Notwithstanding any provision to the contrary in subsection (b) of Section 27A-5 of this Code, each such dropout charter may operate up to 15 campuses within the city. Any of these dropout charters may have a maximum of 1,875 enrollment seats, any one of the campuses of the dropout charter may have a maximum of 165 enrollment seats, and each campus of the dropout charter must be operated, through a contract or payroll, by the same legal entity as that for which the charter is approved and certified.

For purposes of implementing this Section, the State Board shall assign a number to each charter submission it receives under Section 27A-6 for its review and certification, based on the chronological order in which the submission is received by it. The State Board shall promptly notify local school boards when the maximum numbers of certified charter schools authorized to operate have been reached.

(c) No charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school.

(d) Enrollment in a charter school shall be open to any pupil who resides within the geographic boundaries of the area served by the local school board, provided that the board of education in a city having a population exceeding 500,000 may designate attendance boundaries for no more than one-third of the charter schools permitted in the city if the board of education determines that attendance boundaries are needed to relieve overcrowding or to better serve low-income and at-risk students. Students residing within an attendance boundary may be given priority for enrollment, but must not be required to attend the charter school.

(e) Nothing in this Article shall prevent 2 or more local school boards from jointly issuing a charter to a single shared charter school, provided that all of the provisions of this Article are met as to those local school boards.

(f) No local school board shall require any employee of the school district to be employed in a charter school.

(g) No local school board shall require any pupil residing within the geographic boundary of its district to enroll in a charter school.

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(h) If there are more eligible applicants for enrollment in a charter school than there are spaces available, successful applicants shall be selected by lottery. However, priority shall be given to siblings of pupils enrolled in the charter school and to pupils who were enrolled in the charter school the previous school year, unless expelled for cause, and priority may be given to pupils residing within the charter school’s attendance boundary, if a boundary has been designated by the board of education in a city having a population exceeding 500,000.

Beginning with student enrollment for the 2015-2016 school year, any lottery required under this subsection (h) must be administered and videotaped by the charter school. The authorizer or its designee must be allowed to be present or view the lottery in real time. The charter school must maintain a videotaped record of the lottery, including a time/date stamp. The charter school shall transmit copies of the videotape and all records relating to the lottery to the authorizer on or before September 1 of each year.

Subject to the requirements for priority applicant groups set forth in paragraph (1) of this subsection (h), any lottery required under this subsection (h) must be administered in a way that provides each student an equal chance at admission. If an authorizer makes a determination that a charter school’s lottery is in violation of this subsection (h), it may administer the lottery directly. After a lottery, each student randomly selected for admission to the charter school must be notified. Charter schools may not create an admissions process subsequent to a lottery that may operate as a barrier to registration or enrollment.

Charter schools may undertake additional intake activities, including without limitation student essays, school-parent compacts, or open houses, but in no event may a charter school require participation in these activities as a condition of enrollment. A charter school must submit an updated waitlist to the authorizer on a quarterly basis. A waitlist must be submitted to the authorizer at the same time as quarterly financial statements, if quarterly financial statements are required by the authorizer.

Dual enrollment at both a charter school and a public school or non-public school shall not be allowed. A pupil who is suspended or expelled from a charter school shall be deemed to be suspended or expelled from the public schools of the school district in which the pupil resides. Notwithstanding anything to the contrary in this subsection (h):

(1) any charter school with a mission exclusive to educating high school dropouts may grant priority admission to students who

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are high school dropouts and/or students 16 or 15 years old at risk of dropping out and any charter school with a mission exclusive to educating students from low-performing or overcrowded schools may restrict admission to students who are from low-performing or overcrowded schools; "priority admission" for charter schools exclusively devoted to re-enrolled dropouts or students at risk of dropping out means a minimum of 90% of students enrolled shall be high school dropouts; and

(2) any charter school located in a school district that contains all or part of a federal military base may set aside up to 33% of its current charter enrollment to students with parents assigned to the federal military base, with the remaining 67% subject to the general enrollment and lottery requirements of subsection (d) of this Section and this subsection (h); if a student with a parent assigned to the federal military base withdraws from the charter school during the course of a school year for reasons other than grade promotion, those students with parents assigned to the federal military base shall have preference in filling the vacancy.

(i) (Blank).

(j) Notwithstanding any other provision of law to the contrary, a school district in a city having a population exceeding 500,000 shall not have a duty to collectively bargain with an exclusive representative of its employees over decisions to grant or deny a charter school proposal under Section 27A-8 of this Code, decisions to renew or revoke a charter under Section 27A-9 of this Code, and the impact of these decisions, provided that nothing in this Section shall have the effect of negating, abrogating, replacing, reducing, diminishing, or limiting in any way employee rights, guarantees, or privileges granted in Sections 2, 3, 7, 8, 10, 14, and 15 of the Illinois Educational Labor Relations Act.

(k) In this Section:

"Low-performing school" means a public school in a school district organized under Article 34 of this Code that enrolls students in any of grades kindergarten through 8 and that is ranked within the lowest 10% of schools in that district in terms of the percentage of students meeting or exceeding standards on the Illinois Standards Achievement Test.

"Overcrowded school" means a public school in a school district organized under Article 34 of this Code that (i) enrolls students in any of grades kindergarten through 8, (ii) has a percentage of low-income students of 70% or more, as identified in the most recently available School Report.

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Card published by the State Board of Education, and (iii) is determined by the Chicago Board of Education to be in the most severely overcrowded 5% of schools in the district. On or before November 1 of each year, the Chicago Board of Education shall file a report with the State Board of Education on which schools in the district meet the definition of "overcrowded school". "Students at risk of dropping out" means students 16 or 15 years old in a public school in a district organized under Article 34 of this Code that enrolls students in any grades 9-12 who have been absent at least 90 school attendance days of the previous 180 school attendance days.

(l) For advertisements created after the effective date of this amendatory Act of the 98th General Assembly, any advertisement, including a radio, television, print, Internet, social media, or billboard advertisement, purchased by a school district or public school, including a charter school, with public funds must include a disclaimer stating that the advertisement was paid for using public funds.

This disclaimer requirement does not extend to materials created by the charter school, including, but not limited to, a school website, informational pamphlets or leaflets, or clothing with affixed school logos.

(Source: P.A. 97-151, eff. 1-1-12; 97-624, eff. 11-28-11; 97-813, eff. 7-13-12; 98-474, eff. 8-16-13.)

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(b-5) In this subsection (b-5), "virtual-schooling" means the teaching of courses through online methods with online instructors, rather than the instructor and student being at the same physical location. "Virtual-
schooling" includes without limitation instruction provided by full-time, online virtual schools.

From April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. To ensure financial accountability for the use of public funds, on or before December 1 of every year of operation, each charter school shall submit to its authorizer an audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service. In addition, if deemed necessary for proper financial oversight of the charter school, an authorizer may require quarterly financial statements from each charter school.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, and its charter. A charter school is exempt from all other State laws and regulations in the School Code...
governing public schools and local school board policies, except the following:

(1) Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 24-24 and 34-84A of the School Code regarding discipline of students;

(3) The Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) The Abused and Neglected Child Reporting Act;

(6) The Illinois School Student Records Act;

(7) Section 10-17a of the School Code regarding school report cards; and

(8) The P-20 Longitudinal Education Data System Act.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local...
school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)

Sec. 27A-10.5. Educational or charter management organization.

(a) In this Section:
"CMO" means a charter management organization.
"EMO" means an educational management organization.

(b) All authorizers shall ensure that any charter school established on or after the effective date of this amendatory Act of the 98th General Assembly has a governing body that is separate and distinct from the governing body of any CMO or EMO. In reviewing charter applications and charter renewal applications, authorizers shall review the governance model proposed by the applicant to ensure that there are no conflicts of interest.

(c) No charter school may employ a staff person who is simultaneously employed by an EMO or CMO.

Sec. 27A-10.10. Closure of charter school; unspent public funds; procedures for the disposition of property and assets.

(a) Upon the closing of a charter school authorized by one or more local school boards, the governing body of the charter school or its designee shall refund to the chartering entity or entities all unspent public funds. The charter school's other property and assets shall be disposed of under the provisions of the charter application and contract. If the application and contract are silent or ambiguous as to the disposition of any of the school's property or assets, any property or assets of the charter school purchased with public funds shall be returned to the school district or districts from

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which the charter school draws enrollment, at no cost to the receiving district or districts, subject to each district's acceptance of the property or asset. Any unspent public funds or other property or assets received by the charter school directly from any State or federal agency shall be refunded to or revert back to that State or federal agency, respectively.

(b) Upon the closing of a charter school authorized by the Commission, the governing body of the charter school or its designee shall refund all unspent public funds to the State Board of Education. The charter school's other property and assets shall be disposed of under the provisions of the charter application and contract. If the application and contract are silent or ambiguous as to the disposition of any of the school's property or assets, any property or assets of the charter school purchased with public funds shall be returned to the school district or districts from which the charter school draws its enrollment, at no cost to the receiving district or districts, subject to each district's acceptance of the property or asset. Any unspent public funds or other property or assets provided by a State agency other than the State Board of Education or by a federal agency shall be refunded to or revert back to that State or federal agency, respectively.

Approved July 24, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0784
(House Bill No. 5342)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 3. The Illinois Banking Act is amended by changing Section 48 as follows:

(205 ILCS 5/48)

Sec. 48. Secretary's powers; duties. The Secretary shall have the powers and authority, and is charged with the duties and responsibilities designated in this Act, and a State bank shall not be subject to any other visitorial power other than as authorized by this Act, except those vested in the courts, or upon prior consultation with the Secretary, a foreign bank regulator with an appropriate supervisory interest in the parent or affiliate of a state bank. In the performance of the Secretary's duties:

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(1) The Commissioner shall call for statements from all State banks as provided in Section 47 at least one time during each calendar quarter.

(2) (a) The Commissioner, as often as the Commissioner shall deem necessary or proper, and no less frequently than 18 months following the preceding examination, shall appoint a suitable person or persons to make an examination of the affairs of every State bank, except that for every eligible State bank, as defined by regulation, the Commissioner in lieu of the examination may accept on an alternating basis the examination made by the eligible State bank's appropriate federal banking agency pursuant to Section 111 of the Federal Deposit Insurance Corporation Improvement Act of 1991, provided the appropriate federal banking agency has made such an examination. A person so appointed shall not be a stockholder or officer or employee of any bank which that person may be directed to examine, and shall have powers to make a thorough examination into all the affairs of the bank and in so doing to examine any of the officers or agents or employees thereof on oath and shall make a full and detailed report of the condition of the bank to the Commissioner. In making the examination the examiners shall include an examination of the affairs of all the affiliates of the bank, as defined in subsection (b) of Section 35.2 of this Act, or subsidiaries of the bank as shall be necessary to disclose fully the conditions of the subsidiaries or affiliates, the relations between the bank and the subsidiaries or affiliates and the effect of those relations upon the affairs of the bank, and in connection therewith shall have power to examine any of the officers, directors, agents, or employees of the subsidiaries or affiliates on oath. After May 31, 1997, the Commissioner may enter into cooperative agreements with state regulatory authorities of other states to provide for examination of State bank branches in those states, and the Commissioner may accept reports of examinations of State bank branches from those state regulatory authorities. These cooperative agreements may set forth the manner in which the other state regulatory authorities may be compensated for examinations prepared for and submitted to the Commissioner.

(b) After May 31, 1997, the Commissioner is authorized to examine, as often as the Commissioner shall deem necessary or proper, branches of out-of-state banks. The Commissioner may establish and may assess fees to be paid to the Commissioner for examinations under this subsection (b). The fees shall be borne by the out-of-state bank, unless the fees are borne by the state regulatory authority that chartered the out-of-state bank, as determined by a cooperative agreement between the Commissioner and the state regulatory authority that chartered the out-of-state bank.

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(2.1) Pursuant to paragraph (a) of subsection (6) of this Section, the Secretary shall adopt rules that ensure consistency and due process in the examination process. The Secretary may also establish guidelines that (i) define the scope of the examination process and (ii) clarify examination items to be resolved. The rules, formal guidance, interpretive letters, or opinions furnished to State banks by the Secretary may be relied upon by the State banks.

(2.5) Whenever any State bank, any subsidiary or affiliate of a State bank, or after May 31, 1997, any branch of an out-of-state bank causes to be performed, by contract or otherwise, any bank services for itself, whether on or off its premises:

(a) that performance shall be subject to examination by the Commissioner to the same extent as if services were being performed by the bank or, after May 31, 1997, branch of the out-of-state bank itself on its own premises; and

(b) the bank or, after May 31, 1997, branch of the out-of-state bank shall notify the Commissioner of the existence of a service relationship. The notification shall be submitted with the first statement of condition (as required by Section 47 of this Act) due after the making of the service contract or the performance of the service, whichever occurs first. The Commissioner shall be notified of each subsequent contract in the same manner.

For purposes of this subsection (2.5), the term "bank services" means services such as sorting and posting of checks and deposits, computation and posting of interest and other credits and charges, preparation and mailing of checks, statements, notices, and similar items, or any other clerical, bookkeeping, accounting, statistical, or similar functions performed for a State bank, including but not limited to electronic data processing related to those bank services.

(3) The expense of administering this Act, including the expense of the examinations of State banks as provided in this Act, shall to the extent of the amounts resulting from the fees provided for in paragraphs (a), (a-2), and (b) of this subsection (3) be assessed against and borne by the State banks:

(a) Each bank shall pay to the Secretary a Call Report Fee which shall be paid in quarterly installments equal to one-fourth of the sum of the annual fixed fee of $800, plus a variable fee based on the assets shown on the quarterly statement of condition delivered to the Secretary in accordance with Section 47 for the preceding quarter according to the following schedule: 16¢ per $1,000 of the first

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$5,000,000 of total assets, 15¢ per $1,000 of the next $20,000,000 of total assets, 13¢ per $1,000 of the next $75,000,000 of total assets, 9¢ per $1,000 of the next $400,000,000 of total assets, 7¢ per $1,000 of the next $500,000,000 of total assets, and 5¢ per $1,000 of all assets in excess of $1,000,000,000, of the State bank. The Call Report Fee shall be calculated by the Secretary and billed to the banks for remittance at the time of the quarterly statements of condition provided for in Section 47. The Secretary may require payment of the fees provided in this Section by an electronic transfer of funds or an automatic debit of an account of each of the State banks. In case more than one examination of any bank is deemed by the Secretary to be necessary in any examination frequency cycle specified in subsection 2(a) of this Section, and is performed at his direction, the Secretary may assess a reasonable additional fee to recover the cost of the additional examination; provided, however, that an examination conducted at the request of the State Treasurer pursuant to the Uniform Disposition of Unclaimed Property Act shall not be deemed to be an additional examination under this Section. In lieu of the method and amounts set forth in this paragraph (a) for the calculation of the Call Report Fee, the Secretary may specify by rule that the Call Report Fees provided by this Section may be assessed semiannually or some other period and may provide in the rule the formula to be used for calculating and assessing the periodic Call Report Fees to be paid by State banks.

(a-1) If in the opinion of the Commissioner an emergency exists or appears likely, the Commissioner may assign an examiner or examiners to monitor the affairs of a State bank with whatever frequency he deems appropriate, including but not limited to a daily basis. The reasonable and necessary expenses of the Commissioner during the period of the monitoring shall be borne by the subject bank. The Commissioner shall furnish the State bank a statement of time and expenses if requested to do so within 30 days of the conclusion of the monitoring period.

(a-2) On and after January 1, 1990, the reasonable and necessary expenses of the Commissioner during examination of the performance of electronic data processing services under subsection (2.5) shall be borne by the banks for which the services are provided. An amount, based upon a fee structure prescribed by the Commissioner, shall be paid by the banks or, after May 31, 1997,
branches of out-of-state banks receiving the electronic data processing services along with the Call Report Fee assessed under paragraph (a) of this subsection (3).

(a-3) After May 31, 1997, the reasonable and necessary expenses of the Commissioner during examination of the performance of electronic data processing services under subsection (2.5) at or on behalf of branches of out-of-state banks shall be borne by the out-of-state banks, unless those expenses are borne by the state regulatory authorities that chartered the out-of-state banks, as determined by cooperative agreements between the Commissioner and the state regulatory authorities that chartered the out-of-state banks.

(b) "Fiscal year" for purposes of this Section 48 is defined as a period beginning July 1 of any year and ending June 30 of the next year. The Commissioner shall receive for each fiscal year, commencing with the fiscal year ending June 30, 1987, a contingent fee equal to the lesser of the aggregate of the fees paid by all State banks under paragraph (a) of subsection (3) for that year, or the amount, if any, whereby the aggregate of the administration expenses, as defined in paragraph (c), for that fiscal year exceeds the sum of the aggregate of the fees payable by all State banks for that year under paragraph (a) of subsection (3), plus any amounts transferred into the Bank and Trust Company Fund from the State Pensions Fund for that year, plus all other amounts collected by the Commissioner for that year under any other provision of this Act, plus the aggregate of all fees collected for that year by the Commissioner under the Corporate Fiduciary Act, excluding the receivership fees provided for in Section 5-10 of the Corporate Fiduciary Act, and the Foreign Banking Office Act. The aggregate amount of the contingent fee thus arrived at for any fiscal year shall be apportioned amongst, assessed upon, and paid by the State banks and foreign banking corporations, respectively, in the same proportion that the fee of each under paragraph (a) of subsection (3), respectively, for that year bears to the aggregate for that year of the fees collected under paragraph (a) of subsection (3). The aggregate amount of the contingent fee, and the portion thereof to be assessed upon each State bank and foreign banking corporation, respectively, shall be determined by the Commissioner and shall be paid by each, respectively, within 120 days of the close of the period for which the contingent fee is computed and is payable, and the

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Commissioner shall give 20 days advance notice of the amount of the contingent fee payable by the State bank and of the date fixed by the Commissioner for payment of the fee.

(c) The "administration expenses" for any fiscal year shall mean the ordinary and contingent expenses for that year incident to making the examinations provided for by, and for otherwise administering, this Act, the Corporate Fiduciary Act, excluding the expenses paid from the Corporate Fiduciary Receivership account in the Bank and Trust Company Fund, the Foreign Banking Office Act, the Electronic Fund Transfer Act, and the Illinois Bank Examiners' Education Foundation Act, including all salaries and other compensation paid for personal services rendered for the State by officers or employees of the State, including the Commissioner and the Deputy Commissioners, communication equipment and services, office furnishings, surety bond premiums, and travel expenses of those officers and employees, employees, expenditures or charges for the acquisition, enlargement or improvement of, or for the use of, any office space, building, or structure, or expenditures for the maintenance thereof or for furnishing heat, light, or power with respect thereto, all to the extent that those expenditures are directly incidental to such examinations or administration. The Commissioner shall not be required by paragraphs (c) or (d-1) of this subsection (3) to maintain in any fiscal year's budget appropriated reserves for accrued vacation and accrued sick leave that is required to be paid to employees of the Commissioner upon termination of their service with the Commissioner in an amount that is more than is reasonably anticipated to be necessary for any anticipated turnover in employees, whether due to normal attrition or due to layoffs, terminations, or resignations.

(d) The aggregate of all fees collected by the Secretary under this Act, the Corporate Fiduciary Act, or the Foreign Banking Office Act on and after July 1, 1979, shall be paid promptly after receipt of the same, accompanied by a detailed statement thereof, into the State treasury and shall be set apart in a special fund to be known as the "Bank and Trust Company Fund", except as provided in paragraph (c) of subsection (11) of this Section. All earnings received from investments of funds in the Bank and Trust Company Fund shall be deposited in the Bank and Trust Company Fund and may be used for the same purposes as fees deposited in that Fund. The amount from

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time to time deposited into the Bank and Trust Company Fund shall be used: (i) to offset the ordinary administrative expenses of the Secretary as defined in this Section or (ii) as a credit against fees under paragraph (d-1) of this subsection (3). Nothing in this amendatory Act of 1979 shall prevent continuing the practice of paying expenses involving salaries, retirement, social security, and State-paid insurance premiums of State officers by appropriations from the General Revenue Fund. However, the General Revenue Fund shall be reimbursed for those payments made on and after July 1, 1979, by an annual transfer of funds from the Bank and Trust Company Fund. Moneys in the Bank and Trust Company Fund may be transferred to the Professions Indirect Cost Fund, as authorized under Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

Notwithstanding provisions in the State Finance Act, as now or hereafter amended, or any other law to the contrary, the sum of $18,788,847 shall be transferred from the Bank and Trust Company Fund to the Financial Institutions Settlement of 2008 Fund on the effective date of this amendatory Act of the 95th General Assembly, or as soon thereafter as practical.

Notwithstanding provisions in the State Finance Act, as now or hereafter amended, or any other law to the contrary, the Governor may, during any fiscal year through January 10, 2011, from time to time direct the State Treasurer and Comptroller to transfer a specified sum not exceeding 10% of the revenues to be deposited into the Bank and Trust Company Fund during that fiscal year from that Fund to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. Notwithstanding provisions in the State Finance Act, as now or hereafter amended, or any other law to the contrary, the total sum transferred during any fiscal year through January 10, 2011, from the Bank and Trust Company Fund to the General Revenue Fund pursuant to this provision shall not exceed during any fiscal year 10% of the revenues to be deposited into the Bank and Trust Company Fund during that fiscal year. The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

(d-1) Adequate funds shall be available in the Bank and Trust Company Fund to permit the timely payment of administration
expenses. In each fiscal year the total administration expenses shall be deducted from the total fees collected by the Commissioner and the remainder transferred into the Cash Flow Reserve Account, unless the balance of the Cash Flow Reserve Account prior to the transfer equals or exceeds one-fourth of the total initial appropriations from the Bank and Trust Company Fund for the subsequent year, in which case the remainder shall be credited to State banks and foreign banking corporations and applied against their fees for the subsequent year. The amount credited to each State bank and foreign banking corporation shall be in the same proportion as the Call Report Fees paid by each for the year bear to the total Call Report Fees collected for the year. If, after a transfer to the Cash Flow Reserve Account is made or if no remainder is available for transfer, the balance of the Cash Flow Reserve Account is less than one-fourth of the total initial appropriations for the subsequent year and the amount transferred is less than 5% of the total Call Report Fees for the year, additional amounts needed to make the transfer equal to 5% of the total Call Report Fees for the year shall be apportioned amongst, assessed upon, and paid by the State banks and foreign banking corporations in the same proportion that the Call Report Fees of each, respectively, for the year bear to the total Call Report Fees collected for the year. The additional amounts assessed shall be transferred into the Cash Flow Reserve Account. For purposes of this paragraph (d-1), the calculation of the fees collected by the Commissioner shall exclude the receivership fees provided for in Section 5-10 of the Corporate Fiduciary Act.

(e) The Commissioner may upon request certify to any public record in his keeping and shall have authority to levy a reasonable charge for issuing certifications of any public record in his keeping.

(f) In addition to fees authorized elsewhere in this Act, the Commissioner may, in connection with a review, approval, or provision of a service, levy a reasonable charge to recover the cost of the review, approval, or service.

(4) Nothing contained in this Act shall be construed to limit the obligation relative to examinations and reports of any State bank, deposits in which are to any extent insured by the United States or any agency thereof, nor to limit in any way the powers of the Commissioner with reference to examinations and reports of that bank.

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(5) The nature and condition of the assets in or investment of any bonus, pension, or profit sharing plan for officers or employees of every State bank or, after May 31, 1997, branch of an out-of-state bank shall be deemed to be included in the affairs of that State bank or branch of an out-of-state bank subject to examination by the Commissioner under the provisions of subsection (2) of this Section, and if the Commissioner shall find from an examination that the condition of or operation of the investments or assets of the plan is unlawful, fraudulent, or unsafe, or that any trustee has abused his trust, the Commissioner shall, if the situation so found by the Commissioner shall not be corrected to his satisfaction within 60 days after the Commissioner has given notice to the board of directors of the State bank or out-of-state bank of his findings, report the facts to the Attorney General who shall thereupon institute proceedings against the State bank or out-of-state bank, the board of directors thereof, or the trustees under such plan as the nature of the case may require.

(6) The Commissioner shall have the power:
   (a) To promulgate reasonable rules for the purpose of administering the provisions of this Act.
   (a-5) To impose conditions on any approval issued by the Commissioner if he determines that the conditions are necessary or appropriate. These conditions shall be imposed in writing and shall continue in effect for the period prescribed by the Commissioner.
   (b) To issue orders against any person, if the Commissioner has reasonable cause to believe that an unsafe or unsound banking practice has occurred, is occurring, or is about to occur, if any person has violated, is violating, or is about to violate any law, rule, or written agreement with the Commissioner, or for the purpose of administering the provisions of this Act and any rule promulgated in accordance with this Act.
   (b-1) To enter into agreements with a bank establishing a program to correct the condition of the bank or its practices.
   (c) To appoint hearing officers to execute any of the powers granted to the Commissioner under this Section for the purpose of administering this Act and any rule promulgated in accordance with this Act and otherwise to authorize, in writing, an officer or employee of the Office of Banks and Real Estate to exercise his powers under this Act.
   (d) To subpoena witnesses, to compel their attendance, to administer an oath, to examine any person under oath, and to require

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the production of any relevant books, papers, accounts, and
documents in the course of and pursuant to any investigation being
conducted, or any action being taken, by the Commissioner in respect
of any matter relating to the duties imposed upon, or the powers
vested in, the Commissioner under the provisions of this Act or any
rule promulgated in accordance with this Act.

(e) To conduct hearings.

(7) Whenever, in the opinion of the Secretary, any director, officer,
employee, or agent of a State bank or any subsidiary or bank holding
company of the bank or, after May 31, 1997, of any branch of an out-of-state
bank or any subsidiary or bank holding company of the bank shall have
violated any law, rule, or order relating to that bank or any subsidiary or bank
holding company of the bank, shall have obstructed or impeded any
examination or investigation by the Secretary, shall have engaged in an
unsafe or unsound practice in conducting the business of that bank or any
subsidiary or bank holding company of the bank, or shall have violated any
law or engaged or participated in any unsafe or unsound practice in
connection with any financial institution or other business entity such that the
character and fitness of the director, officer, employee, or agent does not
assure reasonable promise of safe and sound operation of the State bank, the
Secretary may issue an order of removal. If, in the opinion of the Secretary,
any former director, officer, employee, or agent of a State bank or any
subsidiary or bank holding company of the bank, prior to the termination of
his or her service with that bank or any subsidiary or bank holding company
of the bank, violated any law, rule, or order relating to that State bank or any
subsidiary or bank holding company of the bank, obstructed or impeded any
examination or investigation by the Secretary, engaged in an unsafe or
unsound practice in conducting the business of that bank or any subsidiary or
bank holding company of the bank, or violated any law or engaged or
participated in any unsafe or unsound practice in connection with any
financial institution or other business entity such that the character and fitness
of the director, officer, employee, or agent would not have assured reasonable
promise of safe and sound operation of the State bank, the Secretary may
issue an order prohibiting that person from further service with a bank or any
subsidiary or bank holding company of the bank as a director, officer,
employee, or agent. An order issued pursuant to this subsection shall be
served upon the director, officer, employee, or agent. A copy of the order
shall be sent to each director of the bank affected by registered mail. A copy
of the order shall also be served upon the bank of which he is a director,
officer, employee, or agent, whereupon he shall cease to be a director, officer, employee, or agent of that bank. The Secretary may institute a civil action against the director, officer, or agent of the State bank or, after May 31, 1997, of the branch of the out-of-state bank against whom any order provided for by this subsection (7) of this Section 48 has been issued, and against the State bank or, after May 31, 1997, out-of-state bank, to enforce compliance with or to enjoin any violation of the terms of the order. Any person who has been the subject of an order of removal or an order of prohibition issued by the Secretary under this subsection or Section 5-6 of the Corporate Fiduciary Act may not thereafter serve as director, officer, employee, or agent of any State bank or of any branch of any out-of-state bank, or of any corporate fiduciary, as defined in Section 1-5.05 of the Corporate Fiduciary Act, or of any other entity that is subject to licensure or regulation by the Division of Banking unless the Secretary has granted prior approval in writing.

For purposes of this paragraph (7), "bank holding company" has the meaning prescribed in Section 2 of the Illinois Bank Holding Company Act of 1957.

(8) The Commissioner may impose civil penalties of up to $100,000 against any person for each violation of any provision of this Act, any rule promulgated in accordance with this Act, any order of the Commissioner, or any other action which in the Commissioner's discretion is an unsafe or unsound banking practice.

(9) The Commissioner may impose civil penalties of up to $100 against any person for the first failure to comply with reporting requirements set forth in the report of examination of the bank and up to $200 for the second and subsequent failures to comply with those reporting requirements.

(10) All final administrative decisions of the Commissioner hereunder shall be subject to judicial review pursuant to the provisions of the Administrative Review Law. For matters involving administrative review, venue shall be in either Sangamon County or Cook County.

(11) The endowment fund for the Illinois Bank Examiners' Education Foundation shall be administered as follows:

(a) (Blank).

(b) The Foundation is empowered to receive voluntary contributions, gifts, grants, bequests, and donations on behalf of the Illinois Bank Examiners' Education Foundation from national banks and other persons for the purpose of funding the endowment of the Illinois Bank Examiners' Education Foundation.
(c) The aggregate of all special educational fees collected by the Secretary and property received by the Secretary on behalf of the Illinois Bank Examiners' Education Foundation under this subsection (11) on or after June 30, 1986, shall be either (i) promptly paid after receipt of the same, accompanied by a detailed statement thereof, into the State Treasury and shall be set apart in a special fund to be known as "The Illinois Bank Examiners' Education Fund" to be invested by either the Treasurer of the State of Illinois in the Public Treasurers' Investment Pool or in any other investment he is authorized to make or by the Illinois State Board of Investment as the State Banking Board of Illinois may direct or (ii) deposited into an account maintained in a commercial bank or corporate fiduciary in the name of the Illinois Bank Examiners' Education Foundation pursuant to the order and direction of the Board of Trustees of the Illinois Bank Examiners' Education Foundation.

(12) (Blank).

(13) The Secretary may borrow funds from the General Revenue Fund on behalf of the Bank and Trust Company Fund if the Director of Banking certifies to the Governor that there is an economic emergency affecting banking that requires a borrowing to provide additional funds to the Bank and Trust Company Fund. The borrowed funds shall be paid back within 3 years and shall not exceed the total funding appropriated to the Agency in the previous year.

(Source: P.A. 96-1163, eff. 1-1-11; 96-1365, eff. 7-28-10; 97-333, eff. 8-12-11.)

Section 4. The Savings Bank Act is amended by changing Section 9004 as follows:

(205 ILCS 205/9004) (from Ch. 17, par. 7309-4)

Sec. 9004. Examination.

(a) At least once every 18 months or more often if it is deemed necessary or expedient, the Secretary shall examine the books, records, operations, and affairs of each savings bank operating under this Act. In the course of the examination, the Secretary may also examine in the same manner all entities, companies, and individuals which or whom the Secretary determines may have a relationship with the savings bank or any subsidiary or entity affiliated with it, if the relationship may adversely affect the affairs, activities, and safety and soundness of the savings bank, including: (i) companies controlled by the savings bank; (ii) entities, including companies controlled by the company, individual, or individuals that control the savings

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bank; and (iii) the company or other entity which controls or owns the savings bank. Notwithstanding any other provision of this Act, every savings bank, as defined by rule, or, if not defined, to the same extent as would be permitted in the case of a State bank, the Secretary, in lieu of the examination, may accept on an alternating basis the examination made by the eligible savings bank's appropriate federal banking agency pursuant to Section 111 of the Federal Deposit Insurance Corporation Improvement Act of 1991, provided the appropriate federal banking agency has made an examination.

(b) The Secretary shall examine to determine:
   (1) Quality of financial condition, including safety and soundness and investment and loan quality.
   (2) Compliance with this Act and other applicable statutes and regulations.
   (3) Quality of management policies.
   (4) Overall safety and soundness of the savings bank, its parent, subsidiaries, and affiliates.
   (5) Remedial actions required to correct and to restore compliance with applicable statutes, regulations, and proper business policies.

(c) The Secretary may promulgate regulations to implement and administer this Section.

(d) If a savings bank, its holding company, or any of its corporate subsidiaries has not been audited at least once in the 12 months prior to the Secretary's examination, the Secretary may cause an audit of the savings bank's books and records to be made by an independent licensed public accountant. The cost of the audit shall be paid for by the entity being audited.

(e) The Secretary or his or her examiners or other formally designated agents are authorized to administer oaths and to examine and to take and preserve testimony under oath as to anything in the affairs or ownership of any savings bank or institution or affiliate thereof.

(f) Pursuant to subsection (c) of this Section, the Secretary shall adopt rules that ensure consistency and due process in the examination process. The Secretary may also establish guidelines that (i) define the scope of the examination process and (ii) clarify examination items to be resolved. The rules, formal guidance, interpretive letters, or opinions furnished to savings banks by the Secretary may be relied upon by the savings banks.

(Source: P.A. 96-1365, eff. 7-28-10; 97-492, eff. 1-1-12.)

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Section 5. The Illinois Credit Union Act is amended by changing Sections 1.1, 9, 30, 34, 39, and 46 and by adding Section 57.1 as follows:

(205 ILCS 305/1.1) (from Ch. 17, par. 4402)
Sec. 1.1. Definitions.
Credit Union - The term "credit union" means a cooperative, non-profit association, incorporated under this Act, under the laws of the United States of America or under the laws of another state, for the purposes of encouraging thrift among its members, creating a source of credit at a reasonable rate of interest, and providing an opportunity for its members to use and control their own money in order to improve their economic and social conditions. The membership of a credit union shall consist of a group or groups each having a common bond as set forth in this Act.

Common Bond - The term "common bond" refers to groups of people who meet one of the following qualifications:

1. Persons belonging to a specific association, group or organization, such as a church, labor union, club or society and members of their immediate families which shall include any relative by blood or marriage or foster and adopted children.
2. Persons who reside in a reasonably compact and well defined neighborhood or community, and members of their immediate families which shall include any relative by blood or marriage or foster and adopted children.
3. Persons who have a common employer or who are members of an organized labor union or an organized occupational or professional group within a defined geographical area, and members of their immediate families which shall include any relative by blood or marriage or foster and adopted children.

Shares - The term "shares" or "share accounts" means any form of shares issued by a credit union and established by a member in accordance with standards specified by a credit union, including but not limited to common shares, share draft accounts, classes of shares, share certificates, special purpose share accounts, shares issued in trust, custodial accounts, and individual retirement accounts or other plans established pursuant to Section 401(d) or (f) or Section 408(a) of the Internal Revenue Code, as now or hereafter amended, or similar provisions of any tax laws of the United States that may hereafter exist.

Credit Union Organization - The term "credit union organization" means any organization established to serve the needs of credit unions, the business of which relates to the daily operations of credit unions.
Department - The term "Department" means the Illinois Department of Financial and Professional Regulation.

Secretary - The term "Secretary" means the Secretary of Financial and Professional Regulation or a person authorized by the Secretary or this Act to act in the Secretary's stead.

Division of Financial Institutions - The term "Division of Financial Institutions" means the Division of Financial Institutions of the Department of Financial and Professional Regulation.

Director - The term "Director of Financial Institutions" means the Director of the Division of Financial Institutions of the Department of Financial and Professional Regulation.

Office - The term "office" means the Division of Financial Institutions of the Department of Financial and Professional Regulation.

NCUA - The term "NCUA" means the National Credit Union Administration, an agency of the United States Government charged with the supervision of credit unions chartered under the laws of the United States of America.

Central Credit Union - The term "central credit union" means a credit union incorporated primarily to receive shares from and make loans to credit unions and directors, officers, committee members and employees of credit unions. A central credit union may also accept as members persons who were members of credit unions which were liquidated and persons from occupational groups not otherwise served by another credit union.

Corporate Credit Union - The term "corporate credit union" means a credit union which is a cooperative, non-profit association, the membership of which is limited primarily to other credit unions.

Insolvent - "Insolvent" means the condition that results when the total of all liabilities and shares exceeds net assets of the credit union.

Danger of insolvency - For purposes of Section 61, a credit union is in "danger of insolvency" if its net worth to asset ratio falls below 2%. In calculating the danger of insolvency ratio, secondary capital shall be excluded. For purposes of Section 61, a credit union is also in "danger of insolvency" if the Department is unable to ascertain, upon examination, the true financial condition of the credit union.

Net Worth - "Net worth" means the retained earnings balance of the credit union, as determined under generally accepted accounting principles, and forms of secondary capital approved by the Secretary and the Director pursuant to rulemaking.

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Charitable Donation Account – The term "charitable donation account" means an account owned by a credit union that is held in a segregated custodial account or special purpose entity and specifically identified as a charitable donation account whereby, no less frequently than every 5 years and upon termination of the account, at least 51% of the total return on assets in the account is distributed to one or more charitable organizations or non-profit entities.

(Source: P.A. 97-133, eff. 1-1-12.)

(205 ILCS 305/9) (from Ch. 17, par. 4410)
Sec. 9. Reports and examinations.

(1) Credit unions shall report to the Department on forms supplied by the Department, in accordance with a schedule published by the Department. A recapitulation of the annual reports shall be compiled and published annually by the Department, for the use of the General Assembly, credit unions, various educational institutions and other interested parties. A credit union which fails to file any report when due shall pay to the Department a late filing fee for each day the report is overdue as prescribed by rule. The Secretary may extend the time for filing a report.

(2) The Secretary may require special examinations of and special financial reports from a credit union or a credit union organization in which a credit union loans, invests, or delegates substantially all managerial duties and responsibilities when he determines that such examinations and reports are necessary to enable the Department to determine the safety of a credit union's operation or its solvency. The cost to the Department of the aforesaid special examinations shall be borne by the credit union being examined as prescribed by rule.

(3) All credit unions incorporated under this Act shall be examined at least biennially by the Department or, at the discretion of the Secretary, by a public accountant registered by the Department of Financial and Professional Regulation. The costs of an examination shall be paid by the credit union. The scope of all examinations by a public accountant shall be at least equal to the examinations made by the Department. The examiners shall have full access to, and may compel the production of, all the books, papers, securities and accounts of any credit union. A special examination shall be made by the Department or by a public accountant approved by the Department upon written request of 5 or more members, who guarantee the expense of the same. Any credit union refusing to submit to an examination when ordered by the Department shall be reported to the Attorney General, who shall institute proceedings to have its charter revoked. If the Secretary

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determines that the examination of a credit union is to be conducted by a public accountant registered by the Department of Financial and Professional Regulation and the examination is done in conjunction with the credit union's external independent audit of financial statements, the requirements of this Section and subsection (3) of Section 34 shall be deemed met.

(3.5) Pursuant to Section 8, the Secretary shall adopt rules that ensure consistency and due process in the examination process. The Secretary may also establish guidelines that (i) define the scope of the examination process and (ii) clarify examination items to be resolved. The rules, formal guidance, interpretative letters, or opinions furnished to credit unions by the Secretary may be relied upon by the credit unions.

(4) A copy of the completed report of examination and a review comment letter, if any, citing exceptions revealed during the examination, shall be submitted to the credit union by the Department. A detailed report stating the corrective actions taken by the board of directors on each exception set forth in the review comment letter shall be filed with the Department within 40 days after the date of the review comment letter, or as otherwise directed by the Department. Any credit union through its officers, directors, committee members or employees, which willfully provides fraudulent or misleading information regarding the corrective actions taken on exceptions appearing in a review comment letter may have its operations restricted to the collection of principal and interest on loans outstanding and the payment of normal expenses and salaries until all exceptions are corrected and accepted by the Department.

(Source: P.A. 97-133, eff. 1-1-12.)

(205 ILCS 305/30) (from Ch. 17, par. 4431)
Sec. 30. Duties of directors.
(a) It shall be the duty of the directors to:

(1) Review actions on applications for membership. A record of the membership committee's approval or denial of membership or management's approval or denial of membership if no membership committee has been appointed shall be available to the board of directors for inspection. A person denied membership by the membership committee or credit union management may appeal the denial to the board;

(2) Provide adequate fidelity bond coverage for officers, employees, directors and committee members, and for losses caused by persons outside of the credit union, subject to rules and regulations promulgated by the Secretary;

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(3) Determine from time to time the interest rates, not in excess of that allowed under this Act, which shall be charged on loans to members and to authorize interest refunds, if any, to members from income earned and received in proportion to the interest paid by them on such classes of loans and under such conditions as the board prescribes. The directors may establish different interest rates to be charged on different classes of loans;

(4) Within any limitations set forth in the credit union's bylaws, fix the maximum amount which may be loaned with and without security to a member;

(5) Declare dividends on various classes of shares in the manner and form as provided in the bylaws;

(6) Limit the number of shares which may be owned by a member; such limitations to apply alike to all members;

(7) Have charge of the investment of funds, except that the board of directors may designate an investment committee or any qualified individual or entity to have charge of making investments under policies established by the board of directors;

(8) Authorize the employment of or contracting with such persons or organizations as may be necessary to carry on the operations of the credit union, provided that prior approval is received from the Department before delegating substantially all managerial duties and responsibilities to a credit union organization, and fix the compensation, if any, of the officers and provide for compensation for other employees within policies established by the board of directors;

(9) Authorize the conveyance of property;

(10) Borrow or lend money consistent with the provisions of this Act;

(11) Designate a depository or depositories for the funds of the credit union and supervise the investment of funds;

(12) Suspend or remove, or both, any or all officers or any or all members of the membership, credit, or other committees whenever, in the judgment of the board of directors, the best interests of the credit union will be served thereby; provided that members of the supervisory committee may not be suspended or removed except for failure to perform their duties; and provided that removal of any officer shall be without prejudice to the contract rights, if any, of the person so removed;

(13) Appoint any special committees deemed necessary; and

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(14) Perform such other duties as the members may direct, and perform or authorize any action not inconsistent with this Act and not specifically reserved by the bylaws to the members.

(b) The board of directors may delegate to the chief management official, according to guidelines established by the board that may include the authority to further delegate one or more duties, all of the following duties:
   (1) determining the interest rates on loans;
   (2) determining the dividend rates on share accounts; and
   (3) hiring employees other than the chief management official and fixing their compensation.

(c) Each director shall have a working familiarity with basic finance and accounting practices consistent with the size and complexity of the credit union operation they serve, including the ability to read and understand the credit union's balance sheet and income and expense statements and the ability to ask, when appropriate, substantive questions of management and auditors. For the purposes of this subsection (c), substantive questions include queries concerning financial services and products offered to the membership; how those activities generate revenue for the credit union; the credit, liquidity, interest rate, compliance, strategic, transaction, and reputation risks associated with those activities; and the internal control structures maintained by the credit union that limit and manage those risks.

A director who was elected or appointed on or after January 1, 2015 and who comes to the position without the requisite financial skills shall have until 6 months after the date of election or appointment to acquire the enumerated skills.

An incumbent director who was elected or appointed before January 1, 2015 and does not possess the requisite financial skills shall have until July 1, 2015 to acquire the enumerated skills.

An incumbent director or a director who is elected or appointed on or after January 1, 2015 who already understands his or her credit union's financial statements shall not be required to do anything further to satisfy the financial skills requirement set forth in subsection (c).

It is the intent of the Department that all credit union directors possess a basic understanding of their credit union's financial condition. It is not the intent of the Department to subject credit union directors to examiner scrutiny of their financial skills. Rather, the Department shall evaluate whether the credit union has in place a policy to make available to their directors appropriate training to enhance their financial knowledge of the credit union. Directors may receive the training through internal credit

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union training, external training offered by the credit union's retained auditors, trade associations, vendors, regulatory agencies, or any other sources or on-the-job experience, or a combination of those activities. The training may be received through any medium, including, but not limited to, conferences, workshops, audit closing meetings, seminars, teleconferences, webinars, and other internet based delivery channels.

(Source: P.A. 97-133, eff. 1-1-12.)

(205 ILCS 305/34) (from Ch. 17, par. 4435)

Sec. 34. Duties of supervisory committee.

(1) The supervisory committee shall make or cause to be made an annual internal audit of the books and affairs of the credit union to determine that the credit union's accounting records and reports are prepared promptly and accurately reflect operations and results, that internal controls are established and effectively maintained to safeguard the assets of the credit union, and that the policies, procedures and practices established by the board of directors and management of the credit union are being properly administered. The supervisory committee shall submit a report of that audit to the board of directors and a summary of that report to the members at the next annual meeting of the credit union. It shall make or cause to be made such supplementary audits as it deems necessary or as are required by the Secretary or by the board of directors, and submit reports of these supplementary audits to the Secretary or board of directors as applicable. If the supervisory committee has not engaged a public accountant registered by the Department of Financial and Professional Regulation to make the internal audit, the supervisory committee or other officials of the credit union shall not indicate or in any manner imply that such audit has been performed by a public accountant or that the audit represents the independent opinion of a public accountant. The supervisory committee must retain its tapes and working papers of each internal audit for inspection by the Department. The report of this audit must be made on a form approved by the Secretary. A copy of the report must be promptly mailed to the Secretary.

(2) The supervisory committee shall make or cause to be made at least once each year a reasonable percentage verification of members' share and loan accounts, consistent with rules promulgated by the Secretary.

(3) The supervisory committee of a credit union with assets of $5,000,000 or more shall engage a public accountant registered by the Department of Financial and Professional Regulation to perform an annual external independent audit of the credit union's financial statements in accordance with generally accepted auditing standards. The supervisory committee must retain its tapes and working papers of each external audit for inspection by the Department. The report of this audit must be made on a form approved by the Secretary. A copy of the report must be promptly mailed to the Secretary.

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committee of a credit union with assets of $3,000,000 or more, but less than $5,000,000, shall engage a public accountant registered by the Department of Financial and Professional Regulation to perform an external independent audit of the credit union's financial statements in accordance with generally accepted auditing standards at least once every 3 years. A copy of an external independent audit shall be completed and mailed to the Secretary no later than 90 days after December 31 of each year; provided that a credit union or group of credit unions may obtain an extension of the due date upon application to and receipt of written approval from the Secretary. If the annual internal audit of such a credit union is conducted by a public accountant registered by the Department of Financial and Professional Regulation and the annual internal audit is done in conjunction with the credit union's annual external audit, the requirements of subsection (1) of this Section shall be deemed met.

(4) In determining the appropriate balance in the allowance for loan losses account, a credit union may determine its historical loss rate using a defined period of time of less than 5 years, provided that:

(A) the methodology used to determine the defined period of time is formally documented in the credit union's policies and procedures and is appropriate to the credit union's size, business strategy, and loan portfolio characteristics and the economic environment of the areas and employers served by the credit union;

(B) supporting documentation is maintained for the technique used to develop the credit union loss rates, including the period of time used to accumulate historical loss data and the factors considered in establishing the time frames; and

(C) the external auditor conducting the credit union's financial statement audit has analyzed the methodology employed by the credit union and concludes that the financial statements, including the allowance for loan losses, are fairly stated in all material respects in accordance with U.S. Generally Accepted Accounting Principles, as promulgated by the Financial Accounting Standards Board.

(5) A majority of the members of the supervisory committee shall constitute a quorum.

(6) On an annual basis commencing January 1, 2015, the members of the supervisory committee shall receive training related to their statutory duties. Supervisory committee members may receive the training through internal credit union training, external training offered by the credit union's retained auditors, trade associations, vendors, regulatory agencies, or any

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other sources or on-the-job experience, or a combination of those activities. The training may be received through any medium, including, but not limited to, conferences, workshops, audit closing meetings, seminars, teleconferences, webinars, and other Internet-based delivery channels.
(Source: P.A. 96-141, eff. 8-7-09; 96-963, eff. 7-2-10; 97-133, eff. 1-1-12.)
(205 ILCS 305/39) (from Ch. 17, par. 4440)
Sec. 39. Special purpose share accounts; charitable donation accounts.

(1) If provided for in and consistent with the bylaws, Christmas clubs, vacation clubs and other special purpose share accounts may be established and offered under conditions and restrictions established by the board of directors.

(2) Pursuant to a policy adopted by the board of directors, which may be amended from time to time, a credit union may establish one or more charitable donation accounts. The investments and purchases to fund a charitable donation account are not subject to the investment limitations of this Act, provided the charitable donation account is structured in accordance with this Act. At their time of purchase, the book value of the investments in all charitable donation accounts, in the aggregate, shall not exceed 5% of the credit union's net worth.

(a) If a credit union chooses to establish a charitable donation account using a trust vehicle, the trustee must be an entity regulated by the Office of the Comptroller of the Currency, the U.S. Securities and Exchange Commission, another federal regulatory agency, or a State financial regulatory agency. A regulated trustee or other person who is authorized to make investment decisions for a charitable donation account, other than the credit union itself, shall either be registered with the U.S. Securities and Exchange Commission as an investment advisor or regulated by the Office of the Comptroller of the Currency.

(b) The parties to the charitable donation account must document the terms and conditions controlling the account in a written operating agreement, trust agreement, or similar instrument. The terms of the agreement shall be consistent with the requirements and conditions set forth in this Section. The agreement, if applicable, and policies must document the investment strategies of the charitable donation account trustee or other manager in administering the charitable donation account and provide for the accounting of all aspects of the account, including its distributions.

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and liquidation, in accordance with generally accepted accounting principles.

(c) A credit union's charitable donation account agreement, if applicable, and policies shall provide that the charitable organization or non-profit entity recipients of any charitable donation account funds must be identified in the policy and be exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(d) Upon termination of a charitable donation account, the credit union may receive a distribution of the remaining assets in cash, or a distribution in kind of the remaining assets, but only if those assets are permissible investments for credit unions pursuant to this Act.

(Source: P.A. 97-133, eff. 1-1-12.)

(205 ILCS 305/46) (from Ch. 17, par. 4447)

Sec. 46. Loans and interest rate.

(1) A credit union may make loans to its members for such purpose and upon such security and terms, including rates of interest, as the credit committee, credit manager, or loan officer approves. Notwithstanding the provisions of any other law in connection with extensions of credit, a credit union may elect to contract for and receive interest and fees and other charges for extensions of credit subject only to the provisions of this Act and rules promulgated under this Act, except that extensions of credit secured by residential real estate shall be subject to the laws applicable thereto. The rates of interest to be charged on loans to members shall be set by the board of directors of each individual credit union in accordance with Section 30 of this Act and such rates may be less than, but may not exceed, the maximum rate set forth in this Section. A borrower may repay his loan prior to maturity, in whole or in part, without penalty. The credit contract may provide for the payment by the member and receipt by the credit union of all costs and disbursements, including reasonable attorney's fees and collection agency charges, incurred by the credit union to collect or enforce the debt in the event of a delinquency by the member, or in the event of a breach of any obligation of the member under the credit contract. A contingency or hourly arrangement established under an agreement entered into by a credit union with an attorney or collection agency to collect a loan of a member in default shall be presumed prima facie reasonable.

(2) Credit unions may make loans based upon the security of any interest or equity in real estate, subject to rules and regulations promulgated by the Secretary. In any contract or loan which is secured by a mortgage, deed
of trust, or conveyance in the nature of a mortgage, on residential real estate, the interest which is computed, calculated, charged, or collected pursuant to such contract or loan, or pursuant to any regulation or rule promulgated pursuant to this Act, may not be computed, calculated, charged or collected for any period of time occurring after the date on which the total indebtedness, with the exception of late payment penalties, is paid in full.

For purposes of this subsection (2) of this Section 46, a prepayment shall mean the payment of the total indebtedness, with the exception of late payment penalties if incurred or charged, on any date before the date specified in the contract or loan agreement on which the total indebtedness shall be paid in full, or before the date on which all payments, if timely made, shall have been made. In the event of a prepayment of the indebtedness which is made on a date after the date on which interest on the indebtedness was last computed, calculated, charged, or collected but before the next date on which interest on the indebtedness was to be calculated, computed, charged, or collected, the lender may calculate, charge and collect interest on the indebtedness for the period which elapsed between the date on which the prepayment is made and the date on which interest on the indebtedness was last computed, calculated, charged or collected at a rate equal to 1/360 of the annual rate for each day which so elapsed, which rate shall be applied to the indebtedness outstanding as of the date of prepayment. The lender shall refund to the borrower any interest charged or collected which exceeds that which the lender may charge or collect pursuant to the preceding sentence. The provisions of this amendatory Act of 1985 shall apply only to contracts or loans entered into on or after the effective date of this amendatory Act.

(3) Notwithstanding any other provision of this Act, a credit union authorized under this Act to make loans secured by an interest or equity in real estate may engage in making "reverse mortgage" loans to persons for the purpose of making home improvements or repairs, paying insurance premiums or paying real estate taxes on the homestead properties of such persons. If made, such loans shall be made on such terms and conditions as the credit union shall determine and as shall be consistent with the provisions of this Section and such rules and regulations as the Secretary shall promulgate hereunder. For purposes of this Section, a "reverse mortgage" loan shall be a loan extended on the basis of existing equity in homestead property and secured by a mortgage on such property. Such loans shall be repaid upon the sale of the property or upon the death of the owner or, if the property is in joint tenancy, upon the death of the last surviving joint tenant who had such an interest in the property at the time the loan was initiated,

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provided, however, that the credit union and its member may by mutual agreement, establish other repayment terms. A credit union, in making a "reverse mortgage" loan, may add deferred interest to principal or otherwise provide for the charging of interest or premiums on such deferred interest. "Homestead" property, for purposes of this Section, means the domicile and contiguous real estate owned and occupied by the mortgagor.

(4) Notwithstanding any other provisions of this Act, a credit union authorized under this Act to make loans secured by an interest or equity in real property may engage in making revolving credit loans secured by mortgages or deeds of trust on such real property or by security assignments of beneficial interests in land trusts.

For purposes of this Section, "revolving credit" has the meaning defined in Section 4.1 of the Interest Act.

Any mortgage or deed of trust given to secure a revolving credit loan may, and when so expressed therein shall, secure not only the existing indebtedness but also such future advances, whether such advances are obligatory or to be made at the option of the lender, or otherwise, as are made within twenty years from the date thereof, to the same extent as if such future advances were made on the date of the execution of such mortgage or deed of trust, although there may be no advance made at the time of execution of such mortgage or other instrument, and although there may be no indebtedness outstanding at the time any advance is made. The lien of such mortgage or deed of trust, as to third persons without actual notice thereof, shall be valid as to all such indebtedness and future advances form the time said mortgage or deed of trust is filed for record in the office of the recorder of deeds or the registrar of titles of the county where the real property described therein is located. The total amount of indebtedness that may be so secured may increase or decrease from time to time, but the total unpaid balance so secured at any one time shall not exceed a maximum principal amount which must be specified in such mortgage or deed of trust, plus interest thereon, and any disbursements made for the payment of taxes, special assessments, or insurance on said real property, with interest on such disbursements.

Any such mortgage or deed of trust shall be valid and have priority over all subsequent liens and encumbrances, including statutory liens, except taxes and assessments levied on said real property.

(5) Compliance with federal or Illinois preemptive laws or regulations governing loans made by a credit union chartered under this Act shall constitute compliance with this Act.

New matter indicated by italics - deletions by strikeout
(6) Credit unions may make residential real estate mortgage loans on terms and conditions established by the United States Department of Agriculture through its Rural Development Housing and Community Facilities Program. The portion of any loan in excess of the appraised value of the real estate shall be allocable only to the guarantee fee required under the program.

(7) For a renewal, refinancing, or restructuring of an existing loan that is secured by an interest or equity in real estate, a new appraisal of the collateral shall not be required when the transaction involves an existing extension of credit at the credit union, no new moneys are advanced other than funds necessary to cover reasonable closing costs, and there has been no obvious or material change in market conditions or physical aspects of the real estate that threatens the adequacy of the credit union's real estate collateral protection after the transaction.

(Source: P.A. 96-141, eff. 8-7-09; 97-133, eff. 1-1-12.)

(205 ILCS 305/57.1 new)
Sec. 57.1. Services to other credit unions.
(a) A credit union may act as a representative of and enter into an agreement with credit unions or other organizations for the purpose of:
   (1) sharing, utilizing, renting, leasing, purchasing, selling, and joint ownership of fixed assets or engaging in activities and services that relate to the daily operations of credit unions; and
   (2) providing correspondent services to other credit unions that the service provider credit union is authorized to perform for its own members or as part of its operations, including, but not limited to, loan processing, loan servicing, member check cashing services, disbursing share withdrawals and loan proceeds, cashing and selling money orders, ACH and wire transfer services, coin and currency services, performing internal audits, and automated teller machine deposit services.

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Dead Animal Disposal Act is amended by changing Sections 1.1, 4, 6, 9.1, 9.2, 9.3, 12, and 18 as follows:
(225 ILCS 610/1.1) (from Ch. 8, par. 149.1)
Sec. 1.1. As used in this Act, unless the context otherwise requires:
(a) "Department" means the Department of Agriculture of the State of Illinois.
(b) "Person" means any individual, firm, partnership, association, corporation or other business entity.
(c) "Renderer" means any person who, for other than human consumption, collects, cooks and processes bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils, for the purpose of salvaging hides, wool, skins or feathers, and for the production of animal, poultry, or fish protein, blood meal, bone meal, grease or tallow.
(d) "Blender" means any person who acquires inedible by-products of bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils, for the purpose of blending them to obtain a desired percentage of protein, degree of quality or color for use in animal feed, poultry feed or fertilizers.
(e) "Collection center" means any place where bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and cooking oils, are collected for loading into a permitted vehicle for delivery to the renderer.
(f) "Permittee" means any person issued a vehicle permit under the provisions of this Act.
(g) "Licensee" means any person licensed under the provisions of this Act.
(h) "Rendering materials" means bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils.
(i) "Animal collection service" means a company that conveys dead animals to a landfill facility licensed under the Environmental Protection Act when no rendering service is available. Waste haulers collecting waste in which a dead animal is included incidental to such waste shall not be considered an "animal collection service" activity.

New matter indicated by italics - deletions by strikeout
(j) "Grease and oil collector" means any person who collects for reuse or recycling used cooking grease and cooking oils in a permitted vehicle for delivery to a grease and cooking oil processor for purposes other than rendering or blending.

(k) "Grease and oil processor" means any person who stores, filters, processes, or distributes for reuse or recycling used cooking grease and cooking oils for uses other than rendering or blending.

(Source: P.A. 88-133.)

(225 ILCS 610/4) (from Ch. 8, par. 152)

Sec. 4. Application for such license shall be made to the Department on forms provided by it, which application shall set forth the name and residence of the applicant, classification of license or licenses requested, his place or proposed place of business, and the particular method which he intends to employ in disposing of rendering material and such other information as the Department may require. The licenses shall be classified according to type of plant operated. Renderer: Class "A"--dead animals only; Class "B"--parts of bodies of animals, scrap, bones, fat, used cooking grease and oils; Class "C"--poultry or parts of poultry and Class "D"--fish or parts of fish; Blender: Class "E"; Collection Center: Class "F"; Animal Collection Service: Class "G"; grease and oil processor: Class "H".

(Source: P.A. 88-133.)

(225 ILCS 610/6) (from Ch. 8, par. 154)

Sec. 6. On the receipt of the certification described in Section 5, and the payment of the fee provided herein, the Department shall issue a license to the applicant to conduct such business at the place specified in the application for one calendar year or for the portion of the calendar year remaining at the time the license is issued. No license shall be issued for a plant not located within the boundaries of the State of Illinois. No license issued under this Section is transferable.

The following nonrefundable fees shall accompany each application for a license.

(1) For an original license of any classification other than Class "F" $150

(2) For the annual renewal of a license of any classification other than Class "F" $150

(3) For an original license for each additional classification other than Class "F" $50

(4) For the annual renewal of the license of any additional classification

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except as otherwise provided in Section 14, no person shall operate a vehicle used to transport rendering materials or used cooking grease or cooking oils in this State without a vehicle permit issued by the Department or without complying with this Act. Applications for vehicle permits shall be accepted only from licensed renderers and grease and oil processors and shall include the name and address of the proposed permittee, the location of the place or intended place of the proposed permittee's business, the number and types of vehicles to be used by the proposed permittee and such other information as may be required by regulations of the Department. Owners or operators of vehicles not owned by licensed renderers or grease and oil processors in this State shall secure a permit through the licensed renderer, or renderers, or grease and oil processors to whom the rendering material or used cooking grease and cooking oil will be delivered. The Department shall issue a Class 1 permit for the transporting of dead animals, fish or poultry; a Class 2 permit for transporting parts of bodies of animals, scrap, bones, fat, or used cooking grease and oils; a Class 3 permit for transporting hides; and a Class 4 permit for transporting bodies or parts of bodies of dead animals, poultry or fish to a landfill as an animal collection service. Permits issued hereunder shall be renewable annually during December of each year. All vehicle permits not renewed during December of each year shall expire on December 31 of that year. A $10 fee shall accompany each application for a vehicle permit or renewal thereof.

Sec. 9.2. Each vehicle issued a Class 1 permit shall have the inscription "Illinois Dead Animal Disposal Permit No. ...", as assigned; each truck granted a Class 2 permit shall have the inscription "Illinois Scrap and
Grease Permit No. ...", as assigned; and each truck granted a Class 3 permit shall have the inscription "Illinois Hide Permit No. ...", as assigned. All of these inscriptions shall be painted in a conspicuous place in contrasting color on the left side of the bed of the vehicle in letters not less than 3 inches high. If the vehicle transporting the rendering material or used cooking grease and cooking oil or conveying dead animals to a landfill is not a van type truck, the vehicle bed, as well as any properly identified tanks or barrels used for the transportation of rendering material, or used cooking grease and cooking oil when loaded or partially loaded, shall be covered when traveling highways of the State of Illinois. Vehicle beds shall be leak-proof or constructed so that no drippings or seepage can escape.

Collection vehicles containing rendering material or used cooking grease and cooking oil or used for transporting dead animals, poultry, fish, or parts of bodies thereof shall be thoroughly scrubbed and disinfected after hauling each load, or before proceeding for another load. All vehicle beds shall be painted as necessary, and kept in good condition and repair at all times.

(Source: P.A. 88-133.)

(225 ILCS 610/9.3) (from Ch. 8, par. 157.3)

Sec. 9.3. All permittees shall record each collection of rendering materials or used cooking grease and cooking oil, setting forth the date, quantity and description of rendering material or used cooking grease and cooking oil collected, and the person to whom such material was delivered. The permittee shall give a receipt to every person from whom the permittee collects rendering materials or used cooking grease and cooking oil. The original of such records, and a copy of all receipts given by the permittee for rendering material or used cooking grease and cooking oil shall be retained by the permittee until the rendering materials or used cooking grease and cooking oil are delivered to their destination. Thereafter, the record and receipt shall be retained by the permittee for a minimum of 3 months and shall be available for inspection by authorized personnel of the Department.

(Source: P.A. 83-760.)

(225 ILCS 610/12) (from Ch. 8, par. 160)

Sec. 12. The Department shall make such reasonable regulations for the carrying on and conduct of such business as it may deem advisable and all persons engaged in such business shall comply therewith. The Department, or its representatives, in performing the duties vested in it under this Act is empowered to enter, during usual working hours, any premises, buildings, or other places where dead animals or used cooking grease and

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cooking oil may be found, for the purpose of administering the provisions of this Act.

Licensees shall comply with rules, bulletins, manuals of procedure and guidelines pertaining to renderers and blenders and the handling and distribution of condemned or inedible meat or poultry products which implement the federal Meat Inspection Act and the federal Poultry Inspection Act. Such rules, bulletins, manuals and guidelines shall become effective on the date designated by the United States Department of Agriculture.

(225 ILCS 610/18) (from Ch. 8, par. 166)

Sec. 18. The transportation of bodies or parts of bodies of dead animals, poultry or fish, or used cooking greases and oils, raw or unrendered, except green or salted hides, shall not be allowed into other states except by reciprocal agreements with other states under rules of the Department.

(Source: P.A. 87-157.)

Section 10. The Criminal Code of 2012 is amended by changing Section 48-7 as follows:

(720 ILCS 5/48-7)

Sec. 48-7. Feeding garbage to animals.

(a) Definitions. As used in this Section:

"Department" means the Department of Agriculture of the State of Illinois.

"Garbage" has the same meaning as in the federal Swine Health Protection Act (7 U.S.C. 3802) and also includes putrescible vegetable waste. "Garbage" does not include the contents of the bovine digestive tract means putrescible vegetable waste, animal, poultry, or fish carcasses or parts thereof resulting from the handling, preparation, cooking, or consumption of food; but does not include the contents of the bovine digestive tract. "Garbage" also means the bodies or parts of bodies of animals, poultry or fish.

"Person" means any person, firm, partnership, association, corporation, or other legal entity, any public or private institution, the State, or any municipal corporation or political subdivision of the State.

(b) A person commits feeding garbage to animals when he or she feeds or permits the feeding of garbage to swine or any animals or poultry on any farm or any other premises where swine are kept.

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(c) Establishments licensed under the Illinois Dead Animal Disposal Act or under similar laws in other states are exempt from the provisions of this Section.

(d) Nothing in this Section shall be construed to apply to any person who feeds garbage produced in his or her own household to animals or poultry kept on the premises where he or she resides except this garbage if fed to swine shall not contain particles of meat.

(e) Sentence. Feeding garbage to animals is a Class B misdemeanor, and for the first offense shall be fined not less than $100 nor more than $500 and for a second or subsequent offense shall be fined not less than $200 nor more than $500 or imprisoned in a penal institution other than the penitentiary for not more than 6 months, or both.

(f) A person violating this Section may be enjoined by the Department from continuing the violation.

(g) The Department may make reasonable inspections necessary for the enforcement of this Section, and is authorized to enforce, and administer the provisions of this Section.

(Source: P.A. 97-1108, eff. 1-1-13.)

Passed in the General Assembly May 1, 2014.

Approved July 25, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-0786

(AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 10-22.22e as follows:

(105 ILCS 5/10-22.22e)

Sec. 10-22.22e. Science and mathematics partnership school.

(a) Notwithstanding any other provision of law to the contrary and subject to the provisions of this Section, 2 or more contiguous school districts with all or a portion of their territory located within the geographic boundaries of the same municipality may, when in their judgment the interest of the districts and of the students therein will be best served, jointly operate, through an institution of higher education located in the municipality, a science and mathematics partnership school for serving some or all of grades

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kindergarten through 8. The partnership school may (i) restrict attendance to pupils who reside within the geographic boundaries of the areas served by the school districts and (ii) select students for enrollment based on admission criteria that focuses on academic proficiency in science and mathematics established by the partnership school and approved by the districts' school boards; however, in no case may the partnership school discriminate on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services in the establishment of its attendance boundaries or in the selection of students for enrollment. The number of students enrolled from each school district shall be approximately equal in number. If there are more students eligible for enrollment in the partnership school from a school district than there are spaces available, eligible students must be selected by lottery.

(b) The school board of each school district shall, by proper resolution, enter into the joint operation of the partnership school. The school boards of the participating districts shall execute a partnership school contract with the institution of higher education for the joint operation, subject to the provisions of this Section. The agreement for joint operation of the partnership school shall include, but not be limited to, provisions for administration, staff, programs, financing, facilities, and transportation.

(c) Each participating school district shall pay its per capita cost of educating the students residing in the district and attending the partnership school for the maintenance and operation of the partnership school. The manner of determining per capita cost must be set forth in the agreement. Each district shall pay the amount owed under the terms of the agreement from the fund that the district would have used if the district had incurred the costs directly and may levy taxes and issue bonds as otherwise authorized for these purposes in order to make payments.

(d) The teachers and other non-administrative, certified employees who work in the partnership school must be selected according to criteria established by the partnership school and agreed to by the school districts' school boards. The number of such employees selected from each school district must be approximately equal in number. Their selection must be for a 2-year or 4-year period, upon the completion of which they must be assigned to a comparable position in the school from which they were selected. While working in the partnership school, these employees shall remain employees of and be paid by the school district from which they were selected, and their wages and benefits must be the same as if they were teaching or otherwise working in that district, provided that additional wages

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and benefits may be provided to these teachers and other staff if the participating school districts and the exclusive bargaining representatives of their teachers and other staff agree. The contractual continued service status of a teacher and the retirement benefits of those employees who accept work with the partnership school must not be affected. A school term worked in the partnership school must be considered a school term worked in the school district from which the employees were selected for contractual continued service attainment purposes. The time spent in employment with a participating district by any teacher who has not yet entered upon contractual continued service and accepts selection to work in the partnership school is not lost when computing the time necessary for the teacher to enter upon contractual continued service.

(Source: P.A. 97-97, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 1, 2014.
Approved July 25, 2014.
Effective July 25, 2014.

PUBLIC ACT 98-0787
(House Bill No. 5692)

AN ACT concerning transportation.

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

Section 1. Short title. This Act may be referred to as the Uninsured Motorist Verification Advisory Committee Act.

Section 5. Uninsured Motorist Verification Advisory Committee.
(a) The Secretary shall establish and appoint an Uninsured Motorist Verification Advisory Committee consisting of representatives of the Department of Insurance, insurance companies authorized to sell motor vehicle liability insurance policies in this State, insurance producers, and other interested parties as designated by the Secretary, to assist in the design and implementation of a program for the electronic verification of motor vehicle liability insurance policies that are subject to Section 7-601 of the Illinois Vehicle Code.

(b) The Uninsured Motorist Verification Advisory Committee shall report to the General Assembly, on or before January 31, 2015, with recommendations for the design and funding of a program for the electronic verification of motor vehicle liability insurance policies issued and in effect

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in the State and legislation to implement the program that includes at a minimum the elements in subsection (d) of this Section.

(c) Based on the recommendations of the Uninsured Motorist Verification Advisory Committee, the Secretary shall adopt rules to implement a program for the electronic verification of motor vehicle liability insurance by January 1, 2016 if and only if appropriations are made funding the electronic verification database as recommended by the Uninsured Motorist Advisory Committee.

(d) The electronic motor vehicle liability insurance verification program shall have the following elements:

(1) a requirement that insurance companies authorized to sell motor vehicle liability insurance in the State make available, in a format designated by the Secretary, the following information for each motor vehicle liability insurance policy issued by the company:
   (A) the name of policy holder;
   (B) the make, model, year and vehicle identification number of the covered vehicle;
   (C) the policy number;
   (D) the effective date of the policy; and
   (E) the company's National Association of Insurance Commissioners number;

(2) a method of searching for motor vehicle liability insurance policies issued and in effect in the State by the keys indicated in paragraph (1) of this subsection;

(3) a requirement that the Secretary verify the existence of a liability insurance policy as required by Section 7-601 of the Illinois Vehicle Code for every motor vehicle registered in the Secretary's office at least once every 12 months;

(4) a provision that if the Secretary is unable to verify the existence of a liability insurance policy, then the vehicle owner shall be sent a written notice giving the owner 30 calendar days to provide evidence that the vehicle was insured on the date of the attempted verification of insurance, or evidence that the vehicle is no longer operable;

(5) a provision that any vehicle owner who fails to respond, or whose response indicates that his or her operable vehicle was not covered by a liability insurance policy in accordance with Section 7-601 of the Illinois Vehicle Code, shall be deemed to have registered or maintained registration of a motor vehicle in violation of that

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Section, and the Secretary shall suspend the registration of the vehicle; the vehicle owner shall be required to pay a reinstatement fee of $100 and provide proof of current insurance before the registration may be reinstated under Section 7-606 of the Illinois Vehicle Code; and

(6) a provision that if the owner responds to the request for information by asserting that his or her vehicle was covered by a liability insurance policy on the date of verification stated in the Secretary's request, then the Secretary may conduct a verification of the response by furnishing the necessary information to the insurer named in the response; the insurer shall within 7 calendar days inform the Secretary whether or not on the date of verification the motor vehicle was insured by the insurer in accordance with Section 7-601 of the Illinois Vehicle Code; if the insurer does not confirm insurance was in effect on the verification date, then the Secretary shall suspend the owner's registration of the vehicle; the vehicle owner shall be required to pay a reinstatement fee of $100 and provide proof of current insurance before the registration may be reinstated under Section 7-606 of the Illinois Vehicle Code.

(e) In addition to the annual verification of liability insurance the Secretary may select for verification other vehicles, including, but not limited to, motor vehicles owned or registered by persons:

(1) whose motor vehicle registrations during the preceding 4 years have been suspended under Section 7-606 or 7-607 of the Illinois Vehicle Code;

(2) who during the preceding 4 years have been convicted of violating Section 3-707, 3-708, or 3-710 of the Illinois Vehicle Code while operating vehicles owned by other persons;

(3) whose driving privileges have been suspended during the preceding 4 years;

(4) who during the preceding 4 years acquired ownership of motor vehicles while the registrations of those vehicles under the previous owners were suspended under Section 7-606 or 7-607 of the Illinois Vehicle Code; or

(5) who during the preceding 4 years have received a disposition of supervision under subsection (c) of Section 5-6-1 of the Unified Code of Corrections for a violation of Section 3-707, 3-708, or 3-710 of the Illinois Vehicle Code.

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(f) The Secretary shall not have regulatory authority over insurance companies. Regulatory authority over insurance companies shall remain with the Department of Insurance.

Section 10. Expiration. This Act is repealed on July 1, 2016.

Section 900. The Illinois Vehicle Code is amended by changing Sections 3-405, 3-415, and 7-604 as follows:

(625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)
Sec. 3-405. Application for registration.

(a) Every owner of a vehicle subject to registration under this Code shall make application to the Secretary of State for the registration of such vehicle upon the appropriate form or forms furnished by the Secretary. Every such application shall bear the signature of the owner written with pen and ink and contain:

1. The name, domicile address, as defined in Section 1-115.5 of this Code, (except as otherwise provided in this paragraph 1) and mail address of the owner or business address of the owner if a firm, association or corporation. If the mailing address is a post office box number, the address listed on the driver license record may be used to verify residence. A police officer, a deputy sheriff, an elected sheriff, a law enforcement officer for the Department of State Police, a fire investigator, a state's attorney, an assistant state's attorney, a state's attorney special investigator, or a judicial officer may elect to furnish the address of the headquarters of the governmental entity, police district, or business address where he or she works instead of his or her domicile address, in which case that address shall be deemed to be his or her domicile address for all purposes under this Chapter 3. The spouse and children of a person who may elect under this paragraph 1 to furnish the address of the headquarters of the government entity, police district, or business address where the person works instead of his or her domicile address may, if they reside with that person, also elect to furnish the address of the headquarters of the government entity, police district, or business address where the person works as their domicile address, in which case that address shall be deemed to be their domicile address for all purposes under this Chapter 3. In this paragraph 1: (A) "police officer" has the meaning ascribed to "policeman" in Section 10-3-1 of the Illinois Municipal Code; (B) "deputy sheriff" means a deputy sheriff appointed under Section 3-6008 of the Counties Code; (C) "elected sheriff" means a sheriff commissioned pursuant to Section

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3-6001 of the Counties Code; (D) "fire investigator" means a person classified as a peace officer under the Peace Officer Fire Investigation Act; (E) "state's attorney", "assistant state's attorney", and "state's attorney special investigator" mean a state's attorney, assistant state's attorney, and state's attorney special investigator commissioned or appointed under Division 3-9 of the Counties Code; and (F) "judicial officer" has the meaning ascribed to it in Section 1-10 of the Judicial Privacy Act.

2. A description of the vehicle, including such information as is required in an application for a certificate of title, determined under such standard rating as may be prescribed by the Secretary.

3. (Blank). Information relating to the insurance policy for the motor vehicle, including the name of the insurer which issued the policy, the policy number, and the expiration date of the policy. Beginning with the 2016 registration year, registration shall not be issued to persons that submit an application that does not contain this information.

4. Such further information as may reasonably be required by the Secretary to enable him to determine whether the vehicle is lawfully entitled to registration and the owner entitled to a certificate of title.

5. An affirmation by the applicant that all information set forth is true and correct. If the application is for the registration of a motor vehicle, the applicant also shall affirm that the motor vehicle is insured as required by this Code, that such insurance will be maintained throughout the period for which the motor vehicle shall be registered, and that neither the owner, nor any person operating the motor vehicle with the owner's permission, shall operate the motor vehicle unless the required insurance is in effect. If the person signing the affirmation is not the sole owner of the vehicle, such person shall be deemed to have affirmed on behalf of all the owners of the vehicle. If the person signing the affirmation is not an owner of the vehicle, such person shall be deemed to have affirmed on behalf of the owner or owners of the vehicle. The lack of signature on the application shall not in any manner exempt the owner or owners from any provisions, requirements or penalties of this Code. Beginning with the 2016 registration year, any person that knowingly submits false insurance information shall be guilty of a Class C misdemeanor.

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(b) When such application refers to a new vehicle purchased from a
dealer the application shall be accompanied by a Manufacturer's Statement
of Origin from the dealer, and a statement showing any lien retained by the
dealer.

(Source: P.A. 97-847, eff. 1-1-13; 98-539, eff. 1-1-14.)

(625 ILCS 5/3-415) (from Ch. 95 1/2, par. 3-415)

Sec. 3-415. Application for and renewal of registration.

(a) Calendar year. Application for renewal of a vehicle registration
shall be made by the owner, as to those vehicles required to be registered on
a calendar registration year, not later than December 1 of each year, upon
proper application and by payment of the registration fee and tax for such
vehicle, as provided by law except that application for renewal of a vehicle
registration, as to those vehicles required to be registered on a staggered
calendar year basis, shall be made by the owner in the form and manner
prescribed by the Secretary of State.

(b) Fiscal year. Application for renewal of a vehicle registration shall
be made by the owner, as to those vehicles required to be registered on a
fiscal registration year, not later than June 1 of each year, upon proper
application and by payment of the registration fee and tax for such vehicle as
provided by law, except that application for renewal of a vehicle registration,
as to those vehicles required to be registered on a staggered fiscal year basis,
shall be made by the owner in the form and manner prescribed by the
Secretary of State.

(c) Two calendar years. Application for renewal of a vehicle
registration shall be made by the owner, as to those vehicles required to be
registered for 2 calendar years, not later than December 1 of the year
preceding commencement of the 2-year registration period, except that
application for renewal of a vehicle registration, as to those vehicles required
to be registered for 2 years on a staggered registration basis, shall be made by
the owner in the form and manner prescribed by the Secretary of State.

(d) Two fiscal years. Application for renewal of a vehicle registration
shall be made by the owner, as to those vehicles required to be registered for
2 fiscal years, not later than June 1 immediately preceding commencement
of the 2-year registration period, except that application for renewal of a
vehicle registration, as to those vehicles required to be registered for 2 fiscal
years on a staggered registration basis, shall be made by the owner in the
form and manner prescribed by the Secretary of State.

(d-5) Three calendar years. Application for renewal of a vehicle
registration shall be made by the owner, as to those vehicles required to be
registered for 3 calendar years, not later than December 1 of the year preceding commencement of the 3-year registration period.

(e) Time of application. The Secretary of State may receive applications for renewal of registration and grant the same and issue new registration cards and plates or registration stickers at any time prior to expiration of registration. No person shall display upon a vehicle, the new registration plates or registration stickers prior to the dates the Secretary of State in his discretion may select.

(f) Verification. The Secretary of State may further require, as to vehicles for-hire, that applications be accompanied by verification that fees due under the Illinois Motor Carrier of Property Law, as amended, have been paid.

(g) Applications for registration renewal shall include information relating to the insurance policy for the motor vehicle, including the name of the insurer that issued the policy, the policy number, and the expiration date of the policy. Registration shall not be renewed for persons that submit an application that does not contain this information. Any person that knowingly submits false insurance information shall be guilty of a Class C misdemeanor.

The changes to this subsection made by this amendatory Act of the 98th General Assembly shall not take effect until the beginning of the 2016 registration year.

(Source: P.A. 98-539, eff. 1-1-14.)

(625 ILCS 5/7-604) (from Ch. 95 1/2, par. 7-604)
Sec. 7-604. Verification of liability insurance policy.

(a) The Secretary of State may select random samples of registrations of motor vehicles subject to Section 7-601 of this Code, or owners thereof, for the purpose of verifying whether or not the motor vehicles are insured.

In addition to such general random samples of motor vehicle registrations, the Secretary may select for verification other random samples, including, but not limited to registrations of motor vehicles owned by persons:

(1) whose motor vehicle registrations during the preceding 4 years have been suspended pursuant to Section 7-606 or 7-607 of this Code;

(2) who during the preceding 4 years have been convicted of violating Section 3-707, 3-708 or 3-710 of this Code while operating vehicles owned by other persons;

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(3) whose driving privileges have been suspended during the preceding 4 years;
(4) who during the preceding 4 years acquired ownership of motor vehicles while the registrations of such vehicles under the previous owners were suspended pursuant to Section 7-606 or 7-607 of this Code; or
(5) who during the preceding 4 years have received a disposition of supervision under subsection (c) of Section 5-6-1 of the Unified Code of Corrections for a violation of Section 3-707, 3-708, or 3-710 of this Code.

(b) Upon receiving certification from the Department of Transportation under Section 7-201.2 of this Code of the name of an owner or operator of any motor vehicle involved in an accident, the Secretary may verify whether or not at the time of the accident such motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of this Code.

(c) In preparation for selection of random samples and their verification, the Secretary may send to owners of randomly selected motor vehicles, or to randomly selected motor vehicle owners, requests for information about their motor vehicles and liability insurance coverage. The request shall require the owner to state whether or not the motor vehicle was insured on the verification date stated in the Secretary's request and the request may require, but is not limited to, a statement by the owner of the names and addresses of insurers, policy numbers, and expiration dates of insurance coverage.

(d) Within 30 days after the Secretary mails a request, the owner to whom it is sent shall furnish the requested information to the Secretary above the owner's signed affirmation that such information is true and correct. Proof of insurance in effect on the verification date, as prescribed by the Secretary, may be considered by the Secretary to be a satisfactory response to the request for information.

Any owner whose response indicates that his or her vehicle was not covered by a liability insurance policy in accordance with Section 7-601 of this Code shall be deemed to have registered or maintained registration of a motor vehicle in violation of that Section. Any owner who fails to respond to such a request shall be deemed to have registered or maintained registration of a motor vehicle in violation of Section 7-601 of this Code.

(e) If the owner responds to the request for information by asserting that his or her vehicle was covered by a liability insurance policy on the
verification date stated in the Secretary's request, the Secretary may conduct a verification of the response by furnishing necessary information to the insurer named in the response. The insurer shall within 45 days inform the Secretary whether or not on the verification date stated the motor vehicle was insured by the insurer in accordance with Section 7-601 of this Code. The Secretary may by rule and regulation prescribe the procedures for verification.

(f) No random sample selected under this Section shall be categorized on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, economic status or geography.

(g) This Section is repealed on December 31, 2015.

(Source: P.A. 92-458, eff. 8-22-01.)

(625 ILCS 5/3-918 rep.)

Section 905. The Illinois Vehicle Code is amended by repealing Section 3-918.

Section 999. Effective date. This Act takes effect upon becoming law.

INDEX

Statutes amended in order of appearance

New Act
625 ILCS 5/3-405 from Ch. 95 1/2, par. 3-405
625 ILCS 5/3-415 from Ch. 95 1/2, par. 3-415
625 ILCS 5/7-604 from Ch. 95 1/2, par. 7-604
625 ILCS 5/3-918 rep.

Approved July 25, 2014.
Effective July 25, 2014.

PUBLIC ACT 98-0788
(Senate Bill No. 0230)

AN ACT concerning State government.

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

Section 5. The State Finance Act is amended by changing Section 10 as follows:

(30 ILCS 105/10) (from Ch. 127, par. 146)

Sec. 10. When an appropriation has been made by the General Assembly for the ordinary and contingent expenses of the operation, maintenance and administration of the several offices, departments, institutions, boards, commissions and agencies of the State government, the

New matter indicated by italics - deletions by strikeout
State Comptroller shall draw his warrant on the State Treasurer for the payment of the same upon the presentation of itemized vouchers, issued, certified, and approved, as follows:

For appropriations to

1. Elective State officers in the executive Department, to be certified and approved by such officers, respectively;
2. The Supreme Court, to be certified and approved by the Chief Justice thereof;
3. Appellate Court, to be certified and approved by the Chief Justice of each judicial district;
4. The State Senate, to be certified and approved by the President;
5. The House of Representatives, to be certified and approved by the Speaker;
6. The Auditor General, to be certified and approved by the Auditor General;
7. Clerks of courts, to be certified and approved by the clerk incurring expenditures;
8. The departments under the Civil Administrative Code, to be certified and approved by the Director or Secretary of the Department;
9. The University of Illinois, to be certified by the president and secretary of the Board of Trustees of the University of Illinois, with the corporate seal of the University attached thereto;
10. The State Universities Retirement System, to be certified by the President and Secretary of the Board of Trustees of the System;
11. The Board of Trustees of Illinois State University, to be certified by the president and secretary of that Board of Trustees, with the corporate seal of that University attached thereto;
12. The Board of Trustees of Northern Illinois University, to be certified by the president and secretary of that Board of Trustees, with the corporate seal of that University attached thereto;
12a. The Board of Trustees of Chicago State University, certified to by the president and secretary of that Board of Trustees, with the corporate seal of that University attached thereto;
12b. The Board of Trustees of Eastern Illinois University, certified to by the president and secretary of that Board of Trustees, with the corporate seal of that University attached thereto;

New matter indicated by italics - deletions by strikeout
(12c) The Board of Trustees of Governors State University, certified to by the president and secretary of that Board of Trustees, with the corporate seal of that University attached thereto;

(12d) The Board of Trustees of Northeastern Illinois University, certified to by the president and secretary of that Board of Trustees, with the corporate seal of that University attached thereto;

(12e) The Board of Trustees of Western Illinois University, certified to by the president and secretary of that Board of Trustees, with the corporate seal of that University attached thereto;

(13) Southern Illinois University, to be certified to by the President and Secretary of the Board of Trustees of Southern Illinois University, with the corporate seal of the University attached thereto;

(14) The Adjutant General, to be certified and approved by the Adjutant General;

(15) The Illinois Legislative Investigating Commission, to be certified and approved by its Chairman, or when it is organized with Co-Chairmen, by either of its Co-Chairmen;

(16) All other officers, boards, commissions and agencies of the State government, certified and approved by such officer or by the president or chairman and secretary or by the executive officer of such board, commission or agency;

(17) Individuals, to be certified by such individuals;

(18) The farmers' institute, agricultural, livestock, poultry, scientific, benevolent, and other private associations, or corporations of whatsoever nature, to be certified and approved by the president and secretary of such society.

Nothing contained in this Section shall be construed to amend or modify the "Personnel Code".

This Section is subject to Section 9.02.

(Source: P.A. 89-4, eff. 1-1-96; 90-372, eff. 7-1-98.)

AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by adding Section 15-174 as follows:

(35 ILCS 200/15-174 new)

Sec. 15-174. Community stabilization assessment freeze pilot program.

(a) Beginning January 1, 2015 and ending June 30, 2029, the chief county assessment officer of any county may reduce the assessed value of improvements to residential real property in accordance with subsection (b) for 10 taxable years after the improvements are put in service, if and only if all of the following factors have been met:

(1) the improvements are residential;
(2) the parcel was purchased or otherwise conveyed to the taxpayer after January 1 of the taxable year and that conveyance was not a tax sale as required under the Property Tax Code;
(3) the parcel is located in a targeted area;
(4) for single family homes, the taxpayer occupies the improvements on the parcel as his or her primary residence; for residences of one to 6 units that will not be owner-occupied, the taxpayer replaces 2 primary building systems as outlined in this Section;
(5) the transfer from the holder of the prior mortgage to the taxpayer was an arm’s length transaction, in that the taxpayer has no legal relationship to the holder of the prior mortgage;
(6) an existing residential dwelling structure of no more than 6 units on the parcel was unoccupied at the time of conveyance for a minimum of 6 months, or the parcel was ordered by a court of competent jurisdiction to be deconverted in accordance with the provisions governing distressed condominiums as provided in the Condominium Property Act;
(7) the parcel is clear of unreleased liens and has no outstanding tax liabilities attached against it; and

New matter indicated by italics - deletions by strikeout
(8) the purchase price did not exceed the Federal Housing Administration's loan limits then in place for the area in which the improvement is located.

To be eligible for the benefit conferred by this Section, residential units must (i) meet local building codes, or if there are no local building codes, Housing Quality Standards, as determined by the U.S. Department of Housing and Urban Development from time to time and (ii) be owner-occupied or in need of substantial rehabilitation. "Substantial rehabilitation" means, at a minimum, compliance with local building codes and the replacement or renovation of at least 2 primary building systems. Although the cost of each primary building system may vary, the combined expenditure for making the building compliant with local codes and replacing primary building systems must be at least $5 per square foot, adjusted by the Consumer Price Index for All Urban Consumers, as published annually by the U.S. Department of Labor. "Primary building systems", together with their related rehabilitations, specifically approved for this program are:

(1) Electrical. All electrical work must comply with applicable codes; it may consist of a combination of any of the following alternatives:

(A) installing individual equipment and appliance branch circuits as required by code (the minimum being a kitchen appliance branch circuit);
(B) installing a new emergency service, including emergency lighting with all associated conduits and wiring;
(C) rewiring all existing feeder conduits ("home runs") from the main switchgear to apartment area distribution panels;
(D) installing new in-wall conduits for receptacles, switches, appliances, equipment, and fixtures;
(E) replacing power wiring for receptacles, switches, appliances, equipment, and fixtures;
(F) installing new light fixtures throughout the building including closets and central areas;
(G) replacing, adding, or doing work as necessary to bring all receptacles, switches, and other electrical devices into code compliance;
(H) installing a new main service, including conduit, cables into the building, and main disconnect switch; and

New matter indicated by italics - deletions by strikeout
(I) installing new distribution panels, including all panel wiring, terminals, circuit breakers, and all other panel devices.

(2) Heating. All heating work must comply with applicable codes; it may consist of a combination of any of the following alternatives:

(A) installing a new system to replace one of the following heat distribution systems: (i) piping and heat radiating units, including new main line venting and radiator venting; or (ii) duct work, diffusers, and cold air returns; or (iii) any other type of existing heat distribution and radiation/diffusion components; or

(B) installing a new system to replace one of the following heat generating units: (i) hot water/steam boiler; (ii) gas furnace; or (iii) any other type of existing heat generating unit.

(3) Plumbing. All plumbing work must comply with applicable codes. Replace all or a part of the in-wall supply and waste plumbing; however, main supply risers, waste stacks and vents, and code-conforming waste lines need not be replaced.

(4) Roofing. All roofing work must comply with applicable codes; it may consist of either of the following alternatives, separately or in combination:

(A) replacing all rotted roof decks and insulation; or

(B) replacing or repairing leaking roof membranes (10% is the suggested minimum replacement of membrane); restoration of the entire roof is an acceptable substitute for membrane replacement.

(5) Exterior doors and windows. Replace the exterior doors and windows. Renovation of ornate entry doors is an acceptable substitute for replacement.

(6) Floors, walls, and ceilings. Finishes must be replaced or covered over with new material. Acceptable replacement or covering materials are as follows:

(A) floors must have new carpeting, vinyl tile, ceramic, refurbished wood finish, or a similar substitute;

(B) walls must have new drywall, including joint taping and painting; or

New matter indicated by italics - deletions by strikeout
(C) new ceilings must be either drywall, suspended type, or a similar substitute.

(7) Exterior walls.
   (A) replace loose or crumbling mortar and masonry with new material;
   (B) replace or paint wall siding and trim as needed;
   (C) bring porches and balconies to a sound condition;
   or
   (D) any combination of (A), (B), and (C).

(8) Elevators. Where applicable, at least 4 of the following 7 alternatives must be accomplished:
   (A) replace or rebuild the machine room controls and refurbish the elevator machine (or equivalent mechanisms in the case of hydraulic elevators);
   (B) replace hoistway electro-mechanical items including: ropes, switches, limits, buffers, levelers, and deflector sheaves (or equivalent mechanisms in the case of hydraulic elevators);
   (C) replace hoistway wiring;
   (D) replace door operators and linkage;
   (E) replace door panels at each opening;
   (F) replace hall stations, car stations, and signal fixtures; or
   (G) rebuild the car shell and refinish the interior.

(9) Health and safety.
   (A) install or replace fire suppression systems;
   (B) install or replace security systems; or
   (C) environmental remediation of lead-based paint, asbestos, leaking underground storage tanks, or radon.

(10) Energy conservation improvements undertaken to limit the amount of solar energy absorbed by a building's roof or to reduce energy use for the property, including any of the following activities:
   (A) installing or replacing reflective roof coatings (flat roofs);
   (B) installing or replacing R-38 roof insulation;
   (C) installing or replacing R-19 perimeter wall insulation;
   (D) installing or replacing insulated entry doors;
   (E) installing or replacing Low E, insulated windows;

New matter indicated by italics - deletions by strikeout
(F) installing or replacing low-flow plumbing fixtures;
(G) installing or replacing 90% sealed combustion heating systems;
(H) installing or replacing direct exhaust hot water heaters;
(I) installing or replacing mechanical ventilation to exterior for kitchens and baths;
(J) installing or replacing Energy Star appliances;
(K) installing low VOC interior paints on interior finishes;
(L) installing or replacing fluorescent lighting in common areas; or
(M) installing or replacing grading and landscaping to promote on-site water retention.

(b) For the first 7 years after the improvements are placed in service, the assessed value of the improvements shall be reduced by an amount equal to 90% of the difference between the base year assessed value of the improvements and the assessed value of the improvements in the current taxable year. The property will continue to be eligible for the benefits under this Section in the eighth and ninth taxable years after the improvements are placed in service, calculated as follows, if and only if all of the factors in subsection (a) of this Section continue to be met: in the eighth taxable year, the assessed value of the improvements shall be reduced by an amount equal to 65% of the difference between the base year assessed value of the improvements and the assessed value of the improvements in the current taxable year, and in the ninth taxable year, the assessed value of the improvements shall be reduced by an amount equal to 35% of the difference between the base year assessed value of the improvements and the assessed value of the improvements in the current taxable year. The benefit will cease in the tenth taxable year.

(c) In order to receive benefits under this Section, in addition to any information required by the chief county assessment officer, the taxpayer must also submit the following information to the chief county assessment officer for review:

(1) the owner's name;
(2) the postal address and permanent index number of the parcel;
(3) a deed or other instrument conveying the parcel to the current owner;

New matter indicated by italics - deletions by strikeout
(4) evidence that the purchase price is within the Federal Housing Administration's loan limits for the area in which the improvement is located;

(5) certification that the parcel was unoccupied at the time of conveyance to the current owner for a minimum of at least 6 months;

(6) evidence that the parcel is clear of unreleased liens and has no outstanding tax liabilities attached against it;

(7) evidence that the improvements meet local building codes, or if there are no local building codes, Housing Quality Standards, as determined by the U.S. Department of Housing and Urban Development from time to time, which may be shown by a certificate of occupancy issued by the appropriate local government or the certification by a home inspector licensed by the State of Illinois; and

(8) any additional information as reasonably required by the chief county assessment officer.

(d) The chief county assessment officer shall notify the taxpayer as to whether or not the parcel meets the requirements of this Section. If the parcel does not meet the requirements of this Section, the chief county assessment officer shall provide written notice of any deficiencies to the taxpayer, who will then have 14 days from the date of notification to provide supplemental information showing compliance with this Section. If the taxpayer does not exercise this right to cure the deficiency, or if the information submitted, in the sole judgment of the chief county assessment officer, is insufficient to meet the requirements of this Section, the chief county assessment officer shall provide a written explanation of the reasons for denial. A taxpayer may subsequently reapply for the benefit if the deficiencies are cured at a later date, but no later than 2019. The chief county assessment officer may charge a reasonable application fee to offset the administrative expenses associated with the program.

(e) The benefit conferred by this Section is limited as follows:

(1) The owner is eligible to apply for the benefit conferred by this Section beginning January 1, 2015 through December 31, 2019. If approved, the reduction will be effective for the current taxable year, which will be reflected in the tax bill issued in the following taxable year.

(2) The reduction outlined in this Section shall continue for a period of 10 years, and may not be extended or renewed for any additional period.
(3) At the completion of the assessment freeze period described here, the entire parcel will be assessed as otherwise provided in this Code.

(4) If there is a transfer of ownership during the period of the assessment freeze, then the benefit conferred by this Section shall not apply on or after the date of that transfer unless (i) the property is conveyed by an owner who does not occupy the improvements as a primary residence to an owner who will occupy the improvements as a primary residence and (ii) all requirements of this Section continue to be met.

(f) If the taxpayer does not occupy or intend to occupy the residential dwelling as his or her principal residence within a reasonable time, as determined by the chief county assessment officer, the taxpayer must:

(1) immediately secure the residential dwelling in accordance with the requirements of this Section;

(2) complete sufficient rehabilitation to bring the improvements into compliance with local building codes, including, without limitation, regulations concerning lead-based paint and asbestos remediation; and

(3) complete rehabilitation within 18 months of conveyance.

(g) For the purposes of this Section, "Base year" means the taxable year prior to the taxable year in which the property is purchased by the eligible homeowner. "Secure" means that:

(1) all doors and windows are closed and secured using secure doors, windows without broken or cracked panes, commercial-quality metal security panels filled with like-kind material as the surrounding wall, or plywood installed and secured in accordance with local ordinances; at least one building entrance shall be accessible from the exterior and secured with a door that is locked to allow access only to authorized persons;

(2) all grass and weeds on the vacant residential property are maintained below 10 inches in height, unless a local ordinance imposes a lower height;

(3) debris, trash, and litter on any portion of the exterior of the vacant residential property is removed in compliance with local ordinance;

New matter indicated by italics - deletions by strikeout
(4) fences, gates, stairs, and steps that lead to the main entrance of the building are maintained in a structurally sound and reasonable manner;

(5) the property is winterized when appropriate;

(6) the exterior of the improvements are reasonably maintained to ensure the safety of passersby; and

(7) vermin and pests are regularly exterminated on the exterior and interior of the property.

"Targeted Area" means a distressed community that meets the geographic, poverty, and unemployment criteria for a distressed community set forth in 12 C.F.R. 1806.200.


Approved July 25, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-0790
(Senate Bill No. 2728)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by renumbering and changing Section 2-3.157, as added by Public Act 98-301, as follows:

(105 ILCS 5/2-3.158)
(Section scheduled to be repealed on May 31, 2015)

(a) The State Board of Education shall establish the Task Force on Civic Education, to be comprised of all of the following members, with an emphasis on bipartisan legislative representation and diverse non-legislative stakeholder representation:

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

(2) One member appointed by the President of the Senate.

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

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

(5) One member appointed by the head of an association representing a teachers union.

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(6) One member appointed by the head of an association representing the Chicago Teachers Union.

(7) One member appointed by the head of an association representing social studies teachers.

(8) One member appointed by the head of an association representing school boards.

(9) One member appointed by the head of an association representing the media.

(10) One member appointed by the head of an association representing the non-profit sector that promotes civic education as a core mission.

(11) One member appointed by the head of an association representing the non-profit sector that promotes civic engagement among the general public.

(12) One member appointed by the president of an institution of higher education who teaches college or graduate-level government courses or facilitates a program dedicated to cultivating civic leaders.

(13) One member appointed by the head of an association representing principals or district superintendents.

(b) The members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated to the State Board of Education for that purpose. The members of the Task Force shall be reimbursed for their travel expenses from appropriations to the State Board of Education available for that purpose and subject to the rules of the appropriate travel control board.

(c) The members of the Task Force shall be considered members with voting rights. A quorum of the Task Force shall consist of a simple majority of the members of the Task Force. All actions and recommendations of the Task Force must be approved by a simple majority vote of the members.

(d) The Task Force shall meet initially at the call of the State Superintendent of Education, shall elect one member as chairperson at its initial meeting through a simple majority vote of the Task Force, and shall thereafter meet at the call of the chairperson.

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

(f) The Task Force is charged with all of the following tasks:

1. To analyze the current state of civic education in this State.

2. To analyze current civic education laws in other jurisdictions, both mandated and permissive.

New matter indicated by italics - deletions by strikeout
(3) To identify best practices in civic education in other jurisdictions.
(4) To make recommendations to the General Assembly focused on substantially increasing civic literacy and the capacity of youth to obtain the requisite knowledge, skills, and practices to be civically informed members of the public.
(5) To make funding recommendations if the Task Force's recommendations to the General Assembly would require a fiscal commitment.

(g) No later than December May 31, 2014, the Task Force shall summarize its findings and recommendations in a report to the General Assembly, filed as provided in Section 3.1 of the General Assembly Organization Act. Upon filing its report, the Task Force is dissolved.
(h) This Section is repealed on December May 31, 2015.

(Source: P.A. 98-301, eff. 8-9-13; revised 10-4-13.)


PUBLIC ACT 98-0791
(Senate Bill No. 2791)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Railroad Police Act is amended by changing Sections 2, 3, and 4 as follows:
(610 ILCS 80/2) (from Ch. 114, par. 98)
Sec. 2. Conductors of all railroad trains, and the captain or master of any boat carrying passengers within the jurisdiction of this state, is vested with police powers while on duty on their respective trains and boats, and may wear an appropriate badge indicative of this such authority.
In the policing of its properties any registered rail carrier, as defined in Section 18c-7201 of the Illinois Vehicle Code, may provide for the appointment and maintenance of a such police force as it may find necessary and practicable to aid and supplement the police forces of any municipality in the protection of its property and the protection of the persons and property of its passengers and employees, or otherwise in furtherance of the purposes

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for which the railroad was organized. While engaged in the conduct of their employment, the members of the railroad police force have and may exercise the same like police powers as those conferred upon any peace officer employed by a law enforcement agency of this State, including the authority to issue administrative citations in accordance with the provisions of county or municipal ordinances.

Any registered rail carrier that appoints and maintains a police force shall comply with the following requirements:

(1) Establish an internal policy that includes procedures to ensure objective oversight in addressing allegations of abuse of authority or other misconduct on the part of its police officers.

(2) Adopt appropriate policies and guidelines for employee investigations by police officers. These policies and guidelines shall provide for initiating employee investigations only under the following conditions:

   (A) There is reason to believe criminal misconduct has occurred.
   (B) In response to an employee accident.
   (C) There is reason to believe that the interview of an employee could result in workplace violence.
   (D) There is a legitimate concern for the personal safety of one or more employees.

These policies and guidelines shall provide for the right of an employee to request a representative to be present during any interview concerning a non-criminal matter.

(3) File copies of the policies and guidelines adopted under paragraphs (1) and (2) with the Illinois Law Enforcement Training Standards Board, which shall make them available for public inspection. The Board shall review the policies and guidelines, and approve them if they comply with the Act.

(4) Appeal of a rail carrier's decision. A person adversely affected or aggrieved by a decision of a rail carrier's internal investigation under this Act may appeal the decision to the Illinois State Police. The appeal shall be filed no later than 90 days after the issuance of the decision. The State Police shall review the depth, completeness, and objectivity of the rail carrier's investigation, and may conduct its own investigation of the complaint. The State Police may uphold, overturn, or modify the rail carrier's decision by filing a report of its findings and recommendations with the Illinois

New matter indicated by italics - deletions by strikeout
Consistent with authority under Chapter 18C of the Illinois Vehicle Code and the Commission rules of practice, the Commission shall have the power to conduct evidentiary hearings, make findings, and issue and enforce orders, including sanctions under Section 18c-1704 of the Illinois Vehicle Code.

Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 94-846, eff. 1-1-07; 95-1010, eff. 6-1-09.)

(610 ILCS 80/3) (from Ch. 114, par. 99)

Sec. 3. When any passenger shall be guilty of disorderly conduct, or use any obscene language, to the annoyance and vexation of passengers or employees, or play any games of cards or other games of chance for money or other valuable thing, upon any railroad train or boat steamboat, the conductor of the such train and captain or master of the boat such steamboat is hereby authorized to stop the his train or boat steamboat, at or near any place where an such offense has been committed or at an available public station or dock, and remove the such passenger from the train or boat using only the such force as may be necessary to accomplish the such removal, and may command the assistance of the employees of the railroad company or boat steamboat, or any of the other passengers willing and able to assist with the in such removal; but before removing the passenger the conductor or captain or master doing so he shall tender to the such passenger such proportion of the total fare the passenger he has paid, minus the portion of the total fare attributable to the distance travelled by the passenger prior to being removed from the train or boat as the distance he then is from the place to which he has paid his fare, bears to the whole distance for which he has paid his fare. No operating rule, bulletin, directive, or other order of a carrier shall contradict or limit the authority granted in this Section.

(Source: Laws 1877, p. 166.)

(610 ILCS 80/4) (from Ch. 114, par. 100)

Sec. 4. When any passenger commits shall be guilty of any crime or misdemeanor upon any train; or boat steamboat, the conductor, captain or master, or employees of that such train; or boat; may arrest that such passenger and take him or her before any judge of the circuit court, in any county through which the such boat or train may pass, or in which its trip may

New matter indicated by italics - deletions by strikeout
begin or terminate, and file an affidavit before the such judge of the circuit court, charging the passenger him with the such crime or misdemeanor. (Source: Laws 1965, p. 3687.)


PUBLIC ACT 98-0792
(Senate Bill No. 3441)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Higher Education Distance Learning Act.

Section 5. Legislative declaration of public policy. In recent years, distance education offered by institutions of higher learning has been increasing, with such distance education being offered on an interstate basis by many institutions of higher learning. Often, students participate in such education in states where the institution of higher learning maintains no actual physical presence. Both the regulation and the availability of institutions of higher learning to participate in distance learning have been hampered by multi-jurisdictional differences between the states and uneven regulation among the states for the same programs. Various multi-state compacts have addressed this problem by creating a voluntary system of interstate reciprocity for institutions of higher learning to streamline authorization and regulations for institutions of higher learning that voluntarily agree to participate in a reciprocity program. The provision of such distance education is declared to affect the public safety and welfare and to be subject to regulation and control in the public interest. It is further the public policy of this State that such a program of reciprocity be made available on a voluntary basis to participating institutions of higher learning and that any other institutions of higher learning that choose not to participate continue to be regulated under current laws and rules that govern distance learning.

Section 10. Definitions. In this Act:
"Board" means the Board of Higher Education.

New matter indicated by italics - deletions by strikeout
"Distance learning" means instruction offered by any means where the student and faculty member are in separate physical locations. It includes, but is not limited to, online, interactive video or correspondence courses or programs.

"Home state" means the state that regulates a participating institution and its distance learning programs. A state cannot be the "home state" unless the institution of higher learning either has a physical presence in that state or holds its principal institutional accreditation in that state.

"Participation agreement" means the agreement that each participating institution is required to sign and abide by in order to take advantage of the reciprocity agreement.

"Participating institution" means any institution of higher learning that offers an associate's degree or higher, in whole or in part, through distance learning and has voluntarily or willingly entered into a participation agreement to be regulated by a participating home state with respect to institutional and program approval, complaints, and institutional and program reviews.

"Physical presence" means on-going occupation of a physical location for instructional purposes or maintenance of an administrative office to facilitate instruction.

"State" means any state, commonwealth, district, or territory of the United States that is a participant in good standing in a state authorization reciprocity agreement.

"State authorization reciprocity agreement" or "reciprocity agreement" means a voluntary agreement that establishes reciprocity between willing states for approval of postsecondary educational services delivered by distance learning beyond state boundaries.

Section 15. Authorization. The Board is authorized to participate in a state authorization reciprocity agreement on behalf of this State. The Board shall be the lead agency in coordinating interstate reciprocity for distance learning for participating institutions in this State.

Section 20. Illinois as the home state. If this State has been designated as the home state for a participating institution, then the Board shall approve, investigate, authorize, monitor, and establish common standards, reauthorize, establish, and investigate complaints, and attend to other administrative matters involving distance learning, including complaints from students and others in this State and from other states where the participating institutions are offering distance learning under a reciprocity agreement.
Section 25. Illinois as the reciprocal state. If another state has been designated as the home state, a participating institution has received required approval, the participating institution has no physical presence in this State, and the participating institution does not hold its principal institutional accreditation in this State, then the Board shall allow such participating institution to offer distance learning in this State under a participation agreement authorized by this Act. The Board may not charge a fee for granting such reciprocal distance learning approval.

However, if the participating institution has another home state, but also has a physical presence in this State or has its principal institutional accreditation in this State, the Board may regulate the institution of higher learning and its distance learning programs in this State and is not bound by the reciprocity agreement.

Section 30. Application of the Act. This Act applies only to distance learning programs and does not affect other approvals of institutions of higher learning or programs required under the laws of this State, nor does it affect any exemptions of institutions of higher learning or programs granted by the laws of this State. However, except as required in Section 25 of this Act, any participating institution that remains eligible and in good standing under this Act is not required to obtain any other approval for distance learning required by State law, unless the institution of higher learning withdraws and is removed from this reciprocity program.

Nothing in this Act shall be construed to affect the authority of the Attorney General to enforce the Consumer Fraud and Deceptive Business Practices Act and the federal Consumer Financial Protection Act of 2010, as authorized by 12 U.S.C. 5552.

Section 35. Fees. Fees to cover the cost of administration and enforcement of this Act shall be set by the Board by rule.

Section 40. Distance Learning Fund. The Distance Learning Fund is created as a special fund in the State treasury. All fees collected for the administration and enforcement of this Act shall be deposited into the Fund. All money in the Fund shall be used, subject to appropriation, by the Board to supplement support for the administration and enforcement of this Act and may not be used for any other purpose.

Section 45. Student refund policy. The Board, by rule, shall establish minimum standards for a fair and equitable policy that governs refunds for students, which must be required for all participating institutions subject to this Act.

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Section 50. Equitable treatment of students. Students who are enrolled in institutions of higher learning governed by this Act, either because they are residents of the home state or because they are residents of participating reciprocal states, and who receive services from the Board under this Act are entitled to the same remedies, services, and redress under this Act, regardless of their state of residency.

Section 90. Rules. The Board shall adopt rules for the execution of the powers and duties delegated to it by this Act, including, but not limited to, minimum standards for institutions of higher learning.

Section 500. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)
Sec. 5.855. The Distance Learning Fund.
Approved July 25, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0793
(Senate Bill No. 3129)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Holocaust and Genocide Commission Act is amended by changing Sections 10, 20, and 30 as follows:
(20 ILCS 5010/10)
(Section scheduled to be repealed on January 1, 2021)
Sec. 10. Composition of the Commission.
(a) The Commission is composed of 22 members as follows:
(1) 19 public members appointed by the Governor, one of which shall be a student; and
(2) 3 ex officio members as follows:
(A) the State Superintendent of Education;
(B) the Executive Director of the Board of Higher Education; and
(C) the Director of Veterans' Affairs.
(b) The President and Minority Leader of the Senate shall each designate a member or former member of the Senate and the Speaker and Minority Leader of the House of Representatives shall each designate a

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member or former member of the House of Representatives to advise the Commission.

(Source: P.A. 96-1063, eff. 1-1-11.)

(20 ILCS 5010/20)

(Sec. 20. Ex officio members; eligibility; designation of representative.
(a) An ex officio member of the Commission vacates the person's position on the Commission if the person ceases to hold the position that qualifies the person for service on the Commission.
(b) An ex officio member may designate a representative to serve on the Commission in the member's absence. A representative designated under this subsection must be an officer or employee of the State agency that employs the ex officio member or an individual with demonstrated expertise in the subject matter of the ex officio member's State agency.

(Source: P.A. 96-1063, eff. 1-1-11.)

(20 ILCS 5010/30)

(Sec. 30. Term of public member.
(a) A public member of the Commission serves a term of 4 years, except that the terms of the initial members shall expire on February 1, 2015. Following the expiration of the terms of the initial members of the Commission, the Governor may re-appoint initial members as follows:
(1) five members to terms that expire February 1, 2016;
(2) five members to terms that expire February 1, 2017; and
(3) five members to terms that expire February 1, 2018.
Notwithstanding subsection (c) of this Section, initial members re-appointed to terms that expire on February 1, 2016 or February 1, 2017 may be appointed to a 4-year term following expiration of their re-appointment.

(a-5) Public members of the Commission added under this amendatory Act of the 98th General Assembly shall serve 4-year terms.
(b) A public member is eligible for reappointment to another term or part of a term.
(c) A public member may not serve more than 2 consecutive full terms. For purposes of this prohibition, a member is considered to have served a full term only if the member has served more than half of a 4-year term.

(Source: P.A. 96-1063, eff. 1-1-11.)

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

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AN ACT concerning elections.

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

Section 1. Short title. This Act may be cited as the Tax for Education Referendum Act.

Section 5. Referendum. The State Board of Elections shall cause a statewide advisory question of public policy to be submitted to the voters at the general election to be held on November 4, 2014. The question shall appear in the following form:

"Should the Illinois Constitution be amended to require that each school district receive additional revenue, based on their number of students, from an additional 3% tax on income greater than one million dollars?"

The votes on the question shall be recorded as "Yes" or "No".

Section 10. Certification. The State Board of Elections shall immediately certify the question set forth in Section 5 of this Act to be submitted to the voters of the entire State to each election authority in Illinois.

Section 15. Conflicts. If any provision of this Act conflicts with any other law, this Act controls.

Section 20. Repeal. This Act is repealed on January 1, 2015.

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

Passed in the General Assembly May 29, 2014.
Approved July 29, 2014.
Effective July 29, 2014.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 22-30 as follows:

(105 ILCS 5/22-30)
Sec. 22-30. Self-administration and self-carry of asthma medication and epinephrine auto-injectors; administration of undesignated epinephrine auto-injectors. school nurse administration.

(a) For the purpose of this Section only, the following terms shall have the meanings set forth below in this Section:

"Asthma inhaler" means a quick reliever asthma inhaler.

"Epinephrine auto-injector" means a single-use device used for the automatic injection of a pre-measured dose of epinephrine into the human body medical device for immediate self-administration by a person at risk of anaphylaxis.

"Asthma medication Medication" means a medicine, prescribed by (i) a physician licensed to practice medicine in all its branches, (ii) a physician assistant who has been delegated the authority to prescribe asthma medications by his or her supervising physician, or (iii) an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician that delegates the authority to prescribe asthma medications, for a pupil that pertains to the pupil's asthma and that has an individual prescription label.

"School nurse" means a registered nurse working in a school with or without licensure endorsed in school nursing.

"Self-administration" means a pupil's discretionary use of and ability to carry his or her prescribed asthma medication or epinephrine auto-injector.

"Self-carry" means a pupil's ability to carry his or her prescribed asthma medication or epinephrine auto-injector.

"Standing protocol" may be issued by (i) a physician licensed to practice medicine in all its branches, (ii) a physician assistant who has been delegated the authority to prescribe asthma medications or epinephrine auto-injectors by his or her supervising physician, or (iii) an advanced practice nurse who has a collaborative agreement with a collaborating physician that

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delegates authority to issue a standing protocol for asthma medications or epinephrine auto-injectors.

"Trained personnel" means any school employee or volunteer personnel authorized in Sections 10-22.34, 10-22.34a, and 10-22.34b of this Code who has completed training under subsection (g) of this Section to recognize and respond to anaphylaxis.

"Undesignated epinephrine auto-injector" means an epinephrine auto-injector prescribed in the name of a school district, public school, or nonpublic school.

(b) A school, whether public or nonpublic, must permit the self-administration and self-carry of asthma medication by a pupil with asthma or the self-administration and self-carry use of an epinephrine auto-injector by a pupil, provided that:

(1) the parents or guardians of the pupil provide to the school (i) written authorization from the parents or guardians for (A) the self-administration and self-carry of asthma medication or (B) the self-carry of asthma medication or (ii) for (A) the self-administration and self-carry of an epinephrine auto-injector or (B) the self-carry use of an epinephrine auto-injector, written authorization from the pupil's physician, physician assistant, or advanced practice registered nurse; and

(2) the parents or guardians of the pupil provide to the school (i) the prescription label, which must contain the name of the asthma medication, the prescribed dosage, and the time at which or circumstances under which the asthma medication is to be administered, or (ii) for the self-administration or self-carry use of an epinephrine auto-injector, a written statement from the pupil's physician, physician assistant, or advanced practice registered nurse containing the following information:

(A) the name and purpose of the epinephrine auto-injector;

(B) the prescribed dosage; and

(C) the time or times at which or the special circumstances under which the epinephrine auto-injector is to be administered.

The information provided shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school's administrator.

(b-5) A school district, public school, or nonpublic school may authorize the provision of a student-specific or undesignated an epinephrine

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auto-injector to a student or any personnel authorized under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 to administer an epinephrine auto-injector to the student, that meets the student's prescription on file.

(b-10) The school district, public school, or nonpublic school may authorize a school nurse or trained personnel to do the following: (i) provide an undesignated epinephrine auto-injector to a student for self-administration only or any personnel authorized under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 to administer an epinephrine auto-injector to the student, that meets the student's prescription on file; (ii) administer an undesignated epinephrine auto-injector that meets the prescription on file to any student who has an Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 that authorizes the use of an epinephrine auto-injector; and (iii) administer an undesignated epinephrine auto-injector to any person that the school nurse or trained personnel in good faith professionally believes is having an anaphylactic reaction.

(c) The school district, public school, or nonpublic school must inform the parents or guardians of the pupil, in writing, that the school district, public school, or nonpublic school and its employees and agents, including a physician, physician assistant, or advanced practice nurse providing standing protocol or prescription for school epinephrine auto-injectors, are to incur no liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication or use of an epinephrine auto-injector regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician's assistant, or advanced practice registered nurse. The parents or guardians of the pupil must sign a statement acknowledging that the school district, public school, or nonpublic school and its employees and agents are to incur no liability, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication or use of an epinephrine auto-injector regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician's assistant, or advanced practice registered nurse and that the

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parents or guardians must indemnify and hold harmless the school district, public school, or nonpublic school and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration self-administration of asthma medication or use of an epinephrine auto-injector regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician's assistant, or advanced practice registered nurse.

(c-5) Upon the effective date of this amendatory Act of the 98th General Assembly, when a school nurse or trained personnel administers a non-designated epinephrine auto-injector to a person whom the school nurse or trained personnel in good faith believes is having an anaphylactic reaction notwithstanding the lack of notice to the parents or guardians of the pupil or the absence of the parents or guardians signed statement acknowledging no liability, except for willful and wanton conduct, the school district, public school, or nonpublic school and its employees and agents, and including a physician, a physician assistant, or an advanced practice nurse providing standing protocol or prescription for non-designated school epinephrine auto-injectors, are to incur no liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the use of a non-designated epinephrine auto-injector regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician's assistant, or advanced practice registered nurse.

(d) The permission for self-administration and self-carry of asthma medication or the self-administration and self-carry use of an epinephrine auto-injector is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the requirements of this Section.

(e) Provided that the requirements of this Section are fulfilled, a pupil with asthma may self-administer and self-carry possess and use his or her asthma medication or a pupil may self-administer and self-carry possess and use an epinephrine auto-injector (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property.

(e-5) Provided that the requirements of this Section are fulfilled, a school nurse or trained personnel may administer an undesignated epinephrine auto-injector to any person whom the school nurse or trained personnel in good faith believes to be having an anaphylactic reaction (i)
while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property. A school nurse or trained personnel may carry undesignated epinephrine auto-injectors on his or her person while in school or at a school-sponsored activity.

(f) The school district, public school, or nonpublic school may maintain at a school in a locked, secure location a supply of undesignated epinephrine auto-injectors in any secure location where an allergic person is most at risk, including, but not limited to, classrooms and lunchrooms. A physician, a physician assistant who has been delegated prescriptive authority for asthma medication or epinephrine auto-injectors in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse who has been delegated prescriptive authority for asthma medication or epinephrine auto-injectors in accordance with Section 65-40 of the Nurse Practice Act may prescribe undesignated epinephrine auto-injectors in the name of the school district, public school, or nonpublic school to be maintained for use when necessary. Any supply of epinephrine auto-injectors shall be maintained in accordance with the manufacturer's instructions. The school district or nonpublic school supply of epinephrine auto-injectors may be provided to and utilized by any student authorized to self-administer that meets the prescription on file or by any personnel authorized under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 to administer an epinephrine auto-injector to the student, that meets the prescription on file. When a student does not have an epinephrine auto-injector or a prescription for an epinephrine auto-injector on file, the school nurse may utilize the school district or nonpublic school supply of epinephrine auto-injectors to respond to anaphylactic reaction, under a standing protocol from a physician licensed to practice medicine in all its branches and the requirements of this Section.

(f-5) Upon any administration of an epinephrine auto-injector, a school district, public school, or nonpublic school must immediately activate the EMS system and notify the student's parent, guardian, or emergency contact, if known.

(f-10) Within 24 hours of the administration of an undesignated epinephrine auto-injector, a school district, public school, or nonpublic school must notify the physician, physician assistant, or advance practice

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nurse who provided the standing protocol or prescription for the
undesignated epinephrine auto-injector of its use.

(g) Prior to the administration of an undesignated epinephrine auto-
injector, trained personnel must submit to his or her school's administration
proof of completion of a training curriculum to recognize and respond to
anaphylaxis that meets the requirements of subsection (h) of this Section.
Training must be completed annually. Trained personnel must also submit
to his or her school's administration proof of cardiopulmonary resuscitation
and automated external defibrillator certification. The school district, public
school, or nonpublic school must maintain records related to the training
curriculum and trained personnel.

(h) A training curriculum to recognize and respond to anaphylaxis,
including the administration of an undesignated epinephrine auto-injector,
may be conducted online or in person. It must include, but is not limited to:

(1) how to recognize symptoms of an allergic reaction;
(2) a review of high-risk areas within the school and its
related facilities;
(3) steps to take to prevent exposure to allergens;
(4) how to respond to an emergency involving an allergic
reaction;
(5) how to administer an epinephrine auto-injector;
(6) how to respond to a student with a known allergy as well
as a student with a previously unknown allergy;
(7) a test demonstrating competency of the knowledge
required to recognize anaphylaxis and administer an epinephrine
auto-injector; and
(8) other criteria as determined in rules adopted pursuant to
this Section.

In consultation with statewide professional organizations
representing physicians licensed to practice medicine in all of its branches,
registered nurses, and school nurses, the Board shall make available
resource materials consistent with criteria in this subsection (h) for
educating trained personnel to recognize and respond to anaphylaxis. The
Board may take into consideration the curriculum on this subject developed
by other states, as well as any other curricular materials suggested by
medical experts and other groups that work on life-threatening allergy
issues. The Board is not required to create new resource materials. The
Board shall make these resource materials available on its Internet website.

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(i) Within 3 days after the administration of an undesignated epinephrine auto-injector by a school nurse, trained personnel, or a student at a school or school-sponsored activity, the school must report to the Board in a form and manner prescribed by the Board the following information:

1. age and type of person receiving epinephrine (student, staff, visitor);
2. any previously known diagnosis of a severe allergy;
3. trigger that precipitated allergic episode;
4. location where symptoms developed;
5. number of doses administered;
6. type of person administering epinephrine (school nurse, trained personnel, student); and
7. any other information required by the Board.

(j) By October 1, 2015 and every year thereafter, the Board shall submit a report to the General Assembly identifying the frequency and circumstances of epinephrine administration during the preceding academic year. This report shall be published on the Board's Internet website on the date the report is delivered to the General Assembly.

(k) The Board may adopt rules necessary to implement this Section.

(Source: P.A. 96-1460, eff. 8-20-10; 97-361, eff. 8-15-11.)

Section 99. Effective date. This Act takes effect August 1, 2014.
Approved July 30, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0796
(House Bill No. 5412)

AN ACT concerning public health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Community Health Worker Advisory Board Act.

Section 5. Definitions. In this Act:
"Board" means the Community Health Worker Advisory Board.
"Community health worker" means a frontline public health worker who is a trusted member or has an unusually close understanding of the community served. This trusting relationship enables the community health worker to serve as a liaison, link, and intermediary between health and social

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services and the community to facilitate access to services and improve the quality and cultural competence of service delivery. A community health worker also builds individual and community capacity by increasing health knowledge and self-sufficiency through a range of activities, including outreach, community education, informal counseling, social support, and advocacy. Nothing in this definition shall be construed to authorize a community health worker to provide direct care or treatment to any person or to perform any act or service for which a license issued by a professional licensing board is required.

"Department" means the Department of Public Health.

Section 10. Advisory Board.

(a) There is created the Advisory Board on Community Health Workers. The Board shall consist of 15 members appointed by the Director of Public Health. The Director shall make the appointments to the Board within 90 days after the effective date of this Act. The members of the Board shall represent different racial and ethnic backgrounds and have the qualifications as follows:

(1) four members who currently serve as community health workers in Cook County, one of whom shall have served as a health insurance marketplace navigator;
(2) two members who currently serve as community health workers in DuPage, Kane, Lake, or Will County;
(3) one member who currently serves as a community health worker in Bond, Calhoun, Clinton, Jersey, Macoupin, Madison, Monroe, Montgomery, Randolph, St. Clair, or Washington County;
(4) one member who currently serves as a community health worker in any other county in the State;
(5) one member who is a physician licensed to practice medicine in Illinois;
(6) one member who is a licensed nurse or advanced practice nurse;
(7) one member who is a licensed social worker, counselor, or psychologist;
(8) one member who currently employs community health workers;
(9) one member who is a health policy advisor with experience in health workforce policy;
(10) one member who is a public health professional with experience with community health policy; and

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(11) one representative of a community college, university, or educational institution that provides training to community health workers.

(b) In addition, the following persons or their designees shall serve as ex officio, non-voting members of the Board: the Executive Director of the Illinois Community College Board, the Director of Children and Family Services, the Director of Aging, the Director of Public Health, the Director of Employment Security, the Director of Commerce and Economic Opportunity, the Secretary of Financial and Professional Regulation, the Director of Healthcare and Family Services, and the Secretary of Human Services.

(c) The voting members of the Board shall select a chairperson from the voting members of the Board. The Board shall consult with additional experts as needed. Members of the Board shall serve without compensation. The Department shall provide administrative and staff support to the Board. The meetings of the Board are subject to the provisions of the Open Meetings Act.

(d) The Board shall consider the core competencies of a community health worker, including skills and areas of knowledge that are essential to bringing about expanded health and wellness in diverse communities and reducing health disparities. As relating to members of communities and health teams, the core competencies for effective community health workers may include, but are not limited to:

1. outreach methods and strategies;
2. client and community assessment;
3. effective community-based and participatory methods, including research;
4. culturally competent communication and care;
5. health education for behavior change;
6. support, advocacy, and health system navigation for clients;
7. application of public health concepts and approaches;
8. individual and community capacity building and mobilization; and
9. writing, oral, technical, and communication skills.

Section 15. Report.

(a) The Board shall develop a report with its recommendations regarding the certification process of community health workers. The report shall be completed no later than 12 months after the first meeting of the
Board. The report shall be submitted to all members and ex officio members of the Board, the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives. The Department shall publish the report on its Internet website.

(b) The report shall at a minimum include the following:

(1) a summary of research regarding the best practices, curriculum, and training programs for designing a certification program in this State for community health workers, including a consideration of a multi-tiered education or training system, statewide certification, non-certification degree-based levels of certification, and the requirements for experience-based certification;

(2) recommendations regarding certification and a renewal process for community health workers, and a system of approval and accreditation for curriculum and training;

(3) recommendations for a proposed curriculum for community health workers that ensures the content, methodology, development, and delivery of any proposed program is appropriately based on cultural, geographic, and other specialty needs and also reflects relevant responsibilities for community health workers; and

(4) recommendations for best practices for reimbursement options and pathways through which secure funding for community health workers may be obtained.

(c) The Board shall advise the Department, the Governor, and the General Assembly on all matters that impact the effective work of community health workers.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved July 31, 2014.
Effective July 31, 2014.

PUBLIC ACT 98-0797
(House Bill No. 3831)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Comptroller Act is amended by changing Section 23.9 as follows:

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Sec. 23.9. Minority Contractor Opportunity Initiative. The State Comptroller Minority Contractor Opportunity Initiative is created to provide greater opportunities for minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses with 20 or fewer employees in this State to participate in the State procurement process. The initiative shall be administered by the Comptroller. Under this initiative, the Comptroller is responsible for the following: (i) outreach to minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses capable of providing services to the State; (ii) education of minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses concerning State contracting and procurement; (iii) notification of minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses of State contracting opportunities; and (iv) maintenance of an online database of State contracts that identifies the contracts awarded to minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses that includes the total amount paid by State agencies to contractors and the percentage paid to minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses.

The Comptroller shall work with the Business Enterprise Council created under Section 5 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act to fulfill the Comptroller's responsibilities under this Section. The Comptroller may rely on the Business Enterprise Council's identification of minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities.

The Comptroller shall annually prepare and submit a report to the Governor and the General Assembly concerning the progress of this initiative including the following information for the preceding calendar year: (i) a statement of the total amounts paid by each executive branch agency to contractors since the previous report; (ii) the percentage of the amounts that were paid to minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses; (iii) the successes achieved and the challenges faced by the Comptroller in operating outreach programs for minorities, women, persons with disabilities, and small businesses; (iv) the challenges each executive branch agency may face in hiring qualified minority, female, disabled, and small business employees and

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contracting with qualified minority-owned businesses, female-owned businesses, businesses owned by persons with disabilities, and small businesses; and (iv) any other information, findings, conclusions, and recommendations for legislative or agency action, as the Comptroller deems appropriate.

On and after the effective date of this amendatory Act of the 97th General Assembly, any bidder or offeror awarded a contract of $1,000 or more under Section 20-10, 20-15, 20-25, or 20-30 of the Illinois Procurement Code is required to pay a fee of $15 to cover expenses related to the administration of this Section. The Comptroller shall deduct the fee from the first check issued to the vendor under the contract and deposit the fee into the Comptroller's Administrative Fund. Contracts administered for statewide orders placed by agencies (commonly referred to as "statewide master contracts") are exempt from this fee.

(Source: P.A. 97-590, eff. 8-26-11.)


PUBLIC ACT 98-0798
(Senate Bill No. 1381)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 11-306 as follows:

(625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)

Sec. 11-306. Traffic-control signal legend. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights or color lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green indication.

1. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic, including vehicles turning

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right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

3. Unless otherwise directed by a pedestrian-control signal, as provided in Section 11-307, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication.

1. Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.

2. Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(b-5) Flashing yellow arrow indication.

1. Vehicular traffic facing a flashing yellow arrow indication may cautiously enter the intersection only to make the movement indicated by the arrow and shall yield the right-of-way to other vehicles and pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

2. Pedestrians facing a flashing yellow arrow indication, unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, may proceed across the roadway within any marked or unmarked crosswalk that crosses the lane or lanes used to depart the intersection by traffic controlled by the flashing yellow arrow indication. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal indication is first displayed.

(c) Steady red indication.

New matter indicated by italics - deletions by strikeout
1. Except as provided in paragraphs 3 and 3.5 of this subsection (c), vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication to proceed is shown.

2. Except as provided in paragraphs 3 and 3.5 of this subsection (c), vehicular traffic facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication permitting the movement indicated by such red arrow is shown.

3. Except when a sign is in place prohibiting a turn and local authorities by ordinance or State authorities by rule or regulation prohibit any such turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right, or to turn left from a one-way street into a one-way street, after stopping as required by paragraph 1 or paragraph 2 of this subsection. After stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction or roadways. Such driver shall yield the right of way to pedestrians within the intersection or an adjacent crosswalk.

3.5. In municipalities with less than 2,000,000 inhabitants, after stopping as required by paragraph 1 or 2 of this subsection, the driver of a motorcycle or bicycle, facing a steady red signal which fails to change to a green signal within a reasonable period of time not less than 120 seconds because of a signal malfunction or because the signal has failed to detect the arrival of the motorcycle or bicycle due to the vehicle's size or weight, shall have the right to proceed, after yielding the right of way to oncoming traffic facing a green signal, subject to the rules applicable after making a stop at a stop sign as required by Section 11-1204 of this Code.

New matter indicated by italics - deletions by strikeout
4. Unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

(d) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable except as to provisions which by their nature can have no application. Any stop required shall be at a traffic sign or a marking on the pavement indicating where the stop shall be made or, in the absence of such sign or marking, the stop shall be made at the signal.

(e) The motorman of any streetcar shall obey the above signals as applicable to vehicles.

(Source: P.A. 97-627, eff. 1-1-12; 97-762, eff. 7-6-12.)

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


Approved July 31, 2014.

Effective July 31, 2014.

PUBLIC ACT 98-0799
(Senate Bill No. 3427)

AN ACT concerning local government.

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

Section 5. The Fire Protection District Act is amended by adding Section 11k as follows:

(70 ILCS 705/11k new)

Sec. 11k. Competitive bidding; notice requirements.

(a) The board of trustees shall have the power to acquire by gift, legacy, or purchase any personal property necessary for its corporate purposes provided that all contracts for supplies, materials, or work involving an expenditure in excess of $20,000 shall be let to the lowest responsible bidder after advertising as required under subsection (b) of this Section. The board is not required to accept a bid that does not meet the district's established specifications, terms of delivery, quality, and serviceability requirements. Contracts which, by their nature, are not adapted to award by competitive bidding, are not subject to competitive bidding, including, but not limited to:

New matter indicated by italics - deletions by strikeout
(1) contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;

(2) contracts for the printing of finance committee reports and departmental reports;

(3) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness;

(4) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent, or which involve proprietary parts or technology not otherwise available;

(5) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;

(6) contracts for duplicating machines and supplies;

(7) contracts for utility services such as water, light, heat, telephone or telegraph;

(8) contracts for goods or services procured from another governmental agency;

(9) purchases of equipment previously owned by some entity other than the district itself; and

(10) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets, reports, and online subscriptions.

Contracts for emergency expenditures are also exempt from competitive bidding when the emergency expenditure is approved by a vote of 3/4 of the members of the board.

(b) Except as otherwise provided in subsection (a) of this Section, all proposals to award contracts involving amounts in excess of $20,000 shall be published at least 10 days, excluding Sundays and legal holidays, in advance of the date announced for the receiving of bids, in a secular English language daily newspaper of general circulation throughout the district. Advertisements for bids shall describe the character of the proposed contract or agreement in sufficient detail to enable the bidders thereon to know what their obligations will be, either in the advertisement itself, or by reference to

New matter indicated by italics - deletions by strikeout
detailed plans and specifications on file at the time of the publication of the first announcement. Such advertisement shall also state the date, time and place assigned for the opening of bids, and no bids shall be received at any time subsequent to the time indicated in the announcement. All competitive bids for contracts involving an expenditure in excess of $20,000 must be sealed by the bidder and must be opened by a member of the board or an employee of the district at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days notice of the time and place of the bid opening.

Passed in the General Assembly May 23, 2014.
Approved July 31, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0800
(House Bill No. 4329)

AN ACT concerning wildlife.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Fish and Aquatic Life Code is amended by changing Sections 20-45, 20-50, and 20-51 as follows:

(515 ILCS 5/20-45) (from Ch. 56, par. 20-45)
Sec. 20-45. License fees for residents. Fees for licenses for residents of the State of Illinois shall be as follows:

(a) Except as otherwise provided in this Section, for sport fishing devices as defined in Section 10-95 or spearing devices as defined in Section 10-110, the fee is $14.50 for individuals 16 to 64 years old, one-half of the current fishing license fee for individuals age 65 or older, and, commencing with the 2012 license year, one-half of the current fishing license fee for resident veterans of the United States Armed Forces after returning from service abroad or mobilization by the President of the United States. Veterans must provide, to the Department at one of the Department's 5 regional offices, verification of their service. The Department shall establish what constitutes suitable verification of service for the purpose of issuing fishing licenses to resident veterans at a reduced fee.

(a-5) The fee for all sport fishing licenses shall be $1 for residents over 75 years of age.

New matter indicated by italics - deletions by strikeout
(b) All residents before using any commercial fishing device shall obtain a commercial fishing license, the fee for which shall be $60 and a resident fishing license, the fee for which is $14.50. Each and every commercial device used shall be licensed by a resident commercial fisherman as follows:

(1) For each 100 lineal yards, or fraction thereof, of seine the fee is $18. For each minnow seine, minnow trap, or net for commercial purposes the fee is $20.

(2) For each device to fish with a 100 hook trot line device, basket trap, hoop net, or dip net the fee is $3.

(3) When used in the waters of Lake Michigan, for the first 2000 lineal feet, or fraction thereof, of gill net the fee is $10; and for each 1000 additional lineal feet, or fraction thereof, the fee is $10. These fees shall apply to all gill nets in use in the water or on drying reels on the shore.

(4) For each 100 lineal yards, or fraction thereof, of gill net or trammel net the fee is $18.

(c) Residents of the State of Illinois may obtain a sportsmen's combination license that shall entitle the holder to the same non-commercial fishing privileges as residents holding a license as described in subsection (a) of this Section and to the same hunting privileges as residents holding a license to hunt all species as described in Section 3.1 of the Wildlife Code. No sportsmen's combination license shall be issued to any individual who would be ineligible for either the fishing or hunting license separately. The sportsmen's combination license fee shall be $25.50. For residents age 65 or older, the fee is one-half of the fee charged for a sportsmen's combination license. For resident veterans of the United States Armed Forces after returning from service abroad or mobilization by the President of the United States, the fee, commencing with the 2012 license year, is one-half of the fee charged for a sportsmen's combination license. Veterans must provide to the Department, at one of the Department's 5 regional offices, verification of their service. The Department shall establish what constitutes suitable verification of service for the purpose of issuing sportsmen's combination licenses to resident veterans at a reduced fee.

(d) For 24 hours of fishing by sport fishing devices as defined in Section 10-95 or by spearing devices as defined in Section 10-110 the fee is $5. This license does not exempt the licensee from the
requirement for a salmon or inland trout stamp. The licenses provided for by this subsection are not required for residents of the State of Illinois who have obtained the license provided for in subsection (a) of this Section.

(e) All residents before using any commercial mussel device shall obtain a commercial mussel license, the fee for which shall be $50.

(f) Residents of this State, upon establishing residency as required by the Department, may obtain a lifetime hunting or fishing license or lifetime sportsmen's combination license which shall entitle the holder to the same non-commercial fishing privileges as residents holding a license as described in paragraph (a) of this Section and to the same hunting privileges as residents holding a license to hunt all species as described in Section 3.1 of the Wildlife Code. No lifetime sportsmen's combination license shall be issued to or retained by any individual who would be ineligible for either the fishing or hunting license separately, either upon issuance, or in any year a violation would subject an individual to have either or both fishing or hunting privileges rescinded. The lifetime hunting and fishing license fees shall be as follows:

1. Lifetime fishing: 30 x the current fishing license fee.
2. Lifetime hunting: 30 x the current hunting license fee.
3. Lifetime sportsmen's combination license: 30 x the current sportsmen's combination license fee.

Lifetime licenses shall not be refundable. A $10 fee shall be charged for reissuing any lifetime license. The Department may establish rules and regulations for the issuance and use of lifetime licenses and may suspend or revoke any lifetime license issued under this Section for violations of those rules or regulations or other provisions under this Code or the Wildlife Code. Individuals under 16 years of age who possess a lifetime hunting or sportsmen's combination license shall have in their possession, while in the field, a certificate of competency as required under Section 3.2 of the Wildlife Code. Any lifetime license issued under this Section shall not exempt individuals from obtaining additional stamps or permits required under the provisions of this Code or the Wildlife Code. Individuals required to purchase additional stamps shall sign the stamps and have them in their possession while fishing or hunting with a lifetime license. All fees received
from the issuance of lifetime licenses shall be deposited in the Fish and Wildlife Endowment Fund.

Except for licenses issued under subsection (e) of this Section, all licenses provided for in this Section shall expire on March 31 of each year, except that the license provided for in subsection (d) of this Section shall expire 24 hours after the effective date and time listed on the face of the license.

All individuals required to have and failing to have the license provided for in subsection (a) or (d) of this Section shall be fined according to the provisions of Section 20-35 of this Code.

All individuals required to have and failing to have the licenses provided for in subsections (b) and (e) of this Section shall be guilty of a Class B misdemeanor.

(Source: P.A. 96-831, eff. 1-1-10; 97-498, eff. 4-1-12; 97-1136, eff. 1-1-13.)

Sec. 20-50. Salmon stamp fee. The fee for a salmon stamp shall be $6 for both resident and non-resident licensees. The fee for a salmon stamp shall be waived for residents over 75 years of age. Every person shall sign the salmon stamp or affix the salmon stamp to his or her license. These stamps shall expire on March 31 of each year. All individuals required to have and failing to have a salmon stamp as provided in Section 20-10 of this Code shall be guilty of a petty offense.

(Source: P.A. 87-833; 88-91.)

Sec. 20-51. Inland trout stamp. The fee for an inland trout stamp shall be $6 for both resident and nonresident licensees. The fee for an inland trout stamp shall be waived for residents over 75 years of age. These stamps shall expire on March 31 of each year. All individuals required to have and who fail to have an inland trout stamp, as provided in Section 20-11 of this Code, shall be guilty of a petty offense.

(Source: P.A. 88-91.)

Section 10. The Wildlife Code is amended by changing Section 3.2 as follows:

Sec. 3.2. Hunting license; application; instruction. Before the Department or any county, city, village, township, incorporated town clerk or his duly designated agent or any other person authorized or designated by the Department to issue hunting licenses shall issue a hunting license to any person, the person shall file his application with the Department or other

New matter indicated by italics - deletions by strikeout
party authorized to issue licenses on a form provided by the Department and
further give definite proof of identity and place of legal residence. Each clerk
designating agents to issue licenses and stamps shall furnish the Department,
within 10 days following the appointment, the names and mailing addresses
of the agents. Each clerk or his duly designated agent shall be authorized to
sell licenses and stamps only within the territorial area for which he was
elected or appointed. No duly designated agent is authorized to furnish
licenses or stamps for issuance by any other business establishment. Each
application shall be executed and sworn to and shall set forth the name and
description of the applicant and place of residence.

No hunting license shall be issued to any person born on or after
January 1, 1980 unless he presents the person authorized to issue the license
evidence that he has held a hunting license issued by the State of Illinois or
another state in a prior year, or a certificate of competency as provided in this
Section. Persons under 16 years of age may be issued a Lifetime Hunting or
Sportsmen's Combination License as provided under Section 20-45 of the
Fish and Aquatic Life Code but shall not be entitled to hunt unless they have
a certificate of competency as provided in this Section and they shall have the
certificate in their possession while hunting.

The Department of Natural Resources shall authorize personnel of the
Department or certified volunteer instructors to conduct courses, of not less
than 10 hours in length, in firearms and hunter safety, which may include
training in bow and arrow safety, at regularly specified intervals throughout
the State. Persons successfully completing the course shall receive a
certificate of competency. The Department of Natural Resources may further
cooperate with any reputable association or organization in establishing
courses if the organization has as one of its objectives the promotion of safety
in the handling of firearms or bow and arrow.

The Department of Natural Resources shall designate any person
found by it to be competent to give instruction in the handling of firearms,
hunter safety, and bow and arrow. The persons so appointed shall give the
course of instruction and upon the successful completion shall issue to the
person instructed a certificate of competency in the safe handling of firearms,
hunter safety, and bow and arrow. No charge shall be made for any course of
instruction except for materials or ammunition consumed. The Department
of Natural Resources shall furnish information on the requirements of hunter
safety education programs to be distributed free of charge to applicants for
hunting licenses by the persons appointed and authorized to issue licenses.

New matter indicated by italics - deletions by strikeout
Funds for the conducting of firearms and hunter safety courses shall be taken from the fee charged for the Firearm Owners Identification Card.

The fee for a hunting license to hunt all species for a resident of Illinois is $12. For residents age 65 or older, and, commencing with the 2012 license year, resident veterans of the United States Armed Forces after returning from service abroad or mobilization by the President of the United States, the fee is one-half of the fee charged for a hunting license to hunt all species for a resident of Illinois. Veterans must provide to the Department, at one of the Department's 5 regional offices, verification of their service. The Department shall establish what constitutes suitable verification of service for the purpose of issuing resident veterans hunting licenses at a reduced fee. The fee for a hunting license to hunt all species shall be $1 for residents over 75 years of age. Nonresidents shall be charged $57 for a hunting license.

Nonresidents may be issued a nonresident hunting license for a period not to exceed 10 consecutive days' hunting in the State and shall be charged a fee of $35.

A special nonresident hunting license authorizing a nonresident to take game birds by hunting on a game breeding and hunting preserve area only, established under Section 3.27, shall be issued upon proper application being made and payment of a fee equal to that for a resident hunting license. The expiration date of this license shall be on the same date each year that game breeding and hunting preserve area licenses expire.

Each applicant for a State Migratory Waterfowl Stamp, regardless of his residence or other condition, shall pay a fee of $15 and shall receive a stamp. The fee for a State Migratory Waterfowl Stamp shall be waived for residents over 75 years of age. Except as provided under Section 20-45 of the Fish and Aquatic Life Code, the stamp shall be signed by the person or affixed to his license or permit in a space designated by the Department for that purpose.

Each applicant for a State Habitat Stamp, regardless of his residence or other condition, shall pay a fee of $5 and shall receive a stamp. The fee for a State Habitat Stamp shall be waived for residents over 75 years of age. Except as provided under Section 20-45 of the Fish and Aquatic Life Code, the stamp shall be signed by the person or affixed to his license or permit in a space designated by the Department for that purpose.

Nothing in this Section shall be construed as to require the purchase of more than one State Habitat Stamp by any person in any one license year.

The fees for State Pheasant Stamps and State Furbearer Stamps shall be waived for residents over 75 years of age.

New matter indicated by italics - deletions by strikeout
The Department shall furnish the holders of hunting licenses and stamps with an insignia as evidence of possession of license, or license and stamp, as the Department may consider advisable. The insignia shall be exhibited and used as the Department may order.

All other hunting licenses and all State stamps shall expire upon March 31 of each year.

Every person holding any license, permit, or stamp issued under the provisions of this Act shall have it in his possession for immediate presentation for inspection to the officers and authorized employees of the Department, any sheriff, deputy sheriff, or any other peace officer making a demand for it. This provision shall not apply to Department owned or managed sites where it is required that all hunters deposit their license, permit, or Firearm Owner's Identification Card at the check station upon entering the hunting areas.

(Source: P.A. 96-831, eff. 1-1-10; 97-498, eff. 4-1-12.)

Approved August 1, 2014.
Effective August 1, 2014.

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 27-23.7 as follows:

(a) The General Assembly finds that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities. The General Assembly further finds that bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence. Because of the negative outcomes associated with bullying in schools, the General Assembly finds that school districts and non-public,
non-sectarian elementary and secondary schools should educate students, parents, and school district or non-public, non-sectarian elementary or secondary school personnel about what behaviors constitute prohibited bullying.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in all school districts and non-public, non-sectarian elementary and secondary schools. No student shall be subjected to bullying:

(1) during any school-sponsored education program or activity;
(2) while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities;
(3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; or
(4) through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

(b) In this Section:
"Bullying" includes "cyber-bullying" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

(1) placing the student or students in reasonable fear of harm to the student's or students' person or property;

New matter indicated by italics - deletions by strikeout
(2) causing a substantially detrimental effect on the student's or students' physical or mental health;
(3) substantially interfering with the student's or students' academic performance; or
(4) substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying, as defined in this subsection (b), may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. "Cyber-bullying" includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying in this Section. "Cyber-bullying" also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying in this Section.

"School personnel" means persons employed by, on contract with, or who volunteer in a school district or non-public, non-sectarian elementary or secondary school, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

(c) (Blank).

(d) Each school district and non-public, non-sectarian elementary or secondary school shall create and maintain a policy on bullying, which policy must be filed with the State Board of Education. The policy or implementing procedure shall include a process to investigate whether a reported act of

New matter indicated by italics - deletions by strikeout
bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. Each school district and non-public, non-sectarian elementary or secondary school must communicate its policy on bullying to its students and their parent or guardian on an annual basis. The policy must be updated every 2 years and filed with the State Board of Education after being updated. The State Board of Education shall monitor the implementation of policies created under this subsection (d).

(e) This Section shall not be interpreted to prevent a victim from seeking redress under any other available civil or criminal law. Nothing in this Section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 or 4 of Article 1 of the Illinois Constitution.

(Source: P.A. 95-198, eff. 1-1-08; 95-349, eff. 8-23-07; 95-876, eff. 8-21-08; 96-952, eff. 6-28-10.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0802
(House Bill No. 4407)

AN ACT concerning children.

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

Section 5. The Early Intervention Services System Act is amended by changing Section 12 as follows:

(325 ILCS 20/12) (from Ch. 23, par. 4162)

Sec. 12. Procedural Safeguards. The lead agency shall adopt procedural safeguards that meet federal requirements and ensure effective implementation of the safeguards for families by each public agency involved in the provision of early intervention services under this Act.

The procedural safeguards shall provide, at a minimum, the following:

New matter indicated by italics - deletions by strikeout
(a) The timely administrative resolution of State complaints, due process hearings, and mediations as defined by administrative rule.

(b) The right to confidentiality of personally identifiable information.

(c) The opportunity for parents and a guardian to examine and receive copies of records relating to evaluations and assessments, screening, eligibility determinations, and the development and implementation of the Individualized Family Service Plan provision of early intervention services, individual complaints involving the child, or any part of the child's early intervention record.

(d) Procedures to protect the rights of the eligible infant or toddler whenever the parents or guardians of the child are not known or unavailable or the child is a ward of the State, including the assignment of an individual (who shall not be an employee of the State agency or local agency providing services) to act as a surrogate for the parents or guardian. The regional intake entity must make reasonable efforts to ensure the assignment of a surrogate parent not more than 30 days after a public agency determines that the child needs a surrogate parent.

(e) Timely written prior notice to the parents or guardian of the eligible infant or toddler whenever the State agency or public or private service provider proposes to initiate or change or refuses to initiate or change the identification, evaluation, placement, or the provision of appropriate early intervention services to the eligible infant or toddler.

(f) Written prior notice to fully inform the parents or guardians, in their native language or mode of communication used by the parent, unless clearly not feasible to do so, in a comprehensible manner, of these procedural safeguards.

(g) During the pendency of any State complaint procedure, due process hearing, or mediation proceedings or action involving a complaint, unless the State agency and the parents or guardian otherwise agree, the child shall continue to receive the appropriate early intervention services currently being provided, or in the case of an application for initial services, the child shall receive the services not in dispute.

(Source: P.A. 98-41, eff. 6-28-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
AN ACT concerning minors.

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

Section 5. The Children and Family Services Act is amended by changing Section 5 as follows:

(20 ILCS 505/5) (from Ch. 23, par. 5005)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987, as amended, prior to the age of 18 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

New matter indicated by italics - deletions by strikeout
(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent or neglected children;

(B) remediying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible or appropriate;

(F) assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of this Section so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

   (i) who are in a foster home, or
(ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or
(iii) who are female children who are pregnant, pregnant and parenting or parenting, or
(iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) Nothing in this Section shall be construed to authorize the expenditure of public funds for the purpose of performing abortions.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, family reunification, and adoption, including but not limited to:

(1) adoption;
(2) foster care;
(3) family counseling;
(4) protective services;

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(5) (blank);
(6) homemaker service;
(7) return of runaway children;
(8) (blank);
(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and
(10) interstate services.
Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in alcohol and drug abuse screening techniques approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred to an alcohol and drug abuse treatment program for professional evaluation.
(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a ward and that no licensed private facility has an adequate and appropriate program or none agrees to accept the ward, the Department shall create an appropriate individualized, program-oriented plan for such ward. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.
(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:
(1) case management;
(2) homemakers;
(3) counseling;
(4) parent education;
(5) day care; and
(6) emergency assistance and advocacy.
In addition, the following services may be made available to assess and meet the needs of children and families:
(1) comprehensive family-based services;
(2) assessments;
(3) respite care; and
(4) in-home health services.

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The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt physically or mentally handicapped, older and other hard-to-place children who (i) immediately prior to their adoption were legal wards of the Department or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 for children who were wards of the Department for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help

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families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and his family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and his family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

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The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. On and after the effective date of this amendatory Act of the 98th General Assembly and before January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 16 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. On and after January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency.

As soon as is possible after August 7, 2009 (the effective date of Public Act 96-134), the Department shall develop and implement a special program of family preservation services to support intact, foster, and adoptive families who are experiencing extreme hardships due to the difficulty and stress of caring for a child who has been diagnosed with a pervasive developmental disorder if the Department determines that those services are necessary to ensure the health and safety of the child. The Department may offer services to any family whether or not a report has been filed under the Abused and Neglected Child Reporting Act. The Department may refer the child or family to services available from other agencies in the community if the conditions in the child's or family's home are reasonably likely to subject
the child or family to future reports of suspected child abuse or neglect. Acceptance of these services shall be voluntary. The Department shall develop and implement a public information campaign to alert health and social service providers and the general public about these special family preservation services. The nature and scope of the services offered and the number of families served under the special program implemented under this paragraph shall be determined by the level of funding that the Department annually allocates for this purpose. The term "pervasive developmental disorder" under this paragraph means a neurological condition, including but not limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(l-1) The legislature recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practically possible. To achieve this goal, the legislature directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or

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is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

(1) the likelihood of prompt reunification;  
(2) the past history of the family;  
(3) the barriers to reunification being addressed by the family;  
(4) the level of cooperation of the family;  
(5) the foster parents' willingness to work with the family to reunite;  
(6) the willingness and ability of the foster family to provide an adoptive home or long-term placement;  
(7) the age of the child;  
(8) placement of siblings.

(m) The Department may assume temporary custody of any child if:

(1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or

(2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in his or her residence without a parent, guardian, custodian or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into

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temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian or custodian of a child in the temporary custody of the Department who would have custody of the child if he were not in the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10 day period, the child shall be surrendered to the custody of the requesting parent, guardian or custodian not later than the expiration of the 10 day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a ward who was placed under the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such

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placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, garnishment or otherwise.

(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide.

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The Department shall adopt regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Children who are wards of the Department and are placed by private child welfare agencies, and foster families with whom those children are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall insure that any private child welfare agency, which accepts wards of the Department for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner. A court determination that a current foster home placement is necessary and appropriate under Section 2-28 of the Juvenile Court Act of 1987 does not constitute a judicial determination on the merits of an administrative appeal, filed by a former foster parent, involving a change of placement decision.

(p) There is hereby created the Department of Children and Family Services Emergency Assistance Fund from which the Department may provide special financial assistance to families which are in economic crisis when such assistance is not available through other public or private sources and the assistance is deemed necessary to prevent dissolution of the family unit or to reunite families which have been separated due to child abuse and neglect. The Department shall establish administrative rules specifying the criteria for determining eligibility for and the amount and nature of assistance to be provided. The Department may also enter into written agreements with private and public social service agencies to provide emergency financial services to families referred by the Department. Special financial assistance payments shall be available to a family no more than once during each fiscal year and the total payments to a family may not exceed $500 during a fiscal year.

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation or bequest of money or other property which is received on behalf of such children, or any financial benefits to

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which such children are or may become entitled while under the jurisdiction or care of the Department.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

(1) Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's "Guardianship Administrator" or his or her designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of $13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of $13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or his or her guardian, or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place or handicapped child and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency.
agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and Family Services for damages sustained by the foster parents as a result of the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

1. an order entered by an Illinois court specifically directs the Department to perform such services; and
2. the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents or in a licensed foster home, group home, child care institution, or in a relative home, the Department shall provide to the prospective adoptive parent or parents or other caretaker:

1. available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the

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child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;

(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and

(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the prospective adoptive parent or parents or other caretaker a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the prospective adoptive parent or parents or other caretaker. The information provided to the prospective adoptive parent or parents or other caretaker shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family
home may continue to receive foster care payments only until the Department
determines that they may be licensed as a foster family home or that their
application for licensure is denied or until September 30, 1995, whichever
occurs first.

(v) The Department shall access criminal history record information
as defined in the Illinois Uniform Conviction Information Act and
information maintained in the adjudicatory and dispositional record system
as defined in Section 2605-355 of the Department of State Police Law (20
ILCS 2605/2605-355) if the Department determines the information is
necessary to perform its duties under the Abused and Neglected Child
Reporting Act, the Child Care Act of 1969, and the Children and Family
Services Act. The Department shall provide for interactive computerized
communication and processing equipment that permits direct on-line
communication with the Department of State Police's central criminal history
data repository. The Department shall comply with all certification
requirements and provide certified operators who have been trained by
personnel from the Department of State Police. In addition, one Office of the
Inspector General investigator shall have training in the use of the criminal
history information access system and have access to the terminal. The
Department of Children and Family Services and its employees shall abide
by rules and regulations established by the Department of State Police
relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child, the Department
shall conduct a criminal records background check of the prospective foster
or adoptive parent, including fingerprint-based checks of national crime
information databases. Final approval for placement shall not be granted if
the record check reveals a felony conviction for child abuse or neglect, for
spousal abuse, for a crime against children, or for a crime involving violence,
including rape, sexual assault, or homicide, but not including other physical
assault or battery, or if there is a felony conviction for physical assault,
battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child, the Department
shall check its child abuse and neglect registry for information concerning
prospective foster and adoptive parents, and any adult living in the home. If
any prospective foster or adoptive parent or other adult living in the home has
resided in another state in the preceding 5 years, the Department shall request
a check of that other state's child abuse and neglect registry.

(w) Within 120 days of August 20, 1995 (the effective date of Public
Act 89-392), the Department shall prepare and submit to the Governor and

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the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic distribution of these facilities in Illinois; and a proposed timetable for development of such facilities.

(x) The Department shall conduct annual credit history checks to determine the financial history of children placed under its guardianship pursuant to the Juvenile Court Act of 1987. The Department shall conduct such credit checks starting when a ward turns 12 years old and each year thereafter for the duration of the guardianship as terminated pursuant to the Juvenile Court Act of 1987. The Department shall determine if financial exploitation of the child's personal information has occurred. If financial exploitation appears to have taken place or is presently ongoing, the Department shall notify the proper law enforcement agency, the proper State's Attorney, or the Attorney General.

(y) Beginning on the effective date of this amendatory Act of the 96th General Assembly, a child with a disability who receives residential and educational services from the Department shall be eligible to receive transition services in accordance with Article 14 of the School Code from the age of 14.5 through age 21, inclusive, notwithstanding the child's residential services arrangement. For purposes of this subsection, "child with a disability" means a child with a disability as defined by the federal Individuals with Disabilities Education Improvement Act of 2004.

(z) The Department shall access criminal history record information as defined as "background information" in this subsection and criminal history record information as defined in the Illinois Uniform Conviction Information Act for each Department employee or Department applicant. Each Department employee or Department applicant shall submit his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be

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checked against the fingerprint records now and hereafter filed in the Department of State Police and the Federal Bureau of Investigation criminal history records databases. The Department of State Police shall charge a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. The Department of State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the Department of Children and Family Services.

For purposes of this subsection:

"Background information" means all of the following:

(i) Upon the request of the Department of Children and Family Services, conviction information obtained from the Department of State Police as a result of a fingerprint-based criminal history records check of the Illinois criminal history records database and the Federal Bureau of Investigation criminal history records database concerning a Department employee or Department applicant.

(ii) Information obtained by the Department of Children and Family Services after performing a check of the Department of State Police's Sex Offender Database, as authorized by Section 120 of the Sex Offender Community Notification Law, concerning a Department employee or Department applicant.

(iii) Information obtained by the Department of Children and Family Services after performing a check of the Child Abuse and Neglect Tracking System (CANTS) operated and maintained by the Department.

"Department employee" means a full-time or temporary employee coded or certified within the State of Illinois Personnel System.

"Department applicant" means an individual who has conditional Department full-time or part-time work, a contractor, an individual used to replace or supplement staff, an academic intern, a volunteer in Department offices or on Department contracts, a work-study student, an individual or entity licensed by the Department, or an unlicensed service provider who works as a condition of a contract or an agreement and whose work may bring the unlicensed service provider into contact with Department clients or client records.

(Source: P.A. 97-1150, eff. 1-25-13; 98-249, eff. 1-1-14; 98-570, eff. 8-27-13; revised 9-4-13.)

Section 10. The Juvenile Court Act of 1987 is amended by changing Sections 2-10, 2-27, and 5-710 as follows:

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Sec. 2-10. Temporary custody hearing. At the appearance of the minor before the court at the temporary custody hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

(1) If the court finds that there is not probable cause to believe that the minor is abused, neglected or dependent it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is abused, neglected or dependent, the court shall state in writing the factual basis supporting its finding and the minor, his or her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. The Department of Children and Family Services shall give testimony concerning indicated reports of abuse and neglect, of which they are aware of through the central registry, involving the minor's parent, guardian or custodian. After such testimony, the court may, consistent with the health, safety and best interests of the minor, enter an order that the minor shall be released upon the request of parent, guardian or custodian if the parent, guardian or custodian appears to take custody. If it is determined that a parent's, guardian's, or custodian's compliance with critical services mitigates the necessity for removal of the minor from his or her home, the court may enter an Order of Protection setting forth reasonable conditions of behavior that a parent, guardian, or custodian must observe for a specified period of time, not to exceed 12 months, without a violation; provided, however, that the 12-month period shall begin anew after any violation. Custodian shall include any agency of the State which has been given custody or wardship of the child. If it is consistent with the health, safety and best interests of the minor, the court may also prescribe shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency; however, \textit{on and after the effective date of this amendatory Act of the 98th General Assembly and before January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except a minor less than 16 years of age and committed to the Department of Children and Family Services under Section 5-710 of this Act or a minor for whom an independent basis of abuse, neglect, or dependency exists}; \textit{and on and after January 1, 2017, a minor charged}
with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except a minor less than 15 years of age and committed to the Department of Children and Family Services under Section 5-710 of this Act or a minor for whom an independent basis of abuse, neglect, or dependency exists. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency.

In placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. In determining the health, safety and best interests of the minor to prescribe shelter care, the court must find that it is a matter of immediate and urgent necessity for the safety and protection of the minor or of the person or property of another that the minor be placed in a shelter care facility or that he or she is likely to flee the jurisdiction of the court, and must further find that reasonable efforts have been made or that, consistent with the health, safety and best interests of the minor, no efforts reasonably can be made to prevent or eliminate the necessity of removal of the minor from his or her home. The court shall require documentation from the Department of Children and Family Services as to the reasonable efforts that were made to prevent or eliminate the necessity of removal of the minor from his or her home or the reasons why no efforts reasonably could be made to prevent or eliminate the necessity of removal. When a minor is placed in the home of a relative, the Department of Children and Family Services shall complete a preliminary background review of the members of the minor's custodian's household in accordance with Section 4.3 of the Child Care Act of 1969 within 90 days of that placement. If the minor is ordered placed in a shelter care facility of the Department of Children and Family Services or a licensed child welfare agency, the court shall, upon request of the appropriate Department or other agency, appoint the Department of Children and Family Services Guardianship Administrator or other appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody as it deems fit and proper, including the provision of services to the minor or his family to ameliorate the causes contributing to the finding of probable cause or to the finding of the existence of immediate and urgent necessity.

Where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, the
Department of Children and Family Services shall file with the court and serve on the parties a parent-child visiting plan, within 10 days, excluding weekends and holidays, after the appointment. The parent-child visiting plan shall set out the time and place of visits, the frequency of visits, the length of visits, who shall be present at the visits, and where appropriate, the minor's opportunities to have telephone and mail communication with the parents.

Where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, and when the child has siblings in care, the Department of Children and Family Services shall file with the court and serve on the parties a sibling placement and contact plan within 10 days, excluding weekends and holidays, after the appointment. The sibling placement and contact plan shall set forth whether the siblings are placed together, and if they are not placed together, what, if any, efforts are being made to place them together. If the Department has determined that it is not in a child's best interest to be placed with a sibling, the Department shall document in the sibling placement and contact plan the basis for its determination. For siblings placed separately, the sibling placement and contact plan shall set the time and place for visits, the frequency of the visits, the length of visits, who shall be present for the visits, and where appropriate, the child's opportunities to have contact with their siblings in addition to in person contact. If the Department determines it is not in the best interest of a sibling to have contact with a sibling, the Department shall document in the sibling placement and contact plan the basis for its determination. The sibling placement and contact plan shall specify a date for development of the Sibling Contact Support Plan, under subsection (f) of Section 7.4 of the Children and Family Services Act, and shall remain in effect until the Sibling Contact Support Plan is developed.

For good cause, the court may waive the requirement to file the parent-child visiting plan or the sibling placement and contact plan, or extend the time for filing either plan. Any party may, by motion, request the court to review the parent-child visiting plan to determine whether it is reasonably calculated to expeditiously facilitate the achievement of the permanency goal. A party may, by motion, request the court to review the parent-child visiting plan or the sibling placement and contact plan to determine whether it is consistent with the minor's best interest. The court may refer the parties to mediation where available. The frequency, duration, and locations of visitation shall be measured by the needs of the child and family, and not by the convenience of Department personnel. Child development principles shall be considered by the court in its analysis of how frequent visitation should be,

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how long it should last, where it should take place, and who should be present. If upon motion of the party to review either plan and after receiving evidence, the court determines that the parent-child visiting plan is not reasonably calculated to expeditiously facilitate the achievement of the permanency goal or that the restrictions placed on parent-child contact or sibling placement or contact are contrary to the child’s best interests, the court shall put in writing the factual basis supporting the determination and enter specific findings based on the evidence. The court shall enter an order for the Department to implement changes to the parent-child visiting plan or sibling placement or contact plan, consistent with the court's findings. At any stage of proceeding, any party may by motion request the court to enter any orders necessary to implement the parent-child visiting plan, sibling placement or contact plan or subsequently developed Sibling Contact Support Plan. Nothing under this subsection (2) shall restrict the court from granting discretionary authority to the Department to increase opportunities for additional parent-child contacts or sibling contacts, without further court orders. Nothing in this subsection (2) shall restrict the Department from immediately restricting or terminating parent-child contact or sibling contacts, without either amending the parent-child visiting plan or the sibling contact plan or obtaining a court order, where the Department or its assigns reasonably believe that continuation of the contact, as set out in the plan, would be contrary to the child's health, safety, and welfare. The Department shall file with the court and serve on the parties any amendments to the plan within 10 days, excluding weekends and holidays, of the change of the visitation.

Acceptance of services shall not be considered an admission of any allegation in a petition made pursuant to this Act, nor may a referral of services be considered as evidence in any proceeding pursuant to this Act, except where the issue is whether the Department has made reasonable efforts to reunite the family. In making its findings that it is consistent with the health, safety and best interests of the minor to prescribe shelter care, the court shall state in writing (i) the factual basis supporting its findings concerning the immediate and urgent necessity for the protection of the minor or of the person or property of another and (ii) the factual basis supporting its findings that reasonable efforts were made to prevent or eliminate the removal of the minor from his or her home or that no efforts reasonably could be made to prevent or eliminate the removal of the minor from his or her home. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian

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shall maintain a copy of the court order and written findings in the case record for the child. The order together with the court's findings of fact in support thereof shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

If the child is placed in the temporary custody of the Department of Children and Family Services for his or her protection, the court shall admonish the parents, guardian, custodian or responsible relative that the parents must cooperate with the Department of Children and Family Services, comply with the terms of the service plans, and correct the conditions which require the child to be in care, or risk termination of their parental rights.

(3) If prior to the shelter care hearing for a minor described in Sections 2-3, 2-4, 3-3 and 4-3 the moving party is unable to serve notice on the party respondent, the shelter care hearing may proceed ex-parte. A shelter care order from an ex-parte hearing shall be endorsed with the date and hour of issuance and shall be filed with the clerk's office and entered of record. The order shall expire after 10 days from the time it is issued unless before its expiration it is renewed, at a hearing upon appearance of the party respondent, or upon an affidavit of the moving party as to all diligent efforts to notify the party respondent by notice as herein prescribed. The notice prescribed shall be in writing and shall be personally delivered to the minor or the minor's attorney and to the last known address of the other person or persons entitled to notice. The notice shall also state the nature of the allegations, the nature of the order sought by the State, including whether temporary custody is sought, and the consequences of failure to appear and shall contain a notice that the parties will not be entitled to further written notices or publication notices of proceedings in this case, including the filing of an amended petition or a motion to terminate parental rights, except as required by Supreme Court Rule 11; and shall explain the right of the parties and the procedures to vacate or modify a shelter care order as provided in this Section. The notice for a shelter care hearing shall be substantially as follows:

NOTICE TO PARENTS AND CHILDREN
OF SHELTER CARE HEARING

On ................. at .........., before the Honorable ................., (address:)
...................., the State of Illinois will present evidence (1) that (name of child

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or children) ....................... are abused, neglected or dependent for the following reasons:

.............................................. and (2) whether there is "immediate and urgent necessity" to remove the child or children from the responsible relative.

YOUR FAILURE TO APPEAR AT THE HEARING MAY RESULT IN PLACEMENT of the child or children in foster care until a trial can be held. A trial may not be held for up to 90 days. You will not be entitled to further notices of proceedings in this case, including the filing of an amended petition or a motion to terminate parental rights.

At the shelter care hearing, parents have the following rights:

1. To ask the court to appoint a lawyer if they cannot afford one.

2. To ask the court to continue the hearing to allow them time to prepare.

3. To present evidence concerning:
   a. Whether or not the child or children were abused, neglected or dependent.
   b. Whether or not there is "immediate and urgent necessity" to remove the child from home (including: their ability to care for the child, conditions in the home, alternative means of protecting the child other than removal).
   c. The best interests of the child.

4. To cross examine the State's witnesses.

The Notice for rehearings shall be substantially as follows:

NOTICE OF PARENT'S AND CHILDREN'S RIGHTS TO REHEARING ON TEMPORARY CUSTODY

If you were not present at and did not have adequate notice of the Shelter Care Hearing at which temporary custody of ............... was awarded to ................., you have the right to request a full rehearing on whether the State should have temporary custody of ............... To request this rehearing, you must file with the Clerk of the Juvenile Court (address): ................., in person or by mailing a statement (affidavit) setting forth the following:

1. That you were not present at the shelter care hearing.

2. That you did not get adequate notice (explaining how the notice was inadequate).

3. Your signature.

4. Signature must be notarized.

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The rehearing should be scheduled within 48 hours of your filing this affidavit.

At the rehearing, your rights are the same as at the initial shelter care hearing. The enclosed notice explains those rights.

At the Shelter Care Hearing, children have the following rights:

1. To have a guardian ad litem appointed.
2. To be declared competent as a witness and to present testimony concerning:
   a. Whether they are abused, neglected or dependent.
   b. Whether there is "immediate and urgent necessity" to be removed from home.
   c. Their best interests.
3. To cross examine witnesses for other parties.
4. To obtain an explanation of any proceedings and orders of the court.

(4) If the parent, guardian, legal custodian, responsible relative, minor age 8 or over, or counsel of the minor did not have actual notice of or was not present at the shelter care hearing, he or she may file an affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 48 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105 may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 18 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with adults confined pursuant to the criminal law.

(7) If the minor is not brought before a judicial officer within the time period as specified in Section 2-9, the minor must immediately be released from custody.

(8) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to subsection

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(2) of this Section, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or custodian to appear. At the same time the probation department shall prepare a report on the minor. If a parent, guardian or custodian does not appear at such rehearing, the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Children and Family Services or a licensed child welfare agency.

(9) Notwithstanding any other provision of this Section any interested party, including the State, the temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2 of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, on notice to all parties entitled to notice, may file a motion that it is in the best interests of the minor to modify or vacate a temporary custody order on any of the following grounds:

(a) It is no longer a matter of immediate and urgent necessity that the minor remain in shelter care; or

(b) There is a material change in the circumstances of the natural family from which the minor was removed and the child can be cared for at home without endangering the child's health or safety; or

(c) A person not a party to the alleged abuse, neglect or dependency, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or

(d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider have been successful in eliminating the need for temporary custody and the child can be cared for at home without endangering the child's health or safety.

In ruling on the motion, the court shall determine whether it is consistent with the health, safety and best interests of the minor to modify or vacate a temporary custody order.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary custody order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

(10) When the court finds or has found that there is probable cause to believe a minor is an abused minor as described in subsection (2) of Section
2-3 and that there is an immediate and urgent necessity for the abused minor to be placed in shelter care, immediate and urgent necessity shall be presumed for any other minor residing in the same household as the abused minor provided:

   (a) Such other minor is the subject of an abuse or neglect petition pending before the court; and
   (b) A party to the petition is seeking shelter care for such other minor.

Once the presumption of immediate and urgent necessity has been raised, the burden of demonstrating the lack of immediate and urgent necessity shall be on any party that is opposing shelter care for the other minor.

(11) The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(Source: P.A. 97-1076, eff. 8-24-12; 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; revised 11-22-13.)

Sec. 2-27. Placement; legal custody or guardianship.

(1) If the court determines and puts in writing the factual basis supporting the determination of whether the parents, guardian, or legal custodian of a minor adjudged a ward of the court are unfit or are unable, for some reason other than financial circumstances alone, to care for, protect, train or discipline the minor or are unwilling to do so, and that the health, safety, and best interest of the minor will be jeopardized if the minor remains in the custody of his or her parents, guardian or custodian, the court may at this hearing and at any later point:

   (a) place the minor in the custody of a suitable relative or other person as legal custodian or guardian;

   (a-5) with the approval of the Department of Children and Family Services, place the minor in the subsidized guardianship of a suitable relative or other person as legal guardian; "subsidized guardianship" means a private guardianship arrangement for children for whom the permanency goals of return home and adoption have been ruled out and who meet the qualifications for subsidized guardianship as defined by the Department of Children and Family Services in administrative rules;

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(b) place the minor under the guardianship of a probation officer;

(c) commit the minor to an agency for care or placement, except an institution under the authority of the Department of Corrections or of the Department of Children and Family Services;

(d) on and after the effective date of this amendatory Act of the 98th General Assembly and before January 1, 2017, commit the minor to the Department of Children and Family Services for care and service; however, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except (i) a minor less than 16 years of age and committed to the Department of Children and Family Services under Section 5-710 of this Act, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of this Act. On and after January 1, 2017, commit the minor to the Department of Children and Family Services for care and service; however, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except (i) a minor less than 15 years of age and committed to the Department of Children and Family Services under Section 5-710 of this Act, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of this Act. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency. The Department shall be given due notice of the pendency of the action and the Guardianship Administrator of the Department of Children and Family Services shall be appointed guardian of the person of the minor. Whenever the Department seeks to discharge a minor from its care and service, the Guardianship Administrator shall petition the court for an order terminating guardianship. The Guardianship Administrator may designate one or more other officers of the Department of Children and Family Services as guardian.

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Department, appointed as Department officers by administrative order of the Department Director, authorized to affix the signature of the Guardianship Administrator to documents affecting the guardian-ward relationship of children for whom he or she has been appointed guardian at such times as he or she is unable to perform the duties of his or her office. The signature authorization shall include but not be limited to matters of consent of marriage, enlistment in the armed forces, legal proceedings, adoption, major medical and surgical treatment and application for driver's license. Signature authorizations made pursuant to the provisions of this paragraph shall be filed with the Secretary of State and the Secretary of State shall provide upon payment of the customary fee, certified copies of the authorization to any court or individual who requests a copy.

(1.5) In making a determination under this Section, the court shall also consider whether, based on health, safety, and the best interests of the minor,

(a) appropriate services aimed at family preservation and family reunification have been unsuccessful in rectifying the conditions that have led to a finding of unfitness or inability to care for, protect, train, or discipline the minor, or

(b) no family preservation or family reunification services would be appropriate,

and if the petition or amended petition contained an allegation that the parent is an unfit person as defined in subdivision (D) of Section 1 of the Adoption Act, and the order of adjudication recites that parental unfitness was established by clear and convincing evidence, the court shall, when appropriate and in the best interest of the minor, enter an order terminating parental rights and appointing a guardian with power to consent to adoption in accordance with Section 2-29.

When making a placement, the court, wherever possible, shall require the Department of Children and Family Services to select a person holding the same religious belief as that of the minor or a private agency controlled by persons of like religious faith of the minor and shall require the Department to otherwise comply with Section 7 of the Children and Family Services Act in placing the child. In addition, whenever alternative plans for placement are available, the court shall ascertain and consider, to the extent appropriate in the particular case, the views and preferences of the minor.

(2) When a minor is placed with a suitable relative or other person pursuant to item (a) of subsection (1), the court shall appoint him or her the

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legal custodian or guardian of the person of the minor. When a minor is committed to any agency, the court shall appoint the proper officer or representative thereof as legal custodian or guardian of the person of the minor. Legal custodians and guardians of the person of the minor have the respective rights and duties set forth in subsection (9) of Section 1-3 except as otherwise provided by order of court; but no guardian of the person may consent to adoption of the minor unless that authority is conferred upon him or her in accordance with Section 2-29. An agency whose representative is appointed guardian of the person or legal custodian of the minor may place the minor in any child care facility, but the facility must be licensed under the Child Care Act of 1969 or have been approved by the Department of Children and Family Services as meeting the standards established for such licensing. No agency may place a minor adjudicated under Sections 2-3 or 2-4 in a child care facility unless the placement is in compliance with the rules and regulations for placement under this Section promulgated by the Department of Children and Family Services under Section 5 of the Children and Family Services Act. Like authority and restrictions shall be conferred by the court upon any probation officer who has been appointed guardian of the person of a minor.

(3) No placement by any probation officer or agency whose representative is appointed guardian of the person or legal custodian of a minor may be made in any out of State child care facility unless it complies with the Interstate Compact on the Placement of Children. Placement with a parent, however, is not subject to that Interstate Compact.

(4) The clerk of the court shall issue to the legal custodian or guardian of the person a certified copy of the order of court, as proof of his authority. No other process is necessary as authority for the keeping of the minor.

(5) Custody or guardianship granted under this Section continues until the court otherwise directs, but not after the minor reaches the age of 19 years except as set forth in Section 2-31, or if the minor was previously committed to the Department of Children and Family Services for care and service and the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33.

(6) (Blank).

(Source: P.A. 96-581, eff. 1-1-10; 97-1150, eff. 1-25-13.)

(705 ILCS 405/5-710)

Sec. 5-710. Kinds of sentencing orders.

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

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

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

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

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

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

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

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

(A) the age of the person;
(B) any previous delinquent or criminal history of the person;
(C) any previous abuse or neglect history of the person;
(D) any mental health history of the person; and
(E) any educational history of the person;
(vi) ordered partially or completely emancipated in accordance with the provisions of the Emancipation of Minors Act;
(vii) subject to having his or her driver's license or driving privileges suspended for such time as determined by the court but only until he or she attains 18 years of age;
(viii) put on probation or conditional discharge and placed in detention under Section 3-6039 of the Counties Code for a period not to exceed the period of incarceration permitted by law for adults found guilty of the same offense or offenses for which the minor was adjudicated delinquent, and in any event no longer than upon attainment of age 21;

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(viii) notwithstanding any contrary provision of the law;

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

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

(b) A minor found to be guilty may be committed to the Department of Juvenile Justice under Section 5-750 if the minor is 13 years of age or older, provided that the commitment to the Department of Juvenile Justice shall be made only if a term of incarceration is permitted by law for adults found guilty of the offense for which the minor was adjudicated delinquent. The time during which a minor is in custody before being released upon the request of a parent, guardian or legal custodian shall be considered as time spent in detention.

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

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

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

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

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

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

(7) In no event shall a guilty minor be committed to the Department of Juvenile Justice for a period of time in excess of that period for which an adult could be committed for the same act.

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

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

(9) In addition to any other sentencing order, the court shall order any minor found to be guilty for an act which would constitute, predatory

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

(10) When a court finds a minor to be guilty the court shall, before entering a sentencing order under this Section, make a finding whether the offense committed either: (a) was related to or in furtherance of the criminal activities of an organized gang or was motivated by the minor's membership in or allegiance to an organized gang, or (b) involved a violation of subsection (a) of Section 12-7.1 of the Criminal Code of 1961 or the Criminal Code of 2012, a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of any statute that involved the wrongful use of a firearm. If the court determines the question in the affirmative, and the court does not commit the minor to the Department of Juvenile Justice, the court shall order the minor to perform community service for not less than 30 hours nor more than 120 hours, provided that community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. The

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community service shall include, but need not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located in the municipality or county in which the violation occurred. When possible and reasonable, the community service shall be performed in the minor's neighborhood. This order shall be in addition to any other order authorized by this Section except for an order to place the minor in the custody of the Department of Juvenile Justice. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

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

(12) If a minor is found to be guilty of a violation of subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may, in its discretion, and upon recommendation by the State's Attorney, order that minor and his or her parents or legal guardian to attend a smoker's education or youth diversion program as defined in that Act if that program is available in the jurisdiction where the offender resides. Attendance at a smoker's education or youth diversion program shall be time-credited against any community service time imposed for any first violation of subsection (a-7) of Section 1 of that Act. In addition to any other penalty that the court may impose for a violation of subsection (a-7) of Section 1 of that Act, the court, upon request by the State's Attorney, may in its discretion require the offender
to remit a fee for his or her attendance at a smoker's education or youth diversion program.

For purposes of this Section, "smoker's education program" or "youth diversion program" includes, but is not limited to, a seminar designed to educate a person on the physical and psychological effects of smoking tobacco products and the health consequences of smoking tobacco products that can be conducted with a locality's youth diversion program.

In addition to any other penalty that the court may impose under this subsection (12):

(a) If a minor violates subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may impose a sentence of 15 hours of community service or a fine of $25 for a first violation.

(b) A second violation by a minor of subsection (a-7) of Section 1 of that Act that occurs within 12 months after the first violation is punishable by a fine of $50 and 25 hours of community service.

(c) A third or subsequent violation by a minor of subsection (a-7) of Section 1 of that Act that occurs within 12 months after the first violation is punishable by a $100 fine and 30 hours of community service.

(d) Any second or subsequent violation not within the 12-month time period after the first violation is punishable as provided for a first violation.

(Source: P.A. 97-1150, eff. 1-25-13; 98-536, eff. 8-23-13.)

Passed in the General Assembly May 23, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0804
(House Bill No. 4636)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Child Care Act of 1969 is amended by changing Sections 2.04, 2.05, 2.17, 4, and 5 as follows:

(225 ILCS 10/2.04) (from Ch. 23, par. 2212.04)

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Sec. 2.04. "Related" means any of the following relationships by blood, marriage, civil union, or adoption: parent, grandparent, great-grandparent, great-uncle, great-aunt, brother, sister, step-grandparent, stepparent, stepbrother, stepsister, uncle, aunt, nephew, niece, or first cousin or second cousin. A person is related to a child as a first cousin or a second cousin if they are both related to the same ancestor as either grandchild or great-grandchild. A child whose parent has executed a consent, a surrender, or a waiver pursuant to Section 10 of the Adoption Act, whose parent has signed a denial of paternity pursuant to Section 12 of the Vital Records Act or Section 12a of the Adoption Act, or whose parent has had their parental rights terminated is not a related child to that person, unless (1) the consent is determined to be void or is void pursuant to subsection O of Section 10 of the Adoption Act; or (2) the parent of the child executed a consent to adoption by a specified person or persons pursuant to subsection A-1 of Section 10 of the Adoption Act and a court finds that the consent is void; or (3) the order terminating the parental rights of the parent is vacated by a court of competent jurisdiction.

(Source: P.A. 80-459.)

Sec. 2.05. "Facility for child care" or "child care facility" means any person, group of persons, agency, association, organization, corporation, institution, center, or group, whether established for gain or otherwise, who or which receives or arranges for care or placement of one or more children, unrelated to the operator of the facility, apart from the parents, with or without the transfer of the right of custody in any facility as defined in this Act, established and maintained for the care of children. "Child care facility" includes a relative, as defined in Section 2.17 of this Act, who is licensed as a foster family home under Section 4 of this Act.

(Source: P.A. 94-586, eff. 8-15-05.)

Sec. 2.17. "Foster family home" means a facility for child care in residences of families who receive no more than 8 children unrelated to them, unless all the children are of common parentage, or residences of relatives who receive no more than 8 related children placed by the Department, unless the children are of common parentage, for the purpose of providing family care and training for the children on a full-time basis, except the Director of Children and Family Services, pursuant to Department regulations, may waive the limit of 8 children unrelated to an adoptive family for good cause and only to facilitate an adoptive placement. The family's or relative's own

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children, under 18 years of age, shall be included in determining the maximum number of children served. For purposes of this Section, a "relative" includes any person, 21 years of age or over, other than the parent, who (i) is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, great-uncle, or great-aunt; or (ii) is the spouse of such a relative; or (iii) is a child's step-father, step-mother, or adult step-brother or step-sister; "relative" also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. For purposes of placement of children pursuant to Section 7 of the Children and Family Services Act and for purposes of licensing requirements set forth in Section 4 of this Act, for children under the custody or guardianship of the Department pursuant to the Juvenile Court Act of 1987, after a parent signs a consent, surrender, or waiver or after a parent's rights are otherwise terminated, and while the child remains in the custody or guardianship of the Department, the child is considered to be related to those to whom the child was related under this Section prior to the signing of the consent, surrender, or waiver or the order of termination of parental rights. The term "foster family home" includes homes receiving children from any State-operated institution for child care; or from any agency established by a municipality or other political subdivision of the State of Illinois authorized to provide care for children outside their own homes. The term "foster family home" does not include an "adoption-only home" as defined in Section 2.23 of this Act. The types of foster family homes are defined as follows:

(a) "Boarding home" means a foster family home which receives payment for regular full-time care of a child or children.

(b) "Free home" means a foster family home other than an adoptive home which does not receive payments for the care of a child or children.

(c) "Adoptive home" means a foster family home which receives a child or children for the purpose of adopting the child or children.

(d) "Work-wage home" means a foster family home which receives a child or children who pay part or all of their board by rendering some services to the family not prohibited by the Child Labor Law or by standards or regulations of the Department prescribed under this Act. The child or children may receive a wage in connection with the services rendered the foster family.

(e) "Agency-supervised home" means a foster family home under the direct and regular supervision of a licensed child welfare agency, of the

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Department of Children and Family Services, of a circuit court, or of any other State agency which has authority to place children in child care facilities, and which receives no more than 8 children, unless of common parentage, who are placed and are regularly supervised by one of the specified agencies.

(f) "Independent home" means a foster family home, other than an adoptive home, which receives no more than 4 children, unless of common parentage, directly from parents, or other legally responsible persons, by independent arrangement and which is not subject to direct and regular supervision of a specified agency except as such supervision pertains to licensing by the Department.

(Source: P.A. 92-318, eff. 1-1-02.)

(225 ILCS 10/4) (from Ch. 23, par. 2214)

Sec. 4. License requirement; application; notice.

(a) Any person, group of persons or corporation who or which receives children or arranges for care or placement of one or more children unrelated to the operator must apply for a license to operate one of the types of facilities defined in Sections 2.05 through 2.19 and in Section 2.22 of this Act. Any relative, as defined in Section 2.17 of this Act, who receives a child or children for placement by the Department on a full-time basis may apply for a license to operate a foster family home as defined in Section 2.17 of this Act.

(a-5) Any agency, person, group of persons, association, organization, corporation, institution, center, or group providing adoption services must be licensed by the Department as a child welfare agency as defined in Section 2.08 of this Act. "Providing adoption services" as used in this Act, includes facilitating or engaging in adoption services.

(b) Application for a license to operate a child care facility must be made to the Department in the manner and on forms prescribed by it. An application to operate a foster family home shall include, at a minimum: a completed written form; written authorization by the applicant and all adult members of the applicant's household to conduct a criminal background investigation; medical evidence in the form of a medical report, on forms prescribed by the Department, that the applicant and all members of the household are free from communicable diseases or physical and mental conditions that affect their ability to provide care for the child or children; the names and addresses of at least 3 persons not related to the applicant who can attest to the applicant's moral character; and fingerprints submitted by the applicant and all adult members of the applicant's household.

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(c) The Department shall notify the public when a child care institution, maternity center, or group home licensed by the Department undergoes a change in (i) the range of care or services offered at the facility, (ii) the age or type of children served, or (iii) the area within the facility used by children. The Department shall notify the public of the change in a newspaper of general circulation in the county or municipality in which the applicant's facility is or is proposed to be located.

(d) If, upon examination of the facility and investigation of persons responsible for care of children, the Department is satisfied that the facility and responsible persons reasonably meet standards prescribed for the type of facility for which application is made, it shall issue a license in proper form, designating on that license the type of child care facility and, except for a child welfare agency, the number of children to be served at any one time.

(e) The Department shall not issue or renew the license of any child welfare agency providing adoption services, unless the agency (i) is officially recognized by the United States Internal Revenue Service as a tax-exempt organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law) and (ii) is in compliance with all of the standards necessary to maintain its status as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law). The Department shall grant a grace period of 24 months from the effective date of this amendatory Act of the 94th General Assembly for existing child welfare agencies providing adoption services to obtain 501(c)(3) status. The Department shall permit an existing child welfare agency that converts from its current structure in order to be recognized as a 501(c)(3) organization as required by this Section to either retain its current license or transfer its current license to a newly formed entity, if the creation of a new entity is required in order to comply with this Section, provided that the child welfare agency demonstrates that it continues to meet all other licensing requirements and that the principal officers and directors and programs of the converted child welfare agency or newly organized child welfare agency are substantially the same as the original. The Department shall have the sole discretion to grant a one year extension to any agency unable to obtain 501(c)(3) status within the timeframe specified in this subsection (e), provided that such agency has filed an application for 501(c)(3) status with the Internal Revenue Service within the 2-year timeframe specified in this subsection (e).

(Source: P.A. 94-586, eff. 8-15-05.)

(225 ILCS 10/5) (from Ch. 23, par. 2215)

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Sec. 5. (a) In respect to child care institutions, maternity centers, child welfare agencies, day care centers, day care agencies and group homes, the Department, upon receiving application filed in proper order, shall examine the facilities and persons responsible for care of children therein.

(b) In respect to foster family and day care homes, applications may be filed on behalf of such homes by a licensed child welfare agency, by a State agency authorized to place children in foster care or by out-of-State agencies approved by the Department to place children in this State. In respect to day care homes, applications may be filed on behalf of such homes by a licensed day care agency or licensed child welfare agency. In applying for license in behalf of a home in which children are placed by and remain under supervision of the applicant agency, such agency shall certify that the home and persons responsible for care of unrelated children therein, or the home and relatives, as defined in Section 2.17 of this Act, responsible for the care of related children therein, were found to be in reasonable compliance with standards prescribed by the Department for the type of care indicated.

(c) The Department shall not allow any person to examine facilities under a provision of this Act who has not passed an examination demonstrating that such person is familiar with this Act and with the appropriate standards and regulations of the Department.

(d) With the exception of day care centers, day care homes, and group day care homes, licenses shall be issued in such form and manner as prescribed by the Department and are valid for 4 years from the date issued, unless revoked by the Department or voluntarily surrendered by the licensee. Licenses issued for day care centers, day care homes, and group day care homes shall be valid for 3 years from the date issued, unless revoked by the Department or voluntarily surrendered by the licensee. When a licensee has made timely and sufficient application for the renewal of a license or a new license with reference to any activity of a continuing nature, the existing license shall continue in full force and effect for up to 30 days until the final agency decision on the application has been made. The Department may further extend the period in which such decision must be made in individual cases for up to 30 days, but such extensions shall be only upon good cause shown.

(e) The Department may issue one 6-month permit to a newly established facility for child care to allow that facility reasonable time to become eligible for a full license. If the facility for child care is a foster family home, or day care home the Department may issue one 2-month permit only.

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(f) The Department may issue an emergency permit to a child care facility taking in children as a result of the temporary closure for more than 2 weeks of a licensed child care facility due to a natural disaster. An emergency permit under this subsection shall be issued to a facility only if the persons providing child care services at the facility were employees of the temporarily closed day care center at the time it was closed. No investigation of an employee of a child care facility receiving an emergency permit under this subsection shall be required if that employee has previously been investigated at another child care facility. No emergency permit issued under this subsection shall be valid for more than 90 days after the date of issuance.

(g) During the hours of operation of any licensed child care facility, authorized representatives of the Department may without notice visit the facility for the purpose of determining its continuing compliance with this Act or regulations adopted pursuant thereto.

(h) Day care centers, day care homes, and group day care homes shall be monitored at least annually by a licensing representative from the Department or the agency that recommended licensure.

(Source: P.A. 89-21, eff. 7-1-95; 89-263, eff. 8-10-95; 89-626, eff. 8-9-96.)

Section 10. The Adoption Act is amended by changing Sections 1, 2, and 4 as follows:

(750 ILCS 50/1) (from Ch. 40, par. 1501)

Sec. 1. Definitions. When used in this Act, unless the context otherwise requires:

A. "Child" means a person under legal age subject to adoption under this Act.

B. "Related child" means a child subject to adoption where either or both of the adopting parents stands in any of the following relationships to the child by blood, or marriage, adoption, or civil union: parent, grand-parent, great-grandparent, brother, sister, step-parent, step-grandparent, step-brother, step-sister, uncle, aunt, great-uncle, great-aunt, first cousin, or second cousin of first degree. A person is related to the child as a first cousin or second cousin if they are both related to the same ancestor as either grandchild or great-grandchild. A child whose parent has executed a final irrevocable consent to adoption, or a final irrevocable surrender, or a waiver pursuant to Section 10 of this Act or whose parent has signed a denial of paternity pursuant to Section 12 of the Vital Records Act or Section 12a of this Act for purposes of adoption, or whose parent has had his or her parental rights terminated, is not a related child to that person, unless (1) the consent is determined to be void or is void pursuant to subsection O of Section 10 of

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this Act; or (2) the parent of the child executed a consent to adoption by a specified person or persons pursuant to subsection A-1 of Section 10 of this Act and a court of competent jurisdiction finds that such consent is void; or (3) the order terminating the parental rights of the parent is vacated by a court of competent jurisdiction.

C. "Agency" for the purpose of this Act means a public child welfare agency or a licensed child welfare agency.

D. "Unfit person" means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following, except that a person shall not be considered an unfit person for the sole reason that the person has relinquished a child in accordance with the Abandoned Newborn Infant Protection Act:

(a) Abandonment of the child.
(a-1) Abandonment of a newborn infant in a hospital.
(a-2) Abandonment of a newborn infant in any setting where the evidence suggests that the parent intended to relinquish his or her parental rights.
(b) Failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare.
(c) Desertion of the child for more than 3 months next preceding the commencement of the Adoption proceeding.
(d) Substantial neglect of the child if continuous or repeated.
(d-1) Substantial neglect, if continuous or repeated, of any child residing in the household which resulted in the death of that child.
(e) Extreme or repeated cruelty to the child.
(f) There is a rebuttable presumption, which can be overcome only by clear and convincing evidence, that a parent is unfit if:

(1) Two or more findings of physical abuse have been entered regarding any children under Section 2-21 of the Juvenile Court Act of 1987, the most recent of which was determined by the juvenile court hearing the matter to be supported by clear and convincing evidence; or
(2) The parent has been convicted or found not guilty by reason of insanity and the conviction or finding resulted from the death of any child by physical abuse; or

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(3) There is a finding of physical child abuse resulting from the death of any child under Section 2-21 of the Juvenile Court Act of 1987.

No conviction or finding of delinquency pursuant to Article V of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (f).

(g) Failure to protect the child from conditions within his environment injurious to the child's welfare.

(h) Other neglect of, or misconduct toward the child; provided that in making a finding of unfitness the court hearing the adoption proceeding shall not be bound by any previous finding, order or judgment affecting or determining the rights of the parents toward the child sought to be adopted in any other proceeding except such proceedings terminating parental rights as shall be had under either this Act, the Juvenile Court Act or the Juvenile Court Act of 1987.

(i) Depravity. Conviction of any one of the following crimes shall create a presumption that a parent is depraved which can be overcome only by clear and convincing evidence: (1) first degree murder in violation of paragraph 1 or 2 of subsection (a) of Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 or conviction of second degree murder in violation of subsection (a) of Section 9-2 of the Criminal Code of 1961 or the Criminal Code of 2012 of a parent of the child to be adopted; (2) first degree murder or second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (3) attempt or conspiracy to commit first degree murder or second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (4) solicitation to commit murder of any child, solicitation to commit murder of any child for hire, or solicitation to commit second degree murder of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; (5) predatory criminal sexual assault of a child in violation of Section 11-1.40 or 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012; (6) heinous battery of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012; or (7) aggravated battery of any child in violation of the Criminal Code of 1961 or the Criminal Code of 2012.

There is a rebuttable presumption that a parent is depraved if the parent has been criminally convicted of at least 3 felonies under

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the laws of this State or any other state, or under federal law, or the
criminal laws of any United States territory; and at least one of these
convictions took place within 5 years of the filing of the petition or
motion seeking termination of parental rights.

There is a rebuttable presumption that a parent is depraved if
that parent has been criminally convicted of either first or second
degree murder of any person as defined in the Criminal Code of 1961
or the Criminal Code of 2012 within 10 years of the filing date of the
petition or motion to terminate parental rights.

No conviction or finding of delinquency pursuant to Article
5 of the Juvenile Court Act of 1987 shall be considered a criminal
conviction for the purpose of applying any presumption under this
item (i).

(j) Open and notorious adultery or fornication.

(j-1) (Blank).

(k) Habitual drunkenness or addiction to drugs, other than
those prescribed by a physician, for at least one year immediately
prior to the commencement of the unfitness proceeding.

There is a rebuttable presumption that a parent is unfit under
this subsection with respect to any child to which that parent gives
birth where there is a confirmed test result that at birth the child's
blood, urine, or meconium contained any amount of a controlled
substance as defined in subsection (f) of Section 102 of the Illinois
Controlled Substances Act or metabolites of such substances, the
presence of which in the newborn infant was not the result of medical
treatment administered to the mother or the newborn infant; and the
biological mother of this child is the biological mother of at least one
other child who was adjudicated a neglected minor under subsection
(c) of Section 2-3 of the Juvenile Court Act of 1987.

(l) Failure to demonstrate a reasonable degree of interest,
concern or responsibility as to the welfare of a new born child during
the first 30 days after its birth.

(m) Failure by a parent (i) to make reasonable efforts to
correct the conditions that were the basis for the removal of the child
from the parent during any 9-month period following the adjudication
of neglected or abused minor under Section 2-3 of the Juvenile Court
Act of 1987 or dependent minor under Section 2-4 of that Act, or (ii)
to make reasonable progress toward the return of the child to the
parent during any 9-month period following the adjudication of

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neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act. If a service plan has been established as required under Section 8.2 of the Abused and Neglected Child Reporting Act to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, "failure to make reasonable progress toward the return of the child to the parent" includes the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care during any 9-month period following the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987. Notwithstanding any other provision, when a petition or motion seeks to terminate parental rights on the basis of item (ii) of this subsection (m), the petitioner shall file with the court and serve on the parties a pleading that specifies the 9-month period or periods relied on. The pleading shall be filed and served on the parties no later than 3 weeks before the date set by the court for closure of discovery, and the allegations in the pleading shall be treated as incorporated into the petition or motion. Failure of a respondent to file a written denial of the allegations in the pleading shall not be treated as an admission that the allegations are true.

(m-1) Pursuant to the Juvenile Court Act of 1987, a child has been in foster care for 15 months out of any 22 month period which begins on or after the effective date of this amendatory Act of 1998 unless the child's parent can prove by a preponderance of the evidence that it is more likely than not that it will be in the best interests of the child to be returned to the parent within 6 months of the date on which a petition for termination of parental rights is filed under the Juvenile Court Act of 1987. The 15 month time limit is tolled during any period for which there is a court finding that the appointed custodian or guardian failed to make reasonable efforts to reunify the child with his or her family, provided that (i) the finding of no reasonable efforts is made within 60 days of the period when reasonable efforts were not made or (ii) the parent filed a motion requesting a finding of no reasonable efforts within 60 days of the period when reasonable efforts were not made. For purposes of this subdivision (m-1), the date of entering foster care is the earlier of: (i) the date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or (ii) 60 days after the

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date on which the child is removed from his or her parent, guardian, or legal custodian.

(n) Evidence of intent to forgo his or her parental rights, whether or not the child is a ward of the court, (1) as manifested by his or her failure for a period of 12 months: (i) to visit the child, (ii) to communicate with the child or agency, although able to do so and not prevented from doing so by an agency or by court order, or (iii) to maintain contact with or plan for the future of the child, although physically able to do so, or (2) as manifested by the father's failure, where he and the mother of the child were unmarried to each other at the time of the child's birth, (i) to commence legal proceedings to establish his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within 30 days of being informed, pursuant to Section 12a of this Act, that he is the father or the likely father of the child or, after being so informed where the child is not yet born, within 30 days of the child's birth, or (ii) to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances, including the financial condition of both parents; provided that the ground for termination provided in this subparagraph (n)(2)(ii) shall only be available where the petition is brought by the mother or the husband of the mother.

Contact or communication by a parent with his or her child that does not demonstrate affection and concern does not constitute reasonable contact and planning under subdivision (n). In the absence of evidence to the contrary, the ability to visit, communicate, maintain contact, pay expenses and plan for the future shall be presumed. The subjective intent of the parent, whether expressed or otherwise, unsupported by evidence of the foregoing parental acts manifesting that intent, shall not preclude a determination that the parent has intended to forgo his or her parental rights. In making this determination, the court may consider but shall not require a showing of diligent efforts by an authorized agency to encourage the parent to perform the acts specified in subdivision (n).

It shall be an affirmative defense to any allegation under paragraph (2) of this subsection that the father's failure was due to circumstances beyond his control or to impediments created by the

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mother or any other person having legal custody. Proof of that fact need only be by a preponderance of the evidence.

(o) Repeated or continuous failure by the parents, although physically and financially able, to provide the child with adequate food, clothing, or shelter.

(p) Inability to discharge parental responsibilities supported by competent evidence from a Psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or an intellectual disability as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code, or developmental disability as defined in Section 1-106 of that Code, and there is sufficient justification to believe that the inability to discharge parental responsibilities shall extend beyond a reasonable time period. However, this subdivision (p) shall not be construed so as to permit a licensed clinical social worker to conduct any medical diagnosis to determine mental illness or mental impairment.

(q) (Blank).

(r) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated as a result of criminal conviction at the time the petition or motion for termination of parental rights is filed, prior to incarceration the parent had little or no contact with the child or provided little or no support for the child, and the parent's incarceration will prevent the parent from discharging his or her parental responsibilities for the child for a period in excess of 2 years after the filing of the petition or motion for termination of parental rights.

(s) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated at the time the petition or motion for termination of parental rights is filed, the parent has been repeatedly incarcerated as a result of criminal convictions, and the parent's repeated incarceration has prevented the parent from discharging his or her parental responsibilities for the child.

(t) A finding that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act, or a metabolite of a controlled substance, with the exception of controlled substances or metabolites of such substances, the presence
of which in the newborn infant was the result of medical treatment administered to the mother or the newborn infant, and that the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987, after which the biological mother had the opportunity to enroll in and participate in a clinically appropriate substance abuse counseling, treatment, and rehabilitation program.

E. "Parent" means a person who is the legal mother or legal father of the child as defined in subsection X or Y of this Section. For the purpose of this Act, a parent who has executed a consent to adoption, a surrender, or a waiver pursuant to Section 10 of this Act, who has signed a Denial of Paternity pursuant to Section 12 of the Vital Records Act or Section 12a of this Act, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent, surrender, waiver, or denial unless (1) the consent is void pursuant to subsection O of Section 10 of this Act; or (2) the person executed a consent to adoption by a specified person or persons pursuant to subsection A-1 of Section 10 of this Act and a court of competent jurisdiction finds that the consent is void; or (3) the order terminating the parental rights of the person is vacated by a court of competent jurisdiction.

For the purpose of this Act, a person who has executed a final and irrevocable consent to adoption or a final and irrevocable surrender for purposes of adoption, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent or surrender, unless the consent is void pursuant to subsection O of Section 10.

F. A person is available for adoption when the person is:
   (a) a child who has been surrendered for adoption to an agency and to whose adoption the agency has thereafter consented;
   (b) a child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required pursuant to Section 8 of this Act;
   (c) a child who is in the custody of persons who intend to adopt him through placement made by his parents;
   (c-1) a child for whom a parent has signed a specific consent pursuant to subsection O of Section 10;
   (d) an adult who meets the conditions set forth in Section 3 of this Act; or

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(e) a child who has been relinquished as defined in Section 10 of the Abandoned Newborn Infant Protection Act.

A person who would otherwise be available for adoption shall not be deemed unavailable for adoption solely by reason of his or her death.

G. The singular includes the plural and the plural includes the singular and the "male" includes the "female", as the context of this Act may require.

H. "Adoption disruption" occurs when an adoptive placement does not prove successful and it becomes necessary for the child to be removed from placement before the adoption is finalized.

I. "Habitual residence" has the meaning ascribed to it in the federal Intercountry Adoption Act of 2000 and regulations promulgated thereunder.

J. "Immediate relatives" means the biological parents, the parents of the biological parents and siblings of the biological parents.

K. "Intercountry adoption" is a process by which a child from a country other than the United States is adopted by persons who are habitual residents of the United States, or the child is a habitual resident of the United States who is adopted by persons who are habitual residents of a country other than the United States.

L. "Intercountry Adoption Coordinator" means a staff person of the Department of Children and Family Services appointed by the Director to coordinate the provision of services related to an intercountry adoption.

M. "Interstate Compact on the Placement of Children" is a law enacted by all states and certain territories for the purpose of establishing uniform procedures for handling the interstate placement of children in foster homes, adoptive homes, or other child care facilities.

N. (Blank).

O. "Preadoption requirements" means any conditions or standards established by the laws or administrative rules of this State that must be met by a prospective adoptive parent prior to the placement of a child in an adoptive home.

P. "Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon the child physical injury, by other than accidental means, that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to the child by other than accidental means which would be likely to cause death,
disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits or allows to be committed any sex offense against the child, as sex offenses are defined in the Criminal Code of 2012 and extending those definitions of sex offenses to include children under 18 years of age;

(d) commits or allows to be committed an act or acts of torture upon the child; or

(e) inflicts excessive corporal punishment.

Q. "Neglected child" means any child whose parent or other person responsible for the child's welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare.

A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of the Abused and Neglected Child Reporting Act. A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for the child's welfare failed to vaccinate, delayed vaccination, or refused vaccination for the child due to a waiver on religious or medical grounds as permitted by law.

R. "Putative father" means a man who may be a child's father, but who (1) is not married to the child's mother on or before the date that the child was or is to be born and (2) has not established paternity of the child in a court proceeding before the filing of a petition for the adoption of the child. The term includes a male who is less than 18 years of age. "Putative father" does not mean a man who is the child's father as a result of criminal sexual abuse or assault as defined under Article 11 of the Criminal Code of 2012.

S. "Standby adoption" means an adoption in which a parent consents to custody and termination of parental rights to become effective upon the
occurrence of a future event, which is either the death of the parent or the request of the parent for the entry of a final judgment of adoption.

T. (Blank).

T-5. "Biological parent", "birth parent", or "natural parent" of a child are interchangeable terms that mean a person who is biologically or genetically related to that child as a parent.

U. "Interstate adoption" means the placement of a minor child with a prospective adoptive parent for the purpose of pursuing an adoption for that child that is subject to the provisions of the Interstate Compact on Placement of Children.

V. "Endorsement letter" means the letter issued by the Department of Children and Family Services to document that a prospective adoptive parent has met preadoption requirements and has been deemed suitable by the Department to adopt a child who is the subject of an intercountry adoption.

W. "Denial letter" means the letter issued by the Department of Children and Family Services to document that a prospective adoptive parent has not met preadoption requirements and has not been deemed suitable by the Department to adopt a child who is the subject of an intercountry adoption.

X. "Legal father" of a child means a man who is recognized as or presumed to be that child's father:

(1) because of his marriage to or civil union with the child's parent at the time of the child's birth or within 300 days prior to that child's birth, unless he signed a denial of paternity pursuant to Section 12 of the Vital Records Act or a waiver pursuant to Section 10 of this Act; or

(2) because his paternity of the child has been established pursuant to the Illinois Parentage Act, the Illinois Parentage Act of 1984, or the Gestational Surrogacy Act; or

(3) because he is listed as the child's father or parent on the child's birth certificate, unless he is otherwise determined by an administrative or judicial proceeding not to be the parent of the child or unless he rescinds his acknowledgment of paternity pursuant to the Illinois Parentage Act of 1984; or

(4) because his paternity or adoption of the child has been established by a court of competent jurisdiction.

The definition in this subsection X shall not be construed to provide greater or lesser rights as to the number of parents who can be named on a
final judgment order of adoption or Illinois birth certificate that otherwise exist under Illinois law.

Y. "Legal mother" of a child means a woman who is recognized as or presumed to be that child's mother:

(1) because she gave birth to the child except as provided in the Gestational Surrogacy Act; or

(2) because her maternity of the child has been established pursuant to the Illinois Parentage Act of 1984 or the Gestational Surrogacy Act; or

(3) because her maternity or adoption of the child has been established by a court of competent jurisdiction; or

(4) because of her marriage to or civil union with the child's other parent at the time of the child's birth or within 300 days prior to the time of birth; or

(5) because she is listed as the child's mother or parent on the child's birth certificate unless she is otherwise determined by an administrative or judicial proceeding not to be the parent of the child.

The definition in this subsection Y shall not be construed to provide greater or lesser rights as to the number of parents who can be named on a final judgment order of adoption or Illinois birth certificate that otherwise exist under Illinois law.

(Source: P.A. 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-455, eff. 1-1-14; 98-532, eff. 1-1-14; revised 9-24-13.)

(750 ILCS 50/2) (from Ch. 40, par. 1502)

Sec. 2. Who may adopt a child.

A. Any of the following persons, who is under no legal disability (except the minority specified in sub-paragraph (b)) and who has resided in the State of Illinois continuously for a period of at least 6 months immediately preceding the commencement of an adoption proceeding, or any member of the armed forces of the United States who has been domiciled in the State of Illinois for 90 days, may institute such proceeding:

(a) A reputable person of legal age and of either sex, provided that if such person is married and has not been living separate and apart from his or her spouse for 12 months or longer, his or her spouse shall be a party to the adoption proceeding, including a husband or wife desiring to adopt a child of the other spouse, in all of which cases the adoption shall be by both spouses jointly;

(b) A minor, by leave of court upon good cause shown.

New matter indicated by italics - deletions by strikeout
B. The residence requirement specified in paragraph A of this Section shall not apply to:

(a) an adoption of a related child; or
(b) an adoption of a child placed by an agency.

The residence requirement specified in paragraph A of this Section shall not apply to an adoption of a related child or to an adoption of a child placed by an agency.

(Source: P.A. 96-328, eff. 8-11-09.)

(750 ILCS 50/4) (from Ch. 40, par. 1505)

Sec. 4. Venue Jurisdiction and venue.
An adoption proceeding may be commenced in any county in this State the circuit court of the county in which petitioners reside, or the county in which the person to be adopted resides, or was born, or the county in which the parents of such person reside, provided, however, if an agency has acquired the custody and control of a child and such agency is authorized to consent to the adoption of such child, the proceeding may be commenced in any county, and provided further that if a guardian of the person of such child has been appointed by a court of competent jurisdiction, the proceeding may be commenced in any county.

(Source: Laws 1965, p. 3308.)


Approved August 1, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-0805
(House Bill No. 4652)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Children and Family Services Act is amended by changing Section 8 as follows:

(20 ILCS 505/8) (from Ch. 23, par. 5008)

Sec. 8. Scholarships and fee waivers. Each year the Department shall select a minimum of 53 students (at least 4 of whom shall be children of veterans) to receive scholarships and fee waivers which will enable them to attend and complete their post-secondary education at a community college, university, or college. Youth shall be selected from among the youth for whom the Department has court-ordered legal responsibility.

New matter indicated by italics - deletions by strikeout
from among the youth under care, youth who aged out of care at age 18 or older, or youth formerly under care who have been adopted or who have been placed in private guardianship. Recipients must or are in a guardianship placement, a maximum of 48 students (at least 4 of whom shall be children of veterans) who have earned a high school diploma from an accredited institution, a General Education Development certificate or diploma, or have met the State criteria for high school graduation before the start of the school year for which they are applying for the scholarship and waiver. A public school district or a recognized nonpublic school or a certificate of general education development (GED); or who have met the State criteria for high school graduation; the youth selected shall be eligible for scholarships and fee waivers which will entitle them to 4 consecutive years of community college, university, or college education. Scholarships and fee waivers shall be available to students for at least 5 years, provided they are continuing to work toward graduation. Unused scholarship dollars and fee waivers shall be reallocated to new recipients. No later than January 1, 2015, the Department shall promulgate rules identifying the criteria for "continuing to work toward graduation", and for reallocating unused scholarships and fee waivers. Selection shall be made on the basis of several factors, including, but not limited to, scholastic record, aptitude, and general interest in higher education. The selection committee shall include at least 2 individuals formerly under the care of the Department who have completed their post-secondary education. In accordance with this Act, tuition scholarships and fee waivers shall be available to such students at any university or college maintained by the State of Illinois. The Department shall provide maintenance and school expenses, except tuition and fees, during the academic years to supplement the students' earnings or other resources so long as they consistently maintain scholastic records which are acceptable to their schools and to the Department. Students may attend other colleges and universities, if scholarships are awarded them, and receive the same benefits for maintenance and other expenses as those students attending any Illinois State community college, university, or college under this Section. Beginning with recipients receiving scholarships and waivers in August 2014, the Department shall collect data and report annually to the General Assembly on measures of success including (i) the number of youth applying for and receiving scholarships, (ii) the percentage of scholarship recipients who complete their college or university degree within 5 years, (iii) the average length of time it takes for scholarship recipients to complete their college or university degree, (iv) the reasons that scholarship recipients are discharged
or fail to complete their college or university degree, (v) when available youths' outcomes 5 years and 10 years after being awarded the scholarships, and (vi) budget allocations for maintenance and school expenses incurred by the Department.

(Source: P.A. 97-799, eff. 7-13-12.)

Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0806
(House Bill No. 4773)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Department of Children and Family Services Statewide Youth Advisory Board Act.

Section 5. Statewide Youth Advisory Board; regional youth advisory boards. The Department of Children and Family Services shall convene and maintain a Statewide Youth Advisory Board and regional youth advisory boards. Each regional youth advisory board shall work with the Department or its designee to determine how to best provide services to current and former youth in foster care living within each of the regions. The Statewide Youth Advisory Board shall advise the Department and the General Assembly with respect to all matters involving or affecting current and former youth in foster care. Responsibilities of the Statewide Youth Advisory Board shall include:

(1) providing the Department and the General Assembly with the perspective of youth under the care of the Department;
(2) identifying, analyzing, and recommending solutions to any issues concerning adoption and guardianship and youth in foster care;
(3) reviewing and advising the Department on proposed or pending legislation, primarily as it concerns current and former youth in foster care; and
(4) reviewing and making recommendations on Department foster care and child welfare service delivery policies, guidelines, procedures, and training.

Section 10. Membership.

New matter indicated by italics - deletions by strikeout
(a) The Statewide Youth Advisory Board shall consist of executive regional board members elected to represent the regional youth advisory boards.

(b) The Statewide Youth Advisory Board and each regional youth advisory board shall be composed of youth 14 to 21 years of age who are former or current youth in foster care appointed by the Department of Children and Family Services or its designee.

Section 15. Meetings.

(a) Regular meetings of the regional youth advisory boards shall be held monthly.

(b) Regular meetings of the Statewide Youth Advisory Board shall be held at least 5 times per year.

(c) The Director of the Department or his or her designee shall meet with the Statewide Youth Advisory Board at least quarterly in order to discuss the issues and concerns of youth in foster care.

(d) All meetings shall take place at locations, dates, and times determined by the Department or its designee in accordance with the bylaws for the Statewide Youth Advisory Board and the regional youth advisory boards.

Section 20. Operations. The Department or its designee shall manage each board, facilitate meetings, and develop further necessary procedures, including, but not limited to, bylaws for the Statewide Youth Advisory Board and the regional youth advisory boards. The Department shall provide funding necessary to maintain the operations of each board. The Department shall not provide a Statewide Youth Advisory Board or a regional youth advisory board with any records or information that a public body may withhold or redact pursuant to Section 7 of the Freedom of Information Act.

Section 25. Reporting. The Statewide Youth Advisory Board shall report annually to the General Assembly on issues concerning adoption and guardianship and youth in foster care, and make recommendations regarding legislation, policies, guidelines, procedures, and training.

Section 30. Public access to information.

(a) Meetings of the Statewide Youth Advisory Board and each regional youth advisory board shall be closed to the public. Meetings of the Statewide Youth Advisory Board and each regional youth advisory board shall not be subject to the Open Meetings Act.

(b) Records and information produced by the Statewide Youth Advisory Board and each regional youth advisory board, except a report

New matter indicated by italics - deletions by strikeout
submitted to the General Assembly pursuant to Section 25 of this Act, shall be confidential and not subject to the Freedom of Information Act.

Section 35. The Open Meetings Act is amended by changing Section 1.02 as follows:

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)
Sec. 1.02. For the purposes of this Act:
"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business or, for a 5-member public body, a quorum of the members of a public body held for the purpose of discussing public business.

Accordingly, for a 5-member public body, 3 members of the body constitute a quorum and the affirmative vote of 3 members is necessary to adopt any motion, resolution, or ordinance, unless a greater number is otherwise required.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. "Public body" includes the Health Facilities and Services Review Board. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act, an ethics commission acting under the State Officials and Employees Ethics Act, a regional youth advisory board or the Statewide Youth Advisory Board established under the Department of Children and Family Services Statewide Youth Advisory Board Act, or the Illinois Independent Tax Tribunal.
(Source: P.A. 96-31, eff. 6-30-09; 97-1129, eff. 8-28-12.)

Section 40. The Freedom of Information Act is amended by changing Section 2 as follows:

(5 ILCS 140/2) (from Ch. 116, par. 202)

New matter indicated by italics - deletions by strikeout
Sec. 2. Definitions. As used in this Act:

(a) "Public body" means all legislative, executive, administrative, or advisory bodies of the State, state universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees, or commissions of this State, any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees thereof, and a School Finance Authority created under Article 1E of the School Code. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act, or a regional youth advisory board or the Statewide Youth Advisory Board established under the Department of Children and Family Services Statewide Youth Advisory Board Act.

(b) "Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group.

(c) "Public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body.

(c-5) "Private information" means unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person.

(c-10) "Commercial purpose" means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii)
for articles of opinion or features of interest to the public, or (iii) for the
purpose of academic, scientific, or public research or education.

(d) "Copying" means the reproduction of any public record by means
of any photographic, electronic, mechanical or other process, device or means
now known or hereafter developed and available to the public body.

(e) "Head of the public body" means the president, mayor, chairman,
presiding officer, director, superintendent, manager, supervisor or individual
otherwise holding primary executive and administrative authority for the
public body, or such person's duly authorized designee.

(f) "News media" means a newspaper or other periodical issued at
regular intervals whether in print or electronic format, a news service whether
in print or electronic format, a radio station, a television station, a television
network, a community antenna television service, or a person or corporation
engaged in making news reels or other motion picture news for public
showing.

(g) "Recurrent requester", as used in Section 3.2 of this Act, means a
person that, in the 12 months immediately preceding the request, has
submitted to the same public body (i) a minimum of 50 requests for records,
(ii) a minimum of 15 requests for records within a 30-day period, or (iii) a
minimum of 7 requests for records within a 7-day period. For purposes of this
definition, requests made by news media and non-profit, scientific, or
academic organizations shall not be considered in calculating the number of
requests made in the time periods in this definition when the principal
purpose of the requests is (i) to access and disseminate information
concerning news and current or passing events, (ii) for articles of opinion or
features of interest to the public, or (iii) for the purpose of academic,
scientific, or public research or education.

For the purposes of this subsection (g), "request" means a written
document (or oral request, if the public body chooses to honor oral requests)
that is submitted to a public body via personal delivery, mail, telefax,
electronic mail, or other means available to the public body and that identifies
the particular public record the requester seeks. One request may identify
multiple records to be inspected or copied.

(Source: P.A. 96-261, eff. 1-1-10; 96-542, eff. 1-1-10; 96-1000, eff. 7-2-10;
97-579, eff. 8-26-11.)

Passed in the General Assembly May 21, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning children.

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

Section 5. The Abused and Neglected Child Reporting Act is amended by changing Sections 7.8, 7.14, and 7.22 as follows:

(325 ILCS 5/7.8) (from Ch. 23, par. 2057.8)
Sec. 7.8. Upon receiving an oral or written report of suspected child abuse or neglect, the Department shall immediately notify, either orally or electronically, the Child Protective Service Unit of a previous report concerning a subject of the present report or other pertinent information. In addition, upon satisfactory identification procedures, to be established by Department regulation, any person authorized to have access to records under Section 11.1 relating to child abuse and neglect may request and shall be immediately provided the information requested in accordance with this Act. However, no information shall be released unless it prominently states the report is "indicated", and only information from "indicated" reports shall be released, except that information concerning pending reports may be released pursuant to Sections 7.14 and 7.22 of this Act to the attorney or guardian ad litem appointed under Section 2-17 of the Juvenile Court Act and to any person authorized under paragraphs (1), (2), (3) and (11) of Section 11.1. In addition, State's Attorneys are authorized to receive unfounded reports for prosecution purposes related to the transmission of false reports of child abuse or neglect in violation of subsection (a), paragraph (7) of Section 26-1 of the Criminal Code of 2012 and attorneys and guardians ad litem appointed under Article II of the Juvenile Court Act of 1987 shall receive the classified reports set forth in Section 7.14 of this Act in conformance with paragraph (19) of Section 11.1 and Section 7.14 of this Act. The names and other identifying data and the dates and the circumstances of any persons requesting or receiving information from the central register shall be entered in the register record.
(Source: P.A. 97-1150, eff. 1-25-13.)

(325 ILCS 5/7.14) (from Ch. 23, par. 2057.14)
Sec. 7.14. All reports in the central register shall be classified in one of three categories: "indicated", "unfounded" or "undetermined", as the case may be. Prior to classifying the report is classified, the person making the classification shall determine whether the child named in the report is the
subject of an action under Article II of the Juvenile Court Act of 1987. If the child is the subject of an action under Article II of the Juvenile Court Act and the Department intends to classify the report as indicated, the Department shall, within 45 days of classification of the report, transmit a copy of the report to the attorney or guardian ad litem appointed for the child under Section 2-17 of the Juvenile Court Act. If the child is the subject of an action under Article II of the Juvenile Court Act and the Department intends to classify the report as unfounded, the Department shall, within 45 days of deciding its intent to classify the report as unfounded, transmit a copy of the report and written notice of the Department's intent to the attorney or guardian ad litem appointed for the child under Section 2-17 of the Juvenile Court Act. All information identifying the subjects of an unfounded report shall be expunged from the register forthwith, except as provided in Section 7.7. Unfounded reports may only be made available to the Child Protective Service Unit when investigating a subsequent report of suspected abuse or maltreatment involving a child named in the unfounded report; and to the subject of the report, provided the Department has not expunged the file in accordance with Section 7.7. The Child Protective Service Unit shall not indicate the subsequent report solely based upon the existence of the prior unfounded report or reports. Notwithstanding any other provision of law to the contrary, an unfounded report shall not be admissible in any judicial or administrative proceeding or action. Identifying information on all other records shall be removed from the register no later than 5 years after the report is indicated. However, if another report is received involving the same child, his sibling or offspring, or a child in the care of the persons responsible for the child's welfare, or involving the same alleged offender, the identifying information may be maintained in the register until 5 years after the subsequent case or report is closed.

Notwithstanding any other provision of this Section, identifying information in indicated reports involving serious physical injury to a child as defined by the Department in rules, may be retained longer than 5 years after the report is indicated or after the subsequent case or report is closed, and may not be removed from the register except as provided by the Department in rules. Identifying information in indicated reports involving sexual penetration of a child, sexual molestation of a child, sexual exploitation of a child, torture of a child, or the death of a child, as defined by the Department in rules, shall be retained for a period of not less than 50 years after the report is indicated or after the subsequent case or report is closed.

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For purposes of this Section "child" includes an adult resident as defined in this Act.
(Source: P.A. 97-333, eff. 8-12-11; 98-453, eff. 8-16-13.)
(325 ILCS 5/7.22)
Sec. 7.22. Reviews of unfounded reports.
(a) Whenever the Department determines that a reported incident of child abuse or neglect will be is "unfounded", the Department shall forward a copy of the report and written notice of the Department's intent to classify the report as unfounded to the minor's attorney or guardian ad litem appointed under the Juvenile Court Act of 1987. The minor's attorney or guardian ad litem may request a review of the investigation within 10 days of receipt of the report and written notice notification of the Department's intent to classify the report as unfounded and receipt of the report, as provided in Section 7.14 of this Act, if the subject of the report is also the minor for whom the attorney or guardian ad litem has been appointed.

(b) Reviews requested under subsection (a) may be requested by sending a request via U.S. Mail, postmarked within 10 days after notice of the Department's intent to classify the report as unfounded the final finding, or by faxing a request within 10 days after notice of the Department's intent to classify the report as unfounded final finding. The date of notification of the Department's intent to classify the report as unfounded final finding is the date the attorney or guardian ad litem received a copy of the report and written notice from the Department. Following the review, the Department shall inform the minor's attorney or guardian ad litem as to whether the report will be classified as indicated or unfounded. The minor's attorney or guardian ad litem shall also receive a final finding notice from the State Central Register.

(c) By January 1, 2014, the Department shall promulgate rules addressing reviews requested under subsection (a). The rules shall provide that a review requested under subsection (a) must occur before the report is classified and a final finding is entered in the central register and that the review must be conducted by a Department employee outside the supervisory chain of the assigned investigator.
(Source: P.A. 98-453, eff. 8-16-13.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning State government.

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

Section 1. Short title. This Act may be cited as the Custody Relinquishment Prevention Act.

Section 5. Purpose. This Act establishes a pathway for families on the verge of seeking services for their child's serious mental illness or serious emotional disturbance through relinquishment of parental custody to the Department of Children and Family Services, despite the absence of abuse or neglect, to receive services through the appropriate State child-serving agency. This pathway shall be outlined in an interagency agreement between all the relevant State agencies.

Section 10. Definitions. As used in this Act:

"Family income" means the sum of a family's annual earnings and cash benefits from all sources before taxes, less payments made for child support.

"Serious mental illness" means a diagnosis set forth in the most current version of the Diagnostic and Statistical Manual of Mental Disorders (DSM).

"Serious emotional disturbance" means a diagnosable mental, behavioral, or emotional disorder in a child or youth that resulted in functional impairment which substantially interferes with or limits his or her role or functioning in family, school, or community activities.

"Child or youth at risk of custody relinquishment" means a child or youth whose parents or guardians refuse to take the child or youth home from a hospital or similar treatment facility because the parents or guardians have a reasonable belief that the child or youth will harm himself or herself or other family members upon the child or youth's return home, and there is no evidence of abuse or neglect.

Section 15. Interagency agreement. In order to intercept and divert children and youth at risk of custody relinquishment to the Department of Children and Family Services, within 180 days after the effective date of this Act, the Department of Children of Family Services, the Department of Human Services, the Department of Healthcare and Family Services, the Illinois State Board of Education, the Department of Juvenile Justice, and the Department of Public Health shall enter into an interagency agreement for the

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purpose of preventing children and youth who are not otherwise abused or neglected from entering the custody or guardianship of the Department of Children and Family Services solely for purposes of receiving services for a serious mental illness or serious emotional disturbance.

The intergovernmental agreement shall require the agencies listed in this Section to establish an interagency clinical team to review cases of children and youth who are at risk of relinquishment who are at a hospital or other similar treatment facility, and to connect the child or youth and his or her family with the appropriate services, treatment, and support to stabilize the child or youth's serious mental illness or serious emotional disturbance and prevent custody relinquishment to the Department of Children and Family Services.

The interagency agreement, among other things, shall address all of the following:

(1) Requiring families with private health insurance to exhaust their private insurance coverage.

(2) Establishing cost sharing for services received for families whose income exceeds the federal poverty level that would qualify them for Medicaid, based on the family's ability to pay.

(3) For children or youth who are not otherwise Medicaid eligible, performing a crisis stabilization assessment and developing a care plan for the child or youth and the family with the goal of determining what services are necessary to (i) stabilize the child or youth and (ii) prevent custody relinquishment to the Department of Children and Family Services when there is no abuse or neglect.

(4) Set criteria for short-term crisis stabilization services, including intensive community-based services or a short-term residential placement, as the child or youth's treatment plan is being developed.

Section 20. Outcomes and data reported annually to the General Assembly.

(a) The Department of Children and Family Services shall submit an annual report to the General Assembly which includes the following with respect to the time period covered by the report:

(1) The number of children and youth who were relinquished to the Department of Children and Family Services for purposes of receiving treatment for their serious mental illness or serious emotional disturbance.
(2) The length of treatment and the status of children and youth at the termination of services.

(b) The interagency agreement required under Section 15 shall require reporting to the General Assembly with respect to the following criteria:

(1) The number of children and youth who were intercepted during the reporting period and the services they were connected with to prevent custody relinquishment and to stabilize the child or youth.

(2) The duration of the services the child or youth received in order to stabilize his or her serious mental illness or serious emotional disturbance.

(3) Following the connection to services through the most appropriate State agency to address the child or youth's needs, the number of families that failed to stabilize and turned to the Department of Children and Family Services for services, and that relinquished custody or whose child was adjudicated a dependent minor pursuant to subdivision (c) of paragraph (1) of Section 2-4 of the Juvenile Court Act of 1987.

Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0809
(House Bill No. 5990)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Children's Advocacy Center Act is amended by changing Sections 2, 3, and 4 and by adding Section 2.5 as follows:

(55 ILCS 80/2) (from Ch. 23, par. 1802)
Sec. 2. Legislative findings.
(a) The General Assembly finds that the creation establishment of accredited Children's Advocacy Centers ("CACs") accredited throughout the State of Illinois is essential to providing a formal, comprehensive, integrated, and multidisciplinary response to the investigation and disposition of reports of child maltreatment; by expediting and improving the validation or invalidation of such allegations for the benefit of children, their families and accused perpetrators; by requiring the use of collaborative decision making and case management, thereby reducing the number of times children are

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questioned and examined, thus preventing further trauma of children; by coordinating therapeutic intervention and services thereby providing safety and treatment for child victims and their families; by developing communication, case coordination, and information sharing policies and protocols among allied professionals and agencies who play a role in child protection in a given jurisdiction; by collecting data to report to partner agencies, the community, and the General Assembly, and to use in continually improving collaborative multidisciplinary investigations; and, by maintaining the confidentiality of client records and records from partner agencies, to ensure the protection of the privacy of children, their families and accused perpetrators. A CAC organized and operating under this Act may accept, receive and disburse in furtherance of its duties and functions any funds, grants and services made available by the State of Illinois and its agencies, the federal government and its agencies, a unit of local government, or private or civic sources. To the extent permitted by applicable law, participating entities shall maintain the confidentiality of case-related information which includes, but is not limited to, case review discussions, case review notes, written reports and records, and verbal exchanges is desirable to coordinate the investigation, prosecution and treatment referral of child sexual abuse.

Further, the General Assembly finds that the creation of an advisory board is desirable to develop a coordinated protocol for the handling of child sexual abuse cases among various agencies responsible for investigation, prosecution and treatment referral and that such agencies should be encouraged to adopt such a coordinated protocol.

(b) The General Assembly further finds that the most precious resource in the State of Illinois is our children. The protection of children from physical abuse, sexual abuse and exploitation, and neglect, hereinafter "child maltreatment", is at the core of the duties and fundamental responsibilities of the General Assembly and provides the highest compelling interest to create and maintain a system to effectively respond to reports of child maltreatment and protect children from harm.

(Source: P.A. 86-276.)

(55 ILCS 80/2.5 new)

Sec. 2.5. Definitions. As used in this Section:

"Accreditation" means the process in which certification of competency, authority, or credibility is presented by standards set by the National Children's Alliance to ensure effective, efficient and consistent delivery of services by a CAC.

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"Child maltreatment" includes any act or occurrence, as defined in Section 5 of the Criminal Code of 2012, under the Children and Family Services Act or the Juvenile Court Act involving either a child victim or child witness.

"Children's Advocacy Center" or "CAC" is a child-focused, trauma-informed, facility-based program in which representatives from law enforcement, child protection, prosecution, mental health, forensic interviewing, medical, and victim advocacy disciplines collaborate to interview children, meet with a child's parent or parents, caregivers, and family members, and make team decisions about the investigation, prosecution, safety, treatment, and support services for child maltreatment cases.

"Children's Advocacy Centers of Illinois" or "CACI" is a state chapter of the National Children's Alliance ("NCA") and organizing entity for Children's Advocacy Centers in the State of Illinois. It defines membership and engages member CACs in the NCA accreditation process and collecting and sharing of data, and provides training, leadership, and technical assistance to existing and emerging CACs in the State.

"Forensic interview" means an interview between a trained forensic interviewer, as defined by NCA standards, and a child in which the interviewer obtains information from children in an unbiased and fact finding manner that is developmentally appropriate and culturally sensitive to support accurate and fair decision making by the multidisciplinary team in the criminal justice and child protection systems. Whenever practical, all parties involved in investigating reports of child maltreatment shall observe the interview, which shall be digitally recorded.

"Multidisciplinary team" or "MDT" means a group of professionals working collaboratively under a written protocol, who represent various disciplines from the point of a report of child maltreatment to assure the most effective coordinated response possible for every child. Employees from each participating entity shall be included on the MDT. A CAC's MDT must include professionals involved in the coordination, investigation, and prosecution of child abuse cases, including the CAC's staff, participating law enforcement agencies, the county state's attorney, and the Illinois Department of Children and Family Services, and must include professionals involved in the delivery of services to victims of child maltreatment and non-offending parent or parents, caregiver, and their families.

"National Children's Alliance" or "NCA" means the professional membership organization dedicated to helping local communities respond to
allegations of child abuse in an effective and efficient manner. NCA provides training, support, technical assistance and leadership on a national level to state and local CACs and communities responding to reports of child maltreatment. NCA is the national organization that provides the standards for CAC accreditation.

"Protocol" means a written methodology defining the responsibilities of each of the MDT members in the investigation and prosecution of child maltreatment within a defined jurisdiction. Written protocols are signed documents and are reviewed and/or updated annually, at a minimum, by a CAC's Advisory Board.

(55 ILCS 80/3) (from Ch. 23, par. 1803)
Sec. 3. Child Advocacy Advisory Board.
(a) Each county or group of counties in the State of Illinois shall establish a Child Advocacy Advisory Board ("Advisory Board").

Each of the following county officers or State agencies or allied professional entities shall designate a representative to serve on the Advisory Board: law enforcement within the appropriate jurisdiction(s), the sheriff, the Illinois Department of Children and Family Services, the State's attorney, and the Children's Advocacy Center the county mental health department, and the Department of State Police.

The Advisory Board chairman may appoint additional members of the Advisory Board as is deemed necessary to accomplish the purposes of this Act, the additional members to include but not be limited to representatives of local law enforcement agencies, allied professionals, and the Circuit Courts.

(b) The Advisory Board shall have the authority to organize itself and appoint, assign, or elect leaders. The Advisory Board shall determine the voting rights of multiple members from the same agency or entity. from among its members a chairman and such other officers as are deemed necessary. Until a chairman is so elected, the State's attorney shall serve as interim chairman.

(c) The Advisory Board shall adopt, by a majority of the members, a written operational protocol. The Advisory Board shall, prior to finalization, submit a draft to the Children's Advocacy Center of Illinois ("CACI") for review and comments to ensure compliance with accreditation standards from NCA. After considering the comments of the CACI and upon finalization of its protocol, the Advisory Board shall file the protocol with the Department of Children and Family Services and the CACI. If requested, a

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copy shall be made available to the public by the local CAC. Each Advisory Board shall, on an annual basis, review and/or update the written protocol. Any changes made to the written protocol shall be approved by majority vote and, prior to finalization, a draft shall be submitted to the CACI for review and comments to ensure compliance with accreditation standards from NCA. After considering the comments of the CACI and upon finalization of its protocol, the Advisory Board shall file the protocol with the Department of Children and Family Services and the CACI child sexual abuse protocol within one year after the effective date of this Act. An Advisory Board adopting a protocol after the effective date of this amendatory Act of 1996 shall, prior to finalization, submit its draft to the Illinois Child Advocacy Commission for review and comments. After considering the comments of the Illinois Child Advocacy Commission and upon finalization of its protocol, the Advisory Board shall file the protocol with the Department of Children and Family Services. A copy shall be furnished to the Illinois Child Advocacy Commission and to each agency in the county or counties which has any involvement with the cases of sexually abused children.

The Illinois Child Advocacy Commission shall consist of the Attorney General and the Directors of the Illinois State Police and the Department of Children and Family Services or their designees. Additional members may be appointed to the Illinois Child Advocacy Commission as deemed necessary by the Attorney General and the Directors of the Illinois State Police and the Department of Children and Family Services. The Illinois Child Advocacy Commission may also provide technical assistance and guidance to the Advisory Boards:

(d) The purpose of the protocol shall be to ensure coordination and cooperation among all agencies involved in child maltreatment sexual abuse cases so as to increase the efficiency and effectiveness of those agencies, to minimize the trauma stress created for the child and his or her non-offending parents, caregivers, or family members by the investigatory and judicial process, and to ensure that more effective treatment is provided for the child and his or her non-offending parents, caregivers, or family members. Agencies that are members of the Advisory Board are encouraged to amend their internal operating protocol in a manner that further facilitates coordination and cooperation among all agencies.

(e) The protocol shall be a written document outlining in detail the procedures to be used in investigating and responding to prosecuting cases arising from alleged child maltreatment sexual abuse and in coordinating treatment referrals for the child and his or her non-offending parents,
caregivers, or family members. In preparing the written protocol, the Advisory Board shall ensure that the CAC includes all of the components listed in Section 4 of this Act. Consider the following:

1. An interdisciplinary, coordinated systems approach to the investigation of child sexual abuse which shall include, at a minimum:
   (i) an interagency notification procedure;
   (ii) a dispute resolution process between the involved agencies when a conflict arises on how to proceed with the investigation of a case;
   (iii) a policy on interagency decision-making; and
   (iv) a description of the role each agency has in the investigation of the case;

2. A safe, separate space with assigned personnel designated for the investigation and coordination of child sexual abuse cases;

3. An interdisciplinary case review process for purposes of decision-making, problem solving, systems coordination, and information sharing;

4. A comprehensive tracking system to receive and coordinate information concerning child sexual abuse cases from each participating agency;

5. Interdisciplinary specialized training for all professionals involved with the victims and families of child sexual abuse cases; and

6. A process for evaluating the implementation and effectiveness of the protocol.

(f) The Advisory Board shall evaluate the implementation and effectiveness of the protocol required under subsection (c) of this Section on an annual basis, and shall propose appropriate modifications to the protocol to maximize its effectiveness. A report of the Advisory Board's review, along with proposed modifications, shall be submitted to the CAC the Illinois Child Advocacy Commission for its review and comments. After considering the comments of the CAC the Illinois Child Advocacy Commission and adopting modifications, the Advisory Board shall file its amended protocol with the Department of Children and Family Services. A copy of the Advisory Board's review and amended protocol shall be furnished to the CAC the Illinois Child Advocacy Commission and to the public each agency in the county or counties having any involvement with the cases covered by the protocol.

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(g) (Blank). The Advisory Board shall adopt, by a majority of the members, a written protocol for coordinating cases of serious or fatal injury to a child, following the procedures and purposes described in subsections (c), (d), (e), and (f) of this Section. The protocol shall be a written document outlining in detail the procedures that will be used by all of the agencies involved in investigating and prosecuting cases arising from alleged cases of serious or fatal injury to a child and in coordinating treatment referrals for the child and his or her family.

(Source: P.A. 95-527, eff. 6-1-08.)

(55 ILCS 80/4) (from Ch. 23, par. 1804)

Sec. 4. Children's Advocacy Center.

(a) A CAC Children's Advocacy Center ("Center") may be established to coordinate the activities of the various agencies involved in the investigation, prosecution and treatment referral of child maltreatment sexual abuse. The individual county or regional Advisory Board shall set the written protocol of the CAC within the appropriate jurisdiction serve as the governing board for the Center. The operation of the CAC Center may be funded through public or private grants, contracts, donations, fees, and any other available sources under this Act. Each CAC shall operate to the best of its ability in accordance with available funding. In counties in which a referendum has been adopted under Section 5 of this Act, the Advisory Board, by the majority vote of its members, shall submit a proposed annual budget for the operation of the CAC Center to the county board, which shall appropriate funds and levy a tax sufficient to operate the CAC Center. The county board in each county in which a referendum has been adopted shall establish a Children's Advocacy Center Fund and shall deposit the net proceeds of the tax authorized by Section 6 of this Act in that Fund, which shall be kept separate from all other county funds and shall only be used for the purposes of this Act.

(b) The Advisory Board shall pay from the Children's Advocacy Center Fund or from other available funds the salaries of all employees of the Center and the expenses of acquiring a physical plant for the Center by construction or lease and maintaining the Center, including the expenses of administering the coordination of the investigation, prosecution and treatment referral of child maltreatment sexual abuse under the provisions of the protocol adopted pursuant to this Act.

(c) Every CAC shall include at least the following components:

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(1) A multidisciplinary, coordinated systems approach to the investigation of child maltreatment sexual abuse which shall include, at a minimum;

(i) an interagency notification procedure;

(ii) a policy on multidisciplinary team collaboration and communication that requires MDT members share information pertinent to investigations and the safety of children; a dispute resolution process between the involved agencies when a conflict arises on how to proceed with the investigation of a case;

(iii) (blank); a policy on interagency decision-making;

and

(iv) a description of the role each agency has in responding to a referral for services in an individual the investigation of the case;

(v) a dispute resolution process between the involved agencies when a conflict arises on how to proceed on the referral of a particular case;

(vi) a process for the CAC to assist in the forensic interview of children that witness alleged crimes;

(vii) a child-friendly, trauma informed space for children and their non-offending family members;

(viii) an MDT approach including law enforcement, prosecution, medical, mental health, victim advocacy, and other community resources;

(ix) medical evaluation on-site or off-site through referral;

(x) mental health services on-site or off-site through referral;

(xi) on-site forensic interviews;

(xii) culturally competent services;

(xiii) case tracking and review;

(xiv) case staffing on each investigation;

(xv) effective organizational capacity; and

(xvi) a policy or procedure to familiarize a child and his or her non-offending family members or guardians with the court process as well as preparations for testifying in court, if necessary.

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(2) A safe, separate space with assigned personnel designated for the investigation and coordination of child maltreatment sexual abuse cases;

(3) A multidisciplinary interdisciplinary case review process for purposes of decision-making, problem solving, systems coordination, and information sharing;

(4) A comprehensive client tracking system to receive and coordinate information concerning child maltreatment sexual abuse cases from each participating agency;

(5) Multidisciplinary interdisciplinary specialized training for all professionals involved with the victims and non-offending family members in families of child maltreatment sexual abuse cases; and

(6) A process for evaluating the effectiveness of the CAC Center and its operations.

(d) In the event that a CAC Center has been established as provided in this Section, the Advisory Board of that CAC Center may, by a majority vote of the members, authorize the CAC Center to coordinate the activities of the various agencies involved in the investigation, prosecution, and treatment referral in cases of serious or fatal injury to a child. For CACs receiving funds under Section 5 or 6 of this Act, The Advisory Board shall provide for the financial support of these activities in a manner similar to that set out in subsections (a) and (b) of this Section and shall be allowed to submit a budget that includes support for physical abuse and neglect activities to the County Board, which shall appropriate funds that may be available under Section 5 of this Act. In cooperation with the Department of Children and Family Services Child Death Review Teams, the Department of Children and Family Services Office of the Inspector General, the Department of State Police; and other stakeholders, this protocol must be initially implemented in selected counties to the extent that State appropriations or funds from other sources for this purpose allow.

(e) CACI The Illinois Child Advocacy Commission may also provide technical assistance and guidance to the Advisory Boards and shall make a single annual grant for the purpose of providing technical support and assistance for advocacy center development in Illinois whenever an appropriation is made by the General Assembly specifically for that purpose. The grant may be made only to an Illinois not-for-profit corporation that qualifies for tax treatment under Section 501(c)(3) of the Internal Revenue Code and that has a voting membership consisting of children's advocacy centers. The grant may be spent on staff, office space, equipment, and other
expenses necessary for the development of resource materials and other forms of technical support and assistance. The grantee shall report to the Commission on the specific uses of grant funds by no later than October 1 of each year and shall retain supporting documentation for a period of at least 5 years after the corresponding report is filed. (Source: P.A. 95-527, eff. 6-1-08.)

Passed in the General Assembly May 23, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0810
(Senate Bill No. 0119)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Secretary of State Merit Employment Code is amended by changing Section 9 as follows:

(15 ILCS 310/9) (from Ch. 124, par. 109)

Sec. 9. Hearings - disciplinary action. No certified officer or employee under jurisdiction B, relating to merit and fitness, who has been appointed under the rules and after examination, shall be removed, discharged or demoted, or suspended for a period of more than 30 calendar days, except for cause, upon written charges approved by the Director of Personnel, and after an opportunity to be heard in his own defense if he makes written request to the Commission within 15 calendar days after the serving of the written charges upon him. Upon the receipt of such a request for hearing, the Commission shall grant a hearing within 45 days. The time and place of the hearing shall be fixed by the Commission, and due notice thereof shall be given the Director of Personnel and the employee. The hearing shall be public, and the officer or employee is entitled to call witnesses in his own defense and to have the aid of counsel. The finding of the Commission shall be rendered within 60 calendar days after the receipt of the transcript of the proceedings. If the finding and decision is not rendered within 60 calendar days after receipt of the transcript of the proceedings, the employee shall be considered to be reinstated and shall receive full compensation for the period for which he was suspended. The finding and decision of the Commission or officer or board appointed by it to conduct such investigation, when approved by the Commission, shall be certified to the Director, and shall be forthwith

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enforced by the Director. In making its finding and decision, or in approving the finding and decision of some officer or board appointed by it to conduct such investigation the Merit Commission may, for disciplinary purposes, suspend an employee for a period of time not to exceed 90 calendar days, and in no event to exceed a period of 120 calendar days from the date of any suspension of such employee, pending investigation of such charges. If the Commission certifies a decision that an officer or employee is to be retained in his position and if it does not order a suspension for disciplinary purposes, the officer or employee shall receive full compensation for any period during which he was suspended pending the investigation of the charges.

Nothing in this Section shall limit the authority to suspend an employee for a reasonable period not exceeding 30 calendar days.

(Source: P.A. 80-13.)

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

Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0811
(Senate Bill No. 0333)

AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Section 9-275 as follows:

(35 ILCS 200/9-275)

Sec. 9-275. Erroneous homestead exemptions.

(a) For purposes of this Section:
"Erroneous homestead exemption" means a homestead exemption that was granted for real property in a taxable year if the property was not eligible for that exemption in that taxable year. If the taxpayer receives an erroneous homestead exemption under a single Section of this Code for the same property in multiple years, that exemption is considered a single erroneous homestead exemption for purposes of this Section. However, if the taxpayer receives erroneous homestead exemptions under multiple Sections of this Code for the same property, or if the taxpayer receives erroneous homestead exemptions under the same Section of this Code for multiple properties, then

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each of those exemptions is considered a separate erroneous homestead exemption for purposes of this Section.


"Erroneous exemption principal amount" means the total amount of property tax principal that would have been billed to a property index number but for the erroneous homestead exemption or exemptions a taxpayer received.

"Taxpayer" means the property owner or leasehold owner that erroneously received a homestead exemption upon property.

(b) Notwithstanding any other provision of law, in counties with 3,000,000 or more inhabitants, the chief county assessment officer shall include the following information with each assessment notice sent in a general assessment year: (1) a list of each homestead exemption available under Article 15 of this Code and a description of the eligibility criteria for that exemption; (2) a list of each homestead exemption applied to the property in the current assessment year; (3) information regarding penalties and interest that may be incurred under this Section if the property owner received an erroneous homestead exemption in a previous taxable year; and (4) notice of the 60-day grace period available under this subsection. If, within 60 days after receiving his or her assessment notice, the property owner notifies the chief county assessment officer that he or she received an erroneous homestead exemption in a previous assessment year, and if the property owner pays the erroneous exemption principal amount of back taxes due and owing with respect to that exemption, plus interest as provided in subsection (f), then the property owner shall not be liable for the penalties provided in subsection (f) with respect to that exemption.

(c) In counties with 3,000,000 or more inhabitants, when the chief county assessment officer determines that one or more erroneous homestead exemptions was applied to the property, the erroneous exemption principal amount, together with all applicable interest and penalties as provided in subsections (f) and (j), shall constitute a lien in the name of the People of Cook County on the property receiving the erroneous homestead exemption. The chief county assessment officer in a county with 3,000,000 or more inhabitants may cause a lien to be recorded against property that (1) is located in the county and (2) received one or more erroneous homestead exemptions.

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if, upon determination of the chief county assessment officer, the property owner received: (A) one or 2 erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 3 assessment years immediately prior to the assessment year in which the notice of intent to record a tax lien is served; or (B) 3 or more erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 6 assessment years immediately prior to the assessment year in which the notice of intent to record a tax lien is served. Prior to recording the lien against the property, the chief county assessment officer shall cause to be served, by both regular mail and certified mail, return receipt requested, on the person to whom the most recent tax bill was mailed and the owner of record, a notice of intent to record a tax lien against the property.

(d) The notice of intent to record a tax lien described in subsection (c) shall: (1) identify, by property index number, the property against which the lien is being sought; (2) identify each specific homestead exemption that was erroneously granted and the year or years in which each exemption was granted; (3) set forth the erroneous exemption principal amount due and the interest amount and any penalty due on the arrearage of taxes that would have been due if not for the erroneous homestead exemptions; (4) inform the taxpayer or property owner that he or she may request a hearing within 30 days after service and may appeal the hearing officer's ruling to the circuit court; and (5) inform the taxpayer or property owner that he or she may pay the erroneous exemption principal amount due, plus interest and penalties, within 30 days after service. A lien shall not be filed pursuant to this Section if the property owner pays the erroneous exemption principal amount, plus penalties and interest, within 30 days of service of the notice of intent to record a lien.

(e) The notice shall also include a form that the property owner may return to the chief county assessment officer to request a hearing. The property owner may request a hearing by returning the form within 30 days after service. The hearing shall be held within 90 days after the property owner is served. The chief county assessment officer shall promulgate rules of service and procedure for the hearing. The chief county assessment officer must generally follow rules of evidence and practices that prevail in the county circuit courts, but, because of the nature of these proceedings, the chief county assessment officer is not bound by those rules in all particulars. The chief county assessment officer shall appoint a hearing officer to oversee

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the hearing. The property owner shall be allowed to present evidence to the hearing officer at the hearing. After taking into consideration all the relevant testimony and evidence, the hearing officer shall make an administrative decision on whether the property owner was erroneously granted a homestead exemption for the assessment year in question. The property owner may appeal the hearing officer's ruling to the circuit court of the county where the property is located as a final administrative decision under the Administrative Review Law.

(f) A lien against the property imposed under this Section shall be filed with the county recorder of deeds, but may not be filed sooner than 60 days after the notice was delivered to the property owner if the property owner does not request a hearing, or until the conclusion of the hearing and all appeals if the property owner does request a hearing. If a lien is filed pursuant to this Section and the property owner received one or 2 erroneous homestead exemptions during any of the 3 assessment years immediately prior to the assessment year in which the notice of intent to record a tax lien is served, then the erroneous exemption principal amount arrearages of taxes that might have been assessed for that property, plus 10% interest per annum or portion thereof from the date the erroneous exemption principal amount would have become due if properly included in the tax bill, shall be charged against the property by the chief county assessment officer treasurer. However, if a lien is filed pursuant to this Section and the property owner received 3 or more erroneous homestead exemptions during any of the 6 assessment years immediately prior to the assessment year in which the notice of intent to record a tax lien is served, the erroneous exemption principal amount unpaid taxes for each year for that property and 10% interest per annum or portion thereof from the date the erroneous exemption principal amount would have become due if properly included in the tax bill, shall be charged against the property by the chief county assessment officer treasurer.

(g) If a person received an erroneous homestead exemption under Section 15-170 and: (1) the person was the spouse, child, grandchild, brother, sister, niece, or nephew of the previous property owner; and (2) the person received the property by bequest or inheritance; then the person is not liable for the penalties imposed under this Section subsection for any year or years during which the chief county assessment officer did not require an annual

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application for the exemption. However, that person is responsible for any interest owed under subsection (f).

(h) If the erroneous homestead exemption was granted as a result of a clerical error or omission on the part of the chief county assessment officer, and if the property owner has paid the tax bills as received for the year in which the error occurred, then the interest and penalties authorized by this Section with respect to that homestead exemption shall not be chargeable to the property owner. However, nothing in this Section shall prevent the collection of the erroneous exemption principal amount of back taxes due and owing.

(i) A lien under this Section is not valid as to (1) any bona fide purchaser for value without notice of the erroneous homestead exemption whose rights in and to the underlying parcel arose after the erroneous homestead exemption was granted but before the filing of the notice of lien; or (2) any mortgagee, judgment creditor, or other lienor whose rights in and to the underlying parcel arose before the filing of the notice of lien. A title insurance policy for the property that is issued by a title company licensed to do business in the State showing that the property is free and clear of any liens imposed under this Section shall be prima facie evidence that the property owner is without notice of the erroneous homestead exemption. Nothing in this Section shall be deemed to impair the rights of subsequent creditors and subsequent purchasers under Section 30 of the Conveyances Act.

(j) When a lien is filed against the property pursuant to this Section, the chief county assessment officer shall mail a copy of the lien to the person to whom the most recent tax bill was mailed and to the owner of record, and the outstanding liability created by such a lien is due and payable within 30 days after the mailing of the lien by the chief county assessment officer. Payment shall be made to the chief county treasurer. Upon receipt of the full amount due, as determined by the chief county assessment officer, the county treasurer shall distribute the amount paid as provided in subsection (k). Upon presentment by the property owner to the chief county assessment officer of proof of payment of the total liability, the chief county assessment officer shall provide in reasonable form a release of the lien and shall transmit the funds received to the county treasurer for distribution as provided in subsection (i) of this Section. This liability is deemed delinquent and shall bear interest beginning on the day after the due date at a rate of 1.5% per month or portion thereof.

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(k) The county treasurer shall pay collected erroneous exemption principal amounts, pro rata, unpaid taxes shall be paid to the appropriate taxing districts, or their legal successors, that levied upon the subject property in the assessment year or years for which the erroneous homestead exemptions were granted. The county treasurer shall pay collected interest. Interest shall be paid to the county where the property is located. The county treasurer shall deposit collected penalties into a special fund established by the county treasurer to offset The penalty shall be paid to the chief county assessment officer's office for the costs of administration of the provisions of this amendatory Act of the 98th General Assembly by the chief county assessment officer's office, as appropriated by the county board.

(l) The chief county assessment officer in a county with 3,000,000 or more inhabitants shall establish an amnesty period for all taxpayers owing any tax due to an erroneous homestead exemption granted in a tax year prior to the 2013 tax year. The amnesty period shall begin on the effective date of this amendatory Act of the 98th General Assembly and shall run through December 31, 2013. If, during the amnesty period, the taxpayer pays the entire arrearage of taxes due for tax years prior to 2013, the county clerk shall abate and not seek to collect any interest or penalties that may be applicable and shall not seek civil or criminal prosecution for any taxpayer for tax years prior to 2013. Failure to pay all such taxes due during the amnesty period established under this Section shall invalidate the amnesty period for that taxpayer.

The chief county assessment officer in a county with 3,000,000 or more inhabitants shall (i) mail notice of the amnesty period with the tax bills for the second installment of taxes for the 2012 assessment year and (ii) as soon as possible after the effective date of this amendatory Act of the 98th General Assembly, publish notice of the amnesty period in a newspaper of general circulation in the county. Notices shall include information on the amnesty period, its purpose, and the method by which to make payment.

Taxpayers who are a party to any criminal investigation or to any civil or criminal litigation that is pending in any circuit court or appellate court, or in the Supreme Court of this State, for nonpayment, delinquency, or fraud in relation to any property tax imposed by any taxing district located in the State on the effective date of this amendatory Act of the 98th General Assembly may not take advantage of the amnesty period.

A taxpayer who has claimed 3 or more homestead exemptions in error shall not be eligible for the amnesty period established under this subsection. (Source: P.A. 98-93, eff. 7-16-13; revised 9-11-13.)

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AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 3-3009 as follows:

(55 ILCS 5/3-3009) (from Ch. 34, par. 3-3009)

Sec. 3-3009. Deputy coroner's, sheriff's or police officer's performance of coroner's duties. If there is no coroner, or it shall appear in like manner that he or she is also a party to or interested in the suit, or of kin, or partial to or prejudiced against either party, or the coroner has an economic or personal interest that conflicts with his or her official duties as coroner, the coroner shall disqualify himself or herself from acting at an investigation or inquest and process shall may in like manner issue to the deputy coroner if designated by the coroner to fill the vacancy, or, if no designation is made, to any sheriff, sheriff's deputy or police officer, in the county, who shall perform like duties as required of the coroner. The designation shall be in writing and filed with the county clerk.

(Source: P.A. 91-633, eff. 12-1-99.)

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

Passed in the General Assembly May 14, 2014.
Approved August 1, 2014.
Effective August 1, 2014.
Sec. 4.35. Act repealed on January 1, 2025. The following Act is repealed on January 1, 2025:
The Genetic Counselor Licensing Act.
(5 ILCS 80/4.25 rep.)
Section 10. The Regulatory Sunset Act is amended by repealing Section 4.25.
Section 15. The Genetic Counselor Licensing Act is amended by changing Sections 10, 20, 25, 45, 80, 95, 100, 105, 110, 115, 120, 125, 135, 140, 145, 150, 160, 170, and 180 and by adding Section 190 as follows:
(225 ILCS 135/10)
(Section scheduled to be repealed on January 1, 2015)
Sec. 10. Definitions. As used in this Act:
"ABGC" means the American Board of Genetic Counseling.
"ABMG" means the American Board of Medical Genetics.
"Active candidate status" is awarded to applicants who have received approval from the ABGC or ABMG to sit for their respective certification examinations.
"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department.
"Department" means the Department of Financial and Professional Regulation.
"Director" means the Director of Professional Regulation.
"Genetic anomaly" means a variation in an individual's DNA that has been shown to confer a genetically influenced disease or predisposition to a genetically influenced disease or makes a person a carrier of such variation. A "carrier" of a genetic anomaly means a person who may or may not have a predisposition or risk of incurring a genetically influenced condition and who is at risk of having offspring with a genetically influenced condition.
"Genetic counseling" means the provision of services, which may include the ordering of genetic tests, pursuant to a referral, to individuals, couples, groups, families, and organizations by one or more appropriately trained individuals to address the physical and psychological issues associated with the occurrence or risk of occurrence or recurrence of a genetic disorder, birth defect, disease, or potentially inherited or genetically

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influenced condition in an individual or a family. "Genetic counseling" consists of the following:

(A) Estimating the likelihood of occurrence or recurrence of a birth defect or of any potentially inherited or genetically influenced condition. This assessment may involve:

(i) obtaining and analyzing a complete health history of the person and his or her family;
(ii) reviewing pertinent medical records;
(iii) evaluating the risks from exposure to possible mutagens or teratogens;
(iv) recommending genetic testing or other evaluations to diagnose a condition or determine the carrier status of one or more family members;

(B) Helping the individual, family, health care provider, or health care professional (i) appreciate the medical, psychological and social implications of a disorder, including its features, variability, usual course and management options, (ii) learn how genetic factors contribute to the disorder and affect the chance for recurrence of the condition in other family members, and (iii) understand available options for coping with, preventing, or reducing the chance of occurrence or recurrence of a condition.

(C) Facilitating an individual's or family's (i) exploration of the perception of risk and burden associated with the disorder and (ii) adjustment and adaptation to the condition or their genetic risk by addressing needs for psychological, social, and medical support.

"Genetic counselor" means a person licensed under this Act to engage in the practice of genetic counseling.

"Genetic testing" and "genetic test" mean a test or analysis of human genes, gene products, DNA, RNA, chromosomes, proteins, or metabolites that detects genotypes, mutations, chromosomal changes, abnormalities, or deficiencies, including carrier status, that (i) are linked to physical or mental disorders or impairments, (ii) indicate a susceptibility to illness, disease, impairment, or other disorders, whether physical or mental, or (iii) demonstrate genetic or chromosomal damage due to environmental factors. "Genetic testing" and "genetic tests" do not include routine physical measurements; chemical, blood and urine analyses that are widely accepted and in use in clinical practice; tests for use of drugs; tests for the presence of the human immunodeficiency virus; analyses of proteins or metabolites that do not detect genotypes, mutations, chromosomal changes, abnormalities, or
deficiencies; or analyses of proteins or metabolites that are directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

"Person" means an individual, association, partnership, or corporation.

"Qualified supervisor" means any person who is a licensed genetic counselor, as defined by rule, or a physician licensed to practice medicine in all its branches. A qualified supervisor may be provided at the applicant's place of work, or may be contracted by the applicant to provide supervision. The qualified supervisor shall file written documentation with the Department of employment, discharge, or supervisory control of a genetic counselor at the time of employment, discharge, or assumption of supervision of a genetic counselor.

"Referral" means a written or telecommunicated authorization for genetic counseling services from a physician licensed to practice medicine in all its branches, an advanced practice nurse who has a collaborative agreement with a collaborating physician that authorizes referrals to a genetic counselor, or a physician assistant who has a supervision agreement with a supervising physician that authorizes referrals to a genetic counselor.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Supervision" means review of aspects of genetic counseling and case management in a bimonthly meeting with the person under supervision.

(Source: P.A. 96-1313, eff. 7-27-10.)

(225 ILCS 135/20)

Sec. 20. Restrictions and limitations.

(a) Except Beginning 12 months after the adoption of the final administrative rules, except as provided in Section 15, no person shall, without a valid license as a genetic counselor issued by the Department (i) in any manner hold himself or herself out to the public as a genetic counselor under this Act; (ii) use in connection with his or her name or place of business the title "genetic counselor", "licensed genetic counselor", "gene counselor", "genetic consultant", or "genetic associate" or any words, letters, abbreviations, or insignia indicating or implying a person has met the qualifications for or has the license issued under this Act; or (iii) offer to render or render to individuals, corporations, or the public genetic counseling services if the words "genetic counselor" or "licensed genetic counselor" are
used to describe the person offering to render or rendering them, or "genetic counseling" is used to describe the services rendered or offered to be rendered.

(b) No Beginning 12 months after the adoption of the final administrative rules, no licensed genetic counselor may provide genetic counseling to individuals, couples, groups, or families without a referral from a physician licensed to practice medicine in all its branches, an advanced practice nurse who has a collaborative agreement with a collaborating physician that authorizes referrals to a genetic counselor, or a physician assistant who has been delegated authority to make referrals to genetic counselors. The physician, advanced practice nurse, or physician assistant shall maintain supervision of the patient and be provided timely written reports on the services, including genetic testing results, provided by the licensed genetic counselor. Genetic testing shall be ordered by a physician licensed to practice medicine in all its branches or a genetic counselor pursuant to a referral that gives the specific authority to order genetic tests. Genetic test results and reports shall be provided to the referring physician, advanced practice nurse, or physician assistant. General seminars or talks to groups or organizations on genetic counseling that do not include individual, couple, or family specific counseling may be conducted without a referral. In clinical settings, genetic counselors who serve as a liaison between family members of a patient and a genetic research project, may, with the consent of the patient, provide information to family members for the purpose of gathering additional information, as it relates to the patient, without a referral. In non-clinical settings where no patient is being treated, genetic counselors who serve as a liaison between a genetic research project and participants in that genetic research project may provide information to the participants, without a referral.

(c) No Beginning 12 months after the adoption of the final administrative rules, no association or partnership shall practice genetic counseling unless every member, partner, and employee of the association or partnership who practices genetic counseling or who renders genetic counseling services holds a valid license issued under this Act. No license shall be issued to a corporation, the stated purpose of which includes or which practices or which holds itself out as available to practice genetic counseling, unless it is organized under the Professional Service Corporation Act.

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(d) Nothing in this Act shall be construed as permitting persons licensed as genetic counselors to engage in any manner in the practice of medicine in all its branches as defined by law in this State.

(e) Nothing in this Act shall be construed to authorize a licensed genetic counselor to diagnose, test (unless authorized in a referral), or treat any genetic or other disease or condition.

(f) When, in the course of providing genetic counseling services to any person, a genetic counselor licensed under this Act finds any indication of a disease or condition that in his or her professional judgment requires professional service outside the scope of practice as defined in this Act, he or she shall refer that person to a physician licensed to practice medicine in all of its branches.

(Source: P.A. 96-1313, eff. 7-27-10.)

(225 ILCS 135/25)

Sec. 25. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice as a genetic counselor without being licensed or exempt under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense, as determined by the Department. Civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department may investigate any actual, alleged, or suspected unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a final judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 93-1041, eff. 9-29-04; 94-661, eff. 1-1-06.)

(225 ILCS 135/45)

Sec. 45. Social Security Number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number, which shall be retained in the agency's records

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pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal, reinstated, or restored license shall require the applicant's customer identification number.

(Source: P.A. 97-400, eff. 1-1-12.)

(225 ILCS 135/80)

(Section scheduled to be repealed on January 1, 2015)

Sec. 80. Checks or orders dishonored. Any person who issues or delivers a check or other order to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act prohibiting unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days after notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certification or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license to pay all costs and expenses of processing of this application. The Secretary Director may waive the fines due under this Section in individual cases where the Secretary Director finds that the fines would be unnecessarily burdensome.

(Source: P.A. 93-1041, eff. 9-29-04.)

(225 ILCS 135/95)

(Section scheduled to be repealed on January 1, 2015)

Sec. 95. Grounds for discipline.

(a) The Department may refuse to issue, renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department deems appropriate, including the issuance of fines not to exceed $10,000 for each violation, with regard to any license for any one or more of the following:

(1) Material misstatement in furnishing information to the Department or to any other State agency.

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(2) Violations or negligent or intentional disregard of this Act, or any of its rules.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of genetic counseling. Conviction of any crime under the laws of the United States or any state or territory thereof that is a felony, a misdemeanor, an essential element of which is dishonesty, or a crime that is directly related to the practice of the profession.

(4) Making any misrepresentation for the purpose of obtaining a license, or violating any provision of this Act or its rules.

(5) Negligence Gross negligence in the rendering of genetic counseling services.

(6) Failure to provide genetic testing results and any requested information to a referring physician licensed to practice medicine in all its branches, advanced practice nurse, or physician assistant.

(7) Aiding or assisting another person in violating any provision of this Act or any rules.

(8) Failing to provide information within 60 days in response to a written request made by the Department.

(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public and violating the rules of professional conduct adopted by the Department.

(10) Failing to maintain the confidentiality of any information received from a client, unless otherwise authorized or required by law.

(10.5) Failure to maintain client records of services provided and provide copies to clients upon request.

(11) Exploiting a client for personal advantage, profit, or interest.

(12) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in inability to practice with reasonable skill, judgment, or safety.

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(13) Discipline by another governmental agency or unit of government, by any jurisdiction of the United States, or by a foreign nation jurisdiction, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(14) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered. Nothing in this paragraph (14) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (14) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(15) A finding by the Department that the licensee, after having the license placed on probationary status has violated the terms of probation.

(16) Failing to refer a client to other health care professionals when the licensee is unable or unwilling to adequately support or serve the client.

(17) Willfully filing false reports relating to a licensee's practice, including but not limited to false records filed with federal or State agencies or departments.

(18) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(19) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(20) Physical or mental disability, including deterioration through the aging process or loss of abilities and skills which results in the inability to practice the profession with reasonable judgment, skill, or safety.

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(21) Solicitation of professional services by using false or misleading advertising.

(22) Failure to file a return, or to pay the tax, penalty of interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue or any successor agency or the Internal Revenue Service or any successor agency.

(23) *Fraud or making any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.* A finding that licensure has been applied for or obtained by fraudulent means.

(24) Practicing or attempting to practice under a name other than the full name as shown on the license or any other legally authorized name.

(25) Gross overcharging for professional services, including filing statements for collection of fees or monies for which services are not rendered.

(26) Providing genetic counseling services to individuals, couples, groups, or families without a referral from either a physician licensed to practice medicine in all its branches, an advanced practice nurse who has a collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make referrals to a genetic counselor, or a physician assistant who has been delegated authority to make referrals to genetic counselors.

(27) *Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.*

(28) *Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.*

(b) The Department shall deny, without hearing, any application or renewal for a license under this Act to any person who has defaulted on an educational loan guaranteed by the Illinois State Assistance Commission; however, the Department may issue a license or renewal if the person in default has established a satisfactory repayment record as determined by the Illinois Student Assistance Commission.

(c) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in an automatic suspension of his or her license. The suspension will end upon a finding by a court that

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the licensee is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the determination of the Secretary Director that the licensee be allowed to resume professional practice.

(d) The Department may refuse to issue or renew or may suspend without hearing the license of any person who fails to file a return, to pay the tax penalty or interest shown in a filed return, or to pay any final assessment of the tax, penalty, or interest as required by any Act regarding the payment of taxes administered by the Illinois Department of Revenue until the requirements of the Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) In cases where the Department of Healthcare and Family Services has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) All fines or costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or costs or in accordance with the terms set forth in the order imposing the fine.

(225 ILCS 135/100)

Sec. 100. Violations; injunction; cease and desist order.

(a) If any person violates the provisions of this Act, the Secretary Director may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois or the State's Attorney of any county in which the violation is alleged to have occurred, petition for an order enjoining the violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition, the court with appropriate jurisdiction may issue a temporary restraining order without notice or bond, and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the injunction, the court may punish the
offender for contempt of court. Proceedings under this Section are in addition to all other remedies and penalties provided by this Act.

(b) If any person holds himself or herself out as being a licensed genetic counselor under this Act and is not licensed to do so, then any licensed genetic counselor, interested party, or any person injured thereby may petition for relief as provided in subsection (a) of this Section.

(c) Whenever, in the opinion of the Department, a person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall allow at least 7 days from the date of the rule to file an answer satisfactory to the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued.

(Source: P.A. 93-1041, eff. 9-29-04.)

(225 ILCS 135/105)

(Section scheduled to be repealed on January 1, 2015)

Sec. 105. Investigations; notice and hearing. The Department may investigate the actions of any applicant or any person holding or claiming to hold a license. The Department shall, before revoking, suspending, placing on probation, reprimanding, or taking any other disciplinary action under Section 95 of this Act, at least 30 days prior to the date set for the hearing, (i) notify the accused, in writing, of any charges made and the time and place for the hearing on the charges, (ii) direct him or her to file a written answer to the charges with the Department under oath within 20 days after service of the notice, and (iii) inform the accused that, if he or she fails to answer, default will be taken against him or her or that his or her license or certificate may be suspended, revoked, placed on probationary status, or other disciplinary action taken with regard to the license, including limiting the scope, nature, or extent of his or her practice, as the Department may deem proper. In case the person, after receiving notice, fails to file an answer, his or her license may, in the discretion of the Department, be suspended, revoked, placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. The written notice may be served by personal delivery or certified mail to the licensee's address of record or to the last address specified by the accused in his or her last notification to the Department.

(Source: P.A. 93-1041, eff. 9-29-04.)

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Sec. 110. Record of proceedings; transcript. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case. The notice of hearing, complaint, all other documents in the nature of pleadings, written motions filed in the proceedings, the transcript of testimony, the report of the hearing officer and orders of the Department shall be in the record of such proceeding. The Department shall furnish a transcript of the record to any person interested in the hearing upon payment of the fee required under Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. (Source: P.A. 93-1041, eff. 9-29-04.)

Sec. 115. Subpoenas; depositions; oaths. The Department may have the power to subpoena and to bring before it any person in this State and to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to any investigation or hearing conducted by the Department either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed in civil cases in the courts of this State. The Secretary, the shorthand court reporter, Director and the designated hearing officer may have the power to administer oaths to witnesses at any hearing which the Department conducts is authorized to conduct, and any other oaths authorized in any Act administered by the Department. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony and for the production of documents or records shall be in accordance with this Act. (Source: P.A. 93-1041, eff. 9-29-04.)

Sec. 120. Compelling testimony. Any court, upon application of the Department, designated hearing officer, or the applicant or licensee against whom proceedings under Section 95 of this Act are pending, may enter an order requiring the attendance and testimony of witnesses and their testimony and the production of relevant documents, papers, files, books, and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt. (Source: P.A. 93-1041, eff. 9-29-04.)

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Sec. 125. Findings and recommendations. At the conclusion of the hearing, the hearing officer shall present to the Secretary Director a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding whether the licensee violated this Act or failed to comply with the conditions required in this Act. The hearing officer shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary Director. The report of findings of fact, conclusions of law, and recommendation of the hearing officer shall be the basis for the Department's order for refusing to issue, restore, or renew a license, or for otherwise disciplining a licensee refusal or for the granting of the license. If the Secretary Director disagrees with the recommendations of the hearing officer, the Secretary Director may issue an order in contravention of the hearing officer's recommendations. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 93-1041, eff. 9-29-04.)

Sec. 135. Secretary Director; rehearing. Whenever the Secretary Director believes justice has not been done in the revocation, suspension, or refusal to issue or renew a license or the discipline of a licensee, he or she may order a rehearing.

(Source: P.A. 93-1041, eff. 9-29-04.)

Sec. 140. Appointment of a hearing officer. The Secretary Director has the authority to appoint any attorney licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew a license or permit or to discipline a licensee. The hearing officer has full authority to conduct the hearing. The hearing officer shall report his findings of fact, conclusions of law, and recommendations to the Secretary Director.

(Source: P.A. 93-1041, eff. 9-29-04.)

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Sec. 145. Order or certified copy; prima facie proof. An order or certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary Director, is prima facie proof that:

(1) the signature is the genuine signature of the Secretary Director; and

(2) the Secretary Director is duly appointed and qualified.

(Source: P.A. 93-1041, eff. 9-29-04.)

(225 ILCS 135/150)

(Section scheduled to be repealed on January 1, 2015)

Sec. 150. Restoration of license from discipline suspended or revoked license. At any time after the successful completion of a term of indefinite probation, suspension, or revocation of a license, the Department may restore the license to active status, unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest. No person whose license has been revoked as authorized in this Act may apply for restoration of that license until such time as provided for in the Civil Administrative Code of Illinois. At any time after the suspension or revocation of any license, the Department may restore it to the licensee, unless after an investigation and hearing the Director determines that restoration is not in the public interest.

(Source: P.A. 93-1041, eff. 9-29-04.)

(225 ILCS 135/160)

(Section scheduled to be repealed on January 1, 2015)

Sec. 160. Summary suspension of license. The Secretary Director may summarily suspend the license of a genetic counselor without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 105 of this Act, if the Secretary Director finds that the evidence in the possession of the Director indicates that the continuation of practice by the genetic counselor would constitute an imminent danger to the public. In the event that the Secretary Director summarily suspends the license of an individual without a hearing, a hearing must be held within 30 days after the suspension has occurred and shall be concluded as expeditiously as possible.

(Source: P.A. 93-1041, eff. 9-29-04.)

(225 ILCS 135/170)

(Section scheduled to be repealed on January 1, 2015)

Sec. 170. Certification of record; costs. The Department shall not be required to certify any record to the court, to file an answer in court, or to otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff there is filed in the court,

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with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Failure on the part of the plaintiff to file the receipt in court is grounds for dismissal of the action.
(Source: P.A. 93-1041, eff. 9-29-04.)

(225 ILCS 135/180)
(Section scheduled to be repealed on January 1, 2015)
Sec. 180. Administrative Procedure Act; application. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated in this Act as if all of the provisions of such Act were included in this Act, except that the provision of paragraph (d) of Section 10-65 of the Illinois Administrative Procedure Act, which provides that at hearings the license holder has the right to show compliance with all lawful requirements for retention, continuation, or renewal of the certificate, is specifically excluded. For the purpose of this Act the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the last known address of a party or the address of record.
(Source: P.A. 93-1041, eff. 9-29-04; 94-661, eff. 1-1-06.)

(225 ILCS 135/190 new)
Sec. 190. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee or registrant by the Department or any other complaint issued by the Department against a licensee, registrant, or applicant shall be a public record, except as otherwise prohibited by law.

Passed in the General Assembly May 14, 2014.
Approved August 1, 2014.
Effective January 1, 2015.
AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 286.1, 291.1, 294.1, 297.1, 300.1, and 315.6 and by adding Sections 295.2 and 315.9 as follows:

(215 ILCS 5/286.1) (from Ch. 73, par. 898.1)
(Section scheduled to be repealed on January 1, 2017)
Sec. 286.1. Purposes and Powers.
(a) A society shall operate for the benefit of members and their beneficiaries by:

(1) Providing benefits as specified in Section 297.1 of this amendatory Act; and

(2) Operating for one or more social, intellectual, educational, charitable, benevolent, moral, fraternal, patriotic or religious purposes for the benefit of its members, which may also be extended to others. Such purposes may be carried out directly by the society or indirectly through subsidiary corporations or affiliated organizations.

(b) Every society shall have the power to adopt laws and rules for the government of the society, the admission of its members and the management of its affairs. It shall have the power to change, alter, add to or amend such laws and rules and shall have such other powers as are necessary and incidental to carrying into effect the objects and purposes of the society.

(c) A domestic society that provides any of the benefits specified in Section 297.1 of this Code must be governed by a board of directors and managed by qualified officers subject to the following requirements:

(1) The laws of a society must provide that:

(i) the board of directors shall have the powers and perform the duties ordinarily possessed and exercised by a board of directors under this Code, including, but not limited to, the authority and responsibility for the hiring and the discharge of a president, chief executive officer, or an equivalent position, except that a society that elects its president, chief executive officer, or equivalent position pursuant to its by-laws, as of the effective date of this amendatory Act of the 98th General Assembly, may continue

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to do so if it elects a president, chief executive officer, or equivalent position that meets qualifications set forth in a rule adopted by the Director; and

(iii) the board of directors may remove a director for cause and replace the director with another qualified director.

After the effective date of this amendatory Act of the 98th General Assembly, a domestic society shall amend its laws, as necessary, to comply with this paragraph (1) as soon as reasonably practicable, but in no event later than January 1, 2019.

(2) A person convicted of a felony may not be a director or an officer of a domestic society.

(3) A society shall provide information regarding qualifications of board candidates to voting members prior to the time of election.

(4) Each newly elected director of a domestic society shall participate in a board training or orientation program within 6 months after their election to the board that includes information regarding board duties and responsibilities.

(5) At least annually, the board of directors shall conduct a self-assessment.

(6) Each domestic society shall establish an audit committee. The composition and responsibilities of the audit committee shall comply with the Illinois Administrative Code provisions relating to annual financial reporting.

(Source: P.A. 84-303.)

(215 ILCS 5/291.1) (from Ch. 73, par. 903.1)

Sec. 291.1. Organization. A domestic society organized on or after the effective date of this amendatory Act shall be formed as follows:

(a) Seven or more citizens of the United States, a majority of whom are citizens of this State, who desire to form a fraternal benefit society may make, sign and acknowledge, before some officer competent to take acknowledgement of deeds, articles of incorporation, in which shall be stated:

(1) The proposed corporate name of the society, which shall not so closely resemble the name of any society or insurance company already authorized to transact business in this State as to be misleading or confusing;

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(2) The place where its principal office shall be located within this State;

(3) The purposes for which it is being formed and the mode in which its corporate powers are to be exercised. Such purposes shall not include more liberal powers than are granted by this amendatory Act; and

(4) The names and residences of the incorporators and the names, residences and official titles of all the officers, trustees, directors or other persons who are to have and exercise the general control of the management of the affairs and funds of the society for the first year or until the ensuing election, at which all such officers shall be elected by the supreme governing body, which election shall be held not later than one year from the date of issuance of the permanent certificate of authority;

(b) Duplicate originals of the articles of incorporation, certified copies of the society's bylaws and rules, copies of all proposed forms of certificates, applicants and rates therefor, and circulars to be issued by the society and a bond conditioned upon the return to applicants of the advanced payments if the organization is not completed within one year shall be filed with the Director, who may require such further information as the Director deems necessary. The bond with sureties approved by the Director shall be in such amount, not less than $300,000 nor more than $1,500,000, as required by the Director. All documents filed are to be in the English language. If the Director finds that the purposes of the society conform to the requirements of this amendatory Act and all provisions of the law have been complied with, the Director shall approve the articles of incorporation and issue the incorporators a preliminary certificate of authority authorizing the society to solicit members as hereinafter provided;

(c) No preliminary certificate of authority issued under the provisions of this Section shall be valid after one year from its date of issue or after such further period, not exceeding one year, as may be authorized by the Director, upon cause shown, unless the 500 applicants hereinafter required have been secured and the organization has been completed as herein provided. The articles of incorporation and all other proceedings thereunder shall become null and void in one year from the date of the preliminary certificate of

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authority or at the expiration of the extended period, unless the society shall have completed its organization and received a certificate of authority to do business as hereinafter provided;

(d) Upon receipt of a preliminary certificate of authority from the Director, the society may solicit members for the purpose of completing its organization, shall collect from each applicant the amount of not less than one regular monthly premium in accordance with its table of rates and shall issue to each such applicant a receipt for the amount so collected. No society shall incur any liability other than for the return of such advance premium nor issue any certificate nor pay, allow or offer or promise to pay or allow any benefit to any person until:

(1) Actual bona fide applications for benefits have been secured on not less than 500 applicants and any necessary evidence of insurability has been furnished to and approved by the society;

(2) At least 10 subordinate lodges have been established into which the 500 applicants have been admitted;

(3) There has been submitted to the Director, under oath of the president or secretary, or corresponding officer of the society, a list of such applicants, giving their names, addresses, date each was admitted, name and number of the subordinate lodge of which each applicant is a member, amount of benefits to be granted and premiums therefor; and

(4) It shall have been shown to the Director, by sworn statement of the treasurer or corresponding officer of such society, that a least 500 applicants have each paid in cash at least one regular monthly premium as herein provided, which premiums in the aggregate shall amount to at least $150,000. Said advance premiums shall be held in trust during the period of organization, and, if the society has not qualified for a certificate of authority within one year unless extended by the Director, as herein provided, such premiums shall be returned to said applicants; and

(5) In the case of a domestic society that is organized after the effective date of this amendatory Act of the 98th General Assembly, the society meets the following requirements:

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(i) maintains a minimum surplus of $2,000,000, or such higher amount as the Director may deem necessary; and
(ii) meets any other requirements as determined by the Director.

(e) The Director may make such examination and require such further information as the Director deems necessary. Upon presentation of satisfactory evidence that the society has complied with all the provisions of law, the Director shall issue to the society a certificate of authority to that effect and that the society is authorized to transact business pursuant to the provisions of this amendatory Act; and

(f) Any incorporated society authorized to transact business in this State at the time this amendatory Act becomes effective shall not be required to reincorporate.

(Source: P.A. 84-303.)

(215 ILCS 5/294.1) (from Ch. 73, par. 906.1)
(Section scheduled to be repealed on January 1, 2017)

Sec. 294.1. Reinsurance.

(a) A domestic society may enter into reinsurance transactions only in accordance with Article XI of this Code.

(b) A domestic society may reinsurance the risks of another society in connection with a merger transaction with approval by the Director.

(Source: P.A. 84-303.)

(215 ILCS 5/295.2 new)

Sec. 295.2. Maintenance of solvency.

(a) In the event a domestic society has an authorized control level event described in Section 35A-25 of this Code under circumstances the Director determines will not be promptly remedied, the Director may, in addition to all other actions required or permitted by subsection (b) of Section 35A-25 of this Code, issue an order declaring the domestic society to be in hazardous condition and ordering that all steps be taken to remedy such condition pursuant to this Section.

(b) A domestic society may negotiate an agreement to transfer members, certificates, and other assets and liabilities of the society, in whole or in part, to another organization through merger, consolidation, assumption, or other means. Such transfer shall be concluded within the timeframe established by the Director and subject to approval by the Director. Such transfer agreement shall be deemed fully approved by the Director.

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domestic society upon majority vote of its board of directors. Such transfer shall be effective notwithstanding the provisions of Section 295.1 of this Code or any other law or regulation or laws of the domestic society requiring another form of notice to or approval by members, which shall be superseded by this Section.

(c) In the event of an agreement to transfer under this Section to an organization without a certificate of authority in this State, the Director may grant a limited certificate of authority to such organization, upon request, if the organization does not apply for and obtain a certificate of authority to transact business in this State. Such limited certificate of authority shall grant the organization authority to service the certificates following the transfer and fulfill all obligations owed to certificate holders but not to otherwise transact insurance business in this State.

(d) The board of directors of a domestic society may suspend or modify its qualifications for membership as necessary or appropriate to facilitate an agreement to transfer under this Section, notwithstanding the laws of the society, or any other law or regulation to the contrary.

(215 ILCS 5/297.1) (from Ch. 73, par. 909.1)
(Section scheduled to be repealed on January 1, 2017)

Sec. 297.1. Benefits.

(a) A society may provide the following contractual benefits in any form:

   (1) Death benefits;
   (2) Endowment benefits;
   (3) Annuity benefits;
   (4) Temporary or permanent disability benefits;
   (5) Hospital, medical or nursing benefits;
   (6) Monument or tombstone benefits to the memory of deceased members; and
   (7) Such other benefits as authorized for life insurers and which are not inconsistent with this amendatory Act.

(b) A society shall specify in its rules those persons who may be issued, or covered by, the contractual benefits in subsection (a), consistent with providing benefits to members and their dependents. A society may provide benefits on the lives of children under the minimum age for adult membership upon application of an adult person.

(c) After the effective date of this amendatory Act of the 98th General Assembly, a society shall provide an applicant for contractual benefits a disclosure statement that reads substantially as follows:

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"(name of the society) is licensed to do business in the State of Illinois as a fraternal benefit society. As such, it is not included in the Illinois Life and Health Guaranty Association (otherwise known as the Guaranty Association). This means that fraternal benefit societies cannot be assessed for the insolvency of other life insurers or other fraternal benefit societies. By law, a fraternal benefit society is responsible for its own solvency. If there is an impairment of reserves, a certificate holder may be assessed a proportionate share of the impairment. This process is described in the certificate issued by the society."

The statement must appear immediately above the applicant's signature on the society's membership application or certificate or policy application, in uppercase and bold type or boxed.

(Source: P.A. 84-303.)

(215 ILCS 5/300.1) (from Ch. 73, par. 912.1)

Sec. 300.1. The Benefit Contract.

(a) Every society authorized to do business in this State shall issue to each owner of a benefit contract a certificate specifying the amount of benefits provided thereby. The certificate, together with any riders or endorsements attached thereto, the laws of the society, the application for membership, the application for insurance and declaration of insurability, if any, signed by the applicant and all amendments to each thereof shall constitute the benefit contract, as of the date of issuance, between the society and the owner, and the certificate shall so state. A copy of the application for insurance and declaration of insurability, if any, shall be endorsed upon or attached to the certificate. All statements on the application shall be representations and not warranties. Any waiver of this provision shall be void.

(b) Any changes, additions or amendments to the laws of the society duly made or enacted subsequent to the issuance of the certificate shall bind the owner and the beneficiaries and shall govern and control the benefit contract in all respects the same as though such changes, additions or amendments had been made prior to and were in force at the time of the application for insurance, except that no change, addition or amendment shall destroy or diminish benefits which the society contracted to give the owner as of the date of issuance.

(c) Any person upon whose life a benefit contract is issued prior to attaining the age of majority shall be bound by the terms of the application

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and certificate and by all the laws and rules of the society to the same extent as though the age of majority had been attained at the time of application.

(d) A society shall provide in its laws and its certificates that, if its reserves as to all or any class of certificates become impaired, its board of directors or corresponding body may require that there shall be paid by the owner to the society an assessment in the amount of the owner's equitable proportion of such deficiency as ascertained by its board, and that, if the payment is not made, either (1) it shall stand as an indebtedness against the certificate and draw interest not to exceed the rate specified for certificate loans under the certificates; or (2) in lieu of or in combination with (1), the owner may accept a proportionate reduction in benefits under the certificate.

However, in no event may an assessment obligation be forgiven, credited, or repaid by whatever means or however labeled by the society in lieu of collection or reduction in benefits, unless provided to all society members and approved in writing by the Director, except that the forgiveness or repayment of any assessments issued by a society that remain outstanding as of the date of this amendatory Act of the 98th General Assembly may be forgiven or repaid by any manner or plan certified by an independent actuary and filed with the Director to make reasonable and adequate provision for the forgiveness or repayment of the assessment to all society members. Notwithstanding the foregoing, a society may fully repay, credit, or forgive an assessment from the date of death of any life insured under a certificate so long as the plan to forgive or repay the assessment is certified by an independent actuary and filed with the Director to make reasonable and adequate provision for the forgiveness or repayment of the assessment to all assessed society members as a result of the death. The society may specify the manner of the election and which alternative is to be presumed if no election is made. No such assessment shall take effect unless a 30-day notification has been provided to the Director, who shall have the ability to disapprove the assessment only if the Director finds that such assessment is not in the best interests of the benefit members of the domestic society. Disapproval by the Director shall be made within 30 days after receipt of notice and shall be in writing and mailed to the domestic society. If the Director disapproves the assessment, the reasons therefore shall be stated in the written notice.

(e) Copies of any of the documents mentioned in this Section, certified by the secretary or corresponding officer of the society, shall be received in evidence of the terms and conditions thereof.

New matter indicated by italics - deletions by strikeout
(f) No certificate shall be delivered or issued for delivery in this State unless a copy of the form has been filed with the Director in the manner provided for like policies issued by life insurers in this State. Every life, accident, health or disability insurance certificate and every annuity certificate issued on or after one year from the effective date of this amendatory Act shall meet the standard contract provision requirements not inconsistent with this amendatory Act for like policies issued by life insurers in this State except that a society may provide for a grace period for payment of premiums of one full month in its certificates. The certificate shall also contain a provision stating the amount of premiums which are payable under the certificate and a provision reciting or setting forth the substance of any sections of the society's laws or rules in force at the time of issuance of the certificate which, if violated, will result in the termination or reduction of benefits payable under the certificate. If the laws of the society provide for expulsion or suspension of a member, the certificate shall also contain a provision that any member so expelled or suspended, except for nonpayment of a premium or within the contestable period for material misrepresentation in the application for membership or insurance, shall have the privilege of maintaining the certificate in force by continuing payment of the required premium.

(g) Benefit contracts issued on the lives of persons below the society's minimum age for adult membership may provide for transfer of control or ownership to the insured at an age specified in the certificate. A society may require approval of an application for membership in order to effect this transfer and may provide in all other respect for the regulation, government and control of such certificates and all rights, obligations and liabilities incident thereto and connected therewith. Ownership rights prior to such transfer shall be specified in the certificate.

(h) A society may specify the terms and conditions on which benefit contracts may be assigned.

(Source: P.A. 84-303.)

(215 ILCS 5/315.6) (from Ch. 73, par. 927.6)

(Section scheduled to be repealed on January 1, 2017)

Sec. 315.6. Application of other Code provisions. Unless otherwise provided in this amendatory Act, every fraternal benefit society shall be governed by this amendatory Act and shall be exempt from all other provisions of the insurance laws of this State not only in governmental relations with the State but for every other purpose, except for those provisions specified in this amendatory Act and except as follows:

New matter indicated by italics - deletions by strikeout
(a) Sections 1, 2, 2.1, 3.1, 117, 118, 132, 132.1, 132.2, 132.3, 132.4, 132.5, 132.6, 132.7, 133, 134, 136, 138, 139, 140, 141, 141.01, 141.1, 141.2, 141.3, 143, 143c, 144.1, 147, 148, 149, 150, 151, 152, 153, 154.5, 154.6, 154.7, 154.8, 155, 155.04, 155.05, 155.06, 155.07, 155.08 and 408 of this Code; and
(b) Articles VIII 1/2, XII, XII 1/2, XIII, XXIV, and XXVIII of this Code.

(Source: P.A. 88-364; 89-97, eff. 7-7-95.)

(215 ILCS 5/315.9 new)

Sec. 315.9. Voluntary dissolution. Upon application to the Director, a domestic society may request that it be dissolved and that its existence be terminated. The application shall demonstrate that the applicant has satisfied its members' certificate obligations or that it has transferred such obligations to another organization, domestic or foreign, by means of assumption or bulk reinsurance or otherwise, and that the domestic society's supreme governing body has approved the termination and dissolution. The application shall contain any other information required by the Director. Any limitation related to reinsurance by a domestic society shall not apply to reinsurance entered into in conjunction with the transfer of members' certificate obligations as a part of a voluntary dissolution. Upon approval of the application by the Director, the domestic society shall be deemed dissolved and its existence terminated as of the date set forth in the application.

Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0815
(Senate Bill No. 0822)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Sections 18.4 and 18.5 as follows:

(20 ILCS 1705/18.4)
Sec. 18.4. Community Mental Health Medicaid Trust Fund; reimbursement.

New matter indicated by italics - deletions by strikeout
(a) The Community Mental Health Medicaid Trust Fund is hereby created in the State Treasury.

(b) Amounts paid to the State during each State fiscal year by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health providers, and any interest earned thereon, shall be deposited 100% into the Community Mental Health Medicaid Trust Fund. Not more than $4,500,000 of the Community Mental Health Medicaid Trust Fund may be used by the Department of Human Services' Division of Mental Health for oversight and administration of community mental health services, and of that amount no more than $1,000,000 may be used for the support of community mental health service initiatives. The remainder shall be used for the purchase of community mental health services.

(b-5) Whenever a State mental health facility operated by the Department is closed and the real estate on which the facility is located is sold by the State, the net proceeds of the sale of the real estate shall be deposited into the Community Mental Health Medicaid Trust Fund and used for the purposes enumerated in subsections (c) and (c-1) of Section 4.6 of the Community Services Act; however, under subsection (e) of Section 4.6 of the Community Services Act, the Department may set aside a portion of the net proceeds of the sale of the real estate for deposit into the Human Services Priority Capital Program Fund. The portion set aside shall be used for the purposes enumerated in Section 6z-71 of the State Finance Act.

(c) The Department shall reimburse community mental health providers for services provided to eligible individuals. Moneys in the Trust Fund may be used for that purpose.

(c-5) The Community Mental Health Medicaid Trust Fund is not subject to administrative charge-backs.

(c-10) The Department of Human Services shall annually report to the Governor and the General Assembly, by September 1, on both the total revenue deposited into the Trust Fund and the total expenditures made from the Trust Fund for the previous fiscal year. This report shall include detailed descriptions of both revenues and expenditures regarding the Trust Fund from the previous fiscal year. This report shall be presented by the Secretary of Human Services to the appropriate Appropriations Committee in the House of Representatives, as determined by the Speaker of the House, and in the Senate, as determined by the President of the Senate. This report shall be made available to the public and shall be published on the Department of

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Human Services' website in an appropriate location, a minimum of one week prior to presentation of the report to the General Assembly.

(d) As used in this Section:
"Trust Fund" means the Community Mental Health Medicaid Trust Fund.
"Community mental health provider" means a community agency that is funded by the Department to provide a service.
"Service" means a mental health service provided pursuant to the provisions of administrative rules adopted by the Department and funded by or claimed through the Department of Human Services' Division of Mental Health.

(Source: P.A. 96-660, eff. 8-25-09; 96-820, eff. 11-18-09; 96-868, eff. 7-1-12; 97-333, eff. 8-12-11.)

(20 ILCS 1705/18.5)
Sec. 18.5. Community Developmental Disability Services Medicaid Trust Fund; reimbursement.

(a) The Community Developmental Disability Services Medicaid Trust Fund is hereby created in the State treasury.

(b) Except as provided in subsection (b-5), any funds in any fiscal year paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community developmental disability services providers for services relating to Developmental Training and Community Integrated Living Arrangements as a result of the conversion of such providers from a grant payment methodology to a fee-for-service payment methodology, or any other funds paid to the State for any subsequent revenue maximization initiatives performed by such providers, and any interest earned thereon, shall be deposited directly into the Community Developmental Disability Services Medicaid Trust Fund to pay for Medicaid-reimbursed community developmental disability services provided to eligible individuals.

(b-5) Beginning in State fiscal year 2008, any funds paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered through the Children's Residential Waiver and the Children's In-Home Support Waiver shall be deposited directly into the Trust Fund and shall not be subject to the transfer provisions of subsection (b).

(b-7) The Community Developmental Disability Services Medicaid Trust Fund is not subject to administrative charge-backs.
(b-9) The Department of Human Services shall annually report to the Governor and the General Assembly, by September 1, on both the total revenue deposited into the Trust Fund and the total expenditures made from the Trust Fund for the previous fiscal year. This report shall include detailed descriptions of both revenues and expenditures regarding the Trust Fund from the previous fiscal year. This report shall be presented by the Secretary of Human Services to the appropriate Appropriations Committee in the House of Representatives, as determined by the Speaker of the House, and in the Senate, as determined by the President of the Senate. This report shall be made available to the public and shall be published on the Department of Human Services' website in an appropriate location, a minimum of one week prior to presentation of the report to the General Assembly.

(b-10) Whenever a State developmental disabilities facility operated by the Department is closed and the real estate on which the facility is located is sold by the State, the net proceeds of the sale of the real estate shall be deposited into the Community Developmental Disability Services Medicaid Trust Fund and used for the purposes enumerated in subsections (c) and (d) of Section 4.6 of the Community Services Act; however, under subsection (e) of Section 4.6 of the Community Services Act, the Department may set aside a portion of the net proceeds of the sale of the real estate for deposit into the Human Services Priority Capital Program Fund. The portion set aside shall be used for the purposes enumerated in Section 6z-71 of the State Finance Act.

(c) For purposes of this Section:

"Trust Fund" means the Community Developmental Disability Services Medicaid Trust Fund.

"Medicaid-reimbursed developmental disability services" means services provided by a community developmental disability provider under an agreement with the Department that is eligible for reimbursement under the federal Title XIX program or Title XXI program.

"Provider" means a qualified entity as defined in the State's Home and Community-Based Services Waiver for Persons with Developmental Disabilities that is funded by the Department to provide a Medicaid-reimbursed service.

"Revenue maximization alternatives" do not include increases in funds paid to the State as a result of growth in spending through service expansion or rate increases.

(Source: P.A. 96-660, eff. 8-25-09; 96-868, eff. 7-1-12.)

New matter indicated by italics - deletions by strikeout
Section 10. The State Finance Act is amended by changing Section 6z-71 as follows:

(30 ILCS 105/6z-71)

Sec. 6z-71. Human Services Priority Capital Program Fund. The Human Services Priority Capital Program Fund is created as a special fund in the State treasury. Subject to appropriation, the Department of Human Services shall use moneys in the Human Services Priority Capital Program Fund to make grants to the Illinois Facilities Fund, a not-for-profit corporation, to make long term below market rate loans to nonprofit human service providers working under contract to the State of Illinois to assist those providers in meeting their capital needs. The loans shall be for the purpose of such capital needs, including but not limited to special use facilities, requirements for serving the disabled, mentally ill, or substance abusers, and medical and technology equipment. Loan repayments shall be deposited into the Human Services Priority Capital Program Fund. Interest income may be used to cover expenses of the program. The Illinois Facilities Fund shall report to the Department of Human Services and the General Assembly by April 1, 2008, and again by April 1, 2009, as to the use and earnings of the program.

A portion of the proceeds from the sale of a mental health facility or developmental disabilities facility operated by the Department of Human Services may be deposited into the Fund and may be used for the purposes described in this Section.

(Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08.)

Section 15. The Community Services Act is amended by changing Section 4.6 as follows:

(405 ILCS 30/4.6)

Sec. 4.6. Closure and sale of State mental health or developmental disabilities facility.

(a) Whenever a State mental health facility operated by the Department of Human Services is closed and the real estate on which the facility is located is sold by the State, then, to the extent that net proceeds are realized from the sale of that real estate, those net proceeds must be used for mental health services or to support mental health services directed toward providing other services and supports for persons with mental health needs. To that end, those net proceeds shall be deposited into the Community Mental Health Medicaid Trust Fund. The net proceeds from the sale of a State mental health facility may be spent over a number of fiscal years and

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are not required to be spent in the same fiscal year in which they are deposited.

(b) Whenever a State developmental disabilities facility operated by the Department of Human Services is closed and the real estate on which the facility is located is sold by the State, then, to the extent that net proceeds are realized from the sale of that real estate, those net proceeds must be directed toward providing other services and supports for persons with developmental disabilities needs. To that end, those net proceeds shall be deposited into the Community Developmental Disability Services Medicaid Trust Fund. The net proceeds from the sale of a State developmental disabilities facility may be spent over a number of fiscal years and are not required to be spent in the same fiscal year in which they are deposited.

(c) The sale of a State mental health or developmental disabilities facility shall be done in accordance with applicable State laws and, if a State mental health or developmental disabilities facility to be sold has been financed or refinanced with tax-exempt bonds, applicable federal laws. In determining whether any net proceeds are realized from a sale of real estate described in subsection (a) or (b), the Division of Developmental Disabilities and the Division of Mental Health of the Department of Human Services shall each first determine the money, if any, that shall be made available for infrastructure not to exceed 25% of the proceeds of the sale of the real estate to ensure that life, safety, and care concerns, including infrastructure, are addressed so as to provide for persons with developmental disabilities or mental illness at the remaining respective State-operated facilities that will be expected to serve the individuals previously served at the closed facility. That amount shall be excluded from the calculation of net proceeds by the Division of Developmental Disabilities or the Division of Mental Health, or both, of the Department of Human Services. Amounts determined by the Department for infrastructure to be necessary to ensure that life, safety, and care concerns are addressed shall be deposited, respectively, into the Community Mental Health Medicaid Trust Fund or the Community Developmental Disability Services Medicaid Trust Fund.

(c-1) To the extent that a State mental health facility which has been closed served a geographical area, at minimum, 40% of the resulting net proceeds of its sale shall be made exclusively in the facility's geographical area. If any other State-operated mental health facility which served a specific geographic area was closed within one year before or after the closure of the facility whose sale has resulted in net proceeds under this Section, 20% of the proceeds shall be used to provide services in the geographical area.

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geographic area of this facility. The remainder of the net proceeds may be spent anywhere in the State. All net proceeds may be used for the following mental health services and supports, to include, but not limited to:

(1) Permanent Supportive housing.
(2) Technology that enables behavioral health providers to participate in health information exchanges.
(3) Assertive Community Treatment and Community Support Team.
(4) Transitional living apartments.
(5) Crisis residential services targeted at diverting persons with mental illnesses from emergency departments (including peer run crisis services).
(6) Psychiatric services.
(7) Community mental health services targeted at diverting persons with mental illness from the criminal justice system.
(8) Individual Placement and Support and other services to support employment.
(9) Alcohol and substance abuse treatment.

(d) The purposes for which the net proceeds from a sale of real estate as provided in subsection (b) of this Section may be used include, but are not limited to, the following:

(1) Providing individuals with developmental disabilities community–based Medicaid services and supports such as residential habilitation, day programs, supported employment, home-based supports, therapies, adaptive equipment, and home modifications.
(2) Assisting individuals with developmental disabilities through case management, service coordination, and assessments.
(3) Strengthening the service delivery system through crisis intervention services.
(4) Enhancing the service delivery system through infrastructure improvements, including technology improvements.

(1) Providing for individuals with developmental disabilities and mental health needs the services and supports described in subsection (c) of Section 4.4.
(2) In the case of the closure of a mental health facility, the construction of a new facility to serve the needs of persons with mental health needs.

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(3) In the case of the closure of a developmental disabilities facility, construction of a new facility to serve the needs of persons with developmental disabilities needs.

(e) Whenever any net proceeds are realized from a sale of real estate as provided in this Section, the Department of Human Services shall share and discuss its plan or plans for using those net proceeds with advocates, advocacy organizations, and advisory groups whose mission includes advocacy for persons with developmental disabilities or persons with mental illness.

(f) Consistent with the provisions of Sections 4.4 and 4.5 of this Act, whenever a State mental health facility operated by the Department of Human Services is closed, the Department of Human Services, at the direction of the Governor, shall transfer funds from the closed facility to the appropriate line item providing appropriation authority for the new venue of care to facilitate the transition of services to the new venue of care, provided that the new venue of care is a Department of Human Services funded provider or facility.

(g) As used in this Section, the term "mental health facility" has the meaning ascribed to that term in the Mental Health and Developmental Disabilities Code.

(Source: P.A. 98-403, eff. 1-1-14.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 14, 2014.
Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0816
(Senate Bill No. 1841)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-207 as follows:

(20 ILCS 2105/2105-207 new)
Sec. 2105-207. Records of Department actions.
(a) Any licensee subject to a licensing Act administered by the Division of Professional Regulation and who has been subject to disciplinary action by the Department may file an application with the Department on

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forms provided by the Department, along with the required fee of $200, to have the records classified as confidential, not for public release and considered expunged for reporting purposes if:

(1) the application is submitted more than 7 years after the disciplinary offense or offenses occurred;
(2) the licensee has had no incidents of discipline under the licensing Act since the disciplinary offense or offenses identified in the application occurred;
(3) the Department has no pending investigations against the licensee; and
(4) the licensee is not currently in a disciplinary status.

(b) An application to make disciplinary records confidential shall only be considered by the Department for an offense or action relating to:
(1) failure to pay taxes or student loans;
(2) continuing education;
(3) failure to renew a license on time;
(4) failure to obtain or renew a certificate of registration or ancillary license;
(5) advertising; or
(6) any grounds for discipline removed from the licensing Act.

(c) An application shall be submitted to and considered by the Director of the Division of Professional Regulation upon submission of an application and the required non-refundable fee. The Department may establish additional requirements by rule. The Department is not required to report the removal of any disciplinary record to any national database. Nothing in this Section shall prohibit the Department from using a previous discipline for any regulatory purpose or from releasing records of a previous discipline upon request from law enforcement, or other governmental body as permitted by law. Classification of records as confidential shall result in removal of records of discipline from records kept pursuant to Sections 2105-200 and 2105-205 of this Act.

Section 10. The Health Care Professional Credentials Data Collection Act is amended by adding Section 51 as follows:

(410 ILCS 517/51 new)

Sec. 51. Licensure records. Licensure records designated confidential and considered expunged for reporting purposes by the licensee under Section 2105-207 of the Civil Administrative Code are not reportable under this Act.

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

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AN ACT concerning government.

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

Section 5. The Child Care Act of 1969 is amended by changing Section 7 as follows:

(225 ILCS 10/7) (from Ch. 23, par. 2217)

Sec. 7. (a) The Department must prescribe and publish minimum standards for licensing that apply to the various types of facilities for child care defined in this Act and that are equally applicable to like institutions under the control of the Department and to foster family homes used by and under the direct supervision of the Department. The Department shall seek the advice and assistance of persons representative of the various types of child care facilities in establishing such standards. The standards prescribed and published under this Act take effect as provided in the Illinois Administrative Procedure Act, and are restricted to regulations pertaining to the following matters and to any rules and regulations required or permitted by any other Section of this Act:

(1) The operation and conduct of the facility and responsibility it assumes for child care;

(2) The character, suitability and qualifications of the applicant and other persons directly responsible for the care and welfare of children served. All child day care center licensees and employees who are required to report child abuse or neglect under the Abused and Neglected Child Reporting Act shall be required to attend training on recognizing child abuse and neglect, as prescribed by Department rules;

(3) The general financial ability and competence of the applicant to provide necessary care for children and to maintain prescribed standards;

(4) The number of individuals or staff required to insure adequate supervision and care of the children received. The standards shall provide that each child care institution, maternity center, day

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care center, group home, day care home, and group day care home shall have on its premises during its hours of operation at least one staff member certified in first aid, in the Heimlich maneuver and in cardiopulmonary resuscitation by the American Red Cross or other organization approved by rule of the Department. Child welfare agencies shall not be subject to such a staffing requirement. The Department may offer, or arrange for the offering, on a periodic basis in each community in this State in cooperation with the American Red Cross, the American Heart Association or other appropriate organization, voluntary programs to train operators of foster family homes and day care homes in first aid and cardiopulmonary resuscitation;

(5) The appropriateness, safety, cleanliness and general adequacy of the premises, including maintenance of adequate fire prevention and health standards conforming to State laws and municipal codes to provide for the physical comfort, care and well-being of children received;

(6) Provisions for food, clothing, educational opportunities, program, equipment and individual supplies to assure the healthy physical, mental and spiritual development of children served;

(7) Provisions to safeguard the legal rights of children served;

(8) Maintenance of records pertaining to the admission, progress, health and discharge of children, including, for day care centers and day care homes, records indicating each child has been immunized as required by State regulations. The Department shall require proof that children enrolled in a facility have been immunized against Haemophilus Influenzae B (HIB);

(9) Filing of reports with the Department;

(10) Discipline of children;

(11) Protection and fostering of the particular religious faith of the children served;

(12) Provisions prohibiting firearms on day care center premises except in the possession of peace officers;

(13) Provisions prohibiting handguns on day care home premises except in the possession of peace officers or other adults who must possess a handgun as a condition of employment and who reside on the premises of a day care home;

(14) Provisions requiring that any firearm permitted on day care home premises, except handguns in the possession of peace...

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officers, shall be kept in a disassembled state, without ammunition, in locked storage, inaccessible to children and that ammunition permitted on day care home premises shall be kept in locked storage separate from that of disassembled firearms, inaccessible to children;

(15) Provisions requiring notification of parents or guardians enrolling children at a day care home of the presence in the day care home of any firearms and ammunition and of the arrangements for the separate, locked storage of such firearms and ammunition; and

(16) Provisions requiring all licensed child care facility employees who care for newborns and infants to complete training every 3 years on the nature of sudden unexpected infant death (SUID), sudden infant death syndrome (SIDS), and the safe sleep recommendations of the American Academy of Pediatrics.

(b) If, in a facility for general child care, there are children diagnosed as mentally ill, intellectually disabled or physically handicapped, who are determined to be in need of special mental treatment or of nursing care, or both mental treatment and nursing care, the Department shall seek the advice and recommendation of the Department of Human Services, the Department of Public Health, or both Departments regarding the residential treatment and nursing care provided by the institution.

(c) The Department shall investigate any person applying to be licensed as a foster parent to determine whether there is any evidence of current drug or alcohol abuse in the prospective foster family. The Department shall not license a person as a foster parent if drug or alcohol abuse has been identified in the foster family or if a reasonable suspicion of such abuse exists, except that the Department may grant a foster parent license to an applicant identified with an alcohol or drug problem if the applicant has successfully participated in an alcohol or drug treatment program, self-help group, or other suitable activities.

(d) The Department, in applying standards prescribed and published, as herein provided, shall offer consultation through employed staff or other qualified persons to assist applicants and licensees in meeting and maintaining minimum requirements for a license and to help them otherwise to achieve programs of excellence related to the care of children served. Such consultation shall include providing information concerning education and training in early childhood development to providers of day care home services. The Department may provide or arrange for such education and training for those providers who request such assistance.

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(e) The Department shall distribute copies of licensing standards to all licensees and applicants for a license. Each licensee or holder of a permit shall distribute copies of the appropriate licensing standards and any other information required by the Department to child care facilities under its supervision. Each licensee or holder of a permit shall maintain appropriate documentation of the distribution of the standards. Such documentation shall be part of the records of the facility and subject to inspection by authorized representatives of the Department.

(f) The Department shall prepare summaries of day care licensing standards. Each licensee or holder of a permit for a day care facility shall distribute a copy of the appropriate summary and any other information required by the Department, to the legal guardian of each child cared for in that facility at the time when the child is enrolled or initially placed in the facility. The licensee or holder of a permit for a day care facility shall secure appropriate documentation of the distribution of the summary and brochure. Such documentation shall be a part of the records of the facility and subject to inspection by an authorized representative of the Department.

(g) The Department shall distribute to each licensee and holder of a permit copies of the licensing or permit standards applicable to such person's facility. Each licensee or holder of a permit shall make available by posting at all times in a common or otherwise accessible area a complete and current set of licensing standards in order that all employees of the facility may have unrestricted access to such standards. All employees of the facility shall have reviewed the standards and any subsequent changes. Each licensee or holder of a permit shall maintain appropriate documentation of the current review of licensing standards by all employees. Such records shall be part of the records of the facility and subject to inspection by authorized representatives of the Department.

(h) Any standards involving physical examinations, immunization, or medical treatment shall include appropriate exemptions for children whose parents object thereto on the grounds that they conflict with the tenets and practices of a recognized church or religious organization, of which the parent is an adherent or member, and for children who should not be subjected to immunization for clinical reasons.

(i) The Department, in cooperation with the Department of Public Health, shall work to increase immunization awareness and participation among parents of children enrolled in day care centers and day care homes by publishing on the Department's website information about the benefits of immunization against vaccine preventable diseases, including influenza and

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pertussis. The information for vaccine preventable diseases shall include the incidence and severity of the diseases, the availability of vaccines, and the importance of immunizing children and persons who frequently have close contact with children. The website content shall be reviewed annually in collaboration with the Department of Public Health to reflect the most current recommendations of the Advisory Committee on Immunization Practices (ACIP). The Department shall work with day care centers and day care homes licensed under this Act to ensure that the information is annually distributed to parents in August or September.

(j) Any standard adopted by the Department that requires an applicant for a license to operate a day care home to include a copy of a high school diploma or equivalent certificate with his or her application shall be deemed to be satisfied if the applicant includes a copy of a high school diploma or equivalent certificate or a copy of a degree from an accredited institution of higher education or vocational institution or equivalent certificate.

(Source: P.A. 96-391, eff. 8-13-09; 97-83, eff. 1-1-12; 97-227, eff. 1-1-12; 97-494, eff. 8-22-11; 97-813, eff. 7-13-12.)

Passed in the General Assembly May 16, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0818
(Senate Bill No. 2598)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Highway Code is amended by changing Section 6-501 as follows:

(605 ILCS 5/6-501) (from Ch. 121, par. 6-501)
Sec. 6-501. (a) Findings and purpose. The General Assembly finds:
(1) That the financial conditions of the Township and District road systems of the State of Illinois have suffered adversely as a result of changes in law concerning assessed valuation of property for tax purposes. That as a result of the changes beginning in 1945, the rates of permissible levy were first halved to accommodate full fair value, but never restored when subsequent law change established the legal

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assessed valuation at 50% of fair market value as equalized by the Department of Revenue.

(2) Townships and district road systems, as a result of the decreased financial support, have suffered a decline in ability to maintain or improve roads and bridges in a safe condition to permit the normal and ordinary use of its highway system. In many instances bridges have been closed and detours required because of impossible road conditions resulting in hardships for school districts in transporting pupils and for farms in moving products to market.

(3) Further, cost for maintenance and improvements have risen faster than the valuations of property, the base of financial support.

(4) To solve these problems, this Act makes changes in rates of taxation -- returning Townships and District road systems to their approximate financial viability prior to 1945.

(b) The highway commissioner for each road district in each county not under township organization shall on or before the third Tuesday in December of each year determine and certify to the county board the amount necessary to be raised by taxation for road purposes and for the salaries of elected road district officials in the road district.

Should any highway commissioner during the last year of his term of office for any reason not file the certificate in the office of the county clerk, as required by this Section, in time for presentation to the regular September meeting of the county board, the clerk shall present in lieu thereof a certificate equal in amount to that presented for the preceding year.

In every such county the certificate shall be filed in the office of the county clerk and by that official presented to the county board at the regular September meeting for the consideration of the board. The amount so certified if approved by the county board, or the part thereof as the county board does approve, shall be extended by the county clerk as road taxes against the taxable property of the district.

(c) The highway commissioner in each road district in each county having adopted township organization shall in accordance with the Illinois Municipal Budget Law at least 30 days prior to the public meeting required by this paragraph, each year prepare or cause to be prepared a tentative budget and appropriation ordinance and file the same with the clerk of the township or consolidated township road district, as the case may be, who shall make the tentative budget and appropriation ordinance conveniently available to the public inspection for at least 30 days prior to final action. One
public hearing shall be held. This public hearing shall be held on or before the last day of the first quarter of the fiscal year before the township board of trustees or the highway board of trustees, as the case may be. Notice of the hearing shall be given by publication in a newspaper published in the road district at least 30 days prior to the time of the hearing. If there is no newspaper published in the road district, notice of the public hearing shall be given by posting notices in 5 of the most public places in the district. It shall be the duty of the clerk of the road district to arrange for the public hearing. The township board of trustees or highway board of trustees, as the case may be, at the public hearing shall adopt the tentative budget and appropriation ordinance, or any part as the board of trustees deem necessary.

On or before the last Tuesday in December the township board of trustees or highway board of trustees or road district commissioner, as the case may be, shall levy and certify to the county clerk the amount necessary to be raised by taxation for road purposes and the road district commissioner shall levy and certify to the county clerk the amount necessary to be raised by taxation for the salaries of elected road district officials in the road district, as determined by the highway commissioner.

The amount so certified shall be extended by the county clerk as road taxes against the taxable property of the district.

On or after October 10, 1991, a road district commissioner whose district is located in a county not under township organization may not levy separately a tax for salaries of elected road district officials unless the tax has been first approved by a majority of the electors voting on the question at a referendum conducted in accordance with the general election law. The question submitted to the electors at the referendum shall be in substantially the following form: "Shall the road district commissioner be authorized to levy an annual tax for the salaries of elected road district officials under Section 6-501 of the Illinois Highway Code?"

Except as is otherwise permitted by this Code and when the road district commissioner establishes the tax rate for the salaries of elected road district officials, the county clerk shall not extend taxes for road purposes against the taxable property in any road district at rates in excess of the following:

(1) in a road district comprised of a single township in a county having township organization, at a rate in excess of .125% of the value, as equalized or assessed by the Department of Revenue; unless before the last Tuesday in December annually the highway commissioner of the township road district shall have secured the

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consent in writing of a majority of the members of the township board of trustees to the extension of a greater rate, in which case the rate shall not exceed that approved by a majority of the members of the township board of trustees, but in no case shall it exceed .165% of the value, as equalized or assessed by the Department. Once approved by the township board of trustees, the rate shall remain in effect until changed by the township board of trustees;

(2) in a consolidated township road district, at a rate in excess of .175% of the value, as equalized or assessed by the Department of Revenue;

(3) in a road district in a county not having township organization, at a rate in excess of .165% of the value, as equalized or assessed by the Department of Revenue.

However, road districts that have higher tax rate limitations on a permanent basis for road purposes on July 1, 1967, than the limitations herein provided, may continue to levy the road taxes at the higher limitations, and the county clerk shall extend the taxes at not to exceed the higher limitations.

If the amount of taxes levied by the township board of trustees or the highway board of trustees or approved by the county board in any case is in excess of the amount that may be extended the county clerk shall reduce the amount so that the rate extended shall be no greater than authorized by law. However, the tax shall not be reduced or scaled in any manner whatever by reason of the levy and extension by the county clerk of any tax to pay the principal or interest, or both, of any bonds issued by a road district.

The taxes, when collected, shall be held by the treasurer of the district as the regular road fund of the district.

Notwithstanding any other provision of law, for a period of time ending 18 years after the effective date of this amendatory Act of 1994, a road district or consolidated road district may accumulate up to 50% of the taxes collected from a subdivision under this Section for improvements of nondedicated roads within the subdivision from which and for which the taxes were collected. These nondedicated roads will become a part of the township and district road system if the roads meet the criteria established by the counties in which the roads are located. The total accumulations under this provision may not exceed 10% of the total funds held by the district for road purposes. This provision applies only to townships within counties adjacent to a county with a population of 3,000,000 or more and only with respect to subdivisions whose plats were filed or recorded before July 23, 1959.
Notwithstanding any other provision of law, for a period of time ending 10 years after the effective date of this amendatory Act of the 98th General Assembly, a road district or consolidated road district may accumulate up to 50% of the taxes collected from a subdivision under this Section for improvements of nondedicated roads within the subdivision from which and for which the taxes were collected. These nondedicated roads will become a part of the township and district road system if the roads meet the criteria established by the counties in which the roads are located. The total accumulations under this provision may not exceed 10% of the total funds held by the district for road purposes. This provision applies only to townships within counties adjacent to a county with a population of 3,000,000 or more and only with respect to subdivisions whose plats were filed or recorded before July 23, 1959.

Any road district may accumulate funds for the purpose of acquiring, constructing, repairing and improving buildings and procuring land in relation to the building and for the purpose of procuring road maintenance apparatus and equipment, and for the construction of roads, and may annually levy taxes for the purposes in excess of its current requirements for other purposes, subject to the tax rate limitations provided in this Section, provided a proposition to accumulate funds for the purposes is first submitted to and approved by the electors of the district. The proposition shall be certified to the proper election officials by the district clerk upon the direction of the highway commissioner, and the election officials shall submit the proposition at a regular election. Notice and conduct of the referendum shall be in accordance with the general election law. The proposition shall be in substantially the following form:

Shall .......... road district accumulate funds in the amount of $........ for ....... years for the purpose of acquiring, constructing, repairing and improving buildings and procuring land therefor, and for procuring road maintenance apparatus and equipment and for the construction of roads? YES

NO

If a majority of the electors voting on the proposition vote in favor of it, the road district may use a portion of the funds levied, subject to the tax

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rate limitations provided in this Section, for the purposes for which accumulation was authorized. It shall not be a valid objection to any subsequent tax levy made under this Section, that there remains unexpended money arising from the levy of a prior year because of an accumulation permitted by this Section and provided for in the budget for that prior year.

(d) Any road district may accumulate moneys in a dedicated fund for a specific capital construction or maintenance project or a major equipment purchase without submitting a proposition to the electors of the district if the annual budget and appropriation ordinance for the road district states the amount, purpose, and duration of any accumulation of funds authorized under this Section, with specific reference to each project to be constructed or equipment to be purchased. Nothing in this subsection precludes a road district from accumulating moneys for non-specific purposes as provided in this Section.

(Source: P.A. 92-395, eff. 8-16-01; 92-656, eff. 7-16-02.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0819
(Senate Bill No. 2608)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Insurance Code is amended by adding Section 155.45 as follows:

(215 ILCS 5/155.45 new)
Sec. 155.45. Certificates of insurance.
(a) In this Section:
"Certificate of insurance" means a document prepared by an insurer or insurance producer as evidence of property or casualty insurance coverage. "Certificate of insurance" does not include a policy of insurance, an insurance binder, a policy endorsement, or a motor vehicle insurance identification or information card.
"Department" means the Department of Insurance.
"Director" means the Director of Insurance.

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"Insurance producer" means a person required to be licensed under the laws of this State to sell, solicit, or negotiate insurance.

"Insurer" means a company, firm, partnership, association, order, society, or system making any kind or kinds of insurance and shall include associations operating as Lloyds, reciprocal or interinsurers, or individual underwriters.

"Person" means any individual, aggregation of individuals, trust, association, partnership, or corporation, or any affiliate thereof.

"Property or casualty insurance" means the kinds of insurance described in either or both Class 2 or Class 3 of Section 4 of this Code.

(b) This Section applies to a certificate of insurance that is issued in connection with a contract related to property, operations, or risks located in this State, regardless of the location of the policyholder, insurer, insurance producer, or person that requests or requires the issuance of the certificate of insurance.

(c) The use of a certificate of insurance form that is unfair, misleading, or deceptive or violates any law is an unfair and deceptive act or practice in the business of insurance under Article XXVI of this Code.

(d) A certificate of insurance may not amend, extend, or alter the coverage provided under, or confer to a person any rights in addition to the rights expressly provided in, the policy of property or casualty insurance to which the certificate of insurance refers.

(e) A person may not prepare, issue, request, or require the issuance of a certificate of insurance that:

(1) contains false or misleading information concerning the policy of property or casualty insurance to which the certificate of insurance refers; or

(2) alters, amends, or extends the coverage provided by the policy of property or casualty insurance to which the certificate of insurance refers.

(f) A certificate of insurance may not contain a warranty that the policy of property or casualty insurance to which the certificate of insurance refers complies with the insurance or indemnification requirements of a contract. The inclusion of a contract number or contract description in a certificate of insurance does not warrant that the policy of property or casualty insurance to which the certificate of insurance refers complies with the insurance or indemnification requirements of the contract.
(g) A person is not entitled to notice of, cancellation of, nonrenewal of, or a material change in a policy of property or casualty insurance unless the person has notice rights under the terms of the policy of property or casualty insurance or an endorsement to the policy. The terms and conditions of notice described in this subsection (g) are governed by the policy of property or casualty insurance or an endorsement to the policy and are not altered by a certificate of insurance.

(h) A certificate of insurance or any other document that is prepared, issued, requested, or required in violation of this Section is void.

(i) The Director may refer a matter to the Department of Financial and Professional Regulation for review pursuant to the rules of that department if the Director has reason to believe that a certificate of insurance form as described in subsection (c) of this Section has been provided by a financial institution.

(j) The Director may examine and investigate the activities of a person that the Director reasonably believes has violated the provisions of this Section. The Director shall have the power to enforce the provisions of this Section and impose any authorized penalty or remedy as provided under Section 401 of this Code upon any person who violates the provisions of this Section.

(k) The Department may adopt rules to implement the provisions of this Section.

Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0820
(Senate Bill No. 2633)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Recreational Trails of Illinois Act is amended by changing Sections 26 and 34 as follows:

(20 ILCS 862/26)

Sec. 26. Operation of off-highway vehicles without an Off-Highway Vehicle Usage Stamp. Except as hereinafter provided, no person shall, on or after July 1, 2013, operate any off-highway vehicle within the State unless the off-highway vehicle has attached an Off-Highway Vehicle Usage Stamp

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purchased and displayed in accordance with the provisions of this Act. The Department shall adopt rules for the purchase of Off-Highway Vehicle Usage Stamps. The fee for an Off-Highway Vehicle Usage Stamp for a vehicle with an engine capacity of over 75 cubic centimeters shall be $15 annually and shall expire the March 31st following the year displayed on the Off-Highway Vehicle Usage Stamp. The Department shall deposit $5 from the sale of each Off-Highway Vehicle Usage Stamp for vehicles with an engine capacity of over 75 cubic centimeters into the Conservation Police Operations Assistance Fund. The Department shall deposit $10 from the sale of each Off-Highway Vehicle Usage Stamp for vehicles with an engine capacity of over 75 cubic centimeters into the Park and Conservation Fund. The Department shall deposit $5 from the sale of each Off-Highway Vehicle Usage Stamp for vehicles with an engine capacity of over 75 cubic centimeters or below into the Conservation Police Operations Assistance Fund. The Department shall deposit $5 from the sale of each Off-Highway Vehicle Usage Stamp for vehicles with an engine capacity of over 75 cubic centimeters or below into the Park and Conservation Fund. The Department shall deposit $5 from the sale of each Off-Highway Vehicle Usage Stamp for vehicles with an engine capacity of 75 cubic centimeters or below into the Conservation Police Operations Assistance Fund. The Department shall deposit $5 from the sale of each Off-Highway Vehicle Usage Stamp for vehicles with an engine capacity of 75 cubic centimeters or below into the Park and Conservation Fund.

(Source: P.A. 97-1136, eff. 1-1-13.)

(20 ILCS 862/34)

Sec. 34. Exception from display of Off-Highway Vehicle Usage Stamps. The operator of an off-highway vehicle shall not be required to display an Off-Highway Vehicle Usage Stamp if the off-highway vehicle is:

(1) owned and used by the United States, the State of Illinois, another state, or a political subdivision thereof, but these off-highway vehicles shall prominently display the name of the owner on the off-highway vehicle;

(2) operated on lands where the operator, his or her immediate family, or both are the sole owners of the land owner permanently resides; this exception shall not apply to clubs, associations, or lands leased for hunting or recreational purposes, or to off-highway vehicles being used by outfitters as defined in the Wildlife Code as part of their outfitting business;

(3) used only on local, national, or international competition circuits in events for which written permission has been

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obtained by the sponsoring or sanctioning body from the governmental unit having jurisdiction over the location of any event held in this State;

(4) (blank); while being used for activities associated with farming or livestock production operations; or

(5) while being used on an off-highway vehicle grant assisted site and the off-highway vehicle displays a Off-Highway Vehicle Access decal;

(6) used in conjunction with a bona fide commercial business, including, but not limited to, agricultural and livestock production;

(7) a golf cart, regardless of whether the golf cart is currently being used for golfing purposes;

(8) displaying a valid motor vehicle registration issued by the Secretary of State or any other state;

(9) operated by an individual who either possesses an Illinois Identification Card issued to the operator by the Secretary of State that lists a Class P2 (or P2O or any successor classification) or P2A disability or an original or photocopy of a valid motor vehicle disability placard issued to the operator by the Secretary of State, or is assisting a disabled person with a Class P2 (or P2O or any successor classification) or P2A disability while using the same off-highway vehicle as the disabled individual; or

(10) used only at commercial riding parks.

For the purposes of this Section, "golf cart" means a machine specifically designed for the purposes of transporting one or more persons and their golf clubs.

For the purposes of this Section, "local, national, or international competition circuit" means any competition circuit sponsored or sanctioned by an international, national, or state organization, including, but not limited to, the American Motorcyclist Association, or sponsored, sanctioned, or both by an affiliate organization of an international, national, or state organization which sanctions competitions, including trials or practices leading up to or in connection with those competitions.

For the purposes of this Section, "commercial riding parks" mean commercial properties used for the recreational operation of off-highway vehicles by the paying members of the park or paying guests.

(Source: P.A. 97-1136, eff. 1-1-13.)


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AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Residential Real Property Transfer on Death Instrument Act is amended by changing Sections 5, 35, 40, 50, 65, 75, and 90 as follows:

(755 ILCS 27/5)
Sec. 5. Definitions. In this Act:
"Beneficiary" means a person that receives residential real estate under a transfer on death instrument.
"Designated beneficiary" means a person designated to receive residential real estate in a transfer on death instrument.
"Joint owner" means an individual who owns residential real estate concurrently with one or more other individuals with a right of survivorship. The term includes a joint tenant or a tenant by the entirety. The term does not include a tenant in common.
"Owner" means an individual who makes a transfer on death instrument.
"Person" means an individual, corporation, business trust, land trust, estate, inter-vivos revocable or irrevocable trust, testamentary trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.
"Residential real estate" means real property improved with not less than one nor more than 4 residential dwelling units; a residential condominium unit, units in residential cooperatives, or, condominium units, including but not limited to the limited common elements allocated to the exclusive use thereof that form an integral part of the condominium unit and any parking unit or units specified by the declaration to be allocated to a specific residential condominium unit; or a single tract of agriculture real estate consisting of 40 acres or less which is improved with a single family residence. If a declaration of condominium ownership provides for individually owned and transferable parking units, "residential real estate" New matter indicated by italics - deletions by strikeout
does not include the parking unit of a specific residential condominium unit unless the parking unit is included in the legal description of the property being transferred by a transfer on death instrument.

"Transfer on death instrument" means an instrument authorized under this Act.

(Source: P.A. 97-555, eff. 1-1-12.)

Sec. 35. Capacity of owner and agent's authority. The capacity required to make or revoke a transfer on death instrument is the same as the capacity required to make a will. An agent, unless expressly authorized by the owner under a durable power of attorney or other similar instrument creating an agency, does not have the authority to create or revoke a transfer on death instrument on behalf of the owner. This Section shall not be construed to prohibit the agent from selling, transferring, or encumbering the residential real estate under the terms of the agency.

(Source: P.A. 97-555, eff. 1-1-12.)

Sec. 40. Requirements.
(a) A transfer on death instrument:

(1) must contain the essential elements and formalities of a properly recordable inter vivos deed; and must be executed, witnessed, and acknowledged in substantial compliance with Section 45;

(2) must state that the transfer to the designated beneficiary is to occur at the owner's death; and

(3) must be recorded before the owner's death in the public records in the office of the recorder of the county or counties in which any part of the residential real estate is located.

(b) The failure to comply with any of the requirements of subsection (a) will render the transfer on death instrument void and ineffective to transfer title to the residential real estate at the owner's death.

(Source: P.A. 97-555, eff. 1-1-12.)

Sec. 50. Notice, delivery, acceptance, or consideration not required. A transfer on death instrument is effective without:

(1) notice or delivery to or acceptance by the designated beneficiary during the owner's life; or

(2) consideration.

(Source: P.A. 97-555, eff. 1-1-12.)

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Sec. 65. Effect of transfer on death instrument at owner's death.

(a) Except as otherwise provided in the transfer on death instrument, in this Section, or in the Probate Act of 1975 or any other Act applicable to nontestamentary instruments, on the death of the owner, the following rules apply to residential real estate that is the subject of a transfer on death instrument and owned by the owner at death:

1. Subject to the beneficiary's right to disclaim or refuse to accept the transfer, the interest in the residential real estate is transferred to the beneficiary in accordance with the instrument.

2. If a designated beneficiary fails to survive the owner or is not in existence on the date of the owner's death, then except as provided in paragraph (3) the residential real estate shall pass to the owner's estate.

3. Unless the owner provides otherwise, if the designated beneficiary is a descendant of the owner who dies before the owner, the descendants of the deceased designated beneficiary living at the time of the owner's death shall take the residential real estate per stirpes. If the designated beneficiary is one of a class of designated beneficiaries, and any member of the class dies before the owner, the members of the class living when the owner dies shall take the share or shares which the deceased member would have taken if he or she were then living, except that if the deceased member of the class is a descendant of the owner, the descendants of the deceased member then living shall take per stirpes the share or shares which the deceased member would have taken if he or she were then living.

(b) Subject to the Probate Act of 1975 and the Conveyances Act, a beneficiary takes the residential real estate subject to all conveyances, encumbrances, assignments, contracts, options, mortgages, liens, and other interests to which the residential real estate is subject at the owner's death.

(c) A transfer on death instrument transfers residential real estate without covenant or warranty of title even if the instrument contains a contrary provision.

(d) If there is no sufficient evidence of the order of the owner and designated beneficiary's deaths, otherwise than simultaneously, and there is no other provision in the transfer on death instrument, for purposes of this Section, the designated beneficiary shall be deemed to have predeceased the owner.

(Source: P.A. 97-555, eff. 1-1-12.)

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Sec. 75. Notice of death affidavit; acceptance and effective date of transfer. Any beneficiary who takes under a transfer on death instrument may file in the office of the recorder in the county or counties where the residential real estate is located a notice of death affidavit to confirm title following the death of the owner. The notice of death affidavit shall contain the name and address, if known, of each beneficiary taking under the transfer on death instrument, the legal description of the property, the street address and parcel identification number of the residential real estate, if known, the date of the transfer on death instrument and its recording document number, the name of the deceased owner, the date and place of death, and the name and address to which all future tax bills should be mailed. The affidavit shall be acknowledged under penalty of perjury before a notary public or person authorized to administer oaths. The filing of the notice of death affidavit is not a condition to the transfer of title. A transfer on death instrument is effective as of the owner's death upon the filing of a notice of death affidavit and acceptance by the beneficiary or beneficiaries in the office of the recorder in the county or counties where the residential real estate is located. The notice of death affidavit and acceptance shall contain the name and address of each beneficiary who shall take under the transfer on death instrument, a legal description of the property, the street address, and parcel identification number of the residential real estate, the name of the deceased owner, and the date of death. The notice of death affidavit and acceptance shall be signed by each beneficiary or by the beneficiary's authorized representative. If a notice of death affidavit and acceptance has not been filed by at least one beneficiary or by a beneficiary's authorized representative in the office of the recorder in the county or counties where the residential real estate is located within 30 days after the owner's death, the personal representative of the owner's estate, if any, may take possession of the residential real estate in accordance with Section 20-1 of the Probate Act of 1975, and shall be entitled to a lien for all reasonable costs and expenses incurred in the management and care thereof provided that a reasonable attempt to notify the beneficiary or beneficiaries has been made. If a notice of death affidavit and acceptance has not been filed by at least one beneficiary or by the beneficiary's authorized representative in the office of the recorder in the county or counties where the residential real estate is located within 2 years after the owner's death, the transfer on death instrument shall be void and ineffective and the residential real estate shall pass to the owner's estate as provided in paragraph (2) of subsection (a) of
Section 65 to be administered and distributed in accordance with the terms thereof:
(Source: P.A. 97-555, eff. 1-1-12.)
(755 ILCS 27/90)
Sec. 90. Limitations. An action to set aside or contest the validity of a transfer on death instrument shall be commenced within the earlier of 2 years after the date of the owner's death or 6 months from the date that letters of office are issued. However, a purchaser or mortgagee for value and without notice before the recordation of a lis pendens for an action to set aside or contest the transfer on death instrument for any reason shall take free and clear of any such action or contest.
(Source: P.A. 97-555, eff. 1-1-12.)
(755 ILCS 27/100 rep.)
Section 10. The Illinois Residential Real Property Transfer on Death Instrument Act is amended by repealing Section 100.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0822
(Senate Bill No. 2657)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
(30 ILCS 105/5.250 rep.)
Section 2. The State Finance Act is amended by repealing Section 5.250.
Section 3. The Solid Waste Site Operator Certification Law is amended by changing Section 1011 as follows:
(225 ILCS 230/1011) (from Ch. 111, par. 7861)
Sec. 1011. Fees.
(a) Fees for the issuance or renewal of a Solid Waste Site Operator Certificate shall be as follows:
(1)(A) $400 for issuance or renewal for Class A Solid Waste Site Operators; (B) $200 for issuance or renewal for Class B Solid Waste Site Operators; and (C) $100 for issuance or renewal for special waste endorsements.

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(2) If the fee for renewal is not paid within the grace period the above fees for renewal shall each be increased by $50.

(b) Before the effective date of this amendatory Act of the 98th General Assembly, all fees collected by the Agency under this Section shall be deposited into the Hazardous Waste Occupational Licensing Fund. The Agency is authorized to use monies in the Hazardous Waste Occupational Licensing Fund to perform its functions, powers, and duties under this Section.

On and after the effective date of this amendatory Act of the 98th General Assembly, all fees collected by the Agency under this Section shall be deposited into the Environmental Protection Permit and Inspection Fund to be used in accordance with the provisions of subsection (a) of Section 22.8 of the Environmental Protection Act.

(Source: P.A. 86-1363.)

Section 5. The Environmental Protection Act is amended by changing Sections 22.8, 37, and 44 as follows:

(415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

Sec. 22.8. Environmental Protection Permit and Inspection Fund.

(a) There is hereby created in the State Treasury a special fund to be known as the Environmental Protection Permit and Inspection Fund. All fees collected by the Agency pursuant to this Section, Section 9.6, 12.2, 16.1, 22.2 (j)(6)(E)(v)(IV), 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act or pursuant to Section 22 of the Public Water Supply Operations Act or Section 1011 of the Solid Waste Site Operator Certification Law, as well as funds collected under subsection (b.5) of Section 42 of this Act shall be deposited into the Fund. In addition to any monies appropriated from the General Revenue Fund, monies in the Fund shall be appropriated by the General Assembly to the Agency in amounts deemed necessary for manifest, permit, and inspection activities and for performing its functions, powers, and duties under the Solid Waste Site Operator Certification Law processing requests under Section 22.2 (j)(6)(E)(v)(IV).

The General Assembly may appropriate monies in the Fund deemed necessary for Board regulatory and adjudicatory proceedings.

(a-5) As soon as practicable after the effective date of this amendatory Act of the 98th General Assembly, but no later than January 1, 2014, the State Comptroller shall direct and the State Treasurer shall transfer all monies in the Industrial Hygiene Regulatory and Enforcement Fund to the Environmental Protection Permit and Inspection Fund to be used in
accordance with the terms of the Environmental Protection Permit and Inspection Fund.

(a-6) As soon as practicable after the effective date of this amendatory Act of the 98th General Assembly, but no later than December 31, 2014, the State Comptroller shall order the transfer of, and the State Treasurer shall transfer, all moneys in the Hazardous Waste Occupational Licensing Fund into the Environmental Protection Permit and Inspection Fund to be used in accordance with the terms of the Environmental Protection Permit and Inspection Fund.

(b) The Agency shall collect from the owner or operator of any of the following types of hazardous waste disposal sites or management facilities which require a RCRA permit under subsection (f) of Section 21 of this Act, or a UIC permit under subsection (g) of Section 12 of this Act, an annual fee in the amount of:

(1) $35,000 ($70,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is located off the site where such waste was produced;
(2) $9,000 ($18,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is located on the site where such waste was produced;
(3) $7,000 ($14,000 beginning in 2004) for a hazardous waste disposal site receiving hazardous waste if the hazardous waste disposal site is an underground injection well;
(4) $2,000 ($4,000 beginning in 2004) for a hazardous waste management facility treating hazardous waste by incineration;
(5) $1,000 ($2,000 beginning in 2004) for a hazardous waste management facility treating hazardous waste by a method, technique or process other than incineration;
(6) $1,000 ($2,000 beginning in 2004) for a hazardous waste management facility storing hazardous waste in a surface impoundment or pile;
(7) $250 ($500 beginning in 2004) for a hazardous waste management facility storing hazardous waste other than in a surface impoundment or pile; and
(8) Beginning in 2004, $500 for a large quantity hazardous waste generator required to submit an annual or biennial report for hazardous waste generation.

(c) Where two or more operational units are located within a single hazardous waste disposal site, the Agency shall collect from the owner or
operator of such site an annual fee equal to the highest fee imposed by
subsection (b) of this Section upon any single operational unit within the site.

(d) The fee imposed upon a hazardous waste disposal site under this
Section shall be the exclusive permit and inspection fee applicable to
hazardous waste disposal at such site, provided that nothing in this Section
shall be construed to diminish or otherwise affect any fee imposed upon the
owner or operator of a hazardous waste disposal site by Section 22.2.

(e) The Agency shall establish procedures, no later than December 1,
1984, relating to the collection of the hazardous waste disposal site fees
authorized by this Section. Such procedures shall include, but not be limited
to the time and manner of payment of fees to the Agency, which shall be
quarterly, payable at the beginning of each quarter for hazardous waste
disposal site fees. Annual fees required under paragraph (7) of subsection (b)
of this Section shall accompany the annual report required by Board
regulations for the calendar year for which the report applies.

(f) For purposes of this Section, a hazardous waste disposal site
consists of one or more of the following operational units:

1. a landfill receiving hazardous waste for disposal;
2. a waste pile or surface impoundment, receiving hazardous
   waste, in which residues which exhibit any of the characteristics of
   hazardous waste pursuant to Board regulations are reasonably
   expected to remain after closure;
3. a land treatment facility receiving hazardous waste; or
4. a well injecting hazardous waste.

(g) The Agency shall assess a fee for each manifest provided by the
Agency. For manifests provided on or after January 1, 1989 but before July
1, 2003, the fee shall be $1 per manifest. For manifests provided on or after
July 1, 2003, the fee shall be $3 per manifest.

(415 ILCS 5/37) (from Ch. 111 1/2, par. 1037)
Sec. 37. Variances; procedures.

(a) Any person seeking a variance pursuant to subsection (a) of
Section 35 shall do so by filing a petition for variance with the Board and
providing a copy of the petition to the Agency. Any person filing such a
petition shall (i) pay a filing fee, (ii) ; the Agency shall promptly give written
notice of such petition to any person in the county in which the installation
or property for which variance is sought is located who has filed with the
Board a written request for in writing requested notice of variance petitions,
the State's attorney of such county, the Chairman of the County Board of such

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county, and to each member of the General Assembly from the legislative
district in which that installation or property is located, and (iii) shall publish
a single notice of such petition in a newspaper of general circulation in such
county. The notices required by this Section shall be in a format prescribed
by the Board and shall include the street address, and if there is no street
address then the legal description or the location with reference to any well
known landmark, highway, road, thoroughfare or intersection.

The Agency shall promptly investigate such petition and consider the
views of persons who might be adversely affected by the grant of a variance.
The Agency shall make a recommendation to the Board as to the disposition
of the petition. If the Board, in its discretion, concludes that a hearing would
be advisable, or if the Agency or any other person files a written objection to
the grant of such variance within 21 days, together with a written request for
hearing, then a hearing shall be held, under the rules prescribed in Sections
32 and 33 (a) of this Act, and the burden of proof shall be on the petitioner.

(b) Any person seeking a provisional variance pursuant to subsection
(b) of Section 35 shall make a request to the Agency. The Agency shall
promptly investigate and consider the merits of the request. If the Agency
fails to take final action within 30 days after receipt of the request for a
provisional variance, or if the Agency denies the request, the person may
initiate a proceeding with the Board under subsection (a) of Section 35.

If the Agency grants a provisional variance, the Agency must
promptly file a copy of its written decision with the Board, and shall give
prompt notice of its action to the public by issuing a press release for
distribution to newspapers of general circulation in the county. The Board
must maintain for public inspection copies of all provisional variances filed
with it by the Agency.

(Source: P.A. 93-152, eff. 7-10-03.)

(415 ILCS 5/44) (from Ch. 111 1/2, par. 1044)
Sec. 44. Criminal acts; penalties.

(a) Except as otherwise provided in this Section, it shall be a Class A
misdemeanor to violate this Act or regulations thereunder, or any permit or
term or condition thereof, or knowingly to submit any false information under
this Act or regulations adopted thereunder, or under any permit or term or
condition thereof. A court may, in addition to any other penalty herein
imposed, order a person convicted of any violation of this Act to perform
community service for not less than 100 hours and not more than 300 hours
if community service is available in the jurisdiction. It shall be the duty of all

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State and local law-enforcement officers to enforce such Act and regulations, and all such officers shall have authority to issue citations for such violations.

(b) Calculated Criminal Disposal of Hazardous Waste.

(1) A person commits the offense of Calculated Criminal Disposal of Hazardous Waste when, without lawful justification, he knowingly disposes of hazardous waste while knowing that he thereby places another person in danger of great bodily harm or creates an immediate or long-term danger to the public health or the environment.

(2) Calculated Criminal Disposal of Hazardous Waste is a Class 2 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Calculated Criminal Disposal of Hazardous Waste is subject to a fine not to exceed $500,000 for each day of such offense.

(c) Criminal Disposal of Hazardous Waste.

(1) A person commits the offense of Criminal Disposal of Hazardous Waste when, without lawful justification, he knowingly disposes of hazardous waste.

(2) Criminal Disposal of Hazardous Waste is a Class 3 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Criminal Disposal of Hazardous Waste is subject to a fine not to exceed $250,000 for each day of such offense.

(d) Unauthorized Use of Hazardous Waste.

(1) A person commits the offense of Unauthorized Use of Hazardous Waste when he, being required to have a permit, registration, or license under this Act or any other law regulating the treatment, transportation, or storage of hazardous waste, knowingly:

(A) treats, transports, or stores any hazardous waste without such permit, registration, or license;

(B) treats, transports, or stores any hazardous waste in violation of the terms and conditions of such permit or license;

(C) transports any hazardous waste to a facility which does not have a permit or license required under this Act; or

(D) transports by vehicle any hazardous waste without having in each vehicle credentials issued to the transporter by the transporter's base state pursuant to procedures established under the Uniform Program.

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(2) A person who is convicted of a violation of subparagraph (A), (B), or (C) of paragraph (1) of this subsection is guilty of a Class 4 felony. A person who is convicted of a violation of subparagraph (D) of paragraph (1) of this subsection is guilty of a Class A misdemeanor. In addition to any other penalties prescribed by law, a person convicted of violating subparagraph (A), (B), or (C) of paragraph (1) of this subsection is subject to a fine not to exceed $100,000 for each day of such violation, and a person who is convicted of violating subparagraph (D) of paragraph (1) of this subsection is subject to a fine not to exceed $1,000.

(e) Unlawful Delivery of Hazardous Waste.

(1) Except as authorized by this Act or the federal Resource Conservation and Recovery Act, and the regulations promulgated thereunder, it is unlawful for any person to knowingly deliver hazardous waste.

(2) Unlawful Delivery of Hazardous Waste is a Class 3 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Unlawful Delivery of Hazardous Waste is subject to a fine not to exceed $250,000 for each such violation.

(3) For purposes of this Section, "deliver" or "delivery" means the actual, constructive, or attempted transfer of possession of hazardous waste, with or without consideration, whether or not there is an agency relationship.

(f) Reckless Disposal of Hazardous Waste.

(1) A person commits Reckless Disposal of Hazardous Waste if he disposits of hazardous waste, and his acts which cause the hazardous waste to be disposed of, whether or not those acts are undertaken pursuant to or under color of any permit or license, are performed with a conscious disregard of a substantial and unjustifiable risk that such disposing of hazardous waste is a gross deviation from the standard of care which a reasonable person would exercise in the situation.

(2) Reckless Disposal of Hazardous Waste is a Class 4 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Reckless Disposal of Hazardous Waste is subject to a fine not to exceed $50,000 for each day of such offense.

(g) Concealment of Criminal Disposal of Hazardous Waste.

(1) A person commits the offense of Concealment of Criminal Disposal of Hazardous Waste when he conceals, without lawful
justification, the disposal of hazardous waste with the knowledge that such hazardous waste has been disposed of in violation of this Act.

(2) Concealment of Criminal Disposal of a Hazardous Waste is a Class 4 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Concealment of Criminal Disposal of Hazardous Waste is subject to a fine not to exceed $50,000 for each day of such offense.

(h) Violations; False Statements.

(1) Any person who knowingly makes a false material statement in an application for a permit or license required by this Act to treat, transport, store, or dispose of hazardous waste commits the offense of perjury and shall be subject to the penalties set forth in Section 32-2 of the Criminal Code of 2012.

(2) Any person who knowingly makes a false material statement or representation in any label, manifest, record, report, permit or license, or other document filed, maintained, or used for the purpose of compliance with this Act in connection with the generation, disposal, treatment, storage, or transportation of hazardous waste commits a Class 4 felony. A second or any subsequent offense after conviction hereunder is a Class 3 felony.

(3) Any person who knowingly destroys, alters, or conceals any record required to be made by this Act in connection with the disposal, treatment, storage, or transportation of hazardous waste commits a Class 4 felony. A second or any subsequent offense after a conviction hereunder is a Class 3 felony.

(4) Any person who knowingly makes a false material statement or representation in any application, bill, invoice, or other document filed, maintained, or used for the purpose of receiving money from the Underground Storage Tank Fund commits a Class 4 felony. A second or any subsequent offense after conviction hereunder is a Class 3 felony.

(4.5) Any person who knowingly makes a false material statement or representation in any label, manifest, record, report, permit or license, or other document filed, maintained, or used for the purpose of compliance with Title XVI of this Act commits a Class 4 felony. Any second or subsequent offense after conviction hereunder is a Class 3 felony.

(5) Any person who knowingly destroys, alters, or conceals any record required to be made or maintained by this Act or required

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to be made or maintained by Board or Agency rules for the purpose of receiving money from the Underground Storage Tank Fund commits a Class 4 felony. A second or any subsequent offense after a conviction hereunder is a Class 3 felony.

(6) A person who knowingly and falsely certifies under Section 22.48 that an industrial process waste or pollution control waste is not special waste commits a Class 4 felony for a first offense and commits a Class 3 felony for a second or subsequent offense.

(7) In addition to any other penalties prescribed by law, a person convicted of violating this subsection (h) is subject to a fine not to exceed $50,000 for each day of such violation.

(8) Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Agency, or to a unit of local government to which the Agency has delegated authority under subsection (r) of Section 4 of this Act, related to or required by this Act, a regulation adopted under this Act, any federal law or regulation for which the Agency has responsibility, or any permit, term, or condition thereof, commits a Class 4 felony, and each such statement or writing shall be considered a separate Class 4 felony. A person who, after being convicted under this paragraph (8), violates this paragraph (8) a second or subsequent time, commits a Class 3 felony.

(i) Verification.

(1) Each application for a permit or license to dispose of, transport, treat, store, or generate hazardous waste under this Act shall contain an affirmation that the facts are true and are made under penalty of perjury as defined in Section 32-2 of the Criminal Code of 2012. It is perjury for a person to sign any such application for a permit or license which contains a false material statement, which he does not believe to be true.

(2) Each request for money from the Underground Storage Tank Fund shall contain an affirmation that the facts are true and are made under penalty of perjury as defined in Section 32-2 of the Criminal Code of 2012. It is perjury for a person to sign any request that contains a false material statement that he does not believe to be true.

(j) Violations of Other Provisions.

(1) It is unlawful for a person knowingly to violate:

(A) subsection (f) of Section 12 of this Act;

New matter indicated by italics - deletions by strikeout
(B) subsection (g) of Section 12 of this Act;
(C) any term or condition of any Underground Injection Control (UIC) permit;
(D) any filing requirement, regulation, or order relating to the State Underground Injection Control (UIC) program;
(E) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 13 of this Act;
(F) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 39 of this Act;
(G) any National Pollutant Discharge Elimination System (NPDES) permit issued under this Act or any term or condition of such permit;
(H) subsection (h) of Section 12 of this Act;
(I) subsection 6 of Section 39.5 of this Act;
(J) any provision of any regulation, standard or filing requirement under Section 39.5 of this Act;
(K) a provision of the Procedures for Asbestos Emission Control in subsection (c) of Section 61.145 of Title 40 of the Code of Federal Regulations; or
(L) the standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations in Section 61.150 of Title 40 of the Code of Federal Regulations.

(2) A person convicted of a violation of subdivision (1) of this subsection commits a Class 4 felony, and in addition to any other penalty prescribed by law is subject to a fine not to exceed $25,000 for each day of such violation.

(3) A person who negligently violates the following shall be subject to a fine not to exceed $10,000 for each day of such violation:
(A) subsection (f) of Section 12 of this Act;
(B) subsection (g) of Section 12 of this Act;
(C) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 13 of this Act;
(D) any provision of any regulation, standard, or filing requirement under subsection (b) of Section 39 of this Act;
(E) any National Pollutant Discharge Elimination System (NPDES) permit issued under this Act;
(F) subsection 6 of Section 39.5 of this Act; or

New matter indicated by italics - deletions by strikeout
(G) any provision of any regulation, standard, or filing requirement under Section 39.5 of this Act.

(4) It is unlawful for a person knowingly to:
   (A) make any false statement, representation, or certification in an application form, or form pertaining to, a National Pollutant Discharge Elimination System (NPDES) permit;
   (B) render inaccurate any monitoring device or record required by the Agency or Board in connection with any such permit or with any discharge which is subject to the provisions of subsection (f) of Section 12 of this Act;
   (C) make any false statement, representation, or certification in any form, notice, or report pertaining to a CAAPP permit under Section 39.5 of this Act;
   (D) render inaccurate any monitoring device or record required by the Agency or Board in connection with any CAAPP permit or with any emission which is subject to the provisions of Section 39.5 of this Act; or
   (E) violate subsection 6 of Section 39.5 of this Act or any CAAPP permit, or term or condition thereof, or any fee or filing requirement.

(5) A person convicted of a violation of paragraph (4) of this subsection commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed $10,000 for each day of violation.

(k) Criminal operation of a hazardous waste or PCB incinerator.

(1) A person commits the offense of criminal operation of a hazardous waste or PCB incinerator when, in the course of operating a hazardous waste or PCB incinerator, he knowingly and without justification operates the incinerator (i) without an Agency permit, or in knowing violation of the terms of an Agency permit, and (ii) as a result of such violation, knowingly places any person in danger of great bodily harm or knowingly creates an immediate or long term material danger to the public health or the environment.

(2) Any person who commits the offense of criminal operation of a hazardous waste or PCB incinerator for the first time commits a Class 4 felony and, in addition to any other penalties prescribed by law, shall be subject to a fine not to exceed $100,000 for each day of the offense.

New matter indicated by italics - deletions by strikeout
Any person who commits the offense of criminal operation of a hazardous waste or PCB incinerator for a second or subsequent time commits a Class 3 felony and, in addition to any other penalties prescribed by law, shall be subject to a fine not to exceed $250,000 for each day of the offense.

(3) For the purpose of this subsection (k), the term "hazardous waste or PCB incinerator" means a pollution control facility at which either hazardous waste or PCBs, or both, are incinerated. "PCBs" means any substance or mixture of substances that contains one or more polychlorinated biphenyls in detectable amounts.

(l) It shall be the duty of all State and local law enforcement officers to enforce this Act and the regulations adopted hereunder, and all such officers shall have authority to issue citations for such violations.

(m) Any action brought under this Section shall be brought by the State's Attorney of the county in which the violation occurred, or by the Attorney General, and shall be conducted in accordance with the applicable provisions of the Code of Criminal Procedure of 1963.

(n) For an offense described in this Section, the period for commencing prosecution prescribed by the statute of limitations shall not begin to run until the offense is discovered by or reported to a State or local agency having the authority to investigate violations of this Act.

(o) In addition to any other penalties provided under this Act, if a person is convicted of (or agrees to a settlement in an enforcement action over) illegal dumping of waste on the person's own property, the Attorney General, the Agency, or local prosecuting authority shall file notice of the conviction, finding, or agreement in the office of the Recorder in the county in which the landowner lives.

(p) Criminal Disposal of Waste.

(1) A person commits the offense of Criminal Disposal of Waste when he or she:

(A) if required to have a permit under subsection (d) of Section 21 of this Act, knowingly conducts a waste-storage, waste-treatment, or waste-disposal operation in a quantity that exceeds 250 cubic feet of waste without a permit; or

(B) knowingly conducts open dumping of waste in violation of subsection (a) of Section 21 of this Act.

(2) (A) A person who is convicted of a violation of subparagraph (A) of paragraph (1) of this subsection is guilty of a
Class 4 felony for a first offense and, in addition to any other penalties provided by law, is subject to a fine not to exceed $25,000 for each day of violation. A person who is convicted of a violation of subparagraph (A) of paragraph (1) of this subsection is guilty of a Class 3 felony for a second or subsequent offense and, in addition to any other penalties provided by law, is subject to a fine not to exceed $50,000 for each day of violation.

(B) A person who is convicted of a violation of subparagraph (B) of paragraph (1) of this subsection is guilty of a Class A misdemeanor. However, a person who is convicted of a violation of subparagraph (B) of paragraph (1) of this subsection for the open dumping of waste in a quantity that exceeds 250 cubic feet or that exceeds 50 waste tires is guilty of a Class 4 felony and, in addition to any other penalties provided by law, is subject to a fine not to exceed $25,000 for each day of violation.

(q) Criminal Damage to a Public Water Supply.

(1) A person commits the offense of Criminal Damage to a Public Water Supply when, without lawful justification, he knowingly alters, damages, or otherwise tampers with the equipment or property of a public water supply, or knowingly introduces a contaminant into the distribution system of a public water supply so as to cause, threaten, or allow the distribution of water from any public water supply of such quality or quantity as to be injurious to human health or the environment.

(2) Criminal Damage to a Public Water Supply is a Class 4 felony. In addition to any other penalties prescribed by law, a person convicted of the offense of Criminal Damage to a Public Water Supply is subject to a fine not to exceed $250,000 for each day of such offense.

(r) Aggravated Criminal Damage to a Public Water Supply.

(1) A person commits the offense of Aggravated Criminal Damage to a Public Water Supply when, without lawful justification, he commits Criminal Damage to a Public Water Supply while knowing that he thereby places another person in danger of serious illness or great bodily harm, or creates an immediate or long-term danger to public health or the environment.

(2) Aggravated Criminal Damage to a Public Water Supply is a Class 2 felony. In addition to any other penalties prescribed by law,
a person convicted of the offense of Aggravated Criminal Damage to a Public Water Supply is subject to a fine not to exceed $500,000 for each day of such offense.
(Source: P.A. 96-603, eff. 8-24-09; 97-220, eff. 7-28-11; 97-286, eff. 8-10-11; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)
(415 ILCS 5/57.17 rep.)
Section 8. The Environmental Protection Act is amended by repealing Section 57.17.
Section 10. The Public Water Supply Operations Act is amended by changing Sections 1 and 13 and by adding Section 5.1 as follows:
(415 ILCS 45/1) (from Ch. 111 1/2, par. 501)
Sec. 1. (1) In order to safeguard the health and well-being of the populace, every community water supply in Illinois shall have on its operational staff at least one natural person certified as competent as a water supply operator under the provisions of this Act.
Except for exempt community water supplies as specified in Section 9.1 of this Act, all portions of a community water supply system shall be under the direct supervision of a properly certified community water supply operator.
(2) The following class requirements apply:
(a) Each Class A community water supply which includes coagulation, lime softening, or sedimentation as a part of its primary treatment shall have in its employ at least one natural person certified as competent as a Class A community water supply operator. This includes all surface water community water supplies.
(b) Each Class B community water supply which includes filtration, aeration and filtration, or ion exchange equipment as a part of its primary treatment shall have in its employ at least one natural person certified as competent as a Class B or Class A community water supply operator.
(c) Each Class C community water supply which utilizes chemical feeding only shall have in its employ at least one natural person certified as competent as a Class C, Class B, or Class A community water supply operator.
(d) Each Class D community water supply in which the facilities are limited to pumpage, storage, or distribution shall have in its employ at least one natural person certified as competent as a Class D, Class C, Class B, or Class A community water supply operator.

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(2.5) The Agency may adopt rules that classify or reclassify community water supplies as Class A, Class B, Class C, or Class D community water supplies. A community water supply that cannot be clearly classified under Section 5.1 or Agency rules shall be considered individually and designated, in writing, by the Agency, as a Class A, Class B, Class C, or Class D community water supply within one of the above groups by the Agency. Classifications made under this subsection (2.5) shall be based on the nature of the community water supply and on the education and experience necessary to operate it.

(3) A community water supply may satisfy the requirements of this Section by contracting the services of a properly qualified certified operator of the required class or higher, as specified in subsection (2). A written agreement to this effect must be on file with the Agency certifying that such an agreement exists, and delegating responsibility and authority to the contracted party. This written agreement shall be signed by both the certified operator to be contracted and the responsible community water supply owner or official custodian and must be approved in writing by the Agency.

(Source: P.A. 91-84, eff. 7-9-99; 91-357, eff. 7-29-99; 92-16, eff. 6-28-01.)

(415 ILCS 45/5.1 new)
Sec. 5.1. Class definitions. Except as otherwise provided by Agency rules adopted pursuant to subsection (2.5) of Section 1 of this Act:

"Class A community water supply" means (i) any surface water community water supply and (ii) any community water supply that includes coagulation, lime softening, ultraviolet disinfection, membrane filtration, or sedimentation as a part of its primary treatment.

"Class B community water supply" means any community water supply that includes filtration (other than membrane filtration), aeration and filtration (other than membrane filtration), or ion exchange equipment as a part of its primary treatment.

"Class C community water supply" means any community water supply that uses chemical feeding as its only form of treatment.

"Class D community water supply" means any community water supply that has only pumpage, storage, or distribution facilities.

Sec. 13. Community Water Supply Operators shall be certified in accordance with the following classifications:

(a) A "Class A" Water Supply Operator Certificate shall be issued to those persons who, in accordance with the provisions of Sections 1 through
of this Act, demonstrate the necessary skills, knowledge, ability, and judgment that are necessary to operate a Class A community water supply in a manner that will provide safe, potable water for human consumption, as well as the skills, knowledge, ability, and judgment necessary to operate Class B, Class C, and Class D community water supplies of the chemical, biological, and physical sciences essential to the practical mechanics of coagulation, lime softening, and sedimentation, and distribution in a manner that will provide safe, potable water for human consumption. This includes all surface water community water supplies. The operators will also demonstrate the necessary skills, knowledge, ability, and judgment of the treatment processes outlined in Sections 13 (b), 13 (c), and 13 (d) of this Act.

(b) A "Class B" Water Supply Operator Certificate shall be issued to those persons who, in accordance with the provisions of Section 1 through 23 of this Act, demonstrate the necessary skills, knowledge, ability, and judgment that are necessary to operate a Class B community water supply in a manner that will provide safe, potable water for human consumption, as well as the skills, knowledge, ability, and judgment necessary to operate Class C and Class D community water supplies of the chemical, biological, and physical sciences essential to the practical mechanics of filtration, aeration, and filtration, and ion exchange systems, and distribution in a manner that will provide safe, potable water for human consumption. The operators will also demonstrate the necessary skills, knowledge, ability, and judgment of the treatment processes outlined in Sections 13 (c) and 13 (d) of this Act.

(c) A "Class C" Water Supply Operator Certificate shall be issued to those persons who, in accordance with the provisions of Sections 1 through 23 of this Act, demonstrate the necessary skills, knowledge, ability, and judgment that are necessary to operate a Class C community water supply in a manner that will provide safe, potable water for human consumption, as well as the skills, knowledge, ability, and judgment necessary to operate a Class D community water supply of the chemical, biological, and physical sciences essential to the practical mechanics of chemical feeding and disinfection and distribution in a manner that will provide safe, potable water for human consumption. The operators will also demonstrate the necessary skills, knowledge, ability, and judgment of the treatment processes outlined in Section 13 (d) of this Act.

(d) A "Class D" Water Supply Operator Certificate shall be issued to those persons who, in accordance with the provisions of Sections 1 through 23 of this Act, demonstrate the necessary skills, knowledge, ability, and
judgment that are necessary to operate a Class D community water supply of the chemical, biological, and physical sciences essential to the practical mechanics of pumpage, storage, and distribution in a manner that which will provide safe, potable water for human consumption.

(Source: P.A. 91-84, eff. 7-9-99.)

(525 ILCS 25/10 rep.)

Section 30. The Illinois Lake Management Program Act is amended by repealing Section 10.

Section 99. Effective date. This Act takes effect upon becoming law, except that Section 2 takes effect on January 1, 2015.

Passed in the General Assembly May 9, 2014.

Approved August 1, 2014,

Effective August 1, 2014 and January 1, 2015.

PUBLIC ACT 98-0823
(Senate Bill No. 2662)

AN ACT concerning regulation.

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

Section 5. The Farm Mutual Insurance Company Act of 1986 is amended by changing Section 12 as follows:

(215 ILCS 120/12) (from Ch. 73, par. 1262)

Sec. 12. Investments. Without the prior approval of the Director, the funds of any company operating under or regulated by the provisions of this Act, shall be invested only in the following:

(1) Direct obligations of the United States of America, or obligations of agencies or instrumentalities of the United States to the extent guaranteed or insured as to the payment of principal and interest by the United States of America;

(2) Bonds which are direct, general obligations of the State of Illinois or any other state, subject to a maximum of 30% of admitted assets in states other than Illinois in the aggregate;

(3) Bonds which are direct, general obligations of political subdivisions of the State of Illinois or any other state, subject to the following conditions:

(a) Maximum of 5% of admitted assets in any one political subdivision;

New matter indicated by italics - deletions by strikeout
(b) Maximum of 30% of admitted assets in all political subdivisions in the aggregate;

(c) Rating of A3 or higher by Moody's Investors Service, Inc. or A- or higher by Standard & Poor's Corporation;

(4) Bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities, subject to a maximum investment of 10% of admitted assets in any one issuer; Bonds that are obligations of the Federal National Mortgage Association subject to a maximum investment of 10% of admitted assets in the aggregate;

(5) Bonds that are obligations of corporations organized by the United States of America, subject to the following conditions:

(a) Maximum of 5% of admitted assets in any one issuer;

(b) Maximum of 15% of admitted assets in the aggregate;

(c) Rating of A3 or higher by Moody's Investors Service, Inc. or A- or higher by Standard & Poor's Corporation;

(d) Maximum maturity of no longer than 10 years; the Federal Home Loan Mortgage Corporation subject to a maximum investment of 10% of admitted assets in the aggregate;

(6) Mutual funds, unit investment trusts, and exchange traded funds, subject to the following conditions:

(a) Maximum of 6% of policyholders' surplus in any one balanced or growth mutual fund that invests in common stock;

(b) Maximum of 5% of admitted assets in any one bond or income mutual fund or any one non-governmental money market mutual fund;

(c) Maximum of 10% of admitted assets in any one governmental money market mutual fund;

(d) Maximum of 25% of admitted assets in all mutual funds in the aggregate;

(7) Common stock and preferred stock subject to the following conditions:

New matter indicated by italics - deletions by strikeout
(a) Common stock and preferred stock shall be traded on the New York Stock Exchange or the American Stock Exchange or listed on the National Association of Securities Dealers Automated Quotation (NASDAQ) system;

(b) Maximum of 3% of policyholders' surplus in excess of $400,000 in any one common stock or preferred stock issuer provided that the net unearned premium reserve does not exceed policyholders' surplus;

(8) Investments authorized under subdivision (a) of item (6) and subdivision (a) of item (7) of this Section shall not in the aggregate exceed 15% of policyholders' surplus;

(9) Funds on deposit in solvent banks and savings and loan associations which are insured by the Federal Deposit Insurance Corporation; however, the uninsured portion of funds held in any one such bank or association shall not exceed 5% of the company's policyholders' surplus;

(10) Real estate for home office building purposes, provided that such investments are approved by the Director of Insurance on the basis of a showing by the company that the company has adequate assets available for such investment and that the proposed acquisition does not exceed the reasonable normal value of such property;:

(11) Amounts in excess of the investment limitations contained in items (2) through (9) may be allowed, subject to the following conditions:

(a) Maximum additional investment of 3% of admitted assets in any one issuer;
(b) Maximum additional investment of 6% of admitted assets in the aggregate.

An investment that qualified under this Section at the time it was acquired by the company shall continue to qualify under this Section.

Investments permitted under this Section shall be registered in the name of the company and under its direct control or shall be held in a custodial account with a bank or trust company that is qualified to administer trusts in Illinois under the Corporate Fiduciary Act and that has an office in Illinois. However, securities may be held in street form and in the custody of a licensed dealer for a period not to exceed 30 days.

Notwithstanding the provisions of this Act, the Director may, after notice and hearing, order a company to limit or withdraw from certain investments or discontinue certain investments or investment practices to the

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extent the Director finds those investments or investment practices endanger the solvency of the company.
(Source: P.A. 90-794, eff. 1-1-99.)

Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0824
(Senate Bill No. 2709)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Juvenile Court Act of 1987 is amended by changing Section 5-105 as follows:
(705 ILCS 405/5-105)
Sec. 5-105. Definitions. As used in this Article:
(1) "Aftercare release" means the conditional and revocable release of an adjudicated delinquent juvenile committed to the Department of Juvenile Justice under the supervision of the Department of Juvenile Justice.
(1.5) "Court" means the circuit court in a session or division assigned to hear proceedings under this Act, and includes the term Juvenile Court.
(2) "Community service" means uncompensated labor for a community service agency as hereinafter defined.
(2.5) "Community service agency" means a not-for-profit organization, community organization, church, charitable organization, individual, public office, or other public body whose purpose is to enhance the physical or mental health of a delinquent minor or to rehabilitate the minor, or to improve the environmental quality or social welfare of the community which agrees to accept community service from juvenile delinquents and to report on the progress of the community service to the State's Attorney pursuant to an agreement or to the court or to any agency designated by the court or to the authorized diversion program that has referred the delinquent minor for community service.
(3) "Delinquent minor" means any minor who prior to his or her 18th birthday has violated or attempted to violate, regardless of where the act occurred, any federal, State, county or municipal law or ordinance.
(4) "Department" means the Department of Human Services unless specifically referenced as another department.

New matter indicated by italics - deletions by strikeout
(5) "Detention" means the temporary care of a minor who is alleged to be or has been adjudicated delinquent and who requires secure custody for the minor's own protection or the community's protection in a facility designed to physically restrict the minor's movements, pending disposition by the court or execution of an order of the court for placement or commitment. Design features that physically restrict movement include, but are not limited to, locked rooms and the secure handcuffing of a minor to a rail or other stationary object. In addition, "detention" includes the court ordered care of an alleged or adjudicated delinquent minor who requires secure custody pursuant to Section 5-125 of this Act.

(6) "Diversion" means the referral of a juvenile, without court intervention, into a program that provides services designed to educate the juvenile and develop a productive and responsible approach to living in the community.

(7) "Juvenile detention home" means a public facility with specially trained staff that conforms to the county juvenile detention standards promulgated by the Department of Corrections.

(8) "Juvenile justice continuum" means a set of delinquency prevention programs and services designed for the purpose of preventing or reducing delinquent acts, including criminal activity by youth gangs, as well as intervention, rehabilitation, and prevention services targeted at minors who have committed delinquent acts, and minors who have previously been committed to residential treatment programs for delinquents. The term includes children-in-need-of-services and families-in-need-of-services programs; aftercare and reentry services; substance abuse and mental health programs; community service programs; community service work programs; and alternative-dispute resolution programs serving youth-at-risk of delinquency and their families, whether offered or delivered by State or local governmental entities, public or private for-profit or not-for-profit organizations, or religious or charitable organizations. This term would also encompass any program or service consistent with the purpose of those programs and services enumerated in this subsection.

(9) "Juvenile police officer" means a sworn police officer who has completed a Basic Recruit Training Course, has been assigned to the position of juvenile police officer by his or her chief law enforcement officer and has completed the necessary juvenile officers training as prescribed by the Illinois Law Enforcement Training Standards Board, or in the case of a State police officer, juvenile officer training approved by the Director of State Police.

New matter indicated by italics - deletions by strikeout
(10) "Minor" means a person under the age of 21 years subject to this Act.

(11) "Non-secure custody" means confinement where the minor is not physically restricted by being placed in a locked cell or room, by being handcuffed to a rail or other stationary object, or by other means. Non-secure custody may include, but is not limited to, electronic monitoring, foster home placement, home confinement, group home placement, or physical restriction of movement or activity solely through facility staff.

(12) "Public or community service" means uncompensated labor for a not-for-profit organization or public body whose purpose is to enhance physical or mental stability of the offender, environmental quality or the social welfare and which agrees to accept public or community service from offenders and to report on the progress of the offender and the public or community service to the court or to the authorized diversion program that has referred the offender for public or community service. "Public or community service" does not include blood donation or assignment to labor at a blood bank. For the purposes of this Act, "blood bank" has the meaning ascribed to the term in Section 2-124 of the Illinois Clinical Laboratory and Blood Bank Act.

(13) "Sentencing hearing" means a hearing to determine whether a minor should be adjudged a ward of the court, and to determine what sentence should be imposed on the minor. It is the intent of the General Assembly that the term "sentencing hearing" replace the term "dispositional hearing" and be synonymous with that definition as it was used in the Juvenile Court Act of 1987.

(14) "Shelter" means the temporary care of a minor in physically unrestricting facilities pending court disposition or execution of court order for placement.

(15) "Site" means a not-for-profit organization, public body, church, charitable organization, or individual agreeing to accept community service from offenders and to report on the progress of ordered or required public or community service to the court or to the authorized diversion program that has referred the offender for public or community service.

(16) "Station adjustment" means the informal or formal handling of an alleged offender by a juvenile police officer.

(17) "Trial" means a hearing to determine whether the allegations of a petition under Section 5-520 that a minor is delinquent are proved beyond a reasonable doubt. It is the intent of the General Assembly that the term...
"trial" replace the term "adjudicatory hearing" and be synonymous with that definition as it was used in the Juvenile Court Act of 1987.

The changes made to this Section by Public Act 98-61 this amendatory Act of the 98th General Assembly apply to violations or attempted violations committed on or after January 1, 2014 (the effective date of Public Act 98-61) this amendatory Act.

(Source: P.A. 98-61, eff. 1-1-14; 98-558, eff. 1-1-14; revised 9-24-13.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-1-18.1 as follows:

(730 ILCS 5/5-1-18.1) (from Ch. 38, par. 1005-1-18.1)

Sec. 5-1-18.1. "Public or community service" means uncompensated labor for a non-profit organization or public body whose purpose is to enhance physical or mental stability, environmental quality or the social welfare and which agrees to accept public or community service from offenders and to report on the progress of the public or community service to the court. "Public or community service" does not include blood donation or assignment to labor at a blood bank. For the purposes of this Chapter, "blood bank" has the meaning ascribed to the term in Section 2-124 of the Illinois Clinical Laboratory and Blood Bank Act.

(Source: P.A. 85-449.)

Section 15. The Probation Community Service Act is amended by changing Section 1 as follows:

(730 ILCS 115/1) (from Ch. 38, par. 204a-1)

Sec. 1. (a) "Public or Community Service" means uncompensated labor for a not-for-profit organization or public body whose purpose is to enhance physical, or mental stability of the offender, environmental quality or the social welfare and which agrees to accept public or community service from offenders and to report on the progress of the offender and the public or community service to the court or to the authorized diversion program that has referred the offender for public or community service. "Public or Community Service" does not include blood donation or assignment to labor at a blood bank. For the purposes of this Act, "blood bank" has the meaning ascribed to the term in Section 2-124 of the Illinois Clinical Laboratory and Blood Bank Act.

(b) "Site" means a not-for-profit organization, public body, church, charitable organization, or individual agreeing to accept community service from offenders and to report on the progress of ordered or required public or community service to the court or to the authorized diversion program that has referred the offender for public or community service.

New matter indicated by italics - deletions by strikeout
(c) The county boards of the several counties in this State are authorized to establish and operate agencies to develop and supervise programs of public or community service for those persons placed by the court on probation, conditional discharge, or supervision.

(d) The programs shall be developed in cooperation with the circuit courts for the respective counties developing such programs and shall conform with any law restricting the use of public or community service.

(e) Neither the State, any local government, probation department, public or community service program or site, nor any official, volunteer, or employee thereof acting in the course of their official duties shall be liable for any injury or loss a person might receive while performing public or community service as ordered either (1) by the court or (2) by any duly authorized station or probation adjustment, teen court, community mediation, or other administrative diversion program authorized by the Juvenile Court Act of 1987 for a violation of a penal statute of this State or a local government ordinance (whether penal, civil, or quasi-criminal) or for a traffic offense, nor shall they be liable for any tortious acts of any person performing public or community service, except for wilful, wanton misconduct or gross negligence on the part of such governmental unit, probation department, or public or community service program or site or on the part of the official, volunteer, or employee.

(f) No person assigned to a public or community service program shall be considered an employee for any purpose, nor shall the county board be obligated to provide any compensation to such person.

(Source: P.A. 91-820, eff. 6-13-00.)

Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0825
(Senate Bill No. 2773)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Aid Code is amended by adding Section 12-4.47 as follows:

(305 ILCS 5/12-4.47 new)

New matter indicated by italics - deletions by strikeout
Sec. 12-4.47. Long-Term Services and Supports Disparities Task Force.

(a) The Department of Healthcare and Family Services shall establish a Long-Term Services and Supports Disparities Task Force.

(b) Members of the Task Force shall be appointed by the Director of the Department of Healthcare and Family Services and shall include representatives of the following agencies, organizations, or groups:
   (1) The Governor's office.
   (2) The Department of Healthcare and Family Services.
   (3) The Department of Human Services.
   (4) The Department on Aging.
   (5) The Department of Human Rights.
   (6) Area Agencies on Aging.
   (7) The Department of Public Health.
   (8) Managed Care Plans.
   (9) The for-profit urban nursing home or assisted living industry.
   (10) The for-profit rural nursing home or assisted living industry.
   (11) The not-for-profit nursing home or assisted living industry.
   (12) The home care association or home care industry.
   (13) The adult day care association or adult day care industry.
   (14) An association representing workers who provide long-term services and supports.
   (15) A representative of providers that serve the predominantly ethnic minority populations.
   (16) Case Management Organizations.
   (17) Three consumer representatives which may include a consumer of long-term services and supports or an individual who advocates for such consumers. For purposes of this provision, "consumer representative" means a person who is not an elected official and who has no financial interest in a health or long-term care delivery system.

(c) The Task Force shall not meet unless all consumer representative positions are filled. The Task Force shall reflect diversity in race, ethnicity, and gender.

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(d) The Chair of the Task Force shall be appointed by the Director of the Department of Healthcare and Family Services.

(e) The Director of the Department of Healthcare and Family Services shall assign appropriate staff and resources to support the efforts of the Task Force. The Task Force shall meet as often as necessary but not less than 4 times per calendar year.

(f) The Task Force shall promote and facilitate communication, coordination, and collaboration among relevant State agencies and communities of color, limited English-speaking communities, and the private and public entities providing services to those communities.

(g) The Task Force shall do all of the following:

1. Document the number and types of Long-Term Services and Supports (LTSS) providers in the State and the number of clients served in each setting.

2. Document the number and racial profiles of residents using LTSS including, but not limited to, residential nursing facilities, assisted living facilities, adult day care, home health services, and other home and community based long-term care services.

3. Document the number and profiles of family or informal caregivers who provide care for minority elders.

4. Compare data over multiple years to identify trends in the delivery of LTSS for each racial or ethnic category including: Alaskan Native or American Indian, Asian or Pacific Islander, black or African American, Hispanic, or white.

5. Identify any racial disparities in the provision of care in various LTSS settings and determine factors that might influence the disparities found.

6. Identify any disparities uniquely experienced in metropolitan or rural areas and make recommendations to address these areas.

7. Assess whether the LTSS industry, including managed care plans and independent providers, is equipped to offer culturally sensitive, competent, and linguistically appropriate care to meet the needs of a diverse aging population and their informal and formal caregivers.

8. Consider whether to recommend that the State require all home and community based services as a condition of licensure to report data similar to that gathered under the Minimum Data Set and required when a new resident is admitted to a nursing home.
(9) Identify and prioritize recommendations for actions to be taken by the State to address disparity issues identified in the course of these studies.

(10) Monitor the progress of the State in eliminating racial disparities in the delivery of LTSS.

(h) The Task Force shall conduct public hearings, inquiries, studies, and other forms of information gathering to identify how the actions of State government contribute to or reduce racial disparities in long-term care settings.

(i) The Task Force shall report its findings and recommendations to the Governor and the General Assembly no later than one year after the effective date of this amendatory Act of the 98th General Assembly. Annual reports shall be issued every year thereafter and shall include documentation of progress made to eliminate disparities in long-term care service settings.

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0826
(Senate Bill No. 2783)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Circuit Courts Act is amended by changing Section 4.3 as follows:

(705 ILCS 35/4.3)
Sec. 4.3. Witness fees.
(a) Every witness attending in any county upon trials in the courts, except for actions arising under Article II of the Juvenile Court Act of 1987, shall be entitled to receive the sum of $20 for each day's attendance and $0.20 per mile each way for necessary travel. For attending in a foreign county, each day's travel shall constitute a day of attendance. Every person attending for the purpose of having his deposition taken shall receive the same per diem and mileage as provided in this Section for witnesses in circuit courts. No allowance or charge shall be made, however, for the attendance of a witness unless the witness makes an affidavit stating the number of days he or she

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actually attended, and that attendance was at the instance of one or both of the parties or his or her attorney.

(b) In a criminal case or action arising under Article II of the Juvenile Court Act of 1987 in which a witness is required to attend from a foreign county or state, either before the grand jury or at the trial of the cause in the court, the witness shall receive the same per diem and mileage as provided in this Section for witnesses in circuit courts to be paid out of the county treasury of the county where the crime was committed or the case under Article II of the Juvenile Court Act of 1987 is filed on the certificate of the clerk of the court where the trial is being had if the witness makes an affidavit stating (i) the distance traveled, (ii) that it was the usually traveled and most direct route, (iii) the number of days' actual travel and attendance, and (iv) that attendance was at the instance of the State's Attorney or the accused, or his or her attorney or, in the case of an action filed under Article II of the Juvenile Court Act of 1987, at the instance of the State's Attorney or attorney of any other party to the action. To the affidavit shall be added the certificate of the judge that the amount is reasonable and that the witness was a material witness in the court or before the grand jury.

(Source: P.A. 89-233, eff. 1-1-96.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0827
(Senate Bill No. 2811)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Hearing Instrument Consumer Protection Act is amended by changing Sections 1, 3, 6, 6.1, 8, 9.5, 16, and 17 as follows:
(225 ILCS 50/1) (from Ch. 111, par. 7401)
(Section scheduled to be repealed on January 1, 2016)
Sec. 1. Purpose. The purpose of this Act is to protect the deaf or hard of hearing hearing-impaired public from the practice of dispensing incompetent and dishonest dispensers of hearing instruments that who could endanger the health, safety and welfare of the People of this State. The Federal Food and Drug Administration has recommended that State

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legislation is necessary in order to establish standards of competency and to impose stringent penalties for those who violate the public trust in this field of health care.  

(Source: P.A. 89-72, eff. 12-31-95.)  

(225 ILCS 50/3) (from Ch. 111, par. 7403)  

(Section scheduled to be repealed on January 1, 2016)  

Sec. 3. Definitions. As used in this Act, except as the context requires otherwise:

"Department" means the Department of Public Health.

"Director" means the Director of the Department of Public Health.

"License" means a license issued by the State under this Act to a hearing instrument dispenser.

"Licensed Audiologist" means a person licensed as an audiologist under the Illinois Speech-Language Pathology and Audiology Practice Act.

"National Board Certified Hearing Instrument Specialist" means a person who has had at least 2 years in practice as a licensed hearing instrument dispenser and has been certified after qualification by examination by the National Board for Certification in Hearing Instruments Sciences.

"Licensed physician" or "physician" means a physician licensed in Illinois to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987.

"Trainee" means a person who is licensed to perform the functions of a hearing instrument dispenser in accordance with the Department rules and only under the direct supervision of a hearing instrument dispenser or audiologist who is licensed in the State.

"Board" means the Hearing Instrument Consumer Protection Board.

"Hearing instrument" or "hearing aid" means any wearable instrument or device designed for or offered for the purpose of aiding or compensating for impaired human hearing and that can provide more than 15 dB full on gain via a 2cc coupler at any single frequency from 200 through 6000 cycles per second, and any parts, attachments, or accessories, including ear molds.  "Hearing instrument" or "hearing aid" do not include batteries, cords, or group auditory training devices and any instrument or device used by a public utility in providing telephone or other communication services are excluded.

"Practice of fitting, dispensing, or servicing of hearing instruments" means the measurement of human hearing with an audiometer, calibrated to the current American National Standard Institute standards, for the purpose of making selections, recommendations, adaptions, services, or sales of

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hearing instruments including the making of earmolds as a part of the hearing instrument.

"Sell" or "sale" means any transfer of title or of the right to use by lease, bailment, or any other contract, excluding wholesale transactions with distributors or dealers.

"Hearing instrument dispenser" means a person who is a hearing care professional that engages in the selling, practice of fitting, selecting, recommending, dispensing, or servicing of hearing instruments or the testing for means of hearing instrument selection or who advertises or displays a sign or represents himself or herself as a person who practices the testing, fitting, selecting, servicing, dispensing, or selling of hearing instruments.

"Fund" means the Hearing Instrument Dispenser Examining and Disciplinary Fund.

"Hearing Care Professional" means a person who is a licensed audiologist, a licensed hearing instrument dispenser, or a licensed physician. (Source: P.A. 98-362, eff. 8-16-13.)

(225 ILCS 50/6) (from Ch. 111, par. 7406)
(Section scheduled to be repealed on January 1, 2016)
Sec. 6. Mail order and Internet sales. Nothing in this Act shall prohibit a corporation, partnership, trust, association, or other organization, maintaining an established business address, from engaging in the business of selling or offering for sale hearing instruments at retail by mail or by Internet to persons 18 years of age or older who have not been examined by a licensed physician or tested by a licensed hearing instrument dispenser provided that:

(a) The organization is registered by the Department prior to engaging in business in this State and has paid the fee set forth in this Act.

(b) The organization files with the Department, prior to registration and annually thereafter, a Disclosure Statement containing the following:

(1) the name under which the organization is doing or intends to do business and the name of any affiliated company which the organization recommends or will recommend to persons as a supplier of goods or services or in connection with other business transactions of the organization;

(2) the organization's principal business address and the name and address of its agent in this State authorized to receive service of process;

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(3) the business form of the organization, whether corporate, partnership, or otherwise and the state or other sovereign power under which the organization is organized;

(4) the names of the directors or persons performing similar functions and names and addresses of the chief executive officer, and the financial, accounting, sales, and other principal executive officers, if the organization is a corporation, association, or other similar entity; of all general partners, if the organization is a partnership; and of the owner, if the organization is a sole proprietorship, together with a statement of the business background during the past 5 years for each such person;

(5) a statement as to whether the organization or any person identified in the disclosure statement:

   (i) has during the 5 year period immediately preceding the date of the disclosure statement been convicted of a felony, pleaded nolo contendere to a felony charge, or been held liable in a civil action by final judgment, if such felony or civil action involved fraud, embezzlement, or misappropriation of property, and a description thereof; or

   (ii) is subject to any currently effective injunctive or restrictive order as a result of a proceeding or pending action brought by any government agency or department, and a description thereof; or

   (iii) is a defendant in any pending criminal or material civil action relating to fraud, embezzlement, misappropriation of property or violations of the antitrust or trade regulation laws of the United States or any state, and a description thereof; or

   (iv) has during the 5 year period immediately preceding the date of the disclosure statement had entered against such person or organization a final judgment in any material civil proceeding, and a description thereof; or

   (v) has during the 5 year period immediately preceding the date of the disclosure statement been adjudicated a bankrupt or reorganized due to insolvency or was a principal executive officer or general partner of any company that has been adjudicated a bankrupt or reorganized due to insolvency during such 5 year period, and a description thereof;

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(6) the length of time the organization and any predecessor of the organization has conducted a business dealing with hearing instrument goods or services;

(7) a financial statement of the organization as of the close of the most recent fiscal year of the organization. If the financial statement is filed later than 120 days following the close of the fiscal year of the organization it must be accompanied by a statement of the organization of any material changes in the financial condition of the organization;

(8) a general description of the business, including without limitation a description of the goods, training programs, supervision, advertising, promotion and other services provided by the organization;

(9) a statement of any compensation or other benefit given or promised to a public figure arising, in whole or in part, from (i) the use of the public figure in the name or symbol of the organization or (ii) the endorsement or recommendation of the organization by the public figure in advertisements;

(10) a statement setting forth such additional information and such comments and explanations relative to the information contained in the disclosure statement as the organization may desire to present.

(b-5) If a device being sold does not meet the definition of a hearing instrument or hearing device as stated in this Act, the organization shall include a disclaimer in all written or electronic promotions. The disclaimer shall include the following language:

"This is not a hearing instrument or hearing aid as defined in the Hearing Instrument Consumer Protection Act, but a personal amplifier and not intended to replace a properly fitted and calibrated hearing instrument."

(c) The organization files with the Department prior to registration and annually thereafter a statement that it complies with the Act, the rules issued pursuant to it, and the regulations of the Federal Food and Drug Administration and the Federal Trade Commission insofar as they are applicable.

(d) The organization files with the Department at the time of registration an irrevocable consent to service of process authorizing the Department and any of its successors to be served any notice, process, or pleading in any action or proceeding against the organization arising out of or in connection with any violation of this Act. Such service shall have the
effect of conferring personal jurisdiction over such organization in any court of competent jurisdiction.

(e) Before dispensing a hearing instrument to a resident of this State, the organization informs the prospective users that they need the following for proper fitting of a hearing instrument:

(1) the results of an audiogram performed within the past 6 months by a licensed audiologist or a licensed hearing instrument dispenser; and

(2) an earmold impression obtained from the prospective user and taken by a licensed hearing instrument dispenser or licensed audiologist.

(f) The prospective user receives a medical evaluation or the organization affords the prospective user an opportunity to waive the medical evaluation requirement of Section 4 of this Act and the testing requirement of subsection (z) of Section 18, provided that the organization:

(1) informs the prospective user that the exercise of the waiver is not in the user's best health interest;

(2) does not in any way actively encourage the prospective user to waive the medical evaluation or test; and

(3) affords the prospective user the option to sign the following statement:

"I have been advised by ........... (hearing instrument dispenser's name) that the Food and Drug Administration and the State of Illinois have determined that my best interest would be served if I had a medical evaluation by a licensed physician, preferably a physician who specialized in diseases of the ear, before purchasing a hearing instrument; or a test by a licensed audiologist or licensed hearing instrument dispenser utilizing established procedures and instrumentation in the fitting of hearing instruments. I do not wish either a medical evaluation or test before purchasing a hearing instrument."

(g) Where a sale, lease, or rental of hearing instruments is sold or contracted to be sold to a consumer by mail order, the consumer may void the contract or sale by notifying the seller within 45 business days following that day on which the hearing instruments were mailed by the seller to the consumer and by returning to the seller in its original condition any hearing instrument delivered to the consumer under the contract or sale. At the time the hearing instrument is mailed, the seller shall furnish the consumer with
a fully completed receipt or copy of any contract pertaining to the sale that contains a "Notice of Cancellation" informing the consumer that he or she may cancel the sale at any time within 45 business days and disclosing the date of the mailing and the name, address, and telephone number of the seller. In immediate proximity to the space reserved in the contract for the signature of the consumer, or on the front page of the receipt if a contract is not used, and in bold face type of a minimum size of 10 points, there shall be a statement in substantially the following form:

"You, the buyer, may cancel this transaction at any time prior to midnight of the 45th business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right."

Attached to the receipt or contract shall be a completed form in duplicate, captioned "NOTICE OF CANCELLATION" which shall be easily detachable and which shall contain in at least 10 point bold face type the following information and statements in the same language as that used in the contract:

"NOTICE OF CANCELLATION
enter date of transaction
.........................
(DATE)
YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN 45 BUSINESS DAYS FROM THE ABOVE DATE.

IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE LESS ANY NONREFUNDABLE RESTOCKING FEE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE AND ALL MERCHANDISE PERTAINING TO THIS TRANSACTION, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST RETURN TO THE SELLER, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A

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TELEGRAM, TO (name of seller), AT (address of seller's place of business) AND (seller's telephone number) NO LATER THAN MIDNIGHT OF ..........(date).

I HEREBY CANCEL THIS TRANSACTION.

(Date)............

..................

(Buyers Signature)"

The written "Notice of Cancellation" may be sent by the consumer to the seller to cancel the contract. The 45-day period does not commence until the consumer is furnished the Notice of Cancellation and the address and phone number at which such notice to the seller can be given.

If the conditions of this Section are met, the seller must return to the consumer the amount of any payment made or consideration given under the contract or for the merchandise less a nonrefundable restocking fee.

It is an unlawful practice for a seller to: (1) hold a consumer responsible for any liability or obligation under any mail order transaction if the consumer claims not to have received the merchandise unless the merchandise was sent by certified mail or other delivery method by which the seller is provided with proof of delivery; (2) fail, before furnishing copies of the "Notice of Cancellation" to the consumer, to complete both copies by entering the name of the seller, the address of the seller's place of business, the seller's telephone number, the date of the mailing, and the date, not earlier than the 45th business day following the date of the mailing, by which the consumer may give notice of cancellation; (3) include in any contract or receipt any confession of judgment or any waiver of any of the rights to which the consumer is entitled under this Section including specifically his right to cancel the sale in accordance with the provisions of this Section; (4) misrepresent in any manner the consumer's right to cancel; (5) use any undue influence, coercion, or any other wilful act or representation to interfere with the consumer's exercise of his rights under this Section; (6) fail or refuse to honor any valid notice of cancellation and return of merchandise by a consumer and, within 10 business days after the receipt of such notice and merchandise pertaining to such transaction, to (i) refund payments made under the contract or sale, (ii) return any goods or property traded in, in substantially as good condition as when received by the person, (iii) cancel and return any negotiable instrument executed by the consumer in connection with the contract or sale and take any action necessary or appropriate to terminate promptly any security interest created in the transaction; (7) negotiate, transfer, sell, or assign any note or other evidence of indebtedness.

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to a finance company or other third party prior to the 50th business day following the day of the mailing; or (8) fail to provide the consumer of a hearing instrument with written information stating the name, address, and telephone number of the Department and informing the consumer that complaints regarding hearing instrument goods or services may be made to the Department.

(h) The organization employs only licensed hearing instrument dispensers in the dispensing of hearing instruments and files with the Department, by January 1 of each year, a list of all licensed hearing instrument dispensers employed by it.

(Source: P.A. 98-362, eff. 8-16-13.)

(225 ILCS 50/6.1)

(Section scheduled to be repealed on January 1, 2016)

Sec. 6.1. Reciprocity. The Department shall issue a license to any hearing instrument dispenser who (i) has been certified by the National Board for Certification in Hearing Instrument Sciences and has been actively practicing for a minimum of 5 years or (ii) has a valid license as a hearing instrument dispenser, or its equivalent, from another state that has an examination that is comparable to the examination required under this Act or is provided by the International Hearing Society, (iii) has completed the specific academic and training requirements, or their equivalent, under this Act, (iv) has been actively practicing as a hearing instrument dispenser for at least 3 months or is certified by the National Board for Certification in Hearing Instrument Sciences, and (v) has paid the required fee.

(Source: P.A. 96-683, eff. 1-1-10.)

(225 ILCS 50/8) (from Ch. 111, par. 7408)

(Section scheduled to be repealed on January 1, 2016)

Sec. 8. Applicant qualifications; examination.

(a) In order to protect persons who are deaf or hard of hearing with hearing impairments, the Department shall authorize or shall conduct an appropriate examination for persons who dispense, test, select, recommend, fit, or service hearing instruments. The frequency of holding these examinations shall be determined by the Department by rule. Those who successfully pass such an examination shall be issued a license as a hearing instrument dispenser, which shall be effective for a 2-year period.

(b) Applicants shall be:

(1) at least 18 years of age;
(2) of good moral character;

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(3) the holder of an associate's degree or the equivalent;
(4) free of contagious or infectious disease; and
(5) a citizen or person who has the status as a legal alien.

Felony convictions of the applicant and findings against the applicant involving matters set forth in Sections 17 and 18 shall be considered in determining moral character, but such a conviction or finding shall not make an applicant ineligible to register for examination.

(c) Prior to engaging in the practice of fitting, dispensing, or servicing hearing instruments, an applicant shall demonstrate, by means of written and practical examinations, that such person is qualified to practice the testing, selecting, recommending, fitting, selling, or servicing of hearing instruments as defined in this Act. An applicant must who fails to obtain a license within 12 months after passing both the written or and practical examination, whichever is passed first, or examinations must take and pass those examinations again in order to be eligible to receive a license.

The Department shall, by rule, determine the conditions under which an individual is examined.

(d) Proof of having met the minimum requirements of continuing education as determined by the Board shall be required of all license renewals. Pursuant to rule, the continuing education requirements may, upon petition to the Board, be waived in whole or in part if the hearing instrument dispenser can demonstrate that he or she served in the Coast Guard or Armed Forces, had an extreme hardship, or obtained his or her license by examination or endorsement within the preceding renewal period.

(e) Persons applying for an initial license must demonstrate having earned, at a minimum, an associate degree or its equivalent from an accredited institution of higher education that is recognized by the U.S. Department of Education or that meets the U.S. Department of Education equivalency as determined through a National Association of Credential Evaluation Services (NACES) member, and meet the other requirements of this Section. In addition, the applicant must demonstrate the successful completion of 12 semester hours or 18 quarter hours of academic undergraduate course work in an accredited institution consisting of 3 semester hours of anatomy and physiology of the speech and hearing mechanism, 3 semester hours of hearing science, 3 semester hours of introduction to audiology, and 3 semester hours of aural rehabilitation, or the quarter hour equivalent. Persons licensed before January 1, 2003 who have
a valid license on that date may have their license renewed without meeting the requirements of this subsection. 
(Source: P.A. 96-683, eff. 1-1-10.)

(225 ILCS 50/9.5)

(Section scheduled to be repealed on January 1, 2016)

Sec. 9.5. Trainees.

(a) In order to receive a trainee license, a person must apply to the Department and provide acceptable evidence of his or her completion of the required courses pursuant to subsection (e) of Section 8 of this Act, or its equivalent as determined by the Department. A trainee license expires 12 months from the date of issue and is non-renewable.

(b) A trainee shall perform the functions of a hearing instrument dispenser in accordance with the Department rules and only under the direct supervision of a hearing instrument dispenser or audiologist who is licensed in the State. For the purposes of this Section, "direct supervision" means that the licensed hearing instrument dispenser or audiologist shall give final approval to all work performed by the trainee and shall be physically present anytime the trainee has contact with the client. The licensed hearing instrument dispenser or audiologist is responsible for all of the work that is performed by the trainee.

(c) The Department may limit the number of trainees that may be under the direct supervision of the same licensed hearing instrument dispenser or licensed audiologist.

(d) The Department may establish a trainee licensing fee by rule. 
(Source: P.A. 96-846, eff. 6-1-10.)

(225 ILCS 50/16) (from Ch. 111, par. 7416)

(Section scheduled to be repealed on January 1, 2016)

Sec. 16. Hearing Instrument Consumer Protection Board. There shall be established a Hearing Instrument Consumer Protection Board which shall assist, advise and make recommendations to the Department.

The Board shall consist of 6 members who shall be residents of Illinois. One shall be a licensed physician who specializes in otology or otolaryngology; one shall be a member of a consumer-oriented organization concerned with the deaf or hard of hearing; one shall be from the general public, preferably a senior citizen; 2 shall be licensed hearing instrument dispensers who are National Board Certified Hearing Instrument Specialists; and one shall be a licensed audiologist. If a vote of the Board results in a tie, the Director shall cast the deciding vote.

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Members of the Board shall be appointed by the Director after consultation with appropriate professional organizations and consumer groups. The term of office of each shall be 4 years. Before a member's term expires, the Director shall appoint a successor to assume member's duties at the expiration of his or her predecessor's term. A vacancy shall be filled by appointment for the unexpired term. The members shall annually designate one member as chairman. No member of the Board who has served 2 successive, full terms may be reappointed. The Director may remove members for good cause.

Members of the Board shall receive reimbursement for actual and necessary travel and for other expenses, not to exceed the limit established by the Department.

(Source: P.A. 91-932, eff. 1-1-01; 91-949, eff. 2-9-01.)

(225 ILCS 50/17) (from Ch. 111, par. 7417)
(Section scheduled to be repealed on January 1, 2016)

Sec. 17. Duties of the Board. The Board shall advise the Department in all matters relating to this Act and shall assist as requested by the Director. The Board shall respond to issues and problems relating to the improvement of services to the deaf or hard of hearing hearing-impaired and shall make such recommendations as it considers advisable. It shall file an annual report with the Director and shall meet at least twice a year. The Board may meet at any time at the call of the chair.

The Board shall recommend specialized education programs for persons wishing to become licensed as hearing instrument dispensers and shall, by rule, establish minimum standards of continuing education required for license renewal. No more than 5 hours of continuing education credit per year, however, can be obtained through programs sponsored by hearing instrument manufacturers.

The Board shall hear charges brought by any person against hearing instrument dispensers and shall recommend disciplinary action to the Director.

Members of the Board are immune from liability in any action based upon a licensing proceeding or other act performed in good faith as a member of the Board.

(Source: P.A. 93-525, eff. 8-12-03.)

Approved August 1, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Sanitary District Act of 1917 is amended by changing Section 3 as follows:

(70 ILCS 2405/3) (from Ch. 42, par. 301)

Sec. 3. Board of trustees; creation; term. A board of trustees shall be created, consisting of 5 members in any sanitary district which includes one or more municipalities with a population of over 90,000 but less than 500,000 according to the most recent Federal census, and consisting of 3 members in any other district. However, the board of trustees for the Fox River Water Reclamation District, the Sanitary District of Decatur, and the Northern Moraine Wastewater Reclamation District shall each consist of 5 members. Each board of trustees shall be created for the government, control and management of the affairs and business of each sanitary district organized under this Act shall be created in the following manner:

(1) If the district's corporate boundaries are located wholly within a single county, the presiding officer of the county board, with the advice and consent of the county board, shall appoint the trustees for the district;

(2) If the district's corporate boundaries are located in more than one county, the members of the General Assembly whose legislative districts encompass any portion of the district shall appoint the trustees for the district.

In any sanitary district which shall have a 3 member board of trustees, within 60 days after the adoption of such act, the appropriate appointing authority shall appoint three trustees not more than 2 of whom shall be from one incorporated city, town or village in districts in which are included 2 or more incorporated cities, towns or villages, or parts of 2 or more incorporated cities, towns or villages, who shall hold their office respectively for 1, 2 and 3 years, from the first Monday of May next after their appointment and until their successors are appointed and have qualified, and thereafter on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee whose term shall be for 3 years commencing the first Monday in May of the year in which he is appointed. The length of the term of the first trustees shall be determined by lot at their first meeting.

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In the case of any sanitary district created after January 1, 1978 in which a 5 member board of trustees is required, the appropriate appointing authority shall appoint 5 trustees, one of whom shall hold office for one year, two of whom shall hold office for 2 years, and 2 of whom shall hold office for 3 years from the first Monday of May next after their respective appointments and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The length of the terms of the first trustees shall be determined by lot at their first meeting.

In any sanitary district created prior to January 1, 1978 in which a 5 member board of trustees is required as of January 1, 1978, the two trustees already serving terms which do not expire on May 1, 1978 shall continue to hold office for the remainders of their respective terms, and 3 trustees shall be appointed by the appropriate appointing authority by April 10, 1978 and shall hold office for terms beginning May 1, 1978. Of the three new trustees, one shall hold office for 2 years and 2 shall hold office for 3 years from May 1, 1978 and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The lengths of the terms of the trustees who are to hold office beginning May 1, 1978 shall be determined by lot at their first meeting after May 1, 1978.

No more than 3 members of a 5 member board of trustees may be of the same political party; except that in any sanitary district which otherwise meets the requirements of this Section and which lies within 4 counties of the State of Illinois or, prior to April 30, 2008, in the Fox River Water Reclamation District; the appointments of the 5 members of the board of trustees shall be made without regard to political party. Beginning with the appointments made on April 30, 2008, all appointments to the board of trustees of the Fox River Water Reclamation District shall be made so that no more than 3 of the 5 members are from the same political party.

Within 60 days after the release of Federal census statistics showing that a sanitary district having a 3 member board of trustees contains one or more municipalities with a population over 90,000 but less than 500,000, or,
for the Northern Moraine Wastewater Reclamation District, within 60 days after the effective date of this amendatory Act of the 95th General Assembly, the appropriate appointing authority shall appoint 2 additional trustees to the board of trustees, one to hold office for 2 years and one to hold office for 3 years from the first Monday of May next after their appointment and until their successors are appointed and have qualified. The lengths of the terms of these two additional members shall be determined by lot at the first meeting of the board of trustees held after the additional members take office. The three trustees already holding office in the sanitary district shall continue to hold office for the remainders of their respective terms. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed.

If any sanitary district having a 5 member board of trustees shall cease to contain one or more municipalities with a population over 90,000 but less than 500,000 according to the most recent Federal census, then, for so long as that sanitary district does not contain one or more such municipalities, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee whose term shall be for 3 years commencing the first Monday in May of the year in which he is appointed. In districts which include 2 or more incorporated cities, towns, or villages, or parts of 2 or more incorporated cities, towns, or villages, all of the trustees shall not be from one incorporated city, town or village.

If a vacancy occurs on any board of trustees, the appropriate appointing authority shall within 60 days appoint a trustee who shall hold office for the remainder of the vacated term.

The appointing authority shall require each of the trustees to enter into bond, with security to be approved by the appointing authority, in such sum as the appointing authority may determine.

A majority of the board of trustees shall constitute a quorum but a smaller number may adjourn from day to day. No trustee or employee of such district shall be directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by such district; nor in the purchase of any real estate or property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the district. Provided, that nothing herein shall be construed as prohibiting the appointment or

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selection of any person as trustee or employee whose only interest in the district is as owner of real estate in the district or of contributing to the payment of taxes levied by the district. The trustees shall have the power to provide and adopt a corporate seal for the district.

Notwithstanding any other provision in this Section, in any sanitary district created prior to the effective date of this amendatory Act of 1985, in which a five member board of trustees has been appointed and which currently includes one or more municipalities with a population of over 90,000 but less than 500,000, the board of trustees shall consist of five members.

Except as otherwise provided for vacancies, in the event that the appropriate appointing authority fails to appoint a trustee under this Section, the appropriate appointing authority shall reconvene and appoint a successor on or before July 1 of that year.

(Source: P.A. 98-407, eff. 1-1-14.)


PUBLIC ACT 98-0829
(Senate Bill No. 2852)

AN ACT concerning criminal law.

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

Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 108-4 as follows:

(725 ILCS 5/108-4) (from Ch. 38, par. 108-4)

Sec. 108-4. Issuance of search warrant.

(a) All warrants upon written complaint shall state the time and date of issuance and be the warrants of the judge issuing the same and not the warrants of the court in which he is then sitting and such warrants need not bear the seal of the court or clerk thereof. The complaint on which the warrant is issued need not be filed with the clerk of the court nor with the court if there is no clerk until the warrant has been executed or has been returned "not executed".

The search warrant upon written complaint may be issued electronically or electromagnetically by use of electronic mail or a facsimile

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transmission machine and any such warrant shall have the same validity as a written search warrant.

(b) Warrant upon oral testimony.

(1) General rule. When the offense in connection with which a search warrant is sought constitutes terrorism or any related offense as defined in Article 29D of the Criminal Code of 2012, and if the circumstances make it reasonable to dispense, in whole or in part, with a written affidavit, a judge may issue a warrant based upon sworn testimony communicated by telephone or other appropriate means, including facsimile transmission.

(2) Application. The person who is requesting the warrant shall prepare a document to be known as a duplicate original warrant and shall read such duplicate original warrant, verbatim, to the judge. The judge shall enter, verbatim, what is so read to the judge on a document to be known as the original warrant. The judge may direct that the warrant be modified.

(3) Issuance. If the judge is satisfied that the offense in connection with which the search warrant is sought constitutes terrorism or any related offense as defined in Article 29D of the Criminal Code of 2012, that the circumstances are such as to make it reasonable to dispense with a written affidavit, and that grounds for the application exist or that there is probable cause to believe that they exist, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time when the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony may be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

(4) Recording and certification of testimony. When a caller informs the judge that the purpose of the call is to request a warrant, the judge shall immediately place under oath each person whose testimony forms a basis of the application and each person applying for that warrant. If a voice recording device is available, the judge shall record by means of the device all of the call after the caller informs the judge that the purpose of the call is to request a warrant, otherwise a stenographic or longhand verbatim record shall be made. If a voice recording device is used or a stenographic record made, the judge shall have the record transcribed, shall certify the accuracy of

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the transcription, and shall file a copy of the original record and the transcription with the court. If a longhand verbatim record is made, the judge shall file a signed copy with the court.

(5) Contents. The contents of a warrant upon oral testimony shall be the same as the contents of a warrant upon affidavit.

(6) Additional rule for execution. The person who executes the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

(7) Motion to suppress based on failure to obtain a written affidavit. Evidence obtained pursuant to a warrant issued under this subsection (b) is not subject to a motion to suppress on the ground that the circumstances were not such as to make it reasonable to dispense with a written affidavit, absent a finding of bad faith. All other grounds to move to suppress are preserved.

(8) This subsection (b) is inoperative on and after January 1, 2005.

(9) No evidence obtained pursuant to this subsection (b) shall be inadmissible in a court of law by virtue of subdivision (8).

(Source: P.A. 97-1150, eff. 1-25-13.)


AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Children and Family Services Act is amended by changing Section 21 as follows:

(20 ILCS 505/21) (from Ch. 23, par. 5021)
Sec. 21. Investigative powers; training.
(a) To make such investigations as it may deem necessary to the performance of its duties.
(b) In the course of any such investigation any qualified person authorized by the Director may administer oaths and secure by its subpoena both the attendance and testimony of witnesses and the production of books

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and papers relevant to such investigation. Any person who is served with a subpoena by the Department to appear and testify or to produce books and papers, in the course of an investigation authorized by law, and who refuses or neglects to appear, or to testify, or to produce books and papers relevant to such investigation, as commanded in such subpoena, shall be guilty of a Class B misdemeanor. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of this State. Any circuit court of this State, upon application of the person requesting the hearing or the Department, may compel the attendance of witnesses, the production of books and papers, and giving of testimony before the Department or before any authorized officer or employee thereof, by an attachment for contempt or otherwise, in the same manner as production of evidence may be compelled before such court. Every person who, having taken an oath or made affirmation before the Department or any authorized officer or employee thereof, shall willfully swear or affirm falsely, shall be guilty of perjury and upon conviction shall be punished accordingly.

(c) Investigations initiated under this Section shall provide individuals due process of law, including the right to a hearing, to cross-examine witnesses, to obtain relevant documents, and to present evidence. Administrative findings shall be subject to the provisions of the Administrative Review Law.

(d) Beginning July 1, 1988, any child protective investigator or supervisor or child welfare specialist or supervisor employed by the Department on the effective date of this amendatory Act of 1987 shall have completed a training program which shall be instituted by the Department. The training program shall include, but not be limited to, the following: (1) training in the detection of symptoms of child neglect and drug abuse; (2) specialized training for dealing with families and children of drug abusers; and (3) specific training in child development, family dynamics and interview techniques. Such program shall conform to the criteria and curriculum developed under Section 4 of the Child Protective Investigator and Child Welfare Specialist Certification Act of 1987. Failure to complete such training due to lack of opportunity provided by the Department shall in no way be grounds for any disciplinary or other action against an investigator or a specialist.

The Department shall develop a continuous inservice staff development program and evaluation system. Each child protective investigator and supervisor and child welfare specialist and supervisor shall participate in such program and evaluation and shall complete a minimum of

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20 hours of inservice education and training every 2 years in order to maintain certification.

Any child protective investigator or child protective supervisor, or child welfare specialist or child welfare specialist supervisor hired by the Department who begins his actual employment after the effective date of this amendatory Act of 1987, shall be certified pursuant to the Child Protective Investigator and Child Welfare Specialist Certification Act of 1987 before he begins such employment. Nothing in this Act shall replace or diminish the rights of employees under the Illinois Public Labor Relations Act, as amended, or the National Labor Relations Act. In the event of any conflict between either of those Acts, or any collective bargaining agreement negotiated thereunder, and the provisions of subsections (d) and (e), the former shall prevail and control.

(e) The Department shall develop and implement the following:

1. A standardized child endangerment risk assessment protocol.
2. Related training procedures.
3. A standardized method for demonstration of proficiency in application of the protocol.
4. An evaluation of the reliability and validity of the protocol.

All child protective investigators and supervisors and child welfare specialists and supervisors employed by the Department or its contractors shall be required, subsequent to the availability of training under this Act, to demonstrate proficiency in application of the protocol previous to being permitted to make decisions about the degree of risk posed to children for whom they are responsible. The Department shall establish a multi-disciplinary advisory committee appointed by the Director, including but not limited to representatives from the fields of child development, domestic violence, family systems, juvenile justice, law enforcement, health care, mental health, substance abuse, and social service to advise the Department and its related contractors in the development and implementation of the child endangerment risk assessment protocol, related training, method for demonstration of proficiency in application of the protocol, and evaluation of the reliability and validity of the protocol. The Department shall develop the protocol, training curriculum, method for demonstration of proficiency in application of the protocol and method for evaluation of the reliability and validity of the protocol by July 1, 1995. Training and demonstration of proficiency in application of the child endangerment risk assessment protocol for all child protective investigators and supervisors and child welfare specialists and supervisors shall be completed by July 1, 1997.
specialists and supervisors shall be completed as soon as practicable, but no later than January 1, 1996. The Department shall submit to the General Assembly on or before May 1, 1996, and every year thereafter, an annual report on the evaluation of the reliability and validity of the child endangerment risk assessment protocol. The Department shall contract with a not for profit organization with demonstrated expertise in the field of child endangerment risk assessment to assist in the development and implementation of the child endangerment risk assessment protocol, related training, method for demonstration of proficiency in application of the protocol, and evaluation of the reliability and validity of the protocol.

(f) The Department shall provide each parent or guardian and responsible adult caregiver participating in a safety plan a copy of the written safety plan as signed by each parent or guardian and responsible adult caregiver and by a representative of the Department. The Department shall also provide each parent or guardian and responsible adult caregiver safety plan information on their rights and responsibilities that shall include, but need not be limited to, information on how to obtain medical care, emergency phone numbers, and information on how to notify schools or day care providers as appropriate. The Department's representative shall ensure that the safety plan is reviewed and approved by the child protection supervisor.

(Source: P.A. 91-61, eff. 6-30-99; 92-154, eff. 1-1-02.)
Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0831
(Senate Bill No. 2937)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Freedom from Drone Surveillance Act is amended by changing Section 15 and by adding Section 40 as follows:
(725 ILCS 167/15)
Sec. 15. Exceptions. This Act does not prohibit the use of a drone by a law enforcement agency:
(1) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security

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Security determines that credible intelligence indicates that there is that risk.

(2) If a law enforcement agency first obtains a search warrant based on probable cause issued under Section 108-3 of the Code of Criminal Procedure of 1963. The warrant must be limited to a period of 45 days, renewable by the judge upon a showing of good cause for subsequent periods of 45 days.

(3) If a law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence. The use of a drone under this paragraph (3) is limited to a period of 48 hours. Within 24 hours of the initiation of the use of a drone under this paragraph (3), the chief executive officer of the law enforcement agency must report in writing the use of a drone to the local State's Attorney.

(4) If a law enforcement agency is attempting to locate a missing person, and is not also undertaking a criminal investigation.

(5) If a law enforcement agency is using a drone solely for crime scene and traffic crash scene photography. Crime scene and traffic crash photography must be conducted in a geographically confined and time-limited manner to document specific occurrences. The use of a drone under this paragraph (5) on private property requires either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search. The use of a drone under this paragraph (5) on lands, highways, roadways, or areas belonging to this State or political subdivisions of this State does not require a search warrant or consent to search. Any law enforcement agency operating a drone under this paragraph (5) shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.

(6) If a law enforcement agency is using a drone during a disaster or public health emergency, as defined by Section 4 of the Illinois Emergency Management Agency Act. The use of a drone under this paragraph (6) does not require an official declaration of a disaster or public health emergency prior to use. A law enforcement agency may use a drone under this paragraph (6) to obtain information necessary for the determination of whether or not a disaster or public health emergency should be declared, to monitor
weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. The use of a drone under this paragraph (6) is permissible during the disaster or public health emergency and during subsequent response and recovery efforts.

(Source: P.A. 98-569, eff. 1-1-14.)

(725 ILCS 167/40 new)

Sec. 40. Law enforcement use of private drones.
(a) Except as provided in Section 15, a law enforcement agency may not acquire information from or direct the acquisition of information through the use of a drone owned by a private third party. In the event that law enforcement acquires information from or directs the acquisition of information through the use of a privately owned drone under Section 15 of this Act, any information so acquired is subject to Sections 20 and 25 of this Act.

(b) Nothing in this Act prohibits private third parties from voluntarily submitting information acquired by a privately owned drone to law enforcement. In the event that law enforcement acquires information from the voluntary submission of that information, whether under a request or on a private drone owner's initiative, the information is subject to Sections 20 and 25 of this Act.

Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0832
(Senate Bill No. 2947)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Title Insurance Act is amended by changing Section 16 as follows:

(215 ILCS 155/16) (from Ch. 73, par. 1416)

Sec. 16. Title insurance agents.
(a) No person, firm, partnership, association, corporation or other legal entity shall act as or hold itself out to be a title insurance agent unless duly registered by a title insurance company with the Secretary.
(b) Each application for registration shall be made on a form specified by the Secretary and prepared in duplicate by each title insurance company

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which the agent represents. The title insurance company shall retain the copy of the application and forward the original to the Secretary with the appropriate fee.

(c) Every applicant for registration, except a firm, partnership, association, limited liability company, or corporation, must be 18 years or more of age. Included in every application for registration of a title insurance agent, including a firm, partnership, association, limited liability company, or corporation, shall be an affidavit of the applicant title insurance agent, signed and notarized in front of a notary public, affirming that the applicant and every owner, officer, director, principal, member, or manager of the applicant has never been convicted or pled guilty to any felony or misdemeanor involving a crime of theft or dishonesty or otherwise accurately disclosing any such felony or misdemeanor involving a crime of theft or dishonesty. No person who has had a conviction or pled guilty to any felony or misdemeanor involving theft or dishonesty may be registered by a title insurance company without a separate written notification to the Secretary disclosing the conviction or plea, and no such person may serve as an owner, officer, director, principal, or manager of any registered title insurance agent without the written permission of the Secretary.

(d) Registration shall be made annually by a filing with the Secretary; supplemental registrations for new title insurance agents to be added between annual filings shall be made from time to time in the manner provided by the Secretary; registrations shall remain in effect unless revoked or suspended by the Secretary or voluntarily withdrawn by the registrant or the title insurance company.

(e) Funds deposited in connection with any escrows, settlements, or closings shall be deposited in a separate fiduciary trust account or accounts in a bank or other financial institution insured by an agency of the federal government unless the instructions provide otherwise. The funds shall be the property of the person or persons entitled thereto under the provisions of the escrow, settlement, or closing and shall be segregated by escrow, settlement, or closing in the records of the escrow agent. The funds shall not be subject to any debts of the escrowee and shall be used only in accordance with the terms of the individual escrow, settlement, or closing under which the funds were accepted.

Interest received on funds deposited with the escrow agent in connection with any escrow, settlement, or closing shall be paid to the depositing party unless the instructions provide otherwise.

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The escrow agent shall maintain separate records of all receipts and disbursements of escrow, settlement, or closing funds.

The escrow agent shall comply with any rules adopted by the Secretary pertaining to escrow, settlement, or closing transactions.

(f) A title insurance agent shall not act as an escrow agent in a nonresidential real property transaction where the amount of settlement funds on deposit with the escrow agent is less than $2,000,000 or in a residential real property transaction unless the title insurance agent, title insurance company, or another authorized title insurance agent has committed for the issuance of title insurance in that transaction and the title insurance agent is authorized to act as an escrow agent on behalf of the title insurance company for which the commitment for title insurance has been issued. The authorization under the preceding sentence shall be given either (1) by an agency contract with the title insurance company which contract, in compliance with the requirements set forth in subsection (g) of this Section, authorizes the title insurance agent to act as an escrow agent on behalf of the title insurance company or (2) by a closing protection letter in compliance with the requirements set forth in Section 16.1 of this Act, issued by the title insurance company to the seller, buyer, borrower, and lender. A closing protection letter shall not be issued by a title insurance agent. The provisions of this subsection (f) shall not apply to the authority of a title insurance agent to act as an escrow agent under subsection (g) of Section 17 of this Act.

(g) If an agency contract between the title insurance company and the title insurance agent is the source of the authority under subsection (f) of this Section for a title insurance agent to act as escrow agent for a real property transaction, then the agency contract shall provide for no less protection from the title insurance company to all parties to the real property transaction than the title insurance company would have provided to those parties had the title insurance company issued a closing protection letter in conformity with Section 16.1 of this Act.

(h) A title insurance company shall be liable for the acts or omissions of its title insurance agent as an escrow agent if the title insurance company has authorized the title insurance agent under subsections (f) and (g) of this Section 16 and only to the extent of the liability undertaken by the title insurance company in the agency agreement or closing protection letter. The liability, if any, of the title insurance agent to the title insurance company for acts and omissions of the title insurance agent as an escrow agent shall not be limited or otherwise modified because the title insurance company has provided closing protection to a party or parties to a real property transaction.
escrow, settlement, or closing. The escrow agent shall not charge a fee for protection provided by a title insurance company to parties to real property transactions under subsections (f) and (g) of this Section 16 and Section 16.1, but shall collect from the parties the fee charged by the title insurance company and shall promptly remit the fee to the title insurance company. The title insurance company may charge the parties a reasonable fee for protection provided pursuant to subsections (f) and (g) of this Section 16 and Section 16.1 and shall not pay any portion of the fee to the escrow agent. The payment of any portion of the fee to the escrow agent by the title insurance company, shall be deemed a prohibited inducement or compensation in violation of Section 24 of this Act.

(i) The Secretary shall adopt and amend such rules as may be required for the proper administration and enforcement of this Section 16 consistent with the federal Real Estate Settlement Procedures Act and Section 24 of this Act.

(Source: P.A. 98-398, eff. 1-1-14.)
Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0833
(Senate Bill No. 2955)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Probate Act of 1975 is amended by changing Sections 2-6.2 and 2-6.6 as follows:
(755 ILCS 5/2-6.2)
Sec. 2-6.2. Financial exploitation, abuse, or neglect of an elderly person or a person with a disability.
(a) In this Section:
"Abuse" means any offense described in Section 12-21 or subsection (b) of Section 12-4.4a of the Criminal Code of 1961 or the Criminal Code of 2012.
"Financial exploitation" means any offense or act described or defined in Section 16-1.3 or 17-56 of the Criminal Code of 1961 or the Criminal Code of 2012, and, in the context of civil proceedings, the taking, use, or other misappropriation of the assets or resources of an elderly person.
or a person with a disability contrary to law, including, but not limited to, misappropriation of assets or resources by undue influence, breach of a fiduciary relationship, fraud, deception, extortion, and conversion.

"Neglect" means any offense described in Section 12-19 or subsection (a) of Section 12-4.4a of the Criminal Code of 1961 or the Criminal Code of 2012.

(b) Persons convicted of financial exploitation, abuse, or neglect of an elderly person or a person with a disability or persons who have been found by a preponderance of the evidence to be civilly liable for financial exploitation shall not receive any property, benefit, or other interest by reason of the death of that elderly person or person with a disability, whether as heir, legatee, beneficiary, survivor, appointee, claimant under Section 18-1.1, or in any other capacity and whether the property, benefit, or other interest passes pursuant to any form of title registration, testamentary or nontestamentary instrument, intestacy, renunciation, or any other circumstance. Except as provided in subsection (f) of this Section, the property, benefit, or other interest shall pass as if the person convicted of the financial exploitation, abuse, or neglect or person found civilly liable for financial exploitation died before the decedent, provided that with respect to joint tenancy property the interest possessed prior to the death by the person convicted of the financial exploitation, abuse, or neglect shall not be diminished by the application of this Section. Notwithstanding the foregoing, a person convicted of financial exploitation, abuse, or neglect of an elderly person or a person with a disability or a person who has been found by a preponderance of the evidence to be civilly liable for financial exploitation shall be entitled to receive property, a benefit, or an interest in any capacity and under any circumstances described in this subsection (b) if it is demonstrated by clear and convincing evidence that the victim of that offense knew of the conviction or finding of civil liability and subsequent to the conviction or finding of civil liability expressed or ratified his or her intent to transfer the property, benefit, or interest to the person convicted of financial exploitation, abuse, or neglect of an elderly person or a person with a disability or the person found by a preponderance of the evidence to be civilly liable for financial exploitation in any manner contemplated by this subsection (b).

(c)(1) The holder of any property subject to the provisions of this Section shall not be liable for distributing or releasing the property to the person convicted of financial exploitation, abuse, or neglect of an elderly person or a person with a disability or the person found by a preponderance of the evidence to be civilly liable for financial exploitation in any manner contemplated by this

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preponderance of the evidence to be civilly liable for financial exploitation if the distribution or release occurs prior to the conviction or finding of civil liability.

(2) If the holder is a financial institution, trust company, trustee, or similar entity or person, the holder shall not be liable for any distribution or release of the property, benefit, or other interest to the person convicted of a violation of Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 or the person who has been found by a preponderance of the evidence to be civilly liable for financial exploitation unless the holder knowingly distributes or releases the property, benefit, or other interest to the person so convicted or found civilly liable after first having received actual written notice of the conviction in sufficient time to act upon the notice.

(d) If the holder of any property subject to the provisions of this Section knows that a potential beneficiary has been convicted of financial exploitation, abuse, or neglect of an elderly person or a person with a disability or has been found by a preponderance of the evidence to be civilly liable for financial exploitation within the scope of this Section, the holder shall fully cooperate with law enforcement authorities and judicial officers in connection with any investigation of the financial exploitation, abuse, or neglect. If the holder is a person or entity that is subject to regulation by a regulatory agency pursuant to the laws of this or any other state or pursuant to the laws of the United States, including but not limited to the business of a financial institution, corporate fiduciary, or insurance company, then such person or entity shall not be deemed to be in violation of this Section to the extent that privacy laws and regulations applicable to such person or entity prevent it from voluntarily providing law enforcement authorities or judicial officers with information.

(e) A civil action against a person for financial exploitation may be brought by an interested person, pursuant to this Section, after the death of the victim or during the lifetime of the victim if the victim is adjudicated disabled. A guardian is under no duty to bring a civil action under this subsection during the ward's lifetime, but may do so if the guardian believes it is in the best interests of the ward.

(f) The court may, in its discretion, consider such facts and circumstances as it deems appropriate to allow the person found civilly liable for financial exploitation to receive a reduction in interest or benefit rather than no interest or benefit as stated under subsection (b) of this Section.

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Sec. 2-6.6. Person convicted of or found civilly liable for certain offenses against the elderly or a person with a disability disabled.

(a) A person who is convicted of a violation of Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 or a person who has been found by a preponderance of the evidence to be civilly liable for financial exploitation, as defined in subsection (a) of Section 2-6.2 of this Act, may not receive any property, benefit, or other interest by reason of the death of the victim of that offense, whether as heir, legatee, beneficiary, joint tenant, tenant by the entirety, survivor, appointee, or in any other capacity and whether the property, benefit, or other interest passes pursuant to any form of title registration, testamentary or nontestamentary instrument, intestacy, renunciation, or any other circumstance. Except as provided in subsection (f) of this Section, the property, benefit, or other interest shall pass as if the person convicted of a violation of Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 or the person found by a preponderance of the evidence to be civilly liable for financial exploitation, as defined in subsection (a) of Section 2-6.2 of this Act, died before the decedent; provided that with respect to joint tenancy property or property held in tenancy by the entirety, the interest possessed prior to the death by the person convicted or found civilly liable may not be diminished by the application of this Section. Notwithstanding the foregoing, a person convicted of a violation of Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 or a person who has been found by a preponderance of the evidence to be civilly liable for financial exploitation, as defined in subsection (a) of Section 2-6.2 of this Act, shall be entitled to receive property, a benefit, or an interest in any capacity and under any circumstances described in this Section if it is demonstrated by clear and convincing evidence that the victim of that offense knew of the conviction or finding of civil liability and subsequent to the conviction or finding of civil liability expressed or ratified his or her intent to transfer the property, benefit, or interest to the person convicted of a violation of Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 or the person found by a preponderance of the evidence to be civilly liable for financial exploitation.
exploitation, as defined in subsection (a) of Section 2-6.2 of this Act, in any manner contemplated by this Section.

(b) The holder of any property subject to the provisions of this Section is not liable for distributing or releasing the property to the person convicted of violating Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 or to the person found by a preponderance of the evidence to be civilly liable for financial exploitation as defined in subsection (a) of Section 2-6.2 of this Act.

(c) If the holder is a financial institution, trust company, trustee, or similar entity or person, the holder shall not be liable for any distribution or release of the property, benefit, or other interest to the person convicted of a violation of Section 12-19, 12-21, 16-1.3, or 17-56, or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012 or person found by a preponderance of the evidence to be civilly liable for financial exploitation, as defined in subsection (a) of Section 2-6.2 of this Act, unless the holder knowingly distributes or releases the property, benefit, or other interest to the person so convicted or found civilly liable after first having received actual written notice of the conviction or finding of civil liability in sufficient time to act upon the notice.

(d) The Department of State Police shall have access to State of Illinois databases containing information that may help in the identification or location of persons convicted of or found civilly liable for the offenses enumerated in this Section. Interagency agreements shall be implemented, consistent with security and procedures established by the State agency and consistent with the laws governing the confidentiality of the information in the databases. Information shall be used only for administration of this Section.

(e) A civil action against a person for financial exploitation, as defined in subsection (a) of Section 2-6.2 of this Act, may be brought by an interested person, pursuant to this Section, after the death of the victim or during the lifetime of the victim if the victim is adjudicated disabled. A guardian is under no duty to bring a civil action under this subsection during the ward's lifetime, but may do so if the guardian believes it is in the best interests of the ward.

(f) The court may, in its discretion, consider such facts and circumstances as it deems appropriate to allow the person convicted or found civilly liable for financial exploitation, as defined in subsection (a) of Section

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2-6.2 of this Act, to receive a reduction in interest or benefit rather than no interest or benefit as stated under subsection (a) of this Section.
(Source: P.A. 96-1551, Article 1, Section 955, eff. 7-1-11; 96-1551, Article 10, Section 10-155, eff. 7-1-11; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)


PUBLIC ACT 98-0834
(Senate Bill No. 2968)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Nursing Home Care Act is amended by changing Section 3-423 as follows:

(210 ILCS 45/3-423) (from Ch. 111 1/2, par. 4153-423)
Sec. 3-423. The administrator Any owner of a facility licensed under this Act shall give 60 90 days notice prior to voluntarily closing a facility or closing any part of a facility, or prior to closing any part of a facility if closing such part will require the transfer or discharge of more than 10% of the residents. Such notice shall be given to the Department, to the Office of State Long Term Care Ombudsman, to any resident who must be transferred or discharged, to the resident's representative, and to a member of the resident's family, where practicable. If the Department suspends, revokes, or denies renewal of the facility's license, then notice shall be given no later than the date specified by the Department. Notice shall state the proposed date of closing and the reason for closing. The facility shall submit a closure plan to the Department for approval which shall address the process for the safe and orderly transfer of residents. The approved plan shall be included in the notice. The facility shall offer to assist the resident in securing an alternative placement and shall advise the resident on available alternatives. Where the resident is unable to choose an alternate placement and is not under guardianship, the Department shall be notified of the need for relocation assistance. A facility closing in its entirety shall not admit any new residents on or after the date written notice is submitted to the Department under this Section. The facility shall comply with all applicable laws and regulations until the date of closing, including those related to transfer or discharge of

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residents. The Department may place a relocation team in the facility as provided under Section 3-419.
(Source: P.A. 81-223.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0835
(Senate Bill No. 2975)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Downstate Forest Preserve District Act is amended by changing Section 13 as follows:

(70 ILCS 805/13) (from Ch. 96 1/2, par. 6323)

Sec. 13. Bonds; limitation on indebtedness. The board of any forest preserve district organized hereunder may, for any of the purposes enumerated in this Act, borrow money upon the faith and credit of such district, and may issue bonds therefor. However, a district with a population of less than 3,000,000 may not become indebted in any manner or for any purpose to an amount including existing indebtedness in the aggregate exceeding 2.3% of the assessed value of the taxable property therein, as ascertained by the last equalized assessment for State and county purposes. No district, except for the Byron Forest Preserve District, may incur (i) indebtedness in excess of .3% of the assessed value of taxable property in the district, as ascertained by the last equalized assessment for State and county purposes, for the development of forest preserve lands held by the district, or (ii) indebtedness for any other purpose except the acquisition of land including acquiring lands in fee simple along or enclosing water courses, drainage ways, lakes, ponds, planned impoundments or elsewhere which are required to store flood waters or control other drainage and water conditions necessary for the preservation and management of the water resources of the District, unless the proposition to issue bonds or otherwise incur indebtedness is certified by the board to the proper election officials who shall submit the proposition at an election in accordance with the general election law, and approved by a majority of those voting upon the proposition. No district containing fewer than 3,000,000 inhabitants may incur indebtedness for the

New matter indicated by italics - deletions by strikeout
acquisition of land or lands for any purpose in excess of 55,000 acres, including all lands theretofore acquired, unless the proposition to issue bonds or otherwise incur indebtedness is first submitted to the voters of the district at a referendum in accordance with the general election law and approved by a majority of those voting upon the proposition. Before or at the time of issuing bonds, the board shall provide by ordinance for the collection of an annual tax sufficient to pay the interest on the bonds as it falls due, and to pay the bonds as they mature. All bonds issued by any forest preserve district must be divided into series, the first of which matures not later than 5 years after the date of issue and the last of which matures not later than 25 years after the date of issue, or for bonds issued prior to January 1, 2011, commonly known as "Build America Bonds" as authorized by Section 54AA of the Internal Revenue Code of 1986, as amended, and for bonds issued from time to time to refund "Build America Bonds", not later than 25 years after the date of issue.

Notwithstanding any contrary provision in this Section, the Byron Forest Preserve District may not incur (i) indebtedness in excess of 0.6% of the assessed value of taxable property in the district, as ascertained by the last equalized assessment for State and county purposes, for the development of forest preserve lands held by the district, or (ii) indebtedness for any other purpose except the acquisition of land including acquiring lands in fee simple along or enclosing water courses, drainage ways, lakes, ponds, planned impoundments or elsewhere which are required to store flood waters or control other drainage and water conditions necessary for the preservation and management of the water resources of the District, unless the proposition to issue bonds or otherwise incur indebtedness is certified by the board to the proper election officials who shall submit the proposition at an election in accordance with the general election law, and approved by a majority of those voting upon the proposition.

For a bond proposition put forward by a district organized under this Act, the ballot must have printed on it, but not as part of the proposition submitted, the following language:

The approximate impact of the proposed increase on the owner of a single-family home having a market value of (insert value) would be (insert amount) in the first year of the increase if the increase is fully implemented.

This Section does not apply to a forest preserve district created under Section 18.5 of the Conservation District Act.
AN ACT concerning civil law.

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

Section 5. The Probate Act of 1975 is amended by changing Section 25-1 as follows:

(a) When any person, or corporation, or financial institution (1) indebted to or holding personal estate of a decedent, (2) controlling the right of access to decedent's safe deposit box or (3) acting as registrar or transfer agent of any evidence of interest, indebtedness, property or right is furnished with a small estate affidavit in substantially the form hereinafter set forth, that person, or corporation, or financial institution shall pay the indebtedness, grant access to the safe deposit box, deliver the personal estate or transfer or issue the evidence of interest, indebtedness, property or right to persons and in the manner specified in paragraph 11 of the affidavit or to an agent appointed as hereinafter set forth.

(b) Small Estate Affidavit

I, (name of affiant), on oath state:

1. (a) My post office address is:          ;
   (b) My residence address is:          ; and
   (c) I understand that, if I am an out-of-state resident, I submit myself to the jurisdiction of Illinois courts for all matters related to the preparation and use of this affidavit. My agent for service of process in Illinois is:

       NAME................................
       ADDRESS................................
       CITY...................................
       TELEPHONE (IF ANY)..............

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I understand that if no person is named above as my agent for service or, if for any reason, service on the named person cannot be effectuated, the clerk of the circuit court of ......(County) (Judicial Circuit) Illinois is recognized by Illinois law as my agent for service of process.

2. The decedent's name is                      ;

3. The date of the decedent's death was        , and I have attached a copy of the death certificate hereeto.

4. The decedent's place of residence immediately before his death was                          ;

5. No letters of office are now outstanding on the decedent's estate and no petition for letters is contemplated or pending in Illinois or in any other jurisdiction, to my knowledge;

6. The gross value of the decedent's entire personal estate, including the value of all property passing to any party either by intestacy or under a will, does not exceed $100,000. (Here, list each asset, e.g., cash, stock, and its fair market value);

7. (a) All of the decedent's funeral expenses and other debts have been paid, or

(b) All of the decedent's known unpaid debts are listed and classified as follows (include the name, post office address, and amount) funeral expenses and the name and post office address of each person entitled thereto are as follows:

Class 1: funeral and burial expenses, which include reasonable amounts paid for a burial space, crypt, or niche; a marker on the burial space; and care of the burial space, crypt, or niche; expenses of administration; and statutory custodial claims as follows:

.............................................................

Class 2: the surviving spouse's award or child's award, if applicable, as follows:

.............................................................

Class 3: debts due the United States, as follows:

.............................................................

Class 4: money due employees of the decedent of not more than $800 for each claimant for services rendered within 4 months prior to the decedent's death and expenses attending the last illness, as follows:

.............................................................

Class 5: money and property received or held in trust by the decedent which cannot be identified or traced, as follows:

.............................................................

New matter indicated by italics - deletions by strikeout
Class 6: debts due the State of Illinois and any county, township, city, town, village, or school district located within Illinois, as follows:

Class 7: all other claims, as follows:

(Strike either 7(a) or 7(b)).

Name and post office address
Amount

(Strike either 7(a) or 7(b)).

7.5. I understand that all valid claims against the decedent's estate described in paragraph 7 must be paid by me from the decedent's estate before any distribution is made to any heir or legatee. I further understand that the decedent's estate should pay all claims in the order set forth above, and if the decedent's estate is insufficient to pay the claims in any one class, the claims in that class shall be paid pro rata.

8. There is no known unpaid claimant or contested claim against the decedent, except as stated in paragraph 7.

9. (a) The names and places of residence of any surviving spouse, minor children and adult dependent* children of the decedent are as follows:

<table>
<thead>
<tr>
<th>Name and Place of Residence</th>
<th>Age of minor child</th>
</tr>
</thead>
</table>
*(Note: An adult dependent child is one who is unable to maintain himself and is likely to become a public charge.)

(b) The award allowable to the surviving spouse of a decedent who was an Illinois resident is $......... ($20,000, plus $10,000 multiplied by the number of minor children and adult dependent children who resided with the surviving spouse at the time of the decedent's death. If any such child did not reside with the surviving spouse at the time of the decedent's death, so indicate).

(c) If there is no surviving spouse, the award allowable to the minor children and adult dependent children of a decedent who was an Illinois resident is $......... ($20,000, plus $10,000 multiplied by the number of minor children and adult dependent children), to be divided among them in equal shares.

10. (a) The decedent left no will. The names, places of residence and relationships of the decedent's heirs, and the portion of the estate to which each heir is entitled under the law where decedent died intestate are as follows:

| Name, relationship and place of residence | Age of minor | Portion of Estate |

New matter indicated by italics - deletions by strikeout
OR

(b) The decedent left a will, which has been filed with the clerk of an appropriate court. A certified copy of the will on file is attached. To the best of my knowledge and belief the will on file is the decedent's last will and was signed by the decedent and the attesting witnesses as required by law and would be admissible to probate. The names and places of residence of the legatees and the portion of the estate, if any, to which each legatee is entitled are as follows:

<table>
<thead>
<tr>
<th>Name, relationship and place of residence</th>
<th>Age of minor</th>
<th>Portion of Estate</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Strike either 10(a) or 10(b)).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

c) Affiant is unaware of any dispute or potential conflict as to the heirship or will of the decedent.

10.3. My relationship to the decedent or the decedent's estate is as follows:........................................

10.5. (The following paragraph should appear in bold type and in not less than 14-point font):

I understand that the decedent's estate must be distributed first to satisfy claims against the decedent's estate as set forth in paragraph 7.5 of this affidavit before any distribution is made to any heir or legatee. By signing this affidavit, I agree to indemnify and hold harmless all creditors of the decedent's estate, the decedent's heirs and legatees, and other persons, corporations, or financial institutions relying upon this affidavit who incur any loss because of reliance on this affidavit, up to the amount lost because of any act or omission by me. I further understand that any person, corporation, or financial institution recovering under this indemnification provision shall be entitled to reasonable attorney's fees and the expenses of recovery.

11. After payment by me from the decedent's estate of all debts and expenses listed in paragraph 7, any remaining The property described in paragraph 6 of this affidavit should be distributed as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Specific sum or property to be distributed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The foregoing statement is made under the penalties of perjury*.

.................................
Signature of Affiant

Signed and sworn before me on (insert date).

.................................
Notary Public

New matter indicated by italics - deletions by strikeout
*(Note: A fraudulent statement made under the penalties of perjury is perjury, as defined in Section 32-2 of the Criminal Code of 2012.)*

(c) Appointment of Agent. If safe deposit access is involved or if sale of any personal property is desirable to facilitate distribution pursuant to the small estate affidavit, the affiant under the small estate affidavit may in writing appoint one or more persons as the affiant's agent for that purpose. The agent shall have power, without court approval, to gain access to, sell, and distribute the property for the benefit of all persons named in paragraph 11 of the affidavit; and the payment, delivery, transfer, access or issuance shall be made or granted to or on the order of the agent. The affiant may appoint himself or herself as the designated representative to exercise the powers and perform the duties of an agent described in this subsection (c).

(d) Reliance and Release. Any person, corporation, or financial institution who acts in good faith reliance on a copy of a document purporting to be a small estate affidavit that is substantially in compliance with subsection (b) of this Section shall be fully protected and released upon payment, delivery, transfer, access or issuance pursuant to such a document. Upon a properly executed affidavit, the person or corporation is released to the same extent as if the payment, delivery, transfer, access or issuance had been made or granted to the representative of the estate. Such person, or corporation, or financial institution is not required to see to the application or disposition of the property; but each person to whom a payment, delivery, transfer, access or issuance is made or given is answerable therefor to any person having a prior right and is accountable to any representative of the estate.

(e) Distributions pursuant to an affidavit substantially in the form set forth in subsection (b) of this Section may be made to the affiant, if so specified in paragraph 11, notwithstanding the disclosure of known unpaid debts. The affiant, acting on behalf of the decedent's estate, is obligated to pay all valid claims against the decedent's estate before any distribution is made to any heir or legatee. The affiant signing the small estate affidavit prepared pursuant to subsection (b) of this Section shall indemnify and hold harmless all creditors, and heirs, and legatees of the decedent and other persons, corporations, or financial institutions relying upon the affidavit who incur loss because of such reliance. That indemnification shall only be up to the amount lost because of the act or omission of the affiant. Any person,
corporation, or financial institution recovering under this subsection (e) shall be entitled to reasonable attorney's fees and the expenses of recovery.

(f) The affiant of a small estate affidavit who is a non-resident of Illinois submits himself or herself to the jurisdiction of Illinois courts for all matters related to the preparation or use of the affidavit. The affidavit shall provide the name, address, and phone number of a person whom the affiant names as his agent for service of process. If no such person is named or if, for any reason, service on the named person cannot be effectuated, the clerk of the circuit court of the county or judicial circuit of which the decedent was a resident at the time of his death shall be the agent for service of process.

(g) Any action properly taken under this Section, as amended by Public Act 93-877, on or after August 6, 2004 (the effective date of Public Act 93-877) is valid regardless of the date of death of the decedent.

(h) The changes made by this amendatory Act of the 96th General Assembly apply to a decedent whose date of death is on or after the effective date of this amendatory Act of the 96th General Assembly.

(i) The changes made by this amendatory Act of the 98th General Assembly apply to a decedent whose date of death is on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 96-968, eff. 7-2-10; 97-1150, eff. 1-25-13.)

Section 10. The Safety Deposit Box Opening Act is amended by changing Section 1 as follows:

(755 ILCS 15/1) (from Ch. 17, par. 1501)

Sec. 1. Upon being furnished with satisfactory proof of death of a sole lessee or the last surviving co-lessee of a safe deposit box, the lessor shall open the box and examine the contents in the presence of a person who presents himself and furnishes an affidavit which states that (a) he is interested in the filing of the lessee's will or in the arrangements for his burial, (b) he believes the box may contain the will or burial documents of the lessee and (c) he is an interested person within the meaning of this Act. The lessor shall not open the box in accordance with this Act if the lessor has received a copy of letters of office of the representative of the deceased lessee's estate, or other applicable court order, or a small estate affidavit in accordance with Article XXV of the Probate Act of 1975. The lessor need not open the box if (a) the box has previously been opened in accordance with this Act, (b) the lessor has received notice of a written or oral objection from any person or has reason to believe that there would be an objection, or (c) the lessee's key or combination is not available. The lessor shall authorize a representative of a decedent's estate or a person designated in a small estate

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affidavit pursuant to Article XXV of the Probate Act of 1975, upon presentation of letters of office, other applicable court order, or small estate affidavit, to open the box and examine and remove the contents.

For purposes of this Act, the term "interested person" means any person who immediately prior to the death of the lessee had the right of access to the box as a deputy, any person named as executor in a copy furnished by him of a purported will of the lessee, or the spouse, an adult descendant, parent, brother or sister of the lessee. If the affidavit states that none of the persons described above is available to be present at the opening of the box, the term "interested person" also means any other person who the lessor in its sole discretion determines may have a legitimate interest in the filing of the lessee's will or in the arrangements for his burial.

The lessor shall remove any document which appears to be a will or codicil and deliver it to the clerk of the circuit court for the county in which the lessee resided immediately prior to his or her death, if known to the lessor, otherwise to the clerk of the circuit court for the county in which the safe deposit box is located. Delivery of a will or codicil called for herein may be made by registered mail sent to the clerk of the said court. The lessor may remove any burial documents and deliver them to the interested person. No other contents may be removed pursuant to this Act.

The lessor is not required to look into the truth of any statement in the affidavit required to be furnished under section one of this Act. The lessor's determination of the fact situations to be met under this act shall be conclusive and final. The lessor shall be fully protected in relying conclusively on it.

(Source: P.A. 83-642.)

Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0837
(Senate Bill No. 2998)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Nurse Practice Act is amended by changing Section 65-5 as follows:

(225 ILCS 65/65-5) (was 225 ILCS 65/15-10)

New matter indicated by italics - deletions by strikeout
Sec. 65-5. Qualifications for APN licensure.

(a) Each applicant who successfully meets the requirements of this Section shall be entitled to licensure as an advanced practice nurse.

(b) An applicant for licensure to practice as an advanced practice nurse must do each of the following:

1. Submit a completed application and any fees as established by the Department.
2. Hold a current license to practice as a registered professional nurse under this Act.
3. Have successfully completed requirements to practice as, and holds and maintains a current, national certification as, a nurse midwife, clinical nurse specialist, nurse practitioner, or certified registered nurse anesthetist from the appropriate national certifying body as determined by rule of the Department.
4. Have obtained a graduate degree appropriate for national certification in a clinical advanced practice nursing specialty or a graduate degree or post-master's certificate from a graduate level program in a clinical advanced practice nursing specialty.
5. Have not violated the provisions of this Act concerning the grounds for disciplinary action. The Department may take into consideration any felony conviction of the applicant, but such a conviction may not operate as an absolute bar to licensure.
6. Submit to the criminal history records check required under Section 50-35 of this Act.

(b-5) A registered professional nurse seeking licensure as an advanced practice nurse in the category of certified registered nurse anesthetist who does not have a graduate degree as described in subsection (b) of this Section shall be qualified for licensure if that person:

1. submits evidence of having successfully completed a nurse anesthesia program described in item (4) of subsection (b) of this Section prior to January 1, 1999;
2. submits evidence of certification as a registered nurse anesthetist by an appropriate national certifying body; and
3. has continually maintained active, up-to-date recertification status as a certified registered nurse anesthetist by an appropriate national recertifying body.

(b-10) The Department shall issue a certified registered nurse anesthetist license to an APN who (i) does not have a graduate degree, (ii)
applies for licensure before July 1, 2018, and (iii) submits all of the following to the Department:

(1) His or her current State registered nurse license number.
(2) Proof of current national certification, which includes the completion of an examination from either of the following:
   (A) the Council on Certification of the American Association of Nurse Anesthetists; or
   (B) the Council on Recertification of the American Association of Nurse Anesthetists.
(3) Proof of the successful completion of a post-basic advanced practice formal education program in the area of nurse anesthesia prior to January 1, 1999.
(4) His or her complete work history for the 5-year period immediately preceding the date of his or her application.
(5) Verification of licensure as an advanced practice nurse from the state in which he or she was originally licensed, current state of licensure, and any other state in which he or she has been actively practicing as an advanced practice nurse within the 5-year period immediately preceding the date of his or her application. If applicable, this verification must state:
   (A) the time during which he or she was licensed in each state, including the date of the original issuance of each license; and
   (B) any disciplinary action taken or pending concerning any nursing license held, currently or in the past, by the applicant.
(6) The required fee.

(c) Those applicants seeking licensure in more than one advanced practice nursing specialty need not possess multiple graduate degrees. Applicants may be eligible for licenses for multiple advanced practice nurse licensure specialties, provided that the applicant (i) has met the requirements for at least one advanced practice nursing specialty under paragraphs (3) and (5) of subsection (a) of this Section, (ii) possesses an additional graduate education that results in a certificate for another clinical advanced practice nurse specialty and that meets the requirements for the national certification from the appropriate nursing specialty, and (iii) holds a current national certification from the appropriate national certifying body for that additional advanced practice nursing specialty.
(d) Any person who holds a valid license as an advanced practice nurse issued under this Act as this Act existed before the effective date of this amendatory Act of the 95th General Assembly shall be subject only to the advanced practice nurse license renewal requirements of this Act as this Act exists on and after the effective date of this amendatory Act of the 95th General Assembly upon the expiration of that license.

(Source: P.A. 95-639, eff. 10-5-07; 96-189, eff. 8-10-09.)

Passed in the General Assembly May 9, 2014.

Approved August 1, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-0838
(Senate Bill No. 2999)

AN ACT concerning regulation.

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

Section 5. The Illinois Roofing Industry Licensing Act is amended by changing Sections 3 and 9 as follows:

(225 ILCS 335/3) (from Ch. 111, par. 7503)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3. Application for license.

(1) To obtain a license, an applicant must indicate if the license is sought for a sole proprietorship, partnership, corporation, business trust, or other legal entity and whether the application is for a limited or unlimited roofing license. If the license is sought for a sole proprietorship, the license shall be issued to the proprietor who shall also be designated as the qualifying party. If the license is sought for a partnership, corporation, business trust, or other legal entity, the license shall be issued in the company name. A company must designate one individual who will serve as a qualifying party. The qualifying party is the individual who must take the examination required under Section 3.5. The company shall submit an application in writing to the Department on a form containing the information prescribed by the Department and accompanied by the fee fixed by the Department. The application shall include, but shall not be limited to:

(a) the name and address of the person designated as the qualifying party responsible for the practice of professional roofing in Illinois;

New matter indicated by italics - deletions by strikeout
(b) the name of the proprietorship and its proprietor, the name of the partnership and its partners, the name of the corporation and its officers and directors, the name of the business trust and its trustees, or the name of such other legal entity and its members;

(c) evidence of compliance with any statutory requirements pertaining to such legal entity, including compliance with any laws pertaining to the use of fictitious names, if a fictitious name is used; if the business is a sole proprietorship and doing business under a name other than that of the individual proprietor, the individual proprietor must list all business names used for that proprietorship.

(1.5) A certificate issued by the Department before the effective date of this amendatory Act of the 91st General Assembly shall be deemed a license for the purposes of this Act.

(2) An applicant for a license must submit satisfactory evidence that:

(a) he or she has obtained public liability and property damage insurance in such amounts and under such circumstances as may be determined by the Department;

(b) he or she has obtained Workers' Compensation insurance for roofing covering his or her employees or is approved as a self-insurer of Workers' Compensation in accordance with Illinois law;

(c) he or she has an unemployment insurance employer account number issued by the Department of Employment Security, and he or she is not delinquent in the payment of any amount due under the Unemployment Insurance Act he or she has an Illinois Unemployment Insurance employer identification number or has proof of application to the Illinois Department of Labor for such an identification number;

(d) he or she has submitted a continuous bond to the Department in the amount of $10,000 for a limited license and in the amount of $25,000 for an unlimited license; and

(e) a qualifying party has satisfactorily completed the examination required under Section 3.5.

(3) It is the responsibility of the licensee to provide to the Department notice in writing of any changes in the information required to be provided on the application.

(4) All roofing contractors must designate a qualifying party and otherwise achieve compliance with this Act no later than July 1, 2003 or his or her license will automatically expire on July 1, 2003.

New matter indicated by italics - deletions by strikeout
(5) Nothing in this Section shall apply to a seller of roofing materials or services when the construction, reconstruction, alteration, maintenance, or repair of roofing or waterproofing is to be performed by a person other than the seller or the seller's employees.

(6) Applicants have 3 years from the date of application to complete the application process. If the application has not been completed within 3 years, the application shall be denied, the fee shall be forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 91-950, eff. 2-9-01.)

(225 ILCS 335/9) (from Ch. 111, par. 7509)
(Section scheduled to be repealed on January 1, 2016)
Sec. 9. Licensure requirement.
(1) It is unlawful for any person to engage in the business or act in the capacity of or hold himself or herself out in any manner as a roofing contractor without having been duly licensed under the provisions of this Act.

(2) No work involving the construction, reconstruction, alteration, maintenance or repair of any kind of roofing or waterproofing may be done except by a roofing contractor licensed under this Act.

(3) Sellers of roofing services may subcontract the provision of those roofing services only to roofing contractors licensed under this Act.

(4) All persons performing roofing services under this Act shall be licensed as roofing contractors, except for those persons who are deemed to be employees under Section 10 of the Employee Classification Act of a licensed roofing contractor.

(Source: P.A. 90-55, eff. 1-1-98; 91-950, eff. 2-9-01.)
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0839
(Senate Bill No. 3009)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Child Care Act of 1969 is amended by changing Section 7.10 as follows:
(225 ILCS 10/7.10)

New matter indicated by italics - deletions by strikeout
Sec. 7.10. Progress report.

(a) For the purposes of this Section, "child day care licensing" or "day care licensing" means licensing of day care centers, day care homes, and group day care homes.

(b) No later than September 30th of each year, 2013, the Department shall provide the General Assembly with a comprehensive report on its progress in meeting performance measures and goals related to child day care licensing.

(c) The report shall include:

(1) details on the funding for child day care licensing, including:

   (A) the total number of full-time employees working on child day care licensing;
   (B) the names of all sources of revenue used to support child day care licensing;
   (C) the amount of expenditures that is claimed against federal funding sources;
   (D) the identity of federal funding sources; and
   (E) how funds are appropriated, including appropriations for line staff, support staff, supervisory staff, and training and other expenses and the funding history of such licensing since fiscal year 2010;

(2) current staffing qualifications of day care licensing representatives and day care licensing supervisors in comparison with staffing qualifications specified in the job description;

(3) data history for fiscal year 2010 to the current fiscal year on day care licensing representative caseloads and staffing levels in all areas of the State;

(4) per the DCFS Child Day Care Licensing Advisory Council's work plan, quarterly data on the following measures:

   (A) the percentage of new applications disposed of within 90 days;
   (B) the percentage of licenses renewed on time;
   (C) the percentage of day care centers receiving timely annual monitoring visits;
   (D) the percentage of day care homes receiving timely annual monitoring visits;
   (E) the percentage of group day care homes receiving timely annual monitoring visits;

New matter indicated by italics - deletions by strikeout
(F) the percentage of provider requests for supervisory review;

(G) the progress on adopting a key indicator system;

(H) the percentage of complaints disposed of within 30 days;

(I) the average number of days a day care center applicant must wait to attend a licensing orientation;

(J) the number of licensing orientation sessions available per region in the past year; and

(K) the number of Department trainings related to licensing and child development available to providers in the past year; and

(5) efforts to coordinate with the Department of Human Services and the State Board of Education on professional development, credentialing issues, and child developers, including training registry, child developers, and Quality Rating and Improvement Systems (QRIS).

(d) The Department shall work with the Governor's appointed Early Learning Council on issues related to and concerning child day care.

(Source: P.A. 97-1096, eff. 8-24-12.)

Passed in the General Assembly May 9, 2014.

Approved August 1, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-0840
(Senate Bill No. 3036)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Section 18-35 as follows:

(35 ILCS 200/18-35)

Sec. 18-35. Collector's books; columns. Each county clerk shall prepare the collector's books with 4 columns for the value of each property, the first to show the assessed value by the chief county assessment officer, the second to show the value as corrected by the board of review or board of appeals, the third to show the value as equalized by the board of review under Sections 16-60 and 16-65, and the fourth to show the value as equalized or

New matter indicated by italics - deletions by strikeout
assessed by the Department. Such books may be created, transmitted, and stored in an electronic format. If a municipality has adopted tax increment allocation financing under Division 74.4 of Article 11 of the Illinois Municipal Code, the county clerk, or clerks if a municipality is located in more than one county, shall provide additional columns for the initial equalized assessed value, for the extension of the taxes and other purposes, and for the amount of the tax to be deposited in the special tax allocation fund. The books also shall contain a column to insert opposite each parcel of property any tax sale or forfeiture for taxes or special assessments for the 2 preceding years not canceled or withdrawn from collection at any tax sale. Tax sales shall be designated by the word "sold", forfeited, withdrawn or other appropriate designation to be stamped in the proper column opposite the property listing not released prior to December 1st of each year. Each county collector shall stamp upon all receipts given for taxes the information in those columns, to be known as the tax sale column and the delinquent special assessment column. The county clerk shall collect the same fee for stamping forfeitures, as for tax sales and withdrawals.

(Source: P.A. 79-1525; 88-455.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0841
(Senate Bill No. 3048)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Health Maintenance Organization Act is amended by changing Section 1-2 as follows:

Sec. 1-2. Definitions. As used in this Act, unless the context otherwise requires, the following terms shall have the meanings ascribed to them:

(1) "Advertisement" means any printed or published material, audiovisual material and descriptive literature of the health care plan used in direct mail, newspapers, magazines, radio scripts, television scripts, billboards and similar displays; and any descriptive literature or sales aids of

New matter indicated by italics - deletions by strikeout
all kinds disseminated by a representative of the health care plan for presentation to the public including, but not limited to, circulars, leaflets, booklets, depictions, illustrations, form letters and prepared sales presentations.

(2) "Director" means the Director of Insurance.

(3) "Basic health care services" means emergency care, and inpatient hospital and physician care, outpatient medical services, mental health services and care for alcohol and drug abuse, including any reasonable deductibles and co-payments, all of which are subject to the limitations described in Section 4-20 of this Act and as determined by the Director pursuant to rule.

(4) "Enrollee" means an individual who has been enrolled in a health care plan.

(5) "Evidence of coverage" means any certificate, agreement, or contract issued to an enrollee setting out the coverage to which he is entitled in exchange for a per capita prepaid sum.

(6) "Group contract" means a contract for health care services which by its terms limits eligibility to members of a specified group.

(7) "Health care plan" means any arrangement whereby any organization undertakes to provide or arrange for and pay for or reimburse the cost of basic health care services, excluding any reasonable deductibles and copayments, from providers selected by the Health Maintenance Organization and such arrangement consists of arranging for or the provision of such health care services, as distinguished from mere indemnification against the cost of such services, except as otherwise authorized by Section 2-3 of this Act, on a per capita prepaid basis, through insurance or otherwise. A "health care plan" also includes any arrangement whereby an organization undertakes to provide or arrange for or pay for or reimburse the cost of any health care service for persons who are enrolled under Article V of the Illinois Public Aid Code or under the Children's Health Insurance Program Act through providers selected by the organization and the arrangement consists of making provision for the delivery of health care services, as distinguished from mere indemnification. A "health care plan" also includes any arrangement pursuant to Section 4-17. Nothing in this definition, however, affects the total medical services available to persons eligible for medical assistance under the Illinois Public Aid Code.

(8) "Health care services" means any services included in the furnishing to any individual of medical or dental care, or the hospitalization or incident to the furnishing of such care or hospitalization as well as the
furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing or healing human illness or injury.

(9) "Health Maintenance Organization" means any organization formed under the laws of this or another state to provide or arrange for one or more health care plans under a system which causes any part of the risk of health care delivery to be borne by the organization or its providers.

(10) "Net worth" means admitted assets, as defined in Section 1-3 of this Act, minus liabilities.

(11) "Organization" means any insurance company, a nonprofit corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act, or a corporation organized under the laws of this or another state for the purpose of operating one or more health care plans and doing no business other than that of a Health Maintenance Organization or an insurance company. "Organization" shall also mean the University of Illinois Hospital as defined in the University of Illinois Hospital Act.

(12) "Provider" means any physician, hospital facility, or facility or long-term care facility as those terms are defined in the Nursing Home Care Act or other person which is licensed or otherwise authorized to furnish health care services and also includes any other entity that arranges for the delivery or furnishing of health care service.

(13) "Producer" means a person directly or indirectly associated with a health care plan who engages in solicitation or enrollment.

(14) "Per capita prepaid" means a basis of prepayment by which a fixed amount of money is prepaid per individual or any other enrollment unit to the Health Maintenance Organization or for health care services which are provided during a definite time period regardless of the frequency or extent of the services rendered by the Health Maintenance Organization, except for copayments and deductibles and except as provided in subsection (f) of Section 5-3 of this Act.

(15) "Subscriber" means a person who has entered into a contractual relationship with the Health Maintenance Organization for the provision of or arrangement of at least basic health care services to the beneficiaries of such contract.

(Source: P.A. 97-1148, eff. 1-24-13.)

Section 10. The Managed Care Reform and Patient Rights Act is amended by changing Section 10 as follows:

(215 ILCS 134/10)

Sec. 10. Definitions:

New matter indicated by italics - deletions by strikeout
"Adverse determination" means a determination by a health care plan under Section 45 or by a utilization review program under Section 85 that a health care service is not medically necessary.

"Clinical peer" means a health care professional who is in the same profession and the same or similar specialty as the health care provider who typically manages the medical condition, procedures, or treatment under review.

"Department" means the Department of Insurance.

"Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity (including, but not limited to, severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in:

1. placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;
2. serious impairment to bodily functions; or
3. serious dysfunction of any bodily organ or part.

"Emergency medical screening examination" means a medical screening examination and evaluation by a physician licensed to practice medicine in all its branches, or to the extent permitted by applicable laws, by other appropriately licensed personnel under the supervision of or in collaboration with a physician licensed to practice medicine in all its branches to determine whether the need for emergency services exists.

"Emergency services" means, with respect to an enrollee of a health care plan, transportation services, including but not limited to ambulance services, and covered inpatient and outpatient hospital services furnished by a provider qualified to furnish those services that are needed to evaluate or stabilize an emergency medical condition. "Emergency services" does not refer to post-stabilization medical services.

"Enrollee" means any person and his or her dependents enrolled in or covered by a health care plan.

"Health care plan" means a plan that establishes, operates, or maintains a network of health care providers that has entered into an agreement with the plan to provide health care services to enrollees to whom the plan has the ultimate obligation to arrange for the provision of or payment for services through organizational arrangements for ongoing quality assurance, utilization review programs, or dispute resolution. Nothing in this definition shall be construed to mean that an independent practice association.

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or a physician hospital organization that subcontracts with a health care plan is, for purposes of that subcontract, a health care plan.

For purposes of this definition, "health care plan" shall not include the following:

(1) indemnity health insurance policies including those using a contracted provider network;

(2) health care plans that offer only dental or only vision coverage;

(3) preferred provider administrators, as defined in Section 370g(g) of the Illinois Insurance Code;

(4) employee or employer self-insured health benefit plans under the federal Employee Retirement Income Security Act of 1974;

(5) health care provided pursuant to the Workers' Compensation Act or the Workers' Occupational Diseases Act; and

(6) not-for-profit voluntary health services plans with health maintenance organization authority in existence as of January 1, 1999 that are affiliated with a union and that only extend coverage to union members and their dependents.

"Health care professional" means a physician, a registered professional nurse, or other individual appropriately licensed or registered to provide health care services.

"Health care provider" means any physician, hospital facility, long-term care facility as defined in Section 1-113 of the Nursing Home Care Act, or other person that is licensed or otherwise authorized to deliver health care services. Nothing in this Act shall be construed to define Independent Practice Associations or Physician-Hospital Organizations as health care providers.

"Health care services" means any services included in the furnishing to any individual of medical care, or the hospitalization incident to the furnishing of such care, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness or injury including home health and pharmaceutical services and products.

"Medical director" means a physician licensed in any state to practice medicine in all its branches appointed by a health care plan.

"Person" means a corporation, association, partnership, limited liability company, sole proprietorship, or any other legal entity.

"Physician" means a person licensed under the Medical Practice Act of 1987.
"Post-stabilization medical services" means health care services provided to an enrollee that are furnished in a licensed hospital by a provider that is qualified to furnish such services, and determined to be medically necessary and directly related to the emergency medical condition following stabilization.

"Stabilization" means, with respect to an emergency medical condition, to provide such medical treatment of the condition as may be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result.

"Utilization review" means the evaluation of the medical necessity, appropriateness, and efficiency of the use of health care services, procedures, and facilities.

"Utilization review program" means a program established by a person to perform utilization review.

(Source: P.A. 91-617, eff. 1-1-00.)


PUBLIC ACT 98-0842
(Senate Bill No. 3057)

AN ACT concerning civil law.

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

Section 5. The Common Interest Community Association Act is amended by changing Section 1-35 as follows:

(765 ILCS 160/1-35)

Sec. 1-35. Member powers, duties, and obligations.

(a) The provisions of this Act, the declaration, bylaws, other community instruments, and rules and regulations that relate to the use of an individual unit or the common areas shall be applicable to any person leasing a unit and shall be deemed to be incorporated in any lease executed or renewed on or after the effective date of this Act. Unless otherwise provided in the community instruments, with regard to any lease entered into subsequent to the effective date of this Act, the unit owner leasing the unit shall deliver a copy of the signed lease to the association or if the lease is

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oral, a memorandum of the lease, not later than the date of occupancy or 10 days after the lease is signed, whichever occurs first.

(b) If there are multiple owners of a single unit, only one of the multiple owners shall be eligible to serve as a member of the board at any one time, unless the unit owner owns another unit independently.

(c) Two-thirds of the membership may remove a board member as a director at a duly called special meeting.

(d) In the event of any resale of a unit in a common interest community association by a member or unit owner other than the developer, the board shall make available for inspection to the prospective purchaser, upon demand, the following:

1. A copy of the declaration, other instruments, and any rules and regulations.
2. A statement of any liens, including a statement of the account of the unit setting forth the amounts of unpaid assessments and other charges due and owing.
3. A statement of any capital expenditures anticipated by the association within the current or succeeding 2 fiscal years.
4. A statement of the status and amount of any reserve or replacement fund and any other fund specifically designated for association projects.
5. A copy of the statement of financial condition of the association for the last fiscal year for which such a statement is available.
6. A statement of the status of any pending suits or judgments in which the association is a party.
7. A statement setting forth what insurance coverage is provided for all members or unit owners by the association for common properties.

The principal officer of the board or such other officer as is specifically designated shall furnish the above information within 30 days after receiving a written request for such information.

A reasonable fee covering the direct out-of-pocket cost of copying and providing such information may be charged by the association or the board to the unit seller for providing the information.

(Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12.)

Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.

New matter indicated by italics - deletions by strikeout
Effective January 1, 2015.

PUBLIC ACT 98-0843
(Senate Bill No. 3103)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Beer Industry Fair Dealing Act is amended by changing Section 1.1 as follows:
(815 ILCS 720/1.1) (from Ch. 43, par. 301.1)
Sec. 1.1. As used in this Act:
(1) "Beer" means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter, all beverages brewed or fermented wholly or in part from malt products, and the like; and for purposes of this Act only, the term "beer" shall also include malt beverage products containing less than one-half of 1% of alcohol by volume and marketed for adult consumption as an alternative beverage to beer.
(2) "Agreement" means any contract, agreement, arrangement, operating standards, or amendments to a contract, agreement, arrangement, or operating standards, the effect of which is to substantially change or modify the existing contract, agreement, arrangement, or operating standards, whether expressed or implied, whether oral or written, for a definite or indefinite period between a brewer and a wholesaler pursuant to which a wholesaler has been granted the right to purchase, resell, and distribute as wholesaler or master distributor any brand or brands of beer offered by a brewer. The agreement between a brewer and wholesaler shall not be considered a franchise relationship.
(3) "Wholesaler" or "beer wholesaler" means any person, other than a manufacturer licensed under the Liquor Control Act of 1934, who is engaged in this State in purchasing, storing, possessing or warehousing any alcoholic liquors for resale or reselling at wholesale, whether within or without this State.
(4) "Brewer" means a person who is engaged in the manufacture of beer, a master distributor as defined in this Section, a successor brewer as defined in this Section, a non-resident dealer under the provisions of the Liquor Control Act of 1934, a foreign importer under the provisions of the

New matter indicated by italics - deletions by strikeout
Liquor Control Act of 1934, or a person who owns or controls the trademark, brand, or name of beer.

(4.5) "Brand" means any word, name, group of letters, symbols, or any combination thereof that is adopted and used by a brewer to identify a specific beer product and to distinguish that beer product from another beer product.

(4.7) "Brand extension" means any brand that incorporates all or a substantial part of the features of a pre-existing brand of the same brewer and that relies to a significant extent on the good will associated with the pre-existing brand.

(5) "Master Distributor" means a person who, in addition to being a wholesaler, acts in the same or similar capacity as a brewer or outside seller of one or more brands of beer to other wholesalers on a regular basis in the normal course of business.

(6) "Successor Brewer" means any person who in any way obtains the distribution rights that a brewer, non-resident dealer, foreign importer, or master distributor once had to manufacture or distribute a brand or brands of beer whether by merger, purchase of corporate shares, purchase of assets, or any other arrangement, including but not limited to any arrangements transferring the ownership or control of the trademark, brand or name of the brand.

(7) "Person" means a natural person, partnership, corporation, trust, agency, or other form of business enterprise. Person also includes heirs, assigns, personal representatives and guardians.

(8) "Territory" or "sales territory" means the exclusive geographic area of primary sales responsibility designated by the agreement between a wholesaler and brewer for any brand, brands, or brand extensions of the brewer. The "territory" or "sales territory" designated by the agreement may not be designated by address or specific location unless such specific address or location is part of a general and broad territory or sales territory description. The designation of a territory or sales territory in violation of this subsection is prohibited by this Act and deemed discriminatory.

(9) "Good cause" exists if the wholesaler or affected party has failed to comply with essential and reasonable requirements imposed upon the wholesaler or affected party by the agreement. The requirements may not be discriminating either by their terms or in the methods of their enforcement as compared with requirements imposed on other similarly situated wholesalers by the brewer. The requirements may not be inconsistent with this Act or in violation of any law or regulation.

New matter indicated by italics - deletions by strikeout
(10) "Good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing in the trade as defined and interpreted under Section 2-103 of the Uniform Commercial Code.

(11) "Reasonable standards and qualifications" means those criteria applied by the brewer to similarly situated wholesalers during a period of 24 months before the proposed change in manager or successor manager of the wholesaler's business.

(12) "Affected party" means a wholesaler, brewer, master distributor, successor brewer, or any person that is a party to an agreement.

(13) "Signs" means signs described in Section 6-6 of the Liquor Control Act of 1934.

(14) "Advertising materials" means advertising materials described in Section 6-6 of the Liquor Control Act of 1934.

(Source: P.A. 95-240, eff. 8-17-07; 95-789, eff. 8-7-08; 96-662, eff. 8-25-09.)

Passed in the General Assembly May 9, 2014.

Approved August 1, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-0844
(Senate Bill No. 3149)

AN ACT concerning public health.

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

Section 1. Short title. This Act may be cited as the Public Self-Care of Diabetes Act.

Section 5. Purpose. The General Assembly finds that insulin injection is necessary for diabetics and their continued health and longevity. The General Assembly finds that forcing diabetics to administer their personal insulin injections out of public view is unnecessarily restrictive.

Section 10. Public self-care of diabetes location. A person with diabetes, or parent or legal guardian of a person with diabetes, may self-administer insulin or administer insulin for his or her child in any location, public or private, where the person, or the person's parent or legal guardian, is authorized to be, irrespective of whether the injection site is uncovered during or incidental to the administration of insulin.

Section 15. Illegal drugs. Nothing in this Act shall be construed to authorize the use of any illegal drug.

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning children.

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

Section 5. The Children and Family Services Act is amended by adding Section 39.2 as follows:

(20 ILCS 505/39.2 new)

Sec. 39.2. Illinois Children's Justice Task Force. The Illinois Children's Justice Task Force, in compliance with (i) the Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C. 5106c), as amended by Public Law 111-320; (ii) the Victims of Crime Act of 1984 (42 U.S.C. 10603), as amended; and (iii) Section 116 of the CAPTA Reauthorization Act of 2010, shall be charged with the exploration, research, and development of recommendations on a multidisciplinary team approach for the investigation of reports of abuse or neglect of children under the age of 18.

The Illinois Children's Justice Task Force shall submit a report to the General Assembly by March 1, 2015 regarding, but not limited to, its recommendations for a statewide multidisciplinary approach to child abuse or neglect investigations. The Department of Children and Family Services shall continue to provide administrative support to the Task Force through the Department's Children's Justice Grant Manager.

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

Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective August 1, 2014.
PUBLIC ACT 98-0846  
(Senate Bill No. 3283)  

AN ACT concerning State government.  

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

Section 5. The Children and Family Services Act is amended by changing Section 7 as follows:  

(20 ILCS 505/7) (from Ch. 23, par. 5007)  
Sec. 7. Placement of children; considerations.  
(a) In placing any child under this Act, the Department shall place the child, as far as possible, in the care and custody of some individual holding the same religious belief as the parents of the child, or with some child care facility which is operated by persons of like religious faith as the parents of such child.  

(a-5) In placing a child under this Act, the Department shall place the child with the child's sibling or siblings under Section 7.4 of this Act unless the placement is not in each child's best interest, or is otherwise not possible under the Department's rules. If the child is not placed with a sibling under the Department's rules, the Department shall consider placements that are likely to develop, preserve, nurture, and support sibling relationships, where doing so is in each child's best interest.  

(b) In placing a child under this Act, the Department may place a child with a relative if the Department determines that the relative will be able to adequately provide for the child's safety and welfare based on the factors set forth in the Department's rules governing relative placements, and that the placement is consistent with the child's best interests, taking into consideration the factors set out in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987.  

When the Department first assumes custody of a child, in placing that child under this Act, the Department shall make reasonable efforts to identify and locate a relative who is ready, willing, and able to care for the child. At a minimum, these efforts shall be renewed each time the child requires a placement change and it is appropriate for the child to be cared for in a home environment. The Department must document its efforts to identify and locate such a relative placement and maintain the documentation in the child's case file.  

If the Department determines that a placement with any identified relative is not in the child's best interests or that the relative does not meet the
requirements to be a relative caregiver, as set forth in Department rules or by statute, the Department must document the basis for that decision and maintain the documentation in the child's case file.

If, pursuant to the Department's rules, any person files an administrative appeal of the Department's decision not to place a child with a relative, it is the Department's burden to prove that the decision is consistent with the child's best interests.

When the Department determines that the child requires placement in an environment, other than a home environment, the Department shall continue to make reasonable efforts to identify and locate relatives to serve as visitation resources for the child and potential future placement resources, except when the Department determines that those efforts would be futile or inconsistent with the child's best interests.

If the Department determines that efforts to identify and locate relatives would be futile or inconsistent with the child's best interests, the Department shall document the basis of its determination and maintain the documentation in the child's case file.

If the Department determines that an individual or a group of relatives are inappropriate to serve as visitation resources or possible placement resources, the Department shall document the basis of its determination and maintain the documentation in the child's case file.

When the Department determines that an individual or a group of relatives are appropriate to serve as visitation resources or possible future placement resources, the Department shall document the basis of its determination, maintain the documentation in the child's case file, create a visitation or transition plan, or both, and incorporate the visitation or transition plan, or both, into the child's case plan. For the purpose of this subsection, any determination as to the child's best interests shall include consideration of the factors set out in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

The Department may not place a child with a relative, with the exception of certain circumstances which may be waived as defined by the Department in rules, if the results of a check of the Law Enforcement Agencies Data System (LEADS) identifies a prior criminal conviction of the relative or any adult member of the relative's household for any of the following offenses under the Criminal Code of 1961 or the Criminal Code of 2012:

(1) murder;
(1.1) solicitation of murder;

New matter indicated by italics - deletions by strikeout
(1.2) solicitation of murder for hire;
(1.3) intentional homicide of an unborn child;
(1.4) voluntary manslaughter of an unborn child;
(1.5) involuntary manslaughter;
(1.6) reckless homicide;
(1.7) concealment of a homicidal death;
(1.8) involuntary manslaughter of an unborn child;
(1.9) reckless homicide of an unborn child;
(1.10) drug-induced homicide;
(2) a sex offense under Article 11, except offenses described in Sections 11-7, 11-8, 11-12, 11-13, 11-35, 11-40, and 11-45;
(3) kidnapping;
(3.1) aggravated unlawful restraint;
(3.2) forcible detention;
(3.3) aiding and abetting child abduction;
(4) aggravated kidnapping;
(5) child abduction;
(6) aggravated battery of a child as described in Section 12-4.3 or subdivision (b)(1) of Section 12-3.05;
(7) criminal sexual assault;
(8) aggravated criminal sexual assault;
(8.1) predatory criminal sexual assault of a child;
(9) criminal sexual abuse;
(10) aggravated sexual abuse;
(11) heinous battery as described in Section 12-4.1 or subdivision (a)(2) of Section 12-3.05;
(12) aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05;
(13) tampering with food, drugs, or cosmetics;
(14) drug-induced infliction of great bodily harm as described in Section 12-4.7 or subdivision (g)(1) of Section 12-3.05;
(15) aggravated stalking;
(16) home invasion;
(17) vehicular invasion;
(18) criminal transmission of HIV;
(19) criminal abuse or neglect of an elderly or disabled person as described in Section 12-21 or subsection (b) of Section 12-4.4a;
(20) child abandonment;

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(21) endangering the life or health of a child;
(22) ritual mutilation;
(23) ritualized abuse of a child;
(24) an offense in any other state the elements of which are
similar and bear a substantial relationship to any of the foregoing
offenses.

For the purpose of this subsection, "relative" shall include any person,
21 years of age or over, other than the parent, who (i) is currently related to
the child in any of the following ways by blood or adoption: grandparent,
sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, second
cousin, godparent, great-uncle, or great-aunt; or (ii) is the spouse of such a
relative; or (iii) is the child's step-father, step-mother, or adult step-brother or
step-sister; or (iv) is a fictive kin; "relative" also includes a person related in
any of the foregoing ways to a sibling of a child, even though the person is
not related to the child, when the child and its sibling are placed together with
that person. For children who have been in the guardianship of the
Department, have been adopted, and are subsequently returned to the
temporary custody or guardianship of the Department, a "relative" may also
include any person who would have qualified as a relative under this
paragraph prior to the adoption, but only if the Department determines, and
documents, that it would be in the child's best interests to consider this person
a relative, based upon the factors for determining best interests set forth in
subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987. A relative
with whom a child is placed pursuant to this subsection may, but is not
required to, apply for licensure as a foster family home pursuant to the Child
Care Act of 1969; provided, however, that as of July 1, 1995, foster care
payments shall be made only to licensed foster family homes pursuant to the
terms of Section 5 of this Act.

Notwithstanding any other provision under this subsection to the
contrary, a fictive kin with whom a child is placed pursuant to this subsection
shall apply for licensure as a foster family home pursuant to the Child Care
Act of 1969 within 6 months of the child's placement with the fictive kin. The
Department shall not remove a child from the home of a fictive kin on the
basis that the fictive kin fails to apply for licensure within 6 months of the
child's placement with the fictive kin, or fails to meet the standard for
licensure. All other requirements established under the rules and procedures
of the Department concerning the placement of a child, for whom the
Department is legally responsible, with a relative shall apply. By June 1,
2015, the Department shall promulgate rules establishing criteria and standards for placement, identification, and licensure of fictive kin.

For purposes of this subsection, "fictive kin" means any individual, unrelated by birth or marriage, who is shown to have close personal or emotional ties with the child or the child's family prior to the child's placement with the individual.

The provisions added to this subsection (b) by this amendatory Act of the 98th General Assembly shall become operative on and after June 1, 2015.

(c) In placing a child under this Act, the Department shall ensure that the child's health, safety, and best interests are met. In rejecting placement of a child with an identified relative, the Department shall ensure that the child's health, safety, and best interests are met. In evaluating the best interests of the child, the Department shall take into consideration the factors set forth in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall consider the individual needs of the child and the capacity of the prospective foster or adoptive parents to meet the needs of the child. When a child must be placed outside his or her home and cannot be immediately returned to his or her parents or guardian, a comprehensive, individualized assessment shall be performed of that child at which time the needs of the child shall be determined. Only if race, color, or national origin is identified as a legitimate factor in advancing the child's best interests shall it be considered. Race, color, or national origin shall not be routinely considered in making a placement decision. The Department shall make special efforts for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of the children for whom foster and adoptive homes are needed. "Special efforts" shall include contacting and working with community organizations and religious organizations and may include contracting with those organizations, utilizing local media and other local resources, and conducting outreach activities.

(c-1) At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of Section 5, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

(d) The Department may accept gifts, grants, offers of services, and other contributions to use in making special recruitment efforts.

(e) The Department in placing children in adoptive or foster care homes may not, in any policy or practice relating to the placement of children

New matter indicated by italics - deletions by strikeout
for adoption or foster care, discriminate against any child or prospective adoptive or foster parent on the basis of race.
(Source: P.A. 96-1551, Article 1, Section 900, eff. 7-1-11; 96-1551, Article 2, Section 920, eff. 7-1-11; 97-1076, eff. 8-24-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 10. The Child Care Act of 1969 is amended by changing Sections 2.04 and 2.17 as follows:

(225 ILCS 10/2.04) (from Ch. 23, par. 2212.04)
Sec. 2.04. "Related" means any of the following relationships by blood, marriage, or adoption: parent, grandparent, great-grandparent, great-uncle, great-aunt, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, nephew, niece, fictive kin as defined in Section 7 of the Children and Family Services Act, or first cousin.
(Source: P.A. 80-459.)

(225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)
Sec. 2.17. "Foster family home" means a facility for child care in residences of families who receive no more than 8 children unrelated to them, unless all the children are of common parentage, or residences of relatives who receive no more than 8 related children placed by the Department, unless the children are of common parentage, for the purpose of providing family care and training for the children on a full-time basis, except the Director of Children and Family Services, pursuant to Department regulations, may waive the limit of 8 children unrelated to an adoptive family for good cause and only to facilitate an adoptive placement. The family's or relative's own children, under 18 years of age, shall be included in determining the maximum number of children served. For purposes of this Section, a "relative" includes any person, 21 years of age or over, other than the parent, who (i) is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, great-uncle, or great-aunt; or (ii) is the spouse of such a relative; or (iii) is a child's step-father, step-mother, or adult step-brother or step-sister; or (iv) is a fictive kin; "relative" also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. The term "foster family home" includes homes receiving children from any State-operated institution for child care; or from any agency established by a municipality or other political subdivision of the State of Illinois authorized to provide care for children outside their own homes. The term "foster family home" does not include an "adoption-only home" as

New matter indicated by italics - deletions by strikeout
defined in Section 2.23 of this Act. The types of foster family homes are defined as follows:

(a) "Boarding home" means a foster family home which receives payment for regular full-time care of a child or children.

(b) "Free home" means a foster family home other than an adoptive home which does not receive payments for the care of a child or children.

(c) "Adoptive home" means a foster family home which receives a child or children for the purpose of adopting the child or children.

(d) "Work-wage home" means a foster family home which receives a child or children who pay part or all of their board by rendering some services to the family not prohibited by the Child Labor Law or by standards or regulations of the Department prescribed under this Act. The child or children may receive a wage in connection with the services rendered the foster family.

(e) "Agency-supervised home" means a foster family home under the direct and regular supervision of a licensed child welfare agency, of the Department of Children and Family Services, of a circuit court, or of any other State agency which has authority to place children in child care facilities, and which receives no more than 8 children, unless of common parentage, who are placed and are regularly supervised by one of the specified agencies.

(f) "Independent home" means a foster family home, other than an adoptive home, which receives no more than 4 children, unless of common parentage, directly from parents, or other legally responsible persons, by independent arrangement and which is not subject to direct and regular supervision of a specified agency except as such supervision pertains to licensing by the Department.

(Source: P.A. 92-318, eff. 1-1-02.)


Approved August 1, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-0847
(Senate Bill No. 3290)

AN ACT concerning civil law.

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

New matter indicated by italics - deletions by strikeout
Section 5. The Premises Liability Act is amended by changing Section 4.1 as follows:

(740 ILCS 130/4.1)

Sec. 4.1. Off-road riding facilities; liability.
(a) As used in this Section, "off-road riding facility" means:

(1) an area of land, consisting of a closed course, designed for use of off-highway vehicles in events such as, but not limited to, dirt track, short track, flat track, speedway, drag racing, grand prix, hare scrambles, hill climb, ice racing, observed trails, mud and snow scrambles, tractor pulls, sled pulls, truck pulls, mud runs, or other contests of a side-by-side nature in a sporting event for practice, instruction, testing, or competition of off-highway vehicles; or

(2) a thoroughfare or track across land or snow used for off-highway motorcycles or all-terrain vehicles.

(b) An owner or operator of an off-road riding facility in existence on January 1, 2002 is immune from any criminal liability arising out of or as a consequence of noise or sound emissions resulting from the normal use of the off-road riding facility. An owner or operator of a off-road riding facility is not subject to any action for public or private nuisance or trespass, and no court in this State may enjoin the use or operation of a off-road riding facility on the basis of noise or sound emissions resulting from the normal use of the off-road riding facility.

(c) An owner or operator of a off-road riding facility placed in operation after January 1, 2002 is immune from any criminal liability arising out of or as a consequence of noise or sound emissions resulting from the normal use of the off-road riding facility, if the off-road riding facility conforms to any one of the following requirements:

(1) All areas from which an off-road vehicle may be properly operated are at least 1,000 feet from any occupied permanent dwelling on adjacent property at the time the facility was placed into operation.

(2) The off-road riding facility is situated on land otherwise subject to land use zoning, and the off-road riding facility was not prohibited by the zoning authority at the time the facility was placed into operation.

(3) The off-road riding facility is operated by a governmental entity or the off-road riding facility was the recipient of grants under the Recreational Trails of Illinois Act.

New matter indicated by italics - deletions by strikeout
(d) The civil immunity in subsection (c) does not apply if there is willful or wanton misconduct outside the normal use of the off-road riding facility.
(Source: P.A. 92-857, eff. 1-1-03.)
Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0848
(Senate Bill No. 3302)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Fire Equipment Distributor and Employee Regulation Act of 2011 is amended by changing Sections 40 and 60 as follows:
(225 ILCS 217/40)
(Section scheduled to be repealed on January 1, 2023)
Sec. 40. Qualifications for licensure; fees.
(a) No person shall engage in practice as a fire equipment distributor or fire equipment employee without first applying for and obtaining a license for that purpose from the Office of the State Fire Marshal.
(b) To qualify for a Class A Fire Equipment Distributor License to service, recharge, hydro-test, install, maintain, or inspect all types of fire extinguishers, an applicant must provide all of the following:
   (1) An annual license fee of $100.
   (2) Evidence of registration as an Illinois corporation or evidence of compliance with the Assumed Business Name Act.
   (3) Evidence of financial responsibility in a minimum amount of $300,000 through liability insurance, self-insurance, group insurance, group self-insurance, or risk retention groups.
(c) To qualify for a Class B Fire Equipment Distributor License to service, recharge, hydro-test, install, maintain, or inspect all types of pre-engineered fire extinguishing systems, an applicant must provide all of the following:
   (1) An annual license fee of $200.
   (2) Evidence of registration as an Illinois corporation or evidence of compliance with the Assumed Business Name Act.

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(3) Evidence of financial responsibility in a minimum amount of $300,000 through liability insurance, self-insurance, group insurance, group self-insurance, or risk retention groups.

(4) Evidence of owning, leasing, renting, or having access to proper testing equipment that is in compliance with the national standards adopted by the State Fire Marshal for the maintenance and operation of testing tools for use with all Class B fire equipment.

(d) To qualify for a Class C Fire Equipment Distributor License to service, repair, hydro-test, inspect, and engineer all types of engineered fire suppression systems, an applicant must provide all of the following:

(1) An annual license fee of $300.

(2) Evidence of registration as an Illinois corporation or evidence of compliance with the Assumed Business Name Act.

(3) Evidence of financial responsibility in a minimum amount of $300,000 through liability insurance, self-insurance, group insurance, group self-insurance, or risk retention groups.

(4) Evidence of owning, leasing, renting, or having access to proper testing equipment that is in compliance with the national standards adopted by the State Fire Marshal for the maintenance and operation of testing tools for use with all Class C fire equipment.

(e) To qualify for a Class 1 Fire Equipment Employee License to service, recharge, hydro-test, install, maintain, or inspect all types of fire extinguishers, an applicant must complete all of the following:

(1) Pass the ICC/NAFED examination administered by the ICC as a technician certified to service a Portable Fire Extinguisher.

(2) Pay an annual license fee of $20.

(3) Provide 2 copies of a current photograph at least 1" x 1" in size. An applicant who is 21 years of age or older seeking a religious exemption to this photograph requirement shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the State Fire Marshal with his or her application in lieu of a photograph.

(f) To qualify for a Class 2I Fire Equipment Employee License to service, recharge, hydro-test, install, maintain, or inspect all types of pre-engineered industrial fire extinguishing systems, an applicant must complete all of the following:

New matter indicated by italics - deletions by strikeout
(1) Pass the ICC/NAFED examination administered by the ICC as a technician certified to service Pre-Engineered Industrial Fire Suppression Systems.

(2) Pay an annual license fee of $20.

(3) Provide 2 copies of a current photograph at least 1" x 1" in size. An applicant who is 21 years of age or older seeking a religious exemption to this photograph requirement shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the State Fire Marshal with his or her application in lieu of a photograph.

(f-5) To qualify for a Class 2K Fire Equipment Employee License to service, recharge, hydro-test, install, maintain, or inspect all types of pre-engineered kitchen fire extinguishing systems, an applicant must complete all of the following:

(1) Pass the ICC/NAFED examination administered by the ICC as a technician certified to service Pre-Engineered Kitchen Fire Extinguishing Systems.

(2) Pay an annual fee of $20.

(3) Provide 2 copies of a current photograph at least 1" x 1" in size. An applicant who is 21 years of age or older seeking a religious exemption to this photograph requirement shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the State Fire Marshal with his or her application in lieu of a photograph.

(g) To qualify for a Class 3 Fire Equipment Employee License to service, recharge, hydro-test, maintain, inspect, or engineer all types of engineered fire extinguishing systems, an applicant must complete all of the following:

(1) Pass the examination.

(2) Pay an annual license fee of $20.

(3) Provide a current photograph at least 1" x 1" in size. An applicant who is 21 years of age or older seeking a religious exemption to this photograph requirement shall furnish with his or
her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the State Fire Marshal with his or her application in lieu of a photograph.

(h) All licenses issued under this Act shall remain in effect unless the licensee is otherwise notified by the Office of the State Fire Marshal.

(Source: P.A. 96-1499, eff. 1-18-11; 97-979, eff. 8-17-12.)

(225 ILCS 217/60)

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

Sec. 60. Issuance of license; renewal.

(a) The State Fire Marshal shall, upon the applicant's satisfactory completion of the requirements authorized under this Act and upon receipt of the requisite fees, issue the appropriate license and wallet card showing the name and business location of the licensee, the dates of issuance and expiration, and shall contain a photograph of the licensee provided to the State Fire Marshal. An applicant who is 21 years of age or older seeking a religious exemption to the photograph required by this subsection shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the State Fire Marshal with his or her application in lieu of a photograph.

(b) Any license valid on December 31, 2010 under the Fire Equipment Distributor and Employee Regulation Act of 2000 shall be a valid license under this Act and expires when the valid license issued under the Fire Equipment Distributor and Employee Regulation Act of 2000 was scheduled to expire.

(c) Each licensee may apply for renewal of his license upon payment of fees, as set forth in this Act. The expiration date and renewal period for each license issued under this Act shall be set by rule. Failure to renew within 60 days of the expiration date shall lapse the license. A lapsed license may not be reinstated until a written application is filed, the renewal fee is paid, and a $50 reinstatement fee is paid. Renewal and reinstatement fees shall be waived for persons who did not renew while on active duty in the military and who file for renewal or restoration within one year after discharge from such service. A lapsed license may not be reinstated after 5 years have passed.

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elapsed, except upon passing an examination to determine fitness to have the license restored and by paying the required fees.

(d) As a condition of renewal of a license, the State Fire Marshal may require the licensee to report information pertaining to his practice which the State Fire Marshal determines to be in the interest of public safety.

(e) All fees paid under this Act are non-refundable.

(Source: P.A. 96-1499, eff. 1-18-11.)

Section 10. The Pyrotechnic Distributor and Operator Licensing Act is amended by changing Section 50 as follows:

(225 ILCS 227/50)

Sec. 50. Issuance of license; renewal; fees nonrefundable.

(a) The Office, upon the applicant's satisfactory completion of the requirements imposed under this Act and upon receipt of the requisite fees, shall issue the appropriate license showing the name, address, and photograph of the licensee and the dates of issuance and expiration. The license shall include the name of the pyrotechnic distributor or production company employing the lead pyrotechnic operator or insuring the lead pyrotechnic operator as an additional named insured on the pyrotechnic distributor's product liability and general liability insurance, as required under paragraphs (2) and (3) of subsection (c) of Section 35, or insuring the lead pyrotechnic operator as an additional named insured on the production company's general liability insurance, as required under paragraph (1) of subsection (c-3) of Section 35. A lead pyrotechnic operator is required to have a separate license for each pyrotechnic distributor or production company who employs the lead pyrotechnic operator or insures the lead pyrotechnic operator as an additional named insured on the pyrotechnic distributor's product liability and general liability insurance, as required under paragraphs (2) and (3) of subsection (c) of Section 35, or insures the lead pyrotechnic operator as an additional named insured on the production company's general liability insurance, as required under paragraph (1) of subsection (c-3) of Section 35.

(b) Each licensee may apply for renewal of his or her license upon payment of the applicable fees. The expiration date and renewal period for each license issued under this Act shall be set by rule. Failure to renew within 60 days of the expiration date results in lapse of the license. A lapsed license may not be reinstated until a written application is filed, the renewal fee is paid, and the reinstatement fee established by the Office is paid. Renewal and reinstatement fees shall be waived for persons who did not renew while on active duty in the military and who file for renewal or restoration within one year after discharge from the service. A lapsed license may not be reinstated

New matter indicated by italics - deletions by strikeout
after 5 years have elapsed except upon passing an examination to determine fitness to have the license restored and by paying the required fees.

(c) All fees paid under this Act are nonrefundable.

d) A production company licensed under this Act shall pay all applicable licensing fees for each lead pyrotechnic operator it employs or insures as an additional named insured on the production company's general liability insurance, as required under paragraph (1) of subsection (c-3) of Section 35.

(e) An applicant who is 21 years of age or older seeking a religious exemption to the photograph requirement of this Section shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the Office with his or her application in lieu of a photograph.

(Source: P.A. 96-708, eff. 8-25-09; 97-164, eff. 1-1-12.)

Section 15. The Elevator Safety and Regulation Act is amended by adding Section 66 as follows:

(225 ILCS 312/66 new)

Sec. 66. Licenses; photo exemption. An applicant who is 21 years of age or older seeking a religious exemption to the requirement under this Act that all licenses contain the licensee's photo shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photo requirement shall submit fingerprints in a form and manner prescribed by the Board with his or her application in lieu of a photo.

Section 20. The Illinois Plumbing License Law is amended by changing Sections 11 and 16 as follows:

(225 ILCS 320/11) (from Ch. 111, par. 1110)

Sec. 11. The Director shall issue a plumber's license to each applicant who successfully passes the examination and has paid to the Department the required license fee. Each plumber's license shall be issued in the name of the Department with the seal thereof attached. Each plumber's license shall be composed of a solid plastic card that includes a photo of the licensed plumber printed directly on the card.

A person once licensed as a plumber under the provisions of this Act shall not be relicensed except by renewal or restoration of such license as provided in this Act.

New matter indicated by italics - deletions by strikeout
An applicant who is 21 years of age or older seeking a religious exemption to the photo requirement of this Section shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photo requirement shall submit fingerprints in a form and manner prescribed by the Department with his or her application in lieu of a photo.

(Source: P.A. 97-1137, eff. 6-1-13.)

(225 ILCS 320/16) (from Ch. 111, par. 1115)

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more, may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act, provide for a board of plumbing examiners to conduct examinations for, and to issue, suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required of the Director by Section 8 of this Act, and shall provide the Department with a copy thereof. The Department shall be advised of changes in such record at least every six months.

(4) In the event that the plumbing contractor's license is suspended or revoked by any city, village, or incorporated town, having a population of 500,000 or more, the city, village, or incorporated town shall notify the Department.

(5) Any city, village, or incorporated town having a population of 500,000 or more that licenses an individual as a plumber shall provide a license composed of a solid plastic card that includes a photo of the licensed plumber printed directly on the card. An applicant who is 21 years of age or older seeking a religious exemption to the photo requirement of this subsection shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photo requirement shall submit fingerprints in a form and manner prescribed...
by the city, village, or incorporated town with his or her application in lieu of a photo.
(Source: P.A. 97-365, eff. 1-1-12; 97-1137, eff. 6-1-13.)

Section 25. The Collateral Recovery Act is amended by changing Sections 35, 40, and 45 as follows:

(225 ILCS 422/35)
(Section scheduled to be repealed on January 1, 2022)
Sec. 35. Application for repossession agency licensure.
   (a) Application for original licensure as a repossession agency shall be made to the Commission in writing on forms prescribed by the Commission and shall be accompanied by the appropriate documentation and the required fee, and the fee is nonrefundable.
   (b) Every application shall state, in addition to any other requirements, (i) the name of the applicant, (ii) the name under which the applicant shall do business, (iii) the proposed location of the agency by number, street, and city, and (iv) the proposed location of the agency's remote storage location or locations by number, street, and city, (v) the proposed location of the Agency's branch office or branch offices by number, street, and city, and (vi) the usual business hours that the agency shall maintain.
   (c) No license may be issued (i) in any fictitious name that may be confused with or is similar to any federal, state, county, or municipal government function or agency, (ii) in any name that may tend to describe any business function or enterprise not actually engaged in by the applicant, (iii) in any name that is the same as or similar to any existing licensed company and that would tend to deceive the public, (iv) in any name that would tend to be deceptive or misleading, or (v) to any repossession agency applicant without that agency's location or branch office location maintaining a secured storage facility as defined in Section 10 of this Act.
   (d) If the applicant for repossession agency licensure is an individual, then his or her application shall include (i) the full residential address of the applicant and (ii) either the sworn statement of the applicant declaring that he or she is the licensed recovery manager who shall be personally in control of the agency for which the licensure is sought, or the name and signed sworn statement of the licensed recovery manager who shall be in control or management of the agency.
   (e) If the applicant for repossession agency licensure is a partnership, then the application shall include (i) a statement of the names and full residential addresses of all partners in the business and (ii) a sworn statement signed by each partner verifying the name of the person who is a licensed
recovery manager and shall be in control or management of the business. If a licensed recovery manager who is not a partner shall be in control or management of the agency, then he or she must also sign the sworn statement. The application shall also state whether any of the partners has ever used an alias.

(f) If the applicant for licensure as a repossession agency is a corporation, then the application shall include (i) the names and full residential addresses of all corporation officers and (ii) a sworn statement signed by a duly authorized officer of the corporation verifying the name of the person who is a licensed recovery manager and shall be in control or management of the agency. If a licensed recovery manager who is not an officer shall be in control or management of the agency, then he or she must also sign the sworn statement. The application shall also state whether any of the officers has ever used an alias.

(g) If the applicant for licensure as a repossession agency is a limited liability company, then the application shall include (i) the names and full residential addresses of all members and (ii) a sworn statement signed by each member verifying the name of the person who is a licensed recovery manager and shall be in control or management of the agency. If a licensed recovery manager who is not a member shall be in control or management of the agency, then he or she must also sign the sworn statement. The application shall also state whether any of the members has ever used an alias.

(h) Each individual, partner of a partnership, officer of a corporation, or member of a limited liability company shall submit with the application a copy of one form of personal identification upon which must appear a photograph taken within one year immediately preceding the date of the filing of the application. An applicant who is 21 years of age or older seeking a religious exemption to the photograph requirement of this subsection shall furnish with the application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the Commission with his or her application in lieu of a photograph.

(i) No examination shall be required for licensure as a repossession agency by the Commission.

(j) The Commission may require any additional information that, in the judgment of the Commission, shall enable the Commission to determine the qualifications of the applicant for licensure.

New matter indicated by italics - deletions by strikeout
(k) Applicants have 90 days from the date of application to complete the application process. If the application has not been completed within 90 days, then the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(l) Nothing in this Section precludes a domestic or foreign limited liability company being licensed as a repossession agency.

(m) A repossession agency license may be transferable upon prior notice to the Commission and upon completion of all requirements relative to the application process for repossession agency licensure.

(n) Repossessions performed in this State must be performed by repossession agencies, their employees, or agents licensed by the Commission, with the exception of financial institutions or the employees of a financial institution that are exempt under subsection (d) of Section 30 of this Act.

(Source: P.A. 97-576, eff. 7-1-12.)

(225 ILCS 422/40)

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

Sec. 40. Qualifications for recovery manager; identification card.

(a) An applicant is qualified for licensure as a recovery manager if that person meets all of the following requirements:

(1) Is 21 years of age or older.

(2) Has not been convicted in any jurisdiction of any felony or at least 10 years has passed from the time of discharge from any sentence imposed for a felony.

(3) Has completed no less than 2,500 hours of actual compensated collateral recovery work as an employee of a repossession agency, a financial institution, or a vehicle dealer within the 5 years immediately preceding the filing of an application, acceptable proof of which must be submitted to the Commission.

(4) Has submitted to the Commission 2 sets of fingerprints, which shall be checked against the fingerprint records on file with the Illinois State Police and the Federal Bureau of Investigation in the manner set forth in Section 60 of this Act.

(5) Has successfully completed a certification program approved by the Commission.

(6) Has paid the required application fees.

(b) Upon the issuance of a recovery manager license, the Commission shall issue the license holder a suitable pocket identification card that shall
include a photograph of the license holder. The identification card must contain the name of the license holder and any other information required by the Commission. An applicant who is 21 years of age or older seeking a religious exemption to the photograph requirement of this subsection shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029.

(c) A recovery manager license is not transferable.

(Source: P.A. 97-576, eff. 7-1-12.)

(225 ILCS 422/45)

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

Sec. 45. Repossession agency employee requirements.

(a) All employees of a licensed repossession agency whose duties include the actual repossession of collateral must apply for a recovery permit. The holder of a repossession agency license issued under this Act, known in this Section as the "employer", may employ in the conduct of the business under the following provisions:

(1) No person may be issued a recovery permit who meets any of the following criteria:

(A) Is younger than 21 years of age.
(B) Has been determined by the Commission to be unfit by reason of conviction of an offense in this or another state, other than a minor traffic offense. The Commission shall adopt rules for making those determinations.
(C) Has had a license or recovery permit denied, suspended, or revoked under this Act.
(D) Has not successfully completed a certification program approved by the Commission.

(2) No person may be employed by a repossession agency under this Section until he or she has executed and furnished to the Commission, on forms furnished by the Commission, a verified statement to be known as an "Employee's Statement" setting forth all of the following:

(A) The person's full name, age, and residence address.
(B) The business or occupation engaged in for the 5 years immediately before the date of the execution of the statement, the place where the business or occupation was engaged in, and the names of the employers, if any.
(C) That the person has not had a license or recovery permit denied, revoked, or suspended under this Act.
(D) Any conviction of a felony, except as provided for in Section 85.
(E) Any other information as may be required by any rule of the Commission to show the good character, competency, and integrity of the person executing the statement.

(b) Each applicant for a recovery permit shall have his or her fingerprints submitted to the Commission by a Live Scan fingerprint vendor certified by the Illinois State Police under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Illinois State Police. These fingerprints shall be checked against the Illinois State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Commission shall charge applicants a fee for conducting the criminal history records check, which shall not exceed the actual cost of the records check. The Illinois Commerce Commission Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Commission. The Commission, in its discretion, may allow an applicant who does not have reasonable access to a designated vendor to provide his or her fingerprints in an alternative manner. The Commission, in its discretion, may also use other procedures in performing or obtaining criminal history records checks of applicants. Instead of submitting his or her fingerprints, an individual may submit proof that is satisfactory to the Commission that an equivalent security clearance has been conducted.

(c) Qualified applicants shall purchase a recovery permit from the Commission and in a form that the Commission prescribes. The Commission shall notify the submitting person within 10 days after receipt of the application of its intent to issue or deny the recovery permit. The holder of a recovery permit shall carry the recovery permit at all times while actually engaged in the performance of the duties of his or her employment. No recovery permit shall be effective unless accompanied by a license issued by the Commission. Expiration and requirements for renewal of recovery permits shall be established by rule of the Commission. Possession of a recovery permit does not in any way imply that the holder of the recovery permit

New matter indicated by italics - deletions by strikeout
permit is employed by any agency unless the recovery permit is accompanied by the employee identification card required by subsection (e) of this Section.

(d) Each employer shall maintain a record of each employee that is accessible to the duly authorized representatives of the Commission. The record shall contain all of the following information:

(1) A photograph taken within 10 days after the date that the employee begins employment with the employer. The photograph shall be replaced with a current photograph every 3 calendar years.

(2) The Employee's Statement specified in paragraph (2) of subsection (a) of this Section.

(3) All correspondence or documents relating to the character and integrity of the employee received by the employer from any official source or law enforcement agency.

(4) In the case of former employees, the employee identification card of that person issued under subsection (e) of this Section.

(e) Every employer shall furnish an employee identification card to each of his or her employees. This subsection (e) shall not apply to office or clerical personnel. This employee identification card shall contain a recent photograph of the employee, the employee's name, the name and agency license number of the employer, the employee's personal description, the signature of the employer, the signature of that employee, the date of issuance, and an employee identification card number.

(f) No employer may issue an employee identification card to any person who is not employed by the employer in accordance with this Section or falsely state or represent that a person is or has been in his or her employ. It is unlawful for an applicant for registration to file with the Commission the fingerprints of a person other than himself or herself or to fail to exercise due diligence in resubmitting replacement fingerprints for those employees who have had original fingerprint submissions returned as unclassifiable. An agency shall inform the Commission within 15 days after contracting or employing a licensed repossession agency employee. The Commission shall develop a registration process by rule.

(g) Every employer shall obtain the identification card of every employee who terminates employment with the employer. An employer shall immediately report an identification card that is lost or stolen to the local police department having jurisdiction over the repossession agency location.
(h) No agency may employ any person to perform any activity under this Act unless the person possesses a valid license or recovery permit under this Act.

(i) If information is discovered affecting the registration of a person whose fingerprints were submitted under this Section, then the Commission shall so notify the agency that submitted the fingerprints on behalf of that person.

(j) A person employed under this Section shall have 15 business days within which to notify the Commission of any change in employer, but may continue working under any other recovery permits granted as an employee or independent contractor.

(k) This Section applies only to those employees of licensed repossession agencies whose duties include actual repossession of collateral.

(l) An applicant who is 21 years of age or older seeking a religious exemption to the photograph requirement of this Section shall furnish with his or her application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the Commission with his or her application in lieu of a photograph.

(Source: P.A. 97-576, eff. 7-1-12.)

Section 30. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 is amended by changing Section 35-30 as follows:

(225 ILCS 447/35-30)

Sec. 35-30. Employee requirements. All employees of a licensed agency, other than those exempted, shall apply for a permanent employee registration card. The holder of an agency license issued under this Act, known in this Section as "employer", may employ in the conduct of his or her business employees under the following provisions:

(a) No person shall be issued a permanent employee registration card who:

(1) Is younger than 18 years of age.

(2) Is younger than 21 years of age if the services will include being armed.

(3) Has been determined by the Department to be unfit by reason of conviction of an offense in this or another state, including registration as a sex offender, but not including a traffic offense.

New matter indicated by italics - deletions by strikeout
Persons convicted of felonies involving bodily harm, weapons, violence, or theft within the previous 10 years shall be presumed to be unfit for registration. The Department shall adopt rules for making those determinations that shall afford the applicant due process of law.

(4) Has had a license or permanent employee registration card denied, suspended, or revoked under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of subsection (a) of Section 20-10, subsection (b) of Section 20-10, item (6) or (8) of subsection (a) of Section 25-10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(5) Has been declared incompetent by any court of competent jurisdiction by reason of mental disease or defect and has not been restored.

(6) Has been dishonorably discharged from the armed services of the United States.

(b) No person may be employed by a private detective agency, private security contractor agency, private alarm contractor agency, fingerprint vendor agency, or locksmith agency under this Section until he or she has executed and furnished to the employer, on forms furnished by the Department, a verified statement to be known as "Employee's Statement" setting forth:

(1) The person's full name, age, and residence address.

(2) The business or occupation engaged in for the 5 years immediately before the date of the execution of the statement, the place where the business or occupation was engaged in, and the names of employers, if any.

(3) That the person has not had a license or employee registration denied, revoked, or suspended under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of Section 10-40.
subsection (a) of Section 20-10, subsection (b) of Section 20-10, item (6) or (8) of subsection (a) of Section 25-10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(4) Any conviction of a felony or misdemeanor.
(5) Any declaration of incompetence by a court of competent jurisdiction that has not been restored.
(6) Any dishonorable discharge from the armed services of the United States.
(7) Any other information as may be required by any rule of the Department to show the good character, competency, and integrity of the person executing the statement.

(c) Each applicant for a permanent employee registration card shall have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Department of State Police. These fingerprints shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall charge applicants a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department. The Department may require applicants to pay a separate fingerprinting fee, either to the Department or directly to the vendor. The Department, in its discretion, may allow an applicant who does not have reasonable access to a designated vendor to provide his or her fingerprints in an alternative manner. The Department, in its discretion, may also use other procedures in performing or obtaining criminal background checks of applicants. Instead of submitting his or her fingerprints, an individual may submit proof that is satisfactory to the Department that an equivalent security clearance has been conducted. Also, an individual who has retired as a peace officer within 12 months of application may submit verification, on forms provided by the Department and signed by his or her employer, of his or her previous full-time employment as a peace officer.

(d) The Department shall issue a permanent employee registration card, in a form the Department prescribes, to all qualified applicants. The holder of a permanent employee registration card shall carry the card at all times while actually engaged in the performance of the duties of his or her

New matter indicated by italics - deletions by strikeout
employment. Expiration and requirements for renewal of permanent employee registration cards shall be established by rule of the Department. Possession of a permanent employee registration card does not in any way imply that the holder of the card is employed by an agency unless the permanent employee registration card is accompanied by the employee identification card required by subsection (f) of this Section.

(e) Each employer shall maintain a record of each employee that is accessible to the duly authorized representatives of the Department. The record shall contain the following information:

(1) A photograph taken within 10 days of the date that the employee begins employment with the employer. The photograph shall be replaced with a current photograph every 3 calendar years.

(2) The Employee's Statement specified in subsection (b) of this Section.

(3) All correspondence or documents relating to the character and integrity of the employee received by the employer from any official source or law enforcement agency.

(4) In the case of former employees, the employee identification card of that person issued under subsection (f) of this Section. Each employee record shall duly note if the employee is employed in an armed capacity. Armed employee files shall contain a copy of an active firearm owner's identification card and a copy of an active firearm control card. Each employer shall maintain a record for each armed employee of each instance in which the employee's weapon was discharged during the course of his or her professional duties or activities. The record shall be maintained on forms provided by the Department, a copy of which must be filed with the Department within 15 days of an instance. The record shall include the date and time of the occurrence, the circumstances involved in the occurrence, and any other information as the Department may require. Failure to provide this information to the Department or failure to maintain the record as a part of each armed employee's permanent file is grounds for disciplinary action. The Department, upon receipt of a report, shall have the authority to make any investigation it considers appropriate into any occurrence in which an employee's weapon was discharged and to take disciplinary action as may be appropriate.

(5) A copy of the employee's permanent employee registration card or a copy of the Department's "License Lookup" Webpage
showing that the employee has been issued a valid permanent employee registration card by the Department.

The Department may, by rule, prescribe further record requirements.

(f) Every employer shall furnish an employee identification card to each of his or her employees. This employee identification card shall contain a recent photograph of the employee, the employee's name, the name and agency license number of the employer, the employee's personal description, the signature of the employer, the signature of that employee, the date of issuance, and an employee identification card number.

(g) No employer may issue an employee identification card to any person who is not employed by the employer in accordance with this Section or falsely state or represent that a person is or has been in his or her employ. It is unlawful for an applicant for registered employment to file with the Department the fingerprints of a person other than himself or herself.

(h) Every employer shall obtain the identification card of every employee who terminates employment with him or her.

(i) Every employer shall maintain a separate roster of the names of all employees currently working in an armed capacity and submit the roster to the Department on request.

(j) No agency may employ any person to perform a licensed activity under this Act unless the person possesses a valid permanent employee registration card or a valid license under this Act, or is exempt pursuant to subsection (n).

(k) Notwithstanding the provisions of subsection (j), an agency may employ a person in a temporary capacity if all of the following conditions are met:

(1) The agency completes in its entirety and submits to the Department an application for a permanent employee registration card, including the required fingerprint receipt and fees.

(2) The agency has verification from the Department that the applicant has no record of any criminal conviction pursuant to the criminal history check conducted by the Department of State Police. The agency shall maintain the verification of the results of the Department of State Police criminal history check as part of the employee record as required under subsection (e) of this Section.

(3) The agency exercises due diligence to ensure that the person is qualified under the requirements of the Act to be issued a permanent employee registration card.
(4) The agency maintains a separate roster of the names of all employees whose applications are currently pending with the Department and submits the roster to the Department on a monthly basis. Rosters are to be maintained by the agency for a period of at least 24 months.

An agency may employ only a permanent employee applicant for which it either submitted a permanent employee application and all required forms and fees or it confirms with the Department that a permanent employee application and all required forms and fees have been submitted by another agency, licensee or the permanent employee and all other requirements of this Section are met.

The Department shall have the authority to revoke, without a hearing, the temporary authority of an individual to work upon receipt of Federal Bureau of Investigation fingerprint data or a report of another official authority indicating a criminal conviction. If the Department has not received a temporary employee's Federal Bureau of Investigation fingerprint data within 120 days of the date the Department received the Department of State Police fingerprint data, the Department may, at its discretion, revoke the employee's temporary authority to work with 15 days written notice to the individual and the employing agency.

An agency may not employ a person in a temporary capacity if it knows or reasonably should have known that the person has been convicted of a crime under the laws of this State, has been convicted in another state of any crime that is a crime under the laws of this State, has been convicted of any crime in a federal court, or has been posted as an unapproved applicant by the Department. Notice by the Department to the agency, via certified mail, personal delivery, electronic mail, or posting on the Department's Internet site accessible to the agency that the person has been convicted of a crime shall be deemed constructive knowledge of the conviction on the part of the agency. The Department may adopt rules to implement this subsection (k).

(l) No person may be employed under this Section in any capacity if:

(1) the person, while so employed, is being paid by the United States or any political subdivision for the time so employed in addition to any payments he or she may receive from the employer; or

(2) the person wears any portion of his or her official uniform, emblem of authority, or equipment while so employed.

New matter indicated by italics - deletions by strikeout
(m) If information is discovered affecting the registration of a person whose fingerprints were submitted under this Section, the Department shall so notify the agency that submitted the fingerprints on behalf of that person.

(n) Peace officers shall be exempt from the requirements of this Section relating to permanent employee registration cards. The agency shall remain responsible for any peace officer employed under this exemption, regardless of whether the peace officer is compensated as an employee or as an independent contractor and as further defined by rule.

(o) Persons who have no access to confidential or security information, who do not go to a client's or prospective client's residence or place of business, and who otherwise do not provide traditional security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ushers, directors, ticket takers, cashiers, drivers, and reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts, or technical security and alarm data.

(p) An applicant who is 21 years of age or older seeking a religious exemption to the photograph requirement of this Section shall furnish with the application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029. Regardless of age, an applicant seeking a religious exemption to this photograph requirement shall submit fingerprints in a form and manner prescribed by the Department with his or her application in lieu of a photograph.

(Source: P.A. 98-253, eff. 8-9-13.)

Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0849
(Senate Bill No. 3406)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Clinical Psychologist Licensing Act is amended by changing Section 10 as follows:

(225 ILCS 15/10) (from Ch. 111, par. 5360)
(Section scheduled to be repealed on January 1, 2017)

New matter indicated by italics - deletions by strikeout
Sec. 10. Qualifications of applicants; examination. The Department, except as provided in Section 11 of this Act, shall issue a license as a clinical psychologist to any person who pays an application fee and who:

(1) is at least 21 years of age; and has not engaged in conduct or activities which would constitute grounds for discipline under this Act;

(2) (blank);

(3) is a graduate of a doctoral program from a college, university or school accredited by the regional accrediting body which is recognized by the Council on Postsecondary Accreditation and is in the jurisdiction in which it is located for purposes of granting the doctoral degree and either:

(a) is a graduate of a doctoral program in clinical, school or counseling psychology either accredited by the American Psychological Association or the Psychological Clinical Science Accreditation System or approved by the Council for the National Register of Health Service Providers in Psychology or other national board recognized by the Board, and has completed 2 years of satisfactory supervised experience in clinical, school or counseling psychology at least one of which is an internship and one of which is postdoctoral; or

(b) holds a doctoral degree from a recognized college, university or school which the Department, through its rules, establishes as being equivalent to a clinical, school or counseling psychology program and has completed at least one course in each of the following 7 content areas, in actual attendance at a recognized university, college or school whose graduates would be eligible for licensure under this Act: scientific and professional ethics, biological basis of behavior, cognitive-affective basis of behavior, social basis of behavior, individual differences, assessment, and treatment modalities; and has completed 2 years of satisfactory supervised experience in clinical, school or counseling psychology, at least one of which is an internship and one of which is postdoctoral; or

(c) holds a doctorate in psychology or in a program whose content is psychological in nature from an accredited college, university or school not meeting the standards of
paragraph (a) or (b) of this subsection (3) and provides evidence of the completion of at least one course in each of the 7 content areas specified in paragraph (b) in actual attendance at a recognized university, school or college whose graduate would be eligible for licensure under this Act; and has completed an appropriate practicum, an internship or equivalent supervised clinical experience in an organized mental health care setting and 2 years of satisfactory supervised experience in clinical or counseling psychology, at least one of which is postdoctoral; and (4) has passed an examination authorized by the Department to determine his or her fitness to receive a license.

Applicants for licensure under subsection (3)(a) and (3)(b) of this Section shall complete 2 years of satisfactory supervised experience, at least one of which shall be an internship and one of which shall be postdoctoral. A year of supervised experience is defined as not less than 1,750 hours obtained in not less than 50 weeks based on 35 hours per week for full-time work experience. Full-time supervised experience will be counted only if it is obtained in a single setting for a minimum of 6 months. Part-time and internship experience will be counted only if it is 18 hours or more a week for a minimum of 9 months and is in a single setting. The internship experience required under subsection (3)(a) and (3)(b) of this Section shall be a minimum of 1,750 hours completed within 24 months.

Programs leading to a doctoral degree require minimally the equivalent of 3 full-time academic years of graduate study, at least 2 years of which are at the institution from which the degree is granted, and of which at least one year or its equivalent is in residence at the institution from which the degree is granted. Course work for which credit is given for life experience will not be accepted by the Department as fulfilling the educational requirements for licensure. Residence requires interaction with psychology faculty and other matriculated psychology students; one year's residence or its equivalent is defined as follows:

(a) 30 semester hours taken on a full-time or part-time basis at the institution accumulated within 24 months, or

(b) a minimum of 350 hours of student-faculty contact involving face-to-face individual or group courses or seminars accumulated within 18 months. Such educational meetings must include both faculty-student and student-student interaction, be conducted by the psychology faculty of the institution at least 90% of

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the time, be fully documented by the institution, and relate substantially to the program and course content. The institution must clearly document how the applicant's performance is assessed and evaluated.

To meet the requirement for satisfactory supervised experience, under this Act the supervision must be performed pursuant to the order, control and full professional responsibility of a licensed clinical psychologist. The clients shall be the clients of the agency or supervisor rather than the supervisee. Supervised experience in which the supervisor receives monetary payment or other consideration from the supervisee or in which the supervisor is hired by or otherwise employed by the supervisee shall not be accepted by the Department as fulfilling the practicum, internship or 2 years of satisfactory supervised experience requirements for licensure.

Examinations for applicants under this Act shall be held at the direction of the Department from time to time but not less than once each year. The scope and form of the examination shall be determined by the Department.

Each applicant for a license who possesses the necessary qualifications therefor shall be examined by the Department, and shall pay to the Department, or its designated testing service, the required examination fee, which fee shall not be refunded by the Department.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

An applicant has one year from the date of notification of successful completion of the examination to apply to the Department for a license. If an applicant fails to apply within one year, the applicant shall be required to take and pass the examination again unless licensed in another jurisdiction of the United States within one year of passing the examination.

(Source: P.A. 91-357, eff. 7-29-99.)

Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning children.

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

Section 5. The Civil Administrative Code of Illinois is amended by changing Section 2105-15 as follows:

(20 ILCS 2105/2105-15)
Sec. 2105-15. General powers and duties.
(a) The Department has, subject to the provisions of the Civil Administrative Code of Illinois, the following powers and duties:

(1) To authorize examinations in English to ascertain the qualifications and fitness of applicants to exercise the profession, trade, or occupation for which the examination is held.

(2) To prescribe rules and regulations for a fair and wholly impartial method of examination of candidates to exercise the respective professions, trades, or occupations.

(3) To pass upon the qualifications of applicants for licenses, certificates, and authorities, whether by examination, by reciprocity, or by endorsement.

(4) To prescribe rules and regulations defining, for the respective professions, trades, and occupations, what shall constitute a school, college, or university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college, or university, or department of a university, or other institution, reputable and in good standing, by reference to a compliance with those rules and regulations; provided, that no school, college, or university, or department of a university, or other institution that refuses admittance to applicants solely on account of race, color, creed, sex, or national origin shall be considered reputable and in good standing.

(5) To conduct hearings on proceedings to revoke, suspend, refuse to renew, place on probationary status, or take other disciplinary action as authorized in any licensing Act administered by the Department with regard to licenses, certificates, or authorities of persons exercising the respective professions, trades, or occupations and to revoke, suspend, refuse to renew, place on probationary status, or take other disciplinary action as authorized in any licensing Act

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administered by the Department with regard to those licenses, certificates, or authorities. The Department shall issue a monthly disciplinary report. The Department shall deny any license or renewal authorized by the Civil Administrative Code of Illinois to any person who has defaulted on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State; however, the Department may issue a license or renewal if the aforementioned persons have established a satisfactory repayment record as determined by the Illinois Student Assistance Commission or other appropriate governmental agency of this State. Additionally, beginning June 1, 1996, any license issued by the Department may be suspended or revoked if the Department, after the opportunity for a hearing under the appropriate licensing Act, finds that the licensee has failed to make satisfactory repayment to the Illinois Student Assistance Commission for a delinquent or defaulted loan. For the purposes of this Section,"satisfactory repayment record" shall be defined by rule. The Department shall refuse to issue or renew a license to, or shall suspend or revoke a license of, any person who, after receiving notice, fails to comply with a subpoena or warrant relating to a paternity or child support proceeding. However, the Department may issue a license or renewal upon compliance with the subpoena or warrant.

The Department, without further process or hearings, shall revoke, suspend, or deny any license or renewal authorized by the Civil Administrative Code of Illinois to a person who is certified by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) as being more than 30 days delinquent in complying with a child support order or who is certified by a court as being in violation of the Non-Support Punishment Act for more than 60 days. The Department may, however, issue a license or renewal if the person has established a satisfactory repayment record as determined by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) or if the person is determined by the court to be in compliance with the Non-Support Punishment Act. The Department may implement this paragraph as added by Public Act 89-6 through the use of emergency rules in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For purposes of the Illinois Administrative Procedure Act, the

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adoption of rules to implement this paragraph shall be considered an emergency and necessary for the public interest, safety, and welfare.

(6) To transfer jurisdiction of any realty under the control of the Department to any other department of the State Government or to acquire or accept federal lands when the transfer, acquisition, or acceptance is advantageous to the State and is approved in writing by the Governor.

(7) To formulate rules and regulations necessary for the enforcement of any Act administered by the Department.

(8) To exchange with the Department of Healthcare and Family Services information that may be necessary for the enforcement of child support orders entered pursuant to the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support of Spouse and Children Act, the Non-Support Punishment Act, the Revised Uniform Reciprocal Enforcement of Support Act, the Uniform Interstate Family Support Act, or the Illinois Parentage Act of 1984. Notwithstanding any provisions in this Code to the contrary, the Department of Professional Regulation shall not be liable under any federal or State law to any person for any disclosure of information to the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) under this paragraph (8) or for any other action taken in good faith to comply with the requirements of this paragraph (8).

(8.5) To accept continuing education credit for mandated reporter training on how to recognize and report child abuse offered by the Department of Children and Family Services and completed by any person who holds a professional license issued by the Department and who is a mandated reporter under the Abused and Neglected Child Reporting Act. The Department shall adopt any rules necessary to implement this paragraph.

(9) To perform other duties prescribed by law.

(a-5) Except in cases involving default on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State or in cases involving delinquency in complying with a child support order or violation of the Non-Support Punishment Act, no person or entity whose license, certificate, or authority has been revoked as authorized in any licensing Act administered by the Department may apply for restoration of that license, certification, or authority until 3 years after the effective date of the revocation.

New matter indicated by italics - deletions by strikeout
(b) The Department may, when a fee is payable to the Department for a wall certificate of registration provided by the Department of Central Management Services, require that portion of the payment for printing and distribution costs be made directly or through the Department to the Department of Central Management Services for deposit into the Paper and Printing Revolving Fund. The remainder shall be deposited into the General Revenue Fund.

(c) For the purpose of securing and preparing evidence, and for the purchase of controlled substances, professional services, and equipment necessary for enforcement activities, recoupment of investigative costs, and other activities directed at suppressing the misuse and abuse of controlled substances, including those activities set forth in Sections 504 and 508 of the Illinois Controlled Substances Act, the Director and agents appointed and authorized by the Director may expend sums from the Professional Regulation Evidence Fund that the Director deems necessary from the amounts appropriated for that purpose. Those sums may be advanced to the agent when the Director deems that procedure to be in the public interest. Sums for the purchase of controlled substances, professional services, and equipment necessary for enforcement activities and other activities as set forth in this Section shall be advanced to the agent who is to make the purchase from the Professional Regulation Evidence Fund on vouchers signed by the Director. The Director and those agents are authorized to maintain one or more commercial checking accounts with any State banking corporation or corporations organized under or subject to the Illinois Banking Act for the deposit and withdrawal of moneys to be used for the purposes set forth in this Section; provided, that no check may be written nor any withdrawal made from any such account except upon the written signatures of 2 persons designated by the Director to write those checks and make those withdrawals. Vouchers for those expenditures must be signed by the Director. All such expenditures shall be audited by the Director, and the audit shall be submitted to the Department of Central Management Services for approval.

(d) Whenever the Department is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the Department of State Police Law (20 ILCS 2605/2605-400), the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files that is necessary to fulfill the request.

New matter indicated by italics - deletions by strikeout
(e) The provisions of this Section do not apply to private business and vocational schools as defined by Section 15 of the Private Business and Vocational Schools Act of 2012.

(f) Beginning July 1, 1995, this Section does not apply to those professions, trades, and occupations licensed under the Real Estate License Act of 2000, nor does it apply to any permits, certificates, or other authorizations to do business provided for in the Land Sales Registration Act of 1989 or the Illinois Real Estate Time-Share Act.

(g) Notwithstanding anything that may appear in any individual licensing statute or administrative rule, the Department shall deny any license application or renewal authorized under any licensing Act administered by the Department to any person who has failed to file a return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirement of any such tax Act are satisfied; however, the Department may issue a license or renewal if the person has established a satisfactory repayment record as determined by the Illinois Department of Revenue. For the purpose of this Section, "satisfactory repayment record" shall be defined by rule.

In addition, a complaint filed with the Department by the Illinois Department of Revenue that includes a certification, signed by its Director or designee, attesting to the amount of the unpaid tax liability or the years for which a return was not filed, or both, is prima facie evidence of the licensee's failure to comply with the tax laws administered by the Illinois Department of Revenue. Upon receipt of that certification, the Department shall, without a hearing, immediately suspend all licenses held by the licensee. Enforcement of the Department's order shall be stayed for 60 days. The Department shall provide notice of the suspension to the licensee by mailing a copy of the Department's order by certified and regular mail to the licensee's last known address as registered with the Department. The notice shall advise the licensee that the suspension shall be effective 60 days after the issuance of the Department's order unless the Department receives, from the licensee, a request for a hearing before the Department to dispute the matters contained in the order.

Any suspension imposed under this subsection (g) shall be terminated by the Department upon notification from the Illinois Department of Revenue that the licensee is in compliance with all tax laws administered by the Illinois Department of Revenue.

New matter indicated by italics - deletions by strikeout
The Department shall promulgate rules for the administration of this subsection (g).

(h) The Department may grant the title "Retired", to be used immediately adjacent to the title of a profession regulated by the Department, to eligible retirees. The use of the title "Retired" shall not constitute representation of current licensure, registration, or certification. Any person without an active license, registration, or certificate in a profession that requires licensure, registration, or certification shall not be permitted to practice that profession.

(i) Within 180 days after December 23, 2009 (the effective date of Public Act 96-852), the Department shall promulgate rules which permit a person with a criminal record, who seeks a license or certificate in an occupation for which a criminal record is not expressly a per se bar, to apply to the Department for a non-binding, advisory opinion to be provided by the Board or body with the authority to issue the license or certificate as to whether his or her criminal record would bar the individual from the licensure or certification sought, should the individual meet all other licensure requirements including, but not limited to, the successful completion of the relevant examinations.

(Source: P.A. 96-459, eff. 8-14-09; 96-852, eff. 12-23-09; 96-1000, eff. 7-2-10; 97-650, eff. 2-1-12; revised 9-9-13.)

Passed in the General Assembly May 23, 2014.
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0851
(Senate Bill No. 3432)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Hospital Licensing Act is amended by changing Section 6.08 as follows:
(210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)
Sec. 6.08.
(a) Every hospital shall provide notification as required in this Section to police officers, firefighters, emergency medical technicians, private emergency medical services providers, and ambulance personnel who have provided or are about to provide transport services, emergency care, or life

New matter indicated by italics - deletions by strikeout
support services to a patient who has been diagnosed as having a dangerous communicable or infectious disease. Such notification shall not include the name of the patient, and the emergency services provider agency and any person receiving such notification shall treat the information received as a confidential medical record.

(b) The Department shall utilize the Centers for Disease Control and Prevention's list of potentially life-threatening infectious diseases to determine the diseases for which to establish by regulation a list of those communicable reportable diseases and conditions for which notification shall be provided.

(c) The hospital shall send the letter of notification no later than 48 hours within 72 hours after a confirmed diagnosis of any of the bloodborne communicable diseases listed by the Department pursuant to subsection (b), except for confirmed diagnoses of Acquired Immunodeficiency Syndrome (AIDS). If there is a confirmed diagnosis of AIDS, the hospital shall attempt to make verbal communication, followed by written send the letter of notification only if the police officers, firefighters, emergency medical technicians, private emergency medical services providers, or ambulance personnel have indicated both verbally and on the ambulance run sheet that a reasonable possibility exists that they have had blood or body fluid contact with the patient, or if hospital personnel providing the notification have reason to know of a possible exposure.

(c-5) The hospital shall send the letter of notification no later than 48 hours after a confirmed diagnosis of any of the airborne or droplet-transmitted communicable diseases listed by the Department pursuant to subsection (b) and the hospital shall attempt to make verbal communication, followed by written notification.

(d) Notification letters shall be sent to the designated officer contact at the municipal or private provider agencies listed on the ambulance run sheet. Except in municipalities with a population over 1,000,000, a list attached to the ambulance run sheet must contain all municipal and private provider agency personnel who have provided any pre-hospital care immediately prior to transport. In municipalities with a population over 1,000,000, the ambulance run sheet must contain the company number or unit designation number for any fire department personnel who have provided any pre-hospital care immediately prior to transport. The letter shall state the names of crew members listed on the attachment to the ambulance run sheet and the name of the communicable disease diagnosed, but shall not contain the patient's name. Upon receipt of such notification letter, the applicable
private provider agency or the designated infectious disease control officer of a municipal fire department or fire protection district shall contact all personnel involved in the pre-hospital or inter-hospital care and transport of the patient. Such notification letter may, but is not required to, consist of the following form:

NOTIFICATION LETTER
(NAME OF HOSPITAL)
(ADDRESS)

TO:...... (Name of Organization)
FROM:.....(Infection Control Coordinator)
DATE:.....

As required by Section 6.08 of the Illinois Hospital Licensing Act, .....(name of hospital) is hereby providing notification that the following crew members or agencies transported or provided pre-hospital care to a patient on ..... (date), and the transported patient was later diagnosed as having .....(name of communicable disease): .....(list of crew members if known). The Hospital Licensing Act requires you to maintain this information as a confidential medical record. Disclosure of this information may therefore result in civil liability for the individual or company breaching the patient's confidentiality, or both.

If you have any questions regarding this patient, please contact me at .....(telephone number), between .....(hours). Questions regarding exposure or the financial aspects of obtaining medical care should be directed to your employer.

(e) Upon discharge of a patient with a communicable disease to emergency personnel, the hospital shall notify the emergency personnel of appropriate precautions against the communicable disease, but shall not identify the name of the disease.

(f) The hospital may, in its discretion, take any measures in addition to those required in this Section to notify police officers, firefighters, emergency medical technicians, and ambulance personnel of possible exposure to any communicable disease. However, in all cases this information shall be maintained as a confidential medical record.

(g) Any person providing or failing to provide notification under the protocol required by this Section shall have immunity from any liability, either criminal or civil, that might result by reason of such action or inaction, unless such action or inaction is willful.

(h) Any person who willfully fails to provide any notification required pursuant to an applicable protocol which has been adopted and approved

New matter indicated by italics - deletions by strikeout
pursuant to this Section commits a petty offense, and shall be subject to a fine of $200 for the first offense, and $500 for a second or subsequent offense.

(i) Nothing in this Section shall preclude a civil action by a firefighter, emergency medical technician, or ambulance crew member against an emergency services provider agency, municipal fire department, or fire protection district that fails to inform the member in a timely fashion of the receipt of a notification letter.

(Source: P.A. 92-363, eff. 1-1-02.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 9, 2014.
Approved August 1, 2014.
Effective August 1, 2014.

PUBLIC ACT 98-0852
(Senate Bill No. 3495)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Eminent Domain Act is amended by adding Section 25-5-55 as follows:

(735 ILCS 30/25-5-55 new)
Sec. 25-5-55. Quick-take; McHenry County. Quick-take proceedings under Article 20 may be used for a period of no longer than one year from the effective date of this amendatory Act of the 98th General Assembly by McHenry County for the acquisition of the following described property for the purpose of reconstruction of the intersection of Miller Road and Illinois Route 31:
Route: Illinois State Route 31
Section: Section 09-00372-00-PW
County: McHenry County
Job No.: R-91-020-06
Parcel: 0003
Sta. 119+70.41 To Sta. 136+74.99
Owner: Parkway Bank and Trust Company as Trustee under Trust Agreement dated October 25, 1988 known as trust No. 9052
Index No. 14-02-100-002, 14-02-100-051

New matter indicated by italics - deletions by strikeout
A part of the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois, described as follows:
Commencing at the southwest corner of said Northwest Quarter; thence North 0 degrees 40 minutes 30 seconds East, (bearings based on Illinois State Plane Coordinates East Zone 1983 Datum) along the west line of said Northwest Quarter, 33.01 feet; thence North 89 degrees 27 minutes 02 seconds East along a line parallel with and 33.00 feet north of the south line of said Northwest Quarter, 633.53 feet to the Point of Beginning; thence North 47 degrees 43 minutes 11 seconds East, 76.04 feet; thence Northeasterly 892.04 feet along a curve to the left having a radius of 5900.00 feet, the chord of said curve bears North 03 degrees 13 minutes 38 seconds East, a chord distance of 891.20 feet; thence North 01 degrees 06 minutes 15 seconds West, 737.81 feet; thence North 88 degrees 52 minutes 57 seconds East, 60.00 feet to a point on the westerly line of Illinois State Route 31 as dedicated per Book 12 of Miscellaneous Records, pages 200, 201 and 203; thence South 01 degrees 06 minutes 15 seconds East along said westerly line, 405.84 feet; thence South 01 degrees 00 minutes 45 seconds West along said westerly line, 135.20 feet; thence South 02 degrees 50 minutes 15 seconds East along said westerly line, 165.10 feet; thence South 01 degrees 06 minutes 15 seconds East along said westerly line, 407.00 feet; thence Southwesterly 567.07 feet along said westerly line, said line being a curve to the right having a radius of 3779.83 feet, the chord of said curve bears South 03 degrees 11 minutes 37 seconds West, a chord distance of 566.54 feet to point on a line parallel with and 33.00 feet north of the south line of said Northwest Quarter; thence South 89 degrees 27 minutes 02 seconds West along a line parallel with and 33.00 feet north of the south line of said Northwest Quarter, 142.09 feet to the Point of Beginning in McHenry County, Illinois.
Said parcel containing 116,716 square feet (2.679 acres) more or less.
Route: Bull Valley Road
Section: Section 09-00372-00-PW
County: McHenry County
Job No.: R-91-020-06
Parcel: 0003TE
Sta. 531+73.39 To Sta. 532+82.90
Owner: Parkway Bank and Trust
Company as Trustee under Trust Agreement dated October 25, 1988

New matter indicated by italics - deletions by strikeout
known as trust No. 9052
Index No. 14-02-100-002
A part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois, described as follows:
Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 40 minutes 30 seconds East, (bearings based on Illinois State Plane Coordinates East Zone 1983 Datum) along the west line of said Southwest Quarter, 33.01 feet; thence North 89 degrees 27 minutes 02 seconds East along a line parallel with and 33.00 feet north of the south line of said Southwest Quarter, 540.42 feet to the Point of Beginning; thence North 00 degrees 33 minutes 06 seconds West, 14.95 feet; thence North 89 degrees 26 minutes 54 seconds East, 109.87 feet; thence South 47 degrees 43 minutes 11 seconds West, 22.47 feet to a point on a line parallel with and 33.00 feet north of the south line of said Southwest Quarter; thence South 89 degrees 27 minutes 02 seconds West along said line parallel with and 33.00 feet north of the south line of said Southwest Quarter, 93.10 feet to the Point of Beginning in McHenry County, Illinois.
Said parcel containing 1,518 square feet (0.035 acres) more or less.
Route: Illinois State Route 31
Section: Section 09-00372-00-PW
County: McHenry County
Job No.: R-91-020-06
Parcel: 0011
Sta. 124+14.14 To Sta. 124+35.35
Owner: Trapani, LLC, an Illinois limited liability company
Index No. 14-02-100-050
A part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois, described as follows:
Commencing at the northwest corner of Lot 1 in McDonalds Subdivision, being a subdivision of part of the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded December 22, 1993 as Document No. 93R80090, in McHenry County, Illinois; thence Northeasterly along the easterly line of Illinois State Route 31 as dedicated per Book 12 of Miscellaneous Records, pages 200, 201 and 203, 206.43 feet along a curve to the left having a radius of 3859.83 feet, the chord of said curve bears North 2 degrees 41 minutes 29
seconds East, (bearings based on Illinois State Plane Coordinates East Zone 1983 Datum) a chord distance of 206.41 feet to the Point of Beginning; thence continuing Northeasterly along said easterly line, 21.36 feet, said line being a curve to the left having a radius of 3859.83 feet, the chord of said curve bears North 1 degrees 00 minutes 02 seconds East, a chord distance of 21.36 feet to a point the south line of a parcel of land per deed recorded February 10, 2003 as Document No. 2003R0017053; thence North 89 degrees 22 minutes 29 seconds East along said south line, 1.04 feet; thence Southwesterly 21.41 feet along a curve to the right having a radius of 6060.00 feet, the chord of said curve bears South 03 degrees 47 minutes 21 seconds West, a chord distance of 21.41 feet to the Point of Beginning in McHenry County, Illinois. 

Said parcel containing 11 square feet (0.000 acres) more or less.

Route: Illinois State Route 31
Section: Section 09-00372-00-PW
County: McHenry County
Job No.: R-91-020-06
Parcel: 0011TE-1
Sta. 123+50.48 To Sta. 124+26.94
Owner: Trapani, LLC, an Illinois limited liability company
Index No. 14-02-100-050

A part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois, described as follows:

Commencing at the northwest corner of Lot 1 in McDonalds Subdivision, being a subdivision of part of the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded December 22, 1993 as Document No. 93R80090, in McHenry County, Illinois; thence Northeasterly along the easterly line of Illinois State Route 31 as dedicated per Book 12 of Miscellaneous Records, pages 200, 201 and 203, 142.05 feet along a curve to the left having a radius of 3859.83 feet, the chord of said curve bears North 3 degrees 10 minutes 09 seconds East, (bearings based on Illinois State Plane Coordinates East Zone 1983 Datum) a chord distance of 142.05 feet to the Point of Beginning; thence continuing Northeasterly along said easterly line, 64.39 feet, said line being a curve to the left having a radius of 3859.83 feet, the chord of said curve bears North 1 degrees 38 minutes 13 seconds East, a chord distance of 64.38 feet; thence Northeasterly 12.69 feet along a curve to the left having

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a radius of 6060.00 feet, the chord of said curve bears North 03 degrees 49
minutes 49 seconds East, a chord distance of 12.69 feet; thence South 89
degrees 01 minutes 32 seconds East, 4.46 feet; thence Southwesterly 77.18
feet along a curve to the right having a radius of 3864.83 feet, the chord of
said curve bears South 01 degrees 32 minutes 47 seconds West, a chord
distance of 77.17 feet; thence North 87 degrees 52 minutes 53 seconds West,
5.07 feet to the Point of Beginning in McHenry County, Illinois.
Said parcel containing 387 square feet (0.009 acres) more or less.
Route: Charles J. Miller Road
Section: Section 09-00372-00-PW
County: McHenry County
Job No.: R-91-020-06
Parcel: 0011TE-2
Sta. 537+44.77 To Sta. 538+37.59
Owner: Trapani, LLC, an Illinois limited liability company
Index No. 14-02-100-050
A part of Lot 2, in McDonald's Subdivision, being a subdivision of part of the
Northwest Quarter of Section 2, Township 44 North, Range 8 East of the
Third Principal Meridian, according to the plat thereof recorded December
22, 1993 as Document No. 93R80090, in McHenry County, Illinois, described
as follows:
Beginning at the southeast corner of said Lot 2; thence South 89 degrees 27
minutes 02 seconds West (bearings based on Illinois State Plane Coordinates
East Zone 1983 Datum) along the south line of said Lot 2, 92.83 feet; thence
North 00 degrees 33 minutes 02 seconds West, 33.91 feet; thence North 89
degrees 36 minutes 46 seconds East, 93.43 feet to a point on the east line of
said Lot 2; thence South 00 degrees 28 minutes 57 seconds West along said
east line, 33.66 feet to the Point of Beginning in McHenry County, Illinois.
Said parcel containing 3,146 square feet (0.072 acres) more or less.
Route: Charles J. Miller Road
Section: Section 09-00372-00-PW
County: McHenry County
Job No.: R-91-020-06
Parcel: 0016
Sta. 538+37.74 To Sta. 539+63.26
Owner: Marion R. Reinwall Hoak
as Trustee of the Marion R.
Reinwall Hoak Living trust dated

New matter indicated by italics - deletions by strikeout
September 15, 1998
Index No. 14-02-100-022
A part of the West Half of Government Lot 1 in the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian in McHenry County, Illinois, described as follows:
Beginning at the southeast corner of said West Half of Government Lot 1; thence South 89 degrees 27 minutes 02 seconds West (bearings based on Illinois State Plane Coordinates East Zone 1983 Datum) along the south line of said West Half of Government Lot 1, 115.35 feet to the point of intersection with the east line of Lot 2 in McDonald's Subdivision, being a subdivision of part of the Northwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded December 22, 1993 as Document No. 93R80090, in McHenry County, Illinois, extended southerly; thence North 00 degrees 28 minutes 57 seconds East along said east line extended southerly and along said east line, 48.01 feet; thence North 89 degrees 27 minutes 02 seconds East, 115.36 feet to a point on the east line of said West Half of Government Lot 1; thence South 00 degrees 29 minutes 41 seconds West along said east line, 48.01 feet to the Point of Beginning in McHenry County, Illinois.
Said parcel containing 5,537 square feet (0.127 acres) more or less, of which 0.087 acres more or less, has been previously used or dedicated.
Route: Illinois State Route 31
Section: Section 09-00372-00-PW
County: McHenry County
Job No.: R-91-020-06
Parcel: 0017
Sta. 536+90.86 To Sta. 539+43.61
Owner: Alliance Bible Church of the Christian and Missionary Alliance, an Illinois not for profit corporation
Index No. 14-02-302-005; 14-02-302-004; 14-02-302-002
A part of Lots 4 and 5, in Smith First Addition being a subdivision of the North 473.90 feet of the Northwest Quarter of the Southwest Quarter of Section 2, Township 44 North, Range 8 East of the Third Principal Meridian, lying easterly of the easterly right-of-way of State Route 31, according to the plat thereof recorded in the recorder's office of McHenry County, Illinois on

New matter indicated by italics - deletions by strikeout
February 16, 1973, as Document No. 586905 in McHenry County, Illinois, described as follows:
Beginning at the northeast corner of said Lot 5; thence South 00 degrees 08 minutes 56 seconds West (bearings based on Illinois State Plane Coordinates East Zone 1983 Datum) along the east line of said Lot 5, 33.94 feet; thence Southwesterly 106.41 feet along a curve to the right having a radius of 795.00 feet, the chord of said curve bears South 85 degrees 36 minutes 55 seconds West, a chord distance of 106.34 feet; thence South 89 degrees 26 minutes 58 seconds West, 154.36 feet to a point on the west line of said Lot 4; thence North 00 degrees 10 minutes 27 seconds East along said west line, 41.06 feet to the northwest corner of said Lot 4; thence North 89 degrees 27 minutes 02 seconds East along the north line of said Lots 4 and 5, 260.35 feet to the Point ofBeginning in McHenry County, Illinois.
Said parcel containing 10,438 square feet (0.240 acres) more or less.


PUBLIC ACT 98-0853
(Senate Bill No. 3532)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Section 3-804 as follows:
(405 ILCS 5/3-804) (from Ch. 91 1/2, par. 3-804)
Sec. 3-804. The respondent is entitled to secure an independent examination by a physician, qualified examiner, clinical psychologist or other expert of his or her choice. If the respondent is unable to obtain an examination in an involuntary admission proceeding, a discharge proceeding under Section 3-901 of this Code, or in a proceeding under Section 2-107.1 of this Code, the respondent may request that the court order an examination to be made by a physician, an impartial medical expert pursuant to Supreme Court Rules or by a qualified examiner, clinical psychologist, or other expert. Any such physician or other examiner, whether secured by the respondent or appointed by the court, may interview by telephone or in person any witnesses or other persons listed in the petition for involuntary

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admission, the petition for discharge under Section 3-901 of this Code, or in
the petition for medication or therapy under Section 2-107.1 of this Code.
The physician or other examiner may submit to the court a report in which his
or her findings are described in detail. The court must determine the
compensation of the examiner or other expert. The compensation must be
paid by the respondent's county of residence unless the respondent is not a
resident of this State, in which case the fee must be paid by the county in
which the proceeding is pending. Determination of the compensation of the
physician, qualified examiner, clinical psychologist or other expert and its
payment shall be governed by Supreme Court Rule.
(Source: P.A. 85-558.)
Approved August 1, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0854
(Senate Bill No. 0499)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Tri-City Regional Port District Act is amended by
changing the title of the Act and Sections 1, 2, 3, 4, 6, 7.5, 8, 13, 15, 15.5, 16,
18, 19, 25, 33, and 34 as follows:
(70 ILCS 1860/Act title)
An Act to create the America's Central Tri-City Regional Port District
(formerly known as the "Tri-City Regional Port District Act") and to define
its powers and duties.
(70 ILCS 1860/1) (from Ch. 19, par. 284)
Sec. 1. This Act shall be known and may be cited as the "America's
Central Tri-City Regional Port District Act."
(Source: Laws 1959, p. 71.)
(70 ILCS 1860/2) (from Ch. 19, par. 285)
Sec. 2. When used in this Act:
"District" or "Port District" means America's Central the Tri-City
Regional Port District created by this Act.
"Terminal" means a public place, station or depot for receiving and
delivering baggage, mail, freight or express matter and for any combination

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of such purposes, in connection with the transportation of persons and property on water or land or in the air.

"Terminal facilities" means all land, buildings, structures, improvements, equipment and appliances useful in the operation of public warehouse, storage and transportation facilities and industrial, manufacturing, processing and conversion activities for the accommodation of or in connection with commerce by water or land or in the air or useful as an aid to further the public interest, or constituting an advantage or convenience to, the safe landing, taking off and navigation of aircraft, or the safe and efficient operation or maintenance of a public airport; except that nothing in this definition contained shall be interpreted as granting authority to the District to acquire, purchase, create, erect or construct a bridge across any waterway which serves as a boundary between the State of Illinois and any other state.

"Port facilities" means all public structures, except terminal facilities as defined herein, that are in, over, under or adjacent to navigable waters and are necessary for or incident to the furtherance of water commerce and includes the widening and deepening of slips, harbors and navigable waters.

"Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of, or flight in, the air.

"Airport" means any locality, either land or water, which is used or designed for the landing and taking off of aircraft, or for the location of runways, landing fields, airdromes, hangars, buildings, structures, airport roadways and other facilities.

"Airport hazard" means any structure, or object of natural growth, located on or in the vicinity of an airport, or any use of land near an airport which is hazardous to the use of such airport for the landing and take-off of aircraft.

"Approach" means any path, course or zone defined by an ordinance of the District or by other lawful regulation, on the ground or in the air, or both, for the use of aircraft in landing and taking off from an airport located within the District.

"Commercial aircraft" means any aircraft other than public aircraft engaged in the business of transporting persons or property.

"Private aircraft” means any aircraft other than public and commercial aircraft.

"Public aircraft" means an aircraft used exclusively in the governmental service of the United States, or of any state or of any public agency, including military and naval aircraft.

New matter indicated by italics - deletions by strikeout
"Public airport" means an airport owned by a Port District, an airport authority or other public agency which is used or is intended for use by public, commercial and private aircraft and by persons owning, managing, operating or desiring to use, inspect or repair any such aircraft or to use any such airport for aeronautical purposes.

"Public incinerator" means a facility for the disposal of waste by incineration by any means or method for public use, including, but not limited to, incineration and disposal of industrial wastes.

"Public interest" means the protection, furtherance and advancement of the general welfare and of public health and safety and public necessity and convenience.

"Navigable waters" means any public waters which are or can be made usable for water commerce.

"Governmental agency" means the Federal, State and any local governmental body, and any agency or instrumentality, corporate or otherwise, thereof.

"Person" means any individual, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association; and includes any trustee, receiver, assignee or personal representative thereof.

"General obligation bond" means any bond issued by the District any part of the principal or interest of which bond is to be paid by taxation.

"Revenue bond" means any bond issued by the District the principal and interest of which bond is payable solely from revenues or income derived from terminal, terminal facilities or port facilities of the District.

"Board" means the America's Central Tri-City Port District Board.

"Governor" means the Governor of the State of Illinois.

"Mayor" means the Mayor of the city of Venice, the Mayor of the city of Madison or the Mayor of the city of Granite City, as the case may require.

(70 ILCS 1860/3) (from Ch. 19, par. 286)

Sec. 3. There is created a political subdivision, body politic, and municipal corporation by the name of America's Central Tri-City Regional Port District embracing the following territory in Madison and Jersey Counties: all the territory included within the townships of Granite City, Venice, and Nameoki, Chouteau, Wood River, Alton, Godfrey, Elsah, and Quarry; and that part of the township of Chouteau which lies south of the Cahokia diversion canal; and all of Chouteau and Gaboret Islands. Territory may be annexed to the District in the manner hereinafter provided in this Act. The District may sue and be sued in its corporate name.
but execution shall not in any case issue against any property of the District. It may adopt a common seal and change the same at its pleasure.

(Source: Laws 1959, p. 71.)

(70 ILCS 1860/4) (from Ch. 19, par. 287)

Sec. 4. The Port District has the following rights and powers:

1. To issue permits: for the construction of all wharves, piers, dolphins, docks, weirs, breakwaters, bulkheads, jetties, bridges or other structures of any kind, over, under, in, or within 40 feet of any navigable waters within the Port District; for the deposit of rock, earth, sand or other material, or any matter of any kind or description in such waters; except that nothing contained in this paragraph 1 shall be construed so that it will be deemed necessary to obtain a permit from the District for the erection, operation or maintenance of any bridge crossing a waterway which serves as a boundary between the State of Illinois and any other State, when such erection, operation or maintenance is performed by any city within the District;

2. To prevent or remove obstructions in navigable waters, including the removal of wrecks;

3. To locate and establish dock lines and shore or harbor lines;

4. To regulate the anchorage, moorage and speed of water borne vessels and to establish and enforce regulations for the operation of bridges, except nothing contained in this paragraph 4 shall be construed to give the District authority to regulate the operation of any bridge crossing a waterway which serves as a boundary between the State of Illinois and any other State, when such operation is performed or to be performed by any city within the District;

5. To acquire, own, construct, lease for any period not exceeding 99 years, operate and maintain terminals, terminal facilities and port facilities, to fix and collect just, reasonable, and nondiscriminatory charges for the use of such facilities, and, except as provided herein for short term financing, to use the charges so collected to defray the reasonable expenses of the Port District and to pay the principal of and interest on any revenue bonds issued by the District;

6. To acquire, erect, construct, reconstruct, improve, maintain, operate and lease in whole or part for any period not exceeding 99 years, central office or administrative facilities for use by the Port District, any tenant, occupant or user of the District facilities, or anyone engaged in commerce in the District.

New matter indicated by italics - deletions by strikeout
7. To sell, assign, pledge or hypothecate in whole or in part any contract, lease, income, charges, tolls, rentals or fees of the District to provide short term interim financing pending the issuance of revenue bonds by the District, provided that when such revenue bonds are issued, such contracts, leases, income, charges, tolls, rentals or fees shall be used to defray the reasonable expenses of the Port District and pay the principal of and income on any revenue bonds issued by the District;

8. To acquire, own, construct, lease for any period not exceeding 99 years, operate, develop and maintain Port District water and sewerage systems including but not limited to pipes, mains, lines, sewers, pumping stations, settling tanks, treatment plants, water purification equipment, wells, storage facilities and all other equipment, material and facilities necessary to such systems, for the use upon payment of a reasonable fee as set by the District, of any tenant, occupant or user of the District facilities, or anyone engaged in commerce in the District, provided that the District shall not acquire, own, construct, lease, operate, develop and maintain such water and sewerage systems if such services can be provided by a public utility or municipal corporation upon request of the District, and provided further that if the District develops its own water and sewerage systems such systems may be sold or disposed of at anytime to any public utility or municipal corporation which will continue to service the Port District.

9. To create, establish, maintain and operate a public incinerator for waste disposal by incineration by any means or method, for use by municipalities for the disposal of municipal wastes and by industries for the disposal of industrial waste; and to lease land and said incineration facilities for the operation of an incinerator for a term not exceeding 99 years and to fix and collect just, reasonable and non-discriminatory charges for the use of such incinerating facilities, and to use the charges or lease proceeds to defray the reasonable expenses of the Port District, and to pay the principal of and interest on any revenue bonds issued by the Port District.

10. To locate, establish and maintain a public airport, public airports and public airport facilities within its corporate limits or within or upon any body of water adjacent thereto, and to construct, develop, expand, extend and improve any such airport or airport facilities;

11. To operate, maintain, manage, lease or sublease for any period not exceeding 99 years, and to make and enter into contracts for the use, operation or management of, and to provide rules and regulations for, the operation, management or use of, any public airport or public airport facility;

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12. To fix, charge and collect reasonable rentals, tolls, fees, and charges for the use of any public airport, or any part thereof, or any public airport facility;

13. To establish, maintain, extend and improve roadways and approaches by land, water or air to any such airport and to contract or otherwise provide, by condemnation if necessary, for the removal of any airport hazard or the removal or relocation of all private structures, railways, mains, pipes, conduits, wires, poles, and all other facilities and equipment which may interfere with the location, expansion, development, or improvement of airports or with the safe approach thereto or take-off therefrom by aircraft, and to pay the cost of removal or relocation; and, subject to the "Airport Zoning Act", approved July 17, 1945, as amended, to adopt, administer and enforce airport zoning regulations for territory which is within its corporate limits or which extends not more than 2 miles beyond its corporate limits;

14. To restrict the height of any object of natural growth or structure or structures within the vicinity of any airport or within the lines of an approach to any airport and, when necessary, for the reduction in the height of any such existing object or structure, to enter into an agreement for such reduction or to accomplish same by condemnation;

15. To agree with the state or federal governments or with any public agency in respect to the removal and relocation of any object of natural growth, airport hazard or any structure or building within the vicinity of any airport or within an approach and which is owned or within the control of such government or agency and to pay all or an agreed portion of the cost of such removal or relocation;

16. For the prevention of accidents, for the furtherance and protection of public health, safety and convenience in respect to aeronautics, for the protection of property and persons within the District from any hazard or nuisance resulting from the flight of aircraft, for the prevention of interference between, or collision of, aircraft while in flight or upon the ground, for the prevention or abatement of nuisances in the air or upon the ground or for the extension or increase in the usefulness or safety of any public airport or public airport facility owned by the District, the District may regulate and restrict the flight of aircraft while within or above the incorporated territory of the District;

17. To police its physical property only and all waterways and to exercise police powers in respect thereto or in respect to the enforcement of any rule or regulation provided by the ordinances of the District and to

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employ and commission police officers and other qualified persons to enforce
the same. The use of any such public airport or public airport facility of the
District shall be subject to the reasonable regulation and control of the
District and upon such reasonable terms and conditions as shall be
established by its Board. A regulatory ordinance of the District adopted under
any provision of this Section may provide for a suspension or revocation of
any rights or privileges within the control of the District for a violation of any
such regulatory ordinance. Nothing in this Section or in other provisions of
this Act shall be construed to authorize such Board to establish or enforce any
regulation or rule in respect to aviation, or the operation or maintenance of
any airport facility within its jurisdiction, which is in conflict with any federal
or state law or regulation applicable to the same subject matter;

18. To enter into agreements with the corporate authorities or
governing body of any other municipal corporation or any political
subdivision of this State to pay the reasonable expense of services furnished
by such municipal corporation or political subdivision for or on account of
income producing properties of the District;

19. To enter into contracts dealing in any manner with the objects and
purposes of this Act;

20. To acquire, own, lease, sell or otherwise dispose of interests in
and to real property and improvements situate thereon and in personal
property necessary to fulfill the purposes of the District;

21. To designate the fiscal year for the District;

22. To engage in any activity or operation which is incidental to and
in furtherance of efficient operation to accomplish the District's primary
purpose;

23. To apply to proper authorities of the United States of America
pursuant to appropriate appropriated Federal Law for the right to establish,
operate, maintain and lease foreign trade zones and sub-zones within the
limits of America's Central the Tri-City Regional Port District, or its limits
as approved by the United States Foreign-Trade Zones Board, or within the
jurisdiction of the United States Customs Service Office of the St. Louis Port
of Entry and to establish, operate, maintain and lease such foreign trade zones
and the sub-zones;

24. To operate, maintain, manage, lease, or sublease for any period
not exceeding 99 years any former military base owned or leased by the
District and within its jurisdictional boundaries, to make and enter into any
contract for the use, operation, or management of any former military base
owned or leased by the District and located within its jurisdictional

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boundaries, and to provide rules and regulations for the development, redevelopment, and expansion of any former military base owned or leased by the District and located within its jurisdictional boundaries;

25. To locate, establish, re-establish, expand or renew, construct or reconstruct, operate, and maintain any facility, building, structure, or improvement for a use or a purpose consistent with any use or purpose of any former military base owned or leased by the District and located within its jurisdictional boundaries;

26. To acquire, own, sell, convey, construct, lease for any period not exceeding 99 years, manage, operate, expand, develop, and maintain any telephone system, including, but not limited to, all equipment, materials, and facilities necessary or incidental to that telephone system, for use, at the option of the District and upon payment of a reasonable fee set by the District, of any tenant or occupant situated on any former military base owned or leased by the District and located within its jurisdictional boundaries;

27. To cause to be incorporated one or more subsidiary business corporations, wholly owned by the District, to own, operate, maintain, and manage facilities and services related to any telephone system, pursuant to paragraph 26. A subsidiary corporation formed pursuant to this paragraph shall (i) be deemed a telecommunications carrier, as that term is defined in Section 13-202 of the Public Utilities Act, (ii) have the right to apply to the Illinois Commerce Commission for a Certificate of Service Authority or a Certificate of Interexchange Service Authority, and (iii) have the powers necessary to carry out lawful orders of the Illinois Commerce Commission;

28. To improve, develop, or redevelop any former military base situated within the boundaries of the District, in Madison County, Illinois, and acquired by the District from the federal government, acting by and through the United States Maritime Administration, pursuant to any plan for redevelopment, development, or improvement of that military base by the District that is approved by the United States Maritime Administration under the terms and conditions of conveyance of the former military base to the District by the federal government;:

29. To acquire, erect, construct, maintain and operate aquariums, museums, planetariums, climatrons and other edifices for the collection and display of objects pertaining to natural history or the arts and sciences, or sports facilities and to permit the directors or trustees of any corporation or society organized for the erection, construction, maintenance and operation of an aquarium, museum, planetarium, climatrons, sports facilities or other such edifice to perform such erection, construction, maintenance and
operation on or within any property now or hereafter owned by or under the control or supervision of the District; and to contract with any such directors or trustees relative to such acquisition, erection, construction, maintenance and operation and to authorize such directors or trustees to charge an admission fee, the proceeds of which shall be devoted exclusively to such erection, construction, maintenance and operation;

30. To acquire, erect, construct, reconstruct, improve, maintain and operate one or more, or a combination or combinations of, industrial buildings, office buildings, residential buildings, buildings to be used as a factory, mill shops, processing plants, packaging plants, assembly plants, fabricating plants, and buildings to be used as warehouses and other storage facilities;

31. To cause to be incorporated one or more subsidiary business corporations to own, operate, maintain, and manage facilities and services related to any terminal, terminal facilities, airfields, airports, port facilities, or real property of the District, whether as shareholder, partner, or co-venturer, alone or in cooperation with federal, state, or local governmental authorities or any other public or private corporation or person or persons. Such subsidiary business corporations and all of the property thereof, wholly or partly owned, directly or indirectly, by the District, shall have the same privileges and immunities as accorded to the District; and subsidiary business corporations may borrow money or obtain financial assistance from private lenders or federal and state governmental authorities or issue revenue bonds with the same kinds of security, and in accordance with the same procedures, restrictions and privileges applicable when the District obtains financial assistance or issues bonds for any of its other authorized purposes.

(Source: P.A. 93-874, eff. 8-6-04.)

(70 ILCS 1860/6) (from Ch. 19, par. 289)

Sec. 6. The District has power to apply for and accept grants, loans, or appropriations from the federal government, the State of Illinois, and Madison or Jersey Counties County, or any agency or instrumentality thereof to be used for any of the purposes of the District and to enter into any agreements with the federal, State, and county governments in relation to such grants, loans or appropriations.

The District may petition any federal, state, municipal, or local authority, administrative, judicial and legislative, having jurisdiction in the premises, for the adoption and execution of any physical improvement, change in method or system of handling freight, warehousing, docking,
lightering, and transfer of freight, which in the opinion of the District is designed to improve or better the handling of commerce in and through the Port District or improve terminal or transportation facilities therein.
(Source: P.A. 92-643, eff. 1-1-03.)

(70 ILCS 1860/7.5)
Sec. 7.5. Authorization to borrow moneys. The District's Board may borrow money from any bank or other financial institution and may provide appropriate security for that borrowing, if the money is repaid within 20 years after the money is borrowed. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, and any federally chartered commercial bank or savings and loan association organized and operated in this State pursuant to the laws of the United States.
(Source: P.A. 94-562, eff. 1-1-06.)

(70 ILCS 1860/8) (from Ch. 19, par. 291)
Sec. 8. The District has the continuing power to borrow money and issue either general obligation bonds, after approval by referendum as hereinafter provided, or revenue bonds without referendum approval for the purpose of acquiring, constructing, reconstructing, extending or improving terminals, terminal facilities, airfields, airports and port facilities, and for acquiring any property and equipment useful for the construction, reconstruction, extension, improvement or operation of its terminals, terminal facilities, airfields, airports and port facilities, and for acquiring necessary working cash funds.

The District may, pursuant to ordinance adopted by the Board and without submitting the question to referendum, from time to time issue and dispose of its interest bearing revenue bonds and may also in the same manner from time to time issue and dispose of its interest bearing revenue bonds to refund any revenue bonds at maturity or pursuant to redemption provisions or at any time before maturity with the consent of the holders thereof.

If the Board desires to issue general obligation bonds it shall adopt an ordinance specifying the amount of bonds to be issued, the purpose for which they will be issued, the maximum rate of interest they will bear which shall not be greater than that permitted in "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as now or hereafter amended. Such interest may be paid semiannually. The

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ordinance shall also specify the date of maturity which shall not be more than 20 years after the date of issuance, and levying a tax that will be required to amortize such bonds. This ordinance is not effective until it has been submitted to referendum of, and approved by, the legal voters of the District. The Board shall certify the ordinance and the question to the proper election officials, who shall submit the question to the voters at an election in accordance with the general election law. If a majority of the vote is in favor of the issuance of the general obligation bonds the county clerk shall annually extend taxes against all taxable property within the District at a rate sufficient to pay the maturing principal and interest of these bonds.

The question shall be in substantially the following form:

| Shall general obligation bonds | YES |
| in the amount of $.... be issued |     |
| by America's Central |     |
| the Tri-City Regional Port |     |
| District for the purpose of .... |     |
| maturing in not more than ..... years, bearing not more than ....% interest, and a tax levied to pay the principal and interest thereof? | NO |

(Source: P.A. 82-902.)

(70 ILCS 1860/13) (from Ch. 19, par. 296)

Sec. 13. The Board may, after referendum approval, levy a tax for corporate purposes of the District annually at the rate approved by referendum, but which rate shall not exceed .05% of the value of all taxable property within the Port District as equalized or assessed by the Department of Revenue.

If the Board desires to levy such a tax it shall order that the question be submitted at a referendum to be held within the District. The Board shall certify the order and the question to the proper election officials, who shall submit the question to the voters at an election in accordance with the general election law. The Board shall cause the result of the election to be entered upon the records of the Port District. If a majority of the vote is in favor of the proposition, the Board may thereafter levy a tax for corporate purposes at a rate not to exceed that approved by referendum but in no event to exceed .05% of the value of all taxable property within the District as equalized or assessed by the Department of Revenue.

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The question shall be in substantially the following form:

Shall America's Central the Tri-City Regional Port District levy a tax for corporate purposes annually at a rate not to exceed ....% of the value of taxable property as equalized or assessed by the Department of Revenue?

(Source: P.A. 81-1489; 81-1509.)

(70 ILCS 1860/15) (from Ch. 19, par. 298)
Sec. 15. The governing and administrative body of the Port District shall be a Board of Commissioners consisting of 9 members, to be known as the America's Central Tri-City Regional Port District Board. All members of the Board shall be residents of the District and shall be known as Commissioners of the America's Central Tri-City Regional Port District Board. The members of the Board shall serve without compensation but shall be reimbursed for actual expenses incurred by them in the performance of their duties. However, any Commissioner of the Board who is appointed to the office of secretary or treasurer may receive compensation for his services as such officer. No Commissioner of the Board or employee of the District shall have any private financial interest, profit or benefit in any contract, work or business of the District nor in the sale or lease of any property to or from the District, except to the extent allowed under "An Act to prevent fraudulent and corrupt practices in the making or accepting of official appointments and contracts by public officers", approved April 9, 1872, as now or hereafter amended.

(Source: P.A. 86-681.)

(70 ILCS 1860/15.5)
Sec. 15.5. A mayor may hold the office of Commissioner of America's Central Tri-City Regional Port District simultaneously with the office of mayor. Notwithstanding any statute to the contrary, a mayor's acceptance of an appointment as a Commissioner of America's Central Tri-City Regional Port District does not terminate or impair the mayor's public office.

(Source: P.A. 92-643, eff. 1-1-03.)

(70 ILCS 1860/16) (from Ch. 19, par. 299)

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Sec. 16. The Governor shall appoint 6 members of the Board and the Mayor of the cities of Venice, Madison and Granite City shall each appoint one member of the Board, for a total of 9 Board members. Within 60 days after the effective date of this amendatory Act of the 98th General Assembly, the Governor shall appoint 2 members residing in the area north of the Cahokia Diversion Canal to represent that area, with one member appointed for an initial term expiring May 31, 2016 and one member appointed for an initial term expiring May 31, 2017. The number of Board members appointed by the Governor from the area north of the Cahokia Diversion Canal shall remain at 2 members until such time that the gross operating revenues from the area north of the Cahokia Diversion Canal exceeds 33% of the Port District's total gross operating revenue, as certified by the Port District's certified public accountant. When the gross operating revenue exceeds this amount, the Governor shall, upon the expiration of their term, replace a Board member who resides in the area south of the Cahokia Diversion Canal with an appointee that resides to the north of the Cahokia Diversion Canal, for a total of 3 members who reside in the area north of the Cahokia Diversion Canal. When the gross operating revenue exceeds 45% of the Port District's total gross operating revenue, as certified by the Port District's certified public accountant, the Governor shall replace a Board member who resides in the area south of the Cahokia Diversion Canal, upon the expiration of their term, with an appointee that resides to the north of the Cahokia Diversion Canal, for a total of 4 members who reside in the area north of the Cahokia Diversion Canal. In no case shall there be more than 2 members appointed by the Governor from the area to the south or to the north of the Cahokia Diversion Canal whose terms expire in the same year. At the expiration of the term of any member, the member's successor shall be appointed by the Governor or the respective Mayor in the same manner as the original appointment. No more than 4 members may reside in the area north of the Cahokia Diversion Canal. The Governor shall appoint 4 members of the Board and each Mayor of the cities of Venice, Madison and Granite City shall appoint one member of the Board. All initial appointments shall be made within 60 days after this Act takes effect. Of the 4 members initially appointed by the Governor 2 shall be appointed for initial terms expiring June 1, 1960, one for an initial term expiring June 1, 1961 and one for an initial term expiring June 1, 1962. The terms of the members initially appointed by the respective Mayors shall expire June 1, 1962. At the expiration of the term of any member, his successor shall be appointed by the Governor or the respective Mayors in like manner and with like regard to

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place of residence of the appointee, as in the case of appointments for the initial terms.

After the expiration of initial terms, each successor shall hold office for the term of 3 years from the first day of June of the year in which the term of office commences. In the case of a vacancy during the term of office of any member appointed by the Governor, the Governor shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified. In case of a vacancy during the term of office of any member appointed by a Mayor, the proper Mayor shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified. The Governor and each Mayor shall certify their respective appointments to the Secretary of State. Within 30 days after certification of his appointment, and before entering upon the duties of his office, each member of the Board shall take and subscribe the constitutional oath of office and file it in the office of the Secretary of State.

(Source: Laws 1959, p. 71.)

(70 ILCS 1860/18) (from Ch. 19, par. 301)

Sec. 18. As soon as possible after the appointment of the initial members, the Board shall organize for the transaction of business, select a chairman and a temporary secretary from its own number, and adopt bylaws and regulations to govern its proceedings. The initial chairman and successors shall be elected by the Board from time to time for a term of office as provided in the District bylaws. However, such term of office shall not exceed his term of office as a member of the Board.

(Source: Laws 1965, p. 393.)

(70 ILCS 1860/19) (from Ch. 19, par. 302)

Sec. 19. Regular meetings of the Board shall be held at least once in each calendar month, the time and place of such meetings to be fixed by the Board. Five members of the Board shall constitute a quorum for the transaction of business. All action of the Board shall be by ordinance or resolution and the affirmative vote of at least 5 members shall be necessary for the adoption of any ordinance or resolution. All such ordinances and resolutions before taking effect shall be approved by the chairman of the Board, and if he approves thereof he shall sign the same, and such as he does not approve he shall return to the Board with his objections thereto in writing at the next regular meeting of the Board occurring after the passage thereof. But in the case the chairman fails to return any ordinance or resolution with his objections thereto by the time aforesaid, he shall be deemed to have approved the same and it shall take effect accordingly. Upon the return of any

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ordinance or resolution by the chairman with his objections, the vote by which the same was passed shall be reconsidered by the Board, and if upon such reconsideration said ordinance or resolution is passed by the affirmative vote of at least 6 ½ members, it shall go into effect notwithstanding the veto of the chairman. All ordinances, resolutions and all proceedings of the District and all documents and records in its possession shall be public records, and open to public inspection, except such documents and records as are kept or prepared by the Board for use in negotiations, legal actions or proceedings to which the District is a party.
(Source: Laws 1959, p. 71.)

(70 ILCS 1860/25) (from Ch. 19, par. 308)
Sec. 25. Within 60 days after the end of each fiscal year, the Board shall cause to be prepared and printed a complete and detailed report and financial statement of the operations and assets and liabilities of the Port District. A reasonably sufficient number of copies of such report shall be printed for distribution to persons interested, upon request, and a copy thereof shall be filed with the Governor and the county clerks and the presiding officers of the county boards of Madison and Jersey Counties. A copy of such report shall be addressed to and mailed to the Mayor and city council or president and board of trustees of each municipality within the area of the District.
(Source: Laws 1959, p. 71.)

(70 ILCS 1860/33) (from Ch. 19, par. 316)
Sec. 33. At least 5% of the legal voters resident within the limits of such proposed addition to the District shall petition the circuit court for the county in which the major part of the District is situated, to cause the question to be submitted to the legal voters of such proposed additional territory, whether such proposed additional territory shall become a part of the District and assume a proportionate share of the general obligation bonded indebtedness, if any, of the District. Such petition shall be addressed to the court and shall contain a definite description of the boundaries of the territory to be embraced in the proposed addition.

Upon filing any such petition with the clerk of the court, the court shall fix a time and place for a hearing upon the subject of the petition.

Notice shall be given by the court to whom the petition is addressed, or by the circuit clerk or sheriff of the county in which such petition is made at the order and direction of the court, of the time and place of the hearing upon the subject of the petition at least 20 days prior thereto by at least one publication thereof in any newspaper having general circulation within the

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area proposed to be annexed, and by mailing a copy of such notice to the mayor or president of the board of trustees of all cities, villages and incorporated towns within the District.

At the hearing all persons residing in or owning property situated in the area proposed to be annexed to the District may appear and be heard touching upon the sufficiency of the petition. If the court finds that the petition does not comply with the requirements of the law, the court shall dismiss the petition; but if the court finds that the petition is sufficient the court shall enter an appropriate order and the clerk of the circuit court shall certify the order and the proposition to the proper election officials, who shall submit the proposition to the voters at an election in accordance with the general election law. In addition to the requirements of the general election law the notice of the referendum shall specify the purpose of such referendum with a description of the area proposed to be annexed to the District.

The proposition shall be in substantially the following form:

-----------------------------------------------
For joining America's Central
the Tri-City Regional Port
District and assuming a proportionate
share of general obligation bonded
indebtedness, if any.

-----------------------------------------------
Against joining America's Central
the Tri-City Regional
Port District and assuming a proportionate
share of general obligation bonded
indebtedness, if any.

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The court shall cause a statement of the result of such election to be filed in the records of the court.

If a majority of the votes cast upon the question of annexation to the District are in favor of becoming a part of such District, the court shall then enter an order stating that such additional territory shall thenceforth be an integral part of the America's Central Tri-City Regional Port District and subject to all of the benefits of service and responsibilities of the District. The circuit clerk shall transmit a certified copy of the order to the circuit clerk of any other county in which any of the territory affected is situated.
(Source: P.A. 83-343.)
(70 ILCS 1860/34) (from Ch. 19, par. 317)

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Sec. 34. If there is territory contiguous to the District which has no legal voters residing therein, a petition to annex such territory, signed by all the owners of record of such territory may be filed with the circuit court for the county in which the major part of the District is situated. A time and place for a hearing on the subject of the petition shall be fixed and notice thereof shall be given in the manner provided in Section 33. At such hearing any owner of land in the territory proposed to be annexed, the District and any resident of the District may appear and be heard touching on the sufficiency of the petition. If the court finds that the petition satisfies the requirements of this Section it shall enter an order stating that thenceforth such territory shall be an integral part of the America's Central Tri-City Regional Port District and subject to all of the benefits of service and responsibilities, including the assumption of a proportionate share of the general obligation bonded indebtedness, if any, of the District. The circuit clerk shall transmit a certified copy of the order of the court to the circuit clerk of any other county in which the annexed territory is situated.  

(Source: Laws 1967, p. 3692.)

Passed in the General Assembly May 14, 2014.  
Approved August 1, 2014.  
Effective January 1, 2015.  

PUBLIC ACT 98-0855  
(House Bill No. 4410)  

AN ACT concerning regulation.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly:  
Section 5. The Animal Welfare Act is amended by changing Section 20.5 as follows:  
(225 ILCS 605/20.5)  
Sec. 20.5. Administrative fines. The following administrative fines shall be imposed by the Department upon any person or entity who violates any provision of this Act or any rule adopted by the Department under this Act:  

(1) For the first violation, a fine of $500.  
(2) For a second violation that occurs within 3 years after the first violation, a fine of $1,000.  

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(3) For a third violation that occurs within 3 years after the first violation, mandatory probationary status and a fine of $2,500.
(Source: P.A. 95-550, eff. 6-1-08.)


PUBLIC ACT 98-0856
(Senate Bill No. 2770)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Water Supply Operations Act is amended by changing Sections 1, 4, 9, 10, 11, 12, 13, 19, and 20 and by adding Sections 1.1, 9.4, 9.5, 9.6, and 23.1 as follows:
(415 ILCS 45/1) (from Ch. 111 1/2, par. 501)
Sec. 1. (1) In order to safeguard the health and well-being of the populace, every community water supply in Illinois, other than an exempt community water supply as specified in Section 9.1, shall have on its operational staff, and shall designate to the Agency in writing, either (i) one Responsible Operator in Charge who directly supervises both the treatment and distribution facilities of the community water supply or (ii) one Responsible Operator in Charge who directly supervises the treatment facilities of the community water supply and one Responsible Operator in Charge who directly supervises the distribution facilities of the community water supply at least one natural person certified as competent as a water supply operator under the provisions of this Act.
Except for exempt community water supplies as specified in Section 9.1 of this Act, all portions of a community water supply system shall be under the direct supervision of a Responsible Operator in Charge properly certified community water supply operator.
(2) The following class requirements apply:
(a) Each community water supply which includes coagulation, lime softening, or sedimentation as a part of its primary treatment shall have in its employ at least one natural person certified as competent to operate the treatment facility.
as competent as a Class A community water supply operator. This includes all surface water community water supplies.

(b) Each community water supply which includes filtration, aeration and filtration, or ion exchange equipment as a part of its primary treatment shall have in its employ at least one individual certified as competent as a Class B or Class A community water supply operator.

(c) Each community water supply which utilizes chemical feeding only shall have in its employ at least one individual certified as competent as a Class C, Class B, or Class A community water supply operator.

(d) Each community water supply in which the facilities are limited to pumpage, storage, or distribution shall have in its employ at least one individual certified as competent as a Class D, Class C, Class B, or Class A community water supply operator.

A community water supply that cannot be clearly grouped according to this Section will be considered individually and designated within one of the above groups by the Agency. This determination will be based on the nature of the community water supply and on the education and experience necessary to operate it.

(3) A community water supply may satisfy the requirements of this Section by contracting the services of an individual who is a properly qualified certified operator of the required class or higher, as specified in subsection (2), and will directly supervise the operation of the community water supply. That individual shall serve as the Responsible Operator in Charge of the community water supply. A written agreement to this effect must be on file with the Agency certifying that such an agreement exists, and delegating responsibility and authority to the contracted party. This written agreement shall be signed by both the certified operator to be contracted and the responsible community water supply owner or official custodian and must be approved in writing by the Agency.

(Source: P.A. 91-84, eff. 7-9-99; 91-357, eff. 7-29-99; 92-16, eff. 6-28-01.)

Sec. 1.1. Duties of Responsible Operators in Charge.

(a) Each individual who is a Responsible Operator in Charge for a community water supply is jointly accountable with the owner of the community water supply for the proper operation of the portions of the community water supply over which he or she has been designated as the Responsible Operator in Charge.
(b) Each individual who is a Responsible Operator in Charge for a community water supply shall:

(1) hold a certificate of the class required for the operation of the portions of the community water supply over which he or she has been designated as the Responsible Operator in Charge;

(2) directly supervise the operation of the portions of the community water supply over which he or she has been designated as the Responsible Operator in Charge; and

(3) submit, in accordance with Board rules, consumer confidence reports, monthly operating reports, and drinking water compliance monitoring results, such as corrosion control reports and monitoring results.

(415 ILCS 45/4) (from Ch. 111 1/2, par. 504)

Sec. 4.

"Water Supply Operator" means any individual trained in the treatment or distribution of water who has practical working knowledge of the chemical, biological, and physical sciences essential to the practical mechanics of water treatment or distribution and who is capable of conducting and maintaining the water treatment or distribution processes in a manner which will provide safe, potable water for human consumption.

(Source: P.A. 78-810.)

(415 ILCS 45/9) (from Ch. 111 1/2, par. 509)

Sec. 9. "Owner or Official Custodian" means any person who owns, leases, controls, or supervises a community water supply.

(Source: P.A. 91-84, eff. 7-9-99.)

(415 ILCS 45/9.4 new)

Sec. 9.4. Official custodian. "Official custodian" means an individual who is an officer of an entity that is the owner of a community water supply and acts as the owner's agent in matters concerning the community water supply.

(415 ILCS 45/9.5 new)

Sec. 9.5. Person. "Person" means any individual, partnership, copartnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent, or assigns.

(415 ILCS 45/9.6 new)

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Sec. 9.6. Responsible Operator in Charge. "Responsible Operator in Charge" means an individual who is designated as a Responsible Operator in Charge of a community water supply under Section 1 of this Act.

Sec. 10. The Agency shall exercise the following functions, powers, and duties with respect to community water supply operator certification:

(a) The Agency shall conduct examinations to ascertain the qualifications of applicants for certificates of competency as community water supply operators, and pass upon the qualifications of applicants for reciprocal certificates.

(b) The Agency shall determine the qualifications of each applicant on the basis of written examinations, and upon a review of the requirements stated in Sections 13 and 14 of this Act.

(c) (Blank).

(d) The Agency may suspend, revoke, or refuse to issue any certificate of competency for any one or any combination of the following causes:

   (1) the practice of any fraud or deceit in obtaining or attempting to obtain, renew, or restore a certificate of competency;

   (2) any gross negligence, incompetency, misconduct, or falsification of reports in the operation of a water supply;

   (3) being declared to be an individual under legal disability by a court of competent jurisdiction and not thereafter having been lawfully declared to be an individual not under legal disability or to have recovered; or

   (4) failure to comply with any of the Rules pertaining to the operation of a water supply.

(e) The Agency shall issue a Certificate to any applicant who has satisfactorily met all the requirements of the Act pertaining to a certificate of competency as a water supply operator.

(f) The Agency shall notify every certified community water supply operator at the last address specified by the operator to the Agency, and at least one month in advance of the expiration of the certificate, of the date of expiration of the certificate and the amount of fee required for its renewal for 3 years.

(g) The Agency shall, upon its own motion, or upon a written complaint, investigate the action of any individual holding or claiming to hold a certificate, and take appropriate action.

(h) The Agency is authorized to adopt reasonable and necessary rules to set forth procedures and criteria for the administration of this Act.
(i) The Agency may investigate violations of this Act or any rule adopted under this Act.

(j) The Agency may issue administrative citations as provided in Section 23.1 of this Act.

(Source: P.A. 91-84, eff. 7-9-99; 92-16, eff. 6-28-01.)

(415 ILCS 45/11) (from Ch. 111 1/2, par. 511)

Sec. 11. "Advisory Board" means the community water supply operator's advisory board to assist in the formulation of and to review the policies and program of the Agency as developed under authority of this Act, and to make recommendations and to provide the Agency with such technical advice and assistance as may be requested.

The Advisory Board shall consist of the Director and 5 other members to be appointed by the Governor one of whom shall be the chief executive officer of a municipality operating its own municipal water plant. The 5 appointed members shall be individuals persons having an active interest and with wide background in water supply management and operation from a practical and technical standpoint.

The 5 appointed members of the Advisory Board serving at the effective date of this Act shall continue in the same capacity until their previously designated term expires. On the expiration of the term of any member the Governor shall appoint for a term of 5 years an individual a person having the qualifications hereinabove specified to take the place of the member whose term has expired, and who shall hold office until the expiration of the term and until a successor has been appointed and qualified.

The Director of the Agency or an authorized representative shall serve as secretary of the Advisory Board without any additional compensation. The Director or an authorized representative shall attend all meetings of the Advisory Board, keep minutes, and take part in its discussion, but shall not be entitled to vote.

The Advisory Board shall select one of its members to serve as Chairman at the first regular meeting in each calendar year.

The Advisory Board shall meet annually and at such intervals as may be necessary to transact business which may come before it upon call of the Agency, the Chairman of the Advisory Board, or any 3 of its members. Any 3 members shall constitute a quorum.

The Secretary shall see that accurate minutes are kept of all duly constituted meetings of the Advisory Board.

Members of the Advisory Board shall serve without compensation, but shall be reimbursed for expenses incurred while traveling and performing

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duties under this Act. Such expenses shall be paid from funds of the Agency appropriated therefor.

The Advisory Board shall have the authority to review contested Agency reciprocity determinations. The Advisory Board must provide applicants who are denied reciprocity with an opportunity to appear before the Board. The Advisory Board shall review the decision to deny reciprocity and must provide a recommendation to the Agency.

(Source: P.A. 91-84, eff. 7-9-99.)

(415 ILCS 45/12) (from Ch. 111 1/2, par. 512)
Sec. 12. (a) The Pollution Control Board shall, upon the sworn written request of the applicant or certificate holder, conduct hearings or proceedings for the Agency's refusal to issue, suspension, revocation, or denied renewal of certificates of individuals applying for or holding certification under the provisions of this Act.

(b) Hearings shall be conducted under Rules and Regulations adopted by the Pollution Control Board outlining the procedures to be followed in conducting a hearing.

(Source: P.A. 91-84, eff. 7-9-99.)

(415 ILCS 45/13) (from Ch. 111 1/2, par. 513)
Sec. 13. Community Water Supply Operators shall be certified in accordance with the following classifications:

(a) A "Class A" Water Supply Operator Certificate shall be issued to those individuals who, in accordance with the provisions of Sections 1 through 23 of this Act, demonstrate the necessary skills, knowledge, ability, and judgment of the chemical, biological, and physical sciences essential to the practical mechanics of coagulation, lime softening, and sedimentation, and distribution in a manner which will provide safe, potable water for human consumption. This includes all surface water community water supplies. The operators will also demonstrate the necessary skills, knowledge, ability, and judgment of the treatment processes outlined in Sections 13 (b), 13 (c), and 13 (d) of this Act.

(b) A "Class B" Water Supply Operator Certificate shall be issued to those individuals who, in accordance with the provisions of Section 1 through 23 of this Act, demonstrate the necessary skills, knowledge, ability, and judgment of the chemical, biological, and physical sciences essential to the practical mechanics of filtration, aeration and filtration, and ion exchange systems, and distribution in a manner which will provide safe, potable water for human consumption. The operators will also demonstrate the necessary
skills, knowledge, ability, and judgment of the treatment processes outlined in Sections 13 (c) and 13 (d) of this Act.

(c) A "Class C" Water Supply Operator Certificate shall be issued to those individuals who, in accordance with the provisions of Sections 1 through 23 of this Act, demonstrate the necessary skills, knowledge, ability, and judgment of the chemical, biological, and physical sciences essential to the practical mechanics of chemical feeding and disinfection and distribution in a manner which will provide safe, potable water for human consumption. The operators will also demonstrate the necessary skills, knowledge, ability, and judgment of the treatment processes outlined in Section 13 (d) of this Act.

(d) A "Class D" Water Supply Operator Certificate shall be issued to those individuals who, in accordance with the provisions of Sections 1 through 23 of this Act, demonstrate the necessary skills, knowledge, ability, and judgment of the chemical, biological, and physical sciences essential to the practical mechanics of pumpage, storage, and distribution in a manner which will provide safe, potable water for human consumption.

(Source: P.A. 91-84, eff. 7-9-99.)

(415 ILCS 45/19) (from Ch. 111 1/2, par. 519)
Sec. 19.

(a) The registered individual in responsible charge of a previously exempt community water supply on the effective date of this amendatory Act of the 91st General Assembly may be issued a certificate of competency, with no fee required, after the effective date of this amendatory Act of the 91st General Assembly for the community water supply for which the individual is registered. The community water supply owner must make application for grandparenting of the operator in responsible charge within 2 years of the effective date of this amendatory Act of the 91st General Assembly. This certificate is non-transferable, site specific, and is not valid if the water system is reclassified to a higher level.

(b) Each individual who is issued a certificate of competency under Section 19(a) of this Act may renew the certificate every 3 years in accordance with the renewal requirements of Sections 18 and 22 of this Act.

(Source: P.A. 91-84, eff. 7-9-99.)

(415 ILCS 45/20) (from Ch. 111 1/2, par. 520)
Sec. 20. The Agency shall, upon application and payment of the proper fee, issue a certificate of competency to any individual who holds an expired certificate of competency issued by any state or territory or possession of the United States or of any country, if:

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(a) the requirements for the certificate of competency under which the certificate of competency was issued do not conflict with and are substantially equal to those specified by Sections 1 through 23 of this Act; and

(b) the particular state or territory or possession of the United States or country extends similar privileges to persons certified under Sections 1 through 23 of this Act.

(Source: P.A. 91-84, eff. 7-9-99.)

(415 ILCS 45/23.1 new)

Sec. 23.1. Administrative citations.

(a) Violations of the requirement set forth in paragraph (3) of subsection (b) of Section 1.1 of this Act shall be enforceable by administrative citation under this Section or as otherwise provided in this Act.

(b) If Agency personnel discover that a Responsible Operator in Charge has violated paragraph (3) of subsection (b) of Section 1.1 of this Act, the Agency may issue and serve, in person or by certified mail, an administrative citation upon that individual within not more than 90 days after the date of the discovery of the violation. Each citation issued under this subsection (b) shall be served upon the individual named in the citation or that individual's authorized agent for service of process, and shall include the following information:

(1) a statement specifying the report or result that the Responsible Operator in Charge failed to submit in accordance with Board rules and a citation to the Board rules that were violated;

(2) a copy of any report in which the Agency recorded the violation;

(3) the penalty imposed by subsection (f) of this Section for the violation;

(4) instructions for contesting the administrative citation findings pursuant to this Section, including notification that the individual has 35 days within which to file a petition for review before the Illinois Pollution Control Board to contest the administrative citation; and

(5) an affidavit by the personnel recording the violation.

(c) No later than 15 days after the date of service, the Agency shall file a copy of each administrative citation served under subsection (b) of this Section with the Illinois Pollution Control Board, which is hereby authorized

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to conduct proceedings upon administrative citations issued pursuant to this Section.

(d) If the individual named in the administrative citation fails to petition the Illinois Pollution Control Board for review within 35 days after the date of service of the citation, the Illinois Pollution Control Board shall adopt a final order, which shall include the administrative citation and findings of violation as alleged in the citation, and shall impose the penalty specified in subsection (f) of this Section.

If a petition for review is filed before the Illinois Pollution Control Board to contest an administrative citation issued under subsection (b) of this Section, the Agency shall appear as a complainant at a hearing before the Illinois Pollution Control Board to be conducted in accordance with the requirements of Section 32 of the Environmental Protection Act at a time not less than 21 days after notice of the hearing has been sent by the Illinois Pollution Control Board to the Agency and the individual named in the citation. In these hearings, the burden of proof shall be on the Agency. If, based on the record, the Illinois Pollution Control Board finds that the alleged violation occurred, it shall adopt a final order, which shall include the administrative citation and findings of violation as alleged in the citation, and shall impose the penalty specified in subsection (f) of this Section. However, if the Illinois Pollution Control Board finds that the individual appealing the citation has shown that the violation resulted from uncontrollable circumstances, the Illinois Pollution Control Board shall adopt a final order that makes no finding of violation and imposes no penalty.

(e) Sections 10-25 through 10-60 of the Illinois Administrative Procedure Act shall not apply to any administrative citation issued under subsection (b) of this Section.

(f) In an administrative citation action under this Section, any Responsible Operator in Charge who is found to have violated paragraph (3) of subsection (b) of Section 1.1 of this Act shall pay a civil penalty of $500 for each violation of that provision, plus any hearing costs incurred by the Board and the Agency, except that the civil penalty amount shall be $1,500 for each violation of paragraph (3) of subsection (b) of Section 1.1 of this Act that is the individual's second or subsequent adjudicated violation of that provision. The penalties assessed under this Section shall be deposited into the Environmental Protection Trust Fund, to be used in accordance with the provisions of the Environmental Protection Trust Fund Act.

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(g) All final orders issued and entered by the Illinois Pollution Control Board pursuant to this Section shall be enforceable by injunction, mandamus, or other appropriate remedy, as is provided for other orders of the Illinois Pollution Control Board under Section 42 of the Environmental Protection Act.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved August 4, 2014.
Effective August 4, 2014.

PUBLIC ACT 98-0857
(Senate Bill No. 2928)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Environmental Protection Act is amended by changing Section 17.9A as follows:

(415 ILCS 5/17.9A)
Sec. 17.9A. Collection, storage, and transportation of pharmaceuticals by law enforcement agencies.

(a) Notwithstanding any other provision of this Act, to the extent allowed by federal law, a law enforcement agency may collect pharmaceuticals, including but not limited to controlled substances, from residential sources, store them, and transport them to a site or facility an incinerator permitted by the Agency to be incinerated in accordance with the permit, permit conditions, this Act, and rules adopted under this Act.

(b) Pharmaceuticals that have been transported to a permitted site or facility by a law enforcement agency under subsection (a) of this Section must be managed in accordance with this Act, rules adopted under this Act, and permits issued under this Act. If those pharmaceuticals are controlled substances, they must also be managed in accordance with federal and State laws and regulations governing controlled substances.

(c) For the purposes of this Section, "law enforcement agency" means an agency of the State or of a unit of local of government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws.

(Source: P.A. 97-545, eff. 1-1-12.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.

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

Section 1. Short title. This Act may be cited as the Urban Flooding Awareness Act.

Section 5. Definitions. As used in this Act, "urban flooding" means the inundation of property in a built environment, particularly in more densely populated areas, caused by rainfall overwhelming the capacity of drainage systems, such as storm sewers. "Urban flooding" does not include flooding in undeveloped or agricultural areas. "Urban flooding" includes (i) situations in which stormwater enters buildings through windows, doors, or other openings, (ii) water backup through sewer pipes, showers, toilets, sinks, and floor drains, (iii) seepage through walls and floors, and (iv) the accumulation of water on property or public rights-of-way.

Section 10. Urban Flooding Study. By June 30, 2015, the Department of Natural Resources, in consultation with the Illinois Emergency Management Agency, the Illinois Environmental Protection Agency, the Illinois Housing Development Authority, the Department of Commerce and Economic Development, the Department of Insurance, the Federal Emergency Management Agency, the Metropolitan Water Reclamation District of Greater Chicago, the Illinois State Water Survey of the University of Illinois, and other State, regional, and local storm water management agencies, thought leaders, and interested parties as the Director of Natural Resources deems appropriate, shall submit to the General Assembly and the Governor a report that reviews and evaluates the latest available information, research, laws, regulations, policies, procedures, and institutional knowledge, with recommendations based on the findings in relation to:

(1) the prevalence and costs associated with urban flooding events across the State, and the trends in frequency and severity over the past two decades;

(2) the apparent impact of global climate change on urban flooding;

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(3) the impacts of county stormwater programs on urban flooding over the past 2 decades, including a listing of projects and programs and the flood damages avoided;

(4) an evaluation of policies, such as using the 100-year storm as the standard for designing urban stormwater detention infrastructure and the 10-year storm for the design of stormwater conveyance systems;

(5) a review of technology to evaluate the risk of property damage from urban flooding and whether a property is in or adjacent to a 1% (100-year) floodplain or not, including LiDAR and geographic information systems;

(6) strategies for minimizing damage to property from urban flooding, with a focus on rapid, low-cost approaches, such as non-structural and natural infrastructure, and methods for financing them;

(7) the consistency of the criteria for State funding of flood control projects between the Department of Natural Resources, Illinois Emergency Management Agency, and the Illinois Department of Commerce and Economic Development;

(8) strategies for increasing participation in the National Flood Insurance Program and Community Rating System; and

(9) strategies and practices to increase the availability, affordability and effectiveness of flood insurance and basement back-up insurance.

Approved August 4, 2014.
Effective August 4, 2014.

PUBLIC ACT 98-0859
(House Bill No. 5397)

AN ACT concerning education.

WHEREAS, Regular physical activity is associated with a healthier, longer life and a lower risk of cardiovascular disease, high blood pressure, diabetes, obesity, and some cancers; and

WHEREAS, Physical activity offers young people many health benefits, including improved aerobic endurance and muscular strength, better weight control, and the opportunity to build lean muscle and bone mass and reduce fat; and

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WHEREAS, Physically fit children have higher scholastic achievement, better classroom behavior, a greater ability to focus, and less absenteeism than their physically unfit counterparts; and

WHEREAS, One important way to stop this rise in childhood obesity is by establishing lifelong physical activity habits with strong physical education programs and regular physical activity opportunities in our nation's schools, both during and outside of the regular school day; and

WHEREAS, The Enhance Physical Education Task Force, established by Public Act 97-1102, recommended enhancing physical education to increase the amount of time students spend in moderate to vigorous physical activity, with an emphasis on fitness, skill-building, and cooperation; therefore

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

Section 5. The School Code is amended by adding Section 27-6.5 as follows:

(105 ILCS 5/27-6.5 new)
Sec. 27-6.5. Physical fitness assessments in schools.
(a) As used in this Section, "physical fitness assessment" means a series of assessments to measure aerobic capacity, body composition, muscular strength, muscular endurance, and flexibility.

(b) To measure the effectiveness of State Goal 20 of the Illinois Learning Standards for Physical Development and Health, beginning with the 2016-2017 school year and every school year thereafter, the State Board of Education shall require all public schools to use a scientifically-based, health-related physical fitness assessment for grades 3 through 12 and periodically report fitness information to the State Board of Education, as set forth in subsections (c) and (e) of this Section, to assess student fitness indicators.

Public schools shall integrate health-related fitness testing into the curriculum as an instructional tool, except in grades before the 3rd grade. Fitness tests must be appropriate to students' developmental levels and physical abilities. The testing must be used to teach students how to assess their fitness levels, set goals for improvement, and monitor progress in reaching their goals. Fitness scores shall not be used for grading students or evaluating teachers.

(c) On or before October 1, 2014, the State Superintendent of Education shall appoint a 15-member stakeholder and expert task force, including members representing organizations that represent physical

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education teachers, school officials, principals, health promotion and disease prevention advocates and experts, school health advocates and experts, and other experts with operational and academic expertise in the measurement of fitness. The task force shall make recommendations to the State Board of Education on the following:

1. methods for ensuring the validity and uniformity of reported physical fitness assessment scores, including assessment administration protocols and professional development approaches for physical education teachers;
2. how often physical fitness assessment scores should be reported to the State Board of Education;
3. the grade levels within elementary, middle, and high school categories for which physical fitness assessment scores should be reported to the State Board of Education;
4. the minimum fitness indicators that should be reported to the State Board of Education, including, but not limited to, a score for aerobic capacity (for grades 4 through 12); muscular strength; endurance; and flexibility;
5. the demographic information that should accompany the scores, including, but not limited to, grade and gender;
6. the development of protocols regarding the protection of students' confidentiality and individual information and identifiers; and
7. how physical fitness assessment data should be reported by the State Board of Education to the public, including potential correlations with student academic achievement, attendance, and discipline data and other recommended uses of the reported data.

The State Board of Education shall provide administrative and other support to the task force.

The task force shall submit its recommendations on physical fitness assessments on or before April 1, 2015. The task force may also recommend methods for assessing student progress on State Goals 19 and 21 through 24 of the Illinois Learning Standards for Physical Development and Health. The task force is dissolved on April 30, 2015.

The provisions of this subsection (c), other than this sentence, are inoperative after March 31, 2016.

(d) On or before December 31, 2015, the State Board of Education shall use the recommendations of the task force under subsection (c) of this Section to adopt rules for the implementation of physical fitness assessments.
by each public school for the 2016-2017 school year and every school year thereafter.

(e) On or before September 1, 2016, the State Board of Education shall adopt rules for data submission by school districts and develop a system for collecting and reporting the aggregated fitness information from the physical fitness assessments. This system shall also support the collection of data from school districts that use a fitness testing software program.

(f) School districts may report the aggregate findings of physical fitness assessments by grade level and school to parents and members of the community through typical communication channels, such as Internet websites, school newsletters, school board reports, and presentations. Districts may also provide individual fitness assessment reports to students' parents.

(g) Nothing in this Section precludes schools from implementing a physical fitness assessment before the 2016-2017 school year or from implementing more robust forms of a physical fitness assessment.


PUBLIC ACT 98-0860
(Senate Bill No. 3274)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by adding Section 21B-200 as follows:

(105 ILCS 5/21B-200 new)

Sec. 21B-200. Highly qualified teachers; physical and health education. A teacher who teaches physical education or health education in the public schools may meet the requirements for highly qualified status that apply to teachers who teach in core academic subjects pursuant to the federal No Child Left Behind Act of 2001.


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AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 22-77 as follows:

(105 ILCS 5/22-77)
(Section scheduled to be repealed on July 1, 2014)
Sec. 22-77. Young Adults Heroin Use Task Force.
(a) There is created the Young Adults Heroin Use Task Force to address the growing problem of heroin use in grades 6 through 12 high schools across this State. The Task Force shall consist of all of the following members:

(1) Four members of the House of Representatives, appointed by the Speaker of the House of Representatives.
(2) Three members of the House of Representatives, appointed by the Minority Leader of the House of Representatives.
(3) Four members of the Senate, appointed by the President of the Senate.
(4) Three members of the Senate, appointed by the Minority Leader of the Senate.
(5) One representative of a statewide association representing school boards, appointed by the Governor.
(6) One representative of a statewide association representing school principals, appointed by the Governor. Members of the Task Force shall serve without compensation.
(b) The Department of Human Services' Division of Alcoholism and Substance Abuse shall provide administrative and other support to the Task Force.
(c) The Task Force shall conduct a study on the heroin use problem in grades 6 through 12 high schools and suggest programs for high schools to use to address the problem, which programs may involve local law enforcement agencies.
(d) On or before June 30, 2014, the Task Force shall report its findings and recommendations to the General Assembly, by filing copies of its report as provided in Section 3.1 of the General Assembly Organization Act, and to the Governor.

New matter indicated by italics - deletions by strikeout
(e) The Task Force is abolished and this Section is repealed on July 1, 2014.
(Source: P.A. 98-374, eff. 8-16-13.)


PUBLIC ACT 98-0862
(House Bill No. 5622)

AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Wage Payment and Collection Act is amended by changing Sections 2 and 4 and by adding Section 14.5 as follows:

(820 ILCS 115/2) (from Ch. 48, par. 39m-2)

Sec. 2. For all employees, other than separated employees, "wages" shall be defined as any compensation owed an employee by an employer pursuant to an employment contract or agreement between the 2 parties, whether the amount is determined on a time, task, piece, or any other basis of calculation. Payments to separated employees shall be termed "final compensation" and shall be defined as wages, salaries, earned commissions, earned bonuses, and the monetary equivalent of earned vacation and earned holidays, and any other compensation owed the employee by the employer pursuant to an employment contract or agreement between the 2 parties. Where an employer is legally committed through a collective bargaining agreement or otherwise to make contributions to an employee benefit, trust or fund on the basis of a certain amount per hour, day, week or other period of time, the amount due from the employer to such employee benefit, trust, or fund shall be defined as "wage supplements", subject to the wage collection provisions of this Act.

As used in this Act, the term "employer" shall include any individual, partnership, association, corporation, limited liability company, business trust, employment and labor placement agencies where wage payments are made directly or indirectly by the agency or business for work undertaken by employees under hire to a third party pursuant to a contract between the business or agency with the third party, or any person or group of persons

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acting directly or indirectly in the interest of an employer in relation to an employee, for which one or more persons is gainfully employed.

As used in this Act, the term "employee" shall include any individual permitted to work by an employer in an occupation, but shall not include any individual:

(1) who has been and will continue to be free from control and direction over the performance of his work, both under his contract of service with his employer and in fact; and
(2) who performs work which is either outside the usual course of business or is performed outside all of the places of business of the employer unless the employer is in the business of contracting with third parties for the placement of employees; and
(3) who is in an independently established trade, occupation, profession or business.

The following terms apply to an employer's use of payroll cards to pay wages to an employee under the requirements of this Act:

"Payroll card" means a card provided to an employee by an employer or other payroll card issuer as a means of accessing the employee's payroll card account.

"Payroll card account" means an account that is directly or indirectly established through an employer and to which deposits of a participating employee's wages are made.

"Payroll card issuer" means a bank, financial institution, or other entity that issues a payroll card to an employee under an employer payroll card program.

(Source: P.A. 94-1025, eff. 7-14-06.)

(820 ILCS 115/4) (from Ch. 48, par. 39m-4)

Sec. 4. All wages earned by any employee during a semi-monthly or bi-weekly pay period shall be paid to such employee not later than 13 days after the end of the pay period in which such wages were earned. All wages earned by any employee during a weekly pay period shall be paid not later than 7 days after the end of the weekly pay period in which the wages were earned. All wages paid on a daily basis shall be paid insofar as possible on the same day as the wages were earned, or not later in any event than 24 hours after the day on which the wages were earned. Wages of executive, administrative and professional employees, as defined in the Federal Fair Labor Standards Act of 1938, may be paid on or before 21 calendar days after the period during which they are earned.

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The terms of this Section shall not apply, if there exists a valid collective bargaining agreement which provides for a different date or for different arrangements for the payment of wages.

Employers shall pay to workers on strike or layoff, no later than the next regular payday, all wages earned up to the time of such strike or layoff.

Any employee who is absent at the time fixed for payment, or who for any other reason is not paid at that time, shall be paid upon demand at any time within a period of 5 days after the time fixed for payment; and after the expiration of the 5 day period, payment shall be made upon 5 days demand. Payment to the absent employee shall be made by mail if the employee so requests in writing.

All wages and final compensation shall be paid in lawful money of the United States, by check, redeemable upon demand and without discount at a bank or other financial institution readily available to the employee, or by deposit of funds in an account in a bank or other financial institution designated by the employee, or by a payroll card that meets the requirements of Section 14.5. No employer may designate a particular financial institution, bank, savings bank, savings and loan, or currency exchange for the exclusive payment or deposit of a check for wages. No financial institution, bank, savings bank, savings and loan, or currency exchange shall refuse to honor a check for wages that exclusively designates, in violation of this Section, a particular bank, savings bank, savings and loan, or currency exchange as the exclusive place of payment or deposit except to the extent the bank, savings bank, savings and loan, or currency exchange is otherwise excused from honoring the check under Section 3-111 of the Uniform Commercial Code because the bank, savings bank, savings and loan, or currency exchange is not the drawee or the maker of the check.

(Source: P.A. 89-364, eff. 8-18-95.)

(820 ILCS 115/14.5 new)

Sec. 14.5. Payroll cards. An employer using a payroll card to pay an employee's wages shall meet the following requirements:

(1) The employer shall not make receipt of wages by payroll card a condition of employment or a condition for the receipt of any benefit or other form of remuneration for any employee.

(2) The employer shall not initiate payment of wages to the employee by electronic fund transfer to a payroll card account unless:

(A) the employer provides the employee with a clear and conspicuous written disclosure notifying the employee

New matter indicated by italics - deletions by strikeout
that payment by payroll card is voluntary, listing the other method or methods of payment offered by the employer in accordance with Section 4, and explaining the terms and conditions of the payroll card account option, including:

(i) an itemized list of all fees that may be deducted from the employee's payroll card account by the employer or payroll card issuer;

(ii) a notice that third parties may assess transaction fees in addition to the fees assessed by the employee's payroll card issuer; and

(iii) an explanation of how the employee may obtain, at no cost, the employee's net wages, check the account balance, and request to receive paper or electronic transaction histories, as provided in item (3);

(B) the employer also offers the employee another method or methods of payment in compliance with Section 4; and

(C) the employer obtains the employee's voluntary written or electronic consent to receive the wages by payroll card.

(3) A payroll card program offered by the employer shall provide the employee with:

(A) at least one method of withdrawing the employee's full net wages from the payroll card once per pay period, but not less than twice per month, at no cost to the employee, at a location readily available to the employee;

(B) at the employee's request, one transaction history, which the employee may request to receive in paper or electronic form, each month that includes all deposits, withdrawals, deductions, or charges by any entity from or to the employee's payroll card account at no cost to the employee; and

(C) unlimited telephone access to obtain the payroll card account balance on the payroll card at any time without incurring a fee.

(4) An employer may not use a payroll card program that charges fees for point of sale transactions, the application, initiation, loading of wages by the employer, or participation in the payroll card program.
program. Fees for account inactivity may be assessed following one year of inactivity. The payroll card program must offer the employee a declined transaction, at no cost to the employee, twice per month. Commercially reasonable fees, limited to cover the costs to process declined transactions, may be assessed on subsequent declined transactions within that particular month.

(5) The payroll card or payroll card account may not be linked to any form of credit including, but not limited to, overdraft fees or overdraft service fees, a loan against future pay, or a cash advance on future pay or work not yet performed.

(6) An employee paid wages by payroll card may request to be paid wages by another method of payment provided by the employer in accordance with Section 4. Following the request, the employer shall, within 2 pay periods, begin payment to the employee by the allowable method requested by the employee.

(7) A payroll card program offered by an employer shall provide the employee with protections from unauthorized use of the payroll card in accordance with State and federal law concerning electronic fund transfers.

(8) The employer’s obligations under this Section shall cease 60 days after the employer-employee relationship has ended and the employee has been paid the employee’s full and final wages.

(9) Within 30 days of the termination of the employer-employee relationship, the employer shall notify the employee that the terms and conditions of the account may change if the employee chooses to continue a relationship with the payroll card issuer.

Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 6, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0863
(Senate Bill No. 0347)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by changing Section 18-140 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 18-140. Extension upon equalized assessment of current levy year. All taxes shall be extended by each county clerk upon the valuation produced by the equalization and assessment of property by the Department for the levy year. In the computation of rates, a fraction of a mill shall be extended as the next higher mill. *Rates may be calculated beyond 3 decimal points to allow the extension to be as close to the levy requested as possible.* Each installment of taxes shall be extended in a separate column. Installments shall be equal and as to each installment a fraction of a cent shall be extended as one cent.

(Source: P.A. 87-17; 88-455.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 16, 2014.
Approved August 8, 2014.
Effective August 8, 2014.

**PUBLIC ACT 98-0864**
*(Senate Bill No. 0644)*

AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Section 143.24d as follows:

(215 ILCS 5/143.24d)

Sec. 143.24d. Arbitration of physical damage subrogation claims between insurers in certain cases.

(a) With respect to physical damage subrogation claims arising from auto damages incurred on or after January 1, 2012, insurers shall arbitrate and settle such claims where the amount in controversy, exclusive of the costs of the arbitration, is less than $2,500. Such arbitration shall be in accordance with the terms of and rules adopted pursuant to the Nationwide Inter-Company Arbitration Agreement, or any successor thereto, as adopted and from time to time amended by its members, unless the parties on a case-by-case basis mutually agree to use another forum; the alternate forum may include a court of competent jurisdiction, in which case the claim shall be arbitrated or tried in that alternate forum. Mandatory arbitration of disputed claims shall be limited solely to the issues of liability and damages. *Nothing*
in this Section shall preclude a party from seeking resolution in a court of competent jurisdiction after a decision has been rendered in an arbitration.

(b) Nothing in this Section shall be interpreted to require an insurer to become a member of any organization or to sign the Nationwide Inter-Company Arbitration Agreement.

(Source: P.A. 97-513, eff. 1-1-12.)

Passed in the General Assembly May 16, 2014.
Approved August 8, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0865
(Senate Bill No. 1724)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Section 3-611 as follows:

(405 ILCS 5/3-611) (from Ch. 91 1/2, par. 3-611)
Sec. 3-611. Within 24 hours, excluding Saturdays, Sundays and holidays, after the respondent's admission under this Article, the facility director of the facility shall file 2 copies of the petition, the first certificate, and proof of service of the petition and statement of rights upon the respondent with the court in the county in which the facility is located. Upon completion of the second certificate, the facility director shall promptly file it with the court and provide a copy to the respondent. The facility director shall make copies of the certificates available to the attorneys for the parties upon request. Upon the filing of the petition and first certificate, the court shall set a hearing to be held within 5 days, excluding Saturdays, Sundays and holidays, after receipt of the petition. The court shall direct that notice of the time and place of the hearing be served upon the respondent, his responsible relatives, and the persons entitled to receive a copy of the petition pursuant to Section 3-609.
(Source: P.A. 80-1414.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 16, 2014.
Approved August 8, 2014.
Effective August 8, 2014.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0866  
(Senate Bill No. 2002)  

AN ACT concerning government.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly:  

Section 5. The Trusts and Trustees Act is amended by changing Section 16.3 as follows:  

(760 ILCS 5/16.3)  
Sec. 16.3. Directed trusts.  
(a) Definitions. In this Section:  

(1) "Directing party" means any investment trust advisor, distribution trust advisor, or trust protector as provided in this Section.  

(2) "Distribution trust advisor" means any one or more persons given authority by the governing instrument to direct, consent to, veto, or otherwise exercise all or any portion of the distribution powers and discretions of the trust, including but not limited to authority to make discretionary distribution of income or principal.  

(3) "Excluded fiduciary" means any fiduciary that by the governing instrument is directed to act in accordance with the exercise of specified powers by a directing party, in which case such specified powers shall be deemed granted not to the fiduciary but to the directing party and such fiduciary shall be deemed excluded from exercising such specified powers. If a governing instrument provides that a fiduciary as to one or more specified matters is to act, omit action, or make decisions only with the consent of a directing party, then such fiduciary is an excluded fiduciary with respect to such matters. Notwithstanding any provision of this Section to the contrary, a person does not fail to qualify as an excluded fiduciary solely by reason of having effectuated, participated in, or consented to a transaction, including but not limited to any transaction described in Section 16.1 or Section 16.4 of this Act, invoking the provisions of this Section with respect to any new or existing trust.  

(4) "Fiduciary" means any person expressly given one or more fiduciary duties by the governing instrument, including but not limited to a trustee.  

(5) "Governing instrument" refers to the instrument stating the terms of a trust, including but not limited to any court order or

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nonjudicial settlement agreement establishing, construing, or modifying the terms of the trust in accordance with Section 16.1, 16.4, or 16.6 or other applicable law.

(6) "Investment trust advisor" means any one or more persons given authority by the governing instrument to direct, consent to, veto, or otherwise exercise all or any portion of the investment powers of the trust.

(7) "Power" means authority to take or withhold an action or decision, including but not limited to an expressly specified power, the implied power necessary to exercise a specified power, and authority inherent in a general grant of discretion.

(8) "Trust protector" means any one or more persons given any one or more of the powers specified in subsection (d), whether or not designated with the title of trust protector by the governing instrument.

(b) Powers of investment trust advisor. An investment trust advisor may be designated in the governing instrument of a trust. The powers of an investment trust advisor may be exercised or not exercised in the sole and absolute discretion of the investment trust advisor, and are binding on all other persons, including but not limited to each beneficiary, fiduciary, excluded fiduciary, and any other party having an interest in the trust. The governing instrument may use the title "investment trust advisor" or any similar name or description demonstrating the intent to provide for the office and function of an investment trust advisor. Unless the terms of the governing instrument provide otherwise, the investment trust advisor has the authority to:

(1) direct the trustee with respect to the retention, purchase, transfer, assignment, sale, or encumbrance of trust property and the investment and reinvestment of principal and income of the trust;
(2) direct the trustee with respect to all management, control, and voting powers related directly or indirectly to trust assets, including but not limited to voting proxies for securities held in trust;
(3) select and determine reasonable compensation of one or more advisors, managers, consultants, or counselors, including the trustee, and to delegate to them any of the powers of the investment trust advisor in accordance with subsection (b) of Section 5.1; and
(4) determine the frequency and methodology for valuing any asset for which there is no readily available market value.
(c) Powers of distribution trust advisor. A distribution trust advisor may be designated in the governing instrument of a trust. The powers of a distribution trust advisor may be exercised or not exercised in the sole and absolute discretion of the distribution trust advisor, and are binding on all other persons, including but not limited to each beneficiary, fiduciary, excluded fiduciary, and any other party having an interest in the trust. The governing instrument may use the title "distribution trust advisor" or any similar name or description demonstrating the intent to provide for the office and function of a distribution trust advisor. Unless the terms of the governing instrument provide otherwise, the distribution trust advisor has authority to direct the trustee with regard to all decisions relating directly or indirectly to discretionary distributions to or for one or more beneficiaries.

(d) Powers of trust protector. A trust protector may be designated in the governing instrument of a trust. The powers of a trust protector may be exercised or not exercised in the sole and absolute discretion of the trust protector, and are binding on all other persons, including but not limited to each beneficiary, investment trust advisor, distribution trust advisor, fiduciary, excluded fiduciary, and any other party having an interest in the trust. The governing instrument may use the title "trust protector" or any similar name or description demonstrating the intent to provide for the office and function of a trust protector. The powers granted to a trust protector by the governing instrument may include but are not limited to authority to do any one or more of the following:

1. modify or amend the trust instrument to achieve favorable tax status or respond to changes in the Internal Revenue Code, federal laws, State law, or the rulings and regulations under such laws;
2. increase, decrease, or modify the interests of any beneficiary or beneficiaries of the trust;
3. modify the terms of any power of appointment granted by the trust; provided, however, such modification or amendment may not grant a beneficial interest to any individual, class of individuals, or other parties not specifically provided for under the trust instrument;
4. remove, appoint, or remove and appoint, a trustee, investment trust advisor, distribution trust advisor, another directing party, investment committee member, or distribution committee member, including designation of a plan of succession for future holders of any such office;

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(5) terminate the trust, including determination of how the trustee shall distribute the trust property to be consistent with the purposes of the trust;

(6) change the situs of the trust, the governing law of the trust, or both;

(7) appoint one or more successor trust protectors, including designation of a plan of succession for future trust protectors;

(8) interpret terms of the trust instrument at the request of the trustee;

(9) advise the trustee on matters concerning a beneficiary; or

(10) amend or modify the trust instrument to take advantage of laws governing restraints on alienation, distribution of trust property, or to improve the administration of the trust.

If a charity is a current beneficiary or a presumptive remainder beneficiary of the trust, a trust protector must give notice to the Attorney General's Charitable Trust Bureau at least 60 days before taking any of the actions authorized under item (2), (3), (4), (5), or (6) of this subsection. The Attorney General's Charitable Trust Bureau may, however, waive this notice requirement.

(e) Duty and liability of directing party. A directing party is a fiduciary of the trust subject to the same duties and standards applicable to a trustee of a trust as provided by applicable law unless the governing instrument provides otherwise, but the governing instrument may not, however, relieve or exonerate a directing party from the duty to act or withhold acting as the directing party in good faith reasonably believes is in the best interests of the trust.

(f) Duty and liability of excluded fiduciary. The excluded fiduciary shall act in accordance with the governing instrument and comply with the directing party's exercise of the powers granted to the directing party by the governing instrument. Unless otherwise provided in the governing instrument, an excluded fiduciary has no duty to monitor, review, inquire, investigate, recommend, evaluate, or warn with respect to a directing party's exercise or failure to exercise any power granted to the directing party by the governing instrument, including but not limited to any power related to the acquisition, disposition, retention, management, or valuation of any asset or investment. Except as otherwise provided in this Section or the governing instrument, an excluded fiduciary is not liable, either individually or as a fiduciary, for any action, inaction, consent, or failure to consent by a directing party, including but not limited to any of the following:

New matter indicated by italics - deletions by strikeout
(1) if a governing instrument provides that an excluded fiduciary is to follow the direction of a directing party, and such excluded fiduciary acts in accordance with such a direction, then except in cases of willful misconduct on the part of the excluded fiduciary in complying with the direction of the directing party, the excluded fiduciary is not liable for any loss resulting directly or indirectly from following any such direction, including but not limited to compliance regarding the valuation of assets for which there is no readily available market value;

(2) if a governing instrument provides that an excluded fiduciary is to act or omit to act only with the consent of a directing party, then except in cases of willful misconduct on the part of the excluded fiduciary, the excluded fiduciary is not liable for any loss resulting directly or indirectly from any act taken or omitted as a result of such directing party's failure to provide such consent after having been asked to do so by the excluded fiduciary; or

(3) if a governing instrument provides that, or for any other reason, an excluded fiduciary is required to assume the role or responsibilities of a directing party, or if the excluded party appoints a directing party or successor to a directing party, then the excluded fiduciary shall also assume the same fiduciary and other duties and standards that applied to such directing party.

(g) Submission to court jurisdiction; effect on directing party. By accepting an appointment to serve as a directing party of a trust that is subject to the laws of this State, the directing party submits to the jurisdiction of the courts of this State even if investment advisory agreements or other related agreements provide otherwise, and the directing party may be made a party to any action or proceeding if issues relate to a decision or action of the directing party.

(h) Duty to inform excluded fiduciary. Each directing party shall keep the excluded fiduciary and any other directing party reasonably informed regarding the administration of the trust with respect to any specific duty or function being performed by the directing party to the extent that the duty or function would normally be performed by the excluded fiduciary or to the extent that providing such information to the excluded fiduciary or other directing party is reasonably necessary for the excluded fiduciary or other directing party to perform its duties, and the directing party shall provide such information as reasonably requested by the excluded fiduciary or other directing party. Neither the performance nor the failure to perform of a

New matter indicated by italics - deletions by strikeout
(Source: P.A. 97-921, eff. 1-1-13.)

Passed in the General Assembly May 16, 2014.
Approved August 8, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0867
(Senate Bill No. 2695)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 33-3 as follows:
(720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

New matter indicated by italics - deletions by strikeout
Sec. 33-3. Official Misconduct.

(a) A public officer or employee or special government agent commits misconduct when, in his official capacity or capacity as a special government agent, he or she commits any of the following acts:

(1) (a) Intentionally or recklessly fails to perform any mandatory duty as required by law; or

(2) (b) Knowingly performs an act which he knows he is forbidden by law to perform; or

(3) (c) With intent to obtain a personal advantage for himself or another, he performs an act in excess of his lawful authority; or

(4) (d) Solicits or knowingly accepts for the performance of any act a fee or reward which he knows is not authorized by law.

(b) An employee of a law enforcement agency commits misconduct when he or she knowingly uses or communicates, directly or indirectly, information acquired in the course of employment, with the intent to obstruct, impede, or prevent the investigation, apprehension, or prosecution of any criminal offense or person. Nothing in this subsection (b) shall be construed to impose liability for communicating to a confidential resource, who is participating or aiding law enforcement, in an ongoing investigation.

(c) A public officer or employee or special government agent convicted of violating any provision of this Section forfeits his or her office or employment or position as a special government agent. In addition, he or she commits a Class 3 felony.

(d) For purposes of this Section, "special government agent" has the meaning ascribed to it in subsection (l) of Section 4A-101 of the Illinois Governmental Ethics Act.

(Source: P.A. 94-338, eff. 1-1-06.)

Passed in the General Assembly May 16, 2014.
Approved August 8, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0868
(Senate Bill No. 2782)

AN ACT concerning courts.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Juvenile Court Act of 1987 is amended by adding Section 2-10.2 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 2-10.2. Educational surrogate parent.

(a) Upon issuing an order under Section 2-10 of this Act, whenever a special education services or early intervention services surrogate parent is appointed for a minor under the federal Individuals with Disabilities Education Act, the court may appoint one or both parents or the minor’s legal guardian who is a respondent as the educational surrogate parent or early intervention program surrogate parent for the minor if:

(1) the parent or legal guardian respondent requests the appointment; and

(2) the court finds that the best interests of the minor are consistent with the appointment.

(b) The court may appoint a person other than a parent or legal guardian respondent as educational surrogate parent or early intervention program surrogate parent of the minor if:

(1) the person is not a party to the abuse, neglect, or dependency of the minor;

(2) the person is familiar with the needs of the minor;

(3) a parent or guardian does not request appointment, is unavailable, or the court denies the request for appointment by a parent or guardian respondent; and

(4) the court finds that the best interests of the minor are consistent with the appointment.

(c) An educational surrogate parent or early intervention program surrogate parent shall meet the requirements of applicable federal laws and rules governing educational surrogate parents or early intervention program surrogate parents. The court may rescind its appointment of an educational surrogate parent or early intervention program surrogate parent at any time if it determines that rescinding the appointment is consistent with the best interests of the minor. If the court does not appoint a parent, guardian respondent, or other person as educational surrogate parent or early intervention program surrogate parent, or if the court rescinds an appointment, the selection of an educational surrogate parent or early intervention program surrogate parent shall be made under applicable federal and State laws and rules.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 16, 2014.
Approved August 8, 2014.
Effective August 8, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning vehicles.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 3-664 as follows:

Sec. 3-664. Gold Star license plates. Upon proper application, the Secretary of State shall issue registration plates designated as Gold Star license plates to any Illinois resident who is the surviving widow, widower, sibling, daughter, son, or parent of a person who served in the Armed Forces of the United States and lost his or her life while in service whether in peacetime or war. The surviving widow or widower and each surviving parent, daughter, son, and sibling shall be issued one or more sets of registration plates. Registration plates issued under this Section shall be for first division vehicles and second division vehicles of 8,000 pounds or less. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. An applicant shall be charged only the appropriate registration fee.

(Source: P.A. 97-723, eff. 1-1-13.)
Passed in the General Assembly May 23, 2014.
Approved August 11, 2014.
Effective January 1, 2015.

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 3-711 and 6-601 and adding Section 6-308 as follows:

Sec. 3-711. Whenever a court convicts a person of a violation of Section 3-707, 3-708 or 3-710 of this Code, or enters an order placing on supervision the person charged with the violation, the clerk of the court within 40 days shall forward a report of the conviction or order of

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supervision to the Secretary of State in a form prescribed by the Secretary. In any case where the person charged with the violation fails to appear in court, the procedures provided in Section 6-306.3 or 6-306.4 or 6-308 of this Code, whichever is applicable shall apply.

The Secretary shall keep records of such reports. However, reports of orders of supervision shall not be released to any outside source, except the affected driver and law enforcement agencies, and shall be used only to inform the Secretary and the courts that such driver previously has been assigned court supervision.

(Source: P.A. 86-149.)

(625 ILCS 5/6-308 new)
Sec. 6-308. Procedures for traffic violations.
(a) Any person cited for violating this Code or a similar provision of a local ordinance for which a violation is a petty offense as defined by Section 5-1-17 of the Unified Code of Corrections, excluding business offenses as defined by Section 5-1-2 of the Unified Code of Corrections or a violation of Section 15-111 of this Code, shall not be required to post bond. When required by Illinois Supreme Court Rule, the person shall sign the citation. All other provisions of this Code or similar provisions of local ordinances shall be governed by the bail provisions of the Illinois Supreme Court Rules when it is not practical or feasible to take the person before a judge to have bail set or to avoid undue delay because of the hour or circumstances.

(b) Whenever a person fails to appear in court, the court may continue the case for a minimum of 30 days and the clerk of the court shall send notice of the continued court date to the person's last known address. If the person does not appear in court on or before the continued court date or satisfy the court that the person's appearance in and surrender to the court is impossible for no fault of the person, the court shall enter an order of failure to appear. The clerk of the court shall notify the Secretary of State of the court's order. The Secretary, when notified by the clerk of the court that an order of failure to appear has been entered, shall immediately suspend the person's driver's license, which shall be designated by the Secretary as a Failure to Appear suspension. The Secretary shall not remove the suspension, nor issue any permit or privileges to the person whose license has been suspended, until notified by the ordering court that the person has appeared and resolved the violation. Upon compliance, the clerk of the court shall present the person with a notice of compliance containing the seal of

New matter indicated by italics - deletions by strikeout
the court, and shall notify the Secretary that the person has appeared and resolved the violation.

(625 ILCS 5/6-601) (from Ch. 95 1/2, par. 6-601)
Sec. 6-601. Penalties.

(a) It is a petty offense for any person to violate any of the provisions of this Chapter unless such violation is by this Code or other law of this State declared to be a misdemeanor or a felony.

(b) General penalties. Unless another penalty is in this Code or other laws of this State, every person convicted of a petty offense for the violation of any provision of this Chapter shall be punished by a fine of not more than $500.

(c) Unlicensed driving. Except as hereinafter provided a violation of Section 6-101 shall be:

1. A Class A misdemeanor if the person failed to obtain a driver's license or permit after expiration of a period of revocation.

2. A Class B misdemeanor if the person has been issued a driver's license or permit, which has expired, and if the period of expiration is greater than one year; or if the person has never been issued a driver's license or permit, or is not qualified to obtain a driver's license or permit because of his age.

3. A petty offense if the person has been issued a temporary visitor's driver's license or permit and is unable to provide proof of liability insurance as provided in subsection (d-5) of Section 6-105.1.

If a licensee under this Code is convicted of violating Section 6-303 for operating a motor vehicle during a time when such licensee's driver's license was suspended under the provisions of Section 6-306.3 or 6-308, then such act shall be a petty offense (provided the licensee has answered the charge which was the basis of the suspension under Section 6-306.3 or 6-308), and there shall be imposed no additional like period of suspension as provided in paragraph (b) of Section 6-303.

(Source: P.A. 96-607, eff. 8-24-09; 97-1157, eff. 11-28-13.)

(625 ILCS 5/6-306.3 rep.)

Section 10. The Illinois Vehicle Code is amended by repealing Section 6-306.3.

Section 15. The Code of Criminal Procedure of 1963 is amended by changing Section 110-15 as follows:

(725 ILCS 5/110-15) (from Ch. 38, par. 110-15)
Sec. 110-15. Applicability of provisions for giving and taking bail. The provisions of Sections 110-7 and 110-8 of this Code are exclusive of
other provisions of law for the giving, taking, or enforcement of bail. In all cases where a person is admitted to bail the provisions of Sections 110-7 and 110-8 of this Code shall be applicable.

However, the Supreme Court may, by rule or order, prescribe a uniform schedule of amounts of bail in all but felony offenses. No bail amounts shall be required for petty offenses. specified traffic and conservation cases, quasi-criminal offenses, and misdemeanors. Such uniform schedule may provide that the cash deposit provisions of Section 110-7 shall not apply to bail amounts established for alleged violations punishable by fine alone, and the schedule may further provide that in specified traffic cases a valid Illinois chauffeur's or operator's license must be deposited, in addition to 10% of the amount of the bail specified in the schedule.

(Source: Laws 1967, p. 2969.)

Approved August 9, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0871
(House Bill No. 5664)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 11-709.2 and 11-709.3 as follows:

(625 ILCS 5/11-709.2)
Sec. 11-709.2. Bus on shoulder pilot program.
(a) The For purposes of this Section, “bus on shoulders” is the use of specifically designated shoulders of roadways by authorized transit buses may be authorized by . The shoulders may be used by transit buses at times and locations as set by the Department in cooperation with the Regional Transportation Authority and the Suburban Bus Division of the Regional Transportation Authority. The Department shall prescribe by rule which transit buses are authorized to operate on shoulders, as well as times and locations. The Department may erect signage to indicate times and locations of designated shoulder usage.

(b) (Blank) Commencing on the effective date of this amendatory Act of the 97th General Assembly, the Department along with the Regional

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Transportation Authority and Suburban Bus Division of the Regional Transportation Authority in cooperation with the Illinois State Police shall establish a 5-year pilot program within the boundaries of the Regional Transportation Authority for transit buses on highways and shoulders. The pilot program may be implemented on shoulders of highways as designated by the Department in cooperation with the Regional Transportation Authority and Suburban Bus Division of the Regional Transportation Authority. The Department may adopt rules necessary for transit buses to use roadway shoulders.

(c) (Blank) After the pilot program established under subsection (b) of this Section has been operating for 2 years, the Department in cooperation with the Regional Transit Authority, the Suburban Bus Division of the Regional Transportation Authority, and the Illinois State Police shall issue a report to the General Assembly on the effectiveness of the bus on shoulders pilot program.

(Source: P.A. 97-292, eff. 8-11-11; revised 11-19-13.)

(625 ILCS 5/11-709.3)
Sec. 11-709.3. Transit buses on shoulders - toll highways. The Illinois State Toll Highway Authority may allow transit buses to use the shoulders of highways under its jurisdiction as part of the bus on shoulder pilot program under Section 11-709.2 of this Code.

(Source: P.A. 97-292, eff. 8-11-11.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 11, 2014.
Effective August 11, 2014.

PUBLIC ACT 98-0872
(Senate Bill No. 2972)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 21B-25 as follows:

(105 ILCS 5/21B-25)
Sec. 21B-25. Endorsement on licenses. All licenses issued under paragraph (1) of Section 21B-20 of this Code shall be specifically endorsed by the State Board of Education for each content area, school support area, New matter indicated by italics - deletions by strikeout
and administrative area for which the holder of the license is qualified. Recognized institutions approved to offer educator preparation programs shall be trained to add endorsements to licenses issued to applicants who meet all of the requirements for the endorsement or endorsements, including passing any required tests. The State Superintendent of Education shall randomly audit institutions to ensure that all rules and standards are being followed for entitlement or when endorsements are being recommended.

(1) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall establish, by rule, the grade level and subject area endorsements to be added to the Professional Educator License. These rules shall outline the requirements for obtaining each endorsement.

(2) In addition to any and all grade level and content area endorsements developed by rule, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall develop the requirements for the following endorsements:

(A) General administrative endorsement. A general administrative endorsement shall be added to a Professional Educator License, provided that an approved program has been completed. An individual holding a general administrative endorsement may work only as a principal or assistant principal or in a related or similar position, as determined by the State Superintendent of Education, in consultation with the State Educator Preparation and Licensure Board.

Beginning on September 1, 2014, the general administrative endorsement shall no longer be issued. Individuals who hold a valid and registered administrative certificate with a general administrative endorsement issued under Section 21-7.1 of this Code or a Professional Educator License with a general administrative endorsement issued prior to September 1, 2014 and who have served for at least one full year during the 5 years prior in a position requiring a general administrative endorsement shall, upon request to the State Board of Education and through July 1, 2015, have their respective general administrative endorsement converted to a principal endorsement on the Professional Educator License.

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Candidates shall not be admitted to an approved general administrative preparation program after September 1, 2012.

All other individuals holding a valid and registered administrative certificate with a general administrative endorsement issued pursuant to Section 21-7.1 of this Code or a general administrative endorsement on a Professional Educator License issued prior to September 1, 2014 shall have the general administrative endorsement converted to a principal endorsement on a Professional Educator License upon request to the State Board of Education and by completing one of the following pathways:

(i) Passage of the State principal assessment developed by the State Board of Education.
(ii) Through July 1, 2019, completion of an Illinois Educators' Academy course designated by the State Superintendent of Education.
(iii) Completion of a principal preparation program established and approved pursuant to Section 21B-60 of this Code and applicable rules.

Individuals who do not choose to convert the general administrative endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or on the Professional Educator License shall continue to be able to serve in any position previously allowed under paragraph (2) of subsection (e) of Section 21-7.1 of this Code.

The general administrative endorsement on the Professional Educator License is available only to individuals who, prior to September 1, 2014, had such an endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or who already have a Professional Educator License and have completed a general administrative program and who do not choose to convert the general administrative endorsement to a principal endorsement pursuant to the options in this Section.

(B) Principal endorsement. A principal endorsement shall be affixed to a Professional Educator License of any holder who qualifies by having all of the following:

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(i) Successful completion of a principal preparation program approved in accordance with Section 21B-60 of this Code and any applicable rules.
(ii) Four years of teaching in a public school or nonpublic school recognized by the State Board of Education; however, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall allow, by rules, for fewer than 4 years of experience based on meeting standards set forth in such rules, including without limitation a review of performance evaluations or other evidence of demonstrated qualifications.
(iii) A master's degree or higher from a regionally accredited college or university.
(C) Chief school business official endorsement. A chief school business official endorsement shall be affixed to the Professional Educator License of any holder who qualifies by having a master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests. The chief school business official endorsement may also be affixed to the Professional Educator License of any holder who qualifies by having a master's degree in business administration, finance, or accounting and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests. This endorsement shall be required for any individual employed as a chief school business official.
(D) Superintendent endorsement. A superintendent endorsement shall be affixed to the Professional Educator License of any holder who has completed a program approved by the State Board of Education for the preparation of superintendents of schools, has had at least 2 years of experience employed full-time in a general administrative position or as a full-time principal, director of special

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education, or chief school business official in the public schools or in a State-recognized nonpublic school in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and where a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State, and has passed the required State tests; or of any holder who has completed a program from out-of-state that has a program with recognition standards comparable to those approved by the State Superintendent of Education and holds the general administrative, principal, or chief school business official endorsement and who has had 2 years of experience as a principal, director of special education, or chief school business official while holding a valid educator license or certificate comparable in validity and educational and experience requirements and has passed the appropriate State tests, as provided in Section 21B-30 of this Code. The superintendent endorsement shall allow individuals to serve only as a superintendent or assistant superintendent.

(E) Teacher leader endorsement. It shall be the policy of this State to improve the quality of instructional leaders by providing a career pathway for teachers interested in serving in leadership roles, but not as principals. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may issue a teacher leader endorsement under this subdivision (E). Persons who meet and successfully complete the requirements of the endorsement shall be issued a teacher leader endorsement on the Professional Educator License for serving in schools in this State. Teacher leaders may qualify to serve in such positions as department chairs, coaches, mentors, curriculum and instruction leaders, or other leadership positions as defined by the district. The endorsement shall be available to those teachers who (i) hold a Professional Educator License, (ii) hold a master's degree or higher from a regionally accredited institution, (iii) have completed a program of study that has been approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and (iv) have taken coursework in all of the following areas:

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(I) Leadership.
(II) Designing professional development to meet teaching and learning needs.
(III) Building school culture that focuses on student learning.
(IV) Using assessments to improve student learning and foster school improvement.
(V) Building collaboration with teachers and stakeholders.

A teacher who meets the requirements set forth in this Section and holds a teacher leader endorsement may evaluate teachers pursuant to Section 24A-5 of this Code, provided that the individual has completed the evaluation component required by Section 24A-3 of this Code and a teacher leader is allowed to evaluate personnel under the respective school district's collective bargaining agreement.

The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to establish and implement the teacher leader endorsement program and to specify the positions for which this endorsement shall be required.

(F) Special education endorsement. A special education endorsement in one or more areas shall be affixed to a Professional Educator License for any individual that meets those requirements established by the State Board of Education in rules. Special education endorsement areas shall include without limitation the following:

(i) Learning Behavior Specialist I;
(ii) Learning Behavior Specialist II;
(iii) Speech Language Pathologist;
(iv) Blind or Visually Impaired;
(v) Deaf-Hard of Hearing; and
(vi) Early Childhood Special Education.

Notwithstanding anything in this Code to the contrary, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may add additional areas of special education by rule.

(G) School support personnel endorsement. School support personnel endorsement areas shall include, but are not
limited to, school counselor, marriage and family therapist, school psychologist, school speech and language pathologist, school nurse, and school social worker. This endorsement is for individuals who are not teachers or administrators, but still require licensure to work in an instructional support position in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control or a charter school operating in compliance with the Charter Schools Law. The school support personnel endorsement shall be affixed to the Professional Educator License and shall meet all of the requirements established in any rules adopted to implement this subdivision (G). The holder of such an endorsement is entitled to all of the rights and privileges granted holders of any other Professional Educator License, including teacher benefits, compensation, and working conditions.

Beginning on January 1, 2014 and ending on April 30, 2014, a person holding a Professional Educator License with a school speech and language pathologist (teaching) endorsement may exchange his or her school speech and language pathologist (teaching) endorsement for a school speech and language pathologist (non-teaching) endorsement through application to the State Board of Education. There shall be no cost for this exchange.

(Source: P.A. 97-607, eff. 8-26-11; 98-413, eff. 8-16-13; 98-610, eff. 12-27-13.)


PUBLIC ACT 98-0873
(Senate Bill No. 0927)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 1-105 and 12-215 as follows:

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Sec. 1-105. Authorized emergency vehicle. Emergency vehicles of municipal departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the fire department; vehicles of a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code; ambulances; vehicles of the Illinois Department of Corrections; vehicles of the Illinois Department of Juvenile Justice; vehicles of the Illinois Emergency Management Agency; vehicles of the Office of the Illinois State Fire Marshal; mine rescue and explosives emergency response vehicles of the Department of Natural Resources; vehicles of the Illinois Department of Public Health; vehicles of the Illinois State Toll Highway Authority identified as Highway Emergency Lane Patrol; vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; and vehicles of a municipal or county emergency services and disaster agency, as defined by the Illinois Emergency Management Agency Act.

(Source: P.A. 97-149, eff. 7-14-11; 97-333, eff. 7-12-11; 98-123, eff. 1-1-14; 98-468, eff. 8-16-13; revised 9-19-13.)

Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:

(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

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4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;


7. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization; and

10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response; and

11. Vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; the lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency; and

12. Vehicles of the Illinois State Toll Highway Authority identified as Highway Emergency Lane Patrol; the lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except

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as required in this paragraph 1; such lights shall be lighted when such
vehicles are actually being used at the scene of an accident or
disablement; if the towing vehicle is equipped with a flat bed that
supports all wheels of the vehicle being transported, the lights shall
not be lighted while the vehicle is engaged in towing on a highway;
if the towing vehicle is not equipped with a flat bed that supports all
wheels of a vehicle being transported, the lights shall be lighted while
the towing vehicle is engaged in towing on a highway during all times
when the use of headlights is required under Section 12-201 of this
Code; in addition, these vehicles may use white oscillating, rotating,
or flashing lights in combination with amber oscillating, rotating, or
flashing lights as provided in this paragraph;

2. Motor vehicles or equipment of the State of Illinois, the
Illinois State Toll Highway Authority, local authorities and
contractors; furthermore, such lights shall not be lighted except while
such vehicles are engaged in maintenance or construction operations
within the limits of construction projects;

3. Vehicles or equipment used by engineering or survey
crews; furthermore, such lights shall not be lighted except while such
vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other
construction, maintenance or automotive service vehicles except that
such lights shall be lighted only as a means for indicating the
presence of a vehicular traffic hazard requiring unusual care in
approaching, overtaking or passing while such vehicles are engaged
in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only
be lighted when moving under permit issued by the Department under
Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and
operated by the State of Illinois or any political subdivision thereof,
which is designed and used for removal of snow and ice from
highways;

6.1. (6.1) The front and rear of motorized equipment or
vehicles that (i) are not owned by the State of Illinois or any political
subdivision of the State, (ii) are designed and used for removal of
snow and ice from highways and parking lots, and (iii) are equipped
with a snow plow that is 12 feet in width; these lights may not be

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lighted except when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;
  7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;
  8. Such other vehicles as may be authorized by local authorities;
  9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;
  9.5. Propane delivery trucks;
  10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;
  10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;
  11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;
  12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;
  13. Vehicles used by a security company, alarm responder, control agency, or the Illinois Department of Corrections;
  14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and
  15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:
  1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:
     voluntary firefighter;
     paid firefighter;

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part-paid firefighter;
call firefighter;
member of the board of trustees of a fire protection district;
paid or unpaid member of a rescue squad;
paid or unpaid member of a voluntary ambulance unit;
or
paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.
However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;
(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;
(C) the member's term of service; and
(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

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4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.


8. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white headlights and blue grill lights, which may be used only in responding to an emergency call or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating,

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or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on second division vehicles designed and used for towing or hoisting vehicles or motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives; furthermore, such lights shall not be lighted on second division vehicles designed and used for towing or hoisting vehicles or vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in a tow operation, highway maintenance, or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative or authorized vendor from temporarily mounting such lights on a vehicle for demonstration purposes only. If the lights are not covered while the vehicle is operated upon a highway, the vehicle shall display signage indicating that the vehicle is out of service or not an emergency vehicle. The signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one-half inch wide. A vehicle authorized to have oscillating, rotating, or flashing lights mounted for demonstration purposes may not activate the lights while the vehicle is operated upon a highway.

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.

(Source: P.A. 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12; 97-1173, eff. 1-1-14; 98-80, eff. 7-15-13; 98-123, eff. 1-1-14; 98-468, eff. 8-16-13; revised 10-17-13.)

Passed in the General Assembly May 14, 2014.
Approved August 11, 2014.

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AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:

Section 1. Short title. This Act may be cited as the Occupational Safety and Health Act.

Section 2. References to prior Acts. On and after the effective date of this Act, a reference to the Safety Inspection and Education Act or the Health and Safety Act in any other Act or in any rule contained in the Illinois Administrative Code shall be deemed to be a reference to this Act.

Section 5. Definitions. In this Act:
"Department" means the Department of Labor.
"Director" means the Director of Labor.
"Division" means the Division of Occupational Safety and Health within the Department of Labor.
"Employee" means a person in the service of any of the following entities, regardless of whether the service is by virtue of election, by appointment or contract, or by hire, and regardless of whether the relationship is express or implied or established orally or in writing:

(1) The State. For purposes of this paragraph (1), the term includes a member of the General Assembly, a member of the Illinois Commerce Commission, a member of the Illinois Workers' Compensation Commission, and any person in the service of a public university or college in Illinois.
(2) An Illinois county. For purposes of this paragraph (2), the term includes a deputy sheriff and an assistant State's Attorney.
(3) An Illinois township.
(4) An Illinois city, village, incorporated town, school district, or other municipal corporation or body politic.
"Public employer" or "employer" means the State of Illinois or any political subdivision of the State.

Section 10. Administration of Act; Division of Occupational Safety and Health.
(a) The Department shall administer this Act. For the purpose of assisting in the administration of this Act, the Director may authorize his or
her representatives in the Department to perform any necessary inspections or investigations under this Act.

(b) The Department shall maintain a division within the Department to be known as the Division of Occupational Safety and Health.

Section 15. Application of Act. This Act applies to every public employer in this State and its employees. Nothing in this Act, however, applies to working conditions of employees with respect to which federal agencies, and State agencies acting under Section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021), exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety and health. Any State regulations more strict than applicable federal standards shall, before being promulgated, be the subject of hearings as required by this Act.

Section 20. Duties of employers and employees.

(a) Every public employer must provide reasonable protection to the lives, health, and safety of its employees and must furnish to each of its employees employment and a workplace which are free from recognized hazards that cause or are likely to cause death or serious physical harm to its employees.

(b) Every public employer must comply with the occupational safety and health standards promulgated under this Act.

(c) Every public employer must keep its employees informed of their protections and obligations under this Act, including the provisions of applicable standards or rules adopted under this Act.

(d) Every public employer must furnish its employees with information regarding hazards in the workplace, including information about suitable precautions, relevant symptoms, and emergency treatment.

(e) Every employee must comply with the rules that are promulgated from time to time by the Director under this Act and that are applicable to the employee's actions and conduct.

Section 25. Occupational safety and health standards.

(a) All federal occupational safety and health standards which the United States Secretary of Labor has promulgated or modified in accordance with the federal Occupational Safety and Health Act of 1970 and which are in effect on the effective date of this Act shall be and are hereby made rules of the Department unless the Director promulgates an alternate standard that is at least as effective in providing safe and healthful employment and places of employment as a federal standard. Before developing and adopting an alternate standard or modifying or revoking an existing standard, the Director must consider factual information that includes:

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(1) Expert technical knowledge.

(2) Input from interested persons, including employers, employees, recognized standards-producing organizations, and the public.

(b) All federal occupational safety and health standards which the United States Secretary of Labor promulgates or modifies in accordance with the federal Occupational Safety and Health Act of 1970 on or after the effective date of this Act, unless revoked by the Secretary of Labor, shall become rules of the Department within 6 months after their federal promulgation date, unless there has been in effect in this State at the time of the promulgation or modification of the federal standard an alternate State standard that is at least as effective in providing safe and healthful employment and places of employment as a federal standard. The alternate State standard shall not become effective, however, unless the Department, within 45 days after the federal promulgation date, files with the office of the Secretary of State in Springfield, Illinois, a certified copy of the rule as provided in the Illinois Administrative Procedure Act.

Section 30. Standards; required features.

(a) A standard promulgated under this Act shall prescribe the use of labels or other appropriate forms of warning as are necessary to ensure that employees are apprised of all hazards to which they are exposed, relevant symptoms and appropriate emergency treatment, and proper conditions and precautions of safe use or exposure.

(b) When appropriate, a standard shall also prescribe suitable protective equipment and control or technological procedures to be used in connection with such hazards and shall provide for monitoring or measuring employee exposure at locations and intervals and in a manner as necessary for the protection of employees.

(c) In addition, when appropriate, a standard shall prescribe the type and frequency of medical examinations or other tests which shall be made available, by the employer or at the employer's cost, to employees exposed to such hazards in order to most effectively determine whether the health of the employees is adversely affected by the exposure. The results of the examinations or tests shall be furnished by the employer only to the Department or, at the direction of the Department, to authorized medical personnel and, at the request of the employee, to the employee's physician.

(d) The Director, in promulgating standards dealing with toxic materials or harmful physical agents under this Section, shall set the standard which most adequately ensures, to the extent feasible, on the basis of the best

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available evidence, that no employee will suffer material impairment of health or functional capacity even if the employee has regular exposure to the hazard dealt with by the standard for the period of the employee's working life.

(e) Development of standards under this Section shall be based on research, demonstrations, experiments, and other information as appropriate. In addition to the attainment of the highest degree of health and safety protection for the employee, other considerations shall be the latest available scientific data in the field, the feasibility of the standards, and experience gained under this and other health and safety laws. Whenever practicable, a standard shall be expressed in terms of objective criteria and of the performance desired.

Section 35. Emergency temporary standards.
(a) The Director may promulgate emergency temporary standards or rules, or both, to take effect immediately by filing the proposed standard with the Secretary of State, provided that the Director first expressly determines the following:

(1) Employees are exposed to grave danger from exposure to substances or agents determined to be toxic or physically harmful or from new hazards.

(2) The emergency temporary standard is necessary to protect the employees from the danger described in paragraph (1).

(b) The Director shall adopt emergency temporary standards promulgated by the federal Occupational Safety and Health Administration within 30 days of the federal notice of proposed emergency rulemaking. An emergency temporary standard shall be effective until superseded by a permanent standard but in no event for more than 6 months from the date of publication of the emergency temporary standard. The publication of emergency temporary standards shall be deemed to be a petition to the Director for the promulgation of a permanent standard and shall be deemed to be filed with the Director on the date of publication. The proceeding for promulgation of the permanent standard shall be pursued in accordance with this Act.

Section 40. Variance from standards. The Director may grant a temporary or permanent variance from a State occupational safety and health standard upon application by a public employer to the Director. The Director may grant a variance from a standard or portion of a standard if the Director determines that the variance is necessary to permit an employer to participate in an experiment approved by the Director designed to demonstrate or

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validate new and improved techniques to safeguard the health or safety of workers. A variance from a State occupational safety and health standard may only have future effect.

Section 45. Temporary variance.

(a) A public employer may apply to the Director for a temporary variance from an occupational safety and health standard promulgated under this Act. The Director shall issue a temporary variance only if the employer first files with the Director an application which meets the requirements of this Section.

(b) An application for a temporary variance under this Section shall contain all of the following:

(1) A specification of the standard or portion thereof from which the employer seeks a variance.

(2) A representation by the employer, supported by representations from qualified persons having first-hand knowledge of the facts represented, that the employer is unable to comply with the standard or portion thereof, and a detailed statement of the reasons therefor.

(3) A statement of the steps the employer has taken and will take to protect employees against a hazard covered by the standard, including specific dates on which or by which the employer has taken or will take those steps.

(4) A statement specifying the date by which the employer expects to be able to comply with the standard.

(5) A certification that the employer has informed its employees of the application by giving a copy of the application to the employees' authorized representative, by posting a statement at the place or places where notices to employees are normally posted that summarizes the application and specifies where a copy may be examined, and by other appropriate means as determined by the employer. The information provided to employees shall also inform them of their right to petition the Director for a hearing on the application.

(c) An application for a temporary variance under this Section shall establish all of the following:

(1) The employer is unable to comply with a standard by its effective date because professional or technical personnel or materials and equipment needed to comply with the standard are unavailable or

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because necessary construction or alteration of facilities cannot be completed by the effective date of the standard.

(2) The employer is taking all available steps to safeguard its employees against the hazards covered by the standard.

(3) The employer has an effective program for complying with the standard as quickly as practicable.

(d) The Director may issue a temporary variance only after the Department provides notice to the employer's employees and an opportunity for a hearing. However, in a case involving only documentary evidence in support of the application for a temporary variance and in which no objection is made or hearing requested by the employees or their representative, the Director may issue a temporary variance in accordance with this Act without a hearing.

(e) If a hearing is requested on an application for a temporary variance, the application shall be heard and determined by the Director.

(f) A temporary variance issued under this Section shall prescribe the practices, means, methods, operations, and processes which the employer must adopt and use while the temporary variance is in effect and shall state in detail the employer's program for achieving compliance with the standard.

Section 50. Permanent variance.

(a) A public employer affected by an occupational safety and health standard promulgated under this Act may apply to the Director for a permanent variance from that standard. The form and manner of the application shall be as provided in rules.

(b) Employees affected by a standard from which their employer has applied for a variance under this Section shall be given notice of the employer's application and an opportunity to participate in a hearing on the application.

(c) The Director shall issue a permanent variance if he or she determines on the record, after opportunity for an inspection where appropriate as determined by the Department and a hearing, that the employer has demonstrated by a preponderance of the evidence that the conditions, practices, means, methods, operations, or processes used or proposed to be used by the employer will provide employment and places of employment to its employees which are as safe and healthful as those which would prevail if the employer complied with the standard. The variance shall prescribe the conditions the employer must maintain, and the practices, means, methods, operations, and processes which the employer must adopt and utilize, to the extent they differ from the standard in question.

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(d) A variance issued under this Section may be modified or revoked upon application by the employer, by the employees, or by the Director on his or her own motion, in the manner prescribed for the issuance of a variance under this Section at any time after 6 months from the issuance of the variance.

Section 55. Rules generally.
(a) The Director, from time to time, shall promulgate rules that clearly describe the persons to whom those rules apply and that clearly describe the conduct that is required of those persons. Each such rule shall, by its terms, be uniform and general in its application wherever the subject matter of the rule exists in any workplace having employees in the service of a public employer. The rules may include rules that, when applicable to products which are distributed or used in interstate commerce, are required by compelling local conditions and do not unduly burden interstate commerce.

(b) Any standards or rules promulgated by the Director under the Safety Inspection and Education Act or the Health and Safety Act that are in full force on the effective date of this Act shall become the rules of the Department under this Act. This Act does not affect the legality of any such rules in the Illinois Administrative Code.

(c) Any proposed standards or rules filed with the Secretary of State by the Director under the Safety Inspection and Education Act or the Health and Safety Act that are pending in the rulemaking process on the effective date of this Act shall be deemed to have been filed by the Director under this Act.

(d) As soon as practicable after the effective date of this Act, the Director shall revise and clarify the standards or rules described in subsections (b) and (c) as necessary to reflect the provisions of this Act.

Section 60. Employers' records.
(a) The Director shall adopt rules requiring public employers to maintain accurate records of, and to make reports on, work-related deaths, injuries, and illnesses, other than minor injuries requiring only first aid treatment which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job. The rules shall specifically include all of the reporting provisions of Section 6 of the Workers' Compensation Act and Section 6 of the Workers' Occupational Diseases Act. The records shall be available to any State agency requiring such information.

(b) The Director shall adopt rules requiring public employers to maintain accurate records of employee exposures to potentially toxic
materials or harmful physical agents which are required to be monitored or measured under this Act. The rules shall provide employees or their authorized representative with an opportunity to observe the monitoring or measuring, and to have access to the records of the monitoring or measuring. The rules shall provide appropriate means by which each employee or former employee may have access to such records as will indicate his or her exposure to toxic materials or harmful physical agents.

(c) A public employer shall promptly notify any employee who has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by an occupational safety and health standard and shall inform the employee who is being thus exposed of the action being taken by the employer to correct such exposure.

Section 65. Periodic inspection of workplaces.

(a) The Director shall enforce the occupational safety and health standards and rules promulgated under this Act and any occupational health and safety regulations relating to inspection of places of employment, and shall visit and inspect, as often as practicable, the places of employment covered by this Act.

(b) The Director or his or her authorized representative, upon presenting appropriate credentials to a public employer's agent in charge, has the right to enter and inspect all places of employment covered by this Act as follows:

(1) An inspector may enter without delay and at reasonable times any establishment, construction site, or other area, workplace, or environment where work is performed by an employee of a public employer in order to enforce the occupational safety and health standards adopted under this Act.

(2) If a public employer refuses entry to an inspector upon being presented with proper credentials or allows entry but then refuses to permit or hinders the inspection in any way, the inspector shall leave the premises and immediately report the refusal to authorized management within the Division. Authorized management shall notify the Director to initiate the compulsory legal process to obtain entry or obtain a warrant for entry, or both.

(3) An inspector may inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any workplace described in paragraph (1) and all pertinent conditions, structures, machines,
apparatus, devices, equipment, and materials therein, and to question privately the employer or any agent or employee of the employer.

(4) The owner, operator, manager, or lessee of any workplace covered by this Act, and his or her agent or employee, and any employer affected by this Act shall, when requested by the Division of Occupational Safety and Health or any duly authorized agent of that Division: (i) furnish any information in his or her possession or under his or her control which the Department is authorized to require, (ii) answer truthfully all questions required to be put to him or her, and (iii) cooperate in the making of a proper inspection.

Section 70. Inspection of workplace upon complaint.

(a) An employee or representative of employees who believes that a violation of an occupational safety and health standard exists in a workplace covered by this Act or that an imminent danger exists in such a place may request an inspection by submitting a written complaint to the Director or his or her authorized representative setting forth with reasonable particularity the grounds for the complaint. The complaint shall be signed by the employee or representative.

(b) If the Director or the Director's authorized representative determines there are no reasonable grounds to believe that a violation or imminent danger exists, he or she shall notify the employee or representative of employees of that determination in writing.

(c) If, upon receipt of the complaint, the Director or his or her authorized representative determines there are reasonable grounds to believe that a violation or imminent danger exists, he or she shall make a special inspection of the workplace in accordance with this Act, as soon as practicable, to determine whether a violation or imminent danger exists.

(d) A copy of the complaint shall be provided to the public employer or its agent by the Director or his or her authorized representative at the time of the inspection, except that, upon the request of the person making the complaint, that person's name and the names of individual employees referred to in the complaint shall not appear in the copy or on any record published, released, or made available by the Director or his or her authorized representative.

(e) Nonformal safety and health complaints shall be handled by an authorized representative of the Director. Based on the severity and legitimacy of the complaint as determined by the Division, the Director's authorized representative shall either schedule an inspection of the workplace

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or issue a letter to the employer stating the allegations set forth in the complaint.

Section 75. Opportunity to accompany inspection. Subject to rules adopted by the Director, a representative of the employer and a representative authorized by the employer's employees shall be given an opportunity to accompany the Director or his or her authorized representative during the physical inspection of any workplace under this Act for the purpose of aiding the inspection. If there is no authorized employee representative, the Director or his or her authorized representative shall consult with a reasonable number of employees concerning matters of occupational safety and health in the workplace.

Section 80. Violation of Act or standard; citation.
(a) Upon inspection or investigation of a workplace, if the Director or his or her authorized representative believes that a public employer has violated a requirement of this Act or a standard, rule, or regulation promulgated under this Act, he or she shall with reasonable promptness issue a citation to the employer. A citation shall: (i) be in writing, (ii) describe with particularity the nature of the violation and include a reference to the provision of the Act, standard, rule, or regulation alleged to have been violated, and (iii) fix a reasonable time for the abatement of the violation.

(b) Each citation issued under this Section, or a copy or copies thereof, shall be prominently posted at or near the place at which the violation occurred as prescribed in rules adopted by the Director.

(c) A citation shall be served on the employer or the employer's agent by delivering a copy to the person upon whom the service is to be had, or by leaving a copy at his or her usual place of business or abode, or by sending a copy by certified mail to his or her place of business.

(d) A citation may not be issued under this Section after the expiration of 6 months following the occurrence of any violation.

Section 85. Civil penalties.
(a) After an inspection of a workplace under this Act, if the Director issues a citation, he or she shall, within 5 days after issuing the citation, notify the employer by certified mail of any civil penalty proposed to be assessed for the violation set forth in the citation.

(b) If the Director has reason to believe that an employer has failed to correct a violation for which a citation has been issued within the period permitted for its correction, the Director shall notify the employer by certified mail of that failure and of the civil penalty proposed to be assessed for that failure.

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(c) Civil penalties authorized under this Section are as follows:

(1) A public employer that repeatedly violates this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any combination of those Acts, or any standard, rule, regulation, or order under any of those Acts, may be assessed a civil penalty of not more than $10,000 per violation.

(2) A public employer that intentionally violates this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any standard, rule, regulation, or order under any of those Acts, or who demonstrates plain indifference to any provision of any of those Acts or any such standard, rule, regulation, or order, may be assessed a civil penalty of not more than $10,000.

(3) A public employer that has received a citation for a serious violation of this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any standard, rule, regulation, or order under any of those Acts, may be assessed a civil penalty up to $1,000 for each such violation.

(4) A public employer that has received a citation for a violation of this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any standard, rule, regulation, or order under any of those Acts, which is not a serious violation, may be assessed a civil penalty of up to $1,000 for each such violation.

(5) A public employer that violates a posting requirement is subject to the following citations and proposed penalty structure:

(A) Job Safety and Health Poster: an other than serious citation and a proposed penalty of $1,000.

(B) Annual Summary of Work-Related Injuries and Illnesses (OSHA Form 300A): an other than serious citation and a proposed penalty of $1,000, even if there are no recordable injuries or illnesses.

(C) Citation: an other than serious citation and a proposed penalty of $1,000.

(6) A public employer that fails to correct a violation for which a citation has been issued within the period permitted may be assessed a civil penalty of up to $1,000 for each day the violation continues.

(d) For purposes of this Section, a "serious violation" shall be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from (i) a condition which exists or (ii)
one or more practices, means, methods, operations, or processes which have been adopted or are in use in the workplace, unless the employer did not know and could not, with the exercise of reasonable diligence, have known of the presence of the violation.

(e) The Director may assess civil penalties as provided in this Section, giving due consideration to the appropriateness of the penalty. A penalty may be reduced by the Director or the Director's authorized representative based on the public employer's good faith, size of business, and history of previous violations.

(f) The Attorney General may bring an action in the circuit court to enforce the collection of any civil penalty assessed under this Act.

(g) All civil penalties collected under this Act shall be deposited into the General Revenue Fund of the State of Illinois.

Section 90. Informal review.

(a) A public employer may submit in writing data relating to the abatement of a hazard to be considered by an authorized representative of the Director. The authorized representative shall notify the interested parties if such data will be used to modify an abatement order.

(b) Within 15 working days after receiving a citation, proposed assessment of a civil penalty, or notice of failure to correct a violation, a public employer or the employer's agent may request that an authorized representative of the Director review abatement dates, reclassify violations (such as willful to serious, serious to other than serious), or modify or withdraw a penalty, a citation, or a citation item, or any combination of those, if the employer presents evidence during the informal conference which convinces the authorized representative that the changes are justified.

Section 95. Request for hearing.

(a) Within 15 working days after receiving a citation, proposed assessment of a civil penalty, or notice of failure to correct a violation, a public employer or the employer's agent, manager, or superintendent may request in writing a hearing before the Director to contest the citation, assessment of a civil penalty, or notice of failure to correct a violation.

(b) If, within 15 working days after receiving a citation and notice of penalty or notice of failure to correct a violation issued by the Director, the employer fails to notify the Director that it intends to contest the citation, assessment of a civil penalty, or notice of failure to correct a violation, and if no notice requesting a hearing is filed by an employee or employee representative under subsection (c) within that time, the citation, assessment
of a civil penalty, or notice of failure to correct a violation shall be deemed a final order and not subject to review by any court or agency.

(c) Within 15 working days after the issuance of a citation under Section 80, an employee or representative of an employee may file a request in writing for a hearing before the Director to contest the citation on the ground that the period of time fixed in the citation for the abatement of the violation identified in the citation is unreasonable.

Section 100. Hearing.

(a) If a public employer or the employer's representative notifies the Director that the employer intends to contest a citation and notice of penalty or if, within 15 working days after the issuance of the citation, an employee or representative of employees files a notice with the Director alleging that the period of time fixed in the citation for the abatement of the violation is unreasonable, the Director shall afford an opportunity for a hearing before an Administrative Law Judge designated by the Director.

(b) At the hearing, the employer or employee shall state his or her objections to the citation and provide evidence why the citation should not stand as issued. The Director or his or her representative shall be given the opportunity to state his or her reasons for issuing the citation. Affected employees shall be provided an opportunity to participate as parties to hearings under the rules of procedure prescribed by the Director (56 Ill. Admin. Code, Part 120).

(c) The Director, or the Administrative Law Judge on behalf of the Director, has the power to do the following:

(1) Issue subpoenas for and compel the attendance of witnesses.

(2) Hear testimony and receive evidence.

(3) Order testimony of a witness residing within or without this State to be taken by deposition in the manner prescribed by law for depositions in civil cases in the circuit court in any proceeding pending before him or her at any stage of such proceeding.

(d) Subpoenas and commissions to take testimony shall be under seal of the Director. Service of subpoenas may be made by a sheriff or any other person.

(e) The circuit court for the county where any hearing is pending may compel the attendance of witnesses, the production of pertinent books, papers, records, or documents, and the giving of testimony before the Director or an Administrative Law Judge by an attachment proceeding, as for
contempt, in the same manner as the production of evidence may be compelled before the court.

(f) The Administrative Law Judge on behalf of the Director, after considering the evidence presented at the formal hearing, in accordance with the Director's rules, shall enter a final decision and order within a reasonable time affirming, modifying, or vacating the citation or proposed assessment of a civil penalty, or directing other appropriate relief.

Section 105. Judicial review.

(a) Any party adversely affected by a final order or determination of the Administrative Law Judge on behalf of the Director may obtain judicial review of that order or determination by filing a complaint for review within 35 days after the entry of the order or other final action complained of, pursuant to the Administrative Review Law. If no appeal is taken within 35 days after the order or determination is issued, the order shall become final.

(b) A request for judicial review filed under this Section shall be heard expeditiously.

Section 110. Discrimination against employee prohibited.

(a) A person may not discharge or in any way discriminate against an employee because the employee has: (i) filed a complaint or instituted or caused to be instituted any proceeding under this Act, (ii) testified or is about to testify in any such proceeding, or (iii) exercised, on his or her own behalf or on behalf of another person, any right afforded by this Act.

(b) An employee who believes that he or she has been discharged or otherwise discriminated against by an employer in violation of this Section may, within 30 calendar days after the violation occurs, file a complaint with the Director alleging the discrimination.

(c) Upon receipt of the complaint, the Director shall cause an investigation to be made as the Director deems appropriate. After the investigation, if the Director determines that the employer has violated this Section, the Director shall bring an action in the circuit court for appropriate relief, including rehiring or reinstatement of the employee to his or her former position with back pay, after taking into account any interim earnings of the employee.

Section 115. Abatement of imminent danger.

(a) Whenever the Director determines that an imminent danger exists in the working conditions of any public employee in this State, and that the danger may reasonably be expected to cause death or serious physical harm immediately or before the imminence of the danger can be eliminated through the enforcement procedures otherwise provided by this Act, the Director may

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file a complaint in the circuit court for appropriate relief, including an order that may require steps to be taken as necessary to abate, avoid, correct, or remove the imminent danger and prohibit the employment or presence of any individual in locations or under conditions where the imminent danger exists, except those individuals whose presence is necessary to abate, avoid, correct, or remove the imminent danger or to maintain the capacity of a continuous process operation to assume normal operations without a complete cessation of operations, or, if a cessation of operations is necessary, to permit the cessation to be accomplished in a safe and orderly manner.

(b) If an inspector concludes that an imminent danger exists in any workplace, the inspector shall promptly inform the affected employees or their authorized representative and the employer of the danger and that the inspector will recommend to the Director that relief be sought as provided in subsection (a).

(c) If the Director arbitrarily or capriciously fails to seek relief under subsection (a) after receiving an inspector's recommendation under subsection (b), an employee who is injured by reason of such failure, or the representative of the employee, may bring an action against the Director in the circuit court for the county in which the imminent danger is alleged to exist or in which the employer has his or her principal office for relief by mandamus to compel the Director to seek relief under subsection (a) and for such further relief as may be appropriate.

Section 120. Criminal penalties.

(a) Willful violation. A public employer that willfully violates any provision of this Act or any standard, rule, regulation, or order under this Act commits a Class 4 felony if that violation causes the death of any employee.

(b) Advance notice of inspection. A person who gives advance notice to a public employer of any inspection to be conducted under this Act, without authority from the Director or the Director's authorized representative, commits a Class B misdemeanor.

(c) False statement. A person who knowingly makes a false statement, representation, or certification in any application, record, report, plan, or other document required under this Act, or any standard, rule, regulation, or order adopted or issued under this Act, commits a Class 4 felony.

Section 125. Confidentiality of trade secrets.

(a) All information reported to or otherwise obtained by the Director or the Director's authorized representative in connection with any inspection or proceeding under this Act or any standard, rule, regulation, or order adopted or issued under this Act which contains or might reveal a trade secret

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shall be considered confidential, except that such information may be disclosed confidentially to other officers or employees concerned with carrying out this Act or when relevant to any proceeding under this Act. In any such proceeding, the Director or the court shall issue such orders as may be appropriate, including an order for the impoundment of files or portions of files, to protect the confidentiality of trade secrets.

(b) A person who discloses a trade secret in violation of this Section commits a Class B misdemeanor.

Section 130. Prosecution by Attorney General or State's Attorney. The Attorney General or a State's Attorney, upon request of the Department, shall prosecute any violation of this Act or a standard, rule, regulation, or order adopted or issued under this Act.

Section 135. Safety education and other programs.

(a) The Department shall encourage public employers as well as organizations and groups of employees to institute and maintain safety education programs for employees and promote the observation of safety practices.

(b) The Department shall provide and conduct educational programs specifically designed to meet the regulatory requirements set forth in the occupational safety and health standards and to meet the needs of public employers.

(c) The Department shall conduct regular public information programs to inform public employers of changes or updates to the standards and rules adopted under this Act as necessary.

(d) The Department shall provide support services for any public employer that needs assistance with the public employer's self-inspection programs.

Section 140. Director's reports.

(a) In the annual report to the Governor required by the Civil Administrative Code of Illinois, the Director shall report the result of inspections and investigations made of establishments under this Act, together with such other information and recommendations as he or she deems proper.

(b) The Director shall make an annual report of his or her work under this Act to the Governor on or before the first day of February of each year. The Director shall make a biennial report to the General Assembly on or before the first day of February of each odd-numbered year.

Section 145. Transition provisions. This Act does not affect any act done, ratified, or canceled, or any right occurring or established, or any action
or proceeding had or commenced in an administrative, civil, or criminal cause, under the Safety Inspection and Education Act or the Health and Safety Act, or any standard or rule adopted under either of those Acts, before the effective date of this Act. An employee or public employer may enforce any such right under this Act. The Department, or the Attorney General or a State's Attorney, may prosecute or continue any such action or proceeding under this Act.

Section 900. The Civil Administrative Code of Illinois is amended by changing Sections 5-145 and 5-365 as follows:

(20 ILCS 5/5-145) (was 20 ILCS 5/5.03)
Sec. 5-145. In the Department of Labor. Assistant Director of Labor; Chief Safety Factory Inspector; and Superintendent of Occupational Safety and Health Inspection and Education.
(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 5/5-365) (was 20 ILCS 5/9.03)
Sec. 5-365. In the Department of Labor. The Director of Labor shall receive an annual salary as set by the Compensation Review Board.

The Assistant Director of Labor shall receive an annual salary as set by the Compensation Review Board.

The Chief Safety Factory Inspector shall receive $24,700 from the third Monday in January, 1979 to the third Monday in January, 1980, and $25,000 thereafter, or as set by the Compensation Review Board, whichever is greater.

The Superintendent of Occupational Safety and Health Inspection and Education shall receive $27,500, or as set by the Compensation Review Board, whichever is greater.

The Superintendent of Women's and Children's Employment shall receive $22,000 from the third Monday in January, 1979 to the third Monday in January, 1980, and $22,500 thereafter, or as set by the Compensation Review Board, whichever is greater.
(Source: P.A. 96-800, eff. 10-30-09.)

(820 ILCS 220/Act rep.)
Section 910. The Safety Inspection and Education Act is repealed.
(820 ILCS 225/Act rep.)
Section 915. The Health and Safety Act is repealed.
Section 920. The Workers' Compensation Act is amended by changing Sections 6 and 19 as follows:
(820 ILCS 305/6) (from Ch. 48, par. 138.6)

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Sec. 6. (a) Every employer within the provisions of this Act, shall, under the rules and regulations prescribed by the Commission, post printed notices in their respective places of employment in such number and at such places as may be determined by the Commission, containing such information relative to this Act as in the judgment of the Commission may be necessary to aid employees to safeguard their rights under this Act in event of injury.

In addition thereto, the employer shall post in a conspicuous place on the place of the employment a printed or typewritten notice stating whether he is insured or whether he has qualified and is operating as a self-insured employer. In the event the employer is insured, the notice shall state the name and address of his insurance carrier, the number of the insurance policy, its effective date and the date of termination. In the event of the termination of the policy for any reason prior to the termination date stated, the posted notice shall promptly be corrected accordingly. In the event the employer is operating as a self-insured employer the notice shall state the name and address of the company, if any, servicing the compensation payments of the employer, and the name and address of the person in charge of making compensation payments.

(b) Every employer subject to this Act shall maintain accurate records of work-related deaths, injuries and illness other than minor injuries requiring only first aid treatment and which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job and file with the Commission, in writing, a report of all accidental deaths, injuries and illnesses arising out of and in the course of the employment resulting in the loss of more than 3 scheduled work days. In the case of death such report shall be made no later than 2 working days following the accidental death. In all other cases such report shall be made between the 15th and 25th of each month unless required to be made sooner by rule of the Commission. In case the injury results in permanent disability, a further report shall be made as soon as it is determined that such permanent disability has resulted or will result from the injury. All reports shall state the date of the injury, including the time of day or night, the nature of the employer's business, the name, address, age, sex, conjugal condition of the injured person, the specific occupation of the injured person, the direct cause of the injury and the nature of the accident, the character of the injury, the length of disability, and in case of death the length of disability before death, the wages of the injured person, whether compensation has been paid to the injured person, or to his or her legal representative or his heirs or next of kin, the amount of compensation.

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paid, the amount paid for physicians', surgeons' and hospital bills, and by
whom paid, and the amount paid for funeral or burial expenses if known. The
reports shall be made on forms and in the manner as prescribed by the
Commission and shall contain such further information as the Commission
shall deem necessary and require. The making of these reports releases the
employer from making such reports to any other officer of the State and shall
satisfy the reporting provisions as contained in the Safety Inspection and
Education Act, the "Health and Safety Act," and the Occupational Safety and
Health Act "An Act in relation to safety inspections and education in
industrial and commercial establishments and to repeal an Act therein
named," approved July 18, 1955, as now or hereafter amended. The reports
filed with the Commission pursuant to this Section shall be made available
by the Commission to the Director of Labor or his representatives and to all
other departments of the State of Illinois which shall require such information
for the proper discharge of their official duties. Failure to file with the
Commission any of the reports required in this Section is a petty offense.

Except as provided in this paragraph, all reports filed hereunder shall
be confidential and any person having access to such records filed with the
Illinois Workers' Compensation Commission as herein required, who shall
release any information therein contained including the names or otherwise
identify any persons sustaining injuries or disabilities, or give access to such
information to any unauthorized person, shall be subject to discipline or
discharge, and in addition shall be guilty of a Class B misdemeanor. The
Commission shall compile and distribute to interested persons aggregate
statistics, taken from the reports filed hereunder. The aggregate statistics shall
not give the names or otherwise identify persons sustaining injuries or
disabilities or the employer of any injured or disabled person.

(c) Notice of the accident shall be given to the employer as soon as
practicable, but not later than 45 days after the accident. Provided:

(1) In case of the legal disability of the employee or any dependent of
a deceased employee who may be entitled to compensation under the
provisions of this Act, the limitations of time by this Act provided do not
begin to run against such person under legal disability until a guardian has
been appointed.

(2) In cases of injuries sustained by exposure to radiological materials
or equipment, notice shall be given to the employer within 90 days
subsequent to the time that the employee knows or suspects that he has
received an excessive dose of radiation.

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No defect or inaccuracy of such notice shall be a bar to the maintenance of proceedings on arbitration or otherwise by the employee unless the employer proves that he is unduly prejudiced in such proceedings by such defect or inaccuracy.

Notice of the accident shall give the approximate date and place of the accident, if known, and may be given orally or in writing.

(d) Every employer shall notify each injured employee who has been granted compensation under the provisions of Section 8 of this Act of his rights to rehabilitation services and advise him of the locations of available public rehabilitation centers and any other such services of which the employer has knowledge.

In any case, other than one where the injury was caused by exposure to radiological materials or equipment or asbestos unless the application for compensation is filed with the Commission within 3 years after the date of the accident, where no compensation has been paid, or within 2 years after the date of the last payment of compensation, where any has been paid, whichever shall be later, the right to file such application shall be barred.

In any case of injury caused by exposure to radiological materials or equipment or asbestos, unless application for compensation is filed with the Commission within 25 years after the last day that the employee was employed in an environment of hazardous radiological activity or asbestos, the right to file such application shall be barred.

If in any case except one where the injury was caused by exposure to radiological materials or equipment or asbestos, the accidental injury results in death application for compensation for death may be filed with the Commission within 3 years after the date of death where no compensation has been paid or within 2 years after the date of the last payment of compensation where any has been paid, whichever shall be later, but not thereafter.

If an accidental injury caused by exposure to radiological material or equipment or asbestos results in death within 25 years after the last day that the employee was so exposed application for compensation for death may be filed with the Commission within 3 years after the date of death, where no compensation has been paid, or within 2 years after the date of the last payment of compensation where any has been paid, whichever shall be later, but not thereafter.

(e) Any contract or agreement made by any employer or his agent or attorney with any employee or any other beneficiary of any claim under the

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provisions of this Act within 7 days after the injury shall be presumed to be fraudulent.

(f) Any condition or impairment of health of an employee employed as a firefighter, emergency medical technician (EMT), or paramedic which results directly or indirectly from any bloodborne pathogen, lung or respiratory disease or condition, heart or vascular disease or condition, hypertension, tuberculosis, or cancer resulting in any disability (temporary, permanent, total, or partial) to the employee shall be rebuttably presumed to arise out of and in the course of the employee's firefighting, EMT, or paramedic employment and, further, shall be rebuttably presumed to be causally connected to the hazards or exposures of the employment. This presumption shall also apply to any hernia or hearing loss suffered by an employee employed as a firefighter, EMT, or paramedic. However, this presumption shall not apply to any employee who has been employed as a firefighter, EMT, or paramedic for less than 5 years at the time he or she files an Application for Adjustment of Claim concerning this condition or impairment with the Illinois Workers' Compensation Commission. The rebuttable presumption established under this subsection, however, does not apply to an emergency medical technician (EMT) or paramedic employed by a private employer if the employee spends the preponderance of his or her work time for that employer engaged in medical transfers between medical care facilities or non-emergency medical transfers to or from medical care facilities. The changes made to this subsection by this amendatory Act of the 98th General Assembly shall be narrowly construed. The Finding and Decision of the Illinois Workers' Compensation Commission under only the rebuttable presumption provision of this subsection shall not be admissible or be deemed res judicata in any disability claim under the Illinois Pension Code arising out of the same medical condition; however, this sentence makes no change to the law set forth in Krohe v. City of Bloomington, 204 Ill.2d 392.

(Source: P.A. 98-291, eff. 1-1-14.)

(820 ILCS 305/19) (from Ch. 48, par. 138.19)

Sec. 19. Any disputed questions of law or fact shall be determined as herein provided.

(a) It shall be the duty of the Commission upon notification that the parties have failed to reach an agreement, to designate an Arbitrator.

1. Whenever any claimant misconceives his remedy and files an application for adjustment of claim under this Act and it is subsequently discovered, at any time before final disposition of such

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cause, that the claim for disability or death which was the basis for such application should properly have been made under the Workers' Occupational Diseases Act, then the provisions of Section 19, paragraph (a-1) of the Workers' Occupational Diseases Act having reference to such application shall apply.

2. Whenever any claimant misconceives his remedy and files an application for adjustment of claim under the Workers' Occupational Diseases Act and it is subsequently discovered, at any time before final disposition of such cause that the claim for injury or death which was the basis for such application should properly have been made under this Act, then the application so filed under the Workers' Occupational Diseases Act may be amended in form, substance or both to assert claim for such disability or death under this Act and it shall be deemed to have been so filed as amended on the date of the original filing thereof, and such compensation may be awarded as is warranted by the whole evidence pursuant to this Act. When such amendment is submitted, further or additional evidence may be heard by the Arbitrator or Commission when deemed necessary. Nothing in this Section contained shall be construed to be or permit a waiver of any provisions of this Act with reference to notice but notice if given shall be deemed to be a notice under the provisions of this Act if given within the time required herein.

(b) The Arbitrator shall make such inquiries and investigations as he or they shall deem necessary and may examine and inspect all books, papers, records, places, or premises relating to the questions in dispute and hear such proper evidence as the parties may submit.

The hearings before the Arbitrator shall be held in the vicinity where the injury occurred after 10 days' notice of the time and place of such hearing shall have been given to each of the parties or their attorneys of record.

The Arbitrator may find that the disabling condition is temporary and has not yet reached a permanent condition and may order the payment of compensation up to the date of the hearing, which award shall be reviewable and enforceable in the same manner as other awards, and in no instance be a bar to a further hearing and determination of a further amount of temporary total compensation or of compensation for permanent disability, but shall be conclusive as to all other questions except the nature and extent of said disability.

The decision of the Arbitrator shall be filed with the Commission which Commission shall immediately send to each party or his attorney a

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copy of such decision, together with a notification of the time when it was filed. As of the effective date of this amendatory Act of the 94th General Assembly, all decisions of the Arbitrator shall set forth in writing findings of fact and conclusions of law, separately stated, if requested by either party. Unless a petition for review is filed by either party within 30 days after the receipt by such party of the copy of the decision and notification of time when filed, and unless such party petitioning for a review shall within 35 days after the receipt by him of the copy of the decision, file with the Commission either an agreed statement of the facts appearing upon the hearing before the Arbitrator, or if such party shall so elect a correct transcript of evidence of the proceedings at such hearings, then the decision shall become the decision of the Commission and in the absence of fraud shall be conclusive. The Petition for Review shall contain a statement of the petitioning party's specific exceptions to the decision of the arbitrator. The jurisdiction of the Commission to review the decision of the arbitrator shall not be limited to the exceptions stated in the Petition for Review. The Commission, or any member thereof, may grant further time not exceeding 30 days, in which to file such agreed statement or transcript of evidence. Such agreed statement of facts or correct transcript of evidence, as the case may be, shall be authenticated by the signatures of the parties or their attorneys, and in the event they do not agree as to the correctness of the transcript of evidence it shall be authenticated by the signature of the Arbitrator designated by the Commission.

Whether the employee is working or not, if the employee is not receiving or has not received medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8, or compensation as provided in paragraph (b) of Section 8, the employee may at any time petition for an expedited hearing by an Arbitrator on the issue of whether or not he or she is entitled to receive payment of the services or compensation. Provided the employer continues to pay compensation pursuant to paragraph (b) of Section 8, the employer may at any time petition for an expedited hearing on the issue of whether or not the employee is entitled to receive medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8, or compensation as provided in paragraph (b) of Section 8. When an employer has petitioned for an expedited hearing, the employer shall continue to pay compensation as provided in paragraph (b) of Section 8 unless the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing or unless the employee's treating physician has released the

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employee to return to work at his or her regular job with the employer or the employee actually returns to work at any other job. If the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing, a petition for review filed by the employee shall receive the same priority as if the employee had filed a petition for an expedited hearing by an Arbitrator. Neither party shall be entitled to an expedited hearing when the employee has returned to work and the sole issue in dispute amounts to less than 12 weeks of unpaid compensation pursuant to paragraph (b) of Section 8.

Expedited hearings shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed. Any party requesting an expedited hearing shall give notice of a request for an expedited hearing under this paragraph. A copy of the Application for Adjustment of Claim shall be attached to the notice. The Commission shall adopt rules and procedures under which the final decision of the Commission under this paragraph is filed not later than 180 days from the date that the Petition for Review is filed with the Commission.

Where 2 or more insurance carriers, private self-insureds, or a group workers' compensation pool under Article V 3/4 of the Illinois Insurance Code dispute coverage for the same injury, any such insurance carrier, private self-insured, or group workers' compensation pool may request an expedited hearing pursuant to this paragraph to determine the issue of coverage, provided coverage is the only issue in dispute and all other issues are stipulated and agreed to and further provided that all compensation benefits including medical benefits pursuant to Section 8(a) continue to be paid to or on behalf of petitioner. Any insurance carrier, private self-insured, or group workers' compensation pool that is determined to be liable for coverage for the injury in issue shall reimburse any insurance carrier, private self-insured, or group workers' compensation pool that has paid benefits to or on behalf of petitioner for the injury.

(b-1) If the employee is not receiving medical, surgical or hospital services as provided in paragraph (a) of Section 8 or compensation as provided in paragraph (b) of Section 8, the employee, in accordance with Commission Rules, may file a petition for an emergency hearing by an Arbitrator on the issue of whether or not he is entitled to receive payment of such compensation or services as provided therein. Such petition shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed.

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Such petition shall contain the following information and shall be served on the employer at least 15 days before it is filed:

(i) the date and approximate time of accident;
(ii) the approximate location of the accident;
(iii) a description of the accident;
(iv) the nature of the injury incurred by the employee;
(v) the identity of the person, if known, to whom the accident was reported and the date on which it was reported;
(vi) the name and title of the person, if known, representing the employer with whom the employee conferred in any effort to obtain compensation pursuant to paragraph (b) of Section 8 of this Act or medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act and the date of such conference;
(vii) a statement that the employer has refused to pay compensation pursuant to paragraph (b) of Section 8 of this Act or for medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act;
(viii) the name and address, if known, of each witness to the accident and of each other person upon whom the employee will rely to support his allegations;
(ix) the dates of treatment related to the accident by medical practitioners, and the names and addresses of such practitioners, including the dates of treatment related to the accident at any hospitals and the names and addresses of such hospitals, and a signed authorization permitting the employer to examine all medical records of all practitioners and hospitals named pursuant to this paragraph;
(x) a copy of a signed report by a medical practitioner, relating to the employee's current inability to return to work because of the injuries incurred as a result of the accident or such other documents or affidavits which show that the employee is entitled to receive compensation pursuant to paragraph (b) of Section 8 of this Act or medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act. Such reports, documents or affidavits shall state, if possible, the history of the accident given by the employee, and describe the injury and medical diagnosis, the medical services for such injury which the employee has received and is receiving, the physical activities which the employee cannot currently perform as a result of any impairment or disability due to such injury, and the prognosis for recovery;

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(xi) complete copies of any reports, records, documents and affidavits in the possession of the employee on which the employee will rely to support his allegations, provided that the employer shall pay the reasonable cost of reproduction thereof;

(xii) a list of any reports, records, documents and affidavits which the employee has demanded by subpoena and on which he intends to rely to support his allegations;

(xiii) a certification signed by the employee or his representative that the employer has received the petition with the required information 15 days before filing.

Fifteen days after receipt by the employer of the petition with the required information the employee may file said petition and required information and shall serve notice of the filing upon the employer. The employer may file a motion addressed to the sufficiency of the petition. If an objection has been filed to the sufficiency of the petition, the arbitrator shall rule on the objection within 2 working days. If such an objection is filed, the time for filing the final decision of the Commission as provided in this paragraph shall be tolled until the arbitrator has determined that the petition is sufficient.

The employer shall, within 15 days after receipt of the notice that such petition is filed, file with the Commission and serve on the employee or his representative a written response to each claim set forth in the petition, including the legal and factual basis for each disputed allegation and the following information: (i) complete copies of any reports, records, documents and affidavits in the possession of the employer on which the employer intends to rely in support of his response, (ii) a list of any reports, records, documents and affidavits which the employer has demanded by subpoena and on which the employer intends to rely in support of his response, (iii) the name and address of each witness on whom the employer will rely to support his response, and (iv) the names and addresses of any medical practitioners selected by the employer pursuant to Section 12 of this Act and the time and place of any examination scheduled to be made pursuant to such Section.

Any employer who does not timely file and serve a written response without good cause may not introduce any evidence to dispute any claim of the employee but may cross examine the employee or any witness brought by the employee and otherwise be heard.

No document or other evidence not previously identified by either party with the petition or written response, or by any other means before the hearing, may be introduced into evidence without good cause. If, at the
hearing, material information is discovered which was not previously disclosed, the Arbitrator may extend the time for closing proof on the motion of a party for a reasonable period of time which may be more than 30 days. No evidence may be introduced pursuant to this paragraph as to permanent disability. No award may be entered for permanent disability pursuant to this paragraph. Either party may introduce into evidence the testimony taken by deposition of any medical practitioner.

The Commission shall adopt rules, regulations and procedures whereby the final decision of the Commission is filed not later than 90 days from the date the petition for review is filed but in no event later than 180 days from the date the petition for an emergency hearing is filed with the Illinois Workers' Compensation Commission.

All service required pursuant to this paragraph (b-1) must be by personal service or by certified mail and with evidence of receipt. In addition for the purposes of this paragraph, all service on the employer must be at the premises where the accident occurred if the premises are owned or operated by the employer. Otherwise service must be at the employee's principal place of employment by the employer. If service on the employer is not possible at either of the above, then service shall be at the employer's principal place of business. After initial service in each case, service shall be made on the employer's attorney or designated representative.

(c)(1) At a reasonable time in advance of and in connection with the hearing under Section 19(e) or 19(h), the Commission may on its own motion order an impartial physical or mental examination of a petitioner whose mental or physical condition is in issue, when in the Commission's discretion it appears that such an examination will materially aid in the just determination of the case. The examination shall be made by a member or members of a panel of physicians chosen for their special qualifications by the Illinois State Medical Society. The Commission shall establish procedures by which a physician shall be selected from such list.

(2) Should the Commission at any time during the hearing find that compelling considerations make it advisable to have an examination and report at that time, the commission may in its discretion so order.

(3) A copy of the report of examination shall be given to the Commission and to the attorneys for the parties.

(4) Either party or the Commission may call the examining physician or physicians to testify. Any physician so called shall be subject to cross-examination.

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(5) The examination shall be made, and the physician or physicians, if called, shall testify, without cost to the parties. The Commission shall determine the compensation and the pay of the physician or physicians. The compensation for this service shall not exceed the usual and customary amount for such service.

(6) The fees and payment thereof of all attorneys and physicians for services authorized by the Commission under this Act shall, upon request of either the employer or the employee or the beneficiary affected, be subject to the review and decision of the Commission.

(d) If any employee shall persist in insanitary or injurious practices which tend to either imperil or retard his recovery or shall refuse to submit to such medical, surgical, or hospital treatment as is reasonably essential to promote his recovery, the Commission may, in its discretion, reduce or suspend the compensation of any such injured employee. However, when an employer and employee so agree in writing, the foregoing provision shall not be construed to authorize the reduction or suspension of compensation of an employee who is relying in good faith, on treatment by prayer or spiritual means alone, in accordance with the tenets and practice of a recognized church or religious denomination, by a duly accredited practitioner thereof.

(e) This paragraph shall apply to all hearings before the Commission. Such hearings may be held in its office or elsewhere as the Commission may deem advisable. The taking of testimony on such hearings may be had before any member of the Commission. If a petition for review and agreed statement of facts or transcript of evidence is filed, as provided herein, the Commission shall promptly review the decision of the Arbitrator and all questions of law or fact which appear from the statement of facts or transcript of evidence.

In all cases in which the hearing before the arbitrator is held after December 18, 1989, no additional evidence shall be introduced by the parties before the Commission on review of the decision of the Arbitrator. In reviewing decisions of an arbitrator the Commission shall award such temporary compensation, permanent compensation and other payments as are due under this Act. The Commission shall file in its office its decision thereon, and shall immediately send to each party or his attorney a copy of such decision and a notification of the time when it was filed. Decisions shall be filed within 60 days after the Statement of Exceptions and Supporting Brief and Response thereto are required to be filed or oral argument whichever is later.

In the event either party requests oral argument, such argument shall be had before a panel of 3 members of the Commission (or before all

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available members pursuant to the determination of 7 members of the Commission that such argument be held before all available members of the Commission pursuant to the rules and regulations of the Commission. A panel of 3 members, which shall be comprised of not more than one representative citizen of the employing class and not more than one representative citizen of the employee class, shall hear the argument; provided that if all the issues in dispute are solely the nature and extent of the permanent partial disability, if any, a majority of the panel may deny the request for such argument and such argument shall not be held; and provided further that 7 members of the Commission may determine that the argument be held before all available members of the Commission. A decision of the Commission shall be approved by a majority of Commissioners present at such hearing if any; provided, if no such hearing is held, a decision of the Commission shall be approved by a majority of a panel of 3 members of the Commission as described in this Section. The Commission shall give 10 days' notice to the parties or their attorneys of the time and place of such taking of testimony and of such argument.

In any case the Commission in its decision may find specially upon any question or questions of law or fact which shall be submitted in writing by either party whether ultimate or otherwise; provided that on issues other than nature and extent of the disability, if any, the Commission in its decision shall find specially upon any question or questions of law or fact, whether ultimate or otherwise, which are submitted in writing by either party; provided further that not more than 5 such questions may be submitted by either party. Any party may, within 20 days after receipt of notice of the Commission's decision, or within such further time, not exceeding 30 days, as the Commission may grant, file with the Commission either an agreed statement of the facts appearing upon the hearing, or, if such party shall so elect, a correct transcript of evidence of the additional proceedings presented before the Commission, in which report the party may embody a correct statement of such other proceedings in the case as such party may desire to have reviewed, such statement of facts or transcript of evidence to be authenticated by the signature of the parties or their attorneys, and in the event that they do not agree, then the authentication of such transcript of evidence shall be by the signature of any member of the Commission.

If a reporter does not for any reason furnish a transcript of the proceedings before the Arbitrator in any case for use on a hearing for review before the Commission, within the limitations of time as fixed in this Section, the Commission may, in its discretion, order a trial de novo before the
Commission in such case upon application of either party. The applications for adjustment of claim and other documents in the nature of pleadings filed by either party, together with the decisions of the Arbitrator and of the Commission and the statement of facts or transcript of evidence hereinbefore provided for in paragraphs (b) and (c) shall be the record of the proceedings of the Commission, and shall be subject to review as hereinafter provided.

At the request of either party or on its own motion, the Commission shall set forth in writing the reasons for the decision, including findings of fact and conclusions of law separately stated. The Commission shall by rule adopt a format for written decisions for the Commission and arbitrators. The written decisions shall be concise and shall succinctly state the facts and reasons for the decision. The Commission may adopt in whole or in part, the decision of the arbitrator as the decision of the Commission. When the Commission does so adopt the decision of the arbitrator, it shall do so by order. Whenever the Commission adopts part of the arbitrator's decision, but not all, it shall include in the order the reasons for not adopting all of the arbitrator's decision. When a majority of a panel, after deliberation, has arrived at its decision, the decision shall be filed as provided in this Section without unnecessary delay, and without regard to the fact that a member of the panel has expressed an intention to dissent. Any member of the panel may file a dissent. Any dissent shall be filed no later than 10 days after the decision of the majority has been filed.

Decisions rendered by the Commission and dissents, if any, shall be published together by the Commission. The conclusions of law set out in such decisions shall be regarded as precedents by arbitrators for the purpose of achieving a more uniform administration of this Act.

(f) The decision of the Commission acting within its powers, according to the provisions of paragraph (e) of this Section shall, in the absence of fraud, be conclusive unless reviewed as in this paragraph hereinafter provided. However, the Arbitrator or the Commission may on his or its own motion, or on the motion of either party, correct any clerical error or errors in computation within 15 days after the date of receipt of any award by such Arbitrator or any decision on review of the Commission and shall have the power to recall the original award on arbitration or decision on review, and issue in lieu thereof such corrected award or decision. Where such correction is made the time for review herein specified shall begin to run from the date of the receipt of the corrected award or decision.

(1) Except in cases of claims against the State of Illinois other than those claims under Section 18.1, in which case the decision of
the Commission shall not be subject to judicial review, the Circuit Court of the county where any of the parties defendant may be found, or if none of the parties defendant can be found in this State then the Circuit Court of the county where the accident occurred, shall by summons to the Commission have power to review all questions of law and fact presented by such record.

A proceeding for review shall be commenced within 20 days of the receipt of notice of the decision of the Commission. The summons shall be issued by the clerk of such court upon written request returnable on a designated return day, not less than 10 or more than 60 days from the date of issuance thereof, and the written request shall contain the last known address of other parties in interest and their attorneys of record who are to be served by summons. Service upon any member of the Commission or the Secretary or the Assistant Secretary thereof shall be service upon the Commission, and service upon other parties in interest and their attorneys of record shall be by summons, and such service shall be made upon the Commission and other parties in interest by mailing notices of the commencement of the proceedings and the return day of the summons to the office of the Commission and to the last known place of residence of other parties in interest or their attorney or attorneys of record. The clerk of the court issuing the summons shall on the day of issue mail notice of the commencement of the proceedings which shall be done by mailing a copy of the summons to the office of the Commission, and a copy of the summons to the other parties in interest or their attorney or attorneys of record and the clerk of the court shall make certificate that he has so sent said notices in pursuance of this Section, which shall be evidence of service on the Commission and other parties in interest.

The Commission shall not be required to certify the record of their proceedings to the Circuit Court, unless the party commencing the proceedings for review in the Circuit Court as above provided, shall file with the Commission notice of intent to file for review in Circuit Court. It shall be the duty of the Commission upon such filing of notice of intent to file for review in the Circuit Court to prepare a true and correct copy of such testimony and a true and correct copy of all other matters contained in such record and certified to by the Secretary or Assistant Secretary thereof. The changes made to this subdivision (f)(1) by this amendatory Act of the 98th General

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Assembly apply to any Commission decision entered after the effective date of this amendatory Act of the 98th General Assembly.

No request for a summons may be filed and no summons shall issue unless the party seeking to review the decision of the Commission shall exhibit to the clerk of the Circuit Court proof of filing with the Commission of the notice of the intent to file for review in the Circuit Court or an affidavit of the attorney setting forth that notice of intent to file for review in the Circuit Court has been given in writing to the Secretary or Assistant Secretary of the Commission.

(2) No such summons shall issue unless the one against whom the Commission shall have rendered an award for the payment of money shall upon the filing of his written request for such summons file with the clerk of the court a bond conditioned that if he shall not successfully prosecute the review, he will pay the award and the costs of the proceedings in the courts. The amount of the bond shall be fixed by any member of the Commission and the surety or sureties of the bond shall be approved by the clerk of the court. The acceptance of the bond by the clerk of the court shall constitute evidence of his approval of the bond.

Every county, city, town, township, incorporated village, school district, body politic or municipal corporation against whom the Commission shall have rendered an award for the payment of money shall not be required to file a bond to secure the payment of the award and the costs of the proceedings in the court to authorize the court to issue such summons.

The court may confirm or set aside the decision of the Commission. If the decision is set aside and the facts found in the proceedings before the Commission are sufficient, the court may enter such decision as is justified by law, or may remand the cause to the Commission for further proceedings and may state the questions requiring further hearing, and give such other instructions as may be proper. Appeals shall be taken to the Appellate Court in accordance with Supreme Court Rules 22(g) and 303. Appeals shall be taken from the Appellate Court to the Supreme Court in accordance with Supreme Court Rule 315.

It shall be the duty of the clerk of any court rendering a decision affecting or affirming an award of the Commission to

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promptly furnish the Commission with a copy of such decision, without charge.

The decision of a majority of the members of the panel of the Commission, shall be considered the decision of the Commission.

(g) Except in the case of a claim against the State of Illinois, either party may present a certified copy of the award of the Arbitrator, or a certified copy of the decision of the Commission when the same has become final, when no proceedings for review are pending, providing for the payment of compensation according to this Act, to the Circuit Court of the county in which such accident occurred or either of the parties are residents, whereupon the court shall enter a judgment in accordance therewith. In a case where the employer refuses to pay compensation according to such final award or such final decision upon which such judgment is entered the court shall in entering judgment thereon, tax as costs against him the reasonable costs and attorney fees in the arbitration proceedings and in the court entering the judgment for the person in whose favor the judgment is entered, which judgment and costs taxed as therein provided shall, until and unless set aside, have the same effect as though duly entered in an action duly tried and determined by the court, and shall with like effect, be entered and docketed. The Circuit Court shall have power at any time upon application to make any such judgment conform to any modification required by any subsequent decision of the Supreme Court upon appeal, or as the result of any subsequent proceedings for review, as provided in this Act.

Judgment shall not be entered until 15 days' notice of the time and place of the application for the entry of judgment shall be served upon the employer by filing such notice with the Commission, which Commission shall, in case it has on file the address of the employer or the name and address of its agent upon whom notices may be served, immediately send a copy of the notice to the employer or such designated agent.

(h) An agreement or award under this Act providing for compensation in installments, may at any time within 18 months after such agreement or award be reviewed by the Commission at the request of either the employer or the employee, on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

However, as to accidents occurring subsequent to July 1, 1955, which are covered by any agreement or award under this Act providing for compensation in installments made as a result of such accident, such agreement or award may at any time within 30 months, or 60 months in the case of an award under Section 8(d)1, after such agreement or award be

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reviewed by the Commission at the request of either the employer or the employee on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

On such review, compensation payments may be re-established, increased, diminished or ended. The Commission shall give 15 days' notice to the parties of the hearing for review. Any employee, upon any petition for such review being filed by the employer, shall be entitled to one day's notice for each 100 miles necessary to be traveled by him in attending the hearing of the Commission upon the petition, and 3 days in addition thereto. Such employee shall, at the discretion of the Commission, also be entitled to 5 cents per mile necessarily traveled by him within the State of Illinois in attending such hearing, not to exceed a distance of 300 miles, to be taxed by the Commission as costs and deposited with the petition of the employer.

When compensation which is payable in accordance with an award or settlement contract approved by the Commission, is ordered paid in a lump sum by the Commission, no review shall be had as in this paragraph mentioned.

(i) Each party, upon taking any proceedings or steps whatsoever before any Arbitrator, Commission or court, shall file with the Commission his address, or the name and address of any agent upon whom all notices to be given to such party shall be served, either personally or by registered mail, addressed to such party or agent at the last address so filed with the Commission. In the event such party has not filed his address, or the name and address of an agent as above provided, service of any notice may be had by filing such notice with the Commission.

(j) Whenever in any proceeding testimony has been taken or a final decision has been rendered and after the taking of such testimony or after such decision has become final, the injured employee dies, then in any subsequent proceedings brought by the personal representative or beneficiaries of the deceased employee, such testimony in the former proceeding may be introduced with the same force and effect as though the witness having so testified were present in person in such subsequent proceedings and such final decision, if any, shall be taken as final adjudication of any of the issues which are the same in both proceedings.

(k) In case where there has been any unreasonable or vexatious delay of payment or intentional underpayment of compensation, or proceedings have been instituted or carried on by the one liable to pay the compensation, which do not present a real controversy, but are merely frivolous or for delay, then the Commission may award compensation additional to that otherwise

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payable under this Act equal to 50% of the amount payable at the time of such award. Failure to pay compensation in accordance with the provisions of Section 8, paragraph (b) of this Act, shall be considered unreasonable delay.

When determining whether this subsection (k) shall apply, the Commission shall consider whether an Arbitrator has determined that the claim is not compensable or whether the employer has made payments under Section 8(j).

(l) If the employee has made written demand for payment of benefits under Section 8(a) or Section 8(b), the employer shall have 14 days after receipt of the demand to set forth in writing the reason for the delay. In the case of demand for payment of medical benefits under Section 8(a), the time for the employer to respond shall not commence until the expiration of the allotted 30 days specified under Section 8.2(d). In case the employer or his or her insurance carrier shall without good and just cause fail, neglect, refuse, or unreasonably delay the payment of benefits under Section 8(a) or Section 8(b), the Arbitrator or the Commission shall allow to the employee additional compensation in the sum of $30 per day for each day that the benefits under Section 8(a) or Section 8(b) have been so withheld or refused, not to exceed $10,000. A delay in payment of 14 days or more shall create a rebuttable presumption of unreasonable delay.

(m) If the commission finds that an accidental injury was directly and proximately caused by the employer's wilful violation of a health and safety standard under the Health and Safety Act or the Occupational Safety and Health Act in force at the time of the accident, the arbitrator or the Commission shall allow to the injured employee or his dependents, as the case may be, additional compensation equal to 25% of the amount which otherwise would be payable under the provisions of this Act exclusive of this paragraph. The additional compensation herein provided shall be allowed by an appropriate increase in the applicable weekly compensation rate.

(n) After June 30, 1984, decisions of the Illinois Workers' Compensation Commission reviewing an award of an arbitrator of the Commission shall draw interest at a rate equal to the yield on indebtedness issued by the United States Government with a 26-week maturity next previously auctioned on the day on which the decision is filed. Said rate of interest shall be set forth in the Arbitrator's Decision. Interest shall be drawn from the date of the arbitrator's award on all accrued compensation due the employee through the day prior to the date of payments. However, when an employee appeals an award of an Arbitrator or the Commission, and the

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appeal results in no change or a decrease in the award, interest shall not further accrue from the date of such appeal.

The employer or his insurance carrier may tender the payments due under the award to stop the further accrual of interest on such award notwithstanding the prosecution by either party of review, certiorari, appeal to the Supreme Court or other steps to reverse, vacate or modify the award.

(o) By the 15th day of each month each insurer providing coverage for losses under this Act shall notify each insured employer of any compensable claim incurred during the preceding month and the amounts paid or reserved on the claim including a summary of the claim and a brief statement of the reasons for compensability. A cumulative report of all claims incurred during a calendar year or continued from the previous year shall be furnished to the insured employer by the insurer within 30 days after the end of that calendar year.

The insured employer may challenge, in proceeding before the Commission, payments made by the insurer without arbitration and payments made after a case is determined to be noncompensable. If the Commission finds that the case was not compensable, the insurer shall purge its records as to that employer of any loss or expense associated with the claim, reimburse the employer for attorneys' fees arising from the challenge and for any payment required of the employer to the Rate Adjustment Fund or the Second Injury Fund, and may not reflect the loss or expense for rate making purposes. The employee shall not be required to refund the challenged payment. The decision of the Commission may be reviewed in the same manner as in arbitrated cases. No challenge may be initiated under this paragraph more than 3 years after the payment is made. An employer may waive the right of challenge under this paragraph on a case by case basis.

(p) After filing an application for adjustment of claim but prior to the hearing on arbitration the parties may voluntarily agree to submit such application for adjustment of claim for decision by an arbitrator under this subsection (p) where such application for adjustment of claim raises only a dispute over temporary total disability, permanent partial disability or medical expenses. Such agreement shall be in writing in such form as provided by the Commission. Applications for adjustment of claim submitted for decision by an arbitrator under this subsection (p) shall proceed according to rule as established by the Commission. The Commission shall promulgate rules including, but not limited to, rules to ensure that the parties are adequately informed of their rights under this subsection (p) and of the voluntary nature of proceedings under this subsection (p). The findings of fact made by an

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arbitrator acting within his or her powers under this subsection (p) in the absence of fraud shall be conclusive. However, the arbitrator may on his own motion, or the motion of either party, correct any clerical errors or errors in computation within 15 days after the date of receipt of such award of the arbitrator and shall have the power to recall the original award on arbitration, and issue in lieu thereof such corrected award. The decision of the arbitrator under this subsection (p) shall be considered the decision of the Commission and proceedings for review of questions of law arising from the decision may be commenced by either party pursuant to subsection (f) of Section 19. The Advisory Board established under Section 13.1 shall compile a list of certified Commission arbitrators, each of whom shall be approved by at least 7 members of the Advisory Board. The chairman shall select 5 persons from such list to serve as arbitrators under this subsection (p). By agreement, the parties shall select one arbitrator from among the 5 persons selected by the chairman except that if the parties do not agree on an arbitrator from among the 5 persons, the parties may, by agreement, select an arbitrator of the American Arbitration Association, whose fee shall be paid by the State in accordance with rules promulgated by the Commission. Arbitration under this subsection (p) shall be voluntary.

(Source: P.A. 97-18, eff. 6-28-11; 98-40, eff. 6-28-13.)

Section 925. The Workers' Occupational Diseases Act is amended by changing Sections 3 and 6 as follows:

(820 ILCS 310/3) (from Ch. 48, par. 172.38)

Sec. 3. Where an employee in this State sustains injury to health or death by reason of a disease contracted or sustained in the course of the employment and proximately caused by the negligence of the employer, unless such employer shall be subject to this Act under the provisions of paragraph (a) of Section 2 of this Act or shall have elected to provide and pay compensation as provided in Section 2 of this Act, a right of action shall accrue to the employee whose health has been so injured for any damages sustained thereby; and in case of death, a right of action shall accrue to the widow or widower of such deceased person, his or her lineal heirs or adopted children, or to any person or persons who were, before such loss of life, dependent for support upon such deceased person, for a like recovery of damages for the injury sustained by reason of such death not to exceed the sum of $10,000. Violation by any employer of any effective rule or rules made by the Illinois Workers' Compensation Commission pursuant to the "Health and Safety Act or the Occupational Safety and Health Act " approved March 16, 1936, as amended, or violation by the employer of any

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statute of this State, intended for the protection of the health of employees shall be and constitute negligence of the employer within the meaning of this Section. Every such action for damage for injury to the health shall be commenced within 3 years after the last day of the last exposure to the hazards of the disease and every such action for damages in case of death shall be commenced within one year after the death of such employee and within 5 years after the last day of the last exposure to the hazards of the disease except where the disease is caused by atomic radiation, in which case, every action for damages for injury to health shall be commenced within 15 years after the last day of last exposure to the hazard of such disease and every action for damages in case of death shall be commenced within one year after the death of such employee and within 15 years after last exposure to the hazards of the disease. In any action to recover damages under this Section, it shall not be a defense that the employee either expressly or impliedly assumed the risk of the employment, or that the contraction or sustaining of the disease or death was caused in whole or in part by the negligence of a fellow servant or fellow servants, or that the contraction or sustaining of the disease or death resulting was caused in whole or in part by the contributory negligence of the employee, where such contributory negligence was not wilful.

(Source: P.A. 93-721, eff. 1-1-05.)

(820 ILCS 310/6) (from Ch. 48, par. 172.41)

Sec. 6. (a) Every employer operating under the compensation provisions of this Act, shall post printed notices in their respective places of employment in conspicuous places and in such number and at such places as may be determined by the Commission, containing such information relative to this Act as in the judgment of the Commission may be necessary to aid employees to safeguard their rights under this Act.

In addition thereto, the employer shall post in a conspicuous place on the premises of the employment a printed or typewritten notice stating whether he is insured or whether he has qualified and is operating as a self-insured employer. In the event the employer is insured, the notice shall state the name and address of his or her insurance carrier, the number of the insurance policy, its effective date and the date of termination. In the event of the termination of the policy for any reason prior to the termination date stated, the posted notice shall promptly be corrected accordingly. In the event the employer is operating as a self-insured employer the notice shall state the name and address of the company, if any, servicing the compensation.

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payments of the employer, and the name and address of the person in charge of making compensation payments.

(b) Every employer subject to this Act shall maintain accurate records of work-related deaths, injuries and illnesses other than minor injuries requiring only first aid treatment and which do not involve medical treatment, loss of consciousness, restriction of work or motion or transfer to another job and file with the Illinois Workers' Compensation Commission, in writing, a report of all occupational diseases arising out of and in the course of the employment and resulting in death, or disablement or illness resulting in the loss of more than 3 scheduled work days. In the case of death such report shall be made no later than 2 working days following the occupational death. In all other cases such report shall be made between the 15th and 25th of each month unless required to be made sooner by rule of the Illinois Workers' Compensation Commission. In case the occupational disease results in permanent disability, a further report shall be made as soon as it is determined that such permanent disability has resulted or will result therefrom. All reports shall state the date of the disablement, the nature of the employer's business, the name, address, the age, sex, conjugal condition of the disabled person, the specific occupation of the person, the nature and character of the occupational disease, the length of disability, and, in case of death, the length of disability before death, the wages of the employee, whether compensation has been paid to the employee, or to his legal representative or his heirs or next of kin, the amount of compensation paid, the amount paid for physicians', surgeons' and hospital bills, and by whom paid, and the amount paid for funeral or burial expenses, if known. The reports shall be made on forms and in the manner as prescribed by the Illinois Workers' Compensation Commission and shall contain such further information as the Commission shall deem necessary and require. The making of such reports releases the employer from making such reports to any other officer of the State and shall satisfy the reporting provisions as contained in the Safety Inspection and Education Act, the Health And Safety Act, and the Occupational Safety and Health Act. The report filed with the Illinois Workers' Compensation Commission pursuant to the provisions of this Section shall be made available by the Illinois Workers' Compensation Commission to the Director of Labor or his representatives, to the Department of Public Health pursuant to the Illinois Health and Hazardous Substances Registry Act, and to all other departments

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of the State of Illinois which shall require such information for the proper discharge of their official duties. Failure to file with the Commission any of the reports required in this Section is a petty offense.

Except as provided in this paragraph, all reports filed hereunder shall be confidential and any person having access to such records filed with the Illinois Workers' Compensation Commission as herein required, who shall release the names or otherwise identify any persons sustaining injuries or disabilities, or gives access to such information to any unauthorized person, shall be subject to discipline or discharge, and in addition shall be guilty of a Class B misdemeanor. The Commission shall compile and distribute to interested persons aggregate statistics, taken from the reports filed hereunder. The aggregate statistics shall not give the names or otherwise identify persons sustaining injuries or disabilities or the employer of any injured or disabled person.

(c) There shall be given notice to the employer of disablement arising from an occupational disease as soon as practicable after the date of the disablement. If the Commission shall find that the failure to give such notice substantially prejudices the rights of the employer the Commission in its discretion may order that the right of the employee to proceed under this Act shall be barred.

In case of legal disability of the employee or any dependent of a deceased employee who may be entitled to compensation, under the provisions of this Act, the limitations of time in this Section of this Act provided shall not begin to run against such person who is under legal disability until a conservator or guardian has been appointed. No defect or inaccuracy of such notice shall be a bar to the maintenance of proceedings on arbitration or otherwise by the employee unless the employer proves that he or she is unduly prejudiced in such proceedings by such defect or inaccuracy. Notice of the disabling disease may be given orally or in writing. In any case, other than injury or death caused by exposure to radiological materials or equipment or asbestos, unless application for compensation is filed with the Commission within 3 years disablement, where no compensation has been paid, or within 2 years after the date of the last payment of compensation, where any has been paid, whichever shall be later, the right to file such application shall be barred. If the occupational disease results in death, application for compensation for death may be filed with the Commission within 3 years after the date of death where no compensation has been paid, or within 3 years after the last payment of compensation, where any has been paid, whichever is later, but not thereafter.

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Effective July 1, 1973 in cases of disability caused by coal miners pneumoconiosis unless application for compensation is filed with the Commission within 5 years after the employee was last exposed where no compensation has been paid, or within 5 years after the last payment of compensation where any has been paid, the right to file such application shall be barred.

In cases of disability caused by exposure to radiological materials or equipment or asbestos, unless application for compensation is filed with the Commission within 25 years after the employee was so exposed, the right to file such application shall be barred.

In cases of death occurring within 25 years from the last exposure to radiological material or equipment or asbestos, application for compensation must be filed within 3 years of death where no compensation has been paid, or within 3 years, after the date of the last payment where any has been paid, but not thereafter.

(d) Any contract or agreement made by any employer or his agent or attorney with any employee or any other beneficiary of any claim under the provisions of this Act within 7 days after the disablement shall be presumed to be fraudulent.

(Source: P.A. 93-721, eff. 1-1-05.)

Passed in the General Assembly May 14, 2014.
Approved August 11, 2014,
Effective January 1, 2015.

PUBLIC ACT 98-0875
(Senate Bill No. 3313)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Emergency Telephone System Act is amended by adding Section 15.8 as follows:

(50 ILCS 750/15.8 new)

Sec. 15.8. 9-1-1 dialing from a business.

(a) Any entity that installs or operates a private business switch service and provides telecommunications facilities or services to businesses shall ensure that all systems installed on or after the effective date of this amendatory Act of the 98th General Assembly are connected to the public switched network in a manner such that when a user dials "9-1-1", the

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emergency call connects to the 9-1-1 system without first dialing any number or set of numbers.

(b) The requirements of this Section do not apply to:
   (1) any entity certified by the Illinois Commerce Commission to operate a Private Emergency Answering Point as defined in 83 Ill. Adm. Code 726.105; or
   (2) correctional institutions and facilities as defined in subsection (d) of Section 3-1-2 of the Unified Code of Corrections.

(c) An entity that violates this Section is guilty of a business offense and shall be fined not less than $1,000 and not more than $5,000.

Section 99. Effective date. This Act takes effect July 1, 2015.
Passed in the General Assembly May 21, 2014.
Approved August 11, 2014.
Effective July 1, 2015.

PUBLIC ACT 98-0876
(House Bill No. 4561)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 6-107.5 as follows:

(625 ILCS 5/6-107.5)
(This Section may contain text from a Public Act with a delayed effective date)

Sec. 6-107.5. Adult Driver Education Course.
   (a) The Secretary shall establish by rule the curriculum and designate the materials to be used in an adult driver education course. The course shall be at least 6 hours in length and shall include instruction on traffic laws; highway signs, signals, and markings that regulate, warn, or direct traffic; and issues commonly associated with motor vehicle accidents including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, texting while driving, using wireless communication devices, and alcohol and drug awareness. The curriculum shall not require the operation of a motor vehicle.

   (b) The Secretary shall certify course providers. The requirements to be a certified course provider, the process for applying for certification, and the procedure for decertifying a course provider shall be established by rule.

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(b-5) In order to qualify for certification as an adult driver education course provider, each applicant must authorize an investigation that includes a fingerprint-based background check to determine if the applicant has ever been convicted of a criminal offense and, if so, the disposition of any conviction. This authorization shall indicate the scope of the inquiry and the agencies that may be contacted. Upon receiving this authorization, the Secretary of State may request and receive information and assistance from any federal, State, or local governmental agency as part of the authorized investigation. Each applicant shall submit his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints shall be checked against fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history record databases. The Department of State Police shall charge applicants a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the State and national criminal history record check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois criminal convictions to the Secretary and shall forward the national criminal history record information to the Secretary. Applicants shall pay any other fingerprint-related fees. Unless otherwise prohibited by law, the information derived from the investigation, including the source of the information and any conclusions or recommendations derived from the information by the Secretary of State, shall be provided to the applicant upon request to the Secretary of State prior to any final action by the Secretary of State on the application. Any criminal conviction information obtained by the Secretary of State shall be confidential and may not be transmitted outside the Office of the Secretary of State, except as required by this subsection (b-5), and may not be transmitted to anyone within the Office of the Secretary of State except as needed for the purpose of evaluating the applicant. At any administrative hearing held under Section 2-118 of this Code relating to the denial, cancellation, suspension, or revocation of certification of an adult driver education course provider, the Secretary of State may utilize at that hearing any criminal history, criminal conviction, and disposition information obtained under this subsection (b-5). The information obtained from the investigation may be maintained by the Secretary of State or any agency to which the information was transmitted. Only information and standards which bear a reasonable and rational relation to the performance of providing adult driver education shall be used by the Secretary of State. Any
employee of the Secretary of State who gives or causes to be given away any confidential information concerning any criminal convictions or disposition of criminal convictions of an applicant shall be guilty of a Class A misdemeanor unless release of the information is authorized by this Section.

(c) The Secretary may permit a course provider to offer the course online, if the Secretary is satisfied the course provider has established adequate procedures for verifying:

(1) the identity of the person taking the course online; and
(2) the person completes the entire course.

(d) The Secretary shall establish a method of electronic verification of a student's successful completion of the course.

(e) The fee charged by the course provider must bear a reasonable relationship to the cost of the course. The Secretary shall post on the Secretary of State's website a list of approved course providers, the fees charged by the providers, and contact information for each provider.

(f) In addition to any other fee charged by the course provider, the course provider shall collect a fee of $5 from each student to offset the costs incurred by the Secretary in administering this program. The $5 shall be submitted to the Secretary within 14 days of the day on which it was collected. All such fees received by the Secretary shall be deposited in the Secretary of State Driver Services Administration Fund.

(Source: P.A. 98-167, eff. 7-1-14.)

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

Approved August 11, 2014.
Effective January 1, 2015.
Section 5. The Illinois Highway Code is amended by repealing Section 4-105.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 11, 2014.
Effective August 11, 2014.

PUBLIC ACT 98-0878
(Senate Bill No. 2586)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Specialized Mental Health Rehabilitation Act of 2013 is amended by changing Section 1-101.6 as follows:
(210 ILCS 49/1-101.6)
Sec. 1-101.6. Mental health system planning. The General Assembly finds the services contained in this Act are necessary for the effective delivery of mental health services for the citizens of the State of Illinois.

The General Assembly also finds that the mental health and substance use system in the State requires further review to develop additional needed services.

To ensure the adequacy of community-based services and to offer choice to all individuals with serious mental illness and substance use disorders or conditions who choose to live in the community, and for whom the community is the appropriate setting, but are at risk of institutional care, the Governor's Office of Health Innovation and Transformation shall oversee a process for (i) identifying needed services in the different geographic regions in the State and (ii) identifying the financing strategies for developing those needed services. Governor shall convene a working group to develop the process and procedure for identifying needed services in the different geographic regions of the State.

The process shall address or examine the need and financing strategies for the following:

(1) Network adequacy in all 102 counties of the State for: (i) health homes authorized under Section 2703 of the federal Patient Protection and Affordable Care Act; (ii) systems of care for children; (iii) care coordination; and (iv) access to a full continuum of quality care, treatment, services, and supports for persons with serious

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emotional disturbance, serious mental illness, or substance use disorder.

(2) Workforce development for the workforce of community providers of care, treatment, services, and supports for persons with mental health and substance use disorders and conditions.

(3) Information technology to manage the delivery of integrated services for persons with mental health and substance use disorders and medical conditions.

(4) The needed continuum of statewide community health care, treatment, services, and supports for persons with mental health and substance use disorders and conditions.

(5) Reducing health care disparities in access to a continuum of care, care coordination, and engagement in networks.

The Governor's Office of Health Innovation and Transformation shall include the Division of Alcoholism and Substance Abuse and the Division of Mental Health in the Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health. The Governor shall include the Division of Mental Health of the Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health, community mental health and substance use providers, statewide associations of mental health and substance use providers, mental health and substance use advocacy groups, and any other entity as deemed appropriate for participation in the process of identifying needed services and financing strategies as described in this Section working group.

The Office of Health Innovation and Transformation shall report its findings and recommendations to the General Assembly by July 1, 2015. This Section is repealed on July 1, 2016.

The Department of Human Services shall provide staff and support to this working group.

(Source: P.A. 98-104, eff. 7-22-13.)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 11-1301.2 as follows:

(625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

Sec. 11-1301.2. Special decals for parking; persons with disabilities.

(a) The Secretary of State shall provide for, by administrative rules, the design, size, color, and placement of a person with disabilities motorist decal or device and shall provide for, by administrative rules, the content and form of an application for a person with disabilities motorist decal or device, which shall be used by local authorities in the issuance thereof to a person with temporary disabilities, provided that the decal or device is valid for no more than 90 days, subject to renewal for like periods based upon continued disability, and further provided that the decal or device clearly sets forth the date that the decal or device expires. The application shall include the requirement of an Illinois Identification Card number or a State of Illinois driver's license number. This decal or device may be used by the authorized holder to designate and identify a vehicle not owned or displaying a registration plate as provided in Sections 3-609 and 3-616 of this Act to designate when the vehicle is being used to transport said person or persons with disabilities, and thus is entitled to enjoy all the privileges that would be afforded a person with disabilities licensed vehicle. Person with disabilities decals or devices issued and displayed pursuant to this Section shall be recognized and honored by all local authorities regardless of which local authority issued such decal or device.

The decal or device shall be issued only upon a showing by adequate documentation that the person for whose benefit the decal or device is to be used has a disability as defined in Section 1-159.1 of this Code and the disability is temporary.

(b) The local governing authorities shall be responsible for the provision of such decal or device, its issuance and designated placement within the vehicle. The cost of such decal or device shall be at the discretion of such local governing authority.

(c) The Secretary of State may, pursuant to Section 3-616(c), issue a person with disabilities parking decal or device to a person with disabilities...
as defined by Section 1-159.1. Any person with disabilities parking decal or device issued by the Secretary of State shall be registered to that person with disabilities in the form to be prescribed by the Secretary of State. The person with disabilities parking decal or device shall not display that person’s address. One additional decal or device may be issued to an applicant upon his or her written request and with the approval of the Secretary of State. The written request must include a justification of the need for the additional decal or device.

(c-5) Beginning January 1, 2014, the Secretary shall provide by administrative rule for the issuance of a separate and distinct parking decal or device for persons with disabilities as defined by Section 1-159.1 of this Code and who meet the qualifications under this subsection. The authorized holder of a decal or device issued under this subsection (c-5) shall be exempt from the payment of fees generated by parking in a metered space, a parking area subject to paragraph (10) of subsection (a) of Section 11-209 of this Code, or a publicly owned parking area.

The Secretary shall issue a meter-exempt decal or device to a person with disabilities who: (i) has been issued registration plates under subsection (a) of Section 3-609 or Section 3-616 of this Code or a special decal or device under this Section, (ii) holds a valid Illinois driver's license, and (iii) is unable to do one or more of the following:

(1) manage, manipulate, or insert coins, or obtain tickets or tokens in parking meters or ticket machines in parking lots, due to the lack of fine motor control of both hands;

(2) reach above his or her head to a height of 42 inches from the ground, due to a lack of finger, hand, or upper extremity strength or mobility;

(3) approach a parking meter due to his or her use of a wheelchair or other device for mobility; or

(4) walk more than 20 feet due to an orthopedic, neurological, cardiovascular, or lung condition in which the degree of debilitation is so severe that it almost completely impedes the ability to walk.

The application for a meter-exempt parking decal or device shall contain a statement certified by a licensed physician, physician assistant, or advanced practice nurse attesting to the permanent nature of the applicant's condition and verifying that the applicant meets the physical qualifications specified in this subsection (c-5).

Notwithstanding the requirements of this subsection (c-5), the Secretary shall issue a meter-exempt decal or device to a person who has

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been issued registration plates under Section 3-616 of this Code or a special
decal or device under this Section, if the applicant is the parent or guardian
of a person with disabilities who is under 18 years of age and incapable of
driving.

(d) Replacement decals or devices may be issued for lost, stolen, or
destroyed decals upon application and payment of a $10 fee. The replacement
fee may be waived for individuals that have claimed and received a grant
under the Senior Citizens and Disabled Persons Property Tax Relief Act.

(e) A person classified as a veteran under subsection (e) of Section 6-
106 of this Code that has been issued a decal or device under this Section
shall not be required to submit evidence of disability in order to renew that
decal or device if, at the time of initial application, he or she submitted
evidence from his or her physician or the Department of Veterans’ Affairs
that the disability is of a permanent nature. However, the Secretary shall take
reasonable steps to ensure the veteran still resides in this State at the time of
the renewal. These steps may include requiring the veteran to provide
additional documentation or to appear at a Secretary of State facility. To
identify veterans who are eligible for this exemption, the Secretary shall
compare the list of the persons who have been issued a decal or device to the
list of persons who have been issued a disabled veteran vehicle registration
plate under Section 3-609 of this Code, or who are identified as a veteran on
their driver’s license under Section 6-110 of this Code or on their
identification card under Section 4 of the Illinois Identification Card Act.
(Source: P.A. 97-689, eff. 6-14-12; 97-845, eff. 1-1-13; 98-463, eff. 8-16-13;
98-577, eff. 1-1-14.)
Passed in the General Assembly May 21, 2014.
Approved August 12, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0880
(House Bill No. 4523)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Emergency Medical Services (EMS) Systems Act is
amended by changing Section 3.87 as follows:
(210 ILCS 50/3.87)
Sec. 3.87. Ambulance service upgrades; rural population.

New matter indicated by italics - deletions by strikeout
(a) In this Section, "rural ambulance service provider" means an ambulance service provider licensed under this Act that serves a rural population of 7,500 or fewer inhabitants.

(b) A rural ambulance service provider may submit a proposal to the EMS System Medical Director requesting approval of either or both of the following:

(1) Rural ambulance service provider in-field service level upgrade.

   (A) An ambulance operated by a rural ambulance service provider may be upgraded, as defined by the EMS System Medical Director in a policy or procedure, as long as the EMS System Medical Director and the Department have approved the proposal, to the highest level of EMT license (advanced life support/paramedic, intermediate life support, or basic life support) or Pre-Hospital RN certification held by any person staffing that ambulance. The ambulance service provider's proposal for an upgrade must include all of the following:

      (i) The manner in which the provider will secure advanced life support equipment, supplies, and medications.

      (ii) The type of quality assurance the provider will perform.

      (iii) An assurance that the provider will advertise only the level of care that can be provided 24 hours a day.

   (B) If a rural ambulance service provider is approved to provide an in-field service level upgrade based on the licensed personnel on the vehicle, all the advanced life support medical supplies, durable medical equipment, and medications must be secured and locked with access by only the personnel who have been authorized by the EMS System Medical Director to utilize those supplies.

   (C) The EMS System shall routinely perform quality assurance, in compliance with the EMS System's quality assurance plan approved by the Department, on in-field service level upgrades authorized under this Section to ensure compliance with the EMS System plan.

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(2) Rural ambulance service provider in-field service level upgrade. The EMS System Medical Director may define what constitutes an in-field service level upgrade through an EMS System policy or procedure. An in-field service level upgrade may include, but need not be limited to, an upgrade to a licensed ambulance, alternate response vehicle as defined by the Department in rules, or specialized emergency medical services vehicle.

(c) If the EMS System Medical Director approves a proposal for a rural in-field service level upgrade under this Section, he or she shall submit the proposal to the Department along with a statement of approval signed by him or her. Once the Department has approved the proposal, the rural ambulance service provider will be authorized to function at the highest level of EMT license (advanced life support/paramedic, intermediate life support, or basic life support) or Pre-Hospital RN certification held by any person staffing the vehicle.

(Source: P.A. 98-608, eff. 12-27-13.)

Passed in the General Assembly May 21, 2014.
Approved August 13, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0881
(House Bill No. 5828)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.87 as follows:
(210 ILCS 50/3.87)
Sec. 3.87. Ambulance service provider and vehicle service provider upgrades; rural population.

(a) In this Section, "rural ambulance service provider" means an ambulance service provider licensed under this Act that serves a rural population of 7,500 or fewer inhabitants.

In this Section, "rural vehicle service provider" means an entity that serves a rural population of 7,500 or fewer inhabitants and is licensed by the Department to provide emergency or non-emergency medical services in compliance with this Act, the rules adopted by the Department pursuant to this Act, and an operational plan approved by the entity's EMS System,

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utilizing at least an ambulance, alternate response vehicle as defined by the Department in rules, or specialized emergency medical services vehicle.

(b) A rural ambulance service provider or rural vehicle service provider may submit a proposal to the EMS System Medical Director requesting approval of either or both of the following:

(1) Rural ambulance service provider or rural vehicle service provider in-field service level upgrade.

(A) An ambulance operated by a rural ambulance service provider or a specialized emergency medical services vehicle or alternate response vehicle operated by a rural vehicle service provider may be upgraded, as defined by the EMS System Medical Director in a policy or procedure, as long as the EMS System Medical Director and the Department have approved the proposal, to the highest level of EMT license (advanced life support/paramedic, intermediate life support, or basic life support) held by any person staffing that ambulance, specialized emergency medical services vehicle, or alternate response vehicle. The ambulance service provider's or rural vehicle service provider's proposal for an upgrade must include all of the following:

(i) The manner in which the provider will secure and store advanced life support equipment, supplies, and medications.

(ii) The type of quality assurance the provider will perform.

(iii) An assurance that the provider will advertise only the level of care that can be provided 24 hours a day.

(iv) A statement that the provider will have that vehicle inspected by the Department annually.

(B) If a rural ambulance service provider or rural vehicle service provider is approved to provide an in-field service level upgrade based on the licensed personnel on the vehicle, all the advanced life support medical supplies, durable medical equipment, and medications must be environmentally controlled, secured, and locked with access by only the personnel who have been authorized by the EMS System Medical Director to utilize those supplies.

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(C) The EMS System shall routinely perform quality assurance, in compliance with the EMS System's quality assurance plan approved by the Department, on in-field service level upgrades authorized under this Section to ensure compliance with the EMS System plan.

(2) Rural ambulance service provider or rural vehicle service provider in-field service level upgrade. The EMS System Medical Director may define what constitutes an in-field service level upgrade through an EMS System policy or procedure. An in-field service level upgrade may include, but need not be limited to, an upgrade to a licensed ambulance, alternate response vehicle as defined by the Department in rules, or specialized emergency medical services vehicle.

(c) If the EMS System Medical Director approves a proposal for a rural in-field service level upgrade under this Section, he or she shall submit the proposal to the Department along with a statement of approval signed by him or her. Once the Department has approved the proposal, the rural ambulance service provider or rural vehicle service provider will be authorized to function at the highest level of EMT license (advanced life support/paramedic, intermediate life support, or basic life support) held by any person staffing the vehicle.

(Source: P.A. 98-608, eff. 12-27-13.)


PUBLIC ACT 98-0882
(Senate Bill No. 3398)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 3-815 and 18b-101 as follows:

(625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)
Sec. 3-815. Flat weight tax; vehicles of the second division.
(a) Except as provided in Section 3-806.3 and 3-804.3, every owner of a vehicle of the second division registered under Section 3-813, and not
registered under the mileage weight tax under Section 3-818, shall pay to the Secretary of State, for each registration year, for the use of the public highways, a flat weight tax at the rates set forth in the following table, the rates including the $10 registration fee:

**SCHEDULE OF FLAT WEIGHT TAX REQUIRED BY LAW**

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. Including Vehicle and Maximum Load Class</th>
<th>Total Fees each Fiscal year</th>
</tr>
</thead>
<tbody>
<tr>
<td>8,000 lbs. and less B</td>
<td>$98</td>
</tr>
<tr>
<td>8,001 lbs. to 12,000 lbs. D</td>
<td>138</td>
</tr>
<tr>
<td>12,001 lbs. to 16,000 lbs. F</td>
<td>242</td>
</tr>
<tr>
<td>16,001 lbs. to 26,000 lbs. H</td>
<td>490</td>
</tr>
<tr>
<td>26,001 lbs. to 28,000 lbs. J</td>
<td>630</td>
</tr>
<tr>
<td>28,001 lbs. to 32,000 lbs. K</td>
<td>842</td>
</tr>
<tr>
<td>32,001 lbs. to 36,000 lbs. L</td>
<td>982</td>
</tr>
<tr>
<td>36,001 lbs. to 40,000 lbs. N</td>
<td>1,202</td>
</tr>
<tr>
<td>40,001 lbs. to 45,000 lbs. P</td>
<td>1,390</td>
</tr>
<tr>
<td>45,001 lbs. to 50,000 lbs. Q</td>
<td>1,538</td>
</tr>
<tr>
<td>50,001 lbs. to 54,999 lbs. R</td>
<td>1,698</td>
</tr>
<tr>
<td>55,000 lbs. to 59,500 lbs. S</td>
<td>1,830</td>
</tr>
<tr>
<td>59,501 lbs. to 64,000 lbs. T</td>
<td>1,970</td>
</tr>
<tr>
<td>64,001 lbs. to 73,280 lbs. V</td>
<td>2,294</td>
</tr>
<tr>
<td>73,281 lbs. to 77,000 lbs. X</td>
<td>2,622</td>
</tr>
<tr>
<td>77,001 lbs. to 80,000 lbs. Z</td>
<td>2,790</td>
</tr>
</tbody>
</table>

Beginning with the 2010 registration year a $1 surcharge shall be collected for vehicles registered in the 8,000 lbs. and less flat weight plate category above to be deposited into the State Police Vehicle Fund.

Beginning with the 2014 registration year, a $2 surcharge shall be collected in addition to the above fees for vehicles registered in the 8,000 lb. and less flat weight plate category as described in this subsection (a) to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

New matter indicated by italics - deletions by strikeout
All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(a-1) A Special Hauling Vehicle is a vehicle or combination of vehicles of the second division registered under Section 3-813 transporting asphalt or concrete in the plastic state or a vehicle or combination of vehicles that are subject to the gross weight limitations in subsection (a) of Section 15-111 for which the owner of the vehicle or combination of vehicles has elected to pay, in addition to the registration fee in subsection (a), $125 to the Secretary of State for each registration year. The Secretary shall designate this class of vehicle as a Special Hauling Vehicle.

(a-5) Beginning January 1, 2015, upon the request of the vehicle owner, a $10 surcharge shall be collected in addition to the above fees for vehicles in the 12,000 lbs. and less flat weight plate categories as described in subsection (a) to be deposited into the Secretary of State Special License Plate Fund. The $10 surcharge is to identify vehicles in the 12,000 lbs. and less flat weight plate categories as a covered farm vehicle. The $10 surcharge is an annual, flat fee that shall be based on an applicant's new or existing registration year for each vehicle in the 12,000 lbs. and less flat weight plate categories. A designation as a covered farm vehicle under this subsection (a-5) shall not alter a vehicle's registration as a registration in the 12,000 lbs. or less flat weight category. The Secretary shall adopt any rules necessary to implement this subsection (a-5).

(b) Except as provided in Section 3-806.3, every camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes, and not used commercially, nor for hire, nor owned by a commercial business, may be registered for each registration year upon the filing of a proper application and the payment of a registration fee and highway use tax, according to the following table of fees:

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. Including Vehicle and Maximum Load</th>
<th>Total Fees Each Calendar Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>8,000 lbs and less</td>
<td>$78</td>
</tr>
<tr>
<td>8,001 Lbs. to 10,000 Lbs</td>
<td>90</td>
</tr>
<tr>
<td>10,001 Lbs. and Over</td>
<td>102</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Every house trailer must be registered under Section 3-819.

(c) Farm Truck. Any truck used exclusively for the owner's own agricultural, horticultural or livestock raising operations and not-for-hire only, or any truck used only in the transportation for-hire of seasonal, fresh, perishable fruit or vegetables from farm to the point of first processing, may be registered by the owner under this paragraph in lieu of registration under paragraph (a), upon filing of a proper application and the payment of the $10 registration fee and the highway use tax herein specified as follows:

SCHEDULE OF FEES AND TAXES

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. Including Truck and Maximum Load</th>
<th>Class</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>16,001 lbs. or less</td>
<td>VF</td>
<td>$150</td>
</tr>
<tr>
<td>16,001 to 20,000 lbs.</td>
<td>VG</td>
<td>226</td>
</tr>
<tr>
<td>20,001 to 24,000 lbs.</td>
<td>VH</td>
<td>290</td>
</tr>
<tr>
<td>24,001 to 28,000 lbs.</td>
<td>VJ</td>
<td>378</td>
</tr>
<tr>
<td>28,001 to 32,000 lbs.</td>
<td>VK</td>
<td>506</td>
</tr>
<tr>
<td>32,001 to 36,000 lbs</td>
<td>VL</td>
<td>510</td>
</tr>
<tr>
<td>36,001 to 45,000 lbs</td>
<td>VP</td>
<td>810</td>
</tr>
<tr>
<td>45,001 to 54,999 lbs</td>
<td>VR</td>
<td>1,026</td>
</tr>
<tr>
<td>55,000 to 64,000 lbs</td>
<td>VT</td>
<td>1,202</td>
</tr>
<tr>
<td>64,001 to 73,280 lbs</td>
<td>VV</td>
<td>1,290</td>
</tr>
<tr>
<td>73,281 to 77,000 lbs</td>
<td>VX</td>
<td>1,350</td>
</tr>
<tr>
<td>77,001 to 80,000 lbs</td>
<td>VZ</td>
<td>1,490</td>
</tr>
</tbody>
</table>

In the event the Secretary of State revokes a farm truck registration as authorized by law, the owner shall pay the flat weight tax due hereunder before operating such truck.

Any combination of vehicles having 5 axles, with a distance of 42 feet or less between extreme axles, that are subject to the weight limitations in subsection (a) of Section 15-111 for which the owner of the combination of vehicles has elected to pay, in addition to the registration fee in subsection

New matter indicated by italics - deletions by strikeout
(c), $125 to the Secretary of State for each registration year shall be designated by the Secretary as a Special Hauling Vehicle.

(d) The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

(e) An owner may only apply for and receive 5 farm truck registrations, and only 2 of those 5 vehicles shall exceed 59,500 gross weight in pounds per vehicle.

(f) Every person convicted of violating this Section by failure to pay the appropriate flat weight tax to the Secretary of State as set forth in the above tables shall be punished as provided for in Section 3-401.

(Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12; 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

(625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

Sec. 18b-101. Definitions. Unless the context otherwise clearly requires, as used in this Chapter:

"Agricultural commodities" means any agricultural commodity, non-processed food, feed, fiber, or livestock, including insects.

"Agricultural operations" means the operation of a motor vehicle or combination of vehicles transporting agricultural commodities or farm supplies for agricultural purposes.

"Air mile" means a nautical mile, which is equivalent to 6,076 feet or 1,852 meters. Accordingly, 100 air miles are equivalent to 115.08 statute miles or 185.2 kilometers.

"Commercial motor vehicle" means any self propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight, a gross vehicle weight rating, a gross combination weight, or a gross combination weight rating of 10,001 or more pounds; or the vehicle is used or designed to transport more than 15 passengers, including the driver; or the vehicle is designed to carry 15 or fewer passengers and is operated by a contract carrier transporting employees in the course of their employment on a highway of this State; or the vehicle is used or designed to transport between 9 and 15 passengers, including the driver, for direct compensation; or the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. This definition shall not include farm machinery, fertilizer spreaders, and other special agricultural movement equipment described in Section 3-809 nor implements of husbandry as defined in Section 1-130. ♦

New matter indicated by italics - deletions by strikeout
"Covered farm vehicle", for purposes of this Chapter and rule-making under this Chapter, means a straight truck or articulated vehicle, excluding vehicles transporting hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Illinois Hazardous Materials Transportation Act, registered in this State or another state and equipped with a special license plate or other designation by the state in which the vehicle is registered identifying the vehicle as a covered farm vehicle for law enforcement personnel and:

(1) is operated by a farm or ranch owner or operator, or an employee or family member of the farm or ranch owner or operator; and

(2) is being used to transport the following to or from a farm or ranch:

(A) agricultural commodities;
(B) livestock; or
(C) machinery or supplies; and

(3) if registered in this State, is:

(A) registered as a farm truck under subsection (c) of Section 3-815 of this Code; or

(B) operated in combination as an articulated vehicle when the truck in the combination is registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code and contains in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code and the trailer in the combination is registered as a farm trailer under subsection (a) of Section 3-819 of this Code and displays a farm registration license plate; or

(C) a truck registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code containing in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code that is towing an implement of husbandry as part of a farming operation; and

New matter indicated by italics - deletions by strikeout
(4) is not used in for-hire motor carrier operations; however, for-hire motor carrier operations do not include the operation of a vehicle meeting the definition of a covered farm vehicle by a tenant pursuant to a crop share farm lease agreement to transport the landlord's portion of the crops under that agreement; and

(5) has a gross vehicle weight rating (GVWR), a gross combination weight rating (GCWR), or a gross vehicle weight or gross vehicle combination weight, whichever is greater, that is:

(A) 26,001 lbs. or less, for vehicles operating in interstate commerce; or

(B) greater than 26,001 lbs., operating in interstate commerce and registered in this State; or

(C) greater than 26,001 lbs. and traveling interstate within 150 air miles of the farm or ranch for which the vehicle is being operated, regardless of whether it is registered in this State; or

(D) greater than 10,000 lbs. and traveling intrastate.

"Direct compensation" means payment made to the motor carrier by the passengers or a person acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services.

"Farm supplies for agricultural purposes" means products directly related to the growing or harvesting of agricultural commodities and livestock feed at any time of the year.

"Livestock" means cattle, sheep, goats, swine, poultry (including egg-producing poultry), fish used for food, and other animals designated by the Secretary of the United States Department of Transportation (at his or her sole discretion) that are part of a foundation herd (including producing dairy cattle) or offspring.

"Officer" means Illinois State Police Officer.

"Person" means any natural person or individual, governmental body, firm, association, partnership, copartnership, joint venture, company, corporation, joint stock company, trust, estate or any other legal entity or their legal representative, agent or assigns.

(Source: P.A. 97-795, eff. 1-1-13.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 2-3.12 as follows:
(105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)
Sec. 2-3.12. School building code.
(a) To prepare for school boards with the advice of the Department of Public Health, the Capital Development Board, and the State Fire Marshal a school building code that will conserve the health and safety and general welfare of the pupils and school personnel and others who use public school facilities.
(b) Within 2 years after September 23, 1983, and every 10 years thereafter, or at such other times as the State Board of Education deems necessary or the regional superintendent so orders, each school board subject to the provisions of this Section shall again survey its school buildings and effectuate any recommendations in accordance with the procedures set forth herein.
(1) An architect or engineer licensed in the State of Illinois is required to conduct the surveys under the provisions of this Section and shall make a report of the findings of the survey titled "safety survey report" to the school board.
(2) The school board shall approve the safety survey report, including any recommendations to effectuate compliance with the code, and submit it to the Regional Superintendent.
(3) The Regional Superintendent shall render a decision regarding approval or denial and submit the safety survey report to the State Superintendent of Education.
(4) The State Superintendent of Education shall approve or deny the report including recommendations to effectuate compliance with the code and, if approved, issue a certificate of approval.
(5) Upon receipt of the certificate of approval, the Regional Superintendent shall issue an order to effect any approved recommendations included in the report. The report shall meet all of the following requirements:
(A) Items in the report shall be prioritized.

New matter indicated by italics - deletions by strikeout
(B) Urgent items shall be considered as those items related to life safety problems that present an immediate hazard to the safety of students.

(C) Required items shall be considered as those items that are necessary for a safe environment but present less of an immediate hazard to the safety of students.

(D) Urgent and required items shall reference a specific rule in the code authorized by this Section that is currently being violated or will be violated within the next 12 months if the violation is not remedied.

(6) The school board of each district so surveyed and receiving a report of needed recommendations to be made to maintain standards of safety and health of the pupils enrolled shall effectuate the correction of urgent items as soon as achievable to ensure the safety of the students, but in no case more than one year after the date of the State Superintendent of Education's approval of the recommendation.

(7) Required items shall be corrected in a timely manner, but in no case more than 5 years from the date of the State Superintendent of Education's approval of the recommendation.

(8) Once each year the school board shall submit a report of progress on completion of any recommendations to effectuate compliance with the code.

(c) As soon as practicable, but not later than 2 years after January 1, 1993, the State Board of Education shall combine the document known as "Efficient and Adequate Standards for the Construction of Schools" with the document known as "Building Specifications for Health and Safety in Public Schools" together with any modifications or additions that may be deemed necessary. The combined document shall be known as the "Health/Life Safety Code for Public Schools" and shall be the governing code for all facilities that house public school students or are otherwise used for public school purposes, whether such facilities are permanent or temporary and whether they are owned, leased, rented, or otherwise used by the district. Facilities owned by a school district but that are not used to house public school students or are not used for public school purposes shall be governed by separate provisions within the code authorized by this Section.

(d) The 10 year survey cycle specified in this Section shall continue to apply based upon the standards contained in the "Health/Life Safety Code for Public Schools", which shall specify building standards for buildings that
are constructed prior to January 1, 1993 and for buildings that are constructed after that date.

(e) The "Health/Life Safety Code for Public Schools" shall be the governing code for public schools; however, the provisions of this Section shall not preclude inspection of school premises and buildings pursuant to Section 9 of the Fire Investigation Act, provided that the provisions of the "Health/Life Safety Code for Public Schools", or such predecessor document authorized by this Section as may be applicable are used, and provided that those inspections are coordinated with the Regional Superintendent having jurisdiction over the public school facility.

(e-5) After the effective date of this amendatory Act of the 98th General Assembly, all new school building construction governed by the "Health/Life Safety Code for Public Schools" must include in its design and construction a storm shelter that meets the minimum requirements of the ICC/NSSA Standard for the Design and Construction of Storm Shelters (ICC-500), published jointly by the International Code Council and the National Storm Shelter Association. Nothing in this subsection (e-5) precludes the design engineers, architects, or school district from applying a higher life safety standard than the ICC-500 for storm shelters.

(f) Nothing in this Section shall be construed to prohibit the State Fire Marshal or a qualified fire official to whom the State Fire Marshal has delegated his or her authority from conducting a fire safety check in a public school.

(g) The Regional Superintendent shall address any violations that are not corrected in a timely manner pursuant to subsection (b) of Section 3-14.21 of this Code.

(h) Any agency having jurisdiction beyond the scope of the applicable document authorized by this Section may issue a lawful order to a school board to effectuate recommendations, and the school board receiving the order shall certify to the Regional Superintendent and the State Superintendent of Education when it has complied with the order.

(i) The State Board of Education is authorized to adopt any rules that are necessary relating to the administration and enforcement of the provisions of this Section.

(j) The code authorized by this Section shall apply only to those school districts having a population of less than 500,000 inhabitants.

(k) In this Section, a "qualified fire official" means an individual that meets the requirements of rules adopted by the State Fire Marshal in cooperation with the State Board of Education to administer this Section.

New matter indicated by italics - deletions by strikeout
These rules shall be based on recommendations made by the task force established under Section 2-3.137 of this Code.
(Source: P.A. 94-225, eff. 7-14-05; 94-875, eff. 7-1-06; 94-1105, eff. 6-1-07; 95-876, eff. 8-21-08.)
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0884
(House Bill No. 3685)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 6-106.2, 6-106.3, and 6-106.4 as follows:
(625 ILCS 5/6-106.2) (from Ch. 95 1/2, par. 6-106.2)
Sec. 6-106.2. Religious organization bus driver. A religious organization bus driver shall meet the following requirements:
1. is 21 years of age or older;
2. has a valid and properly classified driver's license issued by the Secretary of State;
3. has held a valid driver's license, not necessarily of the same classification, for 3 years prior to the date of application. A lapse in the renewal of the driver's license of 30 days or less shall not render the applicant ineligible. The Secretary of State may, in his or her discretion, grant a waiver for a lapse in the renewal of the driver's license in excess of 30 days;
4. has demonstrated an ability to exercise reasonable care in the safe operation of religious organization buses in accordance with such standards as the Secretary of State prescribes including a driving test in a religious organization bus; and
5. has not been convicted of any of the following offenses within 3 years of the date of application: Sections 11-401 (leaving the scene of a traffic accident involving death or personal injury), 11-501 (driving under the influence), 11-503 (reckless driving), 11-504 (drag racing), and 11-506 (street racing) of this Code, or Sections 9-3 (manslaughter or reckless homicide) and 12-5 (reckless conduct

New matter indicated by italics - deletions by strikeout
arising from the use of a motor vehicle) of the Criminal Code of 1961 or the Criminal Code of 2012.
(Source: P.A. 97-1150, eff. 1-25-13.)

625 ILCS 5/6-106.3 (from Ch. 95 1/2, par. 6-106.3)
Sec. 6-106.3. Senior citizen transportation - driver. A driver of a vehicle operated solely for the purpose of providing transportation for the elderly in connection with the activities of any public or private organization shall meet the following requirements:

1. is 21 years of age or older;
2. has a valid and properly classified driver's license issued by the Secretary of State;
3. has had a valid driver's license, not necessarily of the same classification, for 3 years prior to the date of application. A lapse in the renewal of the driver's license of 30 days or less shall not render the applicant ineligible. The Secretary of State may, in his or her discretion, grant a waiver for a lapse in the renewal of the driver's license in excess of 30 days;
4. has demonstrated his ability to exercise reasonable care in the safe operation of a motor vehicle which will be utilized to transport persons in accordance with such standards as the Secretary of State prescribes including a driving test in such motor vehicle; and
5. has not been convicted of any of the following offenses within 3 years of the date of application: Sections 11-401 (leaving the scene of a traffic accident involving death or personal injury), 11-501 (driving under the influence), 11-503 (reckless driving), 11-504 (drag racing), and 11-506 (street racing) of this Code, or Sections 9-3 (manslaughter or reckless homicide) and 12-5 (reckless conduct arising from the use of a motor vehicle) of the Criminal Code of 1961 or the Criminal Code of 2012.
(Source: P.A. 97-1150, eff. 1-25-13.)

625 ILCS 5/6-106.4 (from Ch. 95 1/2, par. 6-106.4)
Sec. 6-106.4. For-profit ridesharing arrangement - driver. No person may drive a commuter van while it is being used for a for-profit ridesharing arrangement unless such person:

1. is 21 years of age or older;
2. has a valid and properly classified driver's license issued by the Secretary of State;
3. has held a valid driver's license, not necessarily of the same classification, for 3 years prior to the date of application. A
lapse in the renewal of the driver's license of 30 days or less shall not render the applicant ineligible. The Secretary of State may, in his or her discretion, grant a waiver for a lapse in the renewal of the driver's license in excess of 30 days;

(4) has demonstrated his ability to exercise reasonable care in the safe operation of commuter vans used in for-profit ridesharing arrangements in accordance with such standards as the Secretary of State may prescribe, which standards may require a driving test in a commuter van; and

(5) has not been convicted of any of the following offenses within 3 years of the date of application: Sections 11-401 (leaving the scene of a traffic accident involving death or personal injury), 11-501 (driving under the influence), 11-503 (reckless driving), 11-504 (drag racing), and 11-506 (street racing) of this Code, or Sections 9-3 (manslaughter or reckless homicide) and 12-5 (reckless conduct arising from the use of a motor vehicle) of the Criminal Code of 1961 or the Criminal Code of 2012.

(Source: P.A. 97-1150, eff. 1-25-13.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0885
(House Bill No. 3695)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 27-22 as follows:

(105 ILCS 5/27-22) (from Ch. 122, par. 27-22)
Sec. 27-22. Required high school courses.
(a) As a prerequisite to receiving a high school diploma, each pupil entering the 9th grade in the 1984-1985 school year through the 2004-2005 school year must, in addition to other course requirements, successfully complete the following courses:

(1) three years of language arts;
(2) two years of mathematics, one of which may be related to computer technology;

New matter indicated by italics - deletions by strikeout
(3) one year of science;
(4) two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government; and
(5) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language or (D) vocational education.

(b) As a prerequisite to receiving a high school diploma, each pupil entering the 9th grade in the 2005-2006 school year must, in addition to other course requirements, successfully complete all of the following courses:

(1) Three years of language arts.
(2) Three years of mathematics.
(3) One year of science.
(4) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government.
(5) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, or (D) vocational education.

(c) As a prerequisite to receiving a high school diploma, each pupil entering the 9th grade in the 2006-2007 school year must, in addition to other course requirements, successfully complete all of the following courses:

(1) Three years of language arts.
(2) Two years of writing intensive courses, one of which must be English and the other of which may be English or any other subject. When applicable, writing-intensive courses may be counted towards the fulfillment of other graduation requirements.
(3) Three years of mathematics, one of which must be Algebra I and one of which must include geometry content.
(4) One year of science.
(5) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government.
(6) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, or (D) vocational education.

(d) As a prerequisite to receiving a high school diploma, each pupil entering the 9th grade in the 2007-2008 school year must, in addition to other course requirements, successfully complete all of the following courses:

New matter indicated by italics - deletions by strikeout
(1) Three years of language arts.

(2) Two years of writing intensive courses, one of which must be English and the other of which may be English or any other subject. When applicable, writing-intensive courses may be counted towards the fulfillment of other graduation requirements.

(3) Three years of mathematics, one of which must be Algebra I and one of which must include geometry content.

(4) Two years of science.

(5) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government.

(6) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, or (D) vocational education.

(e) As a prerequisite to receiving a high school diploma, each pupil entering the 9th grade in the 2008-2009 school year or a subsequent school year must, in addition to other course requirements, successfully complete all of the following courses:

(1) Four years of language arts.

(2) Two years of writing intensive courses, one of which must be English and the other of which may be English or any other subject. When applicable, writing-intensive courses may be counted towards the fulfillment of other graduation requirements.

(3) Three years of mathematics, one of which must be Algebra I, and one of which must include geometry content, and one of which may be an Advanced Placement computer science course if the pupil successfully completes Algebra II or an integrated mathematics course with Algebra II content.

(4) Two years of science.

(5) Two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government.

(6) One year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language, or (D) vocational education.

(f) The State Board of Education shall develop and inform school districts of standards for writing-intensive coursework.

(f-5) If a school district offers an Advanced Placement computer science course to high school students, then the school board must designate

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that course as equivalent to a high school mathematics course and must
denote on the student's transcript that the Advanced Placement computer
science course qualifies as a mathematics-based, quantitative course for
students in accordance with subdivision (3) of subsection (e) of this Section.

(g) This amendatory Act of 1983 does not apply to pupils entering the
9th grade in 1983-1984 school year and prior school years or to students with
disabilities whose course of study is determined by an individualized
education program.

This amendatory Act of the 94th General Assembly does not apply to
pupils entering the 9th grade in the 2004-2005 school year or a prior school
year or to students with disabilities whose course of study is determined by
an individualized education program.

(h) The provisions of this Section are subject to the provisions of
Section 27-22.05.
(Source: P.A. 94-676, eff. 8-24-05.)
Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0886
(House Bill No. 3765)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:

Section 5. The Department of Public Health Powers and Duties Law
of the Civil Administrative Code of Illinois is amended by changing Section
2310-345 as follows:

(20 ILCS 2310/2310-345) (was 20 ILCS 2310/55.49)
Sec. 2310-345. Breast cancer; written summary regarding early
detection and treatment.

(a) From funds made available for this purpose, the Department shall
publish, in layman's language, a standardized written summary outlining
methods for the early detection and diagnosis of breast cancer. The summary
shall include recommended guidelines for screening and detection of breast
cancer through the use of techniques that shall include but not be limited to
self-examination, clinical breast exams, and diagnostic radiology.

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(b) The summary shall also suggest that women seek mammography services from facilities that are certified to perform mammography as required by the federal Mammography Quality Standards Act of 1992.

(c) The summary shall also include the medically viable alternative methods for the treatment of breast cancer, including, but not limited to, hormonal, radiological, chemotherapeutic, or surgical treatments or combinations thereof. The summary shall contain information on breast reconstructive surgery, including, but not limited to, the use of breast implants and their side effects. The summary shall inform the patient of the advantages, disadvantages, risks, and dangers of the various procedures. The summary shall include (i) a statement that mammography is the most accurate method for making an early detection of breast cancer, however, no diagnostic tool is 100% effective, (ii) the benefits of clinical breast exams, and (iii) instructions for performing breast self-examination and a statement that it is important to perform a breast self-examination monthly.

(c-5) The summary shall specifically address the benefits of early detection and review the clinical standard recommendations by the Centers for Disease Control and Prevention and the American Cancer Society for mammography, clinical breast exams, and breast self-exams.

(c-10) The summary shall also inform individuals that public and private insurance providers shall pay for clinical breast exams as part of an exam, as indicated by guidelines of practice.

(c-15) The summary shall also inform individuals, in layman's terms, of the meaning and consequences of "dense breast tissue" under the guidelines of the Breast Imaging Reporting and Data System of the American College of Radiology and potential recommended follow-up tests or studies.

(d) In developing the summary, the Department shall consult with the Advisory Board of Cancer Control, the Illinois State Medical Society and consumer groups. The summary shall be updated by the Department every 2 years.

(e) The summaries shall additionally be translated into Spanish, and the Department shall conduct a public information campaign to distribute the summaries to the Hispanic women of this State in order to inform them of the importance of early detection and mammograms.

(f) The Department shall distribute the summary to hospitals, public health centers, and physicians who are likely to perform or order diagnostic tests for breast disease or treat breast cancer by surgical or other medical methods. Those hospitals, public health centers, and physicians shall make the summaries available to the public. The Department shall also distribute

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the summaries to any person, organization, or other interested parties upon request. The summaries may be duplicated by any person, provided the copies are identical to the current summary prepared by the Department.

(g) The summary shall display, on the inside of its cover, printed in capital letters, in bold face type, the following paragraph:

"The information contained in this brochure regarding recommendations for early detection and diagnosis of breast disease and alternative breast disease treatments is only for the purpose of assisting you, the patient, in understanding the medical information and advice offered by your physician. This brochure cannot serve as a substitute for the sound professional advice of your physician. The availability of this brochure or the information contained within is not intended to alter, in any way, the existing physician-patient relationship, nor the existing professional obligations of your physician in the delivery of medical services to you, the patient."

(h) The summary shall be updated when necessary.

(Source: P.A. 98-502, eff. 1-1-14.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0887
(House Bill No. 3819)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Act on the Aging is amended by adding Section 4.15 as follows:

(20 ILCS 105/4.15 new)

Sec. 4.15. Eligibility determinations.

(a) The Department is authorized to make eligibility determinations for benefits administered by other governmental bodies based on the Senior Citizens and Disabled Persons Property Tax Relief Act as follows:

(i) for the Secretary of State with respect to reduced fees paid by qualified vehicle owners under the Illinois Vehicle Code;

(ii) for special districts that offer free fixed route public transportation services for qualified older adults under the Local Mass Transit District Act, the Metropolitan Transit Authority Act, and the Regional Transportation Authority Act; and

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(iii) for special districts that offer transit services for qualified individuals with disabilities under the Local Mass Transit District Act, the Metropolitan Transit Authority Act, and the Regional Transportation Authority Act.

(b) The Department shall establish the manner by which claimants shall apply for these benefits. The Department is authorized to promulgate rules regarding the following matters: the application cycle; the application process; the content for an electronic application; required personal identification information; acceptable proof of eligibility as to age, disability status, marital status, residency, and household income limits; household composition; calculating income; use of social security numbers; duration of eligibility determinations; and any other matters necessary for such administrative operations.

(c) All information received by the Department from an application or from any investigation to determine eligibility for benefits shall be confidential, except for official purposes.

(d) A person may not under any circumstances charge a fee to a claimant for assistance in completing an application form for these benefits.

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


Approved August 15, 2014.

Effective August 15, 2014.

PUBLIC ACT 98-0888
(House Bill No. 3829)

AN ACT concerning State government.

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

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-300 as follows:

(20 ILCS 605/605-300) (was 20 ILCS 605/46.2)

Sec. 605-300. Economic and business development plans; Illinois Business Development Council.

(a) Economic development plans. The Department shall develop a strategic economic development plan for the State by July 1, 2014. By no later than July 1, 2015, and by July 1 annually thereafter, the Department shall make modifications to the plan as modifications are warranted by

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changes in economic conditions or by other factors, including changes in policy. In addition to the annual modification, the plan shall be reviewed and redeveloped in full every 5 years. In the development of the annual economic development plan, the Department shall consult with representatives of the private sector, other State agencies, academic institutions, local economic development organizations, local governments, and not-for-profit organizations. The annual economic development plan shall set specific, measurable, attainable, relevant, and time-sensitive goals and shall include a focus on areas of high unemployment or poverty.

The term "economic development" shall be construed broadly by the Department and may include, but is not limited to, job creation, job retention, tax base enhancements, development of human capital, workforce productivity, critical infrastructure, regional competitiveness, social inclusion, standard of living, environmental sustainability, energy independence, quality of life, the effective use of financial incentives, the utilization of public private partnerships where appropriate, and other metrics determined by the Department.

The plan shall be based on relevant economic data, focus on economic development as prescribed by this Section, and emphasize strategies to retain and create jobs.

The plan shall identify and develop specific strategies for utilizing the assets of regions within the State defined as counties and municipalities or other political subdivisions in close geographical proximity that share common economic traits such as commuting zones, labor market areas, or other economically integrated characteristics.

If the plan includes strategies that have a fiscal impact on the Department or any other agency, the plan shall include a detailed description of the estimated fiscal impact of such strategies.

Prior to publishing the plan in its final form, the Department shall allow for a reasonable time for public input.

The Department shall transmit copies of the economic development plan to the Governor and the General Assembly no later than July 1, 2014, and by July 1 annually thereafter. The plan and its corresponding modifications shall be published and made available to the public in both paper and electronic media, on the Department's website, and by any other method that the Department deems appropriate.

The Department shall annually submit legislation to implement the strategic economic development plan or modifications to the strategic economic development plan to the Governor, the President and Minority
Leader of the Senate, and the Speaker and the Minority Leader of the House of Representatives. The legislation shall be in the form of one or more substantive bills drafted by the Legislative Reference Bureau.

(b) Business development plans; Illinois Business Development Council.

(1) There is created the Illinois Business Development Council, hereinafter referred to as the Council. The Council shall consist of the Director, who shall serve as co-chairperson, and 12 voting members who shall be appointed by the Governor with the advice and consent of the Senate.

(A) The voting members of the Council shall include one representative from each of the following businesses and groups: small business, coal, healthcare, large manufacturing, small or specialized manufacturing, agriculture, high technology or applied science, local economic development entities, private sector organized labor, a local or state business association or chamber of commerce.

(B) There shall be 2 at-large voting members who reside within areas of high unemployment within counties or municipalities that have had an annual average unemployment rate of at least 120% of the State's annual average unemployment rate as reported by the Department of Employment Security for the 5 years preceding the date of appointment.

(2) All appointments shall be made in a geographically diverse manner.

(3) For the initial appointments to the Council, 6 voting members shall be appointed to serve a 2-year term and 6 voting members shall be appointed to serve a 4-year term. Thereafter, all appointments shall be for terms of 4 years. The initial term of voting members shall commence on the first Wednesday in February 2014. Thereafter, the terms of voting members shall commence on the first Wednesday in February, except in the case of an appointment to fill a vacancy. Vacancies occurring among the members shall be filled in the same manner as the original appointment for the remainder of the unexpired term. For a vacancy occurring when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill the office, and, upon confirmation by the Senate, he or she shall hold
office during the remainder of the term. A vacancy in membership does not impair the ability of a quorum to exercise all rights and perform all duties of the Council. A member is eligible for reappointment.

(4) Members shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties from funds appropriated for that purpose.

(5) In addition, the following shall serve as ex officio, non-voting members of the Council in order to provide specialized advice and support to the Council: the Secretary of Transportation, or his or her designee; the Director of Employment Security, or his or her designee; the Executive Director of the Illinois Finance Authority, or his or her designee; the Director of Agriculture, or his or her designee; the Director of Revenue, or his or her designee; the Director of Labor, or his or her designee; and the Director of the Environmental Protection Agency, or his or her designee. *Ex officio* Ex-officio members shall provide staff and technical assistance to the Council when appropriate.

(6) In addition to the Director, the voting members shall elect a co-chairperson.

(7) The Council shall meet at least twice annually and at such other times as the co-chairpersons or any 5 voting members consider necessary. Seven voting members shall constitute a quorum of the Council.

(8) The Department shall provide staff assistance to the Council.

(9) The Council shall provide the Department relevant information in a timely manner pursuant to its duties as enumerated in this Section that can be used by the Department to enhance the State's strategic economic development plan.

(10) The Council shall:

(A) Develop an overall strategic business development plan for the State of Illinois and update the plan at least annually; *that plan shall include, without limitation, (i) an assessment of the economic development practices of states that border Illinois and (ii) recommendations for best practices with respect to economic development, business incentives, business attraction, and business retention for counties in Illinois that border at least one other state.*
(B) Develop business marketing plans for the State of Illinois to effectively solicit new company investment and existing business expansion. Insofar as allowed under the Illinois Procurement Code, and subject to appropriations made by the General Assembly for such purposes, the Council may assist the Department in the procurement of outside vendors to carry out such marketing plans.

(C) Seek input from local economic development officials to develop specific strategies to effectively link State and local business development and marketing efforts focusing on areas of high unemployment or poverty.

(D) Provide the Department with advice on strategic business development and business marketing for the State of Illinois.

(E) Provide the Department research and recommend best practices for developing investment tools for business attraction and retention.

(Source: P.A. 98-397, eff. 8-16-13; revised 10-8-13.)


**PUBLIC ACT 98-0889**

**House Bill No. 3924**

AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes

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levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
  (4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
  (5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
  (6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
  (7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
  (8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
  (9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
  (10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
  (11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
  (12) if the ordinance was adopted in September 1988 by Sauk Village;
  (13) if the ordinance was adopted in October 1993 by Sauk Village;
  (14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
  (15) if the ordinance was adopted in March 1991 by the City of Centreville;
  (16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
  (17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
  (18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;

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(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;

(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;

(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;

(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;

(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;

(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;

(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;

(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;

(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;

(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;

(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;

(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;

(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;

(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;

(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;

(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;

(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;

(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;

(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;

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(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;

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(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;

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(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;

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(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District;
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District;
(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio;
(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville;
(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown;
(110) if the ordinance was adopted on April 28, 2003 by Gibson City;
(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance; or

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(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey; or:

d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of

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Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.
(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff. 12-27-13.)
Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Medical Patient Rights Act is amended by changing Section 6 as follows:

(410 ILCS 50/6)
Sec. 6. Identification badges. A health care facility that provides treatment or care to a patient in this State shall require each employee of or volunteer for the facility, including a student, who examines or treats a patient or resident of the facility to wear an identification badge that readily discloses the first name, licensure status, if any, and staff position of the person examining or treating the patient or resident. This Section does not apply to a facility licensed or certified under the ID/DD Community Care Act or the Community-Integrated Living Arrangements Licensure and Certification Act.
(Source: P.A. 98-243, eff. 1-1-14.)
Approved August 15, 2014.
Effective January 1, 2015.
AN ACT concerning health.

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

Section 5. The Illinois Health Statistics Act is amended by changing Section 4 as follows:

(410 ILCS 520/4) (from Ch. 111 1/2, par. 5604)

Sec. 4. (a) In carrying out the purposes of this Act, the Department may:

(1) Collect and maintain health data on:
   (i) The extent, nature, and impact of illness, including factors relating to obesity and disability on the population of the State;
   (ii) The determinants of health and health hazards including obesity;
   (iii) Health resources, including the extent of available manpower and resources;
   (iv) Utilization of health care;
   (v) Health care costs and financing; and
   (vi) Other health or health-related matters; and:
   (vii) The connection between the long-term effects of childhood cancer and the original cancer diagnosis and treatment.

(2) Undertake and support research, demonstrations, and evaluations respecting new or improved methods for obtaining current data on the matters referred to in subparagraph (1).

(b) The Department may collect health data under authority granted by any unit of local government and on behalf of other governmental or not-for-profit organizations, including data collected by local schools and the State Board of Education relating to obesity on the health examination form required pursuant to Section 27-8.1 of the School Code. The data shall be de-identified and aggregated pursuant to rules promulgated by the Department to prevent disclosure of personal identifying information.

(c) The Department shall collect data only on a voluntary basis from individuals and organizations, except when there is specific legal authority to compel the mandatory reporting of the health data so requested. In making any collection of health data from an individual or organization the

New matter indicated by italics - deletions by strikeout
Department must give to such individual or organization a written statement which states:

(1) Whether the individual or organization is required to respond, and any sanctions for noncompliance;

(2) The purposes for which the health data are being collected; and

(3) In the case of any disclosure of identifiable health data for other than research and statistical purposes, the items to be disclosed, to whom the data are to be disclosed and the purposes for which the data are to be disclosed.

(d) Except as provided in Section 5, no health data obtained in the course of activities undertaken or supported under this Act may be used for any purpose other than the purpose for which they were supplied or for which the individual or organization described in the data has otherwise consented.

(e) The Department shall take such actions as may be necessary to assure that statistics developed under this Act are of high quality, timely, comprehensive, as well as specific, standardized and adequately analyzed and indexed.

(f) The Department shall take such action as is appropriate to effect the coordination of health data activities, including health data specifically relating to obesity collected pursuant to Section 27-8.1 of the School Code, within the State to eliminate unnecessary duplication of data collection and maximize the usefulness of data collected.

(g) The Department shall (1) participate with state, local and federal agencies in the design and implementation of a cooperative system for producing comparable and uniform health information and statistics at the federal, state, and local levels; and (2) undertake and support research, development, demonstrations, and evaluations respecting such cooperative system.

(Source: P.A. 93-966, eff. 1-1-05.)

Approved August 15, 2014.
Effective January 1, 2015.
AN ACT concerning courts.

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

Section 5. The Juvenile Court Act of 1987 is amended by changing Sections 5-305 and 6-1 as follows:

(705 ILCS 405/5-305)
Sec. 5-305. Probation adjustment.
(1) The court may authorize the probation officer to confer in a preliminary conference with a minor who is alleged to have committed an offense, his or her parent, guardian or legal custodian, the victim, the juvenile police officer, the State's Attorney, and other interested persons concerning the advisability of filing a petition under Section 5-520, with a view to adjusting suitable cases without the filing of a petition as provided for in this Article, the probation officer should schedule a conference promptly except when the State's Attorney insists on court action or when the minor has indicated that he or she will demand a judicial hearing and will not comply with a probation adjustment.

(1-b) In any case of a minor who is in custody, the holding of a probation adjustment conference does not operate to prolong temporary custody beyond the period permitted by Section 5-415.

(2) This Section does not authorize any probation officer to compel any person to appear at any conference, produce any papers, or visit any place.

(3) No statement made during a preliminary conference in regard to the offense that is the subject of the conference may be admitted into evidence at an adjudicatory hearing or at any proceeding against the minor under the criminal laws of this State prior to his or her conviction under those laws.

(4) When a probation adjustment is appropriate, the probation officer shall promptly formulate a written, non-judicial adjustment plan following the initial conference.

(5) Non-judicial probation adjustment plans include but are not limited to the following:

(a) up to 6 months informal supervision within the family;
(b) up to 12 months informal supervision with a probation officer involved which may include any conditions of probation provided in Section 5-715;
(c) up to 6 months informal supervision with release to a person other than a parent;
(d) referral to special educational, counseling, or other rehabilitative social or educational programs;
(e) referral to residential treatment programs;
(f) participation in a public or community service program or activity; and
(g) any other appropriate action with the consent of the minor and a parent.

(6) The factors to be considered by the probation officer in formulating a non-judicial probation adjustment plan shall be the same as those limited in subsection (4) of Section 5-405.

(7) Beginning January 1, 2000, the probation officer who imposes a probation adjustment plan shall assure that information about an offense which would constitute a felony if committed by an adult, and may assure that information about a misdemeanor offense, is transmitted to the Department of State Police.

(8) If the minor fails to comply with any term or condition of the non-judicial probation adjustment, the matter shall be referred to the State’s Attorney for determination of whether a petition under this Article shall be filed.

(Source: P.A. 92-329, eff. 8-9-01.)

(705 ILCS 405/6-1) (from Ch. 37, par. 806-1)
Sec. 6-1. Probation departments; functions and duties.

(1) The chief judge of each circuit shall make provision for probation services for each county in his or her circuit. The appointment of officers to probation or court services departments and the administration of such departments shall be governed by the provisions of the Probation and Probation Officers Act.

(2) Every county or every group of counties constituting a probation district shall maintain a court services or probation department subject to the provisions of the Probation and Probation Officers Act. For the purposes of this Act, such a court services or probation department has, but is not limited to, the following powers and duties:

(a) When authorized or directed by the court, to receive, investigate and evaluate complaints indicating dependency,
requirement of authoritative intervention, addiction or delinquency within the meaning of Sections 2-3, 2-4, 3-3, 4-3 or 5-105, respectively; to determine or assist the complainant in determining whether a petition should be filed under Sections 2-13, 3-15, 4-12 or 5-520 or whether referral should be made to an agency, association or other person or whether some other action is advisable; and to see that the indicating filing, referral or other action is accomplished. However, no such investigation, evaluation or supervision by such court services or probation department is to occur with regard to complaints indicating only that a minor may be a chronic or habitual truant.

(a-1) To confer in a preliminary conference, with a view to adjusting suitable cases without the filing of a petition as provided for in Section 2-12 or Section 5-305.

(b) When a petition is filed under Section 2-13, 3-15, 4-15 or 5-520, to make pre-adjudicatory investigations and formulate recommendations to the court when the court has authorized or directed the department to do so.

(b-1) When authorized or directed by the court, and with the consent of the party respondents and the State's Attorney, to confer in a pre-adjudicatory conference, with a view to adjusting suitable cases as provided for in Section 2-12 or Section 5-305.

(c) To counsel and, by order of the court, to supervise minors referred to the court; to conduct indicated programs of casework, including referrals for medical and mental health service, organized recreation and job placement for wards of the court and, when appropriate, for members of the family of a ward; to act as liaison officer between the court and agencies or associations to which minors are referred or through which they are placed; when so appointed, to serve as guardian of the person of a ward of the court; to provide probation supervision and protective supervision ordered by the court; and to provide like services to wards and probationers of courts in other counties or jurisdictions who have lawfully become local residents.

(d) To arrange for placements pursuant to court order.

(e) To assume administrative responsibility for such detention, shelter care and other institutions for minors as the court may operate.

(f) To maintain an adequate system of case records, statistical records, and financial records related to juvenile detention and shelter

New matter indicated by italics - deletions by strikeout
care and to make reports to the court and other authorized persons, and to the Supreme Court pursuant to the Probation and Probation Officers Act.

(g) To perform such other services as may be appropriate to effectuate the purposes of this Act or as may be directed by any order of court made under this Act.

(3) The court services or probation department in any probation district or county having less than 1,000,000 inhabitants, or any personnel of the department, may be required by the circuit court to render services to the court in other matters as well as proceedings under this Act.

(4) In any county or probation district, a probation department may be established as a separate division of a more inclusive department of court services, with any appropriate divisional designation. The organization of any such department of court services and the appointment of officers and other personnel must comply with the Probation and Probations Officers Act.

(5) For purposes of this Act only, probation officers appointed to probation or court services departments shall be considered peace officers. In the exercise of their official duties, probation officers, sheriffs, and police officers may, anywhere within the State, arrest any minor who is in violation of any of the conditions of his or her probation, continuance under supervision, or informal supervision, and it shall be the duty of the officer making the arrest to take the minor before the court having jurisdiction over the minor for further action.

(Source: P.A. 93-576, eff. 1-1-04.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0893
(House Bill No. 4185)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)
Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

New matter indicated by italics - deletions by strikeout
(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with
respect to ad valorem taxes levied in the 35th calendar year after the year in
which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;

New matter indicated by italics - deletions by strikeout
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;

New matter indicated by italics - deletions by strikeout
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;

New matter indicated by italics - deletions by strikeout
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;

New matter indicated by italics - deletions by strikeout
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;

New matter indicated by italics - deletions by strikeout
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle; 
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District; or
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District; ?
(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio; 
(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville; or
(109) if the ordinance was adopted on July 1, 2002 by the Village of Arlington Heights.

New matter indicated by italics - deletions by strikeout
(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days’ written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days’ written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.
Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0894
(House Bill No. 4208)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Officials and Employees Ethics Act is amended by changing Section 70-20 as follows:
(5 ILCS 430/70-20)
Sec. 70-20. Members appointed by a county. In addition to any other applicable requirement of law, any member of a governmental entity appointed by the president or chairperson of the county board, or by any member or members of the county board, with or without the advice and consent of the county board, shall abide by the ethics laws applicable to, and the ethics policies of, that county and, if applicable, shall be subject to the jurisdiction of that county's ethics officer or inspector general.
(Source: P.A. 98-457, eff. 8-16-13.)
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0895
(House Bill No. 4235)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Civil Administrative Code of Illinois is amended by adding Section 5-720 as follows:
(20 ILCS 5/5-720 new)

New matter indicated by italics - deletions by strikeout
Sec. 5-720. Representation before departments by out-of-state attorneys.

(a) When any attorney who is not admitted to the practice of law in Illinois by unlimited or conditional admission, but who is licensed in another state, territory, or commonwealth of the United States, the District of Columbia, or a foreign country may desire to appear before a hearing officer, administrative law judge, or other adjudicatory officer or body of a department, such attorney shall be allowed to appear before the same as provided in Illinois Supreme Court Rule 707.

(b) Subject to the rulemaking provisions of the Illinois Administrative Procedure Act, each department may adopt rules to implement and administer this Section.

Section 10. The Illinois Independent Tax Tribunal Act of 2012 is amended by changing Section 1-80 as follows:

(35 ILCS 1010/1-80)
Sec. 1-80. Representation.

(a) Appearances in proceedings conducted by the Tax Tribunal may be by the taxpayer or by an attorney admitted to practice in this State. The Tax Tribunal may allow an attorney who is not admitted to the practice of law in Illinois by unlimited or conditional admission, but who is authorized to practice or licensed in another state, territory, or commonwealth of the United States, the District of Columbia, or a foreign country to appear and represent a taxpayer in proceedings before the Tax Tribunal for a particular matter as provided in Illinois Supreme Court Rule 707.

(b) The Department of Revenue shall be represented by the Attorney General in all proceedings before the Tax Tribunal.
(Source: P.A. 97-1129, eff. 8-28-12.)

Section 15. The Public Utilities Act is amended by changing Section 10-101 as follows:

(220 ILCS 5/10-101) (from Ch. 111 2/3, par. 10-101)
Sec. 10-101. The Commission, or any commissioner or hearing examiner designated by the Commission, shall have power to hold investigations, inquiries and hearings concerning any matters covered by the provisions of this Act, or by any other Acts relating to public utilities subject to such rules and regulations as the Commission may establish. In the conduct of any investigation, inquiry or hearing the provisions of the Illinois Administrative Procedure Act, including but not limited to Sections 10-25 and 10-35 of that Act, shall be applicable and the Commission's rules shall

New matter indicated by italics - deletions by strikeout
be consistent therewith. Complaint cases initiated pursuant to any Section of this Act, investigative proceedings and ratemaking cases shall be considered "contested cases" as defined in Section 1-30 of the Illinois Administrative Procedure Act, any contrary provision therein notwithstanding. Any proceeding intended to lead to the establishment of policies, practices, rules or programs applicable to more than one utility may, in the Commission's discretion, be conducted pursuant to either rulemaking or contested case provisions, provided such choice is clearly indicated at the beginning of such proceeding and subsequently adhered to. No violation of this Section or the Illinois Administrative Procedure Act and no informality in any proceeding or in the manner of taking testimony before the Commission, any commissioner or hearing examiner of the Commission shall invalidate any order, decision, rule or regulation made, approved, or confirmed by the Commission in the absence of prejudice. All hearings conducted by the Commission shall be open to the public.

Each commissioner and every hearing examiner of the Commission designated by it to hold any inquiry, investigation or hearing, shall have the power to administer oaths and affirmations, certify to all official acts, issue subpoenas, compel the attendance and testimony of witnesses, and the production of papers, books, accounts and documents.

Hearings shall be held either by the Commission or by one or more commissioners or hearing examiners.

When any counselor or attorney who is not admitted to the practice of law in Illinois by unlimited or conditional admission, but who is at law, licensed in another any other state, or territory, or commonwealth of the United States, the District of Columbia, or a foreign country may desire to appear before the Commission, such counselor or attorney shall be allowed to appear before the Commission as provided in Supreme Court Rule 707 upon the same terms and in the same manner that counselors and attorneys at law licensed in this State now are or hereafter may be admitted to appear in such other state or territory before its Commission or equivalent body.

All evidence presented at hearings held by the Commission or under its authority shall become a part of the records of the Commission. In all cases in which the Commission bases any action on reports of investigation or inquiries not conducted as hearings, such reports shall be made a part of the records of the Commission. All proceedings of the Commission and all documents and records in its possession shall be public records, except as in this Act otherwise provided.

New matter indicated by italics - deletions by strikeout
To the extent consistent with this Section and the Illinois Administrative Procedure Act, the Commission may adopt reasonable and proper rules and regulations relative to the exercise of its powers, and proper rules to govern its proceedings, and regulate the mode and manner of all investigations and hearings, and alter and amend the same.

(Source: P.A. 88-45.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0896
(House Bill No. 4236)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Alcoholism and Other Drug Abuse and Dependency Act is amended by changing Section 40-5 as follows:

(20 ILCS 301/40-5)
Sec. 40-5. Election of treatment. An addict or alcoholic who is charged with or convicted of a crime or any other person charged with or convicted of a misdemeanor violation of the Use of Intoxicating Compounds Act and who has not been previously convicted of a violation of that Act may elect treatment under the supervision of a licensed program designated by the Department, referred to in this Article as "designated program", unless:

(1) the crime is a crime of violence;
(2) the crime is a violation of Section 401(a), 401(b), 401(c) where the person electing treatment has been previously convicted of a non-probationable felony or the violation is non-probationable, 401(d) where the violation is non-probationable, 401.1, 402(a), 405 or 407 of the Illinois Controlled Substances Act, or Section 12-7.3 of the Criminal Code of 2012, or Section 4(d), 4(e), 4(f), 4(g), 5(d), 5(e), 5(f), 5(g), 5.1, 7 or 9 of the Cannabis Control Act or Section 15, 20, 55, 60(b)(3), 60(b)(4), 60(b)(5), 60(b)(6), or 65 of the Methamphetamine Control and Community Protection Act or is otherwise ineligible for probation under Section 70 of the Methamphetamine Control and Community Protection Act;
(3) the person has a record of 2 or more convictions of a crime of violence;

New matter indicated by italics - deletions by strikeout
(4) other criminal proceedings alleging commission of a felony are pending against the person;
(5) the person is on probation or parole and the appropriate parole or probation authority does not consent to that election;
(6) the person elected and was admitted to a designated program on 2 prior occasions within any consecutive 2-year period;
(7) the person has been convicted of residential burglary and has a record of one or more felony convictions;
(8) the crime is a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
(9) the crime is a reckless homicide or a reckless homicide of an unborn child, as defined in Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012, in which the cause of death consists of the driving of a motor vehicle by a person under the influence of alcohol or any other drug or drugs at the time of the violation.

(Source: P.A. 96-1440, eff. 1-1-11; 97-889, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0897
(House Bill No. 4269)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 19-5 as follows:

Sec. 19-5. Criminal fortification of a residence or building.
(a) A person commits the offense of criminal fortification of a residence or building when, with the intent to prevent the lawful entry of a law enforcement officer or another, he or she maintains a residence or building in a fortified condition, knowing that the residence or building is used for the unlawful manufacture, storage with intent to deliver or manufacture, delivery, or trafficking of cannabis, controlled substances, or methamphetamine as defined in the Cannabis Control Act, the Illinois

New matter indicated by italics - deletions by strikeout
Controlled Substances Act, or the Methamphetamine Control and Community Protection Act.

(b) "Fortified condition" means preventing or impeding entry through the use of steel doors, wooden planking, crossbars, alarm systems, dogs, video surveillance, motion sensing devices, booby traps, or other similar means. If video surveillance is the sole component of the fortified condition, the video surveillance must be with the intent to alert an occupant to the presence of a law enforcement officer for the purpose of interfering with the official duties of a law enforcement officer, allowing removal or destruction of evidence, or facilitating the infliction of harm to a law enforcement officer. For the purposes of this Section, "booby trap" means any device, including but not limited to any explosive device, designed to cause physical injury or the destruction of evidence, when triggered by an act of a person approaching, entering, or moving through a structure.

(c) Sentence. Criminal fortification of a residence or building is a Class 3 felony.

(d) This Section does not apply to the fortification of a residence or building used in the manufacture of methamphetamine as described in Sections 10 and 15 of the Methamphetamine Control and Community Protection Act.

(Source: P.A. 94-556, eff. 9-11-05.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0898
(House Bill No. 4277)

AN ACT concerning fish.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Fish and Aquatic Life Code is amended by changing Section 15-5 as follows:

(515 ILCS 5/15-5) (from Ch. 56, par. 15-5)
Sec. 15-5. Commercial fisherman; license requirement.
(a) A "commercial fisherman" is defined as any individual who uses any of the commercial fishing devices as defined by this Code for the taking of any aquatic life, except mussels, protected by the terms of this Code.

New matter indicated by italics - deletions by strikeout
(b) All commercial fishermen shall have a commercial fishing license. In addition to a commercial fishing license, a commercial fisherman shall also obtain a sport fishing license. All individuals assisting a licensed commercial fisherman in taking aquatic life, except mussels, from any waters of the State must have a commercial fishing license unless these individuals are under the direct supervision of and aboard the same watercraft as the licensed commercial fisherman. An individual assisting a licensed commercial fisherman must first obtain a sport fishing license.

(c) Notwithstanding any other provision of law to the contrary, blind or disabled residents may fish with commercial fishing devices without holding a sport fishing license. For the purpose of this Section, an individual is blind or disabled if that individual has a Class 2 disability as defined in Section 4A of the Illinois Identification Card Act. For the purposes of this Section, an Illinois person with a Disability Identification Card issued under the Illinois Identification Card Act indicating that the individual named on the card has a Class 2 disability shall be adequate documentation of a disability.

(d) Notwithstanding any other provision of law to the contrary, a veteran who, according to the determination of the federal Veterans' Administration as certified by the Department of Veterans' Affairs, is at least 10% disabled with service-related disabilities or in receipt of total disability pensions may fish with commercial fishing devices without holding a sport fishing license during those periods of the year that it is lawful to fish with commercial fishing devices, if the respective disabilities do not prevent the veteran from fishing in a manner that is safe to him or herself and others.

(e) A "Lake Michigan commercial fisherman" is defined as an individual who resides in this State or an Illinois corporation who uses any of the commercial fishing devices as defined by this Code for the taking of aquatic life, except mussels, protected by the terms of this Code.

(f) For purposes of this Section, an act or omission that constitutes a violation committed by an officer, employee, or agent of a corporation shall be deemed the act or omission of the corporation.

(Source: P.A. 98-336, eff. 1-1-14.)

Approved August 15, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.

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

Section 5. The Firearm Concealed Carry Act is amended by changing Section 70 as follows:

(430 ILCS 66/70)
Sec. 70. Violations.

(a) A license issued or renewed under this Act shall be revoked if, at any time, the licensee is found to be ineligible for a license under this Act or the licensee no longer meets the eligibility requirements of the Firearm Owners Identification Card Act.

(b) A license shall be suspended if an order of protection, including an emergency order of protection, plenary order of protection, or interim order of protection under Article 112A of the Code of Criminal Procedure of 1963 or under the Illinois Domestic Violence Act of 1986, is issued against a licensee for the duration of the order, or if the Department is made aware of a similar order issued against the licensee in any other jurisdiction. If an order of protection is issued against a licensee, the licensee shall surrender the license, as applicable, to the court at the time the order is entered or to the law enforcement agency or entity serving process at the time the licensee is served the order. The court, law enforcement agency, or entity responsible for serving the order of protection shall notify the Department within 7 days and transmit the license to the Department.

(c) A license is invalid upon expiration of the license, unless the licensee has submitted an application to renew the license, and the applicant is otherwise eligible to possess a license under this Act.

(d) A licensee shall not carry a concealed firearm while under the influence of alcohol, other drug or drugs, intoxicating compound or combination of compounds, or any combination thereof, under the standards set forth in subsection (a) of Section 11-501 of the Illinois Vehicle Code.

A licensee in violation of this subsection (d) shall be guilty of a Class A misdemeanor for a first or second violation and a Class 4 felony for a third violation. The Department may suspend a license for up to 6 months for a second violation and shall permanently revoke a license for a third violation.

(e) Except as otherwise provided, a licensee in violation of this Act shall be guilty of a Class B misdemeanor. A second or subsequent violation

New matter indicated by italics - deletions by strikeout
is a Class A misdemeanor. The Department may suspend a license for up to 6 months for a second violation and shall permanently revoke a license for 3 or more violations of Section 65 of this Act. Any person convicted of a violation under this Section shall pay a $150 fee to be deposited into the Mental Health Reporting Fund, plus any applicable court costs or fees.

(f) A licensee convicted or found guilty of a violation of this Act who has a valid license and is otherwise eligible to carry a concealed firearm shall only be subject to the penalties under this Section and shall not be subject to the penalties under Section 21-6, paragraph (4), (8), or (10) of subsection (a) of Section 24-1, or subparagraph (A-5) or (B-5) of paragraph (3) of subsection (a) of Section 24-1.6 of the Criminal Code of 2012. Except as otherwise provided in this subsection, nothing in this subsection prohibits the licensee from being subjected to penalties for violations other than those specified in this Act.

(g) A licensee whose license is revoked, suspended, or denied shall, within 48 hours of receiving notice of the revocation, suspension, or denial, surrender his or her concealed carry license to the local law enforcement agency where the person resides. The local law enforcement agency shall provide the licensee a receipt and transmit the concealed carry license to the Department of State Police. If the licensee whose concealed carry license has been revoked, suspended, or denied fails to comply with the requirements of this subsection, the law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the concealed carry license in the possession and under the custody or control of the licensee whose concealed carry license has been revoked, suspended, or denied. The observation of a concealed carry license in the possession of a person whose license has been revoked, suspended, or denied constitutes a sufficient basis for the arrest of that person for violation of this subsection. A violation of this subsection is a Class A misdemeanor.

(h) A license issued or renewed under this Act shall be revoked if, at any time, the licensee is found ineligible for a Firearm Owner's Identification Card, or the licensee no longer possesses a valid Firearm Owner's Identification Card. A licensee whose license is revoked under this subsection (h) shall surrender his or her concealed carry license as provided for in subsection (g) of this Section.

This subsection shall not apply to a person who has filed an application with the State Police for renewal of a Firearm Owner's Identification Card and who is not otherwise ineligible to obtain a Firearm Owner's Identification Card.

New matter indicated by italics - deletions by strikeout
(i) A certified firearms instructor who knowingly provides or offers to provide a false certification that an applicant has completed firearms training as required under this Act is guilty of a Class A misdemeanor. A person guilty of a violation of this subsection (i) is not eligible for court supervision. The Department shall permanently revoke the firearms instructor certification of a person convicted under this subsection (i).

(Source: P.A. 98-63, eff. 7-9-13; revised 11-12-13.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-6-1 as follows:

(730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

Sec. 5-6-1. Sentences of Probation and of Conditional Discharge and Disposition of Supervision. The General Assembly finds that in order to protect the public, the criminal justice system must compel compliance with the conditions of probation by responding to violations with swift, certain and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of probation, conditional discharge or disposition of supervision.

(a) Except where specifically prohibited by other provisions of this Code, the court shall impose a sentence of probation or conditional discharge upon an offender unless, having regard to the nature and circumstance of the offense, and to the history, character and condition of the offender, the court is of the opinion that:

   (1) his imprisonment or periodic imprisonment is necessary for the protection of the public; or

   (2) probation or conditional discharge would deprecate the seriousness of the offender's conduct and would be inconsistent with the ends of justice; or

   (3) a combination of imprisonment with concurrent or consecutive probation when an offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act is necessary for the protection of the public and for the rehabilitation of the offender.

The court shall impose as a condition of a sentence of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of the sentence of probation, conditional discharge, or supervision, subject to the provisions of Section 5-6-4 of this Act.

New matter indicated by italics - deletions by strikeout
(b) The court may impose a sentence of conditional discharge for an offense if the court is of the opinion that neither a sentence of imprisonment nor of periodic imprisonment nor of probation supervision is appropriate.

(b-1) Subsections (a) and (b) of this Section do not apply to a defendant charged with a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if the defendant within the past 12 months has been convicted of or pleaded guilty to a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

(c) The court may, upon a plea of guilty or a stipulation by the defendant of the facts supporting the charge or a finding of guilt, defer further proceedings and the imposition of a sentence, and enter an order for supervision of the defendant, if the defendant is not charged with: (i) a Class A misdemeanor, as defined by the following provisions of the Criminal Code of 1961 or the Criminal Code of 2012: Sections 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6; 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1; paragraph (1) through (5), (8), (10), and (11) of subsection (a) of Section 24-1; (ii) a Class A misdemeanor violation of Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals Act; or (iii) a felony. If the defendant is not barred from receiving an order for supervision as provided in this subsection, the court may enter an order for supervision after considering the circumstances of the offense, and the history, character and condition of the offender, if the court is of the opinion that:

(1) the offender is not likely to commit further crimes;
(2) the defendant and the public would be best served if the defendant were not to receive a criminal record; and
(3) in the best interests of justice an order of supervision is more appropriate than a sentence otherwise permitted under this Code.

(c-5) Subsections (a), (b), and (c) of this Section do not apply to a defendant charged with a second or subsequent violation of Section 6-303 of the Illinois Vehicle Code committed while his or her driver's license, permit or privileges were revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

(d) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a
similar provision of a local ordinance when the defendant has previously been:

(1) convicted for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or

(2) assigned supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or

(3) pleaded guilty to or stipulated to the facts supporting a charge or a finding of guilty to a violation of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state, and the plea or stipulation was the result of a plea agreement.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(e) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if said defendant has within the last 5 years been:

(1) convicted for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012; or

(2) assigned supervision for a violation of Section 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(f) The provisions of paragraph (c) shall not apply to a defendant charged with violating Sections 15-111, 15-112, 15-301, paragraph (b) of Section 6-104, Section 11-605, Section 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(g) Except as otherwise provided in paragraph (i) of this Section, the provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has within the last 5 years been:

(1) convicted for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
(2) assigned supervision for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(h) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with violating a serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code:

(1) unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision; or

(2) if the defendant has previously been sentenced under the provisions of paragraph (c) on or after January 1, 1998 for any serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code.

(h-1) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision.

(i) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has been assigned supervision.
for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(j) The provisions of paragraph (e) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the revocation or suspension was for a violation of Section 11-501 or a similar provision of a local ordinance or a violation of Section 11-501.1 or paragraph (b) of Section 11-401 of the Illinois Vehicle Code if the defendant has within the last 10 years been:

(1) convicted for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance; or

(2) assigned supervision for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(k) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if, within the 12 months preceding the date of the defendant's arrest, the defendant has been assigned court supervision on 2 occasions for a violation that governs the movement of vehicles under the Illinois Vehicle Code or a similar provision of a local ordinance. The provisions of this paragraph (k) do not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(l) A defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance who receives a disposition of supervision under subsection (c) shall pay an additional fee of $29, to be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. In addition to the $29 fee, the person shall also pay a fee of $6, which, if not waived by the court, shall be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. The $29 fee shall be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. If the $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(m) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code.
This subsection (m) becomes inoperative 7 years after October 13, 2007 (the effective date of Public Act 95-154).

(n) The provisions of paragraph (c) shall not apply to any person under the age of 18 who commits an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of the Illinois Vehicle Code, except upon personal appearance of the defendant in court and upon the written consent of the defendant's parent or legal guardian, executed before the presiding judge. The presiding judge shall have the authority to waive this requirement upon the showing of good cause by the defendant.

(o) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the suspension was for a violation of Section 11-501.1 of the Illinois Vehicle Code and when:

1) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code and the defendant failed to obtain a monitoring device driving permit; or

2) at the time of the violation of Section 11-501.1 of the Illinois Vehicle Code, the defendant was a first offender pursuant to Section 11-500 of the Illinois Vehicle Code, had subsequently obtained a monitoring device driving permit, but was driving a vehicle not equipped with a breath alcohol ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code.

(p) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-601.5 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(q) The provisions of paragraph (c) shall not apply to a defendant charged with violating subsection (b) of Section 11-601 of the Illinois Vehicle Code when the defendant was operating a vehicle, in an urban district, at a speed in excess of 25 miles per hour over the posted speed limit.

(r) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance if the violation was the proximate cause of the death of another and the defendant's driving abstract contains a prior conviction or disposition of court supervision for any violation of the Illinois Vehicle Code, other than an equipment violation, or a suspension, revocation, or cancellation of the driver's license.

New matter indicated by italics - deletions by strikeout
(s) The provisions of paragraph (c) shall not apply to a defendant charged with violating subsection (i) of Section 70 of the Firearm Concealed Carry Act.
(Source: P.A. 97-333, eff. 8-12-11; 97-597, eff. 1-1-12; 97-831, eff. 7-1-13; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-169, eff. 1-1-14.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0900
(House Bill No. 4483)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Open Meetings Act is amended by changing Sections 1.05 and 4 as follows:
(5 ILCS 120/1.05)
Sec. 1.05. Training.

(a) Every public body shall designate employees, officers, or members to receive training on compliance with this Act. Each public body shall submit a list of designated employees, officers, or members to the Public Access Counselor. Within 6 months after the effective date of this amendatory Act of the 96th General Assembly, the designated employees, officers, and members must successfully complete an electronic training curriculum, developed and administered by the Public Access Counselor, and thereafter must successfully complete an annual training program. Thereafter, whenever a public body designates an additional employee, officer, or member to receive this training, that person must successfully complete the electronic training curriculum within 30 days after that designation.

(b) Except as otherwise provided in this Section, each elected or appointed member of a public body subject to this Act who is such a member on the effective date of this amendatory Act of the 97th General Assembly must successfully complete the electronic training curriculum developed and administered by the Public Access Counselor. For these members, the training must be completed within one year after the effective date of this amendatory Act.

New matter indicated by italics - deletions by strikeout
Except as otherwise provided in this Section, each elected or appointed member of a public body subject to this Act who becomes such a member after the effective date of this amendatory Act of the 97th General Assembly shall successfully complete the electronic training curriculum developed and administered by the Public Access Counselor. For these members, the training must be completed not later than the 90th day after the date the member:

(1) takes the oath of office, if the member is required to take an oath of office to assume the person's duties as a member of the public body; or

(2) otherwise assumes responsibilities as a member of the public body, if the member is not required to take an oath of office to assume the person's duties as a member of the governmental body.

Each member successfully completing the electronic training curriculum shall file a copy of the certificate of completion with the public body.

Completing the required training as a member of the public body satisfies the requirements of this Section with regard to the member's service on a committee or subcommittee of the public body and the member's ex officio service on any other public body.

The failure of one or more members of a public body to complete the training required by this Section does not affect the validity of an action taken by the public body.

An elected or appointed member of a public body subject to this Act who has successfully completed the training required under this subsection (b) and filed a copy of the certificate of completion with the public body is not required to subsequently complete the training required under this subsection (b).

(c) An elected school board member may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization created under Article 23 of the School Code. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;

(2) the applicability of this Act to public bodies;

(3) procedures and requirements regarding quorums, notice, and record-keeping under this Act;

(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and

New matter indicated by italics - deletions by strikeout
(5) penalties and other consequences for failing to comply with this Act.

If an organization created under Article 23 of the School Code provides a course of training under this subsection (c), it must provide a certificate of course completion to each school board member who successfully completes that course of training.

(d) A commissioner of a drainage district may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization that represents the drainage districts created under the Illinois Drainage Code. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;
(2) the applicability of this Act to public bodies;
(3) procedures and requirements regarding quorums, notice, and record-keeping under this Act;
(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and
(5) penalties and other consequences for failing to comply with this Act.

If an organization that represents the drainage districts created under the Illinois Drainage Code provides a course of training under this subsection (d), it must provide a certificate of course completion to each commissioner who successfully completes that course of training.

(e) A director of a soil and water conservation district may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization that represents soil and water conservation districts created under the Soil and Water Conservation Districts Act. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;
(2) the applicability of this Act to public bodies;
(3) procedures and requirements regarding quorums, notice, and record-keeping under this Act;
(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and
(5) penalties and other consequences for failing to comply with this Act.

New matter indicated by italics - deletions by strikeout
If an organization that represents the soil and water conservation districts created under the Soil and Water Conservation Districts Act provides a course of training under this subsection (e), it must provide a certificate of course completion to each director who successfully completes that course of training.

(f) An elected or appointed member of a public body of a park district, forest preserve district, or conservation district may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization that represents the park districts created in the Park District Code. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;
(2) the applicability of this Act to public bodies;
(3) procedures and requirements regarding quorums, notice, and record-keeping under this Act;
(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and
(5) penalties and other consequences for failing to comply with this Act.

If an organization that represents the park districts created in the Park District Code provides a course of training under this subsection (f), it must provide a certificate of course completion to each elected or appointed member of a public body who successfully completes that course of training.

(Source: P.A. 96-542, eff. 1-1-10; 97-504, eff. 1-1-12; 97-1153, eff. 1-25-13.)

(5 ILCS 120/4) (from Ch. 102, par. 44)

Sec. 4. Any person violating any of the provisions of this Act, except subsection (b), (c), (d), or (e) of Section 1.05, shall be guilty of a Class C misdemeanor.

(Source: P.A. 97-504, eff. 1-1-12; 97-1153, eff. 1-25-13.)

AN ACT concerning State government.

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

Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 15.4 as follows:

(20 ILCS 1705/15.4)

Sec. 15.4. Authorization for nursing delegation to permit direct care staff to administer medications.

(a) This Section applies to (i) all programs for persons with a developmental disability in settings of 16 persons or fewer that are funded or licensed by the Department of Human Services and that distribute or administer medications and (ii) all intermediate care facilities for the developmentally disabled with 16 beds or fewer that are licensed by the Department of Public Health. The Department of Human Services shall develop a training program for authorized direct care staff to administer oral and topical medications under the supervision and monitoring of a registered professional nurse. This training program shall be developed in consultation with professional associations representing (i) physicians licensed to practice medicine in all its branches, (ii) registered professional nurses, and (iii) pharmacists.

(b) For the purposes of this Section:

"Authorized direct care staff" means non-licensed persons who have successfully completed a medication administration training program approved by the Department of Human Services and conducted by a nurse-trainer. This authorization is specific to an individual receiving service in a specific agency and does not transfer to another agency.

"Medications" means oral and topical medications, insulin in an injectable form, oxygen, epinephrine auto-injectors, and vaginal and rectal creams and suppositories. "Oral" includes inhalants and medications administered through enteral tubes, utilizing aseptic technique. "Topical" includes eye, ear, and nasal medications. Any controlled substances must be packaged specifically for an identified individual.

"Insulin in an injectable form" means a subcutaneous injection via an insulin pen pre-filled by the manufacturer. Authorized direct care staff may administer insulin, as ordered by a physician, advanced practice nurse, or physician assistant, if: (i) the staff has successfully completed a Department-
approved advanced training program specific to insulin administration developed in consultation with professional associations listed in subsection (a) of this Section, and (ii) the staff consults with the registered nurse, prior to administration, of any insulin dose that is determined based on a blood glucose test result. The authorized direct care staff shall not (i) calculate the insulin dosage needed when the dose is dependent upon a blood glucose test result, or (ii) administer insulin to individuals who require blood glucose monitoring greater than 3 times daily, unless directed to do so by the registered nurse.

"Nurse-trainer training program" means a standardized, competency-based medication administration train-the-trainer program provided by the Department of Human Services and conducted by a Department of Human Services master nurse-trainer for the purpose of training nurse-trainers to train persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the supervision and monitoring of the nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, and a curriculum overview, including the ethical and legal aspects of supervising those administering medications.

"Self-administration of medications" means an individual administers his or her own medications. To be considered capable to self-administer their own medication, individuals must, at a minimum, be able to identify their medication by size, shape, or color, know when they should take the medication, and know the amount of medication to be taken each time.

"Training program" means a standardized medication administration training program approved by the Department of Human Services and conducted by a registered professional nurse for the purpose of training persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the delegation and supervision of a nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, curriculum overview, including ethical-legal aspects, and standardized competency-based evaluations on administration of medications and self-administration of medication training programs.

(c) Training and authorization of non-licensed direct care staff by nurse-trainers must meet the requirements of this subsection.
(1) Prior to training non-licensed direct care staff to administer medication, the nurse-trainer shall perform the following for each individual to whom medication will be administered by non-licensed direct care staff:

(A) An assessment of the individual's health history and physical and mental status.

(B) An evaluation of the medications prescribed.

(2) Non-licensed authorized direct care staff shall meet the following criteria:

(A) Be 18 years of age or older.

(B) Have completed high school or its equivalent (GED).

(C) Have demonstrated functional literacy.

(D) Have satisfactorily completed the Health and Safety component of a Department of Human Services authorized direct care staff training program.

(E) Have successfully completed the training program, pass the written portion of the comprehensive exam, and score 100% on the competency-based assessment specific to the individual and his or her medications.

(F) Have received additional competency-based assessment by the nurse-trainer as deemed necessary by the nurse-trainer whenever a change of medication occurs or a new individual that requires medication administration enters the program.

(3) Authorized direct care staff shall be re-evaluated by a nurse-trainer at least annually or more frequently at the discretion of the registered professional nurse. Any necessary retraining shall be to the extent that is necessary to ensure competency of the authorized direct care staff to administer medication.

(4) Authorization of direct care staff to administer medication shall be revoked if, in the opinion of the registered professional nurse, the authorized direct care staff is no longer competent to administer medication.

(5) The registered professional nurse shall assess an individual's health status at least annually or more frequently at the discretion of the registered professional nurse.

(d) Medication self-administration shall meet the following requirements:

New matter indicated by italics - deletions by strikeout
(1) As part of the normalization process, in order for each individual to attain the highest possible level of independent functioning, all individuals shall be permitted to participate in their total health care program. This program shall include, but not be limited to, individual training in preventive health and self-medication procedures.

(A) Every program shall adopt written policies and procedures for assisting individuals in obtaining preventative health and self-medication skills in consultation with a registered professional nurse, advanced practice nurse, physician assistant, or physician licensed to practice medicine in all its branches.

(B) Individuals shall be evaluated to determine their ability to self-medicate by the nurse-trainer through the use of the Department's required, standardized screening and assessment instruments.

(C) When the results of the screening and assessment indicate an individual not to be capable to self-administer his or her own medications, programs shall be developed in consultation with the Community Support Team or Interdisciplinary Team to provide individuals with self-medication administration.

(2) Each individual shall be presumed to be competent to self-administer medications if:

(A) authorized by an order of a physician licensed to practice medicine in all its branches; and
(B) approved to self-administer medication by the individual's Community Support Team or Interdisciplinary Team, which includes a registered professional nurse or an advanced practice nurse.

(e) Quality Assurance.

(1) A registered professional nurse, advanced practice nurse, licensed practical nurse, physician licensed to practice medicine in all its branches, physician assistant, or pharmacist shall review the following for all individuals:

(A) Medication orders.
(B) Medication labels, including medications listed on the medication administration record for persons who are not self-medicating to ensure the labels match the orders issued.

New matter indicated by italics - deletions by strikeout
by the physician licensed to practice medicine in all its branches, advanced practice nurse, or physician assistant.

(C) Medication administration records for persons who are not self-medicating to ensure that the records are completed appropriately for:
   (i) medication administered as prescribed;
   (ii) refusal by the individual; and
   (iii) full signatures provided for all initials used.

(2) Reviews shall occur at least quarterly, but may be done more frequently at the discretion of the registered professional nurse or advanced practice nurse.

(3) A quality assurance review of medication errors and data collection for the purpose of monitoring and recommending corrective action shall be conducted within 7 days and included in the required annual review.

(f) Programs using authorized direct care staff to administer medications are responsible for documenting and maintaining records on the training that is completed.

(g) The absence of this training program constitutes a threat to the public interest, safety, and welfare and necessitates emergency rulemaking by the Departments of Human Services and Public Health under Section 5-45 of the Illinois Administrative Procedure Act.

(h) Direct care staff who fail to qualify for delegated authority to administer medications pursuant to the provisions of this Section shall be given additional education and testing to meet criteria for delegation authority to administer medications. Any direct care staff person who fails to qualify as an authorized direct care staff after initial training and testing must within 3 months be given another opportunity for retraining and retesting. A direct care staff person who fails to meet criteria for delegated authority to administer medication, including, but not limited to, failure of the written test on 2 occasions shall be given consideration for shift transfer or reassignment, if possible. No employee shall be terminated for failure to qualify during the 3-month time period following initial testing. Refusal to complete training and testing required by this Section may be grounds for immediate dismissal.

(i) No authorized direct care staff person delegated to administer medication shall be subject to suspension or discharge for errors resulting from the staff person's acts or omissions when performing the functions unless the staff person's actions or omissions constitute willful and wanton
conduct. Nothing in this subsection is intended to supersede paragraph (4) of subsection (c).

(j) A registered professional nurse, advanced practice nurse, physician licensed to practice medicine in all its branches, or physician assistant shall be on duty or on call at all times in any program covered by this Section.

(k) The employer shall be responsible for maintaining liability insurance for any program covered by this Section.

(l) Any direct care staff person who qualifies as authorized direct care staff pursuant to this Section shall be granted consideration for a one-time additional salary differential. The Department shall determine and provide the necessary funding for the differential in the base. This subsection (l) is inoperative on and after June 30, 2000.

(Source: P.A. 91-630, eff. 8-19-99.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0902
(House Bill No. 4491)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 3-623 as follows:

(625 ILCS 5/3-623) (from Ch. 95 1/2, par. 3-623)
Sec. 3-623. Purple Heart Plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue to recipients awarded the Purple Heart by a branch of the armed forces of the United States who reside in Illinois, special registration plates. The Secretary, upon receipt of the proper application, may also issue these special registration plates to an Illinois resident who is the surviving spouse of a person who was awarded the Purple Heart by a branch of the armed forces of the United States. The special plates issued pursuant to this Section should be affixed only to passenger vehicles of the 1st division, including motorcycles, or motor vehicles of the 2nd division weighing not more than 8,000 pounds. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates.

New matter indicated by italics - deletions by strikeout
in accordance with Section 3-405.1 of this Code. The Secretary of State must make a version of the special registration plates authorized under this Section in a form appropriate for motorcycles.

(b) The design and color of such plates shall be wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, and the appropriate registration fee shall accompany the application, except:

(1) a person eligible to be issued Purple Heart plates may display the plates on one vehicle without the payment of any registration or registration renewal fee; and

(2) However, for an individual who has been issued Purple Heart plates for an additional vehicle and who has been approved for benefits under the Senior Citizens and Disabled Persons Property Tax Relief Act, the annual fee for the registration of the vehicle shall be as provided in Section 3-806.3 of this Code.

(Source: P.A. 96-1101, eff. 1-1-11; 97-689, eff. 6-14-12.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0903
(House Bill No. 4516)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 11-1.40 as follows:

(720 ILCS 5/11-1.40) (was 720 ILCS 5/12-14.1)
Sec. 11-1.40. Predatory criminal sexual assault of a child.
(a) A person commits predatory criminal sexual assault of a child if that person is 17 years of age or older, and commits an act of sexual penetration or an act of contact, however slight, between the sex organ or anus of one person and the part of the body of another for the purpose of sexual gratification or arousal of the victim or the accused, or an act of sexual penetration, and the accused is 17 years of age or older, and:
(1) the victim is under 13 years of age; or
(2) the victim is under 13 years of age and that person:
   (A) is armed with a firearm;

New matter indicated by italics - deletions by strikeout
(B) personally discharges a firearm during the commission of the offense;

(C) causes great bodily harm to the victim that:
   (i) results in permanent disability; or
   (ii) is life threatening; or

(D) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.

(b) Sentence.

(1) A person convicted of a violation of subsection (a)(1) commits a Class X felony, for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years. A person convicted of a violation of subsection (a)(2)(A) commits a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2)(B) commits a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2)(C) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years or up to a term of natural life imprisonment.

(1.1) A person convicted of a violation of subsection (a)(2)(D) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years and not more than 60 years.

(1.2) A person convicted of predatory criminal sexual assault of a child committed against 2 or more persons regardless of whether the offenses occurred as the result of the same act or of several related or unrelated acts shall be sentenced to a term of natural life imprisonment.

(2) A person who is convicted of a second or subsequent offense of predatory criminal sexual assault of a child, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted of the offense of criminal sexual assault or the offense of aggravated criminal sexual assault, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted under the laws of this State or any other state of an offense that is

New matter indicated by italics - deletions by strikeout
substantially equivalent to the offense of predatory criminal sexual assault of a child, the offense of aggravated criminal sexual assault or the offense of criminal sexual assault, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply.

(Source: P.A. 98-370, eff. 1-1-14; revised 11-12-13.)


PUBLIC ACT 98-0904
(House Bill No. 4569)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Comptroller Act is amended by changing Section 17 as follows:

(15 ILCS 405/17) (from Ch. 15, par. 217)

Sec. 17. Inventory control records. The comptroller shall maintain current inventory records of all property held by or on behalf of the State or any State agency, which may be copies of the official inventory control records maintained by State agencies or summaries thereof. The Office of the Comptroller shall define reporting requirements and thresholds to be used by State agencies in the Comptroller's Statewide Accounting Management System (SAMS) manual. The Department of Central Management Services and each other State agency so holding such property shall report to the comptroller, on forms prescribed by the comptroller, all property acquired or disposed of by that agency, in such detail and at such times as the comptroller requires, by rule, to maintain accurate, current inventory records. The Department of Central Management Services shall transmit to the comptroller a certified copy of all reports it may issue concerning State property, including its annual report.

(Source: P.A. 82-789.)

Section 10. The State Finance Act is amended by changing Section 13.3 as follows:

(30 ILCS 105/13.3) (from Ch. 127, par. 149.3)

New matter indicated by italics - deletions by strikeout
Sec. 13.3. Petty cash funds; purchasing cards.
(a) Any State agency may establish and maintain petty cash funds for the purpose of making change, purchasing items of small cost, payment of postage due, and for other nominal expenditures which cannot be administered economically and efficiently through customary procurement practices.

Petty cash funds may be established and maintained from moneys which are appropriated to the agency for Contractual Services. In the case of an agency which receives a single appropriation for its ordinary and contingent expenses, the agency may establish a petty cash fund from the appropriated funds.

Before the establishment of any petty cash fund, the agency shall submit to the State Comptroller a survey of the need for the fund. The survey shall also establish that sufficient internal accounting controls exist. The Comptroller shall investigate such need and if he determines that it exists and that adequate accounting controls exist, shall approve the establishment of the fund. The Comptroller shall have the power to revoke any approval previously made under this Section.

Petty cash funds established under this Section shall be operated and maintained on the imprest system and no fund shall exceed $1,000, except that the Department of Revenue may maintain a fund not exceeding $2,000 for each Department of Revenue facility and the Secretary of State may maintain a fund of not exceeding $2,000 for each Chicago Motor Vehicle Facility, each Springfield Public Service Facility, and the Motor Vehicle Facilities in Champaign, Decatur, Marion, Naperville, Peoria, Rockford, Granite City, Quincy, and Carbondale, to be used solely for the purpose of making change. Except for purchases made by procurement card as provided in subsection (b) of this Section, single transactions shall be limited to amounts less than $100, and all transactions occurring in the fund shall be reported and accounted for as may be provided in the uniform accounting system developed by the State Comptroller and the rules and regulations implementing that accounting system. All amounts in any such fund of less than $1,000 but over $100 shall be kept in a checking account in a bank, or savings and loan association or trust company which is insured by the United States government or any agency of the United States government, except that in funds maintained in each Department of Revenue Facility, Chicago Motor Vehicle Facilities, each Springfield Public Service Facility, and the Motor Vehicle Facilities in Champaign, Decatur, Marion, Naperville, Peoria,
Rockford, Granite City, Quincy, and Carbondale, all amounts in the fund may be retained on the premises of such facilities.

No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended.

An internal audit shall be performed of any petty cash fund which receives reimbursements of more than $5,000 in a fiscal year.

Upon succession in the custodianship of any petty cash fund, both the former and successor custodians shall sign a statement, in triplicate, showing the exact status of the fund at the time of the transfer. The original copy shall be kept on file in the office wherein the fund exists, and each signer shall be entitled to retain one copy.

(b) The Comptroller may provide by rule for the use of purchasing cards by State agencies to pay for purchases that otherwise may be paid out of the agency's petty cash fund. Any rule adopted hereunder shall impose a single transaction limit, which shall not be greater than $500.

The rules of the Comptroller may include but shall not be limited to:

1. standards for the issuance of purchasing cards to State agencies based upon the best interests of the State;
2. procedures for recording purchasing card transactions within the State accounting system, which may provide for summary reporting;
3. procedures for auditing purchasing card transactions on a post-payment basis;
4. standards for awarding contracts with a purchasing card vendor to acquire purchasing cards for use by State agencies; and
5. procedures for the Comptroller to charge against State agency appropriations for payment of purchasing card expenditures without the use of the voucher and warrant system.

(c) As used in this Section, "State agency" means any department, officer, authority, public corporation, quasi-public corporation, commission, board, institution, State college or university, or other public agency created by the State, other than units of local government and school districts.

(Source: P.A. 98-496, eff. 1-1-14.)


New matter indicated by italics - deletions by strikeout
Effective August 15, 2014.

PUBLIC ACT 98-0905
(House Bill No. 4594)

AN ACT concerning criminal law.

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

Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 108-4 as follows:

Sec. 108-4. Issuance of search warrant.
(a) All warrants upon written complaint shall state the time and date of issuance and be the warrants of the judge issuing the same and not the warrants of the court in which he or she is then sitting and these such warrants need not bear the seal of the court or clerk thereof. The complaint on which the warrant is issued need not be filed with the clerk of the court or with the court if there is no clerk until the warrant has been executed or has been returned "not executed".

The search warrant upon written complaint may be issued electronically or electromagnetically by use of a facsimile transmission machine and this any such warrant shall have the same validity as a written search warrant.

(b) Warrant upon oral testimony.

(1) General rule. When the offense in connection with which a search warrant is sought constitutes terrorism or any related offense as defined in Article 29D of the Criminal Code of 2012, and if the circumstances make it reasonable to dispense, in whole or in part, with a written affidavit, a judge may issue a warrant based upon sworn testimony communicated by telephone or other appropriate means, including facsimile transmission.

(2) Application. The person who is requesting the warrant shall prepare a document to be known as a duplicate original warrant and shall read such duplicate original warrant, verbatim, to the judge. The judge shall enter, verbatim, what is so read to the judge on a document to be known as the original warrant. The judge may direct that the warrant be modified.

(3) Issuance. If the judge is satisfied that the offense in connection with which the search warrant is sought constitutes
terrorism or any related offense as defined in Article 29D of the Criminal Code of 2012, that the circumstances are such as to make it reasonable to dispense with a written affidavit, and that grounds for the application exist or that there is probable cause to believe that they exist, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time when the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony may be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

(4) Recording and certification of testimony. When a caller informs the judge that the purpose of the call is to request a warrant, the judge shall immediately place under oath each person whose testimony forms a basis of the application and each person applying for that warrant. If a voice recording device is available, the judge shall record by means of the device all of the call after the caller informs the judge that the purpose of the call is to request a warrant, otherwise a stenographic or longhand verbatim record shall be made. If a voice recording device is used or a stenographic record made, the judge shall have the record transcribed, shall certify the accuracy of the transcription, and shall file a copy of the original record and the transcription with the court. If a longhand verbatim record is made, the judge shall file a signed copy with the court.

(5) Contents. The contents of a warrant upon oral testimony shall be the same as the contents of a warrant upon affidavit.

(6) Additional rule for execution. The person who executes the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

(7) Motion to suppress based on failure to obtain a written affidavit. Evidence obtained pursuant to a warrant issued under this subsection (b) is not subject to a motion to suppress on the ground that the circumstances were not such as to make it reasonable to dispense with a written affidavit, absent a finding of bad faith. All other grounds to move to suppress are preserved.

(8) This subsection (b) is inoperative on and after January 1, 2005.

(9) No evidence obtained pursuant to this subsection (b) shall be inadmissible in a court of law by virtue of subdivision (8).

New matter indicated by italics - deletions by strikeout
(c) Warrant upon testimony by simultaneous video and audio transmission.

(1) General rule. When a search warrant is sought and the request is made by electronic means that has a simultaneous video and audio transmission between the requestor and a judge, the judge may issue a search warrant based upon sworn testimony communicated in the transmission.

(2) Application. The requestor shall prepare a document to be known as a duplicate original warrant, and

   (A) if circumstances allow, the requestor shall transmit a copy of the warrant together with a complaint for search warrant to the judge by facsimile, email, or other reliable electronic means; or

   (B) if circumstances make transmission under subparagraph (A) of this paragraph (2) impracticable, the requestor shall read the duplicate original warrant, verbatim, to the judge after being placed under oath as provided in paragraph (4) of this subsection (c). The judge shall enter, verbatim, what is so read to the judge on a document in the judge's possession.

Under both subparagraphs (A) and (B), the document in possession of the judge shall be known as the original warrant. The judge may direct that the warrant be modified.

(3) Issuance. If the judge is satisfied that grounds for the application exist or that there is probable cause to believe that grounds exist, the judge shall order the issuance of a warrant by directing the requestor to sign the judge's name on the duplicate original warrant, place the requestor's initials below the judge's name, and enter on the face of the duplicate original warrant the exact date and time when the warrant was ordered to be issued. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact date and time when the warrant was ordered to be issued. The finding of probable cause for a warrant under this subsection (c) may be based on the same kind of evidence as is sufficient for a warrant under subsection (a).

(4) Recording and certification of testimony. When a requestor initiates a request for search warrant under this subsection (c), and after the requestor informs the judge that the purpose of the communication is to request a warrant, the judge shall place under
oath each person whose testimony forms a basis of the application and each person applying for that warrant. A record of the facts upon which the judge based his or her decision to issue a warrant must be made and filed with the court, together with the original warrant.

(A) When the requestor has provided the judge with a written complaint for search warrant under subparagraph (A) of paragraph (2) of this subsection (c) and the judge has sworn the complainant to the facts contained in the complaint for search warrant but has taken no other oral testimony from any person that is essential to establishing probable cause, the judge must acknowledge the attestation in writing on the complaint and file this acknowledged complaint with the court.

(B) When the requestor has not provided the judge with a written complaint for search warrant, or when the judge has taken oral testimony essential to establishing probable cause not contained in the written complaint for search warrant, the essential facts in the oral testimony that form the basis of the judge’s decision to issue the warrant shall be included in the record together with the written complaint, if any. If a recording device is used or a stenographic record is made, the judge shall have the record transcribed, shall certify the accuracy of the transcription, and shall file a copy of the original record and the transcription with the court. If a longhand record is made, the judge shall file a signed copy with the court.

The material to be filed need not be filed until the warrant has been executed or has been returned "not executed".

(5) Contents. The contents of a warrant under this subsection (c) shall be the same as the contents of a warrant upon affidavit. A warrant under this subsection is a warrant of the judge issuing the same and not the warrant of the court in which he or she is then sitting and these warrants need not bear the seal of the court or the clerk of the court.

(6) Additional rule for execution. The person who executes the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

(7) Motion to suppress based on failure to obtain a written affidavit. Evidence obtained under a warrant issued under this subsection.

New matter indicated by italics - deletions by strikeout
subsection (c) is not subject to a motion to suppress on the ground that the circumstances were not such as to make it reasonable to dispense with a written affidavit, absent a finding of bad faith. All other grounds to move to suppress are preserved.

(d) The Chief Judge of the circuit court or presiding judge in the issuing jurisdiction shall, by local rule, create a standard practice for the filing or other retention of documents or recordings produced under this Section.

(Source: P.A. 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0906
(House Bill No. 4597)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Park District Code is amended by changing Section 6-4 and by adding Section 6-7 as follows:

(70 ILCS 1205/6-4) (from Ch. 105, par. 6-4)
Sec. 6-4. The issue of bonds or notes by any park district shall be authorized by ordinance, and a copy of that ordinance properly certified by the secretary shall be filed in the office of the clerk in each of the counties wherein such district lies. Except as otherwise provided in this Section, bonds and notes the aggregate outstanding unpaid principal balance of which exceeds 0.575% of the total assessed valuation of all taxable property in the district may not be issued by any park district, until the proposition to issue the same has been certified by the secretary to the proper election officials who shall submit the proposition at an election in accordance with the general election law. Notice of the referendum shall be given and the referendum shall be conducted in the manner provided by the general election law.

Submission of any proposition of issuing bonds or notes shall be authorized by resolution to be adopted by the board which shall designate the election at which the proposition is to be submitted and designate the amount of bonds and purpose for which the bonds are to be issued.

Any proposition to issue bonds shall be in substantially the following form:

New matter indicated by italics - deletions by strikeout
Shall bonds or notes of the Park District (name it) to the amount of $..... Dollars ($.....) be issued for the purpose of.....? (Here insert any one or more of the purposes authorized in Section 6-2 hereof)

This Section shall not be construed to require a referendum for bonds issued under Section 9-2b nor for bonds to refund any maturing bond issues as provided in the Park District Refunding Bond Act, or to refund any judgment indebtedness including any unpaid public benefits and amounts assessed against any park district, whether due or not due under Division 2 of Article 9 of the Illinois Municipal Code, but bonds may be issued for such purposes without referendum.

Bonds heretofore or hereafter issued and outstanding that are approved by referendum, refunding bonds issued under the Park District Refunding Bond Act (70 ILCS 1270/) that refund or continue to refund bonds approved by referendum, bonds issued under this Section that have been paid in full or for which provisions for payment have been made by an irrevocable deposit of funds in an amount sufficient to pay the principal and interest on those bonds to their respective maturity date, non-referendum bonds issued under any other provision of this Act, promissory notes or similar debt instruments issued under Section 6-7, and bonded indebtedness assumed from another park district do not limit in any way the right of a park district to issue non-referendum bonds in accordance with this Section.

This Section shall not be construed to permit issuance of bonds for the purpose of refunding revenue bonds as provided in Section 6-2 until the proposition to issue the same has been submitted as herein provided at an election in accordance with the general election law.

(70 ILCS 1205/6-7 new)

Sec. 6-7. Borrowing from financial institutions. The board may borrow money for any corporate purpose from any bank or other financial institution provided such money shall be repaid within 2 years from the time the money is borrowed. The president and secretary shall execute a promissory note or similar debt instrument to evidence the indebtedness

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incurred by the borrowing. The obligation to make the payments due under the promissory note or other debt instrument shall be a lawful direct general obligation of the park district payable from the general funds of that district and such other sources of payment as are otherwise lawfully available. The promissory note or other debt instrument shall be authorized by an ordinance passed by the board and shall be valid whether or not an appropriation with respect to that ordinance is included in any annual or supplemental appropriation adopted by the board. The indebtedness incurred under this Section, when aggregated with the existing indebtedness of the park district, may not exceed any debt limitation otherwise provided for by law. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, any credit union subject to the Illinois Credit Union Act, and any federally chartered commercial bank, savings and loan association, savings bank, or credit union organized and operated in this State pursuant to the laws of the United States.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0907
(House Bill No. 4612)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by adding Section 29-20 as follows:

(105 ILCS 5/29-20 new)
(Section scheduled to be repealed on January 1, 2016)
Sec. 29-20. Study on shared services contracts. The State Board of Education shall study shared services contracts in current student transportation in this State, as well as the opportunity for increased savings for future shared services contracts, and shall report its findings to the General Assembly on or before January 1, 2015. The study shall look at school districts that have entered into shared services contracts for student transportation. In addition, the study shall examine school districts with shared boundaries and apply examples of savings that a school district could

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save if it entered into a shared services contract. The State Board of Education need not examine school districts on a statewide basis, but may use individual representative examples in completing this study. This Section is repealed on January 1, 2016.


PUBLIC ACT 98-0908
(House Bill No. 4694)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Section 10 as follows:

(740 ILCS 110/10) (from Ch. 91 1/2, par. 810)
Sec. 10. (a) Except as provided herein, in any civil, criminal, administrative, or legislative proceeding, or in any proceeding preliminary thereto, a recipient, and a therapist on behalf and in the interest of a recipient, has the privilege to refuse to disclose and to prevent the disclosure of the recipient's record or communications.

(1) Records and communications may be disclosed in a civil, criminal or administrative proceeding in which the recipient introduces his mental condition or any aspect of his services received for such condition as an element of his claim or defense, if and only to the extent the court in which the proceedings have been brought, or, in the case of an administrative proceeding, the court to which an appeal or other action for review of an administrative determination may be taken, finds, after in camera examination of testimony or other evidence, that it is relevant, probative, not unduly prejudicial or inflammatory, and otherwise clearly admissible; that other satisfactory evidence is demonstrably unsatisfactory as evidence of the facts sought to be established by such evidence; and that disclosure is more important to the interests of substantial justice than protection from injury to the therapist-recipient relationship or to the recipient or other whom disclosure is likely to harm. Except in a criminal proceeding in which the recipient, who is accused in that

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proceeding, raises the defense of insanity, no record or communication between a therapist and a recipient shall be deemed relevant for purposes of this subsection, except the fact of treatment, the cost of services and the ultimate diagnosis unless the party seeking disclosure of the communication clearly establishes in the trial court a compelling need for its production. However, for purposes of this Act, in any action brought or defended under the Illinois Marriage and Dissolution of Marriage Act, or in any action in which pain and suffering is an element of the claim, mental condition shall not be deemed to be introduced merely by making such claim and shall be deemed to be introduced only if the recipient or a witness on his behalf first testifies concerning the record or communication.

(2) Records or communications may be disclosed in a civil proceeding after the recipient's death when the recipient's physical or mental condition has been introduced as an element of a claim or defense by any party claiming or defending through or as a beneficiary of the recipient, provided the court finds, after in camera examination of the evidence, that it is relevant, probative, and otherwise clearly admissible; that other satisfactory evidence is not available regarding the facts sought to be established by such evidence; and that disclosure is more important to the interests of substantial justice than protection from any injury which disclosure is likely to cause.

(3) In the event of a claim made or an action filed by a recipient, or, following the recipient's death, by any party claiming as a beneficiary of the recipient for injury caused in the course of providing services to such recipient, the therapist and other persons whose actions are alleged to have been the cause of injury may disclose pertinent records and communications to an attorney or attorneys engaged to render advice about and to provide representation in connection with such matter and to persons working under the supervision of such attorney or attorneys, and may testify as to such records or communication in any administrative, judicial or discovery proceeding for the purpose of preparing and presenting a defense against such claim or action.

(4) Records and communications made to or by a therapist in the course of examination ordered by a court for good cause shown may, if otherwise relevant and admissible, be disclosed in a civil, criminal, or administrative proceeding in which the recipient is a

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party or in appropriate pretrial proceedings, provided such court has found that the recipient has been as adequately and as effectively as possible informed before submitting to such examination that such records and communications would not be considered confidential or privileged. Such records and communications shall be admissible only as to issues involving the recipient's physical or mental condition and only to the extent that these are germane to such proceedings.

(5) Records and communications may be disclosed in a proceeding under the Probate Act of 1975, to determine a recipient's competency or need for guardianship, provided that the disclosure is made only with respect to that issue.

(6) Records and communications may be disclosed to a court-appointed therapist, psychologist, or psychiatrist for use in determining a person's fitness to stand trial if the records were made within the 180-day period immediately preceding the date of the therapist's, psychologist's or psychiatrist's court appointment. These records and communications shall be admissible only as to the issue of the person's fitness to stand trial. Records and communications may be disclosed when such are made during treatment which the recipient is ordered to undergo to render him fit to stand trial on a criminal charge, provided that the disclosure is made only with respect to the issue of fitness to stand trial.

(7) Records and communications of the recipient may be disclosed in any civil or administrative proceeding involving the validity of or benefits under a life, accident, health or disability insurance policy or certificate, or Health Care Service Plan Contract, insuring the recipient, but only if and to the extent that the recipient's mental condition, or treatment or services in connection therewith, is a material element of any claim or defense of any party, provided that information sought or disclosed shall not be redisclosed except in connection with the proceeding in which disclosure is made.

(8) Records or communications may be disclosed when such are relevant to a matter in issue in any action brought under this Act and proceedings preliminary thereto, provided that any information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with such action or preliminary proceedings.

(9) Records and communications of the recipient may be disclosed in investigations of and trials for homicide when the New matter indicated by italics - deletions by strikeout
disclosure relates directly to the fact or immediate circumstances of the homicide.

(10) Records and communications of a deceased recipient shall may be disclosed to a coroner conducting a preliminary investigation into the recipient's death under Section 3-3013 of the Counties Code. However, records and communications of the deceased recipient disclosed in an investigation shall be limited solely to the deceased recipient's records and communications relating to the factual circumstances of the incident being investigated in a mental health facility.

(11) Records and communications of a recipient shall be disclosed in a proceeding where a petition or motion is filed under the Juvenile Court Act of 1987 and the recipient is named as a parent, guardian, or legal custodian of a minor who is the subject of a petition for wardship as described in Section 2-3 of that Act or a minor who is the subject of a petition for wardship as described in Section 2-4 of that Act alleging the minor is abused, neglected, or dependent or the recipient is named as a parent of a child who is the subject of a petition, supplemental petition, or motion to appoint a guardian with the power to consent to adoption under Section 2-29 of the Juvenile Court Act of 1987.

(12) Records and communications of a recipient may be disclosed when disclosure is necessary to collect sums or receive third party payment representing charges for mental health or developmental disabilities services provided by a therapist or agency to a recipient; however, disclosure shall be limited to information needed to pursue collection, and the information so disclosed may not be used for any other purposes nor may it be redisclosed except in connection with collection activities. Whenever records are disclosed pursuant to this subdivision (12), the recipient of the records shall be advised in writing that any person who discloses mental health records and communications in violation of this Act may be subject to civil liability pursuant to Section 15 of this Act or to criminal penalties pursuant to Section 16 of this Act or both.

(b) Before a disclosure is made under subsection (a), any party to the proceeding or any other interested person may request an in camera review of the record or communications to be disclosed. The court or agency conducting the proceeding may hold an in camera review on its own motion. When, contrary to the express wish of the recipient, the therapist asserts a

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privilege on behalf and in the interest of a recipient, the court may require that the therapist, in an in camera hearing, establish that disclosure is not in the best interest of the recipient. The court or agency may prevent disclosure or limit disclosure to the extent that other admissible evidence is sufficient to establish the facts in issue. The court or agency may enter such orders as may be necessary in order to protect the confidentiality, privacy, and safety of the recipient or of other persons. Any order to disclose or to not disclose shall be considered a final order for purposes of appeal and shall be subject to interlocutory appeal.

(c) A recipient's records and communications may be disclosed to a duly authorized committee, commission or subcommittee of the General Assembly which possesses subpoena and hearing powers, upon a written request approved by a majority vote of the committee, commission or subcommittee members. The committee, commission or subcommittee may request records only for the purposes of investigating or studying possible violations of recipient rights. The request shall state the purpose for which disclosure is sought.

The facility shall notify the recipient, or his guardian, and therapist in writing of any disclosure request under this subsection within 5 business days after such request. Such notification shall also inform the recipient, or guardian, and therapist of their right to object to the disclosure within 10 business days after receipt of the notification and shall include the name, address and telephone number of the committee, commission or subcommittee member or staff person with whom an objection shall be filed. If no objection has been filed within 15 business days after the request for disclosure, the facility shall disclose the records and communications to the committee, commission or subcommittee. If an objection has been filed within 15 business days after the request for disclosure, the facility shall disclose the records and communications only after the committee, commission or subcommittee has permitted the recipient, guardian or therapist to present his objection in person before it and has renewed its request for disclosure by a majority vote of its members.

Disclosure under this subsection shall not occur until all personally identifiable data of the recipient and provider are removed from the records and communications. Disclosure under this subsection shall not occur in any public proceeding.

(d) No party to any proceeding described under paragraphs (1), (2), (3), (4), (7), or (8) of subsection (a) of this Section, nor his or her attorney, shall serve a subpoena seeking to obtain access to records or communications

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under this Act unless the subpoena is accompanied by a written order issued by a judge or by the written consent under Section 5 of this Act of the person whose records are being sought, authorizing the disclosure of the records or the issuance of the subpoena. No such written order shall be issued without written notice of the motion to the recipient and the treatment provider. Prior to issuance of the order, each party or other person entitled to notice shall be permitted an opportunity to be heard pursuant to subsection (b) of this Section. In the absence of the written consent under Section 5 of this Act of the person whose records are being sought, no person shall comply with a subpoena for records or communications under this Act, unless the subpoena is accompanied by a written order authorizing the issuance of the subpoena or the disclosure of the records. Each subpoena issued by a court or administrative agency or served on any person pursuant to this subsection (d) shall include the following language: "No person shall comply with a subpoena for mental health records or communications pursuant to Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/10, unless the subpoena is accompanied by a written order that authorizes the issuance of the subpoena and the disclosure of records or communications or by the written consent under Section 5 of that Act of the person whose records are being sought."

(e) When a person has been transported by a peace officer to a mental health facility, then upon the request of a peace officer, if the person is allowed to leave the mental health facility within 48 hours of arrival, excluding Saturdays, Sundays, and holidays, the facility director shall notify the local law enforcement authority prior to the release of the person. The local law enforcement authority may re-disclose the information as necessary to alert the appropriate enforcement or prosecuting authority.

(f) A recipient's records and communications shall be disclosed to the Inspector General of the Department of Human Services within 10 business days of a request by the Inspector General (i) in the course of an investigation authorized by the Department of Human Services Act and applicable rule or (ii) during the course of an assessment authorized by the Abuse of Adults with Disabilities Intervention Act and applicable rule. The request shall be in writing and signed by the Inspector General or his or her designee. The request shall state the purpose for which disclosure is sought. Any person who knowingly and willfully refuses to comply with such a request is guilty of a Class A misdemeanor. A recipient's records and communications shall also be disclosed pursuant to subsection (g-5) of Section 1-17 of the Department of Human Services Act in testimony at health care worker

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registry hearings or preliminary proceedings when such are relevant to the matter in issue, provided that any information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with such action or preliminary proceedings.
(Source: P.A. 97-566, eff. 1-1-12; 98-221, eff. 1-1-14.)
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0909
(House Bill No. 4713)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Treasurer's Bank Services Trust Fund Act is amended by changing Section 10 as follows:
(30 ILCS 212/10)
Sec. 10. Creation of Fund. There is hereby created in the State treasury a special fund to be known as the State Treasurer's Bank Services Trust Fund. Moneys deposited in the Fund shall be used by the State Treasurer to pay the cost of the following banking services: processing of payments of taxes, fees, and other moneys due the State; transactional, technological, consultant, and legal service charges related to the investment or safekeeping of funds under the Treasurer's control; and the cost of paying bondholders and legal services under the State's general obligation bond program.
(Source: P.A. 89-153, eff. 7-14-95.)
Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective August 15, 2014.
AN ACT concerning regulation.

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

Section 10. The Illinois Insurance Code is amended by changing Sections 131.16, 131.20a, and 139 and adding Article VIII 1/4 as follows:

(215 ILCS 5/Art. VIII 1/4 heading new)

ARTICLE VIII 1/4. RISK MANAGEMENT AND OWN RISK AND SOLVENCY ASSESSMENT

(215 ILCS 5/129 new)
Sec. 129. Short title. This Article may be cited as the Risk Management and Own Risk and Solvency Assessment Law.

(215 ILCS 5/129.1 new)
Sec. 129.1. Purpose and scope. The purpose of this Article is to provide the requirements for maintaining a risk management framework and completing an own risk and solvency assessment (ORSA) and provide guidance and instructions for filing an ORSA summary report with the Director.

The requirements of this Article shall apply to all insurers domiciled in this State unless exempt pursuant to Section 129.7.

The General Assembly finds and declares that an ORSA summary report will contain confidential and sensitive information related to an insurer or insurance group's identification of risks material and relevant to the insurer or insurance group filing the report. This information will include proprietary and trade secret information that has the potential for harm and competitive disadvantage to the insurer or insurance group if the information is made public. It is the intent of this General Assembly that the ORSA summary report shall be a confidential document filed with the Director, that the ORSA summary report shall be shared only as stated herein and to assist the Director in the performance of his or her duties, and that in no event shall an ORSA summary report be subject to public disclosure.

(215 ILCS 5/129.2 new)
Sec. 129.2. Definitions. In this Article:
"Insurance group", for the purpose of conducting an ORSA, means those insurers and affiliates included within an insurance holding company system as defined in Section 131.1 of this Code.

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"Insurer" has the same meaning as set forth in Section 2 of this Code, except that it shall not include agencies, authorities, or instrumentalities of the United States or its possessions or territories, the Commonwealth of Puerto Rico, the District of Columbia, or a state or political subdivision of a state.

"Own risk and solvency assessment" or "ORSA" means a confidential internal assessment, appropriate to the nature, scale, and complexity of an insurer or insurance group, conducted by that insurer or insurance group of the material and relevant risks associated with the insurer or insurance group's current business plan, and the sufficiency of capital resources to support those risks.

"ORSA Guidance Manual" means the current version of the Own Risk and Solvency Assessment Guidance Manual developed and adopted by the National Association of Insurance Commissioners (NAIC) and as amended from time to time. A change in the ORSA Guidance Manual shall be effective on the January 1 following the calendar year in which the changes have been adopted by the NAIC.

"ORSA summary report" means a confidential high-level summary of an insurer or insurance group's ORSA.

(215 ILCS 5/129.3 new)
Sec. 129.3. Risk management framework. An insurer shall maintain a risk management framework to assist the insurer with identifying, assessing, monitoring, managing, and reporting on its material and relevant risks. The requirement of this Section may be satisfied if the insurance group of which the insurer is a member maintains a risk management framework applicable to the operations of the insurer.

(215 ILCS 5/129.4 new)
Sec. 129.4. ORSA requirement. Subject to Section 129.7 of this Code, an insurer, or the insurance group of which the insurer is a member, shall regularly conduct an ORSA consistent with a process comparable to the ORSA Guidance Manual. The ORSA shall be conducted no less than annually but also at any time when there are significant changes to the risk profile of the insurer or the insurance group of which the insurer is a member.

(215 ILCS 5/129.5 new)
Sec. 129.5. ORSA summary report.
(a) Upon the Director's request, and no more than once each year, an insurer shall submit to the Director an ORSA summary report or any combination of reports that together contain the information described in the ORSA Guidance Manual, applicable to the insurer and the insurance group.
of which it is a member. Notwithstanding any request from the Director, if the insurer is a member of an insurance group, the insurer shall submit the report or reports required by this subsection (a) if the Director is the lead state commissioner of the insurance group as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners.

(b) The report or reports shall include a signature of the insurer or insurance group’s chief risk officer or other executive having responsibility for the oversight of the insurer’s enterprise risk management process attesting to the best of his or her belief and knowledge that the insurer applies the enterprise risk management process described in the ORSA summary report and that a copy of the report has been provided to the insurer’s board of directors or the appropriate committee thereof.

(c) An insurer may comply with subsection (a) of this Section by providing the most recent and substantially similar report or reports provided by the insurer or another member of an insurance group of which the insurer is a member to the commissioner of another state or to a supervisor or regulator of a foreign jurisdiction, if that report provides information that is comparable to the information described in the ORSA Guidance Manual. Any such report in a language other than English must be accompanied by a translation of that report into the English language.

(d) The first filing of the ORSA summary report shall be in 2015.

Sec. 129.6. Contents of ORSA summary report.

(a) The ORSA summary report shall be prepared consistent with the ORSA Guidance Manual, subject to the requirements of subsection (b) of this Section. Documentation and supporting information shall be maintained and made available upon examination or upon the request of the Director.

(b) The review of the ORSA summary report, and any additional requests for information, shall be made using similar procedures currently used in the analysis and examination of multi-state or global insurers and insurance groups.

Sec. 129.7. Exemption.

(a) An insurer shall be exempt from the requirements of this Article if:

(1) the insurer has annual direct written and unaffiliated assumed premium, including international direct and assumed premium, but excluding premiums reinsured with the Federal Crop
Insurance Corporation and Federal Flood Program, less than $500,000,000; and

(2) the insurance group of which the insurer is a member has annual direct written and unaffiliated assumed premium, including international direct and assumed premium, but excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, less than $1,000,000,000.

(b) If an insurer qualifies for exemption pursuant to item (1) of subsection (a) of this Section, but the insurance group of which the insurer is a member does not qualify for exemption pursuant to item (2) of subsection (a) of this Section, then the ORSA summary report that may be required pursuant to Section 129.5 of this Code shall include every insurer within the insurance group. This requirement may be satisfied by the submission of more than one ORSA summary report for any combination of insurers, provided any combination of reports includes every insurer within the insurance group.

(c) If an insurer does not qualify for exemption pursuant to item (1) of subsection (a) of this Section, but the insurance group of which it is a member qualifies for exemption pursuant to item (2) of subsection (a) of this Section, then the only ORSA summary report that may be required pursuant to Section 129.5 shall be the report applicable to that insurer.

(d) An insurer that does not qualify for exemption pursuant to subsection (a) of this Section may apply to the Director for a waiver from the requirements of this Article based upon unique circumstances. In deciding whether to grant the insurer's request for waiver, the Director may consider the type and volume of business written, ownership and organizational structure, and any other factor the Director considers relevant to the insurer or insurance group of which the insurer is a member. If the insurer is part of an insurance group with insurers domiciled in more than one state, the Director shall coordinate with the lead state commissioner and with the other domiciliary commissioners in considering whether to grant the insurer's request for a waiver.

(e) Notwithstanding the exemptions stated in this Section, the following provisions shall apply:

(1) The Director may require that an insurer maintain a risk management framework, conduct an ORSA, and file an ORSA summary report based on unique circumstances, including, but not limited to, the type and volume of business written, ownership and
organizational structure, federal agency requests, and international supervisor requests.

(2) The Director may require that an insurer maintain a risk management framework, conduct an ORSA, and file an ORSA summary report if the insurer has risk-based capital for a company action level event as set forth in Section 35A-15 of this Code, meets one or more of the standards of an insurer deemed to be in hazardous financial condition as defined in Section 186.1 of this Code, or otherwise exhibits qualities of a troubled insurer as determined by the Director.

(f) If an insurer that qualifies for an exemption pursuant to subsection (a) of this Section subsequently no longer qualifies for that exemption due to changes in premium as reflected in the insurer's most recent annual statement or in the most recent annual statements of the insurers within the insurance group of which the insurer is a member, the insurer shall have one year following the year the threshold is exceeded to comply with the requirements of this Article.

(215 ILCS 5/129.8 new)
Sec. 129.8. Confidentiality.

(a) Documents, materials, or other information, including the ORSA summary report, in the possession or control of the Department that are obtained by, created by, or disclosed to the Director or any other person under this Article, is recognized by this State as being proprietary and to contain trade secrets. All such documents, materials, or other information shall be confidential by law and privileged, shall not be subject to the Freedom of Information Act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. However, the Director is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the Director's official duties. The Director shall not otherwise make the documents, materials, or other information public without the prior written consent of the insurer.

(b) Neither the Director nor any person who received documents, materials, or other ORSA-related information, through examination or otherwise, while acting under the authority of the Director or with whom such documents, materials, or other information are shared pursuant to this Article shall be permitted or required to testify in any private civil action concerning any confidential documents, materials, or information subject to subsection (a) of this Section.

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(c) In order to assist in the performance of regulatory duties, the Director may:

(1) upon request, share documents, materials, or other ORSA-related information, including the confidential and privileged documents, materials, or information subject to subsection (a) of this Section, including proprietary and trade secret documents and materials with other state, federal, and international financial regulatory agencies, including members of any supervisory college as defined in the Section 131.20c of this Code, with the NAIC, and with any third-party consultants designated by the Director, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the ORSA-related documents, materials, or other information and has verified in writing the legal authority to maintain confidentiality; and

(2) receive documents, materials, or other ORSA-related information, including otherwise confidential and privileged documents, materials, or information, including proprietary and trade-secret information or documents, from regulatory officials of other foreign or domestic jurisdictions, including members of any supervisory college as defined in the Section 131.20c of this Code, and from the NAIC, and shall maintain as confidential or privileged any documents, materials, or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or information.

(d) The Director shall enter into a written agreement with the NAIC or a third-party consultant governing sharing and use of information provided pursuant to this Article, consistent with this Section that shall:

(1) specify procedures and protocols regarding the confidentiality and security of information shared with the NAIC or a third-party consultant pursuant to this Article, including procedures and protocols for sharing by the NAIC with other state regulators from states in which the insurance group has domiciled insurers; the agreement shall provide that the recipient agrees in writing to maintain the confidentiality and privileged status of the ORSA-related documents, materials, or other information and has verified in writing the legal authority to maintain confidentiality;

(2) specify that ownership of information shared with the NAIC or a third-party consultant pursuant to this Article remains
with the Director and the NAIC's or a third-party consultant's use of the information is subject to the direction of the Director;

(3) prohibit the NAIC or third-party consultant from storing the information shared pursuant to this Article in a permanent database after the underlying analysis is completed;

(4) require prompt notice to be given to an insurer whose confidential information in the possession of the NAIC or a third-party consultant pursuant to this Article is subject to a request or subpoena to the NAIC or a third-party consultant for disclosure or production;

(5) require the NAIC or a third-party consultant to consent to intervention by an insurer in any judicial or administrative action in which the NAIC or a third-party consultant may be required to disclose confidential information about the insurer shared with the NAIC or a third-party consultant pursuant to this Article; and

(6) in the case of an agreement involving a third-party consultant, provide for the insurer's written consent.

(e) The sharing of information and documents by the Director pursuant to this Article shall not constitute a delegation of regulatory authority or rulemaking, and the Director is solely responsible for the administration, execution, and enforcement of the provisions of this Article.

(f) No waiver of any applicable privilege or claim of confidentiality in the documents, proprietary and trade-secret materials, or other ORSA-related information shall occur as a result of disclosure of such ORSA-related information or documents to the Director under this Section or as a result of sharing as authorized in this Article.

(g) Documents, materials, or other information in the possession or control of the NAIC or any third-party consultants pursuant to this Article shall be confidential by law and privileged, shall not be subject to the Freedom of Information Act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action.

(215 ILCS 5/129.9 new)

Sec. 129.9. Sanctions. Any insurer failing, without just cause, to timely file the ORSA summary report as required in this Article shall be required, after notice and hearing, to pay a penalty of $200 for each day's delay, to be recovered by the Director, and the penalty so recovered shall be paid into the General Revenue Fund of this State. The Director may reduce the penalty if the insurer demonstrates to the Director that the imposition of the penalty would constitute a financial hardship to the insurer.

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Sec. 131.16. Reporting material changes or additions; penalty for late registration statement.

(1) Each registered company must keep current the information required to be included in its registration statement by reporting all material changes or additions on amendment forms designated by the Director within 15 days after the end of the month in which it learns of each change or addition, or within a longer time thereafter as the Director may establish. Any transaction which has been submitted to the Director pursuant to Section 131.20a need not be reported to the Director under this subsection; except each registered company must report all dividends and other distributions to shareholders within 5½ business days following the declaration, and no less than 10 business days prior to payment thereof.

(2) On or before May 1 each year, each company subject to registration under this Article shall file a statement in a format as designated by the Director. This statement shall include information previously included in an amendment under subsection (1) of this Section, transactions and agreements submitted under Section 131.20a, and any other material transactions which are required to be reported.

(2.5) Any person within an insurance holding company system subject to registration shall be required to provide complete and accurate information to a company where the information is reasonably necessary to enable the company to comply with the provisions of this Article.

(3) Any company failing, without just cause, to file any registration statement, any summary of changes to a registration statement, or any Enterprise Risk Filing or any person within an insurance holding company system who fails to provide complete and accurate information to a company as required in this Code shall be required, after notice and hearing, to pay a penalty of up to $1,000 for each day's delay, to be recovered by the Director of Insurance of the State of Illinois, using the notice and hearing procedure in subsection (2) of Section 403A of this Code, and the penalty so recovered shall be paid into the General Revenue Fund of the State of Illinois. The maximum penalty under this section is $50,000. The Director may reduce the penalty if the company demonstrates to the Director that the imposition of the penalty would constitute a financial hardship to the company.

(Source: P.A. 98-609, eff. 1-1-14.)

(215 ILCS 5/131.20a) (from Ch. 73, par. 743.20a)

Sec. 131.20a. Prior notification of transactions; dividends and distributions.
(1) (a) The following transactions listed in items (i) through (vii) involving a domestic company and any person in its insurance holding company system, including amendments or modifications (other than termination) of affiliate agreements previously filed pursuant to this Section, which are subject to any materiality standards contained in this Section, may not be entered into unless the company has notified the Director in writing of its intention to enter into such transaction at least 30 days prior thereto, or such shorter period as the Director may permit, and the Director has not disapproved it within such period. The notice for amendments or modifications (other than termination) shall include the reasons for the change and the financial impact on the domestic company. Informal notice shall be reported, within 30 days after a termination of a previously filed agreement, to the Director for determination of the type of filing required, if any.

(i) Sales, purchases, exchanges of assets, loans or extensions of credit, guarantees, investments, or any other transaction, except dividends, that involves the transfer of assets from or liabilities to a company (A) equal to or exceeding the lesser of 3% of the company's admitted assets or 25% of its surplus as regards policyholders as of the 31st day of December next preceding or (B) that is proposed when the domestic company is not eligible to declare and pay a dividend or other distribution pursuant to the provisions of Section 27.

(ii) Loans or extensions of credit to any person that is not an affiliate (A) that involve the lesser of 3% of the company's admitted assets or 25% of the company's surplus, each as of the 31st day of December next preceding, made with the agreement or understanding that the proceeds of such transactions, in whole or in substantial part, are to be used to make loans or extensions of credit to, to purchase assets of, or to make investments in, any affiliate of the company making such loans or extensions of credit or (B) that are proposed when the domestic company is not eligible to declare and pay a dividend or other distribution pursuant to the provisions of Section 27.

(iii) Reinsurance agreements or modifications thereto, including all reinsurance pooling agreements, reinsurance agreements in which the reinsurance premium or a change in the company's liabilities, or the projected reinsurance premium or a change in the company's liabilities in any of the next 3 years, equals or exceeds 5% of the company's surplus as regards policyholders, as of the 31st day.
of December next preceding, including those agreements that may require as consideration the transfer of assets from a company to a nonaffiliate, if an agreement or understanding exists between the company and nonaffiliate that any portion of those assets will be transferred to one or more affiliates of the company.

(iv) All management agreements; service contracts, other than agency contracts; tax allocation agreements; all reinsurance allocation agreements related to reinsurance agreements required to be filed under this Section; and all cost-sharing arrangements.

(v) Direct or indirect acquisitions or investments in a person that controls the company, or in an affiliate of the company, in an amount which, together with its present holdings in such investments, exceeds 2.5% of the company's surplus as regards policyholders. Direct or indirect acquisitions or investments in subsidiaries acquired pursuant to Section 131.2 of this Article (or authorized under any other Section of this Code), or in non-subsidiary insurance affiliates that are subject to the provisions of this Article, are exempt from this requirement.

(vi) Any series of the previously described transactions that are substantially similar to each other, that take place within any 180 day period, and that in total are equal to or exceed the lesser of 3% of the domestic company's admitted assets or 25% of its policyholders surplus, as of the 31st day of the December next preceding.

(vii) Any other material transaction that the Director by rule determines might render the company's surplus as regards policyholders unreasonable in relation to the company's outstanding liabilities and inadequate to its financial needs or may otherwise adversely affect the interests of the company's policyholders or shareholders.

Nothing herein contained shall be deemed to authorize or permit any transactions that, in the case of a company not a member of the same holding company system, would be otherwise contrary to law.

(b) Any transaction or contract otherwise described in paragraph (a) of this subsection that is between a domestic company and any person that is not its affiliate and that precedes or follows within 180 days or is concurrent with a similar transaction between that nonaffiliate and an affiliate of the domestic company and that involves amounts that are equal to or exceed the lesser of 3% of the domestic company's admitted assets or 25% of its surplus as regards policyholders at the end of the prior year may not be entered into

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unless the company has notified the Director in writing of its intention to enter into the transaction at least 30 days prior thereto or such shorter period as the Director may permit, and the Director has not disapproved it within such period.

(c) A company may not enter into transactions which are part of a plan or series of like transactions with any person within the holding company system if the purpose of those separate transactions is to avoid the statutory threshold amount and thus avoid the review that would occur otherwise. If the Director determines that such separate transactions were entered into for such purpose, he may exercise his authority under subsection (2) of Section 131.24.

(d) The Director, in reviewing transactions pursuant to paragraph (a), shall consider whether the transactions comply with the standards set forth in Section 131.20 and whether they may adversely affect the interests of policyholders.

(e) The Director shall be notified within 30 days of any investment of the domestic company in any one corporation if the total investment in that corporation by the insurance holding company system exceeds 10% of that corporation's voting securities.

(f) Except for those transactions subject to approval under other Sections of this Code, any such transaction or agreements which are not disapproved by the Director may be effective as of the date set forth in the notice required under this Section.

(g) If a domestic company enters into a transaction described in this subsection without having given the required notification, the Director, using the notice and hearing procedure in subsection (2) of Section 403A of this Code, may cause the company to pay a civil forfeiture of not more than $250,000. Each transaction so entered shall be considered a separate offense.

(2) No domestic company subject to registration under Section 131.13 may pay any extraordinary dividend or make any other extraordinary distribution to its shareholders until: (a) 30 days after the Director has received notice of the declaration thereof and has not within such period disapproved the payment, or (b) the Director approves such payment within the 30-day period. For purposes of this subsection, an extraordinary dividend or distribution is any dividend or distribution of cash or other property whose fair market value, together with that of other dividends or distributions, made within the period of 12 consecutive months ending on the date on which the proposed dividend is scheduled for payment or distribution exceeds the greater of: (a) 10% of the company's surplus as regards policyholders as of
the 31st day of December next preceding, or (b) the net income of the company for the 12-month period ending the 31st day of December next preceding, but does not include pro rata distributions of any class of the company's own securities.

Notwithstanding any other provision of law, the company may declare an extraordinary dividend or distribution which is conditional upon the Director's approval, and such a declaration confers no rights upon security holders until: (a) the Director has approved the payment of the dividend or distribution, or (b) the Director has not disapproved the payment within the 30-day period referred to above.

(Source: P.A. 98-609, eff. 1-1-14.)

(215 ILCS 5/139) (from Ch. 73, par. 751)

Sec. 139. Penalties for late or false annual statement.

(1) Any company failing, without just cause, to file its financial statements as required in this Code shall be required, after notice and hearing, to pay a penalty of up to $1,000 for each day's delay, to be recovered by the Director of Insurance of the State of Illinois using the notice and hearing procedure in subsection (2) of Section 403A of this Code, and the penalty so recovered shall be paid into the General Revenue fund of the State of Illinois. The Director may reduce the penalty if the company demonstrates to the Director that the imposition of the penalty would constitute a financial hardship to the company.

Any statement which is not materially complete when filed shall not be considered to have been properly filed until those deficiencies which make the filing incomplete have been corrected and filed.

(2) Any director, officer, agent or employee of any company, who subscribes to, makes or concurs in making or publishing any annual or other statement required by law, knowing the same to contain any material statement which is false shall, after notice and hearing, be guilty of a business offense and shall be fined not more than $50,000.

The penalty shall be paid into the General Revenue fund of the State of Illinois.

(Source: P.A. 88-364.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect July 1, 2015.

INDEX

Statutes amended in order of appearance

5 ILCS 140/7.5

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 is amended by changing Sections 1-2, 1-4, 1-7, 2-4, 2-9, 3-1, 3-7, 3-8, 3A-1, 3A-3, 3A-5, 3A-6, 3A-7, 3B-1, 3B-10, 3B-11, 3B-12, 3B-15, 3C-1, 3C-3, 3C-7, 3C-8, 3C-9, 4-1, 4-4, 4-5.1, 4-7, 4-8, 4-9, 4-10, 4-11, 4-12, 4-14, 4-15, 4-16, 4-17, 4-19, 4-20, and 4-22 and the heading of Article IIIIB and by adding Sections 3B-16 and 4-24 as follows:

(225 ILCS 410/1-2) (from Ch. 111, par. 1701-2)
(Section scheduled to be repealed on January 1, 2016)
Sec. 1-2. Public Policy. The practices of barbering, cosmetology, esthetics, hair braiding, and nail technology in the State of Illinois are hereby declared to affect the public health, safety and welfare and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that the professions merit and receive the confidence of the public and that only qualified persons be permitted to

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practice said professions in the State of Illinois. This Act shall be liberally construed to carry out these objects and purposes. (Source: P.A. 84-657.)

(225 ILCS 410/1-4)

(Section scheduled to be repealed on January 1, 2016)

Sec. 1-4. Definitions. In this Act the following words shall have the following meanings:

"Board" means the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Board.

"Department" means the Department of Financial and Professional Regulation.

"Licensed barber" means an individual licensed by the Department to practice barbering as defined in this Act and whose license is in good standing.

"Licensed barber clinic teacher" means an individual licensed by the Department to practice barbering, as defined in this Act, and to provide clinical instruction in the practice of barbering in an approved school of barbering.

"Licensed cosmetologist" means an individual licensed by the Department to practice cosmetology, nail technology, hair braiding, and esthetics as defined in this Act and whose license is in good standing.

"Licensed esthetician" means an individual licensed by the Department to practice esthetics as defined in this Act and whose license is in good standing.

"Licensed nail technician" means any individual licensed by the Department to practice nail technology as defined in this Act and whose license is in good standing.

"Licensed barber teacher" means an individual licensed by the Department to practice barbering as defined in this Act and to provide instruction in the theory and practice of barbering to students in an approved barber school.

"Licensed cosmetology teacher" means an individual licensed by the Department to practice cosmetology, esthetics, hair braiding, and nail technology as defined in this Act and to provide instruction in the theory and practice of cosmetology, esthetics, and nail technology to students in an approved cosmetology, esthetics, or nail technology school.

"Licensed cosmetology clinic teacher" means an individual licensed by the Department to practice cosmetology, esthetics, and nail technology as defined in this Act and to provide clinical instruction in the practice of
cosmetology, esthetics, hair braiding, and nail technology in an approved school of cosmetology, esthetics, or nail technology.

"Licensed esthetics teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide instruction in the theory and practice of esthetics to students in an approved cosmetology or esthetics school.

"Licensed esthetics clinic teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide clinical instruction in the practice of esthetics in an approved school of cosmetology or an approved school of esthetics.

"Licensed hair braider" means any individual licensed by the Department to practice hair braiding as defined in Section 3E-1 and whose license is in good standing.

"Licensed hair braiding teacher" means an individual licensed by the Department to practice hair braiding and to provide instruction in the theory and practice of hair braiding to students in an approved cosmetology or hair braiding school.

"Licensed nail technology teacher" means an individual licensed by the Department to practice nail technology and to provide instruction in the theory and practice of nail technology to students in an approved nail technology school or cosmetology school.

"Licensed nail technology clinic teacher" means an individual licensed by the Department to practice nail technology as defined in this Act and to provide clinical instruction in the practice of nail technology in an approved school of cosmetology or an approved school of nail technology.

"Enrollment" is the date upon which the student signs an enrollment agreement or student contract.

"Enrollment agreement" or "student contract" is any agreement, instrument, or contract however named, which creates or evidences an obligation binding a student to purchase a course of instruction from a school.

"Enrollment time" means the maximum number of hours a student could have attended class, whether or not the student did in fact attend all those hours.

"Elapsed enrollment time" means the enrollment time elapsed between the actual starting date and the date of the student's last day of physical attendance in the school.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

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"Threading" means any technique that results in the removal of superfluous hair from the body by twisting thread around unwanted hair and then pulling it from the skin; and may also include the incidental trimming of eyebrow hair.

(Source: P.A. 97-333, eff. 8-12-11; 97-777, eff. 7-13-12; 98-238, eff. 1-1-14.)

(225 ILCS 410/1-7) (from Ch. 111, par. 1701-7)

(Section scheduled to be repealed on January 1, 2016)

Sec. 1-7. Licensure required; renewal.

(a) It is unlawful for any person to practice, or to hold himself or herself out to be a cosmetologist, esthetician, nail technician, hair braider, or barber without a license as a cosmetologist, esthetician, nail technician, hair braider or barber issued by the Department of Financial and Professional Regulation pursuant to the provisions of this Act and of the Civil Administrative Code of Illinois. It is also unlawful for any person, firm, partnership, or corporation to own, operate, or conduct a cosmetology, esthetics, nail technology, hair braiding salon, or barber school without a license issued by the Department or to own or operate a cosmetology, esthetics, nail technology, or hair braiding salon or barber shop without a certificate of registration issued by the Department. It is further unlawful for any person to teach in any cosmetology, esthetics, nail technology, hair braiding, or barber college or school approved by the Department or hold himself or herself out as a cosmetology, esthetics, hair braiding, nail technology, or barber teacher without a license as a teacher, issued by the Department or to hold himself or herself out as a cosmetology, esthetics, hair braiding, nail technology, or barber teacher without a license as a clinic teacher issued by the Department.

(b) Notwithstanding any other provision of this Act, a person licensed as a cosmetologist may hold himself or herself out as an esthetician and may engage in the practice of esthetics, as defined in this Act, without being licensed as an esthetician. A person licensed as a cosmetology teacher may teach esthetics or hold himself or herself out as an esthetics teacher without being licensed as an esthetics teacher. A person licensed as a cosmetologist may hold himself or herself out as a nail technician and may engage in the practice of nail technology, as defined in this Act, without being licensed as a nail technician. A person licensed as a cosmetology teacher may teach nail technology and hold himself or herself out as a nail technology teacher without being licensed as a nail technology teacher. A person licensed as a cosmetologist may hold himself or herself out as a hair braider and may engage in the practice of hair braiding, as defined in this Act, without being licensed as a hair braider teacher.

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licensed as a hair braider. A person licensed as a cosmetology teacher may teach hair braiding and hold himself or herself out as a hair braiding teacher without being licensed as a hair braiding teacher.

(c) A person licensed as a barber teacher may hold himself or herself out as a barber and may practice barbering without a license as a barber. A person licensed as a cosmetology teacher may hold himself or herself out as a cosmetologist, esthetician, hair braider, and nail technologist and may practice cosmetology, esthetics, hair braiding, and nail technology without a license as a cosmetologist, esthetician, hair braider, or nail technologist. A person licensed as an esthetics teacher may hold himself or herself out as an esthetician without being licensed as an esthetician and may practice esthetics. A person licensed as a nail technician teacher may practice nail technology and may hold himself or herself out as a nail technologist without being licensed as a nail technologist. A person licensed as a hair braiding teacher may practice hair braiding and may hold himself or herself out as a hair braider without being licensed as a hair braider.

(d) The holder of a license issued under this Act may renew that license during the month preceding the expiration date of the license by paying the required fee.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/2-4) (from Ch. 111, par. 1702-4)
Sec. 2-4. Licensure as a barber teacher; qualifications. (1) A person is qualified to receive a license as a barber teacher if that person files an application on forms provided by the Department, pays the required fee, and:

a. Is at least 18 years of age;
b. Has graduated from high school or its equivalent;
c. Has a current license as a barber or cosmetologist;
d. Has graduated from a barber school or school of cosmetology approved by the Department having:

(1) completed a total of 500 hours in barber teacher training extending over a period of not less than 3 months nor more than 2 years and has had 3 years of practical experience as a licensed barber;

(2) completed a total of 1,000 hours of barber teacher training extending over a period of not less than 6 months nor more than 2 years; or

(3) completed the cosmetology teacher training as specified in paragraph (4) of subsection (a) of Section 3-4 of

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this Act and completed a supplemental barbering course as established by rule; and

e. Has passed an examination authorized by the Department to determine fitness to receive a license as a barber teacher or a cosmetology teacher; and

f. Has met any other requirements set forth in this Act.

An applicant who is issued a license as a Barber Teacher is not required to maintain a barber license in order to practice barbering as defined in this Act.

(2) A person is qualified to receive a license as a barber clinic teacher if he or she has applied in writing on forms provided by the Department, has paid the required fees, and:

(A) is at least 18 years of age;
(B) has graduated from high school or its equivalent;
(C) has a current license as a barber;
(D) has (i) completed a program of 250 hours of clinic teacher training in a licensed school of barbering or (ii) within 5 years preceding the required examination, has obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed barber and has completed an instructor’s institute of 20 hours, as prescribed by the Department, prior to submitting an application for examination;

(E) has passed an examination authorized by the Department to determine eligibility to receive a license as a barber teacher; and

(F) has met any other requirements of this Act.

The Department shall not issue any new barber clinic teacher licenses after January 1, 2009. Any person issued a license as a barber clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(Source: P.A. 97-777, eff. 7-13-12.)

(225 ILCS 410/2-9)

(Section scheduled to be repealed on January 1, 2016)

Sec. 2-9. Degree in barbering at a cosmetology school. A school of cosmetology may offer a degree in barbering, as defined by this Act, provided

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that the school of cosmetology complies with subsections (c), (d), and (e) of Section 2-2 of this Act; utilizes barber teachers properly licensed under paragraph (1) of Section 2-4 of this Act; and complies with Sections 2A-7 and 3B-10 of this Act.

(Source: P.A. 97-777, eff. 7-13-12.)

(225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

Sec. 3-1. Cosmetology defined. Any one or any combination of the following practices constitutes the practice of cosmetology when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder: arranging, braiding, dressing, cutting, trimming, curling, waving, chemical restructuring, shaping, singeing, bleaching, coloring or similar work, upon the hair of the head or any cranial prosthesis; cutting or trimming facial hair of any person; any practice of manicuring, pedicuring, decorating nails, applying sculptured nails or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances, or in any way caring for the nails or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees of another person for other than the treatment of medical disorders; any practice of epilation or depilation of any person; any practice for the purpose of cleansing, massaging or toning the skin of the scalp; beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis by the use of cosmetic preparations, body treatments, body wraps, the use of hydrotherapy, or any device, electrical, mechanical, or otherwise; applying make-up or eyelashes to any person or lightening or coloring hair on the body and removing superfluous hair from the body of any person by the use of depilatories, waxing, threading, or tweezers. The term "cosmetology" does not include the services provided by an electrologist. Nail technology is the practice and the study of cosmetology only to the extent of manicuring, pedicuring, decorating, and applying sculptured or otherwise artificial nails, or in any way caring for the nail or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees. Cosmetologists are prohibited from using any technique, product, or practice intended to affect the living layers of the skin. The term cosmetology includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin. Purveyors of cosmetics may demonstrate such cosmetic products in conjunction with any sales promotion and shall not be required to hold a license under this Act. Nothing in this Act

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shall be construed to prohibit the shampooing of hair by persons employed
for that purpose and who perform that task under the direct supervision of a
licensed cosmetologist or licensed cosmetology teacher.
(Source: P.A. 96-1076, eff. 7-16-10.)
(225 ILCS 410/3-7) (from Ch. 111, par. 1703-7)
(Sec. 3-7. Licensure; renewal; continuing education; military service.
The holder of a license issued under this Article III may renew that license
during the month preceding the expiration date thereof by paying the required
fee, giving such evidence as the Department may prescribe of completing not
less than 14 hours of continuing education for a cosmetologist, and 24 hours
of continuing education for a cosmetology teacher or cosmetology clinic
teacher, within the 2 years prior to renewal. The training shall be in subjects
approved by the Department as prescribed by rule upon recommendation of
the Board Committee.
A license that has been expired for more than 5 years may be restored
by payment of the restoration fee and submitting evidence satisfactory to the
Department of the current qualifications and fitness of the licensee, which
shall include completion of continuing education hours for the period
subsequent to expiration.
The Department shall establish by rule a means for the verification of
completion of the continuing education required by this Section. This
verification may be accomplished through audits of records maintained by
registrants, by requiring the filing of continuing education certificates with
the Department, or by other means established by the Department.
A license issued under the provisions of this Act that has expired
while the holder of the license was engaged (1) in federal service on active
duty with the Army of the United States, the United States Navy, the Marine
Corps, the Air Force, the Coast Guard, or any Women's Auxiliary thereof, or
the State Militia called into the service or training of the United States of
America, or (2) in training or education under the supervision of the United
States preliminary to induction into the military service, may be reinstated or
restored without the payment of any lapsed renewal fees, reinstatement fee,
or restoration fee if within 2 years after the termination of such service,
training, or education other than by dishonorable discharge, the holder
furnishes the Department with an affidavit to the effect that he or she has
been so engaged and that his or her service, training, or education has been
so terminated.

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The Department, in its discretion, may waive enforcement of the continuing education requirement in this Section and shall adopt rules defining the standards and criteria for that waiver under the following circumstances:

(a) the licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide service to the public;

(b) that to comply with the continuing education requirements would cause a substantial financial hardship on the licensee;

(c) that the licensee is serving in the United States Armed Forces; or

(d) that the licensee is incapacitated due to illness.

The continuing education requirements of this Section do not apply to a licensee who (i) is at least 62 years of age or (ii) has been licensed as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher for at least 25 years.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/3-8) (from Ch. 111, par. 1703-8)

Sec. 3-8. Cosmetologists or, cosmetology teachers, and cosmetology clinic teachers registered or licensed elsewhere.

(a) Except as otherwise provided in this Act, upon payment of the required fee, an applicant who is a cosmetologist or, cosmetology teacher, or cosmetology clinic teacher registered or licensed under the laws of a foreign country or province may be granted a license as a licensed cosmetologist or, cosmetology teacher, or cosmetology clinic teacher by the Department in its discretion upon the following conditions:

(1) The cosmetologist applicant is at least 16 years of age and the cosmetology teacher or cosmetology clinic teacher applicant is at least 18 years of age; and

(2) The requirements for the registration or licensing of cosmetologists or, cosmetology teachers, or cosmetology clinic teachers in the particular country or province were, at the date of the license, substantially equivalent to the requirements then in force for cosmetologists or, cosmetology teachers, or cosmetology clinic teachers in this State; or the applicant has established proof of legal practice as a cosmetologist or, cosmetology teacher, or cosmetology clinic teacher in another jurisdiction for at least 3 years; and

New matter indicated by italics - deletions by strikeout
(3) If the Department, in its discretion and in accordance with the rules, deems it necessary, then the applicant has passed an examination as required by this Act; and

(4) The applicant has met any other requirements of this Act.

The Department shall prescribe reasonable rules governing the recognition of and the credit to be given to the study of cosmetology under a cosmetologist registered or licensed under the laws of a foreign country or province by an applicant for a license as a cosmetologist, and for the recognition of legal practice in another jurisdiction towards the education required under this Act.

(b) Except as otherwise provided in this Act, upon payment of the required fee, an applicant who is a cosmetologist or a cosmetology teacher, or a cosmetology clinic teacher, registered or licensed under the laws of another state or territory of the United States shall, without examination, be granted a license as a licensed cosmetologist or a cosmetology teacher, or a cosmetology clinic teacher, whichever is applicable, by the Department upon the following conditions:

(1) The cosmetologist applicant is at least 16 years of age and the cosmetology teacher or cosmetology clinic teacher applicant is at least 18 years of age; and

(2) The applicant submits to the Department satisfactory evidence that the applicant is registered or licensed in another state or territory as a cosmetologist or a cosmetology teacher, or a cosmetology clinic teacher, and

(3) The applicant has met any other requirements of this Act.

(225 ILCS 410/3A-1) (from Ch. 111, par. 1703A-1)
Sec. 3A-1. Esthetics defined.

(A) Any one or combination of the following practices, when done for cosmetic or beautifying purposes and not for the treatment of disease or of a muscular or nervous disorder, constitutes the practice of esthetics:

1. Beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis by the use of cosmetic preparations, body treatments, body wraps, hydrotherapy, or any device, electrical, mechanical, or otherwise, for the care of the skin;

2. Applying make-up or eyelashes to any person or lightening or coloring hair on the body except the scalp; and

New matter indicated by italics - deletions by strikeout
3. Removing superfluous hair from the body of any person. However, esthetics does not include the services provided by a cosmetologist or electrologist. Estheticians are prohibited from using techniques, products, and practices intended to affect the living layers of the skin. The term esthetics includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin.

(B) "Esthetician" means any person who, with hands or mechanical or electrical apparatus or appliances, engages only in the use of cosmetic preparations, body treatments, body wraps, hydrotherapy, makeups, antiseptics, tonics, lotions, creams or other preparations or in the practice of massaging, cleansing, exfoliating the stratum corneum of the epidermis, stimulating, manipulating, beautifying, grooming, threading, or similar work on the face, neck, arms and hands or body in a superficial mode, and not for the treatment of medical disorders.

(Source: P.A. 96-1076, eff. 7-16-10.)

(225 ILCS 410/3A-3) (from Ch. 111, par. 1703A-3)
(Section scheduled to be repealed on January 1, 2016)
Sec. 3A-3. Licensure as an esthetics teacher; qualifications.
(a) A person is qualified to receive a license as an esthetics teacher if that person has applied in writing on forms supplied by the Department, paid the required fees, and:

(1) is at least 18 years of age;
(2) has graduated from high school or its equivalent;
(3) has a current license as a licensed cosmetologist or esthetician;
(4) has either: (i) completed a program of 500 hours of teacher training in a licensed school of cosmetology or a licensed esthetics school and had 2 years of practical experience as a licensed cosmetologist or esthetician within 5 years preceding the examination; or (ii) completed a program of 750 hours of teacher training in a licensed school of cosmetology approved by the Department to teach esthetics or a licensed esthetics school;
(5) has passed an examination authorized by the Department to determine eligibility to receive a license as a licensed cosmetology or esthetics teacher;
(6) (blank); and
(7) has met any other requirements as required by this Act.

New matter indicated by italics - deletions by strikeout
(b) *(Blank).* A person is qualified to receive a license as an esthetics clinic teacher if that person has applied in writing on forms supplied by the Department, paid the required fees, and:

1. is at least 18 years of age;
2. has graduated from high school or its equivalent;
3. has a current license as a licensed cosmetologist or esthetician;
4. has (i) completed a program of 250 hours of clinic teacher training in a licensed school of cosmetology approved by the Department to teach esthetics or a licensed esthetics school or (ii) within 5 years preceding the examination, has obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed cosmetologist or esthetician and has completed an instructor’s institute of 20 hours, as prescribed by the Department, prior to submitting an application for examination;
5. has passed an examination authorized by the Department to determine eligibility to receive a license as a licensed cosmetology teacher or licensed esthetics teacher;
6. *(blank)*; and
7. has met any other requirements required by this Act.

The Department shall not issue any new esthetics clinic teacher licenses after January 1, 2009. Any person issued a license as an esthetics clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(c) An applicant who is issued a license as an esthetics teacher or esthetics clinic teacher is not required to maintain an esthetics license in order to practice as an esthetician as defined in this Act.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/3A-5) *(from Ch. 111, par. 1703A-5)*

(Section scheduled to be repealed on January 1, 2016)

Sec. 3A-5. Examination.

(a) The Department shall authorize examinations of applicants for a license as an esthetician or teacher of esthetics at such times and places as it
may determine. The Department shall authorize no fewer than 4 examinations for a license as an esthetician or a teacher of esthetics in a calendar year.

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing his or her application, the application shall be denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee, if he or she meets the requirements in effect at the time of reapplication. If an applicant for licensure as an esthetician is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 125 hours of additional study of esthetics in an approved school of cosmetology or esthetics since the applicant last took the examination. If an applicant for licensure as an esthetics teacher or esthetics clinic teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed school of cosmetology or esthetics since the applicant last took the examination. An applicant who fails to pass a fourth examination shall not again be admitted to an examination unless (i) in the case of an applicant for licensure as an esthetician, the applicant shall again take and complete a program of 750 hours in the study of esthetics in a licensed school of cosmetology approved to teach esthetics or a school of esthetics, extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 18 weeks nor more than 4 consecutive years in duration; or (ii) in the case of an applicant for a license as an esthetics teacher, the applicant shall again take and complete a program of 750 hours of teacher training in a school of cosmetology approved to teach esthetics or a school of esthetics, except that if the applicant had 2 years of practical experience as a licensed cosmetologist or esthetician within 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in licensed cosmetology or a licensed esthetics school; or (iii) in the case of an applicant for a license as an esthetics clinic teacher, the applicant shall again take and complete a program of 250 hours of clinic teacher training in a licensed school of cosmetology or a licensed school of esthetics.

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(b) Each applicant shall be given a written examination testing both theoretical and practical knowledge which shall include, but not be limited to, questions that determine the applicant's knowledge, as provided by rule.

(c) The examination of applicants for licensure as an esthetics teacher may include:

(1) teaching methodology;
(2) classroom management; and
(3) record keeping and any other subjects that the Department may deem necessary to insure competent performance.

(d) This Act does not prohibit the practice of esthetics by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an esthetician or an esthetics teacher, or an esthetics clinic teacher and has complied with all the provisions of this Act in order to qualify for a license, except the passing of an examination to be eligible to receive such license certificate, until: (i) the expiration of 6 months after the filing of such written application, or (ii) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (iii) the withdrawal of the application.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/3A-6) (from Ch. 111, par. 1703A-6)

Sec. 3A-6. Licensure; renewal; continuing education; examination; military service. The holder of a license issued under this Article may renew such license during the month preceding the expiration date thereof by paying the required fee, giving evidence the Department may prescribe of completing not less than 10 hours for estheticians, and not less than 20 hours of continuing education for esthetics teachers or esthetics clinic teachers, within the 2 years prior to renewal. The training shall be in subjects, approved by the Department as prescribed by rule upon recommendation of the Board Committee.

A license that has expired or been placed on inactive status may be restored only by payment of the restoration fee and submitting evidence satisfactory to the Department of the current qualifications and fitness of the licensee including the completion of continuing education hours for the period following expiration.

A license issued under the provisions of this Act that has expired while the holder of the license was engaged (1) in federal service on active
duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may be reinstated or restored without the payment of any lapsed renewal fees, reinstatement fee, or restoration fee if within 2 years after the termination of such service, training, or education other than by dishonorable discharge, the holder furnishes the Department with an affidavit to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

The Department, in its discretion, may waive enforcement of the continuing education requirement in this Section, and shall adopt rules defining the standards and criteria for such waiver, under the following circumstances:

(1) the licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide service to the public;
(2) the licensee's compliance with the continuing education requirements would cause a substantial financial hardship on the licensee;
(3) the licensee is serving in the United States Armed Forces; or
(4) the licensee is incapacitated due to illness.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)

Sec. 3A-7. Estheticians licensed elsewhere. Upon payment of the required fee, an applicant who is an esthetician registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a license as a licensed esthetician by the Department in its discretion upon the following conditions:

(a) In the case of an esthetician registered or licensed elsewhere,
   (1) The applicant is at least 16 years of age; and
   (2) The requirements for the registration or licensing of estheticians in the particular state, territory, country, or province were at the date of the license substantially equivalent to the requirements then in force in this State.
(b) In the case of an esthetics teacher or esthetics-clinic teacher registered or licensed elsewhere,
(1) The applicant is at least 18 years of age; and
(2) The requirements for the registration or licensing of esthetics teachers or esthetics clinic teachers in the particular state, territory, country, or province were at the date of the license substantially equivalent to the requirements then in force in this State; or the applicant has established proof of legal practice as an esthetics teacher in another jurisdiction for at least 3 years.

If the Department, in its discretion and in accordance with the rules, deems it necessary, an applicant registered or licensed under the laws of a foreign country or province may be required to pass an examination as required by this Act.

An applicant who has been licensed to practice esthetics in another state may receive credit of at least 300 hours for each year of experience toward the education required under this Act.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)

(225 ILCS 410/Art. IIIB heading)

ARTICLE IIIB. BARBER, COSMETOLOGY, ESTHETICS, HAIR BRAIDING, AND NAIL TECHNOLOGY SCHOOLS

(Source: P.A. 96-1246, eff. 1-1-11.)

Sec. 3B-1. Application. The provisions of this Article are applicable only to barber, cosmetology, esthetics, hair braiding, and nail technology schools regulated under this Act.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/3B-10)

Sec. 3B-10. Requisites for ownership or operation of school. No person, firm, or corporation may own, operate, or conduct a school of barbering, cosmetology, esthetics, hair braiding, or nail technology for the purpose of teaching barbering, cosmetology, esthetics, hair braiding, or nail technology for compensation unless licensed by the Department. A licensed school is a postsecondary educational institution authorized by the Department to provide a postsecondary education program in compliance with the requirements of this Act. An applicant shall apply to the Department on forms provided by the Department, pay the required fees, and comply with the following requirements:

1. The applicant must submit to the Department for approval:

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a. A floor plan, drawn to a scale specified on the floor plan, showing every detail of the proposed school; and
   b. A lease commitment or proof of ownership for the location of the proposed school; a lease commitment must provide for execution of the lease upon the Department's approval of the school's application and the lease must be for a period of at least one year.
   c. (Blank).

2. An application to own or operate a school shall include the following:
   a. If the owner is a corporation, a copy of the Articles of Incorporation;
   b. If the owner is a partnership, a listing of all partners and their current addresses;
   c. If the applicant is an owner, a completed financial statement showing the owner's ability to operate the school for at least 3 months;
   d. A copy of the official enrollment agreement or student contract to be used by the school, which shall be consistent with the requirements of this Act and rules;
   e. A listing of all teachers who will be in the school's employ, including their teacher license numbers;
   f. A copy of the curricula that will be followed;
   g. The names, addresses, and current status of all schools in which the applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing or lost accreditation or licensing from any governmental body or accrediting agency;
   h. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee and also by its individual owner or owners; if the applicant is a partnership or a corporation, then the application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be;
   i. A copy of the school's official transcript; and
   j. The required fee.

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3. Each application for a license to operate a school shall also contain the following commitments:

a. To conduct the school in accordance with this Act and the standards, and rules from time to time adopted under this Act and to meet standards and requirements at least as stringent as those required by Part H of the Federal Higher Education Act of 1965.

b. To permit the Department to inspect the school or classes thereof from time to time with or without notice; and to make available to the Department, at any time when required to do so, information including financial information pertaining to the activities of the school required for the administration of this Act and the standards and rules adopted under this Act;

c. To utilize only advertising and solicitation which is free from misrepresentation, deception, fraud, or other misleading or unfair trade practices;

d. To screen applicants to the school prior to enrollment pursuant to the requirements of the school's regional or national accrediting agency, if any, and to maintain any and all records of such screening. If the course of instruction is offered in a language other than English, the screening shall also be performed in that language;

e. To post in a conspicuous place a statement, developed by the Department, of student's rights provided under this Act.

4. The applicant shall establish to the satisfaction of the Department that the owner possesses sufficient liquid assets to meet the prospective expenses of the school for a period of 3 months. In the discretion of the Department, additional proof of financial ability may be required.

5. The applicant shall comply with all rules of the Department determining the necessary curriculum and equipment required for the conduct of the school.

6. The applicant must demonstrate employment of a sufficient number of qualified teachers who are holders of a current license issued by the Department.
7. A final inspection of the barber, cosmetology, esthetics, hair braiding, or nail technology school shall be made by the Department before the school may commence classes.

8. A written inspection report must be made by the State Fire Marshal or a local fire authority approving the use of the proposed premises as a barber, cosmetology, esthetics, hair braiding, or nail technology school.

(Source: P.A. 98-238, eff. 1-1-14.)

(225 ILCS 410/3B-11)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3B-11. Periodic review of barber, cosmetology, esthetics, hair braiding, and nail technology schools. The Department shall review at least biennially all approved schools and courses of instruction. The biennial review shall include consideration of a comparison between the graduation or completion rate for the school and the graduation or completion rate for the schools within that classification of schools. Consideration shall be given to complaints and information forwarded to the Department by the Federal Trade Commission, Better Business Bureaus, the Illinois Attorney General's Office, a State's Attorney's Office, other State or official approval agencies, local school officials, and interested persons. The Department shall investigate all complaints filed with the Department about a school or its sales representatives.

A school shall retain the records, as defined by rule, of a student who withdraws from or drops out of the school, by written notice of cancellation or otherwise, for any period longer than 7 years from the student's first day of attendance. However, a school shall retain indefinitely the transcript of each student who completes the program and graduates from the school.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/3B-12)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3B-12. Enrollment agreements.

(a) Enrollment agreements shall be used by barber, cosmetology, esthetics, hair braiding, and nail technology schools licensed to operate by the Department and shall include the following written disclosures:

(1) The name and address of the school and the addresses where instruction will be given;

(2) The name and description of the course of instruction, including the number of clock hours in each course and an approximate number of weeks or months required for completion;

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(3) The scheduled starting date and calculated completion date;
(4) The total cost of the course of instruction including any charges made by the school for tuition, books, materials, supplies, and other expenses;
(5) A clear and conspicuous statement that the contract is a legally binding instrument when signed by the student and accepted by the school;
(6) A clear and conspicuous caption, "BUYER'S RIGHT TO CANCEL," under which it is explained that the student has the right to cancel the initial enrollment agreement until midnight of the fifth business day after the student has been enrolled; and if notice of the right to cancel is not given to any prospective student at the time the enrollment agreement is signed, then the student has the right to cancel the agreement at any time and receive a refund of all monies paid to date within 10 days of cancellation;
(7) A notice to the students that the cancellation must be in writing and given to the registered agent, if any, or managing employee of the school;
(8) The school's refund policy for unearned tuition, fees, and other charges;
(9) The date of the student's signature and the date of the student's admission;
(10) The name of the school employee or agent responsible for procuring, soliciting, or enrolling the student;
(11) A clear statement that the institution does not guarantee employment and a statement describing the school's placement assistance procedures;
(12) The graduation requirements of the school;
(13) The contents of the following notice, in at least 10 point bold type:

"NOTICE TO THE STUDENT"
"Do not sign this contract before you read it or if it contains any blank space. You are entitled to an exact copy of the contract you sign."
(14) A statement either in the enrollment agreement or separately provided and acknowledged by the student indicating the number of students who did not complete the course of instruction for which they enrolled for the past calendar year as compared to the
number of students who enrolled in school during the school's past calendar year;

(15) The following clear and conspicuous caption: "COMPLAINTS AGAINST THIS SCHOOL MAY BE REGISTERED WITH THE DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION", set forth with the address and telephone number of the Department's Chicago and Springfield offices.

(b) If the enrollment is negotiated orally in a language other than English, then copies of the above disclosures shall be tendered in the language in which the contract was negotiated prior to executing the enrollment agreement.

(c) The school shall comply with all applicable requirements of the Retail Installment Sales Act in its enrollment agreement or student contracts.

(d) No enrollment agreement or student contract shall contain a wage assignment provision or a confession of judgment clause.

(e) Any provision in an enrollment agreement or student contract that purports to waive the student's right to assert against the school, or any assignee, any claim or defense he or she may have against the school arising under the contract shall be void.

(f) Two copies of the enrollment agreement shall be signed by the student. One copy shall be given to the student and the school shall retain the other copy as part of the student's permanent record.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/3B-15)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3B-15. Grounds for disciplinary action. In addition to any other cause herein set forth the Department may refuse to issue or renew and may suspend, place on probation, or revoke any license to operate a school, or take any other disciplinary or non-disciplinary action that the Department may deem proper, including the imposition of fines not to exceed $5,000 for each violation, for any one or any combination of the following causes:

(1) Repeated violation of any provision of this Act or any standard or rule established under this Act.

(2) Knowingly furnishing false, misleading, or incomplete information to the Department or failure to furnish information requested by the Department.

(3) Violation of any commitment made in an application for a license, including failure to maintain standards that are the same as,
or substantially equivalent to, those represented in the school's applications and advertising.

(4) Presenting to prospective students information relating to the school, or to employment opportunities or opportunities for enrollment in institutions of higher learning after entering into or completing courses offered by the school, that is false, misleading, or fraudulent.

(5) Failure to provide premises or equipment or to maintain them in a safe and sanitary condition as required by law.

(6) Failure to maintain financial resources adequate for the satisfactory conduct of the courses of instruction offered or to retain a sufficient and qualified instructional and administrative staff.

(7) Refusal to admit applicants on account of race, color, creed, sex, physical or mental handicap unrelated to ability, religion, or national origin.

(8) Paying a commission or valuable consideration to any person for acts or services performed in violation of this Act.

(9) Attempting to confer a fraudulent degree, diploma, or certificate upon a student.

(10) Failure to correct any deficiency or act of noncompliance under this Act or the standards and rules established under this Act within reasonable time limits set by the Department.

(11) Conduct of business or instructional services other than at locations approved by the Department.

(12) Failure to make all of the disclosures or making inaccurate disclosures to the Department or in the enrollment agreement as required under this Act.

(13) Failure to make appropriate refunds as required by this Act.

(14) Denial, loss, or withdrawal of accreditation by any accrediting agency.

(15) During any calendar year, having a failure rate of 25% or greater for those of its students who for the first time take the examination authorized by the Department to determine fitness to receive a license as a barber, barber teacher, cosmetologist, cosmetology teacher, esthetician, esthetician teacher, hair braider, hair braiding teacher, nail technician, or nail technology teacher, provided that a student who transfers into the school having completed 50% or more of the required program and who takes the examination during

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that calendar year shall not be counted for purposes of determining
the school's failure rate on an examination, without regard to whether
that transfer student passes or fails the examination.

(16) Failure to maintain a written record indicating the funds
received per student and funds paid out per student. Such records
shall be maintained for a minimum of 7 years and shall be made
available to the Department upon request. Such records shall identify
the funding source and amount for any student who has enrolled as
well as any other item set forth by rule.

(17) Failure to maintain a copy of the student record as
defined by rule.
(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/3B-16 new)
Sec. 3B-16. Department of Corrections. The Secretary may waive any
requirement of this Act or of the rules enacted by the Department pursuant
to this Act pertaining to the operation of a barber, cosmetology, esthetics,
hair braiding, or nail technology school owned or operated by the
Department of Corrections and located in a correctional facility to educate
inmates that is inconsistent with the mission or operations of the Department
of Corrections or is detrimental to the safety and security of any correctional
facility. Nothing in this Section 3B-16 exempts the Department of Corrections
from the necessity of licensure.

(225 ILCS 410/3C-1) (from Ch. 111, par. 1703C-1)
(Section scheduled to be repealed on January 1, 2016)
Sec. 3C-1. Definitions. "Nail technician" means any person who for
compensation manicures, pedicures, or decorates nails, applies artificial
applications by hand or with mechanical or electrical apparatus or appliances,
or in any way beautifies the nails or the skin of the hands or feet including
massaging the hands, arms, elbows, feet, lower legs, and knees of another
person for other than the treatment of medical disorders.

However, nail technicians are prohibited from using techniques,
products, and practices intended to affect the living layers of the skin. The
term nail technician includes rendering advice on what is cosmetically
appealing, but no person licensed under this Act shall render advice on what
is appropriate medical treatment for diseases of the nails or skin.

"Nail technician teacher" means an individual licensed by the
Department to provide instruction in the theory and practice of nail
technology to students in an approved nail technology school.

New matter indicated by italics - deletions by strikeout
"Licensed nail technology clinic teacher" means an individual licensed by the Department to practice nail technology as defined in this Act and to provide clinical instruction in the practice of nail technology in an approved school of cosmetology or an approved school of nail technology.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/3C-3) (from Ch. 111, par. 1703C-3)
(Section scheduled to be repealed on January 1, 2016)

Sec. 3C-3. Licensure as a nail technology teacher or nail technology clinic teacher; qualifications.

(a) A person is qualified to receive a license as a nail technology teacher if that person has filed an application on forms provided by the Department, paid the required fee, and:
   (1) is at least 18 years of age;
   (2) has graduated from high school or its equivalent;
   (3) has a current license as a cosmetologist or nail technician;
   (4) has either: (1) completed a program of 500 hours of teacher training in a licensed school of nail technology or cosmetology, and had 2 years of practical experience as a nail technician; or (2) has completed a program of 625 hours of teacher training in a licensed school of cosmetology approved to teach nail technology or school of nail technology; and
   (5) who has passed an examination authorized by the Department to determine eligibility to receive a license as a cosmetology or nail technology teacher.

(b) A person is qualified to receive a license as a nail technology clinic teacher if that person has applied in writing on forms supplied by the Department, paid the required fees, and:
   (1) is at least 18 years of age;
   (2) has graduated from high school or its equivalent;
   (3) has a current license as a licensed cosmetologist or nail technician;
   (4) has either: (i) completed a program of 250 hours of clinic teacher training in a licensed school of cosmetology or a licensed nail technology school or (ii) within 5 years preceding the examination, has obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed cosmetologist or nail technician and has completed an instructor's institute of 20 hours; as prescribed by the Department, prior to submitting an application for examination;

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(5) has passed an examination authorized by the Department to determine eligibility to receive a license as a licensed cosmetology teacher or licensed nail technology teacher;

(6) demonstrates, to the satisfaction of the Department, current skills in the use of machines used in the practice of nail technology; and

(7) has met any other requirements required by this Act.

The Department shall not issue any new nail technology clinic teacher licenses after January 1, 2009. Any person issued a license as a nail technology clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(b) (c) An applicant who receives a license as a nail technology teacher shall not be required to maintain a license as a nail technician.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/3C-7) (from Ch. 111, par. 1703C-7)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3C-7. Examinations; failure or refusal to take examination. The Department shall authorize examinations of applicants for licenses as nail technicians and teachers of nail technology at the times and places as it may determine.

The Department shall authorize not less than 4 examinations for licenses as nail technicians, and nail technology teachers in a calendar year.

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing an application, the application shall be denied. Nevertheless, the applicant may thereafter make a new application for examination, accompanied by the required fee, if he or she meets the requirements in effect at the time of reapplication. If an applicant for licensure as a nail technician or nail technology teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence

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of successfully completing (i) for a nail technician, not less than 60 hours of additional study of nail technology in a licensed school of cosmetology approved to teach nail technology or nail technology and (ii) for a nail technology teacher or nail technology clinic teacher, not less than 80 hours of additional study in teaching methodology and educational psychology in an approved school of cosmetology or nail technology since the applicant last took the examination.

An applicant who fails the fourth examination shall not again be admitted to an examination unless: (i) in the case of an applicant for a license as a nail technician, the applicant again takes and completes a total of 350 hours in the study of nail technology in an approved school of cosmetology or nail technology extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 8 weeks nor more than 2 consecutive years in duration; or (ii) in the case of an applicant for licensure as a nail technology teacher, the applicant again takes and completes a program of 625 hours of teacher training in a licensed an approved school of cosmetology, or nail technology, except that if the applicant had 2 years of practical experience as a licensed nail technician within 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in a licensed school of cosmetology approved to teach nail technology, or a licensed school of nail technology or a program of 250 hours of clinic teacher training in a licensed school of cosmetology.

Each applicant for licensure as a nail technician shall be given a written examination testing both theoretical and practical knowledge, which shall include, but not be limited to, questions that determine the applicant's knowledge of product chemistry, sanitary rules, sanitary procedures, hazardous chemicals and exposure minimization, this Act, and labor and compensation laws.

The examination for licensure as a nail technology teacher or nail technology clinic teacher may include knowledge of the subject matter, teaching methodology, classroom management, record keeping, and any other subjects that the Department in its discretion may deem necessary to insure competent performance.

This Act does not prohibit the practice of nail technology by a person who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a nail technician, or the teaching of nail technology by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a

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license as a nail technology teacher or nail technology clinic teacher, if the person has complied with all the provisions of this Act in order to qualify for a license, except the passing of an examination to be eligible to receive a license, until: (a) the expiration of 6 months after the filing of the written application, or (b) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (c) the withdrawal of the application.

(Source: P.A. 90-302, eff. 8-1-97; 91-863, eff. 7-1-00.)

(225 ILCS 410/3C-8) (from Ch. 111, par. 1703C-8)

Sec. 3C-8. License renewal; expiration; continuing education; persons in military service. The holder of a license issued under this Article may renew that license during the month preceding the expiration date of the license by paying the required fee and giving evidence, as the Department may prescribe, of completing not less than 10 hours of continuing education for a nail technician and 20 hours of continuing education for a nail technology teacher or nail technology clinic teacher, within the 2 years prior to renewal. The continuing education shall be in subjects approved by the Department upon recommendation of the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Board Committee relating to the practice of nail technology, including, but not limited to, review of sanitary procedures, review of chemical service procedures, review of this Act, and review of the Workers' Compensation Act. However, at least 10 of the hours of continuing education required for a nail technology teacher or nail technology clinic teacher shall be in subjects relating to teaching methodology, educational psychology, and classroom management or in other subjects related to teaching.

A license that has been expired or placed on inactive status may be restored only by payment of the restoration fee and submitting evidence satisfactory to the Department of the meeting of current qualifications and fitness of the licensee, including the completion of continuing education hours for the period subsequent to expiration.

A license issued under this Article that has expired while the holder of the license was engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary

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to induction into the military service, may be reinstated or restored without
the payment of any lapsed renewal fees, reinstatement fee or restoration fee
if, within 2 years after the termination of the service, training, or education
other than by dishonorable discharge, the holder furnishes the Department
with an affidavit to the effect that the certificate holder has been so engaged
and that the service, training, or education has been so terminated.

The Department, in its discretion, may waive enforcement of the
continuing education requirement in this Section, and shall adopt rules
defining the standards and criteria for such waiver, under the following
circumstances:

(a) the licensee resides in a locality where it is demonstrated that the
absence of opportunities for such education would interfere with the ability
of the licensee to provide service to the public;

(b) the licensee's compliance with the continuing education
requirements would cause a substantial financial hardship on the licensee;

(c) the licensee is serving in the United States Armed Forces; or

(d) the licensee is incapacitated due to illness.

(Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97; 90-302, eff. 8-1-97.)

(225 ILCS 410/3C-9) (from Ch. 111, par. 1703C-9)

(Sec. 3C-9. Nail technicians or nail technology teachers licensed
disclosed or licensed elsewhere Endorsement. Upon payment of the required fee, an applicant who
is a nail technician or nail technology teacher, or nail technology clinic
teacher registered or licensed under the laws of another state or territory of
the United States or of a foreign country or province may be granted a license
as a nail technician or nail technician teacher or nail technology clinic
teacher by the Department in its discretion upon the following conditions:

(a) For a nail technologist registered or licensed elsewhere:

(1) the applicant is at least 16 years of age;

(1.5) the applicant has passed an examination authorized by
the Department to determine eligibility to receive a license as a nail
technician; and

(2) the requirements for the registration or licensing of nail
technicians in the particular state, territory, country or province were,
at the date of licensure, substantially equivalent to the requirements
then in force in this State. The Department shall prescribe reasonable
rules and regulations governing the recognition of and the credit to be
given to the study of nail technology under a cosmetologist or nail
technician registered or licensed under the laws of another state or

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territory of the United States or a foreign country or province by an applicant for a license as a nail technician.

(b) For a nail technology teacher or nail technology clinic teacher licensed or registered elsewhere:

(1) the applicant is at least 18 years of age;
(1.5) the applicant has passed an examination authorized by the Department to determine eligibility to receive a license as a nail technology teacher; and
(2) the requirements for the licensing of nail technology teachers or nail technology clinic teachers in the other jurisdiction were, at the date of licensure, substantially equivalent to the requirements then in force in this State; or the applicant has established proof of legal practice as a nail technology teacher or nail technology clinic teacher in another jurisdiction for at least 3 years.

The Department shall allow applicants who have been licensed to practice nail technology in other states a credit of at least 75 hours for each year of experience toward the education required under this Act.

(225 ILCS 410/4-1)

Sec. 4-1. Powers and duties of Department. The Department shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) To cause to be conducted examinations to ascertain the qualifications and fitness of applicants for licensure as cosmetologists, estheticians, nail technicians, hair braiders, or barbers and as cosmetology, esthetics, nail technology, hair braiding, or barber teachers.

(2) To determine the qualifications for licensure as (i) a cosmetologist, esthetician, nail technician, hair braider, or barber, or (ii) a cosmetology, esthetics, nail technology, hair braiding, or barber teacher, or (iii) a cosmetology, esthetics, hair braiding, or nail technology clinic teacher for persons currently holding similar licenses outside the State of Illinois or the continental U.S.

(3) To prescribe rules for:
(i) The method of examination of candidates for licensure as a cosmetologist, esthetician, nail technician, hair braider, or barber or cosmetology, esthetics, nail technology, hair braiding, or barber teacher.

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(ii) Minimum standards as to what constitutes an approved cosmetology, esthetics, nail technology, hair braiding, or barber school.

(4) To conduct investigations or hearings on proceedings to determine disciplinary action.

(5) To prescribe reasonable rules governing the sanitary regulation and inspection of cosmetology, esthetics, nail technology, hair braiding, or barber schools, salons, or shops.

(6) To prescribe reasonable rules for the method of renewal for each license as a cosmetologist, esthetician, nail technician, hair braider, or barber or cosmetology, esthetics, nail technology, hair braiding, or barber teacher or cosmetology, esthetics, hair braiding, or nail technology clinic teacher.

(7) To prescribe reasonable rules for the method of registration, the issuance, fees, renewal and discipline of a certificate of registration for the ownership or operation of cosmetology, esthetics, hair braiding, and nail technology salons and barber shops.

(8) To adopt rules concerning sanitation requirements, requirements for education on sanitation, and any other health concerns associated with threading.

(Source: P.A. 96-1076, eff. 7-16-10; 96-1246, eff. 1-1-11; 97-333, eff. 8-12-11.)

(225 ILCS 410/4-4) (from Ch. 111, par. 1704-4)
(Section scheduled to be repealed on January 1, 2016)
Sec. 4-4. Issuance of license. Whenever the provisions of this Act have been complied with, the Department shall issue a license as a cosmetologist, esthetician, nail technician, hair braider, or barber, a license as a cosmetology, esthetics, nail technology, hair braiding, or barber teacher, or a license as a cosmetology, esthetics, hair braiding, or nail technology clinic teacher as the case may be.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-5.1)
(Section scheduled to be repealed on January 1, 2016)
Sec. 4-5.1. Deposit of fees and fines. Beginning July 1, 1995, all of the fees and fines collected under this Act shall be deposited into the General Professions Dedicated Fund.

The funds deposited under this Act into the General Professions Dedicated Fund, may be used by the Department to publish and distribute a newsletter to all persons licensed under this Act; such a newsletter should

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contain information about any changes in the Act or administrative rules concerning *licensees* cosmetologists, cosmetology teachers, or cosmetology clinic teachers. If appropriate funding is available, the Department may also distribute to all persons licensed under this Act copies of this Act and the appropriate administrative rules that apply, during the renewal process.

(Source: P.A. 90-602, eff. 1-1-99.)

(225 ILCS 410/4-7) (from Ch. 111, par. 1704-7)

(Section scheduled to be repealed on January 1, 2016)

Sec. 4-7. Refusal, suspension and revocation of licenses; causes; disciplinary action.

(1) The Department may refuse to issue or renew, and may suspend, revoke, place on probation, reprimand or take any other disciplinary or non-disciplinary action as the Department may deem proper, including civil penalties not to exceed $500 for each violation, with regard to any license for any one, or any combination, of the following causes:

a. Conviction of any crime under the laws of the United States or any state or territory thereof that is (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or (iii) a crime which is related to the practice of the profession.

b. Conviction of any of the violations listed in Section 4-20.

c. Material misstatement in furnishing information to the Department.

d. Making any misrepresentation for the purpose of obtaining a license or violating any provision of this Act or its rules.

e. Aiding or assisting another person in violating any provision of this Act or its rules.

f. Failing, within 60 days, to provide information in response to a written request made by the Department.

g. Discipline by another state, territory, or country if at least one of the grounds for the discipline is the same as or substantially equivalent to those set forth in this Act.

h. Practice in the barber, nail technology, esthetics, hair braiding, or cosmetology profession, or an attempt to practice in those professions, by fraudulent misrepresentation.

i. Gross malpractice or gross incompetency.

j. Continued practice by a person knowingly having an infectious or contagious disease.

k. Solicitation of professional services by using false or misleading advertising.

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l. A finding by the Department that the licensee, after having
his or her license placed on probationary status, has violated the terms
of probation.

m. Directly or indirectly giving to or receiving from any
person, firm, corporation, partnership or association any fee,
commission, rebate, or other form of compensation for any
professional services not actually or personally rendered.

n. Violating any of the provisions of this Act or rules adopted
pursuant to this Act.

o. Willfully making or filing false records or reports relating
to a licensee's practice, including but not limited to, false records filed
with State agencies or departments.

p. Habitual or excessive use addiction to alcohol, narcotics,
stimulants, or any other chemical agent or drug that results in the
inability to practice with reasonable judgment, skill or safety.

q. Engaging in dishonorable, unethical or unprofessional
conduct of a character likely to deceive, defraud, or harm the public
as may be defined by rules of the Department, or violating the rules
of professional conduct which may be adopted by the Department.

r. Permitting any person to use for any unlawful or fraudulent
purpose one's diploma or license or certificate of registration as a
cosmetologist, nail technician, esthetician, hair braider, or barber or
cosmetology, nail technology, esthetics, hair braiding, or barber
teacher or salon or shop or cosmetology, esthetics, hair braiding, or
nail technology clinic teacher.

s. Being named as a perpetrator in an indicated report by the
Department of Children and Family Services under the Abused and
Neglected Child Reporting Act and upon proof by clear and
convincing evidence that the licensee has caused a child to be an
abused child or neglected child as defined in the Abused and
Neglected Child Reporting Act.

(2) In rendering an order, the Secretary shall take into consideration
the facts and circumstances involving the type of acts or omissions in
paragraph (1) of this Section including, but not limited to:

(a) the extent to which public confidence in the cosmetology,
nail technology, esthetics, hair braiding, or barbering profession was,
might have been, or may be, injured;

(b) the degree of trust and dependence among the involved
parties;

New matter indicated by italics - deletions by strikeout
(c) the character and degree of harm which did result or might have resulted;
  (d) the intent or mental state of the licensee at the time of the acts or omissions.

(3) The Department shall reissue the license or registration upon certification by the Board Committee that the disciplined licensee or registrant has complied with all of the terms and conditions set forth in the final order or has been sufficiently rehabilitated to warrant the public trust.

(4) The Department shall may refuse to issue or renew or may suspend without hearing the license or certificate of registration of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Department of Revenue.

(5) The Department shall deny without hearing any application for a license or renewal of a license under this Act by a person who has defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission; however, the Department may issue or renew a license if the person in default has established a satisfactory repayment record as determined by the Illinois Student Assistance Commission.

(6) All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-8) (from Ch. 111, par. 1704-8)
(Section scheduled to be repealed on January 1, 2016)

Sec. 4-8. Persons in need of mental treatment. The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. Such suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient; and upon the recommendation of the Board Committee to the Secretary that the licensee be allowed to resume his practice.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-9) (from Ch. 111, par. 1704-9)
(Section scheduled to be repealed on January 1, 2016)

New matter indicated by italics - deletions by strikeout
Sec. 4-9. Practice without a license or after suspension or revocation thereof.

(a) If any person violates the provisions of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, petition, for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person shall practice as a barber, cosmetologist, nail technician, hair braider, or esthetician, or teacher thereof or cosmetology; esthetics, hair braiding, or nail technology clinic teacher or hold himself or herself out as such without being licensed under the provisions of this Act, any licensee, any interested party, or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately. (Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-10) (from Ch. 111, par. 1704-10)
(Section scheduled to be repealed on January 1, 2016)

Sec. 4-10. Refusal, suspension and revocation of licenses; investigations and hearing. The Department may upon its own motion and shall, upon the verified complaint in writing of any person setting forth the facts which if proven would constitute grounds for disciplinary action as set forth in Section 4-7, investigate the actions of any person holding or claiming to hold a license. The Department shall, at least 30 days prior to the date set for the hearing, notify in writing the applicant or the holder of that license of any charges made and shall afford the accused person an opportunity to be heard in person or by counsel in reference thereto. The Department shall direct the applicant or licensee to file a written answer to the Board under

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oath within 20 days after the service of the notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee and that the license may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Secretary may deem proper. The written notice may be served by the delivery of the notice personally to the accused person, or by mailing the notice by registered or certified mail to the place of business last specified by the accused person in his last notification to the Department. In case the person fails to file an answer after receiving notice, his or her license or certificate may, in the discretion of the Department be suspended, revoked, or placed on probationary status, or the Department, may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Board Committee designated by the Secretary, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, any statements, testimony, evidence and arguments as may be pertinent to the charges or their defense. The Board Committee may continue a hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which hearing has been continued, the Department shall continue the hearing for not more than 30 days.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-11) (from Ch. 111, par. 1704-11)
(Section scheduled to be repealed on January 1, 2016)

Sec. 4-11. Record of proceedings. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a license is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board Committee and the orders of the Department shall be the record of such proceedings.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 410/4-12) (from Ch. 111, par. 1704-12)
(Section scheduled to be repealed on January 1, 2016)

Sec. 4-12. Department may take testimony - oaths. The Department shall have power to subpoena and bring before it any person in this State and

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to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Secretary, any hearing officer appointed by the Secretary, and any member of the Board Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-14) (from Ch. 111, par. 1704-14)
(Section scheduled to be repealed on January 1, 2016)

Sec. 4-14. Report of Board committee; rehearing. The Board Committee shall present to the Secretary its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Section for the service of the citation. Within 20 days after such service, said accused person may present to the Department his or her motion in writing for rehearing, which written motion shall specify the particular grounds therefor.

If said accused person shall order and pay for a transcript of the record as provided in this Section, the time elapsing thereafter and before such transcript is ready for delivery to him or her shall not be counted as part of such 20 days. Whenever the Secretary is satisfied that substantial justice has not been done, he or she may order a re-hearing by the same or a special committee. At the expiration of the time specified for filing a motion or a rehearing the Secretary shall have the right to take the action recommended by the Board Committee. Upon the suspension or revocation of his or her license a licensee shall be required to surrender his or her license to the Department, and upon his or her failure or refusal so to do, the Department shall have the right to seize the same.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-15) (from Ch. 111, par. 1704-15)
(Section scheduled to be repealed on January 1, 2016)

Sec. 4-15. Hearing officer. Notwithstanding the provisions of Section 4-10, the Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew, or discipline of a license. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings and recommendations to the Board Committee and the Secretary. The Board Committee shall have 60 days from

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receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law, and recommendations to the Secretary. If the Board Committee fails to present its report within the 60 day period, then the Secretary shall issue an order based on the report of the hearing officer. If the Secretary determines that the Board's Committee's report is contrary to the manifest weight of the evidence, then he or she may issue an order in contravention of the Board's Committee's report.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-16) (from Ch. 111, par. 1704-16)
Sec. 4-16. Order or certified copy; prima facie proof. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, shall be prima facie proof that:

1. the signature is the genuine signature of the Secretary;
2. the Secretary is duly appointed and qualified; and
3. the Board Committee and the members thereof are qualified to act.

Such proof may be rebutted.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-17) (from Ch. 111, par. 1704-17)
Sec. 4-17. Restoration of license. At any time after the successful completion of a term of suspension or revocation of a license any certificate, the Department may restore it to the licensee accused person without examination, upon the written recommendation of the Board Committee.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 410/4-19) (from Ch. 111, par. 1704-19)
Sec. 4-19. Emergency suspension. The Secretary may temporarily suspend the license of a barber, cosmetologist, nail technician, hair braider, esthetician or teacher thereof or of a cosmetology, esthetics, hair braiding, or nail technology clinic teacher without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 4-10 of this Act, if the Secretary finds that evidence in his possession indicates that the licensee's continuation in practice would constitute an imminent danger to the public. In the event that the Secretary suspends, temporarily, this license without a hearing, a hearing must be commenced held within 30 days after such suspension has occurred.
Sec. 4-20. Violations; penalties. Whoever violates any of the following shall, for the first offense, be guilty of a Class B misdemeanor; for the second offense, shall be guilty of a Class A misdemeanor; and for all subsequent offenses, shall be guilty of a Class 4 felony and be fined not less than $1,000 or more than $5,000.

1. The practice of cosmetology, nail technology, esthetics, hair braiding, or barbering or an attempt to practice cosmetology, nail technology, esthetics, hair braiding, or barbering without a license as a cosmetologist, nail technician, esthetician, hair braider, or barber; or the practice or attempt to practice as a cosmetology, nail technology, esthetics, hair braiding, or barber teacher without a license as a cosmetology, nail technology, esthetics, hair braiding, or barber teacher; or the practice or attempt to practice as a cosmetology, esthetics, hair braiding, or nail technology clinic teacher without a proper license.

2. The obtaining of or an attempt to obtain a license or money or any other thing of value by fraudulent misrepresentation.

3. Practice in the barber, nail technology, cosmetology, hair braiding, or esthetic profession, or an attempt to practice in those professions, by fraudulent misrepresentation.

4. Wilfully making any false oath or affirmation whenever an oath or affirmation is required by this Act.

5. The violation of any of the provisions of this Act.

Sec. 4-22. Certifications of record; costs. The Department shall not be required to certify any record to the Court or file any answer in court or otherwise appear in any Court in a judicial review proceeding, unless there is filed in the Court, with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in Court shall be grounds for dismissal of the action.

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Sec. 4-24. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 410/Art. IIA rep.)

Section 10. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 is amended by repealing Article IIA.

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225 ILCS 410/4-24 new
225 ILCS 410/Art. IIA rep.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0912
(House Bill No. 4995)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The School Code is amended by changing Section 19-1 as
follows:
(105 ILCS 5/19-1)
Sec. 19-1. Debt limitations of school districts.

New matter indicated by italics - deletions by strikeout
(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

New matter indicated by italics - deletions by strikeout
Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

1. Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

2. When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

3. When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

New matter indicated by italics - deletions by strikeout
(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional

New matter indicated by italics - deletions by strikeout
indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.
(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount,
including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;
(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;
(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;
(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;
(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

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(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount,
including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;
(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;
(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and
(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;
(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;
(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;
(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and
(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital
Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

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(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or

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hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

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(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed $450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed $225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.
(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

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(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the primary election held in 2008.

The debt incurred on any bonds issued under this subsection (p-25) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-30) In addition to all other authority to issue bonds, Prairie Grove Consolidated School District 46 may issue bonds with an aggregate principal amount not to exceed $30,000,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the building and equipping of a new school building and additions to existing school buildings are required as a result of a projected increase in the enrollment of students in the district and (B) the altering, repairing, and equipping of existing school buildings are required because of the age of the existing school buildings.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2012; however, the aggregate principal amount issued in all such bond issuances combined must not exceed $30,000,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held in 2008.

The debt incurred on any bonds issued under this subsection (p-30) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-35) In addition to all other authority to issue bonds, Prairie Hill Community Consolidated School District 133 may issue bonds with an aggregate principal amount not to exceed $13,900,000, but only if all of the following conditions are met:

(i) The voters of the district approved a proposition for the bond issuance at an election held on April 17, 2007.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the improvement of the site of and the building and equipping of a school building are required as a result of a projected increase in the enrollment of students in the district and (B) the repairing and equipping of the Prairie Hill...
Elementary School building is required because of the age of that school building.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed $13,900,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on April 17, 2007.

The debt incurred on any bonds issued under this subsection (p-35) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-40) In addition to all other authority to issue bonds, Mascoutah Community Unit District 19 may issue bonds with an aggregate principal amount not to exceed $55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at a regular election held on or after November 4, 2008.

(2) At the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new high school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing high school building, (ii) the existing high school building will be demolished, and (iii) the sale of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed $55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at a regular election held on or after November 4, 2008.

The debt incurred on any bonds issued under this subsection (p-40) shall not be considered indebtedness for purposes of any statutory debt limitation.

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(p-45) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.5 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 18.5% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-50) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.10 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 43% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-55) In addition to all other authority to issue bonds, Belle Valley School District 119 may issue bonds with an aggregate principal amount not to exceed $47,500,000, but only if all of the following conditions are met:

1. The voters of the district approve a proposition for the bond issuance at an election held on or after April 7, 2009.
2. Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of mine subsidence in an existing school building and because of the age and condition of another existing school building and (ii) the issuance of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.
3. The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $47,500,000.
4. The bonds are issued in accordance with this Article.
5. The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 7, 2009.

The debt incurred on any bonds issued under this subsection (p-55) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-55) must mature within not to exceed 30 years from their date, notwithstanding any other law to the contrary.

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(p-60) In addition to all other authority to issue bonds, Wilmington Community Unit School District Number 209-U may issue bonds with an aggregate principal amount not to exceed $2,285,000, but only if all of the following conditions are met:

1. The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on March 21, 2006.
2. Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects approved by the voters were and are required because of the age and condition of the school district's prior and existing school buildings and (ii) the issuance of the bonds is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.
3. The bonds are issued in one or more bond issuances on or before March 1, 2011, but the aggregate principal amount issued in all those bond issuances combined must not exceed $2,285,000.
4. The bonds are issued in accordance with this Article.

The debt incurred on any bonds issued under this subsection (p-60) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-65) In addition to all other authority to issue bonds, West Washington County Community Unit School District 10 may issue bonds with an aggregate principal amount not to exceed $32,200,000 and maturing over a period not exceeding 25 years, but only if all of the following conditions are met:

1. The voters of the district approve a proposition for the bond issuance at an election held on or after February 2, 2010.
2. Prior to the issuance of the bonds, the school board determines, by resolution, that (A) all or a portion of the existing Okawville Junior/Senior High School Building will be demolished; (B) the building and equipping of a new school building to be attached to and the alteration, repair, and equipping of the remaining portion of the Okawville Junior/Senior High School Building is required because of the age and current condition of that school building; and (C) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

New matter indicated by italics - deletions by strikeout
(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,200,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-65) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-70) In addition to all other authority to issue bonds, Cahokia Community Unit School District 187 may issue bonds with an aggregate principal amount not to exceed $50,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 2, 2010.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2016, but the aggregate principal amount issued in all such bond issuances combined must not exceed $50,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 2, 2010.

The debt incurred on any bonds issued under this subsection (p-70) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-70) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-75) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, the execution of leases on or after January 1, 2007 and before July 1, 2011 by the Board of Education of Peoria School District 150 with a public building commission for leases entered into pursuant to the Public Building

New matter indicated by italics - deletions by strikeout
Commission Act shall not be considered indebtedness for purposes of any statutory debt limitation.

This subsection (p-75) applies only if the State Board of Education or the Capital Development Board makes one or more grants to Peoria School District 150 pursuant to the School Construction Law. The amount exempted from the debt limitation as prescribed in this subsection (p-75) shall be no greater than the amount of one or more grants awarded to Peoria School District 150 by the State Board of Education or the Capital Development Board.

(p-80) In addition to all other authority to issue bonds, Ridgeland School District 122 may issue bonds with an aggregate principal amount not to exceed $50,000,000 for the purpose of refunding or continuing to refund bonds originally issued pursuant to voter approval at the general election held on November 7, 2000, and the debt incurred on any bonds issued under this subsection (p-80) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-80) may be issued in one or more issuances and must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-85) In addition to all other authority to issue bonds, Hall High School District 502 may issue bonds with an aggregate principal amount not to exceed $32,000,000, but only if all the following conditions are met:

1. The voters of the district approve a proposition for the bond issuance at an election held on or after April 9, 2013.

2. Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building, (ii) the existing school building should be demolished in its entirety or the existing school building should be demolished except for the 1914 west wing of the building, and (iii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district’s statutory debt limitation.

3. The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,000,000.

4. The bonds are issued in accordance with this Article.

New matter indicated by italics - deletions by strikeout
(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 9, 2013.

The debt incurred on any bonds issued under this subsection (p-85) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-85) must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-90) In addition to all other authority to issue bonds, Lebanon Community Unit School District 9 may issue bonds with an aggregate principal amount not to exceed $7,500,000, but only if all of the following conditions are met:

(1) The voters of the district approved a proposition for the bond issuance at the general primary election on February 2, 2010.

(2) At or prior to the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new elementary school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing Lebanon Elementary School building, (ii) a portion of the existing Lebanon Elementary School building will be demolished and the remaining portion will be altered, repaired, and equipped, and (iii) the sale of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before April 1, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $7,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-90) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-95) In addition to all other authority to issue bonds, Monticello Community Unit School District 25 may issue bonds with an aggregate principal amount not to exceed $35,000,000, but only if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 4, 2014.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2020, but the aggregate principal amount issued in all such bond issuances combined must not exceed $35,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 4, 2014.

The debt incurred on any bonds issued under this subsection (p-95) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-95) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Source: P.A. 97-333, eff. 8-12-11; 97-834, eff. 7-20-12; 97-1146, eff. 1-18-13; 98-617, eff. 1-7-14.)


PUBLIC ACT 98-0913
(House Bill No. 5079)

AN ACT concerning wildlife.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Wildlife Code is amended by changing Section 3.3 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 3.3. Trapping license required. Before any person shall trap any of the mammals protected by this Act, for which an open trapping season has been established, he shall first procure a trapping license from the Department to do so. No traps shall be placed in the field, set or unset, prior to the opening day of the trapping season.

Traps used in the taking of such mammals shall be marked or tagged with metal tags or inscribed in lettering giving the name and address of the owner, and absence of such mark or tag shall be prima facie evidence that such trap or traps are illegally used and the trap or traps shall be confiscated and disposed of as directed by the Department.

Before any person 16 years of age or older shall trap, attempt to trap, or sell the green hides of any mammal of the species defined as fur-bearing mammals by Section 2.2 for which an open season is established under this Act, he shall first have procured a State Habitat Stamp.

Before a trapping license shall be issued to any person under the age of sixteen years, such person shall obtain the written consent of his father, mother or legally constituted guardian to obtain such license.

Beginning January 1, 2015, no trapping license shall be issued to any person born on or after January 1, 2015 or who has not previously held a valid trapping license issued by this State or another state within the 3 years immediately preceding the application under 18 years of age unless he or she presents to the authorized issuer of the person authorized to issue such license either evidence that he or she has held a trapping license issued by the State of Illinois or another state in a prior year, or a certificate of competency provided for in this Section.

The Department of Natural Resources shall authorize personnel of the Department, or volunteer instructors, found by the Department to be competent, to provide instruction in courses on trapping techniques and ethical trapping behavior as needed throughout the State, which courses shall be at least 8 hours in length. Persons so authorized shall provide instruction in such courses to individuals at no charge, and shall issue to individuals successfully completing such courses certificates of competency in basic trapping techniques. The Department shall cooperate in establishing such courses with any reputable association or organization which has as one of its objectives the promotion of the ethical use of legal fur harvesting devices and techniques. The Department shall furnish information on the requirements of the trapper education program to be distributed free of charge.
to applicants for trapping licenses by the persons appointed and authorized to issue licenses.

The owners residing on, or bona fide tenants of farm lands, and their children actually residing on such lands, shall have the right to trap mammals protected by this Act, for which an open trapping season has been established, upon such lands, without procuring licenses, provided that such mammals are taken during the periods of time and with such devices as are permitted by this Act.

(Source: P.A. 89-445, eff. 2-7-96.)

Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0914
(House Bill No. 5080)

AN ACT concerning wildlife.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Wildlife Code is amended by changing Sections 2.33 and 3.1-3 as follows:

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)
Sec. 2.33. Prohibitions.
(a) It is unlawful to carry or possess any gun in any State refuge unless otherwise permitted by administrative rule.
(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.
(c) It is unlawful for any person at any time to take a wild mammal protected by this Act from its den by means of any mechanical device, spade, or digging device or to use smoke or other gases to dislodge or remove such mammal except as provided in Section 2.37.
(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.
(e) (Blank).

New matter indicated by italics - deletions by strikeout
(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.

(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.

(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.

(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.

(l) It is unlawful to take any species of wild game, except white-tailed deer and fur-bearing mammals, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

New matter indicated by italics - deletions by strikeout
(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.5.

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.

(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.

(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to take or attempt to take any species of wildlife or parts thereof, intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, or to knowingly shoot a gun or bow and arrow device at any wildlife physically on or flying over the property of another without first obtaining permission from the owner or the owner's designee. For the purposes of this Section, the owner's designee means anyone who the owner designates in a written authorization and the authorization must contain (i) the legal or common description of property for such authority is given, (ii) the extent that the owner's designee is authorized to make decisions regarding who is allowed to take or attempt to take any species of wildlife or parts thereof, and (iii) the owner's notarized signature. Before enforcing this Section the law enforcement officer must have received notice from the owner or the owner's designee of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of

New matter indicated by italics - deletions by strikeout
an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or providing outfitting services under a waterfowl outfitter permit, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on property operated under a Migratory Waterfowl Hunting Area Permit, on federally owned and managed lands and on Department owned, managed, leased, or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.

(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.

(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that hunting hours between one half hour after sunset and one half hour before sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

(aa) It is unlawful to use or possess any device that may be used for tree climbing or cutting, while hunting fur-bearing mammals, excluding coyotes.

New matter indicated by italics - deletions by strikeout
(bb) It is unlawful for any person, except licensed game breeders, pursuant to Section 2.29 to import, carry into, or possess alive in this State any species of wildlife taken outside of this State, without obtaining permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any freshly killed species protected by this Act during the season closed for taking.

(dd) It is unlawful to take any species protected by this Act and retain it alive except as provided by administrative rule.

(ee) It is unlawful to possess any rifle while in the field during gun deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this Act, except migratory waterfowl, during the gun deer hunting season in those counties open to gun deer hunting, unless he or she wears, when in the field, a cap and upper outer garment of a solid blaze orange color, with such articles of clothing displaying a minimum of 400 square inches of blaze orange material.

(gg) It is unlawful during the upland game season for any person to take upland game with a firearm unless he or she wears, while in the field, a cap of solid blaze orange color. For purposes of this Act, upland game is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a bag limit without making a reasonable effort to retrieve such species and include such in the bag limit. It shall be unlawful for any person having control over harvested game mammals, game birds, or migratory game birds for which there is a bag limit to wantonly waste or destroy the usable meat of the game, except this shall not apply to wildlife taken under Sections 2.37 or 3.22 of this Code. For purposes of this subsection, "usable meat" means the breast meat of a game bird or migratory game bird and the hind ham and front shoulders of a game mammal. It shall be unlawful for any person to place, leave, dump, or abandon a wildlife carcass or parts of it along or upon a public right-of-way or highway or on public or private property, including a waterway or stream, without the permission of the owner or tenant. It shall not be unlawful to discard game meat that is determined to be unfit for human consumption.

(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and
transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) (Blank).

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other disabled persons who meet the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

(ll) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

(mm) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.

(nn) It shall be unlawful to possess any species of wildlife or wildlife parts taken unlawfully in Illinois, any other state, or any other country, whether or not the wildlife or wildlife parts is indigenous to Illinois. For the purposes of this subsection, the statute of limitations for unlawful possession of wildlife or wildlife parts shall not cease until 2 years after the possession has permanently ended.

(Source: P.A. 97-645, eff. 12-30-11; 97-907, eff. 8-7-12; 98-119, eff. 1-1-14; 98-181, eff. 8-5-13; 98-183, eff. 1-1-14; 98-290, eff. 8-9-13; revised 9-24-13.)

(520 ILCS 5/3.1-3)
Sec. 3.1-3. Deer, waterfowl, and wild turkey outfitter permit; application and fees. Before any person provides or offers to provide, for compensation, outfitting services for deer, waterfowl, or wild turkey hunting, that person must apply for and receive a permit from the Department. The annual fee for resident outfitter permits shall not exceed $1,000. The annual fee for nonresident outfitter permits shall not exceed $2,500. All outfitter permit fees shall be deposited into the Wildlife and Fish Fund. The criteria, definitions, application process, fees, and standards of outfitting services shall be provided by administrative rule. Any person who violates any provision of

New matter indicated by italics - deletions by strikeout
Section 10. The Wildlife Code is amended by repealing Sections 3.6, 3.7, and 3.8.

Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

AN ACT concerning fish.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Fish and Aquatic Life Code is amended by changing Section 10-45 and by adding Section 10-47 as follows:

Sec. 10-45. Taking of bait fishes shad. All casting nets shall not be (1) larger than 24 & feet in diameter or (2) of a mesh larger than 1 3/8 inch bar measurement. All shad scoops shall not be (1) larger than 30 inches in diameter, (2) of a mesh not larger than 1/2 inch bar measurement, or (3) longer than 4 feet in length. All individuals using either of these devices shall possess a valid sport fishing license.
(Source: P.A. 89-66, eff. 1-1-96.)

Sec. 10-47. Taking of fish by casting net or shad scoop for use as bait. The following fish species may be taken with a casting net or shad scoop and used for bait on the body of water where they are collected if they are killed immediately: bighead carp (Hypophthalmichthys nobilis), black carp (Mylopharyngodon piceus), grass carp (Ctenopharyngodon idella), and silver carp (Hypophthalmichthys molotrix). The following fish species may be taken with a casting net or shad scoop and used for live or dead bait on the body of water where they are collected: mooneye (Hiodon tergisus), goldeye (Hiodon alosoides), skipjack herring (Alosa chrysochloris), carp (other than bighead carp (Hypophthalmichthys nobilis), black carp

New matter indicated by italics - deletions by strikeout
(Mylopharyngodon piceus), grass carp (Ctenopharyngodon idella), and silver carp (Hypophthalmichthys molotrix), and any other fish listed in Section 10-110 of this Code. Any person using casting nets or a shad scoop for the taking of fish under this Section must possess a valid sport fishing license.

Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0916
(House Bill No. 5283)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 19-1 as follows:

(105 ILCS 5/19-1)
Sec. 19-1. Debt limitations of school districts.
(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.
No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.
No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

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limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased
over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the

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value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine
subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school

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board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

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(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;
(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;
(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;
(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;
(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;
(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and
(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such

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additional indebtedness, causes the aggregate indebtedness of the school
district to exceed or increases the amount by which the aggregate
indebtedness of the district already exceeds the debt limitation otherwise
applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a
referendum to authorize the additional indebtedness was approved by
a majority of the voters of the school district voting on the
proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing
a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing
indebtedness of the school district, shall not exceed 17.4% of the
value of the taxable property in the school district, to be ascertained
by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are
issued, if at all, within 120 days of the effective date of this

(l) Notwithstanding any other provisions of this Section or the
provisions of any other law, until January 1, 2000, a school district
maintaining grades kindergarten through 8 may issue bonds up to an amount,
including existing indebtedness, not exceeding 15% of the equalized assessed
value of the taxable property in the district if all of the following conditions
are met:

(i) the district has an equalized assessed valuation for calendar
year 1996 of less than $10,000,000;

(ii) the bonds are issued for capital improvement, renovation,
rehabilitation, or replacement of one or more school buildings of the
district, which buildings were originally constructed not less than 70
years ago;

(iii) the voters of the district approve a proposition for the
issuance of the bonds at a referendum held on or after March 17,
1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through
19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the
provisions of any other law, until January 1, 1999, an elementary school
district maintaining grades K through 8 may issue bonds up to an amount,
excluding existing indebtedness, not exceeding 18% of the equalized

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assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;

(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;

(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under
Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including

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indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

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(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed $450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are

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required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed $225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-25) In addition to all other authority to issue bonds, Rochester Community Unit School District 3A may issue bonds with an aggregate

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principal amount not to exceed $18,500,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at the general primary election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of a new high school building; the addition of classrooms and support facilities at the high school, middle school, and elementary school; the altering, repairing, and equipping of existing school buildings; and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by a law that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before December 31, 2012, but the aggregate principal amount issued in all such bond issues combined must not exceed $18,500,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the primary election held in 2008.

The debt incurred on any bonds issued under this subsection (p-25) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-30) In addition to all other authority to issue bonds, Prairie Grove Consolidated School District 46 may issue bonds with an aggregate principal amount not to exceed $30,000,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the building and equipping of a new school building and additions to existing school buildings are required as a result of a projected increase in the enrollment of students in the district and (B) the altering, repairing, and equipping of existing school buildings are required because of the age of the existing school buildings.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2012; however, the aggregate principal

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amount issued in all such bond issuances combined must not exceed $30,000,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held in 2008.

The debt incurred on any bonds issued under this subsection (p-30) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-35) In addition to all other authority to issue bonds, Prairie Hill Community Consolidated School District 133 may issue bonds with an aggregate principal amount not to exceed $13,900,000, but only if all of the following conditions are met:

(i) The voters of the district approved a proposition for the bond issuance at an election held on April 17, 2007.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the improvement of the site of and the building and equipping of a school building are required as a result of a projected increase in the enrollment of students in the district and (B) the repairing and equipping of the Prairie Hill Elementary School building is required because of the age of that school building.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed $13,900,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on April 17, 2007.

The debt incurred on any bonds issued under this subsection (p-35) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-40) In addition to all other authority to issue bonds, Mascoutah Community Unit District 19 may issue bonds with an aggregate principal amount not to exceed $55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at a regular election held on or after November 4, 2008.

(2) At the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new

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high school building is required as a result of a projected increase in
the enrollment of students in the district and the age and condition of
the existing high school building, (ii) the existing high school
building will be demolished, and (iii) the sale of bonds is authorized
by statute that exempts the debt incurred on the bonds from the
district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on
or before December 31, 2011, but the aggregate principal amount
issued in all such bond issuances combined must not exceed
$55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only
those projects approved by the voters at a regular election held on or
after November 4, 2008.

The debt incurred on any bonds issued under this subsection (p-40)
shall not be considered indebtedness for purposes of any statutory debt
limitation.

(p-45) Notwithstanding the provisions of subsection (a) of this
Section or of any other law, bonds issued pursuant to Section 19-3.5 of this
Code shall not be considered indebtedness for purposes of any statutory
limitation if the bonds are issued in an amount or amounts, including existing
indebtedness of the school district, not in excess of 18.5% of the value of the
taxable property in the district to be ascertained by the last assessment for
State and county taxes.

(p-50) Notwithstanding the provisions of subsection (a) of this
Section or of any other law, bonds issued pursuant to Section 19-3.10 of this
Code shall not be considered indebtedness for purposes of any statutory
limitation if the bonds are issued in an amount or amounts, including existing
indebtedness of the school district, not in excess of 43% of the value of the
taxable property in the district to be ascertained by the last assessment for
State and county taxes.

(p-55) In addition to all other authority to issue bonds, Belle Valley
School District 119 may issue bonds with an aggregate principal amount not
to exceed $47,500,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the
bond issuance at an election held on or after April 7, 2009.

(2) Prior to the issuance of the bonds, the school board
determines, by resolution, that (i) the building and equipping of a new
school building is required as a result of mine subsidence in an

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existing school building and because of the age and condition of another existing school building and (ii) the issuance of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $47,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 7, 2009.

The debt incurred on any bonds issued under this subsection (p-55) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-55) must mature within not to exceed 30 years from their date, notwithstanding any other law to the contrary.

(p-60) In addition to all other authority to issue bonds, Wilmington Community Unit School District Number 209-U may issue bonds with an aggregate principal amount not to exceed $2,285,000, but only if all of the following conditions are met:

(1) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on March 21, 2006.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects approved by the voters were and are required because of the age and condition of the school district's prior and existing school buildings and (ii) the issuance of the bonds is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued in one or more bond issuances on or before March 1, 2011, but the aggregate principal amount issued in all those bond issuances combined must not exceed $2,285,000.

(4) The bonds are issued in accordance with this Article.

The debt incurred on any bonds issued under this subsection (p-60) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-65) In addition to all other authority to issue bonds, West Washington County Community Unit School District 10 may issue bonds with an aggregate principal amount not to exceed $32,200,000 and maturing

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over a period not exceeding 25 years, but only if all of the following conditions are met:

1. The voters of the district approve a proposition for the bond issuance at an election held on or after February 2, 2010.

2. Prior to the issuance of the bonds, the school board determines, by resolution, that (A) all or a portion of the existing Okawville Junior/Senior High School Building will be demolished; (B) the building and equipping of a new school building to be attached to and the alteration, repair, and equipping of the remaining portion of the Okawville Junior/Senior High School Building is required because of the age and current condition of that school building; and (C) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

3. The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,200,000.

4. The bonds are issued in accordance with this Article.

5. The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-65) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-70) In addition to all other authority to issue bonds, Cahokia Community Unit School District 187 may issue bonds with an aggregate principal amount not to exceed $50,000,000, but only if all the following conditions are met:

1. The voters of the district approve a proposition for the bond issuance at an election held on or after November 2, 2010.

2. Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

3. The bonds are issued, in one or more issuances, on or before July 1, 2016, but the aggregate principal amount issued in all such bond issuances combined must not exceed $50,000,000.
(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 2, 2010.

The debt incurred on any bonds issued under this subsection (p-70) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-70) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-75) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, the execution of leases on or after January 1, 2007 and before July 1, 2011 by the Board of Education of Peoria School District 150 with a public building commission for leases entered into pursuant to the Public Building Commission Act shall not be considered indebtedness for purposes of any statutory debt limitation.

This subsection (p-75) applies only if the State Board of Education or the Capital Development Board makes one or more grants to Peoria School District 150 pursuant to the School Construction Law. The amount exempted from the debt limitation as prescribed in this subsection (p-75) shall be no greater than the amount of one or more grants awarded to Peoria School District 150 by the State Board of Education or the Capital Development Board.

(p-80) In addition to all other authority to issue bonds, Ridgeland School District 122 may issue bonds with an aggregate principal amount not to exceed $50,000,000 for the purpose of refunding or continuing to refund bonds originally issued pursuant to voter approval at the general election held on November 7, 2000, and the debt incurred on any bonds issued under this subsection (p-80) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-80) may be issued in one or more issuances and must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-85) In addition to all other authority to issue bonds, Hall High School District 502 may issue bonds with an aggregate principal amount not to exceed $32,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 9, 2013.

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(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building, (ii) the existing school building should be demolished in its entirety or the existing school building should be demolished except for the 1914 west wing of the building, and (iii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 9, 2013.

The debt incurred on any bonds issued under this subsection (p-85) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-85) must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-90) In addition to all other authority to issue bonds, Lebanon Community Unit School District 9 may issue bonds with an aggregate principal amount not to exceed $7,500,000, but only if all of the following conditions are met:

(1) The voters of the district approved a proposition for the bond issuance at the general primary election on February 2, 2010.

(2) At or prior to the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new elementary school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing Lebanon Elementary School building, (ii) a portion of the existing Lebanon Elementary School building will be demolished and the remaining portion will be altered, repaired, and equipped, and (iii) the sale of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

New matter indicated by italics - deletions by strikeout
(3) The bonds are issued, in one or more bond issuances, on or before April 1, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $7,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-90) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-95) In addition to all other authority to issue bonds, the community unit school district created in the territory comprising Milford Community Consolidated School District 280 and Milford Township High School District 233, as approved at the general primary election held on March 18, 2014, may issue bonds with an aggregate principal amount not to exceed $17,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 4, 2014.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2020, but the aggregate principal amount issued in all such bond issuances combined must not exceed $17,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 4, 2014.

The debt incurred on any bonds issued under this subsection (p-95) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-95) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in

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outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.
(Source: P.A. 97-333, eff. 8-12-11; 97-834, eff. 7-20-12; 97-1146, eff. 1-18-13; 98-617, eff. 1-7-14.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0917
(House Bill No. 5286)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 21B-25 as follows:

(105 ILCS 5/21B-25)
Sec. 21B-25. Endorsement on licenses. All licenses issued under paragraph (1) of Section 21B-20 of this Code shall be specifically endorsed by the State Board of Education for each content area, school support area, and administrative area for which the holder of the license is qualified. Recognized institutions approved to offer educator preparation programs shall be trained to add endorsements to licenses issued to applicants who meet all of the requirements for the endorsement or endorsements, including passing any required tests. The State Superintendent of Education shall randomly audit institutions to ensure that all rules and standards are being followed for entitlement or when endorsements are being recommended.

(1) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall establish, by rule, the grade level and subject area endorsements to be added to the Professional Educator License. These rules shall outline the requirements for obtaining each endorsement.

(2) In addition to any and all grade level and content area endorsements developed by rule, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall develop the requirements for the following endorsements:

New matter indicated by italics - deletions by strikeout
(A) General administrative endorsement. A general administrative endorsement shall be added to a Professional Educator License, provided that an approved program has been completed. An individual holding a general administrative endorsement may work only as a principal or assistant principal or in a related or similar position, as determined by the State Superintendent of Education, in consultation with the State Educator Preparation and Licensure Board.

Beginning on September 1, 2014, the general administrative endorsement shall no longer be issued. Individuals who hold a valid and registered administrative certificate with a general administrative endorsement issued under Section 21-7.1 of this Code or a Professional Educator License with a general administrative endorsement issued prior to September 1, 2014 and who have served for at least one full year during the 5 years prior in a position requiring a general administrative endorsement shall, upon request to the State Board of Education and through July 1, 2015, have their respective general administrative endorsement converted to a principal endorsement on the Professional Educator License. Candidates shall not be admitted to an approved general administrative preparation program after September 1, 2012.

All other individuals holding a valid and registered administrative certificate with a general administrative endorsement issued pursuant to Section 21-7.1 of this Code or a general administrative endorsement on a Professional Educator License issued prior to September 1, 2014 shall have the general administrative endorsement converted to a principal endorsement on a Professional Educator License upon request to the State Board of Education and by completing one of the following pathways:

(i) Passage of the State principal assessment developed by the State Board of Education.

(ii) Through July 1, 2019, completion of an Illinois Educators' Academy course designated by the State Superintendent of Education.

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(iii) Completion of a principal preparation program established and approved pursuant to Section 21B-60 of this Code and applicable rules.

Individuals who do not choose to convert the general administrative endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or on the Professional Educator License shall continue to be able to serve in any position previously allowed under paragraph (2) of subsection (e) of Section 21-7.1 of this Code.

The general administrative endorsement on the Professional Educator License is available only to individuals who, prior to September 1, 2014, had such an endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or who already have a Professional Educator License and have completed a general administrative program and who do not choose to convert the general administrative endorsement to a principal endorsement pursuant to the options in this Section.

(B) Principal endorsement. A principal endorsement shall be affixed to a Professional Educator License of any holder who qualifies by having all of the following:

(i) Successful completion of a principal preparation program approved in accordance with Section 21B-60 of this Code and any applicable rules.

(ii) Four years of teaching or, until June 30, 2019, working in the capacity of school support personnel in a public school or nonpublic school recognized by the State Board of Education; however, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall allow, by rules, for fewer than 4 years of experience based on meeting standards set forth in such rules, including without limitation a review of performance evaluations or other evidence of demonstrated qualifications.

(iii) A master's degree or higher from a regionally accredited college or university.

(C) Chief school business official endorsement. A chief school business official endorsement shall be affixed to

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the Professional Educator License of any holder who qualifies by having a master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests. The chief school business official endorsement may also be affixed to the Professional Educator License of any holder who qualifies by having a master's degree in business administration, finance, or accounting and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests. This endorsement shall be required for any individual employed as a chief school business official.

(D) Superintendent endorsement. A superintendent endorsement shall be affixed to the Professional Educator License of any holder who has completed a program approved by the State Board of Education for the preparation of superintendents of schools, has had at least 2 years of experience employed as a full-time principal, director of special education, or chief school business official in the public schools or in a State-recognized nonpublic school in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and where a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State, and has passed the required State tests; or of any holder who has completed a program from out-of-state that has a program with recognition standards comparable to those approved by the State Superintendent of Education and holds the general administrative, principal, or chief school business official endorsement and who has had 2 years of experience as a principal, director of special education, or chief school business official while holding a valid educator license or certificate comparable in validity and educational and experience requirements and has passed the appropriate State tests, as provided in Section 21B-30 of this Code. The

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superintendent endorsement shall allow individuals to serve only as a superintendent or assistant superintendent.

(E) Teacher leader endorsement. It shall be the policy of this State to improve the quality of instructional leaders by providing a career pathway for teachers interested in serving in leadership roles, but not as principals. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may issue a teacher leader endorsement under this subdivision (E). Persons who meet and successfully complete the requirements of the endorsement shall be issued a teacher leader endorsement on the Professional Educator License for serving in schools in this State. Teacher leaders may qualify to serve in such positions as department chairs, coaches, mentors, curriculum and instruction leaders, or other leadership positions as defined by the district. The endorsement shall be available to those teachers who (i) hold a Professional Educator License, (ii) hold a master's degree or higher from a regionally accredited institution, (iii) have completed a program of study that has been approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and (iv) have taken coursework in all of the following areas:

(I) Leadership.

(II) Designing professional development to meet teaching and learning needs.

(III) Building school culture that focuses on student learning.

(IV) Using assessments to improve student learning and foster school improvement.

(V) Building collaboration with teachers and stakeholders.

A teacher who meets the requirements set forth in this Section and holds a teacher leader endorsement may evaluate teachers pursuant to Section 24A-5 of this Code, provided that the individual has completed the evaluation component required by Section 24A-3 of this Code and a teacher leader is allowed to evaluate personnel under the respective school district's collective bargaining agreement.

New matter indicated by italics - deletions by strikeout
The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to establish and implement the teacher leader endorsement program and to specify the positions for which this endorsement shall be required.

(F) Special education endorsement. A special education endorsement in one or more areas shall be affixed to a Professional Educator License for any individual that meets those requirements established by the State Board of Education in rules. Special education endorsement areas shall include without limitation the following:

(i) Learning Behavior Specialist I;
(ii) Learning Behavior Specialist II;
(iii) Speech Language Pathologist;
(iv) Blind or Visually Impaired;
(v) Deaf-Hard of Hearing; and
(vi) Early Childhood Special Education.

Notwithstanding anything in this Code to the contrary, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may add additional areas of special education by rule.

(G) School support personnel endorsement. School support personnel endorsement areas shall include, but are not limited to, school counselor, marriage and family therapist, school psychologist, school speech and language pathologist, school nurse, and school social worker. This endorsement is for individuals who are not teachers or administrators, but still require licensure to work in an instructional support position in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control or a charter school operating in compliance with the Charter Schools Law. The school support personnel endorsement shall be affixed to the Professional Educator License and shall meet all of the requirements established in any rules adopted to implement this subdivision (G). The holder of such an endorsement is entitled to all of the rights and privileges granted holders of any other Professional Educator License, including teacher benefits, compensation, and working conditions.

New matter indicated by italics - deletions by strikeout
Beginning on January 1, 2014 and ending on April 30, 2014, a person holding a Professional Educator License with a school speech and language pathologist (teaching) endorsement may exchange his or her school speech and language pathologist (teaching) endorsement for a school speech and language pathologist (non-teaching) endorsement through application to the State Board of Education. There shall be no cost for this exchange.

(Source: P.A. 97-607, eff. 8-26-11; 98-413, eff. 8-16-13; 98-610, eff. 12-27-13.)


PUBLIC ACT 98-0918
(House Bill No. 5288)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 10-22.24b as follows:

\[\text{(105 ILCS 5/10-22.24b)}\]

Sec. 10-22.24b. School counseling services. \textit{School counseling services in public schools may be provided by school counselors as defined in Section 10-22.24a of this Code or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under Section 21B-25 of this Code.}

\textit{School counseling services may include, but are not limited to:}

(1) designing and delivering a comprehensive school counseling program that promotes student achievement and wellness;
(2) incorporating the common core language into the school counselor's work and role;
(3) school counselors working as culturally skilled professionals who act sensitively to promote social justice and equity in a pluralistic society;
(4) providing individual and group counseling;

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(5) providing a core counseling curriculum that serves all students and addresses the knowledge and skills appropriate to their developmental level through a collaborative model of delivery involving the school counselor, classroom teachers, and other appropriate education professionals, and including prevention and pre-referral activities;

(6) making referrals when necessary to appropriate offices or outside agencies;

(7) providing college and career development activities and counseling;

(8) developing individual career plans with students;

(9) assisting all students with a college or post-secondary education plan;

(10) intentionally addressing the career and college needs of first generation students;

(11) educating all students on scholarships, financial aid, and preparation of the Federal Application for Federal Student Aid;

(12) collaborating with institutions of higher education and local community colleges so that students understand post-secondary education options and are ready to transition successfully;

(13) providing crisis intervention and contributing to the development of a specific crisis plan within the school setting in collaboration with multiple stakeholders;

(14) educating students, teachers, and parents on anxiety, depression, cutting, and suicide issues and intervening with students who present with these issues;

(15) providing counseling and other resources to students who are in crisis;

(16) providing resources for those students who do not have access to mental health services;

(17) addressing bullying and conflict resolution with all students;

(18) teaching communication skills and helping students develop positive relationships;

(19) using culturally-sensitive skills in working with all students to promote wellness;

(20) addressing the needs of undocumented students in the school, as well as students who are legally in the United States, but whose parents are undocumented;

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(21) contributing to a student's functional behavioral assessment, as well as assisting in the development of non-aversive behavioral intervention strategies;

(22) actively supporting students in need of special education services by facilitating, participating in, or contributing to a student's individualized education plan (IEP) and completing a social-developmental history;

(23) assisting in the development of a personal educational plan with each student;

(24) educating students on dual credit and learning opportunities on the Internet;

(25) providing information for all students in the selection of courses that will lead to post-secondary education opportunities toward a successful career;

(26) interpreting achievement test results and guiding students in appropriate directions;

(27) counseling with students, families, and teachers in accordance with the rules and regulations governing the provision of related services;

(28) providing families with opportunities for education and counseling as appropriate in relation to the student's educational assessment;

(29) consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of students;

(30) teaming and partnering with staff, parents, businesses, and community organizations to support student achievement and social-emotional learning standards for all students;

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;

(32) developing culturally-sensitive assessment instruments for measuring school counseling prevention and intervention effectiveness and collecting, analyzing, and interpreting data;

(33) participating on school and district committees to advocate for student programs and resources, as well as establishing a school counseling advisory council that includes representatives of

New matter indicated by italics - deletions by strikeout
key stakeholders selected to review and advise on the implementation of the school counseling program;

(34) acting as a liaison between the public schools and community resources and building relationships with important stakeholders, such as families, administrators, teachers, and board members;

(35) maintaining organized, clear, and useful records in a confidential manner consistent with Section 5 of the Illinois School Student Records Act, the Family Educational Rights and Privacy Act, and the Health Insurance Portability and Accountability Act;

(36) presenting an annual agreement to the administration, including a formal discussion of the alignment of school and school counseling program missions and goals and detailing specific school counselor responsibilities;

(37) identifying and implementing culturally-sensitive measures of success for student competencies in each of the 3 domains of academic, social and emotional, and college and career learning based on planned and periodic assessment of the comprehensive developmental school counseling program;

(38) collaborating as a team member in Response to Intervention (RtI) and other school initiatives;

(39) conducting observations and participating in recommendations or interventions regarding the placement of children in educational programs or special education classes;

(40) analyzing data and results of school counseling program assessments, including curriculum, small-group, and closing-the-gap results reports, and designing strategies to continue to improve program effectiveness;

(41) analyzing data and results of school counselor competency assessments;

(42) following American School Counselor Association Ethical Standards for School Counselors to demonstrate high standards of integrity, leadership, and professionalism;

(43) knowing and embracing common core standards by using common core language;

(44) practicing as a culturally-skilled school counselor by infusing the multicultural competencies within the role of the school counselor, including the practice of culturally-sensitive attitudes and beliefs, knowledge, and skills;

New matter indicated by italics - deletions by strikeout
(45) infusing the Social-Emotional Standards, as presented in the State Board of Education standards, across the curriculum and in the counselor's role in ways that empower and enable students to achieve academic success across all grade levels;

(46) providing services only in areas in which the school counselor has appropriate training or expertise, as well as only providing counseling or consulting services within his or her employment to any student in the district or districts which employ such school counselor, in accordance with professional ethics;

(47) having adequate training in supervision knowledge and skills in order to supervise school counseling interns enrolled in graduate school counselor preparation programs that meet the standards established by the State Board of Education;

(48) being involved with State and national professional associations;

(49) participating, at least once every 2 years, in an in-service training program for school counselors conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth, which shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality; at a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence;

(50) participating, at least every 2 years, in an in-service training program for school counselors conducted by persons with expertise in anaphylactic reactions and management;

(51) participating, at least once every 2 years, in an in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel;

(52) participating, in addition to other topics at in-service training programs, in training to identify the warning signs of mental illness and suicidal behavior in adolescents and teenagers and learning appropriate intervention and referral techniques;

New matter indicated by italics - deletions by strikeout
(53) obtaining training to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral and any other information that may be appropriate considering the age and grade level of the pupils; the school board shall supervise such training and the State Board of Education and the Department of Public Health shall jointly develop standards for such training; and

(54) participating in mandates from the State Board of Education for bullying education and social-emotional literacy.

School districts may employ a sufficient number of school counselors to maintain the national and State recommended student-counselor ratio of 250 to 1. School districts may have school counselors spend at least 80% of his or her work time in direct contact with students.

Nothing in this Section prohibits other qualified professionals, including other endorsed school support personnel, from providing the services listed in this Section. School counseling services in the public schools may be provided by school counselors as defined in Section 10-22.24a. School counseling services include but are not limited to: (1) educational planning; (2) career development and counseling; (3) college counseling; (4) developing and facilitating anti-violence education or conflict resolution programs, or both; (5) providing crisis intervention programs within the school setting; (6) making appropriate referrals to outside agencies; (7) interpreting achievement, career, and vocational test information; (8) developing individual career plans for all students; (9) providing individual and small-group counseling; (10) addressing the developmental needs of students by designing curricula for classroom counseling and guidance; (11) consulting and counseling with parents for the academic, career, and personal success of their children; (12) facilitating school to work transition programs; and (13) supervising school counseling interns enrolled in school counseling programs that meet the standards of the State Board of Education. Nothing in this Section prohibits other qualified professionals, including other certificated school personnel, from providing those services listed in this Section.

(Source: P.A. 91-70, eff. 7-9-99.)

Approved August 15, 2014.

New matter indicated by italics - deletions by strikeout
Effective August 15, 2014.

PUBLIC ACT 98-0919
(House Bill No. 5290)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 11-25 as follows:
(720 ILCS 5/11-25)
Sec. 11-25. Grooming.
(a) A person commits the offense of grooming when he or she knowingly uses a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to commit any sex offense as defined in Section 2 of the Sex Offender Registration Act, to distribute photographs depicting the sex organs of the child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child.
(b) Sentence. Grooming is a Class 4 felony.
(Source: P.A. 95-901, eff. 1-1-09.)
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0920
(House Bill No. 5323)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Higher Education Student Assistance Act is amended by adding Section 47 as follows:
(110 ILCS 947/47 new)
Sec. 47. Study; applicability and practicality of Pennsylvania's Pay It Forward Pay It Back program to the State of Illinois.

New matter indicated by italics - deletions by strikeout
(a) The Illinois Student Assistance Commission shall undertake a study to determine the practical and fiscal impacts of adopting a program in Illinois similar to Pennsylvania’s Pay It Forward Pay It Back program. The study shall focus on the particular intricacies, details, and mechanics of funding, with specific regard to the proposal contained in the language of House Bill 5323 from the 98th General Assembly, as introduced. The Commission shall also, to the greatest extent possible, conduct a survey of similar programs within the 50 states, with specific regard to funding and programmatic practicality and feasibility.

(b) The Commission shall prepare a report based on the results of the study and submit its report to the General Assembly on or before December 1, 2014.

(c) This Section is repealed on December 1, 2015.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the May 23, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0921
(House Bill No. 5415)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Sex Offender Community Notification Law is amended by changing Section 116 as follows:

(730 ILCS 152/116)
Sec. 116. Missing Sex Offender Database.
(a) The Department of State Police shall establish and maintain a Statewide Missing Sex Offender Database for the purpose of identifying missing sex offenders and making that information available to the persons specified in Sections 120 and 125 of this Law. The Database shall be created from the Law Enforcement Agencies Data System (LEADS) established under Section 6 of the Intergovernmental Missing Child Recovery Act of 1984. The Department of State Police shall examine its LEADS database for persons registered as sex offenders under the Sex Offender Registration Act and shall identify those who are sex offenders and who have not complied with the provisions of Section 6 of that Act or whose address can not be verified under Section 8-5 of that Act and shall add all the information,

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including photographs if available, on those missing sex offenders to the Statewide Sex Offender Database.

(b) The Department of State Police must make the information contained in the Statewide Missing Sex Offender Database accessible on the Internet by means of a hyperlink labeled "Missing Sex Offender Information" on the Department's World Wide Web home page and on the Attorney General's I-SORT page. The Department of State Police must update that information as it deems necessary. The Internet page shall also include information that rewards may be are available to persons who inform the Department of State Police or a local law enforcement agency of the whereabouts of a missing sex offender.

The Department of State Police may require that a person who seeks access to the missing sex offender information submit biographical information about himself or herself before permitting access to the missing sex offender information. The Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement this subsection (b) and those rules must include procedures to ensure that the information in the database is accurate.

(c) The Department of State Police, Sex Offender Registration Unit, must develop and conduct training to educate all those entities involved in the Missing Sex Offender Registration Program.

(Source: P.A. 95-817, eff. 8-14-08.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0922
(House Bill No. 5438)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Governmental Account Audit Act is amended by changing Section 4 as follows:
(50 ILCS 310/4) (from Ch. 85, par. 704)
Sec. 4. Overdue report.
(a) If the required report for a governmental unit is not filed with the Comptroller in accordance with Section 2 or Section 3, whichever is

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applicable, within 6 months after the close of the fiscal year of the governmental unit, the Comptroller shall notify the governing body of that unit in writing that the report is due and may also grant a 60 day extension for the filing of the audit report. If the required report is not filed within the time specified in such written notice, the Comptroller shall cause an audit to be made by a licensed public accountant, and the governmental unit shall pay to the Comptroller actual compensation and expenses to reimburse him for the cost of preparing or completing such report.

(b) The Comptroller may decline to order an audit and the preparation of an audit report (i) if an initial examination of the books and records of the governmental unit indicates that the books and records of the governmental unit are inadequate or unavailable due to the passage of time or the occurrence of a natural disaster or (ii) if the Comptroller determines that the cost of an audit would impose an unreasonable financial burden on the governmental unit.

(c) The State Comptroller may grant extensions for delinquent audits or reports. The Comptroller may charge a governmental unit a fee for a delinquent audit or report of $5 per day for the first 15 days past due, $10 per day for 16 through 30 days past due, $15 per day for 31 through 45 days past due, and $20 per day for the 46th day and every day thereafter. These amounts may be reduced at the Comptroller's discretion. All fees collected under this subsection (c) shall be deposited into the Comptroller's Administrative Fund.

(Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

Section 10. The Counties Code is amended by changing Section 6-31004 as follows:

(55 ILCS 5/6-31004) (from Ch. 34, par. 6-31004)
Sec. 6-31004. Overdue reports.
(a) In the event the required reports for a county are not filed with the Comptroller in accordance with Section 6-31003 within 6 months after the close of the fiscal year of the county, the Comptroller shall notify the county board in writing that the reports are due, and may also grant an extension of time of up to 60 days for the filing of the reports. In the event the required reports are not filed within the time specified in such written notice, the Comptroller shall cause the audit to be made and the audit report prepared by an accountant or accountants.

(b) The Comptroller may decline to order an audit and the preparation of an audit report if an initial examination of the books and records of the governmental unit indicates that the books and records of the governmental unit...
unit are inadequate or unavailable due to the passage of time or the occurrence of a natural disaster.

(c) The State Comptroller may grant extensions for delinquent audits or reports. The Comptroller may charge a county a fee for a delinquent audit or report of $5 per day for the first 15 days past due, $10 per day for 16 through 30 days past due, $15 per day for 31 through 45 days past due, and $20 per day for the 46th day and every day thereafter. These amounts may be reduced at the Comptroller's discretion. All fees collected under this subsection (c) shall be deposited into the Comptroller's Administrative Fund. (Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

Section 15. The Illinois Municipal Code is amended by changing Sections 8-8-3.5, 8-8-4, 11-74.4-5 and 11-74.6-22 as follows:

(65 ILCS 5/8-8-3.5)

Sec. 8-8-3.5. Tax Increment Financing Report. The reports filed under subsection (d) of Section 11-74.4-5 of the Tax Increment Allocation Redevelopment Act and the reports filed under subsection (d) of Section 11-74.6-22 of the Industrial Jobs Recovery Law in the Illinois Municipal Code must be separate from any other annual report filed with the Comptroller. The Comptroller must, in cooperation with reporting municipalities, create a format for the reporting of information described in paragraphs (1.5) and (5) and in subparagraph (G) of paragraph (7) of subsection (d) of Section 11-74.4-5 of the Tax Increment Allocation Redevelopment Act and the information described in paragraphs (1.5) and (5) and in subparagraph (G) of paragraph (7) of subsection (d) of Section 11-74.6-22 of the Industrial Jobs Recovery Law that facilitates consistent reporting among the reporting municipalities. The Comptroller may allow these reports to be filed electronically and may display the report, or portions of the report, electronically via the Internet. All reports filed under this Section must be made available for examination and copying by the public at all reasonable times. A Tax Increment Financing Report must be filed electronically with the Comptroller within 180 days after the close of the municipal fiscal year or as soon thereafter as the audit for the redevelopment project area for that fiscal year becomes available. If the Tax Increment Finance administrator provides the Comptroller's office with sufficient evidence that the report is in the process of being completed by an auditor, the Comptroller may grant an extension. If the required report is not filed within the time extended by the Comptroller, the Comptroller shall notify the corporate authorities of that municipality that the audit report is past due. The Comptroller may charge a municipality a fee of $5 per day for the first 15 days past due, $10
per day for 16 through 30 days past due, $15 per day for 31 through 45 days past due, and $20 per day for the 46th day and every day thereafter. These amounts may be reduced at the Comptroller's discretion. In the event the required audit report is not filed within 60 days of such notice, the Comptroller shall cause such audit to be made by an accountant or accountants. The Comptroller may decline to order an audit and the preparation of an audit report if an initial examination of the books and records of the municipality indicates that books and records of the municipality are inadequate or unavailable to support the preparation of the audit report or the supplemental report due to the passage of time or the occurrence of a natural disaster. All fees collected pursuant to this Section shall be deposited into the Comptroller's Administrative Fund. In the event the Comptroller causes an audit to be made in accordance with the requirements of this Section, the municipality shall pay to the Comptroller reasonable compensation and expenses to reimburse her for the cost of preparing or completing such report. Moneys paid to the Comptroller pursuant to the preceding sentence shall be deposited into the Comptroller's Audit Expense Revolving Fund.

(Source: P.A. 98-497, eff. 8-16-13.)

Sec. 8-8-4. Overdue reports.

(a) In the event the required audit report for a municipality is not filed with the Comptroller in accordance with Section 8-8-7 within 6 months after the close of the fiscal year of the municipality, the Comptroller shall notify the corporate authorities of that municipality in writing that the audit report is due, and may also grant an extension of time of 60 days, for the filing of the audit report. In the event the required audit report is not filed within the time specified in such written notice, the Comptroller shall cause such audit to be made by an accountant or accountants. In the event the required annual or supplemental report for a municipality is not filed within 6 months after the close of the fiscal year of the municipality, the Comptroller shall notify the corporate authorities of that municipality in writing that the annual or supplemental report is due and may grant an extension in time of 60 days for the filing of such annual or supplemental report.

(b) In the event the annual or supplemental report is not filed within the time extended by the Comptroller, the Comptroller shall cause such annual or supplemental report to be prepared or completed and the municipality shall pay to the Comptroller reasonable compensation and expenses to reimburse him for the cost of preparing or completing such report.

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annual or supplemental report. Moneys paid to the Comptroller pursuant to
the preceding sentence shall be deposited into the Comptroller's Audit
Expense Revolving Fund.

(c) The Comptroller may decline to order an audit or the completion
of the supplemental report if an initial examination of the books and records
of the municipality indicates that books and records of the municipality are
inadequate or unavailable to support the preparation of the audit report or the
supplemental report due to the passage of time or the occurrence of a natural
disaster.

(d) The State Comptroller may grant extensions for delinquent audits
or reports. The Comptroller may charge a municipality a fee for a delinquent
audit or report of $5 per day for the first 15 days past due, $10 per day for 16
through 30 days past due, $15 per day for 31 through 45 days past due, and
$20 per day for the 46th day and every day thereafter. These amounts may be
reduced at the Comptroller's discretion. All fees collected under this
subsection (d) shall be deposited into the Comptroller's Administrative Fund.
(Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

(65 ILCS 5/11-74.4-5) (from Ch. 24, par. 11-74.4-5)
Sec. 11-74.4-5. Public hearing; joint review board.

(a) The changes made by this amendatory Act of the 91st General
Assembly do not apply to a municipality that, (i) before the effective date of
this amendatory Act of the 91st General Assembly, has adopted an ordinance
or resolution fixing a time and place for a public hearing under this Section
or (ii) before July 1, 1999, has adopted an ordinance or resolution providing
for a feasibility study under Section 11-74.4-4.1, but has not yet adopted an
ordinance approving redevelopment plans and redevelopment projects or
designating redevelopment project areas under Section 11-74.4-4, until after
that municipality adopts an ordinance approving redevelopment plans and
redevelopment projects or designating redevelopment project areas under
Section 11-74.4-4; thereafter the changes made by this amendatory Act of the
91st General Assembly apply to the same extent that they apply to
redevelopment plans and redevelopment projects that were approved and
redevelopment projects that were designated before the effective date of this
amendatory Act of the 91st General Assembly.

Prior to the adoption of an ordinance proposing the designation of a
redevelopment project area, or approving a redevelopment plan or
redevelopment project, the municipality by its corporate authorities, or as it
may determine by any commission designated under subsection (k) of Section
11-74.4-4 shall adopt an ordinance or resolution fixing a time and place for

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public hearing. At least 10 days prior to the adoption of the ordinance or resolution establishing the time and place for the public hearing, the municipality shall make available for public inspection a redevelopment plan or a separate report that provides in reasonable detail the basis for the eligibility of the redevelopment project area. The report along with the name of a person to contact for further information shall be sent within a reasonable time after the adoption of such ordinance or resolution to the affected taxing districts by certified mail. On and after the effective date of this amendatory Act of the 91st General Assembly, the municipality shall print in a newspaper of general circulation within the municipality a notice that interested persons may register with the municipality in order to receive information on the proposed designation of a redevelopment project area or the approval of a redevelopment plan. The notice shall state the place of registration and the operating hours of that place. The municipality shall have adopted reasonable rules to implement this registration process under Section 11-74.4-4.2. The municipality shall provide notice of the availability of the redevelopment plan and eligibility report, including how to obtain this information, by mail within a reasonable time after the adoption of the ordinance or resolution, to all residential addresses that, after a good faith effort, the municipality determines are located outside the proposed redevelopment project area and within 750 feet of the boundaries of the proposed redevelopment project area. This requirement is subject to the limitation that in a municipality with a population of over 100,000, if the total number of residential addresses outside the proposed redevelopment project area and within 750 feet of the boundaries of the proposed redevelopment project area exceeds 750, the municipality shall be required to provide the notice to only the 750 residential addresses that, after a good faith effort, the municipality determines are outside the proposed redevelopment project area and closest to the boundaries of the proposed redevelopment project area. Notwithstanding the foregoing, notice given after August 7, 2001 (the effective date of Public Act 92-263) and before the effective date of this amendatory Act of the 92nd General Assembly to residential addresses within 750 feet of the boundaries of a proposed redevelopment project area shall be deemed to have been sufficiently given in compliance with this Act if given only to residents outside the boundaries of the proposed redevelopment project area. The notice shall also be provided by the municipality, regardless of its population, to those organizations and residents that have registered with the municipality for that information in accordance with the registration guidelines established by the municipality under Section 11-74.4-4.2.

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At the public hearing any interested person or affected taxing district may file with the municipal clerk written objections to and may be heard orally in respect to any issues embodied in the notice. The municipality shall hear all protests and objections at the hearing and the hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. At the public hearing or at any time prior to the adoption by the municipality of an ordinance approving a redevelopment plan, the municipality may make changes in the redevelopment plan. Changes which (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project, or (4) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, shall be made only after the municipality gives notice, convenes a joint review board, and conducts a public hearing pursuant to the procedures set forth in this Section and in Section 11-74.4-6 of this Act. Changes which do not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project, or (4) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, may be made without further hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested parties registry, provided for under Section 11-74.4-4.2, and by publication in a newspaper of general circulation within the affected taxing district. Such notice by mail and by publication shall each occur not later than 10 days following the adoption by ordinance of such changes. Hearings with regard to a redevelopment project area, project or plan may be held simultaneously.

(b) Prior to holding a public hearing to approve or amend a redevelopment plan or to designate or add additional parcels of property to a redevelopment project area, the municipality shall convene a joint review board. The board shall consist of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district, and county that will have the authority to

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directly levy taxes on the property within the proposed redevelopment project area at the time that the proposed redevelopment project area is approved, a representative selected by the municipality and a public member. The public member shall first be selected and then the board's chairperson shall be selected by a majority of the board members present and voting.

For redevelopment project areas with redevelopment plans or proposed redevelopment plans that would result in the displacement of residents from 10 or more inhabited residential units or that include 75 or more inhabited residential units, the public member shall be a person who resides in the redevelopment project area. If, as determined by the housing impact study provided for in paragraph (5) of subsection (n) of Section 11-74.4-3, or if no housing impact study is required then based on other reasonable data, the majority of residential units are occupied by very low, low, or moderate income households, as defined in Section 3 of the Illinois Affordable Housing Act, the public member shall be a person who resides in very low, low, or moderate income housing within the redevelopment project area. Municipalities with fewer than 15,000 residents shall not be required to select a person who lives in very low, low, or moderate income housing within the redevelopment project area, provided that the redevelopment plan or project will not result in displacement of residents from 10 or more inhabited units, and the municipality so certifies in the plan. If no person satisfying these requirements is available or if no qualified person will serve as the public member, then the joint review board is relieved of this paragraph's selection requirements for the public member.

Within 90 days of the effective date of this amendatory Act of the 91st General Assembly, each municipality that designated a redevelopment project area for which it was not required to convene a joint review board under this Section shall convene a joint review board to perform the duties specified under paragraph (e) of this Section.

All board members shall be appointed and the first board meeting shall be held at least 14 days but not more than 28 days after the mailing of notice by the municipality to the taxing districts as required by Section 11-74.4-6(c). Notwithstanding the preceding sentence, a municipality that adopted either a public hearing resolution or a feasibility resolution between July 1, 1999 and July 1, 2000 that called for the meeting of the joint review board within 14 days of notice of public hearing to affected taxing districts is deemed to be in compliance with the notice, meeting, and public hearing provisions of the Act. Such notice shall also advise the taxing bodies represented on the joint review board of the time and place of the first

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meeting of the board. Additional meetings of the board shall be held upon the call of any member. The municipality seeking designation of the redevelopment project area shall provide administrative support to the board.

The board shall review (i) the public record, planning documents and proposed ordinances approving the redevelopment plan and project and (ii) proposed amendments to the redevelopment plan or additions of parcels of property to the redevelopment project area to be adopted by the municipality. As part of its deliberations, the board may hold additional hearings on the proposal. A board's recommendation shall be an advisory, non-binding recommendation. The recommendation shall be adopted by a majority of those members present and voting. The recommendations shall be submitted to the municipality within 30 days after convening of the board. Failure of the board to submit its report on a timely basis shall not be cause to delay the public hearing or any other step in the process of designating or amending the redevelopment project area but shall be deemed to constitute approval by the joint review board of the matters before it.

The board shall base its recommendation to approve or disapprove the redevelopment plan and the designation of the redevelopment project area or the amendment of the redevelopment plan or addition of parcels of property to the redevelopment project area on the basis of the redevelopment project area and redevelopment plan satisfying the plan requirements, the eligibility criteria defined in Section 11-74.4-3, and the objectives of this Act.

The board shall issue a written report describing why the redevelopment plan and project area or the amendment thereof meets or fails to meet one or more of the objectives of this Act and both the plan requirements and the eligibility criteria defined in Section 11-74.4-3. In the event the Board does not file a report it shall be presumed that these taxing bodies find the redevelopment project area and redevelopment plan satisfy the objectives of this Act and the plan requirements and eligibility criteria.

If the board recommends rejection of the matters before it, the municipality will have 30 days within which to resubmit the plan or amendment. During this period, the municipality will meet and confer with the board and attempt to resolve those issues set forth in the board's written report that led to the rejection of the plan or amendment.

Notwithstanding the resubmission set forth above, the municipality may commence the scheduled public hearing and either adjourn the public hearing or continue the public hearing until a date certain. Prior to continuing any public hearing to a date certain, the municipality shall announce during the public hearing the time, date, and location for the reconvening of the
public hearing. Any changes to the redevelopment plan necessary to satisfy the issues set forth in the joint review board report shall be the subject of a public hearing before the hearing is adjourned if the changes would (1) substantially affect the general land uses proposed in the redevelopment plan, (2) substantially change the nature of or extend the life of the redevelopment project, or (3) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10. Changes to the redevelopment plan necessary to satisfy the issues set forth in the joint review board report shall not require any further notice or convening of a joint review board meeting, except that any changes to the redevelopment plan that would add additional parcels of property to the proposed redevelopment project area shall be subject to the notice, public hearing, and joint review board meeting requirements established for such changes by subsection (a) of Section 11-74.4-5.

In the event that the municipality and the board are unable to resolve these differences, or in the event that the resubmitted plan or amendment is rejected by the board, the municipality may proceed with the plan or amendment, but only upon a three-fifths vote of the corporate authority responsible for approval of the plan or amendment, excluding positions of members that are vacant and those members that are ineligible to vote because of conflicts of interest.

(c) After a municipality has by ordinance approved a redevelopment plan and designated a redevelopment project area, the plan may be amended and additional properties may be added to the redevelopment project area only as herein provided. Amendments which (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan, or (6) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, shall be made only after the municipality gives notice, convenes a joint review board, and conducts a public hearing pursuant to the procedures set forth in this Section and in Section 11-74.4-6 of this Act. Changes which do not (1) add additional

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parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project cost set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan, or (6) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, may be made without further public hearing and related notices and procedures including the convening of a joint review board as set forth in Section 11-74.4-6 of this Act, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested parties registry, provided for under Section 11-74.4-4.2, and by publication in a newspaper of general circulation within the affected taxing district. Such notice by mail and by publication shall each occur not later than 10 days following the adoption by ordinance of such changes.

(d) After the effective date of this amendatory Act of the 91st General Assembly, a municipality shall submit in an electronic format the following information for each redevelopment project area (i) to the State Comptroller under Section 8-8-3.5 of the Illinois Municipal Code, subject to any extensions or exemptions provided at the Comptroller's discretion under that Section, and (ii) to all taxing districts overlapping the redevelopment project area no later than 180 days after the close of each municipal fiscal year or as soon thereafter as the audited financial statements become available and, in any case, shall be submitted before the annual meeting of the Joint Review Board to each of the taxing districts that overlap the redevelopment project area:

(1) Any amendments to the redevelopment plan, the redevelopment project area, or the State Sales Tax Boundary.

(1.5) A list of the redevelopment project areas administered by the municipality and, if applicable, the date each redevelopment project area was designated or terminated by the municipality.

(2) Audited financial statements of the special tax allocation fund once a cumulative total of $100,000 has been deposited in the fund.

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(3) Certification of the Chief Executive Officer of the municipality that the municipality has complied with all of the requirements of this Act during the preceding fiscal year.

(4) An opinion of legal counsel that the municipality is in compliance with this Act.

(5) An analysis of the special tax allocation fund which sets forth:

(A) the balance in the special tax allocation fund at the beginning of the fiscal year;

(B) all amounts deposited in the special tax allocation fund by source;

(C) an itemized list of all expenditures from the special tax allocation fund by category of permissible redevelopment project cost; and

(D) the balance in the special tax allocation fund at the end of the fiscal year including a breakdown of that balance by source and a breakdown of that balance identifying any portion of the balance that is required, pledged, earmarked, or otherwise designated for payment of or securing of obligations and anticipated redevelopment project costs. Any portion of such ending balance that has not been identified or is not identified as being required, pledged, earmarked, or otherwise designated for payment of or securing of obligations or anticipated redevelopment projects costs shall be designated as surplus as set forth in Section 11-74.4-7 hereof.

(6) A description of all property purchased by the municipality within the redevelopment project area including:

(A) Street address.

(B) Approximate size or description of property.

(C) Purchase price.

(D) Seller of property.

(7) A statement setting forth all activities undertaken in furtherance of the objectives of the redevelopment plan, including:

(A) Any project implemented in the preceding fiscal year.

(B) A description of the redevelopment activities undertaken.

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(C) A description of any agreements entered into by the municipality with regard to the disposition or redevelopment of any property within the redevelopment project area or the area within the State Sales Tax Boundary.

(D) Additional information on the use of all funds received under this Division and steps taken by the municipality to achieve the objectives of the redevelopment plan.

(E) Information regarding contracts that the municipality's tax increment advisors or consultants have entered into with entities or persons that have received, or are receiving, payments financed by tax increment revenues produced by the same redevelopment project area.

(F) Any reports submitted to the municipality by the joint review board.

(G) A review of public and, to the extent possible, private investment actually undertaken to date after the effective date of this amendatory Act of the 91st General Assembly and estimated to be undertaken during the following year. This review shall, on a project-by-project basis, set forth the estimated amounts of public and private investment incurred after the effective date of this amendatory Act of the 91st General Assembly and provide the ratio of private investment to public investment to the date of the report and as estimated to the completion of the redevelopment project.

(8) With regard to any obligations issued by the municipality:

(A) copies of any official statements; and

(B) an analysis prepared by financial advisor or underwriter setting forth: (i) nature and term of obligation; and (ii) projected debt service including required reserves and debt coverage.

(9) For special tax allocation funds that have experienced cumulative deposits of incremental tax revenues of $100,000 or more, a certified audit report reviewing compliance with this Act performed by an independent public accountant certified and licensed by the authority of the State of Illinois. The financial portion of the audit must be conducted in accordance with Standards for Audits of Governmental Organizations, Programs, Activities, and Functions.
adopted by the Comptroller General of the United States (1981), as amended, or the standards specified by Section 8-8-5 of the Illinois Municipal Auditing Law of the Illinois Municipal Code. The audit report shall contain a letter from the independent certified public accountant indicating compliance or noncompliance with the requirements of subsection (q) of Section 11-74.4-3. For redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of the information, including how to obtain the report, required in this subsection shall also be sent by mail to all residents or organizations that operate in the municipality that register with the municipality for that information according to registration procedures adopted under Section 11-74.4-4.2. All municipalities are subject to this provision.

(10) A list of all intergovernmental agreements in effect during the fiscal year to which the municipality is a party and an accounting of any moneys transferred or received by the municipality during that fiscal year pursuant to those intergovernmental agreements.

(d-1) Prior to the effective date of this amendatory Act of the 91st General Assembly, municipalities with populations of over 1,000,000 shall, after adoption of a redevelopment plan or project, make available upon request to any taxing district in which the redevelopment project area is located the following information:

(1) Any amendments to the redevelopment plan, the redevelopment project area, or the State Sales Tax Boundary; and

(2) In connection with any redevelopment project area for which the municipality has outstanding obligations issued to provide for redevelopment project costs pursuant to Section 11-74.4-7, audited financial statements of the special tax allocation fund.

(e) The joint review board shall meet annually 180 days after the close of the municipal fiscal year or as soon as the redevelopment project audit for that fiscal year becomes available to review the effectiveness and status of the redevelopment project area up to that date.

(f) (Blank).

(g) In the event that a municipality has held a public hearing under this Section prior to March 14, 1994 (the effective date of Public Act 88-537), the requirements imposed by Public Act 88-537 relating to the method of fixing the time and place for public hearing, the materials and information

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required to be made available for public inspection, and the information
required to be sent after adoption of an ordinance or resolution fixing a time
and place for public hearing shall not be applicable.

(h) On and after the effective date of this amendatory Act of the 96th
General Assembly, the State Comptroller must post on the State
Comptroller's official website the information submitted by a municipality
pursuant to subsection (d) of this Section. The information must be posted no
later than 45 days after the State Comptroller receives the information from
the municipality. The State Comptroller must also post a list of the
municipalities not in compliance with the reporting requirements set forth in
subsection (d) of this Section.

(i) No later than 10 years after the corporate authorities of a
municipality adopt an ordinance to establish a redevelopment project area, the
municipality must compile a status report concerning the redevelopment
project area. The status report must detail without limitation the following:
(i) the amount of revenue generated within the redevelopment project area,
(ii) any expenditures made by the municipality for the redevelopment project
area including without limitation expenditures from the special tax allocation
fund, (iii) the status of planned activities, goals, and objectives set forth in the
redevelopment plan including details on new or planned construction within
the redevelopment project area, (iv) the amount of private and public
investment within the redevelopment project area, and (v) any other relevant
evaluation or performance data. Within 30 days after the municipality
compiles the status report, the municipality must hold at least one public
hearing concerning the report. The municipality must provide 20 days' public
notice of the hearing.

(j) Beginning in fiscal year 2011 and in each fiscal year thereafter, a
municipality must detail in its annual budget (i) the revenues generated from
redevelopment project areas by source and (ii) the expenditures made by the
municipality for redevelopment project areas.
(Source: P.A. 96-1335, eff. 7-27-10.)
(65 ILCS 5/11-74.6-22)
Sec. 11-74.6-22. Adoption of ordinance; requirements; changes.
(a) Before adoption of an ordinance proposing the designation of a
redevelopment planning area or a redevelopment project area, or both, or
approving a redevelopment plan or redevelopment project, the municipality
or commission designated pursuant to subsection (l) of Section 11-74.6-15
shall fix by ordinance or resolution a time and place for public hearing. Prior
to the adoption of the ordinance or resolution establishing the time and place

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for the public hearing, the municipality shall make available for public inspection a redevelopment plan or a report that provides in sufficient detail, the basis for the eligibility of the redevelopment project area. The report along with the name of a person to contact for further information shall be sent to the affected taxing district by certified mail within a reasonable time following the adoption of the ordinance or resolution establishing the time and place for the public hearing.

At the public hearing any interested person or affected taxing district may file with the municipal clerk written objections to the ordinance and may be heard orally on any issues that are the subject of the hearing. The municipality shall hear and determine all alternate proposals or bids for any proposed conveyance, lease, mortgage or other disposition of land and all protests and objections at the hearing and the hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the later hearing. At the public hearing or at any time prior to the adoption by the municipality of an ordinance approving a redevelopment plan, the municipality may make changes in the redevelopment plan. Changes which (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, or (3) substantially change the nature of or extend the life of the redevelopment project shall be made only after the municipality gives notice, convenes a joint review board, and conducts a public hearing pursuant to the procedures set forth in this Section and in Section 11-74.6-25. Changes which do not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, or (3) substantially change the nature of or extend the life of the redevelopment project may be made without further hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and by publication once in a newspaper of general circulation within the affected taxing district. Such notice by mail and by publication shall each occur not later than 10 days following the adoption by ordinance of such changes.

(b) Before adoption of an ordinance proposing the designation of a redevelopment planning area or a redevelopment project area, or both, or amending the boundaries of an existing redevelopment project area or redevelopment planning area, or both, the municipality shall convene a joint review board to consider the proposal. The board shall consist of a representative selected by each taxing district that has authority to levy real

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property taxes on the property within the proposed redevelopment project area and that has at least 5% of its total equalized assessed value located within the proposed redevelopment project area, a representative selected by the municipality and a public member. The public member and the board's chairperson shall be selected by a majority of other board members.

All board members shall be appointed and the first board meeting held within 14 days following the notice by the municipality to all the taxing districts as required by subsection (c) of Section 11-74.6-25. The notice shall also advise the taxing bodies represented on the joint review board of the time and place of the first meeting of the board. Additional meetings of the board shall be held upon the call of any 2 members. The municipality seeking designation of the redevelopment project area may provide administrative support to the board.

The board shall review the public record, planning documents and proposed ordinances approving the redevelopment plan and project to be adopted by the municipality. As part of its deliberations, the board may hold additional hearings on the proposal. A board's recommendation, if any, shall be a written recommendation adopted by a majority vote of the board and submitted to the municipality within 30 days after the board convenes. A board's recommendation shall be binding upon the municipality. Failure of the board to submit its recommendation on a timely basis shall not be cause to delay the public hearing or the process of establishing or amending the redevelopment project area. The board's recommendation on the proposal shall be based upon the area satisfying the applicable eligibility criteria defined in Section 11-74.6-10 and whether there is a basis for the municipal findings set forth in the redevelopment plan as required by this Act. If the board does not file a recommendation it shall be presumed that the board has found that the redevelopment project area satisfies the eligibility criteria.

(c) After a municipality has by ordinance approved a redevelopment plan and designated a redevelopment planning area or a redevelopment project area, or both, the plan may be amended and additional properties may be added to the redevelopment project area only as herein provided. Amendments which (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, or (5) add additional redevelopment project costs to the itemized list of redevelopment project costs.
costs set out in the redevelopment plan shall be made only after the municipality gives notice, convenes a joint review board, and conducts a public hearing pursuant to the procedures set forth in this Section and in Section 11-74.6-25. Changes which do not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project cost set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, or (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan may be made without further hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and by publication once in a newspaper of general circulation within the affected taxing district. Such notice by mail and by publication shall each occur not later than 10 days following the adoption by ordinance of such changes.

(d) After the effective date of this amendatory Act of the 91st General Assembly, a municipality shall submit the following information for each redevelopment project area (i) to the State Comptroller under Section 8-8-3.5 of the Illinois Municipal Code, subject to any extensions or exemptions provided at the Comptroller's discretion under that Section, and (ii) to all taxing districts overlapping the redevelopment project area no later than 180 days after the close of each municipal fiscal year or as soon thereafter as the audited financial statements become available and, in any case, shall be submitted before the annual meeting of the joint review board to each of the taxing districts that overlap the redevelopment project area:

(1) Any amendments to the redevelopment plan, or the redevelopment project area.

(1.5) A list of the redevelopment project areas administered by the municipality and, if applicable, the date each redevelopment project area was designated or terminated by the municipality.

(2) Audited financial statements of the special tax allocation fund once a cumulative total of $100,000 of tax increment revenues has been deposited in the fund.

(3) Certification of the Chief Executive Officer of the municipality that the municipality has complied with all of the requirements of this Act during the preceding fiscal year.

(4) An opinion of legal counsel that the municipality is in compliance with this Act.

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(5) An analysis of the special tax allocation fund which sets forth:
   (A) the balance in the special tax allocation fund at the beginning of the fiscal year;
   (B) all amounts deposited in the special tax allocation fund by source;
   (C) an itemized list of all expenditures from the special tax allocation fund by category of permissible redevelopment project cost; and
   (D) the balance in the special tax allocation fund at the end of the fiscal year including a breakdown of that balance by source and a breakdown of that balance identifying any portion of the balance that is required, pledged, earmarked, or otherwise designated for payment of or securing of obligations and anticipated redevelopment project costs. Any portion of such ending balance that has not been identified or is not identified as being required, pledged, earmarked, or otherwise designated for payment of or securing of obligations or anticipated redevelopment project costs shall be designated as surplus as set forth in Section 11-74.6-30 hereof.

(6) A description of all property purchased by the municipality within the redevelopment project area including:
   (A) Street address.
   (B) Approximate size or description of property.
   (C) Purchase price.
   (D) Seller of property.

(7) A statement setting forth all activities undertaken in furtherance of the objectives of the redevelopment plan, including:
   (A) Any project implemented in the preceding fiscal year.
   (B) A description of the redevelopment activities undertaken.
   (C) A description of any agreements entered into by the municipality with regard to the disposition or redevelopment of any property within the redevelopment project area.
   (D) Additional information on the use of all funds received under this Division and steps taken by the

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municipality to achieve the objectives of the redevelopment plan.

(E) Information regarding contracts that the municipality's tax increment advisors or consultants have entered into with entities or persons that have received, or are receiving, payments financed by tax increment revenues produced by the same redevelopment project area.

(F) Any reports submitted to the municipality by the joint review board.

(G) A review of public and, to the extent possible, private investment actually undertaken to date after the effective date of this amendatory Act of the 91st General Assembly and estimated to be undertaken during the following year. This review shall, on a project-by-project basis, set forth the estimated amounts of public and private investment incurred after the effective date of this amendatory Act of the 91st General Assembly and provide the ratio of private investment to public investment to the date of the report and as estimated to the completion of the redevelopment project.

(8) With regard to any obligations issued by the municipality:

(A) copies of any official statements; and

(B) an analysis prepared by financial advisor or underwriter setting forth: (i) nature and term of obligation; and (ii) projected debt service including required reserves and debt coverage.

(9) For special tax allocation funds that have received cumulative deposits of incremental tax revenues of $100,000 or more, a certified audit report reviewing compliance with this Act performed by an independent public accountant certified and licensed by the authority of the State of Illinois. The financial portion of the audit must be conducted in accordance with Standards for Audits of Governmental Organizations, Programs, Activities, and Functions adopted by the Comptroller General of the United States (1981), as amended, or the standards specified by Section 8-8-5 of the Illinois Municipal Auditing Law of the Illinois Municipal Code. The audit report shall contain a letter from the independent certified public accountant indicating compliance or noncompliance with the requirements of subsection (o) of Section 11-74.6-10.

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(e) The joint review board shall meet annually 180 days after the close of the municipal fiscal year or as soon as the redevelopment project audit for that fiscal year becomes available to review the effectiveness and status of the redevelopment project area up to that date.
(Source: P.A. 97-146, eff. 1-1-12.)


PUBLIC ACT 98-0923
(House Bill No. 5464)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pesticide Act is amended by changing Section 9 as follows:

(415 ILCS 60/9) (from Ch. 5, par. 809)
Sec. 9. Licenses and Pesticide Dealer Registrations Requirements; Certification. Licenses and pesticide dealer registrations issued pursuant to this Act shall be valid for one year, except that private applicator licenses shall be valid for 3 years. All licenses and pesticide dealer registrations shall expire on December 31 of the year in which it is to expire. A license or pesticide dealer registration in effect on the 31st of December, for which renewal has been made within 60 days following the date of expiration, shall continue in full force and effect until the Director notifies the applicant that renewal has been approved and accepted or is to be denied in accordance with this Act. The Director shall not issue a license or pesticide dealer registration to a first time applicant or to a person who has not made application for renewal on or before March 1 following the expiration date of the license or pesticide dealer registration until such applicant or person has been certified by the Director as having successfully demonstrated competence and knowledge regarding pesticide use. The Director shall issue a license or pesticide dealer registration to a person that made application after March 1 and before April 15 if that application is accompanied by a late application fee. A licensee or pesticide dealer shall be required to be recertified for competence and knowledge regarding pesticide use at least once every 3 years and at such other times as deemed necessary by the Director to assure

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a continued level of competence and ability. The Director shall by regulation specify the standard of qualification for certification and the manner of establishing an applicant's competence and knowledge. *A certification shall remain valid only if an applicant attains licensure or pesticide dealer registration during the calendar year in which certification was granted and the licensure is maintained throughout the 3-year certification period. An applicant who has been certified shall be required to apply for a license or pesticide dealer registration within 90 days after the date of such certification. Failure to apply for a license or pesticide dealer registration within such 90 day period shall void the certification.*

The Director may refuse to issue a license or pesticide dealer registration based upon the violation history of the applicant.

(Source: P.A. 89-94, eff. 7-6-95; 90-205, eff. 1-1-98.)

Approved August 15, 2014.
Effective January 1, 2015.

**PUBLIC ACT 98-0924**
*(House Bill No. 5514)*

AN ACT concerning wildlife.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Wildlife Code is amended by changing Section 2.30 as follows:

(520 ILCS 5/2.30) (from Ch. 61, par. 2.30)

Sec. 2.30. It shall be unlawful for any person to trap or to hunt with gun, dog, dog and gun, or bow and arrow, gray fox, red fox, raccoon, weasel, mink, muskrat, badger, and opossum except during the open season which will be set annually by the Director between 12:01 a.m., November 1 to 12:00 midnight, February 15, both inclusive.

It is unlawful for any person to take bobcat in this State at any time.

It is unlawful to pursue any fur-bearing mammal with a dog or dogs between the hours of sunset and sunrise during the 10 day period preceding the opening date of the raccoon hunting season and the 10 day period following the closing date of the raccoon hunting season except that the Department may issue field trial permits in accordance with Section 2.34 of this Act. A non-resident from a state with more restrictive fur-bearer pursuit regulations for any particular species than provided for that species in this

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Act may not pursue that species in Illinois except during the period of time that Illinois residents are allowed to pursue that species in the non-resident’s state of residence. Hound running areas approved by the Department shall be exempt from the provisions of this Section.

It shall be unlawful to take beaver, river otter, weasel, mink, or muskrat except during the open season set annually by the Director, and then, only with traps, except that a firearm, pistol, or airgun of a caliber not larger than a .22 long rifle may be used to remove the animal from the trap.

It shall be unlawful for any person to trap beaver or river otter with traps except during the open season which will be set annually by the Director between 12:01 a.m., November 1st and 12:00 midnight, March 31, both inclusive.

Coyote may be taken by trapping methods only during the period from September 1 to March 1, both inclusive, and by hunting methods at any time.

Striped skunk may be taken by trapping methods only during the period from September 1 to March 1, both inclusive, and by hunting methods at any time.

Muskrat may be taken by trapping methods during an open season set annually by the Director.

For the purpose of taking fur-bearing mammals, the State may be divided into management zones by administrative rule.

It shall be unlawful to take or possess more than the season limit or possession limit of fur-bearing mammals that shall be set annually by the Director. The season limit for river otter shall not exceed 5 river otters per person per season. Possession limits shall not apply to fur buyers, tanners, manufacturers, and taxidermists, as defined by this Act, who possess fur-bearing mammals in accordance with laws governing such activities.

Nothing in this Section shall prohibit the taking or possessing of fur-bearing mammals found dead or unintentionally killed by a vehicle along a roadway during the open season provided the person who possesses such fur-bearing mammals has all appropriate licenses, stamps, or permits; the season for which the species possessed is open; and that such possession and disposal of such fur-bearing mammals is otherwise subject to the provisions of this Section.

The provisions of this Section are subject to modification by administrative rule.

(Source: P.A. 97-19, eff. 6-28-11; 97-31, eff. 6-28-11; 97-628, eff. 11-10-11; 98-463, eff. 8-16-13.)

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

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AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Income Tax Act is amended by changing Section 909 as follows:

Sec. 909. Credits and Refunds.
(a) In general. In the case of any overpayment, the Department, within the applicable period of limitations for a claim for refund, may credit the amount of such overpayment, including any interest allowed thereon, against any liability in respect of the tax imposed by this Act, regardless of whether other collection remedies are closed to the Department on the part of the person who made the overpayment and shall refund any balance to such person or credit any balance to that person pursuant to an election under subsection (b) of this Section.
(b) Credits against estimated tax. The Department shall may prescribe regulations providing for a taxpayer election on an original return, an amended return, or otherwise for the crediting against the estimated tax for any taxable year of the amount determined by the taxpayer or the Department to be an overpayment of the tax imposed by this Act for a preceding taxable year.
(c) Interest on overpayment. Interest shall be allowed and paid at the rate and in the manner prescribed in Section 3-2 of the Uniform Penalty and Interest Act upon any overpayment in respect of the tax imposed by this Act. For purposes of this subsection, no amount of tax, for any taxable year, shall be treated as having been paid before the date on which the tax return for such year was due under Section 505, without regard to any extension of the time for filing such return.
(d) Refund claim. Every claim for refund shall be filed with the Department in writing in such form as the Department may by regulations prescribe, and shall state the specific grounds upon which it is founded.

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(e) Notice of denial. As soon as practicable after a claim for refund is filed, the Department shall examine it and either issue a notice of refund, abatement or credit to the claimant or issue a notice of denial. If the Department has failed to approve or deny the claim before the expiration of 6 months from the date the claim was filed, the claimant may nevertheless thereafter file with the Department a written protest in such form as the Department may by regulation prescribe, provided that, on or after July 1, 2013, protests concerning matters that are subject to the jurisdiction of the Illinois Independent Tax Tribunal shall be filed with the Illinois Independent Tax Tribunal and not with the Department. If the protest is subject to the jurisdiction of the Department, the Department shall consider the claim and, if the taxpayer has so requested, shall grant the taxpayer or the taxpayer's authorized representative a hearing within 6 months after the date such request is filed.

On and after July 1, 2013, if the protest would otherwise be subject to the jurisdiction of the Illinois Independent Tax Tribunal, the claimant may elect to treat the Department's non-action as a denial of the claim by filing a petition to review the Department's administrative decision with the Illinois Independent Tax Tribunal, as provided by Section 910.

(f) Effect of denial. A denial of a claim for refund becomes final 60 days after the date of issuance of the notice of such denial except for such amounts denied as to which the claimant has filed a protest with the Department or a petition with the Illinois Independent Tax Tribunal, as provided by Section 910.

(g) An overpayment of tax shown on the face of an unsigned return shall be considered forfeited to the State if after notice and demand for signature by the Department the taxpayer fails to provide a signature and 3 years have passed from the date the return was filed. An overpayment of tax refunded to a taxpayer whose return was filed electronically shall be considered an erroneous refund under Section 912 of this Act if, after proper notice and demand by the Department, the taxpayer fails to provide a required signature document. A notice and demand for signature in the case of a return reflecting an overpayment may be made by first class mail. This subsection (g) shall apply to all returns filed pursuant to this Act since 1969.

(h) This amendatory Act of 1983 applies to returns and claims for refunds filed with the Department on and after July 1, 1983.

(Source: P.A. 97-507, eff. 8-23-11; 97-1129, eff. 8-28-12; 98-463, eff. 8-16-13.)


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AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
   Section 5. The Illinois Oil and Gas Act is amended by changing Sections 6.1 and 21.1 as follows:

(225 ILCS 725/6.1) (from Ch. 96 1/2, par. 5410)
Sec. 6.1. When the applicant has complied with all applicable provisions of this Act and the rules of the Department, the Department shall issue the permit. All applications for a permit submitted to the Department shall either be granted or denied in writing within 20 business days after the date of receipt by the Department, unless the applicant and Department mutually agree to extend the 20-day period. If granted, the written permit shall be issued. If denied, the Department shall provide specific requirements for additional information or documentation needed for the application to be considered and the permit issued. Upon submission of the required information and documentation, the same process and timeframe as provided in this Section shall continue until either the permit is issued or it is determined that the permit cannot be issued because of legal or regulatory impediments. The Department shall respond in a timely manner to any application or submission of additional information and documentation after initial submission.
(Source: P.A. 85-1334.)

(225 ILCS 725/21.1) (from Ch. 96 1/2, par. 5433)
Sec. 21.1. (a) The Department is authorized to issue permits for the drilling of wells and to regulate the spacing of wells for oil and gas purposes. For the prevention of waste, to protect and enforce the correlative rights of owners in the pool, and to prevent the drilling of unnecessary wells, the Department shall, upon application of any interested person and after notice and hearing, establish a drilling unit or units for the production of oil and gas or either of them for each pool, provided that no spacing regulation shall be adopted nor drilling unit established which requires the allocation of more than 40 acres of surface area nor less than 10 acres of surface area to an individual well for production of oil from a pool the top of which lies less

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than 4,000 feet beneath the surface (as determined by the original or
discovery well in the pool), provided, however, that the Department may
permit the allocation of greater acreage to an individual well than that above
specified, and provided further that the spacing of wells in any pool the top
of which lies less than 4,000 feet beneath the surface (as determined by the
original or discovery well in the pool) shall not include the fixing of a pattern
except with respect to the 2 nearest external boundary lines of each drilling
unit, and provided further that no acreage allocation shall be required for
input or injection wells nor for producing wells lying within a secondary
recovery unit as now or hereafter established.

(b) Drilling units shall be of approximately uniform size and shape for
each entire pool, except that where circumstances reasonably require, the
Department may grant exceptions to the size or shape of any drilling unit or
units. Each order establishing drilling units shall specify the size and shape
of the unit, which shall be such as will result in the efficient and economical
development of the pool as a whole, and subject to the provisions of
subsection (a) hereof the size of no drilling unit shall be smaller than the
maximum area that can be efficiently and economically drained by one well.
Each order establishing drilling units for a pool shall cover all lands
determined or believed to be underlaid by such pool, and may be modified by
the Department from time to time to include additional lands determined to
be underlaid by such pool. Each order establishing drilling units may be
modified by the Department to change the size thereof, or to permit the
drilling of additional wells.

(b-2) Any petition requesting a drilling unit exception shall be
accompanied by a non-refundable application fee in the amount of $1,500 for
a Modified Drilling Unit or Special Drilling Unit or a non-refundable
application fee in the amount of $2,500 for a Pool-Wide Drilling Unit.

(c) Each order establishing drilling units shall prohibit the drilling of
more than one well on any drilling unit for the production of oil or gas from
the particular pool with respect to which the drilling unit is established and
subject to the provisions of subsection (a) hereof shall specify the location for
the drilling of such well thereon, in accordance with a reasonably uniform
spacing pattern, with necessary exceptions for wells drilled or drilling at the
time of the application. If the Department finds, after notice and hearing, that
surface conditions would substantially add to the burden or hazard of drilling
such well at the specified location, or for some other reason it would be
inequitable or unreasonable to require a well to be drilled at the specified

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location, the Department may issue an order permitting the well to be drilled at a location other than that specified in the order establishing drilling units.

(d) After the date of the notice for a hearing called to establish drilling units, no additional well shall be commenced for production from the pool until the order establishing drilling units has been issued, unless the commencement of the well is authorized by order of the Department.

(e) After an order establishing a drilling unit or units has been issued by the Department, the commencement of drilling of any well or wells into the pool with regard to which such unit was established for the purpose of producing oil or gas therefrom, at a location other than that authorized by the order, or by order granting exception to the original spacing order, is hereby prohibited. The operation of any well drilled in violation of an order establishing drilling units is hereby prohibited.

(f) Any application or petition by any interested person for a drilling unit as provided in this Section shall be accepted and filed or not accepted and filed by the Department within 10 business days after receipt by the Department. If the petition is accepted and filed, a public hearing on the petition shall be scheduled not less than 30 days, but not more than 60 days, after the acceptance and filing by the Department. If not accepted, and filed, the Department shall provide specific requirements for additional information or documentation needed for the petition to be considered, accepted, and filed. Upon submission of the required information and documentation, the same process and timeframe as provided in this subsection (f) shall continue until the petition has been accepted and filed at which time a hearing shall be scheduled as previously stated in this subsection (f). The petition shall not be accepted and filed if it is determined by the Department that, under any circumstance, legal or regulatory impediments would prevent such acceptance and filing. If the Department does not timely respond to any petition or the submission of additional information or documentation after initial submission, then the petition shall be deemed to be in sufficient form for acceptance and filing and the Department shall proceed with the scheduling of a public hearing. The Department, after public hearing, shall either grant or deny the petition within 20 working days after the conclusion of the hearing.

(g) Any petition by an interested person to establish drilling units for a pool as provided in this Section shall be accepted and filed or not accepted and filed by the Department within 10 business days after receipt by the Department. If the petition is accepted and filed, a public hearing on the petition shall be scheduled not less than 30 days, but not more than 60 days,
after the acceptance and filing by the Department. If not accepted and filed, the Department shall provide specific requirements for additional information or documentation needed for the petition to be considered, accepted, and filed. Upon submission of the required information and documentation, the same process and timeframe as provided in this subsection (g) shall continue until the petition has been accepted and filed at which time a hearing shall be scheduled as previously stated in this subsection (g). The petition shall not be accepted and filed if it is determined by the Department that, under any circumstance, legal or regulatory impediments would prevent such acceptance and filing. If the Department does not timely respond to any petition or the submission of additional information or documentation after initial submission, then the petition shall be deemed to be in sufficient form for acceptance and filing and the Department shall proceed with the scheduling of a public hearing. The Department, after public hearing, shall either grant or deny the petition within 20 working days after the conclusion of the hearing.

(Source: P.A. 97-1136, eff. 1-1-13.)

Section 99. Effective date. This Act takes effect September 1, 2014.
Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective September 1, 2014.

PUBLIC ACT 98-0927
(House Bill No. 5575)

AN ACT concerning insurance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Insurance Code is amended by changing Section 143a as follows:

(215 ILCS 5/143a) (from Ch. 73, par. 755a)

Sec. 143a. Uninsured and hit and run motor vehicle coverage.

(1) No policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance or use of a motor vehicle that is designed for use on public highways and that is either required to be registered in this State or is principally garaged in this State shall be renewed, delivered, or issued for delivery in this State unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set forth in Section 7-203 of the

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Illinois Vehicle Code for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles and hit-and-run motor vehicles because of bodily injury, sickness or disease, including death, resulting therefrom. Uninsured motor vehicle coverage does not apply to bodily injury, sickness, disease, or death resulting therefrom, of an insured while occupying a motor vehicle owned by, or furnished or available for the regular use of the insured, a resident spouse or resident relative, if that motor vehicle is not described in the policy under which a claim is made or is not a newly acquired or replacement motor vehicle covered under the terms of the policy. The limits for any coverage for any vehicle under the policy may not be aggregated with the limits for any similar coverage, whether provided by the same insurer or another insurer, applying to other motor vehicles, for purposes of determining the total limit of insurance coverage available for bodily injury or death suffered by a person in any one accident. No policy shall be renewed, delivered, or issued for delivery in this State unless it is provided therein that any dispute with respect to the coverage and the amount of damages shall be submitted for arbitration to the American Arbitration Association and be subject to its rules for the conduct of arbitration hearings as to all matters except medical opinions. As to medical opinions, if the amount of damages being sought is equal to or less than the amount provided for in Section 7-203 of the Illinois Vehicle Code, then the current American Arbitration Association Rules shall apply. If the amount being sought in an American Arbitration Association case exceeds that amount as set forth in Section 7-203 of the Illinois Vehicle Code, then the Rules of Evidence that apply in the circuit court for placing medical opinions into evidence shall govern. Alternatively, disputes with respect to damages and the coverage shall be determined in the following manner: Upon the insured requesting arbitration, each party to the dispute shall select an arbitrator and the 2 arbitrators so named shall select a third arbitrator. If such arbitrators are not selected within 45 days from such request, either party may request that the arbitration be submitted to the American Arbitration Association. Any decision made by the arbitrators shall be binding for the amount of damages not exceeding $75,000 $50,000 for bodily injury to or death of any one person, $150,000 $100,000 for bodily injury to or death of 2 or more persons in any one motor vehicle accident, or the corresponding policy limits for bodily injury or death, whichever is less. All 3-person arbitration cases proceeding in accordance with any uninsured motorist coverage conducted in this State in which the claimant is only

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seeking monetary damages up to the limits set forth in Section 7-203 of the Illinois Vehicle Code shall be subject to the following rules:

(A) If at least 60 days' written notice of the intention to offer the following documents in evidence is given to every other party, accompanied by a copy of the document, a party may offer in evidence, without foundation or other proof:

1. bills, records, and reports of hospitals, doctors, dentists, registered nurses, licensed practical nurses, physical therapists, and other healthcare providers;
2. bills for drugs, medical appliances, and prostheses;
3. property repair bills or estimates, when identified and itemized setting forth the charges for labor and material used or proposed for use in the repair of the property;
4. a report of the rate of earnings and time lost from work or lost compensation prepared by an employer;
5. the written opinion of an opinion witness, the deposition of a witness, and the statement of a witness that the witness would be allowed to express if testifying in person, if the opinion or statement is made by affidavit or by certification as provided in Section 1-109 of the Code of Civil Procedure;
6. any other document not specifically covered by any of the foregoing provisions that is otherwise admissible under the rules of evidence.

Any party receiving a notice under this paragraph (A) may apply to the arbitrator or panel of arbitrators, as the case may be, for the issuance of a subpoena directed to the author or maker or custodian of the document that is the subject of the notice, requiring the person subpoenaed to produce copies of any additional documents as may be related to the subject matter of the document that is the subject of the notice. Any such subpoena shall be issued in substantially similar form and served by notice as provided by Illinois Supreme Court Rule 204(a)(4). Any such subpoena shall be returnable not less than 5 days before the arbitration hearing.

(B) Notwithstanding the provisions of Supreme Court Rule 213(g), a party who proposes to use a written opinion of an expert or opinion witness or the testimony of an expert or opinion witness at the hearing may do so provided a written notice of that intention is given to every other party not less than 60 days prior to the date of

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hearing, accompanied by a statement containing the identity of the witness, his or her qualifications, the subject matter, the basis of the witness's conclusions, and his or her opinion.

(C) Any other party may subpoena the author or maker of a document admissible under this subsection, at that party's expense, and examine the author or maker as if under cross-examination. The provisions of Section 2-1101 of the Code of Civil Procedure shall be applicable to arbitration hearings, and it shall be the duty of a party requesting the subpoena to modify the form to show that the appearance is set before an arbitration panel and to give the time and place set for the hearing.

(D) The provisions of Section 2-1102 of the Code of Civil Procedure shall be applicable to arbitration hearings under this subsection.

(2) No policy insuring against loss resulting from liability imposed by law for property damage arising out of the ownership, maintenance, or use of a motor vehicle shall be renewed, delivered, or issued for delivery in this State with respect to any private passenger or recreational motor vehicle that is designed for use on public highways and that is either required to be registered in this State or is principally garaged in this State and is not covered by collision insurance under the provisions of such policy, unless coverage is made available in the amount of the actual cash value of the motor vehicle described in the policy or $15,000 whichever is less, subject to a $250 deductible, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles and hit-and-run motor vehicles because of property damage to the motor vehicle described in the policy.

There shall be no liability imposed under the uninsured motorist property damage coverage required by this subsection if the owner or operator of the at-fault uninsured motor vehicle or hit-and-run motor vehicle cannot be identified. This subsection shall not apply to any policy which does not provide primary motor vehicle liability insurance for liabilities arising from the maintenance, operation, or use of a specifically insured motor vehicle.

Each insurance company providing motor vehicle property damage liability insurance shall advise applicants of the availability of uninsured motor vehicle property damage coverage, the premium therefor, and provide a brief description of the coverage. That information need be given only once and shall not be required in any subsequent renewal, reinstatement or

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reissuance, substitute, amended, replacement or supplementary policy. No written rejection shall be required, and the absence of a premium payment for uninsured motor vehicle property damage shall constitute conclusive proof that the applicant or policyholder has elected not to accept uninsured motorist property damage coverage.

An insurance company issuing uninsured motor vehicle property damage coverage may provide that:

(i) Property damage losses recoverable thereunder shall be limited to damages caused by the actual physical contact of an uninsured motor vehicle with the insured motor vehicle.

(ii) There shall be no coverage for loss of use of the insured motor vehicle and no coverage for loss or damage to personal property located in the insured motor vehicle.

(iii) Any claim submitted shall include the name and address of the owner of the at-fault uninsured motor vehicle, or a registration number and description of the vehicle, or any other available information to establish that there is no applicable motor vehicle property damage liability insurance.

Any dispute with respect to the coverage and the amount of damages shall be submitted for arbitration to the American Arbitration Association and be subject to its rules for the conduct of arbitration hearings or for determination in the following manner: Upon the insured requesting arbitration, each party to the dispute shall select an arbitrator and the 2 arbitrators so named shall select a third arbitrator. If such arbitrators are not selected within 45 days from such request, either party may request that the arbitration be submitted to the American Arbitration Association. Any arbitration proceeding under this subsection seeking recovery for property damages shall be subject to the following rules:

(A) If at least 60 days' written notice of the intention to offer the following documents in evidence is given to every other party, accompanied by a copy of the document, a party may offer in evidence, without foundation or other proof:

(1) property repair bills or estimates, when identified and itemized setting forth the charges for labor and material used or proposed for use in the repair of the property;

(2) the written opinion of an opinion witness, the deposition of a witness, and the statement of a witness that the witness would be allowed to express if testifying in person, if the opinion or statement is made by affidavit or by
certification as provided in Section 1-109 of the Code of Civil Procedure;

(3) any other document not specifically covered by any of the foregoing provisions that is otherwise admissible under the rules of evidence.

Any party receiving a notice under this paragraph (A) may apply to the arbitrator or panel of arbitrators, as the case may be, for the issuance of a subpoena directed to the author or maker or custodian of the document that is the subject of the notice, requiring the person subpoenaed to produce copies of any additional documents as may be related to the subject matter of the document that is the subject of the notice. Any such subpoena shall be issued in substantially similar form and served by notice as provided by Illinois Supreme Court Rule 204(a)(4). Any such subpoena shall be returnable not less than 5 days before the arbitration hearing.

(B) Notwithstanding the provisions of Supreme Court Rule 213(g), a party who proposes to use a written opinion of an expert or opinion witness or the testimony of an expert or opinion witness at the hearing may do so provided a written notice of that intention is given to every other party not less than 60 days prior to the date of hearing, accompanied by a statement containing the identity of the witness, his or her qualifications, the subject matter, the basis of the witness's conclusions, and his or her opinion.

(C) Any other party may subpoena the author or maker of a document admissible under this subsection, at that party's expense, and examine the author or maker as if under cross-examination. The provisions of Section 2-1101 of the Code of Civil Procedure shall be applicable to arbitration hearings, and it shall be the duty of a party requesting the subpoena to modify the form to show that the appearance is set before an arbitration panel and to give the time and place set for the hearing.

(D) The provisions of Section 2-1102 of the Code of Civil Procedure shall be applicable to arbitration hearings under this subsection.

(3) For the purpose of the coverage the term "uninsured motor vehicle" includes, subject to the terms and conditions of the coverage, a motor vehicle where on, before or after the accident date the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified in the policy because of the entry by a
court of competent jurisdiction of an order of rehabilitation or liquidation by reason of insolvency on or after the accident date. An insurer's extension of coverage, as provided in this subsection, shall be applicable to all accidents occurring after July 1, 1967 during a policy period in which its insured's uninsured motor vehicle coverage is in effect. Nothing in this Section may be construed to prevent any insurer from extending coverage under terms and conditions more favorable to its insureds than is required by this Section.

(4) In the event of payment to any person under the coverage required by this Section and subject to the terms and conditions of the coverage, the insurer making the payment shall, to the extent thereof, be entitled to the proceeds of any settlement or judgment resulting from the exercise of any rights of recovery of the person against any person or organization legally responsible for the property damage, bodily injury or death for which the payment is made, including the proceeds recoverable from the assets of the insolvent insurer. With respect to payments made by reason of the coverage described in subsection (3), the insurer making such payment shall not be entitled to any right of recovery against the tort-feasor in excess of the proceeds recovered from the assets of the insolvent insurer of the tort-feasor.

(5) This amendatory Act of 1967 shall not be construed to terminate or reduce any insurance coverage or any right of any party under this Code in effect before July 1, 1967. This amendatory Act of 1990 shall not be construed to terminate or reduce any insurance coverage or any right of any party under this Code in effect before its effective date.

(6) Failure of the motorist from whom the claimant is legally entitled to recover damages to file the appropriate forms with the Safety Responsibility Section of the Department of Transportation within 120 days of the accident date shall create a rebuttable presumption that the motorist was uninsured at the time of the injurious occurrence.

(7) An insurance carrier may upon good cause require the insured to commence a legal action against the owner or operator of an uninsured motor vehicle before good faith negotiation with the carrier. If the action is commenced at the request of the insurance carrier, the carrier shall pay to the insured, before the action is commenced, all court costs, jury fees and sheriff's fees arising from the action.

The changes made by this amendatory Act of 1997 apply to all policies of insurance amended, delivered, issued, or renewed on and after the effective date of this amendatory Act of 1997.

(8) The changes made by this amendatory Act of the 98th General Assembly apply to all policies of insurance amended, delivered, issued, or
renewed on and after the effective date of this amendatory Act of the 98th General Assembly.
(Source: P.A. 98-242, eff. 1-1-14.)
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0928
(House Bill No. 5593)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Park District Code is amended by adding Sections 2-27 and 2-28 as follows:
(70 ILCS 1205/2-27 new)
Sec. 2-27. Board of elected and appointed commissioners.
(a) On and after the effective date of this amendatory Act of the 98th General Assembly, the Plainfield Park District that currently has a board of 5 commissioners shall have a board of 7 commissioners, consisting of the current 5 elected commissioners and 2 newly appointed commissioners.
(b) In addition to the 5 elected commissioners, there shall be newly appointed 2 commissioners appointed as follows:
   (1) The member of the House of Representatives of the district in which the Plainfield Park District is predominantly located shall appoint one commissioner.
   (2) The member of the Senate of the district in which the Plainfield Park District is predominantly located shall appoint one commissioner.
   (c) The terms of the newly appointed commissioners shall commence within 6 months of the effective date of this amendatory Act of the 98th General Assembly. Those 2 commissioners shall serve on the board until the next consolidated election following this amendatory Act of the 98th General Assembly. Thereafter, the 2 new commissioners shall be elected in the same manner as the other 5 elected commissioners as provided under this Code. The 2 elected at the next consolidated election following this amendatory act of the 98th General Assembly shall each serve a 2-year term. Thereafter, the individuals elected to the positions created under this Section shall each serve a 6-year term.

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(d) A vacancy in the office of an appointed commissioner shall be declared and filled as provided under Section 2-25 of this Code.
(e) This Section is repealed on June 1, 2017.

Sec. 2-28. Plainfield Park District board. On and after April 4, 2017, the Plainfield Park District shall have a board of 7 commissioners to be elected as provided under Section 2-10a of this Code.

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

Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0929
(House Bill No. 5613)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by changing Sections 31-5 and 31-15 as follows:

"Affixed" means physically or electronically indicated.
"Recordation" includes the issuance of certificates of title by Registrars of Title under the Registered Titles (Torrens) Act pursuant to the filing of deeds or trust documents for that purpose, as well as the recording of deeds or trust documents by recorders.
"Department" means the Department of Revenue.
"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.
"Revenue Stamp" means physical, electronic, or alternative indicia that indicates the amount of tax paid.
"Value" means the amount of the full actual consideration for the real property or the beneficial interest in real property located in Illinois, including the amount of any lien on the real property assumed by the transferee.
"Trust document" means a document required to be recorded under the Land Trust Recordation and Transfer Tax Act and, beginning June 1,
2005, also means any document relating to the transfer of a taxable beneficial interest under this Article.

"Beneficial interest" includes, but is not limited to:
(1) the beneficial interest in an Illinois land trust;
(2) the lessee interest in a ground lease (including any interest of the lessee in the related improvements) that provides for a term of 30 or more years when all options to renew or extend are included, whether or not any portion of the term has expired; or
(3) the indirect interest in real property as reflected by a controlling interest in a real estate entity.

"Controlling interest" means more than 50% of the fair market value of all ownership interests or beneficial interests in a real estate entity.

"Real estate entity" means any person including, but not limited to, any partnership, corporation, limited liability company, trust, other entity, or multi-tiered entity, that exists or acts substantially for the purpose of holding directly or indirectly title to or beneficial interest in real property. There is a rebuttable presumption that an entity is a real estate entity if it owns, directly or indirectly, real property having a fair market value greater than 75% of the total fair market value of all of the entity's assets, determined without deduction for any mortgage, lien, or encumbrance.

(Source: P.A. 92-651, eff. 7-11-02; 93-657, eff. 6-1-04; 93-1099, eff. 6-1-05.)

(35 ILCS 200/31-15)
Sec. 31-15. Collection of tax.

(a) Paper revenue stamps. The tax shall be collected by the recorder or registrar of titles of the county in which the property is situated through the sale of revenue stamps, the design, denominations and form of which shall be prescribed by the Department. If requested by the recorder or registrar of titles of a county that has imposed a county real estate transfer tax under Section 5-1031 of the Counties Code, the Department shall design the stamps furnished to that county under this Section so that the same stamp also provides evidence of the payment of the county real estate transfer tax and shall include in the design of the stamp the name of the county and an indication that the stamp is evidence of the payment of both State and county real estate transfer taxes. The revenue stamps shall be sold by the Department to the recorder or registrar of titles who shall cause them to be sold for the purposes prescribed. The Department shall charge at a rate of $0.50 per $500 of value in units of not less than $500. The recorder or registrar of titles of the several counties shall sell the revenue stamps at a rate of $0.50 per $500 of value or fraction of $500. The recorder or registrar of titles may use the

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proceeds for the purchase of revenue stamps from the Department. The Department must establish a system to allow the recorder or registrar of titles to purchase the revenue stamps electronically and must deliver the electronically purchased stamps to the recorder or registrar of titles.

(b) Electronic revenue stamp or alternative indicia. If the recorder or registrar of titles uses an electronic revenue stamp or alternative indicia, the recorder or registrar of titles shall electronically file a return and electronically remit the tax to the Department on or before the 10th day of the month following the month in which the tax was required to be collected. The return shall disclose the tax collected and other information that the Department may reasonably require. The return shall be filed using a format prescribed by the Department.

If a return is not filed or the tax is not fully paid as required under this Section within 15 days of the required time period, the Department may eliminate the recorder or registrar of titles' ability to electronically file its returns and electronically remit the tax until such time as the recorder or registrar of titles fully remits the return and tax amount due.

(Source: P.A. 94-785, eff. 1-1-07.)

Section 10. The Uniform Penalty and Interest Act is amended by changing Section 3-1A as follows:

(35 ILCS 735/3-1A) (from Ch. 120, par. 2603-1A)

Sec. 3-1A. In this Article, references to this "Act" mean this "Article" and references to "Department" mean the Department of Revenue. Unless otherwise specified in a tax Act, this Act applies to all taxes administered by the Department of Revenue, except for the Racing Privilege Tax Act, the provisions of the Property Tax Code except as expressly provided in Section 31-15 of the Property Tax Code, the Real Estate Transfer Tax Act, and the Coin Operated Amusement Device Tax.

(Source: P.A. 87-205; 88-670, eff. 12-2-94.)

AN ACT concerning local government.

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

Section 5. The Local Records Act is amended by adding Section 20 as follows:

(50 ILCS 205/20 new)

Sec. 20. Internet posting requirements.

(a) A unit of local government or school district that serves a population of less than 1,000,000 that maintains an Internet website other than a social media website or social networking website shall, within 90 days of the effective date of this amendatory Act of the 98th General Assembly, post to its website for the current calendar year a mechanism, such as a uniform single email address, for members of the public to electronically communicate with elected officials of that unit of local government or school district, unless such officials have an individual email address for that purpose.

(b) For the purposes of this Section "Internet website" shall not include any social media website, social networking website, or any other social media presence that a unit of local government or school district maintains.

(c) A hyperlink to the information required to be posted under this Section must be easily accessible from the unit of local government's or school district's home page.

(d) The postings required by this Section are in addition to any other posting requirements required by law or ordinance.

(e) No home rule unit may adopt posting requirements that are less restrictive than this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 90. The State Mandates Act is amended by adding Section 8.38 as follows:

(30 ILCS 805/8.38 new)

Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

Passed in the General Assembly May 23, 2014.

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AN ACT concerning public aid.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Aid Code is amended by adding Section 8A-18 as follows:

(305 ILCS 5/8A-18 new)

Sec. 8A-18. Application assistance fraud; SNAP; AABD; TANF. It is a Class C misdemeanor for any person, including an individual, firm, corporation, association, partnership, or joint venture, or any employee or agent of any of those, to assist or represent another person in completing or submitting an application for benefits under the federal Supplemental Nutrition Assistance Program (SNAP), the State's Aid to the Aged, Blind, or Disabled (AABD) program, or the State's Temporary Assistance for Needy Families (TANF) program, in exchange for a portion of the applicant's SNAP, AABD, or TANF benefits or cash or any other form of payment from any other source. An applicant who receives such assistance or representation is not in violation of this Section. Nothing in this Section shall be construed as prohibiting an applicant from receiving such assistance or representation when appealing a denial of an application for SNAP, AABD, or TANF benefits.

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

Approved August 15, 2014.
Effective August 15, 2014.

AN ACT concerning public employee benefits.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Sections 7-139, 7-175, and 7-175.1 and by adding Section 7-111.5 as follows:

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Sec. 7-111.5. "Omitted service": The period of service with a participating municipality or participating instrumentality during which an employee was required to participate in the Fund, but was not actually enrolled.

Sec. 7-139. Credits and creditable service to employees.

(a) Each participating employee shall be granted credits and creditable service, for purposes of determining the amount of any annuity or benefit to which he or a beneficiary is entitled, as follows:

1. For prior service: Each participating employee who is an employee of a participating municipality or participating instrumentality on the effective date shall be granted creditable service, but no credits under paragraph 2 of this subsection (a), for periods of prior service for which credit has not been received under any other pension fund or retirement system established under this Code, as follows:

   If the effective date of participation for the participating municipality or participating instrumentality is on or before January 1, 1998, creditable service shall be granted for the entire period of prior service with that employer without any employee contribution.

   If the effective date of participation for the participating municipality or participating instrumentality is after January 1, 1998, creditable service shall be granted for the last 20% of the period of prior service with that employer, but no more than 5 years, without any employee contribution. A participating employee may establish creditable service for the remainder of the period of prior service with that employer by making an application in writing, accompanied by payment of an employee contribution in an amount determined by the Fund, based on the employee contribution rates in effect at the time of application for the creditable service and the employee's salary rate on the effective date of participation for that employer, plus interest at the effective rate from the date of the prior service to the date of payment. Application for this creditable service may be made at any time while the employee is still in service.

   A municipality that (i) has at least 35 employees; (ii) is located in a county with at least 2,000,000 inhabitants; and (iii) maintains an independent defined benefit pension plan for the benefit

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of its eligible employees may restrict creditable service in whole or in part for periods of prior service with the employer if the governing body of the municipality adopts an irrevocable resolution to restrict that creditable service and files the resolution with the board before the municipality's effective date of participation.

Any person who has withdrawn from the service of a participating municipality or participating instrumentality prior to the effective date, who reenters the service of the same municipality or participating instrumentality after the effective date and becomes a participating employee is entitled to creditable service for prior service as otherwise provided in this subdivision (a)(1) only if he or she renders 2 years of service as a participating employee after the effective date. Application for such service must be made while in a participating status. The salary rate to be used in the calculation of the required employee contribution, if any, shall be the employee's salary rate at the time of first reentering service with the employer after the employer's effective date of participation.

2. For current service, each participating employee shall be credited with:

a. Additional credits of amounts equal to each payment of additional contributions received from him under Section 7-173, as of the date the corresponding payment of earnings is payable to him.

b. Normal credits of amounts equal to each payment of normal contributions received from him, as of the date the corresponding payment of earnings is payable to him, and normal contributions made for the purpose of establishing out-of-state service credits as permitted under the conditions set forth in paragraph 6 of this subsection (a).

c. Municipality credits in an amount equal to 1.4 times the normal credits, except those established by out-of-state service credits, as of the date of computation of any benefit if these credits would increase the benefit.

d. Survivor credits equal to each payment of survivor contributions received from the participating employee as of the date the corresponding payment of earnings is payable, and survivor contributions made for the purpose of establishing out-of-state service credits.

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3. For periods of temporary and total and permanent disability benefits, each employee receiving disability benefits shall be granted creditable service for the period during which disability benefits are payable. Normal and survivor credits, based upon the rate of earnings applied for disability benefits, shall also be granted if such credits would result in a higher benefit to any such employee or his beneficiary.

4. For authorized leave of absence without pay: A participating employee shall be granted credits and creditable service for periods of authorized leave of absence without pay under the following conditions:

   a. An application for credits and creditable service is submitted to the board while the employee is in a status of active employment.

   b. Not more than 12 complete months of creditable service for authorized leave of absence without pay shall be counted for purposes of determining any benefits payable under this Article.

   c. Credits and creditable service shall be granted for leave of absence only if such leave is approved by the governing body of the municipality, including approval of the estimated cost thereof to the municipality as determined by the fund, and employee contributions, plus interest at the effective rate applicable for each year from the end of the period of leave to date of payment, have been paid to the fund in accordance with Section 7-173. The contributions shall be computed upon the assumption earnings continued during the period of leave at the rate in effect when the leave began.

   d. Benefits under the provisions of Sections 7-141, 7-146, 7-150 and 7-163 shall become payable to employees on authorized leave of absence, or their designated beneficiary, only if such leave of absence is creditable hereunder, and if the employee has at least one year of creditable service other than the service granted for leave of absence. Any employee contributions due may be deducted from any benefits payable.

   e. No credits or creditable service shall be allowed for leave of absence without pay during any period of prior service.
5. For military service: The governing body of a municipality or participating instrumentality may elect to allow creditable service to participating employees who leave their employment to serve in the armed forces of the United States for all periods of such service, provided that the person returns to active employment within 90 days after completion of full time active duty, but no creditable service shall be allowed such person for any period that can be used in the computation of a pension or any other pay or benefit, other than pay for active duty, for service in any branch of the armed forces of the United States. If necessary to the computation of any benefit, the board shall establish municipality credits for participating employees under this paragraph on the assumption that the employee received earnings at the rate received at the time he left the employment to enter the armed forces. A participating employee in the armed forces shall not be considered an employee during such period of service and no additional death and no disability benefits are payable for death or disability during such period.

Any participating employee who left his employment with a municipality or participating instrumentality to serve in the armed forces of the United States and who again became a participating employee within 90 days after completion of full time active duty by entering the service of a different municipality or participating instrumentality, which has elected to allow creditable service for periods of military service under the preceding paragraph, shall also be allowed creditable service for his period of military service on the same terms that would apply if he had been employed, before entering military service, by the municipality or instrumentality which employed him after he left the military service and the employer costs arising in relation to such grant of creditable service shall be charged to and paid by that municipality or instrumentality.

Notwithstanding the foregoing, any participating employee shall be entitled to creditable service as required by any federal law relating to re-employment rights of persons who served in the United States Armed Services. Such creditable service shall be granted upon payment by the member of an amount equal to the employee contributions which would have been required had the employee continued in service at the same rate of earnings during the military leave period, plus interest at the effective rate.

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5.1. In addition to any creditable service established under paragraph 5 of this subsection (a), creditable service may be granted for up to 48 months of service in the armed forces of the United States.

In order to receive creditable service for military service under this paragraph 5.1, a participating employee must (1) apply to the Fund in writing and provide evidence of the military service that is satisfactory to the Board; (2) obtain the written approval of the current employer; and (3) make contributions to the Fund equal to (i) the employee contributions that would have been required had the service been rendered as a member, plus (ii) an amount determined by the board to be equal to the employer's normal cost of the benefits accrued for that military service, plus (iii) interest on items (i) and (ii) from the date of first membership in the Fund to the date of payment. The required interest shall be calculated at the regular interest rate.

The changes made to this paragraph 5.1 by Public Acts 95-483 and 95-486 apply only to participating employees in service on or after August 28, 2007 (the effective date of those Public Acts).

6. For out-of-state service: Creditable service shall be granted for service rendered to an out-of-state local governmental body under the following conditions: The employee had participated and has irrevocably forfeited all rights to benefits in the out-of-state public employees pension system; the governing body of his participating municipality or instrumentality authorizes the employee to establish such service; the employee has 2 years current service with this municipality or participating instrumentality; the employee makes a payment of contributions, which shall be computed at 8% (normal) plus 2% (survivor) times length of service purchased times the average rate of earnings for the first 2 years of service with the municipality or participating instrumentality whose governing body authorizes the service established plus interest at the effective rate on the date such credits are established, payable from the date the employee completes the required 2 years of current service to date of payment. In no case shall more than 120 months of creditable service be granted under this provision.

7. For retroactive service: Any employee who could have but did not elect to become a participating employee, or who should have been a participant in the Municipal Public Utilities Annuity and Benefit Fund before that fund was superseded, may receive creditable

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service for the period of service not to exceed 50 months; however, a current or former elected or appointed official of a participating municipality may establish credit under this paragraph 7 for more than 50 months of service as an official of that municipality, if the excess over 50 months is approved by resolution of the governing body of the affected municipality filed with the Fund before January 1, 2002.

Any employee who is a participating employee on or after September 24, 1981 and who was excluded from participation by the age restrictions removed by Public Act 82-596 may receive creditable service for the period, on or after January 1, 1979, excluded by the age restriction and, in addition, if the governing body of the participating municipality or participating instrumentality elects to allow creditable service for all employees excluded by the age restriction prior to January 1, 1979, for service during the period prior to that date excluded by the age restriction. Any employee who was excluded from participation by the age restriction removed by Public Act 82-596 and who is not a participating employee on or after September 24, 1981 may receive creditable service for service after January 1, 1979. Creditable service under this paragraph shall be granted upon payment of the employee contributions which would have been required had he participated, with interest at the effective rate for each year from the end of the period of service established to date of payment.

8. For accumulated unused sick leave: A participating employee who is applying for a retirement annuity shall be entitled to creditable service for that portion of the employee's accumulated unused sick leave for which payment is not received, as follows:
   a. Sick leave days shall be limited to those accumulated under a sick leave plan established by a participating municipality or participating instrumentality which is available to all employees or a class of employees.
   b. Except as provided in item b-1, only sick leave days accumulated with a participating municipality or participating instrumentality with which the employee was in service within 60 days of the effective date of his retirement annuity shall be credited; If the employee was in service with more than one employer during this period only the sick leave days

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with the employer with which the employee has the greatest number of unpaid sick leave days shall be considered.

b-1. If the employee was in the service of more than one employer as defined in item (2) of paragraph (a) of subsection (A) of Section 7-132, then the sick leave days from all such employers shall be credited, as long as the creditable service attributed to those sick leave days does not exceed the limitation in item f of this paragraph 8. In calculating the creditable service under this item b-1, the sick leave days from the last employer shall be considered first, then the remaining sick leave days shall be considered until there are no more days or the maximum creditable sick leave threshold under item f of this paragraph 8 has been reached.

c. The creditable service granted shall be considered solely for the purpose of computing the amount of the retirement annuity and shall not be used to establish any minimum service period required by any provision of the Illinois Pension Code, the effective date of the retirement annuity, or the final rate of earnings.

d. The creditable service shall be at the rate of 1/20 of a month for each full sick day, provided that no more than 12 months may be credited under this subdivision 8.

e. Employee contributions shall not be required for creditable service under this subdivision 8.

f. Each participating municipality and participating instrumentality with which an employee has service within 60 days of the effective date of his retirement annuity shall certify to the board the number of accumulated unpaid sick leave days credited to the employee at the time of termination of service.

9. For service transferred from another system: Credits and creditable service shall be granted for service under Article 4, 5, 8, 14, or 16 of this Act, to any active member of this Fund, and to any inactive member who has been a county sheriff, upon transfer of such credits pursuant to Section 4-108.3, 5-235, 8-226.7, 14-105.6, or 16-131.4, and payment by the member of the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund as a sheriff's law enforcement employee during the period for which credit is being transferred, plus
interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund. Such transferred service shall be deemed to be service as a sheriff's law enforcement employee for the purposes of Section 7-142.1.

10. (Blank). For service transferred from an Article 3 system under Section 3-110.8: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.8, to any active member of this Fund upon transfer of such credits pursuant to Section 3-110.8. If the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund, then the amount of creditable service established under this paragraph 10 shall be reduced by a corresponding amount in accordance with the rules and procedures established under this paragraph 10.

The board shall establish by rule the manner of making the calculation required under this paragraph 10, taking into account the appropriate actuarial assumptions; the member's service, age, and salary history; the level of funding of the employer; and any other factors that the board determines to be relevant.

Until January 1, 2010, members who transferred service from an Article 3 system under the provisions of Public Act 94-356 may establish additional credit in this Fund, but only up to the amount of the service credit reduction in that transfer, as calculated under the actuarial assumptions. This credit may be established upon payment by the member of an amount to be determined by the board, equal to (1) the amount that would have been contributed as employee and employer contributions had all the service been as an employee under this Article, plus interest thereon compounded annually from the date of service to the date of transfer, less (2) the total amount transferred from the Article 3 system, plus (3) interest on the difference at the effective rate for each year, compounded annually, from the date of the transfer to the date of payment. The additional service credit is allowed under this amendatory Act of the 95th General Assembly.

New matter indicated by italics - deletions by strikeout
notwithstanding the provisions of Article 3 terminating all transferred credits on the date of transfer.

11. For service transferred from an Article 3 system under Section 3-110.3: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.3, to any active member of this Fund, upon transfer of such credits pursuant to Section 3-110.3. If the board determines that the amount transferred is less than the true cost to the Fund of allowing that creditable service to be established, then in order to establish that creditable service, the member must pay to the Fund an additional contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under this paragraph. If the member does not make the full additional payment as required by this paragraph prior to termination of his participation with that employer, then his or her creditable service shall be reduced by an amount equal to the difference between the amount transferred under Section 3-110.3, including any payments made by the member under this paragraph prior to termination, and the true cost to the Fund of allowing that creditable service to be established, as determined by the board in accordance with the rules and procedures adopted under this paragraph.

The board shall establish by rule the manner of making the calculation required under this paragraph 11, taking into account the appropriate actuarial assumptions; the member's service, age, and salary history, and any other factors that the board determines to be relevant.

12. For omitted service: Any employee who was employed by a participating employer in a position that required participation, but who was not enrolled in the Fund, may establish such credits under the following conditions:

   a. Application for such credits is received by the Board while the employee is an active participant of the Fund or a reciprocal retirement system.

   b. Eligibility for participation and earnings are verified by the Authorized Agent of the participating employer for which the service was rendered.

   Creditable service under this paragraph shall be granted upon payment of the employee contributions that would have been required had he participated, which shall be calculated by the Fund.

New matter indicated by italics - deletions by strikeout
using the member contribution rate in effect during the period that the service was rendered.

(b) Creditable service - amount:

1. One month of creditable service shall be allowed for each month for which a participating employee made contributions as required under Section 7-173, or for which creditable service is otherwise granted hereunder. Not more than 1 month of service shall be credited and counted for 1 calendar month, and not more than 1 year of service shall be credited and counted for any calendar year. A calendar month means a nominal month beginning on the first day thereof, and a calendar year means a year beginning January 1 and ending December 31.

2. A seasonal employee shall be given 12 months of creditable service if he renders the number of months of service normally required by the position in a 12-month period and he remains in service for the entire 12-month period. Otherwise a fractional year of service in the number of months of service rendered shall be credited.

3. An intermittent employee shall be given creditable service for only those months in which a contribution is made under Section 7-173.

(c) No application for correction of credits or creditable service shall be considered unless the board receives an application for correction while (1) the applicant is a participating employee and in active employment with a participating municipality or instrumentality, or (2) while the applicant is actively participating in a pension fund or retirement system which is a participating system under the Retirement Systems Reciprocal Act. A participating employee or other applicant shall not be entitled to credits or creditable service unless the required employee contributions are made in a lump sum or in installments made in accordance with board rule.

(d) Upon the granting of a retirement, surviving spouse or child annuity, a death benefit or a separation benefit, on account of any employee, all individual accumulated credits shall thereupon terminate. Upon the withdrawal of additional contributions, the credits applicable thereto shall thereupon terminate. Terminated credits shall not be applied to increase the benefits any remaining employee would otherwise receive under this Article. (Source: P.A. 97-415, eff. 8-16-11; 98-439, eff. 8-16-13.)

(Text of Section after amendment by P.A. 98-599)

Sec. 7-139. Credits and creditable service to employees.

New matter indicated by italics - deletions by strikeout
(a) Each participating employee shall be granted credits and creditable
service, for purposes of determining the amount of any annuity or benefit to
which he or a beneficiary is entitled, as follows:

1. For prior service: Each participating employee who is an
employee of a participating municipality or participating
instrumentality on the effective date shall be granted creditable
service, but no credits under paragraph 2 of this subsection (a), for
periods of prior service for which credit has not been received under
any other pension fund or retirement system established under this
Code, as follows:

If the effective date of participation for the participating
municipality or participating instrumentality is on or before January
1, 1998, creditable service shall be granted for the entire period of
prior service with that employer without any employee contribution.

If the effective date of participation for the participating
municipality or participating instrumentality is after January 1, 1998,
creditable service shall be granted for the last 20% of the period of
prior service with that employer, but no more than 5 years, without
any employee contribution. A participating employee may establish
creditable service for the remainder of the period of prior service with
that employer by making an application in writing, accompanied by
payment of an employee contribution in an amount determined by the
Fund, based on the employee contribution rates in effect at the time
of application for the creditable service and the employee's salary rate
on the effective date of participation for that employer, plus interest
at the effective rate from the date of the prior service to the date of
payment. Application for this creditable service may be made at any
time while the employee is still in service.

A municipality that (i) has at least 35 employees; (ii) is
located in a county with at least 2,000,000 inhabitants; and (iii)
maintains an independent defined benefit pension plan for the benefit
of its eligible employees may restrict creditable service in whole or
in part for periods of prior service with the employer if the governing
body of the municipality adopts an irrevocable resolution to restrict
that creditable service and files the resolution with the board before
the municipality's effective date of participation.

Any person who has withdrawn from the service of a
participating municipality or participating instrumentality prior to the
effective date, who reenters the service of the same municipality or

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participating instrumentality after the effective date and becomes a participating employee is entitled to creditable service for prior service as otherwise provided in this subdivision (a)(1) only if he or she renders 2 years of service as a participating employee after the effective date. Application for such service must be made while in a participating status. The salary rate to be used in the calculation of the required employee contribution, if any, shall be the employee's salary rate at the time of first reentering service with the employer after the employer's effective date of participation.

2. For current service, each participating employee shall be credited with:
   a. Additional credits of amounts equal to each payment of additional contributions received from him under Section 7-173, as of the date the corresponding payment of earnings is payable to him.
   b. Normal credits of amounts equal to each payment of normal contributions received from him, as of the date the corresponding payment of earnings is payable to him, and normal contributions made for the purpose of establishing out-of-state service credits as permitted under the conditions set forth in paragraph 6 of this subsection (a).
   c. Municipality credits in an amount equal to 1.4 times the normal credits, except those established by out-of-state service credits, as of the date of computation of any benefit if these credits would increase the benefit.
   d. Survivor credits equal to each payment of survivor contributions received from the participating employee as of the date the corresponding payment of earnings is payable, and survivor contributions made for the purpose of establishing out-of-state service credits.

3. For periods of temporary and total and permanent disability benefits, each employee receiving disability benefits shall be granted creditable service for the period during which disability benefits are payable. Normal and survivor credits, based upon the rate of earnings applied for disability benefits, shall also be granted if such credits would result in a higher benefit to any such employee or his beneficiary.

4. For authorized leave of absence without pay: A participating employee shall be granted credits and creditable service

New matter indicated by italics - deletions by strikeout
for periods of authorized leave of absence without pay under the following conditions:

a. An application for credits and creditable service is submitted to the board while the employee is in a status of active employment.

b. Not more than 12 complete months of creditable service for authorized leave of absence without pay shall be counted for purposes of determining any benefits payable under this Article.

c. Credits and creditable service shall be granted for leave of absence only if such leave is approved by the governing body of the municipality, including approval of the estimated cost thereof to the municipality as determined by the fund, and employee contributions, plus interest at the effective rate applicable for each year from the end of the period of leave to date of payment, have been paid to the fund in accordance with Section 7-173. The contributions shall be computed upon the assumption earnings continued during the period of leave at the rate in effect when the leave began.

d. Benefits under the provisions of Sections 7-141, 7-146, 7-150 and 7-163 shall become payable to employees on authorized leave of absence, or their designated beneficiary, only if such leave of absence is creditable hereunder, and if the employee has at least one year of creditable service other than the service granted for leave of absence. Any employee contributions due may be deducted from any benefits payable.

e. No credits or creditable service shall be allowed for leave of absence without pay during any period of prior service.

5. For military service: The governing body of a municipality or participating instrumentality may elect to allow creditable service to participating employees who leave their employment to serve in the armed forces of the United States for all periods of such service, provided that the person returns to active employment within 90 days after completion of full time active duty, but no creditable service shall be allowed such person for any period that can be used in the computation of a pension or any other pay or benefit, other than pay for active duty, for service in any branch of the armed forces of the United States. If necessary to the computation of any benefit, the

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board shall establish municipality credits for participating employees under this paragraph on the assumption that the employee received earnings at the rate received at the time he left the employment to enter the armed forces. A participating employee in the armed forces shall not be considered an employee during such period of service and no additional death and no disability benefits are payable for death or disability during such period.

Any participating employee who left his employment with a municipality or participating instrumentality to serve in the armed forces of the United States and who again became a participating employee within 90 days after completion of full time active duty by entering the service of a different municipality or participating instrumentality, which has elected to allow creditable service for periods of military service under the preceding paragraph, shall also be allowed creditable service for his period of military service on the same terms that would apply if he had been employed, before entering military service, by the municipality or instrumentality which employed him after he left the military service and the employer costs arising in relation to such grant of creditable service shall be charged to and paid by that municipality or instrumentality.

Notwithstanding the foregoing, any participating employee shall be entitled to creditable service as required by any federal law relating to re-employment rights of persons who served in the United States Armed Services. Such creditable service shall be granted upon payment by the member of an amount equal to the employee contributions which would have been required had the employee continued in service at the same rate of earnings during the military leave period, plus interest at the effective rate.

5.1. In addition to any creditable service established under paragraph 5 of this subsection (a), creditable service may be granted for up to 48 months of service in the armed forces of the United States.

In order to receive creditable service for military service under this paragraph 5.1, a participating employee must (1) apply to the Fund in writing and provide evidence of the military service that is satisfactory to the Board; (2) obtain the written approval of the current employer; and (3) make contributions to the Fund equal to (i) the employee contributions that would have been required had the service been rendered as a member, plus (ii) an amount determined

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by the board to be equal to the employer's normal cost of the benefits accrued for that military service, plus (iii) interest on items (i) and (ii) from the date of first membership in the Fund to the date of payment. The required interest shall be calculated at the regular interest rate.

The changes made to this paragraph 5.1 by Public Acts 95-483 and 95-486 apply only to participating employees in service on or after August 28, 2007 (the effective date of those Public Acts).

6. For out-of-state service: Creditable service shall be granted for service rendered to an out-of-state local governmental body under the following conditions: The employee had participated and has irrevocably forfeited all rights to benefits in the out-of-state public employees pension system; the governing body of his participating municipality or instrumentality authorizes the employee to establish such service; the employee has 2 years current service with this municipality or participating instrumentality; the employee makes a payment of contributions, which shall be computed at 8% (normal) plus 2% (survivor) times length of service purchased times the average rate of earnings for the first 2 years of service with the municipality or participating instrumentality whose governing body authorizes the service established plus interest at the effective rate on the date such credits are established, payable from the date the employee completes the required 2 years of current service to date of payment. In no case shall more than 120 months of creditable service be granted under this provision.

7. For retroactive service: Any employee who could have but did not elect to become a participating employee, or who should have been a participant in the Municipal Public Utilities Annuity and Benefit Fund before that fund was superseded, may receive creditable service for the period of service not to exceed 50 months; however, a current or former elected or appointed official of a participating municipality may establish credit under this paragraph 7 for more than 50 months of service as an official of that municipality, if the excess over 50 months is approved by resolution of the governing body of the affected municipality filed with the Fund before January 1, 2002.

Any employee who is a participating employee on or after September 24, 1981 and who was excluded from participation by the age restrictions removed by Public Act 82-596 may receive creditable service for the period, on or after January 1, 1979, excluded by the
age restriction and, in addition, if the governing body of the participating municipality or participating instrumentality elects to allow creditable service for all employees excluded by the age restriction prior to January 1, 1979, for service during the period prior to that date excluded by the age restriction. Any employee who was excluded from participation by the age restriction removed by Public Act 82-596 and who is not a participating employee on or after September 24, 1981 may receive creditable service for service after January 1, 1979. Creditable service under this paragraph shall be granted upon payment of the employee contributions which would have been required had he participated, with interest at the effective rate for each year from the end of the period of service established to date of payment.

8. For accumulated unused sick leave: A participating employee who first becomes a participating employee before the effective date of this amendatory Act of the 98th General Assembly and who is applying for a retirement annuity shall be entitled to creditable service for that portion of the employee's accumulated unused sick leave for which payment is not received, as follows:
   a. Sick leave days shall be limited to those accumulated under a sick leave plan established by a participating municipality or participating instrumentality which is available to all employees or a class of employees.
   b. Except as provided in item b-1, only sick leave days accumulated with a participating municipality or participating instrumentality with which the employee was in service within 60 days of the effective date of his retirement annuity shall be credited; If the employee was in service with more than one employer during this period only the sick leave days with the employer with which the employee has the greatest number of unpaid sick leave days shall be considered.
   b-1. If the employee was in the service of more than one employer as defined in item (2) of paragraph (a) of subsection (A) of Section 7-132, then the sick leave days from all such employers shall be credited, as long as the creditable service attributed to those sick leave days does not exceed the limitation in item f of this paragraph 8. In calculating the creditable service under this item b-1, the sick leave days from the last employer shall be considered first, then the

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remaining sick leave days shall be considered until there are no more days or the maximum creditable sick leave threshold under item f of this paragraph 8 has been reached.

c. The creditable service granted shall be considered solely for the purpose of computing the amount of the retirement annuity and shall not be used to establish any minimum service period required by any provision of the Illinois Pension Code, the effective date of the retirement annuity, or the final rate of earnings.

d. The creditable service shall be at the rate of 1/20 of a month for each full sick day, provided that no more than 12 months may be credited under this subdivision 8.

e. Employee contributions shall not be required for creditable service under this subdivision 8.

f. Each participating municipality and participating instrumentality with which an employee has service within 60 days of the effective date of his retirement annuity shall certify to the board the number of accumulated unpaid sick leave days credited to the employee at the time of termination of service.

9. For service transferred from another system: Credits and creditable service shall be granted for service under Article 4, 5, 8, 14, or 16 of this Act, to any active member of this Fund, and to any inactive member who has been a county sheriff, upon transfer of such credits pursuant to Section 4-108.3, 5-235, 8-226.7, 14-105.6, or 16-131.4, and payment by the member of the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund as a sheriff's law enforcement employee during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund. Such transferred service shall be deemed to be service as a sheriff's law enforcement employee for the purposes of Section 7-142.1.

10. *(Blank).* For service transferred from an Article 3 system under Section 3-110.8: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.8, to any active member of this Fund upon transfer of such credits.

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pursuant to Section 3-110.8. If the amount by which (1) the employer
and employee contributions that would have been required if he had
participated in this Fund during the period for which credit is being
transferred, plus interest thereon at the effective rate for each year,
compounded annually, from the date of termination of the service for
which credit is being transferred to the date of payment, exceeds (2)
the amount actually transferred to the Fund, then the amount of
creditable service established under this paragraph 10 shall be
reduced by a corresponding amount in accordance with the rules and
procedures established under this paragraph 10.

The board shall establish by rule the manner of making the
calculation required under this paragraph 10, taking into account the
appropriate actuarial assumptions; the member's service, age, and
salary history; the level of funding of the employer; and any other
factors that the board determines to be relevant.

Until January 1, 2010, members who transferred service from
an Article 3 system under the provisions of Public Act 94-356 may
establish additional credit in this Fund, but only up to the amount of
the service credit reduction in that transfer, as calculated under the
actuarial assumptions. This credit may be established upon payment
by the member of an amount to be determined by the board, equal to
(1) the amount that would have been contributed as employee and
employer contributions had all the service been as an employee under
this Article, plus interest thereon compounded annually from the date
of service to the date of transfer, less (2) the total amount transferred
from the Article 3 system, plus (3) interest on the difference at the
effective rate for each year, compounded annually, from the date of
the transfer to the date of payment. The additional service credit is
allowed under this amendatory Act of the 95th General Assembly
notwithstanding the provisions of Article 3 terminating all transferred
credits on the date of transfer.

11. For service transferred from an Article 3 system under
Section 3-110.3: Credits and creditable service shall be granted for
service under Article 3 of this Act as provided in Section 3-110.3, to
any active member of this Fund, upon transfer of such credits
pursuant to Section 3-110.3. If the board determines that the amount
transferred is less than the true cost to the Fund of allowing that
creditable service to be established, then in order to establish that
creditable service, the member must pay to the Fund an additional

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contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under this paragraph. If the member does not make the full additional payment as required by this paragraph prior to termination of his participation with that employer, then his or her creditable service shall be reduced by an amount equal to the difference between the amount transferred under Section 3-110.3, including any payments made by the member under this paragraph prior to termination, and the true cost to the Fund of allowing that creditable service to be established, as determined by the board in accordance with the rules and procedures adopted under this paragraph.

The board shall establish by rule the manner of making the calculation required under this paragraph 11, taking into account the appropriate actuarial assumptions; the member's service, age, and salary history, and any other factors that the board determines to be relevant.

12. For omitted service: Any employee who was employed by a participating employer in a position that required participation, but who was not enrolled in the Fund, may establish such credits under the following conditions:

a. Application for such credits is received by the Board while the employee is an active participant of the Fund or a reciprocal retirement system.

b. Eligibility for participation and earnings are verified by the Authorized Agent of the participating employer for which the service was rendered.

Creditable service under this paragraph shall be granted upon payment of the employee contributions that would have been required had he participated, which shall be calculated by the Fund using the member contribution rate in effect during the period that the service was rendered.

(b) Creditable service - amount:

1. One month of creditable service shall be allowed for each month for which a participating employee made contributions as required under Section 7-173, or for which creditable service is otherwise granted hereunder. Not more than 1 month of service shall be credited and counted for 1 calendar month, and not more than 1 year of service shall be credited and counted for any calendar year. A calendar month means a nominal month beginning on the first day

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thereof, and a calendar year means a year beginning January 1 and ending December 31.

2. A seasonal employee shall be given 12 months of creditable service if he renders the number of months of service normally required by the position in a 12-month period and he remains in service for the entire 12-month period. Otherwise a fractional year of service in the number of months of service rendered shall be credited.

3. An intermittent employee shall be given creditable service for only those months in which a contribution is made under Section 7-173.

(c) No application for correction of credits or creditable service shall be considered unless the board receives an application for correction while (1) the applicant is a participating employee and in active employment with a participating municipality or instrumentality, or (2) while the applicant is actively participating in a pension fund or retirement system which is a participating system under the Retirement Systems Reciprocal Act. A participating employee or other applicant shall not be entitled to credits or creditable service unless the required employee contributions are made in a lump sum or in installments made in accordance with board rule.

(d) Upon the granting of a retirement, surviving spouse or child annuity, a death benefit or a separation benefit, on account of any employee, all individual accumulated credits shall thereupon terminate. Upon the withdrawal of additional contributions, the credits applicable thereto shall thereupon terminate. Terminated credits shall not be applied to increase the benefits any remaining employee would otherwise receive under this Article. (Source: P.A. 97-415, eff. 8-16-11; 98-439, eff. 8-16-13; 98-599, eff. 6-1-14.)

Sec. 7-175. Board elections.

(a) During the period beginning on August 1 and ending on September 15 of each year the board shall accept nominations of candidates for election to the trusteeships for terms beginning the next January 1, new trusteeships or vacancies to be filled by election.

(b) All nominations shall be by petition. Three petitions for an executive trustee shall be signed by governing bodies of contributing participating municipalities or instrumentalities.

A petition for an employee trustee shall be signed by at least 350 participating employees who were participants during July of the current year and who, if their employment status remained unchanged, would be eligible to vote for such candidate at the following election.

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A petition for an annuitant trustee shall be signed by at least 100 persons who were annuitants of the Fund during July of the current year and who, if their annuitant status remains unchanged, would be eligible to vote for the candidate at the following election.

(c) A separate ballot shall be used for each class of trustee and the names of all candidates properly nominated in petitions received by the board shall be placed in alphabetical order upon the proper ballot. Where two employee trustees are elected to a full term in the same year, there shall be one election for the two trusteeships and the two candidates getting the highest number of votes shall be elected.

(d) At any election, each contributing participating municipality and participating instrumentality and each contributing participating employee employed by such participating municipality or participating instrumentality during September of any year, shall be entitled to vote as follows:

1. The governing body of each such participating municipality and participating instrumentality shall have one vote at any election in which an executive trustee is to be elected, and may cast such vote for any candidate on the executive trustee ballot.

2. Each participating employee shall have one vote at any election in which an employee trustee is to be elected, and may cast such vote for any candidate on the employee trustee ballot.

3. Each annuitant of the Fund shall have one vote at any election in which an annuitant trustee is to be elected, and may cast that vote for any candidate on the annuitant trustee ballot.

4. A vote may be cast for a person not on the ballot by writing in his or her name.

(e) The election shall be by ballot pursuant to the rules and regulations established by the board and shall be completed by December 31 of the year. The results shall be entered in the minutes of the meeting of the board following the tally of votes.

(f) In case of a tie vote, the candidate employed by or retired from the participating municipality or participating instrumentality having the greatest number of participating employees at the time shall be elected.

(g) Notwithstanding any other provision of this Article, if only one candidate is properly nominated in petitions received by the Board, that candidate shall be deemed the winner. In the case of 2 employee trustees elected to a full term in the same year, if only 2 candidates are properly nominated in petitions received by the Board, those 2 candidates shall both

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be deemed winners. If a candidate is deemed a winner under this paragraph, no election under this Section or Section 7-175.1 shall be required.

(Source: P.A. 89-136, eff. 7-14-95.)

(40 ILCS 5/7-175.1) (from Ch. 108 1/2, par. 7-175.1)
Sec. 7-175.1. Election of employee and annuitant trustees.
(a) The board shall prepare and send ballots and ballot envelopes to the employees and annuitants eligible to vote as of September of that year. The ballots shall contain the names of all candidates in alphabetical order and an appropriate place where a name may be written in on the ballot. The ballot envelope shall have on the outside a form of certificate stating that the person voting the ballot is a participating employee or annuitant entitled to vote.

(b) Employees and annuitants, upon receipt of the ballot, shall vote the ballot and place it in the ballot envelope, seal the envelope, execute the certificate thereon and return the ballot to the Fund.

(c) The board shall set a final date for ballot return, and ballots received prior to that date in a ballot envelope with a properly executed certificate and properly voted, shall be valid ballots.

(d) The board shall set a day for counting the ballots and name judges and clerks of election to conduct the count of ballots, and shall make any rules and regulations necessary for the conduct of the count.

(e) No election under this Section shall be required if a candidate is deemed the winner under subsection (g) of Section 7-175.

(Source: P.A. 89-136, eff. 7-14-95.)

(40 ILCS 5/7-139.7 rep.)
(40 ILCS 5/7-139.9 rep.)
(40 ILCS 5/7-139.11 rep.)
(40 ILCS 5/7-139.13 rep.)

Section 10. The Illinois Pension Code is amended by repealing Sections 7-139.7, 7-139.9, 7-139.11, and 7-139.13.

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

Approved August 15, 2014.
Effective August 15, 2014.

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AN ACT concerning regulation.

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

Section 5. The Real Estate Appraiser Licensing Act of 2002 is amended by changing Section 5-5 as follows:

(225 ILCS 458/5-5)

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

Sec. 5-5. Necessity of license; use of title; exemptions.

(a) It is unlawful for a person to (i) act, offer services, or advertise services as a State certified general real estate appraiser, State certified residential real estate appraiser, or associate real estate trainee appraiser, (ii) develop a real estate appraisal, (iii) practice as a real estate appraiser, or (iv) advertise or hold himself or herself out to be a real estate appraiser without a license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(a-5) It is unlawful for a person, unless registered as an appraisal management company, to solicit clients or enter into an appraisal engagement with clients without either a certified residential real estate appraiser license or a certified general real estate appraiser license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(b) It is unlawful for a person, other than a person who holds a valid license issued pursuant to this Act as a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser to use these titles or any other title, designation, or abbreviation likely to create the impression that the person is licensed as a real estate appraiser pursuant to this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(c) The licensing requirements of this Act do not require a person who holds a valid license pursuant to the Real Estate License Act of 2000, to be licensed as a real estate appraiser under this Act, unless that person is providing or attempting to provide an appraisal report, as defined in Section 1-10 of this Act, in connection with a federally-related transaction. Nothing in this Act shall prohibit a person who holds a valid license under the Real

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Estate License Act of 2000 from performing a comparative market analysis or broker price opinion for compensation, provided that the person does not hold himself out as being a licensed real estate appraiser.

(d) Nothing in this Act shall preclude a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser from rendering appraisals for or on behalf of a partnership, association, corporation, firm, or group. However, no State appraisal license or certification shall be issued under this Act to a partnership, association, corporation, firm, or group.

(e) This Act does not apply to a county assessor, township assessor, multi-township assessor, county supervisor of assessments, or any deputy or employee of any county assessor, township assessor, multi-township assessor, or county supervisor of assessments who is performing his or her respective duties in accordance with the provisions of the Property Tax Code.

(e-5) For the purposes of this Act, valuation waivers may be prepared by a licensed appraiser notwithstanding any other provision of this Act, and the following types of valuations are not appraisals and may not be represented to be appraisals, and a license is not required under this Act to perform such valuations if the valuations are performed by (1) an employee of the Illinois Department of Transportation who has completed a minimum of 45 hours of course work in real estate appraisal, including the principals of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal for federal aid highway programs, and appraisal review for federal aid highway programs and has at least 2 years' experience in a field closely related to real estate; or (2) a county engineer who is a registered professional engineer under the Professional Engineering Practice Act of 1989; or (3) an employee of a municipality who has (i) completed a minimum of 45 hours of coursework in real estate appraisal, including the principals of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal for federal aid highway programs, and appraisal review for federal aid highway programs and (ii) has either 2 years' experience in a field clearly related to real estate or has completed 20 hours of additional coursework that is sufficient for a person to complete waiver valuations as approved by the Federal Highway Administration; or (4) a municipal engineer who has completed coursework that is sufficient for his or her waiver valuations to be approved by the Federal Highway Administration and who is a registered professional engineer under the Professional Engineering Act of 1989, under the following circumstances:

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(A) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations and which is performed by (1) an employee of the Illinois Department of Transportation and co-signed, with a license number affixed, by another employee of the Illinois Department of Transportation who is a registered professional engineer under the Professional Engineering Practice Act of 1989 or (2) an employee of a municipality and co-signed with a license number affixed by a county or municipal engineer who is a registered professional engineer under the Professional Engineering Practice Act of 1989; and

(B) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations and which is performed by a county or municipal engineer who is employed by a county or municipality and is a registered professional engineer under the Professional Engineering Practice Act of 1989. In addition to his or her signature, the county or municipal engineer shall affix his or her license number to the valuation.

Nothing in this subsection (e-5) shall be construed to allow the State of Illinois, a political subdivision thereof, or any public body to acquire real estate by eminent domain in any manner other than provided for in the Eminent Domain Act.

(f) A State real estate appraisal certification or license is not required under this Act for any of the following:

(1) A person, partnership, association, or corporation that performs appraisals of property owned by that person, partnership, association, or corporation for the sole use of that person, partnership, association, or corporation.

(2) A court-appointed commissioner who conducts an appraisal pursuant to a judicially ordered evaluation of property.

However, any person who is certified or licensed under this Act and who performs any of the activities set forth in this subsection (f) must comply with the provisions of this Act. A person who violates this subsection (f) is guilty

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of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(g) This Act does not apply to an employee, officer, director, or member of a credit or loan committee of a financial institution or any other person engaged by a financial institution when performing an evaluation of real property for the sole use of the financial institution in a transaction for which the financial institution would not be required to use the services of a State licensed or State certified appraiser pursuant to federal regulations adopted under Title XI of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, nor does this Act apply to the procurement of an automated valuation model.

"Automated valuation model" means an automated system that is used to derive a property value through the use of publicly available property records and various analytic methodologies such as comparable sales prices, home characteristics, and historical home price appreciations.

(Source: P.A. 97-602, eff. 8-26-11; 98-444, eff. 8-16-13.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0934
(House Bill No. 5845)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Pawnbroker Regulation Act is amended by adding Section 20 as follows:
(205 ILCS 510/20)
(Section scheduled to be repealed on December 31, 2014)
Sec. 20. Precious Metal Purchasers Task Force.
(a) The General Assembly finds:
    (1) There has been, and continues to be, a significant expansion in the volume of precious metals and jewelry sold through pawnbrokers, auction services, for-profit consignment sellers, and other resellers.
    (2) There has been, and continues to be, a similar increase in the volume of stolen precious metals and jewelry.

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(3) Access by law enforcement to sales-related information generated by pawnbrokers, auction services, for-profit consignment sellers, and other resellers has always been an important tool in combating burglary, robbery, theft, and other crimes directed at personal property.

(4) Recent advances in electronic data collection and compilation have greatly simplified both the reporting of sales-related information by pawnbrokers, auction services, for-profit consignment sellers, and other resellers.

(5) Law enforcement agencies, pawnbrokers, auction services, for-profit consignment sellers, resellers, and information technology-related businesses in several states have created differing systems to provide law enforcement with timely access to sales-related information.

(b) There is hereby created the Precious Metal Purchasers Task Force, consisting of members appointed as follows:

1. two members from the Senate, one appointed by the Senate President and one appointed by the Minority Leader;
2. two members from the House of Representatives, one appointed by the Speaker of the House and one appointed by the Minority Leader;
3. one member appointed by the Governor as chairperson of the task force;
4. one member appointed by the Secretary of State;
5. one member appointed by the Attorney General;
6. one member appointed by the Secretary of Financial and Professional Regulation from the Department of Financial and Professional Regulation;
7. one member appointed by the Director of State Police from the Department of State Police;
8. one member from a statewide organization representing the Chiefs of Police appointed by the Governor;
9. one member recommended by the Illinois Municipal League and appointed by the Governor;
10. one member of an association representing the interests of pawnbrokers appointed by the Governor;
11. one member representing the interests of for-profit consignment shops appointed by the Governor;

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(12) one member representing the interests of the insurance industry with a strong vested interest in stopping theft and recovering stolen goods appointed by the Governor;
(13) two members representing the interests of the general public appointed by the Governor;
(14) one member representing the interests of the scrap recycling industry appointed by the Governor;
(15) one member of a statewide association exclusively representing retailers appointed by the Governor; and
(16) one member of an association representing numismatic shops appointed by the Governor.

All members appointed under this Section shall serve without compensation, and may be reimbursed for their reasonable and necessary expenses from funds appropriated from the Pawnbroker Regulation Fund.

(c) The task force shall study the various systems, technologies, and methods of operation for providing law enforcement with the timely access to information relating to the sales of precious metals and jewelry by pawnbrokers, auction sellers, for-profit consignment sellers, resellers, and other persons or entities as it may deem fit, including, but not limited to, providers of technology and services relating to the collection, compilation, storage, and access to such information.

(d) The Department of Financial and Professional Regulation shall provide any necessary administrative and other support to the task force.

(e) On or before December 31, 2014, the task force shall file and present a report to the General Assembly concerning its recommendations regarding the systems and technologies, together with their usage and potential funding mechanisms and sources, to be implemented to create a statewide system for the collection of information of the sales of precious metals and jewelry by pawnbrokers, auction services, for-profit consignment sellers, and other resellers, and for the compilation, storage, and timely access to that information by law enforcement and shall include proposed legislation to implement its recommendations, if needed.

(f) This Section is repealed on December 31, 2014.

(Source: P.A. 98-68, eff. 7-15-13.)
AN ACT concerning aging.

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

Section 5. The Disabled Persons Rehabilitation Act is amended by adding Section 17.1 as follows:

(20 ILCS 2405/17.1 new)

Sec. 17.1. Home Care Consumer Bill of Rights.

(a) Definitions. As used in this Section:

"Home care consumer" or "consumer" means a person aged 60 or older or a person with disabilities aged 18 through 59 who receives services in his or her home or community to promote independence and reduce the necessity for residence in a long-term care facility. These services may include the following:

(1) Home care services provided under this Act, the Medicare program under Title XVIII of the Social Security Act, the Medicaid program under Title XIX of the Social Security Act, or any other program funded by public or private moneys.

(2) Home care services determined to be appropriate by the Department.

"Home Care Consumer Bill of Rights" means, at a minimum, the rights set forth in subsections (b) through (g) and, in addition, any other rights established under subsection (h).

"Home care services" or "services" means home and community-based services to promote independence and reduce the necessity for residence in a long-term care facility, including personal care services designed to assist an individual in the activities of daily living such as bathing, exercising, personal grooming, and getting in and out of bed.

(b) Home care consumer's right to basic safety.

(1) A home care consumer has the right to be protected from physical, sexual, mental, and verbal abuse, neglect, and exploitation, including financial exploitation.

(2) A home care consumer has the right to be served by providers who are properly trained and are providing home care services within their scope of practice and the scope of their certification or licensure by the State.

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(3) A provider of home care services shall maintain the confidentiality of all personal, financial, and medical information of the home care consumers to whom it provides services.

(4) A provider of home care services shall respect the personal property of the home care consumers to whom it provides services. If a consumer reports a theft or loss of personal property, the provider shall investigate and shall report back to the consumer the results of the investigation.

(c) Home care consumer's right to information.

(1) A home care consumer has the right to be informed of the following by a provider of home care services within 2 weeks after starting to receive home care services:

   (A) His or her rights under this Section.
   (B) The entities the home care consumer may contact if his or her rights are violated, including the name and contact information for the Department of Human Services and the Department on Aging and other State and local agencies responsible for enforcing the Home Care Consumer Bill of Rights.

(2) A home care consumer has the right to:

   (A) be informed of (i) the cost of home care services prior to receiving those services, (ii) whether the cost of those services is covered under health insurance, long-term care insurance, or other private or public programs, and (iii) any charges the consumer will be expected to pay; and
   (B) be given advance notice of any changes to those costs or services.

(3) A home care consumer has the right to access information about the availability of the home care services provided in his or her community and has the right to choose among home care services and providers of home care services available in that community.

(d) Home care consumer's right to choice, participation, and self-determination.

(1) A home care consumer has the right to participate in the planning of his or her home care services, including making choices about aspects of his or her care and services that are important to him or her, choosing providers and schedules to the extent practicable, receiving reasonable accommodation of his or her needs

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and preferences, and involving anyone he or she chooses to participate with him or her in that planning.

(2) A home care consumer has the right to be provided with sufficient information to make informed decisions, to be fully informed in advance about any proposed changes in care and services, and to be involved in the decision-making process regarding those changes.

(3) A home care consumer may refuse services and has the right to receive an explanation of the consequences of doing so.

(e) Home care consumer's right to dignity and individuality. A home care consumer has the right to receive care and services provided in a way that promotes his or her dignity and individuality.

(f) Home care consumer's right to redress grievances.

(1) A home care consumer has the right to express grievances about the quality of his or her home care services, the number of hours of service, and any violations of his or her rights under this Section. A home care consumer has the right to receive prompt responses to those concerns and to be informed about the entities the consumer may contact to state those grievances in order to have the grievances addressed in an appropriate and timely manner and without retaliation.

(2) A home care consumer has the right to assert his or her rights under this Section without retaliation.

(g) Home care consumer's right to fiduciary assistance. A home care consumer has the right to a fiduciary's assistance in securing the consumer's rights under this Section.

(h) Other rights. The Home Care Consumer Bill of Rights may include any other rights determined to be appropriate by the Department.

(i) The Department of Human Services and the Department on Aging shall develop a plan for enforcing the Home Care Consumer Bill of Rights. In developing the plan, the Departments shall establish and take into account best practices for enforcement of those rights. The Departments shall make those best practices available to the public through their official web sites. The plan shall include a description of how entities with a role in protecting older adults aged 60 or older and persons with disabilities aged 18 through 59, such as home care services licensing agencies, adult protective services agencies, the Office of State Long Term Care Ombudsman, local law enforcement agencies, and other entities determined to be appropriate by the
Departments, will coordinate activities to enforce the Home Care Consumer Bill of Rights.

Section 10. The Older Adult Services Act is amended by adding Section 40 as follows:

(320 ILCS 42/40 new)

Sec. 40. Home Care Consumer Bill of Rights.

(a) Definitions. As used in this Section:

"Home care consumer" or "consumer" means a person aged 60 or older or a person with disabilities aged 18 through 59 who receives services in his or her home or community to promote independence and reduce the necessity for residence in a long-term care facility. These services may include the following:

(1) Home care services provided under this Act, the Medicare program under Title XVIII of the Social Security Act, the Medicaid program under Title XIX of the Social Security Act, or any other program funded by public or private moneys.

(2) Home care services determined to be appropriate by the Department.

"Home Care Consumer Bill of Rights" means, at a minimum, the rights set forth in subsections (b) through (g) and, in addition, any other rights established under subsection (h).

"Home care services" or "services" means home and community-based services to promote independence and reduce the necessity for residence in a long-term care facility, including personal care services designed to assist an individual in the activities of daily living such as bathing, exercising, personal grooming, and getting in and out of bed.

(b) Home care consumer's right to basic safety.

(1) A home care consumer has the right to be protected from physical, sexual, mental, and verbal abuse, neglect, and exploitation, including financial exploitation.

(2) A home care consumer has the right to be served by providers who are properly trained and are providing home care services within their scope of practice and the scope of their certification or licensure by the State.

(3) A provider of home care services shall maintain the confidentiality of all personal, financial, and medical information of the home care consumers to whom it provides services.

(4) A provider of home care services shall respect the personal property of the home care consumers to whom it provides services.
services. If a consumer reports a theft or loss of personal property, the provider shall investigate and shall report back to the consumer the results of the investigation.

(c) Home care consumer's right to information.

(1) A home care consumer has the right to be informed of the following by a provider of home care services within 2 weeks after starting to receive home care services:

(A) His or her rights under this Section.

(B) The entities the home care consumer may contact if his or her rights are violated, including the name and contact information for the Department on Aging and the Department of Human Services and other State and local agencies responsible for enforcing the Home Care Consumer Bill of Rights.

(2) A home care consumer has the right to:

(A) be informed of (i) the cost of home care services prior to receiving those services, (ii) whether the cost of those services is covered under health insurance, long-term care insurance, or other private or public programs, and (iii) any charges the consumer will be expected to pay; and

(B) be given advance notice of any changes to those costs or services.

(3) A home care consumer has the right to access information about the availability of the home care services provided in his or her community and has the right to choose among home care services and providers of home care services available in that community.

(d) Home care consumer's right to choice, participation, and self-determination.

(1) A home care consumer has the right to participate in the planning of his or her home care services, including making choices about aspects of his or her care and services that are important to him or her, choosing providers and schedules to the extent practicable, receiving reasonable accommodation of his or her needs and preferences, and involving anyone he or she chooses to participate with him or her in that planning.

(2) A home care consumer has the right to be provided with sufficient information to make informed decisions, to be fully informed in advance about any proposed changes in care and

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services, and to be involved in the decision-making process regarding those changes.

(3) A home care consumer may refuse services and has the right to receive an explanation of the consequences of doing so.

(e) Home care consumer's right to dignity and individuality. A home care consumer has the right to receive care and services provided in a way that promotes his or her dignity and individuality.

(f) Home care consumer's right to redress grievances.

   (1) A home care consumer has the right to express grievances about the quality of his or her home care services, the number of hours of service, and any violations of his or her rights under this Section. A home care consumer has the right to receive prompt responses to those concerns and to be informed about the entities the consumer may contact to state those grievances in order to have the grievances addressed in an appropriate and timely manner and without retaliation.

   (2) A home care consumer has the right to assert his or her rights under this Section without retaliation.

(g) Home care consumer's right to fiduciary assistance. A home care consumer has the right to a fiduciary's assistance in securing the consumer's rights under this Section.

(h) Other rights. The Home Care Consumer Bill of Rights may include any other rights determined to be appropriate by the Department.

(i) The Department on Aging and the Department of Human Services shall develop a plan for enforcing the Home Care Consumer Bill of Rights. In developing the plan, the Departments shall establish and take into account best practices for enforcement of those rights. The Departments shall make those best practices available to the public through their official web sites. The plan shall include a description of how entities with a role in protecting older adults aged 60 or older and persons with disabilities aged 18 through 59, such as home care services licensing agencies, adult protective services agencies, the Office of State Long Term Care Ombudsman, local law enforcement agencies, and other entities determined to be appropriate by the Departments, will coordinate activities to enforce the Home Care Consumer Bill of Rights.

AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 12C-35 as follows:

(720 ILCS 5/12C-35) (was 720 ILCS 5/12-10)
Sec. 12C-35. Tattooing the body of a minor.

(a) A person, other than a person licensed to practice medicine in all its branches, commits tattooing the body of a minor when he or she knowingly or recklessly tattoos or offers to tattoo a person under the age of 18.

(b) A person who is an owner or employee of a business that performs tattooing, other than a person licensed to practice medicine in all its branches, may not permit a person under 18 years of age to enter or remain on the premises where tattooing is being performed unless the person under 18 years of age is accompanied by his or her parent or legal guardian.

(c) "Tattoo" means to insert pigment under the surface of the skin of a human being, by pricking with a needle or otherwise, so as to produce an indelible mark or figure visible through the skin.

(d) Subsection (a) of this Section does not apply to a person under 18 years of age who tattoos or offers to tattoo another person under 18 years of age away from the premises of any business at which tattooing is performed.

(d-5) Subsections (a) and (b) of this Section do not apply to the removal of a tattoo from a person under 18 years of age, who is a victim of a violation of Section 10-9 of this Code or who is or has been a streetgang member as defined in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act, if the removal of the tattoo is performed in an establishment or multi-type establishment which has received a certificate of registration from the Department of Public Health or its agent under the Tattoo and Body Piercing Establishment Registration Act and the removal of the tattoo is performed by the operator or an authorized employee of the operator of the establishment or multi-type establishment. For the purposes of this subsection (d-5), "tattoo" also means the indelible mark or figure visible through the skin created by tattooing.

(e) Sentence. A violation of this Section is a Class A misdemeanor.

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

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PUBLIC ACT 98-0937
(House Bill No. 5893)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Section 16-130 as follows:

(35 ILCS 200/16-130)

Sec. 16-130. Exemption procedures; board of appeals; board of review. Whenever the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) in any county with 3,000,000 or more inhabitants determines that any property is or is not exempt from taxation, the decision of the board shall not be final, except as to homestead exemptions. Upon filing of any application for an exemption which would, if approved, reduce the assessed valuation of any property by more than $100,000, other than a homestead exemption, the owner shall give timely notice of the application by mailing a copy of it to any municipality, fire protection district, school district, and community college district in which such property is situated. Failure of a municipality, fire protection district, school district, or community college district to receive the notice shall not invalidate any exemption. The board shall give the municipalities, fire protection district, school district, and community college district and the taxpayer an opportunity to be heard. In all exemption cases other than homestead exemptions, the secretary of the board shall comply with the provisions of Section 5-15. The Department shall then determine whether the property is or is not legally liable to taxation. It shall notify the board of its decision and the board shall correct the assessment accordingly, if necessary. The decision of the Department is subject to review under Sections 8-35 and 8-40. The extension of taxes on any assessment shall not be delayed by any proceedings under this paragraph, and, in case the property is determined to be exempt, any taxes extended upon the unauthorized assessment shall be abated or, if already paid, shall be refunded.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The State's Attorneys Appellate Prosecutor's Act is amended by adding Section 4.12 as follows:

Sec. 4.12. Best Practices Protocol Committee. The Board shall establish a Best Practices Protocol Committee which shall evaluate and recommend a Best Practices Protocol on specific issues related to the investigation and prosecution of serious criminal offenses. The Best Practices Committee shall review the causes of wrongful convictions and make recommendations to improve and enhance public safety, with due consideration for the rights of the accused. The Best Practices Protocol Committee shall:

(1) Propose enhanced procedures relevant to the investigation and prosecution of criminal offenses.
(2) Collaborate with law enforcement partners in the development of enhanced procedures.
(3) Review public and private sector reports dealing with reduction of wrongful convictions.
(4) Identify and assess innovations to the criminal justice system.
(5) Examine scientific studies concerning new procedures.
(6) Create training programs for prosecutors and police on the best practice protocols developed by the Committee in collaboration with law enforcement.
(7) Review specific proposals submitted by the General Assembly by way of resolution and report back its findings and recommendations in a timely manner.

Section 99. Effective date. This Act takes effect upon becoming law.
AN ACT concerning liquor.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Liquor Control Act of 1934 is amended by changing Section 3-12 and by adding Section 6-27.1 as follows:

(235 ILCS 5/3-12)
Sec. 3-12. Powers and duties of State Commission.
(a) The State commission shall have the following powers, functions and duties:

(1) To receive applications and to issue licenses to manufacturers, foreign importers, importing distributors, distributors, non-resident dealers, on premise consumption retailers, off premise sale retailers, special event retailer licensees, special use permit licenses, auction liquor licenses, brew pubs, caterer retailers, non-beverage users, railroads, including owners and lessees of sleeping, dining and cafe cars, airplanes, boats, brokers, and wine maker's premises licensees in accordance with the provisions of this Act, and to suspend or revoke such licenses upon the State commission's determination, upon notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. Except in the case of an action taken pursuant to a violation of Section 6-3, 6-5, or 6-9, any action by the State Commission to suspend or revoke a licensee's license may be limited to the license for the specific premises where the violation occurred.

In lieu of suspending or revoking a license, the commission may impose a fine, upon the State commission's determination and notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. The fine imposed under this paragraph may not exceed $500 for each violation. Each day that the activity, which gave rise to the original fine, continues is a separate
violation. The maximum fine that may be levied against any licensee, for the period of the license, shall not exceed $20,000. The maximum penalty that may be imposed on a licensee for selling a bottle of alcoholic liquor with a foreign object in it or serving from a bottle of alcoholic liquor with a foreign object in it shall be the destruction of that bottle of alcoholic liquor for the first 10 bottles so sold or served from by the licensee. For the eleventh bottle of alcoholic liquor and for each third bottle thereafter sold or served from by the licensee with a foreign object in it, the maximum penalty that may be imposed on the licensee is the destruction of the bottle of alcoholic liquor and a fine of up to $50.

(2) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary to carry on its functions and duties to the end that the health, safety and welfare of the People of the State of Illinois shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted and to distribute copies of such rules and regulations to all licensees affected thereby.

(3) To call upon other administrative departments of the State, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it deems necessary in the performance of its duties.

(4) To recommend to local commissioners rules and regulations, not inconsistent with the law, for the distribution and sale of alcoholic liquors throughout the State.

(5) To inspect, or cause to be inspected, any premises in this State where alcoholic liquors are manufactured, distributed, warehoused, or sold.

(5.1) Upon receipt of a complaint or upon having knowledge that any person is engaged in business as a manufacturer, importing distributor, distributor, or retailer without a license or valid license, to notify the local liquor authority, file a complaint with the State's Attorney's Office of the county where the incident occurred, or initiate an investigation with the appropriate law enforcement officials.

(5.2) To issue a cease and desist notice to persons shipping alcoholic liquor into this State from a point outside of this State if the shipment is in violation of this Act.

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(5.3) To receive complaints from licensees, local officials, law enforcement agencies, organizations, and persons stating that any licensee has been or is violating any provision of this Act or the rules and regulations issued pursuant to this Act. Such complaints shall be in writing, signed and sworn to by the person making the complaint, and shall state with specificity the facts in relation to the alleged violation. If the Commission has reasonable grounds to believe that the complaint substantially alleges a violation of this Act or rules and regulations adopted pursuant to this Act, it shall conduct an investigation. If, after conducting an investigation, the Commission is satisfied that the alleged violation did occur, it shall proceed with disciplinary action against the licensee as provided in this Act.

(6) To hear and determine appeals from orders of a local commission in accordance with the provisions of this Act, as hereinafter set forth. Hearings under this subsection shall be held in Springfield or Chicago, at whichever location is the more convenient for the majority of persons who are parties to the hearing.

(7) The commission shall establish uniform systems of accounts to be kept by all retail licensees having more than 4 employees, and for this purpose the commission may classify all retail licensees having more than 4 employees and establish a uniform system of accounts for each class and prescribe the manner in which such accounts shall be kept. The commission may also prescribe the forms of accounts to be kept by all retail licensees having more than 4 employees, including but not limited to accounts of earnings and expenses and any distribution, payment, or other distribution of earnings or assets, and any other forms, records and memoranda which in the judgment of the commission may be necessary or appropriate to carry out any of the provisions of this Act, including but not limited to such forms, records and memoranda as will readily and accurately disclose at all times the beneficial ownership of such retail licensed business. The accounts, forms, records and memoranda shall be available at all reasonable times for inspection by authorized representatives of the State commission or by any local liquor control commissioner or his or her authorized representative. The commission, may, from time to time, alter, amend or repeal, in whole or in part, any uniform system of accounts, or the form and manner of keeping accounts.

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(8) In the conduct of any hearing authorized to be held by the commission, to appoint, at the commission's discretion, hearing officers to conduct hearings involving complex issues or issues that will require a protracted period of time to resolve, to examine, or cause to be examined, under oath, any licensee, and to examine or cause to be examined the books and records of such licensee; to hear testimony and take proof material for its information in the discharge of its duties hereunder; to administer or cause to be administered oaths; for any such purpose to issue subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of this State, and to adopt rules to implement its powers under this paragraph (8).

Any Circuit Court may by order duly entered, require the attendance of witnesses and the production of relevant books subpoenaed by the State commission and the court may compel obedience to its order by proceedings for contempt.

(9) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him or her to the legislature of this State, such amendments to this Act, if any, as it may think desirable and as will serve to further the general broad purposes contained in Section 1-2 hereof.

(10) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary for the control, sale or disposition of alcoholic liquor damaged as a result of an accident, wreck, flood, fire or other similar occurrence.

(11) To develop industry educational programs related to responsible serving and selling, particularly in the areas of overserving consumers and illegal underage purchasing and consumption of alcoholic beverages.

(11.1) To license persons providing education and training to alcohol beverage sellers and servers for mandatory and non-mandatory training under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) programs and to develop and administer a public awareness program in Illinois to reduce or eliminate the illegal purchase and consumption of alcoholic beverage products by persons under the age of 21. Application for a license shall be made on forms provided by the State Commission.

New matter indicated by italics - deletions by strikeout
(12) To develop and maintain a repository of license and regulatory information.

(13) On or before January 15, 1994, the Commission shall issue a written report to the Governor and General Assembly that is to be based on a comprehensive study of the impact on and implications for the State of Illinois of Section 1926 of the Federal ADAMHA Reorganization Act of 1992 (Public Law 102-321). This study shall address the extent to which Illinois currently complies with the provisions of P.L. 102-321 and the rules promulgated pursuant thereto.

As part of its report, the Commission shall provide the following essential information:

(i) the number of retail distributors of tobacco products, by type and geographic area, in the State;

(ii) the number of reported citations and successful convictions, categorized by type and location of retail distributor, for violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act and the Smokeless Tobacco Limitation Act;

(iii) the extent and nature of organized educational and governmental activities that are intended to promote, encourage or otherwise secure compliance with any Illinois laws that prohibit the sale or distribution of tobacco products to minors; and

(iv) the level of access and availability of tobacco products to individuals under the age of 18.

To obtain the data necessary to comply with the provisions of P.L. 102-321 and the requirements of this report, the Commission shall conduct random, unannounced inspections of a geographically and scientifically representative sample of the State's retail tobacco distributors.

The Commission shall consult with the Department of Public Health, the Department of Human Services, the Illinois State Police and any other executive branch agency, and private organizations that may have information relevant to this report.

The Commission may contract with the Food and Drug Administration of the U.S. Department of Health and Human Services to conduct unannounced investigations of Illinois tobacco vendors to determine compliance with federal laws relating to the

New matter indicated by italics - deletions by strikeout
illegal sale of cigarettes and smokeless tobacco products to persons under the age of 18.

(14) On or before April 30, 2008 and every 2 years thereafter, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of this amendatory Act of the 95th General Assembly on the business of soliciting, selling, and shipping wine from inside and outside of this State directly to residents of this State. As part of its report, the Commission shall provide all of the following information:

(A) The amount of State excise and sales tax revenues generated.

(B) The amount of licensing fees received.

(C) The number of cases of wine shipped from inside and outside of this State directly to residents of this State.

(D) The number of alcohol compliance operations conducted.

(E) The number of winery shipper's licenses issued.

(F) The number of each of the following: reported violations; cease and desist notices issued by the Commission; notices of violations issued by the Commission and to the Department of Revenue; and notices and complaints of violations to law enforcement officials, including, without limitation, the Illinois Attorney General and the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(15) As a means to reduce the underage consumption of alcoholic liquors, the Commission shall conduct alcohol compliance operations to investigate whether businesses that are soliciting, selling, and shipping wine from inside or outside of this State directly to residents of this State are licensed by this State or are selling or attempting to sell wine to persons under 21 years of age in violation of this Act.

(16) The Commission shall, in addition to notifying any appropriate law enforcement agency, submit notices of complaints or violations of Sections 6-29 and 6-29.1 by persons who do not hold a winery shipper's license under this amendatory Act to the Illinois Attorney General and to the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

New matter indicated by italics - deletions by strikeout
(17) (A) A person licensed to make wine under the laws of another state who has a winery shipper's license under this amendatory Act and annually produces less than 25,000 gallons of wine or a person who has a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license under this Act and annually produces less than 25,000 gallons of wine may make application to the Commission for a self-distribution exemption to allow the sale of not more than 5,000 gallons of the exemption holder's wine to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, such person shall state (1) the date it was established; (2) its volume of production and sales for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its wine; and (5) that it will comply with the liquor and revenue laws of the United States, this State, and any other state where it is licensed.

(C) The Commission shall approve the application for a self-distribution exemption if such person: (1) is in compliance with State revenue and liquor laws; (2) is not a member of any affiliated group that produces more than 25,000 gallons of wine per annum or produces any other alcoholic liquor; (3) will not annually produce for sale more than 25,000 gallons of wine; and (4) will not annually sell more than 5,000 gallons of its wine to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its production of wine in the previous 12 months and its anticipated production and sales for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or liquor law of Illinois, exceeded production of 25,000 gallons of wine in any calendar year, or become part of an affiliated group producing more than 25,000 gallons of wine or any other alcoholic liquor.

(E) Except in hearings for violations of this Act or amendatory Act or a bona fide investigation by duly sworn
law enforcement officials, the Commission, or its agents, the Commission shall maintain the production and sales information of a self-distribution exemption holder as confidential and shall not release such information to any person.

(F) The Commission shall issue regulations governing self-distribution exemptions consistent with this Section and this Act.

(G) Nothing in this subsection (17) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois distributor.

(H) It is the intent of this subsection (17) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system it is necessary to create an exception for smaller makers of wine as their wines are frequently adjusted in varietals, mixes, vintages, and taste to find and create market niches sometimes too small for distributor or importing distributor business strategies. Limited self-distribution rights will afford and allow smaller makers of wine access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(18) (A) A craft brewer licensee, who must also be either a licensed brewer or licensed non-resident dealer and annually manufacture less than 930,000 gallons of beer, may make application to the Commission for a self-distribution exemption to allow the sale of not more than 232,500 gallons of the exemption holder's beer to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, the craft brewer licensee shall state (1) the date it was established; (2) its volume of beer manufactured and sold for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its beer; and (5) that it will comply with the alcoholic beverage and revenue laws of the United States, this State, and any other state where it is licensed.
(C) Any application submitted shall be posted on the Commission's website at least 45 days prior to action by the Commission. The Commission shall approve the application for a self-distribution exemption if the craft brewer licensee: (1) is in compliance with the State, revenue, and alcoholic beverage laws; (2) is not a member of any affiliated group that manufacturers more than 930,000 gallons of beer per annum or produces any other alcoholic beverages; (3) shall not annually manufacture for sale more than 930,000 gallons of beer; and (4) shall not annually sell more than 232,500 gallons of its beer to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its manufacture of beer during the previous 12 months and its anticipated manufacture and sales of beer for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or alcoholic beverage law of Illinois, exceeded the manufacture of 930,000 gallons of beer in any calendar year or became part of an affiliated group manufacturing more than 930,000 gallons of beer or any other alcoholic beverage.

(E) The Commission shall issue rules and regulations governing self-distribution exemptions consistent with this Act.

(F) Nothing in this paragraph (18) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois importing distributor or a distributor. If a self-distribution exemption holder enters into a distribution agreement and has assigned distribution rights to an importing distributor or distributor, then the self-distribution exemption holder's distribution rights in the assigned territories shall cease in a reasonable time not to exceed 60 days.

(G) It is the intent of this paragraph (18) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system, it is necessary to create an exception for smaller
manufacturers in order to afford and allow such smaller manufacturers of beer access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(b) On or before April 30, 1999, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of this amendatory Act of 1998 on the business of soliciting, selling, and shipping alcoholic liquor from outside of this State directly to residents of this State.

As part of its report, the Commission shall provide the following information:

(i) the amount of State excise and sales tax revenues generated as a result of this amendatory Act of 1998;
(ii) the amount of licensing fees received as a result of this amendatory Act of 1998;
(iii) the number of reported violations, the number of cease and desist notices issued by the Commission, the number of notices of violations issued to the Department of Revenue, and the number of notices and complaints of violations to law enforcement officials.

(Source: P.A. 97-5, eff. 6-1-11; 98-401, eff. 8-16-13.)

(235 ILCS 5/6-27.1 new)
Sec. 6-27.1. Responsible alcohol service server training.
(a) Unless issued a valid server training certificate between July 1, 2012 and July 1, 2015 by a certified Beverage Alcohol Sellers and Servers Education and Training (BASSET) trainer, all alcohol servers in Cook County are required to obtain and complete training in basic responsible alcohol service as outlined in 77 Ill. Adm. Code 3500 by July 1, 2015 or within 120 days after the alcohol server begins his or her employment, whichever is later. There is no limit to the amount of times a server may take the training. A certificate of training belongs to the server, and a server may transfer a certificate of training to a different employer, but shall not transfer a certificate of training to another server. Proof that an alcohol server has been trained must be available upon reasonable request by State law enforcement officials. For the purpose of this Section, "alcohol servers" means persons who sell or serve open containers of alcoholic beverages at retail and anyone whose job description entails the checking of identification for the purchase of open containers of alcoholic beverages at retail or for entry into the licensed premises. The definition does not include (i) a distributor or importing distributor conducting product sampling as
authorized in Section 6-31 of this Act or a registered tasting representative, as provided in 11 Ill. Adm. Code 100.40, conducting a tasting, as defined in 11 Ill. Adm. Code 100.10; (ii) a volunteer serving alcoholic beverages at a charitable function; or (iii) an instructor engaged in training or educating on the proper technique for using a system that dispenses alcoholic beverages.

(b) Responsible alcohol service training must cover and assess knowledge of the topics noted in 77 Ill. Adm. Code 3500.155.

(c) Beginning on the effective date of this amendatory Act of the 98th General Assembly, but no later than October 1, 2015, all existing BASSET trainers who are already BASSET certified as of the effective date of this amendatory Act of the 98th General Assembly shall be recertified by the State Commission and be required to comply with the conditions for server training set forth in this amendatory Act of the 98th General Assembly.

(d) Training modules and certificate program plans must be approved by the State Commission. All documents, materials, or information related to responsible alcohol service training program approval that are submitted to the State Commission are confidential and shall not be open to public inspection or dissemination and are exempt from disclosure.

The State Commission shall only approve programs that meet the following criteria:

(1) the training course covers the content specified in 77 Ill. Adm. Code 3500.155;

(2) if the training course is classroom-based, the classroom training is at least 4 hours, is available in English and Spanish, and includes a test;

(3) if the training course is online or computer-based, the course is designed in a way that ensures that no content can be skipped, is interactive, has audio for content for servers that have a disability, and includes a test;

(4) training and testing is based on a job task analysis that clearly identifies and focuses on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and is developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(5) training and testing is conducted by any means available, including, but not limited to, online, computer, classroom, or live trainers; and
(6) the program must provide access on a 24-hour-per-day, 7-days-per-week basis for certificate verification for State Commission, State law enforcement officials, and employers to be able to verify certificate authenticity.

(e) Nothing in subsection (d) of this Section shall be construed to require a program to use a test administrator or proctor.

(f) A certificate issued from a BASSET-licensed training program shall be accepted as meeting the training requirements for all server license and permit laws and ordinances in the State.

(g) A responsible alcohol service training certificate from a BASSET-licensed program shall be valid for 3 years.

(h) The provisions of this Section shall apply beginning July 1, 2015. From July 1, 2015 through December 31, 2015, enforcement of the provisions of this Section shall be limited to education and notification of the requirements to encourage compliance.

(i) The provisions of this Section do not apply to a special event retailer.

Section 99. Effective date. This Act takes effect July 1, 2015.
Passed in the General Assembly May 23, 2014
Approved August 15, 2014.
Effective July 1, 2015.

PUBLIC ACT 98-0940
(House Bill No. 5950)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Unified Code of Corrections is amended by changing Sections 5-6-2 and 5-6-3.1 as follows:

(730 ILCS 5/5-6-2) (from Ch. 38, par. 1005-6-2)
Sec. 5-6-2. Incidents of Probation and of Conditional Discharge.
(a) When an offender is sentenced to probation or conditional discharge, the court shall impose a period as provided in Article 4.5 of Chapter V, and shall specify the conditions under Section 5-6-3.
(b) Multiple terms of probation imposed at the same time shall run concurrently.

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(c) The court may at any time terminate probation or conditional discharge if warranted by the conduct of the offender and the ends of justice, as provided in Section 5-6-4.

(d) Upon the expiration or termination of the period of probation or of conditional discharge, the court shall enter an order discharging the offender.

(e) The court may extend any period of probation or conditional discharge beyond the limits set forth in Article 4.5 of Chapter V upon a violation of a condition of the probation or conditional discharge, for the payment of an assessment required by Section 10.3 of the Cannabis Control Act, Section 411.2 of the Illinois Controlled Substances Act, or Section 80 of the Methamphetamine Control and Community Protection Act, or for the payment of restitution as provided by an order of restitution under Section 5-5-6 of this Code.

(e-5) If payment of restitution as ordered has not been made, the victim shall file a petition notifying the sentencing court, any other person to whom restitution is owed, and the State's Attorney of the status of the ordered restitution payments unpaid at least 90 days before the probation or conditional discharge expiration date. If payment as ordered has not been made, the court shall hold a review hearing prior to the expiration date, unless the hearing is voluntarily waived by the defendant with the knowledge that waiver may result in an extension of the probation or conditional discharge period or in a revocation of probation or conditional discharge. If the court does not extend probation or conditional discharge, it shall issue a judgment for the unpaid restitution and direct the clerk of the circuit court to file and enter the judgment in the judgment and lien docket, without fee, unless it finds that the victim has recovered a judgment against the defendant for the amount covered by the restitution order. If the court issues a judgment for the unpaid restitution, the court shall send to the defendant at his or her last known address written notification that a civil judgment has been issued for the unpaid restitution.

(f) The court may impose a term of probation that is concurrent or consecutive to a term of imprisonment so long as the maximum term imposed does not exceed the maximum term provided under Article 4.5 of Chapter V or Article 8 of this Chapter. The court may provide that probation may commence while an offender is on mandatory supervised release, participating in a day release program, or being monitored by an electronic monitoring device.

(Source: P.A. 94-556, eff. 9-11-05; 95-1052, eff. 7-1-09.)
Sec. 5-6-3.1. Incidents and Conditions of Supervision.

(a) When a defendant is placed on supervision, the court shall enter an order for supervision specifying the period of such supervision, and shall defer further proceedings in the case until the conclusion of the period.

(b) The period of supervision shall be reasonable under all of the circumstances of the case, but may not be longer than 2 years, unless the defendant has failed to pay the assessment required by Section 10.3 of the Cannabis Control Act, Section 411.2 of the Illinois Controlled Substances Act, or Section 80 of the Methamphetamine Control and Community Protection Act, in which case the court may extend supervision beyond 2 years. Additionally, the court shall order the defendant to perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, when the offense (1) was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang; or (2) is a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012 where a disposition of supervision is not prohibited by Section 5-6-1 of this Code. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damages to property located within the municipality or county in which the violation occurred. Where possible and reasonable, the community service should be performed in the offender's neighborhood.

For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

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

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of supervision;
(2) pay a fine and costs;
(3) work or pursue a course of study or vocational training;

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(4) undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism;
(5) attend or reside in a facility established for the instruction or residence of defendants on probation;
(6) support his dependents;
(7) refrain from possessing a firearm or other dangerous weapon;
(8) and in addition, if a minor:
   (i) reside with his parents or in a foster home;
   (ii) attend school;
   (iii) attend a non-residential program for youth;
   (iv) contribute to his own support at home or in a foster home; or
   (v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is placed on supervision for a crime of violence as defined in Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;
(9) make restitution or reparation in an amount not to exceed actual loss or damage to property and pecuniary loss or make restitution under Section 5-5-6 to a domestic violence shelter. The court shall determine the amount and conditions of payment;
(10) perform some reasonable public or community service;
(11) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986 or an order of protection issued by the court of another state, tribe, or United States territory. If the court has ordered the defendant to make a report and appear in person under paragraph (1) of this subsection, a copy of the order of protection shall be transmitted to the person or agency so designated by the court;
(12) reimburse any "local anti-crime program" as defined in Section 7 of the Anti-Crime Advisory Council Act for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced;
(13) contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the

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defendant was sentenced, (i) to a "local anti-crime program", as defined in Section 7 of the Anti-Crime Advisory Council Act, or (ii) for offenses under the jurisdiction of the Department of Natural Resources, to the fund established by the Department of Natural Resources for the purchase of evidence for investigation purposes and to conduct investigations as outlined in Section 805-105 of the Department of Natural Resources (Conservation) Law;

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

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

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

(17) refrain from operating any motor vehicle not equipped with an ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code; under this condition the court may allow a defendant who is not self-employed to operate a vehicle owned by the defendant's employer that is not equipped with an ignition interlock device in the course and scope of the defendant's employment; and

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

(c-5) If payment of restitution as ordered has not been made, the victim shall file a petition notifying the sentencing court, any other person to whom restitution is owed, and the State's Attorney of the status of the ordered

New matter indicated by italics - deletions by strikeout
restitution payments unpaid at least 90 days before the supervision expiration date. If payment as ordered has not been made, the court shall hold a review hearing prior to the expiration date, unless the hearing is voluntarily waived by the defendant with the knowledge that waiver may result in an extension of the supervision period or in a revocation of supervision. If the court does not extend supervision, it shall issue a judgment for the unpaid restitution and direct the clerk of the circuit court to file and enter the judgment in the judgment and lien docket, without fee, unless it finds that the victim has recovered a judgment against the defendant for the amount covered by the restitution order. If the court issues a judgment for the unpaid restitution, the court shall send to the defendant at his or her last known address written notification that a civil judgment has been issued for the unpaid restitution.

(d) The court shall defer entering any judgment on the charges until the conclusion of the supervision.

(e) At the conclusion of the period of supervision, if the court determines that the defendant has successfully complied with all of the conditions of supervision, the court shall discharge the defendant and enter a judgment dismissing the charges.

(f) Discharge and dismissal upon a successful conclusion of a disposition of supervision shall be deemed without adjudication of guilt and shall not be termed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime. Two years after the discharge and dismissal under this Section, unless the disposition of supervision was for a violation of Sections 3-707, 3-708, 3-710, 5-401.3, or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, or for a violation of Sections 12-3.2, 16-25, or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which case it shall be 5 years after discharge and dismissal, a person may have his record of arrest sealed or expunged as may be provided by law. However, any defendant placed on supervision before January 1, 1980, may move for sealing or expungement of his arrest record, as provided by law, at any time after discharge and dismissal under this Section. A person placed on supervision for a sexual offense committed against a minor as defined in clause (a)(1)(L) of Section 5.2 of the Criminal Identification Act or for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not have his or her record of arrest sealed or expunged.

(g) A defendant placed on supervision and who during the period of supervision undergoes mandatory drug or alcohol testing, or both, or is
assigned to be placed on an approved electronic monitoring device, shall be
ordered to pay the costs incidental to such mandatory drug or alcohol testing,
or both, and costs incidental to such approved electronic monitoring in
accordance with the defendant's ability to pay those costs. The county board
with the concurrence of the Chief Judge of the judicial circuit in which the
county is located shall establish reasonable fees for the cost of maintenance,
testing, and incidental expenses related to the mandatory drug or alcohol
testing, or both, and all costs incidental to approved electronic monitoring,
of all defendants placed on supervision. The concurrence of the Chief Judge
shall be in the form of an administrative order. The fees shall be collected by
the clerk of the circuit court. The clerk of the circuit court shall pay all
moneys collected from these fees to the county treasurer who shall use the
moneys collected to defray the costs of drug testing, alcohol testing, and
electronic monitoring. The county treasurer shall deposit the fees collected
in the county working cash fund under Section 6-27001 or Section 6-29002
of the Counties Code, as the case may be.

(h) A disposition of supervision is a final order for the purposes of
appeal.

(i) The court shall impose upon a defendant placed on supervision
after January 1, 1992 or to community service under the supervision of a
probation or court services department after January 1, 2004, as a condition
of supervision or supervised community service, a fee of $50 for each month
of supervision or supervised community service ordered by the court, unless
after determining the inability of the person placed on supervision or
supervised community service to pay the fee, the court assesses a lesser fee.
The court may not impose the fee on a minor who is made a ward of the State
under the Juvenile Court Act of 1987 while the minor is in placement. The
fee shall be imposed only upon a defendant who is actively supervised by the
probation and court services department. The fee shall be collected by the
clerk of the circuit court. The clerk of the circuit court shall pay all monies
collected from this fee to the county treasurer for deposit in the probation and
court services fund pursuant to Section 15.1 of the Probation and Probation
Officers Act.

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

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

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(k) A defendant at least 17 years of age who is placed on supervision for a misdemeanor in a county of 3,000,000 or more inhabitants and who has not been previously convicted of a misdemeanor or felony may as a condition of his or her supervision be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program approved by the court. The defendant placed on supervision must attend a public institution of education to obtain the educational or vocational training required by this subsection (k). The defendant placed on supervision shall be required to pay for the cost of the educational courses or GED test, if a fee is charged for those courses or test. The court shall revoke the supervision of a person who wilfully fails to comply with this subsection (k). The court shall resentence the defendant upon revocation of supervision as provided in Section 5-6-4. This subsection (k) does not apply to a defendant who has a high school diploma or has successfully passed the GED test. This subsection (k) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(l) The court shall require a defendant placed on supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act after a previous conviction or disposition of
supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act or a sentence of probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act and after a finding by the court that the person is addicted, to undergo treatment at a substance abuse program approved by the court.

(m) The Secretary of State shall require anyone placed on court supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance to give proof of his or her financial responsibility as defined in Section 7-315 of the Illinois Vehicle Code. The proof shall be maintained by the individual in a manner satisfactory to the Secretary of State for a minimum period of 3 years after the date the proof is first filed. The proof shall be limited to a single action per arrest and may not be affected by any post-sentence disposition. The Secretary of State shall suspend the driver's license of any person determined by the Secretary to be in violation of this subsection.

(n) Any offender placed on supervision for any offense that the court or probation department has determined to be sexually motivated as defined in the Sex Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

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

(p) An offender placed on supervision for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012 shall refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age. For purposes of this subsection (p), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012;

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and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused.

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

(r) An offender placed on supervision for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after the effective date of this amendatory Act of the 95th General Assembly shall:

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

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

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

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the court.
(s) An offender placed on supervision for an offense that is a sex offense as defined in Section 2 of the Sex Offender Registration Act that is committed on or after January 1, 2010 (the effective date of Public Act 96-362) that requires the person to register as a sex offender under that Act, may not knowingly use any computer scrub software on any computer that the sex offender uses.

(t) An offender placed on supervision for a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262) shall refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012.

(u) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. The probation department within the circuit to which jurisdiction has been transferred may impose probation fees upon receiving the transferred offender, as provided in subsection (i). The probation department from the original sentencing court shall retain all probation fees collected prior to the transfer.

(Source: P.A. 96-262, eff. 1-1-10; 96-362, eff. 1-1-10; 96-409, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1414, eff. 1-1-11; 96-1551, Article 2, Section 1065, eff. 1-1-12; 96-1551, Article 10, Section 10-150, eff. 7-1-11; 97-454, eff. 1-1-12; 97-597, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0941
(Senate Bill No. 0728)

AN ACT concerning liquor.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Liquor Control Act of 1934 is amended by changing Section 3-12 as follows:
(235 ILCS 5/3-12)
Sec. 3-12. Powers and duties of State Commission.

New matter indicated by italics - deletions by strikeout
(a) The State commission shall have the following powers, functions, and duties:

(1) To receive applications and to issue licenses to manufacturers, foreign importers, importing distributors, distributors, non-resident dealers, on premise consumption retailers, off premise sale retailers, special event retailer licensees, special use permit licenses, auction liquor licenses, brew pubs, caterer retailers, non-beverage users, railroads, including owners and lessees of sleeping, dining and cafe cars, airplanes, boats, brokers, and wine maker's premises licensees in accordance with the provisions of this Act, and to suspend or revoke such licenses upon the State commission's determination, upon notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. Except in the case of an action taken pursuant to a violation of Section 6-3, 6-5, or 6-9, any action by the State Commission to suspend or revoke a licensee's license may be limited to the license for the specific premises where the violation occurred.

In lieu of suspending or revoking a license, the commission may impose a fine, upon the State commission's determination and notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation.

For the purpose of this paragraph (1), when determining multiple violations for the sale of alcohol to a person under the age of 21, a second or subsequent violation for the sale of alcohol to a person under the age of 21 shall only be considered if it was committed within 5 years after the date when a prior violation for the sale of alcohol to a person under the age of 21 was committed.

The fine imposed under this paragraph may not exceed $500 for each violation. Each day that the activity, which gave rise to the original fine, continues is a separate violation. The maximum fine that may be levied against any licensee, for the period of the license, shall not exceed $20,000. The maximum penalty that may be imposed on a licensee for selling a bottle of alcoholic liquor with a foreign object in it or serving from a bottle of alcoholic liquor with a foreign object in it shall be the destruction of that bottle of alcoholic liquor for the first 10 bottles so sold or served from by the licensee. For the eleventh bottle of alcoholic liquor and for each third bottle thereafter

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sold or served from by the licensee with a foreign object in it, the maximum penalty that may be imposed on the licensee is the destruction of the bottle of alcoholic liquor and a fine of up to $50.

(2) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary to carry on its functions and duties to the end that the health, safety and welfare of the People of the State of Illinois shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted and to distribute copies of such rules and regulations to all licensees affected thereby.

(3) To call upon other administrative departments of the State, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it deems necessary in the performance of its duties.

(4) To recommend to local commissioners rules and regulations, not inconsistent with the law, for the distribution and sale of alcoholic liquors throughout the State.

(5) To inspect, or cause to be inspected, any premises in this State where alcoholic liquors are manufactured, distributed, warehoused, or sold. *Nothing in this Act authorizes an agent of the Commission to inspect private areas within the premises without reasonable suspicion or a warrant during an inspection.* "Private areas" include, but are not limited to, safes, personal property, and closed desks.

(5.1) Upon receipt of a complaint or upon having knowledge that any person is engaged in business as a manufacturer, importing distributor, distributor, or retailer without a license or valid license, to notify the local liquor authority, file a complaint with the State's Attorney's Office of the county where the incident occurred, or initiate an investigation with the appropriate law enforcement officials.

(5.2) To issue a cease and desist notice to persons shipping alcoholic liquor into this State from a point outside of this State if the shipment is in violation of this Act.

(5.3) To receive complaints from licensees, local officials, law enforcement agencies, organizations, and persons stating that any licensee has been or is violating any provision of this Act or the rules and regulations issued pursuant to this Act. Such complaints shall be in writing, signed and sworn to by the person making the complaint,

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and shall state with specificity the facts in relation to the alleged violation. If the Commission has reasonable grounds to believe that the complaint substantially alleges a violation of this Act or rules and regulations adopted pursuant to this Act, it shall conduct an investigation. If, after conducting an investigation, the Commission is satisfied that the alleged violation did occur, it shall proceed with disciplinary action against the licensee as provided in this Act.

(6) To hear and determine appeals from orders of a local commission in accordance with the provisions of this Act, as hereinafter set forth. Hearings under this subsection shall be held in Springfield or Chicago, at whichever location is the more convenient for the majority of persons who are parties to the hearing.

(7) The commission shall establish uniform systems of accounts to be kept by all retail licensees having more than 4 employees, and for this purpose the commission may classify all retail licensees having more than 4 employees and establish a uniform system of accounts for each class and prescribe the manner in which such accounts shall be kept. The commission may also prescribe the forms of accounts to be kept by all retail licensees having more than 4 employees, including but not limited to accounts of earnings and expenses and any distribution, payment, or other distribution of earnings or assets, and any other forms, records and memoranda which in the judgment of the commission may be necessary or appropriate to carry out any of the provisions of this Act, including but not limited to such forms, records and memoranda as will readily and accurately disclose at all times the beneficial ownership of such retail licensed business. The accounts, forms, records and memoranda shall be available at all reasonable times for inspection by authorized representatives of the State commission or by any local liquor control commissioner or his or her authorized representative. The commission, may, from time to time, alter, amend or repeal, in whole or in part, any uniform system of accounts, or the form and manner of keeping accounts.

(8) In the conduct of any hearing authorized to be held by the commission, to appoint, at the commission's discretion, hearing officers to conduct hearings involving complex issues or issues that will require a protracted period of time to resolve, to examine, or cause to be examined, under oath, any licensee, and to examine or cause to be examined the books and records of such licensee; to hear

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testimony and take proof material for its information in the discharge of its duties hereunder; to administer or cause to be administered oaths; for any such purpose to issue subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of this State, and to adopt rules to implement its powers under this paragraph (8).

Any Circuit Court may by order duly entered, require the attendance of witnesses and the production of relevant books subpoenaed by the State commission and the court may compel obedience to its order by proceedings for contempt.

(9) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him or her to the legislature of this State, such amendments to this Act, if any, as it may think desirable and as will serve to further the general broad purposes contained in Section 1-2 hereof.

(10) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary for the control, sale or disposition of alcoholic liquor damaged as a result of an accident, wreck, flood, fire or other similar occurrence.

(11) To develop industry educational programs related to responsible serving and selling, particularly in the areas of overserving consumers and illegal underage purchasing and consumption of alcoholic beverages.

(11.1) To license persons providing education and training to alcohol beverage sellers and servers under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) programs and to develop and administer a public awareness program in Illinois to reduce or eliminate the illegal purchase and consumption of alcoholic beverage products by persons under the age of 21. Application for a license shall be made on forms provided by the State Commission.

(12) To develop and maintain a repository of license and regulatory information.

(13) On or before January 15, 1994, the Commission shall issue a written report to the Governor and General Assembly that is to be based on a comprehensive study of the impact on and implications for the State of Illinois of Section 1926 of the Federal ADAMHA Reorganization Act of 1992 (Public Law 102-321). This study shall address the extent to which Illinois currently complies

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with the provisions of P.L. 102-321 and the rules promulgated pursuant thereto.

As part of its report, the Commission shall provide the following essential information:

(i) the number of retail distributors of tobacco products, by type and geographic area, in the State;

(ii) the number of reported citations and successful convictions, categorized by type and location of retail distributor, for violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act and the Smokeless Tobacco Limitation Act;

(iii) the extent and nature of organized educational and governmental activities that are intended to promote, encourage or otherwise secure compliance with any Illinois laws that prohibit the sale or distribution of tobacco products to minors; and

(iv) the level of access and availability of tobacco products to individuals under the age of 18.

To obtain the data necessary to comply with the provisions of P.L. 102-321 and the requirements of this report, the Commission shall conduct random, unannounced inspections of a geographically and scientifically representative sample of the State's retail tobacco distributors.

The Commission shall consult with the Department of Public Health, the Department of Human Services, the Illinois State Police and any other executive branch agency, and private organizations that may have information relevant to this report.

The Commission may contract with the Food and Drug Administration of the U.S. Department of Health and Human Services to conduct unannounced investigations of Illinois tobacco vendors to determine compliance with federal laws relating to the illegal sale of cigarettes and smokeless tobacco products to persons under the age of 18.

(14) On or before April 30, 2008 and every 2 years thereafter, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of this amendatory Act of the 95th General Assembly on the business of soliciting, selling, and shipping wine from inside and outside of this

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State directly to residents of this State. As part of its report, the Commission shall provide all of the following information:

(A) The amount of State excise and sales tax revenues generated.

(B) The amount of licensing fees received.

(C) The number of cases of wine shipped from inside and outside of this State directly to residents of this State.

(D) The number of alcohol compliance operations conducted.

(E) The number of winery shipper's licenses issued.

(F) The number of each of the following: reported violations; cease and desist notices issued by the Commission; notices of violations issued by the Commission and to the Department of Revenue; and notices and complaints of violations to law enforcement officials, including, without limitation, the Illinois Attorney General and the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(15) As a means to reduce the underage consumption of alcoholic liquors, the Commission shall conduct alcohol compliance operations to investigate whether businesses that are soliciting, selling, and shipping wine from inside or outside of this State directly to residents of this State are licensed by this State or are selling or attempting to sell wine to persons under 21 years of age in violation of this Act.

(16) The Commission shall, in addition to notifying any appropriate law enforcement agency, submit notices of complaints or violations of Sections 6-29 and 6-29.1 by persons who do not hold a winery shipper's license under this amendatory Act to the Illinois Attorney General and to the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(17) (A) A person licensed to make wine under the laws of another state who has a winery shipper's license under this amendatory Act and annually produces less than 25,000 gallons of wine or a person who has a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license under this Act and annually produces less than 25,000 gallons of wine may make application to the Commission for a self-distribution exemption to

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allow the sale of not more than 5,000 gallons of the exemption holder's wine to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, such person shall state (1) the date it was established; (2) its volume of production and sales for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its wine; and (5) that it will comply with the liquor and revenue laws of the United States, this State, and any other state where it is licensed.

(C) The Commission shall approve the application for a self-distribution exemption if such person: (1) is in compliance with State revenue and liquor laws; (2) is not a member of any affiliated group that produces more than 25,000 gallons of wine per annum or produces any other alcoholic liquor; (3) will not annually produce for sale more than 25,000 gallons of wine; and (4) will not annually sell more than 5,000 gallons of its wine to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its production of wine in the previous 12 months and its anticipated production and sales for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or liquor law of Illinois, exceeded production of 25,000 gallons of wine in any calendar year, or become part of an affiliated group producing more than 25,000 gallons of wine or any other alcoholic liquor.

(E) Except in hearings for violations of this Act or amendatory Act or a bona fide investigation by duly sworn law enforcement officials, the Commission, or its agents, the Commission shall maintain the production and sales information of a self-distribution exemption holder as confidential and shall not release such information to any person.

(F) The Commission shall issue regulations governing self-distribution exemptions consistent with this Section and this Act.

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(G) Nothing in this subsection (17) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois distributor.

(H) It is the intent of this subsection (17) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system it is necessary to create an exception for smaller makers of wine as their wines are frequently adjusted in varietals, mixes, vintages, and taste to find and create market niches sometimes too small for distributor or importing distributor business strategies. Limited self-distribution rights will afford and allow smaller makers of wine access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(18) (A) A craft brewer licensee, who must also be either a licensed brewer or licensed non-resident dealer and annually manufacture less than 930,000 gallons of beer, may make application to the Commission for a self-distribution exemption to allow the sale of not more than 232,500 gallons of the exemption holder's beer to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, the craft brewer licensee shall state (1) the date it was established; (2) its volume of beer manufactured and sold for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its beer; and (5) that it will comply with the alcoholic beverage and revenue laws of the United States, this State, and any other state where it is licensed.

(C) Any application submitted shall be posted on the Commission's website at least 45 days prior to action by the Commission. The Commission shall approve the application for a self-distribution exemption if the craft brewer licensee: (1) is in compliance with the State, revenue, and alcoholic beverage laws; (2) is not a member of any affiliated group that manufacturers more than 930,000 gallons of beer per annum or produces any other alcoholic beverages; (3) shall not annually manufacture for sale more than 930,000 gallons of...
beer; and (4) shall not annually sell more than 232,500 gallons of its beer to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its manufacture of beer during the previous 12 months and its anticipated manufacture and sales of beer for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or alcoholic beverage law of Illinois, exceeded the manufacture of 930,000 gallons of beer in any calendar year or became part of an affiliated group manufacturing more than 930,000 gallons of beer or any other alcoholic beverage.

(E) The Commission shall issue rules and regulations governing self-distribution exemptions consistent with this Act.

(F) Nothing in this paragraph (18) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois importing distributor or a distributor. If a self-distribution exemption holder enters into a distribution agreement and has assigned distribution rights to an importing distributor or distributor, then the self-distribution exemption holder's distribution rights in the assigned territories shall cease in a reasonable time not to exceed 60 days.

(G) It is the intent of this paragraph (18) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system, it is necessary to create an exception for smaller manufacturers in order to afford and allow such smaller manufacturers of beer access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(b) On or before April 30, 1999, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of this amendatory Act of 1998 on the business of soliciting, selling, and shipping alcoholic liquor from outside of this State directly to residents of this State.
As part of its report, the Commission shall provide the following information:

(i) the amount of State excise and sales tax revenues generated as a result of this amendatory Act of 1998;
(ii) the amount of licensing fees received as a result of this amendatory Act of 1998;
(iii) the number of reported violations, the number of cease and desist notices issued by the Commission, the number of notices of violations issued to the Department of Revenue, and the number of notices and complaints of violations to law enforcement officials.

(Source: P.A. 97-5, eff. 6-1-11; 98-401, eff. 8-16-13.)

Passed in the General Assembly May 19, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0942
(Senate Bill No. 2620)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 15-111 as follows:

(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)
Sec. 15-111. Wheel and axle loads and gross weights.
(a) No vehicle or combination of vehicles with pneumatic tires may be operated, unladen or with load, when the total weight on the road surface exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle with no axle within the tandem exceeding 20,000 pounds; 80,000 pounds gross weight for vehicle combinations of 5 or more axles; or a total weight on a group of 2 or more consecutive axles in excess of that weight produced by the application of the following formula: \( W = 500 \times \left( \frac{LN}{N-1} \right) + 12N + 36 \), where "W" equals overall total weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" equals the distance measured to the nearest foot between extremes of any group of 2 or more consecutive axles, and "N" equals the number of axles in the group under consideration.

The above formula when expressed in tabular form results in allowable loads as follows:

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*If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (a) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (a) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum gross weight on any one axle shall not exceed 20,000 pounds and the maximum total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are

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erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

(1) Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.

(2) Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code. These vehicles are not subject to the bridge formula.

(3) Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

(4) Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

(4.5) A 3 or 4 axle vehicle (including when laden) operated or hired by a municipality within Cook, Lake, McHenry, Kane, DuPage, or Will county being operated for the purpose of performing emergency sewer repair that would be subject to a weight limitation less than 66,000 pounds under the formula in this subsection (a) shall have a weight limitation of 66,000 pounds or the vehicle's gross vehicle weight rating, whichever is less. This paragraph (4.5) does not apply to vehicles being operated on the National System of Interstate and Defense Highways, or to vehicles being operated on bridges or other elevated structures constituting a part of a highway.

(5) Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more, notwithstanding the lower limit resulting from the application of the above formula.

(6) A truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate

New matter indicated by italics - deletions by strikeout
and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle.

(7) A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(7.5) A 3-axle rear discharge truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(8) Except as provided in paragraph (7.5) of this subsection (a), tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2024 and first registered in Illinois prior to January 1, 2025, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 20,000 pounds. Any vehicle of this type manufactured after the model year of 2024 or first registered in Illinois after December 31, 2024 may not exceed a combined weight of 34,000 pounds through the series of 2 axles and neither axle of the series may exceed 20,000 pounds.

A 3-axle combination sewer cleaning jetting vacuum truck registered as a Special Hauling Vehicle, used exclusively for the transportation of non-hazardous solid waste, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

New matter indicated by italics - deletions by strikeout
weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(9) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, 2024 and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this paragraph (9) of subsection (a).

(10) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the model year of 2024, and registered in Illinois prior to January 1, 2025, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of P.A. 92-0417, the overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2024 may not exceed the weights allowed by the bridge formula.

(11) The maximum weight allowed on a vehicle with crawler type tracks is 40,000 pounds.

(12) A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall

New matter indicated by italics - deletions by strikeout
exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

(i) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes;

(ii) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(iii) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles; and

(iv) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed. If a roll-back carrier is registered and being used as a tow truck, however, the license plate or plates for the tow truck must cover the gross vehicle weight, including any load carried on the bed of the roll-back carrier.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer

New matter indicated by italics - deletions by strikeout
that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(b) As used in this Section, "recycling haul" or "recycling operation" means the hauling of non-hazardous, non-special, non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

(c) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, upon the highways of this State in violation of the provisions of any permit issued under the provisions of Sections 15-301 through 15-319 of this Chapter.

(d) No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(e) No person shall operate a vehicle or combination of vehicles over a bridge or other elevated structure constituting part of a highway with a gross weight that is greater than the maximum weight permitted by the Department, when the structure is sign posted as provided in this Section.

(f) The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it finds that the structure cannot with safety to itself withstand the weight of vehicles otherwise permissible under this Code the Department shall determine and declare the maximum weight of vehicles that the structures can withstand, and shall cause or permit suitable signs stating maximum weight to be erected and maintained before each end of the structure. No person shall operate a vehicle or combination of vehicles over any structure with a gross weight that is greater than the posted maximum weight.

(g) Upon the trial of any person charged with a violation of subsection (e) or (f) of this Section, proof of the determination of the maximum allowable weight by the Department and the existence of the signs, constitutes conclusive evidence of the maximum weight that can be maintained with safety to the bridge or structure.

(Source: P.A. 97-201, eff. 1-1-12; 98-409, eff. 1-1-14; 98-410, eff. 8-16-13; revised 9-19-13.)

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 98-0942
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0943
(Senate Bill No. 2650)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Code of Criminal Procedure of 1963 is amended by
adding Section 124A-15 as follows:
(725 ILCS 5/124A-15 new)
Sec. 124A-15. Reversal of conviction; refund of fines, fees, and costs.
(a) A defendant convicted in a criminal prosecution whose conviction
is reversed by a finding of factual innocence in a collateral proceeding such
as habeas corpus or post-conviction relief under Article 122 of this Code is
not liable for any costs or fees of the court or circuit clerk's office, or for any
charge of subsistence while detained in custody. If the defendant has paid any
costs, fine, or fees, in the case, the clerk or judge shall give him or her a
certificate of the payment of those costs, fine, or fees with the items of those
expenses, which, when audited and approved according to law, shall be
refunded to the defendant.
(b) To receive a refund under this Section, a defendant must submit
a request for the refund to the clerk of the court on a form and in a manner
prescribed by the clerk. The defendant must attach to the form an order from
the court demonstrating the defendant's right to the refund and the amount
of the refund.
Passed in the General Assembly May 19, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Department of Human Services Act is amended by changing Section 1-60 as follows:

(20 ILCS 1305/1-60)

Sec. 1-60. Pilot study. The Department of Human Services shall prepare 2 reports on the impact of the provisions of subsection (c) of Section 104-18 of the Code of Criminal Procedure of 1963. A preliminary report shall be prepared and submitted to the Governor and the General Assembly by November 1, 2012. A final report shall be prepared and submitted to the Governor and the General Assembly by October 1, 2013. The Department of Human Services shall prepare a report on the impact, after January 1, 2014, of the provisions of subsection (c) of Section 104-18 of the Code of Criminal Procedure of 1963. The report shall be prepared and submitted to the Governor and the General Assembly on or before January 2, 2016. Each report shall be posted on the Department's website within a week of its submission. Each report shall discuss the number of admissions during the reporting period, any delay in admissions, the number of persons returned to the county under the provisions of subsection (c) of Section 104-18 of the Code of Criminal Procedure of 1963, and any issues the county sheriffs or other county officials are having with the returns. Each report shall include a recommendation from the Department of Human Services and one from an association representing Illinois sheriffs whether to continue the pilot study. If either report indicates that there are serious deleterious effects from the provisions of subsection (c) of Section 104-18 of the Code of Criminal Procedure of 1963 or that the provisions of subsection (c) of Section 104-18 of the Code of Criminal Procedure of 1963 are not producing adequate results, the General Assembly may take necessary steps to eliminate the provisions of subsection (c) of Section 104-18 of the Code of Criminal Procedure of 1963 prior to January 1, 2014.

(Source: P.A. 97-1020, eff. 8-17-12.)

Section 10. The Code of Criminal Procedure of 1963 is amended by changing Section 104-18 as follows:

(725 ILCS 5/104-18) (from Ch. 38, par. 104-18)

Sec. 104-18. Progress Reports.}

New matter indicated by italics - deletions by strikeout
(a) The treatment supervisor shall submit a written progress report to the court, the State, and the defense:

(1) At least 7 days prior to the date for any hearing on the issue of the defendant's fitness;

(2) Whenever he believes that the defendant has attained fitness;

(3) Whenever he believes that there is not a substantial probability that the defendant will attain fitness, with treatment, within one year from the date of the original finding of unfitness.

(b) The progress report shall contain:

(1) The clinical findings of the treatment supervisor and the facts upon which the findings are based;

(2) The opinion of the treatment supervisor as to whether the defendant has attained fitness or as to whether the defendant is making progress, under treatment, toward attaining fitness within one year from the date of the original finding of unfitness;

(3) If the defendant is receiving medication, information from the prescribing physician indicating the type, the dosage and the effect of the medication on the defendant's appearance, actions and demeanor.

(c) Whenever the court is sent a report from the supervisor of the defendant's treatment under paragraph (2) of subsection (a) of this Section, the treatment provider shall arrange with the court for the return of the defendant to the county jail before the time frame specified in subsection (a) of Section 104-20 of this Code. This subsection (c) is inoperative on and after January 1, 2014.

(Source: P.A. 97-1020, eff. 8-17-12.)


PUBLIC ACT 98-0945
(Senate Bill No. 2978)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Vehicle Code is amended by renumbering and changing Section 3-699 as added by Public Act 98-469 as follows:

(625 ILCS 5/3-699.13)

Sec. 3-699.13 3-699. Illinois State Police Memorial Park license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated as Illinois State Police Memorial Park license plates to active or retired law enforcement officers or their family members, surviving family members of deceased law enforcement officers, and members of or donors to the Illinois State Police Heritage Foundation. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motorcycles over 150cc, or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be wholly within the discretion of the Secretary of State. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant shall be charged a $25 fee for original issuance in addition to the appropriate registration fee, if applicable. Of this fee, $10 shall be deposited into the Illinois State Police Memorial Park Fund and $15 shall be deposited into the Secretary of State Special License Plate Fund. For each registration renewal period, a $25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, $23 shall be deposited into the Illinois State Police Memorial Park Fund and $2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois State Police Memorial Park Fund is created as a special fund in the State treasury. All moneys in the Illinois State Police Memorial Park Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois State Police Heritage Foundation, Inc. for building and maintaining a memorial and park, holding an annual memorial commemoration, giving scholarships to children of State police officers killed or catastrophically injured in the line of duty, and providing financial assistance to police officers and their families when a police officer is killed or injured in the line of duty.

(Source: P.A. 98-469, eff. 8-16-13; revised 10-16-13.)

New matter indicated by italics - deletions by strikeout

PUBLIC ACT 98-0946
(Senate Bill No. 2984)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Trusts and Trustees Act is amended by changing Sections 5.3 and 16.1 as follows:

(760 ILCS 5/5.3)
Sec. 5.3. Total return trusts.
(a) Conversion by trustee. A trustee may convert a trust to a total return trust as described in this Section if all of the following apply:

(1) The trust describes the amount that may or must be distributed to a beneficiary by referring to the trust's income, and the trustee determines that conversion to a total return trust will enable the trustee to better carry out the purposes of the trust and the conversion is in the best interests of the beneficiaries;

(2) conversion to a total return trust means the trustee will invest and manage trust assets seeking a total return without regard to whether that return is from income or appreciation of principal, and will make distributions in accordance with this Section (such a trust is called a "total return trust" in this Section);

(3) the trustee sends a written notice of the trustee's decision to convert the trust to a total return trust, specifying a prospective effective date for the conversion and including a copy of this Section, to the following beneficiaries, determined as of the date the notice is sent and assuming nonexercise of all powers of appointment:

(A) all of the legally competent beneficiaries who are currently receiving or eligible to receive income from the trust; and

(B) all of the legally competent beneficiaries who would receive or be eligible to receive a distribution of principal or income if the current interests of beneficiaries currently receiving or eligible to receive income ended;

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(4) there are one or more legally competent income beneficiaries under subdivision (3)(A) of this subsection (a) and one or more legally competent remainder beneficiaries under subdivision (3)(B) of this subsection (a), determined as of the date of sending the notice;

(5) no beneficiary objects to the conversion to a total return trust in a writing delivered to the trustee within 60 days after the notice is sent; and

(6) the trustee has signed acknowledgments of receipt confirming that notice was received by each beneficiary required to be sent notice under subdivision (3) of this subsection (a).

(b) Conversion by agreement. Conversion to a total return trust may be made by agreement between a trustee and (i) all primary beneficiaries, acting either individually or by their respective representatives in accordance with Section subsection 16.1(a)(2) of this Act, or (ii) all beneficiaries currently eligible to receive income or principal from the trust and all beneficiaries who are presumptive remaindermen, either individually or by their respective representatives in accordance with subsection 16.1(a)(3) of this Act. The agreement may include any actions a court could properly order under subsection (g) of this Section; however, any distribution percentage determined by the agreement may not be less than 3% nor greater than 5%.

(c) Conversion or reconversion by court.

(1) The trustee may for any reason elect to petition the court to order conversion to a total return trust, including without limitation the reason that conversion under subsection (a) is unavailable because:

(A) a beneficiary timely objects to the conversion to a total return trust;

(B) there are no legally competent beneficiaries described in subdivision (3)(A) of subsection (a); or

(C) there are no legally competent beneficiaries described in subdivision (3)(B) of subsection (a).

(2) A beneficiary may request the trustee to convert to a total return trust or adjust the distribution percentage. If the trustee declines or fails to act within 6 months after receiving a written request to do so, the beneficiary may petition the court to order the conversion or adjustment.

(3) The trustee may petition the court prospectively to reconvert from a total return trust or adjust the distribution percentage.

New matter indicated by italics - deletions by strikeout
if the trustee determines that the reconversion or adjustment will enable the trustee to better carry out the purposes of the trust. A beneficiary may request the trustee to petition the court prospectively to reconvert from a total return trust or adjust the distribution percentage. If the trustee declines or fails to act within 6 months after receiving a written request to do so, the beneficiary may petition the court to order the reconversion or adjustment.

(4) In a judicial proceeding under this subsection (c), the trustee may, but need not, present the trustee's opinions and reasons (A) for supporting or opposing conversion to (or reconversion from or adjustment of the distribution percentage of) a total return trust, including whether the trustee believes conversion (or reconversion or adjustment of the distribution percentage) would enable the trustee to better carry out the purposes of the trust, and (B) about any other matters relevant to the proposed conversion (or reconversion or adjustment of the distribution percentage). A trustee's actions in accordance with this subsection (c) shall not be deemed improper or inconsistent with the trustee's duty of impartiality unless the court finds from all the evidence that the trustee acted in bad faith.

(5) The court shall order conversion to (or reconversion prospectively from or adjustment of the distribution percentage of) a total return trust if the court determines that the conversion (or reconversion or adjustment of the distribution percentage) will enable the trustee to better carry out the purposes of the trust and the conversion (or reconversion or adjustment of the distribution percentage) is in the best interests of the beneficiaries.

(6) Notwithstanding any other provision of this Section, a trustee has no duty to inform beneficiaries about the availability of this Section and has no duty to review the trust to determine whether any action should be taken under this Section unless requested to do so in writing by a beneficiary described in subdivision (3) of subsection (a).

(d) Post conversion. While a trust is a total return trust, all of the following shall apply to the trust:

(1) the trustee shall make income distributions in accordance with the governing instrument subject to the provisions of this Section;

(2) the term "income" in the governing instrument means an annual amount (the "distribution amount") equal to a percentage (the

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"distribution percentage") of the net fair market value of the trust's assets, whether the assets are considered income or principal under the Principal and Income Act, averaged over the lesser of:

(i) the 3 preceding years; or

(ii) the period during which the trust has been in existence;

(3) the distribution percentage for any trust converted to a total return trust by a trustee in accordance with subsection (a) shall be 4%;

(4) the trustee shall pay to a beneficiary (in the case of an underpayment) and shall recover from a beneficiary (in the case of an overpayment) an amount equal to the difference between the amount properly payable and the amount actually paid, plus interest compounded annually at a rate per annum equal to the distribution percentage in the year or years while the underpayment or overpayment exists; and

(5) a change in the method of determining a reasonable current return by converting to a total return trust in accordance with this Section and substituting the distribution amount for net trust accounting income is a proper change in the definition of trust income notwithstanding any contrary provision of the Principal and Income Act, and the distribution amount shall be deemed a reasonable current return that fairly apportions the total return of a total return trust.

(e) Administration. The trustee, in the trustee's discretion, may determine any of the following matters in administering a total return trust as the trustee from time to time determines necessary or helpful for the proper functioning of the trust:

(1) the effective date of a conversion to a total return trust;

(2) the manner of prorating the distribution amount for a short year in which a beneficiary's interest commences or ceases;

(3) whether distributions are made in cash or in kind;

(4) the manner of adjusting valuations and calculations of the distribution amount to account for other payments from or contributions to the trust;

(5) whether to value the trust's assets annually or more frequently;

(6) what valuation dates and how many valuation dates to use;

(7) valuation decisions about any asset for which there is no readily available market value, including:

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(A) how frequently to value such an asset;
(B) whether and how often to engage a professional appraiser to value such an asset; and
(C) whether to exclude the value of such an asset from the net fair market value of the trust's assets under subdivision (d)(2) for purposes of determining the distribution amount. Any such asset so excluded is referred to as an "excluded asset" in this subsection (e), and the trustee shall distribute any net income received from the excluded asset as provided for in the governing instrument, subject to the following principles:

(i) unless the trustee determines there are compelling reasons to the contrary considering all relevant factors including the best interests of the beneficiaries, the trustee shall treat each asset for which there is no readily available market value as an excluded asset;

(ii) if tangible personal property or real property is possessed or occupied by a beneficiary, the trustee shall not limit or restrict any right of the beneficiary to use the property in accordance with the governing instrument whether or not the trustee treats the property as an excluded asset;

(iii) examples of assets for which there is a readily available market value include: cash and cash equivalents; stocks, bonds, and other securities and instruments for which there is an established market on a stock exchange, in an over-the-counter market, or otherwise; and any other property that can reasonably be expected to be sold within one week of the decision to sell without extraordinary efforts by the seller;

(iv) examples of assets for which there is no readily available market value include: stocks, bonds, and other securities and instruments for which there is no established market on a stock exchange, in an over-the-counter market, or otherwise; real property; tangible personal property; and artwork and other collectibles; and

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(8) any other administrative matters as the trustee determines necessary or helpful for the proper functioning of the total return trust.

(f) Allocations.

(1) Expenses, taxes, and other charges that would be deducted from income if the trust were not a total return trust shall not be deducted from the distribution amount.

(2) Unless otherwise provided by the governing instrument, the trustee shall fund the distribution amount each year from the following sources for that year in the order listed: first from net income (as the term would be determined if the trust were not a total return trust), then from other ordinary income as determined for federal income tax purposes, then from net realized short-term capital gains as determined for federal income tax purposes, then from net realized long-term capital gains as determined for federal income tax purposes, then from trust principal comprised of assets for which there is a readily available market value, and then from other trust principal.

(g) Court orders. The court may order any of the following actions in a proceeding brought by a trustee or a beneficiary in accordance with subdivision (c)(1), (c)(2), or (c)(3):

(1) select a distribution percentage other than 4%;

(2) average the valuation of the trust's net assets over a period other than 3 years;

(3) reconvert prospectively from or adjust the distribution percentage of a total return trust;

(4) direct the distribution of net income (determined as if the trust were not a total return trust) in excess of the distribution amount as to any or all trust assets if the distribution is necessary to preserve a tax benefit; or

(5) change or direct any administrative procedure as the court determines necessary or helpful for the proper functioning of the total return trust.

Nothing in this subsection (g) limits the equitable powers of the court to grant other relief.

(h) Restrictions. Conversion to a total return trust does not affect any provision in the governing instrument:

(1) directing or authorizing the trustee to distribute principal;

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(2) directing or authorizing the trustee to distribute a fixed annuity or a fixed fraction of the value of trust assets;
(3) authorizing a beneficiary to withdraw a portion or all of the principal; or
(4) in any manner that would diminish an amount permanently set aside for charitable purposes under the governing instrument unless both income and principal are so set aside.

(i) Tax limitations. If a particular trustee is a beneficiary of the trust and conversion or failure to convert would enhance or diminish the beneficial interest of the trustee, or if possession or exercise of the conversion power by a particular trustee would alone cause any individual to be treated as owner of a part of the trust for income tax purposes or cause a part of the trust to be included in the gross estate of any individual for estate tax purposes, then that particular trustee may not participate as a trustee in the exercise of the conversion power; however:

(1) the trustee may petition the court under subdivision (c)(1) to order conversion in accordance with this Section; and
(2) if the trustee has one or more co-trustees to whom this subsection (i) does not apply, the co-trustee or co-trustees may convert the trust to a total return trust in accordance with this Section.

(j) Releases. A trustee may irrevocably release the power granted by this Section if the trustee reasonably believes the release is in the best interests of the trust and its beneficiaries. The release may be personal to the releasing trustee or may apply generally to some or all subsequent trustees, and the release may be for any specified period, including a period measured by the life of an individual.

(k) Remedies. A trustee who reasonably and in good faith takes or omits to take any action under this Section is not liable to any person interested in the trust. If a trustee reasonably and in good faith takes or omits to take any action under this Section and a person interested in the trust opposes the act or omission, the person's exclusive remedy is to obtain an order of the court directing the trustee to convert the trust to a total return trust, to reconvert from a total return trust, to change the distribution percentage, or to order any administrative procedures the court determines necessary or helpful for the proper functioning of the trust. An act or omission by a trustee under this Section is presumed taken or omitted reasonably and in good faith unless it is determined by the court to have been an abuse of discretion. Any claim by any person interested in the trust that an act or omission by a trustee under this Section was an abuse of discretion is
barred if not asserted in a proceeding commenced by or on behalf of the person within 2 years after the trustee has sent to the person or the person's personal representative a notice or report in writing sufficiently disclosing facts fundamental to the claim such that the person knew or reasonably should have known of the claim. The preceding sentence shall not apply to a person who was under a legal disability at the time the notice or report was sent and who then had no personal representative. For purposes of this subsection (k), a personal representative refers to a court appointed guardian or conservator of the estate of a person.

(l) Application. This Section is available to trusts in existence on the effective date of this amendatory Act of the 92nd General Assembly or created after that date. This Section shall be construed as pertaining to the administration of a trust and shall be available to any trust that is administered in Illinois under Illinois law or that is governed by Illinois law with respect to the meaning and effect of its terms unless:

(1) the trust is a trust described in Internal Revenue Code Section 642(c)(5), 664(d), 2702(a)(3), or 2702(b); or

(2) the governing instrument expressly prohibits use of this Section by specific reference to this Section. A provision in the governing instrument in the form: "Neither the provisions of Section 5.3 of the Trusts and Trustees Act nor any corresponding provision of future law may be used in the administration of this trust" or a similar provision demonstrating that intent is sufficient to preclude the use of this Section.

(m) Application to express trusts.

(1) This subsection (m) does not apply to a charitable remainder unitrust as defined by Section 664(d), Internal Revenue Code of 1986 (26 U.S.C. Section 664), as amended.

(2) In this subsection (m):

(A) "Unitrust" means a trust the terms of which require distribution of a unitrust amount, without regard to whether the trust has been converted to a total return trust in accordance with this Section or whether the trust is established by express terms of the governing instrument.

(B) "Unitrust amount" means an amount equal to a percentage of a trust's assets that may or must be distributed to one or more beneficiaries annually in accordance with the terms of the trust. The unitrust amount may be determined by reference to the net fair market value of the trust's assets as of
a particular date or as an average determined on a multiple year basis.

(3) A unitrust changes the definition of income by substituting the unitrust amount for net trust accounting income as the method of determining current return and shall be given effect notwithstanding any contrary provision of the Principal and Income Act. By way of example and not limitation, a unitrust amount determined by a percentage of not less than 3% nor greater than 5% is conclusively presumed a reasonable current return that fairly apportions the total return of a unitrust.

(4) The allocations provision of subdivision (2) of subsection (f) of Section 5.3 applies to a unitrust except to the extent its governing instrument expressly provides otherwise.

(Source: P.A. 96-479, eff. 1-1-10.)

(760 ILCS 5/16.1)
Sec. 16.1. Virtual representation.
(a) Representation by a beneficiary with a person having substantially similar identical interest, by the primary beneficiaries and by others; contingent remainder beneficiaries.

(1) To the extent there is no conflict of interest between the representative and the person represented beneficiary with respect to the particular question or dispute, a beneficiary who is a minor, or a disabled, or unborn beneficiary person, or a beneficiary person whose identity or location is unknown and not reasonably ascertainable (hereinafter referred to as an "unascertainable beneficiary"), may for all purposes be represented by and bound by another beneficiary individual having a substantially similar identical interest with respect to the particular question or dispute; provided, however, that the represented beneficiary such person is not otherwise represented by a court appointed guardian or agent in accordance with subdivision (a)(4) or by a parent in accordance with subdivision (a)(5) as provided in the next sentence. If a person is represented by a court appointed guardian of the estate or, if none, by a court appointed guardian of the person, the actions of such guardian shall represent and bind that person for purposes of this subsection (a)(1).

(2) If all primary beneficiaries of a trust either have legal capacity are adults and not disabled, or have representatives in accordance with this subsection (a)(1) who have legal capacity are adults and not disabled, the actions of such primary beneficiaries, in
each case either by the beneficiary or by the beneficiary's representative or their respective representatives, shall represent and bind all other beneficiaries who have a successor, contingent, future, or other interest in the trust and who would become primary beneficiaries only by reason of surviving a primary beneficiary.

For purposes of this Section, "primary beneficiary" means a beneficiary who is either: (i) currently eligible to receive income or principal from the trust or (ii) assuming nonexercise of all powers of appointment, will be eligible to receive a distribution of principal from the trust if the beneficiary survives to the final date of distribution with respect to the beneficiary's share.

(3) For purposes of this Act:

(A) "Primary beneficiary" means a beneficiary of a trust who as of the date of determination is either: (i) currently eligible to receive income or principal from the trust, or (ii) a presumptive remainder beneficiary. If all presumptive remainder beneficiaries either are adults and not disabled, or have representatives in accordance with subsection (a)(1) who are adults and not disabled, the actions of such presumptive remainder beneficiaries, or their respective representatives, shall represent and bind all other beneficiaries who have a successor, contingent, or other future interest in the trust. For purposes of this Section, "presumptive remainder beneficiaries" means,

(B) "Presumptive remainder beneficiary" means a beneficiary of a trust, as of the date of determination and assuming nonexercise of all powers of appointment, all beneficiaries who either: (i) (A) would be eligible to receive a distribution of income or principal if the trust terminated on that date, or (ii) (B) would be eligible to receive a distribution of income or principal if the interests of all beneficiaries currently eligible to receive income or principal from the trust ended on that date without causing the trust to terminate.

(C) "Disabled person" as of any date means either a disabled person within the meaning of Section 11a-2 of the Probate Act of 1975 or a person who, within the 365 days immediately preceding that date, was examined by a licensed physician who determined that the person lacked the capacity to make prudent financial decisions, and the physician made
a written record of the physician's determination and signed the written record within 90 days after the examination.

(D) A person has legal capacity unless the person is a minor or a disabled person.

(4) If a trust beneficiary is represented by a court appointed guardian of the estate or, if none, guardian of the person, the guardian shall represent and bind the beneficiary. If a trust beneficiary is a disabled person, an agent under a power of attorney for property who has authority to act with respect to the particular question or dispute and who does not have a conflict of interest with respect to the particular question or dispute may represent and bind the principal. An agent is deemed to have such authority if the power of attorney grants the agent the power to settle claims and to exercise powers with respect to trusts and estates, even if the powers do not include powers to make a will, to revoke or amend a trust, or to require the trustee to pay income or principal. Absent a court order pursuant to the Illinois Power of Attorney Act directing a guardian to exercise powers of the principal under an agency that survives disability, an agent under a power of attorney for property who in accordance with this subdivision has authority to represent and bind a disabled principal takes precedence over a court appointed guardian unless the court specifies otherwise. This subdivision applies to all agencies, whenever and wherever executed. The consent of a person who may represent and bind another person in accordance with this Section is binding on the person represented, and notice to a person who may represent and bind another person in accordance with this Section has the same effect as if notice were given directly to the other person.

(5) If a trust beneficiary is a minor or a disabled or unborn person and is not represented by a guardian or agent in accordance with subdivision (a)(4), then a parent of the beneficiary may represent and bind the beneficiary, provided that there is no conflict of interest between the represented person and either of the person’s parents with respect to the particular question or dispute. If a disagreement arises between parents who otherwise qualify to represent a child in accordance with this subsection (a) and who are seeking to represent the same child, the parent who is a lineal descendant of the settlor of the trust that is the subject of the
representation is entitled to represent the child; or if none, the parent who is a beneficiary of the trust is entitled to represent the child.

(6) A guardian, agent or parent who is the representative for a beneficiary under subdivision (a)(4) or (a)(5) may, for all purposes, represent and bind any other beneficiary who is a minor or a disabled, unborn, or unascertainable beneficiary who has an interest, with respect to the particular question or dispute, that is substantially similar to the interest of the beneficiary represented by the representative, but only to the extent that there is no conflict of interest between the beneficiary represented by the representative and the other beneficiary with respect to the particular question or dispute; provided, however, that the other beneficiary is not otherwise represented by a guardian or agent in accordance with subdivision (a)(4) or by a parent in accordance with subdivision (a)(5).

(7) The action or consent of a representative who may represent and bind a beneficiary in accordance with this Section is binding on the beneficiary represented, and notice or service of process to the representative has the same effect as if the notice or service of process were given directly to the beneficiary represented.

(8) Nothing in this Section limits the discretionary power of a court in a judicial proceeding to appoint a guardian ad litem for any minor, disabled, unborn, or unascertainable beneficiary with respect to a particular question or dispute, but appointment of a guardian ad litem need not be considered and is not necessary if such beneficiary is otherwise represented in accordance with this Section.

(b) Total return trusts. This Section shall apply to enable conversion to a total return trust by agreement in accordance with subsection (b) 5.3(b) of the total return trust provisions of Section 5.3 of this Act, by whether such agreement is made between the trustee and (A) all primary beneficiaries of the trust, in each case either by the beneficiary or by the beneficiary’s representative in accordance with this Section; either individually or by their respective representatives in accordance with subsection (a)(1), or (B) all beneficiaries currently eligible to receive income or principal from the trust and all beneficiaries who are presumptive remaindersmen of the trust, in each case either individually or by their respective representatives in accordance with subsection (a)(1).

(c) Representation of charity. If a trust provides a beneficial interest or expectancy for one or more charities or charitable purposes that are not
specifically named or otherwise represented (the "charitable interest"), the Illinois Attorney General may, in accordance with this Section, represent, bind, and act on behalf of the charitable interest with respect to any particular question or dispute, including without limitation representing the charitable interest in a nonjudicial settlement agreement or in an agreement to convert a trust to a total return trust in accordance with subsection (b) 5.3(b) of the total return trust provisions of Section 5.3 of this Act. A charity that is specifically named as beneficiary of a trust or that otherwise has an express beneficial interest in a trust may act for itself. This subsection (c) shall be construed as being declarative of existing law and not as a new enactment. Notwithstanding any other provision, nothing in this Section shall be construed to limit or affect the Illinois Attorney General's authority to file an action or take other steps as he or she deems advisable at any time to enforce or protect the general public interest as to a trust that provides a beneficial interest or expectancy for one or more charities or charitable purposes whether or not a specific charity is named in the trust. This subsection (c) shall be construed as being declarative of existing law and not as a new enactment.

(d) Nonjudicial settlement agreements.

(1) For purposes of this Section, "interested persons" means the trustee and all beneficiaries, or their respective representatives determined after giving effect to the preceding provisions of this Section, other persons and parties in interest whose consent or joinder would be required in order to achieve a binding settlement were the settlement to be approved by the court. "Interested persons" also includes a trust advisor, investment advisor, distribution advisor, trust protector or other holder, or committee of holders, of fiduciary or nonfiduciary powers, if the person then holds powers material to a particular question or dispute to be resolved or affected by a nonjudicial settlement agreement in accordance with this Section or by the court.

(2) Interested persons, or their respective representatives determined after giving effect to the preceding provisions of this Section, may enter into a binding nonjudicial settlement agreement with respect to any matter involving a trust as provided in this Section.

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(3) (Blank). A nonjudicial settlement agreement is valid only to the extent its terms and conditions could be properly approved under applicable law by a court of competent jurisdiction.

(4) The following matters that may be resolved by a nonjudicial settlement agreement include but are not limited to:

(A) Validity, interpretation, or construction of the terms of the trust.

(B) Approval of a trustee's report or accounting.

(C) Exercise or nonexercise of any power by a trustee.

(D) The grant to a trustee of any necessary or desirable administrative power, provided the grant does not conflict with a clear material purpose of the trust.

(E) Questions relating to property or an interest in property held by the trust, provided the resolution does not conflict with a clear material purpose of the trust.

(F) Removal, appointment, or removal and appointment of a trustee, trust advisor, investment advisor, distribution advisor, trust protector or other holder, or committee of holders, of fiduciary or nonfiduciary powers, including without limitation designation of a plan of succession or procedure to determine successors to any such office.

(G) Determination of a trustee's compensation.

(H) Transfer of a trust's principal place of administration, including without limitation to change the law governing administration of the trust.

(I) Liability or indemnification of a trustee for an action relating to the trust.

(J) Resolution of bona fide disputes or issues related to administration, investment, distribution or other matters.

(K) Modification of terms of the trust pertaining to administration of the trust.

(L) Termination of the trust, provided that court approval of such termination must be obtained in accordance with subdivision (d)(5) of this Section.

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and the court must conclude continuance of the trust is not necessary to achieve any clear material purpose of the trust.

- The court may consider spendthrift provisions as a factor in making a decision under this subdivision, but a spendthrift provision is not necessarily a clear material purpose of a trust, and the court is not precluded from modifying or terminating a trust because the trust instrument contains a spendthrift provision. Upon such termination the court may order the trust property distributed as agreed by the parties to the agreement or otherwise as the court determines equitable consistent with the purposes of the trust.

(M) Any other matter involving a trust to the extent the terms and conditions of the nonjudicial settlement agreement could be properly approved under applicable law by a court of competent jurisdiction.

(4.5) If a charitable interest or a specifically named charity is a current beneficiary, is a presumptive remainder beneficiary, or has any vested interest in a trust, the parties to any proposed nonjudicial settlement agreement affecting the trust shall deliver to the Attorney General's Charitable Trust Bureau written notice of the proposed agreement at least 60 days prior to its effective date. The Bureau need take no action, but if it objects in a writing delivered to one or more of the parties prior to the proposed effective date, the agreement shall not take effect unless the parties obtain court approval.

(5) Any beneficiary or other interested person may request the court to approve any part or all of a nonjudicial settlement agreement, including whether any representation is adequate and without conflict of interest, provided that the petition for such approval must be filed before or within 60 days after the effective date of the agreement.

(6) An agreement entered into in accordance with this Section shall be final and binding on the trustee, on and all beneficiaries of the trust, both current and future, and on all other interested persons as if ordered by a court with competent jurisdiction over the trust, the trust property, and all parties in interest.

(7) In the trustee's sole discretion, the trustee may, but is not required to, obtain and rely upon an opinion of counsel on any matter relevant to this Section, including without limitation: (i) where required by this Section, that the any agreement proposed to be made

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in accordance with this Section does not conflict with a clear material purpose of the trust or could be properly approved by the court under applicable law; (ii) in the case of a trust termination, that continuance of the trust is not necessary to achieve any clear material purpose of the trust; (iii) or that there is no conflict of interest between a representative and the person represented with respect to the particular question or dispute; or (iv) that the representative and the person represented have substantially similar interests with respect to the or among those being represented with respect to a particular question or dispute.

(e) Application. On and after its effective date, this Section applies to all existing and future trusts, judicial proceedings, or agreements entered into in accordance with this Section on or after the effective date.

(f) This Section shall be construed as pertaining to the administration of a trust and shall be available to any trust that is administered in this State or that is governed by Illinois law with respect to the meaning and effect of its terms, except to the extent the governing instrument expressly prohibits the use of this Section by specific reference to this Section. A provision in the governing instrument in the form: "Neither the provisions of Section 16.1 of the Illinois Trusts and Trustees Act nor any corresponding provision of future law may be used in the administration of this trust", or a similar provision demonstrating that intent, is sufficient to preclude the use of this Section.

(g) The changes made by this amendatory Act of the 98th General Assembly apply to all trusts in existence on the effective date of this amendatory Act of the 98th General Assembly or created after that date, and are applicable to judicial proceedings and nonjudicial matters involving such trusts. For purposes of this Section:

(i) judicial proceedings include any proceeding before a court or administrative tribunal of this State and any arbitration or mediation proceedings; and

(ii) nonjudicial matters include, but are not limited to, nonjudicial settlement agreements entered into in accordance with this Section and the grant of any consent, release, ratification, or indemnification.

(Source: P.A. 96-479, eff. 1-1-10.)

Approved August 15, 2014.
Effective January 1, 2015.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 14-1.09 as follows:

(105 ILCS 5/14-1.09) (from Ch. 122, par. 14-1.09)

Sec. 14-1.09. School psychologist. "School psychologist" means a psychologist who meets the following qualifications:

(1) The psychologist:

(A) has graduated with a master's or higher degree in psychology or educational psychology from an institution of higher learning that which maintains equipment, courses of study, and standards of scholarship approved by the State Board of Education, who has had at least one school year of full-time supervised experience in the delivery of school psychological services of a character approved by the State Superintendent of Education, and who has such additional qualifications as may be required by the State Board of Education; or 

(B) holds a valid Nationally Certified School Psychologist (NCSP) certificate and has such additional qualifications as may be required by the State Board of Education.

(2) The psychologist who holds a Professional Educator License with a school psychologist endorsement School Service Personnel Certificate endorsed for school psychology issued pursuant to Section 21B-25 of this Code 21-25. Persons so licensed certified may use the title "school psychologist" and may offer school psychological services which are limited to those services set forth in 23 Ill. Adm. Code 226, Special Education, pertaining to children between the ages of 3 to 21, promulgated by the State Board of Education.

School psychologists may make evaluations, recommendations or interventions regarding the placement of children in educational programs or special education classes. However, a school psychologist shall not provide
such services outside his or her employment to any student in the district or
districts which employ such school psychologist.
(Source: P.A. 85-361.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Code of Criminal Procedure of 1963 is amended by
changing Section 116-3 as follows:
(725 ILCS 5/116-3)
Sec. 116-3. Motion for fingerprint, Integrated Ballistic Identification
System, or forensic testing not available at trial or guilty plea regarding actual
innocence.
(a) A defendant may make a motion before the trial court that entered
the judgment of conviction in his or her case for the performance of
fingerprint, Integrated Ballistic Identification System, or forensic DNA
testing, including comparison analysis of genetic marker groupings of the
evidence collected by criminal justice agencies pursuant to the alleged
offense, to those of the defendant, to those of other forensic evidence, and to
those maintained under subsection (f) of Section 5-4-3 of the Unified Code
of Corrections, on evidence that was secured in relation to the trial or guilty
plea which resulted in his or her conviction, and:
(1) was not subject to the testing which is now requested at
the time of trial; or
(2) although previously subjected to testing, can be subjected
to additional testing utilizing a method that was not scientifically
available at the time of trial that provides a reasonable likelihood of
more probative results. Reasonable notice of the motion shall be
served upon the State.
(b) The defendant must present a prima facie case that:
(1) identity was the issue in the trial or guilty plea which
resulted in his or her conviction; and

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(2) the evidence to be tested has been subject to a chain of custody sufficient to establish that it has not been substituted, tampered with, replaced, or altered in any material aspect.

c) The trial court shall allow the testing under reasonable conditions designed to protect the State's interests in the integrity of the evidence and the testing process upon a determination that:

(1) the result of the testing has the scientific potential to produce new, noncumulative evidence (i) materially relevant to the defendant's assertion of actual innocence when the defendant's conviction was the result of a trial, even though the results may not completely exonerate the defendant, or (ii) that would raise a reasonable probability that the defendant would have been acquitted if the results of the evidence to be tested had been available prior to the defendant's guilty plea and the petitioner had proceeded to trial instead of pleading guilty, even though the results may not completely exonerate the defendant; and

(2) the testing requested employs a scientific method generally accepted within the relevant scientific community.

d) If evidence previously tested pursuant to this Section reveals an unknown fingerprint from the crime scene that does not match the defendant or the victim, the order of the Court shall direct the prosecuting authority to request the Illinois State Police Bureau of Forensic Science to submit the unknown fingerprint evidence into the FBI's Integrated Automated Fingerprint Identification System (AIFIS) for identification.

e) In the court's order to allow testing, the court shall order the investigating authority to prepare an inventory of the evidence related to the case and issue a copy of the inventory to the prosecution, the petitioner, and the court.

(f) When a motion is filed to vacate based on favorable post-conviction testing results, the State may, upon request, reactivate victim services for the victim of the crime during the pendency of the proceedings, and, as determined by the court after consultation with the victim or victim advocate, or both, following final adjudication of the case.

(Source: P.A. 95-688, eff. 10-23-07.)

AN ACT concerning revenue.

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

Section 5. The Mobile Home Local Services Tax Enforcement Act is amended by changing Sections 255 and 260 as follows:

(35 ILCS 516/255)
Sec. 255. Sales in error.
(a) When, upon application of the county collector, the owner of the certificate of purchase, or a municipality that owns or has owned the mobile home ordered sold, it appears to the satisfaction of the court that ordered the mobile home sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) the mobile home was not subject to taxation,
(1.5) the mobile home has been moved to a different location,
(2) the taxes had been paid prior to the sale of the mobile home,
(3) there is a double computation of the tax,
(4) the description is void for uncertainty,
(5) the assessor, chief county assessment officer, board of review, board of appeals, or other county official has made an error (other than an error of judgment as to the value of any mobile home),
(5.5) the owner of the mobile home had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the mobile home, and the county collector did not apply the payment to the mobile home; provided that this provision applies only to mobile home owners, not their agents or third-party payors, or
(6) prior to the tax sale a voluntary or involuntary petition has been filed by or against the legal or beneficial owner of the mobile home requesting relief under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13, or
(7) the mobile home is owned by the United States, the State of Illinois, a municipality, or a taxing district.
(b) When, upon application of the owner of the certificate of purchase only, it appears to the satisfaction of the court that ordered the mobile home

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sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) A voluntary or involuntary petition under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13 has been filed subsequent to the tax sale and prior to the issuance of the tax certificate of title.

(2) The mobile home sold has been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy subsequent to the tax sale and prior to the issuance of the tax certificate of title.

(c) When the county collector discovers, prior to the expiration of the period of redemption, that a tax sale should not have occurred for one or more of the reasons set forth in subdivision (a)(1), (a)(2), (a)(6), or (a)(7) of this Section, the county collector shall notify the last known owner of the certificate of purchase by certified and regular mail, or other means reasonably calculated to provide actual notice, that the county collector intends to declare an administrative sale in error and of the reasons therefor, including documentation sufficient to establish the reason why the sale should not have occurred. The owner of the certificate of purchase may object in writing within 28 days after the date of the mailing by the county collector. If an objection is filed, the county collector shall not administratively declare a sale in error, but may apply to the circuit court for a sale in error as provided in subsection (a) of this Section. Thirty days following the receipt of notice by the last known owner of the certificate of purchase, or within a reasonable time thereafter, the county collector shall make a written declaration, based upon clear and convincing evidence, that the taxes were sold in error and shall deliver a copy thereof to the county clerk within 30 days after the date the declaration is made for entry in the tax judgment, sale, redemption, and forfeiture record pursuant to subsection (d) of this Section. The county collector shall promptly notify the last known owner of the certificate of purchase of the declaration by regular mail and shall promptly pay the amount of the tax sale, together with interest and costs as provided in Sections 260 through 280, upon surrender of the original certificate of purchase.

(d) If a sale is declared to be a sale in error, the county clerk shall make entry in the tax judgment, sale, redemption and forfeiture record, that the mobile home was erroneously sold, and the county collector shall, on demand of the owner of the certificate of purchase, refund the amount paid, pay any interest and costs as may be ordered under Sections 260 through 280, and cancel the certificate so far as it relates to the mobile home. The county collector shall not open a tax certificate prior to the expiration of the period of redemption, or after the time within which the owner of the certificate of purchase may apply to the circuit court for a sale in error as provided in subsection (a) of this Section, unless the mobile home is no longer located at the mobile home site at the time the certificate is issued.

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collector shall deduct from the accounts of the appropriate taxing bodies their pro rata amounts paid.
(Source: P.A. 92-807, eff. 1-1-03.)

(35 ILCS 516/260)

Sec. 260. Interest on refund.

(a) In those cases which arise solely under grounds set forth in Section 255 or 395, and in no other cases, the court which orders a sale in error shall also award interest on the refund of the amount paid for the certificate of purchase, together with all costs paid by the owner of the certificate of purchase or his or her assignor which were posted to the tax judgment, sale, redemption and forfeiture record, except as otherwise provided in this Section. Except as otherwise provided in this Section, interest shall be awarded and paid at the rate of 1% per month from the date of sale to the date of payment to the tax purchaser, or in an amount equivalent to the penalty interest which would be recovered on a redemption at the time of payment pursuant to the order for sale in error, whichever is less.

(b) Interest on the refund to the owner of the certificate of purchase shall not be paid (i) in any case in which the mobile home sold has been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy, (ii) when the sale in error is made pursuant to Section 395, or (iii) in any other case where the court determines that the tax purchaser had actual knowledge prior to the sale of the grounds on which the sale is declared to be erroneous.

(c) When the county collector files a petition for sale in error under Section 255 and mails a notice thereof by certified or registered mail to the tax purchaser, any interest otherwise payable under this Section shall cease to accrue as of the date the petition is filed, unless the tax purchaser agrees to an order for sale in error upon the presentation of the petition to the court. Notices under this subsection may be mailed to the original owner of the certificate of purchase, or to the latest assignee, if known. When the owner of the certificate of purchase contests the collector's petition solely to determine whether the grounds for sale in error are such as to support a claim for interest, the court may direct that the principal amount of the refund be paid to the owner of the certificate of purchase forthwith. If the court thereafter determines that a claim for interest lies under this Section, it shall award such interest from the date of sale to the date the principal amount was paid. If the owner of the certificate of purchase files an objection to the county collector's intention to declare an administrative sale in error, as provided under subsection (c) of Section 255, and, thereafter, the county collector...
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Collector elects to apply to the circuit court for a sale in error under subsection (a) of Section 255, then, if the circuit court grants the county collector's application for a sale in error, the court may not award interest to the owner of the certificate of purchase for the period after the mailing date of the county collector's notice of intention to declare an administrative sale in error.

(Source: P.A. 92-807, eff. 1-1-03.)


PUBLIC ACT 98-0950

(Senate Bill No. 3029)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Consumer Deposit Account Act is amended by changing Section 2 as follows:

(205 ILCS 605/2) (from Ch. 17, par. 502)

Sec. 2. Identification and numbering of consumer - deposit account. All financial institutions that provide checks, drafts, or similar orders of withdrawal, which are drawn against funds held by those financial institutions in a consumer-deposit account opened subsequent to January 1, 1982, shall cause the month and year in which the account was opened to be displayed clearly on the face of each check, draft, or order. For all consumer-deposit accounts opened after January 1, 1982, all new checks, drafts, or orders drawn on financial institution accounts shall clearly display on the face of each check, draft, or order a number. Each, commencing with number 101, with each check, draft, or order shall thereafter be numbered consecutively; except that when a consumer-deposit account at any financial institution in Illinois has been voluntarily closed by the customer, the number displayed on the checks, drafts, or orders for a new consumer-deposit account opened within 30 days thereafter, titled in the same manner as, and with same owners as the closed account may commence with a number that is not greater than the next consecutive number higher than the highest consecutive number displayed on a check, draft, or order processed through the closed account. This Section shall not apply to temporary checks,

New matter indicated by italics - deletions by strikeout
drafts, or orders of withdrawal provided by financial institutions upon the opening of a consumer deposit account.

No liability or penalty shall be imposed on any financial institution or printer for an unintentional failure to comply with this Act.
(Source: P.A. 87-1143.)

Section 10. The Check Printer and Check Number Act is amended by changing Section 10 as follows:

(205 ILCS 690/10)

Sec. 10. Identification and numbering of consumer - deposit account. Any person who sells or distributes checks, drafts, or similar orders of withdrawal, which may be drawn against funds held by financial institutions in a consumer-deposit account opened subsequent to January 1, 1993, shall cause the month and year in which the account was opened to be displayed clearly on the face of each check, draft, or order. For all consumer-deposit accounts opened after January 1, 1993, all new checks, drafts, or orders designed to be drawn on financial institution accounts shall clearly display on the face of each check, draft, or order a number commencing with number 101, with each check, draft, or similar order shall thereafter provided to be numbered consecutively; except that when a consumer-deposit account at any financial institution in Illinois has been voluntarily closed by the customer, the number displayed on the checks, drafts, or orders for a new consumer-deposit account opened within 30 days thereafter, titled in the same manner as, and with same owners as the closed account may commence with a number that is not greater than the next consecutive number higher than the highest consecutive number displayed on a check, draft, or order processed through the closed account. This Section shall not apply to temporary checks, drafts, or orders of withdrawal provided by financial institutions upon the opening of a consumer deposit account.

No liability or penalty shall be imposed on any financial institution or person for an unintentional failure to comply with this Act.
(Source: P.A. 87-1143.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Water Well and Pump Installation Contractor's License Act is amended by changing Section 2 as follows:
(225 ILCS 345/2) (from Ch. 111, par. 7103)
(Section scheduled to be repealed on January 1, 2022)
Sec. 2. As used in this Act, unless the context otherwise requires:
(1) "Water well" and "well" mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of such excavation is for the location, diversion, artificial recharge, or acquisition of ground water, but such term does not include an excavation made for the purpose of obtaining or prospecting for oil, natural gas, minerals or products of mining or quarrying or for inserting media to repressure oil or natural gas bearing formation or for storing petroleum, natural gas or other products, or monitoring wells;
(2) "Ground water" means water of under-ground aquifers, streams, channels, artesian basins, reservoirs, lakes and other water under the surface of the ground whether percolating or otherwise;
(3) "Drill" and "drilling" mean all acts necessary to the construction of a water well including the sealing of unused water well holes;
(4) "Water Well Contractor" and "Contractor" mean any person who contracts to drill, alter or repair any water well;
(5) "Water Well Pump Installation" means the selection of and the procedure employed in the placement and preparation for operation of equipment and materials utilized in withdrawing or obtaining water from a well for any use, including all construction involved in making entrance to the well and establishing such seals and safeguards as may be necessary to protect such water from contamination and all construction involved in connecting such wells and pumping units or pressure tanks in the water supply systems of buildings served by such well, including repair to any existing installation;
(6) "Water Well Pump Installation Contractor" means any person engaged in the business of installing or repairing pumps and pumping equipment owned by others;

New matter indicated by italics - deletions by strikeout
(7) "Water Well and Pump Installation Contractor" means any person engaged in both businesses described in subsections 4, 5, and 6 above;
(8) "Department" means the Department of Public Health of this State;
(9) "Director" means the Director of the Department of Public Health;
(10) "Board" means the Water Well and Pump Installation Contractors Licensing Board created by Section 6 of this Act;
(11) "Person" includes any natural person, partnership, association, trust and public or private corporation;
(12) "Monitoring well" means a water well intended for the purpose of determining groundwater quality or quantity;
(13) "Closed loop well" means a sealed, watertight loop of pipe buried outside of a building foundation intended to recirculate a liquid solution through a heat exchanger but is limited to the construction of the bore hole, piping in the bore hole, heat exchange fluid, and the grouting of the bore hole and does not include the piping and appurtenances used in any other capacity. "Closed loop well" does not include any horizontal closed loop well systems where grouting is not necessary by law or standard industry practice;
(14) "Closed loop well contractor" means any person who installs closed loop wells for another person. "Closed loop well contractor" does not include the employee of a closed loop contractor.
(Source: P.A. 97-363, eff. 8-15-11.)

Section 10. The Illinois Water Well Construction Code is amended by changing Sections 3, 5, and 6 as follows:

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:
(a) "Construction" means all acts necessary to obtaining ground water by any method, including without limitation the location of and the excavation for the well, but not including prospecting, surveying or other acts preparatory thereto, nor the installation of pumps and pumping equipment.
(b) "Department" means the Department of Public Health.
(c) "Director" means the Director of Public Health.
(d) "Modification" means the alteration of the structure of an existing water well, including, but not limited to, deepening, elimination of a buried suction line, installation of a liner, replacing, repairing, or extending casing, or replacement of a well screen. Pertaining to closed loop wells, "modification" also means any alteration to the construction of the bore hole of an existing closed loop well, including, but not limited to, regrouting and

New matter indicated by italics - deletions by strikeout
installation of additional bore holes any change, replacement or other alteration of any water well which shall be contrary to the rules and regulations regarding the construction of a well.

(e) "Water well" means any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of such excavation is for the location, diversion, artificial recharge, or acquisition of ground water, but such term does not include an excavation made for the purpose of obtaining or prospecting for oil, natural gas, minerals or products of mining or quarrying or for inserting media to repressure oil or natural gas bearing formation or for storing petroleum, natural gas or other products or for observation or any other purpose in connection with the development or operation of a gas storage project.

(f) "Public water system", "community water system", "non-community water system", "semi-private water system" and "private water system" have the meanings ascribed to them in the Illinois Groundwater Protection Act.

(g) "Potential route", "potential primary source" and "potential secondary source" have the meanings ascribed to them in the Environmental Protection Act.

(h) "Closed loop well" means a sealed, watertight loop of pipe buried outside of a building foundation intended to recirculate a liquid solution through a heat exchanger but is limited to the construction of the bore hole, piping in the bore hole, heat exchange fluid, and the grouting of the bore hole and does not include the piping and appurtenances used in any other capacity. "Closed loop well" does not include any horizontal closed loop well systems where grouting is not necessary by law or standard industry practice.

(i) "Monitoring well" means a water well intended for the purpose of determining groundwater quality or quantity.

(j) "Closed loop well contractor" means any person who installs closed loop wells for another person. "Closed loop well contractor" does not include the employee of a closed loop contractor.

(Source: P.A. 97-363, eff. 8-15-11.)

(415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

Sec. 5. Department powers and duties.

The Department has general supervision and authority over the location, construction and modification of water wells, closed loop wells and monitoring wells and for the administration of this Act. With respect thereto it shall:

New matter indicated by italics - deletions by strikeout
(a) Adopt and publish, and from time to time amend rules and regulations as hereinafter provided;
(b) Commencing no later than January 1, 1988, issue permits for the construction, modification, abandonment, or change in depth of any water well other than community public water systems and monitoring wells;
(b-5) Commencing no later than one year after the effective date of this amendatory Act of the 97th General Assembly, issue permits for the construction, modification, and abandonment of closed loop wells; and
(c) Exercise such other powers as are practical and reasonably necessary to carry out and enforce the provisions of this Act.

(Source: P.A. 97-363, eff. 8-15-11.)

Sec. 6. Rules and regulations. The Department shall adopt and amend rules and regulations reasonably necessary to effectuate the policy declared by this Act. Such rules and regulations shall provide criteria for the proper location and construction of any water well, closed loop well or monitoring well and shall, no later than January 1, 1988, provide for the issuance of permits for the construction, modification, and abandonment of water wells other than community public water systems and monitoring wells. The Department shall by regulation require a one time fee, not to exceed $100, for permits for construction, modification, or abandonment of water wells. The Department shall by rule require a one-time fee for permits for the construction, modification, or abandonment of closed loop wells.

(Source: P.A. 97-363, eff. 8-15-11.)


PUBLIC ACT 98-0952
(Senate Bill No. 3071)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Local Library Act is amended by changing Section 5-5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 5-5. When the board determines directors determine to commence the construction of the building or the remodeling, repairing or improving of an existing library building or the erection of an addition thereto, the purchase of the necessary equipment for such library, or the acquisition of library materials such as books, periodicals, recordings and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building or the expansion of an existing library building, they may then revise the plan therefor or adopt a new plan and provide estimates of the costs thereof, and shall, when the cost is in excess of $20,000, advertise for bids for the construction of the building, or the remodeling, repairing or improving of an existing library building or the erection of an addition thereto, or the purchase of the necessary equipment for such library, or the acquisition of library materials such as books, periodicals, recordings and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building or the expansion of an existing library building, and shall let the contract or contracts for the same, when the cost is in excess of $20,000, to the lowest responsible bidder or bidders.

The board shall not be required to accept a bid that does not meet the library's established specifications, terms of delivery, quality, and serviceability requirements. Contracts which, by their nature, are not adapted to award by competitive bidding, are not subject to competitive bidding, including, but not limited to:

1. contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;

2. contracts for the printing of finance committee reports and departmental reports;

3. contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness;

4. contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent;

5. purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or

New matter indicated by italics - deletions by strikeout
services and telecommunications and interconnect equipment, 
software, and services;
(6) contracts for duplicating machines and supplies;
(7) contracts for utility services such as water, light, heat, 
telephone or telegraph;
(8) contracts for goods or services procured from another 
governmental agency;
(9) purchases of equipment previously owned by some entity 
other than the library itself; and
(10) contracts for goods or services which are economically 
procurable from only one source, such as for the purchase of 
magazines, books, periodicals, pamphlets, and reports.
Contracts for emergency expenditures are also exempt from 
competitive bidding when the emergency expenditure is approved by 3/4 of 
the members of the board.
The board shall and may require from such bidders, such security for 
the performance of the bids determined by as the board pursuant to law shall 
determine. The board directors may let the contract or contracts to one or 
more bidders, as they shall determine.
(Source: P.A. 94-435, eff. 8-2-05.)
Section 10. The Public Library District Act of 1991 is amended by 
changing Section 40-45 as follows:
(75 ILCS 16/40-45)
Sec. 40-45. Bids for construction, improvements, or equipment 
purchases.
(a) When the trustees determine to commence constructing the 
building, purchasing a site or a building, remodeling, repairing, or improving 
an existing library building, erecting an addition to an existing library 
building, or purchasing the necessary equipment for the library, they may then 
revise the plan or adopt a new plan and provide estimates of the costs of the 
revised or new plan.
(b) The board shall, when the cost is in excess of $20,000, advertise 
for bids for constructing the building, remodeling, repairing, or improving of 
an existing library building, erecting an addition to an existing library 
building, or purchasing the necessary equipment for the library and shall let 
the contract or contracts for the project, when the cost is in excess of $20,000, 
to the lowest responsible bidder or bidders. The board shall not be required 
to accept a bid that does not meet the library’s established specifications, 
terms of delivery, quality, and serviceability requirements. Contracts which,

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by their nature, are not adapted to award by competitive bidding, are not subject to competitive bidding, including, but not limited to:

(1) contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;
(2) contracts for the printing of finance committee reports and departmental reports;
(3) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness;
(4) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent;
(5) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;
(6) contracts for duplicating machines and supplies;
(7) contracts for utility services such as water, light, heat, telephone or telegraph;
(8) contracts for goods or services procured from another governmental agency;
(9) purchases of equipment previously owned by some entity other than the library itself; and
(10) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets, and reports.

Contracts for emergency expenditures are also exempt from competitive bidding when the emergency expenditure is approved by 3/4 of the members of the board.

The board shall require from the bidders security for the performance of the bids determined by the board pursuant to law. The trustees may let the contract or contracts to one or more bidders as they determine.

(Source: P.A. 94-435, eff. 8-2-05.)

Approved August 15, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Unified Code of Corrections is amended by changing Section 5-6-2 as follows:
(730 ILCS 5/5-6-2) (from Ch. 38, par. 1005-6-2)
Sec. 5-6-2. Incidents of Probation and of Conditional Discharge.
(a) When an offender is sentenced to probation or conditional discharge, the court shall impose a period as provided in Article 4.5 of Chapter V, and shall specify the conditions under Section 5-6-3.
(b) Multiple terms of probation imposed at the same time shall run concurrently.
(c) The court may at any time terminate probation or conditional discharge if warranted by the conduct of the offender and the ends of justice, as provided in Section 5-6-4.
(d) Upon the expiration or termination of the period of probation or of conditional discharge, the court shall enter an order discharging the offender.
(e) The court may extend any period of probation or conditional discharge beyond the limits set forth in Article 4.5 of Chapter V upon a violation of a condition of the probation or conditional discharge, for the payment of an assessment required by Section 10.3 of the Cannabis Control Act, Section 411.2 of the Illinois Controlled Substances Act, or Section 80 of the Methamphetamine Control and Community Protection Act, or for the payment of restitution as provided by an order of restitution under Section 5-5-6 of this Code.
(f) The court may impose a term of probation that is concurrent or consecutive to a term of imprisonment so long as the maximum term imposed does not exceed the maximum term provided under Article 4.5 of Chapter V or Article 8 of this Chapter. The court may provide that probation may commence while an offender is on mandatory supervised release, participating in a day release program, or being monitored by an electronic monitoring device.
(g) The court may extend a term of probation or conditional discharge that was concurrent to, consecutive to, or otherwise interrupted by
a term of imprisonment for the purpose of providing additional time to complete an order of restitution.
(Source: P.A. 94-556, eff. 9-11-05; 95-1052, eff. 7-1-09.)
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0954
(Senate Bill No. 3110)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Civil Procedure is amended by changing Section 8-802 as follows:
(735 ILCS 5/8-802) (from Ch. 110, par. 8-802)
Sec. 8-802. Physician and patient. No physician or surgeon shall be permitted to disclose any information he or she may have acquired in attending any patient in a professional character, necessary to enable him or her professionally to serve the patient, except only (1) in trials for homicide when the disclosure relates directly to the fact or immediate circumstances of the homicide, (2) in actions, civil or criminal, against the physician for malpractice, (3) with the expressed consent of the patient, or in case of his or her death or disability, of his or her personal representative or other person authorized to sue for personal injury or of the beneficiary of an insurance policy on his or her life, health, or physical condition, or as authorized by Section 8-2001.5, (4) in all actions brought by or against the patient, his or her personal representative, a beneficiary under a policy of insurance, or the executor or administrator of his or her estate wherein the patient's physical or mental condition is an issue, (5) upon an issue as to the validity of a document as a will of the patient, (6) in any criminal action where the charge is either first degree murder by abortion, attempted abortion or abortion, (7) in actions, civil or criminal, arising from the filing of a report in compliance with the Abused and Neglected Child Reporting Act, (8) to any department, agency, institution or facility which has custody of the patient pursuant to State statute or any court order of commitment, (9) in prosecutions where written results of blood alcohol tests are admissible pursuant to Section 11-501.4 of the Illinois Vehicle Code, (10) in prosecutions where written results of blood alcohol tests are admissible under Section 5-11a of the Boat

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Registration and Safety Act, (11) in criminal actions arising from the filing of a report of suspected terrorist offense in compliance with Section 29D-10(p)(7) of the Criminal Code of 2012, or (12) upon the issuance of a subpoena pursuant to Section 38 of the Medical Practice Act of 1987; the issuance of a subpoena pursuant to Section 25.1 of the Illinois Dental Practice Act; the issuance of a subpoena pursuant to Section 22 of the Nursing Home Administrators Licensing and Disciplinary Act; or the issuance of a subpoena pursuant to Section 25.5 of the Workers' Compensation Act; or (13) upon the issuance of a grand jury subpoena pursuant to Article 112 of the Code of Criminal Procedure of 1963.

Upon disclosure under item (13) of this Section, in any criminal action where the charge is domestic battery, aggravated domestic battery, or an offense under Article 11 of the Criminal Code of 2012 or where the patient is under the age of 18 years or upon the request of the patient, the State's Attorney shall petition the court for a protective order pursuant to Supreme Court Rule 415.

In the event of a conflict between the application of this Section and the Mental Health and Developmental Disabilities Confidentiality Act to a specific situation, the provisions of the Mental Health and Developmental Disabilities Confidentiality Act shall control.

(Source: P.A. 97-18, eff. 6-28-11; 97-623, eff. 11-23-11; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0955
(Senate Bill No. 3137)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Criminal Justice Information Act is amended by changing Section 4 as follows:

(20 ILCS 3930/4) (from Ch. 38, par. 210-4)

Sec. 4. Illinois Criminal Justice Information Authority; creation, membership, and meetings. There is created an Illinois Criminal Justice Information Authority consisting of 25 members. The membership of the Authority shall consist of the Illinois Attorney General, or his or her designee,

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the Director of Corrections, the Director of State Police, the Director of Public Health, the Director of Children and Family Services, the Sheriff of Cook County, the State's Attorney of Cook County, the clerk of the circuit court of Cook County, the President of the Cook County Board of Commissioners, the Superintendent of the Chicago Police Department, the Director of the Office of the State's Attorneys Appellate Prosecutor, the Executive Director of the Illinois Law Enforcement Training Standards Board, the State Appellate Defender, the Public Defender of Cook County, and the following additional members, each of whom shall be appointed by the Governor: a circuit court clerk, a sheriff, a State's Attorney of a county other than Cook, a Public Defender of a county other than Cook, a chief of police, and 6 members of the general public.

Members appointed on and after the effective date of this amendatory Act of the 98th General Assembly shall be confirmed by the Senate.

The Governor from time to time shall designate a Chairman of the Authority from the membership. All members of the Authority appointed by the Governor shall serve at the pleasure of the Governor for a term not to exceed 4 years. The initial appointed members of the Authority shall serve from January, 1983 until the third Monday in January, 1987 or until their successors are appointed.

The Authority shall meet at least quarterly, and all meetings of the Authority shall be called by the Chairman.

(Source: P.A. 96-1343, eff. 1-1-11; 97-1151, eff. 1-25-13.)

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

Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0956
(Senate Bill No. 3139)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 15-111 as follows:

(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)
Sec. 15-111. Wheel and axle loads and gross weights.

New matter indicated by italics - deletions by strikeout
(a) No vehicle or combination of vehicles with pneumatic tires may be operated, unladen or with load, when the total weight on the road surface exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle with no axle within the tandem exceeding 20,000 pounds; 80,000 pounds gross weight for vehicle combinations of 5 or more axles; or a total weight on a group of 2 or more consecutive axles in excess of that weight produced by the application of the following formula: \( W = 500 \times \left( \frac{L}{N-1} + 12N + 36 \right) \), where "W" equals overall total weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" equals the distance measured to the nearest foot between extremes of any group of 2 or more consecutive axles, and "N" equals the number of axles in the group under consideration.

The above formula when expressed in tabular form results in allowable loads as follows:

| Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles | Maximum weight in pounds of any group of 2 or more consecutive axles |
|---|---|---|---|---|---|
| feet | 2 axles | 3 axles | 4 axles | 5 axles | 6 axles |
| 4 | 34,000 | | | | |
| 5 | 34,000 | | | | |
| 6 | 34,000 | | | | |
| 7 | 34,000 | | | | |
| 8 | 38,000* | 42,000 | | | |
| 9 | 39,000 | 42,500 | | | |
| 10 | 40,000 | 43,500 | | | |
| 11 | | 44,000 | | | |
| 12 | 45,000 | 50,000 | | | |
| 13 | 45,500 | 50,500 | | | |
| 14 | 46,500 | 51,500 | | | |
| 15 | 47,000 | 52,000 | | | |
| 16 | 48,000 | 52,500 | 58,000 | | |
| 17 | 48,500 | 53,500 | 58,500 | | |
| 18 | 49,500 | 54,000 | 59,000 | | |
| 19 | 50,000 | 54,500 | 60,000 | | |
| 20 | 51,000 | 55,500 | 60,500 | 66,000 | |

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*If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (a) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (a) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum gross weight on any one axle shall not exceed 20,000 pounds and the maximum total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

1. Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.

2. Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code. These vehicles are not subject to the bridge formula.

3. Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

4. Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

5. Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or

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more, notwithstanding the lower limit resulting from the application of the above formula.

(6) A truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle.

(7) A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(7.5) A 3-axle rear discharge truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(8) Except as provided in paragraph (7.5) of this subsection (a), tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2024 and first registered in Illinois prior to January 1, 2025, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 20,000 pounds. Any vehicle of this type manufactured after the model year of 2024 or first registered in Illinois after December 31, 2024 may not exceed a combined weight of 34,000 pounds through the series of 2 axles and neither axle of the series may exceed 20,000 pounds.

A 3-axle combination sewer cleaning jetting vacuum truck registered as a Special Hauling Vehicle, used exclusively for the transportation of non-hazardous solid waste, manufactured before or in the model year of 2014, first registered in Illinois before January

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1, 2015, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(9) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this paragraph (9) of subsection (a).

(10) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the model year of 2024, and registered in Illinois prior to January 1, 2025, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of P.A. 92-0417, the overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2024 may not exceed the weights allowed by the bridge formula.

(11) The maximum weight allowed on a vehicle with crawler type tracks is 40,000 pounds.

(12) A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public

New matter indicated by italics - deletions by strikeout
highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

(i) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes;

(ii) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(iii) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles; and

(iv) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

(13) Upon and during a declaration of an emergency propane supply disaster by the Governor under Section 7 of the Illinois Emergency Management Agency Act:

(i) a truck not in combination, equipped with a cargo tank, used exclusively for the transportation of propane or liquefied petroleum gas may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle; and

(ii) a truck when in combination with a trailer equipped with a cargo tank used exclusively for the transportation of propane or liquefied petroleum gas may,
when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 90,000 pounds gross weight on a 5 or 6-axle vehicle. Vehicles operating under this paragraph (13) are not subject to the bridge formula.

Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed. If a roll-back carrier is registered and being used as a tow truck, however, the license plate or plates for the tow truck must cover the gross vehicle weight, including any load carried on the bed of the roll-back carrier.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(b) As used in this Section, "recycling haul" or "recycling operation" means the hauling of non-hazardous, non-special, non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

(c) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, upon the highways of this State in violation of the provisions of any permit issued under the provisions of Sections 15-301 through 15-319 of this Chapter.

New matter indicated by italics - deletions by strikeout
(d) No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(e) No person shall operate a vehicle or combination of vehicles over a bridge or other elevated structure constituting part of a highway with a gross weight that is greater than the maximum weight permitted by the Department, when the structure is sign posted as provided in this Section.

(f) The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it finds that the structure cannot with safety to itself withstand the weight of vehicles otherwise permissible under this Code the Department shall determine and declare the maximum weight of vehicles that the structures can withstand, and shall cause or permit suitable signs stating maximum weight to be erected and maintained before each end of the structure. No person shall operate a vehicle or combination of vehicles over any structure with a gross weight that is greater than the posted maximum weight.

(g) Upon the trial of any person charged with a violation of subsection (e) or (f) of this Section, proof of the determination of the maximum allowable weight by the Department and the existence of the signs, constitutes conclusive evidence of the maximum weight that can be maintained with safety to the bridge or structure.

(Source: P.A. 97-201, eff. 1-1-12; 98-409, eff. 1-1-14; 98-410, eff. 8-16-13; revised 9-19-13.)

Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0957
(Senate Bill No. 3147)

AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Section 18-173 as follows:

(35 ILCS 200/18-173)

New matter indicated by italics - deletions by strikeout
Sec. 18-173. Housing opportunity area abatement program.

(a) For the purpose of promoting access to housing near work and in order to promote economic diversity throughout Illinois and to alleviate the concentration of low-income households in areas of high poverty, a housing opportunity area tax abatement program is created.

(b) As used in this Section:

"Housing authority" means either a housing authority created under the Housing Authorities Act or other government agency that is authorized by the United States government under the United States Housing Act of 1937 to administer a housing choice voucher program, or the authorized agent of such a housing authority that is authorized to act upon that authority's behalf.

"Housing choice voucher" means a tenant voucher issued by a housing authority under Section 8 of the United States Housing Act of 1937 and a tenant voucher converted to a project-based voucher by a housing authority.

"Housing opportunity area" means a census tract where less than 10% of the residents live below the poverty level, as defined by the United States government and determined by the most recent United States census, that is located within a qualified township, except for census tracts located within any township that is located wholly within a municipality with 1,000,000 or more inhabitants. A census tract that is located within a township that is located wholly within a municipality with 1,000,000 or more inhabitants is considered a housing opportunity area if less than 12% of the residents of the census tract live below the poverty level.

"Housing opportunity unit" means a dwelling unit located in residential property that is located in a housing opportunity area, that is owned by the applicant, and that is rented to and occupied by a tenant who is participating in a housing choice voucher program administered by a housing authority as of January 1st of the tax year for which the application is made.

"Qualified units" means the number of housing opportunity units located in the property with the limitation that no more than 2 units or 20% of the total units contained within the property, whichever is greater, may be considered qualified units. Further, no unit may be considered qualified unless the property in which it is contained is in substantial compliance with local building codes, and, moreover, no unit may be considered qualified unless it meets the United States Department of Housing and Urban Development's housing quality standards as of the most recent housing authority inspection.
"Qualified township" means a township located within a county with 200,000 or more inhabitants whose tax capacity exceeds 80% of the average tax capacity of the county in which it is located, except for townships located within a county with 3,000,000 or more inhabitants, where a qualified township means a township whose tax capacity exceeds 115% of the average tax capacity of the county except for townships located wholly within a municipality with 1,000,000 or more inhabitants. All townships located wholly within a municipality with 1,000,000 or more inhabitants are considered qualified townships.

"Tax capacity" means the equalized assessed value of all taxable real estate located within a township or county divided by the total population of that township or county.

(c) The owner of property located within a housing opportunity area who has a housing choice voucher contract with a housing authority may apply for a housing opportunity area tax abatement by annually submitting an application to the housing authority that administers the housing choice voucher contract. The application must include the number of housing opportunity units as well as the total number of dwelling units contained within the property. The owner must, under oath, self-certify as to the total number of dwelling units in the property and must self-certify that the property is in substantial compliance with local building codes. The housing authority shall annually determine the number of qualified units located within each property for which an application is made.

The housing authority shall establish rules and procedures governing the application processes and may charge an application fee. The county clerk may audit the applications to determine that the properties subject to the tax abatement meet the requirements of this Section. The determination of eligibility of a property for the housing opportunity area abatement shall be made annually; however, no property may receive an abatement for more than 10 tax years.

(d) The housing authority shall determine housing opportunity areas within its service area and annually deliver to the county clerk, in a manner determined by the county clerk, a list of all properties containing qualified units within that service area by December 31st of the tax year for which the property is eligible for abatement; the list shall include the number of qualified units and the total number of dwelling units for each property.

The county clerk shall deliver annually to a housing authority, upon that housing authority's request, the most recent available equalized assessed
value for the county as a whole and for those taxing districts and townships so specified by the requesting housing authority.

(e) The county clerk shall abate the tax attributed to a portion of the property determined to be eligible for a housing opportunity area abatement. The portion eligible for abatement shall be determined by reducing the equalized assessment value by a percentage calculated using the following formula: 19% of the equalized assessed value of the property multiplied by a fraction where the numerator is the number of qualified units and denominator is the total number of dwelling units located within the property.

(f) Any municipality, except for municipalities with 1,000,000 or more inhabitants, may annually petition the county clerk to be excluded from a housing opportunity area if it is able to demonstrate that more than 2.5% of the total residential units located within that municipality are occupied by tenants under the housing choice voucher program. Properties located within an excluded municipality shall not be eligible for the housing opportunity area abatement for the tax year in which the petition is made.

(g) Applicability. This Section applies to tax years 2004 through 2024, unless extended by law.

(Source: P.A. 96-685, eff. 8-25-09.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0958
(Senate Bill No. 3157)

AN ACT concerning public health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Grade A Pasteurized Milk and Milk Products Act is amended by changing Sections 3 and 10 as follows:

(410 ILCS 635/3) (from Ch. 56 1/2, par. 2203)
Sec. 3. Definitions.

(a) As used in this Act "Grade A" means that milk and milk products are produced and processed in accordance with the current Grade A Pasteurized Milk Ordinance as adopted by the National Conference on Interstate Milk Shipments and the United States Public Health Service - Food and Drug Administration and all other applicable federal regulations. The

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term Grade A is applicable to "dairy farm", "milk hauler-sampler", "milk plant", "milk product", "receiving station", "transfer station", "milk tank truck", and "certified pasteurizer sealer" whenever used in this Act.

(b) Unless the context clearly indicates otherwise, terms have the meaning ascribed as follows:

(1) (Blank). "Dairy farm" means any place or premise where one or more cows or goats are kept, and from which a part or all of the milk or milk products are provided, sold, or offered for sale to a milk plant, transfer station, or receiving station:

(2) "Milk" means the milk of cows, or goats, sheep, water buffalo, or other hooved mammals and includes skim milk and cream.

(3) (Blank). "Milk plant" means any place, premise, or establishment where milk or milk products are collected, handled, processed, stored, pasteurized, aseptically processed, bottled, or prepared for distribution.

(4) (Blank). "Milk product" means any product including cream, light cream, light whipping cream, heavy cream, heavy whipping cream, whipped cream, whipped light cream, sour cream, acidified light cream, cultured sour cream, half-and-half, sour half-and-half, cultured half-and-half, reconstituted or recombined milk and milk products, concentrated milk, concentrated milk products, skim milk, lowfat milk, frozen milk concentrate, eggnog, buttermilk, cultured milk, cultured lowfat milk or skim milk, cottage cheese, yogurt, lowfat yogurt, nonfat yogurt, acidified milk, acidified lowfat milk or skim milk, low-sodium milk, low-sodium lowfat milk, low-sodium skim milk, lactose-reduced milk, lactose-reduced lowfat milk, lactose-reduced skim milk, aseptically processed and packaged milk and milk products, and milk, lowfat milk or skim milk with added safe and suitable microbial organisms.

(5) "Receiving station" means any place, premise, or establishment where raw milk is received, collected, handled, stored or cooled and prepared for further transporting.

(6) "Transfer station" means any place, premise, or establishment where milk or milk products are transferred directly from one milk tank truck to another.

(7) "Department" means the Illinois Department of Public Health.

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(8) "Director" means the Director of the Illinois Department of Public Health.

(9) "Emargo or hold for investigation" means a detention or seizure designed to deny the use of milk or milk products which may be unwholesome or to prohibit the use of equipment which may result in contaminated or unwholesome milk or dairy products.

(10) "Imminent hazard to the public health" means any hazard to the public health when the evidence is sufficient to show that a product or practice, posing or contributing to a significant threat of danger to health, creates or may create a public health situation (1) that should be corrected immediately to prevent injury and (2) that should not be permitted to continue while a hearing or other formal proceeding is being held.

(11) "Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois, or any political subdivision or department thereof, or any other entity.

(12) "Enforcing agency" means the Illinois Department of Public Health or a unit of local government electing to administer and enforce this Act as provided for in this Act.

(13) "Permit" means a document awarded to a person for compliance with the provisions of and under conditions set forth in this Act.

(14) (Blank). "Milk hauler-sampler" means a person who is qualified and trained for the grading and sampling of raw milk in accordance with federal and State quality standards and procedures.

(15) (Blank). "Cleaning and sanitizing facility" means any place, premise or establishment where milk tank trucks are cleaned and sanitized:

(16) (Blank). "Milk tank truck" includes both a bulk pickup tank and a milk transport tank:

(A) "Bulk milk pickup tank" means the tank, and those appurtenances necessary for its use, used by a milk hauler-sampler to transport bulk raw milk for pasteurization from a dairy farm to a milk plant, receiving station, or transfer station:

(B) "Milk transport tank" means a vehicle, including the truck and tank, used by a milk hauler to transport bulk shipments of milk from a transfer station, receiving station, or

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milk plant to another transfer station, receiving station, or milk plant.

(17) "Certified pasteurizer sealer" means a person who has satisfactorily completed a course of instruction and has demonstrated the ability to satisfactorily conduct all pasteurization control tests, as required by rules adopted by the Department.

(Source: P.A. 97-135, eff. 7-14-11.)

(410 ILCS 635/10) (from Ch. 56 1/2, par. 2210)

Sec. 10. After proper identification, authorized representatives of the enforcing agency are authorized and shall have the power to enter, at reasonable times, all dairy farms, milk plants, cleaning and sanitizing facilities, receiving stations, transfer stations, or vehicles used to transport milk and milk products under its jurisdiction, for the purpose of inspecting, sampling, and investigating conditions relating to the enforcement of this Act and the rules and regulations promulgated hereunder.

The enforcing agency has the responsibility to prevent the distribution of adulterated milk and milk products and to inform the public of adulterated milk and milk products already in commerce. In response to a confirmed foodborne outbreak or when a high risk of infection exists, the enforcing agency shall require pathogen testing to be performed on the implicated milk and milk products. At least 4 times during every 6-month period, representatives of the enforcing agency shall collect samples of milk from each milk plant for testing in accordance with the rules adopted under this Act and the Grade A Pasteurized Milk Ordinance. Examination standards and enforcement thereof shall be in accordance with the rules adopted under this Act and the Grade A Pasteurized Milk Ordinance. The samples shall be tested for salmonella. If a product tests unsatisfactorily, two more samples, each obtained on separate days, shall be tested; if the average of the 3 test results fails to meet the enforcing agency's standards, the milk plant shall be in violation of this Act.

Written notice of all violations shall be given to the dairy farm, milk plant, cleaning and sanitizing facility, receiving or transfer station, milk hauler-sampler, milk tank truck, or certified pasteurizer sealer.

(Source: P.A. 92-216, eff. 1-1-02.)

Approved August 15, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.

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

Section 5. The Illinois Manufactured Housing and Mobile Home
Safety Act is amended by changing Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11
and by adding Sections 16 and 17 as follows:

(430 ILCS 115/1) (from Ch. 67 1/2, par. 501)
Sec. 1. This Act may be cited as the Illinois Modular Dwelling
Manufactured Housing and Mobile Structure Home Safety Act.
(Source: P.A. 86-1475.)

(430 ILCS 115/2) (from Ch. 67 1/2, par. 502)
Sec. 2. Unless clearly indicated otherwise by the context, the
following words and terms when used in this Act, for the purpose of this Act,
shall have the following meanings:

(a) (Blank) "Manufactured home" means a factory-assembled,
completely integrated structure designed for permanent habitation, with a
permanent chassis, and so constructed as to permit its transport, on wheels
temporarily or permanently attached to its frame, and is a movable or portable
unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in
length, and (iii) 320 or more square feet, constructed to be towed on its own
ehassis (comprised of frame and wheels) from the place of its construction to
the location, or subsequent locations, at which it is installed and set up
according to the manufacturer's instructions and connected to utilities for
year-round occupancy for use as a permanent habitation, and designed and
situated so as to permit its occupancy as a dwelling place for one or more
persons. The term shall include units containing parts that may be folded,
collapsed, or telescoped when being towed and that may be expected to
provide additional cubic capacity, and that are designed to be joined into one
integral unit capable of being separated again into the components for
repeated towing. The term excludes campers and recreational vehicles. The
terms "mobile home" and "manufactured home" do not include modular
homes or manufactured housing units.

(b) "Person" means any individual, group of individuals, association,
trust, partnership, limited liability company, corporation, person doing
business under an assumed name, county, municipality, the State of Illinois,
or any political subdivision or department thereof, or any other entity a
person, partnership, corporation, or other legal entity.

(c) "Manufacturer" means any person who manufactures mobile structures homes or modular dwellings manufactured housing at the place or
places, either on or away from the building site, at which machinery, equipment, and other capital goods are assembled and operated for the
purpose of making, fabricating, forming, or assembling mobile structures homes or modular dwellings manufactured housing.

(d) "Department" means the Department of Public Health.

(e) "Director" means the Director of the Department of Public Health.

(f) "Dealer" means any person, other than a manufacturer, as
defined in this Act, who sells 3 or more mobile homes or manufactured
housing units in any consecutive 12-month period.

(g) "Codes" means the safety codes for modular dwellings manufactured housing and mobile structures adopted homes promulgated by
the Department and is synonymous with "rules". The Codes shall contain the
standards and requirements for modular dwellings manufactured housing and
mobile structures homes so that adequate performance for the intended use
is made the test of acceptability. The Code of Standards shall permit the use
of new and used technology, techniques, methods and materials, for both
modular dwellings manufactured housing and mobile structures homes,
consistent with recognized and accepted codes and standards developed by
the International Code Council (ICC) or by the organizations that formed the
ICC in 1994: Building Officials and Code Administrators, the International
Conference of Building Officials, the Southern Building Codes Congress
International, the National Fire Protection Association, the International
Association of Plumbing and Mechanical Officials, the American National
Standards Institute, and the Illinois State Plumbing Code, and the United
States Department of Housing and Urban Development, hereinafter referred
to as "HUD", applying to manufactured housing and mobile homes installed
and set up according to the manufacturer's instructions. A copy of said safety
codes, including said revisions thereof is on file with the Department.

(h) "Seal" means a device or insignia issued by the Department to be
displayed on the exterior of the mobile structure home or the interior of a
modular dwelling manufactured housing unit or modular home to evidence
compliance with the applicable safety code.

(i) "Modular dwelling" home means a building assembly or system
of building sub-assemblies, designed for habitation as a dwelling for one or
more persons, including the necessary electrical, plumbing, heating,

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ventilating and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation, on the building site, installed and set up according to the manufacturer's instructions on an approved foundation and support system. The construction of modular dwelling units located in Illinois is regulated by the Illinois Department of Public Health.

(j) "Closed construction" is any building, component, assembly or system manufactured in such a manner that all portions cannot readily be inspected at the installation site without disassembly, damage to, or destruction thereof.

(k) (Blank). "Open construction" is any building, component, assembly or system manufactured in such a manner that all portions can be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

(l) "Approved foundation and support system" means, for a modular home or modular dwelling unit, a closed perimeter formation consisting of materials such as concrete, mortared concrete block, or mortared brick, steel, or treated lumber extending into the ground below the frost line which shall include, but not necessarily be limited to, cellars, basements, or crawl spaces, and does include the use of piers supporting the marriage wall of the home that extend below the frost line.

(m) "Code compliance certificate" means the certificate provided by the manufacturer to the Department that warrants that the modular dwelling manufactured housing unit or mobile structure home complies with the applicable code.

(n) "Mobile structure" means a movable or portable unit, which, when assembled, is 8 feet or more in width and is 32 body feet in length, constructed to be towed on its own chassis (comprised of frame and wheels), and designed for occupancy with or without a permanent foundation. "Mobile structure" includes units designed to be used for multi-family residential, commercial, educational, or industrial purposes, excluding, however, recreational vehicles and single family residences. “Manufactured housing”, “manufactured housing unit”, “modular dwelling”, and “modular home” shall not be confused with “manufactured home” or “mobile home”. (Source: P.A. 96-1477, eff. 1-1-11.)

Sec. 3. (a) It is unlawful for any person to manufacture, rent, sell, or offer for sale for location within this State any mobile home manufactured

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after July 1, 1974, or any manufactured housing unit manufactured after July 1, 1976, any modular dwelling or mobile structure after the effective date of this amendatory Act of the 98th General Assembly, unless such modular dwelling or mobile structure mobile home or manufactured housing unit complies with this Act and all rules adopted by the Department under this Act the applicable safety code and any revision thereof that may be adopted hereafter, by the Department as hereinafter provided.

(b) No person shall manufacture for shipment into this State any mobile home after July 1, 1974, or any manufactured housing unit after July 1, 1976, which does not comply with the applicable safety code.

(Source: P.A. 79-731.)

(430 ILCS 115/4) (from Ch. 67 1/2, par. 504)

Sec. 4.

(a) No person may rent, sell, or offer for sale to anyone within this State any modular dwelling or mobile structure after the effective date of this amendatory Act of the 98th General Assembly, mobile home manufactured after July 1, 1974, or any manufactured housing unit manufactured after July 1, 1976, unless it bears a seal issued by the Department and a certification by the manufacturer or dealer, that the mobile structure or modular dwelling mobile home or manufactured housing unit complies with the applicable safety code.

(b) Nothing in this Act prohibits a city, town, village, township, or county from adopting construction standards for mobile structures or modular dwellings under local ordinances, provided such ordinances incorporate the rules adopted under this Act and are approved by the Department. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State. The provisions of this Act shall not apply to any municipality which has adopted a mobile home or manufactured housing safety code, the provisions of which are equal to the codes promulgated by the Department. Any such code must be filed with the Department within 10 days after its adoption. Any unit of local government municipality is authorized to adopt by reference the safety codes as promulgated by the Department without setting forth the provisions in full, provided that at least (3) copies of such codes which are incorporated or adopted by reference are filed in the office of the municipal clerk at least (15) days prior to the adoption of the ordinance which incorporates such codes by reference and there kept available for public use, inspection and examination.

(Source: P.A. 79-731.)

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Sec. 5. The Department shall issue seals to any manufacturer or dealer upon application supported by affidavit or such other evidence which the Department shall deem necessary to satisfy itself that the seals shall be affixed only to mobile structures homes or modular dwelling manufactured housing units which comply with the applicable safety code. (Source: P.A. 79-731.)

Sec. 6. Alteration of mobile structures or modular dwelling units to which seals have been affixed.

(a) A unit of local government may regulate the location of the modular dwellings and mobile structures and their foundation, and the installation of the on-site utilities.

(b) It is unlawful for any person to make any alteration of any mobile structure home or modular dwelling manufactured housing unit to which a seal has been affixed if such alteration causes the mobile structure home or modular dwelling manufactured housing unit to be in violation of the applicable safety code. (Source: P.A. 79-731.)

Sec. 7. If any other State has a safety code for mobile structures homes or modular dwellings manufactured housing at least equal to the codes promulgated by the Department and the Department determines that such safety standards are being enforced by such other state, the Department shall place such other state upon a reciprocity list, which list shall be available to any interested person. Any mobile structures home or modular dwelling manufactured housing unit which bears the seal of any state which has been placed on the reciprocity list, or which bears a seal approved by such state as sufficient evidence of compliance, shall not be required to affix the seal of this state prescribed by Section 4 of this Act. (Source: P.A. 79-731.)

Sec. 9.

(a) The Department is hereby charged with the administration and enforcement of this Act. The Department is authorized to: (1) promulgate such reasonable regulations as may be necessary to administer and enforce this Act, and (2) adopt any revisions of the Code as may be necessary to protect the health and safety of the public against dangers inherent in the use of mobile structures homes or modular dwellings manufactured housing.
of substandard construction and unsafe plumbing, electrical and heating systems.

The Department may impose an administrative penalty against any person who violates this Act or any rule adopted under this Act, or who violates any determination or order of the Department under this Act. The Department shall establish violations and penalties by rule, with each day’s violation constituting a separate offense. The maximum penalty shall be $1,000 per day per violation.

The Attorney General may bring an action in the circuit court to enforce the collection of an administrative penalty imposed under this subsection (a).

All penalties collected under this subsection (a) shall be deposited into the Facility Licensing Fund. Subject to appropriation, moneys in the Fund shall be used for the enforcement of this Act.

(b) (Blank). At least 30 days before the adoption or promulgation of any regulations or any revisions of the Code, pursuant to the authority vested in the Department by the preceding Subsection (a) of this Section, the Department shall mail to all state dealers and manufacturers of mobile homes a notice which shall contain:

(1) A copy of the proposed regulations or revisions thereon, if any;
(2) A copy of the proposed revision of the Code, if any; and
(3) The time and place that the Department will consider any objections, comments or suggestions pertaining to the proposed action described in the notice.

(c) (Blank). After giving the notice required by Subsection (b) of this Section, the Department shall provide a hearing for interested persons to express their views on the proposed action, either orally or in writing as may be prescribed by the Department and specified in the notice.

(d) The Department is authorized to perform necessary inspection of manufacturing facilities and products to implement the provisions of this Act. The Department may require and approve appointments of non-governmental inspectors or inspection agencies, provided the Department shall at all times exercise supervisory control over such inspectors or agencies to insure effective and uniform enforcement of the codes consistent with rules, regulations and interpretations promulgated by the Department.

(e) The issuance of seals may be suspended or revoked from as to any manufacturer who is convicted under Section 10 of this Act of manufacturing products that do not conform to the codes adopted under this Act. Issuance of seals shall not be resumed until such

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manufacturer submits proof satisfactory to the Department that the conditions which caused the violation of the codes have been remedied. Seals may be repossessed if a manufacturer is found by the Department to have affixed a seal in violation of the codes or rules adopted.

(f) No person may interfere with, obstruct or hinder an authorized representative of the Department in the performance of its duties under this Act.

(Source: P.A. 78-929.)

(430 ILCS 115/10) (from Ch. 67 1/2, par. 510)

Sec. 10. (a) The seal shall remain the property of the Department, and may not be placed upon a mobile structure or modular dwelling manufactured housing unit which is in violation of this Act the applicable safety code. Compliance with this Act the safety code is the responsibility of the manufacturer and neither the State nor the Department, shall be civilly or criminally liable for the issuance of any seal which is thereafter placed upon a nonconforming mobile structure or modular dwelling manufactured housing unit.

(b) Any person who violates this Act, in regards to violations relating to modular dwellings or mobile structures, shall, upon conviction by a court, be guilty of a Class B misdemeanor. Each day of violation constitutes a separate offense. The State's Attorney of the county in which the violation occurred or the Attorney General shall bring such action in the name of the People of the State of Illinois. The Court may enjoin the rent, sale, offer for sale, or manufacture of mobile structures homes or modular dwelling manufactured housing manufactured in violation of this Act or of the applicable safety code promulgated thereunder until it has been corrected to comply with this Act the minimum standards contained in the applicable codes safety code.

(Source: P.A. 79-731.)

(430 ILCS 115/11) (from Ch. 67 1/2, par. 511)

Sec. 11. The Director, after notice and opportunity for hearing to an applicant or seal holder, may deny, suspend, or revoke a seal, or assess civil penalties in conformance with this Act, in any case in which he or she finds that there has been a substantial failure to comply with the provisions of this Act the standards, rules, and regulations under this Act.

Notice shall be provided by certified mail or by personal service setting forth the particular reasons for the proposed action and fixing a date, not less than 15 days from the date of the mailing or service, within which time the applicant or seal holder must request in writing a hearing. Failure
to serve upon the Department a request for hearing in writing within the time provided in the notice shall constitute a waiver of the person's right to an administrative hearing.

The hearing shall be conducted by the Director or by an individual designated in writing by the Director as a hearing officer to conduct the hearing. The Director or hearing officer shall give written notice of the time and place of the hearing, by certified mail or personal service, to the applicant or seal holder, at least 10 days prior to the hearing. On the basis of the hearing, or upon default of the applicant or seal holder, the Director shall make a determination specifying his or her findings and conclusions. A copy of the determination shall be sent by certified mail or served personally upon the seal holder. The decision of the Director shall be final on issues of fact, and final in all respects unless judicial review is sought as provided in this Act.

The procedure governing hearings authorized by this Section shall be in accordance with rules adopted by the Department. A full and complete record shall be kept of all proceedings, including the notice of hearing, complaint, and all other documents in the nature of pleadings, written motions filed in the proceedings, and the report and orders of the Director and hearing officer.

The Department, at its expense, shall provide a court reporter to take testimony. Technical error in the proceedings before the Department or hearing officer or their failure to observe the technical rules of evidence shall not be grounds for the reversal of any administrative decision unless it appears to the Court that the error or failure materially affects the rights of any party and results in substantial injustice to any party.

The Department or hearing officer, or any parties in an investigation or hearing before the Department, may compel the attendance of witnesses and the production of books, papers, records, or memoranda.

The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in any Court in a judicial review proceeding, unless there is filed in the Court with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record. The cost shall be paid by the party requesting a copy of the record. Failure on the part of the person requesting a copy of the record to pay the cost shall be grounds for dismissal of the action.

The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case.

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involving refusal to issue or renew, or the suspension or revocation of a seal. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report and orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person or persons interested in such hearing upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof ordered with the original; provided, that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be 25 cents per page.

In any case involving the refusal to issue or renew or the suspension or revocation of a seal, a copy of the Department’s report shall be served upon the respondent, either personally or by registered or certified mail as provided in this Act, for the service of the notice of hearing. Within 20 days after such service, the respondent may present to the Department a motion in writing for a rehearing; which written motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial, the Director may enter an order in accordance with recommendations of the report. If the respondent orders and pays for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

Any circuit court may upon application of the Director of or the applicant or licensee against whom proceedings under this section of this Act are pending, enter an order requiring the attendance of witnesses and their testimony, and the production of documents, papers, files, books and records in connection with any hearing in any proceedings for contempt.

(Source: P.A. 78-929.)

(430 ILCS 115/16 new)

Sec. 16. Illinois Administrative Procedure Act. The provisions of the Illinois Administrative Procedure Act are hereby expressly adopted and shall apply to all administrative rules and procedures of the Department of Public Health under this Act. The Department of Public Health is authorized to use peremptory rulemaking under Section 5-50 of the Illinois Administrative Procedure Act. The Department will make any rule adopted hereunder available electronically to the public and shall not be required to furnish copies in any other format.

(430 ILCS 115/17 new)

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Sec. 17. Facility Licensing Fund. All fees and penalties collected under this Act shall be deposited into the Facility Licensing Fund. Subject to appropriation, all money deposited into the Facility Licensing Fund under this Act shall be available to the Department for administration of this Act.

(430 ILCS 115/15 rep.)

Section 10. The Illinois Manufactured Housing and Mobile Home Safety Act is amended by repealing Section 15.

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


Approved August 15, 2014.

Effective August 15, 2014.

PUBLIC ACT 98-0960
(Senate Bill No. 3225)

AN ACT concerning local government.

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

Section 5. The Illinois Police Training Act is amended by adding Section 10.16 as follows:

(50 ILCS 705/10.16 new)

Sec. 10.16. Veterans' awareness. The Illinois Law Enforcement Training Standards Board may conduct or approve a training program in veterans' awareness for law enforcement officers of local government agencies. The program shall train law enforcement officers to identify issues relating to veterans and provide guidelines dictating how law enforcement officers should respond to and address such issues. Each local government agency is encouraged to designate an individual to respond to veterans' issues.


Approved August 15, 2014.

Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning civil law.

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

Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Sections 504 and 505 as follows:

(750 ILCS 5/504) (from Ch. 40, par. 504)

Sec. 504. Maintenance.

(a) Entitlement to maintenance. In a proceeding for dissolution of marriage or legal separation or declaration of invalidity of marriage, or a proceeding for maintenance following dissolution of the marriage by a court which lacked personal jurisdiction over the absent spouse, the court may grant a temporary or permanent maintenance award for either spouse in amounts and for periods of time as the court deems just, without regard to marital misconduct, in gross or for fixed or indefinite periods of time, and the maintenance may be paid from the income or property of the other spouse. The court shall first determine whether a maintenance award is appropriate, after consideration of all relevant factors, including:

(1) the income and property of each party, including marital property apportioned and non-marital property assigned to the party seeking maintenance;
(2) the needs of each party;
(3) the present and future earning capacity of each party;
(4) any impairment of the present and future earning capacity of the party seeking maintenance due to that party devoting time to domestic duties or having forgone or delayed education, training, employment, or career opportunities due to the marriage;
(5) the time necessary to enable the party seeking maintenance to acquire appropriate education, training, and employment, and whether that party is able to support himself or herself through appropriate employment or is the custodian of a child making it appropriate that the custodian not seek employment;
(6) the standard of living established during the marriage;
(7) the duration of the marriage;
(8) the age and the physical and emotional condition of both parties;

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(9) the tax consequences of the property division upon the respective economic circumstances of the parties;
(10) contributions and services by the party seeking maintenance to the education, training, career or career potential, or license of the other spouse;
(11) any valid agreement of the parties; and
(12) any other factor that the court expressly finds to be just and equitable.
(b) (Blank).
(b-1) Amount and duration of maintenance. If the court determines that a maintenance award is appropriate, the court shall order maintenance in accordance with either paragraph (1) or (2) of this subsection (b-1):
(1) Maintenance award in accordance with guidelines. In situations when the combined gross income of the parties is less than $250,000 and no multiple family situation exists, maintenance payable after the date the parties' marriage is dissolved shall be in accordance with subparagraphs (A) and (B) of this paragraph (1), unless the court makes a finding that the application of the guidelines would be inappropriate.
(A) The amount of maintenance under this paragraph (1) shall be calculated by taking 30% of the payor's gross income minus 20% of the payee's gross income. The amount calculated as maintenance, however, when added to the gross income of the payee, may not result in the payee receiving an amount that is in excess of 40% of the combined gross income of the parties.
(B) The duration of an award under this paragraph (1) shall be calculated by multiplying the length of the marriage by whichever of the following factors applies: 0-5 years (.20); 5-10 years (.40); 10-15 years (.60); or 15-20 years (.80). For a marriage of 20 or more years, the court, in its discretion, shall order either permanent maintenance or maintenance for a period equal to the length of the marriage.
(2) Maintenance award not in accordance with guidelines. Any non-guidelines award of maintenance shall be made after the court's consideration of all relevant factors set forth in subsection (a) of this Section.
(b-2) Findings. In each case involving the issue of maintenance, the court shall make specific findings of fact, as follows:

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(1) the court shall state its reasoning for awarding or not awarding maintenance and shall include references to each relevant factor set forth in subsection (a) of this Section; and

(2) if the court deviates from otherwise applicable guidelines under paragraph (1) of subsection (b-1), it shall state in its findings the amount of maintenance (if determinable) or duration that would have been required under the guidelines and the reasoning for any variance from the guidelines.

(b-3) Gross income. For purposes of this Section, the term "gross income" means all income from all sources, within the scope of that phase in Section 505 of this Act.

(b-4) Unallocated maintenance. Unless the parties otherwise agree, the court may not order unallocated maintenance and child support in any dissolution judgment or in any post-dissolution order. In its discretion, the court may order unallocated maintenance and child support in any pre-dissolution temporary order.

(b-4.5) Fixed-term maintenance in marriages of less than 10 years. If a court grants maintenance for a fixed period under subsection (a) of this Section at the conclusion of a case commenced before the tenth anniversary of the marriage, the court may also designate the termination of the period during which this maintenance is to be paid as a "permanent termination". The effect of this designation is that maintenance is barred after the ending date of the period during which maintenance is to be paid.

(b-5) Interest on maintenance. Any maintenance obligation including any unallocated maintenance and child support obligation, or any portion of any support obligation, that becomes due and remains unpaid shall accrue simple interest as set forth in Section 505 of this Act.

(b-7) Maintenance judgments. Any new or existing maintenance order including any unallocated maintenance and child support order entered by the court under this Section shall be deemed to be a series of judgments against the person obligated to pay support thereunder. Each such judgment to be in the amount of each payment or installment of support and each such judgment to be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order, except no judgment shall arise as to any installment coming due after the termination of maintenance as provided by Section 510 of the Illinois Marriage and Dissolution of Marriage Act or the provisions of any order for maintenance. Each such judgment shall have the full force, effect and attributes of any other judgment of this State, including the ability to be enforced.

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Notwithstanding any other State or local law to the contrary, a lien arises by operation of law against the real and personal property of the obligor for each installment of overdue support owed by the obligor.

(c) Maintenance during an appeal. The court may grant and enforce the payment of maintenance during the pendency of an appeal as the court shall deem reasonable and proper.

(d) Maintenance during imprisonment. No maintenance shall accrue during the period in which a party is imprisoned for failure to comply with the court's order for the payment of such maintenance.

(e) Fees when maintenance is paid through the clerk. When maintenance is to be paid through the clerk of the court in a county of 1,000,000 inhabitants or less, the order shall direct the obligor to pay to the clerk, in addition to the maintenance payments, all fees imposed by the county board under paragraph (3) of subsection (u) of Section 27.1 of the Clerks of Courts Act. Unless paid in cash or pursuant to an order for withholding, the payment of the fee shall be by a separate instrument from the support payment and shall be made to the order of the Clerk.

(f) Maintenance secured by life insurance. An award ordered by a court upon entry of a dissolution judgment or upon entry of an award of maintenance following a reservation of maintenance in a dissolution judgment may be reasonably secured, in whole or in part, by life insurance on the payor's life on terms as to which the parties agree, or, if they do not agree, on such terms determined by the court, subject to the following:

1. With respect to existing life insurance, provided the court is apprised through evidence, stipulation, or otherwise as to level of death benefits, premium, and other relevant data and makes findings relative thereto, the court may allocate death benefits, the right to assign death benefits, or the obligation for future premium payments between the parties as it deems just.

2. To the extent the court determines that its award should be secured, in whole or in part, by new life insurance on the payor's life, the court may only order:

   i. that the payor cooperate on all appropriate steps for the payee to obtain such new life insurance; and
   ii. that the payee, at his or her sole option and expense, may obtain such new life insurance on the payor's life up to a maximum level of death benefit coverage, or descending death benefit coverage, as is set by the court, such level not to exceed a reasonable amount in light of the court's
award, with the payee or the payee's designee being the beneficiary of such life insurance. 
In determining the maximum level of death benefit coverage, the court shall take into account all relevant facts and circumstances, including the impact on access to life insurance by the maintenance payor. If in resolving any issues under paragraph (2) of this subsection (f) a court reviews any submitted or proposed application for new insurance on the life of a maintenance payor, the review shall be in camera.

(3) A judgment shall expressly set forth that all death benefits paid under life insurance on a payor's life maintained or obtained pursuant to this subsection to secure maintenance are designated as excludable from the gross income of the maintenance payee under Section 71(b)(1)(B) of the Internal Revenue Code, unless an agreement or stipulation of the parties otherwise provides.

(Source: P.A. 97-186, eff. 7-22-11; 97-608, eff. 1-1-12; 97-813, eff. 7-13-12.)

(750 ILCS 5/505) (from Ch. 40, par. 505)
Sec. 505. Child support; contempt; penalties.

(a) In a proceeding for dissolution of marriage, legal separation, declaration of invalidity of marriage, a proceeding for child support following dissolution of the marriage by a court that lacked personal jurisdiction over the absent spouse, a proceeding for modification of a previous order for child support under Section 510 of this Act, or any proceeding authorized under Section 501 or 601 of this Act, the court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable and necessary for the support of the child, without regard to marital misconduct. The duty of support owed to a child includes the obligation to provide for the reasonable and necessary educational, physical, mental and emotional health needs of the child. For purposes of this Section, the term "child" shall include any child under age 18 and any child under age 19 who is still attending high school.

(1) The Court shall determine the minimum amount of support by using the following guidelines:

<table>
<thead>
<tr>
<th>Number of Children</th>
<th>Percent of Supporting Party's Net Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20%</td>
</tr>
<tr>
<td>2</td>
<td>28%</td>
</tr>
<tr>
<td>3</td>
<td>32%</td>
</tr>
<tr>
<td>4</td>
<td>40%</td>
</tr>
</tbody>
</table>

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(2) The above guidelines shall be applied in each case unless the court finds that a deviation from the guidelines is appropriate after considering the best interest of the child in light of the evidence, including, but not limited to, one or more of the following relevant factors:

(a) the financial resources and needs of the child;
(b) the financial resources and needs of the custodial parent;
(c) the standard of living the child would have enjoyed had the marriage not been dissolved;
(d) the physical, mental, and emotional needs of the child;
(d-5) the educational needs of the child; and
(e) the financial resources and needs of the non-custodial parent.

If the court deviates from the guidelines, the court's finding shall state the amount of support that would have been required under the guidelines, if determinable. The court shall include the reason or reasons for the variance from the guidelines.

(2.5) The court, in its discretion, in addition to setting child support pursuant to the guidelines and factors, may order either or both parents owing a duty of support to a child of the marriage to contribute to the following expenses, if determined by the court to be reasonable:

(a) health needs not covered by insurance;
(b) child care;
(c) education; and
(d) extracurricular activities.

(3) "Net income" is defined as the total of all income from all sources, minus the following deductions:

(a) Federal income tax (properly calculated withholding or estimated payments);
(b) State income tax (properly calculated withholding or estimated payments);
(c) Social Security (FICA payments);
(d) Mandatory retirement contributions required by law or as a condition of employment;

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(e) Union dues;
(f) Dependent and individual health/hospitalization insurance premiums and premiums for life insurance ordered by the court to reasonably secure payment of ordered child support;
(g) Prior obligations of support or maintenance actually paid pursuant to a court order;
(g-5) Obligations pursuant to a court order for maintenance in the pending proceeding actually paid or payable under Section 504 to the same party to whom child support is to be payable;
(h) Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income, medical expenditures necessary to preserve life or health, reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts. The court shall reduce net income in determining the minimum amount of support to be ordered only for the period that such payments are due and shall enter an order containing provisions for its self-executing modification upon termination of such payment period;
(i) Foster care payments paid by the Department of Children and Family Services for providing licensed foster care to a foster child.
(4) In cases where the court order provides for health/hospitalization insurance coverage pursuant to Section 505.2 of this Act, the premiums for that insurance, or that portion of the premiums for which the supporting party is responsible in the case of insurance provided through an employer's health insurance plan where the employer pays a portion of the premiums, shall be subtracted from net income in determining the minimum amount of support to be ordered.
(4.5) In a proceeding for child support following dissolution of the marriage by a court that lacked personal jurisdiction over the absent spouse, and in which the court is requiring payment of support for the period before the date an order for current support is entered, there is a rebuttable presumption that the supporting party's net income for the prior period was the same as his or her net income at the time the order for current support is entered.

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(5) If the net income cannot be determined because of default or any other reason, the court shall order support in an amount considered reasonable in the particular case. The final order in all cases shall state the support level in dollar amounts. However, if the court finds that the child support amount cannot be expressed exclusively as a dollar amount because all or a portion of the payor's net income is uncertain as to source, time of payment, or amount, the court may order a percentage amount of support in addition to a specific dollar amount and enter such other orders as may be necessary to determine and enforce, on a timely basis, the applicable support ordered.

(6) If (i) the non-custodial parent was properly served with a request for discovery of financial information relating to the non-custodial parent's ability to provide child support, (ii) the non-custodial parent failed to comply with the request, despite having been ordered to do so by the court, and (iii) the non-custodial parent is not present at the hearing to determine support despite having received proper notice, then any relevant financial information concerning the non-custodial parent's ability to provide child support that was obtained pursuant to subpoena and proper notice shall be admitted into evidence without the need to establish any further foundation for its admission.

(a-5) In an action to enforce an order for support based on the respondent's failure to make support payments as required by the order, notice of proceedings to hold the respondent in contempt for that failure may be served on the respondent by personal service or by regular mail addressed to the respondent's last known address. The respondent's last known address may be determined from records of the clerk of the court, from the Federal Case Registry of Child Support Orders, or by any other reasonable means.

(b) Failure of either parent to comply with an order to pay support shall be punishable as in other cases of contempt. In addition to other penalties provided by law the Court may, after finding the parent guilty of contempt, order that the parent be:

(1) placed on probation with such conditions of probation as the Court deems advisable;

(2) sentenced to periodic imprisonment for a period not to exceed 6 months; provided, however, that the Court may permit the parent to be released for periods of time during the day or night to:

(A) work; or

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(B) conduct a business or other self-employed occupation.

The Court may further order any part or all of the earnings of a parent during a sentence of periodic imprisonment paid to the Clerk of the Circuit Court or to the parent having custody or to the guardian having custody of the children of the sentenced parent for the support of said children until further order of the Court.

If a parent who is found guilty of contempt for failure to comply with an order to pay support is a person who conducts a business or who is self-employed, the court in addition to other penalties provided by law may order that the parent do one or more of the following: (i) provide to the court monthly financial statements showing income and expenses from the business or the self-employment; (ii) seek employment and report periodically to the court with a diary, listing, or other memorandum of his or her employment search efforts; or (iii) report to the Department of Employment Security for job search services to find employment that will be subject to withholding for child support.

If there is a unity of interest and ownership sufficient to render no financial separation between a non-custodial parent and another person or persons or business entity, the court may pierce the ownership veil of the person, persons, or business entity to discover assets of the non-custodial parent held in the name of that person, those persons, or that business entity. The following circumstances are sufficient to authorize a court to order discovery of the assets of a person, persons, or business entity and to compel the application of any discovered assets toward payment on the judgment for support:

(1) the non-custodial parent and the person, persons, or business entity maintain records together.

(2) the non-custodial parent and the person, persons, or business entity fail to maintain an arm's length relationship between themselves with regard to any assets.

(3) the non-custodial parent transfers assets to the person, persons, or business entity with the intent to perpetrate a fraud on the custodial parent.

With respect to assets which are real property, no order entered under this paragraph shall affect the rights of bona fide purchasers, mortgagees, judgment creditors, or other lien holders who acquire their interests in the property prior to the time a notice of lis pendens pursuant to the Code of Civil

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Procedure or a copy of the order is placed of record in the office of the recorder of deeds for the county in which the real property is located.

The court may also order in cases where the parent is 90 days or more delinquent in payment of support or has been adjudicated in arrears in an amount equal to 90 days obligation or more, that the parent's Illinois driving privileges be suspended until the court determines that the parent is in compliance with the order of support. The court may also order that the parent be issued a family financial responsibility driving permit that would allow limited driving privileges for employment and medical purposes in accordance with Section 7-702.1 of the Illinois Vehicle Code. The clerk of the circuit court shall certify the order suspending the driving privileges of the parent or granting the issuance of a family financial responsibility driving permit to the Secretary of State on forms prescribed by the Secretary. Upon receipt of the authenticated documents, the Secretary of State shall suspend the parent's driving privileges until further order of the court and shall, if ordered by the court, subject to the provisions of Section 7-702.1 of the Illinois Vehicle Code, issue a family financial responsibility driving permit to the parent.

In addition to the penalties or punishment that may be imposed under this Section, any person whose conduct constitutes a violation of Section 15 of the Non-Support Punishment Act may be prosecuted under that Act, and a person convicted under that Act may be sentenced in accordance with that Act. The sentence may include but need not be limited to a requirement that the person perform community service under Section 50 of that Act or participate in a work alternative program under Section 50 of that Act. A person may not be required to participate in a work alternative program under Section 50 of that Act if the person is currently participating in a work program pursuant to Section 505.1 of this Act.

A support obligation, or any portion of a support obligation, which becomes due and remains unpaid as of the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month, shall accrue simple interest as set forth in Section 12-109 of the Code of Civil Procedure. An order for support entered or modified on or after January 1, 2006 shall contain a statement that a support obligation required under the order, or any portion of a support obligation required under the order, that becomes due and remains unpaid as of the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month, shall accrue simple interest as set forth in Section 12-109 of the Code of Civil Procedure. Failure to include the statement in the

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order for support does not affect the validity of the order or the accrual of interest as provided in this Section.

(c) A one-time charge of 20% is imposable upon the amount of past-due child support owed on July 1, 1988 which has accrued under a support order entered by the court. The charge shall be imposed in accordance with the provisions of Section 10-21 of the Illinois Public Aid Code and shall be enforced by the court upon petition.

(d) Any new or existing support order entered by the court under this Section shall be deemed to be a series of judgments against the person obligated to pay support thereunder, each such judgment to be in the amount of each payment or installment of support and each such judgment to be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order. Each such judgment shall have the full force, effect and attributes of any other judgment of this State, including the ability to be enforced. Notwithstanding any other State or local law to the contrary, a lien arises by operation of law against the real and personal property of the noncustodial parent for each installment of overdue support owed by the noncustodial parent.

(e) When child support is to be paid through the clerk of the court in a county of 1,000,000 inhabitants or less, the order shall direct the obligor to pay to the clerk, in addition to the child support payments, all fees imposed by the county board under paragraph (3) of subsection (u) of Section 27.1 of the Clerks of Courts Act. Unless paid in cash or pursuant to an order for withholding, the payment of the fee shall be by a separate instrument from the support payment and shall be made to the order of the Clerk.

(f) All orders for support, when entered or modified, shall include a provision requiring the obligor to notify the court and, in cases in which a party is receiving child and spouse services under Article X of the Illinois Public Aid Code, the Department of Healthcare and Family Services, within 7 days, (i) of the name and address of any new employer of the obligor, (ii) whether the obligor has access to health insurance coverage through the employer or other group coverage and, if so, the policy name and number and the names of persons covered under the policy, and (iii) of any new residential or mailing address or telephone number of the non-custodial parent. In any subsequent action to enforce a support order, upon a sufficient showing that a diligent effort has been made to ascertain the location of the non-custodial parent, service of process or provision of notice necessary in the case may be made at the last known address of the non-custodial parent.

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in any manner expressly provided by the Code of Civil Procedure or this Act, which service shall be sufficient for purposes of due process.

(g) An order for support shall include a date on which the current support obligation terminates. The termination date shall be no earlier than the date on which the child covered by the order will attain the age of 18. However, if the child will not graduate from high school until after attaining the age of 18, then the termination date shall be no earlier than the earlier of the date on which the child's high school graduation will occur or the date on which the child will attain the age of 19. The order for support shall state that the termination date does not apply to any arrearage that may remain unpaid on that date. Nothing in this subsection shall be construed to prevent the court from modifying the order or terminating the order in the event the child is otherwise emancipated.

(g-5) If there is an unpaid arrearage or delinquency (as those terms are defined in the Income Withholding for Support Act) equal to at least one month's support obligation on the termination date stated in the order for support or, if there is no termination date stated in the order, on the date the child attains the age of majority or is otherwise emancipated, the periodic amount required to be paid for current support of that child immediately prior to that date shall automatically continue to be an obligation, not as current support but as periodic payment toward satisfaction of the unpaid arrearage or delinquency. That periodic payment shall be in addition to any periodic payment previously required for satisfaction of the arrearage or delinquency. The total periodic amount to be paid toward satisfaction of the arrearage or delinquency may be enforced and collected by any method provided by law for enforcement and collection of child support, including but not limited to income withholding under the Income Withholding for Support Act. Each order for support entered or modified on or after the effective date of this amendatory Act of the 93rd General Assembly must contain a statement notifying the parties of the requirements of this subsection. Failure to include the statement in the order for support does not affect the validity of the order or the operation of the provisions of this subsection with regard to the order. This subsection shall not be construed to prevent or affect the establishment or modification of an order for support of a minor child or the establishment or modification of an order for support of a non-minor child or educational expenses under Section 513 of this Act.

(h) An order entered under this Section shall include a provision requiring the obligor to report to the obligee and to the clerk of court within 10 days each time the obligor obtains new employment, and each time the
obligor's employment is terminated for any reason. The report shall be in writing and shall, in the case of new employment, include the name and address of the new employer. Failure to report new employment or the termination of current employment, if coupled with nonpayment of support for a period in excess of 60 days, is indirect criminal contempt. For any obligor arrested for failure to report new employment bond shall be set in the amount of the child support that should have been paid during the period of unreported employment. An order entered under this Section shall also include a provision requiring the obligor and obligee parents to advise each other of a change in residence within 5 days of the change except when the court finds that the physical, mental, or emotional health of a party or that of a child, or both, would be seriously endangered by disclosure of the party's address.

(i) The court does not lose the powers of contempt, driver's license suspension, or other child support enforcement mechanisms, including, but not limited to, criminal prosecution as set forth in this Act, upon the emancipation of the minor child or children.

(Source: P.A. 97-186, eff. 7-22-11; 97-608, eff. 1-1-12; 97-813, eff. 7-13-12; 97-878, eff. 8-2-12; 97-941, eff. 1-1-13; 97-1029, eff. 1-1-13; 98-463, eff. 8-16-13.)

 Approved August 15, 2014.
 Effective January 1, 2015.

**PUBLIC ACT 98-0962**
(Senate Bill No. 3234)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Environmental Protection Act is amended by changing Section 55.8 as follows:

(415 ILCS 5/55.8) (from Ch. 111 1/2, par. 1055.8)

Sec. 55.8. Tire retailers.

(a) Any person selling new or used tires at retail or offering new or used tires for retail sale in this State shall:

(1) beginning on June 20, 2003 (the effective date of Public Act 93-32), collect from retail customers a fee of $2 per new or used tire sold and delivered in this State, to be paid to the Department of

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Revenue and deposited into the Used Tire Management Fund, less a collection allowance of 10 cents per tire to be retained by the retail seller and a collection allowance of 10 cents per tire to be retained by the Department of Revenue and paid into the General Revenue Fund; the collection allowance for retail sellers, however, shall be allowed only if the return is filed timely and only for the amount that is paid timely in accordance with this Title XIV;

(1.5) beginning on July 1, 2003, collect from retail customers an additional 50 cents per new or used tire sold and delivered in this State; the money collected from this fee shall be deposited into the Emergency Public Health Fund;

(2) accept for recycling used tires from customers, at the point of transfer, in a quantity equal to the number of new tires purchased; and

(3) post in a conspicuous place a written notice at least 8.5 by 11 inches in size that includes the universal recycling symbol and the following statements: "DO NOT put used tires in the trash.", "Recycle your used tires.", and "State law requires us to accept used tires for recycling, in exchange for new tires purchased."

(b) A person who accepts used tires for recycling under subsection (a) shall not allow the tires to accumulate for periods of more than 90 days.

(c) The requirements of subsection (a) of this Section do not apply to mail order sales nor shall the retail sale of a motor vehicle be considered to be the sale of tires at retail or offering of tires for retail sale. Instead of filing returns, retailers of tires may remit the tire user fee of $1.00 per tire to their suppliers of tires if the supplier of tires is a registered retailer of tires and agrees or otherwise arranges to collect and remit the tire fee to the Department of Revenue, notwithstanding the fact that the sale of the tire is a sale for resale and not a sale at retail. A tire supplier who enters into such an arrangement with a tire retailer shall be liable for the tax on all tires sold to the tire retailer and must (i) provide the tire retailer with a receipt that separately reflects the tire tax collected from the retailer on each transaction and (ii) accept used tires for recycling from the retailer's customers. The tire supplier shall be entitled to the collection allowance of 10 cents per tire, but only if the return is filed timely and only for the amount that is paid timely in accordance with this Title XIV.

The retailer of the tires must maintain in its books and records evidence that the appropriate fee was paid to the tire supplier and that the tire supplier has agreed to remit the fee to the Department of Revenue for each
tire sold by the retailer. Otherwise, the tire retailer shall be directly liable for
the fee on all tires sold at retail. Tire retailers paying the fee to their suppliers
are not entitled to the collection allowance of 10 cents per tire.

(d) The requirements of subsection (a) of this Section shall apply
exclusively to tires to be used for vehicles defined in Section 1-217 of the
Illinois Vehicle Code, aircraft tires, special mobile equipment, and
implements of husbandry.

(e) The requirements of paragraph (1) of subsection (a) do not apply
to the sale of reprocessed tires. For purposes of this Section, "reprocessed
tire" means a used tire that has been recapped, retreaded, or regrooved and
that has not been placed on a vehicle wheel rim.

(Source: P.A. 98-584, eff. 8-27-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0963
(Senate Bill No. 3256)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:

Section 5. The Illinois Public Aid Code is amended by changing
Section 5-5 as follows:

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)
Sec. 5-5. Medical services. The Illinois Department, by rule, shall
determine the quantity and quality of and the rate of reimbursement for the
medical assistance for which payment will be authorized, and the medical
services to be provided, which may include all or part of the following: (1)
inpatient hospital services; (2) outpatient hospital services; (3) other
laboratory and X-ray services; (4) skilled nursing home services; (5)
physicians' services whether furnished in the office, the patient's home, a
hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other
type of remedial care furnished by licensed practitioners; (7) home health care
services; (8) private duty nursing service; (9) clinic services; (10) dental
services, including prevention and treatment of periodontal disease and dental
caries disease for pregnant women, provided by an individual licensed to
practice dentistry or dental surgery; for purposes of this item (10), "dental

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"services" means diagnostic, preventive, or corrective procedures provided by
or under the supervision of a dentist in the practice of his or her profession;
(11) physical therapy and related services; (12) prescribed drugs, dentures,
and prosthetic devices; and eyeglasses prescribed by a physician skilled in the
diseases of the eye, or by an optometrist, whichever the person may select;
(13) other diagnostic, screening, preventive, and rehabilitative services,
including to ensure that the individual's need for intervention or treatment of
mental disorders or substance use disorders or co-occurring mental health and
substance use disorders is determined using a uniform screening, assessment,
and evaluation process inclusive of criteria, for children and adults; for
purposes of this item (13), a uniform screening, assessment, and evaluation
process refers to a process that includes an appropriate evaluation and, as
warranted, a referral; "uniform" does not mean the use of a singular
instrument, tool, or process that all must utilize; (14) transportation and such
other expenses as may be necessary; (15) medical treatment of sexual assault
survivors, as defined in Section 1a of the Sexual Assault Survivors
Emergency Treatment Act, for injuries sustained as a result of the sexual
assault, including examinations and laboratory tests to discover evidence
which may be used in criminal proceedings arising from the sexual assault;
(16) the diagnosis and treatment of sickle cell anemia; and (17) any other
medical care, and any other type of remedial care recognized under the laws
of this State, but not including abortions, or induced miscarriages or
premature births, unless, in the opinion of a physician, such procedures are
necessary for the preservation of the life of the woman seeking such
treatment, or except an induced premature birth intended to produce a live
viable child and such procedure is necessary for the health of the mother or
her unborn child. The Illinois Department, by rule, shall prohibit any
physician from providing medical assistance to anyone eligible therefor under
this Code where such physician has been found guilty of performing an
abortion procedure in a wilful and wanton manner upon a woman who was
not pregnant at the time such abortion procedure was performed. The term
"any other type of remedial care" shall include nursing care and nursing home
service for persons who rely on treatment by spiritual means alone through
prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive
tobacco use cessation program that includes purchasing prescription drugs or
prescription medical devices approved by the Food and Drug Administration
shall be covered under the medical assistance program under this Article for
persons who are otherwise eligible for assistance under this Article.

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Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician’s handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

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(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide

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additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

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The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

1. Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
2. The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
3. Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable

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additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of

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acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after July 22, 2013 (the effective date of Public Act 98-104) this amendatory Act of the 98th General Assembly, establish procedures to permit skilled care facilities licensed under the Nursing Home Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall have an additional 365 days to test the viability of the new system and to ensure that any necessary operational or structural changes to its information technology platforms are implemented.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after the effective date of this amendatory Act of the 98th General Assembly, establish procedures to permit ID/DD facilities licensed under the ID/DD Community Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall have an additional 365 days to test the viability of the new system and to ensure that any necessary operational or structural changes to its information technology platforms are implemented.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys.
regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.
(2) In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

(4) In the case of a provider operated by a unit of local government with a population exceeding 3,000,000 when local government funds finance federal participation for claims payments. For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

In the case of long term care facilities, admission documents shall be submitted within 30 days of an admission to the facility through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System, or shall be submitted directly to the Department of Human Services using required admission forms. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; and other information necessary to carry out the functions of the Illinois Department.

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identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

New matter indicated by italics - deletions by strikeout
The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care; and (v) no later than October 1, 2013, establish procedures to permit long term care providers access to eligibility scores for individuals with an admission date who are seeking or receiving services from the long term care provider. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;
(b) actual statistics and trends in the provision of the various medical services by medical vendors;

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(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

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

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 97-48, eff. 6-28-11; 97-638, eff. 1-1-12; 97-689, eff. 6-14-12; 97-1061, eff. 8-24-12; 98-104, Article 9, Section 9-5, eff. 7-22-13; 98-104, Article 12, Section 12-20, eff. 7-22-13; 98-303, eff. 8-9-13; 98-463, eff. 8-16-13; revised 9-19-13.)

AN ACT concerning revenue.

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

Section 5. The Motor Fuel Tax Law is amended by changing Section 13a.3 as follows:

(35 ILCS 505/13a.3) (from Ch. 120, par. 429a3)

Sec. 13a.3. Every person holding a valid unrevoked motor fuel use tax license issued under Section 13a.4 of this Act shall, on or before the last day of the month next succeeding any calendar quarter, file with the Department a report, in such form as the Department may by rule or regulation prescribe, setting forth a statement of the number of miles traveled in every jurisdiction and in this State during the previous calendar quarter, the number of gallons and type of reportable motor fuel consumed on the highways of every jurisdiction and of this State, and the total number of gallons and types of tax paid fuel purchased within every jurisdiction during said previous calendar quarter. A motor carrier who purchases motor fuel in this State who pays a tax thereon under any section of the Motor Fuel Tax Law other than Sections 13a, 13a.1, 13a.2 and 13a.3, and who does not apply for a refund under Section 13 of the Motor Fuel Tax Law, shall receive a gallon for gallon credit against his liability under Sections 13a, 13a.1, 13a.2 and 13a.3 hereof. The rate under Section 2 of this Act shall apply to each gallon of motor fuel used by such motor carrier on the highways of Illinois during the previous calendar quarter in excess of the motor fuel purchased in Illinois during such previous calendar quarter.

The rate under subsection (2) of Section 13a of this Act shall apply to each gallon of motor fuel used by such motor carrier on the highways of Illinois during the previous calendar quarter. For purposes of the preceding paragraphs "used" shall be determined as provided in Section 13a.2 of this Act.

For such motor fuel consumed during the previous calendar quarter, said tax shall be payable on the last day of the month next succeeding such previous calendar quarter and shall bear interest until paid at the rate established by the International Motor Fuel Tax Agreement, as now and hereafter amended of 1% per month or fraction of month until paid. Motor carriers required to file bonds under Section 13a.4 of this Act shall make tax payments to the Department by certified check.

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Reports not filed by the due date shall be considered late and any taxes due considered delinquent. The licensee may be assessed a penalty of $50 or 10% of the delinquent taxes, whichever is greater, for failure to file a report, or for filing a late report, or for underpayment of taxes due.

As to each gallon of motor fuel purchased in Illinois by such motor carrier during the previous calendar quarter in excess of the number of gallons of motor fuel used by such motor carrier on the highways of Illinois during such previous calendar quarter, the taxpayer may take a credit for the current calendar quarter or the Department may issue a credit memorandum or refund to such motor carrier for any tax imposed by Part (a) of Section 13a of this Act paid on each such gallon. If a credit is given, the credit memorandum shall be carried over to offset liabilities of the licensee until the credit is fully offset or until 8 calendar quarters pass after the end of the calendar quarter in which the credit accrued, whichever occurs sooner.

A motor carrier who purchases motor fuel in this State shall be entitled to a refund under this Section or a credit against all his liabilities under Sections 13a, 13a.1, 13a.2 and 13a.3 hereof for taxes imposed by the Use Tax Act, the Retailers' Occupation Tax Act, the Municipal Retailers' Occupation Tax Act and the County Retailers' Occupation Tax Act on such motor fuel at a rate equal to that established by subsection (2) of Section 13a of this Act, provided that such taxes have been paid by the taxpayer and such taxes have been charged to the motor carrier claiming the credit or refund.

(Source: P.A. 94-1074, eff. 12-26-06.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0965
(Senate Bill No. 3276)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Treasurer Act is amended by adding Sections 20 and 25 as follows:

(15 ILCS 505/20 new)

Sec. 20. State Treasurer administrative charge. The State Treasurer may retain an administrative charge for the costs of services associated with

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the deposit of moneys that are remitted directly to the State Treasurer. The administrative charge collected under this Section shall be deposited into the State Treasurer's Administrative Fund. The amount of the administrative charge may be determined by the State Treasurer and shall not exceed 2% of the amount deposited.

This Section shall apply to fines, fees, or other amounts remitted directly to the State Treasurer by circuit clerks, county clerks, and other entities for deposit into a fund in the State treasury. This Section does not apply to amounts remitted by State agencies or certified collection specialists as defined in 74 Ill. Admin. Code 1200.50. This Section shall apply only to any form of fines, fees, or other collections created on or after the effective date of this amendatory Act of the 98th General Assembly.

Sec. 25. State Treasurer's Administrative Fund. All cost recoveries, fees for services, and governmental grants received by the State Treasurer shall be maintained in a trust fund in the State treasury, to be known as the State Treasurer's Administrative Fund. Moneys in the State Treasurer's Administrative Fund may be utilized by the State Treasurer in the discharge of the duties of the office. All interest earned by the investment or deposit of moneys accumulated in the Fund shall be deposited into the Fund.

Section 10. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)
Sec. 5.855. The State Treasurer's Administrative Fund.

Approved August 15, 2014.
Effective August 15, 2014.

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Civil Procedure is amended by changing Section 2-203 as follows:

(735 ILCS 5/2-203) (from Ch. 110, par. 2-203)
Sec. 2-203. Service on individuals.

New matter indicated by italics - deletions by strikeout
(a) Except as otherwise expressly provided, service of summons upon an individual defendant shall be made (1) by leaving a copy of the summons with the defendant personally, (2) by leaving a copy at the defendant's usual place of abode, with some person of the family or a person residing there, of the age of 13 years or upwards, and informing that person of the contents of the summons, provided the officer or other person making service shall also send a copy of the summons in a sealed envelope with postage fully prepaid, addressed to the defendant at his or her usual place of abode, or (3) as provided in Section 1-2-9.2 of the Illinois Municipal Code with respect to violation of an ordinance governing parking or standing of vehicles in cities with a population over 500,000. The certificate of the officer or affidavit of the person that he or she has sent the copy in pursuance of this Section is evidence that he or she has done so. No employee of a facility licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act shall obstruct an officer or other person making service in compliance with this Section. An employee of a gated residential community shall grant entry into the community, including its common areas and common elements, to a process server authorized under Section 2-202 of this Code who is attempting to serve process on a defendant or witness who resides within or is known to be within the community. As used in this Section, "gated residential community" includes a condominium association, housing cooperative, or private community.

(b) The officer, in his or her certificate or in a record filed and maintained in the Sheriff's office, or other person making service, in his or her affidavit or in a record filed and maintained in his or her employer's office, shall (1) identify as to sex, race, and approximate age the defendant or other person with whom the summons was left and (2) state the place where (whenever possible in terms of an exact street address) and the date and time of the day when the summons was left with the defendant or other person.

(c) Any person who knowingly sets forth in the certificate or affidavit any false statement, shall be liable in civil contempt. When the court holds a person in civil contempt under this Section, it shall award such damages as it determines to be just and, when the contempt is prosecuted by a private attorney, may award reasonable attorney's fees.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13.)

Passed in the General Assembly May 21, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The Higher Education Student Assistance Act is amended by changing Section 35 as follows:

110 ILCS 947/35
Sec. 35. Monetary award program.
(a) The Commission shall, each year, receive and consider applications for grant assistance under this Section. Subject to a separate appropriation for such purposes, an applicant is eligible for a grant under this Section when the Commission finds that the applicant:

(1) is a resident of this State and a citizen or permanent resident of the United States; and

(2) in the absence of grant assistance, will be deterred by financial considerations from completing an educational program at the qualified institution of his or her choice.
(b) The Commission shall award renewals only upon the student's application and upon the Commission's finding that the applicant:

(1) has remained a student in good standing;

(2) remains a resident of this State; and

(3) is in a financial situation that continues to warrant assistance.
(c) All grants shall be applicable only to tuition and necessary fee costs. The Commission shall determine the grant amount for each student, which shall not exceed the smallest of the following amounts:

(1) subject to appropriation, $5,468 for fiscal year 2009, $5,968 for fiscal year 2010, and $6,468 for fiscal year 2011 and each fiscal year thereafter, or such lesser amount as the Commission finds to be available, during an academic year;

(2) the amount which equals 2 semesters or 3 quarters tuition and other necessary fees required generally by the institution of all full-time undergraduate students; or

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(3) such amount as the Commission finds to be appropriate in view of the applicant's financial resources.

Subject to appropriation, the maximum grant amount for students not subject to subdivision (1) of this subsection (c) must be increased by the same percentage as any increase made by law to the maximum grant amount under subdivision (1) of this subsection (c).

"Tuition and other necessary fees" as used in this Section include the customary charge for instruction and use of facilities in general, and the additional fixed fees charged for specified purposes, which are required generally of nongrant recipients for each academic period for which the grant applicant actually enrolls, but do not include fees payable only once or breakage fees and other contingent deposits which are refundable in whole or in part. The Commission may prescribe, by rule not inconsistent with this Section, detailed provisions concerning the computation of tuition and other necessary fees.

(d) No applicant, including those presently receiving scholarship assistance under this Act, is eligible for monetary award program consideration under this Act after receiving a baccalaureate degree or the equivalent of 135 semester credit hours of award payments.

(e) The Commission, in determining the number of grants to be offered, shall take into consideration past experience with the rate of grant funds unclaimed by recipients. The Commission shall notify applicants that grant assistance is contingent upon the availability of appropriated funds.

(e-5) The General Assembly finds and declares that it is an important purpose of the Monetary Award Program to facilitate access to college both for students who pursue postsecondary education immediately following high school and for those who pursue postsecondary education later in life, particularly Illinoisans who are dislocated workers with financial need and who are seeking to improve their economic position through education. For the 2015-2016 and 2016-2017 academic years, the Commission shall give additional and specific consideration to the needs of dislocated workers with the intent of allowing applicants who are dislocated workers an opportunity to secure financial assistance even if applying later than the general pool of applicants. The Commission's consideration shall include, in determining the number of grants to be offered, an estimate of the resources needed to serve dislocated workers who apply after the Commission initially suspends award announcements for the upcoming regular academic year, but prior to the beginning of that academic year. For the purposes of this subsection (e-5),

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a dislocated worker is defined as in the federal Workforce Investment Act of 1998.

(f) The Commission may request appropriations for deposit into the Monetary Award Program Reserve Fund. Monies deposited into the Monetary Award Program Reserve Fund may be expended exclusively for one purpose: to make Monetary Award Program grants to eligible students. Amounts on deposit in the Monetary Award Program Reserve Fund may not exceed 2% of the current annual State appropriation for the Monetary Award Program.

The purpose of the Monetary Award Program Reserve Fund is to enable the Commission each year to assure as many students as possible of their eligibility for a Monetary Award Program grant and to do so before commencement of the academic year. Moneys deposited in this Reserve Fund are intended to enhance the Commission's management of the Monetary Award Program, minimizing the necessity, magnitude, and frequency of adjusting award amounts and ensuring that the annual Monetary Award Program appropriation can be fully utilized.

(g) The Commission shall determine the eligibility of and make grants to applicants enrolled at qualified for-profit institutions in accordance with the criteria set forth in this Section. The eligibility of applicants enrolled at such for-profit institutions shall be limited as follows:

   (1) Beginning with the academic year 1997, only to eligible first-time freshmen and first-time transfer students who have attained an associate degree.

   (2) Beginning with the academic year 1998, only to eligible freshmen students, transfer students who have attained an associate degree, and students who receive a grant under paragraph (1) for the academic year 1997 and whose grants are being renewed for the academic year 1998.

   (3) Beginning with the academic year 1999, to all eligible students.

(Source: P.A. 95-917, eff. 8-26-08.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective August 15, 2014.
AN ACT concerning gaming.

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

Section 5. The Illinois Horse Racing Act of 1975 is amended by changing Section 26 as follows:

Sec. 26. Wagering.
(a) Any licensee may conduct and supervise the pari-mutuel system of wagering, as defined in Section 3.12 of this Act, on horse races conducted by an Illinois organization licensee or conducted at a racetrack located in another state or country and televised in Illinois in accordance with subsection (g) of Section 26 of this Act. Subject to the prior consent of the Board, licensees may supplement any pari-mutuel pool in order to guarantee a minimum distribution. Such pari-mutuel method of wagering shall not, under any circumstances if conducted under the provisions of this Act, be held or construed to be unlawful, other statutes of this State to the contrary notwithstanding. Subject to rules for advance wagering promulgated by the Board, any licensee may accept wagers in advance of the day of the race wagered upon occurs.

(b) No other method of betting, pool making, wagering or gambling shall be used or permitted by the licensee. Each licensee may retain, subject to the payment of all applicable taxes and purses, an amount not to exceed 17% of all money wagered under subsection (a) of this Section, except as may otherwise be permitted under this Act.

(b-5) An individual may place a wager under the pari-mutuel system from any licensed location authorized under this Act provided that wager is electronically recorded in the manner described in Section 3.12 of this Act. Any wager made electronically by an individual while physically on the premises of a licensee shall be deemed to have been made at the premises of that licensee.

(c) Until January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool,
shall be paid to the Illinois Veterans' Rehabilitation Fund of the State treasury, except as provided in subsection (g) of Section 27 of this Act.

(c-5) Beginning January 1, 2000, the sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be evenly distributed to the purse account of the organization licensee and the organization licensee.

(d) A pari-mutuel ticket shall be honored until December 31 of the next calendar year, and the licensee shall pay the same and may charge the amount thereof against unpaid money similarly accumulated on account of pari-mutuel tickets not presented for payment.

(e) No licensee shall knowingly permit any minor, other than an employee of such licensee or an owner, trainer, jockey, driver, or employee thereof, to be admitted during a racing program unless accompanied by a parent or guardian, or any minor to be a patron of the pari-mutuel system of wagering conducted or supervised by it. The admission of any unaccompanied minor, other than an employee of the licensee or an owner, trainer, jockey, driver, or employee thereof at a race track is a Class C misdemeanor.

(f) Notwithstanding the other provisions of this Act, an organization licensee may contract with an entity in another state or country to permit any legal wagering entity in another state or country to accept wagers solely within such other state or country on races conducted by the organization licensee in this State. Beginning January 1, 2000, these wagers shall not be subject to State taxation. Until January 1, 2000, when the out-of-State entity conducts a pari-mutuel pool separate from the organization licensee, a privilege tax equal to 7 1/2% of all monies received by the organization licensee from entities in other states or countries pursuant to such contracts is imposed on the organization licensee, and such privilege tax shall be remitted to the Department of Revenue within 48 hours of receipt of the moneys from the simulcast. When the out-of-State entity conducts a combined pari-mutuel pool with the organization licensee, the tax shall be 10% of all monies received by the organization licensee with 25% of the receipts from this 10% tax to be distributed to the county in which the race was conducted.

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An organization licensee may permit one or more of its races to be utilized for pari-mutuel wagering at one or more locations in other states and may transmit audio and visual signals of races the organization licensee conducts to one or more locations outside the State or country and may also permit pari-mutuel pools in other states or countries to be combined with its gross or net wagering pools or with wagering pools established by other states.

(g) A host track may accept interstate simulcast wagers on horse races conducted in other states or countries and shall control the number of signals and types of breeds of racing in its simulcast program, subject to the disapproval of the Board. The Board may prohibit a simulcast program only if it finds that the simulcast program is clearly adverse to the integrity of racing. The host track simulcast program shall include the signal of live racing of all organization licensees. All non-host licensees and advance deposit wagering licensees shall carry the signal of and accept wagers on live racing of all organization licensees. Advance deposit wagering licensees shall not be permitted to accept out-of-state wagers on any Illinois signal provided pursuant to this Section without the approval and consent of the organization licensee providing the signal. For one year after the effective date of this amendatory Act of the 98th General Assembly, non-host licensees may carry the host track simulcast program and shall accept wagers on all races included as part of the simulcast program of horse races conducted at race tracks located within North America upon which wagering is permitted. For a period of one year after the effective date of this amendatory Act of the 98th General Assembly, on horse races conducted at race tracks located outside of North America, non-host licensees may accept wagers on all races included as part of the simulcast program upon which wagering is permitted. Beginning one year after the effective date of this amendatory Act of the 98th General Assembly, non-host licensees may carry the host track simulcast program and shall accept wagers on all races included as part of the simulcast program upon which wagering is permitted. All organization licensees shall provide their live signal to all advance deposit wagering licensees for a simulcast commission fee not to exceed 6% of the advance deposit wagering licensee's Illinois handle on the organization licensee's signal without prior approval by the Board. The Board may adopt rules under which it may permit simulcast commission fees in excess of 6%. The Board shall adopt rules limiting the interstate commission fees charged to an advance deposit wagering licensee. The Board shall adopt rules regarding advance deposit wagering on interstate simulcast races that shall reflect,
among other things, the General Assembly's desire to maximize revenues to the State, horsemen purses, and organizational licensees. However, organization licensees providing live signals pursuant to the requirements of this subsection (g) may petition the Board to withhold their live signals from an advance deposit wagering licensee if the organization licensee discovers and the Board finds reputable or credible information that the advance deposit wagering licensee is under investigation by another state or federal governmental agency, the advance deposit wagering licensee's license has been suspended in another state, or the advance deposit wagering licensee's license is in revocation proceedings in another state. The organization licensee's provision of their live signal to an advance deposit wagering licensee under this subsection (g) pertains to wagers placed from within Illinois. Advance deposit wagering licensees may place advance deposit wagering terminals at wagering facilities as a convenience to customers. The advance deposit wagering licensee shall not charge or collect any fee from purses for the placement of the advance deposit wagering terminals. The costs and expenses of the host track and non-host licensees associated with interstate simulcast wagering, other than the interstate commission fee, shall be borne by the host track and all non-host licensees incurring these costs. The interstate commission fee shall not exceed 5% of Illinois handle on the interstate simulcast race or races without prior approval of the Board. The Board shall promulgate rules under which it may permit interstate commission fees in excess of 5%. The interstate commission fee and other fees charged by the sending racetrack, including, but not limited to, satellite decoder fees, shall be uniformly applied to the host track and all non-host licensees.

Notwithstanding any other provision of this Act, until February 1, 2017, an organization licensee, with the consent of the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting, may maintain a system whereby advance deposit wagering may take place or an organization licensee, with the consent of the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting, may contract with another person to carry out a system of advance deposit wagering. Such consent may not be unreasonably withheld. Only with respect to an appeal to the Board that consent for an organization licensee that maintains its own advance deposit wagering system is being unreasonably withheld, the Board shall issue a final order within 30 days after initiation of

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the appeal, and the organization licensee's advance deposit wagering system may remain operational during that 30-day period. The actions of any organization licensee who conducts advance deposit wagering or any person who has a contract with an organization licensee to conduct advance deposit wagering who conducts advance deposit wagering on or after January 1, 2013 and prior to the effective date of this amendatory Act of the 98th General Assembly taken in reliance on the changes made to this subsection (g) by this amendatory Act of the 98th General Assembly are hereby validated, provided payment of all applicable pari-mutuel taxes are remitted to the Board. All advance deposit wagers placed from within Illinois must be placed through a Board-approved advance deposit wagering licensee; no other entity may accept an advance deposit wager from a person within Illinois. All advance deposit wagering is subject to any rules adopted by the Board. The Board may adopt rules necessary to regulate advance deposit wagering through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate advance deposit wagering is deemed an emergency and necessary for the public interest, safety, and welfare. An advance deposit wagering licensee may retain all moneys as agreed to by contract with an organization licensee. Any moneys retained by the organization licensee from advance deposit wagering, not including moneys retained by the advance deposit wagering licensee, shall be paid 50% to the organization licensee's purse account and 50% to the organization licensee. With the exception of any organization licensee that is owned by a publicly traded company that is incorporated in a state other than Illinois and advance deposit wagering licensees under contract with such organization licensees, organization licensees that maintain advance deposit wagering systems and advance deposit wagering licensees that contract with organization licensees shall provide sufficiently detailed monthly accountings to the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting so that the horsemen association, as an interested party, can confirm the accuracy of the amounts paid to the purse account at the horsemen association's affiliated organization licensee from advance deposit wagering. If more than one breed races at the same race track facility, then the 50% of the moneys to be paid to an organization licensee's purse account shall be allocated among all organization licensees' purse accounts operating at that race track facility proportionately based on the actual number of host days that the Board grants to that breed at that race track facility in the current calendar year. To the

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extent any fees from advance deposit wagering conducted in Illinois for wagers in Illinois or other states have been placed in escrow or otherwise withheld from wagers pending a determination of the legality of advance deposit wagering, no action shall be brought to declare such wagers or the disbursement of any fees previously escrowed illegal.

(1) Between the hours of 6:30 a.m. and 6:30 p.m. an intertrack wagering licensee other than the host track may supplement the host track simulcast program with additional simulcast races or race programs, provided that between January 1 and the third Friday in February of any year, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, only thoroughbred races may be used for supplemental interstate simulcast purposes. The Board shall withhold approval for a supplemental interstate simulcast only if it finds that the simulcast is clearly adverse to the integrity of racing. A supplemental interstate simulcast may be transmitted from an intertrack wagering licensee to its affiliated non-host licensees. The interstate commission fee for a supplemental interstate simulcast shall be paid by the non-host licensee and its affiliated non-host licensees receiving the simulcast.

(2) Between the hours of 6:30 p.m. and 6:30 a.m. an intertrack wagering licensee other than the host track may receive supplemental interstate simulcasts only with the consent of the host track, except when the Board finds that the simulcast is clearly adverse to the integrity of racing. Consent granted under this paragraph (2) to any intertrack wagering licensee shall be deemed consent to all non-host licensees. The interstate commission fee for the supplemental interstate simulcast shall be paid by all participating non-host licensees.

(3) Each licensee conducting interstate simulcast wagering may retain, subject to the payment of all applicable taxes and the purses, an amount not to exceed 17% of all money wagered. If any licensee conducts the pari-mutuel system wagering on races conducted at racetracks in another state or country, each such race or race program shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax of that daily handle as provided in subsection (a) of Section 27. Until January 1, 2000, from the sums permitted to be retained pursuant to this subsection, each intertrack wagering location licensee shall pay 1% of the pari-mutuel handle wagered on simulcast wagering to the

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Horse Racing Tax Allocation Fund, subject to the provisions of subparagraph (B) of paragraph (11) of subsection (h) of Section 26 of this Act.

(4) A licensee who receives an interstate simulcast may combine its gross or net pools with pools at the sending racetracks pursuant to rules established by the Board. All licensees combining their gross pools at a sending racetrack shall adopt the take-out percentages of the sending racetrack. A licensee may also establish a separate pool and takeout structure for wagering purposes on races conducted at race tracks outside of the State of Illinois. The licensee may permit pari-mutuel wagers placed in other states or countries to be combined with its gross or net wagering pools or other wagering pools.

(5) After the payment of the interstate commission fee (except for the interstate commission fee on a supplemental interstate simulcast, which shall be paid by the host track and by each non-host licensee through the host-track) and all applicable State and local taxes, except as provided in subsection (g) of Section 27 of this Act, the remainder of moneys retained from simulcast wagering pursuant to this subsection (g), and Section 26.2 shall be divided as follows:

(A) For interstate simulcast wagers made at a host track, 50% to the host track and 50% to purses at the host track.

(B) For wagers placed on interstate simulcast races, supplemental simulcasts as defined in subparagraphs (1) and (2), and separately pooled races conducted outside of the State of Illinois made at a non-host licensee, 25% to the host track, 25% to the non-host licensee, and 50% to the purses at the host track.

(6) Notwithstanding any provision in this Act to the contrary, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River may receive supplemental interstate simulcast races at all times subject to Board approval, which shall be withheld only upon a finding that a supplemental interstate simulcast is clearly adverse to the integrity of racing.

(7) Notwithstanding any provision of this Act to the contrary, after payment of all applicable State and local taxes and interstate commission fees, non-host licensees who derive their licenses from
a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain 50% of the retention from interstate simulcast wagers and shall pay 50% to purses at the track from which the non-host licensee derives its license as follows:

(A) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, when the interstate simulcast is a standardbred race, the purse share to its standardbred purse account;

(B) Between January 1 and the third Friday in February, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, and the interstate simulcast is a thoroughbred race, the purse share to its interstate simulcast purse pool to be distributed under paragraph (10) of this subsection (g);

(C) Between January 1 and the third Friday in February, inclusive, if live thoroughbred racing is occurring in Illinois, between 6:30 a.m. and 6:30 p.m. the purse share from wagers made during this time period to its thoroughbred purse account and between 6:30 p.m. and 6:30 a.m. the purse share from wagers made during this time period to its standardbred purse accounts;

(D) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 a.m. and 6:30 p.m., the purse share to its thoroughbred purse account;

(E) Between the third Saturday in February and December 31, when the interstate simulcast occurs between the hours of 6:30 p.m. and 6:30 a.m., the purse share to its standardbred purse account.

(7.1) Notwithstanding any other provision of this Act to the contrary, if no standardbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during that calendar year shall be paid as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing

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(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund and shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. The moneys deposited into the Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with other moneys paid into that Fund. The moneys deposited pursuant to this subparagraph (B) shall be allocated as provided by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board.

(7.2) Notwithstanding any other provision of this Act to the contrary, if no thoroughbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 a.m. and 6:30 p.m. during that calendar year shall be deposited as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be deposited into its standardbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund. Moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be paid to Illinois conceived and foaled thoroughbred breeders’ programs and to thoroughbred purses for races conducted at any county fairgrounds for Illinois conceived and foaled horses at the discretion of the Department of Agriculture, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board. The moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys
paid to thoroughbred purses under this Act, and shall not be commingled with other moneys deposited into that Fund.

(7.3) If no live standardbred racing is conducted at a racetrack located in Madison County in calendar year 2000 or 2001, an organization licensee who is licensed to conduct horse racing at that racetrack shall, before January 1, 2002, pay all moneys derived from simulcast wagering and inter-track wagering in calendar years 2000 and 2001 and paid into the licensee's standardbred purse account as follows:

(A) Eighty percent to that licensee's thoroughbred purse account to be used for thoroughbred purses; and
(B) Twenty percent to the Illinois Colt Stakes Purse Distribution Fund.

Failure to make the payment to the Illinois Colt Stakes Purse Distribution Fund before January 1, 2002 shall result in the immediate revocation of the licensee's organization license, inter-track wagering license, and inter-track wagering location license.

Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. Moneys paid into the Illinois Colt Stakes Purse Distribution Fund pursuant to this paragraph (7.3) shall be used as determined by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with any other moneys paid into that Fund.

(7.4) If live standardbred racing is conducted at a racetrack located in Madison County at any time in calendar year 2001 before the payment required under paragraph (7.3) has been made, the organization licensee who is licensed to conduct racing at that racetrack shall pay all moneys derived by that racetrack from simulcast wagering and inter-track wagering during calendar years 2000 and 2001 that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or 2001 to the standardbred purse account at that racetrack to be used for standardbred purses.

(8) Notwithstanding any provision in this Act to the contrary, an organization licensee from a track located in a county with a

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population in excess of 230,000 and that borders the Mississippi River and its affiliated non-host licensees shall not be entitled to share in any retention generated on racing, inter-track wagering, or simulcast wagering at any other Illinois wagering facility.

(8.1) Notwithstanding any provisions in this Act to the contrary, if 2 organization licensees are conducting standardbred race meetings concurrently between the hours of 6:30 p.m. and 6:30 a.m., after payment of all applicable State and local taxes and interstate commission fees, the remainder of the amount retained from simulcast wagering otherwise attributable to the host track and to host track purses shall be split daily between the 2 organization licensees and the purses at the tracks of the 2 organization licensees, respectively, based on each organization licensee's share of the total live handle for that day, provided that this provision shall not apply to any non-host licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) The Board shall have authority to compel all host tracks to receive the simulcast of any or all races conducted at the Springfield or DuQuoin State fairgrounds and include all such races as part of their simulcast programs.

(13) Notwithstanding any other provision of this Act, in the event that the total Illinois pari-mutuel handle on Illinois horse races at all wagering facilities in any calendar year is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at all such wagering facilities for calendar year 1994, then each wagering facility that has an annual total Illinois pari-mutuel handle on Illinois horse races that is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at such wagering facility for calendar year 1994, shall be permitted to receive, from any amount otherwise payable to the purse account at the race track with which the wagering facility is affiliated in the succeeding calendar year, an amount equal to 2% of the differential in total Illinois pari-mutuel handle on Illinois horse races at the wagering facility between that calendar year in question and 1994 provided, however, that a wagering facility shall not be entitled to any such payment until the Board certifies in writing to the

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wagering facility to which the wagering facility is entitled and a schedule for payment of the amount to the wagering facility, based on: (i) the racing dates awarded to the race track affiliated with the wagering facility during the succeeding year; (ii) the sums available or anticipated to be available in the purse account of the race track affiliated with the wagering facility for purses during the succeeding year; and (iii) the need to ensure reasonable purse levels during the payment period. The Board's certification shall be provided no later than January 31 of the succeeding year. In the event a wagering facility entitled to a payment under this paragraph (13) is affiliated with a race track that maintains purse accounts for both standardbred and thoroughbred racing, the amount to be paid to the wagering facility shall be divided between each purse account pro rata, based on the amount of Illinois handle on Illinois standardbred and thoroughbred racing respectively at the wagering facility during the previous calendar year. Annually, the General Assembly shall appropriate sufficient funds from the General Revenue Fund to the Department of Agriculture for payment into the thoroughbred and standardbred horse racing purse accounts at Illinois pari-mutuel tracks. The amount paid to each purse account shall be the amount certified by the Illinois Racing Board in January to be transferred from each account to each eligible racing facility in accordance with the provisions of this Section.

(h) The Board may approve and license the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees subject to the following terms and conditions:

(1) Any person licensed to conduct a race meeting (i) at a track where 60 or more days of racing were conducted during the immediately preceding calendar year or where over the 5 immediately preceding calendar years an average of 30 or more days of racing were conducted annually may be issued an inter-track wagering license; (ii) at a track located in a county that is bounded by the Mississippi River, which has a population of less than 150,000 according to the 1990 decennial census, and an average of at least 60 days of racing per year between 1985 and 1993 may be issued an inter-track wagering license; or (iii) at a track located in Madison County that conducted at least 100 days of live racing during the immediately preceding calendar year may be issued an inter-track wagering license.

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wagering license, unless a lesser schedule of live racing is the result of (A) weather, unsafe track conditions, or other acts of God; (B) an agreement between the organization licensee and the associations representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting; or (C) a finding by the Board of extraordinary circumstances and that it was in the best interest of the public and the sport to conduct fewer than 100 days of live racing. Any such person having operating control of the racing facility may also receive up to 6 inter-track wagering location licenses. In no event shall more than 6 inter-track wagering locations be established for each eligible race track, except that an eligible race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River may establish up to 7 inter-track wagering locations and an eligible race track located in Cook County may establish up to 8 inter-track wagering locations. An application for said license shall be filed with the Board prior to such dates as may be fixed by the Board. With an application for an inter-track wagering location license there shall be delivered to the Board a certified check or bank draft payable to the order of the Board for an amount equal to $500. The application shall be on forms prescribed and furnished by the Board. The application shall comply with all other rules, regulations and conditions imposed by the Board in connection therewith.

(2) The Board shall examine the applications with respect to their conformity with this Act and the rules and regulations imposed by the Board. If found to be in compliance with the Act and rules and regulations of the Board, the Board may then issue a license to conduct inter-track wagering and simulcast wagering to such applicant. All such applications shall be acted upon by the Board at a meeting to be held on such date as may be fixed by the Board.

(3) In granting licenses to conduct inter-track wagering and simulcast wagering, the Board shall give due consideration to the best interests of the public, of horse racing, and of maximizing revenue to the State.

(4) Prior to the issuance of a license to conduct inter-track wagering and simulcast wagering, the applicant shall file with the Board a bond payable to the State of Illinois in the sum of $50,000, executed by the applicant and a surety company or companies authorized to do business in this State, and conditioned upon (i) the

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payment by the licensee of all taxes due under Section 27 or 27.1 and any other monies due and payable under this Act, and (ii) distribution by the licensee, upon presentation of the winning ticket or tickets, of all sums payable to the patrons of pari-mutuel pools.

(5) Each license to conduct inter-track wagering and simulcast wagering shall specify the person to whom it is issued, the dates on which such wagering is permitted, and the track or location where the wagering is to be conducted.

(6) All wagering under such license is subject to this Act and to the rules and regulations from time to time prescribed by the Board, and every such license issued by the Board shall contain a recital to that effect.

(7) An inter-track wagering licensee or inter-track wagering location licensee may accept wagers at the track or location where it is licensed, or as otherwise provided under this Act.

(8) Inter-track wagering or simulcast wagering shall not be conducted at any track less than 5 miles from a track at which a racing meeting is in progress.

(8.1) Inter-track wagering location licensees who derive their licenses from a particular organization licensee shall conduct inter-track wagering and simulcast wagering only at locations that are either within 90 miles of that race track where the particular organization licensee is licensed to conduct racing, or within 140 miles of that race track where the particular organization licensee is licensed to conduct racing in the case of race tracks in counties of less than 400,000 that were operating on or before June 1, 1986. However, inter-track wagering and simulcast wagering shall not be conducted by those licensees at any location within 5 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person having operating control of such race track has given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made. In the case of any inter-track wagering location licensee initially licensed after December 31, 2013, inter-track wagering and simulcast wagering shall not be conducted by those inter-track wagering location licensees that are located outside the City of Chicago at any location within 8 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person having operating control of such race track has been licensed in the current year, unless the person having operating control of such race track has

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given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made.

(8.2) Inter-track wagering or simulcast wagering shall not be conducted by an inter-track wagering location licensee at any location within 500 feet of an existing church or existing school, nor within 500 feet of the residences of more than 50 registered voters without receiving written permission from a majority of the registered voters at such residences. Such written permission statements shall be filed with the Board. The distance of 500 feet shall be measured to the nearest part of any building used for worship services, education programs, residential purposes, or conducting inter-track wagering by an inter-track wagering location licensee, and not to property boundaries. However, inter-track wagering or simulcast wagering may be conducted at a site within 500 feet of a church, school or residences of 50 or more registered voters if such church, school or residences have been erected or established, or such voters have been registered, after the Board issues the original inter-track wagering location license at the site in question. Inter-track wagering location licensees may conduct inter-track wagering and simulcast wagering only in areas that are zoned for commercial or manufacturing purposes or in areas for which a special use has been approved by the local zoning authority. However, no license to conduct inter-track wagering and simulcast wagering shall be granted by the Board with respect to any inter-track wagering location within the jurisdiction of any local zoning authority which has, by ordinance or by resolution, prohibited the establishment of an inter-track wagering location within its jurisdiction. However, inter-track wagering and simulcast wagering may be conducted at a site if such ordinance or resolution is enacted after the Board licenses the original inter-track wagering location licensee for the site in question.

(9) (Blank).

(10) An inter-track wagering licensee or an inter-track wagering location licensee may retain, subject to the payment of the privilege taxes and the purses, an amount not to exceed 17% of all money wagered. Each program of racing conducted by each inter-track wagering licensee or inter-track wagering location licensee shall be considered a separate racing day for the purpose of determining the
daily handle and computing the privilege tax or pari-mutuel tax on such daily handle as provided in Section 27.

(10.1) Except as provided in subsection (g) of Section 27 of this Act, inter-track wagering location licensees shall pay 1% of the pari-mutuel handle at each location to the municipality in which such location is situated and 1% of the pari-mutuel handle at each location to the county in which such location is situated. In the event that an inter-track wagering location licensee is situated in an unincorporated area of a county, such licensee shall pay 2% of the pari-mutuel handle from such location to such county.

(10.2) Notwithstanding any other provision of this Act, with respect to intertrack wagering at a race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River ("the first race track"), or at a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, on races conducted at the first race track or on races conducted at another Illinois race track and simultaneously televised to the first race track or to a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, those moneys shall be allocated as follows:

(A) That portion of all moneys wagered on standardbred racing that is required under this Act to be paid to purses shall be paid to purses for standardbred races.

(B) That portion of all moneys wagered on thoroughbred racing that is required under this Act to be paid to purses shall be paid to purses for thoroughbred races.

(11) (A) After payment of the privilege or pari-mutuel tax, any other applicable taxes, and the costs and expenses in connection with the gathering, transmission, and dissemination of all data necessary to the conduct of inter-track wagering, the remainder of the monies retained under either Section 26 or Section 26.2 of this Act by the inter-track wagering licensee on inter-track wagering shall be allocated with 50% to be split between the 2 participating licensees and 50% to purses, except that an intertrack wagering licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not

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divide any remaining retention with the Illinois organization licensee that provides the race or races, and an intertrack wagering licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with that organization licensee.

(B) From the sums permitted to be retained pursuant to this Act each inter-track wagering location licensee shall pay (i) the privilege or pari-mutuel tax to the State; (ii) 4.75% of the pari-mutuel handle on intertrack wagering at such location on races as purses, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain all purse moneys for its own purse account consistent with distribution set forth in this subsection (h), and intertrack wagering location licensees that accept wagers on races conducted by an organization licensee located in a county with a population in excess of 230,000 and that borders the Mississippi River shall distribute all purse moneys to purses at the operating host track; (iii) until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, 1% of the pari-mutuel handle wagered on inter-track wagering and simulcast wagering at each inter-track wagering location licensee facility to the Horse Racing Tax Allocation Fund, provided that, to the extent the total amount collected and distributed to the Horse Racing Tax Allocation Fund under this subsection (h) during any calendar year exceeds the amount collected and distributed to the Horse Racing Tax Allocation Fund during calendar year 1994, that excess amount shall be redistributed (I) to all inter-track wagering location licensees, based on each licensee's pro-rata share of the total handle from inter-track wagering and simulcast wagering for all inter-track wagering location licensees during the calendar year in which this provision is applicable; then (II) the amounts redistributed to each inter-track wagering location licensee as described in subpart (I) shall be further redistributed as provided in subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 provided first, that the shares of those amounts, which are to be redistributed to the host track or to purses at the host track under subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 shall be redistributed based on each host track's pro rata share of the total inter-track wagering and

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simulcast wagering handle at all host tracks during the calendar year in question, and second, that any amounts redistributed as described in part (I) to an inter-track wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall be further redistributed as provided in subparagraphs (D) and (E) of paragraph (7) of subsection (g) of this Section 26, with the portion of that further redistribution allocated to purses at that organization licensee to be divided between standardbred purses and thoroughbred purses based on the amounts otherwise allocated to purses at that organization licensee during the calendar year in question; and (iv) 8% of the pari-mutuel handle on inter-track wagering wagered at such location to satisfy all costs and expenses of conducting its wagering. The remainder of the monies retained by the inter-track wagering location licensee shall be allocated 40% to the location licensee and 60% to the organization licensee which provides the Illinois races to the location, except that an intertrack wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee that provides the race or races and an intertrack wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee. Notwithstanding the provisions of clauses (ii) and (iv) of this paragraph, in the case of the additional inter-track wagering location licenses authorized under paragraph (1) of this subsection (h) by this amendatory Act of 1991, those licensees shall pay the following amounts as purses: during the first 12 months the licensee is in operation, 5.25% of the pari-mutuel handle wagered at the location on races; during the second 12 months, 5.25%; during the third 12 months, 5.75%; during the fourth 12 months, 6.25%; and during the fifth 12 months and thereafter, 6.75%. The following amounts shall be retained by the licensee to satisfy all costs and expenses of conducting its wagering: during the first 12 months the licensee is in operation, 8.25% of the pari-mutuel handle wagered at the location; during the second 12 months, 8.25%; during the third 12 months, 7.75%; during the fourth 12 months, 7.25%; and during the
fifth 12 months and thereafter, 6.75%. For additional intertrack wagering location licensees authorized under this amendatory Act of 1995, purses for the first 12 months the licensee is in operation shall be 5.75% of the pari-mutuel wagered at the location, purses for the second 12 months the licensee is in operation shall be 6.25%, and purses thereafter shall be 6.75%. For additional intertrack location licensees authorized under this amendatory Act of 1995, the licensee shall be allowed to retain to satisfy all costs and expenses: 7.75% of the pari-mutuel handle wagered at the location during its first 12 months of operation, 7.25% during its second 12 months of operation, and 6.75% thereafter.

(C) There is hereby created the Horse Racing Tax Allocation Fund which shall remain in existence until December 31, 1999. Moneys remaining in the Fund after December 31, 1999 shall be paid into the General Revenue Fund. Until January 1, 2000, all monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) by inter-track wagering location licensees located in park districts of 500,000 population or less, or in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, and operating on May 1, 1994 shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that

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Association; a representative of the Horsemens's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to park districts or municipalities that do not have a park district of 500,000 population or less for museum purposes (if an inter-track wagering location licensee is located in such a park district) or to conservation districts for museum purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, except that if the conservation district does not maintain a museum, the monies shall be allocated equally between the county and the municipality in which the inter-track wagering location licensee is located for general purposes) or to a municipal recreation board for park purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district and park maintenance is the function of the municipal recreation board and the municipality has a 1990 population of 9,302 according to the United States Bureau of the Census); provided that the monies are distributed to each park district or conservation

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district or municipality that does not have a park district in an amount equal to four-sevenths of the amount collected by each inter-track wagering location licensee within the park district or conservation district or municipality for the Fund. Monies that were paid into the Horse Racing Tax Allocation Fund before the effective date of this amendatory Act of 1991 by an inter-track wagering location licensee located in a municipality that is not included within any park district but is included within a conservation district as provided in this paragraph shall, as soon as practicable after the effective date of this amendatory Act of 1991, be allocated and paid to that conservation district as provided in this paragraph. Any park district or municipality not maintaining a museum may deposit the monies in the corporate fund of the park district or municipality where the inter-track wagering location is located, to be used for general purposes; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967.

Until January 1, 2000, all other monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that

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Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to museums and aquariums located in park districts of over 500,000 population; provided that the monies are distributed in accordance with the previous year's distribution of the maintenance tax for such museums and aquariums as provided in Section 2 of the Park District Aquarium and Museum Act; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967. This subparagraph (C) shall be inoperative and of no force and effect on and after January 1, 2000.

(D) Except as provided in paragraph (11) of this subsection (h), with respect to purse allocation from intertrack wagering, the monies so retained shall be divided as follows:

(i) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license

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from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is not conducting its own race meeting during the same dates, then the entire purse allocation shall be to purses at the track where the races wagered on are being conducted.

(ii) If the inter-track wagering licensee, except an intertrack wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is also conducting its own race meeting during the same dates, then the purse allocation shall be as follows: 50% to purses at the track where the races wagered on are being conducted; 50% to purses at the track where the intertrack wagering licensee is accepting such wagers.

(iii) If the inter-track wagering is being conducted by an inter-track wagering location licensee, except an intertrack wagering location licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, the entire purse allocation for Illinois races shall be to purses at the track where the race meeting being wagered on is being held.

(12) The Board shall have all powers necessary and proper to fully supervise and control the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees, including, but not limited to the following:

(A) The Board is vested with power to promulgate reasonable rules and regulations for the purpose of administering the conduct of this wagering and to prescribe reasonable rules, regulations and conditions under which such wagering shall be held and conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of said wagering and to impose penalties for violations thereof.
(B) The Board, and any person or persons to whom it delegates this power, is vested with the power to enter the facilities of any licensee to determine whether there has been compliance with the provisions of this Act and the rules and regulations relating to the conduct of such wagering.

(C) The Board, and any person or persons to whom it delegates this power, may eject or exclude from any licensee's facilities, any person whose conduct or reputation is such that his presence on such premises may, in the opinion of the Board, call into the question the honesty and integrity of, or interfere with the orderly conduct of such wagering; provided, however, that no person shall be excluded or ejected from such premises solely on the grounds of race, color, creed, national origin, ancestry, or sex.

(D) (Blank).

(E) The Board is vested with the power to appoint delegates to execute any of the powers granted to it under this Section for the purpose of administering this wagering and any rules and regulations promulgated in accordance with this Act.

(F) The Board shall name and appoint a State director of this wagering who shall be a representative of the Board and whose duty it shall be to supervise the conduct of inter-track wagering as may be provided for by the rules and regulations of the Board; such rules and regulations shall specify the method of appointment and the Director's powers, authority and duties.

(G) The Board is vested with the power to impose civil penalties of up to $5,000 against individuals and up to $10,000 against licensees for each violation of any provision of this Act relating to the conduct of this wagering, any rules adopted by the Board, any order of the Board or any other action which in the Board's discretion, is a detriment or impediment to such wagering.

(13) The Department of Agriculture may enter into agreements with licensees authorizing such licensees to conduct inter-track wagering on races to be held at the licensed race meetings conducted by the Department of Agriculture. Such agreement shall specify the races of the Department of Agriculture's licensed race

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meeting upon which the licensees will conduct wagering. In the event that a licensee conducts inter-track pari-mutuel wagering on races from the Illinois State Fair or DuQuoin State Fair which are in addition to the licensee's previously approved racing program, those races shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege or pari-mutuel tax on that daily handle as provided in Sections 27 and 27.1. Such agreements shall be approved by the Board before such wagering may be conducted. In determining whether to grant approval, the Board shall give due consideration to the best interests of the public and of horse racing. The provisions of paragraphs (1), (8), (8.1), and (8.2) of subsection (h) of this Section which are not specified in this paragraph (13) shall not apply to licensed race meetings conducted by the Department of Agriculture at the Illinois State Fair in Sangamon County or the DuQuoin State Fair in Perry County, or to any wagering conducted on those race meetings.

(i) Notwithstanding the other provisions of this Act, the conduct of wagering at wagering facilities is authorized on all days, except as limited by subsection (b) of Section 19 of this Act.

(Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13; 98-624, eff. 1-29-14.)


PUBLIC ACT 98-0969
(Senate Bill No. 3322)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Intergovernmental Cooperation Act is amended by changing Section 6 as follows:

(5 ILCS 220/6) (from Ch. 127, par. 746)

Sec. 6. Joint self-insurance. An intergovernmental contract may, among other undertakings, authorize public agencies to jointly self-insure and authorize each public agency member of the contract to utilize its funds to pay to a joint insurance pool its costs and reserves to protect, wholly or

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partially, itself or any public agency member of the contract against liability or loss in the designated insurable area.

A joint insurance pool shall have an annual audit performed by an independent certified public accountant and shall file an annual audited financial report with the Director of Insurance no later than 150 days after the end of the pool's immediately preceding fiscal year. The Director of Insurance shall issue rules necessary to implement this audit and report requirement. The rule shall establish the due date for filing the initial annual audited financial report. Within 30 days after January 1, 1991, and within 30 days after each January 1 thereafter, public agencies that are jointly self-insured to protect against liability under the Workers' Compensation Act and the Workers' Occupational Diseases Act shall file with the Illinois Workers' Compensation Commission a report indicating an election to self-insure.

The joint insurance pool shall also annually file with the Director a statement of actuarial opinion that conforms to the Actuarial Standards of Practice issued by the Actuarial Standards Board. All statements of actuarial opinion shall be issued by an independent actuary who is an associate or fellow of the Casualty Actuarial Society or of the Society of Actuaries. The statement of actuarial opinion shall include a statement in a casualty actuarial society that the pool's reserves are calculated in accordance with sound loss-reserving standards and adequate for the payment of claims. This opinion shall be filed no later than 150 days after the end of each fiscal year. The joint insurance pool shall be exempt from filing a statement of actuarial opinion by an independent actuary who is an associate or fellow of the Casualty Actuarial Society or of the Society of Actuaries in a casualty actuarial society that the joint insurance pool's reserves are in accordance with sound loss-reserving standards and payment of claims for the primary level of coverage if the joint insurance pool files with the Director, by the reporting deadline, a statement of actuarial opinion from the provider of the joint pool's aggregate coverage, reinsurance, or other similar excess insurance coverage. Any statement of actuarial opinion must be prepared by an actuary who satisfies the qualification standards set forth by the American Academy of Actuaries to issue the opinion in the particular area of actuarial practice.

The Director may assess penalties against a joint insurance pool that fails to comply with the auditing, statement of actuarial opinion, and examination requirements of this Section in an amount equal to $500 per day for each violation, up to a maximum of $10,000 for each violation. The Director (or his or her staff) or a Director-selected independent auditor (or actuarial firm) that is not owned or affiliated with an insurance brokerage

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firm, insurance company, or other insurance industry affiliated entity may examine, as often as the Director deems advisable, the affairs, transactions, accounts, records, and assets and liabilities of each joint insurance pool that fails to comply with this Section. The joint insurance pool shall cooperate fully with the Director's representatives in all evaluations and audits of the joint insurance pool and resolve issues raised in those evaluations and audits. The failure to resolve those issues may constitute a violation of this Section, and may, after notice and an opportunity to be heard, result in the imposition of penalties pursuant to this Section. No sanctions under this Section may become effective until 30 days after the date that a notice of sanctions is delivered by registered or certified mail to the joint insurance pool. The Director shall have the authority to extend the time for filing any statement by any joint insurance pool for reasons that he or she considers good and sufficient.

If a joint insurance pool requires a member to submit written notice in order for the member to withdraw from a qualified pool, then the period in which the member must provide the written notice cannot be greater than 120 days, except that this requirement applies only to joint insurance pool agreements entered into, modified, or renewed on or after the effective date of this amendatory Act of the 98th General Assembly.

For purposes of this Section, "public agency member" means any public agency defined or created under this Act, any local public entity as defined in Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act, and any public agency, authority, instrumentality, council, board, service region, district, unit, bureau, or, commission, or any municipal corporation, college, or university, whether corporate or otherwise, and any other local governmental body or similar entity that is presently existing or created after the effective date of this amendatory Act of the 92nd General Assembly, whether or not specified in this Section. Only public agency members with tax receipts, tax revenues, taxing authority, or other resources sufficient to pay costs and to service debt related to intergovernmental activities described in this Section, or public agency members created by or as part of a public agency with these powers, may enter into contracts or otherwise associate among themselves as permitted in this Section.

No joint insurance pool or other intergovernmental cooperative offering health insurance shall interfere with the statutory obligation of any public agency member to bargain over or to reach agreement with a labor organization over a mandatory subject of collective bargaining as those terms...
are used in the Illinois Public Labor Relations Act. No intergovernmental contract of insurance offering health insurance shall limit the rights or obligations of public agency members to engage in collective bargaining, and it shall be unlawful for a joint insurance pool or other intergovernmental cooperative offering health insurance to discriminate against public agency members or otherwise retaliate against such members for limiting their participation in a joint insurance pool as a result of a collective bargaining agreement.

It shall not be considered a violation of this Section for an intergovernmental contract of insurance relating to health insurance coverage, life insurance coverage, or both to permit the pool or cooperative, if a member withdraws employees or officers into a union-sponsored program, to re-price the costs of benefits provided to the continuing employees or officers based upon the same underwriting criteria used by that pool or cooperative in the normal course of its business, but no member shall be expelled from a pool or cooperative if the continuing employees or officers meet the general criteria required of other members.

(Source: P.A. 98-504, eff. 1-1-14.)

Section 10. The Illinois Insurance Code is amended by changing Sections 26, 53, 174, and 245.1 as follows:

(215 ILCS 5/26) (from Ch. 73, par. 638)  
Sec. 26. Deposit.

(a) A company subject to the provisions of this Article shall make and maintain with the Director for the protection of all creditors, policyholders and policy obligations of the company, a deposit of securities which are authorized investments under Section 126.11A(1), 126.11A(2), 126.24A(1), or 126.24A(2) having a fair market value equal to the minimum capital and surplus required to be maintained under Section 13. The Director may release the required deposit of securities upon receipt of an order of a court having proper jurisdiction or upon: (i) certification by the company that it has no outstanding creditors, policyholders, or policy obligations in effect and no plans to engage in the business of insurance; (ii) receipt of a lawful resolution of the company's board of directors effecting the surrender of its articles of incorporation for administrative dissolution by the Director; and (iii) receipt of the name and forwarding address for each of the final officers and directors of the company, together with a plan of dissolution approved by the Director.

(b) All deposits by insurers subject to this Article must be limited to the following types:

New matter indicated by italics - deletions by strikeout
(1) United States government bonds, notes, and bills for which the full faith and credit of the government of the United States is pledged for the payment of principal and interest.

(2) United States public bonds and notes of any state or of the District of Columbia, or Canadian public bonds and notes of any province thereof, for which the full faith and credit of the issuer has been pledged for the payment of principal and interest.

(3) United States and Canadian county, provincial, municipal, and district bonds and notes for which the issuer has lawful authority to levy taxes or make assessments for the payment of principal and interest.

(4) Bonds and notes of any federal agency that are guaranteed as to payment of principal and interest by the United States.

(5) International development bank bonds, bonds issued by the State of Israel and sold through the Development Corporation for Israel or its successor entities, and notes issued, assumed, and guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, or the International Finance Corporation.

(6) Corporate bonds and notes of any private corporations that are not affiliates or subsidiaries of the insurer, which corporations are organized under the laws of the United States, Canada, any state, the District of Columbia, any territory or possession of the United States, or any province of Canada.

(7) Certificates of deposit.

(c) To be eligible for deposit under subsection (b), any bond or note must have the following characteristics:

(1) The bond or note must be interest-bearing or interest-accruing, and the insurer must be the exclusive owner of the interest accruing thereon and entitled to receive the interest for its account.

(2) The issuer must be in a solvent financial condition and the bond or note must not be in default.

(3) The bond, note, or debt of the issuing country must be rated in one of the 4 highest classifications by an established, nationally recognized investment rating service or must have been given a rating of 1 by the Securities Valuation Office of the National Association of Insurance Commissioners.

New matter indicated by italics - deletions by strikeout
(4) The market value of the bond or note must be readily ascertainable or the value of the bond or note must be obtainable by the insurer or its custodian from the issuer's fiscal agent.

(5) The bond or note must be the direct obligation of the issuer.

(6) The bond or note must be stated in United States dollar denominations.

(7) The bond or note must be eligible for book-entry form on the books of the Federal Reserve's book-entry system or in a depository trust clearing system or on the books of the issuer's transfer agent or evidenced by a certificate delivered to the insurer or its custodian.

(d) To be eligible for deposit under item (7) of subsection (b), a certificate of deposit must have the following characteristics:

(1) The certificate of deposit must be issued by a bank, savings bank, or savings association that is organized under the laws of the United States, of this State, or of any other state and that has a principal office or branch office in this State that is authorized to receive deposits in this State.

(2) The certificate of deposit must be interest-bearing and may not be issued in discounted form.

(3) The certificate of deposit must be issued for a period of not less than one year.

(4) The issuing bank, savings bank, or savings association must agree to the terms and conditions of the Director regarding the rights to the certificate of deposit and must have executed a written certificate of deposit agreement with the Director. The terms and conditions of the agreement shall include, but need not be limited to:

(A) Exclusive authorized signature authority for the chief financial officer.

(B) An agreement to pay, without protest, the proceeds of its certificate of deposit to the Director within 30 business days after presentation.

(C) A prohibition against levies, setoffs, survivorship, or other conditions that might hinder the Director's ability to recover the full face value of a certificate of deposit.

(D) Instructions regarding interest payments, renewals, taxpayer identification, and early withdrawal penalties.
(E) An agreement to be subject to the jurisdiction of the courts of this State, or those of the United States that are located in this State, for the purposes of any litigation arising out of this Section.

(F) Such other conditions as the Director requires.

(e) The Director may refuse to accept certain securities or refuse to accept the reported market value of certain securities offered pursuant to this Section in order to ensure that sufficient cash and securities are on hand to meet the purposes of the deposit. In making a refusal under this subsection (e), the guidelines for use of the Director may include, but need not be limited to, whether the market value of the securities cannot be readily ascertained and the lack of liquidity of the securities. Securities refused under this subsection (e) are not acceptable as deposits.

(f) All deposits required of a domestic insurer pursuant to the laws of another state, province, or country must be comprised of securities of the kinds required under subsection (b), having the characteristics required under subsections (c) and (d), and permitted by the laws of the other state, province, or country, except common stocks, mortgages or loans of any kind, real estate investment trust funds or programs, commercial paper, and letters of credit.

(Source: P.A. 98-110, eff. 1-1-14.)

(215 ILCS 5/53) (from Ch. 73, par. 665)

Sec. 53. Deposit.

(a) A company subject to the provisions of this Article shall make and maintain with the Director for the protection of all creditors, policyholders and policy obligations of the company, a deposit of securities which are authorized investments under Section 126.11A(1), 126.11A(2), 126.24A(1), or 126.24A(2) having a fair market value equal to the minimum surplus required to be maintained under Section 43. The Director may release the required deposit of securities upon receipt of an order of a court having proper jurisdiction or upon: (i) certification by the company that it has no outstanding creditors, policyholders, or policy obligations in effect and no plans to engage in the business of insurance; (ii) receipt of a lawful resolution of the company's board of directors effecting the surrender of its articles of incorporation for administrative dissolution by the Director; and (iii) receipt of the name and forwarding address for each of the final officers and directors of the company, together with a plan of dissolution approved by the Director.

(b) All deposits by insurers subject to this Article must be limited to the following types:

New matter indicated by italics - deletions by strikeout
(1) United States government bonds, notes, and bills for which the full faith and credit of the government of the United States is pledged for the payment of principal and interest.

(2) United States public bonds and notes of any state or of the District of Columbia, or Canadian public bonds and notes of any province thereof, for which the full faith and credit of the issuer has been pledged for the payment of principal and interest.

(3) United States and Canadian county, provincial, municipal, and district bonds and notes for which the issuer has lawful authority to levy taxes or make assessments for the payment of principal and interest.

(4) Bonds and notes of any federal agency that are guaranteed as to payment of principal and interest by the United States.

(5) International development bank bonds, bonds issued by the State of Israel and sold through the Development Corporation for Israel or its successor entities, and notes issued, assumed, and guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, or the International Finance Corporation.

(6) Corporate bonds and notes of any private corporations that are not affiliates or subsidiaries of the insurer, which corporations are organized under the laws of the United States, Canada, any state, the District of Columbia, any territory or possession of the United States, or any province of Canada.

(7) Certificates of deposit.

(c) To be eligible for deposit under subsection (b), any bond or note must have the following characteristics:

1. The bond or note must be interest-bearing or interest-accruing, and the insurer must be the exclusive owner of the interest accruing thereon and entitled to receive the interest for its account.
2. The issuer must be in a solvent financial condition and the bond or note must not be in default.
3. The bond, note, or debt of the issuing country must be rated in one of the 4 highest classifications by an established, nationally recognized investment rating service or must have been given a rating of 1 by the Securities Valuation Office of the National Association of Insurance Commissioners.

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(4) The market value of the bond or note must be readily ascertainable or the value of the bond or note must be obtainable by the insurer or its custodian from the issuer's fiscal agent.

(5) The bond or note must be the direct obligation of the issuer.

(6) The bond or note must be stated in United States dollar denominations.

(7) The bond or note must be eligible for book-entry form on the books of the Federal Reserve's book-entry system or in a depository trust clearing system or on the books of the issuer's transfer agent or evidenced by a certificate delivered to the insurer or its custodian.

(d) To be eligible for deposit under item (7) of subsection (b), a certificate of deposit must have the following characteristics:

(1) The certificate of deposit must be issued by a bank, savings bank, or savings association that is organized under the laws of the United States, of this State, or of any other state and that has a principal office or branch office in this State that is authorized to receive deposits in this State.

(2) The certificate of deposit must be interest-bearing and may not be issued in discounted form.

(3) The certificate of deposit must be issued for a period of not less than one year.

(4) The issuing bank, savings bank, or savings association must agree to the terms and conditions of the Director regarding the rights to the certificate of deposit and must have executed a written certificate of deposit agreement with the Director. The terms and conditions of the agreement shall include, but need not be limited to:

(A) Exclusive authorized signature authority for the chief financial officer.

(B) An agreement to pay, without protest, the proceeds of its certificate of deposit to the Director within 30 business days after presentation.

(C) A prohibition against levies, setoffs, survivorship, or other conditions that might hinder the Director's ability to recover the full face value of a certificate of deposit.

(D) Instructions regarding interest payments, renewals, taxpayer identification, and early withdrawal penalties.

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(E) An agreement to be subject to the jurisdiction of the courts of this State, or those of the United States that are located in this State, for the purposes of any litigation arising out of this Section.

(F) Such other conditions as the Director requires.

(e) The Director may refuse to accept certain securities or refuse to accept the reported market value of certain securities offered pursuant to this Section in order to ensure that sufficient cash and securities are on hand to meet the purposes of the deposit. In making a refusal under this subsection (e), the guidelines for use of the Director may include, but need not be limited to, whether the market value of the securities cannot be readily ascertained and the lack of liquidity of the securities. Securities refused under this subsection (e) are not acceptable as deposits.

(f) All deposits required of a domestic insurer pursuant to the laws of another state, province, or country must be comprised of securities of the kinds required under subsection (b), having the characteristics required under subsections (c) and (d), and permitted by the laws of the other state, province, or country, except common stocks, mortgages or loans of any kind, real estate investment trust funds or programs, commercial paper, and letters of credit. (Source: P.A. 98-110, eff. 1-1-14.)

(215 ILCS 5/174) (from Ch. 73, par. 786)

Sec. 174. Kinds of agreements requiring approval.

(1) The following kinds of reinsurance agreements shall not be entered into by any domestic company unless such agreements are approved in writing by the Director:

(a) Agreements of reinsurance of any such company transacting the kind or kinds of business enumerated in Class 1 of Section 4, or as a Fraternal Benefit Society under Article XVII, a Mutual Benefit Association under Article XVIII, a Burial Society under Article XIX or an Assessment Accident and Assessment Accident and Health Company under Article XXI, cedes previously issued and outstanding risks to any company, or cedes any risks to a company not authorized to transact business in this State, or assumes any outstanding risks on which the aggregate reserves and claim liabilities exceed 20 percent of the aggregate reserves and claim liabilities of the assuming company, as reported in the preceding annual statement, for the business of either life or accident and health insurance.

(b) Any agreement or agreements of reinsurance whereby any company transacting the kind or kinds of business enumerated in either Class 2 or Class 3 of Section 4 cedes to any company or companies at one time, or
during a period of six consecutive months more than twenty per centum of the total amount of its previously retained unearned premium reserve liability.

(c) (Blank). Any agreement or agreements of reinsurance whereby any company transacting the kind or kinds of business enumerated in either Class 2 or 3 of section 4 except Class 2(a) cedes any outstanding risks to a stock company with less than $2,000,000 in capital and surplus or to a mutual or reciprocal company with less than $2,000,000 in surplus.

(2) An agreement which is not disapproved by the Director within thirty days after its submission shall be deemed approved.

(Source: P.A. 82-626.)

(215 ILCS 5/245.1) (from Ch. 73, par. 857.1)

Sec. 245.1. Assignability of Life Insurance.

No provision of the Illinois Insurance Code, or any other law prohibits an insured under any policy of life insurance, or any other person who may be the owner of any rights under such policy, from making an assignment of all or any part of his rights and privileges under the policy including but not limited to the right to designate a beneficiary thereunder and to have an individual policy issued in accordance with paragraphs (G), (H), and (K) of Section 231.1 (d) and (g) of Section 231 of the Illinois Insurance Code. Subject to the terms of the policy or any contract relating thereto, an assignment by an insured or by any other owner of rights under the policy, made before or after the effective date of this amendatory Act of 1969 is valid for the purpose of vesting in the assignee, in accordance with any provisions included therein as to the time at which it is effective, all rights and privileges so assigned. However, such assignment is without prejudice to the company on account of any payment it makes or individual policy it issues in accordance with paragraphs (d) and (g) of Section 231 before receipt of notice of the assignment. This amendatory Act of 1969 acknowledges, declares and codifies the existing right of assignment of interests under life insurance policies.

(Source: P.A. 76-1443.)

(215 ILCS 5/Art. V.5 rep.)
(215 ILCS 5/Art. XVI rep.)
(215 ILCS 5/Art. XVIII rep.)
(215 ILCS 5/Art. XIXB rep.)
(215 ILCS 5/178 rep.)
(215 ILCS 5/359b rep.)
(215 ILCS 5/359c rep.)

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PUBLIC ACT 98-0970
(Senate Bill No. 3334)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Income Tax Act is amended by changing Section 911 as follows:

(35 ILCS 5/911) (from Ch. 120, par. 9-911)
Sec. 911. Limitations on Claims for Refund.
(a) In general. Except as otherwise provided in this Act:
(1) A claim for refund shall be filed not later than 3 years after the date the return was filed (in the case of returns required under Article 7 of this Act respecting any amounts withheld as tax, not later than 3 years after the 15th day of the 4th month following the close of the calendar year in which such withholding was made), or one year after the date the tax was paid, whichever is the later; and
(2) No credit or refund shall be allowed or made with respect to the year for which the claim was filed unless such claim is filed within such period.
(b) Federal changes.
(1) In general. In any case where notification of an alteration is required by Section 506(b), a claim for refund may be filed within 2 years after the date on which such notification was due (regardless of whether such notice was given), but the amount recoverable pursuant to a claim filed under this Section shall be limited to the amount of any overpayment resulting under this Act from recomputation of the taxpayer's net income, net loss, or Article 2 credits for the taxable year after giving effect to the item or items reflected in the alteration required to be reported.
(2) Tentative carryback adjustments paid before January 1, 1974. If, as the result of the payment before January 1, 1974 of a federal tentative carryback adjustment, a notification of an alteration

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is required under Section 506(b), a claim for refund may be filed at any time before January 1, 1976, but the amount recoverable pursuant to a claim filed under this Section shall be limited to the amount of any overpayment resulting under this Act from recomputation of the taxpayer's base income for the taxable year after giving effect to the federal alteration resulting from the tentative carryback adjustment irrespective of any limitation imposed in paragraph (l) of this subsection.

(c) Extension by agreement. Where, before the expiration of the time prescribed in this section for the filing of a claim for refund, both the Department and the claimant shall have consented in writing to its filing after such time, such claim may be filed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon. In the case of a taxpayer who is a partnership, Subchapter S corporation, or trust and who enters into an agreement with the Department pursuant to this subsection on or after January 1, 2003, a claim for refund may be filed by the partners, shareholders, or beneficiaries of the taxpayer at any time prior to the expiration of the period agreed upon. Any refund allowed pursuant to the claim, however, shall be limited to the amount of any overpayment of tax due under this Act that results from recomputation of items of income, deduction, credits, or other amounts of the taxpayer that are taken into account by the partner, shareholder, or beneficiary in computing its liability under this Act.

(d) Limit on amount of credit or refund.

(1) Limit where claim filed within 3-year period. If the claim was filed by the claimant during the 3-year period prescribed in subsection (a), the amount of the credit or refund shall not exceed the portion of the tax paid within the period, immediately preceding the filing of the claim, equal to 3 years plus the period of any extension of time for filing the return.

(2) Limit where claim not filed within 3-year period. If the claim was not filed within such 3-year period, the amount of the credit or refund shall not exceed the portion of the tax paid during the one year immediately preceding the filing of the claim.

(e) Time return deemed filed. For purposes of this section a tax return filed before the last day prescribed by law for the filing of such return (including any extensions thereof) shall be deemed to have been filed on such last day.

New matter indicated by italics - deletions by strikeout
(f) No claim for refund or credit based on the taxpayer's taking a credit for estimated tax payments as provided by Section 601(b)(2) or for any amount paid by a taxpayer pursuant to Section 602(a) or for any amount of credit for tax withheld pursuant to Article 7 may be filed unless a return was filed for the tax year not more than 3 years after the due date, as provided by Section 505, of the return which was required to be filed relative to the taxable year for which the payments were made or for which the tax was withheld. The changes in this subsection (f) made by this amendatory Act of 1987 shall apply to all taxable years ending on or after December 31, 1969.

(g) Special Period of Limitation with Respect to Net Loss Carrybacks. If the claim for refund relates to an overpayment attributable to a net loss carryback as provided by Section 207, in lieu of the 3 year period of limitation prescribed in subsection (a), the period shall be that period which ends 3 years after the time prescribed by law for filing the return (including extensions thereof) for the taxable year of the net loss which results in such carryback (or, on and after August 13, 1999, with respect to a change in the carryover of an Article 2 credit to a taxable year resulting from the carryback of a Section 207 loss incurred in a taxable year beginning on or after January 1, 2000, the period shall be that period that ends 3 years after the time prescribed by law for filing the return (including extensions of that time) for that subsequent taxable year), or the period prescribed in subsection (c) in respect of such taxable year, whichever expires later. In the case of such a claim, the amount of the refund may exceed the portion of the tax paid within the period provided in subsection (d) to the extent of the amount of the overpayment attributable to such carryback. On and after August 13, 1999, if the claim for refund relates to an overpayment attributable to the carryover of an Article 2 credit, or of a Section 207 loss, earned, incurred (in a taxable year beginning on or after January 1, 2000), or used in a year for which a notification of a change affecting federal taxable income must be filed under subsection (b) of Section 506, the claim may be filed within the period prescribed in paragraph (1) of subsection (b) in respect of the year for which the notification is required. In the case of such a claim, the amount of the refund may exceed the portion of the tax paid within the period provided in subsection (d) to the extent of the amount of the overpayment attributable to the recomputation of the taxpayer's Article 2 credits, or Section 207 loss, earned, incurred, or used in the taxable year for which the notification is given.

(h) Claim for refund based on net loss. On and after August 23, 2002, no claim for refund shall be allowed to the extent the refund is the result of
an amount of net loss incurred in any taxable year ending prior to December 31, 2002 under Section 207 of this Act that was not reported to the Department within 3 years of the due date (including extensions) of the return for the loss year on either the original return filed by the taxpayer or on amended return or to the extent that the refund is the result of an amount of net loss incurred in any taxable year under Section 207 for which no return was filed within 3 years of the due date (including extensions) of the return for the loss year.

(i) Periods of limitation suspended while taxpayer is unable to manage financial affairs due to disability. In the case of an individual, the running of the periods specified in this Section shall be suspended during any period when that individual is financially disabled.

For purposes of this subsection (i), an individual is financially disabled if that individual is unable to manage his or her financial affairs by reason of a medically determinable physical or mental impairment of the individual that can be expected to result in death, or which has lasted or can be expected to last for a continuous period of not less than 12 months.

An individual shall not be treated as financially disabled during any period when that individual's spouse or any other person is authorized to act on behalf of that individual with respect to financial matters.

(Source: P.A. 97-507, eff. 8-23-11.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0971
(Senate Bill No. 3402)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 3-701 as follows:
(625 ILCS 5/3-701) (from Ch. 95 1/2, par. 3-701)
Sec. 3-701. Operation of vehicles without evidence of registration - Operation under mileage plates when odometer broken or disconnected. No person shall operate, nor shall an owner knowingly permit to be operated, upon any highway unless there shall be attached thereto and displayed

New matter indicated by italics - deletions by strikeout
thereon when and as required by law, proper evidence of registration in Illinois, as follows:

(1) A vehicle required to be registered in Illinois. A current and valid Illinois registration sticker or stickers and plate or plates, or an Illinois temporary registration permit, or a drive-away or in-transit permit, issued therefor by the Secretary of State; or

(2) A vehicle eligible for Reciprocity. A current and valid reciprocal foreign registration plate or plates properly issued to such vehicle or a temporary registration issued therefor, by the reciprocal State, and, in addition, when required by the Secretary, a current and valid Illinois Reciprocity Permit or Prorate Decal issued therefor by the Secretary of State; or except as otherwise expressly provided for in this Chapter.

(3) A vehicle commuting for repairs in Illinois. A dealer plate issued by a foreign state shall exempt a vehicle from the requirements of this Section if the vehicle is being operated for the purpose of transport to a repair facility in Illinois to have repairs performed on the vehicle displaying foreign dealer plates. The driver of the motor vehicle bearing dealer plates shall provide a work order or contract with the repair facility to a law enforcement officer upon request.

No person shall operate, nor shall any owner knowingly permit to be operated, any vehicle of the second division for which the owner has made an election to pay the mileage tax in lieu of the annual flat weight tax, at any time when the odometer of such vehicle is broken or disconnected, or is inoperable or not operating.

(Source: P.A. 92-680, eff. 7-16-02.)

Passed in the General Assembly May 21, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0972
(Senate Bill No. 3412)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 2-3.51, 2-3.51.5, 10-20.9a, 10-29, 13A-11, 13B-25.25, 14C-2, 14C-3, 18-8.05, 21B-75, 27A-4, 27A-6, and 34-8.14 and by adding Section 2-3.64a-5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 2-3.51. Reading Improvement Block Grant Program. To improve the reading and study skills of children from kindergarten through sixth grade in school districts. The State Board of Education is authorized to administer a Reading Improvement Block Grant Program. As used in this Section:

"School district" includes those schools designated as "laboratory schools".

"Scientifically based reading research" means the application of rigorous, systematic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties. The term includes research that employs systematic, empirical methods that draw on observation or experiment, involves rigorous data analysis that is adequate to test the stated hypotheses and to justify the general conclusions drawn, relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations, and has been accepted by peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective and scientific review.

(a) Funds for the Reading Improvement Block Grant Program shall be distributed to school districts on the following basis: 70% of monies shall be awarded on the prior year's best 3 months average daily attendance and 30% shall be distributed on the number of economically disadvantaged (E.C.I.A. Chapter I) pupils in the district, provided that the State Board may distribute an amount not to exceed 2% of the monies appropriated for the Reading Improvement Block Grant Program for the purpose of providing teacher training and re-training in the teaching of reading. Program funds shall be distributed to school districts in 2 semi-annual installments, one payment on or before October 30, and one payment prior to April 30, of each year. The State Board shall promulgate rules and regulations necessary for the implementation of this program. Programs provided with grant funds shall not replace quality classroom reading instruction, but shall instead supplement such instruction.

(a-5) Reading Improvement Block Grant Program funds shall be used by school districts in the following manner:

(1) to hire reading specialists, reading teachers, and reading aides in order to provide early reading intervention in kindergarten through grade 2 and programs of continued reading support for students in grades 3 through 6;
(2) in kindergarten through grade 2, to establish short-term tutorial early reading intervention programs for children who are at risk of failing to learn to read; these programs shall (i) focus on scientifically based research and best practices with proven long-term results, (ii) identify students in need of help no later than the middle of first grade, (iii) provide ongoing training for teachers in the program, (iv) focus instruction on strengthening a student's phonemic awareness, phonics, fluency, and comprehension skills, (v) provide a means to document and evaluate student growth, and (vi) provide properly trained staff;

(3) to continue direct reading instruction for grades 3 through 6;

(4) in grades 3 through 6, to establish programs of support for students who demonstrate a need for continued assistance in learning to read and in maintaining reading achievement; these programs shall (i) focus on scientifically based research and best practices with proven long-term results, (ii) provide ongoing training for teachers and other staff members in the program, (iii) focus instruction on strengthening a student's phonics, fluency, and comprehension skills in grades 3 through 6, (iv) provide a means to evaluate and document student growth, and (v) provide properly trained staff;

(5) in grades K through 6, to provide classroom reading materials for students; each district may allocate up to 25% of the funds for this purpose; and

(6) to provide a long-term professional development program for classroom teachers, administrators, and other appropriate staff; the program shall (i) focus on scientifically based research and best practices with proven long-term results, (ii) provide a means to evaluate student progress in reading as a result of the training, (iii) and be provided by approved staff development providers.

(a-10) Reading Improvement Block Grant Program funds shall be made available to each eligible school district submitting an approved application developed by the State Board beginning with the 1998-99 school year. Applications shall include a proposed assessment method or methods for measuring the reading growth of students who receive direct instruction as a result of the funding and the impact of staff development activities on student growth in reading. Such methods may include the reading portion of the assessments required under Section 2-3.64a-5 of this Code Illinois Standards Achievement Testing Program. At the end of each school year the

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district shall report performance of progress results to the State Board. Districts not demonstrating performance progress using an approved assessment method shall not be eligible for funding in the third or subsequent years until such progress is established.

(a-15) The State Superintendent of Education, in cooperation with the school districts participating in the program, shall annually report to the leadership of the General Assembly on the results of the Reading Improvement Block Grant Program and the progress being made on improving the reading skills of students in kindergarten through the sixth grade.

(b) (Blank).
(c) (Blank).
(d) Grants under the Reading Improvement Program shall be awarded provided there is an appropriation for the program, and funding levels for each district shall be prorated according to the amount of the appropriation.
(e) (Blank).
(f) (Blank).

(Source: P.A. 92-25, eff. 7-1-01.)

(105 ILCS 5/2-3.51.5)

Sec. 2-3.51.5. School Safety and Educational Improvement Block Grant Program. To improve the level of education and safety of students from kindergarten through grade 12 in school districts and State-recognized, non-public schools. The State Board of Education is authorized to fund a School Safety and Educational Improvement Block Grant Program.

(1) For school districts, the program shall provide funding for school safety, textbooks and software, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, teacher training and curriculum development, school improvements, remediation programs under subsection (a) of Section 2-3.64, school report cards under Section 10-17a, and criminal history records checks under Sections 10-21.9 and 34-18.5. For State-recognized, non-public schools, the program shall provide funding for secular textbooks and software, criminal history records checks, and health and safety mandates to the extent that the funds are expended for purely secular purposes. A school district or laboratory school as defined in Section 18-8 or 18-8.05 is not required to file an application in order to receive the categorical funding to which it is entitled under this Section. Funds for the School Safety and Educational Improvement Block Grant Program shall be distributed to school districts and laboratory schools based on the prior year's best 3 months average daily attendance. Funds for

New matter indicated by italics - deletions by strikeout
the School Safety and Educational Improvement Block Grant Program shall be distributed to State-recognized, non-public schools based on the average daily attendance figure for the previous school year provided to the State Board of Education. The State Board of Education shall develop an application that requires State-recognized, non-public schools to submit average daily attendance figures. A State-recognized, non-public school must submit the application and average daily attendance figure prior to receiving funds under this Section. The State Board of Education shall promulgate rules and regulations necessary for the implementation of this program.

(2) Distribution of moneys to school districts and State-recognized, non-public schools shall be made in 2 semi-annual installments, one payment on or before October 30, and one payment prior to April 30, of each fiscal year.

(3) Grants under the School Safety and Educational Improvement Block Grant Program shall be awarded provided there is an appropriation for the program, and funding levels for each district shall be prorated according to the amount of the appropriation.

(4) The provisions of this Section are in the public interest, are for the public benefit, and serve secular public purposes.

(Source: P.A. 95-707, eff. 1-11-08; 96-1403, eff. 7-29-10.)

(105 ILCS 5/2-3.64a-5 new)

Sec. 2-3.64a-5. State goals and assessment.

(a) For the assessment and accountability purposes of this Section, "students" includes those students enrolled in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, a charter school operating in compliance with the Charter Schools Law, a school operated by a regional office of education under Section 13A-3 of this Code, or a public school administered by a local public agency or the Department of Human Services.

(b) The State Board of Education shall establish the academic standards that are to be applicable to students who are subject to State assessments under this Section. The State Board of Education shall not establish any such standards in final form without first providing opportunities for public participation and local input in the development of the final academic standards. Those opportunities shall include a well-publicized period of public comment and opportunities to file written comments.
(c) Beginning no later than the 2014-2015 school year, the State Board of Education shall annually assess all students enrolled in grades 3 through 8 in English language arts and mathematics.

Beginning no later than the 2017-2018 school year, the State Board of Education shall annually assess all students in science at one grade in grades 3 through 5, at one grade in grades 6 through 8, and at one grade in grades 9 through 12.

The State Board of Education shall annually assess schools that operate a secondary education program, as defined in Section 22-22 of this Code, in English language arts and mathematics. The State Board of Education shall administer no more than 3 assessments, per student, of English language arts and mathematics for students in a secondary education program. One of these assessments shall include a college and career ready determination.

Students who are not assessed for college and career ready determinations may not receive a regular high school diploma unless the student is exempted from taking State assessments under subsection (d) of this Section because (i) the student's individualized educational program developed under Article 14 of this Code identifies the State assessment as inappropriate for the student, (ii) the student is enrolled in a program of adult and continuing education, as defined in the Adult Education Act, (iii) the school district is not required to assess the individual student for purposes of accountability under federal No Child Left Behind Act of 2001 requirements, (iv) the student has been determined to be an English language learner, referred to in this Code as a student with limited English proficiency, and has been enrolled in schools in the United States for less than 12 months, or (v) the student is otherwise identified by the State Board of Education, through rules, as being exempt from the assessment.

The State Board of Education shall not assess students under this Section in subjects not required by this Section.

Districts shall inform their students of the timelines and procedures applicable to their participation in every yearly administration of the State assessments. The State Board of Education shall establish periods of time in each school year during which State assessments shall occur to meet the objectives of this Section.

(d) Every individualized educational program as described in Article 14 shall identify if the State assessment or components thereof are appropriate for the student. The State Board of Education shall develop rules governing the administration of an alternate assessment that may be required.
available to students for whom participation in this State's regular assessments is not appropriate, even with accommodations as allowed under this Section.

Students receiving special education services whose individualized educational programs identify them as eligible for the alternative State assessments nevertheless shall have the option of taking this State's regular assessment that includes a college and career ready determination, which shall be administered in accordance with the eligible accommodations appropriate for meeting these students' respective needs.

All students determined to be an English language learner, referred to in this Code as a student with limited English proficiency, shall participate in the State assessments, excepting those students who have been enrolled in schools in the United States for less than 12 months. Such students may be exempted from participation in one annual administration of the English language arts assessment. Any student determined to be an English language learner, referred to in this Code as a student with limited English proficiency, shall receive appropriate assessment accommodations, including language supports, which shall be established by rule. Approved assessment accommodations must be provided until the student's English language skills develop to the extent that the student is no longer considered to be an English language learner, referred to in this Code as a student with limited English proficiency, as demonstrated through a State-identified English language proficiency assessment.

(e) The results or scores of each assessment taken under this Section shall be made available to the parents of each student.

In each school year, the scores attained by a student on the State assessment that includes a college and career ready determination must be placed in the student's permanent record and must be entered on the student's transcript pursuant to rules that the State Board of Education shall adopt for that purpose in accordance with Section 3 of the Illinois School Student Records Act. In each school year, the scores attained by a student on the State assessments administered in grades 3 through 8 must be placed in the student's temporary record.

(f) All schools shall administer an academic assessment of English language proficiency in oral language (listening and speaking) and reading and writing skills to all children determined to be English language learners, referred to in Section 14C-3 of this Code as children with limited English-speaking ability.

New matter indicated by italics - deletions by strikeout
(g) All schools in this State that are part of the sample drawn by the National Center for Education Statistics, in collaboration with their school districts and the State Board of Education, shall administer the biennial academic assessments under the National Assessment of Educational Progress carried out under Section 411(b)(2) of the federal National Education Statistics Act of 1994 (20 U.S.C. 9010) if the U.S. Secretary of Education pays the costs of administering the assessments.

(h) Subject to available funds to this State for the purpose of student assessment, the State Board of Education shall provide additional assessments and assessment resources that may be used by school districts for local assessment purposes. The State Board of Education shall annually distribute a listing of these additional resources.

(i) For the purposes of this subsection (i), "academically based assessments" means assessments consisting of questions and answers that are measurable and quantifiable to measure the knowledge, skills, and ability of students in the subject matters covered by the assessments. All assessments administered pursuant to this Section must be academically based assessments. The scoring of academically based assessments shall be reliable, valid, and fair and shall meet the guidelines for assessment development and use prescribed by the American Psychological Association, the National Council on Measurement in Education, and the American Educational Research Association.

The State Board of Education shall review the use of all assessment item types in order to ensure that they are valid and reliable indicators of student performance aligned to the learning standards being assessed and that the development, administration, and scoring of these item types are justifiable in terms of cost.

(j) The State Superintendent of Education shall appoint a committee of no more than 21 members, consisting of parents, teachers, school administrators, school board members, assessment experts, regional superintendents of schools, and citizens, to review the State assessments administered by the State Board of Education. The Committee shall select one of its members as its chairperson. The Committee shall meet on an ongoing basis to review the content and design of the assessments (including whether the requirements of subsection (i) of this Section have been met), the time and money expended at the local and State levels to prepare for and administer the assessments, the collective results of the assessments as measured against the stated purpose of assessing student performance, and other issues involving the assessments identified by the Committee. The
Committee shall make periodic recommendations to the State Superintendent of Education and the General Assembly concerning the assessments.

(k) The State Board of Education may adopt rules to implement this Section.

(105 ILCS 5/10-20.9a) (from Ch. 122, par. 10-20.9a)
Sec. 10-20.9a. Final Grade; Promotion.

(a) Teachers shall administer the approved marking system or other approved means of evaluating pupil progress. The teacher shall maintain the responsibility and right to determine grades and other evaluations of students within the grading policies of the district based upon his or her professional judgment of available criteria pertinent to any given subject area or activity for which he or she is responsible. District policy shall provide the procedure and reasons by and for which a grade may be changed; provided that no grade or evaluation shall be changed without notification to the teacher concerning the nature and reasons for such change. If such a change is made, the person making the change shall assume such responsibility for determining the grade or evaluation, and shall initial such change.

(b) School districts shall not promote students to the next higher grade level based upon age or any other social reasons not related to the academic performance of the students. On or before September 1, 1998, school boards shall adopt and enforce a policy on promotion as they deem necessary to ensure that students meet local goals and objectives and can perform at the expected grade level prior to promotion. Decisions to promote or retain students in any classes shall be based on successful completion of the curriculum, attendance, performance based on the assessments required under Section 2-3.64a-5 of this Code Illinois Goals and Assessment Program tests, the Iowa Test of Basic Skills, or other testing or any other criteria established by the school board. Students determined by the local district to not qualify for promotion to the next higher grade shall be provided remedial assistance, which may include, but shall not be limited to, a summer bridge program of no less than 90 hours, tutorial sessions, increased or concentrated instructional time, modifications to instructional materials, and retention in grade.

(Source: P.A. 89-610, eff. 8-6-96; 90-548, eff. 1-1-98.)

(105 ILCS 5/10-29)
Sec. 10-29. Remote educational programs.

(a) For purposes of this Section, "remote educational program" means an educational program delivered to students in the home or other location outside of a school building that meets all of the following criteria:

New matter indicated by italics - deletions by strikeout
(1) A student may participate in the program only after the school district, pursuant to adopted school board policy, and a person authorized to enroll the student under Section 10-20.12b of this Code determine that a remote educational program will best serve the student's individual learning needs. The adopted school board policy shall include, but not be limited to, all of the following:

(A) Criteria for determining that a remote educational program will best serve a student's individual learning needs. The criteria must include consideration of, at a minimum, a student's prior attendance, disciplinary record, and academic history.

(B) Any limitations on the number of students or grade levels that may participate in a remote educational program.

(C) A description of the process that the school district will use to approve participation in the remote educational program. The process must include without limitation a requirement that, for any student who qualifies to receive services pursuant to the federal Individuals with Disabilities Education Improvement Act of 2004, the student's participation in a remote educational program receive prior approval from the student's individualized education program team.

(D) A description of the process the school district will use to develop and approve a written remote educational plan that meets the requirements of subdivision (5) of this subsection (a).

(E) A description of the system the school district will establish to calculate the number of clock hours a student is participating in instruction in accordance with the remote educational program.

(F) A description of the process for renewing a remote educational program at the expiration of its term.

(G) Such other terms and provisions as the school district deems necessary to provide for the establishment and delivery of a remote educational program.

(2) The school district has determined that the remote educational program's curriculum is aligned to State learning standards and that the program offers instruction and educational...
experiences consistent with those given to students at the same grade level in the district.

(3) The remote educational program is delivered by instructors that meet the following qualifications:

(A) they are certificated under Article 21 of this Code;
(B) they meet applicable highly qualified criteria under the federal No Child Left Behind Act of 2001; and
(C) they have responsibility for all of the following elements of the program: planning instruction, diagnosing learning needs, prescribing content delivery through class activities, assessing learning, reporting outcomes to administrators and parents and guardians, and evaluating the effects of instruction.

(4) During the period of time from and including the opening date to the closing date of the regular school term of the school district established pursuant to Section 10-19 of this Code, participation in a remote educational program may be claimed for general State aid purposes under Section 18-8.05 of this Code on any calendar day, notwithstanding whether the day is a day of pupil attendance or institute day on the school district's calendar or any other provision of law restricting instruction on that day. If the district holds year-round classes in some buildings, the district shall classify each student's participation in a remote educational program as either on a year-round or a non-year-round schedule for purposes of claiming general State aid. Outside of the regular school term of the district, the remote educational program may be offered as part of any summer school program authorized by this Code.

(5) Each student participating in a remote educational program must have a written remote educational plan that has been approved by the school district and a person authorized to enroll the student under Section 10-20.12b of this Code. The school district and a person authorized to enroll the student under Section 10-20.12b of this Code must approve any amendment to a remote educational plan. The remote educational plan must include, but is not limited to, all of the following:

(A) Specific achievement goals for the student aligned to State learning standards.
(B) A description of all assessments that will be used to measure student progress, which description shall indicate
the assessments that will be administered at an attendance center within the school district.

(C) A description of the progress reports that will be provided to the school district and the person or persons authorized to enroll the student under Section 10-20.12b of this Code.

(D) Expectations, processes, and schedules for interaction between a teacher and student.

(E) A description of the specific responsibilities of the student's family and the school district with respect to equipment, materials, phone and Internet service, and any other requirements applicable to the home or other location outside of a school building necessary for the delivery of the remote educational program.

(F) If applicable, a description of how the remote educational program will be delivered in a manner consistent with the student's individualized education program required by Section 614(d) of the federal Individuals with Disabilities Education Improvement Act of 2004 or plan to ensure compliance with Section 504 of the federal Rehabilitation Act of 1973.

(G) A description of the procedures and opportunities for participation in academic and extra-curricular activities and programs within the school district.

(H) The identification of a parent, guardian, or other responsible adult who will provide direct supervision of the program. The plan must include an acknowledgment by the parent, guardian, or other responsible adult that he or she may engage only in non-teaching duties not requiring instructional judgment or the evaluation of a student. The plan shall designate the parent, guardian, or other responsible adult as non-teaching personnel or volunteer personnel under subsection (a) of Section 10-22.34 of this Code.

(I) The identification of a school district administrator who will oversee the remote educational program on behalf of the school district and who may be contacted by the student's parents with respect to any issues or concerns with the program.
(J) The term of the student's participation in the remote educational program, which may not extend for longer than 12 months, unless the term is renewed by the district in accordance with subdivision (7) of this subsection (a).

(K) A description of the specific location or locations in which the program will be delivered. If the remote educational program is to be delivered to a student in any location other than the student's home, the plan must include a written determination by the school district that the location will provide a learning environment appropriate for the delivery of the program. The location or locations in which the program will be delivered shall be deemed a long distance teaching reception area under subsection (a) of Section 10-22.34 of this Code.

(L) Certification by the school district that the plan meets all other requirements of this Section.

(6) Students participating in a remote educational program must be enrolled in a school district attendance center pursuant to the school district's enrollment policy or policies. A student participating in a remote educational program must be tested as part of all assessments administered by the school district pursuant to Section 2-3.64a-5 of this Code at the attendance center in which the student is enrolled and in accordance with the attendance center's assessment policies and schedule. The student must be included within all adequate yearly progress and other accountability determinations for the school district and attendance center under State and federal law.

(7) The term of a student's participation in a remote educational program may not extend for longer than 12 months, unless the term is renewed by the school district. The district may only renew a student's participation in a remote educational program following an evaluation of the student's progress in the program, a determination that the student's continuation in the program will best serve the student's individual learning needs, and an amendment to the student's written remote educational plan addressing any changes for the upcoming term of the program.

(b) A school district may, by resolution of its school board, establish a remote educational program.

New matter indicated by italics - deletions by strikeout
(c) Clock hours of instruction by students in a remote educational program meeting the requirements of this Section may be claimed by the school district and shall be counted as school work for general State aid purposes in accordance with and subject to the limitations of Section 18-8.05 of this Code.

(d) The impact of remote educational programs on wages, hours, and terms and conditions of employment of educational employees within the school district shall be subject to local collective bargaining agreements.

(e) The use of a home or other location outside of a school building for a remote educational program shall not cause the home or other location to be deemed a public school facility.

(f) A remote educational program may be used, but is not required, for instruction delivered to a student in the home or other location outside of a school building that is not claimed for general State aid purposes under Section 18-8.05 of this Code.

(g) School districts that, pursuant to this Section, adopt a policy for a remote educational program must submit to the State Board of Education a copy of the policy and any amendments thereto, as well as data on student participation in a format specified by the State Board of Education. The State Board of Education may perform or contract with an outside entity to perform an evaluation of remote educational programs in this State.

(h) The State Board of Education may adopt any rules necessary to ensure compliance by remote educational programs with the requirements of this Section and other applicable legal requirements.

(Source: P.A. 96-684, eff. 8-25-09; 97-339, eff. 8-12-11.)

(105 ILCS 5/13A-11)


(a) The Chicago Board of Education may establish alternative schools within Chicago and may contract with third parties for services otherwise performed by employees, including those in a bargaining unit, in accordance with Sections 34-8.1, 34-18, and 34-49.

(b) Alternative schools operated by third parties within Chicago shall be exempt from all provisions of this Code, except provisions concerning:

1. student civil rights;
2. staff civil rights;
3. health and safety;
4. performance and financial audits;

New matter indicated by italics - deletions by strikeout
(5) the assessments required under Section 2-3.64a-5 of this Code; The Illinois Goals Assessment Program;
(6) Chicago learning outcomes;
(7) Sections 2-3.25a through 2-3.25j of this the School Code;
(8) the Inspector General; and
(9) Section 34-2.4b of this the School Code.
(Source: P.A. 89-383, eff. 8-18-95; 89-636, eff. 8-9-96.)
(105 ILCS 5/13B-25.25)
Sec. 13B-25.25. Testing and assessment. A district plan for an alternative learning opportunities program operated through a cooperative or intergovernmental agreement must provide procedures for ensuring that students are included in the administration of statewide testing programs. Students enrolled in an alternative learning opportunities program shall participate in State assessments under Section 2-3.64a-5 2-3.64 of this Code.
(Source: P.A. 92-42, eff. 1-1-02.)
(105 ILCS 5/14C-2) (from Ch. 122, par. 14C-2)
Sec. 14C-2. Definitions. Unless the context indicates otherwise, the terms used in this Article have the following meanings:
(a) "State Board" means the State Board of Education.
(b) "Certification Board" means the State Teacher Certification Board.
(c) "School District" means any school district established under this Code.
(d) "Children of limited English-speaking ability" means (1) all children in grades pre-K through 12 who were not born in the United States, whose native tongue is a language other than English, and who are incapable of performing ordinary classwork in English; and (2) all children in grades pre-K through 12 who were born in the United States of parents possessing no or limited English-speaking ability and who are incapable of performing ordinary classwork in English.
(e) "Teacher of transitional bilingual education" means a teacher with a speaking and reading ability in a language other than English in which transitional bilingual education is offered and with communicative skills in English.
(f) "Program in transitional bilingual education" means a full-time program of instruction (1) in all those courses or subjects which a child is required by law to receive and which are required by the child's school district, which shall be given in the native language of the children of limited English-speaking ability who are enrolled in the program and also in English, (2) in the reading and writing of the native language of the children of limited

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English-speaking ability who are enrolled in the program and in the oral language (listening and comprehension; speaking), reading, and writing of English, and (3) in the history and culture of the country, territory, or geographic area which is the native land of the parents of children of limited English-speaking ability who are enrolled in the program and in the history and culture of the United States; or a part-time program of instruction based on the educational needs of those children of limited English-speaking ability who do not need a full-time program of instruction.

(Source: P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/14C-3) (from Ch. 122, par. 14C-3)

Sec. 14C-3. Language classification of children; establishment of program; period of participation; examination. Each school district shall ascertain, not later than the first day of March, under regulations prescribed by the State Board, the number of children of limited English-speaking ability within the school district, and shall classify them according to the language of which they possess a primary speaking ability, and their grade level, age or achievement level.

When, at the beginning of any school year, there is within an attendance center of a school district not including children who are enrolled in existing private school systems, 20 or more children of limited English-speaking ability in any such language classification, the school district shall establish, for each classification, a program in transitional bilingual education for the children therein. A school district may establish a program in transitional bilingual education with respect to any classification with less than 20 children therein, but should a school district decide not to establish such a program, the school district shall provide a locally determined transitional program of instruction which, based upon an individual student language assessment, provides content area instruction in a language other than English to the extent necessary to ensure that each student can benefit from educational instruction and achieve an early and effective transition into the regular school curriculum.

Every school-age child of limited English-speaking ability not enrolled in existing private school systems shall be enrolled and participate in the program in transitional bilingual education established for the classification to which he belongs by the school district in which he resides for a period of 3 years or until such time as he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given only in English, whichever shall first occur.

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A child of limited English-speaking ability enrolled in a program in transitional bilingual education may, in the discretion of the school district and subject to the approval of the child's parent or legal guardian, continue in that program for a period longer than 3 years.

An examination in the oral language (listening and comprehension, speaking), reading, and writing of English, as prescribed by the State Board, shall be administered annually to all children of limited English-speaking ability enrolled and participating in a program in transitional bilingual education. No school district shall transfer a child of limited English-speaking ability out of a program in transitional bilingual education prior to his third year of enrollment therein unless the parents of the child approve the transfer in writing, and unless the child has received a score on said examination which, in the determination of the State Board, reflects a level of English language skills appropriate to his or her grade level.

If later evidence suggests that a child so transferred is still disabled by an inadequate command of English, he may be re-enrolled in the program for a length of time equal to that which remained at the time he was transferred.

(Source: P.A. 89-397, eff. 8-20-95.)

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided

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pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9 and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

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(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is $4,225. For the 1999-2000 school year, the Foundation Level of support is $4,325. For the 2000-2001 school year, the Foundation Level of support is $4,425. For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is $4,560. For the 2003-2004 school year, the Foundation Level of support is $4,810. For the 2004-2005 school year, the Foundation Level of support is $4,964. For the 2005-2006 school year, the Foundation Level of support is $5,164. For the 2006-2007 school year, the Foundation Level of support is $5,334. For the 2007-2008 school year, the Foundation Level of support is $5,734. For the 2008-2009 school year, the Foundation Level of support is $5,959.

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(3) For the 2009-2010 school year and each school year thereafter, the Foundation Level of support is $6,119 or such greater amount as may be established by law by the General Assembly.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance. Calculation of Available Local Resources shall exclude any tax amnesty funds received as a result of Public Act 93-26.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school
districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

For partial elementary unit districts created pursuant to Article 11E of this Code, local property tax revenues per pupil shall be calculated as the product of the equalized assessed valuation for property within the partial elementary unit district for elementary purposes, as defined in Article 11E of this Code, multiplied by 2.06% and divided by the district's Average Daily Attendance figure, plus the product of the equalized assessed valuation for property within the partial elementary unit district for high school purposes, as defined in Article 11E of this Code, multiplied by 0.94% and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year one year before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion.
from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of $218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of
attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) (Blank).

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year, provided a district conducts an in-service training program for teachers in accordance with Section 10-22.39 of this Code; or, in lieu of 4 such days, 2 full days may be used, in which event each such day

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may be counted as a day required for a legal school calendar pursuant to Section 10-19 of this Code; (1.5) when, of the 5 days allowed under item (1), a maximum of 4 days are used for parent-teacher conferences, or, in lieu of 4 such days, 2 full days are used, in which case each such day may be counted as a calendar day required under Section 10-19 of this Code, provided that the full-day, parent-teacher conference consists of (i) a minimum of 5 clock hours of parent-teacher conferences, (ii) both a minimum of 2 clock hours of parent-teacher conferences held in the evening following a full day of student attendance, as specified in subsection (F)(1)(c), and a minimum of 3 clock hours of parent-teacher conferences held on the day immediately following evening parent-teacher conferences, or (iii) multiple parent-teacher conferences held in the evenings following full days of student attendance, as specified in subsection (F)(1)(c), in which the time used for the parent-teacher conferences is equivalent to a minimum of 5 clock hours; and (2) when days in addition to those provided in items (1) and (1.5) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.
(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(i) On the days when the assessment that includes a college and career ready determination Prairie State Achievement Examination is administered under subsection (c) of Section 2-3.64a-5 2-3.64 of this Code, the day of attendance for a pupil whose school day must be shortened to accommodate required testing procedures may be less than 5 clock hours and shall be counted towards the 176 days of actual pupil attendance required under Section 10-19 of this Code, provided that a sufficient number of minutes of school work in excess of 5 clock hours are first completed on other school days to compensate for the loss of school work on the examination days.

(j) Pupils enrolled in a remote educational program established under Section 10-29 of this Code may be counted on the basis of one-fifth day of attendance for every clock hour of instruction
attended in the remote educational program, provided that, in any month, the school district may not claim for a student enrolled in a remote educational program more days of attendance than the maximum number of days of attendance the district can claim (i) for students enrolled in a building holding year-round classes if the student is classified as participating in the remote educational program on a year-round schedule or (ii) for students enrolled in a building not holding year-round classes if the student is not classified as participating in the remote educational program on a year-round schedule.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code (a) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 or 15-177 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) $4,500 in Cook County or $3,500 in all other counties in tax year 2003 or (ii) $5,000 in all counties in tax year 2004 and thereafter and (b) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. The county clerk of any county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each school district all homestead exemption amounts under Section 15-176 or 15-177 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. It is the intent of this paragraph that if the general homestead exemption for a parcel of property is determined under Section
15-176 or 15-177 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 or 15-177 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than $30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of

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taxes under Section 18-170 of the Property Tax Code by 3.00% for a
district maintaining grades kindergarten through 12, by 2.30% for a
district maintaining grades kindergarten through 8, or by 1.05% for
a district maintaining grades 9 through 12 and adjusted by an amount
computed by dividing the amount of any abatement of taxes under
subsection (a) of Section 18-165 of the Property Tax Code by the
same percentage rates for district type as specified in this
subparagraph (b).
(3) For the 1999-2000 school year and each school year thereafter, if
a school district meets all of the criteria of this subsection (G)(3), the school
district's Available Local Resources shall be calculated under subsection (D)
using the district's Extension Limitation Equalized Assessed Valuation as
calculated under this subsection (G)(3).
For purposes of this subsection (G)(3) the following terms shall have
the following meanings:
"Budget Year": The school year for which general State aid is
calculated and awarded under subsection (E).
"Base Tax Year": The property tax levy year used to calculate
the Budget Year allocation of general State aid.
"Preceding Tax Year": The property tax levy year immediately
preceding the Base Tax Year.
"Base Tax Year's Tax Extension": The product of the
equalized assessed valuation utilized by the County Clerk in the Base
Tax Year multiplied by the limiting rate as calculated by the County
Clerk and defined in the Property Tax Extension Limitation Law.
"Preceding Tax Year's Tax Extension": The product of the
equalized assessed valuation utilized by the County Clerk in the
Preceding Tax Year multiplied by the Operating Tax Rate as defined
in subsection (A).
"Extension Limitation Ratio": A numerical ratio, certified by
the County Clerk, in which the numerator is the Base Tax Year's Tax
Extension and the denominator is the Preceding Tax Year's Tax
Extension.
"Operating Tax Rate": The operating tax rate as defined in
subsection (A).
If a school district is subject to property tax extension limitations as
imposed under the Property Tax Extension Limitation Law, the State Board
of Education shall calculate the Extension Limitation Equalized Assessed
Valuation of that district. For the 1999-2000 school year, the Extension

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Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. Except as otherwise provided in this paragraph for a school district that has approved or does approve an increase in its limiting rate, for the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the District's Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D). For the 2009-2010 school year and each school year thereafter, if a school district has approved or does approve an increase in its limiting rate, pursuant to Section 18-190 of the Property Tax Code, affecting the Base Tax Year, the Extension Limitation Equalized Assessed Valuation of the school district, as calculated by the State Board of Education, shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid times an amount equal to one plus the percentage increase, if any, in the Consumer Price Index for all Urban Consumers for all items published by the United States Department of Labor for the 12-month calendar year preceding the Base Tax Year, plus the Equalized Assessed Valuation of new property, annexed property, and recovered tax increment value and minus the Equalized Assessed Valuation of disconnected property. New property and recovered tax increment value shall have the meanings set forth in the Property Tax Extension Limitation Law.

Partial elementary unit districts created in accordance with Article 11E of this Code shall not be eligible for the adjustment in this subsection (G)(3) until the fifth year following the effective date of the reorganization.

(3.5) For the 2010-2011 school year and each school year thereafter, if a school district's boundaries span multiple counties, then the Department of Revenue shall send to the State Board of Education, for the purpose of calculating general State aid, the limiting rate and individual rates by purpose for the county that contains the majority of the school district's Equalized Assessed Valuation.

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(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed $14,000,000. Claims shall be prorated if they exceed $14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for supplemental general State aid based upon the concentration level of children from low-income households within the school district. Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil

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count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, the Children's Health Insurance Program, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

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(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be $800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be $1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be $1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be $1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to $1,243, $1,600, and $2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be $1,273, $1,640, and $2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be $675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be $1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be $1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be $1,390 multiplied by the low income eligible pupil count.

(f) For the 2001-2002 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to $1,273, $1,640, and $2,050, respectively.

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year shall be $1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be $2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be $294.25 added to the product of $2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year and each school year thereafter through the 2008-2009 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2009-2010 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the 2010-2011 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33. Notwithstanding the provisions of this paragraph to the contrary, if for any school year supplemental general State aid grants are prorated as provided in paragraph (1) of this subsection (H), then the grants under this paragraph shall be prorated.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10),
whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than $261,000,000 in accordance with the following requirements:

   (a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

   (b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

   (c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

   (d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be allocated and provided to attendance centers may be used and

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appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a
separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(I) (Blank).

(J) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A laboratory school may not have more than 1,000 students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer
courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may

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be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education

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expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(P) Public Act 93-838 and Public Act 93-808 make inconsistent changes to this Section. Under Section 6 of the Statute on Statutes there is an irreconcilable conflict between Public Act 93-808 and Public Act 93-838. Public Act 93-838, being the last acted upon, is controlling. The text of Public Act 93-838 is the law regardless of the text of Public Act 93-808.

(105 ILCS 5/21B-75)

Sec. 21B-75. Suspension or revocation of license.

(a) As used in this Section, "teacher" means any school district employee regularly required to be licensed, as provided in this Article, in order to teach or supervise in the public schools.

(b) The State Superintendent of Education has the exclusive authority, in accordance with this Section and any rules adopted by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, to initiate the suspension of up to 5 calendar years or revocation of any license issued pursuant to this Article for abuse or neglect of a child, immorality, a condition of health detrimental to the welfare of pupils, incompetency, unprofessional conduct (which includes the failure to disclose on an employment application any previous conviction for a sex offense, as defined in Section 21B-80 of this Code, or any other offense committed in any other state or against the laws of the United States that, if committed in this State, would be punishable as a sex offense, as defined in Section 21B-80 of this Code), the neglect of any professional duty, willful failure to report an

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instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act, failure to establish satisfactory repayment on an educational loan guaranteed by the Illinois Student Assistance Commission, or other just cause. Unprofessional conduct shall include the refusal to attend or participate in institutes, teachers' meetings, or professional readings or to meet other reasonable requirements of the regional superintendent of schools or State Superintendent of Education. Unprofessional conduct also includes conduct that violates the standards, ethics, or rules applicable to the security, administration, monitoring, or scoring of or the reporting of scores from any assessment test or examination administered under Section 2-3.64a-5 of this Code or that is known or intended to produce or report manipulated or artificial, rather than actual, assessment or achievement results or gains from the administration of those tests or examinations. Unprofessional conduct shall also include neglect or unnecessary delay in the making of statistical and other reports required by school officers. Incompetency shall include, without limitation, 2 or more school terms of service for which the license holder has received an unsatisfactory rating on a performance evaluation conducted pursuant to Article 24A of this Code within a period of 7 school terms of service. In determining whether to initiate action against one or more licenses based on incompetency and the recommended sanction for such action, the State Superintendent shall consider factors that include without limitation all of the following:

(1) Whether the unsatisfactory evaluation ratings occurred prior to June 13, 2011 (the effective date of Public Act 97-8).
(2) Whether the unsatisfactory evaluation ratings occurred prior to or after the implementation date, as defined in Section 24A-2.5 of this Code, of an evaluation system for teachers in a school district.
(3) Whether the evaluator or evaluators who performed an unsatisfactory evaluation met the pre-licensure and training requirements set forth in Section 24A-3 of this Code.
(4) The time between the unsatisfactory evaluation ratings.
(5) The quality of the remediation plans associated with the unsatisfactory evaluation ratings and whether the license holder successfully completed the remediation plans.
(6) Whether the unsatisfactory evaluation ratings were related to the same or different assignments performed by the license holder.

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(7) Whether one or more of the unsatisfactory evaluation ratings occurred in the first year of a teaching or administrative assignment. When initiating an action against one or more licenses, the State Superintendent may seek required professional development as a sanction in lieu of or in addition to suspension or revocation. Any such required professional development must be at the expense of the license holder, who may use, if available and applicable to the requirements established by administrative or court order, training, coursework, or other professional development funds in accordance with the terms of an applicable collective bargaining agreement entered into after June 13, 2011 (the effective date of Public Act 97-8), unless that agreement specifically precludes use of funds for such purpose.

(c) The State Superintendent of Education shall, upon receipt of evidence of abuse or neglect of a child, immorality, a condition of health detrimental to the welfare of pupils, incompetency (subject to subsection (b) of this Section), unprofessional conduct, the neglect of any professional duty, or other just cause, further investigate and, if and as appropriate, serve written notice to the individual and afford the individual opportunity for a hearing prior to suspension, revocation, or other sanction; provided that the State Superintendent is under no obligation to initiate such an investigation if the Department of Children and Family Services is investigating the same or substantially similar allegations and its child protective service unit has not made its determination, as required under Section 7.12 of the Abused and Neglected Child Reporting Act. If the State Superintendent of Education does not receive from an individual a request for a hearing within 10 days after the individual receives notice, the suspension, revocation, or other sanction shall immediately take effect in accordance with the notice. If a hearing is requested within 10 days after notice of an opportunity for hearing, it shall act as a stay of proceedings until the State Educator Preparation and Licensure Board issues a decision. Any hearing shall take place in the educational service region where the educator is or was last employed and in accordance with rules adopted by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and such rules shall include without limitation provisions for discovery and the sharing of information between parties prior to the hearing. The standard of proof for any administrative hearing held pursuant to this Section shall be by the preponderance of the evidence. The decision of the State Educator

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Preparation and Licensure Board is a final administrative decision and is subject to judicial review by appeal of either party.

The State Board of Education may refuse to issue or may suspend the license of any person who fails to file a return or to pay the tax, penalty, or interest shown in a filed return or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

The exclusive authority of the State Superintendent of Education to initiate suspension or revocation of a license pursuant to this Section does not preclude a regional superintendent of schools from cooperating with the State Superintendent or a State's Attorney with respect to an investigation of alleged misconduct.

(d) The State Superintendent of Education or his or her designee may initiate and conduct such investigations as may be reasonably necessary to establish the existence of any alleged misconduct. At any stage of the investigation, the State Superintendent may issue a subpoena requiring the attendance and testimony of a witness, including the license holder, and the production of any evidence, including files, records, correspondence, or documents, relating to any matter in question in the investigation. The subpoena shall require a witness to appear at the State Board of Education at a specified date and time and shall specify any evidence to be produced. The license holder is not entitled to be present, but the State Superintendent shall provide the license holder with a copy of any recorded testimony prior to a hearing under this Section. Such recorded testimony must not be used as evidence at a hearing, unless the license holder has adequate notice of the testimony and the opportunity to cross-examine the witness. Failure of a license holder to comply with a duly issued, investigatory subpoena may be grounds for revocation, suspension, or denial of a license.

(e) All correspondence, documentation, and other information so received by the regional superintendent of schools, the State Superintendent of Education, the State Board of Education, or the State Educator Preparation and Licensure Board under this Section is confidential and must not be disclosed to third parties, except (i) as necessary for the State Superintendent of Education or his or her designee to investigate and prosecute pursuant to this Article, (ii) pursuant to a court order, (iii) for disclosure to the license holder or his or her representative, or (iv) as otherwise required in this Article and provided that any such information admitted into evidence in a hearing is exempt from this confidentiality and non-disclosure requirement.

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(f) The State Superintendent of Education or a person designated by him or her shall have the power to administer oaths to witnesses at any hearing conducted before the State Educator Preparation and Licensure Board pursuant to this Section. The State Superintendent of Education or a person designated by him or her is authorized to subpoena and bring before the State Educator Preparation and Licensure Board any person in this State and to take testimony either orally or by deposition or by exhibit, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.

(g) Any circuit court, upon the application of the State Superintendent of Education or the license holder, may, by order duly entered, require the attendance of witnesses and the production of relevant books and papers as part of any investigation or at any hearing the State Educator Preparation and Licensure Board is authorized to conduct pursuant to this Section, and the court may compel obedience to its orders by proceedings for contempt.

(h) The State Board of Education shall receive an annual line item appropriation to cover fees associated with the investigation and prosecution of alleged educator misconduct and hearings related thereto.

(105 ILCS 5/27A-4)
Sec. 27A-4. General Provisions.
(a) The General Assembly does not intend to alter or amend the provisions of any court-ordered desegregation plan in effect for any school district. A charter school shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.

(b) The total number of charter schools operating under this Article at any one time shall not exceed 120. Not more than 70 charter schools shall operate at any one time in any city having a population exceeding 500,000, with at least 5 charter schools devoted exclusively to students from low-performing or overcrowded schools operating at any one time in that city; and not more than 45 charter schools shall operate at any one time in the remainder of the State, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located. In addition to these charter schools, up to but no more than 5 charter schools devoted exclusively to re-
enrolled high school dropouts and/or students 16 or 15 years old at risk of dropping out may operate at any one time in any city having a population exceeding 500,000. Notwithstanding any provision to the contrary in subsection (b) of Section 27A-5 of this Code, each such dropout charter may operate up to 15 campuses within the city. Any of these dropout charters may have a maximum of 1,875 enrollment seats, any one of the campuses of the dropout charter may have a maximum of 165 enrollment seats, and each campus of the dropout charter must be operated, through a contract or payroll, by the same legal entity as that for which the charter is approved and certified.

For purposes of implementing this Section, the State Board shall assign a number to each charter submission it receives under Section 27A-6 for its review and certification, based on the chronological order in which the submission is received by it. The State Board shall promptly notify local school boards when the maximum numbers of certified charter schools authorized to operate have been reached.

(c) No charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school.

(d) Enrollment in a charter school shall be open to any pupil who resides within the geographic boundaries of the area served by the local school board, provided that the board of education in a city having a population exceeding 500,000 may designate attendance boundaries for no more than one-third of the charter schools permitted in the city if the board of education determines that attendance boundaries are needed to relieve overcrowding or to better serve low-income and at-risk students. Students residing within an attendance boundary may be given priority for enrollment, but must not be required to attend the charter school.

(e) Nothing in this Article shall prevent 2 or more local school boards from jointly issuing a charter to a single shared charter school, provided that all of the provisions of this Article are met as to those local school boards.

(f) No local school board shall require any employee of the school district to be employed in a charter school.

(g) No local school board shall require any pupil residing within the geographic boundary of its district to enroll in a charter school.

(h) If there are more eligible applicants for enrollment in a charter school than there are spaces available, successful applicants shall be selected by lottery. However, priority shall be given to siblings of pupils enrolled in the charter school and to pupils who were enrolled in the charter school the previous school year, unless expelled for cause, and priority may be given to

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pupils residing within the charter school's attendance boundary, if a boundary has been designated by the board of education in a city having a population exceeding 500,000. Dual enrollment at both a charter school and a public school or non-public school shall not be allowed. A pupil who is suspended or expelled from a charter school shall be deemed to be suspended or expelled from the public schools of the school district in which the pupil resides. Notwithstanding anything to the contrary in this subsection (h):

1. any charter school with a mission exclusive to educating high school dropouts may grant priority admission to students who are high school dropouts and/or students 16 or 15 years old at risk of dropping out and any charter school with a mission exclusive to educating students from low-performing or overcrowded schools may restrict admission to students who are from low-performing or overcrowded schools; "priority admission" for charter schools exclusively devoted to re-enrolled dropouts or students at risk of dropping out means a minimum of 90% of students enrolled shall be high school dropouts; and

2. any charter school located in a school district that contains all or part of a federal military base may set aside up to 33% of its current charter enrollment to students with parents assigned to the federal military base, with the remaining 67% subject to the general enrollment and lottery requirements of subsection (d) of this Section and this subsection (h); if a student with a parent assigned to the federal military base withdraws from the charter school during the course of a school year for reasons other than grade promotion, those students with parents assigned to the federal military base shall have preference in filling the vacancy.

(i) (Blank).

(j) Notwithstanding any other provision of law to the contrary, a school district in a city having a population exceeding 500,000 shall not have a duty to collectively bargain with an exclusive representative of its employees over decisions to grant or deny a charter school proposal under Section 27A-8 of this Code, decisions to renew or revoke a charter under Section 27A-9 of this Code, and the impact of these decisions, provided that nothing in this Section shall have the effect of negating, abrogating, replacing, reducing, diminishing, or limiting in any way employee rights, guarantees, or privileges granted in Sections 2, 3, 7, 8, 10, 14, and 15 of the Illinois Educational Labor Relations Act.

(k) In this Section:

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"Low-performing school" means a public school in a school district organized under Article 34 of this Code that enrolls students in any of grades kindergarten through 8 and that is ranked within the lowest 10% of schools in that district in terms of the percentage of students meeting or exceeding standards on the assessments required under Section 2-3.64a-5 of this Code Illinois Standards Achievement Test.

"Overcrowded school" means a public school in a school district organized under Article 34 of this Code that (i) enrolls students in any of grades kindergarten through 8, (ii) has a percentage of low-income students of 70% or more, as identified in the most recently available School Report Card published by the State Board of Education, and (iii) is determined by the Chicago Board of Education to be in the most severely overcrowded 5% of schools in the district. On or before November 1 of each year, the Chicago Board of Education shall file a report with the State Board of Education on which schools in the district meet the definition of "overcrowded school".

"Students at risk of dropping out" means students 16 or 15 years old in a public school in a district organized under Article 34 of this Code that enrolls students in any grades 9-12 who have been absent at least 90 school attendance days of the previous 180 school attendance days.

(Source: P.A. 97-151, eff. 1-1-12; 97-624, eff. 11-28-11; 97-813, eff. 7-13-12; 98-474, eff. 8-16-13.)

(105 ILCS 5/27A-6)

Sec. 27A-6. Contract contents; applicability of laws and regulations.

(a) A certified charter shall constitute a binding contract and agreement between the charter school and a local school board under the terms of which the local school board authorizes the governing body of the charter school to operate the charter school on the terms specified in the contract.

(b) Notwithstanding any other provision of this Article, the certified charter may not waive or release the charter school from the State goals, standards, and assessments established pursuant to Section 2-3.64a-5 of this Code 2-3.64. Beginning with the 2003-2004 school year, the certified charter for a charter school operating in a city having a population exceeding 500,000 shall require the charter school to administer any other nationally recognized standardized tests to its students that the chartering entity administers to other students, and the results on such tests shall be included in the chartering entity's assessment reports.

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(c) Subject to the provisions of subsection (e), a material revision to a previously certified contract or a renewal shall be made with the approval of both the local school board and the governing body of the charter school.

(c-5) The proposed contract shall include a provision on how both parties will address minor violations of the contract.

(d) The proposed contract between the governing body of a proposed charter school and the local school board as described in Section 27A-7 must be submitted to and certified by the State Board before it can take effect. If the State Board recommends that the proposed contract be modified for consistency with this Article before it can be certified, the modifications must be consented to by both the governing body of the charter school and the local school board, and resubmitted to the State Board for its certification. If the proposed contract is resubmitted in a form that is not consistent with this Article, the State Board may refuse to certify the charter.

The State Board shall assign a number to each submission or resubmission in chronological order of receipt, and shall determine whether the proposed contract is consistent with the provisions of this Article. If the proposed contract complies, the State Board shall so certify.

(e) No material revision to a previously certified contract or a renewal shall be effective unless and until the State Board certifies that the revision or renewal is consistent with the provisions of this Article.

(Source: P.A. 93-3, eff. 4-16-03.)

(105 ILCS 5/34-8.14)

Sec. 34-8.14. Non-waivable provisions. Notwithstanding anything in the School Code to the contrary, statutes, regulations, rules, and policy provisions concerning the following shall not be waivable:

(1) student Student civil rights;
(2) staff Staff civil rights;
(3) health Health and safety;
(4) performance Performance and financial audits;
(5) Local School Council provisions, including required statements of economic disclosure;
(6) the The Open Meetings Act;
(7) the The Freedom of Information Act;
(8) the assessments required under Section 2-3.64a-5 of this Code;
(9) Chicago learning outcomes;
(10) Sections 2-3.25a through 2-3.25j of this the School Code;

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(11) collective bargaining agreements.
(Source: P.A. 89-3, eff. 2-27-95.)
(105 ILCS 5/2-3.64 rep.)
(105 ILCS 5/2-3.64a rep.)
Section 10. The School Code is amended by repealing Sections 2-3.64 and 2-3.64a.
Section 99. Effective date. This Act takes effect July 1, 2014.
Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0973
(Senate Bill No. 3414)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Firemen's Disciplinary Act is amended by changing Section 2 as follows:
(50 ILCS 745/2) (from Ch. 85, par. 2502)
Sec. 2. Definitions. For the purposes of this Act, unless clearly required otherwise, the terms defined in this Section have the meaning ascribed herein:
(a) "Fireman" means a person who is a "firefighter" or "fireman" as defined in Sections 4-106 or 6-106 of the Illinois Pension Code, a paramedic employed by a unit of local government, or an EMT, emergency medical technician-intermediate (EMT-I), or advanced emergency medical technician (A-EMT) employed by a unit of local government, and includes a person who is an "employee" as defined in Section 15-107 of the Illinois Pension Code and whose primary duties relate to firefighting.
(b) "Informal inquiry" means a meeting by supervisory or command personnel with a fireman upon whom an allegation of misconduct has come to the attention of such supervisory or command personnel, the purpose of which meeting is to mediate a citizen complaint or discuss the facts to determine whether a formal investigation should be commenced.
(c) "Formal investigation" means the process of investigation ordered by a commanding officer during which the questioning of a fireman is intended to gather evidence of misconduct which may be the basis for filing

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charges seeking his or her removal, discharge, or suspension from duty in excess of 24 duty hours.

(d) "Interrogation" means the questioning of a fireman pursuant to an investigation initiated by the respective State or local governmental unit in connection with an alleged violation of such unit's rules which may be the basis for filing charges seeking his or her suspension, removal, or discharge. The term does not include questioning as part of an informal inquiry as to allegations of misconduct relating to minor infractions of agency rules which may be noted on the fireman's record but which may not in themselves result in removal, discharge, or suspension from duty in excess of 24 duty hours.

(e) "Administrative proceeding" means any non-judicial hearing which is authorized to recommend, approve or order the suspension, removal, or discharge of a fireman.

(Source: P.A. 96-922, eff. 6-10-10.)

Section 10. The Volunteer Emergency Worker Job Protection Act is amended by changing Section 3 as follows:

(50 ILCS 748/3)

Sec. 3. Definitions. As used in this Act:

"Volunteer emergency worker" means a firefighter who does not receive monetary compensation for his or her services to a fire department or fire protection district and who does not work for any other fire department or fire protection district for monetary compensation. "Volunteer emergency worker" also means a person who does not receive monetary compensation for his or her services as a volunteer Emergency Medical Technician (licensed as an EMT EMT-B, EMT-I, A-EMT, or Paramedic EMT-P under the Emergency Medical Services (EMS) Systems Act), a volunteer ambulance driver or attendant, or a volunteer "Emergency Medical First Responder", as defined in Sec. 3.50 3.60 of the Emergency Medical Services (EMT) Systems Act, to a fire department, fire protection district, or other governmental entity and who does not work in one of these capacities for any other fire department, fire protection district, or governmental entity for monetary compensation. "Volunteer emergency worker" also means a person who is a volunteer member of a county or municipal emergency services and disaster agency pursuant to the Illinois Emergency Management Agency Act, an auxiliary policeman appointed pursuant to the Municipal Code, or an auxiliary deputy appointed by a county sheriff pursuant to the Counties Code.

"Monetary compensation" does not include a monetary incentive awarded to a firefighter by the board of trustees of a fire protection district under Section 6 of the Fire Protection District Act.

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Section 15. The Illinois Municipal Code is amended by changing Sections 10-1-7, 10-1-7.1, 10-2.1-4, 10-2.1-6.3, 10-2.1-14, and 10-2.1-31 as follows:

(65 ILCS 5/10-1-7) (from Ch. 24, par. 10-1-7)
Sec. 10-1-7. Examination of applicants; disqualifications.
(a) All applicants for offices or places in the classified service, except those mentioned in Section 10-1-17, are subject to examination. The examination shall be public, competitive, and open to all citizens of the United States, with specified limitations as to residence, age, health, habits and moral character.

(b) Residency requirements in effect at the time an individual enters the fire or police service of a municipality (other than a municipality that has more than 1,000,000 inhabitants) cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of Fire or Police Chief.

(c) No person with a record of misdemeanor convictions except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14, 11-15, 11-16, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions (a)(1) and (a)(2)(C) of Section 11-14.3, and subsections (1), (6) and (8) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 or arrested for any cause but not convicted on that cause shall be disqualified from taking the examination on grounds of habits or moral character, unless the person is attempting to qualify for a position on the police department, in which case the conviction or arrest may be considered as a factor in determining the person's habits or moral character.

(d) Persons entitled to military preference under Section 10-1-16 shall not be subject to limitations specifying age unless they are applicants for a position as a fireman or a policeman having no previous employment status as a fireman or policeman in the regularly constituted fire or police department of the municipality, in which case they must not have attained their 35th birthday, except any person who has served as an auxiliary police officer under Section 3.1-30-20 for at least 5 years and is under 40 years of age.

(e) All employees of a municipality of less than 500,000 population (except those who would be excluded from the classified service as provided in this Division 1) who are holding that employment as of the date a
municipality adopts this Division 1, or as of July 17, 1959, whichever date is
the later, and who have held that employment for at least 2 years immediately
before that later date, and all firemen and policemen regardless of length of
service who were either appointed to their respective positions by the board
of fire and police commissioners under the provisions of Division 2 of this
Article or who are serving in a position (except as a temporary employee) in
the fire or police department in the municipality on the date a municipality
adopts this Division 1, or as of July 17, 1959, whichever date is the later,
shall become members of the classified civil service of the municipality
without examination.

(f) The examinations shall be practical in their character, and shall
relate to those matters that will fairly test the relative capacity of the persons
examined to discharge the duties of the positions to which they seek to be
appointed. The examinations shall include tests of physical qualifications,
health, and (when appropriate) manual skill. If an applicant is unable to pass
the physical examination solely as the result of an injury received by the
applicant as the result of the performance of an act of duty while working as
a temporary employee in the position for which he or she is being examined,
however, the physical examination shall be waived and the applicant shall be
considered to have passed the examination. No questions in any examination
shall relate to political or religious opinions or affiliations. Results of
examinations and the eligible registers prepared from the results shall be
published by the commission within 60 days after any examinations are held.

(g) The commission shall control all examinations, and may,
whenever an examination is to take place, designate a suitable number of
persons, either in or not in the official service of the municipality, to be
examiners. The examiners shall conduct the examinations as directed by the
commission and shall make a return or report of the examinations to the
commission. If the appointed examiners are in the official service of the
municipality, the examiners shall not receive extra compensation for
conducting the examinations unless the examiners are subject to a collective
bargaining agreement with the municipality. The commission may at any time
substitute any other person, whether or not in the service of the municipality,
in the place of any one selected as an examiner. The commission members
may themselves at any time act as examiners without appointing examiners.
The examiners at any examination shall not all be members of the same
political party.

(h) In municipalities of 500,000 or more population, no person who
has attained his or her 35th birthday shall be eligible to take an examination
for a position as a fireman or a policeman unless the person has had previous employment status as a policeman or fireman in the regularly constituted police or fire department of the municipality, except as provided in this Section.

(i) In municipalities of more than 5,000 but not more than 200,000 inhabitants, no person who has attained his or her 35th birthday shall be eligible to take an examination for a position as a fireman or a policeman unless the person has had previous employment status as a policeman or fireman in the regularly constituted police or fire department of the municipality, except as provided in this Section.

(j) In all municipalities, applicants who are 20 years of age and who have successfully completed 2 years of law enforcement studies at an accredited college or university may be considered for appointment to active duty with the police department. An applicant described in this subsection (j) who is appointed to active duty shall not have power of arrest, nor shall the applicant be permitted to carry firearms, until he or she reaches 21 years of age.

(k) In municipalities of more than 500,000 population, applications for examination for and appointment to positions as firefighters or police shall be made available at various branches of the public library of the municipality.

(l) No municipality having a population less than 1,000,000 shall require that any fireman appointed to the lowest rank serve a probationary employment period of longer than one year. The limitation on periods of probationary employment provided in this amendatory Act of 1989 is an exclusive power and function of the State. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule municipality having a population less than 1,000,000 must comply with this limitation on periods of probationary employment, which is a denial and limitation of home rule powers. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a licensed certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic license certification.

(m) To the extent that this Section or any other Section in this Division conflicts with Section 10-1-7.1 or 10-1-7.2, then Section 10-1-7.1 or 10-1-7.2 shall control.
Sec. 10-1-7.1. Original appointments; full-time fire department.

(a) Applicability. Unless a commission elects to follow the provisions of Section 10-1-7.2, this Section shall apply to all original appointments to an affected full-time fire department. Existing registers of eligibles shall continue to be valid until their expiration dates, or up to a maximum of 2 years after the effective date of this amendatory Act of the 97th General Assembly.

Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to an affected department to which this Section applies shall be administered in the manner provided for in this Section. Provisions of the Illinois Municipal Code, municipal ordinances, and rules adopted pursuant to such authority and other laws relating to initial hiring of firefighters in affected departments shall continue to apply to the extent they are compatible with this Section, but in the event of a conflict between this Section and any other law, this Section shall control.

A municipality that is operating under a court order or consent decree regarding original appointments to a full-time fire department before the effective date of this amendatory Act of the 97th General Assembly is exempt from the requirements of this Section for the duration of the court order or consent decree.

Notwithstanding any other provision of this subsection (a), this Section does not apply to a municipality with more than 1,000,000 inhabitants.

(b) Original appointments. All original appointments made to an affected fire department shall be made from a register of eligibles established in accordance with the processes established by this Section. Only persons who meet or exceed the performance standards required by this Section shall be placed on a register of eligibles for original appointment to an affected fire department.
Whenever an appointing authority authorizes action to hire a person to perform the duties of a firefighter or to hire a firefighter-paramedic to fill a position that is a new position or vacancy due to resignation, discharge, promotion, death, the granting of a disability or retirement pension, or any other cause, the appointing authority shall appoint to that position the person with the highest ranking on the final eligibility list. If the appointing authority has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the appointing authority believes an alternate candidate would better serve the needs of the department, then the appointing authority has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the register of eligibles or (ii) any person who is among the top 5 highest ranked persons on the list of eligibles if the number of people who have a ranking in the top 5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his or her position on the register of eligibles. Any candidate who passes a second time may be removed from the list by the appointing authority provided that such action shall not prejudice a person's opportunities to participate in future examinations, including an examination held during the time a candidate is already on the municipality's register of eligibles.

The sole authority to issue certificates of appointment shall be vested in the Civil Service Commission. All certificates of appointment issued to any officer or member of an affected department shall be signed by the chairperson and secretary, respectively, of the commission upon appointment of such officer or member to the affected department by the commission. Each person who accepts a certificate of appointment and successfully completes his or her probationary period shall be enrolled as a firefighter and as a regular member of the fire department.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

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(c) Qualification for placement on register of eligibles. The purpose of establishing a register of eligibles is to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department shall be subject to examination and testing which shall be public, competitive, and open to all applicants unless the municipality shall by ordinance limit applicants to residents of the municipality, county or counties in which the municipality is located, State, or nation. Municipalities may establish educational, emergency medical service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any municipality may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a municipality cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of fire chief and for no more than 2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No person who is 35 years of age or older shall be eligible to take an examination for a position as a firefighter unless the person has had previous employment status as a firefighter in the regularly constituted fire department of the municipality, except as provided in this Section. The age limitation does not apply to:

(1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or

(2) any person who has served a municipality as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the municipality begins to use full-time firefighters to provide all or part of its fire protection service.

No person who is under 21 years of age shall be eligible for employment as a firefighter.
No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the commissioners of the municipality or their designees and agents.

No municipality shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a licensed certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic licensure certification.

In the event that any applicant who has been found eligible for appointment and whose name has been placed upon the final eligibility register provided for in this Division 1 has not been appointed to a firefighter position within one year after the date of his or her physical ability examination, the commission may cause a second examination to be made of that applicant's physical ability prior to his or her appointment. If, after the second examination, the physical ability of the applicant shall be found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed. The applicant's name may be retained upon the register of candidates eligible for appointment and when next reached for certification and appointment that applicant may be again examined as provided in this Section, and if the physical ability of that applicant is found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed, and the name of the applicant shall be removed from the register.

(d) Notice, examination, and testing components. Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the commission, by a publication at least 2 weeks preceding the examination: (i) in one or more newspapers published in the municipality, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the municipality, or (ii) on the municipality's Internet website. Additional notice of the examination may be given as the commission shall prescribe.

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and

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preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the commission. Scores from the examination must be made available to the public.

(e) Mental aptitude. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the local appointing authority.

(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

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The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

Physical ability examinations administered under this Section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the commission.

(g) Scoring of examination components. Appointing authorities may create a preliminary eligibility register. A person shall be placed on the list based upon his or her passage of the written examination or the passage of the written examination and the physical ability component. Passage of the written examination means a score that is at or above the median score for all applicants participating in the written test. The appointing authority may conduct the physical ability component and any subjective components subsequent to the posting of the preliminary eligibility register.

The examination components for an initial eligibility register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability component, and (iii) the person's results on any subjective component as described in subsection (d).

In order to qualify for placement on the final eligibility register, an applicant's score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the median score. The local appointing authority may prescribe the score to qualify for placement on the final eligibility register, but the score shall not be less than the median score.

The commission shall prepare and keep a register of persons whose total score is not less than the minimum fixed by this Section and who have passed the physical ability examination. These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this Section. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission. The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

Commissions may conduct additional examinations, including without limitation a polygraph test, after a final eligibility register is

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established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

(h) Preferences. The following are preferences:

(1) Veteran preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department.

(2) Fire cadet preference. Persons who have successfully completed 2 years of study in fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may be preferred for appointment to and employment with the fire department.

(3) Educational preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department.

(4) Paramedic preference. Persons who have obtained a license certification as a paramedic an Emergency Medical Technician-Paramedic (EMT-P) may be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services.

(5) Experience preference. All persons employed by a municipality who have been paid-on-call or part-time certified Firefighter II, certified Firefighter III, State of Illinois or nationally licensed EMT, EMT-B or EMT-I, A-EMT, or licensed paramedic, or any combination of those capacities may be awarded up to a maximum of 5 points. However, the applicant may not be awarded more than 0.5 points for each complete year of paid-on-call or part-time service. Applicants from outside the municipality who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or another municipality may be awarded up to 5 experience preference points. However, the applicant may not be

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awarded more than one point for each complete year of full-time service.

Upon request by the commission, the governing body of the municipality or in the case of applicants from outside the municipality the governing body of any fire protection district or any other municipality shall certify to the commission, within 10 days after the request, the number of years of successful paid-on-call, part-time, or full-time service of any person. A candidate may not receive the full amount of preference points under this subsection if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

(6) Residency preference. Applicants whose principal residence is located within the fire department's jurisdiction may be preferred for appointment to and employment with the fire department.

(7) Additional preferences. Up to 5 additional preference points may be awarded for unique categories based on an applicant's experience or background as identified by the commission.

(8) Scoring of preferences. The commission shall give preference for original appointment to persons designated in item (1) by adding to the final grade that they receive 5 points for the recognized preference achieved. The commission shall determine the number of preference points for each category except (1). The number of preference points for each category shall range from 0 to 5. In determining the number of preference points, the commission shall prescribe that if a candidate earns the maximum number of preference points in all categories, that number may not be less than 10 nor more than 30. The commission shall give preference for original appointment to persons designated in items (2) through (7) by adding the requisite number of points to the final grade for each recognized preference achieved. The numerical result thus attained shall be applied by the commission in determining the final eligibility list and appointment from the eligibility list. The local appointing authority may prescribe the total number of preference points awarded under

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this Section, but the total number of preference points shall not be less than 10 points or more than 30 points.

No person entitled to any preference shall be required to claim the credit before any examination held under the provisions of this Section, but the preference shall be given after the posting or publication of the initial eligibility list or register at the request of a person entitled to a credit before any certification or appointments are made from the eligibility register, upon the furnishing of verifiable evidence and proof of qualifying preference credit. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial eligibility list, or the claim shall be deemed waived. Final eligibility registers shall be established after the awarding of verified preference points. All employment shall be subject to the commission's initial hire background review including, but not limited to, criminal history, employment history, moral character, oral examination, and medical and psychological examinations, all on a pass-fail basis. The medical and psychological examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

Any person placed on an eligibility list who exceeds the age requirement before being appointed to a fire department shall remain eligible for appointment until the list is abolished, or his or her name has been on the list for a period of 2 years. No person who has attained the age of 35 years shall be inducted into a fire department, except as otherwise provided in this Section.

The commission shall strike off the names of candidates for original appointment after the names have been on the list for more than 2 years.

(i) Moral character. No person shall be appointed to a fire department unless he or she is a person of good character; not a habitual drunkard, a gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. However, no person shall be disqualified from appointment to the fire department because of the person's record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrest for any cause without conviction thereon. Any such person who is in the department may be removed on charges brought for violating this subsection and after a trial as hereinafter provided.

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A classifiable set of the fingerprints of every person who is offered employment as a certificated member of an affected fire department whether with or without compensation, shall be furnished to the Illinois Department of State Police and to the Federal Bureau of Investigation by the commission.

Whenever a commission is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the State Police Law of the Civil Administrative Code of Illinois, the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files as is necessary to fulfill the request.

(j) Temporary appointments. In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this Division, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12; 97-1150, eff. 1-25-13.)

(65 ILCS 5/10-2.1-4) (from Ch. 24, par. 10-2.1-4)
Sec. 10-2.1-4. Fire and police departments; Appointment of members; Certificates of appointments.

The board of fire and police commissioners shall appoint all officers and members of the fire and police departments of the municipality, including the chief of police and the chief of the fire department, unless the council or board of trustees shall by ordinance as to them otherwise provide; except as otherwise provided in this Section, and except that in any municipality which adopts or has adopted this Division 2.1 and also adopts or has adopted Article 5 of this Code, the chief of police and the chief of the fire department shall be appointed by the municipal manager, if it is provided by ordinance in such
municipality that such chiefs, or either of them, shall not be appointed by the board of fire and police commissioners.

If the chief of the fire department or the chief of the police department or both of them are appointed in the manner provided by ordinance, they may be removed or discharged by the appointing authority. In such case the appointing authority shall file with the corporate authorities the reasons for such removal or discharge, which removal or discharge shall not become effective unless confirmed by a majority vote of the corporate authorities.

If a member of the department is appointed chief of police or chief of the fire department prior to being eligible to retire on pension, he shall be considered as on furlough from the rank he held immediately prior to his appointment as chief. If he resigns as chief or is discharged as chief prior to attaining eligibility to retire on pension, he shall revert to and be established in whatever rank he currently holds, except for previously appointed positions, and thereafter be entitled to all the benefits and emoluments of that rank, without regard as to whether a vacancy then exists in that rank.

All appointments to each department other than that of the lowest rank, however, shall be from the rank next below that to which the appointment is made except as otherwise provided in this Section, and except that the chief of police and the chief of the fire department may be appointed from among members of the police and fire departments, respectively, regardless of rank, unless the council or board of trustees shall have by ordinance as to them otherwise provided. A chief of police or the chief of the fire department, having been appointed from among members of the police or fire department, respectively, shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he currently holds, without having to resign as chief of police or chief of the fire department.

The sole authority to issue certificates of appointment shall be vested in the Board of Fire and Police Commissioners and all certificates of appointments issued to any officer or member of the fire or police department of a municipality shall be signed by the chairman and secretary respectively of the board of fire and police commissioners of such municipality, upon appointment of such officer or member of the fire and police department of such municipality by action of the board of fire and police commissioners. In any municipal fire department that employs full-time firefighters and is subject to a collective bargaining agreement, a person who has not qualified for regular appointment under the provisions of this Division 2.1 shall not be used as a temporary or permanent substitute for classified members of a

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A home rule unit may not regulate the hiring of temporary or substitute members of the municipality's fire department in a manner that is inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

The term "policemen" as used in this Division does not include auxiliary police officers except as provided for in Section 10-2.1-6.

Any full time member of a regular fire or police department of any municipality which comes under the provisions of this Division or adopts this Division 2.1 or which has adopted any of the prior Acts pertaining to fire and police commissioners, is a city officer.

Notwithstanding any other provision of this Section, the Chief of Police of a department in a non-home rule municipality of more than 130,000 inhabitants may, without the advice or consent of the Board of Fire and Police Commissioners, appoint up to 6 officers who shall be known as deputy chiefs or assistant deputy chiefs, and whose rank shall be immediately below that of Chief. The deputy or assistant deputy chiefs may be appointed from any rank of sworn officers of that municipality, but no person who is not such a sworn officer may be so appointed. Such deputy chief or assistant deputy chief shall have the authority to direct and issue orders to all employees of the Department holding the rank of captain or any lower rank. A deputy chief of police or assistant deputy chief of police, having been appointed from any rank of sworn officers of that municipality, shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he currently holds, without having to resign as deputy chief of police or assistant deputy chief of police.

Notwithstanding any other provision of this Section, a non-home rule municipality of 130,000 or fewer inhabitants, through its council or board of trustees, may, by ordinance, provide for a position of deputy chief to be
appointed by the chief of the police department. The ordinance shall provide for no more than one deputy chief position if the police department has fewer than 25 full-time police officers and for no more than 2 deputy chief positions if the police department has 25 or more full-time police officers. The deputy chief position shall be an exempt rank immediately below that of Chief. The deputy chief may be appointed from any rank of sworn, full-time officers of the municipality's police department, but must have at least 5 years of full-time service as a police officer in that department. A deputy chief shall serve at the discretion of the Chief and, if removed from the position, shall revert to the rank currently held, without regard as to whether a vacancy exists in that rank. A deputy chief of police, having been appointed from any rank of sworn full-time officers of that municipality's police department, shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he currently holds, without having to resign as deputy chief of police.

No municipality having a population less than 1,000,000 shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year. The limitation on periods of probationary employment provided in this amendatory Act of 1989 is an exclusive power and function of the State. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule municipality having a population less than 1,000,000 must comply with this limitation on periods of probationary employment, which is a denial and limitation of home rule powers. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a licensed certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic licensure certification.

To the extent that this Section or any other Section in this Division conflicts with Section 10-2.1-6.3 or 10-2.1-6.4, then Section 10-2.1-6.3 or 10-2.1-6.4 shall control.

(Source: P.A. 97-251, eff. 8-4-11; 97-813, eff. 7-13-12.)

(65 ILCS 5/10-2.1-6.3)
Sec. 10-2.1-6.3. Original appointments; full-time fire department.
(a) Applicability. Unless a commission elects to follow the provisions of Section 10-2.1-6.4, this Section shall apply to all original appointments to an affected full-time fire department. Existing registers of eligibles shall continue to be valid until their expiration dates, or up to a maximum of 2

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years after the effective date of this amendatory Act of the 97th General Assembly.

Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to an affected department to which this Section applies shall be administered in the manner provided for in this Section. Provisions of the Illinois Municipal Code, municipal ordinances, and rules adopted pursuant to such authority and other laws relating to initial hiring of firefighters in affected departments shall continue to apply to the extent they are compatible with this Section, but in the event of a conflict between this Section and any other law, this Section shall control.

A home rule or non-home rule municipality may not administer its fire department process for original appointments in a manner that is less stringent than this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

A municipality that is operating under a court order or consent decree regarding original appointments to a full-time fire department before the effective date of this amendatory Act of the 97th General Assembly is exempt from the requirements of this Section for the duration of the court order or consent decree.

Notwithstanding any other provision of this subsection (a), this Section does not apply to a municipality with more than 1,000,000 inhabitants.

(b) Original appointments. All original appointments made to an affected fire department shall be made from a register of eligibles established in accordance with the processes established by this Section. Only persons who meet or exceed the performance standards required by this Section shall be placed on a register of eligibles for original appointment to an affected fire department.

Whenever an appointing authority authorizes action to hire a person to perform the duties of a firefighter or to hire a firefighter-paramedic to fill a position that is a new position or vacancy due to resignation, discharge, promotion, death, the granting of a disability or retirement pension, or any other cause, the appointing authority shall appoint to that position the person with the highest ranking on the final eligibility list. If the appointing authority has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the appointing authority believes an alternate candidate would better serve the needs of the department, then the

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appointing authority has the right to pass over the highest ranked person and
appoint either: (i) any person who has a ranking in the top 5% of the register
of eligibles or (ii) any person who is among the top 5 highest ranked persons
on the list of eligibles if the number of people who have a ranking in the top
5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his
or her position on the register of eligibles. Any candidate who passes a
second time may be removed from the list by the appointing authority
provided that such action shall not prejudice a person's opportunities to
participate in future examinations, including an examination held during the
time a candidate is already on the municipality's register of eligibles.

The sole authority to issue certificates of appointment shall be vested
in the board of fire and police commissioners. All certificates of appointment
issued to any officer or member of an affected department shall be signed by
the chairperson and secretary, respectively, of the board upon appointment of
such officer or member to the affected department by action of the board.
Each person who accepts a certificate of appointment and successfully
completes his or her probationary period shall be enrolled as a firefighter and
as a regular member of the fire department.

For the purposes of this Section, "firefighter" means any person who
has been prior to, on, or after the effective date of this amendatory Act of the
97th General Assembly appointed to a fire department or fire protection
district or employed by a State university and sworn or commissioned to
perform firefighter duties or paramedic duties, or both, except that the
following persons are not included: part-time firefighters; auxiliary, reserve,
or voluntary firefighters, including paid-on-call firefighters; clerks and
dispatchers or other civilian employees of a fire department or fire protection
district who are not routinely expected to perform firefighter duties; and
elected officials.

(c) Qualification for placement on register of eligibles. The purpose
of establishing a register of eligibles is to identify applicants who possess and
demonstrate the mental aptitude and physical ability to perform the duties
required of members of the fire department in order to provide the highest
quality of service to the public. To this end, all applicants for original
appointment to an affected fire department shall be subject to examination
and testing which shall be public, competitive, and open to all applicants
unless the municipality shall by ordinance limit applicants to residents of the
municipality, county or counties in which the municipality is located, State,
or nation. Municipalities may establish educational, emergency medical

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service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any municipality may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a municipality cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of fire chief and for no more than 2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No person who is 35 years of age or older shall be eligible to take an examination for a position as a firefighter unless the person has had previous employment status as a firefighter in the regularly constituted fire department of the municipality, except as provided in this Section. The age limitation does not apply to:

(1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or

(2) any person who has served a municipality as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the municipality begins to use full-time firefighters to provide all or part of its fire protection service.

No person who is under 21 years of age shall be eligible for employment as a firefighter.

No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the commissioners of the municipality or their designees and agents.

No municipality shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a licensed certified paramedic, during which time the sole reason that a firefighter may be discharged

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without a hearing is for failing to meet the requirements for paramedic licensure certification.

In the event that any applicant who has been found eligible for appointment and whose name has been placed upon the final eligibility register provided for in this Section has not been appointed to a firefighter position within one year after the date of his or her physical ability examination, the commission may cause a second examination to be made of that applicant's physical ability prior to his or her appointment. If, after the second examination, the physical ability of the applicant shall be found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed. The applicant's name may be retained upon the register of candidates eligible for appointment and when next reached for certification and appointment that applicant may be again examined as provided in this Section, and if the physical ability of that applicant is found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed, and the name of the applicant shall be removed from the register.

(d) Notice, examination, and testing components. Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the commission, by a publication at least 2 weeks preceding the examination: (i) in one or more newspapers published in the municipality, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the municipality, or (ii) on the municipality's Internet website. Additional notice of the examination may be given as the commission shall prescribe.

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the commission. Scores from the examination must be made available to the public.

(e) Mental aptitude. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department.
(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the local appointing authority.

(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

Physical ability examinations administered under this Section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the commission.

(g) Scoring of examination components. Appointing authorities may create a preliminary eligibility register. A person shall be placed on the list based upon his or her passage of the written examination or the passage of the written examination and the physical ability component. Passage of the
written examination means a score that is at or above the median score for all applicants participating in the written test. The appointing authority may conduct the physical ability component and any subjective components subsequent to the posting of the preliminary eligibility register.

The examination components for an initial eligibility register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability component, and (iii) the person's results on any subjective component as described in subsection (d).

In order to qualify for placement on the final eligibility register, an applicant's score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the median score. The local appointing authority may prescribe the score to qualify for placement on the final eligibility register, but the score shall not be less than the median score.

The commission shall prepare and keep a register of persons whose total score is not less than the minimum fixed by this Section and who have passed the physical ability examination. These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this Section. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission. The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

Commissions may conduct additional examinations, including without limitation a polygraph test, after a final eligibility register is established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

(h) Preferences. The following are preferences:

(1) Veteran preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such
military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department.

(2) Fire cadet preference. Persons who have successfully completed 2 years of study in fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may be preferred for appointment to and employment with the fire department.

(3) Educational preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department.

(4) Paramedic preference. Persons who have obtained a license certification as a paramedic or Emergency Medical Technician-Paramedic (EMT-P) shall be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services.

(5) Experience preference. All persons employed by a municipality who have been paid-on-call or part-time certified Firefighter II, State of Illinois or nationally licensed EMT, EMT-B or EMT-I, A-EMT, or any combination of those capacities shall be awarded 0.5 point for each year of successful service in one or more of those capacities, up to a maximum of 5 points. Certified Firefighter III and State of Illinois or nationally licensed paramedics shall be awarded one point per year up to a maximum of 5 points. Applicants from outside the municipality who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or another municipality for at least 2 years shall be awarded 5 experience preference points. These additional points presuppose a rating scale totaling 100 points available for the eligibility list. If more or fewer points are used in the rating scale for the eligibility list, the points awarded under this subsection shall be increased or decreased by a factor equal to the total possible points available for the examination divided by 100.

Upon request by the commission, the governing body of the municipality or in the case of applicants from outside the municipality the governing body of any fire protection district or any other municipality shall certify to the commission, within 10 days after the
request, the number of years of successful paid-on-call, part-time, or full-time service of any person. A candidate may not receive the full amount of preference points under this subsection if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

(6) Residency preference. Applicants whose principal residence is located within the fire department's jurisdiction shall be preferred for appointment to and employment with the fire department.

(7) Additional preferences. Up to 5 additional preference points may be awarded for unique categories based on an applicant's experience or background as identified by the commission.

(8) Scoring of preferences. The commission shall give preference for original appointment to persons designated in item (1) by adding to the final grade that they receive 5 points for the recognized preference achieved. The commission shall determine the number of preference points for each category except (1). The number of preference points for each category shall range from 0 to 5. In determining the number of preference points, the commission shall prescribe that if a candidate earns the maximum number of preference points in all categories, that number may not be less than 10 nor more than 30. The commission shall give preference for original appointment to persons designated in items (2) through (7) by adding the requisite number of points to the final grade for each recognized preference achieved. The numerical result thus attained shall be applied by the commission in determining the final eligibility list and appointment from the eligibility list. The local appointing authority may prescribe the total number of preference points awarded under this Section, but the total number of preference points shall not be less than 10 points or more than 30 points.

No person entitled to any preference shall be required to claim the credit before any examination held under the provisions of this Section, but the preference shall be given after the posting or publication of the initial eligibility list or register at the request of a person entitled to a credit before

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any certification or appointments are made from the eligibility register, upon
the furnishing of verifiable evidence and proof of qualifying preference
credit. Candidates who are eligible for preference credit shall make a claim
in writing within 10 days after the posting of the initial eligibility list, or the
claim shall be deemed waived. Final eligibility registers shall be established
after the awarding of verified preference points. All employment shall be
subject to the commission's initial hire background review including, but not
limited to, criminal history, employment history, moral character, oral
examination, and medical and psychological examinations, all on a pass-fail
basis. The medical and psychological examinations must be conducted last,
and may only be performed after a conditional offer of employment has been
extended.

Any person placed on an eligibility list who exceeds the age
requirement before being appointed to a fire department shall remain eligible
for appointment until the list is abolished, or his or her name has been on the
list for a period of 2 years. No person who has attained the age of 35 years
shall be inducted into a fire department, except as otherwise provided in this
Section.

The commission shall strike off the names of candidates for original
appointment after the names have been on the list for more than 2 years.

(i) Moral character. No person shall be appointed to a fire department
unless he or she is a person of good character; not a habitual drunkard, a
gambler, or a person who has been convicted of a felony or a crime involving
moral turpitude. However, no person shall be disqualified from appointment
to the fire department because of the person's record of misdemeanor
convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-
17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1,
28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections 1,
6, and 8 of Section 24-1 of the Criminal Code of 1961 or the Criminal Code
of 2012, or arrest for any cause without conviction thereon. Any such person
who is in the department may be removed on charges brought for violating
this subsection and after a trial as hereinafter provided.

A classifiable set of the fingerprints of every person who is offered
employment as a certificated member of an affected fire department whether
with or without compensation, shall be furnished to the Illinois Department
of State Police and to the Federal Bureau of Investigation by the commission.

Whenever a commission is authorized or required by law to consider
some aspect of criminal history record information for the purpose of carrying
out its statutory powers and responsibilities, then, upon request and payment

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of fees in conformance with the requirements of Section 2605-400 of the State Police Law of the Civil Administrative Code of Illinois, the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files as is necessary to fulfill the request.

(j) Temporary appointments. In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this Division, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12; 97-1150, eff. 1-25-13.)

(65 ILCS 5/10-2.1-14) (from Ch. 24, par. 10-2.1-14)

Sec. 10-2.1-14. Register of eligibles. The board of fire and police commissioners shall prepare and keep a register of persons whose general average standing, upon examination, is not less than the minimum fixed by the rules of the board, and who are otherwise eligible. These persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination. The board of fire and police commissioners may prepare and keep a second register of persons who have previously been full-time sworn officers of a regular police department in any municipal, county, university, or State law enforcement agency, provided they are certified by the Illinois Law Enforcement Training Standards Board and have been with their respective law enforcement agency within the State for at least 2 years. The persons on this list shall take rank upon the register as candidates in the order of their relative excellence as determined by members of the board of fire and police commissioners. Applicants who have been awarded a certificate attesting to their successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, may be given preference in appointment over noncertified
applicants. Applicants for appointment to fire departments who are licensed as an EMT EMT-B, EMT-I, A-EMT, or paramedic EMT-P under the Emergency Medical Services (EMS) Systems Act, may be given preference in appointment over non-licensed applicants.

Within 60 days after each examination, an eligibility list shall be posted by the board, which shall show the final grades of the candidates without reference to priority of time of examination and subject to claim for military credit. Candidates who are eligible for military credit shall make a claim in writing within 10 days after the posting of the eligibility list or such claim shall be deemed waived. Appointment shall be subject to a final physical examination.

If a person is placed on an eligibility list and becomes overage before he or she is appointed to a police or fire department, the person remains eligible for appointment until the list is abolished pursuant to authorized procedures. Otherwise no person who has attained the age of 36 years shall be inducted as a member of a police department and no person who has attained the age of 35 years shall be inducted as a member of a fire department, except as otherwise provided in this division. With respect to a police department, a veteran shall be allowed to exceed the maximum age provision of this Section by the number of years served on active military duty, but by no more than 10 years of active military duty.

(Source: P.A. 95-931, eff. 1-1-09; 96-472, eff. 8-14-09.)

(65 ILCS 5/10-2.1-31)

Sec. 10-2.1-31. Emergency medical technician licensure. The corporate authorities of any municipality may require that all firefighters hired by the municipality on or after January 1, 2009 (the effective date of Public Act 95-935) be licensed as an EMT EMT-B, EMT-I, A-EMT, or paramedic EMT-P under the Emergency Medical Services (EMS) Systems Act.

(Source: P.A. 95-935, eff. 1-1-09.)

Section 20. The Fire Protection District Act is amended by changing Sections 16.06b, 16.08b, and 16.13b as follows:

(70 ILCS 705/16.06b)

Sec. 16.06b. Original appointments; full-time fire department.

(a) Applicability. Unless a commission elects to follow the provisions of Section 16.06c, this Section shall apply to all original appointments to an affected full-time fire department. Existing registers of eligibles shall continue to be valid until their expiration dates, or up to a maximum of 2
years after the effective date of this amendatory Act of the 97th General Assembly.

Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to an affected department to which this Section applies shall be administered in a no less stringent manner than the manner provided for in this Section. Provisions of the Illinois Municipal Code, Fire Protection District Act, fire district ordinances, and rules adopted pursuant to such authority and other laws relating to initial hiring of firefighters in affected departments shall continue to apply to the extent they are compatible with this Section, but in the event of a conflict between this Section and any other law, this Section shall control.

A fire protection district that is operating under a court order or consent decree regarding original appointments to a full-time fire department before the effective date of this amendatory Act of the 97th General Assembly is exempt from the requirements of this Section for the duration of the court order or consent decree.

(b) Original appointments. All original appointments made to an affected fire department shall be made from a register of eligibles established in accordance with the processes required by this Section. Only persons who meet or exceed the performance standards required by the Section shall be placed on a register of eligibles for original appointment to an affected fire department.

Whenever an appointing authority authorizes action to hire a person to perform the duties of a firefighter or to hire a firefighter-paramedic to fill a position that is a new position or vacancy due to resignation, discharge, promotion, death, the granting of a disability or retirement pension, or any other cause, the appointing authority shall appoint to that position the person with the highest ranking on the final eligibility list. If the appointing authority has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the appointing authority believes an alternate candidate would better serve the needs of the department, then the appointing authority has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the register of eligibles or (ii) any person who is among the top 5 highest ranked persons on the list of eligibles if the number of people who have a ranking in the top 5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his or her position on the register of eligibles. Any candidate who passes a second time may be removed from the list by the appointing authority.

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provided that such action shall not prejudice a person's opportunities to participate in future examinations, including an examination held during the time a candidate is already on the fire district's register of eligibles.

The sole authority to issue certificates of appointment shall be vested in the board of fire commissioners, or board of trustees serving in the capacity of a board of fire commissioners. All certificates of appointment issued to any officer or member of an affected department shall be signed by the chairperson and secretary, respectively, of the commission upon appointment of such officer or member to the affected department by action of the commission. Each person who accepts a certificate of appointment and successfully completes his or her probationary period shall be enrolled as a firefighter and as a regular member of the fire department.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties; and elected officials.

(c) Qualification for placement on register of eligibles. The purpose of establishing a register of eligibles is to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department shall be subject to examination and testing which shall be public, competitive, and open to all applicants unless the district shall by ordinance limit applicants to residents of the district, county or counties in which the district is located, State, or nation. Districts may establish educational, emergency medical service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any fire protection district may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a district cannot be made more restrictive for that individual during his or her period of service for that district, or be made a condition of promotion, except for the rank or position of fire chief and for no more than

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2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No person who is 35 years of age or older shall be eligible to take an examination for a position as a firefighter unless the person has had previous employment status as a firefighter in the regularly constituted fire department of the district, except as provided in this Section. The age limitation does not apply to:

(1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or

(2) any person who has served a fire district as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the district begins to use full-time firefighters to provide all or part of its fire protection service.

No person who is under 21 years of age shall be eligible for employment as a firefighter.

No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the commissioners of the district or their designees and agents.

No district shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a licensed certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic licensure certification.

In the event that any applicant who has been found eligible for appointment and whose name has been placed upon the final eligibility register provided for in this Section has not been appointed to a firefighter position within one year after the date of his or her physical ability examination, the commission may cause a second examination to be made of that applicant's physical ability prior to his or her appointment. If, after the
second examination, the physical ability of the applicant shall be found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed. The applicant's name may be retained upon the register of candidates eligible for appointment and when next reached for certification and appointment that applicant may be again examined as provided in this Section, and if the physical ability of that applicant is found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed, and the name of the applicant shall be removed from the register.

(d) Notice, examination, and testing components. Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the commission, by a publication at least 2 weeks preceding the examination: (i) in one or more newspapers published in the district, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the district, or (ii) on the fire protection district's Internet website. Additional notice of the examination may be given as the commission shall prescribe.

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the commission. Scores from the examination must be made available to the public.

(e) Mental aptitude. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence

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of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

(1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the local appointing authority.

(2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

Physical ability examinations administered under this Section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the commission.

(g) Scoring of examination components. Appointing authorities may create a preliminary eligibility register. A person shall be placed on the list based upon his or her passage of the written examination or the passage of the written examination and the physical ability component. Passage of the written examination means a score that is at or above the median score for all applicants participating in the written test. The appointing authority may conduct the physical ability component and any subjective components subsequent to the posting of the preliminary eligibility register.

The examination components for an initial eligibility register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability

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component, and (iii) the person's results on any subjective component as described in subsection (d).

In order to qualify for placement on the final eligibility register, an applicant's score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the median score. The local appointing authority may prescribe the score to qualify for placement on the final eligibility register, but the score shall not be less than the median score.

The commission shall prepare and keep a register of persons whose total score is not less than the minimum fixed by this Section and who have passed the physical ability examination. These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this Section. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission. The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

Commissions may conduct additional examinations, including without limitation a polygraph test, after a final eligibility register is established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

(h) Preferences. The following are preferences:

(1) Veteran preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department.

(2) Fire cadet preference. Persons who have successfully completed 2 years of study in fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may be preferred for appointment to and employment with the fire department.
(3) Educational preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department.

(4) Paramedic preference. Persons who have obtained a license certification as a paramedic an Emergency Medical Technician-Paramedic (EMT-P) may be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services.

(5) Experience preference. All persons employed by a district who have been paid-on-call or part-time certified Firefighter II, certified Firefighter III, State of Illinois or nationally licensed EMT, EMT-B, or EMT-I, A-EMT, or licensed paramedic, or any combination of those capacities may be awarded up to a maximum of 5 points. However, the applicant may not be awarded more than 0.5 points for each complete year of paid-on-call or part-time service. Applicants from outside the district who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or municipality for at least 2 years may be awarded up to 5 experience preference points. However, the applicant may not be awarded more than one point for each complete year of full-time service.

Upon request by the commission, the governing body of the district or in the case of applicants from outside the district the governing body of any other fire protection district or any municipality shall certify to the commission, within 10 days after the request, the number of years of successful paid-on-call, part-time, or full-time service of any person. A candidate may not receive the full amount of preference points under this subsection if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

(6) Residency preference. Applicants whose principal residence is located within the fire department's jurisdiction may be
preferred for appointment to and employment with the fire
department.

(7) Additional preferences. Up to 5 additional preference
points may be awarded for unique categories based on an applicant's
experience or background as identified by the commission.

(8) Scoring of preferences. The commission shall give
preference for original appointment to persons designated in item (1)
by adding to the final grade that they receive 5 points for the
recognized preference achieved. The commission shall determine the
number of preference points for each category except (1). The number
of preference points for each category shall range from 0 to 5. In
determining the number of preference points, the commission shall
prescribe that if a candidate earns the maximum number of preference
points in all categories, that number may not be less than 10 nor more
than 30. The commission shall give preference for original
appointment to persons designated in items (2) through (7) by adding
the requisite number of points to the final grade for each recognized
preference achieved. The numerical result thus attained shall be
applied by the commission in determining the final eligibility list and
appointment from the eligibility list. The local appointing authority
may prescribe the total number of preference points awarded under
this Section, but the total number of preference points shall not be
less than 10 points or more than 30 points.

No person entitled to any preference shall be required to claim the
credit before any examination held under the provisions of this Section, but
the preference shall be given after the posting or publication of the initial
eligibility list or register at the request of a person entitled to a credit before
any certification or appointments are made from the eligibility register, upon
the furnishing of verifiable evidence and proof of qualifying preference
credit. Candidates who are eligible for preference credit shall make a claim
in writing within 10 days after the posting of the initial eligibility list, or the
claim shall be deemed waived. Final eligibility registers shall be established
after the awarding of verified preference points. All employment shall be
subject to the commission's initial hire background review including, but not
limited to, criminal history, employment history, moral character, oral
examination, and medical and psychological examinations, all on a pass-fail
basis. The medical and psychological examinations must be conducted last,
and may only be performed after a conditional offer of employment has been
extended.

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Any person placed on an eligibility list who exceeds the age requirement before being appointed to a fire department shall remain eligible for appointment until the list is abolished, or his or her name has been on the list for a period of 2 years. No person who has attained the age of 35 years shall be inducted into a fire department, except as otherwise provided in this Section.

The commission shall strike off the names of candidates for original appointment after the names have been on the list for more than 2 years.

(i) Moral character. No person shall be appointed to a fire department unless he or she is a person of good character; not a habitual drunkard, a gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. However, no person shall be disqualified from appointment to the fire department because of the person's record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrest for any cause without conviction thereon. Any such person who is in the department may be removed on charges brought for violating this subsection and after a trial as hereinafter provided.

A classifiable set of the fingerprints of every person who is offered employment as a certificated member of an affected fire department whether with or without compensation, shall be furnished to the Illinois Department of State Police and to the Federal Bureau of Investigation by the commission.

Whenever a commission is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the State Police Law of the Civil Administrative Code of Illinois, the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files as is necessary to fulfill the request.

(j) Temporary appointments. In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this Section, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

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(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12; 97-1150, eff. 1-25-13.)

(70 ILCS 705/16.08b)

Sec. 16.08b. Emergency medical technician licensure. The board of trustees of a fire protection district may require that all firefighters hired on or after January 1, 2005 (the effective date of Public Act 93-952) this amendatory Act of the 93rd General Assembly by any fire department within the district must be licensed as an EMT EMT-B, EMT-I, A-EMT, or paramedic EMT-P under the Emergency Medical Services (EMS) Systems Act.

(Source: P.A. 93-952, eff. 1-1-05.)

(70 ILCS 705/16.13b) (from Ch. 127 1/2, par. 37.13b)

Sec. 16.13b. Unless the employer and a labor organization have agreed to a contract provision providing for final and binding arbitration of disputes concerning the existence of just cause for disciplinary action, no officer or member of the fire department of any protection district who has held that position for one year shall be removed or discharged except for just cause, upon written charges specifying the complainant and the basis for the charges, and after a hearing on those charges before the board of fire commissioners, affording the officer or member an opportunity to be heard in his own defense. In such case the appointing authority shall file with the board of trustees the reasons for such removal or discharge, which removal or discharge shall not become effective unless confirmed by a majority vote of the board of trustees. If written charges are brought against an officer or member, the board of fire commissioners shall conduct a fair and impartial hearing of the charges, to be commenced within 30 days of the filing thereof, which hearing may be continued from time to time. The Chief of the department shall bear the burden of proving the guilt of the officer or member by a preponderance of the evidence. In case an officer or member is found guilty, the board may discharge him, or may suspend him not exceeding 30 calendar days without pay. The board may suspend any officer or member pending the hearing with or without pay, but in no event shall the suspension
pending hearing and the ultimate suspension imposed on the officer or member, if any, exceed 30 calendar days without pay in the aggregate. If the board of fire commissioners determines that the charges are not sustained, the officer or member shall be reimbursed for all wages withheld or lost, if any.

In the conduct of this hearing, each member of the board shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to the hearing.

Notwithstanding any other provision of this Section, a probationary employment period may be extended beyond one year for a firefighter who is required as a condition of employment to be a licensed certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic licensure certification.

The age for mandatory retirement of firemen in the service of any department of such district is 65 years, unless the board of trustees shall by ordinance provide for an earlier mandatory retirement age of not less than 60 years.

The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the board of fire commissioners hereunder. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Nothing in this Section shall be construed to prevent the Chief of the fire department from suspending without pay a member of his department for a period of not more than 5 consecutive calendar days, but he shall notify the board in writing of such suspension. Any fireman so suspended may appeal to the board of fire commissioners for a review of the suspension within 5 calendar days after such suspension. Upon such appeal, the Chief of the department shall bear the burden of proof in establishing the guilt of the officer or member by a preponderance of the evidence. The board may sustain the action of the Chief of the department, may reduce the suspension to a lesser penalty, or may reverse it with instructions that the officer or member receive his pay and other benefits withheld for the period involved, or may suspend the officer for an additional period of not more than 30 days, or discharge him, depending upon the facts presented.

(Source: P.A. 94-135, eff. 7-7-05.)

Section 25. The Emergency Medical Services (EMS) Systems Act is amended by changing Sections 3.5, 3.10, 3.15, 3.20, 3.25, 3.35, 3.40, 3.45,

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3.50, 3.55, 3.65, 3.70, 3.75, 3.80, 3.130, 3.140, 3.165, 3.170, 3.180, 3.200, 3.205, and 3.210 as follows:

(210 ILCS 50/3.5)
Sec. 3.5. Definitions. As used in this Act:
"Department" means the Illinois Department of Public Health.
"Director" means the Director of the Illinois Department of Public Health.
"Emergency" means a medical condition of recent onset and severity that would lead a prudent layperson, possessing an average knowledge of medicine and health, to believe that urgent or unscheduled medical care is required.
"Emergency Medical Services personnel" or "EMS personnel" means persons licensed as an Emergency Medical Responder (EMR) (First Responder), Emergency Medical Dispatcher (EMD), Emergency Medical Technician (EMT), Emergency Medical Technician-Intermediate (EMT-I), Advanced Emergency Medical Technician (A-EMT), Paramedic (EMT-P), Emergency Communications Registered Nurse (ECRN), or Pre-Hospital Registered Nurse (PHRN).
"Health Care Facility" means a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed. It does not include "pre-hospital emergency care settings" which utilize EMS personnel EMTs to render pre-hospital emergency care prior to the arrival of a transport vehicle, as defined in this Act.
"Hospital" has the meaning ascribed to that term in the Hospital Licensing Act.
"Trauma" means any significant injury which involves single or multiple organ systems.
(Source: P.A. 89-177, eff. 7-19-95.)
(210 ILCS 50/3.10)
Sec. 3.10. Scope of Services.
(a) "Advanced Life Support (ALS) Services" means an advanced level of pre-hospital and inter-hospital emergency care and non-emergency medical services that includes basic life support care, cardiac monitoring, cardiac defibrillation, electrocardiography, intravenous therapy, administration of medications, drugs and solutions, use of adjunctive medical devices, trauma care, and other authorized techniques and procedures, as outlined in the provisions of the National EMS Education Standards relating to Advanced Life Support national curriculum of the United States Department of New matter indicated by italics - deletions by strikeout
Transportation and any modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

That care shall be initiated as authorized by the EMS Medical Director in a Department approved advanced life support EMS System, under the written or verbal direction of a physician licensed to practice medicine in all of its branches or under the verbal direction of an Emergency Communications Registered Nurse.

(b) "Intermediate Life Support (ILS) Services" means an intermediate level of pre-hospital and inter-hospital emergency care and non-emergency medical services that includes basic life support care plus intravenous cannulation and fluid therapy, invasive airway management, trauma care, and other authorized techniques and procedures, as outlined in the Intermediate Life Support national curriculum of the United States Department of Transportation and any modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

That care shall be initiated as authorized by the EMS Medical Director in a Department approved intermediate or advanced life support EMS System, under the written or verbal direction of a physician licensed to practice medicine in all of its branches or under the verbal direction of an Emergency Communications Registered Nurse.

(c) "Basic Life Support (BLS) Services" means a basic level of pre-hospital and inter-hospital emergency care and non-emergency medical services that includes airway management, cardiopulmonary resuscitation (CPR), control of shock and bleeding and splinting of fractures, as outlined in the provisions of the National EMS Education Standards relating to Basic Life Support national curriculum of the United States Department of Transportation and any modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

That care shall be initiated, where authorized by the EMS Medical Director in a Department approved EMS System, under the written or verbal direction of a physician licensed to practice medicine in all of its branches or under the verbal direction of an Emergency Communications Registered Nurse.

(d) "Emergency Medical Responder First Response Services" means a preliminary level of pre-hospital emergency care that includes cardiopulmonary resuscitation (CPR), monitoring vital signs and control of bleeding, as outlined in the Emergency Medical Responder (EMR) curriculum of the National EMS Education Standards First Responder curriculum of the United States Department of Transportation and any

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modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

(e) "Pre-hospital care" means those emergency medical services rendered to emergency patients for analytic, resuscitative, stabilizing, or preventive purposes, precedent to and during transportation of such patients to health care facilities hospitals.

(f) "Inter-hospital care" means those emergency medical services rendered to emergency patients for analytic, resuscitative, stabilizing, or preventive purposes, during transportation of such patients from one hospital to another hospital.

(f-5) "Critical care transport" means the pre-hospital or inter-hospital transportation of a critically injured or ill patient by a vehicle service provider, including the provision of medically necessary supplies and services, at a level of service beyond the scope of the Paramedic EMT-paramedic. When medically indicated for a patient, as determined by a physician licensed to practice medicine in all of its branches, an advanced practice nurse, or a physician's assistant, in compliance with subsections (b) and (c) of Section 3.155 of this Act, critical care transport may be provided by:

1. Department-approved critical care transport providers, not owned or operated by a hospital, utilizing Paramedics EMT-paramedics with additional training, nurses, or other qualified health professionals; or
2. Hospitals, when utilizing any vehicle service provider or any hospital-owned or operated vehicle service provider. Nothing in Public Act 96-1469 this amendatory Act of the 96th General Assembly requires a hospital to use, or to be, a Department-approved critical care transport provider when transporting patients, including those critically injured or ill. Nothing in this Act shall restrict or prohibit a hospital from providing, or arranging for, the medically appropriate transport of any patient, as determined by a physician licensed to practice in all of its branches, an advanced practice nurse, or a physician's assistant.

(g) "Non-emergency medical services" means medical care or monitoring rendered to patients whose conditions do not meet this Act's definition of emergency, before or during transportation of such patients to or from health care facilities visited for the purpose of obtaining medical or health care services which are not emergency in nature, using a vehicle regulated by this Act.

New matter indicated by italics - deletions by strikeout
(g-5) The Department shall have the authority to promulgate minimum standards for critical care transport providers through rules adopted pursuant to this Act. All critical care transport providers must function within a Department-approved EMS System. Nothing in Department rules shall restrict a hospital's ability to furnish personnel, equipment, and medical supplies to any vehicle service provider, including a critical care transport provider. Minimum critical care transport provider standards shall include, but are not limited to:

1. Personnel staffing and licensure.
2. Education, certification, and experience.
3. Medical equipment and supplies.
4. Vehicular standards.
5. Treatment and transport protocols.
6. Quality assurance and data collection.

(h) The provisions of this Act shall not apply to the use of an ambulance or SEMSV, unless and until emergency or non-emergency medical services are needed during the use of the ambulance or SEMSV.

(Source: P.A. 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.15)

Sec. 3.15. Emergency Medical Services (EMS) Regions. The Beginning September 1, 1995, the Department shall designate Emergency Medical Services (EMS) Regions within the State, consisting of specific geographic areas encompassing EMS Systems and trauma centers, in which emergency medical services, trauma services, and non-emergency medical services are coordinated under an EMS Region Plan.

In designating EMS Regions, the Department shall take into consideration, but not be limited to, the location of existing EMS Systems, Trauma Regions and trauma centers, existing patterns of inter-System transports, population locations and density, transportation modalities, and geographical distance from available trauma and emergency department care.

Use of the term Trauma Region to identify a specific geographic area shall be discontinued upon designation of areas as EMS Regions.

(Source: P.A. 89-177, eff. 7-19-95.)

(210 ILCS 50/3.20)

Sec. 3.20. Emergency Medical Services (EMS) Systems.

(a) "Emergency Medical Services (EMS) System" means an organization of hospitals, vehicle service providers and personnel approved by the Department in a specific geographic area, which coordinates and provides pre-hospital and inter-hospital emergency care and non-emergency
medical transports at a BLS, ILS and/or ALS level pursuant to a System
program plan submitted to and approved by the Department, and pursuant to
the EMS Region Plan adopted for the EMS Region in which the System is
located.

(b) One hospital in each System program plan must be designated as
the Resource Hospital. All other hospitals which are located within the
departmental boundaries of a System and which have standby, basic or
comprehensive level emergency departments must function in that EMS
System as either an Associate Hospital or Participating Hospital and follow
all System policies specified in the System Program Plan, including but not
limited to the replacement of drugs and equipment used by providers who
have delivered patients to their emergency departments. All hospitals and
vehicle service providers participating in an EMS System must specify their
level of participation in the System Program Plan.

(c) The Department shall have the authority and responsibility to:

1) Approve BLS, ILS and ALS level EMS Systems which
meet minimum standards and criteria established in rules adopted by
the Department pursuant to this Act, including the submission of a
Program Plan for Department approval. Beginning September 1,
1997, the Department shall approve the development of a new EMS
System only when a local or regional need for establishing such
System has been verified by the Department. This shall not be
construed as a needs assessment for health planning or other purposes
outside of this Act. Following Department approval, EMS Systems
must be fully operational within one year from the date of approval.

2) Monitor EMS Systems, based on minimum standards for
continuing operation as prescribed in rules adopted by the Department
pursuant to this Act, which shall include requirements for submitting
Program Plan amendments to the Department for approval.

3) Renew EMS System approvals every 4 years, after an
inspection, based on compliance with the standards for continuing
operation prescribed in rules adopted by the Department pursuant to
this Act.

4) Suspend, revoke, or refuse to renew approval of any EMS
System, after providing an opportunity for a hearing, when findings
show that it does not meet the minimum standards for continuing
operation as prescribed by the Department, or is found to be in
violation of its previously approved Program Plan.

New matter indicated by italics - deletions by strikeout
(5) Require each EMS System to adopt written protocols for the bypassing of or diversion to any hospital, trauma center or regional trauma center, which provide that a person shall not be transported to a facility other than the nearest hospital, regional trauma center or trauma center unless the medical benefits to the patient reasonably expected from the provision of appropriate medical treatment at a more distant facility outweigh the increased risks to the patient from transport to the more distant facility, or the transport is in accordance with the System's protocols for patient choice or refusal.

(6) Require that the EMS Medical Director of an ILS or ALS level EMS System be a physician licensed to practice medicine in all of its branches in Illinois, and certified by the American Board of Emergency Medicine or the American Osteopathic Board of Osteopathic Emergency Medicine, and that the EMS Medical Director of a BLS level EMS System be a physician licensed to practice medicine in all of its branches in Illinois, with regular and frequent involvement in pre-hospital emergency medical services. In addition, all EMS Medical Directors shall:

(A) Have experience on an EMS vehicle at the highest level available within the System, or make provision to gain such experience within 12 months prior to the date responsibility for the System is assumed or within 90 days after assuming the position;

(B) Be thoroughly knowledgeable of all skills included in the scope of practices of all levels of EMS personnel within the System;

(C) Have or make provision to gain experience instructing students at a level similar to that of the levels of EMS personnel within the System; and

(D) For ILS and ALS EMS Medical Directors, successfully complete a Department-approved EMS Medical Director's Course.

(7) Prescribe statewide EMS data elements to be collected and documented by providers in all EMS Systems for all emergency and non-emergency medical services, with a one-year phase-in for commencing collection of such data elements.

(8) Define, through rules adopted pursuant to this Act, the terms "Resource Hospital", "Associate Hospital", "Participating
Hospital", "Basic Emergency Department", "Standby Emergency Department", "Comprehensive Emergency Department", "EMS Medical Director", "EMS Administrative Director", and "EMS System Coordinator".

(A) (Blank). Upon the effective date of this amendatory Act of 1995, all existing Project Medical Directors shall be considered EMS Medical Directors; and all persons serving in such capacities on the effective date of this amendatory Act of 1995 shall be exempt from the requirements of paragraph (7) of this subsection;

(B) (Blank). Upon the effective date of this amendatory Act of 1995, all existing EMS System Project Directors shall be considered EMS Administrative Directors.

(9) Investigate the circumstances that caused a hospital in an EMS system to go on bypass status to determine whether that hospital's decision to go on bypass status was reasonable. The Department may impose sanctions, as set forth in Section 3.140 of the Act, upon a Department determination that the hospital unreasonably went on bypass status in violation of the Act.

(10) Evaluate the capacity and performance of any freestanding emergency center established under Section 32.5 of this Act in meeting emergency medical service needs of the public, including compliance with applicable emergency medical standards and assurance of the availability of and immediate access to the highest quality of medical care possible.

(11) Permit limited EMS System participation by facilities operated by the United States Department of Veterans Affairs, Veterans Health Administration. Subject to patient preference, Illinois EMS providers may transport patients to Veterans Health Administration facilities that voluntarily participate in an EMS System. Any Veterans Health Administration facility seeking limited participation in an EMS System shall agree to comply with all Department administrative rules implementing this Section. The Department may promulgate rules, including, but not limited to, the types of Veterans Health Administration facilities that may participate in an EMS System and the limitations of participation.

(Source: P.A. 96-1009, eff. 1-1-11; 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11.)

(210 ILCS 50/3.25)

New matter indicated by italics - deletions by strikeout
Sec. 3.25. EMS Region Plan; Development.

(a) Within 6 months after designation of an EMS Region, an EMS Region Plan addressing at least the information prescribed in Section 3.30 shall be submitted to the Department for approval. The Plan shall be developed by the Region's EMS Medical Directors Committee with advice from the Regional EMS Advisory Committee; portions of the plan concerning trauma shall be developed jointly with the Region's Trauma Center Medical Directors or Trauma Center Medical Directors Committee, whichever is applicable, with advice from the Regional Trauma Advisory Committee, if such Advisory Committee has been established in the Region. Portions of the Plan concerning stroke shall be developed jointly with the Regional Stroke Advisory Subcommittee.

1 A Region's EMS Medical Directors Committee shall be comprised of the Region's EMS Medical Directors, along with the medical advisor to a fire department vehicle service provider. For regions which include a municipal fire department serving a population of over 2,000,000 people, that fire department's medical advisor shall serve on the Committee. For other regions, the fire department vehicle service providers shall select which medical advisor to serve on the Committee on an annual basis.

2 A Region's Trauma Center Medical Directors Committee shall be comprised of the Region's Trauma Center Medical Directors.

(b) A Region's Trauma Center Medical Directors may choose to participate in the development of the EMS Region Plan through membership on the Regional EMS Advisory Committee, rather than through a separate Trauma Center Medical Directors Committee. If that option is selected, the Region's Trauma Center Medical Director shall also determine whether a separate Regional Trauma Advisory Committee is necessary for the Region.

(c) In the event of disputes over content of the Plan between the Region's EMS Medical Directors Committee and the Region's Trauma Center Medical Directors Committee or Trauma Center Medical Directors Committee, whichever is applicable, the Director of the Illinois Department of Public Health shall intervene through a mechanism established by the Department through rules adopted pursuant to this Act.

(d) "Regional EMS Advisory Committee" means a committee formed within an Emergency Medical Services (EMS) Region to advise the Region's EMS Medical Directors Committee and to select the Region's representative to the State Emergency Medical Services Advisory Council, consisting of at least the members of the Region's EMS Medical Directors Committee, the

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Chair of the Regional Trauma Committee, the EMS System Coordinators from each Resource Hospital within the Region, one administrative representative from an Associate Hospital within the Region, one administrative representative from a Participating Hospital within the Region, one administrative representative from the vehicle service provider which responds to the highest number of calls for emergency service within the Region, one administrative representative of a vehicle service provider from each System within the Region, one individual from each level of license provided in Section 3.50 of this Act, one Pre-Hospital Registered Nurse Emergency Medical Technician (EMT)/Pre-Hospital RN from each level of EMT/Pre-Hospital RN practicing within the Region, and one registered professional nurse currently practicing in an emergency department within the Region. Of the 2 administrative representatives of vehicle service providers, at least one shall be an administrative representative of a private vehicle service provider. The Department's Regional EMS Coordinator for each Region shall serve as a non-voting member of that Region's EMS Advisory Committee.

Every 2 years, the members of the Region's EMS Medical Directors Committee shall rotate serving as Committee Chair, and select the Associate Hospital, Participating Hospital and vehicle service providers which shall send representatives to the Advisory Committee, and the EMS personnel EMTs/Pre-Hospital RN and nurse who shall serve on the Advisory Committee.

(e) "Regional Trauma Advisory Committee" means a committee formed within an Emergency Medical Services (EMS) Region, to advise the Region's Trauma Center Medical Directors Committee, consisting of at least the Trauma Center Medical Directors and Trauma Coordinators from each Trauma Center within the Region, one EMS Medical Director from a resource hospital within the Region, one EMS System Coordinator from another resource hospital within the Region, one representative each from a public and private vehicle service provider which transports trauma patients within the Region, an administrative representative from each trauma center within the Region, one EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, or PHRN EMT representing the highest level of EMS personnel EMT practicing within the Region, one emergency physician and one Trauma Nurse Specialist (TNS) currently practicing in a trauma center. The Department's Regional EMS Coordinator for each Region shall serve as a non-voting member of that Region's Trauma Advisory Committee.

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Every 2 years, the members of the Trauma Center Medical Directors Committee shall rotate serving as Committee Chair, and select the vehicle service providers, EMS personnel EMT, emergency physician, EMS System Coordinator and TNS who shall serve on the Advisory Committee.
(Source: P.A. 96-514, eff. 1-1-10.)

Sec. 3.35. Emergency Medical Services (EMS) Resource Hospital; Functions. The Resource Hospital of an EMS System shall:

(a) Prepare a Program Plan in accordance with the provisions of this Act and minimum standards and criteria established in rules adopted by the Department pursuant to this Act, and submit such Program Plan to the Department for approval.

(b) Appoint an EMS Medical Director, who will continually monitor and supervise the System and who will have the responsibility and authority for total management of the System as delegated by the EMS Resource Hospital.

The Program Plan shall require the EMS Medical Director to appoint an alternate EMS Medical Director and establish a written protocol addressing the functions to be carried out in his or her absence.

(c) Appoint an EMS System Coordinator and EMS Administrative Director in consultation with the EMS Medical Director and in accordance with rules adopted by the Department pursuant to this Act.

(d) Identify potential EMS System participants and obtain commitments from them for the provision of services.

(e) Educate or coordinate the education of EMS personnel and all other license holders in accordance with the requirements of this Act, rules adopted by the Department pursuant to this Act, and the EMS System Program Plan.

(f) Notify the Department of EMS personnel EMT provider personnel who have successfully completed the requirements as provided by law for initial licensure, license renewal, and license reinstatement testing and relicensure by the Department, except that an ILS or ALS level System may require its EMT-B personnel to apply directly to the Department for determination of successful completion of relicensure requirements.

(g) Educate or coordinate the education of Emergency Medical Dispatcher candidates, in accordance with the requirements of this Act, rules adopted by the Department pursuant to this Act, and the EMS System Program Plan.

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(h) Establish or approve protocols for prearrival medical instructions to callers by System Emergency Medical Dispatchers who provide such instructions.

(i) Educate or coordinate the education of Pre-Hospital Registered Nurse (RN) and ECRN candidates, in accordance with the requirements of this Act, rules adopted by the Department pursuant to this Act, and the EMS System Program Plan.

(j) Approve Pre-Hospital Registered Nurse (RN) and ECRN candidates to practice within the System, and reapprove Pre-Hospital Registered Nurses (RNs) and ECRNs every 4 years in accordance with the requirements of the Department and the System Program Plan.

(k) Establish protocols for the use of Pre-Hospital Registered Nurses (RNs) within the System.

(l) Establish protocols for utilizing ECRNs and physicians licensed to practice medicine in all of its branches to monitor telecommunications from, and give voice orders to, EMS personnel, under the authority of the EMS Medical Director.

(m) Monitor emergency and non-emergency medical transports within the System, in accordance with rules adopted by the Department pursuant to this Act.

(n) Utilize levels of personnel required by the Department to provide emergency care to the sick and injured at the scene of an emergency, during transport to a hospital or during inter-hospital transport and within the hospital emergency department until the responsibility for the care of the patient is assumed by the medical personnel of a hospital emergency department or other facility within the hospital to which the patient is first delivered by System personnel.

(o) Utilize levels of personnel required by the Department to provide non-emergency medical services during transport to a health care facility and within the health care facility until the responsibility for the care of the patient is assumed by the medical personnel of the health care facility to which the patient is delivered by System personnel.

(p) Establish and implement a program for System participant information and education, in accordance with rules adopted by the Department pursuant to this Act.

(q) Establish and implement a program for public information and education, in accordance with rules adopted by the Department pursuant to this Act.

(r) Operate in compliance with the EMS Region Plan.

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Sec. 3.40. EMS System Participation Suspensions and Due Process.

(a) An EMS Medical Director may suspend from participation within the System any **EMS personnel, EMS Lead Instructor (LI), individual, individual provider or other participant considered not to be meeting the requirements of the Program Plan of that approved EMS System.**

(b) Prior to suspending any individual or entity **an EMT or other provider,** an EMS Medical Director shall provide **an the EMT or provider with the opportunity for a hearing before the local System review board in accordance with subsection (f) and the rules promulgated by the Department.**

(1) If the local System review board affirms or modifies the EMS Medical Director's suspension order, the **individual or entity EMT or provider shall have the opportunity for a review of the local board's decision by the State EMS Disciplinary Review Board, pursuant to Section 3.45 of this Act.**

(2) If the local System review board reverses or modifies the EMS Medical Director's suspension order, the EMS Medical Director shall have the opportunity for a review of the local board's decision by the State EMS Disciplinary Review Board, pursuant to Section 3.45 of this Act.

(3) The suspension shall commence only upon the occurrence of one of the following:

   (A) the **individual or entity EMT or provider** has waived the opportunity for a hearing before the local System review board; or

   (B) the suspension order has been affirmed or modified by the local system review board and the **individual or entity EMT or provider** has waived the opportunity for review by the State Board; or

   (C) the suspension order has been affirmed or modified by the local system review board, and the local board's decision has been affirmed or modified by the State Board.

(c) An EMS Medical Director may immediately suspend an **EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHRN, LI, or other individual or entity EMT or other provider** if he or she finds that the information in his or her possession indicates that the continuation in practice by the **individual or entity an EMT or other provider** would constitute an

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imminent danger to the public. The suspended individual or entity EMT or other provider shall be issued an immediate verbal notification followed by a written suspension order to the EMT or other provider by the EMS Medical Director which states the length, terms and basis for the suspension.

(1) Within 24 hours following the commencement of the suspension, the EMS Medical Director shall deliver to the Department, by messenger, or telefax, or other Department-approved electronic communication, a copy of the suspension order and copies of any written materials which relate to the EMS Medical Director's decision to suspend the individual or entity EMT or provider. All medical and patient-specific information, including Department findings with respect to the quality of care rendered, shall be strictly confidential pursuant to the Medical Studies Act.

(2) Within 24 hours following the commencement of the suspension, the suspended individual or entity EMT or provider may deliver to the Department, by messenger, or telefax, or other Department-approved electronic communication, a written response to the suspension order and copies of any written materials which the individual or entity EMT or provider feels are appropriate relate to that response. All medical and patient-specific information, including Department findings with respect to the quality of care rendered, shall be strictly confidential pursuant to the Medical Studies Act.

(3) Within 24 hours following receipt of the EMS Medical Director's suspension order or the individual or entity's EMT or provider's written response, whichever is later, the Director or the Director's designee shall determine whether the suspension should be stayed pending an EMT's or provider's opportunity for a hearing or review in accordance with this Act, or whether the suspension should continue during the course of that hearing or review. The Director or the Director's designee shall issue this determination to the EMS Medical Director, who shall immediately notify the suspended individual or entity EMT or provider. The suspension shall remain in effect during this period of review by the Director or the Director's designee.

(d) Upon issuance of a suspension order for reasons directly related to medical care, the EMS Medical Director shall also provide the individual or entity EMT or provider with the opportunity for a hearing before the local System review board, in accordance with subsection (f) and the rules promulgated by the Department.

New matter indicated by italics - deletions by strikeout
(1) If the local System review board affirms or modifies the EMS Medical Director's suspension order, the individual or entity EMT or provider shall have the opportunity for a review of the local board's decision by the State EMS Disciplinary Review Board, pursuant to Section 3.45 of this Act.

(2) If the local System review board reverses or modifies the EMS Medical Director's suspension order, the EMS Medical Director shall have the opportunity for a review of the local board's decision by the State EMS Disciplinary Review Board, pursuant to Section 3.45 of this Act.

(3) The suspended individual or entity EMT or provider may elect to bypass the local System review board and seek direct review of the EMS Medical Director's suspension order by the State EMS Disciplinary Review Board.

(e) The Resource Hospital shall designate a local System review board in accordance with the rules of the Department, for the purpose of providing a hearing to any individual or entity EMT or provider participating within the System who is suspended from participation by the EMS Medical Director. The EMS Medical Director shall arrange for a certified shorthand reporter to make a stenographic record of that hearing and thereafter prepare a transcript of the proceedings. The transcript, all documents or materials received as evidence during the hearing and the local System review board's written decision shall be retained in the custody of the EMS system. The System shall implement a decision of the local System review board unless that decision has been appealed to the State Emergency Medical Services Disciplinary Review Board in accordance with this Act and the rules of the Department.

(f) The Resource Hospital shall implement a decision of the State Emergency Medical Services Disciplinary Review Board which has been rendered in accordance with this Act and the rules of the Department.

(Source: P.A. 89-177, eff. 7-19-95.)

(210 ILCS 50/3.45)

Sec. 3.45. State Emergency Medical Services Disciplinary Review Board.

(a) The Governor shall appoint a State Emergency Medical Services Disciplinary Review Board, composed of an EMS Medical Director, an EMS System Coordinator, a Paramedic Emergency Medical Technician-Paramedic (EMT-P), an Emergency Medical Technician (EMT) Technician-Basic (EMT-B), and the following members, who shall only review cases in

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which a party is from the same professional category: a Pre-Hospital Registered Nurse RN, an ECRN, a Trauma Nurse Specialist, an Emergency Medical Technician-Intermediate (EMT-I), an Advanced Emergency Medical Technician (A-EMT), a representative from a private vehicle service provider, a representative from a public vehicle service provider, and an emergency physician who monitors telecommunications from and gives voice orders to EMS personnel. The Governor shall also appoint one alternate for each member of the Board, from the same professional category as the member of the Board.

(b) The Of the members first appointed, 2 members shall be appointed for a term of one year, 2 members shall be appointed for a term of 2 years and the remaining members shall be appointed for a term of 3 years. The terms of subsequent appointments shall be 3 years. All appointees shall serve until their successors are appointed. The alternate members shall be appointed and serve in the same fashion as the members of the Board. If a member resigns his or her appointment, the corresponding alternate shall serve the remainder of that member's term until a subsequent member is appointed by the Governor.

(c) The function of the Board is to review and affirm, reverse or modify disciplinary orders to suspend an EMT or other individual provider from participating within an EMS System.

(d) Any An individual or entity, individual provider or other participant who received an immediate suspension from an EMS Medical Director may request the Board to reverse or modify the suspension order. If the suspension had been affirmed or modified by a local System review board, the suspended individual or entity participant may request the Board to reverse or modify the local board's decision.

(e) Any An individual or entity, individual provider or other participant who received a non-immediate suspension order from an EMS Medical Director which was affirmed or modified by a local System review board may request the Board to reverse or modify the local board's decision.

(f) An EMS Medical Director whose suspension order was reversed or modified by a local System review board may request the Board to reverse or modify the local board's decision.

(g) The Board shall regularly meet on the first Tuesday of every month, unless no requests for review have been submitted. Additional meetings of the Board shall be scheduled as necessary to ensure that a request for direct review of an immediate suspension order is scheduled within 14 days after the Department receives the request for review or as soon as possible.
thereafter as a quorum is available. The Board shall meet in Springfield or Chicago, whichever location is closer to the majority of the members or alternates attending the meeting. The Department shall reimburse the members and alternates of the Board for reasonable travel expenses incurred in attending meetings of the Board.

(h) A request for review shall be submitted in writing to the Chief of the Department's Division of Emergency Medical Services and Highway Safety, within 10 days after receiving the local board's decision or the EMS Medical Director's suspension order, whichever is applicable, a copy of which shall be enclosed.

(i) At its regularly scheduled meetings, the Board shall review requests which have been received by the Department at least 10 working days prior to the Board's meeting date. Requests for review which are received less than 10 working days prior to a scheduled meeting shall be considered at the Board's next scheduled meeting, except that requests for direct review of an immediate suspension order may be scheduled up to 3 working days prior to the Board's meeting date.

(j) A quorum shall be required for the Board to meet, which shall consist of 3 members or alternates, including the EMS Medical Director or alternate and the member or alternate from the same professional category as the subject of the suspension order. At each meeting of the Board, the members or alternates present shall select a Chairperson to conduct the meeting.

(k) Deliberations for decisions of the State EMS Disciplinary Review Board shall be conducted in closed session. Department staff may attend for the purpose of providing clerical assistance, but no other persons may be in attendance except for the parties to the dispute being reviewed by the Board and their attorneys, unless by request of the Board.

(l) The Board shall review the transcript, evidence and written decision of the local review board or the written decision and supporting documentation of the EMS Medical Director, whichever is applicable, along with any additional written or verbal testimony or argument offered by the parties to the dispute.

(m) At the conclusion of its review, the Board shall issue its decision and the basis for its decision on a form provided by the Department, and shall submit to the Department its written decision together with the record of the local System review board. The Department shall promptly issue a copy of the Board's decision to all affected parties. The Board's decision shall be binding on all parties.

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Sec. 3.50. Emergency Medical Services personnel licensure levels
Technician (EMT) Licensure.

(a) "Emergency Medical Technician-Basic" or "EMT-B" means a person who has successfully completed a course of instruction in basic life support as approved by the Department, is currently licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an EMS System. A valid Emergency Medical Technician-Basic (EMT-B) license issued under this Act shall continue to be valid and shall be recognized as an Emergency Medical Technician (EMT) license until the Emergency Medical Technician-Basic (EMT-B) license expires.

(b) "Emergency Medical Technician-Intermediate" or "EMT-I" means a person who has successfully completed a course of instruction in intermediate life support as approved by the Department, is currently licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an Intermediate or Advanced Life Support EMS System.

(b-5) "Advanced Emergency Medical Technician" or "A-EMT" means a person who has successfully completed a course in basic and limited advanced emergency medical care as approved by the Department, is currently licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an Intermediate or Advanced Life Support EMS System.

(c) "Paramedic (EMT-P)" or "EMT-P" means a person who has successfully completed a course of instruction in advanced life support care as approved by the Department, is licensed by the Department in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act, and practices within an Advanced Life Support EMS System. A valid Emergency Medical Technician-Paramedic (EMT-P) license issued under this Act shall continue to be valid and shall be recognized as a Paramedic license until the Emergency Medical Technician-Paramedic (EMT-P) license expires.

(c-5) "Emergency Medical Responder" or "EMR (First Responder)" means a person who has successfully completed a course in emergency...
medical response as approved by the Department and provides emergency medical response services prior to the arrival of an ambulance or specialized emergency medical services vehicle, in accordance with the level of care established by the National EMS Educational Standards Emergency Medical Responder course as modified by the Department. An Emergency Medical Responder who provides services as part of an EMS System response plan shall comply with the applicable sections of the Program Plan, as approved by the Department, of that EMS System. The Department shall have the authority to adopt rules governing the curriculum, practice, and necessary equipment applicable to Emergency Medical Responders.

On the effective date of this amendatory Act of the 98th General Assembly, a person who is licensed by the Department as a First Responder and has completed a Department-approved course in first responder defibrillator training based on, or equivalent to, the National EMS Educational Standards or other standards previously recognized by the Department shall be eligible for licensure as an Emergency Medical Responder upon meeting the licensure requirements and submitting an application to the Department. A valid First Responder license issued under this Act shall continue to be valid and shall be recognized as an Emergency Medical Responder license until the First Responder license expires.

(c-10) All EMS Systems and licensees shall be fully compliant with the National EMS Education Standards, as modified by the Department in administrative rules, within 24 months after the adoption of the administrative rules.

(d) The Department shall have the authority and responsibility to:

1. Prescribe education and training requirements, which includes training in the use of epinephrine, for all levels of EMS personnel except for EMRs, based on the National EMS Educational Standards respective national curricula of the United States Department of Transportation and any modifications to those curricula specified by the Department through rules adopted pursuant to this Act.

2. Prescribe licensure testing requirements for all levels of EMS personnel, which shall include a requirement that all phases of instruction, training, and field experience be completed before taking the appropriate EMT licensure examination. Candidates may elect to take the appropriate National Registry of Emergency Medical Technicians examination in lieu of the Department's examination, but are responsible for making their own

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arrangements for taking the National Registry examination. In prescribing licensure testing requirements for honorably discharged members of the armed forces of the United States under this paragraph (2), the Department shall ensure that a candidate's military emergency medical training, emergency medical curriculum completed, and clinical experience, as described in paragraph (2.5), are recognized.

(2.5) Review applications for EMS personnel EMT licensure from honorably discharged members of the armed forces of the United States with military emergency medical training. Applications shall be filed with the Department within one year after military discharge and shall contain: (i) proof of successful completion of military emergency medical training; (ii) a detailed description of the emergency medical curriculum completed; and (iii) a detailed description of the applicant's clinical experience. The Department may request additional and clarifying information. The Department shall evaluate the application, including the applicant's training and experience, consistent with the standards set forth under subsections (a), (b), (c), and (d) of Section 3.10. If the application clearly demonstrates that the training and experience meets such standards, the Department shall offer the applicant the opportunity to successfully complete a Department-approved EMS personnel EMT examination for the level of license for which the applicant is qualified. Upon passage of an examination, the Department shall issue a license, which shall be subject to all provisions of this Act that are otherwise applicable to the level class of EMS personnel EMT license issued.

(3) License individuals as an EMR, EMT-B, EMT-I, A-EMT, or Paramedic EMT-P who have met the Department's education, training and examination requirements.

(4) Prescribe annual continuing education and relicensure requirements for all EMS personnel licensure levels of EMT.

(5) Relicense individuals as an EMD, EMR, EMT-B, EMT-I, A-EMT, or Paramedic EMT-P every 4 years, based on their compliance with continuing education and relicensure requirements as required by the Department pursuant to this Act. Every 4 years, a Paramedic EMT-P shall have 100 hours of approved continuing education, an EMT-I and an advanced EMT shall have 80 hours of approved continuing education, and an EMT EMT-B shall have 60

New matter indicated by italics - deletions by strikeout
hours of approved continuing education. An Illinois licensed EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, or PHRN Emergency Medical Technician whose license has been expired for less than 36 months may apply for reinstatement by the Department. Reinstatement shall require that the applicant (i) submit satisfactory proof of completion of continuing medical education and clinical requirements to be prescribed by the Department in an administrative rule; (ii) submit a positive recommendation from an Illinois EMS Medical Director attesting to the applicant's qualifications for retesting; and (iii) pass a Department approved test for the level of EMS personnel EMT license sought to be reinstated.

(6) Grant inactive status to any EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, or PHRN EMT who qualifies, based on standards and procedures established by the Department in rules adopted pursuant to this Act.

(7) Charge a fee for EMS personnel EMT examination, licensure, and license renewal.

(8) Suspend, revoke, or refuse to issue or renew the license of any licensee, after an opportunity for an impartial hearing before a neutral administrative law judge appointed by the Director, where the preponderance of the evidence shows one or more of the following:

(A) The licensee has not met continuing education or relicensure requirements as prescribed by the Department;

(B) The licensee has failed to maintain proficiency in the level of skills for which he or she is licensed;

(C) The licensee, during the provision of medical services, engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(D) The licensee has failed to maintain or has violated standards of performance and conduct as prescribed by the Department in rules adopted pursuant to this Act or his or her EMS System's Program Plan;

(E) The licensee is physically impaired to the extent that he or she cannot physically perform the skills and functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

New matter indicated by italics - deletions by strikeout
(F) The licensee is mentally impaired to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to Department regulations;

(G) The licensee has violated this Act or any rule adopted by the Department pursuant to this Act; or

(H) The licensee has been convicted (or entered a plea of guilty or nolo-contendere) by a court of competent jurisdiction of a Class X, Class 1, or Class 2 felony in this State or an out-of-state equivalent offense.

(d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, or PHRN An EMT who is a member of the Illinois National Guard or an Illinois State Trooper or who exclusively serves as a volunteer for units of local government with a population base of less than 5,000 or as a volunteer for a not-for-profit organization that serves a service area with a population base of less than 5,000 may submit an application to the Department for a waiver of the fees described under paragraph (7) of subsection (d) of this Section on a form prescribed by the Department.

The education requirements prescribed by the Department under this Section subsection must allow for the suspension of those requirements in the case of a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard who is on active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor at the time that the member would otherwise be required to fulfill a particular education requirement. Such a person must fulfill the education requirement within 6 months after his or her release from active duty.

(e) In the event that any rule of the Department or an EMS Medical Director that requires testing for drug use as a condition of the applicable EMS personnel license for EMT licensure conflicts with or duplicates a provision of a collective bargaining agreement that requires testing for drug use, that rule shall not apply to any person covered by the collective bargaining agreement.

(Source: P.A. 97-333, eff. 8-12-11; 97-509, eff. 8-23-11; 97-813, eff. 7-13-12; 97-1014, eff. 1-1-13; 98-53, eff. 1-1-14; 98-463, eff. 8-16-13.)

(210 ILCS 50/3.55)
Sec. 3.55. Scope of practice.

New matter indicated by italics - deletions by strikeout
(a) Any person currently licensed as an EMR, EMT-B, EMT-I, A-EMT, or Paramedic EMT-P may perform emergency and non-emergency medical services as defined in this Act, in accordance with his or her level of education, training and licensure, the standards of performance and conduct prescribed by the Department in rules adopted pursuant to this Act, and the requirements of the EMS System in which he or she practices, as contained in the approved Program Plan for that System. The Director may, by written order, temporarily modify individual scopes of practice in response to public health emergencies for periods not exceeding 180 days.

(a-5) EMS personnel A person currently approved as a First Responder or licensed as an EMT-B, EMT-I, or EMT-P who have has successfully completed a Department approved course in automated defibrillator operation and who are is functioning within a Department approved EMS System may utilize such automated defibrillator according to the standards of performance and conduct prescribed by the Department in rules adopted pursuant to this Act and the requirements of the EMS System in which they practice he or she practices, as contained in the approved Program Plan for that System.

(a-7) An EMT A person currently licensed as an EMT-B, EMT-I, A-EMT, or Paramedic EMT-P who has successfully completed a Department approved course in the administration of epinephrine; shall be required to carry epinephrine with him or her as part of the EMS personnel EMT medical supplies whenever he or she is performing official the duties as determined by the EMS System of an emergency medical technician.

(b) An EMR, EMT A person currently licensed as an EMT-B, EMT-I, A-EMT, or Paramedic EMT-P may only practice as an EMR, EMT, EMT-I, A-EMT, or Paramedic EMT or utilize his or her EMR, EMT, EMT-I, A-EMT, or Paramedic EMT license in pre-hospital or inter-hospital emergency care settings or non-emergency medical transport situations, under the written or verbal direction of the EMS Medical Director. For purposes of this Section, a "pre-hospital emergency care setting" may include a location, that is not a health care facility, which utilizes EMS personnel EMTs to render pre-hospital emergency care prior to the arrival of a transport vehicle. The location shall include communication equipment and all of the portable equipment and drugs appropriate for the EMR, EMT, EMT-I, A-EMT, or Paramedic's EMT's level of care, as required by this Act, rules adopted by the Department pursuant to this Act, and the protocols of the EMS Systems, and shall operate only with the approval and under the direction of the EMS Medical Director.
This Section shall not prohibit an EMR, EMT-B, EMT-I, A-EMT, or Paramedic EMT-P from practicing within an emergency department or other health care setting for the purpose of receiving continuing education or training approved by the EMS Medical Director. This Section shall also not prohibit an EMT EMT-B, EMT-I, A-EMT, or Paramedic EMT-P from seeking credentials other than his or her EMT, EMT-I, A-EMT, or Paramedic license and utilizing such credentials to work in emergency departments or other health care settings under the jurisdiction of that employer.

(c) An EMT A person currently licensed as an EMT-B, EMT-I, A-EMT, or Paramedic EMT-P may honor Do Not Resuscitate (DNR) orders and powers of attorney for health care only in accordance with rules adopted by the Department pursuant to this Act and protocols of the EMS System in which he or she practices.

(d) A student enrolled in a Department approved EMS personnel emergency medical technician program, while fulfilling the clinical training and in-field supervised experience requirements mandated for licensure or approval by the System and the Department, may perform prescribed procedures under the direct supervision of a physician licensed to practice medicine in all of its branches, a qualified registered professional nurse, or a qualified EMS personnel EMT, only when authorized by the EMS Medical Director.

(Source: P.A. 92-376, eff. 8-15-01.)

(210 ILCS 50/3.65)
Sec. 3.65. EMS Lead Instructor.

(a) "EMS Lead Instructor" means a person who has successfully completed a course of education as approved prescribed by the Department, and who is currently approved by the Department to coordinate or teach education, training and continuing education courses, in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act.

(b) The Department shall have the authority and responsibility to:

(1) Prescribe education requirements for EMS Lead Instructor candidates through rules adopted pursuant to this Act.

(2) Prescribe testing requirements for EMS Lead Instructor candidates through rules adopted pursuant to this Act.

(3) Charge each candidate for EMS Lead Instructor a fee to be submitted with an application for an examination, an application for licensure certification, and an application for relicensure recertification.

New matter indicated by italics - deletions by strikeout
(4) Approve individuals as EMS Lead Instructors who have met the Department's education and testing requirements.

(5) Require that all education, training and continuing education courses for EMT, EMT-B, A-EMT, Paramedic, PHRN, EMT-P, Pre-Hospital RN, ECRN, EMR, First Responder and Emergency Medical Dispatcher be coordinated by at least one approved EMS Lead Instructor. A program which includes education, training or continuing education for more than one type of personnel may use one EMS Lead Instructor to coordinate the program, and a single EMS Lead Instructor may simultaneously coordinate more than one program or course.

(6) Provide standards and procedures for awarding EMS Lead Instructor approval to persons previously approved by the Department to coordinate such courses, based on qualifications prescribed by the Department through rules adopted pursuant to this Act.

(7) Suspend, or revoke, or refuse to issue or renew the approval of an EMS Lead Instructor, after an opportunity for a hearing, when findings show one or more of the following:

(A) The EMS Lead Instructor has failed to conduct a course in accordance with the curriculum prescribed by this Act and rules adopted by the Department pursuant to this Act; or

(B) The EMS Lead Instructor has failed to comply with protocols prescribed by the Department through rules adopted pursuant to this Act.

(Source: P.A. 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.70)

Sec. 3.70. Emergency Medical Dispatcher.

(a) "Emergency Medical Dispatcher" means a person who has successfully completed a training course in emergency medical dispatching meeting or exceeding the national curriculum of the United States Department of Transportation in accordance with rules adopted by the Department pursuant to this Act, who accepts calls from the public for emergency medical services and dispatches designated emergency medical services personnel and vehicles. The Emergency Medical Dispatcher must use the Department-approved emergency medical dispatch priority reference system (EMDPRS) protocol selected for use by its agency and approved by its EMS medical director. This protocol must be used by an emergency medical dispatcher in an emergency medical dispatch agency to dispatch aid

New matter indicated by italics - deletions by strikeout
to medical emergencies which includes systematized caller interrogation questions; systematized prearrival support instructions; and systematized coding protocols that match the dispatcher’s evaluation of the injury or illness severity with the vehicle response mode and vehicle response configuration and includes an appropriate training curriculum and testing process consistent with the specific EMDPRS protocol used by the emergency medical dispatch agency. Prearrival support instructions shall be provided in a non-discriminatory manner and shall be provided in accordance with the EMDPRS established by the EMS medical director of the EMS system in which the EMD operates. If the dispatcher operates under the authority of an Emergency Telephone System Board established under the Emergency Telephone System Act, the protocols shall be established by such Board in consultation with the EMS Medical Director. Persons who have already completed a course of instruction in emergency medical dispatch based on, equivalent to or exceeding the national curriculum of the United States Department of Transportation, or as otherwise approved by the Department, shall be considered Emergency Medical Dispatchers on the effective date of this amendatory Act.

(b) The Department shall have the authority and responsibility to:

(1) Require *licensure and relicensure certification and recertification* of a person who meets the training and other requirements as an emergency medical dispatcher pursuant to this Act.

(2) Require *licensure and relicensure certification and recertification* of a person, organization, or government agency that operates an emergency medical dispatch agency that meets the minimum standards prescribed by the Department for an emergency medical dispatch agency pursuant to this Act.

(3) Prescribe minimum education and continuing education requirements for the Emergency Medical Dispatcher, which meet *standards specified by the national curriculum of the United States Department of Transportation*, through rules adopted pursuant to this Act.

(4) Require each EMS Medical Director to report to the Department whenever an action has taken place that may require the revocation or suspension of a *license certificate* issued by the Department.

New matter indicated by italics - deletions by strikeout
(5) Require each EMD to provide prearrival instructions in compliance with protocols selected and approved by the system's EMS medical director and approved by the Department.

(6) Require the Emergency Medical Dispatcher to keep the Department currently informed as to the entity or agency that employs or supervises his activities as an Emergency Medical Dispatcher.

(7) Establish an annual relicensure recertification requirement that requires at least 12 hours of medical dispatch-specific continuing education as prescribed by the Department through rules adopted pursuant to this Act each year.

(8) Approve all EMDPRS protocols used by emergency medical dispatch agencies to assure compliance with national standards.

(9) Require that Department-approved emergency medical dispatch training programs are conducted in accordance with national standards.

(10) Require that the emergency medical dispatch agency be operated in accordance with national standards, including, but not limited to, (i) the use on every request for medical assistance of an emergency medical dispatch priority reference system (EMDPRS) in accordance with Department-approved policies and procedures and (ii) under the approval and supervision of the EMS medical director, the establishment of a continuous quality improvement program.

(11) Require that a person may not represent himself or herself, nor may an agency or business represent an agent or employee of that agency or business, as an emergency medical dispatcher unless licensed certified by the Department as an emergency medical dispatcher.

(12) Require that a person, organization, or government agency not represent itself as an emergency medical dispatch agency unless the person, organization, or government agency is certified by the Department as an emergency medical dispatch agency.

(13) Require that a person, organization, or government agency may not offer or conduct a training course that is represented as a course for an emergency medical dispatcher unless the person, organization, or agency is approved by the Department to offer or conduct that course.

New matter indicated by italics - deletions by strikeout
(14) Require that Department-approved emergency medical dispatcher training programs are conducted by instructors licensed by the Department who:

(i) are, at a minimum, licensed certified as emergency medical dispatchers;

(ii) have completed a Department-approved course on methods of instruction;

(iii) have previous experience in a medical dispatch agency; and

(iv) have demonstrated experience as an EMS instructor.

(15) Establish criteria for modifying or waiving Emergency Medical Dispatcher requirements based on (i) the scope and frequency of dispatch activities and the dispatcher's access to training or (ii) whether the previously-attended dispatcher training program merits automatic relicensure recertification for the dispatcher.

(16) Charge each Emergency Medical Dispatcher applicant a fee for licensure and license renewal.

(c) The Department shall have the authority to suspend, revoke, or refuse to issue or renew the license of an EMD when, after notice and the opportunity for an impartial hearing, the Department demonstrates that the licensee has violated this Act, violated the rules adopted by the Department, or failed to comply with the applicable standard of care.

(Source: P.A. 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.75)

Sec. 3.75. Trauma Nurse Specialist (TNS) licensure Certification.

(a) "Trauma Nurse Specialist" or "TNS" means a registered professional nurse licensed under the Nurse Practice Act who has successfully completed supplemental education and testing requirements as prescribed by the Department, and is licensed certified by the Department in accordance with rules adopted by the Department pursuant to this Act. For out-of-state facilities that have Illinois recognition under the EMS, trauma, or pediatric programs, the professional shall have an unencumbered registered nurse license in the state in which he or she practices. In this Section, the term "license" is used to reflect a change in terminology from "certification" to "license" only.

(b) The Department shall have the authority and responsibility to:

(1) Establish criteria for TNS training sites, through rules adopted pursuant to this Act;

New matter indicated by italics - deletions by strikeout
(2) Prescribe education and testing requirements for TNS candidates, which shall include an opportunity for licensure certification based on examination only, through rules adopted pursuant to this Act;

(3) Charge each candidate for TNS licensure certification a fee to be submitted with an application for a licensure certification examination, an application for licensure certification, and an application for relicensure recertification;

(4) License certify an individual as a TNS who has met the Department's education and testing requirements;

(5) Prescribe relicensure recertification requirements through rules adopted pursuant to this Act;

(6) Relicense Recertify an individual as a TNS every 4 years, based on compliance with relicensure recertification requirements;

(7) Grant inactive status to any TNS who qualifies, based on standards and procedures established by the Department in rules adopted pursuant to this Act; and

(8) Suspend, revoke, or refuse to issue or renew deny renewal of the license certification of a TNS, after an opportunity for hearing by the Department, if findings show that the TNS has failed to maintain proficiency in the level of skills for which the TNS is licensed certified or has failed to comply with relicensure recertification requirements.

(Source: P.A. 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.80)
Sec. 3.80. Pre-Hospital Registered Nurse RN and Emergency Communications Registered Nurse.

(a) "Emergency Communications Registered Nurse" or "ECRN" means a registered professional nurse licensed under the Nurse Practice Act who has successfully completed supplemental education in accordance with rules adopted by the Department, and who is approved by an EMS Medical Director to monitor telecommunications from and give voice orders to EMS System personnel, under the authority of the EMS Medical Director and in accordance with System protocols. For out-of-state facilities that have Illinois recognition under the EMS, trauma or pediatric programs, the professional shall have an unencumbered registered nurse license in the state in which he or she practices. In this Section, the term "license" is used to reflect a change in terminology from "certification" to "license" only.
Upon the effective date of this amendatory Act of 1995, all existing Registered Professional Nurse/MICNs shall be considered ECRNs.

(b) "Pre-Hospital Registered Nurse", or "PHRN", or "Pre-Hospital RN" means a registered professional nurse licensed under the Nurse Practice Act who has successfully completed supplemental education in accordance with rules adopted by the Department pursuant to this Act, and who is approved by an EMS Medical Director to practice within an Illinois EMS System as emergency medical services personnel for pre-hospital and inter-hospital emergency care and non-emergency medical transports. For out-of-state facilities that have Illinois recognition under the EMS, trauma or pediatric programs, the professional shall have an unencumbered registered nurse license in the state in which he or she practices. In this Section, the term "license" is used to reflect a change in terminology from "certification" to "license" only.

Upon the effective date of this amendatory Act of 1995, all existing Registered Professional Nurse/Field RNs shall be considered Pre-Hospital RNs.

(c) The Department shall have the authority and responsibility to:

(1) Prescribe education and continuing education requirements for Pre-Hospital Registered Nurse RN and ECRN candidates through rules adopted pursuant to this Act:

(A) Education for Pre-Hospital Registered Nurse RN shall include extrication, telecommunications, and pre-hospital cardiac, medical, and trauma care;

(B) Education for ECRN shall include telecommunications, System standing medical orders and the procedures and protocols established by the EMS Medical Director;

(C) A Pre-Hospital Registered Nurse RN candidate who is fulfilling clinical training and in-field supervised experience requirements may perform prescribed procedures under the direct supervision of a physician licensed to practice medicine in all of its branches, a qualified registered professional nurse or a qualified EMT, only when authorized by the EMS Medical Director;

(D) An EMS Medical Director may impose in-field supervised field experience requirements on System ECRNs as part of their training or continuing education, in which they perform prescribed procedures under the direct supervision of

New matter indicated by italics - deletions by strikeout
a physician licensed to practice medicine in all of its branches, a qualified registered professional nurse, or qualified EMS personnel EMT, only when authorized by the EMS Medical Director;

(2) Require EMS Medical Directors to reapprove Pre-Hospital Registered Nurses RNs and ECRNs every 4 years, based on compliance with continuing education requirements prescribed by the Department through rules adopted pursuant to this Act;

(3) Allow EMS Medical Directors to grant inactive status to any Pre-Hospital Registered Nurse RN or ECRN who qualifies, based on standards and procedures established by the Department in rules adopted pursuant to this Act;

(4) Require a Pre-Hospital Registered Nurse RN to honor Do Not Resuscitate (DNR) orders and powers of attorney for health care only in accordance with rules adopted by the Department pursuant to this Act and protocols of the EMS System in which he or she practices;

(5) Charge each Pre-Hospital Registered Nurse RN applicant and ECRN applicant a fee for licensure and relicensure certification and recertification.

(d) The Department shall have the authority to suspend, revoke, or refuse to issue or renew a Department-issued PHRN or ECRN license when, after notice and the opportunity for a hearing, the Department demonstrates that the licensee has violated this Act, violated the rules adopted by the Department, or failed to comply with the applicable standards of care.

(Source: P.A. 95-639, eff. 10-5-07; 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.130)

Sec. 3.130. Facility, system, and equipment violations; Plans of Correction. Except for emergency suspension orders, or actions initiated pursuant to Sections 3.117(a), 3.117(b), and 3.90(b)(10) of this Act, prior to initiating an action in response to a facility, system, or equipment violation for suspension, revocation, denial, nonrenewal, or imposition of a fine pursuant to this Act, the Department shall:

(a) Issue a Notice of Violation which specifies the Department's allegations of noncompliance and requests a plan of correction to be submitted within 10 days after receipt of the Notice of Violation;

(b) Review and approve or reject the plan of correction. If the Department rejects the plan of correction, it shall send notice of the rejection
and the reason for the rejection. The party shall have 10 days after receipt of
the notice of rejection in which to submit a modified plan;

(c) Impose a plan of correction if a modified plan is not submitted in
a timely manner or if the modified plan is rejected by the Department;

(d) Issue a Notice of Intent to fine, suspend, revoke, nonrenew or deny
if the party has failed to comply with the imposed plan of correction, and
provide the party with an opportunity to request an administrative hearing.
The Notice of Intent shall be effected by certified mail or by personal service,
shall set forth the particular reasons for the proposed action, and shall provide
the party with 15 days in which to request a hearing.
(Source: P.A. 96-514, eff. 1-1-10; 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.140)
Sec. 3.140. Violations; Fines.

(a) The Department shall have the authority to impose fines on any
licensed vehicle service provider, stretcher van provider, designated trauma
center, resource hospital, associate hospital, or participating hospital.

(b) The Department shall adopt rules pursuant to this Act which
establish a system of fines related to the type and level of violation or repeat
violation, including but not limited to:

(1) A fine not exceeding $10,000 for a violation which created
a condition or occurrence presenting a substantial probability that
death or serious harm to an individual will or did result therefrom;

(2) A fine not exceeding $5,000 for a violation which creates
or created a condition or occurrence which threatens the health, safety
or welfare of an individual.

(c) A Notice of Intent to Impose Fine may be issued in conjunction
with or in lieu of a Notice of Intent to Suspend, Revoke, Nonrenew or Deny,
and shall conform to the requirements specified in Section 3.130(d) of this
Act. All Hearings conducted pursuant to a Notice of Intent to Impose Fine
shall conform to the requirements specified in Section 3.135 of this Act.

(d) All fines collected pursuant to this Section shall be deposited into
the EMS Assistance Fund.
(Source: P.A. 89-177, eff. 7-19-95.)

(210 ILCS 50/3.165)
Sec. 3.165. Misrepresentation.

(a) No person shall hold himself or herself out to be or engage in the
practice of an EMS Medical Director, EMS Administrative Director, EMS
System Coordinator, EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN,

New matter indicated by italics - deletions by strikeout
PHRN, TNS, or LI EMT, Trauma Nurse Specialist, Pre-Hospital RN, Emergency Communications Registered Nurse, EMS Lead Instructor, Emergency Medical Dispatcher or First Responder without being licensed, certified, approved or otherwise authorized pursuant to this Act.

(b) A hospital or other entity which employs or utilizes an EMR, EMD, EMT, EMT-I, A-EMT, or Paramedic EMT in a manner which is outside the scope of his or her EMT license shall not use the words "emergency medical responder", "EMR", "emergency medical technician", "EMT", "emergency medical technician-intermediate", "EMT-I", "advanced emergency medical technician", "A-EMT", or "Paramedic" in that person's job description or title, or in any other manner hold that person out to be so licensed or certified as an emergency medical technician.

(c) No provider or participant within an EMS System shall hold itself out as providing a type or level of service that has not been approved by that System's EMS Medical Director.

(Source: P.A. 89-177, eff. 7-19-95.)

Sec. 3.170. Falsification of Documents. No person shall fabricate any license or knowingly enter any false information on any application form, run sheet, record or other document required to be completed or submitted pursuant to this Act or any rule adopted pursuant to this Act, or knowingly submit any application form, run sheet, record or other document which contains false information.

(Source: P.A. 89-177, eff. 7-19-95.)

Sec. 3.180. Injunctions. Notwithstanding the existence or pursuit of any other remedy, the Director may, through the Attorney General, seek an injunction:

(a) To restrain or prevent any person or entity from functioning, practicing or operating without a license, certification, classification, approval, permit, designation or authorization required by this Act;

(b) To restrain or prevent any person, institution or governmental unit from representing itself to be a trauma center after the effective date of this amendatory Act of 1995 without designation as such pursuant to this Act;

(c) To restrain or prevent any hospital or other entity which employs or utilizes an EMR, EMT, EMT-I, A-EMT, or Paramedic EMT in a manner which is outside the scope of his or her EMT license from representing that person to be an EMR, EMT, EMT-I, A-EMT, or Paramedic EMT.

New matter indicated by italics - deletions by strikeout
Sec. 3.200. State Emergency Medical Services Advisory Council.

(a) There shall be established within the Department of Public Health a State Emergency Medical Services Advisory Council, which shall serve as an advisory body to the Department on matters related to this Act.

(b) Membership of the Council shall include one representative from each EMS Region, to be appointed by each region's EMS Regional Advisory Committee. The Governor shall appoint additional members to the Council as necessary to insure that the Council includes one representative from each of the following categories:

1. EMS Medical Director,
2. Trauma Center Medical Director,
3. Licensed, practicing physician with regular and frequent involvement in the provision of emergency care,
4. Licensed, practicing physician with special expertise in the surgical care of the trauma patient,
5. EMS System Coordinator,
6. TNS,
7. Paramedic EMT-P,
7.5 A-EMT,
8. EMT-I,
9. EMT EMT-B,
10. Private vehicle service provider,
11. Law enforcement officer,
12. Chief of a public vehicle service provider,
13. Statewide firefighters' union member affiliated with a vehicle service provider,
14. Administrative representative from a fire department vehicle service provider in a municipality with a population of over 2 million people;
15. Administrative representative from a Resource Hospital or EMS System Administrative Director.

(c) Members Of the members first appointed, 5 members shall be appointed for a term of one year, 5 members shall be appointed for a term of 2 years, and the remaining members shall be appointed for a term of 3 years. The terms of subsequent appointees shall be 3 years. All appointees shall serve until their successors are appointed and qualified.
(d) The Council shall be provided a 90-day period in which to review and comment, in consultation with the subcommittee to which the rules are relevant, upon all rules proposed by the Department pursuant to this Act, except for rules adopted pursuant to Section 3.190(a) of this Act, rules submitted to the State Trauma Advisory Council and emergency rules adopted pursuant to Section 5-45 of the Illinois Administrative Procedure Act. The 90-day review and comment period may commence upon the Department's submission of the proposed rules to the individual Council members, if the Council is not meeting at the time the proposed rules are ready for Council review. Any non-emergency rules adopted prior to the Council's 90-day review and comment period shall be null and void. If the Council fails to advise the Department within its 90-day review and comment period, the rule shall be considered acted upon.

(e) Council members shall be reimbursed for reasonable travel expenses incurred during the performance of their duties under this Section.

(f) The Department shall provide administrative support to the Council for the preparation of the agenda and minutes for Council meetings and distribution of proposed rules to Council members.

(g) The Council shall act pursuant to bylaws which it adopts, which shall include the annual election of a Chair and Vice-Chair.

(h) The Director or his designee shall be present at all Council meetings.

(i) Nothing in this Section shall preclude the Council from reviewing and commenting on proposed rules which fall under the purview of the State Trauma Advisory Council.

(Source: P.A. 96-514, eff. 1-1-10.)

(210 ILCS 50/3.205)

Sec. 3.205. State Trauma Advisory Council.

(a) There shall be established within the Department of Public Health a State Trauma Advisory Council, which shall serve as an advisory body to the Department on matters related to trauma care and trauma centers.

(b) Membership of the Council shall include one representative from each Regional Trauma Advisory Committee, to be appointed by each Committee. The Governor shall appoint the following additional members:

(1) An EMS Medical Director,
(2) A trauma center medical director,
(3) A trauma surgeon,
(4) A trauma nurse coordinator,
(5) A representative from a private vehicle service provider,

New matter indicated by italics - deletions by strikeout
(6) A representative from a public vehicle service provider,
(7) A member of the State EMS Advisory Council, and
(8) A neurosurgeon.

(c) **Members** Of the members first appointed, 5 members shall be appointed for a term of one year, 5 members shall be appointed for a term of 2 years, and the remaining members shall be appointed for a term of 3 years. The terms of subsequent appointees shall be 3 years. All appointees shall serve until their successors are appointed and qualified.

(d) The Council shall be provided a 90-day period in which to review and comment upon all rules proposed by the Department pursuant to this Act concerning trauma care, except for emergency rules adopted pursuant to Section 5-45 of the Illinois Administrative Procedure Act. The 90-day review and comment period may commence upon the Department's submission of the proposed rules to the individual Council members, if the Council is not meeting at the time the proposed rules are ready for Council review. Any non-emergency rules adopted prior to the Council's 90-day review and comment period shall be null and void. If the Council fails to advise the Department within its 90-day review and comment period, the rule shall be considered acted upon;

(e) Council members shall be reimbursed for reasonable travel expenses incurred during the performance of their duties under this Section.

(f) The Department shall provide administrative support to the Council for the preparation of the agenda and minutes for Council meetings and distribution of proposed rules to Council members.

(g) The Council shall act pursuant to bylaws which it adopts, which shall include the annual election of a Chair and Vice-Chair.

(h) The Director or his designee shall be present at all Council meetings.

(i) Nothing in this Section shall preclude the Council from reviewing and commenting on proposed rules which fall under the purview of the State EMS Advisory Council.

(Source: P.A. 90-655, eff. 7-30-98; 91-743, eff. 6-2-00.)

(210 ILCS 50/3.210)

Sec. 3.210. EMS Medical Consultant. If the Chief of the Department's Division of Emergency Medical Services and Highway Safety is not a physician licensed to practice medicine in all of its branches, with extensive emergency medical services experience, and certified by the American Board of Emergency Medicine or the Osteopathic American Board of Osteopathic Medicine, the Council shall appoint a medical consultant. The terms of the consultant shall be 3 years. The Council shall adopt bylaws which shall provide for the selection of the consultant. (210 ILCS 50/3.210)
Emergency Medicine, then the Director shall appoint such a physician to serve as EMS Medical Consultant to the Division Chief.
(Source: P.A. 89-177, eff. 7-19-95.)

Section 30. The Boxing and Full-contact Martial Arts Act is amended by changing Section 12 as follows:

(225 ILCS 105/12) (from Ch. 111, par. 5012)
(Section scheduled to be repealed on January 1, 2022)
Sec. 12. Professional or amateur contests.
(a) The professional or amateur contest, or a combination of both, shall be held in an area where adequate neurosurgical facilities are immediately available for skilled emergency treatment of an injured professional or amateur.

(b) Each professional or amateur shall be examined before the contest and promptly after each bout by a physician. The physician shall determine, prior to the contest, if each professional or amateur is physically fit to compete in the contest. After the bout the physician shall examine the professional or amateur to determine possible injury. If the professional's or amateur's physical condition so indicates, the physician shall recommend to the Department immediate medical suspension. The physician or a licensed emergency medical technician-paramedic (EMT-P) must check the vital signs of all contestants as established by rule.

(c) The physician may, at any time during the professional or amateur bout, stop the professional or amateur bout to examine a professional or amateur contestant and may direct the referee to terminate the bout when, in the physician's opinion, continuing the bout could result in serious injury to the professional or amateur. If the professional's or amateur's physical condition so indicates, the physician shall recommend to the Department immediate medical suspension. The physician shall certify to the condition of the professional or amateur in writing, over his signature on forms provided by the Department. Such reports shall be submitted to the Department in a timely manner.

(d) No professional or amateur contest, or a combination of both, shall be allowed to begin or be held unless at least one physician, at least one EMT and one paramedic EMT-P, and one ambulance have been contracted with solely for the care of professionals or amateurs who are competing as defined by rule.

(e) No professional boxing bout shall be more than 12 rounds in length. The rounds shall not be more than 3 minutes each with a one minute

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interval between them, and no professional boxer shall be allowed to participate in more than one contest within a 7-day period.

The number and length of rounds for all other professional or amateur boxing or full-contact martial arts contests, or a combination of both, shall be determined by rule.

(f) The number and types of officials required for each professional or amateur contest, or a combination of both, shall be determined by rule.

(g) The Department or its representative shall have discretion to declare a price, remuneration, or purse or any part of it belonging to the professional withheld if in the judgment of the Department or its representative the professional is not honestly competing.

(h) The Department shall have the authority to prevent a professional or amateur contest, or a combination of both, from being held and shall have the authority to stop a professional or amateur contest, or a combination of both, for noncompliance with any part of this Act or rules or when, in the judgment of the Department, or its representative, continuation of the event would endanger the health, safety, and welfare of the professionals or amateurs or spectators. The Department's authority to stop a contest on the basis that the professional or amateur contest, or a combination of both, would endanger the health, safety, and welfare of the professionals or amateurs or spectators shall extend to any professional or amateur contest, or a combination of both, regardless of whether that amateur contest is exempted from the prohibition in Section 6 of this Act. Department staff, or its representative, may be present at any full-contact martial arts contest with scheduled amateur bouts.

(Source: P.A. 97-119, eff. 7-14-11.)

Section 35. The Abandoned Newborn Infant Protection Act is amended by changing Section 10 as follows:

(325 ILCS 2/10)

Sec. 10. Definitions. In this Act:
"Abandon" has the same meaning as in the Abused and Neglected Child Reporting Act.
"Abused child" has the same meaning as in the Abused and Neglected Child Reporting Act.
"Child-placing agency" means a licensed public or private agency that receives a child for the purpose of placing or arranging for the placement of the child in a foster family home or other facility for child care, apart from the custody of the child's parents.

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"Department" or "DCFS" means the Illinois Department of Children and Family Services.

"Emergency medical facility" means a freestanding emergency center or trauma center, as defined in the Emergency Medical Services (EMS) Systems Act.

"Emergency medical professional" includes licensed physicians, and any emergency medical technician-emergency medical technician-basic, emergency medical technician-intermediate, advanced emergency medical technician, paramedic, emergency medical technician-paramedic, trauma nurse specialist, and pre-hospital registered nurse RN, as defined in the Emergency Medical Services (EMS) Systems Act.

"Fire station" means a fire station within the State with at least one staff person.

"Hospital" has the same meaning as in the Hospital Licensing Act.

"Legal custody" means the relationship created by a court order in the best interest of a newborn infant that imposes on the infant's custodian the responsibility of physical possession of the infant, the duty to protect, train, and discipline the infant, and the duty to provide the infant with food, shelter, education, and medical care, except as these are limited by parental rights and responsibilities.

"Neglected child" has the same meaning as in the Abused and Neglected Child Reporting Act.

"Newborn infant" means a child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished to a hospital, police station, fire station, or emergency medical facility, and who is not an abused or a neglected child.

"Police station" means a municipal police station, a county sheriff's office, a campus police department located on any college or university owned or controlled by the State or any private college or private university that is not owned or controlled by the State when employees of the campus police department are present, or any of the district headquarters of the Illinois State Police.

"Relinquish" means to bring a newborn infant, who a licensed physician reasonably believes is 30 days old or less, to a hospital, police station, fire station, or emergency medical facility and to leave the infant with personnel of the facility, if the person leaving the infant does not express an intent to return for the infant or states that he or she will not return for the infant. In the case of a mother who gives birth to an infant in a hospital, the mother's act of leaving that newborn infant at the hospital (i) without
expressing an intent to return for the infant or (ii) stating that she will not return for the infant is not a "relinquishment" under this Act.

"Temporary protective custody" means the temporary placement of a newborn infant within a hospital or other medical facility out of the custody of the infant's parent.

(Source: P.A. 96-345, eff. 1-1-10; 97-293, eff. 8-11-11.)

Section 40. The Coal Mine Medical Emergencies Act is amended by changing Section 2 as follows:

(410 ILCS 15/2) (from Ch. 96 1/2, par. 3952)

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

(a) "Emergency medical technician" means a person who has successfully completed the course on emergency first-aid care and transportation of the sick and injured recommended by the American Academy of Orthopedic Surgeons, or the equivalent thereof, and has been licensed certified by the Department of Public Health to provide emergency care.

(b) "Mine" means any surface coal mine or underground coal mine, as defined in Section 1.03 of "The Coal Mining Act of 1953".

(Source: P.A. 80-294.)

Section 45. The AIDS Confidentiality Act is amended by changing Sections 7 and 9 as follows:

(410 ILCS 305/7) (from Ch. 111 1/2, par. 7307)

Sec. 7. (a) Notwithstanding the provisions of Sections 4, 5 and 6 of this Act, informed consent is not required for a health care provider or health facility to perform a test when the health care provider or health facility procures, processes, distributes or uses a human body part donated for a purpose specified under the Illinois Anatomical Gift Act, or semen provided prior to the effective date of this Act for the purpose of artificial insemination, and such a test is necessary to assure medical acceptability of such gift or semen for the purposes intended.

(b) Informed consent is not required for a health care provider or health facility to perform a test when a health care provider or employee of a health facility, or a firefighter or an EMR, EMT A, EMT-I, A-EMT, paramedic, or PHRN EMT-P, is involved in an accidental direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment. Should such test prove to be positive, the patient and the health care provider, health facility employee, firefighter, EMR, EMT

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EMT-A, EMT-I, A-EMT, paramedic, or PHRN EMT-P shall be provided appropriate counseling consistent with this Act.

(c) Informed consent is not required for a health care provider or health facility to perform a test when a law enforcement officer is involved in the line of duty in a direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment. Should such test prove to be positive, the patient shall be provided appropriate counseling consistent with this Act. For purposes of this subsection (c), "law enforcement officer" means any person employed by the State, a county or a municipality as a policeman, peace officer, auxiliary policeman, correctional officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life.

(Source: P.A. 95-7, eff. 6-1-08.)

(410 ILCS 305/9) (from Ch. 111 1/2, par. 7309)

Sec. 9. No person may disclose or be compelled to disclose the identity of any person upon whom a test is performed, or the results of such a test in a manner which permits identification of the subject of the test, except to the following persons:

(a) The subject of the test or the subject's legally authorized representative. A physician may notify the spouse of the test subject, if the test result is positive and has been confirmed pursuant to rules adopted by the Department, provided that the physician has first sought unsuccessfully to persuade the patient to notify the spouse or that, a reasonable time after the patient has agreed to make the notification, the physician has reason to believe that the patient has not provided the notification. This paragraph shall not create a duty or obligation under which a physician must notify the spouse of the test results, nor shall such duty or obligation be implied. No civil liability or criminal sanction under this Act shall be imposed for any disclosure or non-disclosure of a test result to a spouse by a physician acting in good faith under this paragraph. For the purpose of any proceedings, civil or criminal, the good faith of any physician acting under this paragraph shall be presumed.

(b) Any person designated in a legally effective release of the test results executed by the subject of the test or the subject's legally authorized representative.

(c) An authorized agent or employee of a health facility or health care provider if the health facility or health care provider itself is authorized to obtain the test results, the agent or employee provides patient care or handles

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or processes specimens of body fluids or tissues, and the agent or employee has a need to know such information.

(d) The Department and local health authorities serving a population of over 1,000,000 residents or other local health authorities as designated by the Department, in accordance with rules for reporting and controlling the spread of disease, as otherwise provided by State law. The Department, local health authorities, and authorized representatives shall not disclose information and records held by them relating to known or suspected cases of AIDS or HIV infection, publicly or in any action of any kind in any court or before any tribunal, board, or agency. AIDS and HIV infection data shall be protected from disclosure in accordance with the provisions of Sections 8-2101 through 8-2105 of the Code of Civil Procedure.

(e) A health facility or health care provider which procures, processes, distributes or uses: (i) a human body part from a deceased person with respect to medical information regarding that person; or (ii) semen provided prior to the effective date of this Act for the purpose of artificial insemination.

(f) Health facility staff committees for the purposes of conducting program monitoring, program evaluation or service reviews.

(f-5) A court in accordance with the provisions of Section 12-5.01 of the Criminal Code of 2012.

(g) (Blank).

(h) Any health care provider or employee of a health facility, and any firefighter or EMT, EMT-A, A-EMT, paramedic, PHRN, or EMT-P, or EMT-I, involved in an accidental direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment.

(i) Any law enforcement officer, as defined in subsection (c) of Section 7, involved in the line of duty in a direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment.

(j) A temporary caretaker of a child taken into temporary protective custody by the Department of Children and Family Services pursuant to Section 5 of the Abused and Neglected Child Reporting Act, as now or hereafter amended.

(k) In the case of a minor under 18 years of age whose test result is positive and has been confirmed pursuant to rules adopted by the Department, the health care provider who ordered the test shall make a reasonable effort to notify the minor's parent or legal guardian if, in the professional judgment of the health care provider, notification would be in the best interest of the minor and not injurious to the best interest of the child and the minor.

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child and the health care provider has first sought unsuccessfully to persuade
the minor to notify the parent or legal guardian or a reasonable time after the
minor has agreed to notify the parent or legal guardian, the health care
provider has reason to believe that the minor has not made the notification.
This subsection shall not create a duty or obligation under which a health care
provider must notify the minor's parent or legal guardian of the test results,
nor shall a duty or obligation be implied. No civil liability or criminal
sanction under this Act shall be imposed for any notification or non-
notification of a minor's test result by a health care provider acting in good
faith under this subsection. For the purpose of any proceeding, civil or
criminal, the good faith of any health care provider acting under this
subsection shall be presumed.
(Source: P.A. 96-328, eff. 8-11-09; 97-1046, eff. 8-21-12; 97-1150, eff. 1-25-
13.)

Section 50. The Burn Injury Reporting Act is amended by changing
Section 5 as follows:

(425 ILCS 7/5)
Sec. 5. Burn injury reporting.
(a) Every case of a burn injury treated in a hospital as described in this
Act may be reported to the Office of the State Fire Marshal. The hospital's
administrator, manager, superintendent, or his or her designee deciding to
report under this Act shall make an oral report of every burn injury in a timely
manner as soon as treatment permits, except as provided in subsection (c) of
this Section, that meets one of the following criteria:

(1) a person receives a serious second-degree burn or a third
degree burn, but not a radiation burn, to 10% or more of the person's
body as a whole;
(2) a person sustains a burn to the upper respiratory tract or
occurring laryngeal edema due to the inhalation of superheated air;
(3) a person sustains any burn injury likely to result in death;
or
(4) a person sustains any other burn injury not excluded by
subsection (c).
(b) The oral report shall consist of notification by telephone to the
Office of the State Fire Marshal using a toll-free number established by the
Office of the State Fire Marshal for this purpose.
(c) A hospital's administrator, manager, superintendent, or his or her
designee deciding to report under this Act shall not report any of the
following burn injuries:

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(1) a burn injury of an emergency medical first responder, as defined in Section 3.50 or 3.60 of the Emergency Medical Services (EMS) Systems Act, sustained in the line of duty;
(2) a burn injury caused by lighting;
(3) a burn injury caused by a motor vehicle accident; or
(4) a burn injury caused by an identifiable industrial accident or work-related accident.
(Source: P.A. 94-828, eff. 1-1-07.)

Section 55. The Illinois Vehicle Code is amended by changing Sections 11-501.01 and 11-501.2 as follows:

(625 ILCS 5/11-501.01)
Sec. 11-501.01. Additional administrative sanctions.
(a) After a finding of guilt and prior to any final sentencing or an order for supervision, for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(b) Any person who is found guilty of or pleads guilty to violating Section 11-501, including any person receiving a disposition of court supervision for violating that Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a county State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(c) Every person found guilty of violating Section 11-501, whose operation of a motor vehicle while in violation of that Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided in subsection (i) of this Section.

(d) The Secretary of State shall revoke the driving privileges of any person convicted under Section 11-501 or a similar provision of a local ordinance.

(e) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by a person who has been convicted of a
second or subsequent offense of Section 11-501 or a similar provision of a local ordinance. The person must pay to the Secretary of State DUI Administration Fund an amount not to exceed $30 for each month that he or she uses the device. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system, the amount of the fee, and the procedures, terms, and conditions relating to these fees.

(f) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating Section 11-501, including any person placed on court supervision for violating Section 11-501, shall be assessed $750, payable to the circuit clerk, who shall distribute the money as follows: $350 to the law enforcement agency that made the arrest, and $400 shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating Section 11-501 or a similar provision of a local ordinance, the fine shall be $1,000, and the circuit clerk shall distribute $200 to the law enforcement agency that made the arrest and $800 to the State Treasurer for deposit into the General Revenue Fund. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (f) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by Section 11-501 of this Code, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Any moneys received by the Department of State Police under this subsection (f) shall be deposited into the State Police DUI Fund and shall be used to purchase law enforcement equipment that will assist in the prevention of alcohol related criminal violence throughout the State.

(g) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (f) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any

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combination thereof, as defined by Section 11-501 of this Code, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(h) Whenever an individual is sentenced for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(i) In addition to any other fine or penalty required by law, an individual convicted of a violation of Section 11-501, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of Section 11-501, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (i), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance. With respect to funds designated for the Department of State Police, the moneys shall be remitted by the circuit court clerk to the State Police within one month after receipt for deposit into the State Police DUI Fund. With respect to funds designated for the Department of Natural

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Resources, the Department of Natural Resources shall deposit the moneys into the Conservation Police Operations Assistance Fund.

(j) A person that is subject to a chemical test or tests of blood under subsection (a) of Section 11-501.1 or subdivision (c)(2) of Section 11-501.2 of this Code, whether or not that person consents to testing, shall be liable for the expense up to $500 for blood withdrawal by a physician authorized to practice medicine, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, a trained phlebotomist, a licensed certified paramedic, or a qualified person other than a police officer approved by the Department of State Police to withdraw blood, who responds, whether at a law enforcement facility or a health care facility, to a police department request for the drawing of blood based upon refusal of the person to submit to a lawfully requested breath test or probable cause exists to believe the test would disclose the ingestion, consumption, or use of drugs or intoxicating compounds if:

1. the person is found guilty of violating Section 11-501 of this Code or a similar provision of a local ordinance; or
2. the person pleads guilty to or stipulates to facts supporting a violation of Section 11-503 of this Code or a similar provision of a local ordinance when the plea or stipulation was the result of a plea agreement in which the person was originally charged with violating Section 11-501 of this Code or a similar local ordinance.

(Source: P.A. 97-931, eff. 1-1-13; 97-1050, eff. 1-1-13; 98-292, eff. 1-1-14; 98-463, eff. 8-16-13.)

Sec. 11-501.2. Chemical and other tests.

(a) Upon the trial of any civil or criminal action or proceeding arising out of an arrest for an offense as defined in Section 11-501 or a similar local ordinance or proceedings pursuant to Section 2-118.1, evidence of the concentration of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof in a person's blood or breath at the time alleged, as determined by analysis of the person's blood, urine, breath or other bodily substance, shall be admissible. Where such test is made the following provisions shall apply:

1. Chemical analyses of the person's blood, urine, breath or other bodily substance to be considered valid under the provisions of this Section shall have been performed according to standards promulgated by the Department of State Police by a licensed physician, registered nurse, trained phlebotomist, licensed certified New matter indicated by italics - deletions by strikeout
paramedic, or other individual possessing a valid permit issued by that Department for this purpose. The Director of State Police is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, to issue permits which shall be subject to termination or revocation at the discretion of that Department and to certify the accuracy of breath testing equipment. The Department of State Police shall prescribe regulations as necessary to implement this Section.

2. When a person in this State shall submit to a blood test at the request of a law enforcement officer under the provisions of Section 11-501.1, only a physician authorized to practice medicine, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, trained phlebotomist, or licensed certified paramedic, or other qualified person approved by the Department of State Police may withdraw blood for the purpose of determining the alcohol, drug, or alcohol and drug content therein. This limitation shall not apply to the taking of breath or urine specimens.

When a blood test of a person who has been taken to an adjoining state for medical treatment is requested by an Illinois law enforcement officer, the blood may be withdrawn only by a physician authorized to practice medicine in the adjoining state, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, a trained phlebotomist acting under the direction of the physician, or licensed certified paramedic. The law enforcement officer requesting the test shall take custody of the blood sample, and the blood sample shall be analyzed by a laboratory certified by the Department of State Police for that purpose.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of their own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

4. Upon the request of the person who shall submit to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to the person or such person's attorney.
5. Alcohol concentration shall mean either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

(a-5) Law enforcement officials may use standardized field sobriety tests approved by the National Highway Traffic Safety Administration when conducting investigations of a violation of Section 11-501 or similar local ordinance by drivers suspected of driving under the influence of cannabis. The General Assembly finds that standardized field sobriety tests approved by the National Highway Traffic Safety Administration are divided attention tasks that are intended to determine if a person is under the influence of cannabis. The purpose of these tests is to determine the effect of the use of cannabis on a person's capacity to think and act with ordinary care and therefore operate a motor vehicle safely. Therefore, the results of these standardized field sobriety tests, appropriately administered, shall be admissible in the trial of any civil or criminal action or proceeding arising out of an arrest for a cannabis-related offense as defined in Section 11-501 or a similar local ordinance or proceedings under Section 2-118.1. Where a test is made the following provisions shall apply:

1. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of their own choosing administer a chemical test or tests in addition to the standardized field sobriety test or tests administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person does not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

2. Upon the request of the person who shall submit to a standardized field sobriety test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to the person or the person's attorney.

3. At the trial of any civil or criminal action or proceeding arising out of an arrest for an offense as defined in Section 11-501 or a similar local ordinance or proceedings under Section 2-118.1 in which the results of these standardized field sobriety tests are admitted, the cardholder may present and the trier of fact may consider evidence that the card holder lacked the physical capacity to perform the standardized field sobriety tests.

(b) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in

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actual physical control of a vehicle while under the influence of alcohol, the concentration of alcohol in the person's blood or breath at the time alleged as shown by analysis of the person's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

1. If there was at that time an alcohol concentration of 0.05 or less, it shall be presumed that the person was not under the influence of alcohol.

2. If there was at that time an alcohol concentration in excess of 0.05 but less than 0.08, such facts shall not give rise to any presumption that the person was or was not under the influence of alcohol, but such fact may be considered with other competent evidence in determining whether the person was under the influence of alcohol.

3. If there was at that time an alcohol concentration of 0.08 or more, it shall be presumed that the person was under the influence of alcohol.

4. The foregoing provisions of this Section shall not be construed as limiting the introduction of any other relevant evidence bearing upon the question whether the person was under the influence of alcohol.

(c) 1. If a person under arrest refuses to submit to a chemical test under the provisions of Section 11-501.1, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof was driving or in actual physical control of a motor vehicle.

2. Notwithstanding any ability to refuse under this Code to submit to these tests or any ability to revoke the implied consent to these tests, if a law enforcement officer has probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof has caused the death or personal injury to another, the law enforcement officer shall request, and that person shall submit, upon the request of a law enforcement officer, to a chemical test or tests of his or her blood, breath or urine for the purpose of determining the alcohol content thereof or the presence of any other drug or combination of both.

This provision does not affect the applicability of or imposition of driver's license sanctions under Section 11-501.1 of this Code.

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3. For purposes of this Section, a personal injury includes any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severe bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(Source: P.A. 97-450, eff. 8-19-11; 97-471, eff. 8-22-11; 97-813, eff. 7-13-12; 98-122, eff. 1-1-14.)

Section 60. The Workers' Compensation Act is amended by changing Section 6 as follows:

(820 ILCS 305/6) (from Ch. 48, par. 138.6)

Sec. 6. (a) Every employer within the provisions of this Act, shall, under the rules and regulations prescribed by the Commission, post printed notices in their respective places of employment in such number and at such places as may be determined by the Commission, containing such information relative to this Act as in the judgment of the Commission may be necessary to aid employees to safeguard their rights under this Act in event of injury.

In addition thereto, the employer shall post in a conspicuous place on the place of the employment a printed or typewritten notice stating whether he is insured or whether he has qualified and is operating as a self-insured employer. In the event the employer is insured, the notice shall state the name and address of his insurance carrier, the number of the insurance policy, its effective date and the date of termination. In the event the termination of the policy for any reason prior to the termination date stated, the posted notice shall promptly be corrected accordingly. In the event the employer is operating as a self-insured employer the notice shall state the name and address of the company, if any, servicing the compensation payments of the employer, and the name and address of the person in charge of making compensation payments.

(b) Every employer subject to this Act shall maintain accurate records of work-related deaths, injuries and illness other than minor injuries requiring only first aid treatment and which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job and file with the Commission, in writing, a report of all accidental deaths, injuries and illnesses arising out of and in the course of the employment resulting in the loss of more than 3 scheduled work days. In the case of death such report shall be made no later than 2 working days following the accidental death. In all other cases such report shall be made between the 15th and 25th of each

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month unless required to be made sooner by rule of the Commission. In case the injury results in permanent disability, a further report shall be made as soon as it is determined that such permanent disability has resulted or will result from the injury. All reports shall state the date of the injury, including the time of day or night, the nature of the employer's business, the name, address, age, sex, conjugal condition of the injured person, the specific occupation of the injured person, the direct cause of the injury and the nature of the accident, the character of the injury, the length of disability, and in case of death the length of disability before death, the wages of the injured person, whether compensation has been paid to the injured person, or to his or her legal representative or his heirs or next of kin, the amount of compensation paid, the amount paid for physicians', surgeons' and hospital bills, and by whom paid, and the amount paid for funeral or burial expenses if known. The reports shall be made on forms and in the manner as prescribed by the Commission and shall contain such further information as the Commission shall deem necessary and require. The making of these reports releases the employer from making such reports to any other officer of the State and shall satisfy the reporting provisions as contained in the "Health and Safety Act" and "An Act in relation to safety inspections and education in industrial and commercial establishments and to repeal an Act therein named", approved July 18, 1955, as now or hereafter amended. The reports filed with the Commission pursuant to this Section shall be made available by the Commission to the Director of Labor or his representatives and to all other departments of the State of Illinois which shall require such information for the proper discharge of their official duties. Failure to file with the Commission any of the reports required in this Section is a petty offense.

Except as provided in this paragraph, all reports filed hereunder shall be confidential and any person having access to such records filed with the Illinois Workers' Compensation Commission as herein required, who shall release any information therein contained including the names or otherwise identify any persons sustaining injuries or disabilities, or give access to such information to any unauthorized person, shall be subject to discipline or discharge, and in addition shall be guilty of a Class B misdemeanor. The Commission shall compile and distribute to interested persons aggregate statistics, taken from the reports filed hereunder. The aggregate statistics shall not give the names or otherwise identify persons sustaining injuries or disabilities or the employer of any injured or disabled person.

(c) Notice of the accident shall be given to the employer as soon as practicable, but not later than 45 days after the accident. Provided:

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(1) In case of the legal disability of the employee or any dependent of a deceased employee who may be entitled to compensation under the provisions of this Act, the limitations of time by this Act provided do not begin to run against such person under legal disability until a guardian has been appointed.

(2) In cases of injuries sustained by exposure to radiological materials or equipment, notice shall be given to the employer within 90 days subsequent to the time that the employee knows or suspects that he has received an excessive dose of radiation. No defect or inaccuracy of such notice shall be a bar to the maintenance of proceedings on arbitration or otherwise by the employee unless the employer proves that he is unduly prejudiced in such proceedings by such defect or inaccuracy.

Notice of the accident shall give the approximate date and place of the accident, if known, and may be given orally or in writing.

(d) Every employer shall notify each injured employee who has been granted compensation under the provisions of Section 8 of this Act of his rights to rehabilitation services and advise him of the locations of available public rehabilitation centers and any other such services of which the employer has knowledge.

In any case, other than one where the injury was caused by exposure to radiological materials or equipment or asbestos unless the application for compensation is filed with the Commission within 3 years after the date of the accident, where no compensation has been paid, or within 2 years after the date of the last payment of compensation, where any has been paid, whichever shall be later, the right to file such application shall be barred.

In any case of injury caused by exposure to radiological materials or equipment or asbestos, unless application for compensation is filed with the Commission within 25 years after the last day that the employee was employed in an environment of hazardous radiological activity or asbestos, the right to file such application shall be barred.

If in any case except one where the injury was caused by exposure to radiological materials or equipment or asbestos, the accidental injury results in death application for compensation for death may be filed with the Commission within 3 years after the date of death where no compensation has been paid or within 2 years after the date of the last payment of compensation where any has been paid, whichever shall be later, but not thereafter.

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If an accidental injury caused by exposure to radiological material or equipment or asbestos results in death within 25 years after the last day that the employee was so exposed application for compensation for death may be filed with the Commission within 3 years after the date of death, where no compensation has been paid, or within 2 years after the date of the last payment of compensation where any has been paid, whichever shall be later, but not thereafter.

(e) Any contract or agreement made by any employer or his agent or attorney with any employee or any other beneficiary of any claim under the provisions of this Act within 7 days after the injury shall be presumed to be fraudulent.

(f) Any condition or impairment of health of an employee employed as a firefighter, emergency medical technician (EMT), emergency medical technician-intermediate (EMT-I), advanced emergency medical technician (A-EMT), or paramedic which results directly or indirectly from any bloodborne pathogen, lung or respiratory disease or condition, heart or vascular disease or condition, hypertension, tuberculosis, or cancer resulting in any disability (temporary, permanent, total, or partial) to the employee shall be rebuttably presumed to arise out of and in the course of the employee's firefighting, EMT, or paramedic employment and, further, shall be rebuttably presumed to be causally connected to the hazards or exposures of the employment. This presumption shall also apply to any hernia or hearing loss suffered by an employee employed as a firefighter, EMT, EMT-I, A-EMT, or paramedic. However, this presumption shall not apply to any employee who has been employed as a firefighter, EMT, or paramedic for less than 5 years at the time he or she files an Application for Adjustment of Claim concerning this condition or impairment with the Illinois Workers' Compensation Commission. The rebuttable presumption established under this subsection, however, does not apply to an emergency medical technician (EMT), emergency medical technician-intermediate (EMT-I), advanced emergency medical technician (A-EMT), or paramedic employed by a private employer if the employee spends the preponderance of his or her work time for that employer engaged in medical transfers between medical care facilities or non-emergency medical transfers to or from medical care facilities. The changes made to this subsection by Public Act 98-291 this amendatory Act of the 98th General Assembly shall be narrowly construed. The Finding and Decision of the Illinois Workers' Compensation Commission under only the rebuttable presumption provision of this subsection shall not be admissible or be deemed res judicata in any disability claim under the Illinois Pension

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Code arising out of the same medical condition; however, this sentence makes no change to the law set forth in Krohe v. City of Bloomington, 204 Ill.2d 392.
(Source: P.A. 98-291, eff. 1-1-14.)

Section 65. The Workers' Occupational Diseases Act is amended by changing Section 1 as follows:
(820 ILCS 310/1) (from Ch. 48, par. 172.36)
Sec. 1. This Act shall be known and may be cited as the "Workers' Occupational Diseases Act".
(a) The term "employer" as used in this Act shall be construed to be:
1. The State and each county, city, town, township, incorporated village, school district, body politic, or municipal corporation therein.
2. Every person, firm, public or private corporation, including hospitals, public service, eleemosynary, religious or charitable corporations or associations, who has any person in service or under any contract for hire, express or implied, oral or written.
3. Where an employer operating under and subject to the provisions of this Act loans an employee to another such employer and such loaned employee sustains a compensable occupational disease in the employment of such borrowing employer and where such borrowing employer does not provide or pay the benefits or payments due such employee, such loaning employer shall be liable to provide or pay all benefits or payments due such employee under this Act and as to such employee the liability of such loaning and borrowing employers shall be joint and several, provided that such loaning employer shall in the absence of agreement to the contrary be entitled to receive from such borrowing employer full reimbursement for all sums paid or incurred pursuant to this paragraph together with reasonable attorneys' fees and expenses in any hearings before the Illinois Workers' Compensation Commission or in any action to secure such reimbursement. Where any benefit is provided or paid by such loaning employer, the employee shall have the duty of rendering reasonable co-operation in any hearings, trials or proceedings in the case, including such proceedings for reimbursement.

Where an employee files an Application for Adjustment of Claim with the Illinois Workers' Compensation Commission alleging that his or her claim is covered by the provisions of the preceding paragraph, and joining both the alleged loaning and borrowing

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employers, they and each of them, upon written demand by the
employee and within 7 days after receipt of such demand, shall have
the duty of filing with the Illinois Workers' Compensation
Commission a written admission or denial of the allegation that the
claim is covered by the provisions of the preceding paragraph and in
default of such filing or if any such denial be ultimately determined
not to have been bona fide then the provisions of Paragraph K of
Section 19 of this Act shall apply.

An employer whose business or enterprise or a substantial part
thereof consists of hiring, procuring or furnishing employees to or for
other employers operating under and subject to the provisions of this
Act for the performance of the work of such other employers and who
pays such employees their salary or wage notwithstanding that they
are doing the work of such other employers shall be deemed a loaning
employer within the meaning and provisions of this Section.

(b) The term "employee" as used in this Act, shall be construed to
mean:

1. Every person in the service of the State, county, city, town,
township, incorporated village or school district, body politic or
municipal corporation therein, whether by election, appointment or
contract of hire, express or implied, oral or written, including any
official of the State, or of any county, city, town, township,
incorporated village, school district, body politic or municipal
corporation therein and except any duly appointed member of the fire
department in any city whose population exceeds 500,000 according
to the last Federal or State census, and except any member of a fire
insurance patrol maintained by a board of underwriters in this State.
One employed by a contractor who has contracted with the State, or
a county, city, town, township, incorporated village, school district,
body politic or municipal corporation therein, through its
representatives, shall not be considered as an employee of the State,
county, city, town, township, incorporated village, school district,
body politic or municipal corporation which made the contract.

2. Every person in the service of another under any contract
of hire, express or implied, oral or written, who contracts an
occupational disease while working in the State of Illinois, or who
contracts an occupational disease while working outside of the State
of Illinois but where the contract of hire is made within the State of
Illinois, and any person whose employment is principally localized

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within the State of Illinois, regardless of the place where the disease was contracted or place where the contract of hire was made, including aliens, and minors who, for the purpose of this Act, except Section 3 hereof, shall be considered the same and have the same power to contract, receive payments and give quitances therefor, as adult employees. An employee or his or her dependents under this Act who shall have a cause of action by reason of an occupational disease, disablement or death arising out of and in the course of his or her employment may elect or pursue his or her remedy in the State where the disease was contracted, or in the State where the contract of hire is made, or in the State where the employment is principally localized.

(c) "Commission" means the Illinois Workers' Compensation Commission created by the Workers' Compensation Act, approved July 9, 1951, as amended.

(d) In this Act the term "Occupational Disease" means a disease arising out of and in the course of the employment or which has become aggravated and rendered disabling as a result of the exposure of the employment. Such aggravation shall arise out of a risk peculiar to or increased by the employment and not common to the general public.

A disease shall be deemed to arise out of the employment if there is apparent to the rational mind, upon consideration of all the circumstances, a causal connection between the conditions under which the work is performed and the occupational disease. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin or aggravation in a risk connected with the employment and to have flowed from that source as a rational consequence.

An employee shall be conclusively deemed to have been exposed to the hazards of an occupational disease when, for any length of time however short, he or she is employed in an occupation or process in which the hazard of the disease exists; provided however, that in a claim of exposure to atomic radiation, the fact of such exposure must be verified by the records of the central registry of radiation exposure maintained by the Department of Public Health or by some other recognized governmental agency maintaining records of such exposures whenever and to the extent that the records are on file with the Department of Public Health or the agency.

Any injury to or disease or death of an employee arising from the administration of a vaccine, including without limitation smallpox vaccine, to prepare for, or as a response to, a threatened or potential bioterrorist

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incident to the employee as part of a voluntary inoculation program in connection with the person's employment or in connection with any governmental program or recommendation for the inoculation of workers in the employee's occupation, geographical area, or other category that includes the employee is deemed to arise out of and in the course of the employment for all purposes under this Act. This paragraph added by Public Act 93-829 is declarative of existing law and is not a new enactment.

The employer liable for the compensation in this Act provided shall be the employer in whose employment the employee was last exposed to the hazard of the occupational disease claimed upon regardless of the length of time of such last exposure, except, in cases of silicosis or asbestosis, the only employer liable shall be the last employer in whose employment the employee was last exposed during a period of 60 days or more after the effective date of this Act, to the hazard of such occupational disease, and, in such cases, an exposure during a period of less than 60 days, after the effective date of this Act, shall not be deemed a last exposure. If a miner who is suffering or suffered from pneumoconiosis was employed for 10 years or more in one or more coal mines there shall, effective July 1, 1973 be a rebuttable presumption that his or her pneumoconiosis arose out of such employment.

If a deceased miner was employed for 10 years or more in one or more coal mines and died from a respirable disease there shall, effective July 1, 1973, be a rebuttable presumption that his or her death was due to pneumoconiosis.

Any condition or impairment of health of an employee employed as a firefighter, emergency medical technician (EMT), emergency medical technician-intermediate (EMT-I), advanced emergency medical technician (A-EMT), or paramedic which results directly or indirectly from any bloodborne pathogen, lung or respiratory disease or condition, heart or vascular disease or condition, hypertension, tuberculosis, or cancer resulting in any disability (temporary, permanent, total, or partial) to the employee shall be rebuttably presumed to arise out of and in the course of the employee's firefighting, EMT, EMT-I, A-EMT, or paramedic employment and, further, shall be rebuttably presumed to be causally connected to the hazards or exposures of the employment. This presumption shall also apply to any hernia or hearing loss suffered by an employee employed as a firefighter, EMT, EMT-I, A-EMT, or paramedic. However, this presumption shall not apply to any employee who has been employed as a firefighter, EMT, EMT-I, A-EMT, or paramedic for less than 5 years at the time he or she

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files an Application for Adjustment of Claim concerning this condition or impairment with the Illinois Workers' Compensation Commission. The rebuttable presumption established under this subsection, however, does not apply to an emergency medical technician (EMT), emergency medical technician-intermediate (EMT-I), advanced emergency medical technician (A-EMT), or paramedic employed by a private employer if the employee spends the preponderance of his or her work time for that employer engaged in medical transfers between medical care facilities or non-emergency medical transfers to or from medical care facilities. The changes made to this subsection by this amendatory Act of the 98th General Assembly shall be narrowly construed. The Finding and Decision of the Illinois Workers' Compensation Commission under only the rebuttable presumption provision of this paragraph shall not be admissible or be deemed res judicata in any disability claim under the Illinois Pension Code arising out of the same medical condition; however, this sentence makes no change to the law set forth in Krohe v. City of Bloomington, 204 Ill.2d 392.

The insurance carrier liable shall be the carrier whose policy was in effect covering the employer liable on the last day of the exposure rendering such employer liable in accordance with the provisions of this Act.

(e) "Disablement" means an impairment or partial impairment, temporary or permanent, in the function of the body or any of the members of the body, or the event of becoming disabled from earning full wages at the work in which the employee was engaged when last exposed to the hazards of the occupational disease by the employer from whom he or she claims compensation, or equal wages in other suitable employment; and "disability" means the state of being so incapacitated.

(f) No compensation shall be payable for or on account of any occupational disease unless disablement, as herein defined, occurs within two years after the last day of the last exposure to the hazards of the disease, except in cases of occupational disease caused by berylliosis or by the inhalation of silica dust or asbestos dust and, in such cases, within 3 years after the last day of the last exposure to the hazards of such disease and except in the case of occupational disease caused by exposure to radiological materials or equipment, and in such case, within 25 years after the last day of last exposure to the hazards of such disease.

(Source: P.A. 98-291, eff. 1-1-14.)

(210 ILCS 50/3.60 rep.)

Section 70. The Emergency Medical Services (EMS) Systems Act is amended by repealing Section 3.60.

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AN ACT concerning revenue.

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

Section 5. The Retailers' Occupation Tax Act is amended by changing Section 2a as follows:

(35 ILCS 120/2a) (from Ch. 120, par. 441a)

Sec. 2a. It is unlawful for any person to engage in the business of selling tangible personal property at retail in this State without a certificate of registration from the Department. Application for a certificate of registration shall be made to the Department upon forms furnished by it. Each such application shall be signed and verified and shall state: (1) the name and social security number of the applicant; (2) the address of his principal place of business; (3) the address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State and the addresses of all other places of business, if any (enumerating such addresses, if any, in a separate list attached to and made a part of the application), from which he engages in the business of selling tangible personal property at retail in this State; (4) the name and address of the person or persons who will be responsible for filing returns and payment of taxes due under this Act; (5) in the case of a publicly traded corporation, the name and title of the Chief Financial Officer, Chief Operating Officer, and any other officer or employee with responsibility for preparing tax returns under this Act, along with the last 4 digits of each of their social security numbers, and, in the case of all other corporations, the name, title, and social security number of each corporate officer; (6) in the case of a limited liability company, the name, social security number, and FEIN number of each manager and member; and (7) such other information as the Department may reasonably require. The application shall contain an acceptance of responsibility signed by the person or persons who will be responsible for filing returns and payment of the taxes due under this Act. If the applicant will sell tangible personal property at retail through vending machines, his

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application to register shall indicate the number of vending machines to be so operated. If requested by the Department at any time, that person shall verify the total number of vending machines he or she uses in his or her business of selling tangible personal property at retail.

The Department may deny a certificate of registration to any applicant if a person who is named as the owner, a partner, a manager or member of a limited liability company, or a corporate officer of the applicant on the application for the certificate of registration; is or has been named as the owner, a partner, a manager or member of a limited liability company, or a corporate officer; on the application for the certificate of registration of another retailer that is in default for moneys due under this Act or any other tax or fee Act administered by the Department. For purposes of this paragraph only, in determining whether a person is in default for moneys due, the Department shall include only amounts established as a final liability within the 20 years prior to the date of the Department's notice of denial of a certificate of registration.

The Department may require an applicant for a certificate of registration hereunder to, at the time of filing such application, furnish a bond from a surety company authorized to do business in the State of Illinois, or an irrevocable bank letter of credit or a bond signed by 2 personal sureties who have filed, with the Department, sworn statements disclosing net assets equal to at least 3 times the amount of the bond to be required of such applicant, or a bond secured by an assignment of a bank account or certificate of deposit, stocks or bonds, conditioned upon the applicant paying to the State of Illinois all moneys becoming due under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution. In making a determination as to whether to require a bond or other security, the Department shall take into consideration whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer of another retailer that is in default for moneys due under this Act or any other tax or fee Act administered by the Department; and whether the owner, any partner, any manager or member of a limited liability company, or a corporate officer of the applicant is or has been the owner, a partner, a manager or member of a limited liability company, or a corporate officer of another retailer whose certificate of registration has been revoked.

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within the previous 5 years under this Act or any other tax or fee Act administered by the Department. If a bond or other security is required, the Department shall fix the amount of the bond or other security, taking into consideration the amount of money expected to become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance, or resolution. The amount of security required by the Department shall be such as, in its opinion, will protect the State of Illinois against failure to pay the amount which may become due from the applicant under this Act and under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution, but the amount of the security required by the Department shall not exceed three times the amount of the applicant's average monthly tax liability, or $50,000.00, whichever amount is lower.

No certificate of registration under this Act shall be issued by the Department until the applicant provides the Department with satisfactory security, if required, as herein provided for.

Upon receipt of the application for certificate of registration in proper form, and upon approval by the Department of the security furnished by the applicant, if required, the Department shall issue to such applicant a certificate of registration which shall permit the person to whom it is issued to engage in the business of selling tangible personal property at retail in this State. The certificate of registration shall be conspicuously displayed at the place of business which the person so registered states in his application to be the principal place of business from which he engages in the business of selling tangible personal property at retail in this State.

No certificate of registration issued to a taxpayer who files returns required by this Act on a monthly basis shall be valid after the expiration of 5 years from the date of its issuance or last renewal. The expiration date of a sub-certificate of registration shall be that of the certificate of registration to which the sub-certificate relates. A certificate of registration shall automatically be renewed, subject to revocation as provided by this Act, for an additional 5 years from the date of its expiration unless otherwise notified by the Department as provided by this paragraph. Where a taxpayer to whom a certificate of registration is issued under this Act is in default to the State

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of Illinois for delinquent returns or for moneys due under this Act or any other State tax law or municipal or county ordinance administered or enforced by the Department, the Department shall, not less than 60±20 days before the expiration date of such certificate of registration, give notice to the taxpayer to whom the certificate was issued of the account period of the delinquent returns, the amount of tax, penalty and interest due and owing from the taxpayer, and that the certificate of registration shall not be automatically renewed upon its expiration date unless the taxpayer, on or before the date of expiration, has filed and paid the delinquent returns or paid the defaulted amount in full. A taxpayer to whom such a notice is issued shall be deemed an applicant for renewal. The Department shall promulgate regulations establishing procedures for taxpayers who file returns on a monthly basis but desire and qualify to change to a quarterly or yearly filing basis and will no longer be subject to renewal under this Section, and for taxpayers who file returns on a yearly or quarterly basis but who desire or are required to change to a monthly filing basis and will be subject to renewal under this Section.

The Department may in its discretion approve renewal by an applicant who is in default if, at the time of application for renewal, the applicant files all of the delinquent returns or pays to the Department such percentage of the defaulted amount as may be determined by the Department and agrees in writing to waive all limitations upon the Department for collection of the remaining defaulted amount to the Department over a period not to exceed 5 years from the date of renewal of the certificate; however, no renewal application submitted by an applicant who is in default shall be approved if the immediately preceding renewal by the applicant was conditioned upon the installment payment agreement described in this Section. The payment agreement herein provided for shall be in addition to and not in lieu of the security that may be required by this Section of a taxpayer who is no longer considered a prior continuous compliance taxpayer. The execution of the payment agreement as provided in this Act shall not toll the accrual of interest at the statutory rate.

The Department may suspend a certificate of registration if the Department finds that the person to whom the certificate of registration has been issued knowingly sold contraband cigarettes.

A certificate of registration issued under this Act more than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the next anniversary of the date of issuance of such certificate which occurs more than 6 months after

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the effective date of this amendatory Act of 1989. A certificate of registration issued less than 5 years before the effective date of this amendatory Act of 1989 shall expire and be subject to the renewal provisions of this Section on the 5th anniversary of the issuance of the certificate.

If the person so registered states that he operates other places of business from which he engages in the business of selling tangible personal property at retail in this State, the Department shall furnish him with a sub-certificate of registration for each such place of business, and the applicant shall display the appropriate sub-certificate of registration at each such place of business. All sub-certificates of registration shall bear the same registration number as that appearing upon the certificate of registration to which such sub-certificates relate.

If the applicant will sell tangible personal property at retail through vending machines, the Department shall furnish him with a sub-certificate of registration for each such vending machine, and the applicant shall display the appropriate sub-certificate of registration on each such vending machine by attaching the sub-certificate of registration to a conspicuous part of such vending machine. If a person who is registered to sell tangible personal property at retail through vending machines adds an additional vending machine or additional vending machines to the number of vending machines he or she uses in his or her business of selling tangible personal property at retail, he or she shall notify the Department, on a form prescribed by the Department, to request an additional sub-certificate or additional sub-certificates of registration, as applicable. With each such request, the applicant shall report the number of sub-certificates of registration he or she is requesting as well as the total number of vending machines from which he or she makes retail sales.

Where the same person engages in 2 or more businesses of selling tangible personal property at retail in this State, which businesses are substantially different in character or engaged in under different trade names or engaged in under other substantially dissimilar circumstances (so that it is more practicable, from an accounting, auditing or bookkeeping standpoint, for such businesses to be separately registered), the Department may require or permit such person (subject to the same requirements concerning the furnishing of security as those that are provided for hereinbefore in this Section as to each application for a certificate of registration) to apply for and obtain a separate certificate of registration for each such business or for any of such businesses, under a single certificate of registration supplemented by related sub-certificates of registration.

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Any person who is registered under the "Retailers' Occupation Tax Act" as of March 8, 1963, and who, during the 3-year period immediately prior to March 8, 1963, or during a continuous 3-year period part of which passed immediately before and the remainder of which passes immediately after March 8, 1963, has been so registered continuously and who is determined by the Department not to have been either delinquent or deficient in the payment of tax liability during that period under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, shall be considered to be a Prior Continuous Compliance taxpayer. Also any taxpayer who has, as verified by the Department, faithfully and continuously complied with the condition of his bond or other security under the provisions of this Act for a period of 3 consecutive years shall be considered to be a Prior Continuous Compliance taxpayer.

Every Prior Continuous Compliance taxpayer shall be exempt from all requirements under this Act concerning the furnishing of a bond or other security as a condition precedent to his being authorized to engage in the business of selling tangible personal property at retail in this State. This exemption shall continue for each such taxpayer until such time as he may be determined by the Department to be delinquent in the filing of any returns, or is determined by the Department (either through the Department's issuance of a final assessment which has become final under the Act, or by the taxpayer's filing of a return which admits tax that is not paid to be due) to be delinquent or deficient in the paying of any tax under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the registrant under this Act will permit the registrant to engage in business without registering separately under such other law, ordinance or resolution, at which time that taxpayer shall become subject to all the financial responsibility requirements of this Act and, as a condition of being allowed to continue to engage in the business of selling tangible personal property at retail, may be required to post bond or other acceptable security with the Department covering liability which such taxpayer may thereafter incur. Any taxpayer who fails to pay an admitted or established liability under this Act may also be required to post bond or other acceptable security with this Department guaranteeing the payment of such admitted or established liability.

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No certificate of registration shall be issued to any person who is in default to the State of Illinois for moneys due under this Act or under any other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration that is issued to the applicant under this Act will permit the applicant to engage in business without registering separately under such other law, ordinance or resolution.

Any person aggrieved by any decision of the Department under this Section may, within 20 days after notice of such decision, protest and request a hearing, whereupon the Department shall give notice to such person of the time and place fixed for such hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to such person. In the absence of such a protest within 20 days, the Department's decision shall become final without any further determination being made or notice given.

With respect to security other than bonds (upon which the Department may sue in the event of a forfeiture), if the taxpayer fails to pay, when due, any amount whose payment such security guarantees, the Department shall, after such liability is admitted by the taxpayer or established by the Department through the issuance of a final assessment that has become final under the law, convert the security which that taxpayer has furnished into money for the State, after first giving the taxpayer at least 10 days' written notice, by registered or certified mail, to pay the liability or forfeit such security to the Department. If the security consists of stocks or bonds or other securities which are listed on a public exchange, the Department shall sell such securities through such public exchange. If the security consists of an irrevocable bank letter of credit, the Department shall convert the security in the manner provided for in the Uniform Commercial Code. If the security consists of a bank certificate of deposit, the Department shall convert the security into money by demanding and collecting the amount of such bank certificate of deposit from the bank which issued such certificate. If the security consists of a type of stocks or other securities which are not listed on a public exchange, the Department shall sell such security to the highest and best bidder after giving at least 10 days' notice of the date, time and place of the intended sale by publication in the "State Official Newspaper". If the Department realizes more than the amount of such liability from the security, plus the expenses incurred by the Department in converting the security into money, the Department shall pay such excess to the taxpayer who furnished such security, and the balance shall be paid into the State Treasury.

New matter indicated by italics - deletions by strikeout
The Department shall discharge any surety and shall release and return any security deposited, assigned, pledged or otherwise provided to it by a taxpayer under this Section within 30 days after:

(1) such taxpayer becomes a Prior Continuous Compliance taxpayer; or

(2) such taxpayer has ceased to collect receipts on which he is required to remit tax to the Department, has filed a final tax return, and has paid to the Department an amount sufficient to discharge his remaining tax liability, as determined by the Department, under this Act and under every other State tax law or municipal or county tax ordinance or resolution under which the certificate of registration issued under this Act permits the registrant to engage in business without registering separately under such other law, ordinance or resolution. The Department shall make a final determination of the taxpayer's outstanding tax liability as expeditiously as possible after his final tax return has been filed; if the Department cannot make such final determination within 45 days after receiving the final tax return, within such period it shall so notify the taxpayer, stating its reasons therefor.

(Source: P.A. 97-335, eff. 1-1-12; 98-496, eff. 1-1-14; 98-583, eff. 1-1-14; revised 9-9-13.)

Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0975
(Senate Bill No. 3468)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Section 3-504 as follows:

(405 ILCS 5/3-504) (from Ch. 91 1/2, par. 3-504)
Sec. 3-504. Minors; emergency admissions.
(a) A minor who is eligible for admission under Section 3-503 and who is in a condition that immediate hospitalization is necessary may be admitted upon the application of a parent or guardian, or person in loco parentis, or of an interested person 18 years of age or older when, after

New matter indicated by italics - deletions by strikeout
diligent effort, the minor's parent, guardian or person in loco parentis cannot be located or refuses to consent to admission. Following admission of the minor, the facility director of the mental health facility shall continue efforts to locate the minor's parent, guardian or person in loco parentis. If that person is located and consents in writing to the admission, the minor may continue to be hospitalized. However, upon notification of the admission, the parent, guardian or person in loco parentis may request the minor's discharge subject to the provisions of Section 3-508.

(b) A peace officer may take a minor into custody and transport the minor to a mental health facility when, as a result of his personal observation, the peace officer has reasonable grounds to believe that the minor is eligible for admission under Section 3-503 and is in a condition that immediate hospitalization is necessary in order to protect the minor or others from physical harm. Upon arrival at the facility, the peace officer shall complete an application under Section 3-503 and shall further include a detailed statement of the reason for the assertion that immediate hospitalization is necessary, including a description of any acts or significant threats supporting the assertion, the time and place of the occurrence of those acts or threats, and the names, addresses and telephone numbers of other witnesses of those acts or threats.

(c) If no parent, guardian or person in loco parentis can be found within 3 days, excluding Saturdays, Sundays or holidays, after the admission of a minor, or if that person refuses either to consent to admission of the minor or to request his discharge, a petition shall be filed under the Juvenile Court Act of 1987 to ensure that appropriate guardianship is provided.

(d) If, however, a court finds, based on the evaluation by a psychiatrist, licensed clinical social worker, licensed clinical professional counselor, or licensed clinical psychologist or the testimony or other information offered by a parent, guardian, person acting in loco parentis or other interested adults, that it is necessary in order to complete an examination of a minor, the court may order that the minor be admitted to a mental health facility pending examination and may order a peace officer or other person to transport the minor to the facility.

(e) If a parent, guardian, or person acting in loco parentis is unable to transport a minor to a mental health facility for examination, the parent, guardian, or person acting in loco parentis may petition the court to compel a peace officer to take the minor into custody and transport the minor to a mental health facility for examination. The court may grant the order if the court finds, based on the evaluation by a psychiatrist, licensed clinical social

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worker, licensed clinical professional counselor, or licensed clinical psychologist or the testimony of a parent, guardian, or person acting in loco parentis that the examination is necessary and that the assistance of a peace officer is required to effectuate admission of the minor to a mental health facility.

(f) Within 24 hours after admission under this Section, a psychiatrist or clinical psychologist who has personally examined the minor shall certify in writing that the minor meets the standard for admission. If no certificate is furnished, the minor shall be discharged immediately.

(Source: P.A. 95-804, eff. 8-12-08.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective August 15, 2014.

PUBLIC ACT 98-0975

AN ACT concerning regulation.

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

Section 5. The Illinois Architecture Practice Act of 1989 is amended by changing Sections 3, 8, 9, 10, 12, 14, 16, 17, 21, 23, and 36 and by adding Section 37.5 as follows:

Sec. 3. Application of Act. Nothing in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Structural Engineering Practice Act of 1989, the practice of professional engineering as defined in the Professional Engineering Practice Act of 1989, or the preparation of documents used to prescribe work to be done inside buildings for non-loadbearing interior construction, furnishings, fixtures and equipment, or the offering or preparation of environmental analysis, feasibility studies, programming or construction management services by persons other than those licensed in accordance with this Act, the Structural Engineering Practice Act of 1989 or the Professional Engineering Practice Act of 1989.

Nothing contained in this Act shall prevent the draftsmen, students, project representatives and other employees of those lawfully practicing as

New matter indicated by italics - deletions by strikeout
licensed architects under the provisions of this Act, from acting under the responsible control of their employers, or to prevent the employment of project representatives for enlargement or alteration of buildings or any parts thereof, or prevent such project representatives from acting under the responsible control of the licensed architect by whom the construction documents including drawings and specifications of any such building, enlargement or alteration were prepared.

Nothing in this Act or any other Act shall prevent an a licensed architect from practicing interior design services. Nothing in this Act shall be construed as requiring the services of an interior designer for the interior designing of a single family residence.

The involvement of an a licensed architect is not required for the following:

(A) The building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such farm premises.

(B) The construction, remodeling or repairing of a detached single family residence on a single lot.

(C) The construction, remodeling or repairing of a two-family residence of wood frame construction on a single lot, not more than two stories and basement in height.

(D) Interior design services for buildings which do not involve life safety or structural changes.

However, when an ordinance of a unit of local government requires the involvement of an a licensed architect for any buildings included in the preceding paragraphs (A) through (D), the requirements of this Act shall apply. All buildings not included in the preceding paragraphs (A) through (D), including multi-family buildings and buildings previously exempt from the involvement of an a licensed architect under those paragraphs but subsequently non-exempt due to a change in occupancy or use, are subject to the requirements of this Act. Interior alterations which result in life safety or structural changes of the building are subject to the requirements of this Act.

(Source: P.A. 96-610, eff. 8-24-09.)

(225 ILCS 305/8) (from Ch. 111, par. 1308)
(Section scheduled to be repealed on January 1, 2020)
Sec. 8. Powers and duties of the Department.

New matter indicated by italics - deletions by strikeout
(1) Subject to the provisions of this Act, the Department shall exercise the following functions, powers, and duties:

(a) conduct examinations to ascertain the qualifications and fitness of applicants for licensure as licensed architects, and pass upon the qualifications and fitness of applicants for licensure by endorsement;

(b) prescribe rules for a method of examination of candidates;

(c) prescribe rules defining what constitutes a school, college or university, or department of a university, or other institution, reputable and in good standing, to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to compliance with such rules, and to terminate the approval of such school, college or university or department of a university or other institution that refuses admittance to applicants solely on the basis of race, color, creed, sex or national origin. The Department may adopt, as its own rules relating to education requirements, those guidelines published from time to time by the National Architectural Accrediting Board;

(d) prescribe rules for diversified professional training;

(e) conduct oral interviews, disciplinary conferences and formal evidentiary hearings on proceedings to impose fines or to suspend, revoke, place on probationary status, reprimand, and refuse to issue or restore any license issued under the provisions of this Act for the reasons set forth in Section 22 of this Act;

(f) issue licenses to those who meet the requirements of this Act;

(g) formulate and publish rules necessary or appropriate to carrying out the provisions of this Act;

(h) maintain membership in the National Council of Architectural Registration Boards and participate in activities of the Council by designation of individuals for the various classifications of membership and the appointment of delegates for attendance at regional and national meetings of the Council. All costs associated with membership and attendance of such delegates to any national meetings may be funded from the Design Professionals Administration and Investigation Fund; and

New matter indicated by italics - deletions by strikeout
(i) review such applicant qualifications to sit for the examination or for licensure that the Board designates pursuant to Section 10 of this Act.

(2) Upon the issuance of any final decision or order that deviates from any report or recommendation of the Board relating to the qualification of applicants, discipline of licensees or registrants, or promulgation of rules, the Secretary shall notify the Board with an explanation of the deviation and provide a reasonable time for the Board to submit comments to the Secretary regarding the final decision or order. The Department may at any time seek the expert advice and knowledge of the Board on any matter relating to the enforcement of this Act.

(3) The Department may in its discretion, but shall not be required to, employ or utilize the legal services of outside counsel and the investigative services of outside personnel to assist the Department. However, no attorney employed or used by the Department shall prosecute a matter or provide legal services to the Department or Board with respect to the same matter.

(Source: P.A. 96-610, eff. 8-24-09.)

(225 ILCS 305/9) (from Ch. 111, par. 1309)

Sec. 9. Creation of the Board. The Director shall appoint an Architecture Licensing Board which will consist of 6 members. Five members shall be licensed architects, one of whom shall be a tenured member of the architectural faculty of an Illinois public university accredited by the National Architectural Accrediting Board. The other 4 shall be licensed architects, residing in this State, who have been engaged in the practice of architecture at least 10 years. In addition to the 5 licensed architects, there shall be one public member. The public member shall be a voting member and shall not hold a license as an architect, professional engineer, structural engineer or land surveyor.

Board members shall serve 5 year terms and until their successors are appointed and qualified. In making the designation of persons to the Board, the Director shall give due consideration to recommendations by members and organizations of the profession.

The membership of the Board should reasonably reflect representation from the geographic areas in this State.

No member shall be reappointed to the Board for a term which would cause his or her continuous service on the Board to be longer than 10 successive years. **Service prior to the effective date of this Act shall not be considered.**

New matter indicated by italics - deletions by strikeout
Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this Act and Board members in office on that date under the predecessor Act may be appointed to specific terms as indicated in this Section:

Persons holding office as members of the Board under the Illinois Architecture Act immediately prior to the effective date of this Act shall continue as members of the Board under this Act until the expiration of the term for which they were appointed and until their successors are appointed and qualified.

Four members of the Board shall constitute a quorum. A quorum is required for Board decisions.

The Director may remove any member of the Board for misconduct, incompetence, neglect of duty, or for reasons prescribed by law for removal of State officials.

The Director may remove a member of the Board who does not attend 2 consecutive meetings.

Notice of proposed rulemaking shall be transmitted to the Board and the Department shall review the response of the Board and any recommendations made therein. The Department may, at any time, seek the expert advice and knowledge of the Board on any matter relating to the administration or enforcement of this Act.

Members of the Board are immune from suit in any action based upon any disciplinary proceedings or other activities performed in good faith as members of the Board.

(Source: P.A. 96-610, eff. 8-24-09.)

(225 ILCS 305/10) (from Ch. 111, par. 1310)
Section scheduled to be repealed on January 1, 2020
Sec. 10. Powers and duties of the Board.
(a) The Board shall hold at least 3 regular meetings each year.
(b) The Board shall annually elect a Chairperson and a Vice Chairperson who shall be licensed architects.
(c) The Board, upon request by the Department, may make a curriculum evaluation to determine if courses conform to the requirements of approved architectural programs.
(d) The Board shall assist the Department in conducting oral interviews, disciplinary conferences and formal evidentiary hearings.
(e) The Department may, at any time, seek the expert advice and knowledge of the Board on any matter relating to the enforcement of this Act.

New matter indicated by italics - deletions by strikeout
(f) The Board may appoint a subcommittee to serve as a Complaint Committee to recommend the disposition of case files according to procedures established by rule in 68 Ill. Adm. Code 1150.95, and any amendments or changes thereto.

(g) The Board shall review applicant qualifications to sit for the examination or for licensure and shall make recommendations to the Department except for those applicant qualifications that the Board designates as routinely acceptable. The Department shall review the Board's recommendations on applicant qualifications. The Secretary shall notify the Board with an explanation of any deviation from the Board's recommendation on applicant qualifications. After review of the Secretary's explanation of his or her reasons for deviation, the Board shall have the opportunity to comment upon the Secretary's decision.

(h) The Board may submit comments to the Secretary within a reasonable time from notification of any final decision or order from the Secretary that deviates from any report or recommendation of the Board relating to the qualifications of applicants, unlicensed practice, discipline of licensees or registrants, or promulgation of rules.

(i) The Board may recommend that the Department contract with an individual or a corporation or other business entity to assist in the providing of investigative, legal, prosecutorial, and other services necessary to perform its duties pursuant to subsection (3) of Section 8 of this Act.

(Source: P.A. 96-610, eff. 8-24-09.)

(225 ILCS 305/12) (from Ch. 111, par. 1312)

Sec. 12. Examinations; subjects; failure or refusal to take examination. The Department shall authorize examination of applicants as architects at such times and places as it may determine. The examination shall be in English and shall be written or written and graphic. It shall include at a minimum the following subjects:

(a) pre-design (environmental analysis, architectural programming, and application of principles of project management and coordination);

(b) site planning (site analysis, design and development, parking, and application of zoning requirements);

(c) building planning (conceptual planning of functional and space relationships, building design, interior space layout, barrier-free design, and the application of the life safety code requirements and principles of energy efficient design);

New matter indicated by italics - deletions by strikeout
(d) building technology (application of structural systems, building components, and mechanical and electrical systems);
(e) general structures (identification, resolution, and incorporation of structural systems and the long span design on the technical aspects of the design of buildings and the process and construction);
(f) lateral forces (identification and resolution of the effects of lateral forces on the technical aspects of the design of buildings and the process of construction);
(g) mechanical and electrical systems (as applied to the design of buildings, including plumbing and acoustical systems);
(h) materials and methods (as related to the design of buildings and the technical aspects of construction); and
(i) construction documents and services (conduct of architectural practice as it relates to construction documents, bidding, and construction administration and contractual documents from beginning to end of a building project).

It shall be the responsibility of the applicant to be familiar with this Act and its rules. Examination subject matter headings and bases on which examinations are graded shall be indicated in rules pertaining to this Act. The Department may adopt the examinations and grading procedures of the National Council of Architectural Registration Boards. Content of any particular examination shall not be considered public record under the Freedom of Information Act.

If an applicant neglects without an approved excuse or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing an application, the application shall be denied. The applicant may, however, make a new application for examination accompanied by the required fee and must furnish proof of meeting the qualifications for examination in effect at the time of the new application.

An applicant shall have 5 years from the passage of the first examination to successfully complete all examinations required by rule of the Department.

The Department may by rule prescribe additional subjects for examination.

New matter indicated by italics - deletions by strikeout
An applicant has one year from the date of notification of successful completion of all the examination and experience requirements to apply to the Department for a license. If an applicant fails to apply within one year, the applicant shall be required to again take and pass the examination, unless the Department, upon recommendation of the Board, determines that there is sufficient cause for the delay that is not due to the fault of the applicant.

(Source: P.A. 96-610, eff. 8-24-09.)

(225 ILCS 305/14) (from Ch. 111, par. 1314)
(Section scheduled to be repealed on January 1, 2020)

Sec. 14. Display of license; Seal. Every holder of a license as an architect shall display it in a conspicuous place in the principal office of the architect.

Every architect shall have a reproducible seal, or facsimile, the print of which shall contain the name of the architect, the license number, and the words "Licensed Architect, State of Illinois". The architect shall affix the signature, current date, date of license expiration and seal to the first sheet of any bound set or loose sheets of technical submissions utilized as contract documents between the parties to the contract or prepared for the review and approval of any governmental or public authority having jurisdiction by that architect or under that architect's responsible control. The sheet of technical submissions in which the seal is affixed shall indicate those documents or parts thereof for which the seal shall apply. The seal and dates may be electronically affixed. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer. All technical submissions issued by any corporation, partnership, professional service corporation, or professional design firm as registered under this Act shall contain the corporate or assumed business name and design firm registration number, in addition to any other seal requirements as set forth in this Section.

"Responsible control" means that amount of control over and detailed professional knowledge of the content of technical submissions during their preparation as is ordinarily exercised by architects applying the required professional standard of care. Merely reviewing or reviewing and correcting the technical submissions or any portion thereof prepared by those not in the regular employment of the office where the architect is resident without control over the content of such work throughout its preparation does not constitute responsible control.

New matter indicated by italics - deletions by strikeout
An architect licensed under the laws of this jurisdiction shall not sign and seal technical submissions that were not prepared by or under the responsible control of the architect except that:

(1) the architect may sign and seal those portions of the technical submissions that were prepared by or under the responsible control of persons who hold a license under this Act, and who shall have signed and sealed the documents, if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into his or her work;

(2) the architect may sign and seal portions of the professional work that are not required by this Act to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into his or her work; and

(3) a partner or corporate officer of a professional design firm registered in Illinois who is licensed under the architecture licensing laws of this State, and who has professional knowledge of the content of the technical submissions and intends to be responsible for the adequacy of the technical submissions, may sign and seal technical submissions that are prepared by or under the responsible control of architects who are licensed in this State and who are in the regular employment of the professional design firm.

The architect exercising responsible control under which the documents or portions of the documents were prepared shall be identified on the documents or portions of the documents by name and Illinois license number.

Any licensed architect who signs and seals technical submissions not prepared by that architect but prepared under the architect's responsible control by persons not regularly employed in the office where the architect is resident shall maintain and make available to the board upon request for at least 5 years following such signing and sealing, adequate and complete records demonstrating the nature and extent of the architect's control over and detailed professional knowledge of such technical submissions throughout their preparation.

(Source: P.A. 98-289, eff. 1-1-14.)

(225 ILCS 305/16) (from Ch. 111, par. 1316)

(Section scheduled to be repealed on January 1, 2020)

Sec. 16. Licenses; Renewal; Restoration; Architects in military service. The expiration date and renewal period for each license issued under
this Act shall be set by rule. The holder of a license may renew such license during the month preceding the expiration date thereof by paying the required fee. An architect who has permitted his license to expire or who has had his license on inactive status may have his license restored by making application to the Department and filing proof acceptable to the Department of his fitness to have his license restored, including sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department, and by paying the required restoration fee.

If the person has not maintained an active practice in another jurisdiction satisfactory to the Department, the Board shall determine, by an evaluation program established by rule, that person's fitness to resume active status and may require that person to successfully complete an examination.

Any person whose license has been expired for more than 3 years may have his license restored by making application to the Department and filing proof acceptable to the Department of his fitness to have his license restored, including sworn evidence certifying to active practice in another jurisdiction, and by paying the required restoration fee.

However, any person whose license has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his license restored or reinstated without paying any lapsed renewal fees or restoration fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated.

(Source: P.A. 86-702.)

(225 ILCS 305/17) (from Ch. 111, par. 1317)

(Section scheduled to be repealed on January 1, 2020)

Sec. 17. Inactive status; Restoration. Any architect, who notifies the Department in writing on forms prescribed by the Department, may elect to place his or her license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he or she notifies the Department in writing of his or her desire to resume active status.
Any licensed architect requesting restoration from inactive status shall be required to pay the current renewal fee and shall have his or her license restored as provided in Section 16 of this Act.

Any licensed architect whose license is in an inactive status shall not practice architecture in the State of Illinois.

(Source: P.A. 86-702.)

(225 ILCS 305/21) (from Ch. 111, par. 1321)
Sec. 21. Professional design firm registration; conditions.
(a) Nothing in this Act shall prohibit the formation, under the provisions of the Professional Service Corporation Act, of a corporation to offer the practice of architecture.

Any business, including a Professional Service Corporation, that includes the practice of architecture within its stated purposes, practices architecture, or holds itself out as available to practice architecture shall register with the Department under this Section. Any professional service corporation, sole proprietorship, or professional design firm offering architectural services must have a resident architect in responsible charge of the architectural practices in each location in which architectural services are provided who shall be designated as a managing agent.

Any sole proprietorship not owned and operated by an Illinois licensed design professional licensed under this Act is prohibited from offering architectural services to the public. "Illinois licensed design professional" means a person who holds an active license as an architect under this Act, as a structural engineer under the Structural Engineering Practice Act of 1989, or as a professional engineer under the Professional Engineering Practice Act of 1989, or as a professional land surveyor under the Professional Land Surveyor Act of 1989. Any sole proprietorship owned and operated by an architect with an active license issued under this Act and conducting or transacting such business under an assumed name in accordance with the provisions of the Assumed Business Name Act shall comply with the registration requirements of a professional design firm. Any sole proprietorship owned and operated by an architect with an active license issued under this Act and conducting or transacting such business under the real name of the sole proprietor is exempt from the registration requirements of a professional design firm.

(b) Any corporation, including a Professional Service Corporation, partnership, limited liability company, or professional design firm seeking to be registered under this Section shall not be registered unless:

New matter indicated by italics - deletions by strikeout
(1) two-thirds of the board of directors, in the case of a corporation, or two-thirds of the general partners, in the case of a partnership, or two-thirds of the members, in the case of a limited liability company, are licensed under the laws of any State to practice architecture, professional engineering, land surveying, or structural engineering; and

(2) a managing agent is (A) a director in the case of a corporation, a general partner in the case of a partnership, or a member in the case of a limited liability company, and (B) holds a license under this Act.

Any corporation, limited liability company, professional service corporation, or partnership qualifying under this Section and practicing in this State shall file with the Department any information concerning its officers, directors, members, managers, partners or beneficial owners as the Department may, by rule, require.

(c) No business shall offer the practice or hold itself out as available to offer the practice of architecture until it is registered with the Department as a professional design firm. Every entity registered as a professional design firm shall display its certificate of registration or a facsimile thereof in a conspicuous place in each office offering architectural services.

(d) Any business seeking to be registered under this Section shall make application on a form provided by the Department and shall provide any information requested by the Department, which shall include but shall not be limited to all of the following:

(1) The name and architect's license number of at least one person designated as a managing agent. In the case of a corporation, the corporation shall also submit a certified copy of the resolution by the board of directors designating at least one managing agent. If a limited liability company, the company shall submit a certified copy of either its articles of organization or operating agreement designating at least one managing agent.

(2) The names and architect's, professional engineer's, structural engineer's, or land surveyor's license numbers of the directors, in the case of a corporation, the members, in the case of a limited liability company, or general partners, in the case of a partnership.

(3) A list of all locations at which the professional design firm provides architectural services.

New matter indicated by italics - deletions by strikeout
(4) A list of all assumed names of the business. Nothing in this Section shall be construed to exempt a business from compliance with the requirements of the Assumed Business Name Act.

It is the responsibility of the professional design firm to provide the Department notice, in writing, of any changes in the information requested on the application.

(e) In the event a managing agent is terminated or terminates his or her status as managing agent of the professional design firm, the managing agent and professional design firm shall notify the Department of this fact in writing, by certified mail, within 10 business days of termination.

Thereafter, the professional design firm, if it has so informed the Department, has 30 days in which to notify the Department of the name and architect's license number of the architect who is the newly designated managing agent. If a corporation, the corporation shall also submit a certified copy of a resolution by the board of directors designating the new managing agent. If a limited liability company, the company shall also submit a certified copy of either its articles of organization or operating agreement designating the new managing agent. The Department may, upon good cause shown, extend the original 30 day period.

If the professional design firm has not notified the Department in writing, by certified mail within the specified time, the registration shall be terminated without prior hearing. Notification of termination shall be sent by certified mail to the address of record. If the professional design firm continues to operate and offer architectural services after the termination, the Department may seek prosecution under Sections 22, 36, and 36a of this Act for the unlicensed practice of architecture.

(f) No professional design firm shall be relieved of responsibility for the conduct or acts of its agents, employees, or officers by reason of its compliance with this Section, nor shall any individual practicing architecture be relieved of the responsibility for professional services performed by reason of the individual's employment or relationship with a professional design firm registered under this Section.

(g) Disciplinary action against a professional design firm registered under this Section shall be administered in the same manner and on the same grounds as disciplinary action against a licensed architect. All disciplinary action taken or pending against a corporation or partnership before the effective date of this amendatory Act of 1993 shall be continued or remain in effect without the Department filing separate actions.

(Source: P.A. 96-610, eff. 8-24-09.)

New matter indicated by italics - deletions by strikeout
Sec. 23. Violations; Injunction; Cease and desist order.

(a) If any person or entity violates a provision of this Act, the Director may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation. If it is established that such person or entity has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section are in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person or entity practices as an architect or holds himself out as an architect or professional design firm without being licensed or registered under the provisions of this Act, then any licensed architect, any interested party or any person injured thereby may, in addition to the Director, petition for relief as provided in subsection (a) of this Section.

(c) Whenever in the opinion of the Department any person or entity violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(Source: P.A. 88-428.)

Sec. 36. Violations. Each of the following Acts constitutes a Class A misdemeanor for the first offense and a Class 4 felony for a second or subsequent offense:

(a) the practice, attempt to practice or offer to practice architecture, or the advertising or putting out of any sign or card or other device which might indicate to the public that the person is entitled to practice architecture, without a license as an architect, or registration as a professional design firm issued by the Department. Each day of practicing architecture or attempting to practice architecture, and each instance of offering to practice architecture, without a license as an architect or

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registration as a professional design firm constitutes a separate offense;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of an architect's seal to any technical submissions which have not been prepared by that architect or under the architect's responsible control;

(d) the violation of any provision of this Act or its rules;

(e) using or attempting to use an expired, inactive, suspended, or revoked license, or the certificate or seal of another, or impersonating another licensee;

(f) obtaining or attempting to obtain a license or registration by fraud; or

(g) If any person, sole proprietorship, professional service corporation, limited liability company, corporation or partnership, or other entity practices architecture or advertises or displays any sign or card or other device that might indicate to the public that the person or entity is entitled to practice as an architect or use the title "architect" or any of its derivations unless the person or other entity holds an active license as an architect or registration as a professional design firm in the State; then, in addition to any other penalty provided by law any person or other entity who violates this subsection (g) shall forfeit and pay to the Design Professionals Administration and Investigation Fund a civil penalty in an amount determined by the Department of not more than $10,000 for each offense.

An unlicensed person who has completed the education requirements, is actively participating in the diversified professional training, and maintains in good standing a training record as required for licensure by this Act may use the title "architectural intern", but may not independently engage in the practice of architecture.

(Source: P.A. 96-610, eff. 8-24-09.)

(225 ILCS 305/37.5 new)

Sec. 37.5. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and

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shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.


PUBLIC ACT 98-0977
(Senate Bill No. 3506)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Emergency Medical Treatment Act is amended by changing Section 2 as follows:
(210 ILCS 70/2)
Sec. 2. Findings; prohibited terms.
(a) The Illinois General Assembly makes all of the following findings:
(1) Hospital emergency services are not always the most appropriate level of care for patients seeking unscheduled medical care or for patients who do not have a regular physician who can treat a significant or acute medical condition not considered critical, debilitating, or life-threatening.
(2) Hospital emergency rooms are over-utilized and too often over-burdened with many injuries or illnesses that could be managed in a less intensive clinical setting or physician's office.
(3) Over-utilization of hospital emergency departments contributes to excess medical and health insurance costs.
(4) The use of the term "urgent" or "emergi-" or a similar term in a facility's posted or advertised name may confuse the public and prospective patients regarding the type of services offered relative to those provided by a hospital emergency department. There is

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significant risk to the public health and safety if persons requiring treatment for a critical or life-threatening condition inappropriately use such facilities.

(5) Many times patients are not clearly aware of the policies and procedures of their insurer or health plan that must be followed in the use of emergency rooms versus non-emergent clinics and what rights they have under the law in regard to appropriately sought emergency care.

(6) There is a need to more effectively educate health care payers and consumers about the most appropriate use of the various available levels of medical care and particularly the use of hospital emergency rooms and walk-in medical clinics that do not require appointments.

(b) **After the effective date of this amendatory Act of the 93rd General Assembly, no person, facility, or entity shall hold itself out to the public as an "urgi-", "urgi-", "emergi-", or "emergent" care center or use any similar term, as defined by rule, that would give the impression that emergency medical treatment is provided by the person or entity or at the facility unless the facility is the emergency room of a facility licensed as a hospital under the Hospital Licensing Act or a facility licensed as a freestanding emergency center under the Emergency Medical Services (EMS) Systems Act. This Section does not prohibit a person, facility, or entity from holding itself out to the public as an "urgi-" or "urgent" care center.**

(c) Violation of this Section constitutes a business offense with a minimum fine of $5,000 plus $1,000 per day for a continuing violation, with a maximum of $25,000.

(d) The Director of Public Health in the name of the people of the State, through the Attorney General, may bring an action for an injunction or to restrain a violation of this Section or the rules adopted pursuant to this Section or to enjoin the future operation or maintenance of any facility in violation of this Section or the rules adopted pursuant to this Section.

(e) The Department of Public Health shall adopt rules necessary for the implementation of this Section.

(Source: P.A. 93-540, eff. 8-18-03.)

Passed in the General Assembly May 23, 2014.
Approved August 15, 2014.
Effective January 1, 2015.

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AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 121-2.08, 412, 445, 445.1, and 445.4 as follows:

Sec. 121-2.08. Transactions in this State involving contracts of insurance independently procured directly from an unauthorized insurer by issued to one or more industrial insureds.

(a) As used in this Section:

"Exempt commercial purchaser" means exempt commercial purchaser as the term is defined in subsection (1) of Section 445 of this Code.

"Home state" means home state as the term is defined in subsection (1) of Section 445 of this Code.

"Industrial insured" means an insured:

(i) that (a) which procures the insurance of any risk or risks of the kinds specified in Classes 2 and 3 of Section 4 of this Code other than life and annuity contracts by use of the services of a full-time full-time employee who is a qualified risk manager or buyer or the services of a regularly and continuously retained qualified insurance consultant who is a qualified risk manager;

(ii) that procures the insurance directly from an unauthorized insurer without the services of an intermediary insurance producer whose aggregate annual premiums for insurance on all risks, except for life and accident and health insurance, total at least $100,000; and

(iii) that is an exempt commercial purchaser whose home state is Illinois (c) which either (i) has at least 25 full time employees; (ii) has gross assets in excess of $3,000,000, or (iii) has annual gross revenues in excess of $5,000,000.

"Insurance producer" means insurance producer as the term is defined in Section 500-10 of this Code.

"Qualified risk manager" means qualified risk manager as the term is defined in subsection (1) of Section 445 of this Code.

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"Unauthorized insurer" means unauthorized insurer as the term is defined in subsection (1) of Section 445 of this Code.

(b) For contracts of insurance effective January 1, 2015 or later, within 90 days after the effective date of each contract of insurance issued under this Section, the insured shall file a report with the Director by submitting the report to the Surplus Line Association of Illinois in writing or in a computer readable format and provide information as designated by the Surplus Line Association of Illinois. The information in the report shall be substantially similar to that required for surplus line submissions as described in subsection (5) of Section 445 of this Code. Where applicable, the report shall satisfy, with respect to the subject insurance, the reporting requirement of Section 12 of the Fire Investigation Act.

(c) For contracts of insurance effective January 1, 2015 or later, within 30 days after filing the report, the insured shall pay to the Director for the use and benefit of the State a sum equal to the gross premium of the contract of insurance multiplied by the surplus line tax rate, as described in paragraph (3) of subsection (a) of Section 445 of this Code, and shall pay the fire marshal tax that would otherwise be due annually in March for insurance subject to tax under Section 12 of the Fire Investigation Act. For contracts of insurance effective January 1, 2015 or later, within 30 days after filing the report, the insured shall pay to the Surplus Line Association of Illinois a countersigning fee that shall be assessed at the same rate charged to members pursuant to subsection (4) of Section 445.1 of this Code.

(d) For contracts of insurance effective January 1, 2015 or later, the insured shall withhold the amount of the taxes and countersignature fee from the amount of premium charged by and otherwise payable to the insurer for the insurance. If the insured fails to withhold the tax and countersignature fee from the premium, then the insured shall be liable for the amounts thereof and shall pay the amounts as prescribed in subsection (c) of this Section.

(Source: P.A. 90-794, eff. 8-14-98.)

(215 ILCS 5/412) (from Ch. 73, par. 1024)

Sec. 412. Refunds; penalties; collection.

(1)(a) Whenever it appears to the satisfaction of the Director that because of some mistake of fact, error in calculation, or erroneous interpretation of a statute of this or any other state, any authorized company, surplus line producer, or industrial insured has paid to him, pursuant to any provision of law, taxes, fees, or other charges in excess of the amount legallychargeable against it, during the 6 year period immediately preceding the discovery of such overpayment, he shall have power to refund to such

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company, *surplus line producer, or industrial insured* the amount of the excess or excesses by applying the amount or amounts thereof toward the payment of taxes, fees, or other charges already due, or which may thereafter become due from that company until such excess or excesses have been fully refunded, or upon a written request from the authorized company, *surplus line producer, or industrial insured*, the Director shall provide a cash refund within 120 days after receipt of the written request if all necessary information has been filed with the Department in order for it to perform an audit of the tax report for the transaction or period or annual return for the year in which the overpayment occurred or within 120 days after the date the Department receives all the necessary information to perform such audit. The Director shall not provide a cash refund if there are insufficient funds in the Insurance Premium Tax Refund Fund to provide a cash refund, if the amount of the overpayment is less than $100, or if the amount of the overpayment can be fully offset against the taxpayer's estimated liability for the year following the year of the cash refund request. Any cash refund shall be paid from the Insurance Premium Tax Refund Fund, a special fund hereby created in the State treasury.

(b) Beginning January 1, 2000 and thereafter, the Department shall deposit a percentage of the amounts collected under Sections 409, 444, and 444.1 of this Code into the Insurance Premium Tax Refund Fund. The percentage deposited into the Insurance Premium Tax Refund Fund shall be the annual percentage. The annual percentage shall be calculated as a fraction, the numerator of which shall be the amount of cash refunds approved by the Director for payment and paid during the preceding calendar year as a result of overpayment of tax liability under Sections 121-2.08, 409, 444, and 444.1, and 445 of this Code and the denominator of which shall be the amounts collected pursuant to Sections 121-2.08, 409, 444, and 444.1, and 445 of this Code during the preceding calendar year. However, if there were no cash refunds paid in a preceding calendar year, the Department shall deposit 5% of the amount collected in that preceding calendar year pursuant to Sections 121-2.08, 409, 444, and 444.1, and 445 of this Code into the Insurance Premium Tax Refund Fund instead of an amount calculated by using the annual percentage.

(c) Beginning July 1, 1999, moneys in the Insurance Premium Tax Refund Fund shall be expended exclusively for the purpose of paying cash refunds resulting from overpayment of tax liability under Sections 121-2.08, 409, 444, and 444.1, and 445 of this Code as determined by the Director pursuant to subsection 1(a) of this Section. Cash refunds made in accordance
with this Section may be made from the Insurance Premium Tax Refund Fund only to the extent that amounts have been deposited and retained in the Insurance Premium Tax Refund Fund.

(d) This Section shall constitute an irrevocable and continuing appropriation from the Insurance Premium Tax Refund Fund for the purpose of paying cash refunds pursuant to the provisions of this Section.

(2)(a) When any insurance company or any surplus line producer fails to file any tax return required under Sections 408.1, 409, 444, and 444.1 and 445 of this Code or Section 12 of the Fire Investigation Act on the date prescribed, including any extensions, there shall be added as a penalty $400 or 10% of the amount of such tax, whichever is greater, for each month or part of a month of failure to file, the entire penalty not to exceed $2,000 or 50% of the tax due, whichever is greater.

(b) When any industrial insured or surplus line producer fails to file any tax return or report required under Sections 121-2.08 and 445 of this Code or Section 12 of the Fire Investigation Act on the date prescribed, including any extensions, there shall be added:

(i) as a late fee, if the return or report is received at least one day but not more than 7 days after the prescribed due date, $400 or 10% of the tax due, whichever is greater, the entire fee not to exceed $1,000;

(ii) as a late fee, if the return or report is received at least 8 days but not more than 14 days after the prescribed due date, $400 or 10% of the tax due, whichever is greater, the entire fee not to exceed $1,500;

(iii) as a late fee, if the return or report is received at least 15 days but not more than 21 days after the prescribed due date, $400 or 10% of the tax due, whichever is greater, the entire fee not to exceed $2,000; or

(iv) as a penalty, if the return or report is received more than 21 days after the prescribed due date, $400 or 10% of the tax due, whichever is greater, for each month or part of a month of failure to file, the entire penalty not to exceed $2,000 or 50% of the tax due, whichever is greater.

A tax return or report shall be deemed received as of the date mailed as evidenced by a postmark, proof of mailing on a recognized United States Postal Service form or a form acceptable to the United States Postal Service or other commercial mail delivery service, or other evidence acceptable to the Director.

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(3)(a) When any insurance company or any surplus line producer fails to pay the full amount due under the provisions of this Section, Sections 408.1, 409, 444, or 444.1 or 445 of this Code, or Section 12 of the Fire Investigation Act, there shall be added to the amount due as a penalty an amount equal to 10% of the deficiency.

(a-5) When any industrial insured or surplus line producer fails to pay the full amount due under the provisions of this Section, Sections 121-2.08 or 445 of this Code, or Section 12 of the Fire Investigation Act on the date prescribed, there shall be added:

(i) as a late fee, if the payment is received at least one day but not more than 7 days after the prescribed due date, 10% of the tax due, the entire fee not to exceed $1,000;

(ii) as a late fee, if the payment is received at least 8 days but not more than 14 days after the prescribed due date, 10% of the tax due, the entire fee not to exceed $1,500;

(iii) as a late fee, if the payment is received at least 15 days but not more than 21 days after the prescribed due date, 10% of the tax due, the entire fee not to exceed $2,000; or

(iv) as a penalty, if the return or report is received more than 21 days after the prescribed due date, 10% of the tax due.

A tax payment shall be deemed received as of the date mailed as evidenced by a postmark, proof of mailing on a recognized United States Postal Service form or a form acceptable to the United States Postal Service or other commercial mail delivery service, or other evidence acceptable to the Director.

(b) If such failure to pay is determined by the Director to be wilful, after a hearing under Sections 402 and 403, there shall be added to the tax as a penalty an amount equal to the greater of 50% of the deficiency or 10% of the amount due and unpaid for each month or part of a month that the deficiency remains unpaid commencing with the date that the amount becomes due. Such amount shall be in lieu of any determined under paragraph (a) or (a-5).

(4) Any insurance company, industrial insured, or any surplus line producer that fails to pay the full amount due under this Section or Sections 121-2.08, 408.1, 409, 444, 444.1, or 445 of this Code, or Section 12 of the Fire Investigation Act is liable, in addition to the tax and any late fees and penalties, for interest on such deficiency at the rate of 12% per annum, or at such higher adjusted rates as are or may be established under subsection (b) of Section 6621 of the Internal Revenue Code, from the date that payment

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of any such tax was due, determined without regard to any extensions, to the
date of payment of such amount.

(5) The Director, through the Attorney General, may institute an
action in the name of the People of the State of Illinois, in any court of
competent jurisdiction, for the recovery of the amount of such taxes, fees, and
penalties due, and prosecute the same to final judgment, and take such steps
as are necessary to collect the same.

(6) In the event that the certificate of authority of a foreign or alien
company is revoked for any cause or the company withdraws from this State
prior to the renewal date of the certificate of authority as provided in Section
114, the company may recover the amount of any such tax paid in advance.
Except as provided in this subsection, no revocation or withdrawal excuses
payment of or constitutes grounds for the recovery of any taxes or penalties
imposed by this Code.

(7) When an insurance company or domestic affiliated group fails to
pay the full amount of any fee of $200 or more due under Section 408 of this
Code, there shall be added to the amount due as a penalty the greater of $100
or an amount equal to 10% of the deficiency for each month or part of a
month that the deficiency remains unpaid.

(8) The Department shall have a lien for the taxes, fees, charges, fines,
penalties, interest, other charges, or any portion thereof, imposed or assessed
pursuant to this Code, upon all the real and personal property of any company
or person to whom the assessment or final order has been issued or whenever
a tax return is filed without payment of the tax or penalty shown therein to be
due, including all such property of the company or person acquired after
receipt of the assessment, issuance of the order, or filing of the return. The
company or person is liable for the filing fee incurred by the Department for
filing the lien and the filing fee incurred by the Department to file the release
of that lien. The filing fees shall be paid to the Department in addition to
payment of the tax, fee, charge, fine, penalty, interest, other charges, or any
portion thereof, included in the amount of the lien. However, where the lien
arises because of the issuance of a final order of the Director or tax
assessment by the Department, the lien shall not attach and the notice referred
to in this Section shall not be filed until all administrative proceedings or
proceedings in court for review of the final order or assessment have
terminated or the time for the taking thereof has expired without such
proceedings being instituted.

Upon the granting of Department review after a lien has attached, the
lien shall remain in full force except to the extent to which the final

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assessment may be reduced by a revised final assessment following the rehearing or review. The lien created by the issuance of a final assessment shall terminate, unless a notice of lien is filed, within 3 years after the date all proceedings in court for the review of the final assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted, or (in the case of a revised final assessment issued pursuant to a rehearing or review by the Department) within 3 years after the date all proceedings in court for the review of such revised final assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted. Where the lien results from the filing of a tax return without payment of the tax or penalty shown therein to be due, the lien shall terminate, unless a notice of lien is filed, within 3 years after the date when the return is filed with the Department.

The time limitation period on the Department's right to file a notice of lien shall not run during any period of time in which the order of any court has the effect of enjoining or restraining the Department from filing such notice of lien. If the Department finds that a company or person is about to depart from the State, to conceal himself or his property, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the amount due and owing to the Department unless such proceedings are brought without delay, or if the Department finds that the collection of the amount due from any company or person will be jeopardized by delay, the Department shall give the company or person notice of such findings and shall make demand for immediate return and payment of the amount, whereupon the amount shall become immediately due and payable. If the company or person, within 5 days after the notice (or within such extension of time as the Department may grant), does not comply with the notice or show to the Department that the findings in the notice are erroneous, the Department may file a notice of jeopardy assessment lien in the office of the recorder of the county in which any property of the company or person may be located and shall notify the company or person of the filing. The jeopardy assessment lien shall have the same scope and effect as the statutory lien provided for in this Section. If the company or person believes that the company or person does not owe some or all of the tax for which the jeopardy assessment lien against the company or person has been filed, or that no jeopardy to the revenue in fact exists, the company or person may protest within 20 days after being notified by the Department of the filing of the jeopardy assessment lien and request a hearing, whereupon the Department shall hold a hearing in conformity with the provisions of this Code and,

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pursuant thereto, shall notify the company or person of its findings as to whether or not the jeopardy assessment lien will be released. If not, and if the company or person is aggrieved by this decision, the company or person may file an action for judicial review of the final determination of the Department in accordance with the Administrative Review Law. If, pursuant to such hearing (or after an independent determination of the facts by the Department without a hearing), the Department determines that some or all of the amount due covered by the jeopardy assessment lien is not owed by the company or person, or that no jeopardy to the revenue exists, or if on judicial review the final judgment of the court is that the company or person does not owe some or all of the amount due covered by the jeopardy assessment lien against them, or that no jeopardy to the revenue exists, the Department shall release its jeopardy assessment lien to the extent of such finding of nonliability for the amount, or to the extent of such finding of no jeopardy to the revenue. The Department shall also release its jeopardy assessment lien against the company or person whenever the amount due and owing covered by the lien, plus any interest which may be due, are paid and the company or person has paid the Department in cash or by guaranteed remittance an amount representing the filing fee for the lien and the filing fee for the release of that lien. The Department shall file that release of lien with the recorder of the county where that lien was filed.

Nothing in this Section shall be construed to give the Department a preference over the rights of any bona fide purchaser, holder of a security interest, mechanics lienholder, mortgagee, or judgment lien creditor arising prior to the filing of a regular notice of lien or a notice of jeopardy assessment lien in the office of the recorder in the county in which the property subject to the lien is located. For purposes of this Section, "bona fide" shall not include any mortgage of real or personal property or any other credit transaction that results in the mortgagee or the holder of the security acting as trustee for unsecured creditors of the company or person mentioned in the notice of lien who executed such chattel or real property mortgage or the document evidencing such credit transaction. The lien shall be inferior to the lien of general taxes, special assessments, and special taxes levied by any political subdivision of this State. In case title to land to be affected by the notice of lien or notice of jeopardy assessment lien is registered under the provisions of the Registered Titles (Torrens) Act, such notice shall be filed in the office of the Registrar of Titles of the county within which the property subject to the lien is situated and shall be entered upon the register of titles as a memorial or charge upon each folium of the register of titles affected by
such notice, and the Department shall not have a preference over the rights of any bona fide purchaser, mortgagee, judgment creditor, or other lienholder arising prior to the registration of such notice. The regular lien or jeopardy assessment lien shall not be effective against any purchaser with respect to any item in a retailer's stock in trade purchased from the retailer in the usual course of the retailer's business.

(Source: P.A. 98-158, eff. 8-2-13.)

(215 ILCS 5/445) (from Ch. 73, par. 1057)
Sec. 445. Surplus line.
(1) Definitions. For the purposes of this Section:
"Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured. For the purpose of this definition, an entity has control over another entity if:

(A) the entity directly or indirectly or acting through one or more other persons owns, controls, or has the power to vote 25% or more of any class of voting securities of the other entity; or

(B) the entity controls in any manner the election of a majority of the directors or trustees of the other entity.

"Affiliated group" means any group of entities that are all affiliated.
"Authorized insurer" means an insurer that holds a certificate of authority issued by the Director but, for the purposes of this Section, does not include a domestic surplus line insurer as defined in Section 445a or any residual market mechanism.
"Exempt commercial purchaser" means any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(A) The person employs or retains a qualified risk manager to negotiate insurance coverage.

(B) The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of $100,000 in the immediately preceding 12 months.

(C) The person meets at least one of the following criteria:

(I) The person possesses a net worth in excess of $20,000,000, as such amount is adjusted pursuant to the provision in this definition concerning percentage change.

(II) The person generates annual revenues in excess of $50,000,000, as such amount is adjusted pursuant to the provision in this definition concerning percentage change.

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(III) The person employs more than 500 full-time or full-time equivalent employees per individual insured or is a member of an affiliated group employing more than 1,000 employees in the aggregate.

(IV) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least $30,000,000, as such amount is adjusted pursuant to the provision in this definition concerning percentage change.

(V) The person is a municipality with a population in excess of 50,000 persons.

Effective on January 1, 2015 and each fifth January 1 occurring thereafter, the amounts in subitems (I), (II), and (IV) of item (C) of this definition shall be adjusted to reflect the percentage change for such 5-year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

"Home state" means the following:

(A) With respect to an insured, except as provided in item (B) of this definition:

(I) the state in which an insured maintains its principal place of business or, in the case of an individual, the individual's principal residence; or

(II) if 100% of the insured risk is located out of the state referred to in subitem (I), the state to which the greatest percentage of the insured's taxable premium for that insurance contract is allocated.

(B) If more than one insured from an affiliated group are named insureds on a single surplus line insurance contract, then "home state" means the home state, as determined pursuant to item (A) of this definition, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.

If more than one insured from a group that is not affiliated are named insureds on a single surplus line insurance contract, then:

(I) if individual group members pay 100% of the premium for the insurance from their own funds, "home state" means the home state, as determined pursuant to item (A) of this definition, of each individual group member; each individual group member's coverage under the surplus line

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insurance contract shall be treated as a separate surplus line contract for the purposes of this Section;

(II) otherwise, "home state" means the home state, as determined pursuant to item (A) of this definition, of the group.

Nothing in this definition shall be construed to alter the terms of the surplus line insurance contract.

"Multi-State risk" means a risk with insured exposures in more than one State.

"NAIC" means the National Association of Insurance Commissioners or any successor entity.

"Qualified risk manager" means, with respect to a policyholder of commercial insurance, a person who meets all of the following requirements:

(A) The person is an employee of, or third-party consultant retained by, the commercial policyholder.

(B) The person provides skilled services in loss prevention, loss reduction, or risk and insurance coverage analysis, and purchase of insurance.

(C) With regard to the person:

(I) the person has:

(a) a bachelor's degree or higher from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by the Director or his designee to demonstrate minimum competence in risk management; and

(b) the following:

(i) three years of experience in risk financing, claims administration, loss prevention, risk and insurance analysis, or purchasing commercial lines of insurance; or

(ii) alternatively has:

(AA) a designation as a Chartered Property and Casualty Underwriter (in this subparagraph (ii) referred to as "CPCU") issued by the American Institute for CPCU/Insurance Institute of America;

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(BB) a designation as an Associate in Risk Management (ARM) issued by the American Institute for CPCU/Insurance Institute of America;

(CC) a designation as Certified Risk Manager (CRM) issued by the National Alliance for Insurance Education & Research;

(DD) a designation as a RIMS Fellow (RF) issued by the Global Risk Management Institute; or

(EE) any other designation, certification, or license determined by the Director or his designee to demonstrate minimum competency in risk management;

(II) the person has:

(a) at least 7 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; and

(b) has any one of the designations specified in subparagraph (ii) of paragraph (b);

(III) the person has at least 10 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; or

(IV) the person has a graduate degree from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by the Director or his or her designee to demonstrate minimum competence in risk management.

"Residual market mechanism" means an association, organization, or other entity described in Article XXXIII of this Code or Section 7-501 of the Illinois Vehicle Code or any similar association, organization, or other entity.

"State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.
"Surplus line insurance" means insurance on a risk:

(A) of the kinds specified in Classes 2 and 3 of Section 4 of this Code; and

(B) that is procured from an unauthorized insurer after the insurance producer representing the insured or the surplus line producer is unable, after diligent effort, to procure the insurance from authorized insurers; and

(C) where Illinois is the home state of the insured, for policies effective, renewed or extended on July 21, 2011 or later and for multiyear policies upon the policy anniversary that falls on or after July 21, 2011; and

(D) that is located in Illinois, for policies effective prior to July 21, 2011.

"Unauthorized insurer" means an insurer that does not hold a valid certificate of authority issued by the Director but, for the purposes of this Section, shall also include a domestic surplus line insurer as defined in Section 445a.

(1.5) Procuring surplus line insurance; surplus line insurer requirements.

(a) Insurance producers may procure surplus line insurance only if licensed as a surplus line producer under this Section.

(b) Licensed surplus line producers may procure surplus line insurance from an unauthorized insurer domiciled in the United States only if the insurer:

(i) is permitted in its domiciliary jurisdiction to write the type of insurance involved; and

(ii) has, based upon information available to the surplus line producer, a policyholders surplus of not less than $15,000,000 determined in accordance with the laws of its domiciliary jurisdiction; and

(iii) has standards of solvency and management that are adequate for the protection of policyholders.

Where an unauthorized insurer does not meet the standards set forth in (ii) and (iii) above, a surplus line producer may, if necessary, procure insurance from that insurer only if prior written warning of such fact or condition is given to the insured by the insurance producer or surplus line producer.

(c) Licensed surplus line producers may procure surplus line insurance from an unauthorized insurer domiciled outside of the
United States only if the insurer meets the standards for unauthorized insurers domiciled in the United States in paragraph (b) of this subsection (1.5) or is listed on the Quarterly Listing of Alien Insurers maintained by the International Insurers Department of the NAIC. The Director shall make the Quarterly Listing of Alien Insurers available to surplus line producers without charge.

(d) Insurance producers shall not procure from an unauthorized insurer an insurance policy:

(i) that is designed to satisfy the proof of financial responsibility and insurance requirements in any Illinois law where the law requires that the proof of insurance is issued by an authorized insurer or residual market mechanism;

(ii) that covers the risk of accidental injury to employees arising out of and in the course of employment according to the provisions of the Workers’ Compensation Act; or

(iii) that insures any Illinois personal lines risk, as defined in subsection (a), (b), or (c) of Section 143.13 of this Code, that is eligible for residual market mechanism coverage, unless the insured or prospective insured requests limits of liability greater than the limits provided by the residual market mechanism. In the course of making a diligent effort to procure insurance from authorized insurers, an insurance producer shall not be required to submit a risk to a residual market mechanism when the risk is not eligible for coverage or exceeds the limits available in the residual market mechanism.

Where there is an insurance policy issued by an authorized insurer or residual market mechanism insuring a risk described in item (i), (ii), or (iii) above, nothing in this paragraph shall be construed to prohibit a surplus line producer from procuring from an unauthorized insurer a policy insuring the risk on an excess or umbrella basis where the excess or umbrella policy is written over one or more underlying policies.

(e) Licensed surplus line producers may procure surplus line insurance from an unauthorized insurer for an exempt commercial purchaser without making the required diligent effort to procure the insurance from authorized insurers if:

New matter indicated by italics - deletions by strikeout
(i) the producer has disclosed to the exempt commercial purchaser that such insurance may or may not be available from authorized insurers that may provide greater protection with more regulatory oversight; and
(ii) the exempt commercial purchaser has subsequently in writing requested the producer to procure such insurance from an unauthorized insurer.

(2) Surplus line producer; license. Any licensed producer who is a resident of this State, or any nonresident who qualifies under Section 500-40, may be licensed as a surplus line producer upon payment of an annual license fee of $400.

A surplus line producer so licensed shall keep a separate account of the business transacted thereunder for 7 years from the policy effective date which shall be open at all times to the inspection of the Director or his representative.

No later than July 21, 2012, the State of Illinois shall participate in the national insurance producer database of the NAIC, or any other equivalent uniform national database, for the licensure of surplus line producers and the renewal of such licenses.

(3) Taxes and reports.

(a) Surplus line tax and penalty for late payment. The surplus line tax rate for a surplus line insurance policy or contract is determined as follows:
(i) 3% for policies or contracts with an effective date prior to July 1, 2003;
(ii) 3.5% for policies or contracts with an effective date of July 1, 2003 or later.

A surplus line producer shall file with the Director on or before February 1 and August 1 of each year a report in the form prescribed by the Director on all surplus line insurance procured from unauthorized insurers and submitted to the Surplus Line Association of Illinois during the preceding 6 month period ending December 31 or June 30 respectively, and on the filing of such report shall pay to the Director for the use and benefit of the State a sum equal to the surplus line tax rate multiplied by the gross premiums less returned premiums upon all surplus line insurance submitted to the Surplus Line Association of Illinois during the preceding 6 months.

Any surplus line producer who fails to pay the full amount due under this subsection is liable, in addition to the amount due, for such

New matter indicated by italics - deletions by strikeout
late fee, penalty, and interest charges as are provided for under Section 412 of this Code. The Director, through the Attorney General, may institute an action in the name of the People of the State of Illinois, in any court of competent jurisdiction, for the recovery of the amount of such taxes, late fees, interest, and penalties due, and prosecute the same to final judgment, and take such steps as are necessary to collect the same.

(b) Fire Marshal Tax. Each surplus line producer shall file with the Director on or before March 31 of each year a report in the form prescribed by the Director on all fire insurance procured from unauthorized insurers and submitted to the Surplus Line Association of Illinois subject to tax under Section 12 of the Fire Investigation Act and shall pay to the Director the fire marshal tax required thereunder.

(c) Taxes and fees charged to insured. The taxes imposed under this subsection and the countersigning fees charged by the Surplus Line Association of Illinois may be charged to and collected from surplus line insureds.

(4) (Blank).

(5) Submission of documents to Surplus Line Association of Illinois. A surplus line producer shall submit every insurance contract issued under his or her license to the Surplus Line Association of Illinois for recording and countersignature. The submission and countersignature may be effected through electronic means. The submission shall set forth:

(a) the name of the insured;
(b) the description and location of the insured property or risk;
(c) the amount insured;
(d) the gross premiums charged or returned;
(e) the name of the unauthorized insurer from whom coverage has been procured;
(f) the kind or kinds of insurance procured; and
(g) amount of premium subject to tax required by Section 12 of the Fire Investigation Act.

Proposals, endorsements, and other documents which are incidental to the insurance but which do not affect the premium charged are exempted from filing and countersignature.

The submission of insuring contracts to the Surplus Line Association of Illinois constitutes a certification by the surplus line producer or by the insurance producer who presented the risk to the surplus line producer for placement as a surplus line risk that after diligent effort the required
insurance could not be procured from authorized insurers and that such procurement was otherwise in accordance with the surplus line law.

(6) Countersignature required. It shall be unlawful for an insurance producer to deliver any unauthorized insurer contract unless such insurance contract is countersigned by the Surplus Line Association of Illinois.

(7) Inspection of records. A surplus line producer shall maintain separate records of the business transacted under his or her license for 7 years from the policy effective date, including complete copies of surplus line insurance contracts maintained on paper or by electronic means, which records shall be open at all times for inspection by the Director and by the Surplus Line Association of Illinois.

(8) Violations and penalties. The Director may suspend or revoke or refuse to renew a surplus line producer license for any violation of this Code. In addition to or in lieu of suspension or revocation, the Director may subject a surplus line producer to a civil penalty of up to $2,000 for each cause for suspension or revocation. Such penalty is enforceable under subsection (5) of Section 403A of this Code.

(9) Director may declare insurer ineligible. If the Director determines that the further assumption of risks might be hazardous to the policyholders of an unauthorized insurer, the Director may order the Surplus Line Association of Illinois not to countersign insurance contracts evidencing insurance in such insurer and order surplus line producers to cease procuring insurance from such insurer.

(10) Service of process upon Director. Insurance contracts delivered under this Section from unauthorized insurers, other than domestic surplus line insurers as defined in Section 445a, shall contain a provision designating the Director and his successors in office the true and lawful attorney of the insurer upon whom may be served all lawful process in any action, suit or proceeding arising out of such insurance. Service of process made upon the Director to be valid hereunder must state the name of the insured, the name of the unauthorized insurer and identify the contract of insurance. The Director at his option is authorized to forward a copy of the process to the Surplus Line Association of Illinois for delivery to the unauthorized insurer or the Director may deliver the process to the unauthorized insurer by other means which he considers to be reasonably prompt and certain.

(10.5) Insurance contracts delivered under this Section from unauthorized insurers, other than domestic surplus line insurers as defined in Section 445a, shall have stamped or imprinted on the first page thereof in not less than 12-pt. bold face type the following legend: "Notice to Policyholder:

New matter indicated by italics - deletions by strikeout
This contract is issued, pursuant to Section 445 of the Illinois Insurance Code, by a company not authorized and licensed to transact business in Illinois and as such is not covered by the Illinois Insurance Guaranty Fund. "Insurance contracts delivered under this Section from domestic surplus line insurers as defined in Section 445a shall have stamped or imprinted on the first page thereof in not less than 12-pt. bold face type the following legend: "Notice to Policyholder: This contract is issued by a domestic surplus line insurer, as defined in Section 445a of the Illinois Insurance Code, pursuant to Section 445, and as such is not covered by the Illinois Insurance Guaranty Fund."

(11) The Illinois Surplus Line law does not apply to insurance of property and operations of railroads or aircraft engaged in interstate or foreign commerce, insurance of vessels, crafts or hulls, cargoes, marine builder's risks, marine protection and indemnity, or other risks including strikes and war risks insured under ocean or wet marine forms of policies.

(12) Surplus line insurance procured under this Section, including insurance procured from a domestic surplus line insurer, is not subject to the provisions of the Illinois Insurance Code other than Sections 123, 123.1, 401, 401.1, 402, 403, 403A, 408, 412, 445, 445.1, 445.2, 445.3, 445.4, and all of the provisions of Article XXXI to the extent that the provisions of Article XXXI are not inconsistent with the terms of this Act.

(Source: P.A. 97-955, eff. 8-14-12.)

(215 ILCS 5/445.1) (from Ch. 73, par. 1057.1)
Sec. 445.1. Surplus Line Association of Illinois. There is hereby created a non-profit association to be known as the Surplus Line Association of Illinois. All surplus line producers shall be and must remain individual members of the Association as a condition of their holding a license as a surplus line producer in this State. The Association must perform its functions under the plan of operation established and approved under Section 445.3 and must exercise its powers through a board of directors established under Section 445.2 of this Code. The Association shall be supervised by the Director and subject to the applicable provisions of the Illinois Insurance Code. The Association shall be authorized and have the duty to:

(1) receive, record and countersign all surplus line insurance contracts which surplus line producers are required to file with the Association under subsection (5) of Section 445;

(2) prepare monthly reports for the Director on surplus line insurance procured by its members during the preceding month in such form and providing such information as the Director may prescribe;

New matter indicated by italics - deletions by strikeout
(3) prepare and deliver to the Director and, at the discretion of the Director, to each licensee the reports of surplus line business prescribed in subsection (3) of Section 445;

(4) assess its members for costs of operations in accordance with a schedule adopted by the Board of Directors of the Association and approved by the Director;

(5) employ and retain such persons as are necessary to carry out the duties of the Association;

(6) borrow money as necessary to effect the purposes of the Association;

(7) enter contracts as necessary to effect the purposes of the Association;

(8) perform such other acts as will facilitate and encourage compliance by its members with the surplus line law of this State and rules promulgated thereunder; and

(9) provide such other services to its members as are incidental or related to the purposes of the Association. Nothing in this Act shall be construed as giving the Association any discretionary authority to enforce this Act or to withhold countersignature of insurance contracts which meet the requirements of subsection (5) of Section 445.

(Source: P.A. 83-1300.)

(215 ILCS 5/445.4) (from Ch. 73, par. 1057.4)

Sec. 445.4. Examination. The Director shall, at such times as he deems necessary, make or cause to be made an examination of the Association. The reasonable cost of any such examination shall be paid by the Association upon presentation to it by the Director of a detailed account of such cost. During the course of such examination, the directors, officers, members, agents and employees of the Association may be examined under oath regarding the operation of the Association and shall make available all books, records, accounts, documents and agreements pertaining thereto. The Director shall furnish a copy of the examination report to the Association. Within 20 days after receipt of the report, the Association may request a hearing on the report or any facts or recommendations therein. If the Director finds the Association or any of its members to be in violation of this Act, he may issue an order requiring discontinuance of such violation. The Association shall annually provide for an independent financial audit of the books and records of the Association by a certified public accountant and shall provide a copy of the audit report to the Director.

(Source: P.A. 83-1300.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. If and only if Senate Bill 2202 of the 98th General Assembly, as amended by House Amendment No. 1, becomes law, then "An Act concerning higher education" (Senate Bill 2202 of the 98th General Assembly) is amended by changing Section 15 as follows:

(S.B. 2202 98th G.A., Sec. 15)
Sec. 15. Prohibitions on smoking.
(a) Beginning on July 1, 2015, smoking is prohibited on each campus of a State-supported institution of higher education. The prohibition set forth in this subsection (a) shall not apply to any instance in which an individual is traveling through or parked on a campus in a vehicle that is not owned by a State-supported institution of higher education.
(b) An individual or campus subject to the smoking prohibitions of this Act may not discriminate or retaliate in any manner against a person for making a complaint of a violation of this Act or furnishing information concerning a violation to a person, campus, or governing authority.
(c) The prohibitions on smoking in this Act must be communicated to all students and employees of State-supported institutions of higher education on or before May 1, 2015 and to each guest of a State-supported institution of higher education upon request.
(d) Each State-supported institution of higher education shall create and post on its Internet website a smoke-free campus map indicating the locations where smoking is prohibited under this Act.
(Source: 09800SB2202ham001.)

Section 99. Effective date. This Act takes effect upon becoming law or on the date Senate Bill 2202 of the 98th General Assembly takes effect, whichever is later.
Approved August 18, 2014.
Effective August 18, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Methamphetamine Control and Community Protection Act is amended by changing Section 15 as follows:

(720 ILCS 646/15)
Sec. 15. Participation in methamphetamine manufacturing.
(a) Participation in methamphetamine manufacturing.
   (1) It is unlawful to knowingly participate in the manufacture of methamphetamine with the intent that methamphetamine or a substance containing methamphetamine be produced.
   (2) A person who violates paragraph (1) of this subsection (a) is subject to the following penalties:
       (A) A person who participates in the manufacture of less than 15 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class 1 felony.
       (B) A person who participates in the manufacture of 15 or more grams but less than 100 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000 or the street value of the methamphetamine manufactured, whichever is greater.
       (C) A person who participates in the manufacture of 100 or more grams but less than 400 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 9 years and not more than 40 years, and subject to a fine not to exceed $200,000 or the street value of the methamphetamine manufactured, whichever is greater.
       (D) A person who participates in the manufacture of 400 or more grams but less than 900 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a
term of imprisonment of not less than 12 years and not more than 50 years, and subject to a fine not to exceed $300,000 or the street value of the methamphetamine manufactured, whichever is greater.

(E) A person who participates in the manufacture of 900 grams or more of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 15 years and not more than 60 years, and subject to a fine not to exceed $400,000 or the street value of the methamphetamine, whichever is greater.

(b) Aggravated participation in methamphetamine manufacturing.

(1) It is unlawful to engage in aggravated participation in the manufacture of methamphetamine. A person engages in aggravated participation in the manufacture of methamphetamine when the person violates paragraph (1) of subsection (a) and:

(A) the person knowingly does so in a multi-unit dwelling;

(B) the person knowingly does so in a structure or vehicle where a child under the age of 18, a person with a disability, or a person 60 years of age or older who is incapable of adequately providing for his or her own health and personal care resides, is present, or is endangered by the manufacture of methamphetamine;

(C) the person does so in a structure or vehicle where a woman the person knows to be pregnant (including but not limited to the person herself) resides, is present, or is endangered by the methamphetamine manufacture;

(D) the person knowingly does so in a structure or vehicle protected by one or more firearms, explosive devices, booby traps, alarm systems, surveillance systems, guard dogs, or dangerous animals;

(E) the methamphetamine manufacturing in which the person participates is a contributing cause of the death, serious bodily injury, disability, or disfigurement of another person, including but not limited to an emergency service provider;

New matter indicated by italics - deletions by strikeout
(F) the methamphetamine manufacturing in which the person participates is a contributing cause of a fire or explosion that damages property belonging to another person;

(G) the person knowingly organizes, directs, or finances the methamphetamine manufacturing or activities carried out in support of the methamphetamine manufacturing; or

(H) the methamphetamine manufacturing occurs within 1,000 feet of a place of worship or parsonage, or within 1,000 feet of the real property comprising any school.

(2) A person who violates paragraph (1) of this subsection (b) is subject to the following penalties:

(A) A person who participates in the manufacture of less than 15 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000 or the street value of the methamphetamine, whichever is greater.

(B) A person who participates in the manufacture of 15 or more grams but less than 100 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 9 years and not more than 40 years, and subject to a fine not to exceed $200,000 or the street value of the methamphetamine, whichever is greater.

(C) A person who participates in the manufacture of 100 or more grams but less than 400 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 12 years and not more than 50 years, and subject to a fine not to exceed $300,000 or the street value of the methamphetamine, whichever is greater.

(D) A person who participates in the manufacture of 400 grams or more of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 15 years...
and not more than 60 years, and subject to a fine not to exceed $400,000 or the street value of the methamphetamine, whichever is greater.

(Source: P.A. 94-556, eff. 9-11-05; 94-830, eff. 6-5-06; 95-571, eff. 6-1-08.)

Approved August 18, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0981
(House Bill No. 5526)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Kratom Control Act.
Section 5. Kratom sale to or possession by minors prohibited.
(a) As used in this Act, "Kratom" means any parts of the plant Mitragyna speciosa, whether growing or not, and any compound, manufacture, salt, derivative, mixture, or preparation of that plant, including but not limited to mitragynine and 7-hydroxymitragynine.
(b) A minor under 18 years of age shall not knowingly purchase or possess any product containing any quantity of Kratom.
(c) A minor under 18 years of age in the furtherance or facilitation of obtaining any product containing Kratom shall not knowingly display or use a false or forged identification card or transfer, alter, or deface an identification card.
(d) A person shall not knowingly sell, buy for, distribute samples of, or furnish any product containing any quantity of Kratom to any minor under 18 years of age.
(e) Sentence. Violation of subsection (b) or (c) of this Section is a Class B misdemeanor. Violation of subsection (d) of this Section is a Class B misdemeanor for which the offender shall be fined an amount of not less than $500.

Approved August 18, 2014.
Effective January 1, 2015.
PUBLIC ACT 98-0982
(House Bill No. 5793)

AN ACT concerning State government.

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

Section 1. Short title. This Act may be cited as the Uniform Racial Classification Act.

Section 5. Uniform racial classification. Notwithstanding any other provision of law, except as otherwise required by federal law or regulation, whenever a State agency is required by law to compile or report statistical data using racial or ethnic classifications, that State agency shall use the following classifications: (i) White; (ii) Black or African American; (iii) American Indian or Alaska Native; (iv) Asian; (v) Native Hawaiian or Other Pacific Islander; or (vi) Hispanic or Latino.

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

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


Approved August 18, 2014.

Effective August 18, 2014.

PUBLIC ACT 98-0983
(House Bill No. 5868)

AN ACT concerning criminal law.

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

Section 5. The Display of Tobacco Products Act is amended by changing Sections 5 and 10 as follows:

(720 ILCS 677/5)

Sec. 5. Definitions. In this Act:

"Alternative nicotine product" has the meaning ascribed to it in Section 1.5 of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

"Line of sight" means visible to a cashier or other employee.

New matter indicated by italics - deletions by strikeout
"Age restricted area" means a signed designated area in a retail establishment to which minors under 18 years of age are not permitted access unless accompanied by a parent or legal guardian. (Source: P.A. 93-886, eff. 1-1-05.)

(720 ILCS 677/10)
Sec. 10. Tobacco product displays. All single packs of cigarettes and alternative nicotine products must be sold from behind the counter or in an age restricted area or in a sealed display case. Any other tobacco products must be sold in line of sight.

The restrictions described in this Section do not apply to a retail tobacco store that (i) derives at least 90% of its revenue from tobacco and tobacco related products; (ii) does not permit persons under the age of 18 to enter the premises unless accompanied by a parent or legal guardian; and (iii) posts a sign on the main entrance way stating that persons under the age of 18 are prohibited from entering unless accompanied by a parent or legal guardian. (Source: P.A. 93-886, eff. 1-1-05.)

Passed in the General Assembly May 23, 2014.
Approved August 18, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0984
(Senate Bill No. 0640)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Electronic Fund Transfer Act is amended by changing Section 50 as follows:

(205 ILCS 616/50)
Sec. 50. Terminal requirements.
(a) To assure maximum safety and security against malfunction, fraud, theft, and other accidents or abuses and to assure that all access devices will have the capability of activating all terminals established in this State, no terminal shall accept an access device that does not conform to specifications that are generally accepted. In the case of a dispute concerning the specifications, the Commissioner, in accordance with the provisions of Section 20 of this Act, shall have the authority to determine the specifications.

New matter indicated by italics - deletions by strikeout
(b) No terminal that does not accept an access device that conforms with those specifications shall be established or operated.

(c) A terminal shall bear a logotype or other identification symbol designed to advise customers which access devices may activate the terminal.

(d) When used to perform an interchange transaction, a terminal shall not bear any form of proprietary advertising of products and services not offered at the terminal; provided, however, that a terminal screen may bear proprietary advertising of products or services offered by a financial institution when a person uses an access device issued by that financial institution.

(e) No person operating a terminal in this State shall impose any surcharge on a consumer for the usage of that terminal, whether or not the consumer is using an access device issued by that person, unless that surcharge is clearly disclosed to the consumer electronically on the terminal screen. Following presentation of the electronic disclosure on the terminal screen, the consumer shall be provided an opportunity to cancel that transaction without incurring any surcharge or other obligation. If a surcharge is imposed on a consumer using an access device not issued by the person operating the terminal, that person shall disclose on the terminal screen that the surcharge is in addition to any fee that may be assessed by the consumer's own institution. As used in this subsection, "surcharge" means any charge imposed by the person operating the terminal solely for the use of the terminal.

(f) A receipt given at a terminal to a person who initiates an electronic fund transfer shall include a number or code that identifies the consumer initiating the transfer, the consumer's account or accounts, or the access device used to initiate the transfer. If the number or code shown on the receipt is a number that identifies the access device, the number must be truncated as printed on the receipt so that fewer than all of the digits of the number or code are printed on the receipt. The Commissioner may, however, modify or waive the requirements imposed by this subsection (f) if the Commissioner determines that the modifications or waivers are necessary to alleviate any undue compliance burden.

(g) No terminal shall operate in this State unless, with respect to each interchange transaction initiated at the terminal, the access code entered by the consumer to authorize the transaction is encrypted by the device into which the access code is manually entered by the consumer and is transmitted from the terminal only in encrypted form. Any terminal that cannot meet the foregoing encryption requirements shall immediately cease forwarding transactions.
information with respect to any interchange transaction or attempted interchange transaction.

(h) No person that directly or indirectly provides data processing support to any terminal in this State shall authorize or forward for authorization any interchange transaction unless the access code intended to authorize the interchange transaction is encrypted when received by that person and is encrypted when forwarded to any other person.

(i) A terminal operated in this State may be designed and programmed so that when a consumer enters his or her personal identification number in reverse order, the terminal automatically sends an alarm to the local law enforcement agency having jurisdiction over the terminal location. The Commissioner shall promulgate rules necessary for the implementation of this subsection (i). The provisions of this subsection (i) shall not be construed to require an owner or operator of a terminal to design and program the terminal to accept a personal identification number in reverse order.

(j) A person operating a terminal in this State may not impose a fee upon a consumer for usage of the terminal if the consumer is using a Link Card or other access device issued by a government agency for use in obtaining financial aid under the Illinois Public Aid Code.

No person in this State may impose a fee upon a consumer for usage of a terminal if the consumer is using a general use reloadable card issued by the Illinois State Disbursement Unit for the purpose of receiving his or her child support payments.

For the purposes of this subsection (j), the term "person operating a terminal" means the person who has control over and is responsible for a terminal. The term "person operating a terminal" does not mean the person who owns or controls the property or building in which a terminal is located, unless he or she also has control over and is responsible for the terminal.

(Source: P.A. 98-415, eff. 8-16-13.)

Section 99. Effective date. This Act takes effect July 1, 2015.
Passed in the General Assembly May 19, 2014.
Approved August 15, 2014.
Effective July 1, 2015.
AN ACT concerning higher education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Smoke-Free Campus Act.

Section 5. Findings. The General Assembly finds that tobacco smoke is a harmful and dangerous carcinogen to human beings and a hazard to public health. Secondhand tobacco smoke causes at least 65,000 deaths each year from heart disease and lung cancer according to the National Cancer Institute. Secondhand tobacco smoke causes heart disease, stroke, cancer, sudden infant death syndrome, low birth weight in infants, asthma and the exacerbation of asthma, bronchitis, and pneumonia in children and adults. Secondhand tobacco smoke is the third leading cause of preventable death in the United States. Illinois workers exposed to secondhand tobacco smoke are at an increased risk of premature death. An estimated 2,900 Illinois citizens die each year from exposure to secondhand tobacco smoke.

The General Assembly also finds that the United States Surgeon General's 2006 report has determined that there is no risk-free level of exposure to secondhand smoke; the scientific evidence that secondhand smoke causes serious diseases, including lung cancer, heart disease, and respiratory illnesses such as bronchitis and asthma, is massive and conclusive; separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate secondhand smoke exposure; smoke-free policies are effective in reducing secondhand smoke exposure.

The General Assembly also finds that a law that prohibits smoking on the campuses of State-supported institutions of higher education will reduce secondhand smoke exposure among nonsmokers as well as prepare students for the workplace and ensure a healthy environment for all campus communities.

Section 10. Definitions. In this Act:
"Campus" means all property, including buildings, grounds, parking lots, and vehicles that are owned or operated by a State-supported institution of higher education, but does not include property covered under the Smoke Free Illinois Act, or enclosed laboratories, not open to the public, in an accredited university or government facility where the activity of smoking is
exclusively conducted for the purpose of medical or scientific, health-related research.

"Employee" means an individual who is employed by a State-supported institution of higher education in consideration for direct or indirect monetary wages or profit.

"Governing authority" means the administrative branch of the State-supported institution of higher education.

"Guest" means a visitor to the campus of a State-supported institution of higher education.

"Smoke" or "smoking" means the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or other lighted smoking equipment. "Smoke" or "smoking" also includes products containing or delivering nicotine intended or expected for human consumption, or any part of such a product, that is not a tobacco product as defined by Section 321(rr) of Title 21 of the United States Code, unless it has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or other medical purposes and is being marketed and sold solely for that approved purpose. "Smoke" or "smoking" does not include smoking that is associated with a native recognized religious ceremony, ritual, or activity by American Indians that is in accordance with the federal American Indian Religious Freedom Act, Sections 1996 and 1996a of Title 42 of the United States Code.

"Student" means an individual enrolled in a credit or noncredit course at a State-supported institution of higher education.

"State-supported institution of higher education" means the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, and the public community colleges subject to the Public Community College Act.

Section 15. Prohibitions on smoking.

(a) Beginning on July 1, 2015, smoking is prohibited on each campus of a State-supported institution of higher education. The prohibition set forth in this subsection (a) shall not apply to any instance in which an individual is traveling through a campus in a vehicle that is not owned by a State-supported institution of higher education.

(b) An individual or campus subject to the smoking prohibitions of this Act may not discriminate or retaliate in any manner against a person for
making a complaint of a violation of this Act or furnishing information concerning a violation to a person, campus, or governing authority.

(c) The prohibitions on smoking in this Act must be communicated to all students and employees of State-supported institutions of higher education on or before May 1, 2015 and to each guest of a State-supported institution of higher education upon request.

(d) Each State-supported institution of higher education shall create and post on its Internet website a smoke-free campus map indicating the locations where smoking is prohibited under this Act.

Section 20. Smoke-free campus task force. On or before December 31, 2014, each State-supported institution of higher education shall establish a community task force for the purpose of coordinating with community and campus leaders for the implementation of this Act.

The governing board of each State-supported institution of higher education shall coordinate with its respective community task force to implement a public education and notice program regarding this Act. As part of the notice to students, employees, and the public, "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) may be clearly and conspicuously posted on each campus where smoking is prohibited by this Act.

Section 25. Penalties and rules. The governing board of each State-supported institution of higher education shall implement this Act and shall promulgate all policies and regulations necessary for this purpose, including, but not limited to, disciplinary action, fines, and an appeals process.

Section 30. Conflict. In case of conflict with provisions of the Smoke Free Illinois Act, the provisions of the Smoke Free Illinois Act shall control.

Section 5. The Department of Veterans Affairs Act is amended by adding Section 37 as follows:

(20 ILCS 2805/37 new)

Sec. 37. Illinois Joining Forces Foundation.

(a) The General Assembly finds that navigating the "sea of goodwill" for those who serve in uniform is one of the greatest challenges that transitioning veterans face; as a result, they risk being unable to access many of the federal, State, and non-profit resources available to them. Recognizing this problem, the Department of Veterans' Affairs and the Department of Military Affairs acted to establish the Illinois Joining Forces initiative, a public-private network of military and veteran-serving organizations that are working together, in person and online, to create a no-wrong-door system of support for the State's military and veteran communities. Illinois Joining Forces is a nation-leading model, awarded by the U.S. Department of Veterans Affairs and the National Association of State Directors of Veterans Affairs for its groundbreaking work in creating smarter, collaborative community support for those in uniform, past and present. The foundation created by this amendatory Act of the 98th General Assembly will serve to ensure the long-term sustainability of Illinois Joining Forces, which is critically important for the support of the State's military and veteran communities.

(b) The Illinois Joining Forces Foundation shall benefit service members, veterans, and their families by:

1. convening military and veteran support organizations, through Illinois Joining Forces working groups, to build cross-sector relationships and mutual awareness;
2. providing policy recommendations through Illinois Joining Forces member working groups to the Illinois Discharged Servicemember Task Force and the Illinois Veterans' Advisory Council;
3. facilitating the transfer of information and knowledge among Illinois Joining Forces member organizations;
4. maintaining and continuing to build the no-wrong-door online navigation platform;
5. educating Illinois Joining Forces members and other community providers regarding military and veteran culture and needs, thus improving the collective capacity of the support system; and

New matter indicated by italics - deletions by strikeout
(6) outreaching directly to service members, veterans, and their families regarding the no-wrong-door system that Illinois Joining Forces provides to them.

(c) For the purpose of this Section, "veterans service organization" means an organization that meets all of the following criteria:

(1) The organization is formed by and for United States military veterans.

(2) The organization is chartered by the United States Congress and incorporated in the State of Illinois.

(3) The organization has maintained a State headquarters office in Illinois for the 10-year period immediately preceding the effective date of this amendatory Act of the 98th General Assembly.

(4) The organization maintains at least one office in this State, staffed by a veterans service officer.

(5) The organization is capable of preparing a power of attorney for a veteran and processing claims for veterans services.

(6) The organization is not funded by the State of Illinois or by any county in this State.

(d) The General Assembly authorizes the Department of Veterans' Affairs, in accordance with Section 10 of the State Agency Entity Creation Act, to create the Illinois Joining Forces Foundation as a not-for-profit foundation. The Department shall file articles of incorporation as required under the General Not For Profit Corporation Act of 1986 to create the Foundation. The Foundation's Board of Directors shall be appointed as follows: one member appointed by the Governor; one member appointed by the President of the Senate; one member appointed by the Minority Leader of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Minority Leader of the House of Representatives; and all of the members of the Illinois Joining Forces Executive Committee, who shall be appointed by the Director of Veterans' Affairs. In addition to any veterans service organization otherwise represented on the Board of Directors, a veterans service organization may designate in writing an ex officio, non-voting participant to the Board of Directors. Any veterans service organization appointee under this Section does not count towards a quorum. The Director of Veterans' Affairs and a designee chosen by the Director of Military Affairs who is a senior management official of the Department of Military Affairs with the authority to make decisions on behalf of the agency shall serve as members of the Foundation's Board of Directors. Board of Director appointments shall be

New matter indicated by italics - deletions by strikeout
for 2-year terms. Vacancies shall be filled by the official who made the recommendation for the vacated appointment. No member of the Board of Directors may receive compensation for his or her services to the Foundation. Upon appointment, the Board of Directors, as members of a public entity, shall be represented and indemnified pursuant to the requirements of the State Employee Indemnification Act.

(e) The purposes of the Foundation are to: promote, support, assist, and sustain Illinois Joining Forces operations; solicit and accept grants and private donations and disburse them for the stated intent of the Foundation or the private donor; solicit and generate public and private funding and donations that assist in enhancing the Illinois Joining Forces mission, services, programs, and operations; and engage generally in other lawful endeavors consistent with the foregoing purposes. The foundation shall operate within the provisions of the General Not For Profit Corporation Act of 1986.

(f) As soon as practicable after the Foundation is created, the Board of Directors shall meet, organize, and designate, by majority vote, a chairperson, a treasurer, a secretary, and any additional officers that may be needed to carry out the activities of the Foundation and shall adopt bylaws of the Foundation. The Department of Veterans' Affairs, in consultation with the Department of Military Affairs, may adopt other rules deemed necessary to govern Foundation procedures.

(g) The Foundation may request and accept gifts, grants, donations, or bequests from the federal government or its agencies or officers or from any person, firm, or corporation, and may expend receipts on activities that it considers suitable to the performance of its duties under this Section and consistent with any requirement of the grant, gift, donation, or bequest. Funds collected by the Foundation shall be considered private funds and shall be held in an appropriate account outside of the State treasury. Private funds collected by the Foundation are not subject to the Public Funds Investment Act. The treasurer of the Foundation shall be the custodian of all Foundation funds. The treasurer shall be required to obtain a fidelity or surety bond on satisfactory terms and in sufficient amounts to protect the interests of the Foundation, the cost of which shall be reimbursed by the Foundation. The Foundation and its officers shall be responsible for the approval of the recording of receipts, approval of payments, and the proper filing of required reports. The Foundation may be assisted in carrying out its functions by Department of Military Affairs and Department of Veterans' Affairs personnel. The Department of Military Affairs and the Department of

New matter indicated by italics - deletions by strikeout
Veterans' Affairs shall provide reasonable assistance to the Foundation to achieve the purposes of the Foundation as determined by the respective Directors. The Foundation shall cooperate fully with the boards, commissions, agencies, departments, and institutions of the State. The funds held and made available by the Illinois Joining Forces Foundation shall be subject to financial and compliance audits in accordance with the Illinois State Auditing Act. The Foundation shall not have any power of eminent domain. The Foundation shall not construct or make any permanent improvements to any real property.

(h) The Foundation must provide a written notice to any entity providing a gift, grant, donation, or bequest to the Foundation that the Foundation is not subject to the provisions of the Public Funds Investment Act, which Act places limitations on the types of securities in which a public agency may invest public funds.

(i) Notwithstanding any law to the contrary, the Foundation is not eligible for any grant administered or funded by the Department of Veterans' Affairs or the Department of Military Affairs.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 18, 2014.
Effective August 18, 2014.

PUBLIC ACT 98-0987
(Senate Bill No. 3275)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Controlled Substances Act is amended by changing Section 204 as follows:
(720 ILCS 570/204) (from Ch. 56 1/2, par. 1204)
Sec. 204. (a) The controlled substances listed in this Section are included in Schedule I.
(b) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:
(1) Acetylmethadol;
(1.1) Acetyl-alpha-methylfentanyl

New matter indicated by italics - deletions by strikeout
(N-[1-(1-methyl-2-phenethyl)-
4-piperidinyl]-N-phenylacetamide);  
(2) Allylprodine;  
(3) Alphacetylmethadol, except 
levo-alphacetylmethadol (also known as levo-alpha-
acetylmethadol, levomethadyl acetate, or LAAM);  
(4) Alphameprodine;  
(5) Alphamethadol;  
(6) Alpha-methylfentanyl  
(N-(1-alpha-methyl-beta-phenyl) ethyl-4-piperidyl) 
propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-
propanilido) piperidine;  
(6.1) Alpha-methylthiofentanyl  
(N-[1-methyl-2-(2-thienyl)ethyl-
4-piperidinyl]-N-phenylpropanamide);  
(7) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP);  
(7.1) PEPAP  
(1-(2-phenethyl)-4-phenyl-4-acetoxyamphetamine);  
(8) Benzethidine;  
(9) Betacetylmethadol;  
(9.1) Beta-hydroxyfentanyl  
(N-[1-(2-hydroxy-2-phenethyl)-
4-piperidinyl]-N-phenylpropanamide);  
(10) Betameprodine;  
(11) Betamethadol;  
(12) Betaprodine;  
(13) Clonitazene;  
(14) Dextromoramide;  
(15) Diampromide;  
(16) Diethylthiambutene;  
(17) Difenoxin;  
(18) Dimenoxadol;  
(19) Dimepheptanol;  
(20) Dimethylthiambutene;  
(21) Dioxaphetylbutyrate;  
(22) Dipipanone;  
(23) Ethylmethylthiambutene;  
(24) Etonitazene;  
(25) Etoxeridine;  

New matter indicated by italics - deletions by strikeout
(26) Furethidine;
(27) Hydroxypethidine;
(28) Ketobemidone;
(29) Levomoramide;
(30) Levophenacylmorphan;
(31) 3-Methylfentanyl
(N-[3-methyl-1-(2-phenylethyl)-
4-piperidyl]-N-phenylpropanamide);
(31.1) 3-Methylthiofentanyl
(N-[3-methyl-1-(2-thienyl)ethyl-
4-piperidinyl]-N-phenylpropanamide);
(32) Morpheridine;
(33) Noracymethadol;
(34) Norlevorphanol;
(35) Normethadone;
(36) Norpipanone;
(36.1) Para-fluorofentanyl
(N-(4-fluorophenyl)-N-[1-(2-phenethyl)-
4-piperidinyl]propanamide);
(37) Phenadoxone;
(38) Phenampromide;
(39) Phenomorphan;
(40) Phenoperidine;
(41) Piritramide;
(42) Proheptazine;
(43) Properidine;
(44) Propiram;
(45) Racemoramide;
(45.1) Thiofentanyl
(N-phenyl-N-[1-(2-thienyl)ethyl-
4-piperidinyl]-propanamide);
(46) Tilidine;
(47) Trimeperidine;
(48) Beta-hydroxy-3-methylfentanyl (other name:
N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-
N-phenylpropanamide).
(c) Unless specifically excepted or unless listed in another schedule,
any of the following opium derivatives, its salts, isomers and salts of isomers,

New matter indicated by italics - deletions by strikeout
whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;
(2) Acetyldihydrocodeine;
(3) Benzylmorphine;
(4) Codeine methylbromide;
(5) Codeine-N-Oxide;
(6) Cyprenorphine;
(7) Desomorphine;
(8) Diacetyldihydromorphine (Dihydroheroin);
(9) Dihydromorphine;
(10) Drotebanol;
(11) Etorphine (except hydrochloride salt);
(12) Heroin;
(13) Hydromorphinol;
(14) Methyldesorphine;
(15) Methyldihydromorphine;
(16) Morphine methylbromide;
(17) Morphine methylsulfonate;
(18) Morphine-N-Oxide;
(19) Myrophine;
(20) Nicocodeine;
(21) Nicomorphine;
(22) Normorphine;
(23) Pholcodine;
(24) Thebacon.

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (for the purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

(1) 3,4-methylenedioxyamphetamine
(alpha-methyl,3,4-methylenedioxyphenethylamine, methylenedioxyamphetamine, MDA);

(1.1) Alpha-ethyltryptamine
(some trade or other names: etryptamine; MONASE; alpha-ethyl-1H-indole-3-ethanamine;

New matter indicated by italics - deletions by strikeout
(2) 3,4-methylenedioxymethamphetamine (MDMA);  
(2.1) 3,4-methylenedioxy-N-ethylamphetamine  
(also known as: N-ethyl-alpha-methyl-3,4(methylenedioxy) Phenethylamine, N-ethyl MDA, MDE, and MDEA);  
(2.2) N-Benzylpiperazine (BZP);  
(3) 3-methoxy-4,5-methylenedioxyamphetamine, (MMDA);  
(4) 3,4,5-trimethoxyamphetamine (TMA);  
(5) (Blank);  
(6) Diethyltryptamine (DET);  
(7) Dimethyltryptamine (DMT);  
(7.1) 5-Methoxy-diallyltryptamine;  
(8) 4-methyl-2,5-dimethoxyamphetamine (DOM, STP);  
(9) Ibogaine (some trade and other names: 7-ethyl-6,6, beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1',2':1,2] azepino [5,4-b] indole; Tabernanthe iboga);  
(10) Lysergic acid diethylamide;  
(10.1) Salvinorin A;  
(10.5) Salvia divinorum (meaning all parts of the plant presently classified botanically as Salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of that plant, and every compound, manufacture, salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, derivative, mixture, or preparation of that plant, its seeds or extracts);  
(11) 3,4,5-trimethoxyphenethylamine (Mescaline);  
(12) Peyote (meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of that plant, and every compound, manufacture, salts, derivative, mixture, or preparation of that plant, its seeds or extracts);  
(13) N-ethyl-3-piperidyl benzilate (JB 318);  
(14) N-methyl-3-piperidyl benzilate;  
(14.1) N-hydroxy-3,4-methylenedioxyamphetamine  
(also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);  
(15) Parahexyl; some trade or other names:

New matter indicated by italics - deletions by strikeout
3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo (b,d) pyran; Synhexyl; 
(16) Psilocybin; 
(17) Psilocyn; 
(18) Alpha-methyltryptamine (AMT); 
(19) 2,5-dimethoxyamphetamine (2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA); 
(20) 4-bromo-2,5-dimethoxyamphetamine (4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA); 
(20.1) 4-Bromo-2,5 dimethoxyphenethylamine. 
Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB, 2CB, Nexus; 
(21) 4-methoxyamphetamine (4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA); 
(22) (Blank); 
(23) Ethylamine analog of phencyclidine. Some trade or other names: 
N-ethyl-1-phenylcyclohexylamine, 
(1-phenylcyclohexyl) ethylamine, 
N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE; 
(24) Pyrrolidine analog of phencyclidine. Some trade or other names: 1-(1-phenylcyclohexyl) pyrrolidine, PCPy, PHP; 
(25) 5-methoxy-3,4-methylenedioxy-amphetamine; 
(26) 2,5-dimethoxy-4-ethylamphetamine (another name: DOET); 
(27) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine (another name: TCPy); 
(28) (Blank); 
(29) Thiophene analog of phencyclidine (some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 
2-thienyl analog of phencyclidine; TPCP; TCP); 
(30) Bufotenine (some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole; 
3-(2-dimethylaminoethyl)-5-indolol; 
5-hydroxy-N,N-dimethyltryptamine;

New matter indicated by italics - deletions by strikeout
N,N-dimethylserotonin; mappine);

(31) 1-Pentyl-3-(1-naphthoyl)indole
Some trade or other names: JWH-018;

(32) 1-Butyl-3-(1-naphthoyl)indole
Some trade or other names: JWH-073;

(33) 1-[(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophenyl)methanone
Some trade or other names: AM-694;

(34) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol
Some trade or other names: CP 47,497
and its C6, C8 and C9 homologs;

(34.5) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5;
and homologues where side chain n=4, 6, or 7; Some
trade or other names: CP 47,497;

(35) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
Some trade or other names: HU-210;

(35.5) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, its isomers,
salts, and salts of isomers; Some trade or other
names: HU-210, Dexanabinol;

(36) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
Some trade or other names: HU-211;

(37) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone
Some trade or other names: JWH-015;

(38) 4-methoxynaphthalen-1-yl-(1-pentylinol-3-yl)methanone
Some trade or other names: JWH-081;

(39) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole
Some trade or other names: JWH-122;

(40) 2-(2-methylphenyl)-1-(1-penty-1H-indol-3-yl)-ethanone

New matter indicated by italics - deletions by strikeout
Some trade or other names: JWH-251;
   (41) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole
Some trade or other names: RCS-8, BTW-8 and SR-18;
   (42) Any compound structurally derived from
3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the
nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or
2-(4-morpholinyl)ethyl whether or not further
substituted in the indole ring to any extent, whether
or not substituted in the naphthyl ring to any extent;
   (43) Any compound structurally derived from
3-(1-naphthoyl)pyrrole by substitution at the nitrogen
atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or
2-(4-morpholinyl)ethyl, whether or not further
substituted in the pyrrole ring to any extent, whether
or not substituted in the naphthyl ring to any extent;
   (44) Any compound structurally derived from
1-(1-naphthylmethyl)indene by substitution
at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or
2-(4-morpholinyl)ethyl whether or not further
substituted in the indene ring to any extent, whether
or not substituted in the naphthyl ring to any extent;
   (45) Any compound structurally derived from
3-phenylacetylindole by substitution at the
nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or
2-(4-morpholinyl)ethyl, whether or not further
substituted in the indole ring to any extent, whether
or not substituted in the phenyl ring to any extent;
   (46) Any compound structurally derived from
2-(3-hydroxycyclohexyl)phenol by substitution
at the 5-position of the phenolic ring by alkyl,
haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not substituted
in the cyclohexyl ring to any extent;

New matter indicated by italics - deletions by strikeout
(47) 3,4-Methylenedioxymethcathinone
Some trade or other names: Methylone;
(48) 3,4-Methylenedioxypyrovalerone
Some trade or other names: MDPV;
(49) 4-Methylmethcathinone
Some trade or other names: Mephedrone;
(50) 4-methoxymethcathinone;
(51) 4-Fluoromethcathinone;
(52) 3-Fluoromethcathinone;
(53) 2,5-Dimethoxy-4-(n)-propylthio-phenethylamine;
(54) 5-Methoxy-N,N-diisopropyltryptamine;
(55) Pentedrone;
(56) 4-iodo-2,5-dimethoxy-N-((2-methoxyphenyl)methyl)-benzeneethanamine
(trade or other name: 25I-NBOMe);
(57) 4-chloro-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (trade or other name:
25C-NBOMe);
(58) 4-bromo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (trade or other name:
25B-NBOMe).

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) mecloqualone;
(2) methaqualone; and
(3) gamma hydroxybutyric acid.

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Fenethylline;
(2) N-ethylamphetamine;
(3) Aminorex (some other names:
2-amino-5-phenyl-2-oxazoline; aminoxaphen;

New matter indicated by italics - deletions by strikeout
4-5-dihydro-5-phenyl-2-oxazolamine) and its salts, optical isomers, and salts of optical isomers;

(4) Methcathinone (some other names:
2-methylamino-1-phenylpropan-1-one;
Ephedrine; 2-(methylamino)-propiophenone;
alpha-(methylamino)propiophenone; N-methylcathinone;
methycathinone; Monomethylpropion; UR 1431) and its salts, optical isomers, and salts of optical isomers;

(5) Cathinone (some trade or other names:
2-aminopropiophenone; alpha-aminopropiophenone;
2-amino-1-phenyl-propanone; norephedrine);

(6) N,N-dimethylamphetamine (also known as:
N,N-alpha-trimethyl-benzeneethanamine;
N,N-alpha-trimethylphenethylamine);

(7) (+ or -) cis-4-methylaminorex ((+ or -) cis-
4,5-dihydro-4-methyl-4-5-phenyl-2-oxazolamine);

(8) 3,4-Methylenedioxyxpyrovalerone (MDPV).

(g) Temporary listing of substances subject to emergency scheduling. Any material, compound, mixture, or preparation that contains any quantity of the following substances:

(1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, isomers, salts, and salts of isomers;

(2) N-[1(2-thienyl)
methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts, and salts of isomers.

(Source: P.A. 96-347, eff. 1-1-10; 96-1285, eff. 1-1-11; 97-192, eff. 7-22-11; 97-193, eff. 1-1-12; 97-194, eff. 7-22-11; 97-334, eff. 1-1-12; 97-813, eff. 7-13-12; 97-872, eff. 7-31-12.)

Approved August 18, 2014.
Effective January 1, 2015.
Section 5. The Nursing Home Care Act is amended by changing Section 3-702 as follows:

(210 ILCS 45/3-702) (from Ch. 111 1/2, par. 4153-702)

Sec. 3-702. (a) A person who believes that this Act or a rule promulgated under this Act may have been violated may request an investigation. The request may be submitted to the Department in writing, by telephone, by electronic means, or by personal visit. An oral complaint shall be reduced to writing by the Department. The Department shall make available, through its website and upon request, information regarding the oral and phone intake processes and the list of questions that will be asked of the complainant. The Department shall request information identifying the complainant, including the name, address and telephone number, to help enable appropriate follow-up. The Department shall act on such complaints via on-site visits or other methods deemed appropriate to handle the complaints with or without such identifying information, as otherwise provided under this Section. The complainant shall be informed that compliance with such request is not required to satisfy the procedures for filing a complaint under this Act. The Department must notify complainants that complaints with less information provided are far more difficult to respond to and investigate.

(b) The substance of the complaint shall be provided in writing to the licensee, owner or administrator no earlier than at the commencement of an on-site inspection of the facility which takes place pursuant to the complaint.

(c) The Department shall not disclose the name of the complainant unless the complainant consents in writing to the disclosure or the investigation results in a judicial proceeding, or unless disclosure is essential to the investigation. The complainant shall be given the opportunity to withdraw the complaint before disclosure. Upon the request of the complainant, the Department may permit the complainant or a representative of the complainant to accompany the person making the on-site inspection of the facility.

(d) Upon receipt of a complaint, the Department shall determine whether this Act or a rule promulgated under this Act has been or is being violated. The Department shall investigate all complaints alleging abuse or neglect within 7 days after the receipt of the complaint except that complaints of abuse or neglect which indicate that a resident's life or safety is in imminent danger shall be investigated within 24 hours after receipt of the complaint. All other complaints shall be investigated within 30 days after the receipt of the complaint. The Department employees investigating a
complaint shall conduct a brief, informal exit conference with the facility to
alert its administration of any suspected serious deficiency that poses a direct
threat to the health, safety or welfare of a resident to enable an immediate
correction for the alleviation or elimination of such threat. Such information
and findings discussed in the brief exit conference shall become a part of the
investigating record but shall not in any way constitute an official or final
notice of violation as provided under Section 3-301. All complaints shall be
classified as "an invalid report", "a valid report", or "an undetermined report".
For any complaint classified as "a valid report", the Department must
determine within 30 working days if any rule or provision of this Act has
been or is being violated.

(d-1) The Department shall, whenever possible, combine an on-site
investigation of a complaint in a facility with other inspections in order to
avoid duplication of inspections.

(e) In all cases, the Department shall inform the complainant of its
findings within 10 days of its determination unless otherwise indicated by the
complainant, and the complainant may direct the Department to send a copy
of such findings to another person. The Department's findings may include
comments or documentation provided by either the complainant or the
licensee pertaining to the complaint. The Department shall also notify the
facility of such findings within 10 days of the determination, but the name of
the complainant or residents shall not be disclosed in this notice to the
facility. The notice of such findings shall include a copy of the written
determination; the correction order, if any; the warning notice, if any; the
inspection report; or the State licensure form on which the violation is listed.

(f) A written determination, correction order, or warning notice
concerning a complaint, together with the facility's response, shall be
available for public inspection, but the name of the complainant or resident
shall not be disclosed without his consent.

(g) A complainant who is dissatisfied with the determination or
investigation by the Department may request a hearing under Section 3-703.
The facility shall be given notice of any such hearing and may participate in
the hearing as a party. If a facility requests a hearing under Section 3-703
which concerns a matter covered by a complaint, the complainant shall be
given notice and may participate in the hearing as a party. A request for a
hearing by either a complainant or a facility shall be submitted in writing to
the Department within 30 days after the mailing of the Department's findings
as described in subsection (e) of this Section. Upon receipt of the request the
Department shall conduct a hearing as provided under Section 3-703.

New matter indicated by italics - deletions by strikeout
(g-5) The Department shall conduct an annual review and make a report concerning the complaint process that includes the number of complaints received, the breakdown of anonymous and non-anonymous complaints and whether the complaints were substantiated or not, the total number of substantiated complaints, and any other complaint information requested by the Long-Term Care Facility Advisory Board created under Section 2-204 of this Act or the Illinois Long-Term Care Council created under Section 4.04a of the Illinois Act on the Aging. This report shall be provided to the Long-Term Care Facility Advisory Board and the Illinois Long-Term Care Council. The Long-Term Care Advisory Board and the Illinois Long-Term Care Council shall review the report and suggest any changes deemed necessary to the Department for review and action, including how to investigate and substantiate anonymous complaints.

(h) Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(8) of Section 26-1 of the Criminal Code of 2012.

(Source: P.A. 97-1150, eff. 1-25-13.)

Section 10. The ID/DD Community Care Act is amended by changing Section 3-702 as follows:

(210 ILCS 47/3-702)

Sec. 3-702. Request for investigation of violation.

(a) A person who believes that this Act or a rule promulgated under this Act may have been violated may request an investigation. The request may be submitted to the Department in writing, by telephone, by electronic means, or by personal visit. An oral complaint shall be reduced to writing by the Department. The Department shall make available, through its website and upon request, information regarding the oral and phone intake processes and the list of questions that will be asked of the complainant. The Department shall request information identifying the complainant, including the name, address and telephone number, to help enable appropriate follow up. The Department shall act on such complaints via on-site visits or other methods deemed appropriate to handle the complaints with or without such identifying information, as otherwise provided under this Section. The complainant shall be informed that compliance with such request is not required to satisfy the procedures for filing a complaint under this Act. The Department must notify complainants that complaints with less information provided are far more difficult to respond to and investigate.

New matter indicated by italics - deletions by strikeout
(b) The substance of the complaint shall be provided in writing to the licensee, owner or administrator no earlier than at the commencement of an on-site inspection of the facility which takes place pursuant to the complaint.

(c) The Department shall not disclose the name of the complainant unless the complainant consents in writing to the disclosure or the investigation results in a judicial proceeding, or unless disclosure is essential to the investigation. The complainant shall be given the opportunity to withdraw the complaint before disclosure. Upon the request of the complainant, the Department may permit the complainant or a representative of the complainant to accompany the person making the on-site inspection of the facility.

(d) Upon receipt of a complaint, the Department shall determine whether this Act or a rule promulgated under this Act has been or is being violated. The Department shall investigate all complaints alleging abuse or neglect within 7 days after the receipt of the complaint except that complaints of abuse or neglect which indicate that a resident's life or safety is in imminent danger shall be investigated within 24 hours after receipt of the complaint. All other complaints shall be investigated within 30 days after the receipt of the complaint. The Department employees investigating a complaint shall conduct a brief, informal exit conference with the facility to alert its administration of any suspected serious deficiency that poses a direct threat to the health, safety or welfare of a resident to enable an immediate correction for the alleviation or elimination of such threat. Such information and findings discussed in the brief exit conference shall become a part of the investigating record but shall not in any way constitute an official or final notice of violation as provided under Section 3-301. All complaints shall be classified as "an invalid report", "a valid report", or "an undetermined report". For any complaint classified as "a valid report", the Department must determine within 30 working days if any rule or provision of this Act has been or is being violated.

(d-1) The Department shall, whenever possible, combine an on site investigation of a complaint in a facility with other inspections in order to avoid duplication of inspections.

(e) In all cases, the Department shall inform the complainant of its findings within 10 days of its determination unless otherwise indicated by the complainant, and the complainant may direct the Department to send a copy of such findings to another person. The Department's findings may include comments or documentation provided by either the complainant or the licensee pertaining to the complaint. The Department shall also notify the
facility of such findings within 10 days of the determination, but the name of
the complainant or residents shall not be disclosed in this notice to the
facility. The notice of such findings shall include a copy of the written
determination; the correction order, if any; the warning notice, if any; the
inspection report; or the State licensure form on which the violation is listed.

(f) A written determination, correction order, or warning notice
concerning a complaint, together with the facility's response, shall be
available for public inspection, but the name of the complainant or resident
shall not be disclosed without his or her consent.

(g) A complainant who is dissatisfied with the determination or
investigation by the Department may request a hearing under Section 3-703.
The facility shall be given notice of any such hearing and may participate in
the hearing as a party. If a facility requests a hearing under Section 3-703
which concerns a matter covered by a complaint, the complainant shall be
given notice and may participate in the hearing as a party. A request for a
hearing by either a complainant or a facility shall be submitted in writing to
the Department within 30 days after the mailing of the Department's findings
as described in subsection (e) of this Section. Upon receipt of the request the
Department shall conduct a hearing as provided under Section 3-703.

(g-5) The Department shall conduct an annual review and make a
report concerning the complaint process that includes the number of
complaints received, the breakdown of anonymous and non-anonymous
complaints and whether the complaints were substantiated or not, the total
number of substantiated complaints, and any other complaint information
requested by the DD Facility Advisory Board. This report shall be provided
to the DD Facility Advisory Board. The DD Facility Advisory Board shall
review the report and suggest any changes deemed necessary to the
Department for review and action, including how to investigate and
substantiate anonymous complaints.

(h) Any person who knowingly transmits a false report to the
Department commits the offense of disorderly conduct under subsection
(a)(8) of Section 26-1 of the Criminal Code of 2012.

(Source: P.A. 96-339, eff. 7-1-10; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 18, 2014.
Effective August 18, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning aging.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Act on the Aging is amended by changing Section 4.04 as follows:

(20 ILCS 105/4.04) (from Ch. 23, par. 6104.04)
Sec. 4.04. Long Term Care Ombudsman Program. The purpose of the Long Term Care Ombudsman Program is to ensure that older persons and persons with disabilities receive quality services. This is accomplished by providing advocacy services for residents of long term care facilities and participants receiving home care and community-based care. Managed care is increasingly becoming the vehicle for delivering health and long-term services and supports to seniors and persons with disabilities, including dual eligible participants. The additional ombudsman authority will allow advocacy services to be provided to Illinois participants for the first time and will produce a cost savings for the State of Illinois by supporting the rebalancing efforts of the Patient Protection and Affordable Care Act.

(a) Long Term Care Ombudsman Program. The Department shall establish a Long Term Care Ombudsman Program, through the Office of State Long Term Care Ombudsman ("the Office"), in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended. The Long Term Care Ombudsman Program is authorized, subject to sufficient appropriations, to advocate on behalf of older persons and persons with disabilities residing in their own homes or community-based settings, relating to matters which may adversely affect the health, safety, welfare, or rights of such individuals.

(b) Definitions. As used in this Section, unless the context requires otherwise:

   (1) "Access" has the same meaning as in Section 1-104 of the Nursing Home Care Act, as now or hereafter amended; that is, it means the right to:
   (i) Enter any long term care facility or assisted living or shared housing establishment or supportive living facility;
   (ii) Communicate privately and without restriction with any resident, regardless of age, who consents to the communication;

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(iii) Seek consent to communicate privately and without restriction with any participant or resident, regardless of age;

(iv) Inspect the clinical and other records of a participant or resident, regardless of age, with the express written consent of the participant or resident;

(v) Observe all areas of the long term care facility or supportive living facilities, assisted living or shared housing establishment except the living area of any resident who protests the observation; and

(vi) Subject to permission of the participant or resident requesting services or his or her representative, enter a home or community-based setting.

(2) "Long Term Care Facility" means (i) any facility as defined by Section 1-113 of the Nursing Home Care Act, as now or hereafter amended; and (ii) any skilled nursing facility or a nursing facility which meets the requirements of Section 1819(a), (b), (c), and (d) or Section 1919(a), (b), (c), and (d) of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3(a), (b), (c), and (d) and 42 U.S.C. 1396r(a), (b), (c), and (d)); and any facility as defined by Section 1-113 of the MR/DD Community Care Act, as now or hereafter amended.

(2.5) "Assisted living establishment" and "shared housing establishment" have the meanings given those terms in Section 10 of the Assisted Living and Shared Housing Act.

(2.7) "Supportive living facility" means a facility established under Section 5-5.01a of the Illinois Public Aid Code.

(2.8) "Community-based setting" means any place of abode other than an individual's private home.

(3) "State Long Term Care Ombudsman" means any person employed by the Department to fulfill the requirements of the Office of State Long Term Care Ombudsman as required under the Older Americans Act of 1965, as now or hereafter amended, and Departmental policy.

(3.1) "Ombudsman" means any designated representative of the State Long Term Care Ombudsman Program; provided that the representative, whether he is paid for or volunteers his ombudsman services, shall be qualified and designated by the Office to perform the duties of an ombudsman as specified by the Department in rules.
and in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended.

(4) "Participant" means an older person aged 60 or over or an adult with a disability aged 18 through 59 who is or persons with disabilities who are eligible for services under any of the following:

   (i) A medical assistance waiver administered by the State.

   (ii) A managed care organization providing care coordination and other services to seniors and persons with disabilities.

(5) "Resident" means an older person aged 60 or over or an adult with a disability aged 18 through 59 individual who resides in a long-term care facility.

(c) Ombudsman; rules. The Office of State Long Term Care Ombudsman shall be composed of at least one full-time ombudsman and shall include a system of designated regional long term care ombudsman programs. Each regional program shall be designated by the State Long Term Care Ombudsman as a subdivision of the Office and any representative of a regional program shall be treated as a representative of the Office.

The Department, in consultation with the Office, shall promulgate administrative rules in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended, to establish the responsibilities of the Department and the Office of State Long Term Care Ombudsman and the designated regional Ombudsman programs. The administrative rules shall include the responsibility of the Office and designated regional programs to investigate and resolve complaints made by or on behalf of residents of long term care facilities, supportive living facilities, and assisted living and shared housing establishments, and participants residing in their own homes or community-based settings, including the option to serve residents and participants under the age of 60, relating to actions, inaction, or decisions of providers, or their representatives, of such facilities and establishments, of public agencies, or of social services agencies, which may adversely affect the health, safety, welfare, or rights of such residents and participants. The Office and designated regional programs may represent all residents and participants, but are not required by this Act to represent persons under 60 years of age, except to the extent required by federal law. When necessary and appropriate, representatives of the Office shall refer complaints to the appropriate regulatory State agency. The Department, in consultation with the Office, shall cooperate with the
Department of Human Services and other State agencies in providing information and training to designated regional long term care ombudsman programs about the appropriate assessment and treatment (including information about appropriate supportive services, treatment options, and assessment of rehabilitation potential) of the participants they serve.

The State Long Term Care Ombudsman and all other ombudsmen, as defined in paragraph (3.1) of subsection (b) must submit to background checks under the Health Care Worker Background Check Act and receive training, as prescribed by the Illinois Department on Aging, before visiting facilities, private homes, or community-based settings. The training must include information specific to assisted living establishments, supportive living facilities, shared housing establishments, private homes, and community-based settings and to the rights of residents and participants guaranteed under the corresponding Acts and administrative rules.

(c-5) Consumer Choice Information Reports. The Office shall:

(1) In collaboration with the Attorney General, create a Consumer Choice Information Report form to be completed by all licensed long term care facilities to aid Illinoisans and their families in making informed choices about long term care. The Office shall create a Consumer Choice Information Report for each type of licensed long term care facility. The Office shall collaborate with the Attorney General and the Department of Human Services to create a Consumer Choice Information Report form for facilities licensed under the MR/DD Community Care Act.

(2) Develop a database of Consumer Choice Information Reports completed by licensed long term care facilities that includes information in the following consumer categories:

(A) Medical Care, Services, and Treatment.
(B) Special Services and Amenities.
(C) Staffing.
(D) Facility Statistics and Resident Demographics.
(E) Ownership and Administration.
(F) Safety and Security.
(G) Meals and Nutrition.
(H) Rooms, Furnishings, and Equipment.

(3) Make this information accessible to the public, including on the Internet by means of a hyperlink labeled "Resident's Right to Know" on the Office's World Wide Web home page. Information

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about facilities licensed under the MR/DD Community Care Act shall be made accessible to the public by the Department of Human Services, including on the Internet by means of a hyperlink labeled "Resident's and Families' Right to Know" on the Department of Human Services' "For Customers" website.

(4) Have the authority, with the Attorney General, to verify that information provided by a facility is accurate.

(5) Request a new report from any licensed facility whenever it deems necessary.

(6) Include in the Office's Consumer Choice Information Report for each type of licensed long term care facility additional information on each licensed long term care facility in the State of Illinois, including information regarding each facility's compliance with the relevant State and federal statutes, rules, and standards; customer satisfaction surveys; and information generated from quality measures developed by the Centers for Medicare and Medicaid Services.

(d) Access and visitation rights.

(1) In accordance with subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1819 and subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1919 of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3 (c)(3)(A) and (E) and 42 U.S.C. 1396r (c)(3)(A) and (E)), and Section 712 of the Older Americans Act of 1965, as now or hereafter amended (42 U.S.C. 3058f), a long term care facility, supportive living facility, assisted living establishment, and shared housing establishment must:

(i) permit immediate access to any resident, regardless of age, by a designated ombudsman; and

(ii) permit representatives of the Office, with the permission of the resident's legal representative or legal guardian, to examine a resident's clinical and other records, regardless of the age of the resident, and if a resident is unable to consent to such review, and has no legal guardian, permit representatives of the Office appropriate access, as defined by the Department, in consultation with the Office, in administrative rules, to the resident's records; and:

(iii) permit a representative of the Program to communicate privately and without restriction with any
participant who consents to the communication regardless of the consent of, or withholding of consent by, a legal guardian or an agent named in a power of attorney executed by the participant.

(2) Each long term care facility, supportive living facility, assisted living establishment, and shared housing establishment shall display, in multiple, conspicuous public places within the facility accessible to both visitors and residents and in an easily readable format, the address and phone number of the Office of the Long Term Care Ombudsman, in a manner prescribed by the Office.

(e) Immunity. An ombudsman or any representative of the Office participating in the good faith performance of his or her official duties shall have immunity from any liability (civil, criminal or otherwise) in any proceedings (civil, criminal or otherwise) brought as a consequence of the performance of his official duties.

(f) Business offenses.

(1) No person shall:
   (i) Intentionally prevent, interfere with, or attempt to impede in any way any representative of the Office in the performance of his official duties under this Act and the Older Americans Act of 1965; or
   (ii) Intentionally retaliate, discriminate against, or effect reprisals against any long term care facility resident or employee for contacting or providing information to any representative of the Office.

(2) A violation of this Section is a business offense, punishable by a fine not to exceed $501.

(3) The State Long Term Care Ombudsman Director of Aging, in consultation with the Office, shall notify the State's Attorney of the county in which the long term care facility, supportive living facility, or assisted living or shared housing establishment is located, or the Attorney General, of any violations of this Section.

(g) Confidentiality of records and identities. The Department shall establish procedures for the disclosure by the State Ombudsman or the regional ombudsmen entities of files maintained by the program. The procedures shall provide that the files and records may be disclosed only at the discretion of the State Long Term Care Ombudsman or the person designated by the State Ombudsman to disclose the files and records, and the procedures shall prohibit the disclosure of the identity of any complainant,

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resident, participant, witness, or employee of a long term care provider unless:

(1) the complainant, resident, participant, witness, or employee of a long term care provider or his or her legal representative consents to the disclosure and the consent is in writing;

(2) the complainant, resident, participant, witness, or employee of a long term care provider gives consent orally; and the consent is documented contemporaneously in writing in accordance with such requirements as the Department shall establish; or

(3) the disclosure is required by court order.

(h) Legal representation. The Attorney General shall provide legal representation to any representative of the Office against whom suit or other legal action is brought in connection with the performance of the representative's official duties, in accordance with the State Employee Indemnification Act.

(i) Treatment by prayer and spiritual means. Nothing in this Act shall be construed to authorize or require the medical supervision, regulation or control of remedial care or treatment of any resident in a long term care facility operated exclusively by and for members or adherents of any church or religious denomination the tenets and practices of which include reliance solely upon spiritual means through prayer for healing.

(j) The Long Term Care Ombudsman Fund is created as a special fund in the State treasury to receive moneys for the express purposes of this Section. All interest earned on moneys in the fund shall be credited to the fund. Moneys contained in the fund shall be used to support the purposes of this Section.

(k) Each Regional Ombudsman may, in accordance with rules promulgated by the Office, establish a multi-disciplinary team to act in an advisory role for the purpose of providing professional knowledge and expertise in handling complex abuse, neglect, and advocacy issues involving participants. Each multi-disciplinary team may consist of one or more volunteer representatives from any combination of at least 7 members from the following professions: banking or finance; disability care; health care; pharmacology; law; law enforcement; emergency responder; mental health care; clergy; coroner or medical examiner; substance abuse; domestic violence; sexual assault; or other related fields. To support multi-disciplinary teams in this role, law enforcement agencies and coroners or medical examiners shall supply records as may be requested in particular cases. The Regional Ombudsman, or his or her designee, of the area in which the multi-

New matter indicated by italics - deletions by strikeout
disciplinary team is created shall be the facilitator of the multi-disciplinary team.
(Source: P.A. 97-38, eff. 6-28-11; 98-380, eff. 8-16-13.)

Section 10. The Nursing Home Care Act is amended by changing Section 2-110 as follows:

(210 ILCS 45/2-110) (from Ch. 111 1/2, par. 4152-110)
Sec. 2-110. (a) Any employee or agent of a public agency, any representative of a community legal services program or any other member of the general public shall be permitted access at reasonable hours to any individual resident of any facility, but only if there is neither a commercial purpose nor effect to such access and if the purpose is to do any of the following:

(1) Visit, talk with and make personal, social and legal services available to all residents;
(2) Inform residents of their rights and entitlements and their corresponding obligations, under federal and State laws, by means of educational materials and discussions in groups and with individual residents;
(3) Assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, as well as in all other matters in which residents are aggrieved. Assistance may include counseling and litigation; or
(4) Engage in other methods of asserting, advising and representing residents so as to extend to them full enjoyment of their rights.

(a-5) If a resident of a licensed facility is an identified offender, any federal, State, or local law enforcement officer or county probation officer shall be permitted reasonable access to the individual resident to verify compliance with the requirements of the Sex Offender Registration Act, to verify compliance with the requirements of Public Act 94-163 and this amendatory Act of the 94th General Assembly, or to verify compliance with applicable terms of probation, parole, aftercare release, or mandatory supervised release.

(b) All persons entering a facility under this Section shall promptly notify appropriate facility personnel of their presence. They shall, upon request, produce identification to establish their identity. No such person shall enter the immediate living area of any resident without first identifying himself and then receiving permission from the resident to enter. The rights of other residents present in the room shall be respected. A resident may

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terminate at any time a visit by a person having access to the resident's living area under this Section.

(c) This Section shall not limit the power of the Department or other public agency, including, but not limited to, the State Long Term Care Ombudsman Program, otherwise permitted or required by federal or State law to enter and inspect a facility or communicate privately and without restriction with a resident who consents to the communication, regardless of the consent of, or withholding of consent by, a legal guardian or an agent named in a power of attorney executed by the resident.

(d) Notwithstanding paragraph (a) of this Section, the administrator of a facility may refuse access to the facility to any person if the presence of that person in the facility would be injurious to the health and safety of a resident or would threaten the security of the property of a resident or the facility, or if the person seeks access to the facility for commercial purposes. Any person refused access to a facility may within 10 days request a hearing under Section 3-703. In that proceeding, the burden of proof as to the right of the facility to refuse access under this Section shall be on the facility.

(Source: P.A. 98-558, eff. 1-1-14.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 18, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-0990
(Senate Bill No. 2958)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Legislative findings. The General Assembly finds that:

(1) Many states have had successful medication aide-certified (MA-C) programs for many years.

(2) A medication aide-certified assists with medication administration while under the supervision of a registered professional nurse (RN) in a long-term care facility.

Section 5. The Nursing Home Care Act is amended by adding Section 3-305.5 as follows:

(210 ILCS 45/3-305.5 new)
Sec. 3-305.5. Violation of the Nurse Practice Act. A facility that fails to submit any required report under Section 80-10 of the Nurse Practice Act is subject to discipline under this Article.

Section 10. The Nurse Practice Act is amended by adding Article 80 as follows:

(225 ILCS 65/Art. 80 heading new)
ARTICLE 80. MEDICATION AIDE PILOT PROGRAM
(225 ILCS 65/80-5 new)
Sec. 80-5. Definitions. For the purposes of this Article only:
"Direct-care assignment" means an assignment as defined for staffing requirements as direct care staff under 77 CFR 300.1230.
"Medication aide" means a person who has met the qualifications for licensure under this Article who assists with medication administration while under the supervision of a registered professional nurse (RN) in a long-term care facility.
"Qualified employer" means a long-term care facility licensed by the Department of Public Health that meets the qualifications set forth in Section 80-10.

(225 ILCS 65/80-10 new)
Sec. 80-10. Pilot program.
(a) The Department shall administer and enforce a Licensed Medication Aide Pilot Program. The program shall last for a period of 3 years, as determined by rule. During the 3-year pilot program, the Department shall license and regulate licensed medication aides. As part of the pilot program, no more than 10 skilled nursing homes, which shall be geographically located throughout the State, shall be authorized to employ licensed medication aides, as approved by the Department. The Department may consult with the Department of Public Health as necessary to properly administer and enforce this Article.

(b) To be approved as a qualified facility for the duration of the pilot program, a facility must:

(1) be licensed in good standing as a skilled nursing facility by the Department of Public Health;
(2) have an overall Five Star Quality Rating of 3, 4, or 5 from the most recent data available on the Centers for Medicare and Medicaid Services' website;
(3) certify that the employment of a licensed medication aide will not replace or diminish the employment of a registered nurse or licensed practical nurse at the facility;

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(4) certify that a registered nurse will be on-duty and present in the facility to delegate and supervise the medication administration by a licensed medication aide at all times;
(5) certify that, with the exception of licensed health care professionals, only licensed medication aides will be employed in the capacity of administering medication; and
(6) provide information regarding patient safety, efficiency, and errors as determined by the Department; failure to submit any required report may be grounds for discipline or sanctions under this Act, the Nursing Home Administrators Licensing and Disciplinary Act, or the Nursing Home Care Act.

The Department shall submit a report regarding patient safety, efficiency, and errors, as determined by rule, to the General Assembly no later than 6 months after termination of the pilot program.

(225 ILCS 65/80-15 new)
Sec. 80-15. Licensure requirement; exempt activities.
(a) On and after January 1, 2015, no person shall practice as a medication aide or hold himself or herself out as a licensed medication aide in this State unless he or she is licensed under this Article.
(b) Nothing in this Article shall be construed as preventing or restricting the practice, services, or activities of:
(1) any person licensed in this State by any other law from engaging in the profession or occupation for which he or she is licensed;
(2) any person employed as a medication aide by the government of the United States, if such person practices as a medication aide solely under the direction or control of the organization by which he or she is employed; or
(3) any person pursuing a course of study leading to a certificate in medication aide at an accredited or approved educational program if such activities and services constitute a part of a supervised course of study and if such person is designated by a title which clearly indicates his or her status as a student or trainee.
(c) Nothing in this Article shall be construed to limit the delegation of tasks or duties by a physician, dentist, advanced practice nurse, or podiatric physician as authorized by law.

(225 ILCS 65/80-20 new)
Sec. 80-20. Scope of practice.

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(a) A licensed medication aide may only practice in a qualified facility.

(b) Licensed medication aides must be supervised by and receive delegation by a registered nurse that is on-duty and present in the facility at all times.

(c) Licensed medication aides shall not have a direct-care assignment when scheduled to work as a licensed medication aide, but may assist residents as needed.

(d) Licensed medication aides shall not administer any medication until a physician has conducted an initial assessment of the resident.

(e) Licensed medication aides shall not administer any Schedule II controlled substances as set forth in the Illinois Controlled Substances Act, and may not administer any subcutaneous, intramuscular, intradermal, or intravenous medication.

(225 ILCS 65/80-25 new)
Sec. 80-25. Unlicensed practice; violation; civil penalty.
(a) In addition to any other penalty provided by law, any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a medication aide without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(225 ILCS 65/80-30 new)
Sec. 80-30. Applications for original licensure. Applications for original licensure shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by the required fee, which shall not be returnable. The application shall require such information as, in the judgment of the Department, will enable the Department to pass on the qualifications of the applicant for licensure. Applicants have 3 years after the date of application to complete the application process. If the process has

New matter indicated by italics - deletions by strikeout
not been completed within 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(225 ILCS 65/80-35 new)

Sec. 80-35. Examinations. The Department shall authorize examinations of applicants for a license under this Article at the times and place as it may designate. The examination shall be of a character to give a fair test of the qualifications of the applicant to practice as a medication aide.

Applicants for examination as a medication aide shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

If an applicant fails to pass an examination for registration under this Act within 3 years after filing his or her application, the application shall be denied. The applicant may thereafter make a new application accompanied by the required fee; however, the applicant shall meet all requirements in effect at the time of subsequent application before obtaining licensure. The Department may employ consultants for the purposes of preparing and conducting examinations.

(225 ILCS 65/80-40 new)

Sec. 80-40. Licensure by examination. An applicant for licensure by examination to practice as a licensed medication aide must:

(1) submit a completed written application on forms provided by the Department and fees as established by the Department;
(2) be age 18 or older;
(3) have a high school diploma or a certificate of general education development (GED);
(4) demonstrate the ability to speak, read, and write the English language, as determined by rule;
(5) demonstrate competency in math, as determined by rule;
(6) be currently certified in good standing as a certified nursing assistant and provide proof of 2,000 hours of practice as a certified nursing assistant within 3 years before application for licensure;

New matter indicated by italics - deletions by strikeout
(7) submit to the criminal history records check required under Section 50-35 of this Act;

(8) have not engaged in conduct or behavior determined to be grounds for discipline under this Act;

(9) be currently certified to perform cardiopulmonary resuscitation by the American Heart Association or American Red Cross;

(10) have successfully completed a course of study approved by the Department as defined by rule; to be approved, the program must include a minimum of 60 hours of classroom-based medication aide education, a minimum of 10 hours of simulation laboratory study, and a minimum of 30 hours of registered nurse-supervised clinical practicum with progressive responsibility of patient medication assistance;

(11) have successfully completed the Medication Aide Certification Examination or other examination authorized by the Department; and

(12) submit proof of employment by a qualifying facility.

(225 ILCS 65/80-45 new)

Sec. 80-45. Expiration of license. The expiration date for each license to practice as a licensed medication aide shall be set by the rule. Licenses under this Article may not be renewed or restored.

(225 ILCS 65/80-50 new)

Sec. 80-50. Administration and enforcement. Licenses issued under this Article are subject to Article 70, including grounds for disciplinary action under Section 70-5.

(225 ILCS 65/80-55 new)

Sec. 80-55. Title. Any person who is issued a license as a medication aide under the terms of this Act shall use the words "licensed medication aide" in connection with his or her name to denote his or her licensure under this Act.

(225 ILCS 65/80-60 new)

Sec. 80-60. Rules. The Department shall file rules to administer this Article within 90 days of the effective date of this Act.

Section 15. The Nursing Home Administrators Licensing and Disciplinary Act is amended by changing Section 17 as follows:

(225 ILCS 70/17) (from Ch. 111, par. 3667)

Sec. 17. Grounds for disciplinary action.

New matter indicated by italics - deletions by strikeout
(a) The Department may impose fines not to exceed $10,000 or may refuse to issue or to renew, or may revoke, suspend, place on probation, censure, reprimand or take other disciplinary or non-disciplinary action with regard to the license of any person, for any one or combination of the following causes:

(1) Intentional material misstatement in furnishing information to the Department.

(2) Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or a misdemeanor of which an essential element is dishonesty or that is directly related to the practice of the profession of nursing home administration.

(3) Making any misrepresentation for the purpose of obtaining a license, or violating any provision of this Act.

(4) Immoral conduct in the commission of any act, such as sexual abuse or sexual misconduct, related to the licensee's practice.

(5) Failing to respond within 30 days, to a written request made by the Department for information.

(6) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.

(7) Habitual use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in the inability to practice with reasonable judgment, skill or safety.

(8) Discipline by another U.S. jurisdiction if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.

(9) A finding by the Department that the licensee, after having his or her license placed on probationary status has violated the terms of probation.

(10) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with State agencies or departments.

(11) Physical illness, mental illness, or other impairment or disability, including, but not limited to, deterioration through the aging process, or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill or safety.

(12) Disregard or violation of this Act or of any rule issued pursuant to this Act.

New matter indicated by italics - deletions by strikeout
(13) Aiding or abetting another in the violation of this Act or any rule or regulation issued pursuant to this Act.

(14) Allowing one's license to be used by an unlicensed person.

(15) (Blank).

(16) Professional incompetence in the practice of nursing home administration.

(17) Conviction of a violation of Section 12-19 or subsection (a) of Section 12-4.4a of the Criminal Code of 1961 or the Criminal Code of 2012 for the abuse and criminal neglect of a long term care facility resident.

(18) Violation of the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act or of any rule issued under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act. A final adjudication of a Type "AA" violation of the Nursing Home Care Act made by the Illinois Department of Public Health, as identified by rule, relating to the hiring, training, planning, organizing, directing, or supervising the operation of a nursing home and a licensee's failure to comply with this Act or the rules adopted under this Act, shall create a rebuttable presumption of a violation of this subsection.

(19) Failure to report to the Department any adverse final action taken against the licensee by a licensing authority of another state, territory of the United States, or foreign country; or by any governmental or law enforcement agency; or by any court for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this Section.

(20) Failure to report to the Department the surrender of a license or authorization to practice as a nursing home administrator in another state or jurisdiction for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this Section.

(21) Failure to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this Section.

(22) Failure to submit any required report under Section 80-10 of the Nurse Practice Act.

New matter indicated by italics - deletions by strikeout
All proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 years next after receipt by the Department of (i) a complaint alleging the commission of or notice of the conviction order for any of the acts described herein or (ii) a referral for investigation under Section 3-108 of the Nursing Home Care Act.

The entry of an order or judgment by any circuit court establishing that any person holding a license under this Act is a person in need of mental treatment operates as a suspension of that license. That person may resume their practice only upon the entry of a Department order based upon a finding by the Board that they have been determined to be recovered from mental illness by the court and upon the Board's recommendation that they be permitted to resume their practice.

The Department, upon the recommendation of the Board, may adopt rules which set forth standards to be used in determining what constitutes:

(i) when a person will be deemed sufficiently rehabilitated to warrant the public trust;

(ii) dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(iii) immoral conduct in the commission of any act related to the licensee's practice; and

(iv) professional incompetence in the practice of nursing home administration.

However, no such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action under this Act.

In enforcing this Section, the Department or Board, upon a showing of a possible violation, may compel any individual licensed to practice under this Act, or who has applied for licensure pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physician or physicians shall be those specifically designated by the Department or Board. The Department or Board may order the examining physician to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all

New matter indicated by italics - deletions by strikeout
aspects of the examination. Failure of any individual to submit to mental or physical examination, when directed, shall be grounds for suspension of his or her license until such time as the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board shall require such individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. Any individual whose license was granted pursuant to this Act or continued, reinstated, renewed, disciplined or supervised, subject to such terms, conditions or restrictions who shall fail to comply with such terms, conditions or restrictions shall be referred to the Secretary for a determination as to whether the licensee shall have his or her license suspended immediately, pending a hearing by the Department. In instances in which the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Board within 30 days after such suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject administrator's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(b) Any individual or organization acting in good faith, and not in a willful and wanton manner, in complying with this Act by providing any report or other information to the Department, or assisting in the investigation or preparation of such information, or by participating in proceedings of the Department, or by serving as a member of the Board, shall not, as a result of such actions, be subject to criminal prosecution or civil damages.

(c) Members of the Board, and persons retained under contract to assist and advise in an investigation, shall be indemnified by the State for any actions occurring within the scope of services on or for the Board, done in
good faith and not wilful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were wilful and wanton.

Should the Attorney General decline representation, a person entitled to indemnification under this Section shall have the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were wilful and wanton.

A person entitled to indemnification under this Section must notify the Attorney General within 7 days of receipt of notice of the initiation of any action involving services of the Board. Failure to so notify the Attorney General shall constitute an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine within 7 days after receiving such notice, whether he or she will undertake to represent a person entitled to indemnification under this Section.

(d) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as amended, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient; and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(e) The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(f) The Department of Public Health shall transmit to the Department a list of those facilities which receive an "A" violation as defined in Section 1-129 of the Nursing Home Care Act.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-104, eff. 7-22-13.)

Approved August 18, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Transmitters of Money Act is amended by changing Section 15 as follows:

(205 ILCS 657/15)

Sec. 15. Exemptions. The following are exempt from the licensing requirements of this Act:

(1) The United States and any department or agency of the United States.

(2) This State and any political subdivision of this State.

(3) Banks, trust companies, building and loan associations, savings and loan associations, savings banks, or credit unions, licensed or organized under the laws of any state or of the United States and any foreign bank maintaining a branch or agency licensed or organized under the laws of any state or of the United States.

(4) Currency exchanges licensed under the Currency Exchange Act are exempt from licensing only for (i) the issuance of money orders or (ii) the sale, loading, or unloading of stored value cards.

(5) Corporations and associations exempt under item (3) or (4) from the licensing requirements of this Act are not exempt from approval by the Director as authorized sellers. Nothing in this Act shall be deemed to enlarge the powers of those corporations and associations.

(6) An operator of a payment system to the extent that it provides processing, clearing, or settlement services between or among persons exempt under this Section in connection with wire transfers, credit card transactions, debit card transactions, stored value transactions, automated clearing house transfers, or similar funds transfers.

(Source: P.A. 97-511, eff. 8-23-11.)

Section 99. Effective date. This Act takes effect upon becoming law. Passed in the General Assembly May 26, 2014.
AN ACT concerning government.

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

Section 5. The Open Meetings Act is amended by changing Sections 2.01 and 7 as follows:

(5 ILCS 120/2.01) (from Ch. 102, par. 42.01)
Sec. 2.01. All meetings required by this Act to be public shall be held at specified times and places which are convenient and open to the public. No meeting required by this Act to be public shall be held on a legal holiday unless the regular meeting day falls on that holiday.

A quorum of members of a public body must be physically present at the location of an open meeting. If, however, an open meeting of a public body (i) with statewide jurisdiction, (ii) that is an Illinois library system with jurisdiction over a specific geographic area of more than 4,500 square miles, or (iii) that is a municipal transit district with jurisdiction over a specific geographic area of more than 4,500 square miles, or (iv) that is a local workforce investment area with jurisdiction over a specific geographic area of more than 4,500 square miles is held simultaneously at one of its offices and one or more other locations in a public building, which may include other of its offices, through an interactive video conference and the public body provides public notice and public access as required under this Act for all locations, then members physically present in those locations all count towards determining a quorum. "Public building", as used in this Section, means any building or portion thereof owned or leased by any public body. The requirement that a quorum be physically present at the location of an open meeting shall not apply, however, to State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action.

A quorum of members of a public body that is not (i) a public body with statewide jurisdiction, (ii) an Illinois library system with jurisdiction over a specific geographic area of more than 4,500 square miles, or (iii) a municipal transit district with jurisdiction over a specific geographic area of more than 4,500 square miles, or (iv) a local workforce investment area with
jurisdiction over a specific geographic area of more than 4,500 square miles must be physically present at the location of a closed meeting. Other members who are not physically present at a closed meeting of such a public body may participate in the meeting by means of a video or audio conference. For the purposes of this Section, "local workforce investment area" means any local workforce investment area or areas designated by the Governor pursuant to the federal Workforce Investment Act of 1998 or its reauthorizing legislation.

(Source: P.A. 96-664, eff. 8-25-09; 96-1043, eff. 1-1-11.)

(5 ILCS 120/7)

Sec. 7. Attendance by a means other than physical presence.

(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.

(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

(d) The limitations of this Section shall not apply to (i) closed meetings of (A) public bodies with statewide jurisdiction, (B) Illinois library systems with jurisdiction over a specific geographic area of more than 4,500 square miles, (C) municipal transit districts with jurisdiction over a specific geographic area of more than 4,500 square miles, or (D) local workforce investment areas with jurisdiction over a specific geographic area of more than 4,500 square miles or (ii) open or closed meetings of State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action. State advisory boards or bodies, public bodies with statewide jurisdiction, Illinois library systems with jurisdiction over a specific geographic area of more than 4,500 square miles, and municipal transit districts with jurisdiction
over a specific geographic area of more than 4,500 square miles, and local workforce investment areas with jurisdiction over a specific geographic area of more than 4,500 square miles, however, may permit members to attend meetings by other means only in accordance with and to the extent allowed by specific procedural rules adopted by the body. For the purposes of this Section, "local workforce investment area" means any local workforce investment area or areas designated by the Governor pursuant to the federal Workforce Investment Act of 1998 or its reauthorizing legislation.

(Source: P.A. 96-664, eff. 8-25-09; 96-1043, eff. 1-1-11.)


**PUBLIC ACT 98-0993**
(House Bill No. 4535)

**AN ACT concerning regulation.**

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

Section 5. The Illinois Architecture Practice Act of 1989 is amended by changing Section 11 as follows:

(225 ILCS 305/11) (from Ch. 111, par. 1311)

Sec. 11. Application for original license. Applications for original licensure shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by the required fee, which is not refundable. Any such application shall require information as in the judgment of the Department will enable the Department to pass on the qualifications of the applicant to practice architecture. The Department may require an applicant, at the applicant's expense, to have an evaluation of the applicant's education in a foreign country by an evaluation service approved by the Board in accordance with rules prescribed by the Department.

An applicant who has graduated from an architectural program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and a test of spoken English as defined by rule. However, any such applicant who subsequently earns an advanced degree in a
from an accredited educational institution in the United States or its territories shall not be subject to this requirement.

(Source: P.A. 96-610, eff. 8-24-09.)

Section 10. The Professional Engineering Practice Act of 1989 is amended by changing Section 8 as follows:

(225 ILCS 325/8) (from Ch. 111, par. 5208)

Sec. 8. Applications for licensure.

(a) Applications for licensure shall (1) be on forms prescribed and furnished by the Department, (2) contain statements made under oath showing the applicant's education and a detailed summary of the applicant's technical work, and (3) contain references as required by the Department.

(b) Applicants shall have obtained the education and experience as required in Section 10 or Section 11 prior to submittal of application for licensure. Allowable experience shall commence at the date of the baccalaureate degree, except:

(1) Credit for one year of experience shall be given for a graduate of a baccalaureate curriculum providing a cooperative program, which is supervised industrial or field experience of at least one academic year which alternates with periods of full-time academic training, when such program is certified by the university, or

(2) Partial credit may be given for professional engineering experience as defined by rule for employment prior to receipt of a baccalaureate degree if the employment is full-time while the applicant is a part-time student taking fewer than 12 hours per semester or 8 hours per quarter to earn the degree concurrent with the full-time engineering experience.

(3) If an applicant files an application and supporting documents containing a material misstatement of information or a misrepresentation for the purpose of obtaining licensure or enrollment or if an applicant performs any fraud or deceit in taking any examination to qualify for licensure or enrollment under this Act, the Department may issue a rule of intent to deny licensure or enrollment and may conduct a hearing in accordance with Sections 26 through 33 and Sections 37 and 38 of this Act.

The Board may conduct oral interviews of any applicant under Sections 10, 11, or 19 to assist in the evaluation of the qualifications of the applicant.

New matter indicated by italics - deletions by strikeout
It is the responsibility of the applicant to supplement the application, when requested by the Board, by provision of additional documentation of education, including transcripts, course content and credentials of the engineering college or college granting related science degrees, or of work experience to permit the Board to determine the qualifications of the applicant. The Department may require an applicant, at the applicant's expense, to have an evaluation of the applicant's education in a foreign country by a nationally recognized evaluating service approved by the Department.

An applicant who graduated from an engineering program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and a test of spoken English as defined by rule. However, any such applicant who subsequently earns an advanced degree from an accredited educational institution in the United States or its territories shall not be subject to this requirement.

(Source: P.A. 96-626, eff. 8-24-09; 96-850, eff. 6-1-10.)

Section 15. The Structural Engineering Practice Act of 1989 is amended by changing Section 9 as follows:

(225 ILCS 340/9) (from Ch. 111, par. 6609)
(Section scheduled to be repealed on January 1, 2020)

Sec. 9. Applications for original licenses shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by the required fee, which is not refundable. The application shall require such information as in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for a license. The Department may require an applicant, at the applicant's expense, to have an evaluation of the applicant's education in a foreign country by a nationally recognized evaluation service approved by the Department in accordance with rules prescribed by the Department.

An applicant who graduated from a structural engineering program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and a test of spoken English as defined by rule. However, any such applicant who subsequently earns an advanced degree from an accredited educational institution in the United States or its territories shall not be subject to this requirement.

(Source: P.A. 96-610, eff. 8-24-09.)

Passed in the General Assembly May 27, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 12-3.2 as follows:

(720 ILCS 5/12-3.2) (from Ch. 38, par. 12-3.2)

Sec. 12-3.2. Domestic battery.

(a) A person commits domestic battery if he or she knowingly without legal justification by any means:

(1) Causes bodily harm to any family or household member;

(2) Makes physical contact of an insulting or provoking nature with any family or household member.

(b) Sentence. Domestic battery is a Class A misdemeanor. Domestic battery is a Class 4 felony if the defendant has any prior conviction under this Code for violation of an order of protection (Section 12-3.4 or 12-30), or any prior conviction under the law of another jurisdiction for an offense which is substantially similar. Domestic battery is a Class 4 felony if the defendant has any prior conviction under this Code for first degree murder (Section 9-1), attempt to commit first degree murder (Section 8-4), aggravated domestic battery (Section 12-3.3), aggravated battery (Section 12-3.05 or 12-4), heinous battery (Section 12-4.1), aggravated battery with a firearm (Section 12-4.2), aggravated battery with a machine gun or a firearm equipped with a silencer (Section 12-4.2-5), aggravated battery of a child (Section 12-4.3), aggravated battery of an unborn child (subsection (a-5) of Section 12-3.1, or Section 12-4.4), aggravated battery of a senior citizen (Section 12-4.6), stalking (Section 12-7.3), aggravated stalking (Section 12-7.4), criminal sexual assault (Section 11-1.20 or 12-13), aggravated criminal sexual assault (Section 11-1.30 or 12-14), kidnapping (Section 10-1), aggravated kidnapping (Section 10-2), predatory criminal sexual assault of a child (Section 11-1.40 or 12-14.1), aggravated criminal sexual abuse (Section 11-1.60 or 12-16), unlawful restraint (Section 10-3), aggravated unlawful restraint (Section 10-3.1), aggravated arson (Section 20-1.1), or aggravated discharge of a firearm (Section 24-1.2), or any prior conviction under the law

New matter indicated by italics - deletions by strikeout
of another jurisdiction for any offense that is substantially similar to the offenses listed in this Section, when any of these offenses have been committed against a family or household member. Domestic battery is a Class 4 felony if the defendant has one or 2 prior convictions under this Code for domestic battery (Section 12-3.2), or one or 2 prior convictions under the law of another jurisdiction for any offense which is substantially similar. Domestic battery is a Class 3 felony if the defendant had 3 prior convictions under this Code for domestic battery (Section 12-3.2), or 3 prior convictions under the law of another jurisdiction for any offense which is substantially similar. Domestic battery is a Class 2 felony if the defendant had 4 or more prior convictions under this Code for domestic battery (Section 12-3.2), or 4 or more prior convictions under the law of another jurisdiction for any offense which is substantially similar. In addition to any other sentencing alternatives, for any second or subsequent conviction of violating this Section, the offender shall be mandatorily sentenced to a minimum of 72 consecutive hours of imprisonment. The imprisonment shall not be subject to suspension, nor shall the person be eligible for probation in order to reduce the sentence.

(c) Domestic battery committed in the presence of a child. In addition to any other sentencing alternatives, a defendant who commits, in the presence of a child, a felony domestic battery (enhanced under subsection (b)), aggravated domestic battery (Section 12-3.3), aggravated battery (Section 12-3.05 or 12-4), unlawful restraint (Section 10-3), or aggravated unlawful restraint (Section 10-3.1) against a family or household member shall be required to serve a mandatory minimum imprisonment of 10 days or perform 300 hours of community service, or both. The defendant shall further be liable for the cost of any counseling required for the child at the discretion of the court in accordance with subsection (b) of Section 5-5-6 of the Unified Code of Corrections. For purposes of this Section, "child" means a person under 18 years of age who is the defendant's or victim's child or step-child or who is a minor child residing within or visiting the household of the defendant or victim.

(d) Upon conviction of domestic battery, the court shall advise the defendant orally or in writing, substantially as follows: "An individual convicted of domestic battery may be subject to federal criminal penalties for possessing, transporting, shipping, or receiving any firearm or ammunition in violation of the federal Gun Control Act of 1968 (18 U.S.C. 922(g)(8) and (9))." A notation shall be made in the court file that the admonition was given.
AN ACT concerning local government.

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

Section 5. The Fire Protection District Act is amended by changing Section 16.06b as follows:

Sec. 16.06b. Original appointments; full-time fire department.
(a) Applicability. Unless a commission elects to follow the provisions of Section 16.06c, this Section shall apply to all original appointments to an affected full-time fire department. Existing registers of eligibles shall continue to be valid until their expiration dates, or up to a maximum of 2 years after the effective date of this amendatory Act of the 97th General Assembly.

Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to an affected department to which this Section applies shall be administered in a no less stringent manner than the manner provided for in this Section. Provisions of the Illinois Municipal Code, Fire Protection District Act, fire district ordinances, and rules adopted pursuant to such authority and other laws relating to initial hiring of firefighters in affected departments shall continue to apply to the extent they are compatible with this Section, but in the event of a conflict between this Section and any other law, this Section shall control.

A fire protection district that is operating under a court order or consent decree regarding original appointments to a full-time fire department before the effective date of this amendatory Act of the 97th General Assembly is exempt from the requirements of this Section for the duration of the court order or consent decree.

(b) Original appointments. All original appointments made to an affected fire department shall be made from a register of eligibles established in accordance with the processes required by this Section. Only persons who meet or exceed the performance standards required by the Section shall be
placed on a register of eligibles for original appointment to an affected fire department.

Whenever an appointing authority authorizes action to hire a person to perform the duties of a firefighter or to hire a firefighter-paramedic to fill a position that is a new position or vacancy due to resignation, discharge, promotion, death, the granting of a disability or retirement pension, or any other cause, the appointing authority shall appoint to that position the person with the highest ranking on the final eligibility list. If the appointing authority has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the appointing authority believes an alternate candidate would better serve the needs of the department, then the appointing authority has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the register of eligibles or (ii) any person who is among the top 5 highest ranked persons on the list of eligibles if the number of people who have a ranking in the top 5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his or her position on the register of eligibles. Any candidate who passes a second time may be removed from the list by the appointing authority provided that such action shall not prejudice a person's opportunities to participate in future examinations, including an examination held during the time a candidate is already on the fire district's register of eligibles.

The sole authority to issue certificates of appointment shall be vested in the board of fire commissioners, or board of trustees serving in the capacity of a board of fire commissioners. All certificates of appointment issued to any officer or member of an affected department shall be signed by the chairperson and secretary, respectively, of the commission upon appointment of such officer or member to the affected department by action of the commission. Each person who accepts a certificate of appointment and successfully completes his or her probationary period shall be enrolled as a firefighter and as a regular member of the fire department.

For the purposes of this Section, "firefighter" means any person who has been prior to, on, or after the effective date of this amendatory Act of the 97th General Assembly appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties or paramedic duties, or both, except that the following persons are not included: part-time firefighters; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; clerks and dispatchers or other civilian employees of a fire department or fire protection

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district who are not routinely expected to perform firefighter duties; and elected officials.

(c) Qualification for placement on register of eligibles. The purpose of establishing a register of eligibles is to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to an affected fire department shall be subject to examination and testing which shall be public, competitive, and open to all applicants unless the district shall by ordinance limit applicants to residents of the district, county or counties in which the district is located, State, or nation. Districts may establish educational, emergency medical service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any fire protection district may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a district cannot be made more restrictive for that individual during his or her period of service for that district, or be made a condition of promotion, except for the rank or position of fire chief and for no more than 2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No person who is 35 years of age or older shall be eligible to take an examination for a position as a firefighter unless the person has had previous employment status as a firefighter in the regularly constituted fire department of the district, except as provided in this Section. The age limitation does not apply to:

(1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or

(2) any person who has served a fire district as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the district begins to use full-time firefighters to provide all or part of its fire protection service; or

(3) any person who turned 35 while serving as a member of the active or reserve components of any of the branches of the Armed Forces.
Forces of the United States or the National Guard of any state, whose service was characterized as honorable or under honorable, if separated from the military, and is currently under the age of 40.

No person who is under 21 years of age shall be eligible for employment as a firefighter.

No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the commissioners of the district or their designees and agents.

No district shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic certification.

In the event that any applicant who has been found eligible for appointment and whose name has been placed upon the final eligibility register provided for in this Section has not been appointed to a firefighter position within one year after the date of his or her physical ability examination, the commission may cause a second examination to be made of that applicant's physical ability prior to his or her appointment. If, after the second examination, the physical ability of the applicant shall be found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed. The applicant's name may be retained upon the register of candidates eligible for appointment and when next reached for certification and appointment that applicant may be again examined as provided in this Section, and if the physical ability of that applicant is found to be less than the minimum standard fixed by the rules of the commission, the applicant shall not be appointed, and the name of the applicant shall be removed from the register.

(d) Notice, examination, and testing components. Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the commission, by a publication at least 2 weeks preceding the examination: (i) in one or more newspapers published in the district, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the district, or (ii) on the fire
The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the commission. Scores from the examination must be made available to the public.

(e) Mental aptitude. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on a register of eligibles. Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved.

(f) Physical ability. All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of a fire department. For the purposes of this Section, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. The frequency of the occurrence of those duties as part of the fire department's regular routine shall not be a controlling factor in the design of examination criteria or evolutions selected for testing. These physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

   (1) Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the local appointing authority.

   (2) The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.

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(3) The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

The tests utilized to measure each applicant's capabilities in each of these dimensions may be tests based on industry standards currently in use or equivalent tests approved by the Joint Labor-Management Committee of the Office of the State Fire Marshal.

Physical ability examinations administered under this Section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the commission.

(g) Scoring of examination components. Appointing authorities may create a preliminary eligibility register. A person shall be placed on the list based upon his or her passage of the written examination or the passage of the written examination and the physical ability component. Passage of the written examination means a score that is at or above the median score for all applicants participating in the written test. The appointing authority may conduct the physical ability component and any subjective components subsequent to the posting of the preliminary eligibility register.

The examination components for an initial eligibility register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability component, and (iii) the person's results on any subjective component as described in subsection (d).

In order to qualify for placement on the final eligibility register, an applicant's score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the median score. The local appointing authority may prescribe the score to qualify for placement on the final eligibility register, but the score shall not be less than the median score.

The commission shall prepare and keep a register of persons whose total score is not less than the minimum fixed by this Section and who have passed the physical ability examination. These persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this Section. No more than 60 days after each examination,
an initial eligibility list shall be posted by the commission. The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

Commissions may conduct additional examinations, including without limitation a polygraph test, after a final eligibility register is established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

(h) Preferences. The following are preferences:

(1) Veteran preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department.

(2) Fire cadet preference. Persons who have successfully completed 2 years of study in fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, may be preferred for appointment to and employment with the fire department.

(3) Educational preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department.

(4) Paramedic preference. Persons who have obtained certification as an Emergency Medical Technician-Paramedic (EMT-P) may be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services.

(5) Experience preference. All persons employed by a district who have been paid-on-call or part-time certified Firefighter II, certified Firefighter III, State of Illinois or nationally licensed EMT-B or EMT-I, licensed paramedic, or any combination of those capacities may be awarded up to a maximum of 5 points. However, the applicant may not be awarded more than 0.5 points for each complete

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year of paid-on-call or part-time service. Applicants from outside the district who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or municipality for at least 2 years may be awarded up to 5 experience preference points. However, the applicant may not be awarded more than one point for each complete year of full-time service.

Upon request by the commission, the governing body of the district or in the case of applicants from outside the district the governing body of any other fire protection district or any municipality shall certify to the commission, within 10 days after the request, the number of years of successful paid-on-call, part-time, or full-time service of any person. A candidate may not receive the full amount of preference points under this subsection if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

(6) Residency preference. Applicants whose principal residence is located within the fire department's jurisdiction may be preferred for appointment to and employment with the fire department.

(7) Additional preferences. Up to 5 additional preference points may be awarded for unique categories based on an applicant's experience or background as identified by the commission.

(8) Scoring of preferences. The commission shall give preference for original appointment to persons designated in item (1) by adding to the final grade that they receive 5 points for the recognized preference achieved. The commission shall determine the number of preference points for each category except (1). The number of preference points for each category shall range from 0 to 5. In determining the number of preference points, the commission shall prescribe that if a candidate earns the maximum number of preference points in all categories, that number may not be less than 10 nor more than 30. The commission shall give preference for original appointment to persons designated in items (2) through (7) by adding the requisite number of points to the final grade for each recognized preference.

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preference achieved. The numerical result thus attained shall be applied by the commission in determining the final eligibility list and appointment from the eligibility list. The local appointing authority may prescribe the total number of preference points awarded under this Section, but the total number of preference points shall not be less than 10 points or more than 30 points.

No person entitled to any preference shall be required to claim the credit before any examination held under the provisions of this Section, but the preference shall be given after the posting or publication of the initial eligibility list or register at the request of a person entitled to a credit before any certification or appointments are made from the eligibility register, upon the furnishing of verifiable evidence and proof of qualifying preference credit. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial eligibility list, or the claim shall be deemed waived. Final eligibility registers shall be established after the awarding of verified preference points. All employment shall be subject to the commission's initial hire background review including, but not limited to, criminal history, employment history, moral character, oral examination, and medical and psychological examinations, all on a pass-fail basis. The medical and psychological examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

Any person placed on an eligibility list who exceeds the age requirement before being appointed to a fire department shall remain eligible for appointment until the list is abolished, or his or her name has been on the list for a period of 2 years. No person who has attained the age of 35 years shall be inducted into a fire department, except as otherwise provided in this Section.

The commission shall strike off the names of candidates for original appointment after the names have been on the list for more than 2 years.

(i) Moral character. No person shall be appointed to a fire department unless he or she is a person of good character; not a habitual drunkard, a gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. However, no person shall be disqualified from appointment to the fire department because of the person's record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the Criminal Code.

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of 2012, or arrest for any cause without conviction thereon. Any such person who is in the department may be removed on charges brought for violating this subsection and after a trial as hereinafter provided.

A classifiable set of the fingerprints of every person who is offered employment as a certificated member of an affected fire department whether with or without compensation, shall be furnished to the Illinois Department of State Police and to the Federal Bureau of Investigation by the commission.

Whenever a commission is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the State Police Law of the Civil Administrative Code of Illinois, the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files as is necessary to fulfill the request.

(j) Temporary appointments. In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this Section, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

(k) A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this Section, commits a violation of this Section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

(Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 21, 2014.
Approved August 18, 2014.
Effective August 18, 2014.
AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Civil Procedure is amended by changing Section 9-111.1 as follows:
(735 ILCS 5/9-111.1)
Sec. 9-111.1. Lease to bona fide tenant. Upon the entry of a judgment in favor of a board of managers for possession of property under the Condominium Property Act, as provided in Section 9-111 of this Act, and upon delivery of possession of the premises by the sheriff or other authorized official to the board of managers pursuant to execution upon the judgment, the board of managers shall have the right and authority, incidental to the right of possession of a unit under the judgment, but not the obligation, to lease the unit to a bona fide tenant (whether the tenant is in occupancy or not) pursuant to a written lease for a term which may commence at any time within 8 months after the month in which the date of expiration of the stay of judgment occurs. The term may not exceed 13 months from the date of commencement of the lease. The expiration of the stay of judgment unless extended by order of court may, upon motion of the board of managers and with notice to the dispossessed unit owner, permit or extend a lease for one or more additional terms not to exceed 13 months per term. The board of managers shall first apply all rental income to assessments and other charges sued upon in the action for possession plus statutory interest on a monetary judgment, if any, attorneys' fees, and court costs incurred; and then to other expenses lawfully agreed upon (including late charges), any fines and reasonable expenses necessary to make the unit rentable, and lastly to assessments accrued thereafter until assessments are current. Any surplus shall be remitted to the unit owner. The court shall retain jurisdiction to determine the reasonableness of the expense of making the unit rentable.
(Source: P.A. 91-357, eff. 7-29-99.)
Passed in the General Assembly May 21, 2014.
Approved August 18, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Long Term Acute Care Hospital Quality Improvement Transfer Program Act is amended by changing Sections 10, 15, 20, and 50 as follows:

(210 ILCS 155/10)
Sec. 10. Definitions. As used in this Act:
(a) "CARE tool" means the Continuity and Record Evaluation (CARE) tool. It is a patient assessment instrument that has been developed to document the medical, cognitive, functional, and discharge status of persons receiving health care services in acute and post-acute care settings. The data collected is able to document provider-level quality of care (patient outcomes) and characterize the clinical complexity of patients. For the purposes of this Act, the CARE tool must be identical to the most current version required by the federal Centers for Medicare and Medicaid Services.
(b) "Department" means the Illinois Department of Healthcare and Family Services.
(c) "Discharge" means the release of a patient from hospital care for any discharge disposition other than a leave of absence, even if for Medicare payment purposes the discharge fits the definition of an interrupted stay.
(d) "FTE" means "full-time equivalent" or a person or persons employed in one full-time position.
(e) "Hospital" means an institution, place, building, or agency located in this State that is licensed as a general acute hospital by the Illinois Department of Public Health under the Hospital Licensing Act, whether public or private and whether organized for profit or not-for-profit.
(f) "ICU" means intensive care unit.
(g) "LTAC hospital" means an Illinois hospital that is designated by Medicare as a long term acute care hospital as described in Section 1886(d)(1)(B)(iv)(I) of the Social Security Act and has an average length of Medicaid inpatient stay greater than 25 days as reported on the hospital's 2008 Medicaid cost report on file as of February 15, 2010, or a hospital that begins operations after January 1, 2009 and is designated by Medicare as a long term acute care hospital.

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(h) "LTAC hospital criteria" means nationally recognized evidence-based evaluation criteria that have been publicly tested and includes criteria specific to an LTAC hospital for admission, continuing stay, and discharge. The criteria cannot include criteria derived or developed by or for a specific hospital or group of hospitals. Criteria and tools developed by hospitals or hospital associations or hospital-owned organizations are not acceptable and do not meet the requirements of this subsection.

(i) "Patient" means an individual who is admitted to a hospital for an inpatient stay.

(j) "Program" means the Long Term Acute Care Hospital Quality Improvement Transfer Program established by this Act.

(k) "STAC hospital" means a hospital that is not an LTAC hospital as defined in this Act or a psychiatric hospital or a rehabilitation hospital.

(Source: P.A. 96-1130, eff. 7-20-10; 97-662, eff. 1-13-12; 97-667, eff. 1-13-12.)

(210 ILCS 155/15)
Sec. 15. Qualifying Hospitals.
(a) Beginning October 1, 2010, the Department shall establish the Long Term Acute Care Hospital Quality Improvement Transfer Program. Any hospital may participate in the program if it meets the requirements of this Section as determined by the Department.

(b) To participate in the program a hospital must do the following:
   (1) Operate as an LTAC hospital.
   (2) Employ one-half of an FTE (designated for case management) for every 15 patients admitted to the hospital.
   (3) Maintain on-site physician coverage 24 hours a day, 7 days a week.
   (4) Maintain on-site respiratory therapy coverage 24 hours a day, 7 days a week.

(c) A hospital must also execute a program participation agreement with the Department. The agreement must include:
   (1) An attestation that the hospital complies with the criteria in subsection (b) of this Section.
   (2) A process for the hospital to report its continuing compliance with subsection (b) of this Section. The hospital must submit a compliance report at least annually.
   (3) A requirement that the hospital complete and electronically submit to the Department the CARE tool (the most currently available version or an equivalent tool designated and

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approved for use by the Department) for each patient no later than 13 7 calendar days after discharge:

(A) the CARE tool in the format required by the federal Centers for Medicare and Medicaid Services; and

(B) in an electronic format developed by the Department, (i) whether the patient was successfully weaned off invasive mechanical ventilation, (ii) whether the patient, if the patient was a ventilator patient, acquired pneumonia, and (iii) whether the patient fell and required an ancillary or surgical procedure (e.g., x-ray, MRI, sutures, or surgery).

(4) A requirement that the hospital use a patient satisfaction survey specifically designed for LTAC hospital settings. The hospital must submit survey results data to the Department at least annually.

(5) A requirement that the hospital accept all clinically approved patients for admission or transfer from a STAC hospital with the exception of STAC hospitals identified in paragraphs (1) and (2) under subsection (a) of Section 25 of this Act. The patient must be evaluated using LTAC hospital criteria approved by the Department for use in this program and meet the appropriate criteria.

(6) A requirement that the hospital report quality and outcome measurement data, as described in Section 20 of this Act, to the Department at least annually.

(7) A requirement that the hospital provide the Department full access to patient data and other data maintained by the hospital. Access must be in compliance with State and federal law.

(8) A requirement that the hospital use LTAC hospital criteria to evaluate patients that are admitted to the hospital to determine that the patient is in the most appropriate setting.

(Source: P.A. 96-1130, eff. 7-20-10.)

Sec. 20. Quality and outcome measurement data.

(a) For proper evaluation and monitoring of the program, each LTAC hospital must provide quality and outcome measurement data ("measures") identical to Medicare as specified in Medicare's LTCH Quality Reporting Program Manual (version 2.0) and any subsequent revisions subsections (c) through (h) of this Section to the Department for patients treated under this program. The Department may develop measures in addition to the minimum measures required under this Section.
(b) Two sets of measures must be calculated. The first set should only use data for medical assistance patients, and the second set should include all patients of the LTAC hospital regardless of payer.

(c) (Blank). Average LTAC hospital length of stay for patients discharged during the reporting period.

(d) (Blank). Adverse outcomes rates: Percent of patients who expired or whose condition worsens and requires treatment in a STAC hospital.

(e) (Blank). Ventilator weaning rate: Percent of patients discharged during the reporting period who have been successfully weaned off invasive mechanical ventilation.

(f) (Blank). Central Line Infection Rate per 1000 central line days: Number of patients discharged from an LTAC hospital during the reporting period that had a central line in place and developed a bloodstream infection 48 hours or more after admission to the LTAC hospital.

(g) (Blank). Acquired pressure ulcers per 1000 patient days.

(h) (Blank). Falls with injury per 1000 patient days: Number of falls among discharged LTAC hospital patients discharged during the reporting period, who fell during the LTAC hospital stay, regardless of distance fallen, that required an ancillary or surgical procedure (i.e. x-ray, MRI, sutures, surgery, etc.)

(Source: P.A. 96-1130, eff. 7-20-10.)

(210 ILCS 155/50)
Sec. 50. Duties of the Department.
(a) The Department is responsible for implementing, monitoring, and evaluating the program. This includes but is not limited to:

(1) Collecting data required under Section 15 and data necessary to calculate the measures under Section 20 of this Act. The Department must make every effort to collect this data with the minimal amount of administrative burden to participating LTAC hospitals.

(2) Setting annual benchmarks or targets for the measures in Section 20 of this Act or other measures beyond the minimum required under Section 20. The Department must consult participating LTAC hospitals when setting these benchmarks and targets.

(3) Monitoring compliance with all requirements of this Act.

(b) The Department shall include specific information on the Program in its annual medical programs report.

(c) The Department must establish monitoring procedures that ensure the LTAC supplemental payment is only paid for patients who upon
admission meet the LTAC hospital criteria. The Department must notify qualified LTAC hospitals of the procedures and establish an appeals process as part of those procedures. The Department must recoup any LTAC supplemental payments that are identified as being paid for patients who do not meet the LTAC hospital criteria.

(d) The Department must implement the program by October 1, 2010.

(e) The Department must create and distribute to LTAC hospitals the agreement required under subsection (c) of Section 15 no later than September 1, 2010.

(f) The Department must notify Illinois hospitals which LTAC hospital criteria are approved for use under the program. The Department may limit LTAC hospital criteria to the most strict criteria that meet the definitions of this Act.

(g) (Blank). The Department must identify discharge tools that are considered equivalent to the CARE tool and approved for use under the program. The Department must notify LTAC hospitals which tools are approved for use under the program.

(h) The Department must notify Illinois LTAC hospitals of the program and inform them how to apply for qualification and what the qualification requirements are as described under Section 15 of this Act.

(i) The Department must notify Illinois STAC hospitals about the operation and implementation of the program established by this Act. The Department must also notify LTAC hospitals that accepting transfers from the STAC hospitals identified in paragraphs (1) and (2) under subsection (a) of Section 25 of this Act are not required under paragraph (5) of subsection (c) of Section 15 of this Act. The Department must notify LTAC hospitals that accepting transfers from the STAC hospitals identified in paragraphs (1) and (2) under subsection (a) of Section 25 of this Act shall negatively impact the savings calculations under the Program evaluation required by Section 40 of this Act and shall in turn require the Department to initiate the penalty described in subsection (d) of Section 40 of this Act.

(j) The Department shall deem LTAC hospitals qualified under Section 15 of this Act as qualifying for expedited payments.

(k) The Department may use up to $500,000 of funds contained in the Public Aid Recoveries Trust Fund per State fiscal year to operate the program under this Act. The Department may expand existing contracts, issue new contracts, issue personal service contracts, or purchase other services, supplies, or equipment.

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(l) The Department may promulgate rules as allowed by the Illinois Administrative Procedure Act to implement this Act; however, the requirements under this Act shall be implemented by the Department even if the Department's proposed rules are not yet adopted by the implementation date of October 1, 2010.

(Source: P.A. 96-1130, eff. 7-20-10.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 18, 2014.
Effective August 18, 2014.

PUBLIC ACT 98-0998
(House Bill No. 5678)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Western Illinois University Law is amended by changing Sections 35-40 and 35-45 as follows:

(110 ILCS 690/35-40)
Sec. 35-40. Contracts, conveyances, expenditures. The Board shall have power to enter into contracts and to sue and be sued, provided that any suit against the Board based upon a claim sounding in tort must be filed in the Court of Claims; to acquire by purchase, eminent domain or otherwise, and to hold and convey title to real property as it shall deem appropriate and personal property in accordance with the State Property Control Act, except as otherwise provided in item (14) of Section 35-45 of this Law; and to expend the funds appropriated to or lawfully belonging to the Western Illinois University, provided that the Board in the exercise of the powers conferred by this Article shall not create any liability or indebtedness of funds from the State Treasury in excess of the funds appropriated to Western Illinois University.

All real property acquired by the Board shall be held for the People of the State of Illinois, for the use of Western Illinois University.

Any lease to the Board of lands, buildings or facilities which will support scientific research and development in such areas as high technology, super computing, microelectronics, biotechnology, robotics, physics and engineering shall be for a term not to exceed 18 years, and may grant to the Board the option to purchase the lands, buildings or facilities. The lease shall

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recite that it is subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent payable under the terms of the lease.

Leases for the purposes described herein exceeding 5 years shall have the approval of the Illinois Board of Higher Education.

The Board's power to enter into contracts includes but is not limited to the power to enter into contracts with municipalities within which the University or any branch thereof is located, in whole or in part, for such municipality to provide fire protection or other essential municipal services upon properties leased to for-profit entities the title to which properties is held by the Board. The Board shall pay to the municipality concerned such equitable portion of the cost of providing such fire protection or other essential municipal service as shall be agreed to by the Board, and as part of the compensation for such fire protection the Board may provide land and buildings, or either, for fire stations to be used by the municipality.

(Source: P.A. 89-4, eff. 1-1-96.)

(110 ILCS 690/35-45)

Sec. 35-45. Powers and duties. The Board also shall have power and it shall be its duty:

(1) To make rules, regulations and bylaws, not inconsistent with law, for the government and management of Western Illinois University and its branches;

(2) To employ, and, for good cause, to remove a President of Western Illinois University, and all necessary deans, professors, associate professors, assistant professors, instructors, other educational and administrative assistants, and all other necessary employees, and to prescribe their duties and contract with them upon matters relating to tenure, salaries and retirement benefits in accordance with the State Universities Civil Service Act. Whenever the Board establishes a search committee to fill the position of President of Western Illinois University, there shall be minority representation, including women, on that search committee. The Board shall, upon the written request of an employee of Western Illinois University, withhold from the compensation of that employee any dues, payments or contributions payable by such employee to any labor organization as defined in the Illinois Educational Labor Relations Act. Under such arrangement, an amount shall be withheld from each regular payroll period which is equal to the pro rata share of the annual dues plus any payments or contributions, and the Board shall transmit such withholdings to the specified labor organization within 10 working days from the time of the withholding;

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(3) To prescribe the courses of study to be followed, and textbooks and apparatus to be used at Western Illinois University;

(4) To issue upon the recommendation of the faculty, diplomas to such persons as have satisfactorily completed the required studies of Western Illinois University, and confer such professional and literary degrees as are usually conferred by other institutions of like character for similar or equivalent courses of study, or such as the Board may deem appropriate;

(5) To examine into the conditions, management, and administration of Western Illinois University, to provide the requisite buildings, apparatus, equipment and auxiliary enterprises, and to fix and collect matriculation fees; tuition fees; fees for student activities; fees for student facilities such as student union buildings or field houses or stadia or other recreational facilities; student welfare fees; laboratory fees; and similar fees for supplies and materials. The expense of the building, improving, repairing and supplying fuel and furniture and the necessary appliances and apparatus for conducting Western Illinois University, the reimbursed expenses of members of the Board, and the salaries or compensation of the President, assistants, agents and other employees of Western Illinois University, shall be a charge upon the State Treasury. All other expenses shall be chargeable against students, and the Board shall regulate the charges accordingly;

(6) To succeed to and to administer all trusts, trust property, and gifts now or hereafter belonging or pertaining to Western Illinois University;

(7) To accept endowments of professorships or departments in Western Illinois University from any person who may proffer them and, at regular meetings, to prescribe rules and regulations in relation to endowments and declare on what general principles they may be accepted;

(8) To enter into contracts with the Federal government for providing courses of instruction and other services at Western Illinois University for persons serving in or with the military or naval forces of the United States, and to provide such courses of instruction and other services;

(9) To contract with respect to the Cooperative Computer Center to obtain services related to electronic data processing;

(10) To provide for the receipt and expenditures of Federal funds paid to Western Illinois University by the Federal government for instruction and other services for persons serving in or with the military or naval forces of the United States, and to provide for audits of such funds;

(11) To appoint, subject to the applicable civil service law, persons to be members of the Western Illinois University Police Department. Members of the Police Department shall be conservators of the peace and as
such have all powers possessed by policemen in cities, and sheriffs, including
the power to make arrests on view or warrants of violations of State statutes,
University rules and regulations and city or county ordinances, except that
they may exercise such powers only within counties wherein Western Illinois
University and any of its branches or properties are located when such is
required for the protection of University properties and interests, and its
students and personnel, and otherwise, within such counties, when requested
by appropriate State or local law enforcement officials. However, such
officers shall have no power to serve and execute civil processes.

The Board must authorize to each member of the Western Illinois
University Police Department and to any other employee of Western Illinois
University exercising the powers of a peace officer a distinct badge that, on
its face, (i) clearly states that the badge is authorized by Western Illinois
University and (ii) contains a unique identifying number. No other badge
shall be authorized by Western Illinois University;

(12) The Board may, directly or in cooperation with other institutions
of higher education, acquire by purchase or lease or otherwise, and construct,
enlarge, improve, equip, complete, operate, control and manage research and
high technology parks, together with the necessary lands, buildings, facilities,
equipment, and personal property therefor, to encourage and facilitate (i) the
location and development of business and industry in the State of Illinois, and
(ii) the increased application and development of technology, and (iii) the
improvement and development of the State's economy. The Board may lease
to nonprofit corporations all or any part of the land, buildings, facilities,
equipment or other property included in a research and high technology park
upon such terms and conditions as the Board may deem advisable and enter
into any contract or agreement with such nonprofit corporations as may be
necessary or suitable for the construction, financing, operation and
maintenance and management of any such park; and may lease to any person,
firm, partnership or corporation, either public or private, any part or all of the
land, building, facilities, equipment or other property of such park for such
purposes and upon such rentals, terms and conditions as the Board may deem
advisable; and may finance all or part of the cost of any such park, including
the purchase, lease, construction, reconstruction, improvement, remodeling,
addition to, and extension and maintenance of all or part of such high
technology park, and all equipment and furnishings, by legislative
appropriations, government grants, contracts, private gifts, loans, receipts
from the operation of such high technology park, rentals and similar receipts;

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and may make its other facilities and services available to tenants or other occupants of any such park at rates which are reasonable and appropriate;

(13) To borrow money, as necessary, from time to time in anticipation of receiving tuition, payments from the State of Illinois, or other revenues or receipts of the University, also known as anticipated moneys. The borrowing limit shall be capped at 100% of the total amount of payroll and other expense vouchers submitted and payable to the University for fiscal year 2010 expenses, but unpaid by the State Comptroller's office. Prior to borrowing any funds, the University shall request from the Comptroller's office a verification of the borrowing limit and shall include the estimated date on which such borrowing shall occur. The borrowing limit cap shall be verified by the State Comptroller's office not prior to 45 days before any estimated date for executing any promissory note or line of credit established under this item (13). The principal amount borrowed under a promissory note or line of credit shall not exceed 75% of the borrowing limit. Within 15 days after borrowing funds under any promissory note or line of credit established under this item (13), the University shall submit to the Governor's Office of Management and Budget, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate an Emergency Short Term Cash Management Plan. The Emergency Short Term Cash Management Plan shall outline the amount borrowed, the terms for repayment, the amount of outstanding State vouchers as verified by the State Comptroller's office, and the University's plan for expenditure of any borrowed funds, including, but not limited to, a detailed plan to meet payroll obligations to include collective bargaining employees, civil service employees, and academic, research, and health care personnel. The establishment of any promissory note or line of credit established under this item (13) must be finalized within 90 days after the effective date of this amendatory Act of the 96th General Assembly. The borrowed moneys shall be applied to the purposes of paying salaries and other expenses lawfully authorized in the University's State appropriation and unpaid by the State Comptroller. Any line of credit established under this item (13) shall be paid in full one year after creation or within 10 days after the date the University receives reimbursement from the State for all submitted fiscal year 2010 vouchers, whichever is earlier. Any promissory note established under this item (13) shall be repaid within one year after issuance of the note. The Chairman, Comptroller, or Treasurer of the Board shall execute a promissory note or similar debt instrument to evidence the indebtedness incurred by the borrowing. In connection with a borrowing, the
Board may establish a line of credit with a financial institution, investment bank, or broker/dealer. The obligation to make the payments due under any promissory note or line of credit established under this item (13) shall be a lawful obligation of the University payable from the anticipated moneys. Any borrowing under this item (13) shall not constitute a debt, legal or moral, of the State and shall not be enforceable against the State. The promissory note or line of credit shall be authorized by a resolution passed by the Board and shall be valid whether or not a budgeted item with respect to that resolution is included in any annual or supplemental budget adopted by the Board. The resolution shall set forth facts demonstrating the need for the borrowing, state an amount that the amount to be borrowed will not exceed, and establish a maximum interest rate limit not to exceed the maximum rate authorized by the Bond Authorization Act or 9%, whichever is less. The resolution may direct the Comptroller or Treasurer of the Board to make arrangements to set apart and hold the portion of the anticipated moneys, as received, that shall be used to repay the borrowing, subject to any prior pledges or restrictions with respect to the anticipated moneys. The resolution may also authorize the Treasurer of the Board to make partial repayments of the borrowing as the anticipated moneys become available and may contain any other terms, restrictions, or limitations not inconsistent with the powers of the Board.

For the purposes of this item (13), "financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, and any federally chartered commercial bank or savings and loan association or government-sponsored enterprise organized and operated in this State pursuant to the laws of the United States.

(14) To assist in the provision of lands, buildings, and facilities that are supportive of University purposes and suitable and appropriate for the conduct and operation of the University's education programs, the Board may exercise the following powers with regard to that part of the Southeast Quarter of Section 11, Township 17 North, Range 1 West of the 4th Principal Meridian, the boundary which is described as follows:

From the Northeast corner of Lot 33 of Homewood Terrace Second Addition to the City of Moline in Rock Island County, Illinois, said corner being the point of beginning and being 1272.48 feet South and 526.23 feet East of the center of Section 11; proceed thence South 00 deg.-00'-00" West 179.04 feet along the East line of said Homewood Terrace Second Addition; thence South 34 deg.-30'-00" West 135.00 feet along the East line of said Homewood Terrace Second Addition;

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thence South 34 deg.-22'-33" East 353.34 feet to the East line of the First Section of Homewood 5th Addition to the City of Moline in Rock Island County, Illinois; thence South 21 deg.-14'-01" East 448.00 feet along the East line of said First Section of Homewood 5th Addition to the North Right-of-Way line of Coaltown Road, Moline; thence North 69 deg.-30'-59" East 13.39 feet along the North Right-of-Way of Coaltown Road; thence Northeasterly 302.69 feet along the North Right-of-Way of Coaltown Road around a circular curve to the Right, said curve having an initial tangent bearing of North 69 deg.-30'-59" East and a radius of 1950.08 feet; thence North 49 deg.-29'-56" East 99.18 feet along the North Right-of-Way line of Coaltown Road, Moline, to the West Right-of-Way line of 60th Street, Moline; thence North 09 deg.-29'-20" West 366.24 feet along the West Right-of-Way line of 60th Street, Moline Right-of-Way monument; thence North 10 deg.-10'-03" West 263.50 feet along the West Right-of-Way line of 60th Street, Moline Right-of-Way monument; thence North 01 deg.-45'-57" West 81.37 feet along the West line of 60th Street, Moline; thence Northwesterly 581.39 feet around a circular curve to the right, said curve having an initial tangent bearing of South 89 deg.-27'-55" West and a radius of 1085.00 feet to the point of beginning; Situated in Rock Island County, Illinois.

(A) The Board may sell, lease, or otherwise transfer and convey all or part of the real estate described in this item (14), together with the improvements situated thereon, to a bona fide purchaser for value, without compliance with the State Property Control Act and on such terms as the Board shall determine are in the best interests of the University and consistent with its objects and purposes.

(B) The Board may retain the proceeds from the sale, lease, or other transfer of all or any part of the real estate described in this item (14) in the University treasury, in a special, separate development fund account that the Auditor General shall examine to ensure the use or deposit of those proceeds in a manner consistent with subdivision (C) of this item (14).

(C) Revenues from the development fund account may be withdrawn by the University for the purpose of demolition and the processes associated with demolition; routine land and property acquisition; streetscape work; landscape work; lease and lease purchase arrangements and the professional services associated with

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planning and development; surface and structure parking; sidewalks, recreational paths, and street construction; utility infrastructure; historic preservation; and building rehabilitation. Money from the development fund account used for any other purpose must be deposited into and appropriated from the General Revenue Fund. Buildings or facilities leased to an entity or person other than the University are not subject to any limitations applicable to a State-supported college or university under any law. All development on the land and all use of any buildings or facilities is subject to the control and approval of the Board.

(Source: P.A. 96-909, eff. 6-8-10; 97-333, eff. 8-12-11.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 18, 2014.
Effective August 18, 2014.

PUBLIC ACT 98-0999
(House Bill No. 5681)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Western Illinois University Law is amended by changing Section 35-25 as follows:

(110 ILCS 690/35-25)
Sec. 35-25. Officers; meetings. Members of the Board shall elect annually by secret ballot from their own number a chairman who shall preside over meetings of the Board and a secretary.
Meetings of the Board shall be held at least once each quarter. One of these meetings must be held on the Quad Cities campus of Western Illinois University and all other meetings must be held on the campus of Western Illinois University at Macomb, Illinois. At all regular meetings of the Board, a majority of its members shall constitute a quorum. The student member shall have all of the privileges of membership, including the right to make and second motions, to attend executive sessions, and to vote on all Board matters except those involving faculty tenure, faculty promotion or any issue on which the student member has a direct conflict of interest. Unless the student member is entitled to vote on a measure at a meeting of the Board or any of its committees, he or she shall not be considered a member for the

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purpose of determining whether a quorum is present at the time that measure is voted upon. No action of the Board shall be invalidated by reason of any vacancies on the Board or by reason of any failure to select a student member. Special meetings of the Board may be called by the chairman of the Board or by any 3 members of the Board.

At each regular and special meeting that is open to the public, members of the public and employees of the University shall be afforded time, subject to reasonable constraints, to make comments to or ask questions of the Board.

(Source: P.A. 91-715, eff. 1-1-01; 91-778, eff. 1-1-01; 92-16, eff. 6-28-01.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 18, 2014.
Effective August 18, 2014.

PUBLIC ACT 98-1000
(House Bill No. 5697)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Human Services Act is amended by changing Section 10-26 as follows:

(20 ILCS 1305/10-26)

Sec. 10-26. Disability database.

(a) The Department of Human Services shall compile and maintain a cross-disability database of Illinois residents with a disability who are potentially in need of disability services funded by the Department. The database shall consist of individuals with mental illness, physical disabilities, developmental disabilities, and autism spectrum disorders and shall include, but not be limited to, individuals transitioning from special education to adulthood, individuals in State-operated facilities, individuals in private nursing and residential facilities, and individuals in community-integrated living arrangements. Within 30 days after the effective date of this amendatory Act of the 93rd General Assembly, the Secretary of Human Services shall seek input from advisory bodies to the Department, including advisory councils and committees working with the Department in the areas of mental illness, physical disabilities, and developmental disabilities. The database shall be operational by July 1, 2004. The information collected and

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maintained for the disability database shall include, but is not limited to, the following: (i) the types of services of which the individual is potentially in need; (ii) demographic and identifying information about the individual; (iii) factors indicating need, including diagnoses, assessment information, age of primary caregivers, and current living situation; (iv) if applicable, the date information about the individual is submitted for inclusion in the database and the types of services sought by the individual; and (v) the representative district in which the individual resides. In collecting and maintaining information under this Section, the Department shall give consideration to cost-effective appropriate services for individuals.

(b) This amendatory Act of the 93rd General Assembly does not create any new entitlement to a service, program, or benefit, but shall not affect any entitlement to a service, program, or benefit created by any other law. Except for a service, program, or benefit that is an entitlement, a service, program, or benefit provided as a result of the collection and maintenance of the disability database shall be subject to appropriations made by the General Assembly.

(c) The Department, consistent with applicable federal and State law, shall make general information from the disability database available to the public such as: (i) the number of individuals potentially in need of each type of service, program, or benefit and (ii) the general characteristics of those individuals. The Department shall protect the confidentiality of each individual in the database when releasing database information by not disclosing any personally identifying information.

(d) The Department shall allow legal residents who are dependents of a military service member and who are absent from the State due to the member's military service to be added to the database to indicate the need for services upon return to the State. Should an individual in such a situation be selected from the database to receive services, the individual shall have 6 months from the date of the selection notification to apply for services and another 6 months to commence using such services. In the event an individual is receiving services funded by the Department and the services are disrupted due to the military service member's need for the individual to leave the State because of his or her military service, the services shall be resumed upon the individual's return to the State if the dependent is otherwise eligible. No payment pursuant to this Section or Section 12-4.47 of the Illinois Public Aid Code shall be made for home and community based services provided outside the State of Illinois. A dependent of a military service member shall be required to provide the Department with:

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(a) As used in this Section:
"Dependent" means a spouse, birth child, adopted child, or stepchild of a military service member.
"Legal resident" means a person who maintains Illinois as his or her principal establishment, home of record, or permanent home and to where, whenever absent due to military obligation, he or she intends to return.
"Military service" means service in the armed forces or armed forces reserves of the United States, or membership in the Illinois National Guard.
"Military service member" means a person who is currently in military service or who has separated from military service in the previous 18 months through either retirement or military separation.

(b) A dependent, who is a legal resident of the State, having previously been determined to be eligible for developmental disability services provided by the Department of Human Services, including waiver services provided under the home and community based services programs authorized under Section 1915(c) of the Social Security Act, shall retain eligibility for those developmental disability services as long as he or she remains a legal resident of the State, regardless of having left the State due to the military service member's military assignment outside the State, and as long as he or she is otherwise eligible for such services.

(c) The Department of Human Services shall permit a dependent who resides out-of-state to be placed on the waiting list for developmental disabilities services if the dependent left the State due to the military service member's military assignment outside the State, is otherwise eligible for those services, and furnishes the following:

(1) a copy of the military service member's DD-214 or other equivalent discharge paperwork; and
(2) proof of the military service member's legal residence in the State, as prescribed by the Department.

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(d) For dependents who received developmental disability services and who left the State due to the military service member's military assignment outside the State, upon the dependent's return to the State and when a request for services is made, the Department shall:

(1) determine the dependent's eligibility for services, which may include a request for waiver services provided under the home and community based services programs authorized under Section 1915(c) of the Social Security Act;

(2) provide to the dependent notification of the determination of eligibility for services, which includes notification of a denial of services if applicable;

(3) provide the dependent an opportunity to contest the Department's determination through the appeals processes established by the Department; and

(4) resume services if the individual remains eligible.

(e) As a condition of continued eligibility for services under subsection (b) of this Section, a dependent must inform the Department of his or her current address and provide updates as requested by the Department.

(f) No payment pursuant to this Section shall be made for developmental disability services authorized under the Illinois Title XIX State Plan and provided outside the State unless those services satisfy the conditions specified in 42 CFR 431.52. No payment pursuant to this Section shall be made for home and community based services provided outside the State of Illinois.

(g) The Department shall request a waiver from the appropriate federal agency if a waiver is necessary to implement the provisions of this Section.

(h) The Department may adopt rules necessary to implement the provisions of this Section.

AN ACT concerning regulation.

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

Section 5. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Stroke Data Collection Fund.

Section 10. The Emergency Medical Services (EMS) Systems Act is amended by changing Sections 3.116, 3.117, 3.117.5, 3.118, 3.118.5, 3.119, and 3.226 and by adding Section 3.117.75 as follows:

(210 ILCS 50/3.116)

Sec. 3.116. Hospital Stroke Care; definitions. As used in Sections 3.116 through 3.119, 3.130, 3.200, and 3.226 of this Act:

"Acute Stroke-Ready Hospital" means a hospital that has been designated by the Department as meeting the criteria for providing emergent stroke care. Designation may be provided after a hospital has been certified or through application and designation as such.

"Certification" or "certified" means certification, using evidence-based standards, from a nationally-recognized certifying body approved by the Department.

"Comprehensive Stroke Center" means a hospital that has been certified and has been designated as such.

"Designation" or "designated" means the Department's recognition of a hospital as a Comprehensive Stroke Center, Primary Stroke Center, or Acute Stroke-Ready Hospital.

"Emergent stroke care" is emergency medical care that includes diagnosis and emergency medical treatment of acute stroke patients.

"Emergent Stroke Ready Hospital" means a hospital that has been designated by the Department as meeting the criteria for providing emergent stroke care.

"Primary Stroke Center" means a hospital that has been certified by a Department-approved, nationally-recognized certifying body and designated as such by the Department.

"Regional Stroke Advisory Subcommittee" means a subcommittee formed within each Regional EMS Advisory Committee to advise the Director and the Region's EMS Medical Directors Committee on the triage,

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treatment, and transport of possible acute stroke patients and to select the Region's representative to the State Stroke Advisory Subcommittee. At minimum, the Regional Stroke Advisory Subcommittee shall consist of: one representative from the EMS Medical Directors Committee; one EMS coordinator from a Resource Hospital; one administrative representative or his or her designee from each level of stroke care, including Comprehensive Stroke Centers within the Region, if any, Primary Stroke Centers within the Region, if any, and Acute Stroke-Ready Hospitals within the Region, if any; one physician from each level of stroke care, including one physician who is a neurologist or who provides advanced stroke care at a Comprehensive Stroke Center in the Region, if any, one physician who is a neurologist or who provides acute stroke care at a Primary Stroke Center in the Region, if any, and one physician who provides acute stroke care at an Acute Stroke-Ready Hospital in the Region, if any; one nurse practicing in each level of stroke care, including one nurse from a Comprehensive Stroke Center in the Region, if any, one nurse from a Primary Stroke Center in the Region, if any, and one nurse from an Acute Stroke-Ready Hospital in the Region, if any; one representative from both a public and a private vehicle service provider that transports possible acute stroke patients within the Region; the State-designated regional EMS Coordinator; and a fire chief or his or her designee from the EMS Region, if the Region serves a population of more than 2,000,000. The Regional Stroke Advisory Subcommittee shall establish bylaws to ensure equal membership that rotates and clearly delineates committee responsibilities and structure. Of the members first appointed, one-third shall be appointed for a term of one year, one-third shall be appointed for a term of 2 years, and the remaining members shall be appointed for a term of 3 years. The terms of subsequent appointees shall be 3 years. The Regional Stroke Advisory Subcommittee shall consist of one representative from the EMS Medical Directors Committee; equal numbers of administrative representatives, or their designees, from Primary Stroke Centers within the Region, if any, and from hospitals that are capable of providing emergent stroke care that are not Primary Stroke Centers within the Region; one neurologist from a Primary Stroke Center in the Region, if any; one nurse practicing in a Primary Stroke Center and one nurse from a hospital capable of providing emergent stroke care that is not a Primary Stroke Center; one representative from both a public and a private vehicle service provider which transports possible acute stroke patients within the Region; the State designated regional EMS Coordinator; and in regions that serve a population of over 2,000,000, a fire chief, or designee, from the EMS Region.

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"State Stroke Advisory Subcommittee" means a standing advisory body within the State Emergency Medical Services Advisory Council.
(Source: P.A. 96-514, eff. 1-1-10.)

(210 ILCS 50/3.117)
Sec. 3.117. Hospital Designations.
(a) The Department shall attempt to designate Primary Stroke Centers in all areas of the State.

(1) The Department shall designate as many certified Primary Stroke Centers as apply for that designation provided they are certified by a nationally-recognized certifying body, approved by the Department, and certification criteria are consistent with the most current nationally-recognized, evidence-based stroke guidelines related to reducing the occurrence, disabilities, and death associated with stroke.

(2) A hospital certified as a Primary Stroke Center by a nationally-recognized certifying body approved by the Department, shall send a copy of the Certificate and annual fee to the Department and shall be deemed, within 30 business days of its receipt by the Department, to be a State-designated Primary Stroke Center.

(3) A center designated as a Primary Stroke Center shall pay an annual fee as determined by the Department that shall be no less than $100 and no greater than $500. All fees shall be deposited into the Stroke Data Collection Fund.

(3.5) With respect to a hospital that is a designated Primary Stroke Center, the Department shall have the authority and responsibility to do the following:

(A) Suspend or revoke a hospital's Primary Stroke Center designation upon receiving notice that the hospital's Primary Stroke Center certification has lapsed or has been revoked by the State recognized certifying body.

(B) Suspend a hospital's Primary Stroke Center designation, in extreme circumstances where patients may be at risk for immediate harm or death, until such time as the certifying body investigates and makes a final determination regarding certification.

(C) Restore any previously suspended or revoked Department designation upon notice to the Department that the certifying body has confirmed or restored the Primary

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Stroke Center certification of that previously designated hospital.

(D) Suspend a hospital's Primary Stroke Center designation at the request of a hospital seeking to suspend its own Department designation.

(4) Primary Stroke Center designation shall remain valid at all times while the hospital maintains its certification as a Primary Stroke Center, in good standing, with the certifying body. The duration of a Primary Stroke Center designation shall coincide with the duration of its Primary Stroke Center certification. Each designated Primary Stroke Center shall have its designation automatically renewed upon the Department's receipt of a copy of the accrediting body's certification renewal.

(5) A hospital that no longer meets nationally-recognized, evidence-based standards for Primary Stroke Centers, or loses its Primary Stroke Center certification, shall immediately notify the Department and the Regional EMS Advisory Committee within 5 business days.

(a-5) The Department shall attempt to designate Comprehensive Stroke Centers in all areas of the State.

(1) The Department shall designate as many certified Comprehensive Stroke Centers as apply for that designation, provided that the Comprehensive Stroke Centers are certified by a nationally-recognized certifying body approved by the Department, and provided that the certifying body's certification criteria are consistent with the most current nationally-recognized and evidence-based stroke guidelines for reducing the occurrence of stroke and the disabilities and death associated with stroke.

(2) A hospital certified as a Comprehensive Stroke Center shall send a copy of the Certificate and annual fee to the Department and shall be deemed, within 30 business days of its receipt by the Department, to be a State-designated Comprehensive Stroke Center.

(3) A hospital designated as a Comprehensive Stroke Center shall pay an annual fee as determined by the Department that shall be no less than $100 and no greater than $500. All fees shall be deposited into the Stroke Data Collection Fund.

(4) With respect to a hospital that is a designated Comprehensive Stroke Center, the Department shall have the authority and responsibility to do the following:

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(A) Suspend or revoke the hospital's Comprehensive Stroke Center designation upon receiving notice that the hospital’s Comprehensive Stroke Center certification has lapsed or has been revoked by the State recognized certifying body.

(B) Suspend the hospital's Comprehensive Stroke Center designation, in extreme circumstances in which patients may be at risk for immediate harm or death, until such time as the certifying body investigates and makes a final determination regarding certification.

(C) Restore any previously suspended or revoked Department designation upon notice to the Department that the certifying body has confirmed or restored the Comprehensive Stroke Center certification of that previously designated hospital.

(D) Suspend the hospital's Comprehensive Stroke Center designation at the request of a hospital seeking to suspend its own Department designation.

(5) Comprehensive Stroke Center designation shall remain valid at all times while the hospital maintains its certification as a Comprehensive Stroke Center, in good standing, with the certifying body. The duration of a Comprehensive Stroke Center designation shall coincide with the duration of its Comprehensive Stroke Center certification. Each designated Comprehensive Stroke Center shall have its designation automatically renewed upon the Department’s receipt of a copy of the certifying body's certification renewal.

(6) A hospital that no longer meets nationally-recognized, evidence-based standards for Comprehensive Stroke Centers, or loses its Comprehensive Stroke Center certification, shall notify the Department and the Regional EMS Advisory Committee within 5 business days.

(b) Beginning on the first day of the month that begins 12 months after the adoption of rules authorized by this subsection, the Department shall attempt to designate hospitals as Acute Stroke-Ready Hospitals or Emergent Stroke Ready Hospitals capable of providing emergent stroke care in all areas of the State. Designation may be approved by the Department after a hospital has been certified as an Acute Stroke-Ready Hospital or through application and designation by the Department. For any hospital that is designated as an Emergent Stroke Ready Hospital at the time that the

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Department begins the designation of Acute Stroke-Ready Hospitals, the Emergent Stroke Ready designation shall remain intact for the duration of the 12-month period until that designation expires. Until the Department begins the designation of hospitals as Acute Stroke-Ready Hospitals, hospitals may achieve Emergent Stroke Ready Hospital designation utilizing the processes and criteria provided in Public Act 96-514.

(1) (Blank). The Department shall designate as many Emergent Stroke Ready Hospitals as apply for that designation as long as they meet the criteria in this Act.

(2) Hospitals may apply for, and receive, Acute Stroke-Ready Hospital designation from the Department, provided that the hospital attests, on a form developed by the Department in consultation with the State Stroke Advisory Subcommittee, that it meets, and will continue to meet, the criteria for Emergent Stroke Ready Hospital designation and pays an annual fee.

A hospital designated as an Acute Stroke-Ready Hospital shall pay an annual fee as determined by the Department that shall be no less than $100 and no greater than $500. All fees shall be deposited into the Stroke Data Collection Fund.

(2.5) A hospital may apply for, and receive, Acute Stroke-Ready Hospital designation from the Department, provided that the hospital provides proof of current Acute Stroke-Ready Hospital certification and the hospital pays an annual fee.

(A) Acute Stroke-Ready Hospital designation shall remain valid at all times while the hospital maintains its certification as an Acute Stroke-Ready Hospital, in good standing, with the certifying body.

(B) The duration of an Acute Stroke-Ready Hospital designation shall coincide with the duration of its Acute Stroke-Ready Hospital certification.

(C) Each designated Acute Stroke-Ready Hospital shall have its designation automatically renewed upon the Department’s receipt of a copy of the certifying body’s certification renewal and Application for Stroke Center Designation form.

(D) A hospital must submit a copy of its certification renewal from the certifying body as soon as practical but no later than 30 business days after that certification is received.
by the hospital. Upon the Department's receipt of the renewal certification, the Department shall renew the hospital's Acute Stroke-Ready Hospital designation.

(E) A hospital designated as an Acute Stroke-Ready Hospital shall pay an annual fee as determined by the Department that shall be no less than $100 and no greater than $500. All fees shall be deposited into the Stroke Data Collection Fund.

(3) Hospitals seeking Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation that do not have certification shall develop policies and procedures that are consistent with nationally-recognized, evidence-based protocols for the provision of emergent stroke care. Hospital policies relating to emergent stroke care and stroke patient outcomes shall be reviewed at least annually, or more often as needed, by a hospital committee that oversees quality improvement. Adjustments shall be made as necessary to advance the quality of stroke care delivered. Criteria for Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation of hospitals shall be limited to the ability of a hospital to:

(A) create written acute care protocols related to emergent stroke care;

(A-5) participate in the data collection system provided in Section 3.118, if available;

(B) maintain a written transfer agreement with one or more hospitals that have neurosurgical expertise;

(C) designate a Clinical Director of Stroke Care who shall be a clinical member of the hospital staff with training or experience, as defined by the facility, in the care of patients with cerebrovascular disease. This training or experience may include, but is not limited to, completion of a fellowship or other specialized training in the area of cerebrovascular disease, attendance at national courses, or prior experience in neuroscience intensive care units. The Clinical Director of Stroke Care may be a neurologist, neurosurgeon, emergency medicine physician, internist, radiologist, advanced practice nurse, or physician's assistant director of stroke care, which may be a clinical member of the hospital staff or the designee of the hospital administrator, to oversee the hospital's stroke care policies and procedures;

New matter indicated by italics - deletions by strikeout
(C-5) provide rapid access to an acute stroke team, as defined by the facility, that considers and reflects nationally-recognized, evidenced-based protocols or guidelines;

(D) administer thrombolytic therapy, or subsequently developed medical therapies that meet nationally-recognized, evidence-based stroke guidelines;

(E) conduct brain image tests at all times;

(F) conduct blood coagulation studies at all times; and

(G) maintain a log of stroke patients, which shall be available for review upon request by the Department or any hospital that has a written transfer agreement with the Acute Stroke-Ready Hospital; Emergent Stroke Ready Hospital.

(H) admit stroke patients to a unit that can provide appropriate care that considers and reflects nationally-recognized, evidence-based protocols or guidelines or transfer stroke patients to an Acute Stroke-Ready Hospital, Primary Stroke Center, or Comprehensive Stroke Center, or another facility that can provide the appropriate care that considers and reflects nationally-recognized, evidence-based protocols or guidelines; and

(I) demonstrate compliance with nationally-recognized quality indicators.

(4) With respect to Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation, the Department shall have the authority and responsibility to do the following:

(A) Require hospitals applying for Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation to attest, on a form developed by the Department in consultation with the State Stroke Advisory Subcommittee, that the hospital meets, and will continue to meet, the criteria for an Acute Stroke-Ready a Emergent Stroke Ready Hospital.

(A-5) Require hospitals applying for Acute Stroke-Ready Hospital designation via national Acute Stroke-Ready Hospital certification to provide proof of current Acute Stroke-Ready Hospital certification, in good standing.

The Department shall require a hospital that is already certified as an Acute Stroke-Ready Hospital to send a copy of the Certificate to the Department.
Within 30 business days of the Department's receipt of a hospital's Acute Stroke-Ready Certificate and Application for Stroke Center Designation form that indicates that the hospital is a certified Acute Stroke-Ready Hospital, in good standing, the hospital shall be deemed a State-designated Acute Stroke-Ready Hospital. The Department shall send a designation notice to each hospital that it designates as an Acute Stroke-Ready Hospital and shall add the names of designated Acute Stroke-Ready Hospitals to the website listing immediately upon designation. The Department shall immediately remove the name of a hospital from the website listing when a hospital loses its designation after notice and, if requested by the hospital, a hearing.

The Department shall develop an Application for Stroke Center Designation form that contains a statement that "The above named facility meets the requirements for Acute Stroke-Ready Hospital Designation as provided in Section 3.117 of the Emergency Medical Services (EMS) Systems Act" and shall instruct the applicant facility to provide: the hospital name and address; the hospital CEO or Administrator's typed name and signature; the hospital Clinical Director of Stroke Care's typed name and signature; and a contact person's typed name, email address, and phone number.

The Application for Stroke Center Designation form shall contain a statement that instructs the hospital to "Provide proof of current Acute Stroke-Ready Hospital certification from a nationally-recognized certifying body approved by the Department".

(B) Designate a hospital as an Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital no more than 30 business days after receipt of an attestation that meets the requirements for attestation, unless the Department, within 30 days of receipt of the attestation, chooses to conduct an onsite survey prior to designation. If the Department chooses to conduct an onsite survey prior to designation, then the onsite survey shall be conducted within 90 days of receipt of the attestation.

New matter indicated by italics - deletions by strikeout
(C) Require annual written attestation, on a form developed by the Department in consultation with the State Stroke Advisory Subcommittee, by Acute Stroke-Ready Hospitals to indicate compliance with Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital criteria, as described in this Section, and automatically renew Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation of the hospital.

(D) Issue an Emergency Suspension of Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation when the Director, or his or her designee, has determined that the hospital no longer meets the Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital criteria and an immediate and serious danger to the public health, safety, and welfare exists. If the Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital fails to eliminate the violation immediately or within a fixed period of time, not exceeding 10 days, as determined by the Director, the Director may immediately revoke the Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation. The Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital may appeal the revocation within 15 business days after receiving the Director's revocation order, by requesting an administrative hearing.

(E) After notice and an opportunity for an administrative hearing, suspend, revoke, or refuse to renew an Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital designation, when the Department finds the hospital is not in substantial compliance with current Acute Stroke-Ready Hospital Emergent Stroke Ready Hospital criteria.

(c) The Department shall consult with the State Stroke Advisory Subcommittee for developing the designation, re-designation, and de-designation processes for Comprehensive Stroke Centers, for Primary Stroke Centers, and Acute Stroke-Ready Hospitals Emergent Stroke Ready Hospitals.

(d) The Department shall consult with the State Stroke Advisory Subcommittee as subject matter experts at least annually regarding stroke standards of care.

(Source: P.A. 96-514, eff. 1-1-10; revised 11-12-13.)

(210 ILCS 50/3.117.5)

New matter indicated by italics - deletions by strikeout
Sec. 3.117.5. Hospital Stroke Care; grants.
(a) In order to encourage the establishment and retention of Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals throughout the State, the Director may award, subject to appropriation, matching grants to hospitals to be used for the acquisition and maintenance of necessary infrastructure, including personnel, equipment, and pharmaceuticals for the diagnosis and treatment of acute stroke patients. Grants may be used to pay the fee for certifications by Department approved nationally-recognized certifying bodies or to provide additional training for directors of stroke care or for hospital staff.

(b) The Director may award grant moneys to Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals for developing or enlarging stroke networks, for stroke education, and to enhance the ability of the EMS System to respond to possible acute stroke patients.

(c) A Comprehensive Stroke Center, Primary Stroke Center, or Acute Stroke-Ready Hospital may apply to the Director for a matching grant in a manner and form specified by the Director and shall provide information as the Director deems necessary to determine whether the hospital is eligible for the grant.

(d) Matching grant awards shall be made to Comprehensive Stroke Centers, Primary Stroke Centers, Acute Stroke-Ready Hospitals, or hospitals seeking certification or designation as a Comprehensive Stroke Center, Primary Stroke Center, or Acute Stroke-Ready Hospital. The Department may consider prioritizing grant awards to hospitals in areas with the highest incidence of stroke, taking into account geographic diversity, where possible.

(Source: P.A. 96-514, eff. 1-1-10.)

Sec. 3.117.75. Stroke Data Collection Fund.
(a) The Stroke Data Collection Fund is created as a special fund in the State treasury.

(b) Moneys in the fund shall be used by the Department to support the data collection provided for in Section 3.118 of this Act. Any surplus funds
beyond what are needed to support the data collection provided for in Section 3.118 of this Act shall be used by the Department to support the salary of the Department Stroke Coordinator or for other stroke-care initiatives, including administrative oversight of stroke care.

(210 ILCS 50/3.118)
Sec. 3.118. Reporting.

(a) The Director shall, not later than July 1, 2012, prepare and submit to the Governor and the General Assembly a report indicating the total number of hospitals that have applied for grants, the project for which the application was submitted, the number of those applicants that have been found eligible for the grants, the total number of grants awarded, the name and address of each grantee, and the amount of the award issued to each grantee.

(b) By July 1, 2010, the Director shall send the list of designated Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals designated Acute Stroke-Ready Hospitals to all Resource Hospital EMS Medical Directors in this State and shall post a list of designated Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals on the Department's website, which shall be continuously updated.

(c) The Department shall add the names of designated Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals to the website listing immediately upon designation and shall immediately remove the name when a hospital loses its designation after notice and a hearing.

(d) Stroke data collection systems and all stroke-related data collected from hospitals shall comply with the following requirements:

(1) The confidentiality of patient records shall be maintained in accordance with State and federal laws.

(2) Hospital proprietary information and the names of any hospital administrator, health care professional, or employee shall not be subject to disclosure.

(3) Information submitted to the Department shall be privileged and strictly confidential and shall be used only for the evaluation and improvement of hospital stroke care. Stroke data collected by the Department shall not be directly available to the public and shall not be subject to civil subpoena, nor discoverable or admissible in any civil, criminal, or administrative proceeding against a health care facility or health care professional.
(e) The Department may administer a data collection system to collect data that is already reported by designated Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals to their certifying body, to fulfill Primary Stroke Center certification requirements. Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals may provide data used in submission complete copies of the same reports that are submitted to their certifying body, to satisfy any Department reporting requirements. The Department may require submission of data elements in a format that is used State-wide. In the event the Department establishes reporting requirements for designated Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals, the Department shall permit each designated Comprehensive Stroke Center, Primary Stroke Center, or Acute Stroke-Ready Hospital to capture information using existing electronic reporting tools used for certification purposes. Nothing in this Section shall be construed to empower the Department to specify the form of internal recordkeeping. Three years from the effective date of this amendatory Act of the 96th General Assembly, the Department may post stroke data submitted by Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals on its website, subject to the following:

1. Data collection and analytical methodologies shall be used that meet accepted standards of validity and reliability before any information is made available to the public.

2. The limitations of the data sources and analytic methodologies used to develop comparative hospital information shall be clearly identified and acknowledged, including, but not limited to, the appropriate and inappropriate uses of the data.

3. To the greatest extent possible, comparative hospital information initiatives shall use standard-based norms derived from widely accepted provider-developed practice guidelines.

4. Comparative hospital information and other information that the Department has compiled regarding hospitals shall be shared with the hospitals under review prior to public dissemination of the information. Hospitals have 30 days to make corrections and to add helpful explanatory comments about the information before the publication.

5. Comparisons among hospitals shall adjust for patient case mix and other relevant risk factors and control for provider peer groups, when appropriate.

New matter indicated by italics - deletions by strikeout
(6) Effective safeguards to protect against the unauthorized use or disclosure of hospital information shall be developed and implemented.

(7) Effective safeguards to protect against the dissemination of inconsistent, incomplete, invalid, inaccurate, or subjective hospital data shall be developed and implemented.

(8) The quality and accuracy of hospital information reported under this Act and its data collection, analysis, and dissemination methodologies shall be evaluated regularly.

(9) None of the information the Department discloses to the public under this Act may be used to establish a standard of care in a private civil action.

(10) The Department shall disclose information under this Section in accordance with provisions for inspection and copying of public records required by the Freedom of Information Act, provided that the information satisfies the provisions of this Section.

(11) Notwithstanding any other provision of law, under no circumstances shall the Department disclose information obtained from a hospital that is confidential under Part 21 of Article VIII of the Code of Civil Procedure.

(12) No hospital report or Department disclosure may contain information identifying a patient, employee, or licensed professional.

(Source: P.A. 96-514, eff. 1-1-10.)

(210 ILCS 50/3.118.5)

Sec. 3.118.5. State Stroke Advisory Subcommittee; triage and transport of possible acute stroke patients.

(a) There shall be established within the State Emergency Medical Services Advisory Council, or other statewide body responsible for emergency health care, a standing State Stroke Advisory Subcommittee, which shall serve as an advisory body to the Council and the Department on matters related to the triage, treatment, and transport of possible acute stroke patients. Membership on the Committee shall be as geographically diverse as possible and include one representative from each Regional Stroke Advisory Subcommittee, to be chosen by each Regional Stroke Advisory Subcommittee. The Director shall appoint additional members, as needed, to ensure there is adequate representation from the following:

(1) an EMS Medical Director;

(2) a hospital administrator, or designee, from a Comprehensive Stroke Center or Primary Stroke Center;

New matter indicated by italics - deletions by strikeout
(3) a hospital administrator, or designee, from a hospital capable of providing emergent stroke care that is not a Primary Stroke Center;

(3.5) a hospital administrator, or designee, from an Acute Stroke-Ready Hospital;

(3.10) a registered nurse from a Comprehensive Stroke Center;

(4) a registered nurse from a Primary Stroke Center;

(5) a registered nurse from an Acute Stroke-Ready Hospital a hospital capable of providing emergent stroke care that is not a Primary Stroke Center;

(5.5) a physician providing advanced stroke care from a Comprehensive Stroke center;

(6) a physician providing stroke care neurologist from a Primary Stroke Center;

(7) a physician providing stroke care from an Acute Stroke-Ready Hospital an emergency department physician from a hospital, capable of providing emergent stroke care, that is not a Primary Stroke Center;

(8) an EMS Coordinator;

(9) an acute stroke patient advocate;

(10) a fire chief, or designee, from an EMS Region that serves a population of over 2,000,000 people;

(11) a fire chief, or designee, from a rural EMS Region;

(12) a representative from a private ambulance provider; and

(12.5) a representative from a municipal EMS provider; and

(13) a representative from the State Emergency Medical Services Advisory Council.

(b) Of the members first appointed, 9 members shall be appointed for a term of one year, 7 members shall be appointed for a term of 2 years, and the remaining members shall be appointed for a term of 3 years. The terms of subsequent appointees shall be 3 years.

(c) The State Stroke Advisory Subcommittee shall be provided a 90-day period in which to review and comment upon all rules proposed by the Department pursuant to this Act concerning stroke care, except for emergency rules adopted pursuant to Section 5-45 of the Illinois Administrative Procedure Act. The 90-day review and comment period shall commence prior to publication of the proposed rules and upon the Department's submission of the proposed rules to the individual Committee.
members, if the Committee is not meeting at the time the proposed rules are ready for Committee review.

(d) The State Stroke Advisory Subcommittee shall develop and submit an evidence-based statewide stroke assessment tool to clinically evaluate potential stroke patients to the Department for final approval. Upon approval, the Department shall disseminate the tool to all EMS Systems for adoption. The Director shall post the Department-approved stroke assessment tool on the Department's website. The State Stroke Advisory Subcommittee shall review the Department-approved stroke assessment tool at least annually to ensure its clinical relevancy and to make changes when clinically warranted.

(d-5) Each EMS Regional Stroke Advisory Subcommittee shall submit recommendations for continuing education for pre-hospital personnel to that Region's EMS Medical Directors Committee.

(e) Nothing in this Section shall preclude the State Stroke Advisory Subcommittee from reviewing and commenting on proposed rules which fall under the purview of the State Emergency Medical Services Advisory Council. Nothing in this Section shall preclude the Emergency Medical Services Advisory Council from reviewing and commenting on proposed rules which fall under the purview of the State Stroke Advisory Subcommittee.

(f) The Director shall coordinate with and assist the EMS System Medical Directors and Regional Stroke Advisory Subcommittee within each EMS Region to establish protocols related to the assessment, treatment, and transport of possible acute stroke patients by licensed emergency medical services providers. These protocols shall include regional transport plans for the triage and transport of possible acute stroke patients to the most appropriate Comprehensive Stroke Center, Primary Stroke Center, or Acute Stroke-Ready Hospital–Emergent Stroke-Ready Hospital, unless circumstances warrant otherwise.

(Source: P.A. 96-514, eff. 1-1-10.)

(210 ILCS 50/3.119)

Sec. 3.119. Stroke Care; restricted practices. Sections in this Act pertaining to Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals–Emergent Stroke-Ready Hospitals are not medical practice guidelines and shall not be used to restrict the authority of a hospital to provide services for which it has received a license under State law.

(Source: P.A. 96-514, eff. 1-1-10.)

New matter indicated by italics - deletions by strikeout
Sec. 3.226. Hospital Stroke Care Fund.

(a) The Hospital Stroke Care Fund is created as a special fund in the State treasury for the purpose of receiving appropriations, donations, and grants collected by the Illinois Department of Public Health pursuant to Department designation of Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals. All moneys collected by the Department pursuant to its authority to designate Comprehensive Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready Hospitals shall be deposited into the Fund, to be used for the purposes in subsection (b).

(b) The purpose of the Fund is to allow the Director of the Department to award matching grants:

1. to hospitals that have been certified as Comprehensive Stroke Centers, Primary Stroke Centers, or Acute Stroke-Ready Hospitals;
2. to hospitals that seek certification or designation or both as Comprehensive Stroke Centers, Primary Stroke Centers, or Acute Stroke-Ready Hospitals;
3. to hospitals that have been designated Acute Stroke-Ready Hospitals;
4. to hospitals that seek designation as Acute Stroke-Ready Hospitals; and
5. for the development of stroke networks.

Hospitals may use grant funds to work with the EMS System to improve outcomes of possible acute stroke patients.

(b) The purpose of the Fund is to allow the Director of the Department to award matching grants to hospitals that have been certified Primary Stroke Centers, that seek certification or designation or both as Primary Stroke Centers, that have been designated Emergent Stroke Ready Hospitals, that seek designation as Emergent Stroke Ready Hospitals, and for the development of stroke networks. Hospitals may use grant funds to work with the EMS System to improve outcomes of possible acute stroke patients.

(c) Moneys deposited in the Hospital Stroke Care Fund shall be allocated according to the hospital needs within each EMS region and used solely for the purposes described in this Act.

(d) Interfund transfers from the Hospital Stroke Care Fund shall be prohibited.

(Source: P.A. 96-514, eff. 1-1-10.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 10. The Counties Code is amended by adding Section 5-31022 as follows:

(55 ILCS 5/5-31022 new)
Sec. 5-31022. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits if the district contains territory within only one county, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 15. The Cemetery Maintenance District Act is amended by adding Section 13 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 13. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board of trustees is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 20. The Civic Center Code is amended by adding Section 2-165 as follows:

Sec. 2-165. Cessation of authority organization.
(a) Notwithstanding any other provision of law, if a majority vote of the Board is in favor of the proposition to annex the authority to another authority whose boundaries are contiguous, or consolidate the authority into a municipality with which the authority is coterminous or substantially coterminous, or consolidate the authority into the county in which the authority sits, and if the governing authorities of the governmental unit assuming the functions of the former authority agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed authority, then the authority shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding

New matter indicated by italics - deletions by strikeout
authority, taxing authority, and responsibilities of the authority shall vest in and be assumed by the governmental unit assuming the functions of the former authority.

The employees of the former authority shall be transferred to the governmental unit assuming the functions of the former authority. The governmental unit assuming the functions of the former authority shall exercise the rights and responsibilities of the former authority with respect to those employees. The status and rights of the employees of the former authority under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

(b) Notwithstanding the provisions of Section 2-1 of this Code, the provisions of this Section apply to all Civic Center Authorities created under this Code.

Section 25. The Public Health District Act is amended by adding Section 26 as follows:

(70 ILCS 905/26 new)

Sec. 26. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board of health is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under

New matter indicated by italics - deletions by strikeout
any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 30. The Tuberculosis Sanitarium District Act is amended by adding Section 5.3a as follows:

(70 ILCS 920/5.3a new)

Sec. 5.3a. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board of directors is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 35. The Museum District Act is amended by adding Section 27 as follows:

(70 ILCS 1105/27 new)

Sec. 27. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board of commissioners is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.
territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 40. The Illinois International Port District Act is amended by adding Section 28 as follows:

(70 ILCS 1810/28 new)

Sec. 28. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the Board is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under
any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 45. The Solid Waste Disposal District Act is amended by adding Section 25 as follows:

(70 ILCS 3105/25 new)

Sec. 25. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits if the district contains territory within only one county, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 50. The Street Light District Act is amended by adding Section 11 as follows:

(70 ILCS 3305/11 new)

Sec. 11. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board of trustees is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits if the district contains territory within only one county, and if the governing authorities of the governmental unit assuming the functions of the former district agree by

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resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 55. The Surface Water Protection District Act is amended by adding Section 25 as follows:
(70 ILCS 3405/25 new)

Sec. 25. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board of trustees is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits if the district contains territory within only one county, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under

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any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 60. The Water Service District Act is amended by adding Section 13 as follows:

(70 ILCS 3710/13 new)

Sec. 13. Cessation of district organization. Notwithstanding any other provision of law, if a majority vote of the board of trustees is in favor of the proposition to annex the district to another district whose boundaries are contiguous, or consolidate the district into a municipality with which the district is coterminous or substantially coterminous, or consolidate the district into the county in which the district sits if the district contains territory within only one county, and if the governing authorities of the governmental unit assuming the functions of the former district agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed district, then the district shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district shall vest in and be assumed by the governmental unit assuming the functions of the former district.

The employees of the former district shall be transferred to the governmental unit assuming the functions of the former district. The governmental unit assuming the functions of the former district shall exercise the rights and responsibilities of the former district with respect to those employees. The status and rights of the employees of the former district under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 65. The Water Authorities Act is amended by adding Section 28 as follows:

(70 ILCS 3715/28 new)

Sec. 28. Cessation of authority organization. Notwithstanding any other provision of law, if a majority vote of the board of trustees is in favor of the proposition to annex the authority to another authority whose boundaries are contiguous, or consolidate the authority into a municipality with which the authority is coterminous or substantially coterminous, or

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consolidate the authority into the county in which the authority sits if the authority contains territory within only one county, and if the governing authorities of the governmental unit assuming the functions of the former authority agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed authority, then the authority shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the authority shall vest in and be assumed by the governmental unit assuming the functions of the former authority.

The employees of the former authority shall be transferred to the governmental unit assuming the functions of the former authority. The governmental unit assuming the functions of the former authority shall exercise the rights and responsibilities of the former authority with respect to those employees. The status and rights of the employees of the former authority under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

Section 70. The Water Commission Act of 1985 is amended by adding Section 2.1 as follows:

(70 ILCS 3720/2.1 new)

Sec. 2.1. Cessation of commission organization. Notwithstanding any other provision of law, if a majority vote of the water commission is in favor of the proposition to annex the commission to another commission whose boundaries are contiguous, or consolidate the commission into a municipality with which the commission is coterminous or substantially coterminous, or consolidate the commission into the county in which the commission sits, and if the governing authorities of the governmental unit assuming the functions of the former commission agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed commission, then the commission shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the commission shall vest in and be assumed by the governmental unit assuming the functions of the former commission.

The employees of the former commission shall be transferred to the governmental unit assuming the functions of the former commission. The employees of the former commission shall be transferred to the governmental unit assuming the functions of the former commission. The employees of the former commission shall be transferred to the governmental unit assuming the functions of the former commission.

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governmental unit assuming the functions of the former commission shall exercise the rights and responsibilities of the former commission with respect to those employees. The status and rights of the employees of the former commission under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.


PUBLIC ACT 98-1003
(House Bill No. 5856)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Fire Protection District Act is amended by changing Section 3 as follows:

(70 ILCS 705/3) (from Ch. 127 1/2, par. 23)

Sec. 3. Additional contiguous territory having the qualifications set forth in Section 1 may be added to any fire protection district as provided for in this Act in the manner following:

(a) One percent or more of the legal voters resident within the limits of the proposed addition to the fire protection district may petition the court of the county in which the original petition for the formation of the fire protection district was filed, to cause the question to be submitted to the legal voters of the proposed additional territory whether the proposed additional territory shall become a part of any contiguous fire protection district organized under this Act and whether the voters of the additional territory shall assume a proportionate share of the bonded indebtedness of the district. The petition shall be addressed to the court and shall contain a definite description of the boundaries of the territory to be embraced in the proposed addition and shall allege facts in support of such addition.

Upon filing the petition in the office of the circuit clerk of the county in which the original petition for the formation of the fire protection district was filed, it shall be the duty of the court to fix a time and place of a hearing upon the subject of the petition.

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Notice shall be given by the court, or by the circuit clerk or sheriff upon order of the court of the county in which the petition is filed, of the time and place of a hearing upon the petition in the manner as provided in Section 1. The conduct of the hearing on the question whether the proposed additional territory shall become a part of the fire protection district shall be carried out in the manner described in Section 1, as nearly as may be. The question shall be in substantially the following form:

For joining the.... Fire Protection District and assuming a proportionate share of bonded indebtedness, if any.

Against joining the.... Fire Protection District and assuming a proportionate share of bonded indebtedness, if any.

If a majority of the votes cast at the election upon the question of becoming a part of any contiguous fire protection district are in favor of becoming a part of that fire protection district and if the trustees of the fire protection district accept the proposed additional territory by resolution, the proposed additional territory shall be deemed an integral part of that fire protection district and shall be subject to all the benefits of service and responsibilities of the district as set forth in this Act.

(a-5) Any fire protection district organized under the provisions of this Act may be simultaneously dissolved and consolidated into an adjoining fire protection district upon like petition, hearing and election as is provided under Section 1 of this Act for the organization of such district, except that the ballot for such election shall be in substantially the following form:

Shall the ... Fire Protection District dissolve and be consolidated into the ... Fire Protection District? YES

NO

If a majority of the votes cast on the question at such election are in favor of such dissolution and consolidation, and if the board of trustees of the adjoining district agrees by resolution to accept the territory comprising the
dissolved district, the circuit court of the county in which the petition was filed shall enter an order on the records of the court dissolving and consolidating such district. On the effective date of the simultaneous dissolution and consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the former district shall vest in and be assumed by the fire protection district assuming the territory of the former district.

(b) The owner or owners of any tract or tracts of land, contiguous to an existing fire protection district and not already included in a fire protection district, may file a written petition, addressed to the trustees of the fire protection district to which they seek to have their tract or tracts of land attached, containing a definite description of the boundaries of the territory and a statement that they desire that their property become a part of the fire protection district to which their petition is addressed, and that they are willing that their property assume a proportionate share of the bonded indebtedness, if any, of the fire protection district.

When such a petition is filed with the trustees, they shall immediately pass a resolution to accept or reject the territory proposed to be attached. If the trustees resolve in favor of accepting the territory, they shall file with the court of the county where the fire protection district was organized the original petition and a certified copy of the resolution, and the court shall then enter an order stating that the proposed annexed territory shall be deemed an integral part of that fire protection district and subject to all of the benefits of service and responsibilities of the district. The circuit clerk shall transmit a certified copy of the order to the county clerk of each county in which any of the territory affected is situated and to the State Fire Marshal.

(c) Upon the annexation of territory by a district, the boundary shall extend to the far side of any adjacent highway and shall include all of every highway within the area annexed. These highways shall be considered to be annexed even though not included in the legal description set forth in the petition for annexation.

(Source: P.A. 85-556; 86-1191.)

Passed in the General Assembly May 27, 2014.
Approved August 18, 2014.
Effective January 1, 2015.

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AN ACT concerning State government.

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

Section 5. The Illinois Public Labor Relations Act is amended by changing Sections 3 and 7 as follows:

(5 ILCS 315/3) (from Ch. 48, par. 1603)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Board" means the Illinois Labor Relations Board or, with respect to a matter over which the jurisdiction of the Board is assigned to the State Panel or the Local Panel under Section 5, the panel having jurisdiction over the matter.

(b) "Collective bargaining" means bargaining over terms and conditions of employment, including hours, wages, and other conditions of employment, as detailed in Section 7 and which are not excluded by Section 4.

(c) "Confidential employee" means an employee who, in the regular course of his or her duties, assists and acts in a confidential capacity to persons who formulate, determine, and effectuate management policies with regard to labor relations or who, in the regular course of his or her duties, has authorized access to information relating to the effectuation or review of the employer's collective bargaining policies.

(d) "Craft employees" means skilled journeymen, crafts persons, and their apprentices and helpers.

(e) "Essential services employees" means those public employees performing functions so essential that the interruption or termination of the function will constitute a clear and present danger to the health and safety of the persons in the affected community.

(f) "Exclusive representative", except with respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, means the labor organization that has been (i) designated by the Board as the representative of a majority of public employees in an appropriate bargaining unit in accordance with the procedures contained in this Act, (ii) historically recognized by the State of Illinois or any political subdivision of the State before July 1, 1984 (the effective date of this Act) as

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the exclusive representative of the employees in an appropriate bargaining unit, (iii) after July 1, 1984 (the effective date of this Act) recognized by an employer upon evidence, acceptable to the Board, that the labor organization has been designated as the exclusive representative by a majority of the employees in an appropriate bargaining unit; (iv) recognized as the exclusive representative of personal care attendants or personal assistants under Executive Order 2003-8 prior to the effective date of this amendatory Act of the 93rd General Assembly, and the organization shall be considered to be the exclusive representative of the personal care attendants or personal assistants as defined in this Section; or (v) recognized as the exclusive representative of child and day care home providers, including licensed and license exempt providers, pursuant to an election held under Executive Order 2005-1 prior to the effective date of this amendatory Act of the 94th General Assembly, and the organization shall be considered to be the exclusive representative of the child and day care home providers as defined in this Section.

With respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, "exclusive representative" means the labor organization that has been (i) designated by the Board as the representative of a majority of peace officers or fire fighters in an appropriate bargaining unit in accordance with the procedures contained in this Act, (ii) historically recognized by the State of Illinois or any political subdivision of the State before January 1, 1986 (the effective date of this amendatory Act of 1985) as the exclusive representative by a majority of the peace officers or fire fighters in an appropriate bargaining unit, or (iii) after January 1, 1986 (the effective date of this amendatory Act of 1985) recognized by an employer upon evidence, acceptable to the Board, that the labor organization has been designated as the exclusive representative by a majority of the peace officers or fire fighters in an appropriate bargaining unit.

Where a historical pattern of representation exists for the workers of a water system that was owned by a public utility, as defined in Section 3-105 of the Public Utilities Act, prior to becoming certified employees of a municipality or municipalities once the municipality or municipalities have acquired the water system as authorized in Section 11-124-5 of the Illinois Municipal Code, the Board shall find the labor organization that has historically represented the workers to be the exclusive representative under this Act, and shall find the unit represented by the exclusive representative to be the appropriate unit.
(g) "Fair share agreement" means an agreement between the employer and an employee organization under which all or any of the employees in a collective bargaining unit are required to pay their proportionate share of the costs of the collective bargaining process, contract administration, and pursuing matters affecting wages, hours, and other conditions of employment, but not to exceed the amount of dues uniformly required of members. The amount certified by the exclusive representative shall not include any fees for contributions related to the election or support of any candidate for political office. Nothing in this subsection (g) shall preclude an employee from making voluntary political contributions in conjunction with his or her fair share payment.

(g-1) "Fire fighter" means, for the purposes of this Act only, any person who has been or is hereafter appointed to a fire department or fire protection district or employed by a state university and sworn or commissioned to perform fire fighter duties or paramedic duties, except that the following persons are not included: part-time fire fighters, auxiliary, reserve or voluntary fire fighters, including paid on-call fire fighters, clerks and dispatchers or other civilian employees of a fire department or fire protection district who are not routinely expected to perform fire fighter duties, or elected officials.

(g-2) "General Assembly of the State of Illinois" means the legislative branch of the government of the State of Illinois, as provided for under Article IV of the Constitution of the State of Illinois, and includes but is not limited to the House of Representatives, the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, the Joint Committee on Legislative Support Services and any legislative support services agency listed in the Legislative Commission Reorganization Act of 1984.

(h) "Governing body" means, in the case of the State, the State Panel of the Illinois Labor Relations Board, the Director of the Department of Central Management Services, and the Director of the Department of Labor; the county board in the case of a county; the corporate authorities in the case of a municipality; and the appropriate body authorized to provide for expenditures of its funds in the case of any other unit of government.

(i) "Labor organization" means any organization in which public employees participate and that exists for the purpose, in whole or in part, of dealing with a public employer concerning wages, hours, and other terms and conditions of employment, including the settlement of grievances.

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(i-5) "Legislative liaison" means a person who is an employee of a State agency, the Attorney General, the Secretary of State, the Comptroller, or the Treasurer, as the case may be, and whose job duties require the person to regularly communicate in the course of his or her employment with any official or staff of the General Assembly of the State of Illinois for the purpose of influencing any legislative action.

(j) "Managerial employee" means an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices. With respect only to State employees in positions under the jurisdiction of the Attorney General, Secretary of State, Comptroller, or Treasurer (i) that were certified in a bargaining unit on or after December 2, 2008, (ii) for which a petition is filed with the Illinois Public Labor Relations Board on or after April 5, 2013 (the effective date of Public Act 97-1172), or (iii) for which a petition is pending before the Illinois Public Labor Relations Board on that date, "managerial employee" means an individual who is engaged in executive and management functions or who is charged with the effectuation of management policies and practices or who represents management interests by taking or recommending discretionary actions that effectively control or implement policy. Nothing in this definition prohibits an individual from also meeting the definition of "supervisor" under subsection (r) of this Section.

(k) "Peace officer" means, for the purposes of this Act only, any persons who have been or are hereafter appointed to a police force, department, or agency and sworn or commissioned to perform police duties, except that the following persons are not included: part-time police officers, special police officers, auxiliary police as defined by Section 3.1-30-20 of the Illinois Municipal Code, night watchmen, "merchant police", court security officers as defined by Section 3-6012.1 of the Counties Code, temporary employees, traffic guards or wardens, civilian parking meter and parking facilities personnel or other individuals specially appointed to aid or direct traffic at or near schools or public functions or to aid in civil defense or disaster, parking enforcement employees who are not commissioned as peace officers and who are not armed and who are not routinely expected to effect arrests, parking lot attendants, clerks and dispatchers or other civilian employees of a police department who are not routinely expected to effect arrests, or elected officials.

(l) "Person" includes one or more individuals, labor organizations, public employees, associations, corporations, legal representatives, trustees,

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trustees in bankruptcy, receivers, or the State of Illinois or any political subdivision of the State or governing body, but does not include the General Assembly of the State of Illinois or any individual employed by the General Assembly of the State of Illinois.

(m) "Professional employee" means any employee engaged in work predominantly intellectual and varied in character rather than routine mental, manual, mechanical or physical work; involving the consistent exercise of discretion and adjustment in its performance; of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from apprenticeship or from training in the performance of routine mental, manual, or physical processes; or any employee who has completed the courses of specialized intellectual instruction and study prescribed in this subsection (m) and is performing related work under the supervision of a professional person to qualify to become a professional employee as defined in this subsection (m).

(n) "Public employee" or "employee", for the purposes of this Act, means any individual employed by a public employer, including (i) interns and residents at public hospitals, (ii) as of the effective date of this amendatory Act of the 93rd General Assembly, but not before, personal care attendants and personal assistants working under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, subject to the limitations set forth in this Act and in the Disabled Persons Rehabilitation Act, (iii) as of the effective date of this amendatory Act of the 94th General Assembly, but not before, child and day care home providers participating in the child care assistance program under Section 9A-11 of the Illinois Public Aid Code, subject to the limitations set forth in this Act and in Section 9A-11 of the Illinois Public Aid Code, (iv) as of January 29, 2013 (the effective date of Public Act 97-1158), but not before except as otherwise provided in this subsection (n), home care and home health workers who function as personal care attendants; personal assistants; and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, no matter whether the State provides those services through direct fee-for-service arrangements, with the assistance of a managed care organization or other intermediary, or otherwise, (v) beginning on the effective date of this amendatory Act of the 98th General Assembly.

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Assembly and notwithstanding any other provision of this Act, any person employed by a public employer and who is classified as or who holds the employment title of Chief Stationary Engineer, Assistant Chief Stationary Engineer, Sewage Plant Operator, Water Plant Operator, Stationary Engineer, Plant Operating Engineer, and any other employee who holds the position of: Civil Engineer V, Civil Engineer VI, Civil Engineer VII, Technical Manager I, Technical Manager II, Technical Manager III, Technical Manager IV, Technical Manager V, Technical Manager VI, Realty Specialist III, Realty Specialist IV, Realty Specialist V, Technical Advisor I, Technical Advisor II, Technical Advisor III, Technical Advisor IV, or Technical Advisor V employed by the Department of Transportation who is in a position which is certified in a bargaining unit on or before the effective date of this amendatory Act of the 98th General Assembly, and (vi) beginning on the effective date of this amendatory Act of the 98th General Assembly and notwithstanding any other provision of this Act, any mental health administrator in the Department of Corrections who is classified as or who holds the position of Public Service Administrator (Option 8K), any employee of the Office of the Inspector General in the Department of Human Services who is classified as or who holds the position of Public Service Administrator (Option 7), any Deputy of Intelligence in the Department of Corrections who is classified as or who holds the position of Public Service Administrator (Option 7), and any employee of the Department of State Police who handles issues concerning the Illinois State Police Sex Offender Registry and who is classified as or holds the position of Public Service Administrator (Option 7), but excluding all of the following: employees of the General Assembly of the State of Illinois; elected officials; executive heads of a department; members of boards or commissions; the Executive Inspectors General; any special Executive Inspectors General; employees of each Office of an Executive Inspector General; commissioners and employees of the Executive Ethics Commission; the Auditor General's Inspector General; employees of the Office of the Auditor General's Inspector General; the Legislative Inspector General; any special Legislative Inspectors General; employees of the Office of the Legislative Inspector General; commissioners and employees of the Legislative Ethics Commission; employees of any agency, board or commission created by this Act; employees appointed to State positions of a temporary or emergency nature; all employees of school districts and higher education institutions except firefighters and peace officers employed by a state university and except peace officers employed by a school district in its own police department in

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existence on the effective date of this amendatory Act of the 96th General Assembly; managerial employees; short-term employees; legislative liaisons; a person who is a State employee under the jurisdiction of the Office of the Attorney General who is licensed to practice law or whose position authorizes, either directly or indirectly, meaningful input into government decision-making on issues where there is room for principled disagreement on goals or their implementation; a person who is a State employee under the jurisdiction of the Office of the Comptroller who holds the position of Public Service Administrator or whose position is otherwise exempt under the Comptroller Merit Employment Code; a person who is a State employee under the jurisdiction of the Secretary of State who holds the position classification of Executive I or higher, whose position authorizes, either directly or indirectly, meaningful input into government decision-making on issues where there is room for principled disagreement on goals or their implementation, or who is otherwise exempt under the Secretary of State Merit Employment Code; employees in the Office of the Secretary of State who are completely exempt from jurisdiction B of the Secretary of State Merit Employment Code and who are in Rutan-exempt positions on or after April 5, 2013 (the effective date of Public Act 97-1172); a person who is a State employee under the jurisdiction of the Treasurer who holds a position that is exempt from the State Treasurer Employment Code; any employee of a State agency who (i) holds the title or position of, or exercises substantially similar duties as a legislative liaison, Agency General Counsel, Agency Chief of Staff, Agency Executive Director, Agency Deputy Director, Agency Chief Fiscal Officer, Agency Human Resources Director, Public Information Officer, or Chief Information Officer and (ii) was neither included in a bargaining unit nor subject to an active petition for certification in a bargaining unit; any employee of a State agency who (i) is in a position that is Rutan-exempt, as designated by the employer, and completely exempt from jurisdiction B of the Personnel Code and (ii) was neither included in a bargaining unit nor subject to an active petition for certification in a bargaining unit; any term appointed employee of a State agency pursuant to Section 8b.18 or 8b.19 of the Personnel Code who was neither included in a bargaining unit nor subject to an active petition for certification in a bargaining unit; any employment position properly designated pursuant to Section 6.1 of this Act; confidential employees; independent contractors; and supervisors except as provided in this Act.

Home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health

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workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act shall not be considered public employees for any purposes not specifically provided for in Public Act 93-204 or Public Act 97-1158, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act shall not be covered by the State Employees Group Insurance Act of 1971 (5 ILCS 375/).

Child and day care home providers shall not be considered public employees for any purposes not specifically provided for in this amendatory Act of the 94th General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Child and day care home providers shall not be covered by the State Employees Group Insurance Act of 1971.

Notwithstanding Section 9, subsection (c), or any other provisions of this Act, all peace officers above the rank of captain in municipalities with more than 1,000,000 inhabitants shall be excluded from this Act.

(o) Except as otherwise in subsection (o-5), "public employer" or "employer" means the State of Illinois; any political subdivision of the State, unit of local government or school district; authorities including departments, divisions, bureaus, boards, commissions, or other agencies of the foregoing entities; and any person acting within the scope of his or her authority, express or implied, on behalf of those entities in dealing with its employees. As of the effective date of the amendatory Act of the 93rd General Assembly, but not before, the State of Illinois shall be considered the employer of the personal care attendants and personal assistants working under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, subject to the limitations set forth in this Act and in the Disabled Persons Rehabilitation Act. As of January 29, 2013 (the effective date of Public Act 97-1158), but not before except as otherwise provided in this subsection (o), the State shall be considered the employer of home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, no matter whether the State provides those services through direct fee-for-service arrangements, with the assistance of a managed

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care organization or other intermediary, or otherwise, but subject to the limitations set forth in this Act and the Disabled Persons Rehabilitation Act. The State shall not be considered to be the employer of home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act, for any purposes not specifically provided for in Public Act 93-204 or Public Act 97-1158, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also work under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act shall not be covered by the State Employees Group Insurance Act of 1971 (5 ILCS 375/).

As of the effective date of this amendatory Act of the 94th General Assembly but not before, the State of Illinois shall be considered the employer of the day and child care home providers participating in the child care assistance program under Section 9A-11 of the Illinois Public Aid Code, subject to the limitations set forth in this Act and in Section 9A-11 of the Illinois Public Aid Code. The State shall not be considered to be the employer of child and day care home providers for any purposes not specifically provided for in this amendatory Act of the 94th General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Child and day care home providers shall not be covered by the State Employees Group Insurance Act of 1971.

"Public employer" or "employer" as used in this Act, however, does not mean and shall not include the General Assembly of the State of Illinois, the Executive Ethics Commission, the Offices of the Executive Inspectors General, the Legislative Ethics Commission, the Office of the Legislative Inspector General, the Office of the Auditor General's Inspector General, the Office of the Governor, the Governor's Office of Management and Budget, the Illinois Finance Authority, the Office of the Lieutenant Governor, the State Board of Elections, and educational employers or employers as defined in the Illinois Educational Labor Relations Act, except with respect to a state university in its employment of firefighters and peace officers and except with respect to a school district in the employment of peace officers in its own police department in existence on the effective date of this amendatory Act of the 96th General Assembly. County boards and county sheriffs shall be designated as joint or co-employers of county peace officers appointed

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under the authority of a county sheriff. Nothing in this subsection (o) shall be construed to prevent the State Panel or the Local Panel from determining that employers are joint or co-employers.

(o-5) With respect to wages, fringe benefits, hours, holidays, vacations, proficiency examinations, sick leave, and other conditions of employment, the public employer of public employees who are court reporters, as defined in the Court Reporters Act, shall be determined as follows:

(1) For court reporters employed by the Cook County Judicial Circuit, the chief judge of the Cook County Circuit Court is the public employer and employer representative.

(2) For court reporters employed by the 12th, 18th, 19th, and, on and after December 4, 2006, the 22nd judicial circuits, a group consisting of the chief judges of those circuits, acting jointly by majority vote, is the public employer and employer representative.

(3) For court reporters employed by all other judicial circuits, a group consisting of the chief judges of those circuits, acting jointly by majority vote, is the public employer and employer representative.

(p) "Security employee" means an employee who is responsible for the supervision and control of inmates at correctional facilities. The term also includes other non-security employees in bargaining units having the majority of employees being responsible for the supervision and control of inmates at correctional facilities.

(q) "Short-term employee" means an employee who is employed for less than 2 consecutive calendar quarters during a calendar year and who does not have a reasonable assurance that he or she will be rehired by the same employer for the same service in a subsequent calendar year.

(q-5) "State agency" means an agency directly responsible to the Governor, as defined in Section 3.1 of the Executive Reorganization Implementation Act, and the Illinois Commerce Commission, the Illinois Workers' Compensation Commission, the Civil Service Commission, the Pollution Control Board, the Illinois Racing Board, and the Department of State Police Merit Board.

(r) "Supervisor" is:

(1) An employee whose principal work is substantially different from that of his or her subordinates and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, to adjust their grievances, or to effectively recommend any of those

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actions, if the exercise of that authority is not of a merely routine or clerical nature, but requires the consistent use of independent judgment. Except with respect to police employment, the term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising that authority, State supervisors notwithstanding. Nothing in this definition prohibits an individual from also meeting the definition of "managerial employee" under subsection (j) of this Section. In addition, in determining supervisory status in police employment, rank shall not be determinative. The Board shall consider, as evidence of bargaining unit inclusion or exclusion, the common law enforcement policies and relationships between police officer ranks and certification under applicable civil service law, ordinances, personnel codes, or Division 2.1 of Article 10 of the Illinois Municipal Code, but these factors shall not be the sole or predominant factors considered by the Board in determining police supervisory status.

Notwithstanding the provisions of the preceding paragraph, in determining supervisory status in fire fighter employment, no fire fighter shall be excluded as a supervisor who has established representation rights under Section 9 of this Act. Further, in new fire fighter units, employees shall consist of fire fighters of the rank of company officer and below. If a company officer otherwise qualifies as a supervisor under the preceding paragraph, however, he or she shall not be included in the fire fighter unit. If there is no rank between that of chief and the highest company officer, the employer may designate a position on each shift as a Shift Commander, and the persons occupying those positions shall be supervisors. All other ranks above that of company officer shall be supervisors.

(2) With respect only to State employees in positions under the jurisdiction of the Attorney General, Secretary of State, Comptroller, or Treasurer (i) that were certified in a bargaining unit on or after December 2, 2008, (ii) for which a petition is filed with the Illinois Public Labor Relations Board on or after April 5, 2013 (the effective date of Public Act 97-1172), or (iii) for which a petition is pending before the Illinois Public Labor Relations Board on that date, an employee who qualifies as a supervisor under (A) Section 152 of the National Labor Relations Act and (B) orders of the National Labor Relations Board interpreting that provision or
decisions of courts reviewing decisions of the National Labor Relations Board.

(s)(1) "Unit" means a class of jobs or positions that are held by employees whose collective interests may suitably be represented by a labor organization for collective bargaining. Except with respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, a bargaining unit determined by the Board shall not include both employees and supervisors, or supervisors only, except as provided in paragraph (2) of this subsection (s) and except for bargaining units in existence on July 1, 1984 (the effective date of this Act). With respect to non-State fire fighters and paramedics employed by fire departments and fire protection districts, non-State peace officers, and peace officers in the Department of State Police, a bargaining unit determined by the Board shall not include both supervisors and nonsupervisors, or supervisors only, except as provided in paragraph (2) of this subsection (s) and except for bargaining units in existence on January 1, 1986 (the effective date of this amendatory Act of 1985). A bargaining unit determined by the Board to contain peace officers shall contain no employees other than peace officers unless otherwise agreed to by the employer and the labor organization or labor organizations involved. Notwithstanding any other provision of this Act, a bargaining unit, including a historical bargaining unit, containing sworn peace officers of the Department of Natural Resources (formerly designated the Department of Conservation) shall contain no employees other than such sworn peace officers upon the effective date of this amendatory Act of 1990 or upon the expiration date of any collective bargaining agreement in effect upon the effective date of this amendatory Act of 1990 covering both such sworn peace officers and other employees.

(2) Notwithstanding the exclusion of supervisors from bargaining units as provided in paragraph (1) of this subsection (s), a public employer may agree to permit its supervisory employees to form bargaining units and may bargain with those units. This Act shall apply if the public employer chooses to bargain under this subsection.

(3) Public employees who are court reporters, as defined in the Court Reporters Act, shall be divided into 3 units for collective bargaining purposes. One unit shall be court reporters employed by the Cook County Judicial Circuit; one unit shall be court reporters employed by the 12th, 18th, 19th, and, on and after December 4, 2006, the 22nd judicial circuits; and one unit shall be court reporters employed by all other judicial circuits.

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(t) "Active petition for certification in a bargaining unit" means a petition for certification filed with the Board under one of the following case numbers: S-RC-11-110; S-RC-11-098; S-UC-11-080; S-RC-11-086; S-RC-11-074; S-RC-11-076; S-RC-11-078; S-UC-11-052; S-UC-11-054; S-RC-11-062; S-RC-11-060; S-RC-11-042; S-RC-11-014; S-RC-11-016; S-RC-11-020; S-RC-11-030; S-RC-11-004; S-RC-10-244; S-RC-10-228; S-RC-10-222; S-RC-10-220; S-RC-10-214; S-RC-10-196; S-RC-10-194; S-RC-10-178; S-RC-10-176; S-RC-10-162; S-RC-10-156; S-RC-10-088; S-RC-10-074; S-RC-10-076; S-RC-10-078; S-RC-10-060; S-RC-10-070; S-RC-10-044; S-RC-10-038; S-RC-10-040; S-RC-10-042; S-RC-10-018; S-RC-10-024; S-RC-10-004; S-RC-10-006; S-RC-10-008; S-RC-10-010; S-RC-10-012; S-RC-09-202; S-RC-09-182; S-RC-09-180; S-RC-09-156; S-UC-09-196; S-UC-09-198; S-RC-08-130; S-RC-07-110; or S-RC-07-100.

(Source: P.A. 97-586, eff. 8-26-11; 97-1158, eff. 1-29-13; 97-1172, eff. 4-5-13; 98-100, eff. 7-19-13.)

(5 ILCS 315/7) (from Ch. 48, par. 1607)

Sec. 7. Duty to bargain. A public employer and the exclusive representative have the authority and the duty to bargain collectively set forth in this Section.

For the purposes of this Act, "to bargain collectively" means the performance of the mutual obligation of the public employer or his designated representative and the representative of the public employees to meet at reasonable times, including meetings in advance of the budget-making process, and to negotiate in good faith with respect to wages, hours, and other conditions of employment, not excluded by Section 4 of this Act, or the negotiation of an agreement, or any question arising thereunder and the execution of a written contract incorporating any agreement reached if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making of a concession.

The duty "to bargain collectively" shall also include an obligation to negotiate over any matter with respect to wages, hours and other conditions of employment, not specifically provided for in any other law or not specifically in violation of the provisions of any law. If any other law pertains, in part, to a matter affecting the wages, hours and other conditions of employment, such other law shall not be construed as limiting the duty "to bargain collectively" and to enter into collective bargaining agreements containing clauses which either supplement, implement, or relate to the effect of such provisions in other laws.
The duty "to bargain collectively" shall also include negotiations as to the terms of a collective bargaining agreement. The parties may, by mutual agreement, provide for arbitration of impasses resulting from their inability to agree upon wages, hours and terms and conditions of employment to be included in a collective bargaining agreement. Such arbitration provisions shall be subject to the Illinois "Uniform Arbitration Act" unless agreed by the parties.

The duty "to bargain collectively" shall also mean that no party to a collective bargaining contract shall terminate or modify such contract, unless the party desiring such termination or modification:

1. serves a written notice upon the other party to the contract of the proposed termination or modification 60 days prior to the expiration date thereof, or in the event such contract contains no expiration date, 60 days prior to the time it is proposed to make such termination or modification;

2. offers to meet and confer with the other party for the purpose of negotiating a new contract or a contract containing the proposed modifications;

3. notifies the Board within 30 days after such notice of the existence of a dispute, provided no agreement has been reached by that time; and

4. continues in full force and effect, without resorting to strike or lockout, all the terms and conditions of the existing contract for a period of 60 days after such notice is given to the other party or until the expiration date of such contract, whichever occurs later.

The duties imposed upon employers, employees and labor organizations by paragraphs (2), (3) and (4) shall become inapplicable upon an intervening certification of the Board, under which the labor organization, which is a party to the contract, has been superseded as or ceased to be the exclusive representative of the employees pursuant to the provisions of subsection (a) of Section 9, and the duties so imposed shall not be construed as requiring either party to discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract.

Collective bargaining for home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers under the Home Services Program shall be limited to the terms and conditions of employment under the State's

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control, as defined in Public Act 93-204 or this amendatory Act of the 97th General Assembly, as applicable.

Collective bargaining for child and day care home providers under the child care assistance program shall be limited to the terms and conditions of employment under the State's control, as defined in this amendatory Act of the 94th General Assembly.

Notwithstanding any other provision of this Section, whenever collective bargaining is for the purpose of establishing an initial agreement following original certification of units with fewer than 35 employees, with respect to public employees other than peace officers, fire fighters, and security employees, the following apply:

(1) Not later than 10 days after receiving a written request for collective bargaining from a labor organization that has been newly certified as a representative as defined in Section 6(c), or within such further period as the parties agree upon, the parties shall meet and commence to bargain collectively and shall make every reasonable effort to conclude and sign a collective bargaining agreement.

(2) If anytime after the expiration of the 90-day period beginning on the date on which bargaining is commenced the parties have failed to reach an agreement, either party may notify the Illinois Public Labor Relations Board of the existence of a dispute and request mediation in accordance with the provisions of Section 14 of this Act.

(3) If after the expiration of the 30-day period beginning on the date on which mediation commenced, or such additional period as the parties may agree upon, the mediator is not able to bring the parties to agreement by conciliation, either the exclusive representative of the employees or the employer may request of the other, in writing, arbitration and shall submit a copy of the request to the board. Upon submission of the request for arbitration, the parties shall be required to participate in the impasse arbitration procedures set forth in Section 14 of this Act, except the right to strike shall not be considered waived pursuant to Section 17 of this Act, until the actual convening of the arbitration hearing.

(Source: P.A. 96-598, eff. 1-1-10; 97-1158, eff. 1-29-13.)

Section 10. The Disabled Persons Rehabilitation Act is amended by changing Section 3 and by adding Section 5b as follows:

(20 ILCS 2405/3) (from Ch. 23, par. 3434)
(Text of Section from P.A. 97-732)

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Sec. 3. Powers and duties. The Department shall have the powers and duties enumerated herein:

(a) To co-operate with the federal government in the administration of the provisions of the federal Rehabilitation Act of 1973, as amended, of the Workforce Investment Act of 1998, and of the federal Social Security Act to the extent and in the manner provided in these Acts.

(b) To prescribe and supervise such courses of vocational training and provide such other services as may be necessary for the habilitation and rehabilitation of persons with one or more disabilities, including the administrative activities under subsection (e) of this Section; and to co-operate with State and local school authorities and other recognized agencies engaged in habilitation, rehabilitation and comprehensive rehabilitation services; and to cooperate with the Department of Children and Family Services regarding the care and education of children with one or more disabilities.

(c) (Blank).

(d) To report in writing, to the Governor, annually on or before the first day of December, and at such other times and in such manner and upon such subjects as the Governor may require. The annual report shall contain (1) a statement of the existing condition of comprehensive rehabilitation services; habilitation and rehabilitation in the State; (2) a statement of suggestions and recommendations with reference to the development of comprehensive rehabilitation services; habilitation and rehabilitation in the State; and (3) an itemized statement of the amounts of money received from federal, State and other sources, and of the objects and purposes to which the respective items of these several amounts have been devoted.

(e) (Blank).

(f) To establish a program of services to prevent unnecessary institutionalization of persons with Alzheimer's disease and related disorders or persons in need of long term care who are established as blind or disabled as defined by the Social Security Act, thereby enabling them to remain in their own homes or other living arrangements. Such preventive services may include, but are not limited to, any or all of the following:

(1) home health services;
(2) home nursing services;
(3) homemaker services;
(4) chore and housekeeping services;
(5) day care services;
(6) home-delivered meals;

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(7) education in self-care;
(8) personal care services;
(9) adult day health services;
(10) habilitation services;
(11) respite care; or
(12) other nonmedical social services that may enable the person to become self-supporting.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the population for whom they are to be provided. Such eligibility standards may be based on the recipient's ability to pay for services; provided, however, that any portion of a person's income that is equal to or less than the "protected income" level shall not be considered by the Department in determining eligibility. The "protected income" level shall be determined by the Department, shall never be less than the federal poverty standard, and shall be adjusted each year to reflect changes in the Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor. The standards must provide that a person may have not more than $10,000 in assets to be eligible for the services, and the Department may increase the asset limitation by rule. Additionally, in determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

The services shall be provided to eligible persons to prevent unnecessary or premature institutionalization, to the extent that the cost of the services, together with the other personal maintenance expenses of the persons, are reasonably related to the standards established for care in a group facility appropriate to their condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Illinois Department on Aging. The Department shall set rates and fees for services in a fair and equitable manner. Services identical to those offered by the Department on Aging shall be paid at the same rate.

Personal care attendants shall be paid:

(i) A $5 per hour minimum rate beginning July 1, 1995.
(ii) A $5.30 per hour minimum rate beginning July 1, 1997.

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(iii) A $5.40 per hour minimum rate beginning July 1, 1998.

Solely for the purposes of coverage under the Illinois Public Labor Relations Act (5 ILCS 315/), personal care attendants and personal assistants providing services under the Department's Home Services Program shall be considered to be public employees and the State of Illinois shall be considered to be their employer as of the effective date of this amendatory Act of the 93rd General Assembly, but not before. The State shall engage in collective bargaining with an exclusive representative of personal care attendants and personal assistants working under the Home Services Program concerning their terms and conditions of employment that are within the State's control. Nothing in this paragraph shall be understood to limit the right of the persons receiving services defined in this Section to hire and fire personal care attendants and personal assistants or supervise them within the limitations set by the Home Services Program. The State shall not be considered to be the employer of personal care attendants and personal assistants for any purposes not specifically provided in this amendatory Act of the 93rd General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Personal care attendants and personal assistants shall not be covered by the State Employees Group Insurance Act of 1971 (5 ILCS 375/).

The Department shall execute, relative to the nursing home prescreening project, as authorized by Section 4.03 of the Illinois Act on the Aging, written inter-agency agreements with the Department on Aging and the Department of Public Aid (now Department of Healthcare and Family Services), to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 18 through 59 years of age shall be conducted by the Department.

The Department is authorized to establish a system of recipient cost-sharing for services provided under this Section. The cost-sharing shall be based upon the recipient's ability to pay for services, but in no case shall the recipient's share exceed the actual cost of the services provided. Protected income shall not be considered by the Department in its determination of the recipient's ability to pay a share of the cost of services. The level of cost-sharing shall be adjusted each year to reflect changes in the "protected income" level. The Department shall deduct from the recipient's share of the

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cost of services any money expended by the recipient for disability-related expenses.

The Department, or the Department's authorized representative, shall recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department and the Department on Aging shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before March 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act.

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(g) To establish such subdivisions of the Department as shall be desirable and assign to the various subdivisions the responsibilities and duties placed upon the Department by law.

(h) To cooperate and enter into any necessary agreements with the Department of Employment Security for the provision of job placement and job referral services to clients of the Department, including job service registration of such clients with Illinois Employment Security offices and making job listings maintained by the Department of Employment Security available to such clients:

(i) To possess all powers reasonable and necessary for the exercise and administration of the powers, duties and responsibilities of the Department which are provided for by law:

(j) To establish a procedure whereby new providers of personal care attendant services shall submit vouchers to the State for payment two times during their first month of employment and one time per month thereafter. In no case shall the Department pay personal care attendants an hourly wage that is less than the federal minimum wage:

(k) To provide adequate notice to providers of chore and housekeeping services informing them that they are entitled to an interest payment on bills which are not promptly paid pursuant to Section 3 of the State Prompt Payment Act.

(l) To establish, operate and maintain a Statewide Housing Clearinghouse of information on available, government subsidized housing accessible to disabled persons and available privately owned housing accessible to disabled persons. The information shall include but not be limited to the location, rental requirements, access features and proximity to public transportation of available housing. The Clearinghouse shall consist of at least a computerized database for the storage and retrieval of information and a separate or shared toll free telephone number for use by those seeking information from the Clearinghouse. Department offices and personnel throughout the State shall also assist in the operation of the Statewide Housing Clearinghouse. Cooperation with local, State and federal housing managers shall be sought and extended in order to frequently and promptly update the Clearinghouse's information:

(m) To assure that the names and case records of persons who received or are receiving services from the Department, including persons receiving vocational rehabilitation, home services, or other services, and those attending one of the Department's schools or other supervised facility shall be confidential and not be open to the general public. Those case

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records and reports of the information contained in those records and reports shall be disclosed by the Director only to proper law enforcement officials, individuals authorized by a court, the General Assembly or any committee or commission of the General Assembly, and other persons and for reasons as the Director designates by rule. Disclosure by the Director may be only in accordance with other applicable law.

(Source: P.A. 97-732, eff. 6-30-12.)

(Text of Section from P.A. 97-1019)

Sec. 3. Powers and duties. The Department shall have the powers and duties enumerated herein:

(a) To co-operate with the federal government in the administration of the provisions of the federal Rehabilitation Act of 1973, as amended, of the Workforce Investment Act of 1998, and of the federal Social Security Act to the extent and in the manner provided in these Acts.

(b) To prescribe and supervise such courses of vocational training and provide such other services as may be necessary for the habilitation and rehabilitation of persons with one or more disabilities, including the administrative activities under subsection (e) of this Section, and to co-operate with State and local school authorities and other recognized agencies engaged in habilitation, rehabilitation and comprehensive rehabilitation services; and to cooperate with the Department of Children and Family Services regarding the care and education of children with one or more disabilities.

(c) (Blank).

(d) To report in writing, to the Governor, annually on or before the first day of December, and at such other times and in such manner and upon such subjects as the Governor may require. The annual report shall contain (1) a statement of the existing condition of comprehensive rehabilitation services, habilitation and rehabilitation in the State; (2) a statement of suggestions and recommendations with reference to the development of comprehensive rehabilitation services, habilitation and rehabilitation in the State; and (3) an itemized statement of the amounts of money received from federal, State and other sources, and of the objects and purposes to which the respective items of these several amounts have been devoted.

(e) (Blank).

(f) To establish a program of services to prevent the unnecessary institutionalization of persons in need of long term care and who meet the criteria for blindness or disability as defined by the Social Security Act,
thereby enabling them to remain in their own homes. Such preventive services include any or all of the following:

1. personal assistant services;
2. homemaker services;
3. home-delivered meals;
4. adult day care services;
5. respite care;
6. home modification or assistive equipment;
7. home health services;
8. electronic home response;
9. brain injury behavioral/cognitive services;
10. brain injury habilitation;
11. brain injury pre-vocational services; or
12. brain injury supported employment.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the population for whom they are to be provided. Such eligibility standards may be based on the recipient’s ability to pay for services; provided, however, that any portion of a person’s income that is equal to or less than the "protected income" level shall not be considered by the Department in determining eligibility. The "protected income" level shall be determined by the Department, shall never be less than the federal poverty standard, and shall be adjusted each year to reflect changes in the Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor. The standards must provide that a person may not have more than $10,000 in assets to be eligible for the services, and the Department may increase or decrease the asset limitation by rule. The Department may not decrease the asset level below $10,000.

The services shall be provided, as established by the Department by rule, to eligible persons to prevent unnecessary or premature institutionalization, to the extent that the cost of the services, together with the other personal maintenance expenses of the persons, are reasonably related to the standards established for care in a group facility appropriate to their condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Illinois Department on Aging. The Department shall set rates and fees for services in a fair and equitable manner. Services identical to those offered by the Department on Aging shall be paid at the same rate.

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Personal assistants shall be paid at a rate negotiated between the State and an exclusive representative of personal assistants under a collective bargaining agreement. In no case shall the Department pay personal assistants an hourly wage that is less than the federal minimum wage.

Solely for the purposes of coverage under the Illinois Public Labor Relations Act (5 ILCS 315/), personal assistants providing services under the Department's Home Services Program shall be considered to be public employees and the State of Illinois shall be considered to be their employer as of the effective date of this amendatory Act of the 93rd General Assembly, but not before. Solely for the purposes of coverage under the Illinois Public Labor Relations Act, home care and home health workers who function as personal assistants and individual maintenance home health workers and who also provide services under the Department's Home Services Program shall be considered to be public employees, no matter whether the State provides such services through direct fee-for-service arrangements, with the assistance of a managed care organization or other intermediary, or otherwise, and the State of Illinois shall be considered to be the employer of those persons as of January 29, 2013 (the effective date of Public Act 97-1158), but not before except as otherwise provided under this subsection (f).

The State shall engage in collective bargaining with an exclusive representative of home care and home health workers who function as personal assistants and individual maintenance home health workers working under the Home Services Program concerning their terms and conditions of employment that are within the State's control. Nothing in this paragraph shall be understood to limit the right of the persons receiving services defined in this Section to hire and fire home care and home health workers who function as personal assistants and individual maintenance home health workers working under the Home Services Program or to supervise them within the limitations set by the Home Services Program. The State shall not be considered to be the employer of home care and home health workers who function as personal assistants and individual maintenance home health workers working under the Home Services Program for any purposes not specifically provided in Public Act 93-204 or Public Act 97-1158 this amendatory Act of the 93rd General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Home care and home health workers who function as personal assistants and individual maintenance home health workers and who also provide services under the Department's Home Services Program shall be considered to be public employees, no matter whether the State provides such services through direct fee-for-service arrangements, with the assistance of a managed care organization or other intermediary, or otherwise, and the State of Illinois shall be considered to be the employer of those persons as of January 29, 2013 (the effective date of Public Act 97-1158), but not before except as otherwise provided under this subsection (f).

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Services Program shall not be covered by the State Employees Group Insurance Act of 1971 (5 ILCS 375/).

The Department shall execute, relative to nursing home prescreening, as authorized by Section 4.03 of the Illinois Act on the Aging, written inter-agency agreements with the Department on Aging and the Department of Healthcare and Family Services, to effect the intake procedures and eligibility criteria for those persons who may need long term care. On and after July 1, 1996, all nursing home prescreenings for individuals 18 through 59 years of age shall be conducted by the Department, or a designee of the Department.

The Department is authorized to establish a system of recipient cost-sharing for services provided under this Section. The cost-sharing shall be based upon the recipient's ability to pay for services, but in no case shall the recipient's share exceed the actual cost of the services provided. Protected income shall not be considered by the Department in its determination of the recipient's ability to pay a share of the cost of services. The level of cost-sharing shall be adjusted each year to reflect changes in the "protected income" level. The Department shall deduct from the recipient's share of the cost of services any money expended by the recipient for disability-related expenses.

To the extent permitted under the federal Social Security Act, the Department, or the Department's authorized representative, may recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate.

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"Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department shall submit an annual report on programs and services provided under this Section. The report shall be filed with the Governor and the General Assembly on or before March 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act.

(g) To establish such subdivisions of the Department as shall be desirable and assign to the various subdivisions the responsibilities and duties placed upon the Department by law.

(h) To cooperate and enter into any necessary agreements with the Department of Employment Security for the provision of job placement and job referral services to clients of the Department, including job service registration of such clients with Illinois Employment Security offices and making job listings maintained by the Department of Employment Security available to such clients.

(i) To possess all powers reasonable and necessary for the exercise and administration of the powers, duties and responsibilities of the Department which are provided for by law.

(j) (Blank).

(k) (Blank).

(l) To establish, operate and maintain a Statewide Housing Clearinghouse of information on available, government subsidized housing accessible to disabled persons and available privately owned housing accessible to disabled persons. The information shall include but not be limited to the location, rental requirements, access features and proximity to public transportation of available housing. The Clearinghouse shall consist of at least a computerized database for the storage and retrieval of information and a separate or shared toll free telephone number for use by those seeking information from the Clearinghouse. Department offices and personnel throughout the State shall also assist in the operation of the Clearinghouse.

New matter indicated by italics - deletions by strikeout
Statewide Housing Clearinghouse. Cooperation with local, State and federal housing managers shall be sought and extended in order to frequently and promptly update the Clearinghouse's information.

(m) To assure that the names and case records of persons who received or are receiving services from the Department, including persons receiving vocational rehabilitation, home services, or other services, and those attending one of the Department's schools or other supervised facility shall be confidential and not be open to the general public. Those case records and reports or the information contained in those records and reports shall be disclosed by the Director only to proper law enforcement officials, individuals authorized by a court, the General Assembly or any committee or commission of the General Assembly, and other persons and for reasons as the Director designates by rule. Disclosure by the Director may be only in accordance with other applicable law.

(Source: P.A. 97-1019, eff. 8-17-12.)

(Original Section from P.A. 97-1158)

Sec. 3. Powers and duties. The Department shall have the powers and duties enumerated herein:

(a) To cooperate with the federal government in the administration of the provisions of the federal Rehabilitation Act of 1973, as amended, of the Workforce Investment Act of 1998, and of the federal Social Security Act to the extent and in the manner provided in these Acts.

(b) To prescribe and supervise such courses of vocational training and provide such other services as may be necessary for the habilitation and rehabilitation of persons with one or more disabilities, including the administrative activities under subsection (e) of this Section, and to cooperate with State and local school authorities and other recognized agencies engaged in habilitation, rehabilitation and comprehensive rehabilitation services; and to cooperate with the Department of Children and Family Services regarding the care and education of children with one or more disabilities.

(c) (Blank)

(d) To report in writing, to the Governor, annually on or before the first day of December, and at such other times and in such manner and upon such subjects as the Governor may require. The annual report shall contain (1) a statement of the existing condition of comprehensive rehabilitation services, habilitation and rehabilitation in the State; (2) a statement of suggestions and recommendations with respect to the development of comprehensive rehabilitation services, habilitation and rehabilitation in the
State; and (3) an itemized statement of the amounts of money received from federal, State and other sources, and of the objects and purposes to which the respective items of these several amounts have been devoted:

(e) (Blank)

(f) To establish a program of services to prevent unnecessary institutionalization of persons with Alzheimer's disease and related disorders or persons in need of long term care who are established as blind or disabled as defined by the Social Security Act, thereby enabling them to remain in their own homes or other living arrangements. Such preventive services may include but are not limited to, any or all of the following:

(1) home health services;
(2) home nursing services;
(3) homemaker services;
(4) chore and housekeeping services;
(5) day care services;
(6) home-delivered meals;
(7) education in self-care;
(8) personal care services;
(9) adult day health services;
(10) habilitation services;
(11) respite care; or
(12) other nonmedical social services that may enable the person to become self-supporting.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the population for whom they are to be provided. Such eligibility standards may be based on the recipient's ability to pay for services; provided, however, that any portion of a person's income that is equal to or less than the "protected income" level shall not be considered by the Department in determining eligibility. The "protected income" level shall be determined by the Department in determining eligibility. The "protected income" level shall be determined by the Department, shall never be less than the federal poverty standard, and shall be adjusted each year to reflect changes in the Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor. The standards must provide that a person may have not more than $10,000 in assets to be eligible for the services, and the Department may increase the asset limitation by rule. Additionally, in determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal
but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

The services shall be provided to eligible persons to prevent unnecessary or premature institutionalization, to the extent that the cost of the services, together with the other personal maintenance expenses of the persons, are reasonably related to the standards established for care in a group facility appropriate to their condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Illinois Department on Aging.

Personal care attendants shall be paid:

(i) A $5 per hour minimum rate beginning July 1, 1995.
(ii) A $5.30 per hour minimum rate beginning July 1, 1997.
(iii) A $5.40 per hour minimum rate beginning July 1, 1998.

Solely for the purposes of coverage under the Illinois Public Labor Relations Act (5 ILCS 315/), personal care attendants and personal assistants providing services under the Department's Home Services Program shall be considered to be public employees, and the State of Illinois shall be considered to be their employer as of the effective date of this amendatory Act of the 93rd General Assembly, but not before. Solely for the purposes of coverage under the Illinois Public Labor Relations Act, home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also provide services under the Department's Home Services Program shall be considered to be public employees, no matter whether the State provides such services through direct fee-for-service arrangements, with the assistance of a managed care organization or other intermediary, or otherwise, and the State of Illinois shall be considered to be the employer of those persons as of the effective date of this amendatory Act of the 97th General Assembly, but not before except as otherwise provided under this subsection (f). The State shall engage in collective bargaining with an exclusive representative of home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers working under the Home Services Program concerning their terms and conditions of employment that are within the State's control. Nothing in this paragraph shall be understood to limit the right of the persons receiving services defined in this Section to hire and fire home care and home health workers who function as personal care attendants, personal assistants, and individual...

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maintenance home health workers working under the Home Services Program or to supervise them within the limitations set by the Home Services Program. The State shall not be considered to be the employer of home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers working under the Home Services Program for any purposes not specifically provided in Public Act 93-204 or this amendatory Act of the 97th General Assembly, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and who also provide services under the Department's Home Services Program shall not be covered by the State Employees Group Insurance Act of 1971 (5 ILCS 375/).

The Department shall execute, relative to the nursing home prescreening project, as authorized by Section 4.03 of the Illinois Act on the Aging, written inter-agency agreements with the Department on Aging and the Department of Public Aid (now Department of Healthcare and Family Services), to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 18 through 59 years of age shall be conducted by the Department. The Department is authorized to establish a system of recipient cost-sharing for services provided under this Section. The cost-sharing shall be based upon the recipient's ability to pay for services, but in no case shall the recipient's share exceed the actual cost of the services provided. Protected income shall not be considered by the Department in its determination of the recipient's ability to pay a share of the cost of services. The level of cost-sharing shall be adjusted each year to reflect changes in the "protected income" level. The Department shall deduct from the recipient's share of the cost of services any money expended by the recipient for disability-related expenses.

The Department, or the Department's authorized representative, shall recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time

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when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the
death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled;
provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department and the Department on Aging shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before March 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act.

(g) To establish such subdivisions of the Department as shall be desirable and assign to the various subdivisions the responsibilities and duties placed upon the Department by law.

(h) To cooperate and enter into any necessary agreements with the Department of Employment Security for the provision of job placement and job referral services to clients of the Department, including job service registration of such clients with Illinois Employment Security offices and making job listings maintained by the Department of Employment Security available to such clients.

New matter indicated by italics - deletions by strikeout
(i) To possess all powers reasonable and necessary for the exercise and administration of the powers, duties and responsibilities of the Department which are provided for by law.

(j) To establish a procedure whereby new providers of personal care attendant services shall submit vouchers to the State for payment two times during their first month of employment and one time per month thereafter. In no case shall the Department pay personal care attendants an hourly wage that is less than the federal minimum wage.

(k) To provide adequate notice to providers of chore and housekeeping services informing them that they are entitled to an interest payment on bills which are not promptly paid pursuant to Section 3 of the State Prompt Payment Act.

(l) To establish, operate and maintain a Statewide Housing Clearinghouse of information on available, government subsidized housing accessible to disabled persons and available privately owned housing accessible to disabled persons. The information shall include but not be limited to the location, rental requirements, access features and proximity to public transportation of available housing. The Clearinghouse shall consist of at least a computerized database for the storage and retrieval of information and a separate or shared toll free telephone number for use by those seeking information from the Clearinghouse. Department offices and personnel throughout the State shall also assist in the operation of the Statewide Housing Clearinghouse. Cooperation with local, State and federal housing managers shall be sought and extended in order to frequently and promptly update the Clearinghouse's information.

(m) To assure that the names and case records of persons who received or are receiving services from the Department, including persons receiving vocational rehabilitation, home services, or other services, and those attending one of the Department's schools or other supervised facility shall be confidential and not be open to the general public. Those case records and reports or the information contained in those records and reports shall be disclosed by the Director only to proper law enforcement officials; individuals authorized by a court, the General Assembly or any committee or commission of the General Assembly, and other persons and for reasons as the Director designates by rule. Disclosure by the Director may be only in accordance with other applicable law.

(Source: P.A. 97-1158, eff. 1-29-13.)

(20 ILCS 2405/5b new)

Sec. 5b. Home Services Medicaid Trust Fund.

New matter indicated by italics - deletions by strikeout
(a) The Home Services Medicaid Trust Fund is hereby created as a special fund in the State treasury.
(b) Amounts paid to the State during each State fiscal year by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered in relation to the Department's Home Services Program established pursuant to Section 3 of the Disabled Persons Rehabilitation Act, and any interest earned thereon, shall be deposited into the Fund.
(c) Moneys in the Fund may be used by the Department for the purchase of services, and operational and administrative expenses, in relation to the Home Services Program.

Section 15. The Mental Health and Developmental Disabilities Administrative Act is amended by repealing Section 18.7.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 23, 2014.
Approved August 18, 2014.
Effective August 18, 2014.

PUBLIC ACT 98-1005
(Senate Bill No. 0125)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The General Assembly Operations Act is amended by adding Section 15 as follows:

Sec. 15. Loan or donation of presidential items. Notwithstanding any provision of law to the contrary, the Secretary of the Senate may loan or donate to a presidential library or museum any books, items, furniture, equipment, or other materials or property of former Illinois State Senator Barack Obama in the possession or control of the Senate on terms and conditions the Secretary of the Senate deems to be in the best interests of the State. Any such loan or donation shall be made in writing, a copy of which shall be filed with the Secretary of State and the Architect of the Capitol.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 27, 2014.
Approved August 18, 2014.
Effective August 18, 2014.
AN ACT concerning public health.

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

Section 5. The Illinois Rural/Downstate Health Act is amended by changing Section 5.5 as follows:

(410 ILCS 65/5.5)
Sec. 5.5. Rural/Downstate Health Access Fund.

(a) The Rural/Downstate Health Access Fund is created as a special fund in the State treasury. Moneys from fees and gifts, grants, or donations made to the Center for Rural Health shall be deposited into the Fund. Subject to appropriation and except as provided in subsection (b) of this Section, moneys in the Fund shall be used in the following manner for rural health programs or for programs for the medically underserved authorized under this Act: 60.2% shall be distributed to the Department of Public Health, 26.3% shall be distributed to the Board of Trustees of Southern Illinois University, and 13.5% shall be distributed to the Board of Trustees of the University of Illinois.

(b) The Center for Rural Health at the Department of Public Health may require that a J-1 Visa Waiver Program application fee be collected from international medical graduates for the purpose of administering the Program. J-1 Visa Waiver Program application fees shall be deposited into the Rural/Downstate Health Access Fund, shall be dedicated to the administration of the J-1 Visa Waiver Program in Illinois, and may not be subject to the distribution formula referenced in subsection (a) of this Section.

(c) The Center for Rural Health shall administer the Fund.

(d) The Department shall adopt rules necessary to implement the provisions of this Section.

(Source: P.A. 88-312; 88-535; 88-670, eff. 12-2-94.)

Passed in the General Assembly May 23, 2014.
Approved August 18, 2014.
Effective January 1, 2015.
AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Section 805.1 as follows:

(215 ILCS 5/805.1)

Sec. 805.1. Mine Subsidence Coverage.

(a) Beginning January 1, 1994, every policy issued or renewed insuring a residence on a direct basis shall include, at a separately stated premium, residential coverage unless waived in writing by the insured. Beginning January 1, 1994, every policy issued or renewed insuring a commercial building on a direct basis shall include at a separately stated premium, commercial coverage unless waived in writing by the insured. Beginning January 1, 1994, every policy issued or renewed insuring a living unit on a direct basis shall include, at a separately stated premium, living unit coverage unless waived in writing by the insured.

(b) If the insured has previously waived mine subsidence coverage in writing, the insurer or agent need not offer mine subsidence coverage in any renewal or supplementary policy in connection with a policy previously issued to such insured by the same insurer, unless the insured subsequently makes a written request for mine subsidence coverage.

(c) The premium charged for residential, commercial or living unit coverage shall be the premium level set by the Fund. The loss covered shall be the loss in excess of the deductible or retention established by the Fund and contained in a mine subsidence endorsement to the policy. For all policies issued or renewed on or after January 1, 2008, the reinsured loss per residence, per commercial building, and per living unit shall be the amounts established by the Fund and approved by the Director. For all policies issued or renewed on or after January 1, 1996, the amount of reinsurance available from the Fund shall not be less than $200,000 per residence, $200,000 per commercial building, or $15,000 per living unit. The Fund may, from time to time, adjust the amount of reinsurance available as long as the minimum set by this Section is met.

(d) The residential coverage provided pursuant to this Article may also cover the additional living expenses reasonably and necessarily incurred by the owner of a residence who has been temporarily displaced as the direct

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result of damage to the residence caused by mine subsidence if the underlying policy also covers this type of loss, provided however, that the loss covered under living unit coverage shall be limited to losses to improvements and betterments, and reimbursement of additional living expenses and assessments made against the insured on account of mine subsidence loss.

(e) The total amount of the loss reimbursable to an insurer shall be limited to the amount of insurance reinsured by the Fund in force at the time when the damage first becomes reasonably observable. All damage caused by a single mine subsidence event or several subsidence events which are continuous shall constitute one occurrence. As set forth in subsections (a) and (c) of this Section, a policy issued or renewed must provide coverage, unless waived in writing by the insured, and the insurer must continue to charge the premium level set for that coverage by the Fund. If mine subsidence coverage is in force when the mine subsidence damage first becomes reasonably observable, then the insurer shall notify the insured making the mine subsidence claim that continuation of that coverage thereafter may not be necessary and is optional, but that continued coverage on the damaged residence or commercial building shall terminate only upon written waiver by the insured. The notification shall be made within 60 days after the insurer receives written confirmation from the Fund that the cause of loss is active mine subsidence. The notification shall be in the form of a separate mailing to the insured from the insurer via the United States Postal Service and shall include notification to the insured that mine subsidence premiums paid for coverage on a damaged residence or commercial building subsequent to the established date of loss shall be refunded to the insured within 60 days after the insurer provides a signed waiver of mine subsidence coverage to the insurer. The notification shall be accompanied by a waiver of coverage form for the insured to sign and return to the insurer.

(f) No insurer shall be required to offer mine subsidence coverage in excess of the reinsured limits.

(Source: P.A. 95-92, eff. 1-1-08; 95-334, eff. 1-1-08.)
Passed in the General Assembly May 23, 2014.
Approved August 18, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 14-7.02 as follows:

(105 ILCS 5/14-7.02) (from Ch. 122, par. 14-7.02)

Sec. 14-7.02. Children attending private schools, public out-of-state schools, public school residential facilities or private special education facilities. The General Assembly recognizes that non-public schools or special education facilities provide an important service in the educational system in Illinois.

If because of his or her disability the special education program of a district is unable to meet the needs of a child and the child attends a non-public school or special education facility, a public out-of-state school or a special education facility owned and operated by a county government unit that provides special educational services required by the child and is in compliance with the appropriate rules and regulations of the State Superintendent of Education, the school district in which the child is a resident shall pay the actual cost of tuition for special education and related services provided during the regular school term and during the summer school term if the child's educational needs so require, excluding room, board and transportation costs charged the child by that non-public school or special education facility, public out-of-state school or county special education facility, or $4,500 per year, whichever is less, and shall provide him any necessary transportation. "Nonpublic special education facility" shall include a residential facility, within or without the State of Illinois, which provides special education and related services to meet the needs of the child by utilizing private schools or public schools, whether located on the site or off the site of the residential facility.

The State Board of Education shall promulgate rules and regulations for determining when placement in a private special education facility is appropriate. Such rules and regulations shall take into account the various types of services needed by a child and the availability of such services to the particular child in the public school. In developing these rules and regulations the State Board of Education shall consult with the Advisory Council on Education of Children with Disabilities and hold public hearings to secure

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recommendations from parents, school personnel, and others concerned about this matter.

The State Board of Education shall also promulgate rules and regulations for transportation to and from a residential school. Transportation to and from home to a residential school more than once each school term shall be subject to prior approval by the State Superintendent in accordance with the rules and regulations of the State Board.

A school district making tuition payments pursuant to this Section is eligible for reimbursement from the State for the amount of such payments actually made in excess of the district per capita tuition charge for students not receiving special education services. Such reimbursement shall be approved in accordance with Section 14-12.01 and each district shall file its claims, computed in accordance with rules prescribed by the State Board of Education, on forms prescribed by the State Superintendent of Education. Data used as a basis of reimbursement claims shall be for the preceding regular school term and summer school term. Each school district shall transmit its claims to the State Board of Education on or before August 15. The State Board of Education, before approving any such claims, shall determine their accuracy and whether they are based upon services and facilities provided under approved programs. Upon approval the State Board shall cause vouchers to be prepared showing the amount due for payment of reimbursement claims to school districts, for transmittal to the State Comptroller on the 30th day of September, December, and March, respectively, and the final voucher, no later than June 20. If the money appropriated by the General Assembly for such purpose for any year is insufficient, it shall be apportioned on the basis of the claims approved.

No child shall be placed in a special education program pursuant to this Section if the tuition cost for special education and related services increases more than 10 percent over the tuition cost for the previous school year or exceeds $4,500 per year unless such costs have been approved by the Illinois Purchased Care Review Board. The Illinois Purchased Care Review Board shall consist of the following persons, or their designees: the Directors of Children and Family Services, Public Health, Public Aid, and the Governor's Office of Management and Budget; the Secretary of Human Services; the State Superintendent of Education; and such other persons as the Governor may designate. The Review Board shall also consist of one non-voting member who is an administrator of a private, nonpublic, special education school. The Review Board shall establish rules and regulations for its determination of allowable costs and payments made by local school

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districts for special education, room and board, and other related services provided by non-public schools or special education facilities and shall establish uniform standards and criteria which it shall follow.

The Review Board shall establish uniform definitions and criteria for accounting separately by special education, room and board and other related services costs. The Board shall also establish guidelines for the coordination of services and financial assistance provided by all State agencies to assure that no otherwise qualified disabled child receiving services under Article 14 shall be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity provided by any State agency.

The Review Board shall review the costs for special education and related services provided by non-public schools or special education facilities and shall approve or disapprove such facilities in accordance with the rules and regulations established by it with respect to allowable costs.

The State Board of Education shall provide administrative and staff support for the Review Board as deemed reasonable by the State Superintendent of Education. This support shall not include travel expenses or other compensation for any Review Board member other than the State Superintendent of Education.

The Review Board shall seek the advice of the Advisory Council on Education of Children with Disabilities on the rules and regulations to be promulgated by it relative to providing special education services.

If a child has been placed in a program in which the actual per pupil costs of tuition for special education and related services based on program enrollment, excluding room, board and transportation costs, exceed $4,500 and such costs have been approved by the Review Board, the district shall pay such total costs which exceed $4,500. A district making such tuition payments in excess of $4,500 pursuant to this Section shall be responsible for an amount in excess of $4,500 equal to the district per capita tuition charge and shall be eligible for reimbursement from the State for the amount of such payments actually made in excess of the districts per capita tuition charge for students not receiving special education services.

If a child has been placed in an approved individual program and the tuition costs including room and board costs have been approved by the Review Board, then such room and board costs shall be paid by the appropriate State agency subject to the provisions of Section 14-8.01 of this Act. Room and board costs not provided by a State agency other than the State Board of Education shall be provided by the State Board of Education.
on a current basis. In no event, however, shall the State's liability for funding of these tuition costs begin until after the legal obligations of third party payors have been subtracted from such costs. If the money appropriated by the General Assembly for such purpose for any year is insufficient, it shall be apportioned on the basis of the claims approved. Each district shall submit estimated claims to the State Superintendent of Education. Upon approval of such claims, the State Superintendent of Education shall direct the State Comptroller to make payments on a monthly basis. The frequency for submitting estimated claims and the method of determining payment shall be prescribed in rules and regulations adopted by the State Board of Education. Such current state reimbursement shall be reduced by an amount equal to the proceeds which the child or child's parents are eligible to receive under any public or private insurance or assistance program. Nothing in this Section shall be construed as relieving an insurer or similar third party from an otherwise valid obligation to provide or to pay for services provided to a disabled child.

If it otherwise qualifies, a school district is eligible for the transportation reimbursement under Section 14-13.01 and for the reimbursement of tuition payments under this Section whether the non-public school or special education facility, public out-of-state school or county special education facility, attended by a child who resides in that district and requires special educational services, is within or outside of the State of Illinois. However, a district is not eligible to claim transportation reimbursement under this Section unless the district certifies to the State Superintendent of Education that the district is unable to provide special educational services required by the child for the current school year.

Nothing in this Section authorizes the reimbursement of a school district for the amount paid for tuition of a child attending a non-public school or special education facility, public out-of-state school or county special education facility unless the school district certifies to the State Superintendent of Education that the special education program of that district is unable to meet the needs of that child because of his disability and the State Superintendent of Education finds that the school district is in substantial compliance with Section 14-4.01. However, if a child is unilaterally placed by a State agency or any court in a non-public school or special education facility, public out-of-state school, or county special education facility, a school district shall not be required to certify to the State Superintendent of Education, for the purpose of tuition reimbursement, that
the special education program of that district is unable to meet the needs of a child because of his or her disability.

Any educational or related services provided, pursuant to this Section in a non-public school or special education facility or a special education facility owned and operated by a county government unit shall be at no cost to the parent or guardian of the child. However, current law and practices relative to contributions by parents or guardians for costs other than educational or related services are not affected by this amendatory Act of 1978.

Reimbursement for children attending public school residential facilities shall be made in accordance with the provisions of this Section.

Notwithstanding any other provision of law, any school district receiving a payment under this Section or under Section 14-7.02b, 14-13.01, or 29-5 of this Code may classify all or a portion of the funds that it receives in a particular fiscal year or from general State aid pursuant to Section 18-8.05 of this Code as funds received in connection with any funding program for which it is entitled to receive funds from the State in that fiscal year (including, without limitation, any funding program referenced in this Section), regardless of the source or timing of the receipt. The district may not classify more funds as funds received in connection with the funding program than the district is entitled to receive in that fiscal year for that program. Any classification by a district must be made by a resolution of its board of education. The resolution must identify the amount of any payments or general State aid to be classified under this paragraph and must specify the funding program to which the funds are to be treated as received in connection therewith. This resolution is controlling as to the classification of funds referenced therein. A certified copy of the resolution must be sent to the State Superintendent of Education. The resolution shall still take effect even though a copy of the resolution has not been sent to the State Superintendent of Education in a timely manner. No classification under this paragraph by a district shall affect the total amount or timing of money the district is entitled to receive under this Code. No classification under this paragraph by a district shall in any way relieve the district from or affect any requirements that otherwise would apply with respect to that funding program, including any accounting of funds by source, reporting expenditures by original source and purpose, reporting requirements, or requirements of providing services.

(Source: P.A. 93-1022, eff. 8-24-04; 94-177, eff. 7-12-05.)

Passed in the General Assembly May 26, 2014.

New matter indicated by italics - deletions by strikeout
Approved August 18, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1009
(House Bill No. 2378)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Criminal Identification Act is amended by changing
Section 5.2 as follows:
(20 ILCS 2630/5.2)
Sec. 5.2. Expungement and sealing.
(a) General Provisions.
(1) Definitions. In this Act, words and phrases have the
meanings set forth in this subsection, except when a particular context
clearly requires a different meaning.
(A) The following terms shall have the meanings
ascribed to them in the Unified Code of Corrections, 730
ILCS 5/5-1-2 through 5/5-1-22:
(i) Business Offense (730 ILCS 5/5-1-2),
(ii) Charge (730 ILCS 5/5-1-3),
(iii) Court (730 ILCS 5/5-1-6),
(iv) Defendant (730 ILCS 5/5-1-7),
(v) Felony (730 ILCS 5/5-1-9),
(vi) Imprisonment (730 ILCS 5/5-1-10),
(vii) Judgment (730 ILCS 5/5-1-12),
(viii) Misdemeanor (730 ILCS 5/5-1-14),
(ix) Offense (730 ILCS 5/5-1-15),
(x) Parole (730 ILCS 5/5-1-16),
(xi) Petty Offense (730 ILCS 5/5-1-17),
(xii) Probation (730 ILCS 5/5-1-18),
(xiii) Sentence (730 ILCS 5/5-1-19),
(xiv) Supervision (730 ILCS 5/5-1-21), and
(xv) Victim (730 ILCS 5/5-1-22).
(B) As used in this Section, "charge not initiated by
arrest" means a charge (as defined by 730 ILCS 5/5-1-3)
brought against a defendant where the defendant is not
arrested prior to or as a direct result of the charge.

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(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.
(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act, or Section 10 of the Steroid Control Act. For the purpose of this Section, "successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes but is not limited to the offenses of indecent
solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (b)(8), (e), (e-5), and (e-6) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision, an order of qualified probation (as defined in subsection (a)(1)(J)), or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

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(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) Sections 12-3.1 or 12-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012, or Section 125 of the Stalking No Contact Order Act, or Section 219 of the Civil No Contact Order Act, offenses defined as "crimes of violence" in Section 2 of the Crime Victims Compensation Act or a similar provision of a local ordinance;

(iv) offenses which are Class A misdemeanors under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) the sealing of the records of an arrest which results in the petitioner being charged with a felony offense or records of a charge not initiated by arrest for a felony offense unless:

(i) the charge is amended to a misdemeanor and is otherwise eligible to be sealed pursuant to subsection (c);

(ii) the charge is brought along with another charge as a part of one case and the charge results in acquittal, dismissal, or conviction when the conviction was reversed or vacated, and another charge brought in the same case results in a disposition for a misdemeanor offense that is eligible to be sealed pursuant to subsection (c) or a disposition listed in paragraph (i), (iii), or (iv) of this subsection;

(iii) the charge results in first offender probation as set forth in subsection (c)(2)(E);

(iv) the charge is for a felony offense listed in subsection (c)(2)(F) or the charge is amended to a felony offense listed in subsection (c)(2)(F);

(v) the charge results in acquittal, dismissal, or the petitioner's release without conviction; or

New matter indicated by italics - deletions by strikeout
(vi) the charge results in a conviction, but the conviction was reversed or vacated.

(b) Expungement.
(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:
   (A) He or she has never been convicted of a criminal offense; and
   (B) Each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.

(2) Time frame for filing a petition to expunge.
   (A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.
   (B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:
      (i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.
      (i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of

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subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Department for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Department, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index.
required to be kept by the circuit court clerk under Section 16 of the
Clerks of Courts Act, but the order shall not affect any index issued
by the circuit court clerk before the entry of the order. Nothing in this
Section shall limit the Department of State Police or other criminal
justice agencies or prosecutors from listing under an offender's name
the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual
assault, aggravated criminal sexual assault, predatory criminal sexual
assault of a child, criminal sexual abuse, or aggravated criminal
sexual abuse, the victim of that offense may request that the State's
Attorney of the county in which the conviction occurred file a verified
petition with the presiding trial judge at the petitioner's trial to have
a court order entered to seal the records of the circuit court clerk in
connection with the proceedings of the trial court concerning that
offense. However, the records of the arresting authority and the
Department of State Police concerning the offense shall not be sealed.
The court, upon good cause shown, shall make the records of the
circuit court clerk in connection with the proceedings of the trial court
concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on
collateral attack and the court determines by clear and convincing
evidence that the petitioner was factually innocent of the charge, the
court that finds the petitioner factually innocent of the charge shall
enter an expungement order for the conviction for which the
petitioner has been determined to be innocent as provided in
subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Department of
State Police from maintaining all records of any person who is
admitted to probation upon terms and conditions and who fulfills
those terms and conditions pursuant to Section 10 of the Cannabis
Control Act, Section 410 of the Illinois Controlled Substances Act,
Section 70 of the Methamphetamine Control and Community
Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of
Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05
of the Criminal Code of 1961 or the Criminal Code of 2012, Section
10-102 of the Illinois Alcoholism and Other Drug Dependency Act,
Section 40-10 of the Alcoholism and Other Drug Abuse and
Dependency Act, or Section 10 of the Steroid Control Act.

New matter indicated by italics - deletions by strikeout
(8) If the petitioner has been granted a certificate of innocence under Section 2-702 of the Code of Civil Procedure, the court that grants the certificate of innocence shall also enter an order expunging the conviction for which the petitioner has been determined to be innocent as provided in subsection (h) of Section 2-702 of the Code of Civil Procedure.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. The following records may be sealed:

(A) All arrests resulting in release without charging;
(B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);
(C) Arrests or charges not initiated by arrest resulting in orders of supervision successfully completed by the petitioner, unless excluded by subsection (a)(3);
(D) Arrests or charges not initiated by arrest resulting in convictions unless excluded by subsection (a)(3);
(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and
(F) Arrests or charges not initiated by arrest resulting in felony convictions for the following offenses:
   (i) Class 4 felony convictions for:
      Prostitution under Section 11-14 of the Criminal Code of 1961 or the Criminal Code of 2012.
      Possession of cannabis under Section 4 of the Cannabis Control Act.
      Possession of a controlled substance under Section 402 of the Illinois Controlled Substances Act.

New matter indicated by italics - deletions by strikeout
Offenses under the Methamphetamine Precursor Control Act.

Offenses under the Steroid Control Act.

Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.

Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.


(ii) Class 3 felony convictions for:

Theft under Section 16-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

Retail theft under Section 16A-3 or paragraph (a) of 16-25 of the Criminal Code of 1961 or the Criminal Code of 2012.

Deceptive practices under Section 17-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

Forgery under Section 17-3 of the Criminal Code of 1961 or the Criminal Code of 2012.

Possession with intent to manufacture or deliver a controlled substance under Section 401 of the Illinois Controlled Substances Act.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

New matter indicated by italics - deletions by strikeout
(A) Records identified as eligible under subsection (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Records identified as eligible under subsection (c)(2)(C) may be sealed (i) 3 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has never been convicted of a criminal offense (as defined in subsection (a)(1)(D)); or (ii) 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)) if the petitioner has ever been convicted of a criminal offense (as defined in subsection (a)(1)(D)).

(C) Records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 4 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)).

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b), (e), and (e-6) and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, if not waived.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and,
for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10) of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has passed a test taken within 30 days before the filing of the petition showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act if he or she is petitioning to:
   (A) seal felony records under clause (c)(2)(E);
   (B) seal felony records for a violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act under clause (c)(2)(F);
   (C) seal felony records under subsection (e-5); or
   (D) expunge felony records of a qualified probation under clause (b)(1)(B)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition and documentation to support the petition under subsection (e), (e-5), or (e-6) on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Department of State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.  
   (A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection.  
   (B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.  

(6) Entry of order.  
   (A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief
Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).

(B) Unless the State's Attorney or prosecutor, the Department of State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing. Prior to the hearing, the State's Attorney shall consult with the Department as to the appropriateness of the relief sought in the petition to expunge or seal. At the hearing, the court shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing. The court may consider the following:

(A) the strength of the evidence supporting the defendant's conviction;

(B) the reasons for retention of the conviction records by the State;

(C) the petitioner's age, criminal record history, and employment history;

(D) the period of time between the petitioner's arrest on the charge resulting in the conviction and the filing of the petition under this Section; and

(E) the specific adverse consequences the petitioner may be subject to if the petition is denied.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Department, in a form and manner prescribed by the Department, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Implementation of order.

New matter indicated by italics - deletions by strikeout
(A) Upon entry of an order to expunge records pursuant to (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Department, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Department, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;
(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(B-5) Upon entry of an order to expunge records under subsection (e-6):

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Department within 60 days of the date of service of the order as ordered by the court, unless a motion to

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vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Department may be disseminated by the Department only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for these records from anyone not authorized by law to access the records, the court, the Department, or the agency receiving the inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Department, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Department, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(D) The Department shall send written notice to the petitioner of its compliance with each order to expunge or seal records within 60 days of the date of service of that order or, if a motion to vacate, modify, or reconsider is filed, within 60 days of service of the order resolving the motion, if that order requires the Department to expunge or seal records. In the event of an appeal from the circuit court order, the Department shall send written notice to the petitioner of its compliance with an Appellate Court or Supreme Court judgment to expunge or seal records within 60 days of the issuance of the court's mandate. The notice is not required while any motion to vacate, modify, or reconsider, or any appeal or petition for discretionary appellate review, is pending.

(10) Fees. The Department may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal
records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and forward the Department of State Police portion of the fee to the Department and it shall be deposited in the State Police Services Fund.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. Under Section 2-1203 of the Code of Civil Procedure, the petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order. If filed more than 60 days after service of the order, a petition to vacate, modify, or reconsider shall comply with subsection (c) of Section 2-1401 of the Code of Civil Procedure. Upon filing of a motion to vacate, modify, or reconsider, notice of the motion shall be served upon the petitioner and all parties entitled to notice of the petition.

(13) Effect of Order. An order granting a petition under the expungement or sealing provisions of this Section shall not be considered void because it fails to comply with the provisions of this Section or because of any error asserted in a motion to vacate, modify, or reconsider. The circuit court retains jurisdiction to determine whether the order is voidable and to vacate, modify, or reconsider its terms based on a motion filed under paragraph (12) of this subsection (d).

(14) Compliance with Order Granting Petition to Seal Records. Unless a court has entered a stay of an order granting a petition to seal, all parties entitled to notice of the petition must fully comply with the terms of the order within 60 days of service of the order even if a party is seeking relief from the order through a motion.
filed under paragraph (12) of this subsection (d) or is appealing the order.

(15) Compliance with Order Granting Petition to Expunge Records. While a party is seeking relief from the order granting the petition to expunge through a motion filed under paragraph (12) of this subsection (d) or is appealing the order, and unless a court has entered a stay of that order, the parties entitled to notice of the petition must seal, but need not expunge, the records until there is a final order on the motion for relief or, in the case of an appeal, the issuance of that court's mandate.

(16) The changes to this subsection (d) made by Public Act 98-163 this amendatory Act of the 98th General Assembly apply to all petitions pending on August 5, 2013 (the effective date of Public Act 98-163) this amendatory Act of the 98th General Assembly and to all orders ruling on a petition to expunge or seal on or after August 5, 2013 (the effective date of Public Act 98-163) this amendatory Act of the 98th General Assembly.

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

New matter indicated by italics - deletions by strikeout
(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Department pertaining to that individual. Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(e-6) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for expungement by the Prisoner Review Board which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Department be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Department may be disseminated by the Department only as required by
this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all expunged records of the Department pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for expungement.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(Source: P.A. 97-443, eff. 8-19-11; 97-698, eff. 1-1-13; 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-133, eff. 1-1-14; 98-142, eff. 1-1-14; 98-163, eff. 8-5-13; 98-164, eff. 1-1-14; 98-399, eff. 8-16-13; revised 9-4-13.)

Passed in the General Assembly May 23, 2014.
Approved August 19, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1010
(Senate Bill No. 3000)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Natural Resources Restoration Trust Fund Act.
Section 5. Definitions. As used in this Act:
"Department" means the Department of Natural Resources.
"Director" means the Director of Natural Resources.
"Fund" means the Natural Resources Restoration Trust Fund created in Section 10 of this Act.

New matter indicated by italics - deletions by strikeout
Section 10. The Natural Resources Restoration Trust Fund.

(a) There is hereby created in the State treasury the Natural Resources Restoration Trust Fund to receive deposits of moneys available from or intended for the investigation, assessment, restoration, or replacement of injured or damaged natural resources resulting from claims pursued under the laws of the United States, this State, or other statutory or common law. The fund may receive deposits of moneys made available from any other source. All moneys in the fund are to be invested and reinvested by the State Treasurer. All interest accruing from these investments shall be deposited in the fund. Moneys received through settlement or litigation of claims for injured natural resources and directed at the restoration, rehabilitation, replacement, or the acquisition of the equivalent of injured natural resources and the benefits they provide, shall be available for those uses until the funds are expended.

(b) All moneys deposited into the fund shall be used by the Department of Natural Resources to:

(1) Take necessary or appropriate action to investigate and assess the nature and extent of injuries or damage to Illinois natural resources and the benefits they provide.

(2) Take necessary or appropriate action to restore, rehabilitate, replace, or acquire the equivalent of injured or damaged natural resources and the benefits they provide.

(3) Meet any requirements which must be met by the State in order to obtain federal funds, or any other funds, to address injury or damage to natural resources.

(4) Pay for the cost of Department personnel, contractual, professional, or technical services to review or perform natural resource injury or damage assessments, natural resource restoration or replacement actions, environmental or ecological risk assessments, environmental impact assessment actions, or other activities related to environmental contamination of real property.

(5) Administer the provisions of this Section.

(c) The General Assembly shall annually appropriate to the fund such amounts as it deems necessary to fulfill the purposes of this Section.

(d) The Department may accept, receive, and administer on behalf of the State any moneys made available to the State from any source for the purposes set forth in this Section. These moneys may be in addition to any other funds otherwise appropriated to the Department for similar purposes. Interest or income earned on moneys deposited into the fund shall be retained.
in the fund to be used by the Department pursuant to the provisions of this Section.

Section 900. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Natural Resources Restoration Trust Fund.


PUBLIC ACT 98-1011
(House Bill No. 5431)

AN ACT concerning education.

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

Section 5. The Interscholastic Athletic Organization Act is amended by adding Section 1.15 as follows:

(105 ILCS 25/1.15 new)

Sec. 1.15. Mandatory online concussion certification.

(a) An association or other entity that has, as one of its purposes, promoting, sponsoring, regulating, or in any manner providing for interscholastic athletics or any form of athletic competition among schools and students within this State shall develop an online certification for high school coaching personnel and athletic directors in concussion awareness and reduction of repetitive sub-concussive hits and concussions. The certification program shall be offered free of charge to member high schools. The program may be offered to non-member schools or athletic organizations for a fee determined by the association.

(b) On and after the effective date of this amendatory Act of the 98th General Assembly, online concussion certification is mandatory for all high school coaching personnel, including the head and assistant coaches, and the athletic directors. Coaching personnel and athletic directors hired before the effective date of this amendatory Act of the 98th General Assembly shall be certified within one year after the effective date of this amendatory Act of the 98th General Assembly. Coaching personnel and athletic directors hired on and after the effective date of this amendatory Act of the 98th General Assembly shall be certified within one year after the effective date of this amendatory Act of the 98th General Assembly.
Assembly must be certified under this Section before the starting date of their position.

(c) The mandatory online certification program content shall be updated annually, include a video, and focus on, but not be limited to, the following topics:

(1) concussion awareness training that includes general comments about the subject of concussions, concussion recognition, best practices for avoiding concussions, an athlete's removal from a game, and an athlete's return to play; and

(2) repetitive sub-concussive head trauma awareness training that includes the potential long-term effects of sub-concussive head trauma and techniques to reduce its occurrence during practice and competitions.

(d) To pass the concussion certification required under this Section, coaching personnel and athletic directors shall review the association's online material and demonstrate proficiency on the test developed by the association. The certification shall be renewed every 2 years.

(e) High school coaching personnel and athletic directors shall annually require their student athletes to watch the video in the online concussion certification program under subsection (c) of this Section to increase athlete awareness of the risk of concussions and sub-concussive hits to the head.

(f) High school coaching personnel and athletic directors shall encourage coaches of youth sports organizations to consider this certification.


PUBLIC ACT 98-1012
(House Bill No. 3744)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 110-5 as follows:
(725 ILCS 5/110-5) (from Ch. 38, par. 110-5)

New matter indicated by italics - deletions by strikeout
Sec. 110-5. Determining the amount of bail and conditions of release.
(a) In determining the amount of monetary bail or conditions of release, if any, which will reasonably assure the appearance of a defendant as required or the safety of any other person or the community and the likelihood of compliance by the defendant with all the conditions of bail, the court shall, on the basis of available information, take into account such matters as the nature and circumstances of the offense charged, whether the evidence shows that as part of the offense there was a use of violence or threatened use of violence, whether the offense involved corruption of public officials or employees, whether there was physical harm or threats of physical harm to any public official, public employee, judge, prosecutor, juror or witness, senior citizen, child or handicapped person, whether evidence shows that during the offense or during the arrest the defendant possessed or used a firearm, machine gun, explosive or metal piercing ammunition or explosive bomb device or any military or paramilitary armament, whether the evidence shows that the offense committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang, the condition of the victim, any written statement submitted by the victim or proffer or representation by the State regarding the impact which the alleged criminal conduct has had on the victim and the victim's concern, if any, with further contact with the defendant if released on bail, whether the offense was based on racial, religious, sexual orientation or ethnic hatred, the likelihood of the filing of a greater charge, the likelihood of conviction, the sentence applicable upon conviction, the weight of the evidence against such defendant, whether there exists motivation or ability to flee, whether there is any verification as to prior residence, education, or family ties in the local jurisdiction, in another county, state or foreign country, the defendant's employment, financial resources, character and mental condition, past conduct, prior use of alias names or dates of birth, and length of residence in the community, the consent of the defendant to periodic drug testing in accordance with Section 110-6.5, whether a foreign national defendant is lawfully admitted in the United States of America, whether the government of the foreign national maintains an extradition treaty with the United States by which the foreign government will extradite to the United States its national for a trial for a crime allegedly committed in the United States, whether the defendant is currently subject to deportation or exclusion under the immigration laws of the United States, whether the defendant, although a United States citizen, is considered under the law of any foreign state a national of that state for the...
purposes of extradition or non-extradition to the United States, the amount of unrecovered proceeds lost as a result of the alleged offense, the source of bail funds tendered or sought to be tendered for bail, whether from the totality of the court's consideration, the loss of funds posted or sought to be posted for bail will not deter the defendant from flight, whether the evidence shows that the defendant is engaged in significant possession, manufacture, or delivery of a controlled substance or cannabis, either individually or in consort with others, whether at the time of the offense charged he or she was on bond or pre-trial release pending trial, probation, periodic imprisonment or conditional discharge pursuant to this Code or the comparable Code of any other state or federal jurisdiction, whether the defendant is on bond or pre-trial release pending the imposition or execution of sentence or appeal of sentence for any offense under the laws of Illinois or any other state or federal jurisdiction, whether the defendant is under parole, aftercare release, mandatory supervised release, or work release from the Illinois Department of Corrections or Illinois Department of Juvenile Justice or any penal institution or corrections department of any state or federal jurisdiction, the defendant's record of convictions, whether the defendant has been convicted of a misdemeanor or ordinance offense in Illinois or similar offense in other state or federal jurisdiction within the 10 years preceding the current charge or convicted of a felony in Illinois, whether the defendant was convicted of an offense in another state or federal jurisdiction that would be a felony if committed in Illinois within the 20 years preceding the current charge or has been convicted of such felony and released from the penitentiary within 20 years preceding the current charge if a penitentiary sentence was imposed in Illinois or other state or federal jurisdiction, the defendant's records of juvenile adjudication of delinquency in any jurisdiction, any record of appearance or failure to appear by the defendant at court proceedings, whether there was flight to avoid arrest or prosecution, whether the defendant escaped or attempted to escape to avoid arrest, whether the defendant refused to identify himself or herself, or whether there was a refusal by the defendant to be fingerprinted as required by law. Information used by the court in its findings or stated in or offered in connection with this Section may be by way of proffer based upon reliable information offered by the State or defendant. All evidence shall be admissible if it is relevant and reliable regardless of whether it would be admissible under the rules of evidence applicable at criminal trials. If the State presents evidence that the offense committed by the defendant was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or

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allegiance to an organized gang, and if the court determines that the evidence may be substantiated, the court shall prohibit the defendant from associating with other members of the organized gang as a condition of bail or release. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(b) The amount of bail shall be:

1. Sufficient to assure compliance with the conditions set forth in the bail bond, which shall include the defendant's current address with a written admonishment to the defendant that he or she must comply with the provisions of Section 110-12 regarding any change in his or her address. The defendant's address shall at all times remain a matter of public record with the clerk of the court.
2. Not oppressive.
3. Considerate of the financial ability of the accused.
4. When a person is charged with a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, the full street value of the drugs seized shall be considered. "Street value" shall be determined by the court on the basis of a proffer by the State based upon reliable information of a law enforcement official contained in a written report as to the amount seized and such proffer may be used by the court as to the current street value of the smallest unit of the drug seized.

(b-5) Upon the filing of a written request demonstrating reasonable cause, the State's Attorney may request a source of bail hearing either before or after the posting of any funds. If the hearing is granted, before the posting of any bail, the accused must file a written notice requesting that the court conduct a source of bail hearing. The notice must be accompanied by justifying affidavits stating the legitimate and lawful source of funds for bail. At the hearing, the court shall inquire into any matters stated in any justifying affidavits, and may also inquire into matters appropriate to the determination which shall include, but are not limited to, the following:

1. the background, character, reputation, and relationship to the accused of any surety; and

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(2) the source of any money or property deposited by any surety, and whether any such money or property constitutes the fruits of criminal or unlawful conduct; and

(3) the source of any money posted as cash bail, and whether any such money constitutes the fruits of criminal or unlawful conduct; and

(4) the background, character, reputation, and relationship to the accused of the person posting cash bail.

Upon setting the hearing, the court shall examine, under oath, any persons who may possess material information.

The State's Attorney has a right to attend the hearing, to call witnesses and to examine any witness in the proceeding. The court shall, upon request of the State's Attorney, continue the proceedings for a reasonable period to allow the State's Attorney to investigate the matter raised in any testimony or affidavit. If the hearing is granted after the accused has posted bail, the court shall conduct a hearing consistent with this subsection (b-5). At the conclusion of the hearing, the court must issue an order either approving of disapproving the bail.

(c) When a person is charged with an offense punishable by fine only the amount of the bail shall not exceed double the amount of the maximum penalty.

(d) When a person has been convicted of an offense and only a fine has been imposed the amount of the bail shall not exceed double the amount of the fine.

(e) The State may appeal any order granting bail or setting a given amount for bail.

(f) When a person is charged with a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012 or when a person is charged with domestic battery, aggravated domestic battery, kidnapping, aggravated kidnaping, unlawful restraint, aggravated unlawful restraint, stalking, aggravated stalking, cyberstalking, harassment by telephone, harassment through electronic communications, or an attempt to commit first degree murder committed against an intimate partner regardless whether an order of protection has been issued against the person,

(1) whether the alleged incident involved harassment or abuse, as defined in the Illinois Domestic Violence Act of 1986;
(2) whether the person has a history of domestic violence, as defined in the Illinois Domestic Violence Act, or a history of other criminal acts;
(3) based on the mental health of the person;
(4) whether the person has a history of violating the orders of any court or governmental entity;
(5) whether the person has been, or is, potentially a threat to any other person;
(6) whether the person has access to deadly weapons or a history of using deadly weapons;
(7) whether the person has a history of abusing alcohol or any controlled substance;
(8) based on the severity of the alleged incident that is the basis of the alleged offense, including, but not limited to, the duration of the current incident, and whether the alleged incident involved the use of a weapon, physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim;
(9) whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending;
(10) whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including, but not limited to, stalking, surveillance, or isolation of the alleged victim or victim's family member or members;
(11) whether the person has expressed suicidal or homicidal ideations;
(12) based on any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint, the court may, in its discretion, order the respondent to undergo a risk assessment evaluation using a recognized, evidence-based instrument conducted by an Illinois Department of Human Services approved partner abuse intervention program provider, pretrial service, probation, or parole agency. These agencies shall have access to summaries of the defendant's criminal history, which shall not include victim interviews or information, for the risk evaluation. Based on the information collected from the 12 points to be considered at a bail hearing under this subsection (f) for a violation of an order of protection, the results of any risk evaluation conducted and the other

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circumstances of the violation, the court may order that the person, as a condition of bail, be placed under electronic surveillance as provided in Section 5-8A-7 of the Unified Code of Corrections. Upon making a determination whether or not to order the respondent to undergo a risk assessment evaluation or to be placed under electronic surveillance and risk assessment, the court shall document in the record the court's reasons for making those determinations. The cost of the electronic surveillance and risk assessment shall be paid by, or on behalf, of the defendant. As used in this subsection (f), "intimate partner" means a spouse or a current or former partner in a cohabitation or dating relationship.

(Source: P.A. 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

Passed in the May 28, 2014.

Approved August 22, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-1013
(Senate Bill No. 3558)

AN ACT concerning human trafficking.

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

Section 5. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Specialized Services for Survivors of Human Trafficking Fund.

Section 10. The Clerks of Courts Act is amended by changing Section 27.6 as follows:

(705 ILCS 105/27.6)

(Section as amended by P.A. 96-286, 96-576, 96-578, 96-625, 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and 97-1150)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of $55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local anti-crime program ordered pursuant to Section 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of Corrections, reimbursement for the costs of an emergency response as

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provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea
pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(b-1) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c) In addition to any other fines and court costs assessed by the courts, any person convicted for a violation of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012 or a person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of

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funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c-1) In addition to any other fines and court costs assessed by the courts, any person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(d) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(e) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $29, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of $29, the person shall also pay a fee of $6, if not waived by the court. If this $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

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(f) This Section does not apply to the additional child pornography fines assessed and collected under Section 5-9-1.14 of the Unified Code of Corrections.

(g) (Blank).

(h) (Blank).

(i) Of the amounts collected as fines under subsection (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(j) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code.

This subsection (j) becomes inoperative 7 years after the effective date of Public Act 95-154.

(k) For any conviction or disposition of court supervision for a violation of Section 11-1429 of the Illinois Vehicle Code, the circuit clerk shall distribute the fines paid by the person as specified by subsection (h) of Section 11-1429 of the Illinois Vehicle Code.

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(m) Of the amounts collected as fines under subsection (c) of Section 411.4 of the Illinois Controlled Substances Act or subsection (c) of Section 90 of the Methamphetamine Control and Community Protection Act, 99%
shall be deposited to the law enforcement agency or fund specified and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(n) In addition to any other fines and court costs assessed by the courts, any person who is convicted of or pleads guilty to a violation of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, or who is convicted of, pleads guilty to, or receives a disposition of court supervision for a violation of the Illinois Vehicle Code, or a similar provision of a local ordinance, shall pay an additional fee of $15 to the clerk of the circuit court. This additional fee of $15 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the State Treasurer within 60 days after receipt for deposit into the State Police Merit Board Public Safety Fund.

(o) The amounts collected as fines under Sections 10-9, 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall be collected by the circuit clerk and distributed as provided under Section 5-9-1.21 of the Unified Code of Corrections in lieu of any disbursement under subsection (a) of this Section.

(Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428, eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08; 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-578, eff. 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(Section as amended by P.A. 96-576, 96-578, 96-625, 96-667, 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and 97-1150)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of $55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local anti-crime program ordered pursuant to Section 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of
Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, Section 16-104c of the Illinois Vehicle Code, and subsection (a) of Section 5-1101 of the Counties Code, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the

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circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. Unless a court ordered payment schedule is implemented or fee requirements are waived pursuant to court order, the clerk of the court may add to any unpaid fees and costs a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited in the Circuit Court Clerk Operation and Administrative Fund to be used to defray administrative costs incurred by the circuit clerk in performing the duties required to collect and disburse funds. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(b-1) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c) In addition to any other fines and court costs assessed by the courts, any person convicted for a violation of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012 or a person...
sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c-1) In addition to any other fines and court costs assessed by the courts, any person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(d) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

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(e) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $29, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of $29, the person shall also pay a fee of $6, if not waived by the court. If this $6 fee is collected, $5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(f) This Section does not apply to the additional child pornography fines assessed and collected under Section 5-9-1.14 of the Unified Code of Corrections.

(g) Any person convicted of or pleading guilty to a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, shall pay an additional fee of $35, to be disbursed as provided in Section 16-104d of that Code. This subsection (g) becomes inoperative 7 years after the effective date of Public Act 95-154.

(h) In all counties having a population of 3,000,000 or more inhabitants,

1. A person who is found guilty of or pleads guilty to violating subsection (a) of Section 11-501 of the Illinois Vehicle Code, including any person placed on court supervision for violating subsection (a), shall be fined $750 as provided for by subsection (f) of Section 11-501.01 of the Illinois Vehicle Code, payable to the circuit clerk, who shall distribute the money pursuant to subsection (f) of Section 11-501.01 of the Illinois Vehicle Code.

2. When a crime laboratory DUI analysis fee of $150, provided for by Section 5-9-1.9 of the Unified Code of Corrections is assessed, it shall be disbursed by the circuit clerk as provided by subsection (f) of Section 5-9-1.9 of the Unified Code of Corrections.

3. When a fine for a violation of Section 11-605.1 of the Illinois Vehicle Code is $250 or greater, the person who violated that Section shall be charged an additional $125 as provided for by subsection (e) of Section 11-605.1 of the Illinois Vehicle Code, which shall be disbursed by the circuit clerk to a State or county Transportation Safety Highway Hire-back Fund as provided by subsection (e) of Section 11-605.1 of the Illinois Vehicle Code.

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(4) When a fine for a violation of subsection (a) of Section 11-605 of the Illinois Vehicle Code is $150 or greater, the additional $50 which is charged as provided for by subsection (f) of Section 11-605 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to a school district or districts for school safety purposes as provided by subsection (f) of Section 11-605.

(5) When a fine for a violation of subsection (a) of Section 11-1002.5 of the Illinois Vehicle Code is $150 or greater, the additional $50 which is charged as provided for by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to a school district or districts for school safety purposes as provided by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code.

(6) When a mandatory drug court fee of up to $5 is assessed as provided in subsection (f) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f) of Section 5-1101 of the Counties Code.

(7) When a mandatory teen court, peer jury, youth court, or other youth diversion program fee is assessed as provided in subsection (e) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (e) of Section 5-1101 of the Counties Code.

(8) When a Children's Advocacy Center fee is assessed pursuant to subsection (f-5) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f-5) of Section 5-1101 of the Counties Code.

(9) When a victim impact panel fee is assessed pursuant to subsection (b) of Section 11-501.01 of the Vehicle Code, it shall be disbursed by the circuit clerk to the victim impact panel to be attended by the defendant.

(10) When a new fee collected in traffic cases is enacted after the effective date of this subsection (h), it shall be excluded from the percentage disbursement provisions of this Section unless otherwise indicated by law.

(i) Of the amounts collected as fines under subsection (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in

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performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(j) (Blank).

(k) For any conviction or disposition of court supervision for a violation of Section 11-1429 of the Illinois Vehicle Code, the circuit clerk shall distribute the fines paid by the person as specified by subsection (h) of Section 11-1429 of the Illinois Vehicle Code.

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of $50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(m) Of the amounts collected as fines under subsection (c) of Section 411.4 of the Illinois Controlled Substances Act or subsection (c) of Section 90 of the Methamphetamine Control and Community Protection Act, 99% shall be deposited to the law enforcement agency or fund specified and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(n) In addition to any other fines and court costs assessed by the courts, any person who is convicted of or pleads guilty to a violation of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, or who is convicted of, pleads guilty to, or receives a disposition of court supervision for a violation of the Illinois Vehicle Code, or a similar provision of a local ordinance, shall pay an additional fee of $15 to the clerk of the circuit court. This additional fee of $15 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the State Treasurer within 60 days after receipt for deposit into the State Police Merit Board Public Safety Fund.

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The amounts collected as fines under Sections 10-9, 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall be collected by the circuit clerk and distributed as provided under Section 5-9-1.21 of the Unified Code of Corrections in lieu of any disbursement under subsection (a) of this Section.

(720 ILCS 5/10-9)
Sec. 10-9. Trafficking in persons, involuntary servitude, and related offenses.

(a) Definitions. In this Section:

(1) "Intimidation" has the meaning prescribed in Section 12-6.

(2) "Commercial sexual activity" means any sex act on account of which anything of value is given, promised to, or received by any person.

(3) "Financial harm" includes intimidation that brings about financial loss, criminal usury, or employment contracts that violate the Frauds Act.

(4) (Blank).

(5) "Labor" means work of economic or financial value.

(6) "Maintain" means, in relation to labor or services, to secure continued performance thereof, regardless of any initial agreement on the part of the victim to perform that type of service.

(7) "Obtain" means, in relation to labor or services, to secure performance thereof.

(7.5) "Serious harm" means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

(8) "Services" means activities resulting from a relationship between a person and the actor in which the person performs activities under the supervision of or for the benefit of the actor. Commercial sexual activity and sexually-explicit performances are

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forms of activities that are "services" under this Section. Nothing in this definition may be construed to legitimize or legalize prostitution.

(9) "Sexually-explicit performance" means a live, recorded, broadcast (including over the Internet), or public act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons.

(10) "Trafficking victim" means a person subjected to the practices set forth in subsection (b), (c), or (d).

(b) Involuntary servitude. A person commits involuntary servitude when he or she knowingly subjects, attempts to subject, or engages in a conspiracy to subject another person to labor or services obtained or maintained through any of the following means, or any combination of these means:

(1) causes or threatens to cause physical harm to any person;
(2) physically restrains or threatens to physically restrain another person;
(3) abuses or threatens to abuse the law or legal process;
(4) knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person;
(5) uses intimidation, or exerts financial control over any person; or
(6) uses any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform the labor or services, that person or another person would suffer serious harm or physical restraint.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of subsection (b)(1) is a Class X felony, (b)(2) is a Class 1 felony, (b)(3) is a Class 2 felony, (b)(4) is a Class 3 felony, (b)(5) and (b)(6) is a Class 4 felony.

(c) Involuntary sexual servitude of a minor. A person commits involuntary sexual servitude of a minor when he or she knowingly recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, provide, or obtain by any means, another person under 18 years of age, knowing that the minor will engage in commercial sexual activity, a sexually-explicit performance, or the production of pornography, or causes or attempts to cause a minor to engage in one or more of those activities and:

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(1) there is no overt force or threat and the minor is between the ages of 17 and 18 years;
(2) there is no overt force or threat and the minor is under the age of 17 years; or
(3) there is overt force or threat.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of subsection (c)(1) is a Class 1 felony, (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

(d) Trafficking in persons. A person commits trafficking in persons when he or she knowingly: (1) recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person, intending or knowing that the person will be subjected to involuntary servitude; or (2) benefits, financially or by receiving anything of value, from participation in a venture that has engaged in an act of involuntary servitude or involuntary sexual servitude of a minor.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of this subsection is a Class 1 felony.

(e) Aggravating factors. A violation of this Section involving kidnapping or an attempt to kidnap, aggravated criminal sexual assault or an attempt to commit aggravated criminal sexual assault, or an attempt to commit first degree murder is a Class X felony.

(f) Sentencing considerations.

(1) Bodily injury. If, pursuant to a violation of this Section, a victim suffered bodily injury, the defendant may be sentenced to an extended-term sentence under Section 5-8-2 of the Unified Code of Corrections. The sentencing court must take into account the time in which the victim was held in servitude, with increased penalties for cases in which the victim was held for between 180 days and one year, and increased penalties for cases in which the victim was held for more than one year.

(2) Number of victims. In determining sentences within statutory maximums, the sentencing court should take into account the number of victims, and may provide for substantially increased sentences in cases involving more than 10 victims.

(g) Restitution. Restitution is mandatory under this Section. In addition to any other amount of loss identified, the court shall order restitution including the greater of (1) the gross income or value to the defendant of the victim's labor or services or (2) the value of the victim's...
labor as guaranteed under the Minimum Wage Law and overtime provisions of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law, whichever is greater.

(g-5) Fine distribution. If the court imposes a fine under subsection (b), (c), or (d) of this Section, it shall be collected and distributed to the Specialized Services for Survivors of Human Trafficking Fund in accordance with Section 5-9-1.21 of the Unified Code of Corrections.

(h) Trafficking victim services. Subject to the availability of funds, the Department of Human Services may provide or fund emergency services and assistance to individuals who are victims of one or more offenses defined in this Section.

(i) Certification. The Attorney General, a State's Attorney, or any law enforcement official shall certify in writing to the United States Department of Justice or other federal agency, such as the United States Department of Homeland Security, that an investigation or prosecution under this Section has begun and the individual who is a likely victim of a crime described in this Section is willing to cooperate or is cooperating with the investigation to enable the individual, if eligible under federal law, to qualify for an appropriate special immigrant visa and to access available federal benefits. Cooperation with law enforcement shall not be required of victims of a crime described in this Section who are under 18 years of age. This certification shall be made available to the victim and his or her designated legal representative.

(j) A person who commits involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons under subsection (b), (c), or (d) of this Section is subject to the property forfeiture provisions set forth in Article 124B of the Code of Criminal Procedure of 1963.

(Source: P.A. 96-710, eff. 1-1-10; incorporates 96-712, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-897, eff. 1-1-13; revised 11-12-13.)

(720 ILCS 5/11-14.1)
Sec. 11-14.1. Solicitation of a sexual act.
(a) Any person who offers a person not his or her spouse any money, property, token, object, or article or anything of value for that person or any other person not his or her spouse to perform any act of sexual penetration as defined in Section 11-0.1 of this Code, or any touching or fondling of the sex organs of one person by another person for the purpose of sexual arousal or gratification, commits solicitation of a sexual act.

(b) Sentence. Solicitation of a sexual act is a Class A misdemeanor. Solicitation of a sexual act from a person who is under the age of 18 or who...
is severely or profoundly intellectually disabled is a Class 4 felony. If the court imposes a fine under this subsection (b), it shall be collected and distributed to the Specialized Services for Survivors of Human Trafficking Fund in accordance with Section 5-9-1.21 of the Unified Code of Corrections.

(b-5) It is an affirmative defense to a charge of solicitation of a sexual act with a person who is under the age of 18 or who is severely or profoundly intellectually disabled that the accused reasonably believed the person was of the age of 18 years or over or was not a severely or profoundly intellectually disabled person at the time of the act giving rise to the charge.

(c) This Section does not apply to a person engaged in prostitution who is under 18 years of age.

(d) A person cannot be convicted under this Section if the practice of prostitution underlying the offense consists exclusively of the accused's own acts of prostitution under Section 11-14 of this Code.

(Source: P.A. 96-1464, eff. 8-20-10; 96-1551, eff. 7-1-11; 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13.)

(720 ILCS 5/11-14.3)
Sec. 11-14.3. Promoting prostitution.

(a) Any person who knowingly performs any of the following acts commits promoting prostitution:

(1) advances prostitution as defined in Section 11-0.1;
(2) profits from prostitution by:
   (A) compelling a person to become a prostitute;
   (B) arranging or offering to arrange a situation in which a person may practice prostitution; or
   (C) any means other than those described in subparagraph (A) or (B), including from a person who patronizes a prostitute. This paragraph (C) does not apply to a person engaged in prostitution who is under 18 years of age. A person cannot be convicted of promoting prostitution under this paragraph (C) if the practice of prostitution underlying the offense consists exclusively of the accused's own acts of prostitution under Section 11-14 of this Code.

(b) Sentence.

(1) A violation of subdivision (a)(1) is a Class 4 felony, unless committed within 1,000 feet of real property comprising a school, in which case it is a Class 3 felony. A second or subsequent violation of subdivision (a)(1), or any combination of convictions under

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subdivision (a)(1), (a)(2)(A), or (a)(2)(B) and Section 11-14 (prostitution), 11-14.1 (solicitation of a sexual act), 11-14.4 (promoting juvenile prostitution), 11-15 (soliciting for a prostitute), 11-15.1 (soliciting for a juvenile prostitute), 11-16 (pandering), 11-17 (keeping a place of prostitution), 11-17.1 (keeping a place of juvenile prostitution), 11-18 (patronizing a prostitute), 11-18.1 (patronizing a juvenile prostitute), 11-19 (pimping), 11-19.1 (juvenile pimping or aggravated juvenile pimping), or 11-19.2 (exploitation of a child), is a Class 3 felony.

(2) A violation of subdivision (a)(2)(A) or (a)(2)(B) is a Class 4 felony, unless committed within 1,000 feet of real property comprising a school, in which case it is a Class 3 felony.

(3) A violation of subdivision (a)(2)(C) is a Class 4 felony, unless committed within 1,000 feet of real property comprising a school, in which case it is a Class 3 felony. A second or subsequent violation of subdivision (a)(2)(C), or any combination of convictions under subdivision (a)(2)(C) and subdivision (a)(1), (a)(2)(A), or (a)(2)(B) of this Section (promoting prostitution), 11-14 (prostitution), 11-14.1 (solicitation of a sexual act), 11-14.4 (promoting juvenile prostitution), 11-15 (soliciting for a prostitute), 11-15.1 (soliciting for a juvenile prostitute), 11-16 (pandering), 11-17 (keeping a place of prostitution), 11-17.1 (keeping a place of juvenile prostitution), 11-18 (patronizing a prostitute), 11-18.1 (patronizing a juvenile prostitute), 11-19 (pimping), 11-19.1 (juvenile pimping or aggravated juvenile pimping), or 11-19.2 (exploitation of a child), is a Class 3 felony.

If the court imposes a fine under this subsection (b), it shall be collected and distributed to the Specialized Services for Survivors of Human Trafficking Fund in accordance with Section 5-9-1.21 of the Unified Code of Corrections.

(Source: P.A. 96-1551, eff. 7-1-11.)

(720 ILCS 5/11-18) (from Ch. 38, par. 11-18)

Sec. 11-18. Patronizing a prostitute.

(a) Any person who knowingly performs any of the following acts with a person not his or her spouse commits patronizing a prostitute:

(1) Engages in an act of sexual penetration as defined in Section 11-0.1 of this Code with a prostitute; or

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(2) Enters or remains in a place of prostitution with intent to engage in an act of sexual penetration as defined in Section 11-0.1 of this Code; or
(3) Engages in any touching or fondling with a prostitute of the sex organs of one person by the other person, with the intent to achieve sexual arousal or gratification.

(b) Sentence.
Patronizing a prostitute is a Class 4 felony, unless committed within 1,000 feet of real property comprising a school, in which case it is a Class 3 felony. A person convicted of a second or subsequent violation of this Section, or of any combination of such number of convictions under this Section and Sections 11-14 (prostitution), 11-14.1 (solicitation of a sexual act), 11-14.3 (promoting prostitution), 11-14.4 (promoting juvenile prostitution), 11-15 (soliciting for a prostitute), 11-15.1 (soliciting for a juvenile prostitute), 11-16 (pandering), 11-17 (keeping a place of prostitution), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19 (pimping), 11-19.1 (juvenile pimping or aggravated juvenile pimping), or 11-19.2 (exploitation of a child) of this Code, is guilty of a Class 3 felony. If the court imposes a fine under this subsection (b), it shall be collected and distributed to the Specialized Services for Survivors of Human Trafficking Fund in accordance with Section 5-9-1.21 of the Unified Code of Corrections.

(c) (Blank).

(720 ILCS 5/36.5-5)
Sec. 36.5-5. Vehicle impoundment.
(a) In addition to any other penalty, fee or forfeiture provided by law, a peace officer who arrests a person for a violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-18, or 11-18.1 of this Code or related municipal ordinance, may tow and impound any vehicle used by the person in the commission of the violation. The person arrested for one or more such violations shall be charged a $1,000 fee, to be paid to the law enforcement agency that made the arrest or its designated representative. The person may recover the vehicle from the impound after a minimum of 2 hours after arrest upon payment of the fee.

(b) $500 of the fee shall be distributed to the law enforcement agency whose peace officers made the arrest, for the costs incurred by the law enforcement agency to investigate and to tow and impound the vehicle. Upon the defendant's conviction of one or more of the violations in connection with
which the vehicle was impounded and the fee imposed under this Section, the remaining $500 of the fee shall be deposited into the Specialized Services for Survivors of Human Trafficking Fund and disbursed in accordance with subsections (d), (e), and (f) of Section 5-9-1.21 of the Unified Code of Corrections. DHS State Projects Fund and shall be used by the Department of Human Services to make grants to non-governmental organizations to provide services for persons encountered during the course of an investigation into any violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, or 11-19.2 of this Code, provided such persons constitute prostituted persons or other victims of human trafficking.

(c) Upon the presentation by the defendant of a signed court order showing that the defendant has been acquitted of all of the violations in connection with which a vehicle was impounded and a fee imposed under this Section, or that the charges against the defendant for those violations have been dismissed, the law enforcement agency shall refund the $1,000 fee to the defendant.

(Source: P.A. 96-1551, eff. 7-1-11; incorporates 96-1503, eff. 1-27-11, and 97-333, eff. 8-12-11; 97-897, eff. 1-1-13; 97-1109, eff. 1-1-13; 98-463, eff. 8-16-13.)

Section 20. The Code of Criminal Procedure of 1963 is amended by changing Sections 124B-300, 124B-305, and 124B-500 as follows:

(725 ILCS 5/124B-300)

Sec. 124B-300. Persons and property subject to forfeiture. A person who commits the offense of involuntary servitude, involuntary servitude of a minor, or trafficking of persons for forced labor or services under Section 10A-10 or Section 10-9 of the Criminal Code of 1961 or the Criminal Code of 2012, promoting juvenile prostitution, keeping a place of juvenile prostitution, or promoting prostitution that involves keeping a place of prostitution under subsection (a)(1) or (a)(4) of Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2 of the Criminal Code of 1961 or of the Criminal Code of 2012 shall forfeit to the State of Illinois any profits or proceeds and any property he or she has acquired or maintained in violation of Section 10A-10 or Section 10-9 of the Criminal Code of 1961 or the Criminal Code of 2012, promoting juvenile prostitution, keeping a place of juvenile prostitution, or promoting prostitution that involves keeping a place of prostitution under subsection (a)(1) or (a)(4) of Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2 of the Criminal Code of 1961 or of the Criminal Code of 2012 that the sentencing court determines, after a forfeiture

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hearing under this Article, to have been acquired or maintained as a result of maintaining a person in involuntary servitude or participating in trafficking of persons for forced labor or services.

(Source: P.A. 96-712, eff. 1-1-10; 97-1150, eff. 1-25-13.)

(725 ILCS 5/124B-305)

Sec. 124B-305. Distribution of property and sale proceeds. All moneys and the sale proceeds of all other property forfeited and seized under this Part 300 shall be distributed as follows:

(1) 45% shall be divided equally between all State agencies and units of local government whose officers or employees conducted the investigation or initiated the hearing that resulted in the forfeiture.

(2) 50% shall be deposited into the Specialized Services for Survivors of Human Trafficking Fund and disbursed in accordance with subsections (d), (e), and (f) of Section 5-9-1.21 of the Unified Code of Corrections DHS State Projects Fund and targeted to services for victims of the offenses of involuntary servitude, involuntary sexual servitude of a minor, and trafficking in persons.

(3) 5% shall be paid to the Office of the State's Attorneys Appellate Prosecutor to train State's Attorneys on forfeiture proceedings and topics related to human trafficking.

(Source: P.A. 96-712, eff. 1-1-10; 97-897, eff. 1-1-13.)

(725 ILCS 5/124B-500)

Sec. 124B-500. Persons and property subject to forfeiture. A person who commits the offense of promoting juvenile prostitution, keeping a place of juvenile prostitution, exploitation of a child, child pornography; or aggravated child pornography under subdivision (a)(1) or (a)(4) of Section 11-14.4 or under Section 11-17.1, 11-19.2, 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall forfeit the following property to the State of Illinois:

(1) Any profits or proceeds and any property the person has acquired or maintained in violation of subdivision (a)(1) or (a)(4) of Section 11-14.4 or in violation of Section 11-17.1, 11-19.2, 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012 that the sentencing court determines, after a forfeiture hearing under this Article, to have been acquired or maintained as a result of keeping a place of juvenile prostitution, exploitation of a child; child pornography; or aggravated child pornography.

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(2) Any interest in, securities of, claim against, or property or contractual right of any kind affording a source of influence over any enterprise that the person has established, operated, controlled, or conducted in violation of subdivision (a)(1) or (a)(4) of Section 11-14.4 or in violation of Section 11-17.1, 11-19.2, 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012 that the sentencing court determines, after a forfeiture hearing under this Article, to have been acquired or maintained as a result of keeping a place of juvenile prostitution, exploitation of a child, child pornography, or aggravated child pornography.

(3) Any computer that contains a depiction of child pornography in any encoded or decoded format in violation of Section 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012. For purposes of this paragraph (3), "computer" has the meaning ascribed to it in Section 17-0.5 of the Criminal Code of 2012.

(Source: P.A. 96-712, eff. 1-1-10; 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

Section 25. The Unified Code of Corrections is amended by adding Section 5-9-1.21 as follows:

(730 ILCS 5/5-9-1.21 new)
Sec. 5-9-1.21. Specialized Services for Survivors of Human Trafficking Fund.

(a) There is created in the State treasury a Specialized Services for Survivors of Human Trafficking Fund. Moneys deposited into the Fund under this Section shall be available for the Department of Human Services for the purposes in this Section.

(b) Each plea of guilty, stipulation of facts, or finding of guilt resulting in a judgment of conviction or order of supervision for an offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of the Criminal Code of 2012 that results in the imposition of a fine shall have a portion of that fine deposited into the Specialized Services for Survivors of Human Trafficking Fund.

(c) If imposed, the fine shall be collected by the circuit court clerk in addition to any other imposed fee. The circuit court clerk shall retain $50 to cover the costs in administering and enforcing this Section. The circuit court clerk shall remit the remainder of the fine within one month of its receipt as follows:

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(1) $300 shall be distributed equally between all State law enforcement agencies whose officers or employees conducted the investigation or prosecution that resulted in the finding of guilt; and
(2) the remainder of the fine shall be remitted to the Department of Human Services for deposit into the Specialized Services for Survivors of Human Trafficking Fund.

(d) Upon appropriation of moneys from the Specialized Services for Survivors of Human Trafficking Fund, the Department of Human Services shall use these moneys to make grants to non-governmental organizations to provide specialized, trauma-informed services specifically designed to address the priority service needs associated with prostitution and human trafficking. Priority services include, but are not limited to, community based drop-in centers, emergency housing, and long-term safe homes. The Department shall consult with prostitution and human trafficking advocates, survivors, and service providers to identify priority service needs in their respective communities.

(e) Grants made under this Section are in addition to, and not substitutes for, other grants authorized and made by the Department.

(f) Notwithstanding any other law to the contrary, the Specialized Services for Survivors of Human Trafficking Fund is not subject to sweeps, administrative charge-backs, or any other fiscal maneuver that would in any way transfer any amounts from the Specialized Services for Survivors of Human Trafficking Fund into any other fund of the State.

Passed in the General Assembly May 27, 2014.
Approved August 21, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1014
(House Bill No. 0802)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Section 14-3 as follows:

(720 ILCS 5/14-3)
Sec. 14-3. Exemptions. The following activities shall be exempt from the provisions of this Article:

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(a) Listening to radio, wireless and television communications of any sort where the same are publicly made;

(b) Hearing conversation when heard by employees of any common carrier by wire incidental to the normal course of their employment in the operation, maintenance or repair of the equipment of such common carrier by wire so long as no information obtained thereby is used or divulged by the hearer;

(c) Any broadcast by radio, television or otherwise whether it be a broadcast or recorded for the purpose of later broadcasts of any function where the public is in attendance and the conversations are overheard incidental to the main purpose for which such broadcasts are then being made;

(d) Recording or listening with the aid of any device to any emergency communication made in the normal course of operations by any federal, state or local law enforcement agency or institutions dealing in emergency services, including, but not limited to, hospitals, clinics, ambulance services, fire fighting agencies, any public utility, emergency repair facility, civilian defense establishment or military installation;

(e) Recording the proceedings of any meeting required to be open by the Open Meetings Act, as amended;

(f) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as consumer "hotlines" by manufacturers or retailers of food and drug products. Such recordings must be destroyed, erased or turned over to local law enforcement authorities within 24 hours from the time of such recording and shall not be otherwise disseminated. Failure on the part of the individual or business operating any such recording or listening device to comply with the requirements of this subsection shall eliminate any civil or criminal immunity conferred upon that individual or business by the operation of this Section;

(g) With prior notification to the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded under circumstances where the use of the device is necessary for the protection of the law enforcement officer or any person acting at the direction of law enforcement, in the course of an investigation of a forcible felony, a felony offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons under Section 10-9 of this Code, an offense involving prostitution, solicitation of
a sexual act, or pandering, a felony violation of the Illinois Controlled Substances Act, a felony violation of the Cannabis Control Act, a felony violation of the Methamphetamine Control and Community Protection Act, any "streetgang related" or "gang-related" felony as those terms are defined in the Illinois Streetgang Terrorism Omnibus Prevention Act, or any felony offense involving any weapon listed in paragraphs (1) through (11) of subsection (a) of Section 24-1 of this Code. Any recording or evidence derived as the result of this exemption shall be inadmissible in any proceeding, criminal, civil or administrative, except (i) where a party to the conversation suffers great bodily injury or is killed during such conversation, or (ii) when used as direct impeachment of a witness concerning matters contained in the interception or recording. The Director of the Department of State Police shall issue regulations as are necessary concerning the use of devices, retention of tape recordings, and reports regarding their use;

(g-5) With approval of the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded in the course of an investigation of any offense defined in Article 29D of this Code. In all such cases, an application for an order approving the previous or continuing use of an eavesdropping device must be made within 48 hours of the commencement of such use. In the absence of such an order, or upon its denial, any continuing use shall immediately terminate. The Director of State Police shall issue rules as are necessary concerning the use of devices, retention of tape recordings, and reports regarding their use.

Any recording or evidence obtained or derived in the course of an investigation of any offense defined in Article 29D of this Code shall, upon motion of the State's Attorney or Attorney General prosecuting any violation of Article 29D, be reviewed in camera with notice to all parties present by the court presiding over the criminal case, and, if ruled by the court to be relevant and otherwise admissible, it shall be admissible at the trial of the criminal case.

This subsection (g-5) is inoperative on and after January 1, 2005. No conversations recorded or monitored pursuant to this subsection (g-5) shall be inadmissible in a court of law by virtue of the repeal of this subsection (g-5) on January 1, 2005;

(g-6) With approval of the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any

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conversation where a law enforcement officer, or any person acting at the
direction of law enforcement, is a party to the conversation and has consented
to it being intercepted or recorded in the course of an investigation of
involuntary servitude, involuntary sexual servitude of a minor, trafficking in
persons, child pornography, aggravated child pornography, indecent
solicitation of a child, child abduction, luring of a minor, sexual exploitation
of a child, predatory criminal sexual assault of a child, aggravated criminal
sexual abuse in which the victim of the offense was at the time of the
commission of the offense under 18 years of age, criminal sexual abuse by
force or threat of force in which the victim of the offense was at the time of
the commission of the offense under 18 years of age, or aggravated criminal
sexual assault in which the victim of the offense was at the time of the
commission of the offense under 18 years of age. In all such cases, an
application for an order approving the previous or continuing use of an
eavesdropping device must be made within 48 hours of the commencement
of such use. In the absence of such an order, or upon its denial, any
continuing use shall immediately terminate. The Director of State Police shall
issue rules as are necessary concerning the use of devices, retention of
recordings, and reports regarding their use. Any recording or evidence
obtained or derived in the course of an investigation of involuntary servitude,
involuntary sexual servitude of a minor, trafficking in persons, child
pornography, aggravated child pornography, indecent solicitation of a child,
child abduction, luring of a minor, sexual exploitation of a child, predatory
criminal sexual assault of a child, aggravated criminal sexual abuse in which
the victim of the offense was at the time of the commission of the offense
under 18 years of age, criminal sexual abuse by force or threat of force in
which the victim of the offense was at the time of the commission of the
offense under 18 years of age, or aggravated criminal sexual assault in which
the victim of the offense was at the time of the commission of the offense
under 18 years of age shall, upon motion of the State's Attorney or Attorney
General prosecuting any case involving involuntary servitude, involuntary
sexual servitude of a minor, trafficking in persons, child pornography,
aggravated child pornography, indecent solicitation of a child, child
abduction, luring of a minor, sexual exploitation of a child, predatory
criminal sexual assault of a child, aggravated criminal sexual abuse in which
the victim of the offense was at the time of the commission of the offense
under 18 years of age, criminal sexual abuse by force or threat of force in
which the victim of the offense was at the time of the commission of the
offense under 18 years of age, or aggravated criminal sexual assault in which

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the victim of the offense was at the time of the commission of the offense under 18 years of age, be reviewed in camera with notice to all parties present by the court presiding over the criminal case, and, if ruled by the court to be relevant and otherwise admissible, it shall be admissible at the trial of the criminal case. Absent such a ruling, any such recording or evidence shall not be admissible at the trial of the criminal case;

(h) Recordings made simultaneously with the use of an in-car video camera recording of an oral conversation between a uniformed peace officer, who has identified his or her office, and a person in the presence of the peace officer whenever (i) an officer assigned a patrol vehicle is conducting an enforcement stop; or (ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

For the purposes of this subsection (h), "enforcement stop" means an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance;

(h-5) Recordings of utterances made by a person while in the presence of a uniformed peace officer and while an occupant of a police vehicle including, but not limited to, (i) recordings made simultaneously with the use of an in-car video camera and (ii) recordings made in the presence of the peace officer utilizing video or audio systems, or both, authorized by the law enforcement agency;

(h-10) Recordings made simultaneously with a video camera recording during the use of a taser or similar weapon or device by a peace officer if the weapon or device is equipped with such camera;

(h-15) Recordings made under subsection (h), (h-5), or (h-10) shall be retained by the law enforcement agency that employs the peace officer who made the recordings for a storage period of 90 days, unless the recordings are made as a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court. Under no circumstances shall any recording be altered or erased prior to the expiration of the designated storage period. Upon completion of the storage period, the recording medium may be erased and reissued for operational use;
(i) Recording of a conversation made by or at the request of a person, not a law enforcement officer or agent of a law enforcement officer, who is a party to the conversation, under reasonable suspicion that another party to the conversation is committing, is about to commit, or has committed a criminal offense against the person or a member of his or her immediate household, and there is reason to believe that evidence of the criminal offense may be obtained by the recording;

(j) The use of a telephone monitoring device by either (1) a corporation or other business entity engaged in marketing or opinion research or (2) a corporation or other business entity engaged in telephone solicitation, as defined in this subsection, to record or listen to oral telephone solicitation conversations or marketing or opinion research conversations by an employee of the corporation or other business entity when:

(i) the monitoring is used for the purpose of service quality control of marketing or opinion research or telephone solicitation, the education or training of employees or contractors engaged in marketing or opinion research or telephone solicitation, or internal research related to marketing or opinion research or telephone solicitation; and

(ii) the monitoring is used with the consent of at least one person who is an active party to the marketing or opinion research conversation or telephone solicitation conversation being monitored.

No communication or conversation or any part, portion, or aspect of the communication or conversation made, acquired, or obtained, directly or indirectly, under this exemption (j), may be, directly or indirectly, furnished to any law enforcement officer, agency, or official for any purpose or used in any inquiry or investigation, or used, directly or indirectly, in any administrative, judicial, or other proceeding, or divulged to any third party.

When recording or listening authorized by this subsection (j) on telephone lines used for marketing or opinion research or telephone solicitation purposes results in recording or listening to a conversation that does not relate to marketing or opinion research or telephone solicitation; the person recording or listening shall, immediately upon determining that the conversation does not relate to marketing or opinion research or telephone solicitation, terminate the recording or listening and destroy any such recording as soon as is practicable.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide current and prospective employees with notice that the monitoring or recordings may

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occur during the course of their employment. The notice shall include prominent signage notification within the workplace.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide their employees or agents with access to personal-only telephone lines which may be pay telephones, that are not subject to telephone monitoring or telephone recording.

For the purposes of this subsection (j), "telephone solicitation" means a communication through the use of a telephone by live operators:

(i) soliciting the sale of goods or services;
(ii) receiving orders for the sale of goods or services;
(iii) assisting in the use of goods or services; or
(iv) engaging in the solicitation, administration, or collection of bank or retail credit accounts.

For the purposes of this subsection (j), "marketing or opinion research" means a marketing or opinion research interview conducted by a live telephone interviewer engaged by a corporation or other business entity whose principal business is the design, conduct, and analysis of polls and surveys measuring the opinions, attitudes, and responses of respondents toward products and services, or social or political issues, or both;

(k) Electronic recordings, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of a custodial interrogation of an individual at a police station or other place of detention by a law enforcement officer under Section 5-401.5 of the Juvenile Court Act of 1987 or Section 103-2.1 of the Code of Criminal Procedure of 1963;

(l) Recording the interview or statement of any person when the person knows that the interview is being conducted by a law enforcement officer or prosecutor and the interview takes place at a police station that is currently participating in the Custodial Interview Pilot Program established under the Illinois Criminal Justice Information Act;

(m) An electronic recording, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of the interior of a school bus while the school bus is being used in the transportation of students to and from school and school-sponsored activities, when the school board has adopted a policy authorizing such recording, notice of such recording policy is included in student handbooks and other documents including the policies of the school, notice of the policy regarding

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recording is provided to parents of students, and notice of such recording is clearly posted on the door of and inside the school bus.

Recordings made pursuant to this subsection (m) shall be confidential records and may only be used by school officials (or their designees) and law enforcement personnel for investigations, school disciplinary actions and hearings, proceedings under the Juvenile Court Act of 1987, and criminal prosecutions, related to incidents occurring in or around the school bus;

(n) Recording or listening to an audio transmission from a microphone placed by a person under the authority of a law enforcement agency inside a bait car surveillance vehicle while simultaneously capturing a photographic or video image;

(o) The use of an eavesdropping camera or audio device during an ongoing hostage or barricade situation by a law enforcement officer or individual acting on behalf of a law enforcement officer when the use of such device is necessary to protect the safety of the general public, hostages, or law enforcement officers or anyone acting on their behalf;

(p) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as the "CPS Violence Prevention Hotline", but only where the notice of recording is given at the beginning of each call as required by Section 34-21.8 of the School Code. The recordings may be retained only by the Chicago Police Department or other law enforcement authorities, and shall not be otherwise retained or disseminated; and

(q)(1) With prior request to and verbal approval of the State's Attorney of the county in which the conversation is anticipated to occur, recording or listening with the aid of an eavesdropping device to a conversation in which a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party to the conversation and has consented to the conversation being intercepted or recorded in the course of an investigation of a drug offense. The State's Attorney may grant this verbal approval only after determining that reasonable cause exists to believe that a drug offense will be committed by a specified individual or individuals within a designated period of time.

(2) Request for approval. To invoke the exception contained in this subsection (q), a law enforcement officer shall make a written or verbal request for approval to the appropriate State's Attorney. This request for approval shall include whatever information is deemed necessary by the State's Attorney but shall include, at a minimum, the following information

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about each specified individual whom the law enforcement officer believes will commit a drug offense:

(A) his or her full or partial name, nickname or alias;

(B) a physical description; or

(C) failing either (A) or (B) of this paragraph (2), any other supporting information known to the law enforcement officer at the time of the request that gives rise to reasonable cause to believe the individual will commit a drug offense.

(3) Limitations on verbal approval. Each verbal approval by the State's Attorney under this subsection (q) shall be limited to:

(A) a recording or interception conducted by a specified law enforcement officer or person acting at the direction of a law enforcement officer;

(B) recording or intercepting conversations with the individuals specified in the request for approval, provided that the verbal approval shall be deemed to include the recording or intercepting of conversations with other individuals, unknown to the law enforcement officer at the time of the request for approval, who are acting in conjunction with or as co-conspirators with the individuals specified in the request for approval in the commission of a drug offense;

(C) a reasonable period of time but in no event longer than 24 consecutive hours.

(4) Admissibility of evidence. No part of the contents of any wire, electronic, or oral communication that has been recorded or intercepted as a result of this exception may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of this State, or a political subdivision of the State, other than in a prosecution of:

(A) a drug offense;

(B) a forcible felony committed directly in the course of the investigation of a drug offense for which verbal approval was given to record or intercept a conversation under this subsection (q); or

(C) any other forcible felony committed while the recording or interception was approved in accordance with this Section (q), but for this specific category of prosecutions, only if the law enforcement officer or person acting at the direction of a law enforcement officer who has consented to the conversation being intercepted or recorded

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suffers great bodily injury or is killed during the commission of the charged forcible felony.

(5) Compliance with the provisions of this subsection is a prerequisite to the admissibility in evidence of any part of the contents of any wire, electronic or oral communication that has been intercepted as a result of this exception, but nothing in this subsection shall be deemed to prevent a court from otherwise excluding the evidence on any other ground, nor shall anything in this subsection be deemed to prevent a court from independently reviewing the admissibility of the evidence for compliance with the Fourth Amendment to the U.S. Constitution or with Article I, Section 6 of the Illinois Constitution.

(6) Use of recordings or intercepts unrelated to drug offenses. Whenever any wire, electronic, or oral communication has been recorded or intercepted as a result of this exception that is not related to a drug offense or a forcible felony committed in the course of a drug offense, no part of the contents of the communication and evidence derived from the communication may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of this State, or a political subdivision of the State, nor may it be publicly disclosed in any way.

(7) Definitions. For the purposes of this subsection (q) only:

"Drug offense" includes and is limited to a felony violation of one of the following: (A) the Illinois Controlled Substances Act, (B) the Cannabis Control Act, and (C) the Methamphetamine Control and Community Protection Act.

"Forcible felony" includes and is limited to those offenses contained in Section 2-8 of the Criminal Code of 1961 as of the effective date of this amendatory Act of the 97th General Assembly, and only as those offenses have been defined by law or judicial interpretation as of that date.

"State's Attorney" includes and is limited to the State's Attorney or an assistant State's Attorney designated by the State's Attorney to provide verbal approval to record or intercept conversations under this subsection (q).

(8) Sunset. This subsection (q) is inoperative on and after January 1, 2015. No conversations intercepted pursuant to this subsection (q), while operative, shall be inadmissible in a court of law by virtue of the inoperability of this subsection (q) on January 1, 2015; and:

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(r) Electronic recordings, including but not limited to, motion picture, videotape, digital, or other visual or audio recording, made of a lineup under Section 107A-2 of the Code of Criminal Procedure of 1963.
(Source: P.A. 97-333, eff. 8-12-11; 97-846, eff. 1-1-13; 97-897, eff. 1-1-13; 98-463, eff. 8-16-13.)

Section 10. The Code of Criminal Procedure of 1963 is amended by adding Sections 107A-0.1 and 107A-2 as follows:
(725 ILCS 5/107A-0.1 new)
Sec. 107A-0.1. Definitions.
For the purposes of this Article:
"Eyewitness" means a person viewing the lineup whose identification by sight of another person may be relevant in a criminal proceeding.
"Filler" means a person or a photograph of a person who is not suspected of an offense and is included in a lineup.
"Independent administrator" means a lineup administrator who is not participating in the investigation of the criminal offense and is unaware of which person in the lineup is the suspected perpetrator.
"Lineup" includes a photo lineup or live lineup.
"Lineup administrator" means the person who conducts a lineup.
"Live lineup" means a procedure in which a group of persons is displayed to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime, but does not include a showup.
"Photo lineup" means a procedure in which photographs are displayed to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime.
"Sequential lineup" means a live or photo lineup in which each person or photograph is presented to an eyewitness separately, in a previously determined order, and removed from the eyewitness's view before the next person or photograph is presented, in order to determine if the eyewitness is able to identify the perpetrator of a crime.
"Showup" means a procedure in which a suspected perpetrator is presented to the eyewitness at, or near, a crime scene for the purpose of obtaining an immediate identification.

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"Simultaneous lineup" means a live or photo lineup in which
a group of persons or array of photographs is presented
simultaneously to an eyewitness for the purpose of determining if the
eyewitness is able to identify the perpetrator of a crime.
(725 ILCS 5/107A-2 new)
Sec. 107A-2. Lineup procedure.
(a) All lineups shall be conducted using one of the following methods:
   (1) An independent administrator, unless it is not practical.
   (2) An automated computer program or other device that can
       automatically display a photo lineup to an eyewitness in a manner
       that prevents the lineup administrator from seeing which photograph
       or photographs the eyewitness is viewing until after the lineup is
       completed. The automated computer program may present the
       photographs to the eyewitness simultaneously or sequentially,
       consistent with the law enforcement agency guidelines required under
       subsection (b) of this Section.
   (3) A procedure in which photographs are placed in folders,
       randomly numbered, and shuffled and then presented to an
       eyewitness such that the lineup administrator cannot see or know
       which photograph or photographs are being presented to the
       eyewitness until after the procedure is completed. The photographs
       may be presented to the eyewitness simultaneously or sequentially,
       consistent with the law enforcement agency guidelines required under
       subsection (b) of this Section.
   (4) Any other procedure that prevents the lineup
       administrator from knowing the identity of the suspected perpetrator
       or seeing or knowing the persons or photographs being presented to
       the eyewitness until after the procedure is completed.
(b) Each law enforcement agency shall adopt written guidelines
setting forth when, if at all, simultaneous lineups shall be conducted and
when, if at all, sequential lineups shall be conducted. This subsection does
not establish a preference for whether a law enforcement agency should
conduct simultaneous lineups or sequential lineups. Whether and when to
conduct simultaneous lineups or sequential lineups is at the discretion of
each law enforcement agency. If, after the effective date of this amendatory
Act of the 98th General Assembly, a method of conducting a lineup different
from a simultaneous or sequential lineup is determined by the Illinois
Supreme Court to be sufficiently established to have gained general
acceptance as a reliable method for eyewitness identifications and provides

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more accurate results than simultaneous or sequential lineups, a law enforcement agency may adopt written guidelines setting forth when, if at all, this different method of conducting lineups shall be used and, when feasible, the provisions of subsection (d) of this Section shall apply to the use of these methods.

(c) On and after the effective date of this amendatory Act of the 98th General Assembly, there is no preference as to whether a law enforcement agency conducts a live lineup or a photo lineup and to the extent that the common law directs otherwise, this direction is abrogated.

(d) If a lineup administrator conducts a sequential lineup, the following shall apply:

(1) Solely at the eyewitness's request, the lineup administrator may present a person or photograph to the eyewitness an additional time but only after the eyewitness has first viewed each person or photograph one time.

(2) If the eyewitness identifies a person as a perpetrator, the lineup administrator shall continue to sequentially present the remaining persons or photographs to the eyewitness until the eyewitness has viewed each person or photograph.

(e) Before a lineup is conducted:

(1) The eyewitness shall be instructed that:

(A) if recording the lineup is practical, an audio and video recording of the lineup will be made for the purpose of accurately documenting all statements made by the eyewitness, unless the eyewitness refuses to the recording of the lineup, and that if a recording is made it will be of the persons in the lineup and the eyewitness;

(B) the perpetrator may or may not be presented in the lineup;

(C) if an independent administrator is conducting the lineup, the independent administrator does not know the suspected perpetrator's identity or if the administrator conducting the lineup is not an independent administrator, the eyewitness should not assume that the lineup administrator knows which person in the lineup is the suspect;

(D) the eyewitness should not feel compelled to make an identification;

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(E) it is as important to exclude innocent persons as it is to identify a perpetrator; and
(F) the investigation will continue whether or not an identification is made.

(2) The eyewitness shall acknowledge in writing the receipt of the instructions required under this subsection and, if applicable, the refusal to be recorded. If the eyewitness refuses to sign the acknowledgement, the lineup administrator shall note the refusal of the eyewitness to sign the acknowledgement and shall also sign the acknowledgement.

(f) In conducting a lineup:

(1) When practicable, the lineup administrator shall separate all eyewitnesses in order to prevent the eyewitnesses from conferring with one another before and during the lineup procedure. If separating the eyewitnesses is not practicable, the lineup administrator shall ensure that all eyewitnesses are monitored and that they do not confer with one another while waiting to view the lineup and during the lineup.

(2) Each eyewitness shall perform the identification procedures without any other eyewitness present. Each eyewitness shall be given instructions regarding the identification procedures without other eyewitnesses present.

(3) The lineup shall be composed to ensure that the suspected perpetrator does not unduly stand out from the fillers. In addition:

(A) Only one suspected perpetrator shall be included in a lineup.

(B) The suspected perpetrator shall not be substantially different in appearance from the fillers based on the eyewitness's previous description of the perpetrator or based on other factors that would draw attention to the suspected perpetrator.

(C) At least 5 fillers shall be included in a photo lineup, in addition to the suspected perpetrator.

(D) When practicable, at least 5 fillers shall be included in a live lineup, in addition to the suspected perpetrator, but in no event shall there be less than 3 fillers in addition to the suspected perpetrator.

(E) If the eyewitness has previously viewed a photo lineup or live lineup in connection with the identification of New matter indicated by italics - deletions by strikeout
another person suspected of involvement in the offense, the fillers in the lineup in which the current suspected perpetrator participates shall be different from the fillers used in the prior lineups.

(4) If there are multiple eyewitnesses, subject to the requirements in subsection (a) of this Section and to the extent possible, the suspected perpetrator shall be placed in a different position in the lineup or photo array for each eyewitness.

(5) Nothing shall be communicated to the eyewitness regarding the suspected perpetrator's position in the lineup or regarding anything that may influence the eyewitness's identification.

(6) No writings or information concerning any previous arrest, indictment, or conviction of the suspected perpetrator shall be visible or made known to the eyewitness.

(7) If a photo lineup, the photograph of the suspected perpetrator shall be contemporary in relation to the photographs of the fillers and, to the extent practicable, shall resemble the suspected perpetrator's appearance at the time of the offense.

(8) If a live lineup, any identifying actions, such as speech, gestures, or other movements, shall be performed by all lineup participants.

(9) If a live lineup, all lineup participants must be out of view of the eyewitness prior to the lineup.

(10) The lineup administrator shall obtain and document any and all statements made by the eyewitness during the lineup as to the perpetrator's identity. When practicable, an audio or video recording of the statements shall be made.

(11) If the eyewitness identifies a person as the perpetrator, the eyewitness shall not be provided any information concerning the person until after the lineup is completed.

(12) Unless otherwise allowed under subsection (a) of this Section, there shall not be anyone present during a lineup who knows the suspected perpetrator's identity, except the eyewitness and suspected perpetrator's counsel if required by law.

(g) The lineup administrator shall make an official report of all lineups, which shall include all of the following information:

(1) All identification and non-identification results obtained during the lineup, signed by the eyewitness, including any and all statements made by the eyewitness during the lineup as to the

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perpetrator's identity as required under paragraph (10) of subsection (f) of this Section. If the eyewitness refuses to sign, the lineup administrator shall note the refusal of the eyewitness to sign the results and shall also sign the notation.

(2) The names of all persons who viewed the lineup.

(3) The names of all law enforcement officers and counsel present during the lineup.

(4) The date, time, and location of the lineup.

(5) Whether it was a photo lineup or live lineup and how many persons or photographs were presented in the lineup.

(6) The sources of all persons or photographs used as fillers in the lineup.

(7) In a photo lineup, the actual photographs shown to the eyewitness.

(8) In a live lineup, a photograph or other visual recording of the lineup that includes all persons who participated in the lineup.

(9) If applicable, the eyewitness's refusal to be recorded.

(10) If applicable, the reason for any impracticability in strict compliance with this Section.

(h) Unless it is not practical or the eyewitness refuses, a video record of all lineup procedures shall be made.

(1) If a video record is not practical or the eyewitness refuses to allow a video record to be made:

(A) the reasons or the refusal shall be documented in the official report required under subsection (g) of this Section;

(B) an audio record shall be made, if practical; and

(C) if a live lineup, the lineup shall be photographed.

(2) If an audio record is not practical, the reasons shall be documented in the official report required under subsection (g) of this Section.

(i) The photographs, recordings, and the official report of the lineup required by this Section shall be disclosed to counsel for the accused as provided by the Illinois Supreme Court Rules regarding discovery. All photographs of suspected perpetrators shown to an eyewitness during a lineup shall be disclosed to counsel for the accused as provided by the Illinois Supreme Court Rules regarding discovery. To protect the identity of the eyewitness and the identities of law enforcement officers used as fillers in the lineup from being disclosed to third parties, the State's Attorney shall

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petition the court for a protective order under Supreme Court Rule 415 upon disclosure of the photographs or recordings to the counsel of the accused.

(j) All of the following shall be available as consequences of compliance or noncompliance with the requirements of this Section:

(1) Failure to comply with any of the requirements of this Section shall be a factor to be considered by the court in adjudicating a motion to suppress an eyewitness identification or any other motion to bar an eyewitness identification. These motions shall be in writing and state facts showing how the identification procedure was improper. This paragraph (1) makes no change to existing applicable common law or statutory standards or burdens of proof.

(2) When warranted by the evidence presented at trial, the jury shall be instructed that it may consider all the facts and circumstances including compliance or noncompliance with this Section to assist in its weighing of the identification testimony of an eyewitness.

(k) Any electronic recording made during a lineup that is compiled by any law enforcement agency as required by this Section for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided under Section 7 of the Freedom of Information Act, and the recording shall not be transmitted to any person except as necessary to comply with this Section.

(725 ILCS 5/107A-5 rep.)
(725 ILCS 5/107A-10 rep.)


Approved August 22, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1015

(AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-206.1 and 6-208.1 as follows:

(625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)

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Sec. 6-206.1. Monitoring Device Driving Permit. Declaration of Policy. It is hereby declared a policy of the State of Illinois that the driver who is impaired by alcohol, other drug or drugs, or intoxicating compound or compounds is a threat to the public safety and welfare. Therefore, to provide a deterrent to such practice, a statutory summary driver's license suspension is appropriate. It is also recognized that driving is a privilege and therefore, that the granting of driving privileges, in a manner consistent with public safety, is warranted during the period of suspension in the form of a monitoring device driving permit. A person who drives and fails to comply with the requirements of the monitoring device driving permit commits a violation of Section 6-303 of this Code.

The following procedures shall apply whenever a first offender, as defined in Section 11-500 of this Code, is arrested for any offense as defined in Section 11-501 or a similar provision of a local ordinance and is subject to the provisions of Section 11-501.1:

(a) Upon mailing of the notice of suspension of driving privileges as provided in subsection (h) of Section 11-501.1 of this Code, the Secretary shall also send written notice informing the person that he or she will be issued a monitoring device driving permit (MDDP). The notice shall include, at minimum, information summarizing the procedure to be followed for issuance of the MDDP, installation of the breath alcohol ignition installation device (BAIID), as provided in this Section, exemption from BAIID installation requirements, and procedures to be followed by those seeking indigent status, as provided in this Section. The notice shall also include information summarizing the procedure to be followed if the person wishes to decline issuance of the MDDP. A copy of the notice shall also be sent to the court of venue together with the notice of suspension of driving privileges, as provided in subsection (h) of Section 11-501. However, a MDDP shall not be issued if the Secretary finds that:

1. The offender's driver's license is otherwise invalid;
2. Death or great bodily harm to another resulted from the arrest for Section 11-501;
3. The offender has been previously convicted of reckless homicide or aggravated driving under the influence involving death;
4. The offender is less than 18 years of age; or
5. The offender is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act and refused to submit to standardized field sobriety tests as required by
subsection (a-5) of Section 11-501.1 or did submit to testing and failed the test or tests.

Any offender participating in the MDDP program must pay the Secretary a MDDP Administration Fee in an amount not to exceed $30 per month, to be deposited into the Monitoring Device Driving Permit Administration Fee Fund. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees. The offender must have an ignition interlock device installed within 14 days of the date the Secretary issues the MDDP. The ignition interlock device provider must notify the Secretary, in a manner and form prescribed by the Secretary, of the installation. If the Secretary does not receive notice of installation, the Secretary shall cancel the MDDP.

A MDDP shall not become effective prior to the 31st day of the original statutory summary suspension.

Upon receipt of the notice, as provided in paragraph (a) of this Section, the person may file a petition to decline issuance of the MDDP with the court of venue. The court shall admonish the offender of all consequences of declining issuance of the MDDP including, but not limited to, the enhanced penalties for driving while suspended. After being so admonished, the offender shall be permitted, in writing, to execute a notice declining issuance of the MDDP. This notice shall be filed with the court and forwarded by the clerk of the court to the Secretary. The offender may, at any time thereafter, apply to the Secretary for issuance of a MDDP.

(a-1) A person issued a MDDP may drive for any purpose and at any time, subject to the rules adopted by the Secretary under subsection (g). The person must, at his or her own expense, drive only vehicles equipped with an ignition interlock device as defined in Section 1-129.1, but in no event shall such person drive a commercial motor vehicle.

(a-2) Persons who are issued a MDDP and must drive employer-owned vehicles in the course of their employment duties may seek permission to drive an employer-owned vehicle that does not have an ignition interlock device. The employer shall provide to the Secretary a form, as prescribed by the Secretary, completed by the employer verifying that the employee must drive an employer-owned vehicle in the course of employment. If approved by the Secretary, the form must be in the driver’s possession while operating an employer-owner vehicle not equipped with an ignition interlock device. No person may use this exemption to drive a school bus, school vehicle, or a vehicle designed to transport more than 15 passengers. No person may use this exemption to drive an employer-owned motor vehicle that is owned by

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an entity that is wholly or partially owned by the person holding the MDDP, or by a family member of the person holding the MDDP. No person may use this exemption to drive an employer-owned vehicle that is made available to the employee for personal use. No person may drive the exempted vehicle more than 12 hours per day, 6 days per week.

(a-3) Persons who are issued a MDDP and who must drive a farm tractor to and from a farm, within 50 air miles from the originating farm are exempt from installation of a BAIID on the farm tractor, so long as the farm tractor is being used for the exclusive purpose of conducting farm operations.

(b) (Blank).

(c) (Blank).

(c-1) If the holder of the MDDP is convicted of or receives court supervision for a violation of Section 6-206.2, 6-303, 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar provision of a local ordinance or a similar out-of-state offense or is convicted of or receives court supervision for any offense for which alcohol or drugs is an element of the offense and in which a motor vehicle was involved (for an arrest other than the one for which the MDDP is issued), or de-installs the BAIID without prior authorization from the Secretary, the MDDP shall be cancelled.

(c-5) If the Secretary determines that the person seeking the MDDP is indigent, the Secretary shall provide the person with a written document as evidence of that determination, and the person shall provide that written document to an ignition interlock device provider. The provider shall install an ignition interlock device on that person's vehicle without charge to the person, and seek reimbursement from the Indigent BAIID Fund. If the Secretary has deemed an offender indigent, the BAIID provider shall also provide the normal monthly monitoring services and the de-installation without charge to the offender and seek reimbursement from the Indigent BAIID Fund. Any other monetary charges, such as a lockout fee or reset fee, shall be the responsibility of the MDDP holder. A BAIID provider may not seek a security deposit from the Indigent BAIID Fund.

(d) MDDP information shall be available only to the courts, police officers, and the Secretary, except during the actual period the MDDP is valid, during which time it shall be a public record.

(e) (Blank).

(f) (Blank).

(g) The Secretary shall adopt rules for implementing this Section. The rules adopted shall address issues including, but not limited to: compliance with the requirements of the MDDP; methods for determining compliance

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with those requirements; the consequences of noncompliance with those requirements; what constitutes a violation of the MDDP; methods for determining indigency; and the duties of a person or entity that supplies the ignition interlock device.

(h) The rules adopted under subsection (g) shall provide, at a minimum, that the person is not in compliance with the requirements of the MDDP if he or she:

1. tampers or attempts to tamper with or circumvent the proper operation of the ignition interlock device;
2. provides valid breath samples that register blood alcohol levels in excess of the number of times allowed under the rules;
3. fails to provide evidence sufficient to satisfy the Secretary that the ignition interlock device has been installed in the designated vehicle or vehicles; or
4. fails to follow any other applicable rules adopted by the Secretary.

(i) Any person or entity that supplies an ignition interlock device as provided under this Section shall, in addition to supplying only those devices which fully comply with all the rules adopted under subsection (g), provide the Secretary, within 7 days of inspection, all monitoring reports of each person who has had an ignition interlock device installed. These reports shall be furnished in a manner or form as prescribed by the Secretary.

(j) Upon making a determination that a violation of the requirements of the MDDP has occurred, the Secretary shall extend the summary suspension period for an additional 3 months beyond the originally imposed summary suspension period, during which time the person shall only be allowed to drive vehicles equipped with an ignition interlock device; provided further there are no limitations on the total number of times the summary suspension may be extended. The Secretary may, however, limit the number of extensions imposed for violations occurring during any one monitoring period, as set forth by rule. Any person whose summary suspension is extended pursuant to this Section shall have the right to contest the extension through a hearing with the Secretary, pursuant to Section 2-118 of this Code. If the summary suspension has already terminated prior to the Secretary receiving the monitoring report that shows a violation, the Secretary shall be authorized to suspend the person's driving privileges for 3 months, provided that the Secretary may, by rule, limit the number of suspensions to be entered pursuant to this paragraph for violations occurring during any one monitoring period. Any person whose license is suspended pursuant to this

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paragraph, after the summary suspension had already terminated, shall have the right to contest the suspension through a hearing with the Secretary, pursuant to Section 2-118 of this Code. The only permit the person shall be eligible for during this new suspension period is a MDDP.

(k) A person who has had his or her summary suspension extended for the third time, or has any combination of 3 extensions and new suspensions, entered as a result of a violation that occurred while holding the MDDP, so long as the extensions and new suspensions relate to the same summary suspension, shall have his or her vehicle impounded for a period of 30 days, at the person's own expense. A person who has his or her summary suspension extended for the fourth time, or has any combination of 4 extensions and new suspensions, entered as a result of a violation that occurred while holding the MDDP, so long as the extensions and new suspensions relate to the same summary suspension, shall have his or her vehicle subject to seizure and forfeiture. The Secretary shall notify the prosecuting authority of any third or fourth extensions or new suspension entered as a result of a violation that occurred while the person held a MDDP. Upon receipt of the notification, the prosecuting authority shall impound or forfeit the vehicle. The impoundment or forfeiture of a vehicle shall be conducted pursuant to the procedure specified in Article 36 of the Criminal Code of 2012.

(l) A person whose driving privileges have been suspended under Section 11-501.1 of this Code and who had a MDDP that was cancelled, or would have been cancelled had notification of a violation been received prior to expiration of the MDDP, pursuant to subsection (c-1) of this Section, shall not be eligible for reinstatement when the summary suspension is scheduled to terminate. Instead, the person's driving privileges shall be suspended for a period of not less than twice the original summary suspension period, or for the length of any extensions entered under subsection (j), whichever is longer. During the period of suspension, the person shall be eligible only to apply for a restricted driving permit. If a restricted driving permit is granted, the offender may only operate vehicles equipped with a BAIID in accordance with this Section.

(m) Any person or entity that supplies an ignition interlock device under this Section shall, for each ignition interlock device installed, pay 5% of the total gross revenue received for the device, including monthly monitoring fees, into the Indigent BAIID Fund. This 5% shall be clearly indicated as a separate surcharge on each invoice that is issued. The Secretary shall conduct an annual review of the fund to determine whether the

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surcharge is sufficient to provide for indigent users. The Secretary may increase or decrease this surcharge requirement as needed.

(n) Any person or entity that supplies an ignition interlock device under this Section that is requested to provide an ignition interlock device to a person who presents written documentation of indigency from the Secretary, as provided in subsection (c-5) of this Section, shall install the device on the person's vehicle without charge to the person and shall seek reimbursement from the Indigent BAIID Fund.

(o) The Indigent BAIID Fund is created as a special fund in the State treasury. The Secretary shall, subject to appropriation by the General Assembly, use all money in the Indigent BAIID Fund to reimburse ignition interlock device providers who have installed devices in vehicles of indigent persons. The Secretary shall make payments to such providers every 3 months. If the amount of money in the fund at the time payments are made is not sufficient to pay all requests for reimbursement submitted during that 3 month period, the Secretary shall make payments on a pro-rata basis, and those payments shall be considered payment in full for the requests submitted.

(p) The Monitoring Device Driving Permit Administration Fee Fund is created as a special fund in the State treasury. The Secretary shall, subject to appropriation by the General Assembly, use the money paid into this fund to offset its administrative costs for administering MDDPs.

(q) The Secretary is authorized to prescribe such forms as it deems necessary to carry out the provisions of this Section.

(Source: P.A. 97-229; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14.)

(625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

Sec. 6-208.1. Period of statutory summary alcohol, other drug, or intoxicating compound related suspension or revocation.

(a) Unless the statutory summary suspension has been rescinded, any person whose privilege to drive a motor vehicle on the public highways has been summarily suspended, pursuant to Section 11-501.1, shall not be eligible for restoration of the privilege until the expiration of:

1. Twelve months from the effective date of the statutory summary suspension for a refusal or failure to complete a test or tests authorized under Section 11-501.1, if the person was not involved in a motor vehicle accident that caused personal injury or death to another; or

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2. Six months from the effective date of the statutory summary suspension imposed following the person's submission to a chemical test which disclosed an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in such person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, pursuant to Section 11-501.1; or

3. Three years from the effective date of the statutory summary suspension for any person other than a first offender who refuses or fails to complete a test or tests to determine the alcohol, drug, or intoxicating compound concentration pursuant to Section 11-501.1; or

4. One year from the effective date of the summary suspension imposed for any person other than a first offender following submission to a chemical test which disclosed an alcohol concentration of 0.08 or more pursuant to Section 11-501.1 or any amount of a drug, substance or compound in such person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; or

5. Six months from the effective date of the statutory summary suspension imposed for any person following submission to a standardized field sobriety test that disclosed impairment if the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act and submitted to testing under subsection (a-5) of Section 11-501.1.

(b) Following a statutory summary suspension of the privilege to drive a motor vehicle under Section 11-501.1, driving privileges shall be restored unless the person is otherwise suspended, revoked, or cancelled by this Code. If the court has reason to believe that the person's driving privilege should not be restored, the court shall notify the Secretary of State prior to the expiration

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of the statutory summary suspension so appropriate action may be taken pursuant to this Code.

(c) Driving privileges may not be restored until all applicable reinstatement fees, as provided by this Code, have been paid to the Secretary of State and the appropriate entry made to the driver's record.

(d) Where a driving privilege has been summarily suspended or revoked under Section 11-501.1 and the person is subsequently convicted of violating Section 11-501, or a similar provision of a local ordinance, for the same incident, any period served on statutory summary suspension or revocation shall be credited toward the minimum period of revocation of driving privileges imposed pursuant to Section 6-205.

(e) A first offender who refused chemical testing and whose driving privileges were summarily revoked pursuant to Section 11-501.1 shall not be eligible for a monitoring device driving permit, but may make application for reinstatement or for a restricted driving permit after a period of one year has elapsed from the effective date of the revocation.

(f) (Blank).

(g) Following a statutory summary suspension of driving privileges pursuant to Section 11-501.1 where the person was not a first offender, as defined in Section 11-500, the Secretary of State may not issue a restricted driving permit.

(h) (Blank).

(Source: P.A. 95-355, eff. 1-1-08; 95-400, eff. 1-1-09; 95-876, eff. 8-21-08; 96-1526, eff. 2-14-11; 98-122, eff. 1-1-14.)

Sec. 6-208.1. Period of statutory summary alcohol, other drug, or intoxicating compound related suspension or revocation.

(a) Unless the statutory summary suspension has been rescinded, any person whose privilege to drive a motor vehicle on the public highways has been summarily suspended, pursuant to Section 11-501.1, shall not be eligible for restoration of the privilege until the expiration of:

1. Twelve months from the effective date of the statutory summary suspension for a refusal or failure to complete a test or tests authorized under Section 11-501.1, if the person was not involved in an accident that caused personal injury or death to another; or

2. Six months from the effective date of the statutory summary suspension imposed following the person's submission to a chemical test which disclosed an alcohol concentration of 0.08 or

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more, or any amount of a drug, substance, or intoxicating compound in such person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, pursuant to Section 11-501.1; or

3. Three years from the effective date of the statutory summary suspension for any person other than a first offender who refuses or fails to complete a test or tests to determine the alcohol, drug, or intoxicating compound concentration pursuant to Section 11-501.1; or

4. One year from the effective date of the summary suspension imposed for any person other than a first offender following submission to a chemical test which disclosed an alcohol concentration of 0.08 or more pursuant to Section 11-501.1 or any amount of a drug, substance or compound in such person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; or

5. Six months from the effective date of the statutory summary suspension imposed for any person following submission to a standardized field sobriety test that disclosed impairment if the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act and submitted to testing under subsection (a-5) of Section 11-501.1.

(a-1) Unless the statutory summary revocation has been rescinded, any person whose privilege to drive has been summarily revoked pursuant to Section 11-501.1 may not make application for a license or permit until the expiration of one year from the effective date of the summary revocation.

(b) Following a statutory summary suspension of the privilege to drive a motor vehicle under Section 11-501.1, driving privileges shall be restored unless the person is otherwise suspended, revoked, or cancelled by this Code. If the court has reason to believe that the person's driving privilege should not be restored,

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be restored, the court shall notify the Secretary of State prior to the expiration of the statutory summary suspension so appropriate action may be taken pursuant to this Code.

(c) Driving privileges may not be restored until all applicable reinstatement fees, as provided by this Code, have been paid to the Secretary of State and the appropriate entry made to the driver's record.

(d) Where a driving privilege has been summarily suspended or revoked under Section 11-501.1 and the person is subsequently convicted of violating Section 11-501, or a similar provision of a local ordinance, for the same incident, any period served on statutory summary suspension or revocation shall be credited toward the minimum period of revocation of driving privileges imposed pursuant to Section 6-205.

(e) Following a statutory summary suspension of driving privileges pursuant to Section 11-501.1, for a first offender, the circuit court shall, unless the offender has opted in writing not to have a monitoring device driving permit issued, order the Secretary of State to issue a monitoring device driving permit as provided in Section 6-206.1. A monitoring device driving permit shall not be effective prior to the 31st day of the statutory summary suspension. A first offender who refused chemical testing and whose driving privileges were summarily revoked pursuant to Section 11-501.1 shall not be eligible for a monitoring device driving permit, but may make application for reinstatement or for a restricted driving permit after a period of one year has elapsed from the effective date of the revocation.

(f) (Blank).

(g) Following a statutory summary suspension of driving privileges pursuant to Section 11-501.1 where the person was not a first offender, as defined in Section 11-500, the Secretary of State may not issue a restricted driving permit.

(h) (Blank).

(Source: P.A. 96-1344, eff. 7-1-11; 97-229, eff. 7-28-11; 98-122, eff. 1-1-14.)

AN ACT concerning courts.

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

Section 5. The Clerks of Courts Act is amended by changing Section 27.3a as follows:

(705 ILCS 105/27.3a)
(Text of Section after amendment by P.A. 98-606)
Sec. 27.3a. Fees for automated record keeping, probation and court services operations, and State and Conservation Police operations.

1. The expense of establishing and maintaining automated record keeping systems in the offices of the clerks of the circuit court shall be borne by the county. To defray such expense in any county having established such an automated system or which elects to establish such a system, the county board may require the clerk of the circuit court in their county to charge and collect a court automation fee of not less than $1 nor more than $25 to be charged and collected by the clerk of the court. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the county board, and provided further that no additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance. Such fee shall be collected in the manner in which all other fees or costs are collected.

1.1. Starting on July 6, 2012 (the effective date of Public Act 97-761) and pursuant to an administrative order from the chief judge of the circuit or the presiding judge of the county authorizing such collection, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall also charge and collect an additional $10 operations fee for probation and court services department operations.

This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, local ordinance, or conservation case upon a judgment of guilty or grant of supervision, except such $10 operations fee shall not be charged and collected in cases governed by Supreme Court Rule 529 in which the bail amount is $120 or less.

New matter indicated by italics - deletions by strikeout
1.2. With respect to the fee imposed and collected under subsection 1.1 of this Section, each clerk shall transfer all fees monthly to the county treasurer for deposit into the probation and court services fund created under Section 15.1 of the Probation and Probation Officers Act, and such monies shall be disbursed from the fund only at the direction of the chief judge of the circuit or another judge designated by the Chief Circuit Judge in accordance with the policies and guidelines approved by the Supreme Court.

1.5. Starting on June 1, 2014 the effective date of this amendatory Act of the 96th General Assembly, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section, shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section, except the fee imposed under this subsection may not be of not less than $1 nor more than $15. This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, or local ordinance case upon a judgment of guilty or grant of supervision. This fee shall not be paid by the defendant for any violation listed in subsection 1.6 of this Section.

1.6. Starting on June 1, 2014 July 1, 2012 (the effective date of Public Act 97-46), a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section, except the fee imposed under this subsection may not be of not less than $1 nor more than $15. This additional fee shall be paid by the defendant upon a judgment of guilty or grant of supervision for a violation under the State Parks Act, the Recreational Trails of Illinois Act, the Illinois Explosives Act, the Timber Buyers Licensing Act, the Forest Products Transportation Act, the Firearm Owners Identification Card Act, the Environmental Protection Act, the Fish and Aquatic Life Code, the Wildlife Code, the Cave Protection Act, the Illinois Exotic Weed Act, the Illinois Forestry Development Act, the Ginseng Harvesting Act, the Illinois Lake Management Program Act, the Illinois Natural Areas Preservation Act, the Illinois Open Land Trust Act, the Open Space Lands Acquisition and Development Act, the Illinois Prescribed Burning Act, the State Forest Act, the Water Use Act of 1983, the Illinois Veteran, Youth, and Young Adult Conservation Jobs Act, the Snowmobile Registration and Safety Act, the Boat Registration and Safety Act, the Illinois Dangerous Animals Act, the Hunter and Fishermen Interference Prohibition Act, the Wrongful Tree Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427, 11-1427.1, 11-
1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of the Illinois Vehicle Code, or Section 48-3 or 48-10 of the Criminal Code of 2012.

2. With respect to the fee imposed under subsection 1 of this Section, each clerk shall commence such charges and collections upon receipt of written notice from the chairman of the county board together with a certified copy of the board's resolution, which the clerk shall file of record in his office.

3. With respect to the fee imposed under subsection 1 of this Section, such fees shall be in addition to all other fees and charges of such clerks, and assessable as costs, and may be waived only if the judge specifically provides for the waiver of the court automation fee. The fees shall be remitted monthly by such clerk to the county treasurer, to be retained by him in a special fund designated as the court automation fund. The fund shall be audited by the county auditor, and the board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the clerk of the court and by the chief judge of the circuit court or his designate.

4. With respect to the fee imposed under subsection 1 of this Section, such fees shall not be charged in any matter coming to any such clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body.

5. With respect to the additional fee imposed under subsection 1.5 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the State Police Operations Assistance Fund.

6. With respect to the additional fees imposed under subsection 1.5 of this Section, the Director of State Police may direct the use of these fees for homeland security purposes by transferring these fees on a quarterly basis from the State Police Operations Assistance Fund into the Illinois Law Enforcement Alarm Systems (ILEAS) Fund for homeland security initiatives programs. The transferred fees shall be allocated, subject to the approval of the ILEAS Executive Board, as follows: (i) 66.6% shall be used for homeland security initiatives and (ii) 33.3% shall be used for airborne operations. The ILEAS Executive Board shall annually supply the Director of State Police with a report of the use of these fees.

7. With respect to the additional fee imposed under subsection 1.6 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer.
Treasurer within one month after receipt for deposit into the Conservation Police Operations Assistance Fund.
(Source: P.A. 97-46, eff. 7-1-12; 97-453, eff. 8-19-11; 97-738, eff. 7-5-12; 97-761, eff. 7-6-12; 97-813, eff. 7-13-12; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-375, eff. 8-16-13; 98-606, eff. 6-1-14; revised 1-16-14.)
Section 99. Effective date. This Act takes effect June 1, 2014.
Approved August 22, 2014.
Effective August 22, 2014.

PUBLIC ACT 98-1017
(House Bill No. 4745)

AN ACT concerning liquor.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-16 as follows:
(235 ILCS 5/6-16) (from Ch. 43, par. 131)
Sec. 6-16. Prohibited sales and possession.
(a) (i) No licensee nor any officer, associate, member, representative, agent, or employee of such licensee shall sell, give, or deliver alcoholic liquor to any person under the age of 21 years or to any intoxicated person, except as provided in Section 6-16.1. (ii) No express company, common carrier, or contract carrier nor any representative, agent, or employee on behalf of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State shall knowingly give or knowingly deliver to a residential address any shipping container clearly labeled as containing alcoholic liquor and labeled as requiring signature of an adult of at least 21 years of age to any person in this State under the age of 21 years. An express company, common carrier, or contract carrier that carries or transports such alcoholic liquor for delivery within this State shall obtain a signature at the time of delivery acknowledging receipt of the alcoholic liquor by an adult who is at least 21 years of age. At no time while delivering alcoholic beverages within this State may any representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State deliver the alcoholic liquor to a residential address without the acknowledgment of the consignee and without first obtaining a signature at the time of the delivery

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by an adult who is at least 21 years of age. A signature of a person on file with the express company, common carrier, or contract carrier does not constitute acknowledgement of the consignee. Any express company, common carrier, or contract carrier that transports alcoholic liquor for delivery within this State that violates this item (ii) of this subsection (a) by delivering alcoholic liquor without the acknowledgement of the consignee and without first obtaining a signature at the time of the delivery by an adult who is at least 21 years of age is guilty of a business offense for which the express company, common carrier, or contract carrier that transports alcoholic liquor within this State shall be fined not more than $1,001 for a first offense, not more than $5,000 for a second offense, and not more than $10,000 for a third or subsequent offense. An express company, common carrier, or contract carrier shall be held vicariously liable for the actions of its representatives, agents, or employees. For purposes of this Act, in addition to other methods authorized by law, an express company, common carrier, or contract carrier shall be considered served with process when a representative, agent, or employee alleged to have violated this Act is personally served. Each shipment of alcoholic liquor delivered in violation of this item (ii) of this subsection (a) constitutes a separate offense. (iii) No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give, or deliver such alcoholic liquor to another person under the age of 21 years, except in the performance of a religious ceremony or service. Except as otherwise provided in item (ii), any express company, common carrier, or contract carrier that transports alcoholic liquor within this State that violates the provisions of item (i), (ii), or (iii) of this paragraph of this subsection (a) is guilty of a Class A misdemeanor and the sentence shall include, but shall not be limited to, a fine of not less than $500. Any person who violates the provisions of item (iii) of this paragraph of this subsection (a) is guilty of a Class 4 felony if a death occurs as the result of the violation.

If a licensee or officer, associate, member, representative, agent, or employee of the licensee, or a representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State, is prosecuted under this paragraph of this subsection (a) for selling, giving, or delivering alcoholic liquor to a person under the age of 21 years, the person under 21 years of age

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who attempted to buy or receive the alcoholic liquor may be prosecuted pursuant to Section 6-20 of this Act, unless the person under 21 years of age was acting under the authority of a law enforcement agency, the Illinois Liquor Control Commission, or a local liquor control commissioner pursuant to a plan or action to investigate, patrol, or conduct any similar enforcement action.

For the purpose of preventing the violation of this Section, any licensee, or his agent or employee, or a representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State, shall refuse to sell, deliver, or serve alcoholic beverages to any person who is unable to produce adequate written evidence of identity and of the fact that he or she is over the age of 21 years, if requested by the licensee, agent, employee, or representative.

Adequate written evidence of age and identity of the person is a document issued by a federal, state, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces. Proof that the defendant-licensee, or his employee or agent, or the representative, agent, or employee of the express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State demanded, was shown and reasonably relied upon such written evidence in any transaction forbidden by this Section is an affirmative defense in any criminal prosecution therefor or to any proceedings for the suspension or revocation of any license based thereon. It shall not, however, be an affirmative defense if the agent or employee accepted the written evidence knowing it to be false or fraudulent. If a false or fraudulent Illinois driver's license or Illinois identification card is presented by a person less than 21 years of age to a licensee or the licensee's agent or employee for the purpose of ordering, purchasing, attempting to purchase, or otherwise obtaining or attempting to obtain the serving of any alcoholic beverage, the law enforcement officer or agency investigating the incident shall, upon the conviction of the person who presented the fraudulent license or identification, make a report of the matter to the Secretary of State on a form provided by the Secretary of State.

However, no agent or employee of the licensee or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State shall be disciplined

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or discharged for selling or furnishing liquor to a person under 21 years of age if the agent or employee demanded and was shown, before furnishing liquor to a person under 21 years of age, adequate written evidence of age and identity of the person issued by a federal, state, county or municipal government, or subdivision or agency thereof, including but not limited to a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces. This paragraph, however, shall not apply if the agent or employee accepted the written evidence knowing it to be false or fraudulent.

Any person who sells, gives, or furnishes to any person under the age of 21 years any false or fraudulent written, printed, or photostatic evidence of the age and identity of such person or who sells, gives or furnishes to any person under the age of 21 years evidence of age and identification of any other person is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, a fine of not less than $500.

Any person under the age of 21 years who presents or offers to any licensee, his agent or employee, any written, printed or photostatic evidence of age and identity that is false, fraudulent, or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, who falsely states in writing that he or she is at least 21 years of age when receiving alcoholic liquor from a representative, agent, or employee of an express company, common carrier, or contract carrier, or who has in his or her possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, the following: a fine of not less than $500 and at least 25 hours of community service. If possible, any community service shall be performed for an alcohol abuse prevention program.

Any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a Class A misdemeanor. This Section does not apply to possession by a person under the age of 21 years making a delivery of an alcoholic beverage in pursuance of the order of his or her parent or in pursuance of his or her employment.

(a-1) It is unlawful for any parent or guardian to knowingly permit his or her residence, or any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under the

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age of 21, in a manner that constitutes a violation of this Section. A parent or guardian is deemed to have knowingly permitted his or her residence, or any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used in violation of this Section if he or she knowingly authorizes or permits consumption of alcoholic liquor by underage invitees. Any person who violates this subsection (a-1) is guilty of a Class A misdemeanor and the person’s sentence shall include, but shall not be limited to, a fine of not less than $500. Where a violation of this subsection (a-1) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection shall be guilty of a Class 4 felony. Nothing in this subsection (a-1) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

For the purposes of this subsection (a-1) where the residence or other property has an owner and a tenant or lessee, the trier of fact may infer that the residence or other property is occupied only by the tenant or lessee.

(b) Except as otherwise provided in this Section whoever violates this Section shall, in addition to other penalties provided for in this Act, be guilty of a Class A misdemeanor.

(c) Any person shall be guilty of a Class A misdemeanor where he or she knowingly authorizes or permits a residence which he or she occupies to be used by an invitee under 21 years of age and:

1. the person occupying the residence knows that any such person under the age of 21 is in possession of or is consuming any alcoholic beverage; and
2. the possession or consumption of the alcohol by the person under 21 is not otherwise permitted by this Act.

For the purposes of this subsection (c) where the residence has an owner and a tenant or lessee, the trier of fact may infer there is a rebuttable presumption that the residence is occupied only by the tenant or lessee. The sentence of any person who violates this subsection (c) shall include, but shall not be limited to, a fine of not less than $500. Where a violation of this subsection (c) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection (c) shall be guilty of a Class 4 felony. Nothing in this subsection (c) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

New matter indicated by italics - deletions by strikeout
A person shall not be in violation of this subsection (c) if (A) he or she requests assistance from the police department or other law enforcement agency to either (i) remove any person who refuses to abide by the person's performance of the duties imposed by this subsection (c) or (ii) terminate the activity because the person has been unable to prevent a person under the age of 21 years from consuming alcohol despite having taken all reasonable steps to do so and (B) this assistance is requested before any other person makes a formal complaint to the police department or other law enforcement agency about the activity.

(d) Any person who rents a hotel or motel room from the proprietor or agent thereof for the purpose of or with the knowledge that such room shall be used for the consumption of alcoholic liquor by persons under the age of 21 years shall be guilty of a Class A misdemeanor.

(e) Except as otherwise provided in this Act, any person who has alcoholic liquor in his or her possession on public school district property on school days or at events on public school district property when children are present is guilty of a petty offense, unless the alcoholic liquor (i) is in the original container with the seal unbroken and is in the possession of a person who is not otherwise legally prohibited from possessing the alcoholic liquor or (ii) is in the possession of a person in or for the performance of a religious service or ceremony authorized by the school board.

(Source: P.A. 97-1049, eff. 1-1-13.)

Passed in the General Assembly May 29, 2014.
Approved August 22, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1018
(House Bill No. 4769)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Construction Bond Act is amended by changing Section 1 as follows:
(30 ILCS 550/1) (from Ch. 29, par. 15)
Sec. 1. Except as otherwise provided by this Act, all officials, boards, commissions, or agents of this State, or of any political subdivision thereof, in making contracts for public work of any kind costing over $50,000 to be performed for the State, or of any political subdivision thereof, shall require
every contractor for the work to furnish, supply and deliver a bond to the State, or to the political subdivision thereof entering into the contract, as the case may be, with good and sufficient sureties. The surety on the bond shall be a company that is licensed by the Department of Insurance authorizing it to execute surety bonds and the company shall have a financial strength rating of at least A- as rated by A.M. Best Company, Inc., Moody's Investors Service, Standard & Poor's Corporation, or a similar rating agency. The amount of the bond shall be fixed by the officials, boards, commissions, commissioners or agents, and the bond, among other conditions, shall be conditioned for the completion of the contract, for the payment of material used in the work and for all labor performed in the work, whether by subcontractor or otherwise.

If the contract is for emergency repairs as provided in the Illinois Procurement Code, proof of payment for all labor, materials, apparatus, fixtures, and machinery may be furnished in lieu of the bond required by this Section.

Each such bond is deemed to contain the following provisions whether such provisions are inserted in such bond or not:

"The principal and sureties on this bond agree that all the undertakings, covenants, terms, conditions and agreements of the contract or contracts entered into between the principal and the State or any political subdivision thereof will be performed and fulfilled and to pay all persons, firms and corporations having contracts with the principal or with subcontractors, all just claims due them under the provisions of such contracts for labor performed or materials furnished in the performance of the contract on account of which this bond is given, when such claims are not satisfied out of the contract price of the contract on account of which this bond is given, after final settlement between the officer, board, commission or agent of the State or of any political subdivision thereof and the principal has been made."

Each bond securing contracts between the Capital Development Board or any board of a public institution of higher education and a contractor shall contain the following provisions, whether the provisions are inserted in the bond or not:

"Upon the default of the principal with respect to undertakings, covenants, terms, conditions, and agreements, the termination of the contractor's right to proceed with the work, and written notice of that default and termination by the State or any political subdivision to the surety..."
("Notice"), the surety shall promptly remedy the default by taking one of the following actions:

(1) The surety shall complete the work pursuant to a written takeover agreement, using a completing contractor jointly selected by the surety and the State or any political subdivision; or

(2) The surety shall pay a sum of money to the obligee, up to the penal sum of the bond, that represents the reasonable cost to complete the work that exceeds the unpaid balance of the contract sum.

The surety shall respond to the Notice within 15 working days of receipt indicating the course of action that it intends to take or advising that it requires more time to investigate the default and select a course of action. If the surety requires more than 15 working days to investigate the default and select a course of action or if the surety elects to complete the work with a completing contractor that is not prepared to commence performance within 15 working days after receipt of Notice, and if the State or any political subdivision determines it is in the best interest of the State to maintain the progress of the work, the State or any political subdivision may continue to work until the completing contractor is prepared to commence performance. Unless otherwise agreed to by the procuring agency, in no case may the surety take longer than 30 working days to advise the State or political subdivision on the course of action it intends to take. The surety shall be liable for reasonable costs incurred by the State or any political subdivision to maintain the progress to the extent the costs exceed the unpaid balance of the contract sum, subject to the penal sum of the bond."

The surety bond required by this Section may be acquired from the company, agent or broker of the contractor's choice. The bond and sureties shall be subject to the right of reasonable approval or disapproval, including suspension, by the State or political subdivision thereof concerned. In the case of State construction contracts, a contractor shall not be required to post a cash bond or letter of credit in addition to or as a substitute for the surety bond required by this Section.

When other than motor fuel tax funds, federal-aid funds, or other funds received from the State are used, a political subdivision may allow the contractor to provide a non-diminishing irrevocable bank letter of credit, in lieu of the bond required by this Section, on contracts under $100,000 to comply with the requirements of this Section. Any such bank letter of credit shall contain all provisions required for bonds by this Section.

(Source: P.A. 98-216, eff. 8-9-13.)

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PUBLIC ACT 98-1019
(House Bill No. 4811)

AN ACT concerning local government.

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

Section 5. The Governmental Account Audit Act is amended by changing Section 3 as follows:

(50 ILCS 310/3) (from Ch. 85, par. 703)

Sec. 3. Any governmental unit receiving revenue of less than $850,000 for any fiscal year shall, in lieu of complying with the requirements of Section 2 for audits and audit reports, beginning with fiscal year 2016, either: (i) cause an audit of the accounts of the unit to be made once every 4 years and file with the Comptroller an annual financial report containing information required by the Comptroller, or (ii) file with the Comptroller an annual financial report containing information required by the Comptroller, a copy of which has been provided to each member of that governmental unit's board of elected officials, presented either in person or by a live phone or web connection during a public meeting, and approved by a 3/5 majority vote. In addition, a governmental unit receiving revenue of less than $850,000 may file with the Comptroller any audit reports which may have been prepared under any other law. Any governmental unit receiving revenue of $850,000 or more for any fiscal year shall, in addition to complying with the requirements of Section 2 for audits and audit reports, file with the Comptroller the financial report required by this Section. Such financial reports shall be on forms so designed by the Comptroller as not to require professional accounting services for its preparation. All reports to be filed with the Comptroller under this Section must be submitted electronically and the Comptroller must post the reports on the Internet no later than 45 days after they are received. If the governmental unit provides the Comptroller's Office with sufficient evidence that the report cannot be filed electronically, the Comptroller may waive this requirement. The Comptroller must also post a list of governmental units that are not in compliance with the reporting requirements set forth in this Section.

New matter indicated by italics - deletions by strikeout
Any financial report under this Section shall include the name of the purchasing agent who oversees all competitively bid contracts. If there is no purchasing agent, the name of the person responsible for oversight of all competitively bid contracts shall be listed.

(Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12.)

Section 99. Effective date. This Act takes effect July 1, 2015.
Approved August 22, 2014.
Effective July 1, 2015.

PUBLIC ACT 98-1020
(House Bill No. 5523)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by changing Sections 36-1, 36-1.5, 36-2, and 36-5 as follows:
(720 ILCS 5/36-1) (from Ch. 38, par. 36-1)
Sec. 36-1. Seizure.
(a) Any vessel, vehicle, or aircraft may be seized and impounded by the law enforcement agency if the vessel, vehicle, or aircraft is used with the knowledge and consent of the owner in the commission of, or in the attempt to commit as defined in Section 8-4 of this Code, an offense prohibited by:
(1) (a) Section 9-1 (first degree murder), 9-3 (involuntary manslaughter and reckless homicide), 10-2 (aggravated kidnaping), 11-1.20 (criminal sexual assault), 11-1.30 (aggravated criminal sexual assault), 11-1.40 (predatory criminal sexual assault of a child), subsection (a) of Section 11-1.50 (criminal sexual abuse), subsection (a), (c), or (d) of Section 11-1.60 (aggravated criminal sexual abuse), Section 11-6 (indecent solicitation of a child), 11-14.4 (promoting juvenile prostitution except for keeping a place of juvenile prostitution), 11-15.1, 11-19.1, 11-19.2, 11-20.1 (child pornography), paragraph (a)(1), (a)(2), (a)(4), (b)(1), (b)(2), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5), (e)(6), or (e)(7) of Section 12-3.05 (aggravated battery), 11-20.1B, 11-20.3, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.6, 12-7.3 (stalking), 12-7.4 (aggravated stalking), 12-13, 12-14, 16-1 (theft if the theft is of precious metal or of scrap metal), subdivision (f)(2) or (f)(3) of Section 16-25 (retail theft), Section 18-2

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(armed robbery), 19-1 (burglary), 19-2 (possession of burglary tools), 19-3 (residential burglary), 20-1 (arson; residential arson; place of worship arson), 20-2 (possession of explosives or explosive or incendiary devices), subdivision (a)(6) or (a)(7) of Section 24-1 (unlawful use of weapons), Section ; 24-1.2 (aggravated discharge of a firearm), 24-1.2-5 (aggravated discharge of a machine gun or a firearm equipped with a device designed or used for silencing the report of a firearm), 24-1.5 (reckless discharge of a firearm), 28-1 (gambling), or 29D-15.2 (possession of a deadly substance) of this Code; subdivision (a)(1), (a)(2), (a)(4), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5), (e)(6), or (e)(7) of Section 12-3.05, paragraph (a) of Section 12-4 of this Code, paragraph (a) of Section 11-1.50; paragraph (a) of Section 12-15, paragraph (a), (e), or (d) of Section 11-1.60, or paragraphs (a), (e) or (d) of Section 12-16 of this Code, or paragraph (a)(6) or (a)(7) of Section 24-1 of this Code;

(2) (b) Section 21, 22, 23, 24 or 26 of the Cigarette Tax Act if the vessel, vehicle, or aircraft contains more than 10 cartons of such cigarettes;

(3) (c) Section 28, 29, or 30 of the Cigarette Use Tax Act if the vessel, vehicle, or aircraft contains more than 10 cartons of such cigarettes;

(4) (d) Section 44 of the Environmental Protection Act;

(5) (e) Section 11-204.1 of the Illinois Vehicle Code (aggravated fleeing or attempting to elude a peace officer);

(6) Section 11-501 of the Illinois Vehicle Code (driving while under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof) or a similar provision of a local ordinance, and:

(f) (1) driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code during a period in which

(A) during a period in which his or her driving privileges are revoked or suspended if where the revocation or suspension was for:

(i) Section 11-501 (driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof),

(ii) Section 11-501.1 (statutory summary suspension or revocation),

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(iii) paragraph (b) of Section 11-401 (motor vehicle accidents involving death or personal injuries), or for reckless homicide as defined in Section 9-3 of this the Criminal Code of 1961 or the Criminal Code of 2012;

(B) (2) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof and has been previously convicted of reckless homicide or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted of committing a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and was involved in a motor vehicle accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries;

(C) (5) the person committed a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision for the third or subsequent time;

(D) (4) the person committed the violation while he or she did not possess a valid driver's license or permit or a valid restricted driving permit or a valid judicial driving permit or a valid monitoring device driving permit; or

(E) (5) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

(7) (g) an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code; or

(8) (h) an offense described in subsection (e) of Section 6-101 of the Illinois Vehicle Code; may be seized and delivered forthwith to the sheriff of the county of seizure.

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Within 15 days after such delivery the sheriff shall give notice of seizure to each person according to the following method: Upon each such person whose right, title or interest is of record in the office of the Secretary of State, the Secretary of Transportation, the Administrator of the Federal Aviation Agency, or any other Department of this State, or any other state of the United States if such vessel, vehicle or aircraft is required to be so registered, as the case may be, by mailing a copy of the notice by certified mail to the address as given upon the records of the Secretary of State; the Department of Aeronautics, Department of Public Works and Buildings or any other Department of this State or the United States if such vessel, vehicle or aircraft is required to be so registered. Within that 15 day period the sheriff shall also notify the State's Attorney of the county of seizure about the seizure.

(b) In addition, any mobile or portable equipment used in the commission of an act which is in violation of Section 7g of the Metropolitan Water Reclamation District Act shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vessels, vehicles, and aircraft, and any such equipment shall be deemed a vessel, vehicle, or aircraft for purposes of this Article.

(c) In addition, when a person discharges a firearm at another individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm to that individual and as a result causes death or great bodily harm to that individual, the vehicle shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vehicles used in violations of clauses (1), (2), (3), or (4) of subsection (a) (a), (b), (c), or (d) of this Section.

(d) If the spouse of the owner of a vehicle seized for an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code, a violation of subdivision (d)(1)(A), (d)(1)(D), (d)(1)(G), (d)(1)(H), or (d)(1)(I) of Section 11-501 of the Illinois Vehicle Code, or Section 9-3 of this Code makes a showing that the seized vehicle is the only source of transportation and it is determined that the financial hardship to the family as a result of the seizure outweighs the benefit to the State from the seizure, the vehicle may be forfeited to the spouse or family member and the title to the vehicle shall be transferred to the spouse or family member who is properly licensed and who requires the use of the vehicle for employment or family transportation purposes. A written declaration of forfeiture of a vehicle under this Section shall be sufficient cause for the title to be transferred to the spouse or family member.
member. The provisions of this paragraph shall apply only to one forfeiture per vehicle. If the vehicle is the subject of a subsequent forfeiture proceeding by virtue of a subsequent conviction of either spouse or the family member, the spouse or family member to whom the vehicle was forfeited under the first forfeiture proceeding may not utilize the provisions of this paragraph in another forfeiture proceeding. If the owner of the vehicle seized owns more than one vehicle, the procedure set out in this paragraph may be used for only one vehicle.

(e) In addition, property declared contraband under Section 40 of the Illinois Streetgang Terrorism Omnibus Prevention Act may be seized and forfeited under this Article.

(Source: P.A. 96-313, eff. 1-1-10; 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1267, eff. 7-26-10; 96-1289, eff. 1-1-11; 96-1551, Article 1, Section 960, eff. 7-1-11; 96-1551, Article 2, Section 1035, eff. 7-1-11; 97-333, eff. 8-12-11; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.) (720 ILCS 5/36-1.5)

Sec. 36-1.5. Preliminary Review.

(a) Within 14 days of the seizure, the State's Attorney in the county in which the seizure occurred shall seek a preliminary determination from the circuit court as to whether there is probable cause that the property may be subject to forfeiture.

(b) The rules of evidence shall not apply to any proceeding conducted under this Section.

(c) The court may conduct the review under subsection (a) simultaneously with a proceeding pursuant to Section 109-1 of the Code of Criminal Procedure of 1963 for a related criminal offense if a prosecution is commenced by information or complaint.

(d) The court may accept a finding of probable cause at a preliminary hearing following the filing of an information or complaint charging a related criminal offense or following the return of indictment by a grand jury charging the related offense as sufficient evidence of probable cause as required under subsection (a).

(e) Upon making a finding of probable cause as required under this Section, the circuit court shall order the property subject to the provisions of the applicable forfeiture Act held until the conclusion of any forfeiture proceeding.

For seizures of conveyances, within 7 days of a finding of probable cause under subsection (a), the registered owner or other claimant may file a motion in writing supported by sworn affidavits claiming that denial of the use of the conveyance during the pendency of the forfeiture proceedings

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creates a substantial hardship. The court shall consider the following factors in determining whether a substantial hardship has been proven:

(1) the nature of the claimed hardship;
(2) the availability of public transportation or other available means of transportation; and
(3) any available alternatives to alleviate the hardship other than the return of the seized conveyance.

If the court determines that a substantial hardship has been proven, the court shall then balance the nature of the hardship against the State's interest in safeguarding the conveyance. If the court determines that the hardship outweighs the State's interest in safeguarding the conveyance, the court may temporarily release the conveyance to the registered owner or the registered owner's authorized designee, or both, until the conclusion of the forfeiture proceedings or for such shorter period as ordered by the court provided that the person to whom the conveyance is released provides proof of insurance and a valid driver's license and all State and local registrations for operation of the conveyance are current. The court shall place conditions on the conveyance limiting its use to the stated hardship and restricting the conveyance's use to only those individuals authorized to use the conveyance by the registered owner. The court shall revoke the order releasing the conveyance and order that the conveyance be reseized by law enforcement if the conditions of release are violated or if the conveyance is used in the commission of any offense identified in subsection (a) of Section 6-205 of the Illinois Vehicle Code.

If the court orders the release of the conveyance during the pendency of the forfeiture proceedings, the registered owner or his or her authorized designee shall post a cash security with the Clerk of the Court as ordered by the court. The court shall consider the following factors in determining the amount of the cash security:

(A) the full market value of the conveyance;
(B) the nature of the hardship;
(C) the extent and length of the usage of the conveyance; and
(D) such other conditions as the court deems necessary to safeguard the conveyance.

If the conveyance is released, the court shall order that the registered owner or his or her designee safeguard the conveyance, not remove the conveyance from the jurisdiction, not conceal, destroy, or otherwise dispose of the conveyance, not encumber the conveyance, and not diminish the value of the conveyance in any way. The court shall also make a determination of

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the full market value of the conveyance prior to it being released based on a source or sources defined in 50 Ill. Adm. Code 919.80(c)(2)(A) or 919.80(c)(2)(B).

If the conveyance subject to forfeiture is released under this Section and is subsequently forfeited, the person to whom the conveyance was released shall return the conveyance to the law enforcement agency that seized the conveyance within 7 days from the date of the declaration of forfeiture or order of forfeiture. If the conveyance is not returned within 7 days, the cash security shall be forfeited in the same manner as the conveyance subject to forfeiture. If the cash security was less than the full market value, a judgment shall be entered against the parties to whom the conveyance was released and the registered owner, jointly and severally, for the difference between the full market value and the amount of the cash security. If the conveyance is returned in a condition other than the condition in which it was released, the cash security shall be returned to the surety who posted the security minus the amount of the diminished value, and that amount shall be forfeited in the same manner as the conveyance subject to forfeiture. Additionally, the court may enter an order allowing any law enforcement agency in the State of Illinois to seize the conveyance wherever it may be found in the State to satisfy the judgment if the cash security was less than the full market value of the conveyance.

(Source: P.A. 97-544, eff. 1-1-12; 97-680, eff. 3-16-12.)

(720 ILCS 5/36-2) (from Ch. 38, par. 36-2)

Sec. 36-2. Action for forfeiture.

(a) The State's Attorney in the county in which such seizure occurs if he or she finds that the such forfeiture was incurred without willful negligence or without any intention on the part of the owner of the vessel, vehicle or aircraft or any person whose right, title or interest is of record as described in Section 36-1, to violate the law, or finds the existence of such mitigating circumstances as to justify remission of the forfeiture, may cause the law enforcement agency sheriff to remit the same upon such terms and conditions as the State's Attorney deems reasonable and just. The State's Attorney shall exercise his or her discretion under the foregoing provision of this Section 36-2(a) prior to or promptly after the preliminary review under Section 36-1.5 notice is given in accordance with Section 36-1.

(b) If the State's Attorney does not cause the forfeiture to be remitted he or she shall forthwith bring an action for forfeiture in the Circuit Court within whose jurisdiction the seizure and confiscation has taken place. The State's Attorney shall give notice of seizure and the forfeiture proceeding to

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each person according to the following method: Upon each person whose right, title, or interest is of record in the office of the Secretary of State, the Secretary of Transportation, the Administrator of the Federal Aviation Agency, or any other Department of this State, or any other state of the United States if the vessel, vehicle, or aircraft is required to be so registered, as the case may be, by delivering the notice and complaint in open court or by certified mail to the address as given upon the records of the Secretary of State, the Division of Aeronautics of the Department of Transportation, the Capital Development Board, or any other Department of this State or the United States if the vessel, vehicle, or aircraft is required to be so registered the forfeiture proceeding by mailing a copy of the Complaint in the forfeiture proceeding to the persons, and upon the manner, set forth in Section 36-1.

(c) The owner of the seized vessel, vehicle, or aircraft or any person whose right, title, or interest is of record as described in Section 36-1, may within 20 days after delivery in open court or the mailing of such notice file a verified answer to the Complaint and may appear at the hearing on the action for forfeiture.

(d) The State shall show at such hearing by a preponderance of the evidence, that such vessel, vehicle, or aircraft was used in the commission of an offense described in Section 36-1.

(e) The owner of such vessel, vehicle, or aircraft or any person whose right, title, or interest is of record as described in Section 36-1, may show by a preponderance of the evidence that he did not know, and did not have reason to know, that the vessel, vehicle, or aircraft was to be used in the commission of such an offense or that any of the exceptions set forth in Section 36-3 are applicable.

(f) Unless the State shall make such showing, the Court shall order such vessel, vehicle, or aircraft released to the owner. Where the State has made such showing, the Court may order the vessel, vehicle, or aircraft destroyed or ; may order it forfeited delivered to any local, municipal or county law enforcement agency, or the Department of State Police or the Department of Revenue of the State of Illinois; or may order it sold at public auction.

(g) (b) A copy of the order shall be filed with the law enforcement agency, sheriff of the county in which the seizure occurs and with each Federal or State office or agency with which such vessel, vehicle, or aircraft is required to be registered. Such order, when filed, constitutes authority for the issuance of clear title to such vessel, vehicle, or aircraft, or boat to the department or agency to whom it is delivered or any purchaser thereof. The

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Law enforcement agency sheriff shall comply promptly with instructions to remit received from the State's Attorney or Attorney General in accordance with Sections 36-2(a) or 36-3.

(h) The proceeds of any sale at public auction pursuant to Section 36-2 of this Act, after payment of all liens and deduction of the reasonable charges and expenses incurred by the State's Attorney's Office sheriff in storing and selling such vehicle, shall be paid to the law enforcement agency having seized the vehicle for forfeiture general fund of the county of seizure.

(Source: P.A. 84-25.)

720 ILCS 5/36-5
Sec. 36-5. The law enforcement agency, county or sheriff not liable for stored forfeited vehicle. A law enforcement agency, county, sheriff, law enforcement officer or employee of the law enforcement agency or deputy sheriff, or employee of the county sheriff shall not be civilly or criminally liable for any damage to a forfeited vehicle stored with a commercial vehicle safety relocator.

(Source: P.A. 96-1274, eff. 7-26-10.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved August 22, 2014.
Effective August 22, 2014.

PUBLIC ACT 98-1021
(House Bill No. 5689)

AN ACT concerning safety.

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

Section 5. The Illinois Poison Prevention Packaging Act is amended by changing Section 2 and by adding Sections 2.10 and 10 as follows:

Sec. 2. The words and phrases used in this Act have the meanings set out in Sections 2.01 to 2.10 2-05, unless the context clearly indicates otherwise.

(Source: P.A. 77-2158.)

Sec. 2.10. Electronic cigarettes. "Electronic cigarette" or "e-cigarette" means a battery-operated device that contains a combination of

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nicotine, flavor, or chemicals or any combination thereof that are turned into vapor which is inhaled by the user.

(430 ILCS 40/10 new)

Sec. 10. Child-safe electronic cigarette liquids. Electronic cigarette liquids sold and marketed for the refilling of e-cigarettes may be sold only in special packaging. The Department of Public Health shall adopt rules establishing the standards for special packaging to be used for e-cigarette liquids.

This Section does not apply to electronic cigarette products sold in sealed, pre-filled, or disposable replacement cartridges.

Section 99. Effective date. This Act takes effect January 1, 2015.
Passed in the General Assembly May 29, 2014.
Approved August 22, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1022
(Senate Bill No. 0452)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Section 1-109.1 and by adding Section 1-113.21 as follows:

(40 ILCS 5/1-109.1) (from Ch. 108 1/2, par. 1-109.1)
(1) Subject to the provisions of Section 22A-113 of this Code and subsections (2) and (3) of this Section, the board of trustees of a retirement system or pension fund established under this Code may:
   (a) Appoint one or more investment managers as fiduciaries to manage (including the power to acquire and dispose of) any assets of the retirement system or pension fund; and
   (b) Allocate duties among themselves and designate others as fiduciaries to carry out specific fiduciary activities other than the management of the assets of the retirement system or pension fund.
(2) The board of trustees of a pension fund established under Article 5, 6, 8, 9, 10, 11, 12 or 17 of this Code may not transfer its investment authority, nor transfer the assets of the fund to any other person or entity for the purpose of consolidating or merging its assets and management with any other pension fund or public investment authority, unless the board resolution

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authorizing such transfer is submitted for approval to the contributors and pensioners of the fund at elections held not less than 30 days after the adoption of such resolution by the board, and such resolution is approved by a majority of the votes cast on the question in both the contributors election and the pensioners election. The election procedures and qualifications governing the election of trustees shall govern the submission of resolutions for approval under this paragraph, insofar as they may be made applicable.

(3) Pursuant to subsections (h) and (i) of Section 6 of Article VII of the Illinois Constitution, the investment authority of boards of trustees of retirement systems and pension funds established under this Code is declared to be a subject of exclusive State jurisdiction, and the concurrent exercise by a home rule unit of any power affecting such investment authority is hereby specifically denied and preempted.

(4) For the purposes of this Code, "emerging investment manager" means a qualified investment adviser that manages an investment portfolio of at least $10,000,000 but less than $10,000,000,000 and is a "minority owned business", "female owned business" or "business owned by a person with a disability" as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

It is hereby declared to be the public policy of the State of Illinois to encourage the trustees of public employee retirement systems, pension funds, and investment boards to use emerging investment managers in managing their system's assets, encompassing all asset classes, and increase the racial, ethnic, and gender diversity of its fiduciaries, to the greatest extent feasible within the bounds of financial and fiduciary prudence, and to take affirmative steps to remove any barriers to the full participation in investment opportunities afforded by those retirement systems, pension funds, and investment boards.

On or before January 1, 2010, a retirement system, pension fund, or investment board subject to this Code, except those whose investments are restricted by Section 1-113.2 of this Code, shall adopt a policy that sets forth goals for utilization of emerging investment managers. This policy shall include quantifiable goals for the management of assets in specific asset classes by emerging investment managers. The retirement system, pension fund, or investment board shall establish 3 separate goals for: (i) emerging investment managers that are minority owned businesses; (ii) emerging investment managers that are female owned businesses; and (iii) emerging investment managers that are businesses owned by a person with a disability. The goals established shall be based on the percentage of total dollar amount

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of investment service contracts let to minority owned businesses, female owned businesses, and businesses owned by a person with a disability, as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. The retirement system, pension fund, or investment board shall annually review the goals established under this subsection.

If in any case an emerging investment manager meets the criteria established by a board for a specific search and meets the criteria established by a consultant for that search, then that emerging investment manager shall receive an invitation by the board of trustees, or an investment committee of the board of trustees, to present his or her firm for final consideration of a contract. In the case where multiple emerging investment managers meet the criteria of this Section, the staff may choose the most qualified firm or firms to present to the board.

The use of an emerging investment manager does not constitute a transfer of investment authority for the purposes of subsection (2) of this Section.

(5) Each retirement system, pension fund, or investment board subject to this Code, except those whose investments are restricted by Section 1-113.2 of this Code, shall establish a policy that sets forth goals for increasing the racial, ethnic, and gender diversity of its fiduciaries, including its consultants and senior staff. Each system, fund, and investment board shall annually review the goals established under this subsection.

(6) On or before January 1, 2010, a retirement system, pension fund, or investment board subject to this Code, except those whose investments are restricted by Section 1-113.2 of this Code, shall adopt a policy that sets forth goals for utilization of businesses owned by minorities, females, and persons with disabilities for all contracts and services. The goals established shall be based on the percentage of total dollar amount of all contracts let to minority owned businesses, female owned businesses, and businesses owned by a person with a disability, as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. The retirement system, pension fund, or investment board shall annually review the goals established under this subsection.

(7) On or before January 1, 2010, a retirement system, pension fund, or investment board subject to this Code, except those whose investments are restricted by Section 1-113.2 of this Code, shall adopt a policy that sets forth goals for increasing the utilization of minority broker-dealers. For the purposes of this Code, "minority broker-dealer" means a qualified broker-
dealer who meets the definition of "minority owned business", "female owned business", or "business owned by a person with a disability", as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. The retirement system, pension fund, or investment board shall annually review the goals established under this Section.

(8) Each retirement system, pension fund, and investment board subject to this Code, except those whose investments are restricted by Section 1-113.2 of this Code, shall submit a report to the Governor and the General Assembly by January 1 of each year that includes the following: (i) the policy adopted under subsection (4) of this Section, including the names and addresses of the emerging investment managers used, percentage of the assets under the investment control of emerging investment managers for the 3 separate goals, and the actions it has undertaken to increase the use of emerging investment managers, including encouraging other investment managers to use emerging investment managers as subcontractors when the opportunity arises; (ii) the policy adopted under subsection (5) of this Section; (iii) the policy adopted under subsection (6) of this Section; and (iv) the policy adopted under subsection (7) of this Section, including specific actions undertaken to increase the use of minority broker-dealers; and (v) the policy adopted under subsection (9) of this Section.

(9) On or before February 1, 2015, a retirement system, pension fund, or investment board subject to this Code, except those whose investments are restricted by Section 1-113.2 of this Code, shall adopt a policy that sets forth goals for increasing the utilization of minority investment managers. For the purposes of this Code, "minority investment manager" means a qualified investment manager that manages an investment portfolio and meets the definition of "minority owned business", "female owned business", or "business owned by a person with a disability", as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

It is hereby declared to be the public policy of the State of Illinois to encourage the trustees of public employee retirement systems, pension funds, and investment boards to use minority investment managers in managing their systems' assets, encompassing all asset classes, and to increase the racial, ethnic, and gender diversity of their fiduciaries, to the greatest extent feasible within the bounds of financial and fiduciary prudence, and to take affirmative steps to remove any barriers to the full participation in

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investment opportunities afforded by those retirement systems, pension funds, and investment boards.

The retirement system, pension fund, or investment board shall establish 3 separate goals for: (i) minority investment managers that are minority owned businesses; (ii) minority investment managers that are female owned businesses; and (iii) minority investment managers that are businesses owned by a person with a disability. The retirement system, pension fund, or investment board shall annually review the goals established under this Section.

If in any case a minority investment manager meets the criteria established by a board for a specific search and meets the criteria established by a consultant for that search, then that minority investment manager shall receive an invitation by the board of trustees, or an investment committee of the board of trustees, to present his or her firm for final consideration of a contract. In the case where multiple minority investment managers meet the criteria of this Section, the staff may choose the most qualified firm or firms to present to the board.

The use of a minority investment manager does not constitute a transfer of investment authority for the purposes of subsection (2) of this Section.

(Source: P.A. 96-6, eff. 4-3-09.)

(40 ILCS 5/1-113.21 new)

Sec. 1-113.21. Contracts for services.

(a) Beginning January 1, 2015, no contract, oral or written, for investment services, consulting services, or commitment to a private market fund shall be awarded by a retirement system, pension fund, or investment board established under this Code unless the investment advisor, consultant, or private market fund first discloses:

(1) the number of its investment and senior staff and the percentage of its investment and senior staff who are (i) a minority person, (ii) a female, and (iii) a person with a disability; and

(2) the number of contracts, oral or written, for investment services, consulting services, and professional and artistic services that the investment advisor, consultant, or private market fund has with (i) a minority owned business, (ii) a female owned business, or (iii) a business owned by a person with a disability; and

(3) the number of contracts, oral or written, for investment services, consulting services, and professional and artistic services the investment advisor, consultant, or private market fund has with
a business other than (i) a minority owned business, (ii) a female owned business or (iii) a business owned by a person with a disability, if more than 50% of services performed pursuant to the contract are performed by (i) a minority person, (ii) a female, and (iii) a person with a disability.

(b) The disclosures required by this Section shall be considered, within the bounds of financial and fiduciary prudence, prior to the awarding of a contract, oral or written, for investment services, consulting services, or commitment to a private market fund.

(c) For the purposes of this Section, the terms "minority person", "female", "person with a disability", "minority owned business", "female owned business", and "business owned by a person with a disability" have the same meaning as those terms have in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(d) For purposes of this Section, the term "private market fund" means any private equity fund, private equity fund of funds, venture capital fund, hedge fund, hedge fund of funds, real estate fund, or other investment vehicle that is not publicly traded.

Section 10. The Illinois Prepaid Tuition Act is amended by changing Section 30 as follows:

(110 ILCS 979/30)
Sec. 30. Investment Advisory Panel duties and responsibilities.

(a) Advice and review. The panel shall offer advice and counseling regarding the investments of the Illinois prepaid tuition program with the objective of obtaining the best possible return on investments consistent with actuarial soundness of the program. The panel is required to annually review and advise the Commission on provisions of the strategic investment plan for the prepaid tuition program. The panel is also charged with reviewing and advising the Commission with regard to the annual report that describes the current financial condition of the program. The panel at its own discretion also may advise the Commission on other aspects of the program.

(b) Investment plan. The Commission annually shall adopt a comprehensive investment plan for purposes of this Section. The comprehensive investment plan shall specify the investment policies to be utilized by the Commission in its administration of the Illinois Prepaid Tuition Trust Fund created by Section 35. The Commission may direct that assets of those Funds be placed in savings accounts or may use the same to purchase fixed or variable life insurance or annuity contracts, securities, evidence of indebtedness, or other investment products pursuant to the
comprehensive investment plan and in such proportions as may be designated
or approved under that plan. The Commission shall invest such assets with
the care, skill, prudence, and diligence under the circumstances then
prevailing that a prudent man acting in a like capacity and familiar with such
matters would use in the conduct of an enterprise of a like character with like
aims, and the Commission shall diversify the investments of such assets so
as to minimize the risk of large losses, unless under the circumstances it is
clearly prudent not to do so. Those insurance, annuity, savings, and
investment products shall be underwritten and offered in compliance with
applicable federal and State laws, rules, and regulations by persons who are
authorized thereunder to provide those services. The Commission shall
delegate responsibility for preparing the comprehensive investment plan to
the Executive Director of the Commission. Nothing in this Section shall
preclude the Commission from contracting with a private corporation or
institution to provide such services as may be a part of the comprehensive
investment plan or as may be deemed necessary for implementation of the
comprehensive investment plan, including, but not limited to, providing
consolidated billing, individual and collective record keeping and accounting,
and asset purchase, control, and safekeeping.

(b-5) Investment duties. Beginning January 1, 2015, with respect to
any investments for which it is responsible under this Section or any other
law, the Commission shall be subject to the same requirements as are
imposed upon the board of trustees of a retirement system under Sections 1-
109.1(5.1), 1-109.1(9), and 1-113.21 of the Illinois Pension Code, to the
extent that those requirements are not in direct conflict with any other
requirement of law to which the Commission is subject.

(c) Program management. The Commission may not delegate its
management functions, but may arrange to compensate for personalized
investment advisory services rendered with respect to any or all of the
investments under its control an investment advisor registered under Section
8 of the Illinois Securities Law of 1953 or any bank or other entity authorized
by law to provide those services. Nothing contained herein shall preclude the
Commission from subscribing to general investment research services
available for purchase or use by others. The Commission also shall have
authority to compensate for accounting, computing, and other necessary
services.

(d) Annual report. The Commission shall annually prepare or cause
to be prepared a report setting forth in appropriate detail an accounting of all
Illinois prepaid tuition program funds and a description of the financial

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condition of the program at the close of each fiscal year. Included in this report shall be an evaluation by at least one nationally recognized actuary of the financial viability of the program. This report shall be submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Auditor General, and the Board of Higher Education on or before March 1 of the subsequent fiscal year. This report also shall be made available to purchasers of Illinois prepaid tuition contracts and shall contain complete Illinois prepaid tuition contract sales information, including, but not limited to, projected postsecondary enrollment data for qualified beneficiaries.

(e) Marketing plan. Selection of a marketing agent for the Illinois prepaid tuition program must be approved by the Commission. At least once every 3 years, the Commission shall solicit proposals for marketing of the Illinois prepaid tuition program in accordance with the Illinois Securities Law of 1953 and any applicable provisions of federal law. The entity designated pursuant to this paragraph shall serve as a centralized marketing agent for the program and shall have exclusive responsibility for marketing the program. No contract for marketing the Illinois prepaid tuition program shall extend for longer than 3 years. Any materials produced for the purpose of marketing the program shall be submitted to the Executive Director of the Commission for approval before they are made public. Any eligible institution may distribute marketing materials produced for the program, so long as the Executive Director of the Commission approves the distribution in advance. Neither the State nor the Commission shall be liable for misrepresentation of the program by a marketing agent.

(f) Accounting and audit. The Commission shall annually cause to be prepared an accounting of the trust and shall transmit a copy of the accounting to the Governor, the President of the Senate, the Speaker of the House, and the minority leaders of the Senate and House of Representatives. The Commission shall also make available this accounting of the trust to any purchaser of an Illinois prepaid tuition contract, upon request. The accounts of the Illinois prepaid tuition program shall be subject to annual audits by the Auditor General or a certified public accountant appointed by the Auditor General.
(Source: P.A. 96-1282, eff. 7-26-10.)
Approved August 22, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.

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

Section 5. The Smoke Free Illinois Act is amended by changing Sections 35 and 45 as follows:

(410 ILCS 82/35)
Sec. 35. Exemptions. Notwithstanding any other provision of this Act, smoking is allowed in the following areas:

(1) Private residences or dwelling places, except when used as a child care, adult day care, or healthcare facility or any other home-based business open to the public.

(2) Retail tobacco stores as defined in Section 10 of this Act in operation prior to the effective date of this amendatory Act of the 95th General Assembly. The retail tobacco store shall annually file with the Department by January 31st an affidavit stating the percentage of its gross income during the prior calendar year that was derived from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, or other smoking devices for smoking tobacco and related smoking accessories. Any retail tobacco store that begins operation after the effective date of this amendatory Act may only qualify for an exemption if located in a freestanding structure occupied solely by the business and smoke from the business does not migrate into an enclosed area where smoking is prohibited.

(3) (Blank).

(4) Hotel and motel sleeping rooms that are rented to guests and are designated as smoking rooms, provided that all smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into nonsmoking rooms or other areas where smoking is prohibited. Not more than 25% of the rooms rented to guests in a hotel or motel may be designated as rooms where smoking is allowed. The status of rooms as smoking or nonsmoking may not be changed, except to permanently add additional nonsmoking rooms.

(5) Enclosed laboratories that are excluded from the definition of "place of employment" in Section 10 of this Act. Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in

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accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(6) Common smoking rooms in long-term care facilities operated under the authority of the Illinois Department of Veterans' Affairs or licensed under the Nursing Home Care Act that are accessible only to residents who are smokers and have requested in writing to have access to the common smoking room where smoking is permitted and the smoke shall not infiltrate other areas of the long-term care facility. Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(7) A convention hall of the Donald E. Stephens Convention Center where a meeting or trade show for manufacturers and suppliers of tobacco and tobacco products and accessories is being held, during the time the meeting or trade show is occurring, if the meeting or trade show:

(i) is a trade-only event and not open to the public;
(ii) is limited to attendees and exhibitors that are 21 years of age or older;
(iii) is being produced or organized by a business relating to tobacco or a professional association for convenience stores; and
(iv) involves the display of tobacco products.

Smoking is not allowed in any public area outside of the hall designated for the meeting or trade show.

This paragraph (7) is inoperative on and after October 1, 2015.

(Source: P.A. 95-17, eff. 1-1-08; 95-1029, eff. 2-4-09; 96-1357, eff. 1-1-11.)

(410 ILCS 82/45)
Sec. 45. Violations.

(a) A person, corporation, partnership, association or other entity who violates Section 15 or 20 of this Act shall be fined pursuant to this Section. Each day that a violation occurs is a separate violation.

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(b) A person who smokes in an area where smoking is prohibited under Section 15 of this Act shall be fined in an amount that is $100 for a first offense and $250 for each subsequent offense. A person who owns, operates, or otherwise controls a public place or place of employment that violates Section 15 or 20 of this Act shall be fined (i) $250 for the first violation, (ii) $500 for the second violation within one year after the first violation, and (iii) $2,500 for each additional violation within one year after the first violation.

(c) A fine imposed under this Section shall be allocated as follows:
   (1) one-half of the fine shall be distributed to the Department;
   and
   (2) one-half of the fine shall be distributed to the enforcing agency.

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

(Source: P.A. 95-17, eff. 1-1-08; 95-1029, eff. 2-4-09.)

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

Approved August 22, 2014.
Effective August 22, 2014.

PUBLIC ACT 98-1024
(Senate Bill No. 2744)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Military Code of Illinois is amended by adding Article XVI-A as follows:

(20 ILCS 1805/Art. XVI-A heading new)

ARTICLE XVI-A. ILLINOIS NATIONAL GUARD
STATE-SPONSORED LIFE INSURANCE PROGRAM

(20 ILCS 1805/91.1 new)

Sec. 91.1. State-sponsored life insurance program.
(a) The General Assembly finds:

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(1) It is desirable for members of the Illinois National Guard to have access to low-cost life insurance in addition to the Servicemembers Group Life Insurance program currently offered to all service members.

(2) The U.S. Congress has provided in 37 U.S.C. 707 that the Secretary of the Army or the Secretary of the Air Force, as the case may be, may allow a member of the National Guard to make allotments from his or her pay for the payment of premiums under a group life insurance program sponsored by the military department of the state in which such member holds his or her National Guard membership or by the National Guard Association of such state.

(3) The U.S. Secretary of Defense has provided by regulation in Section 3-209 of the Department of Defense Directive 5500.07-R that offering group life insurance programs sponsored by a state military department, to the same extent and similar manner as the offering of the Servicemembers Group Life Insurance program, is not an endorsement of a non-federal entity in violation of said regulation.

It is hereby the policy of the State of Illinois that members of the Illinois National Guard should be provided with the opportunity to purchase the Illinois National Guard State-Sponsored Life Insurance Program products as provided for in this Section and that the members be allowed to make an allotment for the payment of premiums using the U.S. Defense Finance and Accounting Service military pay allotment procedures in force at the time the allotment is requested.

(b) It is hereby established that the National Guard Association of Illinois shall be the designated provider of State-sponsored life insurance products offered through insurers licensed to transact insurance business in Illinois for military members and dependents of the Illinois National Guard. The life insurance products provided by the National Guard Association of Illinois through its membership in the Militia Insurance Trust shall be known as the Illinois National Guard State-Sponsored Life Insurance Program.

(c) The Department of Military Affairs, through the Adjutant General, is hereby designated as the official departmental sponsor of the Illinois National Guard State-Sponsored Life Insurance Program, shall allow, facilitate, and coordinate all efforts to make the Program available to all members of the Illinois National Guard, and shall allow, facilitate, and coordinate requested allotments with the appropriate United States Property and Fiscal Office.

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Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 22, 2014.
Effective August 22, 2014.

PUBLIC ACT 98-1025
(Senate Bill No. 2801)

AN ACT concerning criminal law.

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

Section 5. The Code of Criminal Procedure of 1963 is amended by
changing Sections 104-15, 104-17, 104-18, 104-20, 104-21, 104-23, and 104-31 as follows:

(725 ILCS 5/104-15) (from Ch. 38, par. 104-15)
Sec. 104-15. Report. (a) The person or persons conducting an
examination of the defendant, pursuant to paragraph (a) or (b) of Section 104-13 shall submit a written report to the court, the State, and the defense within 30 days of the date of the order. The report shall include:
(1) A diagnosis and an explanation as to how it was reached and the facts upon which it is based;
(2) A description of the defendant's mental or physical disability, if any; its severity; and an opinion as to whether and to what extent it impairs the defendant's ability to understand the nature and purpose of the proceedings against him or to assist in his defense, or both.
(b) If the report indicates that the defendant is not fit to stand trial or to plead because of a disability, the report shall include an opinion as to the likelihood of the defendant attaining fitness within one year if provided with a course of treatment. If the person or persons preparing the report are unable to form such an opinion, the report shall state the reasons therefor. The report may include a general description of the type of treatment needed and of the least physically restrictive form of treatment therapeutically appropriate.
(c) The report shall indicate what information, if any, contained therein may be harmful to the mental condition of the defendant if made known to him.
(d) In addition to the report, a person retained or appointed by the State or the defense to conduct an examination shall, upon written request, make his or her notes, other evaluations reviewed or relied upon by the testifying witness, and any videotaped interviews available to another

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examiner of the defendant. All forensic interviews conducted by a person retained or appointed by the State or the defense shall be videotaped unless doing so would be impractical. In the event that the interview is not videotaped, the examiner may still testify as to the person's fitness and the court may only consider the lack of compliance in according the weight and not the admissibility of the expert testimony. An examiner may use these materials as part of his or her diagnosis and explanation but shall not otherwise disclose the contents, including at a hearing before the court, except as otherwise provided in Section 104-14 of this Code.
(Source: P.A. 81-1217.)

(725 ILCS 5/104-17) (from Ch. 38, par. 104-17)
Sec. 104-17. Commitment for Treatment; Treatment Plan.
(a) If the defendant is eligible to be or has been released on bail or on his own recognizance, the court shall select the least physically restrictive form of treatment therapeutically appropriate and consistent with the treatment plan.
(b) If the defendant's disability is mental, the court may order him placed for treatment in the custody of the Department of Human Services, or the court may order him placed in the custody of any other appropriate public or private mental health facility or treatment program which has agreed to provide treatment to the defendant. If the defendant is placed in the custody of the Department of Human Services, the defendant shall be placed in a secure setting unless the court determines that there are compelling reasons why such placement is not necessary. During the period of time required to determine the appropriate placement the defendant shall remain in jail. If upon the completion of the placement process the Department of Human Services determines that the defendant is currently fit to stand trial, it shall immediately notify the court and shall submit a written report within 7 days. In that circumstance the placement shall be held pending a court hearing on the Department's report. Otherwise, upon completion of the placement process, the sheriff shall be notified and shall transport the defendant to the designated facility. The placement may be ordered either on an inpatient or an outpatient basis.
(c) If the defendant's disability is physical, the court may order him placed under the supervision of the Department of Human Services which shall place and maintain the defendant in a suitable treatment facility or program, or the court may order him placed in an appropriate public or private facility or treatment program which has agreed to provide treatment
to the defendant. The placement may be ordered either on an inpatient or an outpatient basis.

(d) The clerk of the circuit court shall transmit to the Department, agency or institution, if any, to which the defendant is remanded for treatment, the following:

(1) a certified copy of the order to undergo treatment;
(2) the county and municipality in which the offense was committed;
(3) the county and municipality in which the arrest took place;
(4) a copy of the arrest report, criminal charges, arrest record, jail record, and the report prepared under Section 104-15; and
(5) all additional matters which the Court directs the clerk to transmit.

(e) Within 30 days of entry of an order to undergo treatment, the person supervising the defendant's treatment shall file with the court, the State, and the defense a report assessing the facility's or program's capacity to provide appropriate treatment for the defendant and indicating his opinion as to the probability of the defendant's attaining fitness within a period of time one year from the date of the finding of unfitness. For a defendant charged with a felony, the period of time shall be one year. For a defendant charged with a misdemeanor, the period of time shall be no longer than the sentence if convicted of the most serious offense. If the report indicates that there is a substantial probability that the defendant will attain fitness within the time period, the treatment supervisor shall also file a treatment plan which shall include:

(1) A diagnosis of the defendant's disability;
(2) A description of treatment goals with respect to rendering the defendant fit, a specification of the proposed treatment modalities, and an estimated timetable for attainment of the goals;
(3) An identification of the person in charge of supervising the defendant's treatment.

(Source: P.A. 95-296, eff. 8-20-07; 96-310, eff. 8-11-09.)
(725 ILCS 5/104-18) (from Ch. 38, par. 104-18)
Sec. 104-18. Progress Reports.
(a) The treatment supervisor shall submit a written progress report to the court, the State, and the defense:

(1) At least 7 days prior to the date for any hearing on the issue of the defendant's fitness;
(2) Whenever he believes that the defendant has attained fitness;

(3) Whenever he believes that there is not a substantial probability that the defendant will attain fitness, with treatment, within the time period set in subsection (e) of Section 104-17 of this Code one year from the date of the original finding of unfitness.

(b) The progress report shall contain:

(1) The clinical findings of the treatment supervisor and the facts upon which the findings are based;

(2) The opinion of the treatment supervisor as to whether the defendant has attained fitness or as to whether the defendant is making progress, under treatment, toward attaining fitness within the time period set in subsection (e) of Section 104-17 of this Code one year from the date of the original finding of unfitness;

(3) If the defendant is receiving medication, information from the prescribing physician indicating the type, the dosage and the effect of the medication on the defendant's appearance, actions and demeanor.

(c) Whenever the court is sent a report from the supervisor of the defendant's treatment under paragraph (2) of subsection (a) of this Section, the treatment provider shall arrange with the court for the return of the defendant to the county jail before the time frame specified in subsection (a) of Section 104-20. This subsection (c) is inoperative on and after January 1, 2014.

(Source: P.A. 97-1020, eff. 8-17-12.)

(725 ILCS 5/104-20) (from Ch. 38, par. 104-20)

Sec. 104-20. Ninety-Day Hearings; Continuing Treatment.)

(a) Upon entry or continuation of any order to undergo treatment, the court shall set a date for hearing to reexamine the issue of the defendant's fitness not more than 90 days thereafter. In addition, whenever the court receives a report from the supervisor of the defendant's treatment pursuant to subparagraph (2) or (3) of paragraph (a) of Section 104-18, the court shall forthwith set the matter for a first hearing within 14 days unless good cause is demonstrated why the hearing cannot be held. On the date set or upon conclusion of the matter then pending before it, the court, sitting without a jury, shall conduct a hearing, unless waived by the defense, and shall determine:

(1) Whether the defendant is fit to stand trial or to plead; and if not,

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(2) Whether the defendant is making progress under treatment toward attainment of fitness within the time period set in subsection (e) of Section 104-17 of this Code one year from the date of the original finding of unfitness.

(b) If the court finds the defendant to be fit pursuant to this Section, the court shall set the matter for trial; provided that if the defendant is in need of continued care or treatment and the supervisor of the defendant's treatment agrees to continue to provide it, the court may enter any order it deems appropriate for the continued care or treatment of the defendant by the facility or program pending the conclusion of the criminal proceedings.

(c) If the court finds that the defendant is still unfit but that he is making progress toward attaining fitness, the court may continue or modify its original treatment order entered pursuant to Section 104-17.

(d) If the court finds that the defendant is still unfit and that he is not making progress toward attaining fitness such that there is not a substantial probability that he will attain fitness within the time period set in subsection (e) of Section 104-17 of this Code one year from the date of the original finding of unfitness, the court shall proceed pursuant to Section 104-23. However, if the defendant is in need of continued care and treatment and the supervisor of the defendant's treatment agrees to continue to provide it, the court may enter any order it deems appropriate for the continued care or treatment by the facility or program pending the conclusion of the criminal proceedings.

(SOURCE: P.A. 97-37, eff. 6-28-11.)

(725 ILCS 5/104-21) (from Ch. 38, par. 104-21)


(a) A defendant who is receiving psychotropic drugs shall not be presumed to be unfit to stand trial solely by virtue of the receipt of those drugs or medications.

(b) Whenever a defendant who is receiving medication under medical direction is transferred between a place of custody and a treatment facility or program, a written report from the prescribing physician shall accompany the defendant. The report shall state the type and dosage of the defendant's medication and the duration of the prescription. The chief officer of the place of custody or the treatment supervisor at the facility or program shall insure that such medication is provided according to the directions of the prescribing physician or until superseded by order of a physician who has examined the defendant.

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(c) If a defendant refuses psychotropic medication, it may be administered over the defendant's objections in accord with the Mental Health and Developmental Disabilities Code. If court authorized medications are sought, the petition, prepared in accord with Section 2-107.1 of the Mental Health and Developmental Disabilities Code may be filed in the county where the defendant is located or with the court having jurisdiction over the defendant.

(Source: P.A. 89-428, eff. 12-13-95; 89-689, eff. 12-31-96.)

(725 ILCS 5/104-23) (from Ch. 38, par. 104-23)

Sec. 104-23. Unfit defendants. Cases involving an unfit defendant who demands a discharge hearing or a defendant who cannot become fit to stand trial and for whom no special provisions or assistance can compensate for his disability and render him fit shall proceed in the following manner:

(a) Upon a determination that there is not a substantial probability that the defendant will attain fitness within the time period set in subsection (e) of Section 104-17 of this Code one year from the original finding of unfitness, a defendant or the attorney for the defendant may move for a discharge hearing pursuant to the provisions of Section 104-25. The discharge hearing shall be held within 120 days of the filing of a motion for a discharge hearing, unless the delay is occasioned by the defendant.

(b) If at any time the court determines that there is not a substantial probability that the defendant will become fit to stand trial or to plead within the time period set in subsection (e) of Section 104-17 of this Code one year from the date of the original finding of unfitness, or if at the end of the time period set in subsection (e) of Section 104-17 of this Code one year from that date the court finds the defendant still unfit and for whom no special provisions or assistance can compensate for his disabilities and render him fit, the State shall request the court:

(1) To set the matter for hearing pursuant to Section 104-25 unless a hearing has already been held pursuant to paragraph (a) of this Section; or

(2) To release the defendant from custody and to dismiss with prejudice the charges against him; or

(3) To remand the defendant to the custody of the Department of Human Services and order a hearing to be conducted pursuant to the provisions of the Mental Health and Developmental Disabilities Code, as now or hereafter amended. The Department of Human Services shall have 7 days from the date it receives the defendant to prepare and file the necessary petition and certificates that are

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required for commitment under the Mental Health and Developmental Disabilities Code. If the defendant is committed to the Department of Human Services pursuant to such hearing, the court having jurisdiction over the criminal matter shall dismiss the charges against the defendant, with the leave to reinstate. In such cases the Department of Human Services shall notify the court, the State's attorney and the defense attorney upon the discharge of the defendant. A former defendant so committed shall be treated in the same manner as any other civilly committed patient for all purposes including admission, selection of the place of treatment and the treatment modalities, entitlement to rights and privileges, transfer, and discharge. A defendant who is not committed shall be remanded to the court having jurisdiction of the criminal matter for disposition pursuant to subparagraph (1) or (2) of paragraph (b) of this Section. (c) If the defendant is restored to fitness and the original charges against him are reinstated, the speedy trial provisions of Section 103-5 shall commence to run.

(Source: P.A. 89-439, eff. 6-1-96; 89-507, eff. 7-1-97.)

(725 ILCS 5/104-31) (from Ch. 38, par. 104-31)

Sec. 104-31. No defendant placed in a setting of the Department of Human Services pursuant to the provisions of Sections 104-17, 104-25, or 104-26 shall be permitted outside the facility's housing unit unless escorted or accompanied by personnel of the Department of Human Services or authorized by court order. Any defendant placed in a secure setting pursuant to this Section, transported to court hearings or other necessary appointments off facility grounds by personnel of the Department of Human Services, may be placed in security devices or otherwise secured during the period of transportation to assure secure transport of the defendant and the safety of Department of Human Services personnel and others. These security measures shall not constitute restraint as defined in the Mental Health and Developmental Disabilities Code. Nor shall any defendant be permitted any off-grounds privileges, either with or without escort by personnel of the Department of Human Services or placement in a non-secure setting unless such off-grounds or unsupervised on-grounds privileges, or placement in a non-secure setting have been approved by specific court order, which order may include such conditions on the defendant as the court may deem appropriate and necessary to reasonably assure the defendant's satisfactory progress in treatment and the safety of the defendant or others. Whenever the court receives a report from

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the supervisor of the defendant's treatment recommending the defendant for any off-grounds or unsupervised on-grounds privileges, or placement in a non-secure setting, the court shall set the matter for a first hearing within 21 days unless good cause is demonstrated why the hearing cannot be held. The changes made to this Section by this amendatory Act of the 96th General Assembly are declarative of existing law and shall not be construed as a new enactment.

(Source: P.A. 95-296, eff. 8-20-07; 96-1069, eff. 7-16-10.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-2-4 as follows:

(730 ILCS 5/5-2-4) (from Ch. 38, par. 1005-2-4)

Sec. 5-2-4. Proceedings after Acquittal by Reason of Insanity.

(a) After a finding or verdict of not guilty by reason of insanity under Sections 104-25, 115-3 or 115-4 of the Code of Criminal Procedure of 1963, the defendant shall be ordered to the Department of Human Services for an evaluation as to whether he is in need of mental health services. The order shall specify whether the evaluation shall be conducted on an inpatient or outpatient basis. If the evaluation is to be conducted on an inpatient basis, the defendant shall be placed in a secure setting unless the Court determines that there are compelling reasons why such placement is not necessary. With the court order for evaluation shall be sent a copy of the arrest report, criminal charges, arrest record, jail record, any report prepared under Section 115-6 of the Code of Criminal Procedure of 1963, and any victim impact statement prepared under Section 6 of the Rights of Crime Victims and Witnesses Act. After the evaluation and during the period of time required to determine the appropriate placement, the defendant shall remain in jail. Individualized placement evaluations by the Department of Human Services determine the most appropriate setting for forensic treatment based upon a number of factors including mental health diagnosis, proximity to surviving victims, security need, age, gender, and proximity to family. Upon completion of the placement process the sheriff shall be notified and shall transport the defendant to the designated facility.

The Department shall provide the Court with a report of its evaluation within 30 days of the date of this order. The Court shall hold a hearing as provided under the Mental Health and Developmental Disabilities Code to determine if the individual is: (a) in need of mental health services on an inpatient basis; (b) in need of mental health services on an outpatient basis; (c) a person not in need of mental health services. The Court shall enter its findings.

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If the defendant is found to be in need of mental health services on an inpatient care basis, the Court shall order the defendant to the Department of Human Services. The defendant shall be placed in a secure setting unless the Court determines that there are compelling reasons why such placement is not necessary. Such defendants placed in a secure setting shall not be permitted outside the facility's housing unit unless escorted or accompanied by personnel of the Department of Human Services or with the prior approval of the Court for unsupervised on-grounds privileges as provided herein. Any defendant placed in a secure setting pursuant to this Section, transported to court hearings or other necessary appointments off facility grounds by personnel of the Department of Human Services, shall be placed in security devices or otherwise secured during the period of transportation to assure secure transport of the defendant and the safety of Department of Human Services personnel and others. These security measures shall not constitute restraint as defined in the Mental Health and Developmental Disabilities Code. If the defendant is found to be in need of mental health services, but not on an inpatient care basis, the Court shall conditionally release the defendant, under such conditions as set forth in this Section as will reasonably assure the defendant's satisfactory progress and participation in treatment or rehabilitation and the safety of the defendant and others. If the Court finds the person not in need of mental health services, then the Court shall order the defendant discharged from custody.

(a-1) Definitions. For the purposes of this Section:

(A) (Blank).

(B) "In need of mental health services on an inpatient basis" means: a defendant who has been found not guilty by reason of insanity but who due to mental illness is reasonably expected to inflict serious physical harm upon himself or another and who would benefit from inpatient care or is in need of inpatient care.

(C) "In need of mental health services on an outpatient basis" means: a defendant who has been found not guilty by reason of insanity who is not in need of mental health services on an inpatient basis, but is in need of outpatient care, drug and/or alcohol rehabilitation programs, community adjustment programs, individual, group, or family therapy, or chemotherapy.

(D) "Conditional Release" means: the release from either the custody of the Department of Human Services or the custody of the Court of a person who has been found not guilty by reason of insanity under such conditions as the Court may impose which reasonably
assure the defendant's satisfactory progress in treatment or habilitation and the safety of the defendant and others. The Court shall consider such terms and conditions which may include, but need not be limited to, outpatient care, alcoholic and drug rehabilitation programs, community adjustment programs, individual, group, family, and chemotherapy, random testing to ensure the defendant's timely and continuous taking of any medicines prescribed to control or manage his or her conduct or mental state, and periodic checks with the legal authorities and/or the Department of Human Services. The Court may order as a condition of conditional release that the defendant not contact the victim of the offense that resulted in the finding or verdict of not guilty by reason of insanity or any other person. The Court may order the Department of Human Services to provide care to any person conditionally released under this Section. The Department may contract with any public or private agency in order to discharge any responsibilities imposed under this Section. The Department shall monitor the provision of services to persons conditionally released under this Section and provide periodic reports to the Court concerning the services and the condition of the defendant. Whenever a person is conditionally released pursuant to this Section, the State's Attorney for the county in which the hearing is held shall designate in writing the name, telephone number, and address of a person employed by him or her who shall be notified in the event that either the reporting agency or the Department decides that the conditional release of the defendant should be revoked or modified pursuant to subsection (i) of this Section. Such conditional release shall be for a period of five years. However, the defendant, the person or facility rendering the treatment, therapy, program or outpatient care, the Department, or the State's Attorney may petition the Court for an extension of the conditional release period for an additional 5 years. Upon receipt of such a petition, the Court shall hold a hearing consistent with the provisions of paragraph (a), this paragraph (a-1), and paragraph (f) of this Section, shall determine whether the defendant should continue to be subject to the terms of conditional release, and shall enter an order either extending the defendant's period of conditional release for an additional 5 year period or discharging the defendant. Additional 5-year periods of conditional release may be ordered following a hearing as provided in this Section. However, in no event shall the defendant's period of

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conditional release continue beyond the maximum period of
commitment ordered by the Court pursuant to paragraph (b) of this
Section. These provisions for extension of conditional release shall
only apply to defendants conditionally released on or after August 8,
2003. However the extension provisions of Public Act 83-1449 apply
only to defendants charged with a forcible felony.

(E) "Facility director" means the chief officer of a mental
health or developmental disabilities facility or his or her designee or
the supervisor of a program of treatment or habilitation or his or her
designee. "Designee" may include a physician, clinical psychologist,
social worker, nurse, or clinical professional counselor.

(b) If the Court finds the defendant in need of mental health services
on an inpatient basis, the admission, detention, care, treatment or habilitation,
treatment plans, review proceedings, including review of treatment and
treatment plans, and discharge of the defendant after such order shall be
under the Mental Health and Developmental Disabilities Code, except that
the initial order for admission of a defendant acquitted of a felony by reason
of insanity shall be for an indefinite period of time. Such period of
commitment shall not exceed the maximum length of time that the defendant
would have been required to serve, less credit for good behavior as provided
in Section 5-4-1 of the Unified Code of Corrections, before becoming eligible
for release had he been convicted of and received the maximum sentence for
the most serious crime for which he has been acquitted by reason of insanity.
The Court shall determine the maximum period of commitment by an
appropriate order. During this period of time, the defendant shall not be
permitted to be in the community in any manner, including but not limited to
off-grounds privileges, with or without escort by personnel of the Department
of Human Services, unsupervised on-grounds privileges, discharge or
conditional or temporary release, except by a plan as provided in this Section.
In no event shall a defendant's continued unauthorized absence be a basis for
discharge. Not more than 30 days after admission and every 60 days
thereafter so long as the initial order remains in effect, the facility director
shall file a treatment plan report in writing with the court and forward a copy
of the treatment plan report to the clerk of the court, the State's Attorney, and
the defendant's attorney, if the defendant is represented by counsel, or to a
person authorized by the defendant under the Mental Health and
Developmental Disabilities Confidentiality Act to be sent a copy of the
report. The report shall include an opinion as to whether the defendant is
currently in need of mental health services on an inpatient basis or in need of
mental health services on an outpatient basis. The report shall also summarize the basis for those findings and provide a current summary of the following items from the treatment plan: (1) an assessment of the defendant's treatment needs, (2) a description of the services recommended for treatment, (3) the goals of each type of element of service, (4) an anticipated timetable for the accomplishment of the goals, and (5) a designation of the qualified professional responsible for the implementation of the plan. The report may also include unsupervised on-grounds privileges, off-grounds privileges (with or without escort by personnel of the Department of Human Services), home visits and participation in work programs, but only where such privileges have been approved by specific court order, which order may include such conditions on the defendant as the Court may deem appropriate and necessary to reasonably assure the defendant's satisfactory progress in treatment and the safety of the defendant and others.

(c) Every defendant acquitted of a felony by reason of insanity and subsequently found to be in need of mental health services shall be represented by counsel in all proceedings under this Section and under the Mental Health and Developmental Disabilities Code.

(1) The Court shall appoint as counsel the public defender or an attorney licensed by this State.

(2) Upon filing with the Court of a verified statement of legal services rendered by the private attorney appointed pursuant to paragraph (1) of this subsection, the Court shall determine a reasonable fee for such services. If the defendant is unable to pay the fee, the Court shall enter an order upon the State to pay the entire fee or such amount as the defendant is unable to pay from funds appropriated by the General Assembly for that purpose.

(d) When the facility director determines that:

(1) the defendant is no longer in need of mental health services on an inpatient basis; and

(2) the defendant may be conditionally released because he or she is still in need of mental health services or that the defendant may be discharged as not in need of any mental health services; or

(3) (blank); the defendant no longer requires placement in a secure setting;

the facility director shall give written notice to the Court, State's Attorney and defense attorney. Such notice shall set forth in detail the basis for the recommendation of the facility director, and specify clearly the recommendations, if any, of the facility director, concerning conditional

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release. Any recommendation for conditional release shall include an evaluation of the defendant's need for psychotropic medication, what provisions should be made, if any, to ensure that the defendant will continue to receive psychotropic medication following discharge, and what provisions should be made to assure the safety of the defendant and others in the event the defendant is no longer receiving psychotropic medication. Within 30 days of the notification by the facility director, the Court shall set a hearing and make a finding as to whether the defendant is:

(i) (blank); or
(ii) in need of mental health services in the form of inpatient care; or
(iii) in need of mental health services but not subject to inpatient care; or
(iv) no longer in need of mental health services; or
(v) (blank). no longer requires placement in a secure setting.

Upon finding by the Court, the Court shall enter its findings and such appropriate order as provided in subsections (a) and (a-1) of this Section.

(e) A defendant admitted pursuant to this Section, or any person on his behalf, may file a petition for treatment plan review, transfer to a non-secure setting within the Department of Human Services or discharge or conditional release under the standards of this Section in the Court which rendered the verdict. Upon receipt of a petition for treatment plan review, transfer to a non-secure setting or discharge or conditional release, the Court shall set a hearing to be held within 120 days. Thereafter, no new petition may be filed for 180 days without leave of the Court.

(f) The Court shall direct that notice of the time and place of the hearing be served upon the defendant, the facility director, the State's Attorney, and the defendant's attorney. If requested by either the State or the defense or if the Court feels it is appropriate, an impartial examination of the defendant by a psychiatrist or clinical psychologist as defined in Section 1-103 of the Mental Health and Developmental Disabilities Code who is not in the employ of the Department of Human Services shall be ordered, and the report considered at the time of the hearing.

(g) The findings of the Court shall be established by clear and convincing evidence. The burden of proof and the burden of going forth with the evidence rest with the defendant or any person on the defendant's behalf when a hearing is held to review a petition filed by or on behalf of the defendant. The evidence shall be presented in open Court with the right of

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confrontation and cross-examination. Such evidence may include, but is not limited to:

(1) whether the defendant appreciates the harm caused by the defendant to others and the community by his or her prior conduct that resulted in the finding of not guilty by reason of insanity;
(2) Whether the person appreciates the criminality of conduct similar to the conduct for which he or she was originally charged in this matter;
(3) the current state of the defendant's illness;
(4) what, if any, medications the defendant is taking to control his or her mental illness;
(5) what, if any, adverse physical side effects the medication has on the defendant;
(6) the length of time it would take for the defendant's mental health to deteriorate if the defendant stopped taking prescribed medication;
(7) the defendant's history or potential for alcohol and drug abuse;
(8) the defendant's past criminal history;
(9) any specialized physical or medical needs of the defendant;
(10) any family participation or involvement expected upon release and what is the willingness and ability of the family to participate or be involved;
(11) the defendant's potential to be a danger to himself, herself, or others; and
(12) any other factor or factors the Court deems appropriate.

(h) Before the court orders that the defendant be discharged or conditionally released, it shall order the facility director to establish a discharge plan that includes a plan for the defendant's shelter, support, and medication. If appropriate, the court shall order that the facility director establish a program to train the defendant in self-medication under standards established by the Department of Human Services. If the Court finds, consistent with the provisions of this Section, that the defendant is no longer in need of mental health services it shall order the facility director to discharge the defendant. If the Court finds, consistent with the provisions of this Section, that the defendant is in need of mental health services, and no longer in need of inpatient care, it shall order the facility director to release the defendant under such conditions as the Court deems appropriate and as
provided by this Section. Such conditional release shall be imposed for a
period of 5 years as provided in paragraph (D) of subsection (a-1) and shall
be subject to later modification by the Court as provided by this Section. If
the Court finds consistent with the provisions in this Section that the
defendant is in need of mental health services on an inpatient basis, it shall
order the facility director not to discharge or release the defendant in
accordance with paragraph (b) of this Section.

(i) If within the period of the defendant's conditional release the
State's Attorney determines that the defendant has not fulfilled the conditions
of his or her release, the State's Attorney may petition the Court to revoke or
modify the conditional release of the defendant. Upon the filing of such
petition the defendant may be remanded to the custody of the Department, or
to any other mental health facility designated by the Department, pending the
resolution of the petition. Nothing in this Section shall prevent the emergency
admission of a defendant pursuant to Article VI of Chapter III of the Mental
Health and Developmental Disabilities Code or the voluntary admission of
the defendant pursuant to Article IV of Chapter III of the Mental Health and
Developmental Disabilities Code. If the Court determines, after hearing
evidence, that the defendant has not fulfilled the conditions of release, the
Court shall order a hearing to be held consistent with the provisions of
paragraph (f) and (g) of this Section. At such hearing, if the Court finds that
the defendant is in need of mental health services on an inpatient basis, it
shall enter an order remanding him or her to the Department of Human
Services or other facility. If the defendant is remanded to the Department of
Human Services, he or she shall be placed in a secure setting unless the Court
determines that there are compelling reasons that such placement is not
necessary. If the Court finds that the defendant continues to be in need of
mental health services but not on an inpatient basis, it may modify the
conditions of the original release in order to reasonably assure the defendant's
satisfactory progress in treatment and his or her safety and the safety of others
in accordance with the standards established in paragraph (D) of subsection
(a-1). Nothing in this Section shall limit a Court's contempt powers or any
other powers of a Court.

(j) An order of admission under this Section does not affect the
remedy of habeas corpus.

(k) In the event of a conflict between this Section and the Mental
Health and Developmental Disabilities Code or the Mental Health and
Developmental Disabilities Confidentiality Act, the provisions of this Section
shall govern.

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(l) This amendatory Act shall apply to all persons who have been found not guilty by reason of insanity and who are presently committed to the Department of Mental Health and Developmental Disabilities (now the Department of Human Services).

(m) The Clerk of the Court shall, after the entry of an order of transfer to a non-secure setting of the Department of Human Services or discharge or conditional release, transmit a certified copy of the order to the Department of Human Services, and the sheriff of the county from which the defendant was admitted: The Clerk of the Court shall also transmit a certified copy of the order of discharge or conditional release to the Department of Human Services, to the sheriff of the county from which the defendant was admitted, to the Illinois Department of State Police, to the proper law enforcement agency for the municipality where the offense took place, and to the sheriff of the county into which the defendant is conditionally discharged. The Illinois Department of State Police shall maintain a centralized record of discharged or conditionally released defendants while they are under court supervision for access and use of appropriate law enforcement agencies.

(Source: P.A. 95-296, eff. 8-20-07; 95-331, eff. 8-21-07; 96-1138, eff. 7-21-10.)

Section 99. Effective date. This Act takes effect upon becoming law, except that the changes to Section 104-15 of the Code of Criminal Procedure of 1963 take effect on January 1, 2015.

Approved August 22, 2014.
Effective August 22, 2014 and January 1, 2015.

PUBLIC ACT 98-1026
(Senate Bill No. 2854)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Section 20-175 as follows:

(35 ILCS 200/20-175)
Sec. 20-175. Refund for erroneous assessments or overpayments.
(a) In counties other than Cook County, if any property is twice assessed for the same year, or assessed before it becomes taxable, and the erroneously assessed taxes have been paid either at sale or otherwise, or have

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been overpaid by the same claimant or by different claimants, the County Collector, upon being satisfied of the facts in the case, shall refund the taxes to the proper claimant. When the County Collector is unable to determine the proper claimant, the circuit court, on petition of the person paying the taxes, or his or her agent, and being satisfied of the facts in the case, shall direct the county collector to refund the taxes and deduct the amount thereof, pro rata, from the moneys due to taxing bodies which received the taxes erroneously paid, or their legal successors. Pleadings in connection with the petition provided for in this Section shall conform to that prescribed in the Civil Practice Law. Appeals may be taken from the judgment of the circuit court, either by the county collector or by the petitioner, as in other civil cases. A claim for refund shall not be allowed unless a petition is filed within 5 years from the date the right to a refund arose. If a certificate of error results in the allowance of a homestead exemption not previously allowed, the county collector shall pay the taxpayer interest on the amount of taxes paid that are attributable to the amount of the additional allowance, at the rate of 6% per year. To cover the cost of interest, the county collector shall proportionately reduce the distribution of taxes collected for each taxing district in which the property is situated.

(a-1) In Cook County, if any property is twice assessed for the same year, or assessed before it becomes taxable, and the erroneously assessed taxes have been paid either at sale or otherwise, or have been overpaid by the same claimant or by different claimants, the Cook County Treasurer, upon being satisfied of the facts in the case, shall refund the taxes to the proper claimant. When the Cook County Treasurer is unable to determine the proper claimant, the circuit court, on petition of the person paying the taxes, or his or her agent, and being satisfied of the facts in the case, shall direct the Cook County Treasurer to refund the taxes plus costs of suit and deduct the amount thereof, pro rata, from the moneys due to taxing bodies which received the taxes erroneously paid, or their legal successors. Pleadings in connection with the petition provided for in this Section shall conform to that prescribed in the Civil Practice Law. Appeals may be taken from the judgment of the circuit court, either by the Cook County Treasurer or by the petitioner, as in other civil cases. A claim for refund shall not be allowed unless a petition is filed within 20 years from the date the right to a refund arose. The total amount of taxes and interest refunded for claims under this subsection for which the right to a refund arose prior to January 1, 2009 shall not exceed $2,500,000 per year. If the payment of a claim for a refund would cause the aggregate total of taxes and interest for all claims to exceed

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$2,500,000 in any year, the refund shall be paid in the next succeeding year. If a certificate of error results in the allowance of a homestead exemption not previously allowed, the Cook County Treasurer shall pay the taxpayer interest on the amount of taxes paid that are attributable to the amount of the additional allowance, at the rate of 6% per year. To cover the cost of interest, the Cook County Treasurer shall proportionately reduce the distribution of taxes collected for each taxing district in which the property is situated.

(b) Notwithstanding any other provision of law, in Cook County a claim for refund under this Section is also allowed if the application therefor is filed between September 1, 2011 and September 1, 2012 and the right to a refund arose more than 5 years prior to the date the application is filed but not earlier than January 1, 2000. The Cook County Treasurer, upon being satisfied of the facts in the case, shall refund the taxes to the proper claimant and shall proportionately reduce the distribution of taxes collected for each taxing district in which the property is situated. Refunds under this subsection shall be paid in the order in which the claims are received. The Cook County Treasurer shall not accept a claim for refund under this subsection before September 1, 2011. For the purposes of this subsection, the Cook County Treasurer shall accept a claim for refund by mail or in person. In no event shall a refund be paid under this subsection if the issuance of that refund would cause the aggregate total of taxes and interest refunded for all claims under this subsection to exceed $350,000. The Cook County Treasurer shall notify the public of the provisions of this subsection on the Treasurer's website. A home rule unit may not regulate claims for refunds in a manner that is inconsistent with this Act. This Section is a limitation of home rule powers under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 97-521, eff. 8-23-11.)

Passed in the General Assembly May 29, 2014.
Approved August 22, 2014.
Effective January 1, 2015.
AN ACT concerning local government.

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

Section 5. The Open Meetings Act is amended by changing Section 2 as follows:

(5 ILCS 120/2) (from Ch. 102, par. 42)
Sec. 2. Open meetings.
(a) Openness required. All meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a.

(b) Construction of exceptions. The exceptions contained in subsection (c) are in derogation of the requirement that public bodies meet in the open, and therefore, the exceptions are to be strictly construed, extending only to subjects clearly within their scope. The exceptions authorize but do not require the holding of a closed meeting to discuss a subject included within an enumerated exception.

(c) Exceptions. A public body may hold closed meetings to consider the following subjects:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

(3) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body...
prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(7) The sale or purchase of securities, investments, or investment contracts. This exception shall not apply to the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

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(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(25) Meetings of an independent team of experts under Brian's Law.

(26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(27) (Blank).

(28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their own auditors.
equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.

(30) Those meetings or portions of meetings of an at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council during which a review of the death of an eligible adult in which abuse or neglect is suspected, alleged, or substantiated is conducted pursuant to Section 15 of the Adult Protective Services Act.

(31) Meetings and deliberations for decisions of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act.

(32) Meetings between the Regional Transportation Authority Board and its Service Boards when the discussion involves review by the Regional Transportation Authority Board of employment contracts under Section 28d of the Metropolitan Transit Authority Act and Sections 3A.18 and 3B.26 of the Regional Transportation Authority Act.

(d) Definitions. For purposes of this Section:

"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to assist the body in the conduct of its business.

"Quasi-adjudicative body" means an administrative body charged by law or ordinance with the responsibility to conduct hearings, receive evidence or testimony and make determinations based thereon, but does not include local electoral boards when such bodies are considering petition challenges.

(e) Final action. No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter
being considered and other information that will inform the public of the business being conducted.
(Source: P.A. 97-318, eff. 1-1-12; 97-333, eff. 8-12-11; 97-452, eff. 8-19-11; 97-813, eff. 7-13-12; 97-876, eff. 8-1-12; 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; revised 7-23-13.)

Section 15. The Metropolitan Transit Authority Act is amended by changing Section 28 and adding Section 28d as follows:

(70 ILCS 3605/28) (from Ch. 111 2/3, par. 328)
Sec. 28. The Board shall classify all the offices, positions and grades of regular and exempt employment required, excepting that of the Chairman of the Board, the Executive Director, Secretary, Treasurer, General Counsel, and Chief Engineer, with reference to the duties, job title, job schedule number, and the compensation fixed therefor, and adopt rules governing appointments to any of such offices or positions on the basis of merit and efficiency. The job title shall be generally descriptive of the duties performed in that job, and the job schedule number shall be used to identify a job title and to further classify positions within a job title. No discrimination shall be made in any appointment or promotion to any office, position, or grade of regular employment because of race, creed, color, sex, national origin, physical or mental handicap unrelated to ability, or political or religious affiliations. No officer or employee in regular employment shall be discharged or demoted except for cause which is detrimental to the service. Any officer or employee in regular employment who is discharged or demoted may file a complaint in writing with the Board within ten days after notice of his or her discharge or demotion. If an employee is a member of a labor organization the complaint may be filed by such organization for and in behalf of such employee. The Board shall grant a hearing on such complaint within thirty (30) days after it is filed. The time and place of the hearing shall be fixed by the Board and due notice thereof given to the complainant, the labor organization by or through which the complaint was filed and the Executive Director. The hearing shall be conducted by the Board, or any member thereof or any officers' committee or employees' committee appointed by the Board. The complainant may be represented by counsel. If the Board finds, or approves a finding of the member or committee appointed by the Board, that the complainant has been unjustly discharged or demoted, he or she shall be restored to his or her office or position with back pay. The decision of the Board shall be final and not subject to review. The Board may designate such offices, positions, and grades of employment as exempt as it deems necessary for the efficient

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operation of the business of the Authority. The total number of employees occupying exempt offices, positions, or grades of employment may not exceed 3% of the total employment of the Authority. All exempt offices, positions, and grades of employment shall be at will. No discrimination shall be made in any appointment or promotion to any office, position, or grade of exempt employment because of race, creed, color, sex, national origin, physical or mental handicap unrelated to ability, or religious or political affiliation. The Board may abolish any vacant or occupied office or position. Additionally, the Board may reduce the force of employees for lack of work or lack of funds as determined by the Board. When the number of positions or employees holding positions of regular employment within a particular job title and job schedule number are reduced, those employees with the least company seniority in that job title and job schedule number shall be first released from regular employment service. For a period of one year, an employee released from service shall be eligible for reinstatement to the job title and job schedule number from which he or she was released, in order of company seniority, if additional force of employees is required. "Company seniority" as used in this Section means the overall employment service credited to an employee by the Authority since the employee's most recent date of hire irrespective of job titles held. If 2 or more employees have the same company seniority date, time in the affected job title and job schedule number shall be used to break the company seniority tie. For purposes of this Section, company seniority shall be considered a working condition. When employees are represented by a labor organization that has a labor agreement with the Authority, the wages, hours, and working conditions (including, but not limited to, seniority rights) shall be governed by the terms of the agreement. Exempt employment shall not include any employees who are represented by a labor organization that has a labor agreement with the Authority.

No employee, officer, or agent of the Chicago Transit Board may receive a bonus that exceeds 10% of his or her annual salary unless that bonus has been reviewed for a period of 14 days by the Regional Transportation Authority Board. After 14 days, the bonus shall be considered reviewed. This Section does not apply to usual and customary salary adjustments.

(Source: P.A. 90-183, eff. 1-1-98.)
(70 ILCS 3605/28d new)
Sec. 28d. Employment contracts. Except as otherwise provided in Section 28a, before the Chicago Transit Board may enter into or amend any

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employment contract in excess of $100,000, the Chicago Transit Board must submit that contract or amendment to the Regional Transportation Authority Board for review for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section applies only to contracts entered into or amended on or after the effective date of this amendatory Act of the 98th General Assembly.

Section 20. The Regional Transportation Authority Act is amended by changing Sections 1.02, 2.01, 2.01a, 2.06.1, 2.14, 3A.05, 3B.05, 4.01 and by adding Sections 3A.18, 3B.26, 4.15, 4.16 and 5.06 as follows:

(70 ILCS 3615/1.02) (from Ch. 111 2/3, par. 701.02)
Sec. 1.02. Findings and Purpose.
(a) The General Assembly finds;
   (i) Public transportation is, as provided in Section 7 of Article XIII of the Illinois Constitution, an essential public purpose for which public funds may be expended and that Section authorizes the State to provide financial assistance to units of local government for distribution to providers of public transportation. There is an urgent need to reform and continue a unit of local government to assure the proper management of public transportation and to receive and distribute State or federal operating assistance and to raise and distribute revenues for local operating assistance. System generated revenues are not adequate for such service and a public need exists to provide for, aid and assist public transportation in the northeastern area of the State, consisting of Cook, DuPage, Kane, Lake, McHenry and Will Counties.
   (ii) Comprehensive and coordinated regional public transportation is essential to the public health, safety and welfare. It is essential to economic well-being, maintenance of full employment, conservation of sources of energy and land for open space and reduction of traffic congestion and for providing and maintaining a healthful environment for the benefit of present and future generations in the metropolitan region. Public transportation improves the mobility of the public and improves access to jobs, commercial facilities, schools and cultural attractions. Public transportation decreases air pollution and other environmental hazards resulting from excessive use of automobiles and allows for more efficient land use and planning.
   (iii) Because system generated receipts are not presently adequate, public transportation facilities and services in the

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northeastern area are in grave financial condition. With existing methods of financing, coordination and management, and relative convenience of automobiles, such public transportation facilities are not providing adequate public transportation to insure the public health, safety and welfare.

(iv) Additional commitments to the public transportation needs of the disabled, the economically disadvantaged, and the elderly are necessary.

(v) To solve these problems, it is necessary to provide for the creation of a regional transportation authority with the powers necessary to insure adequate public transportation.

(b) The General Assembly further finds, in connection with this amendatory Act of 1983:

(i) Substantial, recurring deficits in the operations of public transportation services subject to the jurisdiction of the Regional Transportation Authority and periodic cash shortages have occurred either of which could bring about a loss of public transportation services throughout the metropolitan region at any time;

(ii) A substantial or total loss of public transportation services or any segment thereof would create an emergency threatening the safety and well-being of the people in the northeastern area of the State; and

(iii) To meet the urgent needs of the people of the metropolitan region that such an emergency be averted and to provide financially sound methods of managing the provision of public transportation services in the northeastern area of the State, it is necessary, while maintaining and continuing the existing Authority, to modify the powers and responsibilities of the Authority, to reallocate responsibility for operating decisions, to change the composition and appointment of the Board of Directors thereof, and to immediately establish a new Board of Directors.

(c) The General Assembly further finds in connection with this amendatory Act of the 95th General Assembly:

(i) The economic vitality of northeastern Illinois requires regionwide and systemwide efforts to increase ridership on the transit systems, constrain road congestion within the metropolitan region, and allocate resources for transportation so as to assist in the development of an adequate, efficient, geographically equitable and

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coordinated regional transportation system that is in a state of good repair.

(ii) To achieve the purposes of this amendatory Act of the 95th General Assembly, the powers and duties of the Authority must be enhanced to improve overall planning and coordination, to achieve an integrated and efficient regional transit system, to advance the mobility of transit users, and to increase financial transparency of the Authority and the Service Boards.

(d) It is the purpose of this Act to provide for, aid and assist public transportation in the northeastern area of the State without impairing the overall quality of existing public transportation by providing for the creation of a single authority responsive to the people and elected officials of the area and with the power and competence to develop, implement, and enforce plans that promote adequate, efficient, *geographically equitable* and coordinated public transportation, provide financial review of the providers of public transportation in the metropolitan region and facilitate public transportation provided by Service Boards which is attractive and economical to users, comprehensive, coordinated among its various elements, economical, safe, efficient and coordinated with area and State plans.

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

Sec. 2.01. General Allocation of Responsibility for Public Transportation.

(a) In order to accomplish the purposes as set forth in this Act, the responsibility for planning, operating, and funding public transportation in the metropolitan region shall be allocated as described in this Act. The Authority shall:

(i) adopt plans that implement the public policy of the State to provide adequate, efficient, *geographically equitable* and coordinated public transportation throughout the metropolitan region;

(ii) set goals, objectives, and standards for the Authority, the Service Boards, and transportation agencies;

(iii) develop performance measures to inform the public about the extent to which the provision of public transportation in the metropolitan region meets those goals, objectives, and standards;

(iv) allocate operating and capital funds made available to support public transportation in the metropolitan region;

(v) provide financial oversight of the Service Boards; and

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(vi) coordinate the provision of public transportation and the investment in public transportation facilities to enhance the integration of public transportation throughout the metropolitan region, all as provided in this Act.

The Service Boards shall, on a continuing basis determine the level, nature and kind of public transportation which should be provided for the metropolitan region in order to meet the plans, goals, objectives, and standards adopted by the Authority. The Service Boards may provide public transportation by purchasing such service from transportation agencies through purchase of service agreements, by grants to such agencies or by operating such service, all pursuant to this Act and the "Metropolitan Transit Authority Act", as now or hereafter amended. Certain of its actions to implement the responsibilities allocated to the Authority in this subsection (a) shall be taken in 3 public documents adopted by the affirmative vote of at least 12 of its then Directors: A Strategic Plan; a Five-Year Capital Program; and an Annual Budget and Two-Year Financial Plan.

(b) The Authority shall subject the operating and capital plans and expenditures of the Service Boards in the metropolitan region with regard to public transportation to continuing review so that the Authority may budget and expend its funds with maximum effectiveness and efficiency. The Authority shall conduct audits of each of the Service Boards no less than every 5 years. Such audits may include management, performance, financial, and infrastructure condition audits. The Authority may conduct management, performance, financial, and infrastructure condition audits of transportation agencies that receive funds from the Authority. The Authority may direct a Service Board to conduct any such audit of a transportation agency that receives funds from such Service Board, and the Service Board shall comply with such request to the extent it has the right to do so. These audits of the Service Boards or transportation agencies may be project or service specific audits to evaluate their achievement of the goals and objectives of that project or service and their compliance with any applicable requirements.

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/2.01a)
Sec. 2.01a. Strategic Plan.

(a) By the affirmative vote of at least 12 of its then Directors, the Authority shall adopt a Strategic Plan, no less than every 5 years, after consultation with the Service Boards and after holding a minimum of 3 public hearings in Cook County and one public hearing in each of the other counties in the region. The Executive Director of the Authority shall review

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the Strategic Plan on an ongoing basis and make recommendations to the Board of the Authority with respect to any update or amendment of the Strategic Plan. The Strategic Plan shall describe the specific actions to be taken by the Authority and the Service Boards to provide adequate, efficient, and coordinated public transportation.

(b) The Strategic Plan shall identify goals and objectives with respect to:

(i) increasing ridership and passenger miles on public transportation funded by the Authority;

(ii) coordination of public transportation services and the investment in public transportation facilities to enhance the integration of public transportation throughout the metropolitan region;

(iii) coordination of fare and transfer policies to promote transfers by riders among Service Boards, transportation agencies, and public transportation modes, which may include goals and objectives for development of a universal fare instrument that riders may use interchangeably on all public transportation funded by the Authority, and methods to be used to allocate revenues from transfers;

(iv) improvements in public transportation facilities to bring those facilities into a state of good repair, enhancements that attract ridership and improve customer service, and expansions needed to serve areas with sufficient demand for public transportation;

(v) access for transit-dependent populations, including access by low-income communities to places of employment, utilizing analyses provided by the Chicago Metropolitan Agency for Planning regarding employment and transportation availability, and giving consideration to the location of employment centers in each county and the availability of public transportation at off-peak hours and on weekends;

(vi) the financial viability of the public transportation system, including both operating and capital programs;

(vii) limiting road congestion within the metropolitan region and enhancing transit options to improve mobility; and

(viii) such other goals and objectives that advance the policy of the State to provide adequate, efficient, \emph{geographically equitable} and coordinated public transportation in the metropolitan region.

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(c) The Strategic Plan shall establish the process and criteria by which proposals for capital improvements by a Service Board or a transportation agency will be evaluated by the Authority for inclusion in the Five-Year Capital Program, which may include criteria for:

(i) allocating funds among maintenance, enhancement, and expansion improvements;
(ii) projects to be funded from the Innovation, Coordination, and Enhancement Fund;
(iii) projects intended to improve or enhance ridership or customer service;
(iv) design and location of station or transit improvements intended to promote transfers, increase ridership, and support transit-oriented land development;
(v) assessing the impact of projects on the ability to operate and maintain the existing transit system; and
(vi) other criteria that advance the goals and objectives of the Strategic Plan.

(d) The Strategic Plan shall establish performance standards and measurements regarding the adequacy, efficiency, geographic equity and coordination of public transportation services in the region and the implementation of the goals and objectives in the Strategic Plan. At a minimum, such standards and measures shall include customer-related performance data measured by line, route, or sub-region, as determined by the Authority, on the following:

(i) travel times and on-time performance;
(ii) ridership data;
(iii) equipment failure rates;
(iv) employee and customer safety; and
(v) customer satisfaction.

The Service Boards and transportation agencies that receive funding from the Authority or Service Boards shall prepare, publish, and submit to the Authority such reports with regard to these standards and measurements in the frequency and form required by the Authority; however, the frequency of such reporting shall be no less than annual. The Service Boards shall publish such reports on their respective websites. The Authority shall compile and publish such reports on its website. Such performance standards and measures shall not be used as the basis for disciplinary action against any employee of the Authority or Service Boards, except to the extent the
employment and disciplinary practices of the Authority or Service Board provide for such action.

(e) The Strategic Plan shall identify innovations to improve the delivery of public transportation and the construction of public transportation facilities.

(f) The Strategic Plan shall describe the expected financial condition of public transportation in the metropolitan region prospectively over a 10-year period, which may include information about the cash position and all known obligations of the Authority and the Service Boards including operating expenditures, debt service, contributions for payment of pension and other post-employment benefits, the expected revenues from fares, tax receipts, grants from the federal, State, and local governments for operating and capital purposes and issuance of debt, the availability of working capital, and the resources needed to achieve the goals and objectives described in the Strategic Plan.

(g) In developing the Strategic Plan, the Authority shall rely on such demographic and other data, forecasts, and assumptions developed by the Chicago Metropolitan Agency for Planning with respect to the patterns of population density and growth, projected commercial and residential development, and environmental factors, within the metropolitan region and in areas outside the metropolitan region that may impact public transportation utilization in the metropolitan region. The Authority shall also consult with the Illinois Department of Transportation’s Office of Planning and Programming when developing the Strategic Plan. Before adopting or amending any Strategic Plan, the Authority shall consult with the Chicago Metropolitan Agency for Planning regarding the consistency of the Strategic Plan with the Regional Comprehensive Plan adopted pursuant to the Regional Planning Act.

(h) The Authority may adopt, by the affirmative vote of at least 12 of its then Directors, sub-regional or corridor plans for specific geographic areas of the metropolitan region in order to improve the adequacy, efficiency, geographic equity and coordination of existing, or the delivery of new, public transportation. Such plans may also address areas outside the metropolitan region that may impact public transportation utilization in the metropolitan region. In preparing a sub-regional or corridor plan, the Authority may identify changes in operating practices or capital investment in the sub-region or corridor that could increase ridership, reduce costs, improve coordination, or enhance transit-oriented development. The Authority shall consult with
any affected Service Boards in the preparation of any sub-regional or corridor plans.

(i) If the Authority determines, by the affirmative vote of at least 12 of its then Directors, that, with respect to any proposed new public transportation service or facility, (i) multiple Service Boards or transportation agencies are potential service providers and (ii) the public transportation facilities to be constructed or purchased to provide that service have an expected construction cost of more than $25,000,000, the Authority shall have sole responsibility for conducting any alternatives analysis and preliminary environmental assessment required by federal or State law. Nothing in this subparagraph (i) shall prohibit a Service Board from undertaking alternatives analysis and preliminary environmental assessment for any public transportation service or facility identified in items (i) and (ii) above that is included in the Five-Year Capital Program as of the effective date of this amendatory Act of the 95th General Assembly; however, any expenditure related to any such public transportation service or facility must be included in a Five-Year Capital Program under the requirements of Sections 2.01b and 4.02 of this Act.
(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/2.06.1) (from Ch. 111 2/3, par. 702.06.1)
Sec. 2.06.1. Bikeways and trails. The Authority may use its established funds, personnel, and other resources to acquire, construct, operate, and maintain bikeways and trails. The Authority shall cooperate with other governmental and private agencies in bikeway and trail programs.
(Source: P.A. 87-985.)

(70 ILCS 3615/2.14) (from Ch. 111 2/3, par. 702.14)
Sec. 2.14. Appointment of Officers and Employees. The Authority may appoint, retain and employ officers, attorneys, agents, engineers and employees. The officers shall include an Executive Director, who shall be the chief executive officer of the Authority, appointed by the Chairman with the concurrence of 11 of the other then Directors of the Board. The Executive Director shall organize the staff of the Authority, shall allocate their functions and duties, shall transfer such staff to the Suburban Bus Division and the Commuter Rail Division as is sufficient to meet their purposes, shall fix compensation and conditions of employment of the staff of the Authority, and consistent with the policies of and direction from the Board, take all actions necessary to achieve its purposes, fulfill its responsibilities and carry out its powers, and shall have such other powers and responsibilities as the Board shall determine. The Executive Director must be an individual of proven
transportation and management skills and may not be a member of the Board. The Authority may employ its own professional management personnel to provide professional and technical expertise concerning its purposes and powers and to assist it in assessing the performance of the Service Boards in the metropolitan region.

No employee, officer, or agent of the Authority may receive a bonus that exceeds 10% of his or her annual salary unless that bonus has been reviewed by the Board for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section does not apply to usual and customary salary adjustments.

No unlawful discrimination, as defined and prohibited in the Illinois Human Rights Act, shall be made in any term or aspect of employment nor shall there be discrimination based upon political reasons or factors. The Authority shall establish regulations to insure that its discharges shall not be arbitrary and that hiring and promotion are based on merit.

The Authority shall be subject to the "Illinois Human Rights Act", as now or hereafter amended, and the remedies and procedure established thereunder. The Authority shall file an affirmative action program for employment by it with the Department of Human Rights to ensure that applicants are employed and that employees are treated during employment, without regard to unlawful discrimination. Such affirmative action program shall include provisions relating to hiring, upgrading, demotion, transfer, recruitment, recruitment advertising, selection for training and rates of pay or other forms of compensation.

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/3A.05) (from Ch. 111 2/3, par. 703A.05)

Sec. 3A.05. Appointment of officers and employees. The Suburban Bus Board shall appoint an Executive Director who shall be the chief executive officer of the Division, appointed, retained or dismissed with the concurrence of 9 of the directors of the Suburban Bus Board. The Executive Director shall appoint, retain and employ officers, attorneys, agents, engineers, employees and shall organize the staff, shall allocate their functions and duties, fix compensation and conditions of employment, and consistent with the policies of and direction from the Suburban Bus Board take all actions necessary to achieve its purposes, fulfill its responsibilities and carry out its powers, and shall have such other powers and responsibilities as the Suburban Bus Board shall determine. The Executive Director shall be an individual of proven transportation and management skills and may not be a member of the Suburban Bus Board. The Division

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may employ its own professional management personnel to provide professional and technical expertise concerning its purposes and powers and to assist it in assessing the performance of transportation agencies in the metropolitan region.

No employee, officer, or agent of the Suburban Bus Board may receive a bonus that exceeds 10% of his or her annual salary unless that bonus has been reviewed by the Regional Transportation Authority Board for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section does not apply to usual and customary salary adjustments.

No unlawful discrimination, as defined and prohibited in the Illinois Human Rights Act, shall be made in any term or aspect of employment nor shall there be discrimination based upon political reasons or factors. The Suburban Bus Board shall establish regulations to insure that its discharges shall not be arbitrary and that hiring and promotion are based on merit.

The Division shall be subject to the "Illinois Human Rights Act", as now or hereafter amended, and the remedies and procedure established thereunder. The Suburban Bus Board shall file an affirmative action program for employment by it with the Department of Human Rights to ensure that applicants are employed and that employees are treated during employment, without regard to unlawful discrimination. Such affirmative action program shall include provisions relating to hiring, upgrading, demotion, transfer, recruitment, recruitment advertising, selection for training and rates of pay or other forms of compensation.

(Source: P.A. 95-906, eff. 8-26-08.)

(70 ILCS 3615/3A.18 new)

Sec. 3A.18. Employment contracts. Except as otherwise provided in Section 3A.14, before the Suburban Bus Board may enter into or amend any employment contract in excess of $100,000, the Suburban Bus Board must submit that contract or amendment to the Board for review for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section applies only to contracts entered into or amended on or after the effective date of this amendatory Act of the 98th General Assembly.

(70 ILCS 3615/3B.05) (from Ch. 111 2/3, par. 703B.05)

Sec. 3B.05. Appointment of officers and employees. The Commuter Rail Board shall appoint an Executive Director who shall be the chief executive officer of the Division, appointed, retained or dismissed with the concurrence of 8 of the directors of the Commuter Rail Board. The Executive Director shall appoint, retain and employ officers, attorneys, agents, engineers, employees and shall organize the staff, shall allocate their
functions and duties, fix compensation and conditions of employment, and consistent with the policies of and direction from the Commuter Rail Board take all actions necessary to achieve its purposes, fulfill its responsibilities and carry out its powers, and shall have such other powers and responsibilities as the Commuter Rail Board shall determine. The Executive Director shall be an individual of proven transportation and management skills and may not be a member of the Commuter Rail Board. The Division may employ its own professional management personnel to provide professional and technical expertise concerning its purposes and powers and to assist it in assessing the performance of transportation agencies in the metropolitan region.

No employee, officer, or agent of the Commuter Rail Board may receive a bonus that exceeds 10% of his or her annual salary unless that bonus has been reviewed by the Regional Transportation Authority Board for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section does not apply to usual and customary salary adjustments.

No unlawful discrimination, as defined and prohibited in the Illinois Human Rights Act, shall be made in any term or aspect of employment nor shall there be discrimination based upon political reasons or factors. The Commuter Rail Board shall establish regulations to insure that its discharges shall not be arbitrary and that hiring and promotion are based on merit.

The Division shall be subject to the "Illinois Human Rights Act", as now or hereafter amended, and the remedies and procedure established thereunder. The Commuter Rail Board shall file an affirmative action program for employment by it with the Department of Human Rights to ensure that applicants are employed and that employees are treated during employment, without regard to unlawful discrimination. Such affirmative action program shall include provisions relating to hiring, upgrading, demotion, transfer, recruitment, recruitment advertising, selection for training and rates of pay or other forms of compensation.

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/3B.26 new)

Sec. 3B.26. Employment contracts. Except as otherwise provided in Section 3B.13, before the Commuter Rail Board may enter into or amend any employment contract in excess of $100,000, the Commuter Rail Board must submit that contract or amendment to the Board for review for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section applies only to contracts entered into or amended on or after the effective date of this amendatory Act of the 98th General Assembly.

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Before the Board of the Regional Transportation Authority may enter into or amend any employment contract in excess of $100,000, the Board must submit that contract to the Chairman and Minority Spokesman of the Mass Transit Committee, or its successor committee, of the House of Representatives, and to the Chairman and Minority Spokesman of the Transportation Committee, or its successor committee, of the Senate.

(70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

Sec. 4.01. Budget and Program.

(a) The Board shall control the finances of the Authority. It shall by ordinance adopted by the affirmative vote of at least 12 of its then Directors (i) appropriate money to perform the Authority's purposes and provide for payment of debts and expenses of the Authority, (ii) take action with respect to the budget and two-year financial plan of each Service Board, as provided in Section 4.11, and (iii) adopt an Annual Budget and Two-Year Financial Plan for the Authority that includes the annual budget and two-year financial plan of each Service Board that has been approved by the Authority. The Annual Budget and Two-Year Financial Plan shall contain a statement of the funds estimated to be on hand for the Authority and each Service Board at the beginning of the fiscal year, the funds estimated to be received from all sources for such year, the estimated expenses and obligations of the Authority and each Service Board for all purposes, including expenses for contributions to be made with respect to pension and other employee benefits, and the funds estimated to be on hand at the end of such year. The fiscal year of the Authority and each Service Board shall begin on January 1st and end on the succeeding December 31st. By July 1st of each year the Director of the Illinois Governor's Office of Management and Budget (formerly Bureau of the Budget) shall submit to the Authority an estimate of revenues for the next fiscal year of the Authority to be collected from the taxes imposed by the Authority and the amounts to be available in the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund and the amounts otherwise to be appropriated by the State to the Authority for its purposes. The Authority shall file a copy of its Annual Budget and Two-Year Financial Plan with the General Assembly and the Governor after its adoption. Before the proposed Annual Budget and Two-Year Financial Plan is adopted, the Authority shall hold at least one public hearing thereon in the metropolitan region, and shall meet with the county board or its designee of each of the several counties in the metropolitan region. After conducting such hearings and holding such meetings and after making such changes in the proposed Annual Budget and Two-Year

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Financial Plan as the Board deems appropriate, the Board shall adopt its annual appropriation and Annual Budget and Two-Year Financial Plan ordinance. The ordinance may be adopted only upon the affirmative votes of 12 of its then Directors. The ordinance shall appropriate such sums of money as are deemed necessary to defray all necessary expenses and obligations of the Authority, specifying purposes and the objects or programs for which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items and other changes in such ordinance may be made from time to time by the Board upon the affirmative votes of 12 of its then Directors.

(b) The Annual Budget and Two-Year Financial Plan shall show a balance between anticipated revenues from all sources and anticipated expenses including funding of operating deficits or the discharge of encumbrances incurred in prior periods and payment of principal and interest when due, and shall show cash balances sufficient to pay with reasonable promptness all obligations and expenses as incurred.

The Annual Budget and Two-Year Financial Plan must show:

(i) that the level of fares and charges for mass transportation provided by, or under grant or purchase of service contracts of, the Service Boards is sufficient to cause the aggregate of all projected fare revenues from such fares and charges received in each fiscal year to equal at least 50% of the aggregate costs of providing such public transportation in such fiscal year. "Fare revenues" include the proceeds of all fares and charges for services provided, contributions received in connection with public transportation from units of local government other than the Authority, except for contributions received by the Chicago Transit Authority from a real estate transfer tax imposed under subsection (i) of Section 8-3-19 of the Illinois Municipal Code, and from the State pursuant to subsection (i) of Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305), and all other operating revenues properly included consistent with generally accepted accounting principles but do not include: the proceeds of any borrowings, and, beginning with the 2007 fiscal year, all revenues and receipts, including but not limited to fares and grants received from the federal, State or any unit of local government or other entity, derived from providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act. "Costs" include all items properly included as operating costs consistent with generally accepted accounting

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principles, including administrative costs, but do not include: depreciation; payment of principal and interest on bonds, notes or other evidences of obligation for borrowed money issued by the Authority; payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20 of this Act; any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made under Section 4.14; any other cost to which it is reasonably expected that a cash expenditure will not be made; costs for passenger security including grants, contracts, personnel, equipment and administrative expenses, except in the case of the Chicago Transit Authority, in which case the term does not include costs spent annually by that entity for protection against crime as required by Section 27a of the Metropolitan Transit Authority Act; the payment by the Chicago Transit Authority of Debt Service, as defined in Section 12c of the Metropolitan Transit Authority Act, on bonds or notes issued pursuant to that Section; the payment by the Commuter Rail Division of debt service on bonds issued pursuant to Section 3B.09; expenses incurred by the Suburban Bus Division for the cost of new public transportation services funded from grants pursuant to Section 2.01e of this amendatory Act of the 95th General Assembly for a period of 2 years from the date of initiation of each such service; costs as exempted by the Board for projects pursuant to Section 2.09 of this Act; or, beginning with the 2007 fiscal year, expenses related to providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act; and in fiscal years 2008 through 2012 inclusive, costs in the amount of $200,000,000 in fiscal year 2008, reducing by $40,000,000 in each fiscal year thereafter until this exemption is eliminated; and

(ii) that the level of fares charged for ADA paratransit services is sufficient to cause the aggregate of all projected revenues from such fares charged and received in each fiscal year to equal at least 10% of the aggregate costs of providing such ADA paratransit services. For purposes of this Act, the percentages in this subsection (b)(ii) shall be referred to as the "system generated ADA paratransit services revenue recovery ratio". For purposes of the system generated ADA paratransit services revenue recovery ratio, "costs" shall include all items properly included as operating costs consistent with generally accepted accounting principles. However, the Board

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may exclude from costs an amount that does not exceed the allowable "capital costs of contracting" for ADA paratransit services pursuant to the Federal Transit Administration guidelines for the Urbanized Area Formula Program.

(c) The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1985 may not exceed $5,000,000. The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1986, and for each fiscal year thereafter shall not exceed the maximum administrative expenses for the previous fiscal year plus 5%. "Administrative expenses" are defined for purposes of this Section as all expenses except: (1) capital expenses and purchases of the Authority on behalf of the Service Boards; (2) payments to Service Boards; and (3) payment of principal and interest on bonds, notes or other evidence of obligation for borrowed money issued by the Authority; (4) costs for passenger security including grants, contracts, personnel, equipment and administrative expenses; (5) payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20 of this Act; and (6) any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made pursuant to Section 4.14.

(d) This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th General Assembly. After withholding 15% of the proceeds of any tax imposed by the Authority and 15% of money received by the Authority from the Regional Transportation Authority Occupation and Use Tax Replacement Fund, the Board shall allocate the proceeds and money remaining to the Service Boards as follows: (1) an amount equal to 85% of the proceeds of those taxes collected within the City of Chicago and 85% of the money received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund attributable to retail sales within the City of Chicago shall be allocated to the Chicago Transit Authority; (2) an amount equal to 85% of the proceeds of those taxes collected within Cook County outside the City of Chicago and 85% of the money received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund attributable to retail sales within Cook County outside of the city of Chicago shall be allocated 30% to the Chicago Transit Authority, 55% to the Commuter Rail Board and 15% to the Suburban Bus Board; and (3) an amount equal to 85% of the

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proceeds of the taxes collected within the Counties of DuPage, Kane, Lake, McHenry and Will shall be allocated 70% to the Commuter Rail Board and 30% to the Suburban Bus Board.

(e) This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th General Assembly. Moneys received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund shall be allocated among the Authority and the Service Boards as follows: 15% of such moneys shall be retained by the Authority and the remaining 85% shall be transferred to the Service Boards as soon as may be practicable after the Authority receives payment. Moneys which are distributable to the Service Boards pursuant to the preceding sentence shall be allocated among the Service Boards on the basis of each Service Board's distribution ratio. The term "distribution ratio" means, for purposes of this subsection (e) of this Section 4.01, the ratio of the total amount distributed to a Service Board pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year to the total amount distributed to all of the Service Boards pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year.

(f) To carry out its duties and responsibilities under this Act, the Board shall employ staff which shall: (1) propose for adoption by the Board of the Authority rules for the Service Boards that establish (i) forms and schedules to be used and information required to be provided with respect to a five-year capital program, annual budgets, and two-year financial plans and regular reporting of actual results against adopted budgets and financial plans, (ii) financial practices to be followed in the budgeting and expenditure of public funds, (iii) assumptions and projections that must be followed in preparing and submitting its annual budget and two-year financial plan or a five-year capital program; (2) evaluate for the Board public transportation programs operated or proposed by the Service Boards and transportation agencies in terms of the goals and objectives set out in the Strategic Plan; (3) keep the Board and the public informed of the extent to which the Service Boards and transportation agencies are meeting the goals and objectives adopted by the Authority in the Strategic Plan; and (4) assess the efficiency or adequacy of public transportation services provided by a Service Board and make recommendations for change in that service to the end that the moneys available to the Authority may be expended in the most economical manner possible with the least possible duplication.

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(g) All Service Boards, transportation agencies, comprehensive planning agencies, including the Chicago Metropolitan Agency for Planning, or transportation planning agencies in the metropolitan region shall furnish to the Authority such information pertaining to public transportation or relevant for plans therefor as it may from time to time require. The Executive Director, or his or her designee, shall, for the purpose of securing any such information necessary or appropriate to carry out any of the powers and responsibilities of the Authority under this Act, have access to, and the right to examine, all books, documents, papers or records of a Service Board or transportation agency receiving funds from the Authority or Service Board, and such Service Board or transportation agency shall comply with any request by the Executive Director, or his or her designee, within 30 days or an extended time provided by the Executive Director.

(h) No Service Board shall undertake any capital improvement which is not identified in the Five-Year Capital Program.

(i) Each Service Board shall furnish to the Board access to its financial information including, but not limited to, audits and reports. The Board shall have real-time access to the financial information of the Service Boards; however, the Board shall be granted read-only access to the Service Board’s financial information.

(Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08; 95-906, eff. 8-26-08.)

(70 ILCS 3615/4.15 new)
Sec. 4.15. Revolving door prohibition. No Director, Service Board director or member, former Director, or former Service Board director or member shall, during his or her term and for a period of one year immediately after the end of his or her term, engage in business dealings with, knowingly accept employment from, or receive compensation or fees for services from the Regional Transportation Authority, the Suburban Bus Board, the Commuter Rail Board or the Chicago Transit Board. This prohibition shall not apply to any business dealings engaged in by the Director or Service Board director or member in the course of his or her official duties or responsibilities as a Director or Service Board director or member.

(70 ILCS 3615/4.16 new)
Sec. 4.16. Severance and employment-related settlement agreements. If any of the Service Boards seek to enter into a severance agreement in excess of $50,000 or an employment-related settlement agreement in excess of $200,000, that agreement shall be reviewed by the Board prior to

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execution for a period of 14 days. After 14 days, the agreement shall be considered reviewed. The Board shall review the agreement to determine whether the terms are reasonable and in the region's best interest. The Service Boards may only enter into severance agreements or employment-related settlement agreements that have been reviewed by the Board.

(70 ILCS 3615/5.06 new)

Sec. 5.06. Greater Chicago Mass Transit Transparency and Accountability Portal (CHI-TAP).

(a) The Authority, within 12 months after the effective date of this amendatory Act of the 98th General Assembly, shall establish and maintain a website, known as the Greater Chicago Mass Transit Transparency and Accountability Portal (CHI-TAP), and shall be tasked with compiling and updating the CHI-TAP database with information received from the Authority and all of its Service Boards.

(b) For purposes of this Section:

"Contracts" means payment obligations with vendors on file to purchase goods and services exceeding $10,000 in value.

"Recipients" means the Authority or any of its Service Boards.

(c) The CHI-TAP shall provide direct access to each of the following:

(1) A database of all current employees of the Authority and its Service Boards, sorted separately by:

   (i) Name.
   (ii) Employing entity.
   (iii) Employing division or department.
   (iv) Employment position title.
   (v) Current base salary or hourly rate and year-to-date gross pay.

(2) A database of all current Authority expenditures, sorted separately by Service Board and category.

(3) A database of all Authority and Service Board contracts entered into after the effective date of this amendatory Act of the 98th General Assembly, sorted separately by contractor name, awarding officer or agency, contract value, and goods or services provided.

(4) A database of all employees of the Authority and its Service Boards hired on or after the effective date of this amendatory Act of the 98th General Assembly, sorted searchably by each of the following at the time of employment:

   (i) Name.
   (ii) Employing entity.
(iii) Employing division.
(iv) Employment position title.
(v) Current base salary or hourly rate and year-to-date gross pay.
(vi) County of employment location.
(vii) Status of position including, but not limited to, bargained-for positions, at-will positions, or not bargained for positions.
(viii) Employment status including, but not limited to, full-time permanent, full-time temporary, part-time permanent and part-time temporary.
(ix) Status as a military veteran.

(5) A database of publicly available accident-related and safety-related information currently required to be reported to the federal Secretary of Transportation under 49 U.S.C. 5335.

(d) The CHI-TAP shall include all information required to be published by subsection (c) of this Section that is available to the Authority in a format the Authority can compile and publish on the CHI-TAP. The Authority shall update the CHI-TAP within 30 days as additional information becomes available in a format that can be compiled and published on the CHI-TAP by the Authority.

(e) Each Service Board shall cooperate with the Authority in furnishing the information necessary for the implementation of this Section within a timeframe specified by the Authority.

(f) The Authority and its Service Boards are independently responsible for the accuracy of the specific information provided by each agency to be displayed on CHI-TAP.

Section 90. The State Mandates Act is amended by adding Section 8.38 as follows:

(30 ILCS 805/8.38 new)

Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

Approved August 22, 2014.
Effective January 1, 2015.
AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 7-307 and 11-208.3 as follows:

(625 ILCS 5/7-307) (from Ch. 95 1/2, par. 7-307)
Sec. 7-307. Courts to report nonpayments of judgment. The clerk of a court, or the judge of a court which has no clerk, or the judgment creditor or his or her attorney of record shall forward to the Secretary of State, on a form prescribed by the Secretary, a certified record of any judgment for damages, the rendering and nonpayment of which judgment required the suspension of the driver's license and registrations in the name of the judgment debtor hereunder, such record to be forwarded to the Secretary of State upon request by the plaintiff after the expiration of 30 days after such judgment has become final and when such judgment has not been stayed or satisfied within the amounts specified in this Article as shown by the records of the Court.
(Source: P.A. 86-549.)

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)
Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles, automated traffic law violations, and automated speed enforcement system violations.
(a) Any municipality or county may provide by ordinance for a system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations as described in this subsection, automated traffic law violations as defined in Section 11-208.6, 11-208.9, or 11-1201.1, and automated speed enforcement system violations as defined in Section 11-208.8. The administrative system shall have as its purpose the fair and efficient enforcement of municipal or county regulations through the administrative adjudication of automated speed enforcement system or automated traffic law violations and violations of municipal or county ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal or county wheel tax licenses within the municipality's or county's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not

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in excess of $500 or requiring the completion of a traffic education program, or both, that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal or county regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal or county wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute and process parking, compliance, and automated speed enforcement system or automated traffic law violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances and automated speed enforcement system or automated traffic law violations, and operate an administrative adjudication system. The traffic compliance administrator also may make a certified report to the Secretary of State under Section 6-306.5.

(2) A parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice that shall specify the date, time, and place of violation of a parking, standing, compliance, automated speed enforcement system, or automated traffic law regulation; the particular regulation violated; any requirement to complete a traffic education program; the fine and any penalty that may be assessed for late payment or failure to complete a required traffic education program, or both, when so provided by ordinance; the vehicle make and state registration number; and the identification number of the person issuing the notice. With regard to automated speed enforcement system or automated traffic law violations, vehicle make shall be specified on the automated speed enforcement system or automated traffic law violation notice if the make is available and readily discernible. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number or vehicle make specified is incorrect. The violation notice shall state that the completion of any required traffic education program, the payment of any indicated fine, and the payment of any applicable penalty for late payment or failure to complete a required traffic education program, or both, shall operate as a final disposition of the violation. The notice also shall contain

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information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of the parking, standing, or compliance violation notice by affixing the original or a facsimile of the notice to an unlawfully parked vehicle or by handing the notice to the operator of a vehicle if he or she is present and service of an automated speed enforcement system or automated traffic law violation notice by mail to the address of the registered owner or lessee of the cited vehicle as recorded with the Secretary of State or the lessor of the motor vehicle within 30 days after the Secretary of State or the lessor of the motor vehicle notifies the municipality or county of the identity of the owner or lessee of the vehicle, but not later than 90 days after the violation, except that in the case of a lessee of a motor vehicle, service of an automated traffic law violation notice may occur no later than 210 days after the violation. A person authorized by ordinance to issue and serve parking, standing, and compliance violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. In the case of an automated traffic law violation, the ordinance shall require a determination by a technician employed or contracted by the municipality or county that, based on inspection of recorded images, the motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance. If the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle, a citation shall not be issued. In municipalities with a population of less than 1,000,000 inhabitants and counties with a population of less than 3,000,000 inhabitants, the automated traffic law ordinance shall require that all determinations by a technician that a motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality or county issuing the violation. In municipalities with a population of 1,000,000 or more inhabitants and counties with a population of 3,000,000 or more

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inhabitants, the automated traffic law ordinance shall require that all
determinations by a technician that a motor vehicle was being
operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or
a local ordinance must be reviewed and approved by a law
enforcement officer or retired law enforcement officer of the
municipality or county issuing the violation or by an additional fully-
trained reviewing technician who is not employed by the contractor
who employs the technician who made the initial determination. In
the case of an automated speed enforcement system violation, the
ordinance shall require a determination by a technician employed by
the municipality, based upon an inspection of recorded images, video
or other documentation, including documentation of the speed limit
and automated speed enforcement signage, and documentation of the
inspection, calibration, and certification of the speed equipment, that
the vehicle was being operated in violation of Article VI of Chapter
11 of this Code or a similar local ordinance. If the technician
determines that the vehicle speed was not determined by a calibrated,
certified speed equipment device based upon the speed equipment
documentation, or if the vehicle was an emergency vehicle, a citation
may not be issued. The automated speed enforcement ordinance shall
require that all determinations by a technician that a violation
occurred be reviewed and approved by a law enforcement officer or
retired law enforcement officer of the municipality issuing the
violation or by an additional fully trained reviewing technician who
is not employed by the contractor who employs the technician who
made the initial determination. Routine and independent calibration
of the speeds produced by automated speed enforcement systems and
equipment shall be conducted annually by a qualified technician.
Speeds produced by an automated speed enforcement system shall be
compared with speeds produced by lidar or other independent
equipment. Radar Qualified technicians shall test radar or lidar
equipment shall undergo an internal validation test no less frequently
than once each week. Qualified technicians shall test loop based
equipment no less frequently than once a year. Radar equipment shall
be checked for accuracy by a qualified technician when the unit is
serviced, when unusual or suspect readings persist, or when deemed
necessary by a reviewing technician. Radar equipment shall be
checked with the internal frequency generator and certified tuning
forks, the internal circuit test, and diode display test whenever the

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radar is turned on. Technicians must be alert for any unusual or suspect readings, and if unusual or suspect readings of a radar unit persist, that unit shall immediately be removed from service and not returned to service until it has been checked by a qualified technician and determined to be functioning properly. Documentation of the annual calibration results, including the equipment tested, test date, technician performing the test, and test results, shall be maintained and available for use in the determination of an automated speed enforcement system violation and issuance of a citation. The technician performing the calibration and testing of the automated speed enforcement equipment shall be trained and certified in the use of equipment for speed enforcement purposes. Training on the speed enforcement equipment may be conducted by law enforcement, civilian, or manufacturer's personnel and if applicable may be equivalent to the equipment use and operations training included in the Speed Measuring Device Operator Program developed by the National Highway Traffic Safety Administration (NHTSA). The vendor or technician who performs the work shall keep accurate records on each piece of equipment the technician calibrates and tests. As used in this paragraph, "fully-trained reviewing technician" means a person who has received at least 40 hours of supervised training in subjects which shall include image inspection and interpretation, the elements necessary to prove a violation, license plate identification, and traffic safety and management. In all municipalities and counties, the automated speed enforcement system or automated traffic law ordinance shall require that no additional fee shall be charged to the alleged violator for exercising his or her right to an administrative hearing, and persons shall be given at least 25 days following an administrative hearing to pay any civil penalty imposed by a finding that Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a similar local ordinance has been violated. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice issued, signed and served in accordance with this Section, a copy of the notice, or the computer generated record shall be prima facie correct

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and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer generated record shall be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle cited in the violation notice likewise shall be provided an opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under Section 11-1306 or subsection (p) of Section 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include but not be limited to the information specified herein:

(i) A second notice of parking, standing, or compliance violation. This notice shall specify the date and location of the violation cited in the parking, standing, or compliance violation notice, the particular regulation violated, the vehicle make and state registration number, any

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requirement to complete a traffic education program, the fine and any penalty that may be assessed for late payment or failure to complete a traffic education program, or both, when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure to complete a required traffic education program, to pay the indicated fine and any applicable penalty, or to appear at a hearing on the merits in the time and manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any incomplete traffic education program or any unpaid fine or penalty, or both, will constitute a debt due and owing the municipality or county.

(ii) A notice of final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability. This notice shall be sent following a final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the incomplete traffic education program or the unpaid fine or penalty, or both, is a debt due and owing the municipality or county. The notice shall contain warnings that failure to complete any required traffic education program or to pay any fine or penalty due and owing the municipality or county, or both, within the time specified may result in the municipality's or county's filing of a petition in the Circuit Court to have the incomplete traffic education program or unpaid fine or penalty, or both, rendered a judgment as provided by this Section, or may result in suspension of the person's driver's license for failure to complete a traffic education program or to pay fines or penalties, or both, for 10 or more parking violations under Section 6-306.5, or a combination of 5 or more automated

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traffic law violations under Section 11-208.6 or 11-208.9 or automated speed enforcement system violations under Section 11-208.8.

(6) A notice of impending drivers license suspension. This notice shall be sent to the person liable for failure to complete a required traffic education program or to pay any fine or penalty that remains due and owing, or both, on 10 or more parking violations or combination of 5 or more unpaid automated speed enforcement system or automated traffic law violations. The notice shall state that failure to complete a required traffic education program or to pay the fine or penalty owing, or both, within 45 days of the notice's date will result in the municipality or county notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality or county along with a request for the photostatic copy. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to complete the required traffic education program or to pay the fine or penalty, or both, after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability that may be filed by a person owing an unpaid fine or penalty. A petition to set aside a determination of liability may also be filed by a person required to

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complete a traffic education program. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already completed the required traffic education program or paid the fine or penalty, or both, for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number, or vehicle make if specified, is incorrect. After the determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability has been set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality or county may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, compliance, automated speed enforcement system, or automated traffic law regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines or failure to complete required traffic education programs, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed $250, except as provided in subsection (c) of Section 11-1301.3 of this Code.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality or county establishing vehicular standing, parking, compliance, automated speed enforcement system, or automated traffic law regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

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(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability, or both, as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability, or both, listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without the completion of the required traffic education program or payment of the outstanding fines and penalties on parking, standing, compliance, automated speed enforcement system, or automated traffic law violations, or both, for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, incomplete traffic education program, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality or county and, as such, may be collected in accordance with applicable law. Completion of any required traffic education program and payment in full of any fine or penalty resulting from a standing, parking, compliance, automated speed enforcement system, or automated traffic law violation shall constitute a final disposition of that violation.

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(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, the municipality or county may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality or county from consolidating multiple final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations against a person in a proceeding. Upon commencement of the action, the municipality or county shall file a certified copy or record of the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal or county ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations does not exceed $2500. If the court is satisfied that the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation was entered in accordance with the requirements of this Section and the applicable municipal or county ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality or county and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

(g) The fee for participating in a traffic education program under this Section shall not exceed $25.

A low-income individual required to complete a traffic education program under this Section who provides proof of eligibility for the federal earned income tax credit under Section 32 of the Internal Revenue Code or the Illinois earned income tax credit under Section 212 of the Illinois Income

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Tax Act shall not be required to pay any fee for participating in a required traffic education program. 
(Source: P.A. 97-29, eff. 1-1-12; 97-333, eff. 8-12-11; 97-672, eff. 7-1-12; 98-556, eff. 1-1-14.)

Section 99. Effective date. This Act takes effect upon becoming law. 
Approved August 22, 2014. 
Effective August 22, 2014.

PUBLIC ACT 98-1029
(Senate Bill No. 3574)

AN ACT concerning transportation. 
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 15-111 as follows:

(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)
Sec. 15-111. Wheel and axle loads and gross weights.
(a) No vehicle or combination of vehicles with pneumatic tires may be operated, unladen or with load, when the total weight on the road surface exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle with no axle within the tandem exceeding 20,000 pounds; 80,000 pounds gross weight for vehicle combinations of 5 or more axles; or a total weight on a group of 2 or more consecutive axles in excess of that weight produced by the application of the following formula: $W = 500 \times \left(\frac{LN}{N-1}\right) + 12N + 36$, where "W" equals overall total weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" equals the distance measured to the nearest foot between extremes of any group of 2 or more consecutive axles, and "N" equals the number of axles in the group under consideration.

The above formula when expressed in tabular form results in allowable loads as follows:

| Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles | Maximum weight in pounds of any group of 2 or more consecutive axles |

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*If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (a) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (a) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum gross weight on any one axle shall not exceed 20,000 pounds and the maximum total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

(1) Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.

(2) Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section

New matter indicated by italics - deletions by strikeout
15-301 of this Code. These vehicles are not subject to the bridge formula.

(3) Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

(4) Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

(5) Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more, notwithstanding the lower limit resulting from the application of the above formula.

(6) A truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle.

(7) A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(7.5) A 3-axle rear discharge truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on single axle; 40,000 pounds on a tandem

New matter indicated by italics - deletions by strikeout
axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(8) Except as provided in paragraph (7.5) of this subsection (a), tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2024 and first registered in Illinois prior to January 1, 2025, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 20,000 pounds. Any vehicle of this type manufactured after the model year of 2024 or first registered in Illinois after December 31, 2024 may not exceed a combined weight of 34,000 pounds through the series of 2 axles and neither axle of the series may exceed 20,000 pounds.

A 3-axle combination sewer cleaning jetting vacuum truck registered as a Special Hauling Vehicle, used exclusively for the transportation of non-hazardous solid waste, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(9) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, 2025, and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this paragraph (9) of subsection (a).

(10) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the
model year of 2024, and registered in Illinois prior to January 1, 2025, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of P.A. 92-0417, the overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2024 may not exceed the weights allowed by the bridge formula.

(11) The maximum weight allowed on a vehicle with crawler type tracks is 40,000 pounds.

(12) A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

(i) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes;

(ii) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(iii) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles; and

(iv) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle to a point
where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

(13) A vehicle or combination of vehicles that uses natural gas or propane gas as a motor fuel may exceed the above weight limitations by 2,000 pounds except on interstate highways as defined by Section 1-133.1 of this Code. This paragraph (13) shall not allow a vehicle to exceed any posted weight limit on a highway or structure. Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed. If a roll-back carrier is registered and being used as a tow truck, however, the license plate or plates for the tow truck must cover the gross vehicle weight, including any load carried on the bed of the roll-back carrier.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(b) As used in this Section, "recycling haul" or "recycling operation" means the hauling of non-hazardous, non-special, non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

(c) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, upon the highways of this State in violation of the provisions of any permit issued under the provisions of Sections 15-301 through 15-319 of this Chapter.

New matter indicated by italics - deletions by strikeout
(d) No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(e) No person shall operate a vehicle or combination of vehicles over a bridge or other elevated structure constituting part of a highway with a gross weight that is greater than the maximum weight permitted by the Department, when the structure is sign posted as provided in this Section.

(f) The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it finds that the structure cannot with safety to itself withstand the weight of vehicles otherwise permissible under this Code the Department shall determine and declare the maximum weight of vehicles that the structures can withstand, and shall cause or permit suitable signs stating maximum weight to be erected and maintained before each end of the structure. No person shall operate a vehicle or combination of vehicles over any structure with a gross weight that is greater than the posted maximum weight.

(g) Upon the trial of any person charged with a violation of subsection (e) or (f) of this Section, proof of the determination of the maximum allowable weight by the Department and the existence of the signs, constitutes conclusive evidence of the maximum weight that can be maintained with safety to the bridge or structure.

(Source: P.A. 97-201, eff. 1-1-12; 98-409, eff. 1-1-14; 98-410, eff. 8-16-13; revised 9-19-13.)

Approved August 22, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1030
(House Bill No. 5735)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Home Repair and Construction Task Force Act.
Section 5. Findings. The General Assembly finds as follows:

New matter indicated by italics - deletions by strikeout
(1) In November, 2013, several tornadoes devastated parts of many Illinois towns, including Brookport, Coal City/Braidwood, Gifford, New Minden, Pekin, and Washington. In previous years, Illinois has suffered natural disasters, such as the flooding that destroyed parts of southern Illinois in 1993. Storms, tornadoes, and flooding have affected numerous parts of the State nearly every year.

(2) Often, after natural disasters such as storms or flooding, contractors from outside the local area where the disaster occurred come into the area and solicit business. In some cases, the contractors engage in high pressure sales tactics and collect large down payments from homeowners anxious to repair their homes after a disaster, and then fail to complete the work in a workmanlike manner or leave the area without even beginning the work. Homeowners are unable to reach the contractors either because the contractors provided a false physical address or telephone number or because the contractors are unresponsive to calls and letters.

(3) Each year, the Attorney General's office receives a significant number of consumer complaints about home repair and construction, and such complaints rank among the top 10 consumer complaint types that office receives annually. These complaints often involve allegations of poor workmanship, failure to complete the contracted for work, or failure to begin the contracted for work. These complaints often arise after natural disasters, but the Attorney General's office also receives numerous complaints every year about routine home repair and construction outside of a natural disaster.

(4) The Attorney General wishes to explore whether Illinois residents would benefit from legislation that requires home repair and construction contractors to obtain a license from the Department of Financial and Professional Regulation before offering home repair and construction services in Illinois and, if so, whether potential licensees and all their agents should be required to pass a proficiency test and meet certain qualifications as a condition of obtaining a license.

Section 10. Definition. As used in this Act, "home repair and construction" means the building of a new structure primarily designed or used as a residence or the fixing, replacing, altering, converting, modernizing, improving, or making of an addition to any real property primarily designed or used as a residence other than maintenance, service, or repairs under $500. "Home repair and construction" includes the construction, installation,
replacement, or improvement of driveways, swimming pools, porches, kitchens, bathrooms, basements, chimneys, chimney liners, garages, fences, fallout shelters, central air conditioning, central heating, boilers, furnaces, electrical wiring, sewers, plumbing fixtures, storm doors, windows, roofs, and awnings and other improvements to structures within the residence or upon the land adjacent to the residence. "Home repair and construction" does not include the sale, installation, cleaning, or repair of carpets; the repair, installation, replacement, or connection of any home appliance, including, but not limited to, disposals, refrigerators, ranges, garage door openers, televisions or television antennas, washing machines, telephones, hot water heaters, satellite dishes, or other appliances when the person replacing, installing, repairing, or connecting the home appliance is an employee or agent of the merchant that sold the home appliance or sold new products of the same type; or landscaping.

Section 15. Home Repair and Construction Task Force; members.
(a) There is created the Home Repair and Construction Task Force consisting of the following members:

(1) one member of the Senate appointed by the President of the Senate;
(2) one member of the Senate appointed by the Minority Leader of the Senate;
(3) one member of the House of Representatives appointed by the Speaker of the House of Representatives;
(4) one member of the House of Representatives appointed by the Minority Leader of the House of Representatives;
(5) one member appointed by the Governor;
(6) one member representing the Department of Financial and Professional Regulation appointed by the Secretary of Financial and Professional Regulation;
(7) one member representing consumers' interests appointed by the Attorney General;
(8) two members representing the home repair industry appointed by the Attorney General;
(9) three members representing the home builder industry appointed by the Attorney General;
(10) one member representing the retail merchants that subcontract with home repair industry and construction industry members appointed by the Attorney General;
(11) one member representing the homeowners insurance industry appointed by the Attorney General;
(12) three members representing unions with members in the home repair and construction industries appointed by the Attorney General;
(13) one member representing the interests of Illinois municipalities appointed by the Attorney General;
(14) one member representing the interests of Illinois counties appointed by the Attorney General;
(15) one member appointed by the City of Chicago Commissioner of Business Affairs and Consumer Protection;
(16) one member representing Illinois building officials appointed by the Attorney General; and
(17) one member appointed by the Attorney General, who shall be designated the chairperson by the Attorney General.
(b) All appointments to the Task Force shall be made within 60 days after the effective date of this Act.
(c) Vacancies in the Task Force shall be filled by the initial appointing authority within 30 days after the vacancy occurs.
(d) The members of the Task Force shall serve without compensation.
(e) The Task Force may consult with experts and shall receive the cooperation of those State agencies it deems appropriate to assist the Task Force in carrying out its duties.
(f) The Task Force shall meet initially at the call of the Attorney General no later than 90 days after the effective date of this Act, and shall thereafter meet at the call of the chairperson.
(g) The Attorney General shall provide administrative and other support to the Task Force.

Section 20. Duties. The Task Force shall:
(1) discuss whether the residents of Illinois would benefit from legislation requiring home repair and construction service providers to obtain a license from the Department of Financial and Professional Regulation before offering theses services in Illinois;
(2) if it is determined that licensure is required, determine:
   (A) the requirements applicants must meet to qualify for a license;
   (B) grounds for denial or revocation of a license; and
   (C) any other considerations relevant to a licensing requirement; and

New matter indicated by italics - deletions by strikeout
(3) make recommendations to the General Assembly.

Section 25. Report. No later than November 1, 2015, the Task Force shall summarize its findings and recommendations in a report to the General Assembly and shall file the report as provided in Section 3.1 of the General Assembly Organization Act. Upon filing its report, the Task Force is dissolved.

Section 30. Repealer. This Act is repealed on January 1, 2016.

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


PUBLIC ACT 98-1031
(Senate Bill No. 0226)

AN ACT concerning State government.

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

Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by adding Section 405-525 as follows:

(20 ILCS 405/405-525 new)
Sec. 405-525. Support Your Neighbor Commission.
(a) The Support Your Neighbor Commission is created within the Department of Central Management Services to help increase the number of American and Illinois made products procured and sold by the State.
(b) The Commission shall be composed of:
(1) one member appointed by the Speaker of the House of Representatives;
(2) one member appointed by the Minority Leader of the House of Representatives;
(3) one member appointed by the President of the Senate;
(4) one member appointed by the Minority Leader of the Senate;
(5) one member appointed by the Governor to represent labor organizations representing manufacturing employees with over 500,000 members;
(6) one member appointed by the Governor to represent auto workers' unions;

New matter indicated by italics - deletions by strikeout
(7) one member appointed by the Governor to represent machinist workers' unions;
(8) one member appointed by the Governor to represent garment workers' unions;
(9) one member appointed by the Governor to represent statewide business groups representing American manufacturers;
(10) one member appointed by the Governor to represent the auto industry manufacturing sector;
(11) one member appointed by the Governor to represent the interests of construction equipment and farm implement manufacturing; and
(12) one member appointed by the Governor to represent the interests of the American garment industry.

(c) In addition to the members listed in subsection (b) of this Section, each of the following, or their designee, shall serve as an ex-officio non-voting member of the Commission: the Director of Central Management Services, the Director of Labor, the Director of Commerce and Economic Opportunity, the Executive Director of the Board of Higher Education, the Secretary of Transportation, and the Director of Natural Resources.

(d) Appointed members shall serve a term of 4 years. The initial terms for members of the Commission shall commence on January 26, 2015.

(e) The members of the Commission shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses, including travel expenses, from appropriations to the Department of Central Management Services available for that purpose and subject to the rules of the appropriate travel control board.

(f) Except ex-officio members, the members of the Commission shall be considered members with voting rights. A quorum of the Commission members shall consist of a majority of the members of the Commission. All actions and recommendations of the Commission must be approved by a majority vote of the members.

(g) Vacancies occurring among the members shall be filled in the same manner as the original appointment for the remainder of the unexpired term. Members are eligible for reappointment.

(h) The Commission shall file a report by December 31 of each year with the Department of Central Management Services. This report shall be posted on the Internet website of the Department of Central Management Services.

(i) This Section is repealed on December 31, 2017.

New matter indicated by italics - deletions by strikeout
Section 10. The Department of Natural Resources Act is amended by adding Section 20-20 as follows:

(20 ILCS 801/20-20 new)

Sec. 20-20. Products manufactured in the United States. The Illinois State Museum shall set aside a booth or section of the gift shop for the sale of products manufactured in the United States. As used in this Section, "products manufactured in the United States" means assembled articles, materials, or supplies for which design, final assembly, processing, packaging, testing, or other process that adds value, quality, or reliability occurred in the United States.

Section 15. The State Parks Act is amended by adding Section 4b as follows:

(20 ILCS 835/4b new)

Sec. 4b. Products manufactured in the United States. Gift shops and concession areas within State parks and parkways shall set aside a booth or section for the sale of products manufactured in the United States. As used in this Section, "products manufactured in the United States" means assembled articles, materials, or supplies for which design, final assembly, processing, packaging, testing, or other process that adds value, quality, or reliability occurred in the United States.

Section 20. The Historic Preservation Agency Act is amended by adding Section 35 as follows:

(20 ILCS 3405/35 new)

Sec. 35. Products manufactured in the United States. State Historic Sites, State Memorials, and other properties that are under the jurisdiction of the Historic Preservation Agency under Section 6 of this Act shall set aside a booth or section for the sale of products manufactured in the United States. As used in this Section, "products manufactured in the United States" means assembled articles, materials, or supplies for which design, final assembly, processing, packaging, testing, or other process that adds value, quality, or reliability occurred in the United States.

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning State government.

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

Section 5. The Unified Code of Corrections is amended by adding Article 2.7 of Chapter III as follows:

(730 ILCS 5/Ch. III Art. 2.7 heading new)

ARTICLE 2.7. DEPARTMENT OF JUVENILE JUSTICE INDEPENDENT JUVENILE OMBUDSMAN

(730 ILCS 5/3-2.7-1 new)

Sec. 3-2.7-1. Short title. This Article may be cited as the Department of Juvenile Justice Independent Juvenile Ombudsman Law.

(730 ILCS 5/3-2.7-5 new)

Sec. 3-2.7-5. Purpose. The purpose of this Article is to create within the Department of Juvenile Justice the Office of Independent Juvenile Ombudsman for the purpose of securing the rights of youth committed to the Department of Juvenile Justice, including youth released on aftercare before final discharge.

(730 ILCS 5/3-2.7-10 new)

Sec. 3-2.7-10. Definitions. In this Article, unless the context requires otherwise:

"Department" means the Department of Juvenile Justice.

"Immediate family or household member" means the spouse, child, parent, brother, sister, grandparent, or grandchild, whether of the whole blood or half blood or by adoption, or a person who shares a common dwelling.

"Juvenile justice system" means all activities by public or private agencies or persons pertaining to youth involved in or having contact with the police, courts, or corrections.

"Office" means the Office of the Independent Juvenile Ombudsman.

"Ombudsman" means the Department of Juvenile Justice Independent Juvenile Ombudsman.

"Youth" means any person committed by court order to the custody of the Department of Juvenile Justice, including youth released on aftercare before final discharge.

(730 ILCS 5/3-2.7-15 new)

New matter indicated by italics - deletions by strikeout
Sec. 3-2.7-15. Appointment of Independent Juvenile Ombudsman. The Governor shall appoint the Independent Juvenile Ombudsman with the advice and consent of the Senate for a term of 4 years, with the first term expiring February 1, 2017. A person appointed as Ombudsman may be reappointed to one or more subsequent terms. A vacancy shall occur upon resignation, death, or removal. The Ombudsman may only be removed by the Governor for incompetency, malfeasance, neglect of duty, or conviction of a felony. If the Senate is not in session or is in recess when an appointment subject to its confirmation is made, the Governor shall make a temporary appointment which shall be subject to subsequent Senate approval. The Ombudsman may employ deputies to perform, under the direction of the Ombudsman, the same duties and exercise the same powers as the Ombudsman, and may employ other support staff as deemed necessary. The Ombudsman and deputies must:

1. be over the age of 21 years;
2. have a bachelor's or advanced degree from an accredited college or university; and
3. have relevant expertise in areas such as the juvenile justice system, investigations, or civil rights advocacy as evidenced by experience in the field or by academic background.

(730 ILCS 5/3-2.7-20 new)

Sec. 3-2.7-20. Conflicts of interest. A person may not serve as Ombudsman or as a deputy if the person or the person's immediate family or household member:

1. is or has been employed by the Department of Juvenile Justice or Department of Corrections within one year prior to appointment, other than as Ombudsman or Deputy Ombudsman;
2. participates in the management of a business entity or other organization receiving funds from the Department of Juvenile Justice;
3. owns or controls, directly or indirectly, any interest in a business entity or other organization receiving funds from the Department of Juvenile Justice;
4. uses or receives any amount of tangible goods, services, or funds from the Department of Juvenile Justice, other than as Ombudsman or Deputy Ombudsman; or
5. is required to register as a lobbyist for an organization that interacts with the juvenile justice system.

(730 ILCS 5/3-2.7-25 new)

Sec. 3-2.7-25. Duties and powers.

New matter indicated by italics - deletions by strikeout
(a) The Independent Juvenile Ombudsman shall function independently within the Department of Juvenile Justice with respect to the operations of the Office in performance of his or her duties under this Article and shall report to the Governor. The Ombudsman shall adopt rules and standards as may be necessary or desirable to carry out his or her duties. Funding for the Office shall be designated separately within Department funds. The Department shall provide necessary administrative services and facilities to the Office of the Independent Juvenile Ombudsman.

(b) The Office of Independent Juvenile Ombudsman shall have the following duties:

1. review and monitor the implementation of the rules and standards established by the Department of Juvenile Justice and evaluate the delivery of services to youth to ensure that the rights of youth are fully observed;

2. provide assistance to a youth or family who the Ombudsman determines is in need of assistance, including advocating with an agency, provider, or other person in the best interests of the youth;

3. investigate and attempt to resolve complaints made by or on behalf of youth, other than complaints alleging criminal behavior or violations of the State Officials and Employee Ethics Act, if the Office determines that the investigation and resolution would further the purpose of the Office, and:

   A) a youth committed to the Department of Juvenile Justice or the youth's family is in need of assistance from the Office; or

   B) a systemic issue in the Department of Juvenile Justice's provision of services is raised by a complaint;

4. review or inspect periodically the facilities and procedures of any facility in which a youth has been placed by the Department of Juvenile Justice to ensure that the rights of youth are fully observed; and

5. be accessible to and meet confidentially and regularly with youth committed to the Department and serve as a resource by informing them of pertinent laws, rules, and policies, and their rights thereunder.

(c) The following cases shall be reported immediately to the Director of Juvenile Justice and the Governor:

1. cases of severe abuse or injury of a youth;

New matter indicated by italics - deletions by strikeout
(2) serious misconduct, misfeasance, malfeasance, or serious violations of policies and procedures concerning the administration of a Department of Juvenile Justice program or operation;
(3) serious problems concerning the delivery of services in a facility operated by or under contract with the Department of Juvenile Justice;
(4) interference by the Department of Juvenile Justice with an investigation conducted by the Office; and
(5) other cases as deemed necessary by the Ombudsman.

(d) Notwithstanding any other provision of law, the Ombudsman may not investigate alleged criminal behavior or violations of the State Officials and Employees Ethics Act. If the Ombudsman determines that a possible criminal act has been committed, or that special expertise is required in the investigation, he or she shall immediately notify the Department of State Police. If the Ombudsman determines that a possible violation of the State Officials and Employees Ethics Act has occurred, he or she shall immediately refer the incident to the Office of the Governor's Executive Inspector General for investigation. If the Ombudsman receives a complaint from a youth or third party regarding suspected abuse or neglect of a child, the Ombudsman shall refer the incident to the Child Abuse and Neglect Hotline or to the State Police as mandated by the Abused and Neglected Child Reporting Act. Any investigation conducted by the Ombudsman shall not be duplicative and shall be separate from any investigation mandated by the Abused and Neglected Child Reporting Act. All investigations conducted by the Ombudsman shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(e) In performance of his or her duties, the Ombudsman may:
(1) review court files of youth;
(2) recommend policies, rules, and legislation designed to protect youth;
(3) make appropriate referrals under any of the duties and powers listed in this Section;
(4) attend internal administrative and disciplinary hearings to ensure the rights of youth are fully observed and advocate for the best interest of youth when deemed necessary; and
(5) perform other acts, otherwise permitted or required by law, in furtherance of the purpose of the Office.

(f) To assess if a youth's rights have been violated, the Ombudsman may, in any matter that does not involve alleged criminal behavior, contact
or consult with an administrator, employee, youth, parent, expert, or any other individual in the course of his or her investigation or to secure information as necessary to fulfill his or her duties.

(730 ILCS 5/3-2.7-30 new)

Sec. 3-2.7-30. Duties of the Department of Juvenile Justice.

(a) The Department of Juvenile Justice shall allow any youth to communicate with the Ombudsman or a deputy at any time. The communication:

(1) may be in person, by phone, by mail, or by any other means deemed appropriate in light of security concerns; and

(2) is confidential and privileged.

(b) The Department shall allow the Ombudsman and deputies full and unannounced access to youth and Department facilities at any time. The Department shall furnish the Ombudsman and deputies with appropriate meeting space in each facility in order to preserve confidentiality.

(c) The Department shall allow the Ombudsman and deputies to participate in professional development opportunities provided by the Department of Juvenile Justice as practical and to attend appropriate professional training when requested by the Ombudsman.

(d) The Department shall provide the Ombudsman copies of critical incident reports involving a youth residing in a facility operated by the Department. Critical incidents include, but are not limited to, severe injuries that result in hospitalization, suicide attempts that require medical intervention, sexual abuse, and escapes.

(e) The Department shall provide the Ombudsman with reasonable advance notice of all internal administrative and disciplinary hearings regarding a youth residing in a facility operated by the Department.

(f) The Department of Juvenile Justice may not discharge, demote, discipline, or in any manner discriminate or retaliate against a youth or an employee who in good faith makes a complaint to the Office of the Independent Juvenile Ombudsman or cooperates with the Office.

(730 ILCS 5/3-2.7-35 new)

Sec. 3-2.7-35. Reports. The Independent Juvenile Ombudsman shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of activities done in furtherance of the purpose of the Office for the prior fiscal year. The summaries shall contain data both aggregated and disaggregated by individual facility and describe:

(1) the work of the Ombudsman;
(2) the status of any review or investigation undertaken by the Ombudsman, but may not contain any confidential or identifying information concerning the subjects of the reports and investigations; and

(3) any recommendations that the Independent Juvenile Ombudsman has relating to a systemic issue in the Department of Juvenile Justice’s provision of services and any other matters for consideration by the General Assembly and the Governor.

(730 ILCS 5/3-2.7-40 new)

Sec. 3-2.7-40. Complaints. The Office of Independent Juvenile Ombudsman shall promptly and efficiently act on complaints made by or on behalf of youth filed with the Office that relate to the operations or staff of the Department of Juvenile Justice. The Office shall maintain information about parties to the complaint, the subject matter of the complaint, a summary of the results of the review or investigation of the complaint, including any resolution of or recommendations made as a result of the complaint. The Office shall make information available describing its procedures for complaint investigation and resolution. When applicable, the Office shall notify the complaining youth that an investigation and resolution may result in or will require disclosure of the complaining youth’s identity. The Office shall periodically notify the complaint parties of the status of the complaint until final disposition.

(730 ILCS 5/3-2.7-45 new)

Sec. 3-2.7-45. Confidentiality. The name, address, or other personally identifiable information of a person who files a complaint with the Office, information generated by the Office related to a complaint or other activities of the Office, and confidential records obtained by the Office are not subject to disclosure under the Freedom of Information Act. The Office shall disclose the records only if required by court order on a showing of good cause.

(730 ILCS 5/3-2.7-50 new)

Sec. 3-2.7-50. Promotion and Awareness of Office. The Independent Juvenile Ombudsman shall promote awareness among the public and youth of:

(1) the rights of youth committed to the Department;
(2) purpose of the Office;
(3) how the Office may be contacted;
(4) the confidential nature of communications; and
(5) the services the Office provides.

(730 ILCS 5/3-2.7-55 new)

New matter indicated by italics - deletions by strikeout
Sec. 3-2.7-55. Access to information of governmental entities. The Department of Juvenile Justice shall provide the Independent Juvenile Ombudsman unrestricted access to all master record files of youth under Section 3-5-1 of this Code. Access to educational, social, psychological, mental health, substance abuse, and medical records shall not be disclosed except as provided in Section 5-910 of the Juvenile Court Act of 1987, the Mental Health and Developmental Disabilities Confidentiality Act, the School Code, and any applicable federal laws that govern access to those records.

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

PUBLIC ACT 98-1033
(Senate Bill No. 3049)

AN ACT concerning wildlife.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Wildlife Code is amended by changing Section 2.2 and adding Section 2.2b as follows:

Sec. 2.2. This Act shall apply only to the wild birds and parts of wild birds (including, but not limited to, their nests and eggs), and wild mammals and parts of wild mammals, which shall include their green hides, in the State of Illinois, or which may be brought into the State.

Wildlife protected by this Act, hereby defined as protected species, include the following wild species and all wild species contained in listed families, including, but not limited to, groups of wild species preceding each family name: (except the House Sparrow, Passer domesticus; European Starling, Sturnus vulgaris; and Rock Pigeon, Domestic Pigeon, Columba livia; Purple Swamphen, Porphyrio porphyrio; or Muscovy Duck, Cairina moschata). GAME BIRDS-Ruffed grouse, Bonasa umbellus; Sharp-tailed grouse, Tympanuchus phasianellus; Northern Bobwhite, Colinus virginianus; Gray Partridge, Perdix perdix; Chukar, Alectoris chukar; Ring-necked Pheasant, Phasianus colchicus; Greater Prairie Chicken, Tympanuchus cupido; Wild Turkey, Meleagris gallopavo. MIGRATORY GAME BIRDS-Waterfowl including brant, ducks, geese, and swans, Anatidae; wild species

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of the families Rallidae, Scolopacidae, Columbidae, and Corvidae that may be legally hunted as provided for in Section 2.18 of this Act. RESIDENT AND MIGRATORY NON-GAME BIRDS-Loons, Gaviidae; grebes, Podicipedidae; pelicans, Pelecanidae; gannets, Sulidae; cormorants, Phalacrocoracidae; anhingas, Anhingidae; frigatebirds, Fregatidae; herons, bitterns and egrets, Ardeidae; ibises and spoonbills, Threskiornithidae; storks, Ciconiidae; vultures, Cathartidae; kites, hawks, ospreys, and eagles, Accipitridae; falcons, merlins, and kestrels, Falconidae; rails, gallinules, and moorhens, which may not be legally hunted, Rallidae; cranes, Gruidae; all shorebirds that may not be legally hunted, of the families Charadriidae, Scolopacidae, and Recurvirostridae gulls, terns, jaegers, skimmers, and kittiwakes, Laridae; dovekies and murrelets, Alcidae; doves and pigeons, which may not be legally hunted, Columbidae; cuckoos and anis, Cuculidae; owls, Tytonidae and Strigidae; whip-poor-wills, chuck-will's-widows, and nighthawks, Caprimulgidae; swifts, Apodidae; hummingbirds, Trochilidae, Kingfishers, Alcedinidae; woodpeckers, flickers, and sapsuckers, Picidae; kingbirds, pewees, phoebes, and flycatchers, Tyrannidae shrikes, Laniidae; vireos, Vireonidae; magpies, ravens, and jays, Corvidae; larks, Alaudidae; swallows and martins, Hirundinidae; chickadees and titmice, Paridae; nuthatches, Sittidae; creepers, Certhiidae; wrens, Troglodytidae; kinglets, Regulidae; gnatcatchers, Sylviidae; robins, bluebirds, solitaires, veerys, and thrushes, Turdidae; mockingbirds, catbirds, and thrashers, Mimidae; pipits, Motacillidae; waxwings, Bombycillidae; warblers, parulas, redstarts, ovenbirds, waterthrushes, yellowthroats, and chats, Parulidae; tanagers, Thraupidae; towhees, longspurs, sparrows, buntings, and juncos, Emberizidae; dickcissels, cardinals, buntings, and grosbeaks, Cardinalidae; blackbirds, meadowlarks, bobolinks, grackles, cowbirds, and orioles, Icteridae; grosbeaks, finches, crossbills, redpolls, and siskins, Fringillidae. GAME MAMMALS-Woodchuck, Marmota monax; Gray squirrel, Sciurus carolinensis; Fox squirrel, Sciurus niger; Eastern cottontail, Sylvilagus floridanus; Swamp rabbit, Sylvilagus aquaticus; White-tailed deer, Odocoileus virginianus. FUR-BEARING MAMMALS-Muskrat, Ondatra zibethicus; Beaver, Castor canadensis; Raccoon, Procyon lotor; Opossum, Didelphis virginiana; Least weasel, Mustela nivalis; Long-tailed weasel, Mustela frenata; Mink, Mustela vison; River otter, Lontra canadensis; Striped skunk, Mephitis mephitis; Badger, Taxidea taxus; Red fox, Vulpes vulpes; Gray fox, Urocyon cinereoargenteus; Coyote, Canis latrans; Bobcat, Lynx rufus. OTHER MAMMALS-Flying squirrel, Glaucousys volans; Red squirrel, Tamiasciurus hudsonicus; Eastern Woodrat, Neotoma floridana; Golden

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Mouse, Ochrotomys nuttalli; Rice Rat, Oryzomys palustris; Franklin's Ground Squirrel, Spermophilus franklinii; Bats, Vespertilionidae; Gray wolf, *Canis lupus*; American black bear, *Ursus americanus*; Cougar, *Puma concolor*.

It shall be unlawful for any person at any time to take, possess, sell, or offer for sale, propagate, or release into the wild, any of these wild birds (dead or alive) and parts of wild birds (including, but not limited to, their nests and eggs), wild mammals (dead or alive) and parts of wild mammals, including their green hides contrary to the provisions of this Act. However, nothing in this Act shall prohibit bona-fide public or state scientific, educational or zoological institutions from receiving, holding, and displaying protected species that were salvaged or legally obtained.

It shall be unlawful for any person to take any other living wildlife animal not covered by this Act without the permission of the landowner or tenant. (Source: P.A. 97-431, eff. 8-16-11.)

(520 ILCS 5/2.2b new)

Sec. 2.2b. Imminent threat; nuisance permits.

(a) It shall not be illegal for an owner or tenant of land, or their designated agent, to immediately take on his or her property a gray wolf, *Canis lupus*; American black bear, *Ursus americanus*; or cougar, *Puma concolor* if, at any time, the gray wolf, American black bear, or cougar is stalking, causing an imminent threat, or there is a reasonable expectation that it causes an imminent threat of physical harm or death to a human, livestock, domestic animals or harm to structures or other property on the owner's or tenant's land.

(b) The Department may grant a nuisance permit to the owner or tenant of land, or their designated agent, for the taking of a gray wolf, American black bear, or cougar that is causing a threat to an owner or tenant of land or his or her property that is not an immediate threat under subsection (a) of this Section.

(c) The Department shall adopt rules to implement this Section.

Effective January 1, 2015.
AN ACT concerning regulation.

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

Section 5. The Illinois Migrant Labor Camp Law is amended by changing Sections 2, 3, 4, 6, 7, 8, 9, 9.1, 10, 11, 12, 14, and 16 and by adding Sections 20 and 25 as follows:

(210 ILCS 110/2) (from Ch. 111 1/2, par. 185.2)

Sec. 2. When used in this Act:

"Migrant Labor Camp" means one or more buildings, structures, tents, trailers or vehicles or any combination thereof together with the land appertaining thereto established, operated or maintained as living quarters for ten or more migrant workers or 4 or more families containing migrant workers who are engaged in agricultural activities.

"Migrant Worker" means any person who moves seasonally from one place to another, within or without the State, for the purpose of employment in agricultural activities.

"Agricultural Activities" means and includes planting, raising or harvesting of any agricultural or horticultural commodities, including the related handling, packing and processing upon the farm where produced or at the point of first processing.

"Department" means the Department of Public Health of the State of Illinois.

"Director" means the Director of the Department of Public Health.

"Person" means any individual, group of individuals, association, trust, partnership, limited liability company, corporation, or person doing business under an assumed name, or any other entity.

(Source: Laws 1965, p. 2356.)

(210 ILCS 110/3) (from Ch. 111 1/2, par. 185.3)

Sec. 3. No person shall operate or maintain a Migrant Labor Camp within the State of Illinois without first having obtained a license therefor from the Department. Licenses shall be issued upon application, upon a calendar year basis and renewed from year to year upon compliance with the requirements of this Act, and upon payment of the annual license fee.

Notwithstanding the date that an application for a license was submitted, a license issued pursuant to this Act shall expire on December 31 of the year

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in which the license was issued. Establishments that provide housing for migrant workers for fewer than 10 migrant workers or fewer than 4 families containing migrant workers shall meet the minimum standards established by the Department but shall not be required to be licensed.
(Source: P.A. 86-595.)

(210 ILCS 110/4) (from Ch. 111 1/2, par. 185.4)
Sec. 4. Applications for a license to operate or maintain a Migrant Labor Camp or for a renewal thereof shall be made upon paper or electronic forms to be furnished by the Department. Such application shall include:
(a) The name and address of the applicant or applicants. If the applicant is a partnership, the names and addresses of all the partners shall also be given. If the applicant is a corporation, the names and addresses of the principal officers of the corporation shall be given.
(b) The approximate legal description and the address of the tract of land upon which the applicant proposes to operate and maintain such Migrant Labor Camp.
(c) A general plan or sketch of the camp site showing the location of the buildings or facilities together with a description of the buildings, of the water supply, of the toilet, bathing and laundry facilities, and of the fire protection equipment.
(d) The date upon which the occupancy and use of the Migrant Labor Camp will commence.

The application for the original license or for any renewal thereof shall be accompanied by a fee of $100.

Application for the original license or for a renewal of the license shall be filed with the Department at least 10 business days prior to the date on which the occupancy and use of such camp is to commence.

Application for a renewal license shall be filed with the Department at least 60 days prior to the expiration date of the current license. The camp shall be ready for inspection at least 5 business days prior to the date upon which the occupancy and use of such camp is to commence.
(Source: P.A. 97-135, eff. 7-14-11.)

(210 ILCS 110/6) (from Ch. 111 1/2, par. 185.6)
Sec. 6. Upon receipt of an application for a license, the Department shall inspect, at its earliest opportunity, the camp site and the facilities described in the application. If the Department finds that the Migrant Labor Camp described in the application meets and complies with the provisions of this Act and the rules and regulations of the Department in relation thereto,
the Director shall issue a license to the applicant for the operation of the camp.

If the application is denied, the Department shall notify the applicant in writing of such denial setting forth the reasons therefor. If the conditions constituting the basis for such denial are remediable, the applicant may correct such conditions and notify the Department in writing indicating therein the manner in which such conditions have been remedied. Notifications of corrections shall be processed in the same manner as the original application.

(Source: P.A. 97-135, eff. 7-14-11.)

(210 ILCS 110/7) (from Ch. 111 1/2, par. 185.7)

Sec. 7. If the Department finds that the facilities of any Migrant Labor Camp for which a license is sought are not in compliance with the provisions of this Act and the rules and regulations of the Department relating thereto, but that such camp is habitable without undue prejudice to the migrant workers and their families, the Department may issue a conditional license setting forth the conditions on which the license is issued, the manner in which the camp fails to comply with the Act and such rules and regulations, and shall set forth the time, not to exceed three years, within which the applicant must make any changes or corrections necessary in order for such camp to fully comply with this Act and the rules and regulations of the Department relating thereto. No more than three consecutive annual conditional licenses may be issued with respect to any one camp. (Source: Laws 1961, p. 3904.)

(210 ILCS 110/8) (from Ch. 111 1/2, par. 185.8)

Sec. 8. Plans for the construction of a Migrant Labor Camp or for any major alteration or major expansion in any such camp or the facilities thereof shall be submitted to the Department for approval prior to the construction or the making of such major alteration or major expansion. The Department shall by rule define what constitutes a major alteration and a major expansion. The plans shall contain the information necessary to show compliance with the Act. Such application for approval shall be made upon paper or electronic forms furnished by the Department and shall be accompanied by the plans and specifications of the work proposed to be done. The Department shall notify the applicant whether such plans and specifications comply with the requirements of this Act and the rules and regulations of the Department relating thereto. No fee shall be required for such prior approval of plans and specifications.

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Sec. 9. Representatives of the Department duly authorized by the Director shall have the right to enter upon the premises of any Migrant Labor Camp at all reasonable hours for the purpose of inspecting such camp and the facilities thereof, and determining whether or not such camp is maintained and operated in accordance with the provisions of this Act and the rules and regulations of the Department relating thereto.

Sec. 9.1. Representatives of the Department, duly authorized by the Director shall inspect each migrant labor camp at least one time before the laborers arrive and at least one time while the camp is being used, for the purpose of determining whether or not the camp is being maintained and operated in accordance with this Act and the rules and regulations of the Department relating thereto. The Director of the Department of Public Health may grant temporary variances for existing housing that does not meet federal standards and allow not more than 2 years in order to comply with such standards.

Sec. 10. The Department may make and adopt such reasonable rules and regulations relating to Migrant Labor Camps as may be necessary to carry out and administer the provisions of this Act and to assure the safety of the migrant workers and their families. In preparation of such rules and regulations, the Department may consult with and request technical assistance from other State Agencies, and may consult and advise with other technically qualified persons, and with Migrant Labor Camp operators and others.

The promulgation of any rules shall conform to the requirements of "The Illinois Administrative Procedure Act", as now or hereafter amended. The Department shall prepare copies of all rules and regulations and shall make such copies available, in electronic form, to the public and shall not be required to furnish copies in any other format to the public.

Sec. 11. The Department may establish administrative penalties and sanctions by rule for violations of this Act or the rules adopted under this Act. Each day a violation of this Act or the rules adopted under this Act exists shall constitute a separate violation. The Department shall provide written

New matter indicated by italics - deletions by strikeout
notification of a violation. In case the holder of any license under the provisions of this Act fails to maintain and operate a Migrant Labor Camp in accordance with the provisions of this Act and the rules and regulations of the Department relating thereto, the Department may revoke or suspend the license for the operation and maintenance of such camp. The Department shall first serve upon the licensee a notice specifying the manner in which the licensee has failed to comply with provisions of this Act or such rules and regulations of the Department and shall fix a time not less than ten days, within which the objectionable condition or conditions must be removed or corrected. If the licensee fails to remove or correct such objectionable condition or conditions within the time fixed by the Department, the Department may revoke or suspend such license. However, if the objectionable condition or conditions are such as to endanger the health or well-being of the inhabitants of such camp, the Department may immediately suspend such license.

The Department shall assess administrative fines against a person who provides housing for migrant workers for violations of this Act or the rules promulgated under this Act. The fines shall be established by the Department by rule. The Department shall provide written notification of violations and allow a minimum of 10 days for correction before imposing administrative fines.

(Source: P.A. 88-535.)

(210 ILCS 110/12) (from Ch. 111 1/2, par. 185.12)

Sec. 12. The Director, after notice and opportunity for a hearing, may deny, suspend, or revoke a license and impose a penalty in any case in which the Director finds that the applicant, license holder, or any other person has failed to comply with the provisions of this Act or the rules adopted under this Act. A license shall be revoked only when there has been a substantial failure by the licensee to comply with this Act or the rules adopted under this Act. For purposes of this Section, a substantial failure to comply with this Act or the rules adopted under this Act includes, but is not limited to, the failure to pay any administrative penalties previously assessed by the Department against the licensee.

Notice shall be provided by certified mail or by personal service. The notice shall set forth the particular reasons for the proposed action and fix a date, not less than 14 days from the date of the mailing or personal service, by which the applicant or license holder must request, in writing, a hearing. Failure to serve upon the Department a request for a hearing, in writing, by
the date provided in the notice shall constitute a waiver of that person's right to a hearing.

The hearing shall be conducted by the Director or by an individual designated in writing by the Director as a Hearing Officer. The Director or Hearing Officer shall give written notice of the time and place of the hearing, by certified mail or personal service, to the applicant, license holder, or other person at least 10 days prior to the hearing. On the basis of the hearing or upon default of the applicant, license holder, or other person, the Director or Hearing Officer shall make a determination, in writing, that shall set forth his or her findings and conclusions. A copy of the determination shall be sent by certified mail or served personally upon the applicant, license holder, or other person. The decision of the Director or Hearing Officer shall be final on issues of fact and final in all respects unless judicial review is sought as provided in this Act.

The procedure governing hearings authorized by this Section shall be adopted by the Department by rule. A full and complete record shall be kept of all proceedings, including the notice of hearing, the complaint, all documents in the nature of pleadings, all written motions filed in the proceedings, and the report and orders of the Director or Hearing Officer.

The Department, at its expense, shall provide a court reporter to take testimony. Technical error or the failure to observe the technical rules of evidence in the proceedings before the Director or Hearing Officer shall not be grounds for the reversal of any administrative decision unless it appears to the court that the error or failure materially affects the rights of any party and results in substantial injustice to the party.

The Department may cause the depositions of witnesses within the State to be taken in the manner prescribed by law for depositions in civil actions in courts of this State and may compel the attendance of witnesses and the production of books, papers, records, or memoranda.

The Department shall not be required to certify any record to the court, file any answer in court, or otherwise appear in any court in a judicial review proceeding, unless a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record is filed in the court with the complaint. The cost of furnishing and certifying the record shall be paid by the party requesting a copy of the record. Failure on the part of the person requesting a copy of the record to pay the cost of furnishing and certifying the record shall be grounds for dismissal of the action.

Any person whose application for a license is denied or whose license is suspended or revoked shall have the right to a hearing before the Department.

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Request for such hearing shall be made in writing. The hearing shall be conducted by the Director or a duly qualified employee of the Department, designated in writing by the Director as a Hearing Officer, to conduct the hearing. The hearing shall be conducted at the office of the Department or at such place convenient for the applicant or licensee as may be designated by the Department. The Director or Hearing Officer may compel, by subpoena or subpoena duces tecum, the attendance and testimony of witnesses and the production of books and papers, and may administer oaths to witnesses. All testimony at any hearing shall be under oath. The Director or Hearing Officer shall cause a record of the proceedings at the hearing to be kept and shall provide any party to the hearing a transcript of the evidence presented upon payment of the cost thereof. The hearing may be continued from time to time at the discretion of the Director or the Hearing Officer. The applicant or licensee shall have the right to appear in person, to be represented by counsel, to offer evidence, to cross-examine the witnesses, and to present all relevant matter in support of his application for license or in opposition to revocation or suspension of any license. Depositions may be taken and used in the same manner as in civil cases. The Director or Hearing Officer shall render a decision within 30 days after the termination of the hearing, and a copy of the decision shall be sent by registered mail to the applicant or licensee.

Technical errors in the proceeding or failure to observe the technical rules of evidence shall not constitute grounds for reversal of any decision unless it shall appear to the court that such error or failure materially affects the rights of any party and results in substantial injustice to any such party. (Source: Laws 1961, p. 3904.)

(210 ILCS 110/14) (from Ch. 111 1/2, par. 185.14)

Sec. 14. Any person who operates or maintains a Migrant Labor Camp without securing a license under this Act commits a Type B violation under Section 25 of this Act, or who operates or maintains any Migrant Labor Camp or living quarters subject to regulation under this Act in violation of the provisions of this Act or any rules or regulations of the Department relating thereto, shall be guilty of a Class A misdemeanor. Each day's violation constitutes a separate offense. The Attorney General or the The State's Attorney of the county in which the violation occurs shall bring such action in the name of the people of the State of Illinois, or may in addition to other remedies provided in this Act bring an action for an injunction to restrain such violations or to enjoin the operation of any such establishment. Notwithstanding any other provision of this Act, fines imposed by the court

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pursuant to the State’s Attorney's action shall be deposited within the general fund of the county in which the action was brought.
(Source: P.A. 86-595.)

(210 ILCS 110/16) (from Ch. 111 1/2, par. 185.16)

Sec. 16. Any worker aggrieved by a violation of this Act or rules promulgated thereunder may file suit in the Circuit Court having jurisdiction over the location of the labor camp. If the Court finds that the labor camp owner, operator, or licensee has willfully violated any provision of this Act or any rule promulgated thereunder, the Court may in its discretion issue a restraining order or preliminary injunction, as well as, a permanent injunction, upon such terms and conditions as will do justice and enforce the purposes set forth above.
(Source: P.A. 83-677.)

(210 ILCS 110/20 new)

Sec. 20. The Department may charge $0.25 per each 8.5" x 11" page, whether paper or electronic, for copies of records held by the Department pursuant to this Act. For documents larger than 8.5" x 11", actual copying costs plus $0.25 per page shall apply.
(210 ILCS 110/25 new)

Sec. 25. (a) If the Department finds a violation of this Act or rules adopted under this Act at a migrant labor camp, the Department shall issue a written report or notice of the violation. In accordance with subsections (b) and (c) of this Section, each violation shall be categorized as either Type A or Type B.

(b) Type A violation. Type A violations shall be established by rule. Penalties shall be assessed for Type A violations at a rate of $25 per day per violation with each day constituting a separate violation. The situation, condition, or practice constituting a Type A violation shall be abated or eliminated immediately, unless a fixed period of time as determined by the Department, that shall not exceed 3 days, and specified in the notice of violation or inspection report is required for correction.

(c) Type B violation. Type B violations include those violations that may lead to serious injury or death of employees or the general public. Upon finding a Type B violation at a migrant labor camp, the Department shall immediately take actions as necessary to protect the public health, including ordering the immediate closure of the facility, ordering the abatement of conditions deemed dangerous by the Department, or ordering the cessation of any practice deemed dangerous or improper by the Department. Type B violations shall be established by rule. Administrative penalties shall be
assessed by the Department for Type B violations at a rate of $100 per violation, with each day constituting a separate violation. Any person who commits a Type B violation shall be guilty of a Class A misdemeanor for which the circuit court may impose a fine of $250 per violation, with each day constituting a separate violation.


PUBLIC ACT 98-1035
(House Bill No. 3638)

AN ACT concerning public aid.

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

Section 1. Short title. This amendatory Act may be referred to as the Health Insurance Consumer Protection Act of 2014.

Section 3. Findings and purpose. The General Assembly finds that the federal Patient Protection and Affordable Care Act and the federal regulations implementing that Act give the State and its Department of Insurance primary responsibility for ensuring that all policies of health insurance and health care plans that are offered for sale directly to consumers in the State provide consumers with adequate information about the coverage offered to enable them to meaningfully compare plans and premiums and enroll in the appropriate policy or plan. The purpose of this amendatory Act of the 98th General Assembly is to build on the consumer protections provided in federal law for policies or qualified health plans offered for sale directly to consumers through the Health Insurance Marketplace in Illinois.

Section 5. The Illinois Insurance Code is amended by changing Sections 155.36 and 355a as follows:

(215 ILCS 5/155.36)

Sec. 155.36. Managed Care Reform and Patient Rights Act. Insurance companies that transact the kinds of insurance authorized under Class 1(b) or Class 2(a) of Section 4 of this Code shall comply with Sections 45, 45.1, 45.2, and 85 and the definition of the term "emergency medical condition" in Section 10 of the Managed Care Reform and Patient Rights Act. (Source: P.A. 96-857, eff. 7-1-10.)

(215 ILCS 5/355a) (from Ch. 73, par. 967a)

New matter indicated by italics - deletions by strikeout
Sec. 355a. Standardization of terms and coverage.

(1) The purpose of this Section shall be (a) to provide reasonable standardization and simplification of terms and coverages of individual accident and health insurance policies to facilitate public understanding and comparisons; (b) to eliminate provisions contained in individual accident and health insurance policies which may be misleading or unreasonably confusing in connection either with the purchase of such coverages or with the settlement of claims; and (c) to provide for reasonable disclosure in the sale of accident and health coverages.

(2) Definitions applicable to this Section are as follows:
   (a) "Policy" means all or any part of the forms constituting the contract between the insurer and the insured, including the policy, certificate, subscriber contract, riders, endorsements, and the application if attached, which are subject to filing with and approval by the Director.
   (b) "Service corporations" means voluntary health and dental corporations organized and operating respectively under the Voluntary Health Services Plans Act and the Dental Service Plan Act.
   (c) "Accident and health insurance" means insurance written under Article XX of the Insurance Code, other than credit accident and health insurance, and coverages provided in subscriber contracts issued by service corporations. For purposes of this Section such service corporations shall be deemed to be insurers engaged in the business of insurance.

(3) The Director shall issue such rules as he shall deem necessary or desirable to establish specific standards, including standards of full and fair disclosure that set forth the form and content and required disclosure for sale, of individual policies of accident and health insurance, which rules and regulations shall be in addition to and in accordance with the applicable laws of this State, and which may cover but shall not be limited to: (a) terms of renewability; (b) initial and subsequent conditions of eligibility; (c) non-duplication of coverage provisions; (d) coverage of dependents; (e) pre-existing conditions; (f) termination of insurance; (g) probationary periods; (h) limitation, exceptions, and reductions; (i) elimination periods; (j) requirements regarding replacements; (k) recurrent conditions; and (l) the definition of terms including but not limited to the following: hospital, accident, sickness, injury, physician, accidental means, total disability, partial disability, nervous disorder, guaranteed renewable, and non-cancellable.

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The Director may issue rules that specify prohibited policy provisions not otherwise specifically authorized by statute which in the opinion of the Director are unjust, unfair or unfairly discriminatory to the policyholder, any person insured under the policy, or beneficiary.

(4) The Director shall issue such rules as he shall deem necessary or desirable to establish minimum standards for benefits under each category of coverage in individual accident and health policies, other than conversion policies issued pursuant to a contractual conversion privilege under a group policy, including but not limited to the following categories: (a) basic hospital expense coverage; (b) basic medical-surgical expense coverage; (c) hospital confinement indemnity coverage; (d) major medical expense coverage; (e) disability income protection coverage; (f) accident only coverage; and (g) specified disease or specified accident coverage.

Nothing in this subsection (4) shall preclude the issuance of any policy which combines two or more of the categories of coverage enumerated in subparagraphs (a) through (f) of this subsection.

No policy shall be delivered or issued for delivery in this State which does not meet the prescribed minimum standards for the categories of coverage listed in this subsection unless the Director finds that such policy is necessary to meet specific needs of individuals or groups and such individuals or groups will be adequately informed that such policy does not meet the prescribed minimum standards, and such policy meets the requirement that the benefits provided therein are reasonable in relation to the premium charged. The standards and criteria to be used by the Director in approving such policies shall be included in the rules required under this Section with as much specificity as practicable.

The Director shall prescribe by rule the method of identification of policies based upon coverages provided.

(5) (a) In order to provide for full and fair disclosure in the sale of individual accident and health insurance policies, no such policy shall be delivered or issued for delivery in this State unless the outline of coverage described in paragraph (b) of this subsection either accompanies the policy, or is delivered to the applicant at the time the application is made, and an acknowledgment signed by the insured, of receipt of delivery of such outline, is provided to the insurer. In the event the policy is issued on a basis other than that applied for, the outline of coverage properly describing the policy must accompany the policy when it is delivered and such outline shall clearly state that the policy differs, and to what extent, from that for which application was originally made. All policies, except single premium

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nonrenewal policies, shall have a notice prominently printed on the first page of the policy or attached thereto stating in substance, that the policyholder shall have the right to return the policy within 10 days of its delivery and to have the premium refunded if after examination of the policy the policyholder is not satisfied for any reason.

(b) The Director shall issue such rules as he shall deem necessary or desirable to prescribe the format and content of the outline of coverage required by paragraph (a) of this subsection. "Format" means style, arrangement, and overall appearance, including such items as the size, color, and prominence of type and the arrangement of text and captions. "Content" shall include without limitation thereto, statements relating to the particular policy as to the applicable category of coverage prescribed under subsection 4; principal benefits; exceptions, reductions and limitations; and renewal provisions, including any reservation by the insurer of a right to change premiums. Such outline of coverage shall clearly state that it constitutes a summary of the policy issued or applied for and that the policy should be consulted to determine governing contractual provisions.

(c) Without limiting the generality of paragraph (b) of this subsection (5), no qualified health plans shall be offered for sale directly to consumers through the health insurance marketplace operating in the State in accordance with Sections 1311 and 1321 of the federal Patient Protection and Affordable Care Act of 2010 (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and any amendments thereto, or regulations or guidance issued thereunder (collectively, "the Federal Act"), unless the following information is made available to the consumer at the time he or she is comparing policies and their premiums:

(i) With respect to prescription drug benefits, the most recently published formulary where a consumer can view in one location covered prescription drugs; information on tiering and the cost-sharing structure for each tier; and information about how a consumer can obtain specific copayment amounts or coinsurance percentages for a specific qualified health plan before enrolling in that plan. This information shall clearly identify the qualified health plan to which it applies.

(ii) The most recently published provider directory where a consumer can view the provider network that applies to each qualified health plan and information about each provider, including location, contact information, specialty, medical group, if any, any
institutional affiliation, and whether the provider is accepting new patients. The information shall clearly identify the qualified health plan to which it applies.

(d) Each company that offers qualified health plans for sale directly to consumers through the health insurance marketplace operating in the State shall make the information in paragraph (c) of this subsection (5), for each qualified health plan that it offers, available and accessible to the general public on the company's Internet website and through other means for individuals without access to the Internet.

(e) The Department shall ensure that State-operated Internet websites, in addition to the Internet website for the health insurance marketplace established in this State in accordance with the Federal Act, prominently provide links to Internet-based materials and tools to help consumers be informed purchasers of health insurance.

(f) Nothing in this Section shall be interpreted or implemented in a manner not consistent with the Federal Act. This Section shall apply to all qualified health plans offered for sale directly to consumers through the health insurance marketplace operating in this State for any coverage year beginning on or after January 1, 2015.

(6) Prior to the issuance of rules pursuant to this Section, the Director shall afford the public, including the companies affected thereby, reasonable opportunity for comment. Such rulemaking is subject to the provisions of the Illinois Administrative Procedure Act.

(7) When a rule has been adopted, pursuant to this Section, all policies of insurance or subscriber contracts which are not in compliance with such rule shall, when so provided in such rule, be deemed to be disapproved as of a date specified in such rule not less than 120 days following its effective date, without any further or additional notice other than the adoption of the rule.

(8) When a rule adopted pursuant to this Section so provides, a policy of insurance or subscriber contract which does not comply with the rule shall not less than 120 days from the effective date of such rule, be construed, and the insurer or service corporation shall be liable, as if the policy or contract did comply with the rule.

(9) Violation of any rule adopted pursuant to this Section shall be a violation of the insurance law for purposes of Sections 370 and 446 of the Insurance Code.

(Source: P.A. 90-177, eff. 7-23-97; 90-372, eff. 7-1-98; 90-655, eff. 7-30-98.)

New matter indicated by italics - deletions by strikeout
Section 10. The Managed Care Reform and Patient Rights Act is amended by changing Section 15 and by adding Sections 45.1 and 45.2 as follows:

(215 ILCS 134/15)

Sec. 15. Provision of information.

(a) A health care plan shall provide annually to enrollees and prospective enrollees, upon request, a complete list of participating health care providers in the health care plan's service area and a description of the following terms of coverage:

1. the service area;
2. the covered benefits and services with all exclusions, exceptions, and limitations;
3. the pre-certification and other utilization review procedures and requirements;
4. a description of the process for the selection of a primary care physician, any limitation on access to specialists, and the plan's standing referral policy;
5. the emergency coverage and benefits, including any restrictions on emergency care services;
6. the out-of-area coverage and benefits, if any;
7. the enrollee's financial responsibility for copayments, deductibles, premiums, and any other out-of-pocket expenses;
8. the provisions for continuity of treatment in the event a health care provider's participation terminates during the course of an enrollee's treatment by that provider;
9. the appeals process, forms, and time frames for health care services appeals, complaints, and external independent reviews, administrative complaints, and utilization review complaints, including a phone number to call to receive more information from the health care plan concerning the appeals process; and
10. a statement of all basic health care services and all specific benefits and services mandated to be provided to enrollees by any State law or administrative rule.

(a-5) Without limiting the generality of subsection (a) of this Section, no qualified health plans shall be offered for sale directly to consumers through the health insurance marketplace operating in the State in accordance with Sections 1311 and 1321 of the federal Patient Protection and Affordable Care Act of 2010 (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law

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111-152), and any amendments thereto, or regulations or guidance issued thereunder (collectively, "the Federal Act"), unless, in addition to the information required under subsection (a) of this Section, the following information is available to the consumer at the time he or she is comparing health care plans and their premiums:

(1) With respect to prescription drug benefits, the most recently published formulary where a consumer can view in one location covered prescription drugs; information on tiering and the cost-sharing structure for each tier; and information about how a consumer can obtain specific copayment amounts or coinsurance percentages for a specific qualified health plan before enrolling in that plan. This information shall clearly identify the qualified health plan to which it applies.

(2) The most recently published provider directory where a consumer can view the provider network that applies to each qualified health plan and information about each provider, including location, contact information, specialty, medical group, if any, any institutional affiliation, and whether the provider is accepting new patients. The information shall clearly identify the qualified health plan to which it applies.

In the event of an inconsistency between any separate written disclosure statement and the enrollee contract or certificate, the terms of the enrollee contract or certificate shall control.

(b) Upon written request, a health care plan shall provide to enrollees a description of the financial relationships between the health care plan and any health care provider and, if requested, the percentage of copayments, deductibles, and total premiums spent on healthcare related expenses and the percentage of copayments, deductibles, and total premiums spent on other expenses, including administrative expenses, except that no health care plan shall be required to disclose specific provider reimbursement.

(c) A participating health care provider shall provide all of the following, where applicable, to enrollees upon request:

(1) Information related to the health care provider's educational background, experience, training, specialty, and board certification, if applicable.

(2) The names of licensed facilities on the provider panel where the health care provider presently has privileges for the treatment, illness, or procedure that is the subject of the request.

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(3) Information regarding the health care provider’s participation in continuing education programs and compliance with any licensure, certification, or registration requirements, if applicable.

(d) A health care plan shall provide the information required to be disclosed under this Act upon enrollment and annually thereafter in a legible and understandable format. The Department shall promulgate rules to establish the format based, to the extent practical, on the standards developed for supplemental insurance coverage under Title XVIII of the federal Social Security Act as a guide, so that a person can compare the attributes of the various health care plans.

(e) The written disclosure requirements of this Section may be met by disclosure to one enrollee in a household.

(f) Each issuer of qualified health plans for sale directly to consumers through the health insurance marketplace operating in the State shall make the information described in subsection (a) of this Section, for each qualified health plan that it offers, available and accessible to the general public on the company’s Internet website and through other means for individuals without access to the Internet.

(g) The Department shall ensure that State-operated Internet websites, in addition to the Internet website for the health insurance marketplace established in this State in accordance with the Federal Act and its implementing regulations, prominently provide links to Internet-based materials and tools to help consumers be informed purchasers of health care plans.

(h) Nothing in this Section shall be interpreted or implemented in a manner not consistent with the Federal Act. This Section shall apply to all qualified health plans offered for sale directly to consumers through the health insurance marketplace operating in this State for any coverage year beginning on or after January 1, 2015.

(Source: P.A. 91-617, eff. 1-1-00.)

(215 ILCS 134/45.1 new)

Sec. 45.1. Medical exceptions procedures required.

(a) Every health carrier that offers a qualified health plan, as defined in the federal Patient Protection and Affordable Care Act of 2010 (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and any amendments thereto, or regulations or guidance issued under those Acts (collectively, “the Federal Act”), directly to consumers in this State shall establish and maintain a medical exceptions process that allows covered persons or their authorized
representatives to request any clinically appropriate prescription drug when (1) the drug is not covered based on the health benefit plan's formulary; (2) the health benefit plan is discontinuing coverage of the drug on the plan's formulary for reasons other than safety or other than because the prescription drug has been withdrawn from the market by the drug's manufacturer; (3) the prescription drug alternatives required to be used in accordance with a step therapy requirement (A) has been ineffective in the treatment of the enrollee's disease or medical condition or, based on both sound clinical evidence and medical and scientific evidence, the known relevant physical or mental characteristics of the enrollee, and the known characteristics of the drug regimen, is likely to be ineffective or adversely affect the drug's effectiveness or patient compliance or (B) has caused or, based on sound medical evidence, is likely to cause an adverse reaction or harm to the enrollee; or (4) the number of doses available under a dose restriction for the prescription drug (A) has been ineffective in the treatment of the enrollee's disease or medical condition or (B) based on both sound clinical evidence and medical and scientific evidence, the known relevant physical and mental characteristics of the enrollee, and known characteristics of the drug regimen, is likely to be ineffective or adversely affect the drug's effective or patient compliance.

(b) The health carrier's established medical exceptions procedures must require, at a minimum, the following:

(1) Any request for approval of coverage made verbally or in writing (regardless of whether made using a paper or electronic form or some other writing) at any time shall be reviewed by appropriate health care professionals.

(2) The health carrier must, within 72 hours after receipt of a request made under subsection (a) of this Section, either approve or deny the request. In the case of a denial, the health carrier shall provide the covered person or the covered person's authorized representative and the covered person's prescribing provider with the reason for the denial, an alternative covered medication, if applicable, and information regarding the procedure for submitting an appeal to the denial.

(3) In the case of an expedited coverage determination, the health carrier must either approve or deny the request within 24 hours after receipt of the request. In the case of a denial, the health carrier shall provide the covered person or the covered person's authorized representative and the covered person's prescribing

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provider with the reason for the denial, an alternative covered medication, if applicable, and information regarding the procedure for submitting an appeal to the denial.

(c) Notwithstanding any other provision of this Section, nothing in this Section shall be interpreted or implemented in a manner not consistent with the Federal Act.

(215 ILCS 134/45.2 new)

Sec. 45.2. Prior authorization form; prescription benefits.

(a) Notwithstanding any other provision of law, on and after January 1, 2015, a health insurer that provides prescription drug benefits must, within 72 hours after receipt of a paper or electronic prior authorization form from a prescribing provider or pharmacist, either approve or deny the prior authorization. In the case of a denial, the insurer shall provide the prescriber with the reason for the denial, an alternative covered medication, if applicable, and information regarding the denial.

In the case of an expedited coverage determination, the health insurer must either approve or deny the prior authorization within 24 hours after receipt of the paper or electronic prior authorization form. In the case of a denial, the health insurer shall provide the prescriber with the reason for the denial, an alternative covered medication, if applicable, and information regarding the procedure for submitting an appeal to the denial.

(b) This Section does not apply to plans for beneficiaries of Medicare or Medicaid.

(c) For the purposes of this Section:

"Pharmacist" has the same meaning as set forth in the Pharmacy Practice Act.

"Prescribing provider" includes a provider authorized to write a prescription, as described in subsection (e) of Section 3 of the Pharmacy Practice Act, to treat a medical condition of an insured.
AN ACT concerning education.

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

Section 5. The Grow Your Own Teacher Education Act is amended by changing Sections 5, 10, 13, 15, 20, 25, 30, 35, and 90 as follows:

(110 ILCS 48/5)

Sec. 5. Purpose. The Grow Your Own Teacher preparation programs established under this Act shall comprise a major new statewide initiative, known as the Grow Your Own Teacher Education Initiative, to prepare highly skilled, committed teachers who will teach in hard-to-staff schools, including within the Department of Juvenile Justice School District, and hard-to-staff teaching positions and who will remain in these schools for substantial periods of time.

The Grow Your Own Teacher Education Initiative shall help to create a statewide pipeline of teachers who are likely effectively recruit and prepare parent and community leaders and paraprofessionals to become effective teachers statewide in hard-to-staff schools serving a substantial percentage of low-income students and hard-to-staff teaching positions in schools serving a substantial percentage of low-income students. Further, the Initiative shall increase the diversity of teachers, including diversity based on race and ethnicity.

The Grow Your Own Teacher Education Initiative shall ensure educational rigor by effectively preparing candidates in accredited bachelor's degree programs in teaching, through which graduates shall meet the requirements to secure an Illinois initial teaching certificate.

The goal of the Grow Your Own Teacher Education Initiative is to add 1,000 teachers to low-income, hard-to-staff Illinois schools by 2016.

(Source: P.A. 95-476, eff. 1-1-08; 96-144, eff. 8-7-09; 96-414, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(110 ILCS 48/10)

Sec. 10. Definitions. In this Act:

"Accredited teacher preparation program" means a regionally accredited, Illinois approved teacher education program authorized to prepare individuals to fulfill all of the requirements to receive an Illinois initial teaching certificate.
"Cohort" means a group of teacher education candidates who are enrolled in and share experiences in the same program and are linked by their desire to become Illinois teachers in hard-to-staff schools and by their need for the services and supports offered by the Initiative.

"Community organization" means a nonprofit organization that has a demonstrated capacity to train, develop, and organize parents and community leaders into a constituency that will hold the school and the school district accountable for achieving high academic standards; in addition to organizations with a geographic focus, "community organization" includes general parent organizations, organizations of special education or bilingual education parents, and school employee unions.

"Developmental classes" means classes in basic skill areas, such as mathematics and language arts that are prerequisite to, but not counted towards, degree requirements of a teacher preparation program.

"Eligible school" means a public elementary, middle, or secondary school in this State that serves a substantial percentage of low-income students and that is either hard to staff or has hard-to-staff teaching positions.

"Hard-to-staff school" means a public elementary, middle, or secondary school in this State that, based on data compiled by the State Board of Education in conjunction with the Board of Higher Education, serves a substantial percentage of low-income students, as defined by the Board of Higher Education.

"Hard-to-staff teaching position" means a teaching category (such as special education, bilingual education, mathematics, or science) in which statewide data compiled by the State Board of Education in conjunction with the Board of Higher Education indicates a multi-year pattern of substantial teacher shortage or that has been identified as a critical need by the local school board.

"Initiative" means the Grow Your Own Teacher Education Initiative created under this Act.

"Para educator" means an individual with a history of demonstrated accomplishments in school staff positions (such as teacher assistants, school-community liaisons, school clerks, and security aides) in schools that meet the definition of a hard-to-staff school under this Section.

"Parent and community leader" means an individual who has or had a child enrolled in a school or schools that meet the definition of a hard-to-staff school under this Section and who has a history of active involvement in the school or who has a history of working to improve schools serving a

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substantial percentage of low-income students, including membership in a community organization.

"Program" means a Grow Your Own Teacher preparation program established by a consortium under this Act.

"Schools serving a substantial percentage of low-income students" means schools that maintain any of grades pre-kindergarten through 8, in which at least 35% of the students are eligible to receive free or reduced-price lunches and schools that maintain any of grades 9 through 12, in which at least 25% of the students are eligible to receive free or reduced price lunches.

"State Board" means the Board of Higher Education.

(110 ILCS 48/13)

Sec. 13. Transfer of powers and duties to the Board of Higher Education. On July 1, 2010, all powers and duties of the State Board of Education under this Act were shall be transferred to the Board of Higher Education. All rules, standards, guidelines, and procedures adopted by the State Board of Education under this Act shall continue in effect as the rules, standards, guidelines, and procedures of the Board of Higher Education, until they are modified or abolished by the Board of Higher Education.

(110 ILCS 48/15)

Sec. 15. Creation of Initiative. The Grow Your Own Teacher Education Initiative is created. The Board of Higher Education State Board shall administer the Initiative as a grant competition to fund consortia that will carry out Grow Your Own Teacher preparation programs.

(110 ILCS 48/20)

Sec. 20. Selection of grantees. The Board of Higher Education State Board shall award grants to qualified consortia that reflect the distribution and diversity of hard-to-staff schools and hard-to-staff positions across this State. In awarding grants, the Board of Higher Education State Board shall select programs that successfully address Initiative criteria and that reflect a diversity of strategies in terms of serving urban areas, serving rural areas, the nature of the participating institutions of higher education, and the nature of hard-to-staff schools and hard-to-staff teaching positions on which a program is focused.

The Board of Higher Education State Board shall select consortia that meet the following requirements:

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(1) A consortium shall be composed of at least one 4-year institution of higher education with an Illinois approved teacher preparation program, at least one school district or group of schools, and one or more community organizations. The consortium membership may also include a 2-year institution of higher education, a school employee union, or a regional office of education.

(2) The 4-year institution of higher education participating in the consortium shall have past, demonstrated success in preparing teachers for elementary or secondary schools serving a substantial percentage of low-income students.

(3) The consortium shall focus on a clearly defined set of eligible schools that will participate in the program. The consortium shall articulate the steps that it will carry out in preparing teachers for its participating schools and in preparing teachers for one or more hard-to-staff teaching positions in those schools.

(4) The consortium shall recruit potential candidates for the program and shall take into consideration when selecting a candidate whether the candidate:

(A) holds a candidate in a program under the Initiative must hold a high school diploma or its equivalent; 

(B) meets must meet either the definition of "parent and community leader" or the definition of "para educator" contained in Section 10 of this Act; 

(C) has must not have attended college right after high school or must have experienced an interruption in his or her college education; and does not hold a bachelor's degree.

(D) exhibits a willingness to be a teacher in a hard-to-staff school with the goal of maintaining academic excellence;

(E) shows an interest in postsecondary education and may hold an associate's degree, a bachelor's degree, or another postsecondary degree, but a postsecondary education is not required;

(F) is a parent, a para educator, a community leader, or any other individual from a community with a hard-to-staff school;

(G) commits to completing and passing all State standards, including the licensure test to obtain an educator license;

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(H) shows a willingness to set high standards of performance for himself or herself and students; and
(i) demonstrates commitment to the program by:
   (i) maintaining a cumulative grade point average of at least a 2.5 on a 4.0 scale (or the equivalent as determined by the Board of Higher Education);
   (ii) attending monthly cohort meetings; and
   (iii) applying for financial aid from all other financial aid resources before applying for assistance from the program.

(5) The consortium shall employ effective procedures for teaching the skills and knowledge needed to prepare highly competent teachers. Professional preparation shall include on-going direct experience in target schools and evaluation of this experience.

(6) The consortium shall offer the program to cohorts of candidates, as defined in Section 10 of this Act, on a schedule that enables candidates to work full time while participating in the program and allows paraeducators to continue in their current positions. In any fiscal year in which an appropriation for the Initiative is made, the consortium shall guarantee that support will be available to an admitted cohort for the cohort's education for that fiscal year. At the beginning of the Initiative, programs that are already operating and existing cohorts of candidates under this model shall be eligible for funding.

(7) The institutions of higher education participating in the consortium shall document and agree to expend the same amount of funds in implementing the program that these institutions spend per student on similar educational programs. Grants received by the consortium shall supplement and not supplant these amounts.

(8) The Board of Higher Education shall establish additional criteria for review of proposals, including criteria that address the following issues:

   (A) Previous experience of the institutions of higher education in preparing candidates for hard-to-staff schools and positions and in working with students with non-traditional backgrounds.
(B) The quality of the implementation plan, including strategies for overcoming institutional barriers to the progress of non-traditional candidates.

(C) If a community college is a participant, the nature and extent of existing articulation agreements and guarantees between the community college and the 4-year institution of higher education.

(D) The number of candidates to be educated in the planned cohort or cohorts and the capacity of the consortium for adding cohorts in future cycles.

(E) Experience of the community organization or organizations in organizing parents and community leaders to achieve school improvement and a strong relational school culture.

(F) The qualifications of the person or persons designated by the 4-year institution of higher education to be responsible for cohort support and the development of a shared learning and social environment among candidates.

(G) The consortium's plan for collective consortium decision-making, involving all consortium members, including mechanisms for candidate input.

(H) The consortium's plan for direct impact of the program on the quality of education in the eligible schools.

(I) The relevance of the curriculum to the needs of the eligible schools and positions, and the use in curriculum and instructional planning of principles for effective education for adults.

(J) The availability of classes under the program in places and times accessible to the candidates.

(K) Provision of a level of performance to be maintained by candidates as a condition of continuing in the program.

(L) The plan of the 4-year institution of higher education to ensure that candidates take advantage of existing financial aid resources before using the loan funds described in Section 25 of this Act.

(M) The availability of supportive services, including, but not limited to, counseling, tutoring, transportation, technology and technology support, and child care.

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(N) A plan for continued participation of graduates of the program in a program of support for at least 2 years, including mentoring and group meetings.

(O) A plan for testing and qualitative evaluation of candidates' teaching skills that ensures that graduates of the program are as prepared for teaching as other individuals completing the institution of higher education's preparation program for the certificate sought.

(P) A plan for internal evaluation that provides reports at least yearly on the progress of candidates towards graduation and the impact of the program on the target schools and their communities.

(Q) Contributions from schools, school districts, and other consortia members to the program, including stipends for candidates during their student teaching.

(R) Consortium commitment for sustaining the program over time, as evidenced by plans for reduced requirements for external funding, in subsequent cycles.

(S) The inclusion in the planned program of strategies derived from community organizing that will help candidates develop tools for working with parents and other community members.

(Source: P.A. 95-476, eff. 1-1-08; 96-144, eff. 8-7-09.)

(110 ILCS 48/25)
Sec. 25. Expenditures under the Initiative.

(a) Every program under the Initiative shall implement a program of forgivable loans to cover any portion of tuition, books, and fees of candidates under the program in excess of the candidates' grants-in-aid. All students admitted to a cohort shall be eligible for a forgivable student loan. Loans shall be fully forgiven if a graduate completes 5 years of service in hard-to-staff schools or hard-to-staff teaching positions, with partial forgiveness for shorter periods of service. The Board of Higher Education State Board shall establish standards for the approval of requests for waivers or deferrals from individuals to waive this obligation. The Board of Higher Education State Board shall also define standards for the fiscal management of these loan funds.

(b) The Board of Higher Education State Board shall award grants under the Initiative in such a way as to provide the required support for a cohort of candidates for any fiscal year in which an appropriation for the
Initiative is made. Program budgets must show expenditures and needed funds for the entire period that candidates are expected to be enrolled.

(c) No funds under the Initiative may be used to supplant the average per-capita expenditures by the institution of higher education for candidates.

(d) Where necessary, program budgets shall include the costs of child care and other indirect expenses, such as transportation, tutoring, technology, and technology support, necessary to permit candidates to maintain their class schedules. Grant funds may be used by any member of a consortium to offset such costs, and the services may be provided by the community organization or organizations, by any other member of the consortium, or by independent contractors.

(e) The institution of higher education may expend grant funds to cover the additional costs of offering classes in community settings and for tutoring services.

(f) The community organization or organizations may receive a portion of the grant money for the expenses of recruitment, community orientation, and counseling of potential candidates, for providing space in the community, and for working with school personnel to facilitate individual work experiences and support of candidates.

(g) The school district or school employee union or both may receive a portion of the grant money for expenses of supporting the work experiences of candidates and providing mentors for graduates. Notwithstanding the provisions of Section 10-20.15 of the School Code, school districts may also use these or other applicable public funds to pay participants in programs under the Initiative for student teaching required by an accredited teacher preparation program.

(h) One or more members of the consortium may expend funds to cover the salary of a site-based cohort coordinator.

(i) Grant funds may also be expended to pay directly for required developmental classes for candidates beginning a program.

(Source: P.A. 95-476, eff. 1-1-08; 96-144, eff. 8-7-09.)

(110 ILCS 48/30)

Sec. 30. Implementation of Initiative. The State Board shall develop guidelines and application procedures for the Initiative in fiscal year 2011. The Board of Higher Education State Board may, if it chooses, award a small number of planning grants during any fiscal year to potential consortia. Other than existing cohorts, the first programs under the Initiative shall be awarded grants in such a way as to allow candidates to begin their work at the beginning of the 2006-2007 school year.

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Sec. 35. Independent program evaluation. The Board of Higher Education shall contract for an independent evaluation of program implementation by each of its participating consortia and of the impact of each program, including the extent of candidate persistence in program enrollment, acceptance as an education major in a 4-year institution of higher education, completion of a bachelor's degree in teaching, obtaining a teaching position in a target school or similar school, subsequent effectiveness as a teacher, and persistence in teaching in a target school or similar school. The evaluation shall assess the Initiative's overall effectiveness and shall identify particular program strategies that are especially effective.

Sec. 90. Rules. The Board of Higher Education may adopt any rules necessary to carry out its responsibilities under this Act.

PUBLIC ACT 98-1037
(House Bill No. 4157)

AN ACT concerning human rights.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Human Rights Act is amended by changing Section 2-101 as follows:
Sec. 2-101. Definitions. The following definitions are applicable strictly in the context of this Article.
(A) Employee.
   (1) "Employee" includes:
      (a) Any individual performing services for remuneration within this State for an employer;
      (b) An apprentice;
      (c) An applicant for any apprenticeship.

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For purposes of subsection (D) of Section 2-102 of this Act, "employee" also includes an unpaid intern. An unpaid intern is a person who performs work for an employer under the following circumstances:

(i) the employer is not committed to hiring the person performing the work at the conclusion of the intern's tenure;
(ii) the employer and the person performing the work agree that the person is not entitled to wages for the work performed; and
(iii) the work performed:
   (I) supplements training given in an educational environment that may enhance the employability of the intern;
   (II) provides experience for the benefit of the person performing the work;
   (III) does not displace regular employees;
   (IV) is performed under the close supervision of existing staff; and
   (V) provides no immediate advantage to the employer providing the training and may occasionally impede the operations of the employer.

(2) "Employee" does not include:
   (a) Domestic servants in private homes;
   (b) Individuals employed by persons who are not "employers" as defined by this Act;
   (c) Elected public officials or the members of their immediate personal staffs;
   (d) Principal administrative officers of the State or of any political subdivision, municipal corporation or other governmental unit or agency;
   (e) A person in a vocational rehabilitation facility certified under federal law who has been designated an evaluee, trainee, or work activity client.

(B) Employer.

(1) "Employer" includes:
   (a) Any person employing 15 or more employees within Illinois during 20 or more calendar weeks within the calendar year of or preceding the alleged violation;

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(b) Any person employing one or more employees when a complainant alleges civil rights violation due to unlawful discrimination based upon his or her physical or mental disability unrelated to ability or sexual harassment;

(c) The State and any political subdivision, municipal corporation or other governmental unit or agency, without regard to the number of employees;

(d) Any party to a public contract without regard to the number of employees;

(e) A joint apprenticeship or training committee without regard to the number of employees.

(2) "Employer" does not include any religious corporation, association, educational institution, society, or non-profit nursing institution conducted by and for those who rely upon treatment by prayer through spiritual means in accordance with the tenets of a recognized church or religious denomination with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, society or non-profit nursing institution of its activities.

(C) Employment Agency. "Employment Agency" includes both public and private employment agencies and any person, labor organization, or labor union having a hiring hall or hiring office regularly undertaking, with or without compensation, to procure opportunities to work, or to procure, recruit, refer or place employees.

(D) Labor Organization. "Labor Organization" includes any organization, labor union, craft union, or any voluntary unincorporated association designed to further the cause of the rights of union labor which is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or apprenticeships or applications for apprenticeships, or of other mutual aid or protection in connection with employment, including apprenticeships or applications for apprenticeships.

(E) Sexual Harassment. "Sexual harassment" means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the
purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

(F) Religion. "Religion" with respect to employers includes all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business.

(G) Public Employer. "Public employer" means the State, an agency or department thereof, unit of local government, school district, instrumentality or political subdivision.

(H) Public Employee. "Public employee" means an employee of the State, agency or department thereof, unit of local government, school district, instrumentality or political subdivision. "Public employee" does not include public officers or employees of the General Assembly or agencies thereof.

(I) Public Officer. "Public officer" means a person who is elected to office pursuant to the Constitution or a statute or ordinance, or who is appointed to an office which is established, and the qualifications and duties of which are prescribed, by the Constitution or a statute or ordinance, to discharge a public duty for the State, agency or department thereof, unit of local government, school district, instrumentality or political subdivision.

(J) Eligible Bidder. "Eligible bidder" means a person who, prior to a bid opening, has filed with the Department a properly completed, sworn and currently valid employer report form, pursuant to the Department's regulations. The provisions of this Article relating to eligible bidders apply only to bids on contracts with the State and its departments, agencies, boards, and commissions, and the provisions do not apply to bids on contracts with units of local government or school districts.

(K) Citizenship Status. "Citizenship status" means the status of being:
   (1) a born U.S. citizen;
   (2) a naturalized U.S. citizen;
   (3) a U.S. national; or
   (4) a person born outside the United States and not a U.S. citizen who is not an unauthorized alien and who is protected from discrimination under the provisions of Section 1324b of Title 8 of the United States Code, as now or hereafter amended.

(Source: P.A. 97-877, eff. 8-2-12.)


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Effective January 1, 2015.

PUBLIC ACT 98-1038
(House Bill No. 4205)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Procurement Code is amended by changing Section 15-25 as follows:
(30 ILCS 500/15-25)
(a) Invitations for bids. Notice of each and every contract that is offered, including renegotiated contracts and change orders, shall be published in the Bulletin, and all businesses listed on the Department of Transportation Disadvantaged Business Enterprise Directory, the Department of Central Management Services Business Enterprise Program and Small Business Vendors Directory, and the Capital Development Board's Directory of Certified Minority and Female Business Enterprises shall be furnished written instructions and information on how to register on each Procurement Bulletin maintained by the State. Such information shall be provided to each business within 30 days after the business' notice of certification. The applicable chief procurement officer may provide by rule an organized format for the publication of this information, but in any case it must include at least the date first offered, the date submission of offers is due, the location that offers are to be submitted to, the purchasing State agency, the responsible State purchasing officer, a brief purchase description, the method of source selection, information of how to obtain a comprehensive purchase description and any disclosure and contract forms, and encouragement to prospective vendors to hire qualified veterans, as defined by Section 45-67 of this Code, and qualified Illinois minorities, women, persons with disabilities, and residents discharged from any Illinois adult correctional center.
(b) Contracts let. Notice of each and every contract that is let, including renegotiated contracts and change orders, shall be issued electronically to those bidders or offerors submitting responses to the solicitations, inclusive of the unsuccessful bidders, immediately upon contract let. Failure of any chief procurement officer to give such notice shall result in tolling the time for filing a bid protest up to 5 business days. The

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apparent low bidder's award and all other bids from bidders responding to solicitations shall be posted on the agency's website the next business day.

(b-5) Contracts awarded. Notice of each and every contract that is awarded, including renegotiated contracts and change orders, shall be issued electronically to the successful responsible bidder or offeror, posted on the agency's website the next business day, and published in the next available subsequent Bulletin. The applicable chief procurement officer may provide by rule an organized format for the publication of this information, but in any case it must include at least all of the information specified in subsection (a) as well as the name of the successful responsible bidder or offeror, the contract price, the number of unsuccessful responsive bidders, and any other disclosure specified in any Section of this Code. This notice must be posted in the online electronic Bulletin prior to execution of the contract.

(c) Emergency purchase disclosure. Any chief procurement officer or State purchasing officer exercising emergency purchase authority under this Code shall publish a written description and reasons and the total cost, if known, or an estimate if unknown and the name of the responsible chief procurement officer and State purchasing officer, and the business or person contracted with for all emergency purchases in the next timely, practicable Bulletin. This notice must be posted in the online electronic Bulletin no later than 3 business days after the contract is awarded. Notice of a hearing to extend an emergency contract must be posted in the online electronic Procurement Bulletin no later than 5 business days prior to the hearing.

(c-5) Business Enterprise Program report. Each purchasing agency shall, with the assistance of the applicable chief procurement officer, post in the online electronic Bulletin a copy of its annual report of utilization of businesses owned by minorities, females, and persons with disabilities as submitted to the Business Enterprise Council for Minorities, Females, and Persons with Disabilities pursuant to Section 6(c) of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act within 10 business days after its submission of its report to the Council.

(c-10) Renewals. Notice of each contract renewal shall be posted in the online electronic Bulletin within 10 business days of the determination to renew the contract and the next available subsequent Bulletin. The notice shall include at least all of the information required in subsection (b).

(c-15) Sole source procurements. Before entering into a sole source contract, a chief procurement officer exercising sole source procurement authority under this Code shall publish a written description of intent to enter into a sole source contract along with a description of the item to be procured
and the intended sole source contractor. This notice must be posted in the online electronic Procurement Bulletin before a sole source contract is awarded and at least 14 days before the hearing required by Section 20-25.

(d) Other required disclosure. The applicable chief procurement officer shall provide by rule for the organized publication of all other disclosure required in other Sections of this Code in a timely manner.

(e) The changes to subsections (b), (c), (c-5), (c-10), and (c-15) of this Section made by this amendatory Act of the 96th General Assembly apply to reports submitted, offers made, and notices on contracts executed on or after its effective date.

(f) Each chief procurement officer shall, in consultation with the agencies under his or her jurisdiction, provide the Procurement Policy Board with the information and resources necessary, and in a manner, to effectuate the purpose of this amendatory Act of the 96th General Assembly.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 96-1444, eff. 8-20-10; 97-895, eff. 8-3-12.)

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


PUBLIC ACT 98-1039
(House Bill No. 4327)

AN ACT concerning aging.

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

Section 5. The Open Meetings Act is amended by changing Section 2 as follows:

(5 ILCS 120/2) (from Ch. 102, par. 42)

Sec. 2. Open meetings.

(a) Openness required. All meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a.

(b) Construction of exceptions. The exceptions contained in subsection (c) are in derogation of the requirement that public bodies meet in the open, and therefore, the exceptions are to be strictly construed, extending only to subjects clearly within their scope. The exceptions authorize but do

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not require the holding of a closed meeting to discuss a subject included within an enumerated exception.

(c) Exceptions. A public body may hold closed meetings to consider the following subjects:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

(3) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(7) The sale or purchase of securities, investments, or investment contracts. This exception shall not apply to the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

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(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.

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(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(25) Meetings of an independent team of experts under Brian's Law.

(26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(27) (Blank).

(28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.

(30) Those meetings or portions of meetings of a at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council during which a review of the death of an eligible adult in which abuse or neglect is suspected, alleged, or substantiated is conducted pursuant to Section 15 of the Adult Protective Services Act.

(31) Meetings and deliberations for decisions of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act.

(d) Definitions. For purposes of this Section:

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"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to assist the body in the conduct of its business.

"Quasi-adjudicative body" means an administrative body charged by law or ordinance with the responsibility to conduct hearings, receive evidence or testimony and make determinations based thereon, but does not include local electoral boards when such bodies are considering petition challenges.

(e) Final action. No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted.

(Source: P.A. 97-318, eff. 1-1-12; 97-333, eff. 8-12-11; 97-452, eff. 8-19-11; 97-813, eff. 7-13-12; 97-876, eff. 8-1-12; 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; revised 7-23-13.)

Section 10. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)

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

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

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

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

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of

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sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

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


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

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

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

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

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

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

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

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

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

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11
of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

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

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

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

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Accountability and Portability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

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

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

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

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

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Department of Public Health's Health Care Worker Registry established under Section 7.5.

(z) Records and information provided to an at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(Source: P.A. 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13; 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; revised 7-23-13.)

Section 15. The Adult Protective Services Act is amended by changing Sections 2, 3, 3.5, 4, 5, 7.5, 8, 9, 13, and 15 as follows:

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

(a) "Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse, neglect, or self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

(a-5) "Abuser" means a person who abuses, neglects, or financially exploits an eligible adult.

(a-6) "Adult with disabilities" means a person aged 18 through 59 who resides in a domestic living situation and whose disability as defined in subsection (c-5) impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.

(a-7) "Caregiver" means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living or instrumental activities of daily living.

(b) "Department" means the Department on Aging of the State of Illinois.

(c) "Director" means the Director of the Department.

(c-5) "Disability" means a physical or mental disability, including, but not limited to, a developmental disability, an intellectual disability, a mental
illness as defined under the Mental Health and Developmental Disabilities Code, or dementia as defined under the Alzheimer's Disease Assistance Act.

(d) "Domestic living situation" means a residence where the eligible adult at the time of the report lives alone or with his or her family or a caregiver, or others, or other community-based unlicensed facility, but is not:

1. A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;

1.5 A facility licensed under the ID/DD Community Care Act;

1.7 A facility licensed under the Specialized Mental Health Rehabilitation Act of 2013;

2. A "life care facility" as defined in the Life Care Facilities Act;

3. A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;

4. A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act;

5. A "community living facility" as defined in the Community Living Facilities Licensing Act;

6. (Blank);

7. A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act or a "community residential alternative" as licensed under that Act;

8. An assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; or

9. A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

(e) "Eligible adult" means either an adult with disabilities aged 18 through 59 or a person aged 60 or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself.

(f) "Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.

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(f-1) "Financial exploitation" means the use of an eligible adult's resources by another to the disadvantage of that adult or the profit or advantage of a person other than that adult.

(f-5) "Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

(1) a professional or professional's delegate while engaged in:
   (i) social services, (ii) law enforcement, (iii) education, (iv) the care of an eligible adult or eligible adults, or (v) any of the occupations required to be licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietitian Nutritionist Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nurse Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, and the Illinois Public Accounting Act;

(1.5) an employee of an entity providing developmental disabilities services or service coordination funded by the Department of Human Services;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community based facility;

(4) any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;

(5) field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;

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(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies, and the Office of State Long Term Care Ombudsman;

(7) any employee of the State of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

(8) a person who performs the duties of a coroner or medical examiner; or

(9) a person who performs the duties of a paramedic or an emergency medical technician.

(g) "Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or health care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) "Provider agency" means any public or nonprofit agency in a planning and service area that is selected by the Department or appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation. A provider agency is also referenced as a "designated agency" in this Act.

(i) "Regional administrative agency" means any public or nonprofit agency in a planning and service area that provides regional oversight and performs functions as set forth in subsection (b) of Section 3 of this Act. The Department shall designate an Area Agency on Aging as the regional administrative agency or, in the event the Area Agency on Aging in that planning and service area is deemed by the Department to be unwilling or unable to provide those functions, the Department may serve as the regional administrative agency or designate another qualified entity to serve as the regional administrative agency; any such designation shall be subject to terms set forth by the Department. So designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the

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functions of the regional administrative agency for any planning and service area where another agency is not so designated.

(i-5) "Self-neglect" means a condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. The term includes compulsive hoarding, which is characterized by the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety.

(j) "Substantiated case" means a reported case of alleged or suspected abuse, neglect, financial exploitation, or self-neglect in which a provider agency, after assessment, determines that there is reason to believe abuse, neglect, or financial exploitation has occurred.

(k) "Verified" means a determination that there is "clear and convincing evidence" that the specific injury or harm alleged was the result of abuse, neglect, or financial exploitation.

(320 ILCS 20/3) (from Ch. 23, par. 6603)

Sec. 3. Responsibilities.

(a) The Department shall establish, design, and manage a protective services program for eligible adults who have been, or are alleged to be, victims of abuse, neglect, financial exploitation, or self-neglect. The Department shall contract with or fund, or contract with and fund, regional administrative agencies, provider agencies, or both, for the provision of those functions, and, contingent on adequate funding, with attorneys or legal services provider agencies for the provision of legal assistance pursuant to this Act. For self-neglect, the program shall include the following services for eligible adults who have been removed from their residences for the purpose of cleanup or repairs: temporary housing; counseling; and caseworker services to try to ensure that the conditions necessitating the removal do not reoccur.

(a-1) The Department shall by rule develop standards for minimum staffing levels and staff qualifications. The Department shall by rule establish

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mandatory standards for the investigation of abuse, neglect, financial exploitation, or self-neglect of eligible adults and mandatory procedures for linking eligible adults to appropriate services and supports.

(a-5) A provider agency shall, in accordance with rules promulgated by the Department, establish a multi-disciplinary team to act in an advisory role for the purpose of providing professional knowledge and expertise in the handling of complex abuse cases involving eligible adults. Each multi-disciplinary team shall consist of one volunteer representative from the following professions: banking or finance; disability care; health care; law; law enforcement; mental health care; and clergy. A provider agency may also choose to add representatives from the fields of substance abuse, domestic violence, sexual assault, or other related fields. To support multi-disciplinary teams in this role, law enforcement agencies and coroners or medical examiners shall supply records as may be requested in particular cases.

(b) Each regional administrative agency shall designate provider agencies within its planning and service area with prior approval by the Department on Aging, monitor the use of services, provide technical assistance to the provider agencies and be involved in program development activities.

(c) Provider agencies shall assist, to the extent possible, eligible adults who need agency services to allow them to continue to function independently. Such assistance shall include, but not be limited to, receiving reports of alleged or suspected abuse, neglect, financial exploitation, or self-neglect, conducting face-to-face assessments of such reported cases, determination of substantiated cases, referral of substantiated cases for necessary support services, referral of criminal conduct to law enforcement in accordance with Department guidelines, and provision of case work and follow-up services on substantiated cases. In the case of a report of alleged or suspected abuse or neglect that places an eligible adult at risk of injury or death, a provider agency shall respond to the report on an emergency basis in accordance with guidelines established by the Department by administrative rule and shall ensure that it is capable of responding to such a report 24 hours per day, 7 days per week. A provider agency may use an on-call system to respond to reports of alleged or suspected abuse or neglect after hours and on weekends.

(c-5) Where a provider agency has reason to believe that the death of an eligible adult may be the result of abuse or neglect, including any reports made after death, the agency shall immediately report the matter to both the appropriate law enforcement agency and the coroner or medical examiner.

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Between 30 and 45 days after making such a report, the provider agency again shall contact the law enforcement agency and coroner or medical examiner to determine whether any further action was taken. Upon request by a provider agency, a law enforcement agency and coroner or medical examiner shall supply a summary of its action in response to a reported death of an eligible adult. A copy of the report shall be maintained and all subsequent follow-up with the law enforcement agency and coroner or medical examiner shall be documented in the case record of the eligible adult. 

If the law enforcement agency, coroner, or medical examiner determines the reported death was caused by abuse or neglect by a caregiver, the law enforcement agency, coroner, or medical examiner shall inform the Department, and the Department shall report the caregiver’s identity on the Registry as described in Section 7.5 of this Act.

(d) Upon sufficient appropriations to implement a statewide program, the Department shall implement a program, based on the recommendations of the Self-Neglect Steering Committee, for (i) responding to reports of possible self-neglect, (ii) protecting the autonomy, rights, privacy, and privileges of adults during investigations of possible self-neglect and consequential judicial proceedings regarding competency, (iii) collecting and sharing relevant information and data among the Department, provider agencies, regional administrative agencies, and relevant seniors, (iv) developing working agreements between provider agencies and law enforcement, where practicable, and (v) developing procedures for collecting data regarding incidents of self-neglect.

(Source: P.A. 98-49, eff. 7-1-13.)

(320 ILCS 20/3.5)

Sec. 3.5. Other Responsibilities. The Department shall also be responsible for the following activities, contingent upon adequate funding; implementation shall be expanded to adults with disabilities upon the effective date of this amendatory Act of the 98th General Assembly, except those responsibilities under subsection (a), which shall be undertaken as soon as practicable:

(a) promotion of a wide range of endeavors for the purpose of preventing abuse, neglect, financial exploitation, and self-neglect, including, but not limited to, promotion of public and professional education to increase awareness of abuse, neglect, financial exploitation, and self-neglect; to increase reports; to establish access to and use of the Health Care Worker Registry established under

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Section 7.5; and to improve response by various legal, financial, social, and health systems;

(b) coordination of efforts with other agencies, councils, and like entities, to include but not be limited to, the Administrative Office of the Illinois Courts, the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Illinois Criminal Justice Information Authority, the Departments of Public Health, Healthcare and Family Services, and Human Services, the Illinois Guardianship and Advocacy Commission, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority, and other entities which may impact awareness of, and response to, abuse, neglect, financial exploitation, and self-neglect;

(c) collection and analysis of data;

(d) monitoring of the performance of regional administrative agencies and adult protective services agencies;

(e) promotion of prevention activities;

(f) establishing and coordinating an aggressive training program on the unique nature of adult abuse cases with other agencies, councils, and like entities, to include but not be limited to the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Illinois Criminal Justice Information Authority, the State Departments of Public Health, Healthcare and Family Services, and Human Services, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority, the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act, and other entities that may impact awareness of and response to abuse, neglect, financial exploitation, and self-neglect;

(g) solicitation of financial institutions for the purpose of making information available to the general public warning of financial exploitation of adults and related financial fraud or abuse, including such information and warnings available through signage or other written materials provided by the Department on the premises of such financial institutions, provided that the manner of displaying or distributing such information is subject to the sole discretion of each financial institution;

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(g-1) developing by joint rulemaking with the Department of Financial and Professional Regulation minimum training standards which shall be used by financial institutions for their current and new employees with direct customer contact; the Department of Financial and Professional Regulation shall retain sole visitation and enforcement authority under this subsection (g-1); the Department of Financial and Professional Regulation shall provide bi-annual reports to the Department setting forth aggregate statistics on the training programs required under this subsection (g-1); and

(h) coordinating efforts with utility and electric companies to send notices in utility bills to explain to persons 60 years of age or older their rights regarding telemarketing and home repair fraud.

(Source: P.A. 98-49, eff. 7-1-13.)

(320 ILCS 20/4) (from Ch. 23, par. 6604)

Sec. 4. Reports of abuse or neglect.

(a) Any person who suspects the abuse, neglect, financial exploitation, or self-neglect of an eligible adult may report this suspicion to an agency designated to receive such reports under this Act or to the Department.

(a-5) If any mandated reporter has reason to believe that an eligible adult, who because of a disability or other condition or impairment is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, neglect, or financial exploitation, the mandated reporter shall, within 24 hours after developing such belief, report this suspicion to an agency designated to receive such reports under this Act or to the Department. The agency designated to receive such reports under this Act or the Department may establish a manner in which a mandated reporter can make the required report through an Internet reporting tool. Information sent and received through the Internet reporting tool is subject to the same rules in this Act as other types of confidential reporting established by the designated agency or the Department. Whenever a mandated reporter is required to report under this Act in his or her capacity as a member of the staff of a medical or other public or private institution, facility, or agency, he or she shall make a report to an agency designated to receive such reports under this Act or to the Department in accordance with the provisions of this Act and may also notify the person in charge of the institution, facility, board and care home, or agency, or his or her designated agent that the report has been made. Under no circumstances shall any person in charge of such institution, facility, board and care home, or agency, or his or her designated agent to whom the notification has been made, exercise any control, restraint,
modification, or other change in the report or the forwarding of the report to an agency designated to receive such reports under this Act or to the Department. The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused, neglected, or financially exploited eligible adults and shall not constitute grounds for failure to report as required by this Act.

(a-7) A person making a report under this Act in the belief that it is in the alleged victim's best interest shall be immune from criminal or civil liability or professional disciplinary action on account of making the report, notwithstanding any requirements concerning the confidentiality of information with respect to such eligible adult which might otherwise be applicable.

(a-9) Law enforcement officers shall continue to report incidents of alleged abuse pursuant to the Illinois Domestic Violence Act of 1986, notwithstanding any requirements under this Act.

(b) Any person, institution or agency participating in the making of a report, providing information or records related to a report, assessment, or services, or participating in the investigation of a report under this Act in good faith, or taking photographs or x-rays as a result of an authorized assessment, shall have immunity from any civil, criminal or other liability in any civil, criminal or other proceeding brought in consequence of making such report or assessment or on account of submitting or otherwise disclosing such photographs or x-rays to any agency designated to receive reports of alleged or suspected abuse or neglect. Any person, institution or agency authorized by the Department to provide assessment, intervention, or administrative services under this Act shall, in the good faith performance of those services, have immunity from any civil, criminal or other liability in any civil, criminal, or other proceeding brought as a consequence of the performance of those services. For the purposes of any civil, criminal, or other proceeding, the good faith of any person required to report, permitted to report, or participating in an investigation of a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect shall be presumed.

(c) The identity of a person making a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect under this Act may be disclosed by the Department or other agency provided for in this Act only with such person's written consent or by court order, but is otherwise confidential.
(d) The Department shall by rule establish a system for filing and compiling reports made under this Act.

(e) Any physician who willfully fails to report as required by this Act shall be referred to the Illinois State Medical Disciplinary Board for action in accordance with subdivision (A)(22) of Section 22 of the Medical Practice Act of 1987. Any dentist or dental hygienist who willfully fails to report as required by this Act shall be referred to the Department of Professional Regulation for action in accordance with paragraph 19 of Section 23 of the Illinois Dental Practice Act. Any optometrist who willfully fails to report as required by this Act shall be referred to the Department of Financial and Professional Regulation for action in accordance with paragraph (15) of subsection (a) of Section 24 of the Illinois Optometric Practice Act of 1987. Any other mandated reporter required by this Act to report suspected abuse, neglect, or financial exploitation who willfully fails to report the same is guilty of a Class A misdemeanor.

(Source: P.A. 97-860, eff. 7-30-12; 98-49, eff. 7-1-13.)

(320 ILCS 20/5) (from Ch. 23, par. 6605)

Sec. 5. Procedure.

(a) A provider agency designated to receive reports of alleged or suspected abuse, neglect, financial exploitation, or self-neglect under this Act shall, upon receiving such a report, conduct a face-to-face assessment with respect to such report, in accord with established law and Department protocols, procedures, and policies. Face-to-face assessments, casework, and follow-up of reports of self-neglect by the provider agencies designated to receive reports of self-neglect shall be subject to sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect. In the absence of sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect, the designated adult protective services provider agency shall refer all reports of self-neglect to the appropriate agency or agencies as designated by the Department for any follow-up. The assessment shall include, but not be limited to, a visit to the residence of the eligible adult who is the subject of the report and may include interviews or consultations with service agencies or individuals who may have knowledge of the eligible adult's circumstances. If, after the assessment, the provider agency determines that the case is substantiated it shall develop a service care plan for the eligible adult and may report its findings at any time during the case to the appropriate law enforcement agency in accord with established law and Department protocols, procedures, and policies. In developing a case plan,
the provider agency may consult with any other appropriate provider of services, and such providers shall be immune from civil or criminal liability on account of such acts. The plan shall include alternative suggested or recommended services which are appropriate to the needs of the eligible adult and which involve the least restriction of the eligible adult's activities commensurate with his or her needs. Only those services to which consent is provided in accordance with Section 9 of this Act shall be provided, contingent upon the availability of such services.

(b) A provider agency shall refer evidence of crimes against an eligible adult to the appropriate law enforcement agency according to Department policies. A referral to law enforcement may be made at intake or any time during the case. Where a provider agency has reason to believe the death of an eligible adult may be the result of abuse or neglect, the agency shall immediately report the matter to the coroner or medical examiner and shall cooperate fully with any subsequent investigation.

(c) If any person other than the alleged victim refuses to allow the provider agency to begin an investigation, interferes with the provider agency's ability to conduct an investigation, or refuses to give access to an eligible adult, the appropriate law enforcement agency must be consulted regarding the investigation.

(Source: P.A. 98-49, eff. 7-1-13.)

Sec. 7.5. Health Care Worker Registry.

(a) To protect individuals receiving in-home and community-based services, the Department on Aging shall establish an Adult Protective Service Registry that will be hosted by the Department of Public Health on its website effective January 1, 2015, and, if practicable, shall propose rules for the Registry by January 1, 2015.

(a-5) The Registry shall identify caregivers against whom a verified and substantiated finding was made under this Act of abuse, neglect, or financial exploitation.

The information in the Registry shall be confidential except as specifically authorized in this Act and shall not be deemed a public record.

(a-10) (a) Reporting to the Registry. The Department on Aging shall report to the Department of Public Health's Health Care Worker Registry the identity of the caregiver when a verified and substantiated finding of a verified and substantiated finding of abuse, neglect, or financial exploitation of an eligible adult under this Act that is made against a caregiver, and all appeals, challenges, and reviews, if any, have been

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completed and a finding for placement on the Registry has been sustained or upheld. any caregiver, including consultants and volunteers, employed by a provider licensed, certified, or regulated by, or paid with public funds from, the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging. For uncompensated or privately paid caregivers, the Department on Aging shall report only a verified and substantiated decision of significant abuse, neglect, or financial exploitation of an eligible adult under this Act.

A finding against a caregiver that is placed in the Registry shall preclude any caregiver from providing direct care, as defined in this Section, access or other services, including consulting and volunteering, in a position with, or that is regulated by or paid with public funds from the Department on Aging, the Department of Healthcare and Family Services, the Department of Human Services, or the Department of Public Health or with an entity or provider licensed, certified, or regulated by or paid with public funds from any of these State agencies, a provider that is licensed, certified, or regulated by, or paid with public funds from, or on behalf of, the State of Illinois or any Department thereof, that permits the caregiver direct access to an adult aged 60 or older or an adult, over 18, with a disability or to that individual’s living quarters or personal, financial, or medical records.

(b) Definitions. As used in this Section:

"Direct care" includes, but is not limited to, direct access to a person aged 60 or older or to an adult with disabilities aged 18 through 59 to an individual, his or her living quarters, or his or her personal, financial, or medical records for the purpose of providing nursing care or assistance with feeding, dressing, movement, bathing, toileting, other personal needs and activities of daily living or instrumental activities of daily living, or assistance with financial transactions.

"Participant" means an individual who uses the services of an in-home care program funded through the Department on Aging, the Department of Healthcare and Family Services, the Department of Human Services, or the Department of Public Health.

"Privately paid caregiver" means any caregiver who has been paid with resources other than public funds, regardless of licensure, certification, or regulation by the State of Illinois and any Department thereof. A privately paid caregiver does not include any caregiver that has been licensed, certified, or regulated by a State agency, or paid with public funds.

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"Significant" means a finding of abuse, neglect, or financial exploitation as determined by the Department that (i) represents a meaningful failure to adequately provide for, or a material indifference to, the financial, health, safety, or medical needs of an eligible adult or (ii) results in an eligible adult's death or other serious deterioration of an eligible adult's financial resources, physical condition, or mental condition.

"Uncompensated caregiver" means a caregiver who, in an informal capacity, assists an eligible adult with activities of daily living, financial transactions, or chore housekeeping type duties. "Uncompensated caregiver" does not refer to an individual serving in a formal capacity as a volunteer with a provider licensed, certified, or regulated by a State agency.

(c) Access to and use of the Registry. Access to the Registry shall be limited to the Department on Aging, the Department of Healthcare and Family Services, the Department of Human Services, and the Department of Public Health and providers of direct care as described in subsection (a-10) of this Section. These State agencies and providers licensed, certified, or regulated providers by the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging. The State of Illinois, any Department thereof, or a provider licensed, certified, or regulated, or paid with public funds by, from, or on behalf of the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging, shall not hire, or compensate either directly or on behalf of a participant, or utilize the services of any person seeking employment, retain any contractors, or accept any volunteers to provide direct care without first conducting an online check of whether the person has been placed on the Registry through the Department of Public Health's Health Care Worker Registry. These State agencies and providers are prohibited from retaining, hiring, compensating either directly or on behalf of a participant, or utilizing the services of a person to provide direct care if, including as a consultant or volunteer, for whom the online check of the person reveals a verified and substantiated finding of abuse, neglect, or financial exploitation that has been placed on the Registry or when the State agencies or providers otherwise gain knowledge of such placement on the Registry, to provide direct access to any adult aged 60 or older or any adult, over 18, with a disability. Additionally, a provider is prohibited from retaining a person for whom they gain knowledge of a verified and substantiated claim of abuse,

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neglect, or financial exploitation in a position that permits the caregiver direct access to provide direct care to any adult aged 60 or older or any adult, over 18, with a disability or direct access to that individual's living quarters or personal, financial, or medical records. Failure to comply with this requirement may subject such a provider to corrective action by the appropriate regulatory agency or other lawful remedies provided under the applicable licensure, certification, or regulatory laws and rules.

(d) Notice to caregiver. The Department on Aging shall establish rules concerning notice to the caregiver in cases of a verified and substantiated finding of abuse, neglect, or financial exploitation against him or her that may make him or her eligible for placement on the Registry.

(e) Notification to eligible adults, guardians, or agents. As part of its investigation, the Department on Aging shall notify an eligible adult, or an eligible adult's guardian or agent, that his or her caregiver's name may be placed on the Registry based on a finding as described in subsection (a-10) (a-1) of this Section.

(f) Notification to employer. The Department on Aging shall notify the appropriate State agency or provider of direct care, as described in subsection (a-10), when there is a provider licensed, certified, or regulated by the Department of Public Health, Healthcare and Family Services, or Human Services, or the Department on Aging shall be notified of an administrative finding against any caregiver who is an employee, consultant, or volunteer of a verified and substantiated finding decision of abuse, neglect, or financial exploitation in a case of an eligible adult under this Act that is reported on the Registry and that involves one of its caregivers. That State agency or provider is prohibited from retaining or compensating that individual in a position that involves direct care, and if there is an imminent risk of danger to the victim eligible adult or imminent risk of misuse of personal, medical, or financial information, that the caregiver shall immediately be barred from providing direct care access to the victim eligible adult, his or her living quarters, or his or her personal, financial, or medical records, pending the outcome of any challenge, appeal, criminal prosecution, or other type of collateral action.

(g) Challenges and appeals Caregiver challenges. The Department on Aging shall establish, by rule, procedures concerning caregiver challenges and appeals to placement on the Registry pursuant to legislative intent. The Department shall not make any report to the Registry pending challenges or appeals.

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(h) Caregiver's rights to collateral action. The Department on Aging shall not make any report to the Registry if a caregiver notifies the Department in writing, including any supporting documentation, that he or she is formally challenging an adverse employment action resulting from a verified and substantiated finding of abuse, neglect, or financial exploitation by complaint filed with the Illinois Civil Service Commission, or by another means which seeks to enforce the caregiver's rights pursuant to any applicable collective bargaining agreement. If an action taken by an employer against a caregiver as a result of a such a finding of abuse, neglect, or financial exploitation is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement after that caregiver's name has already been sent to the Registry, the caregiver's name shall be removed from the Registry.

(i) Removal from Registry. At any time after a report to the Registry, but no more than once in each successive 3-year period thereafter, for a maximum of 3 such requests, a caregiver may write to the Director of the Department on Aging to request removal of his or her name from the Registry in relationship to a single incident. The caregiver shall bear the burden of establishing cause that establishes, by a preponderance of the evidence, that removal of his or her name from the Registry is in the public interest. Upon receiving such a request, the Department on Aging shall conduct an investigation and consider any evidentiary material provided. The Department shall issue a decision either granting or denying removal within 60 calendar days, and shall issue such decision to the caregiver and report it to the Registry. The waiver process at the Department of Public Health does not apply to Registry reports from the Department on Aging. The Department on Aging shall, by rule, establish standards and a process for requesting the removal of a name from the Registry by rule.

(j) Referral of Registry reports to health care facilities. In the event an eligible adult receiving services from a provider agency changes his or her residence from a domestic living situation to that of a health care or long term care facility, the provider agency shall use reasonable efforts to promptly inform the health care facility and the appropriate Regional Long Term Care Ombudsman about any Registry reports relating to the eligible adult. For purposes of this Section, a health care or long term care facility includes, but is not limited to, any residential facility licensed, certified, or regulated by the Department of Public Health, Healthcare and Family Services, or Human Services.

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(k) The Department on Aging and its employees and agents shall have immunity, except for intentional willful and wanton misconduct, from any liability, civil, criminal, or otherwise, for reporting information to and maintaining the Registry.

(Source: P.A. 98-49, eff. 1-1-14; revised 11-12-13.)

(320 ILCS 20/8) (from Ch. 23, par. 6608)

Sec. 8. Access to records. All records concerning reports of abuse, neglect, financial exploitation, or self-neglect and all records generated as a result of such reports shall be confidential and shall not be disclosed except as specifically authorized by this Act or other applicable law. In accord with established law and Department protocols, procedures, and policies, access to such records, but not access to the identity of the person or persons making a report of alleged abuse, neglect, financial exploitation, or self-neglect as contained in such records, shall be provided, upon request, to the following persons and for the following persons:

(1) Department staff, provider agency staff, other aging network staff, and regional administrative agency staff, including staff of the Chicago Department on Aging while that agency is designated as a regional administrative agency, in the furtherance of their responsibilities under this Act;

(2) A law enforcement agency investigating known or suspected abuse, neglect, financial exploitation, or self-neglect. Where a provider agency has reason to believe that the death of an eligible adult may be the result of abuse or neglect, including any reports made after death, the agency shall immediately provide the appropriate law enforcement agency with all records pertaining to the eligible adult;

(2.5) A law enforcement agency, fire department agency, or fire protection district having proper jurisdiction pursuant to a written agreement between a provider agency and the law enforcement agency, fire department agency, or fire protection district under which the provider agency may furnish to the law enforcement agency, fire department agency, or fire protection district a list of all eligible adults who may be at imminent risk of abuse, neglect, financial exploitation, or self-neglect;

(3) A physician who has before him or her or who is involved in the treatment of an eligible adult whom he or she reasonably suspects may be abused, neglected, financially exploited, or self-
neglected or who has been referred to the Adult Protective Services Program;

(4) An eligible adult reported to be abused, neglected, financially exploited, or self-neglected, or such adult's authorized guardian or agent, unless such guardian or agent is the abuser or the alleged abuser;

(4.5) An executor or administrator of the estate of an eligible adult who is deceased;

(5) In cases regarding abuse, neglect, or financial exploitation, a court or a guardian ad litem, upon its or his or her finding that access to such records may be necessary for the determination of an issue before the court. However, such access shall be limited to an in camera inspection of the records, unless the court determines that disclosure of the information contained therein is necessary for the resolution of an issue then pending before it;

(5.5) In cases regarding self-neglect, a guardian ad litem;

(6) A grand jury, upon its determination that access to such records is necessary in the conduct of its official business;

(7) Any person authorized by the Director, in writing, for audit or bona fide research purposes;

(8) A coroner or medical examiner who has reason to believe that an eligible adult has died as the result of abuse, neglect, financial exploitation, or self-neglect. The provider agency shall immediately provide the coroner or medical examiner with all records pertaining to the eligible adult;

(8.5) A coroner or medical examiner having proper jurisdiction, pursuant to a written agreement between a provider agency and the coroner or medical examiner, under which the provider agency may furnish to the office of the coroner or medical examiner a list of all eligible adults who may be at imminent risk of death as a result of abuse, neglect, financial exploitation, or self-neglect;

(9) Department of Financial and Professional Regulation staff and members of the Illinois Medical Disciplinary Board or the Social Work Examining and Disciplinary Board in the course of investigating alleged violations of the Clinical Social Work and Social Work Practice Act by provider agency staff or other licensing bodies at the discretion of the Director of the Department on Aging;

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(9-a) Department of Healthcare and Family Services staff when that Department is funding services to the eligible adult, including access to the identity of the eligible adult;

(9-b) Department of Human Services staff when that Department is funding services to the eligible adult or is providing reimbursement for services provided by the abuser or alleged abuser, including access to the identity of the eligible adult;

(10) Hearing officers in the course of conducting an administrative hearing under this Act; parties to such hearing shall be entitled to discovery as established by rule; to determine whether a verified and substantiated finding of significant abuse, neglect, or financial exploitation of an eligible adult by a caregiver warrants reporting to the Health Care Worker Registry; and

(11) A caregiver who challenges placement on the Registry shall be given the statement of allegations in the abuse report and the substantiation decision in the final investigative report; and

(12) The Illinois Guardianship and Advocacy Commission and the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act shall have access, through the Department, to records, including the findings, pertaining to a completed or closed investigation of a report of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult.

(Source: P.A. 97-864, eff. 1-1-13; 98-49, eff. 7-1-13.)

(320 ILCS 20/9) (from Ch. 23, par. 6609)

Sec. 9. Authority to consent to services.

(a) If an eligible adult consents to an assessment of a reported incident of suspected abuse, neglect, financial exploitation, or self-neglect and, following the assessment of such report, consents to services being provided according to the case plan, such services shall be arranged to meet the adult's needs, based upon the availability of resources to provide such services. If an adult withdraws his or her consent for an assessment of the reported incident or withdraws his or her consent for services and refuses to accept such services, the services shall not be provided.

(b) If it reasonably appears to the Department or other agency designated under this Act that a person is an eligible adult and lacks the capacity to consent to an assessment of a reported incident of suspected abuse, neglect, financial exploitation, or self-neglect or to necessary services, the Department or other agency shall take appropriate action necessary to

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ameliorate risk to the eligible adult if there is a threat of ongoing harm or another emergency exists. The Department or other agency shall be authorized to seek the notify the Illinois Guardianship and Advocacy Commission, the Office of State Guardian, or any other appropriate agency, of the potential need for appointment of a temporary guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to an assessment of the reported incident and such services, together with an order for an evaluation of the eligible adult's physical, psychological, and medical condition and decisional capacity.

(c) A guardian of the person of an eligible adult may consent to an assessment of the reported incident and to services being provided according to the case plan. If an eligible adult lacks capacity to consent, an agent having authority under a power of attorney may consent to an assessment of the reported incident and to services. If the guardian or agent is the suspected abuser and he or she withdraws consent for the assessment of the reported incident, or refuses to allow services to be provided to the eligible adult, the Department, an agency designated under this Act, or the office of the Attorney General may request a court order seeking appropriate remedies, and may in addition request removal of the guardian and appointment of a successor guardian or request removal of the agent and appointment of a guardian.

(d) If an emergency exists and the Department or other agency designated under this Act reasonably believes that a person is an eligible adult and lacks the capacity to consent to necessary services, the Department or other agency may request an ex parte order from the circuit court of the county in which the petitioner or respondent resides or in which the alleged abuse, neglect, financial exploitation, or self-neglect occurred, authorizing an assessment of a report of alleged or suspected abuse, neglect, financial exploitation, or self-neglect or the provision of necessary services, or both, including relief available under the Illinois Domestic Violence Act of 1986 in accord with established law and Department protocols, procedures, and policies. Petitions filed under this subsection shall be treated as expedited proceedings. When an eligible adult is at risk of serious injury or death and it reasonably appears that the eligible adult lacks capacity to consent to necessary services, the Department or other agency designated under this Act may take action necessary to ameliorate the risk in accordance with administrative rules promulgated by the Department.

(d-5) For purposes of this Section, an eligible adult "lacks the capacity to consent" if qualified staff of an agency designated under this Act
reasonably determine, in accordance with administrative rules promulgated by the Department, that he or she appears either (i) unable to receive and evaluate information related to the assessment or services or (ii) unable to communicate in any manner decisions related to the assessment of the reported incident or services.

(e) Within 15 days after the entry of the ex parte emergency order, the order shall expire, or, if the need for assessment of the reported incident or services continues, the provider agency shall petition for the appointment of a guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to such assessment or services or to protect the eligible adult from further harm.

(f) If the court enters an ex parte order under subsection (d) for an assessment of a reported incident of alleged or suspected abuse, neglect, financial exploitation, or self-neglect, or for the provision of necessary services in connection with alleged or suspected self-neglect, or for both, the court, as soon as is practicable thereafter, shall appoint a guardian ad litem for the eligible adult who is the subject of the order, for the purpose of reviewing the reasonableness of the order. The guardian ad litem shall review the order and, if the guardian ad litem reasonably believes that the order is unreasonable, the guardian ad litem shall file a petition with the court stating the guardian ad litem's belief and requesting that the order be vacated.

(g) In all cases in which there is a substantiated finding of abuse, neglect, or financial exploitation by a guardian, the Department shall, within 30 days after the finding, notify the Probate Court with jurisdiction over the guardianship.

(Source: P.A. 98-49, eff. 7-1-13.)

(320 ILCS 20/13)

Sec. 13. Access.

(a) In accord with established law and Department protocols, procedures, and policies, the designated provider agencies shall have access to eligible adults who have been reported or found to be victims of abuse, neglect, financial exploitation, or self-neglect in order to assess the validity of the report, assess other needs of the eligible adult, and provide services in accordance with this Act.

(a-5) A representative of the Department or a designated provider agency that is actively involved in an abuse, neglect, financial exploitation, or self-neglect investigation under this Act shall be allowed access to the financial records, mental and physical health records, and other relevant evaluative records of the eligible adult which are in the possession of any

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individual, financial institution, health care provider, mental health provider, educational facility, or other facility if necessary to complete the investigation mandated by this Act. The provider or facility shall provide such records to the representative upon receipt of a written request and certification from the Department or designated provider agency that an investigation is being conducted under this Act and the records are pertinent to the investigation.

Any records received by such representative, the confidentiality of which is protected by another law or rule, shall be maintained as confidential, except for such use as may be necessary for any administrative or other legal proceeding.

(b) Where access to an eligible adult is denied, including the refusal to provide requested records, the Office of the Attorney General, the Department, or the provider agency may petition the court for an order to require appropriate access where:

(1) a caregiver or third party has interfered with the assessment or service plan, or

(2) the agency has reason to believe that the eligible adult is denying access because of coercion, extortion, or justifiable fear of future abuse, neglect, or financial exploitation.

(c) The petition for an order requiring appropriate access shall be afforded an expedited hearing in the circuit court.

(d) If the provider agency has substantiated financial exploitation against an eligible adult, and has documented a reasonable belief that the eligible adult will be irreparably harmed as a result of the financial exploitation, the Office of the Attorney General, the Department, or the provider agency may petition for an order freezing the assets of the eligible adult. The petition shall be filed in the county or counties in which the assets are located. The court's order shall prohibit the sale, gifting, transfer, or wasting of the assets of the eligible adult, both real and personal, owned by, or vested in, the eligible adult, without the express permission of the court. The petition to freeze the assets of the eligible adult shall be afforded an expedited hearing in the circuit court.

(Source: P.A. 96-526, eff. 1-1-10.)

(320 ILCS 20/15)

Sec. 15. Abuse Fatality Review Teams.

(a) State policy.

(1) Both the State and the community maintain a commitment to preventing the abuse, neglect, and financial exploitation of at-risk
adults. This includes a charge to bring perpetrators of crimes against at-risk adults to justice and prevent untimely deaths in the community.

(2) When an at-risk adult dies, the response to the death by the community, law enforcement, and the State must include an accurate and complete determination of the cause of death, and the development and implementation of measures to prevent future deaths from similar causes.

(3) Multidisciplinary and multi-agency reviews of deaths can assist the State and counties in developing a greater understanding of the incidence and causes of premature deaths and the methods for preventing those deaths, improving methods for investigating deaths, and identifying gaps in services to at-risk adults.

(4) Access to information regarding the deceased person and his or her family by multidisciplinary and multi-agency at-risk adult fatality review teams is necessary in order to fulfill their purposes and duties.

(a-5) Definitions. As used in this Section:


"Review Team" means a regional interagency at-risk adult fatality review team.

(b) The Director, in consultation with the Advisory Council, law enforcement, and other professionals who work in the fields of investigating, treating, or preventing abuse or neglect of at-risk adults, shall appoint members to a minimum of one review team in each of the Department's planning and service areas. Each member of a review team shall be appointed for a 2-year term and shall be eligible for reappointment upon the expiration of the term. A review team's purpose in conducting review of at-risk adult deaths is: (i) to assist local agencies in identifying and reviewing suspicious deaths of adult victims of alleged, suspected, or substantiated abuse or neglect in domestic living situations; (ii) to facilitate communications between officials responsible for autopsies and inquests and persons involved in reporting or investigating alleged or suspected cases of abuse, neglect, or financial exploitation of at-risk adults and persons involved in providing services to at-risk adults; (iii) to evaluate means by which the death might have been prevented; and (iv) to report its findings to the appropriate agencies and the Advisory Council and make recommendations that may help to reduce the number of at-risk adult deaths caused by abuse and neglect and

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that may help to improve the investigations of deaths of at-risk adults and increase prosecutions, if appropriate.

(b-5) Each such team shall be composed of representatives of entities and individuals including, but not limited to:

(1) the Department on Aging;
(2) coroners or medical examiners (or both);
(3) State's Attorneys;
(4) local police departments;
(5) forensic units;
(6) local health departments;
(7) a social service or health care agency that provides services to persons with mental illness, in a program whose accreditation to provide such services is recognized by the Division of Mental Health within the Department of Human Services;
(8) a social service or health care agency that provides services to persons with developmental disabilities, in a program whose accreditation to provide such services is recognized by the Division of Developmental Disabilities within the Department of Human Services;
(9) a local hospital, trauma center, or provider of emergency medicine;
(10) providers of services for eligible adults in domestic living situations; and
(11) a physician, psychiatrist, or other health care provider knowledgeable about abuse and neglect of at-risk adults.

(c) A review team shall review cases of deaths of at-risk adults occurring in its planning and service area (i) involving blunt force trauma or an undetermined manner or suspicious cause of death, (ii) if requested by the deceased's attending physician or an emergency room physician, (iii) upon referral by a health care provider, (iv) upon referral by a coroner or medical examiner, (v) constituting an open or closed case from an adult protective services agency, law enforcement agency, State's Attorney's office, or the Department of Human Services' Office of the Inspector General that involves alleged or suspected abuse, neglect, or financial exploitation; or (vi) upon referral by a law enforcement agency or State's Attorney's office. If such a death occurs in a planning and service area where a review team has not yet been established, the Director shall request that the Advisory Council or another review team review that death. A team may also review deaths of at-
risk adults if the alleged abuse or neglect occurred while the person was residing in a domestic living situation.

A review team shall meet not less than 6 times a year to discuss cases for its possible review. Each review team, with the advice and consent of the Department, shall establish criteria to be used in discussing cases of alleged, suspected, or substantiated abuse or neglect for review and shall conduct its activities in accordance with any applicable policies and procedures established by the Department.

(c-5) The Illinois At-Risk Adult Fatality Review Team Advisory Council, consisting of one member from each review team in Illinois, shall be the coordinating and oversight body for review teams and activities in Illinois. The Director may appoint to the Advisory Council any ex-officio members deemed necessary. Persons with expertise needed by the Advisory Council may be invited to meetings. The Advisory Council must select from its members a chairperson and a vice-chairperson, each to serve a 2-year term. The chairperson or vice-chairperson may be selected to serve additional, subsequent terms. The Advisory Council must meet at least 4 times during each calendar year.

The Department may provide or arrange for the staff support necessary for the Advisory Council to carry out its duties. The Director, in cooperation and consultation with the Advisory Council, shall appoint, reappoint, and remove review team members.

The Advisory Council has, but is not limited to, the following duties:

(1) To serve as the voice of review teams in Illinois.
(2) To oversee the review teams in order to ensure that the review teams' work is coordinated and in compliance with State statutes and the operating protocol.
(3) To ensure that the data, results, findings, and recommendations of the review teams are adequately used in a timely manner to make any necessary changes to the policies, procedures, and State statutes in order to protect at-risk adults.
(4) To collaborate with the Department in order to develop any legislation needed to prevent unnecessary deaths of at-risk adults.
(5) To ensure that the review teams' review processes are standardized in order to convey data, findings, and recommendations in a usable format.
(6) To serve as a link with review teams throughout the country and to participate in national review team activities.

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(7) To provide the review teams with the most current information and practices concerning at-risk adult death review and related topics.

(8) To perform any other functions necessary to enhance the capability of the review teams to reduce and prevent at-risk adult fatalities.

The Advisory Council may prepare an annual report, in consultation with the Department, using aggregate data gathered by review teams and using the review teams' recommendations to develop education, prevention, prosecution, or other strategies designed to improve the coordination of services for at-risk adults and their families.

In any instance where a review team does not operate in accordance with established protocol, the Director, in consultation and cooperation with the Advisory Council, must take any necessary actions to bring the review team into compliance with the protocol.

(d) Any document or oral or written communication shared within or produced by the review team relating to a case discussed or reviewed by the review team is confidential and is not admissible as evidence in any civil or criminal proceeding, except for use by a State's Attorney's office in prosecuting a criminal case against a caregiver. Those records and information are, however, subject to discovery or subpoena, and are admissible as evidence, to the extent they are otherwise available to the public.

Any document or oral or written communication provided to a review team by an individual or entity, and created by that individual or entity solely for the use of the review team, is confidential, is not subject to disclosure to or discoverable by another party, and is not admissible as evidence in any civil or criminal proceeding, except for use by a State's Attorney's office in prosecuting a criminal case against a caregiver. Those records and information are, however, subject to discovery or subpoena, and are admissible as evidence, to the extent they are otherwise available to the public.

Each entity or individual represented on the abuse fatality review team may share with other members of the team information in the entity's or individual's possession concerning the decedent who is the subject of the review or concerning any person who was in contact with the decedent, as well as any other information deemed by the entity or individual to be pertinent to the review. Any such information shared by an entity or individual with other members of the review team is confidential. The intent

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of this paragraph is to permit the disclosure to members of the review team
of any information deemed confidential or privileged or prohibited from
disclosure by any other provision of law. Release of confidential
communication between domestic violence advocates and a domestic
violence victim shall follow subsection (d) of Section 227 of the Illinois
Domestic Violence Act of 1986 which allows for the waiver of privilege
afforded to guardians, executors, or administrators of the estate of the
domestic violence victim. This provision relating to the release of
confidential communication between domestic violence advocates and a
domestic violence victim shall exclude adult protective service providers.

A coroner's or medical examiner's office may share with the review
team medical records that have been made available to the coroner's or
medical examiner's office in connection with that office's investigation of a
death.

Members of a review team and the Advisory Council are not subject
to examination, in any civil or criminal proceeding, concerning information
presented to members of the review team or the Advisory Council or opinions
formed by members of the review team or the Advisory Council based on that
information. A person may, however, be examined concerning information
provided to a review team or the Advisory Council.

(d-5) Meetings of the review teams and the Advisory Council may be
closed to the public under the Open Meetings Act. Records and information
provided to a review team and the Advisory Council, and records maintained
by a team or the Advisory Council, are exempt from release under the
Freedom of Information Act.

(e) A review team's recommendation in relation to a case discussed
or reviewed by the review team, including, but not limited to, a
recommendation concerning an investigation or prosecution, may be
disclosed by the review team upon the completion of its review and at the
discretion of a majority of its members who reviewed the case.

(e-5) The State shall indemnify and hold harmless members of a
review team and the Advisory Council for all their acts, omissions, decisions,
or other conduct arising out of the scope of their service on the review team
or Advisory Council, except those involving willful or wanton misconduct.
The method of providing indemnification shall be as provided in the State
Employee Indemnification Act.

(f) The Department, in consultation with coroners, medical examiners,
and law enforcement agencies, shall use aggregate data gathered by and
recommendations from the Advisory Council and the review teams to create

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an annual report and may use those data and recommendations to develop education, prevention, prosecution, or other strategies designed to improve the coordination of services for at-risk adults and their families. The Department or other State or county agency, in consultation with coroners, medical examiners, and law enforcement agencies, also may use aggregate data gathered by the review teams to create a database of at-risk individuals.

(g) The Department shall adopt such rules and regulations as it deems necessary to implement this Section.

(Source: P.A. 98-49, eff. 7-1-13.)

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

PUBLIC ACT 98-1040
(House Bill No. 4381)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Public Accounting Act is amended by adding Section 30.9 as follows:

(225 ILCS 450/30.9 new)

Sec. 30.9. Tax return preparation task force. The Department shall convene a task force consisting of 8 members, one of whom shall be appointed by the Department and be a representative of the Department; one of whom shall be appointed by the Department and be a representative of a statewide association representing CPAs; one of whom shall be appointed by the Department and be an enrolled agent or representative of the tax return preparation industry; one of whom shall be the Director of Revenue or his or her designee; one of whom shall be appointed by the Speaker of the House of Representatives; one of whom shall be appointed by the President of the Senate; one of whom shall be appointed by the Minority Leader of the House of Representatives; and one of whom shall be appointed by the Minority Leader of the Senate. The task force shall prepare a report that does the following: determines the appropriate scope of a program for regulating commercial tax return preparers; addresses the appropriate qualifications, including, but not limited to, minimum educational qualifications and continuing educational requirements for commercial tax return preparers;

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and considers any other matters the task force determines to be necessary or appropriate. The task force shall meet no less than 3 times before the end of the year in which this amendatory Act of the 98th General Assembly becomes effective. The report required under this Section shall be submitted by no later than December 1, 2015 to the Secretary of Financial and Professional Regulation, the Governor, and the General Assembly. Members of the task force shall receive no compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties.

This Section is repealed July 1, 2016.

Section 99. Effective date. This Act takes effect upon becoming law.
Effective August 25, 2014

PUBLIC ACT 98-1041
(House Bill No. 4525)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Health Care Worker Background Check Act is amended by changing Section 70 as follows:
(225 ILCS 46/70)
Sec. 70. Centers for Medicare and Medicaid Services (CMMS) grant; Voluntary FBI Fingerprint Demonstration Project.
(a) The General Assembly authorizes the establishment of the Voluntary FBI Fingerprint Demonstration Project (Demonstration Project), which shall be consistent with the provisions of the Centers for Medicare and Medicaid Services grant awarded to and distributed by the Department of Public Health pursuant to Title VI, Subtitle B, Part III, Subtitle C, Section 6201 of the Affordable Care Act of 2010. The Demonstration Project is authorized to operate for the period of January 1, 2014 through December 31, 2014 and shall operate until the conclusion of this grant period or until the long-term care facility terminates its participation in the Demonstration Project, whichever occurs sooner.
(b) The Long-Term Care Facility Advisory Board established under the Nursing Home Care Act shall act in an advisory capacity to the Demonstration Project.

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(c) Long-term care facilities voluntarily participating in the Demonstration Project shall, in addition to the provisions of this Section, comply with all requirements set forth in this Act. When conflict between the Act and the provisions of this Section occurs, the provisions of this Section shall supersede until the conclusion of the grant period or until the long-term care facility terminates its participation in the Demonstration Project, whichever occurs sooner.

(d) The Department of Public Health shall select at least one facility in the State to participate in the Demonstration Project.

(e) For the purposes of determining who shall be required to undergo a State and an FBI fingerprint-based criminal history records check under the Demonstration Project, "direct access employee" means any individual who has access to a patient or resident of a long-term care facility or provider through employment or through a contract with a long-term care facility or provider and has duties that involve or may involve one-on-one contact with a resident of the facility or provider, as determined by the State for purposes of the Demonstration Project.

(f) All long-term care facilities licensed under the Nursing Home Care Act are qualified to volunteer for the Demonstration Project.

(g) The Department of Public Health shall notify qualified long-term care facilities within 30 days after the effective date of this amendatory Act of the 98th General Assembly of the opportunity to volunteer for the Demonstration Project. The notice shall include information concerning application procedures and deadlines, termination rights, requirements for participation, the selection process, and a question-and-answer document addressing potential conflicts between this Act and the provisions of this Section.

(h) Qualified long-term care facilities shall be given a minimum of 30 days after the date of receiving the notice to inform the Department of Public Health, in the form and manner prescribed by the Department of Public Health, of their interest in volunteering for the Demonstration Project. Facilities selected for the Demonstration Project shall be notified, within 30 days after the date of application, of the effective date that their participation in the Demonstration Project will begin, which may vary.

(i) The individual applicant shall be responsible for the cost of each individual fingerprint inquiry, which may be offset with grant funds, if available.

(a) In this Section:

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“Centers for Medicare and Medicaid Services (CMMS) grant” means the grant awarded to and distributed by the Department of Public Health to enhance the conduct of criminal history records checks of certain health care employees. The CMMS grant is authorized by Section 307 of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003, which establishes the framework for a program to evaluate national and state background checks on prospective employees with direct access to patients of long-term care facilities or providers.

“Selected health care employer” means any of the following selected to participate in the CMMS grant:

(1) a community living facility as defined in the Community Living Facility Act;
(2) a long-term care facility as defined in the Nursing Home Care Act;
(3) a home health agency as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act;
(4) a full hospice as defined in the Hospice Licensing Act;
(5) an establishment licensed under the Assisted Living and Shared Housing Act;
(6) a supportive living facility as defined in the Illinois Public Aid Code;
(7) a day training program certified by the Department of Human Services;
(8) a community-integrated living arrangement operated by a community mental health and developmental service agency as defined in the Community Integrated Living Arrangements Licensing and Certification Act; or
(9) a long-term care hospital or hospital with swing beds.

(b) Selected health care employers shall be phased in to participate in the CMMS grant between January 1, 2006 and January 1, 2007, as prescribed by the Department of Public Health by rule.

(c) With regards to individuals hired on or after January 1, 2006 who have direct access to residents, patients, or clients of the selected health care employer, selected health care employers must comply with Section 25 of this Act.

“Individuals who have direct access” includes, but is not limited to; (i) direct care workers as described in subsection (a) of Section 25; (ii) individuals licensed by the Department of Financial and Professional Regulation, such as nurses, social workers, physical therapists, occupational
therapists, and pharmacists; (iii) individuals who provide services on site, through contract, and (iv) non-direct care workers, such as those who work in environmental services, food service, and administration.

"Individuals who have direct access" does not include physicians or volunteers.

The Department of Public Health may further define "individuals who have direct access" by rule.

(j) (d) Each applicant seeking employment in a position described in subsection (e) (c) of this Section with a selected health care employer shall, as a condition of employment, have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information by the Department of State Police and the Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history records check. The Department of State Police shall charge a fee for conducting the criminal history records check, which shall not exceed the actual cost of the records check and shall be deposited into the State Police Services Fund. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department of Public Health.

(e) A selected health care employer who makes a conditional offer of employment to an applicant shall:

(1) ensure that the applicant has complied with the fingerprinting requirements of this Section;
(2) complete documentation relating to any criminal history record, as revealed by the applicant, as prescribed by rule by the Department of Public Health;
(3) complete documentation of the applicant's personal identifiers as prescribed by rule by the Department of Public Health; and
(4) provide supervision, as prescribed by rule by the licensing agency, if the applicant is hired and allowed to work prior to the results of the criminal history records check being obtained.

(f) A selected health care employer having actual knowledge from a source that an individual with direct access to a resident, patient, or client has been convicted of committing or attempting to commit one of the offenses enumerated in Section 25 of this Act shall contact the licensing agency or follow other instructions as prescribed by administrative rule.

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(k) A fingerprint-based criminal history records check submitted in accordance with subsection (j) of this Section shall be submitted as a fee applicant inquiry in the form and manner prescribed by the Department of State Police.

(l) A long-term care facility may terminate its participation in the Demonstration Project without prejudice by providing the Department of Public Health with notice of its intent to terminate at least 30 days prior to its voluntary termination.

(m) This Section shall be inapplicable upon the conclusion of the CMMS grant period.

(Source: P.A. 94-665, eff. 1-1-06; 94-931, eff. 6-26-06; 95-331, eff. 8-21-07; revised 11-14-13.)


PUBLIC ACT 98-1042
(House Bill No. 5322)

AN ACT concerning civil law.

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

Section 5. The Common Interest Community Association Act is amended by changing Sections 1-5 and 1-25 and by adding Section 1-85 as follows:

(765 ILCS 160/1-5)

Sec. 1-5. Definitions. As used in this Act, unless the context otherwise requires:

"Acceptable technological means" includes, without limitation, electronic transmission over the Internet or other network, whether by direct connection, intranet, telecopier, or electronic mail.

"Association" or "common interest community association" means the association of all the members of a common interest community, acting pursuant to bylaws through its duly elected board of managers or board of directors.

"Board" means a common interest community association's board of managers or board of directors, whichever is applicable.

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"Board member" or "member of the board" means a member of the board of managers or the board of directors, whichever is applicable.

"Board of directors" means, for a common interest community that has been incorporated as an Illinois not-for-profit corporation, the group of people elected by the members of a common interest community as the governing body to exercise for the members of the common interest community association all powers, duties, and authority vested in the board of directors under this Act and the common interest community association's declaration and bylaws.

"Board of managers" means, for a common interest community that is an unincorporated association, the group of people elected by the members of a common interest community as the governing body to exercise for the members of the common interest community association all powers, duties, and authority vested in the board of managers under this Act and the common interest community association's declaration and bylaws.

"Building" means all structures, attached or unattached, containing one or more units.

"Common areas" means the portion of the property other than a unit.

"Common expenses" means the proposed or actual expenses affecting the property, including reserves, if any, lawfully assessed by the common interest community association.

"Common interest community" means real estate other than a condominium or cooperative with respect to which any person by virtue of his or her ownership of a partial interest or a unit therein is obligated to pay for the maintenance, improvement, insurance premiums or real estate taxes of common areas described in a declaration which is administered by an association. "Common interest community" may include, but not be limited to, an attached or detached townhome, villa, or single-family home. A "common interest community" does not include a master association.

"Community instruments" means all documents and authorized amendments thereto recorded by a developer or common interest community association, including, but not limited to, the declaration, bylaws, plat of survey, and rules and regulations.

"Declaration" means any duly recorded instruments, however designated, that have created a common interest community and any duly recorded amendments to those instruments.

"Developer" means any person who submits property legally or equitably owned in fee simple by the person to the provisions of this Act, or any person who offers units legally or equitably owned in fee simple by the
person for sale in the ordinary course of such person's business, including any successor to such person's entire interest in the property other than the purchaser of an individual unit.

"Developer control" means such control at a time prior to the election of the board of the common interest community association by a majority of the members other than the developer.

"Electronic transmission" means any form of communication, not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved, and reviewed by a recipient and that may be directly reproduced in paper form by the recipient through an automated process.

"Majority" or "majority of the members" means the owners of more than 50% in the aggregate in interest of the undivided ownership of the common elements. Any specified percentage of the members means such percentage in the aggregate in interest of such undivided ownership. "Majority" or "majority of the members of the board of the common interest community association" means more than 50% of the total number of persons constituting such board pursuant to the bylaws. Any specified percentage of the members of the common interest community association means that percentage of the total number of persons constituting such board pursuant to the bylaws.

"Management company" or "community association manager" means a person, partnership, corporation, or other legal entity entitled to transact business on behalf of others, acting on behalf of or as an agent for an association for the purpose of carrying out the duties, responsibilities, and other obligations necessary for the day to day operation and management of any property subject to this Act.

"Meeting of the board" or "board meeting" means any gathering of a quorum of the members of the board of the common interest community association held for the purpose of conducting board business.

"Member" means the person or entity designated as an owner and entitled to one vote as defined by the community instruments. The terms "member" and "unit owner" may be used interchangeably as defined by the community instruments, except in situations in which a matter of legal title to the unit is involved or at issue, in which case the term "unit owner" would be the applicable term used.

"Membership" means the collective group of members entitled to vote as defined by the community instruments.
"Parcel" means the lot or lots or tract or tracts of land described in the declaration as part of a common interest community.

"Person" means a natural individual, corporation, partnership, trustee, or other legal entity capable of holding title to real property.

"Plat" means a plat or plats of survey of the parcel and of all units in the common interest community, which may consist of a three-dimensional horizontal and vertical delineation of all such units, structures, easements, and common areas on the property.

"Prescribed delivery method" means mailing, delivering, posting in an association publication that is routinely mailed to all members, electronic transmission, or any other delivery method that is approved in writing by the member and authorized by the community instruments.

"Property" means all the land, property, and space comprising the parcel, all improvements and structures erected, constructed or contained therein or thereon, including any building and all easements, rights, and appurtenances belonging thereto, and all fixtures and equipment intended for the mutual use, benefit, or enjoyment of the members, under the authority or control of a common interest community association.

"Purchaser" means any person or persons, other than the developer, who purchase a unit in a bona fide transaction for value.

"Record" means to record in the office of the recorder of the county wherein the property is located.

"Reserves" means those sums paid by members which are separately maintained by the common interest community association for purposes specified by the declaration and bylaws of the common interest community association.

"Unit" means a part of the property designed and intended for any type of independent use.

"Unit owner" means the person or persons whose estates or interests, individually or collectively, aggregate fee simple absolute ownership of a unit.

(Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12.)

(765 ILCS 160/1-25)

Sec. 1-25. Board of managers, board of directors, duties, elections, and voting.

(a) Elections shall be held in accordance with the community instruments, provided that an election shall be held no less frequently than
once every 24 months, for the board of managers or board of directors from among the membership of a common interest community association.

(b) (Blank).

(c) The members of the board shall serve without compensation, unless the community instruments indicate otherwise.

(d) No member of the board or officer shall be elected for a term of more than 4 years, but officers and board members may succeed themselves.

(e) If there is a vacancy on the board, the remaining members of the board may fill the vacancy by a two-thirds vote of the remaining board members until the next annual meeting of the membership or until members holding 20% of the votes of the association request a meeting of the members to fill the vacancy for the balance of the term. A meeting of the members shall be called for purposes of filling a vacancy on the board no later than 30 days following the filing of a petition signed by membership holding 20% of the votes of the association requesting such a meeting.

(f) There shall be an election of a:

1. president from among the members of the board, who shall preside over the meetings of the board and of the membership;
2. secretary from among the members of the board, who shall keep the minutes of all meetings of the board and of the membership and who shall, in general, perform all the duties incident to the office of secretary; and
3. treasurer from among the members of the board, who shall keep the financial records and books of account.

(g) If no election is held to elect board members within the time period specified in the bylaws, or within a reasonable amount of time thereafter not to exceed 90 days, then 20% of the members may bring an action to compel compliance with the election requirements specified in the bylaws. If the court finds that an election was not held to elect members of the board within the required period due to the bad faith acts or omissions of the board of managers or the board of directors, the members shall be entitled to recover their reasonable attorney's fees and costs from the association. If the relevant notice requirements have been met and an election is not held solely due to a lack of a quorum, then this subsection (g) does not apply.

(h) Where there is more than one owner of a unit and there is only one member vote associated with that unit, if only one of the multiple owners is present at a meeting of the membership, he or she is entitled to cast the member vote associated with that unit.

(h-5) A member may vote:

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(1) by proxy executed in writing by the member or by his or her duly authorized attorney in fact, provided, however, that the proxy bears the date of execution. Unless the community instruments or the written proxy itself provide otherwise, proxies will not be valid for more than 11 months after the date of its execution; or
(2) by submitting an association-issued ballot in person at the election meeting; or
(3) by submitting an association-issued ballot to the association or its designated agent by mail or other means of delivery specified in the declaration or bylaws; or
(4) by any electronic or acceptable technological means.
Votes cast under any paragraph of this subsection (h-5) are valid for the purpose of establishing a quorum.

(i) The association may, upon adoption of the appropriate rules by the board, conduct elections by electronic or acceptable technological means. Members may not vote by proxy in board elections. Instructions regarding the use of electronic means or acceptable technological means for voting shall be distributed to all members not less than 10 and not more than 30 days before the election meeting. The instruction notice must include the names of all candidates who have given the board or its authorized agent timely written notice of their candidacy and must give the person voting through electronic or acceptable technological means the opportunity to cast votes for candidates whose names do not appear on the ballot. The board rules shall provide and the instructions provided to the member shall state that a member who submits a vote using electronic or acceptable technological means may request and cast a ballot in person at the election meeting, and thereby void any vote previously submitted by that member. A candidate for election to the board or such candidate's representative shall have the right to be present at the counting of ballots at such election.

(j) Upon proof of purchase, the purchaser of a unit from a seller other than the developer pursuant to an installment contract for purchase shall, during such times as he or she resides in the unit, be counted toward a quorum for purposes of election of members of the board at any meeting of the membership called for purposes of electing members of the board, shall
have the right to vote for the members of the board of the common interest community association and to be elected to and serve on the board unless the seller expressly retains in writing any or all of such rights.

(Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12.)

(765 ILCS 160/1-85 new)
Sec. 1-85. Use of technology.
(a) Any notice required to be sent or received or signature, vote, consent, or approval required to be obtained under any community instrument or any provision of this Act may be accomplished using the technology generally available at that time. This Section governs the use of technology in implementing the provisions of any community instrument or any provision of this Act concerning notices, signatures, votes, consents, or approvals.

(b) The common interest community association, unit owners, and other persons entitled to occupy a unit may perform any obligation or exercise any right under any community instrument or any provision of this Act by use of any technological means that provides sufficient security, reliability, identification, and verifiability.

(c) A verifiable electronic signature satisfies any requirement for a signature under any community instrument or any provision of this Act.

(d) Voting on, consent to, and approval of any matter under any community instrument or any provision of this Act may be accomplished by electronic transmission or other equivalent technological means, provided that a record is created as evidence thereof and maintained as long as the record would be required to be maintained in nonelectronic form.

(e) Subject to other provisions of law, no action required or permitted by any community instrument or any provision of this Act need be acknowledged before a notary public if the identity and signature of the person can otherwise be authenticated to the satisfaction of the board of directors.

(f) If any person does not provide written authorization to conduct business using electronic transmission or other equivalent technological means, the common interest community association shall, at its expense, conduct business with the person without the use of electronic transmission or other equivalent technological means.

(g) This Section does not apply to any notices required under Article IX of the Code of Civil Procedure related to: (i) an action by the common
interest community association to collect a common expense; or (ii)
foreclosure proceedings in enforcement of any lien rights under this Act.

Section 10. The Condominium Property Act is amended by changing
Sections 2 and 18 and by adding Section 18.8 as follows:

(765 ILCS 605/2) (from Ch. 30, par. 302)
Sec. 2. Definitions. As used in this Act, unless the context otherwise
requires:

(a) "Declaration" means the instrument by which the property is
submitted to the provisions of this Act, as hereinafter provided, and such
declaration as from time to time amended.

(b) "Parcel" means the lot or lots, tract or tracts of land, described in
the declaration, submitted to the provisions of this Act.

(c) "Property" means all the land, property and space comprising the
parcel, all improvements and structures erected, constructed or contained
therein or thereon, including the building and all easements, rights and
appurtenances belonging thereto, and all fixtures and equipment intended for
the mutual use, benefit or enjoyment of the unit owners, submitted to the
provisions of this Act.

(d) "Unit" means a part of the property designed and intended for any
type of independent use.

(e) "Common Elements" means all portions of the property except the
units, including limited common elements unless otherwise specified.

(f) "Person" means a natural individual, corporation, partnership,
trustee or other legal entity capable of holding title to real property.

(g) "Unit Owner" means the person or persons whose estates or
interests, individually or collectively, aggregate fee simple absolute
ownership of a unit, or, in the case of a leasehold condominium, the lessee or
lessees of a unit whose leasehold ownership of the unit expires
simultaneously with the lease described in item (x) of this Section.

(h) "Majority" or "majority of the unit owners" means the owners of
more than 50% in the aggregate in interest of the undivided ownership of the
common elements. Any specified percentage of the unit owners means such
percentage in the aggregate in interest of such undivided ownership.
"Majority" or "majority of the members of the board of managers" means
more than 50% of the total number of persons constituting such board
pursuant to the bylaws. Any specified percentage of the members of the board
of managers means that percentage of the total number of persons
constituting such board pursuant to the bylaws.

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(i) "Plat" means a plat or plats of survey of the parcel and of all units in the property submitted to the provisions of this Act, which may consist of a three-dimensional horizontal and vertical delineation of all such units.

(j) "Record" means to record in the office of the recorder or, whenever required, to file in the office of the Registrar of Titles of the county wherein the property is located.

(k) "Conversion Condominium" means a property which contains structures, excepting those newly constructed and intended for condominium ownership, which are, or have previously been, wholly or partially occupied before recording of condominium instruments by persons other than those who have contracted for the purchase of condominiums.

(l) "Condominium Instruments" means all documents and authorized amendments thereto recorded pursuant to the provisions of the Act, including the declaration, bylaws and plat.

(m) "Common Expenses" means the proposed or actual expenses affecting the property, including reserves, if any, lawfully assessed by the Board of Managers of the Unit Owner's Association.

(n) "Reserves" means those sums paid by unit owners which are separately maintained by the board of managers for purposes specified by the board of managers or the condominium instruments.

(o) "Unit Owners' Association" or "Association" means the association of all the unit owners, acting pursuant to bylaws through its duly elected board of managers.

(p) "Purchaser" means any person or persons other than the Developer who purchase a unit in a bona fide transaction for value.

(q) "Developer" means any person who submits property legally or equitably owned in fee simple by the developer, or leased to the developer under a lease described in item (x) of this Section, to the provisions of this Act, or any person who offers units legally or equitably owned in fee simple by the developer, or leased to the developer under a lease described in item (x) of this Section, for sale in the ordinary course of such person's business, including any successor or successors to such developers' entire interest in the property other than the purchaser of an individual unit.

(r) "Add-on Condominium" means a property to which additional property may be added in accordance with condominium instruments and this Act.

(s) "Limited Common Elements" means a portion of the common elements so designated in the declaration as being reserved for the use of a

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certain unit or units to the exclusion of other units, including but not limited to balconies, terraces, patios and parking spaces or facilities.

(t) "Building" means all structures, attached or unattached, containing one or more units.

(u) "Master Association" means an organization described in Section 18.5 whether or not it is also an association described in Section 18.3.

(v) "Developer Control" means such control at a time prior to the election of the Board of Managers provided for in Section 18.2(b) of this Act.

(w) "Meeting of Board of Managers or Board of Master Association" means any gathering of a quorum of the members of the Board of Managers or Board of the Master Association held for the purpose of conducting board business.

(x) "Leasehold Condominium" means a property submitted to the provisions of this Act which is subject to a lease, the expiration or termination of which would terminate the condominium and the lessor of which is (i) exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (ii) a limited liability company whose sole member is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or (iii) a Public Housing Authority created pursuant to the Housing Authorities Act that is located in a municipality having a population in excess of 1,000,000 inhabitants.

(y) "Electronic transmission" means any form of communication, not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved, and reviewed by a recipient and that may be directly reproduced in paper form by the recipient through an automated process.

(z) "Acceptable technological means" includes, without limitation, electronic transmission over the Internet or other network, whether by direct connection, intranet, telecopier, or electronic mail.

(Source: P.A. 93-474, eff. 8-8-03.)

(765 ILCS 605/18) (from Ch. 30, par. 318)
Sec. 18. Contents of bylaws. The bylaws shall provide for at least the following:

(a) (1) The election from among the unit owners of a board of managers, the number of persons constituting such board, and that the terms of at least one-third of the members of the board shall expire annually and that all members of the board shall be elected at large. If there are multiple owners of a single unit, only one of the multiple

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owners shall be eligible to serve as a member of the board at any one time.

(2) the powers and duties of the board;
(3) the compensation, if any, of the members of the board;
(4) the method of removal from office of members of the board;
(5) that the board may engage the services of a manager or managing agent;
(6) that each unit owner shall receive, at least 30 days prior to the adoption thereof by the board of managers, a copy of the proposed annual budget together with an indication of which portions are intended for reserves, capital expenditures or repairs or payment of real estate taxes;
(7) that the board of managers shall annually supply to all unit owners an itemized accounting of the common expenses for the preceding year actually incurred or paid, together with an indication of which portions were for reserves, capital expenditures or repairs or payment of real estate taxes and with a tabulation of the amounts collected pursuant to the budget or assessment, and showing the net excess or deficit of income over expenditures plus reserves;
(8) (i) that each unit owner shall receive notice, in the same manner as is provided in this Act for membership meetings, of any meeting of the board of managers concerning the adoption of the proposed annual budget and regular assessments pursuant thereto or to adopt a separate (special) assessment, (ii) that except as provided in subsection (iv) below, if an adopted budget or any separate assessment adopted by the board would result in the sum of all regular and separate assessments payable in the current fiscal year exceeding 115% of the sum of all regular and separate assessments payable during the preceding fiscal year, the board of managers, upon written petition by unit owners with 20 percent of the votes of the association delivered to the board within 14 days of the board action, shall call a meeting of the unit owners within 30 days of the date of delivery of the petition to consider the budget or separate assessment; unless a majority of the total votes of the unit owners are cast at the meeting to reject the budget or separate assessment, it is ratified, (iii) that any common expense not set forth in the budget or any increase in assessments over the amount adopted in the budget shall be separately assessed against all unit owners, (iv) that separate

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assessments for expenditures relating to emergencies or mandated by law may be adopted by the board of managers without being subject to unit owner approval or the provisions of item (ii) above or item (v) below. As used herein, "emergency" means an immediate danger to the structural integrity of the common elements or to the life, health, safety or property of the unit owners, (v) that assessments for additions and alterations to the common elements or to association-owned property not included in the adopted annual budget, shall be separately assessed and are subject to approval of two-thirds of the total votes of all unit owners, (vi) that the board of managers may adopt separate assessments payable over more than one fiscal year. With respect to multi-year assessments not governed by items (iv) and (v), the entire amount of the multi-year assessment shall be deemed considered and authorized in the first fiscal year in which the assessment is approved;

(9) that meetings of the board of managers shall be open to any unit owner, except for the portion of any meeting held (i) to discuss litigation when an action against or on behalf of the particular association has been filed and is pending in a court or administrative tribunal, or when the board of managers finds that such an action is probable or imminent, (ii) to consider information regarding appointment, employment or dismissal of an employee, or (iii) to discuss violations of rules and regulations of the association or a unit owner's unpaid share of common expenses; that any vote on these matters shall be taken at a meeting or portion thereof open to any unit owner; that any unit owner may record the proceedings at meetings or portions thereof required to be open by this Act by tape, film or other means; that the board may prescribe reasonable rules and regulations to govern the right to make such recordings, that notice of such meetings shall be mailed or delivered at least 48 hours prior thereto, unless a written waiver of such notice is signed by the person or persons entitled to such notice pursuant to the declaration, bylaws, other condominium instrument, or provision of law other than this subsection before the meeting is convened, and that copies of notices of meetings of the board of managers shall be posted in entranceways, elevators, or other conspicuous places in the condominium at least 48 hours prior to the meeting of the board of managers except where there is no common entranceway for 7 or more units, the board of

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managers may designate one or more locations in the proximity of these units where the notices of meetings shall be posted;

(10) that the board shall meet at least 4 times annually;

(11) that no member of the board or officer shall be elected for a term of more than 2 years, but that officers and board members may succeed themselves;

(12) the designation of an officer to mail and receive all notices and execute amendments to condominium instruments as provided for in this Act and in the condominium instruments;

(13) the method of filling vacancies on the board which shall include authority for the remaining members of the board to fill the vacancy by two-thirds vote until the next annual meeting of unit owners or for a period terminating no later than 30 days following the filing of a petition signed by unit owners holding 20% of the votes of the association requesting a meeting of the unit owners to fill the vacancy for the balance of the term, and that a meeting of the unit owners shall be called for purposes of filling a vacancy on the board no later than 30 days following the filing of a petition signed by unit owners holding 20% of the votes of the association requesting such a meeting, and the method of filling vacancies among the officers that shall include the authority for the members of the board to fill the vacancy for the unexpired portion of the term;

(14) what percentage of the board of managers, if other than a majority, shall constitute a quorum;

(15) provisions concerning notice of board meetings to members of the board;

(16) the board of managers may not enter into a contract with a current board member or with a corporation or partnership in which a board member or a member of the board member's immediate family has 25% or more interest, unless notice of intent to enter the contract is given to unit owners within 20 days after a decision is made to enter into the contract and the unit owners are afforded an opportunity by filing a petition, signed by 20% of the unit owners, for an election to approve or disapprove the contract; such petition shall be filed within 20 days after such notice and such election shall be held within 30 days after filing the petition; for purposes of this subsection, a board member's immediate family means the board member's spouse, parents, and children;

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(17) that the board of managers may disseminate to unit owners biographical and background information about candidates for election to the board if (i) reasonable efforts to identify all candidates are made and all candidates are given an opportunity to include biographical and background information in the information to be disseminated; and (ii) the board does not express a preference in favor of any candidate;

(18) any proxy distributed for board elections by the board of managers gives unit owners the opportunity to designate any person as the proxy holder, and gives the unit owner the opportunity to express a preference for any of the known candidates for the board or to write in a name;

(19) that special meetings of the board of managers can be called by the president or 25% of the members of the board; and

(20) that the board of managers may establish and maintain a system of master metering of public utility services and collect payments in connection therewith, subject to the requirements of the Tenant Utility Payment Disclosure Act.

(b) (1) What percentage of the unit owners, if other than 20%, shall constitute a quorum provided that, for condominiums with 20 or more units, the percentage of unit owners constituting a quorum shall be 20% unless the unit owners holding a majority of the percentage interest in the association provide for a higher percentage, provided that in voting on amendments to the association's bylaws, a unit owner who is in arrears on the unit owner's regular or separate assessments for 60 days or more, shall not be counted for purposes of determining if a quorum is present, but that unit owner retains the right to vote on amendments to the association's bylaws;

(2) that the association shall have one class of membership;

(3) that the members shall hold an annual meeting, one of the purposes of which shall be to elect members of the board of managers;

(4) the method of calling meetings of the unit owners;

(5) that special meetings of the members can be called by the president, board of managers, or by 20% of unit owners;

(6) that written notice of any membership meeting shall be mailed or delivered giving members no less than 10 and no more than 30 days notice of the time, place and purpose of such meeting except that notice may be sent, to the extent the condominium instruments or

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rules adopted thereunder expressly so provide, by electronic transmission consented to by the unit owner to whom the notice is given, provided the director and officer or his agent certifies in writing to the delivery by electronic transmission;

(7) that voting shall be on a percentage basis, and that the percentage vote to which each unit is entitled is the percentage interest of the undivided ownership of the common elements appurtenant thereto, provided that the bylaws may provide for approval by unit owners in connection with matters where the requisite approval on a percentage basis is not specified in this Act, on the basis of one vote per unit;

(8) that, where there is more than one owner of a unit, if only one of the multiple owners is present at a meeting of the association, he is entitled to cast all the votes allocated to that unit, if more than one of the multiple owners are present, the votes allocated to that unit may be cast only in accordance with the agreement of a majority in interest of the multiple owners, unless the declaration expressly provides otherwise, that there is majority agreement if any one of the multiple owners cast the votes allocated to that unit without protest being made promptly to the person presiding over the meeting by any of the other owners of the unit;

(9)(A) that unless the Articles of Incorporation or the bylaws otherwise provide, and except as provided in subparagraph (B) of this paragraph (9) in connection with board elections, a unit owner may vote by proxy executed in writing by the unit owner or by his duly authorized attorney in fact; that the proxy must bear the date of execution and, unless the condominium instruments or the written proxy itself provide otherwise, is invalid after 11 months from the date of its execution; to the extent the condominium instruments or rules adopted thereunder expressly so provide, a vote or proxy may be submitted by electronic transmission, provided that any such electronic transmission shall either set forth or be submitted with information from which it can be determined that the electronic transmission was authorized by the unit owner or the unit owner’s proxy;

(B) that if a rule adopted at least 120 days before a board election or the declaration or bylaws provide for balloting as set forth in this subsection, unit owners may not vote by proxy in board elections, but may vote only (i) by submitting an association-issued

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ballot in person at the election meeting or (ii) by submitting an
association-issued ballot to the association or its designated agent by
mail or other means of delivery specified in the declaration, bylaws,
or rule; that the ballots shall be mailed or otherwise distributed to unit
owners not less than 10 and not more than 30 days before the election
meeting, and the board shall give unit owners not less than 21 days'
prior written notice of the deadline for inclusion of a candidate's name
on the ballots; that the deadline shall be no more than 7 days before
the ballots are mailed or otherwise distributed to unit owners; that
every such ballot must include the names of all candidates who have
given the board or its authorized agent timely written notice of their
candidacy and must give the person casting the ballot the opportunity
to cast votes for candidates whose names do not appear on the ballot;
that a ballot received by the association or its designated agent after
the close of voting shall not be counted; that a unit owner who
submits a ballot by mail or other means of delivery specified in the
declaration, bylaws, or rule may request and cast a ballot in person at
the election meeting, and thereby void any ballot previously
submitted by that unit owner;

(B-5) that if a rule adopted at least 120 days before a board
election or the declaration or bylaws provide for balloting as set
forth in this subparagraph, unit owners may not vote by proxy in
board elections, but may vote only (i) by submitting an association-
issued ballot in person at the election meeting; or (ii) by any
acceptable technological means as defined in Section 2 of this Act;
instructions regarding the use of electronic means for voting shall be
distributed to all unit owners not less than 10 and not more than 30
days before the election meeting, and the board shall give unit
owners not less than 21 days' prior written notice of the deadline for
inclusion of a candidate's name on the ballots; the deadline shall be
no more than 7 days before the instructions for voting using
electronic or acceptable technological means is distributed to unit
owners; every instruction notice must include the names of all
candidates who have given the board or its authorized agent timely
written notice of their candidacy and must give the person voting
through electronic or acceptable technological means the opportunity
to cast votes for candidates whose names do not appear on the ballot;
a unit owner who submits a vote using electronic or acceptable
 technological means may request and cast a ballot in person at the

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election meeting, thereby voiding any vote previously submitted by that unit owner;

(C) that if a written petition by unit owners with at least 20% of the votes of the association is delivered to the board within 14 days after the board's approval of a rule adopted pursuant to subparagraph (B) or subparagraph (B-5) of this paragraph (9), the board shall call a meeting of the unit owners within 30 days after the date of delivery of the petition; that unless a majority of the total votes of the unit owners are cast at the meeting to reject the rule, the rule is ratified;

(D) that votes cast by ballot under subparagraph (B) or electronic or acceptable technological means under subparagraph (B-5) of this paragraph (9) are valid for the purpose of establishing a quorum;

(10) that the association may, upon adoption of the appropriate rules by the board of managers, conduct elections by secret ballot whereby the voting ballot is marked only with the percentage interest for the unit and the vote itself, provided that the board further adopt rules to verify the status of the unit owner issuing a proxy or casting a ballot; and further, that a candidate for election to the board of managers or such candidate's representative shall have the right to be present at the counting of ballots at such election;

(11) that in the event of a resale of a condominium unit the purchaser of a unit from a seller other than the developer pursuant to an installment contract for purchase shall during such times as he or she resides in the unit be counted toward a quorum for purposes of election of members of the board of managers at any meeting of the unit owners called for purposes of electing members of the board, shall have the right to vote for the election of members of the board of managers and to be elected to and serve on the board of managers unless the seller expressly retains in writing any or all of such rights. In no event may the seller and purchaser both be counted toward a quorum, be permitted to vote for a particular office or be elected and serve on the board. Satisfactory evidence of the installment contract shall be made available to the association or its agents. For purposes of this subsection, "installment contract" shall have the same meaning as set forth in Section 1 (e) of "An Act relating to installment contracts to sell dwelling structures", approved August 11, 1967, as amended;

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(12) the method by which matters subject to the approval of unit owners set forth in this Act, or in the condominium instruments, will be submitted to the unit owners at special membership meetings called for such purposes; and

(13) that matters subject to the affirmative vote of not less than 2/3 of the votes of unit owners at a meeting duly called for that purpose, shall include, but not be limited to:

(i) merger or consolidation of the association;
(ii) sale, lease, exchange, or other disposition (excluding the mortgage or pledge) of all, or substantially all of the property and assets of the association; and
(iii) the purchase or sale of land or of units on behalf of all unit owners.

(c) Election of a president from among the board of managers, who shall preside over the meetings of the board of managers and of the unit owners.

(d) Election of a secretary from among the board of managers, who shall keep the minutes of all meetings of the board of managers and of the unit owners and who shall, in general, perform all the duties incident to the office of secretary.

(e) Election of a treasurer from among the board of managers, who shall keep the financial records and books of account.

(f) Maintenance, repair and replacement of the common elements and payments therefor, including the method of approving payment vouchers.

(g) An association with 30 or more units shall obtain and maintain fidelity insurance covering persons who control or disburse funds of the association for the maximum amount of coverage available to protect funds in the custody or control of the association plus the association reserve fund. All management companies which are responsible for the funds held or administered by the association shall maintain and furnish to the association a fidelity bond for the maximum amount of coverage available to protect funds in the custody of the management company at any time. The association shall bear the cost of the fidelity insurance and fidelity bond, unless otherwise provided by contract between the association and a management company. The association shall be the direct obligee of any such fidelity bond. A management company holding reserve funds of an association shall at all times maintain a separate account for each association, provided, however, that for investment purposes, the Board of Managers of an association may authorize a management company to maintain the

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association's reserve funds in a single interest bearing account with similar funds of other associations. The management company shall at all times maintain records identifying all moneys of each association in such investment account. The management company may hold all operating funds of associations which it manages in a single operating account but shall at all times maintain records identifying all moneys of each association in such operating account. Such operating and reserve funds held by the management company for the association shall not be subject to attachment by any creditor of the management company.

For the purpose of this subsection a management company shall be defined as a person, partnership, corporation, or other legal entity entitled to transact business on behalf of others, acting on behalf of or as an agent for a unit owner, unit owners or association of unit owners for the purpose of carrying out the duties, responsibilities, and other obligations necessary for the day to day operation and management of any property subject to this Act. For purposes of this subsection, the term "fiduciary insurance coverage" shall be defined as both a fidelity bond and directors and officers liability coverage, the fidelity bond in the full amount of association funds and association reserves that will be in the custody of the association, and the directors and officers liability coverage at a level as shall be determined to be reasonable by the board of managers, if not otherwise established by the declaration or by laws.

Until one year after the effective date of this amendatory Act of 1985, if a condominium association has reserves plus assessments in excess of $250,000 and cannot reasonably obtain 100% fidelity bond coverage for such amount, then it must obtain a fidelity bond coverage of $250,000.

(h) Method of estimating the amount of the annual budget, and the manner of assessing and collecting from the unit owners their respective shares of such estimated expenses, and of any other expenses lawfully agreed upon.

(i) That upon 10 days notice to the manager or board of managers and payment of a reasonable fee, any unit owner shall be furnished a statement of his account setting forth the amount of any unpaid assessments or other charges due and owing from such owner.

(j) Designation and removal of personnel necessary for the maintenance, repair and replacement of the common elements.

(k) Such restrictions on and requirements respecting the use and maintenance of the units and the use of the common elements, not set forth in the declaration, as are designed to prevent unreasonable interference with

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the use of their respective units and of the common elements by the several unit owners.

(l) Method of adopting and of amending administrative rules and regulations governing the operation and use of the common elements.

(m) The percentage of votes required to modify or amend the bylaws, but each one of the particulars set forth in this section shall always be embodied in the bylaws.

(n) (i) The provisions of this Act, the declaration, bylaws, other condominium instruments, and rules and regulations that relate to the use of the individual unit or the common elements shall be applicable to any person leasing a unit and shall be deemed to be incorporated in any lease executed or renewed on or after the effective date of this amendatory Act of 1984. (ii) With regard to any lease entered into subsequent to the effective date of this amendatory Act of 1989, the unit owner leasing the unit shall deliver a copy of the signed lease to the board or if the lease is oral, a memorandum of the lease, not later than the date of occupancy or 10 days after the lease is signed, whichever occurs first. In addition to any other remedies, by filing an action jointly against the tenant and the unit owner, an association may seek to enjoin a tenant from occupying a unit or seek to evict a tenant under the provisions of Article IX of the Code of Civil Procedure for failure of the lessor-owner to comply with the leasing requirements prescribed by this Section or by the declaration, bylaws, and rules and regulations. The board of managers may proceed directly against a tenant, at law or in equity, or under the provisions of Article IX of the Code of Civil Procedure, for any other breach by tenant of any covenants, rules, regulations or bylaws.

(o) The association shall have no authority to forbear the payment of assessments by any unit owner.

(p) That when 30% or fewer of the units, by number, possess over 50% in the aggregate of the votes in the association, any percentage vote of members specified herein or in the condominium instruments shall require the specified percentage by number of units rather than by percentage of interest in the common elements allocated to units that would otherwise be applicable and garage units or storage units, or both, shall have, in total, no more votes than their aggregate percentage of ownership in the common elements; this shall mean that if garage units or storage units, or both, are to be given a vote, or portion of a vote, that the association must add the total number of votes cast of garage units, storage units, or both, and divide the total by the number of garage units, storage units, or both, and multiply by the aggregate percentage of ownership of garage units and storage units to

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determine the vote, or portion of a vote, that garage units or storage units, or both, have. For purposes of this subsection (p), when making a determination of whether 30% or fewer of the units, by number, possess over 50% in the aggregate of the votes in the association, a unit shall not include a garage unit or a storage unit.

(q) That a unit owner may not assign, delegate, transfer, surrender, or avoid the duties, responsibilities, and liabilities of a unit owner under this Act, the condominium instruments, or the rules and regulations of the Association; and that such an attempted assignment, delegation, transfer, surrender, or avoidance shall be deemed void.

The provisions of this Section are applicable to all condominium instruments recorded under this Act. Any portion of a condominium instrument which contains provisions contrary to these provisions shall be void as against public policy and ineffective. Any such instrument which fails to contain the provisions required by this Section shall be deemed to incorporate such provisions by operation of law.

(Source: P.A. 95-624, eff. 6-1-08; 96-55, eff. 1-1-10; 96-977, eff. 7-2-10.)

(765 ILCS 605/18.8 new)
Sec. 18.8. Use of technology.

(a) Any notice required to be sent or received or signature, vote, consent, or approval required to be obtained under any condominium instrument or any provision of this Act may be accomplished using the technology generally available at that time. This Section shall govern the use of technology in implementing the provisions of any condominium instrument or any provision of this Act concerning notices, signatures, votes, consents, or approvals.

(b) The association, unit owners, and other persons entitled to occupy a unit may perform any obligation or exercise any right under any condominium instrument or any provision of this Act by use of any technological means that provides sufficient security, reliability, identification, and verifiability.

(c) A verifiable electronic signature satisfies any requirement for a signature under any condominium instrument or any provision of this Act.

(d) Voting on, consent to, and approval of any matter under any condominium instrument or any provision of this Act may be accomplished by electronic transmission or other equivalent technological means, provided that a record is created as evidence thereof and maintained as long as the record would be required to be maintained in nonelectronic form.

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(e) Subject to other provisions of law, no action required or permitted by any condominium instrument or any provision of this Act need be acknowledged before a notary public if the identity and signature of the person can otherwise be authenticated to the satisfaction of the board of directors or board of managers.

(f) If any person does not provide written authorization to conduct business using electronic transmission or other equivalent technological means, the association shall, at its expense, conduct business with the person without the use of electronic transmission or other equivalent technological means.

(g) This Section does not apply to any notices required under Article IX of the Code of Civil Procedure related to: (i) an action by the association to collect a common expense; or (ii) foreclosure proceedings in enforcement of any lien rights under this Act.

Effective January 1, 2015.

PUBLIC ACT 98-1043
(House Bill No. 5433)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Comptroller Act is amended by changing Section 9.03 as follows:

(15 ILCS 405/9.03) (from Ch. 15, par. 209.03)
Sec. 9.03. Direct deposit of State payments.
(a) The Comptroller, with the approval of the State Treasurer, may provide by rule or regulation for the direct deposit of any payment lawfully payable from the State Treasury and in accordance with federal banking regulations including but not limited to payments to (i) persons paid from personal services, (ii) persons receiving benefit payments from the Comptroller under the State pension systems, (iii) individuals who receive assistance under Articles III, IV, and VI of the Illinois Public Aid Code, (iv) providers of services under the Mental Health and Developmental Disabilities Administrative Act, (v) providers of community-based mental health services, and (vi) providers of services under programs administered by the State Board of Education, in the accounts of those persons or entities

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maintained at a bank, savings and loan association, or credit union, where authorized by the payee. The Comptroller also may deposit public aid payments for individuals who receive assistance under Articles III, IV, VI, and X of the Illinois Public Aid Code directly into an electronic benefits transfer account in a financial institution approved by the State Treasurer as prescribed by the Illinois Department of Human Services and in accordance with the rules and regulations of that Department and the rules and regulations adopted by the Comptroller and the State Treasurer. The Comptroller, with the approval of the State Treasurer, may provide by rule for the electronic direct deposit of payments to public agencies and any other payee of the State. The electronic direct deposits may be made to the designated account in those financial institutions specified in this Section for the direct deposit of payments. Within 6 months after the effective date of this amendatory Act of 1994, the Comptroller shall establish a pilot program for the electronic direct deposit of payments to local school districts, municipalities, and units of local government. The payments may be made without the use of the voucher-warrant system, provided that documentation of approval by the Treasurer of each group of payments made by direct deposit shall be retained by the Comptroller. The form and method of the Treasurer's approval shall be established by the rules or regulations adopted by the Comptroller under this Section.

(b) Except as provided in subsection (b-5), all State payments for an employee's payroll or an employee's expense reimbursement must be made through direct deposit. It is the responsibility of the paying State agency to ensure compliance with this mandate. If a State agency pays an employee's payroll or an employee's expense reimbursement without using direct deposit, the Comptroller may charge that employee a processing fee of $2.50 per paper warrant. The processing fee may be withheld from the employee's payment or reimbursement. The amount collected from the fee shall be deposited into the Comptroller's Administrative Fund.

(b-5) If an employee wants his or her payments deposited into a secure check account, the employee must submit a direct deposit form to the paying State agency for his or her payroll or to the Comptroller for his or her expense reimbursements. Upon acceptance of the direct deposit form, the Comptroller shall disburse those funds to the secure check account. For the purposes of this Section, "secure check account" means an account established with a financial institution for the employee that allows the dispensing of the funds in the account through a third party who dispenses to the employee a paper check.

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(c) All State payments to a vendor that exceed the allowable limit of paper warrants in a fiscal year, by the same agency, must be made through direct deposit. It is the responsibility of the paying State agency to ensure compliance with this mandate. If a State agency pays a vendor more times than the allowable limit in a single fiscal year without using direct deposit, the Comptroller may charge the vendor a processing fee of $2.50 per paper warrant. The processing fee may be withheld from the vendor's payment. The amount collected from the processing fee shall be deposited into the Comptroller's Administrative Fund. The Office of the Comptroller shall define "allowable limit" in the Comptroller's Statewide Accounting Management System (SAMS) manual, except that the allowable limit shall not be less than 30 paper warrants. The Office of the Comptroller shall also provide reasonable notice to all State agencies of the allowable limit of paper warrants.

(c-1) All State payments to an entity from a payroll or retirement voluntary deduction must be made through direct deposit. If an entity receives a payment from a payroll or retirement voluntary deduction without using direct deposit, the Comptroller may charge the entity a processing fee of $2.50 per paper warrant. The processing fee may be withheld from the entity's payment or billed to the entity at a later date. The amount collected from the processing fee shall be deposited into the Comptroller's Administrative Fund. The Comptroller shall provide reasonable notice to all entities impacted by this requirement. Any new entities that receive a payroll or retirement voluntary deduction must sign up for direct deposit during the application process.

(c-2) The detail information, such as names, identifiers, and amounts, associated with a State payment to an entity from a payroll or retirement voluntary deduction must be retrieved by the entity from the Comptroller's designated Internet website or an electronic alternative approved by the Comptroller. If the entity requires the Comptroller to mail the detail information, the Comptroller may charge the entity a processing fee up to $25.00 per mailing. Any processing fee will be billed to the entity at a later date. The amount collected from the processing fee shall be deposited into the Comptroller's Administrative Fund. The Comptroller shall provide reasonable notice to all entities impacted by this requirement.

(d) State employees covered by provisions in collective bargaining agreements that do not require direct deposit of paychecks are exempt from this mandate. No later than 60 days after the effective date of this amendatory Act of the 97th General Assembly, all State agencies must provide to the

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Office of the Comptroller a list of employees that are exempt under this subsection (d) from the direct deposit mandate. In addition, a State employee or vendor may file a hardship petition with the Office of the Comptroller requesting an exemption from the direct deposit mandate under this Section. A hardship petition shall be made available for download on the Comptroller's official Internet website.

(e) Notwithstanding any provision of law to the contrary, the direct deposit of State payments under this Section for an employee's payroll, an employee's expense reimbursement, or a State vendor's payment does not authorize the State to automatically withdraw funds from those accounts.

(f) For the purposes of this Section, "vendor" means a non-governmental entity with a taxpayer identification number issued by the Social Security Administration or Internal Revenue Service that receives payments through the Comptroller's commercial system. The term does not include State agencies.

(g) The requirements of this Section do not apply to the legislative or judicial branches of State government.

(Source: P.A. 97-348, eff. 8-12-11; 97-993, eff. 9-16-12; 98-463, eff. 8-16-13.)

Section 10. The Illinois State Collection Act of 1986 is amended by changing Section 5 as follows:

(30 ILCS 210/5) (from Ch. 15, par. 155)

Sec. 5. Rules; payment plans; offsets.

(a) Until July 1, 2004 for the Department of Public Aid and July 1, 2005 for Universities and all other State agencies, State agencies shall adopt rules establishing formal due dates for amounts owing to the State and for the referral of seriously past due accounts to private collection agencies, unless otherwise expressly provided by law or rule, except that on and after July 1, 2005, the Department of Employment Security may continue to refer to private collection agencies past due amounts that are exempt from subsection (g). Such procedures shall be established in accord with sound business practices.

(b) Until July 1, 2004 for the Department of Public Aid and July 1, 2005 for Universities and all other State agencies, agencies may enter deferred payment plans for debtors of the agency and documentation of this fact retained by the agency, where the deferred payment plan is likely to increase the net amount collected by the State, except that, on and after July 1, 2005, the Department of Employment Security may continue to enter deferred payment plans for debts that are exempt from subsection (g).

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(c) Until July 1, 2004 for the Department of Public Aid and July 1, 2005 for Universities and all other State agencies, State agencies may use the Comptroller's Offset System provided in Section 10.05 of the State Comptroller Act for the collection of debts owed to the agency, except that, on and after July 1, 2005, the Department of Employment Security may continue to use the Comptroller's offset system to collect amounts that are exempt from subsection (g).

(c-1) All debts that exceed $250 and are more than 90 days past due shall be placed in the Comptroller's Offset System, unless (i) the State agency shall have entered into a deferred payment plan or demonstrates to the Comptroller's satisfaction that referral for offset is not cost effective; or (ii) the State agency is a university that elects to place in the Comptroller's Offset System only debts that exceed $1,000 and are more than 90 days past due. All debt, and maintenance of that debt, that is placed in the Comptroller's Offset System must be submitted electronically to the office of the Comptroller. Any exception to this requirement must be approved in writing by the Comptroller.

(c-2) Upon processing a deduction to satisfy a debt owed to a university or a State agency and placed in the Comptroller's Offset System in accordance with subsection (c-1), the Comptroller shall give written notice to the person subject to the offset. The notice shall inform the person that he or she may make a written protest to the Comptroller within 60 days after the Comptroller has given notice. The protest shall include the reason for contesting the deduction and any other information that will enable the Comptroller to determine the amount due and payable. If the person subject to the offset has not made a written protest within 60 days after the Comptroller has given notice, or if a final disposition is made concerning the deduction, the Comptroller shall pay the deduction to the university or the State agency.

(c-3) For a debt owed to a university or a State agency and placed in the Comptroller's Offset System in accordance with subsection (c-1), the Comptroller shall deduct, from a warrant or other payment, its processing charge and the amount certified as necessary to satisfy, in whole or in part, the debt owed to the university or the State agency. The Comptroller shall deduct a processing charge of up to $15 per transaction for each offset and such charges shall be deposited into the Comptroller Debt Recovery Trust Fund.

(c-4) If a State university withholds moneys from a university-funded payroll for a debt in accordance with this Act, the university may also

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withhold the processing charge identified in Section 10.05d of the State Comptroller Act and subsection (c-3) of Section 5 of the Illinois State Collection Act of 1986. Both amounts must be remitted to the Office of the Comptroller in a timely manner.

(d) State agencies shall develop internal procedures whereby agency initiated payments to its debtors may be offset without referral to the Comptroller's Offset System.

(e) State agencies or the Comptroller may remove claims from the Comptroller's Offset System, where such claims have been inactive for more than one year.

(f) State agencies may use the Comptroller's Offset System to determine if any State agency is attempting to collect debt from a contractor, bidder, or other proposed contracting party.

(g) Beginning July 1, 2004 for the Departments of Public Aid (now Healthcare and Family Services) and Employment Security and July 1, 2005 for Universities and other State agencies, State agencies shall refer to the Department of Revenue Debt Collection Bureau (the Bureau) all debt to the State, provided that the debt satisfies the requirements for referral of delinquent debt as established by rule by the Department of Revenue.

(h) The Department of Healthcare and Family Services shall be exempt from the requirements of this Section with regard to child support debts, the collection of which is governed by the requirements of Title IV, Part D of the federal Social Security Act. The Department of Healthcare and Family Services may refer child support debts to the Bureau, provided that the debt satisfies the requirements for referral of delinquent debt as established by rule by the Department of Revenue. The Bureau shall use all legal means available to collect child support debt, including those authorizing the Department of Revenue to collect debt and those authorizing the Department of Healthcare and Family Services to collect debt. All such referred debt shall remain an obligation under the Department of Healthcare and Family Services' Child Support Enforcement Program subject to the requirements of Title IV, Part D of the federal Social Security Act, including the continued use of federally mandated enforcement remedies and techniques by the Department of Healthcare and Family Services.

(h-1) The Department of Employment Security is exempt from subsection (g) with regard to debts to any federal account, including but not limited to the Unemployment Trust Fund, and penalties and interest assessed under the Unemployment Insurance Act. The Department of Employment Security may refer those debts to the Bureau, provided the debt satisfies the

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requirements for referral of delinquent debt as established by rule by the Department of Revenue. The Bureau shall use all legal means available to collect the debts, including those authorizing the Department of Revenue to collect debt and those authorizing the Department of Employment Security to collect debt. All referred debt shall remain an obligation to the account to which it is owed.

(i) All debt referred to the Bureau for collection shall remain the property of the referring agency. The Bureau shall collect debt on behalf of the referring agency using all legal means available, including those authorizing the Department of Revenue to collect debt and those authorizing the referring agency to collect debt.

(j) No debt secured by an interest in real property granted by the debtor in exchange for the creation of the debt shall be referred to the Bureau. The Bureau shall have no obligation to collect debts secured by an interest in real property.

(k) Beginning July 1, 2003, each agency shall collect and provide the Bureau information regarding the nature and details of its debt in such form and manner as the Department of Revenue shall require.

(l) For all debt accruing after July 1, 2003, each agency shall collect and transmit such debtor identification information as the Department of Revenue shall require.

(Source: P.A. 97-759, eff. 7-6-12.)


PUBLIC ACT 98-1044  
(House Bill No. 5869)

AN ACT concerning fish.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Fish and Aquatic Life Code is amended by changing Section 10-100 as follows:

(515 ILCS 5/10-100) (from Ch. 56, par. 10-100)
Sec. 10-100. Release of aquatic life.
(a) It shall be unlawful to release any aquatic life into the wild in this State without first securing permission of the Department to do so, except

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that the owner of a body of water may release aquatic life indigenous to the State of Illinois into waters wholly upon his or her property. The Department shall have the authority to promulgate necessary rules and regulations, under the Illinois Administrative Procedure Act, regulating the possession, transportation, and shipping of aquatic life not indigenous to the State of Illinois. All aquatic life may be immediately returned unharmed from where they were taken. A violation of this subsection (a) is a Class B misdemeanor.

(b) It is unlawful to possess, transport, or release any live specimen or viable gametes of any species listed as injurious by administrative rule, unless authorized by that rule. A violation of this subsection (b) is a Class A misdemeanor.

(Source: P.A. 94-592, eff. 1-1-06.)
Effective January 1, 2015.

PUBLIC ACT 98-1045
(House Bill No. 5911)

AN ACT concerning wildlife.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)
Sec. 7.5. Statutory Exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:
(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.
   (b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.
   (c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.
   (d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of New matter indicated by italics - deletions by strikeout.
sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

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


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

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

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

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

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

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

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

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

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

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11
of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

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

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

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

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Accountability and Portability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

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

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

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

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

(z) Records and information provided to an at-risk adult fatality review team or the Illinois At-Risk Adult Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

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

(Source: P.A. 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13; 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; revised 7-23-13.)

Section 10. The Wildlife Code is amended by changing Section 2.37 as follows:

(520 ILCS 5/2.37) (from Ch. 61, par. 2.37)

Sec. 2.37. Authority to kill wildlife responsible for damage. Subject to federal regulations and Section 3 of the Illinois Endangered Species Act, the Department may authorize owners and tenants of lands or their agents to remove or destroy any wild bird or wild mammal when the wild bird or wild mammal is known to be destroying property or causing a risk to human health or safety upon his or her land.

Upon receipt by the Department of information from the owner, tenant, or sharecropper that any one or more species of wildlife is damaging dams, levees, ditches, cattle pastures, or other property on the land on which he resides or controls, together with a statement regarding location of the property damages, the nature and extent of the damage, and the particular species of wildlife committing the damage, the Department shall make an investigation.

If, after investigation, the Department finds that damage does exist and can be abated only by removing or destroying that wildlife, a permit shall be issued by the Department to remove or destroy the species responsible for causing the damage.

A permit to control the damage shall be for a period of up to 90 days, shall specify the means and methods by which and the person or persons by whom the wildlife may be removed or destroyed, and shall set forth the disposition procedure to be made of all wildlife taken and other restrictions the Director considers necessary and appropriate in the circumstances of the particular case. Whenever possible, the specimens destroyed shall be given to a bona-fide public or State scientific, educational, or zoological institution.

The permittee shall advise the Department in writing, within 10 days after the expiration date of the permit, of the number of individual species of

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wildlife taken, disposition made of them, and any other information which
the Department may consider necessary.

Subject to federal regulations and Section 3 of the Illinois Endangered
Species Act, the Department may grant to an individual, corporation,
association or a governmental body the authority to control species protected
by this Code. The Department shall set forth applicable regulations in an
Administrative Order and may require periodic reports listing species taken,
numbers of each species taken, dates when taken, and other pertinent
information.

Drainage Districts shall have the authority to control beaver provided
that they must notify the Department in writing that a problem exists and of
their intention to trap the animals at least 7 days before the trapping begins.
The District must identify traps used in beaver control outside the dates of the
furbearer trapping season with metal tags with the district's name legibly
inscribed upon them. During the furtrapping season, traps must be identified
as prescribed by law. Conibear traps at least size 330 shall be used except
during the statewide furbearer trapping season. During that time trappers may
use any device that is legal according to the Wildlife Code. Except during the
statewide furbearer trapping season, beaver traps must be set in water at least
10 inches deep. Except during the statewide furbearer trapping season, traps
must be set within 10 feet of an inhabited bank burrow or house and within
10 feet of a dam maintained by a beaver. No beaver or other furbearer taken
outside of the dates for the furbearer trapping season may be sold. All
animals must be given to the nearest conservation officer or other Department
of Natural Resources representative within 48 hours after they are caught.
Furbearers taken during the fur trapping season may be sold provided that
they are taken by persons who have valid trapping licenses in their possession
and are lawfully taken. The District must submit an annual report showing the
species and numbers of animals caught. The report must indicate all species
which were taken.

The location of traps or snares authorized under this Section, either
by the Department or any other governmental body with the authority to
control species protected by this Code, shall be exempt from the provisions
of the Freedom of Information Act.
(Source: P.A. 97-813, eff. 7-13-12; 97-959, eff. 8-15-12.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning health.

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

Section 1. The Illinois Health Information Exchange and Technology Act is amended by changing Section 40 as follows:

(20 ILCS 3860/40)

Sec. 40. Reliance on data. Any health care provider who relies in good faith upon any information provided through the ILHIE in his, her, or its treatment of a patient shall be immune from criminal or civil liability or professional discipline arising from any damages caused by such good faith reliance. This immunity does not apply to acts or omissions constituting gross negligence or reckless, wanton, or intentional misconduct. Notwithstanding this provision, the Authority does not waive any immunities provided under State or federal law.

(Source: P.A. 96-1331, eff. 7-27-10.)

Section 5. The Illinois Clinical Laboratory and Blood Bank Act is amended by adding Sections 2-134, 2-135, 2-136, and 2-137 and by changing Section 7-102 as follows:

(210 ILCS 25/2-134 new)

Sec. 2-134. Health care operations. "Health care operations" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

(210 ILCS 25/2-135 new)

Sec. 2-135. HIPAA. "HIPAA" means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended by the Health Information and Technology for Economic and Clinical Health Act of 2009, Public Law 111-05, and any subsequent amendments thereto and any regulations promulgated thereunder.

(210 ILCS 25/2-136 new)

Sec. 2-136. Payment. "Payment" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

(210 ILCS 25/2-137 new)

Sec. 2-137. Treatment. "Treatment" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

(210 ILCS 25/7-102) (from Ch. 111 1/2, par. 627-102)
Sec. 7-102. Reports of test results.

New matter indicated by italics - deletions by strikeout
(a) Clinical laboratory test results may be reported or transmitted to:

1. the licensed physician or other authorized person who requested the test, their designee, or both;
2. any health care provider who is providing treatment to the patient;
3. an electronic health information exchange for the purposes of transmitting, using, or disclosing clinical laboratory test results in any manner required or permitted by HIPAA. The result of a test shall be reported directly to the licensed physician or other authorized person who requested it.

(b) No interpretation, diagnosis, or prognosis or suggested treatment shall appear on the laboratory report form, except that a report made by a physician licensed to practice medicine in Illinois, a dentist licensed in Illinois, or an optometrist licensed in Illinois may include such information.

(c) Nothing in this Act prohibits the sharing of information as authorized in Section 2.1 of the Department of Public Health Act.

(Source: P.A. 98-185, eff. 1-1-14.)

Section 7. The Medical Patient Rights Act is amended by changing Section 3 as follows:

(410 ILCS 50/3) (from Ch. 111 1/2, par. 5403)

Sec. 3. The following rights are hereby established:
(a) The right of each patient to care consistent with sound nursing and medical practices, to be informed of the name of the physician responsible for coordinating his or her care, to receive information concerning his or her condition and proposed treatment, to refuse any treatment to the extent permitted by law, and to privacy and confidentiality of records except as otherwise provided by law.
(b) The right of each patient, regardless of source of payment, to examine and receive a reasonable explanation of his total bill for services rendered by his physician or health care provider, including the itemized charges for specific services received. Each physician or health care provider shall be responsible only for a reasonable explanation of those specific services provided by such physician or health care provider.
(c) In the event an insurance company or health services corporation cancels or refuses to renew an individual policy or plan, the insured patient shall be entitled to timely, prior notice of the termination of such policy or plan.

An insurance company or health services corporation that requires any insured patient or applicant for new or continued insurance or coverage to be

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tested for infection with human immunodeficiency virus (HIV) or any other
identified causative agent of acquired immunodeficiency syndrome (AIDS)
shall (1) give the patient or applicant prior written notice of such requirement,
(2) proceed with such testing only upon the written authorization of the
applicant or patient, and (3) keep the results of such testing confidential.
Notice of an adverse underwriting or coverage decision may be given to any
appropriately interested party, but the insurer may only disclose the test result
itself to a physician designated by the applicant or patient, and any such
disclosure shall be in a manner that assures confidentiality.

The Department of Insurance shall enforce the provisions of this
subsection.

(d) The right of each patient to privacy and confidentiality in health
care. Each physician, health care provider, health services corporation and
insurance company shall refrain from disclosing the nature or details of
services provided to patients, except that such information may be disclosed:
(1) to the patient, (2) to the party making treatment decisions if the patient is
incapable of making decisions regarding the health services provided, (3) for
those parties directly involved with providing treatment in accordance with
45 CFR 164.501 and 164.506, (4) for the purpose of processing the payment
in accordance with 45 CFR 164.501 and 164.506, (5) to those parties responsible for peer review, utilization review, and quality
assurance, (6) for health care operations in accordance with 45 CFR 164.501
and 164.506, (7) to and those parties required to be notified under the Abused
and Neglected Child Reporting Act or the Illinois Sexually Transmissible
Disease Control Act, or (8) as where otherwise permitted, authorized, or
required by State or federal law. This right may be waived in writing by the
patient or the patient's guardian or legal representative, but a physician or
other health care provider may not condition the provision of services on the
patient's, or guardian's, or legal representative's agreement to sign such a
waiver. In the interest of public health, safety, and welfare, patient
information, including, but not limited to, health information, demographic
information, and information about the services provided to patients, may be
transmitted to or through a health information exchange, as that term is
defined in Section 2 of the Mental Health and Developmental Disabilities
Confidentiality Act, in accordance with the disclosures permitted pursuant
to this Section. Patients shall be provided the opportunity to opt out of their
health information being transmitted to or through a health information
exchange in accordance with the regulations, standards, or contractual
obligations adopted by the Illinois Health Information Exchange Authority

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in accordance with Section 9.6 of the Mental Health and Developmental Disabilities Confidentiality Act, Section 9.6 of the AIDS Confidentiality Act, or Section 31.8 of the Genetic Information Privacy Act, as applicable. In the case of a patient choosing to opt out of having his or her information available on an HIE, nothing in this Act shall cause the physician or health care provider to be liable for the release of a patient's health information by other entities that may possess such information, including, but not limited to, other health professionals, providers, laboratories, pharmacies, hospitals, ambulatory surgical centers, and nursing homes.

(Source: P.A. 86-895; 86-902; 86-1028; 87-334.)

Section 10. The AIDS Confidentiality Act is amended by changing Sections 2, 3, 9, 10, and 16 and by adding Sections 9.1, 9.2, 9.3, 9.4, 9.4a, 9.6, 9.7, 9.8, 9.9, and 9.10 as follows:

(410 ILCS 305/2) (from Ch. 111 1/2, par. 7302)

Sec. 2. The General Assembly finds that:

(1) The use of tests designed to reveal a condition indicative of Human Immunodeficiency Virus (HIV) infection can be a valuable tool in protecting the public health.

(2) Despite existing laws, regulations and professional standards which require or promote the informed, voluntary and confidential use of tests designed to reveal HIV infection, many members of the public are deterred from seeking such testing because they misunderstand the nature of the test or fear that test results or other health information that reveals their HIV status will be disclosed without their consent.

(3) The public health will be served by facilitating informed, voluntary and confidential use of tests designed to reveal HIV infection and appropriately protecting the health information privacy of patients who are HIV-positive.

(4) The public health will also be served by expanding the availability of informed, voluntary, and confidential HIV testing and treatment and making HIV testing a routine part of general medical care, as recommended by the United States Centers for Disease Control and Prevention.

(5) The use of electronic health record systems and the exchange of electronic patient records, both paper and electronic, through secure means, including through secure health information exchanges, should be encouraged to improve patient health care and care coordination, facilitate public health reporting, and control health care costs, among other purposes.

(6) Limiting the use or disclosure of, and requests for, protected health information to the minimum necessary to accomplish an intended

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purpose, when being transmitted by or on behalf of a covered entity under HIPAA, is a key component of health information privacy. The disclosure of HIV-related information, when allowed by this Act, shall be performed in accordance with the minimum necessary standard when required under HIPAA.

(Source: P.A. 95-7, eff. 6-1-08.)

(410 ILCS 305/3) (from Ch. 111 1/2, par. 7303)

Sec. 3. When used in this Act:

(a) "AIDS" means acquired immunodeficiency syndrome.

(b) "Authority" means the Illinois Health Information Exchange Authority established pursuant to the Illinois Health Information Exchange and Technology Act.

(c) "Business associate" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(d) "Covered entity" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(e) "De-identified information" means health information that is not individually identifiable as described under HIPAA, as specified in 45 CFR 164.514(b).

(f) "Department" means the Illinois Department of Public Health or its designated agents.

(g) "Disclosure" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(h) "Health care operations" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

(i) "Health care professional" means (i) a licensed physician, (ii) a physician assistant to whom the physician assistant's supervising physician has delegated the provision of AIDS and HIV-related health services, (iii) an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician which authorizes the provision of AIDS and HIV-related health services, (iv) a licensed dentist, (v) a licensed podiatric physician, or (vi) an individual certified to provide HIV testing and counseling by a state or local public health department.

(j) "Health care provider" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(410 ILCS 305/3) (from Ch. 111 1/2, par. 7303)

Sec. 3. When used in this Act:

(a) "AIDS" means acquired immunodeficiency syndrome.

(b) "Authority" means the Illinois Health Information Exchange Authority established pursuant to the Illinois Health Information Exchange and Technology Act.

(c) "Business associate" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(d) "Covered entity" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(e) "De-identified information" means health information that is not individually identifiable as described under HIPAA, as specified in 45 CFR 164.514(b).

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(h) "Health care operations" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

(i) "Health care professional" means (i) a licensed physician, (ii) a physician assistant to whom the physician assistant's supervising physician has delegated the provision of AIDS and HIV-related health services, (iii) an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician which authorizes the provision of AIDS and HIV-related health services, (iv) a licensed dentist, (v) a licensed podiatric physician, or (vi) an individual certified to provide HIV testing and counseling by a state or local public health department.

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(h) "Health care operations" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

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(j) "Health care provider" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.
(d) "Informed consent" means a written or verbal agreement by the subject of a test or the subject's legally authorized representative without undue inducement or any element of force, fraud, deceit, duress or other form of constraint or coercion, which entails at least the following pre-test information:

(1) a fair explanation of the test, including its purpose, potential uses, limitations and the meaning of its results; and

(2) a fair explanation of the procedures to be followed, including the voluntary nature of the test, the right to withdraw consent to the testing process at any time, the right to anonymity to the extent provided by law with respect to participation in the test and disclosure of test results, and the right to confidential treatment of information identifying the subject of the test and the results of the test, to the extent provided by law.

Pre-test information may be provided in writing, verbally, or by video, electronic, or other means. The subject must be offered an opportunity to ask questions about the HIV test and decline testing. Nothing in this Act shall prohibit a health care provider from combining a form used to obtain informed consent for HIV testing with forms used to obtain written consent for general medical care or any other medical test or procedure provided that the forms make it clear that the subject may consent to general medical care, tests, or medical procedures without being required to consent to HIV testing and clearly explain how the subject may opt-out of HIV testing.

(k) (e) "Health facility" means a hospital, nursing home, blood bank, blood center, sperm bank, or other health care institution, including any "health facility" as that term is defined in the Illinois Finance Authority Act.

(l) "Health information exchange" or "HIE" means a health information exchange or health information organization that oversees and governs the electronic exchange of health information that (i) is established pursuant to the Illinois Health Information Exchange and Technology Act, or any subsequent amendments thereto, and any administrative rules adopted thereunder; (ii) has established a data sharing arrangement with the Authority; or (iii) as of August 16, 2013, was designated by the Authority Board as a member of, or was represented on, the Authority Board's Regional Health Information Exchange Workgroup; provided that such designation shall not require the establishment of a data sharing arrangement or other participation with the Illinois Health Information Exchange or the payment of any fee. In certain circumstances, in accordance with HIPAA, an HIE will be a business associate.

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(m) "Health oversight agency" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

(n) "HIPAA" means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended by the Health Information Technology for Economic and Clinical Health Act of 2009, Public Law 111-05, and any subsequent amendments thereto and any regulations promulgated thereunder.

(o) "HIV" means the human immunodeficiency virus.

(p) "HIV-related information" means the identity of a person upon whom an HIV test is performed, the results of an HIV test, as well as diagnosis, treatment, and prescription information that reveals a patient is HIV-positive, including such information contained in a limited data set. "HIV-related information" does not include information that has been de-identified in accordance with HIPAA.

(q) "Informed consent" means a written or verbal agreement by the subject of a test or the subject's legally authorized representative without undue inducement or any element of force, fraud, deceit, duress, or other form of constraint or coercion, which entails at least the following pre-test information:

(1) a fair explanation of the test, including its purpose, potential uses, limitations, and the meaning of its results;

(2) a fair explanation of the procedures to be followed, including the voluntary nature of the test, the right to withdraw consent to the testing process at any time, the right to anonymity to the extent provided by law with respect to participation in the test and disclosure of test results, and the right to confidential treatment of information identifying the subject of the test and the results of the test, to the extent provided by law; and

(3) where the person providing informed consent is a participant in an HIE, a fair explanation that the results of the patient's HIV test will be accessible through an HIE and meaningful disclosure of the patient's opt-out right under Section 9.6 of this Act.

Pre-test information may be provided in writing, verbally, or by video, electronic, or other means. The subject must be offered an opportunity to ask questions about the HIV test and decline testing. Nothing in this Act shall prohibit a health care provider or health care professional from combining a form used to obtain informed consent for HIV testing with forms used to obtain written consent for general medical care or any other medical test or procedure provided that the forms make it clear that the subject may
consent to general medical care, tests, or medical procedures without being required to consent to HIV testing and clearly explain how the subject may opt out of HIV testing.

(r) "Limited data set" has the meaning ascribed to it under HIPAA, as described in 45 CFR 164.514(e)(2).

(s) "Minimum necessary" means the HIPAA standard for using, disclosing, and requesting protected health information found in 45 CFR 164.502(b) and 164.514(d).

(t) "Organized health care arrangement" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(u) "Patient safety activities" has the meaning ascribed to it under 42 CFR 3.20.

(v) "Payment" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

(w) "Person" includes any natural person, partnership, association, joint venture, trust, governmental entity, public or private corporation, health facility, or other legal entity.

(x) "Protected health information" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(y) "Research" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

(z) "State agency" means an instrumentality of the State of Illinois and any instrumentality of another state that, pursuant to applicable law or a written undertaking with an instrumentality of the State of Illinois, is bound to protect the privacy of HIV-related information of Illinois persons.

(f) "Health care provider" means any health care professional, nurse, paramedic, psychologist or other person providing medical, nursing, psychological, or other health care services of any kind.

(f-5) "Health care professional" means (i) a licensed physician, (ii) a physician assistant to whom the physician assistant's supervising physician has delegated the provision of AIDS and HIV-related health services, (iii) an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician which authorizes the provision of AIDS and HIV-related health services, (iv) a licensed dentist, (v) a licensed podiatric physician, or (vi) an individual certified to provide HIV testing and counseling by a state or local public health department.

(aa) "Test" or "HIV test" means a test to determine the presence of the antibody or antigen to HIV, or of HIV infection.
"Treatment" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

"Use" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103, where context dictates.

"Person" includes any natural person, partnership, association, joint venture, trust, governmental entity, public or private corporation, health facility or other legal entity.

(Source: P.A. 98-214, eff. 8-9-13.)

Sec. 9. (1) No person may disclose or be compelled to disclose HIV-related information the identity of any person upon whom a test is performed, or the results of such a test in a manner which permits identification of the subject of the test, except to the following persons:

(a) The subject of an HIV test or the subject's legally authorized representative. A physician may notify the spouse of the test subject, if the test result is positive and has been confirmed pursuant to rules adopted by the Department, provided that the physician has first sought unsuccessfully to persuade the patient to notify the spouse or that, a reasonable time after the patient has agreed to make the notification, the physician has reason to believe that the patient has not provided the notification. This paragraph shall not create a duty or obligation under which a physician must notify the spouse of the test results, nor shall such duty or obligation be implied. No civil liability or criminal sanction under this Act shall be imposed for any disclosure or non-disclosure of a test result to a spouse by a physician acting in good faith under this paragraph. For the purpose of any proceedings, civil or criminal, the good faith of any physician acting under this paragraph shall be presumed.

(b) Any person designated in a legally effective authorization for release of the HIV-related information test results executed by the subject of the HIV-related information test or the subject's legally authorized representative.

(c) An authorized agent or employee of a health facility or health care provider if the health facility or health care provider itself is authorized to obtain the test results, the agent or employee provides patient care or handles or processes specimens of body fluids or tissues, and the agent or employee has a need to know such information.

(d) The Department and local health authorities serving a population of over 1,000,000 residents or other local health authorities as designated by the Department, in accordance with rules for reporting, preventing, and
controlling the spread of disease and the conduct of public health surveillance, public health investigations, and public health interventions, as otherwise provided by State law. The Department, local health authorities, and authorized representatives shall not disclose HIV test results and HIV-related information and records held by them relating to known or suspected cases of AIDS or HIV infection, publicly or in any action of any kind in any court or before any tribunal, board, or agency. HIV test results and HIV-related information AIDS and HIV infection data shall be protected from disclosure in accordance with the provisions of Sections 8-2101 through 8-2105 of the Code of Civil Procedure.

(e) A health facility, or health care provider, or health care professional which procures, processes, distributes or uses: (i) a human body part from a deceased person with respect to medical information regarding that person; or (ii) semen provided prior to the effective date of this Act for the purpose of artificial insemination.

(f) Health facility staff committees for the purposes of conducting program monitoring, program evaluation or service reviews.

(f-5) A court in accordance with the provisions of Section 12-5.01 of the Criminal Code of 2012.

(g) (Blank).

(h) Any health care provider, health care professional, or employee of a health facility, and any firefighter or EMT-A, EMT-P, or EMT-I, involved in an accidental direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment.

(i) Any law enforcement officer, as defined in subsection (c) of Section 7, involved in the line of duty in a direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment.

(j) A temporary caretaker of a child taken into temporary protective custody by the Department of Children and Family Services pursuant to Section 5 of the Abused and Neglected Child Reporting Act, as now or hereafter amended.

(k) In the case of a minor under 18 years of age whose test result is positive and has been confirmed pursuant to rules adopted by the Department, the health care professional provider who ordered the test shall make a reasonable effort to notify the minor's parent or legal guardian if, in the professional judgment of the health care professional provider, notification would be in the best interest of the child and the health care professional

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provider has first sought unsuccessfully to persuade the minor to notify the parent or legal guardian or a reasonable time after the minor has agreed to notify the parent or legal guardian, the health care professional provider has reason to believe that the minor has not made the notification. This subsection shall not create a duty or obligation under which a health care professional provider must notify the minor's parent or legal guardian of the test results, nor shall a duty or obligation be implied. No civil liability or criminal sanction under this Act shall be imposed for any notification or non-notification of a minor's test result by a health care professional provider acting in good faith under this subsection. For the purpose of any proceeding, civil or criminal, the good faith of any health care professional provider acting under this subsection shall be presumed.

(2) All information and records held by a State agency, local health authority, or health oversight agency pertaining to HIV-related information shall be strictly confidential and exempt from copying and inspection under the Freedom of Information Act. The information and records shall not be released or made public by the State agency, local health authority, or health oversight agency, shall not be admissible as evidence nor discoverable in any action of any kind in any court or before any tribunal, board, agency, or person, and shall be treated in the same manner as the information and those records subject to the provisions of Part 21 of Article VIII of the Code of Civil Procedure, except under the following circumstances:

(A) when made with the written consent of all persons to whom the information pertains; or

(B) when authorized by Section 5-4-3 of the Unified Code of Corrections.

Disclosure shall be limited to those who have a need to know the information, and no additional disclosures may be made.

(Source: P.A. 96-328, eff. 8-11-09; 97-1046, eff. 8-21-12; 97-1150, eff. 1-25-13.)

(410 ILCS 305/9.1 new)

Sec. 9.1. Uses and disclosures for treatment, payment, and health care operations. Notwithstanding Sections 9 and 10 of this Act, a covered entity may, without a patient's consent:

(1) use or disclose HIV-related information for its own treatment, payment, or health care operations;

(2) disclose HIV-related information for treatment activities of a health care provider or health care professional;

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(3) disclose HIV-related information to another covered entity or health care provider or health care professional for the payment activities of the entity that receives the information;

(4) disclose HIV-related information to another covered entity for health care operations activities of the entity that receives the information, if each entity has or had a relationship with the individual who is the subject of the HIV-related information being requested, the HIV-related information pertains to such relationship, and the disclosure is for the purpose of (A) conducting quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, provided that the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; patient safety activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management, and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment; (B) reviewing the competence or qualifications of health care professionals or health care providers, evaluating practitioner and provider performance, health plan performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of non-health care professionals, accreditation, certification, licensing, or credentialing activities; or (C) health care fraud and abuse detection or compliance; and

(5) disclose HIV-related information to other participants in an organized health care arrangement in which the covered entity is also a participant for any health care operations activities of the organized health care arrangement.

(410 ILCS 305/9.2 new)

Sec. 9.2. Uses and disclosures for health oversight activities.

(a) Notwithstanding Sections 9 and 10 of this Act, a covered entity may disclose HIV-related information, without a patient's consent, to a health oversight agency for health oversight activities authorized by law, including audits, civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil administrative or criminal proceedings or actions; or other activities necessary for appropriate oversight of (i) the health care system; (ii) government benefit programs for which health

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information is relevant to beneficiary eligibility; (iii) entities subject to government regulatory programs for which health information is necessary for determining compliance with program standards; or (iv) entities subject to civil rights laws for which health information is necessary for determining compliance.

(b) For purposes of the disclosures permitted by this Section, a health oversight activity does not include an investigation or other activity in which the individual is the subject of the investigation or activity and such investigation or other activity does not arise out of and is not directly related to (i) the receipt of health care; (ii) a claim for public benefits related to health; or (iii) qualification for, or receipt of, public benefits or services when a patient's health is integral to the claim for public benefits or services, except that, if a health oversight activity or investigation is conducted in conjunction with an oversight activity or investigation relating to a claim for public benefits not related to health, the joint activity or investigation is considered a health oversight activity for purposes of this Section.

(c) If a covered entity is also a health oversight agency, the covered entity may use HIV-related information for health oversight activities permitted by this Section.

(410 ILCS 305/9.3 new)

Sec. 9.3. Business associates.

(a) Notwithstanding Sections 9 and 10 of this Act, a covered entity may, without a patient's consent, disclose a patient's HIV-related information to a business associate and may allow a business associate to create, receive, maintain, or transmit protected health information on its behalf, if the covered entity obtains, through a written contract or other written agreement or arrangement that meets the applicable requirements of 45 CFR 164.504(e), satisfactory assurance that the business associate will appropriately safeguard the information. A covered entity is not required to obtain such satisfactory assurances from a business associate that is a subcontractor.

(b) A business associate may disclose protected health information to a business associate that is a subcontractor and may allow the subcontractor to create, receive, maintain, or transmit protected health information on its behalf, if the business associate obtains satisfactory assurances, in accordance with 45 CFR 164.504(e)(1)(i), that the subcontractor will appropriately safeguard the information.

(410 ILCS 305/9.4 new)
Sec. 9.4. Use and disclosure of information to an HIE. Notwithstanding the provisions of Sections 9 and 10 of this Act, a covered entity may, without a patient's consent, disclose the identity of any patient upon whom a test is performed and such patient's HIV-related information from a patient's record to an HIE if the disclosure is a required or permitted disclosure to a business associate or is a disclosure otherwise required or permitted under this Act. An HIE may, without a patient's consent, use or disclose such information to the extent it is allowed to use or disclose such information as a business associate in compliance with 45 CFR 164.502(e) or for such other purposes as are specifically allowed under this Act.

(410 ILCS 305/9.4a new)

Sec. 9.4a. Other disclosures. Nothing in this Act shall be construed (1) to limit the use of an HIE to facilitate disclosures permitted by this Act or (2) to allow for the disclosure of information from a patient's record to law enforcement or for law enforcement purposes.

(410 ILCS 305/9.6 new)

Sec. 9.6. HIE opt out. Section 9.6 of the Mental Health and Developmental Disabilities Confidentiality Act is incorporated herein by reference. In addition to the requirements set out in Section 9.6 of the Mental Health and Developmental Disabilities Confidentiality Act, at the time of a patient's first encounter for HIV-related care with a health care provider, health care professional, or health facility that participates in an HIE, or, in the event of a medical emergency that makes it impossible, as soon thereafter as is practicable, the patient shall receive meaningful disclosure regarding the HIE in which the health care provider, health care professional, or health facility participates and shall be afforded an opportunity to opt out of disclosure of the patient's health information through the HIE.

(410 ILCS 305/9.7 new)

Sec. 9.7. Record locator service to support HIE. Section 9.9 of the Mental Health and Developmental Disabilities and Confidentiality Act is herein incorporated by reference.

(410 ILCS 305/9.8 new)

Sec. 9.8. Disclosure of limited data sets and de-identified information. Notwithstanding the provisions of Sections 9 and 10 of this Act:

(1) a covered entity may, without a patient's consent, create, use, and disclose a limited data set using HIV-related information from a patient's record or disclose HIV-related information from a patient's record to a business associate for the purpose of establishing a limited data set; the creation, use, and disclosure of

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such a limited data set must comply with the requirements set forth under HIPAA;

(2) a covered entity may, without a patient's consent, create, use, and disclose de-identified information using information from a patient's record that is subject to this Act or disclose HIV-related information from a patient's record to a business associate for the purpose of de-identifying the information; the creation, use, and disclosure of such de-identified data must comply with the requirements set forth under HIPAA. A covered entity or a business associate may disclose information that is de-identified; and

(3) the recipient of de-identified information shall not re-identify de-identified information using any public or private data source.

(410 ILCS 305/9.9 new)

Sec. 9.9. Research. HIV-related information may be disclosed for research in accordance with the requirements set forth under HIPAA.

(410 ILCS 305/9.10 new)

Sec. 9.10. Minimum necessary. When using and disclosing HIV-related information under this Act, a covered entity shall do so in accordance with the minimum necessary standard under HIPAA.

(410 ILCS 305/10) (from Ch. 111 1/2, par. 7310)

Sec. 10. No person to whom the results of a test have been disclosed may disclose the test results to another person except as authorized under this Act by Section 9.

(Source: P.A. 85-677; 85-679.)

(410 ILCS 305/16) (from Ch. 111 1/2, par. 7316)

Sec. 16. The Department shall promulgate rules and regulations concerning implementation and enforcement of this Act, except to the extent that this Act delegates to the Authority the promulgation or adoption of any rules, regulations, standards, or contractual obligations. The rules and regulations promulgated by the Department pursuant to this Act may include procedures for taking appropriate action with regard to health care facilities or health care providers which violate this Act or the regulations promulgated hereunder. The provisions of The Illinois Administrative Procedure Act shall apply to all administrative rules and procedures of the Department pursuant to this Act, except that in case of conflict between The Illinois Administrative Procedure Act and this Act, the provisions of this Act shall control. The Department shall conduct training, technical assistance, and outreach
activities, as needed, to implement routine HIV testing in healthcare medical settings.
(Source: P.A. 95-7, eff. 6-1-08.)

Section 15. The Genetic Information Privacy Act is amended by changing Sections 5, 10, 20, 25, 30, 35, and 40 and by adding Sections 31, 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, and 31.10 as follows:

(410 ILCS 513/5)

Sec. 5. Legislative findings; intent. The General Assembly finds that:
(1) The use of genetic testing can be valuable to an individual.
(2) Despite existing laws, regulations, and professional standards which require or promote voluntary and confidential use of genetic testing information, many members of the public are deterred from seeking genetic testing because of fear that test results will be disclosed without consent in a manner not permitted by law or will be used in a discriminatory manner.
(3) The public health will be served by facilitating voluntary and confidential nondiscriminatory use of genetic testing information.
(4) The use of electronic health record systems and the exchange of patient records, both paper and electronic, through secure means, including through secure health information exchanges, should be encouraged to improve patient health care and care coordination, facilitate public health reporting, and control health care costs, among other purposes.
(5) Limiting the use or disclosure of, and requests for, protected health information to the minimum necessary to accomplish an intended purpose, when being transmitted by or on behalf of a covered entity under HIPAA, is a key component of health information privacy. The disclosure of genetic information, when allowed by this Act, shall be performed in accordance with the minimum necessary standard when required under HIPAA.

(Source: P.A. 90-25, eff. 1-1-98.)

(410 ILCS 513/10)

Sec. 10. Definitions. As used in this Act:
"Authority" means the Illinois Health Information Exchange Authority established pursuant to the Illinois Health Information Exchange and Technology Act.
"Business associate" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.
"Covered entity" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"De-identified information" means health information that is not individually identifiable as described under HIPAA, as specified in 45 CFR 164.514(b).

"Disclosure" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"Employer" means the State of Illinois, any unit of local government, and any board, commission, department, institution, or school district, any party to a public contract, any joint apprenticeship or training committee within the State, and every other person employing employees within the State.

"Employment agency" means both public and private employment agencies and any person, labor organization, or labor union having a hiring hall or hiring office regularly undertaking, with or without compensation, to procure opportunities to work, or to procure, recruit, refer, or place employees.

"Family member" means, with respect to an individual, (i) the spouse of the individual; (ii) a dependent child of the individual, including a child who is born to or placed for adoption with the individual; (iii) any other person qualifying as a covered dependent under a managed care plan; and (iv) all other individuals related by blood or law to the individual or the spouse or child described in subsections (i) through (iii) of this definition.

"Genetic information" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103. means, with respect to any individual, information about (i) the individual's genetic tests; (ii) the genetic tests of a family member of the individual; and (iii) the manifestation or possible manifestation of a disease or disorder in a family member of the individual. Genetic information does not include information about the sex or age of any individual.

"Genetic monitoring" means the periodic examination of employees to evaluate acquired modifications to their genetic material, such as chromosomal damage or evidence of increased occurrence of mutations that may have developed in the course of employment due to exposure to toxic substances in the workplace in order to identify, evaluate, and respond to effects of or control adverse environmental exposures in the workplace.

"Genetic services" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103 means a genetic test, genetic counseling,
including obtaining, interpreting, or assessing genetic information, or genetic education.

"Genetic testing" and "genetic test" have the meaning ascribed to "genetic test" under HIPAA, as specified in 45 CFR 160.103. mean a test or analysis of human genes, gene products, DNA, RNA, chromosomes, proteins, or metabolites that detect genotypes, mutations, chromosomal changes, abnormalities, or deficiencies, including carrier status, that (i) are linked to physical or mental disorders or impairments, (ii) indicate a susceptibility to illness, disease, impairment, or other disorders, whether physical or mental; or (iii) demonstrate genetic or chromosomal damage due to environmental factors. Genetic testing and genetic tests do not include routine physical measurements; chemical, blood and urine analyses that are widely accepted and in use in clinical practice; tests for use of drugs; tests for the presence of the human immunodeficiency virus; analyses of proteins or metabolites that do not detect genotypes, mutations, chromosomal changes, abnormalities, or deficiencies; or analyses of proteins or metabolites that are directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

"Health care operations" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

"Health care professional" means (i) a licensed physician, (ii) a physician assistant to whom the physician assistant's supervising physician has delegated the provision of genetic testing or genetic counseling-related services, (iii) an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician which authorizes the provision of genetic testing or genetic counseling-related health services, (iv) a licensed dentist, (v) a licensed podiatrist, (vi) a licensed genetic counselor, or (vii) an individual certified to provide genetic testing by a state or local public health department.

"Health care provider" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"Health facility" means a hospital, blood bank, blood center, sperm bank, or other health care institution, including any "health facility" as that term is defined in the Illinois Finance Authority Act.

"Health information exchange" or "HIE" means a health information exchange or health information organization that exchanges health information electronically that (i) is established pursuant to the Illinois Health Information Exchange and Technology Act, or any subsequent

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amendments thereto, and any administrative rules promulgated thereunder; (ii) has established a data sharing arrangement with the Authority; or (iii) as of August 16, 2013, was designated by the Authority Board as a member of, or was represented on, the Authority Board's Regional Health Information Exchange Workgroup; provided that such designation shall not require the establishment of a data sharing arrangement or other participation with the Illinois Health Information Exchange or the payment of any fee. In certain circumstances, in accordance with HIPAA, an HIE will be a business associate.

"Health oversight agency" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

"HIPAA" means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended by the Health Information Technology for Economic and Clinical Health Act of 2009, Public Law 111-05, and any subsequent amendments thereto and any regulations promulgated thereunder.

"Insurer" means (i) an entity that is subject to the jurisdiction of the Director of Insurance transacts an insurance business and (ii) a managed care plan.

"Labor organization" includes any organization, labor union, craft union, or any voluntary unincorporated association designed to further the cause of the rights of union labor that is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or apprenticeships or applications for apprenticeships, or of other mutual aid or protection in connection with employment, including apprenticeships or applications for apprenticeships.

"Licensing agency" means a board, commission, committee, council, department, or officers, except a judicial officer, in this State or any political subdivision authorized to grant, deny, renew, revoke, suspend, annul, withdraw, or amend a license or certificate of registration.

"Limited data set" has the meaning ascribed to it under HIPAA, as described in 45 CFR 164.514(e)(2).

"Labor organization" includes any organization, labor union, craft union, or any voluntary unincorporated association designed to further the cause of the rights of union labor that is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or apprenticeships or applications for apprenticeships, or of other mutual aid or protection in connection with employment, including apprenticeships or applications for apprenticeships.

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connection with employment, including apprenticeships or applications for apprenticeships:

"Managed care plan" means a plan that establishes, operates, or maintains a network of health care providers that have entered into agreements with the plan to provide health care services to enrollees where the plan has the ultimate and direct contractual obligation to the enrollee to arrange for the provision of or pay for services through:

(1) organizational arrangements for ongoing quality assurance, utilization review programs, or dispute resolution; or

(2) financial incentives for persons enrolled in the plan to use the participating providers and procedures covered by the plan.

A managed care plan may be established or operated by any entity including a licensed insurance company, hospital or medical service plan, health maintenance organization, limited health service organization, preferred provider organization, third party administrator, or an employer or employee organization.

"Minimum necessary" means HIPAA's standard for using, disclosing, and requesting protected health information found in 45 CFR 164.502(b) and 164.514(d).

"Nontherapeutic purpose" means a purpose that is not intended to improve or preserve the life or health of the individual whom the information concerns.

"Organized health care arrangement" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"Patient safety activities" has the meaning ascribed to it under 42 CFR 3.20.

"Payment" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

"Person" includes any natural person, partnership, association, joint venture, trust, governmental entity, public or private corporation, health facility, or other legal entity.

"Protected health information" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.103.

"Research" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

"State agency" means an instrumentality of the State of Illinois and any instrumentality of another state which pursuant to applicable law or a written undertaking with an instrumentality of the State of Illinois is bound to protect the privacy of genetic information of Illinois persons.

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"Treatment" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 164.501.

"Use" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103, where context dictates.

(Source: P.A. 95-927, eff. 1-1-09.)

(410 ILCS 513/20)

Sec. 20. Use of genetic testing information for insurance purposes.

(a) An insurer may not seek information derived from genetic testing for use in connection with a policy of accident and health insurance. Except as provided in subsection (c), an insurer that receives information derived from genetic testing, regardless of the source of that information, may not use the information for a nontherapeutic purpose as it relates to a policy of accident and health insurance.

(b) An insurer shall not use or disclose protected health information that is genetic information for underwriting purposes. For purposes of this Section, "underwriting purposes" means, with respect to an insurer:

(1) rules for, or determination of, eligibility (including enrollment and continued eligibility) for, or determination of, benefits under the plan, coverage, or policy (including changes in deductibles or other cost-sharing mechanisms in return for activities such as completing a health risk assessment or participating in a wellness program);

(2) the computation of premium or contribution amounts under the plan, coverage, or policy (including discounts, rebates, payments in kind, or other premium differential mechanisms in return for activities, such as completing a health risk assessment or participating in a wellness program);

(3) the application of any pre-existing condition exclusion under the plan, coverage, or policy; and

(4) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.

"Underwriting purposes" does not include determinations of medical appropriateness where an individual seeks a benefit under the plan, coverage, or policy.

This subsection (b) does not apply to insurers that are issuing a long-term care policy, excluding a nursing home fixed indemnity plan.

(c) An insurer may consider the results of genetic testing in connection with a policy of accident and health insurance if the individual voluntarily submits the results and the results are favorable to the individual.

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(d) An insurer that possesses information derived from genetic testing may not release the information to a third party, except as specified in Section 30.

(410 ILCS 513/25)

Sec. 25. Use of genetic testing information by employers.

(a) An employer, employment agency, labor organization, and licensing agency shall treat genetic testing and genetic information in such a manner that is consistent with the requirements of federal law, including but not limited to the Genetic Information Nondiscrimination Act of 2008, the Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, the Family and Medical Leave Act of 1993, the Occupational Safety and Health Act of 1970, the Federal Mine Safety and Health Act of 1977, or the Atomic Energy Act of 1954.

(b) An employer may release genetic testing information only in accordance with Sections 15 and 30 of this Act.

(c) An employer, employment agency, labor organization, and licensing agency shall not directly or indirectly do any of the following:

1. solicit, request, require or purchase genetic testing or genetic information of a person or a family member of the person, or administer a genetic test to a person or a family member of the person as a condition of employment, preemployment application, labor organization membership, or licensure;

2. affect the terms, conditions, or privileges of employment, preemployment application, labor organization membership, or licensure, or terminate the employment, labor organization membership, or licensure of any person because of genetic testing or genetic information with respect to the employee or family member, or information about a request for or the receipt of genetic testing by such employee or family member of such employee;

3. limit, segregate, or classify employees in any way that would deprive or tend to deprive any employee of employment opportunities or otherwise adversely affect the status of the employee as an employee because of genetic testing or genetic information with respect to the employee or a family member, or information about a request for or the receipt of genetic testing or genetic information by such employee or family member of such employee; and

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(4) retaliate through discharge or in any other manner against any person alleging a violation of this Act or participating in any manner in a proceeding under this Act.

(d) An agreement between a person and an employer, prospective employer, employment agency, labor organization, or licensing agency, or its employees, agents, or members offering the person employment, labor organization membership, licensure, or any pay or benefit in return for taking a genetic test is prohibited.

(e) An employer shall not use genetic information or genetic testing in furtherance of a workplace wellness program benefiting employees unless (1) health or genetic services are offered by the employer, (2) the employee provides written authorization and informed consent in accordance with Section 30 of this Act, (3) only the employee or family member if the family member is receiving genetic services and the licensed health care professional or licensed genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services, and (4) any individually identifiable information is only available for purposes of such services and shall not be disclosed to the employer except in aggregate terms that do not disclose the identity of specific employees.

(f) Nothing in this Act shall be construed to prohibit genetic testing of an employee who requests a genetic test and who provides written authorization and informed consent, in accordance with Section 30 of this Act, from taking a genetic test for the purpose of initiating a workers' compensation claim under the Workers' Compensation Act.

(g) A purchase of commercially and publicly available documents, including newspapers, magazines, periodicals, and books but not including medical databases or court records or inadvertently requesting family medical history by an employer, employment agency, labor organization, and licensing agency does not violate this Act.

(h) Nothing in this Act shall be construed to prohibit an employer that conducts DNA analysis for law enforcement purposes as a forensic laboratory and that includes such analysis in the Combined DNA Index System pursuant to the federal Violent Crime Control and Law Enforcement Act of 1994 from requesting or requiring genetic testing or genetic information of such employer's employees, but only to the extent that such genetic testing or genetic information is used for analysis of DNA identification markers for quality control to detect sample contamination.

(i) Nothing in this Act shall be construed to prohibit an employer from requesting or requiring genetic information to be used for genetic monitoring

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of the biological effects of toxic substances in the workplace, but only if (1) the employer provides written notice of the genetic monitoring to the employee; (2) the employee provides written *authorization and informed consent* under Section 30 of this Act or the genetic monitoring is required by federal or State law; (3) the employee is informed of individual monitoring results; (4) the monitoring is in compliance with any federal genetic monitoring regulations or State genetic monitoring regulations under the authority of the federal Occupational Safety and Health Act of 1970; and (5) the employer, excluding any health care provider, licensed health care professional, or health facility licensed genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific employees.

(j) Despite lawful acquisition of genetic testing or genetic information under subsections (e) through (i) of this Section, an employer, employment agency, labor organization, and licensing agency still may not use or disclose the genetic test or genetic information in violation of this Act.

(k) Except as provided in subsections (e), (f), (h), and (i) of this Section, a person shall not knowingly sell to or interpret for an employer, employment agency, labor organization, or licensing agency, or its employees, agents, or members, a genetic test of an employee, labor organization member, or license holder, or of a prospective employee, member, or license holder.

(Source: P.A. 95-927, eff. 1-1-09.)

(410 ILCS 513/30)

Sec. 30. Disclosure of person tested and test results.

(a) No person may disclose or be compelled to disclose the identity of any person upon whom a genetic test is performed or the results of a genetic test in a manner that permits identification of the subject of the test, except to the following persons:

(1) The subject of the test or the subject's legally authorized representative. This paragraph does not create a duty or obligation under which a health care provider must notify the subject's spouse or legal guardian of the test results, and no such duty or obligation shall be implied. No civil liability or criminal sanction under this Act shall be imposed for any disclosure or nondisclosure of a test result to a spouse by a physician acting in good faith under this paragraph. For the purpose of any proceedings, civil or criminal, the good faith of any physician acting under this paragraph shall be presumed.

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(2) Any person designated in a specific written legally effective authorization for release of the test results executed by the subject of the test or the subject's legally authorized representative.

(3) An authorized agent or employee of a health facility or health care provider if the health facility or health care provider itself is authorized to obtain the test results, the agent or employee provides patient care, and the agent or employee has a need to know the information in order to conduct the tests or provide care or treatment.

(4) A health facility, or health care provider, or health care professional that procures, processes, distributes, or uses:
   (A) a human body part from a deceased person with respect to medical information regarding that person; or
   (B) semen provided prior to the effective date of this Act for the purpose of artificial insemination.

(5) Health facility staff committees for the purposes of conducting program monitoring, program evaluation, or service reviews.

(6) In the case of a minor under 18 years of age, the health care provider, health care professional, or health facility who ordered the test shall make a reasonable effort to notify the minor's parent or legal guardian if, in the professional judgment of the health care provider, health care professional, or health facility, notification would be in the best interest of the minor and the health care provider, health care professional, or health facility has first sought unsuccessfully to persuade the minor to notify the parent or legal guardian or after a reasonable time after the minor has agreed to notify the parent or legal guardian, the health care provider, health care professional, or health facility has reason to believe that the minor has not made the notification. This paragraph shall not create a duty or obligation under which a health care provider, health care professional, or health facility must notify the minor's parent or legal guardian of the test results, nor shall a duty or obligation be implied. No civil liability or criminal sanction under this Act shall be imposed for any notification or non-notification of a minor's test result by a health care provider, health care professional, or health facility acting in good faith under this paragraph. For the purpose of any proceeding, civil or criminal, the good faith of any health care provider, health care professional, or health facility.
care professional, or health facility acting under this paragraph shall be presumed.

(b) All information and records held by a State agency, or local health authority, or health oversight agency pertaining to genetic information shall be strictly confidential and exempt from copying and inspection under the Freedom of Information Act. The information and records shall not be released or made public by the State agency, or local health authority, or health oversight agency and shall not be admissible as evidence nor discoverable in any action of any kind in any court or before any tribunal, board, agency, or person and shall be treated in the same manner as the information and those records subject to the provisions of Part 21 of Article VIII of the Code of Civil Procedure except under the following circumstances:

(A) when made with the written consent of all persons to whom the information pertains;
(B) when authorized by Section 5-4-3 of the Unified Code of Corrections;
(C) when made for the sole purpose of implementing the Newborn Metabolic Screening Act and rules; or
(D) when made under the authorization of the Illinois Parentage Act of 1984.

Disclosure shall be limited to those who have a need to know the information, and no additional disclosures may be made.

(c) Disclosure by an insurer in accordance with the requirements of the Article XL of the Illinois Insurance Code shall be deemed compliance with this Section.

(Source: P.A. 96-328, eff. 8-11-09.)

(410 ILCS 513/31 new)
Sec. 31. Uses and disclosures for treatment, payment, and health care operations. Notwithstanding Sections 30 and 35 of this Act, a covered entity may, without a patient's consent:

(1) use or disclose genetic information for its own treatment, payment, or health care operations;
(2) disclose genetic information for treatment activities of a health care provider;
(3) disclose genetic information to another covered entity or health care provider for the payment activities of the entity that receives the information;

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(4) disclose genetic information to another covered entity for health care operations activities of the entity that receives the information, if each entity has or had a relationship with the individual who is the subject of the genetic information being requested, the genetic information pertains to such relationship, and the disclosure is for the purpose of (A) conducting quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, provided that the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; patient safety activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management, and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment; (B) reviewing the competence or qualifications of health care professionals or health care providers, evaluating practitioner and provider performance, health plan performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of non-health care professionals, accreditation, certification, licensing, or credentialing activities; or (C) health care fraud and abuse detection or compliance; and

(5) disclose genetic information to other participants in an organized health care arrangement in which the covered entity is also a participant for any health care operations activities of the organized health care arrangement.

(410 ILCS 513/31.1 new)

Sec. 31.1. Uses and disclosures for health oversight activities.

(a) Notwithstanding Sections 30 and 35 of this Act, a covered entity may disclose genetic information, without a patient's consent, to a health oversight agency for health oversight activities authorized by law, including audits, civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil administrative or criminal proceedings or actions; or other activities necessary for appropriate oversight of (i) the health care system; (ii) government benefit programs for which health information is relevant to beneficiary eligibility; (iii) entities subject to government regulatory programs for which health information is necessary for determining compliance with program standards; or (iv) entities subject to civil rights laws for which health information is necessary for determining compliance.

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(b) For purposes of the disclosures permitted by this Section, a health oversight activity does not include an investigation or other activity in which the individual is the subject of the investigation or activity and such investigation or other activity does not arise out of and is not directly related to (i) the receipt of health care; (ii) a claim for public benefits related to health; or (iii) qualification for, or receipt of, public benefits or services when a patient's health is integral to the claim for public benefits or services, except that, if a health oversight activity or investigation is conducted in conjunction with an oversight activity or investigation relating to a claim for public benefits not related to health, the joint activity or investigation is considered a health oversight activity for purposes of this Section.

(c) If a covered entity is also a health oversight agency, the covered entity may use genetic information for health oversight activities permitted by this Section.

(410 ILCS 513/31.2 new)
Sec. 31.2. Uses and disclosures for public health activities. Notwithstanding Sections 30 and 35 of this Act, genetic information may be disclosed without a patient's consent for public health activities and purposes to the Department, when the Department is authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, including, but not limited to, the reporting of disease, injury, vital events such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions.

(410 ILCS 513/31.3 new)
Sec. 31.3. Business associates.
(a) Notwithstanding Sections 30 and 35 of this Act, a covered entity may, without a patient's consent, disclose a patient's genetic information to a business associate and may allow a business associate to create, receive, maintain, or transmit protected health information on its behalf, if the covered entity obtains, through a written contract or other written agreement or arrangement that meets the applicable requirements of 45 CFR 164.504(e), satisfactory assurance that the business associate will appropriately safeguard the information. A covered entity is not required to obtain such satisfactory assurances from a business associate that is a subcontractor.

(b) A business associate may disclose protected health information to a business associate that is a subcontractor and may allow the subcontractor to create, receive, maintain, or transmit protected health information on its behalf, if the business associate obtains satisfactory assurances, in

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accordance with 45 CFR 164.504(e)(1)(i), that the subcontractor will appropriately safeguard the information.

(410 ILCS 513/31.4 new)

Sec. 31.4. Record locator service to support HIE. Section 9.9 of the Mental Health and Developmental Disabilities Confidentiality Act is herein incorporated by reference.

(410 ILCS 513/31.5 new)

Sec. 31.5. Use and disclosure of information to an HIE. Notwithstanding the provisions of Section 30 and 35 of this Act, a covered entity may, without a patient's consent, disclose the identity of any patient upon whom a test is performed and such patient's genetic information from a patient's record to a HIE if the disclosure is a required or permitted disclosure to a business associate or is a disclosure otherwise required or permitted under this Act. An HIE may, without a patient's consent, use or disclose such information to the extent it is allowed to use or disclose such information as a business associate in compliance with 45 CFR 164.502(e) or for such other purposes as are specifically allowed under this Act.

(410 ILCS 513/31.6 new)

Sec. 31.6. Other disclosures. Nothing in this Act shall be construed
(1) to limit the use of an HIE to facilitate disclosures permitted by this Act or
(2) to allow for the disclosure of information from a patient's record to law enforcement or for law enforcement purposes.

(410 ILCS 513/31.7 new)

Sec. 31.7. Establishment and disclosure of limited data sets and de-
identified information.

(a) A covered entity may, without a genetic information test subject's consent, create, use, and disclose a limited data set using information subject to this Act or disclose information subject to this Act to a business associate for the purpose of establishing a limited data set. The creation, use, and disclosure of such a limited data set must comply with the requirements set forth under HIPAA.

(b) A covered entity may, without a genetic information test subject's consent, create, use, and disclose de-identified information using information subject to this Act or disclose information subject to this Act to a business associate for the purpose of de-identifying the information. The creation, use, and disclosure of such de-identified information must comply with the requirements set forth under HIPAA. A covered entity or a business associate may disclose information that is de-identified in accordance with HIPAA.

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(c) The recipient of de-identified information shall not re-identify de-identified information using any public or private data source.

(410 ILCS 513/31.8 new)

Sec. 31.8. HIE opt out. Section 9.6 of the Mental Health and Developmental Disabilities Confidentiality Act is incorporated herein by reference. In addition to the requirements set out in Section 9.6 of the Mental Health and Developmental Disabilities Confidentiality Act, at the time of a patient's first encounter for genetic testing with a health care provider, health care professional, or health facility that participates in an HIE, or, in the event of a medical emergency that makes it impossible, as soon thereafter as is practicable, the patient shall receive meaningful disclosure regarding the HIE in which the health care provider, health care professional, or health facility participates and shall be afforded an opportunity to opt out of disclosure of the patient's health information through the HIE.

(410 ILCS 513/31.9 new)

Sec. 31.9. Research. Genetic information may be disclosed for research, in accordance with the requirements set forth under HIPAA.

(410 ILCS 513/31.10 new)

Sec. 31.10. Minimum necessary. When using or disclosing genetic-related information under this Act, a covered entity shall do so in accordance with the minimum necessary standard under HIPAA.

(410 ILCS 513/35)

Sec. 35. Disclosure by person to whom results have been disclosed. No person to whom the results of a test have been disclosed may disclose the test results to another person except as authorized under this Act by Section 30.

(Source: P.A. 90-25, eff. 1-1-98.)

(410 ILCS 513/40)

Sec. 40. Right of action.

(a) Any person aggrieved by a violation of this Act shall have a right of action in a State circuit court or as a supplemental claim in a federal district court against an offending party. A prevailing party may recover for each violation:

(1) Against any party who negligently violates a provision of this Act, liquidated damages of $2,500 or actual damages, whichever is greater.

(2) Against any party who intentionally or recklessly violates a provision of this Act, liquidated damages of $15,000 or actual damages, whichever is greater.

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(3) Reasonable attorney's fees and costs, including expert witness fees and other litigation expenses.

(4) Such other relief, including an injunction, as the State or federal court may deem appropriate.

(b) Article XL of the Illinois Insurance Code shall provide the exclusive remedy for violations of Section 30 by insurers.

(c) Notwithstanding any provisions of the law to the contrary, any person alleging a violation of subsection (a) of Section 15, subsection (b) of Section 25, Section 30, Section 31, or Section 35 of this Act shall have a right of action in a State circuit court or as a supplemental claim in a federal district court to seek a preliminary injunction preventing the release or disclosure of genetic testing or genetic information pending the final resolution of any action under this Act.

(Source: P.A. 95-927, eff. 1-1-09.)

Section 20. The Unified Code of Corrections is amended by changing Sections 3-8-2 and 3-10-2 as follows:

(730 ILCS 5/3-8-2) (from Ch. 38, par. 1003-8-2)

Sec. 3-8-2. Social Evaluation; physical examination; HIV/AIDS.

(a) A social evaluation shall be made of a committed person's medical, psychological, educational and vocational condition and history, including the use of alcohol and other drugs, the circumstances of his offense, and such other information as the Department may determine. The committed person shall be assigned to an institution or facility in so far as practicable in accordance with the social evaluation. Recommendations shall be made for medical, dental, psychiatric, psychological and social service treatment.

(b) A record of the social evaluation shall be entered in the committed person's master record file and shall be forwarded to the institution or facility to which the person is assigned.

(c) Upon admission to a correctional institution each committed person shall be given a physical examination. If he is suspected of having a communicable disease that in the judgment of the Department medical personnel requires medical isolation, the committed person shall remain in medical isolation until it is no longer deemed medically necessary.

(d) Upon arrival at a reception and classification center or an inmate's final destination, the Department must provide the committed person with appropriate information in writing, verbally, by video or other electronic means concerning HIV and AIDS. The Department shall develop the informational materials in consultation with the Department of Public Health. At the same time, the Department also must offer the committed person the

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option of being tested, with no copayment, for infection with human immunodeficiency virus (HIV). Pre-test information shall be provided to the committed person and informed consent obtained as required in subsection (q) or (d) of Section 3 and Section 5 of the AIDS Confidentiality Act. The Department may conduct opt-out HIV testing as defined in Section 4 of the AIDS Confidentiality Act. If the Department conducts opt-out HIV testing, the Department shall place signs in English, Spanish and other languages as needed in multiple, highly visible locations in the area where HIV testing is conducted informing inmates that they will be tested for HIV unless they refuse, and refusal or acceptance of testing shall be documented in the inmate's medical record. The Department shall follow procedures established by the Department of Public Health to conduct HIV testing and testing to confirm positive HIV test results. All testing must be conducted by medical personnel, but pre-test and other information may be provided by committed persons who have received appropriate training. The Department, in conjunction with the Department of Public Health, shall develop a plan that complies with the AIDS Confidentiality Act to deliver confidentially all positive or negative HIV test results to inmates or former inmates. Nothing in this Section shall require the Department to offer HIV testing to an inmate who is known to be infected with HIV, or who has been tested for HIV within the previous 180 days and whose documented HIV test result is available to the Department electronically. The testing provided under this subsection (d) shall consist of a test approved by the Illinois Department of Public Health to determine the presence of HIV infection, based upon recommendations of the United States Centers for Disease Control and Prevention. If the test result is positive, a reliable supplemental test based upon recommendations of the United States Centers for Disease Control and Prevention shall be administered.

(Source: P.A. 97-244, eff. 8-4-11; 97-323, eff. 8-12-11; 97-813, eff. 7-13-12.)

(730 ILCS 5/3-10-2) (from Ch. 38, par. 1003-10-2)

Sec. 3-10-2. Examination of Persons Committed to the Department of Juvenile Justice.

(a) A person committed to the Department of Juvenile Justice shall be examined in regard to his medical, psychological, social, educational and vocational condition and history, including the use of alcohol and other drugs, the circumstances of his offense and any other information as the Department of Juvenile Justice may determine.

(a-5) Upon admission of a person committed to the Department of Juvenile Justice, the Department of Juvenile Justice must provide the person

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with appropriate information concerning HIV and AIDS in writing, verbally, or by video or other electronic means. The Department of Juvenile Justice shall develop the informational materials in consultation with the Department of Public Health. At the same time, the Department of Juvenile Justice also must offer the person the option of being tested, at no charge to the person, for infection with human immunodeficiency virus (HIV). Pre-test information shall be provided to the committed person and informed consent obtained as required in subsection (q) (d) of Section 3 and Section 5 of the AIDS Confidentiality Act. The Department of Juvenile Justice may conduct opt-out HIV testing as defined in Section 4 of the AIDS Confidentiality Act. If the Department conducts opt-out HIV testing, the Department shall place signs in English, Spanish and other languages as needed in multiple, highly visible locations in the area where HIV testing is conducted informing inmates that they will be tested for HIV unless they refuse, and refusal or acceptance of testing shall be documented in the inmate's medical record. The Department shall follow procedures established by the Department of Public Health to conduct HIV testing and testing to confirm positive HIV test results. All testing must be conducted by medical personnel, but pre-test and other information may be provided by committed persons who have received appropriate training. The Department, in conjunction with the Department of Public Health, shall develop a plan that complies with the AIDS Confidentiality Act to deliver confidentially all positive or negative HIV test results to inmates or former inmates. Nothing in this Section shall require the Department to offer HIV testing to an inmate who is known to be infected with HIV, or who has been tested for HIV within the previous 180 days and whose documented HIV test result is available to the Department electronically. The testing provided under this subsection (a-5) shall consist of a test approved by the Illinois Department of Public Health to determine the presence of HIV infection, based upon recommendations of the United States Centers for Disease Control and Prevention. If the test result is positive, a reliable supplemental test based upon recommendations of the United States Centers for Disease Control and Prevention shall be administered.

Also upon admission of a person committed to the Department of Juvenile Justice, the Department of Juvenile Justice must inform the person of the Department's obligation to provide the person with medical care.

(b) Based on its examination, the Department of Juvenile Justice may exercise the following powers in developing a treatment program of any person committed to the Department of Juvenile Justice:

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(1) Require participation by him in vocational, physical, educational and corrective training and activities to return him to the community.

(2) Place him in any institution or facility of the Department of Juvenile Justice.

(3) Order replacement or referral to the Parole and Pardon Board as often as it deems desirable. The Department of Juvenile Justice shall refer the person to the Parole and Pardon Board as required under Section 3-3-4.

(4) Enter into agreements with the Secretary of Human Services and the Director of Children and Family Services, with courts having probation officers, and with private agencies or institutions for separate care or special treatment of persons subject to the control of the Department of Juvenile Justice.

(c) The Department of Juvenile Justice shall make periodic reexamination of all persons under the control of the Department of Juvenile Justice to determine whether existing orders in individual cases should be modified or continued. This examination shall be made with respect to every person at least once annually.

(d) A record of the treatment decision including any modification thereof and the reason therefor, shall be part of the committed person’s master record file.

(e) The Department of Juvenile Justice shall by certified mail, return receipt requested, notify the parent, guardian or nearest relative of any person committed to the Department of Juvenile Justice of his physical location and any change thereof.

(730 ILCS 125/17.10)

Sec. 17.10. Requirements in connection with HIV/AIDS.

(a) In each county other than Cook, during the medical admissions exam, the warden of the jail, a correctional officer at the jail, or a member of the jail medical staff must provide the prisoner with appropriate written information concerning human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS). The Department of Public Health and community-based organizations certified to provide HIV/AIDS testing must provide these informational materials to the warden at no cost to the county. The warden, a correctional officer, or a member of the jail medical staff must

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inform the prisoner of the option of being tested for infection with HIV by a
certified local community-based agency or other available medical provider
at no charge to the prisoner.
(b) In Cook County, during the medical admissions exam, an
employee of the Cook County Health & Hospitals System must provide the
prisoner with appropriate information in writing, verbally or by video or other
electronic means concerning human immunodeficiency virus (HIV) and
acquired immunodeficiency syndrome (AIDS) and must also provide the
prisoner with option of testing for infection with HIV or any other identified
causative agent of AIDS, as well as counseling in connection with such
testing. The Cook County Health & Hospitals System may provide the inmate
with opt-out human immunodeficiency virus (HIV) testing, as defined in
Section 4 of the AIDS Confidentiality Act, unless the inmate refuses. If opt-
out HIV testing is conducted, the Cook County Health & Hospitals System
shall place signs in English, Spanish, and other languages as needed in
multiple, highly visible locations in the area where HIV testing is conducted
informing inmates that they will be tested for HIV unless they refuse, and
refusal or acceptance of testing shall be documented in the inmate's medical
record. Pre-test information shall be provided to the inmate and informed
consent obtained from the inmate as required in subsection (q) (d) of Section
3 and Section 5 of the AIDS Confidentiality Act. The Cook County Health
& Hospitals System shall follow procedures established by the Department
of Public Health to conduct HIV testing and testing to confirm positive HIV
test results. All aspects of HIV testing shall comply with the requirements of
the AIDS Confidentiality Act, including delivery of test results, as determined
by the Cook County Health & Hospitals System in consultation with the
Illinois Department of Public Health. Nothing in this Section shall require the
Cook County Health & Hospitals System to offer HIV testing to inmates who
are known to be infected with HIV. The Department of Public Health and
community-based organizations certified to provide HIV/AIDS testing may
provide these informational materials to the Bureau at no cost to the county.
The testing provided under this subsection (b) shall consist of a test approved
by the Illinois Department of Public Health to determine the presence of HIV
infection, based upon recommendations of the United States Centers for
Disease Control and Prevention. If the test result is positive, a reliable
supplemental test based upon recommendations of the United States Centers
for Disease Control and Prevention shall be administered.
(c) In each county, the warden of the jail must make appropriate
written information concerning HIV/AIDS available to every visitor to the

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jail. This information must include information concerning persons or entities to contact for local counseling and testing. The Department of Public Health and community-based organizations certified to provide HIV/AIDS testing must provide these informational materials to the warden at no cost to the office of the county sheriff.

(d) Implementation of this Section is subject to appropriation.

(Source: P.A. 97-244, eff. 8-4-11; 97-323, eff. 8-12-11; 97-813, eff. 7-13-12.)

Section 30. The Code of Civil Procedure is amended by changing Section 8-802 as follows:

(735 ILCS 5/8-802) (from Ch. 110, par. 8-802)

Sec. 8-802. Physician and patient. No physician or surgeon shall be permitted to disclose any information he or she may have acquired in attending any patient in a professional character, necessary to enable him or her professionally to serve the patient, except only (1) in trials for homicide when the disclosure relates directly to the fact or immediate circumstances of the homicide, (2) in actions, civil or criminal, against the physician for malpractice, (3) with the expressed consent of the patient, or in case of his or her death or disability, of his or her personal representative or other person authorized to sue for personal injury or of the beneficiary of an insurance policy on his or her life, health, or physical condition, or as authorized by Section 8-2001.5, (4) in all actions brought by or against the patient, his or her personal representative, a beneficiary under a policy of insurance, or the executor or administrator of his or her estate wherein the patient's physical or mental condition is an issue, (5) upon an issue as to the validity of a document as a will of the patient, (6) in any criminal action where the charge is either first degree murder by abortion, attempted abortion or abortion, (7) in actions, civil or criminal, arising from the filing of a report in compliance with the Abused and Neglected Child Reporting Act, (8) to any department, agency, institution or facility which has custody of the patient pursuant to State statute or any court order of commitment, (9) in prosecutions where written results of blood alcohol tests are admissible pursuant to Section 11-501.4 of the Illinois Vehicle Code, (10) in prosecutions where written results of blood alcohol tests are admissible under Section 5-11a of the Boat Registration and Safety Act, (11) in criminal actions arising from the filing of a report of suspected terrorist offense in compliance with Section 29D-10(p)(7) of the Criminal Code of 2012, or (12) upon the issuance of a subpoena pursuant to Section 38 of the Medical Practice Act of 1987; the issuance of a subpoena pursuant to Section 25.1 of the Illinois Dental Practice Act; the issuance of a subpoena pursuant to Section 22 of the Nursing Home

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Administrators Licensing and Disciplinary Act; or the issuance of a subpoena pursuant to Section 25.5 of the Workers' Compensation Act, or (13) to or through a health information exchange, as that term is defined in Section 2 of the Mental Health and Developmental Disabilities Confidentiality Act, in accordance with State or federal law.

In the event of a conflict between the application of this Section and the Mental Health and Developmental Disabilities Confidentiality Act to a specific situation, the provisions of the Mental Health and Developmental Disabilities Confidentiality Act shall control.

(Source: P.A. 97-18, eff. 6-28-11; 97-623, eff. 11-23-11; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

Passed in the General Assembly May 29, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1047
(Senate Bill No. 0232)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Sections 2105-130 and 2105-135 as follows:

(20 ILCS 2105/2105-130 new)
Sec. 2105-130. Determination of disciplinary sanctions.
(a) Following disciplinary proceedings as authorized in any licensing Act administered by the Department, upon a finding by the Department that a person has committed a violation of the licensing Act with regard to licenses, certificates, or authorities of persons exercising the respective professions, trades, or occupations, the Department may revoke, suspend, refuse to renew, place on probationary status, fine, or take any other disciplinary action as authorized in the licensing Act with regard to those licenses, certificates, or authorities. When making a determination of the appropriate disciplinary sanction to be imposed, the Department shall consider only evidence contained in the record. The Department shall consider any aggravating or mitigating factors contained in the record when determining the appropriate disciplinary sanction to be imposed.

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(b) When making a determination of the appropriate disciplinary sanction to be imposed, the Department shall consider, but is not limited to, the following aggravating factors contained in the record:

1. the seriousness of the offenses;
2. the presence of multiple offenses;
3. prior disciplinary history, including actions taken by other agencies in this State, by other states or jurisdictions, hospitals, health care facilities, residency programs, employers, or professional liability insurance companies or by any of the armed forces of the United States or any state;
4. the impact of the offenses on any injured party;
5. the vulnerability of any injured party, including, but not limited to, consideration of the injured party's age, disability, or mental illness;
6. the motive for the offenses;
7. the lack of contrition for the offenses;
8. financial gain as a result of committing the offenses; and
9. the lack of cooperation with the Department or other investigative authorities.

(c) When making a determination of the appropriate disciplinary sanction to be imposed, the Department shall consider, but is not limited to, the following mitigating factors contained in the record:

1. the lack of prior disciplinary action by the Department or by other agencies in this State, by other states or jurisdictions, hospitals, health care facilities, residency programs, employers, insurance providers, or by any of the armed forces of the United States or any state;
2. contrition for the offenses;
3. cooperation with the Department or other investigative authorities;
4. restitution to injured parties;
5. whether the misconduct was self-reported; and
6. any voluntary remedial actions taken.

(20 ILCS 2105/2105-135 new)

Sec. 2105-135. Qualification for licensure or registration; good moral character. The practice of professions licensed or registered by the Department is hereby declared to affect the public health, safety, and welfare and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that persons who are

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licensed or registered to engage in any of the professions licensed or registered by the Department are of good moral character, which shall be a continuing requirement of licensure or registration so as to merit and receive the confidence and trust of the public. Upon a finding by the Department that a person has committed a violation of the disciplinary grounds of any licensing Act administered by the Department with regard to licenses, certificates, or authorities of persons exercising the respective professions, trades, or occupations, the Department is authorized to revoke, suspend, refuse to renew, place on probationary status, fine, or take any other disciplinary action it deems warranted against any licensee or registrant whose conduct violates the continuing requirement of good moral character.

Effective January 1, 2015.

PUBLIC ACT 98-1048
(Senate Bill No. 3081)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 27A-6 and 27A-7 as follows:

(105 ILCS 5/27A-6)

Sec. 27A-6. Contract contents; applicability of laws and regulations.

(a) A certified charter shall constitute a binding contract and agreement between the charter school and a local school board under the terms of which the local school board authorizes the governing body of the charter school to operate the charter school on the terms specified in the contract.

(b) Notwithstanding any other provision of this Article, the certified charter may not waive or release the charter school from the State goals, standards, and assessments established pursuant to Section 2-3.64. Beginning with the 2003-2004 school year, the certified charter for a charter school operating in a city having a population exceeding 500,000 shall require the charter school to administer any other nationally recognized standardized tests to its students that the chartering entity administers to other students, and the results on such tests shall be included in the chartering entity's assessment reports.

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(c) Subject to the provisions of subsection (e), a material revision to a previously certified contract or a renewal shall be made with the approval of both the local school board and the governing body of the charter school.

(c-5) The proposed contract shall include a provision on how both parties will address minor violations of the contract.

(d) The proposed contract between the governing body of a proposed charter school and the local school board as described in Section 27A-7 must be submitted to and certified by the State Board before it can take effect. If the State Board recommends that the proposed contract be modified for consistency with this Article before it can be certified, the modifications must be consented to by both the governing body of the charter school and the local school board, and resubmitted to the State Board for its certification. If the proposed contract is resubmitted in a form that is not consistent with this Article, the State Board may refuse to certify the charter.

The State Board shall assign a number to each submission or resubmission in chronological order of receipt, and shall determine whether the proposed contract is consistent with the provisions of this Article. If the proposed contract complies, the State Board shall so certify.

(e) No renewal of a previously certified contract is effective unless and until the State Board certifies that the renewal is consistent with the provisions of this Article. A material revision to a previously certified contract may go into effect immediately upon approval of both the local school board and the governing body of the charter school, unless either party requests in writing that the State Board certify that the material revision is consistent with the provisions of this Article. If such a request is made, the proposed material revision is not effective unless and until the State Board so certifies.

No material revision to a previously certified contract or a renewal shall be effective unless and until the State Board certifies that the revision or renewal is consistent with the provisions of this Article.

(105 ILCS 5/27A-7)

Sec. 27A-7. Charter submission.

(a) A proposal to establish a charter school shall be submitted to the State Board and the local school board in the form of a proposed contract entered into between the local school board and the governing body of a proposed charter school. The charter school proposal as submitted to the State Board shall include:

(1) The name of the proposed charter school, which must include the words "Charter School".

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(2) The age or grade range, areas of focus, minimum and maximum numbers of pupils to be enrolled in the charter school, and any other admission criteria that would be legal if used by a school district.

(3) A description of and address for the physical plant in which the charter school will be located; provided that nothing in the Article shall be deemed to justify delaying or withholding favorable action on or approval of a charter school proposal because the building or buildings in which the charter school is to be located have not been acquired or rented at the time a charter school proposal is submitted or approved or a charter school contract is entered into or submitted for certification or certified, so long as the proposal or submission identifies and names at least 2 sites that are potentially available as a charter school facility by the time the charter school is to open.

(4) The mission statement of the charter school, which must be consistent with the General Assembly's declared purposes; provided that nothing in this Article shall be construed to require that, in order to receive favorable consideration and approval, a charter school proposal demonstrate unequivocally that the charter school will be able to meet each of those declared purposes, it being the intention of the Charter Schools Law that those purposes be recognized as goals that charter schools must aspire to attain.

(5) The goals, objectives, and pupil performance standards to be achieved by the charter school.

(6) In the case of a proposal to establish a charter school by converting an existing public school or attendance center to charter school status, evidence that the proposed formation of the charter school has received the approval of certified teachers, parents and guardians, and, if applicable, a local school council as provided in subsection (b) of Section 27A-8.

(7) A description of the charter school's educational program, pupil performance standards, curriculum, school year, school days, and hours of operation.

(8) A description of the charter school's plan for evaluating pupil performance, the types of assessments that will be used to measure pupil progress towards achievement of the school's pupil performance standards, the timeline for achievement of those standards, and the procedures for taking corrective action in the event

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that pupil performance at the charter school falls below those standards.

(9) Evidence that the terms of the charter as proposed are economically sound for both the charter school and the school district, a proposed budget for the term of the charter, a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school district, are to be conducted, and a plan for the displacement of pupils, teachers, and other employees who will not attend or be employed in the charter school.

(10) A description of the governance and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school.

(11) An explanation of the relationship that will exist between the charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees and their recognized representative, if any. However, a bargaining unit of charter school employees shall be separate and distinct from any bargaining units formed from employees of a school district in which the charter school is located.

(12) An agreement between the parties regarding their respective legal liability and applicable insurance coverage.

(13) A description of how the charter school plans to meet the transportation needs of its pupils, and a plan for addressing the transportation needs of low-income and at-risk pupils.

(14) The proposed effective date and term of the charter; provided that the first day of the first academic year and the first day of the fiscal year shall be no earlier than August 15 and no later than September 15 of a calendar year, and the first day of the fiscal year shall be July 1.

(15) Any other information reasonably required by the State Board of Education.

(b) A proposal to establish a charter school may be initiated by individuals or organizations that will have majority representation on the board of directors or other governing body of the corporation or other discrete legal entity that is to be established to operate the proposed charter school, by a board of education or an intergovernmental agreement between or among boards of education, or by the board of directors or other governing body of

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a discrete legal entity already existing or established to operate the proposed charter school. The individuals or organizations referred to in this subsection may be school teachers, school administrators, local school councils, colleges or universities or their faculty members, public community colleges or their instructors or other representatives, corporations, or other entities or their representatives. The proposal shall be submitted to the local school board for consideration and, if appropriate, for development of a proposed contract to be submitted to the State Board for certification under Section 27A-6.

(c) The local school board may not without the consent of the governing body of the charter school condition its approval of a charter school proposal on acceptance of an agreement to operate under State laws and regulations and local school board policies from which the charter school is otherwise exempted under this Article.

(Source: P.A. 90-548, eff. 1-1-98; 91-405, eff. 8-3-99.)

Section 99. Effective date. This Act takes effect July 1, 2014.

PUBLIC ACT 98-1049
(Senate Bill No. 3447)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Counties Code is amended by changing Section 5-1035.1 as follows:

(55 ILCS 5/5-1035.1) (from Ch. 34, par. 5-1035.1)
Sec. 5-1035.1. County Motor Fuel Tax Law. The county board of the counties of DuPage, Kane and McHenry may, by an ordinance or resolution adopted by an affirmative vote of a majority of the members elected or appointed to the county board, impose a tax upon all persons engaged in the county in the business of selling motor fuel, as now or hereafter defined in the Motor Fuel Tax Law, at retail for the operation of motor vehicles upon public highways or for the operation of recreational watercraft upon waterways. Kane County may exempt diesel fuel from the tax imposed pursuant to this Section. The tax may be imposed, in half-cent increments, at a rate not exceeding 4 cents per gallon of motor fuel sold at retail within the county for the purpose of use or consumption and not for the purpose of resale. The

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proceeds from the tax shall be used by the county solely for the purpose of operating, constructing and improving public highways and waterways, and acquiring real property and right-of-ways for public highways and waterways within the county imposing the tax.

A tax imposed pursuant to this Section, and all civil penalties that may be assessed as an incident thereof, shall be administered, collected and enforced by the Illinois Department of Revenue in the same manner as the tax imposed under the Retailers' Occupation Tax Act, as now or hereafter amended, insofar as may be practicable; except that in the event of a conflict with the provisions of this Section, this Section shall control. The Department of Revenue shall have full power: to administer and enforce this Section; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder.

Whenever the Department determines that a refund shall be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Option Motor Fuel Tax Fund.

The Department shall forthwith pay over to the State Treasurer, ex-officio, as trustee, all taxes and penalties collected hereunder, which shall be deposited into the County Option Motor Fuel Tax Fund, a special fund in the State Treasury which is hereby created. On or before the 25th day of each calendar month, the Department shall prepare and certify to the State Comptroller the disbursement of stated sums of money to named counties for which taxpayers have paid taxes or penalties hereunder to the Department during the second preceding calendar month. The amount to be paid to each county shall be the amount (not including credit memoranda) collected hereunder from retailers within the county during the second preceding calendar month by the Department, but not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; less 2% of the balance, which sum shall be retained by the State Treasurer to cover the costs incurred by the Department in administering and enforcing the provisions of this Section. The Department, at the time of each monthly disbursement to the counties, shall prepare and certify to the Comptroller the amount so retained by the State Treasurer, which shall be transferred into the Tax Compliance and

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Administration Fund the amount expended during the second preceding month by the Department pursuant to appropriation from the County Option Motor Fuel Tax Fund for the administration and enforcement of this Section, which appropriation shall not exceed $200,000 for fiscal year 1990 and, for each year thereafter, shall not exceed 2% of the amount deposited into the County Option Motor Fuel Tax Fund during the preceding fiscal year.

A county may direct, by ordinance, that all or a portion of the taxes and penalties collected under the County Option Motor Fuel Tax shall be deposited into the Transportation Development Partnership Trust Fund.

Nothing in this Section shall be construed to authorize a county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

An ordinance or resolution imposing a tax hereunder or effecting a change in the rate thereof shall be effective on the first day of the second calendar month next following the month in which the ordinance or resolution is adopted and a certified copy thereof is filed with the Department of Revenue, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the county as of the effective date of the ordinance or resolution. Upon a change in rate of a tax levied hereunder, or upon the discontinuance of the tax, the county board of the county shall, on or not later than 5 days after the effective date of the ordinance or resolution discontinuing the tax or effecting a change in rate, transmit to the Department of Revenue a certified copy of the ordinance or resolution effecting the change or discontinuance.

This Section shall be known and may be cited as the County Motor Fuel Tax Law.

(Source: P.A. 96-845, eff. 7-1-12.)

Section 10. The Illinois Municipal Code is amended by changing Section 8-11-6 as follows:

(65 ILCS 5/8-11-6) (from Ch. 24, par. 8-11-6)
(a) The corporate authorities of a home rule municipality may impose a tax upon the privilege of using, in such municipality, any item of tangible personal property which is purchased at retail from a retailer, and which is titled or registered at a location within the corporate limits of such home rule municipality with an agency of this State's government, at a rate which is an increment of 1/4% and based on the selling price of such tangible personal property, as "selling price" is defined in the Use Tax Act. In home rule

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municipalities with less than 2,000,000 inhabitants, the tax shall be collected by the municipality imposing the tax from persons whose Illinois address for titling or registration purposes is given as being in such municipality.

(b) In home rule municipalities with 2,000,000 or more inhabitants, the corporate authorities of the municipality may additionally impose a tax beginning July 1, 1991 upon the privilege of using in the municipality, any item of tangible personal property, other than tangible personal property titled or registered with an agency of the State's government, that is purchased at retail from a retailer located outside the corporate limits of the municipality, at a rate that is an increment of 1/4% not to exceed 1% and based on the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. Such tax shall be collected from the purchaser either by the municipality imposing such tax or by the Department of Revenue pursuant to an agreement between the Department and the municipality.

To prevent multiple home rule taxation, the use in a home rule municipality of tangible personal property that is acquired outside the municipality and caused to be brought into the municipality by a person who has already paid a home rule municipal tax in another municipality in respect to the sale, purchase, or use of that property, shall be exempt to the extent of the amount of the tax properly due and paid in the other home rule municipality.

(c) If a municipality having 2,000,000 or more inhabitants imposes the tax authorized by subsection (a), then the tax shall be collected by the Illinois Department of Revenue when the property is purchased at retail from a retailer in the county in which the home rule municipality imposing the tax is located, and in all contiguous counties. The tax shall be remitted to the State, or an exemption determination must be obtained from the Department before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered if the Department and that agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this Section to collect all taxes, penalties and interest due hereunder, to dispose of taxes, penalties and interest so collected in the manner hereinafter provided, and determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of and compliance with this Section the Department and

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persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties and definitions of terms, and employ the same modes of procedure as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19, 20, 21 and 22 of the Use Tax Act, which are not inconsistent with this Section, as fully as if provisions contained in those Sections of the Use Tax Act were set forth herein.

Whenever the Department determines that a refund shall be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in such notification from the Department. Such refund shall be paid by the State Treasurer out of the home rule municipal retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes, penalties and interest collected hereunder. On or before the 25th day of each calendar month, the Department shall prepare and certify to the State Comptroller the disbursement of stated sums of money to named municipalities, the municipality in each instance to be that municipality from which the Department during the second preceding calendar month, collected municipal use tax from any person whose Illinois address for titling or registration purposes is given as being in such municipality. The amount to be paid to each municipality shall be the amount (not including credit memoranda) collected hereunder during the second preceding calendar month by the Department, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of such municipality, less 2% of the balance, which sum shall be retained by the State Treasurer to cover the costs incurred by the Department in administering and enforcing the provisions of this Section. The Department, at the time of each monthly disbursement to the municipalities, shall prepare and certify to the Comptroller the amount so retained by the State Treasurer, which shall be transferred into the Tax Compliance and Administration Fund the amount expended during the second preceding month by the Department to be paid from the appropriation to the Department from the Home Rule Municipal Retailers' Occupation Tax Trust Fund. The appropriation to cover the costs incurred by the Department in administering and enforcing this Section shall

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not exceed 2% of the amount estimated to be deposited into the Home Rule Municipal Retailers' Occupation Tax Trust Fund during the fiscal year for which the appropriation is made. Within 10 days after receipt by the State Comptroller of the disbursement certification to the municipalities provided for in this Section to be given to the State Comptroller by the Department, the State Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in that certification.

Any ordinance imposing or discontinuing any tax to be collected and enforced by the Department under this Section shall be adopted and a certified copy thereof filed with the Department on or before October 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the municipalities as of January 1 next following such adoption and filing. Beginning April 1, 1998, any ordinance imposing or discontinuing any tax to be collected and enforced by the Department under this Section shall either (i) be adopted and a certified copy thereof filed with the Department on or before April 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the municipalities as of July 1 next following the adoption and filing; or (ii) be adopted and a certified copy thereof filed with the Department on or before October 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the municipalities as of January 1 next following the adoption and filing.

Nothing in this subsection (c) shall prevent a home rule municipality from collecting the tax pursuant to subsection (a) in any situation where such tax is not collected by the Department of Revenue under this subsection (c).

(d) Any unobligated balance remaining in the Municipal Retailers' Occupation Tax Fund on December 31, 1989, which fund was abolished by Public Act 85-1135, and all receipts of municipal tax as a result of audits of liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund, for distribution as provided by this Section prior to the enactment of Public Act 85-1135. All receipts of municipal tax as a result of an assessment not arising from an audit, for liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund for distribution before July 1, 1990, as provided by this Section prior to the enactment of Public Act 85-1135, and on and after July 1, 1990, all such receipts shall be distributed as provided in Section 6z-18 of the State Finance Act.
(e) As used in this Section, "Municipal" and "Municipality" means a city, village or incorporated town, including an incorporated town which has superseded a civil township.

(f) This Section shall be known and may be cited as the Home Rule Municipal Use Tax Act.

(Source: P.A. 91-51, eff. 6-30-99; 92-221, eff. 8-2-01; 92-844, eff. 8-23-02; 92-846, eff. 8-23-02.)


PUBLIC ACT 98-1050
(House Bill No. 0008)

AN ACT concerning human rights.

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

Section 5. Findings. The General Assembly finds and declares the following:

(1) Current workplace laws are inadequate to protect pregnant workers from enjoying equal employment opportunities.

(2) Because of inadequate protections, pregnant women who are temporarily limited in their abilities to perform their work functions because of pregnancy, childbirth, or conditions related to pregnancy or childbirth are often forced to take unpaid leave or are fired, despite the availability of reasonable accommodations that would allow them to continue to work. The most frequent accommodations involve limits on lifting, access to places to sit, and more frequent bathroom breaks.

(3) Many pregnant women are single mothers or the primary breadwinners for their families. If one of these women loses her job, her whole family, and Illinois, suffers.

(4) Employers are familiar with the reasonable accommodations framework. Indeed, employers are required to reasonably accommodate people with disabilities. Sadly, many employers refuse to provide reasonable accommodations or decline to extend workplace injury policies to pregnant women.

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(5) Women are nearly 50% of all workers in Illinois and women of childbearing age are 54% of women workers. Failing to provide reasonable accommodations to pregnant women leads to lost wages, periods of unemployment, and lost employment opportunities and job benefits such as seniority, all of which have lifelong repercussions on women's economic security and advancement and the well-being of their families.

(6) Most women work during pregnancy. By continuing to work, women can maintain and advance their economic security. Moreover, women who work during pregnancy may be able to take a longer period of leave following childbirth, which in turn facilitates breastfeeding, bonding with and caring for a new child, and recovering from childbirth.

(7) Enabling pregnant workers to work through pregnancy is good for businesses. Providing pregnant employees with reasonable, temporary accommodations increases worker productivity, retention, and morale, decreases re-training costs, and reduces health care costs associated with pregnancy complications.

Section 10. Purposes. The purposes of this Act are:
  (1) to promote the State's interest in eradicating gender discrimination, including discrimination based on pregnancy, childbirth, or conditions related to pregnancy or childbirth, and in promoting women's equality;
  (2) to address the failure of existing laws to protect the employment rights of pregnant workers; and
  (3) to ensure full and equal participation for women in the labor force by requiring employers to provide reasonable accommodations to employees with conditions related to pregnancy or childbirth.

Section 15. The Illinois Human Rights Act is amended by changing Sections 1-102, 1-103, 2-101, 2-102, and 6-101 as follows:
  (775 ILCS 5/1-102) (from Ch. 68, par. 1-102)
  Sec. 1-102. Declaration of Policy. It is the public policy of this State:
  (A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service in connection with employment, real estate

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transactions, access to financial credit, and the availability of public accommodations.

(B) Freedom from Sexual Harassment-Employment and Elementary, Secondary, and Higher Education. To prevent sexual harassment in employment and sexual harassment in elementary, secondary, and higher education.

(C) Freedom from Discrimination Based on Citizenship Status-Employment. To prevent discrimination based on citizenship status in employment.

(D) Freedom from Discrimination Based on Familial Status-Real Estate Transactions. To prevent discrimination based on familial status in real estate transactions.

(E) Public Health, Welfare and Safety. To promote the public health, welfare and safety by protecting the interest of all people in Illinois in maintaining personal dignity, in realizing their full productive capacities, and in furthering their interests, rights and privileges as citizens of this State.

(F) Implementation of Constitutional Guarantees. To secure and guarantee the rights established by Sections 17, 18 and 19 of Article I of the Illinois Constitution of 1970.

(G) Equal Opportunity, Affirmative Action. To establish Equal Opportunity and Affirmative Action as the policies of this State in all of its decisions, programs and activities, and to assure that all State departments, boards, commissions and instrumentalities rigorously take affirmative action to provide equality of opportunity and eliminate the effects of past discrimination in the internal affairs of State government and in their relations with the public.

(H) Unfounded Charges. To protect citizens of this State against unfounded charges of unlawful discrimination, sexual harassment in employment and sexual harassment in elementary, secondary, and higher education, and discrimination based on citizenship status in employment.

(Source: P.A. 95-668, eff. 10-10-07; 96-447, eff. 1-1-10; 96-1319, eff. 7-27-10.)

(775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section
2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103, 3-104, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102, 5A-102, 6-101, and 6-102 of this Act.


(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Disability. "Disability" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

1. For purposes of Article 2 is unrelated to the person's ability to perform the duties of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a disability;
2. For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;
3. For purposes of Article 4, is unrelated to a person's ability to repay;
4. For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation;

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(5) For purposes of Article 5, also includes any mental, psychological, or developmental disability, including autism spectrum disorders.

(J) Marital Status. "Marital status" means the legal status of being married, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in or status as a veteran of the armed forces of the United States, status as a current member or veteran of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member or veteran of the Illinois Army National Guard or Illinois Air National Guard.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(K-5) "Order of protection status" means a person's status as being a person protected under an order of protection issued pursuant to the Illinois Domestic Violence Act of 1986 or an order of protection issued by a court of another state.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.
(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service as those terms are defined in this Section.

(Source: P.A. 96-328, eff. 8-11-09; 96-447, eff. 1-1-10; 97-410, eff. 1-1-12; 97-813, eff. 7-13-12.)

(775 ILCS 5/2-101) (from Ch. 68, par. 2-101)

Sec. 2-101. Definitions. The following definitions are applicable strictly in the context of this Article.

(A) Employee.

(1) "Employee" includes:
(a) Any individual performing services for remuneration within this State for an employer;
(b) An apprentice;
(c) An applicant for any apprenticeship.

(2) "Employee" does not include:
(a) Domestic servants in private homes;
(b) Individuals employed by persons who are not "employers" as defined by this Act;
(c) Elected public officials or the members of their immediate personal staffs;
(d) Principal administrative officers of the State or of any political subdivision, municipal corporation or other governmental unit or agency;
(e) A person in a vocational rehabilitation facility certified under federal law who has been designated an evaluatee, trainee, or work activity client.

(B) Employer.

(1) "Employer" includes:
(a) Any person employing 15 or more employees within Illinois during 20 or more calendar weeks within the calendar year of or preceding the alleged violation;

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(b) Any person employing one or more employees when a complainant alleges civil rights violation due to unlawful discrimination based upon his or her physical or mental disability unrelated to ability, pregnancy, or sexual harassment;

c) The State and any political subdivision, municipal corporation or other governmental unit or agency, without regard to the number of employees;

d) Any party to a public contract without regard to the number of employees;

e) A joint apprenticeship or training committee without regard to the number of employees.

(2) "Employer" does not include any religious corporation, association, educational institution, society, or non-profit nursing institution conducted by and for those who rely upon treatment by prayer through spiritual means in accordance with the tenets of a recognized church or religious denomination with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, society or non-profit nursing institution of its activities.

(C) Employment Agency. "Employment Agency" includes both public and private employment agencies and any person, labor organization, or labor union having a hiring hall or hiring office regularly undertaking, with or without compensation, to procure opportunities to work, or to procure, recruit, refer or place employees.

(D) Labor Organization. "Labor Organization" includes any organization, labor union, craft union, or any voluntary unincorporated association designed to further the cause of the rights of union labor which is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or apprenticeships or applications for apprenticeships, or of other mutual aid or protection in connection with employment, including apprenticeships or applications for apprenticeships.

(E) Sexual Harassment. "Sexual harassment" means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for
employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

(F) Religion. "Religion" with respect to employers includes all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business.

(G) Public Employer. "Public employer" means the State, an agency or department thereof, unit of local government, school district, instrumentality or political subdivision.

(H) Public Employee. "Public employee" means an employee of the State, agency or department thereof, unit of local government, school district, instrumentality or political subdivision. "Public employee" does not include public officers or employees of the General Assembly or agencies thereof.

(I) Public Officer. "Public officer" means a person who is elected to office pursuant to the Constitution or a statute or ordinance, or who is appointed to an office which is established, and the qualifications and duties of which are prescribed, by the Constitution or a statute or ordinance, to discharge a public duty for the State, agency or department thereof, unit of local government, school district, instrumentality or political subdivision.

(J) Eligible Bidder. "Eligible bidder" means a person who, prior to a bid opening, has filed with the Department a properly completed, sworn and currently valid employer report form, pursuant to the Department's regulations. The provisions of this Article relating to eligible bidders apply only to bids on contracts with the State and its departments, agencies, boards, and commissions, and the provisions do not apply to bids on contracts with units of local government or school districts.

(K) Citizenship Status. "Citizenship status" means the status of being:

1. a born U.S. citizen;
2. a naturalized U.S. citizen;
3. a U.S. national; or
4. a person born outside the United States and not a U.S. citizen who is not an unauthorized alien and who is protected from discrimination under the provisions of Section 1324b of Title 8 of the United States Code, as now or hereafter amended.

(Source: P.A. 97-877, eff. 8-2-12.)

(775 ILCS 5/2-102) (from Ch. 68, par. 2-102)

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Sec. 2-102. Civil Rights Violations - Employment. It is a civil rights violation:

(A) Employers. For any employer to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment on the basis of unlawful discrimination or citizenship status.

(A-5) Language. For an employer to impose a restriction that has the effect of prohibiting a language from being spoken by an employee in communications that are unrelated to the employee's duties.

For the purposes of this subdivision (A-5), "language" means a person's native tongue, such as Polish, Spanish, or Chinese. "Language" does not include such things as slang, jargon, profanity, or vulgarity.

(B) Employment Agency. For any employment agency to fail or refuse to classify properly, accept applications and register for employment referral or apprenticeship referral, refer for employment, or refer for apprenticeship on the basis of unlawful discrimination or citizenship status or to accept from any person any job order, requisition or request for referral of applicants for employment or apprenticeship which makes or has the effect of making unlawful discrimination or discrimination on the basis of citizenship status a condition of referral.

(C) Labor Organization. For any labor organization to limit, segregate or classify its membership, or to limit employment opportunities, selection and training for apprenticeship in any trade or craft, or otherwise to take, or fail to take, any action which affects adversely any person's status as an employee or as an applicant for employment or as an apprentice, or as an applicant for apprenticeships, or wages, tenure, hours of employment or apprenticeship conditions on the basis of unlawful discrimination or citizenship status.

(D) Sexual Harassment. For any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment; provided, that an employer shall be responsible for sexual harassment of the employer's employees by nonemployees or nonmanagerial and nonsupervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures.

(E) Public Employers. For any public employer to refuse to permit a public employee under its jurisdiction who takes time off from work in order to practice his or her religious beliefs to engage in work, during hours other than such employee's regular working hours, consistent with the operational

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needs of the employer and in order to compensate for work time lost for such religious reasons. Any employee who elects such deferred work shall be compensated at the wage rate which he or she would have earned during the originally scheduled work period. The employer may require that an employee who plans to take time off from work in order to practice his or her religious beliefs provide the employer with a notice of his or her intention to be absent from work not exceeding 5 days prior to the date of absence.

(F) Training and Apprenticeship Programs. For any employer, employment agency or labor organization to discriminate against a person on the basis of age in the selection, referral for or conduct of apprenticeship or training programs.

(G) Immigration-Related Practices.

(1) for an employer to request for purposes of satisfying the requirements of Section 1324a(b) of Title 8 of the United States Code, as now or hereafter amended, more or different documents than are required under such Section or to refuse to honor documents tendered that on their face reasonably appear to be genuine; or

(2) for an employer participating in the E-Verify Program, as authorized by 8 U.S.C. 1324a, Notes, Pilot Programs for Employment Eligibility Confirmation (enacted by PL 104-208, div. C title IV, subtitle A) to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment without following the procedures under the E-Verify Program.

(H) (Blank). Pregnancy; peace officers and fire fighters. For a public employer to refuse to temporarily transfer a pregnant female peace officer or pregnant female fire fighter to a less strenuous or hazardous position for the duration of her pregnancy if she so requests, with the advice of her physician, where that transfer can be reasonably accommodated. For the purposes of this subdivision (H), “peace officer” and “fire fighter” have the meanings ascribed to those terms in Section 3 of the Illinois Public Labor Relations Act.

It is not a civil rights violation for an employer to take any action that is required by Section 1324a of Title 8 of the United States Code, as now or hereafter amended.

(I) Pregnancy. For an employer to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment on the basis of pregnancy, childbirth,
or related medical or common conditions related to pregnancy or childbirth. Women affected by pregnancy, childbirth, or related medical or common conditions related to pregnancy or childbirth shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work, regardless of the source of the inability to work or employment classification or status.

(J) Pregnancy; reasonable accommodations.

(1) If after a job applicant or employee, including a part-time, full-time, or probationary employee, requests a reasonable accommodation, for an employer to not make reasonable accommodations for any medical or common condition of a job applicant or employee related to pregnancy or childbirth, unless the employer can demonstrate that the accommodation would impose an undue hardship on the ordinary operation of the business of the employer. The employer may request documentation from the employee's health care provider concerning the need for the requested reasonable accommodation or accommodations to the same extent documentation is requested for conditions related to disability if the employer's request for documentation is job-related and consistent with business necessity. The employer may require only the medical justification for the requested accommodation or accommodations, a description of the reasonable accommodation or accommodations medically advisable, the date the reasonable accommodation or accommodations became medically advisable, and the probable duration of the reasonable accommodation or accommodations. It is the duty of the individual seeking a reasonable accommodation or accommodations to submit to the employer any documentation that is requested in accordance with this paragraph. Notwithstanding the provisions of this paragraph, the employer may require documentation by the employee's health care provider to determine compliance with other laws. The employee and employer shall engage in a timely, good faith, and meaningful exchange to determine effective reasonable accommodations.

(2) For an employer to deny employment opportunities or benefits to or take adverse action against an otherwise qualified job applicant or employee, including a part-time, full-time, or probationary employee, if the denial or adverse action is based on the need of the employer to make reasonable accommodations to the

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known medical or common conditions related to the pregnancy or childbirth of the applicant or employee.

(3) For an employer to require a job applicant or employee, including a part-time, full-time, or probationary employee, affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth to accept an accommodation when the applicant or employee did not request an accommodation and the applicant or employee chooses not to accept the employer's accommodation.

(4) For an employer to require an employee, including a part-time, full-time, or probationary employee, to take leave under any leave law or policy of the employer if another reasonable accommodation can be provided to the known medical or common conditions related to the pregnancy or childbirth of an employee. No employer shall fail or refuse to reinstate the employee affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other applicable service credits upon her signifying her intent to return or when her need for reasonable accommodation ceases, unless the employer can demonstrate that the accommodation would impose an undue hardship on the ordinary operation of the business of the employer.

For the purposes of this subdivision (J), "reasonable accommodations" means reasonable modifications or adjustments to the job application process or work environment, or to the manner or circumstances under which the position desired or held is customarily performed, that enable an applicant or employee affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth to be considered for the position the applicant desires or to perform the essential functions of that position, and may include, but is not limited to: more frequent or longer bathroom breaks, breaks for increased water intake, and breaks for periodic rest; private non-bathroom space for expressing breast milk and breastfeeding; seating; assistance with manual labor; light duty; temporary transfer to a less strenuous or hazardous position; the provision of an accessible worksite; acquisition or modification of equipment; job restructuring; a part-time or modified work schedule; appropriate adjustment or modifications of examinations, training materials, or policies; reassignment to a vacant position; time off to recover from conditions related

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to childbirth; and leave necessitated by pregnancy, childbirth, or medical or
common conditions resulting from pregnancy or childbirth.

For the purposes of this subdivision (J), "undue hardship" means an
action that is prohibitively expensive or disruptive when considered in light
of the following factors: (i) the nature and cost of the accommodation
needed; (ii) the overall financial resources of the facility or facilities involved
in the provision of the reasonable accommodation, the number of persons
employed at the facility, the effect on expenses and resources, or the impact
otherwise of the accommodation upon the operation of the facility; (iii) the
overall financial resources of the employer, the overall size of the business
of the employer with respect to the number of its employees, and the number,
type, and location of its facilities; and (iv) the type of operation or operations
of the employer, including the composition, structure, and functions of the
workforce of the employer, the geographic separateness, administrative, or
fiscal relationship of the facility or facilities in question to the employer. The
employer has the burden of proving undue hardship. The fact that the
employer provides or would be required to provide a similar accommodation
to similarly situated employees creates a rebuttable presumption that the
accommodation does not impose an undue hardship on the employer.

No employer is required by this subdivision (J) to create additional
employment that the employer would not otherwise have created, unless the
employer does so or would do so for other classes of employees who need
accommodation. The employer is not required to discharge any employee,
transfer any employee with more seniority, or promote any employee who is
not qualified to perform the job, unless the employer does so or would do so
to accommodate other classes of employees who need it.

(K) Notice.

(1) For an employer to fail to post or keep posted in a
conspicuous location on the premises of the employer where notices
to employees are customarily posted, or fail to include in any
employee handbook information concerning an employee's rights
under this Article, a notice, to be prepared or approved by the
Department, summarizing the requirements of this Article and
information pertaining to the filing of a charge, including the right
to be free from unlawful discrimination and the right to certain
reasonable accommodations. The Department shall make the
documents required under this paragraph available for retrieval from
the Department's website.

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(2) Upon notification of a violation of paragraph (1) of this subdivision (K), the Department may launch a preliminary investigation. If the Department finds a violation, the Department may issue a notice to show cause giving the employer 30 days to correct the violation. If the violation is not corrected, the Department may initiate a charge of a civil rights violation.

(775 ILCS 5/6-101) (from Ch. 68, par. 6-101)
Sec. 6-101. Additional Civil Rights Violations. It is a civil rights violation for a person, or for two or more persons to conspire, to:

(A) Retaliation. Retaliate against a person because he or she has opposed that which he or she reasonably and in good faith believes to be unlawful discrimination, sexual harassment in employment or sexual harassment in elementary, secondary, and higher education, discrimination based on citizenship status in employment, or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this Act, or because he or she has requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by this Act;

(B) Aiding and Abetting; Coercion. Aid, abet, compel or coerce a person to commit any violation of this Act;

(C) Interference. Wilfully interfere with the performance of a duty or the exercise of a power by the Commission or one of its members or representatives or the Department or one of its officers or employees.

Definitions. For the purposes of this Section, "sexual harassment" and "citizenship status" shall have the same meaning as defined in Section 2-101 of this Act.

(775 ILCS 5/6-101) (from Ch. 68, par. 6-101)
Sec. 6-101. Additional Civil Rights Violations. It is a civil rights violation for a person, or for two or more persons to conspire, to:

(A) Retaliation. Retaliate against a person because he or she has opposed that which he or she reasonably and in good faith believes to be unlawful discrimination, sexual harassment in employment or sexual harassment in elementary, secondary, and higher education, discrimination based on citizenship status in employment, or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this Act, or because he or she has requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by this Act;

(B) Aiding and Abetting; Coercion. Aid, abet, compel or coerce a person to commit any violation of this Act;

(C) Interference. Wilfully interfere with the performance of a duty or the exercise of a power by the Commission or one of its members or representatives or the Department or one of its officers or employees.

Definitions. For the purposes of this Section, "sexual harassment" and "citizenship status" shall have the same meaning as defined in Section 2-101 of this Act.

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(C) Interference. Wilfully interfere with the performance of a duty or the exercise of a power by the Commission or one of its members or representatives or the Department or one of its officers or employees.

Definitions. For the purposes of this Section, "sexual harassment" and "citizenship status" shall have the same meaning as defined in Section 2-101 of this Act.
AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Equal Pay Act of 2003 is amended by changing Section 15 as follows:
Sec. 15. Enforcement.
(a) The Director or his or her authorized representative shall administer and enforce the provisions of this Act. The Director of Labor shall adopt rules necessary to administer and enforce this Act.
(b) An employee or former employee may file a complaint with the Department alleging a violation of this Act by submitting a signed, completed complaint form. All complaints shall be filed with the Department within one year from the date of the underpayment.
(c) The Department has the power to conduct investigations in connection with the administration and enforcement of this Act and the authorized officers and employees of the Department are authorized to investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records at reasonable times during regular business hours, question the employees and investigate the facts, conditions, practices, or matters as he or she may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of this Act.
(d) The Department may refer a complaint alleging a violation of this Act to the Department of Human Rights for investigation if the subject matter of the complaint also alleges a violation of the Illinois Human Rights Act and the Department of Human Rights has jurisdiction over the matter. When a complaint is referred to the Department of Human Rights under this subsection, the Department of Human Rights shall also file the complaint under the Illinois Human Rights Act and be the agency responsible for investigating the complaint. The Department shall review the Department of Human Rights' investigation and findings to determine whether a violation of this Act has occurred or whether further investigation by the Department is necessary and take any necessary or appropriate action required to enforce the provisions of this Act. The Director of Labor and the Department
of Human rights shall adopt joint rules necessary to administer and enforce this subsection.
(Source: P.A. 96-467, eff. 8-14-09.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1052
(House Bill No. 0961)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Revenue Sharing Act is amended by changing Section 1 as follows:

(30 ILCS 115/1) (from Ch. 85, par. 611)
Sec. 1. Local Government Distributive Fund. Through June 30, 1994, as soon as may be after the first day of each month the Department of Revenue shall certify to the Treasurer an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, as soon as may be after the first day of each month, the Department of Revenue shall certify to the Treasurer an amount equal to 1/11 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month. Beginning July 1, 1995, as soon as may be after the first day of each month, the Department of Revenue shall certify to the Treasurer an amount equal to the amounts calculated pursuant to subsection (b) of Section 901 of the Illinois Income Tax Act based on 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act which is deposited in the General Revenue Fund, the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections

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(a) and (b) of Section 201 of the Illinois Income Tax Act. Upon receipt of such certification, the Treasurer shall transfer from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", the amount shown on such certification.

Beginning on the effective date of this amendatory Act of the 98th General Assembly, the Comptroller shall perform the transfers required by this Section no later than 60 days after he or she receives the certification from the Treasurer.

All amounts paid into the Local Government Distributive Fund in accordance with this Section and allocated pursuant to this Act are appropriated on a continuing basis.

(Source: P.A. 88-89.)

Section 10. The Illinois Income Tax Act is amended by changing Section 901 as follows:

(35 ILCS 5/901) (from Ch. 120, par. 9-901)

Sec. 901. Collection Authority.

(a) In general.

The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650). Except as provided in subsections (c), (e), (f), and (g) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services.

(b) Local Government Distributive Fund.

Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, the Treasurer shall transfer each month from the General Revenue

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Fund to the Local Government Distributive Fund an amount equal to 1/11 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995 and continuing through January 31, 2011, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month (ii) minus, beginning July 1, 2003 and ending June 30, 2004, $6,666,666, and beginning July 1, 2004, zero. Beginning February 1, 2011, and continuing through January 31, 2015, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 6% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 5% individual income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 6.86% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 7% corporate income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2015 and continuing through January 31, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 8% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.75% individual income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 9.14% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 5.25% corporate income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 9.23% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.25% individual income tax rate after 2024) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 10% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Net revenue realized
for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Education Assistance Fund, the Income Tax Surcharge Local Government Distributive Fund, the Fund for the Advancement of Education, and the Commitment to Human Services Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

Beginning on the effective date of this amendatory Act of the 98th General Assembly, the Comptroller shall perform the transfers required by this subsection (b) no later than 60 days after he or she receives the certification from the Treasurer as provided in Section 1 of the State Revenue Sharing Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 9.75%. For fiscal year 2007, the Annual Percentage shall be 9.75%. For fiscal year 2008, the Annual Percentage shall be 7.75%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which

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shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, minus the amounts transferred into the Income Tax Refund Fund from the Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 18% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999, 2000, and 2001, the Annual Percentage shall be 19%. For fiscal year 2003, the Annual Percentage shall be 27%. For fiscal year 2004, the Annual Percentage shall be 32%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 24% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 20%. For fiscal year 2007, the Annual Percentage shall be 17.5%. For fiscal year 2008, the Annual Percentage shall be 15.5%. For fiscal year 2009, the Annual Percentage shall be 17.5%. For fiscal year 2010, the Annual Percentage shall be 17.5%. For fiscal year 2011, the Annual Percentage shall be 17.5%. For fiscal year 2012, the Annual Percentage shall be 17.5%. For fiscal year 2013, the Annual Percentage shall be 14%. For fiscal year 2014, the Annual Percentage shall be 13.4%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during

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the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.


(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose, and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.
(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the

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amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

(f) Deposits into the Fund for the Advancement of Education. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Fund for the Advancement of Education:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and

(2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (f) on or after the effective date of the reduction.

(g) Deposits into the Commitment to Human Services Fund. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Committee to Human Services Fund:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and

(2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (g) on or after the effective date of the reduction.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by adding Section 34-1.05 as follows:

(105 ILCS 5/34-1.05 new)

Sec. 34-1.05. The Chicago Educational Governance Task Force.
(a) The General Assembly makes the following findings:

(1) City of Chicago School District 299 is one of the only school districts in this State with an appointed, not an elected, school board.

(2) City of Chicago School District 299 is home to the largest elected body in the country, local school councils, charged with principal selection and approving the local school budget.

(3) For 15 years, City of Chicago School District 299 has implemented reforms, including the extension of the school day, the expansion of access to full-day kindergarten, probation, student retention, school closings, the expansion of access to choice programs (including science, technology, mathematics, and engineering (STEM) programs, charter schools, and International Baccalaureate programs), and turnarounds, to increase student outcomes, including increased graduation rates, increased college attendance, and improved performance on State assessments.

(4) Many of these reforms have led to a robust democratic discussion and decision-making process.

(5) All children must have access to a world-class education.

(b) The Chicago Educational Governance Task Force is created for the purpose of recommending the best structure and procedure for the governance of City of Chicago School District 299 in order to ensure the best educational outcomes for City of Chicago School District 299 students.

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

(1) Three members appointed by the Speaker of the House of Representatives and 3 members appointed by the Minority Leader of the House of Representatives.

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(2) Three members appointed by the President of the Senate and 3 members appointed by the Minority Leader of the Senate.

(3) The Chief Executive Officer of City of Chicago School District 299 or her or his designee.

(4) The President of the Chicago Board of Education or her or his designee.

(5) The president of a Chicago professional teachers' organization or his or her designee.

(6) The president of the association representing principals in the schools of the district or his or her designee.

(7) The student representative from the Chicago Board of Education or her or his designee.

(d) The Speaker of the House of Representatives shall appoint one of his or her appointees under subdivision (1) of subsection (c) of this Section as a co-chairperson of the Chicago Educational Governance Task Force. The President of the Senate shall appoint one of his or her appointees under subdivision (2) of subsection (c) of this Section as a co-chairperson of the Chicago Educational Governance Task Force. Members appointed by the legislative leaders shall be appointed for the duration of the Chicago Educational Governance Task Force. In the event of a vacancy, the appointment to fill the vacancy shall be made by the legislative leader of the same chamber and party as the leader who made the original appointment.

(e) The Chicago Board of Education shall provide administrative and other support to the Task Force.

(f) The members of the Task Force shall serve on a pro bono basis. These members shall aid in the gathering of pertinent information on the impact of various school governance structures, including without limitation an elected representative school board and mayoral control, as well as gathering and analyzing data about the district's current governance structure.

(g) The Task Force shall commence meeting in June of 2015. The Task Force shall report its recommendation as to which governance structure is best designed to serve the students of the City of Chicago to the General Assembly on or before May 30, 2016.

(h) The Task Force is abolished and this Section is repealed on May 31, 2016.

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 7-5 as follows:

(235 ILCS 5/7-5) (from Ch. 43, par. 149)

Sec. 7-5. The local liquor control commissioner may revoke or suspend any license issued by him if he determines that the licensee has violated any of the provisions of this Act or of any valid ordinance or resolution enacted by the particular city council, president, or board of trustees or county board (as the case may be) or any applicable rule or regulations established by the local liquor control commissioner or the State commission which is not inconsistent with law. Upon notification by the Illinois Department of Revenue, the State Commission, in accordance with Section 3-12, may refuse the issuance or renewal of a license, fine a licensee, or suspend or revoke any license issued by the State Commission if the licensee or license applicant has violated the provisions of Section 3 of the Retailers' Occupation Tax Act. In addition to the suspension, the local liquor control commissioner in any county or municipality may levy a fine on the licensee for such violations. The fine imposed shall not exceed $1000 for a first violation within a 12-month period, $1,500 for a second violation within a 12-month period, and $2,500 for a third or subsequent violation within a 12-month period. Each day on which a violation continues shall constitute a separate violation. Not more than $15,000 in fines under this Section may be imposed against any licensee during the period of his license. Proceeds from such fines shall be paid into the general corporate fund of the county or municipal treasury, as the case may be.

However, no such license shall be so revoked or suspended and no licensee shall be fined except after a public hearing by the local liquor control commissioner with a 3 day written notice to the licensee affording the licensee an opportunity to appear and defend. All such hearings shall be open to the public and the local liquor control commissioner shall reduce all evidence to writing and shall maintain an official record of the proceedings. If the local liquor control commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community he may, upon the issuance of a written

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order stating the reason for such conclusion and without notice or hearing order the licensed premises closed for not more than 7 days, giving the licensee an opportunity to be heard during that period, except that if such licensee shall also be engaged in the conduct of another business or businesses on the licensed premises such order shall not be applicable to such other business or businesses.

The local liquor control commissioner shall within 5 days after such hearing, if he determines after such hearing that the license should be revoked or suspended or that the licensee should be fined, state the reason or reasons for such determination in a written order, and either the amount of the fine, the period of suspension, or that the license has been revoked, and shall serve a copy of such order within the 5 days upon the licensee.

If the premises for which the license was issued are located outside of a city, village or incorporated town having a population of 500,000 or more inhabitants, the licensee after the receipt of such order of suspension or revocation shall have the privilege within a period of 20 days after the receipt of such order of suspension or revocation of appealing the order to the State commission for a decision sustaining, reversing or modifying the order of the local liquor control commissioner. If the State commission affirms the local commissioner's order to suspend or revoke the license at the first hearing, the appellant shall cease to engage in the business for which the license was issued, until the local commissioner's order is terminated by its own provisions or reversed upon rehearing or by the courts.

If the premises for which the license was issued are located within a city, village or incorporated town having a population of 500,000 or more inhabitants, the licensee shall have the privilege within a period of 20 days after the receipt of such order of fine, suspension or revocation, of appealing the order to the local license appeal commission and upon the filing of such an appeal by the licensee the license appeal commission shall determine the appeal upon certified record of proceedings of the local liquor commissioner in accordance with the provisions of Section 7-9. Within 30 days after such appeal was heard the license appeal commission shall render a decision sustaining or reversing the order of the local liquor control commissioner.

If the premises for which a license was issued are located within a city, village, or incorporated town having a population of 1,000,000 or more inhabitants and the local liquor control commissioner has evidence that the following criminal activity has occurred inside the licensed premises: the sale of or possession with intent to sell controlled substances or marijuana, the sale of or possession with intent to sell firearms, homicide, criminal

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sexual assault or criminal sexual abuse, aggravated assault or aggravated battery, then the local liquor control commissioner may, without notice or hearing, and upon the issuance of a written order stating that the continued operation of the licensed premises poses an immediate threat to the health, safety, or welfare of the community, order the licensed premises closed for a period of not more than 30 days, giving the licensee an opportunity to be heard during that period. Upon receipt of evidence of the criminal activity by the local liquor control commissioner, the name of the licensee and the address of the licensed premises where the criminal activity is alleged to have occurred may be submitted by the local liquor control commissioner to the State Commission. If such information is received by the State Commission, then the State Commission must post that information in each of its offices in places available for public inspection not later than the day following the State Commission's receipt of the information. If the licensee is granted a continuance during the period of time the licensed premises is ordered to be closed, the licensed premises shall remain closed until a judgment is entered. Notwithstanding the foregoing, the licensed premises will be allowed to remain open if the criminal activity is timely reported by the licensee, or its agents, pursuant to local ordinance, and the criminal activity shall not be used as a basis for suspension under this Act. A distributor may, in coordination with the local liquor control commissioner and the local police department, remove any product from the licensed premises for which the distributor has not received full payment from the licensee at the time of the closure of the premises. The distributor shall provide the local liquor control commissioner with a document outlining the products for which full payment has not been received.

(Source: P.A. 95-331, eff. 8-21-07.)

AN ACT concerning regulation.

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

Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-380 as follows:

(20 ILCS 2505/2505-380) (was 20 ILCS 2505/39b47)

Sec. 2505-380. Revocation of or refusal to issue or reissue a certificate of registration, permit, or license.

(a) The Department has the power, after notice and an opportunity for a hearing, to revoke a certificate of registration, permit, or license issued by the Department if the holder of the certificate of registration, permit, or license fails to file a return, or to pay the tax, fee, penalty, or interest shown in a filed return, or to pay any final assessment of tax, fee, penalty, or interest, as required by the tax or fee Act under which the certificate of registration, permit, or license is required or any other tax or fee Act administered by the Department.

(b) The Department may refuse to issue, reissue, or renew a certificate of registration, permit, or license authorized to be issued by the Department if a person who is named as the owner, a partner, a corporate officer, or, in the case of a limited liability company, a manager or member, of the applicant on the application for the certificate of registration, permit, or license, is or has been named as the owner, a partner, a corporate officer, or in the case of a limited liability company, a manager or member, on the application for the certificate of registration, permit, or license of a person that is in default for moneys due under the tax or fee Act upon which the certificate of registration, permit, or license is required or any other tax or fee Act administered by the Department. For purposes of this Section only, in determining whether a person is in default for moneys due, the Department shall include only amounts established as a final liability within the 20 years prior to the date of the Department's notice of refusal to issue or reissue the certificate of registration, permit, or license. For purposes of this Section, "person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

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(c) When revoking or refusing to issue or reissue a certificate of registration, permit, or license issued by the Department, the procedure for notice and hearing used shall be the procedure provided under the Act pursuant to which the certificate of registration, permit, or license was issued.  
(Source: P.A. 98-496, eff. 1-1-14.)

Section 10. The Cigarette Tax Act is amended by changing Sections 3-10, 4d, 4e, 4f, 6, 7, 8, 10, 11, 11a, 11b, 23, 24, and 26 and by adding Sections 4g, 4h, and 11c as follows:

(35 ILCS 130/3-10)
Sec. 3-10. Cigarette enforcement.
(a) Prohibitions. It is unlawful for any person:

   (1) to sell or distribute in this State; to acquire, hold, own, possess, or transport, for sale or distribution in this State; or to import, or cause to be imported into this State for sale or distribution in this State:

   (A) any cigarettes the package of which:
       (i) bears any statement, label, stamp, sticker, or notice indicating that the manufacturer did not intend the cigarettes to be sold, distributed, or used in the United States, including but not limited to labels stating "For Export Only", "U.S. Tax Exempt", "For Use Outside U.S.", or similar wording; or
       (ii) does not comply with:
           (aa) all requirements imposed by or pursuant to federal law regarding warnings and other information on packages of cigarettes manufactured, packaged, or imported for sale, distribution, or use in the United States, including but not limited to the precise warning labels specified in the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1333; and
           (bb) all federal trademark and copyright laws;
   (B) any cigarettes imported into the United States in violation of 26 U.S.C. 5754 or any other federal law, or implementing federal regulations;

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(C) any cigarettes that such person otherwise knows or has reason to know the manufacturer did not intend to be sold, distributed, or used in the United States; or

(D) any cigarettes for which there has not been submitted to the Secretary of the U.S. Department of Health and Human Services the list or lists of the ingredients added to tobacco in the manufacture of the cigarettes required by the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1335a;

(2) to alter the package of any cigarettes, prior to sale or distribution to the ultimate consumer, so as to remove, conceal, or obscure:

(A) any statement, label, stamp, sticker, or notice described in subdivision (a)(1)(A)(i) of this Section;

(B) any health warning that is not specified in, or does not conform with the requirements of, the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1333; or

(3) to affix any stamp required pursuant to this Act to the package of any cigarettes described in subdivision (a)(1) of this Section or altered in violation of subdivision (a)(2).

(b) Documentation. On the first business day of each month, each person licensed to affix the State tax stamp to cigarettes shall file with the Department, for all cigarettes imported into the United States to which the person has affixed the tax stamp in the preceding month:

(1) a copy of:

(A) the permit issued pursuant to the Internal Revenue Code, 26 U.S.C. 5713, to the person importing the cigarettes into the United States allowing the person to import the cigarettes; and

(B) the customs form containing, with respect to the cigarettes, the internal revenue tax information required by the U.S. Bureau of Alcohol, Tobacco and Firearms;

(2) a statement, signed by the person under penalty of perjury, which shall be treated as confidential by the Department and exempt from disclosure under the Freedom of Information Act, identifying the brand and brand styles of all such cigarettes, the quantity of each brand style of such cigarettes, the supplier of such cigarettes, and the person or persons, if any, to whom such cigarettes have been conveyed for resale; and a separate statement, signed by the

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individual under penalty of perjury, which shall not be treated as confidential or exempt from disclosure, separately identifying the brands and brand styles of such cigarettes; and

(3) a statement, signed by an officer of the manufacturer or importer under penalty of perjury, certifying that the manufacturer or importer has complied with:

(A) the package health warning and ingredient reporting requirements of the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1333 and 1335a, with respect to such cigarettes; and

(B) the provisions of Exhibit T of the Master Settlement Agreement entered in the case of People of the State of Illinois v. Philip Morris, et al. (Circuit Court of Cook County, No. 96-L13146), including a statement indicating whether the manufacturer is, or is not, a participating tobacco manufacturer within the meaning of Exhibit T.

c) Administrative sanctions.

(1) Upon finding that a distributor, secondary distributor, retailer, or person has committed any of the acts prohibited by subsection (a), knowing or having reason to know that he or she has done so, or upon finding that a distributor or person has failed to comply with any requirement of subsection (b), the Department may revoke or suspend the license or licenses of any distributor, secondary distributor, or retailer pursuant to the procedures set forth in Section 6 and impose, on the distributor, secondary distributor, retailer, or person, a civil penalty in an amount not to exceed the greater of 500% of the retail value of the cigarettes involved or $5,000.

(2) Cigarettes that are acquired, held, owned, possessed, transported in, imported into, or sold or distributed in this State in violation of this Section shall be deemed contraband under this Act and are subject to seizure and forfeiture as provided in this Act, and all such cigarettes seized and forfeited shall be destroyed or maintained and used in an undercover capacity. Such cigarettes shall be deemed contraband whether the violation of this Section is knowing or otherwise.

d) Unfair trade practices. In addition to any other penalties provided for in this Act, a violation of subsection (a) or subsection (b) of this Section
shall constitute an unlawful practice as provided in the Consumer Fraud and Deceptive Business Practices Act.

(d-1) Retailers issued a license under Section 4g of this Act and secondary distributors shall not be liable under subsections (c)(1) and (d) of this Section for unknowingly possessing, selling, or distributing to consumers or users cigarettes identified in subsection (a)(1) of this Section if the cigarettes possessed, sold, or distributed by the licensed retailer or secondary distributor were obtained from a distributor licensed under this Act.

(d-2) Criminal penalties. A distributor, secondary distributor, retailer, or person who violates subsection (a), or a distributor, secondary distributor, or person who violates subsection (b) of this Section shall be guilty of a Class 4 felony.

(e) Unfair cigarette sales. For purposes of the Trademark Registration and Protection Act and the Counterfeit Trademark Act, cigarettes imported or reimported into the United States for sale or distribution under any trade name, trade dress, or trademark that is the same as, or is confusingly similar to, any trade name, trade dress, or trademark used for cigarettes manufactured in the United States for sale or distribution in the United States shall be presumed to have been purchased outside of the ordinary channels of trade.

(f) General provisions.

(1) This Section shall be enforced by the Department; provided that, at the request of the Director of Revenue or the Director's duly authorized agent, the State police and all local police authorities shall enforce the provisions of this Section. The Attorney General has concurrent power with the State's Attorney of any county to enforce this Section.

(2) For the purpose of enforcing this Section, the Director of Revenue and any agency to which the Director has delegated enforcement responsibility pursuant to subdivision (f)(1) may request information from any State or local agency and may share information with and request information from any federal agency and any agency of any other state or any local agency of any other state.

(3) In addition to any other remedy provided by law, including enforcement as provided in subdivision (f) (1), any person may bring an action for appropriate injunctive or other equitable relief for a violation of this Section; actual damages, if any, sustained by reason of the violation; and, as determined by the court, interest on the damages from the date of the complaint, taxable costs, and reasonable

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attorney's fees. If the trier of fact finds that the violation is flagrant, it may increase recovery to an amount not in excess of 3 times the actual damages sustained by reason of the violation.

(g) Definitions. As used in this Section:
"Importer" means that term as defined in 26 U.S.C. 5702(1).

(h) Applicability.

(1) This Section does not apply to:
(A) cigarettes allowed to be imported or brought into the United States for personal use; and
(B) cigarettes sold or intended to be sold as duty-free merchandise by a duty-free sales enterprise in accordance with the provisions of 19 U.S.C. 1555(b) and any implementing regulations; except that this Section shall apply to any such cigarettes that are brought back into the customs territory for resale within the customs territory.

(2) The penalties provided in this Section are in addition to any other penalties imposed under other provision of law.

(Source: P.A. 95-1053, eff. 1-1-10; 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10.)

(35 ILCS 130/4d)
Sec. 4d. Sales of cigarettes to and by retailers. In-state makers, manufacturers, and fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, and fabricators holding permits under Section 4b of this Act may not sell original packages of cigarettes to retailers. A retailer who is licensed under Section 4g of this Act may sell only original packages of cigarettes obtained from manufacturer representatives, licensed secondary distributors, or licensed distributors other than in-state makers, manufacturers, or fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, or fabricators holding permits under Section 4b of this Act.

(Source: P.A. 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10; 97-587, eff. 8-26-11.)

(35 ILCS 130/4e)
Sec. 4e. Sales of cigarettes to and by secondary distributors. In-state makers, manufacturers, and fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, and fabricators holding permits under Section 4b of this Act may not sell original packages of cigarettes to secondary distributors. A secondary distributor may sell only

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original packages of cigarettes obtained from licensed distributors other than in-state makers, manufacturers, or fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, or fabricators holding permits under Section 4b of this Act. Secondary distributors may sell cigarettes to Illinois retailers issued a license under Section 4g of this Act for resale, and are also authorized to make retail sales of cigarettes at the location on the secondary distributor's license as long as the secondary distributor obtains a license under Section 4g of the Cigarette Tax Act and sells 75% or more of the cigarettes sold at such location to retailers issued a license under Section 4g of this Act for resale. All sales by secondary distributors to retailers issued a license under Section 4g of this Act must be made at the location on the secondary distributor's license. Retailers issued a license under Section 4g of this Act must take possession of all cigarettes sold by the secondary distributor at the secondary distributor's licensed address. Secondary distributors may not make deliveries of cigarettes to retailers.

Secondary distributors may not file a claim for credit or refund with the State under Section 9d of this Act.

(Source: P.A. 96-1027, eff. 7-12-10.)

(35 ILCS 130/4f)

Sec. 4f. Manufacturer representatives.

(a) No manufacturer may market cigarettes produced by the manufacturer directly to retailers in this State issued a license under Section 4g of this Act without first having obtained authorization from the Department. Application for authority to maintain representatives in this State to market in this State cigarettes produced by the manufacturer shall be made to the Department on a form furnished and prescribed by the Department. Each applicant under this Section shall furnish the following information to the Department on a form signed and verified by the applicant under penalty of perjury:

(1) the name and address of the applicant;
(2) the address of every location from which the applicant proposes to engage in business in this State;
(3) the number of manufacturer representatives the applicant requests to maintain in this State; and
(4) any other additional information as the Department may reasonably require.

The following manufacturers are ineligible to receive authorization to maintain manufacturer representatives in this State:

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(1) a manufacturer who owes, at the time of application, any delinquent cigarette taxes that have been determined by law to be due and unpaid, unless the applicant has entered into an agreement approved by the Department to pay the amount due;

(2) a manufacturer who has had a license revoked within the past 2 years for misconduct relating to stolen or contraband cigarettes or has been convicted of a state or federal crime, punishable by imprisonment of one year or more, relating to stolen or contraband cigarettes;

(3) a manufacturer who has been found, after notice and a hearing, to have imported or caused to be imported into the United States for sale or distribution any cigarette in violation of 19 U.S.C. 1681a;

(4) a manufacturer who has been found, after notice and a hearing, to have imported or caused to be imported into the United States for sale or distribution or manufactured for sale or distribution in the United States any cigarette that does not fully comply with the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331, et seq.);

(5) a manufacturer who has been found, after notice and a hearing, to have made a material false statement in an application or has failed to produce records required to be maintained by this Act;

(6) a manufacturer who has been found, after notice and hearing, to have violated any Section of this Act; or

(7) a manufacturer licensed as a distributor under Section 4 of this Act or holding a permit under Section 4b of this Act.

The Department, upon receipt of an application from a manufacturer who is eligible to maintain manufacturer representatives in this State, shall notify the applicant in writing, not more than 60 days after an application has been received, that the applicant may or may not maintain the requested number of manufacturer representatives in this State. A copy of the notice authorizing a manufacturer to maintain manufacturer representatives in this State shall be available for inspection by the Department at each place of business identified in the application and in the motor vehicle operated by marketing representatives in the course of performing his or her duties in this State on behalf of the manufacturer.

A manufacturer representative shall notify the Department of any change in the information contained on the application form and shall do so within 30 days after any such change.

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(b) Only directors, officers, and employees of the manufacturer may act as manufacturer representatives in this State. The manufacturer shall provide to the Department the names and addresses of the manufacturer representatives operating in this State and the make, model, and license plate number of each motor vehicle operated by a manufacturer representative in the course of performing his or her duties in this State on behalf of the manufacturer. The following individuals may not act as manufacturer representatives:

(1) an individual who owes any delinquent cigarette taxes that have been determined by law to be due and unpaid, unless the individual has entered into an agreement approved by the Department to pay the amount due;

(2) an individual who has had a license revoked within the past 2 years for misconduct relating to stolen or contraband cigarettes or has been convicted of a state or federal crime, punishable by imprisonment of one year or more, relating to stolen or contraband cigarettes;

(3) an individual who has been found, after notice and a hearing, to have made a material false statement in an application or has failed to produce records required to be maintained by this Act; or

(4) an individual who has been found, after notice and hearing, to have violated any Section of this Act.

(c) Manufacturer representatives may sell to retailers in this State who are licensed under Section 4g of this Act only original packages of cigarettes made, manufactured, or fabricated by the manufacturer and purchased or obtained from a distributor licensed under this Act, or the Cigarette Tax Use Act, and on which tax stamps have been affixed. Manufacturer representatives may sell up to 600 stamped original packages of cigarettes in a calendar year, for the purpose of promoting the manufacturer's brands of cigarettes. A manufacturer representative may not possess more than 500 stamped original packages of cigarettes made, manufactured, or fabricated by the manufacturer and purchased or obtained from a distributor licensed under this Act or the Cigarette Use Tax Act. Any original packages of cigarettes in the possession of a manufacturer representative that (i) are not made, manufactured, or fabricated by the manufacturer and purchased or obtained from a distributor licensed under this Act or the Cigarette Use Tax Act, other than cigarettes for personal use and consumption, (ii) exceed the maximum quantity of 500 original packages of cigarettes, excluding packages of

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cigarettes for personal use and consumption; (iii) violate Section 3-10 of this Act; or (iv) do not have the proper tax stamps affixed, are contraband and subject to seizure and forfeiture.

Manufacturer representatives may sell, on behalf of licensed distributors, stamped original packages of cigarettes to retailers who are licensed under Section 4g of this Act on behalf of licensed distributors. The manufacturer representative shall provide the distributor with a signed receipt for the cigarettes obtained from the distributor. The distributor shall invoice the licensed retailer, and the licensed retailer shall pay the distributor for all cigarettes provided to licensed retailers by manufacturer representatives on behalf of a distributor.

Manufacturer representatives may sell stamped original packages of cigarettes to licensed retailers that are purchased from licensed distributors. Distributors shall provide manufacturer representatives with invoices for stamped original packages of cigarettes sold to manufacturer representatives. Manufacturer representatives shall invoice licensed retailers, and the licensed retailers shall pay the manufacturer representatives for all original packages of cigarettes sold to licensed retailers.

(d) Any person aggrieved by any decision of the Department under this Section may, within 20 days after notice of the decision, protest and request a hearing. Upon receiving a request for a hearing, the Department shall give notice to the person requesting the hearing of the time and place fixed for the hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to that person. In the absence of a protest and request for a hearing within 20 days, the Department's decision shall become final without any further determination being made or notice given.

(Source: P.A. 97-587, eff. 8-26-11.)

(35 ILCS 130/4g new)
Sec. 4g. Retailer's license. Beginning on January 1, 2016, no person may engage in business as a retailer of cigarettes in this State without first having obtained a license from the Department. Application for license shall be made to the Department, by electronic means, in a form prescribed by the Department. Each applicant for a license under this Section shall furnish to the Department, in an electronic format established by the Department, the following information:

(1) the name and address of the applicant;
(2) the address of the location at which the applicant proposes to engage in business as a retailer of cigarettes in this State; and

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such other additional information as the Department may lawfully require by its rules and regulations.

The annual license fee payable to the Department for each retailer's license shall be $75. The fee shall be deposited into the Tax Compliance and Administration Fund and shall be for the cost of tobacco retail inspection and contraband tobacco and tobacco smuggling with at least two-thirds of the money being used for contraband tobacco and tobacco smuggling operations and enforcement.

Each applicant for a license shall pay the fee to the Department at the time of submitting its application for a license to the Department. The Department shall require an applicant for a license under this Section to electronically file and pay the fee.

A separate annual license fee shall be paid for each place of business at which a person who is required to procure a retailer's license under this Section proposes to engage in business as a retailer in Illinois under this Act.

The following are ineligible to receive a retailer's license under this Act:

(1) a person who has been convicted of a felony related to the illegal transportation, sale, or distribution of cigarettes, or a tobacco-related felony, under any federal or State law, if the Department, after investigation and a hearing if requested by the applicant, determines that the person has not been sufficiently rehabilitated to warrant the public trust; or

(2) a corporation, if any officer, manager, or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license under this Act for any reason.

The Department, upon receipt of an application and license fee, in proper form, from a person who is eligible to receive a retailer's license under this Act, shall issue to such applicant a license in form as prescribed by the Department. That license shall permit the applicant to whom it is issued to engage in business as a retailer under this Act at the place shown in his or her application. All licenses issued by the Department under this Section shall be valid for a period not to exceed one year after issuance unless sooner revoked, canceled, or suspended as provided in this Act. No license issued under this Section is transferable or assignable. The license shall be conspicuously displayed in the place of business conducted by the licensee in Illinois under such license. The Department shall not issue a retailer's license to a retailer unless the retailer is also registered under the

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Retailers' Occupation Tax Act. A person who obtains a license as a retailer who ceases to do business as specified in the license, or who never commenced business, or who obtains a distributor's license, or whose license is suspended or revoked, shall immediately surrender the license to the Department.

Any person aggrieved by any decision of the Department under this subsection may, within 30 days after notice of the decision, protest and request a hearing. Upon receiving a request for a hearing, the Department shall give written notice to the person requesting the hearing of the time and place fixed for the hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to that person. In the absence of a protest and request for a hearing within 30 days, the Department's decision shall become final without any further determination being made or notice given.

(35 ILCS 130/4h new)

Sec. 4h. Purchases of cigarettes by licensed retailers. A person who possesses a retailer's license under Section 4g of this Act shall obtain cigarettes for sale only from a licensed distributor, secondary distributor, or manufacturer representative.

(35 ILCS 130/6) (from Ch. 120, par. 453.6)

Sec. 6. Revocation, cancellation, or suspension of license. The Department may, after notice and hearing as provided for by this Act, revoke, cancel or suspend the license of any distributor, or secondary distributor, or retailer for the violation of any provision of this Act, or for noncompliance with any provision herein contained, or for any noncompliance with any lawful rule or regulation promulgated by the Department under Section 8 of this Act, or because the licensee is determined to be ineligible for a distributor's license for any one or more of the reasons provided for in Section 4 of this Act, or because the licensee is determined to be ineligible for a secondary distributor's license for any one or more of the reasons provided for in Section 4c of this Act, or because the licensee is determined to be ineligible for a retailer's license for any one or more of the reasons provided for in Section 4g of this Act. However, no such license shall be revoked, cancelled or suspended, except after a hearing by the Department with notice to the distributor, or secondary distributor, or retailer, as aforesaid, and affording such distributor, or secondary distributor, or retailer a reasonable opportunity to appear and defend, and any distributor, or secondary distributor, or retailer aggrieved by any decision of the Department with
respect thereto may have the determination of the Department judicially reviewed, as herein provided.

The Department may revoke, cancel, or suspend the license of any distributor for a violation of the Tobacco Product Manufacturers' Escrow Enforcement Act as provided in Section 30 of that Act. The Department may revoke, cancel, or suspend the license of any secondary distributor for a violation of subsection (e) of Section 15 of the Tobacco Product Manufacturers' Escrow Enforcement Act.

*If the retailer has a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 3 days the license of that retailer for a fourth or subsequent violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a) of Section 2 of that Act. For the purposes of this Section, any violation of subsection (a) of Section 2 of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act occurring at the retailer's licensed location during a 24-month period shall be counted as a violation against the retailer.*

*If the retailer does not have a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 3 days the license of that retailer for a second violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a-5) of Section 2 of that Act.*

*If the retailer does not have a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 7 days the license of that retailer for a third violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a-5) of Section 2 of that Act.*

*If the retailer does not have a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 30 days the license of a retailer for a fourth or subsequent violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a-5) of Section 2 of that Act.*

*A training program that facilitates compliance with minimum-age tobacco laws must include at least the following elements: (i) it must explain that only individuals displaying valid identification demonstrating that they are 18 years of age or older shall be eligible to purchase cigarettes or tobacco products; (ii) it must explain where a clerk can check identification for a date of birth; and (iii) it must explain the penalties that a clerk and*
retailer are subject to for violations of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

Any distributor, or secondary distributor, or retailer aggrieved by any decision of the Department under this Section may, within 20 days after notice of the decision, protest and request a hearing. Upon receiving a request for a hearing, the Department shall give notice in writing to the distributor, or secondary distributor, or retailer requesting the hearing that contains a statement of the charges preferred against the distributor, or secondary distributor, or retailer and that states the time and place fixed for the hearing. The Department shall hold the hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to the distributor, or secondary distributor, or retailer. In the absence of a protest and request for a hearing within 20 days, the Department's decision shall become final without any further determination being made or notice given.

No license so revoked, as aforesaid, shall be reissued to any such distributor, or secondary distributor, or retailer within a period of 6 months after the date of the final determination of such revocation. No such license shall be reissued at all so long as the person who would receive the license is ineligible to receive a distributor's license under this Act for any one or more of the reasons provided for in Section 4 of this Act, or is ineligible to receive a secondary distributor's license under this Act for any one or more of the reasons provided for in Section 4c of this Act, or is determined to be ineligible for a retailer's license under the Act for any one or more of the reasons provided for in Section 4g of this Act.

The Department upon complaint filed in the circuit court may by injunction restrain any person who fails, or refuses, to comply with any of the provisions of this Act from acting as a distributor, or secondary distributor, or retailer of cigarettes in this State.

(5310)
witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit court of this State; such fees to be paid when the witness is excused from further attendance. When the witness is subpoenaed at the instance of the Department or any officer or employee thereof, such fees shall be paid in the same manner as other expenses of the Department, and when the witness is subpoenaed at the instance of any other party to any such proceeding, the cost of service of the subpoena or subpoena duces tecum and the fee of the witness shall be borne by the party at whose instance the witness is summoned. In such case the Department, in its discretion, may require a deposit to cover the cost of such service and witness fees. A subpoena or subpoena duces tecum so issued shall be served in the same manner as a subpoena or subpoena duces tecum issued out of a court.

Any circuit court of this State, upon the application of the Department or any officer or employee thereof, or upon the application of any other party to the proceeding, may, in its discretion, compel the attendance of witnesses, the production of books, papers, records or memoranda and the giving of testimony before the Department or any officer or employee thereof conducting an investigation or holding a hearing authorized by this Act, by an attachment for contempt, or otherwise, in the same manner as production of evidence may be compelled before the court.

The Department or any officer or employee thereof, or any other party in an investigation or hearing before the Department, may cause the depositions of witnesses within the State to be taken in the manner prescribed by law for like depositions, or depositions for discovery in civil actions in courts of this State, and to that end compel the attendance of witnesses and the production of books, papers, records or memoranda, in the same manner hereinbefore provided.

(Source: P.A. 96-1027, eff. 7-12-10; 97-587, eff. 8-26-11.)

(35 ILCS 130/8) (from Ch. 120, par. 453.8)

Sec. 8. The Department may make, promulgate and enforce such reasonable rules and regulations relating to the administration and enforcement of this Act as may be deemed expedient.

Whenever notice is required by this Act, such notice may be given by United States certified or registered mail, addressed to the person concerned at his last known address, and proof of such mailing shall be sufficient for the purposes of this Act. Notice of any hearing provided for by this Act and held before the Department shall be so given not less than 7 days prior to the day fixed for the hearing.
Hearings provided for in this Act, other than hearings before the Illinois Independent Tax Tribunal, shall be held:

1. In Cook County, if the taxpayer's or licensee's principal place of business is in that county;
2. At the Department's office nearest the taxpayer's or licensee's principal place of business, if the taxpayer's or licensee's principal place of business is in Illinois but outside Cook County;
3. In Sangamon County, if the taxpayer's or licensee's principal place of business is outside Illinois.

The Circuit Court of the County wherein the hearing is held has power to review all final administrative decisions of the Department in administering this Act. The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department under this Act. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Service upon the Director of Revenue or Assistant Director of Revenue of summons issued in any action to review a final administrative decision shall be service upon the Department. The Department shall certify the record of its proceedings if the distributor, secondary distributor, retailer, or manufacturer with authority to maintain manufacturer representatives pays to it the sum of 75¢ per page of testimony taken before the Department and 25¢ per page of all other matters contained in such record, except that these charges may be waived where the Department is satisfied that the aggrieved party is a poor person who cannot afford to pay such charges. Before the delivery of such record to the person applying for it, payment of these charges must be made, and if the record is not paid for within 30 days after notice that such record is available, the complaint may be dismissed by the court upon motion of the Department.

No stay order shall be entered by the Circuit Court unless the distributor, secondary distributor, retailer, or manufacturer with authority to maintain manufacturer representatives files with the court a bond in an amount fixed and approved by the court, to indemnify the State against all loss and injury which may be sustained by it on account of the review proceedings and to secure all costs which may be occasioned by such proceedings.

Whenever any proceeding provided by this Act is begun before the Department, either by the Department or by a person subject to this Act, and

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such person thereafter dies or becomes a person under legal disability before such proceeding is concluded, the legal representative of the deceased person or of the person under legal disability shall notify the Department of such death or legal disability. Such legal representative, as such, shall then be substituted by the Department for such person. If the legal representative fails to notify the Department of his or her appointment as such legal representative, the Department may, upon its own motion, substitute such legal representative in the proceeding pending before the Department for the person who died or became a person under legal disability.

Hearings to contest an administrative decision under this Act conducted as a result of a protest filed with the Illinois Independent Tax Tribunal on or after July 1, 2013 shall be conducted pursuant to the provisions of the Illinois Independent Tax Tribunal Act of 2012.

(Source: P.A. 96-1027, eff. 7-12-10; 97-587, eff. 8-26-11; 97-1129, eff. 8-28-12.)

(35 ILCS 130/10) (from Ch. 120, par. 453.10)

Sec. 10. The Department, or any officer or employee designated in writing by the Director thereof, for the purpose of administering and enforcing the provisions of this Act, may hold investigations and, except as otherwise provided in the Illinois Independent Tax Tribunal Act of 2012, may hold hearings concerning any matters covered by this Act, and may examine books, papers, records or memoranda bearing upon the sale or other disposition of cigarettes by a distributor, secondary distributor, retailer, manufacturer with authority to maintain manufacturer representatives under Section 4f of this Act, or manufacturer representative, and may issue subpoenas requiring the attendance of a distributor, secondary distributor, retailer, manufacturer with authority to maintain manufacturer representatives under Section 4f of this Act, or manufacturer representative, or any officer or employee of a distributor, secondary distributor, retailer, manufacturer with authority to maintain manufacturer representatives under Section 4f of this Act, or any person having knowledge of the facts, and may take testimony and require proof, and may issue subpoenas duces tecum to compel the production of relevant books, papers, records and memoranda, for the information of the Department.

All hearings to contest administrative decisions of the Department conducted as a result of a protest filed with the Illinois Independent Tax Tribunal on or after July 1, 2013 shall be subject to the provisions of the Illinois Independent Tax Tribunal Act of 2012.

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In the conduct of any investigation or hearing provided for by this Act, neither the Department, nor any officer or employee thereof, shall be bound by the technical rules of evidence, and no informality in the proceedings nor in the manner of taking testimony shall invalidate any rule, order, decision or regulation made, approved or confirmed by the Department.

The Director of Revenue, or any duly authorized officer or employee of the Department, shall have the power to administer oaths to such persons required by this Act to give testimony before the said Department.

The books, papers, records and memoranda of the Department, or parts thereof, may be proved in any hearing, investigation or legal proceeding by a reproduced copy thereof under the certificate of the Director of Revenue. Such reproduced copy shall, without further proof, be admitted into evidence before the Department or in any legal proceeding.

(Source: P.A. 96-1027, eff. 7-12-10; 97-587, eff. 8-26-11; 97-1129, eff. 8-28-12.)

(35 ILCS 130/11) (from Ch. 120, par. 453.11)

Sec. 11. Every distributor of cigarettes, who is required to procure a license under this Act, shall keep within Illinois, at his licensed address, complete and accurate records of cigarettes held, purchased, manufactured, brought in or caused to be brought in from without the State, and sold, or otherwise disposed of, and shall preserve and keep within Illinois at his licensed address all invoices, bills of lading, sales records, copies of bills of sale, inventory at the close of each period for which a return is required of all cigarettes on hand and of all cigarette revenue stamps, both affixed and unaffixed, and other pertinent papers and documents relating to the manufacture, purchase, sale or disposition of cigarettes. Every sales invoice issued by a licensed distributor to a retailer in this State shall contain the distributor's cigarette distributor license number. All books and records and other papers and documents that are required by this Act to be kept shall be kept in the English language, and shall, at all times during the usual business hours of the day, be subject to inspection by the Department or its duly authorized agents and employees. The Department may adopt rules that establish requirements, including record forms and formats, for records required to be kept and maintained by taxpayers. For purposes of this Section, "records" means all data maintained by the taxpayer, including data on paper, microfilm, microfiche or any type of machine-sensible data compilation. Those books, records, papers and documents shall be preserved for a period of at least 3 years after the date of the documents, or the date of the entries

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appearing in the records, unless the Department, in writing, authorizes their
destruction or disposal at an earlier date. At all times during the usual
business hours of the day any duly authorized agent or employee of the
Department may enter any place of business of the distributor, without a
search warrant, and inspect the premises and the stock or packages of
cigarettes and the vending devices therein contained, to determine whether
any of the provisions of this Act are being violated. If such agent or employee
is denied free access or is hindered or interfered with in making such
examination as herein provided, the license of the distributor at such premises
shall be subject to revocation by the Department.
(Source: P.A. 88-480.)

(35 ILCS 130/11a)

Sec. 11a. Secondary distributors; records. Every secondary distributor
of cigarettes, who is required to procure a license under this Act, shall keep
within Illinois, at his licensed address, complete and accurate records of
cigarettes held, purchased, brought in from without the State, and sold, or
otherwise disposed of, and shall preserve and keep within Illinois at his
licensed address all invoices, bills of lading, sales records, copies of bills of
sale, inventory at the close of each period for which a report is required of all
cigarettes on hand, and other pertinent papers and documents relating to the
purchase, sale, or disposition of cigarettes. Every sales invoice issued by a
secondary distributor to a retailer in this State shall contain the distributor's
secondary distributor license number. All books and records and other papers
and documents that are required by this Act to be kept shall be kept in the
English language, and shall, at all times during the usual business hours of
the day, be subject to inspection by the Department or its duly authorized
agents and employees. The Department may adopt rules that establish
requirements, including record forms and formats, for records required to be
kept and maintained by secondary distributors. For purposes of this Section,
"records" means all data maintained by the secondary distributors, including
data on paper, microfilm, microfiche or any type of machine sensible data
compilation. Those books, records, papers, and documents shall be preserved
for a period of at least 3 years after the date of the documents, or the date of
the entries appearing in the records, unless the Department, in writing,
authorizes their destruction or disposal at an earlier date. At all times during
the usual business hours of the day any duly authorized agent or employee of
the Department may enter any place of business of the secondary distributor
without a search warrant and may inspect the premises and the stock or
packages of cigarettes therein contained to determine whether any of the

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provisions of this Act are being violated. If such agent or employee is denied free access or is hindered or interfered with in making such examination as herein provided, the license of the secondary distributor at such premises shall be subject to revocation by the Department.

(Source: P.A. 96-1027, eff. 7-12-10.)

(35 ILCS 130/11b)

Sec. 11b. Manufacturer representatives; records. Every manufacturer with authority to maintain manufacturer representatives under Section 4f of this Act shall keep within Illinois, at his business address identified under Section 4f of this Act, complete and accurate records of cigarettes purchased, sold, or otherwise disposed of, and shall preserve and keep within Illinois at his business address all invoices, sales records, copies of bills of sale, inventory at the close of each period for which a report is required of all cigarettes on hand, and other pertinent papers and documents relating to the purchase, sale, or disposition of cigarettes. Every sales invoice issued by a manufacturer representative to a retailer in this State shall contain the manufacturer's manufacturer representative license number. All books and records and other papers and documents that are required by this Act to be kept shall be kept in the English language, and shall, at all times during the usual business hours of the day, be subject to inspection by the Department or its duly authorized agents and employees. The Department may adopt rules that establish requirements, including record forms and formats, for records required to be kept by manufacturers with authority to maintain manufacturer representatives under Section 4f of this Act and their manufacturer representatives. For purposes of this Section, "records" means all data maintained by the manufacturers with authority to maintain manufacturer representatives under Section 4f of this Act and their manufacturer representatives, including data on paper, microfilm, microfiche or any type of machine sensible data compilation. Those books, records, papers, and documents shall be preserved for a period of at least 3 years after the date of the documents, or the date of the entries appearing in the records, unless the Department, in writing, authorizes their destruction or disposal at an earlier date. At all times during the usual business hours of the day, any duly authorized agent or employee of the Department may enter any place of business of the manufacturers with authority to maintain manufacturer representatives under Section 4f of this Act and their manufacturer representatives, or inspect any motor vehicle used by a manufacturer representative in the course of business, without a search warrant and may inspect the premises, motor vehicle, and any packages of cigarettes therein

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contained to determine whether any of the provisions of this Act are being violated. If such agent or employee is denied free access or is hindered or interfered with in making such examination as herein provided, the ability to maintain marketing representatives in Illinois may be withdrawn by the Department.

(Source: P.A. 97-587, eff. 8-26-11.)

(35 ILCS 130/11c new)

Sec. 11c. Retailers; records. Every retailer who is required to procure a license under this Act shall keep within Illinois complete and accurate records of cigarettes purchased, sold, or otherwise disposed of. It shall be the duty of every retail licensee to make sales records, copies of bills of sale, and inventory at the close of each period for which a report is required of all cigarettes on hand available upon reasonable notice for the purpose of investigation and control by the Department. Such records need not be maintained on the licensed premises, but must be maintained in the State of Illinois; however, if access is available electronically, the records may be maintained out of state. However, all original invoices or copies thereof covering purchases of cigarettes must be retained on the licensed premises for a period of 90 days after such purchase, unless the Department has granted a waiver in response to a written request in cases where records are kept at a central business location within the State of Illinois or in cases where records that are available electronically are maintained out of state. The Department may adopt rules that establish requirements, including record forms and formats, for records required to be kept and maintained by the retailer.

For purposes of this Section, "records" means all data maintained by the retailer, including data on paper, microfilm, microfiche or any type of machine sensible data compilation. Those books, records, papers, and documents shall be preserved for a period of at least 3 years after the date of the documents, or the date of the entries appearing in the records, unless the Department, in writing, authorizes their destruction or disposal at an earlier date. At all times during the usual business hours of the day, any duly authorized agent or employee of the Department may enter any place of business of the retailer without a search warrant and may inspect the premises to determine whether any of the provisions of this Act are being violated. If such agent or employee is denied free access or is hindered or interfered with in making such examination as herein provided, the license of the retailer shall be subject to suspension or revocation by the Department.

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Sec. 23. Every distributor, secondary distributor, retailer, manufacturer with authority to maintain manufacturer representatives under Section 4f of this Act and their manufacturer representatives, or other person who shall knowingly and wilfully sell or offer for sale any original package, as defined in this Act, having affixed thereto any fraudulent, spurious, imitation or counterfeit stamp, or stamp which has been previously affixed, or affixes a stamp which has previously been affixed to an original package, or who shall knowingly and wilfully sell or offer for sale any original package, as defined in this Act, having imprinted thereon underneath the sealed transparent wrapper thereof any fraudulent, spurious, imitation or counterfeit tax imprint, shall be deemed guilty of a Class 2 felony.

(Source: P.A. 96-1027, eff. 7-12-10; 97-587, eff. 8-26-11.)

Sec. 24. Punishment for sale or possession of packages of contraband cigarettes.

(a) Possession or sale of 100 or less packages of contraband cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of this Act, any person who has in his or her possession or sells 100 or less original packages of contraband cigarettes is guilty of a Class A misdemeanor and a Class 4 felony for each subsequent offense occurring within 12 months of a prior offense.

(b) Possession or sale of more than 100 but less than 251 packages of contraband cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of this Act, any person who has in his or her possession or sells more than 100 but less than 251 original packages of contraband cigarettes is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for each subsequent offense.

(c) Possession or sale of more than 250 but less than 1,001 packages of contraband cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of this Act, any person who has in his or her possession or sells more than 250 but less than 1,001 original packages of contraband cigarettes is guilty of a Class 4 felony.

(d) Possession or sale of more than 1,000 packages of contraband cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of this Act, any
person who has in his or her possession or sells more than 1,000 original packages of contraband cigarettes is guilty of a Class 3 felony.

(e) Any person licensed as a distributor, secondary distributor, or transporter, as defined in Section 9c of this Act, who has in his or her possession or sells 100 or less original packages of contraband cigarettes is guilty of a Class A misdemeanor and a Class 4 felony for each subsequent offense occurring within 12 months of a prior offense.

(f) Any person licensed as a distributor, secondary distributor, or transporter, as defined in Section 9c of this Act, who has in his or her possession or sells more than 100 original packages of contraband cigarettes is guilty of a Class 4 felony.

(g) Notwithstanding subsections (e) through (f), licensed distributors and transporters, as defined in Section 9c of this Act, may possess unstamped packages of cigarettes. Notwithstanding subsections (e) through (f), licensed distributors may possess cigarettes that bear a tax stamp of another state or taxing jurisdiction. Notwithstanding subsections (e) through (f), a licensed distributor or licensed secondary distributor may possess contraband cigarettes returned to the distributor or licensed secondary distributor by a retailer if the distributor or licensed secondary distributor immediately conducts an inventory of the cigarettes being returned, the distributor or licensed secondary distributor and the retailer returning the contraband cigarettes sign the inventory, the distributor or licensed secondary distributor provides a copy of the signed inventory to the retailer, and the distributor retains the inventory in its books and records and promptly notifies the Department of Revenue.

(h) Notwithstanding subsections (a) through (d) of this Section, a retailer unknowingly possessing contraband cigarettes obtained from a licensed distributor or licensed secondary distributor or knowingly possessing contraband cigarettes obtained from a licensed distributor is not subject to penalties under this Section if the retailer, within 48 hours after discovering that the cigarettes are contraband cigarettes, excluding Saturdays, Sundays, and holidays: (i) notifies the Department and the licensed distributor or licensed secondary distributor from whom the cigarettes were obtained, orally and in writing, that he or she possesses contraband cigarettes obtained from a licensed distributor or licensed secondary distributor; (ii) places the contraband cigarettes in one or more containers and seals those containers; and (iii) places on the containers the following or similar language: "Contraband Cigarettes. Not For Sale." All contraband cigarettes in the

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possession of a retailer remain subject to forfeiture under the provisions of this Act.

*Any retailer who knowingly possesses packages of cigarettes with a counterfeit stamp with intent to sell is guilty of a Class 2 felony. Any retailer who knowingly possesses unstamped packages of cigarettes with intent to sell is guilty of a Class 4 felony. A retailer shall not be liable for unknowingly possessing, selling, or distributing to consumers cigarettes that contain an old stamp if the correct tax was collected at the point of sale and the cigarettes were obtained from a distributor licensed under this Act.*

(Source: P.A. 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10.)

(35 ILCS 130/26) (from Ch. 120, par. 453.26)

Sec. 26. Whoever acts as a distributor, or secondary distributor, retailer, or manufacturer representative of original packages without having a license, as required by this Act, shall be guilty of a Class 4 felony.

(Source: P.A. 96-1027, eff. 7-12-10.)

Section 15. The Cigarette Use Tax Act is amended by changing Sections 3-10, 4d, 4e, 28, and 30 as follows:

(35 ILCS 135/3-10)

Sec. 3-10. Cigarette enforcement.

(a) Prohibitions. It is unlawful for any person:

(1) to sell or distribute in this State; to acquire, hold, own, possess, or transport, for sale or distribution in this State; or to import, or cause to be imported into this State for sale or distribution in this State:

(A) any cigarettes the package of which:

(i) bears any statement, label, stamp, sticker, or notice indicating that the manufacturer did not intend the cigarettes to be sold, distributed, or used in the United States, including but not limited to labels stating "For Export Only", "U.S. Tax Exempt", "For Use Outside U.S.", or similar wording; or

(ii) does not comply with:

(aa) all requirements imposed by or pursuant to federal law regarding warnings and other information on packages of cigarettes manufactured, packaged, or imported for sale, distribution, or use in the United States, including but not limited to the precise warning labels specified in the federal

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Cigarette Labeling and Advertising Act, 15 U.S.C. 1333; and
   (bb) all federal trademark and copyright laws;
   (B) any cigarettes imported into the United States in violation of 26 U.S.C. 5754 or any other federal law, or implementing federal regulations;
   (C) any cigarettes that such person otherwise knows or has reason to know the manufacturer did not intend to be sold, distributed, or used in the United States; or
   (D) any cigarettes for which there has not been submitted to the Secretary of the U.S. Department of Health and Human Services the list or lists of the ingredients added to tobacco in the manufacture of the cigarettes required by the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1335a;
(2) to alter the package of any cigarettes, prior to sale or distribution to the ultimate consumer, so as to remove, conceal, or obscure:
   (A) any statement, label, stamp, sticker, or notice described in subdivision (a)(1)(A)(i) of this Section;
   (B) any health warning that is not specified in, or does not conform with the requirements of, the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1333; or
(3) to affix any stamp required pursuant to this Act to the package of any cigarettes described in subdivision (a)(1) of this Section or altered in violation of subdivision (a)(2).
(b) Documentation. On the first business day of each month, each person licensed to affix the State tax stamp to cigarettes shall file with the Department, for all cigarettes imported into the United States to which the person has affixed the tax stamp in the preceding month:
(1) a copy of:
   (A) the permit issued pursuant to the Internal Revenue Code, 26 U.S.C. 5713, to the person importing the cigarettes into the United States allowing the person to import the cigarettes; and
   (B) the customs form containing, with respect to the cigarettes, the internal revenue tax information required by the U.S. Bureau of Alcohol, Tobacco and Firearms;
(2) a statement, signed by the person under penalty of perjury, which shall be treated as confidential by the Department and exempt from disclosure under the Freedom of Information Act, identifying the brand and brand styles of all such cigarettes, the quantity of each brand style of such cigarettes, the supplier of such cigarettes, and the person or persons, if any, to whom such cigarettes have been conveyed for resale; and a separate statement, signed by the individual under penalty of perjury, which shall not be treated as confidential or exempt from disclosure, separately identifying the brands and brand styles of such cigarettes; and

(3) a statement, signed by an officer of the manufacturer or importer under penalty of perjury, certifying that the manufacturer or importer has complied with:

(A) the package health warning and ingredient reporting requirements of the federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1333 and 1335a, with respect to such cigarettes; and

(B) the provisions of Exhibit T of the Master Settlement Agreement entered in the case of People of the State of Illinois v. Philip Morris, et al. (Circuit Court of Cook County, No. 96-L13146), including a statement indicating whether the manufacturer is, or is not, a participating tobacco manufacturer within the meaning of Exhibit T.

(c) Administrative sanctions.

(1) Upon finding that a distributor, secondary distributor, retailer, or a person has committed any of the acts prohibited by subsection (a), knowing or having reason to know that he or she has done so, or upon finding that a distributor or person has failed to comply with any requirement of subsection (b), the Department may revoke or suspend the license or licenses of any distributor, retailer, or secondary distributor pursuant to the procedures set forth in Section 6 and impose on the distributor, secondary distributor, retailer, or person, a civil penalty in an amount not to exceed the greater of 500% of the retail value of the cigarettes involved or $5,000.

(2) Cigarettes that are acquired, held, owned, possessed, transported in, imported into, or sold or distributed in this State in violation of this Section shall be deemed contraband under this Act and are subject to seizure and forfeiture as provided in this Act, and

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all such cigarettes seized and forfeited shall be destroyed or maintained and used in an undercover capacity. Such cigarettes shall be deemed contraband whether the violation of this Section is knowing or otherwise.

(d) Unfair trade practices. In addition to any other penalties provided for in this Act, a violation of subsection (a) or subsection (b) of this Section shall constitute an unlawful practice as provided in the Consumer Fraud and Deceptive Business Practices Act.

(d-1) Retailers who are licensed under Section 4g of the Cigarette Tax Act and secondary distributors shall not be liable under subsections (c)(1) and (d) of this Section for unknowingly possessing, selling, or distributing to consumers or users cigarettes identified in subsection (a)(1) of this Section if the cigarettes possessed, sold, or distributed by the licensed retailer were obtained from a distributor or secondary distributor licensed under this Act or the Cigarette Tax Act.

(d-2) Criminal Penalties. A distributor, secondary distributor, retailer, or person who violates subsection (a), or a distributor, secondary distributor, or person who violates subsection (b) of this Section shall be guilty of a Class 4 felony.

(e) Unfair cigarette sales. For purposes of the Trademark Registration and Protection Act and the Counterfeit Trademark Act, cigarettes imported or reimported into the United States for sale or distribution under any trade name, trade dress, or trademark that is the same as, or is confusingly similar to, any trade name, trade dress, or trademark used for cigarettes manufactured in the United States for sale or distribution in the United States shall be presumed to have been purchased outside of the ordinary channels of trade.

(f) General provisions.

(1) This Section shall be enforced by the Department; provided that, at the request of the Director of Revenue or the Director's duly authorized agent, the State police and all local police authorities shall enforce the provisions of this Section. The Attorney General has concurrent power with the State's Attorney of any county to enforce this Section.

(2) For the purpose of enforcing this Section, the Director of Revenue and any agency to which the Director has delegated enforcement responsibility pursuant to subdivision (f)(1) may request information from any State or local agency and may share information with and request information from any federal agency.
and any agency of any other state or any local agency of any other state.

(3) In addition to any other remedy provided by law, including enforcement as provided in subdivision (f) (a)(1), any person may bring an action for appropriate injunctive or other equitable relief for a violation of this Section; actual damages, if any, sustained by reason of the violation; and, as determined by the court, interest on the damages from the date of the complaint, taxable costs, and reasonable attorney's fees. If the trier of fact finds that the violation is flagrant, it may increase recovery to an amount not in excess of 3 times the actual damages sustained by reason of the violation.

(g) Definitions. As used in this Section:
"Importer" means that term as defined in 26 U.S.C. 5702(1).

(h) Applicability.

(1) This Section does not apply to:
(A) cigarettes allowed to be imported or brought into the United States for personal use; and
(B) cigarettes sold or intended to be sold as duty-free merchandise by a duty-free sales enterprise in accordance with the provisions of 19 U.S.C. 1555(b) and any implementing regulations; except that this Section shall apply to any such cigarettes that are brought back into the customs territory for resale within the customs territory.

(2) The penalties provided in this Section are in addition to any other penalties imposed under other provision of law.

(Source: P.A. 95-1053, eff. 1-1-10; 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10.)

(35 ILCS 135/4d)
Sec. 4d. Sales of cigarettes to and by retailers. In-state makers, manufacturers, or fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, or fabricators holding permits under Section 7 of this Act may not sell original packages of cigarettes to retailers. A retailer who is licensed under Section 4g of the Cigarette Tax Act may sell only original packages of cigarettes obtained from licensed secondary distributors or licensed distributors other than in-state makers, manufacturers, or fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, or fabricators holding permits under Section 7 of this Act.

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Sec. 4e. Sales of cigarettes to and by secondary distributors. In-state makers, manufacturers, and fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, and fabricators holding permits under Section 7 of this Act may not sell original packages of cigarettes to secondary distributors. A secondary distributor may sell only original packages of cigarettes obtained from licensed distributors other than in-state makers, manufacturers, or fabricators licensed as distributors under Section 4 of this Act and out-of-state makers, manufacturers, or fabricators holding permits under Section 7 of this Act. Secondary distributors may sell cigarettes to Illinois retailers who are licensed under Section 4g of the Cigarette Tax Act for resale, and are also authorized to make retail sales of cigarettes at the location on the secondary distributor's license as long as the secondary distributor obtains a license under Section 4g of the Cigarette Tax Act and sells 75% or more of the cigarettes sold at such location to retailers who are licensed under Section 4g of the Cigarette Tax Act for resale.

All sales by secondary distributors to Illinois retailers who are licensed under Section 4g of the Cigarette Tax Act must be made at the location on the secondary distributor's license. Retailers who are issued a license under Section 4g of the Cigarette Tax Act must take possession of all cigarettes sold by the secondary distributor at the secondary distributor's licensed address. Secondary distributors may not make deliveries of cigarettes to Illinois retailers who are licensed under Section 4g of the Cigarette Tax Act.

Secondary distributors may not file a claim for credit or refund with the State under Section 14a of this Act.

Sec. 28. Any person who (a) falsely or fraudulently makes, forges, alters or counterfeits any stamp provided for herein, (b) causes or procures to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, (c) knowingly and willfully utters, publishes, passes or tenders as genuine any such false, altered, forged or counterfeited stamp, (d) falsely or fraudulently makes, forges, alters or counterfeits any tax imprint on an original package of cigarettes inside a sealed transparent wrapper, (e) causes or procures falsely or fraudulently to be made, forged, altered or counterfeited any such tax imprint or (f) knowingly and willfully utters, publishes, passes or tenders as genuine any such false, altered, forged or counterfeited tax

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imprint, for the purpose of evading the tax imposed by this Act, shall be guilty of a Class 2 ½ felony.
(Source: P.A. 77-2229.)

(35 ILCS 135/30) (from Ch. 120, par. 453.60)

Sec. 30. Punishment for sale or possession of unstamped packages of cigarettes, other than by a licensed distributor or transporter.

(a) Possession or sale of more than 9 but less than 101 unstamped packages of cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of the Cigarette Tax Act, any person who has in his or her possession or sells more than 9 but less than 101 original packages of contraband cigarettes is guilty of a Class A misdemeanor and a Class 4 felony for each subsequent offense occurring within 12 months of a prior offense.

(b) Possession or sale of more than 100 but less than 251 unstamped packages of cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of the Cigarette Tax Act, any person who has in his or her possession or sells more than 100 but less than 251 original packages of contraband cigarettes is guilty of a Class A misdemeanor for the first offense and a Class 4 felony for each subsequent offense.

(c) Possession or sale of more than 250 but less than 1,001 unstamped packages of cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of the Cigarette Tax Act, any person who has in his or her possession or sells more than 250 but less than 1,001 original packages of contraband cigarettes is guilty of a Class 4 felony.

(d) Possession or sale of more than 1,000 contraband packages of cigarettes. With the exception of licensed distributors, licensed secondary distributors, or licensed transporters, as defined in Section 9c of the Cigarette Tax Act, any person who has in his or her possession or sells more than 1,000 original packages of contraband cigarettes is guilty of a Class 3 felony.

(e) Any person licensed as a distributor, secondary distributor, or transporter, as defined in Section 9c of the Cigarette Tax Act, who has in his or her possession or sells 100 or less original packages of contraband cigarettes is guilty of a Class A misdemeanor and a Class 4 felony for each subsequent offense occurring within 12 months of a prior offense.

(f) Any person licensed as a distributor, secondary distributor, or transporter, as defined in Section 9c of the Cigarette Tax Act, who has in his
or her possession or sells more than 100 original packages of contraband cigarettes is guilty of a Class 4 felony.

(g) Notwithstanding subsections (e) through (f), licensed distributors and transporters, as defined in Section 9c of the Cigarette Tax Act, may possess unstamped packages of cigarettes. Notwithstanding subsections (e) through (f), licensed distributors may possess cigarettes that bear a tax stamp of another state or taxing jurisdiction. Notwithstanding subsections (e) through (f), a licensed distributor or licensed secondary distributor may possess contraband cigarettes returned to the distributor or licensed secondary distributor by a retailer if the distributor or licensed secondary distributor immediately conducts an inventory of the cigarettes being returned, the distributor or licensed secondary distributor and the retailer returning the contraband cigarettes sign the inventory, the distributor or licensed secondary distributor provides a copy of the signed inventory to the retailer, and the distributor or licensed secondary distributor retains the inventory in its books and records and promptly notifies the Department of Revenue.

(h) Notwithstanding subsections (a) through (d) of this Section, a retailer unknowingly possessing contraband cigarettes obtained from a licensed distributor or licensed secondary distributor or knowingly possessing contraband cigarettes obtained from a licensed distributor or licensed secondary distributor is not subject to penalties under this Section if the retailer, within 48 hours after discovering that the cigarettes are contraband cigarettes, excluding Saturdays, Sundays, and holidays: (i) notifies the Department and the licensed distributor or licensed secondary distributor from whom the cigarettes were obtained, orally and in writing, that he or she possesses contraband cigarettes obtained from a licensed distributor or licensed secondary distributor; (ii) places the contraband cigarettes in one or more containers and seals those containers; and (iii) places on the containers the following or similar language: "Contraband Cigarettes. Not For Sale." All contraband cigarettes in the possession of a retailer remain subject to forfeiture under the provisions of this Act.

Any retailer who knowingly possesses packages of cigarettes with a counterfeit stamp with intent to sell is guilty of a Class 2 felony. Any retailer who knowingly possesses unstamped packages of cigarettes with intent to sell is guilty of a Class 4 felony. A retailer shall not be liable for unknowingly possessing, selling, or distributing to consumers cigarettes that contain an old stamp if the correct tax was collected at the point of sale and the cigarettes were obtained from a distributor licensed under this Act.

(Source: P.A. 96-782, eff. 1-1-10; 96-1027, eff. 7-12-10.)

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Section 20. The Tobacco Products Tax Act of 1995 is amended by changing Sections 10-5, 10-20, 10-25, 10-35, and 10-50 and by adding Sections 10-21, 10-22, 10-37, and 10-53 as follows:

(35 ILCS 143/10-5)
Sec. 10-5. Definitions. For purposes of this Act:
"Business" means any trade, occupation, activity, or enterprise engaged in, at any location whatsoever, for the purpose of selling tobacco products.

"Cigarette" has the meaning ascribed to the term in Section 1 of the Cigarette Tax Act.

"Contraband little cigar" means:
(1) packages of little cigars containing 20 or 25 little cigars that do not bear a required tax stamp under this Act;
(2) packages of little cigars containing 20 or 25 little cigars that bear a fraudulent, imitation, or counterfeit tax stamp;
(3) packages of little cigars containing 20 or 25 little cigars that are improperly tax stamped, including packages of little cigars that bear only a tax stamp of another state or taxing jurisdiction; or
(4) packages of little cigars containing other than 20 or 25 little cigars in the possession of a distributor, retailer or wholesaler, unless the distributor, retailer, or wholesaler possesses, or produces within the time frame provided in Section 10-27 or 10-28 of this Act, an invoice from a stamping distributor, distributor, or wholesaler showing that the tax on the packages has been or will be paid.

"Correctional Industries program" means a program run by a State penal institution in which residents of the penal institution produce tobacco products for sale to persons incarcerated in penal institutions or resident patients of a State operated mental health facility.

"Department" means the Illinois Department of Revenue.

"Distributor" means any of the following:
(1) Any manufacturer or wholesaler in this State engaged in the business of selling tobacco products who sells, exchanges, or distributes tobacco products to retailers or consumers in this State.
(2) Any manufacturer or wholesaler engaged in the business of selling tobacco products from without this State who sells, exchanges, distributes, ships, or transports tobacco products to retailers or consumers located in this State, so long as that manufacturer or wholesaler has or maintains within this State, directly or by subsidiary, an office, sales house, or other place of business, or
any agent or other representative operating within this State under the authority of the person or subsidiary, irrespective of whether the place of business or agent or other representative is located here permanently or temporarily.

(3) Any retailer who receives tobacco products on which the tax has not been or will not be paid by another distributor.

"Distributor" does not include any person, wherever resident or located, who makes, manufactures, or fabricates tobacco products as part of a Correctional Industries program for sale to residents incarcerated in penal institutions or resident patients of a State operated mental health facility.

"Little cigar" means and includes any roll, made wholly or in part of tobacco, where such roll has an integrated cellulose acetate filter and weighs less than 4 pounds per thousand and the wrapper or cover of which is made in whole or in part of tobacco.

"Manufacturer" means any person, wherever resident or located, who manufactures and sells tobacco products, except a person who makes, manufactures, or fabricates tobacco products as a part of a Correctional Industries program for sale to persons incarcerated in penal institutions or resident patients of a State operated mental health facility.

Beginning on January 1, 2013, "moist snuff" means any finely cut, ground, or powdered tobacco that is not intended to be smoked, but shall not include any finely cut, ground, or powdered tobacco that is intended to be placed in the nasal cavity.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint venture, limited liability company, or public or private corporation, however formed, or a receiver, executor, administrator, trustee, conservator, or other representative appointed by order of any court.

"Place of business" means and includes any place where tobacco products are sold or where tobacco products are manufactured, stored, or kept for the purpose of sale or consumption, including any vessel, vehicle, airplane, train, or vending machine.

"Retailer" means any person in this State engaged in the business of selling tobacco products to consumers in this State, regardless of quantity or number of sales.

"Sale" means any transfer, exchange, or barter in any manner or by any means whatsoever for a consideration and includes all sales made by persons.

"Stamp" or "stamps" mean the indicia required to be affixed on a package of little cigars that evidence payment of the tax on packages of little

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cigars containing 20 or 25 little cigars under Section 10-10 of this Act. These stamps shall be the same stamps used for cigarettes under the Cigarette Tax Act.

"Stamping distributor" means a distributor licensed under this Act and also licensed as a distributor under the Cigarette Tax Act or Cigarette Use Tax Act.

"Tobacco products" means any cigars, including little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff (including moist snuff) or snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings, and sweeping of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but does not include cigarettes as defined in Section 1 of the Cigarette Tax Act or tobacco purchased for the manufacture of cigarettes by cigarette distributors and manufacturers defined in the Cigarette Tax Act and persons who make, manufacture, or fabricate cigarettes as a part of a Correctional Industries program for sale to residents incarcerated in penal institutions or resident patients of a State operated mental health facility.

"Wholesale price" means the established list price for which a manufacturer sells tobacco products to a distributor, before the allowance of any discount, trade allowance, rebate, or other reduction. In the absence of such an established list price, the manufacturer's invoice price at which the manufacturer sells the tobacco product to unaffiliated distributors, before any discounts, trade allowances, rebates, or other reductions, shall be presumed to be the wholesale price.

"Wholesaler" means any person, wherever resident or located, engaged in the business of selling tobacco products to others for the purpose of resale. "Wholesaler", when used in this Act, does not include a person licensed as a distributor under Section 10-20 of this Act unless expressly stated in this Act.

(Source: P.A. 97-688, eff. 6-14-12; 98-273, eff. 8-9-13.)

(35 ILCS 143/10-20)

Sec. 10-20. Distributor's Licenses. It shall be unlawful for any person to engage in business as a distributor of tobacco products within the meaning of this Act without first having obtained a license to do so from the Department. Application for that license shall be made to the Department in a form prescribed and furnished by the Department. Each applicant for a

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license shall furnish to the Department on a form, signed and verified by the applicant, the following information:

(1) The name of the applicant.

(2) The address of the location at which the applicant proposes to engage in business as a distributor of tobacco products.

(3) Other information the Department may reasonably require.

Except as otherwise provided in this Section, every applicant who is required to procure a distributor's license shall file with his or her application a joint and several bond. The bond shall be executed to the Department of Revenue, with good and sufficient surety or sureties residing or licensed to do business within the State of Illinois, conditioned upon the true and faithful compliance by the licensee with all of the provisions of this Act. The Department shall fix the amount of the bond for each applicant, taking into consideration the amount of money expected to become due from the applicant under this Act. The amount of bond required by the Department shall be an amount that, in its opinion, will protect the State of Illinois against failure to pay the amount that may become due from the applicant under this Act, but the amount of the security required by the Department shall not exceed 3 times the amount of the applicant's average monthly tax liability, or $50,000, whichever amount is lower. The bond, a reissue, or a substitute shall be kept in full force and effect during the entire period covered by the license. A separate application for license shall be made, and bond filed, for each place of business at which a person who is required to procure a distributor's license proposes to engage in business as a distributor under this Act.

The Department, upon receipt of an application and bond in proper form, shall issue to the applicant a license, in a form prescribed by the Department, which shall permit the applicant to whom it is issued to engage in business as a distributor at the place shown on his or her application. The license shall be issued by the Department without charge or cost to the applicant. No license issued under this Act is transferable or assignable. The license shall be conspicuously displayed in the place of business conducted by the licensee under the license.

The bonding requirement in this Section does not apply to an applicant for a distributor's license who is already bonded under the Cigarette Tax Act or the Cigarette Use Tax Act. Licenses issued by the Department under this Act shall be valid for a period not to exceed one year after issuance unless sooner revoked, canceled, or suspended as provided in this Act.

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No license shall be issued to any person who is in default to the State of Illinois for moneys due under this Act or any other tax Act administered by the Department.

The Department may, in its discretion, upon application, authorize the payment of the tax imposed under Section 10-10 by any distributor or manufacturer not otherwise subject to the tax imposed under this Act who, to the satisfaction of the Department, furnishes adequate security to ensure payment of the tax. The distributor or manufacturer shall be issued, without charge, a license to remit the tax. When so authorized, it shall be the duty of the distributor or manufacturer to remit the tax imposed upon the wholesale price of tobacco products sold or otherwise disposed of to retailers or consumers located in this State, in the same manner and subject to the same requirements as any other distributor or manufacturer licensed under this Act.

The Department may revoke, suspend, or cancel the license of a distributor of roll-your-own tobacco (as that term is used in Section 10 of the Tobacco Product Manufacturers' Escrow Act) under this Act if the tobacco product manufacturer, as defined in Section 10 of the Tobacco Product Manufacturers' Escrow Act, that made or sold the roll-your-own tobacco has failed to become a participating manufacturer, as defined in subdivision (a)(1) of Section 15 of the Tobacco Product Manufacturers' Escrow Act, or has failed to create a qualified escrow fund for any roll-your-own tobacco manufactured by the tobacco product manufacturer and sold in this State or otherwise failed to bring itself into compliance with subdivision (a)(2) of Section 15 of the Tobacco Product Manufacturers' Escrow Act.

Any person aggrieved by any decision of the Department under this Section may, within 20 days after notice of that decision, protest and request a hearing, whereupon the Department must give notice to that person of the time and place fixed for the hearing and must hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to that person. In the absence of such a protest within 20 days, the Department's decision becomes final without any further determination being made or notice given.

(Source: P.A. 92-231, eff. 8-2-01; 92-737, eff. 7-25-02.)

(35 ILCS 143/10-21 new)

Sec. 10-21. Retailer's license. Beginning on January 1, 2016, no person may engage in business as a retailer of tobacco products in this State without first having obtained a license from the Department. Application for license shall be made to the Department, by electronic means, in a form prescribed by the Department. Each applicant for a license under this Act...
Section shall furnish to the Department, in an electronic format established by the Department, the following information:

(1) the name and address of the applicant;
(2) the address of the location at which the applicant proposes to engage in business as a retailer of tobacco products in this State;
(3) such other additional information as the Department may lawfully require by its rules and regulations.

The annual license fee payable to the Department for each retailer's license shall be $75. The fee will be deposited into the Tax Compliance and Administration Fund and shall be used for the cost of tobacco retail inspection and contraband tobacco and tobacco smuggling with at least two-thirds of the money being used for contraband tobacco and tobacco smuggling operations and enforcement.

Each applicant for license shall pay such fee to the Department at the time of submitting its application for license to the Department. The Department shall require an applicant for a license under this Section to electronically file and pay the fee.

A separate annual license fee shall be paid for each place of business at which a person who is required to procure a retailer's license under this Section proposes to engage in business as a retailer in Illinois under this Act.

The following are ineligible to receive a retailer's license under this Act:

(1) a person who has been convicted of a felony under any federal or State law for smuggling cigarettes or tobacco products or tobacco tax evasion, if the Department, after investigation and a hearing if requested by the applicant, determines that such person has not been sufficiently rehabilitated to warrant the public trust; and
(2) a corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license under this Act for any reason.

The Department, upon receipt of an application and license fee, in proper form, from a person who is eligible to receive a retailer's license under this Act, shall issue to such applicant a license in form as prescribed by the Department, which license shall permit the applicant to which it is issued to engage in business as a retailer under this Act at the place shown in his application. All licenses issued by the Department under this Section shall be valid for a period not to exceed one year after issuance unless sooner revoked, canceled or suspended as provided in this Act. No license

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issued under this Section is transferable or assignable. Such license shall be conspicuously displayed in the place of business conducted by the licensee in Illinois under such license. A person who obtains a license as a retailer who ceases to do business as specified in the license, or who never commenced business, or who obtains a distributor's license, or whose license is suspended or revoked, shall immediately surrender the license to the Department. The Department shall not issue a license to a retailer unless the retailer is also validly registered under the Retailers Occupation Tax Act.

A retailer as defined under this Act need not obtain an additional license under this Act, but shall be deemed to be sufficiently licensed by virtue of his being properly licensed as a retailer under Section 4g of the Cigarette Tax Act.

Any person aggrieved by any decision of the Department under this subsection may, within 30 days after notice of the decision, protest and request a hearing. Upon receiving a request for a hearing, the Department shall give notice to the person requesting the hearing of the time and place fixed for the hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to that person. In the absence of a protest and request for a hearing within 30 days, the Department's decision shall become final without any further determination being made or notice given.

(35 ILCS 143/10-22 new)

Sec. 10-22. Purchases of tobacco products by licensed retailers. A person who possesses a retailer's license under Section 10-21 of this Act shall obtain tobacco products for sale only from a licensed distributor or licensed secondary distributor.

(35 ILCS 143/10-25)

Sec. 10-25. License actions.

(a) The Department may, after notice and a hearing, revoke, cancel, or suspend the license of any distributor or retailer who violates any of the provisions of this Act. The notice shall specify the alleged violation or violations upon which the revocation, cancellation, or suspension proceeding is based.

(b) The Department may revoke, cancel, or suspend the license of any distributor for a violation of the Tobacco Product Manufacturers' Escrow Enforcement Act as provided in Section 20 of that Act.

(c) If the retailer has a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 3 days the license of that retailer for a fourth or subsequent violation of the Prevention

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of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a) of Section 2 of that Act. For the purposes of this Section, any violation of subsection (a) of Section 2 of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act occurring at the retailer's licensed location, during a 24-month period, shall be counted as a violation against the retailer.

If the retailer does not have a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 3 days the license of that retailer for a second violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a-5) of Section 2 of that Act.

If the retailer does not have a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 7 days the license of that retailer for a third violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a-5) of Section 2 of that Act.

If the retailer does not have a training program that facilitates compliance with minimum-age tobacco laws, the Department shall suspend for 30 days the license of a retailer for a fourth or subsequent violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, as provided in subsection (a-5) of Section 2 of that Act.

A training program that facilitates compliance with minimum-age tobacco laws must include at least the following elements: (i) it must explain that only individuals displaying valid identification demonstrating that they are 18 years of age or older shall be eligible to purchase cigarettes or tobacco products; (ii) it must explain where a clerk can check identification for a date of birth; and (iii) it must explain the penalties that a clerk and retailer are subject to for violations of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

(d) The Department may, by application to any circuit court, obtain an injunction restraining any person who engages in business as a distributor of tobacco products without a license (either because his or her license has been revoked, canceled, or suspended or because of a failure to obtain a license in the first instance) from engaging in that business until that person, as if that person were a new applicant for a license, complies with all of the conditions, restrictions, and requirements of Section 10-20 of this Act and qualifies for and obtains a license. Refusal or neglect to obey the order of the court may result in punishment for contempt.

(Source: P.A. 92-737, eff. 7-25-02.)

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Sec. 10-35. Record keeping.

(a) Every distributor, as defined in Section 10-5, shall keep complete and accurate records of tobacco products held, purchased, manufactured, brought in or caused to be brought in from without the State, and tobacco products sold, or otherwise disposed of, and shall preserve and keep all invoices, bills of lading, sales records, and copies of bills of sale, the wholesale price for tobacco products sold or otherwise disposed of, an inventory of tobacco products prepared as of December 31 of each year or as of the last day of the distributor's fiscal year if he or she files federal income tax returns on the basis of a fiscal year, and other pertinent papers and documents relating to the manufacture, purchase, sale, or disposition of tobacco products. Every sales invoice issued by a licensed distributor to a retailer in this State shall contain the distributor's Tobacco Products License number.

(b) Every retailer, as defined in Section 10-5, shall keep complete and accurate records of tobacco products held, purchased, sold, or otherwise disposed of, and shall preserve and keep all invoices, bills of lading, sales records, and copies of bills of sale, returns and other pertinent papers and documents relating to the purchase, sale, or disposition of tobacco products. Such records need not be maintained on the licensed premises, but must be maintained in the State of Illinois; however, if access is available electronically, the records may be maintained out of state. However, all original invoices or copies thereof covering purchases of tobacco products must be retained on the licensed premises for a period of 90 days after such purchase, unless the Department has granted a waiver in response to a written request in cases where records are kept at a central business location within the State of Illinois or in cases where records that are available electronically are maintained out of state.

(c) Books, records, papers, and documents that are required by this Act to be kept shall, at all times during the usual business hours of the day, be subject to inspection by the Department or its duly authorized agents and employees. The books, records, papers, and documents for any period with respect to which the Department is authorized to issue a notice of tax liability shall be preserved until the expiration of that period.

(Source: P.A. 89-21, eff. 6-6-95.)

Sec. 10-37. Proof of payment of tax imposed by this Act. Every licensed distributor of tobacco products in this State is required to show
proof of the tax having been paid as required by this Act by displaying its Tobacco Products License number on every sales invoice issued to a retailer in this State. No retailer shall possess tobacco products without either a proper invoice indicating that the tobacco products tax was paid by a distributor for the tobacco products in the retailer's possession or other proof that the tax was paid by the retailer if it has purchased tobacco products on which tax has not been paid as required by this Act. Failure to comply with the provisions of this paragraph may be grounds for revocation of a distributor's or retailer's license in accordance with Section 10-25 of this Act or Section 6 of the Cigarette Tax Act. In addition, the Department may impose a civil penalty not to exceed $1,000 for each violation, which shall be deposited into the Tax Compliance and Administration Fund.

(35 ILCS 143/10-50)

Sec. 10-50. Violations and penalties. When the amount due is under $300, any distributor who fails to file a return, willfully willfully fails or refuses to make any payment to the Department of the tax imposed by this Act, or files a fraudulent return, or any officer or agent of a corporation engaged in the business of distributing tobacco products to retailers and consumers located in this State who signs a fraudulent return filed on behalf of the corporation, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act is guilty of a Class 4 felony.

Any person who violates any provision of Sections Section 10-20, 10-21, or 10-22 of this Act, fails to keep books and records as required under this Act, or willfully willfully violates a rule or regulation of the Department for the administration and enforcement of this Act is guilty of a Class 4 felony. A person commits a separate offense on each day that he or she engages in business in violation of Sections Section 10-20, 10-21, or 10-22 of this Act.

When the amount due is under $300, any person who accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make the payment to the Department, but who fails to remit the payment to the Department when due, is guilty of a Class 4 felony.

Any person who violates any provision of Sections 10-20, 10-21 and 10-22 of this Act, fails to keep books and records as required under this Act, or willfully willfully violates a rule or regulation of the Department for the administration and enforcement of this Act is guilty of a business offense and may be fined up to $5,000. A person commits a separate offense on each day

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that he or she engages in business in violation of Sections 10-20, 10-21 and 10-22 of this Act.

When the amount due is $300 or more, any distributor who files, or causes to be filed, a fraudulent return, or any officer or agent of a corporation engaged in the business of distributing tobacco products to retailers and consumers located in this State who files or causes to be filed or signs or causes to be signed a fraudulent return filed on behalf of the corporation, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act is guilty of a Class 3 felony.

When the amount due is $300 or more, any person engaged in the business of distributing tobacco products to retailers and consumers located in this State who fails to file a return, willfully fails or refuses to make any payment to the Department of the tax imposed by this Act, or accepts money that is due to the Department under this Act from a taxpayer for the purpose of acting as the taxpayer's agent to make payment to the Department but fails to remit such payment to the Department when due is guilty of a Class 3 felony.

When the amount due is under $300, any retailer who fails to file a return, willfully fails or refuses to make any payment to the Department of the tax imposed by this Act, or files a fraudulent return, or any officer or agent of a corporation engaged in the retail business of selling tobacco products to purchasers of tobacco products for use and consumption located in this State who signs a fraudulent return filed on behalf of the corporation, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for each subsequent offense.

When the amount due is $300 or more, any retailer who fails to file a return, willfully fails or refuses to make any payment to the Department of the tax imposed by this Act, or files a fraudulent return, or any officer or agent of a corporation engaged in the retail business of selling tobacco products to purchasers of tobacco products for use and consumption located in this State who signs a fraudulent return filed on behalf of the corporation, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act is guilty of a Class 4 felony.

Any person whose principal place of business is in this State and who is charged with a violation under this Section shall be tried in the county where his or her principal place of business is located unless he or she asserts a right to be tried in another venue. If the taxpayer does not have his or her principal place of business in this State, however, the hearing must be held

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in Sangamon County unless the taxpayer asserts a right to be tried in another venue.

Any taxpayer or agent of a taxpayer who with the intent to defraud purports to make a payment due to the Department by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository, is guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

A prosecution for a violation described in this Section may be commenced within 3 years after the commission of the act constituting the violation.

(Source: P.A. 97-1150, eff. 1-25-13.)

(35 ILCS 143/10-53 new)

Sec. 10-53. Acting as a retailer of tobacco products without a license. Any person who knowingly acts as a retailer of tobacco products in this State without first having obtained a license to do so in compliance with Section 10-21 of this Act or a license in compliance with Section 4g of the Cigarette Tax Act shall be guilty of a Class A misdemeanor for the first offense and a Class 4 felony for a second or subsequent offense. Each day such person operates as a retailer without a license constitutes a separate offense.

Section 25. The Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act is amended by changing Sections 1 and 2 as follows:

(720 ILCS 675/1) (from Ch. 23, par. 2357)

Sec. 1. Prohibition on sale to and possession of tobacco by minors; prohibition on the distribution of tobacco samples to any person; use of identification cards; vending machines; lunch wagons; out-of-package sales.

(a) No minor under 18 years of age shall buy any tobacco product. No person shall sell, buy for, distribute samples of or furnish any tobacco product to any minor under 18 years of age.

(a-5) No minor under 16 years of age may sell any tobacco product at a retail establishment selling tobacco products. This subsection does not apply to a sales clerk in a family-owned business which can prove that the sales clerk is in fact a son or daughter of the owner.

(a-6) No minor under 18 years of age in the furtherance or facilitation of obtaining any tobacco product shall display or use a false or forged identification card or transfer, alter, or deface an identification card.

(a-7) No minor under 18 years of age shall possess any cigar, cigarette, smokeless tobacco, or tobacco in any of its forms.

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(a-8) A person shall not distribute without charge samples of any tobacco product to any other person, regardless of age:
   (1) within a retail establishment selling tobacco products, unless the retailer has verified the purchaser's age with a government issued identification;
   (2) from a lunch wagon; or
   (3) on a public way as a promotion or advertisement of a tobacco manufacturer or tobacco product.
This subsection (a-8) does not apply to the distribution of a tobacco product sample in any adult-only facility.
(a-9) For the purpose of this Section:
"Adult-only facility means a facility or restricted area (whether open-air or enclosed) where the operator ensures or has a reasonable basis to believe (such as by checking identification as required under State law, or by checking the identification of any person appearing to be under the age of 27) that no person under legal age is present. A facility or restricted area need not be permanently restricted to persons under legal age to constitute an adult-only facility, provided that the operator ensures or has a reasonable basis to believe that no person under legal age is present during the event or time period in question.
"Lunch wagon" means a mobile vehicle designed and constructed to transport food and from which food is sold to the general public.
"Smokeless tobacco" means any tobacco products that are suitable for dipping or chewing.
"Tobacco product" means any cigar, cigarette, smokeless tobacco, or tobacco in any of its forms.
(b) Tobacco products listed in this Section may be sold through a vending machine only if such tobacco products are not placed together with any non-tobacco product, other than matches, in the vending machine and the vending machine is in any of the following locations:
   (1) (Blank).
   (2) Places to which minors under 18 years of age are not permitted access.
   (3) Places where alcoholic beverages are sold and consumed on the premises and vending machine operation is under the direct supervision of the owner or manager.
   (4) (Blank).

New matter indicated by italics - deletions by strikeout
(5) Places where the vending machine can only be operated by the owner or an employee over age 18 either directly or through a remote control device if the device is inaccessible to all customers.

(c) (Blank).

(d) The sale or distribution by any person of a tobacco product in this Section, including but not limited to a single or loose cigarette, that is not contained within a sealed container, pack, or package as provided by the manufacturer, which container, pack, or package bears the health warning required by federal law, is prohibited.

(e) It is not a violation of this Act for a person under 18 years of age to purchase or possess a cigar, cigarette, smokeless tobacco or tobacco in any of its forms if the person under the age of 18 purchases or is given the cigar, cigarette, smokeless tobacco or tobacco in any of its forms from a retail seller of tobacco products or an employee of the retail seller pursuant to a plan or action to investigate, patrol, or otherwise conduct a "sting operation" or enforcement action against a retail seller of tobacco products or a person employed by the retail seller of tobacco products or on any premises authorized to sell tobacco products to determine if tobacco products are being sold or given to persons under 18 years of age if the "sting operation" or enforcement action is approved by, conducted by, or conducted on behalf of the Department of State Police, the county sheriff, a municipal police department, the Department of Revenue, the Department of Public Health, or a local health department. The results of any sting operation or enforcement action, including the name of the clerk, shall be provided to the retail seller within 7 business days.

(Source: P.A. 95-905, eff. 1-1-09; 96-179, eff. 8-10-09; 96-446, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(720 ILCS 675/2) (from Ch. 23, par. 2358)

Sec. 2. Penalties.

(a) Any person who violates subsection (a) or (a-5) of Section 1 or Section 1.5 of this Act is guilty of a petty offense. For the first offense in a 24-month period, the person shall be fined $200 if his or her employer has a training program that facilitates compliance with minimum-age tobacco laws. For the second offense in a 24-month period, the person shall be fined $400 if his or her employer has a training program that facilitates compliance with minimum-age tobacco laws. For the third offense in a 24-month period, the person shall be fined $600 if his or her employer has a training program that facilitates compliance with minimum-age tobacco laws. For the fourth or subsequent offense in a 24-month period, the person

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shall be fined $800 if his or her employer has a training program that facilitates compliance with minimum-age tobacco laws. For the purposes of this subsection, the 24-month period shall begin with the person's first violation of the Act. The penalties in this subsection are in addition to any other penalties prescribed under the Cigarette Tax Act and the Tobacco Products Tax Act of 1995.

(a-5) Any person who violates subsection (a) or (a-5) of Section 1 or Section 1.5 of this Act is guilty of a petty offense. For the first offense, the retailer shall be fined $200 if it does not have a training program that facilitates compliance with minimum-age tobacco laws. For the second offense, the retailer shall be fined $400 if it does not have a training program that facilitates compliance with minimum-age tobacco laws. For the third offense, the retailer shall be fined $600 if it does not have a training program that facilitates compliance with minimum-age tobacco laws. For the fourth or subsequent offense in a 24-month period, the retailer shall be fined $800 if it does not have a training program that facilitates compliance with minimum-age tobacco laws. For the purposes of this subsection, the 24-month period shall begin with the person's first violation of the Act. The penalties in this subsection are in addition to any other penalties prescribed under the Cigarette Tax Act and the Tobacco Products Tax Act of 1995.

(a-6) For the purpose of this Act, a training program that facilitates compliance with minimum-age tobacco laws must include at least the following elements: (i) it must explain that only individuals displaying valid identification demonstrating that they are 18 years of age or older shall be eligible to purchase cigarettes or tobacco products; (ii) it must explain where a clerk can check identification for a date of birth; and (iii) it must explain the penalties that a clerk and retailer are subject to for violations of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

Any person who violates subsection (a), (a-5), or (a-6) of Section 1 or Section 1.5 of this Act is guilty of a petty offense and for the first offense shall be fined $200, $400 for the second offense in a 12-month period, and $600 for the third or any subsequent offense in a 12-month period.

(b) If a minor violates subsection (a-7) of Section 1 he or she is guilty of a petty offense and the court may impose a sentence of 25 to 15 hours of community service and or a fine of $50 for a first violation. If a minor violates subsection (a-6) of Section 1, he or she is guilty of a Class A misdemeanor.
(c) A second violation by a minor of subsection (a-7) of Section 1 that occurs within 12 months after the first violation is punishable by a fine of $75 and 50 hours of community service.

(d) A third or subsequent violation by a minor of subsection (a-7) of Section 1 that occurs within 12 months after the first violation is punishable by a $200 fine and 30 hours of community service.

(e) Any second or subsequent violation not within the 12-month time period after the first violation is punishable as provided for a first violation.

(f) If a minor is convicted of or placed on supervision for a violation of subsection (a-6) or (a-7) of Section 1, the court may, in its discretion, and upon recommendation by the State's Attorney, order that minor and his or her parents or legal guardian to attend a smoker's education or youth diversion program if that program is available in the jurisdiction where the offender resides. Attendance at a smoker's education or youth diversion program shall be time-credited against any community service time imposed for any first violation of subsection (a-7) of Section 1. In addition to any other penalty that the court may impose for a violation of subsection (a-7) of Section 1, the court, upon request by the State's Attorney, may in its discretion require the offender to remit a fee for his or her attendance at a smoker's education or youth diversion program.

(g) For purposes of this Section, "smoker's education program" or "youth diversion program" includes, but is not limited to, a seminar designed to educate a person on the physical and psychological effects of smoking tobacco products and the health consequences of smoking tobacco products that can be conducted with a locality's youth diversion program.

(h) All moneys collected as fines for violations of subsection (a), (a-5), (a-6), or (a-7) of Section 1 shall be distributed in the following manner:

1. one-half of each fine shall be distributed to the unit of local government or other entity that successfully prosecuted the offender; and

2. one-half shall be remitted to the State to be used for enforcing this Act.

Any violation of subsection (a) or (a-5) of Section 1 or Section 1.5 shall be reported to the Department of Revenue within 7 business days.

(Source: P.A. 98-350, eff. 1-1-14.)

Section 99. Effective date. This Act takes effect January 1, 2016.
Approved August 26, 2014.
Effective January 1, 2016.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Public Utilities Act is amended by adding Section 5-117 as follows:
(220 ILCS 5/5-117 new)
Sec. 5-117. Supplier diversity goals.
(a) The public policy of this State is to collaboratively work with
companies that serve Illinois residents to improve their supplier diversity in
a non-antagonistic manner.
(b) The Commission shall require all gas, electric, and water
companies with at least 100,000 customers under its authority to submit an
annual report by April 15, 2015 and every April 15 thereafter, in a
searchable Adobe PDF format, on all procurement goals and actual
spending for female-owned, minority-owned, veteran-owned, and small
business enterprises in the previous calendar year. These goals shall be
expressed as a percentage of the total work performed by the entity
submitting the report, and the actual spending for all female-owned,
minority-owned, veteran-owned, and small business enterprises shall also be
expressed as a percentage of the total work performed by the entity
submitting the report.
(c) Each participating company in its annual report shall include the
following information:
(1) an explanation of the plan for the next year to increase
participation;
(2) an explanation of the plan to increase the goals;
(3) the areas of procurement each company shall be actively
seeking more participation in in the next year;
(4) an outline of the plan to alert and encourage potential
vendors in that area to seek business from the company;
(5) an explanation of the challenges faced in finding quality
vendors and offer any suggestions for what the Commission could do
to be helpful to identify those vendors;
(6) a list of the certifications the company recognizes;
(7) the point of contact for any potential vendor who wishes
to do business with the company and explain the process for a vendor

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to enroll with the company as a minority-owned, women-owned, or veteran-owned company; and

(8) any particular success stories to encourage other companies to emulate best practices.

(d) Each annual report shall include as much State-specific data as possible. If the submitting entity does not submit State-specific data, then the company shall include any national data it does have and explain why it could not submit State-specific data and how it intends to do so in future reports, if possible.

(e) Each annual report shall include the rules, regulations, and definitions used for the procurement goals in the company's annual report.

(f) The Commission and all participating entities shall hold an annual workshop open to the public in 2015 and every year thereafter on the state of supplier diversity to collaboratively seek solutions to structural impediments to achieving stated goals, including testimony from each participating entity as well as subject matter experts and advocates. The Commission shall publish a database on its website of the point of contact for each participating entity for supplier diversity, along with a list of certifications each company recognizes from the information submitted in each annual report. The Commission shall publish each annual report on its website and shall maintain each annual report for at least 5 years.

(220 ILCS 5/5-115 rep.)

Section 10. The Public Utilities Act is amended by repealing Section 5-115.


PUBLIC ACT 98-1057
(House Bill No. 3662)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 29-5.2 as follows:

(105 ILCS 5/29-5.2) (from Ch. 122, par. 29-5.2)
Sec. 29-5.2. Reimbursement of transportation.

New matter indicated by italics - deletions by strikeout
(a) Reimbursement. A custodian of a qualifying pupil shall be entitled to reimbursement in accordance with procedures established by the State Board of Education for qualified transportation expenses paid by such custodian during the school year.

(b) Definitions. As used in this Section:
   (1) "Qualifying pupil" means an individual referred to in subsection (c), as well as an individual who:
      (A) is a resident of the State of Illinois; and
      (B) is under the age of 21 at the close of the school year for which reimbursement is sought; and
      (C) during the school year for which reimbursement is sought was a full-time pupil enrolled in a kindergarten through 12th grade educational program at a school which was a distance of 1 1/2 miles or more from the residence of such pupil; and
      (D) did not live within 1 1/2 miles from the school in which the pupil was enrolled or have access to transportation provided entirely at public expense to and from that school and a point within 1 1/2 miles of the pupil's residence, measured in a manner consistent with Section 29-3.
   (2) "Qualified transportation expenses" means costs reasonably incurred by the custodian to transport, for the purposes of attending regularly scheduled day-time classes, a qualifying pupil between such qualifying pupil's residence and the school at which such qualifying pupil is enrolled, as limited in subsection (e) of this Section, and shall include automobile expenses at the standard mileage rate allowed by the United States Internal Revenue Service as reimbursement for business transportation expense, as well as payments to mass transit carriers, private carriers, and contractual fees for transportation.
   (3) "School" means a public or nonpublic elementary or secondary school in Illinois, attendance at which satisfies the requirements of Section 26-1.
   (4) One and one-half miles distance. For the purposes of this Section, 1 1/2 miles distance shall be measured in a manner consistent with Section 29-3.
   (5) Custodian. The term "custodian" shall mean, with respect to a qualifying pupil, an Illinois resident who is the parent, or parents, or legal guardian of such qualifying pupil.
   (c) An individual, resident of the State of Illinois, who is under the age of 21 at the close of the school year for which reimbursement is sought and who, during that school year, was a full time pupil enrolled in a
kindergarten through 12th grade educational program at a school which was within 1 1/2 miles of the pupil's residence, measured in a manner consistent with Section 29-3, is a "qualifying pupil" within the meaning of this Section if (i) such pupil attends public school in a school district organized under Article 34 of this Code and must walk or otherwise travel along a safe passage route, as designated by the school board, to reach school or return home or (ii) such pupil did not have access to transportation provided entirely at public expense to and from that school and the pupil's residence; and (iii) conditions were such that walking would have constituted a serious hazard to the safety of the pupil due to vehicular traffic. The determination of what constitutes a serious safety hazard within the meaning of this subsection shall in each case be made by the Department of Transportation in accordance with guidelines which the Department, in consultation with the State Superintendent of Education, shall promulgate. Each custodian intending to file an application for reimbursement under subsection (d) for expenditures incurred or to be incurred with respect to a pupil asserted to be a qualified pupil as an individual referred to in this subsection shall first file with the appropriate regional superintendent, on forms provided by the State Board of Education, a request for a determination that a serious safety hazard within the meaning of this subsection (c) exists with respect to such pupil. Custodians shall file such forms with the appropriate regional superintendents not later than February 1 of the school year for which reimbursement will be sought for transmittal by the regional superintendents to the Department of Transportation not later than February 15; except that any custodian who previously received a determination that a serious safety hazard exists need not resubmit such a request for 4 years but instead may certify on their application for reimbursement to the State Board of Education referred to in subsection (d), that the conditions found to be hazardous, as previously determined by the Department, remain unchanged. The Department shall make its determination on all requests so transmitted to it within 30 days, and shall thereupon forward notice of each determination which it has made to the appropriate regional superintendent for immediate transmittal to the custodian affected thereby. The determination of the Department relative to what constitutes a serious safety hazard within the meaning of subsection (c) with respect to any pupil shall be deemed an "administrative decision" as defined in Section 3-101 of the Administrative Review Law; and the Administrative Review Law and all amendments and modifications thereof and rules adopted pursuant thereto shall apply to and govern all proceedings instituted for the

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judicial review of final administrative decisions of the Department of Transportation under this subsection.

(d) Request for reimbursement. A custodian, including a custodian for a pupil asserted to be a qualified pupil as an individual referred to in subsection (c), who applies in accordance with procedures established by the State Board of Education shall be reimbursed in accordance with the dollar limits set out in this Section. Such procedures shall require application no later than June 30 of each year, documentation as to eligibility, and adequate evidence of expenditures; except that for reimbursement sought pursuant to subsection (c) for the 1985-1986 school year, such procedures shall require application within 21 days after the determination of the Department of Transportation with respect to that school year is transmitted by the regional superintendent to the affected custodian. In the absence of contemporaneous records, an affidavit by the custodian may be accepted as evidence of an expenditure. If the amount appropriated for such reimbursement for any year is less than the amount due each custodian, it shall be apportioned on the basis of the requests approved. Regional Superintendents shall be reimbursed for such costs of administering the program, including costs incurred in administering the provisions of subsection (c), as the State Board of Education determines are reasonable and necessary.

(e) Dollar limit on amount of reimbursement. Reimbursement to custodians for transportation expenses incurred during the 1985-1986 school year, payable in fiscal year 1987, shall be equal to the lesser of (1) the actual qualified transportation expenses, or (2) $50 per pupil. Reimbursement to custodians for transportation expenses incurred during the 1986-1987 school year, payable in fiscal year 1988, shall be equal to the lesser of (1) the actual qualified transportation expenses, or (2) $100 per pupil. For reimbursements of qualified transportation expenses incurred in 1987-1988 and thereafter, the amount of reimbursement shall not exceed the prior year's State reimbursement per pupil for transporting pupils as required by Section 29-3 and other provisions of this Article.

(f) Rules and regulations. The State Board of Education shall adopt rules to implement this Section.

(g) The provisions of this amendatory Act of 1986 shall apply according to their terms to the entire 1985-1986 school year, including any portion of that school year which elapses prior to the effective date of this amendatory Act, and to each subsequent school year.

(h) The chief administrative officer of each school shall notify custodians of qualifying pupils that reimbursements are available.

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Notification shall occur by the first Monday in November of the school year for which reimbursement is available.
(Source: P.A. 91-357, eff. 7-29-99.)
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1058
(House Bill No. 3885)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Retailers' Occupation Tax Act is amended by changing Section 11 as follows:
(35 ILCS 120/11) (from Ch. 120, par. 450)
Sec. 11. All information received by the Department from returns filed under this Act, or from any investigation conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class B misdemeanor with a fine not to exceed $7,500.

Nothing in this Act prevents the Director of Revenue from publishing or making available to the public the names and addresses of persons filing returns under this Act, or reasonable statistics concerning the operation of the tax by grouping the contents of returns so the information in any individual return is not disclosed.

Nothing in this Act prevents the Director of Revenue from divulging to the United States Government or the government of any other state, or any village that does not levy any real property taxes for village operations and that receives more than 60% of its general corporate revenue from taxes under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, or any officer or agency thereof, for exclusively official purposes, information received by the Department in administering this Act, provided that such other governmental agency agrees to divulge requested tax information to the Department.

The Department's furnishing of information derived from a taxpayer's return or from an investigation conducted under this Act to the surety on a taxpayer's bond that has been furnished to the Department under this Act,

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either to provide notice to such surety of its potential liability under the bond or, in order to support the Department's demand for payment from such surety under the bond, is an official purpose within the meaning of this Section.

The furnishing upon request of information obtained by the Department from returns filed under this Act or investigations conducted under this Act to the Illinois Liquor Control Commission for official use is deemed to be an official purpose within the meaning of this Section.

Notice to a surety of potential liability shall not be given unless the taxpayer has first been notified, not less than 10 days prior thereto, of the Department's intent to so notify the surety.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

Where an appeal or a protest has been filed on behalf of a taxpayer, the furnishing upon request of the attorney for the taxpayer of returns filed by the taxpayer and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

The furnishing of financial information to a municipality home rule unit or non-home rule unit that has imposed a tax similar to that imposed by this Act pursuant to its home rule powers or the successful passage of a public referendum by a majority of the registered voters of the community, or to any village that does not levy any real property taxes for village operations and that receives more than 60% of its general corporate revenue from taxes under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, upon request of the Chief Executive thereof, is an official purpose within the meaning of this Section, provided the municipality home rule unit, non-home rule unit with referendum approval, or village that does not levy any real property taxes for village operations and that receives more than 60% of its general corporate revenue from taxes under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act agrees in writing to the requirements of this Section. Information provided to municipalities under this paragraph shall be limited to: (1) the business name; (2) the business address; (3) net revenue distributed to the requesting municipality that is directly related to the requesting municipality's local share of the proceeds under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, and, if applicable, any locally imposed retailers' occupation tax or service tax.

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occupation tax; and (4) a listing of all businesses within the requesting municipality by account identification number and address. On and after July 1, 2015, the furnishing of financial information to municipalities under this paragraph may be by electronic means.

For a village that does not levy any real property taxes for village operations and that receives more than 60% of its general corporate revenue from taxes under the Use Tax Act, Service Use Tax Act, Service Occupation Tax Act, and Retailers' Occupation Tax Act, the officers eligible to receive information from the Department of Revenue under this Section are the village manager and the chief financial officer of the village.

Information so provided shall be subject to all confidentiality provisions of this Section. The written agreement shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information.

The Department may make available to the Board of Trustees of any Metro East Mass Transit District information contained on transaction reporting returns required to be filed under Section 3 of this Act that report sales made within the boundary of the taxing authority of that Metro East Mass Transit District, as provided in Section 5.01 of the Local Mass Transit District Act. The disclosure shall be made pursuant to a written agreement between the Department and the Board of Trustees of a Metro East Mass Transit District, which is an official purpose within the meaning of this Section. The written agreement between the Department and the Board of Trustees of a Metro East Mass Transit District shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information. Information so provided shall be subject to all confidentiality provisions of this Section.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. The Director may make available to any State agency, including the Illinois Supreme Court, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to collect and remit Illinois Use tax on sales into Illinois, or any tax under this Act or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and contractor certifications. The Director may make available to units

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of local government and school districts that require bidder and contractor
certifications, as set forth in Sections 50-11 and 50-12 of the Illinois
Procurement Code, information regarding whether a bidder, contractor, or an
affiliate of a bidder or contractor has failed to collect and remit Illinois Use
tax on sales into Illinois, file returns under this Act, or pay the tax, penalty,
and interest shown therein, or has failed to pay any final assessment of tax,
penalty, or interest due under this Act, for the limited purpose of enforcing
bidder and contractor certifications. For purposes of this Section, the term
"affiliate" means any entity that (1) directly, indirectly, or constructively
controls another entity, (2) is directly, indirectly, or constructively controlled
by another entity, or (3) is subject to the control of a common entity. For
purposes of this Section, an entity controls another entity if it owns, directly
or individually, more than 10% of the voting securities of that entity. As used
in this Section, the term "voting security" means a security that (1) confers
upon the holder the right to vote for the election of members of the board of
directors or similar governing body of the business or (2) is convertible into,
or entitles the holder to receive upon its exercise, a security that confers such
a right to vote. A general partnership interest is a voting security.

The Director may make available to any State agency, including the
Illinois Supreme Court, units of local government, and school districts,
information regarding whether a bidder or contractor is an affiliate of a
person who is not collecting and remitting Illinois Use taxes for the limited
purpose of enforcing bidder and contractor certifications.

The Director may also make available to the Secretary of State
information that a limited liability company, which has filed articles of
organization with the Secretary of State, or corporation which has been issued
a certificate of incorporation by the Secretary of State has failed to file returns
under this Act or pay the tax, penalty and interest shown therein, or has failed
to pay any final assessment of tax, penalty or interest due under this Act. An
assessment is final when all proceedings in court for review of such
assessment have terminated or the time for the taking thereof has expired
without such proceedings being instituted.

The Director shall make available for public inspection in the
Department's principal office and for publication, at cost, administrative
decisions issued on or after January 1, 1995. These decisions are to be made
available in a manner so that the following taxpayer information is not
disclosed:

(1) The names, addresses, and identification numbers of the
taxpayer, related entities, and employees.
(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

(Source: P.A. 93-25, eff. 6-20-03; 93-939, eff. 8-13-04; 94-1074, eff. 12-26-06.)

Section 99. Effective date. This Act takes effect on January 1, 2015.
Approved August 26, 2014.
Effective January 1, 2015.

**PUBLIC ACT 98-1059**
***(House Bill No. 3937)***

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 27A-5 as follows:

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center

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to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(b-5) In this subsection (b-5), "virtual-schooling" means a cyber school where students engage in online curriculum and instruction via the Internet and electronic communication with their teachers at remote locations and with students participating at different times. The teaching of courses through online methods with online instructors, rather than the instructor and student being at the same physical location. "Virtual-schooling" includes without limitation instruction provided by full-time, online virtual schools.

From April 1, 2013 through December 31, 2016, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of

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its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. Annually, by December 1, every charter school must submit to the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, and its charter. A charter school is exempt from all other State laws and regulations in the School Code governing public schools and local school board policies, except the following:

1. Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;
2. Sections 24-24 and 34-84A of the School Code regarding discipline of students;
3. The Local Governmental and Governmental Employees Tort Immunity Act;
4. Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;
5. The Abused and Neglected Child Reporting Act;
6. The Illinois School Student Records Act;
7. Section 10-17a of the School Code regarding school report cards; and
8. The P-20 Longitudinal Education Data System Act.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the

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school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1060
(House Bill No. 3942)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by adding Section 19-3.15 as follows:

(105 ILCS 5/19-3.15 new)
Sec. 19-3.15. School additions; Chaney-Monge School District 88. Notwithstanding the requirements of any other applicable law and without further referendum approval, Chaney-Monge School District 88 is authorized

New matter indicated by italics - deletions by strikeout
to issue bonds in not to exceed the amount of $3,000,000 to provide for the
improvement, alteration, and repair of schoolhouses and to fund the local
share as required for a Capital Development Board school construction
grant to fund school additions and associated construction and equipment
with respect to which a referendum was passed on March 18, 2014.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1061
(House Bill No. 4113)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Alternative Sentencing Job Training Act is amended
by changing Sections 1, 5, 10, and 15 as follows:
(730 ILCS 170/1) (from Ch. 38, par. 1541-1)
Sec. 1. Short title. This Act may be cited as the Neighborhood
(Source: P.A. 87-648.)
(730 ILCS 170/5) (from Ch. 38, par. 1541-5)
Sec. 5. Finding. The Legislature finds that throughout the State there
are areas in which overcrowding in county jails exist as well as similar
problems in the State correctional facilities, at the same time, many
communities have a problem with deteriorating housing that with adequate
repair and restoration could be used as housing for the homeless, mentally ill,
and low income families as transitional accommodations.
(Source: P.A. 87-648.)
(730 ILCS 170/10) (from Ch. 38, par. 1541-10)
Sec. 10. Authority. The Department of Corrections or county sheriffs
may enter into joint contracts with county, units of local government and non-
profit housing development corporations to develop job training programs to
rehabilitate houses. These rehabilitated houses may be used as transitional
housing for homeless, mentally ill, and low income citizens in areas where
there exists severe housing shortages or deterioration of housing in a
community.
(Source: P.A. 87-648.)

New matter indicated by italics - deletions by strikeout
Sec. 15. Administrative rules; violent crime offenders ineligible. The Director of the Department of Corrections and the Director of Labor shall develop by rule the criteria for selection of the participants of the program in conjunction with and approval by the sentencing court. A county sheriff may authorize persons serving county impact incarceration supervised release periods and persons participating in county jail based outpatient or custodial treatment programs to participate in a job training program to rehabilitate houses. Violent crime offenders are not eligible to participate in the program. (Source: P.A. 87-648.)

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1062
(House Bill No. 4123)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Mobile Home Landlord and Tenant Rights Act is amended by changing Sections 3, 6.5, 12, and 18 and by adding Sections 6.6 and 6.7 as follows:

(765 ILCS 745/3) (from Ch. 80, par. 203)

Sec. 3. Definitions. Unless otherwise expressly defined, all terms in this Act shall be construed to have their ordinarily accepted meanings or such meaning as the context therein requires.

(a) "Person" means any legal entity, including but not limited to, an individual, firm, partnership, association, trust, joint stock company, corporation or successor of any of the foregoing.

(b) "Manufactured home" means a factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and (iii) 320 or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year-round

New matter indicated by italics - deletions by strikeout
occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles.

(c) "Mobile Home Park" or "Park" means a tract of land or 2 contiguous tracts of land that contain sites with the necessary utilities for 5 or more mobile homes or manufactured homes. A mobile home park may be operated either free of charge or for revenue purposes.

(d) "Park Owner" means the owner of a mobile home park and any person authorized to exercise any aspect of the management of the premises, including any person who directly or indirectly receives rents and has no obligation to deliver the whole of such receipts to another person.

(e) "Tenant" means any person who occupies a mobile home rental unit for dwelling purposes or a lot on which he parks a mobile home for an agreed upon consideration.

(f) "Rent" means any money or other consideration given for the right of use, possession and occupancy of property, be it a lot, a mobile home, or both.

(g) "Master antenna television service" means any and all services provided by or through the facilities of any closed circuit coaxial cable communication system, or any microwave or similar transmission services other than a community antenna television system as defined in Section 11-42-11 of the Illinois Municipal Code.

(h) "Authority having jurisdiction" means the Illinois Department of Public Health or a unit of local government specifically authorized by statute, rule, or ordinance to enforce this Act or any other statute, rule, or ordinance applicable to the mobile home park or manufactured home community.

(i) "Managing agent" means any person or entity responsible for the operation, management, or maintenance of a mobile home park or manufactured home community.

(Source: P.A. 96-1477, eff. 1-1-11.)

(765 ILCS 745/6.5)

Sec. 6.5. Disclosure. A park owner must disclose in writing the following with every lease or sale and upon renewal of a lease of a mobile home or lot in a mobile home park or manufactured home community:

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(1) the rent charged for the mobile home or lot in the past 5 years;
(2) the park owner's responsibilities with respect to the mobile home or lot;
(3) information regarding any fees imposed in addition to the base rent;
(4) information regarding late payments;
(5) information regarding any privilege tax that is applicable;
(6) information regarding security deposits, including the right to the return of security deposits and interest as provided in Section 18 of this Act; and
(7) information on a 3-year rent increase projection which includes the 2 years of the lease and the year immediately following. The basis for such rent increases may be a fixed amount, a "not to exceed" amount, a formula, an applicable index, or a combination of these methodologies as elected by the park owner. These increases may be in addition to all the non-controllable expenses including, but not limited to, property taxes, government assessments, utilities, and insurance;
(8) the name of the legal entity that owns the manufactured home community or mobile home park, and either: (a) the name, address, and telephone number of the property manager or designated agent for the manufactured home community or mobile home park; or (b) the address and telephone number of the legal entity that owns the manufactured home community or mobile home park, if the manufactured home community or mobile home park does not have a property manager or designated agent; and
(9) information contained in any inspection notice required to be posted under subsection (b) of Section 6.7 of this Act.

The park owner must update the written disclosure at least once per year. The park owner must advise tenants who are renewing a lease of any changes in the disclosure from any prior disclosure. Within 20 days after the closing of a purchase and sale of a manufactured home community or mobile home park that results in a change in the owner, the purchaser or the representative of the purchaser must provide written notice to each homeowner of the new owner and either: (i) the name, address, and telephone number of the property manager or designated agent for the manufactured home community or mobile home park; or (ii) the address and telephone number of the legal entity that owns the manufactured home park.
community or mobile home park if the manufactured home community or mobile home park does not have a property manager or designated agent. The written notice may be provided by hand delivery to the resident's home, by United States mail or a recognized courier service, by posting in the office of the custodian of the park or in the clubhouse or other area of the park where park residents gather, or by posting on a community bulletin board.

The changes to this Section by this amendatory Act of the 98th General Assembly apply to disclosures made and changes of ownership that take place on or after January 1, 2015.

(Source: P.A. 95-383, eff. 1-1-08.)

(765 ILCS 745/6.6 new)

Sec. 6.6. Notice of bankruptcy or foreclosure proceedings. If a bankruptcy case is commenced by or against a park owner by the filing of a voluntary or involuntary petition under Title 11 of the United States Code, if a receiver is appointed by a court of competent jurisdiction in a case filed by or against a park owner, or if a foreclosure proceeding is initiated against the park property by a creditor of the park owner, then: (i) the park owner shall provide written notice of the commencement of the bankruptcy or foreclosure to the tenant within 30 days of process having been properly served upon the park owner notifying the park owner of the commencement of the case or proceeding, or, with respect to a voluntary petition filed by the park owner under Title 11 of the United States Code, within 30 days of the park owner's filing of the petition; and (ii) the receiver shall notify all tenants of the park of its appointment in accordance with the provisions of subsection (f) of Section 15-1704 of the Code of Civil Procedure. The park owner shall cause the written notice from the park owner required by subclause (i) of the immediately preceding sentence to be served by delivering a copy to the known occupant or by leaving the notice with some person of the age of 13 years or upwards who is residing on or in the leased premises or who is in possession of the leased premises or by sending a copy of the notice to the known occupant by first-class mail addressed to the occupant by the name known to the park owner.

(765 ILCS 745/6.7 new)

Sec. 6.7. Violations; inspection reports; postings; penalty.

(a) Any nonconformance with a statute, rule, or ordinance applicable to the mobile home park or manufactured home community constitutes a violation. The authority having jurisdiction shall identify violations in an inspection report. The inspection report shall be served upon the park owner.
or managing agent in person or by certified United States mail, return receipt requested, postage prepaid.

(b) The park owner or its managing agent shall post in a conspicuous place any inspection report received from the authority having jurisdiction regarding health and life safety violations as defined in rules promulgated by the Illinois Department of Public Health. The inspection report shall be posted beginning the business day after the date by which the violation or violations must be corrected as set forth in the inspection report issued by the authority having jurisdiction. The posting may be removed only when:

(1) the authority having jurisdiction has issued written authorization to remove the posting; or

(2) the park owner or its managing agent has corrected the violation or violations, served notice to the authority having jurisdiction that the violation or violations have been corrected by submitting such documentation or affidavit as may be necessary to substantiate the correction by certified United States mail, return receipt requested, postage prepaid, and no less than 15 days have expired from the mailing date of the notice to the authority having jurisdiction.

(c) Nothing in this Act may be construed to diminish, impair, or otherwise affect the authority of the authority having jurisdiction to charge violations under the Mobile Home Park Act or any other statute, rule, or ordinance applicable to the mobile home park or manufactured home community.

(d) Failure to comply with the requirements of this Section subjects the park owner or managing agent to a $250 penalty. The penalty shall be payable to the authority having jurisdiction which issued the inspection report citing violations.

(e) For purposes of enforcement of this Section by the Illinois Department of Public Health, the Illinois Administrative Procedure Act is hereby expressly adopted. The Illinois Department of Public Health has the authority to promulgate rules to enforce this Section.

(f) For purposes of enforcement of this Section by any authority having jurisdiction other than the Illinois Department of Public Health, the authority having jurisdiction has the authority to adopt ordinances to enforce this Section.

(765 ILCS 745/12) (from Ch. 80, par. 212)
Sec. 12. Lease prohibitions. No lease hereafter executed or currently existing between a park owner and tenant in a mobile home park or manufactured home community in this State shall contain any provision:

(a) Permitting the park owner to charge a penalty fee for late payment of rent without allowing a tenant a minimum of 5 days beyond the date the rent is due in which to remit such payment;

(b) Permitting the park owner to charge an amount in excess of one month's rent as a security deposit;

(c) Requiring the tenant to pay any fees not specified in the lease;

(d) Permitting the park owner to transfer, or move, a mobile home to a different lot, including a different lot in the same mobile home park or manufactured home community, during the term of the lease;

(e) Waiving the homeowner's right to a trial by jury.

If one provision of a lease is invalid, that does not affect the validity of the remaining provisions of the lease.

(Source: P.A. 85-607.)

(765 ILCS 745/18) (from Ch. 80, par. 218)

Sec. 18. Security deposit; Interest.

(a) If the lease requires the tenant to provide any deposit with the park owner for the term of the lease, or any part thereof, said deposit shall be considered a Security Deposit. Security Deposits shall be returned in full to the tenant, provided that the tenant has paid all rent due in full for the term of the lease and has caused no actual damage to the premises.

The park owner shall furnish the tenant, within 15 days after termination or expiration of the lease, an itemized list of the damages incurred upon the premises and the estimated cost for the repair of each item. The tenant's failure to object to the itemized list within 15 days shall constitute an agreement upon the amount of damages specified therein. The park owner's failure to furnish such itemized list of damages shall constitute an agreement that no damages have been incurred upon the premises and the entire security deposit shall become immediately due and owing to the tenant.

The tenant's failure to furnish the park owner a forwarding address shall excuse the park owner from furnishing the list required by this Section.

(b) A park owner of any park regularly containing 25 or more mobile homes shall pay interest to the tenant, on any deposit held by the park owner, computed from the date of the deposit at a rate equal to the interest paid by the largest commercial bank, as measured by total assets, having its main banking premises in this State on minimum deposit passbook savings accounts as of December 31 of the preceding year on any such deposit held.
by the park owner for more than 6 months. However, in the event that any portion of the amount deposited is utilized during the period for which it is deposited in order to compensate the owner for non-payment of rent or to make a good faith reimbursement to the owner for damage caused by the tenant, the principal on which the interest accrues may be recomputed to reflect the reduction for the period commencing on the first day of the calendar month following the reduction.

The park owner shall, within 30 days after the end of each 12-month period, pay to the tenant any interest owed under this Section in cash, provided, however, that the amount owed may be applied to rent due if the owner and tenant agree thereto.

A park owner who willfully fails or refuses to pay the interest required by this Act shall, upon a finding by a circuit court that he willfully failed or refused to pay, be liable for an amount equal to the amount of the security deposit, together with court costs and a reasonable attorney's fee.

(c) A park owner, as landlord, shall hold in trust all security deposits received from a tenant in one or more banks, savings banks, or credit unions, the accounts of which are insured by the Federal Deposit Insurance Corporation, the National Credit Union Administration Share Insurance Fund, or other applicable entity under law. A security deposit and the interest due under subsection (b) of this Section is the property of the tenant until the deposit is returned to the tenant or used to compensate, or applied to the tenant's obligations to, the park owner, as landlord, in accordance with the lease or applicable State and local law. The security deposit shall not be commingled with the assets of the park owner, and shall not be subject to the claims of any creditor of the park owner or any party claiming an interest in the deposit through the park owner, including a foreclosing mortgagee or trustee in bankruptcy; provided that this subsection does not prevent a foreclosing mortgagee, receiver, or trustee from taking over control of the applicable bank account holding the security deposits, which may include moving the security deposits to another bank account meeting the requirements of this Section, provided that the mortgagee, receiver, or trustee:

(1) shall continue to hold the security deposits in trust as provided in, and subject to, the provisions of this Section; and
(2) is entitled to use a security deposit to compensate, and apply a security deposit to discharge the obligations of the tenant to, the park owner as permitted by the lease or applicable State and local law.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Local Records Act is amended by changing Section 4 as follows:

(50 ILCS 205/4) (from Ch. 116, par. 43.104)

Sec. 4. All public records made or received by, or under the authority of, or coming into the custody, control or possession of any officer or agency shall not be mutilated, destroyed, transferred, removed or otherwise damaged or disposed of, in whole or in part, except as provided by law. Any person who knowingly, without lawful authority and with the intent to defraud any party, public officer, or entity, alters, destroys, defaces, removes, or conceals any public record commits a Class 4 felony.

Court records filed with the clerks of the Circuit Court shall be destroyed in accordance with the Supreme Court's General Administrative Order on Recordkeeping in the Circuit Courts. The clerks of the Circuit Courts shall notify the Supreme Court, in writing, specifying case records or other documents which they intend to destroy. The Supreme Court shall review the schedule of items to be destroyed and notify the appropriate Local Records Commission of the Court's intent to destroy such records. The Local Records Commission, within 90 days after receipt of the Supreme Court's notice, may undertake to photograph, microphotograph, or digitize electronically any or all such records and documents, or, in the alternative, may transport such original records to the State Archives or other storage location under its supervision.

The Archivist may accept for deposit in the State Archives or regional depositories official papers, drawings, maps, writings and records of every description of counties, municipal corporations, political subdivisions and courts of this State, when such materials are deemed by the Archivist to have sufficient historical or other value to warrant their continued preservation by the State of Illinois.

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The officer or clerk depositing such records may, upon request, obtain from the Archivist, without charge, a certified copy or reproduction of any specific record, paper or document when such record, paper or document is required for public use.
(Source: P.A. 89-272, eff. 8-10-95.)
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1064
(House Bill No. 4286)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:
(65 ILCS 5/11-74.4-3.5)
Sec. 11-74.4-3.5. Completion dates for redevelopment projects.
(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.
(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.
The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than

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December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

1. if the ordinance was adopted before January 15, 1981;
2. if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
3. if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
4. if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
5. if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
6. if the ordinance was adopted in December 1984 by the Village of Rosemont;
7. if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with
a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;

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(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;

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(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;

New matter indicated by italics - deletions by strikeout
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;

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(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;

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(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District;
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District;
(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio;
(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville;
(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown;
(110) if the ordinance was adopted on April 28, 2003 by Gibson City;
(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance; or
(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey; and:
(113) if the ordinance was adopted on February 11, 1991 by the Village of Machesney Park.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

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(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff. 12-27-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective August 26, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning State government.

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

Section 5. The Department of Human Services Act is amended by adding Section 1-42 as follows:

(20 ILCS 1305/1-42 new)

Sec. 1-42. Department Ambassador. Subject to appropriation, as part of a pilot program, the Department shall designate one or more officials or employees to serve as Department Ambassador. Department Ambassadors shall serve as a liaison between the Department and the public and shall have the following duties: (i) to inform the public about services available through the Department, (ii) to assist the public in accessing those services, (iii) to review the Department's methods of disseminating information, and (iv) to recommend and implement more efficient practices of providing services and information to the public where possible.

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


Approved August 26, 2014.

Effective August 26, 2014.

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 17-2.11 as follows:

(105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

Sec. 17-2.11. School board power to levy a tax or to borrow money and issue bonds for fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes.

(a) Whenever, as a result of any lawful order of any agency, other than a school board, having authority to enforce any school building code applicable to any facility that houses students, or any law or regulation for the protection and safety of the environment, pursuant to the Environmental

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Protection Act, any school district having a population of less than 500,000 inhabitants is required to alter or reconstruct any school building or permanent, fixed equipment; the district may, by proper resolution, levy a tax for the purpose of making such alteration or reconstruction, based on a survey report by an architect or engineer licensed in this State, upon all of the taxable property of the district at the value as assessed by the Department of Revenue and at a rate not to exceed 0.05% per year for a period sufficient to finance such alteration or reconstruction, upon the following conditions:

1. When there are not sufficient funds available in the operations and maintenance fund of the school district, the school facility occupation tax fund of the district, or the fire prevention and safety fund of the district, as determined by the district on the basis of rules adopted by the State Board of Education, to make such alteration or reconstruction or to purchase and install such permanent, fixed equipment so ordered or determined as necessary. Appropriate school district records must be made available to the State Superintendent of Education, upon request, to confirm this insufficiency.

2. When a certified estimate of an architect or engineer licensed in this State stating the estimated amount necessary to make the alteration or reconstruction or to purchase and install the equipment so ordered has been secured by the school district, and the estimate has been approved by the regional superintendent of schools having jurisdiction over the district and the State Superintendent of Education. Approval must not be granted for any work that has already started without the prior express authorization of the State Superintendent of Education. If the estimate is not approved or is denied approval by the regional superintendent of schools within 3 months after the date on which it is submitted to him or her, the school board of the district may submit the estimate directly to the State Superintendent of Education for approval or denial.

In the case of an emergency situation, where the estimated cost to effectuate emergency repairs is less than the amount specified in Section 10-20.21 of this Code, the school district may proceed with such repairs prior to approval by the State Superintendent of Education, but shall comply with the provisions of subdivision (2) of this subsection (a) as soon thereafter as may be as well as Section 10-20.21 of this Code. If the estimated cost to effectuate emergency repairs is greater than the amount specified in Section 10-20.21 of this Code, then the school district shall proceed in conformity with Section

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10-20.21 of this Code and with rules established by the State Board of Education to address such situations. The rules adopted by the State Board of Education to deal with these situations shall stipulate that emergency situations must be expedited and given priority consideration. For purposes of this paragraph, an emergency is a situation that presents an imminent and continuing threat to the health and safety of students or other occupants of a facility, requires complete or partial evacuation of a building or part of a building, or consumes one or more of the 5 emergency days built into the adopted calendar of the school or schools or would otherwise be expected to cause such school or schools to fall short of the minimum school calendar requirements.

(b) Whenever any such district determines that it is necessary for energy conservation purposes that any school building or permanent, fixed equipment should be altered or reconstructed and that such alterations or reconstruction will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized by Section 2-3.12 of this Act; the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(c) Whenever any such district determines that it is necessary for disabled accessibility purposes and to comply with the school building code that any school building or equipment should be altered or reconstructed and that such alterations or reconstruction will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized under Section 2-3.12 of this Act, the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(d) Whenever any such district determines that it is necessary for school security purposes and the related protection and safety of pupils and school personnel that any school building or property should be altered or reconstructed or that security systems and equipment (including but not limited to intercom, early detection and warning, access control and television monitoring systems) should be purchased and installed, and that such alterations, reconstruction or purchase and installation of equipment will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendment thereto authorized by Section 2-3.12 of this Act and will deter and prevent unauthorized entry or activities upon school property by unknown or dangerous persons, assure early detection and advance warning of any such actual or attempted unauthorized entry or activities and help assure the
continued safety of pupils and school staff if any such unauthorized entry or activity is attempted or occurs; the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(e) If a school district does not need funds for other fire prevention and safety projects, including the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized by Section 2-3.12 of this Act, and it is determined after a public hearing (which is preceded by at least one published notice (i) occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district and (ii) setting forth the time, date, place, and general subject matter of the hearing) that there is a substantial, immediate, and otherwise unavoidable threat to the health, safety, or welfare of pupils due to disrepair of school sidewalks, playgrounds, parking lots, or school bus turnarounds and repairs must be made; then the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(f) For purposes of this Section a school district may replace a school building or build additions to replace portions of a building when it is determined that the effectuation of the recommendations for the existing building will cost more than the replacement costs. Such determination shall be based on a comparison of estimated costs made by an architect or engineer licensed in the State of Illinois. The new building or addition shall be equivalent in area (square feet) and comparable in purpose and grades served and may be on the same site or another site. Such replacement may only be done upon order of the regional superintendent of schools and the approval of the State Superintendent of Education.

(g) The filing of a certified copy of the resolution levying the tax when accompanied by the certificates of the regional superintendent of schools and State Superintendent of Education shall be the authority of the county clerk to extend such tax.

(h) The county clerk of the county in which any school district levying a tax under the authority of this Section is located, in reducing raised levies, shall not consider any such tax as a part of the general levy for school purposes and shall not include the same in the limitation of any other tax rate which may be extended.

Such tax shall be levied and collected in like manner as all other taxes of school districts, subject to the provisions contained in this Section.

(i) The tax rate limit specified in this Section may be increased to .10% upon the approval of a proposition to effect such increase by a majority of the electors voting on that proposition at a regular scheduled election. Such
proposition may be initiated by resolution of the school board and shall be certified by the secretary to the proper election authorities for submission in accordance with the general election law.

(j) When taxes are levied by any school district for fire prevention, safety, energy conservation, and school security purposes as specified in this Section, and the purposes for which the taxes have been levied are accomplished and paid in full, and there remain funds on hand in the Fire Prevention and Safety Fund from the proceeds of the taxes levied, including interest earnings thereon, the school board by resolution shall use such excess and other board restricted funds, excluding bond proceeds and earnings from such proceeds, as follows:

(1) for other authorized fire prevention, safety, energy conservation, and school security purposes and for required safety inspections; or

(2) for transfer to the Operations and Maintenance Fund for the purpose of abating an equal amount of operations and maintenance purposes taxes.

Notwithstanding subdivision (2) of this subsection (j) and subsection (k) of this Section, through June 30, 2016, the school board may, by proper resolution following a public hearing set by the school board or the president of the school board (that is preceded (i) by at least one published notice over the name of the clerk or secretary of the board, occurring at least 7 days and not more than 30 days prior to the hearing, in a newspaper of general circulation within the school district and (ii) by posted notice over the name of the clerk or secretary of the board, at least 48 hours before the hearing, at the principal office of the school board or at the building where the hearing is to be held if a principal office does not exist, with both notices setting forth the time, date, place, and subject matter of the hearing), transfer surplus life safety taxes and interest earnings thereon to the Operations and Maintenance Fund for building repair work.

(k) If any transfer is made to the Operation and Maintenance Fund, the secretary of the school board shall within 30 days notify the county clerk of the amount of that transfer and direct the clerk to abate the taxes to be extended for the purposes of operations and maintenance authorized under Section 17-2 of this Act by an amount equal to such transfer.

(l) If the proceeds from the tax levy authorized by this Section are insufficient to complete the work approved under this Section, the school board is authorized to sell bonds without referendum under the provisions of

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this Section in an amount that, when added to the proceeds of the tax levy authorized by this Section, will allow completion of the approved work.

(m) Any bonds issued pursuant to this Section shall bear interest at a rate not to exceed the maximum rate authorized by law at the time of the making of the contract, shall mature within 20 years from date, and shall be signed by the president of the school board and the treasurer of the school district.

(n) In order to authorize and issue such bonds, the school board shall adopt a resolution fixing the amount of bonds, the date thereof, the maturities thereof, rates of interest thereof, place of payment and denomination, which shall be in denominations of not less than $100 and not more than $5,000, and provide for the levy and collection of a direct annual tax upon all the taxable property in the school district sufficient to pay the principal and interest on such bonds to maturity. Upon the filing in the office of the county clerk of the county in which the school district is located of a certified copy of the resolution, it is the duty of the county clerk to extend the tax therefor in addition to and in excess of all other taxes heretofore or hereafter authorized to be levied by such school district.

(o) After the time such bonds are issued as provided for by this Section, if additional alterations or reconstructions are required to be made because of surveys conducted by an architect or engineer licensed in the State of Illinois, the district may levy a tax at a rate not to exceed .05% per year upon all the taxable property of the district or issue additional bonds, whichever action shall be the most feasible.

(p) This Section is cumulative and constitutes complete authority for the issuance of bonds as provided in this Section notwithstanding any other statute or law to the contrary.

(q) With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of Public Act 86-004 (June 6, 1989), it is, and always has been, the intention of the General Assembly (i) that the Omnibus Bond Acts are, and always have been, supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

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(r) When the purposes for which the bonds are issued have been accomplished and paid for in full and there remain funds on hand from the proceeds of the bond sale and interest earnings therefrom, the board shall, by resolution, use such excess funds in accordance with the provisions of Section 10-22.14 of this Act.

(s) Whenever any tax is levied or bonds issued for fire prevention, safety, energy conservation, and school security purposes, such proceeds shall be deposited and accounted for separately within the Fire Prevention and Safety Fund.

(Source: P.A. 98-26, eff. 6-21-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1067
(House Bill No. 4677)

AN ACT concerning insurance.

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

Section 5. The Title Insurance Act is amended by changing Section 26 as follows:

(215 ILCS 155/26)

Sec. 26. Settlement funds.
(a) A title insurance company, title insurance agent, or independent escrowee shall not make disbursements in connection with any escrows, settlements, or closings out of a fiduciary trust account or accounts unless the funds in the aggregate amount of $50,000 or greater received from any single party to the transaction are good funds as defined in paragraphs (2), (6), or (7) of subsection (c) of this Section; or are collected funds as defined in subsection (d) of this Section.

For the purposes of this subsection (a), where funds in the aggregate amount of $50,000 or greater are received from any purchaser of residential real property, as defined in paragraph (14) of Section 3 of this Act, the aggregate amount may consist of good funds of less than $50,000 per paragraph, as defined in paragraphs (3) and (5) of subsection (c) of this Section and of up to $5,000 in good funds, as defined in paragraph (4) of subsection (c) of this Section.

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(a-5) In addition to the good funds disbursement authorization set forth in subsection (a) of this Section, a title insurance company, title insurance agent, or independent escrowee is authorized to make disbursements in connection with any escrows, settlements, or closings out of a fiduciary trust account or accounts where the funds in the aggregate amount of $50,000 or greater are received from any single party to the transaction if:

1. The funds are transferred by a cashier's check, teller's check, or certified check, as defined in the Uniform Commercial Code, that is drawn on or issued by a financial institution, as defined in this Act;
2. The title insurance company, title insurance agent, or independent escrowee and the financial institution, as defined in this Act, are known to each other and agree to the use of cashier's checks, teller's checks, or certified checks to disburse the loan and related closing costs being funded by the financial institution as good funds under item (3) of subsection (c) of this Section; and
3. The cashier's check, teller's check, or certified check is delivered to the title insurance company, title insurance agent, or independent escrowee in sufficient time for the check to be deposited into the title insurance company's, title insurance agent's, or independent escrowee's fiduciary trust account prior to disbursement from the fiduciary trust account of the title insurance company, title insurance agent, or independent escrowee.

The provisions of this subsection (a-5) are inoperative on and after January 1, 2015.

(b) A title insurance company or title insurance agent shall not make disbursements in connection with any escrows, settlements, or closings out of a fiduciary trust account or accounts unless the funds in the amount of less than $50,000 received from any single party to the transaction are collected funds or good funds as defined in subsection (c) of this Section.

(c) "Good funds" means funds in one of the following forms:

1. Lawful money of the United States;
2. Wired funds unconditionally held by and credited to the fiduciary trust account of the title insurance company, the title insurance agent, or independent escrowee;
3. Cashier's checks, certified checks, bank money orders, official bank checks, or teller's checks drawn on or issued by a financial institution.
financial institution and unconditionally held by the title insurance company, title insurance agent, or independent escrowee;

(4) a personal check or checks in an aggregate amount not exceeding $5,000 per closing, provided that the title insurance company, title insurance agent, or independent escrowee has reasonable grounds to believe that sufficient funds are available for withdrawal in the account upon which the check is drawn at the time of disbursement;

(5) a check drawn on the trust account of any lawyer or real estate broker licensed under the laws of any state, provided that the title insurance company, title insurance agent, or independent escrowee has reasonable grounds to believe that sufficient funds are available for withdrawal in the account upon which the check is drawn at the time of disbursement;

(6) a check issued by this State, the United States, or a political subdivision of this State or the United States; or

(7) a check drawn on the fiduciary trust account of a title insurance company or title insurance agent, provided that the title insurance company, title insurance agent, or independent escrowee has reasonable grounds to believe that sufficient funds are available for withdrawal in the account upon which the check is drawn at the time of disbursement.

(d) "Collected funds" means funds deposited, finally settled, and credited to the title insurance company, title insurance agent, or independent escrowee's fiduciary trust account.

(e) A purchaser, a seller, or a lender is each considered a single party to the transaction for the purposes of this Section, regardless of the number of people or entities making up the purchaser, seller, or lender.

(Source: P.A. 98-387, eff. 8-16-13.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.
AN ACT concerning civil law.

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

Section 5. The Condominium Property Act is amended by adding Section 18.8 as follows:

(765 ILCS 605/18.8 new)
Sec. 18.8. Common elements; rights of board.
(a) Any provision in a condominium instrument is void as against public policy and ineffective if it limits or restricts the rights of the board of managers by:

(1) requiring the prior consent of the unit owners in order for the board of managers to take any action, including the institution of any action in court or a demand for a trial by jury; or

(2) notwithstanding Section 32 of this Act, requiring the board of managers to arbitrate or mediate a dispute with any one or more of all of the declarants under the condominium instruments or the developer or any person not then a unit owner prior to the institution of any action by the board of managers or a demand for a trial by jury.

(b) A provision in a declaration which would otherwise be void and ineffective under this Section may be enforced if it is approved by a vote of not less than 75% of the unit owners at any time after the election of the first unit owner board of managers.

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

AN ACT concerning education.

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

Section 5. The Public Community College Act is amended by adding Section 3-53 as follows:

(110 ILCS 805/3-53 new)

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Sec. 3-53. Private-public partnership boards.

(a) In this Section:

"Advanced manufacturing technology" means a program of study that leads students to an industry certification, diploma, degree, or combination of these in skills and competencies needed by manufacturers.

"Industry certification" means an industry-recognized credential that is (i) industry created, (ii) nationally portable, (iii) third-party-validated by either the International Organization for Standardization or the American National Standards Institute and is data-based and supported.

"Institution" means a public high school or community college, including a community college in a community college district to which Article 7 of this Act applies, that offers instruction in advanced manufacturing technology for credit towards a degree.

"Private-public partnership board" means a formal group of volunteers within a community college district that may be comprised of some, but not necessarily all, of the following: local and regional manufacturers, applicable labor unions, community college officials, school district superintendents, high school principals, workforce investment boards, or other individuals willing to participate.

(b) The creation of a private-public partnership board is encouraged and may be authorized at each community college. A board, if created, shall meet no less than 5 of the following criteria:

1. be minimally comprised of those entities described in subsection (a) of this Section;

2. be led cooperatively by a manufacturer, a school district superintendent, and a community college president or their designees;

3. meet no less than 4 times each year during State fiscal years 2015 and 2016 and thereafter no less than twice each State fiscal year;

4. encourage and define the implementation of programs of study in advanced manufacturing technology to meet the competency and skill demands of manufacturers;

5. define a minimum of 4 programs of study in advanced manufacturing technology to meet the needs of the broadest number of manufacturers in the area;

6. encourage formal alignment and dual-credit opportunities for high school students who begin advanced manufacturing...
technology training to transition to community college programs of study in advanced manufacturing technology; and

(7) establish, as its foundation, the certified production technician credential offered by the Manufacturing Skill Standards Council or its successor entity.

Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1070
(House Bill No. 4956)

AN ACT concerning civil law.

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

Section 5. The Eminent Domain Act is amended by adding Section 25-5-55 as follows:

(735 ILCS 30/25-5-55 new)

Sec. 25-5-55. Quick-take; Village of Mundelein. Quick-take proceedings under Article 20 may be used for a period of no longer than one year after the effective date of this amendatory Act of the 98th General Assembly by the Village of Mundelein in Lake County for the acquisition of property and easements, legally described below, for the purpose of widening and reconstructing Hawley Street from Midlothian Road to Seymour Avenue, and making other public utility improvements including the construction of a bike path:

PIN: 10-24-423-010
That part of Lot 11 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, described as follows: beginning at the Southeast corner of Lot 11; thence West along the South line of said Lot, 99.95 (meas.) 100.00 feet (rec.) to the Southwest corner of said Lot; thence North along the West line of said Lot, 10.00 feet; thence Southeasterly 8.51 feet to a point 6.00 feet East of and 4.00 feet North of the Southwest corner of said Lot; thence East parallel with the South line of said Lot, 93.97 feet to the East line of said Lot; thence South

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along said last described line, 4.00 feet to the point of beginning, Lake County, Illinois. 417.50 sq. ft.
Temporary easement:
That part of Lot 11 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plot thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, described as follows: commencing at the Southwest corner of said Lot 11; thence North along the West line of said Lot, 10.00 feet to the point of beginning; thence continuing North along said last described line, 35.00 feet; thence East parallel with the South line of said Lot, 10.00 feet; thence South parallel with the West line of said Lot, 25.00 feet to a line 20.00 feet North of and parallel with the South line of said Lot; thence East along said last described line, 20.00 feet; thence South parallel with the West line of said Lot, 16.00 feet to a line 4.00 feet North of and parallel with the South line of said Lot; thence West along said last described line, 24.00 feet to a point 6.00 feet East of the West line of said Lot; thence Northwesterly, 8.51 feet to the point of beginning, in Lake County, Illinois. Containing 712.00 sq. ft.
PIN: 10-24-423-011
The South 4.00 feet of Lot 10 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. 400.00 sq. ft.
PIN: 10-24-423-013
The South 4.00 feet of Lot 8 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. 400.00 sq. ft.
PIN: 10-24-423-016
The South 7.00 feet of Lot 5 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the

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plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. 700.00 sq. ft.
Temporary Easement:
That part of Lot 5 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, described as follows: commencing at the Southeast corner of said Lot 5; thence North along the East line of said Lot, 7.00 feet to the point of beginning; thence West parallel with the South line of said Lot, 100.00 feet to the West line of said Lot; thence North along said last described line, 5.00 feet; thence East parallel with the South line of said Lot, 52.00 feet; thence North parallel with the West line of said Lot, 22.50 feet; thence East parallel with the South line of said Lot, 14.50 feet; thence North parallel with the West line of said Lot, 33.50 feet to the East line of said Lot; thence South along the last described line, 32.70 feet to the point of beginning, in Lake County, Illinois. 1754.20 sq. ft.
PIN: 10-24-423-018

The South 13.50 feet of Lot 3 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. 1350.00 sq. ft.
Temporary Easement:
That part of Lot 3 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, described as follows: commencing at the Southeast corner of said Lot 3; thence North along the East line of said Lot, 13.50 feet to the point of beginning; thence West parallel with the South line of said Lot, 100.00 feet to the West line of said Lot; thence North along said last described line, 10.00 feet; thence East parallel with the South line of said Lot, 45.00 feet; thence North parallel with the West line of said Lot, 30.00 feet; thence East parallel with the South line of said Lot, 34.00 feet; thence South parallel with

New matter indicated by italics - deletions by strikeout
the West line of said Lot, 30.00 feet; thence East parallel with the South line of said Lot, 21.00 feet to the East line of said Lot; thence South along the last described line, 10.00 feet to the point of beginning, in Lake County, Illinois. 2020.00 sq. ft.
PIN: 10-24-423-019

The South 13.50 feet of Lot 2 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. 1350.00 sq. ft.
PIN: 10-24-423-021

The South 13.50 feet of a tract of land described as Lot 1 (as originally platted), (except that part taken for highway per Document No. 2242325 and 2242326), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. 1040.30 sq. ft.
PIN: 10-25-205-003

Temporary Easement:
That part of Lot 44 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151 in Book "N" of Plats, Page 98, described as follows: commencing at the Northeast corner of said Lot 44; thence South along the East line of said Lot, 5.00 feet; thence West parallel with the North line of said Lot, 34.00 feet; thence South parallel with the East line of said Lot, 5.00 feet; thence West parallel with the North line of said Lot, 16.00 feet to the West line of said Lot; thence North along said last described Lot, 10.00 feet to the Northwest corner of said lot; thence East along the North line of said lot, 50.00 feet to the point of beginning, in Lake County, Illinois. Containing 331.00 sq. ft.
PIN: 10-25-205-004

Temporary Easement:
The North 10.00 feet (except the South 5.00 feet of the West 24.00 feet and the South 5.00 feet of the East 3.00 feet thereof) of Lot 45 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the

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Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. Containing 365.40 sq. ft. 
PIN: 10-25-205-005

Temporary Easement:
The North 5.00 feet of Lot 46 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, Lake County, Illinois. 250.00 sq. ft.
PIN: 10-25-206-003

Temporary Easement:
The North 5.00 feet of Lot 60 (as originally platted), in Western Slope Subdivision of Mundelein, being a Subdivision of part of the Southeast Quarter of Section 24, and of the Northeast Quarter of Section 25, Township 44 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded May 9, 1925 as Document 257151, in Book "N" of Plats, Page 98, in Lake County, Illinois. 250.00 sq. ft.
PIN: 11-30-101-004

Temporary Easement:
The North 5.00 feet of the East 30.00 feet of a tract of land described as the West 75.00 feet of Lots 1 and 2, in Block 1 of Hammond's Addition to Rockefeller, being a Subdivision of part of Lot 2 of the Northwest Quarter of Section 30, Township 44 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded April 2, 1895 as Document No. 61511, in Book "D" of Plats, Page 24, in Lake County, Illinois. 150.00 sq. ft.
PIN: 11-30-120-001

That part of Lot 1 in Hawley Commons, being a subdivision of part of the Northwest Quarter of Section 30, Township 44 North, Range 11 East, of the Third Principal Meridian according to the plat thereof recorded October 8, 1999 as Document No. 4432301, and described as follows: Beginning at the Northwest corner of Lot 1; thence South along the West line of said Lot 1, 17.00 feet; thence Northeasterly 23.91 feet to a point 17.00 feet East of the point of beginning and on the North line of said Lot 1; thence West along the North line of Lot 1, 17.00 feet to the point of beginning, in Lake County, Illinois. Containing 144.50 sq. ft.

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That part of Lot 14 in Block 2 in Mundelein Home Crest Subdivision of the Northeast Quarter of the Northwest Quarter of Section 25 and part of the East Half of the Southwest Quarter of Section 24, all in Township 44 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded June 4, 1926 as Document No. 280148 in Book "P" of Plats, Pages 62 and 63, described as lying Southeasterly of a curve concave Northwesterly having a radius of 45.00 feet and being tangent to the East and South lines of said Lot 14, in Lake County, Illinois. 445.10 sq. ft.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective August 26, 2014.

AN ACT concerning gaming.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Charitable Games Act is amended by changing Sections 4, 5.1, and 8 as follows:

(230 ILCS 30/4) (from Ch. 120, par. 1124)
Sec. 4. Licensing Restrictions. Licensing for the conducting of charitable games is subject to the following restrictions:

(1) The license application, when submitted to the Department of Revenue, must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by a person listed on the application as an owner, officer, or other person in charge of the necessary day-to-day operations. The application shall contain the name of the person in charge of and primarily responsible for the conduct of the charitable games. The person so designated shall be present on the premises continuously during charitable games.

(2) The license application shall be prepared by the prospective licensee organization or its duly authorized representative in accordance with the rules of the Department of Revenue.

New matter indicated by italics - deletions by strikeout
dates of birth of all persons who will participate in the management or operation of the games, along with a sworn statement made under penalties of perjury, signed by a person listed on the application as an owner, officer, or other person in charge of the necessary day-to-day operations, that the persons listed as participating in the management or operation of the games are bona fide members, volunteers as defined in Section 2, or employees of the applicant, that these persons have not participated in the management or operation of more than 12 charitable games events conducted by any licensee in the calendar year, and that these persons will receive no remuneration or compensation, directly or indirectly from any source, for participating in the management or operation of the games. Any amendments to this listing must contain an identical sworn statement.

(2.2) (Blank).

(3) Each license shall state the date, hours and at what locations the licensee is permitted to conduct charitable games.

(4) Each licensee shall file a copy of the license with each police department or, if in unincorporated areas, each sheriff's office whose jurisdiction includes the premises on which the charitable games are authorized under the license.

(5) The licensee shall prominently display the license in the area where the licensee is to conduct charitable games. The licensee shall likewise display, in the form and manner prescribed by the Department, the provisions of Section 9 of this Act.

(6) (Blank).

(7) (Blank).

(8) A license is not assignable or transferable.

(9) Unless the premises for conducting charitable games are provided by a municipality, the Department shall not issue a license permitting a person, firm or corporation to sponsor a charitable games night if the premises for the conduct of the charitable games has been previously used for 12 charitable games nights during the previous 12 months.

(10) Auxiliary organizations of a licensee shall not be eligible for a license to conduct charitable games, except for auxiliary organizations of veterans organizations as authorized in Section 2.

(11) Charitable games must be conducted in accordance with local building and fire code requirements.

New matter indicated by italics - deletions by strikeout
(12) The licensee shall consent to allowing the Department's employees to be present on the premises wherein the charitable games are conducted and to inspect or test equipment, devices and supplies used in the conduct of the game.

Nothing in this Section shall be construed to prohibit a licensee that conducts charitable games on its own premises from also obtaining a providers' license in accordance with Section 5.1. The maximum number of charitable games events that may be held in any one premises is limited to no more than 12 charitable games events per calendar year one charitable games event per month.

(Source: P.A. 98-377, eff. 1-1-14.)

(230 ILCS 30/5.1) (from Ch. 120, par. 1125.1)

Sec. 5.1. If a licensee conducts charitable games on its own premises, the licensee may also obtain a providers' license in accordance with Section 5 to allow the licensee to rent or otherwise provide its premises to another licensee for the conducting of an additional 4 charitable games events. The maximum number of charitable games events that may be held at any one premises is limited to 12 charitable games events per calendar year.

(Source: P.A. 94-986, eff. 6-30-06.)

(230 ILCS 30/8) (from Ch. 120, par. 1128)

Sec. 8. The conducting of charitable games is subject to the following restrictions:

(1) The entire net proceeds from charitable games must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

(2) No person except a bona fide member or employee of the sponsoring organization, or a volunteer recruited by the sponsoring organization, may participate in the management or operation of the game. A person participates in the management or operation of a charitable game when he or she sells admission tickets at the event; sells, redeems, or in any way assists in the selling or redeeming of chips, scrip, or play money; participates in the conducting of any of the games played during the event, or supervises, directs or instructs anyone conducting a game; or at any time during the hours of the charitable games event counts, handles, or supervises anyone counting or handling any of the proceeds or chips, scrip, or play money at the event. A person who is present to ensure that the games are being conducted in conformance with the rules established by the licensed organization or is present to insure that the equipment is

New matter indicated by italics - deletions by strikeout
working properly is considered to be participating in the management or operation of a game. Setting up, cleaning up, selling food and drink, or providing security for persons or property at the event does not constitute participation in the management or operation of the game.

Only bona fide members, volunteers as defined in Section 2 of this Act, and employees of the sponsoring organization may participate in the management or operation of the games. Participation in the management or operation of the games is limited to no more than 12 charitable games events, either of the sponsoring organization or any other licensed organization, during a calendar year.

(3) No person may receive any remuneration or compensation either directly or indirectly from any source for participating in the management or operation of the game.

(4) No single bet at any house-banked game may exceed $20.

(5) A bank shall be established on the premises to convert currency into chips, scrip, or other form of play money which shall then be used to play at games of chance which the participant chooses. Chips, scrip, or play money must be permanently monogrammed with the supplier license number or logo or charitable games license number of a licensed organization or of the supplier. Each participant must be issued a receipt indicating the amount of chips, scrip, or play money purchased.

(6) At the conclusion of the event or when the participant leaves, he or she may cash in his or her chips, scrip, or play money in exchange for currency not to exceed $500 in cash winnings or unlimited noncash prizes. Each participant shall sign for any receipt of prizes. The licensee shall provide the Department of Revenue with a listing of all prizes awarded, including the retail value of all prizes awarded.

(7) Each licensee shall be permitted to conduct charitable games on not more than 4 days each year. Nothing in this Section shall be construed to prohibit a licensee that conducts charitable games on its own premises from also obtaining a providers' license in accordance with Section 7 of this Act.

(8) Unless the provider of the premises is a municipality, the provider of the premises may not rent or otherwise provide the

New matter indicated by italics - deletions by strikeout
premises for the conducting of more than 12 charitable games nights per calendar year one charitable games night per month.

(9) A charitable games event is considered to be a one-day event and charitable games may not be played between the hours of 2:00 a.m. and noon.

(10) No person under the age of 18 years may play or participate in the conducting of charitable games. Any person under the age of 18 years may be within the area where charitable games are being played only when accompanied by his parent or guardian.

(11) No one other than the sponsoring organization of charitable games must have a proprietary interest in the game promoted.

(12) Raffles or other forms of gambling prohibited by law shall not be conducted on the premises where charitable games are being conducted.

(13) Such games are not expressly prohibited by county ordinance for charitable games conducted in the unincorporated areas of the county or municipal ordinance for charitable games conducted in the municipality and the ordinance is filed with the Department of Revenue. The Department shall provide each county or municipality with a list of organizations licensed or subsequently authorized by the Department to conduct charitable games in their jurisdiction.

(14) The sale of tangible personal property at charitable games is subject to all State and local taxes and obligations.

(15) Each licensee may offer or conduct only the games listed below, which must be conducted in accordance with rules posted by the organization. The organization sponsoring charitable games shall promulgate rules, and make printed copies available to participants, for the following games: (a) roulette; (b) blackjack; (c) poker; (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer; (h) big six; (i) gin rummy; (j) five card stud poker; (k) chuck-a-luck; (l) keno; (m) hold-em poker; and (n) merchandise wheel. A licensee need not offer or conduct every game permitted by law. The conducting of games not listed above is prohibited by this Act.

(16) No slot machines or coin-in-the-slot-operated devices that allow a participant to play games of chance shall be permitted to be used at the location and during the time at which the charitable games are being conducted. However, establishments that have video gaming terminals licensed under the Video Gaming Act may operate
them along with charitable games under rules adopted by the Department.

(17) No cards, dice, wheels, or other equipment may be modified or altered so as to give the licensee a greater advantage in winning, other than as provided under the normal rules of play of a particular game.

(18) No credit shall be extended to any of the participants.

(19) (Blank).

(20) A supplier may have only one representative present at the charitable games event, for the exclusive purpose of ensuring that its equipment is not damaged.

(21) No employee, owner, or officer of a consultant service hired by a licensed organization to perform services at the event including, but not limited to, security for persons or property at the event or services before the event including, but not limited to, training for volunteers or advertising may participate in the management or operation of the games.

(22) (Blank).

(Source: P.A. 98-377, eff. 1-1-14.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1072
(House Bill No. 5085)

AN ACT concerning agriculture.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Cannabis Control Act is amended by changing Section 8 and adding Section 15.2 as follows:

(720 ILCS 550/8) (from Ch. 56 1/2, par. 708)

Sec. 8. It is unlawful for any person knowingly to produce the cannabis sativa plant or to possess such plants unless production or possession has been authorized pursuant to the provisions of Section 11 or 15.2 of the Act. Any person who violates this Section with respect to production or possession of:

(a) Not more than 5 plants is guilty of a Class A misdemeanor.

New matter indicated by italics - deletions by strikeout
(b) More than 5, but not more than 20 plants, is guilty of a Class 4 felony.

(c) More than 20, but not more than 50 plants, is guilty of a Class 3 felony.

(d) More than 50, but not more than 200 plants, is guilty of a Class 2 felony for which a fine not to exceed $100,000 may be imposed and for which liability for the cost of conducting the investigation and eradicating such plants may be assessed. Compensation for expenses incurred in the enforcement of this provision shall be transmitted to and deposited in the treasurer's office at the level of government represented by the Illinois law enforcement agency whose officers or employees conducted the investigation or caused the arrest or arrests leading to the prosecution, to be subsequently made available to that law enforcement agency as expendable receipts for use in the enforcement of laws regulating controlled substances and cannabis. If such seizure was made by a combination of law enforcement personnel representing different levels of government, the court levying the assessment shall determine the allocation of such assessment. The proceeds of assessment awarded to the State treasury shall be deposited in a special fund known as the Drug Traffic Prevention Fund.

(e) More than 200 plants is guilty of a Class 1 felony for which a fine not to exceed $100,000 may be imposed and for which liability for the cost of conducting the investigation and eradicating such plants may be assessed. Compensation for expenses incurred in the enforcement of this provision shall be transmitted to and deposited in the treasurer's office at the level of government represented by the Illinois law enforcement agency whose officers or employees conducted the investigation or caused the arrest or arrests leading to the prosecution, to be subsequently made available to that law enforcement agency as expendable receipts for use in the enforcement of laws regulating controlled substances and cannabis. If such seizure was made by a combination of law enforcement personnel representing different levels of government, the court levying the assessment shall determine the allocation of such assessment. The proceeds of assessment awarded to the State treasury shall be deposited in a special fund known as the Drug Traffic Prevention Fund.

(Source: P.A. 95-247, eff. 1-1-08.)

(720 ILCS 550/15.2 new)

Sec. 15.2. Industrial hemp pilot program.

New matter indicated by italics - deletions by strikeout
(a) Pursuant to Section 7606 the federal Agricultural Act of 2014, an institution of higher education or the Department of Agriculture may grow or cultivate industrial hemp if:

1. the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research;
2. the pilot program studies the growth, cultivation, or marketing of industrial hemp; and
3. any site used for the growing or cultivating of industrial hemp is certified by, and registered with, the Department of Agriculture.

(b) Before conducting industrial hemp research, an institution of higher education shall notify the Department of Agriculture and any local law enforcement agency in writing.

(c) The institution of higher education shall provide quarterly reports and an annual report to the Department of Agriculture on the research and the research program shall be subject to random inspection by the Department of Agriculture, the Department of State Police, or local law enforcement agencies. The institution of higher education shall submit the annual report to the Department of Agriculture on or before October 1.

(d) The Department of Agriculture may adopt rules to implement this Section. In order to provide for the expeditious and timely implementation of this Section, upon notification by an institution of higher education that the institution wishes to engage in the growth or cultivation of industrial hemp for agricultural research purposes, the Department of Agriculture may adopt emergency rules under Section 5-45 of the Illinois Administrative Procedure Act to implement the provisions of this Section. If changes to the rules are required to comply with federal rules, the Department of Agriculture may adopt peremptory rules as necessary to comply with changes to corresponding federal rules. All other rules that the Department of Agriculture deems necessary to adopt in connection with this Section must proceed through the ordinary rule-making process. The adoption of emergency rules authorized by this Section shall be deemed to be necessary for the public interest, safety, and welfare.

The Department of Agriculture may determine, by rule, the duration of an institution of higher education's pilot program or industrial hemp research. If the institution of higher education has not completed its program within the timeframe established by rule, then the Department of Agriculture
may grant an extension to the pilot program if unanticipated circumstances arose that impacted the program.

(e) As used in this Section:

"Industrial hemp" means cannabis sativa L. having no more than 0.3% total THC available, upon heating, or maximum delta-9 tetrahydrocannabinol content possible.

"Institution of higher education" means a State institution of higher education that offers a 4-year degree in agricultural science.

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1073
(House Bill No. 5307)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Community-Integrated Living Arrangements Licensure and Certification Act is amended by adding Section 9.1 as follows:

(210 ILCS 135/9.1 new)

Sec. 9.1. Recipient's funds; protection.

(a) To protect a recipient's funds, a service provider:

(1) May accept funds from a recipient for safekeeping and management if the service provider receives written authorization from the recipient or the recipient's guardian.

(2) Shall maintain a written record of all financial arrangements and transactions involving each individual recipient's funds and shall allow each recipient, or the recipient's guardian, access to that written record.

(3) Shall provide, in order of priority, each recipient, or the recipient's guardian, if any, or the recipient's immediate family member, if any, with a written itemized statement of all financial transactions involving the recipient's funds or a copy of the recipient's checking or savings account register for the period. This information shall be provided at least quarterly.

(4) Shall purchase and maintain a surety bond or other commercial policy with crime coverage in an amount equal to or greater than all of the recipient's personal funds deposited with the

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service provider to which employees of the service provider have access to secure against loss, theft, and insolvency. The insurance company that provides the surety bond or commercial policy with crime coverage shall inform the Division of Developmental Disabilities of the Department of Human Services of any reduction or cancellation of the surety bond or commercial policy with crime coverage.

(5) Shall keep any funds received from a recipient in an account separate from the service provider's funds for safekeeping, and shall not withdraw all or any part of the recipient's funds unless the service provider is (i) returning the funds to the recipient upon the request of the recipient or any other person entitled to make the request, (ii) paying the recipient his or her allowance, or (iii) making any other payment authorized by the recipient or any other person entitled to make that authorization.

(6) Shall deposit any funds received from a recipient in excess of $100 in an interest-bearing account insured by agencies of, or corporations chartered by, the State or the federal government. The account shall be in a form that clearly indicates that the service provider has only a fiduciary interest in the funds and that any interest earned on funds in the account shall accrue to the recipient. The service provider may keep up to $100 of a recipient's funds in a non-interest-bearing account or petty cash fund, to be readily available for the recipient's current expenditures.

(7) Shall, upon written request of a recipient or the recipient's guardian, return to the recipient or the recipient's guardian of the estate all or any part of the recipient's funds given to the service provider for safekeeping, including the accrued interest earned on the deposits of the recipient's funds.

(8) Shall (i) place any monthly allowance that a recipient is entitled to in the recipient's personal account or give the monthly allowance directly to the recipient, unless the service provider has written authorization from the recipient, the recipient's guardian, or the recipient's parent if the recipient is a minor, to handle the monthly allowance differently, (ii) take all steps necessary to ensure that a monthly allowance that is placed in a recipient's personal account is used exclusively by the recipient or for the recipient's benefit, and (iii) require any person other than the recipient who withdraws funds from the recipient's personal account that constitute

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any portion of the recipient's monthly allowance to execute an affidavit that the funds will be used exclusively for the benefit of the recipient.

(9) If an adult recipient is incapable of managing his or her funds and does not have a guardian or immediate family member, the service provider shall notify the Office of the State Guardian of the Guardianship and Advocacy Commission.

(b) Upon the death of a recipient, unless otherwise provided by State law, the service provider shall provide the executor or administrator of the recipient's estate with a complete accounting of all the recipient's personal property, including any funds of the recipient being held by the service provider.

(c) If a recipient changes service providers, the former service provider shall provide the new service provider with a written verification by a public accountant of all the recipient's money and property being transferred and shall obtain a signed receipt for the money and property from the new service provider upon transfer of the recipient's money and property.

(d) If a service provider is sold, the service provider shall provide the new owner with a written verification by a public accountant of all the recipient's money and property being transferred and shall obtain a signed receipt for the money and property from the new owner upon transfer of the recipient's money and property.

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1074
(House Bill No. 5326)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 3-808.1 as follows:
(625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)
Sec. 3-808.1. (a) Permanent vehicle registration plates shall be issued, at no charge, to the following:

New matter indicated by italics - deletions by strikeout
1. Vehicles, other than medical transport vehicles, owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly;
2. Special disability plates issued to vehicles owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly.

(b) Permanent vehicle registration plates shall be issued, for a one time fee of $8.00, to the following:

1. Vehicles, other than medical transport vehicles, operated by or for any county, township or municipal corporation.
2. Vehicles owned by counties, townships or municipal corporations for persons with disabilities.
3. Beginning with the 1991 registration year, county-owned vehicles operated by or for any county sheriff and designated deputy sheriffs. These registration plates shall contain the specific county code and unit number.
4. All-terrain vehicles owned by counties, townships, or municipal corporations and used for law enforcement purposes when the Manufacturer's Statement of Origin is accompanied with a letter from the original manufacturer or a manufacturer's franchised dealer stating that this all-terrain vehicle has been converted to a street worthy vehicle that meets the equipment requirements set forth in Chapter 12 of this Code.
5. Beginning with the 2001 registration year, municipally-owned vehicles operated by or for any police department. These registration plates shall contain the designation "municipal police" and shall be numbered and distributed as prescribed by the Secretary of State.
6. Beginning with the 2014 registration year, municipally owned, fire district owned, or Mutual Aid Box Alarm System (MABAS) owned vehicles operated by or for any fire department, fire protection district, or MABAS. These registration plates shall display the designation "Fire Department" and shall display the specific fire department, fire district, fire unit, or MABAS division number or letter.

(b-5) Beginning with the 2016 registration year, permanent vehicle registration plates shall be issued for a one-time fee of $8.00 to a county, township, or municipal corporation that owns or operates vehicles used for the purpose of community workplace commuting as defined by the Secretary

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of State by administrative rule. The design and color of the plates shall be wholly within the discretion of the Secretary. The Secretary of State may adopt rules to implement this subsection (b-5).

(c) Beginning with the 2012 registration year, county-owned vehicles operated by or for any county sheriff and designated deputy sheriffs that have been issued registration plates under subsection (b) of this Section shall be exempt from any fee for the transfer of registration from one vehicle to another vehicle. Each county sheriff shall report to the Secretary of State any transfer of registration plates from one vehicle to another vehicle operated by or for any county sheriff and designated deputy sheriffs. The Secretary of State shall adopt rules to implement this subsection (c).

(c-5) Beginning with the 2014 registration year, municipally owned, fire district owned, or Mutual Aid Box Alarm System (MABAS) owned vehicles operated by or for any fire department, fire protection district, or MABAS that have been issued registration plates under subsection (b) of this Section shall be exempt from any fee for the transfer of registration from one vehicle to another vehicle. Each fire department, fire protection district, of MABAS shall report to the Secretary of State any transfer of registration plates from one vehicle to another vehicle operated by or for any fire department, fire protection district, or MABAS. The Secretary of State shall adopt rules to implement this subsection.

(d) Beginning with the 2013 registration year, municipally-owned vehicles operated by or for any police department that have been issued registration plates under subsection (b) of this Section shall be exempt from any fee for the transfer of registration from one vehicle to another vehicle. Each municipal police department shall report to the Secretary of State any transfer of registration plates from one vehicle to another vehicle operated by or for any municipal police department. The Secretary of State shall adopt rules to implement this subsection (d).

(Source: P.A. 97-430, eff. 1-1-12; 97-794, eff. 1-1-13; 98-436, eff. 1-1-14.)

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by adding Section 2-3.64c as follows:
(105 ILCS 5/2-3.64c new)
(Section scheduled to be repealed on June 1, 2015)
Sec. 2-3.64c. Assessment Review Task Force. The State Superintendent of Education shall appoint a task force to review standardized assessments. The task force shall consist of all of the following individuals:

(1) Two parents.
(2) One educator representing a statewide professional teachers' organization.
(3) One educator representing a different statewide professional teachers' organization.
(4) One educator representing a professional teachers' organization in a city having a population exceeding 500,000.
(5) One early childhood educator.
(6) One school district administrator representing an association representing school administrators.
(7) One school principal representing an association representing school principals.
(8) One school district board member representing an association representing school board members.
(9) One early childhood center administrator.
(10) One assessment expert.
(11) One representative of the State Board of Education.
(12) One representative of regional superintendents of schools.
(13) One representative of a 4-year institution of higher education.
(14) One representative of a 2-year institution of higher education.
(15) One citizen who is a resident of this State.
(16) One representative from an organization representing high school districts.
(17) One bilingual education educator.
(18) One school principal representing an association representing school principals in a city having a population exceeding 500,000.
(19) One special education administrator of a school district.
The task force shall also consist of the following members appointed as follows:

(A) One member of the Senate appointed by the President of the Senate.
(B) One member of the Senate appointed by the Minority Leader of the Senate.
(C) One member of the House of Representatives appointed by the Speaker of the House of Representatives.
(D) One member of the House of Representatives appointed by the Minority Leader of the House of Representatives.
The State Superintendent shall appoint one of the task force members as chairperson of the task force. The task force shall meet at least 4 times to review standardized assessments. This review shall include at least 5% of school districts in this State that represent a regionally equal sampling selected from among those counties of this State other than Cook County and the 5 counties contiguous to Cook County and shall include a school district located in a city having a population over 500,000. The task force shall review the content and design of standardized assessments; the time and money expended to prepare for standardized assessments as measured against the purpose of the assessment; parent, student, and educator perceptions of the level and intensity of standardized assessments; and any other issues involving standardized assessments identified by the task force.
The State Board of Education shall provide administrative support to the task force.
The task force shall report its findings to the Governor and General Assembly no later than May 31, 2015, and, upon filing its report, the task force is dissolved. This Section is repealed on June 1, 2015.

Section 99. Effective date. This Act takes effect July 1, 2014.
Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective August 26, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning finance.

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


(30 ILCS 500/1-10)
Sec. 1-10. Application.

(a) This Code applies only to procurements for which bidders, offerors, potential contractors, or contractors were first solicited on or after July 1, 1998. This Code shall not be construed to affect or impair any contract, or any provision of a contract, entered into based on a solicitation prior to the implementation date of this Code as described in Article 99, including but not limited to any covenant entered into with respect to any revenue bonds or similar instruments. All procurements for which contracts are solicited between the effective date of Articles 50 and 99 and July 1, 1998 shall be substantially in accordance with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with which the contracts are paid, including federal assistance moneys. This Code shall not apply to:

(1) Contracts between the State and its political subdivisions or other governments, or between State governmental bodies except as specifically provided in this Code.

(2) Grants, except for the filing requirements of Section 20-80.

(3) Purchase of care.

(4) Hiring of an individual as employee and not as an independent contractor, whether pursuant to an employment code or policy or by contract directly with that individual.

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(5) Collective bargaining contracts.

(6) Purchase of real estate, except that notice of this type of contract with a value of more than $25,000 must be published in the Procurement Bulletin within 10 calendar days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.

(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) Contracts for services to Northern Illinois University by a person, acting as an independent contractor, who is qualified by education, experience, and technical ability and is selected by negotiation for the purpose of providing non-credit educational service activities or products by means of specialized programs offered by the university.

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

(10) Procurement expenditures by the Illinois Health Information Exchange Authority involving private funds from the Health Information Exchange Fund. "Private funds" means gifts, donations, and private grants.

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(12) Contracts for legal, financial, and other professional and artistic services entered into on or before December 31, 2018 by the Illinois Finance Authority in which the State of Illinois is not obligated. Such contracts shall be awarded through a competitive process authorized by the Board of the Illinois Finance Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the Board of the Illinois Finance Authority of the terms of the contract.

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Notwithstanding any other provision of law, contracts entered into under item (12) of this subsection (b) shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The chief procurement officer shall prescribe the form and content of the notice. The Illinois Finance Authority shall provide the chief procurement officer, on a monthly basis, in the form and content prescribed by the chief procurement officer, a report of contracts that are related to the procurement of goods and services identified in item (12) of this subsection (b). At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of each of these contracts shall be made available to the chief procurement officer immediately upon request. The chief procurement officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer.

(c) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.

(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) This Code does not apply to the process used by the Illinois Power Agency to retain a mediator to mediate sourcing agreement disputes between gas utilities and the clean coal SNG brownfield facility, as defined in Section 1-10 of the Illinois Power Agency Act, as required under subsection (h-1) of Section 9-220 of the Public Utilities Act.

(g) This Code does not apply to the processes used by the Illinois Power Agency to retain a mediator to mediate contract disputes between gas
utilities and the clean coal SNG facility and to retain an expert to assist in the review of contracts under subsection (h) of Section 9-220 of the Public Utilities Act. This Code does not apply to the process used by the Illinois Commerce Commission to retain an expert to assist in determining the actual incurred costs of the clean coal SNG facility and the reasonableness of those costs as required under subsection (h) of Section 9-220 of the Public Utilities Act.

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(j) This Code does not apply to the process used by the Capital Development Board to retain an artist or work or works of art as required in Section 14 of the Capital Development Board Act.

(k) This Code does not apply to the process to procure contracts, or contracts entered into, by the State Board of Elections or the State Electoral Board for hearing officers appointed pursuant to the Election Code.

(30 ILCS 500/1-11)
Sec. 1-11. Applicability of certain Public Acts. The changes made to this Code by Public Act 96-793, Public Act 96-795, and this amendatory Act of the 96th General Assembly apply to those procurements for which bidders, offerors, vendors, potential contractors, or contractors were first solicited on or after July 1, 2010.

(30 ILCS 500/1-12)
Sec. 1-12. Applicability to artistic or musical services.
(a) This Code shall not apply to procurement expenditures necessary to provide artistic or musical services, performances, or theatrical productions held at a venue operated or leased by a State agency.

(b) Notice of each contract entered into by a State agency that is related to the procurement of goods and services identified in this Section shall be published in the Illinois Procurement Bulletin within 14 calendar days.

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days after contract execution. The chief procurement officer shall prescribe the form and content of the notice. Each State agency shall provide the chief procurement officer, on a monthly basis, in the form and content prescribed by the chief procurement officer, a report of contracts that are related to the procurement of goods and services identified in this Section. At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of any or all of these contracts shall be made available to the chief procurement officer immediately upon request. The chief procurement officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer.

(c) This Section is repealed December 31, 2016.

(Source: P.A. 97-895, eff. 8-3-12.)

(30 ILCS 500/1-13)

(Section scheduled to be repealed on December 31, 2014)

Sec. 1-13. Applicability to public institutions of higher education.

(a) This Code shall apply to public institutions of higher education, regardless of the source of the funds with which contracts are paid, except as provided in this Section.

(b) Except as provided in this Section, this Code shall not apply to procurements made by or on behalf of public institutions of higher education for any of the following:

(1) Memberships in professional, academic, research, or athletic organizations on behalf of a public institution of higher education, an employee of a public institution of higher education, or a student at a public institution of higher education.

(2) Procurement expenditures for events or activities paid for exclusively by revenues generated by the event or activity, gifts or donations for the event or activity, private grants, or any combination thereof.

(3) Procurement expenditures for events or activities for which the use of specific potential contractors vendors is mandated or identified by the sponsor of the event or activity, provided that the sponsor is providing a majority of the funding for the event or activity.

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(4) Procurement expenditures necessary to provide artistic or musical services, performances, or productions held at a venue operated by a public institution of higher education.

(5) Procurement expenditures for periodicals and books procured for use by a university library or academic department, except for expenditures related to procuring textbooks for student use or materials for resale or rental.

(6) Procurement expenditures for placement of students in externships, practicums, field experiences, and medical residencies and rotations.

(7) Contracts for programming and broadcast license rights for university-operated radio and television stations.

Notice of each contract entered into by a public institution of higher education that is related to the procurement of goods and services identified in items (1) through (7) of this subsection shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice. Each public institution of higher education shall provide the Chief Procurement Officer, on a monthly basis, in the form and content prescribed by the Chief Procurement Officer, a report of contracts that are related to the procurement of goods and services identified in this subsection. At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of any or all of these contracts shall be made available to the Chief Procurement Officer immediately upon request. The Chief Procurement Officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the Chief Procurement Officer.

(b-5) Except as provided in this subsection, the provisions of this Code shall not apply to contracts for FDA-regulated supplies, and to contracts for medical services necessary for the delivery of care and treatment at medical, dental, or veterinary teaching facilities utilized by Southern Illinois University or the University of Illinois. Other supplies and services needed for these teaching facilities shall be subject to the jurisdiction of the Chief Procurement Officer for Public Institutions of Higher Education who may establish expedited procurement procedures and may waive or modify certification, contract, hearing, process and registration requirements required by the Code. All procurements made
under this subsection shall be documented and may require publication in the Illinois Procurement Bulletin.

(c) Procurements made by or on behalf of public institutions of higher education for any of the following shall be made in accordance with the requirements of this Code to the extent practical as provided in this subsection:

1. Contracts with a foreign entity necessary for research or educational activities, provided that the foreign entity either does not maintain an office in the United States or is the sole source of the service or product.

2. (Blank). Procurements of FDA-regulated goods, products, and services necessary for the delivery of care and treatment at medical, dental, or veterinary teaching facilities utilized by the University of Illinois or Southern Illinois University.

3. (Blank). Contracts for programming and broadcast license rights for university-operated radio and television stations.

4. Procurements required for fulfillment of a grant.

Upon the written request of a public institution of higher education, the Chief Procurement Officer may waive registration, certification, and hearing requirements of this Code if, based on the item to be procured or the terms of a grant, compliance is impractical. The public institution of higher education shall provide the Chief Procurement Officer with specific reasons for the waiver, including the necessity of contracting with a particular potential contractor/vendor, and shall certify that an effort was made in good faith to comply with the provisions of this Code. The Chief Procurement Officer shall provide written justification for any waivers. By November 1 of each year, the Chief Procurement Officer shall file a report with the General Assembly identifying each contract approved with waivers and providing the justification given for any waivers for each of those contracts. Notice of each waiver made under this subsection shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice.

(d) Notwithstanding this Section, a waiver of the registration requirements of Section 20-160 does not permit a business entity and any affiliated entities or affiliated persons to make campaign contributions if otherwise prohibited by Section 50-37. The total amount of contracts awarded in accordance with this Section shall be included in determining the aggregate amount of contracts or pending bids of a business entity and any affiliated entities or affiliated persons.

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(e) Notwithstanding subsection (e) of Section 50-10.5 of this Code, the Chief Procurement Officer, with the approval of the Executive Ethics Commission, may permit a public institution of higher education to accept a bid or enter into a contract with a business that assisted the public institution of higher education in determining whether there is a need for a contract or assisted in reviewing, drafting, or preparing documents related to a bid or contract, provided that the bid or contract is essential to research administered by the public institution of higher education and it is in the best interest of the public institution of higher education to accept the bid or contract. For purposes of this subsection, "business" includes all individuals with whom a business is affiliated, including, but not limited to, any officer, agent, employee, consultant, independent contractor, director, partner, manager, or shareholder of a business. The Executive Ethics Commission may promulgate rules and regulations for the implementation and administration of the provisions of this subsection (e).

(f) As used in this Section:
"Grant" means non-appropriated funding provided by a federal or private entity to support a project or program administered by a public institution of higher education and any non-appropriated funding provided to a sub-recipient of the grant.
"Public institution of higher education" means Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Southern Illinois University, University of Illinois, Western Illinois University, and, for purposes of this Code only, the Illinois Mathematics and Science Academy.

(g) This Section is repealed on December 31, 2016.
(Source: P.A. 97-643, eff. 12-20-11; 97-895, eff. 8-3-12.)

(30 ILCS 500/1-15.01 new)
Sec. 1-15.01. Bid. "Bid" means the response submitted by a bidder in a competitive sealed bidding process, to an invitation for bid, or to a multi-step sealed bidding process.

(30 ILCS 500/1-15.02 new)

(30 ILCS 500/1-15.12 new)
Sec. 1-15.12. Change order. "Change order" means a change in a contract term, other than as specifically provided for in the contract, which

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authorizes or necessitates any increase or decrease in the cost of the contract or the time for completion for procurements subject to the jurisdiction of the chief procurement officers appointed pursuant to Section 10-20.

(30 ILCS 500/1-15.13 new)

Sec. 1-15.13. Chief Procurement Office. "Chief Procurement Office" means the offices to which the chief procurement officers are appointed pursuant to Section 10-20.

(30 ILCS 500/1-15.17 new)


(30 ILCS 500/1-15.30)

Sec. 1-15.30. Contract. "Contract" means all types of State agreements, including change orders and renewals, regardless of what they may be called, for the procurement, use, or disposal of supplies, services, professional or artistic services, or construction or for leases of real property where the State is the lessor or lessee, or capital improvements, and including renewals, master contracts, contracts for financing through use of installment or lease-purchase arrangements, renegotiated contracts, amendments to contracts, and change orders.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795).)

(30 ILCS 500/1-15.50)

Sec. 1-15.50. Negotiation. "Negotiation" means the process of selecting a contractor other than by competitive sealed bids, multi-step sealed bidding, or competitive sealed proposals, whereby a purchasing agency can establish any and all terms and conditions of a procurement contract by discussion with one or more potential contractors.

(Source: P.A. 90-572, eff. 2-6-98.)

(30 ILCS 500/1-15.51 new)

Sec. 1-15.51. Offer. "Offer" means a response submitted by an offeror in a competitive sealed proposal process or to a request for proposal.

(30 ILCS 500/1-15.52 new)

Sec. 1-15.52. Offeror. "Offeror" means any person who submits a proposal in response to a competitive sealed proposal process or a request for proposals.

(30 ILCS 500/1-15.80)

Sec. 1-15.80. Responsible bidder, potential contractor, or offeror. "Responsible bidder, potential contractor, or offeror" means a person who has the capability in all respects to perform fully the contract requirements.

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and the integrity and reliability that will assure good faith performance. A responsible bidder or offeror shall not include a business or other entity that does not exist as a legal entity at the time a bid or offer or proposal is submitted for a State contract.
(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795).)

(30 ILCS 500/1-15.86 new)

Sec. 1-15.86. Responsive offeror. "Responsive offeror" means a person who has submitted an offer that conforms in all material respects to the request for proposals.
(30 ILCS 500/1-15.107)

Sec. 1-15.107. Subcontract. "Subcontract" means a contract between a person and a person who has a contract subject to this Code, pursuant to which the subcontractor provides to the contractor, or, if the contract price exceeds $50,000, another subcontractor, some or all of the goods, services, real property, remuneration, or other monetary forms of consideration that are the subject of the primary contract and includes, among other things, subleases from a lessee of a State agency. For purposes of this Code, a "subcontract" does not include purchases of goods or supplies that are incidental to the performance of a contract by a person who has a contract subject to this Code.
(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of P.A. 96-795); 97-895, eff. 8-3-12.)

(30 ILCS 500/1-15.108)

Sec. 1-15.108. Subcontractor. "Subcontractor" means a person or entity that enters into a contractual agreement with a total value of $50,000 or more with a person or entity who has a contract subject to this Code pursuant to which the person or entity provides some or all of the goods, services, real property, remuneration, or other monetary forms of consideration that are the subject of the primary State contract, including subleases from a lessee of a State contract. For purposes of this Code, a person or entity is not a "subcontractor" if that person only provides goods or supplies that are incidental to the performance of a contract by a person who has a contract subject to this Code.
(Source: P.A. 96-920, eff. 7-1-10; 97-895, eff. 8-3-12.)

(30 ILCS 500/1-15.110)

Sec. 1-15.110. Supplies. "Supplies" means all personal property, including but not limited to equipment, materials, printing, and insurance,
and the financing of those supplies that can be procured regularly or are available on the commercial market. (Source: P.A. 90-572, eff. 2-6-98.)

(30 ILCS 500/1-15.111 new)

Sec. 1-15.111. Supplier. "Supplier" means any person or entity providing supplies, including, but not limited to, equipment, materials, printing, and insurance, and the financing of those supplies that can be procured regularly or are available on the commercial market.

(30 ILCS 500/5-5)

Sec. 5-5. Procurement Policy Board.

(a) Creation. There is created a Procurement Policy Board, an agency of the State of Illinois.

(b) Authority and duties. The Board shall have the authority and responsibility to review, comment upon, and recommend, consistent with this Code, rules and practices governing the procurement, management, control, and disposal of supplies, services, professional or artistic services, construction, and real property and capital improvement leases procured by the State. The Board shall also have the authority to recommend a program for professional development and provide opportunities for training in procurement practices and policies to chief procurement officers and their staffs in order to ensure that all procurement is conducted in an efficient, professional, and appropriately transparent manner.

Upon a three-fifths vote of its members, the Board may review a contract. Upon a three-fifths vote of its members, the Board may propose procurement rules for consideration by chief procurement officers. These proposals shall be published in each volume of the Procurement Bulletin. Except as otherwise provided by law, the Board shall act upon the vote of a majority of its members who have been appointed and are serving.

(b-5) Reviews, studies, and hearings. The Board may review, study, and hold public hearings concerning the implementation and administration of this Code. Each chief procurement officer, State purchasing officer, procurement compliance monitor, and State agency shall cooperate with the Board, provide information to the Board, and be responsive to the Board in the Board's conduct of its reviews, studies, and hearings.

(c) Members. The Board shall consist of 5 members appointed one each by the 4 legislative leaders and the Governor. Each member shall have demonstrated sufficient business or professional experience in the area of procurement to perform the functions of the Board. No member may be a member of the General Assembly.

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(d) Terms. Of the initial appointees, the Governor shall designate one member, as Chairman, to serve a one-year term, the President of the Senate and the Speaker of the House shall each appoint one member to serve 3-year terms, and the Minority Leader of the House and the Minority Leader of the Senate shall each appoint one member to serve 2-year terms. Subsequent terms shall be 4 years. Members may be reappointed for succeeding terms.

(e) Reimbursement. Members shall receive no compensation but shall be reimbursed for any expenses reasonably incurred in the performance of their duties.

(f) Staff support. Upon a three-fifths vote of its members, the Board may employ an executive director. Subject to appropriation, the Board also may employ a reasonable and necessary number of staff persons.

(g) Meetings. Meetings of the Board may be conducted telephonically, electronically, or through the use of other telecommunications. Written minutes of such meetings shall be created and available for public inspection and copying.

(h) Procurement recommendations. Upon a three-fifths vote of its members, the Board may review a proposal, bid, or contract and issue a recommendation to void a contract or reject a proposal or bid based on any violation of this Code or the existence of a conflict of interest as described in subsections (b) and (d) of Section 50-35. A chief procurement officer or State purchasing officer shall notify the Board if an alleged conflict of interest or violation of the Code is identified, discovered, or reasonably suspected to exist. Any person or entity may notify the Board of an alleged conflict of interest or violation of the Code. A recommendation of the Board shall be delivered to the appropriate chief procurement officer and Executive Ethics Commission within 7 calendar days and must be published in the next volume of the Procurement Bulletin. In the event that an alleged conflict of interest or violation of the Code that was not originally disclosed with the bid, offer, or proposal is identified and filed with the Board, the Board shall provide written notice of the alleged conflict of interest or violation to the bidder, offeror, potential contractor, contractor, or subcontractor on that contract. If the alleged conflict of interest or violation is by the subcontractor, written notice shall also be provided to the bidder, offeror, potential contractor, or contractor. The bidder, offeror, potential contractor, contractor, or subcontractor shall have 15 calendar days to provide a written response to the notice, and a hearing before the Board on the alleged conflict of interest or violation shall be held upon request by the bidder, offeror, potential contractor, or contractor. The requested hearing date

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and time shall be determined by the Board, but in no event shall the hearing occur later than 15 calendar days after the date of the request.

(i) After providing notice and a hearing as required by subsection (h), the Board shall refer any alleged violations of this Code to the Executive Inspector General in addition to or instead of issuing a recommendation to void a contract.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-895, eff. 8-3-12.)

(30 ILCS 500/5-25)
Sec. 5-25. Rulemaking authority; agency policy; agency response.

(a) Rulemaking. A chief procurement officer authorized to make procurements under this Code shall have the authority to promulgate rules to carry out that authority. The rulemaking on specific procurement topics is mentioned in specific Sections of this Code shall not be construed as prohibiting or limiting rulemaking on other procurement topics.

All rules shall be promulgated in accordance with the Illinois Administrative Procedure Act. Contractual provisions, specifications, and procurement descriptions are not rules and are not subject to the Illinois Administrative Procedure Act. All rules other than those promulgated by the Board shall be presented in writing to the Board and the Executive Procurement Officer for review and comment. The Board and the Executive Procurement Officer shall express their opinions and recommendations in writing. The proposed rules and recommendations shall be made available for public review. The rules shall also be approved by the Joint Committee on Administrative Rules.

(b) Policy. Each chief procurement officer shall promptly notify the Procurement Policy Board in writing of any proposed new procurement rule or policy or any proposed change in an existing procurement rule or policy.

(c) Response. Each State agency must respond promptly in writing to all inquiries and comments of the Procurement Policy Board or Executive Procurement Officer.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795).)

(30 ILCS 500/5-30)
Sec. 5-30. Proposed contracts; Procurement Policy Board.

(a) Except as provided in subsection (c), within 30 calendar days after notice of the awarding or letting of a contract has appeared in the Procurement Bulletin in accordance with subsection (b) of Section 15-25, the Board may request in writing from the contracting agency and the contracting

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agency shall promptly, but in no event later than 7 calendar days after receipt of the request, provide to the Board, by electronic or other means satisfactory to the Board, documentation in the possession of the contracting agency concerning the proposed contract. Nothing in this subsection is intended to waive or abrogate any privilege or right of confidentiality authorized by law.

(b) No contract subject to this Section may be entered into until the 30-day period described in subsection (a) has expired, unless the contracting agency requests in writing that the Board waive the period and the Board grants the waiver in writing.

(c) This Section does not apply to (i) contracts entered into under this Code for small and emergency procurements as those procurements are defined in Article 20 and (ii) contracts for professional and artistic services that are nonrenewable, one year or less in duration, and have a value of less than $20,000. If requested in writing by the Board, however, the contracting agency must promptly, but in no event later than 10 calendar days after receipt of the request, transmit to the Board a copy of the contract for an emergency procurement and documentation in the possession of the contracting agency concerning the contract.

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 500/10-20)
Sec. 10-20. Independent chief procurement officers.
(a) Appointment. Within 60 calendar days after the effective date of this amendatory Act of the 96th General Assembly, the Executive Ethics Commission, with the advice and consent of the Senate shall appoint or approve 4 chief procurement officers, one for each of the following categories:

(1) for procurements for construction and construction-related services committed by law to the jurisdiction or responsibility of the Capital Development Board;

(2) for procurements for all construction, construction-related services, operation of any facility, and the provision of any service or activity committed by law to the jurisdiction or responsibility of the Illinois Department of Transportation, including the direct or reimbursable expenditure of all federal funds for which the Department of Transportation is responsible or accountable for the use thereof in accordance with federal law, regulation, or procedure, the chief procurement officer recommended for approval under this

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item appointed by the Secretary of Transportation after consent by the Executive Ethics Commission;

(3) for all procurements made by a public institution of higher education; and

(4) for all other procurement needs of State agencies.

A chief procurement officer shall be responsible to the Executive Ethics Commission but must be located within the agency that the officer provides with procurement services. The chief procurement officer for higher education shall have an office located within the Board of Higher Education, unless otherwise designated by the Executive Ethics Commission. The chief procurement officer for all other procurement needs of the State shall have an office located within the Department of Central Management Services, unless otherwise designated by the Executive Ethics Commission.

(b) Terms and independence. Each chief procurement officer appointed under this Section shall serve for a term of 5 years beginning on the date of the officer's appointment. The chief procurement officer may be removed for cause after a hearing by the Executive Ethics Commission. The Governor or the director of a State agency directly responsible to the Governor may institute a complaint against the officer by filing such complaint with the Commission. The Commission shall have a hearing based on the complaint. The officer and the complainant shall receive reasonable notice of the hearing and shall be permitted to present their respective arguments on the complaint. After the hearing, the Commission shall make a finding on the complaint and may take disciplinary action, including but not limited to removal of the officer.

The salary of a chief procurement officer shall be established by the Executive Ethics Commission and may not be diminished during the officer's term. The salary may not exceed the salary of the director of a State agency for which the officer serves as chief procurement officer.

(c) Qualifications. In addition to any other requirement or qualification required by State law, each chief procurement officer must within 12 months of employment be a Certified Professional Public Buyer or a Certified Public Purchasing Officer, pursuant to certification by the Universal Public Purchasing Certification Council, and must reside in Illinois.

(d) Fiduciary duty. Each chief procurement officer owes a fiduciary duty to the State.

(e) Vacancy. In case of a vacancy in one or more of the offices of a chief procurement officer under this Section during the recess of the Senate,
the Executive Ethics Commission shall make a temporary appointment until
the next meeting of the Senate, when the Executive Ethics Commission shall
nominate some person to fill the office, and any person so nominated who is
confirmed by the Senate shall hold office during the remainder of the term
and until his or her successor is appointed and qualified. If the Senate is not
in session at the time this amendatory Act of the 96th General Assembly
takes effect, the Executive Ethics Commission shall make a temporary
appointment as in the case of a vacancy.

(f) (Blank). Acting chief procurement officers. Prior to August 31,
2010, the Executive Ethics Commission may, until an initial chief
procurement officer is appointed and qualified, designate some person as an
acting chief procurement officer to execute the powers and discharge the
duties vested by law in that chief procurement officer. An acting chief
procurement officer shall serve no later than the appointment of the initial
chief procurement officer pursuant to subsection (a) of this Section. Nothing
in this subsection shall prohibit the Executive Ethics Commission from
appointing an acting chief procurement officer as a chief procurement officer.

(g) (Blank). Transition schedule. Notwithstanding any other provision
of this Act or this amendatory Act of the 96th General Assembly, the chief
procurement officers on the effective date of Public Act 96-793 shall
continue to serve as chief procurement officers until August 31, 2010 and
shall retain their powers and duties pertaining to procurements, provided the
chief procurement officer appointed or approved by the Executive Ethics
Commission shall approve any rules promulgated to implement this Code or
the provisions of this amendatory Act of the 96th General Assembly. The
chief procurement officers appointed or approved by the Executive Ethics
Commission shall assume the position of chief procurement officer upon
appointment and work in collaboration with the current chief procurement
officer and staff. On September 1, 2010, the chief procurement officers
appointed by the Executive Ethics Commission shall assume the powers and
duties of the chief procurement officers.

(30 ILCS 500/15-20)

Sec. 15-20. Qualified bidders or offerors. Subscription to the Illinois
Procurement Bulletin shall not be required to qualify as a bidder or offeror
under this Code.

(30 ILCS 500/15-25)

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(a) Invitations for bids. Notice of each and every contract that is offered, including renegotiated contracts and change orders, shall be published in the Bulletin. All businesses listed on the Department of Transportation Disadvantaged Business Enterprise Directory, the Department of Central Management Services Business Enterprise Program, and the Chief Procurement Office's Small Business Vendors Directory, and the Capital Development Board's Directory of Certified Minority and Female Business Enterprises shall be furnished written instructions and information on how to register on each Procurement Bulletin maintained by the State. Such information shall be provided to each business within 30 calendar days after the business' notice of certification. The applicable chief procurement officer may provide by rule an organized format for the publication of this information, but in any case it must include at least the date first offered, the date submission of offers is due, the location that offers are to be submitted to, the purchasing State agency, the responsible State purchasing officer, a brief purchase description, the method of source selection, information of how to obtain a comprehensive purchase description and any disclosure and contract forms, and encouragement to potential contractors to hire qualified veterans, as defined by Section 45-67 of this Code, and qualified Illinois minorities, women, persons with disabilities, and residents discharged from any Illinois adult correctional center.

(b) Contracts let. Notice of each and every contract that is let, including renegotiated contracts and change orders, shall be issued electronically to those bidders or offerors submitting responses to the solicitations, inclusive of the unsuccessful bidders, immediately upon contract let. Failure of any chief procurement officer to give such notice shall result in tolling the time for filing a bid protest up to 7 calendar days.

For purposes of this subsection (b), "contracts let" means a construction agency's act of advertising an invitation for bids for one or more construction projects. The apparent low bidder's award and all other bids from bidders responding to solicitations shall be posted on the agency's website the next business day.

(b-5) Contracts awarded. Notice of each and every contract that is awarded, including renegotiated contracts and change orders, shall be issued electronically to the successful responsible bidder, or offeror, or contractor posted on the agency's website the next business day, and published in the next available subsequent Bulletin. The applicable chief procurement officer

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may provide by rule an organized format for the publication of this information, but in any case it must include at least all of the information specified in subsection (a) as well as the name of the successful responsible bidder, or offeror, the contract price, the number of unsuccessful responsive bidders or offerors; and any other disclosure specified in any Section of this Code. This notice must be posted in the online electronic Bulletin prior to execution of the contract.

For purposes of this subsection (b-5), "contract award" means the determination that a particular bidder or offeror has been selected from among other bidders or offerors to receive a contract, subject to the successful completion of final negotiations. "Contract award" is evidenced by the posting of a Notice of Award or a Notice of Intent to Award to the respective volume of the Illinois Procurement Bulletin.

(c) Emergency purchase disclosure. Any chief procurement officer or State purchasing officer exercising emergency purchase authority under this Code shall publish a written description and reasons and the total cost, if known, or an estimate if unknown and the name of the responsible chief procurement officer and State purchasing officer, and the business or person contracted with for all emergency purchases in the next timely, practicable Bulletin. This notice must be posted in the online electronic Bulletin no later than 5 calendar 3 business days after the contract is awarded. Notice of a hearing to extend an emergency contract must be posted in the online electronic Procurement Bulletin no later than 14 calendar 5 business days prior to the hearing.

(c-5) Business Enterprise Program report. Each purchasing agency shall, with the assistance of the applicable chief procurement officer, post in the online electronic Bulletin a copy of its annual report of utilization of businesses owned by minorities, females, and persons with disabilities as submitted to the Business Enterprise Council for Minorities, Females, and Persons with Disabilities pursuant to Section 6(c) of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act within 10 calendar business days after its submission of its report to the Council.

(c-10) Renewals. Notice of each contract renewal shall be posted in the online electronic Bulletin within 14 calendar +0 business days of the determination to renew the contract and the next available subsequent Bulletin. The notice shall include at least all of the information required in subsection (b).

(c-15) Sole source procurements. Before entering into a sole source contract, a chief procurement officer exercising sole source procurement
authority under this Code shall publish a written description of intent to enter
into a sole source contract along with a description of the item to be procured
and the intended sole source contractor. This notice must be posted in the
online electronic Procurement Bulletin before a sole source contract is
awarded and at least 14 calendar days before the hearing required by Section
20-25.

(d) Other required disclosure. The applicable chief procurement
officer shall provide by rule for the organized publication of all other
disclosure required in other Sections of this Code in a timely manner.

(e) The changes to subsections (b), (c), (c-5), (c-10), and (c-15) of this
Section made by this amendatory Act of the 96th General Assembly apply to
reports submitted, offers made, and notices on contracts executed on or after
its effective date.

(f) Each chief procurement officer shall, in consultation with the
agencies under his or her jurisdiction, provide the Procurement Policy Board
with the information and resources necessary, and in a manner, to effectuate
the purpose of this amendatory Act of the 96th General Assembly.
(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the
effective date of changes made by P.A. 96-795); 96-1444, eff. 8-20-10; 97-
895, eff. 8-3-12.)

(30 ILCS 500/15-30)

(a) The Procurement Policy Board shall maintain on its official
website a searchable database containing all information required to be
included in the Illinois Procurement Bulletin under subsections (b), (c), (c-
10), and (c-15) of Section 15-25 and all information required to be disclosed
under Section 50-41. The posting of procurement information on the website
is subject to the same posting requirements as the online electronic Bulletin.

(b) For the purposes of this Section, searchable means searchable and
sortable by successful responsible bidder, or offeror, potential contractor, or
contractor, for emergency purchases, business or person contracted with; the
contract price or total cost; the service or good; the purchasing State agency;
and the date first offered or announced.

(c) The applicable chief procurement officer shall provide the
Procurement Policy Board the information and resources necessary, and in
a manner, to effectuate the purpose of this Section.
(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the
effective date of changes made by P.A. 96-795); 97-895, eff. 8-3-12.)

(30 ILCS 500/15-35)

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Sec. 15-35. Vendor portal. Each chief procurement officer may, in consultation with the agencies under his or her jurisdiction and the Procurement Policy Board, establish a vendor portal. The vendor portal shall allow a potential prospective vendor to provide certifications, disclosures, registrations, and other documentation needed to do business with a State agency in advance of any particular procurement. A potential prospective vendor who registers with the vendor portal and provides this information may submit its registration number, with a confirmation that the portal information remains current, as part of its response to a competitive selection or a contracting process, rather than submit the same information in full. One or more chief procurement officers may jointly operate a vendor portal if a single portal would better serve the needs of the State agencies and the vendor community. A chief procurement officer may accept, for use on procurements and contracts under his or her jurisdiction, the registration from another chief procurement officer's vendor portal. This Section applies notwithstanding any laws to the contrary except for later enacted laws that specifically refer to this Section.

Nothing in this Section shall preclude a State agency from implementing its own pre-qualification, certification, disclosure, and registration requirements necessary to conduct and manage its program operation.

This Section does not apply to any contract for any project as to which federal funds are available for expenditure when its provisions may be in conflict with federal law or federal regulation.

(Source: P.A. 97-895, eff. 8-3-12.)

(30 ILCS 500/15-40 new)

Sec. 15-40. Method of notices and reports. Notices and reports required by any Section of this Code may be made by either paper or electronic means.

(30 ILCS 500/15-45 new)

Sec. 15-45. Computation of days. The time within which any act provided in this Code is to be done shall be computed by excluding the first day and including the last, unless the last day is Saturday or Sunday or is a holiday, and then it shall also be excluded. If the day succeeding a Saturday, Sunday, or holiday is also a holiday, a Saturday, or a Sunday, then that succeeding day shall also be excluded. For the purposes of this Code, "holiday" means: New Year's Day; Dr. Martin Luther King, Jr.'s Birthday; Lincoln's Birthday; President's Day; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans' Day; Thanksgiving Day; Christmas.
Day; and any other day from time to time declared by the President of the United States or the Governor of Illinois to be a day during which the agencies of the State of Illinois that are ordinarily open to do business with the public shall be closed for business.

(30 ILCS 500/20-5)
Sec. 20-5. Method of source selection. Unless otherwise authorized by law, all State contracts shall be awarded by competitive sealed bidding, in accordance with Section 20-10, except as provided in Sections 20-15, 20-20, 20-25, 20-30, 20-35, 30-15, and 40-20. The chief procurement officers appointed pursuant to Section 10-20 may determine the method of solicitation and contract for all procurements pursuant to this Code.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)
(30 ILCS 500/20-10)
(Text of Section from P.A. 96-159, 96-588, 97-96, and 97-895)
Sec. 20-10. Competitive sealed bidding; reverse auction.
(a) Conditions for use. All contracts shall be awarded by competitive sealed bidding except as otherwise provided in Section 20-5.
(b) Invitation for bids. An invitation for bids shall be issued and shall include a purchase description and the material contractual terms and conditions applicable to the procurement.
(c) Public notice. Public notice of the invitation for bids shall be published in the Illinois Procurement Bulletin at least 14 calendar days before the date set in the invitation for the opening of bids.
(d) Bid opening. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The name of each bidder, the amount of each bid, and other relevant information as may be specified by rule shall be recorded. After the award of the contract, the winning bid and the record of each unsuccessful bid shall be open to public inspection.
(e) Bid acceptance and bid evaluation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Code. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award, such as discounts, transportation costs, and total or life cycle costs, shall be objectively measurable. The invitation for bids shall set forth the evaluation criteria to be used.

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(f) Correction or withdrawal of bids. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards of contracts based on bid mistakes, shall be permitted in accordance with rules. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the State or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids based on bid mistakes shall be supported by written determination made by a State purchasing officer.

(g) Award. The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids, except when a State purchasing officer determines it is not in the best interest of the State and by written explanation determines another bidder shall receive the award. The explanation shall appear in the appropriate volume of the Illinois Procurement Bulletin. The written explanation must include:

1. a description of the agency's needs;
2. a determination that the anticipated cost will be fair and reasonable;
3. a listing of all responsible and responsive bidders; and
4. the name of the bidder selected, the total contract price, and the reasons for selecting that bidder.

Each chief procurement officer may adopt guidelines to implement the requirements of this subsection (g).

The written explanation shall be filed with the Legislative Audit Commission and the Procurement Policy Board, and be made available for inspection by the public, within 30 calendar days after the agency's decision to award the contract.

(h) Multi-step sealed bidding. When it is considered impracticable to initially prepare a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

(i) Alternative procedures. Notwithstanding any other provision of this Act to the contrary, the Director of the Illinois Power Agency may create alternative bidding procedures to be used in procuring professional services under subsection (a) of Section 1-75 and subsection (d) of Section 1-78 of the Illinois Power Agency Act and Section 16-111.5(c) of the Public Utilities Act and to procure renewable energy resources under Section 1-56 of the Illinois Power Agency Act. These alternative procedures shall be set forth together

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with the other criteria contained in the invitation for bids, and shall appear in
the appropriate volume of the Illinois Procurement Bulletin.

   (j) Reverse auction. Notwithstanding any other provision of this
Section and in accordance with rules adopted by the chief procurement
officer, that chief procurement officer may procure supplies or services
through a competitive electronic auction bidding process after the chief
procurement officer determines that the use of such a process will be in the
best interest of the State. The chief procurement officer shall publish that
determination in his or her next volume of the Illinois Procurement Bulletin.

   An invitation for bids shall be issued and shall include (i) a
procurement description, (ii) all contractual terms, whenever practical, and
(iii) conditions applicable to the procurement, including a notice that bids
will be received in an electronic auction manner.

   Public notice of the invitation for bids shall be given in the same
manner as provided in subsection (c).

   Bids shall be accepted electronically at the time and in the manner
designated in the invitation for bids. During the auction, a bidder's price shall
be disclosed to other bidders. Bidders shall have the opportunity to reduce
their bid prices during the auction. At the conclusion of the auction, the
record of the bid prices received and the name of each bidder shall be open
to public inspection.

   After the auction period has terminated, withdrawal of bids shall be
permitted as provided in subsection (f).

   The contract shall be awarded within 60 calendar days after the
auction by written notice to the lowest responsible bidder, or all bids shall be
rejected except as otherwise provided in this Code. Extensions of the date for
the award may be made by mutual written consent of the State purchasing
officer and the lowest responsible bidder.

   This subsection does not apply to (i) procurements of professional and
artistic services, (ii) telecommunications services, communication services,
and information services, and (iii) contracts for construction projects,
including design professional services.

(Source: P.A. 96-159, eff. 8-10-09; 96-588, eff. 8-18-09; 97-96, eff. 7-13-11;
97-895, eff. 8-3-12.)

(Text of Section from P.A. 96-159, 96-795, 97-96, and 97-895)
Sec. 20-10. Competitive sealed bidding; reverse auction.
   (a) Conditions for use. All contracts shall be awarded by competitive
sealed bidding except as otherwise provided in Section 20-5.
(b) Invitation for bids. An invitation for bids shall be issued and shall include a purchase description and the material contractual terms and conditions applicable to the procurement.

(c) Public notice. Public notice of the invitation for bids shall be published in the Illinois Procurement Bulletin at least 14 calendar days before the date set in the invitation for the opening of bids.

(d) Bid opening. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The name of each bidder, the amount of each bid, and other relevant information as may be specified by rule shall be recorded. After the award of the contract, the winning bid and the record of each unsuccessful bid shall be open to public inspection.

(e) Bid acceptance and bid evaluation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Code. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award, such as discounts, transportation costs, and total or life cycle costs, shall be objectively measurable. The invitation for bids shall set forth the evaluation criteria to be used.

(f) Correction or withdrawal of bids. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards of contracts based on bid mistakes, shall be permitted in accordance with rules. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the State or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids based on bid mistakes shall be supported by written determination made by a State purchasing officer.

(g) Award. The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids, except when a State purchasing officer determines it is not in the best interest of the State and by written explanation determines another bidder shall receive the award. The explanation shall appear in the appropriate volume of the Illinois Procurement Bulletin. The written explanation must include:

(1) a description of the agency's needs;
(2) a determination that the anticipated cost will be fair and reasonable;

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(3) a listing of all responsible and responsive bidders; and
(4) the name of the bidder selected, the total contract price, and the reasons for selecting that bidder.

Each chief procurement officer may adopt guidelines to implement the requirements of this subsection (g).

The written explanation shall be filed with the Legislative Audit Commission and the Procurement Policy Board, and be made available for inspection by the public, within 30 days after the agency's decision to award the contract.

(h) Multi-step sealed bidding. When it is considered impracticable to initially prepare a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

(i) Alternative procedures. Notwithstanding any other provision of this Act to the contrary, the Director of the Illinois Power Agency may create alternative bidding procedures to be used in procuring professional services under subsection (a) of Section 1-75 and subsection (d) of Section 1-78 of the Illinois Power Agency Act and Section 16-111.5(c) of the Public Utilities Act and to procure renewable energy resources under Section 1-56 of the Illinois Power Agency Act. These alternative procedures shall be set forth together with the other criteria contained in the invitation for bids, and shall appear in the appropriate volume of the Illinois Procurement Bulletin.

(j) Reverse auction. Notwithstanding any other provision of this Section and in accordance with rules adopted by the chief procurement officer, that chief procurement officer may procure supplies or services through a competitive electronic auction bidding process after the chief procurement officer determines that the use of such a process will be in the best interest of the State. The chief procurement officer shall publish that determination in his or her next volume of the Illinois Procurement Bulletin.

An invitation for bids shall be issued and shall include (i) a procurement description, (ii) all contractual terms, whenever practical, and (iii) conditions applicable to the procurement, including a notice that bids will be received in an electronic auction manner.

Public notice of the invitation for bids shall be given in the same manner as provided in subsection (c).

Bids shall be accepted electronically at the time and in the manner designated in the invitation for bids. During the auction, a bidder's price shall be disclosed to other bidders. Bidders shall have the opportunity to reduce
their bid prices during the auction. At the conclusion of the auction, the record of the bid prices received and the name of each bidder shall be open to public inspection.

After the auction period has terminated, withdrawal of bids shall be permitted as provided in subsection (f).

The contract shall be awarded within 60 calendar days after the auction by written notice to the lowest responsible bidder, or all bids shall be rejected except as otherwise provided in this Code. Extensions of the date for the award may be made by mutual written consent of the State purchasing officer and the lowest responsible bidder.

This subsection does not apply to (i) procurements of professional and artistic services, (ii) telecommunications services, communication services, and information services, and (iii) contracts for construction projects, including design professional services.

(Source: P.A. 96-159, eff. 8-10-09; 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-96, eff. 7-13-11; 97-895, eff. 8-3-12.)

(30 ILCS 500/20-15)
Sec. 20-15. Competitive sealed proposals.
(a) Conditions for use. When provided under this Code or under rules, or when the purchasing agency determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the State, a contract may be entered into by competitive sealed proposals.

(b) Request for proposals. Proposals shall be solicited through a request for proposals.

(c) Public notice. Public notice of the request for proposals shall be published in the Illinois Procurement Bulletin at least 14 calendar days before the date set in the invitation for the opening of proposals.

(d) Receipt of proposals. Proposals shall be opened publicly in the presence of one or more witnesses at the time and place designated in the request for proposals, but proposals shall be opened in a manner to avoid disclosure of contents to competing offerors during the process of negotiation. A record of proposals shall be prepared and shall be open for public inspection after contract award.

(e) Evaluation factors. The requests for proposals shall state the relative importance of price and other evaluation factors. Proposals shall be submitted in 2 parts: the first, covering items except price; and the second, covering price. The first part of all proposals shall be evaluated and ranked independently of the second part of all proposals.
(f) Discussion with responsible offerors and revisions of offers or proposals. As provided in the request for proposals and under rules, discussions may be conducted with responsible offerors who submit offers or proposals determined to be reasonably susceptible of being selected for award for the purpose of clarifying and assuring full understanding of and responsiveness to the solicitation requirements. Those offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Revisions may be permitted after submission and before award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of any information derived from proposals submitted by competing offerors. If information is disclosed to any offeror, it shall be provided to all competing offerors.

(g) Award. Awards shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the State, taking into consideration price and the evaluation factors set forth in the request for proposals. The contract file shall contain the basis on which the award is made.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/20-25)

Sec. 20-25. Sole source procurements.

(a) In accordance with standards set by rule, contracts may be awarded without use of the specified method of source selection when there is only one economically feasible source for the item. A State contract may be awarded as a sole source procurement unless an interested party submits a written request for a public hearing at which the chief procurement officer and purchasing agency present written justification for the procurement method. Any interested party may present testimony. A sole source contract where a hearing was requested by an interested party may be awarded after the hearing is conducted with the approval of the chief procurement officer.

(b) This Section may not be used as a basis for amending a contract for professional or artistic services if the amendment would result in an increase in the amount paid under the contract of more than 5% of the initial award, or would extend the contract term beyond the time reasonably needed for a competitive procurement, not to exceed 2 months.

(c) Notice of intent to enter into a sole source contract shall be provided to the Procurement Policy Board and published in the online electronic Bulletin at least 14 calendar days before the public hearing required in subsection (a). The notice shall include the sole source

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procurement justification form prescribed by the Board, a description of the item to be procured, the intended sole source contractor, and the date, time, and location of the public hearing. A copy of the notice and all documents provided at the hearing shall be included in the subsequent Procurement Bulletin.

(d) By August 1 each year, each chief procurement officer shall file a report with the General Assembly identifying each contract the officer sought under the sole source procurement method and providing the justification given for seeking sole source as the procurement method for each of those contracts.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 96-920, eff. 7-1-10; 97-895, eff. 8-3-12.)

(30 ILCS 500/20-30)
Sec. 20-30. Emergency purchases.

(a) Conditions for use. In accordance with standards set by rule, a purchasing agency may make emergency procurements without competitive sealed bidding or prior notice when there exists a threat to public health or public safety, or when immediate expenditure is necessary for repairs to State property in order to protect against further loss of or damage to State property, to prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues, or to ensure the integrity of State records; provided, however, that the term of the emergency purchase shall be limited to the time reasonably needed for a competitive procurement, not to exceed 90 calendar days. A contract may be extended beyond 90 calendar days if the chief procurement officer determines additional time is necessary and that the contract scope and duration are limited to the emergency. Prior to execution of the extension, the chief procurement officer must hold a public hearing and provide written justification for all emergency contracts. Members of the public may present testimony. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written description of the basis for the emergency and reasons for the selection of the particular contractor shall be included in the contract file.

(b) Notice. Notice of all emergency procurements shall be provided to the Procurement Policy Board and published in the online electronic Bulletin no later than 5 calendar business days after the contract is awarded. Notice of intent to extend an emergency contract shall be provided to the Procurement Policy Board and published in the online electronic

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Bulletin at least 14 calendar days before the public hearing. Notice shall include at least a description of the need for the emergency purchase, the contractor, and if applicable, the date, time, and location of the public hearing. A copy of this notice and all documents provided at the hearing shall be included in the subsequent Procurement Bulletin. Before the next appropriate volume of the Illinois Procurement Bulletin, the purchasing agency shall publish in the Illinois Procurement Bulletin a copy of each written description and reasons and the total cost of each emergency procurement made during the previous month. When only an estimate of the total cost is known at the time of publication, the estimate shall be identified as an estimate and published. When the actual total cost is determined, it shall also be published in like manner before the 10th day of the next succeeding month.

(c) Affidavits. A chief procurement officer making a procurement under this Section shall file affidavits with the Procurement Policy Board and the Auditor General within 10 calendar days after the procurement setting forth the amount expended, the name of the contractor involved, and the conditions and circumstances requiring the emergency procurement. When only an estimate of the cost is available within 10 calendar days after the procurement, the actual cost shall be reported immediately after it is determined. At the end of each fiscal quarter, the Auditor General shall file with the Legislative Audit Commission and the Governor a complete listing of all emergency procurements reported during that fiscal quarter. The Legislative Audit Commission shall review the emergency procurements so reported and, in its annual reports, advise the General Assembly of procurements that appear to constitute an abuse of this Section.

(d) Quick purchases. The chief procurement officer may promulgate rules extending the circumstances by which a purchasing agency may make purchases under this Section, including but not limited to the procurement of items available at a discount for a limited period of time.

(e) The changes to this Section made by this amendatory Act of the 96th General Assembly apply to procurements executed on or after its effective date.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795).)

(30 ILCS 500/20-35)
Sec. 20-35. Competitive selection procedures.

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(a) Conditions for use. The services specified in Article 35 shall be procured in accordance with this Section, except as authorized under Sections 20-25 and 20-30 of this Article.

(b) Statement of qualifications. Respondents Potential contractors shall submit statements of qualifications and expressions of interest. The chief procurement officer shall specify a uniform format for statements of qualifications. Persons may amend these statements at any time by filing a new statement.

(c) Public announcement and form of request for proposals. Public notice of the need for the procurement shall be given in the form of a request for proposals and published in the Illinois Procurement Bulletin at least 14 calendar days before the date set in the request for proposals for the opening of proposals. The request for proposals shall describe the services required, list the type of information and data required of each respondent offeror, and state the relative importance of particular qualifications.

(d) Discussions. The purchasing agency may conduct discussions with any respondent offeror who has submitted a response proposal to determine the respondent offeror's qualifications for further consideration. Discussions shall not disclose any information derived from proposals submitted by other respondents offerors.

(e) Award. Award shall be made to the respondent offeror determined in writing by the purchasing agency to be best qualified based on the evaluation factors set forth in the request for proposals and negotiation of compensation determined to be fair and reasonable.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/20-40)

Sec. 20-40. Cancellation of invitations for bids or requests for proposals. An invitation for bids, a request for proposals, or any other solicitation may be cancelled without penalty, or any and all bids, offers, or proposals, or any other solicitation may be rejected in whole or in part as may be specified in the solicitation, when it is in the best interests of the State in accordance with rules. The reasons for cancellation or rejection shall be made part of the contract file.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/20-43)

Sec. 20-43. Bidder or offeror authorized to do business in Illinois. In addition to meeting any other requirement of law or rule, a person (other than an individual acting as a sole proprietor) may qualify as a bidder or offeror under this Code only if the person is a legal entity authorized to transact
business or conduct affairs in Illinois prior to submitting the bid, offer, or proposal.
(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of P.A. 96-795).)

(30 ILCS 500/20-50)

Sec. 20-50. Specifications. Specifications shall be prepared in accordance with consistent standards that are promulgated by the chief procurement officer and reviewed by the Board and the Joint Committee on Administrative Rules. Those standards shall include a prohibition against the use of brand-name only products, except for products intended for retail sale or as specified by rule. All specifications shall seek to promote overall economy for the purposes intended and encourage competition in satisfying the State's needs and shall not be unduly restrictive.

A solicitation or specification for a contract or a contract, including a contract but not limited to of a college, university, or institution under the jurisdiction of a governing board listed in Section 1-15.100, may not require, stipulate, suggest, or encourage a monetary or other financial contribution or donation, cash bonus or incentive, or economic investment, or other prohibited conduct as an explicit or implied term or condition for awarding or completing the contract. The contract, solicitation, or specification also may not include a requirement that an individual or individuals employed by such a college, university, or institution receive a consulting contract for professional services.

As used in this Section, "prohibited conduct" includes requested payments or other consideration by a third party to the university or State agency that is not part of the solicitation or that is unrelated to the subject matter or purpose of the solicitation. "Prohibited conduct" does not include a payment from the vendor that is supported by additional consideration (such as exclusive rights to sell items or rights to advertise), other than the consideration of the State's awarding a contract to purchase of goods and services.
(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795).)

(30 ILCS 500/20-80)

Sec. 20-80. Contract files.

(a) Written determinations. All written determinations required under this Article shall be placed in the contract file maintained by the chief procurement officer.

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(b) Filing with Comptroller. Whenever a grant, defined pursuant to accounting standards established by the Comptroller, or a contract liability, except for: (1) contracts paid from personal services, or (2) contracts between the State and its employees to defer compensation in accordance with Article 24 of the Illinois Pension Code, exceeding $20,000 is incurred by any State agency, a copy of the contract, purchase order, grant, or lease shall be filed with the Comptroller within 30 calendar days thereafter. Beginning January 1, 2013, the Comptroller may require that contracts and grants required to be filed with the Comptroller under this Section shall be filed electronically, unless the agency is incapable of filing the contract or grant electronically because it does not possess the necessary technology or equipment. Any agency that is incapable of electronically filing its contracts or grants shall submit a written statement to the Governor and to the Comptroller attesting to the reasons for its inability to comply. This statement shall include a discussion of what the agency needs in order to effectively comply with this Section. Prior to requiring electronic filing, the Comptroller shall consult with the Governor as to the feasibility of establishing mutually agreeable technical standards for the electronic document imaging, storage, and transfer of contracts and grants, taking into consideration the technology available to that agency, best practices, and the technological capabilities of State agencies. Nothing in this amendatory Act of the 97th General Assembly shall be construed to impede the implementation of an Enterprise Resource Planning (ERP) system. For each State contract for goods, supplies, or services awarded on or after July 1, 2010, the contracting agency shall provide the applicable rate and unit of measurement of the goods, supplies, or services on the contract obligation document as required by the Comptroller. If the contract obligation document that is submitted to the Comptroller contains the rate and unit of measurement of the goods, supplies, or services, the Comptroller shall provide that information on his or her official website. Any cancellation or modification to any such contract liability shall be filed with the Comptroller within 30 calendar days of its execution.

(c) Late filing affidavit. When a contract, purchase order, grant, or lease required to be filed by this Section has not been filed within 30 calendar days of execution, the Comptroller shall refuse to issue a warrant for payment thereunder until the agency files with the Comptroller the contract, purchase order, grant, or lease and an affidavit, signed by the chief executive officer of the agency or his or her designee, setting forth an explanation of why the contract liability was not filed within 30 calendar days of its execution.
days of execution. A copy of this affidavit shall be filed with the Auditor General.

(d) Timely execution of contracts. No voucher shall be submitted to the Comptroller for a warrant to be drawn for the payment of money from the State treasury or from other funds held by the State Treasurer on account of any contract unless the contract is reduced to writing before the services are performed and filed with the Comptroller. Vendors shall not be paid for any goods that were received or services that were rendered before the contract was reduced to writing and signed by all necessary parties. A chief procurement officer may request an exception to this subsection by submitting a written statement to the Comptroller and Treasurer setting forth the circumstances and reasons why the contract could not be reduced to writing before the supplies were received or services were performed. A waiver of this subsection must be approved by the Comptroller and Treasurer. This Section shall not apply to emergency purchases if notice of the emergency purchase is filed with the Procurement Policy Board and published in the Bulletin as required by this Code.

(e) Method of source selection. When a contract is filed with the Comptroller under this Section, the Comptroller's file shall identify the method of source selection used in obtaining the contract.

(Source: P.A. 96-794, eff. 1-1-10; 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 96-1000, eff. 7-2-10; 97-932, eff. 8-10-12.)

(30 ILCS 500/20-95)

Sec. 20-95. Donations. Nothing in this Code or in the rules promulgated under this Code shall prevent any State agency from complying with the terms and conditions of any grant, gift, or bequest that calls for the procurement of a particular good or service or the use of a particular vendor contractor, provided that the grant, gift, or bequest provides majority funding for the contract.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/20-120)

Sec. 20-120. Subcontractors.

(a) Any contract granted under this Code shall state whether the services of a subcontractor will be used. The contract shall include the names and addresses of all known subcontractors with subcontracts with an annual value of more than $50,000, the general type of work to be performed by these subcontractors, and the expected amount of money each will receive under the contract. Upon the request of the chief procurement officer

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appointed pursuant to paragraph (2) of subsection (a) of Section 10-20, the contractor shall provide the chief procurement officer a copy of a subcontract so identified within 15 calendar days after the request is made. A subcontractor, or contractor on behalf of a subcontractor, may identify information that is deemed proprietary or confidential. If the chief procurement officer determines the information is not relevant to the primary contract, the chief procurement officer may excuse the inclusion of the information. If the chief procurement officer determines the information is proprietary or could harm the business interest of the subcontractor, the chief procurement officer may, in his or her discretion, redact the information. Redacted information shall not become part of the public record.

(b) If at any time during the term of a contract, a contractor adds or changes any subcontractors, he or she shall promptly notify, in writing, the chief procurement officer, State purchasing officer, or their designee of the names and addresses of each new or replaced subcontractor and the general type of work to be performed. Upon the request of the chief procurement officer appointed pursuant to paragraph (2) of subsection (a) of Section 10-20, the contractor shall provide the chief procurement officer a copy of any new or amended subcontract so identified within 15 calendar days after the request is made.

(c) In addition to any other requirements of this Code, a subcontract subject to this Section must include all of the subcontractor's certifications required by Article 50 of the Code.

(d) This Section applies to procurements solicited on or after the effective date of this amendatory Act of the 96th General Assembly. The changes made to this Section by this amendatory Act of the 97th General Assembly apply to procurements solicited on or after the effective date of this amendatory Act of the 97th General Assembly.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of P.A. 96-795); 96-920, eff. 7-1-10; 97-895, eff. 8-3-12.)

(30 ILCS 500/20-155)

Sec. 20-155. Solicitation and contract documents.

(a) Each chief procurement officer appointed pursuant to Section 10-20 shall have the sole authority in their respective jurisdiction to develop and distribute uniform documents for the solicitation, review, and acceptance of all bids, offers, and responses and the award of contracts pursuant to this Code. If a chief procurement officer appointed pursuant to Section 10-20 exercises the authority to develop and distribute uniform documents for the
solicitation, review and acceptance of all bids, offers and responses and the award of contracts, then the State agency shall use the uniform documents.

(b) After award of a contract and subject to provisions of the Freedom of Information Act, the procuring agency shall make available for public inspection and copying all pre-award, post-award, administration, and close-out documents relating to that particular contract.

(c) A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids and proposals, all evaluation materials, score sheets and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement file shall contain a written determination, signed by the chief procurement officer or State purchasing officer, setting forth the reasoning for the contract award decision. The procurement file shall not include trade secrets or other competitively sensitive, confidential, or proprietary information. The procurement file shall be open to public inspection within 7 calendar business days following award of the contract.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-895, eff. 8-3-12.)

Sec. 20-160. Business entities; certification; registration with the State Board of Elections.

(a) For purposes of this Section, the terms "business entity", "contract", "contract with a State agency", "State agency", "affiliated entity", and "affiliated person" have the meanings ascribed to those terms in Section 50-37.

(b) Every bid and offer submitted to and every contract executed by the State on or after January 1, 2009 (the effective date of Public Act 95-971) and every submission to a vendor portal shall contain (1) a certification by the bidder, offeror, vendor, or contractor that either (i) the bidder, offeror, vendor, or contractor is not required to register as a business entity with the State Board of Elections pursuant to this Section or (ii) the bidder, offeror, vendor, or contractor has registered as a business entity with the State Board of Elections and acknowledges a continuing duty to update the registration and (2) a statement that the contract is voidable under Section 50-60 for the bidder's, offeror's, vendor's, or contractor's failure to comply with this Section.

(c) Within 30 days after the effective date of this amendatory Act of the 95th General Assembly, each business entity (i) whose aggregate
bids and proposals on State contracts annually total more than $50,000, (ii) whose aggregate bids and proposals on State contracts combined with the business entity's aggregate annual total value of State contracts exceed $50,000, or (iii) whose contracts with State agencies, in the aggregate, annually total more than $50,000 shall register with the State Board of Elections in accordance with Section 9-35 of the Election Code. A business entity required to register under this subsection shall submit a copy of the certificate of registration to the applicable chief procurement officer within 90 days after the effective date of this amendatory Act of the 95th General Assembly. A business entity required to register under this subsection due to item (i) or (ii) has a continuing duty to ensure that the registration is accurate during the period beginning on the date of registration and ending on the day after the date the contract is awarded; any change in information must be reported to the State Board of Elections 5 business days following such change or no later than a day before the contract is awarded, whichever date is earlier. A business entity required to register under this subsection due to item (iii) has a continuing duty to ensure that the registration is accurate in accordance with subsection (e).

(d) Any business entity, not required under subsection (c) to register within 30 days after the effective date of this amendatory Act of the 95th General Assembly, whose aggregate bids and proposals on State contracts annually total more than $50,000, or whose aggregate bids and proposals on State contracts combined with the business entity's aggregate annual total value of State contracts exceed $50,000, shall register with the State Board of Elections in accordance with Section 9-35 of the Election Code prior to submitting to a State agency the bid or proposal whose value causes the business entity to fall within the monetary description of this subsection. A business entity required to register under this subsection has a continuing duty to ensure that the registration is accurate during the period beginning on the date of registration and ending on the day after the date the contract is awarded. Any change in information must be reported to the State Board of Elections within 5 business days following such change or no later than a day before the contract is awarded, whichever date is earlier.

(e) A business entity whose contracts with State agencies, in the aggregate, annually total more than $50,000 must maintain its registration under this Section and has a continuing duty to ensure that the registration is accurate for the duration of the term of office of the incumbent officeholder awarding the contracts or for a period of 2 years following the expiration or termination of the contracts, whichever is longer. A business entity, required
to register under this subsection, has a continuing duty to report any changes on a quarterly basis to the State Board of Elections within 14 calendar +60 business days following the last day of January, April, July, and October of each year. Any update pursuant to this paragraph that is received beyond that date is presumed late and the civil penalty authorized by subsection (e) of Section 9-35 of the Election Code (10 ILCS 5/9-35) may be assessed.

Also, if a business entity required to register under this subsection has a pending bid or offer proposal, any change in information shall be reported to the State Board of Elections within 7 calendar +55 business days following such change or no later than a day before the contract is awarded, whichever date is earlier.

(f) A business entity's continuing duty under this Section to ensure the accuracy of its registration includes the requirement that the business entity notify the State Board of Elections of any change in information, including but not limited to changes of affiliated entities or affiliated persons.

(g) For any bid or offer proposal for a contract with a State agency by a business entity required to register under this Section, the chief procurement officer shall verify that the business entity is required to register under this Section and is in compliance with the registration requirements on the date the bid or offer proposal is due. A chief procurement officer shall not accept a bid or offer proposal if the business entity is not in compliance with the registration requirements as of the date bids or offers proposals are due.

(h) A registration, and any changes to a registration, must include the business entity's verification of accuracy and subjects the business entity to the penalties of the laws of this State for perjury.

In addition to any penalty under Section 9-35 of the Election Code, intentional, willful, or material failure to disclose information required for registration shall render the contract, bid, offer proposal, or other procurement relationship voidable by the chief procurement officer if he or she deems it to be in the best interest of the State of Illinois.

(i) This Section applies regardless of the method of source selection used in awarding the contract.

(30 ILCS 500/25-60)
Sec. 25-60. Prevailing wage requirements.
(a) All services furnished under service contracts of $2,000 or more or $200 or more per month and under printing contracts shall be subject to the following prevailing wage requirements:

(1) Not less than the general prevailing wage rate of hourly wages for work of a similar character in the locality in which the work is produced shall be paid by the successful bidder, offeror, or potential contractor vendor to its employees who perform the work on the State contracts. The bidder, offeror, potential contractor, or contractor in order to be considered to be a responsible bidder, offeror, potential contractor, or contractor for the purposes of this Code, shall certify to the purchasing agency that wages to be paid to its employees are no less, and fringe benefits and working conditions of employees are not less favorable, than those prevailing in the locality where the contract is to be performed. Prevailing wages and working conditions shall be determined by the Director of the Illinois Department of Labor.

(2) Whenever a collective bargaining agreement is in effect between an employer, other than a governmental body, and service or printing employees as defined in this Section who are represented by a responsible organization that is in no way influenced or controlled by the management, that agreement and its provisions shall be considered as conditions prevalent in that locality and shall be the minimum requirements taken into consideration by the Director of Labor.

(b) As used in this Section, "services" means janitorial cleaning services, window cleaning services, building and grounds services, site technician services, natural resources services, food services, and security services. "Printing" means and includes all processes and operations involved in printing, including but not limited to letterpress, offset, and gravure processes, the multilith method, photographic or other duplicating process, the operations of composition, platemaking, presswork, and binding, and the end products of those processes, methods, and operations. As used in this Code "printing" does not include photocopiers used in the course of normal business activities, photographic equipment used for geographic mapping, or printed matter that is commonly available to the general public from contractor inventory.

(c) The terms "general prevailing rate of hourly wages", "general prevailing rate of wages", or "prevailing rate of wages" when used in this Section mean the hourly cash wages plus fringe benefits for health and
welfare, insurance, vacations, and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character.

(d) "Locality" shall have the meaning established by rule.

(e) This Section does not apply to services furnished under contracts for professional or artistic services.

(f) This Section does not apply to vocational programs of training for physically or mentally handicapped persons or to sheltered workshops for the severely disabled.

(Source: P.A. 93-370, eff. 1-1-04.)

(30 ILCS 500/25-65)

Sec. 25-65. Contracts performed outside the United States. Prior to contracting or as a requirement of solicitation of any State contracts for services as defined in Section 1-15.90, whichever is appropriate, potential contractors prospective vendors shall disclose in a statement of work where services will be performed under that contract, including any subcontracts, and whether any services under that contract, including any subcontracts, are anticipated to be performed outside the United States.

In awarding the contract or evaluating the bid or offer, the chief procurement officer may consider such disclosure and the economic impact to the State of Illinois and its residents.

If the chief procurement officer awards a contract to a vendor based upon disclosure that work will be performed in the United States and during the term of the contract the contractor or a subcontractor proceeds to shift work outside of the United States, the contractor shall be deemed in breach of contract, unless the chief procurement officer shall have first determined in writing that circumstances require the shift of work or that termination of the contract would not be in the State's best interest.

Nothing in this Section is intended to contravene any existing treaty, law, agreement, or regulation of the United States.

The chief procurement officer appointed pursuant to paragraph (4) of subsection (a) of Section 10-20 shall prepare and deliver to the General Assembly, no later than September 1, 2015, a report on the impact of outsourcing services for State agencies subject to the jurisdiction of the chief procurement officer. The report shall include the State's cost of procurement and shall identify those contracts where it was disclosed that services were provided outside of the United States, including a description and value of those services. Each State agency subject to the jurisdiction of the chief procurement officer appointed pursuant to paragraph (4) of subsection (a)
of Section 10-20 must provide the chief procurement officer the information necessary to comply with this Section on or before June 1, 2015. The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report in the manner provided by Section 3.1 of the General Assembly Organization Act.

The Department of Central Management Services shall prepare and deliver to the General Assembly, no later than September 1, 2007, a report on the impact of outsourcing services on the State's cost of procurement that identifies those contracts where it was disclosed that services were provided outside of the United States and a description and value of those services.

(Source: P.A. 93-1081, eff. 6-1-05.)

(30 ILCS 500/25-80)

Sec. 25-80. Successor contractor vendor. All service contracts shall include a clause requiring the bidder or offeror, in order to be considered a responsible bidder or offeror for the purposes of this Code, to certify to the purchasing agency (i) that it shall offer to assume the collective bargaining obligations of the prior employer, including any existing collective bargaining agreement with the bargaining representative of any existing collective bargaining unit or units performing substantially similar work to the services covered by the contract subject to its bid or offer, and (ii) that it shall offer employment to all employees currently employed in any existing bargaining unit performing substantially similar work that will be performed by the successor vendor.

This Section does not apply to heating and air conditioning service contracts, plumbing service contracts, and electrical service contracts.

(Source: P.A. 95-314, eff. 1-1-08.)

(30 ILCS 500/30-22)

Sec. 30-22. Construction contracts; responsible bidder requirements. To be considered a responsible bidder on a construction contract for purposes of this Code, a bidder must comply with all of the following requirements and must present satisfactory evidence of that compliance to the appropriate construction agency:

(1) The bidder must comply with all applicable laws concerning the bidder's entitlement to conduct business in Illinois.

(2) The bidder must comply with all applicable provisions of the Prevailing Wage Act.

(3) The bidder must comply with Subchapter VI ("Equal Employment Opportunities") of Chapter 21 of Title 42 of the United States Code (42 U.S.C. 2000e and following) and with Federal

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Executive Order No. 11246 as amended by Executive Order No. 11375.

(4) The bidder must have a valid Federal Employer Identification Number or, if an individual, a valid Social Security Number.

(5) The bidder must have a valid certificate of insurance showing the following coverages: general liability, professional liability, product liability, workers' compensation, completed operations, hazardous occupation, and automobile.

(6) The bidder and all bidder's subcontractors must participate in applicable apprenticeship and training programs approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training.

(7) For contracts with the Illinois Power Agency, the Director of the Illinois Power Agency may establish additional requirements for responsible bidders. These additional requirements, if established, shall be set forth together with the other criteria contained in the invitation for bids, and shall appear in the appropriate volume of the Illinois Procurement Bulletin.

(8) The bidder must certify submit a signed affidavit stating that the bidder will maintain an Illinois office as the primary place of employment for persons employed in the construction authorized by the contract.

The provisions of this Section shall not apply to federally funded construction projects if such application would jeopardize the receipt or use of federal funds in support of such a project.

(Source: P.A. 97-369, eff. 8-15-11.)

(30 ILCS 500/30-30)
Sec. 30-30. Contracts in excess of $250,000. For building construction contracts in excess of $250,000, separate specifications shall be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

(1) plumbing;
(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;
(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;
(4) electric wiring; and
(5) general contract work.

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

Until a date 4 years after July 1, 2011, the requirements of this Section do not apply to a construction project for which the Capital Development Board is the construction agency if: (i) the project budget is at least $15,000,000; (ii) the Capital Development Board has submitted to the Procurement Policy Board a written request for a public hearing on waiver of the application of the requirements of this Section to that project, including its reasons for seeking the waiver and why the waiver is in the best interest of the State; (iii) the Capital Development Board has posted notice of the waiver hearing on its procurement web page and on the online Procurement Bulletin at least 15 calendar working days before the hearing; (iv) the Procurement Policy Board, after conducting the public hearing on the waiver request, reviews and approves the request in writing before the award of the contract; (v) the successful low bidder has prequalified with the Capital Development Board; (vi) the bid of the successful low bidder identifies the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in this Section; and (vii) the contract entered into with the successful bidder provides that no identified subcontractor may be terminated without the written consent of the Capital Development Board.

With respect to any construction project described in this paragraph, the Capital Development Board shall: (i) provide to the Auditor General an affidavit that the waiver of the application of the requirements of this Section is in the best interest of the State; (ii) specify in writing as a public record that the project shall comply with the disadvantaged business practices of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act; and (iii) report annually to the Governor and the General Assembly on the bidding, award, and performance. On and after January 1, 2009 (the effective date of Public Act 95-758), the Capital Development Board may award in each year contracts with an aggregate total value of no

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more than $200,000,000 with respect to construction projects described in this paragraph.

Until a date 11 years after November 29, 2005 (the effective date of Public Act 94-699), the requirements of this Section do not apply to the Capitol Building HVAC upgrade project if (i) the bid of the successful bidder identifies the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in this Section, and (ii) the contract entered into with the successful bidder provides that no identified subcontractor may be terminated without the written consent of the Capital Development Board.

(Source: P.A. 97-182, eff. 7-22-11; 98-431, eff. 8-16-13.)

(30 ILCS 500/35-30)
Sec. 35-30. Awards.

(a) All State contracts for professional and artistic services, except as provided in this Section, shall be awarded using the competitive request for proposal process outlined in this Section.

(b) For each contract offered, the chief procurement officer, State purchasing officer, or his or her designee shall use the appropriate standard solicitation forms available from the chief procurement officer for matters other than construction or the higher education chief procurement officer.

(c) Prepared forms shall be submitted to the chief procurement officer for matters other than construction or the higher education chief procurement officer, whichever is appropriate, for publication in its Illinois Procurement Bulletin and circulation to the chief procurement officer for matters other than construction or the higher education chief procurement officer's list of prequalified vendors. Notice of the offer or request for proposal shall appear at least 14 calendar days before the response to the offer is due.

(d) All interested respondents shall return their responses to the chief procurement officer for matters other than construction or the higher education chief procurement officer, whichever is appropriate, which shall open and record them. The chief procurement officer for matters other than construction or higher education chief procurement officer then shall forward the responses, together with any information it has available about the qualifications and other State work of the respondents.

(e) After evaluation, ranking, and selection, the responsible chief procurement officer, State purchasing officer, or his or her designee shall notify the chief procurement officer for matters other than construction or the higher education chief procurement officer, whichever is appropriate, of the successful respondent and shall forward a copy of the signed contract for the

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chief procurement officer for matters other than construction or higher education chief procurement officer's file. The chief procurement officer for matters other than construction or higher education chief procurement officer shall publish the names of the responsible procurement decision-maker, the agency letting the contract, the successful respondent, a contract reference, and value of the let contract in the next appropriate volume of the Illinois Procurement Bulletin.

(f) For all professional and artistic contracts with annualized value that exceeds $25,000, evaluation and ranking by price are required. Any chief procurement officer or State purchasing officer, but not their designees, may select a respondent an offeror other than the lowest respondent bidder by price. In any case, when the contract exceeds the $25,000 threshold and the lowest respondent bidder is not selected, the chief procurement officer or the State purchasing officer shall forward together with the contract notice of who the low respondent by price bidder was and a written decision as to why another was selected to the chief procurement officer for matters other than construction or the higher education chief procurement officer, whichever is appropriate. The chief procurement officer for matters other than construction or higher education chief procurement officer shall publish as provided in subsection (e) of Section 35-30, but shall include notice of the chief procurement officer's or State purchasing officer's written decision.

(g) The chief procurement officer for matters other than construction and higher education chief procurement officer may each refine, but not contradict, this Section by promulgating rules for submission to the Procurement Policy Board and then to the Joint Committee on Administrative Rules. Any refinement shall be based on the principles and procedures of the federal Architect-Engineer Selection Law, Public Law 92-582 Brooks Act, and the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act; except that pricing shall be an integral part of the selection process.

(30 ILCS 500/35-40)
Sec. 35-40. Subcontractors.

(a) Any contract granted under this Article shall state whether the services of a subcontractor will be used. The contract shall include the names and addresses of all subcontractors with an annual value of more than $50,000, the general type of work to be performed by these subcontractors, and the expected amount of money each will receive under the contract. Upon the request of the chief procurement officer appointed pursuant to paragraph
(2) of subsection (a) of Section 10-20, the contractor shall provide the chief procurement officer a copy of a subcontract so identified within 15 calendar days after the request is made. A subcontractor, or contractor on behalf of a subcontractor, may identify information that is deemed proprietary or confidential. If the chief procurement officer determines the information is not relevant to the primary contract, the chief procurement officer may excuse the inclusion of the information. If the chief procurement officer determines the information is proprietary or could harm the business interest of the subcontractor, the chief procurement officer may, in his or her discretion, redact the information. Redacted information shall not become part of the public record.

(b) If at any time during the term of a contract, a contractor adds or changes any subcontractors, he or she shall promptly notify, in writing, the chief procurement officer for matters other than construction or the higher education chief procurement officer, whichever is appropriate, and the responsible State purchasing officer, or their designee of the names and addresses and the expected amount of money each new or replaced subcontractor will receive. Upon request of the chief procurement officer appointed pursuant to paragraph (2) of subsection (a) of Section 10-20, the contractor shall provide the chief procurement officer a copy of any new or amended subcontract so identified within 15 calendar days after the request is made.

(c) In addition to any other requirements of this Code, a subcontract subject to this Section must include all of the subcontractor’s certifications required by Article 50 of this Code.

(d) For purposes of this Section, the changes made by this amendatory Act of the 98th General Assembly apply to procurements solicited on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 95-481, eff. 8-28-07; 96-920, eff. 7-1-10.)

(30 ILCS 500/40-5)

Sec. 40-5. Applicability. All leases for real property or capital improvements, including office and storage space, buildings, and other facilities for State agencies where the State is the lessee, shall be procured in accordance with the provisions of this Article. All State agencies, with the exception of public institutions of higher education, shall, in consultation with the Department of Central Management Services, evaluate the State’s existing lease portfolio prior to engaging in a procurement for real property or capital improvements.

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(a) Request for information. Except as provided in subsections (b) and (c), all State contracts for leases of real property or capital improvements shall be awarded by a request for information process in accordance with Section 40-20.

(b) Other methods. A request for information process need not be used in procuring any of the following leases:
   (1) Property of less than 10,000 square feet with rent of less than $100,000 per year.
   (2) (Blank).
   (3) Duration of less than one year that cannot be renewed.
   (4) Specialized space available at only one location.
   (5) Renewal or extension of a lease; provided that: (i) the chief procurement officer determines in writing that the renewal or extension is in the best interest of the State; (ii) the chief procurement officer submits his or her written determination and the renewal or extension to the Board; (iii) the Board does not object in writing to the renewal or extension within 30 calendar days after its submission; and (iv) the chief procurement officer publishes the renewal or extension in the appropriate volume of the Procurement Bulletin.

(c) Leases with governmental units. Leases with other governmental units may be negotiated without using the request for information process when deemed by the chief procurement officer to be in the best interest of the State.

Sec. 40-20. Request for information.
(a) Conditions for use. Leases shall be procured by request for information except as otherwise provided in Section 40-15.

(b) Form. A request for information shall be issued and shall include:
   (1) the type of property to be leased;
   (2) the proposed uses of the property;
   (3) the duration of the lease;
   (4) the preferred location of the property; and
   (5) a general description of the configuration desired.

(c) Public notice. Public notice of the request for information for the availability of real property to lease shall be published in the appropriate
volume of the Illinois Procurement Bulletin at least 14 calendar days before the date set forth in the request for receipt of responses and shall also be published in similar manner in a newspaper of general circulation in the community or communities where the using agency is seeking space.

(d) Response. The request for information response shall consist of written information sufficient to show that the respondent can meet minimum criteria set forth in the request. State purchasing officers may enter into discussions with respondents for the purpose of clarifying State needs and the information supplied by the respondents. On the basis of the information supplied and discussions, if any, a State purchasing officer shall make a written determination identifying the responses that meet the minimum criteria set forth in the request for information. Negotiations shall be entered into with all qualified respondents for the purpose of securing a lease that is in the best interest of the State. A written report of the negotiations shall be retained in the lease files and shall include the reasons for the final selection. All leases shall be reduced to writing; one copy shall be filed with the Comptroller in accordance with the provisions of Section 20-80, and one copy shall be filed with the Board.

When the lowest response by price is not selected, the State purchasing officer shall forward to the chief procurement officer, along with the lease, notice of the identity of the lowest respondent by price and written reasons for the selection of a different response. The chief procurement officer shall publish the written reasons in the next volume of the Illinois Procurement Bulletin.

(e) Board review. Upon receipt of (1) any proposed lease of real property of 10,000 or more square feet or (2) any proposed lease of real property with annual rent payments of $100,000 or more, the Procurement Policy Board shall have 30 calendar days to review the proposed lease. If the Board does not object in writing within 30 calendar days, then the proposed lease shall become effective according to its terms as submitted. The leasing agency shall make any and all materials available to the Board to assist in the review process.

(Source: P.A. 96-1521, eff. 2-14-11.)

(30 ILCS 500/40-25)

Sec. 40-25. Length of leases.

(a) Maximum term. Leases shall be for a term not to exceed 10 years inclusive, beginning January 1, 2010, of proposed contract renewals and shall include a termination option in favor of the State after 5 years.

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(b) Renewal. Leases may include a renewal option. An option to renew may be exercised only when a State purchasing officer determines in writing that renewal is in the best interest of the State and notice of the exercise of the option is published in the appropriate volume of the Procurement Bulletin at least 60 \text{calendar} \text{ days prior to the exercise of the option.}

(c) Subject to appropriation. All leases shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to make payments under the terms of the lease.

(d) Holdover. Beginning January 1, 2010, no lease may continue on a month-to-month or other holdover basis for a total of more than 6 months. Beginning July 1, 2010, the Comptroller shall withhold payment of leases beyond this holdover period.

(30 ILCS 500/40-55)

Sec. 40-55. Lessor's failure to make improvements. Each lease must provide for \textit{actual or liquidated damages penalty} upon the lessor's failure to make improvements agreed upon in the lease. The \textit{actual or liquidated damages penalty} shall consist of a reduction in lease payments equal to the corresponding percentage of the improvement value to the lease value. The \textit{actual or liquidated damages penalty} shall continue until the lessor complies with the lease and the improvements are certified by the chief procurement officer and the leasing State agency.

(30 ILCS 500/45-10)

Sec. 45-10. Resident bidders and offerors.

(a) Amount of preference. When a contract is to be awarded to the lowest responsible bidder or offeror, a resident bidder or offeror shall be allowed a preference as against a non-resident bidder or offeror from any state that gives or requires a preference to bidders or offerors from that state. The preference shall be equal to the preference given or required by the state of the non-resident bidder or offeror. Further, if only non-resident bidders or offerors are bidding, the purchasing agency is within its right to specify that Illinois labor and manufacturing locations be used as a part of the manufacturing process, if applicable. This specification may be negotiated as part of the solicitation process.

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(b) Residency. A resident bidder or offeror is a person authorized to transact business in this State and having a bona fide establishment for transacting business within this State where it was actually transacting business on the date when any bid for a public contract is first advertised or announced. A resident bidder or offeror includes a foreign corporation duly authorized to transact business in this State that has a bona fide establishment for transacting business within this State where it was actually transacting business on the date when any bid for a public contract is first advertised or announced.

(c) Federal funds. This Section does not apply to any contract for any project as to which federal funds are available for expenditure when its provisions may be in conflict with federal law or federal regulation.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/45-20)

Sec. 45-20. Recycled supplies. When a public contract is to be awarded to the lowest responsible bidder or offeror, an otherwise qualified bidder or offeror who will fulfill the contract through the use of products made of recycled supplies may be given preference over other bidders or offerors unable to do so, provided that the cost included in the bid of supplies made of recycled materials does not constitute an undue economic or practical hardship.

(Source: P.A. 96-197, eff. 1-1-10.)

(30 ILCS 500/45-30)

Sec. 45-30. Illinois Correctional industries. Notwithstanding anything to the contrary in other law, the chief procurement officer appointed pursuant to paragraph (4) of subsection (a) of Section 10-20 of the Department of Central Management Services shall, in consultation with Illinois Correctional Industries, a division of the Illinois Department of Corrections (referred to as the "Illinois Correctional Industries" or "ICI") determine for all State agencies which articles, materials, industry related services, food stuffs, and finished goods that are produced or manufactured by persons confined in institutions and facilities of the Department of Corrections who are participating in Illinois Correctional Industries programs shall be purchased from Illinois Correctional Industries. The chief procurement officer appointed pursuant to paragraph (4) of subsection (a) of Section 10-20 of Central Management Services shall develop and distribute to the various purchasing and using agencies a listing of all Illinois Correctional Industries products and procedures for implementing this Section.

(Source: P.A. 96-877, eff. 7-1-10; 96-943, eff. 7-1-10.)

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Sec. 45-35. Facilities for persons with severe disabilities.

(a) Qualification. Supplies and services may be procured without advertising or calling for bids from any qualified not-for-profit agency for persons with severe disabilities that:

(1) complies with Illinois laws governing private not-for-profit organizations;

(2) is certified as a sheltered workshop by the Wage and Hour Division of the United States Department of Labor or is an accredited vocational program that provides transition services to youth between the ages of 14 1/2 and 22 in accordance with individualized education plans under Section 14-8.03 of the School Code and that provides residential services at a child care institution, as defined under Section 2.06 of the Child Care Act of 1969, or at a group home, as defined under Section 2.16 of the Child Care Act of 1969; and

(3) meets the applicable Illinois Department of Human Services just standards.

(b) Participation. To participate, the not-for-profit agency must have indicated an interest in providing the supplies and services, must meet the specifications and needs of the using agency, and must set a fair market price.

(c) Committee. There is created within the Department of Central Management Services a committee to facilitate the purchase of products and services of persons so severely disabled by a physical, developmental, or mental disability or a combination of any of those disabilities that they cannot engage in normal competitive employment. This committee is called the State Use Committee. The committee shall consist of the Director of the Department of Central Management Services or his or her designee, the Director of the Department of Human Services or his or her designee, one public member representing private business who is knowledgeable of the employment needs and concerns of persons with developmental disabilities, one public member representing private business who is knowledgeable of the needs and concerns of rehabilitation facilities, one public member who is knowledgeable of the employment needs and concerns of persons with developmental disabilities, one public member who is knowledgeable of the needs and concerns of rehabilitation facilities, and 2 public members from a statewide association that represents community-based rehabilitation facilities, all appointed by the Governor. The public members shall serve 2 year terms, commencing upon appointment and every 2 years thereafter. A public member may be reappointed, and vacancies shall be filled by

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appointment for the completion of the term. In the event there is a vacancy on the Committee, the Governor must make an appointment to fill that vacancy within 30 calendar days after the notice of vacancy. The members shall serve without compensation but shall be reimbursed for expenses at a rate equal to that of State employees on a per diem basis by the Department of Central Management Services. All members shall be entitled to vote on issues before the committee.

The committee shall have the following powers and duties:

(1) To request from any State agency information as to product specification and service requirements in order to carry out its purpose.

(2) To meet quarterly or more often as necessary to carry out its purposes.

(3) To request a quarterly report from each participating qualified not-for-profit agency for persons with severe disabilities describing the volume of sales for each product or service sold under this Section.

(4) To prepare a report for the Governor and General Assembly no later than December 31 of each year annually. The requirement for reporting to the General Assembly shall be satisfied by following the procedures set forth in Section 3.1 of the General Assembly Organization Act.

(5) To prepare a publication that lists all supplies and services currently available from any qualified not-for-profit agency for persons with severe disabilities. This list and any revisions shall be distributed to all purchasing agencies.

(6) To encourage diversity in supplies and services provided by qualified not-for-profit agencies for persons with severe disabilities and discourage unnecessary duplication or competition among facilities.

(7) To develop guidelines to be followed by qualifying agencies for participation under the provisions of this Section. The guidelines shall be developed within 6 months after the effective date of this Code and made available on a nondiscriminatory basis to all qualifying agencies.

(8) To review all bids submitted under the provisions of this Section and reject any bid for any purchase that is determined to be substantially more than the purchase would have cost had it been competitively bid.

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(9) To develop a 5-year plan for increasing the number of products and services purchased from qualified not-for-profit agencies for persons with severe disabilities, including the feasibility of developing mandatory set-aside contracts. This 5-year plan must be developed no later than 180 calendar days after the effective date of this amendatory Act of the 96th General Assembly.

(c-5) Conditions for Use. Each chief procurement officer shall, in consultation with the State Use Committee, determine which articles, materials, services, food stuffs, and supplies that are produced, manufactured, or provided by persons with severe disabilities in qualified not-for-profit agencies shall be given preference by purchasing agencies procuring those items.

(d) Former committee. The committee created under subsection (c) shall replace the committee created under Section 7-2 of the Illinois Purchasing Act, which shall continue to operate until the appointments under subsection (c) are made.

(Source: P.A. 96-634, eff. 8-24-09; 97-895, eff. 8-3-12.)

(30 ILCS 500/45-45)

Sec. 45-45. Small businesses.

(a) Set-asides. Each The chief procurement officer has authority to designate as small business set-asides a fair proportion of construction, supply, and service contracts for award to small businesses in Illinois. Advertisements for bids or offers for those contracts shall specify designation as small business set-asides. In awarding the contracts, only bids or offers from qualified small businesses shall be considered.

(b) Small business. "Small business" means a business that is independently owned and operated and that is not dominant in its field of operation. The chief procurement officer shall establish a detailed definition by rule, using in addition to the foregoing criteria other criteria, including the number of employees and the dollar volume of business. When computing the size status of a potential contractor bidder, annual sales and receipts of the potential contractor bidder and all of its affiliates shall be included. The maximum number of employees and the maximum dollar volume that a small business may have under the rules promulgated by the chief procurement officer may vary from industry to industry to the extent necessary to reflect differing characteristics of those industries, subject to the following limitations:

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(1) No wholesale business is a small business if its annual sales for its most recently completed fiscal year exceed $13,000,000.

(2) No retail business or business selling services is a small business if its annual sales and receipts exceed $8,000,000.

(3) No manufacturing business is a small business if it employs more than 250 persons.

(4) No construction business is a small business if its annual sales and receipts exceed $14,000,000.

(c) Fair proportion. For the purpose of subsection (a), for State agencies of the executive branch, a fair proportion of construction contracts shall be no less than 25% nor more than 40% of the annual total contracts for construction.

(d) Withdrawal of designation. A small business set-aside designation may be withdrawn by the purchasing agency when deemed in the best interests of the State. Upon withdrawal, all bids or offers shall be rejected, and the bidders or offerors shall be notified of the reason for rejection. The contract shall then be awarded in accordance with this Code without the designation of small business set-aside.

(e) Small business specialist. The chief procurement officer shall designate a State purchasing officer who will be responsible for engaging an experienced contract negotiator to serve as its small business specialist, whose duties shall include:

1. Compiling and maintaining a comprehensive list of potential small contractors. In this duty, he or she shall cooperate with the Federal Small Business Administration in locating potential sources for various products and services.

2. Assisting small businesses in complying with the procedures for bidding on State contracts.

3. Examining requests from State agencies for the purchase of property or services to help determine which invitations to bid are to be designated small business set-asides.

4. Making recommendations to the chief procurement officer for the simplification of specifications and terms in order to increase the opportunities for small business participation.

5. Assisting in investigations by purchasing agencies to determine the responsibility of bidders or offerors on small business set-asides.

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(f) Small business annual report. The State purchasing officer designated under subsection (e) shall annually before December 1 report in writing to the General Assembly concerning the awarding of contracts to small businesses. The report shall include the total value of awards made in the preceding fiscal year under the designation of small business set-aside. The report shall also include the total value of awards made to businesses owned by minorities, females, and persons with disabilities, as defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, in the preceding fiscal year under the designation of small business set-aside.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report as required by Section 3.1 of the General Assembly Organization Act.

(Source: P.A. 92-60, eff. 7-12-01; 93-769, eff. 1-1-05.)

(30 ILCS 500/45-57)
Sec. 45-57. Veterans.

(a) Set-aside goal. It is the goal of the State to promote and encourage the continued economic development of small businesses owned and controlled by qualified veterans and that qualified service-disabled veteran-owned small businesses (referred to as SDVOSB) and veteran-owned small businesses (referred to as VOSB) participate in the State's procurement process as both prime contractors and subcontractors. Not less than 3% of the total dollar amount of State contracts, as defined by the Director of Central Management Services, shall be established as a goal to be awarded to SDVOSB and VOSB. That portion of a contract under which the contractor subcontracts with a SDVOSB or VOSB may be counted toward the goal of this subsection. The Department of Central Management Services shall adopt rules to implement compliance with this subsection by all State agencies.

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

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

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

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(c) Yearly review and recommendations. Each year, each chief procurement officer shall review the progress of all State agencies under its jurisdiction in meeting the goal described in subsection (a), with input from statewide veterans' service organizations and from the business community, including businesses owned by qualified veterans, and shall make recommendations to be included in the Department of Central Management Services' report to the General Assembly regarding continuation, increases, or decreases of the percentage goal. The recommendations shall be based upon the number of businesses that are owned by qualified veterans and on the continued need to encourage and promote businesses owned by qualified veterans.

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

(e) Definitions. As used in this Section:

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

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

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

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

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

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

"Service-connected disability" means a disability incurred in the line of duty in the active military, naval, or air service as described in 38 U.S.C. 101(16).

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

"State agency" has the same meaning as in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

"Time of hostilities with a foreign country" means any period of time in the past, present, or future during which a declaration of war by the United States Congress has been or is in effect or during which an emergency condition has been or is in effect that is recognized by the issuance of a

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President proclamation or a Presidential executive order and in which the armed forces expeditionary medal or other campaign service medals are awarded according to Presidential executive order.

"Veteran" means a person who (i) has been a member of the armed forces of the United States or, while a citizen of the United States, was a member of the armed forces of allies of the United States in time of hostilities with a foreign country and (ii) has served under one or more of the following conditions: (a) the veteran served a total of at least 6 months; (b) the veteran served for the duration of hostilities regardless of the length of the engagement; (c) the veteran was discharged on the basis of hardship; or (d) the veteran was released from active duty because of a service connected disability and was discharged under honorable conditions.

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

(g) Penalties.

(1) Administrative penalties. The chief procurement officers appointed pursuant to Section 10-20 Department of Central Management Services shall suspend any person who commits a violation of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section from bidding on, or participating as a contractor, subcontractor, or supplier in, any State contract or project for a period of not less than 3 years, and, if the person is certified as a service-disabled veteran-owned small business or a veteran-owned small business, then the Department shall revoke the business's certification for a period of not less than 3 years. An additional or subsequent violation shall extend the periods of suspension and revocation for a period of not less than 5 years. The suspension and revocation shall apply to the principals of the business and any subsequent business formed or financed by, or affiliated with, those principals.

(2) Reports of violations. Each State agency shall report any alleged violation of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section to the chief procurement officers appointed pursuant to Section 10-20 Department of Central Management Services. The chief procurement officers appointed pursuant to Section 10-20...
Department of Central Management Services shall subsequently report all such alleged violations to the Attorney General, who shall determine whether to bring a civil action against any person for the violation.

(3) List of suspended persons. The chief procurement officers appointed pursuant to Section 10-20 Department of Central Management Services shall monitor the status of all reported violations of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section and shall maintain and make available to all State agencies a central listing of all persons that committed violations resulting in suspension.

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

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

(Source: P.A. 97-260, eff. 8-5-11; 97-1150, eff. 1-25-13; 98-307, eff. 8-12-13.)

(30 ILCS 500/45-67)

Sec. 45-67. Encouragement to hire qualified veterans. A chief procurement officer may, as part of any solicitation, encourage potential contractors or prospective vendors to consider hiring qualified veterans and to notify them of any available financial incentives or other advantages associated with hiring such persons. In establishing internal guidelines in furtherance of this Section, the Department of Central Management Services may work with an interagency advisory committee consisting of representatives from the Department of Veterans Affairs, the Department of Employment Security, the Department of Commerce and Economic Opportunity, and the Department of Revenue and consisting of 8 members of the General Assembly, 2 of whom are appointed by the Speaker of the House of Representatives, 2 of whom are appointed by the President of the

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Senate, 2 of whom are appointed by the Minority Leader of the House of Representatives, and 2 of whom are appointed by the Minority Leader of the Senate.

For the purposes of this Section, "qualified veteran" means an Illinois resident who: (i) was a member of the Armed Forces of the United States, a member of the Illinois National Guard, or a member of any reserve component of the Armed Forces of the United States; (ii) served on active duty in connection with Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom; and (iii) was honorably discharged.

The Department of Central Management Services must report to the Governor and to the General Assembly by December 31 of each year on the activities undertaken by chief procurement officers and the Department of Central Management Services to encourage potential contractors prospective vendors to consider hiring qualified veterans. The report must include the number of vendors who have hired qualified veterans.

(Source: P.A. 94-1067, eff. 8-1-06.)

(30 ILCS 500/45-70)

Sec. 45-70. Encouragement to hire ex-offenders. A chief procurement officer may, as part of any solicitation, encourage potential contractors prospective vendors to consider hiring Illinois residents discharged from any Illinois adult correctional center, in appropriate circumstances, and to notify them of any available financial incentives or other advantages associated with hiring such persons. In establishing internal guidelines in furtherance of this Section, the Department of Central Management Services may work with an interagency advisory committee consisting of representatives from the Department of Corrections, the Department of Employment Security, the Department of Juvenile Justice, the Department of Commerce and Economic Opportunity, and the Department of Revenue and consisting of 8 members of the General Assembly, 2 of whom are appointed by the Speaker of the House of Representatives, 2 of whom are appointed by the President of the Senate, 2 of whom are appointed by the Minority Leader of the House of Representatives, and 2 of whom are appointed by the Minority Leader of the Senate.

The Department of Central Management Services must report to the Governor and to the General Assembly by December 31 of each year on the activities undertaken by chief procurement officers and the Department of Central Management Services to encourage potential contractors prospective vendors to consider hiring Illinois residents who have been discharged from an Illinois adult correctional center. The report must include the number of
vendors who have hired Illinois residents who have been discharged from any Illinois adult correctional center.

(Source: P.A. 94-1067, eff. 8-1-06.)

(30 ILCS 500/50-5)
Sec. 50-5. Bribery.
(a) Prohibition. No person or business shall be awarded a contract or subcontract under this Code who:

(1) has been convicted under the laws of Illinois or any other state of bribery or attempting to bribe an officer or employee of the State of Illinois or any other state in that officer's or employee's official capacity; or

(2) has made an admission of guilt of that conduct that is a matter of record but has not been prosecuted for that conduct.

(b) Businesses. No business shall be barred from contracting with any unit of State or local government, or subcontracting under such a contract, as a result of a conviction under this Section of any employee or agent of the business if the employee or agent is no longer employed by the business and:

(1) the business has been finally adjudicated not guilty; or

(2) the business demonstrates to the governmental entity with which it seeks to contract or which is a signatory to the contract to which the subcontract relates, and that entity finds that the commission of the offense was not authorized, requested, commanded, or performed by a director, officer, or high managerial agent on behalf of the business as provided in paragraph (2) of subsection (a) of Section 5-4 of the Criminal Code of 2012.

(c) Conduct on behalf of business. For purposes of this Section, when an official, agent, or employee of a business committed the bribery or attempted bribery on behalf of the business and in accordance with the direction or authorization of a responsible official of the business, the business shall be chargeable with the conduct.

(d) Certification. Every bid or offer submitted to every contract executed by the State, and every subcontract subject to Section 20-120 of this Code, and every vendor's submission to a vendor portal shall contain a certification by the bidder, offeror, potential contractor, contractor, or the subcontractor, respectively, that the bidder, offeror, potential contractor, contractor or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the chief procurement officer may declare the related contract void if any certifications required by this Section are false. If the false certification is made by a subcontractor,
then the contractor's submitted bid or offer and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false. A bidder, offeror, potential contractor, contractor, or subcontractor who makes a false statement, material to the certification, commits a Class 3 felony.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-895, eff. 8-3-12; 97-1150, eff. 1-25-13.)

(30 ILCS 500/50-10)
Sec. 50-10. Felons.
(a) Unless otherwise provided, no person or business convicted of a felony shall do business with the State of Illinois or any State agency, or enter into a subcontract, from the date of conviction until 5 years after the date of completion of the sentence for that felony, unless no person held responsible by a prosecutorial office for the facts upon which the conviction was based continues to have any involvement with the business.

(b) Every bid or offer submitted to the State, every contract executed by the State, and every subcontract subject to Section 20-120 of this Code, and every vendor's submission to a vendor portal shall contain a certification by the bidder, offeror, potential contractor, or contractor, or subcontractor, respectively, that the bidder, offeror, potential contractor, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the chief procurement officer may declare the related contract void if any of the certifications required by this Section are false. If the false certification is made by a subcontractor, then the contractor's submitted bid or offer and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-895, eff. 8-3-12.)

(30 ILCS 500/50-10.5)
Sec. 50-10.5. Prohibited bidders, offerors, potential contractors, and contractors.
(a) Unless otherwise provided, no business shall bid, offer, or enter into a contract or subcontract under this Code, or make a submission to a vendor portal if the business or any officer, director, partner, or other managerial agent of the business has been convicted of a felony under the

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Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953 for a period of 5 years from the date of conviction.

(b) Every bid and offer submitted to the State, every contract executed by the State, every vendor's submission to a vendor portal, and every subcontract subject to Section 20-120 of this Code shall contain a certification by the bidder, offeror, potential contractor, contractor, or subcontractor, respectively, that the bidder, offeror, potential contractor, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the chief procurement officer shall declare the related contract void if any of the certifications completed pursuant to this subsection (b) are false. If the false certification is made by a subcontractor, then the contractor's submitted bid or offer and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false.

(c) If a business is not a natural person, the prohibition in subsection (a) applies only if:

(1) the business itself is convicted of a felony referenced in subsection (a); or

(2) the business is ordered to pay punitive damages based on the conduct of any officer, director, partner, or other managerial agent who has been convicted of a felony referenced in subsection (a).

(d) A natural person who is convicted of a felony referenced in subsection (a) remains subject to Section 50-10.

(e) No person or business shall bid, offer, make a submission to a vendor portal, or enter into a contract under this Code if the person or business assisted an employee of the State of Illinois, who, by the nature of his or her duties, has the authority to participate personally and substantially in the decision to award a State contract, by reviewing, drafting, directing, or preparing any invitation for bids, a request for proposal, or request for information or provided similar assistance except as part of a publicly issued opportunity to review drafts of all or part of these documents.

This subsection does not prohibit a person or business from submitting a bid or offer or proposing or entering into a contract if the person or business: (i) initiates a communication with an employee to provide general information about products, services, or industry best practices and, if applicable, that communication is documented in accordance with Section 50-39 or (ii) responds to a communication initiated by an employee of the

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State for the purposes of providing information to evaluate new products, trends, services, or technologies. Nothing in this Section prohibits a vendor developing technology, goods, or services from bidding or offering to supply that technology or those goods or services if the subject demonstrated to the State represents industry trends and innovation and is not specifically designed to meet the State's needs.

For purposes of this subsection (e), "business" includes all individuals with whom a business is affiliated, including, but not limited to, any officer, agent, employee, consultant, independent contractor, director, partner, or manager, or shareholder of a business.

No person or business shall submit specifications to a State agency unless requested to do so by an employee of the State. No person or business who contracts with a State agency to write specifications for a particular procurement need shall submit a bid or proposal or receive a contract for that procurement need.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 96-920, eff. 7-1-10; 97-895, eff. 8-3-12.)

(30 ILCS 500/50-11)
Sec. 50-11. Debt delinquency.
(a) No person shall submit a bid or offer for, or enter into a contract or subcontract under this Code, or make a submission to a vendor portal if that person knows or should know that he or she or any affiliate is delinquent in the payment of any debt to the State, unless the person or affiliate has entered into a deferred payment plan to pay off the debt. For purposes of this Section, the phrase "delinquent in the payment of any debt" shall be determined by the Debt Collection Bureau. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (a), a person controls an entity if the person owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (a), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

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(b) Every bid and offer submitted to the State, every vendor's submission to a vendor portal, every contract executed by the State and every subcontract subject to Section 20-120 of this Code shall contain a certification by the bidder, offeror, potential contractor, contractor, or subcontractor, respectively, that the bidder, offeror, respondent, potential contractor, contractor or the subcontractor and its affiliate is not barred from being awarded a contract or subcontract under this Section and acknowledges that the chief procurement officer may declare the related contract void if any of the certifications completed pursuant to this subsection (b) are false. If the false certification is made by a subcontractor, then the contractor's submitted bid or offer and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false.

(Source: P.A. 96-493, eff. 1-1-10; 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for effective date of changes made by P.A. 96-795); 96-1000, eff. 7-2-10; 97-895, eff. 8-3-12.)

(30 ILCS 500/50-12)

Sec. 50-12. Collection and remittance of Illinois Use Tax.

(a) No person shall enter into a contract with a State agency or enter into a subcontract under this Code unless the person and all affiliates of the person collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act regardless of whether the person or affiliate is a "retailer maintaining a place of business within this State" as defined in Section 2 of the Use Tax Act. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (a), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (a), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

(b) Every bid and offer submitted to the State, every submission to a vendor portal, every contract executed by the State and every subcontract subject to Section 20-120 of this Code shall contain a certification by the bidder, offeror, potential contractor, contractor, or subcontractor,
respectively, that the bidder, offeror, respondent, potential contractor, contractor, or subcontractor is not barred from bidding for or entering into a contract under subsection (a) of this Section and acknowledges that the chief procurement officer may declare the related contract void if any of the certifications completed pursuant to this subsection (b) are false. If the false certification is made by a subcontractor, then the contractor's submitted bid or offer and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-895, eff. 8-3-12.)

(30 ILCS 500/50-13)

Sec. 50-13. Conflicts of interest.

(a) Prohibition. It is unlawful for any person holding an elective office in this State, holding a seat in the General Assembly, or appointed to or employed in any of the offices or agencies of State government and who receives compensation for such employment in excess of 60% of the salary of the Governor of the State of Illinois, or who is an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority, or who is the spouse or minor child of any such person to have or acquire any contract, or any direct pecuniary interest in any contract therein, whether for stationery, printing, paper, or any services, materials, or supplies, that will be wholly or partially satisfied by the payment of funds appropriated by the General Assembly of the State of Illinois or in any contract of the Capital Development Board or the Illinois Toll Highway Authority.

(b) Interests. It is unlawful for any firm, partnership, association, or corporation, in which any person listed in subsection (a) is entitled to receive (i) more than 7 1/2% of the total distributable income or (ii) an amount in excess of the salary of the Governor, to have or acquire any such contract or direct pecuniary interest therein.

(c) Combined interests. It is unlawful for any firm, partnership, association, or corporation, in which any person listed in subsection (a) together with his or her spouse or minor children is entitled to receive (i) more than 15%, in the aggregate, of the total distributable income or (ii) an amount in excess of 2 times the salary of the Governor, to have or acquire any such contract or direct pecuniary interest therein.

(c-5) Appointees and firms. In addition to any provisions of this Code, the interests of certain appointees and their firms are subject to Section 3A-35 of the Illinois Governmental Ethics Act.

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(d) Securities. Nothing in this Section invalidates the provisions of any bond or other security previously offered or to be offered for sale or sold by or for the State of Illinois.

(e) Prior interests. This Section does not affect the validity of any contract made between the State and an officer or employee of the State or member of the General Assembly, his or her spouse, minor child, or other immediate family member living in his or her residence or any combination of those persons if that contract was in existence before his or her election or employment as an officer, member, or employee. The contract is voidable, however, if it cannot be completed within 365 calendar days after the officer, member, or employee takes office or is employed.

(f) Exceptions.

(1) Public aid payments. This Section does not apply to payments made for a public aid recipient.

(2) Teaching. This Section does not apply to a contract for personal services as a teacher or school administrator between a member of the General Assembly or his or her spouse, or a State officer or employee or his or her spouse, and any school district, public community college district, the University of Illinois, Southern Illinois University, Illinois State University, Eastern Illinois University, Northern Illinois University, Western Illinois University, Chicago State University, Governor State University, or Northeastern Illinois University.

(3) Ministerial duties. This Section does not apply to a contract for personal services of a wholly ministerial character, including but not limited to services as a laborer, clerk, typist, stenographer, page, bookkeeper, receptionist, or telephone switchboard operator, made by a spouse or minor child of an elective or appointive State officer or employee or of a member of the General Assembly.

(4) Child and family services. This Section does not apply to payments made to a member of the General Assembly, a State officer or employee, his or her spouse or minor child acting as a foster parent, homemaker, advocate, or volunteer for or in behalf of a child or family served by the Department of Children and Family Services.

(5) Licensed professionals. Contracts with licensed professionals, provided they are competitively bid or part of a reimbursement program for specific, customary goods and services through the Department of Children and Family Services, the

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Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health, or the Department on Aging.

(g) Penalty. A person convicted of a violation of this Section is guilty of a business offense and shall be fined not less than $1,000 nor more than $5,000.

(Source: P.A. 95-331, eff. 8-21-07.)

(30 ILCS 500/50-14)
Sec. 50-14. Environmental Protection Act violations.
(a) Unless otherwise provided, no person or business found by a court or the Pollution Control Board to have committed a willful or knowing violation of the Environmental Protection Act shall do business with the State of Illinois or any State agency or enter into a subcontract that is subject to this Code from the date of the order containing the finding of violation until 5 years after that date, unless the person or business can show that no person involved in the violation continues to have any involvement with the business.

(b) A person or business otherwise barred from doing business with the State of Illinois or any State agency or subcontracting under this Code by subsection (a) may be allowed to do business with the State of Illinois or any State agency if it is shown that there is no practicable alternative to the State to contracting with that person or business.

(c) Every bid or offer submitted to the State, every contract executed by the State, every submission to a vendor portal, and every subcontract subject to Section 20-120 of this Code shall contain a certification by the bidder, offeror, potential contractor, contractor, or subcontractor, respectively, that the bidder, offeror, potential contractor, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the contracting State agency may declare the related contract void if any of the certifications completed pursuant to this subsection (c) are false. If the false certification is made by a subcontractor, then the contractor's submitted bid or offer and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-895, eff. 8-3-12.)

(30 ILCS 500/50-20)
Sec. 50-20. Exemptions. The appropriate chief procurement officer may file a request with the Executive Ethics Commission to exempt named individuals from the prohibitions of Section 50-13 when, in his or her judgment, the public interest in having the individual in the service of the State outweighs the public policy evidenced in that Section. The Executive Ethics Commission may grant an exemption after a public hearing at which any person may present testimony. The chief procurement officer shall publish notice of the date, time, and location of the hearing in the online electronic Bulletin at least 14 calendar days prior to the hearing and provide notice to the individual subject to the waiver and the Procurement Policy Board. The Executive Ethics Commission shall also provide public notice of the date, time, and location of the hearing on its website. If the Commission grants an exemption, the exemption is effective only if it is filed with the Secretary of State and the Comptroller prior to the execution of any contract and includes a statement setting forth the name of the individual and all the pertinent facts that would make that Section applicable, setting forth the reason for the exemption, and declaring the individual exempted from that Section. Notice of each exemption shall be published in the Illinois Procurement Bulletin. A contract for which a waiver has been issued but has not been filed in accordance with this Section is voidable by the State. The changes to this Section made by this amendatory Act of the 96th General Assembly shall apply to exemptions granted on or after its effective date. (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795).)

(30 ILCS 500/50-25)

Sec. 50-25. Inducement. Any person who offers or pays any money or other valuable thing to any person to induce him or her not to provide a submission to a vendor portal, bid, or submit an offer for a State contract or as recompense for not having bid on or submitted an offer for a State contract or provided a submission to a vendor portal is guilty of a Class 4 felony. Any person who accepts any money or other valuable thing for not bidding or submitting an offer for a State contract, not making a submission to a vendor portal, or who withholds a bid, offer, or submission to vendor portal in consideration of the promise for the payment of money or other valuable thing is guilty of a Class 4 felony. (Source: P.A. 90-572, eff. 2-6-98.)

(30 ILCS 500/50-35)

Sec. 50-35. Financial disclosure and potential conflicts of interest.

New matter indicated by italics - deletions by strikeout
(a) All bids and offers from responsive bidders, or offerors, vendors, or contractors with an annual value of more than $50,000, and all submissions to a vendor portal, $25,000 shall be accompanied by disclosure of the financial interests of the contractor, bidder, offeror, potential contractor, or contractor or proposer and each subcontractor to be used. In addition, all subcontracts identified as provided by Section 20-120 of this Code with an annual value of more than $50,000 shall be accompanied by disclosure of the financial interests of each subcontractor. The financial disclosure of each successful bidder, offeror, potential contractor, or contractor or proposer and its subcontractors shall be incorporated as a material term of the contract and shall become part of the publicly available contract or procurement file maintained by the appropriate chief procurement officer. Each disclosure under this Section shall be signed and made under penalty of perjury by an authorized officer or employee on behalf of the bidder, offeror, potential contractor, contractor, or subcontractor bidder or offeror, and must be filed with the Procurement Policy Board.

(b) Disclosure shall include any ownership or distributive income share that is in excess of 5%, or an amount greater than 60% of the annual salary of the Governor, of the disclosing entity or its parent entity, whichever is less, unless the bidder, offeror, potential contractor, contractor, or subcontractor (i) is a publicly traded entity subject to Federal 10K reporting, in which case it may submit its 10K disclosure in place of the prescribed disclosure, or (ii) is a privately held entity that is exempt from Federal 10k reporting but has more than 200 shareholders, in which case it may submit the information that Federal 10k reporting companies are required to report under 17 CFR 229.401 and list the names of any person or entity holding any ownership share that is in excess of 5% in place of the prescribed disclosure. The form of disclosure shall be prescribed by the applicable chief procurement officer and must include at least the names, addresses, and dollar or proportionate share of ownership of each person identified in this Section, their instrument of ownership or beneficial relationship, and notice of any potential conflict of interest resulting from the current ownership or beneficial relationship of each individual person identified in this Section having in addition any of the following relationships:

(1) State employment, currently or in the previous 3 years, including contractual employment of services.

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(2) State employment of spouse, father, mother, son, or daughter, including contractual employment for services in the previous 2 years.

(3) Elective status; the holding of elective office of the State of Illinois, the government of the United States, any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois currently or in the previous 3 years.

(4) Relationship to anyone holding elective office currently or in the previous 2 years; spouse, father, mother, son, or daughter.

(5) Appointive office; the holding of any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that office currently or in the previous 3 years.

(6) Relationship to anyone holding appointive office currently or in the previous 2 years; spouse, father, mother, son, or daughter.

(7) Employment, currently or in the previous 3 years, as or by any registered lobbyist of the State government.

(8) Relationship to anyone who is or was a registered lobbyist in the previous 2 years; spouse, father, mother, son, or daughter.

(9) Compensated employment, currently or in the previous 3 years, by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections.

(10) Relationship to anyone; spouse, father, mother, son, or daughter; who is or was a compensated employee in the last 2 years of any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections.

(b-1) The disclosure required under this Section must also include the name and address of each lobbyist required to register under the Lobbyist Registration Act and other agent of the bidder, offeror, potential contractor, contractor, or subcontractor who is not identified under subsections (a) and (b) and who has communicated, is communicating, or may communicate with any State officer or employee concerning the bid or

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offer. The disclosure under this subsection is a continuing obligation and
must be promptly supplemented for accuracy throughout the process and
throughout the term of the contract if the bid or offer is successful.

(b-2) The disclosure required under this Section must also include, for
each of the persons identified in subsection (b) or (b-1), each of the following
that occurred within the previous 10 years: suspension or debarment from
contracting with any governmental entity; professional licensure discipline;
bankruptcies; adverse civil judgments and administrative findings; and
criminal felony convictions. The disclosure under this subsection is a
continuing obligation and must be promptly supplemented for accuracy
throughout the process and throughout the term of the contract if the bid or
offer is successful.

(c) The disclosure in subsection (b) is not intended to prohibit or
prevent any contract. The disclosure is meant to fully and publicly disclose
any potential conflict to the chief procurement officers, State purchasing
officers, their designees, and executive officers so they may adequately
discharge their duty to protect the State.

(d) When a potential for a conflict of interest is identified, discovered,
or reasonably suspected, the chief procurement officer or State procurement
officer shall send the contract to the Procurement Policy Board. In accordance
with the objectives of subsection (c), if the Procurement Policy Board finds
evidence of a potential conflict of interest not originally disclosed by the
bidder, offeror, potential contractor, contractor, or subcontractor, the Board
shall provide written notice to the bidder, offeror, potential contractor,
contractor, or subcontractor that is identified, discovered, or reasonably
suspected of having a potential conflict of interest. The bidder, offeror,
potential contractor, contractor, or subcontractor shall have 15 calendar
days to respond in writing to the Board, and a hearing before the Board will be
granted upon request by the bidder, offeror, potential contractor, contractor,
contractor's or subcontractor's request, at a date and time to be
determined by the Board, but which in no event shall occur later than 15
calendar days after the date of the request. Upon consideration, the Board
shall recommend, in writing, whether to allow or void the contract, bid, offer,
or subcontract weighing the best interest of the State of Illinois. All
recommendations shall be submitted to the Executive Ethics Commission.
The Executive Ethics Commission must hold a public hearing within 30
calendar days after receiving the Board's recommendation if the Procurement
Policy Board makes a recommendation to (i) void a contract or (ii) void a bid
or offer and the chief procurement officer selected or intends to award the

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contract to the bidder, offeror, or potential contractor. A chief procurement officer is prohibited from awarding a contract before a hearing if the Board recommendation does not support a bid or offer. The recommendation and proceedings of any hearing, if applicable, shall be available to the public.

(e) These thresholds and disclosure do not relieve the chief procurement officer, the State purchasing officer, or their designees from reasonable care and diligence for any contract, bid, offer, or submission to a vendor portal or proposal. The chief procurement officer, the State purchasing officer, or their designees shall be responsible for using any reasonably known and publicly available information to discover any undisclosed potential conflict of interest and act to protect the best interest of the State of Illinois.

(f) Inadvertent or accidental failure to fully disclose shall render the contract, bid, offer, proposal, subcontract, or relationship voidable by the chief procurement officer if he or she deems it in the best interest of the State of Illinois and, at his or her discretion, may be cause for barring from future contracts, bids, offers, proposals, subcontracts, or relationships with the State for a period of up to 2 years.

(g) Intentional, willful, or material failure to disclose shall render the contract, bid, offer, proposal, subcontract, or relationship voidable by the chief procurement officer if he or she deems it in the best interest of the State of Illinois and shall result in debarment from future contracts, bids, offers, proposals, subcontracts, or relationships for a period of not less than 2 years and not more than 10 years. Reinstatement after 2 years and before 10 years must be reviewed and commented on in writing by the Governor of the State of Illinois, or by an executive ethics board or commission he or she might designate. The comment shall be returned to the responsible chief procurement officer who must rule in writing whether and when to reinstate.

(h) In addition, all disclosures shall note any other current or pending contracts, bids, offers, proposals, subcontracts, leases, or other ongoing procurement relationships the bidder bidding, offeror, potential contractor, contractor proposing, offering, or subcontractor subcontracting entity has with any other unit of State government and shall clearly identify the unit and the contract, offer, proposal, lease, or other relationship.

(i) The contractor or bidder, offeror, potential contractor, or contractor has a continuing obligation to supplement the disclosure required by this Section throughout the bidding process or during the term of any contract, and during the vendor portal registration process.

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Sec. 50-36. Disclosure of business in Iran.

(a) As used in this Section:

"Business operations" means engaging in commerce in any form in Iran, including, but not limited to, acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

"Company" means any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those entities or business associations, that exists for the purpose of making profit.

"Mineral-extraction activities" include exploring, extracting, processing, transporting, or wholesale selling or trading of elemental minerals or associated metal alloys or oxides (ore), including gold, copper, chromium, chromite, diamonds, iron, iron ore, silver, tungsten, uranium, and zinc.

"Oil-related activities" include, but are not limited to, owning rights to oil blocks; exporting, extracting, producing, refining, processing, exploring for, transporting, selling, or trading of oil; and constructing, maintaining, or operating a pipeline, refinery, or other oil-field infrastructure. The mere retail sale of gasoline and related consumer products is not considered an oil-related activity.

"Petroleum resources" means petroleum, petroleum byproducts, or natural gas.

"Substantial action" means adopting, publicizing, and implementing a formal plan to cease scrutinized business operations within one year and to refrain from any such new business operations.

(b) Each bid or offer, or proposal submitted for a State contract, other than a small purchase defined in Section 20-20, shall include a disclosure of whether or not the bidder, offeror, or proposing entity, or any of its corporate parents or subsidiaries, within the 24 months before submission of the bid or offer, or proposal, had business operations that involved contracts with or provision of supplies or services to the Government of Iran, companies in which the Government of Iran has any
direct or indirect equity share, consortiums or projects commissioned by the Government of Iran, or companies involved in consortiums or projects commissioned by the Government of Iran and:

(1) more than 10% of the company's revenues produced in or assets located in Iran involve oil-related activities or mineral-extraction activities; less than 75% of the company's revenues produced in or assets located in Iran involve contracts with or provision of oil-related or mineral-extraction products or services to the Government of Iran or a project or consortium created exclusively by that government; and the company has failed to take substantial action; or

(2) the company has, on or after August 5, 1996, made an investment of $20 million or more, or any combination of investments of at least $10 million each that in the aggregate equals or exceeds $20 million in any 12-month period, that directly or significantly contributes to the enhancement of Iran's ability to develop petroleum resources of Iran.

(c) A bid or offer, or proposal that does not include the disclosure required by subsection (b) may be given a period after the bid or offer is submitted to cure non-disclosure shall not be considered responsive. A chief procurement officer may consider the disclosure when evaluating the bid or offer, or proposal or awarding the contract.

(d) Each chief procurement officer shall provide the State Comptroller with the name of each entity disclosed under subsection (b) as doing business or having done business in Iran. The State Comptroller shall post that information on his or her official website.

(Source: P.A. 95-616, eff. 1-1-08.)

(30 ILCS 500/50-37)
Sec. 50-37. Prohibition of political contributions.

(a) As used in this Section:

The terms "contract", "State contract", and "contract with a State agency" each mean any contract, as defined in this Code, between a business entity and a State agency let or awarded pursuant to this Code. The terms "contract", "State contract", and "contract with a State agency" do not include cost reimbursement contracts; purchase of care agreements as defined in Section 1-15.68 of this Code; contracts for projects eligible for full or partial federal-aid funding reimbursements authorized by the Federal Highway Administration; grants, including but are not limited to grants for job

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training or transportation; and grants, loans, or tax credit agreements for economic development purposes.

"Contribution" means a contribution as defined in Section 9-1.4 of the Election Code.

"Declared candidate" means a person who has filed a statement of candidacy and petition for nomination or election in the principal office of the State Board of Elections.

"State agency" means and includes all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the State, created by or in accordance with the Illinois Constitution or State statute, of the executive branch of State government and does include colleges, universities, public employee retirement systems, and institutions under the jurisdiction of the governing boards of the University of Illinois, Southern Illinois University, Illinois State University, Eastern Illinois University, Northern Illinois University, Western Illinois University, Chicago State University, Governors State University, Northeastern Illinois University, and the Illinois Board of Higher Education.

"Officeholder" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, or Treasurer. The Governor shall be considered the officeholder responsible for awarding all contracts by all officers and employees of, and potential contractors and others doing business with, executive branch State agencies under the jurisdiction of the Executive Ethics Commission and not within the jurisdiction of the Attorney General, the Secretary of State, the Comptroller, or the Treasurer.

"Sponsoring entity" means a sponsoring entity as defined in Section 9-3 of the Election Code.

"Affiliated person" means (i) any person with any ownership interest or distributive share of the bidding or contracting business entity in excess of 7.5%, (ii) executive employees of the bidding or contracting business entity, and (iii) the spouse of any such persons. "Affiliated person" does not include a person prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

"Affiliated entity" means (i) any corporate parent and each operating subsidiary of the bidding or contracting business entity, (ii) each operating subsidiary of the corporate parent of the bidding or contracting business entity, (iii) any organization recognized by the

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United States Internal Revenue Service as a tax-exempt organization described in Section 501(c) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law) established by the bidding or contracting business entity, any affiliated entity of that business entity, or any affiliated person of that business entity, or (iv) any political committee for which the bidding or contracting business entity, or any 501(c) organization described in item (iii) related to that business entity, is the sponsoring entity. "Affiliated entity" does not include an entity prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

"Business entity" means any entity doing business for profit, whether organized as a corporation, partnership, sole proprietorship, limited liability company or partnership, or otherwise.

"Executive employee" means (i) the President, Chairman, or Chief Executive Officer of a business entity and any other individual that fulfills equivalent duties as the President, Chairman of the Board, or Chief Executive Officer of a business entity; and (ii) any employee of a business entity whose compensation is determined directly, in whole or in part, by the award or payment of contracts by a State agency to the entity employing the employee. A regular salary that is paid irrespective of the award or payment of a contract with a State agency shall not constitute "compensation" under item (ii) of this definition. "Executive employee" does not include any person prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

(b) Any business entity whose contracts with State agencies, in the aggregate, annually total more than $50,000, and any affiliated entities or affiliated persons of such business entity, are prohibited from making any contributions to any political committees established to promote the candidacy of (i) the officeholder responsible for awarding the contracts or (ii) any other declared candidate for that office. This prohibition shall be effective for the duration of the term of office of the incumbent officeholder awarding the contracts or for a period of 2 years following the expiration or termination of the contracts, whichever is longer.

(c) Any business entity whose aggregate pending bids and offers and proposals on State contracts total more than $50,000, or whose aggregate pending bids and offers on and proposals on State contracts combined with the business entity's aggregate annual total value of State contracts exceed $50,000, and any affiliated entities or affiliated persons of such business

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entity, are prohibited from making any contributions to any political committee established to promote the candidacy of the officeholder responsible for awarding the contract on which the business entity has submitted a bid or offer or proposal during the period beginning on the date the invitation for bids, or request for proposals, or any other procurement opportunity is issued and ending on the day after the date the contract is awarded.

(c-5) For the purposes of the prohibitions under subsections (b) and (c) of this Section, (i) any contribution made to a political committee established to promote the candidacy of the Governor or a declared candidate for the office of Governor shall also be considered as having been made to a political committee established to promote the candidacy of the Lieutenant Governor, in the case of the Governor, or the declared candidate for Lieutenant Governor having filed a joint petition, or write-in declaration of intent, with the declared candidate for Governor, as applicable, and (ii) any contribution made to a political committee established to promote the candidacy of the Lieutenant Governor or a declared candidate for the office of Lieutenant Governor shall also be considered as having been made to a political committee established to promote the candidacy of the Governor, in the case of the Lieutenant Governor, or the declared candidate for Governor having filed a joint petition, or write-in declaration of intent, with the declared candidate for Lieutenant Governor, as applicable.

(d) All contracts between State agencies and a business entity that violate subsection (b) or (c) shall be voidable under Section 50-60. If a business entity violates subsection (b) 3 or more times within a 36-month period, then all contracts between State agencies and that business entity shall be void, and that business entity shall not bid or respond to any invitation to bid or request for proposals from any State agency or otherwise enter into any contract with any State agency for 3 years from the date of the last violation. A notice of each violation and the penalty imposed shall be published in both the Procurement Bulletin and the Illinois Register.

(e) Any political committee that has received a contribution in violation of subsection (b) or (c) shall pay an amount equal to the value of the contribution to the State no more than 30 calendar days after notice of the violation concerning the contribution appears in the Illinois Register. Payments received by the State pursuant to this subsection shall be deposited into the general revenue fund.

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Sec. 50-38. Lobbying restrictions.

(a) A person or business that is let or awarded a contract is not entitled to receive any payment, compensation, or other remuneration from the State to compensate the person or business for any expenses related to travel, lodging, or meals that are paid by the person or business to any officer, agent, employee, consultant, independent contractor, director, partner, manager, or shareholder.

(b) Any bidder, offeror, potential contractor, or contractor on a State contract that hires a person required to register under the Lobbyist Registration Act to assist in obtaining a contract shall (i) disclose all costs, fees, compensation, reimbursements, and other remunerations paid or to be paid to the lobbyist related to the contract, (ii) not bill or otherwise cause the State of Illinois to pay for any of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration, and (iii) sign a verification certifying that none of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration were billed to the State. This information, along with all supporting documents, shall be filed with the agency awarding the contract and with the Secretary of State. The chief procurement officer shall post this information, together with the contract award notice, in the online Procurement Bulletin.

(c) Ban on contingency fee. No person or entity shall retain a person or entity required to register under the Lobbyist Registration Act to attempt to influence the outcome of a procurement decision made under this Code for compensation contingent in whole or in part upon the decision or procurement. Any person who violates this subsection is guilty of a business offense and shall be fined not more than $10,000.

Sec. 50-39. Procurement communications reporting requirement.

(a) Any written or oral communication received by a State employee who, by the nature of his or her duties, has the authority to participate personally and substantially in the decision to award a State contract and that imparts or requests material information or makes a material argument regarding potential action concerning an active procurement matter,
including, but not limited to, an application, a contract, or a project, shall be reported to the Procurement Policy Board, and, with respect to the Illinois Power Agency, by the initiator of the communication, and may be reported also by the recipient.

Any person communicating orally, in writing, electronically, or otherwise with the Director or any person employed by, or associated with, the Illinois Power Agency to impart, solicit, or transfer any information related to the content of any power procurement plan, the manner of conducting any power procurement process, the procurement of any power supply, or the method or structure of contracting with power suppliers must disclose to the Procurement Policy Board the full nature, content, and extent of any such communication in writing by submitting a report with the following information:

(1) The names of any party to the communication.
(2) The date on which the communication occurred.
(3) The time at which the communication occurred.
(4) The duration of the communication.
(5) The method (written, oral, etc.) of the communication.
(6) A summary of the substantive content of the communication.

These communications do not include the following: (i) statements by a person publicly made in a public forum; (ii) statements regarding matters of procedure and practice, such as format, the number of copies required, the manner of filing, and the status of a matter; (iii) statements made by a State employee of the agency to the agency head or other employees of that agency, to the employees of the Executive Ethics Commission, or to an employee of another State agency who, through the communication, is either (a) exercising his or her experience or expertise in the subject matter of the particular procurement in the normal course of business, for official purposes, and at the initiation of the purchasing agency or the appropriate State purchasing officer, or (b) exercising oversight, supervisory, or management authority over the procurement in the normal course of business and as part of official responsibilities; (iv) unsolicited communications providing general information about products, services, or industry best practices before those products or services become involved in a procurement matter; (v) communications received in response to procurement solicitations, including, but not limited to, vendor responses to a request for information, request for proposal, request for qualifications, invitation for bid, or a small purchase, sole source, or emergency solicitation, or questions and answers posted to the...
Illinois Procurement Bulletin to supplement the procurement action, provided that the communications are made in accordance with the instructions contained in the procurement solicitation, procedures, or guidelines; (vi) communications that are privileged, protected, or confidential under law; and (vii) communications that are part of a formal procurement process as set out by statute, rule, or the solicitation, guidelines, or procedures, including, but not limited to, the posting of procurement opportunities, the process for approving a procurement business case or its equivalent, fiscal approval, submission of bids, the finalizing of contract terms and conditions with an awardee or apparent awardee, and similar formal procurement processes. The provisions of this Section shall not apply to communications regarding the administration and implementation of an existing contract, except communications regarding change orders or the renewal or extension of a contract.

(b) The report required by subsection (a) shall be submitted monthly and include at least the following: (i) the date and time of each communication; (ii) the identity of each person from whom the written or oral communication was received, the individual or entity represented by that person, and any action the person requested or recommended; (iii) the identity and job title of the person to whom each communication was made; (iv) if a response is made, the identity and job title of the person making each response; (v) a detailed summary of the points made by each person involved in the communication; (vi) the duration of the communication; (vii) the location or locations of all persons involved in the communication and, if the communication occurred by telephone, the telephone numbers for the callers and recipients of the communication; and (viii) any other pertinent information. No trade secrets or other proprietary or confidential information shall be included in any communication reported to the Procurement Policy Board.

(c) Additionally, when an oral communication made by a person required to register under the Lobbyist Registration Act is received by a State employee that is covered under this Section, all individuals who initiate or participate in the oral communication shall submit a written report to that State employee that memorializes the communication and includes, but is not limited to, the items listed in subsection (b).

(d) The Procurement Policy Board shall make each report submitted pursuant to this Section available on its website within 7 calendar days after its receipt of the report. The Procurement Policy Board may promulgate rules to ensure compliance with this Section.

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(e) The reporting requirements shall also be conveyed through ethics training under the State Officials and Employees Ethics Act. An employee who knowingly and intentionally violates this Section shall be subject to suspension or discharge. The Executive Ethics Commission shall promulgate rules, including emergency rules, to implement this Section.

(f) This Section becomes operative on January 1, 2011.

(g) For purposes of this Section:

"Active procurement matter" means a procurement process beginning with requisition or determination of need by an agency and continuing through the publication of an award notice or other completion of a final procurement action, the resolution of any protests, and the expiration of any protest or Procurement Policy Board review period, if applicable. "Active procurement matter" also includes communications relating to change orders, renewals, or extensions.

"Material information" means information that a reasonable person would deem important in determining his or her course of action and pertains to significant issues, including, but not limited to, price, quantity, and terms of payment or performance.

"Material argument" means a communication that a reasonable person would believe was made for the purpose of influencing a decision relating to a procurement matter. "Material argument" does not include general information about products, services, or industry best practices or a response to a communication initiated by an employee of the State for the purposes of providing information to evaluate new products, trends, services, or technologies.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 96-920, eff. 7-1-10; 97-333, eff. 8-12-11; 97-618, eff. 10-26-11; 97-895, eff. 8-3-12.)

Sec. 50-40. Reporting anticompetitive practices. When, for any reason, any vendor, bidder, offeror, potential contractor, contractor, chief procurement officer, State purchasing officer, designee, elected official, or State employee suspects collusion or other anticompetitive practice among any bidders, offerors, potential contractors, contractors, proposers, or employees of the State, a notice of the relevant facts shall be transmitted to the Attorney General and the chief procurement officer.

(Source: P.A. 90-572, eff. 2-6-98.)

Sec. 50-40. Reporting anticompetitive practices. When, for any reason, any vendor, bidder, offeror, potential contractor, contractor, chief procurement officer, State purchasing officer, designee, elected official, or State employee suspects collusion or other anticompetitive practice among any bidders, offerors, potential contractors, contractors, proposers, or employees of the State, a notice of the relevant facts shall be transmitted to the Attorney General and the chief procurement officer.

(Source: P.A. 90-572, eff. 2-6-98.)
Sec. 50-45. Confidentiality. Any chief procurement officer, State purchasing officer, designee, or executive officer who willfully uses or allows the use of specifications, competitive solicitation bid documents, proprietary competitive information, proposals, contracts, or selection information to compromise the fairness or integrity of the procurement, bidding, or contract process shall be subject to immediate dismissal, regardless of the Personnel Code, any contract, or any collective bargaining agreement, and may in addition be subject to criminal prosecution.

(Source: P.A. 90-572, eff. 2-6-98.)

(30 ILCS 500/50-70)

Sec. 50-70. Additional provisions. This Code is subject to applicable provisions of the following Acts:

(1) Article 33E of the Criminal Code of 2012;
(2) the Illinois Human Rights Act;
(3) the Discriminatory Club Act;
(4) the Illinois Governmental Ethics Act;
(5) the State Prompt Payment Act;
(6) the Public Officer Prohibited Activities Act;
(7) the Drug Free Workplace Act;
(8) the Illinois Power Agency Act;
(9) the Employee Classification Act; and
(10) the State Officials and Employees Ethics Act; and
(11) the Department of Employment Security Law.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of changes made by P.A. 96-795); 97-1150, eff. 1-25-13.)

(30 ILCS 500/55-10)

Sec. 55-10. Exclusive exercise of powers. On and after 120 calendar days following the effective date of this Act, the powers granted under this Code shall be exercised exclusively as granted under this Code, and no State agency may concurrently exercise any such power, unless specifically authorized otherwise by a later enacted law. This Code is not intended to impair any contract entered into before the effective date of this Act.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

Section 10. The Small Business Contracts Act is amended by changing Section 5 and by adding Sections 12 and 25 as follows:

(30 ILCS 503/5)

Sec. 5. Definitions. For the purposes of this Act, the following terms shall have the following definitions:

New matter indicated by italics - deletions by strikeout
"Small business" means a small business as defined in the Illinois Procurement Code.

"State contract" means a State contract, as defined in the Illinois Procurement Code, funded with State or federal funds, whether competitively bid or negotiated.

"State official or agency" means a department, officer, board, commission, institution, or body politic or corporate of the State.

"Subcontract" means a subcontract, as defined in the Illinois Procurement Code, funded with State or federal funds, whether competitively bid or negotiated.

(Source: P.A. 97-307, eff. 8-11-11.)

(30 ILCS 503/12 new)

Sec. 12. Chief procurement officers; presentation. During each fiscal year, the chief procurement officers appointed pursuant to Section 10-20 of the Illinois Procurement Code, individually or as a group, may provide presentations at which small businesses may learn about the contracting process and how to apply for contracts.

(30 ILCS 503/25 new)

Sec. 25. Rulemaking. Subject to the rule making provision of the Illinois Administrative Procedure Act, each chief procurement officer may adopt rules to implement and administer this Act.

Section 15. The Governmental Joint Purchasing Act is amended by changing Sections 1, 3, and 4 as follows:

(30 ILCS 525/1) (from Ch. 85, par. 1601)

Sec. 1. For the purposes of this Act, "governmental unit" means State of Illinois, any State agency as defined in Section 1-15.100 of the Illinois Procurement Code, officers of the State of Illinois, any public authority which has the power to tax, or any other public entity created by statute.

(Source: P.A. 86-769.)

(30 ILCS 525/3) (from Ch. 85, par. 1603)

Sec. 3. Conduct of competitive procurement selection. Under any agreement of governmental units that desire to make joint purchases pursuant to subsection (a) of Section 2, one of the governmental units shall conduct the competitive procurement selection process. Where the State of Illinois is a party to the joint purchase agreement, the appropriate chief procurement officer shall conduct or authorize the competitive procurement selection process. Expenses of such competitive procurement selection process may be shared by the participating governmental units in proportion to the amount of personal property, supplies or services each unit purchases.

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When the State of Illinois is a party to the joint purchase agreement pursuant to subsection (a) of Section 2, the acceptance of responses to the competitive procurement selection process shall be in accordance with the Illinois Procurement Code and rules promulgated under that Code. When the State of Illinois is not a party to the joint purchase agreement, the acceptance of responses to the competitive procurement selection process shall be governed by the agreement.

When the State of Illinois is a party to a joint purchase agreement pursuant to subsection (a-5) of Section 2, the State may act as the lead state or as a participant state. When the State of Illinois is the lead state, all such joint purchases shall be conducted in accordance with the Illinois Procurement Code. When Illinois is a participant state, all such joint purchases shall be conducted in accordance with the procurement laws of the lead state; provided that all such joint procurements must be by competitive solicitation process. All resulting awards shall be published in the appropriate volume of the Illinois Procurement Bulletin as may be required by Illinois law governing publication of the solicitation, protest, and award of Illinois State contracts. Contracts resulting from a joint purchase shall contain all provisions required by Illinois law and rule.

The personal property, supplies or services involved shall be distributed or rendered directly to each governmental unit taking part in the purchase. The person selling the personal property, supplies or services may bill each governmental unit separately for its proportionate share of the cost of the personal property, supplies or services purchased.

The credit or liability of each governmental unit shall remain separate and distinct. Disputes between bidders and governmental units shall be resolved between the immediate parties.

(Source: P.A. 96-584, eff. 1-1-10; 97-895, eff. 8-3-12.)

(30 ILCS 525/4) (from Ch. 85, par. 1604)

Sec. 4. Bids, offers, and small purchases and proposals. The purchases of all personal property, supplies and services under this Act, except for small purchases, shall be based on competitive solicitations and shall follow the same procedures used for competitive solicitations made pursuant to the Illinois Procurement Code. For purchases pursuant to subsection (a) of Section 2, bids and offers and proposals shall be solicited by public notice inserted at least once in a newspaper of general circulation in one of the counties where the materials are to be used and at least 5 calendar days before the final date of submitting bids or offers or proposals. Where the State of Illinois is a party to the joint purchase agreement, public
notice soliciting the bids or offers shall be published in the appropriate volume of the Illinois Procurement Bulletin. Such notice shall include a general description of the personal property, supplies or services to be purchased and shall state where all blanks and specifications may be obtained and the time and place for the opening of bids and offers and proposals. The governmental unit conducting the competitive procurement selection process may also solicit sealed bids or offers or proposals by sending requests by mail to potential contractors, prospective suppliers and by posting notices on a public bulletin board in its office. Small purchases pursuant to this Section shall follow the same procedure used for small purchases in Section 20-20 of the Illinois Procurement Code.

All purchases, orders or contracts shall be awarded to the lowest responsible bidder or highest-ranked offeror proposer, taking into consideration the qualities of the articles or services supplied, their conformity with the specifications, their suitability to the requirements of the participating governmental units and the delivery terms.

Where the State of Illinois is not a party, all bids or offers or proposals may be rejected and new bids or offers or proposals solicited if one or more of the participating governmental units believes the public interest may be served thereby. Each bid or offer, or proposal, with the name of the bidder or offeror, or proposer, shall be entered on a record, which record with the successful bid or offer, or proposal indicated thereon shall, after the award of the purchase or order or contract, be open to public inspection. A copy of all contracts shall be filed with the purchasing office or clerk or secretary of each participating governmental unit.

(Source: P.A. 96-584, eff. 1-1-10; 97-895, eff. 8-3-12.)

Section 20. The Discriminatory Club Act is amended by changing Section 2 as follows:

(775 ILCS 25/2) (from Ch. 68, par. 102)

Sec. 2. No private organization which sells goods or services to the State pursuant to the Illinois Procurement Code Purchasing Act, nor any private organization which receives any award or grant from the State, nor any public body may pay any dues or fees on behalf of its employees or agents or may subsidize or otherwise reimburse them for payments of their dues or fees to any discriminating club. The Illinois Department of Human Rights shall enforce this Section.

(Source: P.A. 85-909.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer

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in effect (for example, a Section represented by multiple versions), the use of
that text does not accelerate or delay the taking effect of (i) the changes made
by this Act or (ii) provisions derived from any other Public Act.
Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1077
(House Bill No. 5512)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 5. The Code of Civil Procedure is amended by changing
Sections 13-211, 13-212, and 13-214.3 as follows:
(735 ILCS 5/13-211) (from Ch. 110, par. 13-211)
Sec. 13-211. Minors and persons under legal disability.
(a) If the person entitled to bring an action, specified in Sections 13-
201 through 13-210 of this Code Act, at the time the cause of action accrued,
is under the age of 18 years; or is under a legal disability, then he or she may
bring the action within 2 years after the person attains the age of 18 years, or
the disability is removed.
(b) If the person entitled to bring an action specified under Sections
13-201 through 13-210 of this Code is not under a legal disability at the time
the cause of action accrues, but becomes under a legal disability before the
period of limitations otherwise runs, the period of limitations is stayed until
the disability is removed. This subsection (b) does not invalidate any statute
of repose provisions contained in Sections 13-201, 13-202, 13-202.1, 13-
210 of this Code. In no event shall the period of limitations for a cause of
action under Section 13-205 or 13-206 of this Code be stayed in excess of 10
years from the date of the adjudication of legal disability. This subsection (b)
applies to actions commenced or pending on or after the effective date of this
amendatory Act of the 98th General Assembly.
(Source: P.A. 85-18; 85-907; 86-1329.)
(735 ILCS 5/13-212) (from Ch. 110, par. 13-212)
Sec. 13-212. Physician or hospital.

New matter indicated by italics - deletions by strikeout
(a) Except as provided in Section 13-215 of this Act, no action for damages for injury or death against any physician, dentist, registered nurse or hospital duly licensed under the laws of this State, whether based upon tort, or breach of contract, or otherwise, arising out of patient care shall be brought more than 2 years after the date on which the claimant knew, or through the use of reasonable diligence should have known, or received notice in writing of the existence of the injury or death for which damages are sought in the action, whichever of such date occurs first, but in no event shall such action be brought more than 4 years after the date on which occurred the act or omission or occurrence alleged in such action to have been the cause of such injury or death.

(b) Except as provided in Section 13-215 of this Act, no action for damages for injury or death against any physician, dentist, registered nurse or hospital duly licensed under the laws of this State, whether based upon tort, or breach of contract, or otherwise, arising out of patient care shall be brought more than 8 years after the date on which occurred the act or omission or occurrence alleged in such action to have been the cause of such injury or death where the person entitled to bring the action was, at the time the cause of action accrued, under the age of 18 years; provided, however, that in no event may the cause of action be brought after the person's 22nd birthday. If the person was under the age of 18 years when the cause of action accrued and, as a result of this amendatory Act of 1987, the action is either barred or there remains less than 3 years to bring such action, then he or she may bring the action within 3 years of July 20, 1987.

(c) If the person entitled to bring an action described in this Section is, at the time the cause of action accrued, under a legal disability other than being under the age of 18 years, then the period of limitations does not begin to run until the disability is removed.

(d) If the person entitled to bring an action described in this Section is not under a legal disability at the time the cause of action accrues, but becomes under a legal disability before the period of limitations otherwise runs, the period of limitations is stayed until the disability is removed. This subsection (d) does not invalidate any statute of repose provisions contained in this Section. This subsection (d) applies to actions commenced or pending on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 85-18; 85-907; 86-1329.)

(735 ILCS 5/13-214.3) (from Ch. 110, par. 13-214.3)

New matter indicated by italics - deletions by strikeout
Sec. 13-214.3. Attorneys.

(a) In this Section: "attorney" includes (i) an individual attorney, together with his or her employees who are attorneys, (ii) a professional partnership of attorneys, together with its employees, partners, and members who are attorneys, and (iii) a professional service corporation of attorneys, together with its employees, officers, and shareholders who are attorneys; and "non-attorney employee" means a person who is not an attorney but is employed by an attorney.

(b) An action for damages based on tort, contract, or otherwise (i) against an attorney arising out of an act or omission in the performance of professional services or (ii) against a non-attorney employee arising out of an act or omission in the course of his or her employment by an attorney to assist the attorney in performing professional services must be commenced within 2 years from the time the person bringing the action knew or reasonably should have known of the injury for which damages are sought.

(c) Except as provided in subsection (d), an action described in subsection (b) may not be commenced in any event more than 6 years after the date on which the act or omission occurred.

(d) When the injury caused by the act or omission does not occur until the death of the person for whom the professional services were rendered, the action may be commenced within 2 years after the date of the person's death unless letters of office are issued or the person's will is admitted to probate within that 2 year period, in which case the action must be commenced within the time for filing claims against the estate or a petition contesting the validity of the will of the deceased person, whichever is later, as provided in the Probate Act of 1975.

(e) If the person entitled to bring the action is under the age of majority or under other legal disability at the time the cause of action accrues, the period of limitations shall not begin to run until majority is attained or the disability is removed.

(f) If the person entitled to bring an action described in this Section is not under a legal disability at the time the cause of action accrues, but becomes under a legal disability before the period of limitations otherwise runs, the period of limitations is stayed until the disability is removed. This subsection (f) does not invalidate any statute of repose provisions contained in this Section. This subsection (f) applies to actions commenced or pending
on or after the effective date of this amendatory Act of the 98th General Assembly.

(g) This Section applies to all causes of action accruing on or after its effective date.

(Source: P.A. 86-1371.)

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1078
(House Bill No. 5592)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Pension Code is amended by changing Section 7-145 as follows:

(40 ILCS 5/7-145) (from Ch. 108 1/2, par. 7-145)
Sec. 7-145. Reversionary annuities.
(a) An employee entitled to a retirement annuity may elect to provide a reversionary annuity for a beneficiary if, at the time such retirement annuity begins:

1. Under the provisions of paragraph (a) 1 of Section 7-142 he is entitled to an immediate annuity of at least $10 per month; and
2. His accumulated additional and optional credits are sufficient to provide a reversionary annuity, of at least $10 per month, for the beneficiary.

(b) An election shall become effective only:
1. If a written notice thereof by the employee is received by the board together with his application for retirement annuity, and
2. If the amount of the beneficiary's reversionary annuity specified in the notice is not less than $10 nor more than that which can be provided, at the time of election, by the accumulation of additional and optional credits.

(c) The amount of the reversionary annuity shall be that specified in the notice of election.

(d) Reversionary annuity shall begin the first day of the month following the month in which the last payment of the employee annuity is payable because of death, provided the beneficiary is alive at such time. If the

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beneficiary does not survive the annuitant, no reversionary annuity shall be payable, but only the death benefit as provided in Sections 7-163 and 7-164.

(e) Any election made under this Section shall be irrevocable by the employee.

(Source: P.A. 90-448, eff. 8-16-97.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1079
(House Bill No. 5666)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Solid Waste Hauling and Recycling Program Act.

Section 5. Definitions. As used in this Act, unless the context clearly indicates otherwise:

"County" means a county in Illinois having a population of 3,000,000 or more, and any county that is contiguous to that county.

"Hauler" means any person who engages in the business of collecting or hauling garbage, municipal waste, recyclable material, landscape waste, brush, or other refuse on a continuous and regular basis, and makes multiple scheduled collections per month within a county.

"Landscape waste" means all accumulations of grass or shrubbery cuttings, leaves, tree limbs, and other materials accumulated as the result of the care of lawns, shrubbery, vines, and trees.

"Municipal waste" means garbage, general household institutional and commercial waste, industrial lunchroom or office waste, and landscape waste. "Municipal waste" also includes "garbage", "refuse", and "ashes", as those terms are defined in Section 11-19-2 of the Municipal Code.

"Municipality" means a municipality, as defined in Section 1 of Article VII of the Illinois Constitution, that is located either partially or wholly within the boundaries of a county as defined in this Section. "Municipality" does not include a municipality with a population of 2,000,000 or more.

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"Person" means any business, public or private corporation, partnership, association, government agency, municipality, unit of local government, or other legal entity.

"Recycling" means a method, technique, or process designed to remove any contaminant from waste so as to render that waste reusable, or any process by which materials that would otherwise be disposed of or discarded are collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

"Recyclable material" means material that is separated from municipal waste for the purpose of recycling, including, but not limited to, ferrous metal cans, aluminum containers, glass, plastics including HDPE or PET containers and plastics #3 through #7, newsprint, corrugated paper, junk mail, magazines, office paper, and boxboard.

Section 10. Collection of recyclable materials.

(a) Each hauler operating in a county or municipality shall offer, either as part of basic service, or alternatively as an additional service, the collection of recyclable materials from any commercial business, commercial property, or institutional facility within that county or municipality. Haulers shall provide information on how and what materials to recycle at least once every other year to customers with recycling service. Haulers shall provide a written offer to provide recycling services to commercial businesses, owners or operators of commercial property, and institutional facilities that are not recycling. Those offers shall be made at least once during the term of the contract or at least once every 2 years, whichever is shorter. The hauler's written offer shall include a request that the commercial business, owner or operator of the commercial business, or institutional facility respond to the hauler's request to provide recycling services in writing.

(b) Recyclable materials collected by a hauler within a county or municipality shall not be deposited into a landfill or incinerator unless all reasonable efforts have been made by the hauler to sell those recyclable materials to a processor or end user.

(c) Ownership of recyclable materials set out for collection shall remain with the commercial business, commercial property owner, or institutional facility that set out the material for collection until the material is removed by the hauler.

Section 15. Compliance. Nothing in this Act shall exempt a hauler from obtaining a license or permit required by other applicable laws or regulations. The hauler shall at all times operate in compliance with all applicable laws and regulations.

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In the event of a conflict between this Act and any other law, including, but not limited to, the Solid Waste Planning and Recycling Act, the Counties Code, and the Illinois Municipal Code, this Act shall control.

Section 20. Applicability. Nothing in this Act shall apply to a contract or franchise awarded pursuant to Section 11-19-1 of the Municipal Code, entered into before the effective date of this Act. Nothing in this Act shall apply to a municipality with a population of 2,000,000 or more.

Section 25. Home Rule. No home rule municipality with a population of less than 2,000,000 or home rule county may provide for the collection of recyclable materials in a manner less restrictive than the provisions of this Act. This Act is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule municipalities or home rule counties of powers and functions exercised by the State.

Section 90. The Illinois Municipal Code is amended by changing Section 11-19-1 as follows:

(a) Any city, village or incorporated town may make contracts with any other city, village, or incorporated town or with any person, corporation, or county, or any agency created by intergovernmental agreement, for more than one year and not exceeding 30 years relating to the collection and final disposition, or relating solely to either the collection or final disposition of garbage, refuse and ashes. A municipality may contract with private industry to operate a designated facility for the disposal, treatment or recycling of solid waste, and may enter into contracts with private firms or local governments for the delivery of waste to such facility. In regard to a contract involving a garbage, refuse, or garbage and refuse incineration facility, the 30 year contract limitation imposed by this Section shall be computed so that the 30 years shall not begin to run until the date on which the facility actually begins accepting garbage or refuse. The payments required in regard to any contract entered into under this Division 19 shall not be regarded as indebtedness of the city, village, or incorporated town, as the case may be, for the purpose of any debt limitation imposed by any law.

(a-5) If a municipality with a population of less than 1,000,000 located in a county as defined in the Solid Waste and Recycling Program Act has never awarded a franchise to a private entity for the collection of waste from non-residential locations, then the municipality may not award a franchise unless:

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(1) the municipality provides prior written notice to all haulers licensed to provide waste hauling service in that municipality of the municipality's intent to issue a request for proposal under this Section;

(2) the municipality adopts an ordinance requiring each licensed hauler, for a period of no less than 36 continuous months commencing on the first day of the month following the effective date of such ordinance, to report every 6 months to the municipality the number of non-residential locations served by the hauler in the municipality and the number of non-residential locations contracting with the hauler for the recyclable materials collection service pursuant to Section 10 of the Solid Waste Hauling and Recycling Program Act; and

(3) the report to the municipality required under paragraph (2) of this subsection (a-5) for the final 6 months of that 36-month period establishes that less than 50% of the non-residential locations in the municipality contract for recyclable material collection services pursuant to Section 10 of the Solid Waste Hauling and Recycling Program Act.

All such reports shall be filed with the municipality by the hauler on or before the last day of the month following the end of the 6-month reporting period. Within 15 days after the last day for licensed haulers to file such reports, the municipality shall post on its website: (i) the information provided by each hauler pursuant to paragraph (2) of this subsection (a-5), without identifying the hauler; and (ii) the aggregate number of non-residential locations served by all licensed haulers in the municipality and the aggregate number of non-residential locations contracting with all licensed haulers in the municipality for the recyclable materials collection service under Section 10 of the Solid Waste Hauling and Recycling Program Act.

(a-10) Beginning at the conclusion of the 36-month reporting period and thereafter, and upon written request of the municipality, each licensed hauler shall, for every 6-month period, report to the municipality (i) the number of non-residential locations served by the hauler in the municipality and the number of non-residential locations contracting with the hauler for the recyclable materials collection service pursuant to Section 10 of the Solid Waste Hauling and Recycling Program Act, (ii) an estimate of the quantity of recyclable materials, in tons, collected by the hauler in the municipality from non-residential locations contracting with the hauler for recyclable

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materials collection service pursuant to Section 10 of the Solid Waste Hauling and Recycling Program Act, and (iii) an estimate of the quantity of municipal waste, in tons, collected by the hauler in the municipality from those non-residential locations. All reports for that 6-month period shall be filed with the municipality by the hauler on or before the last day of the month following the end of the 6-month reporting period. Within 15 days after the last day for licensed haulers to file such reports, the municipality shall post on its website: (i) the information provided by each hauler pursuant to this subsection (a-10), without identifying the hauler; and (ii) the aggregate number of non-residential locations served by all licensed haulers in the municipality and the aggregate number of non-residential locations contracting with all licensed haulers in the municipality for the recyclable materials collection service under Section 10 of the Solid Waste Hauling and Recycling Program Act.

A municipality subject to subsection (a-5) of this Section may not award a franchise unless 2 consecutive 6-month reports determine that less than 50% of the non-residential locations within the municipality contract for recyclable material collection service pursuant to Section 10 of the Solid Waste Hauling and Recycling Program Act.

(b) If a municipality with a population of less than 1,000,000 has never awarded a franchise to a private entity for the collection of waste from non-residential locations, then that municipality may not award such a franchise without issuing a request for proposal. The municipality may not issue a request for proposal without first: (i) holding at least one public hearing seeking comment on the advisability of issuing a request for proposal and awarding a franchise; (ii) providing at least 30 days' written notice of the hearing, delivered by first class mail to all private entities that provide non-residential waste collection services within the municipality that the municipality is able to identify through its records; and (iii) providing at least 30 days' public notice of the hearing.

After issuing a request for proposal, the municipality may not award a franchise without first: (i) allowing at least 30 days for proposals to be submitted to the municipality; (ii) holding at least one public hearing after the receipt of proposals on whether to award a franchise to a proposed franchisee; and (iii) providing at least 30 days' public notice of the hearing. At the public hearing, the municipality must disclose and discuss the proposed franchise fee or calculation formula of such franchise fee that it will receive under the proposed franchise.

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(b-5) If no request for proposal is issued within 120 days after the initial public hearing required in subsection (b), then the municipality must hold another hearing as outlined in subsection (b).

(b-10) If a municipality has not awarded a franchise within 210 days after the date that a request for proposal is issued pursuant to subsection (b), then the municipality must adhere to all of the requirements set forth in subsections (b) and (b-5).

(b-15) The franchise fee and any other fees, taxes, or charges imposed by the municipality in connection with a franchise for the collection of waste from non-residential locations must be used exclusively for costs associated with administering the franchise program.

(c) If a municipality with a population of less than 1,000,000 has never awarded a franchise to a private entity for the collection of waste from non-residential locations, then a private entity may not begin providing waste collection services to non-residential locations under a franchise agreement with that municipality at any time before the date that is 15 months after the date the ordinance or resolution approving the award of the franchise is adopted.

(d) For purposes of this Section, "waste" means garbage, refuse, or ashes as defined in Section 11-19-2.

(e) A home rule unit may not award a franchise to a private entity for the collection of waste in a manner contrary to the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 95-856, eff. 10-1-08; 96-1215, eff. 7-22-10.)

Section 95. The Solid Waste Planning and Recycling Act is amended by adding Section 13 as follows:

(415 ILCS 15/13 new)

Sec. 13. Solid Waste Hauling and Recycling Program Act. This Act is subject to the provisions of the Solid Waste Hauling and Recycling Program Act.

Effective August 26, 2014.

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AN ACT concerning finance.

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

Section 5. If and only if House Bill 2317 of the 98th General Assembly becomes law, then the Use Tax Act is amended by changing Section 2 as follows:

(35 ILCS 105/2) (from Ch. 120, par. 439.2)
Sec. 2. "Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it does not include the sale of such property in any form as tangible personal property in the regular course of business to the extent that such property is not first subjected to a use for which it was purchased, and does not include the use of such property by its owner for demonstration purposes: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. "Use" does not mean the demonstration use or interim use of tangible personal property by a retailer before he sells that tangible personal property. For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay on the retailers' original cost price the tax imposed by this Act, and no credit for that tax is permitted if the watercraft or aircraft is subsequently sold by the retailer. "Use" does not mean the physical incorporation of tangible personal property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, into other tangible personal property (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing.

"Watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

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"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of tangible personal property for a valuable consideration.

"Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced by-product of manufacturing. "Sale at retail" includes any such transfer made for resale unless made in compliance with Section 2c of the Retailers' Occupation Tax Act, as incorporated by reference into Section 12 of this Act. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price are sales.

"Sale at retail" shall also be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

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"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's tax liability under the "Retailers' Occupation Tax Act", or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

Notwithstanding any law to the contrary, for any motor vehicle, as defined in Section 1-146 of the Vehicle Code, that is sold on or after January 1, 2015 for the purpose of leasing the vehicle for a defined period that is longer than one year and (1) is a motor vehicle of the second division that: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers; or (C) has a gross vehicle weight rating of 8,000 pounds or less or (2) is a motor vehicle of the first division, "selling price" or "amount of sale" means the consideration received by the lessor pursuant to the lease contract, including amounts due at lease signing and all monthly or other regular payments charged over the term of the lease. Also included in the selling price is any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, including, but not limited to, excess mileage charges and charges
for excess wear and tear. For sales that occur in Illinois, with respect to any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, the lessor who purchased the motor vehicle does not incur the tax imposed by the Use Tax Act on those amounts, and the retailer who makes the retail sale of the motor vehicle to the lessor is not required to collect the tax imposed by this Act or to pay the tax imposed by the Retailers' Occupation Tax Act on those amounts. However, the lessor who purchased the motor vehicle assumes the liability for reporting and paying the tax on those amounts directly to the Department in the same form (Illinois Retailers' Occupation Tax, and local retailers' occupation taxes, if applicable) in which the retailer would have reported and paid such tax if the retailer had accounted for the tax to the Department. For amounts received by the lessor from the lessee that are not calculated at the time the lease is executed, the lessor must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. If the retailer is entitled under this Act to a discount for collecting and remitting the tax imposed under this Act to the Department with respect to the sale of the motor vehicle to the lessor, then the right to the discount provided in this Act shall be transferred to the lessor with respect to the tax paid by the lessor for any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed; provided that the discount is only allowed if the return is timely filed and for amounts timely paid. The "selling price" of a motor vehicle that is sold on or after January 1, 2015 July 1, 2014 for the purpose of leasing for a defined period of longer than one year shall not be reduced by the value of or credit given for traded-in tangible personal property owned by the lessor, nor shall it be reduced by the value of or credit given for traded-in tangible personal property owned by the lessee, regardless of whether the trade-in value thereof is assigned by the lessee to the lessor. In the case of a motor vehicle that is sold for the purpose of leasing for a defined period of longer than one year, the sale occurs at the time of the delivery of the vehicle, regardless of the due date of any lease payments. A lessor who incurs a Retailers' Occupation Tax liability on the sale of a motor vehicle coming off lease may not take a credit against that liability for the Use Tax the lessor paid upon the purchase of the motor vehicle (or for any tax the lessor paid with respect to any amount received by the lessor from the lessee for the leased vehicle that was not calculated at the time the lease was executed) if the selling price of the motor vehicle at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph.
Notwithstanding any other provision of this Act to the contrary, lessors shall file all returns and make all payments required under this paragraph to the Department by electronic means in the manner and form as required by the Department. This paragraph does not apply to leases of motor vehicles for which, at the time the lease is entered into, the term of the lease is not a defined period, including leases with a defined initial period with the option to continue the lease on a month-to-month or other basis beyond the initial defined period.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a retailer hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is a retailer with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for

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sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. This paragraph does not apply to nor subject to taxation occasional dinners, social or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not a retailer under this Act with respect to such transactions.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are retailers hereunder when engaged in such business.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail or a sale through a bulk vending machine does not make such person a retailer hereunder. However, any person who is engaged in a business which is not subject to the tax imposed by the "Retailers' Occupation Tax Act" because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is a retailer to the extent of the value of the tangible personal property so transferred. If, in such transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purposes of this Act, is the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property.

"Retailer maintaining a place of business in this State", or any like term, means and includes any of the following retailers:

1. A retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other
representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State. However, the ownership of property that is located at the premises of a printer with which the retailer has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the printed product is produced shall not result in the retailer being deemed to have or maintain an office, distribution house, sales house, warehouse, or other place of business within this State.

1.1. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which the person, for a commission or other consideration based upon the sale of tangible personal property by the retailer, directly or indirectly refers potential customers to the retailer by a link on the person's Internet website. The provisions of this paragraph 1.1 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers who are referred to the retailer by all persons in this State under such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December.

1.2. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which:
   A. the retailer sells the same or substantially similar line of products as the person located in this State and does so using an identical or substantially similar name, trade name, or trademark as the person located in this State; and
   B. the retailer provides a commission or other consideration to the person located in this State based upon the sale of tangible personal property by the retailer.

The provisions of this paragraph 1.2 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers in this State under all such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December.

2. A retailer soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be

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broadcast by cable television or other means of broadcasting, to consumers located in this State.

3. A retailer, pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions.

4. A retailer soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities.

5. A retailer that is owned or controlled by the same interests that own or control any retailer engaging in business in the same or similar line of business in this State.

6. A retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section.

7. A retailer, pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State.

8. A retailer engaging in activities in Illinois, which activities in the state in which the retail business engaging in such activities is located would constitute maintaining a place of business in that state.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 95-723, eff. 6-23-08; 96-1544, eff. 3-10-11; 09800HB2317enr.)

Section 10. If and only if House Bill 2317 of the 98th General Assembly becomes law, then the Retailers' Occupation Tax Act is amended by changing Section 1 as follows:

(35 ILCS 120/1) (from Ch. 120, par. 440)
Sec. 1. Definitions. "Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use or consumption, and not for the purpose of resale in any form

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as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced byproduct of manufacturing. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price shall be deemed to be sales.

"Sale at retail" shall be construed to include any transfer of the ownership of or title to tangible personal property to a purchaser, for use or consumption by any other person to whom such purchaser may transfer the tangible personal property without a valuable consideration, and to include any transfer, whether made for or without a valuable consideration, for resale in any form as tangible personal property unless made in compliance with Section 2c of this Act.

Sales of tangible personal property, which property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, goes into and forms a part of tangible personal property subsequently the subject of a "Sale at retail", are not sales at retail as defined in this Act: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing.

"Sale at retail" shall be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags,
and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is engaged in the business of selling tangible personal property at retail with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. The provisions of this paragraph shall not apply to nor subject to taxation occasional dinners, socials or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not engaged in the business of selling tangible personal property at retail with respect to such transactions.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of or title to tangible personal property for a valuable consideration.

"Reseller of motor fuel" means any person engaged in the business of selling or delivering or transferring title of motor fuel to another person other than for use or consumption. No person shall act as a reseller of motor fuel within this State without first being registered as a reseller pursuant to Section 2c or a retailer pursuant to Section 2a.

"Selling price" or the "amount of sale" means the consideration for a sale valued in money whether received in money or otherwise, including

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cash, credits, property, other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include charges that are added to prices by sellers on account of the seller's tax liability under this Act, or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by the Use Tax Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

Notwithstanding any law to the contrary, for any motor vehicle, as defined in Section 1-146 of the Vehicle Code, that is sold on or after January 1, 2015 July 1, 2014 for the purpose of leasing the vehicle for a defined period that is longer than one year and (1) is a motor vehicle of the second division that: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers; or (C) has a gross vehicle weight rating of 8,000 pounds or less or (2) is a motor vehicle of the first division, "selling price" or "amount of sale" means the consideration received by the lessor pursuant to the lease contract, including amounts due at lease signing and all monthly or other regular payments charged over the term of the lease. Also included in the selling price is any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, including, but not limited to, excess mileage charges and charges for excess wear and tear. For sales that occur in Illinois, with respect to any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, the lessor who purchased the

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motor vehicle does not incur the tax imposed by the Use Tax Act on those amounts, and the retailer who makes the retail sale of the motor vehicle to the lessor is not required to collect the tax imposed by the Use Tax Act or to pay the tax imposed by this Act on those amounts. However, the lessor who purchased the motor vehicle assumes the liability for reporting and paying the tax on those amounts directly to the Department in the same form (Illinois Retailers' Occupation Tax, and local retailers' occupation taxes, if applicable) in which the retailer would have reported and paid such tax if the retailer had accounted for the tax to the Department. For amounts received by the lessor from the lessee that are not calculated at the time the lease is executed, the lessor must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. If the retailer is entitled under this Act to a discount for collecting and remitting the tax imposed under this Act to the Department with respect to the sale of the motor vehicle to the lessor, then the right to the discount provided in this Act shall be transferred to the lessor with respect to the tax paid by the lessor for any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed; provided that the discount is only allowed if the return is timely filed and for amounts timely paid. The "selling price" of a motor vehicle that is sold on or after \textit{January 1, 2015} \textbf{July 1, 2014} for the purpose of leasing for a defined period of longer than one year shall not be reduced by the value of or credit given for traded-in tangible personal property owned by the lessor, nor shall it be reduced by the value of or credit given for traded-in tangible personal property owned by the lessee, regardless of whether the trade-in value thereof is assigned by the lessee to the lessor. In the case of a motor vehicle that is sold for the purpose of leasing for a defined period of longer than one year, the sale occurs at the time of the delivery of the vehicle, regardless of the due date of any lease payments. A lessor who incurs a Retailers' Occupation Tax liability on the sale of a motor vehicle coming off lease may not take a credit against that liability for the Use Tax the lessor paid upon the purchase of the motor vehicle (or for any tax the lessor paid with respect to any amount received by the lessor from the lessee for the leased vehicle that was not calculated at the time the lease was executed) if the selling price of the motor vehicle at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph. Notwithstanding any other provision of this Act to the contrary, lessors shall file all returns and make all payments required under this paragraph to the Department by electronic means in the manner and form as required by the Department. This paragraph does not apply to leases of motor vehicles for
which, at the time the lease is entered into, the term of the lease is not a defined period, including leases with a defined initial period with the option to continue the lease on a month-to-month or other basis beyond the initial defined period.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Gross receipts" from the sales of tangible personal property at retail means the total selling price or the amount of such sales, as hereinbefore defined. In the case of charge and time sales, the amount thereof shall be included only as and when payments are received by the seller. Receipts or other consideration derived by a seller from the sale, transfer or assignment of accounts receivable to a wholly owned subsidiary will not be deemed payments prior to the time the purchaser makes payment on such accounts.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail, or a sale through a bulk vending machine, does not constitute engaging in a business of selling such tangible personal property at retail within the meaning of this Act; provided that any person who is engaged in a business which is not subject to the tax imposed by this Act because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate or a construction contract to engineer, install, and maintain an integrated system of products, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate or was not engineered and installed, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is engaged in the business of selling tangible personal property at retail to the extent of the value of the tangible personal property so transferred. If, in such a transaction,
a separate charge is made for the tangible personal property so transferred, the value of such property, for the purpose of this Act, shall be the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property. Construction contracts for the improvement of real estate consisting of engineering, installation, and maintenance of voice, data, video, security, and all telecommunication systems do not constitute engaging in a business of selling tangible personal property at retail within the meaning of this Act if they are sold at one specified contract price.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a person engaged in the business of selling tangible personal property at retail hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are engaged in the business of selling such property at retail and shall be liable for and shall pay the tax imposed by this Act on the basis of the retail value of the property transferred upon redemption of such stamps.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 95-723, eff. 6-23-08; 09800HB2317enr.)

Section 15. The Illinois Vehicle Code is amended by changing Section 5-501 as follows:

(625 ILCS 5/5-501) (from Ch. 95 1/2, par. 5-501)
Sec. 5-501. Denial, suspension or revocation or cancellation of a license.

(a) The license of a person issued under this Chapter may be denied, revoked or suspended if the Secretary of State finds that the applicant, or the officer, director, shareholder having a ten percent or greater ownership

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interest in the corporation, owner, partner, trustee, manager, employee or the licensee has:

1. Violated this Act;
2. Made any material misrepresentation to the Secretary of State in connection with an application for a license, junking certificate, salvage certificate, title or registration;
3. Committed a fraudulent act in connection with selling, bartering, exchanging, offering for sale or otherwise dealing in vehicles, chassis, essential parts, or vehicle shells;
4. As a new vehicle dealer has no contract with a manufacturer or enfranchised distributor to sell that new vehicle in this State;
5. Not maintained an established place of business as defined in this Code;
6. Failed to file or produce for the Secretary of State any application, report, document or other pertinent books, records, documents, letters, contracts, required to be filed or produced under this Code or any rule or regulation made by the Secretary of State pursuant to this Code;
7. Previously had, within 3 years, such a license denied, suspended, revoked, or cancelled under the provisions of subsection (c)(2) of this Section;
8. Has committed in any calendar year 3 or more violations, as determined in any civil or criminal proceeding, of any one or more of the following Acts:
   a. the "Consumer Finance Act";
   b. the "Consumer Installment Loan Act";
   c. the "Retail Installment Sales Act";
   d. the "Motor Vehicle Retail Installment Sales Act";
   e. "An Act in relation to the rate of interest and other charges in connection with sales on credit and the lending of money", approved May 24, 1879, as amended;
   f. "An Act to promote the welfare of wage-earners by regulating the assignment of wages, and prescribing a penalty for the violation thereof", approved July 1, 1935, as amended;
   g. Part 8 of Article XII of the Code of Civil Procedure; or
   h. the "Consumer Fraud Act";

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9. Failed to pay any fees or taxes due under this Act, or has failed to transmit any fees or taxes received by him for transmittal by him to the Secretary of State or the State of Illinois;
10. Converted an abandoned vehicle;
11. Used a vehicle identification plate or number assigned to a vehicle other than the one to which originally assigned;
12. Violated the provisions of Chapter 5 of this Act, as amended;
13. Violated the provisions of Chapter 4 of this Act, as amended;
14. Violated the provisions of Chapter 3 of this Act, as amended;
15. Violated Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles;
16. Made or concealed a material fact in connection with his application for a license;
17. Acted in the capacity of a person licensed or acted as a licensee under this Chapter without having a license therefor;
18. Failed to pay, within 90 days after a final judgment, any fines assessed against the licensee pursuant to an action brought under Section 5-404;
19. Failed to pay the Dealer Recovery Trust Fund fee under Section 5-102.7 of this Code;
20. Failed to pay, within 90 days after notice has been given, any fine or fee owed as a result of an administrative citation issued by the Secretary under this Code.

(b) In addition to other grounds specified in this Chapter, the Secretary of State, on complaint of the Department of Revenue, shall refuse the issuance or renewal of a license, or suspend or revoke such license, for any of the following violations of the "Retailers' Occupation Tax Act", the tax imposed on corporations under subsection (b) of Section 201 of the Illinois Income Tax Act, the Personal Property Tax Replacement Income Tax imposed under subsections (c) and (d) of Section 201 of the Illinois Income Tax Act, or the tax imposed under Section 704A of the Illinois Income Tax Act:

1. Failure to make a tax return;
2. The filing of a fraudulent return;
3. Failure to pay all or part of any tax or penalty finally determined to be due;

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4. Failure to comply with the bonding requirements of the "Retailers' Occupation Tax Act".

(b-1) In addition to other grounds specified in this Chapter, the Secretary of State, on complaint of the Motor Vehicle Review Board, shall refuse the issuance or renewal of a license, or suspend or revoke that license, if costs or fees assessed under Section 29 or Section 30 of the Motor Vehicle Franchise Act have remained unpaid for a period in excess of 90 days after the licensee received from the Motor Vehicle Board a second notice and demand for the costs or fees. The Motor Vehicle Review Board must send the licensee written notice and demand for payment of the fees or costs at least 2 times, and the second notice and demand must be sent by certified mail.

(c) Cancellation of a license.

1. The license of a person issued under this Chapter may be cancelled by the Secretary of State prior to its expiration in any of the following situations:
   A. When a license is voluntarily surrendered, by the licensed person; or
   B. If the business enterprise is a sole proprietorship, which is not a franchised dealership, when the sole proprietor dies or is imprisoned for any period of time exceeding 30 days; or
   C. If the license was issued to the wrong person or corporation, or contains an error on its face. If any person above whose license has been cancelled wishes to apply for another license, whether during the same license year or any other year, that person shall be treated as any other new applicant and the cancellation of the person's prior license shall not, in and of itself, be a bar to the issuance of a new license.

2. The license of a person issued under this Chapter may be cancelled without a hearing when the Secretary of State is notified that the applicant, or any officer, director, shareholder having a 10 percent or greater ownership interest in the corporation, owner, partner, trustee, manager, employee or member of the applicant or the licensee has been convicted of any felony involving the selling, bartering, exchanging, offering for sale, or otherwise dealing in vehicles, chassis, essential parts, vehicle shells, or ownership documents relating to any of the above items.

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PUBLIC ACT 98-1080
5518

(Source: P.A. 97-480, eff. 10-1-11; 97-838, eff. 7-20-12; 97-1150, eff. 1-25-13.)


PUBLIC ACT 98-1081
(House Bill No. 5685)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Finance Act is amended by changing Sections 5.214, 5.805, and 8.12 as follows:

(30 ILCS 105/5.214) (from Ch. 127, par. 141.214)
Sec. 5.214. The Savings and Residential Finance Regulatory Fund.
(Source: P.A. 85-1209; 86-1213.)
(30 ILCS 105/5.805)
Sec. 5.805. The Savings Bank Institutions Regulatory Fund.
(Source: P.A. 97-492, eff. 1-1-12; 97-813, eff. 7-13-12.)
(30 ILCS 105/8.12) (from Ch. 127, par. 144.12)
(a) The moneys in the State Pensions Fund shall be used exclusively for the administration of the Uniform Disposition of Unclaimed Property Act and for the expenses incurred by the Auditor General for administering the provisions of Section 2-8.1 of the Illinois State Auditing Act and for the funding of the unfunded liabilities of the designated retirement systems. Beginning in State fiscal year 2015, payments to the designated retirement systems under this Section shall be in addition to, and not in lieu of, any State contributions required under the Illinois Pension Code.
"Designated retirement systems" means:
(1) the State Employees' Retirement System of Illinois;
(2) the Teachers' Retirement System of the State of Illinois;
(3) the State Universities Retirement System;
(4) the Judges Retirement System of Illinois; and
(5) the General Assembly Retirement System.

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(b) Each year the General Assembly may make appropriations from the State Pensions Fund for the administration of the Uniform Disposition of Unclaimed Property Act.

Each month, the Commissioner of the Office of Banks and Real Estate shall certify to the State Treasurer the actual expenditures that the Office of Banks and Real Estate incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Bank and Trust Company Fund, the Savings Bank Regulatory Fund, and the Savings and Residential Finance Regulatory Fund an amount equal to the expenditures incurred by each Fund for that month.

Each month, the Director of Financial Institutions shall certify to the State Treasurer the actual expenditures that the Department of Financial Institutions incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Financial Institution Fund and the Credit Union Fund an amount equal to the expenditures incurred by each Fund for that month.

(c) As soon as possible after the effective date of this amendatory Act of the 93rd General Assembly, the General Assembly shall appropriate from the State Pensions Fund (1) to the State Universities Retirement System the amount certified under Section 15-165 during the prior year, (2) to the Judges Retirement System of Illinois the amount certified under Section 18-140 during the prior year, and (3) to the General Assembly Retirement System the amount certified under Section 2-134 during the prior year as part of the required State contributions to each of those designated retirement systems; except that amounts appropriated under this subsection (c) in State fiscal year 2005 shall not reduce the amount in the State Pensions Fund below $5,000,000. If the amount in the State Pensions Fund does not exceed the sum of the amounts certified in Sections 15-165, 18-140, and 2-134 by at least $5,000,000, the amount paid to each designated retirement system under this subsection shall be reduced in proportion to the amount certified by each of those designated retirement systems.

(c-5) For fiscal years 2006 through 2014, the General Assembly shall appropriate from the State Pensions Fund to the State Universities Retirement
System the amount estimated to be available during the fiscal year in the State Pensions Fund; provided, however, that the amounts appropriated under this subsection (c-5) shall not reduce the amount in the State Pensions Fund below $5,000,000.

(c-6) For fiscal year 2015 and each fiscal year thereafter, as soon as may be practical after any money is deposited into the State Pensions Fund from the Unclaimed Property Trust Fund, the State Treasurer shall apportion the deposited amount among the designated retirement systems as defined in subsection (a) to reduce their actuarial reserve deficiencies. The State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems to fund the unfunded liabilities of the designated retirement systems. The amount apportioned to each designated retirement system shall constitute a portion of the amount estimated to be available for appropriation from the State Pensions Fund that is the same as that retirement system's portion of the total actual reserve deficiency of the systems, as determined annually by the Governor's Office of Management and Budget at the request of the State Treasurer. The amounts apportioned under this subsection shall not reduce the amount in the State Pensions Fund below $5,000,000.

(d) The Governor's Office of Management and Budget shall determine the individual and total reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall utilize the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Employee Pension Fund Division of the Department of Insurance.

(d-1) As soon as practicable after the effective date of this amendatory Act of the 93rd General Assembly, the Comptroller shall direct and the Treasurer shall transfer from the State Pensions Fund to the General Revenue Fund, as funds become available, a sum equal to the amounts that would have been paid from the State Pensions Fund to the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, the Judges Retirement System of Illinois, the General Assembly Retirement System, and the State Employees' Retirement System of Illinois after the effective date of this amendatory Act during the remainder of fiscal year 2004 to the designated retirement systems from the appropriations provided for in this Section if the transfers provided in Section 6z-61 had not occurred. The transfers described in this subsection (d-1) are to partially repay the General Revenue Fund for the costs associated with the bonds used to fund the moneys transferred to the designated retirement systems under Section 6z-61.

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(e) The changes to this Section made by this amendatory Act of 1994 shall first apply to distributions from the Fund for State fiscal year 1996.
(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13; 98-463, eff. 8-16-13.)

Section 10. The Illinois Banking Act is amended by changing Section 71 as follows:

(205 ILCS 5/71) (from Ch. 17, par. 383)
Sec. 71. Voluntary dissolution; fees and expenses Commissioner's fee.
(a) Any bank that elects to dissolve voluntarily under this Act shall pay to the Secretary a fee, which shall be paid upon the Secretary's receipt of the bank's statement of intent. The Secretary shall prescribe by rule the amount of such fee.

(b) All expenses incurred by the Secretary in connection with the voluntary dissolution of any bank shall be paid by the dissolving State bank. The expenses incurred under this subsection shall be deemed to be a liability of the dissolving bank.

The Commissioner shall be entitled to a fee, which shall be paid at the time of deposit, on all money deposited with him for the account of one dissolving bank of two per cent of the first five thousand dollars and one per cent of all sums in excess of five thousand dollars.
(Source: Laws 1965, p. 2020.)

(205 ILCS 105/Act rep.)
Section 15. The Illinois Savings and Loan Act of 1985 is repealed.
Section 20. The Savings Bank Act is amended by changing Sections 1007.130, 4008, 9002, and 9002.5 and by adding Sections 1007.150 and 9002.1 and Articles 12.1 and 12.2 as follows:
(205 ILCS 205/1007.130)
Sec. 1007.130. Out-of-state savings bank. "Out-of-state savings bank" means a savings bank or an association chartered under the laws of a state other than Illinois, a territory of the United States, or the District of Columbia.
(Source: P.A. 93-965, eff. 8-20-04.)

(205 ILCS 205/1007.150 new)
Sec. 1007.150. Applicability of other Acts. Whenever the term "savings and loan", "building and loan", "mutual building loan and homestead", or "building loan and homestead" or other similar name is used with reference to an association organized for the purposes of associations incorporated under the Illinois Savings and Loan Act of 1985 or a similar Act, such reference shall be applicable to a savings bank operating under this

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Act. Whenever in any Act the term "members", "shareholders", or "investors" is used in connection with such associations, however named, the same shall refer to members and holders of capital of savings banks operating under this Act.

(205 ILCS 205/4008) (from Ch. 17, par. 7304-8)

Sec. 4008. Directors. The business and affairs of the savings bank shall be exercised by its elected board of directors. The board of directors shall consist of the number of directors fixed by the bylaws, but shall not be fewer than 5. No more than 40% of the directors shall be salaried employees of the savings bank, except that a higher percentage may be allowed with the prior written approval of the Commissioner. At least two-thirds of the directors shall be residents of this State.

(Source: P.A. 90-301, eff. 8-1-97.)

(205 ILCS 205/9002) (from Ch. 17, par. 7309-2)

Sec. 9002. Powers of Secretary. The Secretary shall have the following powers and duties:

(1) To exercise the rights, powers, and duties set forth in this Act or in any related Act.

(2) To establish regulations as may be reasonable or necessary to accomplish the purposes of this Act.

(3) To make an annual report regarding the work of his office under this Act as he may consider desirable to the Governor, or as the Governor may request.

(4) To cause a suit to be filed in his name to enforce any law of this State that applies to savings banks, their service corporations, subsidiaries, affiliates, or holding companies operating under this Act, including the enforcement of any obligation of the officers, directors, agents, or employees of any savings bank.

(5) To prescribe a uniform manner in which the books and records of every savings bank are to be maintained.

(6) To establish a reasonable fee structure for savings banks and holding companies operating under this Act and for their service corporations and subsidiaries. The fees shall include, but not be limited to, annual fees, application fees, regular and special examination fees, and other fees as the Secretary establishes and demonstrates to be directly resultant from the Secretary's responsibilities under this Act and as are directly attributable to individual entities operating under this Act. The aggregate of all moneys collected by the Secretary on and after the effective date of

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this Act shall be paid promptly after receipt of the same, accompanied by a detailed statement thereof, into the Savings Bank Regulatory Fund established under Section 9002.1 of this Act. Savings and Residential Finance Regulatory Fund subject to the provisions of Section 7-19.1 of the Illinois Savings and Loan Act of 1985 including without limitation the provision for credits against regulatory fees. The amounts deposited into the Fund shall be used for the ordinary and contingent expenses of the Office of Banks and Real Estate. Notwithstanding any other provision of this paragraph (6), the aggregate of all moneys collected by the Secretary under this Act shall be paid promptly after receipt of the same, accompanied by a detailed statement thereof, into the Savings Institutions Regulatory Fund upon the creation of that fund under Section 7-19.2 of the Illinois Savings and Loan Act of 1985, subject to the provisions of Section 7-19.2 of the Illinois Savings and Loan Act of 1985, including without limitation the provision for credits against regulatory fees. The amounts deposited into the Savings Institutions Regulatory Fund under this paragraph (6) shall be used for the ordinary and contingent expenses of administering and enforcing this Act. Nothing in this Act shall prevent continuing the practice of paying expenses involving salaries, retirement, social security, and State-paid insurance of State officers by appropriation from the General Revenue Fund. The Secretary may require payment of the fees under this Act by an electronic transfer of funds or an automatic debit of an account of each of the savings banks.

(Source: P.A. 96-1365, eff. 7-28-10; 97-492, eff. 1-1-12.)

(205 ILCS 205/9002.1 new)

Sec. 9002.1. Savings Bank Regulatory Fund.

(a) The aggregate of all moneys collected by the Secretary under this Act shall be paid promptly after receipt of the same, accompanied by a detailed statement thereof, into the State treasury and shall be set apart in the Savings Bank Regulatory Fund. All earnings received from investments of funds in the Savings Bank Regulatory Fund shall be deposited into the Savings Bank Regulatory Fund and may be used for the same purposes as fees deposited into the Savings Bank Regulatory Fund. The amount from time to time deposited into the Fund shall be used (i) to offset the ordinary administration expenses as defined in subsection (c) of this Section or (ii) as a credit against fees under subsection (b) of this Section. Nothing in this Section shall prevent continuing the practice of paying expenses involving

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salaries, retirement, Social Security, and State paid insurance premiums of State officers by appropriation from the General Revenue Fund. However, the General Revenue Fund shall be reimbursed for those payments made by an annual transfer of funds from the Savings Bank Regulatory Fund. Money in the Savings Bank Regulatory Fund may be transferred to the Professions Indirect Cost Fund as authorized under Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(b) Adequate funds shall be available in the Savings Bank Regulatory Fund to permit the timely payment of administration expenses. In each fiscal year, the total administration expenses shall be deducted from the total fees collected by the Secretary and the remainder transferred into the Cash Flow Reserve Account, unless the balance of the Cash Flow Reserve Account prior to the transfer equals or exceeds one-fourth of the total initial appropriations from the Savings Bank Regulatory Fund for the subsequent year, in which case the remainder shall be credited to savings banks and applied against their fees for the subsequent year. The amount credited to each savings bank shall be in the same proportion as the regulatory fees paid by each for the year bear to the total regulatory fees collected for the year. If, after a transfer to the Cash Flow Reserve Account is made or if no remainder is available for transfer, the balance of the Cash Flow Reserve Account is less than one-fourth of the total initial appropriations for the subsequent year and the amount transferred is less than 5% of the total regulatory fees for the year, additional amounts needed to make the transfer equal to 5% of the total regulatory fees for the year shall be apportioned amongst, assessed upon, and paid by savings banks in the same proportion that the regulatory fees of each, respectively, for the year bear to the total regulatory fees collected for the year. The additional amounts assessed shall be transferred into the Cash Flow Reserve Account.

(c) For purposes of this Section, the following terms shall have the following meanings:

"Administration expenses", for any fiscal year, means the ordinary and contingent expenses for that year incident to making the examinations provided for by, and for otherwise administering, this Act, including all salaries and other compensation paid for personal services rendered for the State by officers or employees of the State, including the Secretary and the Director of the Division, communication equipment and services, office furnishings, surety bond premiums, and travel expenses of those officers and employees, expenditures or charges for the acquisition, enlargement or improvement of, or for the use of, any office space, building, or structure, or

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expenditures for the maintenance thereof or for furnishing heat, light, or power with respect thereto, all to the extent that those expenditures are directly incidental to such examinations or administration. The Secretary shall not be required by this subsection to maintain in any fiscal year's budget appropriated reserves for accrued vacation and accrued sick leave that is required to be paid to employees of the Secretary upon termination of their service with the Secretary in an amount that is more than is reasonably anticipated to be necessary for any anticipated turnover in employees, whether due to normal attrition or due to layoffs, terminations, or resignations.

"Regulatory fees" includes both fees collected under Section 9002.5 and fees collected for examinations conducted by the Secretary or his examiners or designees under authority of this Act.

"Fiscal year" means a period beginning July 1 of any year and ending June 30 of the next year.

(205 ILCS 205/9002.5)
Sec. 9002.5. Regulatory fees.
(a) For the fiscal year beginning July 1, 2007 and every year thereafter, each savings bank and each service corporation operating under this Act shall pay a fixed fee of $520, plus a variable fee based on the total assets of the savings bank or service corporation at the following rates:
24.97¢ per $1,000 of the first $2,000,000 of total assets;
22.70¢ per $1,000 of the next $3,000,000 of total assets;
20.43¢ per $1,000 of the next $5,000,000 of total assets;
17.025¢ per $1,000 of the next $15,000,000 of total assets;
14.755¢ per $1,000 of the next $25,000,000 of total assets;
12.485¢ per $1,000 of the next $50,000,000 of total assets;
10.215¢ per $1,000 of the next $400,000,000 of total assets;
6.81¢ per $1,000 of the next $500,000,000 of total assets; and
4.54¢ per $1,000 of all total assets in excess of $1,000,000,000 of such savings bank or service corporation.
(b) The Secretary shall receive and there shall be paid to the Secretary an additional fee as an adjustment to the supervisory fee, based upon the difference between the total assets of each savings bank and each service corporation as shown by its financial report filed with the Secretary for the reporting period of the calendar year ended December 31 on which the supervisory fee was based and the total assets of each savings bank and each service corporation as shown by its financial report filed with the Secretary

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for the reporting period of the calendar year ended December 31 in which the quarterly payments are made according to the following schedule:

- 24.97¢ per $1,000 of the first $2,000,000 of total assets;
- 22.70¢ per $1,000 of the next $3,000,000 of total assets;
- 20.43¢ per $1,000 of the next $5,000,000 of total assets;
- 17.025¢ per $1,000 of the next $15,000,000 of total assets;
- 14.755¢ per $1,000 of the next $25,000,000 of total assets;
- 12.485¢ per $1,000 of the next $50,000,000 of total assets;
- 10.215¢ per $1,000 of the next $400,000,000 of total assets;
- 6.81¢ per $1,000 of the next $500,000,000 of total assets; and
- 4.54¢ per $1,000 of all total assets in excess of $1,000,000,000 of such savings bank or service corporation.

(c) The Secretary shall receive and there shall be paid to the Secretary by each savings bank and each service corporation a fee of $520 for each approved branch office or facility office established under the Illinois Administrative Code. The determination of the fees shall be made annually as of the close of business of the prior calendar year ended December 31.

(d) The Secretary shall receive for each fiscal year, commencing with the fiscal year ending June 30, 2014, a contingent fee equal to the lesser of the aggregate of the fees paid by all savings banks under subsections (a), (b), and (c) of this Section for that year, or the amount, if any, whereby the aggregate of the administration expenses, as defined in subsection (c) of Section 9002.1 of this Act, for that fiscal year exceeds the sum of the aggregate of the fees payable by all savings banks for that year under subsections (a), (b), and (c) of this Section, plus any amounts transferred into the Savings Bank Regulatory Fund from the State Pensions Fund for that year, plus all other amounts collected by the Secretary for that year under any other provision of this Act. The aggregate amount of the contingent fee thus arrived at for any fiscal year shall be apportioned amongst, assessed upon, and paid by the savings banks, respectively, in the same proportion that the fee of each under subsections (a), (b), and (c) of this Section, respectively, for that year bears to the aggregate for that year of the fees collected under subsections (a), (b), and (c) of this Section. The aggregate amount of the contingent fee, and the portion thereof to be assessed upon each savings bank, respectively, shall be determined by the Secretary and shall be paid by each, respectively, within 120 days of the close of the period for which the contingent fee is computed and is payable, and the Secretary shall give 20 days advance notice of the amount of the contingent fee payable.
by the savings bank and of the date fixed by the Secretary for payment of the fee.
(Source: P.A. 95-1047, eff. 4-6-09.)

(205 ILCS 205/Art. 12.1 heading new)

ARTICLE 12.1. Effect of Repeal of Illinois Savings and Loan Act of 1985

(205 ILCS 205/12101 new)

Sec. 12101. Effect of repeal. This Article sets forth the effect of and means of transition necessitated by the repeal of the Illinois Savings and Loan Act of 1985.

(205 ILCS 205/12102 new)

Sec. 12102. Effect on special funds.

(a) The Savings and Residential Finance Regulatory Fund established under Section 7-19.1 of the Illinois Savings and Loan Act of 1985 is hereby redesignated the Residential Finance Regulatory Fund. The fund shall continue in existence under the Illinois Residential Mortgage License Act of 1987 without interruption and shall retain all moneys therein, except moneys required to be transferred or returned from Savings and Residential Finance Regulatory Fund, now designated the Residential Finance Regulatory Fund, to the Savings Institutions Regulatory Fund, now designated the Savings Bank Regulatory Fund, pursuant to subsection (e) of Section 7-19.2 of the Illinois Savings and Loan Act of 1985, shall continue to be required to be transferred or returned to the Savings Institutions Regulatory Fund, now designated the Savings Bank Regulatory Fund, as if subsection (e) of Section 7-19.2 of the Illinois Savings and Loan Act of 1985 had not been repealed.

(b) The Savings Institutions Regulatory Fund established under Section 7-19.2 of the Illinois Savings and Loan Act of 1985 is hereby redesignated the Savings Bank Regulatory Fund. The fund shall continue in existence under Section 9002.1 of this Act without interruption and shall retain all moneys therein.

(205 ILCS 205/12103 new)

Sec. 12103. Effect on foreign associations.

(a) Any existing foreign association shall be deemed to be an out-of-state savings bank under this Act.

(b) Notwithstanding any other provision of this Act, an existing foreign association may retain any branch or office in the State that properly existed in the State at the time of the repeal of the Illinois Savings and Loan Act of 1985, and continue to engage in the same activities in the State therefrom as were engaged in immediately prior to the repeal of the Illinois Savings and Loan Act of 1985.
Savings and Loan Act, without further application or notice to or approval of the Secretary.

(c) An existing foreign association may retain a representative office in the State that properly existed in the State at the time of the repeal of the Illinois Savings and Loan Act of 1985, provided that the foreign association obtains a license under the Foreign Bank Representative Office Act.

(205 ILCS 205/12104 new)

Sec. 12104. Effect on the Board of Savings Institutions. The Board of Savings Institutions is hereby redesignated as the Board of Savings Banks. The Board shall continue to operate without interruption and as if it had been originally established under Article 12.2 of this Act. The current members of the Board of Savings Institutions shall continue to serve the balance of their terms. Thereafter, the Board of Savings Institutions shall be composed of members as required by Section 12202 of this Act.

(205 ILCS 205/12105 new)

Sec. 12105. Applicability of other Acts. Whenever in any Act the term "savings and loan", "building and loan", "mutual building loan and homestead", or "building loan and homestead" or other similar name is used with reference to an association organized for the purposes of associations incorporated under the Illinois Savings and Loan Act of 1985 or a similar Act, such reference shall be applicable to a savings bank operating under this Act. Whenever in any Act the term "members", "shareholders", or "investors" is used in connection with such associations, however named, the same shall refer to members and holders of capital of savings banks operating under this Act.

(205 ILCS 205/Art. 12.2 heading new)

ARTICLE 12.2. Board of Savings Banks

(205 ILCS 205/12201 new)

Sec. 12201. Board of Savings Banks; appointment. The Board of Savings Bank is established pursuant to Section 12104 of this Act. The Board of Savings Banks shall be composed of the Director of Banking, who shall be its chairperson and have the power to vote, and 7 persons appointed by the Governor. Two of the 7 persons appointed by the Governor shall represent the public interest and the remainder shall have been engaged actively in savings bank or savings and loan management in this State for at least 5 years immediately prior to appointment. Each member of the Board appointed by the Governor shall be reimbursed for ordinary and necessary expenses incurred in attending the meetings of the Board. Members, excluding the chairperson, shall be appointed for 4-year terms to expire on

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the third Monday in January. Except as otherwise provided in this Section, members of the Board shall serve until their respective successors are appointed and qualified. A member who tenders a written resignation shall serve only until the resignation is accepted by the chairperson. A member who fails to attend 3 consecutive Board meetings without an excused absence shall no longer serve as a member. The Governor shall fill any vacancy by the appointment of a member for the unexpired term in the same manner as in the making of original appointments.

(205 ILCS 205/12202 new)

Sec. 12202. Board of Savings Banks; organization and meetings. The Board shall elect a vice chairperson and secretary of the Board; shall adopt by-laws for the holding and conducting of meetings and appointing officers and committees; and shall keep a record of all meetings and transactions and make such other provisions for the daily conduct of its business as it deems necessary. A majority of the members of the Board, excluding those members who are no longer serving as members as provided in Section 12201 of this Act, shall constitute a quorum. The act of the majority of the members of the Board present at a meeting at which a quorum is present shall be the act of the Board. Regular meetings shall be held as provided in the by-laws, and special meetings may be called by the chairperson or upon the request of any 3 members of the Board or the Secretary. The Board shall maintain at the office of the Secretary permanent records of its meetings, hearings, and decisions. The Secretary shall provide adequate quarters and personnel for use by the Board.

(205 ILCS 205/12203 new)

Sec. 12203. Board of Savings Banks; powers. The Board shall have the power to:

(a) advise the Governor and Secretary on all matters relating to the regulation of savings banks; and

(b) advise the Governor on legislation proposed to amend this Act or any related Act.

(205 ILCS 205/1007.70 rep.)
(205 ILCS 205/9017 rep.)

Section 25. The Savings Bank Act is amended by repealing Sections 1007.70 and 9017.

Section 30. The Residential Mortgage License Act of 1987 is amended by changing Sections 1-4, 2-2, 2-4, 3-2, and 4-1 and by adding Section 4-1.5 as follows:

(205 ILCS 635/1-4)

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Sec. 1-4. Definitions.

(a) "Residential real property" or "residential real estate" shall mean any real property located in Illinois, upon which is constructed or intended to be constructed a dwelling.

(b) "Making a residential mortgage loan" or "funding a residential mortgage loan" shall mean for compensation or gain, either directly or indirectly, advancing funds or making a commitment to advance funds to a loan applicant for a residential mortgage loan.

(c) "Soliciting, processing, placing, or negotiating a residential mortgage loan" shall mean for compensation or gain, either directly or indirectly, accepting or offering to accept an application for a residential mortgage loan, assisting or offering to assist in the processing of an application for a residential mortgage loan on behalf of a borrower, or negotiating or offering to negotiate the terms or conditions of a residential mortgage loan with a lender on behalf of a borrower including, but not limited to, the submission of credit packages for the approval of lenders, the preparation of residential mortgage loan closing documents, including a closing in the name of a broker.

(d) "Exempt person or entity" shall mean the following:
   
   (1) (i) Any banking organization or foreign banking corporation licensed by the Illinois Commissioner of Banks and Real Estate or the United States Comptroller of the Currency to transact business in this State; (ii) any national bank, federally chartered savings and loan association, federal savings bank, federal credit union; (iii) (blank); any pension trust, bank trust, or bank trust company; (iv) any bank, savings and loan association, savings bank, or credit union organized under the laws of this or any other state; (v) any Illinois Consumer Installment Loan Act licensee; (vi) any insurance company authorized to transact business in this State; (vii) any entity engaged solely in commercial mortgage lending; (viii) any service corporation of a savings and loan association or savings bank organized under the laws of this State or the service corporation of a federally chartered savings and loan association or savings bank having its principal place of business in this State, other than a service corporation licensed or entitled to reciprocity under the Real Estate License Act of 2000; or (ix) any first tier subsidiary of a bank, the charter of which is issued under the Illinois Banking Act by the Illinois Commissioner of Banks and Real Estate, or the first tier subsidiary of a bank chartered by the United States Comptroller of the

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Currency and that has its principal place of business in this State, provided that the first tier subsidiary is regularly examined by the Illinois Commissioner of Banks and Real Estate or the Comptroller of the Currency, or a consumer compliance examination is regularly conducted by the Federal Reserve Board.

(1.5) Any employee of a person or entity mentioned in item (1) of this subsection, when acting for such person or entity, or any registered mortgage loan originator when acting for an entity described in subsection (tt) of this Section.

(1.8) Any person or entity that does not originate mortgage loans in the ordinary course of business, but makes or acquires residential mortgage loans with his or her own funds for his or her or its own investment without intent to make, acquire, or resell more than 3 residential mortgage loans in any one calendar year.

(2) (Blank).

(3) Any person employed by a licensee to assist in the performance of the residential mortgage licensee's activities regulated by this Act who is compensated in any manner by only one licensee.

(4) (Blank).

(5) Any individual, corporation, partnership, or other entity that originates, services, or brokers residential mortgage loans, as these activities are defined in this Act, and who or which receives no compensation for those activities, subject to the Commissioner's regulations and the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008 and the rules promulgated under that Act with regard to the nature and amount of compensation.

(6) (Blank).

(e) "Licensee" or "residential mortgage licensee" shall mean a person, partnership, association, corporation, or any other entity who or which is licensed pursuant to this Act to engage in the activities regulated by this Act.

(f) "Mortgage loan" "residential mortgage loan" or "home mortgage loan" shall mean any loan primarily for personal, family, or household use that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling as defined in Section 103(v) of the federal Truth in Lending Act, or residential real estate upon which is constructed or intended to be constructed a dwelling.

(g) "Lender" shall mean any person, partnership, association, corporation, or any other entity who either lends or invests money in residential mortgage loans.
(h) "Ultimate equitable owner" shall mean a person who, directly or indirectly, owns or controls an ownership interest in a corporation, foreign corporation, alien business organization, trust, or any other form of business organization regardless of whether the person owns or controls the ownership interest through one or more persons or one or more proxies, powers of attorney, nominees, corporations, associations, partnerships, trusts, joint stock companies, or other entities or devices, or any combination thereof.

(i) "Residential mortgage financing transaction" shall mean the negotiation, acquisition, sale, or arrangement for or the offer to negotiate, acquire, sell, or arrange for, a residential mortgage loan or residential mortgage loan commitment.

(j) "Personal residence address" shall mean a street address and shall not include a post office box number.

(k) "Residential mortgage loan commitment" shall mean a contract for residential mortgage loan financing.

(l) "Party to a residential mortgage financing transaction" shall mean a borrower, lender, or loan broker in a residential mortgage financing transaction.

(m) "Payments" shall mean payment of all or any of the following: principal, interest and escrow reserves for taxes, insurance and other related reserves, and reimbursement for lender advances.

(n) "Commissioner" shall mean the Commissioner of Banks and Real Estate, except that, beginning on April 6, 2009 (the effective date of Public Act 95-1047), all references in this Act to the Commissioner of Banks and Real Estate are deemed, in appropriate contexts, to be references to the Secretary of Financial and Professional Regulation, or his or her designee, including the Director of the Division of Banking of the Department of Financial and Professional Regulation.

(n-1) "Director" shall mean the Director of the Division of Banking of the Department of Financial and Professional Regulation, except that, beginning on July 31, 2009 (the effective date of Public Act 96-112), all references in this Act to the Director are deemed, in appropriate contexts, to be the Secretary of Financial and Professional Regulation, or his or her designee, including the Director of the Division of Banking of the Department of Financial and Professional Regulation.

(o) "Loan brokering", "brokering", or "brokerage service" shall mean the act of helping to obtain from another entity, for a borrower, a loan secured by residential real estate situated in Illinois or assisting a borrower in obtaining a loan secured by residential real estate situated in Illinois in return

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for consideration to be paid by either the borrower or the lender including, but not limited to, contracting for the delivery of residential mortgage loans to a third party lender and soliciting, processing, placing, or negotiating residential mortgage loans.

(p) "Loan broker" or "broker" shall mean a person, partnership, association, corporation, or limited liability company, other than those persons, partnerships, associations, corporations, or limited liability companies exempted from licensing pursuant to Section 1-4, subsection (d), of this Act, who performs the activities described in subsections (c), (o), and (yy) of this Section.

(q) "Servicing" shall mean the collection or remittance for or the right or obligation to collect or remit for any lender, noteowner, noteholder, or for a licensee's own account, of payments, interests, principal, and trust items such as hazard insurance and taxes on a residential mortgage loan in accordance with the terms of the residential mortgage loan; and includes loan payment follow-up, delinquency loan follow-up, loan analysis and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing. "Servicing" includes management of third-party entities acting on behalf of a residential mortgage licensee for the collection of delinquent payments and the use by such third-party entities of said licensee's servicing records or information, including their use in foreclosure.

(r) "Full service office" shall mean an office, provided by the licensee and not subleased from the licensee's employees, and staff in Illinois reasonably adequate to handle efficiently communications, questions, and other matters relating to any application for, or an existing home mortgage secured by residential real estate situated in Illinois with respect to which the licensee is brokering, funding originating, purchasing, or servicing. The management and operation of each full service office must include observance of good business practices such as proper signage; adequate, organized, and accurate books and records; ample phone lines, hours of business, staff training and supervision, and provision for a mechanism to resolve consumer inquiries, complaints, and problems. The Commissioner shall issue regulations with regard to these requirements and shall include an evaluation of compliance with this Section in his or her periodic examination of each licensee.

(s) "Purchasing" shall mean the purchase of conventional or government-insured mortgage loans secured by residential real estate situated in Illinois from either the lender or from the secondary market.

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(t) "Borrower" shall mean the person or persons who seek the services of a loan broker, originator, or lender.

(u) "Originating" shall mean the issuing of commitments for and funding of residential mortgage loans.

(v) "Loan brokerage agreement" shall mean a written agreement in which a broker or loan broker agrees to do either of the following:

1. obtain a residential mortgage loan for the borrower or assist the borrower in obtaining a residential mortgage loan; or
2. consider making a residential mortgage loan to the borrower.

(w) "Advertisement" shall mean the attempt by publication, dissemination, or circulation to induce, directly or indirectly, any person to enter into a residential mortgage loan agreement or residential mortgage loan brokerage agreement relative to a mortgage secured by residential real estate situated in Illinois.

(x) "Residential Mortgage Board" shall mean the Residential Mortgage Board created in Section 1-5 of this Act.

(y) "Government-insured mortgage loan" shall mean any mortgage loan made on the security of residential real estate insured by the Department of Housing and Urban Development or Farmers Home Loan Administration, or guaranteed by the Veterans Administration.

(z) "Annual audit" shall mean a certified audit of the licensee's books and records and systems of internal control performed by a certified public accountant in accordance with generally accepted accounting principles and generally accepted auditing standards.

(aa) "Financial institution" shall mean a savings and loan association, savings bank, credit union, or a bank organized under the laws of Illinois or a savings and loan association, savings bank, credit union or a bank organized under the laws of the United States and headquartered in Illinois.

(bb) "Escrow agent" shall mean a third party, individual or entity charged with the fiduciary obligation for holding escrow funds on a residential mortgage loan pending final payout of those funds in accordance with the terms of the residential mortgage loan.

(cc) "Net worth" shall have the meaning ascribed thereto in Section 3-5 of this Act.

(dd) "Affiliate" shall mean:

1. any entity that directly controls or is controlled by the licensee and any other company that is directly affecting activities...
regulated by this Act that is controlled by the company that controls the licensee;

(2) any entity:

(A) that is controlled, directly or indirectly, by a trust or otherwise, by or for the benefit of shareholders who beneficially or otherwise control, directly or indirectly, by trust or otherwise, the licensee or any company that controls the licensee; or

(B) a majority of the directors or trustees of which constitute a majority of the persons holding any such office with the licensee or any company that controls the licensee;

(3) any company, including a real estate investment trust, that is sponsored and advised on a contractual basis by the licensee or any subsidiary or affiliate of the licensee.

The Commissioner may define by rule and regulation any terms used in this Act for the efficient and clear administration of this Act.

(ee) "First tier subsidiary" shall be defined by regulation incorporating the comparable definitions used by the Office of the Comptroller of the Currency and the Illinois Commissioner of Banks and Real Estate.

(ff) "Gross delinquency rate" means the quotient determined by dividing (1) the sum of (i) the number of government-insured residential mortgage loans funded or purchased by a licensee in the preceding calendar year that are delinquent and (ii) the number of conventional residential mortgage loans funded or purchased by the licensee in the preceding calendar year that are delinquent by (2) the sum of (i) the number of government-insured residential mortgage loans funded or purchased by the licensee in the preceding calendar year and (ii) the number of conventional residential mortgage loans funded or purchased by the licensee in the preceding calendar year.

(gg) "Delinquency rate factor" means the factor set by rule of the Commissioner that is multiplied by the average gross delinquency rate of licensees, determined annually for the immediately preceding calendar year, for the purpose of determining which licensees shall be examined by the Commissioner pursuant to subsection (b) of Section 4-8 of this Act.

(hh) "Loan originator" means any natural person who, for compensation or in the expectation of compensation, either directly or indirectly makes, offers to make, solicits, places, or negotiates a residential mortgage loan. This definition applies only to Section 7-1 of this Act.
(ii) "Confidential supervisory information" means any report of examination, visitation, or investigation prepared by the Commissioner under this Act, any report of examination visitation, or investigation prepared by the state regulatory authority of another state that examines a licensee, any document or record prepared or obtained in connection with or relating to any examination, visitation, or investigation, and any record prepared or obtained by the Commissioner to the extent that the record summarizes or contains information derived from any report, document, or record described in this subsection. "Confidential supervisory information" does not include any information or record routinely prepared by a licensee and maintained in the ordinary course of business or any information or record that is required to be made publicly available pursuant to State or federal law or rule.

(jj) "Mortgage loan originator" means an individual who for compensation or gain or in the expectation of compensation or gain:

(i) takes a residential mortgage loan application; or

(ii) offers or negotiates terms of a residential mortgage loan.

"Mortgage loan originator" includes an individual engaged in loan modification activities as defined in subsection (yy) of this Section. A mortgage loan originator engaged in loan modification activities shall report those activities to the Department of Financial and Professional Regulation in the manner provided by the Department; however, the Department shall not impose a fee for reporting, nor require any additional qualifications to engage in those activities beyond those provided pursuant to this Act for mortgage loan originators.

"Mortgage loan originator" does not include an individual engaged solely as a loan processor or underwriter except as otherwise provided in subsection (d) of Section 7-1A of this Act.

"Mortgage loan originator" does not include a person or entity that only performs real estate brokerage activities and is licensed in accordance with the Real Estate License Act of 2000, unless the person or entity is compensated by a lender, a mortgage broker, or other mortgage loan originator, or by any agent of that lender, mortgage broker, or other mortgage loan originator.

"Mortgage loan originator" does not include a person or entity solely involved in extensions of credit relating to timeshare plans, as that term is defined in Section 101(53D) of Title 11, United States Code.

(kk) "Depository institution" has the same meaning as in Section 3 of the Federal Deposit Insurance Act, and includes any credit union.
(ll) "Dwelling" means a residential structure or mobile home which contains one to 4 family housing units, or individual units of condominiums or cooperatives.

(mm) "Immediate family member" means a spouse, child, sibling, parent, grandparent, or grandchild, and includes step-parents, step-children, step-siblings, or adoptive relationships.

(nn) "Individual" means a natural person.

(oo) "Loan processor or underwriter" means an individual who performs clerical or support duties as an employee at the direction of and subject to the supervision and instruction of a person licensed, or exempt from licensing, under this Act. "Clerical or support duties" includes subsequent to the receipt of an application:

   (i) the receipt, collection, distribution, and analysis of information common for the processing or underwriting of a residential mortgage loan; and

   (ii) communicating with a consumer to obtain the information necessary for the processing or underwriting of a loan, to the extent that the communication does not include offering or negotiating loan rates or terms, or counseling consumers about residential mortgage loan rates or terms. An individual engaging solely in loan processor or underwriter activities shall not represent to the public, through advertising or other means of communicating or providing information, including the use of business cards, stationery, brochures, signs, rate lists, or other promotional items, that the individual can or will perform any of the activities of a mortgage loan originator.

(pp) "Nationwide Mortgage Licensing System and Registry" means a mortgage licensing system developed and maintained by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators for the licensing and registration of licensed mortgage loan originators.

(qq) "Nontraditional mortgage product" means any mortgage product other than a 30-year fixed rate mortgage.

(rr) "Person" means a natural person, corporation, company, limited liability company, partnership, or association.

(ss) "Real estate brokerage activity" means any activity that involves offering or providing real estate brokerage services to the public, including:

   (1) acting as a real estate agent or real estate broker for a buyer, seller, lessor, or lessee of real property;

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(2) bringing together parties interested in the sale, purchase, lease, rental, or exchange of real property;
(3) negotiating, on behalf of any party, any portion of a contract relating to the sale, purchase, lease, rental, or exchange of real property, other than in connection with providing financing with respect to any such transaction;
(4) engaging in any activity for which a person engaged in the activity is required to be registered or licensed as a real estate agent or real estate broker under any applicable law; or
(5) offering to engage in any activity, or act in any capacity, described in this subsection (ss).

(tt) "Registered mortgage loan originator" means any individual that:
(1) meets the definition of mortgage loan originator and is an employee of:
   (A) a depository institution;
   (B) a subsidiary that is:
      (i) owned and controlled by a depository institution; and
      (ii) regulated by a federal banking agency; or
   (C) an institution regulated by the Farm Credit Administration; and
   (2) is registered with, and maintains a unique identifier through, the Nationwide Mortgage Licensing System and Registry.

(uu) "Unique identifier" means a number or other identifier assigned by protocols established by the Nationwide Mortgage Licensing System and Registry.

(vv) "Residential mortgage license" means a license issued pursuant to Section 1-3, 2-2, or 2-6 of this Act.

(ww) "Mortgage loan originator license" means a license issued pursuant to Section 7-1A, 7-3, or 7-6 of this Act.

(xx) "Secretary" means the Secretary of the Department of Financial and Professional Regulation, or a person authorized by the Secretary or by this Act to act in the Secretary's stead.

(yy) "Loan modification" means, for compensation or gain, either directly or indirectly offering or negotiating on behalf of a borrower or homeowner to adjust the terms of a residential mortgage loan in a manner not provided for in the original or previously modified mortgage loan.

(zz) "Short sale facilitation" means, for compensation or gain, either directly or indirectly offering or negotiating on behalf of a borrower or homeowner to adjust the terms of a residential mortgage loan in a manner not provided for in the original or previously modified mortgage loan.

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homeowner to facilitate the sale of residential real estate subject to one or more residential mortgage loans or debts constituting liens on the property in which the proceeds from selling the residential real estate will fall short of the amount owed and the lien holders are contacted to agree to release their lien on the residential real estate and accept less than the full amount owed on the debt.

(Source: P.A. 96-112, eff. 7-31-09; 96-1000, eff. 7-2-10; 96-1216, eff. 1-1-11; 97-143, eff. 7-14-11; 97-891, eff. 8-3-12.)

(205 ILCS 635/2-2)
Sec. 2-2. Application process; investigation; fee.
(a) The Secretary shall issue a license upon completion of all of the following:
   (1) The filing of an application for license with the Director or the Nationwide Mortgage Licensing System and Registry as approved by the Director.
   (2) The filing with the Secretary of a listing of judgments entered against, and bankruptcy petitions by, the license applicant for the preceding 10 years.
   (3) The payment, in certified funds, of investigation and application fees, the total of which shall be in an amount equal to $2,700 annually. To comply with the common renewal date and requirements of the Nationwide Mortgage Licensing System and Registry, the term of initial licenses may be extended or shortened with applicable fees prorated or combined accordingly.
   (4) Except for a broker applying to renew a license, the filing of an audited balance sheet including all footnotes prepared by a certified public accountant in accordance with generally accepted accounting principles and generally accepted auditing standards which evidences that the applicant meets the net worth requirements of Section 3-5. Notwithstanding the requirements of this subsection, an applicant that is a subsidiary may submit audited consolidated financial statements of its parent, intermediary parent, or ultimate parent as long as the consolidated statements are supported by consolidating statements which include the applicant's financial statement. If the consolidating statements are unaudited, the applicant's chief financial officer shall attest to the applicant's financial statements disclosed in the consolidating statements.
   (5) The filing of proof satisfactory to the Commissioner that the applicant, the members thereof if the applicant is a partnership or

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association, the members or managers thereof that retain any authority or responsibility under the operating agreement if the applicant is a limited liability company, or the officers thereof if the applicant is a corporation have 3 years experience preceding application in real estate finance. Instead of this requirement, the applicant and the applicant's officers or members, as applicable, may satisfactorily complete a program of education in real estate finance and fair lending, as approved by the Commissioner, prior to receiving the initial license. The Commissioner shall promulgate rules regarding proof of experience requirements and educational requirements and the satisfactory completion of those requirements. The Commissioner may establish by rule a list of duly licensed professionals and others who may be exempt from this requirement.

(6) An investigation of the averments required by Section 2-4, which investigation must allow the Commissioner to issue positive findings stating that the financial responsibility, experience, character, and general fitness of the license applicant and of the members thereof if the license applicant is a partnership or association, of the officers and directors thereof if the license applicant is a corporation, and of the managers and members that retain any authority or responsibility under the operating agreement if the license applicant is a limited liability company are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly and efficiently within the purpose of this Act. If the Commissioner shall not so find, he or she shall not issue such license, and he or she shall notify the license applicant of the denial.

The Commissioner may impose conditions on a license if the Commissioner determines that the conditions are necessary or appropriate. These conditions shall be imposed in writing and shall continue in effect for the period prescribed by the Commissioner.

(b) All licenses shall be issued to the license applicant. Upon receipt of such license, a residential mortgage licensee shall be authorized to engage in the business regulated by this Act. Such license shall remain in full force and effect until it expires without renewal, is surrendered by the licensee or revoked or suspended as hereinafter provided.

(Source: P.A. 96-112, eff. 7-31-09; 96-1000, eff. 7-2-10; 97-891, eff. 8-3-12.) (205 ILCS 635/2-4) (from Ch. 17, par. 2322-4)

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Sec. 2-4. Averments of Licensee. Each application for license or for the renewal of a license shall be accompanied by the following averments stating that the applicant:

(a) Will maintain at least one full service office within the State of Illinois pursuant to Section 3-4 of this Act;
(b) Will maintain staff reasonably adequate to meet the requirements of Section 3-4 of this Act;
(c) Will keep and maintain for 36 months the same written records as required by the federal Equal Credit Opportunity Act, and any other information required by regulations of the Commissioner regarding any home mortgage in the course of the conduct of its residential mortgage business;
(d) Will file with the Commissioner or Nationwide Mortgage Licensing System and Registry as applicable, when due, any report or reports which it is required to file under any of the provisions of this Act;
(e) Will not engage, whether as principal or agent, in the practice of rejecting residential mortgage applications without reasonable cause, or varying terms or application procedures without reasonable cause, for home mortgages on real estate within any specific geographic area from the terms or procedures generally provided by the licensee within other geographic areas of the State;
(f) Will not engage in fraudulent home mortgage underwriting practices;
(g) Will not make payment, whether directly or indirectly, of any kind to any in house or fee appraiser of any government or private money lending agency with which an application for a home mortgage has been filed for the purpose of influencing the independent judgment of the appraiser with respect to the value of any real estate which is to be covered by such home mortgage;
(h) Has filed tax returns (State and Federal) for the past 3 years or filed with the Commissioner an accountant's or attorney's statement as to why no return was filed;
(i) Will not engage in any discrimination or redlining activities prohibited by Section 3-8 of this Act;
(j) Will not knowingly make any false promises likely to influence or persuade, or pursue a course of misrepresentation and false promises through agents, solicitors, advertising or otherwise;

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(k) Will not knowingly misrepresent, circumvent or conceal, through whatever subterfuge or device, any of the material particulars or the nature thereof, regarding a transaction to which it is a party to the injury of another party thereto;

(l) Will disburse funds in accordance with its agreements;

(m) Has not committed a crime against the law of this State, any other state or of the United States, involving moral turpitude, fraudulent or dishonest dealing, and that no final judgment has been entered against it in a civil action upon grounds of fraud, misrepresentation or deceit which has not been previously reported to the Commissioner;

(n) Will account or deliver to the owner upon request any personal property such as money, fund, deposit, check, draft, mortgage, other document or thing of value which it is not in law or equity entitled to retain under the circumstances;

(o) Has not engaged in any conduct which would be cause for denial of a license;

(p) Has not become insolvent;

(q) Has not submitted an application for a license under this Act which contains a material misstatement;

(r) Has not demonstrated by course of conduct, negligence or incompetence in performing any act for which it is required to hold a license under this Act;

(s) Will advise the Commissioner in writing, or the Nationwide Mortgage Licensing System and Registry as applicable, of any changes to the information submitted on the most recent application for license or averments of record within 30 days of said change. The written notice must be signed in the same form as the application for license being amended;

(t) Will comply with the provisions of this Act, or with any lawful order, rule or regulation made or issued under the provisions of this Act;

(u) Will submit to periodic examination by the Commissioner as required by this Act;

(v) Will advise the Commissioner in writing of judgments entered against, and bankruptcy petitions by, the license applicant within 5 days of occurrence;

(w) Will advise the Commissioner in writing within 30 days of any request made to a licensee under this Act to repurchase a loan

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in a manner that completely and clearly identifies to whom the request was made, the loans involved, and the reason therefor;

(x) Will advise the Commissioner in writing within 30 days of any request from any entity to repurchase a loan in a manner that completely and clearly identifies to whom the request was made, the loans involved, and the reason for the request;

(y) Will at all times act in a manner consistent with subsections (a) and (b) of Section 1-2 of this Act;

(z) Will not knowingly hire or employ a loan originator who is not registered, or mortgage loan originator who is not licensed, with the Commissioner as required under Section 7-1 or Section 7-1A, as applicable, of this Act;

(aa) Will not charge or collect advance payments from borrowers or homeowners for engaging in loan modification; and

(bb) Will not structure activities or contracts to evade provisions of this Act.

A licensee who fails to fulfill obligations of an averment, to comply with averments made, or otherwise violates any of the averments made under this Section shall be subject to the penalties in Section 4-5 of this Act.

(Source: P.A. 96-112, eff. 7-31-09; 97-891, eff. 8-3-12.)

Sec. 3-2. Annual audit.

(a) At the licensee's fiscal year-end, but in no case more than 12 months after the last audit conducted pursuant to this Section, except as otherwise provided in this Section, it shall be mandatory for each residential mortgage licensee to cause its books and accounts to be audited by a certified public accountant not connected with such licensee. The books and records of all licensees under this Act shall be maintained on an accrual basis. The audit must be sufficiently comprehensive in scope to permit the expression of an opinion on the financial statements, which must be prepared in accordance with generally accepted accounting principles, and must be performed in accordance with generally accepted auditing standards. Notwithstanding the requirements of this subsection, a licensee that is a first tier subsidiary may submit audited consolidated financial statements of its parent, intermediary parent, or ultimate parent as long as the consolidated statements are supported by consolidating statements which include the licensee's financial statement. If the consolidating statements are unaudited, the licensee's chief financial officer shall attest to the licensee's financial statements disclosed in the consolidating statements.

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(b) As used herein, the term "expression of opinion" includes either (1) an unqualified opinion, (2) a qualified opinion, (3) a disclaimer of opinion, or (4) an adverse opinion.

(c) If a qualified or adverse opinion is expressed or if an opinion is disclaimed, the reasons therefore must be fully explained. An opinion, qualified as to a scope limitation, shall not be acceptable.

(d) The most recent audit report shall be filed with the Commissioner within 90 days after the end of the licensee's fiscal year, or with the Nationwide Mortgage Licensing System and Registry, if applicable, pursuant to Mortgage Call Report requirements. The report filed with the Commissioner shall be certified by the certified public accountant conducting the audit. The Commissioner may promulgate rules regarding late audit reports.

(e) If any licensee required to make an audit shall fail to cause an audit to be made, the Commissioner shall cause the same to be made by a certified public accountant at the licensee's expense. The Commissioner shall select such certified public accountant by advertising for bids or by such other fair and impartial means as he or she establishes by regulation.

(f) In lieu of the audit or compilation financial statement required by this Section, a licensee shall submit and the Commissioner may accept any audit made in conformance with the audit requirements of the U.S. Department of Housing and Urban Development.

(g) With respect to licensees who solely broker residential mortgage loans as defined in subsection (o) of Section 1-4, instead of the audit required by this Section, the Commissioner may accept compilation financial statements prepared at least every 12 months, and the compilation financial statement must be submitted within 90 days after the end of the licensee's fiscal year, or with the Nationwide Mortgage Licensing System and Registry, if applicable, pursuant to Mortgage Call Report requirements. If a licensee under this Section fails to file a compilation as required, the Commissioner shall cause an audit of the licensee's books and accounts to be made by a certified public accountant at the licensee's expense. The Commissioner shall select the certified public accountant by advertising for bids or by such other fair and impartial means as he or she establishes by rule. A licensee who files false or misleading compilation financial statements is guilty of a business offense and shall be fined not less than $5,000.

(h) The workpapers of the certified public accountants employed by each licensee for purposes of this Section are to be made available to the Commissioner or the Commissioner's designee upon request and may be

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reproduced by the Commissioner or the Commissioner's designee to enable the Commissioner to carry out the purposes of this Act.

(i) Notwithstanding any other provision of this Section, if a licensee relying on subsection (g) of this Section causes its books to be audited at any other time or causes its financial statements to be reviewed, a complete copy of the audited or reviewed financial statements shall be delivered to the Commissioner at the time of the annual license renewal payment following receipt by the licensee of the audited or reviewed financial statements. All workpapers shall be made available to the Commissioner upon request. The financial statements and workpapers may be reproduced by the Commissioner or the Commissioner's designee to carry out the purposes of this Act.

(Source: P.A. 97-813, eff. 7-13-12; 97-891, eff. 8-3-12; 98-463, eff. 8-16-13.)

(205 ILCS 635/4-1) (from Ch. 17, par. 2324-1)

Sec. 4-1. Commissioner of Banks and Real Estate; functions, powers, and duties. The functions, powers, and duties of the Commissioner of Banks and Real Estate shall include the following:

(a) to issue or refuse to issue any license as provided by this Act;
(b) to revoke or suspend for cause any license issued under this Act;
(c) to keep records of all licenses issued under this Act;
(d) to receive, consider, investigate, and act upon complaints made by any person in connection with any residential mortgage licensee in this State;
(e) to consider and act upon any recommendations from the Residential Mortgage Board;
(f) to prescribe the forms of and receive:
   (1) applications for licenses; and
   (2) all reports and all books and records required to be made by any licensee under this Act, including annual audited financial statements and annual reports of mortgage activity;
(g) to adopt rules and regulations necessary and proper for the administration of this Act;
(h) to subpoena documents and witnesses and compel their attendance and production, to administer oaths, and to require the production of any books, papers, or other materials relevant to any inquiry authorized by this Act;

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(h-1) to issue orders against any person, if the Commissioner has reasonable cause to believe that an unsafe, unsound, or unlawful practice has occurred, is occurring, or is about to occur, if any person has violated, is violating, or is about to violate any law, rule, or written agreement with the Commissioner, or for the purpose of administering the provisions of this Act and any rule adopted in accordance with the Act;

(h-2) to address any inquiries to any licensee, or the officers thereof, in relation to its activities and conditions, or any other matter connected with its affairs, and it shall be the duty of any licensee or person so addressed, to promptly reply in writing to such inquiries. The Commissioner may also require reports from any licensee at any time the Commissioner may deem desirable;

(i) to require information with regard to any license applicant as he or she may deem desirable, with due regard to the paramount interests of the public as to the experience, background, honesty, truthfulness, integrity, and competency of the license applicant as to financial transactions involving primary or subordinate mortgage financing, and where the license applicant is an entity other than an individual, as to the honesty, truthfulness, integrity, and competency of any officer or director of the corporation, association, or other entity, or the members of a partnership;

(j) to examine the books and records of every licensee under this Act at intervals as specified in Section 4-2;

(k) to enforce provisions of this Act;

(l) to levy fees, fines, and charges for services performed in administering this Act; the aggregate of all fees collected by the Commissioner on and after the effective date of this Act shall be paid promptly after receipt of the same, accompanied by a detailed statement thereof, into the Savings and Residential Finance Regulatory Fund under Section 4-1.5 of this Act; the amounts deposited into that Fund shall be used for the ordinary and contingent expenses of the Office of Banks and Real Estate. Nothing in this Act shall prevent continuing the practice of paying expenses involving salaries, retirement, social security, and State-paid insurance of State officers by appropriation from the General Revenue Fund.

(m) to appoint examiners, supervisors, experts, and special assistants as needed to effectively and efficiently administer this Act;

(n) to conduct hearings for the purpose of:

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(1) appeals of orders of the Commissioner;
(2) suspensions or revocations of licenses, or fining of licensees;
(3) investigating:
   (i) complaints against licensees; or
   (ii) annual gross delinquency rates; and
(4) carrying out the purposes of this Act;
(o) to exercise exclusive visitorial power over a licensee unless otherwise authorized by this Act or as vested in the courts, or upon prior consultation with the Commissioner, a foreign residential mortgage regulator with an appropriate supervisory interest in the parent or affiliate of a licensee;
(p) to enter into cooperative agreements with state regulatory authorities of other states to provide for examination of corporate offices or branches of those states and to accept reports of such examinations;
(q) to assign an examiner or examiners to monitor the affairs of a licensee with whatever frequency the Commissioner determines appropriate and to charge the licensee for reasonable and necessary expenses of the Commissioner, if in the opinion of the Commissioner an emergency exists or appears likely to occur;
(r) to impose civil penalties of up to $50 per day against a licensee for failing to respond to a regulatory request or reporting requirement; and
(s) to enter into agreements in connection with the Nationwide Mortgage Licensing System and Registry.

Sec. 4-1.5. Residential Finance Regulatory Fund.

(a) The aggregate of all moneys collected by the Secretary under this Act shall be paid promptly after receipt of the same, accompanied by a detailed statement thereof, into the State treasury and shall be set apart in the Residential Finance Regulatory Fund, formerly designated the Savings and Residential Finance Regulatory Fund, a special fund created in the State treasury. The amounts deposited into the Fund shall be used for the ordinary and contingent expenses of the Department of Financial and Professional Regulation and the Division of Banking, or their successors, in administering and enforcing the Residential Mortgage License Act of 1987 and other laws, rules, and regulations as may apply to the administration and enforcement

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of the foregoing laws, rules, and regulations, as amended from time to time. Nothing in this Act shall prevent continuing the practice of paying expenses involving salaries, retirement, social security, and State paid insurance of State officers by appropriation from the General Revenue Fund.

(b) Moneys in the Residential Finance Regulatory Fund may be transferred to the Professions Indirect Cost Fund, as authorized under Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(c) All earnings received from investments of funds in the Residential Finance Regulatory Fund shall be deposited into that Fund and may be used for the same purposes as fees deposited into that Fund.

Section 35. The Foreign Bank Representative Office Act is amended by changing Section 2 as follows:

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

(a) "Commissioner" means the Secretary of Financial and Professional Regulation or a person authorized by the Secretary, the Division of Banking Act, or this Act to act in the Secretary's stead.

(b) "Foreign bank" means (1) a bank, savings bank, savings association, or trust company which is organized under the laws of any state or territory of the United States, including the District of Columbia, other than the State of Illinois; (2) a national bank having its principal place of business in any state or territory of the United States, including the District of Columbia, other than the State of Illinois; or (3) a bank or trust company organized and operating under the laws of a country other than the United States of America.

(c) "Representative office" means an office in the State of Illinois at which a foreign bank engages in representational functions but does not conduct a commercial banking business.

(d) "Division" means the Division of Banking within the Department of Financial and Professional Regulation.

(205 ILCS 650/2) (from Ch. 17, par. 2852)

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

(a) "Commissioner" means the Secretary of Financial and Professional Regulation or a person authorized by the Secretary, the Division of Banking Act, or this Act to act in the Secretary's stead.

(b) "Foreign bank" means (1) a bank, savings bank, savings association, or trust company which is organized under the laws of any state or territory of the United States, including the District of Columbia, other than the State of Illinois; (2) a national bank having its principal place of business in any state or territory of the United States, including the District of Columbia, other than the State of Illinois; or (3) a bank or trust company organized and operating under the laws of a country other than the United States of America.

(c) "Representative office" means an office in the State of Illinois at which a foreign bank engages in representational functions but does not conduct a commercial banking business.

(d) "Division" means the Division of Banking within the Department of Financial and Professional Regulation.

(765 ILCS 77/70)

Sec. 70. Predatory lending database program.

(a) As used in this Article:
"Adjustable rate mortgage" or "ARM" means a closed-end mortgage transaction that allows adjustments of the loan interest rate during the first 3 years of the loan term.

"Borrower" means a person seeking a mortgage loan.

"Broker" means a "broker" or "loan broker", as defined in subsection (p) of Section 1-4 of the Residential Mortgage License Act of 1987.

"Closing agent" means an individual assigned by a title insurance company or a broker or originator to ensure that the execution of documents related to the closing of a real estate sale or the refinancing of a real estate loan and the disbursement of closing funds are in conformity with the instructions of the entity financing the transaction.

"Counseling" means in-person counseling provided by a counselor employed by a HUD-approved HUD-certified counseling agency to all borrowers, or documented telephone counseling where a hardship would be imposed on one or more borrowers. A hardship shall exist in instances in which the borrower is confined to his or her home due to medical conditions, as verified in writing by a physician, or the borrower resides 50 miles or more from the nearest participating HUD-approved HUD-certified housing counseling agency. In instances of telephone counseling, the borrower must supply all necessary documents to the counselor at least 72 hours prior to the scheduled telephone counseling session.

"Counselor" means a counselor employed by a HUD-approved HUD-certified housing counseling agency.

"Credit score" means a credit risk score as defined by the Fair Isaac Corporation, or its successor, and reported under such names as "BEACON", "EMPIRICA", and "FAIR ISAAC RISK SCORE" by one or more of the following credit reporting agencies or their successors: Equifax, Inc., Experian Information Solutions, Inc., and TransUnion LLC. If the borrower's credit report contains credit scores from 2 reporting agencies, then the broker or loan originator shall report the lower score. If the borrower's credit report contains credit scores from 3 reporting agencies, then the broker or loan originator shall report the middle score.

"Department" means the Department of Financial and Professional Regulation.

"Exempt person or entity" means that term as it is defined in subsections (d)(1), (d)(1.5), and (d)(1.8) of Section 1-4 of the Residential Mortgage License Act of 1987.

"First-time homebuyer" means a borrower who has not held an ownership interest in residential property.

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"HUD-approved HUD-certified counseling" or "counseling" means counseling given to a borrower by a counselor employed by a HUD-approved HUD-certified housing counseling agency.

"Interest only" means a closed-end loan that permits one or more payments of interest without any reduction of the principal balance of the loan, other than the first payment on the loan.

"Lender" means that term as it is defined in subsection (g) of Section 1-4 of the Residential Mortgage License Act of 1987.

"Licensee" means that term as it is defined in subsection (e) of Section 1-4 of the Residential Mortgage License Act of 1987.

"Mortgage loan" means that term as it is defined in subsection (f) of Section 1-4 of the Residential Mortgage License Act of 1987.

"Negative amortization" means an amortization method under which the outstanding balance may increase at any time over the course of the loan because the regular periodic payment does not cover the full amount of interest due.

"Originator" means a "loan originator" as defined in subsection (hh) of Section 1-4 of the Residential Mortgage License Act of 1987, except an exempt person, and means a "mortgage loan originator" as defined in subsection (jj) of Section 1-4 of the Residential Mortgage License Act of 1987, except an exempt person.

"Points and fees" has the meaning ascribed to that term in Section 10 of the High Risk Home Loan Act.

"Prepayment penalty" means a charge imposed by a lender under a mortgage note or rider when the loan is paid before the expiration of the term of the loan.

"Refinancing" means a loan secured by the borrower's or borrowers' primary residence where the proceeds are not used as purchase money for the residence.

"Title insurance company" means any domestic company organized under the laws of this State for the purpose of conducting the business of guaranteeing or insuring titles to real estate and any title insurance company organized under the laws of another State, the District of Columbia, or a foreign government and authorized to transact the business of guaranteeing or insuring titles to real estate in this State.

(a-5) A predatory lending database program shall be established within Cook County. The program shall be administered in accordance with this Article. The inception date of the program shall be July 1, 2008. A predatory lending database program shall be expanded to include Kane,
Peoria, and Will counties. The inception date of the expansion of the program as it applies to Kane, Peoria, and Will counties shall be July 1, 2010. Until the inception date, none of the duties, obligations, contingencies, or consequences of or from the program shall be imposed. The program shall apply to all mortgage applications that are governed by this Article and that are made or taken on or after the inception of the program.

(b) The database created under this program shall be maintained and administered by the Department. The database shall be designed to allow brokers, originators, counselors, title insurance companies, and closing agents to submit information to the database online. The database shall not be designed to allow those entities to retrieve information from the database, except as otherwise provided in this Article. Information submitted by the broker or originator to the Department may be used to populate the online form submitted by a counselor, title insurance company, or closing agent.

(c) Within 10 business days after taking a mortgage application, the broker or originator for any mortgage on residential property within the program area must submit to the predatory lending database all of the information required under Section 72 and any other information required by the Department by rule. Within 7 business days after receipt of the information, the Department shall compare that information to the housing counseling standards in Section 73 and issue to the borrower and the broker or originator a determination of whether counseling is recommended for the borrower. The borrower may not waive counseling. If at any time after submitting the information required under Section 72 the broker or originator (i) changes the terms of the loan or (ii) issues a new commitment to the borrower, then, within 5 business days thereafter, the broker or originator shall re-submit all of the information required under Section 72 and, within 4 business days after receipt of the information re-submitted by the broker or originator, the Department shall compare that information to the housing counseling standards in Section 73 and shall issue to the borrower and the broker or originator a new determination of whether re-counseling is recommended for the borrower based on the information re-submitted by the broker or originator. The Department shall require re-counseling if the loan terms have been modified to meet another counseling standard in Section 73, or if the broker has increased the interest rate by more than 200 basis points.

(d) If the Department recommends counseling for the borrower under subsection (c), then the Department shall notify the borrower of all participating HUD-approved HUD-certified counseling agencies located within the State and direct the borrower to interview with a counselor.

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associated with one of those agencies. Within 10 business days after receipt of the notice of HUD-approved HUD-certified counseling agencies, it is the borrower’s responsibility to select one of those agencies and shall engage in an interview with a counselor associated with that agency. The selection must take place and the appointment for the interview must be set within 10 business days, although the interview may take place beyond the 10 business day period. Within 7 business days after interviewing the borrower, the counselor must submit to the predatory lending database all of the information required under Section 74 and any other information required by the Department by rule. Reasonable and customary costs not to exceed $300 associated with counseling provided under the program shall be paid by the broker or originator and shall not be charged back to, or recovered from, the borrower. The Department shall annually calculate to the nearest dollar an adjusted rate for inflation. A counselor shall not recommend or suggest that a borrower contact any specific mortgage origination company, financial institution, or entity that deals in mortgage finance to obtain a loan, another quote, or for any other reason related to the specific mortgage transaction; however, a counselor may suggest that the borrower seek an opinion or a quote from another mortgage origination company, financial institution, or entity that deals in mortgage finance. A counselor or housing counseling agency that in good faith provides counseling shall not be liable to a broker or originator or borrower for civil damages, except for willful or wanton misconduct on the part of the counselor in providing the counseling.

(e) The broker or originator and the borrower may not take any legally binding action concerning the loan transaction until the later of the following:

(1) the Department issues a determination not to recommend HUD-approved HUD-certified counseling for the borrower in accordance with subsection (c); or

(2) the Department issues a determination that HUD-approved HUD-certified counseling is recommended for the borrower and the counselor submits all required information to the database in accordance with subsection (d).

(f) Within 10 business days after closing, the title insurance company or closing agent must submit to the predatory lending database all of the information required under Section 76 and any other information required by the Department by rule.

(g) The title insurance company or closing agent shall attach to the mortgage a certificate of compliance with the requirements of this Article, as generated by the database. If the transaction is exempt, the title insurance

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company or closing agent shall attach to the mortgage a certificate of exemption, as generated by the database. If the title insurance company or closing agent fails to attach the certificate of compliance or exemption, whichever is required, then the mortgage is not recordable. In addition, if any lis pendens for a residential mortgage foreclosure is recorded on the property within the program area, a certificate of service must be simultaneously recorded that affirms that a copy of the lis pendens was filed with the Department. The lis pendens may be filed with the Department either electronically or by filing a hard copy. If the certificate of service is not recorded, then the lis pendens pertaining to the residential mortgage foreclosure in question is not recordable and is of no force and effect.

(h) All information provided to the predatory lending database under the program is confidential and is not subject to disclosure under the Freedom of Information Act, except as otherwise provided in this Article. Information or documents obtained by employees of the Department in the course of maintaining and administering the predatory lending database are deemed confidential. Employees are prohibited from making disclosure of such confidential information or documents. Any request for production of information from the predatory lending database, whether by subpoena, notice, or any other source, shall be referred to the Department of Financial and Professional Regulation. Any borrower may authorize in writing the release of database information. The Department may use the information in the database without the consent of the borrower: (i) for the purposes of administering and enforcing the program; (ii) to provide relevant information to a counselor providing counseling to a borrower under the program; or (iii) to the appropriate law enforcement agency or the applicable administrative agency if the database information demonstrates criminal, fraudulent, or otherwise illegal activity.

(i) Nothing in this Article is intended to prevent a borrower from making his or her own decision as to whether to proceed with a transaction.

(j) Any person who violates any provision of this Article commits an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act.

(j-1) A violation of any provision of this Article by a mortgage banking licensee or licensed mortgage loan originator shall constitute a violation of the Residential Mortgage License Act of 1987.

(j-2) A violation of any provision of this Article by a title insurance company, title agent, or escrow agent shall constitute a violation of the Title Insurance Act.

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(j-3) A violation of any provision of this Article by a housing counselor shall be referred to the Department of Housing and Urban Development.

(k) During the existence of the program, the Department shall submit semi-annual reports to the Governor and to the General Assembly by May 1 and November 1 of each year detailing its findings regarding the program. The report shall include, by county, at least the following information for each reporting period:

(1) the number of loans registered with the program;
(2) the number of borrowers receiving counseling;
(3) the number of loans closed;
(4) the number of loans requiring counseling for each of the standards set forth in Section 73;
(5) the number of loans requiring counseling where the mortgage originator changed the loan terms subsequent to counseling;
(6) the number of licensed mortgage brokers and loan originators entering information into the database;
(7) the number of investigations based on information obtained from the database, including the number of licensees fined, the number of licenses suspended, and the number of licenses revoked;
(8) a summary of the types of non-traditional mortgage products being offered; and
(9) a summary of how the Department is actively utilizing the program to combat mortgage fraud.

(Source: P.A. 96-328, eff. 8-11-09; 96-856, eff. 12-31-09; 97-891, eff. 1-1-13.)

(765 ILCS 77/72)
Sec. 72. Originator; required information. As part of the predatory lending database program, the broker or originator must submit all of the following information for inclusion in the predatory lending database for each loan for which the originator takes an application:

(1) The borrower's name, address, social security number or taxpayer identification number, date of birth, and income and expense information, including total monthly consumer debt, contained in the mortgage application.

(2) The address, permanent index number, and a description of the collateral and information about the loan or loans being applied for and the loan terms, including the amount of the loan, the rate and

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whether the rate is fixed or adjustable, amortization or loan period terms, and any other material terms.

(3) The borrower's credit score at the time of application.

(4) Information about the originator and the company the originator works for, including the originator's license number and address, fees being charged, whether the fees are being charged as points up front, the yield spread premium payable outside closing, and other charges made or remuneration required by the broker or originator or its affiliates or the broker's or originator's employer or its affiliates for the mortgage loans.

(5) Information about affiliated or third party service providers, including the names and addresses of appraisers, title insurance companies, closing agents, attorneys, and realtors who are involved with the transaction and the broker or originator and any moneys received from the broker or originator in connection with the transaction.

(6) All information indicated on the Good Faith Estimate and Truth in Lending statement disclosures given to the borrower by the broker or originator.

(7) Annual real estate taxes for the property, together with any assessments payable in connection with the property to be secured by the collateral and the proposed monthly principal and interest charge of all loans to be taken by the borrower and secured by the property of the borrower.

(8) Information concerning how the broker or originator obtained the client and the name of its referral source, if any.

(9) Information concerning the notices provided by the broker or originator to the borrower as required by law and the date those notices were given.

(10) Information concerning whether a sale and leaseback is contemplated and the names of the lessor and lessee, seller, and purchaser.

(11) Any and all financing by the borrower for the subject property within 12 months prior to the date of application.

(12) Loan information, including interest rate, term, purchase price, down payment, and closing costs.

(13) Whether the buyer is a first-time homebuyer or refinancing a primary residence.

(14) Whether the loan permits interest only payments.

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(15) Whether the loan may result in negative amortization.
(16) Whether the total points and fees payable by the borrowers at or before closing will exceed 5%.
(17) Whether the loan includes a prepayment penalty, and, if so, the terms of the penalty.
(18) Whether the loan is an ARM.

All information entered into the predatory lending database must be true and correct to the best of the originator's knowledge. The originator shall, prior to closing, correct, update, or amend the data as necessary. If any corrections become necessary after the file has been accessed by the closing agent or housing counselor, a new file must be entered.

(Source: P.A. 97-891, eff. 1-1-13.)

(765 ILCS 77/74)

Sec. 74. Counselor; required information. As part of the predatory lending database program, a counselor must submit all of the following information for inclusion in the predatory lending database:

(1) The information called for in items (1), (6), (9), (11), (12), (13), (14), (15), (16), (17), and (18) of Section 72.
(2) Any information from the borrower that confirms or contradicts the information called for under item (1) of this Section.
(3) The name of the counselor and address of the HUD-approved HUD-certified housing counseling agency that employs the counselor.
(4) Information pertaining to the borrower's monthly expenses that assists the counselor in determining whether the borrower can afford the loan or loans for which the borrower is applying.
(5) A list of the disclosures furnished to the borrower, as seen and reviewed by the counselor, and a comparison of that list to all disclosures required by law.
(6) Whether the borrower provided tax returns to the broker or originator or to the counselor, and, if so, who prepared the tax returns.
(7) A statement of the recommendations of the counselor that indicates the counselor's response to each of the following statements:
   (A) The loan should not be approved due to indicia of fraud.
   (B) The loan should be approved; no material problems noted.
   (C) The borrower cannot afford the loan.

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(D) The borrower does not understand the transaction.
(E) The borrower does not understand the costs associated with the transaction.
(F) The borrower's monthly income and expenses have been reviewed and disclosed.
(G) The rate of the loan is above market rate.
(H) The borrower should seek a competitive bid from another broker or originator.
(I) There are discrepancies between the borrower's verbal understanding and the originator's completed form.
(J) The borrower is precipitously close to not being able to afford the loan.
(K) The borrower understands the true cost of debt consolidation and the need for credit card discipline.
(L) The information that the borrower provided the originator has been amended by the originator.

(Source: P.A. 97-813, eff. 7-13-12.)

(765 ILCS 77/76)

Sec. 76. Title insurance company or closing agent; required information. As part of the predatory lending database pilot program, a title insurance company or closing agent must submit all of the following information for inclusion in the predatory lending database:

(1) The borrower's name, address, social security number or taxpayer identification number, date of birth, and income and expense information contained in the mortgage application.

(2) The address, permanent index number, and a description of the collateral and information about the loan or loans being applied for and the loan terms, including the amount of the loan, the rate and whether the rate is fixed or adjustable, amortization or loan period terms, and any other material terms.

(3) Annual real estate taxes for the property, together with any assessments payable in connection with the property to be secured by the collateral and the proposed monthly principal and interest charge of all loans to be taken by the borrower and secured by the property of the borrower as well as any required escrows and the amounts paid monthly for those escrows.

(4) All itemizations and descriptions set forth in the RESPA settlement statement including items to be disbursed, payable outside

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closing "POC" items noted on the statement, and a list of payees and the amounts of their checks.

(5) The name and license number of the title insurance company or closing agent together with the name of the agent actually conducting the closing.

(6) The names and addresses of all originators, brokers, appraisers, sales persons, attorneys, and surveyors that are present at the closing.

(7) The date of closing, a detailed list of all notices provided to the borrower at closing and the date of those notices, and all information indicated on the Truth in Lending statement and Good Faith Estimate disclosures.

(Source: P.A. 94-280, eff. 1-1-06.)

(765 ILCS 77/78)
Sec. 78. Exemption. Borrowers applying for reverse mortgage financing of residential real estate including under programs regulated by the Federal Housing Administration (FHA) that require HUD-approved HUD-certified counseling are exempt from the program and may submit a HUD counseling certificate to comply with the program. A certificate of exemption is required for recording.

Mortgages secured by non-owner occupied property, commercial property, residential property consisting of more than 4 units, and government property are exempt but require a certificate of exemption for recording.

Mortgages originated by an exempt person or entity are exempt but require a certificate of exemption for recording.

(Source: P.A. 98-463, eff. 8-16-13.)

(765 ILCS 77/80)
Sec. 80. Predatory Lending Database Program Fund. The Predatory Lending Database Program Fund is created as a special fund in the State treasury. Subject to appropriation, moneys in the Fund shall be appropriated to the Illinois Housing Development Authority for the purpose of making grants for HUD-approved HUD-certified counseling agencies participating in the Predatory Lending Database Program to assist with implementation and development of the Predatory Lending Database Program.

(Source: P.A. 95-707, eff. 1-11-08.)
Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

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AN ACT concerning civil law.

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

Section 5. The Probate Act of 1975 is amended by changing Sections 11-5, 11-5.4, 11-8, 11-8.1, 11-10.1, and 11-13 as follows:

(755 ILCS 5/11-5) (from Ch. 110 1/2, par. 11-5)

Sec. 11-5. Appointment of guardian.

(a) Upon the filing of a petition for the appointment of a guardian or on its own motion, the court may appoint a guardian of the estate or of both the person and estate, of a minor, or may appoint a guardian of the person only of a minor or minors, as the court finds to be in the best interest of the minor or minors.

(a-1) A parent, adoptive parent or adjudicated parent, whose parental rights have not been terminated, may designate in any writing, including a will, a person qualified to act under Section 11-3 to be appointed as guardian of the person or estate, or both, of an unmarried minor or of a child likely to be born. A parent, adoptive parent or adjudicated parent, whose parental rights have not been terminated, or a guardian or a standby guardian of an unmarried minor or of a child likely to be born may designate in any writing, including a will, a person qualified to act under Section 11-3 to be appointed as successor guardian of the minor’s person or estate, or both. The designation must be witnessed by 2 or more credible witnesses at least 18 years of age, neither of whom is the person designated as the guardian. The designation may be proved by any competent evidence. If the designation is executed and attested in the same manner as a will, it shall have prima facie validity. The designation of a guardian or successor guardian does not affect the rights of the other parent in the minor.

(b) The court lacks jurisdiction to proceed on a petition for the appointment of a guardian of a minor if it finds that (i) the minor has a living parent, adoptive parent or adjudicated parent, whose parental rights have not been terminated, whose whereabouts are known, and who is willing and able to make and carry out day-to-day child care decisions concerning the minor, unless: (1) the parent or parents voluntarily relinquished physical custody of the minor; (2) after receiving notice of the hearing under Section 11-10.1, the parent or parents fail to object to the appointment at the hearing on the petition; or (3) the parent or parents consent to the appointment as evidenced

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by a written document that has been notarized and dated, or by a personal appearance and consent in open court; or (ii) there is a guardian for the minor appointed by a court of competent jurisdiction. There shall be a rebuttable presumption that a parent of a minor is willing and able to make and carry out day-to-day child care decisions concerning the minor, but the presumption may be rebutted by a preponderance of the evidence. If a short-term guardian has been appointed for the minor prior to the filing of the petition and the petition for guardianship is not the short-term guardian, there shall be a rebuttable presumption that it is in the best interest of the minor to remain in the care of the short-term guardian. The petitioner shall have the burden of proving by a preponderance of the evidence that it is not in the child's best interest to remain with the short-term guardian.

(b-1) If the court finds the appointment of a guardian of the minor to be in the best interest of the minor, and if a standby guardian has previously been appointed for the minor under Section 11-5.3, the court shall appoint the standby guardian as the guardian of the person or estate, or both, of the minor unless the court finds, upon good cause shown, that the appointment would no longer be in the best interest of the minor.

(c) If the minor is 14 years of age or more, the minor may nominate the guardian of the minor's person and estate, subject to approval of the court. If the minor's nominee is not approved by the court or if, after notice to the minor, the minor fails to nominate a guardian of the minor's person or estate, the court may appoint the guardian without nomination.

(d) The court shall not appoint as guardian of the person of the minor any person whom the court has determined had caused or substantially contributed to the minor becoming a neglected or abused minor as defined in the Juvenile Court Act of 1987, unless 2 years have elapsed since the last proven incident of abuse or neglect and the court determines that appointment of such person as guardian is in the best interests of the minor.

(e) Previous statements made by the minor relating to any allegations that the minor is an abused or neglected child within the meaning of the Abused and Neglected Child Reporting Act, or an abused or neglected minor within the meaning of the Juvenile Court Act of 1987, shall be admissible in evidence in a hearing concerning appointment of a guardian of the person or estate of the minor. No such statement, however, if uncorroborated and not subject to cross-examination, shall be sufficient in itself to support a finding of abuse or neglect.

(Source: P.A. 96-1338, eff. 1-1-11.)

(755 ILCS 5/11-5.4)

New matter indicated by italics - deletions by strikeout
Sec. 11-5.4. Short-term guardian.

(a) A parent, adoptive parent, or adjudicated parent whose parental rights have not been terminated, or the guardian of the person of a minor may appoint in writing, without court approval, a short-term guardian of an unmarried minor or a child likely to be born. The written instrument appointing a short-term guardian shall be dated and shall identify the appointing parent or guardian, the minor, and the person appointed to be the short-term guardian. The written instrument shall be signed by, or at the direction of, the appointing parent in the presence of at least 2 credible witnesses at least 18 years of age, neither of whom is the person appointed as the short-term guardian. The person appointed as the short-term guardian shall also sign the written instrument, but need not sign at the same time as the appointing parent.

(b) A parent or guardian shall not appoint a short-term guardian of a minor if the minor has another living parent, adoptive parent or adjudicated parent, whose parental rights have not been terminated, whose whereabouts are known, and who is willing and able to make and carry out day-to-day child care decisions concerning the minor, unless the nonappointing parent consents to the appointment by signing the written instrument of appointment.

(c) The appointment of the short-term guardian is effective immediately upon the date the written instrument is executed, unless the written instrument provides for the appointment to become effective upon a later specified date or event. Except as provided in subsection (e-5) of this Section, the short-term guardian shall have authority to act as guardian of the minor as provided in Section 11-13.2 for a period of 365 days from the date the appointment is effective, unless the written instrument provides for the appointment to terminate upon an earlier specified date or event. Only one written instrument appointing a short-term guardian may be in force at any given time.

(d) Every appointment of a short-term guardian may be amended or revoked by the appointing parent or by the appointing guardian of the person of the minor at any time and in any manner communicated to the short-term guardian or to any other person. Any person other than the short-term guardian to whom a revocation or amendment is communicated or delivered shall make all reasonable efforts to inform the short-term guardian of that fact as promptly as possible.

(e) The appointment of a short-term guardian or successor short-term guardian does not affect the rights of the other parent in the minor. The short-
term guardian appointment does not constitute consent for court appointment of a guardian.

(e-5) Any time after the appointment of a temporary custodian under Section 2-10, 3-12, 4-9, 5-410, or 5-501 of the Juvenile Court Act of 1987, and after notice to all parties, including the short-term guardian, as required by the Juvenile Court Act of 1987, a court may vacate any short-term guardianship for the minor appointed under this Section, provided the vacation is consistent with the minor's best interests as determined using the factors listed in paragraph (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

(f) The written instrument appointing a short-term guardian may, but need not, be in the following form:

APPOINTMENT OF SHORT-TERM GUARDIAN
[IT IS IMPORTANT TO READ THE FOLLOWING INSTRUCTIONS:

By properly completing this form, a parent or the guardian of the person of the child is appointing a guardian of a child of the parent (or a minor ward of the guardian, as the case may be) for a period of up to 365 days. A separate form should be completed for each child. The person appointed as the guardian must sign the form, but need not do so at the same time as the parent or parents or guardian.

This form may not be used to appoint a guardian if there is a guardian already appointed for the child, except that if a guardian of the person of the child has been appointed, that guardian may use this form to appoint a short-term guardian. Both living parents of a child may together appoint a guardian of the child, or the guardian of the person of the child may appoint a guardian of the child, for a period of up to 365 days through the use of this form. If the short-term guardian is appointed by both living parents of the child, the parents need not sign the form at the same time.]

1. Parent (or guardian) and Child. I, (insert name of appointing parent or guardian), currently residing at (insert address of appointing parent or guardian), am a parent (or the guardian of the person) of the following child (or of a child likely to be born): (insert name and date of birth of child, or insert the words "not yet born" to appoint a short-term guardian for a child likely to be born and the child's expected date of birth).

2. Guardian. I hereby appoint the following person as the short-term guardian for the child: (insert name and address of appointed person).

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3. Effective date. This appointment becomes effective: (check one if you wish it to be applicable)
   ( ) On the date that I state in writing that I am no longer either willing or able to make and carry out day-to-day child care decisions concerning the child.
   ( ) On the date that a physician familiar with my condition certifies in writing that I am no longer willing or able to make and carry out day-to-day child care decisions concerning the child.
   ( ) On the date that I am admitted as an in-patient to a hospital or other health care institution.
   ( ) On the following date: (insert date).
   ( ) Other: (insert other).
[NOTE: If this item is not completed, the appointment is effective immediately upon the date the form is signed and dated below.]

4. Termination. This appointment shall terminate 365 days after the effective date, unless it terminates sooner as determined by the event or date I have indicated below: (check one if you wish it to be applicable)
   ( ) On the date that I state in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child.
   ( ) On the date that a physician familiar with my condition certifies in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child.
   ( ) On the date that I am discharged from the hospital or other health care institution where I was admitted as an in-patient, which established the effective date.
   ( ) On the date which is (state a number of days, but no more than 365 days) days after the effective date.
   ( ) Other: (insert other).
[NOTE: If this item is not completed, the appointment will be effective for a period of 365 days, beginning on the effective date.]

5. Date and signature of appointing parent or guardian. This appointment is made this (insert day) day of (insert month and year).
   Signed: (appointing parent)

6. Witnesses. I saw the parent (or the guardian of the person of the child) sign this instrument or I saw the parent (or the guardian

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of the person of the child) direct someone to sign this instrument for
the parent (or the guardian). Then I signed this instrument as a
witness in the presence of the parent (or the guardian). I am not
appointed in this instrument to act as the short-term guardian for the
child. (Insert space for names, addresses, and signatures of 2
witnesses)

7. Acceptance of short-term guardian. I accept this
appointment as short-term guardian on this (insert day) day of (insert
month and year).

Signed: (short-term guardian)

8. Consent of child's other parent. I, (insert name of the child's
other living parent), currently residing at (insert address of child's
other living parent), hereby consent to this appointment on this (insert
day) day of (insert month and year).

Signed: (consenting parent)

[NOTE: The signature of a consenting parent is not necessary if one of the
following applies: (i) the child's other parent has died; or (ii) the whereabouts
of the child's other parent are not known; or (iii) the child's other parent is not
willing or able to make and carry out day-to-day child care decisions
concerning the child; or (iv) the child's parents were never married and no
court has issued an order establishing parentage.]

(Source: P.A. 98-568, eff. 1-1-14.)

(755 ILCS 5/11-8) (from Ch. 110 1/2, par. 11-8)
Sec. 11-8. Petition for guardian of minor.
(a) The petition for appointment of a guardian of the estate, or of both
the person and estate, of a minor, or for appointment of the guardian of the
person only of a minor or minors must state, if known: (1) the name, date of
birth and residence of the minor; (2) the names and post office addresses of
the nearest relatives of the minor in the following order: (i) the spouse, if any;
if none, (ii) the parents, and adult brothers and sisters, and the short-term
guardian, if any; if none, (iii) the nearest adult kindred; (3) the name and post
office address of the person having the custody of the minor; (4) the
approximate value of the personal estate; (5) the amount of the anticipated
gross annual income and other receipts; (6) the name, post office address and,
in case of an individual, the age and occupation of the proposed guardian; (7)
the facts concerning the execution or admission to probate of the written
designation of the guardian, if any, a copy of which shall be attached to or
filed with the petition; and (8) the facts concerning any juvenile, adoption,
parentage, dissolution, or guardianship court actions pending concerning the

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minor or the parents of the minor and whether any guardian is currently acting for the minor. In addition, if the petition seeks the appointment of a previously appointed standby guardian as guardian of the minor, the petition must also state: (9) the facts concerning the standby guardian's previous appointment and (10) the date of death of the minor's parent or parents or the facts concerning the consent of the minor's parent or parents to the appointment of the standby guardian as guardian, or the willingness and ability of the minor's parent or parents to make and carry out day-to-day child care decisions concerning the minor.

If a short-term guardian who has been appointed by the minor's parent or guardian prior to the filing of the petition subsequently petitions for court-ordered guardianship of the minor, the petition shall state the facts concerning the appointment of the short-term guardian, including: (i) the date of the appointment; (ii) the circumstances surrounding the appointment; (iii) the date the short-term guardian appointment ends; and (iv) the reasons why a court-ordered guardian is also needed for the minor. A copy of the short-term guardianship appointment shall be attached to the petition.

(b) A single petition for appointment of only a guardian of the person of a minor may include more than one minor. The statements required in items (1) and (2) of subsection (a) shall be listed separately for each minor.

(Source: P.A. 90-796, eff. 12-15-98.)

(755 ILCS 5/11-8.1)

Sec. 11-8.1. Petition for standby guardian of minor. The petition for appointment of a standby guardian of the person or the estate, or both, of a minor must state, if known: (a) the name, date of birth, and residence of the minor; (b) the names and post office addresses of the nearest relatives of the minor in the following order: (1) the parents, if any; if none, (2) the adult brothers and sisters, if any; if none, (3) the nearest adult kindred; (4) the short-term guardian, if any; (c) the name and post office address of the person having custody of the minor; (d) the name, post office address, and, in case of any individual, the age and occupation of the proposed standby guardian; (e) the facts concerning the consent of the minor's parent or parents or the guardian of the person of the minor to the appointment of the standby guardian, or the willingness and ability of the minor's parent or parents, if any, or the guardian of the person of the minor to make and carry out day-to-day child care decisions concerning the minor; (f) the facts concerning the execution or admission to probate of the written designation of the standby guardian, if any, a copy of which shall be attached to or filed with the petition; and (g) the facts concerning any juvenile, adoption, parentage,
dissolution, or guardianship court actions pending concerning the minor or
the parents of the minor and whether any guardian is currently acting for the
minor. If a short-term guardian has been appointed by the minor's parent or
guardian and subsequently petitions for standby guardianship of the minor,
the petition shall state the facts concerning the appointment of the short-term
guardian, including: (i) the date of the appointment; (ii) the circumstances
surrounding the appointment; (iii) the date the short-term guardian
appointment ends; and (iv) the reasons why a standby guardian is also
needed for the minor. A copy of the short-term guardianship appointment
shall be attached to the petition.
(Source: P.A. 90-796, eff. 12-15-98.)

(755 ILCS 5/11-10.1) (from Ch. 110 1/2, par. 11-10.1)
Sec. 11-10.1. Procedure for appointment of a standby guardian or a
guardian of a minor.
(a) Unless excused by the court for good cause shown, it is the duty
of the petitioner to give notice of the time and place of the hearing on the
petition, in person or by mail, to the minor, if the minor is 14 years, or older,
and to the relatives and the short-term guardian of the minor whose names
and addresses are stated in the petition, not less than 3 days before the
hearing, but failure to give notice to any relative is not jurisdictional.
(b) In any proceeding for the appointment of a standby guardian or a
guardian the court may appoint a guardian ad litem to represent the minor in
the proceeding.
(Source: P.A. 88-529.)

(755 ILCS 5/11-13) (from Ch. 110 1/2, par. 11-13)
Sec. 11-13. Duties of guardian of a minor. Before a guardian of a
minor may act, the guardian shall be appointed by the court of the proper
county and, in the case of a guardian of the minor's estate, the guardian shall
give the bond prescribed in Section 12-2. Except as provided in Section 11-
13.1 and Section 11-13.2 with respect to the standby or short-term guardian
of the person of a minor, the court shall have control over the person and
estate of the ward. Under the direction of the court:
(a) The guardian of the person shall have the custody, nurture and
tuition and shall provide education of the ward and of his children, but the
ward's spouse may not be deprived of the custody and education of the
spouse's children, without consent of the spouse, unless the court finds that
the spouse is not a fit and competent person to have such custody and
education. If the ward's estate is insufficient to provide for the ward's
education and the guardian of his person fails to provide education, the court

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may award the custody of the ward to some other person for the purpose of providing education. If a person makes a settlement upon or provision for the support or education of a ward and if either parent of the ward is dead, the court may make such order for the visitation of the ward by the person making the settlement or provision as the court deems proper. The guardian of the minor shall inform the court of the minor's current address by certified mail, hand delivery, or other method in accordance with court rules within 30 days of any change of residence.

(b) The guardian or other representative of the ward's estate shall have the care, management and investment of the estate, shall manage the estate frugally and shall apply the income and principal of the estate so far as necessary for the comfort and suitable support and education of the ward, his children, and persons related by blood or marriage who are dependent upon or entitled to support from him, or for any other purpose which the court deems to be for the best interests of the ward, and the court may approve the making on behalf of the ward of such agreements as the court determines to be for the ward's best interests. The representative may make disbursement of his ward's funds and estate directly to the ward or other distributee or in such other manner and in such amounts as the court directs. If the estate of a ward is derived in whole or in part from payments of compensation, adjusted compensation, pension, insurance or other similar benefits made directly to the estate by the Veterans Administration, notice of the application for leave to invest or expend the ward's funds or estate, together with a copy of the petition and proposed order, shall be given to the Veterans' Administration Regional Office in this State at least 7 days before the hearing on the application. The court, upon petition of a guardian of the estate of a minor, may permit the guardian to make a will or create a revocable or irrevocable trust for the minor that the court considers appropriate in light of changes in applicable tax laws that allow for minimization of State or federal income, estate, or inheritance taxes; however, the will or trust must make distributions only to the persons who would be entitled to distributions if the minor were to die intestate and the will or trust must make distributions to those persons in the same amounts to which they would be entitled if the minor were to die intestate.

(c) Upon the direction of the court which issued his letters a representative may perform the contracts of his ward which were legally subsisting at the time of the commencement of the guardianship. The court may authorize the guardian to execute and deliver any bill of sale, deed or other instrument.

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(d) The representative of the estate of a ward shall appear for and represent the ward in all legal proceedings unless another person is appointed for that purpose as representative or next friend. This does not impair the power of any court to appoint a representative or next friend to defend the interests of the ward in that court, or to appoint or allow any person as the next friend of a ward to commence, prosecute or defend any proceeding in his behalf. Any proceeding on behalf of a minor may be commenced and prosecuted by his next friend, without any previous authority or appointment by the court if the next friend enters bond for costs and files it in the court where the proceeding is pending. Without impairing the power of the court in any respect, if the representative of the estate of a minor and another person as next friend shall appear for and represent the minor in a legal proceeding in which the compensation of the attorney or attorneys representing the guardian and next friend is solely determined under a contingent fee arrangement, the guardian of the estate of the minor shall not participate in or have any duty to review the prosecution of the action, to participate in or review the appropriateness of any settlement of the action, or to participate in or review any determination of the appropriateness of any fees awarded to the attorney or attorneys employed in the prosecution of the action.

(e) Upon petition by any interested person (including the standby or short-term guardian), with such notice to interested persons as the court directs and a finding by the court that it is in the best interest of the minor, the court may terminate or limit the authority of a standby or short-term guardian or may enter such other orders as the court deems necessary to provide for the best interest of the minor. The petition for termination or limitation of the authority of a standby or short-term guardian may, but need not, be combined with a petition to have a guardian appointed for the minor.

(f) The court may grant leave to the guardian of a minor child or children to remove such child or children from Illinois whenever such approval is in the best interests of such child or children. The guardian may not remove a minor from Illinois except as permitted under this Section and must seek leave of the court prior to removing a child for 30 days or more. The burden of proving that such removal is in the best interests of such child or children is on the guardian. When such removal is permitted, the court may require the guardian removing such child or children from Illinois to give reasonable security guaranteeing the return of such children.

The court shall consider the wishes of the minor’s parent or parents and the effect of removal on visitation and the wishes of the minor if he or she

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is 14 years of age or older. The court may not consider the availability of electronic communication as a factor in support of the removal of a child by the guardian from Illinois. The guardianship order may incorporate language governing removal of the minor from the State.

Before a minor child is temporarily removed from Illinois for more than 48 hours but less than 30 days, the guardian shall inform the parent or parents of the address and telephone number where the child may be reached during the period of temporary removal and the date on which the child shall return to Illinois. The State of Illinois retains jurisdiction when the minor child is absent from the State pursuant to this subsection. The guardianship order may incorporate language governing out-of-state travel with the minor.

(Source: P.A. 90-345, eff. 8-8-97; 91-149, eff. 1-1-00.)

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1083
(House Bill No. 5812)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Officer Prohibited Activities Act is amended by changing Section 3 as follows:
(50 ILCS 105/3) (from Ch. 102, par. 3)
Sec. 3. Prohibited interest in contracts.
   (a) No person holding any office, either by election or appointment under the laws or Constitution of this State, may be in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust, or corporation, in any contract or the performance of any work in the making or letting of which such officer may be called upon to act or vote. No such officer may represent, either as agent or otherwise, any person, association, trust, or corporation, with respect to any application or bid for any contract or work in regard to which such officer may be called upon to vote. Nor may any such officer take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value as a gift or bribe or means of influencing his vote or action in his official character. Any contract made and procured in violation hereof is void. This Section shall not apply to any person serving on an advisory panel or

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commission, to any director serving on a hospital district board as provided under subsection (a-5) of Section 13 of the Hospital District Law, or to any person serving as both a contractual employee and as a member of a public hospital board as provided under Article 11 of the Illinois Municipal Code in a municipality with a population between 13,000 and 16,000 that is located in a county with a population between 50,000 and 70,000.

(b) However, any elected or appointed member of the governing body may provide materials, merchandise, property, services, or labor, subject to the following provisions under either paragraph (1) or (2):

(1) If:

A. the contract is with a person, firm, partnership, association, corporation, or cooperative association in which such interested member of the governing body of the municipality has less than a 7 1/2% share in the ownership; and

B. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

C. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum; and

D. such contract is approved by a majority vote of those members presently holding office; and

E. the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds $1500, or awarded without bidding if the amount of the contract is less than $1500; and

F. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $25,000.

(2) If:

A. the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

B. the amount of the contract does not exceed $2,000; and

New matter indicated by italics - deletions by strikeout
C. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $4,000; and

D. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

E. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(b-5) In addition to the above exemptions, any elected or appointed member of the governing body may provide materials, merchandise, property, services, or labor if:

A. the contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member of the governing body of the municipality, advisory panel, or commission has less than a 1% share in the ownership; and

B. the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

C. such interested member publicly discloses the nature and extent of his interest before or during deliberations concerning the proposed award of the contract; and

D. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(c) A contract for the procurement of public utility services by a public entity with a public utility company is not barred by this Section by one or more members of the governing body of the public entity being an officer or employee of the public utility company or holding an ownership interest of no more than 7 1/2% in the public utility company, or holding an ownership interest of any size if the public entity is a municipality with a population of less than 7,500 and the public utility's rates are approved by the Illinois Commerce Commission. An elected or appointed member of the governing body of the public entity having such an interest shall be deemed not to have a prohibited interest under this Section.
(d) Notwithstanding any other provision of this Section or any other law to the contrary, until January 1, 1994, a member of the city council of a municipality with a population under 20,000 may purchase real estate from the municipality, at a price of not less than 100% of the value of the real estate as determined by a written MAI certified appraisal or by a written certified appraisal of a State certified or licensed real estate appraiser, if the purchase is approved by a unanimous vote of the city council members then holding office (except for the member desiring to purchase the real estate, who shall not vote on the question).

(e) For the purposes of this Section only, a municipal officer shall not be deemed interested if the officer is an employee of a company or owns or holds an interest of 1% or less in the municipal officer's individual name in a company, or both, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market, provided the interested member: (i) publicly discloses the fact that he or she is an employee or holds an interest of 1% or less in a company before deliberation of the proposed award of the contract; (ii) refrains from evaluating, recommending, approving, deliberating, or otherwise participating in negotiation, approval, or both, of the contract, work, or business; (iii) abstains from voting on the award of the contract though he or she shall be considered present for purposes of establishing a quorum; and (iv) the contract is approved by a majority vote of those members currently holding office.

A municipal officer shall not be deemed interested if the officer owns or holds an interest of 1% or less, not in the officer's individual name but through a mutual fund or exchange-traded fund, in a company, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market.

(f) Under either of the following circumstances, a municipal or county officer may hold a position on the board of a not-for-profit corporation that is interested in a contract, work, or business of the municipality or county:

1. If the municipal or county officer is appointed by the governing body of the municipality or county to represent the interests of the municipality or county on a not-for-profit corporation's board, then the municipal or county officer may actively vote on matters involving either that board or the municipality or county, at any time, so long as the membership on the not-for-profit board is not a paid position, except that the municipal or county
officer may be reimbursed by the non-for-profit board for expenses incurred as the result of membership on the non-for-profit board.

(2) If the municipal or county officer is not appointed to the governing body of a not-for-profit corporation by the governing body of the municipality or county, then the municipal or county officer may continue to serve; however, the municipal or county officer shall abstain from voting on any proposition before the municipal or county governing body directly involving the not-for-profit corporation and, for those matters, shall not be counted as present for the purposes of a quorum of the municipal or county governing body.

(Source: P.A. 96-277, eff. 1-1-10; 96-1058, eff. 7-14-10; 97-520, eff. 8-23-11.)

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1084
(House Bill No. 5853)

AN ACT concerning State government.

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

Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-335 as follows:

(20 ILCS 405/405-335)
Sec. 405-335. Illinois Transparency and Accountability Portal (ITAP).

(a) The Department, within 12 months after the effective date of this amendatory Act of the 96th General Assembly, shall establish and maintain a website, known as the Illinois Transparency and Accountability Portal (ITAP), with a full-time webmaster tasked with compiling and updating the ITAP database with information received from all State agencies as defined in this Section. Subject to appropriation, the full-time webmaster must also compile and update the ITAP database with information received from all counties, townships, library districts, and municipalities.

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

New matter indicated by italics - deletions by strikeout
"Contracts" means payment obligations with vendors on file with the Office of the Comptroller to purchase goods and services exceeding $10,000 in value (or, in the case of professional or artistic services, exceeding $5,000 in value).

"Appropriation" means line-item detail of spending approved by the General Assembly and Governor, categorized by object of expenditure.

"Individual consultants" means temporary workers eligible to receive State benefits paid on a State payroll.

"Recipients" means State agencies receiving appropriations.

(c) The ITAP shall provide direct access to each of the following:

(1) A database of all current State employees and individual consultants, except sworn law enforcement officers, sorted separately by:
   (i) Name.
   (ii) Employing State agency.
   (iii) Employing State division.
   (iv) Employment position title.
   (v) Current pay rate and year-to-date pay.

(2) A database of all current State expenditures, sorted separately by agency, category, recipient, and Representative District.

(3) A database of all development assistance reportable pursuant to the Corporate Accountability for Tax Expenditures Act, sorted separately by tax credit category, taxpayer, and Representative District.

(4) A database of all revocations and suspensions of State occupation and use tax certificates of registration and all revocations and suspensions of State professional licenses, sorted separately by name, geographic location, and certificate of registration number or license number, as applicable. Professional license revocations and suspensions shall be posted only if resulting from a failure to pay taxes, license fees, or child support.

(5) A database of all current State contracts, sorted separately by contractor name, awarding officer or agency, contract value, and goods or services provided.

(6) A database of all employees hired after the effective date of this amendatory Act of 2010, sorted searchable by each of the following at the time of employment:
   (i) Name.
   (ii) Employing State agency.

New matter indicated by italics - deletions by strikeout
(iii) Employing State division.
(iv) Employment position title.
(v) Current pay rate and year-to-date pay.
(vi) County of employment location.
(vii) Rutan status.
(viii) Status of position as subject to collective bargaining, subject to merit compensation, or exempt under Section 4d of the Personnel Code.
(ix) Employment status as probationary, trainee, intern, certified, or exempt from certification.
(x) Status as a military veteran.

(7) A searchable database of all current county, township, library district, and municipal employees sorted separately by:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.

(8) A searchable database of all county, township, and municipal employees hired on or after the effective date of this amendatory Act of the 97th General Assembly, sorted separately by each of the following at the time of employment:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.

(9) A searchable database of all library district employees hired on or after August 9, 2013 (the effective date of Public Act 98-246) this amendatory Act of the 98th General Assembly, sorted separately by each of the following at the time of employment:
   (i) Employing unit of local government.
   (ii) Employment position title.
   (iii) Current pay rate and year-to-date pay.

(10) A link to a website maintained by the Department that contains a list of contact information for each State agency, including a telephone number and a link to the Agency's website. Each State agency shall be responsible for providing and updating the Department with this information.

(d) The ITAP shall include all information required to be published by subsection (c) of this Section that is available to the Department in a format the Department can compile and publish on the ITAP. The Department shall update the ITAP as additional information becomes available.
available in a format that can be compiled and published on the ITAP by the Department.

(e) Each State agency, county, township, library district, and municipality shall cooperate with the Department in furnishing the information necessary for the implementation of this Section within a timeframe specified by the Department.

(f) Each county, township, library district, or municipality submitting information to be displayed on the Illinois Transparency and Accountability Portal (ITAP) is responsible for the accuracy of the information provided.

(g) The Department, within 6 months after January 1, 2014 (the effective date of Public Act 98-283) this amendatory Act of the 98th General Assembly, shall distribute a spreadsheet or otherwise make data entry available to each State agency to facilitate the collection of data on the State's annual workforce characteristics, workforce compensation, and employee mobility. The Department shall determine the data to be collected by each State agency. Each State agency shall cooperate with the Department in furnishing the data necessary for the implementation of this subsection within the timeframe specified by the Department. The Department shall publish the data received from each State agency on the ITAP or another open data site annually.

(Source: P.A. 97-744, eff. 1-1-13; 98-246, eff. 8-9-13; 98-283, eff. 1-1-14; revised 9-4-13.)

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1085
(House Bill No. 5889)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Counties Code is amended by adding Section 5-1101.3 as follows:
(55 ILCS 5/5-1101.3 new)
Sec. 5-1101.3. Additional fees to finance new judicial facilities. The Will County Board may by ordinance impose a judicial facilities fee to be used for the building of new judicial facilities.

New matter indicated by italics - deletions by strikeout
(a) In setting such fee, the Will County Board, with the concurrence of the Chief Judge of the applicable judicial circuit, may impose different rates for the various types or categories of civil and criminal cases, not to exceed $30. The fees are to be paid as follows:

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

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

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

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

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.
AN ACT concerning State government.

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

Section 5. The Illinois Health Facilities Planning Act is amended by changing Sections 3, 5.3, 5.4, 6.2, 8.5, 10, 11, 12, 12.2, 12.5, 13, and 15 as follows:

(20 ILCS 3960/3) (from Ch. 111 1/2, par. 1153)
(Section scheduled to be repealed on December 31, 2019)
Sec. 3. Definitions. As used in this Act:
"Health care facilities" means and includes the following facilities, organizations, and related persons:

(1) †: An ambulatory surgical treatment center required to be licensed pursuant to the Ambulatory Surgical Treatment Center Act.

(2) ²: An institution, place, building, or agency required to be licensed pursuant to the Hospital Licensing Act. ²

(3) ‡: Skilled and intermediate long term care facilities licensed under the Nursing Home Care Act.

(A) If a demonstration project under the Nursing Home Care Act applies for a certificate of need to convert to a nursing facility, it shall meet the licensure and certificate of need requirements in effect as of the date of application.

(B) Except as provided in item (A) of this subsection, this Act does not apply to facilities granted waivers under Section 3-102.2 of the Nursing Home Care Act. ²

(3.5) ²: Skilled and intermediate care facilities licensed under the ID/DD Community Care Act. ²

(A) No permit or exemption is required for a facility licensed under the ID/DD Community Care Act prior to the reduction of the number of beds at a facility. If there is a total reduction of beds at a facility licensed under the ID/DD Community Care Act, this is a discontinuation or closure of the facility. If a facility licensed under the ID/DD Community Care Act reduces the number of beds or discontinues the facility, that facility must notify the Board as provided in Section 14.1 of this Act.

New matter indicated by italics - deletions by strikeout
(3.7) Facilities licensed under the Specialized Mental Health Rehabilitation Act. 

(4) Hospitals, nursing homes, ambulatory surgical treatment centers, or kidney disease treatment centers maintained by the State or any department or agency thereof. 

(5) Kidney disease treatment centers, including a free-standing hemodialysis unit required to be licensed under the End Stage Renal Disease Facility Act. 

(A) This Act does not apply to a dialysis facility that provides only dialysis training, support, and related services to individuals with end stage renal disease who have elected to receive home dialysis. 

(B) This Act does not apply to a dialysis unit located in a licensed nursing home that offers or provides dialysis-related services to residents with end stage renal disease who have elected to receive home dialysis within the nursing home. 

(C) The Board, however, may require dialysis facilities and licensed nursing homes under items (A) and (B) of this subsection to report statistical information on a quarterly basis to the Board to be used by the Board to conduct analyses on the need for proposed kidney disease treatment centers. 

(6) An institution, place, building, or room used for the performance of outpatient surgical procedures that is leased, owned, or operated by or on behalf of an out-of-state facility. 

(7) An institution, place, building, or room used for provision of a health care category of service, including, but not limited to, cardiac catheterization and open heart surgery. 

(8) An institution, place, building, or room housing used for provision of major medical equipment used in the direct clinical diagnosis or treatment of patients, and whose project cost is in excess of the capital expenditure minimum. 

"Health care facilities" does not include the following entities or facility transactions: 

(1) Federally-owned facilities. 

(2) Facilities used solely for healing by prayer or spiritual means. 

New matter indicated by italics - deletions by strikeout
(3) An existing facility located on any campus facility as defined in Section 5-5.8b of the Illinois Public Aid Code, provided that the campus facility encompasses 30 or more contiguous acres and that the new or renovated facility is intended for use by a licensed residential facility.

(4) Facilities licensed under the Supportive Residences Licensing Act or the Assisted Living and Shared Housing Act.

(5) Facilities designated as supportive living facilities that are in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code.

(6) Facilities established and operating under the Alternative Health Care Delivery Act as a children's respite care center alternative health care model demonstration program or as an Alzheimer's Disease Management Center alternative health care model demonstration program.

(7) The closure of an entity or a portion of an entity licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exception of facilities operated by a county or Illinois Veterans Homes, that elect to convert, in whole or in part, to an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act.

(8) Any change of ownership of a healthcare facility that is licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exception of facilities operated by a county or Illinois Veterans Homes. Changes of ownership of facilities licensed under the Nursing Home Care Act must meet the requirements set forth in Sections 3-101 through 3-119 of the Nursing Home Care Act.

This Act shall not apply to the construction of any new facility or the renovation of any existing facility located on any campus facility as defined in Section 5-5.8b of the Illinois Public Aid Code, provided that the campus facility encompasses 30 or more contiguous acres and that the new or renovated facility is intended for use by a licensed residential facility.

No federally owned facility shall be subject to the provisions of this Act, nor facilities used solely for healing by prayer or spiritual means.

No facility licensed under the Supportive Residences Licensing Act or the Assisted Living and Shared Housing Act shall be subject to the provisions of this Act.

New matter indicated by italics - deletions by strikeout
No facility established and operating under the Alternative Health Care Delivery Act as a children’s respite care center alternative health care model demonstration program or as an Alzheimer’s Disease Management Center alternative health care model demonstration program shall be subject to the provisions of this Act.

A facility designated as a supportive living facility that is in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code shall not be subject to the provisions of this Act.

This Act does not apply to facilities granted waivers under Section 3-102.2 of the Nursing Home Care Act. However, if a demonstration project under that Act applies for a certificate of need to convert to a nursing facility, it shall meet the licensure and certificate of need requirements in effect as of the date of application.

This Act does not apply to a dialysis facility that provides only dialysis training, support, and related services to individuals with end stage renal disease who have elected to receive home dialysis. This Act does not apply to a dialysis unit located in a licensed nursing home that offers or provides dialysis-related services to residents with end stage renal disease who have elected to receive home dialysis within the nursing home. The Board, however, may require these dialysis facilities and licensed nursing homes to report statistical information on a quarterly basis to the Board to be used by the Board to conduct analyses on the need for proposed kidney disease treatment centers.

This Act shall not apply to the closure of an entity or a portion of an entity licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes, that elects to convert, in whole or in part, to an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act.

This Act does not apply to any change of ownership of a healthcare facility that is licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes. Changes of ownership of facilities licensed under the Nursing Home Care Act must meet the requirements set forth in Sections 3-101 through 3-119 of the Nursing Home Care Act.

With the exception of those health care facilities specifically included in this Section, nothing in this Act shall be intended to include facilities operated as a part of the practice of a physician or other licensed health care
professional, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional group. Further, this Act shall not apply to physicians or other licensed health care professional's practices where such practices are carried out in a portion of a health care facility under contract with such health care facility by a physician or by other licensed health care professionals, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional groups, unless the entity constructs, modifies, or establishes a health care facility as specifically defined in this Section. This Act shall apply to construction or modification and to establishment by such health care facility of such contracted portion which is subject to facility licensing requirements, irrespective of the party responsible for such action or attendant financial obligation.

No permit or exemption is required for a facility licensed under the ID/DD Community Care Act prior to the reduction of the number of beds at a facility. If there is a total reduction of beds at a facility licensed under the ID/DD Community Care Act, this is a discontinuation or closure of the facility. However, if a facility licensed under the ID/DD Community Care Act reduces the number of beds or discontinues the facility, that facility must notify the Board as provided in Section 14.1 of this Act.

"Person" means any one or more natural persons, legal entities, governmental bodies other than federal, or any combination thereof.

"Consumer" means any person other than a person (a) whose major occupation currently involves or whose official capacity within the last 12 months has involved the providing, administering or financing of any type of health care facility, (b) who is engaged in health research or the teaching of health, (c) who has a material financial interest in any activity which involves the providing, administering or financing of any type of health care facility, or (d) who is or ever has been a member of the immediate family of the person defined by (a), (b), or (c).

"State Board" or "Board" means the Health Facilities and Services Review Board.

"Construction or modification" means the establishment, erection, building, alteration, reconstruction, modernization, improvement, extension, discontinuation, change of ownership, of or by a health care facility, or the purchase or acquisition by or through a health care facility of equipment or service for diagnostic or therapeutic purposes or for facility administration or operation, or any capital expenditure made by or on behalf of a health care facility.
facility which exceeds the capital expenditure minimum; however, any capital expenditure made by or on behalf of a health care facility for (i) the construction or modification of a facility licensed under the Assisted Living and Shared Housing Act or (ii) a conversion project undertaken in accordance with Section 30 of the Older Adult Services Act shall be excluded from any obligations under this Act.

"Establish" means the construction of a health care facility or the replacement of an existing facility on another site or the initiation of a category of service.

"Major medical equipment" means medical equipment which is used for the provision of medical and other health services and which costs in excess of the capital expenditure minimum, except that such term does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of Section 1861(s) of such Act. In determining whether medical equipment has a value in excess of the capital expenditure minimum, the value of studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition of such equipment shall be included.

"Capital Expenditure" means an expenditure: (A) made by or on behalf of a health care facility (as such a facility is defined in this Act); and (B) which under generally accepted accounting principles is not properly chargeable as an expense of operation and maintenance, or is made to obtain by lease or comparable arrangement any facility or part thereof or any equipment for a facility or part; and which exceeds the capital expenditure minimum.

For the purpose of this paragraph, the cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which an expenditure is made shall be included in determining if such expenditure exceeds the capital expenditures minimum. Unless otherwise interdependent, or submitted as one project by the applicant, components of construction or modification undertaken by means of a single construction contract or financed through the issuance of a single debt instrument shall not be grouped together as one project. Donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to review under this Act shall be considered

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capital expenditures, and a transfer of equipment or facilities for less than fair
market value shall be considered a capital expenditure for purposes of this
Act if a transfer of the equipment or facilities at fair market value would be
subject to review.

"Capital expenditure minimum" means $11,500,000 for projects by
hospital applicants, $6,500,000 for applicants for projects related to skilled
and intermediate care long-term care facilities licensed under the Nursing
Home Care Act, and $3,000,000 for projects by all other applicants, which
shall be annually adjusted to reflect the increase in construction costs due to
inflation, for major medical equipment and for all other capital expenditures.

"Non-clinical service area" means an area (i) for the benefit of the
patients, visitors, staff, or employees of a health care facility and (ii) not
directly related to the diagnosis, treatment, or rehabilitation of persons
receiving services from the health care facility. "Non-clinical service areas"
include, but are not limited to, chapels; gift shops; news stands; computer
systems; tunnels, walkways, and elevators; telephone systems; projects to
comply with life safety codes; educational facilities; student housing; patient,
employee, staff, and visitor dining areas; administration and volunteer
offices; modernization of structural components (such as roof replacement
and masonry work); boiler repair or replacement; vehicle maintenance and
storage facilities; parking facilities; mechanical systems for heating,
ventilation, and air conditioning; loading docks; and repair or replacement of
carpeting, tile, wall coverings, window coverings or treatments, or furniture.
Solely for the purpose of this definition, "non-clinical service area" does not
include health and fitness centers.

"Areawide" means a major area of the State delineated on a
geographic, demographic, and functional basis for health planning and for
health service and having within it one or more local areas for health planning
and health service. The term "region", as contrasted with the term
"subregion", and the word "area" may be used synonymously with the term
"areawide".

"Local" means a subarea of a delineated major area that on a
geographic, demographic, and functional basis may be considered to be part
of such major area. The term "subregion" may be used synonymously with
the term "local".

"Physician" means a person licensed to practice in accordance with
the Medical Practice Act of 1987, as amended.
"Licensed health care professional" means a person licensed to practice a health profession under pertinent licensing statutes of the State of Illinois.

"Director" means the Director of the Illinois Department of Public Health.

"Agency" means the Illinois Department of Public Health.

"Alternative health care model" means a facility or program authorized under the Alternative Health Care Delivery Act.

"Out-of-state facility" means a person that is both (i) licensed as a hospital or as an ambulatory surgery center under the laws of another state or that qualifies as a hospital or an ambulatory surgery center under regulations adopted pursuant to the Social Security Act and (ii) not licensed under the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, or the Nursing Home Care Act. Affiliates of out-of-state facilities shall be considered out-of-state facilities. Affiliates of Illinois licensed health care facilities 100% owned by an Illinois licensed health care facility, its parent, or Illinois physicians licensed to practice medicine in all its branches shall not be considered out-of-state facilities. Nothing in this definition shall be construed to include an office or any part of an office of a physician licensed to practice medicine in all its branches in Illinois that is not required to be licensed under the Ambulatory Surgical Treatment Center Act.

"Change of ownership of a health care facility" means a change in the person who has ownership or control of a health care facility's physical plant and capital assets. A change in ownership is indicated by the following transactions: sale, transfer, acquisition, lease, change of sponsorship, or other means of transferring control.

"Related person" means any person that: (i) is at least 50% owned, directly or indirectly, by either the health care facility or a person owning, directly or indirectly, at least 50% of the health care facility; or (ii) owns, directly or indirectly, at least 50% of the health care facility.

"Charity care" means care provided by a health care facility for which the provider does not expect to receive payment from the patient or a third-party payer.

"Freestanding emergency center" means a facility subject to licensure under Section 32.5 of the Emergency Medical Services (EMS) Systems Act.

"Category of service" means a grouping by generic class of various types or levels of support functions, equipment, care, or treatment provided to patients or residents, including, but not limited to, classes such as medical-surgical, pediatrics, or cardiac catheterization. A category of service may

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include subcategories or levels of care that identify a particular degree or type of care within the category of service. Nothing in this definition shall be construed to include the practice of a physician or other licensed health care professional while functioning in an office providing for the care, diagnosis, or treatment of patients. A category of service that is subject to the Board's jurisdiction must be designated in rules adopted by the Board.

"State Board Staff Report" means the document that sets forth the review and findings of the State Board staff, as prescribed by the State Board, regarding applications subject to Board jurisdiction.

(Source: P.A. 97-38, eff. 6-28-11; 97-277, eff. 1-1-12; 97-813, eff. 7-13-12; 97-980, eff. 8-17-12; 98-414, eff. 1-1-14.)

(20 ILCS 3960/5.3)

(Section scheduled to be repealed on December 31, 2019)

Sec. 5.3. Annual report of capital expenditures. In addition to the State Board's authority to require reports, the State Board shall require each health care facility to submit an annual report of all capital expenditures in excess of $200,000 (which shall be annually adjusted to reflect the increase in construction costs due to inflation) made by the health care facility during the most recent year. This annual report shall consist of a brief description of the capital expenditure, the amount and method of financing the capital expenditure, the certificate of need project number if the project was reviewed, and the total amount of capital expenditures obligated for the year. Data collected from health care facilities pursuant to this Section shall not duplicate or overlap other data collected by the Department and must be collected as part of the State Board's Department's Annual Questionnaires or supplements for health care facilities that report these data.

(Source: P.A. 93-41, eff. 6-27-03.)

(20 ILCS 3960/5.4)

(Section scheduled to be repealed on December 31, 2019)

Sec. 5.4. Safety Net Impact Statement.

(a) General review criteria shall include a requirement that all health care facilities, with the exception of skilled and intermediate long-term care facilities licensed under the Nursing Home Care Act, provide a Safety Net Impact Statement, which shall be filed with an application for a substantive project or when the application proposes to discontinue a category of service.

(b) For the purposes of this Section, "safety net services" are services provided by health care providers or organizations that deliver health care services to persons with barriers to mainstream health care due to lack of insurance, inability to pay, special needs, ethnic or cultural characteristics, or

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geographic isolation. Safety net service providers include, but are not limited to, hospitals and private practice physicians that provide charity care, school-based health centers, migrant health clinics, rural health clinics, federally qualified health centers, community health centers, public health departments, and community mental health centers.

(c) As developed by the applicant, a Safety Net Impact Statement shall describe all of the following:

1. The project's material impact, if any, on essential safety net services in the community, to the extent that it is feasible for an applicant to have such knowledge.
2. The project's impact on the ability of another provider or health care system to cross-subsidize safety net services, if reasonably known to the applicant.
3. How the discontinuation of a facility or service might impact the remaining safety net providers in a given community, if reasonably known by the applicant.

(d) Safety Net Impact Statements shall also include all of the following:

1. For the 3 fiscal years prior to the application, a certification describing the amount of charity care provided by the applicant. The amount calculated by hospital applicants shall be in accordance with the reporting requirements for charity care reporting in the Illinois Community Benefits Act. Non-hospital applicants shall report charity care, at cost, in accordance with an appropriate methodology specified by the Board.
2. For the 3 fiscal years prior to the application, a certification of the amount of care provided to Medicaid patients. Hospital and non-hospital applicants shall provide Medicaid information in a manner consistent with the information reported each year to the State Board regarding "Inpatients and Outpatients Served by Payor Source" and "Inpatient and Outpatient Net Revenue by Payor Source" as required by the Board under Section 13 of this Act and published in the Annual Hospital Profile.
3. Any information the applicant believes is directly relevant to safety net services, including information regarding teaching, research, and any other service.

(e) The Board staff shall publish a notice, that an application accompanied by a Safety Net Impact Statement has been filed, in a newspaper.
having general circulation within the area affected by the application. If no newspaper has a general circulation within the county, the Board shall post the notice in 5 conspicuous places within the proposed area.

(f) Any person, community organization, provider, or health system or other entity wishing to comment upon or oppose the application may file a Safety Net Impact Statement Response with the Board, which shall provide additional information concerning a project's impact on safety net services in the community.

(g) Applicants shall be provided an opportunity to submit a reply to any Safety Net Impact Statement Response.

(h) The Board staff report shall include a statement as to whether a Safety Net Impact Statement was filed by the applicant and whether it included information on charity care, the amount of care provided to Medicaid patients, and information on teaching, research, or any other service provided by the applicant directly relevant to safety net services. The report shall also indicate the names of the parties submitting responses and the number of responses and replies, if any, that were filed.

(Source: P.A. 96-31, eff. 6-30-09.)

(20 ILCS 3960/6.2)

(Section scheduled to be repealed on December 31, 2019)

Sec. 6.2. Review of permits; State Board Staff Reports. Upon receipt of an application for a permit to establish, construct, or modify a health care facility, the State Board staff shall notify the applicant in writing within 10 working days either that the application is or is not complete. If the application is complete, the State Board staff shall notify the applicant of the beginning of the review process. If the application is not complete, the Board staff shall explain within the 10-day period why the application is incomplete.

The State Board staff shall afford a reasonable amount of time as established by the State Board, but not to exceed 120 days, for the review of the application. The 120-day period begins on the day the application is found to be substantially complete, as that term is defined by the State Board. During the 120-day period, the applicant may request an extension. An applicant may modify the application at any time before a final administrative decision has been made on the application.

The State Board shall prescribe and provide the forms upon which the review and findings of the State Board Staff Report shall be made. The State Board staff shall submit its State Board Staff Report review and findings to the State Board for its decision-making regarding approval or denial of the permit.

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When an application for a permit is initially reviewed by State Board staff, as provided in this Section, the State Board shall, upon request by the applicant or an interested person, afford an opportunity for a public hearing within a reasonable amount of time after receipt of the complete application, but not to exceed 90 days after receipt of the complete application. Notice of the hearing shall be made promptly, not less than 10 days before the hearing, by certified mail to the applicant and, not less than 10 days before the hearing, by publication in a newspaper of general circulation in the area or community to be affected. The hearing shall be held in the area or community in which the proposed project is to be located and shall be for the purpose of allowing the applicant and any interested person to present public testimony concerning the approval, denial, renewal, or revocation of the permit. All interested persons attending the hearing shall be given a reasonable opportunity to present their views or arguments in writing or orally, and a record of all of the testimony shall accompany any findings of the State Board staff. The State Board shall adopt reasonable rules and regulations governing the procedure and conduct of the hearings.

(Source: P.A. 97-1115, eff. 8-27-12.)

(20 ILCS 3960/8.5)

(Section scheduled to be repealed on December 31, 2019)

Sec. 8.5. Certificate of exemption for change of ownership of a health care facility; public notice and public hearing.

(a) Upon a finding by the Department of Public Health that an application for a change of ownership is complete, the State Board of Public Health shall publish a legal notice on 3 consecutive days in a newspaper of general circulation in the area or community to be affected and afford the public an opportunity to request a hearing. If the application is for a facility located in a Metropolitan Statistical Area, an additional legal notice shall be published in a newspaper of limited circulation, if one exists, in the area in which the facility is located. If the newspaper of limited circulation is published on a daily basis, the additional legal notice shall be published on 3 consecutive days. The legal notice shall also be posted on the Health Facilities and Services Review Board's web site and sent to the State Representative and State Senator of the district in which the health care facility is located. An application for change of ownership of a hospital shall not be deemed complete without a signed certification that for a period of 2 years after the change of ownership transaction is effective, the hospital will not

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adopt a charity care policy that is more restrictive than the policy in effect during the year prior to the transaction.

For the purposes of this subsection, "newspaper of limited circulation" means a newspaper intended to serve a particular or defined population of a specific geographic area within a Metropolitan Statistical Area such as a municipality, town, village, township, or community area, but does not include publications of professional and trade associations.

(b) If a public hearing is requested, it shall be held at least 15 days but no more than 30 days after the date of publication of the legal notice in the community in which the facility is located. The hearing shall be held in a place of reasonable size and accessibility and a full and complete written transcript of the proceedings shall be made. The applicant shall provide a summary of the proposed change of ownership for distribution at the public hearing.

(Source: P.A. 96-31, eff. 6-30-09.)

(20 ILCS 3960/10) (from Ch. 111 1/2, par. 1160)

(Section scheduled to be repealed on December 31, 2019)

Sec. 10. Presenting information relevant to the approval of a permit or certificate or in opposition to the denial of the application; notice of outcome and review proceedings. When a motion by the State Board, to approve an application for a permit or a certificate of recognition, fails to pass, or when a motion to deny an application for a permit or a certificate of recognition is passed, the applicant or the holder of the permit, as the case may be, and such other parties as the State Board permits, will be given an opportunity to appear before the State Board and present such information as may be relevant to the approval of a permit or certificate or in opposition to the denial of the application.

Subsequent to an appearance by the applicant before the State Board or default of such opportunity to appear, a motion by the State Board to approve an application for a permit or a certificate of recognition which fails to pass or a motion to deny an application for a permit or a certificate of recognition which passes shall be considered denial of the application for a permit or certificate of recognition, as the case may be. Such action of denial or an action by the State Board to revoke a permit or a certificate of recognition shall be communicated to the applicant or holder of the permit or certificate of recognition. Such person or organization shall be afforded an opportunity for a hearing before an administrative law judge, who is appointed by the Chairman of the State Board. A written notice of a request for such hearing shall be served upon the Chairman of the State Board within

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30 days following notification of the decision of the State Board. The administrative law judge shall take actions necessary to ensure that the hearing is completed within a reasonable period of time, but not to exceed 120 days, except for delays or continuances agreed to by the person requesting the hearing. Following its consideration of the report of the hearing, or upon default of the party to the hearing, the State Board shall make its final determination, specifying its findings and conclusions within 90 days of receiving the written report of the hearing. A copy of such determination shall be sent by certified mail or served personally upon the party.

A full and complete record shall be kept of all proceedings, including the notice of hearing, complaint, and all other documents in the nature of pleadings, written motions filed in the proceedings, and the report and orders of the State Board or hearing officer. All testimony shall be reported but need not be transcribed unless the decision is appealed in accordance with the Administrative Review Law, as now or hereafter amended. A copy or copies of the transcript may be obtained by any interested party on payment of the cost of preparing such copy or copies.

The State Board or hearing officer shall upon its own or his motion, or on the written request of any party to the proceeding who has, in the State Board's or hearing officer's opinion, demonstrated the relevancy of such request to the outcome of the proceedings, issue subpoenas requiring the attendance and the giving of testimony by witnesses, and subpoenas duces tecum requiring the production of books, papers, records, or memoranda. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit court of this State.

When the witness is subpoenaed at the instance of the State Board, or its hearing officer, such fees shall be paid in the same manner as other expenses of the Board Agency, and when the witness is subpoenaed at the instance of any other party to any such proceeding the State Board may, in accordance with its the rules of the Agency, require that the cost of service of the subpoena or subpoena duces tecum and the fee of the witness be borne by the party at whose instance the witness is summoned. In such case, the State Board in its discretion, may require a deposit to cover the cost of such service and witness fees. A subpoena or subpoena duces tecum so issued shall be served in the same manner as a subpoena issued out of a court.

Any circuit court of this State upon the application of the State Board or upon the application of any other party to the proceeding, may, in its discretion, compel the attendance of witnesses, the production of books,
papers, records, or memoranda and the giving of testimony before it or its hearing officer conducting an investigation or holding a hearing authorized by this Act, by an attachment for contempt, or otherwise, in the same manner as production of evidence may be compelled before the court.

(Source: P.A. 97-1115, eff. 8-27-12.)

(20 ILCS 3960/11) (from Ch. 111 1/2, par. 1161)

(Section scheduled to be repealed on December 31, 2019)

Sec. 11. Any person who is adversely affected by a final decision of the State Board may have such decision judicially reviewed. The provisions of the Administrative Review Law, as now or hereafter amended, and the rules adopted pursuant thereto shall apply to and govern all proceedings for the judicial review of final administrative decisions of the State Board. The term "administrative decisions" is as defined in Section 3-101 of the Code of Civil Procedure. In order to comply with subsection (b) of Section 3-108 of the Administrative Review Law of the Code of Civil Procedure, the State Board shall transcribe each State Board meeting using a certified court reporter. The transcript shall contain the record of the findings and decisions of the State Board.

(Source: P.A. 82-1057.)

(20 ILCS 3960/12) (from Ch. 111 1/2, par. 1162)

(Section scheduled to be repealed on December 31, 2019)

Sec. 12. Powers and duties of State Board. For purposes of this Act, the State Board shall exercise the following powers and duties:

(1) Prescribe rules, regulations, standards, criteria, procedures or reviews which may vary according to the purpose for which a particular review is being conducted or the type of project reviewed and which are required to carry out the provisions and purposes of this Act. Policies and procedures of the State Board shall take into consideration the priorities and needs of medically underserved areas and other health care services identified through the comprehensive health planning process, giving special consideration to the impact of projects on access to safety net services.

(2) Adopt procedures for public notice and hearing on all proposed rules, regulations, standards, criteria, and plans required to carry out the provisions of this Act.

(3) (Blank).

(4) Develop criteria and standards for health care facilities planning, conduct statewide inventories of health care facilities, maintain an updated inventory on the Board's web site reflecting the most recent bed and service changes and updated need determinations when new census data become available.

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available or new need formulae are adopted, and develop health care facility plans which shall be utilized in the review of applications for permit under this Act. Such health facility plans shall be coordinated by the Board with pertinent State Plans. Inventories pursuant to this Section of skilled or intermediate care facilities licensed under the Nursing Home Care Act, skilled or intermediate care facilities licensed under the ID/DD Community Care Act, facilities licensed under the Specialized Mental Health Rehabilitation Act, or nursing homes licensed under the Hospital Licensing Act shall be conducted on an annual basis no later than July 1 of each year and shall include among the information requested a list of all services provided by a facility to its residents and to the community at large and differentiate between active and inactive beds.

In developing health care facility plans, the State Board shall consider, but shall not be limited to, the following:

(a) The size, composition and growth of the population of the area to be served;
(b) The number of existing and planned facilities offering similar programs;
(c) The extent of utilization of existing facilities;
(d) The availability of facilities which may serve as alternatives or substitutes;
(e) The availability of personnel necessary to the operation of the facility;
(f) Multi-institutional planning and the establishment of multi-institutional systems where feasible;
(g) The financial and economic feasibility of proposed construction or modification; and
(h) In the case of health care facilities established by a religious body or denomination, the needs of the members of such religious body or denomination may be considered to be public need.

The health care facility plans which are developed and adopted in accordance with this Section shall form the basis for the plan of the State to deal most effectively with statewide health needs in regard to health care facilities.

(5) Coordinate with the Center for Comprehensive Health Planning and other state agencies having responsibilities affecting health care facilities, including those of licensure and cost reporting. Beginning no later than January 1, 2013, the Department of Public Health shall produce a written annual report to the Governor and the General Assembly regarding the

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development of the Center for Comprehensive Health Planning. The Chairman of the State Board and the State Board Administrator shall also receive a copy of the annual report.

(6) Solicit, accept, hold and administer on behalf of the State any grants or bequests of money, securities or property for use by the State Board or Center for Comprehensive Health Planning in the administration of this Act; and enter into contracts consistent with the appropriations for purposes enumerated in this Act.

(7) The State Board shall prescribe procedures for review, standards, and criteria which shall be utilized to make periodic reviews and determinations of the appropriateness of any existing health services being rendered by health care facilities subject to the Act. The State Board shall consider recommendations of the Board in making its determinations.

(8) Prescribe, in consultation with the Center for Comprehensive Health Planning, rules, regulations, standards, and criteria for the conduct of an expeditious review of applications for permits for projects of construction or modification of a health care facility, which projects are classified as emergency, substantive, or non-substantive in nature.

Six months after June 30, 2009 (the effective date of Public Act 96-31), substantive projects shall include no more than the following:

(a) Projects to construct (1) a new or replacement facility located on a new site or (2) a replacement facility located on the same site as the original facility and the cost of the replacement facility exceeds the capital expenditure minimum, which shall be reviewed by the Board within 120 days;

(b) Projects proposing a (1) new service within an existing healthcare facility or (2) discontinuation of a service within an existing healthcare facility, which shall be reviewed by the Board within 60 days; or

(c) Projects proposing a change in the bed capacity of a health care facility by an increase in the total number of beds or by a redistribution of beds among various categories of service or by a relocation of beds from one physical facility or site to another by more than 20 beds or more than 10% of total bed capacity, as defined by the State Board, whichever is less, over a 2-year period.

The Chairman may approve applications for exemption that meet the criteria set forth in rules or refer them to the full Board. The Chairman may approve any unopposed application that meets all of the review criteria or refer them to the full Board.

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Such rules shall not abridge the right of the Center for Comprehensive Health Planning to make recommendations on the classification and approval of projects, nor shall such rules prevent the conduct of a public hearing upon the timely request of an interested party. Such reviews shall not exceed 60 days from the date the application is declared to be complete.

(9) Prescribe rules, regulations, standards, and criteria pertaining to the granting of permits for construction and modifications which are emergent in nature and must be undertaken immediately to prevent or correct structural deficiencies or hazardous conditions that may harm or injure persons using the facility, as defined in the rules and regulations of the State Board. This procedure is exempt from public hearing requirements of this Act.

(10) Prescribe rules, regulations, standards and criteria for the conduct of an expeditious review, not exceeding 60 days, of applications for permits for projects to construct or modify health care facilities which are needed for the care and treatment of persons who have acquired immunodeficiency syndrome (AIDS) or related conditions.

(11) Issue written decisions upon request of the applicant or an adversely affected party to the Board. Requests for a written decision shall be made within 15 days after the Board meeting in which a final decision has been made. A "final decision" for purposes of this Act is the decision to approve or deny an application, or take other actions permitted under this Act, at the time and date of the meeting that such action is scheduled by the Board. State Board members shall provide their rationale when voting on an item before the State Board at a State Board meeting in order to comply with subsection (b) of Section 3-108 of the Administrative Review Law of the Code of Civil Procedure. The transcript of the State Board meeting shall be incorporated into the Board's final decision. The staff of the Board shall prepare a written copy of the final decision and the Board shall approve a final copy for inclusion in the formal record. The Board shall consider, for approval, the written draft of the final decision no later than the next scheduled Board meeting. The written decision shall identify the applicable criteria and factors listed in this Act and the Board's regulations that were taken into consideration by the Board when coming to a final decision. If the Board denies or fails to approve an application for permit or exemption, the Board shall include in the final decision a detailed explanation as to why the application was denied and identify what specific criteria or standards the applicant did not fulfill.
(12) Require at least one of its members to participate in any public hearing, after the appointment of a majority of the members to the Board.

(13) Provide a mechanism for the public to comment on, and request changes to, draft rules and standards.

(14) Implement public information campaigns to regularly inform the general public about the opportunity for public hearings and public hearing procedures.

(15) Establish a separate set of rules and guidelines for long-term care that recognizes that nursing homes are a different business line and service model from other regulated facilities. An open and transparent process shall be developed that considers the following: how skilled nursing fits in the continuum of care with other care providers, modernization of nursing homes, establishment of more private rooms, development of alternative services, and current trends in long-term care services. The Chairman of the Board shall appoint a permanent Health Services Review Board Long-term Care Facility Advisory Subcommittee that shall develop and recommend to the Board the rules to be established by the Board under this paragraph (15). The Subcommittee shall also provide continuous review and commentary on policies and procedures relative to long-term care and the review of related projects. In consultation with other experts from the health field of long-term care, the Board and the Subcommittee shall study new approaches to the current bed need formula and Health Service Area boundaries to encourage flexibility and innovation in design models reflective of the changing long-term care marketplace and consumer preferences. The Subcommittee shall evaluate, and make recommendations to the State Board regarding, the buying, selling, and exchange of beds between long-term care facilities within a specified geographic area or drive time. The Board shall file the proposed related administrative rules for the separate rules and guidelines for long-term care required by this paragraph (15) by no later than September 30, 2011. The Subcommittee shall be provided a reasonable and timely opportunity to review and comment on any review, revision, or updating of the criteria, standards, procedures, and rules used to evaluate project applications as provided under Section 12.3 of this Act.

(16) Prescribe and provide forms pertaining to the State Board Staff Report. A State Board Staff Report shall pertain to applications that include, but are not limited to, applications for permit or exemption, applications for permit renewal, applications for extension of the obligation period, applications requesting a declaratory ruling, or applications under the

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Health Care Worker Self Referral Act. State Board Staff Reports shall compare applications to the relevant review criteria under the Board's rules.
(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1045, eff. 8-21-13; 97-1115, eff. 8-27-12; 98-414, eff. 1-1-14; 98-463, eff. 8-16-13.)

(20 ILCS 3960/12.2)
(Section scheduled to be repealed on December 31, 2019)

Sec. 12.2. Powers of the State Board staff. For purposes of this Act, the staff shall exercise the following powers and duties:

(1) Review applications for permits and exemptions in accordance with the standards, criteria, and plans of need established by the State Board under this Act and certify its finding to the State Board.

(1.5) Post the following on the Board's web site: relevant (i) rules, (ii) standards, (iii) criteria, (iv) State norms, (v) references used by Board Agency staff in making determinations about whether application criteria are met, and (vi) notices of project-related filings, including notice of public comments related to the application.

(2) Charge and collect an amount determined by the State Board and the staff to be reasonable fees for the processing of applications by the State Board. The State Board shall set the amounts by rule. Application fees for continuing care retirement communities, and other health care models that include regulated and unregulated components, shall apply only to those components subject to regulation under this Act. All fees and fines collected under the provisions of this Act shall be deposited into the Illinois Health Facilities Planning Fund to be used for the expenses of administering this Act.

(2.1) Publish the following reports on the State Board website:

(A) An annual accounting, aggregated by category and with names of parties redacted, of fees, fines, and other revenue collected as well as expenses incurred, in the administration of this Act.

(B) An annual report, with names of the parties redacted, that summarizes all settlement agreements entered into with the State Board that resolve an alleged instance of noncompliance with State Board requirements under this Act.

(C) A monthly report that includes the status of applications and recommendations regarding updates to the standard, criteria, or the health plan as appropriate.

(D) Board reports showing the degree to which an application conforms to the review standards, a summation of relevant public

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testimony, and any additional information that staff wants to communicate.

(3) Coordinate with other State agencies having responsibilities affecting health care facilities, including the Center for Comprehensive Health Planning and those of licensure and cost reporting.

(Source: P.A. 96-31, eff. 6-30-09.)

(20 ILCS 3960/12.5)

(Section scheduled to be repealed on December 31, 2019)

Sec. 12.5. Update existing bed inventory and associated bed need projections. While the Task Force on Health Planning Reform will make long-term recommendations related to the method and formula for calculating the bed inventory and associated bed need projections, there is a current need for the bed inventory to be updated prior to the issuance of the recommendations of the Task Force. Therefore, the State Board Agency shall immediately update the existing bed inventory and associated bed need projections required by Sections 12 and 12.3 of this Act, using the most recently published historical utilization data, 5-year population projections, and an appropriate migration factor for the medical-surgical and pediatric category of service which shall be no less than 50%. The State Board Agency shall provide written documentation providing the methodology and rationale used to determine the appropriate migration factor.

(Source: P.A. 97-1115, eff. 8-27-12.)

(20 ILCS 3960/13) (from Ch. 111 1/2, par. 1163)

(Section scheduled to be repealed on December 31, 2019)

Sec. 13. Investigation of applications for permits and certificates of recognition. The Agency or the State Board shall make or cause to be made such investigations as it or the State Board deems necessary in connection with an application for a permit or an application for a certificate of recognition, or in connection with a determination of whether or not construction or modification which has been commenced is in accord with the permit issued by the State Board or whether construction or modification has been commenced without a permit having been obtained. The State Board may issue subpoenas duces tecum requiring the production of records and may administer oaths to such witnesses.

Any circuit court of this State, upon the application of the State Board or upon the application of any party to such proceedings, may, in its discretion, compel the attendance of witnesses, the production of books, papers, records, or memoranda and the giving of testimony before the State Board...

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Board, by a proceeding as for contempt, or otherwise, in the same manner as production of evidence may be compelled before the court.

The State Board shall require all health facilities operating in this State to provide such reasonable reports at such times and containing such information as is needed by it to carry out the purposes and provisions of this Act. Prior to collecting information from health facilities, the State Board shall make reasonable efforts through a public process to consult with health facilities and associations that represent them to determine whether data and information requests will result in useful information for health planning, whether sufficient information is available from other sources, and whether data requested is routinely collected by health facilities and is available without retrospective record review. Data and information requests shall not impose undue paperwork burdens on health care facilities and personnel. Health facilities not complying with this requirement shall be reported to licensing, accrediting, certifying, or payment agencies as being in violation of State law. Health care facilities and other parties at interest shall have reasonable access, under rules established by the State Board, to all planning information submitted in accord with this Act pertaining to their area.

Among the reports to be required by the State Board are facility questionnaires for health care facilities licensed under the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, the Nursing Home Care Act, the ID/DD Community Care Act, the Specialized Mental Health Rehabilitation Act, or the End Stage Renal Disease Facility Act. These questionnaires shall be conducted on an annual basis and compiled by the *State Board Agency*. For health care facilities licensed under the Nursing Home Care Act or the Specialized Mental Health Rehabilitation Act, these reports shall include, but not be limited to, the identification of specialty services provided by the facility to patients, residents, and the community at large. Annual reports for facilities licensed under the ID/DD Community Care Act shall be different from the annual reports required of other health care facilities and shall be specific to those facilities licensed under the ID/DD Community Care Act. The Health Facilities and Services Review Board shall consult with associations representing facilities licensed under the ID/DD Community Care Act when developing the information requested in these annual reports. For health care facilities that contain long term care beds, the reports shall also include the number of staffed long term care beds, physical capacity for long term care beds at the facility, and long term care beds available for immediate occupancy. For purposes of this paragraph, "long term care beds" means beds (i) licensed under the Nursing Home Care Act,
Act, (ii) licensed under the ID/DD Community Care Act, (iii) licensed under the Hospital Licensing Act, or (iv) licensed under the Specialized Mental Health Rehabilitation Act and certified as skilled nursing or nursing facility beds under Medicaid or Medicare.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 97-980, eff. 8-17-12.)

(20 ILCS 3960/15) (from Ch. 111 1/2, par. 1165)

(Section scheduled to be repealed on December 31, 2019)

Sec. 15. Notwithstanding the existence or pursuit of any other remedy, the State Board or the Agency may, in the manner provided by law, upon the advice of the Attorney General who shall represent the State Board or the Agency in the proceedings, maintain an action in the name of the State for injunction or other process against any person or governmental unit to restrain or prevent the acquisition of major medical equipment, or the establishment, construction or modification of a health care facility without the required permit, or to restrain or prevent the occupancy or utilization of the equipment acquired or facility which was constructed or modified without the required permit.

(Source: P.A. 89-276, eff. 8-10-95.)

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

INDEX

Statutes amended in order of appearance

20 ILCS 3960/3 from Ch. 111 1/2, par. 1153
20 ILCS 3960/5.3
20 ILCS 3960/5.4
20 ILCS 3960/6.2
20 ILCS 3960/8.5
20 ILCS 3960/10 from Ch. 111 1/2, par. 1160
20 ILCS 3960/11 from Ch. 111 1/2, par. 1161
20 ILCS 3960/12 from Ch. 111 1/2, par. 1162
20 ILCS 3960/12.2
20 ILCS 3960/12.5
20 ILCS 3960/13 from Ch. 111 1/2, par. 1163
20 ILCS 3960/15 from Ch. 111 1/2, par. 1165

Approved August 26, 2014.
Effective August 26, 2014.
AN ACT concerning State government.

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

Section 5. The Gubernatorial Boards and Commissions Act is amended by changing Section 10 and by adding Section 25 as follows:

(15 ILCS 50/10)

Sec. 10. Repository of board and commission membership. The Office shall establish and maintain on the Internet a centralized, searchable database, freely accessible to the public, of information relating to appointed positions on the State's boards and commissions.

The database shall include, at a minimum:

(1) The qualifications for, and the powers, duties, and responsibilities of, each appointed position on each of the State's boards and commissions.

(2) The name and term of each current appointed member of a board or commission.

(3) Each current vacancy in appointed membership of each of the State's boards and commissions.

(4) Information as to how a person may apply for appointment to a board or commission, including a uniform application that may be downloaded and printed or that may be submitted electronically. Such application shall include a data field where an applicant shall disclose his or her ethnicity, gender and disability status for reporting purposes.

(5) A link to that section of the Secretary of State's website that allows the public to search Statements of Economic Interest filed with the Secretary of State.

(Source: P.A. 96-543, eff. 8-17-09.)

(15 ILCS 50/25 new)

Sec. 25. Demographic composition; report. Beginning October 1, 2015 and for each year thereafter, the Governor shall file a report with the General Assembly detailing the following information:

(1) the demographic information (ethnicity, gender, and disability status) of each appointment made by the Governor between July 1 of the prior year through June 30 of the reporting year;

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(2) the aggregate demographic information for those persons who applied for an appointment with the Governor's office, but were not appointed between July 1 of the prior year through June 30 of the reporting year; and

(3) the demographic composition of the gubernatorial appointees on each board, commission, and task force as of June 30 of the reporting year.

The Governor shall electronically publish an annual report detailing the demographic composition of the gubernatorial appointees on each board, commission, and task force as of the date of the report.

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1088
(Senate Bill No. 0345)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by changing Section 18-190 as follows:

(35 ILCS 200/18-190)
Sec. 18-190. Direct referendum; new rate or increased limiting rate.
(a) If a new rate is authorized by statute to be imposed without referendum or is subject to a backdoor referendum, as defined in Section 28-2 of the Election Code, the governing body of the affected taxing district before levying the new rate shall submit the new rate to direct referendum under the provisions of this Section and of Article 28 of the Election Code. Notwithstanding any other provision of law, the levies authorized by Sections 21-110 and 21-110.1 of the Illinois Pension Code shall not be considered new rates; however, nothing in this amendatory Act of the 98th General Assembly authorizes a taxing district to increase its limiting rate or its aggregate extension without first obtaining referendum approval as provided in this Section. Notwithstanding the provisions, requirements, or limitations of any other law, any tax levied for the 2005 levy year and all subsequent levy years by any taxing district subject to this Law may be extended at a rate exceeding the rate established for that tax by referendum or statute, provided that the rate does not exceed the statutory ceiling above which the tax is not

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authorized to be further increased either by referendum or in any other manner. Notwithstanding the provisions, requirements, or limitations of any other law, all taxing districts subject to this Law shall follow the provisions of this Section whenever seeking referenda approval after March 21, 2006 to (i) levy a new tax rate authorized by statute or (ii) increase the limiting rate applicable to the taxing district. All taxing districts subject to this Law are authorized to seek referendum approval of each proposition described and set forth in this Section.

The proposition seeking to obtain referendum approval to levy a new tax rate as authorized in clause (i) shall be in substantially the following form:

Shall ... (insert legal name, number, if any, and county or counties of taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be authorized to levy a new tax for ... purposes and have an additional tax of ...% of the equalized assessed value of the taxable property therein extended for such purposes?

The votes must be recorded as "Yes" or "No".

The proposition seeking to obtain referendum approval to increase the limiting rate as authorized in clause (ii) shall be in substantially the following form:

Shall the limiting rate under the Property Tax Extension Limitation Law for ... (insert legal name, number, if any, and county or counties of taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased by an additional amount equal to ...% above the limiting rate for the purpose of...(insert purpose) for levy year ... (insert the most recent levy year for which the limiting rate of the taxing district is known at the time the submission of the proposition is initiated by the taxing district) and be equal to ...% of the equalized assessed value of the taxable property therein for levy year(s) (insert each levy year for which the increase will be applicable, which years must be consecutive and may not exceed 4)?

The votes must be recorded as "Yes" or "No".

The ballot for any proposition submitted pursuant to this Section shall have printed thereon, but not as a part of the proposition submitted, only the following supplemental information (which shall be supplied to the election authority by the taxing district) in substantially the following form:

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(1) The approximate amount of taxes extendable at the most recently extended limiting rate is $..., and the approximate amount of taxes extendable if the proposition is approved is $....

(2) For the ... (insert the first levy year for which the new rate or increased limiting rate will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of $100,000 is estimated to be $....

(3) Based upon an average annual percentage increase (or decrease) in the market value of such property of %... (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the proposition is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be $... and for the ... levy year is estimated to be $....

(4) If the proposition is approved, the aggregate extension for ... (insert each levy year for which the increase will apply) will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The approximate amount of taxes extendable shown in paragraph (1) shall be computed upon the last known equalized assessed value of taxable property in the taxing district (at the time the submission of the proposition is initiated by the taxing district). Paragraph (3) shall be included only if the increased limiting rate will be applicable for more than one levy year and shall list each levy year for which the increased limiting rate will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the proposition is initiated by the taxing district. The approximate amount of the additional taxes extendable shown in paragraphs (2) and (3) shall be calculated by multiplying $100,000 (the fair market value of the property without regard to any property tax exemptions) by (i) the percentage level of assessment prescribed for that property by statute, or by ordinance of the county board in counties that classify property for purposes of taxation in accordance with Section 4 of
Article IX of the Illinois Constitution; (ii) the most recent final equalization factor certified to the county clerk by the Department of Revenue at the time the taxing district initiates the submission of the proposition to the electors; and (iii) either the new rate or the amount by which the limiting rate is to be increased. This amendatory Act of the 97th General Assembly is intended to clarify the existing requirements of this Section, and shall not be construed to validate any prior non-compliant referendum language. Paragraph (4) shall be included if the proposition concerns a limiting rate increase but shall not be included if the proposition concerns a new rate. Any notice required to be published in connection with the submission of the proposition shall also contain this supplemental information and shall not contain any other supplemental information regarding the proposition. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot and in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the proposition shall be initiated as provided by law.

If a majority of all ballots cast on the proposition are in favor of the proposition, the following provisions shall be applicable to the extension of taxes for the taxing district:

(A) a new tax rate shall be first effective for the levy year in which the new rate is approved;

(B) if the proposition provides for a new tax rate, the taxing district is authorized to levy a tax after the canvass of the results of the referendum by the election authority for the purposes for which the tax is authorized;

(C) a limiting rate increase shall be first effective for the levy year in which the limiting rate increase is approved, provided that the taxing district may elect to have a limiting rate increase be effective for the levy year prior to the levy year in which the limiting rate increase is approved unless the extension of taxes for the prior levy year occurs 30 days or less after the canvass of the results of the referendum by the election authority in any county in which the taxing district is located;

(D) in order for the limiting rate increase to be first effective for the levy year prior to the levy year of the referendum, the taxing district must certify its election to have the limiting rate increase be effective for the prior levy year to the clerk of each county in which
the taxing district is located not more than 2 days after the date the
results of the referendum are canvassed by the election authority; and
(E) if the proposition provides for a limiting rate increase, the
increase may be effective regardless of whether the proposition is
approved before or after the taxing district adopts or files its levy for
any levy year.

Rates required to extend taxes on levies subject to a backdoor
referendum in each year there is a levy are not new rates or rate increases
under this Section if a levy has been made for the fund in one or more of the
preceding 3 levy years. Changes made by this amendatory Act of 1997 to this
Section in reference to rates required to extend taxes on levies subject to a
backdoor referendum in each year there is a levy are declarative of existing
law and not a new enactment.

(b) Whenever other applicable law authorizes a taxing district subject
to the limitation with respect to its aggregate extension provided for in this
Law to issue bonds or other obligations either without referendum or subject
to backdoor referendum, the taxing district may elect for each separate bond
issuance to submit the question of the issuance of the bonds or obligations
directly to the voters of the taxing district, and if the referendum passes the
taxing district is not required to comply with any backdoor referendum
procedures or requirements set forth in the other applicable law. The direct
referendum shall be initiated by ordinance or resolution of the governing
body of the taxing district, and the question shall be certified to the proper
election authorities in accordance with the provisions of the Election Code.
(Source: P.A. 96-764, eff. 8-25-09; 97-1087, eff. 8-24-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1089
(Senate Bill No. 0352)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:

Section 5. The Use Tax Act is amended by changing Section 2 as
follows:

(35 ILCS 105/2) (from Ch. 120, par. 439.2)

New matter indicated by italics - deletions by strikeout
Sec. 2. Definitions.

"Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it does not include the sale of such property in any form as tangible personal property in the regular course of business to the extent that such property is not first subjected to a use for which it was purchased, and does not include the use of such property by its owner for demonstration purposes: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. "Use" does not mean the demonstration use or interim use of tangible personal property by a retailer before he sells that tangible personal property. For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay on the retailers' original cost price the tax imposed by this Act, and no credit for that tax is permitted if the watercraft or aircraft is subsequently sold by the retailer. "Use" does not mean the physical incorporation of tangible personal property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, into other tangible personal property (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing.

"Watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of tangible personal property for a valuable consideration.

"Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be

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purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced by-product of manufacturing. "Sale at retail" includes any such transfer made for resale unless made in compliance with Section 2c of the Retailers' Occupation Tax Act, as incorporated by reference into Section 12 of this Act. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price are sales.

"Sale at retail" shall also be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's tax liability under the "Retailers' New matter indicated by italics - deletions by strikeout
Occupation Tax Act", or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a retailer hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is a retailer with respect to such transactions, excepting only a
person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. This paragraph does not apply to nor subject to taxation occasional dinners, social or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not a retailer under this Act with respect to such transactions.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are retailers hereunder when engaged in such business.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail or a sale through a bulk vending machine does not make such person a retailer hereunder. However, any person who is engaged in a business which is not subject to the tax imposed by the "Retailers' Occupation Tax Act" because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is a retailer to the extent of the value of the tangible personal property so transferred. If, in such transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purposes of this Act, is the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property.

New matter indicated by italics - deletions by strikeout
"Retailer maintaining a place of business in this State", or any like term, means and includes any of the following retailers:

1. A retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State. However, the ownership of property that is located at the premises of a printer with which the retailer has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the printed product is produced shall not result in the retailer being deemed to have or maintain an office, distribution house, sales house, warehouse, or other place of business within this State.

1.1. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which the person, for a commission or other consideration based upon the sale of tangible personal property by the retailer, directly or indirectly refers potential customers to the retailer by providing to the potential customers a promotional code or other mechanism that allows the retailer to track purchases referred by such persons. Examples of mechanisms that allow the retailer to track purchases referred by such persons include but are not limited to the use of a link on the person's Internet website, promotional codes distributed through the person's hand-delivered or mailed material, and promotional codes distributed by the person through radio or other broadcast media. The provisions of this paragraph 1.1 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers who are referred to the retailer by all persons in this State under such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December. A retailer meeting the requirements of this paragraph 1.1 shall be presumed to be maintaining a place of business in this State but may rebut this presumption by submitting proof that the referrals or other activities pursued within this State by such persons were not sufficient to meet the nexus standards of the United States Constitution during the preceding 4 quarterly periods.

New matter indicated by italics - deletions by strikeout
1.2. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which:

A. the retailer sells the same or substantially similar line of products as the person located in this State and does so using an identical or substantially similar name, trade name, or trademark as the person located in this State; and

B. the retailer provides a commission or other consideration to the person located in this State based upon the sale of tangible personal property by the retailer.

The provisions of this paragraph 1.2 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers in this State under all such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December.

2. A retailer soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State.

3. A retailer, pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions.

4. A retailer soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities.

5. A retailer that is owned or controlled by the same interests that own or control any retailer engaging in business in the same or similar line of business in this State.

6. A retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section.

7. A retailer, pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal

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property by means of advertising which is transmitted or distributed over a cable television system in this State.

8. A retailer engaging in activities in Illinois, which activities in the state in which the retail business engaging in such activities is located would constitute maintaining a place of business in that state. "Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 95-723, eff. 6-23-08; 96-1544, eff. 3-10-11.)

(Text of Section after amendment by P.A. 98-628)

Sec. 2. Definitions.

"Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it does not include the sale of such property in any form as tangible personal property in the regular course of business to the extent that such property is not first subjected to a use for which it was purchased, and does not include the use of such property by its owner for demonstration purposes: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. "Use" does not mean the demonstration use or interim use of tangible personal property by a retailer before he sells that tangible personal property. For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay on the retailers' original cost price the tax imposed by this Act, and no credit for that tax is permitted if the watercraft or aircraft is subsequently sold by the retailer. "Use" does not mean the physical incorporation of tangible personal property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, into other tangible personal property (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing.

New matter indicated by italics - deletions by strikeout
"Watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of tangible personal property for a valuable consideration.

"Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced by-product of manufacturing. "Sale at retail" includes any such transfer made for resale unless made in compliance with Section 2c of the Retailers' Occupation Tax Act, as incorporated by reference into Section 12 of this Act. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price are sales.

"Sale at retail" shall also be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news
"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's tax liability under the "Retailers' Occupation Tax Act", or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit. Notwithstanding any law to the contrary, for any motor vehicle, as defined in Section 1-146 of the Vehicle Code, that is sold on or after July 1, 2014 for the purpose of leasing the vehicle for a defined period that is longer than one year and (1) is a motor vehicle of the second division that: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers; or (C) has a gross vehicle weight rating of 8,000 pounds or less or (2) is a motor vehicle of the first division, "selling price" or "amount of sale" means the consideration received by the lessor pursuant to the lease contract, including amounts due at lease signing and all monthly or other regular payments charged over the term of the lease. Also included in the selling price is any amount received by the lessor from the lessee for the

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leased vehicle that is not calculated at the time the lease is executed, including, but not limited to, excess mileage charges and charges for excess wear and tear. For sales that occur in Illinois, with respect to any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, the lessor who purchased the motor vehicle does not incur the tax imposed by the Use Tax Act on those amounts, and the retailer who makes the retail sale of the motor vehicle to the lessor is not required to collect the tax imposed by this Act or to pay the tax imposed by the Retailers' Occupation Tax Act on those amounts. However, the lessor who purchased the motor vehicle assumes the liability for reporting and paying the tax on those amounts directly to the Department in the same form (Illinois Retailers' Occupation Tax, and local retailers' occupation taxes, if applicable) in which the retailer would have reported and paid such tax if the retailer had accounted for the tax to the Department. For amounts received by the lessor from the lessee that are not calculated at the time the lease is executed, the lessor must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. If the retailer is entitled under this Act to a discount for collecting and remitting the tax imposed under this Act to the Department with respect to the sale of the motor vehicle to the lessor, then the right to the discount provided in this Act shall be transferred to the lessor with respect to the tax paid by the lessor for any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed; provided that the discount is only allowed if the return is timely filed and for amounts timely paid. The "selling price" of a motor vehicle that is sold on or after July 1, 2014 for the purpose of leasing for a defined period of longer than one year shall not be reduced by the value of or credit given for traded-in tangible personal property owned by the lessor, nor shall it be reduced by the value of or credit given for traded-in tangible personal property owned by the lessee, regardless of whether the trade-in value thereof is assigned by the lessee to the lessor. In the case of a motor vehicle that is sold for the purpose of leasing for a defined period of longer than one year, the sale occurs at the time of the delivery of the vehicle, regardless of the due date of any lease payments. A lessor who incurs a Retailers' Occupation Tax liability on the sale of a motor vehicle coming off lease may not take a credit against that liability for the Use Tax the lessor paid upon the purchase of the motor vehicle (or for any tax the lessor paid with respect to any amount received by the lessor from the lessee for the leased vehicle that was not calculated at the time the lease was executed) if the selling price of the motor

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vehicle at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph. Notwithstanding any other provision of this Act to the contrary, lessors shall file all returns and make all payments required under this paragraph to the Department by electronic means in the manner and form as required by the Department. This paragraph does not apply to leases of motor vehicles for which, at the time the lease is entered into, the term of the lease is not a defined period, including leases with a defined initial period with the option to continue the lease on a month-to-month or other basis beyond the initial defined period.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a retailer hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is a retailer with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales

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by such person of tangible personal property which is not sold or offered for
sale by persons organized for profit. The selling of school books and school
supplies by schools at retail to students is not "primarily for the purposes of"
the school which does such selling. This paragraph does not apply to nor
subject to taxation occasional dinners, social or similar activities of a person
organized and operated exclusively for charitable, religious or educational
purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of
the Older Americans Act of 1965 (P.L. 92-258) and serves meals to
participants in the federal Nutrition Program for the Elderly in return for
contributions established in amount by the individual participant pursuant to
a schedule of suggested fees as provided for in the federal Act is not a retailer
under this Act with respect to such transactions.

Persons who engage in the business of transferring tangible personal
property upon the redemption of trading stamps are retailers hereunder when
engaged in such business.

The isolated or occasional sale of tangible personal property at retail
by a person who does not hold himself out as being engaged (or who does not
habitually engage) in selling such tangible personal property at retail or a sale
through a bulk vending machine does not make such person a retailer
hereunder. However, any person who is engaged in a business which is not
subject to the tax imposed by the "Retailers' Occupation Tax Act" because of
involving the sale of or a contract to sell real estate or a construction contract
to improve real estate, but who, in the course of conducting such business,
transfers tangible personal property to users or consumers in the finished
form in which it was purchased, and which does not become real estate,
under any provision of a construction contract or real estate sale or real estate
sales agreement entered into with some other person arising out of or because
of such nontaxable business, is a retailer to the extent of the value of the
tangible personal property so transferred. If, in such transaction, a separate
charge is made for the tangible personal property so transferred, the value of
such property, for the purposes of this Act, is the amount so separately
charged, but not less than the cost of such property to the transferor; if no
separate charge is made, the value of such property, for the purposes of this
Act, is the cost to the transferor of such tangible personal property.

"Retailer maintaining a place of business in this State", or any like
term, means and includes any of the following retailers:

1. A retailer having or maintaining within this State, directly
or by a subsidiary, an office, distribution house, sales house,

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warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State. However, the ownership of property that is located at the premises of a printer with which the retailer has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the printed product is produced shall not result in the retailer being deemed to have or maintain an office, distribution house, sales house, warehouse, or other place of business within this State.

1.1. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which the person, for a commission or other consideration based upon the sale of tangible personal property by the retailer, directly or indirectly refers potential customers to the retailer by providing to the potential customers a promotional code or other mechanism that allows the retailer to track purchases referred by such persons. Examples of mechanisms that allow the retailer to track purchases referred by such persons include but are not limited to the use of a link on the person’s Internet website, promotional codes distributed through the person’s hand-delivered or mailed material, and promotional codes distributed by the person through radio or other broadcast media. The provisions of this paragraph 1.1 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers who are referred to the retailer by all persons in this State under such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December. A retailer meeting the requirements of this paragraph 1.1 shall be presumed to be maintaining a place of business in this State but may rebut this presumption by submitting proof that the referrals or other activities pursued within this State by such persons were not sufficient to meet the nexus standards of the United States Constitution during the preceding 4 quarterly periods.

1.2. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which:

   A. the retailer sells the same or substantially similar line of products as the person located in this State and does so
using an identical or substantially similar name, trade name, or trademark as the person located in this State; and

B. the retailer provides a commission or other consideration to the person located in this State based upon the sale of tangible personal property by the retailer.

The provisions of this paragraph 1.2 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers in this State under all such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December.

2. A retailer soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State.

3. A retailer, pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions.

4. A retailer soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities.

5. A retailer that is owned or controlled by the same interests that own or control any retailer engaging in business in the same or similar line of business in this State.

6. A retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section.

7. A retailer, pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State.

8. A retailer engaging in activities in Illinois, which activities in the state in which the retail business engaging in such activities is located would constitute maintaining a place of business in that state.

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"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 98-628, eff. 1-1-15.)

Section 10. The Service Use Tax Act is amended by changing Section 2 as follows:

(35 ILCS 110/2) (from Ch. 120, par. 439.32)

Sec. 2. Definitions.

"Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, but does not include the sale or use for demonstration by him of that property in any form as tangible personal property in the regular course of business. "Use" does not mean the interim use of tangible personal property nor the physical incorporation of tangible personal property, as an ingredient or constituent, into other tangible personal property, (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois.

"Purchased from a serviceman" means the acquisition of the ownership of, or title to, tangible personal property through a sale of service.

"Purchaser" means any person who, through a sale of service, acquires the ownership of, or title to, any tangible personal property.

"Cost price" means the consideration paid by the serviceman for a purchase valued in money, whether paid in money or otherwise, including cash, credits and services, and shall be determined without any deduction on account of the supplier's cost of the property sold or on account of any other expense incurred by the supplier. When a serviceman contracts out part or all of the services required in his sale of service, it shall be presumed that the cost price to the serviceman of the property transferred to him or her by his or her subcontractor is equal to 50% of the subcontractor's charges to the serviceman in the absence of proof of the consideration paid by the subcontractor for the purchase of such property.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits and service, and shall be determined without any deduction on account of the serviceman's cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance

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charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, and any receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Sale of service" means any transaction except:

(1) a retail sale of tangible personal property taxable under the Retailers' Occupation Tax Act or under the Use Tax Act.

(2) a sale of tangible personal property for the purpose of resale made in compliance with Section 2c of the Retailers' Occupation Tax Act.

(3) except as hereinafter provided, a sale or transfer of tangible personal property as an incident to the rendering of service for or by any governmental body, or for or by any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes or any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes.

(4) a sale or transfer of tangible personal property as an incident to the rendering of service for interstate carriers for hire for use as rolling stock moving in interstate commerce or by lessors under a lease of one year or longer, executed or in effect at the time of purchase of personal property, to interstate carriers for hire for use as rolling stock moving in interstate commerce so long as so used by such interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(4a) a sale or transfer of tangible personal property as an incident to the rendering of service for owners, lessors, or shippers of tangible personal property which is utilized by interstate carriers for

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hire for use as rolling stock moving in interstate commerce so long as so used by interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(4a-5) on and after July 1, 2003 and through June 30, 2004, a sale or transfer of a motor vehicle of the second division with a gross vehicle weight in excess of 8,000 pounds as an incident to the rendering of service if that motor vehicle is subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(5) a sale or transfer of machinery and equipment used primarily in the process of the manufacturing or assembling, either in an existing, an expanded or a new manufacturing facility, of tangible personal property for wholesale or retail sale or lease, whether such sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether such sale or lease is made apart from or as an incident to the seller's engaging in a service occupation and the applicable tax is a Service Use Tax or Service Occupation Tax, rather than Use Tax or Retailers' Occupation Tax. The exemption provided by this paragraph (5) does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes,
pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption.

(5a) the repairing, reconditioning or remodeling, for a common carrier by rail, of tangible personal property which belongs to such carrier for hire, and as to which such carrier receives the physical possession of the repaired, reconditioned or remodeled item of tangible personal property in Illinois, and which such carrier transports, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the person who repaired, reconditioned or remodeled the property to a destination outside Illinois, for use outside Illinois.

(5b) a sale or transfer of tangible personal property which is produced by the seller thereof on special order in such a way as to have made the applicable tax the Service Occupation Tax or the Service Use Tax, rather than the Retailers' Occupation Tax or the Use Tax, for an interstate carrier by rail which receives the physical possession of such property in Illinois, and which transports such property, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of such property to a destination outside Illinois, for use outside Illinois.

(6) until July 1, 2003, a sale or transfer of distillation machinery and equipment, sold as a unit or kit and assembled or installed by the retailer, which machinery and equipment is certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of such user and not subject to sale or resale.

(7) at the election of any serviceman not required to be otherwise registered as a retailer under Section 2a of the Retailers' Occupation Tax Act, made for each fiscal year sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service. The purchase of such tangible personal property by the serviceman shall be subject to

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tax under the Retailers' Occupation Tax Act and the Use Tax Act. However, if a primary serviceman who has made the election described in this paragraph subcontracts service work to a secondary serviceman who has also made the election described in this paragraph, the primary serviceman does not incur a Use Tax liability if the secondary serviceman (i) has paid or will pay Use Tax on his or her cost price of any tangible personal property transferred to the primary serviceman and (ii) certifies that fact in writing to the primary serviceman.

Tangible personal property transferred incident to the completion of a maintenance agreement is exempt from the tax imposed pursuant to this Act.

Exemption (5) also includes machinery and equipment used in the general maintenance or repair of such exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment. The machinery and equipment exemption does not include machinery and equipment used in (i) the generation of electricity for wholesale or retail sale; (ii) the generation or treatment of natural or artificial gas for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains; or (iii) the treatment of water for wholesale or retail sale that is delivered to customers through pipes, pipelines, or mains. The provisions of this amendatory Act of the 98th General Assembly are declaratory of existing law as to the meaning and scope of this exemption. For the purposes of exemption (5), each of these terms shall have the following meanings: (1) "manufacturing process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by procedures commonly regarded as manufacturing, processing, fabricating, or refining which changes some existing material or materials into a material with a different form, use or name. In relation to a recognized integrated business composed of a series of operations which collectively constitute manufacturing, or individually constitute manufacturing operations, the manufacturing process shall be deemed to commence with the first operation or stage of production in the series, and shall not be deemed to end until the completion of the final product in the last operation or stage of production in the series; and further, for purposes of exemption (5), photoprocessing is deemed to be a manufacturing process of tangible personal property for wholesale or retail sale; (2) "assembling process" shall mean the production of any article of
tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling which results in a material of a different form, use or name; (3) "machinery" shall mean major mechanical machines or major components of such machines contributing to a manufacturing or assembling process; and (4) "equipment" shall include any independent device or tool separate from any machinery but essential to an integrated manufacturing or assembly process; including computers used primarily in a manufacturer's computer assisted design, computer assisted manufacturing (CAD/CAM) system; or any subunit or assembly comprising a component of any machinery or auxiliary, adjunct or attachment parts of machinery, such as tools, dies, jigs, fixtures, patterns and molds; or any parts which require periodic replacement in the course of normal operation; but shall not include hand tools. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for wholesale or retail sale or lease. The purchaser of such machinery and equipment who has an active resale registration number shall furnish such number to the seller at the time of purchase. The user of such machinery and equipment and tools without an active resale registration number shall prepare a certificate of exemption for each transaction stating facts establishing the exemption for that transaction, which certificate shall be available to the Department for inspection or audit. The Department shall prescribe the form of the certificate.

Any informal rulings, opinions or letters issued by the Department in response to an inquiry or request for any opinion from any person regarding the coverage and applicability of exemption (5) to specific devices shall be published, maintained as a public record, and made available for public inspection and copying. If the informal ruling, opinion or letter contains trade secrets or other confidential information, where possible the Department shall delete such information prior to publication. Whenever such informal rulings, opinions, or letters contain any policy of general applicability, the Department shall formulate and adopt such policy as a rule in accordance with the provisions of the Illinois Administrative Procedure Act.

On and after July 1, 1987, no entity otherwise eligible under exemption (3) of this Section shall make tax free purchases unless it has an active exemption identification number issued by the Department.
The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of service or of tangible personal property within the meaning of this Act.

"Serviceman" means any person who is engaged in the occupation of making sales of service.

"Sale at retail" means "sale at retail" as defined in the Retailers' Occupation Tax Act.

"Supplier" means any person who makes sales of tangible personal property to servicemen for the purpose of resale as an incident to a sale of service.

"Serviceman maintaining a place of business in this State", or any like term, means and includes any serviceman:

1. having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the serviceman or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such serviceman or subsidiary is licensed to do business in this State;

1.1. beginning July 1, 2011, having a contract with a person located in this State under which the person, for a commission or other consideration based on the sale of service by the serviceman, directly or indirectly refers potential customers to the serviceman by providing to the potential customers a promotional code or other mechanism that allows the serviceman to track purchases referred by such persons. Examples of mechanisms that allow the serviceman to track purchases referred by such persons include but are not limited to the use of a link on the person's Internet website, promotional codes distributed through the person's hand-delivered or mailed material, and promotional codes distributed by the person through radio or other broadcast media. The provisions of this paragraph 1.1 shall apply only if the cumulative gross receipts from sales of service by the serviceman to customers who are referred to the serviceman by all persons in this State under such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December; a serviceman meeting the requirements of this paragraph 1.1 shall be presumed to be

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maintaining a place of business in this State but may rebut this presumption by submitting proof that the referrals or other activities pursued within this State by such persons were not sufficient to meet the nexus standards of the United States Constitution during the preceding 4 quarterly periods;

1.2. beginning July 1, 2011, having a contract with a person located in this State under which:

   A. the serviceman sells the same or substantially similar line of services as the person located in this State and does so using an identical or substantially similar name, trade name, or trademark as the person located in this State; and

   B. the serviceman provides a commission or other consideration to the person located in this State based upon the sale of services by the serviceman.

The provisions of this paragraph 1.2 shall apply only if the cumulative gross receipts from sales of service by the serviceman to customers in this State under all such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December;

2. soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State;

3. pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions;

4. soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities;

5. being owned or controlled by the same interests which own or control any retailer engaging in business in the same or similar line of business in this State;

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6. having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section;
7. pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State; or
8. engaging in activities in Illinois, which activities in the state in which the supply business engaging in such activities is located would constitute maintaining a place of business in that state.

(Source: P.A. 98-583, eff. 1-1-14.)

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

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1090
(Senate Bill No. 0641)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Elevator Safety and Regulation Act is amended by changing Section 50 as follows:

(225 ILCS 312/50)

Sec. 50. Qualifications for elevator inspector's license.
(a) No inspector's license shall be granted to any person who has not paid the required application fee.
(b) No inspector's license shall be granted to any person, unless he or she has been certified as meeting the requirements of ASME QEI-1 by a nationally or internationally recognized independent organization concerned with personnel certification or he or she proves to the satisfaction of the Administrator that he or she meets the current ASME QEI-1 Standards for the Qualifications of Elevator Inspectors.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)
Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, and 356z.17, and 356z.22 of the Illinois Insurance Code. The program of health benefits must comply with Sections 155.22a, 155.37, 355b, and 356z.19 of the Illinois Insurance Code.

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

(Source: P.A. 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-813, eff. 7-13-12; 98-189, eff. 1-1-14.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)
Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance.

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health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, and 356z.15, and 356z.22 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 356z.19 of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

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

(Source: P.A. 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-813, eff. 7-13-12; 98-189, eff. 1-1-14.)

Section 15. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:

(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, and 356z.15, and 356z.22 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 356z.19 of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

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

New matter indicated by italics - deletions by strikeout
Section 20. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, and 356z.15, and 356z.22 of the Illinois Insurance Code. Insurance policies shall comply with Section 356z.19 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a and 355b of the Illinois Insurance Code.

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

Section 25. The Illinois Insurance Code is amended by adding Section 356z.22 as follows:

(215 ILCS 5/356z.22 new)

Sec. 356z.22. Coverage for telehealth services.

(a) For purposes of this Section:

"Distant site" means the location at which the health care provider rendering the telehealth service is located.

"Interactive telecommunications system" means an audio and video system permitting 2-way, live interactive communication between the patient and the distant site health care provider.

"Telehealth services" means the delivery of covered health care services by way of an interactive telecommunications system.

(b) If an individual or group policy of accident or health insurance provides coverage for telehealth services, then it must comply with the following:

(1) An individual or group policy of accident or health insurance providing telehealth services may not:

New matter indicated by italics - deletions by strikeout
(A) require that in-person contact occur between a health care provider and a patient;

(B) require the health care provider to document a barrier to an in-person consultation for coverage of services to be provided through telehealth;

(C) require the use of telehealth when the health care provider has determined that it is not appropriate; or

(D) require the use of telehealth when a patient chooses an in-person consultation.

(2) Deductibles, copayments, or coinsurance applicable to services provided through telehealth shall not exceed the deductibles, copayments, or coinsurance required by the individual or group policy of accident or health insurance for the same services provided through in-person consultation.

(c) Nothing in this Section shall be deemed as precluding a health insurer from providing benefits for other services, including, but not limited to, remote monitoring services, other monitoring services, or oral communications otherwise covered under the policy.

Section 30. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

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

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.2a, 355.2, 355.3, 355b, 356g.5-1, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.21, 356z.22, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

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

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

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

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

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

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

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

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

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

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

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

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

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without

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limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

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

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

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

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

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group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

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

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

(Source: P.A. 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-437, eff. 8-18-11; 97-486, eff. 1-1-12; 97-592, eff. 1-1-12; 97-805, eff. 1-1-13; 97-813, eff. 7-13-12; 98-189, eff. 1-1-14.)

Section 35. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 355.2, 355.3, 355b, 356, 356a, 356b, 356e, 356g, 356i, 356j, 356l, 356m, 356n, 356o, 356p, 356q, 356r, 356s, 356t, 356u, 356v, 356z.10, 356z.21, 356z.22, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and Articles IIA, VIII 1/2, XII, XIII 1/2, XXVI of the Illinois Insurance Code. For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

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

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

(Source: P.A. 97-486, eff. 1-1-12; 97-592, 1-1-12; 97-805, eff. 1-1-13; 97-813, eff. 7-13-12; 98-189, eff. 1-1-14.)

Section 40. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

(215 ILCS 165/10) (from Ch. 32, par. 604)

New matter indicated by italics - deletions by strikeout
Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355b, 356g, 356g.5, 356g.5-1, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 364.01, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

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

(Source: P.A. 97-282, eff. 8-9-11; 97-343, eff. 1-1-12; 97-486, eff. 1-1-12; 97-592, eff. 1-1-12; 97-805, eff. 1-1-13; 97-813, eff. 7-13-12; 98-189, eff. 1-1-14.)

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1092
(Senate Bill No. 0727)

AN ACT concerning liquor.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Liquor Control Act of 1934 is amended by changing Sections 6-11 and 6-15 as follows:

(235 ILCS 5/6-11)

Sec. 6-11. Sale near churches, schools, and hospitals.

(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000

New matter indicated by italics - deletions by strikeout
persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.

(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii) the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in this Section shall prohibit issuance of a retail license authorizing the sale of alcoholic beverages to a restaurant, banquet facility, grocery store, or hotel having not fewer than 150 guest room accommodations located in a municipality of more than 500,000 persons, notwithstanding the proximity of such hotel, restaurant, banquet facility, or grocery store to any church or school, if the licensed premises described on the license are located within an enclosed mall or building of a height of at least 6 stories, or 60 feet in the case of a building that has been registered as a national landmark, or in a grocery store having a minimum of 56,010 square feet of floor space in a single story building in an open mall of at least 3.96 acres that is adjacent to a public school that opened as a boys technical high school in 1934, or in a grocery store having a minimum of 31,000 square feet of floor space in a single story building located a distance of more than 90 feet but less than 100 feet from a high school that opened in 1928 as a junior high school and

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became a senior high school in 1933, and in each of these cases if the sale of alcoholic liquors is not the principal business carried on by the licensee.

For purposes of this Section, a "banquet facility" is any part of a building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such sales are limited to periods when groups are assembled on the premises solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church affiliated school located in a home rule municipality or in a municipality with 75,000 or more inhabitants from locating within 100 feet of a property for which there is a preexisting license to sell alcoholic liquor at retail. In these instances, the local zoning authority may, by ordinance adopted simultaneously with the granting of an initial special use zoning permit for the church or church affiliated school, provide that the 100-foot restriction in this Section shall not apply to that church or church affiliated school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at premises within 100 feet, but not less than 90 feet, of a public school if (1) the premises have been continuously licensed to sell alcoholic liquor for a period of at least 50 years, (2) the premises are located in a municipality having a population of over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

New matter indicated by italics - deletions by strikeout
(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
(2) the sale of liquor is not the principal business carried on by the licensee at the premises,
(3) the premises are less than 1,000 square feet,
(4) the premises are owned by the University of Illinois,
(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and
(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and
(2) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;
(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;
(3) the school was built in 1978;

New matter indicated by italics - deletions by strikeout
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and
(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(l) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;
(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;
(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

New matter indicated by italics - deletions by strikeout
(1) the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;
(2) the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;
(3) the church was established at the current location in 1916 and the present structure was erected in 1925;
(4) the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;
(5) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(6) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.
(n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:
(1) the school is a City of Chicago School District 299 school;
(2) the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food; and
(5) the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.
(o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;

New matter indicated by italics - deletions by strikeout
(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(3) the premises is located on a street that runs perpendicular to the street on which the church is located;

(4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;

(5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;

(6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and

(7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;

(2) the church was established at the current location in 1889; and

(3) liquor has been sold on the premises since at least 1985.

(q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church-owned property if:

(1) the premises is located within a larger building operated as a grocery store;

(2) the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;

(3) the larger building containing the premises is within 100 feet of the nearest property line of a church-owned property on which a church-affiliated school is located;

(4) the sale of liquor is not the principal business carried on within the larger building;

New matter indicated by italics - deletions by strikeout
(5) the primary entrance of the larger building and the premises and the primary entrance of the church-affiliated school are on different, parallel streets, and the distance between the 2 primary entrances is more than 100 feet;

(6) the larger building is separated from the church-owned property and church-affiliated school by an alley;

(7) the larger building containing the premises and the church building front are on perpendicular streets and are separated by a street; and

(8) (Blank).

(r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;

(2) the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;

(3) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and

(5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

(1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;

(2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and

New matter indicated by italics - deletions by strikeout
(3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school and a church if:

(1) the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;
(2) the area of the premises does not exceed 31,050 square feet;
(3) the area of the restaurant does not exceed 5,800 square feet;
(4) the building has no less than 78 condominium units;
(5) the construction of the building in which the restaurant is located was completed in 2006;
(6) the building has 10 storefront properties, 3 of which are used for the restaurant;
(7) the restaurant will open for business in 2010;
(8) the building is north of the school and separated by an alley; and
(9) the principal religious leader of the church and either the alderman of the ward in which the school is located or the principal of the school have delivered a written statement to the local liquor control commissioner stating that he or she does not object to the issuance of a license under this subsection (t).

(u) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the premises operates as a restaurant and has been in operation since February 2008;
(2) the applicant is the owner of the premises;
(3) the sale of alcoholic liquor is incidental to the sale of food;
(4) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;

New matter indicated by italics - deletions by strikeout
(5) the premises occupy the first floor of a 3-story building that is at least 90 years old;
(6) the rear lot of the school and the rear corner of the building that the premises occupy are separated by an alley;
(7) the distance from the southwest corner of the property line of the school and the northeast corner of the building that the premises occupy is at least 16 feet, 5 inches;
(8) the distance from the rear door of the premises to the southwest corner of the property line of the school is at least 93 feet;
(9) the school is a City of Chicago School District 299 school;
(10) the school's main structure was erected in 1902 and an addition was built to the main structure in 1959; and
(11) the principal of the school and the alderman in whose district the premises are located have expressed, in writing, their support for the issuance of the license.

(v) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the total land area of the premises for which the license or renewal is sought is more than 600,000 square feet;
(2) the premises for which the license or renewal is sought has more than 600 parking stalls;
(3) the total area of all buildings on the premises for which the license or renewal is sought exceeds 140,000 square feet;
(4) the property line of the premises for which the license or renewal is sought is separated from the property line of the school by a street;
(5) the distance from the school's property line to the property line of the premises for which the license or renewal is sought is at least 60 feet;
(6) as of the effective date of this amendatory Act of the 97th General Assembly, the premises for which the license or renewal is sought is located in the Illinois Medical District.

(w) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with
a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
  (1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
  (2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
  (3) the premises occupy the first floor and basement of a 2-story building that is 106 years old;
  (4) the premises is at least 7,000 square feet and located on a lot that is at least 11,000 square feet;
  (5) the premises is located directly west of the church, on perpendicular streets, and separated by an alley;
  (6) the distance between the property line of the premises and the property line of the church is at least 20 feet;
  (7) the distance between the primary entrance of the premises and the primary entrance of the church is at least 130 feet; and
  (8) the church has been at its location for at least 40 years.
(x) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
  (1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
  (2) the church has been operating in its current location since 1973;
  (3) the premises has been operating in its current location since 1988;
  (4) the church and the premises are owned by the same parish;
  (5) the premises is used for cultural and educational purposes;
  (6) the primary entrance to the premises and the primary entrance to the church are located on the same street;
  (7) the principal religious leader of the church has indicated his support of the issuance of the license;
  (8) the premises is a 2-story building of approximately 23,000 square feet; and
  (9) the premises houses a ballroom on its ground floor of approximately 5,000 square feet.

New matter indicated by italics - deletions by strikeout
(y) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) according to the municipality, the distance between the east property line of the premises and the west property line of the school is 97.8 feet;
(4) the school is a City of Chicago School District 299 school;
(5) the school has been operating since 1959;
(6) the primary entrance to the premises and the primary entrance to the school are located on the same street;
(7) the street on which the entrances of the premises and the school are located is a major diagonal thoroughfare;
(8) the premises is a single-story building of approximately 2,900 square feet; and
(9) the premises is used for commercial purposes only.

(z) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is a free-standing building that has "drive-through" pharmacy service;

New matter indicated by italics - deletions by strikeout
(8) the premises has approximately 14,490 square feet of retail space;
(9) the premises has approximately 799 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs east-west and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(aa) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is located across the street from a national grocery chain outlet;
(8) the premises has approximately 16,148 square feet of retail space;
(9) the premises has approximately 992 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs north-south and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(bb) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a

New matter indicated by italics - deletions by strikeout
municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

  (1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
  (2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
  (3) the primary entrance to the premises and the primary entrance to the church are located on the same street;
  (4) the premises is across the street from the church;
  (5) the street on which the premises and the church are located is a major arterial street that runs east-west;
  (6) the church is an elder-led and Bible-based Assyrian church;
  (7) the premises and the church are both single-story buildings;
  (8) the storefront directly west of the church is being used as a restaurant; and
  (9) the distance between the northern-most property line of the premises and the southern-most property line of the church is 65 feet.

(cc) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

  (1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
  (2) the licensee shall only sell packaged liquors at the premises;
  (3) the licensee is a national retail chain;
  (4) as of October 25, 2011, the licensee has 1,767 stores operating nationwide, 87 stores operating in the State, and 10 stores operating within the municipality;
  (5) the licensee shall occupy approximately 124,000 square feet of space in the basement and first and second floors of a building located across the street from a school;
  (6) the school opened in August of 2009 and occupies approximately 67,000 square feet of space; and

New matter indicated by italics - deletions by strikeout
(7) the building in which the premises shall be located has been listed on the National Register of Historic Places since April 17, 1970.

(dd) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that was purchased from the municipality at a fair market price;
(2) the premises is constructed on land that was previously used as a parking facility for public safety employees;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(4) the main entrance to the store is more than 100 feet from the main entrance to the school;
(5) the premises is to be new construction;
(6) the school is a private school;
(7) the principal of the school has given written approval for the license;
(8) the alderman of the ward where the premises is located has given written approval of the issuance of the license;
(9) the grocery store level of the premises is between 60,000 and 70,000 square feet; and
(10) the owner and operator of the grocery store operates 2 other grocery stores that have alcoholic liquor licenses within the same municipality.

(ee) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that once contained an industrial steel facility;
(2) the premises is located on land that has undergone environmental remediation;
(3) the premises is located within a retail complex containing retail stores where some of the stores sell alcoholic beverages;

New matter indicated by italics - deletions by strikeout
(4) the principal activity of any restaurant in the retail complex is the sale of food, and the sale of alcoholic liquor is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the grocery store;
(6) the entrance to any business that sells alcoholic liquor is more than 100 feet from the entrance to the school;
(7) the alderman of the ward where the premises is located has given written approval of the issuance of the license; and
(8) the principal of the school has given written consent to the issuance of the license.

(ff) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:
(1) the sale of alcoholic liquor is not the principal business carried on at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;
(3) the premises is a one and one-half-story building of approximately 10,000 square feet;
(4) the school is a City of Chicago School District 299 school;
(5) the primary entrance of the premises and the primary entrance of the school are at least 300 feet apart and no more than 400 feet apart;
(6) the alderman of the ward in which the premises is located has expressed, in writing, his support for the issuance of the license; and
(7) the principal of the school has expressed, in writing, that there is no objection to the issuance of a license under this subsection (ff).

(gg) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

New matter indicated by italics - deletions by strikeout
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the property on which the church is located and the property on which the premises are located are both within a district originally listed on the National Register of Historic Places on February 14, 1979;

(3) the property on which the premises are located contains one or more multi-story buildings that are at least 95 years old and have no more than three stories;

(4) the building in which the church is located is at least 120 years old;

(5) the property on which the church is located is immediately adjacent to and west of the property on which the premises are located;

(6) the western boundary of the property on which the premises are located is no less than 118 feet in length and no more than 122 feet in length;

(7) as of December 31, 2012, both the church property and the property on which the premises are located are within 250 feet of City of Chicago Business-Residential Planned Development Number 38;

(8) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing; and

(9) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

For the purposes of this subsection, "banquet facility" means the part of the building that is located on the floor above a restaurant and caters to private parties and where the sale of alcoholic liquors is not the principal business.

(hh) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a hotel and at an outdoor patio area attached to the hotel that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the hotel;

(2) the hotel is located within the City of Chicago Business Planned Development Number 468; and

New matter indicated by italics - deletions by strikeout
(3) the hospital is located within the City of Chicago Institutional Planned Development Number 3.

(ii) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a restaurant and at an outdoor patio area attached to the restaurant that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a church if:

1. the sale of alcoholic liquor at the premises is not the principal business carried on by the licensee and is incidental to the sale of food;
2. the restaurant has been operated on the street level of a 2-story building located on a corner lot since 2008;
3. the restaurant is between 3,700 and 4,000 square feet and sits on a lot that is no more than 6,200 square feet;
4. the primary entrance to the restaurant and the primary entrance to the church are located on the same street;
5. the street on which the restaurant and the church are located is a major east-west street;
6. the restaurant and the church are separated by a one-way northbound street;
7. the church is located to the west of and no more than 65 feet from the restaurant; and
8. the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing.

(jj) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

1. the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
2. the sale of alcoholic liquor is incidental to the sale of food;
3. the premises are located east of the church, on perpendicular streets, and separated by an alley;
4. the distance between the primary entrance of the premises and the primary entrance of the church is at least 175 feet;
5. the distance between the property line of the premises and the property line of the church is at least 40 feet;

New matter indicated by italics - deletions by strikeout
(6) the licensee has been operating at the premises since 2012;
(7) the church was constructed in 1904;
(8) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license; and
(9) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (jj).

(kk) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; 
(2) the licensee shall only sell packaged liquors on the premises;
(3) the licensee is a national retail chain; 
(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality; 
(5) the licensee shall occupy approximately 169,048 square feet of space within a building that is located across the street from a tuition-based preschool; and
(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(ll) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; 
(2) the licensee shall only sell packaged liquors on the premises;
(3) the licensee is a national retail chain;
(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;

(5) the licensee shall occupy approximately 191,535 square feet of space within a building that is located across the street from an elementary school; and

(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(mm) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio or sidewalk cafe, or both, attached to premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(2) as a restaurant, the premises may or may not offer catering as an incidental part of food service;

(3) the primary business of the restaurant is conducted in space owned by a hospital or an entity owned or controlled by, under common control with, or that controls a hospital, and the chief hospital administrator has expressed his or her support for the issuance of the license in writing; and

(4) the hospital is an adult acute care facility primarily located within the City of Chicago Institutional Planned Development Number 3.

(nn) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried out on the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;

(3) the premises are a building that was constructed in 1913 and opened on May 24, 1915 as a vaudeville theater, and the premises were converted to a motion picture theater in 1935;

New matter indicated by italics - deletions by strikeout
(4) the church was constructed in 1889 with a stone exterior; 
(5) the primary entrance of the premises and the primary entrance of the church are at least 100 feet apart; and 
(6) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing; and 
(7) the alderman in whose ward the premises are located has expressed his or her support for the issuance of the license in writing. 

(oo) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque, church, or other place of worship if: 

(1) the primary entrance of the premises and the primary entrance of the mosque, church, or other place of worship are perpendicular and are on different streets; 
(2) the primary entrance to the premises faces West and the primary entrance to the mosque, church, or other place of worship faces South; 
(3) the distance between the 2 primary entrances is at least 100 feet; 
(4) the mosque, church, or other place of worship was established in a location within 100 feet of the premises after a license for the sale of alcohol at the premises was first issued; 
(5) the mosque, church, or other place of worship was established on or around January 1, 2011; 
(6) a license for the sale of alcohol at the premises was first issued on or before January 1, 1985; 
(7) a license for the sale of alcohol at the premises has been continuously in effect since January 1, 1985, except for interruptions between licenses of no more than 90 days; and 
(8) the premises are a single-story, single-use building of at least 3,000 square feet and no more than 3,380 square feet. 

(pp) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established on premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of at least one church if: 

New matter indicated by italics - deletions by strikeout
(1) the sale of liquor shall not be the principal business carried on by the licensee at the premises;
(2) the premises are at least 6,500 square feet and no more than 7,900 square feet and is located in a single-story building;
(3) the property on which the premises are located is within an area that, as of 2009, was designated as a Renewal Community by the United States Department of Housing and Urban Development;
(4) the property on which the premises are located and the properties on which the churches are located are on the same street;
(5) the property on which the premises are located is immediately adjacent to and east of the property on which at least one of the churches is located;
(6) the property on which the premises are located is across the street and southwest of the property on which another church is located;
(7) the principal religious leaders of the churches have indicated their support for the issuance of the license in writing; and
(8) the alderman in whose ward the premises are located has expressed his or her support for the issuance of the license in writing.

For purposes of this subsection (pp), "banquet facility" means the part of the building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(qq) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor on premises that are located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church or school if:
(1) the primary entrance of the premises and the closest entrance of the church or school are at least 200 feet apart and no greater than 300 feet apart;
(2) the shortest distance between the premises and the church or school is at least 66 feet apart and no greater than 81 feet apart;
(3) the premises are a single-story, steel-framed commercial building with at least 18,042 square feet, and was constructed in 1925 and 1997;
(4) the owner of the business operated within the premises has been the general manager of a similar supermarket within one mile from the premises, which has had a valid license authorizing the sale
of alcoholic liquor since 2002, and is in good standing with the City of Chicago;

(5) the principal religious leader at the place of worship has indicated his or her support to the issuance or renewal of the license in writing;

(6) the alderman of the ward has indicated his or her support to the issuance or renewal of the license in writing; and

(7) the principal of the school has indicated his or her support to the issuance or renewal of the license in writing.

(rr) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a club that leases space to a school if:

(1) the sale of alcoholic liquor is not the principal business carried out on the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the operation of a grocery store;

(3) the premises are a building of approximately 1,750 square feet and is rented by the owners of the grocery store from a family member;

(4) the property line of the premises is approximately 68 feet from the property line of the club;

(5) the primary entrance of the premises and the primary entrance of the club where the school leases space are at least 100 feet apart;

(6) the director of the club renting space to the school has indicated his or her consent to the issuance of the license in writing; and

(7) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

(ss) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

New matter indicated by italics - deletions by strikeout
(1) the premises are located within a 15 unit building with 13 residential apartments and 2 commercial spaces, and the licensee will occupy both commercial spaces;
(2) a restaurant has been operated on the premises since June 2011;
(3) the restaurant currently occupies 1,075 square feet, but will be expanding to include 975 additional square feet;
(4) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(5) the premises are located south of the church and on the same street and are separated by a one-way westbound street;
(6) the primary entrance of the premises is at least 93 feet from the primary entrance of the church;
(7) the shortest distance between any part of the premises and any part of the church is at least 72 feet;
(8) the building in which the restaurant is located was built in 1910;
(9) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license; and
(10) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (ss).

(tt) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor is incidental to the sale of food;
(3) the sale of alcoholic liquor at the premises was previously authorized by a package goods liquor license;
(4) the premises are at least 40,000 square feet with 25 parking spaces in the contiguous surface lot to the north of the store and 93 parking spaces on the roof;
(5) the shortest distance between the lot line of the parking lot of the premises and the exterior wall of the church is at least 80 feet;

New matter indicated by italics - deletions by strikeout
(6) the distance between the building in which the church is located and the building in which the premises are located is at least 180 feet;
(7) the main entrance to the church faces west and is at least 257 feet from the main entrance of the premises; and
(8) the applicant is the owner of 10 similar grocery stores within the City of Chicago and the surrounding area and has been in business for more than 30 years.

(uu) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor is incidental to the operation of a grocery store;
(3) the premises are located in a building that is approximately 68,000 square feet with 157 parking spaces on property that was previously vacant land;
(4) the main entrance to the church faces west and is at least 500 feet from the entrance of the premises, which faces north;
(5) the church and the premises are separated by an alley;
(6) the applicant is the owner of 9 similar grocery stores in the City of Chicago and the surrounding area and has been in business for more than 40 years; and
(7) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license.

(vv) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor is primary to the sale of food;
(3) the premises are located south of the church and on perpendicular streets and are separated by a driveway;

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(4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;
(5) the shortest distance between any part of the premises and any part of the church is at least 15 feet;
(6) the premises are less than 100 feet from the church center, but greater than 100 feet from the area within the building where church services are held;
(7) the premises are 25,830 square feet and sit on a lot that is 0.48 acres;
(8) the premises were once designated as a Korean American Presbyterian Church and were once used as a Masonic Temple;
(9) the premises were built in 1910;
(10) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license; and
(11) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (vv).

For the purposes of this subsection (vv), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(ww) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the school is located within Sub Area III of City of Chicago Residential-Business Planned Development Number 523, as amended; and
(2) the premises are located within Sub Area I, Sub Area II, or Sub Area IV of City of Chicago Residential-Business Planned Development Number 523, as amended.

(235 ILCS 5/6-15) (from Ch. 43, par. 130)
Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the control of the State or any political

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subdivision thereof except as provided in this Act. The corporate authorities of any city, village, incorporated town, township, or county may provide by ordinance, however, that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality, township, or county, or in any building located on land under the control of the municipality, township, or county; provided that such township or county complies with all applicable local ordinances in any incorporated area of the township or county. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 in Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in Loves Park, Illinois, or, in connection with the operation of an established food serving facility during times when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview

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Museum of Arts and Sciences in Peoria, or in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the Forest Preserve District of Cook County, or on any land used for a golf course or for recreational purposes owned by the Forest Preserve District of Cook County, subject to the control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago Park District if approved by the Park District Commissioners, or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by the District's governing board, or at any airport, golf course, faculty center, or facility in which conference and convention type activities take place belonging to or under control of any State university or public community college district, provided that with respect to a facility for conference and convention type activities alcoholic liquors shall be limited to the use of the conference or conference participants or participants in cultural, political or educational activities held in such facilities, and provided further that the faculty or staff of the State university or a public community college district, or members of an organization of students, alumni, faculty or staff of the State university or a public community college district are active participants in the conference or convention, or in Memorial Stadium on the campus of the University of Illinois at Urbana-Champaign during games in which the Chicago Bears professional football team is playing in that stadium during the renovation of Soldier Field, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the Chicago Storm professional soccer team is playing in that facility, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the WNBA professional women's basketball team is playing in that facility, not more than one and a half hours before the start of the game and not after the 10-minute mark of the second half of the game, or by a catering establishment which has rented facilities from a board of trustees of a public community college district, or in a restaurant that is operated by a commercial tenant in the North Campus Parking Deck building that (1) is located at 1201 West University Avenue, Urbana, Illinois and (2) is owned by the Board of

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Trustees of the University of Illinois, or, if approved by the District board, on land owned by the Metropolitan Sanitary District of Greater Chicago and leased to others for a term of at least 20 years. Nothing in this Section precludes the sale or delivery of alcoholic liquor in the form of original packaged goods in premises located at 500 S. Racine in Chicago belonging to the University of Illinois and used primarily as a grocery store by a commercial tenant during the term of a lease that predates the University's acquisition of the premises; but the University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to all local laws and regulations. After the acquisition by Winnebago County of the property located at 404 Elm Street in Rockford, a commercial tenant who sold alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue to do so for so long as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the sale of alcoholic liquor. Alcoholic liquors may be delivered to and sold at Memorial Hall, located at 211 North Main Street, Rockford, under conditions approved by Winnebago County and subject to all local laws and regulations regarding the sale of alcoholic liquor. Each facility shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the State, municipality, State university, airport, golf course, faculty center, facility in which conference and convention type activities take place, park district, Forest Preserve District, public community college district, aquarium, museum, or sanitary district from all financial loss, damage or harm. Alcoholic liquors may be sold at retail in buildings of golf courses owned by municipalities or Illinois State University in connection with the operation of an established food serving facility during times when food is dispensed for consumption upon the premises. Alcoholic liquors may be delivered to and sold at retail in any building owned by a fire protection district organized under the Fire Protection District Act, provided that such delivery and sale is approved by the board of trustees of the district, and provided further that such delivery and sale is limited to fundraising events and to a maximum of 6 events per year. However, the limitation to fundraising events and to a maximum of 6 events per year does not apply to the delivery, sale, or manufacture of alcoholic liquors at the building located at 59 Main Street in Oswego, Illinois, owned by the Oswego Fire Protection District if the alcoholic liquor is sold or dispensed as approved by the Oswego Fire Protection District and the property is no longer being utilized for fire protection purposes.

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Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of the University of Illinois for events that the Board may determine are public events and not related student activities. The Board of Trustees shall issue a written policy within 6 months of the effective date of this amendatory Act of the 95th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, among other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) regarding the anticipated attendees at the event, the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue. In addition, any policy submitted by the Board of Trustees to the Illinois Liquor Control Commission must require that any event at which alcoholic liquors are served or sold in buildings under the control of the Board of Trustees shall require the prior written approval of the Office of the Chancellor for the University campus where the event is located. The Board of Trustees shall submit its policy, and any subsequently revised, updated, new, or amended policies, to the Illinois Liquor Control Commission, and any University event, or location for an event, exempted under such policies shall apply for a license under the applicable Sections of this Act.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Northern Illinois University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after June 28, 2011 (the effective date of Public Act 97-45) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) regarding the anticipated attendees at the event, the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue. In addition, any policy submitted by the Board of Trustees to the Illinois Liquor Control Commission must require that any event at which alcoholic liquors are served or sold in buildings under the control of the Board of Trustees shall require the prior written approval of the Office of the Chancellor for the University campus where the event is located. The Board of Trustees shall submit its policy, and any subsequently revised, updated, new, or amended policies, to the Illinois Liquor Control Commission, and any University event, or location for an event, exempted under such policies shall apply for a license under the applicable Sections of this Act.
consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Chicago State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after August 2, 2013 (the effective date of Public Act 98-132) this amendatory Act of the 98th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Illinois State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after the effective date of this amendatory Act of the 97th General Assembly concerning the types of events that would be eligible for an exemption. Thereafter, the Board

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of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquor may be delivered to and sold at retail in the Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial loss, damage and harm.

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

(i) the Adjutant General's written consent to the issuance of a license to sell alcoholic liquor in such building is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons; and

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or harm.

Alcoholic liquors may be delivered to and sold at retail in the Chicago Civic Center, provided that:

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(i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;
(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;
(iii) the organized function is one for which the planned attendance is 25 or more persons;
(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and
(v) all applicable local ordinances are complied with.
Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. In accordance with a license issued under this Act, alcoholic liquor may be sold, served, or delivered in buildings and facilities under the control of the Department of Natural Resources during events or activities lasting no more than 7 continuous days upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under

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lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

Beer and wine may be sold and dispensed at professional sporting events and at professional concerts and other entertainment events conducted on premises owned by the Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage and harm.

Nothing in this Section shall preclude the sale or delivery of beer and wine at a State or county fair or the sale or delivery of beer or wine at a city fair in any otherwise lawful manner.

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural Resources, provided:

a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Department of Natural Resources, and

c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight. Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or restaurant concessionaire is not subject to the provisions of Articles IV and IX.

Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum provided:

a. the property has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and

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c. the alcoholic liquors are sold by the lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight.

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in State parks or golf courses owned by Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

Alcoholic liquors may be sold at retail in the Springfield Administration Building of the Department of Transportation and the Illinois State Armory in Springfield; provided, that the controlling government authority may consent to such sales only if

a. the request is from a not-for-profit organization;

b. such sales would not impede normal operations of the departments involved;

c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;

d. no such sale shall be made during normal working hours of the State of Illinois; and

e. the consent is in writing.

Alcoholic liquors may be sold at retail in buildings in recreational areas of river conservancy districts under the control of, or leased from, the river conservancy districts. Such sales are subject to reasonable local regulations as provided in Article IV; however, no such regulations may prohibit or substantially impair the sale of alcoholic liquors on Sundays or Holidays.

Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the Illinois Department of Public Health, to residents of the facility who have had their consumption of the alcoholic liquors approved in writing by a physician licensed to practice medicine in all its branches.

Alcoholic liquors may be delivered to and dispensed in State housing assigned to employees of the Department of Corrections. No person shall furnish or allow to be furnished any alcoholic liquors to any prisoner confined

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in any jail, reformatory, prison or house of correction except upon a physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the controlling government authority, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the controlling government authority;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at authorized functions.

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) an individual or organization provided that such individual or organization:

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a. Obtains written consent from the controlling government authority;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal workings of State offices or operations located at the facility, property or building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity of the individual or organization in the facility, property or building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

The controlling government authority for the Historic Sites and Preservation Division of the Historic Preservation Agency shall be the Director of the Historic Sites and Preservation, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any day care or child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. obtains written consent from the Department of Central Management Services;

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b. accepts delivery of and sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the building; and

d. provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of Illinois from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage, or harm arising out of the sale or dispensing of alcoholic liquors.
Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Department of Central Management Services.

Alcoholic liquors may be sold or delivered in a building that is owned by McLean County, situated on land owned by the county in the City of Bloomington, and used by the McLean County Historical Society if the sale or delivery is approved by an ordinance adopted by the county board, and the municipality in which the building is located may not prohibit that sale or delivery, notwithstanding any other provision of this Section. The regulation of the sale and delivery of alcoholic liquor in a building that is owned by
McLean County, situated on land owned by the county, and used by the McLean County Historical Society as provided in this paragraph is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of the power of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on land held in trust for any school district organized under Article 34 of the School Code, if the building is not used for school purposes and if the sale or delivery is approved by the board of education.

Alcoholic liquors may be sold or delivered in buildings owned by the Six Mile Regional Library District, provided that the delivery and sale is approved by the board of trustees of the Six Mile Regional Library District and the delivery and sale is limited to a maximum of 6 library district events per year. The Six Mile Regional Library District shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the library district from all financial loss, damage, or harm.

Alcoholic liquors may be sold or delivered in buildings owned by the Community Building Complex Committee of Boone County, Illinois if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance with coverage and in amounts that the Committee reasonably determines are necessary.

Alcoholic liquors may be sold or delivered in the building located at 1200 Centerville Avenue in Belleville, Illinois and occupied by either the Belleville Area Special Education District or the Belleville Area Special Services Cooperative.

Alcoholic liquors may be delivered to and sold at the Louis Joliet Renaissance Center, City Center Campus, located at 214 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts Department facilities, Main Campus, located at 1215 Houbolt Road, Joliet, owned by or under the control of Joliet Junior College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at Triton College, Illinois Community College District No. 504.

Alcoholic liquors may be delivered to and sold at the College of DuPage, Illinois Community College District No. 502.

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection

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with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Apple River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

Alcoholic liquors may be delivered to and sold at the Sikia Restaurant, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, and at the Food Services in the Great Hall/Washburne Culinary Institute Department facility, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, owned by or under the control of City Colleges of Chicago, Illinois Community College District No. 508.

(Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51, eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11; 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised 9-24-13.)


PUBLIC ACT 98-1093
(Senate Bill No. 1048)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Probate Act of 1975 is amended by adding Article IVa as follows:

(755 ILCS 5/Art. IVa heading new)

ARTICLE IVa

PRESUMPTIVELY VOID TRANSFERS

(755 ILCS 5/4a-5 new)

Sec. 4a-5. Definitions. As used in this Article:

(1) "Caregiver" means a person who voluntarily, or in exchange for compensation, has assumed responsibility for all or a portion of the care of another person who needs assistance with activities of daily living. "Caregiver" includes a caregiver's spouse, cohabitant, child, or employee.

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"Caregiver" does not include a family member of the person receiving assistance.

(2) "Family member" means a spouse, child, grandchild, sibling, aunt, uncle, niece, nephew, first cousin, or parent of the person receiving assistance.

(3) "Transfer instrument" means the legal document intended to effectuate a transfer effective on or after the transferor's death and includes, without limitation, a will, trust, deed, form designated as payable on death, contract, or other beneficiary designation form.

(4) "Transferee" means a legatee, a beneficiary of a trust, a grantee of a deed, or any other person designated in a transfer instrument to receive a nonprobate transfer.

(5) "Transferor" means a testator, settlor, grantor of a deed, or a decedent whose interest is transferred pursuant to a nonprobate transfer.

Sec. 4a-10. Presumption of void transfer.

(a) In any civil action in which a transfer instrument is being challenged, there is a rebuttable presumption, except as provided in Section 4a-15, that the transfer instrument is void if the transferee is a caregiver and the fair market value of the transferred property exceeds $20,000.

(b) Unless a shorter limitations period is required by Section 8-1 or 18-12 of this Act, any action under this Section shall be filed within 2 years of the date of death of the transferor.

Sec. 4a-15. Exceptions. The rebuttable presumption established by Section 4a-10 can be overcome if the transferee proves to the court either:

(1) by a preponderance of evidence that the transferee's share under the transfer instrument is not greater than the share the transferee was entitled to under the transferor's transfer instrument in effect prior to the transferee becoming a caregiver; or

(2) by clear and convincing evidence that the transfer was not the product of fraud, duress, or undue influence.

Sec. 4a-20. Common law. The provisions of this Article do not abrogate or limit any principle or rule of the common law, unless the common law principle or rule is inconsistent with the provisions of this Article. Notwithstanding the limited definition of "caregiver" in Section 4a-5 of this Article, nothing in this Article precludes any action against any individual under the common law, or any other applicable law, regardless
of the individual's familial relationship with the person receiving assistance. The provisions of this Article are in addition to any other principle or rule of law.

(755 ILCS 5/4a-25 new)

Sec. 4a-25. Attorney's fees and costs. If the caregiver attempts and fails to overcome the presumption under Section 4a-15, the caregiver shall bear the costs of the proceedings, including, without limitation, reasonable attorney's fees.

(755 ILCS 5/4a-30 new)

Sec. 4a-30. No independent duty. The rebuttable presumption set forth in Section 4a-10 of this Article applies only in a civil action in which a transfer instrument is being challenged, and does not create or impose an independent duty on any financial institution, trust company, trustee, or similar entity or person related to any transfer instrument.

(755 ILCS 5/4a-35 new)

Sec. 4a-35. Applicability. This Article applies only to transfer instruments executed after the effective date of this amendatory Act of the 98th General Assembly.

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1094
(Senate Bill No. 1051)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Probate Act of 1975 is amended by changing Sections 11a-9, 11a-11, and 11a-12 as follows:

(755 ILCS 5/11a-9) (from Ch. 110 1/2, par. 11a-9)

Sec. 11a-9. Report.

(a) The petition for adjudication of disability and for appointment of a guardian should be accompanied by a report which contains (1) a description of the nature and type of the respondent's disability and an assessment of how the disability impacts on the ability of the respondent to make decisions or to function independently; (2) an analysis and results of evaluations of the respondent's mental and physical condition and, where appropriate, educational condition, adaptive behavior and social skills, which

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have been performed within 3 months of the date of the filing of the petition; (3) an opinion as to whether guardianship is needed, the type and scope of the guardianship needed, and the reasons therefor; (4) a recommendation as to the most suitable living arrangement and, where appropriate, treatment or habilitation plan for the respondent and the reasons therefor; (5) the name, business address, business telephone number, and the signatures of all persons who performed the evaluations upon which the report is based, one of whom shall be a licensed physician and a statement of the certification, license, or other credentials that qualify the evaluators who prepared the report.

(b) If for any reason no report accompanies the petition, the court shall order appropriate evaluations to be performed by a qualified person or persons and a report prepared and filed with the court at least 10 days prior to the hearing.

(b-5) Upon oral or written motion by the respondent or the guardian ad litem or upon the court's own motion, the court shall appoint one or more independent experts to examine the respondent. Upon the filing with the court of a verified statement of services rendered by the expert or experts, the court shall determine a reasonable fee for the services performed. If the respondent is unable to pay the fee, the court may enter an order upon the petitioner to pay the entire fee or such amount as the respondent is unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, no expert services fees shall be assessed against the Office of the State Guardian.

(c) Unless the court otherwise directs, any report prepared pursuant to this Section shall not be made part of the public record of the proceedings but shall be available to the court or an appellate court in which the proceedings are subject to review, to the respondent, the petitioner, the guardian, and their attorneys, to the respondent's guardian ad litem, and to such other persons as the court may direct.

(755 ILCS 5/11a-11) (from Ch. 110 1/2, par. 11a-11)
Sec. 11a-11. Hearing.

(a) The respondent is entitled to be represented by counsel, to demand a jury of 6 persons, to present evidence, and to confront and cross-examine all witnesses. The hearing may be closed to the public on request of the respondent, the guardian ad litem, or appointed or other counsel for the respondent. Unless excused by the court upon a showing that the respondent

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refuses to be present or will suffer harm if required to attend, the respondent shall be present at the hearing.

(b) (Blank).

c) (Blank) Upon oral or written motion by the respondent or the guardian ad litem or on the court's own motion, the court shall appoint one or more independent experts to examine the respondent. Upon the filing with the court of a verified statement of services rendered by the expert or experts, the court shall determine a reasonable fee for the services performed. If the respondent is unable to pay the fee, the court may enter an order upon the petitioner to pay the entire fee or such amount as the respondent is unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, no expert services fees shall be assessed against the Office of the State Guardian.

d) In an uncontested proceeding for the appointment of a guardian the person who prepared the report required by Section 11a-9 will only be required to testify at trial upon order of court for cause shown.

e) At the hearing the court shall inquire regarding: (1) the nature and extent of respondent's general intellectual and physical functioning; (2) the extent of the impairment of his adaptive behavior if he is a person with a developmental disability, or the nature and severity of his mental illness if he is a person with mental illness; (3) the understanding and capacity of the respondent to make and communicate responsible decisions concerning his person; (4) the capacity of the respondent to manage his estate and his financial affairs; (5) the appropriateness of proposed and alternate living arrangements; (6) the impact of the disability upon the respondent's functioning in the basic activities of daily living and the important decisions faced by the respondent or normally faced by adult members of the respondent's community; and (7) any other area of inquiry deemed appropriate by the court.

f) An authenticated transcript of the evidence taken in a judicial proceeding concerning the respondent under the Mental Health and Developmental Disabilities Code is admissible in evidence at the hearing.

g) If the petition is for the appointment of a guardian for a disabled beneficiary of the Veterans Administration, a certificate of the Administrator of Veterans Affairs or his representative stating that the beneficiary has been determined to be incompetent by the Veterans Administration on examination in accordance with the laws and regulations governing the Veterans Administration in effect upon the date of the issuance of the certificate and that the appointment of a guardian is a condition precedent to the payment of
any money due the beneficiary by the Veterans Administration, is admissible in evidence at the hearing.

(Source: P.A. 88-32; 88-380; 88-670, eff. 12-2-94; 89-396, eff. 8-20-95.)

Sec. 11a-12. Order of appointment.
(a) If basis for the appointment of a guardian as specified in Section 11a-3 is not found, the court shall dismiss the petition.

(b) If the respondent is adjudged to be disabled and to lack some but not all of the capacity as specified in Section 11a-3, and if the court finds that guardianship is necessary for the protection of the disabled person, his or her estate, or both, the court shall appoint a limited guardian for the respondent's person or estate or both. The court shall enter a written order stating the factual basis for its findings and specifying the duties and powers of the guardian and the legal disabilities to which the respondent is subject.

(c) If the respondent is adjudged to be disabled and to be totally without capacity as specified in Section 11a-3, and if the court finds that limited guardianship will not provide sufficient protection for the disabled person, his or her estate, or both, the court shall appoint a plenary guardian for the respondent's person or estate or both. The court shall enter a written order stating the factual basis for its findings.

(d) The selection of the guardian shall be in the discretion of the court, which shall give due consideration to the preference of the disabled person as to a guardian, as well as the qualifications of the proposed guardian, in making its appointment. However, the paramount concern in the selection of the guardian is the best interest and well-being of the disabled person.

(Source: P.A. 97-1093, eff. 1-1-13.)

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.
(a) Purpose. The General Assembly finds the consolidation of fire protection services on a regional basis provided by fire departments throughout the State of Illinois to be an economic benefit. Therefore, this Act establishes procedures for the creation of Regional Fire Protection Agencies that encompass wider service areas by combining existing fire departments and extending service areas of these departments into under-served geographic areas. It is the expressed intent of the General Assembly that Regional Fire Protection Agencies shall achieve a net savings in the cost of providing fire protection services, emergency medical services, and related services in the expanded service area by reducing and eliminating costs including, but not limited to, duplicative or excessive administrative and operational services, equipment, facilities, and capital expenditures, without a reduction in the quality or level of these services.

(b) Creation. A Regional Fire Protection Agency may be formed by filing voter-initiated petitions for the purposes of integrating existing service areas of contiguous units of local government providing fire protection services to achieve the purposes of this Act.

Section 7. Application.

This Act does not apply to any unit of local government that has entered into a consolidation agreement with one or more units of local government that includes the consolidation of the delivery of fire protection or emergency medical services under a single chain of command. Additionally, this Act does not apply to any unit of local government that has adopted a resolution declaring the intent to consolidate the delivery of fire protection or emergency medical services under a single chain of command with one or more units of local government. The resolution shall exempt the local government from the provisions of this Act for one year following its passage. The existence of an automatic aid agreement or mutual aid agreements does not constitute a consolidation for the purposes of this Section.

Section 10. Definitions. The definitions in this Section apply throughout this Act unless the context clearly requires otherwise:

"Board" means the governing body of a Regional Fire Protection Agency.

"Fire protection jurisdiction" means a fire protection district, municipal fire department, or service organized under Section 5-1056.1 of the Counties Code, Sections 195 and 200 of the Illinois Township Code, Section 10-2.1 of the Illinois Municipal Code, or the Illinois Fire Protection District Act.

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"Joint Committee" means the group consisting of the parties appointed by the court in accordance with the procedures of this Act after a petition has been filed to create a Regional Fire Protection Agency. The Joint Committee meets for the limited purpose of negotiating the terms of an intergovernmental agreement to create and implement a Regional Fire Protection Agency.

"Property Tax" or "Tax" has the same meaning as the term "Tax", as defined in Section 1-145 of the Property Tax Code.

"Regional Fire Protection Agency" or "Agency" means a fire protection organization formed pursuant to this Act that combines 2 or more units of local government with a unified command and operations that has boundaries that are coextensive with 2 or more adjacent units of local government and has been created by a referendum under this Act.

"Special Mediator" means an individual who possesses the qualifications specified in this Act and shall facilitate the negotiation of an intergovernmental agreement to create a Regional Fire Protection Agency.

Section 15. Elections and referenda. When a referendum is submitted under this Act for approval or rejection by the electors, the time and manner of conducting a referendum, including petition signature requirements, shall be in accordance with the general election law of the State. The creation of any Regional Fire Protection Agency by referendum shall be secured by an intergovernmental agreement that includes terms that meet the standards set forth in Section 25 of this Act.

Section 20. Notice to the Office of the State Fire Marshal.

The Office of the State Fire Marshal shall be served notice as to any plans of 2 or more units of local government to combine fire protection or emergency medical services, or both, as follows:

(1) Whenever a county clerk or other election authority places upon a ballot the question of creating or altering an Agency or fire protection jurisdiction, the clerk or other election authority shall notify the Office of the State Fire Marshal that the proposition is to be put before the electorate. The notice shall be sent to the Office of the State Fire Marshal within 10 business days after the question is certified to the clerk or other election authority.

(2) Whenever the governing bodies of 2 or more adjacent fire protection jurisdictions conduct a public hearing to consider a plan to combine 2 or more fire protection jurisdiction service areas by intergovernmental agreement, the clerk of each unit of local government to be party to such an intergovernmental agreement shall
notify the Office of the State Fire Marshal that the units of local
government are considering such a plan. The notice shall be sent to
the Office of the State Fire Marshal within 10 business days after
notice of the meeting is published.

(3) Whenever the governing bodies of 2 or more adjacent fire
protection jurisdictions enter into an agreement to combine 2 or more
fire protection jurisdiction service areas by intergovernmental
agreement, the clerk of each unit of local government to be party to
such an intergovernmental agreement shall notify the Office of the
State Fire Marshal that the units of local government have entered
into the intergovernmental agreement. The notice shall be sent to the
Office of the State Fire Marshal within 10 business days after notice
of the meeting is published.

Section 25. Creation of an Agency by petition and referendum.

(a) Petition. A Regional Fire Protection Agency may exclusively be
formed upon petition signed by the lesser of: (i) at least 8% of the total votes
cast for candidates for Governor in the preceding gubernatorial election in
each of the units of local governments included in the Regional Fire
Protection Agency; or (ii) at least 500 legal voters in each of the units of local
government to be included in the Regional Fire Protection Agency. The
petition shall be filed in the circuit court of the county in which the greater
part of the land of the proposed Regional Fire Protection Agency shall be
situated. The petition shall set forth the names of the units of local
government proposed to be included, the name of the proposed Regional Fire
Protection Agency, the benefits of consolidating the units of local
government within a Regional Fire Protection Agency, the names of the
representatives of the petitioners from each unit of local government who
shall be authorized to serve on the Joint Committee, and up to 3 alternate
representatives from each unit of local government in the event a designated
representative ceases to be an elector of their jurisdiction or resigns from the
Joint Committee. Upon its filing, the petition shall be presented to the court,
and the court shall fix the date and hour for a hearing.

(b) Notice of Hearing. Upon the filing of the petition, the court shall
set a hearing date that is at least 4 weeks, but not more than 8 weeks, after the
date the petition is filed. The court, clerk, petitioner's counsel, or sheriff shall,
upon order of the court, give notice 21 days before the hearing in one or more
daily or weekly newspapers of general circulation in each county where an
affected unit of local government is organized. The notice must describe the
units of local government to be included and shall state that if the conditions
required by this Section are met, then the proposition for the creation of the Agency shall be submitted to the voters of the units of local government in the proposed Agency by order of the court.

(c) Hearing and referendum. At the hearing, the court shall first determine whether the petition is supported by the required number of valid signatures of legal voters within the contiguous units of local government. If the petition is proper, then the court shall remand the matter to a Special Mediator who shall mediate the negotiations regarding the terms of an intergovernmental agreement by the members of the Joint Committee as provided in subsection (d) of this Section. The Special Mediator shall be a member of the bar of the State of Illinois or a member of the faculty of an accredited law school. The Special Mediator shall have practiced law for at least 7 years and be knowledgeable about municipal, labor, employment, and election law. The Special Mediator shall be free of any conflicts of interest. The Special Mediator shall have strong mediation skills and the temperament and training to listen well, facilitate communication, and assist with negotiations. Special Mediators shall have sufficient experience and familiarity with municipal, labor, employment, and election law to provide a credible evaluation and assessment of relative positions. The Special Mediator assigned to mediate the Joint Committee's negotiations shall be selected by the members of the Joint Committee from a panel of 7 individuals provided by the Joint Labor Management Committee, as it is defined in Section 50 of the Fire Department Promotion Act. The panel shall be randomly selected by the Joint Labor Management Committee from a master list maintained by the Joint Labor Management Committee consisting of at least 14 qualified Special Mediators. If the members fail to agree, the court shall appoint the Special Mediator. The Joint Committee may elect to conduct negotiations without the assistance of the Special Mediator upon a majority vote of the Joint Committee. To certify a question for referendum, the court must find that: (i) based upon a preponderance of the evidence, at least 2 of the 3 Joint Committee representatives appointed by the court for each unit of local government included in the proposed Agency have executed an intergovernmental agreement that includes terms that are in compliance with the requirements under subsection (d) of this Section; (ii) the terms of an agreed-upon intergovernmental agreement have been approved by the requisite governing bodies of each of the units of local government; and (iii) should the terms of an agreed-upon intergovernmental agreement change the terms of the collective bargaining agreement for a bargaining unit of employees of any local unit of government of the proposed Agency.

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Regional Fire Protection Agency, any affected collective bargaining units must also approve all such changes in the terms of the collective bargaining agreement.

(d) Joint Committee. The court shall allow appointments to the Joint Committee as follows:

(1) A representative of each unit of local government included within the proposed service area of the proposed Agency.

(2) A representative of each collective bargaining unit that is a party to a collective bargaining agreement with a unit of local government to provide fire suppression or emergency medical services, or both, included within the proposed Agency.

(3) A representative for the petitioners from each unit of local government included within the proposed Agency, as designated by the petition, or, if none are designated or willing to serve, then chosen by the court from among the legal voters that signed the petition.

(e) Joint Committee Negotiations. After remand, the Special Mediator shall schedule a meeting of the Joint Committee and facilitate the members in negotiating the terms of an intergovernmental agreement. The first order of business shall be to establish a financial baseline for the current costs of fire and emergency medical services provided by the units of local government party to the Joint Committee. To this end, each unit of local government party to the Joint Committee shall disclose to the Joint Committee the total aggregate expenditures it allocates for providing all fire, rescue, and emergency medical services. These expenditures shall include, but are not limited to, the following cost factors: (i) all expenses from the corporate fund and other operational funds related to fire protection services, whether direct or indirect, for the current fiscal year; and (ii) all costs, whether direct or indirect, paid from other funds, including, but not limited to, capital or building funds, pension funds, workers' compensation funds, health insurance funds, enterprise funds, administrative funds, and all other funds from which money is, or may be, paid or transferred to pay for the administration and compensation or benefits for employees or persons assigned to provide fire or emergency medical services or related services, equipment, and buildings and their maintenance or operation and debt service for any expenditures related to these or related cost factors.

The Special Mediator or the court, or both if necessary, shall facilitate the computation and production of this financial baseline unless the Joint Committee elects to conduct negotiations without the assistance of the Special Mediator. The financial baseline shall serve as the predicate to: (i) the

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annual contributions to be made by each unit of local government to the costs of providing fire and emergency medical services to the service area established for the proposed Regional Fire Protection Agency; and (ii) for the court's findings pursuant to subsection (f) of this Section.

The Joint Committee may take note or give due consideration to available resources, studies, and plans that may facilitate the resolution of issues relating to the terms of an agreement. Negotiations may continue for a period of 90 days or, if the court determines that additional time will facilitate agreement, longer.

If no agreement is reached, the court shall dismiss the petition. If an agreement is reached, the court shall schedule an evidentiary hearing with notice to determine if the terms of the agreement are in compliance with the requirements of subsection (f) of this Section. The expenses of the Special Mediator shall be apportioned equally among the included units of local government unless the parties agree otherwise in the intergovernmental agreement.

If the intergovernmental agreement has been approved by the governing bodies of at least 2 units of local government included in the original petition, then the petition may proceed, provided that the agreement is also executed by at least 2 of 3 Joint Committee representatives from each affected unit of local government included in the original petition. The units of local government that did not consent to inclusion shall be dismissed, and an amended petition on behalf of the consenting units of local government shall be scheduled for an evidentiary hearing.

The persons or entities, or their duly authorized representatives, that shall have standing to present evidence at the hearing are the petitioners, the units of local government that sought to be included in the proposed Agency, and the representatives of each collective bargaining unit that is a party to a collective bargaining agreement with a fire protection jurisdiction within a unit of local government included within the proposed Agency.

If the court finds, by a preponderance of the evidence, that the petition is supported by a proper intergovernmental agreement, the court shall enter an order certifying the proposition to the proper election officials, who shall submit the question of the creation of the proposed Agency to the legal voters of each included unit of local government at the next election. Notice of the election shall be given and the election conducted in the manner provided by the general election law. The notice shall state the boundaries of the proposed Agency.

The question shall be submitted in substantially the following form:

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Shall the service areas of (names of existing units of local government to be combined) be combined to create the (name of the Regional Fire Protection Agency)?
Responses shall be recorded as "Yes" or "No".
A written statement of the election results shall be filed with the court. If, in each unit of local government included within the boundaries of the Regional Fire Protection Agency, a majority of the voters voting on the question favor the proposition, then the court shall issue an order stating that the Agency has been approved.

(f) Intergovernmental agreement; minimum standards of service. The terms of the intergovernmental agreement shall ensure that all of the following standards of service are met:

(1) The formation of the Agency shall result in no net increase in the cost of fire protection services and emergency medical services to the units of local government in the proposed Agency due to the reduction or elimination of duplicative administrative costs, operational costs, equipment costs, or capital expenditures unless members of the Joint Committee can demonstrate that an increase in the cost to a participating unit of local government is justified by a corresponding increase in the level of services provided under the terms of the intergovernmental agreement.

(2) The formation of the Agency shall not increase the average response times in any included unit of local government.

(3) Agencies shall have no independent ability to levy taxes and shall rely on the fiscal support and contributions from component fire protection jurisdictions, as required under the terms of the intergovernmental agreement.

Section 30. Judicial notice. All courts in this State shall take judicial notice of the existence of any Agency organized under this Act, and every such Agency shall constitute a body corporate that may sue or be sued in all courts.

Section 35. Support. Notwithstanding any provision of this Act, a Regional Fire Protection Agency may receive supplementary funding, fiscal support, or other revenue or property consideration from the State, including the Office of the State Fire Marshal, a county, or any other unit of local government, to defray the expenses of organizing a new Agency or as may be deemed necessary or appropriate, and may be appropriated by that entity to the Agency.
Section 40. Enforcement of an intergovernmental agreement. In the event of a default of payment, the Agency shall be authorized to secure collection of promised contributions from the defaulting unit of local government by court order authorizing the interception of or turning over of: (1) monies deposited or to be deposited into any fund of the defaulting unit of local government; or (2) grants or other revenues or taxes expected to be received by the unit of local government from the State, county, or federal government, including taxes imposed by the governmental unit pursuant to a grant of authority by the State, such as property, sales or use taxes or utility taxes.

Any interception authorized under this Section by the Agency shall be valid and binding from the time the interception order is made until the defaulting unit of local government has paid in full its past due obligations to the Agency and has been current in its obligations to the Agency for a minimum of 12 months. The revenues, monies, and other funds intercepted and to be intercepted by the Agency shall immediately be subject to the Agency's lien. The lien shall be valid and binding against all parties having claims of any kind in tort, contract, or otherwise against the defaulting unit of local government, irrespective of whether such parties have notice. Under any such interception, a defaulting unit of local government may bind itself to impose rates, charges, or taxes to the fullest extent permitted by applicable law. Any ordinance, resolution, trust agreement, or other instrument by which a lien is created shall be filed in the records of the Agency.

The State Treasurer, the State Comptroller, the Department of Revenue, the Department of Transportation, and any county official charged with collecting and disbursing property taxes shall deposit or cause to be deposited any amount of grants or other revenues or taxes expected to be received by the defaulting unit of local government from that official or entity that has been pledged to the defaulting unit of local government, directly into a designated escrow account established by the Agency at a trust company or bank having trust powers, unless otherwise prohibited by law. The court order authorizing that disposition shall, within 10 days after issuance, be filed with the official or entity with custody of the garnished grants or other revenues or taxes.

Section 45. Initial startup.
(a) An Agency shall commence operations no later than 90 days after the date of the election unless an alternative date is agreed to by the terms of the intergovernmental agreement and shall operate for the purposes set forth in the intergovernmental agreement. An Agency's governing body shall

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consist of representatives designated by the governing bodies of the participating units of local government as set forth in this Act, and shall be considered to be formed upon approval of the governing body of each member unit of local government unless otherwise agreed to by the terms of the intergovernmental agreement.

(b) The Regional Fire Protection Agency shall be governed by a 5-member Board of Trustees. Each trustee shall be a resident of a unit of local government within the Agency. The Board shall elect a Chairperson from among its members.

The number of trustees from each unit of local government shall be in proportion, as nearly as practicable, to the number of residents of the Agency who reside in that unit of local government in relation to the total population of the Agency. Thereafter, each trustee shall be succeeded by a resident of the same unit of local government and shall be appointed by the same appointing authority. The appropriate appointing authorities shall appoint 5 trustees of the Agency within 60 days after the entry of the order establishing the Agency. The trustees shall be electors in one of the units of local government of the Agency, provided that the Board shall consist of at least one trustee from each unit of local government, subject to the intergovernmental agreement, within the Regional Fire Protection Agency. The trustees shall hold the terms of office and shall have the powers and qualifications that are provided for trustees under Section 4 of the Fire Protection District Act.

In the event of a conflict between the terms of the intergovernmental agreement and the powers of the trustees otherwise provided by law, the terms of the intergovernmental agreement shall prevail and supersede.

(c) The Agency shall have the power, duties, and obligations of a fire protection district as otherwise provided by the Fire Protection District Act, except as modified or limited by the provisions of this Act or terms of the intergovernmental agreement. The Agency shall develop a budget funded at a level sufficient to ensure that the quality of services provided to the residents of the service area within the boundary of the included units of local government continues at a level equal to or greater than those provided prior to the modification.

(d) The establishment of an Agency as a separately named unit of local government shall not prevent the units of local government within it from identifying their historical fire departments with the names of their localities. In that event, local fire departments shall be described as [local name] Branch of the [name of the Agency].

New matter indicated by italics - deletions by strikeout
(e) Upon the formation of an Agency under this Act, the fire departments of the participating units of local government shall be operated under a single chain of command under the leadership of one fire chief appointed by the Board of the Agency. The manner in which chiefs and subordinate chief officers who are redundant under the single chain of command and who are eliminated or integrated into the new unified chain of command shall be defined within the terms of the intergovernmental agreement entered into by the parties. The chiefs and other chief officers shall retain any rights they may have as established by other applicable law, provided that positions shall not be available to any person who is already retired and receiving benefits under Article 4 of the Illinois Pension Code. Any proposed reduction to a bargaining unit position resulting from the abolishment of a non-bargaining unit position shall be subject to compliance with the bargaining rights of any affected collective bargaining representative.

Upon taking office, the fire chief of the Agency shall command all operations of the unified service area of the Agency. The District shall become a body politic and corporate with all the powers, rights, duties, and obligations vested in it under the terms of the intergovernmental agreement and as otherwise provided under the provisions of this Act.

(f) Upon the organization of the Agency, the duties of each included unit of local government relating to the operation of a fire department and emergency medical services within the boundaries of the Agency shall be transferred to the Board of the Agency to be exercised according to the terms of the intergovernmental agreement and as otherwise provided under the provisions of this Act.

(g) Unless otherwise agreed upon, all firefighters, emergency medical services personnel, and other personnel lawfully in the employment of any unit of local government included in the Agency shall maintain identity with the fire departments that they were serving on prior to the creation of the Regional Fire Protection Agency, but shall be subject to the unified chain of command established by the Board.

An Agency consisting of any fire department that employs full-time officers or members shall be subject to Sections 16.01 through 16.18 of the Fire Protection District Act unless the terms of the intergovernmental agreement agreed to by the included units of local government and included collective bargaining unit agents representing employees engaged in providing fire protection or emergency medical services, or both, within the Agency's service area provide otherwise.
(h) Contracts in effect between an exclusive bargaining agent representing employees engaged in providing fire protection or emergency medical services, or both, within the Agency's service area and a participating unit of local government shall continue according to their terms. Successor contracts shall be negotiated in accordance with the provisions of the Illinois Public Labor Relations Act. Upon agreement of any 2 or more units of local government and corresponding exclusive bargaining representatives, and approval of that agreement by a majority of the members of each respective bargaining unit who vote on the issue, any 2 or more bargaining units may be consolidated into a single bargaining unit.

(i) Any unit of local government that is included in an Agency shall be exempt from any reduction in the formula for distribution of income tax revenues under Section 901 of the Illinois Income Tax Act and personal property replacement tax revenues under subsection (c) of Section 201 of the Illinois Income Tax Act collected from local taxpayers by State agencies and redistributed to the units of local government based on the formula and laws in effect as of the effective date of this amendatory Act of the 98th General Assembly.

Section 50. Levy of taxes; limitations; indebtedness.

(a) To carry out the purposes for which an Agency is created, the Agency Board is empowered to take all actions authorized by law and authorized under this Act for the purpose of enforcing payment of any and all contributions and payments required under the terms of an intergovernmental agreement executed under the provisions of this Act.

(b) The inclusion of any unit of local government into an Agency shall not affect the obligation of any contract entered into by the unit of local government unless otherwise agreed upon in the intergovernmental agreement. Such contracts shall remain the obligation of the unit of local government that incurred the obligation.

The inclusion of a unit of local government in an Agency shall not adversely affect proceedings for the collection or enforcement of any tax debt, or other obligation owed to the unit of local government. The proceedings shall continue to finality as if no inclusion had taken place. The proceeds thereof shall be paid to the treasurer of the unit of local government, subject to the terms of the intergovernmental agreement.

All suits pending in any court on behalf of or against any participating unit of local government relating to the provision of fire or emergency medical services on the date that the unit of local government is joined into an Agency under this Act may be prosecuted or defended in the name of the
unit of local government unless otherwise provided in the intergovernmental agreement. All judgments obtained for any unit of local government joined into an Agency shall be collected and enforced by the Agency for its benefit unless otherwise provided in the intergovernmental agreement.

The intergovernmental agreement shall define ownership interests and rights of each unit of local government's fire department related assets and liabilities.

Section 55. Petition to dissolve a District; referendum. The Board of an Agency established by referendum may certify and submit the question of dissolution of the Agency to the electors of the Agency. The Board may draft a ballot title, give notice as required by the general election law, and perform other duties as required to put the question before the voters of the Agency for their approval or rejection as a single ballot measure. The electorate consists of the voters voting within the boundaries of the existing Agency. A simple majority of the registered voters voting on the single ballot measure is required to approve dissolution of the Agency. The Agency seeking dissolution is liable for its proportionate share of the costs of the election.

The question shall be in substantially the following form:

Shall the [name of Regional Fire Protection Agency] be dissolved?

Votes shall be recorded as "Yes" or "No".

If a majority of the votes cast are in favor of the dissolution, the assets, liabilities, obligations, and personnel assigned or belonging to the Agency shall revert to the component units of local government comprising or contributing to the Agency, proportional to each unit of local government's contribution. All such transfers and reassignments shall be made in an expeditious and timely manner, and no longer than 120 days after the date upon which the Agency's dissolution vote was certified by local election authorities.

Section 60. Powers; exclusive. The powers provided by this Act for the creation of Regional Fire Protection Agencies do not prohibit a unit of local government from entering into an intergovernmental agreement to merge, consolidate, or otherwise cooperate with other units of local government to provide fire, rescue, or emergency medical services as otherwise provided by Section 10 of Article VII of the Illinois Constitution and the Illinois Intergovernmental Cooperation Act. However, the powers and benefits provided by this Act for the combination of fire protection or emergency medical services, or both, of 2 or more units of local government shall be limited to Regional Fire Protection Agencies operated according to

New matter indicated by italics - deletions by strikeout
the terms of an intergovernmental agreement that has been approved by referendum in accordance with this Act. The terms of any intergovernmental agreement of an Agency created by referendum shall supersede and control over any and all other intergovernmental agreements that may exist that relate to the provision of fire protection or emergency medical services, or both, in geographic areas incorporated within the service areas combined under the terms of a referendum-approved intergovernmental agreement.

Section 65. Home rule. A home rule municipality may not administer fire protection services or emergency medical services, or both, in geographic areas incorporated within the service area of an Agency in a manner that is inconsistent with the terms of an intergovernmental agreement approved in accordance with this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.


PUBLIC ACT 98-1096
(Senate Bill No. 1778)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Resale Dealers Act.

Section 5. Definitions. For the purposes of this Act:
"Appropriate law enforcement official" means the sheriff of the county where a resale dealer is located or, if the resale dealer is located within a municipality, the police chief of the municipality, provided, however, that the sheriff or police chief may designate an appropriate official of the county or municipality as applicable.

"Precious metals" means any item containing gold, silver, platinum, palladium, or rhodium or any combination of gold, silver, platinum, palladium, or rhodium. "Precious metals" do not include items containing any chemical or any automotive, photographic, electrical, medical or dental materials, or electronic parts, except for those containing precious metals.
"Recyclable metal" means items made of copper, brass, or aluminum.

New matter indicated by italics - deletions by strikeout
"Resale dealer" means any individual, firm, corporation, or partnership engaged in the business of operating a business for profit, which buys, sells, possesses on consignment for sale, or trades jewelry, stamps, electronic equipment, or any precious metals that have been previously owned by a consumer. The term "resale dealer" includes without limitation businesses commonly known as swapshop operators, cash for gold operators, and jewelers that purchase and resell items from persons other than dealers possessing a federal employee identification number and suppliers and engage in disassembling for purposes other than appraisals, melting, or otherwise altering jewelry. The term "resale dealer" does not include pawnbrokers, coin dealers, providers of commercial mobile services as defined in 47 U.S.C. 332(d) or their authorized dealers, or retail merchants that do not purchase previously owned items directly from the public at the retail location. The fact that any business does any of the following acts shall be prima facie proof that such business is a resale dealer: (i) advertises in any fashion, including through media advertisements, websites, telephone listings, or signs on the exterior or interior of buildings, that it buys or sells used items and (ii) devotes a significant segment or section of the business premises to the purchase or sale of used items.

Section 10. Exemptions. The following shall be exempt from the requirements of this Act:

(1) Residential garage sales.
(2) Sales conducted by governmental, civic, patriotic, fraternal, educational, religious, or benevolent organizations that have been active and in continuous existence for at least one year prior to the holding of the sale or that are exempt from taxation under Section 501(c) of the federal Internal Revenue Code.
(3) Sales or purchases that are regulated by the licensing laws of this State, including automobile dealers, used parts dealers, and automotive parts recyclers.
(4) Consumer shows or exhibitions of collectibles other than a show or convention that offers to buy second hand jewelry from attendees.
(5) Auctioneers.
(6) Pawnbrokers.
(7) Sales of recyclable metal by a recyclable metal dealer.
(8) Coin dealers.
(9) Providers of commercial mobile services as defined in 47 U.S.C. 332(d) or their authorized dealers.

New matter indicated by italics - deletions by strikeout
Section 15. Recordkeeping requirements.

(a) Every resale dealer shall keep a standard record book that has been approved by the appropriate law enforcement official. At the time of each sale, an accurate account and description, in the English language, of all the goods, articles, and other things purchased, the amount of money, value, or thing loaned thereon, the time of sale, and the name and address of the person selling such items shall be printed, typed, or written in ink in the record book. Such entry shall include the serial number or identification number of the items received. Except for items purchased from dealers possessing a federal employee identification number who have provided a receipt to the resale dealer, every resale dealer shall also record in his or her book an accurate account and description, in the English language, of all goods, articles and other things purchased or received by the resale dealer from any source, the time of such purchase or receipt, and the name and address of the person or business that sold or delivered such goods, articles, or other things to the resale dealer. No completed entry in such book shall be erased, mutilated, or changed.

(b) Every resale dealer shall require and keep a record of identification to be shown by each person selling any goods, articles, or other things to the resale dealer. If the identification shown is a driver's license or a State identification card issued by the Secretary of State and contains a photograph of the person being identified, only one form of identification must be shown. If the identification shown is not a driver's license or a State identification card issued by the Secretary of State and does not contain a photograph, 2 forms of identification must be shown, and one of the 2 forms of identification must include his or her address. These forms of identification shall include, but not be limited to, any of the following: a driver's license, utility bill, employee or student identification card, credit card, or a civic, union, or professional association membership card. In addition, in a municipality with a population of 1,000,000 or more inhabitants, if the seller does not have a form of identification issued by a governmental entity containing a photograph of the person being identified, the resale dealer shall photograph the seller in color and record the seller's name, address, date of birth, gender, height, and weight on the reverse side of the photograph. All resale dealers regulated by this Act shall maintain transaction records for 3 years.

(c) A resale dealer may maintain the records required by subsection (a) in computer form if the computer form has been approved by the appropriate law enforcement official.

New matter indicated by italics - deletions by strikeout
(d) Every resale dealer shall maintain an inventory system of all property purchased or received in such a manner that members of the appropriate law enforcement agency making an inspection of such property can readily locate such property on the licensed premises.

Section 20. Daily report. It shall be the duty of every resale dealer to make out and deliver to the appropriate law enforcement official where such resale dealer does business, on each day before the hours of 12 o'clock noon, a legible and exact copy from the standard record book, as required in Section 15. Such report may be made by means authorized by the appropriate law enforcement official.

Section 25. Prohibited purchases. No resale dealer under this Act shall purchase or accept any goods or articles if:

(1) the seller is less than 18 years of age;
(2) the seller fails to present the appropriate form of identification as required by subsection (b) of Section 15; or
(3) the article to be purchased had an original manufacturer's serial number at the time it was new, but no longer legibly exhibits such number.

Section 30. Removal of identifying marks prohibited. No resale dealer shall remove, alter, or obliterate any manufacturer's make, model or serial number, personal identification number, or identifying marks engraved or etched upon an item of personal property that was purchased or received by the resale dealer.

Section 35. Inspection of records and premises of resale dealers. The required records of each resale dealer are subject to inspection during regular business hours by the appropriate law enforcement official for compliance purposes only on an annual basis or more frequently if needed to investigate a matter or to respond to any complaint expressed by the public or by a law enforcement official.

Section 40. Holding period.

(a) No resale dealer shall expose for sale, sell, trade, barter, melt, crush or compact, destroy, or otherwise dispose of any individually identifiable article within 10 days after the date of purchasing or receiving the article. No resale dealer shall expose for sale, sell, trade, barter, melt, crush or compact, destroy, or otherwise dispose of any non-identifiable article within 3 days after the date of purchasing or receiving the article.

(b) All items subject to this Section shall be stored at the location in which they were purchased during the holding period.

Section 45. Hold order.

New matter indicated by italics - deletions by strikeout
(a) For the purposes of this Section, "hold order" means a written legal instrument issued to a resale dealer by a law enforcement officer commissioned by the appropriate law enforcement official of the municipality or county that licenses and regulates the resale dealer ordering the resale dealer to retain physical possession of pledged goods in the possession of the resale dealer or property purchased by and in the possession of the resale dealer and not to return, sell, or otherwise dispose of such property on the basis that the property is believed to be misappropriated goods.

(b) Upon receipt of written notice from the appropriate law enforcement official indicating that property in the possession of the resale dealer and subject to a hold order is needed for the purpose of furthering a criminal investigation and prosecution, the resale dealer shall release the property to the custody of the law enforcement official for such purpose and the officer shall provide a written acknowledgment that the property has been released to the official. The release of the property to the custody of the appropriate law enforcement official shall not be considered a waiver or release of the resale dealer's property rights or interest in the property. Upon completion of the criminal investigation, the property shall be returned to the resale dealer; except that, if the appropriate law enforcement official has not completed the criminal investigation within 120 days after the property's release, the official shall immediately return the property to the resale dealer or obtain and furnish to the resale dealer a warrant for the continued custody of the property.

The resale dealer shall not release or dispose of the property except pursuant to a court order or the expiration of the holding period of the hold order, including all extensions.

In cases where criminal charges have been filed and the property may be needed as evidence, the prosecuting attorney shall notify the resale dealer in writing. The notice shall contain the case number, the style of the case, and a description of the property. The resale dealer shall hold such property until receiving notice of the disposition of the case from the prosecuting attorney. The prosecuting attorney shall notify the resale dealer and claimant in writing within 15 days after the disposition of the case. When such other disposition is ordered, the court shall additionally order the person from whom the resale dealer acquired the property to pay restitution to the resale dealer in the amount that the resale dealer paid for the property together with reasonable attorney's fees and costs.

When any person is found to be the owner of stolen property that has been sold to resale dealer, the property shall be returned to the owner without
the payment of the money paid by the resale dealer or any costs or charges of any kind that the resale dealer may have placed on the property.

Section 50. Violations.

(a) Any person who knowingly fails to obey, observe, or comply with the provisions of Sections 15, 20, 25, or 35 of this Act shall be: (i) guilty of a petty offense for which a $750 fine shall be imposed for a first or second offense; (ii) guilty of a Class B misdemeanor for a third offense; and (iii) guilty of a Class A misdemeanor for a fourth or subsequent offense.

(b) Any person who knowingly fails to obey, observe, or comply with the provisions of Sections 30, 40, or 45 of this Act shall be: (i) guilty of a petty offense for which a $750 fine shall be imposed for a first or second offense; (ii) guilty of a Class A misdemeanor for a third offense; and (iii) guilty of a Class 4 felony for a fourth or subsequent offense.

Section 55. Local regulation. Nothing in this Act shall be construed to impair the power of a county or municipality, including home rule units, to enforce the provisions of this Act or to license, regulate, suppress, or prohibit resale dealers, provided that any such actions are no less restrictive than required by this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State. Such local licensing regulation may include the requirement to install, operate, and maintain a video camera surveillance system capable of recording clear and unobstructed photographic representations of the resale dealer's customers. Such videotape recording may be subject to inspection by the appropriate law enforcement official.

(205 ILCS 510/15 rep.)

Section 70. The Pawnbroker Regulation Act is amended by repealing Section 15.

Approved August 26, 2014.
Effective January 1, 2015.
AN ACT concerning business.

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

Section 1. Short title. This Act may be cited as the Uniform Electronic Legal Material Act.

Section 2. Definitions.

(1) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(2) "Legal material" means, whether or not in effect:

(A) the Illinois Constitution;
(B) the Laws of Illinois;
(C) the Illinois Compiled Statutes;
(D) the Illinois Administrative Code;
(E) the following categories of State administrative agency decisions: final administrative decisions;
(F) reported decisions of the following State courts: Illinois Supreme Court, Illinois Appellate Court, and Illinois Court of Claims; or

(G) Illinois Supreme Court rules.

(3) "Official publisher" means:

(A) for the Illinois Constitution, the Secretary of State;
(B) for the Laws of Illinois, the Secretary of State;
(C) for Illinois Compiled Statutes, the Secretary of State;
(D) for a rule published in the Illinois Administrative Code, the Secretary of State;
(E) for a rule not published in the Illinois Administrative Code, the State agency adopting the rule;
(F) for a State agency decision included under paragraph (2)(E), the State agency issuing the decision;
(G) for a State court decision included under paragraph (2)(F), the Illinois Supreme Court, Reporter of Decisions;

(H) for State court rules, the Illinois Supreme Court; or
(I) for Decisions of the Court of Claims, the Secretary of State.

New matter indicated by italics - deletions by strikeout
(4) "Publish" means to display, present, or release to the public, or cause to be displayed, presented, or released to the public, by the official publisher.

(5) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(6) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Section 3. Applicability. This Act applies to all legal material in an electronic record that is designated as official under Section 4 of this Act and first published electronically on or after the effective date of this Act.

Section 4. Legal material in official electronic record.
(a) If an official publisher publishes legal material only in an electronic record, the publisher shall:
   (1) designate the electronic record as official; and
   (2) comply with Sections 5, 7, and 8 of this Act.

(b) An official publisher that publishes legal material in an electronic record and also publishes the material in a record other than an electronic record may designate the electronic record as official if the publisher complies with Sections 5, 7, and 8 of this Act.

Section 5. Authentication of official electronic record. An official publisher of legal material in an electronic record that is designated as official under Section 4 of this Act shall authenticate the record. To authenticate an electronic record, the publisher shall provide a method for a user to determine that the record received by the user from the publisher is unaltered from the official record published by the publisher.

Section 6. Effect of authentication.
(a) Legal material in an electronic record that is authenticated under Section 5 of this Act is presumed to be an accurate copy of the legal material.

(b) If another state has adopted a law substantially similar to this Act, legal material in an electronic record that is designated as official and authenticated by the official publisher in that state is presumed to be an accurate copy of the legal material.

(c) A party contesting the authentication of legal material in an electronic record authenticated under Section 5 of this Act has the burden of proving by a preponderance of the evidence that the record is not authentic.

Section 7. Preservation and security of legal material in official electronic record.

New matter indicated by italics - deletions by strikeout
(a) An official publisher of legal material in an electronic record that is or was designated as official under Section 4 of this Act shall provide for the preservation and security of the record in an electronic form or a form that is not electronic.

(b) If legal material is preserved under subsection (a) in an electronic record, the official publisher shall:

   (1) ensure the integrity of the record;
   (2) provide for backup and disaster recovery of the record; and
   (3) ensure the continuing usability of the material.

Section 8. Public access to legal material in official electronic record. An official publisher of legal material in an electronic record that is required to be preserved under Section 7 of this Act shall ensure that the material is reasonably available for use by the public on a permanent basis.

Section 9. Standards. In implementing this Act, an official publisher of legal material in an electronic record shall consider:

   (1) standards and practices of other jurisdictions;
   (2) the most recent standards regarding authentication of, preservation and security of, and public access to, legal material in an electronic record and other electronic records, as promulgated by national standard-setting bodies;
   (3) the needs of users of legal material in an electronic record;
   (4) the views of governmental officials and entities and other interested persons; and
   (5) to the extent practicable, methods and technologies for the authentication of, preservation and security of, and public access to, legal material which are compatible with the methods and technologies used by other official publishers in this state and in other states that have adopted a law substantially similar to this Act.

Section 10. Uniformity of application and construction. In applying and construing this uniform Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 11. Relation To Electronic Signatures In Global And National Commerce Act. This Act modifies, limits, and supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that Act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that Act, 15 U.S.C. Section 7003(b).


New matter indicated by italics - deletions by strikeout
AN ACT concerning revenue.

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

Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-190 and by adding Section 2505-755 as follows:

(20 ILCS 2505/2505-190) (was 20 ILCS 2505/39c-4)
Sec. 2505-190. Tax Compliance and Administration Fund.
(a) Amounts deposited into the Tax Compliance and Administration Fund, a special fund in the State treasury that is hereby created, must be appropriated to the Department to reimburse the Department for its costs of collecting, administering, and enforcing the tax laws that provide for deposits into the Fund.

(b) As soon as possible after July 1, 2015, and as soon as possible after each July 1 thereafter, the Director of the Department of Revenue shall certify the balance in the Tax Compliance and Administration Fund as of July 1, less any amounts obligated, and the State Comptroller shall order transferred and the State Treasurer shall transfer from the Tax Compliance and Administration Fund to the General Revenue Fund the amount certified that exceeds $2,500,000.
(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 2505/2505-755 new)
Sec. 2505-755. Use and Occupation Tax Reform Task Force.
(a) The Use and Occupation Tax Reform Task Force is hereby created. The Task Force shall consist of the following 13 members: the Speaker of the House of Representatives or his or her designee; the Minority Leader of the House of Representatives or his or her designee; the Senate President or his or her designee; the Senate Minority Leader or his or her designee; the Director of Revenue or his or her designee; the Executive Director of the Regional Transportation Authority or his or her designee; a representative of a statewide organization representing municipalities, appointed by the Governor; a representative of a statewide association representing taxpayers, appointed by the Governor; a representative of a
statewide association representing manufacturers, appointed by the Governor; a representative of a statewide chamber of commerce, appointed by the Governor; a representative of a statewide association representing retail merchants, appointed by the Governor; a representative of a municipality, appointed by the Governor; and a representative of a county, appointed by the Governor.

(b) The Task Force shall conduct a study on modernizing State and local use and occupation taxes in Illinois, including the possible conversion to a destination-based taxing regime. The Task Force shall focus on the following areas: benefits to consumers and businesses; conversion costs; revenue impacts to local municipalities; and costs to the State to implement and enforce proposed changes.

(c) The members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose.

(d) The Task Force shall submit its findings to the General Assembly no later than January 1, 2016.

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

(f) This Section is repealed on January 1, 2017.

Section 10. The State Finance Act is amended by changing Section 6z-17 as follows:

(30 ILCS 105/6z-17) (from Ch. 127, par. 142z-17)

Sec. 6z-17. State and Local Sales Tax Reform Fund.

(a) After deducting the amount transferred to the Tax Compliance and Administration Fund under subsection (b), of the money paid into the State and Local Sales Tax Reform Fund: (i) subject to appropriation to the Department of Revenue, Municipalities having 1,000,000 or more inhabitants shall receive 20% and may expend such amount to fund and establish a program for developing and coordinating public and private resources targeted to meet the affordable housing needs of low-income and very low-income households within such municipality, (ii) 10% shall be transferred into the Regional Transportation Authority Occupation and Use Tax Replacement Fund, a special fund in the State treasury which is hereby created, (iii) until July 1, 2013, subject to appropriation to the Department of Transportation, the Madison County Mass Transit District shall receive .6%, and beginning on July 1, 2013, subject to appropriation to the Department of Revenue, 0.6% shall be distributed each month out of the Fund to the Madison County Mass Transit District, (iv) the following amounts, plus any
cumulative deficiency in such transfers for prior months, shall be transferred monthly into the Build Illinois Fund and credited to the Build Illinois Bond Account therein:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>1991</td>
<td>1,850,000</td>
</tr>
<tr>
<td>1992</td>
<td>2,750,000</td>
</tr>
<tr>
<td>1993</td>
<td>2,950,000</td>
</tr>
</tbody>
</table>

From Fiscal Year 1994 through Fiscal Year 2025 the transfer shall total $3,150,000 monthly, plus any cumulative deficiency in such transfers for prior months, and (v) the remainder of the money paid into the State and Local Sales Tax Reform Fund shall be transferred into the Local Government Distributive Fund and, except for municipalities with 1,000,000 or more inhabitants which shall receive no portion of such remainder, shall be distributed, subject to appropriation, in the manner provided by Section 2 of "An Act in relation to State revenue sharing with local government entities", approved July 31, 1969, as now or hereafter amended. Municipalities with more than 50,000 inhabitants according to the 1980 U.S. Census and located within the Metro East Mass Transit District receiving funds pursuant to provision (v) of this paragraph may expend such amounts to fund and establish a program for developing and coordinating public and private resources targeted to meet the affordable housing needs of low-income and very low-income households within such municipality.

(b) Beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, each month the Department of Revenue shall certify to the State Comptroller and the State Treasurer, and the State Comptroller shall order transferred and the State Treasurer shall transfer from the State and Local Sales Tax Reform Fund to the Tax Compliance and Administration Fund, an amount equal to 1/12 of 5% of 20% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department of Revenue under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department. The amount distributed under subsection (a) each month shall first be reduced by the amount transferred to the Tax Compliance and Administration Fund under this subsection (b). Moneys transferred to the Tax Compliance and Administration Fund under this subsection (b) shall be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue.

New matter indicated by italics - deletions by strikeout
Section 15. The Illinois Income Tax Act is amended by changing Section 901 as follows:

Sec. 901. Collection Authority.

(a) In general.

The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650). Except as provided in subsections (c), (e), (f), and (g) and (h) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services.

(b) Local Government Distributive Fund.

Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/11 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995 and continuing through January 31, 2011, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month (ii) minus, beginning July 1, 2003 and ending June 30, 2004, $6,666,666, and beginning July 1, 2004, zero. Beginning February 1, 2011, and continuing through January 31, 2015, the Treasurer shall transfer each month from the General Revenue Fund to
the Local Government Distributive Fund an amount equal to the sum of (i) 6% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 5% individual income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 6.86% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 7% corporate income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2015 and continuing through January 31, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 8% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.75% individual income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 9.14% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 5.25% corporate income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 9.23% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.25% individual income tax rate after 2024) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 10% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Education Assistance Fund, the Income Tax Surcharge Local Government Distributive Fund, the Fund for the Advancement of Education, and the Commitment to Human Services Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

(c) Deposits Into Income Tax Refund Fund.

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(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 9.75%. For fiscal year 2007, the Annual Percentage shall be 9.75%. For fiscal year 2008, the Annual Percentage shall be 7.75%. For fiscal year 2009, the Annual Percentage shall be 9.75%. For fiscal year 2010, the Annual Percentage shall be 9.75%. For fiscal year 2011, the Annual Percentage shall be 8.75%. For fiscal year 2012, the Annual Percentage shall be 8.75%. For fiscal year 2013, the Annual Percentage shall be 9.75%. For fiscal year 2014, the Annual Percentage shall be 9.5%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, minus the amounts transferred into the Income Tax Refund Fund from the Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

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(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 18% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999, 2000, and 2001, the Annual Percentage shall be 19%. For fiscal year 2003, the Annual Percentage shall be 27%. For fiscal year 2004, the Annual Percentage shall be 32%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 24% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 20%. For fiscal year 2007, the Annual Percentage shall be 17.5%. For fiscal year 2008, the Annual Percentage shall be 15.5%. For fiscal year 2009, the Annual Percentage shall be 17.5%. For fiscal year 2010, the Annual Percentage shall be 17.5%. For fiscal year 2011, the Annual Percentage shall be 17.5%. For fiscal year 2012, the Annual Percentage shall be 17.5%. For fiscal year 2013, the Annual Percentage shall be 14%. For fiscal year 2014, the Annual Percentage shall be 13.4%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(3) The Comptroller shall order transferred and the Treasurer shall transfer from the Tobacco Settlement Recovery Fund to the

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(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose, and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the

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Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

(f) Deposits into the Fund for the Advancement of Education. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Fund for the Advancement of Education:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and

(2) beginning February 1, 2025, 1/26.

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If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (f) on or after the effective date of the reduction.

(g) Deposits into the Commitment to Human Services Fund. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Commitment to Human Services Fund:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
(2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (g) on or after the effective date of the reduction.

(h) Deposits into the Tax Compliance and Administration Fund. Beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, each month the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department, an amount equal to 1/12 of 5% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department from the tax imposed by subsections (a), (b), (c), and (d) of Section 201 of this Act, net of deposits into the Income Tax Refund Fund made from those cash receipts.

(Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)

Section 20. The Use Tax Act is amended by changing Sections 9 and 12 as follows:

(35 ILCS 105/9) (from Ch. 120, par. 439.9)
Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax,

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keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;

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5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic

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funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to

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January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment.
amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

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Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold;

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such other information as is required in Section 5-402 of the Illinois Vehicle
Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft
must show the name and address of the seller; the name and address of the
purchaser; the amount of the selling price including the amount allowed by
the retailer for traded-in property, if any; the amount allowed by the retailer
for the traded-in tangible personal property, if any, to the extent to which
Section 2 of this Act allows an exemption for the value of traded-in property;
the balance payable after deducting such trade-in allowance from the total
selling price; the amount of tax due from the retailer with respect to such
transaction; the amount of tax collected from the purchaser by the retailer on
such transaction (or satisfactory evidence that such tax is not due in that
particular instance, if that is claimed to be the fact); the place and date of the
sale, a sufficient identification of the property sold, and such other
information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days
after the date of delivery of the item that is being sold, but may be filed by the
retailer at any time sooner than that if he chooses to do so. The transaction
reporting return and tax remittance or proof of exemption from the tax that
is imposed by this Act may be transmitted to the Department by way of the
State agency with which, or State officer with whom, the tangible personal
property must be titled or registered (if titling or registration is required) if the
Department and such agency or State officer determine that this procedure
will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the
proper amount of tax due (or shall submit satisfactory evidence that the sale
is not taxable if that is the case), to the Department or its agents, whereupon
the Department shall issue, in the purchaser's name, a tax receipt (or a
certificate of exemption if the Department is satisfied that the particular sale
is tax exempt) which such purchaser may submit to the agency with which,
or State officer with whom, he must title or register the tangible personal
property that is involved (if titling or registration is required) in support of
such purchaser's application for an Illinois certificate or other evidence of title
or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a
user, who has paid the proper tax to the retailer, from obtaining his certificate
of title or other evidence of title or registration (if titling or registration is
required) upon satisfying the Department that such user has paid the proper
tax (if tax is due) to the retailer. The Department shall adopt appropriate rules
to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the
transaction reporting return filed and the payment of tax or proof of
exemption made to the Department before the retailer is willing to take these
actions and such user has not paid the tax to the retailer, such user may certify
to the fact of such delay by the retailer, and may (upon the Department being
satisfied of the truth of such certification) transmit the information required
by the transaction reporting return and the remittance for tax or proof of
exemption directly to the Department and obtain his tax receipt or exemption
determination, in which event the transaction reporting return and tax
remittance (if a tax payment was required) shall be credited by the
Department to the proper retailer's account with the Department, but without
the 2.1% or 1.75% discount provided for in this Section being allowed. When
the user pays the tax directly to the Department, he shall pay the tax in the
same amount and in the same form in which it would be remitted if the tax
had been remitted to the Department by the retailer.

Where a retailer collects the tax with respect to the selling price of
tangible personal property which he sells and the purchaser thereafter returns
such tangible personal property and the retailer refunds the selling price
thereof to the purchaser, such retailer shall also refund, to the purchaser, the
tax so collected from the purchaser. When filing his return for the period in
which he refunds such tax to the purchaser, the retailer may deduct the
amount of the tax so refunded by him to the purchaser from any other use tax
which such retailer may be required to pay or remit to the Department, as
shown by such return, if the amount of the tax to be deducted was previously
remitted to the Department by such retailer. If the retailer has not previously
remitted the amount of such tax to the Department, he is entitled to no
deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for
the purpose of paying tax thereon) the total tax covered by such return upon
the selling price of tangible personal property purchased by him at retail from
a retailer, but as to which the tax imposed by this Act was not collected from
the retailer filing such return, and such retailer shall remit the amount of such
tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department
may prescribe and furnish a combination or joint return which will enable
retailers, who are required to file returns hereunder and also under the

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Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible

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personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Retailers' Occupation Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the

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amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget).

If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department

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pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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<th>Total Deposit</th>
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New matter indicated by italics - deletions by strikeout
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and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue

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realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net

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revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 97-95, eff. 7-12-11; 97-333, eff. 8-12-11; 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-496, eff. 1-1-14; revised 9-9-13.)

(35 ILCS 105/12) (from Ch. 120, par. 439.12)

Sec. 12. Applicability of Retailers' Occupation Tax Act and Uniform Penalty and Interest Act. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-6, 2-12, 2-54, 2a, 2b, 2c, 3, 4 (except that the time limitation provisions shall run from the date when the tax is due rather than from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received and except that in the case of a failure to file a return required by this Act, no notice of tax liability shall be issued on and after each July 1 and January 1 covering tax due with that return during any month or period more than 6 years before that July 1 or January 1, respectively), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5j, 5k, 5l, 7, 8, 9, 10, 11 and 12 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, which are not inconsistent with this Act, shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein. (Source: P.A. 94-781, eff. 5-19-06; 94-1021, eff. 7-12-06; 95-331, eff. 8-21-07.)

Section 25. The Service Use Tax Act is amended by changing Sections 9 and 12 as follows:

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per

New matter indicated by italics - deletions by strikeout
calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules
of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

   Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

   Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

   All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

   The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

   If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such

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year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

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Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average

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monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget).

New matter indicated by italics - deletions by strikeout
If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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<tr>
<th>Fiscal Year</th>
<th>Deposit</th>
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<td>1993</td>
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and

each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the

New matter indicated by italics - deletions by strikeout
Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts
collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-298, eff. 8-9-13; 98-496, eff. 1-1-14; revised 9-9-13.)

(35 ILCS 110/12) (from Ch. 120, par. 439.42)

Sec. 12. Applicability of Retailers' Occupation Tax Act and Uniform Penalty and Interest Act. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-6, 2-12, 2-54, 2a, 2b, 2c, 3 (except as to the disposition by the Department of the money collected under this Act), 4 (except that the time limitation provisions shall run from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received and except that in the case of a failure to file a return required by this Act, no notice of tax liability shall be issued on and after July 1 and January 1 covering tax due with that return during any month or period more than 6 years before that July 1 or January 1, respectively), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5j, 5l, 7, 8, 9, 10, 11 and 12 of the Retailers' Occupation Tax Act which are not inconsistent with this Act, and Section 3-7 of the Uniform Penalty and Interest Act, shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

New matter indicated by italics - deletions by strikeout
Section 30. The Service Occupation Tax Act is amended by changing Sections 9 and 12 as follows:

(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;

New matter indicated by italics - deletions by strikeout
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on

New matter indicated by italics - deletions by strikeout
an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.
All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

New matter indicated by italics - deletions by strikeout
Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter
called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall

New matter indicated by italics - deletions by strikeout
reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

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2015     179,000,000
2016     189,000,000
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are outstanding under
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Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding

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paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

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The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, pay roll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

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As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-298, eff. 8-9-13; 98-496, eff. 1-1-14; revised 9-9-13.)

(35 ILCS 115/12) (from Ch. 120, par. 439.112)

Sec. 12. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-6, 2-12, 2-54, 2a, 2b, 2c, 3 (except as to the disposition by the Department of the tax collected under this Act), 4 (except that the time limitation provisions shall run from the date when the tax is due rather than from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5j, 5k, 5l, 7, 8, 9, 10, 11 and 12 of the "Retailers' Occupation Tax Act" which are not inconsistent with this Act, and Section 3-7 of the Uniform Penalty and Interest Act shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

(Source: P.A. 94-781, eff. 5-19-06; 94-1021, eff. 7-12-06; 95-331, eff. 8-21-07.)

Section 35. The Retailers' Occupation Tax Act is amended by changing Section 3 and by adding Section 2-12 as follows:

(35 ILCS 120/2-12 new)

Sec. 2-12. Location where retailer is deemed to be engaged in the business of selling. The purpose of this Section is to specify where a retailer is deemed to be engaged in the business of selling tangible personal property for the purposes of this Act, the Use Tax Act, the Service Use Tax Act, and the

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Service Occupation Tax Act, and for the purpose of collecting any other local retailers' occupation tax administered by the Department. This Section applies only with respect to the particular selling activities described in the following paragraphs. The provisions of this Section are not intended to, and shall not be interpreted to, affect where a retailer is deemed to be engaged in the business of selling with respect to any activity that is not specifically described in the following paragraphs.

(1) If a purchaser who is present at the retailer's place of business, having no prior commitment to the retailer, agrees to purchase and makes payment for tangible personal property at the retailer's place of business, then the transaction shall be deemed an over-the-counter sale occurring at the retailer's same place of business where the purchaser was present and made payment for that tangible personal property if the retailer regularly stocks the purchased tangible personal property or similar tangible personal property in the quantity, or similar quantity, for sale at the retailer's same place of business and then either (i) the purchaser takes possession of the tangible personal property at the same place of business or (ii) the retailer delivers or arranges for the tangible personal property to be delivered to the purchaser.

(2) If a purchaser, having no prior commitment to the retailer, agrees to purchase tangible personal property and makes payment over the phone, in writing, or via the Internet and takes possession of the tangible personal property at the retailer's place of business, then the sale shall be deemed to have occurred at the retailer's place of business where the purchaser takes possession of the property if the retailer regularly stocks the item or similar items in the quantity, or similar quantities, purchased by the purchaser.

(3) A retailer is deemed to be engaged in the business of selling food, beverages, or other tangible personal property through a vending machine at the location where the vending machine is located at the time the sale is made if (i) the vending machine is a device operated by coin, currency, credit card, token, coupon or similar device; (2) the food, beverage or other tangible personal property is contained within the vending machine and dispensed from the vending machine; and (3) the purchaser takes possession of the purchased food, beverage or other tangible personal property immediately.

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(4) Minerals. A producer of coal or other mineral mined in Illinois is deemed to be engaged in the business of selling at the place where the coal or other mineral mined in Illinois is extracted from the earth. With respect to minerals (i) the term "extracted from the earth" means the location at which the coal or other mineral is extracted from the mouth of the mine, and (ii) a "mineral" includes not only coal, but also oil, sand, stone taken from a quarry, gravel and any other thing commonly regarded as a mineral and extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;
2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;
3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;
4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;
5. Deductions allowed by law;
6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may require.

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If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchaser Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:
1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and

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6. Such other reasonable information as the Department may require.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than $1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to $1 if it is 50 cents or more.

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Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payments by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

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If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-

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transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

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Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the
same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October

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1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the

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month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of $25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required

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by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is $25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of $20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete
calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than $20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

New matter indicated by italics - deletions by strikeout
Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act (CAA) Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act (CAA) Permit Fund under this Act and the Use Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act an amount equal to the average monthly deficit in the Underground

New matter indicated by italics - deletions by strikeout
Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Specified Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>$54,800,000</td>
</tr>
<tr>
<td>1987</td>
<td>$76,650,000</td>
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<tr>
<td>1988</td>
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<td>$115,330,000</td>
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<tr>
<td>1991</td>
<td>$145,470,000</td>
</tr>
<tr>
<td>1992</td>
<td>$182,730,000</td>
</tr>
<tr>
<td>1993</td>
<td>$206,520,000</td>
</tr>
</tbody>
</table>

and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in

New matter indicated by italics - deletions by strikeout
the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition

New matter indicated by italics - deletions by strikeout
Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
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<td>2017</td>
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<td>2022</td>
<td>260,000,000</td>
</tr>
<tr>
<td>2023</td>
<td>275,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and

New matter indicated by italics - deletions by strikeout
continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods

New matter indicated by italics - deletions by strikeout
sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers,
and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed $250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 97-95, eff. 7-12-11; 97-333, eff. 8-12-11; 98-24, eff. 6-19-13; 98-109, eff. 7-25-13; 98-496, eff. 1-1-14; revised 9-9-13.)

Section 40. The Telecommunications Excise Tax Act is amended by changing Section 6 as follows:

(35 ILCS 630/6) (from Ch. 120, par. 2006)

New matter indicated by italics - deletions by strikeout
Sec. 6. Except as provided hereinafter in this Section, on or before the last day of each month, each retailer maintaining a place of business in this State shall make a return to the Department for the preceding calendar month, stating:

1. His name;
2. The address of his principal place of business, or the address of the principal place of business (if that is a different address) from which he engages in the business of transmitting telecommunications;
3. Total amount of gross charges billed by him during the preceding calendar month for providing telecommunications during such calendar month;
4. Total amount received by him during the preceding calendar month on credit extended;
5. Deductions allowed by law;
6. Gross charges which were billed by him during the preceding calendar month and upon the basis of which the tax is imposed;
7. Amount of tax (computed upon Item 6);
8. Such other reasonable information as the Department may require.

Any taxpayer required to make payments under this Section may make the payments by electronic funds transfer. The Department shall adopt rules necessary to effectuate a program of electronic funds transfer. Any taxpayer who has average monthly tax billings due to the Department under this Act and the Simplified Municipal Telecommunications Tax Act that exceed $1,000 shall make all payments by electronic funds transfer as required by rules of the Department and shall file the return required by this Section by electronic means as required by rules of the Department.

If the retailer's average monthly tax billings due to the Department under this Act and the Simplified Municipal Telecommunications Tax Act do not exceed $1,000, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 30 of such year; with the return for April, May and June of a given year being due by July 31st of such year; with the return for July, August and September of a given year being due by October 31st of such year; and with the return of October, November and December of a given year being due by January 31st of the following year.

New matter indicated by italics - deletions by strikeout
If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax billings due to the Department under this Act and the Simplified Municipal Telecommunications Tax Act do not exceed $400, the Department may authorize his or her return to be filed on an annual basis, with the return for a given year being due by January 31st of the following year.

Notwithstanding any other provision of this Article containing the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Article, such retailer shall file a final return under this Article with the Department not more than one month after discontinuing such business.

In making such return, the retailer shall determine the value of any consideration other than money received by him and he shall include such value in his return. Such determination shall be subject to review and revision by the Department in the manner hereinafter provided for the correction of returns.

Each retailer whose average monthly liability to the Department under this Article and the Simplified Municipal Telecommunications Tax Act was $25,000 or more during the preceding calendar year, excluding the month of highest liability and the month of lowest liability in such calendar year, and who is not operated by a unit of local government, shall make estimated payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which tax collection liability to the Department is incurred in an amount not less than the lower of either 22.5% of the retailer's actual tax collections for the month or 25% of the retailer's actual tax collections for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final liability of the retailer's return for that month. Any outstanding credit, approved by the Department, arising from the retailer's overpayment of its final liability for any month may be applied to reduce the amount of any subsequent quarter monthly payment or credited against the final liability of the retailer's return for any subsequent month. If any quarter monthly payment is not paid at the time or in the amount required by this Section, the retailer shall be liable for penalty and interest on the difference between the minimum amount due as a payment and the amount of such payment actually and timely paid, except insofar as the retailer has previously made payments for that month to the Department in excess of the minimum payments previously due.

New matter indicated by italics - deletions by strikeout
The retailer making the return herein provided for shall, at the time of making such return, pay to the Department the amount of tax herein imposed, less a discount of 1% which is allowed to reimburse the retailer for the expenses incurred in keeping records, billing the customer, preparing and filing returns, remitting the tax, and supplying data to the Department upon request. No discount may be claimed by a retailer on returns not timely filed and for taxes not timely remitted.

On and after the effective date of this Article of 1985, $1,000,000 of the moneys received by the Department of Revenue pursuant to this Article, other than moneys received pursuant to the additional taxes imposed by Public Act 90-548:

(1) $1,000,000 shall be paid each month into the Common School Fund;

(2) beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, an amount equal to 1/12 of 5% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department from the tax under this Act and the Simplified Municipal Telecommunications Tax Act shall be paid each month into the Tax Compliance and Administration Fund; those moneys shall be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue; and

(3) the remainder shall be deposited into the General Revenue Fund.

On and after February 1, 1998, however, of the moneys received by the Department of Revenue pursuant to the additional taxes imposed by Public Act 90-548, this amendatory Act of 1997 one-half shall be deposited into the School Infrastructure Fund and one-half shall be deposited into the Common School Fund. On and after the effective date of this amendatory Act of the 91st General Assembly, if in any fiscal year the total of the moneys deposited into the School Infrastructure Fund under this Act is less than the total of the moneys deposited into that Fund from the additional taxes imposed by Public Act 90-548 during fiscal year 1999, then, as soon as possible after the close of the fiscal year, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the School Infrastructure Fund an amount equal to the difference between the fiscal year total deposits and the total amount deposited into the Fund in fiscal year 1999.

New matter indicated by italics - deletions by strikeout
Section 45. The Telecommunications Infrastructure Maintenance Fee Act is amended by changing Section 25 as follows:

(35 ILCS 635/25)

Sec. 25. Collection, enforcement, and administration of State telecommunications infrastructure maintenance fees.

(a) A telecommunications retailer shall charge each customer an additional charge equal to the State infrastructure maintenance fee attributable to that customer's service address. Such additional charge shall be shown separately on the bill to each customer.

(b) The State infrastructure maintenance fee shall be designated as a replacement for the personal property tax and shall be remitted by the telecommunications retailer to the Department; provided, however, that the telecommunications retailer may retain an amount not to exceed 2% of the State infrastructure maintenance fee paid to the Department, with a timely paid and timely filed return to reimburse itself for expenses incurred in collecting, accounting for, and remitting the fee.

Beginning on the first day of the first calendar month to occur on or after the effective date of this amendatory Act of the 98th General Assembly, an amount equal to 1/12 of 5% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department from the tax under this Act shall be paid each month into the Tax Compliance and Administration Fund to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue. All remaining amounts herein remitted to the Department shall be paid into the Personal Property Tax Replacement Fund in the State Treasury.

(Source: P.A. 92-526, eff. 1-1-03.)

Section 55. The Counties Code is amended by changing Section 5-1014.3 as follows:

(55 ILCS 5/5-1014.3)

Sec. 5-1014.3. Agreements to share or rebate occupation taxes.

(a) On and after June 1, 2004, a county board shall not enter into any agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property if: (1) the tax on those retail sales, absent the agreement, would have been paid to another unit of local government; and (2) the retailer maintains, within that other unit of local government, a retail location from which the tangible personal property is delivered to purchasers, or a warehouse from which the tangible personal

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property is delivered to purchasers. Any unit of local government denied retailers' occupation tax revenue because of an agreement that violates this Section may file an action in circuit court against only the county. Any agreement entered into prior to June 1, 2004 is not affected by this amendatory Act of the 93rd General Assembly. Any unit of local government that prevails in the circuit court action is entitled to damages in the amount of the tax revenue it was denied as a result of the agreement, statutory interest, costs, reasonable attorney's fees, and an amount equal to 50% of the tax.

(b) On and after the effective date of this amendatory Act of the 93rd General Assembly, a home rule unit shall not enter into any agreement prohibited by this Section. This Section is a denial and limitation of home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

(c) Any county that enters into an agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property must complete and submit a report by electronic filing to the Department of Revenue within 30 days after the execution of the agreement. Any county that has entered into such an agreement before the effective date of this amendatory Act of the 97th General Assembly that has not been terminated or expired as of the effective date of this amendatory Act of the 97th General Assembly shall submit a report with respect to the agreements within 90 days after the effective date of this amendatory Act of the 97th General Assembly.

Any agreement entered into after the effective date of this amendatory Act of the 98th General Assembly is not valid until the county entering into the agreement complies with the requirements set forth in this subsection. Any county that fails to comply with the requirements set forth in this subsection within 30 days after the execution of the agreement shall be responsible for paying to the Department of Revenue a delinquency penalty of $20 per day for each day the county fails to submit a report by electronic filing to the Department of Revenue. A county that has previously failed to report an agreement in effect on the effective date of this subsection will begin to accrue a delinquency penalty for each day the agreement remains unreported beginning on the effective date of this subsection. The Department of Revenue may adopt rules to implement and administer these penalties.

(d) The report described in this Section shall be made on a form to be supplied by the Department of Revenue and shall contain the following:

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(1) the names of the county and the business entering into the agreement;

(2) the location or locations of the business within the county;

(3) a statement, to be answered in the affirmative or negative, as to whether or not the company maintains additional places of business in the State other than those described pursuant to paragraph (2);

(4) the terms of the agreement, including (i) the manner in which the amount of any retailers’ occupation tax to be shared, rebated, or refunded is to be determined each year for the duration of the agreement, (ii) the duration of the agreement, and (iii) the name of any business who is not a party to the agreement but who directly or indirectly receives a share, refund, or rebate of the retailers' occupation tax; and

(5) a copy of the agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property.

An updated report must be filed by the county within 30 days after the execution of any amendment made to an agreement.

Reports filed with the Department pursuant to this Section shall not constitute tax returns.

(e) The Department and the county shall redact the sales figures, the amount of sales tax collected, and the amount of sales tax rebated prior to disclosure of information contained in a report required by this Section or the Freedom of Information Act. The information redacted shall be exempt from the provisions of the Freedom of Information Act.

(f) All reports, except the copy of the agreement, required to be filed with the Department of Revenue pursuant to this Section shall be posted on the Department's website within 6 months after the effective date of this amendatory Act of the 97th General Assembly. The website shall be updated on a monthly basis to include newly received reports.

(65 ILCS 5/8-11-21)

Sec. 8-11-21. Agreements to share or rebate occupation taxes.

(a) On and after June 1, 2004, the corporate authorities of a municipality shall not enter into any agreement to share or rebate any portion of retailers’ occupation taxes generated by retail sales of tangible personal property.
property if: (1) the tax on those retail sales, absent the agreement, would have been paid to another unit of local government; and (2) the retailer maintains, within that other unit of local government, a retail location from which the tangible personal property is delivered to purchasers, or a warehouse from which the tangible personal property is delivered to purchasers. Any unit of local government denied retailers' occupation tax revenue because of an agreement that violates this Section may file an action in circuit court against only the municipality. Any agreement entered into prior to June 1, 2004 is not affected by this amendatory Act of the 93rd General Assembly. Any unit of local government that prevails in the circuit court action is entitled to damages in the amount of the tax revenue it was denied as a result of the agreement, statutory interest, costs, reasonable attorney's fees, and an amount equal to 50% of the tax.

(b) On and after the effective date of this amendatory Act of the 93rd General Assembly, a home rule unit shall not enter into any agreement prohibited by this Section. This Section is a denial and limitation of home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

(c) Any municipality that enters into an agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property must complete and submit a report by electronic filing to the Department of Revenue within 30 days after the execution of the agreement. Any municipality that has entered into such an agreement before the effective date of this amendatory Act of the 97th General Assembly that has not been terminated or expired as of the effective date of this amendatory Act of the 97th General Assembly shall submit a report with respect to the agreements within 90 days after the effective date of this amendatory Act of the 97th General Assembly.

Any agreement entered into on or after the effective date of this amendatory Act of the 98th General Assembly is not valid until the municipality entering into the agreement complies with the requirements set forth in this subsection. Any municipality that fails to comply with the requirements set forth in this subsection within the 30 days after the execution of the agreement shall be responsible for paying to the Department of Revenue a delinquency penalty of $20 per day for each day the municipality fails to submit a report by electronic filing to the Department of Revenue. A municipality that has previously failed to report an agreement in effect on the effective date of this subsection will begin to accrue a delinquency penalty for each day the agreement remains unreported.

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(d) The report described in this Section shall be made on a form to be supplied by the Department of Revenue and shall contain the following:

(1) the names of the municipality and the business entering into the agreement;

(2) the location or locations of the business within the municipality;

(3) a statement, to be answered in the affirmative or negative, as to whether or not the company maintains additional places of business in the State other than those described pursuant to paragraph (2);

(4) the terms of the agreement, including (i) the manner in which the amount of any retailers' occupation tax to be shared, rebated, or refunded is to be determined each year for the duration of the agreement, (ii) the duration of the agreement, and (iii) the name of any business who is not a party to the agreement but who directly or indirectly receives a share, refund, or rebate of the retailers' occupation tax; and

(5) a copy of the agreement to share or rebate any portion of retailers' occupation taxes generated by retail sales of tangible personal property.

An updated report must be filed by the municipality within 30 days after the execution of any amendment made to an agreement.

Reports filed with the Department pursuant to this Section shall not constitute tax returns.

(e) The Department and the municipality shall redact the sales figures, the amount of sales tax collected, and the amount of sales tax rebated prior to disclosure of information contained in a report required by this Section or the Freedom of Information Act. The information redacted shall be exempt from the provisions of the Freedom of Information Act.

(f) All reports, except the copy of the agreement, required to be filed with the Department of Revenue pursuant to this Section shall be posted on the Department's website within 6 months after the effective date of this amendatory Act of the 97th General Assembly. The website shall be updated on a monthly basis to include newly received reports.

(Source: P.A. 97-976, eff. 1-1-13; 98-463, eff. 8-16-13.)

Section 65. The Civic Center Code is amended by changing Section 245-12 as follows:

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(70 ILCS 200/245-12)
Sec. 245-12. Use and occupation taxes.

(a) The Authority may adopt a resolution that authorizes a referendum on the question of whether the Authority shall be authorized to impose a retailers' occupation tax, a service occupation tax, and a use tax in one-quarter percent increments at a rate not to exceed 1%. The Authority shall certify the question to the proper election authorities who shall submit the question to the voters of the metropolitan area at the next regularly scheduled election in accordance with the general election law. The question shall be in substantially the following form:

"Shall the Salem Civic Center Authority be authorized to impose a retailers' occupation tax, a service occupation tax, and a use tax at the rate of (rate) for the sole purpose of obtaining funds for the support, construction, maintenance, or financing of a facility of the Authority?"

Votes shall be recorded as "yes" or "no". If a majority of all votes cast on the proposition are in favor of the proposition, the Authority is authorized to impose the tax.

(b) The Authority shall impose the retailers' occupation tax upon all persons engaged in the business of selling tangible personal property at retail in the metropolitan area, at the rate approved by referendum, on the gross receipts from the sales made in the course of such business within the metropolitan area. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner provided in this Section; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2, 2-5, 2-5.5, 2-10 (in respect to all provisions therein other than the State rate of tax), 2-12, 2-15 through 2-70, 2a, 2b, 2c, 3 (except as to the disposition of taxes and penalties collected and provisions related to quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and

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Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth in this subsection.

Persons subject to any tax imposed under this subsection may reimburse themselves for their seller's tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the tax fund referenced under paragraph (g) of this Section.

If a tax is imposed under this subsection (b), a tax shall also be imposed at the same rate under subsections (c) and (d) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale, by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

Nothing in this Section shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

(c) If a tax has been imposed under subsection (b), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the metropolitan area, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the metropolitan area as an incident to a sale of service. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this paragraph, the Department and persons who are

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subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the metropolitan area), 2a, 2b, 3 through 3-55 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the Authority), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the Authority), 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the tax fund referenced under paragraph (g) of this Section.

Nothing in this paragraph shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(d) If a tax has been imposed under subsection (b), a use tax shall also be imposed at the same rate upon the privilege of using, in the metropolitan area, any item of tangible personal property that is purchased outside the metropolitan area at retail from a retailer, and that is titled or registered at a location within the metropolitan area with an agency of this State's government. "Selling price" is defined as in the Use Tax Act. The tax shall

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be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan area. The tax shall be collected by the Department of Revenue for the Authority. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department has full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with, this subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3, 3-5, 3-10, 3-45, 3-55, 3-65, 3-70, 3-85, 3a, 4, 6, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the Authority), 9 (except provisions relating to quarter monthly payments), 10, 11, 12, 12a, 12b, 13, 14, 15, 19, 20, 21, and 22 of the Use Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, that are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the tax fund referenced under paragraph (g) of this Section.

(e) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (c), or (d) of this Section and no additional registration shall be required. A certificate

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issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(f) The results of any election authorizing a proposition to impose a tax under this Section or effecting a change in the rate of tax shall be certified by the proper election authorities and filed with the Illinois Department on or before the first day of April. In addition, an ordinance imposing, discontinuing, or effecting a change in the rate of tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before the first day of April. After proper receipt of such certifications, the Department shall proceed to administer and enforce this Section as of the first day of July next following such adoption and filing.

(g) The Department of Revenue shall, upon collecting any taxes and penalties as provided in this Section, pay the taxes and penalties over to the State Treasurer as trustee for the Authority. The taxes and penalties shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the Authority, which shall be the balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the Authority, the Comptroller shall cause an order to be drawn for payment for the amount in accordance with the directions contained in the certification. Amounts received from the tax imposed under this Section shall be used only for the support, construction, maintenance, or financing of a facility of the Authority.

(h) When certifying the amount of a monthly disbursement to the Authority under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a miscalculation is discovered.

(i) This Section may be cited as the Salem Civic Center Use and Occupation Tax Law.

(Source: P.A. 90-328, eff. 1-1-98.)

Section 70. The Metro-East Park and Recreation District Act is amended by changing Section 30 as follows:

(70 ILCS 1605/30)
Sec. 30. Taxes.
(a) The board shall impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property

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titled or registered with an agency of this State's government, at retail in the District on the gross receipts from the sales made in the course of business. This tax shall be imposed only at the rate of one-tenth of one per cent.

This additional tax may not be imposed on the sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed by the Board under this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Department of Revenue. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2, 2-5, 2-5.5, 2-10 (in respect to all provisions contained in those Sections other than the State rate of tax), 2-12, 2-15 through 2-70, 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their sellers' tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to such bracketed schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the

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Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the State Metro-East Park and Recreation District Fund.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the District, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the District as an incident to a sale of service. This tax may not be imposed on sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the District), 2a, 2b, 2c, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the District), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the District), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the District), Sections 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by

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separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the State Metro-East Park and Recreation District Fund.

Nothing in this subsection shall be construed to authorize the board to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(c) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the State Metro-East Park and Recreation District Fund, which shall be an unappropriated trust fund held outside of the State treasury.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district. The Department shall make this certification only if the Metro East Park and Recreation District imposes a tax on real property as provided in the definition of "local sales taxes" under the Innovation Development and Economy Act.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money pursuant to Section 35 of this Act to the District from which retailers have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to the District shall be the amount (not including credit memoranda) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including (i) an amount equal to the amount of refunds made during the second preceding calendar month by the

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Department on behalf of the District, (ii) any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the District, and (iii) any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the District provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

(d) For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(e) Nothing in this Section shall be construed to authorize the board to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(f) An ordinance imposing a tax under this Section or an ordinance extending the imposition of a tax to an additional county or counties shall be certified by the board and filed with the Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

(g) When certifying the amount of a monthly disbursement to the District under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any misallocation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a misallocation is discovered. (Source: P.A. 96-939, eff. 6-24-10.)

AN ACT concerning civil law.

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

Section 5. The Code of Civil Procedure is amended by adding Section 15-1603.5 as follows:

(735 ILCS 5/15-1603.5 new)

Sec. 15-1603.5. Strict foreclosure of an omitted subordinate interest.

(a) As used in this Section, "omitted subordinate interest" means a recorded subordinate interest in real estate where:

(1) the real estate is the subject of a foreclosure action under this Article;
(2) a motion to confirm judicial sale under subsection (b) of Section 15-1508 is either pending or has been granted;
(3) the interest attached to the real estate prior to the filing or recording of any notice in accordance with Sections 2-1901 and 15-1503; and
(4) the person who has the interest was not named in the foreclosure complaint.

(b) The holder of the certificate of sale or any person who acquired title pursuant to Section 15-1509 or any subsequent successor, assignee, transferee, or grantee who discovers an omitted subordinate interest may file a strict foreclosure complaint naming the person who has the omitted subordinate interest as the defendant. A complaint filed under this Section must include substantially the following:

(1) the identity of the plaintiff and how the plaintiff acquired its interest in the property which is the subject of the strict foreclosure;
(2) the docket number of the prior foreclosure action and the recording number and date of the mortgage that was previously foreclosed;
(3) the legal description, common address, and parcel identification number of the real estate which is the subject of the strict foreclosure;
(4) the recording number and a copy of the recorded instrument identifying the person who has the omitted subordinate interest that is named as the defendant;

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(5) the amount of the successful bid at the foreclosure sale, as stated in the report of sale in the prior foreclosure action, with a copy of the report of sale attached to the complaint;

(6) an allegation that, due to inadvertence or mistake or such other reason as may be applicable, the person who has the omitted subordinate interest was not made a party defendant in the prior foreclosure action and the omitted subordinate interest was not terminated by the judgment of foreclosure and when the subject property was sold by judicial sale; and

(7) a request for relief setting forth the redemption period as provided in this Section and identifying a contact by name and telephone number who will accept tender of the redemption amount.

(c) Subject to the objection of the defendant, the court shall enter a judgment extinguishing the omitted subordinate interest.

(d) If the defendant objects to the entry of the judgment, the court, after a hearing, shall enter an order providing either:

(1) that the defendant has not agreed to pay the amount required to redeem, in which event the court shall proceed to enter the judgment; or

(2) that the defendant has agreed to pay the amount required to redeem.

(e) The amount required to redeem shall be the sum bid at the prior foreclosure sale plus any costs and fees incurred subsequent to the sale for the payment of taxes, preservation of the property, or any other actions taken by the holder of the certificate of sale to protect its interest in the property. The amount required to redeem shall not include any costs or fees incurred by the plaintiff in the strict foreclosure case filed under this Section.

The order shall state that upon payment of the redemption amount within the redemption period, which shall extend 30 days after the entry of the order, title to the real estate shall vest in the defendant who redeems pursuant to this Section. If the defendant subject to the order has not paid the amount required to redeem within the 30-day redemption period, the interest of the defendant in the property is terminated.

(f) A person whose omitted subordinate interest was not terminated by a prior foreclosure action does not have a right to file a strict foreclosure action.

(g) Notwithstanding that the person's omitted subordinate interest in the real estate has been terminated pursuant to this Section, nothing in this Section shall be construed to extinguish or impair any claim of such person

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in the surplus proceeds of a sale held or distributed pursuant to subsection (d) of Section 15-1512 of this Code after the confirmation of the sale of the real estate for which such person had an omitted subordinate interest.


PUBLIC ACT 98-1100
(Senate Bill No. 2765)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Eastern Illinois University Law is amended by changing Section 10-92 as follows:

Sec. 10-92. Tuition affordability discount waiver limitation pilot program.

(a) The General Assembly makes all of the following findings:
(1) Both access and affordability are important points in the Illinois Public Agenda for College and Career Success.
(2) This State is in the top quartile with respect to the percentage of family income needed to pay for college.
(3) Research suggests that as loan amounts increase, versus grants-in-aid, the probability of college attendance decreases.
(4) There is further research indicating socioeconomic status may affect the willingness of students to use loans to attend college.
(5) Strategic use of tuition discounting waivers will decrease the amount of loans that students must use to pay for tuition.
(6) A modest, individually tailored tuition discount waiver can make the difference in choosing to attend college and would enhance college access for low (up to 150% of the federal poverty level) and middle income (151% to 300% of the federal poverty level) families.
(7) Even if the federally calculated financial need for college attendance is met, the federally determined Expected Family Contribution can still be a daunting amount.

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(8) This State is the second largest exporter of students in the country.
(9) Illinois students need to be kept in this State. State universities in other states have adopted pricing and incentives that make college expenses for residents of this State less than in this State.
(10) A mechanism is needed to stop the outflow of Illinois students to institutions in other states, assisting in State efforts to maintain and educate a highly trained workforce.
(11) By being competitive on costs of attendance, this State can bring out-of-state students to this State.
(12) The pilot program established under this Section will allow Eastern Illinois University to compete for highly qualified students who may reside in other states by mitigating the effect of cost differences.
(13) Modest tuition discounts, individually targeted and tailored, result in enhanced revenue for university programs.
(14) By increasing Eastern Illinois University's capacity to strategically use tuition discounting waivers, the University will be capable of creating enhanced tuition revenue by increasing enrollment yields.
(15) The Board of Higher Education's current institutional tuition waiver limitation is 3% of total available undergraduate tuition revenue.
(b) The Board shall establish a pilot program to increase the Board of Higher Education's institutional tuition waiver limitation for the university over a 4-year period to increase access to college and make college more affordable for undergraduate students. Under the pilot program, the institutional tuition waiver limitation shall be increased by 2 percentage points in the 2012-2013 academic year, 2 percentage points in the 2013-2014 academic year, 2 percentage points in the 2014-2015 academic year, and one percentage point in the 2015-2016 academic year, resulting in an institutional tuition waiver limitation of 10% in the fourth year of the pilot program and thereafter.
(c) The pilot program shall require that students who receive a tuition discount waiver under the pilot program be accepted to the university through normal admissions standards and processes. Individual tuition discounts granted under the pilot program must not exceed $2,500 per academic year. The pilot program shall provide a maximum of one discount.

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waiver per academic year for a maximum of 4 years to each student in the pilot program who maintains satisfactory academic progress. The pilot program shall be terminated after the 2018-2019 2015-2016 academic year, with no new students receiving discounts waivers. However, notwithstanding the Board of Higher Education's institutional tuition waiver limitation, existing students receiving discounts waivers under the pilot program are eligible to maintain those discounts waivers, with satisfactory academic progress, under the 4-year limitation, after the 2018-2019 2015-2016 academic year due to maintenance of effort within their 4-year window. Sunset dates for discounted waiver support shall be based upon the first academic year in which a student receives a discount waiver. The sunset dates are as follows for each annual cohort of pilot program participants:

(1) Cohort 1: the beginning year is 2012-2013 and the terminal year is 2015-2016.
(2) Cohort 2: the beginning year is 2013-2014 and the terminal year is 2016-2017.
(3) Cohort 3: the beginning year is 2014-2015 and the terminal year is 2017-2018.
(4) Cohort 4: the beginning year is 2015-2016 and the terminal year is 2018-2019.

(d) Every 2 years, the Board shall annually report to the Board of Higher Education on the pilot program's impact on tuition revenue, enrollment goals, and increasing access and affordability on such dates as the Board of Higher Education shall determine.

(e) The Board of Higher Education may adopt any rules that are necessary to implement this Section.

(f) This Section is repealed on July 1, 2022 2019.

(Source: P.A. 97-290, eff. 8-10-11.)
Approved August 26, 2014.
Effective January 1, 2015.
AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Section 21-150 as follows:

(35 ILCS 200/21-150)

Sec. 21-150. Time of applying for judgment. Except as otherwise provided in this Section or by ordinance or resolution enacted under subsection (c) of Section 21-40, in any county with fewer than 3,000,000 inhabitants, all applications for judgment and order of sale for taxes and special assessments on delinquent properties shall be made within 90 days after the second installment due date. In Cook County, all applications for judgment and order of sale for taxes and special assessments on delinquent properties shall be made (i) by July 1, 2011 for tax year 2009, (ii) by July 1, 2012 for tax year 2010, (iii) by July 1, 2013 for tax year 2011, (iv) by July 1, 2014 for tax year 2012, (v) by July 1, 2015 for tax year 2013, (vi) by May 1, 2016 for tax year 2014, (vii) by March 1, 2017 for tax year 2015, and (viii) within 90 days after the second installment due date for tax year 2016 and each tax year thereafter. In those counties which have adopted an ordinance under Section 21-40, the application for judgment and order of sale for delinquent taxes shall be made in December. In the 10 years next following the completion of a general reassessment of property in any county with 3,000,000 or more inhabitants, made under an order of the Department, applications for judgment and order of sale shall be made as soon as may be and on the day specified in the advertisement required by Section 21-110 and 21-115. If for any cause the court is not held on the day specified, the cause shall stand continued, and it shall be unnecessary to re-advertise the list or notice.

Within 30 days after the day specified for the application for judgment the court shall hear and determine the matter. If judgment is rendered, the sale shall begin on the date within 5 business days specified in the notice as provided in Section 21-115. If the collector is prevented from advertising and obtaining judgment within the time periods specified by this Section, the collector may obtain judgment at any time thereafter; but if the failure arises by the county collector's not complying with any of the requirements of this Code, he or she shall be held on his or her official bond for the full amount

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of all taxes and special assessments charged against him or her. Any failure on the part of the county collector shall not be allowed as a valid objection to the collection of any tax or assessment, or to entry of a judgment against any delinquent properties included in the application of the county collector. (Source: P.A. 96-1329, eff. 7-27-10; 96-1512, eff. 1-27-11; 97-637, eff. 12-16-11.)


PUBLIC ACT 98-1102
(Senate Bill No. 2793)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by adding Section 2-3.160 and by changing Section 27A-5 as follows:
(105 ILCS 5/2-3.160 new)
Sec. 2-3.160. Student discipline report; school discipline improvement plan.
   (a) On or before October 31, 2015 and on or before October 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a report on student discipline in all school districts in this State, including State-authorized charter schools. This report shall include data from all public schools within school districts, including district-authorized charter schools. This report must be posted on the Internet website of the State Board of Education. The report shall include data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action, disaggregated by race and ethnicity, gender, age, grade level, limited English proficiency, incident type, and discipline duration.
   (b) The State Board of Education shall analyze the data under subsection (a) of this Section on an annual basis and determine the top 20% of school districts for the following metrics:
      (1) Total number of out-of-school suspensions divided by the total district enrollment by the last school day in September for the year in which the data was collected, multiplied by 100.

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(2) Total number of out-of-school expulsions divided by the total district enrollment by the last school day in September for the year in which the data was collected, multiplied by 100.

(3) Racial disproportionality, defined as the overrepresentation of students of color or white students in comparison to the total number of students of color or white students on October 1st of the school year in which data are collected, with respect to the use of out-of-school suspensions and expulsions, which must be calculated using the same method as the U.S. Department of Education's Office for Civil Rights uses.

The analysis must be based on data collected over 3 consecutive school years, beginning with the 2014-2015 school year.

Beginning with the 2017-2018 school year, the State Board of Education shall require each of the school districts that are identified in the top 20% of any of the metrics described in this subsection (b) for 3 consecutive years to submit a plan identifying the strategies the school district will implement to reduce the use of exclusionary disciplinary practices or racial disproportionality or both, if applicable. School districts that no longer meet the criteria described in any of the metrics described in this subsection (b) for 3 consecutive years shall no longer be required to submit a plan.

This plan may be combined with any other improvement plans required under federal or State law.

The calculation of the top 20% of any of the metrics described in this subsection (b) shall exclude all school districts, State-authorized charter schools, and special charter districts that issued fewer than a total of 10 out-of-school suspensions or expulsions, whichever is applicable, during the school year. The calculation of the top 20% of metric described in subdivision (3) of this subsection (b) shall exclude all school districts with an enrollment of fewer than 50 white students or fewer than 50 students of color.

The plan must be approved at a public school board meeting and posted on the school district's Internet website. Within one year after being identified, the school district shall submit to the State Board of Education and post on the district's Internet website a progress report describing the implementation of the plan and the results achieved.

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and

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operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(b-5) In this subsection (b-5), "virtual-schooling" means the teaching of courses through online methods with online instructors, rather than the instructor and student being at the same physical location. "Virtual-schooling" includes without limitation instruction provided by full-time, online virtual schools.

From April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

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(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. Annually, by December 1, every charter school must submit to the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, and its charter. A charter school is exempt from all other State laws and regulations in the School Code governing public schools and local school board policies, except the following:

(1) Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;
(2) Sections 24-24 and 34-84A of the School Code regarding discipline of students;
(3) The Local Governmental and Governmental Employees Tort Immunity Act;
(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;
(5) The Abused and Neglected Child Reporting Act;
(6) The Illinois School Student Records Act;
(7) Section 10-17a of the School Code regarding school report cards; and
(8) The P-20 Longitudinal Education Data System Act; and

(9) Section 2-3.160 of the School Code regarding student discipline reporting.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any

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service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)

Section 99. Effective date. This Act takes effect July 1, 2014.
Approved August 26, 2014.
Effective August 26, 2014.
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 3-413 and 3-701 as follows:

(625 ILCS 5/3-413) (from Ch. 95 1/2, par. 3-413)

Sec. 3-413. Display of registration plates, registration stickers, and drive-away permits; registration plate covers.

(a) Registration plates issued for a motor vehicle other than a motorcycle, trailer, semitrailer, truck-tractor, apportioned bus, or apportioned truck shall be attached thereto, one in the front and one in the rear. The registration plate issued for a motorcycle, trailer or semitrailer required to be registered hereunder and any apportionment plate issued to a bus under the provisions of this Code shall be attached to the rear thereof. The registration plate issued for a truck-tractor or an apportioned truck required to be registered hereunder shall be attached to the front thereof.

(b) Every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging and at a height of not less than 5 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible and shall be maintained in a condition to be clearly legible, free from any materials that would obstruct the visibility of the plate. A registration plate on a motorcycle may be mounted vertically as long as it is otherwise clearly visible. Registration stickers issued as evidence of renewed annual registration shall be attached to registration plates as required by the Secretary of State, and be clearly visible at all times.

(c) Every drive-away permit issued pursuant to this Code shall be firmly attached to the motor vehicle in the manner prescribed by the Secretary of State. If a drive-away permit is affixed to a motor vehicle in any other manner the permit shall be void and of no effect.

(d) The Illinois prorate decal issued to a foreign registered vehicle part of a fleet prorated or apportioned with Illinois, shall be displayed on a registration plate and displayed on the front of such vehicle in the same manner as an Illinois registration plate.

(e) The registration plate issued for a camper body mounted on a truck displaying registration plates shall be attached to the rear of the camper body.

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(f) No person shall operate a vehicle, nor permit the operation of a vehicle, upon which is displayed an Illinois registration plate, plates or registration stickers, except as provided for in subsection (b) of Section 3-701 of this Code, after the termination of the registration period for which issued or after the expiration date set pursuant to Sections 3-414 and 3-414.1 of this Code.

(g) A person may not operate any motor vehicle that is equipped with registration plate covers. A violation of this subsection (g) or a similar provision of a local ordinance is an offense against laws and ordinances regulating the movement of traffic.

(h) A person may not sell or offer for sale a registration plate cover. A violation of this subsection (h) is a business offense.

(i) A person may not advertise for the purpose of promoting the sale of registration plate covers. A violation of this subsection (i) is a business offense.

(j) A person may not modify the original manufacturer's mounting location of the rear registration plate on any vehicle so as to conceal the registration or to knowingly cause it to be obstructed in an effort to hinder a peace officer from obtaining the registration for the enforcement of a violation of this Code, Section 27.1 of the Toll Highway Act concerning toll evasion, or any municipal ordinance. Modifications prohibited by this subsection (j) include but are not limited to the use of an electronic device. A violation of this subsection (j) is a Class A misdemeanor.

(Source: P.A. 97-743, eff. 1-1-13.)

(625 ILCS 5/3-701) (from Ch. 95 1/2, par. 3-701)

Sec. 3-701. Operation of vehicles without evidence of registration - Operation under mileage plates when odometer broken or disconnected.

(a) No person shall operate, nor shall an owner knowingly permit to be operated, except as provided in subsection (b) of this Section, upon any highway unless there shall be attached thereto and displayed thereon when and as required by law, proper evidence of registration in Illinois, as follows:

(1) A vehicle required to be registered in Illinois. A current and valid Illinois registration sticker or stickers and plate or plates, or an Illinois temporary registration permit, or a drive-away or in-transit permit, issued therefor by the Secretary of State; or

(2) A vehicle eligible for Reciprocity. A current and valid reciprocal foreign registration plate or plates properly issued to such vehicle or a temporary registration issued therefor, by the reciprocal State, and, in addition, when required by the Secretary, a current and

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valid Illinois Reciprocity Permit or Prorate Decal issued therefor by
the Secretary of State; or except as otherwise expressly provided for
in this Chapter.

(b) A person may operate or permit operation of a vehicle upon any
highway a vehicle that has been properly registered but does not display a
current and valid Illinois registration sticker if he or she has proof, in the
form of a printed receipt from the Secretary, that he or she registered the
vehicle before the previous registration's expiration but has not received a
new registration sticker from the Secretary. This printed proof of registration
is valid for 30 days from the expiration of the previous registration sticker's
date.

(c) No person shall operate, nor shall any owner knowingly permit to
be operated, any vehicle of the second division for which the owner has made
an election to pay the mileage tax in lieu of the annual flat weight tax, at any
time when the odometer of such vehicle is broken or disconnected, or is
inoperable or not operating.

(Source: P.A. 92-680, eff. 7-16-02.)

Passed in the General Assembly May 29, 2014.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1104
(Senate Bill No. 2808)

AN ACT concerning location surveillance.
Be it enacted by the People of the State of Illinois, represented in the
General Assembly:
Section 1. Short title. This Act may be cited as the Freedom From
Location Surveillance Act.

Section 5. Definitions. For the purpose of this Act:
"Basic subscriber information" means name, address, local and long
distance telephone connection records or records of session time and
durations; length of services, including start dates, and types of services
utilized; telephone or instrument number or other subscriber number or
identity, including any temporarily assigned network address; and the means
and source of payment for the service, including the credit card or bank
account number.

"Electronic device" means any device that enables access to, or use of:

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(1) an electronic communication service that provides the ability to send or receive wire or electronic communications;
(2) a remote computing service that provides computer storage or processing services by means of an electronic communications system; or
(3) a location information service such as a global positioning service or other mapping, locational, or directional information service.

"Electronic device" does not mean devices used by a governmental agency or by a company operating under a contract with a governmental agency for toll collection, traffic enforcement, or license plate reading.

"Law enforcement agency" means any agency of this State or a political subdivision of this State which is vested by law with the duty to maintain public order or enforce criminal laws.

"Location information" means any information concerning the location of an electronic device that, in whole or in part, is generated by or derived from the operation of that device.

"Social networking website" has the same meaning ascribed to the term in paragraph (4) of subsection (b) of Section 10 of the Right to Privacy in the Workplace Act.

Section 10. Court authorization. Except as provided in Section 15, a law enforcement agency shall not obtain current or future location information pertaining to a person or his or her effects without first obtaining a court order based on probable cause to believe that the person whose location information is sought has committed, is committing, or is about to commit a crime or the effect is evidence of a crime, or if the location information is authorized under an arrest warrant issued under Section 107-9 of the Code of Criminal Procedure of 1963 to aid in the apprehension or the arrest of the person named in the arrest warrant. An order issued under a finding of probable cause under this Section must be limited to a period of 60 days, renewable by the judge upon a showing of good cause for subsequent periods of 60 days.

Section 15. Exceptions. This Act does not prohibit a law enforcement agency from seeking to obtain current or future location information:
(1) to respond to a call for emergency services concerning the user or possessor of an electronic device;
(2) with the lawful consent of the owner of the electronic device or person in actual or constructive possession of the item being tracked by the electronic device;

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(3) to lawfully obtain location information broadly available to the general public without a court order when the location information is posted on a social networking website, or is metadata attached to images and video, or to determine the location of an Internet Protocol (IP) address through a publicly available service;

(4) to obtain location information generated by an electronic device used as a condition of release from a penal institution, as a condition of pre-trial release, probation, conditional discharge, parole, mandatory supervised release, or other sentencing order, or to monitor an individual released under the Sexually Violent Persons Commitment Act or the Sexually Dangerous Persons Act;

(5) to aid in the location of a missing person;

(6) in emergencies as follows:

   (A) Notwithstanding any other provisions of this Act, any investigative or law enforcement officer may seek to obtain location information in an emergency situation as defined in this paragraph (6). This paragraph (6) applies only when there was no previous notice of the emergency to the investigative or law enforcement officer sufficient to obtain prior judicial approval, and the officer reasonably believes that an order permitting the obtaining of location information would issue were there prior judicial review. An emergency situation exists when:

   (i) the use of the electronic device is necessary for the protection of the investigative or law enforcement officer or a person acting at the direction of law enforcement; or

   (ii) the situation involves:

      (I) a clear and present danger of imminent death or great bodily harm to persons resulting from a kidnapping or the holding of a hostage by force or the threat of the imminent use of force, or the occupation by force or the threat of the imminent use of force of any premises, place, vehicle, vessel, or aircraft;

      (II) an abduction investigation;

      (III) conspiratorial activities characteristic of organized crime;

      (IV) an immediate threat to national security interest; or

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(V) an ongoing attack on a computer comprising a felony.

(B) In all emergency cases, an application for an order approving the previous or continuing obtaining of location information must be made within 72 hours of its commencement. In the absence of the order, or upon its denial, any continuing obtaining of location information gathering shall immediately terminate. In order to approve obtaining location information, the judge must make a determination (i) that he or she would have granted an order had the information been before the court prior to the obtaining of the location information and (ii) there was an emergency situation as defined in this paragraph (6).

(C) In the event that an application for approval under this paragraph (6) is denied, the location information obtained under this exception shall be inadmissible in accordance with Section 20 of this Act; or

(7) to obtain location information relating to an electronic device used to track a vehicle or an effect which is owned or leased by that law enforcement agency.

Section 20. Admissibility. If the court finds by a preponderance of the evidence that a law enforcement agency obtained current or future location information pertaining to a person or his or her effects in violation of Section 10 or 15 of this Act, then the information shall be presumed to be inadmissible in any judicial or administrative proceeding. The State may overcome this presumption by proving the applicability of a judicially recognized exception to the exclusionary rule of the Fourth Amendment to the United States Constitution or Article I, Section 6 of the Illinois Constitution, or by a preponderance of the evidence that the law enforcement officer was acting in good faith and reasonably believed that one or more of the exceptions identified in Section 15 existed at the time the location information was obtained.

Section 25. Providing location information to a law enforcement agency not required. Nothing in this Act shall be construed to require a person to provide current or future location information to a law enforcement agency under Section 15.

Section 30. Inapplicability. This Act does not apply to a law enforcement agency obtaining basic subscriber information from a service provider under a valid subpoena, court order, or search warrant.

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning civil law.

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

Section 5. The Code of Civil Procedure is amended by adding Section 5-120.5 as follows:

(735 ILCS 5/5-120.5 new)

Sec. 5-120.5. Administrative review, code compliance.

(a) In an administrative review action under Article III of this Code, if the court reverses the decision of a municipal code hearing officer in an action set forth under subsection (c) of this Section, then the court may award the plaintiff all reasonable costs, including court costs and attorney's fees, associated with the action if the court finds that: (i) the decision of the hearing officer was arbitrary and capricious; or (ii) the defendant failed to file a record under Section 3-108 of this Code that is sufficient to allow the court to determine whether the decision of the hearing officer was arbitrary and capricious.

(b) The court may award the municipality reasonable costs, including court costs and attorney's fees, if the court finds that the plaintiff's action under Article III of this Code for administrative review of a decision by the municipal code hearing officer is not reasonably well grounded in fact, is not warranted by existing law, or is not accompanied by a reasonable argument for the extension, modification, or reversal of existing law.

(c) This Section applies only to the decision of a code hearing officer that imposes a fine or penalty against the owner of a single-family or multi-family residential dwelling for a violation related to the condition or use of that residential property. This Section does not apply to any administrative decision of a municipality with a population of more than 500,000.

(d) The provisions of this Section are mutually dependent and inseverable; if any provision is held invalid, then the entire Section is invalid.

Approved August 26, 2014.
Effective January 1, 2015.
AN ACT concerning civil law.

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

Section 5. The Self-Service Storage Facility Act is amended by changing Sections 2 and 4 as follows:

(770 ILCS 95/2) (from Ch. 114, par. 802)
Sec. 2. Definitions. As used in this Act, unless the context clearly requires otherwise:

(A) "Self-service storage facility" means any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such for the purpose of storing and removing personal property. A self-service storage facility is not a warehouse for purposes of Article 7 of the Uniform Commercial Code. If an owner issues any warehouse receipt, bill of lading, or other document of title for the personal property stored, the provisions of this Act do not apply.

(B) "Owner" means the owner, operator, lessor, or sublessor of a self-service storage facility, his agent, or any other person authorized by him to manage the facility, or to receive rent from an occupant under a rental agreement.

(C) "Occupant" means a person, his sublessee, successor, or assign, entitled to the use of the storage space at a self-service storage facility under a rental agreement, to the exclusion of others.

(D) "Rental agreement" means any agreement or lease, written or oral, that establishes or modifies the terms, conditions, rules or any other provisions concerning the use and occupancy of a self-service storage facility.

(E) "Personal property" means movable property not affixed to land, and includes, but is not limited to goods, merchandise, motor vehicles, watercraft, and household items.

(F) "Last known address" means that mailing address or electronic mail address provided by the occupant in the latest rental agreement, or the mailing address or electronic mail address provided by the occupant in a subsequent written notice of a change of address.

(G) "Late fee" means a charge assessed for an occupant's failure to pay rent when due. "Late fee" does not include interest on a debt, reasonable expenses incurred in the collection of unpaid rent, or costs associated with the enforcement of any other remedy provided by statute or contract.

New matter indicated by italics - deletions by strikeout
"Verified mail" means any method of mailing that is offered by the United States Postal Service or private delivery service that provides evidence of mailing.

"Electronic mail" means the transmission of information or a communication by the use of a computer or other electronic means sent to a person identified by a unique address and that is received by that person.

Source: P.A. 97-599, eff. 8-26-11.

Sec. 4. Enforcement of lien. An owner's lien as provided for in Section 3 of this Act for a claim which has become due may be satisfied as follows:

A) The occupant shall be notified;
B) The notice shall be delivered:
   1) in person; or
   2) by verified certified mail or by electronic mail first-class mail with a certificate of mailing to the last known address of the occupant;
C) The notice shall include:
   1) An itemized statement of the owner's claim showing the sum due at the time of the notice and the date when the sum became due;
   2) The name of the facility, address, telephone number, date, time, location, and manner of the lien sale, and the occupant's name and unit number;
   3) A notice of denial of access to the personal property, if such denial is permitted under the terms of the rental agreement, which provides the name, street address, and telephone number of the owner, or his designated agent, whom the occupant may contact to respond to this notice;
   3.5) Except as otherwise provided by a rental agreement and until a lien sale, the exclusive care, custody, and control of all personal property stored in the leased self-service storage space remains vested in the occupant. No bailment or higher level of liability is created if the owner over-locks the occupant's lock, thereby denying the occupant access to the storage space. Rent and other charges related to the lien continue to accrue during the period of time when access is denied because of non-payment;
   4) A demand for payment within a specified time not less than 14 days after delivery of the notice;

New matter indicated by italics - deletions by strikeout
(5) A conspicuous statement that unless the claim is paid within the time stated in the notice, the personal property will be advertised for sale or other disposition, and will be sold or otherwise disposed of at a specified time and place.

(D) Any notice made pursuant to this Section shall be presumed delivered when it is deposited with the United States Postal Service, and properly addressed with postage prepaid or sent by electronic mail and the owner receives a receipt of delivery to the occupant's last known address, except if the owner does not receive a receipt of delivery for the notice sent by electronic mail, the notice is presumed delivered when it is sent to the occupant by verified mail to the occupant's last known mailing address;

(E) After the expiration of the time given in the notice, an advertisement of the sale or other disposition shall be published once a week for two consecutive weeks in a newspaper of general circulation where the self-service storage facility is located. The advertisement shall include:

1. The name of the facility, address, telephone number, date, time, location, and manner of lien sale and the occupant's name and unit number.

2. (Blank).

3. The sale or other disposition shall take place not sooner than 15 days after the first publication. If there is no newspaper of general circulation where the self-service storage facility is located, the advertisement shall be posted at least 10 days before the date of the sale or other disposition in not less than six conspicuous places in the neighborhood where the self-service storage facility is located.

(F) Any sale or other disposition of the personal property shall conform to the terms of the notification as provided for in this Section;

(G) Any sale or other disposition of the personal property shall be held at the self-service storage facility, or at the nearest suitable place to where the personal property is held or stored. A sale under this Section shall be deemed to be held at the self-service storage facility where the personal property is stored if the sale is held on a publicly accessible online website;

(G-5) If the property upon which the lien is claimed is a motor vehicle or watercraft and rent or other charges related to the property remain unpaid or unsatisfied for 60 days, the owner may have the property towed from the self-service storage facility. If a motor vehicle or watercraft is towed, the owner shall not be liable for any damage to the motor vehicle or watercraft, once the tower takes possession of the property. After the motor vehicle or watercraft is towed, the owner may pursue other collection options against

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the delinquent occupant for any outstanding debt. If the owner chooses to sell a motor vehicle, aircraft, mobile home, moped, motorcycle, snowmobile, trailer, or watercraft, the owner shall contact the Secretary of State and any other governmental agency as reasonably necessary to determine the name and address of the title holder or lienholder of the item, and the owner shall notify every identified title holder or lienholder of the time and place of the proposed sale. The owner is required to notify the holder of a security interest only if the security interest is filed under the name of the person signing the rental agreement or an occupant. An owner who fails to make the lien searches required by this Section is liable only to valid lienholders injured by that failure as provided in Section 3;

(H) Before any sale or other disposition of personal property pursuant to this Section, the occupant may pay the amount necessary to satisfy the lien, and the reasonable expenses incurred under this Section, and thereby redeem the personal property. Upon receipt of such payment, the owner shall return the personal property, and thereafter the owner shall have no liability to any person with respect to such personal property;

(I) A purchaser in good faith of the personal property sold to satisfy a lien, as provided for in Section 3 of this Act, takes the property free of any rights of persons against whom the lien was valid, despite noncompliance by the owner with the requirements of this Section;

(J) In the event of a sale under this Section, the owner may satisfy his lien from the proceeds of the sale, but shall hold the balance, if any, for delivery on demand to the occupant. If the occupant does not claim the balance of the proceeds within one year of the date of sale, it shall become the property of the owner without further recourse by the occupant.

(K) The lien on any personal property created by this Act shall be terminated as to any such personal property which is sold or otherwise disposed of pursuant to this Act and any such personal property which is removed from the self-service storage facility.

(L) If 3 or more bidders who are unrelated to the owner are in attendance at a sale held under this Section, the sale and its proceeds are deemed to be commercially reasonable.

(Source: P.A. 97-599, eff. 8-26-11.)

Approved August 26, 2014.
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning civil law.

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

Section 5. The Probate Act of 1975 is amended by changing Section 11a-17 as follows:

(755 ILCS 5/11a-17) (from Ch. 110 1/2, par. 11a-17)

Sec. 11a-17. Duties of personal guardian.

(a) To the extent ordered by the court and under the direction of the court, the guardian of the person shall have custody of the ward and the ward's minor and adult dependent children and shall procure for them and shall make provision for their support, care, comfort, health, education and maintenance, and professional services as are appropriate, but the ward's spouse may not be deprived of the custody and education of the ward's minor and adult dependent children, without the consent of the spouse, unless the court finds that the spouse is not a fit and competent person to have that custody and education. The guardian shall assist the ward in the development of maximum self-reliance and independence. The guardian of the person may petition the court for an order directing the guardian of the estate to pay an amount periodically for the provision of the services specified by the court order. If the ward's estate is insufficient to provide for education and the guardian of the ward's person fails to provide education, the court may award the custody of the ward to some other person for the purpose of providing education. If a person makes a settlement upon or provision for the support or education of a ward, the court may make an order for the visitation of the ward by the person making the settlement or provision as the court deems proper. A guardian of the person may not admit a ward to a mental health facility except at the ward's request as provided in Article IV of the Mental Health and Developmental Disabilities Code and unless the ward has the capacity to consent to such admission as provided in Article IV of the Mental Health and Developmental Disabilities Code.

(a-5) If the ward filed a petition for dissolution of marriage under the Illinois Marriage and Dissolution of Marriage Act before the ward was adjudicated a disabled person under this Article, the guardian of the ward's person and estate may maintain that action for dissolution of marriage on behalf of the ward. Upon petition by the guardian of the ward's person or estate, the court may authorize and direct a guardian of the ward's person or

New matter indicated by italics - deletions by strikeout
estate to file a petition for dissolution of marriage or to file a petition for legal separation or declaration of invalidity of marriage under the Illinois Marriage and Dissolution of Marriage Act on behalf of the ward if the court finds by clear and convincing evidence that the relief sought is in the ward's best interests. In making its determination, the court shall consider the standards set forth in subsection (e) of this Section.

(a-10) Upon petition by the guardian of the ward's person or estate, the court may authorize and direct a guardian of the ward's person or estate to consent, on behalf of the ward, to the ward's marriage pursuant to Part II of the Illinois Marriage and Dissolution of Marriage Act if the court finds by clear and convincing evidence that the marriage is in the ward's best interests. In making its determination, the court shall consider the standards set forth in subsection (e) of this Section. Upon presentation of a court order authorizing and directing a guardian of the ward's person and estate to consent to the ward's marriage, the county clerk shall accept the guardian's application, appearance, and signature on behalf of the ward for purposes of issuing a license to marry under Section 203 of the Illinois Marriage and Dissolution of Marriage Act.

(b) If the court directs, the guardian of the person shall file with the court at intervals indicated by the court, a report that shall state briefly: (1) the current mental, physical, and social condition of the ward and the ward's minor and adult dependent children; (2) their present living arrangement, and a description and the address of every residence where they lived during the reporting period and the length of stay at each place; (3) a summary of the medical, educational, vocational, and other professional services given to them; (4) a resume of the guardian's visits with and activities on behalf of the ward and the ward's minor and adult dependent children; (5) a recommendation as to the need for continued guardianship; (6) any other information requested by the court or useful in the opinion of the guardian. The Office of the State Guardian shall assist the guardian in filing the report when requested by the guardian. The court may take such action as it deems appropriate pursuant to the report.

(c) Absent court order pursuant to the Illinois Power of Attorney Act directing a guardian to exercise powers of the principal under an agency that survives disability, the guardian has no power, duty, or liability with respect to any personal or health care matters covered by the agency. This subsection (c) applies to all agencies, whenever and wherever executed.

(d) A guardian acting as a surrogate decision maker under the Health Care Surrogate Act shall have all the rights of a surrogate under that Act

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without court order including the right to make medical treatment decisions such as decisions to forgo or withdraw life-sustaining treatment. Any decisions by the guardian to forgo or withdraw life-sustaining treatment that are not authorized under the Health Care Surrogate Act shall require a court order. Nothing in this Section shall prevent an agent acting under a power of attorney for health care from exercising his or her authority under the Illinois Power of Attorney Act without further court order, unless a court has acted under Section 2-10 of the Illinois Power of Attorney Act. If a guardian is also a health care agent for the ward under a valid power of attorney for health care, the guardian acting as agent may execute his or her authority under that act without further court order.

(e) Decisions made by a guardian on behalf of a ward shall be made in accordance with the following standards for decision making. Decisions made by a guardian on behalf of a ward may be made by conforming as closely as possible to what the ward, if competent, would have done or intended under the circumstances, taking into account evidence that includes, but is not limited to, the ward's personal, philosophical, religious and moral beliefs, and ethical values relative to the decision to be made by the guardian. Where possible, the guardian shall determine how the ward would have made a decision based on the ward's previously expressed preferences, and make decisions in accordance with the preferences of the ward. If the ward's wishes are unknown and remain unknown after reasonable efforts to discern them, the decision shall be made on the basis of the ward's best interests as determined by the guardian. In determining the ward's best interests, the guardian shall weigh the reason for and nature of the proposed action, the benefit or necessity of the action, the possible risks and other consequences of the proposed action, and any available alternatives and their risks, consequences and benefits, and shall take into account any other information, including the views of family and friends, that the guardian believes the ward would have considered if able to act for herself or himself.

(f) Upon petition by any interested person (including the standby or short-term guardian), with such notice to interested persons as the court directs and a finding by the court that it is in the best interest of the disabled person, the court may terminate or limit the authority of a standby or short-term guardian or may enter such other orders as the court deems necessary to provide for the best interest of the disabled person. The petition for termination or limitation of the authority of a standby or short-term guardian may, but need not, be combined with a petition to have another guardian appointed for the disabled person.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Township Code is amended by changing Section 70-15 as follows:

(60 ILCS 1/70-15)
Sec. 70-15. Chief executive officer; fiscal duties; penalty for neglect.
(a) The supervisor is the chief executive officer of the township.
(b) The supervisor shall receive and pay out all moneys raised in the township for defraying township charges, except those raised for the support of highways and bridges, and for township library purposes.
(c) The supervisor shall, within 30 days before the annual township meeting, prepare and file with the township clerk a full unaudited statement of the financial affairs of the township, showing (i) the balance (if any) received by the supervisor from his or her predecessor in office or from any other source; (ii) the amount of tax levied the preceding year for the payment of township indebtedness and charges; (iii) the amount collected and paid over to the supervisor as supervisor; (iv) the amount paid out by the supervisor and on what account, including any amount paid out on township indebtedness, specifying the nature and amount of the township indebtedness, the amount paid on the indebtedness, the amount paid on principal, and the amount paid on interest account; and (v) the amount and kind of all outstanding indebtedness due and unpaid, the amount and kind of indebtedness not yet due, and when the indebtedness not yet due will mature. The township clerk shall record the statement in the record book of the township as soon as it is filed and shall post a copy of the statement at the place of holding the annual township meeting 2 days before the meeting is held. The clerk shall also read aloud the unaudited statement or provide a copy of the unaudited statement to the electors at the annual township meeting.

New matter indicated by italics - deletions by strikeout
(d) Any supervisor or township clerk who wilfully neglects to comply with this Section shall forfeit and pay to the township the sum of not less than $50 nor more than $200. The amount forfeited shall be sued for and recovered by the township in its corporate name and shall be appropriated to repairs of highways and bridges in the township.

(Source: P.A. 90-655, eff. 7-30-98.)

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1109
(Senate Bill No. 3044)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Real Estate License Act of 2000 is amended by changing Sections 1-10, 5-27, and 25-10 and by adding Section 10-45 as follows:

(225 ILCS 454/1-10)
(Section scheduled to be repealed on January 1, 2020)
Sec. 1-10. Definitions. In this Act, unless the context otherwise requires:
"Address of Record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department.
"Advisory Council" means the Real Estate Education Advisory Council created under Section 30-10 of this Act.
"Agency" means a relationship in which a real estate broker or licensee, whether directly or through an affiliated licensee, represents a consumer by the consumer's consent, whether express or implied, in a real property transaction.
"Applicant" means any person, as defined in this Section, who applies to the Department for a valid license as a real estate broker, real estate salesperson, or leasing agent.

New matter indicated by italics - deletions by strikeout
"Blind advertisement" means any real estate advertisement that does not include the sponsoring broker's business name and that is used by any licensee regarding the sale or lease of real estate, including his or her own, licensed activities, or the hiring of any licensee under this Act. The broker's business name in the case of a franchise shall include the franchise affiliation as well as the name of the individual firm.

"Board" means the Real Estate Administration and Disciplinary Board of the Department as created by Section 25-10 of this Act.

"Branch office" means a sponsoring broker's office other than the sponsoring broker's principal office.

"Broker" means an individual, partnership, limited liability company, corporation, or registered limited liability partnership other than a real estate salesperson or leasing agent who, whether in person or through any media or technology, for another and for compensation, or with the intention or expectation of receiving compensation, either directly or indirectly:

(1) Sells, exchanges, purchases, rents, or leases real estate.
(2) Offers to sell, exchange, purchase, rent, or lease real estate.
(3) Negotiates, offers, attempts, or agrees to negotiate the sale, exchange, purchase, rental, or leasing of real estate.
(4) Lists, offers, attempts, or agrees to list real estate for sale, lease, or exchange.
(5) Buys, sells, offers to buy or sell, or otherwise deals in options on real estate or improvements thereon.
(6) Supervises the collection, offer, attempt, or agreement to collect rent for the use of real estate.
(7) Advertises or represents himself or herself as being engaged in the business of buying, selling, exchanging, renting, or leasing real estate.
(8) Assists or directs in procuring or referring of leads or prospects, intended to result in the sale, exchange, lease, or rental of real estate.
(9) Assists or directs in the negotiation of any transaction intended to result in the sale, exchange, lease, or rental of real estate.
(10) Opens real estate to the public for marketing purposes.
(11) Sells, leases, or offers for sale or lease real estate at auction.

(12) Prepares or provides a broker price opinion or comparative market analysis as those terms are defined in this Act, pursuant to the provisions of Section 10-45 of this Act.

New matter indicated by italics - deletions by strikeout
"Brokerage agreement" means a written or oral agreement between a sponsoring broker and a consumer for licensed activities to be provided to a consumer in return for compensation or the right to receive compensation from another. Brokerage agreements may constitute either a bilateral or a unilateral agreement between the broker and the broker's client depending upon the content of the brokerage agreement. All exclusive brokerage agreements shall be in writing.

"Broker price opinion" means an estimate or analysis of the probable selling price of a particular interest in real estate, which may provide a varying level of detail about the property's condition, market, and neighborhood and information on comparable sales. The activities of a real estate broker or managing broker engaging in the ordinary course of business as a broker, as defined in this Section, shall not be considered a broker price opinion if no compensation is paid to the broker or managing broker, other than compensation based upon the sale or rental of real estate.

"Client" means a person who is being represented by a licensee.

"Comparative market analysis" is an analysis or opinion regarding pricing, marketing, or financial aspects relating to a specified interest or interests in real estate that may be based upon an analysis of comparative market data, the expertise of the real estate broker or managing broker, and such other factors as the broker or managing broker may deem appropriate in developing or preparing such analysis or opinion. The activities of a real estate broker or managing broker engaging in the ordinary course of business as a broker, as defined in this Section, shall not be considered a comparative market analysis if no compensation is paid to the broker or managing broker, other than compensation based upon the sale or rental of real estate.

"Compensation" means the valuable consideration given by one person or entity to another person or entity in exchange for the performance of some activity or service. Compensation shall include the transfer of valuable consideration, including without limitation the following:

1. commissions;
2. referral fees;
3. bonuses;
4. prizes;
5. merchandise;
6. finder fees;
7. performance of services;
8. coupons or gift certificates;

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(9) discounts;
(10) rebates;
(11) a chance to win a raffle, drawing, lottery, or similar game of chance not prohibited by any other law or statute;
(12) retainer fee; or
(13) salary.

"Confidential information" means information obtained by a licensee from a client during the term of a brokerage agreement that (i) was made confidential by the written request or written instruction of the client, (ii) deals with the negotiating position of the client, or (iii) is information the disclosure of which could materially harm the negotiating position of the client, unless at any time:

(1) the client permits the disclosure of information given by that client by word or conduct;
(2) the disclosure is required by law; or
(3) the information becomes public from a source other than the licensee.

"Confidential information" shall not be considered to include material information about the physical condition of the property.

"Consumer" means a person or entity seeking or receiving licensed activities.

"Continuing education school" means any person licensed by the Department as a school for continuing education in accordance with Section 30-15 of this Act.

"Coordinator" means the Coordinator of Real Estate created in Section 25-15 of this Act.

"Credit hour" means 50 minutes of classroom instruction in course work that meets the requirements set forth in rules adopted by the Department.

"Customer" means a consumer who is not being represented by the licensee but for whom the licensee is performing ministerial acts.

"Department" means the Department of Financial and Professional Regulation.

"Designated agency" means a contractual relationship between a sponsoring broker and a client under Section 15-50 of this Act in which one or more licensees associated with or employed by the broker are designated as agent of the client.
"Designated agent" means a sponsored licensee named by a sponsoring broker as the legal agent of a client, as provided for in Section 15-50 of this Act.

"Dual agency" means an agency relationship in which a licensee is representing both buyer and seller or both landlord and tenant in the same transaction. When the agency relationship is a designated agency, the question of whether there is a dual agency shall be determined by the agency relationships of the designated agent of the parties and not of the sponsoring broker.

"Employee" or other derivative of the word "employee", when used to refer to, describe, or delineate the relationship between a real estate broker and a real estate salesperson, another real estate broker, or a leasing agent, shall be construed to include an independent contractor relationship, provided that a written agreement exists that clearly establishes and states the relationship. All responsibilities of a broker shall remain.

"Escrow moneys" means all moneys, promissory notes or any other type or manner of legal tender or financial consideration deposited with any person for the benefit of the parties to the transaction. A transaction exists once an agreement has been reached and an accepted real estate contract signed or lease agreed to by the parties. Escrow moneys includes without limitation earnest moneys and security deposits, except those security deposits in which the person holding the security deposit is also the sole owner of the property being leased and for which the security deposit is being held.

"Electronic means of proctoring" means a methodology providing assurance that the person taking a test and completing the answers to questions is the person seeking licensure or credit for continuing education and is doing so without the aid of a third party or other device.

"Exclusive brokerage agreement" means a written brokerage agreement that provides that the sponsoring broker has the sole right, through one or more sponsored licensees, to act as the exclusive designated agent or representative of the client and that meets the requirements of Section 15-75 of this Act.

"Inoperative" means a status of licensure where the licensee holds a current license under this Act, but the licensee is prohibited from engaging in licensed activities because the licensee is unsponsored or the license of the sponsoring broker with whom the licensee is associated or by whom he or she is employed is currently expired, revoked, suspended, or otherwise rendered invalid under this Act.

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"Interactive delivery method" means delivery of a course by an instructor through a medium allowing for 2-way communication between the instructor and a student in which either can initiate or respond to questions.

"Leads" means the name or names of a potential buyer, seller, lessor, lessee, or client of a licensee.

"Leasing Agent" means a person who is employed by a real estate broker to engage in licensed activities limited to leasing residential real estate who has obtained a license as provided for in Section 5-5 of this Act.

"License" means the document issued by the Department certifying that the person named thereon has fulfilled all requirements prerequisite to licensure under this Act.

"Licensed activities" means those activities listed in the definition of "broker" under this Section.

"Licensee" means any person, as defined in this Section, who holds a valid unexpired license as a real estate broker, real estate salesperson, or leasing agent.

"Listing presentation" means a communication between a real estate broker or salesperson and a consumer in which the licensee is attempting to secure a brokerage agreement with the consumer to market the consumer's real estate for sale or lease.

"Managing broker" means a broker who has supervisory responsibilities for licensees in one or, in the case of a multi-office company, more than one office and who has been appointed as such by the sponsoring broker.

"Medium of advertising" means any method of communication intended to influence the general public to use or purchase a particular good or service or real estate.

"Ministerial acts" means those acts that a licensee may perform for a consumer that are informative or clerical in nature and do not rise to the level of active representation on behalf of a consumer. Examples of these acts include without limitation (i) responding to phone inquiries by consumers as to the availability and pricing of brokerage services, (ii) responding to phone inquiries from a consumer concerning the price or location of property, (iii) attending an open house and responding to questions about the property from a consumer, (iv) setting an appointment to view property, (v) responding to questions of consumers walking into a licensee's office concerning brokerage services offered or particular properties, (vi) accompanying an appraiser, inspector, contractor, or similar third party on a visit to a property, (vii) describing a property or the property's condition in response to a consumer's
inquiry, (viii) completing business or factual information for a consumer on
an offer or contract to purchase on behalf of a client, (ix) showing a client
through a property being sold by an owner on his or her own behalf, or (x)
referral to another broker or service provider.

"Office" means a real estate broker's place of business where the
general public is invited to transact business and where records may be
maintained and licenses displayed, whether or not it is the broker's principal
place of business.

"Person" means and includes individuals, entities, corporations,
limited liability companies, registered limited liability partnerships, and
partnerships, foreign or domestic, except that when the context otherwise
requires, the term may refer to a single individual or other described entity.

"Personal assistant" means a licensed or unlicensed person who has
been hired for the purpose of aiding or assisting a sponsored licensee in the
performance of the sponsored licensee's job.

"Pocket card" means the card issued by the Department to signify that
the person named on the card is currently licensed under this Act.

"Pre-license school" means a school licensed by the Department
offering courses in subjects related to real estate transactions, including the
subjects upon which an applicant is examined in determining fitness to
receive a license.

"Pre-renewal period" means the period between the date of issue of
a currently valid license and the license's expiration date.

"Proctor" means any person, including, but not limited to, an
instructor, who has a written agreement to administer examinations fairly and
impartially with a licensed pre-license school or a licensed continuing
education school.

"Real estate" means and includes leaseholds as well as any other
interest or estate in land, whether corporeal, incorporeal, freehold, or non-
freehold, including timeshare interests, and whether the real estate is situated
in this State or elsewhere.

"Regular employee" means a person working an average of 20 hours
per week for a person or entity who would be considered as an employee
under the Internal Revenue Service eleven main tests in three categories
being behavioral control, financial control and the type of relationship of the
parties, formerly the twenty factor test.

"Salesperson" means any individual, other than a real estate broker or
leasing agent, who is employed by a real estate broker or is associated by
written agreement with a real estate broker as an independent contractor and

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participates in any activity described in the definition of "broker" under this Section.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation, or a person authorized by the Secretary to act in the Secretary's stead.

"Sponsoring broker" means the broker who has issued a sponsor card to a licensed salesperson, another licensed broker, or a leasing agent.

"Sponsor card" means the temporary permit issued by the sponsoring real estate broker certifying that the real estate broker, real estate salesperson, or leasing agent named thereon is employed by or associated by written agreement with the sponsoring real estate broker, as provided for in Section 5-40 of this Act.

(Source: P.A. 98-531, eff. 8-23-13.)

(225 ILCS 454/5-27)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5-27. Requirements for licensure as a broker.

(a) Every applicant for licensure as a broker must meet the following qualifications:

(1) Be at least 21 years of age. After April 30, 2011, the minimum age of 21 years shall be waived for any person seeking a license as a broker who has attained the age of 18 and can provide evidence of the successful completion of at least 4 semesters of post-secondary school study as a full-time student or the equivalent, with major emphasis on real estate courses, in a school approved by the Department;

(2) Be of good moral character;

(3) Successfully complete a 4-year course of study in a high school or secondary school approved by the Illinois State Board of Education or an equivalent course of study as determined by an examination conducted by the Illinois State Board of Education which shall be verified under oath by the applicant;

(4) Prior to May 1, 2011, provide (i) satisfactory evidence of having completed at least 120 classroom hours, 45 of which shall be those hours required to obtain a salesperson's license plus 15 hours in brokerage administration courses, in real estate courses approved by the Advisory Council or (ii) for applicants who currently hold a valid real estate salesperson's license, give satisfactory evidence of having completed at least 75 hours in real estate courses, not including the
courses that are required to obtain a salesperson's license, approved by the Advisory Council;

(5) After April 30, 2011, provide satisfactory evidence of having completed 90 hours of instruction in real estate courses approved by the Advisory Council, 15 hours of which must consist of situational and case studies presented in the classroom or by other interactive delivery method presenting instruction and real-time discussion between the instructor and the students;

(6) Personally take and pass a written examination authorized by the Department;

(7) Present a valid application for issuance of a license accompanied by a sponsor card and the fees specified by rule.

(b) The requirements specified in items (4) and (5) of subsection (a) of this Section do not apply to applicants who are currently admitted to practice law by the Supreme Court of Illinois and are currently in active standing.

(c) No applicant shall engage in any of the activities covered by this Act until a valid sponsor card has been issued to such applicant. The sponsor card shall be valid for a maximum period of 45 days after the date of issuance unless extended for good cause as provided by rule.

(d) All licenses should be readily available to the public at their place of business.

(e) An individual holding an active license as a managing broker may return the license to the Department along with a form provided by the Department and shall be issued a broker's license in exchange. Any individual obtaining a broker's license under this subsection (e) shall be considered as having obtained a broker's license by education and passing the required test and shall be treated as such in determining compliance with this Act.

(Source: P.A. 98-531, eff. 8-23-13.)

(225 ILCS 454/10-45 new)

Sec. 10-45. Broker price opinions and comparative market analyses.

(a) A broker price opinion or comparative market analysis may be prepared or provided by a real estate broker or managing broker for any of the following:

(1) an existing or potential buyer or seller of an interest in real estate;

(2) an existing or potential lessor or lessee of an interest in real estate;

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(3) a third party making decisions or performing due diligence related to the potential listing, offering, sale, option, lease, or acquisition price of an interest in real estate; or
(4) an existing or potential lienholder or other third party for any purpose other than as the primary basis to determine the market value of an interest in real estate for the purpose of a mortgage loan origination by a financial institution secured by such real estate.

(b) A broker price opinion or comparative market analysis shall be in writing either on paper or electronically and shall include the following provisions:

(1) a statement of the intended purpose of the broker price opinion or comparative market analysis;
(2) a brief description of the interest in real estate that is the subject of the broker price opinion or comparative market analysis;
(3) a brief description of the methodology used to develop the broker price opinion or comparative market analysis;
(4) any assumptions or limiting conditions;
(5) a disclosure of any existing or contemplated interest of the broker or managing broker in the interest in real estate that is the subject of the broker price opinion or comparative market analysis;
(6) the name, license number, and signature of the broker or managing broker that developed the broker price opinion or comparative market analysis;
(7) a statement in substantially the following form:
"This is a broker price opinion/comparative market analysis, not an appraisal of the market value of the real estate, and was prepared by a licensed real estate broker or managing broker, not by a State certified real estate appraiser."; and

(8) such other items as the broker or managing broker may deem appropriate.

(225 ILCS 454/25-10)
(Section scheduled to be repealed on January 1, 2020)

Sec. 25-10. Real Estate Administration and Disciplinary Board; duties. There is created the Real Estate Administration and Disciplinary Board. The Board shall be composed of 9 persons appointed by the Governor. Members shall be appointed to the Board subject to the following conditions:

(1) All members shall have been residents and citizens of this State for at least 6 years prior to the date of appointment.

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(2) Six members shall have been actively engaged as brokers or salespersons or both for at least the 10 years prior to the appointment.

(3) Three members of the Board shall be public members who represent consumer interests.

None of these members shall be (i) a person who is licensed under this Act or a similar Act of another jurisdiction, (ii) the spouse or family member of a licensee, (iii) a person who has an ownership interest in a real estate brokerage business, or (iv) a person the Department determines to have any other connection with a real estate brokerage business or a licensee. The members' terms shall be 4 years or until their successor is appointed, and the expiration of their terms shall be staggered. Appointments to fill vacancies shall be for the unexpired portion of the term. No member shall be reappointed to the Board for a term that would cause his or her service on the Board to be longer than 12 years in a lifetime. The membership of the Board should reasonably reflect the geographic distribution of the licensee population in this State. In making the appointments, the Governor shall give due consideration to the recommendations by members and organizations of the profession. The Governor may terminate the appointment of any member for cause that in the opinion of the Governor reasonably justifies the termination. Cause for termination shall include without limitation misconduct, incapacity, neglect of duty, or missing 4 board meetings during any one calendar year. Each member of the Board may receive a per diem stipend in an amount to be determined by the Secretary. Each member shall be paid his or her necessary expenses while engaged in the performance of his or her duties. Such compensation and expenses shall be paid out of the Real Estate License Administration Fund. The Secretary shall consider the recommendations of the Board on questions involving standards of professional conduct, discipline, and examination of candidates under this Act. The Department, after notifying and considering the recommendations of the Board, if any, may issue rules, consistent with the provisions of this Act, for the administration and enforcement thereof and may prescribe forms that shall be used in connection therewith. Five Board members shall constitute a quorum. A quorum is required for all Board decisions.

(Source: P.A. 96-856, eff. 12-31-09.)

Section 10. The Real Estate Appraiser Licensing Act of 2002 is amended by changing Sections 1-5, 1-10, 5-5, 5-10, 5-15, 5-20, 5-30, 5-35, 5-40, 5-50, 10-5, 15-10, 20-5, 20-10, 25-10, and 25-15 and by adding Section 5-22 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 1-5. Legislative intent. The intent of the General Assembly in enacting this Act is to evaluate the competency of persons engaged in the appraisal of real estate in connection with a federally related transaction and to license and regulate those persons for the protection of the public. Additionally, it is the intent of the General Assembly for this Act to be consistent with the provisions of Title XI of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989.

(Source: P.A. 92-180, eff. 7-1-02.)

Sec. 1-10. Definitions. As used in this Act, unless the context otherwise requires:

"Accredited college or university, junior college, or community college" means a college or university, junior college, or community college that is approved or accredited by the Board of Higher Education, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Applicant" means person who applies to the Department for a license under this Act.

"Appraisal" means (noun) the act or process of developing an opinion of value; an opinion of value (adjective) of or pertaining to appraising and related functions, such as appraisal practice or appraisal services.

"Appraisal assignment" means a valuation service provided as a consequence of an agreement between an appraiser and a client.

"Appraisal consulting" means the act or process of developing an analysis, recommendation, or opinion to solve a problem, where an opinion of value is a component of the analysis leading to the assignment results.

"Appraisal firm" means an appraisal entity that is 100% owned and controlled by a person or persons licensed in Illinois as a certified general real estate appraiser or a certified residential real estate appraiser. "Appraisal firm" does not include an appraisal management company.
"Appraisal management company" means any corporation, limited liability company, partnership, sole proprietorship, subsidiary, unit, or other business entity that directly or indirectly performs the following appraisal management services: (1) administers networks of independent contractors or employee appraisers to perform real estate appraisal assignments for clients; (2) receives requests for real estate appraisal services from clients and, for a fee paid by the client, enters into an agreement with one or more independent appraisers to perform the real estate appraisal services contained in the request; or (3) otherwise serves as a third-party broker of appraisal management services between clients and appraisers. "Appraisal management company" does not include an appraisal firm.

"Appraisal practice" means valuation services performed by an individual acting as an appraiser, including, but not limited to, appraisal, appraisal review, or appraisal consulting.

"Appraisal report" means any communication, written or oral, of an appraisal or appraisal review, or appraisal consulting service that is transmitted to a client upon completion of an assignment.

"Appraisal review" means the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal, appraisal review, or appraisal assignment.

"Appraisal Subcommittee" means the Appraisal Subcommittee of the Federal Financial Institutions Examination Council as established by Title XI.

"Appraiser" means a person who performs real estate or real property appraisals.

"AQB" means the Appraisal Qualifications Board of the Appraisal Foundation.

"Associate real estate trainee appraiser" means an entry-level appraiser who holds a license of this classification under this Act with restrictions as to the scope of practice in accordance with this Act.

"Board" means the Real Estate Appraisal Administration and Disciplinary Board.

"Broker price opinion" means an estimate or analysis of the probable selling price of a particular interest in real estate, which may provide a varying level of detail about the property's condition, market, and neighborhood and information on comparable sales. The activities of a real estate broker or managing broker engaging in the ordinary course of business as a broker, as defined in this Section, shall not be considered a
broker price opinion if no compensation is paid to the broker or managing broker, other than compensation based upon the sale or rental of real estate.

"Classroom hour" means 50 minutes of instruction out of each 60 minute segment of coursework.

"Client" means the party or parties who engage an appraiser by employment or contract in a specific appraisal assignment.

"Comparative market analysis" is an analysis or opinion regarding pricing, marketing, or financial aspects relating to a specified interest or interests in real estate that may be based upon an analysis of comparative market data, the expertise of the real estate broker or managing broker, and such other factors as the broker or managing broker may deem appropriate in developing or preparing such analysis or opinion. The activities of a real estate broker or managing broker engaging in the ordinary course of business as a broker, as defined in this Section, shall not be considered a comparative market analysis if no compensation is paid to the broker or managing broker, other than compensation based upon the sale or rental of real estate.

"Coordinator" means the Coordinator of Real Estate Appraisal of the Division of Professional Regulation of the Department of Financial and Professional Regulation.

"Department" means the Department of Financial and Professional Regulation.

"Federal financial institutions regulatory agencies" means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Consumer Financial Protection Bureau, the Office of Thrift Supervision, and the National Credit Union Administration.

"Federally related transaction" means any real estate-related financial transaction in which a federal financial institutions regulatory agency, the Department of Housing and Urban Development, Fannie Mae, Freddie Mac, or the National Credit Union Administration engages in, contracts for, or regulates and requires the services of an appraiser.

"Financial institution" means any bank, savings bank, savings and loan association, credit union, mortgage broker, mortgage banker, licensee under the Consumer Installment Loan Act or the Sales Finance Agency Act, or a corporate fiduciary, subsidiary, affiliate, parent company, or holding company of any such licensee, or any institution involved in real estate financing that is regulated by state or federal law.

New matter indicated by italics - deletions by strikeout
"Modular Course" means the Appraisal Qualifying Course Design conforming to the Sub Topics Course Outline contained in the AQB Criteria 2008.

"Person" means an individual, entity, sole proprietorship, corporation, limited liability company, partnership, and joint venture, foreign or domestic, except that when the context otherwise requires, the term may refer to more than one individual or other described entity.

"Real estate" means an identified parcel or tract of land, including any improvements.

"Real estate related financial transaction" means any transaction involving:

(1) the sale, lease, purchase, investment in, or exchange of real property, including interests in property or the financing thereof;

(2) the refinancing of real property or interests in real property; and

(3) the use of real property or interest in property as security for a loan or investment, including mortgage backed securities.

"Real property" means the interests, benefits, and rights inherent in the ownership of real estate.

"Secretary" means the Secretary of Financial and Professional Regulation.

"State certified general real estate appraiser" means an appraiser who holds a license of this classification under this Act and such classification applies to the appraisal of all types of real property without restrictions as to the scope of practice.

"State certified residential real estate appraiser" means an appraiser who holds a license of this classification under this Act and such classification applies to the appraisal of one to 4 units of residential real property without regard to transaction value or complexity, but with restrictions as to the scope of practice in a federally related transaction in accordance with Title XI, the provisions of USPAP, criteria established by the AQB, and further defined by rule.

"Supervising appraiser" means either (i) an appraiser who holds a valid license under this Act as either a State certified general real estate appraiser or a State certified residential real estate appraiser, who co-signs an appraisal report for an associate real estate trainee appraiser or (ii) a State certified general real estate appraiser who holds a valid license under this Act who co-signs an appraisal report for a State certified residential real estate appraiser.

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appraiser on properties other than one to 4 units of residential real property without regard to transaction value or complexity.

"Title XI" means Title XI of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989.

"USPAP" means the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board pursuant to Title XI and by rule.

"Valuation services" means services pertaining to aspects of property value.

(Source: P.A. 96-844, eff. 12-23-09; 97-602, eff. 8-26-11.)

(225 ILCS 458/5-5)

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

Sec. 5-5. Necessity of license; use of title; exemptions.

(a) It is unlawful for a person to (i) act, offer services, or advertise services as a State certified general real estate appraiser, State certified residential real estate appraiser, or associate real estate trainee appraiser, (ii) develop a real estate appraisal, (iii) practice as a real estate appraiser, or (iv) advertise or hold himself or herself out to be a real estate appraiser without a license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(a-5) It is unlawful for a person, unless registered as an appraisal management company, to solicit clients or enter into an appraisal engagement with clients without either a certified residential real estate appraiser license or a certified general real estate appraiser license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(b) It is unlawful for a person, other than a person who holds a valid license issued pursuant to this Act as a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser to use these titles or any other title, designation, or abbreviation likely to create the impression that the person is licensed as a real estate appraiser pursuant to this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(c) This Act does not apply to a person who holds a valid license as a real estate broker or managing broker pursuant to the Real Estate License Act of 2000 who prepares or provides a broker price opinion or comparative market analysis in compliance with Section 10-45 of the Real Estate License Act.

New matter indicated by italics - deletions by strikeout
Act of 2000. The licensing requirements of this Act do not require a person who holds a valid license pursuant to the Real Estate License Act of 2000, to be licensed as a real estate appraiser under this Act, unless that person is providing or attempting to provide an appraisal report, as defined in Section 1-10 of this Act, in connection with a federally-related transaction. Nothing in this Act shall prohibit a person who holds a valid license under the Real Estate License Act of 2000 from performing a comparative market analysis or broker price opinion for compensation, provided that the person does not hold himself out as being a licensed real estate appraiser.

(d) Nothing in this Act shall preclude a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser from rendering appraisals for or on behalf of a partnership, association, corporation, firm, or group. However, no State appraisal license or certification shall be issued under this Act to a partnership, association, corporation, firm, or group.

(e) This Act does not apply to a county assessor, township assessor, multi-township assessor, county supervisor of assessments, or any deputy or employee of any county assessor, township assessor, multi-township assessor, or county supervisor of assessments who is performing his or her respective duties in accordance with the provisions of the Property Tax Code.

(e-5) For the purposes of this Act, valuation waivers may be prepared by a licensed appraiser notwithstanding any other provision of this Act, and the following types of valuations are not appraisals and may not be represented to be appraisals, and a license is not required under this Act to perform such valuations if the valuations are performed by (1) an employee of the Illinois Department of Transportation who has completed a minimum of 45 hours of course work in real estate appraisal, including the principals of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal for federal aid highway programs, and appraisal review for federal aid highway programs and has at least 2 years' experience in a field closely related to real estate or (2) a county engineer who is a registered professional engineer under the Professional Engineering Practice Act of 1989, under the following circumstances:

(A) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations and which is performed by an employee of the Illinois Department of

New matter indicated by italics - deletions by strikeout
Transportation and co-signed, with a license number affixed, by another employee of the Illinois Department of Transportation who is a registered professional engineer under the Professional Engineering Practice Act of 1989; and

(B) a valuation waiver in an amount not to exceed $10,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations and which is performed by a county engineer who is employed by a county and is a registered professional engineer under the Professional Engineering Practice Act of 1989. In addition to his or her signature, the county engineer shall affix his or her license number to the valuation.

Nothing in this subsection (e-5) shall be construed to allow the State of Illinois, a political subdivision thereof, or any public body to acquire real estate by eminent domain in any manner other than provided for in the Eminent Domain Act.

(f) A State real estate appraisal certification or license is not required under this Act for any of the following:

(1) A person, partnership, association, or corporation that performs appraisals of property owned by that person, partnership, association, or corporation for the sole use of that person, partnership, association, or corporation.

(2) A court-appointed commissioner who conducts an appraisal pursuant to a judicially ordered evaluation of property.

However, any person who is certified or licensed under this Act and who performs any of the activities set forth in this subsection (f) must comply with the provisions of this Act. A person who violates this subsection (f) is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(g) This Act does not apply to an employee, officer, director, or member of a credit or loan committee of a financial institution or any other person engaged by a financial institution when performing an evaluation of real property for the sole use of the financial institution in a transaction for which the financial institution would not be required to use the services of a State licensed or State certified appraiser pursuant to federal regulations adopted under Title XI of the federal Financial Institutions Reform,
Recovery, and Enforcement Act of 1989, nor does this Act apply to the procurement of an automated valuation model.

"Automated valuation model" means an automated system that is used to derive a property value through the use of publicly available property records and various analytic methodologies such as comparable sales prices, home characteristics, and historical home price appreciations.

(Source: P.A. 97-602, eff. 8-26-11; 98-444, eff. 8-16-13.)

(225 ILCS 458/5-10)
(Section scheduled to be repealed on January 1, 2022)

Sec. 5-10. Application for State certified general real estate appraiser.
(a) Every person who desires to obtain a State certified general real estate appraiser license shall:
(1) apply to the Department on forms provided by the Department accompanied by the required fee;
(2) be at least 18 years of age;
(3) (blank);
(4) personally take and pass an examination authorized by the Department and endorsed by the AQB;
(5) prior to taking the examination, provide evidence to the Department, in Modular Course format, with each module conforming to the Required Core Curriculum for Real Property Appraiser Qualification Criteria established and adopted by the AQB, that he or she has successfully completed the prerequisite classroom hours of instruction in appraising as established by the AQB and by rule; and
(6) prior to taking the examination, provide evidence to the Department that he or she has successfully completed the prerequisite experience and educational requirements in appraising as established by AQB and by rule.
(b) Applicants must provide evidence to the Department of (i) holding a Bachelor's degree or higher from an accredited college or university or (ii) successfully passing 30 semester credit hours or the equivalent from an accredited college or university, junior college, or community college in the following subjects:
(1) English composition;
(2) micro economics;
(3) macro economics;
(4) finance;
(5) algebra, geometry, or higher mathematics;

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(6) statistics;
(7) introduction to computers—word processing and spreadsheets;
(8) business or real estate law; and
(9) two elective courses in accounting, geography, agricultural economics, business management, or real estate.

If an accredited college or university accepts the College-Level Examination Program (CLEP) examinations and issues a transcript for the exam showing its approval, it will be considered credit for the college course for the purposes of meeting the requirements of this subsection (b).

(Source: P.A. 96-844, eff. 12-23-09; 96-1000, eff. 7-2-10.)

(225 ILCS 458/5-15)
(Section scheduled to be repealed on January 1, 2022)

Sec. 5-15. Application for State certified residential real estate appraiser.

(a) Every person who desires to obtain a State certified residential real estate appraiser license shall:

(1) apply to the Department on forms provided by the Department accompanied by the required fee;
(2) be at least 18 years of age;
(3) (blank);
(4) personally take and pass an examination authorized by the Department and endorsed by the AQB;
(5) prior to taking the examination, provide evidence to the Department, in Modular Course format, with each module conforming to the Required Core Curriculum Real Property Appraiser Qualification Criteria established and adopted by the AQB, that he or she has successfully completed the prerequisite classroom hours of instruction in appraising as established by the AQB and by rule; and
(6) prior to taking the examination, provide evidence to the Department that he or she has successfully completed the prerequisite experience and educational requirements as established by AQB and by rule.

(b) Applicants must provide evidence to the Department of (i) holding an Associate's degree or its equivalent from an accredited college or university, junior college, or community college or (ii) successfully passing 21 semester credit hours or the equivalent from an accredited college or university, junior college, or community college in the following subjects:

New matter indicated by italics - deletions by strikeout
(1) English composition;
(2) principals of economics (micro or macro);
(3) finance;
(4) algebra, geometry, or higher mathematics;
(5) statistics;
(6) introduction to computers—word processing and spreadsheets; and
(7) business or real estate law.

If an accredited college or university accepts the College-Level Examination Program (CLEP) examinations and issues a transcript for the exam showing its approval, it will be considered credit for the college course for the purposes of the requirements of this subsection (b):

(Source: P.A. 96-844, eff. 12-23-09.)

Sec. 5-20. Application for associate real estate trainee appraiser.

Every person who desires to obtain an associate real estate trainee appraiser license shall:

(1) apply to the Department on forms provided by the Department accompanied by the required fee;
(2) be at least 18 years of age;
(3) provide evidence of having attained a high school diploma or completed an equivalent course of study as determined by an examination conducted or accepted by the Illinois State Board of Education;
(4) personally take and pass an examination authorized by the Department; and
(5) prior to taking the examination, provide evidence to the Department that he or she has successfully completed the prerequisite qualifying and any conditional education requirements classroom hours of instruction in appraising as established by rule.

(Source: P.A. 96-844, eff. 12-23-09.)

Sec. 5-22. Criminal history records check. Each applicant for licensure by examination or restoration shall have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Department of State Police. These fingerprints shall be checked against the Department of State Police

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and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall charge applicants a fee for conducting the criminal history records check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department. The Department may require applicants to pay a separate fingerprinting fee, either to the Department or to a vendor. The Department may adopt any rules necessary to implement this Section.

(225 ILCS 458/5-30)
(Section scheduled to be repealed on January 1, 2022)
Sec. 5-30. Endorsement. The Department may issue an appraiser license, without the required examination, to an applicant licensed by another state, territory, possession of the United States, or the District of Columbia, if (i) the licensing requirements of that licensing authority are, on the date of licensure, substantially equal to the requirements set forth under this Act or to a person who, at the time of his or her application, possessed individual qualifications that were substantially equivalent to the requirements of this Act or (ii) the applicant provides the Department with evidence of good standing from the Appraisal Subcommittee National Registry report and a criminal history records check in accordance with Section 5-22. An applicant under this Section shall pay all of the required fees.
(Source: P.A. 96-844, eff. 12-23-09.)

(225 ILCS 458/5-35)
(Section scheduled to be repealed on January 1, 2022)
Sec. 5-35. Qualifying Pre-license education requirements.
(a) The prerequisite classroom hours necessary for a person to be approved to sit for the examination for licensure as a State certified general real estate appraiser or a State certified residential real estate appraiser shall be in accordance with AQB criteria and established by rule.
(b) The prerequisite classroom hours necessary for a person to sit for the examination for licensure as an associate real estate trainee appraiser shall be established by rule.
(Source: P.A. 96-844, eff. 12-23-09.)

(225 ILCS 458/5-40)
(Section scheduled to be repealed on January 1, 2022)
Sec. 5-40. Qualifying Pre-license experience requirements. The prerequisite experience necessary for a person to be approved to sit for the

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examination for licensure as a State certified general real estate appraiser or a State certified residential real estate appraiser shall be established by rule.
(Source: P.A. 96-844, eff. 12-23-09.)
(225 ILCS 458/5-50)
(Section scheduled to be repealed on January 1, 2022)
Sec. 5-50. Temporary practice permits. A nonresident appraiser who holds a valid appraiser license in another state, territory, possession of the United States, or the District of Columbia may be granted a temporary practice permit to practice as an appraiser in the State of Illinois upon making an application and paying the applicable fees pursuant to Appraisal Subcommittee policy statements and as established by rule.
(Source: P.A. 92-180, eff. 7-1-02.)
(225 ILCS 458/10-5)
(Section scheduled to be repealed on January 1, 2022)
Sec. 10-5. Scope of practice.
(a) This Act does not limit a State certified general real estate appraiser in his or her scope of practice in a federally related transaction. A certified general real estate appraiser may independently provide appraisal services, review, or consulting relating to any type of property for which he or she has experience or is competent. All such appraisal practice must be made in accordance with the provisions of USPAP, criteria established by the AQB, and rules adopted pursuant to this Act.
(b) A State certified residential real estate appraiser is limited in his or her scope of practice to the provisions of USPAP, criteria established by the AQB, and the rules adopted pursuant to this Act.
(c) A State certified residential real estate appraiser must have a State certified general real estate appraiser who holds a valid license under this Act co-sign all appraisal reports on properties other than one to 4 units of residential real property without regard to transaction value or complexity.
(d) An associate real estate trainee appraiser is limited in his or her scope of practice in all transactions in accordance with the provisions of USPAP, this Act, and the rules adopted pursuant to this Act. In addition, an associate real estate trainee appraiser shall be required to have a State certified general real estate appraiser or State certified residential real estate appraiser who holds a valid license under this Act to co-sign all appraisal reports. An associate real estate trainee appraiser licensee may not have more than 3 supervising appraisers, and a supervising appraiser may not supervise more than 3 associate real estate trainee appraisers at one time. Associate real estate trainee appraisers shall not be limited in the number of
concurrent supervising appraisers. A chronological appraisal log on an approved log form shall be maintained by the associate real estate trainee appraiser and shall be made available to the Department upon request.  
(Source: P.A. 96-844, eff. 12-23-09; 97-602, eff. 8-26-11.)  
(225 ILCS 458/15-10)  
(Section scheduled to be repealed on January 1, 2022)  
Sec. 15-10. Grounds for disciplinary action.  
(a) The Department may suspend, revoke, refuse to issue, renew, or restore a license and may reprimand place on probation or administrative supervision, or take any disciplinary or non-disciplinary action, including imposing conditions limiting the scope, nature, or extent of the real estate appraisal practice of a licensee or reducing the appraisal rank of a licensee, and may impose an administrative fine not to exceed $25,000 for each violation upon a licensee for any one or combination of the following:  
  (1) Procuring or attempting to procure a license by knowingly making a false statement, submitting false information, engaging in any form of fraud or misrepresentation, or refusing to provide complete information in response to a question in an application for licensure.  
  (2) Failing to meet the minimum qualifications for licensure as an appraiser established by this Act.  
  (3) Paying money, other than for the fees provided for by this Act, or anything of value to a member or employee of the Board or the Department to procure licensure under this Act.  
  (4) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony; or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.  
  (5) Committing an act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the licensee or another person or with intent to substantially injure another person as defined by rule.  
  (6) Violating a provision or standard for the development or communication of real estate appraisals as provided in Section 10-10 of this Act or as defined by rule.  

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(7) Failing or refusing without good cause to exercise reasonable diligence in developing, reporting, or communicating an appraisal, as defined by this Act or by rule.

(8) Violating a provision of this Act or the rules adopted pursuant to this Act.

(9) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, a governmental agency, or any other entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or the equivalent of one of the grounds for which a licensee may be disciplined under this Act.

(10) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser reporting a predetermined estimate, analysis, or opinion or when the fee to be paid is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment.

(12) Developing valuation conclusions based on the race, color, religion, sex, national origin, ancestry, age, marital status, family status, physical or mental disability, or unfavorable military discharge, as defined under the Illinois Human Rights Act, of the prospective or present owners or occupants of the area or property under appraisal.

(13) Violating the confidential nature of government records to which the licensee gained access through employment or engagement as an appraiser by a government agency.

(14) Being adjudicated liable in a civil proceeding on grounds of fraud, misrepresentation, or deceit. In a disciplinary proceeding based upon a finding of civil liability, the appraiser shall be afforded an opportunity to present mitigating and extenuating circumstances, but may not collaterally attack the civil adjudication.

(15) Being adjudicated liable in a civil proceeding for violation of a state or federal fair housing law.

(16) Engaging in misleading or untruthful advertising or using a trade name or insignia of membership in a real estate appraisal or real estate organization of which the licensee is not a member.

(17) Failing to fully cooperate with a Department investigation by knowingly making a false statement, submitting false or misleading information, or refusing to provide complete

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information in response to written interrogatories or a written request for documentation within 30 days of the request.

(18) Failing to include within the certificate of appraisal for all written appraisal reports the appraiser's license number and licensure title. All appraisers providing significant contribution to the development and reporting of an appraisal must be disclosed in the appraisal report. It is a violation of this Act for an appraiser to sign a report, transmittal letter, or appraisal certification knowing that a person providing a significant contribution to the report has not been disclosed in the appraisal report.

(19) Violating the terms of a disciplinary order or consent to administrative supervision order.

(20) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a licensee's inability to practice with reasonable judgment, skill, or safety.

(21) A physical or mental illness or disability which results in the inability to practice under this Act with reasonable judgment, skill, or safety.

(22) Gross negligence in developing an appraisal or in communicating an appraisal or failing to observe one or more of the Uniform Standards of Professional Appraisal Practice.

(23) A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

(24) Using or attempting to use the seal, certificate, or license of another as his or her own; falsely impersonating any duly licensed appraiser; using or attempting to use an inactive, expired, suspended, or revoked license; or aiding or abetting any of the foregoing.

(25) Solicitation of professional services by using false, misleading, or deceptive advertising.

(26) Making a material misstatement in furnishing information to the Department.

(27) Failure to furnish information to the Department upon written request.

(b) The Department may reprimand suspend, revoke, or refuse to issue or renew an education provider's license, may reprimand, place on probation, or otherwise discipline an education provider and may suspend or revoke the course approval of any course offered by an education provider.

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and may impose an administrative fine not to exceed $25,000 upon an education provider, for any of the following:

(1) Procuring or attempting to procure licensure by knowingly making a false statement, submitting false information, engaging in any form of fraud or misrepresentation, or refusing to provide complete information in response to a question in an application for licensure.

(2) Failing to comply with the covenants certified to on the application for licensure as an education provider.

(3) Committing an act or omission involving dishonesty, fraud, or misrepresentation or allowing any such act or omission by any employee or contractor under the control of the provider.

(4) Engaging in misleading or untruthful advertising.

(5) Failing to retain competent instructors in accordance with rules adopted under this Act.

(6) Failing to meet the topic or time requirements for course approval as the provider of a qualifying pre-license curriculum course or a continuing education course.

(7) Failing to administer an approved course using the course materials, syllabus, and examinations submitted as the basis of the course approval.

(8) Failing to provide an appropriate classroom environment for presentation of courses, with consideration for student comfort, acoustics, lighting, seating, workspace, and visual aid material.

(9) Failing to maintain student records in compliance with the rules adopted under this Act.

(10) Failing to provide a certificate, transcript, or other student record to the Department or to a student as may be required by rule.

(11) Failing to fully cooperate with an investigation by the Department by knowingly making a false statement, submitting false or misleading information, or refusing to provide complete information in response to written interrogatories or a written request for documentation within 30 days of the request.

(c) In appropriate cases, the Department may resolve a complaint against a licensee through the issuance of a Consent to Administrative Supervision order. A licensee subject to a Consent to Administrative Supervision order shall be considered by the Department as an active licensee in good standing. This order shall not be reported or considered by the Department to be a discipline of the licensee. The records regarding an
investigation and a Consent to Administrative Supervision order shall be considered confidential and shall not be released by the Department except as mandated by law. A complainant shall be notified if his or her complaint has been resolved by a Consent to Administrative Supervision order.
(Source: P.A. 96-844, eff. 12-23-09; 97-602, eff. 8-26-11; 97-877, eff. 8-2-12.)

(225 ILCS 458/20-5)
(Section scheduled to be repealed on January 1, 2022)
Sec. 20-5. Education providers.
(a) Beginning July 1, 2002, only education providers licensed or otherwise approved by the Department may provide the qualifying pre-license and continuing education courses required for licensure under this Act.
(b) A person or entity seeking to be licensed as an education provider under this Act shall provide satisfactory evidence of the following:
   (1) a sound financial base for establishing, promoting, and delivering the necessary courses;
   (2) a sufficient number of qualified instructors;
   (3) adequate support personnel to assist with administrative matters and technical assistance;
   (4) a written policy dealing with procedures for management of grievances and fee refunds;
   (5) a qualified administrator, who is responsible for the administration of the education provider, courses, and the actions of the instructors; and
   (6) any other requirements as provided by rule.
(c) All applicants for an education provider's license shall make initial application to the Department on forms provided by the Department and pay the appropriate fee as provided by rule. The term, expiration date, and renewal of an education provider's license shall be established by rule.
(d) An education provider shall provide each successful course participant with a certificate of completion signed by the school administrator. The format and content of the certificate shall be specified by rule.
(e) All education providers shall provide to the Department a monthly roster of all successful course participants as provided by rule.
(Source: P.A. 96-844, eff. 12-23-09.)
(225 ILCS 458/20-10)
(Section scheduled to be repealed on January 1, 2022)

New matter indicated by italics - deletions by strikeout
Sec. 20-10. Course approval.

(a) Only courses offered by licensed education providers and approved by the Department, courses approved by the AQB, or courses approved by jurisdictions regulated by the Appraisal Subcommittee shall be used to meet the requirements of this Act and rules.

(b) An education provider licensed under this Act may submit courses to the Department for approval. The criteria, requirements, and fees for courses shall be established by rule in accordance with this Act, Title XI, and the criteria established by the AQB.

(c) For each course approved, the Department shall issue a license to the education provider. The term, expiration date, and renewal of a course approval shall be established by rule.

(d) An education provider must use an instructor for each course approved by the Department who (i) holds a valid real estate appraisal license in good standing as a State certified general real estate appraiser or a State certified residential real estate appraiser in Illinois or any other jurisdiction monitored regulated by the Appraisal Subcommittee, (ii) holds a valid teaching certificate issued by the State of Illinois, (iii) is a faculty member in good standing with an accredited college or university or community college, or (iv) is an approved appraisal instructor from an appraisal organization that is a member of the Appraisal Foundation.

(Source: P.A. 96-844, eff. 12-23-09.)

(225 ILCS 458/20-10)

Sec. 25-10. Real Estate Appraisal Administration and Disciplinary Board; appointment.

(a) There is hereby created the Real Estate Appraisal Administration and Disciplinary Board. The Board shall be composed of 10 persons appointed by the Governor, plus the Coordinator of the Real Estate Appraisal Division. Members shall be appointed to the Board subject to the following conditions:

(1) All appointed members shall have been residents and citizens of this State for at least 5 years prior to the date of appointment.

(2) The appointed membership of the Board should reasonably reflect the geographic distribution of the population of the State.

(3) Four appointed members shall have been actively engaged and currently licensed as State certified general real estate appraisers for a period of not less than 5 years.

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(4) Two appointed members shall have been actively engaged and currently licensed as State certified residential real estate appraisers for a period of not less than 5 years.

(5) Two appointed members shall hold a valid license as a real estate broker for at least 10 years prior to the date of the appointment, one of whom shall hold a valid State certified general real estate appraiser license issued under this Act or a predecessor Act for a period of at least 5 years prior to the appointment and one of whom shall hold a valid State certified residential real estate appraiser license issued under this Act or a predecessor Act for a period of at least 5 years prior to the appointment.

(6) One appointed member shall be a representative of a financial institution, as evidenced by his or her employment with a financial institution.

(7) One appointed member shall represent the interests of the general public. This member or his or her spouse shall not be licensed under this Act nor be employed by or have any interest in an appraisal business, appraisal management company, real estate brokerage business, or a financial institution.

In making appointments as provided in paragraphs (3) and (4) of this subsection, the Governor shall give due consideration to recommendations by members and organizations representing the profession.

In making the appointments as provided in paragraph (5) of this subsection, the Governor shall give due consideration to the recommendations by members and organizations representing the real estate industry.

In making the appointment as provided in paragraph (6) of this subsection, the Governor shall give due consideration to the recommendations by members and organizations representing financial institutions.

(b) The term for members of the Board shall be 4 years, and each member shall serve until his or her successor is appointed and qualified. No member shall serve more than 10 years in a lifetime.

(c) The Governor may terminate the appointment of a member for cause that, in the opinion of the Governor, reasonably justifies the termination. Cause for termination may include, without limitation, misconduct, incapacity, neglect of duty, or missing 4 Board meetings during any one calendar year.

New matter indicated by italics - deletions by strikeout
(d) A majority of the Board members shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the Board.

(e) The Board shall meet at least quarterly and may be convened by the Chairperson, Vice-Chairperson, or 3 members of the Board upon 10 days written notice.

(f) The Board shall, annually at the first meeting of the fiscal year, elect a Chairperson and Vice-Chairperson from its members. The Chairperson shall preside over the meetings and shall coordinate with the Coordinator in developing and distributing an agenda for each meeting. In the absence of the Chairperson, the Vice-Chairperson shall preside over the meeting.

(g) The Coordinator of the Real Estate Appraisal Division shall serve as a member of the Board without vote.

(h) The Board shall advise and make recommendations to the Department on the education and experience qualifications of any applicant for initial licensure as a State certified general real estate appraiser or a State certified residential real estate appraiser. The Department shall not make any decisions concerning education or experience qualifications of an applicant for initial licensure as a State certified general real estate appraiser or a State certified residential real estate appraiser without having first received the advice and recommendation of the Board and shall give due consideration to all such advice and recommendations; however, if the Board does not render advice or make a recommendation within a reasonable amount of time, then the Department may render a decision.

(i) Except as provided in Section 15-17 of this Act, the Board shall hear and make recommendations to the Secretary on disciplinary matters that require a formal evidentiary hearing. The Secretary shall give due consideration to the recommendations of the Board involving discipline and questions involving standards of professional conduct of licensees.

(j) The Department shall seek and the Board shall provide recommendations to the Department consistent with the provisions of this Act and for the administration and enforcement of all rules adopted pursuant to this Act. The Department shall give due consideration to such recommendations prior to adopting rules.

(k) The Department shall seek and the Board shall provide recommendations to the Department on the approval of all courses submitted to the Department pursuant to this Act and the rules adopted pursuant to this Act. The Department shall not approve any courses without having first

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received the recommendation of the Board and shall give due consideration to such recommendations prior to approving and licensing courses; however, if the Board does not make a recommendation within a reasonable amount of time, then the Department may approve courses.

(l) Each voting member of the Board shall receive a per diem stipend in an amount to be determined by the Secretary. Each member shall be paid his or her necessary expenses while engaged in the performance of his or her duties.

(m) Members of the Board shall be immune from suit in an action based upon any disciplinary proceedings or other acts performed in good faith as members of the Board.

(n) If the Department disagrees with any advice or recommendation provided by the Board under this Section to the Secretary or the Department, then notice of such disagreement must be provided to the Board by the Department.

(o) Upon resolution adopted at any Board meeting, the exercise of any Board function, power, or duty enumerated in this Section or in subsection (d) of Section 15-10 of this Act may be suspended. The exercise of any suspended function, power, or duty of the Board may be reinstated by a resolution adopted at a subsequent Board meeting. Any resolution adopted pursuant to this Section shall take effect immediately.

(Source: P.A. 96-844, eff. 12-23-09.)

(225 ILCS 458/25-15)

Sec. 25-15. Coordinator of Real Estate Appraisal; appointment; duties. The Secretary shall appoint, subject to the Personnel Code, a Coordinator of Real Estate Appraisal. In appointing the Coordinator, the Secretary shall give due consideration to recommendations made by members, organizations, and associations of the real estate appraisal industry. On or after January 1, 2010, the Coordinator must hold a current, valid State certified general real estate appraiser license. The Coordinator shall not practice a State certified residential real estate appraiser license, which shall be surrendered to the Department during the term of his or her appointment. The Coordinator must take the 30-hour National Instructors Course on Uniform Standards of Professional Appraisal Practice. The Coordinator’s license shall be returned in the same status as it was on the date of surrender, credited with all fees that came due during his or her employment. The Coordinator shall:

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(1) serve as a member of the Real Estate Appraisal Administration and Disciplinary Board without vote;
(2) be the direct liaison between the Department, the profession, and the real estate appraisal industry organizations and associations;
(3) prepare and circulate to licensees such educational and informational material as the Department deems necessary for providing guidance or assistance to licensees;
(4) appoint necessary committees to assist in the performance of the functions and duties of the Department under this Act;
(5) (blank); and
(6) be authorized to investigate and determine the facts of a complaint; the coordinator may interview witnesses, the complainant, and any licensees involved in the alleged matter and make a recommendation as to the findings of fact.

(Source: P.A. 96-844, eff. 12-23-09; 97-602, eff. 8-26-11.)
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1110
(Senate Bill No. 3076)

AN ACT concerning health care.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-600 as follows:

(20 ILCS 2310/2310-600)
Sec. 2310-600. Advance directive information.
(a) The Department of Public Health shall prepare and publish the summary of advance directives law, as in Illinois that is required by the federal Patient Self-Determination Act, and related forms. Publication may be limited to the World Wide Web. The summary required under this subsection (a) must include the Department of Public Health Uniform DNR/POLST form.
(b) The Department of Public Health shall publish Spanish language versions of the following:

New matter indicated by italics - deletions by strikeout
(1) The statutory Living Will Declaration form.
(2) The Illinois Statutory Short Form Power of Attorney for Health Care.
(3) The statutory Declaration of Mental Health Treatment Form.
(4) The summary of advance directives law in Illinois.

Publication may be limited to the World Wide Web.

(b-5) In consultation with a statewide professional organization representing physicians licensed to practice medicine in all its branches, statewide organizations representing nursing homes, registered professional nurses, and emergency medical systems, and a statewide organization representing hospitals, the Department of Public Health shall develop and publish a uniform form for practitioner cardiopulmonary resuscitation (CPR) or life-sustaining treatment physician do-not-resuscitate orders that may be utilized in all settings. The form shall meet the published minimum requirements to nationally be considered a practitioner physician orders for life-sustaining treatment form, or POLST, and may be referred to as the Department of Public Health Uniform DNR/POLST form DNR Advance Directive. This form advance directive does not replace a physician's or other practitioner's authority to make a do-not-resuscitate (DNR) order.

(c) (Blank).

(d) The Department of Public Health shall publish the Department of Public Health Uniform DNR/POLST form reflecting the changes made by this amendatory Act of the 98th General Assembly no later than January 1, 2015.

(Source: P.A. 97-382, eff. 1-1-12.)

Section 10. The Nursing Home Care Act is amended by changing Section 2-104.2 as follows:

(210 ILCS 45/2-104.2) (from Ch. 111 1/2, par. 4152-104.2)

Sec. 2-104.2. Do-Not-Resuscitate Orders and Department of Public Health Uniform DNR/POLST form.

(a) Every facility licensed under this Act shall establish a policy for the implementation of practitioner physician orders concerning cardiopulmonary resuscitation (CPR) or life-sustaining treatment including, but not limited to, limiting resuscitation such as those commonly referred to as "Do-Not-Resuscitate" orders. This policy may only prescribe the format, method of documentation and duration of any practitioner physician orders.
limiting resuscitation. Any orders under this policy shall be honored by the facility. The Department of Public Health Uniform DNR/POLST form under Section 2310-600 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, DNR Advance Directive or a copy of that form or a previous version of the uniform form, Advance Directive shall be honored by the facility.

(b) Within 30 days after admission, new residents who do not have a guardian of the person or an executed power of attorney for health care shall be provided with written notice, in a form and manner provided by rule of the Department, of their right to provide the name of one or more potential health care surrogates that a treating physician should consider in selecting a surrogate to act on the resident's behalf should the resident lose decision-making capacity. The notice shall include a form of declaration that may be utilized by the resident to identify potential health care surrogates or by the facility to document any inability or refusal to make such a declaration. A signed copy of the resident's declaration of a potential health care surrogate or decision to decline to make such a declaration, or documentation by the facility of the resident's inability to make such a declaration, shall be placed in the resident's clinical record and shall satisfy the facility's obligation under this Section. Such a declaration shall be used only for informational purposes in the selection of a surrogate pursuant to the Health Care Surrogate Act. A facility that complies with this Section is not liable to any healthcare provider, resident, or resident's representative or any other person relating to the identification or selection of a surrogate or potential health care surrogate.

(Source: P.A. 96-448, eff. 1-1-10.)

Section 12. The ID/DD Community Care Act is amended by changing Section 2-104.2 as follows:

(210 ILCS 47/2-104.2)

Sec. 2-104.2. Do Not Resuscitate Orders. Every facility licensed under this Act shall establish a policy for the implementation of physician orders limiting resuscitation such as those commonly referred to as "Do Not Resuscitate" orders. This policy may only prescribe the format, method of documentation and duration of any physician orders limiting resuscitation. Any orders under this policy shall be honored by the facility. The Department of Public Health Uniform DNR/POLST DNR Order form or a copy of that form or a previous version of the uniform form shall be honored by the facility.

(Source: P.A. 96-339, eff. 7-1-10.)

New matter indicated by italics - deletions by strikeout
Section 15. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.57 as follows:

(210 ILCS 50/3.57)

Sec. 3.57. Physician do-not-resuscitate orders and Department of Public Health Uniform DNR/POLST form. The Department of Public Health Uniform DNR/POLST form described in Section 2310-600 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, DNR Advance Directive or a copy of that form or a previous version of the uniform form, Advance Directive shall be honored under this Act. (Source: P.A. 94-865, eff. 6-16-06.)

Section 20. The Hospital Licensing Act is amended by changing Section 6.19 as follows:

(210 ILCS 85/6.19)

Sec. 6.19. Do-not-resuscitate orders and Department of Public Health Uniform DNR/POLST form. Every facility licensed under this Act shall establish a policy for the implementation of practitioner physician orders concerning cardiopulmonary resuscitation (CPR) or life-sustaining treatment including, but not limited to, limiting resuscitation, such as those orders commonly referred to as "do-not-resuscitate" orders. This policy may prescribe only the format, method of documentation, and duration of any practitioner physician orders limiting resuscitation. The policy may include forms to be used. Any orders issued under the policy shall be honored by the facility. The Department of Public Health Uniform DNR/POLST form described in Section 2310-600 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, DNR Advance Directive or a copy of that form or a previous version of the uniform form, Advance Directive shall be honored under any policy established under this Section.

(Source: P.A. 94-865, eff. 6-16-06.)

Section 25. The Health Care Surrogate Act is amended by changing Section 65 as follows:

(755 ILCS 40/65)

Sec. 65. Department of Public Health Uniform DNR/POLST form Do-not-resuscitate advance directive forms.

(a) An individual of sound mind and having reached the age of majority or having obtained the status of an emancipated person pursuant to the Emancipation of Minors Act may execute a document (consistent with the Department of Public Health Uniform DNR/POLST form described in Section 2310-600 of the Department of Public Health Powers and Duties Law of the

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Civil Administrative Code of Illinois (DNR Advance Directive) directing that resuscitating efforts shall not be implemented. Such a document may also be executed by an attending health care practitioner or physician. If more than one practitioner shares that responsibility, any of the attending health care practitioners may act under this Section. Notwithstanding the existence of a do-not-resuscitate (DNR) order or Department of Public Health Uniform DNR/POLST form, appropriate organ donation treatment may be applied or continued temporarily in the event of the patient's death, in accordance with subsection (g) of Section 20 of this Act, if the patient is an organ donor.

(a-5) Execution of a Department of Public Health Uniform DNR/POLST form is voluntary; no person can be required to execute either form. A person who has executed a Department of Public Health Uniform DNR/POLST form should review the form annually and when the person's condition changes.

(b) Consent to a Department of Public Health Uniform DNR/POLST form DNR Advance Directive may be obtained from the individual, or from another person at the individual's direction, or from the individual's legal guardian, agent under a power of attorney for health care, or surrogate decision maker, and witnessed by one individual 18 years of age or older, who attests that the individual, other person, guardian, agent, or surrogate (1) has had an opportunity to read the form; and (2) has signed the form or acknowledged his or her signature or mark on the form in the witness's presence.

(b-5) As used in this Section, "attending health care practitioner" means an individual who (1) is an Illinois licensed physician, advanced practice nurse, physician assistant, or licensed resident after completion of one year in a program; (2) is selected by or assigned to the patient; and (3) has primary responsibility for treatment and care of the patient. "POLST" means practitioner orders for life-sustaining treatments.

(c) Nothing in this Section shall be construed to affect the ability of an individual to include instructions in an advance directive, such as a power of attorney for health care. The uniform form DNR Advance Directive may, but need not, be in the form adopted by the Department of Public Health pursuant to Section 2310-600 of the Department of Public Health Powers and Duties Law (20 ILCS 2310/2310-600).

(d) A health care professional or health care provider may presume, in the absence of knowledge to the contrary, that a completed Department of Public Health Uniform DNR/POLST form, DNR Advance Directive or a copy of that form or a previous version of the uniform form, Advance Directive is

New matter indicated by italics - deletions by strikeout
a valid DNR Advance Directive. A health care professional or health care provider, or an employee of a health care professional or health care provider, who in good faith complies with a cardiopulmonary resuscitation (CPR) order, Department of Public Health Uniform DNR/POLST form, or a previous version of the uniform form made in accordance with this Act is not, as a result of that compliance, subject to any criminal or civil liability, except for willful and wanton misconduct, and may not be found to have committed an act of unprofessional conduct.

(e) Nothing in this Section or this amendatory Act of the 94th General Assembly or this amendatory Act of the 98th General Assembly shall be construed to affect the ability of a physician or other practitioner to make a do-not-resuscitate order.

(Source: P.A. 96-765, eff. 1-1-10.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1111
(Senate Bill No. 3109)

AN ACT concerning regulation.

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

Section 5. The Illinois Optometric Practice Act of 1987 is amended by changing Section 15.1 as follows:

(225 ILCS 80/15.1)
(Section scheduled to be repealed on January 1, 2017)
Sec. 15.1. Diagnostic and therapeutic authority.

(a) For purposes of the Act, "ocular pharmaceutical agents" means topical anesthetics, topical mydriatics, topical cycloplegics, topical miotics and mydriatic reversing agents, anti-infective agents, anti-allergy agents, antiglaucoma agents (except oral carbonic anhydrase inhibitors, which may be prescribed only in a quantity sufficient to provide treatment for up to 72 hours), anti-inflammatory agents (except oral steroids), over-the-counter agents, analgesic agents, anti-dry eye agents, and agents for the treatment of hypotrichosis.

New matter indicated by italics - deletions by strikeout
(a-3) In addition to ocular pharmaceutical agents that fall within the categories set forth in subsection (a) of this Section, the Board may add a pharmaceutical agent approved by the FDA or class of agents for the purpose of the diagnosis or treatment of conditions of the eye and adnexa after consideration of the agent's systemic effects, side effects, and the use of the agent within the practice of optometry. The Board shall consider requests for additional agents and make recommendations within 90 days after the receipt of the request.

Within 45 days after the Board's recommendation to the Department of a pharmaceutical agent or class of agents, the Department shall promulgate rules necessary to allow for the prescribing or administering of the pharmaceutical agent or class of agents under this Act.

(a-5) Ocular pharmaceutical agents administered by injection may be used only for the treatment of anaphylaxis.

(a-10) Oral pharmaceutical agents may be prescribed for a child under 5 years of age only in consultation with a physician licensed to practice medicine in all its branches.

(a-15) The authority to prescribe a Schedule III, IV, or V controlled substance shall include only analgesic agents only in a quantity sufficient to provide treatment for up to 72 hours. The prescription of a Schedule II controlled substance is prohibited, except for Dihydrocodeinone (Hydrocodone) with one or more active, non-narcotic ingredients only in a quantity sufficient to provide treatment for up to 72 hours, and only if such formulations of Dihydrocodeinone are reclassified as Schedule II by federal regulation.

(b) A licensed optometrist may remove superficial foreign bodies from the human eye and adnexa and may give orders for patient care to a nurse licensed to practice under Illinois law.

(c) An optometrist's license shall be revoked or suspended by the Department upon recommendation of the Board based upon either of the following causes:

(1) grave or repeated misuse of any ocular pharmaceutical agent; and

(2) the use of any agent or procedure in the course of optometric practice by an optometrist not properly authorized under this Act.

(d) The Secretary of Financial and Professional Regulation shall notify the Director of Public Health as to the categories of ocular pharmaceutical agents permitted for use by an optometrist. The Director of

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Public Health shall in turn notify every licensed pharmacist in the State of the categories of ocular pharmaceutical agents that can be utilized and prescribed by an optometrist.
(Source: P.A. 97-170, eff. 7-22-11.)

Section 10. The Illinois Controlled Substances Act is amended by changing Section 102 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self control with reference to his or her addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient, research subject, or animal (as defined by the Humane Euthanasia in Animal Shelters Act) by:

(1) a practitioner (or, in his or her presence, by his or her authorized agent),

(2) the patient or research subject pursuant to an order, or

(3) a euthanasia technician as defined by the Humane Euthanasia in Animal Shelters Act.

(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, dispenser, prescriber, or practitioner. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes:

(i) 3[beta],17-dihydroxy-5a-androstane,

(ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,

(iii) 5[alpha]-androstan-3,17-dione,

(iv) 1-androstenediol (3[beta],

17[beta]-dihydroxy-5[alpha]-androstan-1-ene),

(v) 1-androstenediol (3[alpha],

17[beta]-dihydroxy-5[alpha]-androstan-1-ene),

(vi) 4-androstenediol

New matter indicated by italics - deletions by strikeout
(3[beta],17[beta]-dihydroxy-androst-4-ene),
(vii) 5-androstenediol
(3[beta],17[beta]-dihydroxy-androst-5-ene),
(viii) 1-androstenedione
([5alpha]-androst-1-en-3,17-dione),
(ix) 4-androstenedione
(androst-4-en-3,17-dione),
(x) 5-androstenedione
(androst-5-en-3,17-dione),
(xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-
hydroxyandrost-4-en-3-one),
(xii) boldenone (17[beta]-hydroxyandrost-
1,4,-diene-3-one),
(xiii) boldione (androsta-1,4-
diene-3,17-dione),
(xiv) calusterone (7[beta],17[alpha]-dimethyl-17
[beta]-hydroxyandrost-4-en-3-one),
(xv) clostebol (4-chloro-17[beta]-
hydroxyandrost-4-en-3-one),
(xvi) dehydrochloromethyltestosterone (4-chloro-
17[beta]-hydroxy-17[alpha]-methyl-
androst-1,4-dien-3-one),
(xvii) desoxymethyltestosterone
(17[alpha]-methyl-5[alpha]
-androst-2-en-17[beta]-ol)(a.k.a., madol),
(xviii) [delta]1-dihydrotestosterone (a.k.a. 
'1-testosterone') (17[beta]-hydroxy-
[5alpha]-androst-1-en-3-one),
(xix) 4-dihydrotestosterone (17[beta]-hydroxy-
androst-3-one),
(xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-
5[alpha]-androstan-3-one),
(xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-
hydroxyestr-4-ene),
(xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-
1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
(xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],
17[beta]-dihydroxyandrost-1,4-dien-3-one),
(xxiv) furazabol (17[alpha]-methyl-17[beta]-

New matter indicated by italics - deletions by strikeout
hydroxyandrostano[2,3-c]-furazan),

(xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one

(xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxy-

androst-4-en-3-one),

(xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-
dihydroxy-estr-4-en-3-one),

(xxviii) mestanolone (17[alpha]-methyl-17[beta]-

hydroxy-5-androstan-3-one),

(xxix) mesterolone (1amethyl-17[beta]-hydroxy-

[5a]-androstan-3-one),

(xxx) methandienone (17[alpha]-methyl-17[beta]-

hydroxyandrost-1,4-dien-3-one),

(xxxi) methandriol (17[alpha]-methyl-3[beta],17[beta]-
dihydroxyandrost-5-ene),

(xxxii) methenolone (1-methyl-17[beta]-hydroxy-

5[alpha]-androst-1-en-3-one),

(xxxiii) 17[alpha]-methyl-3[beta], 17[beta]-
dihydroxy-5a-androstane),

(xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-

-5a-androstane),

(xxxv) 17[alpha]-methyl-3[beta],17[beta]-
dihydroxyandrost-4-ene),

(xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-
methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),

(xxxvii) methylidenolone (17[alpha]-methyl-17[beta]-

hydroxyestra-4,9(10)-dien-3-one),

(xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-

hydroxyestra-4,9-11-trien-3-one),

(xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-

hydroxyandrost-4-en-3-one),

(xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-

hydroxyestr-4-en-3-one),

(xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone

(17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-

androst-1-en-3-one)(a.k.a. '17-[alpha]-methyl-

1-testosterone'),

(xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),

(xliii) 19-nor-4-androstenediol (3[beta], 17[beta]-
dihydroxyestr-4-ene),

New matter indicated by italics - deletions by strikeout
(xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-dihydroxyestr-4-ene),
(xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-dihydroxyestr-5-ene),
(xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-dihydroxyestr-5-ene),
(xlvii) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione),
(xlviii) 19-nor-4-androstenedione (estr-4-en-3,17-dione),
(xlix) 19-nor-5-androstenedione (estr-5-en-3,17-dione),
(l) norbolethone (13[beta], 17a-diethyl-17[beta]-hydroxygon-4-en-3-one),
(li) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one),
(lii) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one),
(liii) normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one),
(liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-2-oxa-5[alpha]-androstan-3-one),
(lv) oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one),
(lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-(5[alpha]-androstan-3-one),
(lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androst-2-eno[3,2-c]-pyrazole),
(lviii) stenbolone (17[beta]-hydroxy-2-methyl-(5[alpha]-androst-1-en-3-one),
(lix) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone),
(lx) testosterone (17[beta]-hydroxyandrost-4-en-3-one),
(lxi) tetrahydrogestrinone (13[beta], 17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one),
(lxii) trenbolone (17[beta]-hydroxyestr-4,9,

New matter indicated by italics - deletions by strikeout
Any person who is otherwise lawfully in possession of an anabolic steroid, or who otherwise lawfully manufactures, distributes, dispenses, delivers, or possesses with intent to deliver an anabolic steroid, which anabolic steroid is expressly intended for and lawfully allowed to be administered through implants to livestock or other nonhuman species, and which is approved by the Secretary of Health and Human Services for such administration, and which the person intends to administer or have administered through such implants, shall not be considered to be in unauthorized possession or to unlawfully manufacture, distribute, dispense, deliver, or possess with intent to deliver such anabolic steroid for purposes of this Act.

(d) "Administration" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.

(d-5) "Clinical Director, Prescription Monitoring Program" means a Department of Human Services administrative employee licensed to either prescribe or dispense controlled substances who shall run the clinical aspects of the Department of Human Services Prescription Monitoring Program and its Prescription Information Library.

(d-10) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if both of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means (i) a drug, substance, or immediate precursor in the Schedules of Article II of this Act or (ii) a drug or other substance, or immediate precursor, designated as a controlled substance by the Department through administrative rule. The term does not include...
distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in the Liquor Control Act of 1934 and the Tobacco Products Tax Act of 1995.

(f-5) "Controlled substance analog" means a substance:
  (1) the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II;
  (2) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II; or
  (3) with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.

(g) "Counterfeit substance" means a controlled substance, which, or the container or labeling of which, without authorization bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of a controlled substance, with or without consideration, whether or not there is an agency relationship.

(i) "Department" means the Illinois Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) or its successor agency.

(j) (Blank).

(k) "Department of Corrections" means the Department of Corrections of the State of Illinois or its successor agency.

(l) "Department of Financial and Professional Regulation" means the Department of Financial and Professional Regulation of the State of Illinois or its successor agency.

(m) "Depressant" means any drug that (i) causes an overall depression of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to alcohol, cannabis and its active principles and their analogs, benzodiazepines and their analogs, barbiturates.
and their analogs, opioids (natural and synthetic) and their analogs, and chloral hydrate and similar sedative hypnotics.

(n) (Blank).

(o) "Director" means the Director of the Illinois State Police or his or her designated agents.

(p) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a prescriber, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

(q) "Dispenser" means a practitioner who dispenses.

(r) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

(s) "Distributor" means a person who distributes.

(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-5) "Euthanasia agency" means an entity certified by the Department of Financial and Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(t-10) "Euthanasia drugs" means Schedule II or Schedule III substances (nonnarcotic controlled substances) that are used by a euthanasia agency for the purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his or her treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein: and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be

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guided by accepted professional standards including, but not limited to the following, in making the judgment:

1. lack of consistency of prescriber-patient relationship,
2. frequency of prescriptions for same drug by one prescriber for large numbers of patients,
3. quantities beyond those normally prescribed,
4. unusual dosages (recognizing that there may be clinical circumstances where more or less than the usual dose may be used legitimately),
5. unusual geographic distances between patient, pharmacist and prescriber,
6. consistent prescribing of habit-forming drugs.

(u-0.5) "Hallucinogen" means a drug that causes markedly altered sensory perception leading to hallucinations of any type.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(u-5) "Illinois State Police" means the State Police of the State of Illinois, or its successor agency.

(v) "Immediate precursor" means a substance:
1. which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;
2. which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and
3. the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is
distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

(a) statements made by the owner or person in control of the substance concerning its nature, use or effect;
(b) statements made to the buyer or recipient that the substance may be resold for profit;
(c) whether the substance is packaged in a manner normally used for the illegal distribution of controlled substances;
(d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.

Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance other than methamphetamine, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a
combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

(1) by an ultimate user, the preparation or compounding of a controlled substance for his or her own use; or

(2) by a practitioner, or his or her authorized agent under his or her supervision, the preparation, compounding, packaging, or labeling of a controlled substance:
   (a) as an incident to his or her administering or dispensing of a controlled substance in the course of his or her professional practice; or
   (b) as an incident to lawful research, teaching or chemical analysis and not for sale.

(z-1) (Blank).

(z-5) "Medication shopping" means the conduct prohibited under subsection (a) of Section 314.5 of this Act.

(z-10) "Mid-level practitioner" means (i) a physician assistant who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches, in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, (ii) an advanced practice nurse who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches or by a podiatric physician, in accordance with Section 65-40 of the Nurse Practice Act, or (iii) an animal euthanasia agency.

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation; however the term "narcotic drug" does not include the isoquinoline alkaloids of opium;

(2) (blank);

(3) opium poppy and poppy straw;
(4) coca leaves, except coca leaves and extracts of coca leaves from which substantially all of the cocaine and ecgonine, and their isomers, derivatives and salts, have been removed;

(5) cocaine, its salts, optical and geometric isomers, and salts of isomers;

(6) ecgonine, its derivatives, their salts, isomers, and salts of isomers;

(7) any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (1) through (6).

(bb) "Nurse" means a registered nurse licensed under the Nurse Practice Act.

(cc) (Blank).

(dd) "Opiate" means any substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.

(ee) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(ee-5) "Oral dosage" means a tablet, capsule, elixir, or solution or other liquid form of medication intended for administration by mouth, but the term does not include a form of medication intended for buccal, sublingual, or transmucosal administration.

(ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.

(gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.

(hh) "Pharmacist" means any person who holds a license or certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act.

(ii-5) "Pharmacy shopping" means the conduct prohibited under subsection (b) of Section 314.5 of this Act.

(ii-10) "Physician" (except when the context otherwise requires) means a person licensed to practice medicine in all of its branches.

(jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

New matter indicated by italics - deletions by strikeout
"Practitioner" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

"Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance; the term does not mean a written prescription that is individually generated by machine or computer in the prescriber's office.

"Prescriber" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician or veterinarian who issues a prescription, a physician assistant who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act and in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act.

"Prescription" means a written, facsimile, or oral order, or an electronic order that complies with applicable federal requirements, of a physician licensed to practice medicine in all its branches, dentist, podiatric physician or veterinarian for any controlled substance, of an optometrist for a Schedule II, III, IV, or V controlled substance in accordance with Section 15.1 of the Illinois Optometric Practice Act of 1987, of a physician assistant for a controlled substance in accordance with Section 303.05, a written delegation, and a written supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, or of an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act when required by law.

"Prescription Information Library" (PIL) means an electronic library that contains reported controlled substance data.
"Prescription Monitoring Program" (PMP) means the entity that collects, tracks, and stores reported data on controlled substances and select drugs pursuant to Section 316.

"Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance other than methamphetamine.

"Registrant" means every person who is required to register under Section 302 of this Act.

"Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

"Secretary" means, as the context requires, either the Secretary of the Department or the Secretary of the Department of Financial and Professional Regulation, and the Secretary's designated agents.

"State" includes the State of Illinois and any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

"Stimulant" means any drug that (i) causes an overall excitation of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to amphetamines and their analogs, methylphenidate and its analogs, cocaine, and phencyclidine and its analogs.

"Ultimate user" means a person who lawfully possesses a controlled substance for his or her own use or for the use of a member of his or her household or for administering to an animal owned by him or her or by a member of his or her household.

(Source: P.A. 97-334, eff. 1-1-12; 98-214, eff. 8-9-13; revised 11-12-13.)
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 11E-105 as follows:
(105 ILCS 5/11E-105)
Sec. 11E-105. Assets, liabilities and bonded indebtedness; tax rate.
(a) Subject to the terms and provisions of subsections (b) and (c) of this Section, whenever a new district is created under any of the provisions of this Article, the outstanding bonded indebtedness shall be treated as provided in this subsection (a) and in Section 19-29 of this Code. The tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Code, and, notwithstanding the creation of any such district, the county clerk or clerks shall annually extend taxes, for each outstanding bond issue against all of the taxable property that was situated within the boundaries of the district, as those boundaries existed at the time of the issuance of the bond issue, regardless of whether the property is still contained in that same district at the time of the extension of the taxes by the county clerk or clerks; provided that, notwithstanding the provisions of Section 19-18 of this Code, upon resolution of the school board, the county clerk must extend taxes to pay the principal of and interest on any general obligation bonds issued by the new district exclusively to refund any bonded indebtedness of a district organized into the new district against all of the taxable property that was situated within the boundaries of the previously existing district as the boundaries existed at the time of the issuance of the bonded indebtedness being refunded; however, (i) the net interest rate on the refunding bonds may not exceed the net interest rate on the refunded bonds, (ii) the final maturity date of the refunding bonds may not extend beyond the final maturity date of the refunded bonds, and (iii) the tax levy to pay the refunding bonds in any levy year may not exceed the tax levy that would have been required to pay the refunded bonds for that levy year. The terms of the proviso are applicable to districts that were created pursuant to a referendum held in November of 2008. The terms of the proviso, other than this sentence, are inoperative after June 30, 2016.
(b) For a unit district formation, whenever a part of a district is included within the boundaries of a newly created unit district, the regional

New matter indicated by italics - deletions by strikeout
superintendent of schools shall cause an accounting to be had between the districts affected by the change in boundaries as provided for in Article 11C of this Code. Whenever the entire territory of 2 or more school districts is organized into a unit district pursuant to a petition filed under this Article, the petition may provide that the entire territory of the new unit district shall assume the bonded indebtedness of the previously existing school districts. In that case, the tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Code, except that the county clerk shall annually extend taxes for each outstanding bond issue against all the taxable property situated in the new unit district as it exists after the organization.

(c)(1) For a high school-unit conversion, unit to dual conversion, or multi-unit conversion, upon the effective date of the change as provided in Section 11E-70 of this Code and subject to the provisions of paragraph (2) of this subsection (c), each newly created elementary district shall receive all of the assets and assume all of the liabilities and obligations of the dissolved unit district forming the boundary of the newly created elementary district.

(2) Notwithstanding the provisions of paragraph (1) of this subsection (c), upon the stipulation of the school board of the school district serving a newly created elementary district for high school purposes and either (i) the school board of the unit district prior to the effective date of its dissolution or (ii) thereafter the school board of the newly created elementary district and with the approval in either case of the regional superintendent of schools of the educational service region in which the territory described in the petition filed under this Article or the greater percentage of equalized assessed valuation of the territory is situated, the assets, liabilities, and obligations of the dissolved unit district may be divided and assumed between and by the newly created elementary district and the school district serving the newly created elementary district for high school purposes, in accordance with the terms and provisions of the stipulation and approval. In this event, the provisions of Section 19-29 shall be applied to determine the debt incurring power of the newly created elementary district and of the school district serving the newly created elementary district for high school purposes.

(3) Without regard to whether the receipt of assets and the assumption of liabilities and obligations of the dissolved unit district is determined pursuant to paragraph (1) or (2) of this subsection (c), the tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7, and, notwithstanding the creation of this new elementary district, the county clerk or clerks shall annually extend taxes for each outstanding bond issue.
against all of the taxable property that was situated within the boundaries of the dissolved unit district as those boundaries existed at the time of the issuance of the bond issue, regardless of whether the property was still contained in that unit district at the time of its dissolution and regardless of whether the property is contained in the newly created elementary district at the time of the extension of the taxes by the county clerk or clerks.
(Source: P.A. 94-1019, eff. 7-10-06.)

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1113
(Senate Bill No. 3228)

AN ACT concerning civil law.

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

Section 5. The Illinois Power of Attorney Act is amended by changing Sections 4-4, 4-5, 4-5.1, 4-10, and 4-12 as follows:

(755 ILCS 45/4-4) (from Ch. 110 1/2, par. 804-4)

Sec. 4-4. Definitions. As used in this Article:

(a) "Attending physician" means the physician who has primary responsibility at the time of reference for the treatment and care of the patient.

(b) "Health care" means any care, treatment, service or procedure to maintain, diagnose, treat or provide for the patient's physical or mental health or personal care.

(c) "Health care agency" means an agency governing any type of health care, anatomical gift, autopsy or disposition of remains for and on behalf of a patient and refers to the power of attorney or other written instrument defining the agency or the agency, itself, as appropriate to the context.

(d) "Health care provider", "health care professional", or "provider" means the attending physician and any other person administering health care to the patient at the time of reference who is licensed, certified, or otherwise authorized or permitted by law to administer health care in the ordinary course of business or the practice of a profession, including any person employed by or acting for any such authorized person.

(e) "Patient" means the principal or, if the agency governs health care for a minor child of the principal, then the child.

New matter indicated by italics - deletions by strikeout
(e-5) "Health care agent" means an individual at least 18 years old designated by the principal to make health care decisions of any type, including, but not limited to, anatomical gift, autopsy, or disposition of remains for and on behalf of the individual. A health care agent is a personal representative under state and federal law. The health care agent has the authority of a personal representative under both state and federal law unless restricted specifically by the health care agency.

(f) (Blank). "Incurable or irreversible condition" means an illness or injury (i) for which there is no reasonable prospect of cure or recovery, (ii) that ultimately will cause the patient's death even if life-sustaining treatment is initiated or continued, (iii) that imposes severe pain or otherwise imposes an inhumane burden on the patient, or (iv) for which initiating or continuing life-sustaining treatment, in light of the patient's medical condition, provides only minimal medical benefit.

(g) (Blank). "Permanent unconsciousness" means a condition that, to a high degree of medical certainty, (i) will last permanently, without improvement, (ii) in which thought, sensation, purposeful action, social interaction, and awareness of self and environment are absent, and (iii) for which initiating or continuing life-sustaining treatment, in light of the patient's medical condition, provides only minimal medical benefit. For the purposes of this definition, "medical benefit" means a chance to cure or reverse a condition:

(h) (Blank). "Terminal condition" means an illness or injury for which there is no reasonable prospect of cure or recovery, death is imminent, and the application of life-sustaining treatment would only prolong the dying process.

(755 ILCS 45/4-5) (from Ch. 110 1/2, par. 804-5)
Sec. 4-5. Limitations on health care agencies. Neither the attending physician nor any other health care provider or health care professional may act as agent under a health care agency; however, a person who is not administering health care to the patient may act as health care agent for the patient even though the person is a physician or otherwise licensed, certified, authorized, or permitted by law to administer health care in the ordinary course of business or the practice of a profession.

(755 ILCS 45/4-5.1)
Sec. 4-5.1. Limitations on who may witness health care agencies.

New matter indicated by italics - deletions by strikeout
(a) Every health care agency shall bear the signature of a witness to the signing of the agency. No witness may be under 18 years of age. None of the following licensed professionals providing services to the principal may serve as a witness to the signing of a health care agency:

1. the attending physician, advanced practice nurse, physician assistant, dentist, podiatric physician, optometrist, or mental health service provider of the principal, or a relative of the physician, advanced practice nurse, physician assistant, dentist, podiatric physician, optometrist, or mental health service provider;

2. an owner, operator, or relative of an owner or operator of a health care facility in which the principal is a patient or resident;

3. a parent, sibling, or descendant, or the spouse of a parent, sibling, or descendant, of either the principal or any agent or successor agent, regardless of whether the relationship is by blood, marriage, or adoption;

4. an agent or successor agent for health care.

(b) The prohibition on the operator of a health care facility from serving as a witness shall extend to directors and executive officers of an operator that is a corporate entity but not other employees of the operator such as, but not limited to, non-owner chaplains or social workers, nurses, and other employees.

(Source: P.A. 96-1195, eff. 7-1-11.)

(755 ILCS 45/4-10) (from Ch. 110 1/2, par. 804-10)

Sec. 4-10. Statutory short form power of attorney for health care.

(a) The form prescribed in this Section (sometimes also referred to in this Act as the "statutory health care power") may be used to grant an agent powers with respect to the principal's own health care; but the statutory health care power is not intended to be exclusive nor to cover delegation of a parent's power to control the health care of a minor child, and no provision of this Article shall be construed to invalidate or bar use by the principal of any other or different form of power of attorney for health care. Nonstatutory health care powers must be executed by the principal, designate the agent and the agent's powers, and comply with the limitations in Section 4-5 of this Article, but they need not be witnessed or conform in any other respect to the statutory health care power.

No specific format is required for the statutory health care power of attorney other than the notice must precede the form. When a power of attorney in substantially the form prescribed in this Section is used, including the "Notice to the Individual Signing the Illinois Statutory Short Form Power of Attorney"
of Attorney for Health Care" (or "Notice" paragraphs) at the beginning of the form on a separate sheet in 14-point type, it shall have the meaning and effect prescribed in this Act. A power of attorney for health care shall be deemed to be in substantially the same format as the statutory form if the explanatory language throughout the form (the language following the designation "NOTE:") is distinguished in some way from the legal paragraphs in the form, such as the use of boldface or other difference in typeface and font or point size, even if the "Notice" paragraphs at the beginning are not on a separate sheet of paper or are not in 14-point type, or if the principal's initials do not appear in the acknowledgement at the end of the "Notice" paragraphs. The statutory health care power may be included in or combined with any other form of power of attorney governing property or other matters.

(b) The Illinois Statutory Short Form Power of Attorney for Health Care shall be substantially as follows:

NOTICE TO THE INDIVIDUAL SIGNING
THE POWER OF ATTORNEY FOR HEALTH CARE

No one can predict when a serious illness or accident might occur. When it does, you may need someone else to speak or make health care decisions for you. If you plan now, you can increase the chances that the medical treatment you get will be the treatment you want.

In Illinois, you can choose someone to be your "health care agent". Your agent is the person you trust to make health care decisions for you if you are unable or do not want to make them yourself. These decisions should be based on your personal values and wishes.

It is important to put your choice of agent in writing. The written form is often called an "advance directive". You may use this form or another form, as long as it meets the legal requirements of Illinois. There are many written and on-line resources to guide you and your loved ones in having a conversation about these issues. You may find it helpful to look at these resources while thinking about and discussing your advance directive.

WHAT ARE THE THINGS I WANT MY HEALTH CARE AGENT TO KNOW?

The selection of your agent should be considered carefully, as your agent will have the ultimate decision making authority once this document goes into effect, in most instances after you are no longer able to make your own decisions. While the goal is for your agent to make decisions in keeping with your preferences and in the majority of circumstances that is what happens, please know that the law does allow your agent to make decisions to direct or refuse health care interventions or withdraw treatment. Your
agent will need to think about conversations you have had, your personality, and how you handled important health care issues in the past. Therefore, it is important to talk with your agent and your family about such things as:

(i) What is most important to you in your life?
(ii) How important is it to you to avoid pain and suffering?
(iii) If you had to choose, is it more important to you to live as long as possible, or to avoid prolonged suffering or disability?
(iv) Would you rather be at home or in a hospital for the last days or weeks of your life?
(v) Do you have religious, spiritual, or cultural beliefs that you want your agent and others to consider?
(vi) Do you wish to make a significant contribution to medical science after your death through organ or whole body donation?
(vii) Do you have an existing advanced directive, such as a living will, that contains your specific wishes about health care that is only delaying your death? If you have another advance directive, make sure to discuss with your agent the directive and the treatment decisions contained within that outline your preferences. Make sure that your agent agrees to honor the wishes expressed in your advance directive.

WHAT KIND OF DECISIONS CAN MY AGENT MAKE?

If there is ever a period of time when your physician determines that you cannot make your own health care decisions, or if you do not want to make your own decisions, some of the decisions your agent could make are to:

(i) talk with physicians and other health care providers about your condition.
(ii) see medical records and approve who else can see them.
(iii) give permission for medical tests, medicines, surgery, or other treatments.
(iv) choose where you receive care and which physicians and others provide it.
(v) decide to accept, withdraw, or decline treatments designed to keep you alive if you are near death or not likely to recover. You may choose to include guidelines and/or restrictions to your agent's authority.
(vi) agree or decline to donate your organs or your whole body if you have not already made this decision yourself. This could include donation for transplant, research, and/or education. You

New matter indicated by italics - deletions by strikeout
should let your agent know whether you are registered as a donor in the First Person Consent registry maintained by the Illinois Secretary of State or whether you have agreed to donate your whole body for medical research and/or education.

(vii) decide what to do with your remains after you have died, if you have not already made plans.

(viii) talk with your other loved ones to help come to a decision (but your designated agent will have the final say over your other loved ones).

Your agent is not automatically responsible for your health care expenses.

WHOM SHOULD I CHOOSE TO BE MY HEALTH CARE AGENT?

You can pick a family member, but you do not have to. Your agent will have the responsibility to make medical treatment decisions, even if other people close to you might urge a different decision. The selection of your agent should be done carefully, as he or she will have ultimate decision-making authority for your treatment decisions once you are no longer able to voice your preferences. Choose a family member, friend, or other person who:

(i) is at least 18 years old;
(ii) knows you well;
(iii) you trust to do what is best for you and is willing to carry out your wishes, even if he or she may not agree with your wishes;
(iv) would be comfortable talking with and questioning your physicians and other health care providers;
(v) would not be too upset to carry out your wishes if you became very sick; and
(vi) can be there for you when you need it and is willing to accept this important role.

WHAT IF MY AGENT IS NOT AVAILABLE OR IS UNWILLING TO MAKE DECISIONS FOR ME?

If the person who is your first choice is unable to carry out this role, then the second agent you chose will make the decisions; if your second agent is not available, then the third agent you chose will make the decisions. The second and third agents are called your successor agents and they function as back-up agents to your first choice agent and may act only one at a time and in the order you list them.

WHAT WILL HAPPEN IF I DO NOT CHOOSE A HEALTH CARE AGENT?
If you become unable to make your own health care decisions and have not named an agent in writing, your physician and other health care providers will ask a family member, friend, or guardian to make decisions for you. In Illinois, a law directs which of these individuals will be consulted. In that law, each of these individuals is called a "surrogate".

There are reasons why you may want to name an agent rather than rely on a surrogate:

(i) The person or people listed by this law may not be who you would want to make decisions for you.
(ii) Some family members or friends might not be able or willing to make decisions as you would want them to.
(iii) Family members and friends may disagree with one another about the best decisions.
(iv) Under some circumstances, a surrogate may not be able to make the same kinds of decisions that an agent can make.

WHAT IF THERE IS NO ONE AVAILABLE WHOM I TRUST TO BE MY AGENT?

In this situation, it is especially important to talk to your physician and other health care providers and create written guidance about what you want or do not want, in case you are ever critically ill and cannot express your own wishes. You can complete a living will. You can also write your wishes down and/or discuss them with your physician or other health care provider and ask him or her to write it down in your chart. You might also want to use written or on-line resources to guide you through this process.

WHAT DO I DO WITH THIS FORM ONCE I COMPLETE IT?

Follow these instructions after you have completed the form:

(i) Sign the form in front of a witness. See the form for a list of who can and cannot witness it.
(ii) Ask the witness to sign it, too.
(iii) There is no need to have the form notarized.
(iv) Give a copy to your agent and to each of your successor agents.
(v) Give another copy to your physician.
(vi) Take a copy with you when you go to the hospital.
(vii) Show it to your family and friends and others who care for you.

WHAT IF I CHANGE MY MIND?

You may change your mind at any time. If you do, tell someone who is at least 18 years old that you have changed your mind, and/or destroy your
document and any copies. If you wish, fill out a new form and make sure everyone you gave the old form to has a copy of the new one, including, but not limited to, your agents and your physicians.

WHAT IF I DO NOT WANT TO USE THIS FORM?

In the event you do not want to use the Illinois statutory form provided here, any document you complete must be executed by you, designate an agent who is over 18 years of age and not prohibited from serving as your agent, and state the agent's powers, but it need not be witnessed or conform in any other respect to the statutory health care power.

If you have questions about the use of any form, you may want to consult your physician, other health care provider, and/or an attorney.

MY POWER OF ATTORNEY FOR HEALTH CARE

THIS POWER OF ATTORNEY REVOKES ALL PREVIOUS POWERS OF ATTORNEY FOR HEALTH CARE. (You must sign this form and a witness must also sign it before it is valid)

My name (Print your full name):..............................
My address:..................................................

I WANT THE FOLLOWING PERSON TO BE MY HEALTH CARE AGENT
(an agent is your personal representative under state and federal law):

(Agent name)..............................................
(Agent address)..............................................
(Agent phone number).........................................

MY AGENT CAN MAKE HEALTH CARE DECISIONS FOR ME, INCLUDING:

(i) Deciding to accept, withdraw or decline treatment for any physical or mental condition of mine, including life-and-death decisions.

(ii) Agreeing to admit me to or discharge me from any hospital, home, or other institution, including a mental health facility.

(iii) Having complete access to my medical and mental health records, and sharing them with others as needed, including after I die.

(iv) Carrying out the plans I have already made, or, if I have not done so, making decisions about my body or remains, including organ, tissue or whole body donation, autopsy, cremation, and burial.

The above grant of power is intended to be as broad as possible so that my agent will have the authority to make any decision I could make to

New matter indicated by italics - deletions by strikeout
obtain or terminate any type of health care, including withdrawal of nutrition and hydration and other life-sustaining measures.

I AUTHORIZE MY AGENT TO (please check any one box):

.... Make decisions for me only when I cannot make them for myself. The physician(s) taking care of me will determine when I lack this ability.

(If no box is checked, then the box above shall be implemented.) OR

.... Make decisions for me starting now and continuing after I am no longer able to make them for myself. While I am still able to make my own decisions, I can still do so if I want to.

The subject of life-sustaining treatment is of particular importance. Life-sustaining treatments may include tube feedings or fluids through a tube, breathing machines, and CPR. In general, in making decisions concerning life-sustaining treatment, your agent is instructed to consider the relief of suffering, the quality as well as the possible extension of your life, and your previously expressed wishes. Your agent will weigh the burdens versus benefits of proposed treatments in making decisions on your behalf.

Additional statements concerning the withholding or removal of life-sustaining treatment are described below. These can serve as a guide for your agent when making decisions for you. Ask your physician or health care provider if you have any questions about these statements.

SELECT ONLY ONE STATEMENT BELOW THAT BEST EXPRESSES YOUR WISHES (optional):

.... The quality of my life is more important than the length of my life. If I am unconscious and my attending physician believes, in accordance with reasonable medical standards, that I will not wake up or recover my ability to think, communicate with my family and friends, and experience my surroundings, I do not want treatments to prolong my life or delay my death, but I do want treatment or care to make me comfortable and to relieve me of pain.

.... Staying alive is more important to me, no matter how sick I am, how much I am suffering, the cost of the procedures, or how unlikely my chances for recovery are. I want my life to be prolonged to the greatest extent possible in accordance with reasonable medical standards.

SPECIFIC LIMITATIONS TO MY AGENT'S DECISION-MAKING AUTHORITY:

New matter indicated by italics - deletions by strikeout
The above grant of power is intended to be as broad as possible so that your agent will have the authority to make any decision you could make to obtain or terminate any type of health care. If you wish to limit the scope of your agent's powers or prescribe special rules or limit the power to authorize autopsy or dispose of remains, you may do so specifically in this form.

My signature:................................................
Today's date:..............................................

HAVE YOUR WITNESS AGREE TO WHAT IS WRITTEN BELOW, AND THEN COMPLETE THE SIGNATURE PORTION:

I am at least 18 years old. (check one of the options below):
.... I saw the principal sign this document, or .... the principal told me that the signature or mark on the principal signature line is his or hers.

I am not the agent or successor agent(s) named in this document. I am not related to the principal, the agent, or the successor agent(s) by blood, marriage, or adoption. I am not the principal's physician, mental health service provider, or a relative of one of those individuals. I am not an owner or operator (or the relative of an owner or operator) of the health care facility where the principal is a patient or resident.

Witness printed name:........................................
Witness address:.............................................
Witness signature:...........................................
Today's date:..............................................

SUCCESSOR HEALTH CARE AGENT(S) (optional):

If the agent I selected is unable or does not want to make health care decisions for me, then I request the person(s) I name below to be my successor health care agent(s). Only one person at a time can serve as my agent (add another page if you want to add more successor agent names):

(Successor agent #1 name, address and phone number)

(Successor agent #2 name, address and phone number)

"NOTICE TO THE INDIVIDUAL SIGNING THE ILLINOIS STATUTORY SHORT FORM POWER OF ATTORNEY FOR HEALTH CARE"

New matter indicated by italics - deletions by strikeout
PLEASE READ THIS NOTICE CAREFULLY. The form that you will be signing is a legal document. It is governed by the Illinois Power of Attorney Act. If there is anything about this form that you do not understand, you should ask a lawyer to explain it to you.

The purpose of this Power of Attorney is to give your designated "agent" broad powers to make health care decisions for you, including the power to require, consent to, or withdraw treatment for any physical or mental condition, and to admit you or discharge you from any hospital, home, or other institution. You may name successor agents under this form, but you may not name co-agents.

This form does not impose a duty upon your agent to make such health care decisions, so it is important that you select an agent who will agree to do this for you and who will make those decisions as you would wish. It is also important to select an agent whom you trust, since you are giving that agent control over your medical decision-making, including end-of-life decisions. Any agent who does act for you has a duty to act in good faith for your benefit and to use due care, competence, and diligence. He or she must also act in accordance with the law and with the statements in this form. Your agent must keep a record of all significant actions taken as your agent.

Unless you specifically limit the period of time that this Power of Attorney will be in effect, your agent may exercise the powers given to him or her throughout your lifetime, even after you become disabled. A court, however, can take away the powers of your agent if it finds that the agent is not acting properly. You may also revoke this Power of Attorney if you wish.

The Powers you give your agent, your right to revoke those powers, and the penalties for violating the law are explained more fully in Sections 4-5, 4-6, and 4-10(c) of the Illinois Power of Attorney Act. This form is a part of that law. The "NOTE" paragraphs throughout this form are instructions.

You are not required to sign this Power of Attorney, but it will not take effect without your signature. You should not sign it if you do not understand everything in it, and what your agent will be able to do if you do sign it.

Please put your initials on the following line indicating that you have read this Notice:


(Principal's initials)²

²ILLINOIS STATUTORY SHORT FORM
POWER OF ATTORNEY FOR HEALTH CARE

New matter indicated by italics - deletions by strikeout
1. I, .................................................., (insert name and address of principal) hereby revoke all prior powers of attorney for health care executed by me and appoint:

............................................................
(insert name and address of agent)

(NOTE: You may not name co-agents using this form.) as my attorney-in-fact (my "agent") to act for me and in my name (in any way I could act in person) to make any and all decisions for me concerning my personal care, medical treatment, hospitalization and health care and to require, withhold or withdraw any type of medical treatment or procedure, even though my death may ensue:

A. My agent shall have the same access to my medical records that I have, including the right to disclose the contents to others:

B. Effective upon my death, my agent has the full power to make an anatomical gift of the following:

(NOTE: Initial one. In the event none of the options are initialed, then it shall be concluded that you do not wish to grant your agent any such authority.)

.... Any organs, tissues, or eyes suitable for transplantation or used for research or education.

.... Specific organs:.................................

.... I do not grant my agent authority to make any anatomical gifts.

C. My agent shall also have full power to authorize an autopsy and direct the disposition of my remains. I intend for this power of attorney to be in substantial compliance with Section 10 of the Disposition of Remains Act. All decisions made by my agent with respect to the disposition of my remains; including cremation, shall be binding. I hereby direct any cemetery organization, business operating a crematory or columbarium or both; funeral director or embalmer, or funeral establishment who receives a copy of this document to act under it.

D. I intend for the person named as my agent to be treated as I would be with respect to my rights regarding the use and disclosure of my individually identifiable health information or other medical records, including records or communications governed by the Mental Health and Developmental Disabilities Confidentiality Act. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and regulations thereunder. I intend for the person named as my agent to serve as my "personal representative" as that term is defined under HIPAA and regulations thereunder.

New matter indicated by italics - deletions by strikeout
(i) The person named as my agent shall have the power to authorize the release of information governed by HIPAA to third parties:

(ii) I authorize any physician, health care professional, dentist, health plan, hospital, clinic, laboratory, pharmacy or other covered health care provider, any insurance company and the Medical Informational Bureau, Inc.; or any other health care clearinghouse that has provided treatment or services to me, or that has paid for or is seeking payment for me for such services to give, disclose, and release to the person named as my agent, without restriction, all of my individually identifiable health information and medical records, regarding any past, present, or future medical or mental health condition, including all information relating to the diagnosis and treatment of HIV/AIDS, sexually transmitted diseases, drug or alcohol abuse, and mental illness (including records or communications governed by the Mental Health and Developmental Disabilities Confidentiality Act).

(iii) The authority given to the person named as my agent shall supersede any prior agreement that I may have with my health care providers to restrict access to, or disclosure of, my individually identifiable health information. The authority given to the person named as my agent has no expiration date and shall expire only in the event that I revoke the authority in writing and deliver it to my health care provider.

(NOTE: The above grant of power is intended to be as broad as possible so that your agent will have the authority to make any decision you could make to obtain or terminate any type of health care, including withdrawal of food and water and other life-sustaining measures, if your agent believes such action would be consistent with your intent and desires. If you wish to limit the scope of your agent’s powers or prescribe special rules or limit the power to make an anatomical gift, authorize autopsy or dispose of remains, you may do so in the following paragraphs.)

2. The powers granted above shall not include the following powers or shall be subject to the following rules or limitations:

(NOTE: Here you may include any specific limitations you deem appropriate; such as: your own definition of when life-sustaining measures should be withheld; a direction to continue food and fluids or life-sustaining treatment in all events; or instructions to refuse any specific types of treatment that are inconsistent with your religious beliefs or unacceptable to you for any other reason, such as blood transfusion, electro-convulsive therapy, amputation; psychosurgery, voluntary admission to a mental institution; etc.)

............................................................
............................................................

New matter indicated by italics - deletions by strikeout
(NOTE: The subject of life-sustaining treatment is of particular importance. For your convenience in dealing with that subject, some general statements concerning the withholding or removal of life-sustaining treatment are set forth below. If you agree with one of these statements, you may initial that statement; but do not initial more than one. These statements serve as guidance for your agent, who shall give careful consideration to the statement you initial when engaging in health care decision-making on your behalf.)

I do not want my life to be prolonged nor do I want life-sustaining treatment to be provided or continued if my agent believes the burdens of the treatment outweigh the expected benefits. I want my agent to consider the relief of suffering, the expense involved and the quality as well as the possible extension of my life in making decisions concerning life-sustaining treatment.

Initialled

I want my life to be prolonged and I want life-sustaining treatment to be provided or continued, unless I am, in the opinion of my attending physician, in accordance with reasonable medical standards at the time of reference, in a state of "permanent unconsciousness" or suffer from an "incurable or irreversible condition" or "terminal condition", as those terms are defined in Section 4-4 of the Illinois Power of Attorney Act. If and when I am in any one of these states or conditions, I want life-sustaining treatment to be withheld or discontinued.

Initialled

I want my life to be prolonged to the greatest extent possible in accordance with reasonable medical standards without regard to my condition, the chances I have for recovery or the cost of the procedures.

Initialled

(Note: This power of attorney may be amended or revoked by you in the manner provided in Section 4-6 of the Illinois Power of Attorney Act.)

3. This power of attorney shall become effective on

Initialled

(Note: Insert a future date or event during your lifetime, such as a court determination of your disability or a written determination by your physician that you are incapacitated; when you want this power to first take effect.)

(Note: If you do not amend or revoke this power, or if you do not specify
a specific ending date in paragraph 4, it will remain in effect until your death; except that your agent will still have the authority to donate your organs, authorize an autopsy, and dispose of your remains after your death, if you grant that authority to your agent.)

4. This power of attorney shall terminate on ........:

.............................................................

(NOTE: Insert a future date or event, such as a court determination that you are not under a legal disability or a written determination by your physician that you are not incapacitated, if you want this power to terminate prior to your death.)

(NOTE: You cannot use this form to name co-agents. If you wish to name successor agents, insert the names and addresses of the successors in paragraph 5.)

5. If any agent named by me shall die, become incompetent, resign, refuse to accept the office of agent or be unavailable, I name the following (each to act alone and successively, in the order named) as successors to such agent:

.............................................................
.............................................................

For purposes of this paragraph 5, a person shall be considered to be incompetent if and while the person is a minor, or an adjudicated incompetent or disabled person, or the person is unable to give prompt and intelligent consideration to health care matters, as certified by a licensed physician.

(NOTE: If you wish to, you may name your agent as guardian of your person if a court decides that one should be appointed. To do this, retain paragraph 6, and the court will appoint your agent if the court finds that this appointment will serve your best interests and welfare. Strike out paragraph 6 if you do not want your agent to act as guardian.)

6. If a guardian of my person is to be appointed, I nominate the agent acting under this power of attorney as such guardian, to serve without bond or security.

7. I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my agent.

Dated: ........:

Signed ..............................................

(principal's signature or mark)

The principal has had an opportunity to review the above form and has signed the form or acknowledged his or her signature or mark on the form in my presence. The undersigned witness certifies that the witness is not: (a)
the attending physician or mental health service provider or a relative of the physician or provider; (b) an owner, operator, or relative of an owner or operator of a health care facility in which the principal is a patient or resident; (c) a parent, sibling, descendant, or any spouse of such parent, sibling, or descendant of either the principal or any agent or successor agent under the foregoing power of attorney; whether such relationship is by blood, marriage, or adoption; or (d) an agent or successor agent under the foregoing power of attorney:

........................................
(Witness Signature)
........................................
(Print Witness Name)
........................................
(Street Address)
........................................
(City, State, ZIP)

(NOTE: You may, but are not required to, request your agent and successor agents to provide specimen signatures below. If you include specimen signatures in this power of attorney, you must complete the certification opposite the signatures of the agents.)

Specimen signatures of —— I certify that the signatures of my agent (and successors) are correct:

........................................
(agent)                                      (principal)
........................................
(successor agent)                            (principal)
........................................
(successor agent)                            (principal)\(^2\)

(NOTE: The name, address, and phone number of the person preparing this form or who assisted the principal in completing this form is optional.)

........................................
(name of preparer)
........................................
........................................
(address)
........................................
(phone)

New matter indicated by italics - deletions by strikeout
(c) The statutory short form power of attorney for health care (the "statutory health care power") authorizes the agent to make any and all health care decisions on behalf of the principal which the principal could make if present and under no disability, subject to any limitations on the granted powers that appear on the face of the form, to be exercised in such manner as the agent deems consistent with the intent and desires of the principal. The agent will be under no duty to exercise granted powers or to assume control of or responsibility for the principal's health care; but when granted powers are exercised, the agent will be required to use due care to act for the benefit of the principal in accordance with the terms of the statutory health care power and will be liable for negligent exercise. The agent may act in person or through others reasonably employed by the agent for that purpose but may not delegate authority to make health care decisions. The agent may sign and deliver all instruments, negotiate and enter into all agreements and do all other acts reasonably necessary to implement the exercise of the powers granted to the agent. Without limiting the generality of the foregoing, the statutory health care power shall include the following powers, subject to any limitations appearing on the face of the form:

1. The agent is authorized to give consent to and authorize or refuse, or to withhold or withdraw consent to, any and all types of medical care, treatment or procedures relating to the physical or mental health of the principal, including any medication program, surgical procedures, life-sustaining treatment or provision of food and fluids for the principal.

2. The agent is authorized to admit the principal to or discharge the principal from any and all types of hospitals, institutions, homes, residential or nursing facilities, treatment centers and other health care institutions providing personal care or treatment for any type of physical or mental condition. The agent shall have the same right to visit the principal in the hospital or other institution as is granted to a spouse or adult child of the principal, any rule of the institution to the contrary notwithstanding.

3. The agent is authorized to contract for any and all types of health care services and facilities in the name of and on behalf of the principal and to bind the principal to pay for all such services and facilities, and to have and exercise those powers over the principal's property as are authorized under the statutory property power, to the extent the agent deems necessary to pay health care costs; and the

New matter indicated by italics - deletions by strikeout
agent shall not be personally liable for any services or care contracted for on behalf of the principal.

(4) At the principal's expense and subject to reasonable rules of the health care provider to prevent disruption of the principal's health care, the agent shall have the same right the principal has to examine and copy and consent to disclosure of all the principal's medical records that the agent deems relevant to the exercise of the agent's powers, whether the records relate to mental health or any other medical condition and whether they are in the possession of or maintained by any physician, psychiatrist, psychologist, therapist, hospital, nursing home or other health care provider. The authority under this paragraph (4) applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and regulations thereunder. The agent serves as the principal's personal representative, as that term is defined under HIPAA and regulations thereunder.

(5) The agent is authorized: to direct that an autopsy be made pursuant to Section 2 of "An Act in relation to autopsy of dead bodies", approved August 13, 1965, including all amendments; to make a disposition of any part or all of the principal's body pursuant to the Illinois Anatomical Gift Act, as now or hereafter amended; and to direct the disposition of the principal's remains.

(Source: P.A. 96-1195, eff. 7-1-11; 97-148, eff. 7-14-11.)

(755 ILCS 45/4-12) (from Ch. 110 1/2, par. 804-12)

Sec. 4-12. Saving clause. This Act does not in any way invalidate any health care agency executed or any act of any agent done, or affect any claim, right or remedy that accrued, prior to September 22, 1987.

This amendatory Act of the 96th General Assembly does not in any way invalidate any health care agency executed or any act of any agent done, or affect any claim, right, or remedy that accrued, prior to the effective date of this amendatory Act of the 96th General Assembly.

This amendatory Act of the 98th General Assembly does not in any way invalidate any health care agency executed or any act of any agent done, or affect any claim, right, or remedy that accrued, prior to the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 96-1195, eff. 7-1-11.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 26, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law, which may be referred to as the Incentivized Education and Family Support for Community Corrections Amendments.

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

Section 5. The Unified Code of Corrections is amended by changing Section 5-6-2 as follows:

(730 ILCS 5/5-6-2) (from Ch. 38, par. 1005-6-2)
Sec. 5-6-2. Incidents of Probation and of Conditional Discharge.
(a) When an offender is sentenced to probation or conditional discharge, the court shall impose a period as provided in Article 4.5 of Chapter V, and shall specify the conditions under Section 5-6-3.
(b) Multiple terms of probation imposed at the same time shall run concurrently.
(c) The court may at any time terminate probation or conditional discharge if warranted by the conduct of the offender and the ends of justice, as provided in Section 5-6-4.
(c-1) For purposes of this subsection (c-1), a "violent offense" means an offense in which bodily harm is inflicted or force is used against any person or threatened against any person; an offense involving sexual conduct, sexual penetration, or sexual exploitation; an offense involving domestic violence; an offense of domestic battery, violation of an order of protection, stalking, or hate crime; an offense of driving under the influence of drugs or alcohol; or an offense involving the possession of a firearm or dangerous weapon. An offender, other than an offender sentenced on a violent offense, shall be entitled to a time credit toward the completion of the offender's probation or conditional discharge as follows:
(1) For obtaining a high school diploma or GED: 90 days.
(2) For obtaining an associate's degree, career certificate, or vocational technical certification: 120 days.
(3) For obtaining a bachelor's degree: 180 days.
An offender's supervising officer shall promptly and as soon as practicable notify the court of the offender's right to time credits under this subsection (c-1). Upon receipt of this notification, the court shall enter an

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order modifying the offender's remaining period of probation or conditional discharge to reflect the time credit earned. If, before the expiration of the original period or a reduced period of probation or conditional discharge, the court, after a hearing under Section 5-6-4 of this Code, finds that an offender violated one or more conditions of probation or conditional discharge, the court may order that some or all of the time credit to which the offender is entitled under this Section be forfeited.

(d) Upon the expiration or termination of the period of probation or of conditional discharge, the court shall enter an order discharging the offender.

(e) The court may extend any period of probation or conditional discharge beyond the limits set forth in Article 4.5 of Chapter V upon a violation of a condition of the probation or conditional discharge, for the payment of an assessment required by Section 10.3 of the Cannabis Control Act, Section 411.2 of the Illinois Controlled Substances Act, or Section 80 of the Methamphetamine Control and Community Protection Act, or for the payment of restitution as provided by an order of restitution under Section 5-5-6 of this Code.

(f) The court may impose a term of probation that is concurrent or consecutive to a term of imprisonment so long as the maximum term imposed does not exceed the maximum term provided under Article 4.5 of Chapter V or Article 8 of this Chapter. The court may provide that probation may commence while an offender is on mandatory supervised release, participating in a day release program, or being monitored by an electronic monitoring device.

(Source: P.A. 94-556, eff. 9-11-05; 95-1052, eff. 7-1-09.)


PUBLIC ACT 98-1115
(Senate Bill No. 3288)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The General Assembly Operations Act is amended by changing Section 10 as follows:

New matter indicated by italics - deletions by strikeout
(25 ILCS 10/10)
Sec. 10. General Assembly printing; session laws.
(a) Authority. Public printing for the use of either House of the General Assembly shall be subject to its control.

(b) Time of delivery. Daily calendars, journals, and other similar printing for which manuscript or copy is delivered to the Legislative Printing Unit by the clerical officer of either House shall be printed so as to permit delivery at any reasonable time required by the clerical officer. Any petition, bill, resolution, joint resolution, memorial, and similar manuscript or copy delivered to the Legislative Printing Unit by the clerical officer of either House shall be printed at any reasonable time required by that officer.

(c) Style. The manner, form, style, size, and arrangement of type used in printing the bills, resolutions, amendments, conference reports, and journals, including daily journals, of the General Assembly shall be as provided in the Rules of the General Assembly.

(d) Daily journal. The Clerk of the House of Representatives and the Secretary of the Senate shall each prepare and deliver to the Legislative Printing Unit, immediately after the close of each daily session, a printer's copy of the daily journal for their respective House.

(e) Daily and bound journals.
   (1) Subscriptions. The Legislative Printing Unit shall have printed the number of copies of the daily journal as may be requested by the clerical officer of each House. The Secretary of the Senate and the Clerk of the House of Representatives shall furnish a copy of each daily journal of their respective House to those persons who apply therefor upon payment of a reasonable subscription fee established separately by the Secretary of the Senate and the Clerk of the House for their respective House. Each subscriber shall specify at the time he or she subscribes the address where he or she wishes the journals mailed. The daily journals shall be furnished free of charge on a pickup basis to State offices and to the public as long as the supply lasts. The Secretary of the Senate and the Clerk of the House shall determine the number of journals available for pickup at their respective offices.
   (2) Other copies. After the General Assembly adjourns, the Clerk of the House and the Secretary of the Senate shall prepare and deliver to the Legislative Printing Unit a printer's copy of matter for the regular House and Senate journals, together with any matter, not previously printed in the daily journals, that is required by law, by
order of either House, or by joint resolution to be printed in the journals. The Legislative Printing Unit shall have printed the number of copies of the bound journal as may be requested by the clerical officer of each House. A reasonable number of bound volumes of the journal of each House of the General Assembly shall be provided to State and local officers, boards, commissions, institutions, departments, agencies, and libraries requesting them through canvasses conducted separately by the Secretary of the Senate and the Clerk of the House. Reasonable fees established separately by the Secretary of the Senate and the Clerk of the House may be charged for bound volumes of the journal of each House of the General Assembly.

(f) Session laws. Immediately after the General Assembly adjourns, the Secretary of State shall prepare a printer's copy for the "Session Laws of Illinois" that shall set forth in full all Acts and joint resolutions passed by the General Assembly at the session just concluded and all executive orders of the Governor taking effect under Article V, Section 11 of the Constitution and the Executive Reorganization Implementation Act. The printer's copy shall be furnished and delivered to the Secretary of State by the Enrolling and Engrossing Department of the 2 Houses. At the time an enrolled law is filed with the Secretary of State, whether before or after the conclusion of the session in which it was passed, it shall be assigned a Public Act number, the first part of which shall be the number of the General Assembly followed by a dash and then a number showing the order in which that law was filed with the Secretary of State. The title page of each volume of the session laws shall contain the following: "Printed by the authority of the General Assembly of the State of Illinois". The laws shall be arranged by the Secretary of State and printed in the chronological order of Public Act numbers. At the end of each Act the dates when the Act was passed by the General Assembly and when the Act was approved by the Governor shall be stated. Any Act becoming law without the approval of the Governor shall be marked at its end in the session laws by the printed certificate of the Secretary of State. Executive orders taking effect under Article V, Section 11 of the Constitution and the Executive Reorganization Implementation Act shall be printed in chronological order of executive order number and shall state at the end of each executive order the date it was transmitted to the General Assembly and the date it takes effect. In the case of an amendatory Act, the changes made by the amendatory Act shall be indicated in the session laws in the following manner: (i) all new matter shall be underscored; and (ii) all matter deleted by
the amendatory Act shall be shown crossed with a line. The Secretary of State shall prepare and furnish a table of contents and an index to each volume of the session laws.

(g) Distribution. The bound volumes of the session laws of the General Assembly or, upon agreement, an electronic copy of the bound volumes, shall be made available to the following:

(1) one copy of each to each State officer, board, commission, institution, and department requesting a copy in accordance with a canvass conducted by the Secretary of State before the printing of the session laws except judges of the appellate courts and judges and associate judges of the circuit courts;

(2) 10 copies to the law library of the Supreme Court; one copy each to the law libraries of the appellate courts; and one copy to each of the county law libraries or, in those counties without county law libraries, one copy to the clerk of the circuit court;

(3) one copy of each to each county clerk;

(4) 10 copies of each to the library of the University of Illinois;

(5) 3 copies of each to the libraries of the University of Illinois at Chicago, Southern Illinois University at Carbondale, Southern Illinois University at Edwardsville, Northern Illinois University, Western Illinois University, Eastern Illinois University, Illinois State University, Chicago State University, Northeastern Illinois University, Chicago Kent College of Law, DePaul University, John Marshall Law School, Loyola University, Northwestern University, Roosevelt University, and the University of Chicago;

(6) a number of copies sufficient for exchange purposes to the Legislative Reference Bureau and the University of Illinois College of Law Library;

(7) a number of copies sufficient for public libraries in the State to the State Library; and

(8) the remainder shall be retained for distribution as the interests of the State may require to persons making application in writing or in person for the publication.

(h) Messages and reports. The following shall be printed in a quantity not to exceed the maximum stated in this subsection and bound and distributed at public expense:

(1) messages to the General Assembly by the Governor, 10,000 copies;

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(2) the biennial report of the Lieutenant Governor, 1,000 copies;
(3) the biennial report of the Secretary of State, 3,000 copies;
(4) the biennial report of the State Comptroller, 5,000 copies;
(5) the biennial report of the State Treasurer, 3,000 copies;
(6) the annual report of the State Board of Education, 6,000 copies; and
(7) the biennial report and annual opinions of the Attorney General, 5,000 copies.

The reports of all other State officers, boards, commissions, institutions, and departments shall be printed, bound, and distributed at public expense in a number of copies determined from previous experience not to exceed the probable and reasonable demands of the State therefor. Any other report required by law to be made to the Governor shall, upon his or her order, be printed in the quantity ordered by the Governor, bound and distributed at public expense.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1116

(Senate Bill No. 3294)

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Section 5-1183 as follows:

(55 ILCS 5/5-1183 new)

Sec. 5-1183. Household goods recycling bins.

(a) Notwithstanding any other provision of law, any county may by ordinance require that all household goods recycling bins have a permanent, written, printed label affixed to the bin that is prominently displayed and includes the following: (1) the name, address, and contact information of the person or entity owning, operating, or maintaining that bin; and (2) whether the person or entity owning, operating, or maintaining the bin is a not for profit entity or a for profit entity.

New matter indicated by italics - deletions by strikeout
(b) As used in this Section:

"Household goods recycling bin" or "bin" means a container or receptacle held out to the public as a place for people to discard clothes, shoes, books, and other recyclable items until they are taken away for resale, re-use, recycling, or redistribution by the person or entity that owns, operates, or maintains the bin.

"Not for profit entity" means any entity that is officially recognized by the United States Internal Revenue Service as a tax-exempt entity described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law).

Section 10. The Illinois Municipal Code is amended by adding Section 11-42-16 as follows:

(65 ILCS 5/11-42-16 new)
Sec. 11-42-16. Household goods recycling bins.
(a) Notwithstanding any other provision of law, any municipality may by ordinance require that all household goods recycling bins have a permanent, written, printed label affixed to the bin that is prominently displayed and includes the following: (1) the name, address, and contact information of the person or entity owning, operating, or maintaining that bin; and (2) whether the person or entity owning, operating, or maintaining the bin is a not for profit entity or a for profit entity.

(b) As used in this Section:

"Household goods recycling bin" or "bin" means a container or receptacle held out to the public as a place for people to discard clothes, shoes, books, and other recyclable items until they are taken away for resale, re-use, recycling, or redistribution by the person or entity that owns, operates, or maintains the bin.

"Not for profit entity" means any entity that is officially recognized by the United States Internal Revenue Service as a tax-exempt entity described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law).

Section 15. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2RRR as follows:

(815 ILCS 505/2RRR new)
Sec. 2RRR. Household goods recycling bins.
(a) Notwithstanding any other provision of law, a person or entity owning, operating, or maintaining a household goods recycling bin shall have a permanent, written, printed label affixed to the bin that is prominently displayed and includes the following: (1) the name, address, and contact

New matter indicated by italics - deletions by strikeout
information of the person or entity owning, operating, or maintaining that bin; and (2) whether the person or entity owning, operating, or maintaining the bin is a not for profit entity or a for profit entity. A person or entity who violates this Section commits an unlawful practice within the meaning of this Act.

(b) As used in this Section:
"Household goods recycling bin" or "bin" means a container or receptacle held out to the public as a place for people to discard clothes, shoes, books, and other recyclable items until they are taken away for resale, re-use, recycling, or redistribution by the person or entity that owns, operates, or maintains the bin.

"Not for profit entity" means any entity that is officially recognized by the United States Internal Revenue Service as a tax-exempt entity described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law).

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1117
(Senate Bill No. 3309)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Pension Code is amended by changing Sections 2-114, 3-144.2, 3-148, 4-139, 14-103.19, 18-116, and 21-105.1 and by adding Sections 2-155.1, 2-163, 4-138.10, 14-148.1, 14-153.3, 18-162.1, and 18-170 as follows:

(40 ILCS 5/2-114) (from Ch. 108 1/2, par. 2-114)
Sec. 2-114. Actuarial tables.
"Actuarial tables": Tabular listings of assumed rates of death, disability, retirement and withdrawal from service and mathematical functions derived from such rates combined with an assumed rate of interest based upon the experience of the system as adopted by the board upon recommendation of the actuary.

The adopted actuarial tables shall be used to determine the amount of all benefits under this Article, including any optional forms of benefits.

New matter indicated by italics - deletions by strikeout
Optional forms of benefits must be the actuarial equivalent of the normal benefit payable under this Article.
(Source: Laws 1963, p. 161.)

(40 ILCS 5/2-155.1 new)

Sec. 2-155.1. Mistake in benefit. If the System mistakenly sets any benefit at an incorrect amount, it shall recalculate the benefit as soon as may be practicable after the mistake is discovered.

If the benefit was mistakenly set too low, the System shall make a lump sum payment to the recipient of an amount equal to the difference between the benefits that should have been paid and those actually paid.

If the benefit was mistakenly set too high, the System may recover the amount overpaid from the recipient thereof, either directly or by deducting such amount from the remaining benefits payable to the recipient. However, if (1) the amount of the benefit was mistakenly set too high, and (2) the error was undiscovered for 3 years or longer, and (3) the error was not the result of incorrect information supplied by the affected member or beneficiary, then upon discovery of the mistake the benefit shall be adjusted to the correct level, but the recipient of the benefit need not repay to the System the excess amounts received in error.

This Section applies to all mistakes in benefit calculations that occur before, on, or after the effective date of this amendatory Act of the 98th General Assembly.

(40 ILCS 5/2-163 new)

Sec. 2-163. Termination of plan. Upon plan termination, a participant's interest in the pension fund will be nonforfeitable.

(40 ILCS 5/3-144.2) (from Ch. 108 1/2, par. 3-144.2)

Sec. 3-144.2. Mistake in benefit.

(a) If the Fund commits a mistake by setting any benefit at an incorrect amount, it shall adjust the benefit to the correct level as soon as may be practicable after the mistake is discovered. The term "mistake" includes a clerical or administrative error executed by the Fund or participant as it relates to a benefit under this Article; however, in no case shall "mistake" include any benefit as it relates to the reasonable calculation of the benefit or aspects of the benefit based on salary, service credit, calculation or determination of a disability, date of retirement, or other factors significant to the calculation of the benefit that were reasonably understood or agreed to by the Fund at the time of retirement.

(b) If the benefit was mistakenly set too low, the Fund shall make a lump sum payment to the recipient of an amount equal to the difference between

New matter indicated by italics - deletions by strikeout
between the benefits that should have been paid and those actually paid, plus interest at the rate prescribed by the Public Pension Division of the Department of Insurance from the date the unpaid amounts accrued to the date of payment.

(c) If the benefit was mistakenly set too high, the Fund may recover the amount overpaid from the recipient thereof, either directly or by deducting such amount from the remaining benefits payable to the recipient as is indicated by the recipient. If the overpayment is recovered by deductions from the remaining benefits payable to the recipient, the monthly deduction shall not exceed 10% of the corrected monthly benefit unless otherwise indicated by the recipient.

However, if (i) the amount of the benefit was mistakenly set too high, and (ii) the error was undiscovered for 3 years or longer, and (iii) the error was not the result of fraud committed by the affected participant or beneficiary, then upon discovery of the mistake the benefit shall be adjusted to the correct level, but the recipient of the benefit need not repay to the Fund the excess amounts received in error.

The amount of any overpayment, due to fraud, misrepresentation or error, of any pension or benefit granted under this Article may be deducted from future payments to the recipient of such pension or benefit.

(40 ILCS 5/3-148) (from Ch. 108 1/2, par. 3-148)
Sec. 3-148. Administrative review. Except as it relates to any time limitation to correct a mistake as provided in Section 3-144.2, the provisions of the Administrative Review Law, and all amendments and modifications thereof and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the retirement board provided for under this Article. The term "administrative decision" is as defined in Section 3-101 of the Code of Civil Procedure.

(40 ILCS 5/4-138.10 new)
Sec. 4-138.10. Mistake in benefit.
(a) If the Fund commits a mistake by setting any benefit at an incorrect amount, it shall adjust the benefit to the correct level as soon as may be practicable after the mistake is discovered. The term "mistake" includes a clerical or administrative error executed by the Fund or participant as it relates to a benefit under this Article; however, in no case shall "mistake" include any benefit as it relates to the reasonable calculation

New matter indicated by italics - deletions by strikeout
of the benefit or aspects of the benefit based on salary, service credit, calculation or determination of a disability, date of retirement, or other factors significant to the calculation of the benefit that were reasonably understood or agreed to by the Fund at the time of retirement.

(b) If the benefit was mistakenly set too low, the Fund shall make a lump sum payment to the recipient of an amount equal to the difference between the benefits that should have been paid and those actually paid, plus interest at the rate prescribed by the Public Pension Division of the Department of Insurance from the date the unpaid amounts accrued to the date of payment.

(c) If the benefit was mistakenly set too high, the Fund may recover the amount overpaid from the recipient thereof, either directly or by deducting such amount from the remaining benefits payable to the recipient as is indicated by the recipient. If the overpayment is recovered by deductions from the remaining benefits payable to the recipient, the monthly deduction shall not exceed 10% of the corrected monthly benefit unless otherwise indicated by the recipient.

However, if (i) the amount of the benefit was mistakenly set too high, and (ii) the error was undiscovered for 3 years or longer, and (iii) the error was not the result of fraud committed by the affected participant or beneficiary, then upon discovery of the mistake the benefit shall be adjusted to the correct level, but the recipient of the benefit need not repay to the Fund the excess amounts received in error.

(40 ILCS 5/4-139) (from Ch. 108 1/2, par. 4-139)

Sec. 4-139. Administrative review. Except as it relates to any time limitation to correct a mistake as provided in Section 4-138.10, the provisions of the Administrative Review Law, and all amendments and modifications thereof and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the retirement board provided for under this Article. The term "administrative decision" is as defined in Section 3-101 of the Code of Civil Procedure.

(Source: P.A. 82-783.)

(40 ILCS 5/14-103.19) (from Ch. 108 1/2, par. 14-103.19)

Sec. 14-103.19. Actuarial tables. "Actuarial tables": Tables of mathematical functions derived from mortality, disability and turn-over rates, combined with interest discount factors as adopted by the board on recommendation of the actuary.

New matter indicated by italics - deletions by strikeout
The adopted actuarial tables shall be used to determine the amount of all benefits under this Article, including any optional forms of benefits. Optional forms of benefits must be the actuarial equivalent of the normal benefit payable under this Article.

(Source: P.A. 80-841.)

(40 ILCS 5/14-148.1 new)

Sec. 14-148.1. Mistake in benefit. If the System mistakenly sets any benefit at an incorrect amount, it shall recalculate the benefit as soon as may be practicable after the mistake is discovered.

If the benefit was mistakenly set too low, the System shall make a lump sum payment to the recipient of an amount equal to the difference between the benefits that should have been paid and those actually paid.

If the benefit was mistakenly set too high, the System may recover the amount overpaid from the recipient thereof, either directly or by deducting such amount from the remaining benefits payable to the recipient. However, if (1) the amount of the benefit was mistakenly set too high, and (2) the error was undiscovered for 3 years or longer, and (3) the error was not the result of incorrect information supplied by the affected member or beneficiary, then upon discovery of the mistake the benefit shall be adjusted to the correct level, but the recipient of the benefit need not repay to the System the excess amounts received in error.

This Section applies to all mistakes in benefit calculations that occur before, on, or after the effective date of this amendatory Act of the 98th General Assembly.

(40 ILCS 5/14-153.3 new)

Sec. 14-153.3. Termination of plan. Upon plan termination, a member's interest in the pension fund will be nonforfeitable.

(40 ILCS 5/18-116) (from Ch. 108 1/2, par. 18-116)

Sec. 18-116. Actuarial tables.

"Actuarial tables": Such tabular listings of assumed rates of death, disability, retirement and withdrawal from service and mathematical functions derived from such rates combined with an assumed rate of interest, based upon the experience of the system, as adopted by the board upon recommendation by the actuary.

The adopted actuarial tables shall be used to determine the amount of all benefits under this Article, including any optional forms of benefits. Optional forms of benefits must be the actuarial equivalent of the normal benefit payable under this Article.

(Source: Laws 1963, p. 161.)
Sec. 18-162.1. Mistake in benefit. If the System mistakenly sets any benefit at an incorrect amount, it shall recalculate the benefit as soon as may be practicable after the mistake is discovered.

If the benefit was mistakenly set too low, the System shall make a lump sum payment to the recipient of an amount equal to the difference between the benefits that should have been paid and those actually paid.

If the benefit was mistakenly set too high, the System may recover the amount overpaid from the recipient thereof, either directly or by deducting such amount from the remaining benefits payable to the recipient. However, if (1) the amount of the benefit was mistakenly set too high, and (2) the error was undiscovered for 3 years or longer, and (3) the error was not the result of incorrect information supplied by the affected member or beneficiary, then upon discovery of the mistake the benefit shall be adjusted to the correct level, but the recipient of the benefit need not repay to the System the excess amounts received in error.

This Section applies to all mistakes in benefit calculations that occur before, on, or after the effective date of this amendatory Act of the 98th General Assembly.

Sec. 18-170. Termination of plan. Upon plan termination, a participant's interest in the pension fund will be nonforfeitable.

Sec. 21-105.1. Election of optional medicare coverage. The State or any political subdivision or noncorporate public entity may elect to provide optional medicare coverage for its personnel in the same manner and subject to the same conditions as are set forth in Sections 21-103, 21-104 and 21-105 for the election of Social Security coverage, including a retirement system established under Article 3, 4, 5, or 6 of this Code, notwithstanding the provisions contained in Section 21-105 of this Article.

Approved August 26, 2014.
Effective August 26, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Municipal Clerk Training Act is amended by changing Sections 1, 2, 3, and 4 as follows:

Sec. 1. The Municipal Clerk Training Institute Committee shall establish a Municipal Clerk Training Institute and designate the number of times each year the program provided for in this Act shall be offered by the Institute. The location or locations within the State at which the program shall be offered each year shall be fixed by the Municipal Clerk Training Institute Committee, provided that any location so fixed shall be on the campus of one or more of the colleges or universities represented on the Committee.

Sec. 2. There is created the Municipal Clerk Training Institute Committee composed of 5 municipal clerks or deputy clerks, appointed by the Governor as provided herein, and one ex-officio member designated by the governing board of any public college or university in this State at the request of the Executive Board of the Municipal Clerks of Illinois as provided herein, as a representative of public colleges and universities in this State. Each member appointed by the Governor after the effective date of this amendatory Act of 1987 shall be a certified municipal clerk recommended by the Executive Board of the Municipal Clerks of Illinois and serving as a municipal clerk at the time he or she is so recommended and appointed. The 2 additional municipal clerks appointed pursuant to the provisions of this amendatory Act of 1987 both shall be appointed to serve until the third Monday in January, 1992, or until their successors are appointed and qualified. Of the 3 municipal clerks serving as members of the Committee on the effective date of this amendatory Act of 1987, they shall determine by agreement or by lot one who shall continue to serve until the third Monday in January, 1989, a second who shall continue to serve until the third Monday in January, 1990, and a third who shall continue to serve until the third Monday in January, 1991, provided, that each shall serve until his or her successor is appointed and qualified. Each successor of any member appointed to the Committee as a municipal clerk or

New matter indicated by italics - deletions by strikeout
deputy clerk shall be appointed to serve for a 4 year term expiring on the third Monday in January, or until his or her successor is appointed and qualified. Any vacancy occurring in the office of a Committee member appointed by the Governor, whether by death, resignation or otherwise, shall be filled by appointment by the Governor from a recommendation or recommendations made by the Executive Board of the Municipal Clerks of Illinois, in the same manner as original appointments. A member appointed to fill a vacancy shall serve for the remainder of the unexpired term or until his or her successor is appointed and qualified. In the event the Governor refuses to appoint a municipal clerk or deputy clerk recommended by the Executive Board of the Municipal Clerks of Illinois to either a full term or, in cases of a vacancy, to the remainder of an unexpired term on the Committee, such Executive Board shall promptly recommend one or more additional qualified persons to the Governor for such appointment. The term of the ex-officio member may be designated by the governing board of any public college or university in this State at the request of the Executive Board of the Municipal Clerks of Illinois. The terms of the 3 committee members designated by the Board of Trustees of the University of Illinois and serving on the effective date of this amendatory Act of 1987 shall terminate on that effective date, and the 4 ex-officio members designated pursuant to the provisions of this amendatory Act of 1987 shall be designated as follows: one representative of the University of Illinois designated by the Board of Trustees of that University; one representative of Southern Illinois University designated by the Board of Trustees of that University; one representative designated by the Board of Governors of State Colleges and Universities of the several universities and colleges under its governance; and one representative designated by the Board of Regents of the several Regency Universities under its jurisdiction. The terms of the 2 ex-officio members designated as representatives of the Board of Governors of State Colleges and Universities and the Board of Regents shall terminate on the effective date of this amendatory Act of 1995. The 2 ex-officio members whose terms are terminated by this amendatory Act of 1995 shall be replaced by 7 additional ex-officio members, one representing the Board of Trustees of Chicago State University, one representing the Board of Trustees of Eastern Illinois University, one representing the Board of Trustees of Governors State University, one representing the Board of Trustees of Illinois State University, one representing the Board of Trustees of Northeastern Illinois University, one representing the Board of Trustees of Northern Illinois University, and one representing the Board of Trustees of Western Illinois University. The 9 ex-
officio member, members representing the public colleges and universities shall serve in an advisory capacity to the members appointed by the Governor, and each such ex-officio member shall serve at the pleasure of the governing board designating them to membership on the Committee. Members of the Committee shall serve without compensation.

(Source: P.A. 89-4, eff. 1-1-96.)

(65 ILCS 50/3) (from Ch. 144, par. 61.53)

Sec. 3. The Committee shall develop the curriculum for the Municipal Clerk Training Institute and include such subjects and courses as will provide methods for maintaining the services of municipal clerks or deputy clerks at a level consistent with the needs of the municipality and the public. The subjects selected shall include, but are not limited to, a study of the Illinois Municipal Code, parliamentary procedure, office management and the preparation of agendas, minutes and records.

(Source: Laws 1967, p. 1910.)

(65 ILCS 50/4) (from Ch. 144, par. 61.54)

Sec. 4. Each year, the Institute shall offer (i) a course of at least 5 one-day sessions one week's duration which may be attended by municipal clerks or deputy clerks who have been newly appointed or elected to office, and (ii) an advanced refresher course each year of at least 2 one-day sessions two days' duration which may be attended by all other municipal clerks or deputy clerks. Attendance at courses offered by the Institute shall be restricted to municipal clerks and their deputies.

(Source: Laws 1967, p. 1910.)

Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1119
(Senate Bill No. 3405)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2RRR as follows:

(815 ILCS 505/2RRR new)

Sec. 2RRR. Unfair or deceptive patent infringement demand letters.
(a) As used in this Section:

New matter indicated by italics - deletions by strikeout
"Affiliated person" means a person affiliated with the intended recipient of a written or electronic communication.

"Intended recipient" means a person who purchases, rents, leases, or otherwise obtains a product or service in the commercial market that is not for resale in the commercial market and that is, or later becomes, the subject of a patent infringement allegation.

(b) It is an unlawful practice under this Act for a person, in connection with the assertion of a United States patent, to send or cause any person to send any written, including electronic, communication that states that the intended recipient or any affiliated person is infringing or has infringed a patent and bears liability or owes compensation to another person, if:

1. The communication falsely threatens that administrative or judicial relief will be sought if compensation is not paid or the infringement issue is not otherwise resolved;
2. The communication falsely states that litigation has been filed against the intended recipient or any affiliated person;
3. The assertions contained in the communication lack a reasonable basis in fact or law because:
   A. The person asserting the patent is not a person, or does not represent a person, with the current right to license the patent to or enforce the patent against the intended recipient or any affiliated person;
   B. The communication seeks compensation for a patent that has been held to be invalid or unenforceable in a final, unappealable or unappealed, judicial or administrative decision; or
   C. The communication seeks compensation on account of activities undertaken after the patent has expired; or
4. The content of the communication fails to include information necessary to inform an intended recipient or any affiliated person about the patent assertion by failing to include the following:
   A. The identity of the person asserting a right to license the patent to or enforce the patent against the intended recipient or any affiliated person;
   B. The patent issued by the United States Patent and Trademark Office alleged to have been infringed; and

New matter indicated by italics - deletions by strikeout
(C) the factual allegations concerning the specific areas in which the intended recipient's or affiliated person's products, services, or technology infringed the patent or are covered by the claims in the patent.

(c) Nothing in this Section shall be construed to deem it an unlawful practice for any person who owns or has the right to license or enforce a patent to:

(1) advise others of that ownership or right of license or enforcement;
(2) communicate to others that the patent is available for license or sale;
(3) notify another of the infringement of the patent; or
(4) seek compensation on account of past or present infringement or for a license to the patent.

Section 99. Effective date. This Act takes effect January 1, 2015.
Approved August 26, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1120
(Senate Bill No. 3423)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Collateral Protection Act is amended by changing Section 40 as follows:

(815 ILCS 180/40)
Sec. 40. Substantial compliance.
(a) A creditor that places collateral protection insurance in substantial compliance with the terms of this Act shall not be directly or indirectly liable in any manner to a debtor, co-signor, guarantor, or any other person, in connection with the placement of the collateral protection insurance. Notices and coupon books required to be mailed under this Act shall be mailed by United States Mail, first class, postage prepaid.

(b) A servicer subject to the regulations prescribed by the Consumer Financial Protection Bureau pursuant to Section 1463 of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act (12 C.F.R. 1024.37) that places hazard insurance in substantial compliance with those

New matter indicated by italics - deletions by strikeout
regulations shall be deemed to be in substantial compliance with the terms of this Act.
(Source: P.A. 89-623, eff. 8-9-96; 90-35, eff. 6-27-97.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1121
(Senate Bill No. 3437)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Public Utilities Act is amended by changing Section 19-130 as follows:
(220 ILCS 5/19-130)
Sec. 19-130. Commission study and report. The Commission's Office of Retail Market Development shall prepare an annual report regarding the development of competitive retail natural gas markets in Illinois. The Office shall monitor existing competitive conditions in Illinois, identify barriers to retail competition for all customer classes, and actively explore and propose to the Commission and to the General Assembly solutions to overcome identified barriers. Solutions proposed by the Office to promote retail competition must also promote safe, reliable, and affordable natural gas service.

On or before October 1 of each year, beginning in 2015, the Director shall submit a report to the Commission, the General Assembly, and the Governor, that includes The report shall be approved by the Commission and be filed by July 1 of each odd year with the Joint Committee on Legislative Support Services of the General Assembly and the Governor and shall be publicly available. The report shall include, at a minimum, the following information:

(1) an analysis of the status and development of the retail natural gas market in the State of Illinois; and
(2) a discussion of any identified barriers to the development of competitive retail natural gas markets in Illinois and proposed solutions to overcome identified barriers; and

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(3) any other information the Office Commission considers significant in assessing the development of natural gas markets in the State of Illinois.

To aid in preparation of its annual report, as well in its assessment of barriers to the development of competitive retail natural gas markets and proposed solutions to overcome those barriers, the Commission's Office of Retail Market Development shall gather input from all interested parties as well as from other bureaus within the Commission.

(Source: P.A. 97-223, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1122
(Senate Bill No. 3438)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Co-operative Act is amended by changing Sections 2 and 9 as follows:

(805 ILCS 310/2) (from Ch. 32, par. 306)
Sec. 2.
No person shall be permitted to subscribe for more than 10 shares of the capital stock of such association, nor shall any person be permitted to own or control more than 10 shares of the capital stock of such association. The shares of stock shall not be less than $5 nor more than $1,000 a share, and subscriptions thereto shall be made payable to the association at such time or times and in such manner as shall be determined by the directors. No stock shall be issued except at its par value and no stock shall be issued in amount to exceed $10,000 to any one shareholder, except as hereinafter provided for in Section 12 of this Act.

No commission shall be directly or indirectly charged, secured, or collected for selling stock in such association, and any person, firm or corporation, charging, receiving or procuring, directly or indirectly, any such commission commits a petty offense and shall be fined not less than $5 nor more than $100.

(Source: P.A. 77-2377.)

New matter indicated by italics - deletions by strikeout
Sec. 9. No shareholder in any association shall own more than 10 shares nor of a greater aggregate par value than $10,000, except as hereinafter provided.

(Source: Laws 1915, p. 325.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved August 26, 2014.
Effective August 26, 2014.

PUBLIC ACT 98-1123
(Senate Bill No. 3465)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Ambulatory Surgical Treatment Center Act is amended by changing Section 3 and by adding Section 6.8 as follows:

Sec. 3. As used in this Act, unless the context otherwise requires, the following words and phrases shall have the meanings ascribed to them:

(A) "Ambulatory surgical treatment center" means any institution, place or building devoted primarily to the maintenance and operation of facilities for the performance of surgical procedures. "Ambulatory surgical treatment center" includes any place that meets and complies with the definition of an ambulatory surgical treatment center under the rules adopted by the Department or any facility in which a medical or surgical procedure is utilized to terminate a pregnancy, irrespective of whether the facility is devoted primarily to this purpose. Such facility shall not provide beds or other accommodations for the overnight stay of patients; however, facilities devoted exclusively to the treatment of children may provide accommodations and beds for their patients for up to 23 hours following admission. Individual patients shall be discharged in an ambulatory condition without danger to the continued well being of the patients or shall be transferred to a hospital.

The term "ambulatory surgical treatment center" does not include any of the following:

New matter indicated by italics - deletions by strikeout
(1) Any institution, place, building or agency required to be licensed pursuant to the "Hospital Licensing Act", approved July 1, 1953, as amended.

(2) Any person or institution required to be licensed pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act.

(3) Hospitals or ambulatory surgical treatment centers maintained by the State or any department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitals or ambulatory surgical treatment centers under its management and control.

(4) Hospitals or ambulatory surgical treatment centers maintained by the Federal Government or agencies thereof.

(5) Any place, agency, clinic, or practice, public or private, whether organized for profit or not, devoted exclusively to the performance of dental or oral surgical procedures.

(B) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, or the legal successor thereof.

(C) "Department" means the Department of Public Health of the State of Illinois.

(D) "Director" means the Director of the Department of Public Health of the State of Illinois.

(E) "Physician" means a person licensed to practice medicine in all of its branches in the State of Illinois.

(F) "Dentist" means a person licensed to practice dentistry under the Illinois Dental Practice Act.

(G) "Podiatric physician" means a person licensed to practice podiatry under the Podiatric Medical Practice Act of 1987.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-214, eff. 8-9-13.)

(210 ILCS 5/6.8 new)

Sec. 6.8. Agreements with the federal Centers for Medicare and Medicaid Services. An ambulatory surgical treatment center that elects to have an agreement with the federal Centers for Medicare and Medicaid Services, as provided in 42 CFR 416, must also meet the Medicare conditions as an ambulatory surgical center, as set forth in 42 CFR 416, and have an active agreement with the federal Centers for Medicare and Medicaid New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 3. The Alcoholism and Other Drug Abuse and Dependency Act is amended by changing Section 40-5 as follows:

(20 ILCS 301/40-5)
Sec. 40-5. Election of treatment. An addict or alcoholic who is charged with or convicted of a crime or any other person charged with or convicted of a misdemeanor violation of the Use of Intoxicating Compounds Act and who has not been previously convicted of a violation of that Act may elect treatment under the supervision of a licensed program designated by the Department, referred to in this Article as "designated program", unless:

(1) the crime is a crime of violence;
(2) the crime is a violation of Section 401(a), 401(b), 401(c) where the person electing treatment has been previously convicted of a non-probationable felony or the violation is non-probationable, 401(d) where the violation is non-probationable, 401.1, 402(a), 405 or 407 of the Illinois Controlled Substances Act, or Section 4(d), 4(e), 4(f), 4(g), 5(d), 5(e), 5(f), 5(g), 5.1, 7 or 9 of the Cannabis Control Act or Section 15, 20, 55, 60(b)(3), 60(b)(4), 60(b)(5), 60(b)(6), or 65 of the Methamphetamine Control and Community Protection Act or is otherwise ineligible for probation under Section 70 of the Methamphetamine Control and Community Protection Act;
(3) the person has a record of 2 or more convictions of a crime of violence;
(4) other criminal proceedings alleging commission of a felony are pending against the person;
(5) the person is on probation or parole and the appropriate parole or probation authority does not consent to that election;

New matter indicated by italics - deletions by strikeout
(6) the person elected and was admitted to a designated program on 2 prior occasions within any consecutive 2-year period;
(7) the person has been convicted of residential burglary and has a record of one or more felony convictions;
(8) the crime is a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
(9) the crime is a reckless homicide or a reckless homicide of an unborn child, as defined in Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012, in which the cause of death consists of the driving of a motor vehicle by a person under the influence of alcohol or any other drug or drugs at the time of the violation.

Nothing in this Section shall preclude an individual who is charged with or convicted of a crime that is a violation of Section 60(b)(1) or 60(b)(2) of the Methamphetamine Control and Community Protection Act, and who is otherwise eligible to make the election provided for under this Section, from being eligible to make an election for treatment as a condition of probation as provided for under this Article.

(Source: P.A. 96-1440, eff. 1-1-11; 97-889, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 5. The Unified Code of Corrections is amended by adding Section 5-6-3.5 as follows:

(730 ILCS 5/5-6-3.5 new)

Sec. 5-6-3.5. Appropriations to the Department of Human Services for services under the Offender Initiative Program and Second Chance Probation.

(a) As used in this Section, "qualified program" means a program licensed, certified, or otherwise overseen by the Department of Human Services under the rules adopted by the Department.

(b) Subject to appropriation, the Department of Human Services shall, in collaboration with the appropriate State agency, contract with counties and qualified programs to reimburse the counties and qualified programs for the following:

(1) Services relating to defendants eligible for and participating in an Offender Initiative Program, subject to Section 5-6-3.3 of this Code, including:

(A) psychiatric treatment or treatment or rehabilitation approved by the Department of Human

New matter indicated by italics - deletions by strikeout
Services as provided for in subsection (d) of Section 5-6-3.3 of this Code; and

(B) educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing the high school equivalency test or to work toward completing a vocational training program as provided for in subsection (c) of Section 5-6-3.3 of this Code.

(2) Services relating to defendants eligible for and participating in Second Chance Probation, subject to Section 5-6-3.4 of this Code, including:

(A) psychiatric treatment or treatment or rehabilitation approved by the Department of Human Services as provided for in subsection (d) of Section 5-6-3.4 of this Code; and

(B) educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing the high school equivalency test or to work toward completing a vocational training program as provided in subsection (c) of Section 5-6-3.4 of this Code.

(c) The Department of Human Services shall retain 5% of the moneys appropriated for the cost of administering the services provided by the Department.

(d) The Department of Human Services shall adopt rules and procedures for reimbursements paid to counties and qualified programs. Moneys received under this Section shall be in addition to moneys currently expended to provide similar services.

(e) Expenditure of moneys under this Section is subject to audit by the Auditor General.

(f) The Department of Human Services shall report to the General Assembly on or before January 1, 2016 and on or before each following January 1, for as long as the services are available, detailing the impact of existing services, the need for continued services, and any recommendations for changes in services or in the reimbursement for services.

AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Section 17-2 as follows:

Sec. 17-2. False personation; solicitation.

(a) False personation; solicitation.

(1) A person commits a false personation when he or she knowingly and falsely represents himself or herself to be a member or representative of any veterans' or public safety personnel organization or a representative of any charitable organization, or when he or she knowingly exhibits or uses in any manner any decal, badge or insignia of any charitable, public safety personnel, or veterans' organization when not authorized to do so by the charitable, public safety personnel, or veterans' organization. "Public safety personnel organization" has the meaning ascribed to that term in Section 1 of the Solicitation for Charity Act.

(2) A person commits a false personation when he or she knowingly and falsely represents himself or herself to be a veteran in seeking employment or public office. In this paragraph, "veteran" means a person who has served in the Armed Services or Reserve Forces of the United States.

(2.5) A person commits a false personation when he or she knowingly and falsely represents himself or herself to be:

(A) another actual person and does an act in such assumed character with intent to intimidate, threaten, injure, defraud, or to obtain a benefit from another; or

(B) a representative of an actual person or organization and does an act in such false capacity with intent to obtain a benefit or to injure or defraud another.

(3) No person shall knowingly use the words "Police", "Police Department", "Patrolman", "Sergeant", "Lieutenant", "Peace Officer", "Sheriff's Police", "Sheriff", "Officer", "Law Enforcement", "Trooper", "Deputy", "Deputy Sheriff", "State Police", or any other words to the same effect (i) in the title of any organization, magazine,
or other publication without the express approval of the named public safety personnel organization's governing board or (ii) in combination with the name of any state, state agency, public university, or unit of local government without the express written authorization of that state, state agency, public university, or unit of local government.

(4) No person may knowingly claim or represent that he or she is acting on behalf of any public safety personnel organization when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements unless the chief of the police department, fire department, and the corporate or municipal authority thereof, or the sheriff has first entered into a written agreement with the person or with an organization with which the person is affiliated and the agreement permits the activity and specifies and states clearly and fully the purpose for which the proceeds of the solicitation, contribution, or sale will be used.

(5) No person, when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements may claim or represent that he or she is representing or acting on behalf of any nongovernmental organization by any name which includes "officer", "peace officer", "police", "law enforcement", "trooper", "sheriff", "deputy", "deputy sheriff", "State police", or any other word or words which would reasonably be understood to imply that the organization is composed of law enforcement personnel unless:

(A) the person is actually representing or acting on behalf of the nongovernmental organization;

(B) the nongovernmental organization is controlled by and governed by a membership of and represents a group or association of active duty peace officers, retired peace officers, or injured peace officers; and

(C) before commencing the solicitation or the sale or the offers to sell any merchandise, goods, services, memberships, or advertisements, a written contract between the soliciting or selling person and the nongovernmental organization, which specifies and states clearly and fully the purposes for which the proceeds of the solicitation, contribution, or sale will be used, has been entered into.

New matter indicated by italics - deletions by strikeout
(6) No person, when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements, may knowingly claim or represent that he or she is representing or acting on behalf of any nongovernmental organization by any name which includes the term "fireman", "fire fighter", "paramedic", or any other word or words which would reasonably be understood to imply that the organization is composed of fire fighter or paramedic personnel unless:

(A) the person is actually representing or acting on behalf of the nongovernmental organization;

(B) the nongovernmental organization is controlled by and governed by a membership of and represents a group or association of active duty, retired, or injured fire fighters (for the purposes of this Section, "fire fighter" has the meaning ascribed to that term in Section 2 of the Illinois Fire Protection Training Act) or active duty, retired, or injured emergency medical technicians - ambulance, emergency medical technicians - intermediate, emergency medical technicians - paramedic, ambulance drivers, or other medical assistance or first aid personnel; and

(C) before commencing the solicitation or the sale or delivery or the offers to sell or deliver any merchandise, goods, services, memberships, or advertisements, the soliciting or selling person and the nongovernmental organization have entered into a written contract that specifies and states clearly and fully the purposes for which the proceeds of the solicitation, contribution, or sale will be used.

(7) No person may knowingly claim or represent that he or she is an airman, airline employee, airport employee, or contractor at an airport in order to obtain the uniform, identification card, license, or other identification paraphernalia of an airman, airline employee, airport employee, or contractor at an airport.

(8) No person, firm, copartnership, or corporation (except corporations organized and doing business under the Pawners Societies Act) shall knowingly use a name that contains in it the words "Pawners' Society".

New matter indicated by italics - deletions by strikeout
(b) False personation; public officials and employees. A person commits a false personation if he or she knowingly and falsely represents himself or herself to be any of the following:

(1) An attorney authorized to practice law for purposes of compensation or consideration. This paragraph (b)(1) does not apply to a person who unintentionally fails to pay attorney registration fees established by Supreme Court Rule.

(2) A public officer or a public employee or an official or employee of the federal government.

(2.3) A public officer, a public employee, or an official or employee of the federal government, and the false representation is made in furtherance of the commission of felony.

(2.7) A public officer or a public employee, and the false representation is for the purpose of effectuating identity theft as defined in Section 16-30 of this Code.

(3) A peace officer.

(4) A peace officer while carrying a deadly weapon.

(5) A peace officer in attempting or committing a felony.

(6) A peace officer in attempting or committing a forcible felony.

(7) The parent, legal guardian, or other relation of a minor child to any public official, public employee, or elementary or secondary school employee or administrator.

(7.5) The legal guardian, including any representative of a State or public guardian, of a disabled person appointed under Article X1a of the Probate Act of 1975.

(8) A fire fighter.

(9) A fire fighter while carrying a deadly weapon.

(10) A fire fighter in attempting or committing a felony.

(11) An emergency management worker of any jurisdiction in this State.

(12) An emergency management worker of any jurisdiction in this State in attempting or committing a felony. For the purposes of this subsection (b), "emergency management worker" has the meaning provided under Section 2-6.6 of this Code.

(b-5) The trier of fact may infer that a person falsely represents himself or herself to be a public officer or a public employee or an official or employee of the federal government if the person:

New matter indicated by italics - deletions by strikeout
(1) wears or displays without authority any uniform, badge, insignia, or facsimile thereof by which a public officer or public employee or official or employee of the federal government is lawfully distinguished; or

(2) falsely expresses by word or action that he or she is a public officer or public employee or official or employee of the federal government and is acting with approval or authority of a public agency or department.

(c) Fraudulent advertisement of a corporate name.

(1) A company, association, or individual commits fraudulent advertisement of a corporate name if he, she, or it, not being incorporated, puts forth a sign or advertisement and assumes, for the purpose of soliciting business, a corporate name.

(2) Nothing contained in this subsection (c) prohibits a corporation, company, association, or person from using a divisional designation or trade name in conjunction with its corporate name or assumed name under Section 4.05 of the Business Corporation Act of 1983 or, if it is a member of a partnership or joint venture, from doing partnership or joint venture business under the partnership or joint venture name. The name under which the joint venture or partnership does business may differ from the names of the members. Business may not be conducted or transacted under that joint venture or partnership name, however, unless all provisions of the Assumed Business Name Act have been complied with. Nothing in this subsection (c) permits a foreign corporation to do business in this State without complying with all Illinois laws regulating the doing of business by foreign corporations. No foreign corporation may conduct or transact business in this State as a member of a partnership or joint venture that violates any Illinois law regulating or pertaining to the doing of business by foreign corporations in Illinois.

(3) The provisions of this subsection (c) do not apply to limited partnerships formed under the Revised Uniform Limited Partnership Act or under the Uniform Limited Partnership Act (2001).

(d) False law enforcement badges.

(1) A person commits false law enforcement badges if he or she knowingly produces, sells, or distributes a law enforcement badge without the express written consent of the law enforcement agency represented on the badge or, in case of a reorganized or defunct law enforcement agency, its successor law enforcement agency.

New matter indicated by italics - deletions by strikeout
(2) It is a defense to false law enforcement badges that the law enforcement badge is used or is intended to be used exclusively: (i) as a memento or in a collection or exhibit; (ii) for decorative purposes; or (iii) for a dramatic presentation, such as a theatrical, film, or television production.

(e) False medals.

(1) A person commits a false personation if he or she knowingly and falsely represents himself or herself to be a recipient of, or wears on his or her person, any of the following medals if that medal was not awarded to that person by the United States Government, irrespective of branch of service: The Congressional Medal of Honor, The Distinguished Service Cross, The Navy Cross, The Air Force Cross, The Silver Star, The Bronze Star, or the Purple Heart.

(2) It is a defense to a prosecution under paragraph (e)(1) that the medal is used, or is intended to be used, exclusively:

(A) for a dramatic presentation, such as a theatrical, film, or television production, or a historical re-enactment; or

(B) for a costume worn, or intended to be worn, by a person under 18 years of age.

(f) Sentence.

(1) A violation of paragraph (a)(8) is a petty offense subject to a fine of not less than $5 nor more than $100, and the person, firm, copartnership, or corporation commits an additional petty offense for each day he, she, or it continues to commit the violation. A violation of paragraph (c)(1) is a petty offense, and the company, association, or person commits an additional petty offense for each day he, she, or it continues to commit the violation. A violation of subsection (e) is a petty offense for which the offender shall be fined at least $100 and not more than $200.

(2) A violation of paragraph (a)(1), or (a)(3), or (b)(7.5) is a Class C misdemeanor.

(3) A violation of paragraph (a)(2), (a)(2.5), (a)(7), (b)(2), or (b)(7) or subsection (d) is a Class A misdemeanor. A second or subsequent violation of subsection (d) is a Class 3 felony.

(4) A violation of paragraph (a)(4), (a)(5), (a)(6), (b)(1), (b)(2.3), (b)(2.7), (b)(3), (b)(8), or (b)(11) is a Class 4 felony.

(5) A violation of paragraph (b)(4), (b)(9), or (b)(12) is a Class 3 felony.

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(6) A violation of paragraph (b)(5) or (b)(10) is a Class 2 felony.

(7) A violation of paragraph (b)(6) is a Class 1 felony.

(g) A violation of subsection (a)(1) through (a)(7) or subsection (e) of this Section may be accomplished in person or by any means of communication, including but not limited to the use of an Internet website or any form of electronic communication.

(Source: P.A. 96-328, eff. 8-11-09; 96-1551, eff. 7-1-11; 97-219, eff. 1-1-12; 97-597, eff. 1-1-12; incorporates change to Sec. 32-5 from 97-219; 97-1109, eff. 1-1-13.)


Approved August 26, 2014.

Effective January 1, 2015.

PUBLIC ACT 98-1126
(Senate Bill No. 0930)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 11-601 as follows:

(625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)

Sec. 11-601. General speed restrictions.

(a) No vehicle may be driven upon any highway of this State at a speed which is greater than is reasonable and proper with regard to traffic conditions and the use of the highway, or endangers the safety of any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(b) No person may drive a vehicle upon any highway of this State at a speed which is greater than the applicable statutory maximum speed limit.

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established by paragraphs (c), (d), (e), (f) or (g) of this Section, by Section 11-605 or by a regulation or ordinance made under this Chapter.

(c) Unless some other speed restriction is established under this Chapter, the maximum speed limit in an urban district for all vehicles is:
   1. 30 miles per hour; and
   2. 15 miles per hour in an alley.

(d) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for any vehicle is (1) 65 miles per hour (i) for all highways under the jurisdiction of the Illinois State Toll Highway Authority, unless some other speed limit is designated, and (ii) for all or part of highways that are designated by the Department, have at least 4 lanes of traffic, and have a separation between the roadways moving in opposite directions and (2) 55 miles per hour for all other highways, roads, and streets.

(d-1) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for any vehicle is (1) 70 miles per hour on any interstate highway as defined by Section 1-133.1 of this Code; (2) 65 miles per hour for all or part of highways that are designated by the Department, have at least 4 lanes of traffic, and have a separation between the roadways moving in opposite directions; and (3) 55 miles per hour for all other highways, roads, and streets. The counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will may adopt ordinances setting a maximum speed limit on highways, roads, and streets that is lower than the limits established by this Section.

(e) In the counties of Cook, DuPage, Kane, Lake, McHenry, and Will, unless some lesser speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a second division vehicle designed or used for the carrying of a gross weight of 8,001 pounds or more (including the weight of the vehicle and maximum load) is 60 miles per hour on any interstate highway as defined by Section 1-133.1 of this Code and 55 miles per hour on all other highways, roads, and streets.

(e-1) (Blank).

(f) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a bus is:
   1. 65 miles per hour upon any highway which has at least 4 lanes of traffic and of which the roadways for traffic moving in opposite directions are separated by a strip of ground which is not surfaced or suitable for vehicular traffic, except that the maximum speed limit for a bus on all highways, roads, or streets not under the

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jurisdiction of the Department or the Illinois State Toll Highway Authority is 55 miles per hour;
1.5. 70 miles per hour upon any interstate highway as defined by Section 1-133.1 of this Code outside the counties of Cook, DuPage, Kane, Lake, McHenry, and Will; and
2. 55 miles per hour on any other highway.
(g) (Blank).
(Source: P.A. 97-202, eff. 1-1-12; 98-511, eff. 1-1-14.)
Passed in the General Assembly May 14, 2014.
Sent to the Governor June 12, 2014.
Vetoed by the Governor August 11, 2014.
General Assembly Overrides Total Veto December 2, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1127
(Senate Bill No. 1630)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Medical Patient Rights Act is amended by adding Section 3.3 as follows:

(410 ILCS 50/3.3 new)
Sec. 3.3. Prohibition on the markup of anatomic pathology services. (a) A physician who orders, but who does not supervise or perform, an anatomic pathology service shall disclose in a bill for such service presented to the patient:
(1) the name and address of the physician or laboratory that provided the anatomic pathology service; and
(2) the actual amount paid or to be paid for each anatomic pathology service provided to the patient by the physician or laboratory that performed the service.
(b) A physician subject to the requirement of subsection (a) of this Section when billing a patient, insurer, or third-party payer shall not markup, or directly or indirectly increase, the amount subject to disclosure under paragraph (2) of subsection (a) of this Section in any bill presented to a patient, insurer, or third-party payer.
(c) This Section does not prohibit a referring physician from charging a specimen acquisition or processing charge if:

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the charge is limited to actual costs incurred for specimen collection and transportation; and

(2) the charge is separately coded or denoted as a service distinct from the performance of the anatomic pathology service, in conformance with the coding policies of the American Medical Association.

(d) The requirements of this Section do not apply to an anatomic pathology service ordered or provided by:

(1) facilities licensed under the Hospital Licensing Act or the University of Illinois Hospital Act or clinical laboratories owned, operated by, or operated within facilities licensed under the Hospital Licensing Act or the University of Illinois Hospital Act;

(2) any public health clinic or nonprofit health clinic; or

(3) any government agency, or their specified public or private agents.

(e) No patient, insurer, or other third-party payer, shall be required to reimburse any licensed health care professional for charges or claims submitted in violation of this Section.

(f) A person who receives a bill for an anatomic pathology service made in knowing and willful violation of this Section may maintain an action to recover the actual amount paid for the bill.

(g) The Department of Insurance shall enforce the provisions of this Section for any bill submitted to a payer in violation of this Section.

(h) For the purposes of this Section, "anatomic pathology services" means:

(1) histopathology or surgical pathology, meaning the gross and microscopic examination performed by a physician or under the supervision of a physician, including histologic processing;

(2) cytopathology, meaning the microscopic examination of cells from (A) fluids, (B) aspirates, (C) washings, (D) brushings, or (E) smears, including the Pap smear test examination performed by a physician or under the supervision of a physician;

(3) hematology, meaning the microscopic evaluation of bone marrow aspirates and biopsies performed by a physician, or under the supervision of a physician, and peripheral blood smears when the attending or treating physician or technologist requests that a blood smear be reviewed by a pathologist;

(4) sub-cellular pathology or molecular pathology, meaning the assessment of a patient specimen for the detection, localization,
measurement, or analysis of one or more protein or nucleic acid targets; and

(5) blood-banking services performed by pathologists.

Passed in the General Assembly May 14, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1128  
(Senate Bill No. 2015)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 11-601 as follows:

(625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)
Sec. 11-601. General speed restrictions.
(a) No vehicle may be driven upon any highway of this State at a speed which is greater than is reasonable and proper with regard to traffic conditions and the use of the highway, or endangers the safety of any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(a-5) For purposes of this Section, "urban district" does not include any interstate highway as defined by Section 1-133.1 of this Code which includes all highways under the jurisdiction of the Illinois State Toll Highway Authority.

(b) No person may drive a vehicle upon any highway of this State at a speed which is greater than the applicable statutory maximum speed limit established by paragraphs (c), (d), (e), (f) or (g) of this Section, by Section 11-605 or by a regulation or ordinance made under this Chapter.

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(c) Unless some other speed restriction is established under this Chapter, the maximum speed limit in an urban district for all vehicles is:
   1. 30 miles per hour; and
   2. 15 miles per hour in an alley.

(d) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for any vehicle is (1) 65 miles per hour (i) for all highways under the jurisdiction of the Illinois State Toll Highway Authority, unless some other speed limit is designated, and (ii) for all or part of highways that are designated by the Department, have at least 4 lanes of traffic, and have a separation between the roadways moving in opposite directions and (2) 55 miles per hour for all other highways, roads, and streets.

(d-1) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for any vehicle is (1) 70 miles per hour on any interstate highway as defined by Section 1-133.1 of this Code which includes all highways under the jurisdiction of the Illinois State Toll Highway Authority; (2) 65 miles per hour for all or part of highways that are designated by the Department, have at least 4 lanes of traffic, and have a separation between the roadways moving in opposite directions; and (3) 55 miles per hour for all other highways, roads, and streets. The counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will may adopt ordinances setting a maximum speed limit on highways, roads, and streets that is lower than the limits established by this Section.

(e) In the counties of Cook, DuPage, Kane, Lake, McHenry, and Will, unless some lesser speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a second division vehicle designed or used for the carrying of a gross weight of 8,001 pounds or more (including the weight of the vehicle and maximum load) is 55 miles per hour.

(e-1) (Blank).

(f) Unless some other speed restriction is established under this Chapter, the maximum speed limit outside an urban district for a bus is:
   1. 65 miles per hour upon any highway which has at least 4 lanes of traffic and of which the roadways for traffic moving in opposite directions are separated by a strip of ground which is not surfaced or suitable for vehicular traffic, except that the maximum speed limit for a bus on all highways, roads, or streets not under the jurisdiction of the Department or the Illinois State Toll Highway Authority is 55 miles per hour;

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1.5. 70 miles per hour upon any interstate highway as defined by Section 1-133.1 of this Code outside the counties of Cook, DuPage, Kane, Lake, McHenry, and Will; and
2. 55 miles per hour on any other highway.

(g) (Blank).

(Source: P.A. 97-202, eff. 1-1-12; 98-511, eff. 1-1-14.)
Passed in the General Assembly May 29, 2014.
Sent to the Governor June 27, 2014.
Vetoed by the Governor August 26, 2014.
General Assembly Overrides Total Veto December 3, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1129
(House Bill No. 3796)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Freedom of Information Act is amended by changing Sections 2, 3, 6, and 9.5 and by adding Sections 3.6 and 8.5 as follows:

(5 ILCS 140/2) (from Ch. 116, par. 202)
Sec. 2. Definitions. As used in this Act:
(a) "Public body" means all legislative, executive, administrative, or advisory bodies of the State, state universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees, or commissions of this State, any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees thereof, and a School Finance Authority created under Article 1E of the School Code. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act.
(b) "Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group.
(c) "Public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being

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used by, received by, in the possession of, or under the control of any public body.

(c-5) "Private information" means unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person.

(c-10) "Commercial purpose" means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

(d) "Copying" means the reproduction of any public record by means of any photographic, electronic, mechanical or other process, device or means now known or hereafter developed and available to the public body.

(e) "Head of the public body" means the president, mayor, chairman, presiding officer, director, superintendent, manager, supervisor or individual otherwise holding primary executive and administrative authority for the public body, or such person's duly authorized designee.

(f) "News media" means a newspaper or other periodical issued at regular intervals whether in print or electronic format, a news service whether in print or electronic format, a radio station, a television station, a television network, a community antenna television service, or a person or corporation engaged in making news reels or other motion picture news for public showing.

(g) "Recurrent requester", as used in Section 3.2 of this Act, means a person that, in the 12 months immediately preceding the request, has submitted to the same public body (i) a minimum of 50 requests for records, (ii) a minimum of 15 requests for records within a 30-day period, or (iii) a minimum of 7 requests for records within a 7-day period. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of

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requests made in the time periods in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

For the purposes of this subsection (g), "request" means a written document (or oral request, if the public body chooses to honor oral requests) that is submitted to a public body via personal delivery, mail, telefax, electronic mail, or other means available to the public body and that identifies the particular public record the requester seeks. One request may identify multiple records to be inspected or copied.

(h) "Voluminous request" means a request that: (i) includes more than 5 individual requests for more than 5 different categories of records or a combination of individual requests that total requests for more than 5 different categories of records in a period of 20 business days; or (ii) requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages. "Single requested record" may include, but is not limited to, one report, form, e-mail, letter, memorandum, book, map, microfilm, tape, or recording.

"Voluminous request" does not include a request made by news media and non-profit, scientific, or academic organizations if the principal purpose of the request is: (1) to access and disseminate information concerning news and current or passing events; (2) for articles of opinion or features of interest to the public; or (3) for the purpose of academic, scientific, or public research or education.

For the purposes of this subsection (h), "request" means a written document, or oral request, if the public body chooses to honor oral requests, that is submitted to a public body via personal delivery, mail, telefax, electronic mail, or other means available to the public body and that identifies the particular public record or records the requester seeks. One request may identify multiple individual records to be inspected or copied.

(Source: P.A. 96-261, eff. 1-1-10; 96-542, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-579, eff. 8-26-11.)

(5 ILCS 140/3) (from Ch. 116, par. 203)

Sec. 3. (a) Each public body shall make available to any person for inspection or copying all public records, except as otherwise provided in Sections 7 and 8.5 of this Act. Notwithstanding any other law, a public body may not grant to any person or entity, whether by contract,
license, or otherwise, the exclusive right to access and disseminate any public record as defined in this Act.

(b) Subject to the fee provisions of Section 6 of this Act, each public body shall promptly provide, to any person who submits a request, a copy of any public record required to be disclosed by subsection (a) of this Section and shall certify such copy if so requested.

(c) Requests for inspection or copies shall be made in writing and directed to the public body. Written requests may be submitted to a public body via personal delivery, mail, telefax, or other means available to the public body. A public body may honor oral requests for inspection or copying. A public body may not require that a request be submitted on a standard form or require the requester to specify the purpose for a request, except to determine whether the records are requested for a commercial purpose or whether to grant a request for a fee waiver. All requests for inspection and copying received by a public body shall immediately be forwarded to its Freedom of Information officer or designee.

(d) Each public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended under subsection (e) of this Section. Denial shall be in writing as provided in Section 9 of this Act. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request. A public body that fails to respond to a request within the requisite periods in this Section but thereafter provides the requester with copies of the requested public records may not impose a fee for such copies. A public body that fails to respond to a request received may not treat the request as unduly burdensome under subsection (g).

(e) The time for response under this Section may be extended by the public body for not more than 5 business days from the original due date for any of the following reasons:

(i) the requested records are stored in whole or in part at other locations than the office having charge of the requested records;
(ii) the request requires the collection of a substantial number of specified records;
(iii) the request is couched in categorical terms and requires an extensive search for the records responsive to it;
(iv) the requested records have not been located in the course of routine search and additional efforts are being made to locate them;

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(v) the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of this Act or should be revealed only with appropriate deletions;

(vi) the request for records cannot be complied with by the public body within the time limits prescribed by paragraph (c) of this Section without unduly burdening or interfering with the operations of the public body;

(vii) there is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

The person making a request and the public body may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the public body agree to extend the period for compliance, a failure by the public body to comply with any previous deadlines shall not be treated as a denial of the request for the records.

(f) When additional time is required for any of the above reasons, the public body shall, within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request. A public body that fails to respond to a request within the time permitted for extension but thereafter provides the requester with copies of the requested public records may not impose a fee for those copies. A public body that requests an extension and subsequently fails to respond to the request may not treat the request as unduly burdensome under subsection (g).

(g) Requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information. Before invoking this exemption, the public body shall extend to the person making the request an opportunity to confer with it in an attempt to reduce the request to manageable proportions. If any public body responds to a categorical request by stating that compliance would unduly burden its operation and the conditions described above are met, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the public body. Such a response shall be treated as a denial of the request for information.

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Repeated requests from the same person for the same records that are unchanged or identical to records previously provided or properly denied under this Act shall be deemed unduly burdensome under this provision.

(h) Each public body may promulgate rules and regulations in conformity with the provisions of this Section pertaining to the availability of records and procedures to be followed, including:

(i) the times and places where such records will be made available, and

(ii) the persons from whom such records may be obtained.

(i) The time periods for compliance or denial of a request to inspect or copy records set out in this Section shall not apply to requests for records made for a commercial purpose, requests by a recurrent requester, or voluminous requests. Such requests shall be subject to the provisions of Sections Section 3.1, 3.2, and 3.6 of this Act, as applicable.

(Source: P.A. 96-542, eff. 1-1-10.)

(5 ILCS 140/3.6 new)
Sec. 3.6. Voluminous requests.

(a) Notwithstanding any provision of this Act to the contrary, a public body shall respond to a voluminous request within 5 business days after receipt. The response shall notify the requester: (i) that the public body is treating the request as a voluminous request; (ii) the reasons why the public body is treating the request as a voluminous request; (iii) that the requester must respond to the public body within 10 business days after the public body's response was sent and specify whether the requester would like to amend the request in such a way that the public body will no longer treat the request as a voluminous request; (iv) that if the requester does not respond within 10 business days or if the request continues to be a voluminous request following the requester's response, the public body will respond to the request and assess any fees the public body charges pursuant to Section 6 of this Act; (v) that the public body has 5 business days after receipt of the requester's response or 5 business days from the last day for the requester to amend his or her request, whichever is sooner, to respond to the request; (vi) that the public body may request an additional 10 business days to comply with the request; (vii) of the requester's right to review of the public body's determination by the Public Access Counselor and provide the address and phone number for the Public Access Counselor; and (viii) that if the requester fails to accept or collect the responsive records, the public body may still charge the requester for its response pursuant to Section 6 of this Act and the requester's failure to pay will be considered a debt due and
owing to the public body and may be collected in accordance with applicable law.

(b) A public body shall provide a person making a voluminous request 10 business days from the date the public body's response pursuant to subsection (a) of this Section is sent to amend the request in such a way that the public body will no longer treat the request as a voluminous request.

(c) If a request continues to be a voluminous request following the requester's response under subsection (b) of this Section or the requester fails to respond, the public body shall respond within the earlier of 5 business days after it receives the response from the requester or 5 business days after the final day for the requester to respond to the public body's notification under this subsection. The response shall: (i) provide an estimate of the fees to be charged, which the public body may require the person to pay in full before copying the requested documents; (ii) deny the request pursuant to one or more of the exemptions set out in this Act; (iii) notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or (iv) provide the records requested.

(d) The time for response by the public body under subsection (c) of this Section may be extended by the public body for not more than 10 business days from the final day for the requester to respond to the public body's notification under subsection (c) of this Section for any of the reasons provided in subsection (e) of Section 3 of this Act.

The person making a request and the public body may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the public body agree to extend the period for compliance, a failure by the public body to comply with any previous deadlines shall not be treated as a denial of the request for the records.

(e) If a requester does not pay a fee charged pursuant to Section 6 of this Act for a voluminous request, the debt shall be considered a debt due and owing to the public body and may be collected in accordance with applicable law. This fee may be charged by the public body even if the requester fails to accept or collect records the public body has prepared in response to a voluminous request.

(5 ILCS 140/6) (from Ch. 116, par. 206)
Sec. 6. Authority to charge fees.

(a) When a person requests a copy of a record maintained in an electronic format, the public body shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the public

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records in the specified electronic format, then the public body shall furnish it in the format in which it is maintained by the public body, or in paper format at the option of the requester. A public body may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium. If a request is not a request for a commercial purpose or a voluminous request, a public body may not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records, except for commercial requests as provided in subsection (f) of this Section. Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of public records when furnished in a paper format shall not be applicable to those records when furnished in an electronic format.

(a-5) If a voluminous request is for electronic records and those records are not in a portable document format (PDF), the public body may charge up to $20 for not more than 2 megabytes of data, up to $40 for more than 2 but not more than 4 megabytes of data, and up to $100 for more than 4 megabytes of data. If a voluminous request is for electronic records and those records are in a portable document format, the public body may charge up to $20 for not more than 80 megabytes of data, up to $40 for more than 80 megabytes but not more than 160 megabytes of data, and up to $100 for more than 160 megabytes of data. If the responsive electronic records are in both a portable document format and not in a portable document format, the public body may separate the fees and charge the requester under both fee scales.

If a public body imposes a fee pursuant to this subsection (a-5), it must provide the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records.

(b) Except when a fee is otherwise fixed by statute, each public body may charge fees reasonably calculated to reimburse its actual cost for reproducing and certifying public records and for the use, by any person, of the equipment of the public body to copy records. No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies requested by a requester. The fee for black and white, letter or legal sized copies shall not exceed 15 cents per page. If a public body provides copies in color or in a size other than letter or legal, the public body may not charge more than its actual cost for reproducing the records. In calculating its actual cost for reproducing records or for the use of the equipment of the public body to reproduce records, a public body shall not include the costs of any search for and review of the records or other personnel costs associated with

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reproducing the records, except for commercial requests as provided in subsection (f) of this Section. Such fees shall be imposed according to a standard scale of fees, established and made public by the body imposing them. The cost for certifying a record shall not exceed $1.

(c) Documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit. For purposes of this subsection, "commercial benefit" shall not apply to requests made by news media when the principal purpose of the request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public. In setting the amount of the waiver or reduction, the public body may take into consideration the amount of materials requested and the cost of copying them.

(d) The imposition of a fee not consistent with subsections (6)(a) and (b) of this Act constitutes a denial of access to public records for the purposes of judicial review.

(e) The fee for each abstract of a driver's record shall be as provided in Section 6-118 of "The Illinois Vehicle Code", approved September 29, 1969, as amended, whether furnished as a paper copy or as an electronic copy.

(f) A public body may charge up to $10 for each hour spent by personnel in searching for and retrieving a requested record or examining the record for necessary redactions. No fees shall be charged for the first 8 hours spent by personnel in searching for or retrieving a requested record. A public body may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the public body. If a public body imposes a fee pursuant to this subsection (f), it must provide the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records. The provisions of this subsection (f) apply only to commercial requests.

(Source: P.A. 96-542, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-579, eff. 8-26-11.)

(5 ILCS 140/8.5 new)

Sec. 8.5. Records maintained online.

New matter indicated by italics - deletions by strikeout
(a) Notwithstanding any provision of this Act to the contrary, a public body is not required to copy a public record that is published on the public body's website. The public body shall notify the requester that the public record is available online and direct the requester to the website where the record can be reasonably accessed.

(b) If the person requesting the public record is unable to reasonably access the record online after being directed to the website pursuant to subsection (a) of this Section, the requester may re-submit his or her request for the record stating his or her inability to reasonably access the record online, and the public body shall make the requested record available for inspection or copying as provided in Section 3 of this Act.

(5 ILCS 140/9.5)
Sec. 9.5. Public Access Counselor; opinions.

(a) A person whose request to inspect or copy a public record is denied by a public body, except the General Assembly and committees, commissions, and agencies thereof, may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of the final denial. The request for review must be in writing, signed by the requester, and include (i) a copy of the request for access to records and (ii) any responses from the public body.

(b) A person whose request to inspect or copy a public record is made for a commercial purpose as defined in subsection (c-10) of Section 2 of this Act may not file a request for review with the Public Access Counselor. A person whose request to inspect or copy a public record was treated by the public body as a request for a commercial purpose under Section 3.1 of this Act may file a request for review with the Public Access Counselor for the limited purpose of reviewing whether the public body properly determined that the request was made for a commercial purpose.

(b-5) A person whose request to inspect or copy a public record was treated by a public body, except the General Assembly and committees, commissions, and agencies thereof, as a voluminous request under Section 3.6 of this Act may file a request for review with the Public Access Counselor for the purpose of reviewing whether the public body properly determined that the request was a voluminous request.

(c) Upon receipt of a request for review, the Public Access Counselor shall determine whether further action is warranted. If the Public Access Counselor determines that the alleged violation is unfounded, he or she shall so advise the requester and the public body and no further action shall be undertaken. In all other cases, the Public Access Counselor shall forward a

New matter indicated by italics - deletions by strikeout
copy of the request for review to the public body within 7 business days after receipt and shall specify the records or other documents that the public body shall furnish to facilitate the review. Within 7 business days after receipt of the request for review, the public body shall provide copies of records requested and shall otherwise fully cooperate with the Public Access Counselor. If a public body fails to furnish specified records pursuant to this Section, or if otherwise necessary, the Attorney General may issue a subpoena to any person or public body having knowledge of or records pertaining to a request for review of a denial of access to records under the Act. To the extent that records or documents produced by a public body contain information that is claimed to be exempt from disclosure under Section 7 of this Act, the Public Access Counselor shall not further disclose that information.

(d) Within 7 business days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the public body may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy. The requester may, but is not required to, respond in writing to the answer within 7 business days and shall provide a copy of the response to the public body.

(e) In addition to the request for review, and the answer and the response thereto, if any, a requester or a public body may furnish affidavits or records concerning any matter germane to the review.

(f) Unless the Public Access Counselor extends the time by no more than 30 business days by sending written notice to the requester and the public body that includes a statement of the reasons for the extension in the notice, or decides to address the matter without the issuance of a binding opinion, the Attorney General shall examine the issues and the records, shall make findings of fact and conclusions of law, and shall issue to the requester and the public body an opinion in response to the request for review within 60 days after its receipt. The opinion shall be binding upon both the requester and the public body, subject to administrative review under Section 11.5.

In responding to any request under this Section 9.5, the Attorney General may exercise his or her discretion and choose to resolve a request for review by mediation or by a means other than the issuance of a binding opinion. The decision not to issue a binding opinion shall not be reviewable.

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Upon receipt of a binding opinion concluding that a violation of this Act has occurred, the public body shall either take necessary action immediately to comply with the directive of the opinion or shall initiate administrative review under Section 11.5. If the opinion concludes that no violation of the Act has occurred, the requester may initiate administrative review under Section 11.5.

A public body that discloses records in accordance with an opinion of the Attorney General is immune from all liabilities by reason thereof and shall not be liable for penalties under this Act.

(g) If the requester files suit under Section 11 with respect to the same denial that is the subject of a pending request for review, the requester shall notify the Public Access Counselor, and the Public Access Counselor shall take no further action with respect to the request for review and shall so notify the public body.

(h) The Attorney General may also issue advisory opinions to public bodies regarding compliance with this Act. A review may be initiated upon receipt of a written request from the head of the public body or its attorney, which shall contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the public body in order to assist in the review. A public body that relies in good faith on an advisory opinion of the Attorney General in responding to a request is not liable for penalties under this Act, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor.

(Source: P.A. 96-542, eff. 1-1-10; 97-579, eff. 8-26-11.)

Sent to the Governor June 27, 2014.
Vetoed by the Governor June 27, 2014.
General Assembly Overrides Total Veto December 3, 2014.
Effective December 3, 2014.
AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Environmental Protection Act is amended by changing Section 3.330 as follows:
(415 ILCS 5/3.330) (was 415 ILCS 5/3.32)
Sec. 3.330. Pollution control facility.
(a) "Pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.
The following are not pollution control facilities:
(1) (blank);
(2) waste storage sites regulated under 40 CFR, Part 761.42;
(3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;
(4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;
(5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;
(6) sites or facilities used by any person to specifically conduct a landscape composting operation;
(7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;

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(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;

(9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;

(10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);

(11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;

(11.5) processing sites or facilities that receive only on-specification used oil, as defined in 35 Ill. Admin. Code 739, originating from used oil collectors for processing that is managed under 35 Ill. Admin. Code 739 to produce products for sale to off-site petroleum facilities, if these processing sites or facilities are: (i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 federal census, that home rule unit of local government has been designated as an Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements;

(12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

(13) the portion of a site or facility that (i) accepts exclusively general construction or demolition debris; (ii) is located in a county with a population over 3,000,000 as of January 1, 2000 or in a county

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that is contiguous to such a county; and (iii) is operated and located in accordance with Section 22.38 of this Act;

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products;

(15) the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of this Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station;

(16) a site or facility that temporarily holds in transit for 10 days or less, non-putrescible solid waste in original containers, no larger in capacity than 500 gallons, provided that such waste is further transferred to a recycling, disposal, treatment, or storage facility on a non-contiguous site and provided such site or facility complies with the applicable 10-day transfer requirements of the federal Resource Conservation and Recovery Act of 1976 and United States Department of Transportation hazardous material requirements. For purposes of this Section only, "non-putrescible solid waste" means waste other than municipal garbage that does not rot or become putrid, including, but not limited to, paints, solvent, filters, and absorbents;

(17) the portion of a site or facility located in a county with a population greater than 3,000,000 that has obtained local siting approval, under Section 39.2 of this Act, for a municipal waste incinerator on or before July 1, 2005 and that is used for wood combustion facilities for energy recovery that accept and burn only wood material, as included in a fuel specification approved by the Agency;

(18) a transfer station used exclusively for landscape waste, including a transfer station where landscape waste is ground to reduce its volume, where the landscape waste is held no longer than 24 hours from the time it was received;

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(19) the portion of a site or facility that (i) is used for the composting of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste, including, but not limited to, corrugated paper or cardboard, and (ii) meets all of the following requirements:

(A) There must not be more than a total of 30,000 cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

(B) All food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the composting operation must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the composting operation must be located outside the boundary of the 10-year floodplain or floodproofed.

(iii) Except in municipalities with more than 1,000,000 inhabitants, the portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the nearest residence, other than a residence located on the same property as the site or facility.

(iv) The portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the property line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

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(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

(III) Any facility for child care licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be

(i) processed into windrows or other piles and

(ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

(C) Food scrap, livestock waste, crop residue, uncontaminated wood waste, paper waste, and compost must not be placed within 5 feet of the water table.

(D) The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(E) The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around structures at the facility.

(F) The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

(i) an irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;

(ii) a natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

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(iii) a natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.

(G) The site or facility must not be located in an area where it may jeopardize the continued existence of any designated endangered species, result in the destruction or adverse modification of the critical habitat for such species, or cause or contribute to the taking of any endangered or threatened species of plant, fish, or wildlife listed under the Endangered Species Act (16 U.S.C. 1531 et seq.) or the Illinois Endangered Species Protection Act;

(20) the portion of a site or facility that is located entirely within a home rule unit having a population of no less than 120,000 and no more than 135,000, according to the 2000 federal census, and that meets all of the following requirements:

(i) the portion of the site or facility is used exclusively to perform testing of a thermochemical conversion technology using only woody biomass, collected as landscape waste within the boundaries of the home rule unit, as the hydrocarbon feedstock for the production of synthetic gas in accordance with Section 39.9 of this Act;

(ii) the portion of the site or facility is in compliance with all applicable zoning requirements; and

(iii) a complete application for a demonstration permit at the portion of the site or facility has been submitted to the Agency in accordance with Section 39.9 of this Act within one year after July 27, 2010 (the effective date of Public Act 96-1314);

(21) the portion of a site or facility used to perform limited testing of a gasification conversion technology in accordance with Section 39.8 of this Act and for which a complete permit application has been submitted to the Agency prior to one year from April 9, 2010 (the effective date of Public Act 96-887);

(22) the portion of a site or facility that is used to incinerate only pharmaceuticals from residential sources that are collected and

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transported by law enforcement agencies under Section 17.9A of this
Act; and
(23) until July 1, 2017, the portion of a site or facility:
(A) that is used exclusively for the transfer of
commingled landscape waste and food scrap held at the site
or facility for no longer than 24 hours after their receipt;
(B) that is located entirely within a home rule unit
having a population of either (i) not less than 100,000 and not
more than 115,000 according to the 2010 federal census or (ii)
not less than 5,000 and not more than 10,000 according to the
2010 federal census;
(C) that is permitted, by the Agency, prior to January
1, 2002, for the transfer of landscape waste; and
(D) for which a permit application is submitted to the
Agency within 6 months after January 1, 2014 (the effective
date of Public Act 98-146) this amendatory Act of the 98th
General Assembly to modify an existing permit for the
transfer of landscape waste to also include, on a
demonstration basis not to exceed 18 months, the transfer of
commingled landscape waste and food scrap.
(b) A new pollution control facility is:
(1) a pollution control facility initially permitted for
development or construction after July 1, 1981; or
(2) the area of expansion beyond the boundary of a currently
permitted pollution control facility; or
(3) a permitted pollution control facility requesting approval
to store, dispose of, transfer or incinerate, for the first time, any
special or hazardous waste.
(Source: P.A. 97-333, eff. 8-12-11; 97-545, eff. 1-1-12; 98-146, eff. 1-1-14;
98-239, eff. 8-9-13; revised 9-19-13.)
Passed in the General Assembly May 21, 2014.
Governor Returns Bill with Recommendation For Change
Effective January 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning courts.

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

Section 5. The Code of Civil Procedure is amended by changing Section 13-214 as follows:

(735 ILCS 5/13-214) (from Ch. 110, par. 13-214)

Sec. 13-214. Construction - Design management and supervision. As used in this Section "person" means any individual, any business or legal entity, or any body politic.

(a) Actions based upon tort, contract or otherwise against any person for an act or omission of such person in the design, planning, supervision, observation or management of construction, or construction of an improvement to real property shall be commenced within 4 years from the time the person bringing an action, or his or her privity, knew or should reasonably have known of such act or omission. Notwithstanding any other provision of law, contract actions against a surety on a payment or performance bond shall be commenced, if at all, within the same time limitation applicable to the bond principal.

(b) No action based upon tort, contract or otherwise may be brought against any person for an act or omission of such person in the design, planning, supervision, observation or management of construction, or construction of an improvement to real property after 10 years have elapsed from the time of such act or omission. However, any person who discovers such act or omission prior to expiration of 10 years from the time of such act or omission shall in no event have less than 4 years to bring an action as provided in subsection (a) of this Section. Notwithstanding any other provision of law, contract actions against a surety on a payment or performance bond shall be commenced, if at all, within the same time limitation applicable to the bond principal.

(c) If a person otherwise entitled to bring an action could not have brought such action within the limitation periods herein solely because such person was under the age of 18 years, or a person with a developmental disability or a person with mental illness, then the limitation periods herein shall not begin to run until the person attains the age of 18 years, or the disability is removed.

New matter indicated by italics - deletions by strikeout
(d) Subsection (b) shall not prohibit any action against a defendant who has expressly warranted or promised the improvement to real property for a longer period from being brought within that period.

(e) The limitations of this Section shall not apply to causes of action arising out of fraudulent misrepresentations or to fraudulent concealment of causes of action.

(f) Subsection (b) does not apply to an action that is based on personal injury, disability, disease, or death resulting from the discharge into the environment of asbestos.

(Source: P.A. 88-380.)

Passed in the General Assembly December 3, 2014.
Approved December 19, 2014.
Effective June 1, 2015.

PUBLIC ACT 98-1132
(Senate Bill No. 3075)

AN ACT concerning courts.

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

Section 5. The Counties Code is amended by changing Section 4-11001 as follows:

(55 ILCS 5/4-11001) (from Ch. 34, par. 4-11001)

Sec. 4-11001. Juror fees. Each county shall pay to grand and petit jurors for their services in attending courts the sums of $25 for the first day and thereafter $50 sum of $4 for each day of necessary attendance at such courts as jurors in counties of the first class, the sum of $5 for each day in counties of the second class, and the sum of $10 for each day in counties of the third class, or such higher amount as may be fixed by the county board.

In addition, jurors shall receive such travel expense as may be determined by the county board, provided that jurors in counties of the first class and second class shall receive at least 10 cents per mile for their travel expense. Mileage shall be allowed for travel during a juror's term as well as for travel at the opening and closing of his term.

If a judge so orders, a juror shall also receive reimbursement for the actual cost of day care incurred by the juror during his or her service on a jury.

The juror fees for service, transportation, and day care shall be paid out of the county treasury.

New matter indicated by italics - deletions by strikeout
The clerk of the court shall furnish to each juror without fee whenever he is discharged a certificate of the number of days' attendance at court, and upon presentation thereof to the county treasurer, he shall pay to the juror the sum provided for his service.

Any juror may elect to waive the fee paid for service, transportation, or day care, or any combination thereof.

(Source: P.A. 97-840, eff. 1-1-13.)

Section 10. The Code of Civil Procedure is amended by changing Section 2-1105 as follows:

(735 ILCS 5/2-1105) (from Ch. 110, par. 2-1105)
Sec. 2-1105. Jury demand.

(a) A plaintiff desirous of a trial by jury must file a demand therefor with the clerk at the time the action is commenced. A defendant desirous of a trial by jury must file a demand therefor not later than the filing of his or her answer. Otherwise, the party waives a jury. If an action is filed seeking equitable relief and the court thereafter determines that one or more of the parties is or are entitled to a trial by jury, the plaintiff, within 3 days from the entry of such order by the court, or the defendant, within 6 days from the entry of such order by the court, may file his or her demand for trial by jury with the clerk of the court. If the plaintiff files a jury demand and thereafter waives a jury, any defendant and, in the case of multiple defendants, if the defendant who filed a jury demand thereafter waives a jury, any other defendant shall be granted a jury trial upon demand therefor made promptly after being advised of the waiver and upon payment of the proper fees, if any, to the clerk.

(b) All jury cases where the claim for damages is $50,000 or less shall be tried by a jury of 6, unless either party demands a jury of 12. If a fee in connection with a jury demand is required by statute or rule of court, the fee for a jury of 6 shall be 1/2 the fee for a jury of 12. A party demanding a jury of 12 after another party has paid the applicable fee for a jury of 6 shall pay the remaining 1/2 of the fee applicable to a jury of 12. If alternate jurors are requested, an additional fee established by the county shall be charged for each alternate juror requested. For all cases filed prior to the effective date of this amendatory Act of the 98th General Assembly, if a party has paid for a jury of 12, that party may demand a jury of 12 upon proof of payment.

(Source: P.A. 94-206, eff. 1-1-06.)

Section 99. Effective date. This Act takes effect June 1, 2015.

Passed in the General Assembly December 3, 2014.
Approved December 19, 2014.
PUBLIC ACT 98-1132

Effective June 1, 2015.

PUBLIC ACT 98-1133
(Senate Bill No. 3530)

AN ACT concerning employment.

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

Section 10. The Public Employment Office Act is amended by changing Section 7 as follows:

(20 ILCS 1015/7) (from Ch. 48, par. 183)

Sec. 7. No fee or compensation shall be charged or received directly or indirectly from persons applying for employment or help through said free employment offices, and any officer or employee of the Department of Employment Security who shall accept, directly or indirectly any fee or compensation from any applicant or from his or her representative shall be guilty of a Class C misdemeanor, except that this Section does not prohibit referral of an individual to an apprenticeship program that is approved by and registered with the United States Department of Labor, Bureau of Apprenticeship and Training and charges an application fee of $50 or less. (Source: P.A. 83-1503.)

Section 15. The Unemployment Insurance Act is amended by changing Sections 206.1, 225, 245, 702, 1402, 2101, 2201, 2201.1, and 2401 and by adding Sections 502 and 1402.1 as follows:

(820 ILCS 405/206.1)

Sec. 206.1. Employment; employee leasing company.
A. For purposes of this Section:

1. "Client" means an individual or entity which has contracted with an employee leasing company to supply it with or assume responsibility for personnel management of one or more workers to perform services on an on-going basis rather than under a temporary help arrangement, as defined in Section 15 of the Employee Leasing Company Act.

2. "Employee leasing company" means an individual or entity which contracts with a client to supply or assume responsibility for personnel management of one or more workers to perform services for the client on an on-going basis rather than under a temporary help arrangement, as defined in Section 15 of the Employee Leasing Company Act.

New matter indicated by italics - deletions by strikeout
B. Subject to subsection C, services performed by an individual under a contract between an employee leasing company and client, including but not limited to services performed in the capacity of a corporate officer of the client, are services in "employment" of the employee leasing company and are not services in "employment" of the client if all of the following conditions are met:

1. The employee leasing company pays the individual for the services directly from its own accounts; and
2. The employee leasing company, exclusively or in conjunction with the client, retains the right to direct and control the individual in the performance of the services; and
3. The employee leasing company, exclusively or in conjunction with the client, retains the right to hire and terminate the individual; and
4. The employee leasing company reports each client in the manner the Director prescribes by regulation; and
5. The employee leasing company has provided, and there remains in effect, such irrevocable indemnification, as the Director may require by rule, to create a primary obligation on the part of the provider to the Illinois Department of Employment Security for obligations of the employee leasing company accrued and final under this Act. The rule may prescribe the form the indemnification shall take including, but not limited to, a surety bond or an irrevocable standby letter of credit. The obligation required pursuant to the rule shall not exceed $1,000,000.

C. Notwithstanding subsection B, services performed by an individual under a contract between an employee leasing company and client, including but not limited to services performed in the capacity of a corporate officer of the client, are services in "employment" of the employee leasing company if:

1. The contribution rate, or, where applicable, the amended contribution rate, of the client is greater than the sum of the fund building rate established for the year pursuant to Section 1506.3 of this Act plus the greater of 2.7% or 2.7% times the adjusted state experience factor for the year; and
2. The contribution rate, or, where applicable, the amended contribution rate, of the employee leasing company is less than the contribution rate, or, where applicable, the amended contribution rate of the client by more than 1.5% absolute.

New matter indicated by italics - deletions by strikeout
D. Except as provided in this Section and notwithstanding any other provision of this Act to the contrary, services performed by an individual under a contract between an employee leasing company and client, including but not limited to services performed in the capacity of a corporate officer of the client, are services in "employment" of the client and are not services in "employment" of the employee leasing company.

E. Nothing in this Section shall be construed or used to effect the existence of an employment relationship other than for purposes of this Act.

(Source: P.A. 91-890, eff. 7-6-00.)

(820 ILCS 405/225) (from Ch. 48, par. 335)

Sec. 225. This Section, and not Section 212 of this Act, controls the determination of employment status for services performed by individuals in the delivery or distribution of newspapers or shopping news.

(A) The term "employment" shall not include services performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news.

(B) The term "employment" does not include the performance of freelance editorial or photographic work for a newspaper.

(B-5) The employment status of individuals engaged in the delivery of newspapers or shopping news shall be determined as provided in this subsection. The term "employment" does not include the delivery or distribution of newspapers or shopping news if at least one of the following 4 elements is present:

(1) The individual performing the services gains the profits and bears the losses of the services.

(2) The person or firm for whom the services are performed does not represent the individual as an employee to its customers.

(3) The individual hires his or her own helpers or employees, without the need for approval from the person or firm for whom the services are performed, and pays them without reimbursement from that person or firm.

(4) Once the individual leaves the premises of the person or firm for whom the services are performed or the printing plant, the individual operates free from the direction and control of the person or firm, except as is necessary for the person or firm to ensure quality control of the newspapers or shopping news, including, but not limited to, the condition of the newspapers or shopping news upon delivery and the location and timing of delivery of the newspapers or shopping news.

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(C) Notwithstanding subsection (B-5), the term "employment" does not include the delivery or distribution of newspapers or shopping news to the ultimate consumer if:

1. substantially all of the remuneration for the performance of the services is directly related to sales, "per piece" fees, or other output, rather than to the number of hours worked; and
2. the services are performed under a written contract between the individual and the person or firm for whom the services are performed, and the contract provides that the individual will not be treated as an employee for federal tax purposes.
3. Delivery or distribution to the ultimate consumer does not include:
   (i) delivery or distribution for sale or resale, including, but not limited to, distribution to a newsrack or newsbox, salesperson, newsstand or retail establishment;
   (ii) distribution for further distribution, regardless of subsequent sale or resale.

(D) Subsections (B-5) and subsection (C) shall not apply in the case of any individual who provides delivery or distribution services for a newspaper pursuant to the terms of a collective bargaining agreement and shall not be construed to alter or amend the application or interpretation of any existing collective bargaining agreement. Further, subsections (B-5) and subsection (C) shall not be construed as evidence of the existence or non-existence of an employment relationship under any other Sections of this Act or other existing laws.

(E) Subsections (B), (B-5), and (C) shall not apply to services that are required to be covered as a condition of approval of this Act by the United States Secretary of Labor under Section 3304 (a)(6)(A) of the Federal Unemployment Tax Act.

(Source: P.A. 87-1178.)

(820 ILCS 405/245) (from Ch. 48, par. 370)

Sec. 245. Coordination with Federal Unemployment Tax Act. Notwithstanding any provisions of this Act to the contrary, excepting the exemptions from the definition of employment contained in Sections 212.1, 217.1, 217.2, 226, and 231 and subsections (B), (B-5), and (C) of Section 225:

A. The term "employer" includes any employing unit which is an "employer" under the provisions of the Federal Unemployment Tax Act, or which is required, pursuant to such Act, to be an "employer" under this Act

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as a condition for the Federal approval of this Act requisite to the full tax credit, against the tax imposed by the Federal Act, for contributions paid by employers pursuant to this Act.

B. The term "employment" includes any services performed within the State which constitute "employment" under the provisions of the Federal Unemployment Tax Act, or which are required, pursuant to such Act, to be "employment" under this Act as a condition for the Federal approval of this Act requisite to the full tax credit, against the tax imposed by the Federal Act, for contributions paid by employers pursuant to this Act.

C. The term "wages" includes any remuneration for services performed within this State which is subject to the payment of taxes under the provisions of the Federal Unemployment Tax Act.

(Source: P.A. 89-252, eff. 8-8-95; 89-649, eff. 8-9-96.)

(820 ILCS 405/502 new)

Sec. 502. Eligibility for benefits under the Short-Time Compensation Program.

A. The Director may by rule establish a short-time compensation program consistent with this Section. No short-time compensation shall be payable except as authorized by rule.

B. As used in this Section:

"Affected unit" means a specified plant, department, shift, or other definable unit that includes 2 or more workers to which an approved short-time compensation plan applies.

"Health and retirement benefits" means employer-provided health benefits and retirement benefits under a defined benefit pension plan (as defined in Section 414(j) of the Internal Revenue Code) or contributions under a defined contribution plan (defined in Section 414(i) of the Internal Revenue Code), which are incidents of employment in addition to the cash remuneration earned.

"Short-time compensation" means the unemployment benefits payable to employees in an affected unit under an approved short-time compensation plan, as distinguished from the unemployment benefits otherwise payable under this Act.

"Short-time compensation plan" means a plan submitted by an employer, for approval by the Director, under which the employer requests the payment of short-time compensation to workers in an affected unit of the employer to avert layoffs.

"Usual weekly hours of work" means the usual hours of work for full-time or part-time employees in the affected unit when that unit is operating.

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on its regular basis, not to exceed 40 hours and not including hours of overtime work.

"Unemployment insurance" means the unemployment benefits payable under this Act other than short-time compensation and includes any amounts payable pursuant to an agreement under any Federal law providing for compensation, assistance, or allowances with respect to unemployment.

C. An employer wishing to participate in the short-time compensation program shall submit a signed written short-time compensation plan to the Director for approval. The Director shall develop an application form to request approval of a short-time compensation plan and an approval process. The application shall include:

1. The employer's unemployment insurance account number, the affected unit covered by the plan, including the number of full-time or part-time workers in such unit, the percentage of workers in the affected unit covered by the plan, identification of each individual employee in the affected unit by name and social security number, and any other information required by the Director to identify plan participants.

2. A description of how workers in the affected unit will be notified of the employer's participation in the short-time compensation plan if such application is approved, including how the employer will notify those workers in a collective bargaining unit as well as any workers in the affected unit who are not in a collective bargaining unit. If the employer will not provide advance notice to workers in the affected unit, the employer shall explain in a statement in the application why it is not feasible to provide such notice.

3. The employer's certification that it has the approval of the plan from all collective bargaining representatives of employees in the affected unit and has notified all employees in the affected unit who are not in a collective bargaining unit of the plan.

4. The employer's certification that it will not hire additional part-time or full-time employees for, or transfer employees to, the affected unit, while the program is in operation.

5. A requirement that the employer identify the usual weekly hours of work for employees in the affected unit and the specific percentage by which their hours will be reduced during all weeks covered by the plan. An application shall specify the percentage of reduction for which a short-time compensation application may be approved which shall be not less than 20% and not more than 60%.

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If the plan includes any week for which the employer regularly provides no work (due to a holiday or other plant closing), then such week shall be identified in the application.

6. Certification by the employer that, if the employer provides health and retirement benefits to any employee whose usual weekly hours of work are reduced under the program, such benefits will continue to be provided to the employee participating in the short-time compensation program under the same terms and conditions as though the usual weekly hours of work of such employee had not been reduced or to the same extent as other employees not participating in the short-time compensation program. For defined benefit retirement plans, the hours that are reduced under the short-time compensation plan shall be credited for purposes of participation, vesting, and accrual of benefits as though the usual weekly hours of work had not been reduced. The dollar amount of employer contributions to a defined contribution plan that are based on a percentage of compensation may be less due to the reduction in the employee's compensation. Notwithstanding any other provision to the contrary, a certification that a reduction in health and retirement benefits is scheduled to occur during the duration of the plan and will be applicable equally to employees who are not participating in the short-time compensation program and to those employees who are participating satisfies this paragraph.

7. Certification by the employer that the aggregate reduction in work hours is in lieu of layoffs (temporary or permanent layoffs, or both). The application shall include an estimate of the number of workers who would have been laid off in the absence of the short-time compensation plan.

8. Agreement by the employer to: furnish reports to the Director relating to the proper conduct of the plan; allow the Director or his or her authorized representatives access to all records necessary to approve or disapprove the plan application, and after approval of a plan, to monitor and evaluate the plan; and follow any other directives the Director deems necessary for the agency to implement the plan and which are consistent with the requirements for plan applications.

9. Certification by the employer that participation in the short-time compensation plan and its implementation is consistent
with the employer's obligations under applicable Federal and Illinois laws.

10. The effective date and duration of the plan, which shall expire no later than the end of the 12th full calendar month after the effective date.

11. Any other provision added to the application by the Director that the United States Secretary of Labor determines to be appropriate for purposes of a short-time compensation program.

D. The Director shall approve or disapprove a short-time compensation plan in writing within 45 days of its receipt and promptly communicate the decision to the employer. A decision disapproving the plan shall clearly identify the reasons for the disapproval. The disapproval shall be final, but the employer shall be allowed to submit another short-time compensation plan for approval not earlier than 30 days from the date of the disapproval.

E. The short-time compensation plan shall be effective on the mutually agreed upon date by the employer and the Director, which shall be specified in the notice of approval to the employer. The plan shall expire on the date specified in the notice of approval, which shall be mutually agreed on by the employer and Director but no later than the end of the 12th full calendar month after its effective date. However, if a short-time compensation plan is revoked by the Director, the plan shall terminate on the date specified in the Director's written order of revocation. An employer may terminate a short-time compensation plan at any time upon written notice to the Director. Upon receipt of such notice from the employer, the Director shall promptly notify each member of the affected unit of the termination date. An employer may submit a new application to participate in another short-time compensation plan at any time after the expiration or termination date.

F. The Director may revoke approval of a short-time compensation plan for good cause at any time, including upon the request of any of the affected unit's employees or their collective bargaining representative. The revocation order shall be in writing and shall specify the reasons for the revocation and the date the revocation is effective. The Director may periodically review the operation of each employer's short-time compensation plan to assure that no good cause exists for revocation of the approval of the plan. Good cause shall include, but not be limited to, failure to comply with the assurances given in the plan, termination of the approval of the plan by a collective bargaining representative of employees in the

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affected unit, unreasonable revision of productivity standards for the affected unit, conduct or occurrences tending to defeat the intent and effective operation of the short-time compensation plan, and violation of any criteria on which approval of the plan was based.

G. An employer may request a modification of an approved plan by filing a written request to the Director. The request shall identify the specific provisions proposed to be modified and provide an explanation of why the proposed modification is appropriate for the short-time compensation plan. The Director shall approve or disapprove the proposed modification in writing within 30 days of receipt and promptly communicate the decision to the employer. The Director, in his or her discretion, may approve a request for modification of the plan based on conditions that have changed since the plan was approved provided that the modification is consistent with and supports the purposes for which the plan was initially approved. A modification may not extend the expiration date of the original plan, and the Director must promptly notify the employer whether the plan modification has been approved and, if approved, the effective date of modification. An employer is not required to request approval of plan modification from the Director if the change is not substantial, but the employer must report every change to the Director promptly and in writing. The Director may terminate an employer's plan if the employer fails to meet this reporting requirement. If the Director determines that the reported change is substantial, the Director shall require the employer to request a modification to the plan.

H. An individual is eligible to receive short-time compensation with respect to any week only if the individual is eligible for unemployment insurance pursuant to subsection E of Section 500, not otherwise disqualified for unemployment insurance, and:

1. During the week, the individual is employed as a member of an affected unit under an approved short-time compensation plan, which was approved prior to that week, and the plan is in effect with respect to the week for which short-time compensation is claimed.

2. Notwithstanding any other provision of this Act relating to availability for work and actively seeking work, the individual is available for the individual's usual hours of work with the short-time compensation employer, which may include, for purposes of this Section, participating in training to enhance job skills that is approved by the Director, including but not limited to as employer-
sponsored training or training funded under the Workforce Investment Act of 1998.

3. Notwithstanding any other provision of law, an individual covered by a short-time compensation plan is deemed unemployed in any week during the duration of such plan if the individual's remuneration as an employee in an affected unit is reduced based on a reduction of the individual's usual weekly hours of work under an approved short-time compensation plan.

I. The short-time compensation weekly benefit amount shall be the product of the percentage of reduction in the individual's usual weekly hours of work multiplied by the sum of the regular weekly benefit amount for a week of total unemployment plus any applicable dependent allowance pursuant to subsection C of Section 401.

1. An individual may be eligible for short-time compensation or unemployment insurance, as appropriate, except that no individual shall be eligible for combined benefits (excluding any payments attributable to a dependent allowance pursuant to subsection C of Section 401) in any benefit year in an amount more than the maximum benefit amount, nor shall an individual be paid short-time compensation benefits for more than 52 weeks under a short-time compensation plan.

2. The short-time compensation paid to an individual (excluding any payments attributable to a dependent allowance pursuant to subsection C of Section 401) shall be deducted from the maximum benefit amount established for that individual's benefit year.

3. Provisions applicable to unemployment insurance claimants shall apply to short-time compensation claimants to the extent that they are not inconsistent with short-time compensation provisions. An individual who files an initial claim for short-time compensation benefits shall receive a monetary determination.

4. The following provisions apply to individuals who work for both a short-time compensation employer and another employer during weeks covered by the approved short-time compensation plan:

   i. If combined hours of work in a week for both employers do not result in a reduction of at least 20% of the usual weekly hours of work with the short-time compensation employer, the individual shall not be entitled to benefits under this Section.

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ii. If combined hours of work for both employers results in a reduction equal to or greater than 20% of the usual weekly hours of work for the short-time compensation employer, the short-time compensation benefit amount payable to the individual is reduced for that week and is determined by multiplying the percentage by which the combined hours of work have been reduced by the sum of the weekly benefit amount for a week of total unemployment plus any applicable dependent allowance pursuant to subsection C of Section 401. A week for which benefits are paid under this subparagraph shall be reported as a week of short-time compensation.

iii. If an individual worked the reduced percentage of the usual weekly hours of work for the short-time compensation employer and is available for all his or her usual hours of work with the short-time compensation employer, and the individual did not work any hours for the other employer either because of the lack of work with that employer or because the individual is excused from work with the other employer, the individual shall be eligible for short-time compensation for that week. The benefit amount for such week shall be calculated as provided in the introductory clause of this subsection I.

iv. An individual who is not provided any work during a week by the short-time compensation employer, or any other employer, and who is otherwise eligible for unemployment insurance shall be eligible for the amount of regular unemployment insurance determined without regard to this Section.

v. An individual who is not provided any work by the short-time compensation employer during a week, but who works for another employer and is otherwise eligible may be paid unemployment insurance for that week subject to the disqualifying income and other provisions applicable to claims for regular unemployment insurance.

J. Short-time compensation shall be charged to employers in the same manner as unemployment insurance is charged under Illinois law. Employers liable for payments in lieu of contributions shall have short-time compensation attributed to service in their employ in the same manner as

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unemployment insurance is attributed. Notwithstanding any other provision to the contrary, to the extent that short-term compensation payments under this Section are reimbursed by the federal government, no benefit charges or payments in lieu of contributions shall be accrued by a participating employer.

K. A short-time compensation plan shall not be approved for an employer that is delinquent in the filing of any reports required or the payment of contributions, payments in lieu of contributions, interest, or penalties due under this Act through the date of the employer's application.

L. Overpayments of other benefits under this Act may be recovered from an individual receiving short-time compensation under this Act in the manner provided under Sections 900 and 901. Overpayments under the short-time compensation plan may be recovered from an individual receiving other benefits under this Act in the manner provided under Sections 900 and 901.

M. An individual who has received all of the short-time compensation or combined unemployment insurance and short-time compensation available in a benefit year shall be considered an exhaustee for purposes of extended benefits, as provided under the provisions of Section 409, and, if otherwise eligible under those provisions, shall be eligible to receive extended benefits.

Sec. 702. Determinations. The claims adjudicator shall for each week with respect to which the claimant claims benefits or waiting period credit, make a "determination" which shall state whether or not the claimant is eligible for such benefits or waiting period credit and the sum to be paid the claimant with respect to such week. The claims adjudicator shall promptly notify the claimant and such employing unit as shall, within the time and in the manner prescribed by the Director, have filed a sufficient allegation that the claimant is ineligible to receive benefits or waiting period credit for said week, of his "determination" and the reasons therefor. The Director may, by rule adopted with the advice and aid of the Employment Security Advisory Board, require that an employing unit with 25 or more individuals in its employ during a calendar year, or an entity representing 5 or more employing units during a calendar year, file an allegation of ineligibility electronically in a manner prescribed by the Director for the one year period commencing on July 1 of the immediately succeeding calendar year and ending on June 30 of the second succeeding calendar year. In making his "determination," the claims adjudicator shall give consideration to the information, if any, contained in the employing unit's allegation,

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whether or not the allegation is sufficient. The claims adjudicator shall deem an employing unit's allegation sufficient only if it contains a reason or reasons therefor (other than general conclusions of law, and statements such as "not actively seeking work" or "not available for work" shall be deemed, for this purpose, to be conclusions of law). If the claims adjudicator deems an allegation insufficient, he shall make a decision accordingly, and shall notify the employing unit of such decision and the reasons therefor. Such decision may be appealed by the employing unit to a Referee within the time limits prescribed by Section 800 for appeal from a "determination". Any such appeal, and any appeal from the Referee's decision thereon, shall be governed by the applicable provisions of Sections 801, 803, 804 and 805.

(Source: P.A. 97-621, eff. 11-18-11.)

(820 ILCS 405/1402) (from Ch. 48, par. 552)
Sec. 1402. Penalties.

A. If any employer fails, within the time prescribed in this Act as amended and in effect on October 5, 1980, and the regulations of the Director, to file a report of wages paid to each of his workers, or to file a sufficient report of such wages after having been notified by the Director to do so, for any period which begins prior to January 1, 1982, he shall pay to the Department as a penalty a sum determined in accordance with the provisions of this Act as amended and in effect on October 5, 1980.

B. Except as otherwise provided in this Section, any employer who fails to file a report of wages paid to each of his workers for any period which begins on or after January 1, 1982, within the time prescribed by the provisions of this Act and the regulations of the Director, or, if the Director pursuant to such regulations extends the time for filing the report, fails to file it within the extended time, shall, in addition to any sum otherwise payable by him under the provisions of this Act, pay to the Department as a penalty a sum equal to the lesser of (1) $5 for each $10,000 or fraction thereof of the total wages for insured work paid by him during the period or (2) $2,500, for each month or part thereof of such failure to file the report. With respect to an employer who has elected to file reports of wages on an annual basis pursuant to Section 1400.2, in assessing penalties for the failure to submit all reports by the due date established pursuant to that Section, the 30-day period immediately following the due date shall be considered as one month.

If the Director deems an employer's report of wages paid to each of his workers for any period which begins on or after January 1, 1982, insufficient, he shall notify the employer to file a sufficient report. If the employer fails to file such sufficient report within 30 days after the mailing
of the notice to him, he shall, in addition to any sum otherwise payable by him under the provisions of this Act, pay to the Department as a penalty a sum determined in accordance with the provisions of the first paragraph of this subsection, for each month or part thereof of such failure to file such sufficient report after the date of the notice.

For wages paid in calendar years prior to 1988, the penalty or penalties which accrue under the two foregoing paragraphs with respect to a report for any period shall not be less than $100, and shall not exceed the lesser of (1) $10 for each $10,000 or fraction thereof of the total wages for insured work paid during the period or (2) $5,000. For wages paid in calendar years after 1987, the penalty or penalties which accrue under the 2 foregoing paragraphs with respect to a report for any period shall not be less than $50, and shall not exceed the lesser of (1) $10 for each $10,000 or fraction of the total wages for insured work paid during the period or (2) $5,000. With respect to an employer who has elected to file reports of wages on an annual basis pursuant to Section 1400.2, for purposes of calculating the minimum penalty prescribed by this Section for failure to file the reports on a timely basis, a calendar year shall constitute a single period. For reports of wages paid after 1986, the Director shall not, however, impose a penalty pursuant to either of the two foregoing paragraphs on any employer who can prove within 30 working days after the mailing of a notice of his failure to file such a report, that (1) the failure to file the report is his first such failure during the previous 20 consecutive calendar quarters, and (2) the amount of the total contributions due for the calendar quarter of such report (or, in the case of an employer who is required to file the reports on a monthly basis, the amount of the total contributions due for the calendar quarter that includes the month of such report) is less than $500.

For any month which begins on or after January 1, 2013, a report of the wages paid to each of an employer's workers shall be due on or before the last day of the month next following the calendar month in which the wages were paid if the employer is required to report such wages electronically pursuant to the regulations of the Director; otherwise a report of the wages paid to each of the employer's workers shall be due on or before the last day of the month next following the calendar quarter in which the wages were paid.

Any employer who willfully willfully fails to pay any contribution or part thereof, based upon wages paid prior to 1987, when required by the provisions of this Act and the regulations of the Director, with intent to defraud the Director, shall in addition to such contribution or part thereof pay

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to the Department a penalty equal to 50 percent of the amount of such contribution or part thereof, as the case may be, provided that the penalty shall not be less than $200.

Any employer who willfully fails to pay any contribution or part thereof, based upon wages paid in 1987 and in each calendar year thereafter, when required by the provisions of this Act and the regulations of the Director, with intent to defraud the Director, shall in addition to such contribution or part thereof pay to the Department a penalty equal to 60% of the amount of such contribution or part thereof, as the case may be, provided that the penalty shall not be less than $400.

However, all or part of any penalty may be waived by the Director for good cause shown.

C. With regard to an employer required to report monthly pursuant to this Section, in addition to each employee's name, social security number, and wages for insured work paid during the period, the Director may, by rule, require a report to provide the following information concerning each employee: the employee's occupation, hours worked during the period, hourly wage, if applicable, and work location if the employer has more than one physical location. Notwithstanding any other provision of any other law to the contrary, information obtained pursuant to this subsection shall not be disclosed to any other public official or agency of this State or any other state to the extent it relates to a specifically identified individual or entity or to the extent that the identity of a specific individual or entity may be discerned from such information. The additional data elements required to be reported pursuant to the rule authorized by this subsection may be reported in the same electronic format as in the system maintained by the employer or employer's agent and need not be reformatted.

(Source: P.A. 97-689, eff. 6-14-12; 97-791, eff. 1-1-13; 98-463, eff. 8-16-13.)

(820 ILCS 405/1402.1 new)

Sec. 1402.1. Processing fee.

A. The Director may, by rule, establish a processing fee of $50 with regard to a report of contributions due that is not required to be submitted electronically if the employer fails to submit the report on the form designated by the Director or otherwise provide all of the information required by the form designated by the Director. With respect to the first instance of such a failure after the effective date of the rule, the Director shall issue the employer a written warning instead of a processing fee, and no such processing fee shall be assessed unless the Director has issued the employer a written warning for a prior failure.

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B. The Director may, by rule, establish a processing fee of $50 with regard to any payment of contributions, payment in lieu of contributions, interest, or penalty that is not made through electronic funds transfer if the employer fails to enclose the payment coupon provided by the Director with its payment or otherwise provide all of the information the coupon would provide, regardless of the amount due. With respect to the first instance of such a failure after the effective date of the rule, the Director shall issue the employer a written warning instead of a processing fee, and no such processing fee shall be assessed unless the Director has issued the employer a written warning for a prior failure.

(820 ILCS 405/2101) (from Ch. 48, par. 661)

Sec. 2101. Special administrative account. Except as provided in Section 2100, all interest and penalties collected pursuant to this Act shall be deposited in the special administrative account. The amount in this account in excess of $100,000 on the close of business of the last day of each calendar quarter shall be immediately transferred to this State's account in the unemployment trust fund. However, subject to Section 2101.1, such funds shall not be transferred where it is determined by the Director that it is necessary to accumulate funds in the account in order to have sufficient funds to pay interest that may become due under the terms of Section 1202 (b) of the Federal Social Security Act, as amended, upon advances made to the Illinois Unemployment Insurance Trust Fund under Title XII of the Federal Social Security Act or where it is determined by the Director that it is necessary to accumulate funds in the special administrative account in order to have sufficient funds to expend for any other purpose authorized by this Section. The balance of funds in the special administrative account that are in excess of $100,000 on the first day of each calendar quarter and not transferred to this State's account in the unemployment trust fund, minus the amount reasonably anticipated to be needed to make payments from the special administrative account pursuant to subsections C through I, shall be certified by the Director and transferred by the State Comptroller to the Title III Social Security and Employment Fund in the State Treasury within 30 days of the first day of the calendar quarter. The Director may certify and the State Comptroller shall transfer such funds to the Title III Social Security and Employment Fund on a more frequent basis. The moneys available in the special administrative account shall be expended upon the direction of the Director whenever it appears to him that such expenditure is necessary for:

A. 1. The proper administration of this Act and no Federal funds are available for the specific purpose for which such expenditure is to be made,

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provided the moneys are not substituted for appropriations from Federal
funds, which in the absence of such moneys would be available and provided
the monies are appropriated by the General Assembly.

2. The proper administration of this Act for which purpose
appropriations from Federal funds have been requested but not yet received,
provided the special administrative account will be reimbursed upon receipt
of the requested Federal appropriation.

B. To the extent possible, the repayment to the fund established for
financing the cost of administration of this Act of moneys found by the
Secretary of Labor of the United States of America, or other appropriate
Federal agency, to have been lost or expended for purposes other than, or in
amounts in excess of, those found necessary by the Secretary of Labor, or
other appropriate Federal agency, for the administration of this Act.

C. The payment of refunds or adjustments of interest or penalties,
paid pursuant to Sections 901 or 2201.

D. The payment of interest on refunds of erroneously paid
contributions, penalties and interest pursuant to Section 2201.1.

E. The payment or transfer of interest or penalties to any Federal or
State agency, pursuant to reciprocal arrangements entered into by the Director
under the provisions of Section 2700E.

F. The payment of any costs incurred, pursuant to Section 1700.1.

G. Beginning January 1, 1989, for the payment for the legal services
authorized by subsection B of Section 802, up to $1,000,000 per year for the
representation of the individual claimants and up to $1,000,000 per year for
the representation of "small employers".

H. The payment of any fees for collecting past due contributions,
payments in lieu of contributions, penalties, and interest shall be paid
(without an appropriation) from interest and penalty monies received from
collection agents that have contracted with the Department under Section
2206 to collect such amounts, provided however, that the amount of such
payment shall not exceed the amount of past due interest and penalty
collected.

I. The payment of interest that may become due under the terms of
Section 1202 (b) of the Federal Social Security Act, as amended, for advances
made to the Illinois Unemployment Insurance Trust Fund.

The Director shall annually on or before the first day of March report
in writing to the Employment Security Advisory Board concerning the
expenditures made from the special administrative account and the purposes
for which funds are being accumulated.

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If Federal legislation is enacted which will permit the use by the Director of some part of the contributions collected or to be collected under this Act, for the financing of expenditures incurred in the proper administration of this Act, then, upon the availability of such contributions for such purpose, the provisions of this Section shall be inoperative and interest and penalties collected pursuant to this Act shall be deposited in and be deemed a part of the clearing account. In the event of the enactment of the foregoing Federal legislation, and within 90 days after the date upon which contributions become available for expenditure for costs of administration, the total amount in the special administrative account shall be transferred to the clearing account, and after clearance thereof shall be deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this State in the unemployment trust fund, established and maintained pursuant to the Federal Social Security Act, as amended.

(Source: P.A. 94-1083, eff. 1-19-07.)

(820 ILCS 405/2201) (from Ch. 48, par. 681)

Sec. 2201. Refund or adjustment of contributions. Not later than 3 years after the date upon which the Director first notifies any contributions, interest or penalties thereon were paid; an employing unit that it which has paid such contributions, interest or penalties thereon erroneously, the employing unit may file a claim with the Director for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof where such adjustment cannot be made; provided, however, that no refund or adjustment shall be made of any contribution, the amount of which has been determined and assessed by the Director, if such contribution was paid after the determination and assessment of the Director became final, and provided, further, that any such adjustment or refund, involving contributions with respect to wages on the basis of which benefits have been paid, shall be reduced by the amount of benefits so paid. Upon receipt of a claim the Director shall make his determination, either allowing such claim in whole or in part, or ordering that it be denied, and serve notice upon the claimant of such determination. Such determination of the Director shall be final at the expiration of 20 days from the date of service of such notice unless the claimant shall have filed with the Director a written protest and a petition for hearing, specifying his objections thereto. Upon receipt of such petition within the 20 days allowed, the Director shall fix the time and place for a hearing and shall notify the claimant thereof. At any hearing held as herein provided, the determination of the Director shall be prima facie correct and the burden shall be upon the protesting employing unit to prove that it is

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incorrect. All of the provisions of this Act applicable to hearings conducted pursuant to Section 2200 shall be applicable to hearings conducted pursuant to this Section. Upon the conclusion of such hearing, a decision shall be made by the Director and notice thereof given to the claimant. If the Director shall decide that the claim be allowed in whole or in part, or if such allowance be ordered by the Court pursuant to Section 2205 and the judgment of said Court has become final, the Director shall, if practicable, make adjustment without interest in connection with subsequent contribution payments by the claimant, and if adjustments thereof cannot practicably be made in connection with such subsequent contribution payments, then the Director shall refund to the claimant the amount so allowed, without interest except as otherwise provided in Section 2201.1 from moneys in the benefit account established by this Act. Nothing herein contained shall prohibit the Director from making adjustment or refund upon his own initiative, within the time allowed for filing claim therefor, provided that the Director shall make no refund or adjustment of any contribution, the amount of which he has previously determined and assessed, if such contribution was paid after the determination and assessment became final.

If this State should not be certified for any year by the Secretary of Labor of the United States of America, or other appropriate Federal agency, under Section 3304 of the Federal Internal Revenue Code of 1954, the Director shall refund without interest to any instrumentality of the United States subject to this Act by virtue of permission granted in an Act of Congress, the amount of contributions paid by such instrumentality with respect to such year.

The Director may by regulation provide that, if there is a total credit balance of less than $2 in an employer's account with respect to contributions, interest, and penalties, the amount may be disregarded by the Director; once disregarded, the amount shall not be considered a credit balance in the account and shall not be subject to either an adjustment or a refund.

(Source: P.A. 90-554, eff. 12-12-97.)

(820 ILCS 405/2201.1) (from Ch. 48, par. 681.1)

Sec. 2201.1. Interest on Overpaid Contributions, Penalties and Interest. The Director shall semi-annually quarterly furnish each employer with a statement of credit balances in the employer's account where the balances with respect to all contributions, interest and penalties combined equal or exceed $2. Under regulations prescribed by the Director and subject to the limitations of Section 2201, the employer may file a request for an adjustment or refund of the amount erroneously paid. Interest shall be paid

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on refunds of erroneously paid contributions, penalties and interest imposed by this Act, except that if any refund is mailed by the Director within 90 days after the date of the refund claim, no interest shall be due or paid. The interest shall begin to accrue as of the date of the refund claim and shall be paid at the rate of 1.5% per month computed at the rate of 12/365 of 1.5% for each day or fraction thereof. Interest paid pursuant to this Section shall be paid from monies in the special administrative account established by Sections 2100 and 2101. This Section shall apply only to refunds of contributions, penalties and interest which were paid as the result of wages paid after January 1, 1988. (Source: P.A. 90-554, eff. 12-12-97.)

(820 ILCS 405/2401) (from Ch. 48, par. 721)

Sec. 2401. Recording and release of lien. A. The lien created by Section 2400 shall be invalid only as to any innocent purchaser for value of stock in trade of any employer in the usual course of such employer's business, and shall be invalid as to any innocent purchaser for value of any of the other assets to which such lien has attached, unless notice thereof has been filed by the Director in the office of the recorder of the county within which the property subject to the lien is situated. The Director may, in his discretion, for good cause shown and upon the reimbursement of any recording fees paid by the Director with respect to the lien, issue a certificate of withdrawal of notice of lien filed against any employer, which certificate shall be recorded in the same manner as herein provided for the recording of notice of liens. Such withdrawal of notice of lien shall invalidate such lien as against any person acquiring any of such employer's property or any interest therein, subsequent to the recordation of the withdrawal of notice of lien, but shall not otherwise affect the validity of such lien, nor shall it prevent the Director from re-recording notice of such lien. In the event notice of such lien is re-recorded, such notice shall be effective as against third persons only as of the date of such re-recording.

B. The recorder of each county shall procure at the expense of the county a file labeled "Unemployment Compensation Contribution Lien Notice" and an index book labeled "Unemployment Compensation Contribution Lien Index." When a notice of any such lien is presented to him for filing, he shall file it in numerical order in the file and shall enter it alphabetically in the index. The entry shall show the name and last known business address of the employer named in the notice, the serial number of the notice, the date and hour of filing, and the amount of contribution, interest and penalty thereon due and unpaid. When a certificate of complete or partial
release of such lien issued by the Director is presented for filing in the office of the recorder where a notice of lien was filed, the recorder shall permanently attach the certificate of release to the notice of lien and shall enter the certificate of release and the date in the Unemployment Compensation Contribution Lien Index on the line where the notice of lien is entered. In case title to land to be affected by the Notice of Lien is registered under the provisions of "An Act Concerning Land Titles", approved May 1, 1897, as amended, such notice shall be filed in the office of the Registrar of Titles of the county within which the property subject to the lien is situated and shall be entered upon the register of titles as a memorial or charge upon each folium of the register of title affected by such notice, and the Director shall not have a preference over the rights of any bona fide purchaser, mortgagee, judgment creditor or other lien holder arising prior to the registration of such notice.

C. The Director shall have the power to issue a certificate of partial release of any part of the property subject to the lien, upon the reimbursement of any recording fees paid by the Director with respect to the lien, if he shall find that the fair market value of that part of such property remaining subject to the lien is at least equal to the amount of all prior liens upon such property plus double the amount of the liability for contributions, interest and penalties thereon remaining unsatisfied.

D. Where the amount of or the liability for the payment of any contribution, interest or penalty is contested by any employing unit against whose property a lien has attached, and the determination of the Director with reference to such contribution has not become final, the Director may issue a certificate of release of lien upon the reimbursement of any recording fees paid by the Director with respect to the lien and the furnishing of bond by such employing unit in 125% the amount of the sum of such contribution, interest and penalty, for which lien is claimed, with good and sufficient surety to be approved by the Director conditioned upon the prompt payment of such contribution, together with interest and penalty thereon, by such employing unit to the Director immediately upon the decision of the Director in respect to the liability for such contribution, interest and penalty becoming final.

E. When a lien obtained pursuant to this Act has been satisfied and upon the reimbursement of any recording fees paid by the Director with respect to the lien, the Department shall issue a release to the person, or his agent, against whom the lien was obtained and such release shall contain in legible letters a statement as follows:

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FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OR THE REGISTRAR OF TITLES, IN WHOSE OFFICE, THE LIEN WAS FILED.

F. The Director may, by rule, require, as a condition of withdrawing, releasing, or partially releasing a lien recorded pursuant to this Section, that the employer reimburse the Department for any recording fees paid with respect to the lien.

(Source: P.A. 98-107, eff. 7-1-14.)

(820 ILCS 405/1704.1 rep.)

Section 20. The Unemployment Insurance Act is amended by repealing Section 1704.1.

Section 99. Effective date. This Act takes effect July 1, 2014, except that the changes to Sections 2201 and 2201.1 of the Unemployment Insurance Act take effect January 1, 2015.

Approved December 23, 2014.
Effective December 23, 2014 and January 1, 2015.

PUBLIC ACT 98-1134
(Senate Bill No. 3509)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-308 and 6-601 as follows:

(625 ILCS 5/6-308)

Sec. 6-308. Procedures for traffic violations.

(a) Any person cited for violating this Code or a similar provision of a local ordinance for which a violation is a petty offense as defined by Section 5-1-17 of the Unified Code of Corrections, excluding business offenses as defined by Section 5-1-2 of the Unified Code of Corrections or a violation of Section 15-111 or subsection (d) of Section 3-401 of this Code, shall not be required to post bond to secure bail for his or her release. When required by Illinois Supreme Court Rule, the person shall sign the citation. All other provisions of this Code or similar provisions of local ordinances shall be governed by the bail provisions of the Illinois Supreme Court Rules.

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when it is not practical or feasible to take the person before a judge to have bail set or to avoid undue delay because of the hour or circumstances.

(b) Whenever a person fails to appear in court, the court may continue the case for a minimum of 30 days and the clerk of the court shall send notice of the continued court date to the person's last known address. If the person does not appear in court on or before the continued court date or satisfy the court that the person's appearance in and surrender to the court is impossible for no fault of the person, the court shall enter an order of failure to appear. The clerk of the court shall notify the Secretary of State, on a report prescribed by the Secretary, of the court's order. The Secretary, when notified by the clerk of the court that an order of failure to appear has been entered, shall immediately suspend the person's driver's license, which shall be designated by the Secretary as a Failure to Appear suspension. The Secretary shall not remove the suspension, nor issue any permit or privileges to the person whose license has been suspended, until notified by the ordering court that the person has appeared and resolved the violation. Upon compliance, the clerk of the court shall present the person with a notice of compliance containing the seal of the court, and shall notify the Secretary that the person has appeared and resolved the violation.

(Source: P.A. 98-870, eff. 1-1-15.)

(625 ILCS 5/6-601) (from Ch. 95 1/2, par. 6-601)
Sec. 6-601. Penalties.
(a) It is a petty offense for any person to violate any of the provisions of this Chapter unless such violation is by this Code or other law of this State declared to be a misdemeanor or a felony.

(b) General penalties. Unless another penalty is in this Code or other laws of this State, every person convicted of a petty offense for the violation of any provision of this Chapter shall be punished by a fine of not more than $500.

(c) Unlicensed driving. Except as hereinafter provided a violation of Section 6-101 shall be:

1. A Class A misdemeanor if the person failed to obtain a driver's license or permit after expiration of a period of revocation.

2. A Class B misdemeanor if the person has been issued a driver's license or permit, which has expired, and if the period of expiration is greater than one year; or if the person has never been issued a driver's license or permit, or is not qualified to obtain a driver's license or permit because of his age.

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3. A petty offense if the person has been issued a temporary visitor's driver's license or permit and is unable to provide proof of liability insurance as provided in subsection (d-5) of Section 6-105.1. If a licensee under this Code is convicted of violating Section 6-303 for operating a motor vehicle during a time when such licensee's driver's license was suspended under the provisions of Section 6-306.3 or 6-308, then such act shall be a petty offense (provided the licensee has answered the charge which was the basis of the suspension under Section 6-306.3 or 6-308), and there shall be imposed no additional like period of suspension as provided in paragraph (b) of Section 6-303.

(d) For violations of this Code or a similar provision of a local ordinance for which a violation is a petty offense as defined by Section 5-1-17 of the Unified Code of Corrections, excluding business offenses as defined by Section 5-1-2 of the Unified Code of Corrections or a violation of Section 15-111 or subsection (d) of Section 3-401 of this Code, if the violation may be satisfied without a court appearance, the violator may, pursuant to Supreme Court Rule, satisfy the case with a written plea of guilty and payment of fines, penalties, and costs equal to the bail amount established by the Supreme Court for the offense.

(Source: P.A. 97-1157, eff. 11-28-13; 98-870, eff. 1-1-15.)

Section 10. The Code of Criminal Procedure of 1963 is amended by changing Section 110-15 as follows:

(725 ILCS 5/110-15) (from Ch. 38, par. 110-15)

(Text of Section after amendment by P.A. 98-870)

Sec. 110-15. Applicability of provisions for giving and taking bail. The provisions of Sections 110-7 and 110-8 of this Code are exclusive of other provisions of law for the giving, taking, or enforcement of bail. In all cases where a person is admitted to bail the provisions of Sections 110-7 and 110-8 of this Code shall be applicable.

However, the Supreme Court may, by rule or order, prescribe a uniform schedule of amounts of bail in all but felony offenses. The uniform schedule shall not require a person cited for violating the Illinois Vehicle Code or a similar provision of a local ordinance for which a violation is a petty offense as defined by Section 5-1-17 of the Unified Code of Corrections, excluding business offenses as defined by Section 5-1-2 of the Unified Code of Corrections or a violation of Section 15-111 or subsection (d) of Section 3-401 of the Illinois Vehicle Code, to post bond to secure bail for his or her release. No bail amounts shall be required for petty offenses. Such uniform schedule may provide that the cash deposit provisions of Section 110-7 shall

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not apply to bail amounts established for alleged violations punishable by fine alone, and the schedule may further provide that in specified traffic cases a valid Illinois chauffeur's or operator's license must be deposited, in addition to 10% of the amount of the bail specified in the schedule.

(Source: P.A. 98-870, eff. 1-1-15.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Passed in the General Assembly December 4, 2014.
Approved December 29, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1135
(House Bill No. 4204)

AN ACT concerning condominium property.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Condominium and Common Interest Community Ombudsperson Act.
Section 5. Applicability. This Act applies to all condominium associations governed by the Condominium Property Act and all common interest community associations governed by the Common Interest Community Association Act.
Section 10. Findings. The General Assembly finds as follows:
(1) Managing condominium property or common interest community property is a complex responsibility. Unit owners and persons charged with managing condominium property or common interest community property may have little or no prior experience in managing real property, operating a not-for-profit association or corporation, complying with the laws governing condominium property or common interest community property, and interpreting and enforcing restrictions and rules imposed by applicable instruments or covenants. Unit owners may not fully understand their rights and obligations under the law or applicable instruments or covenants. Mistakes and misunderstandings are inevitable and may lead to serious, costly, and divisive problems. This Act seeks to educate unit owners, condominium associations, common interest community associations, boards of managers, and boards of directors about the Condominium Property Act and the Common Interest Community Association Act. Effective education can prevent or
reduce the severity of problems within a condominium or common interest community.

(2) Anecdotal accounts of abuses within condominiums and common interest communities create continuing public demand for reform of condominium and common interest community property law. This results in frequent changes to the law, making it difficult to understand and apply, and imposes significant transitional costs on these communities statewide. By collecting empirical data on the nature and incidence of problems within these communities, this Act will provide a sound basis for prioritizing reform efforts, thereby increasing the stability of condominium and common interest community property law.

Section 15. Definitions. As used in this Act:
"Association" means a condominium association or common interest community association as defined in this Act.
"Board of managers" or "board of directors" means:
(1) a common interest community association's board of managers or board of directors, whichever is applicable; or
(2) a condominium association's board of managers or board or directors, whichever is applicable.
"Common interest community" means a property governed by the Common Interest Community Association Act.
"Common interest community association" has the meaning ascribed to it in Section 1-5 of the Common Interest Community Association Act.
"Condominium" means a property governed by the Condominium Property Act.
"Condominium association" means an association in which membership is a condition of ownership or shareholder interest of a unit in a condominium, cooperative, townhouse, villa, or other residential unit which is part of a residential development plan and that is authorized to impose an assessment, rents, or other costs that may become a lien on the unit or lot, and includes a unit owners' association as defined in subsection (o) of Section 2 of the Condominium Property Act and a master association as defined in subsection (u) of Section 2 of the Condominium Property Act.
"Declaration" has the meaning ascribed to it in:
(1) Section 1-5 of the Common Interest Community Association Act; or
(2) Section 2 of the Condominium Property Act.
"Department" means the Department of Financial and Professional Regulation.

"Director" means the Director of the Division of Professional Regulation.

"Division" means the Division of Professional Regulation within the Department of Financial and Professional Regulation.

"Office" means the Office of the Condominium and Common Interest Community Ombudsperson established under Section 20 of this Act.

"Ombudsperson" means the Condominium and Common Interest Community Ombudsperson employed under Section 20 of this Act.

"Person" includes a natural person, firm, association, organization, partnership, business trust, corporation, limited liability company, or public entity.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Unit" means a part of the condominium property or common interest community property designed and intended for any type of independent use.

"Unit owner" has the meaning ascribed to it in:

(1) subsection (g) of Section 2 of the Condominium Property Act; or

(2) Section 1-5 of the Common Interest Community Association Act.

Section 20. Office of the Condominium and Common Interest Community Ombudsperson.

(a) There is created in the Division of Professional Regulation within the Department of Financial and Professional Regulation, under the supervision and control of the Secretary, the Office of the Condominium and Common Interest Community Ombudsperson.

(b) The Department shall employ an Ombudsperson and other persons as necessary to discharge the requirements of this Act. The Ombudsperson shall have the powers delegated to him or her by the Department, in addition to the powers set forth in this Act.

(c) Information and advice provided by the Ombudsperson has no binding legal effect and is not subject to the rulemaking provisions of the Illinois Administrative Procedure Act.

Section 25. Training and education. On or before July 1, 2018, the Ombudsperson shall offer training, educational materials, and courses to unit owners, associations, boards of managers, and boards of directors in subjects relevant to: (i) the operation and management of condominiums and common

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interest communities; and (ii) the Condominium Property Act and the Common Interest Community Association Act.

Section 30. Website.
(a) The Office shall maintain on the Department's website the following information:

1. the text of this Act, the Condominium Property Act, the Community Interest Community Association Act, and any other statute, administrative rule, or regulation that the Ombudsperson determines is relevant to the operation and management of a condominium association or common interest community association;
2. information concerning nonjudicial resolution of disputes that may arise within a condominium or common interest community;
3. a description of the services provided by the Ombudsperson and information on how to contact the Ombudsperson for assistance; and
4. any other information that the Ombudsperson determines is useful to unit owners, associations, boards of managers, and boards of directors.
(b) The Office shall make the information described in subsection (a) of this Section available in printed form.

Section 35. Written policy for resolving complaints.
(a) Each association, except for those outlined in Section (b) of this Section, shall adopt a written policy for resolving complaints made by unit owners. The association shall make the policy available to all unit owners upon request. The policy must include:

1. a sample form on which a unit owner may make a complaint to the association;
2. a description of the process by which complaints shall be delivered to the association;
3. the association's timeline and manner of making final determinations in response to a unit owner's complaint; and
4. a requirement that the final determination made by the association in response to a unit owner's complaint be:
   (i) made in writing;
   (ii) made within a reasonable time after the unit owner's original complaint; and
   (iii) marked clearly and conspicuously as "final".

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(b) Common interest community associations exempt from the Common Interest Community Association Act are not required to have a written policy for resolving complaints.

(c) No later than 180 days after the effective date of this Act, associations existing on the effective date of this Act, except for those identified in subsection (b) of this Section, must establish and adopt the policy required under this Section.

(d) Associations first created after the effective date of this Act, except for those identified in subsection (b) of this Section, must establish and adopt the policy required under this Section at the time of initial registration as required by Section 65 of this Act.

(e) A unit owner may not bring a request for assistance under Section 40 of this Act for an association's lack of or inadequacy of a written policy to resolve complaints, but may notify the Department in writing of the association's lack of or inadequacy of a written policy. An association that fails to comply with this Section is subject to subsection (g) of Section 65 of this Act.

Section 40. Requests for assistance.

(a) Beginning on July 1, 2019, unit owners meeting the requirements of this Section may make a written request, as outlined in subsection (f) of this Section, to the Ombudsperson for assistance in resolving a dispute between a unit owner and an association that involves a violation of the Condominium Property Act or the Common Interest Community Property Act.

(b) The Ombudsperson shall not accept requests for resolutions of disputes with community association managers, supervising community association managers, or community association management firms, as defined in the Community Association Manager Licensing and Disciplinary Act.

(c) The Ombudsperson shall not accept requests for resolutions of disputes for which there is a pending complaint filed in any court or administrative tribunal in any jurisdiction or for which arbitration or alternative dispute resolution is scheduled to occur or has previously occurred.

(d) The assistance described in subsection (a) of this Section is available only to unit owners. In order for a unit owner to receive the assistance from the Ombudsperson described in subsection (a) of this Section, the unit owner must:
(1) owe no outstanding assessments, fees, or funds to the association, unless the assessments, fees, or funds are central to the dispute;

(2) allege a dispute that was initiated or initially occurred within the past 2 calendar years of the date of the request;

(3) have made a written complaint pursuant to the unit owner's association's complaint policy, as outlined in Section 35, which alleges violations of the Condominium Property Act or the Common Interest Community Association Act;

(4) have received a final and adverse decision from the association and attach a copy of the association's final adverse decision marked "final" to the request to the Ombudsperson; and

(5) have filed the request within 30 days after the receipt of the association's final adverse decision.

(e) A unit owner who has not received a response, marked "final", to his or her complaint from the association within a reasonable time may request assistance from the Ombudsperson pursuant to subsection (a) of this Section if the unit owner meets the requirements of items (1), (2), and (3) of subsection (d) of this Section. A unit owner may not request assistance from the Ombudsperson until at least 90 days after the initial written complaint was submitted to the association. The Ombudsperson may decline a unit owner's request for assistance on the basis that a reasonable time has not yet passed.

(f) The request for assistance shall be in writing, on forms provided by the Office, and include the following:

(1) the name, address, and contact information of the unit owner;

(2) the name, address, and contact information of the association;

(3) the applicable association governing documents unless the absence of governing documents is central to the dispute;

(4) the date of the final adverse decision by the association;

(5) a copy of the association's written complaint policy required under Section 35 of this Act;

(6) a copy of the unit owner's complaint to the association with a specific reference to the alleged violations of the Condominium Property Act or the Common Interest Community Association Act;

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(7) documentation verifying the unit owner's ownership of a unit, such as a copy of a recorded deed or other document conferring title; and

(8) a copy of the association's adverse decision marked "final", if applicable.

(g) On receipt of a unit owner's request for assistance that the Department determines meets the requirements of this Section, the Ombudsperson shall, within the limits of the available resources, confer with the interested parties and assist in efforts to resolve the dispute by mutual agreement of the parties.

(h) The Ombudsperson shall assist only opposing parties who mutually agree to participate in dispute resolution.

(i) A unit owner is limited to one request for assistance per dispute. The meaning of dispute is to be broadly interpreted by the Department.

(j) The Department has the authority to determine whether or not a final decision is adverse under paragraph (4) of subsection (d) of this Section.

(k) The Department shall establish rules describing the time limit, method, and manner for dispute resolution.

(l) A request under the Freedom of Information Act for information does not constitute a request for assistance under this Section.

Section 45. Confidentiality. All information collected by the Department in the course of addressing a request for assistance pursuant to Section 40 shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials or regulatory agencies that have an appropriate regulatory interest as determined by the Secretary. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by that agency for any purpose to any other agency or person.

Section 50. Reports.

(a) The Department shall submit an annual written report on the activities of the Office to the General Assembly, no later than October 1 of each year, with the initial report being due October 1, 2020. The report shall include all of the following:

(1) annual workload and performance data, including the number of requests for assistance received, the manner in which requests were or were not resolved and the staff time required to resolve the requests. For each category of data, the report shall

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provide subtotals based on the type of question or dispute involved in the request; and

(2) analysis of the most common and serious types of disputes within condominiums and common interest communities, along with any recommendations for statutory reform to reduce the frequency or severity of those disputes.

Section 55. Registration.

(a) Except as otherwise provided in subsections (d) and (f) of this Section, every association shall register with the Department in a form and manner specified by the Department. A registration shall be valid for 2 years. The initial registration for an association existing on the effective date of this Act is due one year after the effective date of this Act, or at such time as the Department has adopted rules and forms for registration, whichever is later.

(b) Newly created associations required to register with the Department must register no later than 90 days after the association has assumed control of a property.

(c) The Department may issue a certification of registration under this Act to any association that applies to the Department on forms provided by the Department and provides the following:

(1) the business name of the association seeking registration;
(2) the business address or addresses and contact information of the association seeking registration;
(3) the name, address, and contact information for the association's authorized agent or management company and management company representative;
(4) a certification that the applicant has a written policy for resolving complaints as required by Section 35 of this Act;
(5) the initial date of recording of the declaration;
(6) the recording number or book and page for the document that constitutes the declaration; and
(7) a certification that the association will comply with all other requirements of this Act and rules established for the implementation of this Act.

(d) This Section does not apply to a unit, or the owner thereof, if the unit is a timeshare property subject to the Real Estate Timeshare Act of 1999.

(e) If any of the information submitted under subsection (c) of this Section changes, the association shall provide updated information to the Department no later than 60 days after the change.

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(f) A common interest community association is exempt from registration if it is exempt from the Common Interest Community Association Act.

(g) If an association fails to initially register as provided in subsection (a) of this Section or fails to timely renew its registration, the Department may impose a late charge or late fee against the association. If an association fails to properly register within 2 years after the effective date of this Act, or fails to renew its registration on 3 or more occasions, the association is ineligible to impose or enforce a lien for common expenses or to pursue any action or employ any enforcement mechanism otherwise available to it in enforcement of a lien for common expenses until it is validly registered pursuant to this Section. A lien for common expenses previously filed during a period in which the association was registered pursuant to this Section shall not be extinguished by a lapse in the association's registration, nor shall the common expense debt reflected by the lien or court action be deemed invalid, but any pending enforcement proceedings related to the lien shall be suspended and any applicable time limits tolled until the association is again validly registered pursuant to this Section. Nothing contained herein shall be deemed to invalidate any claim for common expenses or other enforcement mechanism, even if the claim arose while the association was not registered.

Section 60. Rules. The Department may adopt rules for the administration and enforcement of this Act. Any rule adopted under this Act is subject to the rulemaking provisions of the Illinois Administrative Procedure Act.

Section 65. State Lawsuit Immunity Act. Nothing in this Act shall be construed to constitute a waiver of the immunity of the State, Department, Division, Office, or Ombudsperson, or any officer, employee, or agent thereof under the State Lawsuit Immunity Act.

Section 70. Repeal. This Act is repealed on July 1, 2021.

Section 75. The Condominium Property Act is amended by adding Section 35 as follows:

(765 ILCS 605/35 new)

Sec. 35. Compliance with the Condominium and Common Interest Community Ombudsperson Act. Every unit owners' association must comply with the Condominium and Common Interest Community Ombudsperson Act and is subject to all provisions of the Condominium and Common Interest Community Ombudsperson Act. This Section is repealed July 1, 2021.

Section 80. The Common Interest Community Association Act is amended by adding Section 1-90 as follows:

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Sec. 1-90. Compliance with the Condominium and Common Interest Community Ombudsperson Act. Every common interest community association, except for those exempt from this Act under Section 1-75, must comply with the Condominium and Community Interest Community Ombudsperson Act and is subject to all provisions of the Condominium and Community Interest Community Ombudsperson Act. This Section is repealed July 1, 2021.

Section 999. Effective date. This Act takes effect July 1, 2016.
Passed in the General Assembly December 3, 2014.
Approved December 29, 2014.
Effective July 1, 2016.

PUBLIC ACT 98-1136
(House Bill No. 6303)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:
(65 ILCS 5/11-74.4-3.5)
Sec. 11-74.4-3.5. Completion dates for redevelopment projects.
(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.
(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which

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which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

1. if the ordinance was adopted before January 15, 1981;
2. if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
3. if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
4. if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
5. if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
6. if the ordinance was adopted in December 1984 by the Village of Rosemont;

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(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;

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(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;

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(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;

New matter indicated by italics - deletions by strikeout
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;

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(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
  (81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
  (82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
  (83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
  (84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
  (85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
  (86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
  (87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
  (88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
  (89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
  (90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
  (91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
  (92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
  (93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
  (94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
  (95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
  (96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
  (97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
  (98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;

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(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District;
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District;
(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio;
(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville; or
(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown;
(110) if the ordinance was adopted on April 28, 2003 by Gibson City;
(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance;
(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey; and/or
(113) if the ordinance was adopted on January 11, 1991 by the City of Chicago to create the Read/Dunning TIF District;
(114) if the ordinance was adopted on July 24, 1991 by the City of Chicago to create the Sanitary and Ship Canal TIF District; or
(115) if the ordinance was adopted on December 4, 2007 by the City of Naperville; : 

New matter indicated by italics - deletions by strikeout
(116) if the ordinance was adopted on July 1, 2002 by the Village of Arlington Heights;
(117) if the ordinance was adopted on February 11, 1991 by the Village of Machesney Park;
(118) if the ordinance was adopted on December 29, 1993 by the City of Ottawa; or:
(119) if the ordinance was adopted on June 4, 1991 by the Village of Lansing.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

New matter indicated by italics - deletions by strikeout
(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.
(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff. 12-27-13; 98-667, eff. 6-25-14; 98-889, eff. 8-15-14; 98-893, eff. 8-15-14; 98-1064, eff. 8-26-14; revised 9-10-14.)


PUBLIC ACT 98-1137
(Senate Bill No. 2809)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Section 1-115 as follows:

(40 ILCS 5/1-115) (from Ch. 108 1/2, par. 1-115)

Sec. 1-115. Civil Enforcement. A civil action may be brought by the Attorney General or by a participant, beneficiary or fiduciary in order to:
(a) Obtain appropriate relief under Section 1-114 of this Code;
(b) Enjoin any act or practice which violates any provision of this Code; or
(c) Obtain other appropriate equitable relief to redress any such violation or to enforce any such provision.

Notwithstanding any other provision of the Administrative Review Law or this Code to the contrary, a civil action may be brought by the Attorney General to enjoin the payment of benefits under this Code to any person who is convicted of any felony relating to or arising out of or in connection with that person's service as an employee under this Code.
(Source: P.A. 82-960.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 2012 is amended by adding Section 11-23.5 as follows:
(720 ILCS 5/11-23.5 new)
Sec. 11-23.5. Non-consensual dissemination of private sexual images. 
(a) Definitions. For the purposes of this Section:
"Computer", "computer program", and "data" have the meanings ascribed to them in Section 17-0.5 of this Code.
"Image" includes a photograph, film, videotape, digital recording, or other depiction or portrayal of an object, including a human body.
"Intimate parts" means the fully unclothed, partially unclothed or transparently clothed genitals, pubic area, anus, or if the person is female, a partially or fully exposed nipple, including exposure through transparent clothing.
"Sexual act" means sexual penetration, masturbation, or sexual activity.
"Sexual activity" means any:
(1) knowing touching or fondling by the victim or another person or animal, either directly or through clothing, of the sex organs, anus, or breast of the victim or another person or animal for the purpose of sexual gratification or arousal; or
(2) any transfer or transmission of semen upon any part of the clothed or unclothed body of the victim, for the purpose of sexual gratification or arousal of the victim or another; or
(3) an act of urination within a sexual context; or
(4) any bondage, fetter, or sadism masochism; or
(5) sadomasochism abuse in any sexual context.

New matter indicated by italics - deletions by strikeout
(b) A person commits non-consensual dissemination of private sexual images when he or she:

(1) intentionally disseminates an image of another person:
   (A) who is at least 18 years of age; and
   (B) who is identifiable from the image itself or information displayed in connection with the image; and
   (C) who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part; and

(2) obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private; and

(3) knows or should have known that the person in the image has not consented to the dissemination.

(c) The following activities are exempt from the provisions of this Section:

(1) The intentional dissemination of an image of another identifiable person who is engaged in a sexual act or whose intimate parts are exposed when the dissemination is made for the purpose of a criminal investigation that is otherwise lawful.

(2) The intentional dissemination of an image of another identifiable person who is engaged in a sexual act or whose intimate parts are exposed when the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct.

(3) The intentional dissemination of an image of another identifiable person who is engaged in a sexual act or whose intimate parts are exposed when the images involve voluntary exposure in public or commercial settings.

(4) The intentional dissemination of an image of another identifiable person who is engaged in a sexual act or whose intimate parts are exposed when the dissemination serves a lawful public purpose.

(d) Nothing in this Section shall be construed to impose liability upon the following entities solely as a result of content or information provided by another person:

(1) an interactive computer service, as defined in 47 U.S.C. 230(f)(2);

(2) a provider of public mobile services or private radio services, as defined in Section 13-214 of the Public Utilities Act; or

(3) a telecommunications network or broadband provider.

New matter indicated by italics - deletions by strikeout
(e) A person convicted under this Section is subject to the forfeiture provisions in Article 124B of the Code of Criminal Procedure of 1963.

(f) Sentence. Non-consensual dissemination of private sexual images is a Class 4 felony.

Section 10. The Code of Criminal Procedure of 1963 is amended by changing Sections 124B-10 and 124B-500 as follows:

(725 ILCS 5/124B-10)

Sec. 124B-10. Applicability; offenses. This Article applies to forfeiture of property in connection with the following:

1. A violation of Section 10-9 or 10A-10 of the Criminal Code of 1961 or the Criminal Code of 2012 (involuntary servitude; involuntary servitude of a minor; or trafficking in persons).

2. A violation of subdivision (a)(1) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012 (promoting juvenile prostitution) or a violation of Section 11-17.1 of the Criminal Code of 1961 (keeping a place of juvenile prostitution).


4. A second or subsequent violation of Section 11-20 of the Criminal Code of 1961 or the Criminal Code of 2012 (obscenity).


6.5 A violation of Section 11-23.5 of the Criminal Code of 2012.

7. A violation of Section 12C-65 of the Criminal Code of 2012 or Article 44 of the Criminal Code of 1961 (unlawful transfer of a telecommunications device to a minor).


New matter indicated by italics - deletions by strikeout
(12) A felony violation of Section 4.01 of the Humane Care for Animals Act (animals in entertainment).
(Source: P.A. 96-712, eff. 1-1-10; 96-1551, eff. 7-1-11; 97-897, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(725 ILCS 5/124B-500)
Sec. 124B-500. Persons and property subject to forfeiture. A person who commits the offense of child pornography, or aggravated child pornography, or non-consensual dissemination of private sexual images under Section 11-20.1, 11-20.1B, or 11-23.5 of the Criminal Code of 1961 or the Criminal Code of 2012 shall forfeit the following property to the State of Illinois:

(1) Any profits or proceeds and any property the person has acquired or maintained in violation of Section 11-20.1, 11-20.1B, or 11-20.3, or 11-23.5 of the Criminal Code of 1961 or the Criminal Code of 2012 that the sentencing court determines, after a forfeiture hearing under this Article, to have been acquired or maintained as a result of child pornography, or aggravated child pornography, or non-consensual dissemination of private sexual images.

(2) Any interest in, securities of, claim against, or property or contractual right of any kind affording a source of influence over any enterprise that the person has established, operated, controlled, or conducted in violation of Section 11-20.1, 11-20.1B, or 11-23.5 of the Criminal Code of 1961 or the Criminal Code of 2012 that the sentencing court determines, after a forfeiture hearing under this Article, to have been acquired or maintained as a result of child pornography, or aggravated child pornography, or non-consensual dissemination of private sexual images.

(3) Any computer that contains a depiction of child pornography in any encoded or decoded format in violation of Section 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012. For purposes of this paragraph (3), "computer" has the meaning ascribed to it in Section 17-0.5 of the Criminal Code of 2012.
(Source: P.A. 97-1150, eff. 1-25-13; 98-1013, eff. 1-1-15.)
Passed in the General Assembly December 3, 2014.
Approved December 29, 2014.
Effective June 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Metropolitan Transit Authority Act is amended by changing Section 23 as follows:

Sec. 23. Regular meetings of the Board shall be held at least once in each calendar month, the time and place of such meetings to be fixed by the Board. Four members of the Board shall constitute a quorum for the transaction of business. All action of the Board shall be by ordinance or resolution and the affirmative vote of at least four members shall be necessary for the adoption of any ordinance or resolution. All such ordinances and resolutions before taking effect shall be approved by the chairman of the Board, and if he shall approve thereof he shall sign the same, and such as he shall not approve he shall return to the Board with his objections thereto in writing at the next regular meeting of the Board occurring after the passage thereof. But in case the chairman shall fail to return any ordinance or resolution with his objections thereto by the time aforesaid, he shall be deemed to have approved the same and it shall take effect accordingly. Upon the return of any ordinance or resolution by the chairman with his objections, the vote by which the same was passed shall be reconsidered by the Board, and if upon such reconsideration said ordinance or resolution is passed by the affirmative vote of at least five members, it shall go into effect notwithstanding the veto of the chairman. All ordinances, resolutions and all proceedings of the Authority and all documents and records in its possession shall be public records, and open to public inspection, except such documents and records as shall be kept or prepared by the Board for use in negotiations, action or proceedings to which the Authority is a party.

Open meetings of the Board shall be broadcast to the public and maintained in real-time on the Board's website using a high-speed Internet connection. Recordings of each meeting broadcast shall be posted to the Board's website within a reasonable time after the meeting and shall be maintained as public records to the extent practicable, as determined by the Board. Compliance with the provisions of this amendatory Act of the 98th General Assembly does not relieve the Board of its obligations under the Open Meetings Act.

New matter indicated by italics - deletions by strikeout
Section 10. The Regional Transportation Authority Act is amended by changing Sections 3.05, 3A.07, and 3B.07 as follows:

Sec. 3.05. Meetings. The Board shall prescribe the times and places for meetings and the manner in which special meetings may be called. The Board shall comply in all respects with the "Open Meetings Act", approved July 11, 1957, as now or hereafter amended. All records, documents and papers of the Authority, other than those relating to matters concerning which closed sessions of the Board may be held, shall be available for public examination, subject to such reasonable regulations as the Board may adopt.

A majority of the Directors holding office shall constitute a quorum for the conduct of business. Except as otherwise provided in this Act, the affirmative votes of at least 9 Directors shall be necessary for approving any contract or agreement, adopting any rule or regulation, and any other action required by this Act to be taken by resolution or ordinance.

The Board shall meet with the Regional Citizens Advisory Board at least once every 4 months.

Open meetings of the Board shall be broadcast to the public and maintained in real-time on the Board's website using a high-speed Internet connection. Recordings of each meeting broadcast shall be posted to the Board's website within a reasonable time after the meeting and shall be maintained as public records to the extent practicable, as determined by the Board. Compliance with the provisions of this amendatory Act of the 98th General Assembly does not relieve the Board of its obligations under the Open Meetings Act.

Sec. 3A.07. Meetings. The Suburban Bus Board shall prescribe the time and places for meetings and the manner in which special meetings may be called. The Suburban Bus Board shall comply in all respects with the "Open Meetings Act", as now or hereafter amended. All records, documents and papers of the Suburban Bus Division, other than those relating to matters concerning which closed sessions of the Suburban Bus Board may be held, shall be available for public examination, subject to such reasonable regulations as the Suburban Bus Board may adopt.

A majority of the members shall constitute a quorum for the conduct of business. The affirmative votes of at least 7 members shall be necessary for any action required by this Act to be taken by ordinance.
Open meetings of the Board shall be broadcast to the public and maintained in real-time on the Board's website using a high-speed Internet connection. Recordings of each meeting broadcast shall be posted to the Board's website within a reasonable time after the meeting and shall be maintained as public records to the extent practicable, as determined by the Board. Compliance with the provisions of this amendatory Act of the 98th General Assembly does not relieve the Board of its obligations under the Open Meetings Act.

(70 ILCS 3615/3B.07) (from Ch. 111 2/3, par. 703B.07)
Sec. 3B.07. Meetings. The Commuter Rail Board shall prescribe the times and places for meetings and the manner in which special meetings may be called. The Commuter Rail Board shall comply in all respects with the "Open Meetings Act", as now or hereafter amended. All records, documents and papers of the Commuter Rail Division, other than those relating to matters concerning which closed sessions of the Commuter Rail Board may be held, shall be available for public examination, subject to such reasonable regulations as the board may adopt.

A majority of the members shall constitute a quorum for the conduct of business. The affirmative votes of at least 6 members shall be necessary for any action required by this Act to be taken by ordinance.

Open meetings of the Board shall be broadcast to the public and maintained in real-time on the Board's website using a high-speed Internet connection. Recordings of each meeting broadcast shall be posted to the Board's website within a reasonable time after the meeting and shall be maintained as public records to the extent practicable, as determined by the Board. Compliance with the provisions of this amendatory Act of the 98th General Assembly does not relieve the Board of its obligations under the Open Meetings Act.

(70 ILCS 3615/3B.07) (from Ch. 111 2/3, par. 703B.07)
Sec. 3B.07. Meetings. The Commuter Rail Board shall prescribe the times and places for meetings and the manner in which special meetings may be called. The Commuter Rail Board shall comply in all respects with the "Open Meetings Act", as now or hereafter amended. All records, documents and papers of the Commuter Rail Division, other than those relating to matters concerning which closed sessions of the Commuter Rail Board may be held, shall be available for public examination, subject to such reasonable regulations as the board may adopt.

A majority of the members shall constitute a quorum for the conduct of business. The affirmative votes of at least 6 members shall be necessary for any action required by this Act to be taken by ordinance.

Open meetings of the Board shall be broadcast to the public and maintained in real-time on the Board's website using a high-speed Internet connection. Recordings of each meeting broadcast shall be posted to the Board's website within a reasonable time after the meeting and shall be maintained as public records to the extent practicable, as determined by the Board. Compliance with the provisions of this amendatory Act of the 98th General Assembly does not relieve the Board of its obligations under the Open Meetings Act.

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A majority of the members shall constitute a quorum for the conduct of business. The affirmative votes of at least 6 members shall be necessary for any action required by this Act to be taken by ordinance.
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Regulatory Sunset Act is amended by adding Section 4.25a as follows:

(5 ILCS 80/4.25a new)
Sec. 4.25a. Act repealed on December 31, 2015. The following Act is repealed on December 31, 2015:
(5 ILCS 80/4.24 rep.)
Section 10. The Regulatory Sunset Act is amended by repealing Section 4.24.
Section 15. The Medical Practice Act of 1987 is amended by changing Sections 2, 3, 7, 7.5, 9, 9.3, 9.5, 13, 17, 18, 19, 21, 22, 24, 33, 36, 37, 38, 40, and 41 as follows:

(225 ILCS 60/2) (from Ch. 111, par. 4400-2)
(Section scheduled to be repealed on December 31, 2014)
Sec. 2. Definitions. For purposes of this Act, the following definitions shall have the following meanings, except where the context requires otherwise:
"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.
"Chiropractic physician" means a person licensed to treat human ailments without the use of drugs and without operative surgery. Nothing in this Act shall be construed to prohibit a chiropractic physician from providing advice regarding the use of non-prescription products or from administering atmospheric oxygen. Nothing in this Act shall be construed to authorize a chiropractic physician to prescribe drugs.
"Department" means the Department of Financial and Professional Regulation.

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"Disciplinary Action" means revocation, suspension, probation, supervision, practice modification, reprimand, required education, fines or any other action taken by the Department against a person holding a license.
"Disciplinary Board" means the Medical Disciplinary Board.
"Final Determination" means the governing body's final action taken under the procedure followed by a health care institution, or professional association or society, against any person licensed under the Act in accordance with the bylaws or rules and regulations of such health care institution, or professional association or society.
"Fund" means the Medical Disciplinary Fund.
"Impaired" means the inability to practice medicine with reasonable skill and safety due to physical or mental disabilities as evidenced by a written determination or written consent based on clinical evidence including deterioration through the aging process or loss of motor skill, or abuse of drugs or alcohol, of sufficient degree to diminish a person's ability to deliver competent patient care.
"Licensing Board" means the Medical Licensing Board.
"Physician" means a person licensed under the Medical Practice Act to practice medicine in all of its branches or a chiropractic physician.
"Professional Association" means an association or society of persons licensed under this Act, and operating within the State of Illinois, including but not limited to, medical societies, osteopathic organizations, and chiropractic organizations, but this term shall not be deemed to include hospital medical staffs.
"Program of Care, Counseling, or Treatment" means a written schedule of organized treatment, care, counseling, activities, or education, satisfactory to the Disciplinary Board, designed for the purpose of restoring an impaired person to a condition whereby the impaired person can practice medicine with reasonable skill and safety of a sufficient degree to deliver competent patient care.
"Reinstate" means to change the status of a license from inactive or nonrenewed status to active status.
"Restore" means to remove an encumbrance from a license due to probation, suspension, or revocation.
"Secretary" means the Secretary of the Department of Financial and Professional Regulation.
(Source: P.A. 97-462, eff. 8-19-11; 97-622, eff. 11-23-11.)
(225 ILCS 60/3) (from Ch. 111, par. 4400-3)
(Section scheduled to be repealed on December 31, 2014)

New matter indicated by italics - deletions by strikeout
Sec. 3. Licensure requirement. No person shall practice medicine, or any of its branches, or treat human ailments without the use of drugs and without operative surgery, without a valid, active existing license to do so, except that a physician who holds an active license in another state or a second year resident enrolled in a residency program accredited by the Liaison Committee on Graduate Medical Education or the Bureau of Professional Education of the American Osteopathic Association may provide medical services to patients in Illinois during a bonafide emergency in immediate preparation for or during interstate transit.
(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 60/7) (from Ch. 111, par. 4400-7)
(Section scheduled to be repealed on December 31, 2014)

Sec. 7. Medical Disciplinary Board.

(A) There is hereby created the Illinois State Medical Disciplinary Board. The Disciplinary Board shall consist of 11 members, to be appointed by the Governor by and with the advice and consent of the Senate. All members shall be residents of the State, not more than 6 of whom shall be members of the same political party. All members shall be voting members. Five members shall be physicians licensed to practice medicine in all of its branches in Illinois possessing the degree of doctor of medicine. One member shall be a physician licensed to practice medicine in all its branches in Illinois possessing the degree of doctor of osteopathy or osteopathic medicine. One member shall be a chiropractic physician licensed to practice in Illinois and possessing the degree of doctor of chiropractic. Four members shall be members of the public, who shall not be engaged in any way, directly or indirectly, as providers of health care.

(B) Members of the Disciplinary Board shall be appointed for terms of 4 years. Upon the expiration of the term of any member, their successor shall be appointed for a term of 4 years by the Governor by and with the advice and consent of the Senate. The Governor shall fill any vacancy for the remainder of the unexpired term with the advice and consent of the Senate. Upon recommendation of the Board, any member of the Disciplinary Board may be removed by the Governor for misfeasance, malfeasance, or willful neglect of duty, after notice, and a public hearing, unless such notice and hearing shall be expressly waived in writing. Each member shall serve on the Disciplinary Board until their successor is appointed and qualified. No member of the Disciplinary Board shall serve more than 2 consecutive 4 year terms.

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In making appointments the Governor shall attempt to insure that the various social and geographic regions of the State of Illinois are properly represented.

In making the designation of persons to act for the several professions represented on the Disciplinary Board, the Governor shall give due consideration to recommendations by members of the respective professions and by organizations therein.

(C) The Disciplinary Board shall annually elect one of its voting members as chairperson and one as vice chairperson. No officer shall be elected more than twice in succession to the same office. Each officer shall serve until their successor has been elected and qualified.

(D) (Blank).

(E) Six voting members of the Disciplinary Board, at least 4 of whom are physicians, shall constitute a quorum. A vacancy in the membership of the Disciplinary Board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Disciplinary Board. Any action taken by the Disciplinary Board under this Act may be authorized by resolution at any regular or special meeting and each such resolution shall take effect immediately. The Disciplinary Board shall meet at least quarterly. The Disciplinary Board is empowered to adopt all rules and regulations necessary and incident to the powers granted to it under this Act.

(F) Each member, and member-officer, of the Disciplinary Board shall receive a per diem stipend as the Secretary shall determine. Each member shall be paid their necessary expenses while engaged in the performance of their duties.

(G) The Secretary shall select a Chief Medical Coordinator and not less than 2 Deputy Medical Coordinators who shall not be members of the Disciplinary Board. Each medical coordinator shall be a physician licensed to practice medicine in all of its branches, and the Secretary shall set their rates of compensation. The Secretary shall assign at least one medical coordinator to a region composed of Cook County and such other counties as the Secretary may deem appropriate, and such medical coordinator or coordinators shall locate their office in Chicago. The Secretary shall assign at least one medical coordinator to a region composed of the balance of counties in the State, and such medical coordinator or coordinators shall locate their office in Springfield. The Chief Medical Coordinator shall be the chief enforcement officer of this Act. None of the functions, powers, or duties of the Department with respect to policies regarding enforcement or discipline under this Act, including the adoption of such rules as may be

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necessary for the administration of this Act, shall be exercised by the Department except upon review of the Disciplinary Board. Each medical coordinator shall be the chief enforcement officer of this Act in his or her assigned region and shall serve at the will of the Disciplinary Board.

The Secretary shall employ, in conformity with the Personnel Code, investigators who are college graduates with at least 2 years of investigative experience or one year of advanced medical education. Upon the written request of the Disciplinary Board, the Secretary shall employ, in conformity with the Personnel Code, such other professional, technical, investigative, and clerical help, either on a full or part-time basis as the Disciplinary Board deems necessary for the proper performance of its duties.

(H) Upon the specific request of the Disciplinary Board, signed by either the chairperson, vice chairperson, or a medical coordinator of the Disciplinary Board, the Department of Human Services, the Department of Healthcare and Family Services, or the Department of State Police, or any other law enforcement agency located in this State shall make available any and all information that they have in their possession regarding a particular case then under investigation by the Disciplinary Board.

(I) Members of the Disciplinary Board shall be immune from suit in any action based upon any disciplinary proceedings or other acts performed in good faith as members of the Disciplinary Board.

(J) The Disciplinary Board may compile and establish a statewide roster of physicians and other medical professionals, including the several medical specialties, of such physicians and medical professionals, who have agreed to serve from time to time as advisors to the medical coordinators. Such advisors shall assist the medical coordinators or the Disciplinary Board in their investigations and participation in complaints against physicians. Such advisors shall serve under contract and shall be reimbursed at a reasonable rate for the services provided, plus reasonable expenses incurred. While serving in this capacity, the advisor, for any act undertaken in good faith and in the conduct of his or her duties under this Section, shall be immune from civil suit.

(Source: P.A. 97-622, eff. 11-23-11.)

(225 ILCS 60/7.5)
(Section scheduled to be repealed on December 31, 2014)
Sec. 7.5. Complaint Committee.

(a) There shall be a Complaint Committee of the Disciplinary Board composed of at least one of the medical coordinators established by subsection (G) of Section 7 of this Act, the Chief of Medical Investigations

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(person employed by the Department who is in charge of investigating complaints against physicians and physician assistants), the Chief of Medical Prosecutions (the person employed by the Department who is in charge of prosecuting formal complaints against physicians and physician assistants), and at least 3 voting members of the Disciplinary Board (at least 2 of whom shall be physicians) designated by the Chairperson of the Disciplinary Board with the approval of the Disciplinary Board. The Disciplinary Board members so appointed shall serve one-year terms and may be eligible for reappointment for subsequent terms.

(b) The Complaint Committee shall meet at least twice a month to exercise its functions and duties set forth in subsection (c) below. At least 2 members of the Disciplinary Board shall be in attendance in order for any business to be transacted by the Complaint Committee. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each item on its agenda.

(c) The Complaint Committee shall have the following duties and functions:

   (1) To recommend to the Disciplinary Board that a complaint file be closed.

   (2) To refer a complaint file to the office of the Chief of Medical Prosecutions (person employed by the Department who is in charge of prosecuting formal complaints against licensees) for review.

   (3) To make a decision in conjunction with the Chief of Medical Prosecutions regarding action to be taken on a complaint file.

(d) In determining what action to take or whether to proceed with prosecution of a complaint, the Complaint Committee shall consider, but not be limited to, the following factors: sufficiency of the evidence presented, prosecutorial merit under Section 22 of this Act, any recommendation made by the Department, and insufficient cooperation from complaining parties.

(Source: P.A. 97-622, eff. 11-23-11.)

(225 ILCS 60/9) (from Ch. 111, par. 4400-9)

(Section scheduled to be repealed on December 31, 2014)

Sec. 9. Application for license. Each applicant for a license shall:

(A) Make application on blank forms prepared and furnished by the Department.

(B) Submit evidence satisfactory to the Department that the applicant:

   (1) is of good moral character. In determining moral character under this Section, the Department may take into
consideration whether the applicant has engaged in conduct or activities which would constitute grounds for discipline under this Act. The Department may also request the applicant to submit, and may consider as evidence of moral character, endorsements from 2 or 3 individuals licensed under this Act;

(2) has the preliminary and professional education required by this Act;

(3) (blank); and

(4) is physically, mentally, and professionally capable of practicing medicine with reasonable judgment, skill, and safety. In determining physical and mental capacity under this Act, the Licensing Board may, upon a showing of a possible incapacity or conduct or activities that would constitute grounds for discipline under this Act, compel any applicant to submit to a mental or physical examination and evaluation, or both, as provided for in Section 22 of this Act. The Licensing Board may condition or restrict any license, subject to the same terms and conditions as are provided for the Disciplinary Board under Section 22 of this Act. Any such condition of a restricted license shall provide that the Chief Medical Coordinator or Deputy Medical Coordinator shall have the authority to review the subject physician's compliance with such conditions or restrictions, including, where appropriate, the physician's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records of patients.

In determining professional capacity under this Section, an individual may be required to complete such additional testing, training, or remedial education as the Licensing Board may deem necessary in order to establish the applicant's present capacity to practice medicine with reasonable judgment, skill, and safety. The Licensing Board may consider the following criteria, as they relate to an applicant, as part of its determination of professional capacity:

(1) Medical research in an established research facility, hospital, college or university, or private corporation.

(2) Specialized training or education.

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(3) Publication of original work in learned, medical, or scientific journals.

(4) Participation in federal, State, local, or international public health programs or organizations.

(5) Professional service in a federal veterans or military institution.

(6) Any other professional activities deemed to maintain and enhance the clinical capabilities of the applicant.

Any applicant applying for a license to practice medicine in all of its branches or for a license as a chiropractic physician who has not been engaged in the active practice of medicine or has not been enrolled in a medical program for 2 years prior to application must submit proof of professional capacity to the Licensing Board.

Any applicant applying for a temporary license that has not been engaged in the active practice of medicine or has not been enrolled in a medical program for longer than 5 years prior to application must submit proof of professional capacity to the Licensing Board.

(C) Designate specifically the name, location, and kind of professional school, college, or institution of which the applicant is a graduate and the category under which the applicant seeks, and will undertake, to practice.

(D) Pay to the Department at the time of application the required fees.

(E) Pursuant to Department rules, as required, pass an examination authorized by the Department to determine the applicant's fitness to receive a license.

(F) Complete the application process within 3 years from the date of application. If the process has not been completed within 3 years, the application shall expire, application fees shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 97-622, eff. 11-23-11.)

(225 ILCS 60/9.3)

(Section scheduled to be repealed on December 31, 2014)

Sec. 9.3. Withdrawal of application. Any applicant applying for a license or permit under this Act may withdraw his or her application at any time. If an applicant withdraws his or her application after receipt of a written Notice of Intent to Deny License or Permit, then the withdrawal shall be

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reported to the Federation of State Medical Boards and the National Practitioner Data Bank.
(Source: P.A. 98-601, eff. 12-30-13.)

(225 ILCS 60/9.5)

(Section scheduled to be repealed on December 31, 2014)

Sec. 9.5. Social Security Number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number, which shall be retained in the agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal or reinstated restored license shall require the applicant's customer identification number.
(Source: P.A. 97-400, eff. 1-1-12.)

(225 ILCS 60/13) (from Ch. 111, par. 4400-13)

(Section scheduled to be repealed on December 31, 2014)

Sec. 13. Medical students. Candidates for the degree of doctor of medicine, doctor of osteopathy, or doctor of osteopathic medicine enrolled in a medical or osteopathic college, accredited by the Liaison Committee on Medical Education or the Commission on Osteopathic College Accreditation Bureau of Professional Education of the American Osteopathic Association or its successor, may practice under the direct, on-premises supervision of a physician who is licensed to practice medicine in all its branches in Illinois and who is a member of the faculty of an accredited medical or osteopathic college.
(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 60/17) (from Ch. 111, par. 4400-17)

(Section scheduled to be repealed on December 31, 2014)

Sec. 17. Temporary license. Persons holding the degree of Doctor of Medicine, persons holding the degree of Doctor of Osteopathy or Doctor of Osteopathic Medicine, and persons holding the degree of Doctor of Chiropractic or persons who have satisfied the requirements therefor and are eligible to receive such degree from a medical, osteopathic, or chiropractic school, who wish to pursue programs of graduate or specialty training in this State, may receive without examination, in the discretion of the Department, a 3-year temporary license. In order to receive a 3-year temporary license hereunder, an applicant shall submit evidence satisfactory to the Department that the applicant:

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(A) Is of good moral character. In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or activities which would constitute grounds for discipline under this Act. The Department may also request the applicant to submit, and may consider as evidence of moral character, endorsements from 2 or 3 individuals licensed under this Act;

(B) Has been accepted or appointed for specialty or residency training by a hospital situated in this State or a training program in hospitals or facilities maintained by the State of Illinois or affiliated training facilities which is approved by the Department for the purpose of such training under this Act. The applicant shall indicate the beginning and ending dates of the period for which the applicant has been accepted or appointed;

(C) Has or will satisfy the professional education requirements of Section 11 of this Act which are effective at the date of application except for postgraduate clinical training;

(D) Is physically, mentally, and professionally capable of practicing medicine or treating human ailments without the use of drugs and without operative surgery with reasonable judgment, skill, and safety. In determining physical, mental and professional capacity under this Section, the Licensing Board may, upon a showing of a possible incapacity, compel an applicant to submit to a mental or physical examination and evaluation, or both, and may condition or restrict any temporary license, subject to the same terms and conditions as are provided for the Disciplinary Board under Section 22 of this Act. Any such condition of restricted temporary license shall provide that the Chief Medical Coordinator or Deputy Medical Coordinator shall have the authority to review the subject physician's compliance with such conditions or restrictions, including, where appropriate, the physician's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records of patients.

Three-year temporary licenses issued pursuant to this Section shall be valid only for the period of time designated therein, and may be extended or renewed pursuant to the rules of the Department, and if a temporary license is thereafter extended, it shall not extend beyond completion of the residency program. The holder of a valid 3-year temporary license shall be entitled

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thereby to perform only such acts as may be prescribed by and incidental to
his or her program of residency training; he or she shall not be entitled to
otherwise engage in the practice of medicine in this State unless fully
licensed in this State.

A 3-year temporary license may be revoked or suspended by the
Department upon proof that the holder thereof has engaged in the practice of
medicine in this State outside of the program of his or her residency or
specialty training, or if the holder shall fail to supply the Department, within
10 days of its request, with information as to his or her current status and
activities in his or her specialty training program. Such a revocation or
suspension shall comply with the procedures set forth in subsection (d) of
Section 37 of this Act.

(225 ILCS 60/18) (from Ch. 111, par. 4400-18)
(Section scheduled to be repealed on December 31, 2014)
Sec. 18. Visiting professor, physician, or resident permits.
(A) Visiting professor permit.

(1) A visiting professor permit shall entitle a person to
practice medicine in all of its branches or to practice the treatment of
human ailments without the use of drugs and without operative
surgery provided:

(a) the person maintains an equivalent authorization to
practice medicine in all of its branches or to practice the
treatment of human ailments without the use of drugs and
without operative surgery in good standing in his or her native
licensing jurisdiction during the period of the visiting
professor permit;

(b) the person has received a faculty appointment to
teach in a medical, osteopathic or chiropractic school in
Illinois; and

(c) the Department may prescribe the information
necessary to establish an applicant's eligibility for a permit.
This information shall include without limitation (i) a
statement from the dean of the medical school at which the
applicant will be employed describing the applicant's
qualifications and (ii) a statement from the dean of the
medical school listing every affiliated institution in which the
applicant will be providing instruction as part of the medical

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school's education program and justifying any clinical activities at each of the institutions listed by the dean.

(2) Application for visiting professor permits shall be made to the Department, in writing, on forms prescribed by the Department and shall be accompanied by the required fee established by rule, which shall not be refundable. Any application shall require the information as, in the judgment of the Department, will enable the Department to pass on the qualifications of the applicant.

(3) A visiting professor permit shall be valid for no longer than 2 years from the date of issuance or until the time the faculty appointment is terminated, whichever occurs first, and may be renewed only in accordance with subdivision (A)(6) of this Section.

(4) The applicant may be required to appear before the Licensing Board for an interview prior to, and as a requirement for, the issuance of the original permit and the renewal.

(5) Persons holding a permit under this Section shall only practice medicine in all of its branches or practice the treatment of human ailments without the use of drugs and without operative surgery in the State of Illinois in their official capacity under their contract within the medical school itself and any affiliated institution in which the permit holder is providing instruction as part of the medical school's educational program and for which the medical school has assumed direct responsibility.

(6) After the initial renewal of a visiting professor permit, a visiting professor permit shall be valid until the last day of the next physician license renewal period, as set by rule, and may only be renewed for applicants who meet the following requirements:

   (i) have obtained the required continuing education hours as set by rule; and
   (ii) have paid the fee prescribed for a license under Section 21 of this Act.

For initial renewal, the visiting professor must successfully pass a general competency examination authorized by the Department by rule, unless he or she was issued an initial visiting professor permit on or after January 1, 2007, but prior to July 1, 2007.

(B) Visiting physician permit.

(1) The Department may, in its discretion, issue a temporary visiting physician permit, without examination, provided:

   (a) (blank);

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(b) that the person maintains an equivalent authorization to practice medicine in all of its branches or to practice the treatment of human ailments without the use of drugs and without operative surgery in good standing in his or her native licensing jurisdiction during the period of the temporary visiting physician permit;

(c) that the person has received an invitation or appointment to study, demonstrate, or perform a specific medical, osteopathic, chiropractic or clinical subject or technique in a medical, osteopathic, or chiropractic school, a state or national medical, osteopathic, or chiropractic professional association or society conference or meeting, a hospital licensed under the Hospital Licensing Act, a hospital organized under the University of Illinois Hospital Act, or a facility operated pursuant to the Ambulatory Surgical Treatment Center Act; and

(d) that the temporary visiting physician permit shall only permit the holder to practice medicine in all of its branches or practice the treatment of human ailments without the use of drugs and without operative surgery within the scope of the medical, osteopathic, chiropractic, or clinical studies, or in conjunction with the state or national medical, osteopathic, or chiropractic professional association or society conference or meeting, for which the holder was invited or appointed.

(2) The application for the temporary visiting physician permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by the required fee established by rule, which shall not be refundable. The application shall require information that, in the judgment of the Department, will enable the Department to pass on the qualification of the applicant, and the necessity for the granting of a temporary visiting physician permit.

(3) A temporary visiting physician permit shall be valid for no longer than (i) 180 days from the date of issuance or (ii) until the time the medical, osteopathic, chiropractic, or clinical studies are completed, or the state or national medical, osteopathic, or chiropractic professional association or society conference or meeting has concluded, whichever occurs first. The temporary visiting
physician permit may be issued multiple times to a visiting physician under this paragraph (3) as long as the total number of days it is active do not exceed 180 days within a 365-day period.

(4) The applicant for a temporary visiting physician permit may be required to appear before the Licensing Board for an interview prior to, and as a requirement for, the issuance of a temporary visiting physician permit.

(5) A limited temporary visiting physician permit shall be issued to a physician licensed in another state who has been requested to perform emergency procedures in Illinois if he or she meets the requirements as established by rule.

(C) Visiting resident permit.

(1) The Department may, in its discretion, issue a temporary visiting resident permit, without examination, provided:

(a) (blank);

(b) that the person maintains an equivalent authorization to practice medicine in all of its branches or to practice the treatment of human ailments without the use of drugs and without operative surgery in good standing in his or her native licensing jurisdiction during the period of the temporary visiting resident permit;

(c) that the applicant is enrolled in a postgraduate clinical training program outside the State of Illinois that is approved by the Department;

(d) that the individual has been invited or appointed for a specific period of time to perform a portion of that post graduate clinical training program under the supervision of an Illinois licensed physician in an Illinois patient care clinic or facility that is affiliated with the out-of-State post graduate training program; and

(e) that the temporary visiting resident permit shall only permit the holder to practice medicine in all of its branches or practice the treatment of human ailments without the use of drugs and without operative surgery within the scope of the medical, osteopathic, chiropractic or clinical studies for which the holder was invited or appointed.

(2) The application for the temporary visiting resident permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by the required fee.

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established by rule. The application shall require information that, in
the judgment of the Department, will enable the Department to pass
on the qualifications of the applicant.

(3) A temporary visiting resident permit shall be valid for 180
days from the date of issuance or until the time the medical,
osteopathic, chiropractic, or clinical studies are completed, whichever
occurs first.

(4) The applicant for a temporary visiting resident permit may
be required to appear before the Licensing Board for an interview
prior to, and as a requirement for, the issuance of a temporary visiting
resident permit.

(Source: P.A. 96-398, eff. 8-13-09; 97-622, eff. 11-23-11.)

(225 ILCS 60/19) (from Ch. 111, par. 4400-19)

Sec. 19. Licensure by endorsement. The Department may, in its
discretion, issue a license by endorsement to any person who is currently
licensed to practice medicine in all of its branches, or a chiropractic
physician, in any other state, territory, country or province, upon the
following conditions and submitting evidence satisfactory to the Department
of the following:

(A) (Blank);

(B) That the applicant is of good moral character. In
determining moral character under this Section, the Department may
take into consideration whether the applicant has engaged in conduct
or activities which would constitute grounds for discipline under this
Act. The Department may also request the applicant to submit, and
may consider as evidence of moral character, endorsements from 2 or
3 individuals licensed under this Act;

(C) That the applicant is physically, mentally and
professionally capable of practicing medicine with reasonable
judgment, skill and safety. In determining physical, mental and
professional capacity under this Section the Licensing Board may,
upon a showing of a possible incapacity, compel an applicant to
submit to a mental or physical examination and evaluation, or both,
in the same manner as provided in Section 22 and may condition or
restrict any license, subject to the same terms and conditions as are
provided for the Disciplinary Board under Section 22 of this Act.

(D) That if the applicant seeks to practice medicine in all of
its branches:

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(1) if the applicant was licensed in another jurisdiction prior to January 1, 1988, that the applicant has satisfied the educational requirements of paragraph (1) of subsection (A) or paragraph (2) of subsection (A) of Section 11 of this Act; or

(2) if the applicant was licensed in another jurisdiction after December 31, 1987, that the applicant has satisfied the educational requirements of paragraph (A)(2) of Section 11 of this Act; and

(3) the requirements for a license to practice medicine in all of its branches in the particular state, territory, country or province in which the applicant is licensed are deemed by the Department to have been substantially equivalent to the requirements for a license to practice medicine in all of its branches in force in this State at the date of the applicant's license;

(E) That if the applicant seeks to treat human ailments without the use of drugs and without operative surgery:

   (1) the applicant is a graduate of a chiropractic school or college approved by the Department at the time of their graduation;

   (2) the requirements for the applicant's license to practice the treatment of human ailments without the use of drugs are deemed by the Department to have been substantially equivalent to the requirements for a license to practice in this State at the date of the applicant's license;

(F) That the Department may, in its discretion, issue a license by endorsement to any graduate of a medical or osteopathic college, reputable and in good standing in the judgment of the Department, who has passed an examination for admission to the United States Public Health Service, or who has passed any other examination deemed by the Department to have been at least equal in all substantial respects to the examination required for admission to any such medical corps;

(G) That applications for licenses by endorsement shall be filed with the Department, under oath, on forms prepared and furnished by the Department, and shall set forth, and applicants therefor shall supply such information respecting the life, education,
professional practice, and moral character of applicants as the Department may require to be filed for its use;

(H) That the applicant undergo the criminal background check established under Section 9.7 of this Act.

In the exercise of its discretion under this Section, the Department is empowered to consider and evaluate each applicant on an individual basis. It may take into account, among other things: the extent to which the applicant will bring unique experience and skills to the State of Illinois or; the extent to which there is or is not available to the Department; authentic and definitive information concerning the quality of medical education and clinical training which the applicant has had. Under no circumstances shall a license be issued under the provisions of this Section to any person who has previously taken and failed the written examination conducted by the Department for such license. In the exercise of its discretion under this Section, the Department may require an applicant to successfully complete an examination as recommended by the Licensing Board. The Department may also request the applicant to submit, and may consider as evidence of moral character, evidence from 2 or 3 individuals licensed under this Act. Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fees shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 97-622, eff. 11-23-11.)

(225 ILCS 60/21) (from Ch. 111, par. 4400-21)

(Section scheduled to be repealed on December 31, 2014)
Sec. 21. License renewal; reinstatement restoration; inactive status; disposition and collection of fees.

(A) Renewal. The expiration date and renewal period for each license issued under this Act shall be set by rule. The holder of a license may renew the license by paying the required fee. The holder of a license may also renew the license within 90 days after its expiration by complying with the requirements for renewal and payment of an additional fee. A license renewal within 90 days after expiration shall be effective retroactively to the expiration date.

The Department shall mail to each licensee under this Act, at his or her address of record, at least 60 days in advance of the expiration date of his or her license, a renewal notice. No such license shall be deemed to have lapsed until 90 days after the expiration date and after such notice has been mailed by the Department as herein provided.

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(B) **Reinstatement. Restoration.** Any licensee who has permitted his or her license to lapse or who has had his or her license on inactive status may have his or her license reinstated restored by making application to the Department and filing proof acceptable to the Department of his or her fitness to have the license reinstated restored, including evidence certifying to active practice in another jurisdiction satisfactory to the Department, proof of meeting the continuing education requirements for one renewal period, and by paying the required reinstatement restoration fee.

If the licensee has not maintained an active practice in another jurisdiction satisfactory to the Department, the Licensing Board shall determine, by an evaluation program established by rule, the applicant's fitness to resume active status and may require the licensee to complete a period of evaluated clinical experience and may require successful completion of a practical examination specified by the Licensing Board.

However, any registrant whose license has expired while he or she has been engaged (a) in Federal Service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, the Public Health Service or the State Militia called into the service or training of the United States of America, or (b) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license reinstated or restored without paying any lapsed renewal fees, if within 2 years after honorable termination of such service, training, or education, he or she furnishes to the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(C) Inactive licenses. Any licensee who notifies the Department, in writing on forms prescribed by the Department, may elect to place his or her license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he or she notifies the Department in writing of his or her desire to resume active status.

Any licensee requesting reinstatement restoration from inactive status shall be required to pay the current renewal fee, provide proof of meeting the continuing education requirements for the period of time the license is inactive not to exceed one renewal period, and shall be required to reinstate restore his or her license as provided in subsection (B).

Any licensee whose license is in an inactive status shall not practice in the State of Illinois.

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(D) Disposition of monies collected. All monies collected under this Act by the Department shall be deposited in the Illinois State Medical Disciplinary Fund in the State Treasury, and used only for the following purposes: (a) by the Disciplinary Board and Licensing Board in the exercise of its powers and performance of its duties, as such use is made by the Department with full consideration of all recommendations of the Disciplinary Board and Licensing Board, (b) for costs directly related to persons licensed under this Act, and (c) for direct and allocable indirect costs related to the public purposes of the Department.

Moneys in the Fund may be transferred to the Professions Indirect Cost Fund as authorized under Section 2105-300 of the Department of Professional Regulation Law (20 ILCS 2105/2105-300).

The State Comptroller shall order and the State Treasurer shall transfer an amount equal to $1,100,000 from the Illinois State Medical Disciplinary Fund to the Local Government Tax Fund on each of the following dates: July 1, 2014, October 1, 2014, January 1, 2015, July 1, 2017, October 1, 2017, and January 1, 2018. These transfers shall constitute repayment of the $6,600,000 transfer made under Section 6z-18 of the State Finance Act.

All earnings received from investment of monies in the Illinois State Medical Disciplinary Fund shall be deposited in the Illinois State Medical Disciplinary Fund and shall be used for the same purposes as fees deposited in such Fund.

(E) Fees. The following fees are nonrefundable.

(1) Applicants for any examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the cost of determining the applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

(2) Before July 1, 2018, the fee for a license under Section 9 of this Act is $700. Beginning on July 1, 2018, the fee for a license under Section 9 of this Act is $500.

(3) Before July 1, 2018, the fee for a license under Section 19 of this Act is $700. Beginning on July 1, 2018, the fee for a license under Section 19 of this Act is $500.

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(4) Before July 1, 2018, the fee for the renewal of a license for a resident of Illinois shall be calculated at the rate of $230 per year, and beginning on July 1, 2018, the fee for the renewal of a license shall be $167, except for licensees who were issued a license within 12 months of the expiration date of the license, before July 1, 2018, the fee for the renewal shall be $230, and beginning on July 1, 2018 that fee will be $167. Before July 1, 2018, the fee for the renewal of a license for a nonresident shall be calculated at the rate of $460 per year, and beginning on July 1, 2018, the fee for the renewal of a license for a nonresident shall be $250, except for licensees who were issued a license within 12 months of the expiration date of the license, before July 1, 2018, the fee for the renewal shall be $460, and beginning on July 1, 2018 that fee will be $250.

(5) The fee for the reinstatement restoration of a license other than from inactive status, is $230. In addition, payment of all lapsed renewal fees not to exceed $1,400 is required.

(6) The fee for a 3-year temporary license under Section 17 is $230.

(7) The fee for the issuance of a duplicate license, for the issuance of a replacement license for a license which has been lost or destroyed, or for the issuance of a license with a change of name or address other than during the renewal period is $20. No fee is required for name and address changes on Department records when no duplicate license is issued.

(8) The fee to be paid for a license record for any purpose is $20.

(9) The fee to be paid to have the scoring of an examination, administered by the Department, reviewed and verified, is $20 plus any fees charged by the applicable testing service.

(10) The fee to be paid by a licensee for a wall certificate showing his or her license shall be the actual cost of producing the certificate as determined by the Department.

(11) The fee for a roster of persons licensed as physicians in this State shall be the actual cost of producing such a roster as determined by the Department.

(F) Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed

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by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or permit certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or permit certificate, he or she shall apply to the Department for reinstatement restoration or issuance of the license or permit certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for reinstatement restoration of a license or permit certificate to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 97-622, eff. 11-23-11; 98-3, eff. 3-8-13.)

(225 ILCS 60/22) (from Ch. 111, par. 4400-22)

Sec. 22. Disciplinary action.

(A) The Department may revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action as the Department may deem proper with regard to the license or permit of any person issued under this Act to practice medicine, or a chiropractic physician, including imposing fines not to exceed $10,000 for each violation, upon any of the following grounds:

(1) Performance of an elective abortion in any place, locale, facility, or institution other than:

(a) a facility licensed pursuant to the Ambulatory Surgical Treatment Center Act;
(b) an institution licensed under the Hospital Licensing Act;
(c) an ambulatory surgical treatment center or hospitalization or care facility maintained by the State or any agency thereof, where such department or agency has authority under law to establish and enforce standards for the ambulatory surgical treatment centers, hospitalization, or care facilities under its management and control;

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(d) ambulatory surgical treatment centers, hospitalization or care facilities maintained by the Federal Government; or
(e) ambulatory surgical treatment centers, hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation.

(2) Performance of an abortion procedure in a wilful and wanton manner on a woman who was not pregnant at the time the abortion procedure was performed.

(3) A plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States of any crime that is a felony.

(4) Gross negligence in practice under this Act.

(5) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.

(6) Obtaining any fee by fraud, deceit, or misrepresentation.

(7) Habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or of any other substances which results in the inability to practice with reasonable judgment, skill or safety.

(8) Practicing under a false or, except as provided by law, an assumed name.

(9) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(10) Making a false or misleading statement regarding their skill or the efficacy or value of the medicine, treatment, or remedy prescribed by them at their direction in the treatment of any disease or other condition of the body or mind.

(11) Allowing another person or organization to use their license, procured under this Act, to practice.

(12) Adverse Disciplinary action taken by of another state or jurisdiction against a license or other authorization to practice as a medical doctor, doctor of osteopathy, doctor of osteopathic medicine or doctor of chiropractic, a certified copy of the record of the action taken by the other state or jurisdiction being prima facie evidence

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thereof. This includes any adverse action taken by a State or federal agency that prohibits a medical doctor, doctor of osteopathy, doctor of osteopathic medicine, or doctor of chiropractic from providing services to the agency's participants.

(13) Violation of any provision of this Act or of the Medical Practice Act prior to the repeal of that Act, or violation of the rules, or a final administrative action of the Secretary, after consideration of the recommendation of the Disciplinary Board.

(14) Violation of the prohibition against fee splitting in Section 22.2 of this Act.

(15) A finding by the Disciplinary Board that the registrant after having his or her license placed on probationary status or subjected to conditions or restrictions violated the terms of the probation or failed to comply with such terms or conditions.

(16) Abandonment of a patient.

(17) Prescribing, selling, administering, distributing, giving or self-administering any drug classified as a controlled substance (designated product) or narcotic for other than medically accepted therapeutic purposes.

(18) Promotion of the sale of drugs, devices, appliances or goods provided for a patient in such manner as to exploit the patient for financial gain of the physician.

(19) Offering, undertaking or agreeing to cure or treat disease by a secret method, procedure, treatment or medicine, or the treating, operating or prescribing for any human condition by a method, means or procedure which the licensee refuses to divulge upon demand of the Department.

(20) Immoral conduct in the commission of any act including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice.

(21) Wilfully making or filing false records or reports in his or her practice as a physician, including, but not limited to, false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(22) Wilful omission to file or record, or wilfully impeding the filing or recording, or inducing another person to omit to file or record, medical reports as required by law, or wilfully failing to report an instance of suspected abuse or neglect as required by law.

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(23) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(24) Solicitation of professional patronage by any corporation, agents or persons, or profiting from those representing themselves to be agents of the licensee.

(25) Gross and wilful and continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered, including, but not limited to, filing such false statements for collection of monies for services not rendered from the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(26) A pattern of practice or other behavior which demonstrates incapacity or incompetence to practice under this Act.

(27) Mental illness or disability which results in the inability to practice under this Act with reasonable judgment, skill or safety.

(28) Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in a physician's inability to practice under this Act with reasonable judgment, skill or safety.

(29) Cheating on or attempt to subvert the licensing examinations administered under this Act.

(30) Wilfully or negligently violating the confidentiality between physician and patient except as required by law.

(31) The use of any false, fraudulent, or deceptive statement in any document connected with practice under this Act.

(32) Aiding and abetting an individual not licensed under this Act in the practice of a profession licensed under this Act.

(33) Violating state or federal laws or regulations relating to controlled substances, legend drugs, or ephedra as defined in the Ephedra Prohibition Act.

(34) Failure to report to the Department any adverse final action taken against them by another licensing jurisdiction (any other state or any territory of the United States or any foreign state or country), by any peer review body, by any health care institution, by

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any professional society or association related to practice under this Act, by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(35) Failure to report to the Department surrender of a license or authorization to practice as a medical doctor, a doctor of osteopathy, a doctor of osteopathic medicine, or doctor of chiropractic in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society, while under disciplinary investigation by any of those authorities or bodies, for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(36) Failure to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(37) Failure to provide copies of medical records as required by law.

(38) Failure to furnish the Department, its investigators or representatives, relevant information, legally requested by the Department after consultation with the Chief Medical Coordinator or the Deputy Medical Coordinator.

(39) Violating the Health Care Worker Self-Referral Act.

(40) Willful failure to provide notice when notice is required under the Parental Notice of Abortion Act of 1995.

(41) Failure to establish and maintain records of patient care and treatment as required by this law.

(42) Entering into an excessive number of written collaborative agreements with licensed advanced practice nurses resulting in an inability to adequately collaborate.

(43) Repeated failure to adequately collaborate with a licensed advanced practice nurse.

(44) Violating the Compassionate Use of Medical Cannabis Pilot Program Act.

(45) Entering into an excessive number of written collaborative agreements with licensed prescribing psychologists resulting in an inability to adequately collaborate.

(46) Repeated failure to adequately collaborate with a licensed prescribing psychologist.

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Except for actions involving the ground numbered (26), all proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 years next after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described herein. Except for the grounds numbered (8), (9), (26), and (29), no action shall be commenced more than 10 years after the date of the incident or act alleged to have violated this Section. For actions involving the ground numbered (26), a pattern of practice or other behavior includes all incidents alleged to be part of the pattern of practice or other behavior that occurred, or a report pursuant to Section 23 of this Act received, within the 10-year period preceding the filing of the complaint. In the event of the settlement of any claim or cause of action in favor of the claimant or the reduction to final judgment of any civil action in favor of the plaintiff, such claim, cause of action or civil action being grounded on the allegation that a person licensed under this Act was negligent in providing care, the Department shall have an additional period of 2 years from the date of notification to the Department under Section 23 of this Act of such settlement or final judgment in which to investigate and commence formal disciplinary proceedings under Section 36 of this Act, except as otherwise provided by law. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

The entry of an order or judgment by any circuit court establishing that any person holding a license under this Act is a person in need of mental treatment operates as a suspension of that license. That person may resume their practice only upon the entry of a Departmental order based upon a finding by the Disciplinary Board that they have been determined to be recovered from mental illness by the court and upon the Disciplinary Board's recommendation that they be permitted to resume their practice.

The Department may refuse to issue or take disciplinary action concerning the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Illinois Department of Revenue.

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The Department, upon the recommendation of the Disciplinary Board, shall adopt rules which set forth standards to be used in determining:

(a) when a person will be deemed sufficiently rehabilitated to warrant the public trust;

(b) what constitutes dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(c) what constitutes immoral conduct in the commission of any act, including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice; and

(d) what constitutes gross negligence in the practice of medicine.

However, no such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action under this Act.

In enforcing this Section, the Disciplinary Board or the Licensing Board, upon a showing of a possible violation, may compel, in the case of the Disciplinary Board, any individual who is licensed to practice under this Act or holds a permit to practice under this Act, or, in the case of the Licensing Board, any individual who has applied for licensure or a permit pursuant to this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, as required by the Licensing Board or Disciplinary Board and at the expense of the Department. The Disciplinary Board or Licensing Board shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to provide

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to the Department, the Disciplinary Board, or the Licensing Board any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee, permit holder, or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee, permit holder, or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee, permit holder, or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Disciplinary Board or Licensing Board finds a physician unable to practice following an examination and evaluation because of the reasons set forth in this Section, the Disciplinary Board or Licensing Board shall require such physician to submit to care, counseling, or treatment by physicians, or other health care professionals, approved or designated by the Disciplinary Board, as a condition for issued, continued, reinstated, or renewed licensure to practice. Any physician, whose license was granted pursuant to Sections 9, 17, or 19 of this Act, or, continued, reinstated, renewed, disciplined or supervised, subject to such terms, conditions or restrictions who shall fail to comply with such terms, conditions or restrictions, or to complete a required program of care, counseling, or treatment, as determined by the Chief Medical Coordinator or Deputy Medical Coordinators, shall be referred to the Secretary for a determination as to whether the licensee shall have their license suspended immediately, pending a hearing by the Disciplinary Board. In instances in which the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Disciplinary Board within 15 days after such suspension and completed.
without appreciable delay. The Disciplinary Board shall have the authority to review the subject physician's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Disciplinary Board that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license.

The Department may promulgate rules for the imposition of fines in disciplinary cases, not to exceed $10,000 for each violation of this Act. Fines may be imposed in conjunction with other forms of disciplinary action, but shall not be the exclusive disposition of any disciplinary action arising out of conduct resulting in death or injury to a patient. Any funds collected from such fines shall be deposited in the Medical Disciplinary Fund.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(B) The Department shall revoke the license or permit issued under this Act to practice medicine or a chiropractic physician who has been convicted a second time of committing any felony under the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A person whose license or permit is revoked under this subsection B shall be prohibited from practicing medicine or treating human ailments without the use of drugs and without operative surgery.

(C) The Disciplinary Board shall recommend to the Department civil penalties and any other appropriate discipline in disciplinary cases when the Board finds that a physician willfully performed an abortion with actual knowledge that the person upon whom the abortion has been performed is a minor or an incompetent person without notice as required under the Parental Notice of Abortion Act of 1995. Upon the Board's recommendation, the Department shall impose, for the first violation, a civil penalty of $1,000 and for a second or subsequent violation, a civil penalty of $5,000.

(Source: P.A. 97-622, eff. 11-23-11; 98-601, eff. 12-30-13; 98-668, eff. 6-25-14.)

(225 ILCS 60/24) (from Ch. 111, par. 4400-24)
(Section scheduled to be repealed on December 31, 2014)

New matter indicated by italics - deletions by strikeout
(a) Any physician licensed under this Act, the Illinois State Medical Society, the Illinois Association of Osteopathic Physicians and Surgeons, the Illinois Chiropractic Society, the Illinois Prairie State Chiropractic Association, or any component societies of any of these 4 groups, and any other person, may report to the Disciplinary Board any information the physician, association, society, or person may have that appears to show that a physician is or may be in violation of any of the provisions of Section 22 of this Act.

(b) The Department may enter into agreements with the Illinois State Medical Society, the Illinois Association of Osteopathic Physicians and Surgeons, the Illinois Prairie State Chiropractic Association, or the Illinois Chiropractic Society to allow these organizations to assist the Disciplinary Board in the review of alleged violations of this Act. Subject to the approval of the Department, any organization party to such an agreement may subcontract with other individuals or organizations to assist in review.

(c) Any physician, association, society, or person participating in good faith in the making of a report under this Act or participating in or assisting with an investigation or review under this Act shall have immunity from any civil, criminal, or other liability that might result by reason of those actions.

(d) The medical information in the custody of an entity under contract with the Department participating in an investigation or review shall be privileged and confidential to the same extent as are information and reports under the provisions of Part 21 of Article VIII of the Code of Civil Procedure.

(e) Upon request by the Department after a mandatory report has been filed with the Department, an attorney for any party seeking to recover damages for injuries or death by reason of medical, hospital, or other healing art malpractice shall provide patient records related to the physician involved in the disciplinary proceeding to the Department within 30 days of the Department's request for use by the Department in any disciplinary matter under this Act. An attorney who provides patient records to the Department in accordance with this requirement shall not be deemed to have violated any attorney-client privilege. Notwithstanding any other provision of law, consent by a patient shall not be required for the provision of patient records in accordance with this requirement.

(f) For the purpose of any civil or criminal proceedings, the good faith of any physician, association, society or person shall be presumed.

(Source: P.A. 97-622, eff. 11-23-11.)

(225 ILCS 60/33) (from Ch. 111, par. 4400-33)

(Section scheduled to be repealed on December 31, 2014)
Sec. 33. Legend drugs.

(a) Any person licensed under this Act to practice medicine in all of its branches shall be authorized to purchase legend drugs requiring an order of a person authorized to prescribe drugs, and to dispense such legend drugs in the regular course of practicing medicine. The dispensing of such legend drugs shall be the personal act of the person licensed under this Act and may not be delegated to any other person not licensed under this Act or the Pharmacy Practice Act unless such delegated dispensing functions are under the direct supervision of the physician authorized to dispense legend drugs. Except when dispensing manufacturers' samples or other legend drugs in a maximum 72 hour supply, persons licensed under this Act shall maintain a book or file of prescriptions as required in the Pharmacy Practice Act. Any person licensed under this Act who dispenses any drug or medicine shall dispense such drug or medicine in good faith and shall affix to the box, bottle, vessel or package containing the same a label indicating (1) (a) the date on which such drug or medicine is dispensed; (2) (b) the name of the patient; (3) (c) the last name of the person dispensing such drug or medicine; (4) (d) the directions for use thereof; and (5) (e) the proprietary name or names or, if there are none, the established name or names of the drug or medicine, the dosage and quantity, except as otherwise authorized by regulation of the Department.

(b) The foregoing labeling requirements set forth in subsection (a) shall not apply to drugs or medicines in a package which bears a label of the manufacturer containing information describing its contents which is in compliance with requirements of the Federal Food, Drug, and Cosmetic Act and the Illinois Food, Drug, and Cosmetic Act. "Drug" and "medicine" have the meanings ascribed to them in the Pharmacy Practice Act, as now or hereafter amended; "good faith" has the meaning ascribed to it in subsection (u) (v) of Section 102 of the Illinois Controlled Substances Act, "Illinois Controlled Substances Act", approved August 16, 1971, as amended.

(c) Prior to dispensing a prescription to a patient, the physician shall offer a written prescription to the patient which the patient may elect to have filled by the physician or any licensed pharmacy.

(d) A violation of any provision of this Section shall constitute a violation of this Act and shall be grounds for disciplinary action provided for in this Act.

(e) Nothing in this Section shall be construed to authorize a chiropractic physician to prescribe drugs.

(Source: P.A. 97-622, eff. 11-23-11.)

New matter indicated by italics - deletions by strikeout
Sec. 36. Investigation; notice.

(a) Upon the motion of either the Department or the Disciplinary Board or upon the verified complaint in writing of any person setting forth facts which, if proven, would constitute grounds for suspension or revocation under Section 22 of this Act, the Department shall investigate the actions of any person, so accused, who holds or represents that they hold a license. Such person is hereinafter called the accused.

(b) The Department shall, before suspending, revoking, placing on probationary status, or taking any other disciplinary action as the Department may deem proper with regard to any license at least 30 days prior to the date set for the hearing, notify the accused in writing of any charges made and the time and place for a hearing of the charges before the Disciplinary Board, direct them to file their written answer thereto to the Disciplinary Board under oath within 20 days after the service on them of such notice and inform them that if they fail to file such answer default will be taken against them and their license may be suspended, revoked, placed on probationary status, or have other disciplinary action, including limiting the scope, nature or extent of their practice, as the Department may deem proper taken with regard thereto. The Department shall, at least 14 days prior to the date set for the hearing, notify in writing any person who filed a complaint against the accused of the time and place for the hearing of the charges against the accused before the Disciplinary Board and inform such person whether he or she may provide testimony at the hearing.

(c) Where a physician has been found, upon complaint and investigation of the Department, and after hearing, to have performed an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed, the Department shall automatically revoke the license of such physician to practice medicine in Illinois.

(d) Such written notice and any notice in such proceedings thereafter may be served by delivery of the same, personally, to the accused person, or by mailing the same by registered or certified mail to the accused person's address of record.

(e) All information gathered by the Department during its investigation including information subpoenaed under Section 23 or 38 of this Act and the investigative file shall be kept for the confidential use of the Secretary, Disciplinary Board, the Medical Coordinators, persons employed

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by contract to advise the Medical Coordinator or the Department, the Disciplinary Board's attorneys, the medical investigative staff, and authorized clerical staff, as provided in this Act and shall be afforded the same status as is provided information concerning medical studies in Part 21 of Article VIII of the Code of Civil Procedure, except that the Department may disclose information and documents to a federal, State, or local law enforcement agency pursuant to a subpoena in an ongoing criminal investigation to a health care licensing body of this State or another state or jurisdiction pursuant to an official request made by that licensing body. Furthermore, information and documents disclosed to a federal, State, or local law enforcement agency may be used by that agency only for the investigation and prosecution of a criminal offense or, in the case of disclosure to a health care licensing body, only for investigations and disciplinary action proceedings with regard to a license issued by that licensing body.
(Source: P.A. 96-1372, eff. 7-29-10; 97-449, eff. 1-1-12; 97-622, eff. 11-23-11.)

(225 ILCS 60/37) (from Ch. 111, par. 4400-37)
(Section scheduled to be repealed on December 31, 2014)
Sec. 37. Disciplinary actions.
(a) At the time and place fixed in the notice, the Disciplinary Board provided for in this Act shall proceed to hear the charges, and the accused person shall be accorded ample opportunity to present in person, or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Disciplinary Board may continue such hearing from time to time. If the Disciplinary Board is not sitting at the time and place fixed in the notice or at the time and place to which the hearing has been continued, the Department shall continue such hearing for a period not to exceed 30 days.

(b) In case the accused person, after receiving notice, fails to file an answer, their license may, in the discretion of the Secretary, having received first the recommendation of the Disciplinary Board, be suspended, revoked or placed on probationary status, or the Secretary may take whatever disciplinary action as he or she may deem proper, including limiting the scope, nature, or extent of said person's practice, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(c) The Disciplinary Board has the authority to recommend to the Secretary that probation be granted or that other disciplinary or non-disciplinary action, including the limitation of the scope, nature or extent of a person's practice, be taken as it deems proper. If disciplinary or non-
disciplinary action, other than suspension or revocation, is taken the Disciplinary Board may recommend that the Secretary impose reasonable limitations and requirements upon the accused registrant to insure compliance with the terms of the probation or other disciplinary action including, but not limited to, regular reporting by the accused to the Department of their actions, placing themselves under the care of a qualified physician for treatment, or limiting their practice in such manner as the Secretary may require.

(d) The Secretary, after consultation with the Chief Medical Coordinator or Deputy Medical Coordinator, may temporarily suspend the license of a physician without a hearing, simultaneously with the institution of proceedings for a hearing provided under this Section if the Secretary finds that evidence in his or her possession indicates that a physician's continuation in practice would constitute an immediate danger to the public. In the event that the Secretary suspends, temporarily, the license of a physician without a hearing, a hearing by the Disciplinary Board shall be held within 15 days after such suspension has occurred and shall be concluded without appreciable delay.

(Source: P.A. 97-622, eff. 11-23-11.)

(225 ILCS 60/38) (from Ch. 111, par. 4400-38)
(Sec. 38. Subpoena; oaths.

(a) The Disciplinary Board or Department has power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as is prescribed by law for judicial procedure in civil cases.

(b) The Disciplinary Board, upon a determination that probable cause exists that a violation of one or more of the grounds for discipline listed in Section 22 has occurred or is occurring, may subpoena the medical and hospital records of individual patients of physicians licensed under this Act, provided, that prior to the submission of such records to the Disciplinary Board, all information indicating the identity of the patient shall be removed and deleted. Notwithstanding the foregoing, the Disciplinary Board and Department shall possess the power to subpoena copies of hospital or medical records in mandatory report cases under Section 23 alleging death or permanent bodily injury when consent to obtain records is not provided by a patient or legal representative. Prior to submission of the records to the Disciplinary Board, all information indicating the identity of the patient shall be removed and deleted. All medical records and other information received pursuant to subpoena shall be confidential and shall be afforded the same

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status as is proved information concerning medical studies in Part 21 of Article VIII of the Code of Civil Procedure. The use of such records shall be restricted to members of the Disciplinary Board, the medical coordinators, and appropriate staff of the Department designated by the Disciplinary Board for the purpose of determining the existence of one or more grounds for discipline of the physician as provided for by Section 22 of this Act. Any such review of individual patients' records shall be conducted by the Disciplinary Board in strict confidentiality, provided that such patient records shall be admissible in a disciplinary hearing, before the Disciplinary Board, when necessary to substantiate the grounds for discipline alleged against the physician licensed under this Act, and provided further, that nothing herein shall be deemed to supersede the provisions of Part 21 of Article VIII of the "Code of Civil Procedure", as now or hereafter amended, to the extent applicable.  

(c) The Secretary, and any member of the Disciplinary Board each have power to administer oaths at any hearing which the Disciplinary Board or Department is authorized by law to conduct.  

(d) The Disciplinary Board, upon a determination that probable cause exists that a violation of one or more of the grounds for discipline listed in Section 22 has occurred or is occurring on the business premises of a physician licensed under this Act, may issue an order authorizing an appropriately qualified investigator employed by the Department to enter upon the business premises with due consideration for patient care of the subject of the investigation so as to inspect the physical premises and equipment and furnishings therein. No such order shall include the right of inspection of business, medical, or personnel records located on the premises. For purposes of this Section, "business premises" is defined as the office or offices where the physician conducts the practice of medicine. Any such order shall expire and become void five business days after its issuance by the Disciplinary Board. The execution of any such order shall be valid only during the normal business hours of the facility or office to be inspected.  

(Source: P.A. 97-622, eff. 11-23-11.)  

(225 ILCS 60/40) (from Ch. 111, par. 4400-40)  
Sec. 40. Findings and recommendations; rehearing.  

(a) The Disciplinary Board shall present to the Secretary a written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered or certified mail. Within 20 days after such service, the accused person may present to

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the Department their motion, in writing, for a rehearing, which written
motion shall specify the particular ground therefor. If the accused person
orders and pays for a transcript of the record as provided in Section 39, the
time elapsing thereafter and before such transcript is ready for delivery to
them shall not be counted as part of such 20 days.

(b) At the expiration of the time allowed for filing a motion for
rehearing, the Secretary may take the action recommended by the
Disciplinary Board. Upon the suspension, revocation, placement on
probationary status, or the taking of any other disciplinary action, including
the limiting of the scope, nature, or extent of one's practice, deemed proper
by the Department, with regard to the license or certificate or visiting
professor permit, the accused shall surrender their license or permit to the
Department, if ordered to do so by the Department, and upon their failure or
refusal so to do, the Department may seize the same.

(c) Each certificate of order of revocation, suspension, or other
disciplinary action shall contain a brief, concise statement of the ground or
grounds upon which the Department's action is based, as well as the specific
terms and conditions of such action. This document shall be retained as a
permanent record by the Disciplinary Board and the Secretary.

(d) The Department shall at least annually publish a list of the names
of all persons disciplined under this Act in the preceding 12 months. Such
lists shall be available by the Department on its website.

(e) In those instances where an order of revocation, suspension, or
other disciplinary action has been rendered by virtue of a physician's physical
illness, including, but not limited to, deterioration through the aging process,
or loss of motor skill which results in a physician's inability to practice
medicine with reasonable judgment, skill, or safety, the Department shall
only permit this document, and the record of the hearing incident thereto, to
be observed, inspected, viewed, or copied pursuant to court order.

(Source: P.A. 97-622, eff. 11-23-11.)

(225 ILCS 60/41) (from Ch. 111, par. 4400-41)
Sec. 41. Administrative review; certification of record.

(a) All final administrative decisions of the Department are subject to
judicial review pursuant to the Administrative Review Law and its rules. The
term "administrative decision" is defined as in Section 3-101 of the Code of
Civil Procedure.

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(b) Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; but if the party is not a resident of this State, the venue shall be in Sangamon County.

(c) The Department shall not be required to certify any record to the court, to file an answer in court, or to otherwise appear in any court in a judicial review proceeding unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action. During the pendency and hearing of any and all judicial proceedings incident to the disciplinary action the sanctions imposed upon the accused by the Department because of acts or omissions related to the delivery of direct patient care as specified in the Department's final administrative decision, shall as a matter of public policy remain in full force and effect in order to protect the public pending final resolution of any of the proceedings.

(Source: P.A. 97-622, eff. 11-23-11.)

Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly December 4, 2014.
Approved December 30, 2014.
Effective December 30, 2014.

PUBLIC ACT 98-1141
(Senate Bill No. 0803)

AN ACT concerning children.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Abused and Neglected Child Reporting Act is amended by changing Section 7.4 as follows:

(325 ILCS 5/7.4) (from Ch. 23, par. 2057.4)

Sec. 7.4. (a) The Department shall be capable of receiving reports of suspected child abuse or neglect 24 hours a day, 7 days a week. Whenever the Department receives a report alleging that a child is a truant as defined in Section 26-2a of The School Code, as now or hereafter amended, the Department shall notify the superintendent of the school district in which the child resides and the appropriate superintendent of the educational service region. The notification to the appropriate officials by the Department shall not be considered an allegation of abuse or neglect under this Act.

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(a-5) Beginning January 1, 2010, the Department of Children and Family Services may implement a 5-year demonstration of a "differential response program" in accordance with criteria, standards, and procedures prescribed by rule. The program may provide that, upon receiving a report, the Department shall determine whether to conduct a family assessment or an investigation as appropriate to prevent or provide a remedy for child abuse or neglect.

For purposes of this subsection (a-5), "family assessment" means a comprehensive assessment of child safety, risk of subsequent child maltreatment, and family strengths and needs that is applied to a child maltreatment report that does not allege substantial child endangerment. "Family assessment" does not include a determination as to whether child maltreatment occurred but does determine the need for services to address the safety of family members and the risk of subsequent maltreatment.

For purposes of this subsection (a-5), "investigation" means fact-gathering related to the current safety of a child and the risk of subsequent abuse or neglect that determines whether a report of suspected child abuse or neglect should be indicated or unfounded and whether child protective services are needed.

Under the "differential response program" implemented under this subsection (a-5), the Department:

1. Shall conduct an investigation on reports involving substantial child abuse or neglect.

2. Shall begin an immediate investigation if, at any time when it is using a family assessment response, it determines that there is reason to believe that substantial child abuse or neglect or a serious threat to the child's safety exists.

3. May conduct a family assessment for reports that do not allege substantial child endangerment. In determining that a family assessment is appropriate, the Department may consider issues including, but not limited to, child safety, parental cooperation, and the need for an immediate response.

4. Shall promulgate criteria, standards, and procedures that shall be applied in making this determination, taking into consideration the Child Endangerment Risk Assessment Protocol of the Department.

5. May conduct a family assessment on a report that was initially screened and assigned for an investigation.

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In determining that a complete investigation is not required, the Department must document the reason for terminating the investigation and notify the local law enforcement agency or the Department of State Police if the local law enforcement agency or Department of State Police is conducting a joint investigation.

Once it is determined that a "family assessment" will be implemented, the case shall not be reported to the central register of abuse and neglect reports.

During a family assessment, the Department shall collect any available and relevant information to determine child safety, risk of subsequent abuse or neglect, and family strengths.

Information collected includes, but is not limited to, when relevant: information with regard to the person reporting the alleged abuse or neglect, including the nature of the reporter's relationship to the child and to the alleged offender, and the basis of the reporter's knowledge for the report; the child allegedly being abused or neglected; the alleged offender; the child's caretaker; and other collateral sources having relevant information related to the alleged abuse or neglect. Information relevant to the assessment must be asked for, and may include:

(A) The child's sex and age, prior reports of abuse or neglect, information relating to developmental functioning, credibility of the child's statement, and whether the information provided under this paragraph (A) is consistent with other information collected during the course of the assessment or investigation.

(B) The alleged offender's age, a record check for prior reports of abuse or neglect, and criminal charges and convictions. The alleged offender may submit supporting documentation relevant to the assessment.

(C) Collateral source information regarding the alleged abuse or neglect and care of the child. Collateral information includes, when relevant: (i) a medical examination of the child; (ii) prior medical records relating to the alleged maltreatment or care of the child maintained by any facility, clinic, or health care professional, and an interview with the treating professionals; and (iii) interviews with the child's caretakers, including the child's parent, guardian, foster parent, child care provider, teachers, counselors, family members, relatives, and other persons who may have knowledge regarding the alleged maltreatment and the care of the child.

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(D) Information on the existence of domestic abuse and violence in the home of the child, and substance abuse. Nothing in this subsection (a-5) precludes the Department from collecting other relevant information necessary to conduct the assessment or investigation. Nothing in this subsection (a-5) shall be construed to allow the name or identity of a reporter to be disclosed in violation of the protections afforded under Section 7.19 of this Act.

After conducting the family assessment, the Department shall determine whether services are needed to address the safety of the child and other family members and the risk of subsequent abuse or neglect.

Upon completion of the family assessment, if the Department concludes that no services shall be offered, then the case shall be closed. If the Department concludes that services shall be offered, the Department shall develop a family preservation plan and offer or refer services to the family.

At any time during a family assessment, if the Department believes there is any reason to stop the assessment and conduct an investigation based on the information discovered, the Department shall do so.

The procedures available to the Department in conducting investigations under this Act shall be followed as appropriate during a family assessment.

The Department shall arrange for an independent evaluation of the "differential response program" authorized and implemented under this subsection (a-5) to determine whether it is meeting the goals in accordance with Section 2 of this Act. The Department may adopt administrative rules necessary for the execution of this Section, in accordance with Section 4 of the Children and Family Services Act.

The demonstration conducted under this subsection (a-5) shall become a permanent program on July 1, 2016 January 1, 2015, upon completion of the demonstration project period.

(b) (1) The following procedures shall be followed in the investigation of all reports of suspected abuse or neglect of a child, except as provided in subsection (c) of this Section.

(2) If, during a family assessment authorized by subsection (a-5) or an investigation, it appears that the immediate safety or well-being of a child is endangered, that the family may flee or the child disappear, or that the facts otherwise so warrant, the Child Protective Service Unit shall commence an investigation immediately, regardless of the time of day or night. All other investigations shall be commenced within 24 hours of receipt of the report. Upon receipt of

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a report, the Child Protective Service Unit shall conduct a family assessment authorized by subsection (a-5) or begin an initial investigation and make an initial determination whether the report is a good faith indication of alleged child abuse or neglect.

(3) Based on an initial investigation, if the Unit determines the report is a good faith indication of alleged child abuse or neglect, then a formal investigation shall commence and, pursuant to Section 7.12 of this Act, may or may not result in an indicated report. The formal investigation shall include: direct contact with the subject or subjects of the report as soon as possible after the report is received; an evaluation of the environment of the child named in the report and any other children in the same environment; a determination of the risk to such children if they continue to remain in the existing environments, as well as a determination of the nature, extent and cause of any condition enumerated in such report; the name, age and condition of other children in the environment; and an evaluation as to whether there would be an immediate and urgent necessity to remove the child from the environment if appropriate family preservation services were provided. After seeing to the safety of the child or children, the Department shall forthwith notify the subjects of the report in writing, of the existence of the report and their rights existing under this Act in regard to amendment or expungement. To fulfill the requirements of this Section, the Child Protective Service Unit shall have the capability of providing or arranging for comprehensive emergency services to children and families at all times of the day or night.

(4) If (i) at the conclusion of the Unit's initial investigation of a report, the Unit determines the report to be a good faith indication of alleged child abuse or neglect that warrants a formal investigation by the Unit, the Department, any law enforcement agency or any other responsible agency and (ii) the person who is alleged to have caused the abuse or neglect is employed or otherwise engaged in an activity resulting in frequent contact with children and the alleged abuse or neglect are in the course of such employment or activity, then the Department shall, except in investigations where the Director determines that such notification would be detrimental to the Department's investigation, inform the appropriate supervisor or administrator of that employment or activity that the Unit has commenced a formal investigation pursuant to this Act, which may

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or may not result in an indicated report. The Department shall also notify the person being investigated, unless the Director determines that such notification would be detrimental to the Department's investigation.

(c) In an investigation of a report of suspected abuse or neglect of a child by a school employee at a school or on school grounds, the Department shall make reasonable efforts to follow the following procedures:

(1) Investigations involving teachers shall not, to the extent possible, be conducted when the teacher is scheduled to conduct classes. Investigations involving other school employees shall be conducted so as to minimize disruption of the school day. The school employee accused of child abuse or neglect may have his superior, his association or union representative and his attorney present at any interview or meeting at which the teacher or administrator is present. The accused school employee shall be informed by a representative of the Department, at any interview or meeting, of the accused school employee's due process rights and of the steps in the investigation process. The information shall include, but need not necessarily be limited to the right, subject to the approval of the Department, of the school employee to confront the accuser, if the accuser is 14 years of age or older, or the right to review the specific allegations which gave rise to the investigation, and the right to review all materials and evidence that have been submitted to the Department in support of the allegation. These due process rights shall also include the right of the school employee to present countervailing evidence regarding the accusations.

(2) If a report of neglect or abuse of a child by a teacher or administrator does not involve allegations of sexual abuse or extreme physical abuse, the Child Protective Service Unit shall make reasonable efforts to conduct the initial investigation in coordination with the employee's supervisor.

If the Unit determines that the report is a good faith indication of potential child abuse or neglect, it shall then commence a formal investigation under paragraph (3) of subsection (b) of this Section.

(3) If a report of neglect or abuse of a child by a teacher or administrator involves an allegation of sexual abuse or extreme physical abuse, the Child Protective Unit shall commence an investigation under paragraph (2) of subsection (b) of this Section.
(c-5) In any instance in which a report is made or caused to be made by a school district employee involving the conduct of a person employed by the school district, at the time the report was made, as required under Section 4 of this Act, the Child Protective Service Unit shall send a copy of its final finding report to the general superintendent of that school district.

(d) If the Department has contact with an employer, or with a religious institution or religious official having supervisory or hierarchical authority over a member of the clergy accused of the abuse of a child, in the course of its investigation, the Department shall notify the employer or the religious institution or religious official, in writing, when a report is unfounded so that any record of the investigation can be expunged from the employee's or member of the clergy's personnel or other records. The Department shall also notify the employee or the member of the clergy, in writing, that notification has been sent to the employer or to the appropriate religious institution or religious official informing the employer or religious institution or religious official that the Department's investigation has resulted in an unfounded report.

(e) Upon request by the Department, the Department of State Police and law enforcement agencies are authorized to provide criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Department of State Police Law (20 ILCS 2605/2605-355) to properly designated employees of the Department of Children and Family Services if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The request shall be in the form and manner required by the Department of State Police. Any information obtained by the Department of Children and Family Services under this Section is confidential and may not be transmitted outside the Department of Children and Family Services other than to a court of competent jurisdiction or unless otherwise authorized by law. Any employee of the Department of Children and Family Services who transmits confidential information in violation of this Section or causes the information to be transmitted in violation of this Section is guilty of a Class A misdemeanor unless the transmittal of the information is authorized by this Section or otherwise authorized by law.

(f) For purposes of this Section "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.
AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing Sections 14-1, 14-2, 14-3, 14-4, and 14-5 as follows:

Sec. 14-1. Definitions Definition.
(a) Eavesdropping device.
An eavesdropping device is any device capable of being used to hear or record oral conversation or intercept, retain, or transcribe electronic communications whether such conversation or electronic communication is conducted in person, by telephone, or by any other means; Provided, however, that this definition shall not include devices used for the restoration of the deaf or hard-of-hearing to normal or partial hearing.

(b) Eavesdropper.
An eavesdropper is any person, including any law enforcement officers, who is a principal, as defined in this Article, or who operates or participates in the operation of any eavesdropping device contrary to the provisions of this Article or who acts as a principal, as defined in this Article.

(c) Principal.
A principal is any person who:

(1) Knowingly employs another who illegally uses an eavesdropping device in the course of such employment; or
(2) Knowingly derives any benefit or information from the illegal use of an eavesdropping device by another; or
(3) Directs another to use an eavesdropping device illegally on his or her behalf.

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(d) **Private conversation**

For the purposes of this Article, "private the term conversation" means any oral communication between 2 or more persons, whether in person or transmitted between the parties by wire or other means, when regardless of whether one or more of the parties intended the their communication to be of a private nature under circumstances reasonably justifying that expectation. A reasonable expectation shall include any expectation recognized by law, including, but not limited to, an expectation derived from a privilege, immunity, or right established by common law, Supreme Court rule, or the Illinois or United States Constitution.

(e) **Private electronic** **Electronic** communication.

For purposes of this Article, the term "private electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by a wire, radio, pager, computer, electromagnetic, photo electronic or photo optical system, when where the sending or and receiving party intends parties intend the electronic communication to be private under circumstances reasonably justifying that expectation. A reasonable expectation shall include any expectation recognized by law, including, but not limited to, an expectation derived from a privilege, immunity, or right established by common law, Supreme Court rule, or the Illinois or United States Constitution and the interception, recording, or transcription of the electronic communication is accomplished by a device in a surreptitious manner contrary to the provisions of this Article. Electronic communication does not include any communication from a tracking device.

(f) **Bait car**

For purposes of this Article, "bait car" the term bait car means any motor vehicle that is not occupied by a law enforcement officer and is used by a law enforcement agency to deter, detect, identify, and assist in the apprehension of an auto theft suspect in the act of stealing a motor vehicle.

(g) **Surreptitious**

For purposes of this Article, "surreptitious" means obtained or made by stealth or deception, or executed through secrecy or concealment. (Source: P.A. 95-258, eff. 1-1-08.)

(720 ILCS 5/14-2) (from Ch. 38, par. 14-2)

Sec. 14-2. Elements of the offense; affirmative defense.
(a) A person commits eavesdropping when he or she knowingly and intentionally:

(1) Uses knowingly and intentionally uses an eavesdropping device, in a surreptitious manner, for the purpose of overhearing, transmitting, hearing or recording all or any part of any private conversation to which he or she is not a party or intercepts, retains, or transcribes electronic communication unless he or she does so (A) with the consent of all of the parties to the private such conversation or electronic communication or (B) in accordance with Article 108A or Article 108B of the "Code of Criminal Procedure of 1963", approved August 14, 1963, as amended; or

(2) Uses an eavesdropping device, in a surreptitious manner, for the purpose of transmitting or recording all or any part of any private conversation to which he or she is a party unless he or she does so with the consent of all other parties to the private conversation;

(3) Intercepts, records, or transcribes, in a surreptitious manner, any private electronic communication to which he or she is not a party unless he or she does so with the consent of all parties to the private electronic communication;

(4) Manufactures, assembles, distributes, or possesses any electronic, mechanical, eavesdropping, or other device knowing that or having reason to know that the design of the device renders it primarily useful for the purpose of the surreptitious overhearing, transmitting, hearing or recording of private oral conversations or the interception, retention, or transcription of private electronic communications and the intended or actual use of the device is contrary to the provisions of this Article; or

(5) Uses or discloses divulges, except as authorized by this Article or by Article 108A or 108B of the "Code of Criminal Procedure of 1963", approved August 14, 1963, as amended, any information which he or she knows or reasonably should know was obtained from a private conversation or private electronic communication in violation of this Article, unless he or she does so with the consent of all of the parties.

(a-5) It does not constitute a violation of this Article to surreptitiously use an eavesdropping device to overhear, transmit, or
record a private conversation, or to surreptitiously intercept, record, or transcribe a private electronic communication, if the overhearing, transmitting, recording, interception, or transcription is done in accordance with Article 108A or Article 108B of the Code of Criminal Procedure of 1963.

(b) It is an affirmative defense to a charge brought under this Article relating to the interception of a privileged communication that the person charged:

1. was a law enforcement officer acting pursuant to an order of interception, entered pursuant to Section 108A-1 or 108B-5 of the Code of Criminal Procedure of 1963; and
2. at the time the communication was intercepted, the officer was unaware that the communication was privileged; and
3. stopped the interception within a reasonable time after discovering that the communication was privileged; and
4. did not disclose the contents of the communication.

(c) It is not unlawful for a manufacturer or a supplier of eavesdropping devices, or a provider of wire or electronic communication services, their agents, employees, contractors, or venders to manufacture, assemble, sell, or possess an eavesdropping device within the normal course of their business for purposes not contrary to this Article or for law enforcement officers and employees of the Illinois Department of Corrections to manufacture, assemble, purchase, or possess an eavesdropping device in preparation for or within the course of their official duties.

(d) The interception, recording, or transcription of an electronic communication by an employee of a penal institution is not prohibited under this Act, provided that the interception, recording, or transcription is:

1. otherwise legally permissible under Illinois law;
2. conducted with the approval of the penal institution for the purpose of investigating or enforcing a State criminal law or a penal institution rule or regulation with respect to inmates in the institution; and
3. within the scope of the employee's official duties.

For the purposes of this subsection (d), "penal institution" has the meaning ascribed to it in clause (c)(1) of Section 31A-1.1.

(Source: P.A. 94-183, eff. 1-1-06.)
(720 ILCS 5/14-3)
Sec. 14-3. Exemptions. The following activities shall be exempt from the provisions of this Article:

(a) Listening to radio, wireless *electronic communications*, and television communications of any sort where the same are publicly made;

(b) Hearing conversation when heard by employees of any common carrier by wire incidental to the normal course of their employment in the operation, maintenance or repair of the equipment of such common carrier by wire so long as no information obtained thereby is used or divulged by the hearer;

(c) Any broadcast by radio, television or otherwise whether it be a broadcast or recorded for the purpose of later broadcasts of any function where the public is in attendance and the conversations are overheard incidental to the main purpose for which such broadcasts are then being made;

(d) Recording or listening with the aid of any device to any emergency communication made in the normal course of operations by any federal, state or local law enforcement agency or institutions dealing in emergency services, including, but not limited to, hospitals, clinics, ambulance services, fire fighting agencies, any public utility, emergency repair facility, civilian defense establishment or military installation;

(e) Recording the proceedings of any meeting required to be open by the Open Meetings Act, as amended;

(f) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as consumer "hotlines" by manufacturers or retailers of food and drug products. Such recordings must be destroyed, erased or turned over to local law enforcement authorities within 24 hours from the time of such recording and shall not be otherwise disseminated. Failure on the part of the individual or business operating any such recording or listening device to comply with the requirements of this subsection shall eliminate any civil or criminal immunity conferred upon that individual or business by the operation of this Section;

(g) With prior notification to the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded under circumstances where the use of the device is necessary for the protection of the law enforcement officer or any person acting at the direction of law enforcement, in the

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course of an investigation of a forcible felony, a felony offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons under Section 10-9 of this Code, an offense involving prostitution, solicitation of a sexual act, or pandering, a felony violation of the Illinois Controlled Substances Act, a felony violation of the Cannabis Control Act, a felony violation of the Methamphetamine Control and Community Protection Act, any "streetgang related" or "gang-related" felony as those terms are defined in the Illinois Streetgang Terrorism Omnibus Prevention Act, or any felony offense involving any weapon listed in paragraphs (1) through (11) of subsection (a) of Section 24-1 of this Code. Any recording or evidence derived as the result of this exemption shall be inadmissible in any proceeding, criminal, civil or administrative, except (i) where a party to the conversation suffers great bodily injury or is killed during such conversation, or (ii) when used as direct impeachment of a witness concerning matters contained in the interception or recording. The Director of the Department of State Police shall issue regulations as are necessary concerning the use of devices, retention of tape recordings, and reports regarding their use;

(g-5) **(Blank)**; With approval of the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded in the course of an investigation of any offense defined in Article 29D of this Code. In all such cases, an application for an order approving the previous or continuing use of an eavesdropping device must be made within 48 hours of the commencement of such use. In the absence of such an order, or upon its denial, any continuing use shall immediately terminate. The Director of State Police shall issue rules as are necessary concerning the use of devices, retention of tape recordings, and reports regarding their use:

Any recording or evidence obtained or derived in the course of an investigation of any offense defined in Article 29D of this Code shall, upon motion of the State's Attorney or Attorney General prosecuting any violation of Article 29D, be reviewed in camera with notice to all parties present by the court presiding over the criminal case, and, if ruled by the court to be relevant and otherwise admissible, it shall be admissible at the trial of the criminal case.
This subsection (g-5) is inoperative on and after January 1, 2005. No conversations recorded or monitored pursuant to this subsection (g-5) shall be inadmissible in a court of law by virtue of the repeal of this subsection (g-5) on January 1, 2005;

(g-6) With approval of the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded in the course of an investigation of involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction; luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child; aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age. In all such cases, an application for an order approving the previous or continuing use of an eavesdropping device must be made within 48 hours of the commencement of such use. In the absence of such an order, or upon its denial, any continuing use shall immediately terminate. The Director of State Police shall issue rules as are necessary concerning the use of devices, retention of recordings, and reports regarding their use. Any recording or evidence obtained or derived in the course of an investigation of involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction; luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child; aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons, child pornography, aggravated

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child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age, be reviewed in camera with notice to all parties present by the court presiding over the criminal case, and, if ruled by the court to be relevant and otherwise admissible, it shall be admissible at the trial of the criminal case. Absent such a ruling, any such recording or evidence shall not be admissible at the trial of the criminal case;

(h) Recordings made simultaneously with the use of an in-car video camera recording of an oral conversation between a uniformed peace officer, who has identified his or her office, and a person in the presence of the peace officer whenever (i) an officer assigned a patrol vehicle is conducting an enforcement stop; or (ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

For the purposes of this subsection (h), "enforcement stop" means an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance;

(h-5) Recordings of utterances made by a person while in the presence of a uniformed peace officer and while an occupant of a police vehicle including, but not limited to, (i) recordings made simultaneously with the use of an in-car video camera and (ii) recordings made in the presence of the peace officer utilizing video or audio systems, or both, authorized by the law enforcement agency;

(h-10) Recordings made simultaneously with a video camera recording during the use of a taser or similar weapon or device by a peace officer if the weapon or device is equipped with such camera;

(h-15) Recordings made under subsection (h), (h-5), or (h-10) shall be retained by the law enforcement agency that employs the peace officer who made the recordings for a storage period of 90 days, unless the recordings are made as a part of an arrest or the recordings are deemed

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evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court. Under no circumstances shall any recording be altered or erased prior to the expiration of the designated storage period. Upon completion of the storage period, the recording medium may be erased and reissued for operational use;

(i) Recording of a conversation made by or at the request of a person, not a law enforcement officer or agent of a law enforcement officer, who is a party to the conversation, under reasonable suspicion that another party to the conversation is committing, is about to commit, or has committed a criminal offense against the person or a member of his or her immediate household, and there is reason to believe that evidence of the criminal offense may be obtained by the recording;

(j) The use of a telephone monitoring device by either (1) a corporation or other business entity engaged in marketing or opinion research or (2) a corporation or other business entity engaged in telephone solicitation, as defined in this subsection, to record or listen to oral telephone solicitation conversations or marketing or opinion research conversations by an employee of the corporation or other business entity when:

(i) the monitoring is used for the purpose of service quality control of marketing or opinion research or telephone solicitation, the education or training of employees or contractors engaged in marketing or opinion research or telephone solicitation, or internal research related to marketing or opinion research or telephone solicitation; and

(ii) the monitoring is used with the consent of at least one person who is an active party to the marketing or opinion research conversation or telephone solicitation conversation being monitored.

No communication or conversation or any part, portion, or aspect of the communication or conversation made, acquired, or obtained, directly or indirectly, under this exemption (j), may be, directly or indirectly, furnished to any law enforcement officer, agency, or official for any purpose or used in any inquiry or investigation, or used, directly or indirectly, in any administrative, judicial, or other proceeding, or divulged to any third party.

When recording or listening authorized by this subsection (j) on telephone lines used for marketing or opinion research or telephone

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solicitation purposes results in recording or listening to a conversation that does not relate to marketing or opinion research or telephone solicitation; the person recording or listening shall, immediately upon determining that the conversation does not relate to marketing or opinion research or telephone solicitation, terminate the recording or listening and destroy any such recording as soon as is practicable.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide current and prospective employees with notice that the monitoring or recordings may occur during the course of their employment. The notice shall include prominent signage notification within the workplace.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide their employees or agents with access to personal-only telephone lines which may be pay telephones, that are not subject to telephone monitoring or telephone recording.

For the purposes of this subsection (j), "telephone solicitation" means a communication through the use of a telephone by live operators:

(i) soliciting the sale of goods or services;
(ii) receiving orders for the sale of goods or services;
(iii) assisting in the use of goods or services; or
(iv) engaging in the solicitation, administration, or collection of bank or retail credit accounts.

For the purposes of this subsection (j), "marketing or opinion research" means a marketing or opinion research interview conducted by a live telephone interviewer engaged by a corporation or other business entity whose principal business is the design, conduct, and analysis of polls and surveys measuring the opinions, attitudes, and responses of respondents toward products and services, or social or political issues, or both;

(k) Electronic recordings, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of a custodial interrogation of an individual at a police station or other place of detention by a law enforcement officer under Section 5-401.5 of the Juvenile Court Act of 1987 or Section 103-2.1 of the Code of Criminal Procedure of 1963;

(l) Recording the interview or statement of any person when the person knows that the interview is being conducted by a law enforcement officer or prosecutor and the interview takes place at a police station that is

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currently participating in the Custodial Interview Pilot Program established under the Illinois Criminal Justice Information Act;

(m) An electronic recording, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of the interior of a school bus while the school bus is being used in the transportation of students to and from school and school-sponsored activities, when the school board has adopted a policy authorizing such recording, notice of such recording policy is included in student handbooks and other documents including the policies of the school, notice of the policy regarding recording is provided to parents of students, and notice of such recording is clearly posted on the door of and inside the school bus.

Recordings made pursuant to this subsection (m) shall be confidential records and may only be used by school officials (or their designees) and law enforcement personnel for investigations, school disciplinary actions and hearings, proceedings under the Juvenile Court Act of 1987, and criminal prosecutions, related to incidents occurring in or around the school bus;

(n) Recording or listening to an audio transmission from a microphone placed by a person under the authority of a law enforcement agency inside a bait car surveillance vehicle while simultaneously capturing a photographic or video image;

(o) The use of an eavesdropping camera or audio device during an ongoing hostage or barricade situation by a law enforcement officer or individual acting on behalf of a law enforcement officer when the use of such device is necessary to protect the safety of the general public, hostages, or law enforcement officers or anyone acting on their behalf;

(p) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as the "CPS Violence Prevention Hotline", but only where the notice of recording is given at the beginning of each call as required by Section 34-21.8 of the School Code. The recordings may be retained only by the Chicago Police Department or other law enforcement authorities, and shall not be otherwise retained or disseminated;

(q)(1) With prior request to and written or verbal approval of the State's Attorney of the county in which the conversation is anticipated to occur, recording or listening with the aid of an eavesdropping device to a conversation in which a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party to the conversation

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and has consented to the conversation being intercepted or recorded in the course of an investigation of a qualified drug offense. The State's Attorney may grant this verbal approval only after determining that reasonable cause exists to believe that inculpatory conversations concerning a qualified drug offense will occur with be committed by a specified individual or individuals within a designated period of time.

(2) Request for approval. To invoke the exception contained in this subsection (q), a law enforcement officer shall make a written or verbal request for approval to the appropriate State's Attorney. The request may be written or verbal; however, a written memorialization of the request must be made by the State's Attorney. This request for approval shall include whatever information is deemed necessary by the State's Attorney but shall include, at a minimum, the following information about each specified individual whom the law enforcement officer believes will commit a qualified drug offense:

(A) his or her full or partial name, nickname or alias;
(B) a physical description; or
(C) failing either (A) or (B) of this paragraph (2), any other supporting information known to the law enforcement officer at the time of the request that gives rise to reasonable cause to believe that the specified individual will participate in an inculpatory conversation concerning a qualified drug offense.

(3) Limitations on verbal approval. Each written or verbal approval by the State's Attorney under this subsection (q) shall be limited to:

(A) a recording or interception conducted by a specified law enforcement officer or person acting at the direction of a law enforcement officer;

(B) recording or intercepting conversations with the individuals specified in the request for approval, provided that the verbal approval shall be deemed to include the recording or intercepting of conversations with other individuals, unknown to the law enforcement officer at the time of the request for approval, who are acting in conjunction with or as co-conspirators with the individuals specified in the request for approval in the commission of a qualified drug offense;

(C) a reasonable period of time but in no event longer than 24 consecutive hours;

(D) the written request for approval, if applicable, or the written memorialization must be filed, along with the written
approval, with the circuit clerk of the jurisdiction on the next business day following the expiration of the authorized period of time, and shall be subject to review by the Chief Judge or his or her designee as deemed appropriate by the court.

(3.5) The written memorialization of the request for approval and the written approval by the State's Attorney may be in any format, including via facsimile, email, or otherwise, so long as it is capable of being filed with the circuit clerk.

(3.10) Beginning March 1, 2015, each State's Attorney shall annually submit a report to the General Assembly disclosing:

(A) the number of requests for each qualified offense for approval under this subsection; and

(B) the number of approvals for each qualified offense given by the State's Attorney.

(4) Admissibility of evidence. No part of the contents of any wire, electronic, or oral communication that has been recorded or intercepted as a result of this exception may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of this State, or a political subdivision of the State, other than in a prosecution of:

(A) the qualified drug offense for which approval was given to record or intercept a conversation under this subsection (q);

(B) a forcible felony committed directly in the course of the investigation of the qualified drug offense for which verbal approval was given to record or intercept a conversation under this subsection (q); or

(C) any other forcible felony committed while the recording or interception was approved in accordance with this subsection (q), but for this specific category of prosecutions, only if the law enforcement officer or person acting at the direction of a law enforcement officer who has consented to the conversation being intercepted or recorded suffers great bodily injury or is killed during the commission of the charged forcible felony.

(5) Compliance with the provisions of this subsection is a prerequisite to the admissibility in evidence of any part of the contents of any wire, electronic or oral communication that has been intercepted as a result of this exception, but nothing in this subsection shall be deemed to prevent a court from otherwise excluding the evidence on any other

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ground recognized by State or federal law, nor shall anything in this subsection be deemed to prevent a court from independently reviewing the admissibility of the evidence for compliance with the Fourth Amendment to the U.S. Constitution or with Article I, Section 6 of the Illinois Constitution.

(6) Use of recordings or intercepts unrelated to qualified drug offenses. Whenever any private conversation or private electronic wire, electronic, or oral communication has been recorded or intercepted as a result of this exception that is not related to an offense for which the recording or intercept is admissible under paragraph (4) of this subsection (q), a drug offense or a forcible felony committed in the course of a drug offense, no part of the contents of the communication and evidence derived from the communication may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of this State, or a political subdivision of the State, nor may it be publicly disclosed in any way.

(6.5) The Department of State Police shall adopt rules as are necessary concerning the use of devices, retention of recordings, and reports regarding their use under this subsection (q).

(7) Definitions. For the purposes of this subsection (q) only:

"Drug offense" includes and is limited to a felony violation of one of the following: (A) the Illinois Controlled Substances Act, (B) the Cannabis Control Act, and (C) the Methamphetamine Control and Community Protection Act.

"Forcible felony" includes and is limited to those offenses contained in Section 2-8 of the Criminal Code of 1961 as of the effective date of this amendatory Act of the 97th General Assembly, and only as those offenses have been defined by law or judicial interpretation as of that date.

"Qualified offense" means and is limited to:

(A) a felony violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, except for violations of:

(i) Section 4 of the Cannabis Control Act;

(ii) Section 402 of the Illinois Controlled Substances Act; and

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(iii) Section 60 of the Methamphetamine Control and Community Protection Act; and

(B) first degree murder, solicitation of murder for hire, predatory criminal sexual assault of a child, criminal sexual assault, aggravated criminal sexual assault, aggravated arson, kidnapping, aggravated kidnapping, child abduction, trafficking in persons, involuntary servitude, involuntary sexual servitude of a minor, or gunrunning.

"State's Attorney" includes and is limited to the State's Attorney or an assistant State's Attorney designated by the State's Attorney to provide verbal approval to record or intercept conversations under this subsection (q).

(8) Sunset. This subsection (q) is inoperative on and after January 1, 2018. No conversations intercepted pursuant to this subsection (q), while operative, shall be inadmissible in a court of law by virtue of the inoperability of this subsection (q) on January 1, 2018.

(9) Recordings, records, and custody. Any private conversation or private electronic communication intercepted by a law enforcement officer or a person acting at the direction of law enforcement shall, if practicable, be recorded in such a way as will protect the recording from editing or other alteration. Any and all original recordings made under this subsection (q) shall be inventoried without unnecessary delay pursuant to the law enforcement agency's policies for inventoring evidence. The original recordings shall not be destroyed except upon an order of a court of competent jurisdiction; and

(r) Electronic recordings, including but not limited to, motion picture, videotape, digital, or other visual or audio recording, made of a lineup under Section 107A-2 of the Code of Criminal Procedure of 1963.

(720 ILCS 5/14-4) (from Ch. 38, par. 14-4)

Sec. 14-4. Sentence.

(a) Eavesdropping, for a first offense, is a Class 4 felony and, for a second or subsequent offense, is a Class 3 felony.

(b) The eavesdropping of an oral conversation or an electronic communication of between any law enforcement officer, State's Attorney, Assistant State's Attorney, the Attorney General, Assistant Attorney General, or a judge, while in the performance of his or her official duties,
if not authorized by this Article or proper court order, is a Class 3 felony, and for a second or subsequent offense, is a Class 2 felony.
(Source: P.A. 91-357, eff. 7-29-99; 91-657, eff. 1-1-00.)

(720 ILCS 5/14-5) (from Ch. 38, par. 14-5)
Sec. 14-5. Evidence inadmissible.
Any evidence obtained in violation of this Article is not admissible in any civil or criminal trial, or any administrative or legislative inquiry or proceeding, nor in any grand jury proceedings; provided, however, that so much of the contents of an alleged unlawfully intercepted, overheard or recorded conversation as is clearly relevant, as determined as a matter of law by the court in chambers, to the proof of such allegation may be admitted into evidence in any criminal trial or grand jury proceeding brought against any person charged with violating any provision of this Article. Nothing in this Section bars admission of evidence if all parties to the private conversation or private electronic communication consent to admission of the evidence.
(Source: Laws 1965, p. 3198.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly December 4, 2014.
Approved December 30, 2014.
Effective December 30, 2014.

PUBLIC ACT 98-1143
(Senate Bill No. 1740)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Property Tax Code is amended by changing Section 9-275 as follows:
(35 ILCS 200/9-275)
Sec. 9-275. Erroneous homestead exemptions.
(a) For purposes of this Section:
"Erroneous homestead exemption" means a homestead exemption that was granted for real property in a taxable year if the property was not eligible for that exemption in that taxable year. If the taxpayer receives an
erroneous homestead exemption under a single Section of this Code for
the same property in multiple years, that exemption is considered a single
erroneous homestead exemption for purposes of this Section. However, if
the taxpayer receives erroneous homestead exemptions under multiple
Sections of this Code for the same property, or if the taxpayer receives
erroneous homestead exemptions under the same Section of this Code for
multiple properties, then each of those exemptions is considered a separate
erroneous homestead exemption for purposes of this Section.


"Erroneous exemption principal amount" means the total difference
between the property taxes actually billed to a property index number and
the amount of property taxes that would have been billed but for the
erroneous exemption or exemptions amount of property tax principal that
would have been billed to a property index number but for the erroneous
homestead exemption or exemptions a taxpayer received.

"Taxpayer" means the property owner or leasehold owner that
erroneously received a homestead exemption upon property.

(b) Notwithstanding any other provision of law, in counties with
3,000,000 or more inhabitants, the chief county assessment officer shall
include the following information with each assessment notice sent in a
general assessment year: (1) a list of each homestead exemption available
under Article 15 of this Code and a description of the eligibility criteria for
that exemption; (2) a list of each homestead exemption applied to the
property in the current assessment year; (3) information regarding
penalties and interest that may be incurred under this Section if the
taxpayer property owner received an erroneous homestead exemption in a
previous taxable year; and (4) notice of the 60-day grace period available
under this subsection. If, within 60 days after receiving his or her
assessment notice, the taxpayer property owner notifies the chief county
assessment officer that he or she received an erroneous homestead exemption in a previous taxable assessment year, and if the taxpayer property owner pays the erroneous exemption principal amount, plus interest as provided in subsection (f), then the taxpayer property owner
shall not be liable for the penalties provided in subsection (f) with respect to that exemption.

(c) In counties with 3,000,000 or more inhabitants, when the chief county assessment officer determines that one or more erroneous homestead exemptions was applied to the property, the erroneous exemption principal amount, together with all applicable interest and penalties as provided in subsections (f) and (j), shall constitute a lien in the name of the People of Cook County on the property receiving the erroneous homestead exemption. Upon becoming aware of the existence of one or more erroneous homestead exemptions, the chief county assessment officer shall cause to be served, by both regular mail and certified mail, a notice of discovery as set forth in subsection (c-5). The chief county assessment officer in a county with 3,000,000 or more inhabitants may cause a lien to be recorded against property that (1) is located in the county and (2) received one or more erroneous homestead exemptions if, upon determination of the chief county assessment officer, the taxpayer property owner received: (A) one or 2 erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 3 collection assessment years immediately prior to the current collection assessment year in which the notice of discovery intent to record a lien is served; or (B) 3 or more erroneous homestead exemptions for real property, including at least one erroneous homestead exemption granted for the property against which the lien is sought, during any of the 6 collection assessment years immediately prior to the current collection assessment year in which the notice of discovery intent to record a lien is served. Prior to recording the lien against the property, the chief county assessment officer shall cause to be served, by both regular mail and certified mail, return receipt requested, on the person to whom the most recent tax bill was mailed and the owner of record, a notice of intent to record a lien against the property. The chief county assessment officer shall cause the notice of intent to record a lien to be served within 3 years from the date on which the notice of discovery was served.

(c-5) The notice of discovery described in subsection (c) shall: (1) identify, by property index number, the property for which the chief county assessment officer has knowledge indicating the existence of an erroneous homestead exemption; (2) set forth the taxpayer's liability for principal, interest, penalties, and administrative costs including, but not limited to, recording fees described in subsection (f); (3) inform the taxpayer that he

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or she will be served with a notice of intent to record a lien within 3 years from the date of service of the notice of discovery; and (4) inform the taxpayer that he or she may pay the outstanding amount, plus interest, penalties, and administrative costs at any time prior to being served with the notice of intent to record a lien or within 30 days after the notice of intent to record a lien is served.

(d) The notice of intent to record a lien described in subsection (c) shall: (1) identify, by property index number, the property against which the lien is being sought; (2) identify each specific homestead exemption that was erroneously granted and the year or years in which each exemption was granted; (3) set forth the erroneous exemption principal amount due and the interest amount and any penalty and administrative costs due; (4) inform the taxpayer that he or she may request a hearing within 30 days after service and may appeal the hearing officer's ruling to the circuit court; and (5) inform the taxpayer that he or she may pay the erroneous exemption principal amount, plus interest and penalties, within 30 days after service; and (6) inform the taxpayer that, if the lien is recorded against the property, the amount of the lien will be adjusted to include the applicable recording fee and that fees for recording a release of the lien shall be incurred by the taxpayer. A lien shall not be filed pursuant to this Section if the taxpayer properties owner pays the erroneous exemption principal amount, plus penalties and interest, within 30 days of service of the notice of intent to record a lien.

(e) The notice of intent to record a lien shall also include a form that the taxpayer properties owner may return to the chief county assessment officer to request a hearing. The taxpayer properties owner may request a hearing by returning the form within 30 days after service. The hearing shall be held within 90 days after the taxpayer properties owner is served. The chief county assessment officer shall promulgate rules of service and procedure for the hearing. The chief county assessment officer must generally follow rules of evidence and practices that prevail in the county circuit courts, but, because of the nature of these proceedings, the chief county assessment officer is not bound by those rules in all particulars. The chief county assessment officer shall appoint a hearing officer to oversee the hearing. The taxpayer properties owner shall be allowed to present evidence to the hearing officer at the hearing. After taking into consideration all the relevant testimony and evidence, the hearing officer shall make an administrative decision on whether the taxpayer properties owner was erroneously granted a homestead exemption for the taxable

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assessment year in question. The taxpayer property owner may appeal the hearing officer's ruling to the circuit court of the county where the property is located as a final administrative decision under the Administrative Review Law.

(f) A lien against the property imposed under this Section shall be filed with the county recorder of deeds, but may not be filed sooner than 60 days after the notice of intent to record a lien was delivered to the taxpayer property owner if the taxpayer property owner does not request a hearing, or until the conclusion of the hearing and all appeals if the taxpayer property owner does request a hearing. If a lien is filed pursuant to this Section and the taxpayer property owner received one or 2 erroneous homestead exemptions during any of the 3 collection assessment years immediately prior to the current collection assessment year in which the notice of discovery intent to record a lien is served, then the erroneous exemption principal amount, plus 10% interest per annum or portion thereof from the date the erroneous exemption principal amount would have become due if properly included in the tax bill, shall be charged against the property by the chief county assessment officer. However, if a lien is filed pursuant to this Section and the taxpayer property owner received 3 or more erroneous homestead exemptions during any of the 6 collection assessment years immediately prior to the current collection assessment year in which the notice of discovery intent to record a lien is served, the erroneous exemption principal amount, plus a penalty of 50% of the total amount of the erroneous exemption principal amount for that property and 10% interest per annum or portion thereof from the date the erroneous exemption principal amount would have become due if properly included in the tax bill, shall be charged against the property by the chief county assessment officer. If a lien is filed pursuant to this Section, the taxpayer shall not be liable for interest that accrues between the date the notice of discovery is served and the date the lien is filed. Before recording the lien with the county recorder of deeds, the chief county assessment officer shall adjust the amount of the lien to add administrative costs, including but not limited to the applicable recording fee, to the total lien amount.

(g) If a person received an erroneous homestead exemption under Section 15-170 and: (1) the person was the spouse, child, grandchild, brother, sister, niece, or nephew of the previous taxpayer property owner; and (2) the person received the property by bequest or inheritance; then the person is not liable for the penalties imposed under this Section for any

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year or years during which the chief county assessment officer did not require an annual application for the exemption. However, that person is responsible for any interest owed under subsection (f).

(h) If the erroneous homestead exemption was granted as a result of a clerical error or omission on the part of the chief county assessment officer, and if the taxpayer property owner has paid the tax bills as received for the year in which the error occurred, then the interest and penalties authorized by this Section with respect to that homestead exemption shall not be chargeable to the taxpayer property owner. However, nothing in this Section shall prevent the collection of the erroneous exemption principal amount due and owing.

(i) A lien under this Section is not valid as to (1) any bona fide purchaser for value without notice of the erroneous homestead exemption whose rights in and to the underlying parcel arose after the erroneous homestead exemption was granted but before the filing of the notice of lien; or (2) any mortgagee, judgment creditor, or other lienor whose rights in and to the underlying parcel arose before the filing of the notice of lien. A title insurance policy for the property that is issued by a title company licensed to do business in the State showing that the property is free and clear of any liens imposed under this Section shall be prima facie evidence that the taxpayer property owner is without notice of the erroneous homestead exemption. Nothing in this Section shall be deemed to impair the rights of subsequent creditors and subsequent purchasers under Section 30 of the Conveyances Act.

(j) When a lien is filed against the property pursuant to this Section, the chief county assessment officer shall mail a copy of the lien to the person to whom the most recent tax bill was mailed and to the owner of record, and the outstanding liability created by such a lien is due and payable within 30 days after the mailing of the lien by the chief county assessment officer. This liability is deemed delinquent and shall bear interest beginning on the day after the due date at a rate of 1.5% per month or portion thereof. Payment shall be made to the county treasurer. Upon receipt of the full amount due, as determined by the chief county assessment officer, the county treasurer shall distribute the amount paid as provided in subsection (k). Upon presentment by the taxpayer property owner to the chief county assessment officer of proof of payment of the total liability, the chief county assessment officer shall provide in reasonable form a release of the lien. The release of the lien provided shall clearly inform the taxpayer that it is the responsibility of the taxpayer to

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record the lien release form with the county recorder of deeds and to pay any applicable recording fees. This liability is deemed delinquent and shall bear interest beginning on the day after the due date at a rate of 1.5% per month or portion thereof.

(k) The county treasurer shall pay collected erroneous exemption principal amounts, pro rata, to the taxing districts, or their legal successors, levied upon the subject property in the taxable assessment year or years for which the erroneous homestead exemptions were granted, except as set forth in this Section. The county treasurer shall pay collected interest to the county where the property is located. The county treasurer shall deposit collected penalties and interest into a special fund established by the county treasurer to offset the costs of administration of the provisions of this Section amendatory Act of the 98th General Assembly by the chief county assessment officer's office, as appropriated by the county board. If the costs of administration of this Section exceed the amount of interest and penalties collected in the special fund, the chief county assessor shall be reimbursed by each taxing district or their legal successors for those costs. Such costs shall be paid out of the funds collected by the county treasurer on behalf of each taxing district pursuant to this Section.

(l) The chief county assessment officer in a county with 3,000,000 or more inhabitants shall establish an amnesty period for all taxpayers owing any tax due to an erroneous homestead exemption granted in a tax year prior to the 2013 tax year. The amnesty period shall begin on the effective date of this amendatory Act of the 98th General Assembly and shall run through December 31, 2013. If, during the amnesty period, the taxpayer pays the entire arrearage of taxes due for tax years prior to 2013, the county clerk shall abate and not seek to collect any interest or penalties that may be applicable and shall not seek civil or criminal prosecution for any taxpayer for tax years prior to 2013. Failure to pay all such taxes due during the amnesty period established under this Section shall invalidate the amnesty period for that taxpayer.

The chief county assessment officer in a county with 3,000,000 or more inhabitants shall (i) mail notice of the amnesty period with the tax bills for the second installment of taxes for the 2012 assessment year and (ii) as soon as possible after the effective date of this amendatory Act of the 98th General Assembly, publish notice of the amnesty period in a newspaper of general circulation in the county. Notices shall include information on the amnesty period, its purpose, and the method by which to make payment.

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Taxpayers who are a party to any criminal investigation or to any civil or criminal litigation that is pending in any circuit court or appellate court, or in the Supreme Court of this State, for nonpayment, delinquency, or fraud in relation to any property tax imposed by any taxing district located in the State on the effective date of this amendatory Act of the 98th General Assembly may not take advantage of the amnesty period.

A taxpayer who has claimed 3 or more homestead exemptions in error shall not be eligible for the amnesty period established under this subsection.

(Source: P.A. 98-93, eff. 7-16-13; 98-756, eff. 7-16-14; 98-811, eff. 1-1-15.)

Section 99. Effective date. This Act takes effect January 1, 2015.
Passed in the General Assembly December 3, 2014.
Approved December 30, 2014.
Effective January 1, 2015.

PUBLIC ACT 98-1144
(Senate Bill No. 2887)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Section 15-139.5 as follows:

(40 ILCS 5/15-139.5)
Sec. 15-139.5. Return to work by affected annuitant; notice and contribution by employer.
(a) An employer who employs or re-employs a person receiving a retirement annuity from the System in an academic year beginning on or after August 1, 2013 must notify the System of that employment within 60 days after employing the annuitant. The notice must include a summary of the contract of employment or specify the rate of compensation and the anticipated length of employment of that annuitant. The notice must specify whether the annuitant will be compensated from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name. The notice must include the employer's determination of whether or not the annuitant is an "affected annuitant" as defined in subsection (b).

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The employer must also record, document, and certify to the System (i) the amount of compensation paid to the annuitant for employment during the academic year, and (ii) the amount of that compensation, if any, that comes from either federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name.

As used in this Section, "academic year" means the 12-month period beginning September 1.

For the purposes of this Section, an annuitant whose employment by an employer extends over more than one academic year shall be deemed to be re-employed by that employer in each of those academic years.

The System may specify the time, form, and manner of providing the determinations, notifications, certifications, and documentation required under this Section.

(b) A person receiving a retirement annuity from the System becomes an "affected annuitant" on the first day of the academic year following the academic year in which the annuitant first meets the following conditions:

1. (Blank).

2. While receiving a retirement annuity under this Article, the annuitant was employed on or after August 1, 2013 by one or more employers under this Article and received or became entitled to receive during an academic year compensation for that employment in excess of 40% of his or her highest annual earnings prior to retirement; except that compensation paid from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name is excluded.

3. The annuitant received an annualized retirement annuity under this Article of at least $10,000.

A person who becomes an affected annuitant remains an affected annuitant, except for any period during which the person returns to active service and does not receive a retirement annuity from the System.

(c) It is the obligation of the employer to determine whether an annuitant is an affected annuitant before employing the annuitant. For that purpose the employer may require the annuitant to disclose and document his or her relevant prior employment and earnings history. Failure of the employer to make this determination correctly and in a timely manner or to include this determination with the notification required under subsection

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(a) does not excuse the employer from making the contribution required under subsection (e).

The System may assist the employer in determining whether a person is an affected annuitant. The System shall inform the employer if it discovers that the employer's determination is inconsistent with the employment and earnings information in the System's records.

(d) Upon the request of an annuitant, the System shall certify to the annuitant or the employer the following information as reported by the employers, as that information is indicated in the records of the System: (i) the annuitant's highest annual earnings prior to retirement, (ii) the compensation paid for that employment in each academic year, and (iii) whether any of that employment or compensation has been certified to the System as being paid from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name. The System shall only be required to certify information that is received from the employers.

(e) In addition to the requirements of subsection (a), an employer who employs an affected annuitant must pay to the System an employer contribution in the amount and manner provided in this Section, unless the annuitant is compensated by that employer solely from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name.

The employer contribution required under this Section for employment of an affected annuitant in an academic year shall be equal to 12 times the amount of the gross monthly retirement annuity payable to the annuitant for the month in which the first paid day of that employment in that academic year occurs, after any reduction in that annuity that may be imposed under subsection (b) of Section 15-139.

If an affected annuitant is employed by more than one employer in an academic year, the employer contribution required under this Section shall be divided among those employers in proportion to their respective portions of the total compensation paid to the affected annuitant for that employment during that academic year.

If the System determines that an employer, without reasonable justification, has failed to make the determination of affected annuitant status correctly and in a timely manner, or has failed to notify the System or to correctly document or certify to the System any of the information required by this Section, and that failure results in a delayed determination by the System that a contribution is payable under this Section, then the

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amount of that employer's contribution otherwise determined under this Section shall be doubled.

The System shall deem a failure to correctly determine the annuitant's status to be justified if the employer establishes to the System's satisfaction that the employer, after due diligence, made an erroneous determination that the annuitant was not an affected annuitant due to reasonable reliance on false or misleading information provided by the annuitant or another employer, or an error in the annuitant's official employment or earnings records.

(f) Whenever the System determines that an employer is liable for a contribution under this Section, it shall so notify the employer and certify the amount of the contribution. The employer may pay the required contribution without interest at any time within one year after receipt of the certification. If the employer fails to pay within that year, then interest shall be charged at a rate equal to the System's prescribed rate of interest, compounded annually from the 366th day after receipt of the certification from the System. Payment must be concluded within 2 years after receipt of the certification by the employer. If the employer fails to make complete payment, including applicable interest, within 2 years, then the System may, after giving notice to the employer, certify the delinquent amount to the State Comptroller, and the Comptroller shall thereupon deduct the certified delinquent amount from State funds payable to the employer and pay them instead to the System.

(g) If an employer is required to make a contribution to the System as a result of employing an affected annuitant and the annuitant later elects to forgo his or her annuity in that same academic year pursuant to subsection (c) of Section 15-139, then the required contribution by the employer shall be waived, and if the contribution has already been paid, it shall be refunded to the employer without interest.

(h) Notwithstanding any other provision of this Article, the employer contribution required under this Section shall not be included in the determination of any benefit under this Article or any other Article of this Code, regardless of whether the annuitant returns to active service, and is in addition to any other State or employer contribution required under this Article.

(i) Notwithstanding any other provision of this Section to the contrary, if an employer employs an affected annuitant in order to continue critical operations in the event of either an employee's unforeseen illness, accident, or death or a catastrophic incident or disaster, then, for one and

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only one academic year, the employer is not required to pay the contribution set forth in this Section for that annuitant. The employer shall, however, immediately notify the System upon employing a person subject to this subsection (i). For the purposes of this subsection (i), "critical operations" means teaching services, medical services, student welfare services, and any other services that are critical to the mission of the employer.

(j) This Section shall be applied and coordinated with the regulatory obligations contained in the State Universities Civil Service Act. This Section shall not apply to an annuitant if the employer of that annuitant provides documentation to the System that (1) the annuitant is employed in a status appointment position, as that term is defined in 80 Ill. Adm. Code 250.80, and (2) due to obligations contained under the State Universities Civil Service Act, the employer does not have the ability to limit the earnings or duration of employment for the annuitant while employed in the status appointment position.

(Source: P.A. 97-968, eff. 8-16-12; 98-596, eff. 11-19-13.)

Passed in the General Assembly November 19, 2014.
Approved December 30, 2014.
Effective June 1, 2015.

PUBLIC ACT 98-1145
(Senate Bill No. 2905)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Sections 15-165 and 15-169 as follows:

(35 ILCS 200/15-165)

Sec. 15-165. Disabled veterans. Property up to an assessed value of $100,000 $70,000, owned and used exclusively by a disabled veteran, or the spouse or unmarried surviving spouse of the veteran, as a home, is exempt. As used in this Section, a disabled veteran means a person who has served in the Armed Forces of the United States and whose disability is of such a nature that the Federal Government has authorized payment for purchase or construction of Specially Adapted Housing as set forth in the United States Code, Title 38, Chapter 21, Section 2101.

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The exemption applies to housing where Federal funds have been used to purchase or construct special adaptations to suit the veteran's disability.

The exemption also applies to housing that is specially adapted to suit the veteran's disability, and purchased entirely or in part by the proceeds of a sale, casualty loss reimbursement, or other transfer of a home for which the Federal Government had previously authorized payment for purchase or construction as Specially Adapted Housing.

However, the entire proceeds of the sale, casualty loss reimbursement, or other transfer of that housing shall be applied to the acquisition of subsequent specially adapted housing to the extent that the proceeds equal the purchase price of the subsequently acquired housing.

Beginning with the 2015 tax year, the exemption also applies to housing that is specifically constructed or adapted to suit a qualifying veteran's disability if the housing or adaptations are donated by a charitable organization, the veteran has been approved to receive funds for the purchase or construction of Specially Adapted Housing under Title 38, Chapter 21, Section 2101 of the United States Code, and the home has been inspected and certified by a licensed home inspector to be in compliance with applicable standards set forth in U.S. Department of Veterans Affairs, Veterans Benefits Administration Pamphlet 26-13 Handbook for Design of Specially Adapted Housing.

For purposes of this Section, "charitable organization" means any benevolent, philanthropic, patriotic, or eleemosynary entity that solicits and collects funds for charitable purposes and includes each local, county, or area division of that charitable organization.

For purposes of this Section, "unmarried surviving spouse" means the surviving spouse of the veteran at any time after the death of the veteran during which such surviving spouse is not married.

This exemption must be reestablished on an annual basis by certification from the Illinois Department of Veterans' Affairs to the Department, which shall forward a copy of the certification to local assessing officials.

A taxpayer who claims an exemption under Section 15-168 or 15-169 may not claim an exemption under this Section.

(Source: P.A. 94-310, eff. 7-25-05; 95-644, eff. 10-12-07.)

(35 ILCS 200/15-169)

Sec. 15-169. Disabled veterans standard homestead exemption.

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(a) Beginning with taxable year 2007, an annual homestead exemption, limited to the amounts set forth in subsection (b), is granted for property that is used as a qualified residence by a disabled veteran.

(b) The amount of the exemption under this Section is as follows:

(1) for veterans with a service-connected disability of at least (i) 75% for exemptions granted in taxable years 2007 through 2009 and (ii) 70% for exemptions granted in taxable year 2010 and each taxable year thereafter, as certified by the United States Department of Veterans Affairs, the annual exemption is $5,000; and

(2) for veterans with a service-connected disability of at least 50%, but less than (i) 75% for exemptions granted in taxable years 2007 through 2009 and (ii) 70% for exemptions granted in taxable year 2010 and each taxable year thereafter, as certified by the United States Department of Veterans Affairs, the annual exemption is $2,500.

(b-5) If a homestead exemption is granted under this Section and the person awarded the exemption subsequently becomes a resident of a facility licensed under the Nursing Home Care Act or a facility operated by the United States Department of Veterans Affairs, then the exemption shall continue (i) so long as the residence continues to be occupied by the qualifying person's spouse or (ii) if the residence remains unoccupied but is still owned by the person who qualified for the homestead exemption.

(c) The tax exemption under this Section carries over to the benefit of the veteran's surviving spouse as long as the spouse holds the legal or beneficial title to the homestead, permanently resides thereon, and does not remarry. If the surviving spouse sells the property, an exemption not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence as long as it is used as his or her primary residence and he or she does not remarry.

(c-1) Beginning with taxable year 2015, nothing in this Section shall require the veteran to have qualified for or obtained the exemption before death if the veteran was killed in the line of duty.

(d) The exemption under this Section applies for taxable year 2007 and thereafter. A taxpayer who claims an exemption under Section 15-165 or 15-168 may not claim an exemption under this Section.

(e) Each taxpayer who has been granted an exemption under this Section must reapply on an annual basis. Application must be made during the application period in effect for the county of his or her residence. The
assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire, or other reasonable methods. The determination must be made in accordance with guidelines established by the Department.

(f) For the purposes of this Section:
"Qualified residence" means real property, but less any portion of that property that is used for commercial purposes, with an equalized assessed value of less than $250,000 that is the disabled veteran's primary residence. Property rented for more than 6 months is presumed to be used for commercial purposes.

"Veteran" means an Illinois resident who has served as a member of the United States Armed Forces on active duty or State active duty, a member of the Illinois National Guard, or a member of the United States Reserve Forces and who has received an honorable discharge.

(Source: P.A. 96-1298, eff. 1-1-11; 96-1418, eff. 8-2-10; 97-333, eff. 8-12-11.)

Section 10. The Mobile Home Local Services Tax Act is amended by changing Section 7.5 as follows:

(35 ILCS 515/7.5)
Sec. 7.5. Exemption for disabled veterans.
(a) Beginning on January 1, 2004, a mobile home owned and used exclusively by a disabled veteran or the spouse or unmarried surviving spouse of the veteran as a home, is exempt from the tax imposed under this Act.

Beginning with the 2015 tax year, the exemption also applies to housing that is specifically constructed or adapted to suit a qualifying veteran's disability if the housing or adaptations are donated by a charitable organization, the veteran has been approved to receive funds for the purchase or construction of Specially Adapted Housing under Title 38, Chapter 21, Section 2101 of the United States Code, and the home has been inspected and certified by a licensed home inspector to be in compliance with applicable standards set forth in U.S. Department of Veterans Affairs, Veterans Benefits Administration Pamphlet 26-13 Handbook for Design of Specially Adapted Housing.

(b) As used in this Section:
"Disabled veteran" means a person who has served in the armed forces of the United States and whose disability is of such a nature that the federal government has authorized payment for purchase or construction

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of specially adapted housing as set forth in the United States Code, Title 38, Chapter 21, Section 2101.

For purposes of this Section, "charitable organization" means any benevolent, philanthropic, patriotic, or eleemosynary entity that solicits and collects funds for charitable purposes and includes each local, county, or area division of that charitable organization.

"Unmarried surviving spouse" means the surviving spouse of the veteran at any time after the death of the veteran during which the surviving spouse is not married.

(c) Eligibility for this exemption must be reestablished on an annual basis by certification from the Illinois Department of Veterans' Affairs to the county clerk of the county in which the exempt mobile home is located. The county clerk shall forward a copy of the certification to local assessing officials.

(Source: P.A. 93-146, eff. 7-10-03.)

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

Approved December 30, 2014.
Effective December 30, 2014.

PUBLIC ACT 98-1146
(Senate Bill No. 2992)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Personnel Code is amended by changing Section 4d as follows:

(20 ILCS 415/4d) (from Ch. 127, par. 63b104d)
Sec. 4d. Partial exemptions. The following positions in State service are exempt from jurisdictions A, B, and C to the extent stated for each, unless those jurisdictions are extended as provided in this Act:

(1) In each department, board or commission that now maintains or may hereafter maintain a major administrative division, service or office in both Sangamon County and Cook County, 2 private secretaries for the director or chairman thereof, one located in the Cook County office and the other located in the Sangamon County office, shall be exempt from jurisdiction B; in

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all other departments, boards and commissions one private secretary for the director or chairman thereof shall be exempt from jurisdiction B. In all departments, boards and commissions one confidential assistant for the director or chairman thereof shall be exempt from jurisdiction B. This paragraph is subject to such modifications or waiver of the exemptions as may be necessary to assure the continuity of federal contributions in those agencies supported in whole or in part by federal funds.

(2) The resident administrative head of each State charitable, penal and correctional institution, the chaplains thereof, and all member, patient and inmate employees are exempt from jurisdiction B.

(3) The Civil Service Commission, upon written recommendation of the Director of Central Management Services, shall exempt from jurisdiction B other positions which, in the judgment of the Commission, involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out, except positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements, and except positions in agencies supported in whole by federal funds.

(4) All beauticians and teachers of beauty culture and teachers of barbering, and all positions heretofore paid under Section 1.22 of "An Act to standardize position titles and salary rates", approved June 30, 1943, as amended, shall be exempt from jurisdiction B.

(5) Licensed attorneys in positions as legal or technical advisors, positions in the Department of Natural Resources requiring incumbents to be either a registered professional engineer or to hold a bachelor's degree in engineering from a recognized college or university, licensed physicians in positions of medical administrator or physician or physician specialist (including psychiatrists), all positions within the Department of Juvenile Justice requiring licensure by the State Board of Education under Article 21B of the School Code, and registered nurses (except those registered nurses employed by the Department of Public Health), except those in positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements and

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except those in positions in agencies supported in whole by federal funds, are exempt from jurisdiction B only to the extent that the requirements of Section 8b.1, 8b.3 and 8b.5 of this Code need not be met.

(6) All positions established outside the geographical limits of the State of Illinois to which appointments of other than Illinois citizens may be made are exempt from jurisdiction B.

(7) Staff attorneys reporting directly to individual Commissioners of the Illinois Workers’ Compensation Commission are exempt from jurisdiction B.

(8) Twenty-one senior public service administrator positions within the Department of Healthcare and Family Services, as set forth in this paragraph (8), requiring the specific knowledge of healthcare administration, healthcare finance, healthcare data analytics, or information technology described are exempt from jurisdiction B only to the extent that the requirements of Sections 8b.1, 8b.3, and 8b.5 of this Code need not be met. The General Assembly finds that these positions are all senior policy makers and have spokesperson authority for the Director of the Department of Healthcare and Family Services. When filling positions so designated, the Director of Healthcare and Family Services shall cause a position description to be published which allots points to various qualifications desired. After scoring qualified applications, the Director shall add Veteran's Preference points as enumerated in Section 8b.7 of this Code. The following are the minimum qualifications for the senior public service administrator positions provided for in this paragraph (8):

(A) HEALTHCARE ADMINISTRATION.

   Medical Director: Licensed Medical Doctor in good standing; experience in healthcare payment systems, pay for performance initiatives, medical necessity criteria or federal or State quality improvement programs; preferred experience serving Medicaid patients or experience in population health programs with a large provider, health insurer, government agency, or research institution.

   Chief, Bureau of Quality Management: Advanced degree in health policy or health
professional field preferred; at least 3 years experience in implementing or managing healthcare quality improvement initiatives in a clinical setting.

Quality Management Bureau: Manager, Care Coordination/Managed Care Quality: Clinical degree or advanced degree in relevant field required; experience in the field of managed care quality improvement, with knowledge of HEDIS measurements, coding, and related data definitions.

Quality Management Bureau: Manager, Primary Care Provider Quality and Practice Development: Clinical degree or advanced degree in relevant field required; experience in practice administration in the primary care setting with a provider or a provider association or an accrediting body; knowledge of practice standards for medical homes and best evidence based standards of care for primary care.

Director of Care Coordination Contracts and Compliance: Bachelor's degree required; multi-year experience in negotiating managed care contracts, preferably on behalf of a payer; experience with health care contract compliance.

Manager, Long Term Care Policy: Bachelor's degree required; social work, gerontology, or social service degree preferred; knowledge of Olmstead and other relevant court decisions required; experience working with diverse long term care populations and service systems, federal initiatives to create long term care community options, and home and community-based waiver services required. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

Manager, Behavioral Health Programs: Clinical license or Advanced degree required, preferably in psychology, social work, or relevant field; knowledge of medical necessity criteria and

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governmental policies and regulations governing the provision of mental health services to Medicaid populations, including children and adults, in community and institutional settings of care. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

Manager, Office of Accountable Care Entity Development: Bachelor's degree required, clinical degree or advanced degree in relevant field preferred; experience in developing integrated delivery systems, including knowledge of health homes and evidence-based standards of care delivery; multi-year experience in health care or public health management; knowledge of federal ACO or other similar delivery system requirements and strategies for improving health care delivery.

Manager of Federal Regulatory Compliance: Bachelor's degree required, advanced degree preferred, in healthcare management or relevant field; experience in healthcare administration or Medicaid State Plan amendments preferred; experience interpreting federal rules; experience with either federal health care agency or with a State agency in working with federal regulations.

Manager, Office of Medical Project Management: Bachelor's degree required, project management certification preferred; multi-year experience in project management and developing business analyst skills; leadership skills to manage multiple and complex projects.

Manager of Medicare/Medicaid Coordination: Bachelor's degree required, knowledge and experience with Medicare Advantage rules and regulations, knowledge of Medicaid laws and policies; experience with contract drafting preferred.

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Chief, Bureau of Eligibility Integrity: Bachelor's degree required, advanced degree in public administration or business administration preferred; experience equivalent to 4 years of administration in a public or business organization required; experience with managing contract compliance required; knowledge of Medicaid eligibility laws and policy preferred; supervisory experience preferred. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

(B) HEALTHCARE FINANCE.

Director of Care Coordination Rate and Finance: MBA, CPA, or Actuarial degree required; experience in managed care rate setting, including, but not limited to, baseline costs and growth trends; knowledge and experience with Medical Loss Ratio standards and measurements.

Director of Encounter Data Program: Bachelor's degree required, advanced degree preferred, preferably in health care, business, or information systems; at least 2 years healthcare or other similar data reporting experience, including, but not limited to, data definitions, submission, and editing; background in HIPAA transactions relevant to encounter data submission; experience with large provider, health insurer, government agency, or research institution or other knowledge of healthcare claims systems.

Manager of Medical Finance, Division of Finance: Requires relevant advanced degree or certification in relevant field, such as Certified Public Accountant; coursework in business or public administration, accounting, finance, data analysis, or statistics preferred; experience in control systems and GAAP; financial management experience in a healthcare or government entity utilizing Medicaid funding.

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(C) HEALTHCARE DATA ANALYTICS.

Data Quality Assurance Manager: Bachelor's degree required, advanced degree preferred, preferably in business, information systems, or epidemiology; at least 3 years of extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; previous data quality assurance role or formal data quality assurance training.

Data Analytics Unit Manager: Bachelor's degree required, advanced degree preferred, in information systems, applied mathematics, or another field with a strong analytics component; extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments; in-depth knowledge of health insurance coding and evolving healthcare quality metrics; working knowledge of SQL and/or SAS.

Data Analytics Platform Manager: Bachelor's degree required, advanced degree preferred, preferably in business or information systems; extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; previous experience working on a health insurance data analytics platform; experience managing contracts and vendors preferred.

(D) HEALTHCARE INFORMATION TECHNOLOGY.

Manager of MMIS Claims Unit: Bachelor's degree required, with preferred coursework in business, public administration, information systems; experience equivalent to 4 years of administration in a public or business organization; working knowledge with design and implementation of technical solutions to medical

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claims payment systems; extensive technical writing experience, including, but not limited to, the development of RFPs, APDs, feasibility studies, and related documents; thorough knowledge of IT system design, commercial off the shelf software packages and hardware components.

Assistant Bureau Chief, Office of Information Systems: Bachelor's degree required, with preferred coursework in business, public administration, information systems; experience equivalent to 5 years of administration in a public or private business organization; extensive technical writing experience, including, but not limited to, the development of RFPs, APDs, feasibility studies and related documents; extensive healthcare technology experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments; thorough knowledge of IT system design, commercial off the shelf software packages and hardware components.

Technical System Architect: Bachelor's degree required, with preferred coursework in computer science or information technology; prior experience equivalent to 5 years of computer science or IT administration in a public or business organization; extensive healthcare technology experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments.

The provisions of this paragraph (8), other than this sentence, are inoperative after January 1, 2014.

(Source: P.A. 97-649, eff. 12-30-11; 97-689, eff. 6-14-12; 98-104, eff. 7-22-13.)

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

Passed in the General Assembly December 4, 2014.

New matter indicated by italics - deletions by strikeout
AN ACT concerning finance.

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

Section 5. The School Code is amended by changing Sections 21B-25 and 21B-45 as follows:

(105 ILCS 5/21B-25)

Sec. 21B-25. Endorsement on licenses. All licenses issued under paragraph (1) of Section 21B-20 of this Code shall be specifically endorsed by the State Board of Education for each content area, school support area, and administrative area for which the holder of the license is qualified. Recognized institutions approved to offer educator preparation programs shall be trained to add endorsements to licenses issued to applicants who meet all of the requirements for the endorsement or endorsements, including passing any required tests. The State Superintendent of Education shall randomly audit institutions to ensure that all rules and standards are being followed for entitlement or when endorsements are being recommended.

(1) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall establish, by rule, the grade level and subject area endorsements to be added to the Professional Educator License. These rules shall outline the requirements for obtaining each endorsement.

(2) In addition to any and all grade level and content area endorsements developed by rule, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall develop the requirements for the following endorsements:

(A) General administrative endorsement. A general administrative endorsement shall be added to a Professional Educator License, provided that an approved program has been completed. An individual holding a general administrative endorsement may work only as a principal or assistant principal or in a related or similar position, as
determined by the State Superintendent of Education, in consultation with the State Educator Preparation and Licensure Board.

Beginning on September 1, 2014, the general administrative endorsement shall no longer be issued. Individuals who hold a valid and registered administrative certificate with a general administrative endorsement issued under Section 21-7.1 of this Code or a Professional Educator License with a general administrative endorsement issued prior to September 1, 2014 and who have served for at least one full year during the 5 years prior in a position requiring a general administrative endorsement shall, upon request to the State Board of Education and through July 1, 2015, have their respective general administrative endorsement converted to a principal endorsement on the Professional Educator License. Candidates shall not be admitted to an approved general administrative preparation program after September 1, 2012.

All other individuals holding a valid and registered administrative certificate with a general administrative endorsement issued pursuant to Section 21-7.1 of this Code or a general administrative endorsement on a Professional Educator License issued prior to September 1, 2014 shall have the general administrative endorsement converted to a principal endorsement on a Professional Educator License upon request to the State Board of Education and by completing one of the following pathways:

(i) Passage of the State principal assessment developed by the State Board of Education.

(ii) Through July 1, 2019, completion of an Illinois Educators' Academy course designated by the State Superintendent of Education.

(iii) Completion of a principal preparation program established and approved pursuant to Section 21B-60 of this Code and applicable rules. Individuals who do not choose to convert the general administrative endorsement on the administrative certificate issued pursuant to Section

New matter indicated by italics - deletions by strikeout
21-7.1 of this Code or on the Professional Educator License shall continue to be able to serve in any position previously allowed under paragraph (2) of subsection (e) of Section 21-7.1 of this Code.

The general administrative endorsement on the Professional Educator License is available only to individuals who, prior to September 1, 2014, had such an endorsement on the administrative certificate issued pursuant to Section 21-7.1 of this Code or who already have a Professional Educator License and have completed a general administrative program and who do not choose to convert the general administrative endorsement to a principal endorsement pursuant to the options in this Section.

(B) Principal endorsement. A principal endorsement shall be affixed to a Professional Educator License of any holder who qualifies by having all of the following:

(i) Successful completion of a principal preparation program approved in accordance with Section 21B-60 of this Code and any applicable rules.

(ii) At least 4 total Four years of teaching or, until June 30, 2019, working in the capacity of school support personnel in an Illinois a public school or nonpublic school recognized by the State Board of Education or in an out-of-state public school or out-of-state nonpublic school meeting out-of-state recognition standards comparable to those approved by the State Superintendent of Education; however, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall allow, by rules, for fewer than 4 years of experience based on meeting standards set forth in such rules, including without limitation a review of
performance evaluations or other evidence of demonstrated qualifications.

(iii) A master's degree or higher from a regionally accredited college or university.

(C) Chief school business official endorsement. A chief school business official endorsement shall be affixed to the Professional Educator License of any holder who qualifies by having a master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests. The chief school business official endorsement may also be affixed to the Professional Educator License of any holder who qualifies by having a master's degree in business administration, finance, or accounting and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests. This endorsement shall be required for any individual employed as a chief school business official.

(D) Superintendent endorsement. A superintendent endorsement shall be affixed to the Professional Educator License of any holder who has completed a program approved by the State Board of Education for the preparation of superintendents of schools, has had at least 2 years of experience employed full-time in a general administrative position or as a full-time principal, director of special education, or chief school business official in the public schools or in a State-recognized nonpublic school in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this

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State and where a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State, and has passed the required State tests; or of any holder who has completed a program from out-of-state that has a program with recognition standards comparable to those approved by the State Superintendent of Education and holds the general administrative, principal, or chief school business official endorsement and who has had 2 years of experience as a principal, director of special education, or chief school business official while holding a valid educator license or certificate comparable in validity and educational and experience requirements and has passed the appropriate State tests, as provided in Section 21B-30 of this Code. The superintendent endorsement shall allow individuals to serve only as a superintendent or assistant superintendent.

(E) Teacher leader endorsement. It shall be the policy of this State to improve the quality of instructional leaders by providing a career pathway for teachers interested in serving in leadership roles, but not as principals. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may issue a teacher leader endorsement under this subdivision (E). Persons who meet and successfully complete the requirements of the endorsement shall be issued a teacher leader endorsement on the Professional Educator License for serving in schools in this State. Teacher leaders may qualify to serve in such positions as department chairs, coaches, mentors, curriculum and instruction leaders, or other leadership positions as defined by the district. The endorsement shall be available to those teachers who (i) hold a Professional Educator License, (ii) hold a master's degree or higher from a regionally accredited institution, (iii) have completed a program of study that has been approved by the
State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and (iv) have taken coursework in all of the following areas:

(I) Leadership.
(II) Designing professional development to meet teaching and learning needs.
(III) Building school culture that focuses on student learning.
(IV) Using assessments to improve student learning and foster school improvement.
(V) Building collaboration with teachers and stakeholders.

A teacher who meets the requirements set forth in this Section and holds a teacher leader endorsement may evaluate teachers pursuant to Section 24A-5 of this Code, provided that the individual has completed the evaluation component required by Section 24A-3 of this Code and a teacher leader is allowed to evaluate personnel under the respective school district's collective bargaining agreement.

The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to establish and implement the teacher leader endorsement program and to specify the positions for which this endorsement shall be required.

(F) Special education endorsement. A special education endorsement in one or more areas shall be affixed to a Professional Educator License for any individual that meets those requirements established by the State Board of Education in rules. Special education endorsement areas shall include without limitation the following:

(i) Learning Behavior Specialist I;

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(ii) Learning Behavior Specialist II;
(iii) Speech Language Pathologist;
(iv) Blind or Visually Impaired;
(v) Deaf-Hard of Hearing; and
(vi) Early Childhood Special Education.

Notwithstanding anything in this Code to the contrary, the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may add additional areas of special education by rule.

(G) School support personnel endorsement. School support personnel endorsement areas shall include, but are not limited to, school counselor, marriage and family therapist, school psychologist, school speech and language pathologist, school nurse, and school social worker. This endorsement is for individuals who are not teachers or administrators, but still require licensure to work in an instructional support position in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control or a charter school operating in compliance with the Charter Schools Law. The school support personnel endorsement shall be affixed to the Professional Educator License and shall meet all of the requirements established in any rules adopted to implement this subdivision (G). The holder of such an endorsement is entitled to all of the rights and privileges granted holders of any other Professional Educator License, including teacher benefits, compensation, and working conditions.

Beginning on January 1, 2014 and ending on April 30, 2014, a person holding a Professional Educator License with a school speech and language pathologist (teaching) endorsement may exchange his or her school speech and language pathologist (teaching) endorsement for a school speech and

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language pathologist (non-teaching) endorsement through application to the State Board of Education. There shall be no cost for this exchange.

(Source: P.A. 97-607, eff. 8-26-11; 98-413, eff. 8-16-13; 98-610, eff. 12-27-13; 98-872, eff. 8-11-14; 98-917, eff. 8-15-14; revised 9-2-14.)

(105 ILCS 5/21B-45)
Sec. 21B-45. Professional Educator License renewal.

(a) Individuals holding a Professional Educator License are required to complete the licensure renewal requirements as specified in this Section, unless otherwise provided in this Code.

Individuals holding a Professional Educator License shall meet the renewal requirements set forth in this Section, unless otherwise provided in this Code. If an individual holds a license endorsed in more than one area that has different renewal requirements, that individual shall follow the renewal requirements for the position for which he or she spends the majority of his or her time working.

(b) All Professional Educator Licenses not renewed as provided in this Section shall lapse on September 1 of that year. Lapsed licenses may be immediately reinstated upon (i) payment by the applicant of a $500 penalty to the State Board of Education or, for individuals holding an Educator License with Stipulations with a paraprofessional educator endorsement only, payment by the applicant of a $150 penalty to the State Board of Education or (ii) the demonstration of proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with one or more of the educator's endorsement areas. Any and all back fees, including without limitation registration fees owed from the time of expiration of the certificate until the date of reinstatement, shall be paid and kept in accordance with the provisions in Article 3 of this Code concerning an institute fund and the provisions in Article 21B of this Code concerning fees and requirements for registration. Licenses not registered in accordance with Section 21B-40 of this Code shall lapse after a period of 6 months from the expiration of the last year of registration. An unregistered license is invalid after September 1 for employment and performance of services in an Illinois public or State-operated school or cooperative and in a charter school. Any license or endorsement may be voluntarily surrendered by the license holder. A voluntarily surrendered license, except a substitute teaching license issued under Section 21B-20 of this Code, shall be treated as a revoked license.

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(c) From July 1, 2013 through June 30, 2014, in order to satisfy the requirements for licensure renewal provided for in this Section, each professional educator licensee with an administrative endorsement who is working in a position requiring such endorsement shall complete one Illinois Administrators’ Academy course, as described in Article 2 of this Code, per fiscal year.

(d) Beginning July 1, 2014, in order to satisfy the requirements for licensure renewal provided for in this Section, each professional educator licensee may create a professional development plan each year. The plan shall address one or more of the endorsements that are required of his or her educator position if the licensee is employed and performing services in an Illinois public or State-operated school or cooperative. If the licensee is employed in a charter school, the plan shall address that endorsement or those endorsements most closely related to his or her educator position. Licensees employed and performing services in any other Illinois schools may participate in the renewal requirements by adhering to the same process.

Except as otherwise provided in this Section, the licensee's professional development activities shall align with one or more of the following criteria:

1. activities are of a type that engage participants over a sustained period of time allowing for analysis, discovery, and application as they relate to student learning, social or emotional achievement, or well-being;
2. professional development aligns to the licensee's performance;
3. outcomes for the activities must relate to student growth or district improvement;
4. activities align to State-approved standards; and
5. higher education coursework.

(e) For each renewal cycle, each professional educator licensee shall engage in professional development activities. Within 60 days after the conclusion of a professional development activity, the licensee shall enter electronically into the Educator Licensure Information System (ELIS) the name, date, and location of the activity, the number of professional development hours, and the provider's name. The following provisions shall apply concerning professional development activities:

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(1) Each licensee shall complete a total of 120 hours of professional development per 5-year renewal cycle in order to renew the license, except as otherwise provided in this Section.

(2) Beginning with his or her first full 5-year cycle, any licensee with an administrative endorsement who is not working in a position requiring such endorsement shall complete one Illinois Administrators' Academy course, as described in Article 2 of this Code, in each 5-year renewal cycle in which the administrative endorsement was held for at least one year. The Illinois Administrators' Academy course may count toward the total of 120 hours per 5-year cycle.

(3) Any licensee with an administrative endorsement who is working in a position requiring such endorsement or an individual with a Teacher Leader endorsement serving in an administrative capacity at least 50% of the day shall complete one Illinois Administrators' Academy course, as described in Article 2 of this Code, each fiscal year in addition to 100 hours of professional development per 5-year renewal cycle in accordance with this Code.

(4) Any licensee holding a current National Board for Professional Teaching Standards (NBPTS) master teacher designation shall complete a total of 60 hours of professional development per 5-year renewal cycle in order to renew the license.

(5) Licensees working in a position that does not require educator licensure or working in a position for less than 50% for any particular year are considered to be exempt and shall be required to pay only the registration fee in order to renew and maintain the validity of the license.

(6) Licensees who are retired and qualify for benefits from a State retirement system shall notify the State Board of Education using ELIS, and the license shall be maintained in retired status. An individual with a license in retired status shall not be required to complete professional development activities or pay registration fees until returning to a position that requires educator licensure. Upon returning to work in a position that requires the Professional Educator License, the licensee shall immediately pay a registration fee and complete renewal requirements for that year. A license in retired status cannot lapse.

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(7) For any renewal cycle in which professional development hours were required, but not fulfilled, the licensee shall complete any missed hours to total the minimum professional development hours required in this Section prior to September 1 of that year. For any fiscal year or renewal cycle in which an Illinois Administrators' Academy course was required but not completed, the licensee shall complete any missed Illinois Administrators' Academy courses prior to September 1 of that year. The licensee may complete all deficient hours and Illinois Administrators' Academy courses while continuing to work in a position that requires that license until September 1 of that year.

(8) Any licensee who has not fulfilled the professional development renewal requirements set forth in this Section at the end of any 5-year renewal cycle is ineligible to register his or her license and may submit an appeal to the State Superintendent of Education for reinstatement of the license.

(9) If professional development opportunities were unavailable to a licensee, proof that opportunities were unavailable and request for an extension of time beyond August 31 to complete the renewal requirements may be submitted from April 1 through June 30 of that year to the State Educator Preparation and Licensure Board. If an extension is approved, the license shall remain valid during the extension period.

(10) Individuals who hold exempt licenses prior to the effective date of this amendatory Act of the 98th General Assembly shall commence the annual renewal process with the first scheduled registration due after the effective date of this amendatory Act of the 98th General Assembly.

(f) At the time of renewal, each licensee shall respond to the required questions under penalty of perjury.

(g) The following entities shall be designated as approved to provide professional development activities for the renewal of Professional Educator Licenses:

   (1) The State Board of Education.

   (2) Regional offices of education and intermediate service centers.

   (3) Illinois professional associations representing the following groups that are approved by the State Superintendent of Education:

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(A) school administrators;
(B) principals;
(C) school business officials;
(D) teachers, including special education teachers;
(E) school boards;
(F) school districts;
(G) parents; and
(H) school service personnel.

(4) Regionally accredited institutions of higher education that offer Illinois-approved educator preparation programs.

(5) Illinois public school districts, charter schools authorized under Article 27A of this Code, and joint educational programs authorized under Article 10 of this Code for the purposes of providing career and technical education or special education services.

(6) A not-for-profit organization that, as of the effective date of this amendatory Act of the 98th General Assembly, has had or has a grant from or a contract with the State Board of Education to provide professional development services in the area of English Language Learning to Illinois school districts, teachers, or administrators.

(h) Approved providers under subsection (g) of this Section shall make available professional development opportunities that satisfy at least one of the following:

(1) increase the knowledge and skills of school and district leaders who guide continuous professional development;
(2) improve the learning of students;
(3) organize adults into learning communities whose goals are aligned with those of the school and district;
(4) deepen educator's content knowledge;
(5) provide educators with research-based instructional strategies to assist students in meeting rigorous academic standards;
(6) prepare educators to appropriately use various types of classroom assessments;
(7) use learning strategies appropriate to the intended goals;
(8) provide educators with the knowledge and skills to collaborate; or
(9) prepare educators to apply research to decision-making.

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(i) Approved providers under subsection (g) of this Section shall do the following:

(1) align professional development activities to the State-approved national standards for professional learning;
(2) meet the professional development criteria for Illinois licensure renewal;
(3) produce a rationale for the activity that explains how it aligns to State standards and identify the assessment for determining the expected impact on student learning or school improvement;
(4) maintain original documentation for completion of activities; and
(5) provide license holders with evidence of completion of activities.

(j) The State Board of Education shall conduct annual audits of approved providers, except for school districts, which shall be audited by regional offices of education and intermediate service centers. The State Board of Education shall complete random audits of licensees.

(1) Approved providers shall annually submit to the State Board of Education a list of subcontractors used for delivery of professional development activities for which renewal credit was issued and other information as defined by rule.

(2) Approved providers shall annually submit data to the State Board of Education demonstrating how the professional development activities impacted one or more of the following:
(A) educator and student growth in regards to content knowledge or skills, or both;
(B) educator and student social and emotional growth; or
(C) alignment to district or school improvement plans.

(3) The State Superintendent of Education shall review the annual data collected by the State Board of Education, regional offices of education, and intermediate service centers in audits to determine if the approved provider has met the criteria and should continue to be an approved provider or if further action should be taken as provided in rules.

(k) Registration fees shall be paid for the next renewal cycle between April 1 and June 30 in the last year of each 5-year renewal cycle.
using ELIS. If all required professional development hours for the renewal cycle have been completed and entered by the licensee, the licensee shall pay the registration fees for the next cycle using a form of credit or debit card.

(l) Beginning July 1, 2014, any professional educator licensee endorsed for school support personnel who is employed and performing services in Illinois public schools and who holds an active and current professional license issued by the Department of Financial and Professional Regulation related to the endorsement areas on the Professional Educator License shall be deemed to have satisfied the continuing professional development requirements provided for in this Section. Such individuals shall be required to pay only registration fees to renew the Professional Educator License. An individual who does not hold a license issued by the Department of Financial and Professional Regulation shall complete professional development requirements for the renewal of a Professional Educator License provided for in this Section.

(m) Appeals to the State Educator Preparation and Licensure Board must be made within 30 days after receipt of notice from the State Superintendent of Education that a license will not be renewed based upon failure to complete the requirements of this Section. A licensee may appeal that decision to the State Educator Preparation and Licensure Board in a manner prescribed by rule.

(1) Each appeal shall state the reasons why the State Superintendent's decision should be reversed and shall be sent by certified mail, return receipt requested, to the State Board of Education.

(2) The State Educator Preparation and Licensure Board shall review each appeal regarding renewal of a license within 90 days after receiving the appeal in order to determine whether the licensee has met the requirements of this Section. The State Educator Preparation and Licensure Board may hold an appeal hearing or may make its determination based upon the record of review, which shall consist of the following:

   (A) the regional superintendent of education's rationale for recommending nonrenewal of the license, if applicable;
   (B) any evidence submitted to the State Superintendent along with the individual's electronic statement of assurance for renewal; and

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(C) the State Superintendent's rationale for nonrenewal of the license.

(3) The State Educator Preparation and Licensure Board shall notify the licensee of its decision regarding license renewal by certified mail, return receipt requested, no later than 30 days after reaching a decision. Upon receipt of notification of renewal, the licensee, using ELIS, shall pay the applicable registration fee for the next cycle using a form of credit or debit card.

(n) The State Board of Education may adopt rules as may be necessary to implement this Section.

(Source: P.A. 97-607, eff. 8-26-11; 98-610, eff. 12-27-13.)

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

Passed in the General Assembly December 4, 2014.
Approved December 31, 2014.
Effective December 31, 2014.

PUBLIC ACT 98-1148
(House Bill No. 3834)

AN ACT concerning State government.

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

Section 5. The Secretary of State Act is amended by changing Section 12 as follows:

(15 ILCS 305/12) (from Ch. 124, par. 10.2)
Sec. 12. Parking fees; leases.

(a) The Secretary of State shall impose a fee of $20 per month payable by all State employees persons parking vehicles in the underground parking facility located south of the William G. Stratton State Office Building in Springfield and the parking ramp located at 401 South College Street located west of the William G. Stratton State Office Building in Springfield, unless a non-State employee requests a space located in either garage, in which case the Secretary shall set the fee by rule. State officers and employees who make application for and are allotted parking places in such parking facilities shall authorize the Comptroller to deduct the required fees from their payroll checks under the State Salary and Annuity Withholding Act and the amounts so withheld shall be deposited as provided in Section 8 of that Act. Persons who are

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not subject to the State Salary and Annuity Withholding Act and who are
allotted parking places under this Section shall pay the required fees
directly to the Office of the Secretary of State and the amounts so collected
shall be deposited as follows: 80% in the Capital Development Bond
Retirement and Interest Fund in the State Treasury and 20% in the State
Parking Facility Maintenance Fund in the State Treasury.

(b) The Secretary of State may enter into agreements with public or
private entities or individuals to lease to those entities or individuals
parking spaces at State-owned Secretary of State facilities. Such
agreements may be executed only upon a determination by the Secretary
that leasing the parking spaces will not adversely impact the delivery of
services to the public. The fee to be charged to the entity or individual
leasing the parking spaces shall be established by rule. All funds collected
by the Secretary pursuant to such leases shall be deposited in the State
Parking Facility Maintenance Fund and shall be used for the maintenance
and repair of parking lots at State-owned Secretary of State facilities.
(Source: P.A. 98-179, eff. 8-5-13.)

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

Passed in the General Assembly December 3, 2014.
Approved December 31, 2014.
Effective December 31, 2014.

PUBLIC ACT 98-1149
(House Bill No. 4556)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Secretary of State Act is amended by changing
Section 5.5 as follows:
(15 ILCS 305/5.5)
Sec. 5.5. Secretary of State fees. There shall be paid to the
Secretary of State the following fees:
For certificate or apostille, with seal: $2.
For each certificate, without seal: $1.
For each commission to any officer or other person (except military
commissions), with seal: $2.

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For copies of exemplifications of records, or for a certified copy of any document, instrument, or paper when not otherwise provided by law, and it does not exceed legal size: $0.50 per page or any portion of a page; and $2 for the certificate, with seal affixed.

For copies of exemplifications of records or a certified copy of any document, instrument, or paper, when not otherwise provided for by law, that exceeds legal size: $1 per page or any portion of a page; and $2 for the certificate, with seal affixed.

For copies of bills or other papers: $0.50 per page or any portion of a page; and $2 for the certificate, with seal affixed, except that there shall be no charge for making or certifying copies that are furnished to any governmental agency for official use.

For recording a duplicate of an affidavit showing the appointment of trustees of a religious corporation: $0.50; and $2 for the certificate of recording, with seal affixed.

For filing and recording an application under the Soil Conservation Districts Law and making and issuing a certificate for the application, under seal: $10.

For recording any other document, instrument, or paper required or permitted to be recorded with the Secretary of State, which recording shall be done by any approved photographic or photostatic process, if the page to be recorded does not exceed legal size and the fees and charges therefor are not otherwise fixed by law: $0.50 per page or any portion of a page; and $2 for the certificate of recording, with seal affixed.

For recording any other document, instrument, or paper required or permitted to be recorded with the Secretary of State, which recording shall be done by any approved photographic or photostatic process, if the page to be recorded exceeds legal size and the fees and charges therefor are not otherwise fixed by law: $1 per page or any portion of a page; and $2 for the certificate of recording attached to the original, with seal affixed.

For each duplicate certified copy of a school land patent: $3.
For each photostatic copy of a township plat: $2.
For each page of a photostatic copy of surveyors field notes: $2.
For each page of a photostatic copy of a state land patent, including certification: $4.
For each page of a photostatic copy of a swamp land grant: $2.
For each page of photostatic copies of all other instruments or documents relating to land records: $2.

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For any payment to the Secretary of State when it has not been honored: $25. If the total amount due to the Secretary exceeds $100 and has not been paid in full within 60 days from the date the fee became due, the Secretary shall assess a penalty of 25% of the dishonored payment amount.

For any research request received after the effective date of the changes made to this Section by this amendatory Act of the 93rd General Assembly by an out-of-State or non-Illinois resident: $10, prepaid and nonrefundable, for which the requester will receive up to 2 unofficial noncertified copies of the records requested. The fees under this paragraph shall be deposited into the General Revenue Fund.

The Illinois State Archives is authorized to charge reasonable fees to reimburse the cost of production and distribution of copies of finding aids to the records that it holds or copies of published versions or editions of those records in printed, microfilm, or electronic formats. The fees under this paragraph shall be deposited into the General Revenue Fund.

As used in this Section, "legal size" means a sheet of paper that is 8.5 inches wide and 14 inches long, or written or printed matter on a sheet of paper that does not exceed that width and length, or either of them.

(Source: P.A. 97-835, eff. 1-1-13.)

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

Passed in the General Assembly December 4, 2014.
Approved December 31, 2014.
Effective December 31, 2014.
"Board" means the Illinois Secure Choice Savings Board established under this Act.
"Department" means the Department of Revenue.
"Director" means the Director of Revenue.
"Employee" means any individual who is 18 years of age or older, who is employed by an employer, and who has wages that are allocable to Illinois during a calendar year under the provisions of Section 304(a)(2)(B) of the Illinois Income Tax Act.
"Employer" means a person or entity engaged in a business, industry, profession, trade, or other enterprise in Illinois, whether for profit or not for profit, that (i) has at no time during the previous calendar year employed fewer than 25 employees in the State, (ii) has been in business at least 2 years, and (iii) has not offered a qualified retirement plan, including, but not limited to, a plan qualified under Section 401(a), Section 401(k), Section 403(a), Section 403(b), Section 408(k), Section 408(p), or Section 457(b) of the Internal Revenue Code of 1986 in the preceding 2 years.
"Enrollee" means any employee who is enrolled in the Program.
"Fund" means the Illinois Secure Choice Savings Program Fund.
"Internal Revenue Code" means Internal Revenue Code of 1986, or any successor law, in effect for the calendar year.
"IRA" means a Roth IRA (individual retirement account) under Section 408A of the Internal Revenue Code.
"Participating employer" means an employer or small employer that provides a payroll deposit retirement savings arrangement as provided for by this Act for its employees who are enrollees in the Program.
"Payroll deposit retirement savings arrangement" means an arrangement by which a participating employer allows enrollees to remit payroll deduction contributions to the Program.
"Program" means the Illinois Secure Choice Savings Program.
"Small employer" means a person or entity engaged in a business, industry, profession, trade, or other enterprise in Illinois, whether for profit or not for profit, that (i) employed less than 25 employees at any one time in the State throughout the previous calendar year, or (ii) has been in business less than 2 years, or both items (i) and (ii), but that notifies the Department that it is interested in being a participating employer.
"Wages" means any compensation within the meaning of Section 219(f)(1) of the Internal Revenue Code that is received by an enrollee from a participating employer during the calendar year.
Section 10. Establishment of Illinois Secure Choice Savings Program. A retirement savings program in the form of an automatic enrollment payroll deduction IRA, known as the Illinois Secure Choice Savings Program, is hereby established and shall be administered by the Board for the purpose of promoting greater retirement savings for private-sector employees in a convenient, low-cost, and portable manner.

Section 15. Illinois Secure Choice Savings Program Fund.

(a) The Illinois Secure Choice Savings Program Fund is hereby established as a trust outside of the State treasury, with the Board created in Section 20 as its trustee. The Fund shall include the individual retirement accounts of enrollees, which shall be accounted for as individual accounts. Moneys in the Fund shall consist of moneys received from enrollees and participating employers pursuant to automatic payroll deductions and contributions to savings made under this Act. The Fund shall be operated in a manner determined by the Board, provided that the Fund is operated so that the accounts of enrollees established under the Program meet the requirements for IRAs under the Internal Revenue Code.

(b) The amounts deposited in the Fund shall not constitute property of the State and the Fund shall not be construed to be a department, institution, or agency of the State. Amounts on deposit in the Fund shall not be commingled with State funds and the State shall have no claim to or against, or interest in, such funds.

Section 16. Illinois Secure Choice Administrative Fund. The Illinois Secure Choice Administrative Fund ("Administrative Fund") is created as a nonappropriated separate and apart trust fund in the State Treasury. The Board shall use moneys in the Administrative Fund to pay for administrative expenses it incurs in the performance of its duties under this Act. The Board shall use moneys in the Administrative Fund to cover start-up administrative expenses it incurs in the performance of its duties under this Act. The Administrative Fund may receive any grants or other moneys designated for administrative purposes from the State, or any unit of federal or local government, or any other person, firm, partnership, or corporation. Any interest earnings that are attributable to moneys in the Administrative Fund must be deposited into the Administrative Fund.

Section 20. Composition of the Board. There is created the Illinois Secure Choice Savings Board.

(a) The Board shall consist of the following 7 members:

(1) the State Treasurer, or his or her designee, who shall serve as chair;

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(2) the State Comptroller, or his or her designee;
(3) the Director of the Governor's Office of Management and Budget, or his or her designee;
(4) two public representatives with expertise in retirement savings plan administration or investment, or both, appointed by the Governor;
(5) a representative of participating employers, appointed by the Governor; and
(6) a representative of enrollees, appointed by the Governor.

(b) Members of the Board shall serve without compensation but may be reimbursed for necessary travel expenses incurred in connection with their Board duties from funds appropriated for the purpose.

(c) The initial appointments for the Governor's appointees shall be as follows: one public representative for 4 years; one public representative for 2 years; the representative of participating employers for 3 years; and the representative of enrollees for 1 year. Thereafter, all of the Governor's appointees shall be for terms of 4 years.

(d) A vacancy in the term of an appointed Board member shall be filled for the balance of the unexpired term in the same manner as the original appointment.

(e) Each appointment by the Governor shall be subject to approval by the State Treasurer, who, upon approval, shall certify his or her approval to the Secretary of State. Each appointment by the Governor shall also be subject to the advice and consent of the Senate. In case of a vacancy during a recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate, at which time the Governor shall appoint some person to fill the office. If the State Treasurer does not approve or disapprove the appointment by the Governor within 60 session days after receipt thereof, the person shall be deemed to have been approved by the State Treasurer. Any appointment that has not been acted upon by the Senate within 60 session days after the receipt thereof shall be deemed to have received the advice and consent of the Senate.

(f) Each Board member, prior to assuming office, shall take an oath that he or she will diligently and honestly administer the affairs of the Board and that he or she will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the Program.

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(1) for the exclusive purposes of providing benefits to enrollees and beneficiaries and defraying reasonable expenses of administering the Program;

(2) by investing with the care, skill, prudence, and diligence under the prevailing circumstances that a prudent person acting in a like capacity and familiar with those matters would use in the conduct of an enterprise of a like character and with like aims; and

(3) by using any contributions paid by employees and employers into the trust exclusively for the purpose of paying benefits to the enrollees of the Program, for the cost of administration of the Program, and for investments made for the benefit of the Program.

Section 30. Duties of the Board. In addition to the other duties and responsibilities stated in this Act, the Board shall:

(a) Cause the Program to be designed, established and operated in a manner that:

(1) accords with best practices for retirement savings vehicles;

(2) maximizes participation, savings, and sound investment practices;

(3) maximizes simplicity, including ease of administration for participating employers and enrollees;

(4) provides an efficient product to enrollees by pooling investment funds;

(5) ensures the portability of benefits; and

(6) provides for the deaccumulation of enrollee assets in a manner that maximizes financial security in retirement.

(b) Appoint a trustee to the IRA Fund in compliance with Section 408 of the Internal Revenue Code.

(c) Explore and establish investment options, subject to Section 45 of this Act, that offer employees returns on contributions and the
conversion of individual retirement savings account balances to secure retirement income without incurring debt or liabilities to the State.

(d) Establish the process by which interest, investment earnings, and investment losses are allocated to individual program accounts on a pro rata basis and are computed at the interest rate on the balance of an individual's account.

(e) Make and enter into contracts necessary for the administration of the Program and Fund, including, but not limited to, retaining and contracting with investment managers, private financial institutions, other financial and service providers, consultants, actuaries, counsel, auditors, third-party administrators, and other professionals as necessary.

(e-5) Conduct a review of the performance of any investment vendors every 4 years, including, but not limited to, a review of returns, fees, and customer service. A copy of reviews conducted under this subsection (e-5) shall be posted to the Board's Internet website.

(f) Determine the number and duties of staff members needed to administer the Program and assemble such a staff, including, as needed, employing staff, appointing a Program administrator, and entering into contracts with the State Treasurer to make employees of the State Treasurer's Office available to administer the Program.

(g) Cause moneys in the Fund to be held and invested as pooled investments described in Section 45 of this Act, with a view to achieving cost savings through efficiencies and economies of scale.

(h) Evaluate and establish the process by which an enrollee is able to contribute a portion of his or her wages to the Program for automatic deposit of those contributions and the process by which the participating employer provides a payroll deposit retirement savings arrangement to forward those contributions and related information to the Program, including, but not limited to, contracting with financial service companies and third-party administrators with the capability to receive and process employee information and contributions for payroll deposit retirement savings arrangements or similar arrangements.

(i) Design and establish the process for enrollment under Section 60 of this Act, including the process by which an employee can opt not to participate in the Program, select a contribution level, select an investment option, and terminate participation in the Program.

(j) Evaluate and establish the process by which an individual may voluntarily enroll in and make contributions to the Program.

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(k) Accept any grants, appropriations, or other moneys from the State, any unit of federal, State, or local government, or any other person, firm, partnership, or corporation solely for deposit into the Fund, whether for investment or administrative purposes.

(l) Evaluate the need for, and procure as needed, insurance against any and all loss in connection with the property, assets, or activities of the Program, and indemnify as needed each member of the Board from personal loss or liability resulting from a member's action or inaction as a member of the Board.

(m) Make provisions for the payment of administrative costs and expenses for the creation, management, and operation of the Program, including the costs associated with subsection (b) of Section 20 of this Act, subsections (e), (f), (h), and (l) of this Section, subsection (b) of Section 45 of this Act, subsection (a) of Section 80 of this Act, and subsection (n) of Section 85 of this Act. Subject to appropriation, the State may pay administrative costs associated with the creation and management of the Program until sufficient assets are available in the Fund for that purpose. Thereafter, all administrative costs of the Fund, including repayment of any start-up funds provided by the State, shall be paid only out of moneys on deposit therein. However, private funds or federal funding received under subsection (k) of Section 30 of this Act in order to implement the Program until the Fund is self-sustaining shall not be repaid unless those funds were offered contingent upon the promise of such repayment. The Board shall keep annual administrative expenses as low as possible, but in no event shall they exceed 0.75% of the total trust balance.

(n) Allocate administrative fees to individual retirement accounts in the Program on a pro rata basis.

(o) Set minimum and maximum contribution levels in accordance with limits established for IRAs by the Internal Revenue Code.

(p) Facilitate education and outreach to employers and employees.

(q) Facilitate compliance by the Program with all applicable requirements for the Program under the Internal Revenue Code, including tax qualification requirements or any other applicable law and accounting requirements.

(r) Carry out the duties and obligations of the Program in an effective, efficient, and low-cost manner.

(s) Exercise any and all other powers reasonably necessary for the effectuation of the purposes, objectives, and provisions of this Act pertaining to the Program.

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(t) Deposit into the Illinois Secure Choice Administrative Fund all grants, gifts, donations, fees, and earnings from investments from the Illinois Secure Choice Savings Program Fund that are used to recover administrative costs. All expenses of the Board shall be paid from the Illinois Secure Choice Administrative Fund.

Section 35. Risk Management. The Board shall annually prepare and adopt a written statement of investment policy that includes a risk management and oversight program. This investment policy shall prohibit the Board, Program, and Fund from borrowing for investment purposes. The risk management and oversight program shall be designed to ensure that an effective risk management system is in place to monitor the risk levels of the Program and Fund portfolio, to ensure that the risks taken are prudent and properly managed, to provide an integrated process for overall risk management, and to assess investment returns as well as risk to determine if the risks taken are adequately compensated compared to applicable performance benchmarks and standards. The Board shall consider the statement of investment policy and any changes in the investment policy at a public hearing.

Section 40. Investment firms.
(a) The Board shall engage, after an open bid process, an investment manager or managers to invest the Fund and any other assets of the Program. Moneys in the Fund may be invested or reinvested by the State Treasurer's Office or may be invested in whole or in part under contract with the State Board of Investment, private investment managers, or both, as selected by the Board. In selecting the investment manager or managers, the Board shall take into consideration and give weight to the investment manager's fees and charges in order to reduce the Program's administrative expenses.

(b) The investment manager or managers shall comply with any and all applicable federal and state laws, rules, and regulations, as well as any and all rules, policies, and guidelines promulgated by the Board with respect to the Program and the investment of the Fund, including, but not limited to, the investment policy.

(c) The investment manager or managers shall provide such reports as the Board deems necessary for the Board to oversee each investment manager's performance and the performance of the Fund.

Section 45. Investment options.
(a) The Board shall establish as an investment option a life-cycle fund with a target date based upon the age of the enrollee. This shall be the
default investment option for enrollees who fail to elect an investment option unless and until the Board designates by rule a new investment option as the default as described in subsection (c) of this Section.

(b) The Board may also establish any or all of the following additional investment options:

(1) a conservative principal protection fund;
(2) a growth fund;
(3) a secure return fund whose primary objective is the preservation of the safety of principal and the provision of a stable and low-risk rate of return; if the Board elects to establish a secure return fund, the Board may procure any insurance, annuity, or other product to insure the value of individuals' accounts and guarantee a rate of return; the cost of such funding mechanism shall be paid out of the Fund; under no circumstances shall the Board, Program, Fund, the State, or any participating employer assume any liability for investment or actuarial risk; the Board shall determine whether to establish such investment options based upon an analysis of their cost, risk profile, benefit level, feasibility, and ease of implementation;
(4) an annuity fund.

(c) If the Board elects to establish a secure return fund, the Board shall then determine whether such option shall replace the target date or life-cycle fund as the default investment option for enrollees who do not elect an investment option. In making such determination, the Board shall consider the cost, risk profile, benefit level, and ease of enrollment in the secure return fund. The Board may at any time thereafter revisit this question and, based upon an analysis of these criteria, establish either the secure return fund or the life-cycle fund as the default for enrollees who do not elect an investment option.

Section 50. Benefits. Interest, investment earnings, and investment losses shall be allocated to individual Program accounts as established by the Board under subsection (d) of Section 30 of this Act. An individual's retirement savings benefit under the Program shall be an amount equal to the balance in the individual's Program account on the date the retirement savings benefit becomes payable. The State shall have no liability for the payment of any benefit to any participant in the Program.

Section 55. Employer and employee information packets and disclosure forms.

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(a) Prior to the opening of the Program for enrollment, the Board shall design and disseminate to all employers an employer information packet and an employee information packet, which shall include background information on the Program, appropriate disclosures for employees, and information regarding the vendor Internet website described in subsection (i) of Section 60 of this Act.

(b) The Board shall provide for the contents of both the employee information packet and the employer information packet.

(c) The employee information packet shall include a disclosure form. The disclosure form shall explain, but not be limited to, all of the following:

   (1) the benefits and risks associated with making contributions to the Program;
   (2) the mechanics of how to make contributions to the Program;
   (3) how to opt out of the Program;
   (4) how to participate in the Program with a level of employee contributions other than 3%;
   (5) the process for withdrawal of retirement savings;
   (6) how to obtain additional information about the Program;
   (7) that employees seeking financial advice should contact financial advisors, that participating employers are not in a position to provide financial advice, and that participating employers are not liable for decisions employees make pursuant to this Act;
   (8) that the Program is not an employer-sponsored retirement plan; and
   (9) that the Program Fund is not guaranteed by the State.

(d) The employee information packet shall also include a form for an employee to note his or her decision to opt out of participation in the Program or elect to participate with a level of employee contributions other than 3%.

(e) Participating employers shall supply the employee information packet to employees upon launch of the Program. Participating employers shall supply the employee information packet to new employees at the time of hiring, and new employees may opt out of participation in the Program or elect to participate with a level of employee contributions other than 3% at that time.
Section 60. Program implementation and enrollment. Except as otherwise provided in Section 93 of this Act, the Program shall be implemented, and enrollment of employees shall begin, within 24 months after the effective date of this Act. The provisions of this Section shall be in force after the Board opens the Program for enrollment.

(a) Each employer shall establish a payroll deposit retirement savings arrangement to allow each employee to participate in the Program at most nine months after the Board opens the Program for enrollment.

(b) Employers shall automatically enroll in the Program each of their employees who has not opted out of participation in the Program using the form described in subsection (c) of Section 55 of this Act and shall provide payroll deduction retirement savings arrangements for such employees and deposit, on behalf of such employees, these funds into the Program. Small employers may, but are not required to, provide payroll deduction retirement savings arrangements for each employee who elects to participate in the Program.

(c) Enrollees shall have the ability to select a contribution level into the Fund. This level may be expressed as a percentage of wages or as a dollar amount up to the deductible amount for the enrollee's taxable year under Section 219(b)(1)(A) of the Internal Revenue Code. Enrollees may change their contribution level at any time, subject to rules promulgated by the Board. If an enrollee fails to select a contribution level using the form described in subsection (c) of Section 55 of this Act, then he or she shall contribute 3% of his or her wages to the Program, provided that such contributions shall not cause the enrollee's total contributions to IRAs for the year to exceed the deductible amount for the enrollee's taxable year under Section 219(b)(1)(A) of the Internal Revenue Code.

(d) Enrollees may select an investment option from the permitted investment options listed in Section 45 of this Act. Enrollees may change their investment option at any time, subject to rules promulgated by the Board. In the event that an enrollee fails to select an investment option, that enrollee shall be placed in the investment option selected by the Board as the default under subsection (c) of Section 45 of this Act. If the Board has not selected a default investment option under subsection (c) of Section 45 of this Act, then an enrollee who fails to select an investment option shall be placed in the life-cycle fund investment option.

(e) Following initial implementation of the Program pursuant to this Section, at least once every year, participating employers shall
designate an open enrollment period during which employees who previously opted out of the Program may enroll in the Program.

(f) An employee who opts out of the Program who subsequently wants to participate through the participating employer's payroll deposit retirement savings arrangement may only enroll during the participating employer's designated open enrollment period or if permitted by the participating employer at an earlier time.

(g) Employers shall retain the option at all times to set up any type of employer-sponsored retirement plan, such as a defined benefit plan or a 401(k), Simplified Employee Pension (SEP) plan, or Savings Incentive Match Plan for Employees (SIMPLE) plan, or to offer an automatic enrollment payroll deduction IRA, instead of having a payroll deposit retirement savings arrangement to allow employee participation in the Program.

(h) An employee may terminate his or her participation in the Program at any time in a manner prescribed by the Board.

(i) The Board shall establish and maintain an Internet website designed to assist employers in identifying private sector providers of retirement arrangements that can be set up by the employer rather than allowing employee participation in the Program under this Act; however, the Board shall only establish and maintain an Internet website under this subsection if there is sufficient interest in such an Internet website by private sector providers and if the private sector providers furnish the funding necessary to establish and maintain the Internet website. The Board must provide public notice of the availability of and the process for inclusion on the Internet website before it becomes publicly available. This Internet website must be available to the public before the Board opens the Program for enrollment, and the Internet website address must be included on any Internet website posting or other materials regarding the Program offered to the public by the Board.

Section 65. Payments. Employee contributions deducted by the participating employer through payroll deduction shall be paid by the participating employer to the Fund using one or more payroll deposit retirement savings arrangements established by the Board under subsection (h) of Section 30 of this Act, either:

(1) on or before the last day of the month following the month in which the compensation otherwise would have been payable to the employee in cash; or

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(2) before such later deadline prescribed by the Board for making such payments, but not later than the due date for the deposit of tax required to be deducted and withheld relating to collection of income tax at source on wages or for the deposit of tax required to be paid under the unemployment insurance system for the payroll period to which such payments relate.

Section 70. Duty and liability of the State.
(a) The State shall have no duty or liability to any party for the payment of any retirement savings benefits accrued by any individual under the Program. Any financial liability for the payment of retirement savings benefits in excess of funds available under the Program shall be borne solely by the entities with whom the Board contracts to provide insurance to protect the value of the Program.

(b) No State board, commission, or agency, or any officer, employee, or member thereof is liable for any loss or deficiency resulting from particular investments selected under this Act, except for any liability that arises out of a breach of fiduciary duty under Section 25 of this Act.

Section 75. Duty and liability of participating employers.
(a) Participating employers shall not have any liability for an employee's decision to participate in, or opt out of, the Program or for the investment decisions of the Board or of any enrollee.

(b) A participating employer shall not be a fiduciary, or considered to be a fiduciary, over the Program. A participating employer shall not bear responsibility for the administration, investment, or investment performance of the Program. A participating employer shall not be liable with regard to investment returns, Program design, and benefits paid to Program participants.

Section 80. Audit and reports.
(a) The Board shall annually submit:

(1) an audited financial report, prepared in accordance with generally accepted accounting principles, on the operations of the Program during each calendar year by July 1 of the following year to the Governor, the Comptroller, the State Treasurer, and the General Assembly; and

(2) a report prepared by the Board, which shall include, but is not limited to, a summary of the benefits provided by the Program, including the number of enrollees in the Program, the percentage and amounts of investment options and rates of return,
and such other information that is relevant to make a full, fair, and
effective disclosure of the operations of the Program and the Fund.
The annual audit shall be made by an independent certified public
accountant and shall include, but is not limited to, direct and indirect costs
attributable to the use of outside consultants, independent contractors, and
any other persons who are not State employees for the administration of
the Program.

(b) In addition to any other statements or reports required by law,
the Board shall provide periodic reports at least annually to participating
employers, reporting the names of each enrollee employed by the
participating employer and the amounts of contributions made by the
participating employer on behalf of each employee during the reporting
period, as well as to enrollees, reporting contributions and investment
income allocated to, withdrawals from, and balances in their Program
accounts for the reporting period. Such reports may include any other
information regarding the Program as the Board may determine.

Section 85. Penalties.

(a) An employer who fails without reasonable cause to enroll an
employee in the Program within the time prescribed under Section 60 of
this Act shall be subject to a penalty equal to:

(1) $250 for each employee for each calendar year or
portion of a calendar year during which the employee neither was
enrolled in the Program nor had elected out of participation in the
Program; or

(2) for each calendar year beginning after the date a penalty
has been assessed with respect to an employee, $500 for any
portion of that calendar year during which such employee
continues to be unenrolled without electing out of participation in
the Program.

(b) After determining that an employer is subject to penalty under
this Section for a calendar year, the Department shall issue a notice of
proposed assessment to such employer, stating the number of employees
for which the penalty is proposed under item (1) of subsection (a) of this
Section and the number of employees for which the penalty is proposed
under item (2) of subsection (a) of this Section for such calendar year, and
the total amount of penalties proposed.

Upon the expiration of 90 days after the date on which a notice of
proposed assessment was issued, the penalties specified therein shall be

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deemed assessed, unless the employer had filed a protest with the Department under subsection (c) of this Section.

If, within 90 days after the date on which it was issued, a protest of a notice of proposed assessment is filed under subsection (c) of this Section, the penalties specified therein shall be deemed assessed upon the date when the decision of the Department with respect to the protest becomes final.

(c) A written protest against the proposed assessment shall be filed with the Department in such form as the Department may by rule prescribe, setting forth the grounds on which such protest is based. If such a protest is filed within 90 days after the date the notice of proposed assessment is issued, the Department shall reconsider the proposed assessment and shall grant the employer a hearing. As soon as practicable after such reconsideration and hearing, the Department shall issue a notice of decision to the employer, setting forth the Department's findings of fact and the basis of decision. The decision of the Department shall become final:

(1) if no action for review of the decision is commenced under the Administrative Review Law, on the date on which the time for commencement of such review has expired; or

(2) if a timely action for review of the decision is commenced under the Administrative Review Law, on the date all proceedings in court for the review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

(d) As soon as practicable after the penalties specified in a notice of proposed assessment are deemed assessed, the Department shall give notice to the employer liable for any unpaid portion of such assessment, stating the amount due and demanding payment. If an employer neglects or refuses to pay the entire liability shown on the notice and demand within 10 days after the notice and demand is issued, the unpaid amount of the liability shall be a lien in favor of the State of Illinois upon all property and rights to property, whether real or personal, belonging to the employer, and the provisions in the Illinois Income Tax Act regarding liens, levies and collection actions with regard to assessed and unpaid liabilities under that Act, including the periods for taking any action, shall apply.

(e) An employer who has overpaid a penalty assessed under this Section may file a claim for refund with the Department. A claim shall be in writing in such form as the Department may by rule prescribe and shall

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state the specific grounds upon which it is founded. As soon as practicable after a claim for refund is filed, the Department shall examine it and either issue a refund or issue a notice of denial. If such a protest is filed, the Department shall reconsider the denial and grant the employer a hearing. As soon as practicable after such reconsideration and hearing, the Department shall issue a notice of decision to the employer. The notice shall set forth briefly the Department's findings of fact and the basis of decision in each case decided in whole or in part adversely to the employer. A denial of a claim for refund becomes final 90 days after the date of issuance of the notice of the denial except for such amounts denied as to which the employer has filed a protest with the Department. If a protest has been timely filed, the decision of the Department shall become final:

(1) if no action for review of the decision is commenced under the Administrative Review Law, on the date on which the time for commencement of such review has expired; or
(2) if a timely action for review of the decision is commenced under the Administrative Review Law, on the date all proceedings in court for the review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

(f) No notice of proposed assessment may be issued with respect to a calendar year after June 30 of the fourth subsequent calendar year. No claim for refund may be filed more than 1 year after the date of payment of the amount to be refunded.

(g) The provisions of the Administrative Review Law and the rules adopted pursuant to it shall apply to and govern all proceedings for the judicial review of final decisions of the Department in response to a protest filed by the employer under subsections (c) and (e) of this Section. Final decisions of the Department shall constitute "administrative decisions" as defined in Section 3-101 of the Code of Civil Procedure.

(h) Whenever notice is required by this Section, it may be given or issued by mailing it by first-class mail addressed to the person concerned at his or her last known address.

(i) All books and records and other papers and documents relevant to the determination of any penalty due under this Section shall, at all times during business hours of the day, be subject to inspection by the Department or its duly authorized agents and employees.

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(j) The Department may require employers to report information relevant to their compliance with this Act on returns otherwise due from the employers under Section 704A of the Illinois Income Tax Act and failure to provide the requested information on a return shall cause such return to be treated as unprocessable.

(k) For purposes of any provision of State law allowing the Department or any other agency of this State to offset an amount owed to a taxpayer against a tax liability of that taxpayer or allowing the Department to offset an overpayment of tax against any liability owed to the State, a penalty assessed under this Section shall be deemed to be a tax liability of the employer and any refund due to an employer shall be deemed to be an overpayment of tax of the employer.

(l) Except as provided in this subsection, all information received by the Department from returns filed by an employer or from any investigation conducted under the provisions of this Act shall be confidential, except for official purposes within the Department or pursuant to official procedures for collection of penalties assessed under this Act. Nothing contained in this subsection shall prevent the Director from publishing or making available to the public reasonable statistics concerning the operation of this Act wherein the contents of returns are grouped into aggregates in such a way that the specific information of any employer shall not be disclosed. Nothing contained in this subsection shall prevent the Director from divulging information to an authorized representative of the employer or to any person pursuant to a request or authorization made by the employer or by an authorized representative of the employer.

(m) Civil penalties collected under this Act and fees collected pursuant to subsection (n) of this Section shall be deposited into the Tax Compliance and Administration Fund. The Department may, subject to appropriation, use moneys in the fund to cover expenses it incurs in the performance of its duties under this Act. Interest attributable to moneys in the Tax Compliance and Administration Fund shall be credited to the Tax Compliance and Administration Fund.

(n) The Department may charge the Board a reasonable fee for its costs in performing its duties under this Section to the extent that such costs have not been recovered from penalties imposed under this Section.

(o) This Section shall become operative 9 months after the Board notifies the Director that the Program has been implemented. Upon receipt of such notification from the Board, the Department shall immediately

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post on its Internet website a notice stating that this Section is operative and the date that it is first operative. This notice shall include a statement that rather than enrolling employees in the Program under this Act, employers may sponsor an alternative arrangement, including, but not limited to, a defined benefit plan, 401(k) plan, a Simplified Employee Pension (SEP) plan, a Savings Incentive Match Plan for Employees (SIMPLE) plan, or an automatic payroll deduction IRA offered through a private provider. The Board shall provide a link to the vendor Internet website described in subsection (i) of Section 60 of this Act.

Section 90. Rules. The Board and the Department shall adopt, in accordance with the Illinois Administrative Procedure Act, any rules that may be necessary to implement this Act.

Section 93. Delayed implementation. If the Board does not obtain adequate funds to implement the Program within the time frame set forth under Section 60 of this Act, the Board may delay the implementation of the Program.

Section 95. Federal considerations. The Board shall request in writing an opinion or ruling from the appropriate entity with jurisdiction over the federal Employee Retirement Income Security Act regarding the applicability of the federal Employee Retirement Income Security Act to the Program. The Board may not implement the Program if the IRA arrangements offered under the Program fail to qualify for the favorable federal income tax treatment ordinarily accorded to IRAs under the Internal Revenue Code or if it is determined that the Program is an employee benefit plan and State or employer liability is established under the federal Employee Retirement Income Security Act.

Section 500. The State Finance Act is amended by adding Section 5.855 as follows:

(30 ILCS 105/5.855 new)

Sec. 5.855. The Illinois Secure Choice Administrative Fund.

Passed in the General Assembly December 3, 2014.
Approved January 5, 2015.
Effective June 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning government.

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

Section 5. The Illinois Public Labor Relations Act is amended by changing Section 14 as follows:

(5 ILCS 315/14) (from Ch. 48, par. 1614)


(a) In the case of collective bargaining agreements involving units of security employees of a public employer, Peace Officer Units, or units of fire fighters or paramedics, and in the case of disputes under Section 18, unless the parties mutually agree to some other time limit, mediation shall commence 30 days prior to the expiration date of such agreement or at such later time as the mediation services chosen under subsection (b) of Section 12 can be provided to the parties. In the case of negotiations for an initial collective bargaining agreement, mediation shall commence upon 15 days notice from either party or at such later time as the mediation services chosen pursuant to subsection (b) of Section 12 can be provided to the parties. In mediation under this Section, if either party requests the use of mediation services from the Federal Mediation and Conciliation Service, the other party shall either join in such request or bear the additional cost of mediation services from another source. The mediator shall have a duty to keep the Board informed of the progress of the mediation. If any dispute has not been resolved within 15 days after the first meeting of the parties and the mediator, or within such other time limit as may be mutually agreed upon by the parties, either the exclusive representative or employer may request of the other, in writing, arbitration, and shall submit a copy of the request to the Board.

(b) Within 10 days after such a request for arbitration has been made, the employer shall choose a delegate and the employees' exclusive representative shall choose a delegate to a panel of arbitrators as provided in this Section. The employer and employees shall forthwith advise the other and the Board of their selections.

(c) Within 7 days after the request of either party, the parties shall request a panel of impartial arbitrators from which they shall select the neutral chairman according to the procedures provided in this Section. If

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the parties have agreed to a contract that contains a grievance resolution procedure as provided in Section 8, the chairman shall be selected using their agreed contract procedure unless they mutually agree to another procedure. If the parties fail to notify the Board of their selection of neutral chairman within 7 days after receipt of the list of impartial arbitrators, the Board shall appoint, at random, a neutral chairman from the list. In the absence of an agreed contract procedure for selecting an impartial arbitrator, either party may request a panel from the Board. Within 7 days of the request of either party, the Board shall select from the Public Employees Labor Mediation Roster 7 persons who are on the labor arbitration panels of either the American Arbitration Association or the Federal Mediation and Conciliation Service, or who are members of the National Academy of Arbitrators, as nominees for impartial arbitrator of the arbitration panel. The parties may select an individual on the list provided by the Board or any other individual mutually agreed upon by the parties. Within 7 days following the receipt of the list, the parties shall notify the Board of the person they have selected. Unless the parties agree on an alternate selection procedure, they shall alternatively strike one name from the list provided by the Board until only one name remains. A coin toss shall determine which party shall strike the first name. If the parties fail to notify the Board in a timely manner of their selection for neutral chairman, the Board shall appoint a neutral chairman from the Illinois Public Employees Mediation/Arbitration Roster.

(d) The chairman shall call a hearing to begin within 15 days and give reasonable notice of the time and place of the hearing. The hearing shall be held at the offices of the Board or at such other location as the Board deems appropriate. The chairman shall preside over the hearing and shall take testimony. Any oral or documentary evidence and other data deemed relevant by the arbitration panel may be received in evidence. The proceedings shall be informal. Technical rules of evidence shall not apply and the competency of the evidence shall not thereby be deemed impaired. A verbatim record of the proceedings shall be made and the arbitrator shall arrange for the necessary recording service. Transcripts may be ordered at the expense of the party ordering them, but the transcripts shall not be necessary for a decision by the arbitration panel. The expense of the proceedings, including a fee for the chairman, shall be borne equally by each of the parties to the dispute. The delegates, if public officers or employees, shall continue on the payroll of the public employer without loss of pay. The hearing conducted by the arbitration panel may be

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adjourned from time to time, but unless otherwise agreed by the parties, shall be concluded within 30 days of the time of its commencement. Majority actions and rulings shall constitute the actions and rulings of the arbitration panel. Arbitration proceedings under this Section shall not be interrupted or terminated by reason of any unfair labor practice charge filed by either party at any time.

(e) The arbitration panel may administer oaths, require the attendance of witnesses, and the production of such books, papers, contracts, agreements and documents as may be deemed by it material to a just determination of the issues in dispute, and for such purpose may issue subpoenas. If any person refuses to obey a subpoena, or refuses to be sworn or to testify, or if any witness, party or attorney is guilty of any contempt while in attendance at any hearing, the arbitration panel may, or the attorney general if requested shall, invoke the aid of any circuit court within the jurisdiction in which the hearing is being held, which court shall issue an appropriate order. Any failure to obey the order may be punished by the court as contempt.

(f) At any time before the rendering of an award, the chairman of the arbitration panel, if he is of the opinion that it would be useful or beneficial to do so, may remand the dispute to the parties for further collective bargaining for a period not to exceed 2 weeks. If the dispute is remanded for further collective bargaining the time provisions of this Act shall be extended for a time period equal to that of the remand. The chairman of the panel of arbitration shall notify the Board of the remand.

(g) At or before the conclusion of the hearing held pursuant to subsection (d), the arbitration panel shall identify the economic issues in dispute, and direct each of the parties to submit, within such time limit as the panel shall prescribe, to the arbitration panel and to each other its last offer of settlement on each economic issue. The determination of the arbitration panel as to the issues in dispute and as to which of these issues are economic shall be conclusive. The arbitration panel, within 30 days after the conclusion of the hearing, or such further additional periods to which the parties may agree, shall make written findings of fact and promulgate a written opinion and shall mail or otherwise deliver a true copy thereof to the parties and their representatives and to the Board. As to each economic issue, the arbitration panel shall adopt the last offer of settlement which, in the opinion of the arbitration panel, more nearly complies with the applicable factors prescribed in subsection (h). The
findings, opinions and order as to all other issues shall be based upon the applicable factors prescribed in subsection (h).

(h) Where there is no agreement between the parties, or where there is an agreement but the parties have begun negotiations or discussions looking to a new agreement or amendment of the existing agreement, and wage rates or other conditions of employment under the proposed new or amended agreement are in dispute, the arbitration panel shall base its findings, opinions and order upon the following factors, as applicable:

(1) The lawful authority of the employer.
(2) Stipulations of the parties.
(3) The interests and welfare of the public and the financial ability of the unit of government to meet those costs.
(4) Comparison of the wages, hours and conditions of employment of the employees involved in the arbitration proceeding with the wages, hours and conditions of employment of other employees performing similar services and with other employees generally:
   (A) In public employment in comparable communities.
   (B) In private employment in comparable communities.
(5) The average consumer prices for goods and services, commonly known as the cost of living.
(6) The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays and other excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment and all other benefits received.
(7) Changes in any of the foregoing circumstances during the pendency of the arbitration proceedings.
(8) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of wages, hours and conditions of employment through voluntary collective bargaining, mediation, fact-finding, arbitration or otherwise between the parties, in the public service or in private employment.

(i) In the case of peace officers, the arbitration decision shall be limited to wages, hours, and conditions of employment (which may

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include residency requirements in municipalities with a population under 1,000,000, but those residency requirements shall not allow residency outside of Illinois) and shall not include the following: i) residency requirements in municipalities with a population of at least 1,000,000; ii) the type of equipment, other than uniforms, issued or used; iii) manning; iv) the total number of employees employed by the department; v) mutual aid and assistance agreements to other units of government; and vi) the criterion pursuant to which force, including deadly force, can be used; provided, nothing herein shall preclude an arbitration decision regarding equipment or manning levels if such decision is based on a finding that the equipment or manning considerations in a specific work assignment involve a serious risk to the safety of a peace officer beyond that which is inherent in the normal performance of police duties. Limitation of the terms of the arbitration decision pursuant to this subsection shall not be construed to limit the factors upon which the decision may be based, as set forth in subsection (h).

In the case of fire fighter, and fire department or fire district paramedic matters, the arbitration decision shall be limited to wages, hours, and conditions of employment (including manning and also including which may include) residency requirements in municipalities with a population under 1,000,000, but those residency requirements shall not allow residency outside of Illinois) and shall not include the following matters: i) residency requirements in municipalities with a population of at least 1,000,000; ii) the type of equipment (other than uniforms and fire fighter turnout gear) issued or used; iii) the total number of employees employed by the department; iv) mutual aid and assistance agreements to other units of government; and v) the criterion pursuant to which force, including deadly force, can be used; provided, however, nothing herein shall preclude an arbitration decision regarding equipment levels if such decision is based on a finding that the equipment considerations in a specific work assignment involve a serious risk to the safety of a fire fighter beyond that which is inherent in the normal performance of fire fighter duties. Limitation of the terms of the arbitration decision pursuant to this subsection shall not be construed to limit the facts upon which the decision may be based, as set forth in subsection (h).

The changes to this subsection (i) made by Public Act 90-385 (relating to residency requirements) do not apply to persons who are employed by a combined department that performs both police and firefighting services; these persons shall be governed by the provisions of
this subsection (i) relating to peace officers, as they existed before the amendment by Public Act 90-385.

To preserve historical bargaining rights, this subsection shall not apply to any provision of a fire fighter collective bargaining agreement in effect and applicable on the effective date of this Act; provided, however, nothing herein shall preclude arbitration with respect to any such provision.

(j) Arbitration procedures shall be deemed to be initiated by the filing of a letter requesting mediation as required under subsection (a) of this Section. The commencement of a new municipal fiscal year after the initiation of arbitration procedures under this Act, but before the arbitration decision, or its enforcement, shall not be deemed to render a dispute moot, or to otherwise impair the jurisdiction or authority of the arbitration panel or its decision. Increases in rates of compensation awarded by the arbitration panel may be effective only at the start of the fiscal year next commencing after the date of the arbitration award. If a new fiscal year has commenced either since the initiation of arbitration procedures under this Act or since any mutually agreed extension of the statutorily required period of mediation under this Act by the parties to the labor dispute causing a delay in the initiation of arbitration, the foregoing limitations shall be inapplicable, and such awarded increases may be retroactive to the commencement of the fiscal year, any other statute or charter provisions to the contrary, notwithstanding. At any time the parties, by stipulation, may amend or modify an award of arbitration.

(k) Orders of the arbitration panel shall be reviewable, upon appropriate petition by either the public employer or the exclusive bargaining representative, by the circuit court for the county in which the dispute arose or in which a majority of the affected employees reside, but only for reasons that the arbitration panel was without or exceeded its statutory authority; the order is arbitrary, or capricious; or the order was procured by fraud, collusion or other similar and unlawful means. Such petitions for review must be filed with the appropriate circuit court within 90 days following the issuance of the arbitration order. The pendency of such proceeding for review shall not automatically stay the order of the arbitration panel. The party against whom the final decision of any such court shall be adverse, if such court finds such appeal or petition to be frivolous, shall pay reasonable attorneys' fees and costs to the successful party as determined by said court in its discretion. If said court's decision
affirms the award of money, such award, if retroactive, shall bear interest at the rate of 12 percent per annum from the effective retroactive date.

(l) During the pendency of proceedings before the arbitration panel, existing wages, hours, and other conditions of employment shall not be changed by action of either party without the consent of the other but a party may so consent without prejudice to his rights or position under this Act. The proceedings are deemed to be pending before the arbitration panel upon the initiation of arbitration procedures under this Act.

(m) Security officers of public employers, and Peace Officers, Fire Fighters and fire department and fire protection district paramedics, covered by this Section may not withhold services, nor may public employers lock out or prevent such employees from performing services at any time.

(n) All of the terms decided upon by the arbitration panel shall be included in an agreement to be submitted to the public employer's governing body for ratification and adoption by law, ordinance or the equivalent appropriate means.

The governing body shall review each term decided by the arbitration panel. If the governing body fails to reject one or more terms of the arbitration panel's decision by a 3/5 vote of those duly elected and qualified members of the governing body, within 20 days of issuance, or in the case of firefighters employed by a state university, at the next regularly scheduled meeting of the governing body after issuance, such term or terms shall become a part of the collective bargaining agreement of the parties. If the governing body affirmatively rejects one or more terms of the arbitration panel's decision, it must provide reasons for such rejection with respect to each term so rejected, within 20 days of such rejection and the parties shall return to the arbitration panel for further proceedings and issuance of a supplemental decision with respect to the rejected terms. Any supplemental decision by an arbitration panel or other decision maker agreed to by the parties shall be submitted to the governing body for ratification and adoption in accordance with the procedures and voting requirements set forth in this Section. The voting requirements of this subsection shall apply to all disputes submitted to arbitration pursuant to this Section notwithstanding any contrary voting requirements contained in any existing collective bargaining agreement between the parties.

(o) If the governing body of the employer votes to reject the panel's decision, the parties shall return to the panel within 30 days from the issuance of the reasons for rejection for further proceedings and issuance

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of a supplemental decision. All reasonable costs of such supplemental proceeding including the exclusive representative's reasonable attorney's fees, as established by the Board, shall be paid by the employer.

(p) Notwithstanding the provisions of this Section the employer and exclusive representative may agree to submit unresolved disputes concerning wages, hours, terms and conditions of employment to an alternative form of impasse resolution.
(Source: P.A. 98-535, eff. 1-1-14.)

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

Approved January 7, 2015.
Effective January 7, 2015.

PUBLIC ACT 98-1152
(House Bill No. 1022)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Task Force on Sustainable Transportation Funding Act.

Section 5. Task Force on Sustainable Transportation Funding. There is created the Task Force on Sustainable Transportation Funding, to be comprised of the following members, with an emphasis on bipartisan and statewide legislative representation and diverse non-legislative stakeholder representation:

(1) one member of the Illinois House of Representatives and 2 members of the public who represent the transportation industry, the Illinois transportation research community, or national research and policy-making bodies appointed by the Speaker of the House of Representatives;

(2) one member of the Illinois Senate and 2 members of the public who represent the transportation industry, the Illinois transportation research community, or national research and policy-making bodies appointed by the President of the Senate;

(3) one member of the Illinois House of Representatives and 2 members of the public who represent the transportation industry, the Illinois transportation research community, or national

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Section 10. Membership; voting rights.

(a) The Task Force shall serve without compensation.

(b) The members of the Task Force shall be considered members with voting rights. A quorum of the Task Force shall consist of a simple majority of the members of the Task Force. All actions and recommendations of the Task Force must be approved by a simple majority vote of the members.

(c) The Task Force shall meet within 60 days after the effective date of this Act. The Task Force shall elect one member as chairperson at its initial meeting through a simple majority vote of the Task Force and shall thereafter meet at the call of the chairperson.

(d) The Illinois Department of Transportation shall provide administrative and other support to the Task Force.

Section 15. Duties; report.

(a) The Task Force shall:

(1) analyze the current trends between the infrastructure needs of Illinois and the revenue received from federal and State gas taxes and the level of highway and road investment that would reduce congestion, keep Illinois' economy competitive, and keep drivers safe;

(2) research and recommend possible alterations and alternatives for how to modernize the State of Illinois' system of financing maintenance, improvements, and expansion of its public infrastructure systems, including, but not limited to, best practices in other states, user-based alternatives, or other equitable and sustainable methods for funding transportation;

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(3) make recommendations to the Department of Transportation regarding how to implement possible alterations or alternatives; and

(4) submit a report of its findings and recommendations to the General Assembly by June 1, 2015.

Section 30. Repealer. This Act is repealed on January 1, 2016.

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

Passed in the General Assembly December 3, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1153
(House Bill No. 4530)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project was adopted.

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area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;

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(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;
(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
(12) if the ordinance was adopted in September 1988 by Sauk Village;
(13) if the ordinance was adopted in October 1993 by Sauk Village;
(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
(15) if the ordinance was adopted in March 1991 by the City of Centreville;
(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;

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(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;

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(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;

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(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;

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(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;

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(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District;
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District;
(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio;
(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville; or
(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown;
(110) if the ordinance was adopted on April 28, 2003 by Gibson City;
(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance;
(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey; and/or
(113) if the ordinance was adopted on January 11, 1991 by the City of Chicago to create the Read/Dunning TIF District;
(114) if the ordinance was adopted on July 24, 1991 by the City of Chicago to create the Sanitary and Ship Canal TIF District; or

(115) if the ordinance was adopted on December 4, 2007 by the City of Naperville;

(116) if the ordinance was adopted on July 1, 2002 by the Village of Arlington Heights;

(117) if the ordinance was adopted on February 11, 1991 by the Village of Machesney Park;

(118) if the ordinance was adopted on December 29, 1993 by the City of Ottawa;

(119) if the ordinance was adopted on February 10, 2004 by the Village of Fox Lake;

(120) if the ordinance was adopted on December 22, 1992 by the City of Fairfield; or

(121) if the ordinance was adopted on February 10, 1992 by the City of Mt. Sterling.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

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(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff. 12-27-13; 98-667, eff. 6-25-14; 98-889, eff. 8-15-14; 98-893, eff. 8-15-14; 98-1064, eff. 8-26-14; revised 9-10-14.)

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

Passed in the General Assembly December 3, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1154
(House Bill No. 4899)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Director of the Department of Natural Resources, on behalf of the State of Illinois, is authorized to execute and deliver to Sangamon County, an Illinois unit of local government, State of Illinois,

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for and in consideration of $1 paid to the Department, a quit claim deed to
the following described real property:

All that portion of the right of way and appurtenances of the
abandoned portion of the Madison Subdivision of Union Pacific
Railroad Company (formerly the Chicago and North Western
Transportation Company), now known as the Sangamon Valley
Trail Bikeway, described as Beginning at the North line of
Township 12 North, Range 6 West of the Third Principal Meridian,
and thence running in a northerly direction along the centerline of
said abandoned railroad to the North line of Section 19, Township
17 North, Range 5 West of the Third Principal Meridian, and also
that portion of the said abandoned railroad within the County of
Sangamon in Sections 6 and 7, Township 17 North, Range 5 West
of the Third Principal Meridian and Section 31, Township 18
North, Range 5 West of the Third Principal Meridian as measured
along said centerline of said abandoned railroad as originally
surveyed, all being situated in the County of Sangamon and the
State of Illinois. EXCEPTING THEREFROM: All that portion of
the right of way and appurtenances of the abandoned portion of the
Madison Subdivision of Union Pacific Railroad Company
(formerly the Chicago and North Western Transportation
Company), now known as the Sangamon Valley Trail Bikeway,
described as Beginning at the South line of Section 10, Township
15 North, Range 6 West of the Third Principal Meridian, and
thence running in a northerly direction along the centerline of said
abandoned railroad to a line being parallel to and 200 feet North of
the North line of the Southwest Quarter of Section 19, Township
16 North, Range 5 West of the Third Principal Meridian, as
measured along said centerline of said abandoned railroad as
originally surveyed, all being situated in the County of Sangamon
and the State of Illinois.

Section 10. The conveyance of real property authorized by Section
5 shall be made subject to: (1) existing public utilities, existing public
roads, and any and all reservations, easements, encumbrances, covenants
and restrictions of record; and (2) the express condition that if the real
property ceases to be used for public purposes, it shall revert to the State of
Illinois, Department of Natural Resources.

Section 15. The Director of Natural Resources shall obtain a
certified copy of the portions of this Act containing the title, the enacting
clause, the effective date, the appropriate Section or Sections containing
the land descriptions of the property to be conveyed, and this Section
within 60 days after its effective date and, upon receipt of the payment
required by the Section or Sections, if any payment is required, shall
record the certified document in the Recorder's Office in the County in
which the land is located.

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

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1155
(AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The School Code is amended by changing Sections 2-
3.25d, 2-3.25f, 2-3.25g, 2-3.25h, and 10-10 and by adding Sections 2-
3.25e-5 and 2-3.25f-5 as follows:
(105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)
Sec. 2-3.25d. Academic early warning and watch status.
(a) Beginning with the 2005-2006 school year, unless the federal
government formally disapproves of such policy through the submission
and review process for the Illinois Accountability Workbook, those
schools that do not meet adequate yearly progress criteria for 2 consecutive
annual calculations in the same subject or in their participation rate,
attendance rate, or graduation rate shall be placed on academic early
warning status for the next school year. Schools on academic early
warning status that do not meet adequate yearly progress criteria for a third
annual calculation in the same subject or in their participation rate,
attendance rate, or graduation rate shall remain on academic early
warning status. Schools on academic early warning status that do not meet adequate
yearly progress criteria for a fourth annual calculation in the same subject
or in their participation rate, attendance rate, or graduation rate shall be
placed on initial academic watch status. Schools on academic watch status
that do not meet adequate yearly progress criteria for a fifth or subsequent
annual calculation in the same subject or in their participation rate,

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attendance rate, or graduation rate shall remain on academic watch status. Schools on academic early warning or academic watch status that meet adequate yearly progress criteria for 2 consecutive calculations shall be considered as having met expectations and shall be removed from any status designation.

The school district of a school placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

A school district that has one or more schools on academic early warning or academic watch status shall prepare a revised School Improvement Plan or amendments thereto setting forth the district's expectations for removing each school from academic early warning or academic watch status and for improving student performance in the affected school or schools. Districts operating under Article 34 of this Code may prepare the School Improvement Plan required under Section 34-2.4 of this Code.

The revised School Improvement Plan for a school that is initially placed on academic early warning status or that remains on academic early warning status after a third annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that is initially placed on academic watch status after a fourth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that remains on academic watch status after a fifth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code). In addition, the district must develop a school restructuring plan for the school that must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code).

A school on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved school restructuring plan beginning with the next school year,

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subject to the State interventions specified in Sections 2-3.25f and 2-3.25f-5 of this Code.

(b) Beginning with the 2005-2006 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those school districts that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on academic early warning status for the next school year. Districts on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic early warning status. Districts on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on initial academic watch status. Districts on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic watch status. Districts on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be considered as having met expectations and shall be removed from any status designation.

A district placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

Districts on academic early warning or academic watch status shall prepare a District Improvement Plan or amendments thereto setting forth the district's expectations for removing the district from academic early warning or academic watch status and for improving student performance in the district.

All District Improvement Plans must be approved by the school board.

(c) All revised School and District Improvement Plans shall be developed in collaboration with parents, staff in the affected school or school district, and outside experts. All revised School and District Improvement Plans shall be developed, submitted, and monitored pursuant to rules adopted by the State Board of Education. The revised Improvement Plan shall address measurable outcomes for improving

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student performance so that such performance meets adequate yearly progress criteria as specified by the State Board of Education. All school districts required to revise a School Improvement Plan in accordance with this Section shall establish a peer review process for the evaluation of School Improvement Plans.

(d) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

(e) The State Board of Education, from any moneys it may have available for this purpose, must implement and administer a grant program that provides 2-year grants to school districts on the academic watch list and other school districts that have the lowest achieving students, as determined by the State Board of Education, to be used to improve student achievement. In order to receive a grant under this program, a school district must establish an accountability program. The accountability program must involve the use of statewide testing standards and local evaluation measures. A grant shall be automatically renewed when achievement goals are met. The Board may adopt any rules necessary to implement and administer this grant program.

(Source: P.A. 96-734, eff. 8-25-09.)

(105 ILCS 5/2-3.25e-5 new)

Sec. 2-3.25e-5. Two years on academic watch status; full-year school plan.

(a) In this Section, "school" means any of the following named public schools or their successor name:

(1) Dirksen Middle School in Dolton School District 149.
(2) Diekman Elementary School in Dolton School District 149.
(3) Caroline Sibley Elementary School in Dolton School District 149.
(4) Berger-Vandenberg Elementary School in Dolton School District 149.
(5) Carol Moseley Braun School in Dolton School District 149.
(6) New Beginnings Learning Academy in Dolton School District 149.
(7) McKinley Junior High School in South Holland School District 150.

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(8) Greenwood Elementary School in South Holland School District 150.
(9) McKinley Elementary School in South Holland School District 150.
(10) Eisenhower School in South Holland School District 151.
(11) Madison School in South Holland School District 151.
(12) Taft School in South Holland School District 151.
(14) Memorial Junior High School in Lansing School District 158.
(15) Oak Glen Elementary School in Lansing School District 158.
(16) Lester Crawl Primary Center in Lansing School District 158.
(17) Brookwood Junior High School in Brookwood School District 167.
(18) Brookwood Middle School in Brookwood School District 167.
(20) Medgar Evers Primary Academic Center in Ford Heights School District 169.
(22) Ira F. Aldridge Elementary School in City of Chicago School District 299.

(b) If, after 2 years following its placement on academic watch status, a school remains on academic watch status, then, subject to federal appropriation money being available, the State Board of Education shall allow the school board to opt into the process of operating that school on a pilot, full-year school plan, approved by the State Board of Education, upon expiration of its teachers' current collective bargaining agreement until the expiration of the next collective bargaining agreement. A school board must notify the State Board of Education of its intent to opt into the process of operating a school on a pilot, full-year school plan.

(105 ILCS 5/2-3.25f) (from Ch. 122, par. 2-3.25f)

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Sec. 2-3.25f. State interventions.

(a) The State Board of Education shall provide technical assistance to assist with the development and implementation of School and District Improvement Plans.

Schools or school districts that fail to make reasonable efforts to implement an approved Improvement Plan may suffer loss of State funds by school district, attendance center, or program as the State Board of Education deems appropriate.

(a-5) (Blank). In this subsection (a-5), "school" means any of the following named public schools or their successor name:

1. Dirksen Middle School in Dolton School District 149.
2. Dickman Elementary School in Dolton School District 149.
3. Caroline Sibley Elementary School in Dolton School District 149.
5. Carol Moseley Braun School in Dolton School District 149.
7. McKinley Junior High School in South Holland School District 150.
15. Oak Glen Elementary School in Lansing School District 158.
16. Lester Crawl Primary Center in Lansing School District 158.

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(17) Brookwood Junior High School in Brookwood School District 167.
(18) Brookwood Middle School in Brookwood School District 167.
(20) Medgar Evers Primary Academic Center in Ford Heights School District 169.
(22) Ira F. Aldridge Elementary School in City of Chicago School District 299.

If, after 2 years following its placement on academic watch status, a school remains on academic watch status, then, subject to federal appropriation money being available, the State Board of Education shall allow the school board to opt in the process of operating that school on a pilot full-year school plan approved by the State Board of Education upon expiration of its teachers' current collective bargaining agreement until the expiration of the next collective bargaining agreement. A school board must notify the State Board of Education of its intent to opt in the process of operating a school on a pilot full-year school plan.

(b) If, in addition, if after 3 years following its placement on academic watch status a school district or school remains on academic watch status, the State Board of Education shall take one of the following actions for the district or school: (1) The State Board of Education may authorize the State Superintendent of Education to direct the regional superintendent of schools to remove school board members pursuant to Section 3-14.28 of this Code. Prior to such direction the State Board of Education shall permit members of the local board of education to present written and oral comments to the State Board of Education. The State Board of Education may direct the State Superintendent of Education to appoint an Independent Authority that shall exercise such powers and duties as may be necessary to operate a school or school district for purposes of improving pupil performance and school improvement. The State Superintendent of Education shall designate one member of the Independent Authority to serve as chairman. The Independent Authority shall serve for a period of time specified by the State Board of Education.

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upon the recommendation of the State Superintendent of Education. (2) The State Board of Education may (i) (A) change the recognition status of the school district or school to nonrecognized; or (ii) (B) authorize the State Superintendent of Education to direct the reassignment of pupils or direct the reassignment or replacement of school district personnel who are relevant to the failure to meet adequate yearly progress criteria. If a school district is nonrecognized in its entirety, it shall automatically be dissolved on July 1 following that nonrecognition and its territory realigned with another school district or districts by the regional board of school trustees in accordance with the procedures set forth in Section 7-11 of the School Code. The effective date of the nonrecognition of a school shall be July 1 following the nonrecognition.

(b-5) The State Board of Education shall also develop a system to provide assistance and resources to lower performing school districts. At a minimum, the State Board shall identify school districts to receive priority services, to be known as priority districts. In addition, the State Board may, by rule, develop other categories of low-performing schools and school districts to receive services.

Districts designated as priority districts shall be those that fall within one of the following categories:

(1) Have at least one school that is among the lowest performing 5% of schools in this State based on a 3-year average, with respect to the performance of the "all students" group for the percentage of students meeting or exceeding standards in reading and mathematics combined, and demonstrate a lack of progress as defined by the State Board of Education.

(2) Have at least one secondary school that has an average graduation rate of less than 60% over the last 3 school years.

(3) Have at least one school receiving a school improvement grant under Section 1003(g) of the federal Elementary and Secondary Education Act of 1965.

The State Board of Education shall work with a priority district to perform a district needs assessment to determine the district's core functions that are areas of strength and weakness, unless the district is already undergoing a national accreditation process. The results from the district needs assessment shall be used by the district to identify goals and objectives for the district's improvement. The district needs assessment shall include a study of district functions, such as district finance,
governance, student engagement, instruction practices, climate, community involvement, and continuous improvement.

Based on the results of the district needs assessment, the State Board of Education shall work with the district to provide technical assistance and professional development, in partnership with the district, to implement a continuous improvement plan that would increase outcomes for students. The plan for continuous improvement shall be based on the results of the district needs assessment and shall be used to determine the types of services that are to be provided to each priority district. Potential services for a district may include monitoring adult and student practices, reviewing and reallocating district resources, developing a district leadership team, providing access to curricular content area specialists, and providing online resources and professional development.

The State Board of Education may require priority districts identified as having deficiencies in one or more core functions of the district needs assessment to undergo an accreditation process as provided in subsection (d) of Section 2-3.25f-5 of this Code.

(c) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

(Source: P.A. 97-370, eff. 1-1-12.)

(105 ILCS 5/2-3.25f-5 new)
Sec. 2-3.25f-5. Independent Authority.
(a) The General Assembly finds all of the following:

(1) A fundamental goal of the people of this State, as expressed in Section 1 of Article X of the Illinois Constitution, is the educational development of all persons to the limits of their capacities. When a school board faces governance difficulties, continued operation of the public school system is threatened.

(2) Sound school board governance, academic achievement, and sound financial structure are essential to the continued operation of any school system. It is vital to commercial, educational, and cultural interests that public schools remain in operation. To achieve that goal, public school systems must have effective leadership.

(3) To promote the sound operation of districts, as defined in this Section, it may be necessary to provide for the creation of independent authorities with the powers necessary to promote

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sound governance, sound academic planning, and sound financial management and to ensure the continued operation of the public schools.

(4) It is the purpose of this Section to provide for a sound basis for the continued operation of public schools. The intention of the General Assembly, in creating this Section, is to establish procedures, provide powers, and impose restrictions to ensure the educational integrity of public school districts.

(b) As used in this Section:
"Board" means a school board of a district.
"Chairperson" means the Chairperson of the Independent Authority.
"District" means any school district having a population of not more than 500,000.
"State Board" means the State Board of Education.
"State Superintendent" means the State Superintendent of Education.

(c) The State Board has the power to direct the State Superintendent to remove a board. Boards may be removed when the criteria provided for in subsection (d) of this Section are met. At no one time may the State Board remove more than 4 school boards and establish Independent Authorities pursuant to subsection (e) of this Section.

If the State Board proposes to direct the State Superintendent to remove a board from a district, board members shall receive individual written notice of the intended removal. Written notice must be provided at least 30 calendar days before a hearing is held by the State Board. This notice shall identify the basis for proposed removal.

Board members are entitled to a hearing, during which time each board member shall have the opportunity to respond individually, both orally and through written comments, to the basis laid out in the notice. Written comments must be submitted to the State Board on or before the hearing.

Board members are entitled to be represented by counsel at the hearing, but counsel must not be paid with district funds, unless the State Board decides that the board will not be removed and then the board members may be reimbursed for all reasonable attorney's fees by the district.

The State Board shall make a final decision on removal immediately following the hearing or at its next regularly scheduled or
special meeting. In no event may the decision be made later than the next regularly scheduled meeting.

The State Board shall issue a final written decision. If the State Board directs the State Superintendent to remove the board, the State Superintendent shall do so within 30 days after the written decision. Following the removal of the board, the State Superintendent shall establish an Independent Authority pursuant to subsection (e) of this Section.

If there is a financial oversight panel operating in the district pursuant to Article 1B or 1H of this Code, the State Board may, at its discretion, abolish the panel.

(d) The State Board may require priority districts, as defined in subsection (b-5) of Section 2-3.25f of this Code, to seek accreditation through an independent accreditation organization chosen by the State Board and paid for by the State. The State Board may direct the State Superintendent to remove board members pursuant to subsection (c) of this Section in any district in which the district is unable to obtain accreditation in whole or in part due to reasons specifically related to school board governance. When determining if a district has failed to meet the standards for accreditation specifically related to school board governance, the accreditation entity shall take into account the overall academic, fiscal, and operational condition of the district and consider whether the board has failed to protect district assets, to direct sound administrative and academic policy, to abide by basic governance principles, including those set forth in district policies, and to conduct itself with professionalism and care and in a legally, ethically, and financially responsible manner. When considering if a board has failed in these areas, the accreditation entity shall consider some or all of the following factors:

(1) Failure to protect district assets by, without limitation, incidents of fiscal fraud or misappropriation of district funds; acts of neglecting the district's building conditions; a failure to meet regularly scheduled, payroll-period obligations when due; a failure to abide by competitive bidding laws; a failure to prevent an audit finding of material internal control weaknesses; a failure to comply with required accounting principles; a failure to develop and implement a comprehensive, risk-management plan; a failure to provide financial information or cooperate with the State Superintendent; or a failure to file an annual financial report, an

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annual budget, a deficit reduction plan, or other financial information as required by law.

(2) Failure to direct sound administrative and academic policy by, without limitation, hiring staff who do not meet minimal certification requirements for the positions being filled or who do not meet the customary qualifications held by those occupying similar positions in other school districts; a failure to avoid conflicts of interest as it relates to hiring or other contractual obligations; a failure to provide minimum graduation requirements and curricular requirements of the School Code and regulations; a failure to provide a minimum school term as required by law; or a failure to adopt and implement policies and practices that promote conditions that support student learning, effective instruction, and assessment that produce equitable and challenging learning experiences for all students.

(3) Failure to abide by basic governance principles by, without limitation, a failure to comply with the mandated oath of office; a failure to adopt and abide by sound local governance policies; a failure to abide by the principle that official action by the board occurs only through a duly-called and legally conducted meeting of the board; a failure to abide by majority decisions of the board; a failure to protect the privacy of students; a failure to ensure that board decisions and actions are in accordance with defined roles and responsibilities; or a failure of the board to protect, support, and respect the autonomy of a system to accomplish goals for improvement in student learning and instruction and to manage day-to-day operations of the school system and its schools, including maintaining the distinction between the board's roles and responsibilities and those of administrative leadership.

(4) Failure to conduct itself in a legally, ethically, and financially responsible manner by, without limitation, a failure to act in accordance with the Constitution of the United States of America and the Constitution of the State of Illinois and within the scope of State and federal laws; laws, including a failure to comply with provisions of the School Code, the Open Meetings Act, and the Freedom of Information Act and federal and State laws that protect the rights of protected categories of students; a failure to comply with all district policies and procedures and all State rules;

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or a failure to comply with the governmental entities provisions of the State Officials and Employees Ethics Act, including the gift ban and prohibited political activities provisions.

(e) Upon removal of the board, the State Superintendent shall establish an Independent Authority. Upon establishment of an Independent Authority, there is established a body both corporate and politic to be known as the "(Name of the School District) Independent Authority", which in this name shall exercise all of the authority vested in an Independent Authority by this Section and by the name may sue and be sued in all courts and places where judicial proceedings are had.

(f) Upon establishment of an Independent Authority under subsection (e) of this Section, the State Superintendent shall, within 30 working days thereafter and in consultation with State and locally elected officials, appoint 5 or 7 members to serve on an Independent Authority for the district. Members appointed to the Independent Authority shall serve at the pleasure of the State Superintendent. The State Superintendent shall designate one of the members of the Independent Authority to serve as its chairperson. In the event of vacancy or resignation, the State Superintendent shall, within 15 working days after receiving notice, appoint a successor to serve out that member's term. If the State Board has abolished a financial oversight panel pursuant to subsection (c) of this Section, the State Superintendent may appoint former members of the panel to the Independent Authority. These members may serve as part of the 5 or 7 members or may be appointed in addition to the 5 or 7 members, with the Independent Authority not to exceed 9 members in total.

Members of the Independent Authority must be selected primarily on the basis of their experience and knowledge in education policy and governance, with consideration given to persons knowledgeable in the operation of a school district. A member of the Independent Authority must be a registered voter as provided in the general election law, must not be a school trustee, and must not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012. A majority of the members of the Independent Authority must be residents of the district that the Independent Authority serves. A member of the Independent Authority may not be an employee of the district, nor may a member have a direct financial interest in the district.

Independent Authority members may be reimbursed by the district for travel if they live more than 25 miles away from the district's headquarters and other necessary expenses incurred in the performance of
their official duties. The amount reimbursed members for their expenses must be charged to the school district.

With the exception of the Chairperson, the Independent Authority may elect such officers as it deems appropriate.

The first meeting of the Independent Authority must be held at the call of the Chairperson. The Independent Authority shall prescribe the times and places for its meetings and the manner in which regular and special meetings may be called and shall comply with the Open Meetings Act.

All Independent Authority members must complete the training required of school board members under Section 10-16a of this Code.

(g) The purpose of the Independent Authority is to operate the district. The Independent Authority shall have all of the powers and duties of a board and all other powers necessary to meet its responsibilities and to carry out its purpose and the purposes of this Section and that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the Independent Authority. This grant of powers does not release an Independent Authority from any duty imposed upon it by this Code or any other law.

The Independent Authority shall have no power to unilaterally cancel or modify any collective bargaining agreement in force upon the date of creation of the Independent Authority.

(h) The Independent Authority may prepare and file with the State Superintendent a proposal for emergency financial assistance for the school district and for the operations budget of the Independent Authority, in accordance with Section 1B-8 of this Code. A district may receive both a loan and a grant.

(i) An election for board members must not be held in a district upon the establishment of an Independent Authority and is suspended until the next regularly scheduled school board election that takes place no less than 2 years following the establishment of the Independent Authority. For this first election, 3 school board members must be elected to serve out terms of 4 years and until successors are elected and have qualified. Members of the Independent Authority are eligible to run for election in the district, provided that they meet all other eligibility requirements of Section 10-10 of this Code. Following this election, the school board shall consist of the newly elected members and any remaining members of the Independent Authority. The majority of this board must be residents of the district. The State Superintendent must appoint new members who are

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residents to the Independent Authority if necessary to maintain this majority. At the next school board election, 4 school board members must be elected to serve out terms of 4 years and until successors are elected and have qualified. For purposes of these first 2 elections, the school board members must be elected at-large. In districts where board members were previously elected using an alternative format pursuant to Article 9 of this Code, following these first 2 elections, the voting shall automatically revert back to the original form. Following the election, any remaining Independent Authority members shall serve in the district as an oversight panel until such time as the district meets the governance standards necessary to achieve accreditation. If some or all of the Independent Authority members have been elected to the board, the State Superintendent may, in his or her discretion, appoint new members to the Independent Authority pursuant to subsection (f) of this Section. The school board shall get approval of all actions by the Independent Authority during the time the Independent Authority serves as an oversight panel.

Board members who were removed pursuant to subsection (c) of this Section are ineligible to run for school board in the district for 10 years following the abolition of the Independent Authority pursuant to subsection (l) of this Section. However, board members who were removed pursuant to subsection (c) of this Section and were appointed to the Independent Authority by the State Superintendent are eligible to run for school board in the district.

(j) The Independent Authority, upon its members taking office and annually thereafter and upon request, shall prepare and submit to the State Superintendent a report on the state of the district, including without limitation the academic improvement and financial situation of the district. This report must be submitted annually on or before March 1 of each year. The State Superintendent shall provide copies of any and all reports to the regional office of education for the district and to the State Senator and Representative representing the area where the district is located.

(k) The district shall render such services to and permit the use of its facilities and resources by the Independent Authority at no charge as may be requested by the Independent Authority. Any State agency, unit of local government, or school district may, within its lawful powers and duties, render such services to the Independent Authority as may be requested by the Independent Authority.
(l) An Independent Authority must be abolished when the district, following the election of the full board, meets the governance standards necessary to achieve accreditation status by an independent accreditation agency chosen by the State Board. The abolition of the Independent Authority shall be done by the State Board and take place within 30 days after the determination of the accreditation agency.

Upon abolition of the Independent Authority, all powers and duties allowed by this Code to be exercised by a school board shall be transferred to the elected school board.

(m) The Independent Authority must be indemnified through insurance purchased by the district. The district shall purchase insurance through which the Independent Authority is to be indemnified.

The district retains the duty to represent and to indemnify Independent Authority members following the abolition of the Independent Authority for any cause of action or remedy available against the Independent Authority, its members, its employees, or its agents for any right or claim existing or any liability incurred prior to the abolition.

The insurance shall indemnify and protect districts, Independent Authority members, employees, volunteer personnel authorized in Sections 10-22.34, 10-22.34a, and 10-22.34b of this Code, mentors of certified or licensed staff as authorized in Article 21A and Sections 2-3.53a, 2-3.53b, and 34-18.33 of this Code, and student teachers against civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury and property damage claims and suits, including defense thereof, when damages are sought for negligent or wrongful acts alleged to have been committed in the scope of employment, under the direction of the Independent Authority, or related to any mentoring services provided to certified or licensed staff of the district. Such indemnification and protection shall extend to persons who were members of an Independent Authority, employees of an Independent Authority, authorized volunteer personnel, mentors of certified or licensed staff, or student teachers at the time of the incident from which a claim arises. No agent may be afforded indemnification or protection unless he or she was a member of an Independent Authority, an employee of an Independent Authority, an authorized volunteer, a mentor of certified or licensed staff, or a student teacher at the time of the incident from which the claim arises.

(n) The State Board may adopt rules as may be necessary for the administration of this Section.

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Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.

(a) In this Section:

"Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement.

"Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools on behalf of schools and programs operated by the regional office of education.

"Implementation date" has the meaning set forth in Section 24A-2.5 of this Code.

"State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, teacher tenure and seniority, or Section 5-2.1 of this Code or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110). Eligible applicants may not seek a waiver or seek a modification of a mandate regarding the requirements for (i) student performance data to be a significant factor in teacher or principal evaluations or (ii) for teachers and principals to be rated using the 4 categories of "excellent", "proficient", "needs improvement", or "unsatisfactory". On September 1, 2014, any previously authorized waiver or modification from such requirements shall terminate.

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f-5 of this Code may submit an application for a waiver or modification authorized under this Section. Each application must include a written
request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason that intent of the mandate can be addressed in a more economical manner shall include in the application a fiscal analysis showing current expenditures on the mandate and projected savings resulting from the waiver or modification. Applications and plans developed by eligible applicants must be approved by the board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following a public hearing on the application and plan and the opportunity for the board or regional superintendent to hear testimony from staff directly involved in its implementation, parents, and students. The time period for such testimony shall be separate from the time period established by the eligible applicant for public comment on other matters. If the applicant is a school district or joint agreement requesting a waiver or modification of Section 27-6 of this Code, the public hearing shall be held on a day other than the day on which a regular meeting of the board is held.

(c-5) If the applicant is a school district, then the district shall post information that sets forth the time, date, place, and general subject matter of the public hearing on its Internet website at least 14 days prior to the hearing. If the district is requesting to increase the fee charged for driver education authorized pursuant to Section 27-24.2 of this Code, the website information shall include the proposed amount of the fee the district will request. All school districts must publish a notice of the public hearing at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing. Districts requesting to increase the fee charged for driver education shall include in the published notice the proposed amount of the fee the district will request. If the applicant is a joint agreement or regional superintendent, then the joint agreement or regional superintendent shall post information that sets forth the time, date, place, and general subject matter of the public hearing on its Internet website at least 14 days prior to the hearing. If the joint agreement or regional superintendent is requesting to increase the fee charged for driver education authorized pursuant to Section 27-24.2 of this Code, the website information shall include the proposed amount of the fee the applicant will request. All joint agreements and regional superintendents must publish a
notice of the public hearing at least 7 days prior to the hearing in a newspaper of general circulation in each school district that is a member of the joint agreement or that is served by the educational service region that sets forth the time, date, place, and general subject matter of the hearing, provided that a notice appearing in a newspaper generally circulated in more than one school district shall be deemed to fulfill this requirement with respect to all of the affected districts. Joint agreements or regional superintendents requesting to increase the fee charged for driver education shall include in the published notice the proposed amount of the fee the applicant will request. The eligible applicant must notify in writing the affected exclusive collective bargaining agent and those State legislators representing the eligible applicant's territory of its intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from staff. The affected exclusive collective bargaining agents shall be notified of such public hearing at least 7 days prior to the date of the hearing and shall be allowed to attend such public hearing. The eligible applicant shall attest to compliance with all of the notification and procedural requirements set forth in this Section.

(d) A request for a waiver or modification of administrative rules and regulations or for a modification of mandates contained in this School Code shall be submitted to the State Board of Education within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. Except with respect to contracting for adaptive driver education, an eligible applicant wishing to request a modification or waiver of administrative rules of the State Board of Education regarding contracting with a commercial driver training school to provide the course of study authorized under Section 27-24.2 of this Code must provide evidence with its application that the commercial driver training school with which it will contract holds a license issued by the Secretary of State under Article IV of Chapter 6 of the Illinois Vehicle Code and that each instructor employed by the commercial driver training school to provide instruction to students served by the school district holds a valid teaching certificate or teaching license, as applicable, issued under the requirements of this Code and rules of the State Board of Education. Such evidence must include, but need not be limited to, a list of each instructor assigned to teach students served by the school district, which list shall include the instructor's name, personal identification number as required by the State Board of Education, birth date, and driver's license.
number. If the modification or waiver is granted, then the eligible applicant shall notify the State Board of Education of any changes in the personnel providing instruction within 15 calendar days after an instructor leaves the program or a new instructor is hired. Such notification shall include the instructor's name, personal identification number as required by the State Board of Education, birth date, and driver's license number. If a school district maintains an Internet website, then the district shall post a copy of the final contract between the district and the commercial driver training school on the district's Internet website. If no Internet website exists, then the district shall make available the contract upon request. A record of all materials in relation to the application for contracting must be maintained by the school district and made available to parents and guardians upon request. The instructor's date of birth and driver's license number and any other personally identifying information as deemed by the federal Driver's Privacy Protection Act of 1994 must be redacted from any public materials. Following receipt of the waiver or modification request, the State Board shall have 45 days to review the application and request. If the State Board fails to disapprove the application within that 45 day period, the waiver or modification shall be deemed granted. The State Board may disapprove any request if it is not based upon sound educational practices, endangers the health or safety of students or staff, compromises equal opportunities for learning, or fails to demonstrate that the intent of the rule or mandate can be addressed in a more effective, efficient, or economical manner or have improved student performance as a primary goal. Any request disapproved by the State Board may be appealed to the General Assembly by the eligible applicant as outlined in this Section.

A request for a waiver from mandates contained in this School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by

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eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each March 1 and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within 60 calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such 60 day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

(e) An approved waiver or modification (except a waiver from or modification to a physical education mandate) may remain in effect for a period not to exceed 5 school years and may be renewed upon application by the eligible applicant. However, such waiver or modification may be changed within that 5-year period by a board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following the procedure as set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

An approved waiver from or modification to a physical education mandate may remain in effect for a period not to exceed 2 school years and may be renewed no more than 2 times upon application by the eligible applicant. An approved waiver from or modification to a physical education mandate may be changed within the 2-year period by the board or regional superintendent of schools, whichever is applicable, following the procedure set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

(f) (Blank).

(Source: P.A. 97-1025, eff. 1-1-13; 98-513, eff. 1-1-14.)

(105 ILCS 5/2-3.25h) (from Ch. 122, par. 2-3.25h)

Sec. 2-3.25h. Technical assistance; State support services. Schools, school districts, local school councils, school improvement panels, and any Independent Authority established under Section 2-3.25f-5 of this Code 2-3.25f may receive technical assistance that the State Board of Education shall make available. Such technical assistance shall include without limitation assistance in the areas of curriculum evaluation, the

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instructional process, student performance, school environment, staff effectiveness, school and community relations, parental involvement, resource management, leadership, data analysis processes and tools, school improvement plan guidance and feedback, information regarding scientifically based research-proven curriculum and instruction, and professional development opportunities for teachers and administrators. 
(Source: P.A. 93-470, eff. 8-8-03.)

(105 ILCS 5/10-10) (from Ch. 122, par. 10-10)

Sec. 10-10. Board of education; term; vacancy. All school districts having a population of not fewer than 1,000 and not more than 500,000 inhabitants, as ascertained by any special or general census, and not governed by special Acts, shall be governed by a board of education consisting of 7 members, serving without compensation except as herein provided. Each member shall be elected for a term of 4 years for the initial members of the board of education of a combined school district to which that subsection applies. If 5 members are elected in 1983 pursuant to the extension of terms provided by law for transition to the consolidated election schedule under the general election law, 2 of those members shall be elected to serve terms of 2 years and 3 shall be elected to serve terms of 4 years; their successors shall serve for a 4 year term. When the voters of a district have voted to elect members of the board of education for 6 year terms, as provided in Section 9-5, the terms of office of members of the board of education of that district expire when their successors assume office but not later than 7 days after such election. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 2 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 3 shall serve for a term of 6 years and 2 shall serve a term of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 3 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 2 shall serve for a term of 2 years and 2 shall serve for a term of 6 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 4 members are elected, 3 shall serve for a term of 6 years and one shall serve for a term of 2 years; and of the members elected at the next regular school election 2 shall serve for terms of 6 years

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and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for a 6 year term 5 members are elected, 3 shall serve for a term of 6 years and 2 shall serve for a term of 2 years; and of the members elected at the next regular school election 2 shall serve for terms of 6 years and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. An election for board members shall not be held in school districts which by consolidation, annexation or otherwise shall cease to exist as a school district within 6 months after the election date, and the term of all board members which would otherwise terminate shall be continued until such district shall cease to exist. Each member, on the date of his or her election, shall be a citizen of the United States of the age of 18 years or over, shall be a resident of the State and the territory of the district for at least one year immediately preceding his or her election, shall be a registered voter as provided in the general election law, shall not be a school trustee, must not have been removed from a school board pursuant to Section 2-3.25f-5 of this Code (unless subsequently appointed as a member of an Independent Authority or if it has been 10 years since the abolition of the Independent Authority in the district), and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012. When the board of education is the successor of the school directors, all rights of property, and all rights regarding causes of action existing or vested in such directors, shall vest in it as fully as they were vested in the school directors. Terms of members are subject to Section 2A-54 of the Election Code.

Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

Whenever a vacancy occurs, the remaining members shall notify the regional superintendent of that vacancy within 5 days after its occurrence and shall proceed to fill the vacancy until the next regular school election, at which election a successor shall be elected to serve the
remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term, or if the vacancy occurs less than 88 days before the next regularly scheduled election for this office then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Should they fail so to act, within 45 days after the vacancy occurs, the regional superintendent of schools under whose supervision and control the district is operating, as defined in Section 3-14.2 of this Act, shall within 30 days after the remaining members have failed to fill the vacancy, fill the vacancy as provided for herein. Upon the regional superintendent's failure to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election. Whether elected or appointed by the remaining members or regional superintendent, the successor shall be an inhabitant of the particular area from which his or her predecessor was elected if the residential requirements contained in Section 10-10.5 or 12-2 of this Code apply.

A board of education may appoint a student to the board to serve in an advisory capacity. The student member shall serve for a term as determined by the board. The board may not grant the student member any voting privileges, but shall consider the student member as an advisor. The student member may not participate in or attend any executive session of the board.

(Source: P.A. 97-1150, eff. 1-25-13; 98-115, eff. 7-29-13.)

Section 7. The Illinois Educational Labor Relations Act is amended by changing Section 2 as follows:

Sec. 2. Definitions. As used in this Act:

(a) "Educational employer" or "employer" means the governing body of a public school district, including the governing body of a charter school established under Article 27A of the School Code or of a contract school or contract turnaround school established under paragraph 30 of Section 34-18 of the School Code, combination of public school districts, including the governing body of joint agreements of any type formed by 2 or more school districts, public community college district or State college or university, a subcontractor of instructional services of a school district (other than a school district organized under Article 34 of the School Code), combination of school districts, charter school established under Article 27A of the School Code, or contract school or contract turnaround school established under paragraph 30 of Section 34-18 of the School Code.

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Code, an Independent Authority created under Section 2-3.25f-5 of the School Code, and any State agency whose major function is providing educational services. "Educational employer" or "employer" does not include (1) a Financial Oversight Panel created pursuant to Section 1A-8 of the School Code due to a district violating a financial plan or (2) an approved nonpublic special education facility that contracts with a school district or combination of school districts to provide special education services pursuant to Section 14-7.02 of the School Code, but does include a School Finance Authority created under Article 1E or 1F of the School Code and a Financial Oversight Panel created under Article 1B or 1H of the School Code. The change made by this amendatory Act of the 96th General Assembly to this paragraph (a) to make clear that the governing body of a charter school is an "educational employer" is declaratory of existing law.

(b) "Educational employee" or "employee" means any individual, excluding supervisors, managerial, confidential, short term employees, student, and part-time academic employees of community colleges employed full or part time by an educational employer, but shall not include elected officials and appointees of the Governor with the advice and consent of the Senate, firefighters as defined by subsection (g-1) of Section 3 of the Illinois Public Labor Relations Act, and peace officers employed by a State university. For the purposes of this Act, part-time academic employees of community colleges shall be defined as those employees who provide less than 3 credit hours of instruction per academic semester. In this subsection (b), the term "student" includes graduate students who are research assistants primarily performing duties that involve research or graduate assistants primarily performing duties that are pre-professional, but excludes graduate students who are teaching assistants primarily performing duties that involve the delivery and support of instruction and all other graduate assistants.

(c) "Employee organization" or "labor organization" means an organization of any kind in which membership includes educational employees, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, employee-employer disputes, wages, rates of pay, hours of employment, or conditions of work, but shall not include any organization which practices discrimination in membership because of race, color, creed, age, gender, national origin or political affiliation.

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(d) "Exclusive representative" means the labor organization which has been designated by the Illinois Educational Labor Relations Board as the representative of the majority of educational employees in an appropriate unit, or recognized by an educational employer prior to January 1, 1984 as the exclusive representative of the employees in an appropriate unit or, after January 1, 1984, recognized by an employer upon evidence that the employee organization has been designated as the exclusive representative by a majority of the employees in an appropriate unit.

(e) "Board" means the Illinois Educational Labor Relations Board.

(f) "Regional Superintendent" means the regional superintendent of schools provided for in Articles 3 and 3A of The School Code.

(g) "Supervisor" means any individual having authority in the interests of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, reward or discipline other employees within the appropriate bargaining unit and adjust their grievances, or to effectively recommend such action if the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. The term "supervisor" includes only those individuals who devote a preponderance of their employment time to such exercising authority.

(h) "Unfair labor practice" or "unfair practice" means any practice prohibited by Section 14 of this Act.

(i) "Person" includes an individual, educational employee, educational employer, legal representative, or employee organization.

(j) "Wages" means salaries or other forms of compensation for services rendered.

(k) "Professional employee" means, in the case of a public community college, State college or university, State agency whose major function is providing educational services, the Illinois School for the Deaf, and the Illinois School for the Visually Impaired, (1) any employee engaged in work (i) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (ii) involving the consistent exercise of discretion and judgment in its performance; (iii) of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and (iv) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an
apprenticeship or from training in the performance of routine mental, manual, or physical processes; or (2) any employee, who (i) has completed the courses of specialized intellectual instruction and study described in clause (iv) of paragraph (1) of this subsection, and (ii) is performing related work under the supervision of a professional person to qualify himself or herself to become a professional as defined in paragraph (l).

(l) "Professional employee" means, in the case of any public school district, or combination of school districts pursuant to joint agreement, any employee who has a certificate issued under Article 21 or Section 34-83 of the School Code, as now or hereafter amended.

(m) "Unit" or "bargaining unit" means any group of employees for which an exclusive representative is selected.

(n) "Confidential employee" means an employee, who (i) in the regular course of his or her duties, assists and acts in a confidential capacity to persons who formulate, determine and effectuate management policies with regard to labor relations or who (ii) in the regular course of his or her duties has access to information relating to the effectuation or review of the employer's collective bargaining policies.

(o) "Managerial employee" means an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of such management policies and practices.

(p) "Craft employee" means a skilled journeyman, craft person, and his or her apprentice or helper.

(q) "Short-term employee" is an employee who is employed for less than 2 consecutive calendar quarters during a calendar year and who does not have a reasonable expectation that he or she will be rehired by the same employer for the same service in a subsequent calendar year. Nothing in this subsection shall affect the employee status of individuals who were covered by a collective bargaining agreement on the effective date of this amendatory Act of 1991.

(Source: P.A. 96-104, eff. 1-1-10; 97-429, eff. 8-16-11.)

(105 ILCS 5/3-14.28 rep.)

Section 10. The School Code is amended by repealing Section 3-14.28.

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

INDEX
Statutes amended in order of appearance

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Metropolitan Transit Authority Act is amended by changing Section 32 as follows:

(70 ILCS 3605/32) (from Ch. 111 2/3, par. 332)

Sec. 32. The Board shall adopt regulations to insure that the construction or acquisition by the Authority of services or public transportation facilities (other than real estate) involving a cost of more than $40,000 and the disposition of all property of the Authority shall be after public notice and with public bidding. The regulations may provide for exceptions to the requirements for the issuance and sale of bonds or notes of the Authority, to the acquisition of professional or utility services and to other matters for which public bidding is disadvantageous. The regulations may also provide for the use of competitive negotiations or the prequalification of responsible bidders consistent with applicable federal regulations. The requirements set forth therein shall not apply to purchase of service agreements or other contracts, purchases or sales entered into by the Authority with any transportation agency or unit of local government.

(Source: P.A. 86-1277.)

Section 10. The Local Mass Transit District Act is amended by adding Section 5.5 as follows:

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(70 ILCS 3610/5.5 new)

Sec. 5.5. Public bidding. The Board shall adopt regulations to ensure that the construction or acquisition by the District of services or public transportation facilities (other than real estate) involving a cost of more than $40,000 and the disposition of all property of the District shall be after public notice and with public bidding. The regulations may provide for exceptions to the requirements for the issuance and sale of bonds or notes of the District, to the acquisition of professional or utility services and to other matters for which public bidding is disadvantageous. The regulations may also provide for the use of competitive negotiations or the prequalification of responsible bidders consistent with applicable federal regulations. The requirements set forth therein shall not apply to purchase of service agreements or other contracts, purchases or sales entered into by the District with any transportation agency or unit of local government.

Section 15. The Regional Transportation Authority Act is amended by changing Section 4.06 as follows:

(70 ILCS 3615/4.06) (from Ch. 111 2/3, par. 704.06)
Sec. 4.06. Public bidding.
(a) The Board shall adopt regulations to ensure that the construction or acquisition by the Authority or a Service Board other than the Chicago Transit Authority of services or public transportation facilities (other than real estate) involving a cost of more than $40,000 and the disposition of all property of the Authority or a Service Board other than the Chicago Transit Authority shall be after public notice and with public bidding. Such regulations may provide for exceptions to such requirements for acquisition of repair parts, accessories, equipment or services previously furnished or contracted for; for the immediate delivery of supplies, material or equipment or performance of service when it is determined by the concurrence of two-thirds of the then Directors that an emergency requires immediate delivery or supply thereof; for goods or services that are economically procurable from only one source; for contracts for the maintenance or servicing of equipment which are made with the manufacturers or authorized service agent of that equipment where the maintenance or servicing can best be performed by the manufacturer or authorized service agent or such a contract would be otherwise advantageous to the Authority or a Service Board, other than the Chicago Transit Authority, except that the exceptions in this clause shall not apply to contracts for plumbing, heating, piping, refrigeration and

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automatic temperature control systems, ventilating and distribution systems for conditioned air, and electrical wiring; for goods or services procured from another governmental agency; for purchases and contracts for the use or purchase of data processing equipment and data processing systems software; for the acquisition of professional or utility services; and for the acquisition of public transportation equipment including, but not limited to, rolling stock, locomotives and buses, provided that: (i) it is determined by a vote of 2/3 of the then Directors of the Service Board making the acquisition that a negotiated acquisition offers opportunities with respect to the cost or financing of the equipment, its delivery, or the performance of a portion of the work within the State or the use of goods produced or services provided within the State; (ii) a notice of intention to negotiate for the acquisition of such public transportation equipment is published in a newspaper of general circulation within the City of Chicago inviting proposals from qualified vendors; and (iii) any contract with respect to such acquisition is authorized by a vote of 2/3 of the then Directors of the Service Board making the acquisition. The requirements set forth in this Section shall not apply to purchase of service agreements or other contracts, purchases or sales entered into by the Authority with any transportation agency or unit of local government.

(b) (1) In connection with two-phase design/build selection procedures authorized in this Section, a Service Board may authorize, by the affirmative vote of two-thirds of the then members of the Service Board, the use of competitive selection and the prequalification of responsible bidders consistent with applicable federal regulations and this subsection (b).

(2) Two-phase design/build selection procedures shall consist of the following:

(i) A Service Board shall develop, through licensed architects or licensed engineers, a scope of work statement for inclusion in the solicitation for phase-one proposals that defines the project and provides prospective offerors with sufficient information regarding the Service Board's requirements. The statement shall include criteria and preliminary design, and general budget parameters and general schedule or delivery requirements to enable the offerors to submit proposals which meet the Service Board's needs. When the two-phase design/build selection procedure is used and the Service Board contracts for

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development of the scope of work statement, the Service Board shall contract for architectural or engineering services as defined by and in accordance with the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act and all applicable licensing statutes.

(ii) The evaluation factors to be used in evaluating phase-one proposals must be stated in the solicitation and must include specialized experience and technical competence, capability to perform, past performance of the offeror's team (including the architect-engineer and construction members of the team) and other appropriate technical and qualifications factors. Each solicitation must establish the relative importance assigned to the evaluation factors and the subfactors that must be considered in the evaluation of phase-one proposals on the basis of the evaluation factors set forth in the solicitation. Each design/build team must include a licensed design professional independent from the Service Board's licensed architect or engineer and a licensed design professional must be named in the phase-one proposals submitted to the Service Board.

(iii) On the basis of the phase-one proposal the Service Board shall select as the most highly qualified the number of offerors specified in the solicitation and request the selected offerors to submit phase-two competitive proposals and cost or price information. Each solicitation must establish the relative importance assigned to the evaluation factors and the subfactors that must be considered in the evaluation of phase-two proposals on the basis of the evaluation factors set forth in the solicitation. A Service Board may negotiate with the selected design/build team after award but prior to contract execution for the purpose of securing better terms than originally proposed, provided the salient features of the design/build solicitation are not diminished. Each phase-two solicitation evaluates separately (A) the technical submission for the proposal, including design concepts or proposed solutions to requirements addressed within the scope of work, and (B)

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the evaluation factors and subfactors, including cost or price, that must be considered in the evaluations of proposals.

(iv) A design/build solicitation issued under the procedures in this subsection (b) shall state the maximum number of offerors that are to be selected to submit competitive phase-two proposals. The maximum number specified in the solicitation shall not exceed 5 unless the Service Board with respect to an individual solicitation determines that a specified number greater than 5 is in the best interest of the Service Board and is consistent with the purposes and objectives of the two-phase design/build selection process.

(v) All designs submitted as part of the two-phase selection process and not selected shall be proprietary to the preparers.

(Source: P.A. 89-664, eff. 8-14-96.)

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

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1157
(House Bill No. 6291)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad

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valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;

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(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;

(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;

(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;

(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;

(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;

(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;

(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;

(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;

(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;

(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;

(12) if the ordinance was adopted in September 1988 by Sauk Village;

(13) if the ordinance was adopted in October 1993 by Sauk Village;

(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;

(15) if the ordinance was adopted in March 1991 by the City of Centreville;

(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;

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(17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;

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(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;

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(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;

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(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;

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(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District;
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District;
(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio;
(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville;
(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown;
(110) if the ordinance was adopted on April 28, 2003 by Gibson City;

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(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance; or

(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey; or

(113) if the ordinance was adopted on March 15, 2004 by the City of Batavia.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise...
constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff. 12-27-13.)

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

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1158
(Senate Bill No. 0726)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-11 as follows:

(235 ILCS 5/6-11)

Sec. 6-11. Sale near churches, schools, and hospitals.

(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000 persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises

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within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.

(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii) the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in this Section shall prohibit issuance of a retail license authorizing the sale of alcoholic beverages to a restaurant, banquet facility, grocery store, or hotel having not fewer than 150 guest room accommodations located in a municipality of more than 500,000 persons, notwithstanding the proximity of such hotel, restaurant, banquet facility, or grocery store to any church or school, if the licensed premises described on the license are located within an enclosed mall or building of a height of at least 6 stories, or 60 feet in the case of a building that has been registered as a national landmark, or in a grocery store having a minimum of 56,010 square feet of floor space in a single story building in an open mall of at least 3.96 acres that is adjacent to a public school that opened as a boys technical high school in 1934, or in a grocery store having a minimum of 31,000 square feet of floor space in a single story building located a distance of more than 90 feet but less than 100 feet from a high school that opened in 1928 as a junior high school.

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school and became a senior high school in 1933, and in each of these cases if the sale of alcoholic liquors is not the principal business carried on by the licensee.

For purposes of this Section, a "banquet facility" is any part of a building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such sales are limited to periods when groups are assembled on the premises solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church affiliated school located in a home rule municipality or in a municipality with 75,000 or more inhabitants from locating within 100 feet of a property for which there is a preexisting license to sell alcoholic liquor at retail. In these instances, the local zoning authority may, by ordinance adopted simultaneously with the granting of an initial special use zoning permit for the church or church affiliated school, provide that the 100-foot restriction in this Section shall not apply to that church or church affiliated school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at premises within 100 feet, but not less than 90 feet, of a public school if (1) the premises have been continuously licensed to sell alcoholic liquor for a period of at least 50 years, (2) the premises are located in a municipality having a population of over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

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(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
(2) the sale of liquor is not the principal business carried on by the licensee at the premises,
(3) the premises are less than 1,000 square feet,
(4) the premises are owned by the University of Illinois,
(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and
(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and

(2) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;

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(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;
(3) the school was built in 1978;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and
(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(l) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:
(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;
(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;
(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license
authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

1. the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;
2. the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;
3. the church was established at the current location in 1916 and the present structure was erected in 1925;
4. the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;
5. the sale of alcoholic liquor at the premises is incidental to the sale of food;
6. the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and
7. the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

1. the school is a City of Chicago School District 299 school;
2. the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;
3. the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
4. the sale of alcoholic liquor at the premises is incidental to the sale of food; and
5. the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.

(o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located
within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(3) the premises is located on a street that runs perpendicular to the street on which the church is located;
(4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;
(5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;
(6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and
(7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;
(2) the church was established at the current location in 1889; and
(3) liquor has been sold on the premises since at least 1985.

(q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church-owned property if:

(1) the premises is located within a larger building operated as a grocery store;
(2) the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;

New matter indicated by italics - deletions by strikeout
(3) the larger building containing the premises is within 100 feet of the nearest property line of a church-owned property on which a church-affiliated school is located;

(4) the sale of liquor is not the principal business carried on within the larger building;

(5) the primary entrance of the larger building and the premises and the primary entrance of the church-affiliated school are on different, parallel streets, and the distance between the 2 primary entrances is more than 100 feet;

(6) the larger building is separated from the church-owned property and church-affiliated school by an alley;

(7) the larger building containing the premises and the church building front are on perpendicular streets and are separated by a street; and

(8) (Blank).

(r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;

(2) the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;

(3) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and

(5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

New matter indicated by italics - deletions by strikeout
(1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;
(2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and
(3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school and a church if:

(1) the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;
(2) the area of the premises does not exceed 31,050 square feet;
(3) the area of the restaurant does not exceed 5,800 square feet;
(4) the building has no less than 78 condominium units;
(5) the construction of the building in which the restaurant is located was completed in 2006;
(6) the building has 10 storefront properties, 3 of which are used for the restaurant;
(7) the restaurant will open for business in 2010;
(8) the building is north of the school and separated by an alley; and
(9) the principal religious leader of the church and either the alderman of the ward in which the school is located or the principal of the school have delivered a written statement to the local liquor control commissioner stating that he or she does not object to the issuance of a license under this subsection (t).

(u) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

New matter indicated by italics - deletions by strikeout
(1) the premises operates as a restaurant and has been in operation since February 2008;
(2) the applicant is the owner of the premises;
(3) the sale of alcoholic liquor is incidental to the sale of food;
(4) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
(5) the premises occupy the first floor of a 3-story building that is at least 90 years old;
(6) the rear lot of the school and the rear corner of the building that the premises occupy are separated by an alley;
(7) the distance from the southwest corner of the property line of the school and the northeast corner of the building that the premises occupy is at least 16 feet, 5 inches;
(8) the distance from the rear door of the premises to the southwest corner of the property line of the school is at least 93 feet;
(9) the school is a City of Chicago School District 299 school;
(10) the school's main structure was erected in 1902 and an addition was built to the main structure in 1959; and
(11) the principal of the school and the alderman in whose district the premises are located have expressed, in writing, their support for the issuance of the license.

(v) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the total land area of the premises for which the license or renewal is sought is more than 600,000 square feet;
(2) the premises for which the license or renewal is sought has more than 600 parking stalls;
(3) the total area of all buildings on the premises for which the license or renewal is sought exceeds 140,000 square feet;
(4) the property line of the premises for which the license or renewal is sought is separated from the property line of the school by a street;

New matter indicated by italics - deletions by strikeout
(5) the distance from the school's property line to the property line of the premises for which the license or renewal is sought is at least 60 feet;

(6) as of the effective date of this amendatory Act of the 97th General Assembly, the premises for which the license or renewal is sought is located in the Illinois Medical District.

(w) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(3) the premises occupy the first floor and basement of a 2-story building that is 106 years old;

(4) the premises is at least 7,000 square feet and located on a lot that is at least 11,000 square feet;

(5) the premises is located directly west of the church, on perpendicular streets, and separated by an alley;

(6) the distance between the property line of the premises and the property line of the church is at least 20 feet;

(7) the distance between the primary entrance of the premises and the primary entrance of the church is at least 130 feet; and

(8) the church has been at its location for at least 40 years.

(x) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the church has been operating in its current location since 1973;

(3) the premises has been operating in its current location since 1988;

New matter indicated by italics - deletions by strikeout
(4) the church and the premises are owned by the same parish;

(5) the premises is used for cultural and educational purposes;

(6) the primary entrance to the premises and the primary entrance to the church are located on the same street;

(7) the principal religious leader of the church has indicated his support of the issuance of the license;

(8) the premises is a 2-story building of approximately 23,000 square feet; and

(9) the premises houses a ballroom on its ground floor of approximately 5,000 square feet.

(y) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(3) according to the municipality, the distance between the east property line of the premises and the west property line of the school is 97.8 feet;

(4) the school is a City of Chicago School District 299 school;

(5) the school has been operating since 1959;

(6) the primary entrance to the premises and the primary entrance to the school are located on the same street;

(7) the street on which the entrances of the premises and the school are located is a major diagonal thoroughfare;

(8) the premises is a single-story building of approximately 2,900 square feet; and

(9) the premises is used for commercial purposes only.

(z) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque if:

New matter indicated by italics - deletions by strikeout
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is a free-standing building that has "drive-through" pharmacy service;
(8) the premises has approximately 14,490 square feet of retail space;
(9) the premises has approximately 799 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs east-west and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(aa) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain having over 100 locations within the municipality;
(4) the licensee has over 8,000 locations nationwide;
(5) the licensee has locations in all 50 states;
(6) the premises is located in the North-East quadrant of the municipality;
(7) the premises is located across the street from a national grocery chain outlet;

New matter indicated by italics - deletions by strikeout
(8) the premises has approximately 16,148 square feet of retail space;
(9) the premises has approximately 992 square feet of pharmacy space;
(10) the premises is located on a major arterial street that runs north-south and accepts truck traffic; and
(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(bb) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(3) the primary entrance to the premises and the primary entrance to the church are located on the same street;
(4) the premises is across the street from the church;
(5) the street on which the premises and the church are located is a major arterial street that runs east-west;
(6) the church is an elder-led and Bible-based Assyrian church;
(7) the premises and the church are both single-story buildings;
(8) the storefront directly west of the church is being used as a restaurant; and
(9) the distance between the northern-most property line of the premises and the southern-most property line of the church is 65 feet.

(cc) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

New matter indicated by italics - deletions by strikeout
(2) the licensee shall only sell packaged liquors at the premises;
(3) the licensee is a national retail chain;
(4) as of October 25, 2011, the licensee has 1,767 stores operating nationwide, 87 stores operating in the State, and 10 stores operating within the municipality;
(5) the licensee shall occupy approximately 124,000 square feet of space in the basement and first and second floors of a building located across the street from a school;
(6) the school opened in August of 2009 and occupies approximately 67,000 square feet of space; and
(7) the building in which the premises shall be located has been listed on the National Register of Historic Places since April 17, 1970.

(dd) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:
(1) the premises is constructed on land that was purchased from the municipality at a fair market price;
(2) the premises is constructed on land that was previously used as a parking facility for public safety employees;
(3) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(4) the main entrance to the store is more than 100 feet from the main entrance to the school;
(5) the premises is to be new construction;
(6) the school is a private school;
(7) the principal of the school has given written approval for the license;
(8) the alderman of the ward where the premises is located has given written approval of the issuance of the license;
(9) the grocery store level of the premises is between 60,000 and 70,000 square feet; and
(10) the owner and operator of the grocery store operates 2 other grocery stores that have alcoholic liquor licenses within the same municipality.

New matter indicated by italics - deletions by strikeout
(ee) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that once contained an industrial steel facility;
(2) the premises is located on land that has undergone environmental remediation;
(3) the premises is located within a retail complex containing retail stores where some of the stores sell alcoholic beverages;
(4) the principal activity of any restaurant in the retail complex is the sale of food, and the sale of alcoholic liquor is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the grocery store;
(6) the entrance to any business that sells alcoholic liquor is more than 100 feet from the entrance to the school;
(7) the alderman of the ward where the premises is located has given written approval of the issuance of the license; and
(8) the principal of the school has given written consent to the issuance of the license.

(ff) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on at the premises;
(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;
(3) the premises is a one and one-half-story building of approximately 10,000 square feet;
(4) the school is a City of Chicago School District 299 school;
(5) the primary entrance of the premises and the primary entrance of the school are at least 300 feet apart and no more than 400 feet apart;

New matter indicated by italics - deletions by strikeout
(6) the alderman of the ward in which the premises is located has expressed, in writing, his support for the issuance of the license; and

(7) the principal of the school has expressed, in writing, that there is no objection to the issuance of a license under this subsection (ff).

(gg) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the property on which the church is located and the property on which the premises are located are both within a district originally listed on the National Register of Historic Places on February 14, 1979;

(3) the property on which the premises are located contains one or more multi-story buildings that are at least 95 years old and have no more than three stories;

(4) the building in which the church is located is at least 120 years old;

(5) the property on which the church is located is immediately adjacent to and west of the property on which the premises are located;

(6) the western boundary of the property on which the premises are located is no less than 118 feet in length and no more than 122 feet in length;

(7) as of December 31, 2012, both the church property and the property on which the premises are located are within 250 feet of City of Chicago Business-Residential Planned Development Number 38;

(8) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing; and

(9) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

New matter indicated by italics - deletions by strikeout
For the purposes of this subsection, "banquet facility" means the part of the building that is located on the floor above a restaurant and caters to private parties and where the sale of alcoholic liquors is not the principal business.

(hh) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a hotel and at an outdoor patio area attached to the hotel that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the hotel;
(2) the hotel is located within the City of Chicago Business Planned Development Number 468; and
(3) the hospital is located within the City of Chicago Institutional Planned Development Number 3.

(ii) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a restaurant and at an outdoor patio area attached to the restaurant that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is not the principal business carried on by the licensee and is incidental to the sale of food;
(2) the restaurant has been operated on the street level of a 2-story building located on a corner lot since 2008;
(3) the restaurant is between 3,700 and 4,000 square feet and sits on a lot that is no more than 6,200 square feet;
(4) the primary entrance to the restaurant and the primary entrance to the church are located on the same street;
(5) the street on which the restaurant and the church are located is a major east-west street;
(6) the restaurant and the church are separated by a one-way northbound street;
(7) the church is located to the west of and no more than 65 feet from the restaurant; and

New matter indicated by italics - deletions by strikeout
(8) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing.

(jj) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

1. the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
2. the sale of alcoholic liquor is incidental to the sale of food;
3. the premises are located east of the church, on perpendicular streets, and separated by an alley;
4. the distance between the primary entrance of the premises and the primary entrance of the church is at least 175 feet;
5. the distance between the property line of the premises and the property line of the church is at least 40 feet;
6. the licensee has been operating at the premises since 2012;
7. the church was constructed in 1904;
8. the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license; and
9. the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (jj).

(kk) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

1. the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
2. the licensee shall only sell packaged liquors on the premises;
3. the licensee is a national retail chain;
(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;

(5) the licensee shall occupy approximately 169,048 square feet of space within a building that is located across the street from a tuition-based preschool; and

(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(ll) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors on the premises;

(3) the licensee is a national retail chain;

(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;

(5) the licensee shall occupy approximately 191,535 square feet of space within a building that is located across the street from an elementary school; and

(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(mm) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio or sidewalk cafe, or both, attached to premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(2) as a restaurant, the premises may or may not offer catering as an incidental part of food service;

New matter indicated by italics - deletions by strikeout
(3) the primary business of the restaurant is conducted in space owned by a hospital or an entity owned or controlled by, under common control with, or that controls a hospital, and the chief hospital administrator has expressed his or her support for the issuance of the license in writing; and

(4) the hospital is an adult acute care facility primarily located within the City of Chicago Institutional Planned Development Number 3.

(nn) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried out on the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;

(3) the premises are a building that was constructed in 1913 and opened on May 24, 1915 as a vaudeville theater, and the premises were converted to a motion picture theater in 1935;

(4) the church was constructed in 1889 with a stone exterior;

(5) the primary entrance of the premises and the primary entrance of the church are at least 100 feet apart; and

(6) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing; and

(7) the alderman in whose ward the premises are located has expressed his or her support for the issuance of the license in writing.

(oo) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque, church, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the mosque, church, or other place of worship are perpendicular and are on different streets;

New matter indicated by italics - deletions by strikeout
(2) the primary entrance to the premises faces West and the primary entrance to the mosque, church, or other place of worship faces South;

(3) the distance between the 2 primary entrances is at least 100 feet;

(4) the mosque, church, or other place of worship was established in a location within 100 feet of the premises after a license for the sale of alcohol at the premises was first issued;

(5) the mosque, church, or other place of worship was established on or around January 1, 2011;

(6) a license for the sale of alcohol at the premises was first issued on or before January 1, 1985;

(7) a license for the sale of alcohol at the premises has been continuously in effect since January 1, 1985, except for interruptions between licenses of no more than 90 days; and

(8) the premises are a single-story, single-use building of at least 3,000 square feet and no more than 3,380 square feet.

(pp) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established on premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of at least one church if:

(1) the sale of liquor shall not be the principal business carried on by the licensee at the premises;

(2) the premises are at least 2,000 to 7,900 square feet and no more than 10,000 square feet and is located in a single-story building;

(3) the property on which the premises are located is within an area that, as of 2009, was designated as a Renewal Community by the United States Department of Housing and Urban Development;

(4) the property on which the premises are located and the properties on which the churches are located are on the same street;

(5) the property on which the premises are located is immediately adjacent to and east of the property on which at least one of the churches is located;

New matter indicated by italics - deletions by strikeout
(6) the property on which the premises are located is across
the street and southwest of the property on which another church is
located;

(7) the principal religious leaders of the churches have
indicated their support for the issuance of the license in writing; and

(8) the alderman in whose ward the premises are located
has expressed his or her support for the issuance of the license in
writing.

For purposes of this subsection (pp), "banquet facility" means the
part of the building that caters to private parties and where the sale of
alcoholic liquors is not the principal business.

(qq) Notwithstanding any provision of this Section to the contrary,
nothing in this Section shall prohibit the issuance or renewal of a license
authorizing the sale of alcoholic liquor on premises that are located within
a municipality with a population in excess of 1,000,000 inhabitants and
within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest
entrance of the church or school are at least 200 feet apart and no
greater than 300 feet apart;

(2) the shortest distance between the premises and the
church or school is at least 66 feet apart and no greater than 81 feet
apart;

(3) the premises are a single-story, steel-framed commercial
building with at least 18,042 square feet, and was constructed in
1925 and 1997;

(4) the owner of the business operated within the premises
has been the general manager of a similar supermarket within one
mile from the premises, which has had a valid license authorizing
the sale of alcoholic liquor since 2002, and is in good standing with
the City of Chicago;

(5) the principal religious leader at the place of worship has
indicated his or her support to the issuance or renewal of the
license in writing;

(6) the alderman of the ward has indicated his or her
support to the issuance or renewal of the license in writing; and

(7) the principal of the school has indicated his or her
support to the issuance or renewal of the license in writing.

New matter indicated by italics - deletions by strikeout
(rr) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a club that leases space to a school if:

1. the sale of alcoholic liquor is not the principal business carried out on the premises;
2. the sale of alcoholic liquor at the premises is incidental to the operation of a grocery store;
3. the premises are a building of approximately 1,750 square feet and is rented by the owners of the grocery store from a family member;
4. the property line of the premises is approximately 68 feet from the property line of the club;
5. the primary entrance of the premises and the primary entrance of the club where the school leases space are at least 100 feet apart;
6. the director of the club renting space to the school has indicated his or her consent to the issuance of the license in writing; and
7. the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

(ss) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

1. the premises are located within a 15 unit building with 13 residential apartments and 2 commercial spaces, and the licensee will occupy both commercial spaces;
2. a restaurant has been operated on the premises since June 2011;
3. the restaurant currently occupies 1,075 square feet, but will be expanding to include 975 additional square feet;
4. the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
5. the premises are located south of the church and on the same street and are separated by a one-way westbound street;

New matter indicated by italics - deletions by strikeout
(6) the primary entrance of the premises is at least 93 feet from the primary entrance of the church;

(7) the shortest distance between any part of the premises and any part of the church is at least 72 feet;

(8) the building in which the restaurant is located was built in 1910;

(9) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license; and

(10) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (ss).

(tt) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor is incidental to the sale of food;

(3) the sale of alcoholic liquor at the premises was previously authorized by a package goods liquor license;

(4) the premises are at least 40,000 square feet with 25 parking spaces in the contiguous surface lot to the north of the store and 93 parking spaces on the roof;

(5) the shortest distance between the lot line of the parking lot of the premises and the exterior wall of the church is at least 80 feet;

(6) the distance between the building in which the church is located and the building in which the premises are located is at least 180 feet;

(7) the main entrance to the church faces west and is at least 257 feet from the main entrance of the premises; and

(8) the applicant is the owner of 10 similar grocery stores within the City of Chicago and the surrounding area and has been in business for more than 30 years.

(uu) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license

New matter indicated by italics - deletions by strikeout
Public Act 98-1158

Authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

1. The sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
2. The sale of alcoholic liquor is incidental to the operation of a grocery store;
3. The premises are located in a building that is approximately 68,000 square feet with 157 parking spaces on property that was previously vacant land;
4. The main entrance to the church faces west and is at least 500 feet from the entrance of the premises, which faces north;
5. The church and the premises are separated by an alley;
6. The applicant is the owner of 9 similar grocery stores in the City of Chicago and the surrounding area and has been in business for more than 40 years; and
7. The alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license.

Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

1. The sale of alcoholic liquor is the principal business carried on by the licensee at the premises;
2. The sale of alcoholic liquor is primary to the sale of food;
3. The premises are located south of the church and on perpendicular streets and are separated by a driveway;
4. The primary entrance of the premises is at least 100 feet from the primary entrance of the church;
5. The shortest distance between any part of the premises and any part of the church is at least 15 feet;
6. The premises are less than 100 feet from the church center, but greater than 100 feet from the area within the building where church services are held;
7. The premises are 25,830 square feet and sit on a lot that is 0.48 acres;

New matter indicated by italics - deletions by strikeout
(8) the premises were once designated as a Korean American Presbyterian Church and were once used as a Masonic Temple;
(9) the premises were built in 1910;
(10) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license; and
(11) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (vv).
For the purposes of this subsection (vv), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(ww) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:
(1) the school is located within Sub Area III of City of Chicago Residential-Business Planned Development Number 523, as amended; and
(2) the premises are located within Sub Area I, Sub Area II, or Sub Area IV of City of Chicago Residential-Business Planned Development Number 523, as amended.

(xx) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
(1) the sale of wine or wine-related products is the exclusive business carried on by the licensee at the premises;
(2) the primary entrance of the premises and the primary entrance of the church are at least 100 feet apart and are located on different streets;
(3) the building in which the premises are located and the building in which the church is located are separated by an alley;
(4) the premises consists of less than 2,000 square feet of floor area dedicated to the sale of wine or wine-related products;

New matter indicated by italics - deletions by strikeout
(5) the premises are located on the first floor of a 2-story building that is at least 99 years old and has a residential unit on the second floor; and

(6) the principal religious leader at the church has indicated his or her support for the issuance or renewal of the license in writing.

(Source: P.A. 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634, eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12; 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-274, eff. 8-9-13; 98-463, eff. 8-16-13; 98-571, eff. 8-27-13; 98-592, eff. 11-15-13; 98-1092, eff. 8-26-14.)

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

Passed in the General Assembly December 4, 2014.
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Effective January 9, 2015.
as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) if the ordinance was adopted before January 15, 1981;
(2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
(3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
(4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;

New matter indicated by italics - deletions by strikeout
(5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;

(6) if the ordinance was adopted in December 1984 by the Village of Rosemont;

(7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997;

(8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;

(9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;

(10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;

(11) if the ordinance was adopted before December 18, 1986 by the City of Moline;

(12) if the ordinance was adopted in September 1988 by Sauk Village;

(13) if the ordinance was adopted in October 1993 by Sauk Village;

(14) if the ordinance was adopted on December 29, 1986 by the City of Galva;

(15) if the ordinance was adopted in March 1991 by the City of Centreville;

(16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;

(17) if the ordinance was adopted on December 22, 1986 by the City of Aleo;

(18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;

(19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;

New matter indicated by italics - deletions by strikeout
(20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
(21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
(22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
(23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
(24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
(25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
(26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
(27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
(28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
(29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
(30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
(31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
(32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
(33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
(34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
(35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
(36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
(37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
(38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;

New matter indicated by italics - deletions by strikeout
(39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
(40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
(41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
(42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
(43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
(44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
(45) if the ordinance was adopted on April 23, 1990 by the City of Marion;
(46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
(47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
(48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
(49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
(50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
(51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
(52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
(53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
(54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
(55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
(56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
(57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;

New matter indicated by italics - deletions by strikeout
(58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
(59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
(60) if the ordinance was adopted in 1999 by the City of Villa Grove;
(61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
(62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
(63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
(64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
(65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
(66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
(67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
(68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
(69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
(70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
(71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
(72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
(73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
(74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
(75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
(76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;

New matter indicated by italics - deletions by strikeout
(77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
(78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
(79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
(80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
(81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
(82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
(83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
(84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
(85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
(86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
(87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
(88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
(89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
(90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
(91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;
(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;
(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign;
(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston;
(95) if the ordinance was adopted on June 6, 1989 by the Village of Romeoville;

New matter indicated by italics - deletions by strikeout
(96) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice;
(97) if the ordinance was adopted on June 1, 1994 by the City of Markham;
(98) if the ordinance was adopted on May 19, 1998 by the Village of Bensenville;
(99) if the ordinance was adopted on November 12, 1987 by the City of Dixon;
(100) if the ordinance was adopted on December 20, 1988 by the Village of Lansing;
(101) if the ordinance was adopted on October 27, 1998 by the City of Moline;
(102) if the ordinance was adopted on May 21, 1991 by the Village of Glenwood;
(103) if the ordinance was adopted on January 28, 1992 by the City of East Peoria;
(104) if the ordinance was adopted on December 14, 1998 by the City of Carlyle;
(105) if the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District;
(106) if the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District;
(107) if the ordinance was adopted on March 30, 1992 by the Village of Ohio;
(108) if the ordinance was adopted on July 6, 1998 by the Village of Orangeville; or
(109) if the ordinance was adopted on December 16, 1997 by the Village of Germantown;
(110) if the ordinance was adopted on April 28, 2003 by Gibson City;
(111) if the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance;
(112) if the ordinance was adopted on February 28, 2000 by the City of Harvey; and

New matter indicated by italics - deletions by strikeout
(113) if the ordinance was adopted on January 11, 1991 by the City of Chicago to create the Read/Dunning TIF District;
(114) if the ordinance was adopted on July 24, 1991 by the City of Chicago to create the Sanitary and Ship Canal TIF District; or
(115) if the ordinance was adopted on December 4, 2007 by the City of Naperville; :
(116) if the ordinance was adopted on July 1, 2002 by the Village of Arlington Heights; :
(117) if the ordinance was adopted on February 11, 1991 by the Village of Machesney Park; :
(118) if the ordinance was adopted on December 29, 1993 by the City of Ottawa; or :
(119) if the ordinance was adopted on March 18, 2002 by the Village of Lake Zurich.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or
after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 97-93, eff. 1-1-12; 97-372, eff. 8-15-11; 97-600, eff. 8-26-11; 97-633, eff. 12-16-11; 97-635, eff. 12-16-11; 97-807, eff. 7-13-12; 97-1114, eff. 8-27-12; 98-109, eff. 7-25-13; 98-135, eff. 8-2-13; 98-230, eff. 8-9-13; 98-463, eff. 8-16-13; 98-614, eff. 12-27-13; 98-667, eff. 6-25-14; 98-889, eff. 8-15-14; 98-893, eff. 8-15-14; 98-1064, eff. 8-26-14; revised 9-10-14.)

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

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1160
(Senate Bill No. 1680)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Home Equity Assurance Act is amended by changing Section 11 as follows:

(65 ILCS 95/11) (from Ch. 24, par. 1611)
Sec. 11. Guarantee Fund.
(a) Each governing commission and program created by referendum under the provisions of this Act shall maintain a guarantee

New matter indicated by italics - deletions by strikeout
fund for the purposes of paying the costs of administering the program and extending protection to members pursuant to the limitations and procedures set forth in this Act.

(b) The guarantee fund shall be raised by means of an annual tax levied on all residential property within the territory of the program having at least one, but not more than 6 dwelling units and classified by county ordinance as residential. The rate of this tax may be changed from year to year by majority vote of the governing commission but in no case shall it exceed a rate of .12% of the equalized assessed valuation of all property in the territory of the program having at least one, but not more than 6 dwelling units and classified by county ordinance as residential, or the maximum tax rate approved by the voters of the territory at the referendum which created the program or, in the case of a merged program, the maximum tax rate approved by the voters at the referendum authorizing the merger, whichever rate is lower. The commissioners shall cause the amount to be raised by taxation in each year to be certified to the county clerk in the manner provided by law, and any tax so levied and certified shall be collected and enforced in the same manner and by the same officers as those taxes for the purposes of the county and city within which the territory of the commission is located. Any such tax, when collected, shall be paid over to the proper officer of the commission who is authorized to receive and receipt for such tax. The governing commission may issue tax anticipation warrants against the taxes to be assessed for the calendar year in which the program is created and for the first full calendar year after the creation of the program.

(c) The moneys deposited in the guarantee fund shall, as nearly as practicable, be fully and continuously invested or reinvested by the governing commission in investment obligations which shall be in such amounts, and shall mature at such times, that the maturity or date of redemption at the option of the holder of such investment obligations shall coincide, as nearly as practicable, with the times at which monies will be required for the purposes of the program. For the purposes of this Section investment obligation shall mean direct general municipal, state, or federal obligations which at the time are legal investments under the laws of this State and the payment of principal of and interest on which are unconditionally guaranteed by the governing body issuing them.

(d) Except as permitted by this subsection and subsection (d-5), the guarantee fund shall be used solely and exclusively for the purpose of providing guarantees to members of the particular Guaranteed Home

New matter indicated by italics - deletions by strikeout
Equity Program and for reasonable salaries, expenses, bills, and fees incurred in administering the program, and shall be used for no other purpose.

A governing commission, with no less than $4,000,000 in its guarantee fund, may, if authorized by referendum duly adopted by a majority of the voters, establish a Low Interest Home Improvement Loan Program in accordance with and subject to procedures established by a financial institution, as defined in the Illinois Banking Act. Whenever the question of creating a Low Interest Home Improvement Loan Program is initiated by resolution or ordinance of the corporate authorities of the municipality or by a petition signed by not less than 10% of the total number of registered voters of each precinct in the territory, the registered voters of which are eligible to sign the petition, it shall be the duty of the election authority having jurisdiction over the municipality to submit the question of creating the program to the electors of each precinct within the territory at the regular election specified in the resolution, ordinance, or petition initiating the question. A petition initiating a question described in this subsection shall be filed with the election authority having jurisdiction over the municipality. The petition and objections to the petition shall be filed and made in the manner provided in the Election Code. A resolution, ordinance, or petition initiating a question described in this subsection shall specify the election at which the question is to be submitted. The referendum on the question shall be held in accordance with the Election Code. The question shall be in substantially the following form:

"Shall the (name of the home equity program) implement a Low Interest Home Improvement Loan Program with money from the guarantee fund of the established guaranteed home equity program?"

The votes must be recorded as "Yes" or "No".

Whenever a majority of the voters on the public question approve the creation of the program as certified by the proper election authorities, the commission shall establish the program and administer the program with funds collected under the Guaranteed Home Equity Program, subject to the following conditions:

1. At any given time, the cumulative total of all loans and loan guarantees (if applicable) issued under this program may not reduce the balance of the guarantee fund to less than $3,000,000.
2. Only eligible applicants may apply for a loan.
(3) The loan must be used for the repair, maintenance, remodeling, alteration, or improvement of a guaranteed residence. This condition is intended to include the repair or maintenance of a guaranteed residence's water and sewer pipes and repair of a guaranteed residence, including but not limited to basement repairs, following flooding damage to the property. This condition is not intended to exclude the repair, maintenance, remodeling, alteration, or improvement of a guaranteed residence's landscape. This condition is intended to exclude the demolition of a current residence. This condition is also intended to exclude the construction of a new residence.

(4) An eligible applicant may not borrow more than the amount of equity value in his or her residence.

(5) A commission must ensure that loans issued are secured with collateral that is at least equal to the amount of the loan or loan guarantee.

(6) A commission shall charge an interest rate which it determines to be below the market rate of interest generally available to the applicant.

(7) A commission may, by resolution, establish other administrative rules and procedures as are necessary to implement this program including, but not limited to, loan dollar amounts and terms. A commission may also impose on loan applicants a one-time application fee for the purpose of defraying the costs of administering the program.

(d-5) A governing commission, with no less than $4,000,000 in its guarantee fund, may, if authorized by referendum duly adopted by a majority of the voters, establish a Foreclosure Prevention Loan Fund to provide low interest emergency loans to eligible applicants that may be forced into foreclosure proceedings.

Whenever the question of creating a Foreclosure Prevention Loan Fund is initiated by resolution or ordinance of the corporate authorities of the municipality or by a petition signed by not less than 10% of the total number of registered voters of each precinct in the territory, the registered voters of which are eligible to sign the petition, it shall be the duty of the election authority having jurisdiction over the municipality to submit the question of creating the program to the electors of each precinct within the territory at the regular election specified in the resolution, ordinance, or petition initiating the question. A petition initiating a question described in
this subsection shall be filed with the election authority having jurisdiction over the municipality. The petition shall be filed and objections to the petition shall be made in the manner provided in the Election Code. A resolution, ordinance, or petition initiating a question described in this subsection shall specify the election at which the question is to be submitted. The referendum on the question shall be held in accordance with the Election Code. The question shall be in substantially the following form:

"Shall the (name of the home equity program) implement a Foreclosure Prevention Loan Fund with money from the guarantee fund of the established guaranteed home equity program?"

The votes must be recorded as "Yes" or "No".

Whenever a majority of the voters on the public question approve the creation of a Foreclosure Prevention Loan Fund as certified by the proper election authorities, the commission shall establish the program and administer the program with funds collected under the Guaranteed Home Equity Program, subject to the following conditions:

(1) At any given time, the cumulative total of all loans and loan guarantees (if applicable) issued under this program may not exceed $3,000,000.

(2) Only eligible applicants may apply for a loan. The Commission may establish, by resolution, additional criteria for eligibility.

(3) The loan must be used to assist with preventing foreclosure proceedings.

(4) An eligible applicant may not borrow more than the amount of equity value in his or her residence.

(5) A commission must ensure that loans issued are secured as a second lien on the property.

(6) A commission shall charge an interest rate which it determines to be below the market rate of interest generally available to the applicant.

(7) A commission may, by resolution, establish other administrative rules and procedures as are necessary to implement this program including, but not limited to, eligibility requirements for eligible applicants, loan dollar amounts, and loan terms.

(8) A commission may also impose on loan applicants a one-time application fee for the purpose of defraying the costs of administering the program.
(e) The guarantee fund shall be maintained, invested, and expended exclusively by the governing commission of the program for whose purposes it was created. Under no circumstance shall the guarantee fund be used by any person or persons, governmental body, or public or private agency or concern other than the governing commission of the program for whose purposes it was created. Under no circumstances shall the guarantee fund be commingled with other funds or investments.

(e-1) No commissioner or family member of a commissioner, or employee or family member of an employee, may receive any financial benefit, either directly or indirectly, from the guarantee fund. Nothing in this subsection (e-1) shall be construed to prohibit payment of expenses to a commissioner in accordance with Section 4 or payment of salaries or expenses to an employee in accordance with this Section.

As used in this subsection (e-1), "family member" means a spouse, child, stepchild, parent, brother, or sister of a commissioner or a child, stepchild, parent, brother, or sister of a commissioner's spouse.

(f) An independent audit of the guarantee fund and the management of the program shall be conducted annually and made available to the public through any office of the governing commission or a public facility such as a local public library located within the territory of the program.

(Source: P.A. 95-691, eff. 6-1-08.)

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective June 1, 2015.

PUBLIC ACT 98-1161
(Senate Bill No. 1842)

AN ACT concerning transportation.

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

Section 5. The Local Mass Transit District Act is amended by changing Section 9 as follows:

(70 ILCS 3610/9) (from Ch. 111 2/3, par. 359)
Sec. 9. Discontinuance.

(a) Whenever the Board of Trustees of any District shall determine that there is no longer a public need for its transportation services or that other adequate services are or can be made available, and that it should

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terminate its existence and services, it may by resolution so certify to the participating municipalities and counties which created it. If the participating municipalities and counties approve of such discontinuance, they may by ordinance or resolution, as the case may be, authorize the District to discontinue its services and wind up its affairs. A copy of such ordinance or resolution or both, shall be filed with the county or municipal clerk or clerks and the Secretary of State. After payment of all its debts and settlement of all obligations and claims, any funds remaining after the sale and disposition of its property shall be disposed of by payment to the treasurer of the county or municipality which created it, or if created by 2 or more municipalities or counties, by payment to the several treasurers, first, to repay in whole or pro rata, funds advanced to the authority, and the balance, if any, pro rata according to the length of scheduled transportation route miles operated in the several municipalities and unincorporated areas of the several counties during the preceding calendar year.

(b) Whenever the Board of Trustees of any District created under the provisions of Section 3.1 determines that there is no longer a public need for its existence or services, it may discontinue its existence by passing an ordinance or resolution stating that the District shall cease its existence on the date stated therein or, if no date is stated therein, on the date the ordinance or resolution was passed. A certified copy of the ordinance or resolution shall be filed with the Secretary of State and with the County Clerk of each county within the boundary of the District. The funds remaining after the payment of all debts and settlement of all obligations and claims shall be paid over on a pro rata basis based on area as follows:

1. to the Treasurer of each municipality that was in whole or in part within the boundary of the District; and
2. to the Treasurer of each county in which any unincorporated area of the county was within the boundary of the District.

(c) Prior to the effective date of this amendatory Act of the 98th General Assembly, if the Board of Trustees of any District created under Section 3.1 of this Act passed an ordinance or resolution intended to effect a dissolution of its existence, the discontinuation of that District is confirmed as valid and effective on the date set forth in the ordinance or resolution or, if no date is stated therein, on the date the ordinance or resolution was passed.

(Source: Laws 1959, p. 1635.)
AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Sections 21-355, 22-35, and 22-40 as follows:

(35 ILCS 200/21-355)

Sec. 21-355. Amount of redemption. Any person desiring to redeem shall deposit an amount specified in this Section with the county clerk of the county in which the property is situated, in legal money of the United States, or by cashier's check, certified check, post office money order or money order issued by a financial institution insured by an agency or instrumentality of the United States, payable to the county clerk of the proper county. The deposit shall be deemed timely only if actually received in person at the county clerk's office prior to the close of business as defined in Section 3-2007 of the Counties Code on or before the expiration of the period of redemption or by United States mail with a post office cancellation mark dated not less than one day prior to the expiration of the period of redemption. The deposit shall be in an amount equal to the total of the following:

(a) the certificate amount, which shall include all tax principal, special assessments, interest and penalties paid by the tax purchaser together with costs and fees of sale and fees paid under Sections 21-295 and 21-315 through 21-335;

(b) the accrued penalty, computed through the date of redemption as a percentage of the certificate amount, as follows:

(1) if the redemption occurs on or before the expiration of 6 months from the date of sale, the certificate amount times the penalty bid at sale;

(2) if the redemption occurs after 6 months from the date of sale, and on or before the expiration of 12 months from the date of sale, the certificate amount times 2 times the penalty bid at sale;

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(3) if the redemption occurs after 12 months from the date of sale and on or before the expiration of 18 months from the date of sale, the certificate amount times 3 times the penalty bid at sale;

(4) if the redemption occurs after 18 months from the date of sale and on or before the expiration of 24 months from the date of sale, the certificate amount times 4 times the penalty bid at sale;

(5) if the redemption occurs after 24 months from the date of sale and on or before the expiration of 30 months from the date of sale, the certificate amount times 5 times the penalty bid at sale;

(6) if the redemption occurs after 30 months from the date of sale and on or before the expiration of 36 months from the date of sale, the certificate amount times 6 times the penalty bid at sale.

In the event that the property to be redeemed has been purchased under Section 21-405, the penalty bid shall be 12% per penalty period as set forth in subparagraphs (1) through (6) of this subsection (b). The changes to this subdivision (b)(6) made by this amendatory Act of the 91st General Assembly are not a new enactment, but declaratory of existing law.

(c) The total of all taxes, special assessments, accrued interest on those taxes and special assessments and costs charged in connection with the payment of those taxes or special assessments, which have been paid by the tax certificate holder on or after the date those taxes or special assessments became delinquent together with 12% penalty on each amount so paid for each year or portion thereof intervening between the date of that payment and the date of redemption. In counties with less than 3,000,000 inhabitants, however, a tax certificate holder may not pay all or part of an installment of a subsequent tax or special assessment for any year, nor shall any tender of such a payment be accepted, until after the second or final installment of the subsequent tax or special assessment has become delinquent or until after the holder of the certificate of purchase has filed a petition for a tax deed under Section 22.30. The person redeeming shall also pay the amount of interest charged on the subsequent tax

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or special assessment and paid as a penalty by the tax certificate holder. This amendatory Act of 1995 applies to tax years beginning with the 1995 taxes, payable in 1996, and thereafter.

(d) Any amount paid to redeem a forfeiture occurring subsequent to the tax sale together with 12% penalty thereon for each year or portion thereof intervening between the date of the forfeiture redemption and the date of redemption from the sale.

(e) Any amount paid by the certificate holder for redemption of a subsequently occurring tax sale.

(f) All fees paid to the county clerk under Section 22-5.

(g) All fees paid to the registrar of titles incident to registering the tax certificate in compliance with the Registered Titles (Torrens) Act.

(h) All fees paid to the circuit clerk and the sheriff, a licensed or registered private detective, or the coroner in connection with the filing of the petition for tax deed and service of notices under Sections 22-15 through 22-30 and 22-40 in addition to (1) a fee of $35 if a petition for tax deed has been filed, which fee shall be posted to the tax judgement, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; (2) a fee of $4 if a notice under Section 22-5 has been filed, which fee shall be posted to the tax judgement, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; (3) all costs paid to record a lis pendens notice in connection with filing a petition under this Code; and (4) if a petition for tax deed has been filed, all fees up to $150 per redemption paid to a registered or licensed title insurance company or title insurance agent for a title search to identify all owners, parties interested, and occupants of the property, to be paid to the purchaser or his or her assignee. The fees in (1) and (2) of this paragraph (h) shall be exempt from the posting requirements of Section 21-360. The costs incurred in causing notices to be served by a licensed or registered private detective under Section 22-15, may not exceed the amount that the sheriff would be authorized by law to charge if those notices had been served by the sheriff.

(i) All fees paid for publication of notice of the tax sale in accordance with Section 22-20.

(j) All sums paid to any county, city, village or incorporated town for reimbursement under Section 22-35.

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(k) All costs and expenses of receivership under Section 21-410, to the extent that these costs and expenses exceed any income from the property in question, if the costs and expenditures have been approved by the court appointing the receiver and a certified copy of the order or approval is filed and posted by the certificate holder with the county clerk. Only actual costs expended may be posted on the tax judgment, sale, redemption and forfeiture record.

(Source: P.A. 95-195, eff. 1-1-08; 96-231, eff. 1-1-10; 96-1067, eff. 1-1-11.)

(35 ILCS 200/22-35)
Sec. 22-35. Reimbursement of a county or municipality before issuance of tax deed. Except in any proceeding in which the tax purchaser is a county acting as a trustee for taxing districts as provided in Section 21-90, an order for the issuance of a tax deed under this Code shall not be entered affecting the title to or interest in any property in which a county, city, village or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the county, city, village or incorporated town of the money so advanced or the county, city, village, or town waives its lien on the property for the money so advanced. However, in lieu of reimbursement or waiver, the purchaser or his or her assignee may make application for and the court shall order that the tax purchase be set aside as a sale in error. A filing or appearance fee shall not be required of a county, city, village or incorporated town seeking to enforce its claim under this Section in a tax deed proceeding.

(Source: P.A. 93-490, eff. 8-8-03.)

(35 ILCS 200/22-40)
Sec. 22-40. Issuance of deed; possession.
(a) If the redemption period expires and the property has not been redeemed and all taxes and special assessments which became due and payable subsequent to the sale have been paid and all forfeitures and sales which occur subsequent to the sale have been redeemed and the notices required by law have been given and all advancements of public funds under the police power made by a county, city, village or town under Section 22-35 have been paid and the petitioner has complied with all the provisions of law entitling him or her to a deed, the court shall so find and shall enter an order directing the county clerk on the production of the certificate of purchase and a certified copy of the order, to issue to the

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purchaser or his or her assignee a tax deed. The court shall insist on strict compliance with Section 22-10 through 22-25. Prior to the entry of an order directing the issuance of a tax deed, the petitioner shall furnish the court with a report of proceedings of the evidence received on the application for tax deed and the report of proceedings shall be filed and made a part of the court record.

(b) If taxes for years prior to the year or years sold are or become delinquent subsequent to the date of sale, the court shall find that the lien of those delinquent taxes has been or will be merged into the tax deed grantee's title if the court determines that the tax deed grantee or any prior holder of the certificate of purchase, or any person or entity under common ownership or control with any such grantee or prior holder of the certificate of purchase, was at no time the holder of any certificate of purchase for the years sought to be merged. If delinquent taxes are merged into the tax deed pursuant to this subsection, the court shall enter an order declaring which specific taxes have been or will be merged into the tax deed title and directing the county treasurer and county clerk to reflect that declaration in the warrant and judgment records; provided, that no such order shall be effective until a tax deed has been issued and timely recorded. Nothing contained in this Section shall relieve any owner liable for delinquent property taxes under this Code from the payment of the taxes that have been merged into the title upon issuance of the tax deed.

(c) The county clerk is entitled to a fee of $10 in counties of 3,000,000 or more inhabitants and $5 in counties with less than 3,000,000 inhabitants for the issuance of the tax deed. The clerk may not include in a tax deed more than one property as listed, assessed and sold in one description, except in cases where several properties are owned by one person.

Upon application the court shall, enter an order to place the tax deed grantee or the grantee's successor in interest in possession of the property and may enter orders and grant relief as may be necessary or desirable to maintain the grantee or the grantee's successor in interest in possession.

(d) The court shall retain jurisdiction to enter orders pursuant to subsections (b) and (c) of this Section. This amendatory Act of the 92nd General Assembly and this amendatory Act of the 95th General Assembly shall be construed as being declarative of existing law and not as a new enactment.

(Source: P.A. 95-477, eff. 6-1-08.)

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Section 10. The Mobile Home Local Services Tax Enforcement Act is amended by changing Section 395 as follows:

(35 ILCS 516/395)

Sec. 395. Reimbursement of a county or municipality before issuance of tax certificate of title. Except in any proceeding in which the tax purchaser is a county acting as trustee for taxing districts as provided in Section 35, an order for the issuance of a tax certificate of title under this Act shall not be entered affecting the title to or interest in any mobile home in which a county, city, village, or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the county, city, village, or incorporated town of the money so advanced or the county, city, village, or town waives its lien on the mobile home for the money so advanced. However, in lieu of reimbursement or waiver, the purchaser or his or her assignee may make application for and the court shall order that the tax purchase be set aside as a sale in error. A filing or appearance fee shall not be required of a county, city, village, or incorporated town seeking to enforce its claim under this Section in a tax certificate of title proceeding.

The changes made by this amendatory Act of the 94th General Assembly are intended to be declarative of existing law.

(Source: P.A. 94-358, eff. 7-29-05.)

Passed in the General Assembly December 3, 2014.
Approved January 9, 2015.
Effective June 1, 2015.

PUBLIC ACT 98-1163
(Senate Bill No. 2915)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Tobacco Products Manufacturers' Escrow Enforcement Act of 2003 is amended by changing Section 25 as follows:

(30 ILCS 167/25)

Sec. 25. Reporting of information; escrow installments.
(a) Not later than 20 days after the end of each calendar quarter, and more frequently if so directed by the Attorney General, each distributor shall submit the information as the Attorney General requires to
facilitate compliance with this Act, including, but not limited to, a list by
brand family of the total number of cigarettes or in the case of roll-your-
own, the equivalent stick count for which the distributor affixed stamps
during the previous calendar quarter or otherwise paid the tax due for these
cigarettes. The distributor shall maintain, and make available to the
Attorney General, all invoices and documentation of sales of all non-
participating manufacturer cigarettes and any other information relied
upon in reporting to the Attorney General for a period of 5 years.

(b) The Attorney General is authorized to disclose to the Director
any information received under this Act for purposes of determining
compliance with and enforcing the provisions of this Act. The Director
and Attorney General shall share with each other the information received
under this Act, and may share the information with other federal, State, or
local agencies only for purposes of enforcement of this Act, the Escrow
Act, or corresponding laws of other states. The Director and Attorney
General shall also share with each other the information received under
the Cigarette Tax Act, the Cigarette Use Tax Act, the Tobacco Products
Tax Act of 1995, the Cigarette Machine Operators' Occupation Tax Act,
and the Retailers' Occupation Tax Act for the purposes of enforcement of
this Act and the Escrow Act.

(c) The Attorney General may require at any time, from the non-
participating manufacturer, proof from the financial institution in which
the manufacturer has established a qualified escrow fund for the purpose
of compliance with the Escrow Act of the amount of money in the fund
being held on behalf of the State and the dates of deposits, and listing the
amounts of all withdrawals from the fund and the dates thereof.

(d) In addition to the information required to be submitted pursuant
to this Act, the Attorney General may require a distributor or tobacco
product manufacturer to submit any additional information including, but
not limited to, samples of the packaging or labeling of each brand family,
as is necessary to enable the Attorney General to determine whether a
tobacco product manufacturer is in compliance with this Act.

(e) To promote compliance with the provisions of this Act, the
Attorney General may promulgate regulations requiring a tobacco product
manufacturer subject to the requirements of subsection (a)(2) of Section 15
to make the escrow deposits required in quarterly installments during the
year in which the sales covered by the deposits are made. The Attorney
General may require production of information sufficient to enable the

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Attorney General to determine the adequacy of the amount of the installment deposit.
(Source: P.A. 93-446, eff. 1-1-04; 94-575, eff. 8-12-05.)

Section 10. The Cigarette Machine Operators' Occupation Tax Act is amended by changing Section 1-30 as follows:
(35 ILCS 128/1-30)
Sec. 1-30. Cigarette tubes used in cigarette machines.
(a) All cigarette tubes used in cigarette machines in the possession of cigarette machine operators licensed under Section 1-15 of this Act shall be constructed of paper of a type determined by the Attorney General, pursuant to rules promulgated by the Attorney General under the provisions of the Administrative Procedure Act, to reduce the likely ignition propensity of cigarettes made by those tubes.

(b) A cigarette machine operator is not required to comply with subsection (a) of this Section until the Attorney General has promulgated rules implementing subsection (a) and the rules have become effective. The effective date for such rules shall be no earlier than 6 months after the date on which an appropriate nationally recognized standard is developed for the reduced ignition propensity of cigarette tubes January 1, 2014.
(Source: P.A. 97-688, eff. 6-14-12.)

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

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1164
(Senate Bill No. 2933)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Pension Code is amended by changing Section 22-101B as follows:
(40 ILCS 5/22-101B)
Sec. 22-101B. Health Care Benefits.
(a) The Chicago Transit Authority (hereinafter referred to in this Section as the "Authority") shall take all actions lawfully available to it to separate the funding of health care benefits for retirees and their

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dependents and survivors from the funding for its retirement system. The Authority shall endeavor to achieve this separation as soon as possible, and in any event no later than July 1, 2009.

(b) Effective 90 days after the effective date of this amendatory Act of the 95th General Assembly, a Retiree Health Care Trust is established for the purpose of providing health care benefits to eligible retirees and their dependents and survivors in accordance with the terms and conditions set forth in this Section 22-101B. The Retiree Health Care Trust shall be solely responsible for providing health care benefits to eligible retirees and their dependents and survivors upon the exhaustion of the account established by the Retirement Plan for Chicago Transit Authority Employees pursuant to Section 401(h) of the Internal Revenue Code of 1986, but no earlier than January 1, 2009 and no later than July 1, 2009.

(1) The Board of Trustees shall consist of 7 members appointed as follows: (i) 3 trustees shall be appointed by the Chicago Transit Board; (ii) one trustee shall be appointed by an organization representing the highest number of Chicago Transit Authority participants; (iii) one trustee shall be appointed by an organization representing the second-highest number of Chicago Transit Authority participants; (iv) one trustee shall be appointed by the recognized coalition representatives of participants who are not represented by an organization with the highest or second-highest number of Chicago Transit Authority participants; and (v) one trustee shall be selected by the Regional Transportation Authority Board of Directors, and the trustee shall be a professional fiduciary who has experience in the area of collectively bargained retiree health plans. Trustees shall serve until a successor has been appointed and qualified, or until resignation, death, incapacity, or disqualification.

Any person appointed as a trustee of the board shall qualify by taking an oath of office that he or she will diligently and honestly administer the affairs of the system, and will not knowingly violate or willfully permit the violation of any of the provisions of law applicable to the Plan, including Sections 1-109, 1-109.1, 1-109.2, 1-110, 1-111, 1-114, and 1-115 of Article 1 of the Illinois Pension Code.

Each trustee shall cast individual votes, and a majority vote shall be final and binding upon all interested parties, provided that

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the Board of Trustees may require a supermajority vote with respect to the investment of the assets of the Retiree Health Care Trust, and may set forth that requirement in the trust agreement or by-laws of the Board of Trustees. Each trustee shall have the rights, privileges, authority and obligations as are usual and customary for such fiduciaries.

(2) The Board of Trustees shall establish and administer a health care benefit program for eligible retirees and their dependents and survivors. Any health care benefit program established by the Board of Trustees for eligible retirees and their dependents and survivors effective on or after July 1, 2009 shall not contain any plan which provides for more than 90% coverage for in-network services or 70% coverage for out-of-network services after any deductible has been paid, except that coverage through a health maintenance organization ("HMO") may be provided at 100%.

(2.5) The Board of Trustees may also establish and administer a health reimbursement arrangement for retirees and former employees of the Authority or the Retirement Plan, and their survivors, who have contributed to the Retiree Health Care Trust but do not satisfy the years of service requirement of subdivision (b)(4) and the terms of the retiree health care plan; or for those who do satisfy the requirements of subdivision (b)(4) and the terms of the retiree health care plan but who decline coverage under the plan prior to retirement. Any such health reimbursement arrangement may provide that: the retirees or former employees of the Authority or the Retirement Plan, and their survivors, must have reached age 65 to be eligible to participate in the health reimbursement arrangement; contributions by the retirees or former employees of the Authority or the Retirement Plan to the Retiree Health Care Trust shall be considered assets of the Retiree Health Care Trust only; contributions shall not accrue interest for the benefit of the retiree or former employee of the Authority or the Retirement Plan or survivor; benefits shall be payable in accordance with the Internal Revenue Code of 1986; the amounts paid to or on account of the retiree or former employee of the Authority or the Retirement Plan or survivor shall not exceed the total amount which the retiree or former employee of the Authority or the Retirement Plan contributed to the Retiree Health Care Trust.

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Trust; the Retiree Health Care Trust may charge a reasonable administrative fee for processing the benefits. The Board of Trustees of the Retiree Health Care Trust may establish such rules, limitations and requirements as the Board of Trustees deems appropriate.

(3) The Retiree Health Care Trust shall be administered by the Board of Trustees according to the following requirements:

(i) The Board of Trustees may cause amounts on deposit in the Retiree Health Care Trust to be invested in those investments that are permitted investments for the investment of moneys held under any one or more of the pension or retirement systems of the State, any unit of local government or school district, or any agency or instrumentality thereof. The Board, by a vote of at least two-thirds of the trustees, may transfer investment management to the Illinois State Board of Investment, which is hereby authorized to manage these investments when so requested by the Board of Trustees.

(ii) The Board of Trustees shall establish and maintain an appropriate funding reserve level which shall not be less than the amount of incurred and unreported claims plus 12 months of expected claims and administrative expenses.

(iii) The Board of Trustees shall make an annual assessment of the funding levels of the Retiree Health Care Trust and shall submit a report to the Auditor General at least 90 days prior to the end of the fiscal year. The report shall provide the following:

(A) the actuarial present value of projected benefits expected to be paid to current and future retirees and their dependents and survivors;

(B) the actuarial present value of projected contributions and trust income plus assets;

(C) the reserve required by subsection (b)(3)(ii); and

(D) an assessment of whether the actuarial present value of projected benefits expected to be paid to current and future retirees and their dependents and survivors exceeds or is less than the

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actuarial present value of projected contributions and trust income plus assets in excess of the reserve required by subsection (b)(3)(ii).

If the actuarial present value of projected benefits expected to be paid to current and future retirees and their dependents and survivors exceeds the actuarial present value of projected contributions and trust income plus assets in excess of the reserve required by subsection (b)(3)(ii), then the report shall provide a plan, to be implemented over a period of not more than 10 years from each valuation date, which would make the actuarial present value of projected contributions and trust income plus assets equal to or exceed the actuarial present value of projected benefits expected to be paid to current and future retirees and their dependents and survivors. The plan may consist of increases in employee, retiree, dependent, or survivor contribution levels, decreases in benefit levels, or other plan changes or any combination thereof. If the actuarial present value of projected benefits expected to be paid to current and future retirees and their dependents and survivors is less than the actuarial present value of projected contributions and trust income plus assets in excess of the reserve required by subsection (b)(3)(ii), then the report may provide a plan of decreases in employee, retiree, dependent, or survivor contribution levels, increases in benefit levels, or other plan changes, or any combination thereof, to the extent of the surplus.

(iv) The Auditor General shall review the report and plan provided in subsection (b)(3)(iii) and issue a determination within 90 days after receiving the report and plan, with a copy of such determination provided to the General Assembly and the Regional Transportation Authority, as follows:

(A) In the event of a projected shortfall, if the Auditor General determines that the assumptions stated in the report are not unreasonable in the aggregate and that the plan of increases in employee, retiree, dependent, or survivor contribution levels, decreases in benefit

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levels, or other plan changes, or any combination thereof, to be implemented over a period of not more than 10 years from each valuation date, is reasonably projected to make the actuarial present value of projected contributions and trust income plus assets equal to or in excess of the actuarial present value of projected benefits expected to be paid to current and future retirees and their dependents and survivors, then the Board of Trustees shall implement the plan. If the Auditor General determines that the assumptions stated in the report are unreasonable in the aggregate, or that the plan of increases in employee, retiree, dependent, or survivor contribution levels, decreases in benefit levels, or other plan changes to be implemented over a period of not more than 10 years from each valuation date, is not reasonably projected to make the actuarial present value of projected contributions and trust income plus assets equal to or in excess of the actuarial present value of projected benefits expected to be paid to current and future retirees and their dependents and survivors, then the Board of Trustees shall not implement the plan, the Auditor General shall explain the basis for such determination to the Board of Trustees, and the Auditor General may make recommendations as to an alternative report and plan.

(B) In the event of a projected surplus, if the Auditor General determines that the assumptions stated in the report are not unreasonable in the aggregate and that the plan of decreases in employee, retiree, dependent, or survivor contribution levels, increases in benefit levels, or both, is not unreasonable in the aggregate, then the Board of Trustees shall implement the plan. If the Auditor General determines that the assumptions stated in the report are unreasonable in the aggregate, or that the plan of decreases in employee,
retiree, dependent, or survivor contribution levels, increases in benefit levels, or both, is unreasonable in the aggregate, then the Board of Trustees shall not implement the plan, the Auditor General shall explain the basis for such determination to the Board of Trustees, and the Auditor General may make recommendations as to an alternative report and plan.

(C) The Board of Trustees shall submit an alternative report and plan within 45 days after receiving a rejection determination by the Auditor General. A determination by the Auditor General on any alternative report and plan submitted by the Board of Trustees shall be made within 90 days after receiving the alternative report and plan, and shall be accepted or rejected according to the requirements of this subsection (b)(3)(iv). The Board of Trustees shall continue to submit alternative reports and plans to the Auditor General, as necessary, until a favorable determination is made by the Auditor General.

(4) For any retiree who first retires effective on or after January 18, 2008, to be eligible for retiree health care benefits upon retirement, the retiree must be at least 55 years of age, retire with 10 or more years of continuous service and satisfy the preconditions established by Public Act 95-708 in addition to any rules or regulations promulgated by the Board of Trustees. Notwithstanding the foregoing, any retiree hired on or before September 5, 2001 who retires with 25 years or more of continuous service shall be eligible for retiree health care benefits upon retirement in accordance with any rules or regulations adopted by the Board of Trustees; provided he or she retires prior to the full execution of the successor collective bargaining agreement to the collective bargaining agreement that became effective January 1, 2007 between the Authority and the organizations representing the highest and second-highest number of Chicago Transit Authority participants. This paragraph (4) shall not apply to a disability allowance.

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(5) Effective January 1, 2009, the aggregate amount of retiree, dependent and survivor contributions to the cost of their health care benefits shall not exceed more than 45% of the total cost of such benefits. The Board of Trustees shall have the discretion to provide different contribution levels for retirees, dependents and survivors based on their years of service, level of coverage or Medicare eligibility, provided that the total contribution from all retirees, dependents, and survivors shall be not more than 45% of the total cost of such benefits. The term "total cost of such benefits" for purposes of this subsection shall be the total amount expended by the retiree health benefit program in the prior plan year, as calculated and certified in writing by the Retiree Health Care Trust's enrolled actuary to be appointed and paid for by the Board of Trustees.

(6) Effective January 18, 2008, all employees of the Authority shall contribute to the Retiree Health Care Trust in an amount not less than 3% of compensation.

(7) No earlier than January 1, 2009 and no later than July 1, 2009 as the Retiree Health Care Trust becomes solely responsible for providing health care benefits to eligible retirees and their dependents and survivors in accordance with subsection (b) of this Section 22-101B, the Authority shall not have any obligation to provide health care to current or future retirees and their dependents or survivors. Employees, retirees, dependents, and survivors who are required to make contributions to the Retiree Health Care Trust shall make contributions at the level set by the Board of Trustees pursuant to the requirements of this Section 22-101B.

(Source: P.A. 95-708, eff. 1-18-08; 95-906, eff. 8-26-08; 96-1254, eff. 7-23-10.)

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective June 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 500-10 and 500-100 and by adding Section 500-108 as follows:

(215 ILCS 5/500-10)

(Section scheduled to be repealed on January 1, 2017)

Sec. 500-10. Definitions. In addition to the definitions in Section 2 of the Code, the following definitions apply to this Article:

"Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

"Car rental limited line licensee" means a person authorized under the provisions of Section 500-105 to sell certain coverages relating to the rental of vehicles.

"Home state" means the District of Columbia and any state or territory of the United States in which an insurance producer maintains his or her principal place of residence or principal place of business and is licensed to act as an insurance producer.

"Insurance" means any of the lines of authority in Section 500-35, any health care plan under the Health Maintenance Organization Act, or any limited health care plan under the Limited Health Service Organization Act.

"Insurance producer" means a person required to be licensed under the laws of this State to sell, solicit, or negotiate insurance.

"Insurer" means a company as defined in subsection (e) of Section 2 of this Code, a health maintenance organization as defined in the Health Maintenance Organization Act, or a limited health service organization as defined in the Limited Health Service Organization Act.

"License" means a document issued by the Director authorizing an individual to act as an insurance producer for the lines of authority specified in the document or authorizing a business entity to act as an insurance producer. The license itself does not create any authority, actual, apparent, or inherent, in the holder to represent or commit an insurance carrier.

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"Limited lines insurance" means those lines of insurance defined in Section 500-100 or any other line of insurance that the Director may deem it necessary to recognize for the purposes of complying with subsection (e) of Section 500-40.

"Limited lines producer" means a person authorized by the Director to sell, solicit, or negotiate limited lines insurance.

"Negotiate" means the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms, or conditions of the contract, provided that the person engaged in that act either sells insurance or obtains insurance from insurers for purchasers.

"Person" means an individual or a business entity.

"Rental agreement" means a written agreement setting forth the terms and conditions governing the use of a vehicle provided by a rental company for rental or lease.

"Rental company" means a person, or a franchisee of the person, in the business of providing primarily private passenger vehicles to the public under a rental agreement for a period not to exceed 30 days.

"Rental period" means the term of the rental agreement.

"Renter" means a person obtaining the use of a vehicle from a rental company under the terms of a rental agreement for a period not to exceed 30 days.

"Self-service storage facility limited line licensee" means a person authorized under the provisions of Section 500-107 to sell certain coverages relating to the rental of self-service storage facilities.

"Sell" means to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurance company.

"Solicit" means attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular company.

"Terminate" means the cancellation of the relationship between an insurance producer and the insurer or the termination of a producer's authority to transact insurance.

"Travel insurance" means insurance coverage for personal risks incident to planned travel, including, but not limited to: (1) the interruption or cancellation of a trip or event, (2) the loss of baggage or personal effects, (3) damages to accommodations or rental vehicles, or (4) sickness, accident, disability, or death occurring during travel. "Travel insurance" does not include major medical plans that provide

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comprehensive medical protection for travelers with trips lasting 6 months or longer, including those working overseas as an ex-patriot or as military personnel on deployment.

"Uniform Business Entity Application" means the current version of the National Association of Insurance Commissioners' Uniform Business Entity Application for nonresident business entities.

"Uniform Application" means the current version of the National Association of Insurance Commissioners' Uniform Application for nonresident producer licensing.

"Vehicle" or "rental vehicle" means a motor vehicle of (1) the private passenger type, including passenger vans, mini vans, and sport utility vehicles or (2) the cargo type, including cargo vans, pickup trucks, and trucks with a gross vehicle weight of less than 26,000 pounds the operation of which does not require the operator to possess a commercial driver's license.

"Webinar" means an online educational presentation during which a live and participating instructor and participating viewers, whose attendance is periodically verified throughout the presentation, actively engage in discussion and in the submission and answering of questions.

(Source: P.A. 97-113, eff. 7-14-11.)

(215 ILCS 5/500-100)

(Section scheduled to be repealed on January 1, 2017)

Sec. 500-100. Limited lines producer license.

(a) An individual who is at least 18 years of age and whom the Director considers to be competent, trustworthy, and of good business reputation may obtain a limited lines producer license for one or more of the following classes:

(1) travel insurance, as defined in Section 500-10 of this Article on baggage or limited travel health, accident, or trip cancellation insurance sold in connection with transportation provided by a common carrier;

(2) industrial life insurance, as defined in Section 228 of this Code;

(3) industrial accident and health insurance, as defined in Section 368 of this Code;

(4) insurance issued by a company organized under the Farm Mutual Insurance Company Act of 1986;

(5) legal expense insurance;

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(6) enrollment of recipients of public aid or medicare in a health maintenance organization;

(7) a limited health care plan issued by an organization having a certificate of authority under the Limited Health Service Organization Act;

(8) credit life and credit accident and health insurance and other credit insurance policies approved or permitted by the Director; a credit insurance company must conduct a training program in which an applicant shall receive basic instruction about the credit insurance products that he or she will be selling.

(b) The application for a limited lines producer license must be submitted on a form prescribed by the Director by a designee of the insurance company, health maintenance organization, or limited health service organization appointing the limited insurance representative. The insurance company, health maintenance organization, or limited health service organization must pay the fee required by Section 500-135.

(c) A limited lines producer may represent more than one insurance company, health maintenance organization, or limited health service organization.

(d) An applicant who has met the requirements of this Section shall be issued a perpetual limited lines producer license.

(e) A limited lines producer license shall remain in effect as long as the appointing insurance company pays the respective fee required by Section 500-135 prior to January 1 of each year, unless the license is revoked or suspended pursuant to Section 500-70. Failure of the insurance company to pay the license fee or to submit the required documents shall cause immediate termination of the limited line insurance producer license with respect to which the failure occurs.

(f) A limited lines producer license may be terminated by the insurance company or the licensee.

(g) A person whom the Director considers to be competent, trustworthy, and of good business reputation may be issued a car rental limited line license. A car rental limited line license for a rental company shall remain in effect as long as the car rental limited line licensee pays the respective fee required by Section 500-135 prior to the next fee date unless the car rental license is revoked or suspended pursuant to Section 500-70. Failure of the car rental limited line licensee to pay the license fee or to submit the required documents shall cause immediate suspension of the car rental limited line license. A car rental limited line license for rental

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companies may be voluntarily terminated by the car rental limited line licensee. The license fee shall not be refunded upon termination of the car rental limited line license by the car rental limited line licensee.

(h) A limited lines producer issued a license pursuant to this Section is not subject to the requirements of Section 500-30.

(i) A limited lines producer license must contain the name, address and personal identification number of the licensee, the date the license was issued, general conditions relative to the license's expiration or termination, and any other information the Director considers proper. A limited line producer license, if applicable, must also contain the name and address of the appointing insurance company.

(Source: P.A. 98-159, eff. 8-2-13; 98-756, eff. 7-16-14.)

(215 ILCS 5/500-108 new)
Sec. 500-108. Travel insurance business entity license.
(a) As used in this Section:
"Offering and disseminating" means the following:

(1) Providing information to a prospective or current policyholder on behalf of a limited lines travel insurance entity, including brochures, buyer guides, descriptions of coverage, and price.

(2) Referring specific questions regarding coverage features and benefits from a prospective or current policyholder to a limited lines travel insurance entity.

(3) Disseminating and processing applications for coverage, coverage selection forms, or other similar forms in response to a request from a prospective or current policyholder.

(4) Collecting premiums from a prospective or current policyholder on behalf of a limited lines travel insurance entity.

(5) Receiving and recording information from a policyholder to share with a limited lines travel insurance entity.

"Travel insurance business entity" means a licensed insurance producer designated by an insurer as set forth in subsection (i) of this Section.

"Travel retailer" means a business organization that makes, arranges, or offers travel services and, with respect to travel insurance, is limited to offering and disseminating as defined in this Section, unless otherwise licensed under subsection (c) of this Section.

(b) The Director may issue to a travel insurance business entity that registers travel retailers under its license as described in paragraph

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(2) of subsection (d) of this Section a producer license as provided in paragraph (6) of subsection (a) of Section 500-35 of this Code. A travel insurance business entity license issued under this Section shall also authorize any employee of the travel insurance business entity to act individually on behalf and under the supervision of the travel insurance business entity licensee with respect to the coverage specified in this Section. Each travel insurance business entity licensed under this Section shall pay the Department a fee of $500 for its initial license and $500 for each renewal license, payable on May 31 annually.

(c) The Director may issue to a travel retailer a limited lines producer license. A travel retailer license issued under this Section shall also authorize any employee of the travel retailer limited line licensee to act individually on behalf and under the supervision of the travel retailer limited line licensee with respect to the coverage specified in this Section.

(d) Notwithstanding any other provision of law, a travel retailer may do the limited activities of offering and disseminating travel insurance on behalf of and under the license of a supervising travel insurance business entity if the following conditions are met:

(1) the travel insurance business entity or travel retailer provides to purchasers of travel insurance:
   (A) a description of the material terms or the actual material terms of the insurance coverage;
   (B) a description of the process for filing a claim;
   (C) a description of the review or cancellation process for the travel insurance policy; and
   (D) the identity and contact information of the insurer and travel insurance business entity;

(2) at the time of licensure, the travel insurance business entity shall establish and maintain a register on a form prescribed by the Director of each travel retailer that offers travel insurance on the travel insurance business entity's behalf; the register shall be maintained and updated continuously by the travel insurance business entity and shall include the name, address, and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations and the travel retailer's federal tax identification number; the travel insurance business entity shall submit the register to the Director annually on a form and in a manner approved by the Director; the limited lines producer shall also certify that the travel retailer personnel who is

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offering and disseminating insurance under the travel retailer's registration complies with 18 U.S.C. 1033;

(3) the travel insurance business entity has designated one of its employees as a licensed individual producer (a designated responsible producer or DRP) responsible for the travel insurance business entity's and its travel retailer's compliance with the travel insurance laws, rules, and regulations of the State;

(4) the travel insurance business entity has paid all applicable insurance producer licensing fees as set forth in this Code; and

(5) the travel insurance business entity requires each employee and authorized representative of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training that shall be subject to review by the Director; the training material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers.

(e) Any travel retailer offering or disseminating travel insurance shall make available to prospective purchasers brochures or other written materials that:

(1) provide the identity and contact information of the insurer and the travel insurance business entity;

(2) explain that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer; and

(3) explain that an unlicensed travel retailer is permitted to provide general information about the insurance offered by the travel retailer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage.

(f) A travel retailer's employee or authorized representative who is not licensed as an insurance producer may not:

(1) evaluate or interpret the technical terms, benefits, and conditions of the offered travel insurance coverage;

(2) evaluate or provide advice concerning a prospective purchaser's existing insurance coverage; or

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(3) hold himself, herself, or itself out as a licensed insurer, licensed producer, or insurance expert.

(g) A travel retailer whose insurance-related activities, and those of its employees and authorized representatives, are limited to offering and disseminating travel insurance on behalf of and under the direction of a travel insurance business entity meeting the conditions stated in this Section is authorized to do so and receive related compensation upon registration by the travel insurance business entity as described in paragraph (2) of subsection (d) of this Section.

(h) Travel insurance may be provided under an individual policy or under a group or master policy.

(i) As the insurer designee, the travel insurance business entity is responsible for the acts of the travel retailer that is registered under its license.

(j) Any entity that violates any provision of this Article shall be subject to all appropriate regulatory action as set forth in this Code.

Passed in the General Assembly December 4, 2014.
Approved January 1, 2015.
Effective June 1, 2015.

PUBLIC ACT 98-1166
(Senate Bill No. 3171)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Aid Code is amended by changing Section 5-5e as follows:

(305 ILCS 5/5-5e)

Sec. 5-5e. Adjusted rates of reimbursement.

(a) Rates or payments for services in effect on June 30, 2012 shall be adjusted and services shall be affected as required by any other provision of this amendatory Act of the 97th General Assembly. In addition, the Department shall do the following:

(1) Delink the per diem rate paid for supportive living facility services from the per diem rate paid for nursing facility services, effective for services provided on or after May 1, 2011.

(2) Cease payment for bed reserves in nursing facilities and specialized mental health rehabilitation facilities; for purposes of

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therapeutic home visits for individuals scoring as TBI on the MDS 3.0, beginning June 1, 2015, the Department shall approve payments for bed reserves in nursing facilities and specialized mental health rehabilitation facilities that have at least a 90% occupancy level and at least 80% of their residents are Medicaid eligible. Payment shall be at a daily rate of 75% of an individual’s current Medicaid per diem and shall not exceed 10 days in a calendar month.

(2.5) Cease payment for bed reserves for purposes of inpatient hospitalizations to intermediate care facilities for persons with development disabilities, except in the instance of residents who are under 21 years of age.

(3) Cease payment of the $10 per day add-on payment to nursing facilities for certain residents with developmental disabilities.

(b) After the application of subsection (a), notwithstanding any other provision of this Code to the contrary and to the extent permitted by federal law, on and after July 1, 2012, the rates of reimbursement for services and other payments provided under this Code shall further be reduced as follows:

(1) Rates or payments for physician services, dental services, or community health center services reimbursed through an encounter rate, and services provided under the Medicaid Rehabilitation Option of the Illinois Title XIX State Plan shall not be further reduced.

(2) Rates or payments, or the portion thereof, paid to a provider that is operated by a unit of local government or State University that provides the non-federal share of such services shall not be further reduced.

(3) Rates or payments for hospital services delivered by a hospital defined as a Safety-Net Hospital under Section 5-5e.1 of this Code shall not be further reduced.

(4) Rates or payments for hospital services delivered by a Critical Access Hospital, which is an Illinois hospital designated as a critical care hospital by the Department of Public Health in accordance with 42 CFR 485, Subpart F, shall not be further reduced.

(5) Rates or payments for Nursing Facility Services shall only be further adjusted pursuant to Section 5-5.2 of this Code.

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(6) Rates or payments for services delivered by long term care facilities licensed under the ID/DD Community Care Act and developmental training services shall not be further reduced.

(7) Rates or payments for services provided under capitation rates shall be adjusted taking into consideration the rates reduction and covered services required by this amendatory Act of the 97th General Assembly.

(8) For hospitals not previously described in this subsection, the rates or payments for hospital services shall be further reduced by 3.5%, except for payments authorized under Section 5A-12.4 of this Code.

(9) For all other rates or payments for services delivered by providers not specifically referenced in paragraphs (1) through (8), rates or payments shall be further reduced by 2.7%.

(c) Any assessment imposed by this Code shall continue and nothing in this Section shall be construed to cause it to cease.

(d) Notwithstanding any other provision of this Code to the contrary, subject to federal approval under Title XIX of the Social Security Act, for dates of service on and after July 1, 2014, rates or payments for services provided for the purpose of transitioning children from a hospital to home placement or other appropriate setting by a children's community-based health care center authorized under the Alternative Health Care Delivery Act shall be $683 per day.

(e) Notwithstanding any other provision of this Code to the contrary, subject to federal approval under Title XIX of the Social Security Act, for dates of service on and after July 1, 2014, rates or payments for home health visits shall be $72.

(f) Notwithstanding any other provision of this Code to the contrary, subject to federal approval under Title XIX of the Social Security Act, for dates of service on and after July 1, 2014, rates or payments for the certified nursing assistant component of the home health agency rate shall be $20.

(Source: P.A. 97-689, eff. 6-14-12; 98-104, eff. 7-22-13; 98-651, eff. 6-16-14.)

Section 99. Effective date. This Act takes effect June 1, 2015.
Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective June 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Wireless Emergency Telephone Safety Act is amended by changing Section 17 as follows:

(50 ILCS 751/17)

(Section scheduled to be repealed on July 1, 2015)

Sec. 17. Wireless carrier surcharge.

(a) Except as provided in Sections 45 and 80, each wireless carrier shall impose a monthly wireless carrier surcharge per CMRS connection that either has a telephone number within an area code assigned to Illinois by the North American Numbering Plan Administrator or has a billing address in this State. No wireless carrier shall impose the surcharge authorized by this Section upon any subscriber who is subject to the surcharge imposed by a unit of local government pursuant to Section 45. Prior to January 1, 2008 (the effective date of Public Act 95-698), the surcharge amount shall be the amount set by the Wireless Enhanced 9-1-1 Board. Beginning on January 1, 2008 (the effective date of Public Act 95-698), the monthly surcharge imposed under this Section shall be $0.73 per CMRS connection. The wireless carrier that provides wireless service to the subscriber shall collect the surcharge from the subscriber. For mobile telecommunications services provided on and after August 1, 2002, any surcharge imposed under this Act shall be imposed based upon the municipality or county that encompasses the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. The surcharge shall be stated as a separate item on the subscriber's monthly bill. The wireless carrier shall begin collecting the surcharge on bills issued within 90 days after the Wireless Enhanced 9-1-1 Board sets the monthly wireless surcharge. State and local taxes shall not apply to the wireless carrier surcharge.

(b) Except as provided in Sections 45 and 80, a wireless carrier shall, within 45 days of collection, remit, either by check or by electronic funds transfer, to the Illinois Commerce Commission for deposit with the State Treasurer the amount of the wireless carrier surcharge collected from each subscriber. Of the amounts remitted under this subsection prior to January 1, 2008 (the effective date of Public Act 95-698), and for
surcharges imposed before January 1, 2008 (the effective date of Public Act 95-698) but remitted after January 1, 2008, the State Treasurer shall deposit one-third into the Wireless Carrier Reimbursement Fund and two-thirds into the Wireless Service Emergency Fund. For surcharges collected and remitted on or after January 1, 2008 (the effective date of Public Act 95-698), $0.1475 per surcharge collected shall be deposited into the Wireless Carrier Reimbursement Fund, and $0.5825 per surcharge collected shall be deposited into the Wireless Service Emergency Fund. For surcharges collected and remitted on or after July 1, 2014, $0.05 per surcharge collected shall be deposited into the Wireless Carrier Reimbursement Fund, $0.66 per surcharge shall be deposited into the Wireless Service Emergency Fund, and $0.02 per surcharge collected shall be deposited into the Wireless Service Emergency Fund and distributed in equal amounts to each County Emergency Telephone System Board or qualified governmental entity telephone boards in counties with a population under 100,000 according to the most recent census data which is authorized by the Illinois Commerce Commission to serve as a primary wireless 9-1-1 public safety answering point for the county and to provide wireless 9-1-1 service as prescribed by subsection (b) of Section 15 of this Act, and which does provide such service. Of the amounts deposited into the Wireless Carrier Reimbursement Fund under this subsection, $0.01 per surcharge collected may be distributed to the carriers to cover their administrative costs. Of the amounts deposited into the Wireless Service Emergency Fund under this subsection, $0.01 per surcharge collected may be disbursed to the Illinois Commerce Commission to cover its administrative costs.

(c) The first such remittance by wireless carriers shall include the number of wireless subscribers by zip code, and the 9-digit zip code if currently being used or later implemented by the carrier, that shall be the means by which the Illinois Commerce Commission shall determine distributions from the Wireless Service Emergency Fund. This information shall be updated no less often than every year. Wireless carriers are not required to remit surcharge moneys that are billed to subscribers but not yet collected. Any carrier that fails to provide the zip code information required under this subsection (c) shall be subject to the penalty set forth in subsection (f) of this Section.

(d) Any funds collected under the Prepaid Wireless 9-1-1 Surcharge Act shall be distributed using a prorated method based upon zip code.
code information collected from post-paid wireless carriers under subsection (c) of this Section.

(e) If before midnight on the last day of the third calendar month after the closing date of the remit period a wireless carrier does not remit the surcharge or any portion thereof required under this Section, then the surcharge or portion thereof shall be deemed delinquent until paid in full, and the Illinois Commerce Commission may impose a penalty against the carrier in an amount equal to the greater of:

1) $25 for each month or portion of a month from the time an amount becomes delinquent until the amount is paid in full; or

2) an amount equal to the product of 1% and the sum of all delinquent amounts for each month or portion of a month that the delinquent amounts remain unpaid.

A penalty imposed in accordance with this subsection (e) for a portion of a month during which the carrier provides the number of subscribers by zip code as required under subsection (c) of this Section shall be prorated for each day of that month during which the carrier had not provided the number of subscribers by zip code as required under subsection (c) of this Section. Any penalty imposed under this subsection (e) is in addition to the amount of the delinquency and is in addition to any other penalty imposed under this Section.

(f) If, before midnight on the last day of the third calendar month after the closing date of the remit period, a wireless carrier does not provide the number of subscribers by zip code as required under subsection (c) of this Section, then the report is deemed delinquent and the Illinois Commerce Commission may impose a penalty against the carrier in an amount equal to the greater of:

1) $25 for each month or portion of a month that the report is delinquent; or

2) an amount equal to the product of $0.01 and the number of subscribers served by the wireless carrier. On and after July 1, 2014, an amount equal to the product of $0.01 and the number of subscribers served by the wireless carrier.

A penalty imposed in accordance with this subsection (f) for a portion of a month during which the carrier pays the delinquent amount in full shall be prorated for each day of that month that the delinquent amount was paid in full. A penalty imposed and collected in accordance with subsection (e) or this subsection (f) shall be deposited into the Wireless Service Emergency Fund for distribution according to Section 25

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of this Act. Any penalty imposed under this subsection (f) is in addition to any other penalty imposed under this Section.

(g) The Illinois Commerce Commission may enforce the collection of any delinquent amount and any penalty due and unpaid under this Section by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State. The Executive Director of the Illinois Commerce Commission, or his or her designee, may excuse the payment of any penalty imposed under this Section if the Executive Director, or his or her designee, determines that the enforcement of this penalty is unjust.

(h) Notwithstanding any provision of law to the contrary, nothing shall impair the right of wireless carriers to recover compliance costs for all emergency communications services that are not reimbursed out of the Wireless Carrier Reimbursement Fund directly from their wireless subscribers via line-item charges on the wireless subscriber's bill. Those compliance costs include all costs incurred by wireless carriers in complying with local, State, and federal regulatory or legislative mandates that require the transmission and receipt of emergency communications to and from the general public, including, but not limited to, E-911.

(i) The Auditor General shall conduct, on an annual basis, an audit of the Wireless Service Emergency Fund and the Wireless Carrier Reimbursement Fund for compliance with the requirements of this Act. The audit shall include, but not be limited to, the following determinations:

(1) Whether the Commission is maintaining detailed records of all receipts and disbursements from the Wireless Carrier Emergency Fund and the Wireless Carrier Reimbursement Fund.

(2) Whether the Commission's administrative costs charged to the funds are adequately documented and are reasonable.

(3) Whether the Commission's procedures for making grants and providing reimbursements in accordance with the Act are adequate.

(4) The status of the implementation of wireless 9-1-1 and E9-1-1 services in Illinois.

The Commission, the Department of State Police, and any other entity or person that may have information relevant to the audit shall cooperate fully and promptly with the Office of the Auditor General in conducting the audit. The Auditor General shall commence the audit as

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soon as possible and distribute the report upon completion in accordance with Section 3-14 of the Illinois State Auditing Act.
(Source: P.A. 97-463, eff. 1-1-12; 98-634, eff. 6-6-14.)

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

Passed in the General Assembly December 4, 2014.
Approved January 9, 2015.
Effective January 9, 2015.

PUBLIC ACT 98-1168
(Senate Bill No. 3341)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Conservation District Act is amended by changing Sections 15 and 15.1 as follows:

Sec. 15. (a) Whenever a district does not have sufficient money in its treasury to meet all necessary expenses and liabilities thereof, it may issue tax anticipation warrants. Such issue of tax anticipation warrants shall be subject to the provisions of Section 2 of "An Act to provide for the manner of issuing warrants upon the treasurer of the State or of any county, township, or other municipal corporation or quasi municipal corporation, or of any farm drainage district, river district, drainage and levee district, fire protection district and jurors' certificates", approved June 27, 1913, as now and hereafter amended.

(b) For the purpose of acquisition of real property, or rights thereto, a district may incur indebtedness and, as evidence of the indebtedness thus created, may issue and sell bonds without first obtaining the consent of the legal voters of the district.

(b-5) For the purpose of development of real property, all or a portion of which has been acquired with referendum-approved bonds, a district located entirely within McHenry County may incur indebtedness and, as evidence of the indebtedness thus created, may issue and sell bonds without first obtaining the consent of the legal voters of the district. Development, for the purposes of this subsection (b-5), shall mean the improvement or maintenance of existing trails, parking lots, bridges, roads, picnic shelters, and other improvements, adding or improving

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access to conservation areas or district facilities to comply with the Americans with Disabilities Act, demolition of unnecessary or unsafe structures, and the stabilization, revitalization or rehabilitation of historic structures.

(c) For the purpose of development of real property, a district may incur indebtedness and, as evidence of the indebtedness thus created, may issue and sell bonds only after the proposition to issue bonds has been submitted to the legal voters of the district at an election and has been approved by a majority of those voting on the proposition. Such election is subject to Section 15.1 of this Act.

(d) No district shall become indebted in any manner or for any purpose, to any amount including existing indebtedness in the aggregate exceeding 0.575% of the value, as equalized or assessed by the Department of Revenue, of the taxable property therein; except that a district entirely within a county of under 750,000 inhabitants and contiguous to a county of more than 2,000,000 inhabitants may incur indebtedness, including existing indebtedness, in the aggregate not exceeding 1.725% of that value if the aggregate indebtedness over 0.575% is submitted to the legal voters of the district at an election and is approved by a majority of those voting on the proposition as provided in Section 15.1.

The following do not in any way limit the right of a district to issue non-referendum bonds under this Section: bonds heretofore or hereafter issued and outstanding that are approved by referendum, as described in this subsection (d); refunding bonds issued to refund or continue to refund bonds approved by referendum; and bonds issued under this Section that have been paid in full or for which provisions for payment have been made by an irrevocable deposit of funds in an amount sufficient to pay the principal and interest on those bonds to their respective maturity date.

(e) Before or at the time of issuing bonds as described in this Section for acquisition or development of real property, the district shall provide by ordinance for the collection of an annual tax, in addition to all other taxes authorized by this act, sufficient to pay such bonds and the interest thereon as the same respectively become due. Such bonds shall be divided into series, the first of which shall mature not later than 5 years after the date of issue and the last of which shall mature not later than 25 years after the date of issue; shall bear interest at a rate or rates not exceeding the maximum rate permitted in "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax

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anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as now or hereafter amended; shall be in such form as the district shall by resolution provide and shall be payable as to both principal and interest from the proceeds of the annual levy of taxes authorized to be levied by this Section, or so much thereof as will be sufficient to pay the principal thereof and the interest thereon. Prior to the authorization and issuance of such bonds the district may, with or without notice, negotiate and enter into an agreement or agreements with any bank, investment banker, trust company or insurance company or group thereof whereunder the marketing of such bonds may be assured and consummated. The proceeds of such bonds shall be deposited in a special fund, to be kept separate and apart from all other funds of the conservation district.

(Source: P.A. 96-1178, eff. 7-22-10.)

(70 ILCS 410/15.1) (from Ch. 96 1/2, par. 7117)

Sec. 15.1. When the board of a district proposes to incur indebtedness and issue bonds, other than tax anticipation warrants, for the purpose of development of real property as provided in subsection (c) of Section 15 of this Act, or for the purpose of incurring indebtedness in the aggregate over 0.575% as provided in subsection (d) of Section 15, it shall order a referendum on the proposition.

The district shall adopt an ordinance calling for the referendum and setting forth the proposition. The clerk or secretary of the district shall certify the ordinance and the proposition to the proper election officials who shall submit the proposition to the voters of the district at a referendum in accordance with the general election law. For a bond proposition put forward by a district organized under this Act, including a forest preserve district created under Section 18.5, the ballot must have printed on it, but not as part of the proposition submitted, the following language:

The approximate impact of the proposed increase on the owner of a single-family home having a market value of (insert value) would be (insert amount) in the first year of the increase if the increase is fully implemented.

(Source: P.A. 97-364, eff. 8-15-11.)

Passed in the General Assembly December 3, 2014.
Approved January 9, 2015.
Effective June 1, 2015.
AN ACT concerning regulation.

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

Section 5. The Illinois Insurance Code is amended by changing Sections 409 and 444 as follows:

(215 ILCS 5/409) (from Ch. 73, par. 1021)
Sec. 409. Annual privilege tax payable by companies.

(1) As of January 1, 1999 for all health maintenance organization premiums written; as of July 1, 1998 for all premiums written as accident and health business, voluntary health service plan business, dental service plan business, or limited health service organization business; and as of January 1, 1998 for all other types of insurance premiums written, every company doing any form of insurance business in this State, including, but not limited to, every risk retention group, and excluding all fraternal benefit societies, all farm mutual companies, all religious charitable risk pooling trusts, and excluding all statutory residual market and special purpose entities in which companies are statutorily required to participate, whether incorporated or otherwise, shall pay, for the privilege of doing business in this State, to the Director for the State treasury a State tax equal to 0.5% of the net taxable premium written, together with any amounts due under Section 444 of this Code, except that the tax to be paid on any premium derived from any accident and health insurance or on any insurance business written by any company operating as a health maintenance organization, voluntary health service plan, dental service plan, or limited health service organization shall be equal to 0.4% of such net taxable premium written, together with any amounts due under Section 444. Upon the failure of any company to pay any such tax due, the Director may, by order, revoke or suspend the company's certificate of authority after giving 20 days written notice to the company, or commence proceedings for the suspension of business in this State under the procedures set forth by Section 401.1 of this Code. The gross taxable premium written shall be the gross amount of premiums received on direct business during the calendar year on contracts covering risks in this State, except premiums on annuities, premiums on which State premium taxes are prohibited by federal law, premiums paid by the State for health care coverage for Medicaid eligible insureds as described in Section 5-2 of the

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Illinois Public Aid Code, premiums paid for health care services included as an element of tuition charges at any university or college owned and operated by the State of Illinois, premiums on group insurance contracts under the State Employees Group Insurance Act of 1971, and except premiums for deferred compensation plans for employees of the State, units of local government, or school districts. The net taxable premium shall be the gross taxable premium written reduced only by the following:

(a) the amount of premiums returned thereon which shall be limited to premiums returned during the same preceding calendar year and shall not include the return of cash surrender values or death benefits on life policies including annuities;

(b) dividends on such direct business that have been paid in cash, applied in reduction of premiums or left to accumulate to the credit of policyholders or annuitants. In the case of life insurance, no deduction shall be made for the payment of deferred dividends paid in cash to policyholders on maturing policies; dividends left to accumulate to the credit of policyholders or annuitants shall be included as gross taxable premium written when such dividend accumulations are applied to purchase paid-up insurance or to shorten the endowment or premium paying period.

(2) The annual privilege tax payment due from a company under subsection (4) of this Section may be reduced by: (a) the excess amount, if any, by which the aggregate income taxes paid by the company, on a cash basis, for the preceding calendar year under Sections 601 and 803 subsections (a) through (d) of Section 204 of the Illinois Income Tax Act exceed 1.5% of the company's net taxable premium written for that prior calendar year, as determined under subsection (1) of this Section; and (b) the amount of any fire department taxes paid by the company during the preceding calendar year under Section 11-10-1 of the Illinois Municipal Code. Any deductible amount or offset allowed under items (a) and (b) of this subsection for any calendar year will not be allowed as a deduction or offset against the company's privilege tax liability for any other taxing period or calendar year.

(3) If a company survives or was formed by a merger, consolidation, reorganization, or reincorporation, the premiums received and amounts returned or paid by all companies party to the merger, consolidation, reorganization, or reincorporation shall, for purposes of determining the amount of the tax imposed by this Section, be regarded as received, returned, or paid by the surviving or new company.

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(4)(a) All companies subject to the provisions of this Section shall make an annual return for the preceding calendar year on or before March 15 setting forth such information on such forms as the Director may reasonably require. Payments of quarterly installments of the taxpayer's total estimated tax for the current calendar year shall be due on or before April 15, June 15, September 15, and December 15 of such year, except that all companies transacting insurance in this State whose annual tax for the immediately preceding calendar year was less than $5,000 shall make only an annual return. Failure of a company to make the annual payment, or to make the quarterly payments, if required, of at least 25% of either (i) the total tax paid during the previous calendar year or (ii) 80% of the actual tax for the current calendar year shall subject it to the penalty provisions set forth in Section 412 of this Code.

(b) Notwithstanding the foregoing provisions, no annual return shall be required or made on March 15, 1998, under this subsection. For the calendar year 1998:

(i) each health maintenance organization shall have no estimated tax installments;

(ii) all companies subject to the tax as of July 1, 1998 as set forth in subsection (1) shall have estimated tax installments due on September 15 and December 15 of 1998 which installments shall each amount to no less than one-half of 80% of the actual tax on its net taxable premium written during the period July 1, 1998, through December 31, 1998; and

(iii) all other companies shall have estimated tax installments due on June 15, September 15, and December 15 of 1998 which installments shall each amount to no less than one-third of 80% of the actual tax on its net taxable premium written during the calendar year 1998.

In the year 1999 and thereafter all companies shall make annual and quarterly installments of their estimated tax as provided by paragraph (a) of this subsection.

(5) In addition to the authority specifically granted under Article XXV of this Code, the Director shall have such authority to adopt rules and establish forms as may be reasonably necessary for purposes of determining the allocation of Illinois corporate income taxes paid under subsections (a) through (d) of Section 201 of the Illinois Income Tax Act amongst members of a business group that files an Illinois corporate income tax return on a unitary basis, for purposes of regulating the

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amendment of tax returns, for purposes of defining terms, and for purposes of enforcing the provisions of Article XXV of this Code. The Director shall also have authority to defer, waive, or abate the tax imposed by this Section if in his opinion the company's solvency and ability to meet its insured obligations would be immediately threatened by payment of the tax due.

(6) This Section is subject to the provisions of Section 10 of the New Markets Development Program Act.

(Source: P.A. 97-813, eff. 7-13-12.)

(215 ILCS 5/444) (from Ch. 73, par. 1056)

Sec. 444. Retaliation.

(1) Whenever the existing or future laws of any other state or country shall require of companies incorporated or organized under the laws of this State as a condition precedent to their doing business in such other state or country, compliance with laws, rules, regulations, and prohibitions more onerous or burdensome than the rules and regulations imposed by this State on foreign or alien companies, or shall require any deposit of securities or other obligations in such state or country, for the protection of policyholders or otherwise or require of such companies or agents thereof or brokers the payment of penalties, fees, charges, or taxes greater than the penalties, fees, charges, or taxes required in the aggregate for like purposes by this Code or any other law of this State, of foreign or alien companies, agents thereof or brokers, then such laws, rules, regulations, and prohibitions of said other state or country shall apply to companies incorporated or organized under the laws of such state or country doing business in this State, and all such companies, agents thereof, or brokers doing business in this State, shall be required to make deposits, pay penalties, fees, charges, and taxes, in amounts equal to those required in the aggregate for like purposes of Illinois companies doing business in such state or country, agents thereof or brokers. Whenever any other state or country shall refuse to permit any insurance company incorporated or organized under the laws of this State to transact business according to its usual plan in such other state or country, the director may, if satisfied that such company of this State is solvent, properly managed, and can operate legally under the laws of such other state or country, forthwith suspend or cancel the license of every insurance company doing business in this State which is incorporated or organized under the laws of such other state or country to the extent that it insures in this State against
any of the risks or hazards which are sought to be insured against by the company of this State in such other state or country.

(2) The provisions of this Section shall not apply to residual market or special purpose assessments or guaranty fund or guaranty association assessments, both under the laws of this State and under the laws of any other state or country, and any tax offset or credit for any such assessment shall, for purposes of this Section, be treated as a tax paid both under the laws of this State and under the laws of any other state or country.

(3) The terms "penalties", "fees", "charges", and "taxes" in subsection (1) of this Section shall include: the penalties, fees, charges, and taxes collected on a cash basis under State law and referenced within Article XXV exclusive of any items referenced by subsection (2) of this Section, but including any tax offset allowed under Section 531.13 of this Code; the aggregate Illinois corporate income taxes paid imposed under Sections 601 and 803 subsections (a) through (d) of Section 201 of the Illinois Income Tax Act during the calendar year for which the retaliatory tax calculation is being made, less the recapture of any Illinois corporate income tax cash refunds to the extent that the amount of tax refunded was reported as part of the Illinois basis in the calculation of the retaliatory tax for a prior tax year, provided that such recaptured refund shall not exceed the amount necessary for equivalence of the Illinois basis with the state of incorporation basis in such tax year, and after any tax offset allowed under Section 531.13 of this Code; income or personal property taxes imposed by other states or countries; penalties, fees, charges, and taxes of other states or countries imposed for purposes like those of the penalties, fees, charges, and taxes specified in Article XXV of this Code exclusive of any item referenced in subsection (2) of this Section; and any penalties, fees, charges, and taxes required as a franchise, privilege, or licensing tax for conducting the business of insurance whether calculated as a percentage of income, gross receipts, premium, or otherwise.

(4) Nothing contained in this Section or Section 409 or Section 444.1 is intended to authorize or expand any power of local governmental units or municipalities to impose taxes, fees, or charges.

(5) This Section is subject to the provisions of Section 10 of the New Markets Development Program Act.

(Source: P.A. 95-1024, eff. 12-31-08.)

Approved January 9, 2015.

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AN ACT concerning State government.

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

Section 5. The Election Code is amended by adding Section 7-68 and changing Section 25-5 as follows:

(10 ILCS 5/7-68 new)
Sec. 7-68. Nominations for special election for Attorney General, Secretary of State, Comptroller, or Treasurer.

(a) Whenever a special election for the office of Attorney General, Secretary of State, Comptroller, or Treasurer is to be held pursuant to Section 25-5 of this Code, nominations shall be made and any vacancy in nomination shall be filled pursuant to this Section.

(1) If the vacancy in office or failure to qualify for the office occurs before the first date provided in Section 7-12 for filing nomination papers for the primary in the next even-numbered year following the commencement of the term, the nominations for the special election shall be made as otherwise provided in this Article 7. The nomination for the office to be filled by special election shall appear on the regular ballot at the primary election, and shall not require the use of a separate ballot.

(2) If the vacancy in office or failure to qualify occurs on or after the first day provided in Section 7-12 for filing nomination papers for the primary in the next even-numbered year following the commencement of the term, a vacancy in nomination shall be deemed to have occurred and the State central committee of each established political party shall nominate, by resolution, a candidate to fill such vacancy in nomination for the election to such office at such general election.

The resolution to fill the vacancy in nomination shall include the following information:

(A) the names of the original office holder and the office;

(B) the date on which the vacancy in nomination occurred;

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(C) the name and address of the nominee selected to fill the vacancy in nomination and the date of selection.

The resolution to fill the vacancy in nomination shall be accompanied by a Statement of Candidacy, as prescribed in Section 7-10, completed by the selected nominee and a receipt indicating that such nominee has filed a statement of economic interests as required by the Illinois Governmental Ethics Act.

(b) Any vacancy in nomination occurring on or after the primary and prior to certification must be filled prior to the date of certification. Any vacancy in nomination occurring after certification but prior to 15 days before the general election shall be filled within 8 days after the event creating the vacancy in nomination.

(c) The provisions of Sections 10-8 through 10-10.1 relating to objections to nomination papers, hearings on objections and judicial review, shall also apply to and govern objections to nomination papers and resolutions for filling vacancies in nomination filed pursuant to this Section.

(d) Unless otherwise specified herein, the nomination and special election provided for in this Section shall be governed by this Code.

(10 ILCS 5/25-5) (from Ch. 46, par. 25-5)

Sec. 25-5. In accordance with Section 7 of Article V of the Illinois Constitution of 1970, if the Attorney General, Secretary of State, Comptroller, or Treasurer fails to qualify, or if his or her office becomes vacant, the Governor shall fill the office by appointment. If there are 28 months or less remaining in the term at the time of the vacancy or failure to qualify, the appointed officer shall serve for the remainder of the term. If there are more than 28 months remaining in the term at the time of the vacancy or failure to qualify, the office shall be filled by a special election to be held at the next general election. In the case of a special election pursuant to this Section, the appointed officer shall serve until the election results are certified and the person elected at the special election is qualified. Nominations shall be made in accordance with Section 7-68 of this Code. For purposes of this Section, a special election shall not be held if the person elected to the office failed to qualify for a period of less than 30 calendar days. The office to be filled by special election shall appear on the regular ballot at the general election, and shall not require the use of a separate ballot. When a vacancy shall occur in the office of Secretary of State, State Comptroller, Treasurer or Attorney General, the Governor shall fill the same by appointment, and the appointee shall hold his office

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during the remainder of the term, and until his successor is elected and qualified.
(Source: P.A. 78-592.)

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

Passed in the General Assembly January 8, 2015.
Approved January 12, 2015.
Effective January 12, 2015.

PUBLIC ACT 98-1171
(Senate Bill No. 0172)

AN ACT concerning elections.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:


(10 ILCS 5/1-3.5 new)

Sec. 1-3.5. Absentee voting. Any references to absentee ballots, absentee voters, absentee registration, or absentee voting procedures in this Code shall be construed to refer to vote by mail ballots, persons who vote by mail, registration by mail, or voting by mail.

(10 ILCS 5/1-9)

Sec. 1-9. Central counting of grace period, early, vote by mail absentee, and provisional ballots. Notwithstanding any statutory provision to the contrary enacted before the effective date of this amendatory Act of the 94th General Assembly, all grace period ballots, early voting ballots, vote by mail absentee ballots, and provisional ballots to be counted shall

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be delivered to and counted at an election authority's central ballot counting location and not in precincts. References in this Code enacted before the effective date of this amendatory Act of the 94th General Assembly to delivery and counting of grace period ballots, early voting ballots, vote by mail absentee ballots, or provisional ballots to or at a precinct polling place or to the proper polling place shall be construed as references to delivery and counting of those ballots to and at the election authority's central ballot counting location.

(Source: P.A. 94-1000, eff. 7-3-06.)

Sec. 1-9.1. Ballot counting information dissemination. Each election authority maintaining a website must provide 24-hour notice on its website of the date, time, and location of the analysis, processing, and counting of all ballot forms. Each election authority must notify any political party or pollwatcher of the same information 24 hours before the count begins if such political party or pollwatcher has requested to be notified. Notification may be by electronic mail at the address provided by the requester.

(10 ILCS 5/1-9.2 new)

Sec. 1-9.2. Uncounted ballot information on website. No later than 48 hours after the closing of polling locations on election day, each election authority maintaining a website shall post the number of ballots that remain uncounted. The posting shall separate the number of ballots yet to be counted into the following categories: ballots cast on election day, early voting ballots, provisional ballots, vote by mail ballots received by the election authority but not counted, and vote by mail ballots sent by the election authority but have not been returned to the election authority. This information shall be updated on the website of the election authority each day until the period for counting provisional and vote by mail ballots has ended. All election authorities, regardless of whether they maintain a website, shall share the same information, separated in the same manner, with the State Board of Elections no later than 48 hours after the closing of polling locations on election day and each business day thereafter until the period for counting provisional and vote by mail ballots has ended.

(10 ILCS 5/1-12)


(a) Each appropriate election authority shall, in addition to the early voting conducted at locations otherwise required by law, conduct early voting, grace period registration, and grace period voting at the

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student union in a high traffic location on the campus of a public university within the election authority's jurisdiction. The voting required by this subsection (a) to be conducted on campus must be conducted from the 6th day before a general primary or general election until and including the 4th day before a general primary or general election from 10:00 a.m. to 5 p.m. and as otherwise required by Article 19A of this Code, except that the voting required by this subsection (a) need not be conducted during a consolidated primary or consolidated election. If an election authority has voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority shall extend early voting and grace period registration and voting under this Section to any registered voter in the election authority's jurisdiction. However, if the election authority does not have voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority may limit early voting and grace period registration and voting under this Section to registered voters in precincts where the public university is located and precincts bordering the university. Each public university shall make the space available at the student union in a high traffic area for, and cooperate and coordinate with the appropriate election authority in, the implementation of this subsection (a).

(b) (Blank). Each appropriate election authority shall, in addition to the voting conducted at locations otherwise required by law, conduct in-person absentee voting on election day in a high-traffic location on the campus of a public university within the election authority's jurisdiction. The procedures for conducting in-person absentee voting at a site established pursuant to this subsection (b) shall, to the extent practicable, be the same procedures required by Article 19 of this Code for in-person absentee ballots. The election authority may limit in-person absentee voting under this subsection (b) to registered voters in precincts where the public university is located and precincts bordering the university. The election authority shall have voting equipment and ballots necessary to accommodate registered voters who may cast an in-person absentee ballot at a site established pursuant to this subsection (b). Each public university shall make the space available in a high-traffic area for, and cooperate and coordinate with the appropriate election authority in, the implementation of this subsection (b).

(c) For the purposes of this Section, "public university" means the University of Illinois, Illinois State University, Chicago State University,
Governors State University, Southern Illinois University, Northern Illinois University, Eastern Illinois University, Western Illinois University, and Northeastern Illinois University the University of Illinois at its campuses in Urbana-Champaign and Springfield, Southern Illinois University at its campuses in Carbondale and Edwardsville, Eastern Illinois University, Illinois State University, Northern Illinois University, and Western Illinois University at its campuses in Macomb and Moline.

(d) For the purposes of this Section, "student union" means the Student Center at 750 S. Halsted on the University of Illinois-Chicago campus; the Public Affairs Center at the University of Illinois at Springfield or a new building completed after the effective date of this Act housing student government at the University of Illinois at Springfield; the Illini Union at the University of Illinois at Urbana-Champaign; the SIUC Center at the Southern Illinois University at Carbondale campus; the Morris University Center at the Southern Illinois University at Edwardsville campus; the University Union at the Western Illinois University at the Macomb campus; the Holmes Student Center at the Northern Illinois University campus; the University Union at the Eastern Illinois University campus; NEIU Student Union at the Northeastern Illinois University campus; the Bone Student Center at the Illinois State University campus; the Cordell Reed Student Union at the Chicago State University campus; and the Hall of Governors in Building D at the Governors State University campus.

(Source: P.A. 98-115, eff. 7-29-13; 98-691, eff. 7-1-14.)

(10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

Sec. 1A-8. The State Board of Elections shall exercise the following powers and perform the following duties in addition to any powers or duties otherwise provided for by law:

(1) Assume all duties and responsibilities of the State Electoral Board and the Secretary of State as heretofore provided in this Act;

(2) Disseminate information to and consult with election authorities concerning the conduct of elections and registration in accordance with the laws of this State and the laws of the United States;

(3) Furnish to each election authority prior to each primary and general election and any other election it deems necessary, a manual of uniform instructions consistent with the provisions of this Act which shall be used by election authorities in the

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preparation of the official manual of instruction to be used by the judges of election in any such election. In preparing such manual, the State Board shall consult with representatives of the election authorities throughout the State. The State Board may provide separate portions of the uniform instructions applicable to different election jurisdictions which administer elections under different options provided by law. The State Board may by regulation require particular portions of the uniform instructions to be included in any official manual of instructions published by election authorities. Any manual of instructions published by any election authority shall be identical with the manual of uniform instructions issued by the Board, but may be adapted by the election authority to accommodate special or unusual local election problems, provided that all manuals published by election authorities must be consistent with the provisions of this Act in all respects and must receive the approval of the State Board of Elections prior to publication; provided further that if the State Board does not approve or disapprove of a proposed manual within 60 days of its submission, the manual shall be deemed approved.

(4) Prescribe and require the use of such uniform forms, notices, and other supplies not inconsistent with the provisions of this Act as it shall deem advisable which shall be used by election authorities in the conduct of elections and registrations;

(5) Prepare and certify the form of ballot for any proposed amendment to the Constitution of the State of Illinois, or any referendum to be submitted to the electors throughout the State or, when required to do so by law, to the voters of any area or unit of local government of the State;

(6) Require such statistical reports regarding the conduct of elections and registration from election authorities as may be deemed necessary;

(7) Review and inspect procedures and records relating to conduct of elections and registration as may be deemed necessary, and to report violations of election laws to the appropriate State's Attorney or the Attorney General;

(8) Recommend to the General Assembly legislation to improve the administration of elections and registration;

(9) Adopt, amend or rescind rules and regulations in the performance of its duties provided that all such rules and

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regulations must be consistent with the provisions of this Article 1A or issued pursuant to authority otherwise provided by law;

(10) Determine the validity and sufficiency of petitions filed under Article XIV, Section 3, of the Constitution of the State of Illinois of 1970;

(11) Maintain in its principal office a research library that includes, but is not limited to, abstracts of votes by precinct for general primary elections and general elections, current precinct maps and current precinct poll lists from all election jurisdictions within the State. The research library shall be open to the public during regular business hours. Such abstracts, maps and lists shall be preserved as permanent records and shall be available for examination and copying at a reasonable cost;

(12) Supervise the administration of the registration and election laws throughout the State;

(13) Obtain from the Department of Central Management Services, under Section 405-250 of the Department of Central Management Services Law (20 ILCS 405/405-250), such use of electronic data processing equipment as may be required to perform the duties of the State Board of Elections and to provide election-related information to candidates, public and party officials, interested civic organizations and the general public in a timely and efficient manner; and

(14) To take such action as may be necessary or required to give effect to directions of the national committee or State central committee of an established political party under Sections 7-8, 7-11 and 7-14.1 or such other provisions as may be applicable pertaining to the selection of delegates and alternate delegates to an established political party's national nominating conventions or, notwithstanding any candidate certification schedule contained within the Election Code, the certification of the Presidential and Vice Presidential candidate selected by the established political party's national nominating convention;:

(15) To post all early voting sites separated by election authority and hours of operation on its website at least 5 business days before the period for early voting begins; and

(16) To post on its website the statewide totals, and totals separated by each election authority, for each of the counts received pursuant to Section 1-9.2.

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The Board may by regulation delegate any of its duties or functions under this Article, except that final determinations and orders under this Article shall be issued only by the Board.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 95-6, eff. 6-20-07; 95-699, eff. 11-9-07.)

(10 ILCS 5/1A-16)
Sec. 1A-16. Voter registration information; Internet posting; processing of voter registration forms; content of such forms. notwithstanding any law to the contrary, the following provisions shall apply to voter registration under this Code.

(a) Voter registration information; Internet posting of voter registration form. Within 90 days after the effective date of this amendatory Act of the 93rd General Assembly, the State Board of Elections shall post on its World Wide Web site the following information:

(1) A comprehensive list of the names, addresses, phone numbers, and websites, if applicable, of all county clerks and boards of election commissioners in Illinois.

(2) A schedule of upcoming elections and the deadline for voter registration.

(3) A downloadable, printable voter registration form, in at least English and in Spanish versions, that a person may complete and mail or submit to the State Board of Elections or the appropriate county clerk or board of election commissioners.

Any forms described under paragraph (3) must state the following:
If you do not have a driver's license or social security number, and this form is submitted by mail, and you have never registered to vote in the jurisdiction you are now registering in, then you must send, with this application, either (i) a copy of a current and valid photo identification, or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other

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government document that shows the name and address of the voter. If you do not provide the information required above, then you will be required to provide election officials with either (i) or (ii) described above the first time you vote at a voting place or by absentee ballot.

(b) Acceptance of registration forms by the State Board of Elections and county clerks and board of election commissioners. The State Board of Elections, county clerks, and board of election commissioners shall accept all completed voter registration forms described in subsection (a)(3) of this Section and Sections 1A-17 and 1A-30 that are:

   (1) postmarked on or before the day that voter registration is closed under the Election Code;
   (2) not postmarked, but arrives no later than 5 days after the close of registration;
   (3) submitted in person by a person using the form on or before the day that voter registration is closed under the Election Code; or
   (4) submitted in person by a person who submits one or more forms on behalf of one or more persons who used the form on or before the day that voter registration is closed under the Election Code.

Upon the receipt of a registration form, the State Board of Elections shall mark the date on which the form was received and send the form via first class mail to the appropriate county clerk or board of election commissioners, as the case may be, within 2 business days based upon the home address of the person submitting the registration form. The county clerk and board of election commissioners shall accept and process any form received from the State Board of Elections.

(c) Processing of registration forms by county clerks and boards of election commissioners. The county clerk or board of election commissioners shall promulgate procedures for processing the voter registration form.

(d) Contents of the voter registration form. The State Board shall create a voter registration form, which must contain the following content:

   (1) Instructions for completing the form.
   (2) A summary of the qualifications to register to vote in Illinois.
(3) Instructions for mailing in or submitting the form in person.

(4) The phone number for the State Board of Elections should a person submitting the form have questions.

(5) A box for the person to check that explains one of 3 reasons for submitting the form:
   (a) new registration;
   (b) change of address; or
   (c) change of name.

(6) a box for the person to check yes or no that asks, "Are you a citizen of the United States?", a box for the person to check yes or no that asks, "Will you be 18 years of age on or before election day?", and a statement of "If you checked 'no' in response to either of these questions, then do not complete this form."

(7) A space for the person to fill in his or her home telephone number.

(8) Spaces for the person to fill in his or her first, middle, and last names, street address (principal place of residence), county, city, state, and zip code.

(9) Spaces for the person to fill in his or her mailing address, city, state, and zip code if different from his or her principal place of residence.

(10) A space for the person to fill in his or her Illinois driver's license number if the person has a driver's license.

(11) A space for a person without a driver's license to fill in the last four digits of his or her social security number if the person has a social security number.

(12) A space for a person without an Illinois driver's license to fill in his or her identification number from his or her State Identification card issued by the Secretary of State.

(13) A space for the person to fill the name appearing on his or her last voter registration, the street address of his or her last registration, including the city, county, state, and zip code.

(14) A space where the person swears or affirms the following under penalty of perjury with his or her signature:
   (a) "I am a citizen of the United States."
   (b) "I will be at least 18 years old on or before the next election."

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(c) "I will have lived in the State of Illinois and in my election precinct at least 30 days as of the date of the next election."; and

"The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, then I may be fined, imprisoned, or if I am not a U.S. citizen, deported from or refused entry into the United States."

(15) A space for the person to fill in his or her e-mail address if he or she chooses to provide that information.

(d-5) Compliance with federal law; rulemaking authority. The voter registration form described in this Section shall be consistent with the form prescribed by the Federal Election Commission under the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time, and the Help America Vote Act of 2002, P.L. 107-252, in all relevant respects. The State Board of Elections shall periodically update the form based on changes to federal or State law. The State Board of Elections shall promulgate any rules necessary for the implementation of this Section; provided that the rules comport with the letter and spirit of the National Voter Registration Act of 1993 and Help America Vote Act of 2002 and maximize the opportunity for a person to register to vote.

(e) Forms available in paper form. The State Board of Elections shall make the voter registration form available in regular paper stock and form in sufficient quantities for the general public. The State Board of Elections may provide the voter registration form to the Secretary of State, county clerks, boards of election commissioners, designated agencies of the State of Illinois, and any other person or entity designated to have these forms by the Election Code in regular paper stock and form or some other format deemed suitable by the Board. Each county clerk or board of election commissioners has the authority to design and print its own voter registration form so long as the form complies with the requirements of this Section. The State Board of Elections, county clerks, boards of election commissioners, or other designated agencies of the State of Illinois required to have these forms under the Election Code shall provide a member of the public with any reasonable number of forms that he or she may request. Nothing in this Section shall permit the State Board of Elections, county clerk, board of election commissioners, or other appropriate election official who may accept a voter registration form to
refuse to accept a voter registration form because the form is printed on photocopier or regular paper stock and form.

(f) (Blank).

(Source: P.A. 98-115, eff. 10-1-13.)

(10 ILCS 5/1A-16.5)

Sec. 1A-16.5. Online voter registration.

(a) The State Board of Elections shall establish and maintain a system for online voter registration that permits a person to apply to register to vote or to update his or her existing voter registration. In accordance with technical specifications provided by the State Board of Elections, each election authority shall maintain a voter registration system capable of receiving and processing voter registration application information, including electronic signatures, from the online voter registration system established by the State Board of Elections.

(b) The online voter registration system shall employ security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this Section.

(c) The Board may receive voter registration information provided by applicants using the State Board of Elections' website, may cross reference that information with data or information contained in the Secretary of State's database in order to match the information submitted by applicants, and may receive from the Secretary of State the applicant's digitized signature upon a successful match of that applicant's information with that contained in the Secretary of State's database.

(d) Notwithstanding any other provision of law, a person who is qualified to register to vote and who has an authentic Illinois driver's license or State identification card issued by the Secretary of State may submit an application to register to vote electronically on a website maintained by the State Board of Elections.

(e) An online voter registration application shall contain all of the information that is required for a paper application as provided in Section 1A-16 of this Code, except that the applicant shall be required to provide:

1. the applicant's full Illinois driver's license or State identification card number;
2. the last 4 digits of the applicant's social security number; and
3. the date the Illinois driver's license or State identification card was issued.

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(f) For an applicant's registration or change in registration to be accepted, the applicant shall mark the box associated with the following statement included as part of the online voter registration application:

"By clicking on the box below, I swear or affirm all of the following:

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote in the State of Illinois.

(2) All the information I have provided on this form is true and correct as of the date I am submitting this form.

(3) I authorize the Secretary of State to transmit to the State Board of Elections my signature that is on file with the Secretary of State and understand that such signature will be used by my local election authority on this online voter registration application for admission as an elector as if I had signed this form personally."

(g) Immediately upon receiving a completed online voter registration application, the online voter registration system shall send, by electronic mail, a confirmation notice that the application has been received. Within 48 hours of receiving such an application, the online voter registration system shall send by electronic mail, a notice informing the applicant of whether the following information has been matched with the Secretary of State database:

   (1) that the applicant has an authentic Illinois driver's license or State identification card issued by the Secretary of State and that the driver's license or State identification number provided by the applicant matches the driver's license or State identification card number for that person on file with the Secretary of State;

   (2) that the date of issuance of the Illinois driver's license or State identification card listed on the application matches the date of issuance of that card for that person on file with the Secretary of State;

   (3) that the date of birth provided by the applicant matches the date of birth for that person on file with the Secretary of State; and

   (4) that the last 4 digits of the applicant's social security number matches the last 4 digits for that person on file with the Secretary of State.

(h) If the information provided by the applicant matches the information on the Secretary of State's databases for any driver's license
and State identification card holder and is matched as provided in subsection (g) above, the online voter registration system shall:

    (1) retrieve from the Secretary of State's database files an electronic copy of the applicant's signature from his or her Illinois driver's license or State identification card and such signature shall be deemed to be the applicant's signature on his or her online voter registration application;

    (2) within 2 days of receiving the application, forward to the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration: (i) the application, along with the applicant's relevant data that can be directly loaded into the jurisdiction's voter registration system and (ii) a copy of the applicant's electronic signature and a certification from the State Board of Elections that the applicant's driver's license or State identification card number, driver's license or State identification card date of issuance, and date of birth and social security information have been successfully matched.

    (i) Upon receipt of the online voter registration application, the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration shall promptly search its voter registration database to determine whether the applicant is already registered to vote at the address on the application and whether the new registration would create a duplicate registration. If the applicant is already registered to vote at the address on the application, the clerk or board, as the case may be, shall send the applicant by first class mail, and electronic mail if the applicant has provided an electronic mail address on the original voter registration form for that address, a disposition notice as otherwise required by law informing the applicant that he or she is already registered to vote at such address. If the applicant is not already registered to vote at the address on the application and the applicant is otherwise eligible to register to vote, the clerk or board, as the case may be, shall:

        (1) enter the name and address of the applicant on the list of registered voters in the jurisdiction; and

        (2) send by mail, and electronic mail if the applicant has provided an electronic mail address on the voter registration form, a disposition notice to the applicant as otherwise provided by law setting forth the applicant's name and address as it appears on the application and stating that the person is registered to vote.

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(j) An electronic signature of the person submitting a duplicate registration application or a change of address form that is retrieved and imported from the Secretary of State's driver's license or State identification card database as provided herein may, in the discretion of the clerk or board, be substituted for and replace any existing signature for that individual in the voter registration database of the county clerk or board of election commissioners.

(k) Any new registration or change of address submitted electronically as provided in this Section shall become effective as of the date it is received by the county clerk or board of election commissioners having jurisdiction over said registration. Disposition notices prescribed in this Section shall be sent within 5 business days of receipt of the online application or change of address by the county clerk or board of election commissioners.

(l) All provisions of this Code governing voter registration and applicable thereto and not inconsistent with this Section shall apply to online voter registration under this Section. All applications submitted on a website maintained by the State Board of Elections shall be deemed timely filed if they are submitted no later than 11:59 p.m. on the final day for voter registration prior to an election. After the registration period for an upcoming election has ended and until the 2nd day following such election, the web page containing the online voter registration form on the State Board of Elections website shall inform users of the procedure for grace period voting.

(m) The State Board of Elections shall maintain a list of the name, street address, e-mail address, and likely precinct, ward, township, and district numbers, as the case may be, of people who apply to vote online through the voter registration system and those names and that information shall be stored in an electronic format on its website, arranged by county and accessible to State and local political committees.

(n) The Illinois State Board of Elections shall develop or cause to be developed an online voter registration system able to be accessed by at least the top two most used mobile electronic operating systems by January 1, 2016. The Illinois State Board of Elections shall submit a report to the General Assembly and the Governor by January 31, 2014 detailing the progress made to implement the online voter registration system described in this Section.

(o) (Blank). The online voter registration system provided for in this Section shall be fully operational by July 1, 2014:

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(p) Each State department that maintains an Internet website must include a hypertext link to the homepage website maintained and operated pursuant to this Section 1A-16.5. For the purposes of this Section, "State department" means the departments of State Government listed in Section 5-15 of the Civil Administrative Code of Illinois (General Provisions and Departments of State Government).

(Source: P.A. 98-115, eff. 7-29-13; 98-756, eff. 7-16-14.)

(10 ILCS 5/1A-16.6 new)

Sec. 1A-16.6. Government agency voter registration.

(a) By April 1, 2016, the State Board of Elections shall establish and maintain a portal for government agency registration that permits an eligible person to electronically apply to register to vote or to update his or her existing voter registration whenever he or she conducts business, either online or in person, with a designated government agency. The portal shall interface with the online voter registration system established in Section 1A-16.5 of this Code and shall be capable of receiving and processing voter registration application information, including electronic signatures, from a designated government agency. The State Board of Elections shall modify the online voter registration system as necessary to implement this Section.

Voter registration data received from a designated government agency through the online registration system shall be processed as provided for in Section 1A-16.5 of this Code.

 Whenever the registration interface is accessible to the general public, including, but not limited to, online transactions, the interface shall allow the applicant to complete the process as provided for in Section 1A-16.5 of this Code. The online interface shall be capable of providing the applicant with the applicant's voter registration status with the State Board of Elections and, if registered, the applicant's current registration address. The applicant shall not be required to re-enter any registration data, such as name, address, and birth date, if the designated government agency already has that information on file. The applicant shall be informed that by choosing to register to vote or to update his or her existing voter registration, the applicant consents to the transfer of the applicant's personal information to the State Board of Elections.

 Whenever a government employee is accessing the registration system while servicing the applicant, the government employee shall notify the applicant of the applicant's registration status with the State Board of Elections and, if registered, the applicant's current registration address. If

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the applicant elects to register to vote or to update his or her existing voter registration, the government employee shall collect the needed information and assist the applicant with his or her registration. The applicant shall be informed that by choosing to register to vote or to update his or her existing voter registration, the applicant consents to the transfer of the applicant's personal information to the State Board of Elections.

In accordance with technical specifications provided by the State Board of Elections, each designated government agency shall maintain a data transfer mechanism capable of transmitting voter registration application information, including electronic signatures where available, to the online voter registration system established in Section 1A-16.5 of this Code. Each designated government agency shall establish and operate a voter registration system capable of transmitting voter registration application information to the portal as described in this Section by July 1, 2016.

(b) Whenever an applicant's data is transferred from a designated government agency, the agency must transmit a signature image if available. If no signature image was provided by the agency or if no signature image is available in the Secretary of State's database or the statewide voter registration database, the applicant must be notified that their registration will remain in a pending status and the applicant will be required to provide identification and a signature to the election authority on Election Day in the polling place or during early voting.

(c) The State Board of Elections shall track registration data received through the online registration system that originated from a designated government agency for the purposes of maintaining statistics required by the federal National Voter Registration Act of 1993, as amended.

(d) The State Board of Elections shall submit a report to the General Assembly and the Governor by December 1, 2015 detailing the progress made to implement the government agency voter registration portal described in this Section.

(e) The Board shall adopt rules, in consultation with the impacted agencies.

(f) As used in this Section, a "designated government agency" means the Secretary of State's Driver Services and Vehicle Services Departments, the Department of Human Services, the Department of

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Healthcare and Family Services, the Department of Employment Security, and the Department on Aging.

(10 ILCS 5/1A-16.8 new)

Sec. 1A-16.8. Automatic transfer of registration based upon information from the National Change of Address database. The State Board of Elections shall cross-reference the statewide voter registration database against the United States Postal Service's National Change of Address database twice each calendar year, April 15 and October 1 in odd-numbered years and April 15 and December 1 in even-numbered years, and shall share the findings with the election authorities. An election authority shall automatically register any voter who has moved into its jurisdiction from another jurisdiction in Illinois or has moved within its jurisdiction provided that:

(1) the election authority whose jurisdiction includes the new registration address provides the voter an opportunity to reject the change in registration address through a mailing, sent by non-forwardable mail, to the new registration address, and

(2) when the election authority whose jurisdiction includes the previous registration address is a different election authority, then that election authority provides the same opportunity through a mailing, sent by forwardable mail, to the previous registration address.

This change in registration shall trigger the same inter-jurisdictional or intra-jurisdictional workflows as if the voter completed a new registration card, including the cancellation of the voter's previous registration. Should the registration of a voter be changed from one address to another within the State and should the voter appear at the polls and offer to vote from the prior registration address, attesting that the prior registration address is the true current address, the voter, if confirmed by the election authority as having been registered at the prior registration address and canceled only by the process authorized by this Section, shall be issued a regular ballot, and the change of registration address shall be canceled. If the election authority is unable to immediately confirm the registration, the voter shall be issued a provisional ballot and the provisional ballot shall be counted.

(10 ILCS 5/1A-25)

Sec. 1A-25. Centralized statewide voter registration list. The centralized statewide voter registration list required by Title III, Subtitle A,
Section 303 of the Help America Vote Act of 2002 shall be created and maintained by the State Board of Elections as provided in this Section.

(1) The centralized statewide voter registration list shall be compiled from the voter registration data bases of each election authority in this State.

(2) With the exception of voter registration forms submitted electronically through an online voter registration system, all new voter registration forms and applications to register to vote, including those reviewed by the Secretary of State at a driver services facility, shall be transmitted only to the appropriate election authority as required by Articles 4, 5, and 6 of this Code and not to the State Board of Elections. All voter registration forms submitted electronically to the State Board of Elections through an online voter registration system shall be transmitted to the appropriate election authority as required by Section 1A-16.5. The election authority shall process and verify each voter registration form and electronically enter verified registrations on an expedited basis onto the statewide voter registration list. All original registration cards shall remain permanently in the office of the election authority as required by this Code.

(3) The centralized statewide voter registration list shall:
   (i) Be designed to allow election authorities to utilize the registration data on the statewide voter registration list pertinent to voters registered in their election jurisdiction on locally maintained software programs that are unique to each jurisdiction.
   (ii) Allow each election authority to perform essential election management functions, including but not limited to production of voter lists, processing of vote by mail absentee voters, production of individual, pre-printed applications to vote, administration of election judges, and polling place administration, but shall not prevent any election authority from using information from that election authority's own systems.

(4) The registration information maintained by each election authority shall be synchronized with that authority's information on the statewide list at least once every 24 hours.

To protect the privacy and confidentiality of voter registration information, the disclosure of any portion of the centralized statewide

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voter registration list to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: (1) subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list; or (2) as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.
(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/1A-45 new)

Sec. 1A-45. Electronic Registration Information Center.

(a) The State Board of Elections shall enter into an agreement with the Electronic Registration Information Center effective no later than January 1, 2016, for the purpose of maintaining a statewide voter registration database. The State Board of Elections shall comply with the requirements of the Electronic Registration Information Center Membership Agreement. The State Board of Elections shall require a term in the Electronic Registration Information Center Membership Agreement that requires the State to share identification records contained in the Secretary of State's Driver Services Department and Vehicle Services Department, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Aging, and the Department of Employment Security databases (excluding those fields unrelated to voter eligibility, such as income or health information).

(b) The Secretary of State and the Board of Elections shall enter into an agreement to permit the Secretary of State to provide the State Board of Elections with any information required for compliance with the Electronic Registration Information Center Membership Agreement. The Secretary of State shall deliver this information as frequently as necessary for the State Board of Elections to comply with the Electronic Registration Information Center Membership Agreement.

(b-5) The State Board of Elections and the Department of Human Services, the Department of Healthcare and Family Services, the Department on Aging, and the Department of Employment Security shall
enter into an agreement to require each department to provide the State Board of Elections with any information necessary to transmit member data under the Electronic Registration Information Center Membership Agreement. The director or secretary, as applicable, of each agency shall deliver this information on an annual basis to the State Board of Elections pursuant to the agreement between the entities.

(c) Any communication required to be delivered to a registrant or potential registrant pursuant to the Electronic Registration Information Center Membership Agreement shall include at least the following message:

"Our records show people at this address may not be registered to vote at this address, but you may be eligible to register to vote or re-register to vote at this address. If you are a U.S. Citizen, a resident of Illinois, and will be 18 years old or older before the next general election in November, you are qualified to vote.

We invite you to check your registration online at (enter URL) or register to vote online at (enter URL), by requesting a mail-in voter registration form by (enter instructions for requesting a mail-in voter registration form), or visiting the (name of election authority) office at (address of election authority)."

The words "register to vote online at (enter URL)" shall be bolded and of a distinct nature from the other words in the message required by this subsection (c).

(d) Any communication required to be delivered to a potential registrant that has been identified by the Electronic Registration Information Center as eligible to vote but who is not registered to vote in Illinois shall be prepared and disseminated at the direction of the State Board of Elections. All other communications with potential registrants or re-registrants pursuant to the Electronic Registration Information Center Membership Agreement shall be prepared and disseminated at the direction of the appropriate election authority.

(e) The Executive Director of the State Board of Elections or his or her designee shall serve as the Member Representative to the Electronic Registration Information Center.

(f) The State Board of Elections may adopt any rules necessary to enforce this Section or comply with the Electronic Registration Information Center Membership Agreement.

(10 ILCS 5/3-6)
Sec. 3-6. Voting age. Notwithstanding any other provision of law, a person who is 17 years old on the date of a primary election and who is otherwise qualified to vote is qualified to vote at that primary, including voting a vote by mail or absentee, grace period, or early voting ballot with respect to that primary, if that person will be 18 years old on the date of the immediately following general election.

References in this Code and elsewhere to the requirement that a person must be 18 years old to vote shall be interpreted in accordance with this Section.

For the purposes of this Act, an individual who is 17 years of age and who will be 18 years of age on the date of the general election shall be deemed competent to execute and attest to any voter registration forms.

(Source: P.A. 98-51, eff. 1-1-14.)

(10 ILCS 5/4-6.3) (from Ch. 46, par. 4-6.3)

Sec. 4-6.3. The county clerk may establish a temporary place of registration for such times and at such locations within the county as the county clerk may select. However, no temporary place of registration may be in operation during the 27 days preceding an election. Notice of the time and place of registration under this Section shall be published by the county clerk in a newspaper having a general circulation in the county not less than 3 nor more than 15 days before the holding of such registration.

Temporary places of registration shall be established so that the areas of concentration of population or use by the public are served, whether by facilities provided in places of private business or in public buildings or in mobile units. Areas which may be designated as temporary places of registration include, but are not limited to, facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, Soldiers' and Sailors' Homes, shopping centers, business districts, public buildings and county fairs.

Temporary places of registration shall be available to the public not less than 2 hours per year for each 1,000 population or fraction thereof in the county.

All temporary places of registration shall be manned by deputy county clerks or deputy registrars appointed pursuant to Section 4-6.2.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13.)

(10 ILCS 5/4-10) (from Ch. 46, par. 4-10)

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Sec. 4-10. Except as herein provided, no person shall be registered, unless he applies in person to a registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the registration officers or a deputy registration officer, county clerk, or clerk in the office of the county clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your name, place of residence, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The registration officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?" Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of any precinct registration and shall have the right to challenge any applicant who applies to be registered.
In case the officer is not satisfied that the applicant is qualified he shall forthwith notify such applicant in writing to appear before the county clerk to complete his registration. Upon the card of such applicant shall be written the word "incomplete" and no such applicant shall be permitted to vote unless such registration is satisfactorily completed as hereinafter provided. No registration shall be taken and marked as incomplete if information to complete it can be furnished on the date of the original application.

Any person claiming to be an elector in any election precinct and whose registration card is marked "Incomplete" may make and sign an application in writing, under oath, to the county clerk in substance in the following form:

"I do solemnly swear that I, ...., did on (insert date) make application to the board of registry of the .... precinct of the township of .... (or to the county clerk of .... county) and that said board or clerk refused to complete my registration as a qualified voter in said precinct. That I reside in said precinct, that I intend to reside in said precinct, and am a duly qualified voter of said precinct and am entitled to be registered to vote in said precinct at the next election.

(Signature of applicant) ................................

All such applications shall be presented to the county clerk or to his duly authorized representative by the applicant, in person between the hours of 9:00 a.m. and 5:00 p.m. on any day after the days on which the 1969 and 1970 precinct re-registrations are held but not on any day within 27 days preceding the ensuing general election and thereafter for the registration provided in Section 4-7 all such applications shall be presented to the county clerk or his duly authorized representative by the applicant in person between the hours of 9:00 a.m. and 5:00 p.m. on any day prior to 27 days preceding the ensuing general election. Such application shall be heard by the county clerk or his duly authorized representative at the time the application is presented. If the applicant for registration has registered with the county clerk, such application may be presented to and heard by the county clerk or by his duly authorized representative upon the dates specified above or at any time prior thereto designated by the county clerk.

Any otherwise qualified person who is absent from his county of residence either due to business of the United States or because he is temporarily outside the territorial limits of the United States may become registered by mailing an application to the county clerk within the periods

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of registration provided for in this Article, or by simultaneous application for absentee registration by mail and vote by mail absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

- **Name.** The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

- **Sex.**

- **Residence.** The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

- **Electronic mail address, if the registrant has provided this information.**

- **Term of residence in the State of Illinois and the precinct.**

- **Nativity.** The State or country in which the applicant was born.

- **Citizenship.** Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

- **Age.** Date of birth, by month, day and year.

- **Out of State address of .........................**

  **AFFIDAVIT OF REGISTRATION**

  State of ..........)
  )ss
  County of ..........)

  I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

  ..............................

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Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 4-8 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13; 98-115, eff. 10-1-13; 98-756, eff. 7-16-14.)

(10 ILCS 5/4-50)

Sec. 4-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for an election and until the 3rd day of the before an election, except that during the 2014 general election the period shall extend until the polls close on election day. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority, at a permanent polling place established under Section 19A-10, at any other early voting site beginning 15 days prior to the election, at a polling place on election day, or at a voter registration location specifically designated for this purpose by the election authority. During the 2014 general election, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person at any permanent polling place for early voting established under Section 19A-10 through election day. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring during after the grace period, he or she must do so by grace period voting. The election authority shall offer in-person grace period voting at the authority's office, and any permanent polling place established under Section 19A-10, and at
any other early voting site beginning 15 days prior to the election, at a polling place on election day, where grace period registration is required by this Section; and may offer in-person grace period voting at additional hours and locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19A 19.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom vote by mail absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period at a location other than their designated polling place on election day must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

In counties with a population of less than 100,000 that do not have electronic poll books, the election authority may opt out of registration in the polling place if the election authority establishes grace period registration and voting at other sites on election day at the following sites: (i) the election authority's main office and (ii) a polling place in each municipality where 20% or more of the county's residents reside if the election authority's main office is not located in that municipality. The election authority may establish other grace period registration and voting sites on election day provided that the election authority has met

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the notice requirements of Section 19A-25 for permanent and temporary early voting sites.
(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14.)

(10 ILCS 5/4-105)
Sec. 4-105. First time voting. A person must vote for the first time in person and not by a vote by mail mailed absentee ballot if the person registered to vote by mail, unless the person first provides the appropriate election authority with sufficient proof of identity and the election authority verifies the person's proof of identity. Sufficient proof of identity shall be demonstrated by submission of the person's driver's license number or State identification card number or, if the person does not have either of those, verification by the last 4 digits of the person's social security number, a copy of a current and valid photo identification, or a copy of a current utility bill, bank statement, paycheck, government check, or other federal, State, or local government document that shows the person's name and address. A person may also demonstrate sufficient proof of identity by submission of a photo identification issued by a college or university accompanied by either a copy of the applicant's contract or lease for a residence or any postmarked mail delivered to the applicant at his or her current residence address. Persons who apply to register to vote by mail but provide inadequate proof of identity to the election authority shall be notified by the election authority that the registration has not been fully completed and that the person remains ineligible to vote by mail or in person until such proof is presented.
(Source: P.A. 95-699, eff. 11-9-07; 96-317, eff. 1-1-10.)

(10 ILCS 5/5-9) (from Ch. 46, par. 5-9)
Sec. 5-9. Except as herein provided, no person shall be registered unless he applies in person to registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, lease or contract for a residence, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the

New matter indicated by italics - deletions by strikeout
mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at that address or by a statement from a person authorizing use of the mailing address. The registration officer shall require each applicant for registration to read or have read to him the affidavit of registration before permitting him to execute the affidavit.

One of the Deputy Registrars, the Judge of Registration, or an Officer of Registration, County Clerk, or clerk in the office of the County Clerk, shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of the State of Illinois."

The Registration Officer shall satisfy himself that each applicant for registration is qualified to register before registering him. If the registration officer has reason to believe that the applicant is a resident of a Soldiers' and Sailors' Home or any facility which is licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, the following question shall be put, "When you entered the home which is your present address, was it your bona fide intention to become a resident thereof?" Any voter of a township, city, village or incorporated town in which such applicant resides, shall be permitted to be present at the place of precinct registration, and shall have the right to challenge any applicant who applies to be registered.

In case the officer is not satisfied that the applicant is qualified, he shall forthwith in writing notify such applicant to appear before the County Clerk to furnish further proof of his qualifications. Upon the card of such applicant shall be written the word "Incomplete" and no such applicant shall be permitted to vote unless such registration is satisfactorily completed as hereinafter provided. No registration shall be taken and marked as "incomplete" if information to complete it can be furnished on the date of the original application.

Any person claiming to be an elector in any election precinct in such township, city, village or incorporated town and whose registration is marked "Incomplete" may make and sign an application in writing, under oath, to the County Clerk in substance in the following form:

New matter indicated by italics - deletions by strikeout
"I do solemnly swear that I, ..........., did on (insert date) make application to the Board of Registry of the ........ precinct of ........ ward of the City of .... or of the ........ District ........ Town of ........ (or to the County Clerk of ............) and ............ County; that said Board or Clerk refused to complete my registration as a qualified voter in said precinct, that I reside in said precinct (or that I intend to reside in said precinct), am a duly qualified voter and entitled to vote in said precinct at the next election.

........................................
(Signature of Applicant)"

All such applications shall be presented to the County Clerk by the applicant, in person between the hours of nine o'clock a.m. and five o'clock p.m., on Monday and Tuesday of the third week subsequent to the weeks in which the 1961 and 1962 precinct re-registrations are to be held, and thereafter for the registration provided in Section 5-17 of this Article, all such applications shall be presented to the County Clerk by the applicant in person between the hours of nine o'clock a.m. and nine o'clock p.m. on Monday and Tuesday of the third week prior to the date on which such election is to be held.

Any otherwise qualified person who is absent from his county of residence either due to business of the United States or because he is temporarily outside the territorial limits of the United States may become registered by mailing an application to the county clerk within the periods of registration provided for in this Article or by simultaneous application for absentee registration by mail and vote by mail absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the county clerk shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number,
then the Section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

Electronic mail address, if the registrant has provided this information.

Term of residence in the State of Illinois and the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ..............

AFFIDAVIT OF REGISTRATION

State of ........

County of ........

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois for 6 months and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

..............................

(His or her signature or mark)

Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

..............................

Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the county clerk shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 5-7 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13; 98-115, eff. 10-1-13; 98-756, eff. 7-16-14.)

(10 ILCS 5/5-16.3) (from Ch. 46, par. 5-16.3)

New matter indicated by italics - deletions by strikeout
Sec. 5-16.3. The county clerk may establish temporary places of registration for such times and at such locations within the county as the county clerk may select. However, no temporary place of registration may be in operation during the 27 days preceding an election. Notice of time and place of registration at any such temporary place of registration under this Section shall be published by the county clerk in a newspaper having a general circulation in the county not less than 3 nor more than 15 days before the holding of such registration.

Temporary places of registration shall be established so that the areas of concentration of population or use by the public are served, whether by facilities provided in places of private business or in public buildings or in mobile units. Areas which may be designated as temporary places of registration include, but are not limited to, facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, Soldiers' and Sailors' Homes, shopping centers, business districts, public buildings and county fairs.

Temporary places of registration shall be available to the public not less than 2 hours per year for each 1,000 population or fraction thereof in the county.

All temporary places of registration shall be manned by deputy county clerks or deputy registrars appointed pursuant to Section 5-16.2.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12; 98-104, eff. 7-22-13.)

(10 ILCS 5/5-50)

Sec. 5-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for an election and until the 3rd day of the election. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority, at a permanent polling place established under Section 19A-10, at any early voting site beginning 15 days prior to the election, at a polling place on election day, or at a voter registration location specifically designated for this purpose by the election authority. During the 2014 general election, an unregistered qualified elector may register to vote, and a
registered voter may submit a change of address form, in person at any permanent polling place for early voting established pursuant to Section 19A-10 through election day. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring during the grace period, he or she must do so by grace period voting. The election authority shall offer in-person grace period voting at his or her office, and any permanent polling place established under Section 19A-10, and at any other early voting site beginning 15 days prior to the election, at a polling place on election day, where grace period registration is required by this Section; and may offer in-person grace period voting at additional hours and locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19A-19.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom vote by mail absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period at a location other than their designated polling place on election day must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

New matter indicated by italics - deletions by strikeout
In counties with a population of less than 100,000 that do not have electronic poll books, the election authority may opt out of registration in the polling place if the election authority establishes grace period registration and voting at other sites on election day at the following sites: (i) the election authority's main office and (ii) a polling place in each municipality where 20% or more of the county's residents reside if the election authority's main office is not located in that municipality. The election authority may establish other grace period registration and voting sites on election day provided that the election authority has met the notice requirements of Section 19A-25 for permanent and temporary early voting sites.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14.)

(10 ILCS 5/5-105)

Sec. 5-105. First time voting. A person must vote for the first time in person and not by a vote by mail mailed absentee ballot if the person registered to vote by mail, unless the person first provides the appropriate election authority with sufficient proof of identity and the election authority verifies the person's proof of identity. Sufficient proof of identity shall be demonstrated by submission of the person's driver's license number or State identification card number or, if the person does not have either of those, verification by the last 4 digits of the person's social security number, a copy of a current and valid photo identification, or a copy of a current utility bill, bank statement, paycheck, government check, or other federal, State, or local government document that shows the person's name and address. A person may also demonstrate sufficient proof of identity by submission of a photo identification issued by a college or university accompanied by either a copy of the applicant's contract or lease for a residence or any postmarked mail delivered to the applicant at his or her current residence address. Persons who apply to register to vote by mail but provide inadequate proof of identity to the election authority shall be notified by the election authority that the registration has not been fully completed and that the person remains ineligible to vote by mail or in person until such proof is presented.

(Source: P.A. 95-699, eff. 11-9-07; 96-317, eff. 1-1-10.)

(10 ILCS 5/6-29) (from Ch. 46, par. 6-29)

Sec. 6-29. For the purpose of registering voters under this Article, the office of the Board of Election Commissioners shall be open during ordinary business hours of each week day, from 9 a.m. to 12 o'clock noon.
on the last four Saturdays immediately preceding the end of the period of registration preceding each election, and such other days and such other times as the board may direct. During the 27 days immediately preceding any election there shall be no registration of voters at the office of the Board of Election Commissioners in cities, villages and incorporated towns of fewer than 200,000 inhabitants. In cities, villages and incorporated towns of 200,000 or more inhabitants, there shall be no registration of voters at the office of the Board of Election Commissioners during the 35 days immediately preceding any election; provided, however, where no precinct registration is being conducted prior to any election then registration may be taken in the office of the Board up to and including the 28th day prior to such election. The Board of Election Commissioners may set up and establish as many branch offices for the purpose of taking registrations as it may deem necessary, and the branch offices may be open on any or all dates and hours during which registrations may be taken in the main office. All officers and employees of the Board of Election Commissioners who are authorized by such board to take registrations under this Article shall be considered officers of the circuit court, and shall be subject to the same control as is provided by Section 14-5 of this Act with respect to judges of election.

In any election called for the submission of the revision or alteration of, or the amendments to the Constitution, submitted by a Constitutional Convention, the final day for registration at the office of the election authority charged with the printing of the ballot of this election shall be the 15th day prior to the date of election.

The Board of Election Commissioners shall appoint one or more registration teams, consisting of 2 of its employees for each team, for the purpose of accepting the registration of any voter who files an affidavit, within the period for taking registrations provided for in this Article, that he is physically unable to appear at the office of the Board or at any appointed place of registration. On the day or days when a precinct registration is being conducted such teams shall consist of one member from each of the 2 leading political parties who are serving on the Precinct Registration Board. Each team so designated shall visit each disabled person and shall accept the registration of such person the same as if he had applied for registration in person.

Any otherwise qualified person who is absent from his county of residence due to business of the United States, or who is temporarily residing outside the territorial limits of the United States, may make
application to become registered by mail to the Board of Election Commissioners within the periods for registration provided for in this Article or by simultaneous application for absentee registration by mail and vote by mail absentee ballot as provided in Article 20 of this Code.

Upon receipt of such application the Board of Election Commissioners shall immediately mail an affidavit of registration in duplicate, which affidavit shall contain the following and such other information as the State Board of Elections may think it proper to require for the identification of the applicant:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue or other location of the dwelling, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the section, congressional township and range number may be used, or such other information as may be necessary, including post office mailing address.

Electronic mail address, if the registrant has provided this information.

Term of residence in the State of Illinois and the precinct.

Nativity. The state or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Age. Date of birth, by month, day and year.

Out of State address of ..............

AFFIDAVIT OF REGISTRATION

State of ........)

) ss.

County of ........)

I hereby swear (or affirm) that I am a citizen of the United States; that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days; that I am fully qualified to vote, that I am not registered to vote anywhere else in the United States, that I intend to remain a resident of the State of Illinois, and of the election precinct, that I intend to return to the State of Illinois, and that the above statements are true.

New matter indicated by italics - deletions by strikeout
Subscribed and sworn to before me, an officer qualified to administer oaths, on (insert date).

Signature of officer administering oath.

Upon receipt of the executed duplicate affidavit of Registration, the Board of Election Commissioners shall transfer the information contained thereon to duplicate Registration Cards provided for in Section 6-35 of this Article and shall attach thereto a copy of each of the duplicate affidavit of registration and thereafter such registration card and affidavit shall constitute the registration of such person the same as if he had applied for registration in person.

(Source: P.A. 98-115, eff. 10-1-13.)

(10 ILCS 5/6-50.3) (from Ch. 46, par. 6-50.3)

Sec. 6-50.3. The board of election commissioners may establish temporary places of registration for such times and at such locations as the board may select. However, no temporary place of registration may be in operation during the 27 days preceding an election. Notice of the time and place of registration at any such temporary place of registration under this Section shall be published by the board of election commissioners in a newspaper having a general circulation in the city, village or incorporated town not less than 3 nor more than 15 days before the holding of such registration.

Temporary places of registration shall be established so that the areas of concentration of population or use by the public are served, whether by facilities provided in places of private business or in public buildings or in mobile units. Areas which may be designated as temporary places of registration include, but are not limited to, facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, Soldiers' and Sailors' Homes, shopping centers, business districts, public buildings and county fairs.

Temporary places of registration shall be available to the public not less than 2 hours per year for each 1,000 population or fraction thereof in the county.

All temporary places of registration shall be manned by employees of the board of election commissioners or deputy registrars appointed pursuant to Section 6-50.2.
Sec. 6-100. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for an election and until and including the 3rd day of the election; except that during the 2014 general election the period shall extend until the polls close on election day. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority, at a permanent polling place established under Section 19A-10, at any other early voting site beginning 15 days prior to the election, at a polling place on election day, or at a voter registration location specifically designated for this purpose by the election authority. During the 2014 general election, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person at any permanent polling place for early voting established pursuant to Section 19A-10 through election day. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period. The election authority shall offer in-person grace period voting at the authority's office, and any permanent polling place established under Section 19A-10, at any other early voting site beginning 15 days prior to the election, at a polling place on election day, where grace period registration is required by this Section; and may offer in-person grace period voting at additional hours and locations specifically designated for the purpose of grace period voting by the election authority. The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19A.

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by the State
Board of Elections the voter's name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom vote by mail absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period at a location other than their designated polling place on election day must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

In counties with a population of less than 100,000 that do not have electronic poll books, the election authority may opt out of registration in the polling place if the election authority establishes grace period registration and voting at other sites on election day at the following sites: (i) the election authority's main office and (ii) a polling place in each municipality where 20% or more of the county's residents reside if the election authority's main office is not located in that municipality. The election authority may establish other grace period registration and voting sites on election day provided that the election authority has met the notice requirements of Section 19A-25 for permanent and temporary early voting sites.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14.)

(10 ILCS 5/6-105)

Sec. 6-105. First time voting. A person must vote for the first time in person and not by a vote by mail absentee ballot if the person registered to vote by mail, unless the person first provides the appropriate election authority with sufficient proof of identity and the election authority verifies the person's proof of identity. Sufficient proof of identity shall be demonstrated by submission of the person's driver's license number or State identification card number or, if the person does not have either of those, verification by the last 4 digits of the person's social

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security number, a copy of a current and valid photo identification, or a copy of a current utility bill, bank statement, paycheck, government check, or other federal, State, or local government document that shows the person's name and address. A person may also demonstrate sufficient proof of identity by submission of a photo identification issued by a college or university accompanied by either a copy of the applicant's contract or lease for a residence or any postmarked mail delivered to the applicant at his or her current residence address. Persons who apply to register to vote by mail but provide inadequate proof of identity to the election authority shall be notified by the election authority that the registration has not been fully completed and that the person remains ineligible to vote by mail or in person until such proof is presented.

(Source: P.A. 95-699, eff. 11-9-07; 96-317, eff. 1-1-10.)

(10 ILCS 5/7-15) (from Ch. 46, par. 7-15)

Sec. 7-15. At least 60 days prior to each general and consolidated primary, the election authority shall provide public notice, calculated to reach elderly and handicapped voters, of the availability of registration and voting aids under the Federal Voting Accessibility for the Elderly and Handicapped Act, of the availability of assistance in marking the ballot, procedures for voting by a vote by mail absentee ballot, and procedures for early voting by personal appearance. At least 20 days before the general primary the county clerk of each county, and not more than 30 nor less than 10 days before the consolidated primary the election authority, shall prepare in the manner provided in this Act, a notice of such primary which notice shall state the time and place of holding the primary, the hours during which the polls will be open, the offices for which candidates will be nominated at such primary and the political parties entitled to participate therein, notwithstanding that no candidate of any such political party may be entitled to have his name printed on the primary ballot. Such notice shall also include the list of addresses of precinct polling places for the consolidated primary unless such list is separately published by the election authority not less than 10 days before the consolidated primary.

In counties, municipalities, or towns having fewer than 500,000 inhabitants notice of the general primary shall be published once in two or more newspapers published in the county, municipality or town, as the case may be, or if there is no such newspaper, then in any two or more newspapers published in the county and having a general circulation throughout the community.

New matter indicated by italics - deletions by strikeout
In counties, municipalities, or towns having 500,000 or more inhabitants notice of the general primary shall be published at least 15 days prior to the primary by the same authorities and in the same manner as notice of election for general elections are required to be published in counties, municipalities or towns of 500,000 or more inhabitants under this Act.

Notice of the consolidated primary shall be published once in one or more newspapers published in each political subdivision having such primary, and if there is no such newspaper, then published once in a local, community newspaper having general circulation in the subdivision, and also once in a newspaper published in the county wherein the political subdivisions, or portions thereof, having such primary are situated.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/7-34) (from Ch. 46, par. 7-34)

Sec. 7-34. Pollwatchers in a primary election shall be authorized in the following manner:

(1) Each established political party shall be entitled to appoint one pollwatcher per precinct. Such pollwatchers must be affiliated with the political party for which they are pollwatching and must be a registered voter in Illinois.

(2) Each candidate shall be entitled to appoint two pollwatchers per precinct. For Federal, State, county, township, and municipal primary elections, the pollwatchers must be registered to vote in Illinois.

(3) Each organization of citizens within the county or political subdivision, which has among its purposes or interests the investigation or prosecution of election frauds, and which shall have registered its name and address and the names and addresses of its principal officers with the proper election authority at least 40 days before the primary election, shall be entitled to appoint one pollwatcher per precinct. For all primary elections, the pollwatcher must be registered to vote in Illinois.

(3.5) Each State nonpartisan civic organization within the county or political subdivision shall be entitled to appoint one pollwatcher per precinct, provided that no more than 2 pollwatchers appointed by State nonpartisan civic organizations shall be present in a precinct polling place at the same time. Each organization shall have registered the names and addresses of its principal officers with the proper election authority at least 40 days before the primary election. The pollwatchers must be registered to vote in Illinois. For the purpose of this paragraph, a "State nonpartisan

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civic organization" means any corporation, unincorporated association, or organization that:

(i) as part of its written articles of incorporation, bylaws, or charter or by separate written declaration, has among its stated purposes the provision of voter information and education, the protection of individual voters' rights, and the promotion of free and equal elections;

(ii) is organized or primarily conducts its activities within the State of Illinois; and

(iii) continuously maintains an office or business location within the State of Illinois, together with a current listed telephone number (a post office box number without a current listed telephone number is not sufficient).

(4) Each organized group of proponents or opponents of a ballot proposition, which shall have registered the name and address of its organization or committee and the name and address of its chairman with the proper election authority at least 40 days before the primary election, shall be entitled to appoint one pollwatcher per precinct. The pollwatcher must be registered to vote in Illinois.

(5) In any primary election held to nominate candidates for the offices of a municipality of less than 3,000,000 population that is situated in 2 or more counties, a pollwatcher who is a resident of a county in which any part of the municipality is situated shall be eligible to serve as a pollwatcher in any polling place located within such municipality, provided that such pollwatcher otherwise complies with the respective requirements of subsections (1) through (4) of this Section and is a registered voter whose residence is within Illinois.

All pollwatchers shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature(s) of the election authority and shall be available for distribution at least 2 weeks prior to the election. Such credentials shall be authorized by the real or facsimile signature of the State or local party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group, as the case may be.

Pollwatcher credentials shall be in substantially the following form:

POLLWATCHER CREDENTIALS
TO THE JUDGES OF ELECTION:

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In accordance with the provisions of the Election Code, the undersigned hereby appoints .......... (name of pollwatcher) at .......... (address) in the county of .........., ........ (township or municipality) of .......... (name), State of Illinois and who is duly registered to vote from this address, to act as a pollwatcher in the .......... precinct of the .......... ward (if applicable) of the .......... (township or municipality) of .......... at the .......... election to be held on (insert date).

........................ (Signature of Appointing Authority)

........................ TITLE (party official, candidate,
civic organization president,
proponent or opponent group chairman)

Under penalties provided by law pursuant to Section 29-10 of the Election Code, the undersigned pollwatcher certifies that he or she resides at .......... (address) in the county of .........., ........ (township or municipality) of .......... (name), State of Illinois, and is duly registered to vote in Illinois.

........................ (Precinct and/or Ward in Which Pollwatcher Resides) (Signature of Pollwatcher)

Pollwatchers must present their credentials to the Judges of Election upon entering the polling place. Pollwatcher credentials properly executed and signed shall be proof of the qualifications of the pollwatcher authorized thereby. Such credentials are retained by the Judges and returned to the Election Authority at the end of the day of election with the other election materials. Once a pollwatcher has surrendered a valid credential, he may leave and reenter the polling place provided that such continuing action does not disrupt the conduct of the election. Pollwatchers may be substituted during the course of the day, but established political parties, candidates, qualified civic organizations and proponents and opponents of a ballot proposition can have only as many pollwatchers at any given time as are authorized in this Article. A substitute must present his signed credential to the judges of election upon entering the polling place. Election authorities must provide a sufficient number of credentials to allow for substitution of pollwatchers. After the polls have closed, pollwatchers shall be allowed to remain until the canvass of votes is completed; but may leave and reenter only in cases of necessity, provided that such action is not so continuous as to disrupt the canvass of votes.

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Candidates seeking office in a district or municipality encompassing 2 or more counties shall be admitted to any and all polling places throughout such district or municipality without regard to the counties in which such candidates are registered to vote. Actions of such candidates shall be governed in each polling place by the same privileges and limitations that apply to pollwatchers as provided in this Section. Any such candidate who engages in an activity in a polling place which could reasonably be construed by a majority of the judges of election as campaign activity shall be removed forthwith from such polling place.

Candidates seeking office in a district or municipality encompassing 2 or more counties who desire to be admitted to polling places on election day in such district or municipality shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature of the election authority of the election jurisdiction where the polling place in which the candidate seeks admittance is located, and shall be available for distribution at least 2 weeks prior to the election. Such credentials shall be signed by the candidate.

Candidate credentials shall be in substantially the following form:

CANDIDATE CREDENTIALS

TO THE JUDGES OF ELECTION:

In accordance with the provisions of the Election Code, I ..... (name of candidate) hereby certify that I am a candidate for ..... (name of office) and seek admittance to ..... precinct of the ..... ward (if applicable) of the ..... (township or municipality) of ..... at the ..... election to be held on (insert date).

................................................
(Signature of Candidate)  OFFICE FOR WHICH
CANDIDATE SEEKS
NOMINATION OR ELECTION

Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, and to station themselves in a position in the voting room as will enable them to observe the judges making the signature comparison between the voter application and the voter registration record card; provided, however, that such pollwatchers shall not be permitted to station themselves in such close

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proximity to the judges of election so as to interfere with the orderly
conduct of the election and shall not, in any event, be permitted to handle
election materials. Pollwatchers may challenge for cause the voting
qualifications of a person offering to vote and may call to the attention of
the judges of election any incorrect procedure or apparent violations of this
Code.

If a majority of the judges of election determine that the polling
place has become too overcrowded with pollwatchers so as to interfere
with the orderly conduct of the election, the judges shall, by lot, limit such
pollwatchers to a reasonable number, except that each candidate and each
established or new political party shall be permitted to have at least one
pollwatcher present.

Representatives of an election authority, with regard to an election
under its jurisdiction, the State Board of Elections, and law enforcement
agencies, including but not limited to a United States Attorney, a State's
attorney, the Attorney General, and a State, county, or local police
department, in the performance of their official election duties, shall be
permitted at all times to enter and remain in the polling place. Upon
entering the polling place, such representatives shall display their official
credentials or other identification to the judges of election.

Uniformed police officers assigned to polling place duty shall
follow all lawful instructions of the judges of election.

The provisions of this Section shall also apply to supervised
casting of vote by mail absentee ballots as provided in Section 19-12.2 of
this Act.

(Source: P.A. 94-645, eff. 8-22-05; 95-267, eff. 8-17-07.)

(10 ILCS 5/10-7) (from Ch. 46, par. 10-7)

Sec. 10-7. Any person whose name has been presented as a
candidate, including nonpartisan and independent candidates, may cause
his name to be withdrawn from any such nomination by his request in
writing, signed by him and duly acknowledged before an officer qualified
to take acknowledgment of deeds, and presented to the principal office or
permanent branch office of the Board, the election authority, or the local
election official, as the case may be, not later than the date for certification
of candidates for the ballot. No name so withdrawn shall be printed upon
the ballots under the party appellation or title from which the candidate has
withdrawn his name. If such a request for withdrawal is received after the
date for certification of the candidates for the ballot, then the votes cast for
the withdrawn candidate are invalid and shall not be reported by the

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election authority. If the name of the same person has been presented as a candidate for 2 or more offices which are incompatible so that the same person could not serve in more than one of such offices if elected, that person must withdraw as a candidate for all but one of such offices within the 5 business days following the last day for petition filing. If he fails to withdraw as a candidate for all but one of such offices within such time, his name shall not be certified, nor printed on the ballot, for any office. However, nothing in this section shall be construed as precluding a judge who is seeking retention in office from also being a candidate for another judicial office. Except as otherwise herein provided, in case the certificate of nomination or petition as provided for in this Article shall contain or exhibit the name of any candidate for any office upon more than one of said certificates or petitions (for the same office), then and in that case the Board or election authority or local election official, as the case may be, shall immediately notify said candidate of said fact and that his name appears unlawfully upon more than one of said certificates or petitions and that within 3 days from the receipt of said notification, said candidate must elect as to which of said political party appellations or groups he desires his name to appear and remain upon said ballot, and if said candidate refuses, fails or neglects to make such election, then and in that case the Board or election authority or local election official, as the case may be, shall permit the name of said candidate to appear or be printed or placed upon said ballot only under the political party appellation or group appearing on the certificate of nomination or petition, as the case may be, first filed, and shall strike or cause to be stricken the name of said candidate from all certificates of nomination and petitions filed after the first such certificate of nomination or petition.

Whenever the name of a candidate for an office is withdrawn from a new political party petition, it shall constitute a vacancy in nomination for that office which may be filled in accordance with Section 10-11 of this Article; provided, that if the names of all candidates for all offices on a new political party petition are withdrawn or such petition is declared invalid by an electoral board or upon judicial review, no vacancies in nomination for those offices shall exist and the filing of any notice or resolution purporting to fill vacancies in nomination shall have no legal effect.

Whenever the name of an independent candidate for an office is withdrawn or an independent candidate's petition is declared invalid by an electoral board or upon judicial review, no vacancy in nomination for that office...
office shall exist and the filing of any notice or resolution purporting to fill a vacancy in nomination shall have no legal effect.

All certificates of nomination and nomination papers when presented or filed shall be open, under proper regulation, to public inspection, and the State Board of Elections and the several election authorities and local election officials having charge of nomination papers shall preserve the same in their respective offices not less than 6 months.

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

Sec. 10-9. The following electoral boards are designated for the purpose of hearing and passing upon the objector's petition described in Section 10-8.

1. The State Board of Elections will hear and pass upon objections to the nominations of candidates for State offices, nominations of candidates for congressional or legislative offices that are in more than one county or are wholly located within a single county with a population of less than 3,000,000 and judicial offices of districts, subcircuits, or circuits situated in more than one county, nominations of candidates for the offices of State's attorney or regional superintendent of schools to be elected from more than one county, and petitions for proposed amendments to the Constitution of the State of Illinois as provided for in Section 3 of Article XIV of the Constitution.

2. The county officers electoral board of a county with a population of less than 3,000,000 to hear and pass upon objections to the nominations of candidates for county offices, for congressional, legislative and judicial offices of a district, subcircuit, or circuit coterminous with or less than a county, for any school district offices, for the office of multi-township assessor where candidates for such office are nominated in accordance with this Code, and for all special district offices, shall be composed of the county clerk, or an assistant designated by the county clerk, the State's attorney of the county or an Assistant State's Attorney designated by the State's Attorney, and the clerk of the circuit court, or an assistant designated by the clerk of the circuit court, of the county, of whom the county clerk or his designee shall be the chairman, except that in any county which has established a county board of election commissioners that board shall constitute the county officers electoral board ex-officio. If a school district is

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located in 2 or more counties, the county officers electoral board of the county in which the principal office of the school district is located shall hear and pass upon objections to nominations of candidates for school district office in that school district.

2.5. The county officers electoral board of a county with a population of 3,000,000 or more to hear and pass upon objections to the nominations of candidates for county offices, candidates for congressional and legislative offices if the district is wholly within a county with a population of 3,000,000 or more, unless the district is wholly or partially within the jurisdiction of a municipal board of election commissioners, and judicial offices of a district, subcircuit, or circuit coterminous with or less than a county, for any school district offices, for the office of multi-township assessor where candidates for such office are nominated in accordance with this Code, and for all special district offices, shall be composed of the county clerk, or an assistant designated by the county clerk, the State's Attorney of the county or an Assistant State's Attorney designated by the State's Attorney, and the clerk of the circuit court, or an assistant designated by the clerk of the circuit court, of the county, of whom the county clerk or his designee shall be the chairman, except that, in any county which has established a county board of election commissioners, that board shall constitute the county officers electoral board ex-officio. If a school district is located in 2 or more counties, the county officers electoral board of the county in which the principal office of the school district is located shall hear and pass upon objections to nominations of candidates for school district office in that school district.

3. The municipal officers electoral board to hear and pass upon objections to the nominations of candidates for officers of municipalities shall be composed of the mayor or president of the board of trustees of the city, village or incorporated town, and the city, village or incorporated town clerk, and one member of the city council or board of trustees, that member being designated who is eligible to serve on the electoral board and has served the greatest number of years as a member of the city council or board of trustees, of whom the mayor or president of the board of trustees shall be the chairman.

4. The township officers electoral board to pass upon objections to the nominations of township officers shall be

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composed of the township supervisor, the town clerk, and that eligible town trustee elected in the township who has had the longest term of continuous service as town trustee, of whom the township supervisor shall be the chairman.

5. The education officers electoral board to hear and pass upon objections to the nominations of candidates for offices in community college districts shall be composed of the presiding officer of the community college district board, who shall be the chairman, the secretary of the community college district board and the eligible elected community college board member who has the longest term of continuous service as a board member.

6. In all cases, however, where the Congressional, Legislative, or Representative district is wholly or partially within the jurisdiction of a single municipal board of election commissioners in Cook County and in all cases where the school district or special district is wholly within the jurisdiction of a municipal board of election commissioners and in all cases where the municipality or township is wholly or partially within the jurisdiction of a municipal board of election commissioners, the board of election commissioners shall ex-officio constitute the electoral board.

For special districts situated in more than one county, the county officers electoral board of the county in which the principal office of the district is located has jurisdiction to hear and pass upon objections. For purposes of this Section, "special districts" means all political subdivisions other than counties, municipalities, townships and school and community college districts.

In the event that any member of the appropriate board is a candidate for the office with relation to which the objector's petition is filed, he shall not be eligible to serve on that board and shall not act as a member of the board and his place shall be filled as follows:

a. In the county officers electoral board by the county treasurer, and if he or she is ineligible to serve, by the sheriff of the county.

b. In the municipal officers electoral board by the eligible elected city council or board of trustees member who has served the second greatest number of years as a city council or board of trustees member.

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c. In the township officers electoral board by the eligible elected town trustee who has had the second longest term of continuous service as a town trustee.

d. In the education officers electoral board by the eligible elected community college district board member who has had the second longest term of continuous service as a board member.

In the event that the chairman of the electoral board is ineligible to act because of the fact that he or she is a candidate for the office with relation to which the objector's petition is filed, then the substitute chosen under the provisions of this Section shall be the chairman; In this case, the officer or board with whom the objector's petition is filed, shall transmit the certificate of nomination or nomination papers as the case may be, and the objector's petition to the substitute chairman of the electoral board.

When 2 or more eligible individuals, by reason of their terms of service on a city council or board of trustees, township board of trustees, or community college district board, qualify to serve on an electoral board, the one to serve shall be chosen by lot.

Any vacancies on an electoral board not otherwise filled pursuant to this Section shall be filled by public members appointed by the Chief Judge of the Circuit Court for the county wherein the electoral board hearing is being held upon notification to the Chief Judge of such vacancies. The Chief Judge shall be so notified by a member of the electoral board or the officer or board with whom the objector's petition was filed. In the event that none of the individuals designated by this Section to serve on the electoral board are eligible, the chairman of an electoral board shall be designated by the Chief Judge.

(10 ILCS 5/11-4.1) (from Ch. 46, par. 11-4.1)

Sec. 11-4.1. (a) In appointing polling places under this Article, the county board or board of election commissioners shall, insofar as they are convenient and available, use schools and other public buildings as polling places.

(b) Upon request of the county board or board of election commissioners, the proper agency of government (including school districts and units of local government) shall make a public building under its control available for use as a polling place on an election day and for a reasonably necessary time before and after election day, without charge. If the county board or board of election commissioners chooses a school to be a polling place, then the school district must make the school available
for use as a polling place. However, for the day of the election, a school district is encouraged to (i) close the school or (ii) hold a teachers institute on that day with students not in attendance.

(c) A government agency which makes a public building under its control available for use as a polling place shall (i) ensure the portion of the building to be used as the polling place is accessible to handicapped and elderly voters and (ii) allow the election authority to administer the election as authorized under this Code.

(d) If a qualified elector's precinct polling place is a school and the elector will be unable to enter that polling place without violating Section 11-9.3 of the Criminal Code of 2012 because the elector is a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012, that elector may vote by a vote by mail absentee ballot in accordance with Article 19 of this Code or may vote early in accordance with Article 19A of this Code.

(Source: P.A. 97-1150, eff. 1-25-13; 98-773, eff. 7-18-14.)

(10 ILCS 5/11-7) (from Ch. 46, par. 11-7)

Sec. 11-7. For the purpose of the conduct of any consolidated election, consolidated primary election, special municipal primary election or emergency referendum, an election authority may cluster up to four contiguous precincts as provided in this Section, which shall constitute a clustered voting zone. The common polling place for the clustered voting zone shall be located within the territory comprising the clustered precincts. Unless the election authority specifies a larger number, only one election judge shall be appointed for each of the precincts in each clustered voting zone.

The judges so appointed may not all be affiliated with the same political party.

The conduct of an election in a clustered voting zone shall be under the general supervision of all the judges of election designated to serve in the clustered voting zone. The designated judges may perform the duties of election judges for the entire clustered voting zone. However, the requirements of Section 17-14 shall apply to voter assistance, the requirements of Section 24-10 shall apply to voter instruction, the requirement of Section 24A-10 shall apply to examination of vote by mail absentee ballots, and any disputes as to entitlement to vote, challenges, counting of ballots or other matters pertaining directly to voting shall be decided by those designated judges appointed for the precinct in which the affected voter resides or the disputed vote is to be counted.

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This Section does not apply to any elections in municipalities with more than 1,000,000 inhabitants.
(Source: P.A. 90-358, eff. 1-1-98.)

Sec. 12-1. At least 60 days prior to each general and consolidated election, the election authority shall provide public notice, calculated to reach elderly and handicapped voters, of the availability of registration and voting aids under the Federal Voting Accessibility for the Elderly and Handicapped Act, of the availability of assistance in marking the ballot, procedures for voting by vote by mail absentee ballot, and procedures for voting early by personal appearance.

At least 30 days before any general election, and at least 20 days before any special congressional election, the county clerk shall publish a notice of the election in 2 or more newspapers published in the county, city, village, incorporated town or town, as the case may be, or if there is no such newspaper, then in any 2 or more newspapers published in the county and having a general circulation throughout the community. The notice may be substantially as follows:

Notice is hereby given that on (give date), at (give the place of holding the election and the name of the precinct or district) in the county of (name county), an election will be held for (give the title of the several offices to be filled), which election will be open at 6:00 a.m. and continued open until 7:00 p.m. of that day.

Dated at .... on (insert date).

Sec. 13-1. In counties not under township organization, the county board of commissioners shall at its meeting in July in each even-numbered year appoint in each election precinct 5 capable and discreet persons meeting the qualifications of Section 13-4 to be judges of election. Where neither voting machines nor electronic, mechanical or electric voting systems are used, the county board may, for any precinct with respect to which the board considers such action necessary or desirable in view of the number of voters, and shall for general elections for any precinct containing more than 600 registered voters, appoint in addition to the 5 judges of election a team of 5 tally judges. In such precincts the judges of election shall preside over the election during the hours the polls are open, and the tally judges, with the assistance of the holdover judges designated pursuant to Section 13-6.2, shall count the vote after the closing of the
polls. However, the County Board of Commissioners may appoint 3 judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of representative in the United States Congress or to nominate candidates for such purpose. The tally judges shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for judges of election.

In addition to such precinct judges, the county board of commissioners shall appoint special panels of 3 judges each, who shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for other judges of election. The number of such panels of judges required shall be determined by regulations of the State Board of Elections which shall base the required numbers of special panels on the number of registered voters in the jurisdiction or the number of vote by mail absentee ballots voted at recent elections, or any combination of such factors.

Such appointment shall be confirmed by the court as provided in Section 13-3 of this Article. No more than 3 persons of the same political party shall be appointed judges of the same election precinct or election judge panel. The appointment shall be made in the following manner: The county board of commissioners shall select and approve 3 persons as judges of election in each election precinct from a certified list, furnished by the chairman of the County Central Committee of the first leading political party in such precinct; and the county board of commissioners shall also select and approve 2 persons as judges of election in each election precinct from a certified list, furnished by the chairman of the County Central Committee of the second leading political party. However, if only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct; and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined in the same manner as set forth in the next two preceding sentences with regard to 5 election judges in each precinct. Such certified list shall be filed with the county clerk not less than 10 days before the annual meeting of the county board of commissioners. Such list shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the

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precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. The county board of commissioners shall acknowledge in writing to each county chairman the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is filed or such list is incomplete (that is, no names or an insufficient number of names are furnished for certain election precincts), the county board of commissioners shall make or complete such list from the names contained in the supplemental list provided for in Section 13-1.1. The election judges shall hold their office for 2 years from their appointment, and until their successors are duly appointed in the manner provided in this Act. The county board of commissioners shall fill all vacancies in the office of judge of election at any time in the manner provided in this Act.

(Source: P.A. 94-1000, eff. 7-3-06.)

(10 ILCS 5/13-1.1) (from Ch. 46, par. 13-1.1)

Sec. 13-1.1. In addition to the list provided for in Section 13-1 or 13-2, the chairman of the county central committee, or each township committeeperson in a county with a population of more than 3,000,000, of each of the two leading political parties shall submit to the county board a supplemental list, arranged according to precincts in which they are to serve, of persons available as judges of election, the names and number of all persons listed thereon to be acknowledged in writing to the county chairman or township committeeperson, as the case may be, submitting such list by the county board. Vacancies among the judges of election shall be filled by selection from this supplemental list of persons qualified under Section 13-4. If the list provided for in Section 13-1 or 13-2 for any precinct is exhausted, then selection shall be made from the supplemental list submitted by the chairman of the county central committee, or each township committeeperson in a county with a population of more than 3,000,000, of the party. If such supplemental list is exhausted for any precinct, then selection shall be made from any of the persons on the supplemental list without regard to the precincts in which they are listed to serve. No selection or appointment from the supplemental list shall be made more than 21 days prior to the date of precinct registration for those

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judges needed as precinct registrars, and more than 60 45 days prior to the date of an election for those additional persons needed as election judges. In any case where selection cannot be made from the supplemental list without violating Section 13-4, selection shall be made from outside the supplemental list of some person qualified under Section 13-4.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

Sec. 13-2. In counties under the township organization the county board shall at its meeting in July in each even-numbered year except in counties containing a population of 3,000,000 inhabitants or over and except when such judges are appointed by election commissioners, select in each election precinct in the county, 5 capable and discreet persons to be judges of election who shall possess the qualifications required by this Act for such judges. Where neither voting machines nor electronic, mechanical or electric voting systems are used, the county board may, for any precinct with respect to which the board considers such action necessary or desirable in view of the number of voters, and shall for general elections for any precinct containing more than 600 registered voters, appoint in addition to the 5 judges of election a team of 5 tally judges. In such precincts the judges of election shall preside over the election during the hours the polls are open, and the tally judges, with the assistance of the holdover judges designated pursuant to Section 13-6.2, shall count the vote after the closing of the polls. The tally judges shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for judges of election.

However, the county board may appoint 3 judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of representative in the United States Congress or to nominate candidates for such purpose.

In addition to such precinct judges, the county board shall appoint special panels of 3 judges each, who shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for other judges of election. The number of such panels of judges required shall be determined by regulations of the State Board of Elections, which shall base the required number of special panels on the number of registered voters in the
jurisdiction or the number of absentee ballots voted at recent elections or any combination of such factors.

No more than 3 persons of the same political party shall be appointed judges in the same election district or undivided precinct. The election of the judges of election in the various election precincts shall be made in the following manner: The county board shall select and approve 3 of the election judges in each precinct from a certified list furnished by the chairman of the County Central Committee of the first leading political party in such election precinct and shall also select and approve 2 judges of election in each election precinct from a certified list furnished by the chairman of the County Central Committee of the second leading political party in such election precinct. However, if only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct; and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined in the same manner as set forth in the next two preceding sentences with regard to 5 election judges in each precinct. The respective County Central Committee chairman shall notify the county board by June 1 of each odd-numbered year immediately preceding the annual meeting of the county board whether or not such certified list will be filed by such chairman. Such list shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. Such certified list, if filed, shall be filed with the county clerk not less than 20 days before the annual meeting of the county board. The county board shall acknowledge in writing to each county chairman the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is filed or the list is incomplete (that is, no names or an insufficient number of names are furnished for certain election precincts), the county board shall make or complete such list from the names contained in the supplemental list provided for in Section 13-1.1. Provided, further, that in any case where a township has been or shall be redistricted, in whole or in part, subsequent
to one general election for Governor, and prior to the next, the judges of
election to be selected for all new or altered precincts shall be selected in
that one of the methods above detailed, which shall be applicable
according to the facts and circumstances of the particular case, but the
majority of such judges for each such precinct shall be selected from the
first leading political party, and the minority judges from the second
leading political party. Provided, further, that in counties having a
population of 3,000,000 inhabitants or over the selection of
judges of election shall be made in the same manner in all respects as in
other counties, except that the provisions relating to tally judges are
inapplicable to such counties and except that the county board shall meet
during the month of January for the purpose of making such selection,
each township committeeperson shall assume the responsibilities given to
the chairman of the county central committee in this Section for the
precincts within his or her township, and the township committeeperson
chairman of each county central committee shall notify the county board
by the preceding October 1 whether or not the certified list will be filed.
Such judges of election shall hold their office for 2 years from their
appointment and until their successors are duly appointed in the manner
provided in this Act. The county board shall fill all vacancies in the office
of judges of elections at any time in the manner herein provided.

Such selections under this Section shall be confirmed by the circuit
court as provided in Section 13-3 of this Article.
(Source: P.A. 94-1000, eff. 7-3-06.)

(10 ILCS 5/13-10) (from Ch. 46, par. 13-10)
Sec. 13-10. The compensation of the judges of all primaries and all
elections, except judges supervising vote by mail absentee ballots as
provided in Section 19-12.2 of this Act, in counties of less than 600,000
inhabitants shall be fixed by the respective county boards or boards of
election commissioners in all counties and municipalities, but in no case
shall such compensation be less than $35 per day. The compensation of
judges of all primaries and all elections not under the jurisdiction of the
county clerk, except judges supervising vote by mail absentee balloting as
provided in Section 19-12.2 of this Act, in counties having a population of
2,000,000 or more shall be not less than $60 per day. The compensation of
judges of all primaries and all elections under the jurisdiction of the county
clerk, except judges supervising vote by mail absentee balloting as
provided in Section 19-12.2 of this Act, in counties having a population of
2,000,000 or more shall be not less than $60 per day. The compensation of

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judges of all primaries and all elections, except judges supervising vote by mail absentee ballots as provided in Section 19-12.2 of this Act, in counties having a population of at least 600,000 but less than 2,000,000 inhabitants shall be not less than $45 per day as fixed by the county board of election commissioners of each such county. In addition to their per day compensation and notwithstanding the limitations thereon stated herein, the judges of election, in all counties with a population of less than 600,000, shall be paid $3 each for each 100 voters or portion thereof, in excess of 200 voters voting for candidates in the election district or precinct wherein the judge is serving, whether a primary or an election is being held. However, no such extra compensation shall be paid to the judges of election in any precinct in which no paper ballots are counted by such judges of election. The 2 judges of election in counties having a population of less than 600,000 who deliver the returns to the county clerk shall each be allowed and paid a sum to be determined by the election authority for such services and an additional sum per mile to be determined by the election authority for every mile necessarily travelled in going to and returning from the office or place to which they deliver the returns. The compensation for mileage shall be consistent with current rates paid for mileage to employees of the county.

However, all judges who have been certified by the County Clerk or Board of Election Commissioners as having satisfactorily completed, within the 2 years preceding the day of election, the training course for judges of election, as provided in Sections 13-2.1, 13-2.2 and 14-4.1 of this Act, shall receive additional compensation of not less than $10 per day in counties of less than 600,000 inhabitants, the additional compensation of not less than $10 per day in counties having a population of at least 600,000 but less than 2,000,000 inhabitants as fixed by the county board of election commissioners of each such county, and additional compensation of not less than $20 per day in counties having a population of 2,000,000 or more for primaries and elections under the jurisdiction of the county clerk, and additional compensation of not less than $20 per day in counties having a population of 2,000,000 or more for primaries and elections under the jurisdiction of the county clerk.

In precincts in which there are tally judges, the compensation of the tally judges shall be 2/3 of that of the judges of election and each holdover judge shall be paid the compensation of a judge of election plus that of a tally judge.

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Beginning on the effective date of this amendatory Act of 1998, the portion of an election judge's daily compensation reimbursed by the State Board of Elections is increased by $15. The increase provided by this amendatory Act of 1998 must be used to increase each judge's compensation and may not be used by the county to reduce its portion of a judge's compensation.

Beginning on the effective date of this amendatory Act of the 95th General Assembly, the portion of an election judge's daily compensation reimbursement by the State Board of Elections is increased by an additional $20. The increase provided by this amendatory Act of the 95th General Assembly must be used to increase each judge's compensation and may not be used by the election authority or election jurisdiction to reduce its portion of a judge's compensation.

(Source: P.A. 95-699, eff. 11-9-07.)

(10 ILCS 5/14-3.1) (from Ch. 46, par. 14-3.1)

Sec. 14-3.1. The board of election commissioners shall, during the month of July of each even-numbered year, select for each election precinct within the jurisdiction of the board 5 persons to be judges of election who shall possess the qualifications required by this Act for such judges. The selection shall be made by a county board of election commissioners in the following manner: the county board of election commissioners shall select and approve 3 persons as judges of election in each election precinct from a certified list furnished by the chairman of the county central committee of the first leading political party in that precinct; the county board of election commissioners also shall select and approve 2 persons as judges of election in each election precinct from a certified list furnished by the chairman of the county central committee of the second leading political party in that precinct. The selection by a municipal board of election commissioners shall be made in the following manner: for each precinct, 3 judges shall be selected from one of the 2 leading political parties and the other 2 judges shall be selected from the other leading political party; the parties entitled to 3 and 2 judges, respectively, in the several precincts shall be determined as provided in Section 14-4. However, a Board of Election Commissioners may appoint three judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of
representative in the United States Congress or to nominate candidates for such purpose.

If only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct, and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined as set forth in this Section for a county board of election commissioners' selection of 5 election judges in each precinct or in Section 14-4 for a municipal board of election commissioners' selection of election judges in each precinct, whichever is appropriate. In addition to such precinct judges, the board of election commissioners shall appoint special panels of 3 judges each, who shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for other judges of election. The number of such panels of judges required shall be determined by regulation of the State Board of Elections, which shall base the required number of special panels on the number of registered voters in the jurisdiction or the number of absentee ballots voted at recent elections or any combination of such factors. A municipal board of election commissioners shall make the selections of persons qualified under Section 14-1 from certified lists furnished by the chairman of the respective county central committees, or each ward committeeperson in a municipality of 500,000 or more inhabitants, of the 2 leading political parties. Lists furnished by chairmen of county central committees or ward committeepersons, as the case may be, under this Section shall be arranged according to precincts. The chairman of each county central committee or ward committeepersons, as the case may be, shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. The board of election commissioners shall no later than March 1 of each even-numbered year notify the chairmen of the respective county central committees or ward committeepersons, as the case may be, of their responsibility to furnish such lists, and each such chairman shall furnish the board of election commissioners with the list for his party on or before May 1 of each even-

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numbered year. The board of election commissioners shall acknowledge in writing to each county chairman or ward committeepersons, as the case may be, the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is furnished or if no names or an insufficient number of names are furnished for certain precincts, the board of election commissioners shall make or complete such list from the names contained in the supplemental list provided for in Section 14-3.2. Judges of election shall hold their office for 2 years from their appointment and until their successors are duly appointed in the manner herein provided. The board of election commissioners shall, subject to the provisions of Section 14-3.2, fill all vacancies in the office of judges of election at any time in the manner herein provided.

Such selections under this Section shall be confirmed by the court as provided in Section 14-5.

(Source: P.A. 94-1000, eff. 7-3-06.)

(10 ILCS 5/14-3.2) (from Ch. 46, par. 14-3.2)

Sec. 14-3.2. In addition to the list provided for in Section 14-3.1, the chairman of the county central committee, or each ward committeeperson in a municipality of 500,000 or more inhabitants, of each of the 2 leading political parties shall furnish to the board of election commissioners a supplemental list, arranged according to precinct in which they are to serve, of persons available as judges of election, the names and number of all persons listed thereon to be acknowledged in writing to the county chairman or ward committeepersons, as the case may be, submitting such list by the board of election commissioners. The board of election commissioners shall select from this supplemental list persons qualified under Section 14-1, to fill vacancies among the judges of election. If the list provided for in Section 14-3.1 for any precinct is exhausted, then selection shall be made from the supplemental list furnished by the chairman of the county central committee or ward committeepersons, as the case may be, of the party. If such supplemental list is exhausted for any precinct, then selection shall be made from any of the persons on the supplemental list without regard to the precincts in which they are listed to serve. No selection or appointment from the supplemental list shall be made more than 21 days prior to the date of precinct registration for those judges needed as precinct registrars, and more than 45 days prior to the date of an election for those additional persons needed as election judges. In any case where selection cannot be made from the supplemental list without violating Section 14-1, selection

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shall be made from outside the supplemental list of some person qualified under Section 14-1.
(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/16-5.01) (from Ch. 46, par. 16-5.01)

Sec. 16-5.01. (a) The election authority shall, at least 46 days prior to the date of any election at which federal officers are elected and 45 days prior to any other regular election, have a sufficient number of ballots printed so that such ballots will be available for mailing 45 days prior to the date of the election to persons who have filed application for a ballot under the provisions of Article 20 of this Act.

(b) If at any election at which federal offices are elected or nominated the election authority is unable to comply with the provisions of subsection (a), the election authority shall mail to each such person, in lieu of the ballot, a Special Write-in Vote by Mail Absentee Voter's Blank Ballot. The Special Write-in Vote by Mail Absentee Voter's Blank Ballot shall be used at all elections at which federal officers are elected or nominated and shall be prepared by the election authority in substantially the following form:

Special Write-in Vote by Mail Absentee Voter's Blank Ballot

(To vote for a person, write the title of the office and his or her name on the lines provided. Place to the left of and opposite the title of office a square and place a cross (X) in the square.)

Title of Office

Name of Candidate

( )

( )

( )

( )

( )

( )

( )

The election authority shall send with the Special Write-in Vote by Mail Absentee Voter's Blank Ballot a list of all referenda for which the voter is qualified to vote and all candidates for whom nomination papers have been filed and for whom the voter is qualified to vote. The voter shall be entitled to write in the name of any candidate seeking election and any referenda for which he or she is entitled to vote.

On the back or outside of the ballot, so as to appear when folded, shall be printed the words "Official Ballot", the date of the election and a facsimile of the signature of the election authority who has caused the ballot to be printed.

New matter indicated by italics - deletions by strikeout
The provisions of Article 20, insofar as they may be applicable to the Special Write-in Vote by Mail Absentee Voter's Blank Ballot, shall be applicable herein.

(c) Notwithstanding any provision of this Code or other law to the contrary, the governing body of a municipality may adopt, upon submission of a written statement by the municipality's election authority attesting to the administrative ability of the election authority to administer an election using a ranked ballot to the municipality's governing body, an ordinance requiring, and that municipality's election authority shall prepare, a ranked vote by mail absentee ballot for municipal and township office candidates to be voted on in the consolidated election. This ranked ballot shall be for use only by a qualified voter who either is a member of the United States military or will be outside of the United States on the consolidated primary election day and the consolidated election day. The ranked ballot shall contain a list of the titles of all municipal and township offices potentially contested at both the consolidated primary election and the consolidated election and the candidates for each office and shall permit the elector to vote in the consolidated election by indicating his or her order of preference for each candidate for each office. To indicate his or her order of preference for each candidate for each office, the voter shall put the number one next to the name of the candidate who is the voter's first choice, the number 2 for his or her second choice, and so forth so that, in consecutive numerical order, a number indicating the voter's preference is written by the voter next to each candidate's name on the ranked ballot. The voter shall not be required to indicate his or her preference for more than one candidate on the ranked ballot. The voter may not cast a write-in vote using the ranked ballot for the consolidated election. The election authority shall, if using the ranked vote by mail absentee ballot authorized by this subsection, also prepare instructions for use of the ranked ballot. The ranked ballot for the consolidated election shall be mailed to the voter at the same time that the ballot for the consolidated primary election is mailed to the voter and the election authority shall accept the completed ranked ballot for the consolidated election when the authority accepts the completed ballot for the consolidated primary election.

The voter shall also be sent a vote by mail absentee ballot for the consolidated election for those races that are not related to the results of the consolidated primary election as soon as the consolidated election ballot is certified.

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The State Board of Elections shall adopt rules for election authorities for the implementation of this subsection, including but not limited to the application for and counting of ranked ballots.
(Source: P.A. 96-1004, eff. 1-1-11; 97-81, eff. 7-5-11.)

(10 ILCS 5/17-8) (from Ch. 46, par. 17-8)

Sec. 17-8. The county clerk shall provide in each polling place, so designated or provided a sufficient number of booths, which shall be provided with such supplies and conveniences, including shelves, pens, penholders, ink, blotters and pencils, as will enable the voter to prepare his ballot for voting, and in which voters may prepare their ballots screened from all observation as to the manner in which they do so. They shall be within plain view of election officers, and both they and the ballot boxes shall be within plain view of those within the proximity of the voting booths. Each of said booths shall have 3 sides enclosed, one side in front, to be closed with a curtain. Each side of each booth shall be 6 feet 4 inches and the curtain shall extend within 2 feet of the floor, which shall be closed while the voter is preparing his ballot. Each booth shall be at least 32 inches square and shall contain a shelf at least one foot wide, at a convenient height for writing. No person other than the election officers and the challengers allowed by law, and those admitted for the purpose of voting as herein provided, shall be permitted within the proximity of the voting booths, (i) except by authority of the election officers to keep order and enforce the law and (ii) except that one or more children under the age of 18 may accompany their parent or guardian into the voting booth as long as a request to do so is made to the election officers and, in the sole discretion of the election officers, the child or children are not likely to disrupt or interfere with the voting process or influence the casting of a vote. The number of such voting booths shall not be less than one to every 75 voters or fraction thereof who voted at the last preceding election in the precinct. The expense of providing booths and other things required in this Act shall be paid in the same manner as other election expenses.

Where electronic voting systems are used, a booth with a self-contained electronic voting device may be used. Each such booth shall have 3 sides enclosed and shall be equipped with a curtain for closing the front of the booth. The curtain must extend to within 2 feet of the floor. Each side shall be of such a height, in no event less than 5 feet, one inch, as to insure the secrecy of the voter. Each booth shall be at least 32 inches square, provided, however, that where a booth is no more than 23 inches wide and the sides of such booth extend from a point below the device to a

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height of 5 feet, one inch, at the front of the booth, and such booth insures that voters may prepare their ballots in secrecy, such booth may be used. If an election authority provides each polling place with stickers or emblems to be given to voters indicating that the person has voted, no person who has voted shall be denied such sticker or emblem.

(Source: P.A. 94-288, eff. 1-1-06.)

(10 ILCS 5/17-9) (from Ch. 46, par. 17-9)

Sec. 17-9. Any person desiring to vote shall give his name and, if required to do so, his residence to the judges of election, one of whom shall thereupon announce the same in a loud and distinct tone of voice, clear, and audible; the judges of elections shall check each application for ballot against the list of voters registered in that precinct to whom grace period, vote by mail absentee, or early ballots have been issued for that election, which shall be provided by the election authority and which list shall be available for inspection by pollwatchers. A voter applying to vote in the precinct on election day whose name appears on the list as having been issued a grace period, vote by mail absentee, or early ballot shall not be permitted to vote in the precinct, except that a voter to whom a vote by mail absentee ballot was issued may vote in the precinct if the voter submits to the election judges that vote by mail absentee ballot for cancellation. If the voter is unable to submit the vote by mail absentee ballot, it shall be sufficient for the voter to submit to the election judges (i) a portion of the vote by mail absentee ballot if the vote by mail absentee ballot was torn or mutilated or (ii) an affidavit executed before the election judges specifying that (A) the voter never received a vote by mail absentee ballot or (B) the voter completed and returned a vote by mail absentee ballot and was informed that the election authority did not receive that vote by mail absentee ballot. All applicable provisions of Articles 4, 5 or 6 shall be complied with and if such name is found on the register of voters by the officer having charge thereof, he shall likewise repeat said name, and the voter shall be allowed to enter within the proximity of the voting booths, as above provided. One of the judges shall give the voter one, and only one of each ballot to be voted at the election, on the back of which ballots such judge shall indorse his initials in such manner that they may be seen when each such ballot is properly folded, and the voter's name shall be immediately checked on the register list. In those election jurisdictions where perforated ballot cards are utilized of the type on which write-in votes can be cast above the perforation, the election authority shall provide a space both above and below the perforation for the judge's

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initials, and the judge shall endorse his or her initials in both spaces. Whenever a proposal for a constitutional amendment or for the calling of a constitutional convention is to be voted upon at the election, the separate blue ballot or ballots pertaining thereto shall, when being handed to the voter, be placed on top of the other ballots to be voted at the election in such manner that the legend appearing on the back thereof, as prescribed in Section 16-6 of this Act, shall be plainly visible to the voter. At all elections, when a registry may be required, if the name of any person so desiring to vote at such election is not found on the register of voters, he or she shall not receive a ballot until he or she shall have complied with the law prescribing the manner and conditions of voting by unregistered voters. If any person desiring to vote at any election shall be challenged, he or she shall not receive a ballot until he or she shall have established his right to vote in the manner provided hereinafter; and if he or she shall be challenged after he has received his ballot, he shall not be permitted to vote until he or she has fully complied with such requirements of the law upon being challenged. Besides the election officer, not more than 2 voters in excess of the whole number of voting booths provided shall be allowed within the proximity of the voting booths at one time. The provisions of this Act, so far as they require the registration of voters as a condition to their being allowed to vote shall not apply to persons otherwise entitled to vote, who are, at the time of the election, or at any time within 60 days prior to such election have been engaged in the military or naval service of the United States, and who appear personally at the polling place on election day and produce to the judges of election satisfactory evidence thereof, but such persons, if otherwise qualified to vote, shall be permitted to vote at such election without previous registration.

All such persons shall also make an affidavit which shall be in substantially the following form:

State of Illinois,)
   ) ss.
County of ........)  
............. Precinct ......... Ward

   I, ...., do solemnly swear (or affirm) that I am a citizen of the United States, of the age of 18 years or over, and that within the past 60 days prior to the date of this election at which I am applying to vote, I have been engaged in the .... (military or naval) service of the United States; and I am qualified to vote under and by virtue of the Constitution and laws of the State of Illinois, and that I am a legally qualified voter of this precinct

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and ward except that I have, because of such service, been unable to register as a voter; that I now reside at .... (insert street and number, if any) in this precinct and ward; that I have maintained a legal residence in this precinct and ward for 30 days and in this State 30 days next preceding this election.

Subscribed and sworn to before me on (insert date).

Judge of Election.

The affidavit of any such person shall be supported by the affidavit of a resident and qualified voter of any such precinct and ward, which affidavit shall be in substantially the following form:

State of Illinois,
County of ........

........... Precinct ........... Ward

I, ...., do solemnly swear (or affirm), that I am a resident of this precinct and ward and entitled to vote at this election; that I am acquainted with .... (name of the applicant); that I verily believe him to be an actual bona fide resident of this precinct and ward and that I verily believe that he or she has maintained a legal residence therein 30 days and in this State 30 days next preceding this election.

Subscribed and sworn to before me on (insert date).

Judge of Election.

All affidavits made under the provisions of this Section shall be enclosed in a separate envelope securely sealed, and shall be transmitted with the returns of the elections to the county clerk or to the board of election commissioners, who shall preserve the said affidavits for the period of 6 months, during which period such affidavits shall be deemed public records and shall be freely open to examination as such.

(Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)
(10 ILCS 5/17-18.1) (from Ch. 46, par. 17-18.1)

Sec. 17-18.1. Wherever the judicial retention ballot to be used in any general election contains the names of more than 15 judges on a separate paper ballot, the County Clerk or Board of Election Commissioners as the case may be, shall designate special judges of election for the purpose of tallying and canvassing the votes cast for and

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against the propositions for the retention of judges in office in such places and at such times as the County Clerk or Board of Election Commissioners determine. Special judges of election shall be designated from certified lists submitted by the respective chairmen of the county central committees of the two leading political parties. In the event that the County Clerk or Board of Election Commissioners as the case may be, decides that the counting of the retention ballots shall be performed in the precinct where such ballots are cast, 2 special judges of election shall be designated to tally and canvass the vote of each precinct with one being named from each of the 2 leading political parties.

In the event that the County Clerk or Board of Election Commissioners decides that the judicial retention ballots from several precincts shall be tallied and canvassed in a central or common location, then each major political party shall be entitled to an equal number of special election judges in each such central or common location. The County Clerk or Board of Election Commissioners, as the case may be, shall inform, no later than 75 days prior to such election, the respective chairmen of the county central committees of the location or locations where the counting of retention ballots will be done, the number of names to be included on the certified lists, and the number of special election judges to be selected from those lists. If the certified list for either party is not submitted within thirty days after the chairmen have been so informed, the County Clerk or Board of Election Commissioners shall designate special judges of election for that party in whatever manner it determines.

The County Clerk or Board of Election Commissioners shall apply to the Circuit Court for the confirmation of the special judges of election designated under this Section. The court shall confirm or refuse to confirm such designations as the interest of the public may require. Those confirmed shall be officers of the court and subject to its disciplinary powers.

The County Clerk or Board of Election Commissioners shall, in the exercise of sound discretion, prescribe the forms, materials and supplies together with the procedures for completion and return thereof for use in such election by special judges of election. The special judges of election designated under this Section shall have full responsibility and authority for tallying and canvassing the votes pertaining to the retention of judges and the return of ballots and supplies.

If the County Clerk or Board of Election Commissioners decides that the counting of the retention ballots shall be performed in the precinct

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where such ballots were cast, at least 2 ballot boxes shall be provided for paper retention ballots, one of which shall be used from the opening of the polls until 9:00 a.m. and from 12:00 noon until 3:00 p.m. and the second of which shall be used from 9:00 a.m. until 12:00 noon and from 3:00 p.m. until the closing of the polls; provided that if additional ballot boxes are provided, the additional boxes shall be used instead of reusing boxes used earlier. At the close of each such period of use, a ballot box used for retention ballots shall be immediately unsealed and opened and the ballots therein counted and tallied by the special judges of election. After counting and tallying the retention ballots, the special judges of election shall place the counted ballots in a container provided for that purpose by the County Clerk or Board of Election Commissioners and clearly marked with the appropriate printing and shall thereupon seal such container. One such container shall be provided for each of the four time periods and clearly designated as the container for the respective period. The tally shall be recorded on sheets provided by the County Clerk or Board of Election Commissioners and designated as tally sheets for the respective time periods. Before a ballot box may be reused, it shall in the presence of all of the judges of election be verified to be empty, whereupon it shall be resealed. After the close of the polls, and after the tally of votes cast by vote by mail absentee voters, the special judges of election shall add together the tallies of all the ballot boxes used throughout the day, and complete the canvass of votes for retention of judges in the manner established by this Act. All of these procedures shall be carried out within the clear view of the other judges of election. The sealed containers of used retention ballots shall be returned with other voted ballots to the County Clerk or Board of Election Commissioners in the manner provided by this Act.

The compensation of a special judge of election may not exceed $30 per judge per precinct or district canvassed.

This Section does not affect any other office or the conduct of any other election held at the same time as the election for the retention of judges in office.

(Source: P.A. 81-850; 81-1149.)

(10 ILCS 5/17-19.2) (from Ch. 46, par. 17-19.2)

Sec. 17-19.2. Where a vacancy in nomination is filled pursuant to Section 7-61 or Section 10-11, the vote by mail absentee votes cast for the original candidate on the first ballot shall not be counted. For this purpose, in those jurisdictions where electronic voting systems are used, the
election authority shall determine a method by which the first ballots containing the name of the original candidate may be segregated from the revised ballots containing the name of the successor candidate and separately counted.

Where a vacancy in nomination is not filled pursuant to Section 7-61 or Section 10-11, all votes cast for the original candidate shall be counted for such candidate.

(Source: P.A. 84-861.)

(10 ILCS 5/17-21) (from Ch. 46, par. 17-21)

Sec. 17-21. When the votes shall have been examined and counted, the judges shall set down on a sheet or return form to be supplied to them, the name of every person voted for, written or printed at full length, the office for which such person received such votes, and the number he did receive and such additional information as is necessary to complete, as nearly as circumstances will admit, the following form, to-wit:

TALLY SHEET AND CERTIFICATE OF RESULTS

We do hereby certify that at the .... election held in the precinct hereinafter (general or special) specified on (insert date), a total of .... voters requested and received ballots and we do further certify:

Number of blank ballots delivered to us ....
Number of vote by mail absentee ballots delivered to us ....
Total number of ballots delivered to us ....
Number of blank and spoiled ballots returned.
(1) Total number of ballots cast (in box)....
.... Defective and Objected To ballots sealed in envelope
(2) .... Total number of ballots cast (in box)
Line (2) equals line (1)

We further certify that each of the candidates for representative in the General Assembly received the number of votes ascribed to him on the separate tally sheet.

We further certify that each candidate received the number of votes set forth opposite his name or in the box containing his name on the tally sheet contained in the page or pages immediately following our signatures.

The undersigned actually served as judges and counted the ballots at the election on the .... day of .... in the .... precinct of the (1) *township of ...., or (2) *City of ...., or (3) *.... ward in the city of .... and the polls were opened at 6:00 A.M. and closed at 7:00 P.M. Certified by us.

*Fill in either (1), (2) or (3)

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Each tally sheet shall be in substantially one of the following forms:

<table>
<thead>
<tr>
<th>Name of office</th>
<th>Candidates</th>
<th>Total Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>John Smith</td>
<td>77 11</td>
</tr>
<tr>
<td>Senator</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

Names of candidates and total vote for each

<table>
<thead>
<tr>
<th>Name of office</th>
<th>Total Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>For United States Senator</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

(Source: P.A. 98-463, eff. 8-16-13.)

(10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

Sec. 17-23. Pollwatchers in a general election shall be authorized in the following manner:

1. Each established political party shall be entitled to appoint two pollwatchers per precinct. Such pollwatchers must be affiliated with the political party for which they are pollwatching. For all elections, the pollwatchers must be registered to vote in Illinois.

2. Each candidate shall be entitled to appoint two pollwatchers per precinct. For all elections, the pollwatchers must be registered to vote in Illinois.

3. Each organization of citizens within the county or political subdivision, which has among its purposes or interests the investigation or

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prosecution of election frauds, and which shall have registered its name and address and the name and addresses of its principal officers with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. For all elections, the pollwatcher must be registered to vote in Illinois.

(3.5) Each State nonpartisan civic organization within the county or political subdivision shall be entitled to appoint one pollwatcher per precinct, provided that no more than 2 pollwatchers appointed by State nonpartisan civic organizations shall be present in a precinct polling place at the same time. Each organization shall have registered the names and addresses of its principal officers with the proper election authority at least 40 days before the election. The pollwatchers must be registered to vote in Illinois. For the purpose of this paragraph, a "State nonpartisan civic organization" means any corporation, unincorporated association, or organization that:

(i) as part of its written articles of incorporation, bylaws, or charter or by separate written declaration, has among its stated purposes the provision of voter information and education, the protection of individual voters' rights, and the promotion of free and equal elections;

(ii) is organized or primarily conducts its activities within the State of Illinois; and

(iii) continuously maintains an office or business location within the State of Illinois, together with a current listed telephone number (a post office box number without a current listed telephone number is not sufficient).

(4) In any general election held to elect candidates for the offices of a municipality of less than 3,000,000 population that is situated in 2 or more counties, a pollwatcher who is a resident of Illinois shall be eligible to serve as a pollwatcher in any poll located within such municipality, provided that such pollwatcher otherwise complies with the respective requirements of subsections (1) through (3) of this Section and is a registered voter in Illinois.

(5) Each organized group of proponents or opponents of a ballot proposition, which shall have registered the name and address of its organization or committee and the name and address of its chairman with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. The pollwatcher must be registered to vote in Illinois.

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All pollwatchers shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature(s) of the election authority or the State Board of Elections and shall be available for distribution by the election authority and State Board of Elections at least 2 weeks prior to the election. Such credentials shall be authorized by the real or facsimile signature of the State or local party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group, as the case may be. Neither the election authority nor the State Board of Elections may require any such party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group to submit the names or other information concerning pollwatchers before making credentials available to such persons or organizations.

Pollwatcher credentials shall be in substantially the following form:

**POLLWATCHER CREDENTIALS**

**TO THE JUDGES OF ELECTION:**

In accordance with the provisions of the Election Code, the undersigned hereby appoints .......... (name of pollwatcher) who resides at .......... (address) in the county of .........., .......... (township or municipality) of .......... (name), State of Illinois and who is duly registered to vote from this address, to act as a pollwatcher in the .......... precinct of the .......... ward (if applicable) of the .......... (township or municipality) of .......... at the .......... election to be held on (insert date).

........................ (Signature of Appointing Authority)

........................ TITLE (party official, candidate, civic organization president, proponent or opponent group chairman)

Under penalties provided by law pursuant to Section 29-10 of the Election Code, the undersigned pollwatcher certifies that he or she resides at .......... (address) in the county of .........., .......... (township or municipality) of .......... (name), State of Illinois, and is duly registered to vote in Illinois.

........................ (Signature of Pollwatcher)

(Precinct and/or Ward in Which Pollwatcher Resides)

Pollwatchers must present their credentials to the Judges of Election upon entering the polling place. Pollwatcher credentials properly
executed and signed shall be proof of the qualifications of the pollwatcher authorized thereby. Such credentials are retained by the Judges and returned to the Election Authority at the end of the day of election with the other election materials. Once a pollwatcher has surrendered a valid credential, he may leave and reenter the polling place provided that such continuing action does not disrupt the conduct of the election. Pollwatchers may be substituted during the course of the day, but established political parties, candidates and qualified civic organizations can have only as many pollwatchers at any given time as are authorized in this Article. A substitute must present his signed credential to the judges of election upon entering the polling place. Election authorities must provide a sufficient number of credentials to allow for substitution of pollwatchers. After the polls have closed pollwatchers shall be allowed to remain until the canvass of votes is completed; but may leave and reenter only in cases of necessity, provided that such action is not so continuous as to disrupt the canvass of votes.

Candidates seeking office in a district or municipality encompassing 2 or more counties shall be admitted to any and all polling places throughout such district or municipality without regard to the counties in which such candidates are registered to vote. Actions of such candidates shall be governed in each polling place by the same privileges and limitations that apply to pollwatchers as provided in this Section. Any such candidate who engages in an activity in a polling place which could reasonably be construed by a majority of the judges of election as campaign activity shall be removed forthwith from such polling place. Candidates seeking office in a district or municipality encompassing 2 or more counties who desire to be admitted to polling places on election day in such district or municipality shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature of the State Board of Elections or the election authority of the election jurisdiction where the polling place in which the candidate seeks admittance is located, and shall be available for distribution at least 2 weeks prior to the election. Such credentials shall be signed by the candidate.

Candidate credentials shall be in substantially the following form:

CANDIDATE CREDENTIALS

TO THE JUDGES OF ELECTION:

In accordance with the provisions of the Election Code, I ...... (name of candidate) hereby certify that I am a candidate for ...... (name of
office) and seek admittance to ....... precinct of the ....... ward (if applicable) of the ....... (township or municipality) of ....... at the ....... election to be held on (insert date).

................................. ........................................
(Signature of Candidate)  OFFICE FOR WHICH
CANDIDATE SEEKS NOMINATION OR ELECTION
ELECTION

Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, and to station themselves in a position in the voting room as will enable them to observe the judges making the signature comparison between the voter application and the voter registration record card; provided, however, that such pollwatchers shall not be permitted to station themselves in such close proximity to the judges of election so as to interfere with the orderly conduct of the election and shall not, in any event, be permitted to handle election materials. Pollwatchers may challenge for cause the voting qualifications of a person offering to vote and may call to the attention of the judges of election any incorrect procedure or apparent violations of this Code.

If a majority of the judges of election determine that the polling place has become too overcrowded with pollwatchers so as to interfere with the orderly conduct of the election, the judges shall, by lot, limit such pollwatchers to a reasonable number, except that each established or new political party shall be permitted to have at least one pollwatcher present.

Representatives of an election authority, with regard to an election under its jurisdiction, the State Board of Elections, and law enforcement agencies, including but not limited to a United States Attorney, a State's attorney, the Attorney General, and a State, county, or local police department, in the performance of their official election duties, shall be permitted at all times to enter and remain in the polling place. Upon entering the polling place, such representatives shall display their official credentials or other identification to the judges of election.

Uniformed police officers assigned to polling place duty shall follow all lawful instructions of the judges of election.

The provisions of this Section shall also apply to supervised casting of vote by mail absentee ballots as provided in Section 19-12.2 of this Act.

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Sec. 17-29. (a) No judge of election, pollwatcher, or other person shall, at any primary or election, do any electioneering or soliciting of votes or engage in any political discussion within any polling place, within 100 feet of any polling place, or, at the option of a church or private school, on any of the property of that church or private school that is a polling place; no person shall interrupt, hinder or oppose any voter while approaching within those areas for the purpose of voting. Judges of election shall enforce the provisions of this Section.

(b) Election officers shall place 2 or more cones, small United States national flags, or some other marker a distance of 100 horizontal feet from each entrance to the room used by voters to engage in voting, which shall be known as the polling room. If the polling room is located within a building that is a private business, a public or private school, or a church or other organization founded for the purpose of religious worship and the distance of 100 horizontal feet ends within the interior of the building, then the markers shall be placed outside of the building at each entrance used by voters to enter that building on the grounds adjacent to the thoroughfare or walkway. If the polling room is located within a public or private building with 2 or more floors and the polling room is located on the ground floor, then the markers shall be placed 100 horizontal feet from each entrance to the polling room used by voters to engage in voting. If the polling room is located in a public or private building with 2 or more floors and the polling room is located on a floor above or below the ground floor, then the markers shall be placed a distance of 100 feet from the nearest elevator or staircase used by voters on the ground floor to access the floor where the polling room is located. The area within where the markers are placed shall be known as a campaign free zone, and electioneering is prohibited pursuant to this subsection. Notwithstanding any other provision of this Section, a church or private school may choose to apply the campaign free zone to its entire property, and, if so, the markers shall be placed near the boundaries on the grounds adjacent to the thoroughfares or walkways leading to the entrances used by the voters. If an election authority maintains a website, no later than 5 days before election day, each election authority shall post on its website the name and address of every polling place designated as a campaign free zone. This information shall be immediately provided to any person upon

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request, and a requester shall not be required to submit a request under the Freedom of Information Act.

The area on polling place property beyond the campaign free zone, whether publicly or privately owned, is a public forum for the time that the polls are open on an election day. At the request of election officers any publicly owned building must be made available for use as a polling place. A person shall have the right to congregate and engage in electioneering on any polling place property while the polls are open beyond the campaign free zone, including but not limited to, the placement of temporary signs. This subsection shall be construed liberally in favor of persons engaging in electioneering on all polling place property beyond the campaign free zone for the time that the polls are open on an election day. At or near the door of each polling place, the election judges shall place signage indicating the proper entrance to the polling place. In addition, the election judges shall ensure that a sign identifying the location of the polling place is placed on a nearby public roadway. The State Board of Elections shall establish guidelines for the placement of polling place signage.

(c) The regulation of electioneering on polling place property on an election day, including but not limited to the placement of temporary signs, is an exclusive power and function of the State. A home rule unit may not regulate electioneering and any ordinance or local law contrary to subsection (c) is declared void. This is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 95-699, eff. 11-9-07.)

(10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

Sec. 18-5. Any person desiring to vote and whose name is found upon the register of voters by the person having charge thereof, shall then be questioned by one of the judges as to his nativity, his term of residence at present address, precinct, State and United States, his age, whether naturalized and if so the date of naturalization papers and court from which secured, and he shall be asked to state his residence when last previously registered and the date of the election for which he then registered. The judges of elections shall check each application for ballot against the list of voters registered in that precinct to whom grace period, vote by mail absentee, and early ballots have been issued for that election, which shall be provided by the election authority and which list shall be available for inspection by pollwatchers. A voter applying to vote in the

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precinct on election day whose name appears on the list as having been issued a grace period, vote by mail absentee, or early ballot shall not be permitted to vote in the precinct, except that a voter to whom a vote by mail absentee ballot was issued may vote in the precinct if the voter submits to the election judges that vote by mail absentee ballot for cancellation. If the voter is unable to submit the vote by mail absentee ballot, it shall be sufficient for the voter to submit to the election judges (i) a portion of the vote by mail absentee ballot if the vote by mail absentee ballot was torn or mutilated or (ii) an affidavit executed before the election judges specifying that (A) the voter never received a vote by mail absentee ballot or (B) the voter completed and returned a vote by mail absentee ballot and was informed that the election authority did not receive that vote by mail absentee ballot. If such person so registered shall be challenged as disqualified, the party challenging shall assign his reasons therefor, and thereupon one of the judges shall administer to him an oath to answer questions, and if he shall take the oath he shall then be questioned by the judge or judges touching such cause of challenge, and touching any other cause of disqualification. And he may also be questioned by the person challenging him in regard to his qualifications and identity. But if a majority of the judges are of the opinion that he is the person so registered and a qualified voter, his vote shall then be received accordingly. But if his vote be rejected by such judges, such person may afterward produce and deliver an affidavit to such judges, subscribed and sworn to by him before one of the judges, in which it shall be stated how long he has resided in such precinct, and state; that he is a citizen of the United States, and is a duly qualified voter in such precinct, and that he is the identical person so registered. In addition to such an affidavit, the person so challenged shall provide to the judges of election proof of residence by producing 2 forms of identification showing the person's current residence address, provided that such identification may include a lease or contract for a residence and not more than one piece of mail addressed to the person at his current residence address and postmarked not earlier than 30 days prior to the date of the election, or the person shall procure a witness personally known to the judges of election, and resident in the precinct (or district), or who shall be proved by some legal voter of such precinct or district, known to the judges to be such, who shall take the oath following, viz:

I do solemnly swear (or affirm) that I am a resident of this election precinct (or district), and entitled to vote at this election, and that I have

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been a resident of this State for 30 days last past, and am well acquainted with the person whose vote is now offered; that he is an actual and bona fide resident of this election precinct (or district), and has resided herein 30 days, and as I verily believe, in this State, 30 days next preceding this election.

The oath in each case may be administered by one of the judges of election, or by any officer, resident in the precinct or district, authorized by law to administer oaths. Also supported by an affidavit by a registered voter residing in such precinct, stating his own residence, and that he knows such person; and that he does reside at the place mentioned and has resided in such precinct and state for the length of time as stated by such person, which shall be subscribed and sworn to in the same way. For purposes of this Section, the submission of a photo identification issued by a college or university, accompanied by either (i) a copy of the applicant's contract or lease for a residence or (ii) one piece of mail addressed to the person at his or her current residence address and postmarked not earlier than 30 days prior to the date of the election, shall be sufficient to establish proof of residence. Whereupon the vote of such person shall be received, and entered as other votes. But such judges, having charge of such registers, shall state in their respective books the facts in such case, and the affidavits, so delivered to the judges, shall be preserved and returned to the office of the commissioners of election. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oaths without criticism. Such oaths, if administered by any other officer than such judge of election, shall not be received. Whenever a proposal for a constitutional amendment or for the calling of a constitutional convention is to be voted upon at the election, the separate blue ballot or ballots pertaining thereto shall be placed on top of the other ballots to be voted at the election in such manner that the legend appearing on the back thereof, as prescribed in Section 16-6 of this Act, shall be plainly visible to the voter, and in this fashion the ballots shall be handed to the voter by the judge.

Immediately after voting, the voter shall be instructed whether the voting equipment, if used, accepted or rejected the ballot or identified the ballot as under-voted. A voter whose ballot is identified as under-voted for a statewide constitutional office may return to the voting booth and complete the voting of that ballot. A voter whose ballot is not accepted by the voting equipment may, upon surrendering the ballot, request and vote

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another ballot. The voter's surrendered ballot shall be initialed by the election judge and handled as provided in the appropriate Article governing that voting equipment.

The voter shall, upon quitting the voting booth, deliver to one of the judges of election all of the ballots, properly folded, which he received. The judge of election to whom the voter delivers his ballots shall not accept the same unless all of the ballots given to the voter are returned by him. If a voter delivers less than all of the ballots given to him, the judge to whom the same are offered shall advise him in a voice clearly audible to the other judges of election that the voter must return the remainder of the ballots. The statement of the judge to the voter shall clearly express the fact that the voter is not required to vote such remaining ballots but that whether or not he votes them he must fold and deliver them to the judge. In making such statement the judge of election shall not indicate by word, gesture or intonation of voice that the unreturned ballots shall be voted in any particular manner. No new voter shall be permitted to enter the voting booth of a voter who has failed to deliver the total number of ballots received by him until such voter has returned to the voting booth pursuant to the judge's request and again quit the booth with all of the ballots required to be returned by him. Upon receipt of all such ballots the judges of election shall enter the name of the voter, and his number, as above provided in this Section, and the judge to whom the ballots are delivered shall immediately put the ballots into the ballot box. If any voter who has failed to deliver all the ballots received by him refuses to return to the voting booth after being advised by the judge of election as herein provided, the judge shall inform the other judges of such refusal, and thereupon the ballot or ballots returned to the judge shall be deposited in the ballot box, the voter shall be permitted to depart from the polling place, and a new voter shall be permitted to enter the voting booth.

The judge of election who receives the ballot or ballots from the voter shall announce the residence and name of such voter in a loud voice. The judge shall put the ballot or ballots received from the voter into the ballot box in the presence of the voter and the judges of election, and in plain view of the public. The judges having charge of such registers shall then, in a column prepared thereon, in the same line of, the name of the voter, mark "Voted" or the letter "V".

No judge of election shall accept from any voter less than the full number of ballots received by such voter without first advising the voter in the manner above provided of the necessity of returning all of the ballots,

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nor shall any such judge advise such voter in a manner contrary to that
which is herein permitted, or in any other manner violate the provisions of
this Section; provided, that the acceptance by a judge of election of less
than the full number of ballots delivered to a voter who refuses to return to
the voting booth after being properly advised by such judge shall not be a
violation of this Section.
(Source: P.A. 95-699, eff. 11-9-07; 96-317, eff. 1-1-10.)

(10 ILCS 5/18-9.2) (from Ch. 46, par. 18-9.2)

Sec. 18-9.2. Where a vacancy in nomination is filled pursuant to
Section 7-61 or Section 10-11, the vote by mail absentee votes cast for the
original candidate on the first ballot shall not be counted. For this purpose,
in those jurisdictions where electronic voting systems are used, the
election authority shall determine a method by which the first ballots
containing the name of the original candidate may be segregated from the
revised ballots containing the name of the successor candidate and
separately counted.

Where a vacancy in nomination is not filled pursuant to Section 7-
61 or Section 10-11, all votes cast for the original candidate shall be
counted for such candidate.
(Source: P.A. 84-861.)

(10 ILCS 5/18A-5)

Sec. 18A-5. Provisional voting; general provisions.

(a) A person who claims to be a registered voter is entitled to cast a
provisional ballot under the following circumstances:

(1) The person's name does not appear on the official list of
eligible voters for the precinct in which the person seeks to vote
and the person has refused an opportunity to register at the polling
location or another grace period registration site. The official list
is the centralized statewide voter registration list established and
maintained in accordance with Section 1A-25;

(2) The person's voting status has been challenged by an
election judge, a pollwatcher, or any legal voter and that challenge
has been sustained by a majority of the election judges;

(3) A federal or State court order extends the time for
closing the polls beyond the time period established by State law
and the person votes during the extended time period;

(4) The voter registered to vote by mail and is required by
law to present identification when voting either in person or by
early voting absentee ballot, but fails to do so;

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(5) The voter's name appears on the list of voters who voted during the early voting period, but the voter claims not to have voted during the early voting period; or

(6) The voter received a vote by mail absentee ballot but did not return the vote by mail absentee ballot to the election authority; or

(7) The voter attempted to register to vote on election day, but failed to provide the necessary documentation registered to vote during the grace period on the day before election day or on election day during the 2014 general election.

(b) The procedure for obtaining and casting a provisional ballot at the polling place shall be as follows:

(1) After first verifying through an examination of the precinct register that the person's address is within the precinct boundaries, an election judge at the polling place shall notify a person who is entitled to cast a provisional ballot pursuant to subsection (a) that he or she may cast a provisional ballot in that election. An election judge must accept any information provided by a person who casts a provisional ballot that the person believes supports his or her claim that he or she is a duly registered voter and qualified to vote in the election. However, if the person's residence address is outside the precinct boundaries, the election judge shall inform the person of that fact, give the person the appropriate telephone number of the election authority in order to locate the polling place assigned to serve that address, and instruct the person to go to the proper polling place to vote.

(2) The person shall execute a written form provided by the election judge that shall state or contain all of the following that is available:

(i) an affidavit stating the following: State of Illinois, County of ............... , Township ..........., Precinct ........ , Ward ........, I, ................., do solemnly swear (or affirm) that: I am a citizen of the United States; I am 18 years of age or older; I have resided in this State and in this precinct for 30 days preceding this election; I have not voted in this election; I am a duly registered voter in every respect; and I am eligible to vote in this election.

Signature ...... Printed Name of Voter ...... Printed
Residence Address of Voter ...... City ...... State .... Zip Code ..... Telephone Number ...... Date of Birth ...... and Illinois Driver's License Number ...... or Last 4 digits of Social Security Number ...... or State Identification Card Number issued to you by the Illinois Secretary of State.......

(ii) A box for the election judge to check one of the 6 reasons why the person was given a provisional ballot under subsection (a) of Section 18A-5.

(iii) An area for the election judge to affix his or her signature and to set forth any facts that support or oppose the allegation that the person is not qualified to vote in the precinct in which the person is seeking to vote.

The written affidavit form described in this subsection (b)(2) must be printed on a multi-part form prescribed by the county clerk or board of election commissioners, as the case may be.

(3) After the person executes the portion of the written affidavit described in subsection (b)(2)(i) of this Section, the election judge shall complete the portion of the written affidavit described in subsection (b)(2)(iii) and (b)(2)(iv).

(4) The election judge shall give a copy of the completed written affidavit to the person. The election judge shall place the original written affidavit in a self-adhesive clear plastic packing list envelope that must be attached to a separate envelope marked as a "provisional ballot envelope". The election judge shall also place any information provided by the person who casts a provisional ballot in the clear plastic packing list envelope. Each county clerk or board of election commissioners, as the case may be, must design, obtain or procure self-adhesive clear plastic packing list envelopes and provisional ballot envelopes that are suitable for implementing this subsection (b)(4) of this Section.

(5) The election judge shall provide the person with a provisional ballot, written instructions for casting a provisional ballot, and the provisional ballot envelope with the clear plastic packing list envelope affixed to it, which contains the person's original written affidavit and, if any, information provided by the provisional voter to support his or her claim that he or she is a duly registered voter. An election judge must also give the person

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written information that states that any person who casts a provisional ballot shall be able to ascertain, pursuant to guidelines established by the State Board of Elections, whether the provisional vote was counted in the official canvass of votes for that election and, if the provisional vote was not counted, the reason that the vote was not counted.

(6) After the person has completed marking his or her provisional ballot, he or she shall place the marked ballot inside of the provisional ballot envelope, close and seal the envelope, and return the envelope to an election judge, who shall then deposit the sealed provisional ballot envelope into a securable container separately identified and utilized for containing sealed provisional ballot envelopes. Ballots that are provisional because they are cast after 7:00 p.m. by court order shall be kept separate from other provisional ballots. Upon the closing of the polls, the securable container shall be sealed with filament tape provided for that purpose, which shall be wrapped around the box lengthwise and crosswise, at least twice each way, and each of the election judges shall sign the seal.

(c) Instead of the affidavit form described in subsection (b), the county clerk or board of election commissioners, as the case may be, may design and use a multi-part affidavit form that is imprinted upon or attached to the provisional ballot envelope described in subsection (b). If a county clerk or board of election commissioners elects to design and use its own multi-part affidavit form, then the county clerk or board of election commissioners shall establish a mechanism for accepting any information the provisional voter has supplied to the election judge to support his or her claim that he or she is a duly registered voter. In all other respects, a county clerk or board of election commissioners shall establish procedures consistent with subsection (b).

(d) The county clerk or board of election commissioners, as the case may be, shall use the completed affidavit form described in subsection (b) to update the person's voter registration information in the State voter registration database and voter registration database of the county clerk or board of election commissioners, as the case may be. If a person is later determined not to be a registered voter based on Section 18A-15 of this Code, then the affidavit shall be processed by the county clerk or board of election commissioners, as the case may be, as a voter registration application.

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Sec. 18A-15. Validating and counting provisional ballots.

(a) The county clerk or board of election commissioners shall complete the validation and counting of provisional ballots within 14 calendar days of the day of the election. The county clerk or board of election commissioners shall have 7 calendar days from the completion of the validation and counting of provisional ballots to conduct its final canvass. The State Board of Elections shall complete within 31 calendar days of the election or sooner if all the returns are received, its final canvass of the vote for all public offices.

(b) If a county clerk or board of election commissioners determines that all of the following apply, then a provisional ballot is valid and shall be counted as a vote:

1. the provisional voter cast the provisional ballot in the correct precinct based on the address provided by the provisional voter unless the provisional voter cast a ballot pursuant to paragraph (7) of subsection (a) of Section 18A-5, in which case the provisional ballot must have been cast in the correct election jurisdiction based on the address provided. The provisional voter's affidavit shall serve as a change of address request by that voter for registration purposes for the next ensuing election if it bears an address different from that in the records of the election authority. Votes for federal and statewide offices on a provisional ballot cast in the incorrect precinct that meet the other requirements of this subsection shall be valid and counted in accordance with this Article rules adopted by the State Board of Elections. As used in this item, "federal office" is defined as provided in Section 20-1 and "statewide office" means the Governor, Attorney General, Secretary of State, Comptroller, and Treasurer. Votes for General Assembly, countywide, citywide, or township office on a provisional ballot cast in the incorrect precinct but in the correct legislative district, representative district, county, municipality, or township, as the case may be, shall be valid and counted in accordance with this Article rules adopted by the State Board of Elections. As used in this item, "citywide office" means an office elected by the electors of an entire municipality. As used in this item, "township office" means an office elected by the electors of an entire township;

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(2) the affidavit executed by the provisional voter pursuant to subsection (b)(2) of Section 18A-5 contains, at a minimum, the provisional voter's first and last name, house number and street name, and signature or mark;

(3) except as permitted by item (5) of subsection (b) of this Section, the provisional voter is a registered voter based on information available to the county clerk or board of election commissioners provided by or obtained from any of the following:
   i. the provisional voter;
   ii. an election judge;
   iii. the statewide voter registration database maintained by the State Board of Elections;
   iv. the records of the county clerk or board of election commissioners' database; or
   v. the records of the Secretary of State; and

(4) for a provisional ballot cast under item (6) of subsection (a) of Section 18A-5, the voter did not vote by vote by mail absentee ballot in the election at which the provisional ballot was cast; or:

(5) for a provisional ballot cast under item (7) of subsection (a) of Section 18A-5, the voter provides the election authority with the necessary documentation within 7 days of election day.

(c) With respect to subsection (b)(3) of this Section, the county clerk or board of election commissioners shall investigate and record whether or not the specified information is available from each of the 5 identified sources. If the information is available from one or more of the identified sources, then the county clerk or board of election commissioners shall seek to obtain the information from each of those sources until satisfied, with information from at least one of those sources, that the provisional voter is registered and entitled to vote. The county clerk or board of election commissioners shall use any information it obtains as the basis for determining the voter registration status of the provisional voter. If a conflict exists among the information available to the county clerk or board of election commissioners as to the registration status of the provisional voter, then the county clerk or board of election commissioners shall make a determination based on the totality of the circumstances. In a case where the above information equally supports or opposes the registration status of the voter, the county clerk or board of

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election commissioners shall decide in favor of the provisional voter as being duly registered to vote. If the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is registered to vote, but the county clerk's or board of election commissioners' voter registration database indicates that the provisional voter is not registered to vote, then the information found in the statewide voter registration database shall control the matter and the provisional voter shall be deemed to be registered to vote. If the records of the county clerk or board of election commissioners indicates that the provisional voter is registered to vote, but the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is not registered to vote, then the information found in the records of the county clerk or board of election commissioners shall control the matter and the provisional voter shall be deemed to be registered to vote. If the provisional voter's signature on his or her provisional ballot request varies from the signature on an otherwise valid registration application solely because of the substitution of initials for the first or middle name, the election authority may not reject the provisional ballot.

(d) In validating the registration status of a person casting a provisional ballot, the county clerk or board of election commissioners shall not require a provisional voter to complete any form other than the affidavit executed by the provisional voter under subsection (b)(2) of Section 18A-5. In addition, the county clerk or board of election commissioners shall not require all provisional voters or any particular class or group of provisional voters to appear personally before the county clerk or board of election commissioners or as a matter of policy require provisional voters to submit additional information to verify or otherwise support the information already submitted by the provisional voter. Within 2 calendar days after the election, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, of each person casting a provisional ballot to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The provisional voter may, within 7 calendar days after the election, submit additional information to the county clerk or board of election commissioners. This information must be received by the county clerk or board of election commissioners within the 7-calendar-day period.

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(e) If the county clerk or board of election commissioners determines that subsection (b)(1), (b)(2), or (b)(3) does not apply, then the provisional ballot is not valid and may not be counted. The provisional ballot envelope containing the ballot cast by the provisional voter may not be opened. The county clerk or board of election commissioners shall write on the provisional ballot envelope the following: "Provisional ballot determined invalid."

(f) If the county clerk or board of election commissioners determines that a provisional ballot is valid under this Section, then the provisional ballot envelope shall be opened. The outside of each provisional ballot envelope shall also be marked to identify the precinct and the date of the election.

(g) Provisional ballots determined to be valid shall be counted at the election authority's central ballot counting location and shall not be counted in precincts. The provisional ballots determined to be valid shall be added to the vote totals for the precincts from which they were cast in the order in which the ballots were opened. The validation and counting of provisional ballots shall be subject to the provisions of this Code that apply to pollwatchers. If the provisional ballots are a ballot of a punch card voting system, then the provisional ballot shall be counted in a manner consistent with Article 24A. If the provisional ballots are a ballot of optical scan or other type of approved electronic voting system, then the provisional ballots shall be counted in a manner consistent with Article 24B.

(h) As soon as the ballots have been counted, the election judges or election officials shall, in the presence of the county clerk or board of election commissioners, place each of the following items in a separate envelope or bag: (1) all provisional ballots, voted or spoiled; (2) all provisional ballot envelopes of provisional ballots voted or spoiled; and (3) all executed affidavits of the provisional ballots voted or spoiled. All provisional ballot envelopes for provisional voters who have been determined not to be registered to vote shall remain sealed. The county clerk or board of election commissioners shall treat the provisional ballot envelope containing the written affidavit as a voter registration application for that person for the next election and process that application. The election judges or election officials shall then securely seal each envelope or bag, initial the envelope or bag, and plainly mark on the outside of the envelope or bag in ink the precinct in which the provisional ballots were cast. The election judges or election officials shall then place each sealed

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envelope or bag into a box, secure and seal it in the same manner as described in item (6) of subsection (b) of Section 18A-5. Each election judge or election official shall take and subscribe an oath before the county clerk or board of election commissioners that the election judge or election official securely kept the ballots and papers in the box, did not permit any person to open the box or otherwise touch or tamper with the ballots and papers in the box, and has no knowledge of any other person opening the box. For purposes of this Section, the term "election official" means the county clerk, a member of the board of election commissioners, as the case may be, and their respective employees.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14.)

(10 ILCS 5/18A-218 new)
Sec. 18A-218. Interpretation of Article 18A. The Sections of this Article following this Section shall be supplemental to all other provisions of this Article and are intended to provide procedural requirements for the implementation of the provisions of this Article. In the case of a conflict between the Sections following this Section and the Sections preceding this Section, the Sections preceding this Section shall prevail.

(10 ILCS 5/18A-218.10 new)
Sec. 18A-218.10. Definitions relating to provisional ballots. (a) As used in this Article:
"Citywide or villagewide office" means an office elected by the electors of an entire municipality.
"Correct precinct" means the precinct containing the addresses at which the provisional voter resides and at which he or she is registered to vote.
"Countywide office" means the offices of Clerk, Sheriff, State's Attorney, Circuit Court Clerk, Recorder, Auditor, County Board President, County Board Member or County Commissioner in those counties that elect those officers countywide, Coroner, Regional Superintendent of Schools, Sanitary District Commissioners or Trustees, Assessor, Board of Review Members in those counties that elect those officers countywide, and Treasurer.
"Election authority" means either the County Clerk, County Board of Election Commissioners, or Municipal Board of Election Commissioners, as the case may be.

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"Election jurisdiction" means an entire county, in the case of a county in which no city board of election commissioners is located or that is under the jurisdiction of a county board of election commissioners; the territorial jurisdiction of a city board of election commissioners; and the territory in a county outside of the jurisdiction of a city board of election commissioners. Election jurisdictions shall be determined according to which election authority maintains the permanent registration records of qualified electors.

"Incorrect precinct" means the precinct in which the voter cast a provisional ballot, but is not the precinct containing the address at which he or she is registered to vote. In order for a provisional ballot to be eligible for counting when cast in an incorrect precinct, that precinct must be located within either the county or municipality in which the voter is registered.

"Leading established political party" means one of the two political parties whose candidates for Governor at the most recent 3 gubernatorial elections received either the highest or second highest average number of votes. The first leading political party is the party whose candidate for Governor received the highest average number of votes in the 3 most recent gubernatorial elections and the second leading political party is the party whose candidate for Governor received the second highest average number of votes in the 3 most recent gubernatorial elections.

"Legislative district" means the district in which an Illinois State Senator is elected to serve the residents.

"Persons entitled to vote provisionally" or "provisional voter" means a person claiming to be a registered voter who is entitled by Section 18A-5 of this Code to vote a provisional ballot under the following circumstances:

1. The person's name does not appear on the official list of eligible voters for the precinct in which the person seeks to vote and the person has refused an opportunity to register at the polling location or another grace period registration site.

2. The person's voting status has been successfully challenged by an election judge, a pollwatcher or any legal voter.

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(3) A federal or State court order extends the time for closing the polls beyond the time period established by State law and the person votes during the extended time period.

(4) The voter registered to vote by mail and is required by law to present identification when voting either in person or by vote by mail ballot, but fails to do so.

(5) The voter's name appears on the list of voters who voted during the early voting period, but the voter claims not to have voted during the early voting period.

(6) The voter received a vote by mail ballot but did not return the vote by mail ballot to the election authority, and failed to surrender it to the election judges.

(7) The voter attempted to register to vote on election day, but failed to provide the necessary documentation.

"Representative district" means the district from which an Illinois State Representative is elected to serve the residents.

"Statewide office" means the Constitutional offices of Governor and Lt. Governor running jointly, Secretary of State, Attorney General, Comptroller, and Treasurer.

"Township office" means an office elected by the electors of an entire township.

(b) Procedures for Voting Provisionally in the Polling Place.

(1) If any of the 7 reasons cited in the definition of provisional voter in subsection (a) for casting a provisional ballot exists, an election judge must accept any information provided by a person who casts a provisional ballot that the person believes supports his or her claim that he or she is a duly registered voter and qualified to vote in the election. However, if the person's residence address is outside the precinct boundaries, the election judge shall inform the person of that fact, give the person the appropriate telephone number of the election authority in order to locate the polling place assigned to serve that address (or consult any alternative tools provided by the election authority for determining a voter's correct precinct polling place) and instruct the person to go to the proper polling place to vote.

(2) Once it has been determined by the election judges that the person is entitled to receive a provisional ballot, and the voter
has completed the provisional voter affidavit, the voter shall be given a provisional ballot and shall proceed to vote that ballot. Upon receipt of the ballot by the election judges, the ballot shall be transmitted to the election authority in accordance with subsection (a) of Section 18A-10 of this Code.

(3) In the event that a provisional ballot is mistakenly cast in a precinct other than the precinct that contains the voter's address of registration (if the voter believed he or she registered in the precinct in which he or she voted provisionally, and the election judges should have, but did not direct the voter to vote in the correct precinct), Section 218.20 shall apply.

(10 ILCS 5/18A-218.20 new)
Sec. 18A-218.20. Counting procedures for provisional ballots cast in an incorrect precinct within the same election authority's jurisdiction.

(a) The election authority shall:

(1) transmit to the State Board of Elections the provisional voter's identifying information and voting jurisdiction within 2 calendar days. Following that, and subject to paragraph (2) below, if the election authority having jurisdiction over the provisional voter determines that the voter has cast a provisional ballot in an incorrect precinct, the ballot shall still be counted using the procedures established in subsection (b) of this Section or Section 18A-218.30 if applicable. Jurisdictions that use election machines authorized pursuant to Article 24C of this Code for casting provisional ballots may vary procedures of this Section and Section 18A-218.30 as appropriate for the counting of provisional ballots cast on those machines.

(2) determine whether the voter was entitled to cast a provisional ballot. The voter is entitled to cast a provisional ballot if:

(A) the affidavit executed by the voter contains, at a minimum, the provisional voter's first and last name, house number and street name, and signature or mark;

(B) the provisional voter is a registered voter based on information available to the county clerk or board of election commissioners provided by or obtained from the provisional voter, an election judge, the Statewide voter registration database maintained by the State Board of Elections, the records of the county clerk or board of

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election commissioners’ database, or the records of the Secretary of State or the voter is attempting to register but lacks the necessary documentation; and

(C) the provisional voter did not vote using the vote by mail ballot and did not vote during the period for early voting.

(b) Once it has been determined by the election authority that the voter was entitled to vote a provisional ballot, even though it had been cast in an incorrect precinct, the election authority shall select a team or teams of 2 duly commissioned election judges, one from each of the two leading established political parties in Illinois, to count the votes that are eligible to be cast on the provisional ballot. In those jurisdictions that use election officials as defined in subsection (h) of Section 18A-15 of this Code, these duties may be performed by those election officials.

(1) Votes cast for Statewide offices, the Office of President of the United States (including votes cast in the Presidential Preference Primary), and United States Senate shall be counted on all provisional ballots cast in the incorrect precinct.

(2) Votes cast for Representative in Congress, delegate or alternate delegate to a national nominating convention, State Senator, State Representative, or countywide, citywide, villagewide, or township office shall be counted if it is determined by the election judges or officials that the voter would have been entitled to vote for one or more of these offices had the voter voted in the precinct in which he or she is registered to vote (the correct precinct) and had the voter voted a ballot of the correct ballot style containing all the offices and candidates for which the voter was entitled to cast a ballot (the correct ballot style). This determination shall be made by comparing a sample ballot of the correct ballot style with the actual provisional ballot cast by the voter. If the same office (including the same district number for a Congressional, Legislative or Representative district) appears on both the correct ballot style sample ballot and the provisional ballot cast by the voter, votes for that office shall be counted. All votes cast for any remaining offices (offices for which the voter would not have been entitled to vote had he or she voted in the correct precinct) shall not be counted.

(3) No votes shall be counted for an office when the voter voted for more candidates than he or she was allowed.

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(4) Once it has been determined which offices are to be counted and the provisional ballot contains no other votes, the provisional ballot shall be counted pursuant to the procedures set forth in this subsection (b).

(5) If a provisional ballot does not contain any valid votes, the provisional ballot shall be marked invalid and shall not be counted.

(6) Any provisional voting verification system established by an election authority shall inform the provisional voter that his or her provisional ballot was partially counted because it was cast in an incorrect precinct.

(7) If a provisional ballot only contains votes cast for eligible offices, and does not contain any votes cast for ineligible offices, the ballot may be tabulated without having to be remade.

(8) If a provisional ballot contains both valid votes that must be counted and invalid votes that cannot be counted:

(A) the election judges, consisting in each case of at least one of each of the 2 leading political parties, shall, if the provisional ballot was cast on a paper ballot sheet, proceed to remake the voted ballot onto a blank ballot that includes all of the offices for which valid votes were cast, transferring only valid votes. The original provisional ballot shall be marked "Original Provisional Ballot" with a serial number commencing at "1" and continuing consecutively for ballots of that kind in the precinct. The duplicate provisional ballot shall be marked "Duplicate Provisional Ballot" and be given the same serial number as the original ballot from which it was duplicated. The duplicate provisional ballot shall then be treated in the same manner as other provisional ballots.

(B) if the provisional ballot was cast on a direct recording electronic voting device, the election judges shall mark the original provisional ballot as a partially counted defective electronic provisional ballot because it was cast in the incorrect precinct (or bear some similar notation) and proceed to either:

(i) remake the voted ballot by transferring all valid votes to a duplicate paper ballot sheet of the correct ballot style, marking the duplicate ballot

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"Duplicate Electronic Provisional Ballot" and then counting the duplicate provisional ballot in the same manner as the other provisional ballots marked on paper ballot sheets; or

(ii) transfer, or cause to be transferred, all valid votes electronically to the correct precinct, which shall be counted and added to the vote totals for the correct precinct, excluding any votes that cannot be counted. If this method is used, a permanent paper record must be generated for both the defective provisional ballot and the duplicate electronic provisional ballot.

(c) For provisional ballots cast at a partisan primary election, the judges shall use a duplicate ballot of the correct ballot style for the same political party as the ballot chosen by the voter.

(d) At least one qualified pollwatcher for each candidate, political party, and civic organization, as authorized by Section 17-23 of this Code, shall be permitted to observe the ballot remaking process.

(10 ILCS 5/18A-218.30 new)

Sec. 18A-218.30. Counting procedures for provisional ballots cast in an incorrect precinct within a different election authority's jurisdiction.

(a) The election authority having possession of the provisional ballot shall first notify the election authority having jurisdiction over the provisional voter that the voter cast a provisional ballot in its jurisdiction and provide whatever information is needed for the election authority to comply with the notification requirements set forth in subsection (d) of Section 18A-15 of this Code. For purpose of determining which election authority has jurisdiction over the provisional voter, the election authority having possession of the provisional ballot shall use the address listed on the provisional ballot affidavit that was provided by the voter. If that address is different from the address at which the voter is registered, the ballot shall be rejected; however, the affidavit shall serve as a request to register at that address. If a voter cast a provisional ballot in an incorrect precinct located in the jurisdiction of an election authority other than the election authority having jurisdiction over the voter's correct precinct, but where the precinct is located within the same county as the 2 election authorities (e.g., a voter is registered in the City of Chicago, but casts a provisional ballot in suburban Cook County), the election authority in whose territory the provisional ballot was cast shall, after receipt of the

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provisional ballot, transmit it, along with the provisional voter's affidavit and any other documentation provided to the election judges, to the office of the election authority having jurisdiction over the voter's correct precinct. The ballot shall be sealed in a secure envelope or other suitable container and transmitted within 8 business days after the election at which it was cast. If the locations of the election authorities' offices are such that it is feasible to hand deliver the ballot, the ballot shall be sealed in a secure envelope and transmitted in that manner by 2 election judges (or election officials), one from each of the 2 leading political parties. If the locations of the 2 election authorities are such that it is not feasible to hand deliver the ballot, the election authority having jurisdiction over the incorrect precinct shall cause the ballot to be sealed in a secure envelope and transmitted via express mail within 8 business days after the election at which the ballot was cast, with a delivery date no later than the second business day following the mailing date. Upon receipt of the ballot by the election authority having jurisdiction over the correct precinct, the election authority shall proceed to remake, and count the votes on, the provisional ballot in accordance with the procedures described in Section 18A-218.20, including the determination of eligibility to cast a provisional ballot. Any information provided to the election authority within the 7 day period provided for in Section 18A-15 of this Code shall be sealed in a secure envelope and transmitted to the office of the election authority having jurisdiction over the voter's correct precinct, along with the provisional ballot of that voter.

(b) Incorrect precinct is located in a different county from the county where the voter is registered, but is located in the same municipality or legislative district as the one in which the voter is registered:

(1) The election authority having possession of the provisional ballot shall first notify the election authority having jurisdiction over the provisional voter that the voter cast a provisional ballot in its jurisdiction and provide whatever information is needed for the election authority to comply with the notification requirements set forth in subsection (d) of Section 18A-15 of this Code. For purposes of determining which election authority has jurisdiction over the provisional voter, the election authority having possession of the provisional ballot shall use the address listed on the provisional ballot affidavit that was provided by the voter. If that address is different from the address at which

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the voter is registered, the ballot shall be rejected; however, the affidavit shall serve as a request to register at that address. The election authority shall then cause the ballot, along with the provisional voter's affidavit and any other documentation provided to the election judges, to be transmitted via express mail within 8 business days after the election at which the ballot was cast, with a delivery date no later than the second business day following the mailing date. Upon receipt of the ballot by the election authority having jurisdiction over the correct precinct, that election authority shall proceed to remake and count the votes on the provisional ballot in accordance with the procedures described in Section 18A-218.20, including the determination of eligibility to cast a provisional ballot. Any information provided to the election authority within the 7 day period provided for in Section 18A-15 of this Code shall be transmitted to the office of the election authority having jurisdiction over the voter's correct precinct, along with the provisional ballot of that voter.

(2) If a voter casts a provisional ballot in a precinct outside of the county in which he or she is registered and outside of the municipality, representative district, or legislative district in which he or she is registered (if applicable), the ballot shall not be counted. It shall, however, be transmitted via the U.S. Postal Service to the election authority having jurisdiction over the voter's correct precinct within 14 days after the election and shall be kept for 2 months, the same length of time as is required for other voted ballots.

For purposes of determining which election authority has jurisdiction over the provisional voter, the election authority having possession of the provisional ballot shall use the address listed on the provisional ballot affidavit that was provided by the voter. If such address is different from the address at which the voter is registered, the ballot shall be rejected, however the affidavit shall serve as a request to register at such address.

(10 ILCS 5/18A-218.40 new)

Sec. 18A-218.40. Follow-up procedures for provisional ballots. The original provisional ballot cast by the voter shall be stored separately from other ballots voted in the election and shall be preserved in the same manner as original ballots that had to be remade for other reasons, such as a damaged ballot or as a result of a voter over-voting an office.

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ARTICLE 19. VOTING BY MAIL ABSENT ELECTORS

(10 ILCS 5/Art. 19 heading)

(10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

Sec. 19-2. Any elector as defined in Section 19-1 may by mail or electronically on the website of the appropriate election authority, not more than 90 nor less than 5 days prior to the date of such election, or by personal delivery not more than 90 nor less than one day prior to the date of such election, make application to the county clerk or to the Board of Election Commissioners for an official ballot for the voter's precinct to be voted at such election. The URL address at which voters may electronically request a vote by mail an absentee ballot shall be fixed no later than 90 calendar days before an election and shall not be changed until after the election. Such a ballot shall be delivered to the elector only upon separate application by the elector for each election.

(10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

Sec. 19-3. The application for vote by mail absentee ballot shall be substantially in the following form:

APPLICATION FOR VOTE BY MAIL ABSENTEE BALLOT

To be voted at the .... election in the County of .... and State of Illinois, in the .... precinct of the (1) *township of .... (2) *City of .... or (3) *.... ward in the City of ....

I state that I am a resident of the .... precinct of the (1) *township of .... (2) *City of .... or (3) *.... ward in the city of .... residing at .... in such city or town in the county of .... and State of Illinois; that I have lived at such address for .... month(s) last past; that I am lawfully entitled to vote in such precinct at the .... election to be held therein on ....; and that I wish to vote by vote by mail absentee ballot.

I hereby make application for an official ballot or ballots to be voted by me at such election, and I agree that I shall return such ballot or ballots to the official issuing the same prior to the closing of the polls on the date of the election or, if returned by mail, postmarked no later than midnight preceding election day, for counting no later than during the period for counting provisional ballots, the last day of which is the 14th day following election day.

I understand that this application is made for an official vote by mail absentee ballot or ballots to be voted by me at the election specified in this application and that I must submit a separate application for an

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official vote by mail absentee ballot or ballots to be voted by me at any subsequent election.

Under penalties as provided by law pursuant to Section 29-10 of The Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

....

*fill in either (1), (2) or (3).
Post office address to which ballot is mailed:

************

However, if application is made for a primary election ballot, such application shall require the applicant to designate the name of the political party with which the applicant is affiliated.

If application is made electronically, the applicant shall mark the box associated with the above described statement included as part of the online application certifying that the statements set forth in this application are true and correct, and a signature is not required.

Any person may produce, reproduce, distribute, or return to an election authority the application for vote by mail absentee ballot. Upon receipt, the appropriate election authority shall accept and promptly process any application for vote by mail absentee ballot submitted in a form substantially similar to that required by this Section, including any substantially similar production or reproduction generated by the applicant.

(Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

(10 ILCS 5/19-4) (from Ch. 46, par. 19-4)
Sec. 19-4. Mailing or delivery of ballots; time. Immediately upon the receipt of such application either by mail or electronic means, not more than 90 40 days nor less than 5 days prior to such election, or by personal delivery not more than 90 40 days nor less than one day prior to such election, at the office of such election authority, it shall be the duty of such election authority to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, including a verification of the applicant's signature by comparison with the signature on the official registration record card, and if found so to be entitled to vote, to post within one business day thereafter the name, street address, ward and precinct number or township and district number, as the case may be, of such applicant given on a list, the pages of which are to be numbered consecutively to be kept by such election authority for such purpose in a conspicuous, open and public place accessible to the public at the entrance

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of the office of such election authority, and in such a manner that such list may be viewed without necessity of requesting permission therefor. Within one day after posting the name and other information of an applicant for a vote by mail absentee ballot, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections that name and other posted information to the State Board of Elections, which shall maintain those names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. Within 2 business days after posting a name and other information on the list within its office, but no sooner than 40 days before an election, the election authority shall mail, postage prepaid, or deliver in person in such office an official ballot or ballots if more than one are to be voted at said election. Mail delivery of Temporarily Absent Student ballot applications pursuant to Section 19-12.3 shall be by nonforwardable mail. However, for the consolidated election, vote by mail absentee ballots for certain precincts may be delivered to applicants not less than 25 days before the election if so much time is required to have prepared and printed the ballots containing the names of persons nominated for offices at the consolidated primary. The election authority shall enclose with each vote by mail absentee ballot or application written instructions on how voting assistance shall be provided pursuant to Section 17-14 and a document, written and approved by the State Board of Elections, informing the vote by mail voter of the required postage for returning the application and ballot, and enumerating the circumstances under which a person is authorized to vote by vote by mail absentee ballot pursuant to this Article; such document shall also include a statement informing the applicant that if he or she falsifies or is solicited by another to falsify his or her eligibility to cast a vote by mail absentee ballot, such applicant or other is subject to penalties pursuant to Section 29-10 and Section 29-20 of the Election Code. Each election authority shall maintain a list of the name, street address, ward and precinct, or township and district number, as the case may be, of all applicants who have returned vote by mail absentee ballots to such authority, and the name of such vote by mail absent voter shall be added to such list within one business day from receipt of such ballot. If the vote by mail absentee ballot envelope indicates that the voter was assisted in casting the ballot, the name of the person so assisting shall be included on the list. The list, the pages of which are to be numbered consecutively, shall be kept by each election authority in a conspicuous, open, and public place accessible to

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the public at the entrance of the office of the election authority and in a manner that the list may be viewed without necessity of requesting permission for viewing.

Each election authority shall maintain a list for each election of the voters to whom it has issued vote by mail absentee ballots. The list shall be maintained for each precinct within the jurisdiction of the election authority. Prior to the opening of the polls on election day, the election authority shall deliver to the judges of election in each precinct the list of registered voters in that precinct to whom vote by mail absentee ballots have been issued by mail.

Each election authority shall maintain a list for each election of voters to whom it has issued temporarily absent student ballots. The list shall be maintained for each election jurisdiction within which such voters temporarily abide. Immediately after the close of the period during which application may be made by mail or electronic means for vote by mail absentee ballots, each election authority shall mail to each other election authority within the State a certified list of all such voters temporarily abiding within the jurisdiction of the other election authority.

In the event that the return address of an application for ballot by a physically incapacitated elector is that of a facility licensed or certified under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, within the jurisdiction of the election authority, and the applicant is a registered voter in the precinct in which such facility is located, the ballots shall be prepared and transmitted to a responsible judge of election no later than 9 a.m. on the Saturday, Sunday or Monday immediately preceding the election as designated by the election authority under Section 19-12.2. Such judge shall deliver in person on the designated day the ballot to the applicant on the premises of the facility from which application was made. The election authority shall by mail notify the applicant in such facility that the ballot will be delivered by a judge of election on the designated day.

All applications for vote by mail absentee ballots shall be available at the office of the election authority for public inspection upon request from the time of receipt thereof by the election authority until 30 days after the election, except during the time such applications are kept in the office of the election authority pursuant to Section 19-7, and except during the time such applications are in the possession of the judges of election.
Sec. 19-5. It shall be the duty of the election authority to fold the ballot or ballots in the manner specified by the statute for folding ballots prior to their deposit in the ballot box, and to enclose such ballot or ballots in an envelope unsealed to be furnished by him, which envelope shall bear upon the face thereof the name, official title and post office address of the election authority, and upon the other side a printed certification in substantially the following form:

I state that I am a resident of the .... precinct of the (1) *township of .... (2) *City of .... or (3) * .... ward in the city of .... residing at .... in such city or town in the county of .... and State of Illinois, that I have lived at such address for .... months last past; and that I am lawfully entitled to vote in such precinct at the .... election to be held on ..... *fill in either (1), (2) or (3).

I further state that I personally marked the enclosed ballot in secret. Under penalties of perjury as provided by law pursuant to Section 29-10 of The Election Code, the undersigned certifies that the statements set forth in this certification are true and correct.

If the ballot is to go to an elector who is physically incapacitated and needs assistance marking the ballot, the envelope shall bear upon the back thereof a certification in substantially the following form:

I state that I am a resident of the .... precinct of the (1) *township of .... (2) *City of .... or (3) * .... ward in the city of .... residing at .... in such city or town in the county of .... and State of Illinois, that I have lived at such address for .... months last past; that I am lawfully entitled to vote in such precinct at the .... election to be held on ....; that I am physically incapable of personally marking the ballot for such election. *fill in either (1), (2) or (3).

I further state that I marked the enclosed ballot in secret with the assistance of

   .................................................................
   (Individual rendering assistance)
   .................................................................
   (Residence Address)
Under penalties of perjury as provided by law pursuant to Section 29-10 of The Election Code, the undersigned certifies that the statements set forth in this certification are true and correct.

In the case of a voter with a physical incapacity, marking a ballot in secret includes marking a ballot with the assistance of another individual, other than a candidate whose name appears on the ballot (unless the voter is the spouse or a parent, child, brother, or sister of the candidate), the voter's employer, an agent of that employer, or an officer or agent of the voter's union, when the voter's physical incapacity necessitates such assistance.

In the case of a physically incapacitated voter, marking a ballot in secret includes marking a ballot with the assistance of another individual, other than a candidate whose name appears on the ballot (unless the voter is the spouse or a parent, child, brother, or sister of the candidate), the voter's employer, an agent of that employer, or an officer or agent of the voter's union, when the voter's physical incapacity necessitates such assistance.

Provided, that if the ballot enclosed is to be voted at a primary election, the certification shall designate the name of the political party with which the voter is affiliated.

In addition to the above, the election authority shall provide printed slips giving full instructions regarding the manner of marking and returning the ballot in order that the same may be counted, and shall furnish one of such printed slips to each of such applicants at the same time the ballot is delivered to him. Such instructions shall include the following statement: "In signing the certification on the vote by mail absentee ballot envelope, you are attesting that you personally marked this vote by mail absentee ballot in secret. If you are physically unable to mark the ballot, a friend or relative may assist you after completing the enclosed affidavit. Federal and State laws prohibit a candidate whose name appears on the ballot (unless you are the spouse or a parent, child, brother, or sister of the candidate), your employer, your employer's agent or an officer or agent of your union from assisting physically disabled voters."

In addition to the above, if a ballot to be provided to an elector pursuant to this Section contains a public question described in subsection (b) of Section 28-6 and the territory concerning which the question is to be submitted is not described on the ballot due to the space limitations of such ballot, the election authority shall provide a printed copy of a notice

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of the public question, which shall include a description of the territory in the manner required by Section 16-7. The notice shall be furnished to the elector at the same time the ballot is delivered to the elector.

(Source: P.A. 95-440, eff. 8-27-07; 96-553, eff. 8-17-09.)

(10 ILCS 5/19-6) (from Ch. 46, par. 19-6)

Sec. 19-6. Such vote by mail absent voter shall make and subscribe to the certifications provided for in the application and on the return envelope for the ballot, and such ballot or ballots shall be folded by such voter in the manner required to be folded before depositing the same in the ballot box, and be deposited in such envelope and the envelope securely sealed. The voter shall then endorse his certificate upon the back of the envelope and the envelope shall be mailed in person by such voter, postage prepaid, to the election authority issuing the ballot or, if more convenient, it may be delivered in person, by either the voter or by any person authorized by the voter a spouse, parent, child, brother or sister of the voter, or by a company licensed as a motor carrier of property by the Illinois Commerce Commission under the Illinois Commercial Transportation Law, which is engaged in the business of making deliveries. It shall be unlawful for any person not the voter or a person authorized by the voter, his or her spouse, parent, child, brother, or sister, or a representative of a company engaged in the business of making deliveries to the election authority to take the ballot and ballot envelope of a voter for deposit into the mail unless the ballot has been issued pursuant to application by a physically incapacitated elector under Section 3-3 or a hospitalized voter under Section 19-13, in which case any employee or person under the direction of the facility in which the elector or voter is located may deposit the ballot and ballot envelope into the mail. If the voter authorized a person to deliver the ballot to the election authority, the voter and the person authorized to deliver the ballot shall complete the authorization printed on the exterior envelope supplied by an election authority for the return of the vote by mail ballot. The exterior of the envelope supplied by an election authority for the return of the vote by mail ballot shall include an authorization in substantially the following form:

I ............ (voter) authorize ............... to take the necessary steps to have this ballot delivered promptly to the office of the election authority.

.......................... ..........................
Date                        Signature of voter

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If an absentee voter gives his ballot and ballot envelope to a spouse, parent, child, brother or sister of the voter or to a company which is engaged in the business of making deliveries for delivery to the election authority, the voter shall give an authorization form to the person making the delivery. The person making the delivery shall present the authorization to the election authority. The authorization shall be in substantially the following form:

    I ............ (absentee voter) authorize ............... to take my ballot to the office of the election authority.

          Date  Signature of voter
          Hour  Address
          Date  Signature of Authorized Individual
          Hour  Relationship (if any)

(Source: P.A. 89-653, eff. 8-14-96.)

(10 ILCS 5/19-7) (from Ch. 46, par. 19-7)

Sec. 19-7. (a) Upon receipt of such vote by mail absent voter's ballot, the election authority shall forthwith enclose the same unopened, together with the application made by said vote by mail absent voter in a large or carrier envelope which shall be securely sealed and endorsed with the name and official title of such officer and the words, "This envelope contains a vote by mail an absent voter's ballot and must be opened on election day," together with the number and description of the precinct in which said ballot is to be voted, and such officer shall thereafter safely keep the same in his office until counted by him as provided in the next section.

(b) Within one day after receipt of such vote by mail absent voter's ballot, the election authority shall transmit, by electronic means pursuant to a process established by the State Board of Elections, the voter's name, street address, e-mail address, and precinct, ward, township, and district
numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees.

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/19-8) (from Ch. 46, par. 19-8)
Sec. 19-8. Time and place of counting ballots.
(a) (Blank.)
(b) Each vote by mail absentee voter's ballot returned to an election authority, by any means authorized by this Article, and received by that election authority before the closing of the polls on election day shall be endorsed by the receiving election authority with the day and hour of receipt and may be processed by the election authority beginning on the 15th day before election day shall be counted in the central ballot counting location of the election authority, but the results of the processing may not be counted until on the day of the election after 7:00 p.m., except as provided in subsections (g) and (g-5).

(c) Each vote by mail absentee voter's ballot that is mailed to an election authority and postmarked no later than by the midnight preceding the opening of the polls on election day, but that is received by the election authority after the polls close on election day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the period for counting provisional ballots.

Each vote by mail absentee voter's ballot that is mailed to an election authority absent a postmark, but that is received by the election authority after the polls close on election day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt, opened to inspect the date inserted on the certification, and, if the certification date is a date preceding the election day and the ballot is otherwise found to be valid under the requirements of this Section, counted at the central ballot counting location of the election authority during the period for counting provisional ballots. Absent a date on the certification, the ballot shall not be counted.

(d) Special write-in vote by mail absentee voter's blank ballots returned to an election authority, by any means authorized by this Article, and received by the election authority at any time before the closing of the

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polls on election day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same period provided for counting vote by mail absent voters' ballots under subsections (b), (g), and (g-5). Special write-in vote by mail absentee voter's blank ballots that are mailed to an election authority and postmarked no later than by the midnight preceding the opening of the polls on election day, but that are received by the election authority after the polls close on election day and before the closing of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same periods provided for counting vote by mail absent voters' ballots under subsection (c).

(e) Except as otherwise provided in this Section, vote by mail absent voters' ballots and special write-in vote by mail absentee voter's blank ballots received by the election authority after the closing of the polls on an election day shall be endorsed by the election authority receiving them with the day and hour of receipt and shall be safely kept unopened by the election authority for the period of time required for the preservation of ballots used at the election, and shall then, without being opened, be destroyed in like manner as the used ballots of that election.

(f) Counting required under this Section to begin on election day after the closing of the polls shall commence no later than 8:00 p.m. and shall be conducted by a panel or panels of election judges appointed in the manner provided by law. The counting shall continue until all vote by mail absent voters' ballots and special write-in vote by mail absentee voter's blank ballots required to be counted on election day have been counted.

(g) The procedures set forth in Articles 17 and 18 of this Code shall apply to all ballots counted under this Section. In addition, within 2 days after a vote by mail absentee ballot, other than an in-person absentee ballot, is received, but in all cases before the close of the period for counting provisional ballots, the election judge or official shall compare the voter's signature on the certification envelope of that vote by mail absentee ballot with the signature of the voter on file in the office of the election authority. If the election judge or official determines that the 2 signatures match, and that the vote by mail absentee voter is otherwise qualified to cast a vote by mail absentee ballot, the election authority shall cast and count the ballot on election day or the day the ballot is determined to be valid, whichever is later, adding the results to the

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precinct in which the voter is registered. If the election judge or official determines that the signatures do not match, or that the vote by mail absentee voter is not qualified to cast a vote by mail absentee ballot, then without opening the certification envelope, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

In addition to the voter's signatures not matching, a vote by mail absentee ballot may be rejected by the election judge or official:

(1) if the ballot envelope is open or has been opened and resealed;

(2) if the voter has already cast an early or grace period ballot;

(3) if the voter voted in person on election day or the voter is not a duly registered voter in the precinct; or

(4) on any other basis set forth in this Code.

If the election judge or official determines that any of these reasons apply, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

(g-5) If a vote by mail absentee ballot, other than an in-person absentee ballot, is rejected by the election judge or official for any reason, the election authority shall, within 2 days after the rejection but in all cases before the close of the period for counting provisional ballots, notify the vote by mail absentee voter that his or her ballot was rejected. The notice shall inform the voter of the reason or reasons the ballot was rejected and shall state that the voter may appear before the election authority, on or before the 14th day after the election, to show cause as to why the ballot should not be rejected. The voter may present evidence to the election authority supporting his or her contention that the ballot should be counted. The election authority shall appoint a panel of 3 election judges to review the contested ballot, application, and certification envelope, as well as any evidence submitted by the vote by mail absentee voter. No more than 2 election judges on the reviewing panel shall be of the same political party. The reviewing panel of election judges shall make a final determination as to the validity of the contested vote by mail absentee ballot. The judges' determination shall not be reviewable either administratively or judicially.

A vote by mail absentee ballot subject to this subsection that is determined to be valid shall be counted before the close of the period for counting provisional ballots.

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(g-10) All vote by mail absentee ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(h) Each political party, candidate, and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned.

(Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

(10 ILCS 5/19-10) (from Ch. 46, par. 19-10)
Sec. 19-10. Pollwatchers may be appointed to observe early in-person absentee voting procedures and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, at the office of the election authority as well as at municipal, township or road district clerks' offices where such early absentee voting is conducted. Such pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except each candidate, political party or organization of citizens may appoint only one pollwatcher for each location where early in-person absentee voting is conducted. Pollwatchers must be registered to vote in Illinois and possess valid pollwatcher credentials.

In the polling place on election day, pollwatchers shall be permitted to be present during the casting of the absent voters' ballots and the vote of any absent voter may be challenged for cause the same as if he were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of such ballot; Provided, however, that if a challenge to any absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's place of residence.

Where certain vote by mail absent voters' ballots are counted on the day of the election in the office of the election authority as provided in Section 19-8 of this Act, each political party, candidate and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned. Such pollwatchers shall be subject to the same provisions as are provided for pollwatchers in Sections 7-34 and 17-23 of this Code, and shall be permitted to observe the election judges making the signature comparison between that which is on the ballot envelope and that which is on the permanent voter registration record card taken from the master file.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

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Sec. 19-12.1. Any qualified elector who has secured an Illinois Person with a Disability Identification Card in accordance with the Illinois Identification Card Act, indicating that the person named thereon has a Class 1A or Class 2 disability or any qualified voter who has a permanent physical incapacity of such a nature as to make it improbable that he will be able to be present at the polls at any future election, or any voter who is a resident of (i) a federally operated veterans' home, hospital, or facility located in Illinois or (ii) a facility licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act and has a condition or disability of such a nature as to make it improbable that he will be able to be present at the polls at any future election, may secure a disabled voter's or nursing home resident's identification card, which will enable him to vote under this Article as a physically incapacitated or nursing home voter. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center.

Application for a disabled voter's or nursing home resident's identification card shall be made either: (a) in writing, with voter's sworn affidavit, to the county clerk or board of election commissioners, as the case may be, and shall be accompanied by the affidavit of the attending physician specifically describing the nature of the physical incapacity or the fact that the voter is a nursing home resident and is physically unable to be present at the polls on election days; or (b) by presenting, in writing or otherwise, to the county clerk or board of election commissioners, as the case may be, proof that the applicant has secured an Illinois Person with a Disability Identification Card indicating that the person named thereon has a Class 1A or Class 2 disability. Upon the receipt of either the sworn-to application and the physician's affidavit or proof that the applicant has secured an Illinois Person with a Disability Identification Card indicating that the person named thereon has a Class 1A or Class 2 disability, the county clerk or board of election commissioners shall issue a disabled voter's or nursing home resident's identification card. Such identification cards shall be issued for a period of 5 years, upon the expiration of which time the voter may secure a new card by making application in the same manner as is prescribed for the issuance of an

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original card, accompanied by a new affidavit of the attending physician. The date of expiration of such five-year period shall be made known to any interested person by the election authority upon the request of such person. Applications for the renewal of the identification cards shall be mailed to the voters holding such cards not less than 3 months prior to the date of expiration of the cards.

Each disabled voter's or nursing home resident's identification card shall bear an identification number, which shall be clearly noted on the voter's original and duplicate registration record cards. In the event the holder becomes physically capable of resuming normal voting, he must surrender his disabled voter's or nursing home resident's identification card to the county clerk or board of election commissioners before the next election.

The holder of a disabled voter's or nursing home resident's identification card may make application by mail for an official ballot within the time prescribed by Section 19-2. Such application shall contain the same information as is included in the form of application for ballot by a physically incapacitated elector prescribed in Section 19-3 except that it shall also include the applicant's disabled voter's identification card number and except that it need not be sworn to. If an examination of the records discloses that the applicant is lawfully entitled to vote, he shall be mailed a ballot as provided in Section 19-4. The ballot envelope shall be the same as that prescribed in Section 19-5 for physically disabled voters, and the manner of voting and returning the ballot shall be the same as that provided in this Article for other vote by mail absentee ballots, except that a statement to be subscribed to by the voter but which need not be sworn to shall be placed on the ballot envelope in lieu of the affidavit prescribed by Section 19-5.

Any person who knowingly subscribes to a false statement in connection with voting under this Section shall be guilty of a Class A misdemeanor.

For the purposes of this Section, "nursing home resident" includes a resident of (i) a federally operated veterans' home, hospital, or facility located in Illinois or (ii) a facility licensed under the ID/DD Community Care Act or the Specialized Mental Health Rehabilitation Act of 2013. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA
Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center.

(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-275, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1064, eff. 1-1-13; 98-104, eff. 7-22-13.)

(10 ILCS 5/19-12.2) (from Ch. 46, par. 19-12.2)

Sec. 19-12.2. Voting by physically incapacitated electors who have made proper application to the election authority not later than 5 days before the regular primary and general election of 1980 and before each election thereafter shall be conducted on the premises of (i) federally operated veterans' homes, hospitals, and facilities located in Illinois or (ii) facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act for the sole benefit of residents of such homes, hospitals, and facilities. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center. Such voting shall be conducted during any continuous period sufficient to allow all applicants to cast their ballots between the hours of 9 a.m. and 7 p.m. either on the Friday, Saturday, Sunday or Monday immediately preceding the regular election. This vote by mail absentee voting on one of said days designated by the election authority shall be supervised by two election judges who must be selected by the election authority in the following order of priority: (1) from the panel of judges appointed for the precinct in which such home, hospital, or facility is located, or from a panel of judges appointed for any other precinct within the jurisdiction of the election authority in the same ward or township, as the case may be, in which the home, hospital, or facility is located or, only in the case where a judge or judges from the precinct, township or ward are unavailable to serve, (3) from a panel of judges appointed for any other precinct within the jurisdiction of the election authority. The two judges shall be from different political parties. Not less than 30 days before each regular election, the election authority shall have arranged with the chief administrative officer of each home, hospital, or facility in his or its election jurisdiction a mutually convenient time period on the Friday, Saturday, Sunday or Monday immediately preceding the election for such voting on the premises of the home, hospital, or facility and shall post in a prominent place in his or its office a notice of the agreed day and time.
period for conducting such voting at each home, hospital, or facility; provided that the election authority shall not later than noon on the Thursday before the election also post the names and addresses of those homes, hospitals, and facilities from which no applications were received and in which no supervised vote by mail absentee voting will be conducted. All provisions of this Code applicable to pollwatchers shall be applicable herein. To the maximum extent feasible, voting booths or screens shall be provided to insure the privacy of the voter. Voting procedures shall be as described in Article 17 of this Code, except that ballots shall be treated as vote by mail absentee ballots and shall not be counted until the close of the polls on the following day. After the last voter has concluded voting, the judges shall seal the ballots in an envelope and affix their signatures across the flap of the envelope. Immediately thereafter, the judges shall bring the sealed envelope to the office of the election authority who shall deliver such ballots to the election authority's central ballot counting location prior to the closing of the polls on the day of election. The judges of election shall also report to the election authority the name of any applicant in the home, hospital, or facility who, due to unforeseen circumstance or condition or because of a religious holiday, was unable to vote. In this event, the election authority may appoint a qualified person from his or its staff to deliver the ballot to such applicant on the day of election. This staff person shall follow the same procedures prescribed for judges conducting vote by mail absentee voting in such homes, hospitals, or facilities and shall return the ballot to the central ballot counting location before the polls close. However, if the home, hospital, or facility from which the application was made is also used as a regular precinct polling place for that voter, voting procedures heretofore prescribed may be implemented by 2 of the election judges of opposite party affiliation assigned to that polling place during the hours of voting on the day of the election. Judges of election shall be compensated not less than $25.00 for conducting vote by mail absentee voting in such homes, hospitals, or facilities.

Not less than 120 days before each regular election, the Department of Public Health shall certify to the State Board of Elections a list of the facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act. The lists shall indicate the approved bed capacity and the name of the chief administrative officer of each such

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home, hospital, or facility, and the State Board of Elections shall certify
the same to the appropriate election authority within 20 days thereafter.
(Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-275, eff. 1-1-12;
97-813, eff. 7-13-12; 98-104, eff. 7-22-13.)

(10 ILCS 5/19-13) (from Ch. 46, par. 19-13)
Sec. 19-13. Any qualified voter who has been admitted to a
hospital, nursing home, or rehabilitation center due to an illness or
physical injury not more than 14 days before an election shall be entitled
to personal delivery of a vote by mail absentee ballot in the hospital,
nursing home, or rehabilitation center subject to the following conditions:

(1) The voter completes the Application for Physically
Incapacitated Elector as provided in Section 19-3, stating as reasons
therein that he is a patient in ............... (name of hospital/home/center),
............... located at, ............... (address of hospital/home/center), ............
(county, city/village), was admitted for ............... (nature of illness or
physical injury), on ............... (date of admission), and does not expect to
be released from the hospital/home/center on or before the day of election
or, if released, is expected to be homebound on the day of the election and
unable to travel to the polling place.

(2) The voter's physician completes a Certificate of Attending
Physician in a form substantially as follows:

CERTIFICATE OF ATTENDING PHYSICIAN

I state that I am a physician, duly licensed to practice in the State of
........; that ........ is a patient in ........ (name of hospital/home/center),
located at ............ (address of hospital/home/center), ................. (county,
city/village); that such individual was admitted for ............ (nature of
illness or physical injury), on ............ (date of admission); and that I have
examined such individual in the State in which I am licensed to practice
medicine and do not expect such individual to be released from the
hospital/home/center on or before the day of election or, if released, to be
able to travel to the polling place on election day.

Under penalties as provided by law pursuant to Section 29-10 of
The Election Code, the undersigned certifies that the statements set forth
in this certification are true and correct.

(Signature) ............
(Date licensed) ............

(3) Any person who is registered to vote in the same precinct as the
admitted voter or any legal relative of the admitted voter may present such
voter's vote by mail absentee ballot application, completed as prescribed in

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paragraph 1, accompanied by the physician's certificate, completed as prescribed in paragraph 2, to the election authority. Such precinct voter or relative shall execute and sign an affidavit furnished by the election authority attesting that he is a registered voter in the same precinct as the admitted voter or that he is a legal relative of the admitted voter and stating the nature of the relationship. Such precinct voter or relative shall further attest that he has been authorized by the admitted voter to obtain his or her vote by mail absentee ballot from the election authority and deliver such ballot to him in the hospital, home, or center.

Upon receipt of the admitted voter's application, physician's certificate, and the affidavit of the precinct voter or the relative, the election authority shall examine the registration records to determine if the applicant is qualified to vote and, if found to be qualified, shall provide the precinct voter or the relative the vote by mail absentee ballot for delivery to the applicant.

Upon receipt of the vote by mail absentee ballot, the admitted voter shall mark the ballot in secret and subscribe to the certifications on the vote by mail absentee ballot return envelope. After depositing the ballot in the return envelope and securely sealing the envelope, such voter shall give the envelope to the precinct voter or the relative who shall deliver it to the election authority in sufficient time for the ballot to be delivered by the election authority to the election authority's central ballot counting location before 7 p.m. on election day.

Upon receipt of the admitted voter's vote by mail absentee ballot, the ballot shall be counted in the manner prescribed in this Article.

(Source: P.A. 94-18, eff. 6-14-05; 94-1000, eff. 7-3-06; 95-878, eff. 1-1-09.)

(10 ILCS 5/19-15)

Sec. 19-15. Precinct tabulation optical scan technology voting equipment. If the election authority has adopted the use of Precinct Tabulation Optical Scan Technology voting equipment pursuant to Article 24B of this Code, and the provisions of the Article are in conflict with the provisions of this Article 19, the provisions of Article 24B shall govern the procedures followed by the election authority, its judges of elections, and all employees and agents, provided that vote by mail absentee ballots are counted at the election authority's central ballot counting location. In following the provisions of Article 24B, the election authority is authorized to develop and implement procedures to fully utilize Precinct Tabulation Optical Scan Technology voting equipment, at the central

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ballot counting location, authorized by the State Board of Elections as long as the procedure is not in conflict with either Article 24B or the administrative rules of the State Board of Elections.
(Source: P.A. 94-1000, eff. 7-3-06.)

(10 ILCS 5/19-20)
Sec. 19-20. Report on vote by mail absentee ballots. This Section applies to vote by mail absentee ballots other than in-person absentee ballots.

On or before the 21st day after an election, each election authority shall transmit to the State Board of Elections the following information with respect to that election:

(1) The number, by precinct, of vote by mail absentee ballots requested, provided, and counted.
(2) The number of rejected vote by mail absentee ballots.
(3) The number of voters seeking review of rejected vote by mail absentee ballots pursuant to subsection (g-5) of Section 19-8.
(4) The number of vote by mail absentee ballots counted following review pursuant to subsection (g-5) of Section 19-8.

On or before the 28th day after an election, the State Board of Elections shall compile the information received under this Section with respect to that election and make that information available to the public.
(Source: P.A. 94-1000, eff. 7-3-06.)

(10 ILCS 5/19A-10)
Sec. 19A-10. Permanent polling places for early voting.

(a) An election authority may establish permanent polling places for early voting by personal appearance at locations throughout the election authority's jurisdiction, including but not limited to a municipal clerk's office, a township clerk's office, a road district clerk's office, or a county or local public agency office. Any except as otherwise provided in subsection (b), any person entitled to vote early by personal appearance may do so at any polling place established for early voting.

(b) (Blank). If it is impractical for the election authority to provide at each polling place for early voting a ballot in every form required in the election authority's jurisdiction, the election authority may:

(1) provide appropriate forms of ballots to the office of the municipal clerk in a municipality not having a board of election commissioners; the township clerk; or in counties not under township organization; the road district clerk; and

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(2) Limit voting at that polling place to registered voters in that municipality, ward or group of wards, township, or road district.

If the early voting polling place does not have the correct ballot form for a person seeking to vote early, the election judge or election official conducting early voting at that polling place shall inform the person of that fact, give the person the appropriate telephone number of the election authority in order to locate an early voting polling place with the correct ballot form for use in that person's assigned precinct, and instruct the person to go to the proper early voting polling place to vote early.

(c) During each general primary and general election, each election authority in a county with a population over 250,000 shall establish at least one permanent polling place for early voting by personal appearance at a location within each of the 3 largest municipalities within its jurisdiction. If any of the 3 largest municipalities is over 80,000, the election authority shall establish at least 2 permanent polling places within the municipality. All population figures shall be determined by the federal census.

(d) During each general primary and general election, each board of election commissioners established under Article 6 of this Code in any city, village, or incorporated town with a population over 100,000 shall establish at least 2 permanent polling places for early voting by personal appearance. All population figures shall be determined by the federal census.

(e) During each general primary and general election, each election authority in a county with a population of over 100,000 but under 250,000 persons shall establish at least one permanent polling place for early voting by personal appearance. The location for early voting may be the election authority's main office or another location designated by the election authority. The election authority may designate additional sites for early voting by personal appearance. All population figures shall be determined by the federal census.

(f) No permanent polling place required by this Section shall be located within 1.5 miles from another permanent polling place required by this Section, unless such permanent polling place is within a municipality with a population of 500,000 or more.

(Source: P.A. 98-691, eff. 7-1-14.)

(10 ILCS 5/19A-15)
Sec. 19A-15. Period for early voting; hours.

New matter indicated by italics - deletions by strikeout
(a) The period for early voting by personal appearance begins the 40th day preceding a general primary, consolidated primary, consolidated, or general election and extends through the end of the 3rd day before election day; except that for the 2014 general election the period for early voting by personal appearance shall extend through the 2nd day before election day.

(b) Except as otherwise provided by this Section, a permanent polling place for early voting must remain open beginning the 15th day before an election through the end of the day before election day during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays, except that beginning 8 days before election day, a permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 7:00 p.m., or 9:00 a.m. to 7:00 p.m., and 9:00 a.m. to 12:00 p.m. on Saturdays and holidays, and 10:00 a.m. to 4 p.m. 12:00 p.m. to 3:00 p.m. on Sundays; except that, in addition to the hours required by this subsection, a permanent early voting polling place designated by an election authority under subsection (c), (d), and (e) of Section 19A-10 must remain open for a total of at least 8 hours on any holiday during the early voting period and a total of at least 14 hours on the final weekend during the early voting period. For the 2014 general election, a permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. on weekdays, except that beginning 8 days before election day, a permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 7:00 p.m., or 9:00 a.m. to 7:00 p.m.. For the 2014 general election, a permanent polling place for early voting shall remain open during the hours of 9:00 a.m. to 12:00 p.m. on Saturdays and 10:00 a.m. to 4:00 p.m. on Sundays; except that, in addition to the hours required by this subsection (b), a permanent early voting polling place designated by an election authority under subsection (c) of Section 19A-10 must remain open for a total of at least 14 hours on the final weekend during the early voting period.

(c) Notwithstanding subsection subsections (a) and (b), an election authority may close an early voting polling place if the building in which the polling place is located has been closed by the State or unit of local government in response to a severe weather emergency or other force majeure. In the event of a closure, the election authority shall conduct early voting on the 2nd day before election day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. The election authority shall notify the State
Board of Elections of any closure and shall make reasonable efforts to provide notice to the public of an alternative location for early voting the extended early voting period.

(d) (Blank). Notwithstanding subsections (a) and (b), in 2013 only, an election authority may close an early voting place on Good Friday, Holy Saturday, and Easter Sunday, provided that the early voting place remains open 2 hours later on April 3, 4, and 5 of 2013. The election authority shall notify the State Board of Elections of any closure and shall provide notice to the public of the closure and the extended hours during the final week.

(Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4, eff. 3-12-13; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14.)

(10 ILCS 5/19A-25)
Sec. 19A-25. Schedule of locations and times for early voting.
(a) The election authority shall publish during the week before the period for early voting and at least once each week during the period for early voting in a newspaper of general circulation in the election authority's jurisdiction a schedule stating:

(1) the location of each permanent and temporary polling place for early voting and the precincts served by each location; and

(2) the dates and hours that early voting will be conducted at each location.

(b) The election authority shall post a copy of the schedule at any office or other location that is to be used as a polling place for early voting. The schedule must be posted continuously for a period beginning not later than the 10th 5th day before the first day of the period for early voting by personal appearance and ending on the last day of that period.

(c) The election authority must make copies of the schedule available to the public in reasonable quantities without charge during the period of posting.

(d) If the election authority maintains a website, it shall make the schedule available on its website.

(e) No additional permanent polling places for early voting may be established after the schedule is published under this Section. Additional temporary locations may be established after the schedule is published, provided that the location is open to all eligible voters. The location, dates, and hours shall be reported to the State Board of Elections and posted on the election authority's website.

New matter indicated by italics - deletions by strikeout
(f) At least 10 days before the period for early voting begins, each election authority shall provide the State Board of Elections with a list of all early voting sites and the hours each site will be open.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/19A-35)

Sec. 19A-35. Procedure for voting.

(a) Not more than 23 days before the start of the election, the county clerk shall make available to the election official conducting early voting by personal appearance a sufficient number of early ballots, envelopes, and printed voting instruction slips for the use of early voters. The election official shall receipt for all ballots received and shall return unused or spoiled ballots at the close of the early voting period to the county clerk and must strictly account for all ballots received. The ballots delivered to the election official must include early ballots for each precinct in the election authority's jurisdiction and must include separate ballots for each political subdivision conducting an election of officers or a referendum at that election.

(b) In conducting early voting under this Article, the election judge or official is required to verify the signature of the early voter by comparison with the signature on the official registration card, and the judge or official must verify (i) the identity of the applicant, (ii) that the applicant is a registered voter, (iii) the precinct in which the applicant is registered, and (iv) the proper ballots of the political subdivision in which the applicant resides and is entitled to vote before providing an early ballot to the applicant. Except for during the 2014 general election, the applicant's identity must be verified by the applicant's presentation of an Illinois driver's license, a non-driver identification card issued by the Illinois Secretary of State, a photo identification card issued by a university or college, or another government-issued identification document containing the applicant's photograph. The election judge or official must verify the applicant's registration from the most recent poll list provided by the election authority, and if the applicant is not listed on that poll list, by telephoning the office of the election authority.

(b-5) A person requesting an early voting ballot to whom a vote by mail absentee ballot was issued may vote early if the person submits that vote by mail absentee ballot to the judges of election or official conducting early voting for cancellation. If the voter is unable to submit the vote by mail absentee ballot, it shall be sufficient for the voter to submit to the judges or official (i) a portion of the vote by mail absentee

New matter indicated by italics - deletions by strikeout
ballot if the vote by mail absentee ballot was torn or mutilated or (ii) an affidavit executed before the judges or official specifying that (A) the voter never received a vote by mail absentee ballot or (B) the voter completed and returned a vote by mail absentee ballot and was informed that the election authority did not receive that vote by mail absentee ballot.

(b-10) Within one day after a voter casts an early voting ballot, the election authority shall transmit the voter's name, street address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees.

(b-15) Immediately after voting an early ballot, the voter shall be instructed whether the voting equipment accepted or rejected the ballot or identified that ballot as under-voted for a statewide constitutional office. A voter whose ballot is identified as under-voted may return to the voting booth and complete the voting of that ballot. A voter whose early voting ballot is not accepted by the voting equipment may, upon surrendering the ballot, request and vote another early voting ballot. The voter's surrendered ballot shall be initialed by the election judge or official conducting the early voting and handled as provided in the appropriate Article governing the voting equipment used.

(c) The sealed early ballots in their carrier envelope shall be delivered by the election authority to the central ballot counting location before the close of the polls on the day of the election.

(10 ILCS 5/19A-75)

Sec. 19A-75. Early voting in jurisdictions using Direct Recording Electronic Voting Systems under Article 24C. Election authorities that have adopted for use Direct Recording Electronic Voting Systems under Article 24C may either use those voting systems to conduct early voting or, so long as at least one Direct Recording Electronic Voting System device is available at each early voting polling place, use whatever method the election authority uses for vote by mail absentee balloting conducted by mail; provided that no early ballots are counted before the polls close on election day.

(10 ILCS 5/20-1) (from Ch. 46, par. 20-1)
Sec. 20-1. The following words and phrases contained in this Article shall be construed as follows:

1. "Territorial limits of the United States" means each of the several States of the United States and includes the District of Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin Islands; but does not include American Samoa, the Canal Zone, the Trust Territory of the Pacific Islands or any other territory or possession of the United States.

2. "Member of the United States Service" means (a) members of the Armed Forces while on active duty and their spouses and dependents of voting age when residing with or accompanying them, (b) members of the Merchant Marine of the United States and their spouses and dependents when residing with or accompanying them and (c) United States government employees serving outside the territorial limits of the United States.

3. "Citizens of the United States temporarily residing outside the territorial limits of the United States" means civilian citizens of the United States and their spouses and dependents of voting age when residing with or accompanying them, who maintain a precinct residence in a county in this State and whose intent to return may be ascertained.

4. "Non-Resident Civilian Citizens" means civilian citizens of the United States (a) who reside outside the territorial limits of the United States, (b) who had maintained a precinct residence in a county in this State immediately prior to their departure from the United States, (c) who do not maintain a residence and are not registered to vote in any other State, and (d) whose intent to return to this State may be uncertain.

5. "Official postcard" means the postcard application for registration to vote or for a vote by mail an absentee ballot in the form provided in Section 204(c) of the Federal Voting Rights Act of 1955, as amended (42 U.S.C. 1973cc-14(c)).

6. "Federal office" means the offices of President and Vice-President of the United States, United States Senator, Representative in Congress, delegates and alternate delegates to the national nominating conventions and candidates for the Presidential Preference Primary.

7. "Federal election" means any general, primary or special election at which candidates are nominated or elected to Federal office.

8. "Dependent", for purposes of this Article, shall mean a father, mother, brother, sister, son or daughter.

9. "Electronic transmission" includes, but is not limited to, transmission by electronic mail or the Internet.
Sec. 20-2. Any member of the United States Service, otherwise qualified to vote, who expects in the course of his duties to be absent from the county in which he resides on the day of holding any election may make application for a vote by mail absentee ballot to the election authority having jurisdiction over his precinct of residence on the official postcard or on a form furnished by the election authority as prescribed by Section 20-3 of this Article not less than 10 days before the election. A request pursuant to this Section shall entitle the applicant to a vote by mail absentee ballot for every election in one calendar year. The original application for ballot shall be kept in the office of the election authority for one year as authorization to send a ballot to the voter for each election to be held within that calendar year. A certified copy of such application for ballot shall be sent each election with the vote by mail absentee ballot to the election authority's central ballot counting location to be used in lieu of the original application for ballot. No registration shall be required in order to vote pursuant to this Section.

Ballots under this Section shall be mailed by the election authority in the manner prescribed by Section 20-5 of this Article and not otherwise. Ballots voted under this Section must be returned postmarked no later than midnight preceding election day and received for counting at the central ballot counting location of the election authority during the period for counting provisional ballots, the last day of which is the 14th day following election day.

Sec. 20-2.1. Citizens of the United States temporarily residing outside the territorial limits of the United States who are not registered but otherwise qualified to vote and who expect to be absent from their county of residence during the periods of voter registration provided for in Articles 4, 5 or 6 of this Code and on the day of holding any election, may make simultaneous application to the election authority having jurisdiction over their precinct of residence for an absentee registration by mail and vote by mail absentee ballot not less than 30 days before the election. Such application may be made on the official postcard or on a form furnished by the election authority as prescribed by Section 20-3 of this Article or by facsimile or electronic transmission. A request pursuant to this Section shall entitle the applicant to a vote by mail absentee ballot for every election in one calendar year.
election in one calendar year. The original application for ballot shall be kept in the office of the election authority for one year as authorization to send a ballot to the voter for each election to be held within that calendar year. A certified copy of such application for ballot shall be sent each election with the vote by mail absentee ballot to the election authority's central ballot counting location to be used in lieu of the original application for ballot.

Registration shall be required in order to vote pursuant to this Section. However, if the election authority receives one of such applications after 30 days but not less than 10 days before a Federal election, said applicant shall be sent a ballot containing the Federal offices only and registration for that election shall be waived.

Ballots under this Section shall be delivered by the election authority in the manner prescribed by Section 20-5 of this Article in person, by mail, or, if requested by the applicant and the election authority has the capability, by facsimile transmission or by electronic transmission.

Ballots voted under this Section must be returned postmarked no later than midnight preceding election day and received for counting at the central ballot counting location of the election authority during the period for counting provisional ballots, the last day of which is the 14th day following election day.

(Source: P.A. 96-312, eff. 1-1-10; 96-1004, eff. 1-1-11.)

(10 ILCS 5/20-2.2) (from Ch. 46, par. 20-2.2)

Sec. 20-2.2. Any non-resident civilian citizen, otherwise qualified to vote, may make application to the election authority having jurisdiction over his precinct of former residence for a vote by mail absentee ballot containing the Federal offices only not less than 10 days before a Federal election. Such application may be made on the official postcard or by facsimile or electronic transmission. A request pursuant to this Section shall entitle the applicant to a vote by mail absentee ballot for every election in one calendar year at which Federal offices are filled. The original application for ballot shall be kept in the office of the election authority for one year as authorization to send a ballot to the voter for each election to be held within that calendar year at which Federal offices are filled. A certified copy of such application for ballot shall be sent each election with the vote by mail absentee ballot to the election authority's central ballot counting location to be used in lieu of the original application for ballot. No registration shall be required in order to vote pursuant to this Section. Ballots under this Section shall be delivered by
the election authority in the manner prescribed by Section 20-5 of this Article in person, by mail, or, if requested by the applicant and the election authority has the capability, by facsimile transmission or by electronic transmission. Ballots voted under this Section must be returned postmarked no later than midnight preceding election day and received for counting at the central ballot counting location of the election authority during the period for counting provisional ballots, the last day of which is the 14th day following election day.

(Source: P.A. 96-312, eff. 1-1-10; 96-1004, eff. 1-1-11.)

(10 ILCS 5/20-2.3) (from Ch. 46, par. 20-2.3)

Sec. 20-2.3. Members of the Armed Forces and their spouses and dependents. Any member of the United States Armed Forces while on active duty, and his or her spouse and dependents, otherwise qualified to vote, who expects in the course of his or her duties to be absent from the county in which he or she resides on the day of holding any election, in addition to any other method of making application for an absentee ballot under this Article, may make application for a vote by mail absentee ballot to the election authority having jurisdiction over his or her precinct of residence by a facsimile machine or electronic transmission not less than 10 days before the election.

Ballots under this Section shall be delivered by the election authority in the manner prescribed by Section 20-5 of this Article in person, by mail, or, if requested by the applicant and the election authority has the capability, by facsimile transmission or by electronic transmission. Ballots voted under this Section must be returned postmarked no later than midnight preceding election day and received for counting at the central ballot counting location of the election authority during the period for counting provisional ballots, the last day of which is the 14th day following election day.

(Source: P.A. 96-312, eff. 1-1-10; 96-512, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1004, eff. 1-1-11.)

(10 ILCS 5/20-3) (from Ch. 46, par. 20-3)

Sec. 20-3. The election authority shall furnish the following applications for absentee registration by mail or vote by mail absentee ballot which shall be considered a method of application in lieu of the official postcard.

1. Members of the United States Service, citizens of the United States temporarily residing outside the territorial limits of the United States, and certified program participants under the Address

New matter indicated by italics - deletions by strikeout
Confidentiality for Victims of Domestic Violence Act may make application within the periods prescribed in Sections 20-2 or 20-2.1, as the case may be. Such application shall be substantially in the following form:

"APPLICATION FOR BALLOT

To be voted at the............ election in the precinct in which is located my residence at............... in the city/village/township of ............(insert home address) County of........... and State of Illinois.

I state that I am a citizen of the United States; that on (insert date of election) I shall have resided in the State of Illinois and in the election precinct for 30 days; that on the above date I shall be the age of 18 years or above; that I am lawfully entitled to vote in such precinct at that election; that I am (check category 1, 2, or 3 below):

1. ( ) a member of the United States Service,
2. ( ) a citizen of the United States temporarily residing outside the territorial limits of the United States and that I expect to be absent from the said county of my residence on the date of holding such election, and that I will have no opportunity to vote in person on that day.
3. ( ) a certified program participant under the Address Confidentiality for Victims of Domestic Violence Act.

I hereby make application for an official ballot or ballots to be voted by me at such election if I am absent from the said county of my residence, and I agree that I shall return said ballot or ballots to the election authority postmarked no later than midnight preceding election day, for counting no later than during the period for counting provisional ballots, the last day of which is the 14th day following election day or shall destroy said ballot or ballots.

(Check below only if category 2 or 3 and not previously registered)

( ) I hereby make application to become registered as a voter and agree to return the forms and affidavits for registration to the election authority not later than 30 days before the election.

Under penalties as provided by law pursuant to Article 29 of The Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

Post office address or service address to which registration materials or ballot should be mailed

New matter indicated by italics - deletions by strikeout
If application is made for a primary election ballot, such application shall designate the name of the political party with which the applicant is affiliated.

Such applications may be obtained from the election authority having jurisdiction over the person's precinct of residence.

2. A spouse or dependent of a member of the United States Service, said spouse or dependent being a registered voter in the county, may make application on behalf of said person in the office of the election authority within the periods prescribed in Section 20-2 which shall be substantially in the following form:

"APPLICATION FOR BALLOT to be voted at the........... election in the precinct in which is located the residence of the person for whom this application is made at...........(insert residence address) in the city/village/township of........ County of........ and State of Illinois.

I certify that the following named person............... (insert name of person) is a member of the United States Service.

I state that said person is a citizen of the United States; that on (insert date of election) said person shall have resided in the State of Illinois and in the election precinct for which this application is made for 30 days; that on the above date said person shall be the age of 18 years or above; that said person is lawfully entitled to vote in such precinct at that election; that said person is a member of the United States Service, and that in the course of his duties said person expects to be absent from his county of residence on the date of holding such election, and that said person will have no opportunity to vote in person on that day.

I hereby make application for an official ballot or ballots to be voted by said person at such election and said person agrees that he shall return said ballot or ballots to the election authority postmarked no later than midnight preceding election day, for counting no later than during the period for counting provisional ballots, the last day of which is the 14th day following election day, or shall destroy said ballot or ballots.

I hereby certify that I am the (mother, father, sister, brother, husband or wife) of the said elector, and that I am a registered voter in the election precinct for which this application is made. (Strike all but one that is applicable.)

Under penalties as provided by law pursuant to Article 29 of The Election Code, the undersigned certifies that the statements set forth in this application are true and correct.
If application is made for a primary election ballot, such application shall designate the name of the political party with which the person for whom application is made is affiliated.

Such applications may be obtained from the election authority having jurisdiction over the voting precinct in which the person for whom application is made is entitled to vote.

(Source: P.A. 96-312, eff. 1-1-10.)

(10 ILCS 5/20-4) (from Ch. 46, par. 20-4)

Sec. 20-4. Immediately upon the receipt of the official postcard or an application as provided in Section 20-3 within the times heretofore prescribed, the election authority shall ascertain whether or not such applicant is legally entitled to vote as requested, including verification of the applicant's signature by comparison with the signature on the official registration record card, if any. If the election authority ascertains that the applicant is lawfully entitled to vote, it shall enter the name, street address, ward and precinct number of such applicant on a list to be posted in his or its office in a place accessible to the public. Within one day after posting the name and other information of an applicant for a ballot, the election authority shall transmit that name and posted information to the State Board of Elections, which shall maintain the names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. As soon as the official ballot is prepared the election authority shall immediately deliver the same to the applicant in person, by mail, by facsimile transmission, or by electronic transmission as provided in this Article.

If any such election authority receives a second or additional application which it believes is from the same person, he or it shall submit it to the chief judge of the circuit court or any judge of that court designated by the chief judge. If the chief judge or his designate determines that the application submitted to him is a second or additional

New matter indicated by italics - deletions by strikeout
one, he shall so notify the election authority who shall disregard the second or additional application.

The election authority shall maintain a list for each election of the voters to whom it has issued *vote by mail absentee* ballots. The list shall be maintained for each precinct within the jurisdiction of the election authority. Prior to the opening of the polls on election day, the election authority shall deliver to the judges of election in each precinct the list of registered voters in that precinct to whom *vote by mail absentee* ballots have been issued.

Election authorities may transmit by facsimile or other electronic means a ballot simultaneously with transmitting an application for *vote by mail absentee* ballot; however, no such ballot shall be counted unless an application has been completed by the voter and the election authority ascertains that the applicant is lawfully entitled to vote as provided in this Section.

(Source: P.A. 96-1004, eff. 1-1-11.)

(10 ILCS 5/20-5) (from Ch. 46, par. 20-5)

Sec. 20-5. The election authority shall fold the ballot or ballots in the manner specified by the statute for folding ballots prior to their deposit in the ballot box and shall enclose such ballot in an envelope unsealed to be furnished by it, which envelope shall bear upon the face thereof the name, official title and post office address of the election authority, and upon the other side of such envelope there shall be printed a certification in substantially the following form:

"CERTIFICATION

I state that I am a resident/former resident of the ....... precinct of the city/village/township of ..........., (Designation to be made by Election Authority) or of the .... ward in the city of .......... (Designation to be made by Election Authority) residing at ................ in said city/village/township in the county of .......... and State of Illinois; that I am a

1. ( ) member of the United States Service
2. ( ) citizen of the United States temporarily residing outside the territorial limits of the United States
3. ( ) nonresident civilian citizen and desire to cast the enclosed ballot pursuant to Article 20 of The Election Code; that I am lawfully entitled to vote in such precinct at the ............ election to be held on ............

I further state that I marked the enclosed ballot in secret.

New matter indicated by italics - deletions by strikeout
Under penalties as provided by law pursuant to Article 29 of The Election Code, the undersigned certifies that the statements set forth in this certification are true and correct.

...............(Name)

...............(Service Address)"

If the ballot enclosed is to be voted at a primary election, the certification shall designate the name of the political party with which the voter is affiliated.

In addition to the above, the election authority shall provide printed slips giving full instructions regarding the manner of completing the forms and affidavits for absentee registration by mail or the manner of marking and returning the ballot in order that the same may be counted, and shall furnish one of the printed slips to each of the applicants at the same time the registration materials or ballot is delivered to him.

In addition to the above, if a ballot to be provided to an elector pursuant to this Section contains a public question described in subsection (b) of Section 28-6 and the territory concerning which the question is to be submitted is not described on the ballot due to the space limitations of such ballot, the election authority shall provide a printed copy of a notice of the public question, which shall include a description of the territory in the manner required by Section 16-7. The notice shall be furnished to the elector at the same time the ballot is delivered to the elector.

The envelope in which such registration or such ballot is mailed to the voter as well as the envelope in which the registration materials or the ballot is returned by the voter shall have printed across the face thereof two parallel horizontal red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be one and one-quarter inches from the top of the envelope, and with the words "Official Election Balloting Material-VIA AIR MAIL" between the bars. In the upper right corner of such envelope in a box, there shall be printed the words: "U.S. Postage Paid 42 USC 1973". All printing on the face of such envelopes shall be in red, including an appropriate inscription or blank in the upper left corner of return address of sender.

New matter indicated by italics - deletions by strikeout
The envelope in which the ballot is returned to the election authority may be delivered (i) by mail, postage paid, (ii) in person, by the spouse, parent, child, brother, or sister of the voter, or (iii) by a company engaged in the business of making deliveries of property and licensed as a motor carrier of property by the Illinois Commerce Commission under the Illinois Commercial Transportation Law.

Election authorities transmitting ballots by facsimile or electronic transmission shall, to the extent possible, provide those applicants with the same instructions, certification, and other materials required when sending by mail.

(Source: P.A. 96-512, eff. 1-1-10; 96-1004, eff. 1-1-11.)

(10 ILCS 5/20-6) (from Ch. 46, par. 20-6)

Sec. 20-6. Such vote by mail absent voter shall make and subscribe to the certifications provided for in the application and on the return envelope for the ballot, and such ballot or ballots shall then be folded by such voter in the manner required to be folded before depositing the same in the ballot box, and be deposited in such envelope and the envelope securely sealed. The envelope in which the ballot is returned to the election authority may be delivered (i) by mail, postage paid, (ii) in person, by the spouse, parent, child, brother, or sister of the voter, or (iii) by a company engaged in the business of making deliveries of property and licensed as a motor carrier of property by the Illinois Commerce Commission under the Illinois Commercial Transportation Law.

(Source: P.A. 96-512, eff. 1-1-10.)

(10 ILCS 5/20-7) (from Ch. 46, par. 20-7)

Sec. 20-7. Upon receipt of such vote by mail absent voter's ballot, the officer or officers above described shall forthwith enclose the same unopened, together with the application made by said vote by mail absent voter in a large or carrier envelope which shall be securely sealed and endorsed with the name and official title of such officer and the words, "This envelope contains a vote by mail an absent voter's ballot and must be opened on election day," together with the number and description of the precinct in which said ballot is to be voted, and such officer shall thereafter safely keep the same in his office until counted by him as provided in the next section.

(Source: P.A. 81-155.)

(10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

Sec. 20-8. Time and place of counting ballots.

(a) (Blank.)

New matter indicated by italics - deletions by strikeout
(b) Each vote by mail absent voter's ballot returned to an election authority, by any means authorized by this Article, and received by that election authority may be processed by the election authority beginning on the 15th day before election day before the closing of the polls on election day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted in the central ballot counting location of the election authority, but the results of the processing may not be counted until on the day of the election after 7:00 p.m., except as provided in subsections (g) and (g-5).

(c) Each vote by mail absent voter's ballot that is mailed to an election authority and postmarked no later than by the midnight preceding the opening of the polls on election day, but that is received by the election authority after the polls close on election day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the period for counting provisional ballots.

Each vote by mail absent voter's ballot that is mailed to an election authority absent a postmark, but that is received by the election authority after the polls close on election day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt, opened to inspect the date inserted on the certification, and, if the certification date is a date preceding the election day and the ballot is otherwise found to be valid under the requirements of this Section, counted at the central ballot counting location of the election authority during the period for counting provisional ballots. Absent a date on the certification, the ballot shall not be counted.

(d) Special write-in vote by mail absentee voter's blank ballots returned to an election authority, by any means authorized by this Article, and received by the election authority at any time before the closing of the polls on election day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same period provided for counting vote by mail absent voters’ ballots under subsections (b), (g), and (g-5). Special write-in vote by mail absentee voter's blank ballot that are mailed to an election authority and postmarked by midnight preceding the opening of the polls on election day, but that are received by the election authority after the polls close on election day and before the
closing of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same periods provided for counting vote by mail absentee voters' ballots under subsection (c).

(e) Except as otherwise provided in this Section, vote by mail absentee voters' ballots and special write-in vote by mail absentee voter's blank ballots received by the election authority after the closing of the polls on the day of election shall be endorsed by the person receiving the ballots with the day and hour of receipt and shall be safely kept unopened by the election authority for the period of time required for the preservation of ballots used at the election, and shall then, without being opened, be destroyed in like manner as the used ballots of that election.

(f) Counting required under this Section to begin on election day after the closing of the polls shall commence no later than 8:00 p.m. and shall be conducted by a panel or panels of election judges appointed in the manner provided by law. The counting shall continue until all vote by mail absentee voters' ballots and special write-in vote by mail absentee voter's blank ballots required to be counted on election day have been counted.

(g) The procedures set forth in Articles 17 and 18 of this Code shall apply to all ballots counted under this Section. In addition, within 2 days after a ballot subject to this Article is received, but in all cases before the close of the period for counting provisional ballots, the election judge or official shall compare the voter's signature on the certification envelope of that ballot with the signature of the voter on file in the office of the election authority. If the election judge or official determines that the 2 signatures match, and that the voter is otherwise qualified to cast a ballot under this Article, the election authority shall cast and count the ballot on election day or the day the ballot is determined to be valid, whichever is later, adding the results to the precinct in which the voter is registered. If the election judge or official determines that the signatures do not match, or that the voter is not qualified to cast a ballot under this Article, then without opening the certification envelope, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

In addition to the voter's signatures not matching, a ballot subject to this Article may be rejected by the election judge or official:

(1) if the ballot envelope is open or has been opened and resealed;

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(2) if the voter has already cast an early or grace period ballot;
(3) if the voter voted in person on election day or the voter is not a duly registered voter in the precinct; or
(4) on any other basis set forth in this Code.

If the election judge or official determines that any of these reasons apply, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

(g-5) If a ballot subject to this Article is rejected by the election judge or official for any reason, the election authority shall, within 2 days after the rejection but in all cases before the close of the period for counting provisional ballots, notify the voter that his or her ballot was rejected. The notice shall inform the voter of the reason or reasons the ballot was rejected and shall state that the voter may appear before the election authority, on or before the 14th day after the election, to show cause as to why the ballot should not be rejected. The voter may present evidence to the election authority supporting his or her contention that the ballot should be counted. The election authority shall appoint a panel of 3 election judges to review the contested ballot, application, and certification envelope, as well as any evidence submitted by the vote by mail absentee voter. No more than 2 election judges on the reviewing panel shall be of the same political party. The reviewing panel of election judges shall make a final determination as to the validity of the contested ballot. The judges' determination shall not be reviewable either administratively or judicially.

A ballot subject to this subsection that is determined to be valid shall be counted before the close of the period for counting provisional ballots.

(g-10) All ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(h) Each political party, candidate, and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned.

(10 ILCS 5/20-10) (from Ch. 46, par. 20-10)
Sec. 20-10. Pollwatchers shall be permitted to be present during the casting of the vote by mail absentee voters' ballots and the vote of any vote by mail absentee voter may be challenged for cause the same as if he
were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of such ballot; Provided, however, that if a challenge to any vote by mail absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's mailing address as stated in the certification and application for ballot.

(Source: P.A. 80-1090.)

(10 ILCS 5/20-13) (from Ch. 46, par. 20-13)

Sec. 20-13. If otherwise qualified to vote, any person not covered by Sections 20-2, 20-2.1 or 20-2.2 of this Article who is not registered to vote and who is temporarily absent from his county of residence, may make special application to the election authority having jurisdiction over his precinct of permanent residence, not less than 5 days before a presidential election, for a vote by mail absentee ballot to vote for the president and vice-president only. Such application shall be furnished by the election authority and shall be in substantially the following form:

SPECIAL VOTE BY MAIL ABSENTEE BALLOT APPLICATION (For use by non-registered Illinois residents temporarily absent from the county to vote for the president and vice-president only)

AFFIDAVIT

1. I hereby request a vote by mail absentee ballot to vote for the president and vice-president only ......... (insert date of general election)

2. I am a citizen of the United States and a permanent resident of Illinois.

3. I have maintained, and still maintain, a permanent abode in Illinois for the past .......... years at: .......... (House) .......... (Number) .......... (Street) .......... (City) .......... (Village) .......... (Town)

4. I will not be able to regularly register in person as a voter because ................. (Give reason for temporary absence such as "Student", "Temporary job transfer", etc.)

5. I was born .......... (Month) .......... (Day) .......... (Year) in ................. (State or County);

6. To be filled in only by a person who is foreign-born (If answer is "yes" in either a. or b. below, fill in appropriate information in c.):

   a. One or both of my parents were United States citizens at the time of my birth?

       ( ) YES ( ) NO

   b. My United States citizenship was derived through an act of the Congress of the United States?

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( ) YES  ( ) NO

c. The name of the court issuing papers and the date thereof upon which my United States citizenship was derived is ................ located in ........ (City) .......... (State) on ........ (Month) ........ (Day) ........ (Year)

(For persons who derived citizenship through papers issued through a parent or spouse, fill in the following)

(1) My parents or spouse's name is:
.......... (First) .......... (Middle) .......... (Last)

(2) ........ (Month) .......... (Day) .......... (Year)
is the date of my marriage or my age at which time I derived my citizenship.

7. I am not registered as a voter in any other county in the State of Illinois or in any other State.

8. I am not requesting a ballot from any other place and am not voting in any other manner in this election and I have not voted and do not intend to vote in this election at any other address. I request that you mail my ballot to the following address:

(Print name and complete mailing address)
 ........................................
 ........................................
 ........................................

9. Under penalties as provided by law pursuant to Article 29 of The Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

......................
Signature of Applicant

The procedures set forth in Sections 20-4 through 20-12 of this Article, insofar as they may be made applicable, shall be applicable to vote by mail absentee voting under this Section.
(Source: P.A. 86-875.)

(10 ILCS 5/20-13.1) (from Ch. 46, par. 20-13.1)

Sec. 20-13.1. Any person not covered by Sections 20-2, 20-2.1 or 20-2.2 of this Article who is registered to vote but who is disqualified from voting because he moved outside his election precinct during the 30 days preceding a presidential election may make special application to the election authority having jurisdiction over his precinct of former residence by mail, not more than 30 nor less than 5 days before a Federal election, or in person in the office of the election authority, not more than 30 nor less than 1 day before a Federal election, for a vote by mail absentee ballot.

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to vote for the president and vice-president only. Such application shall be furnished by the election authority and shall be in substantially the following form:

SPECIAL VOTER APPLICATION

(For use by registered Illinois voters disqualified for having moved outside their precinct on or after the 30th day preceding the election, to vote for president and vice-president only.)

1. I hereby request a ballot to vote for president and vice-president only on .......... (insert date of general election).
2. I am a citizen of the United States and my present address is: ............... (Residence Number) ........... (Street) ............... (City/Village/Township) ........... (County) ........... (State).
3. As of ........... (Month), ........... (Day), ........... (Year) I was a registered voter at ........... (Residence Number) ........... (Street) ............... (City/Village/Township).
4. I moved to my present address on ........... (Month) ........... (Day) ........... (Year).
5. I have not registered to vote from nor have I requested a ballot in any other election jurisdiction in this State or in another State.
6. (If vote by mail absentee request), I request that you mail the ballot to the following address:

   Print name and complete mailing address.

   ........................................
   ........................................
   ........................................

Under the penalties as provided by law pursuant to Article 29 of The Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

........................................
(Signature of Applicant)

7. Subscribed and sworn to before me on ........... (Month) ........... (Day) ........... (Year)

........................................
(Signature of Official Administering Oath)

The procedures set forth in Sections 20-4 through 20-12 of this Article, insofar as they may be made applicable, shall be applicable to vote by mail absentee voting under this Section.
(Source: P.A. 90-655, eff. 7-30-98.)

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Sec. 20-25. Extraordinary procedures. In the event of a deployment of the United States Armed Forces or the declaration of an emergency by the President of the United States or the Governor of Illinois, The Governor or the executive director of the State Board of Elections may modify the registration and voting procedures established by this Article or by rules adopted pursuant to this Article for the duration of the deployment or emergency in order to facilitate vote by mail absentee voting under this Article. The Governor or executive director, as the case may be, then promptly shall notify each election authority of the changes in procedures. Each election authority shall publicize the modifications and shall provide notice of the modifications to each person under its jurisdiction subject to this Article for whom the election authority has contact information.

(Source: P.A. 96-1004, eff. 1-1-11.)

Sec. 24-15. As soon as the polls are closed, the voting machine or machines shall be locked in order to prevent further voting and each machine shall be sealed against voting and tampering, with a numbered metal seal, and the number of such metal seal shall be recorded at once on the certificate provided for that purpose, and the number on the protective counter of each voting machine shall also be recorded on the certificate in the space provided for that purpose, and the number on the public counter shall be recorded in the space provided for that purpose. The counting compartment shall then be opened in the presence of all the precinct election officials and all watchers and other persons who may be lawfully within the room, giving full view of the numbers announcing the votes cast for each candidate, and the vote for and against each of the questions or other propositions. Provided, however, when a machine is equipped with a device which will automatically record the number on the registering columns for each candidate, question or proposition on the back of the machine to a paper recording sheet then the recording sheet shall be removed and the vote cast shall be announced from the recording sheet for each candidate and the vote for and against each question or proposition. When voting machines are used in an election precinct, the watchers provided by law to be present in the polling place on election day shall be permitted to make a record of the number on the metal seal with which each voting machine is sealed, and to also record the number shown on the protective counter of each voting machine, and such watchers shall also be permitted to examine the counters of the voting machines as the
totals are being announced for transcription to the return sheets or from the recording sheets and also to examine the return sheets or the recording sheets as the totals are being recorded or checked thereon. In voting machine precincts where the voting machine is not equipped with the automatic recording sheet the officer, officers board or boards charged by law to furnish the ballot labels for the voting machines shall also furnish for each election precinct in which a voting machine is to be used, at least two duplicate return sheets which shall be used by the precinct election board of such election precinct for recording the results of the election. Such return sheets shall be printed in the form of a diagram exactly corresponding, in arrangement, with the face of the voting machine, and such return sheets shall also correspond, in as far as arrangement is concerned, with the sample ballots, and each return sheet shall provide printed instructions for the exact procedure which the precinct election board shall follow when making the canvass of the results of the election, and such return sheets shall also provide the office titles, party names, candidates' names and code letters and number, arranged in the same manner as on the ballot labels, and there shall be provided a space for inserting the serial number of each voting machine, so that the totals recorded from each voting machine may be identified as being from a certain voting machine, and there shall be provided a space for recording such separate total for each candidate and constitutional amendment, or other question or proposition, from each separate voting machine, and a space for recording the total of the vote by mail and early mail and absentee vote in the same manner, so that the final total for each candidate, constitutional amendment, question or other proposition, may be totaled by adding all the figures in a column. Totals on the return sheets shall be recorded in figures only, in ink. The same authorities shall also furnish to each such election precinct suitable printed forms for use by the precinct election board, in making out the certificates provided for in this Article. Such certificates shall be made a part of the return sheets if practicable, or may be on separate sheets.

(Source: Laws 1961, p. 2492.)

(10 ILCS 5/24-16) (from Ch. 46, par. 24-16)

Sec. 24-16. The precinct election officers shall then ascertain the number of votes which the candidates received both on the machine or machines, and by the voting of irregular ballots, if any. Except when the machine is equipped with a device which will automatically record the registering column on the back of the machine to sheets of paper giving

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the accurate vote cast for each candidate. Two precinct election officials, not members of the same political party, shall write the totals in figures, in ink, for such candidate on the duplicate return sheets provided for that purpose, while one election officer announces in a distinct voice the total vote cast for each candidate thus ascertained in the order of the offices as their titles are arranged on the ballot label, and the remaining precinct election official or officials, if any, shall be stationed at the counter compartment of the voting machine being canvassed and shall watch each total as it is being called out from the registering counters. Each precinct election official who is recording the totals on the return sheets shall distinctly repeat each total as it is announced from the counter of the voting machine. The totals of each machine for each candidate shall be recorded on the return sheets in such a manner that they may be identified by the serial number of the voting machine. The vote both for and against each question or other proposition shall also be announced and recorded in the same manner as the vote for the candidates. When the machine is equipped with a device which will automatically record the registering column on the back of the machine to recording sheets of paper giving the accurate vote cast for each candidate then the totals cast for each candidate or each question or proposition shall be called out the same as if they were being read from the Counter Compartment of the voting machine, provided however the paper recording sheet shall constitute the return sheet for the precinct or consolidated area and no return sheets shall be required. When more than one voting machine is used in the same election precinct, the canvass of the first machine shall be completed before the second and so on. When the canvass of all totals shall have been completed, the precinct election board shall canvass all vote by mail absentee ballots in the same manner provided by law for canvassing paper ballots. The totals of the vote by mail absentee votes for each candidate and for each question or other proposition shall be recorded on the return sheets under the totals from the voting machines and the final total of the votes received by each candidate, and each constitutional amendment, question or other proposition, shall be ascertained and recorded in the space provided for that purpose on the return sheets. Upon the completion of the canvass as hereinbefore provided, one of the precinct election officials shall, in a loud and distinct voice announce the total votes received by each candidate, and the total votes cast both for and against each constitutional amendment, question or other proposition, and such proclamation shall be made slowly enough so as to enable anyone desiring

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to do so, to record each such result as it is announced. Except where a
testing machine is equipped with an automatic recording sheet when the
proclamation is completed, the election official who announced the totals
from the counters of the machine or machines, shall take his place at one
of the return sheets and one of the election officials of the opposite party
who has completed the recording of the returns on the return sheets shall
take his place at the counter compartment of the voting machine first
cannass, and he shall then proceed to announce each total on each
registering counter in the same manner as it was done for the first canvass.
Before the recheck of the voting machine is begun, the two precinct
election officials who are to recheck the totals on the return sheets shall
exchange return sheets and each election official shall then, as the canvass
proceeds, check each total as it is announced from the registering counters
of the voting machine or machines for the second time. As each total is
announced each precinct election official who is checking the totals on the
return sheets shall repeat in a loud and distinct voice each total as it is
announced. If any errors in the original canvass are discovered they shall
be corrected at once in the presence of all the precinct election officials
and a certificate shall be prepared and signed by each such election
official, setting forth which errors were discovered and what corrections
were made, and such certificate shall be made in duplicate and one filed
with each return sheet. During the process of rechecking each total on the
machines, the precinct election official or officials, if any, who at the
original canvass acted as watcher or watchers at the registering counters
of the machines, shall in the same manner verify the accuracy of each total as
it is announced from the machine or machines and is repeated by the two
precinct election officials who are rechecking the totals as written on the
return sheets. When this recheck is completed the entire precinct election
board shall take one of the return sheets and fold it in accordion pleats
approximately ten inches wide with the face of the return sheet out, in such
a manner that each pleat can easily be turned as the final recheck proceeds.
The entire precinct election board shall then begin at the voting machine
first canass and each such election official shall, simultaneously with
the other such election officials, and in the presence of each other,
examine each registering counter on the voting machine, and immediately
examine the corresponding record for that counter, as it is written on the
return sheet, and shall satisfy himself that both numbers are the same.
Each total on each voting machine shall be as examined and when such
examination has been completed, the entire precinct election board shall

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then compare each total on such return sheet with the corresponding total on the duplicate return sheet and each precinct election official shall satisfy himself that all totals are the same on both return sheets. Each precinct election official shall sign a certificate stating that each step in the canvass of the voting machines, as provided herein, has been carefully and faithfully carried out in every detail. If any errors are discovered during the final recheck of the registering counters and comparison of the duplicate return sheets, such errors shall be corrected at once, and each precinct election official shall sign a certificate stating which errors were found and what corrections were made and such corrections shall be made in the presence of all the precinct election officials. The precinct election board shall then canvass the irregular ballot in substantially the same manner as the law provides for canvassing the returns for paper ballots, and shall record the results thereof on the return sheets in the space provided for that purpose. Before leaving the room and before closing and locking the counting compartment, each precinct election official shall make and sign the certificate and written statements and the return sheets of such election as provided by law. In precincts where the voting machines are equipped with the automatic recording sheet and two or more machines the total vote cast for each candidate, question or proposition from each machine shall be recorded separately on the statement of votes as provided for in Section 18-14, and the grand total of all votes appearing on the recording sheets shall be recorded on the statement of votes and proclaimed by the judges in the same manner as is herein provided for proclamation of votes from the return sheets. All vote by mail absentee ballots and irregular ballots of each voting machine shall be returned to the proper officer together with the return sheets and certificates and supplies and such vote by mail absentee ballots and irregular machine ballots shall be preserved and finally destroyed as is now provided by law when paper ballots are used. The written statements or returns so made, after having been properly signed, shall be distinctly and clearly read in the hearing of all persons present in the polling place, and ample opportunity shall be given to compare the results so certified with the counter dials of the machine. After such comparison and correction, if any is made, the precinct election officials shall then close the counting compartment and lock the same. Thereafter the voting machine shall remain locked and sealed against voting for a period of at least 30 days, after the results of the election have been declared, unless otherwise ordered by the circuit court: provided, however, upon application to the circuit court, the circuit judge may order

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the said machines opened prior to the thirty day period herein required to be closed. The circuit court in its order shall specify the manner in which the count recorded on the machines shall be taken and preserved: provided, however, when the machines are equipped with any recording or photographic device on which votes registered on the mechanical counters will be separately recorded or photographed, as provided in Section 24-18 hereof, and it is necessary to use said machines at an election occurring within said 30 days, then after the machines have remained locked for a period of 48 hours they may be prepared for such subsequent election as herein provided. Whenever it is necessary to reset the machines for another election prior to the time limit for the filing of election contests, it shall be the duty of the proper officials to make a photographic record of the machines involved to be used in case of an election contest, whereupon the machines may be set back to zero and arranged for the next election.

(Source: P.A. 80-704.)

(10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

Sec. 24A-6. The ballot information, whether placed on the ballot or on the marking device, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that such information may be in vertical or horizontal rows, or in a number of separate pages. Ballots for all questions or propositions to be voted on must be provided in the same manner and must be arranged on or in the marking device or on the ballot sheet in the places provided for such purposes.

When an electronic voting system utilizes a ballot label booklet and ballot card, ballots for candidates, ballots calling for a constitutional convention, constitutional amendment ballots, judicial retention ballots, public measures, and all propositions to be voted upon may be placed on the electronic voting device by providing in the ballot booklet separate ballot label pages or series of pages distinguished by differing colors as provided below. When an electronic voting system utilizes a ballot sheet, ballots calling for a constitutional convention, constitutional amendment ballots and judicial retention ballots shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot which shall be printed in ink of a color distinct from the color of ink used in printing any other portion of the ballot sheet. Ballots for candidates, public measures and all other propositions to be voted upon shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot. Whenever a person has submitted a declaration of intent to be a write-in candidate as required in Sections 17-
16.1 and 18-9.1, a line on which the name of a candidate may be written by the voter shall be printed below the name of the last candidate nominated for such office, and immediately to the left of such line an area shall be provided for marking a vote for such write-in candidate. The number of write-in lines for an office shall equal the number of persons who have filed declarations of intent to be write-in candidates plus an additional line or lines for write-in candidates who qualify to file declarations to be write-in candidates under Sections 17-16.1 and 18-9.1 when the certification of ballot contains the words "OBJECTION PENDING" next to the name of the candidate, up to the number of candidates for which a voter may vote. More than one amendment to the constitution may be placed on the same ballot page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for constitutional conventions or constitutional amendments shall be on paper of blue color and shall precede all other ballot label pages in the ballot label booklet. More than one public measure or proposition may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. More than one proposition for retention of judges in office may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for candidates shall be on paper of white color, except that in primary elections the ballot label page or pages for the candidates of each respective political party shall be of the color designated by the election official in charge of the election for that political party's candidates; provided that the ballot label pages or pages for candidates for use at the nonpartisan and consolidated elections may be on paper of different colors, except blue, whenever necessary or desirable to facilitate distinguishing between the pages for different political subdivisions. On each page of the candidate booklet, where the election is made to list ballot information vertically, the party affiliation of each candidate or the word "independent" shall appear immediately to the left of the candidate's name, and the name of candidates for the same office shall be listed vertically under the title of that office. If no candidate or candidates file for an office and if no person or persons file a declaration as a write-in candidate for that office, then below the title of that office the election authority instead shall print "No Candidate". In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of such nonpartisan candidates shall not

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include any party or "independent" designation. Ballot label pages for judicial retention ballots shall be on paper of green color, and ballot label pages for all public measures and other propositions shall be on paper of some other distinct and different color. In primary elections, a separate ballot label booklet, marking device and voting booth shall be used for each political party holding a primary, with the ballot label booklet arranged to include ballot label pages of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election. One ballot card may be used for recording the voter's vote or choice on all such ballots, proposals, public measures or propositions, and such ballot card shall be arranged so as to record the voter's vote or choice in a separate column or columns for each such kind of ballot, proposal, public measure or proposition.

If the ballot label booklet includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the pages by protruding tabs identifying the division of the pages, and printing on such tabs "Candidates" and "Propositions".

The ballot card and all of its columns and the ballot card envelope shall be of the color prescribed for candidate's ballots at the general or primary election, whichever is being held. At an election where no candidates are being nominated or elected, the ballot card, its columns, and the ballot card envelope shall be of a color designated by the election official in charge of the election.

The ballot cards, ballot card envelopes and ballot sheets may, at the discretion of the election authority, be printed on white paper and then striped with the appropriate colors.

When ballot sheets are used, the various portions thereof shall be arranged to conform to the foregoing format.

Vote by mail Absentee ballots may consist of ballot cards, envelopes, paper ballots, or ballot sheets voted in person in the office of the election official in charge of the election or voted by mail. Where a ballot card is used for voting by mail it must be accompanied by a punching tool or other appropriate marking device, voter instructions and a specimen ballot showing the proper positions to vote on the ballot card or ballot sheet for each party, candidate, proposal, public measure or proposition, and in the case of a ballot card must be mounted on a suitable material to receive the punched out chip.

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Any voter who spoils his ballot or makes an error may return the ballot to the judges of election and secure another. However, the protruding identifying tab for proposals for a constitutional convention or constitutional amendments shall have printed thereon "Constitutional Ballot", and the ballot label page or pages for such proposals shall precede the ballot label pages for candidates in the ballot label booklet.

(Source: P.A. 95-699, eff. 11-9-07; 95-862, eff. 8-19-08.)

(10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)

Sec. 24A-10. (1) In an election jurisdiction which has adopted an electronic voting system, the election official in charge of the election shall select one of the 3 following procedures for receiving, counting, tallying, and return of the ballots:

(a) Two ballot boxes shall be provided for each polling place. The first ballot box is for the depositing of votes cast on the electronic voting system; and the second ballot box is for all votes cast on paper ballots, including any paper ballots required to be voted other than on the electronic voting system. Ballots deposited in the second ballot box shall be counted, tallied, and returned as is elsewhere provided in "The Election Code," as amended, for the counting and handling of paper ballots. Immediately after the closing of the polls, the judges of election shall make out a slip indicating the number of persons who voted in the precinct at the election. Such slip shall be signed by all the judges of election and shall be inserted by them in the first ballot box. The judges of election shall thereupon immediately lock each ballot box; provided, that if such box is not of a type which may be securely locked, such box shall be sealed with filament tape provided for such purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way, and in such manner that the seal completely covers the slot in the ballot box, and each of the judges shall sign such seal. Thereupon two of the judges of election, of different political parties, shall forthwith and by the most direct route transport both ballot boxes to the counting location designated by the county clerk or board of election commissioners.

Before the ballots of a precinct are fed to the electronic tabulating equipment, the first ballot box shall be opened at the central counting station by the two precinct transport judges. Upon opening a ballot box, such team shall first count the number of ballots in the box. If 2 or more are folded together so as to appear to have been cast by the same person, all of the ballots so folded together shall be marked and returned with the other ballots in the same condition, as near as may be, in which they were

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found when first opened, but shall not be counted. If the remaining ballots
are found to exceed the number of persons voting in the precinct as shown
by the slip signed by the judges of election, the ballots shall be replaced in
the box, and the box closed and well shaken and again opened and one of
the precinct transport judges shall publicly draw out so many ballots
unopened as are equal to such excess.

Such excess ballots shall be marked "Excess-Not Counted" and
signed by the two precinct transport judges and shall be placed in the
"After 7:00 p.m. Defective Ballots Envelope". The number of excess
ballots shall be noted in the remarks section of the Certificate of Results.
"Excess" ballots shall not be counted in the total of "defective" ballots.

The precinct transport judges shall then examine the remaining
ballots for write-in votes and shall count and tabulate the write-in vote; or

(b) A single ballot box, for the deposit of all votes cast, shall be
used. All ballots which are not to be tabulated on the electronic voting
system shall be counted, tallied, and returned as elsewhere provided in
"The Election Code," as amended, for the counting and handling of paper
ballots.

All ballots to be processed and tabulated with the electronic voting
system shall be processed as follows:

Immediately after the closing of the polls, the precinct judges of
election then shall open the ballot box and canvass the votes polled to
determine that the number of ballots therein agree with the number of
voters voting as shown by the applications for ballot or if the same do not
agree the judges of election shall make such ballots agree with the
applications for ballot in the manner provided by Section 17-18 of "The
Election Code." The judges of election shall then examine all ballot cards
and ballot card envelopes which are in the ballot box to determine whether
the ballot cards and ballot card envelopes bear the initials of a precinct
judge of election. If any ballot card or ballot card envelope is not initialed,
it shall be marked on the back "Defective," initialed as to such label by all
judges immediately under such word "Defective," and not counted, but
placed in the envelope provided for that purpose labeled "Defective
Ballots Envelope."

When an electronic voting system is used which utilizes a ballot
card, before separating the ballot cards from their respective covering
envelopes, the judges of election shall examine the ballot card envelopes
for write-in votes. When the voter has voted a write-in vote, the judges of
election shall compare the write-in vote with the votes on the ballot card to

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determine whether such write-in results in an overvote for any office. In case of an overvote for any office, the judges of election, consisting in each case of at least one judge of election of each of the two major political parties, shall make a true duplicate ballot of all votes on such ballot card except for the office which is overvoted, by using the ballot label booklet of the precinct and one of the marking devices of the precinct so as to transfer all votes of the voter except for the office overvoted, to an official ballot card of that kind used in the precinct at that election. The original ballot card and envelope upon which there is an overvote shall be clearly labeled "Overvoted Ballot", and each shall bear the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the "Duplicate Overvoted Ballot" ballot cards and shall place them in the box for return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be placed in the "Duplicate Ballots" envelope. Envelopes bearing write-in votes marked in the place designated therefor and bearing the initials of a precinct judge of election and not resulting in an overvote and otherwise complying with the election laws as to marking shall be counted, tallied, and their votes recorded on a tally sheet provided by the election official in charge of the election. The ballot cards and ballot card envelopes shall be separated and all except any defective or overvoted shall be placed separately in the box for return of the ballots. The judges of election shall examine the ballots and ballot cards to determine if any is damaged or defective so that it cannot be counted by the automatic tabulating equipment. If any ballot or ballot card is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, the judges of election, consisting in each case of at least one judge of election of each of the two major political parties, shall make a true duplicate ballot of all votes on such ballot card by using the ballot label booklet of the precinct and one of the marking devices of the precinct. The original ballot or ballot card and envelope shall be clearly labeled "Damaged Ballot" and the ballot or ballot card so produced "Duplicate Damaged Ballot," and each shall bear the same number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in the precinct. The judges of election shall initial the "Duplicate Damaged Ballot" ballot or ballot cards, and shall place them in the box for return of the ballots. The "Damaged Ballot" ballots or ballot cards and their envelopes shall be placed in the "Duplicate Ballots" envelope.
envelopes shall be placed in the "Duplicated Ballots" envelope. A slip indicating the number of voters voting in person shall be made out, signed by all judges of election, and inserted in the box for return of the ballots. The tally sheets recording the write-in votes shall be placed in this box. The judges of election thereupon immediately shall securely lock the ballot box or other suitable box furnished for return of the ballots by the election official in charge of the election; provided that if such box is not of a type which may be securely locked, such box shall be sealed with filament tape provided for such purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way. A separate adhesive seal label signed by each of the judges of election of the precinct shall be affixed to the box so as to cover any slot therein and to identify the box of the precinct; and if such box is sealed with filament tape as provided herein rather than locked, such tape shall be wrapped around the box as provided herein, but in such manner that the separate adhesive seal label affixed to the box and signed by the judges may not be removed without breaking the filament tape and disturbing the signature of the judges. Thereupon, 2 of the judges of election, of different major political parties, forthwith shall by the most direct route transport the box for return of the ballots and enclosed ballots and returns to the central counting location designated by the election official in charge of the election. If, however, because of the lack of adequate parking facilities at the central counting location or for any other reason, it is impossible or impracticable for the boxes from all the polling places to be delivered directly to the central counting location, the election official in charge of the election may designate some other location to which the boxes shall be delivered by the 2 precinct judges. While at such other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the two major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations. As soon as possible, the boxes shall be transported from such other location to the central counting location by one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations.

The "Defective Ballots" envelope, and "Duplicated Ballots" envelope each shall be securely sealed and the flap or end thereof of each signed by the precinct judges of election and returned to the central
counting location with the box for return of the ballots, enclosed ballots and returns.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall check the box returned containing the ballots to determine that all seals are intact, and thereupon shall open the box, check the voters' slip and compare the number of ballots so delivered against the total number of voters of the precinct who voted, remove the ballots or ballot cards and deliver them to the technicians operating the automatic tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges; or

(c) A single ballot box, for the deposit of all votes cast, shall be used. Immediately after the closing of the polls, the precinct judges of election shall securely lock the ballot box; provided that if such box is not of a type which may be securely locked, such box shall be sealed with filament tape provided for such purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way. A separate adhesive seal label signed by each of the judges of election of the precinct shall be affixed to the box so as to cover any slot therein and to identify the box of the precinct; and if such box is sealed with filament tape as provided herein rather than locked, such tape shall be wrapped around the box as provided herein, but in such manner that the separate adhesive seal label affixed to the box and signed by the judges may not be removed without breaking the filament tape and disturbing the signature of the judges. Thereupon, 2 of the judges of election, of different major political parties, shall forthwith by the most direct route transport the box for return of the ballots and enclosed vote by mail absentee and early ballots and returns to the central counting location designated by the election official in charge of the election. If however, because of the lack of adequate parking facilities at the central counting location or for some other reason, it is impossible or impracticable for the boxes from all the polling places to be delivered directly to the central counting location, the election official in charge of the election may designate some other location to which the boxes shall be delivered by the 2 precinct judges. While at such other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the two major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party.

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organizations. As soon as possible, the boxes shall be transported from such other location to the central counting location by one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for such purpose by the election official in charge of the election from recommendations by the appropriate political party organizations.

At the central counting location there shall be one or more teams of tally judges who possess the same qualifications as tally judges in election jurisdictions using paper ballots. The number of such teams shall be determined by the election authority. Each team shall consist of 5 tally judges, 3 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the majority of members on the county board and 2 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the second largest number of members on the county board. At the central counting location a team of tally judges shall open the ballot box and canvass the votes polled to determine that the number of ballot sheets therein agree with the number of voters voting as shown by the applications for ballot; and, if the same do not agree, the tally judges shall make such ballots agree with the number of applications for ballot in the manner provided by Section 17-18 of the Election Code. The tally judges shall then examine all ballot sheets which are in the ballot box to determine whether they bear the initials of the precinct judge of election. If any ballot is not initialed, it shall be marked on the back "Defective", initialed as to such label by all tally judges immediately under such word "Defective", and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope". An overvote for one office shall invalidate only the vote or count of that particular office.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall deliver the ballot sheets to the technicians operating the automatic tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges.

(2) Regardless of which procedure described in subsection (1) of this Section is used, the judges of election designated to transport the ballots, properly signed and sealed as provided herein, shall ensure that the ballots are delivered to the central counting station no later than 12 hours

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after the polls close. At the central counting station a team of tally judges designated by the election official in charge of the election shall examine the ballots so transported and shall not accept ballots for tabulating which are not signed and sealed as provided in subsection (1) of this Section until the judges transporting the same make and sign the necessary corrections. Upon acceptance of the ballots by a team of tally judges at the central counting station, the election judges transporting the same shall take a receipt signed by the election official in charge of the election and stamped with the date and time of acceptance. The election judges whose duty it is to transport any ballots shall, in the event such ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided.

(Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

(10 ILCS 5/24A-15.1) (from Ch. 46, par. 24A-15.1)

Sec. 24A-15.1. Except as herein provided, discovery recounts and election contests shall be conducted as otherwise provided for in "The Election Code", as amended. The automatic tabulating equipment shall be tested prior to the discovery recount or election contest as provided in Section 24A-9, and then the official ballots or ballot cards shall be recounted on the automatic tabulating equipment. In addition, (1) the ballot or ballot cards shall be checked for the presence or absence of judges' initials and other distinguishing marks, and (2) the ballots marked "Rejected", "Defective", Objected to", "Vote by Mail Absentee Ballot", and "Early Ballot" shall be examined to determine the propriety of the labels, and (3) the "Duplicate Vote by Mail Absentee Ballots", "Duplicate Early Ballots", "Duplicate Overvoted Ballots" and "Duplicate Damaged Ballots" shall be compared with their respective originals to determine the correctness of the duplicates.

Any person who has filed a petition for discovery recount may request that a redundant count be conducted in those precincts in which the discovery recount is being conducted. The additional costs of such a redundant count shall be borne by the requesting party.

The log of the computer operator and all materials retained by the election authority in relation to vote tabulation and canvass shall be made available for any discovery recount or election contest.

(Source: P.A. 98-756, eff. 7-16-14.)

(10 ILCS 5/24B-6)

Sec. 24B-6. Ballot Information; Arrangement; Electronic Precinct Tabulation Optical Scan Technology Voting System; Vote by Mail
Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or displays on the marking device. Ballots for all questions or propositions to be voted on should be provided in a similar manner and must be arranged on the ballot sheet or marking device in the places provided for such purposes. Ballots shall be of white paper unless provided otherwise by administrative rule of the State Board of Elections or otherwise specified.

All propositions, including but not limited to propositions calling for a constitutional convention, constitutional amendment, judicial retention, and public measures to be voted upon shall be placed on separate portions of the ballot sheet or marking device by utilizing borders or grey screens. Candidates shall be listed on a separate portion of the ballot sheet or marking device by utilizing borders or grey screens. Whenever a person has submitted a declaration of intent to be a write-in candidate as required in Sections 17-16.1 and 18-9.1, a line or lines on which the voter may select a write-in candidate shall be printed below the name of the last candidate nominated for such office. Such line or lines shall be proximate to an area provided for marking votes for the write-in candidate or candidates. The number of write-in lines for an office shall equal the number of persons who have filed declarations of intent to be write-in candidates plus an additional line or lines for write-in candidates who qualify to file declarations to be write-in candidates under Sections 17-16.1 and 18-9.1 when the certification of ballot contains the words "OBJECTION PENDING" next to the name of that candidate, up to the number of candidates for which a voter may vote. In the case of write-in lines for the offices of Governor and Lieutenant Governor, 2 lines shall be printed within a bracket and a single square shall be printed in front of the bracket. More than one amendment to the constitution may be placed on the same portion of the ballot sheet or marking device. Constitutional convention or constitutional amendment propositions shall be printed or displayed on a separate portion of the ballot sheet or marking device and designated by borders or grey screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public measure or proposition may be placed on the same portion of the ballot sheet or marking device. More than one proposition for retention of judges in office may be placed on the same portion of the ballot sheet or marking device. Names of candidates shall be printed in black. The party affiliation

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of each candidate or the word "independent" shall appear near or under the
candidate's name, and the names of candidates for the same office shall be
listed vertically under the title of that office, on separate pages of the
marking device, or as otherwise approved by the State Board of Elections.
If no candidate or candidates file for an office and if no person or persons
file a declaration as a write-in candidate for that office, then below the title
of that office the election authority instead shall print "No Candidate". In
the case of nonpartisan elections for officers of political subdivisions,
unless the statute or an ordinance adopted pursuant to Article VII of the
Constitution requires otherwise, the listing of nonpartisan candidates shall
not include any party or "independent" designation. Judicial retention
questions and ballot questions for all public measures and other
propositions shall be designated by borders or grey screens on the ballot or
marking device. In primary elections, a separate ballot, or displays on the
marking device, shall be used for each political party holding a primary,
with the ballot or marking device arranged to include names of the
candidates of the party and public measures and other propositions to be
voted upon on the day of the primary election.

If the ballot includes both candidates for office and public
measures or propositions to be voted on, the election official in charge of
the election shall divide the ballot or displays on the marking device in
sections for "Candidates" and "Propositions", or separate ballots may be
used.

*Vote by Mail* Absentee ballots may consist of envelopes, paper
ballots, or ballot sheets voted in person in the office of the election official

in charge of the election or voted by mail. Where a Precinct Tabulation
Optical Scan Technology ballot is used for voting by mail it must be
accompanied by voter instructions.

Any voter who spoils his or her ballot, makes an error, or has a
ballot returned by the automatic tabulating equipment may return the
ballot to the judges of election and get another ballot.

(Source: P.A. 95-699, eff. 11-9-07; 95-862, eff. 8-19-08; 96-1018, eff. 1-1-
11.)

(10 ILCS 5/24B-10)
Sec. 24B-10. Receiving, Counting, Tallying and Return of Ballots;
Acceptance of Ballots by Election Authority.

(a) In an election jurisdiction which has adopted an electronic
Precinct Tabulation Optical Scan Technology voting system, the election

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official in charge of the election shall select one of the 3 following procedures for receiving, counting, tallying, and return of the ballots:

(1) Two ballot boxes shall be provided for each polling place. The first ballot box is for the depositing of votes cast on the electronic voting system; and the second ballot box is for all votes cast on other ballots, including any paper ballots required to be voted other than on the Precinct Tabulation Optical Scan Technology electronic voting system. Ballots deposited in the second ballot box shall be counted, tallied, and returned as is elsewhere provided in this Code for the counting and handling of paper ballots. Immediately after the closing of the polls, the judges of election shall make out a slip indicating the number of persons who voted in the precinct at the election. The slip shall be signed by all the judges of election and shall be inserted by them in the first ballot box. The judges of election shall thereupon immediately lock each ballot box; provided, that if the box is not of a type which may be securely locked, the box shall be sealed with filament tape provided for the purpose that shall be wrapped around the box lengthwise and crosswise, at least twice each way, and in a manner that the seal completely covers the slot in the ballot box, and each of the judges shall sign the seal. Two of the judges of election, of different political parties, shall by the most direct route transport both ballot boxes to the counting location designated by the county clerk or board of election commissioners.

Before the ballots of a precinct are fed to the electronic Precinct Tabulation Optical Scan Technology tabulating equipment, the first ballot box shall be opened at the central counting station by the 2 precinct transport judges. Upon opening a ballot box, the team shall first count the number of ballots in the box. If 2 or more are folded together to appear to have been cast by the same person, all of the ballots folded together shall be marked and returned with the other ballots in the same condition, as near as may be, in which they were found when first opened, but shall not be counted. If the remaining ballots are found to exceed the number of persons voting in the precinct as shown by the slip signed by the judges of election, the ballots shall be replaced in the box, and the box closed and well shaken and again opened and one of the precinct transport judges shall publicly draw out so many ballots unopened as are equal to the excess.

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The excess ballots shall be marked "Excess-Not Counted" and signed by the 2 precinct transport judges and shall be placed in the "After 7:00 p.m. Defective Ballots Envelope". The number of excess ballots shall be noted in the remarks section of the Certificate of Results. "Excess" ballots shall not be counted in the total of "defective" ballots.

The precinct transport judges shall then examine the remaining ballots for write-in votes and shall count and tabulate the write-in vote.

(2) A single ballot box, for the deposit of all votes cast, shall be used. All ballots which are not to be tabulated on the electronic voting system shall be counted, tallied, and returned as elsewhere provided in this Code for the counting and handling of paper ballots.

All ballots to be processed and tabulated with the electronic Precinct Tabulation Optical Scan Technology voting system shall be processed as follows:

Immediately after the closing of the polls, the precinct judges of election shall open the ballot box and canvass the votes polled to determine that the number of ballots agree with the number of voters voting as shown by the applications for ballot, or if the same do not agree the judges of election shall make such ballots agree with the applications for ballot in the manner provided by Section 17-18 of this Code.

In case of an overvote for any office, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on the ballot except for the office which is overvoted, by using the ballot of the precinct and one of the marking devices, or equivalent ballot, of the precinct to transfer all votes of the voter except for the office overvoted, to an official ballot of that kind used in the precinct at that election. The original ballot upon which there is an overvote shall be clearly labeled "Overvoted Ballot", and each shall bear the same serial number which shall be placed thereon by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the "Duplicate Overvoted Ballot" ballots and shall place them in the box for return of the ballots. The "Overvoted Ballot" ballots shall be placed in the

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"Duplicate Ballots" envelope. The ballots except any defective or overvoted ballot shall be placed separately in the box for return of the ballots. The judges of election shall examine the ballots to determine if any is damaged or defective so that it cannot be counted by the automatic tabulating equipment. If any ballot is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot by using the ballot of the precinct and one of the marking devices, or equivalent ballot, of the precinct. The original ballot and ballot envelope shall be clearly labeled "Damaged Ballot" and the ballot so produced "Duplicate Damaged Ballot", and each shall bear the same number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in the precinct. The judges of election shall initial the "Duplicate Damaged Ballot" ballot and shall place them in the box for return of the ballots. The "Damaged Ballot" ballots shall be placed in the "Duplicated Ballots" envelope. A slip indicating the number of voters voting in person and the total number of voters of the precinct who voted at the election shall be made out, signed by all judges of election, and inserted in the box for return of the ballots. The tally sheets recording the write-in votes shall be placed in this box. The judges of election immediately shall securely lock the ballot box or other suitable box furnished for return of the ballots by the election official in charge of the election; provided that if the box is not of a type which may be securely locked, the box shall be sealed with filament tape provided for the purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way. A separate adhesive seal label signed by each of the judges of election of the precinct shall be affixed to the box to cover any slot therein and to identify the box of the precinct; and if the box is sealed with filament tape as provided rather than locked, such tape shall be wrapped around the box as provided, but in such manner that the separate adhesive seal label affixed to the box and signed by the judges may not be removed without breaking the filament tape and disturbing the signature of the judges. Two of the judges of election, of different major political parties, shall by the most

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direct route transport the box for return of the ballots and enclosed ballots and returns to the central counting location designated by the election official in charge of the election. If, however, because of the lack of adequate parking facilities at the central counting location or for any other reason, it is impossible or impracticable for the boxes from all the polling places to be delivered directly to the central counting location, the election official in charge of the election may designate some other location to which the boxes shall be delivered by the 2 precinct judges. While at the other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations. As soon as possible, the boxes shall be transported from the other location to the central counting location by one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for the purpose by the election official in charge of elections from recommendations by the appropriate political party organizations.

The "Defective Ballots" envelope, and "Duplicated Ballots" envelope each shall be securely sealed and the flap or end of each envelope signed by the precinct judges of election and returned to the central counting location with the box for return of the ballots, enclosed ballots and returns.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall check the box returned containing the ballots to determine that all seals are intact, and shall open the box, check the voters' slip and compare the number of ballots so delivered against the total number of voters of the precinct who voted, remove the ballots and deliver them to the technicians operating the automatic tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges.

(3) A single ballot box, for the deposit of all votes cast, shall be used. Immediately after the closing of the polls, the precinct judges of election shall securely lock the ballot box; provided that if such box is not of a type which may be securely locked, the box shall be sealed with filament tape provided for the

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purpose which shall be wrapped around the box lengthwise and
crosswise, at least twice each way. A separate adhesive seal label
signed by each of the judges of election of the precinct shall be
affixed to the box to cover any slot therein and to identify the box
of the precinct; and if the box is sealed with filament tape as
provided rather than locked, such tape shall be wrapped around the
box as provided, but in a manner that the separate adhesive seal
label affixed to the box and signed by the judges may not be
removed without breaking the filament tape and disturbing the
signature of the judges. Two of the judges of election, of different
major political parties, shall by the most direct route transport the
box for return of the ballots and enclosed vote by mail absentee and
early ballots and returns to the central counting location designated
by the election official in charge of the election. If however,
because of the lack of adequate parking facilities at the central
counting location or for some other reason, it is impossible or
impracticable for the boxes from all the polling places to be
delivered directly to the central counting location, the election
official in charge of the election may designate some other location
to which the boxes shall be delivered by the 2 precinct judges.
While at the other location the boxes shall be in the care and
custody of one or more teams, each consisting of 4 persons, 2 from
each of the 2 major political parties, designated for the purpose by
the election official in charge of elections from recommendations
by the appropriate political party organizations. As soon as
possible, the boxes shall be transported from the other location to
the central counting location by one or more teams, each consisting
of 4 persons, 2 from each of the 2 major political parties,
designated for the purpose by the election official in charge of the
election from recommendations by the appropriate political party
organizations.

At the central counting location there shall be one or more
teams of tally judges who possess the same qualifications as tally
judges in election jurisdictions using paper ballots. The number of
the teams shall be determined by the election authority. Each team
shall consist of 5 tally judges, 3 selected and approved by the
county board from a certified list furnished by the chairman of the
county central committee of the party with the majority of
members on the county board and 2 selected and approved by the

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county board from a certified list furnished by the chairman of the county central committee of the party with the second largest number of members on the county board. At the central counting location a team of tally judges shall open the ballot box and canvass the votes polled to determine that the number of ballot sheets therein agree with the number of voters voting as shown by the applications for ballot and, if the same do not agree, the tally judges shall make such ballots agree with the number of applications for ballot in the manner provided by Section 17-18 of this Code. The tally judges shall then examine all ballot sheets that are in the ballot box to determine whether they bear the initials of the precinct judge of election. If any ballot is not initialed, it shall be marked on the back "Defective", initialed as to that label by all tally judges immediately under the word "Defective", and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope". An overvote for one office shall invalidate only the vote or count for that particular office.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall deliver the ballot sheets to the technicians operating the automatic Precinct Tabulation Optical Scan Technology tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges.

(b) Regardless of which procedure described in subsection (a) of this Section is used, the judges of election designated to transport the ballots properly signed and sealed, shall ensure that the ballots are delivered to the central counting station no later than 12 hours after the polls close. At the central counting station, a team of tally judges designated by the election official in charge of the election shall examine the ballots so transported and shall not accept ballots for tabulating which are not signed and sealed as provided in subsection (a) of this Section until the judges transporting the ballots make and sign the necessary corrections. Upon acceptance of the ballots by a team of tally judges at the central counting station, the election judges transporting the ballots shall take a receipt signed by the election official in charge of the election and stamped with the date and time of acceptance. The election judges whose duty it is to transport any ballots shall, in the event the ballots cannot be

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found when needed, on proper request, produce the receipt which they are
to take as above provided.
(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05; 94-1000, eff. 7-3-
06.)

(10 ILCS 5/24B-15.1)
Sec. 24B-15.1. Discovery recounts and election contests. Except as
provided, discovery recounts and election contests shall be conducted as
otherwise provided for in this Code. The automatic Precinct Tabulation
Optical Scan Technology tabulating equipment shall be tested prior to the
discovery recount or election contest as provided in Section 24B-9, and
then the official ballots shall be recounted on the automatic tabulating
equipment. In addition, (a) the ballots shall be checked for the presence or
absence of judges' initials and other distinguishing marks, and (b) the
ballots marked "Rejected", "Defective", "Objected To", "Early Ballot", and
"Vote by Mail Absentee Ballot" shall be examined to determine the
propriety of the labels, and (c) the "Duplicate Vote by Mail Absentee
Ballots", "Duplicate Overvoted Ballots", "Duplicate Early Ballot", and
"Duplicate Damaged Ballots" shall be compared with their respective
originals to determine the correctness of the duplicates.

Any person who has filed a petition for discovery recount may
request that a redundant count be conducted in those precincts in which the
discovery recount is being conducted. The additional costs of a redundant
count shall be borne by the requesting party.

The log of the computer operator and all materials retained by the
election authority in relation to vote tabulation and canvass shall be made
available for any discovery recount or election contest.
(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/24C-1)
Sec. 24C-1. Purpose. The purpose of this Article is to authorize the
use of Direct Recording Electronic Voting Systems approved by the State
Board of Elections. In a Direct Recording Electronic Voting System,
voters cast votes by means of a ballot display provided with mechanical or
electro-optical devices that can be activated by the voters to mark their
choices for the candidates of their preference and for or against public
questions. Such voting devices shall be capable of instantaneously
recording such votes, storing such votes, producing a permanent paper
record and tabulating such votes at the precinct or at one or more counting
stations. This Article authorizes the use of Direct Recording Electronic
Voting Systems for in-precinct counting applications and for early in-

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person absentee voting in the office of the election authority and in the offices of local officials authorized by the election authority to conduct such early absentee voting. All other early absentee ballots must be counted at the office of the election authority.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24C-6)

Sec. 24C-6. Ballot Information; Arrangement; Direct Recording Electronic Voting System; Vote by Mail Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or display screens.

Ballots for all public questions to be voted on should be provided in a similar manner and must be arranged on the ballot in the places provided for such purposes. All public questions, including but not limited to public questions calling for a constitutional convention, constitutional amendment, or judicial retention, shall be placed on the ballot separate and apart from candidates. Ballots for all public questions shall be clearly designated by borders or different color screens. More than one amendment to the constitution may be placed on the same portion of the ballot sheet. Constitutional convention or constitutional amendment propositions shall be placed on a separate portion of the ballot and designated by borders or unique color screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public question may be placed on the same portion of the ballot. More than one proposition for retention of judges in office may be placed on the same portion of the ballot.

The party affiliation, if any, of each candidate or the word "independent", where applicable, shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. If no candidate or candidates file for an office and if no person or persons file a declaration as a write-in candidate for that office, then below the title of that office the election authority shall print "No Candidate". In primary elections, a separate ballot shall be used for each political party holding a primary, with the ballot arranged to

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include names of the candidates of the party and public questions and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public questions or propositions to be voted on, the election official in charge of the election shall divide the ballot in sections for "Candidates" and "Public Questions", or separate ballots may be used.

Any voter who spoils his or her ballot, makes an error, or has a ballot rejected by the automatic tabulating equipment shall be provided a means of correcting the ballot or obtaining a new ballot prior to casting his or her ballot.

Any election authority using a Direct Recording Electronic Voting System may use voting systems approved for use under Articles 24A or 24B of this Code in conducting vote by mail or early absentee voting in the office of the election authority or voted by mail.

(Source: P.A. 95-862, eff. 8-19-08.)

(10 ILCS 5/24C-11)

Sec. 24C-11. Functional requirements. A Direct Recording Electronic Voting System shall, in addition to satisfying the other requirements of this Article, fulfill the following functional requirements:

(a) Provide a voter in a primary election with the means of casting a ballot containing votes for any and all candidates of the party or parties of his or her choice, and for any and all non-partisan candidates and public questions and preclude the voter from voting for any candidate of any other political party except when legally permitted. In a general election, the system shall provide the voter with means of selecting the appropriate number of candidates for any office, and of voting on any public question on the ballot to which he or she is entitled to vote.

(b) If a voter is not entitled to vote for particular candidates or public questions appearing on the ballot, the system shall prevent the selection of the prohibited votes.

(c) Once the proper ballot has been selected, the system devices shall provide a means of enabling the recording of votes and the casting of said ballot.

(d) System voting devices shall provide voting choices that are clear to the voter and labels indicating the names of every candidate and the text of every public question on the voter's ballot. Each label shall identify the selection button or switch, or the active area of the ballot associated with it. The system shall be able to incorporate minimal, easy-to-follow on-screen instruction for the voter on how to cast a ballot.

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(e) Voting devices shall (i) enable the voter to vote for any and all candidates and public questions appearing on the ballot for which the voter is lawfully entitled to vote, in any legal number and combination; (ii) detect and reject all votes for an office or upon a public question when the voter has cast more votes for the office or upon the public question than the voter is entitled to cast; (iii) notify the voter if the voter’s choices as recorded on the ballot for an office or public question are fewer than or exceed the number that the voter is entitled to vote for on that office or public question and the effect of casting more or fewer votes than legally permitted; (iv) notify the voter if the voter has failed to completely cast a vote for an office or public question appearing on the ballot; and (v) permit the voter, in a private and independent manner, to verify the votes selected by the voter, to change the ballot or to correct any error on the ballot before the ballot is completely cast and counted. A means shall be provided to indicate each selection after it has been made or canceled.

(f) System voting devices shall provide a means for the voter to signify that the selection of candidates and public questions has been completed. Upon activation, the system shall record an image of the completed ballot, increment the proper ballot position registers, and shall signify to the voter that the ballot has been cast. The system shall then prevent any further attempt to vote until it has been reset or re-enabled by a judge of election.

(g) Each system voting device shall be equipped with a public counter that can be set to zero prior to the opening of the polling place, and that records the number of ballots cast at a particular election. The counter shall be incremented only by the casting of a ballot. The counter shall be designed to prevent disabling or resetting by other than authorized persons after the polls close. The counter shall be visible to all judges of election so long as the device is installed at the polling place.

(h) Each system voting device shall be equipped with a protective counter that records all of the testing and election ballots cast since the unit was built. This counter shall be designed so that its reading cannot be changed by any cause other than the casting of a ballot. The protective counter shall be incapable of ever being reset and it shall be visible at all times when the device is configured for testing, maintenance, or election use.

(i) All system devices shall provide a means of preventing further voting once the polling place has closed and after all eligible voters have voted. Such means of control shall incorporate a visible indication of
system status. Each device shall prevent any unauthorized use, prevent tampering with ballot labels and preclude its re-opening once the poll closing has been completed for that election.

(j) The system shall produce a printed summary report of the votes cast upon each voting device. Until the proper sequence of events associated with closing the polling place has been completed, the system shall not allow the printing of a report or the extraction of data. The printed report shall also contain all system audit information to be required by the election authority. Data shall not be altered or otherwise destroyed by report generation and the system shall ensure the integrity and security of data for a period of at least 6 months after the polls close.

(k) If more than one voting device is used in a polling place, the system shall provide a means to manually or electronically consolidate the data from all such units into a single report even if different voting systems are used to record absentee ballots. The system shall also be capable of merging the vote tabulation results produced by other vote tabulation systems, if necessary.

(l) System functions shall be implemented such that unauthorized access to them is prevented and the execution of authorized functions in an improper sequence is precluded. System functions shall be executable only in the intended manner and order, and only under the intended conditions. If the preconditions to a system function have not been met, the function shall be precluded from executing by the system's control logic.

(m) All system voting devices shall incorporate at least 3 memories in the machine itself and in its programmable memory devices.

(n) The system shall include capabilities of recording and reporting the date and time of normal and abnormal events and of maintaining a permanent record of audit information that cannot be turned off. Provisions shall be made to detect and record significant events (e.g., casting a ballot, error conditions that cannot be disposed of by the system itself, time-dependent or programmed events that occur without the intervention of the voter or a judge of election).

(o) The system and each system voting device must be capable of creating, printing and maintaining a permanent paper record and an electronic image of each ballot that is cast such that records of individual ballots are maintained by a subsystem independent and distinct from the main vote detection, interpretation, processing and reporting path. The electronic images of each ballot must protect the integrity of the data and the anonymity of each voter, for example, by means of storage location

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scrambling. The ballot image records may be either machine-readable or manually transcribed, or both, at the discretion of the election authority.

(p) The system shall include built-in test, measurement and diagnostic software and hardware for detecting and reporting the system's status and degree of operability.

(q) The system shall contain provisions for maintaining the integrity of memory voting and audit data during an election and for a period of at least 6 months thereafter and shall provide the means for creating an audit trail.

(r) The system shall be fully accessible so as to permit blind or visually impaired voters as well as physically disabled voters to exercise their right to vote in private and without assistance.

(s) The system shall provide alternative language accessibility if required pursuant to Section 203 of the Voting Rights Act of 1965.

(t) Each voting device shall enable a voter to vote for a person whose name does not appear on the ballot.

(u) The system shall record and count accurately each vote properly cast for or against any candidate and for or against any public question, including the names of all candidates whose names are written in by the voters.

(v) The system shall allow for accepting provisional ballots and for separating such provisional ballots from precinct totals until authorized by the election authority.

(w) The system shall provide an effective audit trail as defined in Section 24C-2 in this Code.

(x) The system shall be suitably designed for the purpose used, be durably constructed, and be designed for safety, accuracy and efficiency.

(y) The system shall comply with all provisions of federal, State and local election laws and regulations and any future modifications to those laws and regulations.

(Source: P.A. 95-699, eff. 11-9-07.)

(10 ILCS 5/24C-13)

Sec. 24C-13. Vote by Mail. Absentee ballots; Early voting ballots; Proceedings at Location for Central Counting; Employees; Approval of List.

(a) All jurisdictions using Direct Recording Electronic Voting Systems shall use paper ballots or paper ballot sheets approved for use under Articles 16, 24A or 24B of this Code when conducting vote by mail absentee voting except that Direct Recording Electronic Voting Systems
may be used for in-person absentee voting conducted pursuant to Section 19-2.1 of this Code. All vote by mail absentee ballots shall be counted at the central ballot counting location of the election authority. The provisions of Section 24A-9, 24B-9 and 24C-9 of this Code shall apply to the testing and notice requirements for central count tabulation equipment, including comparing the signature on the ballot envelope with the signature of the voter on the permanent voter registration record card taken from the master file. Vote results shall be recorded by precinct and shall be added to the vote results for the precinct in which the vote by mail absentee voter was eligible to vote prior to completion of the official canvass.

(b) All proceedings at the location for central counting shall be under the direction of the county clerk or board of election commissioners. Except for any specially trained technicians required for the operation of the Direct Recording Electronic Voting System, the employees at the counting station shall be equally divided between members of the 2 leading political parties and all duties performed by the employees shall be by teams consisting of an equal number of members of each political party. Thirty days before an election the county clerk or board of election commissioners shall submit to the chairman of each political party, for his or her approval or disapproval, a list of persons of his or her party proposed to be employed. If a chairman fails to notify the election authority of his or her disapproval of any proposed employee within a period of 10 days thereafter the list shall be deemed approved.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

(10 ILCS 5/24C-15)

Sec. 24C-15. Official Return of Precinct; Check of Totals; Audit. The precinct return printed by the Direct Recording Electronic Voting System tabulating equipment shall include the number of ballots cast and votes cast for each candidate and public question and shall constitute the official return of each precinct. In addition to the precinct return, the election authority shall provide the number of applications for ballots in each precinct, the total number of ballots and vote by mail absentee ballots counted in each precinct for each political subdivision and district and the number of registered voters in each precinct. However, the election authority shall check the totals shown by the precinct return and, if there is an obvious discrepancy regarding the total number of votes cast in any precinct, shall have the ballots for that precinct audited to correct the return. The procedures for this audit shall apply prior to and after the

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proclamation is completed; however, after the proclamation of results, the election authority must obtain a court order to unseal voted ballots or voting devices except for election contests and discovery recounts. The certificate of results, which has been prepared and signed by the judges of election after the ballots have been tabulated, shall be the document used for the canvass of votes for such precinct. Whenever a discrepancy exists during the canvass of votes between the unofficial results and the certificate of results, or whenever a discrepancy exists during the canvass of votes between the certificate of results and the set of totals reflected on the certificate of results, the ballots for that precinct shall be audited to correct the return.

Prior to the proclamation, the election authority shall test the voting devices and equipment in 5% of the precincts within the election jurisdiction, as well as 5% of the voting devices used in early voting. The precincts and the voting devices to be tested shall be selected after election day on a random basis by the State Board of Elections, so that every precinct and every device used in early voting in the election jurisdiction has an equal mathematical chance of being selected. The State Board of Elections shall design a standard and scientific random method of selecting the precincts and voting devices that are to be tested. The State central committee chairman of each established political party shall be given prior written notice of the time and place of the random selection procedure and may be represented at the procedure.

The test shall be conducted by counting the votes marked on the permanent paper record of each ballot cast in the tested precinct printed by the voting system at the time that each ballot was cast and comparing the results of this count with the results shown by the certificate of results prepared by the Direct Recording Electronic Voting System in the test precinct. The election authority shall test count these votes either by hand or by using an automatic tabulating device other than a Direct Recording Electronic voting device that has been approved by the State Board of Elections for that purpose and tested before use to ensure accuracy. The election authority shall print the results of each test count. If any error is detected, the cause shall be determined and corrected, and an errorless count shall be made prior to the official canvass and proclamation of election results. If an errorless count cannot be conducted and there continues to be difference in vote results between the certificate of results produced by the Direct Recording Electronic Voting System and the count of the permanent paper records or if an error was detected and corrected,

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the election authority shall immediately prepare and forward to the appropriate canvassing board a written report explaining the results of the test and any errors encountered and the report shall be made available for public inspection.

The State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of the test and may be represented at the test.

The results of this post-election test shall be treated in the same manner and have the same effect as the results of the discovery procedures set forth in Section 22-9.1 of this Code.

(Source: P.A. 97-81, eff. 7-5-11.)

(10 ILCS 5/25-7) (from Ch. 46, par. 25-7)

Sec. 25-7. (a) When any vacancy shall occur in the office of representative in congress from this state more than 180 days before the next general election, the Governor shall issue a writ of election within 5 days after the occurrence of that vacancy to the county clerks of the several counties in the district where the vacancy exists, appointing a day within 115 days of issuance of the writ to hold a special election to fill such vacancy.

(b) Notwithstanding subsection (a) of this Section or any other law to the contrary, a special election to fill a vacancy in the office of representative in congress occurring less than 60 days following the 2012 general election shall be held as provided in this subsection (b). A special primary election shall be held on February 26, 2013, and a special election shall be held on April 9, 2013.

Except as provided in this subsection (b), the provisions of Article 7 of this Code are applicable to petitions for the special primary election and special election. Petitions for nomination in accordance with Article 7 shall be filed in the principal office of the State Board of Elections not more than 54 and not less than 50 days prior to the date of the special primary election, excluding Saturday and Sunday. Petitions for the nomination of independent candidates and candidates of new political parties shall be filed in the principal office of the State Board of Elections not more than 68 and not less than 64 days prior to the date of the special election, excluding Saturday and Sunday.

Except as provided in this subsection, the State Board of Elections shall have authority to establish, in conjunction with the impacted election

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authorities, an election calendar for the special election and special primary.

If an election authority is unable to have a sufficient number of ballots printed so that ballots will be available for mailing at least 46 days prior to the special primary election or special election to persons who have filed an application for a ballot under the provisions of Article 20 of this Code, the election authority shall, no later than 45 days prior to each election, mail to each of those persons a Special Write-in **Vote by Mail Absentee** Voter's Blank Ballot in accordance with Section 16-5.01 of this Code. The election authority shall advise those persons that the names of candidates to be nominated or elected shall be available on the election authority's website and shall provide a phone number the person may call to request the names of the candidates for nomination or election.

(Source: P.A. 97-1134, eff. 12-3-12.)

(10 ILCS 5/28-9) (from Ch. 46, par. 28-9)

Sec. 28-9. Petitions for proposed amendments to Article IV of the Constitution pursuant to Section 3, Article XIV of the Constitution shall be signed by a number of electors equal in number to at least 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election. Such petition shall have been signed by the petitioning electors not more than 24 months preceding the general election at which the proposed amendment is to be submitted and shall be filed with the Secretary of State at least 6 months before that general election.

Upon receipt of a petition for a proposed Constitutional amendment, the Secretary of State shall, as soon as is practicable, but no later than the close of the next business day, deliver such petition to the State Board of Elections.

Petitions for advisory questions of public policy to be submitted to the voters of the entire State shall be signed by a number of voters equal in number to 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election. Such petition shall have been signed by said petitioners not more than 24 months preceding the date of the general election at which the question is to be submitted and shall be filed with the State Board of Elections at least 6 months before that general election.

The proponents of the proposed statewide advisory public question shall file the original petition in bound election jurisdiction sections. Each section shall be composed of consecutively numbered petition sheets containing only the signatures of registered voters of a single election jurisdiction and, at the top of each petition sheet, the name of the election jurisdiction.

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jurisdiction shall be typed or printed in block letters; provided that, if the
name of the election jurisdiction is not so printed, the election jurisdiction
of the circulator of that petition sheet shall be controlling with respect to
the signatures on that sheet. Any petition sheets not consecutively
numbered or which contain duplicate page numbers already used on other
sheets, or are photocopies or duplicates of the original sheets, shall not be
considered part of the petition for the purpose of the random sampling
verification and shall not be counted toward the minimum number of
signatures required to qualify the proposed statewide advisory public
question for the ballot.

Within 7 business days following the last day for filing the original
petition, the proponents shall also file copies of the sectioned election
jurisdiction petition sheets with each proper election authority and obtain a
receipt therefor.

For purposes of this Act, the following terms shall be defined and
construed as follows:

1. "Board" means the State Board of Elections.
2. "Election Authority" means a county clerk or city or county
board of election commissioners.
3. (Blank). "Election Jurisdiction" means (a) an entire county, in
the case of a county in which no city board of election commissioners is
located or which is under the jurisdiction of a county board of election
commissioners; (b) the territorial jurisdiction of a city board of election
commissioners; and (c) the territory in a county outside of the jurisdiction
of a city board of election commissioners. In each instance election
jurisdiction shall be determined according to which election authority
maintains the permanent registration records of qualified electors.
4. "Proponents" means any person, association, committee,
organization or other group, or their designated representatives, who
advocate and cause the circulation and filing of petitions for a statewide
advisory question of public policy or a proposed constitutional amendment
for submission at a general election and who has registered with the Board
as provided in this Act.
5. "Opponents" means any person, association, committee,
organization or other group, or their designated representatives, who
oppose a statewide advisory question of public policy or a proposed
constitutional amendment for submission at a general election and who
have registered with the Board as provided in this Act.
(Source: P.A. 97-81, eff. 7-5-11.)

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Sec. 29-5. Voting more than once. Any person who, having voted once, knowingly on the same election day where the ballot or machine lists any of the same candidates and issues listed on the ballot or machine previously used for voting by that person, (a) files an application to vote in the same or another polling place, or (b) accepts a ballot or enters a voting machine (except to legally give assistance pursuant to the provisions of this Code), shall be guilty of a Class 3 felony; however, if a person has delivered a ballot or ballots to an election authority as a vote by mail an absentee voter and due to a change of circumstances is able to and does vote in the precinct of his residence on election day, shall not be deemed to be in violation of this Code.

(Source: P.A. 83-755.)

Sec. 29-20. Vote by Mail Absentee ballots - violations. A person is guilty of a Class 3 felony who knowingly:

(1) Solicits another person, knowing that the person is not legally qualified to vote as a vote by mail an absentee voter, to apply for a vote by mail an absentee ballot;

(2) Solicits another person, knowing that the person is not legally qualified to vote as a vote by mail an absentee voter, to cast a ballot as a vote by mail an absentee voter;

(3) Intimidates or unduly influences another person to cast a vote by mail an absentee ballot in a manner inconsistent with the voter's intent; or

(4) Marks or tampers with a vote by mail an absentee ballot of another person or takes a vote by mail an absentee ballot of another person in violation of Section 19-6 so that an opportunity for fraudulent marking or tampering is created.

(Source: P.A. 89-653, eff. 8-14-96.)

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Sec. 11. The Secretary may make a search of his records and furnish information as to whether a person has a current Standard Illinois Identification Card or an Illinois Person with a Disability Identification Card then on file, upon receipt of a written application therefor accompanied with the prescribed fee. However, the Secretary may not disclose medical information concerning an individual to any person, public agency, private agency, corporation or governmental body unless the individual has submitted a written request for the information or unless the individual has given prior written consent for the release of the information to a specific person or entity. This exception shall not apply to: (1) offices and employees of the Secretary who have a need to know the medical information in performance of their official duties, or (2) orders of a court of competent jurisdiction. When medical information is disclosed by the Secretary in accordance with the provisions of this Section, no liability shall rest with the Office of the Secretary of State as the information is released for informational purposes only.

The Secretary may release personally identifying information or highly restricted personal information only to:

1. officers and employees of the Secretary who have a need to know that information;
2. other governmental agencies for use in their official governmental functions;
3. law enforcement agencies that need the information for a criminal or civil investigation;
4. the State Board of Elections for the sole purpose of providing the signatures required by a local election authority to register a voter through an online voter registration system or as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system; or
4a. any entity that the Secretary has authorized, by rule, to receive this information.

The Secretary may not disclose an individual's social security number or any associated information obtained from the Social Security Administration without the written request or consent of the individual except: (i) to officers and employees of the Secretary who have a need to know the social security number in the performance of their official duties; (ii) to law enforcement officials for a lawful civil or criminal law enforcement investigation if the head of the law enforcement agency has
made a written request to the Secretary specifying the law enforcement investigation for which the social security number is being sought; (iii) under a lawful court order signed by a judge; or (iv) to the Illinois Department of Veterans' Affairs for the purpose of confirming veteran status.

(Source: P.A. 97-739, eff. 1-1-13; 97-1064, eff. 1-1-13; 98-115, eff. 7-29-13; 98-463, eff. 8-16-13.)

Section 20. The Illinois Act on the Aging is amended by changing Section 4.02 as follows:

(20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

Sec. 4.02. Community Care Program. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

(a) (blank);
(b) (blank);
(c) home care aide services;
(d) personal assistant services;
(e) adult day services;
(f) home-delivered meals;
(g) education in self-care;
(h) personal care services;
(i) adult day health services;
(j) habilitation services;
(k) respite care;
(k-5) community reintegration services;
(k-6) flexible senior services;
(k-7) medication management;
(k-8) emergency home response;
(l) other nonmedical social services that may enable the person to become self-supporting; or

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(m) clearinghouse for information provided by senior citizen home owners who want to rent rooms to or share living space with other senior citizens.

The Department shall establish eligibility standards for such services. In determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

Beginning January 1, 2008, the Department shall require as a condition of eligibility that all new financially eligible applicants apply for and enroll in medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

The Department shall, in conjunction with the Department of Public Aid (now Department of Healthcare and Family Services), seek appropriate amendments under Sections 1915 and 1924 of the Social Security Act. The purpose of the amendments shall be to extend eligibility for home and community based services under Sections 1915 and 1924 of the Social Security Act to persons who transfer to or for the benefit of a spouse those amounts of income and resources allowed under Section 1924 of the Social Security Act. Subject to the approval of such amendments, the Department shall extend the provisions of Section 5-4 of the Illinois Public Aid Code to persons who, but for the provision of home or community-based services, would require the level of care provided in an institution, as is provided for in federal law. Those persons no longer found to be eligible for receiving noninstitutional services due to changes in the eligibility criteria shall be given 45 days notice prior to actual termination. Those persons receiving notice of termination may contact the Department and request the determination be appealed at any time during the 45 day notice period. The target population identified for the purposes of this Section are persons age 60 and older with an identified service need. Priority shall be given to those who are at imminent risk of institutionalization. The services shall be provided to eligible persons age 60 and older to the extent that the cost of the services together with the other personal maintenance expenses of the persons are reasonably related to the standards established for care in a group facility appropriate to the person's condition. These non-institutional services, pilot projects or

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experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Department of Human Services. The Departments of Human Services, Healthcare and Family Services, Public Health, Veterans' Affairs, and Commerce and Economic Opportunity and other appropriate agencies of State, federal and local governments shall cooperate with the Department on Aging in the establishment and development of the non-institutional services. The Department shall require an annual audit from all personal assistant and home care aide vendors contracting with the Department under this Section. The annual audit shall assure that each audited vendor's procedures are in compliance with Department's financial reporting guidelines requiring an administrative and employee wage and benefits cost split as defined in administrative rules. The audit is a public record under the Freedom of Information Act. The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department of Healthcare and Family Services, to effect the following: (1) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (2) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 60 years of age or older shall be conducted by the Department.

As part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities. The content of the training shall be at the Department's discretion.

The Department is authorized to establish a system of recipient copayment for services provided under this Section, such copayment to be based upon the recipient's ability to pay but in no case to exceed the actual cost of the services provided. Additionally, any portion of a person's income which is equal to or less than the federal poverty standard shall not be considered by the Department in determining the copayment. The level of such copayment shall be adjusted whenever necessary to reflect any change in the officially designated federal poverty standard.

The Department, or the Department's authorized representative, may recover the amount of moneys expended for services provided to or in
behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department shall increase the effectiveness of the existing Community Care Program by:

(1) ensuring that in-home services included in the care plan are available on evenings and weekends;

(2) ensuring that care plans contain the services that eligible participants need based on the number of days in a month, not limited to specific blocks of time, as identified by the comprehensive assessment tool selected by the Department for use statewide, not to exceed the total monthly service cost maximum allowed for each service; the Department shall develop administrative rules to implement this item (2);

(3) ensuring that the participants have the right to choose the services contained in their care plan and to direct how those services are provided, based on administrative rules established by the Department;

(4) ensuring that the determination of need tool is accurate in determining the participants' level of need; to achieve this, the

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Department, in conjunction with the Older Adult Services Advisory Committee, shall institute a study of the relationship between the Determination of Need scores, level of need, service cost maximums, and the development and utilization of service plans no later than May 1, 2008; findings and recommendations shall be presented to the Governor and the General Assembly no later than January 1, 2009; recommendations shall include all needed changes to the service cost maximums schedule and additional covered services;

(5) ensuring that homemakers can provide personal care services that may or may not involve contact with clients, including but not limited to:
   (A) bathing;
   (B) grooming;
   (C) toileting;
   (D) nail care;
   (E) transferring;
   (F) respiratory services;
   (G) exercise; or
   (H) positioning;

(6) ensuring that homemaker program vendors are not restricted from hiring homemakers who are family members of clients or recommended by clients; the Department may not, by rule or policy, require homemakers who are family members of clients or recommended by clients to accept assignments in homes other than the client;

(7) ensuring that the State may access maximum federal matching funds by seeking approval for the Centers for Medicare and Medicaid Services for modifications to the State's home and community based services waiver and additional waiver opportunities, including applying for enrollment in the Balance Incentive Payment Program by May 1, 2013, in order to maximize federal matching funds; this shall include, but not be limited to, modification that reflects all changes in the Community Care Program services and all increases in the services cost maximum;

(8) ensuring that the determination of need tool accurately reflects the service needs of individuals with Alzheimer's disease and related dementia disorders;

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(9) ensuring that services are authorized accurately and consistently for the Community Care Program (CCP); the Department shall implement a Service Authorization policy directive; the purpose shall be to ensure that eligibility and services are authorized accurately and consistently in the CCP program; the policy directive shall clarify service authorization guidelines to Care Coordination Units and Community Care Program providers no later than May 1, 2013;

(10) working in conjunction with Care Coordination Units, the Department of Healthcare and Family Services, the Department of Human Services, Community Care Program providers, and other stakeholders to make improvements to the Medicaid claiming processes and the Medicaid enrollment procedures or requirements as needed, including, but not limited to, specific policy changes or rules to improve the up-front enrollment of participants in the Medicaid program and specific policy changes or rules to insure more prompt submission of bills to the federal government to secure maximum federal matching dollars as promptly as possible; the Department on Aging shall have at least 3 meetings with stakeholders by January 1, 2014 in order to address these improvements;

(11) requiring home care service providers to comply with the rounding of hours worked provisions under the federal Fair Labor Standards Act (FLSA) and as set forth in 29 CFR 785.48(b) by May 1, 2013;

(12) implementing any necessary policy changes or promulgating any rules, no later than January 1, 2014, to assist the Department of Healthcare and Family Services in moving as many participants as possible, consistent with federal regulations, into coordinated care plans if a care coordination plan that covers long term care is available in the recipient's area; and

(13) maintaining fiscal year 2014 rates at the same level established on January 1, 2013.

By January 1, 2009 or as soon after the end of the Cash and Counseling Demonstration Project as is practicable, the Department may, based on its evaluation of the demonstration project, promulgate rules concerning personal assistant services, to include, but need not be limited to, qualifications, employment screening, rights under fair labor standards, training, fiduciary agent, and supervision requirements. All applicants

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shall be subject to the provisions of the Health Care Worker Background Check Act.

The Department shall develop procedures to enhance availability of services on evenings, weekends, and on an emergency basis to meet the respite needs of caregivers. Procedures shall be developed to permit the utilization of services in successive blocks of 24 hours up to the monthly maximum established by the Department. Workers providing these services shall be appropriately trained.

Beginning on the effective date of this Amendatory Act of 1991, no person may perform chore/housekeeping and home care aide services under a program authorized by this Section unless that person has been issued a certificate of pre-service to do so by his or her employing agency. Information gathered to effect such certification shall include (i) the person's name, (ii) the date the person was hired by his or her current employer, and (iii) the training, including dates and levels. Persons engaged in the program authorized by this Section before the effective date of this amendatory Act of 1991 shall be issued a certificate of all pre- and in-service training from his or her employer upon submitting the necessary information. The employing agency shall be required to retain records of all staff pre- and in-service training, and shall provide such records to the Department upon request and upon termination of the employer's contract with the Department. In addition, the employing agency is responsible for the issuance of certifications of in-service training completed to their employees.

The Department is required to develop a system to ensure that persons working as home care aides and personal assistants receive increases in their wages when the federal minimum wage is increased by requiring vendors to certify that they are meeting the federal minimum wage statute for home care aides and personal assistants. An employer that cannot ensure that the minimum wage increase is being given to home care aides and personal assistants shall be denied any increase in reimbursement costs.

The Community Care Program Advisory Committee is created in the Department on Aging. The Director shall appoint individuals to serve in the Committee, who shall serve at their own expense. Members of the Committee must abide by all applicable ethics laws. The Committee shall advise the Department on issues related to the Department's program of services to prevent unnecessary institutionalization. The Committee shall meet on a bi-monthly basis and shall serve to identify and advise the

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Department on present and potential issues affecting the service delivery network, the program's clients, and the Department and to recommend solution strategies. Persons appointed to the Committee shall be appointed on, but not limited to, their own and their agency's experience with the program, geographic representation, and willingness to serve. The Director shall appoint members to the Committee to represent provider, advocacy, policy research, and other constituencies committed to the delivery of high quality home and community-based services to older adults. Representatives shall be appointed to ensure representation from community care providers including, but not limited to, adult day service providers, homemaker providers, case coordination and case management units, emergency home response providers, statewide trade or labor unions that represent home care aides and direct care staff, area agencies on aging, adults over age 60, membership organizations representing older adults, and other organizational entities, providers of care, or individuals with demonstrated interest and expertise in the field of home and community care as determined by the Director.

Nominations may be presented from any agency or State association with interest in the program. The Director, or his or her designee, shall serve as the permanent co-chair of the advisory committee. One other co-chair shall be nominated and approved by the members of the committee on an annual basis. Committee members' terms of appointment shall be for 4 years with one-quarter of the appointees' terms expiring each year. A member shall continue to serve until his or her replacement is named. The Department shall fill vacancies that have a remaining term of over one year, and this replacement shall occur through the annual replacement of expiring terms. The Director shall designate Department staff to provide technical assistance and staff support to the committee. Department representation shall not constitute membership of the committee. All Committee papers, issues, recommendations, reports, and meeting memoranda are advisory only. The Director, or his or her designee, shall make a written report, as requested by the Committee, regarding issues before the Committee.

The Department on Aging and the Department of Human Services shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before September 30 each year.
The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

Those persons previously found eligible for receiving non-institutional services whose services were discontinued under the Emergency Budget Act of Fiscal Year 1992, and who do not meet the eligibility standards in effect on or after July 1, 1992, shall remain ineligible on and after July 1, 1992. Those persons previously not required to cost-share and who were required to cost-share effective March 1, 1992, shall continue to meet cost-share requirements on and after July 1, 1992. Beginning July 1, 1992, all clients will be required to meet eligibility, cost-share, and other requirements and will have services discontinued or altered when they fail to meet these requirements.

For the purposes of this Section, "flexible senior services" refers to services that require one-time or periodic expenditures including, but not limited to, respite care, home modification, assistive technology, housing assistance, and transportation.

The Department shall implement an electronic service verification based on global positioning systems or other cost-effective technology for the Community Care Program no later than January 1, 2014.

The Department shall require, as a condition of eligibility, enrollment in the medical assistance program under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall delay Community Care Program services until an applicant is determined eligible for medical assistance under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act.

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Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall implement co-payments for the Community Care Program at the federally allowable maximum level (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall provide a bi-monthly report on the progress of the Community Care Program reforms set forth in this amendatory Act of the 98th General Assembly to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate.

The Department shall conduct a quarterly review of Care Coordination Unit performance and adherence to service guidelines. The quarterly review shall be reported to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. The Department shall collect and report longitudinal data on the performance of each care coordination unit. Nothing in this paragraph shall be construed to require the Department to identify specific care coordination units.

In regard to community care providers, failure to comply with Department on Aging policies shall be cause for disciplinary action, including, but not limited to, disqualification from serving Community Care Program clients. Each provider, upon submission of any bill or invoice to the Department for payment for services rendered, shall include a notarized statement, under penalty of perjury pursuant to Section 1-109 of the Code of Civil Procedure, that the provider has complied with all Department policies.

The Director of the Department on Aging shall make information available to the State Board of Elections as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.

(Source: P.A. 97-333, eff. 8-12-11; 98-8, eff. 5-3-13.)

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Section 25. The Revised Cities and Villages Act of 1941 is amended by changing Section 21-28 as follows:

(65 ILCS 20/21-28) (from Ch. 24, par. 21-28)
Sec. 21-28. Nomination by petition.

(a) All nominations for alderman of any ward in the city shall be by petition. Each petition for nomination of a candidate shall be signed by at least 473 legal voters of the ward. All petitions for nominations of candidates shall be signed by such a number of legal voters of the ward as will aggregate not less than 4% of all the votes cast for alderman in such ward at the last preceding general election. For the election following the redistricting of wards petitions for nominations of candidates shall be signed by the number of legal voters of the ward as will aggregate not less than 4% of the total number of votes cast for mayor at the last preceding municipal election divided by the number of wards.

(b) All nominations for mayor, city clerk, and city treasurer in the city shall be by petition. Each petition for nomination of a candidate must be signed by at least 12,500 legal voters of the city.

(c) All such petitions, and procedure with respect thereto, shall conform in other respects to the provisions of the election and ballot laws then in force in the city of Chicago concerning the nomination of independent candidates for public office by petition. The method of nomination herein provided is exclusive of and replaces all other methods heretofore provided by law.
(Source: P.A. 98-115, eff. 7-29-13.)

Section 30. The Illinois Public Aid Code is amended by adding Section 1-12 as follows:

(305 ILCS 5/1-12 new)
Sec. 1-12. Providing information to the State Board of Elections. The Secretary of the Department of Human Services and the Director of the Department of Healthcare and Family Services shall make information available, except where prohibited by federal law or regulation, to the State Board of Elections as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.

Section 35. The Senior Citizens and Disabled Persons Property Tax Relief Act is amended by changing Section 8a as follows:

(320 ILCS 25/8a) (from Ch. 67 1/2, par. 408.1)
Sec. 8a. Confidentiality.
(a) Except as otherwise provided in this Act, all information received by the Department of Revenue or its successors, the Department on Aging and the Department of Healthcare and Family Services, from claims filed under this Act, or from any investigation conducted under the provisions of this Act, shall be confidential, except for official purposes within those Departments or pursuant to official procedures for collection of any State tax or enforcement of any civil or criminal penalty or sanction imposed by this Act or by any statute imposing a State tax, and any person who divulges any such information in any manner, except for such purposes and pursuant to order of the Director of one of those Departments or in accordance with a proper judicial order, shall be guilty of a Class A misdemeanor.

(b) Nothing contained in this Act shall prevent the Director of Aging from publishing or making available reasonable statistics concerning the operation of the grant programs contained in this Act wherein the contents of claims are grouped into aggregates in such a way that information contained in any individual claim shall not be disclosed.

(c) The Department on Aging shall furnish to the Secretary of State such information as is reasonably necessary for the administration of reduced vehicle registration fees pursuant to Section 3-806.3 of "The Illinois Vehicle Code".

(d) The Director of the Department on Aging shall make information available to the State Board of Elections as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.

(Source: P.A. 96-804, eff. 1-1-10.)

Section 40. The Unemployment Insurance Act is amended by changing Section 1900 as follows:

(820 ILCS 405/1900) (from Ch. 48, par. 640)
Sec. 1900. Disclosure of information.
A. Except as provided in this Section, information obtained from any individual or employing unit during the administration of this Act shall:

1. be confidential,
2. not be published or open to public inspection,
3. not be used in any court in any pending action or proceeding,
4. not be admissible in evidence in any action or proceeding other than one arising out of this Act.

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B. No finding, determination, decision, ruling or order (including any finding of fact, statement or conclusion made therein) issued pursuant to this Act shall be admissible or used in evidence in any action other than one arising out of this Act, nor shall it be binding or conclusive except as provided in this Act, nor shall it constitute res judicata, regardless of whether the actions were between the same or related parties or involved the same facts.

C. Any officer or employee of this State, any officer or employee of any entity authorized to obtain information pursuant to this Section, and any agent of this State or of such entity who, except with authority of the Director under this Section, shall disclose information shall be guilty of a Class B misdemeanor and shall be disqualified from holding any appointment or employment by the State.

D. An individual or his duly authorized agent may be supplied with information from records only to the extent necessary for the proper presentation of his claim for benefits or with his existing or prospective rights to benefits. Discretion to disclose this information belongs solely to the Director and is not subject to a release or waiver by the individual. Notwithstanding any other provision to the contrary, an individual or his or her duly authorized agent may be supplied with a statement of the amount of benefits paid to the individual during the 18 months preceding the date of his or her request.

E. An employing unit may be furnished with information, only if deemed by the Director as necessary to enable it to fully discharge its obligations or safeguard its rights under the Act. Discretion to disclose this information belongs solely to the Director and is not subject to a release or waiver by the employing unit.

F. The Director may furnish any information that he may deem proper to any public officer or public agency of this or any other State or of the federal government dealing with:
   1. the administration of relief,
   2. public assistance,
   3. unemployment compensation,
   4. a system of public employment offices,
   5. wages and hours of employment, or
   6. a public works program.

The Director may make available to the Illinois Workers’ Compensation Commission information regarding employers for the
purpose of verifying the insurance coverage required under the Workers' Compensation Act and Workers' Occupational Diseases Act.

G. The Director may disclose information submitted by the State or any of its political subdivisions, municipal corporations, instrumentalities, or school or community college districts, except for information which specifically identifies an individual claimant.

H. The Director shall disclose only that information required to be disclosed under Section 303 of the Social Security Act, as amended, including:

1. any information required to be given the United States Department of Labor under Section 303(a)(6); and
2. the making available upon request to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of unemployment compensation, and a statement of such recipient's right to further compensation under such law as required by Section 303(a)(7); and
3. records to make available to the Railroad Retirement Board as required by Section 303(c)(1); and
4. information that will assure reasonable cooperation with every agency of the United States charged with the administration of any unemployment compensation law as required by Section 303(c)(2); and
5. information upon request and on a reimbursable basis to the United States Department of Agriculture and to any State food stamp agency concerning any information required to be furnished by Section 303(d); and
6. any wage information upon request and on a reimbursable basis to any State or local child support enforcement agency required by Section 303(e); and
7. any information required under the income eligibility and verification system as required by Section 303(f); and
8. information that might be useful in locating an absent parent or that parent's employer, establishing paternity or establishing, modifying, or enforcing child support orders for the purpose of a child support enforcement program under Title IV of the Social Security Act upon the request of and on a reimbursable

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basis to the public agency administering the Federal Parent Locator Service as required by Section 303(h); and

9. information, upon request, to representatives of any federal, State or local governmental public housing agency with respect to individuals who have signed the appropriate consent form approved by the Secretary of Housing and Urban Development and who are applying for or participating in any housing assistance program administered by the United States Department of Housing and Urban Development as required by Section 303(i).

I. The Director, upon the request of a public agency of Illinois, of the federal government or of any other state charged with the investigation or enforcement of Section 10-5 of the Criminal Code of 2012 (or a similar federal law or similar law of another State), may furnish the public agency information regarding the individual specified in the request as to:

1. the current or most recent home address of the individual, and

2. the names and addresses of the individual's employers.

J. Nothing in this Section shall be deemed to interfere with the disclosure of certain records as provided for in Section 1706 or with the right to make available to the Internal Revenue Service of the United States Department of the Treasury, or the Department of Revenue of the State of Illinois, information obtained under this Act.

K. The Department shall make available to the Illinois Student Assistance Commission, upon request, information in the possession of the Department that may be necessary or useful to the Commission in the collection of defaulted or delinquent student loans which the Commission administers.

L. The Department shall make available to the State Employees' Retirement System, the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, and the Department of Central Management Services, Risk Management Division, upon request, information in the possession of the Department that may be necessary or useful to the System or the Risk Management Division for the purpose of determining whether any recipient of a disability benefit from the System or a workers' compensation benefit from the Risk Management Division is gainfully employed.

M. This Section shall be applicable to the information obtained in the administration of the State employment service, except that the

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Director may publish or release general labor market information and may furnish information that he may deem proper to an individual, public officer or public agency of this or any other State or the federal government (in addition to those public officers or public agencies specified in this Section) as he prescribes by Rule.

N. The Director may require such safeguards as he deems proper to insure that information disclosed pursuant to this Section is used only for the purposes set forth in this Section.

O. Nothing in this Section prohibits communication with an individual or entity through unencrypted e-mail or other unencrypted electronic means as long as the communication does not contain the individual's or entity's name in combination with any one or more of the individual's or entity's social security number; driver's license or State identification number; account number or credit or debit card number; or any required security code, access code, or password that would permit access to further information pertaining to the individual or entity.

P. Within 30 days after the effective date of this amendatory Act of 1993 and annually thereafter, the Department shall provide to the Department of Financial Institutions a list of individuals or entities that, for the most recently completed calendar year, report to the Department as paying wages to workers. The lists shall be deemed confidential and may not be disclosed to any other person.

Q. The Director shall make available to an elected federal official the name and address of an individual or entity that is located within the jurisdiction from which the official was elected and that, for the most recently completed calendar year, has reported to the Department as paying wages to workers, where the information will be used in connection with the official duties of the official and the official requests the information in writing, specifying the purposes for which it will be used. For purposes of this subsection, the use of information in connection with the official duties of an official does not include use of the information in connection with the solicitation of contributions or expenditures, in money or in kind, to or on behalf of a candidate for public or political office or a political party or with respect to a public question, as defined in Section 1-3 of the Election Code, or in connection with any commercial solicitation. Any elected federal official who, in submitting a request for information covered by this subsection, knowingly makes a false statement or fails to disclose a material fact, with the intent to obtain

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the information for a purpose not authorized by this subsection, shall be guilty of a Class B misdemeanor.

R. The Director may provide to any State or local child support agency, upon request and on a reimbursable basis, information that might be useful in locating an absent parent or that parent's employer, establishing paternity, or establishing, modifying, or enforcing child support orders.

S. The Department shall make available to a State's Attorney of this State or a State's Attorney's investigator, upon request, the current address or, if the current address is unavailable, current employer information, if available, of a victim of a felony or a witness to a felony or a person against whom an arrest warrant is outstanding.

T. The Director shall make available to the Department of State Police, a county sheriff's office, or a municipal police department, upon request, any information concerning the current address and place of employment or former places of employment of a person who is required to register as a sex offender under the Sex Offender Registration Act that may be useful in enforcing the registration provisions of that Act.

U. The Director shall make information available to the Department of Healthcare and Family Services and the Department of Human Services for the purpose of determining eligibility for public benefit programs authorized under the Illinois Public Aid Code and related statutes administered by those departments, for verifying sources and amounts of income, and for other purposes directly connected with the administration of those programs.

V. The Director shall make information available to the State Board of Elections as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.

(Source: P.A. 96-420, eff. 8-13-09; 97-621, eff. 11-18-11; 97-689, eff. 6-14-12; 97-1150, eff. 1-25-13.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Passed in the General Assembly December 3, 2014.
Approved January 12, 2015.
Effective June 1, 2015.
January 12, 2015

To the Honorable Members of the
Illinois Senate, 98th General Assembly:

Today, I have approved Senate Bill 3028. With my signature it now becomes law. The legislation makes a series of important changes to the enabling statutes for the Medical Cannabis Pilot Program (“Pilot Program”). These modifications will help the state agencies responsible for this Pilot Program to implement and administer it successfully.

Implementing this Pilot Program is nothing less than developing an entirely new supply chain and distribution system for a type of pharmaceutical. The Pilot Program involves at least four separate agencies of state government, numerous private parties and thousands of patients and physicians. The safety and health of the patient, the protection of their privacy and the enforcement of a myriad of legal safeguards must be the paramount considerations.

To that end, this bill makes a number of key clarifications. For example, the Department of Agriculture’s enforcement authority with respect to cultivation centers and operators is modified so that it is clear that the agency has multiple sanctions available to address non-compliance. The original statute only permitted license revocation. Now, the Department has several options to enforce the law. These new measures include license suspension, formal reprimands and enhanced discretion for the Department to devise other sanctions.

Another technical fix clarifies the Vehicle Code to make clear that those who drive while impaired under the influence of medical cannabis are subject to arrest.

Although the state has made significant progress in implementing the Pilot Program according to the statutory outline, there remain a number of issues that must be addressed as soon as possible.

Going forward, more refinements should be enacted. I urge the General Assembly to consider future legislation to:

1. Prohibit requiring patients to be subjected to criminal background checks - This requirement has proven to be a barrier for justice for patients that committed crimes many years ago. Patients that have paid their debt to society for prior offenses should not be denied access to treatment that could relieve pain and suffering;

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2. Extend the current sunset of December 31, 2017 for two years to December 31, 2019. This additional time will ensure that the legislature has the necessary information to make a sound judgment about whether to continue this program; and, furthermore, additional time will also allow businesses to keep patients’ costs down by avoiding having to rush to recover business start-up costs before the Pilot Program expires;
3. Clarify the ambiguity in the current statute by explicitly confirming that all 22 cultivation centers contemplated by the Act can be licensed in 21 Illinois State Police Districts.

Sincerely,

Pat Quinn
Governor

PUBLIC ACT 98-1172
(Senate Bill No. 3028)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Compassionate Use of Medical Cannabis Pilot Program Act is amended by changing Sections 15, 35, 65, 95, 105, 110, 115, 120, 140, 145, 150, 165, 175, and 185 as follows:
(410 ILCS 130/15)
(Section scheduled to be repealed on January 1, 2018)
Sec. 15. Authority.
(a) It is the duty of the Department of Public Health to enforce the following provisions of this Act unless otherwise provided for by this Act:
(1) establish and maintain a confidential registry of qualifying patients authorized to engage in the medical use of cannabis and their caregivers;
(2) distribute educational materials about the health risks associated with the abuse of cannabis and prescription medications;
(3) adopt rules to administer the patient and caregiver registration program; and

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(4) adopt rules establishing food handling requirements for cannabis-infused products that are prepared for human consumption.

(b) It is the duty of the Department of Agriculture to enforce the provisions of this Act relating to the registration and oversight of cultivation centers unless otherwise provided for in this Act.

(c) It is the duty of the Department of Financial and Professional Regulation to enforce the provisions of this Act relating to the registration and oversight of dispensing organizations unless otherwise provided for in this Act.

(d) The Department of Public Health, the Department of Agriculture, or the Department of Financial and Professional Regulation shall enter into intergovernmental agreements, as necessary, to carry out the provisions of this Act including, but not limited to, the provisions relating to the registration and oversight of cultivation centers, dispensing organizations, and qualifying patients and caregivers.

(e) The Department of Public Health, Department of Agriculture, or the Department of Financial and Professional Regulation may suspend, or revoke, or impose other penalties upon a registration for violations of this Act and any rules adopted in accordance thereto. The suspension or revocation of, or imposition of any other penalty upon, a registration is a final Agency action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/35)

Section scheduled to be repealed on January 1, 2018

Sec. 35. Physician requirements.

(a) A physician who certifies a debilitating medical condition for a qualifying patient shall comply with all of the following requirements:

(1) The Physician shall be currently licensed under the Medical Practice Act of 1987 to practice medicine in all its branches and in good standing, and must hold a controlled substances license under Article III of the Illinois Controlled Substances Act.

(2) A physician making a medical cannabis recommendation shall comply with generally accepted standards of medical practice, the provisions of the Medical Practice Act of 1987 and all applicable rules.

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(3) The physical examination required by this Act may not be performed by remote means, including telemedicine.

(4) The physician shall maintain a record-keeping system for all patients for whom the physician has recommended the medical use of cannabis. These records shall be accessible to and subject to review by the Department of Public Health and the Department of Financial and Professional Regulation upon request.

(b) A physician may not:

(1) accept, solicit, or offer any form of remuneration from or to a qualifying patient, primary caregiver, cultivation center, or dispensing organization, including each principal officer, board member, agent, and employee, to certify a patient, other than accepting payment from a patient for the fee associated with the required examination required prior to certifying a qualifying patient;

(2) offer a discount of any other item of value to a qualifying patient who uses or agrees to use a particular primary caregiver or dispensing organization to obtain medical cannabis;

(3) conduct a personal physical examination of a patient for purposes of diagnosing a debilitating medical condition at a location where medical cannabis is sold or distributed or at the address of a principal officer, agent, or employee or a medical cannabis organization;

(4) hold a direct or indirect economic interest in a cultivation center or dispensing organization if he or she recommends the use of medical cannabis to qualified patients or is in a partnership or other fee or profit-sharing relationship with a physician who recommends medical cannabis, except for the limited purpose of performing a medical cannabis related research study;

(5) serve on the board of directors or as an employee of a cultivation center or dispensing organization;

(6) refer patients to a cultivation center, a dispensing organization, or a registered designated caregiver; or

(7) advertise in a cultivation center or a dispensing organization.

(c) The Department of Public Health may with reasonable cause refer a physician, who has certified a debilitating medical condition of a
patient, to the Illinois Department of Financial and Professional
Regulation for potential violations of this Section.

(d) Any violation of this Section or any other provision of this Act
or rules adopted under this Act is a violation of the Medical Practice Act
of 1987.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/65)

(Section scheduled to be repealed on January 1, 2018)

Sec. 65. Denial of registry identification cards.

(a) The Department of Public Health may deny an application or
renewal of a qualifying patient's registry identification card only if the
applicant:

(1) did not provide the required information and materials;
(2) previously had a registry identification card revoked;
(3) did not meet the requirements of this Act; or
(4) provided false or falsified information.

(b) No person who has been convicted of a felony under the Illinois
Controlled Substances Act, Cannabis Control Act, or Methamphetamine
Control and Community Protection Act, or similar provision in a local
ordinance or other jurisdiction is eligible to receive a registry identification
card.

(c) The Department of Public Health may deny an application or
renewal for a designated caregiver chosen by a qualifying patient whose
registry identification card was granted only if:

(1) the designated caregiver does not meet the requirements
of subsection (i) of Section 10;
(2) the applicant did not provide the information required;
(3) the prospective patient's application was denied;
(4) the designated caregiver previously had a registry
identification card revoked; or
(5) the applicant or the designated caregiver provided false
or falsified information.

(d) The Department of Public Health through the Department of
State Police shall conduct a background check of the prospective
qualifying patient and designated caregiver in order to carry out this
Section. The Department of State Police shall charge a fee for conducting
the criminal history record check, which shall be deposited in the State
Police Services Fund and shall not exceed the actual cost of the record
check. Each person applying as a qualifying patient or a designated

caregiver.

New matter indicated by italics - deletions by strikeout
caregiver shall submit a full set of fingerprints to the Department of State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall furnish, following positive identification, all Illinois conviction information to the Department of Public Health. The Department of Public Health may waive the submission of a qualifying patient's complete fingerprints based on (1) the severity of the patient's illness and (2) the inability of the qualifying patient to supply those fingerprints, provided that a complete criminal background check is conducted by the Department of State Police prior to the issuance of a registry identification card. The Department of Public Health through the Illinois State Police shall conduct a background check of the prospective qualifying patient and designated caregiver in order to carry out this provision. The Department of State Police shall be reimbursed for the cost of the background check by the Department of Public Health. Each person applying as a qualifying patient or a designated caregiver shall submit a full set of fingerprints to the Department of Public Health for the purpose of obtaining a state and federal criminal records check. The Department of Public Health may exchange this data with the Department of State Police or the Federal Bureau of Investigation without disclosing that the records check is related to this Act. The Department of Public Health shall destroy each set of fingerprints after the criminal records check is completed. The Department of Public Health may waive the submission of a qualifying patient's complete fingerprints based on (1) the severity of the patient's illness and (2) the inability of the qualifying patient to obtain those fingerprints, provided that a complete criminal background check is conducted by the Department of State Police prior to the issuance of a registry identification card.

(e) The Department of Public Health shall notify the qualifying patient who has designated someone to serve as his or her designated caregiver if a registry identification card will not be issued to the designated caregiver.

(f) Denial of an application or renewal is considered a final Department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/95)

New matter indicated by italics - deletions by strikeout
Sec. 95. Background checks.

(a) The Department of Agriculture through the Department of State Police shall conduct a background check of the prospective cultivation center agents. The Department of State Police shall charge a fee for conducting the criminal history record check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the record check. In order to carry out this provision, each person applying as a cultivation center agent shall submit a full set of fingerprints to the Department of State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall furnish, following positive identification, all Illinois conviction information to the Department of Agriculture.

The Department of Agriculture through the Department of State Police shall conduct a background check of the prospective cultivation center agents. The Department of State Police shall be reimbursed for the cost of the background check by the Department of Agriculture. In order to carry out this provision, each person applying as a cultivation center agent shall submit a full set of fingerprints to the Department of Agriculture for the purpose of obtaining a State and federal criminal records check. The Department of Agriculture may exchange this data with the Department of State Police and the Federal Bureau of Investigation without disclosing that the records check is related to this Act. The Department of Agriculture shall destroy each set of fingerprints after the criminal records check is complete.

(b) When applying for the initial permit, the background checks for the principal officer, board members, and registered agents shall be completed prior to submitting the application to the Department of Agriculture.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/105)

(Section scheduled to be repealed on January 1, 2018)

Sec. 105. Requirements; prohibitions; penalties for cultivation centers.

(a) The operating documents of a registered cultivation center shall include procedures for the oversight of the cultivation center, a cannabis
plant monitoring system including a physical inventory recorded weekly, a cannabis container system including a physical inventory recorded weekly, accurate record keeping, and a staffing plan.

(b) A registered cultivation center shall implement a security plan reviewed by the State Police and including but not limited to: facility access controls, perimeter intrusion detection systems, personnel identification systems, 24-hour surveillance system to monitor the interior and exterior of the registered cultivation center facility and accessible to authorized law enforcement and the Department of Agriculture in real-time.

(c) A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.

(d) All cultivation of cannabis for distribution to a registered dispensing organization must take place in an enclosed, locked facility as it applies to cultivation centers at the physical address provided to the Department of Agriculture during the registration process. The cultivation center location shall only be accessed by the cultivation center agents working for the registered cultivation center, Department of Agriculture staff performing inspections, Department of Public Health staff performing inspections, law enforcement or other emergency personnel, and contractors working on jobs unrelated to medical cannabis, such as installing or maintaining security devices or performing electrical wiring.

(e) A cultivation center may not sell or distribute any cannabis to any individual or entity other than a dispensary organization registered under this Act.

(f) All harvested cannabis intended for distribution to a dispensing organization must be packaged in a labeled medical cannabis container and entered into a data collection system.

(g) No person who has been convicted of an excluded offense may be a cultivation center agent.

(h) Registered cultivation centers are subject to random inspection by the State Police.

(i) Registered cultivation centers are subject to random inspections by the Department of Agriculture and the Department of Public Health.

(j) A cultivation center agent shall notify local law enforcement, the State Police, and the Department of Agriculture within 24 hours of the
discovery of any loss or theft. Notification shall be made by phone or in-person, or by written or electronic communication.

(k) A cultivation center shall comply with all State and federal rules and regulations regarding the use of pesticides.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/110)

(Section scheduled to be repealed on January 1, 2018)

Sec. 110. Suspension; revocation; other penalties for cultivation centers and agents of a registration.

Notwithstanding any other criminal penalties related to the unlawful possession of cannabis, the Department of Agriculture may revoke, suspend, place on probation, reprimand, issue cease and desist orders, refuse to issue or renew a registration, or take any other disciplinary or non-disciplinary action as the Department of Agriculture may deem proper with regard to a registered cultivation center or cultivation center agent, including imposing fines not to exceed $50,000 for each violation, for any violations of this Act and rules adopted under this Act. The procedures for disciplining a registered cultivation center or cultivation center agent and for administrative hearings shall be determined by rule. All final administrative decisions of the Department of Agriculture are subject to judicial review under the Administrative Review Law and its rules. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. (a) The Department of Agriculture may suspend or revoke a registration for violations of this Act and rules issued in accordance with this Section.

(b) The suspension or revocation of a certificate is a final Department of Agriculture action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/115)

(Section scheduled to be repealed on January 1, 2018)

Sec. 115. Registration of dispensing organizations.

(a) The Department of Financial and Professional Regulation may issue up to 60 dispensing organization registrations for operation. The Department of Financial and Professional Regulation may not issue less than the 60 registrations if there are qualified applicants who have applied with the Department of Financial and Professional Regulation. The organizations shall be geographically dispersed throughout the State to

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allow all registered qualifying patients reasonable proximity and access to a dispensing organization.

(b) A dispensing organization may only operate if it has been issued a registration from the Department of Financial and Professional Regulation. The Department of Financial and Professional Regulation shall adopt rules establishing the procedures for applicants for dispensing organizations.

(c) When applying for a dispensing organization registration, the applicant shall submit, at a minimum, the following in accordance with Department of Financial and Professional Regulation rules:

(1) a non-refundable application fee established by rule;
(2) the proposed legal name of the dispensing organization;
(3) the proposed physical address of the dispensing organization;
(4) the name, address, and date of birth of each principal officer and board member of the dispensing organization, provided that all those individuals shall be at least 21 years of age;
(5) information, in writing, regarding any instances in which a business or not-for-profit that any of the prospective board members managed or served on the board was convicted, fined, censured, or had a registration suspended or revoked in any administrative or judicial proceeding;
(6) proposed operating by-laws that include procedures for the oversight of the medical cannabis dispensing organization and procedures to ensure accurate record keeping and security measures that are in accordance with the rules applied by the Department of Financial and Professional Regulation under this Act. The by-laws shall include a description of the enclosed, locked facility where medical cannabis will be stored by the dispensing organization; and
(7) signed statements from each dispensing organization agent stating that they will not divert medical cannabis.

(d) The Department of Financial and Professional Regulation shall conduct a background check of the prospective dispensing organization agents in order to carry out this Section. The Department of State Police shall charge a fee for conducting the criminal history record check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the record check. Each person applying as a dispensing organization agent shall submit a full set of fingerprints to the Department

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of State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall furnish, following positive identification, all Illinois conviction information to the Department of Financial and Professional Regulation. The Department of Financial and Professional Regulation shall conduct a background check of the prospective dispensing organization agents in order to carry out this provision. The Department of State Police shall be reimbursed for the cost of the background check by the Department of Financial and Professional Regulation. Each person applying as a dispensing organization agent shall submit a full set of fingerprints to the Department of Financial and Professional Regulation for the purpose of obtaining a state and federal criminal records check. The Department of Financial and Professional Regulation may exchange this data with the Department of State Police and the Federal Bureau of Investigation without disclosing that the records check is related to this Act. The Department of Financial and Professional Regulation shall destroy each set of fingerprints after the criminal records check is completed.

(e) A dispensing organization must pay a registration fee set by the Department of Financial and Professional Regulation.

(f) An application for a medical cannabis dispensing organization registration must be denied if any of the following conditions are met:

1. the applicant failed to submit the materials required by this Section, including if the applicant's plans do not satisfy the security, oversight, or recordkeeping rules issued by the Department of Financial and Professional Regulation;
2. the applicant would not be in compliance with local zoning rules issued in accordance with Section 140;
3. the applicant does not meet the requirements of Section 130;
4. one or more of the prospective principal officers or board members has been convicted of an excluded offense;
5. one or more of the prospective principal officers or board members has served as a principal officer or board member for a registered medical cannabis dispensing organization that has had its registration revoked;

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(6) one or more of the principal officers or board members is under 21 years of age; and
(7) one or more of the principal officers or board members is a registered qualified patient or a registered caregiver.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/120)
(Section scheduled to be repealed on January 1, 2018)

Sec. 120. Dispensing organization agent identification card.
(a) The Department of Financial and Professional Regulation shall:
   (1) verify the information contained in an application or renewal for a dispensing organization agent identification card submitted under this Act, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation required by rule;
   (2) issue a dispensing organization agent identification card to a qualifying agent within 15 business days of approving the application or renewal;
   (3) enter the registry identification number of the dispensing organization where the agent works; and
   (4) allow for an electronic application process, and provide a confirmation by electronic or other methods that an application has been submitted.

(b) A dispensing agent must keep his or her identification card visible at all times when on the property of a dispensing organization.

(c) The dispensing organization agent identification cards shall contain the following:
   (1) the name of the cardholder;
   (2) the date of issuance and expiration date of the dispensing organization agent identification cards;
   (3) a random 10 digit alphanumeric identification number containing at least 4 numbers and at least 4 letters; that is unique to the holder; and
   (4) a photograph of the cardholder.

(d) The dispensing organization agent identification cards shall be immediately returned to the dispensing organization or cultivation center upon termination of employment.

(e) Any card lost by a dispensing organization agent shall be reported to the Illinois State Police and the Department of Financial and

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Professional Regulation Agriculture immediately upon discovery of the loss.

(f) An applicant shall be denied a dispensing organization agent identification card if he or she has been convicted of an excluded offense.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/140)

(Section scheduled to be repealed on January 1, 2018)

Sec. 140. Local ordinances. A unit of local government may enact reasonable zoning ordinances or resolutions, not in conflict with this Act or with Department of Agriculture or Department of Financial and Professional Regulation Public Health rules, regulating registered medical cannabis cultivation center or medical cannabis dispensing organizations. No unit of local government, including a home rule unit, or school district may regulate registered medical cannabis organizations other than as provided in this Act and may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis authorized by this Act. This Section is a denial and limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/145)

(Section scheduled to be repealed on January 1, 2018)

Sec. 145. Confidentiality.

(a) The following information received and records kept by the Department of Public Health, Department of Financial and Professional Regulation, Department of Agriculture, or Department of State Police under their rules for purposes of administering this Act are subject to all applicable federal privacy laws, confidential, and exempt from the Freedom of Information Act, and not subject to disclosure to any individual or public or private entity, except as necessary for authorized employees of those authorized agencies to perform official duties under this Act and the following, except that the information received and records kept by Department of Public Health, Department of Agriculture, Department of Financial and Professional Regulation, and Department of State Police, excluding any existing or non-existing Illinois or national criminal history record information as defined in subsection (d), may be disclosed to each other upon request:

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(1) Applications and renewals, their contents, and supporting information submitted by qualifying patients and designated caregivers, including information regarding their designated caregivers and physicians.

(2) Applications and renewals, their contents, and supporting information submitted by or on behalf of cultivation centers and dispensing organizations in compliance with this Act, including their physical addresses.

(3) The individual names and other information identifying persons to whom the Department of Public Health has issued registry identification cards.

(4) Any dispensing information required to be kept under Section 135, Section 150, or Department of Public Health, Department of Agriculture, or Department of Financial and Professional Regulation rules shall identify cardholders and registered cultivation centers by their registry identification numbers and medical cannabis dispensing organizations by their registration number and not contain names or other personally identifying information.

(5) All medical records provided to the Department of Public Health in connection with an application for a registry card.

(b) Nothing in this Section precludes the following:

(1) Department of Agriculture, Department of Financial and Professional Regulation, or Public Health employees may notify law enforcement about falsified or fraudulent information submitted to the Departments if the employee who suspects that falsified or fraudulent information has been submitted conferred with his or her supervisor and both agree that circumstances exist that warrant reporting.

(2) If the employee conferred with his or her supervisor and both agree that circumstances exist that warrant reporting, Department of Public Health employees may notify the Department of Financial and Professional Regulation if there is reasonable cause to believe a physician:

(A) issued a written certification without a bona fide physician-patient relationship under this Act;

(B) issued a written certification to a person who was not under the physician's care for the debilitating medical condition; or

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(C) failed to abide by the acceptable and prevailing standard of care when evaluating a patient's medical condition.

(3) The Department of Public Health, Department of Agriculture, and Department of Financial and Professional Regulation may notify State or local law enforcement about apparent criminal violations of this Act if the employee who suspects the offense has conferred with his or her supervisor and both agree that circumstances exist that warrant reporting.

(4) Medical cannabis cultivation center agents and medical cannabis dispensing organizations may notify the Department of Public Health, Department of Financial and Professional Regulation, or Department of Agriculture of a suspected violation or attempted violation of this Act or the rules issued under it.

(5) Each Department may verify registry identification cards under Section 150.

(6) The submission of the report to the General Assembly under Section 160.

(c) It is a Class B misdemeanor with a $1,000 fine for any person, including an employee or official of the Department of Public Health, Department of Financial and Professional Regulation, or Department of Agriculture or another State agency or local government, to breach the confidentiality of information obtained under this Act.

(d) The Department of Public Health, the Department of Agriculture, the Department of State Police, and the Department of Financial and Professional Regulation shall not share or disclose any existing or non-existing Illinois or national criminal history record information. For the purposes of this Section, "any existing or non-existing Illinois or national criminal history record information" means any Illinois or national criminal history record information, including but not limited to the lack of or non-existence of these records.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/150)

(Section scheduled to be repealed on January 1, 2018)

Sec. 150. Registry identification and registration certificate verification.

(a) The Department of Public Health shall maintain a confidential list of the persons to whom the Department of Public Health has issued registry identification cards and their addresses, phone numbers, and

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registry identification numbers. This confidential list may not be combined or linked in any manner with any other list or database except as provided in this Section.

(b) Within 180 days of the effective date of this Act, the Department of Public Health, Department of Financial and Professional Regulation, and Department of Agriculture shall together establish a computerized database or verification system. The database or verification system must allow law enforcement personnel and medical cannabis dispensary organization agents to determine whether or not the identification number corresponds with a current, valid registry identification card. The system shall only disclose whether the identification card is valid, whether the cardholder is a registered qualifying patient or a registered designated caregiver, the registry identification number of the registered medical cannabis dispensing organization designated to serve the registered qualifying patient who holds the card, and the registry identification number of the patient who is assisted by a registered designated caregiver who holds the card. The Department of Public Health, the Department of Agriculture, the Department of State Police, and the Department of Financial and Professional Regulation shall not share or disclose any existing or non-existing Illinois or national criminal history record information. Notwithstanding any other requirements established by this subsection, the Department of Public Health shall issue registry cards to qualifying patients, the Department of Financial and Professional Regulation may issue registration to medical cannabis dispensing organizations for the period during which the database is being established, and the Department of Agriculture may issue registration to medical cannabis cultivation organizations for the period during which the database is being established.

(c) For the purposes of this Section, "any existing or non-existing Illinois or national criminal history record information" means any Illinois or national criminal history record information, including but not limited to the lack of or non-existence of these records.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/165)

(Section scheduled to be repealed on January 1, 2018)

Sec. 165. Administrative rulemaking.
(a) Not later than 120 days after the effective date of this Act, the Department of Public Health, Department of Agriculture, and the

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Department of Financial and Professional Regulation shall develop rules in accordance to their responsibilities under this Act and file those rules with the Joint Committee on Administrative Rules.

(b) The Department of Public Health rules shall address, but not be limited to, the following:

(1) fees for applications for registration as a qualified patient or caregiver;
(2) establishing the form and content of registration and renewal applications submitted under this Act, including a standard form for written certifications;
(3) governing the manner in which it shall consider applications for and renewals of registry identification cards;
(4) the manufacture of medical cannabis-infused products;
(5) fees for the application and renewal of registry identification cards. Fee revenue may be offset or supplemented by private donations;
(6) any other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of this Act; and
(7) reasonable rules concerning the medical use of cannabis at a nursing care institution, hospice, assisted living center, assisted living facility, assisted living home, residential care institution, or adult day health care facility.

(c) The Department of Agriculture rules shall address, but not be limited to the following related to registered cultivation centers, with the goal of protecting against diversion and theft, without imposing an undue burden on the registered cultivation centers:

(1) oversight requirements for registered cultivation centers;
(2) recordkeeping requirements for registered cultivation centers;
(3) security requirements for registered cultivation centers, which shall include that each registered cultivation center location must be protected by a fully operational security alarm system;
(4) rules and standards for what constitutes an enclosed, locked facility under this Act;
(5) procedures for suspending or revoking the registration certificates or registry identification cards of registered cultivation centers and their agents that commit violations of the provisions of this Act or the rules adopted under this Section;

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(6) rules concerning the intrastate transportation of medical cannabis from a cultivation center to a dispensing organization;

(7) standards concerning the testing, quality, and cultivation of medical cannabis;

(8) any other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of this Act;

(9) application and renewal fees for cultivation center agents; and

(10) application, renewal, and registration fees for cultivation centers.

(d) The Department of Financial and Professional Regulation rules shall address, but not be limited to the following matters related to registered dispensing organizations, with the goal of protecting against diversion and theft, without imposing an undue burden on the registered dispensing organizations or compromising the confidentiality of cardholders:

(1) application and renewal and registration fees for dispensing organizations and dispensing organizations agents;

(2) medical cannabis dispensing agent-in-charge oversight requirements for dispensing organizations;

(3) recordkeeping requirements for dispensing organizations;

(4) security requirements for medical cannabis dispensing organizations, which shall include that each registered dispensing organization location must be protected by a fully operational security alarm system;

(5) procedures for suspending or revoking suspending the registrations of dispensing organizations and dispensing organization agents that commit violations of the provisions of this Act or the rules adopted under this Act;

(6) application and renewal fees for dispensing organizations; and

(7) application and renewal fees for dispensing organization agents.

(e) The Department of Public Health may establish a sliding scale of patient application and renewal fees based upon a qualifying patient's household income. The Department of Public Health may accept donations from private sources to reduce application and renewal fees, and registry identification card fees shall include an additional fee set by rule which
(f) During the rule-making process, each Department shall make a good faith effort to consult with stakeholders identified in the rule-making analysis as being impacted by the rules, including patients or a representative of an organization advocating on behalf of patients.

(g) The Department of Public Health shall develop and disseminate educational information about the health risks associated with the abuse of cannabis and prescription medications.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/175)

Sec. 175. Administrative hearings.

(a) Administrative hearings involving the Department of Public Health, a qualifying patient, or a designated caregiver shall be conducted under the Department of Public Health's rules governing administrative hearings.

(b) Administrative hearings involving the Department of Financial and Professional Regulation, dispensing organizations, or dispensing organization agents shall be conducted under the Department of Financial and Professional Regulation's rules governing administrative hearings.

(c) Administrative hearings involving the Department of Agriculture, registered cultivation centers, or cultivation center agents shall be conducted under the Department of Agriculture's rules governing administrative hearings.

All administrative hearings under this Act shall be conducted in accordance with the Department of Public Health's rules governing administrative hearings.

(Source: P.A. 98-122, eff. 1-1-14.)

(410 ILCS 130/185)

Sec. 185. Suspension revocation of a registration.

(a) The Department of Agriculture, the Department of Financial and Professional Regulation, and the Department of Public Health may suspend or revoke a registration for violations of this Act and rules issued in accordance with this Section.

(b) The suspension or revocation of a registration is a final Department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court.
Section 10. The Illinois Vehicle Code is amended by changing Sections 2-118.1, 6-118, 6-206.1, 6-208.1, 6-514, 11-501.1, and 11-501.2 and by adding Sections 2-118.2 and 11-501.9 as follows:

(625 ILCS 5/2-118.1) (from Ch. 95 1/2, par. 2-118.1)
Sec. 2-118.1. Opportunity for hearing; statutory summary alcohol or other drug related suspension or revocation pursuant to Section 11-501.1.

(a) A statutory summary suspension or revocation of driving privileges under Section 11-501.1 shall not become effective until the person is notified in writing of the impending suspension or revocation and informed that he may request a hearing in the circuit court of venue under paragraph (b) of this Section and the statutory summary suspension or revocation shall become effective as provided in Section 11-501.1.

(b) Within 90 days after the notice of statutory summary suspension or revocation served under Section 11-501.1, the person may make a written request for a judicial hearing in the circuit court of venue. The request to the circuit court shall state the grounds upon which the person seeks to have the statutory summary suspension or revocation rescinded. Within 30 days after receipt of the written request or the first appearance date on the Uniform Traffic Ticket issued pursuant to a violation of Section 11-501, or a similar provision of a local ordinance, the hearing shall be conducted by the circuit court having jurisdiction. This judicial hearing, request, or process shall not stay or delay the statutory summary suspension or revocation. The hearings shall proceed in the court in the same manner as in other civil proceedings.

The hearing may be conducted upon a review of the law enforcement officer's own official reports; provided however, that the person may subpoena the officer. Failure of the officer to answer the subpoena shall be considered grounds for a continuance if in the court's discretion the continuance is appropriate.

The scope of the hearing shall be limited to the issues of:
1. Whether the person was placed under arrest for an offense as defined in Section 11-501, or a similar provision of a local ordinance, as evidenced by the issuance of a Uniform Traffic Ticket, or issued a Uniform Traffic Ticket out of state as provided in subsection (a) or (a-5) of Section 11-501.1; and
2. Whether the officer had reasonable grounds to believe that the person was driving or in actual physical control of a motor

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vehicle upon a highway while under the influence of alcohol, other
drug, or combination of both; and

3. Whether the person, after being advised by the officer
that the privilege to operate a motor vehicle would be suspended or
revoked if the person refused to submit to and complete the test or
tests, did refuse to submit to or complete the test or tests to
determine the person's blood alcohol or drug concentration
authorized under Section 11-501.1; or

4. Whether the person, after being advised by the officer
that the privilege to operate a motor vehicle would be suspended if
the person submits to a chemical test, or tests, and the test discloses
an alcohol concentration of 0.08 or more, or any amount of a drug,
substance, or compound in the person's blood or urine resulting
from the unlawful use or consumption of cannabis listed in the
Cannabis Control Act, a controlled substance listed in the Illinois
Controlled Substances Act, an intoxicating compound as listed in
the Use of Intoxicating Compounds Act, or methamphetamine as
listed in the Methamphetamine Control and Community Protection
Act, and the person did submit to and complete the test or tests that
determined an alcohol concentration of 0.08 or more.

4.2. (Blank). If the person is a qualifying patient licensed
under the Compassionate Use of Medical Cannabis Pilot Program
Act who is in possession of a valid registry card issued under that
Act, after being advised by the officer that the privilege to operate
a motor vehicle would be suspended or revoked if the person
refused to submit to and complete the test or tests, did refuse to
submit to or complete the test or tests authorized under Section 11-
501.1:

4.5. (Blank). If the person is a qualifying patient licensed
under the Compassionate Use of Medical Cannabis Pilot Program
Act who is in possession of a valid registry card issued under that
Act, whether that person, after being advised by the officer that the
privilege to operate a motor vehicle would be suspended if the
person submits to a standardized field sobriety test, or tests, and the
test indicates impairment resulting from the consumption of
cannabis, did submit to and complete the test or tests that indicated
impairment:

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5. If the person's driving privileges were revoked, whether the person was involved in a motor vehicle accident that caused Type A injury or death to another.

Upon the conclusion of the judicial hearing, the circuit court shall sustain or rescind the statutory summary suspension or revocation and immediately notify the Secretary of State. Reports received by the Secretary of State under this Section shall be privileged information and for use only by the courts, police officers, and Secretary of State.

(Source: P.A. 98-122, eff. 1-1-14.)

(625 ILCS 5/2-118.2 new)

Sec. 2-118.2. Opportunity for hearing; medical cannabis-related suspension under Section 11-501.9.

(a) A suspension of driving privileges under Section 11-501.9 of this Code shall not become effective until the person is notified in writing of the impending suspension and informed that he or she may request a hearing in the circuit court of venue under subsection (b) of this Section and the suspension shall become effective as provided in Section 11-501.9.

(b) Within 90 days after the notice of suspension served under Section 11-501.9, the person may make a written request for a judicial hearing in the circuit court of venue. The request to the circuit court shall state the grounds upon which the person seeks to have the suspension rescinded. Within 30 days after receipt of the written request or the first appearance date on the Uniform Traffic Ticket issued for a violation of Section 11-501 of this Code, or a similar provision of a local ordinance, the hearing shall be conducted by the circuit court having jurisdiction. This judicial hearing, request, or process shall not stay or delay the suspension. The hearing shall proceed in the court in the same manner as in other civil proceedings.

The hearing may be conducted upon a review of the law enforcement officer's own official reports; provided however, that the person may subpoena the officer. Failure of the officer to answer the subpoena shall be considered grounds for a continuance if in the court's discretion the continuance is appropriate.

The scope of the hearing shall be limited to the issues of:

1. Whether the person was issued a registry identification card under the Compassionate Use of Medical Cannabis Pilot Program Act; and

2. Whether the officer had reasonable suspicion to believe that the person was driving or in actual physical control of a

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motor vehicle upon a highway while impaired by the use of cannabis; and

(3) Whether the person, after being advised by the officer that the privilege to operate a motor vehicle would be suspended if the person refused to submit to and complete the field sobriety tests, did refuse to submit to or complete the field sobriety tests authorized under Section 11-501.9; and

(4) Whether the person after being advised by the officer that the privilege to operate a motor vehicle would be suspended if the person submitted to field sobriety tests that disclosed the person was impaired by the use of cannabis, did submit to field sobriety tests that disclosed that the person was impaired by the use of cannabis.

Upon the conclusion of the judicial hearing, the circuit court shall sustain or rescind the suspension and immediately notify the Secretary of State. Reports received by the Secretary of State under this Section shall be privileged information and for use only by the courts, police officers, and Secretary of State.

(625 ILCS 5/6-118)
(Text of Section before amendment by P.A. 98-176)
Sec. 6-118. Fees.
(a) The fee for licenses and permits under this Article is as follows:
Original driver's license.......................... $30
Original or renewal driver's license
issued to 18, 19 and 20 year olds............... 5
All driver's licenses for persons
age 69 through age 80.................. 5
All driver's licenses for persons
age 81 through age 86.................. 2
All driver's licenses for persons
age 87 or older.......................... 0
Renewal driver's license (except for
applicants ages 18, 19 and 20 or
age 69 and older).................. 30
Original instruction permit issued to
persons (except those age 69 and older)
who do not hold or have not previously
held an Illinois instruction permit or
driver's license.......................... 20
Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications, other than at the time of renewal.............. 5

Any instruction permit issued to a person age 69 and older........................................... 5

Instruction permit issued to any person, under age 69, not currently holding a valid Illinois driver's license or instruction permit but who has previously been issued either document in Illinois................................. 10

Restricted driving permit.......................... 8

Monitoring device driving permit.................. 8

Duplicate or corrected driver's license or permit.............................................. 5

Duplicate or corrected restricted driving permit................................. 5

Duplicate or corrected monitoring device driving permit.......................... 5

Duplicate driver's license or permit issued to an active-duty member of the United States Armed Forces, the member's spouse, or the dependent children living with the member.............................................. 0

Original or renewal M or L endorsement................. 5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under Article V shall be as follows: Commercial driver's license:

$6 for the CDLIS/AAMVA.net/NMVTIS Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund);

$20 for the Motor Carrier Safety Inspection Fund;

$10 for the driver's license;

and $24 for the CDL........................................... $60

Renewal commercial driver's license:

New matter indicated by italics - deletions by strikeout
$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;  
$20 for the Motor Carrier Safety Inspection Fund;  
$10 for the driver's license; and  
$24 for the CDL:........................................... $60  

Commercial driver instruction permit  
issued to any person holding a valid  
Illinois driver's license for the  
purpose of changing to a  
CDL classification: $6 for the  
CDLIS/AAMVAnet/NMVTIS Trust Fund;  
$20 for the Motor Carrier  
Safety Inspection Fund; and  
$24 for the CDL classification................. $50  

Commercial driver instruction permit  
issued to any person holding a valid  
Illinois CDL for the purpose of  
making a change in a classification,  
endorsement or restriction....................... $5  

CDL duplicate or corrected license................ $5  

In order to ensure the proper implementation of the Uniform  
Commercial Driver License Act, Article V of this Chapter, the Secretary  
of State is empowered to pro-rate the $24 fee for the commercial driver's  
license proportionate to the expiration date of the applicant's Illinois  
driver's license.  

The fee for any duplicate license or permit shall be waived for any  
person who presents the Secretary of State's office with a police report  
showing that his license or permit was stolen.  

The fee for any duplicate license or permit shall be waived for any  
person age 60 or older whose driver's license or permit has been lost or  
stolen.  

No additional fee shall be charged for a driver's license, or for a  
commercial driver's license, when issued to the holder of an instruction  
permit for the same classification or type of license who becomes eligible  
for such license.  

(b) Any person whose license or privilege to operate a motor  
vehicle in this State has been suspended or revoked under Section 3-707,  
any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702  
of the Family Financial Responsibility Law of this Code, shall in addition  
to any other fees required by this Code, pay a reinstatement fee as follows:  

New matter indicated by italics - deletions by strikeout
Suspension under Section 3-707....................... $100
Summary suspension under Section 11-501.1......... $250
*Suspension under Section 11-501.9*............... $250
Summary revocation under Section 11-501.1........ $500
Other suspension.................................... $70
Revocation........................................... $500

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, or 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501, or 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

Summary suspension under Section 11-501.1........... $500
*Suspension under Section 11-501.9*............... $500
Summary revocation under Section 11-501.1........ $500
Revocation........................................... $500

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:

   (A) $16 of the $20 fee for an original driver's instruction permit;
   (B) $5 of the $30 fee for an original driver's license;
   (C) $5 of the $30 fee for a 4 year renewal driver's license;
   (D) $4 of the $8 fee for a restricted driving permit;
   and
   (E) $4 of the $8 fee for a monitoring device driving permit.

2. $30 of the $250 fee for reinstatement of a license summarily suspended under Section 11-501.1 *or suspended under Section 11-501.9* shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been

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suspended or revoked for a second or subsequent time for a violation of Section 11-501, or 11-501.1, or 11-501.9 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, $190 of the $500 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9, and $190 of the $500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. $190 of the $500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. $6 of such original or renewal fee for a commercial driver's license and $6 of the commercial driver instruction permit fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVA/Net/NMVTIS Trust Fund.

4. $30 of the $70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. $20 of any original or renewal fee for a commercial driver's license or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:

   (A) $190 of the $250 reinstatement fee for a summary suspension under Section 11-501.1 or a suspension under Section 11-501.9;
   (B) $40 of the $70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and
   (C) $440 of the $500 reinstatement fee for a first offense revocation and $310 of the $500 reinstatement fee for a second or subsequent revocation.

(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

New matter indicated by italics - deletions by strikeout
(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.
(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-177, eff. 1-1-14; 98-756, eff. 7-16-14.)
(Text of Section after amendment by P.A. 98-176)
Sec. 6-118. Fees.
(a) The fee for licenses and permits under this Article is as follows:
   Original driver's license.......................... $30
   Original or renewal driver's license
       issued to 18, 19 and 20 year olds............... 5
   All driver's licenses for persons
       age 69 through age 80.............................. 5
   All driver's licenses for persons
       age 81 through age 86.............................. 2
   All driver's licenses for persons
       age 87 or older.................................... 0
   Renewal driver's license (except for
       applicants ages 18, 19 and 20 or
       age 69 and older)................................. 30
   Original instruction permit issued to
       persons (except those age 69 and older)
       who do not hold or have not previously
       held an Illinois instruction permit or
       driver's license................................. 20
   Instruction permit issued to any person
       holding an Illinois driver's license
       who wishes a change in classifications,
       other than at the time of renewal..................... 5
   Any instruction permit issued to a person
       age 69 and older...................................... 5
   Instruction permit issued to any person,
       under age 69, not currently holding a
       valid Illinois driver's license or
       instruction permit but who has
       previously been issued either document

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in Illinois.........................................
Restricted driving permit........................
Monitoring device driving permit..............
Duplicate or corrected driver's license
or permit........................................
Duplicate or corrected restricted
driving permit...................................
Duplicate or corrected monitoring
device driving permit.........................
Duplicate driver's license or permit issued to
an active-duty member of the
United States Armed Forces,
the member's spouse, or
the dependent children living
with the member.................................
0
Original or renewal M or L endorsement........

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under
Article V shall be as follows: Commercial driver's license:
$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
(Commercial Driver's License Information
System/American Association of Motor Vehicle
Administrators network/National Motor Vehicle
Title Information Service Trust Fund);
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license;
and $24 for the CDL:.........................
$60
Renewal commercial driver's license:
$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license; and
$24 for the CDL:..............................
$60
Commercial learner's permit
issued to any person holding a valid
Illinois driver's license for the
purpose of changing to a
CDL classification: $6 for the
CDLIS/AAMVAnet/NMVTIS Trust Fund;
$20 for the Motor Carrier
Safety Inspection Fund; and
$24 for the CDL classification...................                      $50
Commercial learner's permit
issued to any person holding a valid
Illinois CDL for the purpose of
making a change in a classification,
endorsement or restriction.......................                          $5
CDL duplicate or corrected license...............                            $5

In order to ensure the proper implementation of the Uniform Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to pro-rate the $24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

Suspension under Section 3-707..................                           $100
Summary suspension under Section 11-501.1...........                $250
Suspension under Section 11-501.9....................... $250
Summary revocation under Section 11-501.1...........                       $500
Other suspension........................................                                    $70
Revocation..........................................                                      $500

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, or 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the
Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501, or 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

- **Summary suspension under Section 11-501.1**............               $500
- **Suspension under Section 11-501.9**....................                       $500
- **Summary revocation under Section 11-501.1**............                $500
- **Revocation**...........................................                                      $500

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:
   (A) $16 of the $20 fee for an original driver's instruction permit;
   (B) $5 of the $30 fee for an original driver's license;
   (C) $5 of the $30 fee for a 4 year renewal driver's license;
   (D) $4 of the $8 fee for a restricted driving permit; and
   (E) $4 of the $8 fee for a monitoring device driving permit.

2. $30 of the $250 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, or 11-501.1, or 11-501.9 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, $190 of the $500 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9, and $190 of the $500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. $190 of the $500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

New matter indicated by italics - deletions by strikeout
3. $6 of the original or renewal fee for a commercial driver's license and $6 of the commercial learner's permit fee when the permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVA/Net/NMVTIS Trust Fund.

4. $30 of the $70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. $20 of any original or renewal fee for a commercial driver's license or commercial learner's permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:
   (A) $190 of the $250 reinstatement fee for a summary suspension under Section 11-501.1 or a suspension under Section 11-501.9;
   (B) $40 of the $70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and
   (C) $440 of the $500 reinstatement fee for a first offense revocation and $310 of the $500 reinstatement fee for a second or subsequent revocation.

(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

(625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)
Sec. 6-206.1. Monitoring Device Driving Permit. Declaration of Policy. It is hereby declared a policy of the State of Illinois that the driver who is impaired by alcohol, other drug or drugs, or intoxicating compound or compounds is a threat to the public safety and welfare. Therefore, to provide a deterrent to such practice, a statutory summary driver's license suspension is appropriate. It is also recognized that driving is a privilege and therefore, that the granting of driving privileges, in a manner consistent with public safety, is warranted during the period of suspension in the form of a monitoring device driving permit. A person who drives and fails to comply with the requirements of the monitoring device driving permit commits a violation of Section 6-303 of this Code.

The following procedures shall apply whenever a first offender, as defined in Section 11-500 of this Code, is arrested for any offense as defined in Section 11-501 or a similar provision of a local ordinance and is subject to the provisions of Section 11-501.1:

(a) Upon mailing of the notice of suspension of driving privileges as provided in subsection (h) of Section 11-501.1 of this Code, the Secretary shall also send written notice informing the person that he or she will be issued a monitoring device driving permit (MDDP). The notice shall include, at minimum, information summarizing the procedure to be followed for issuance of the MDDP, installation of the breath alcohol ignition installation device (BAIID), as provided in this Section, exemption from BAIID installation requirements, and procedures to be followed by those seeking indigent status, as provided in this Section. The notice shall also include information summarizing the procedure to be followed if the person wishes to decline issuance of the MDDP. A copy of the notice shall also be sent to the court of venue together with the notice of suspension of driving privileges, as provided in subsection (h) of Section 11-501. However, a MDDP shall not be issued if the Secretary finds that:

1. the offender's driver's license is otherwise invalid;
2. death or great bodily harm to another resulted from the arrest for Section 11-501;
3. the offender has been previously convicted of reckless homicide or aggravated driving under the influence involving death;
4. the offender is less than 18 years of age; or
5. the offender is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is

New matter indicated by italics - deletions by strikeout
in possession of a valid registry card issued under that Act and refused to submit to standardized field sobriety tests as required by subsection (a) (a-5) of Section 11-501.9 or did submit to testing which disclosed the person was impaired by the use of cannabis and failed the test or tests.

Any offender participating in the MDDP program must pay the Secretary a MDDP Administration Fee in an amount not to exceed $30 per month, to be deposited into the Monitoring Device Driving Permit Administration Fee Fund. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees. The offender must have an ignition interlock device installed within 14 days of the date the Secretary issues the MDDP. The ignition interlock device provider must notify the Secretary, in a manner and form prescribed by the Secretary, of the installation. If the Secretary does not receive notice of installation, the Secretary shall cancel the MDDP.

A MDDP shall not become effective prior to the 31st day of the original statutory summary suspension.

Upon receipt of the notice, as provided in paragraph (a) of this Section, the person may file a petition to decline issuance of the MDDP with the court of venue. The court shall admonish the offender of all consequences of declining issuance of the MDDP including, but not limited to, the enhanced penalties for driving while suspended. After being so admonished, the offender shall be permitted, in writing, to execute a notice declining issuance of the MDDP. This notice shall be filed with the court and forwarded by the clerk of the court to the Secretary. The offender may, at any time thereafter, apply to the Secretary for issuance of a MDDP.

(a-1) A person issued a MDDP may drive for any purpose and at any time, subject to the rules adopted by the Secretary under subsection (g). The person must, at his or her own expense, drive only vehicles equipped with an ignition interlock device as defined in Section 1-129.1, but in no event shall such person drive a commercial motor vehicle.

(a-2) Persons who are issued a MDDP and must drive employer-owned vehicles in the course of their employment duties may seek permission to drive an employer-owned vehicle that does not have an ignition interlock device. The employer shall provide to the Secretary a form, as prescribed by the Secretary, completed by the employer verifying that the employee must drive an employer-owned vehicle in the course of employment. If approved by the Secretary, the form must be in the driver's

New matter indicated by italics - deletions by strikeout
possession while operating an employer-owner vehicle not equipped with an ignition interlock device. No person may use this exemption to drive a school bus, school vehicle, or a vehicle designed to transport more than 15 passengers. No person may use this exemption to drive an employer-owned motor vehicle that is owned by an entity that is wholly or partially owned by the person holding the MDDP, or by a family member of the person holding the MDDP. No person may use this exemption to drive an employer-owned vehicle that is made available to the employee for personal use. No person may drive the exempted vehicle more than 12 hours per day, 6 days per week.

(a-3) Persons who are issued a MDDP and who must drive a farm tractor to and from a farm, within 50 air miles from the originating farm are exempt from installation of a BAIID on the farm tractor, so long as the farm tractor is being used for the exclusive purpose of conducting farm operations.

(b) (Blank).

(c) (Blank).

(c-1) If the holder of the MDDP is convicted of or receives court supervision for a violation of Section 6-206.2, 6-303, 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar provision of a local ordinance or a similar out-of-state offense or is convicted of or receives court supervision for any offense for which alcohol or drugs is an element of the offense and in which a motor vehicle was involved (for an arrest other than the one for which the MDDP is issued), or de-installs the BAIID without prior authorization from the Secretary, the MDDP shall be cancelled.

(c-5) If the Secretary determines that the person seeking the MDDP is indigent, the Secretary shall provide the person with a written document as evidence of that determination, and the person shall provide that written document to an ignition interlock device provider. The provider shall install an ignition interlock device on that person's vehicle without charge to the person, and seek reimbursement from the Indigent BAIID Fund. If the Secretary has deemed an offender indigent, the BAIID provider shall also provide the normal monthly monitoring services and the de-installation without charge to the offender and seek reimbursement from the Indigent BAIID Fund. Any other monetary charges, such as a lockout fee or reset fee, shall be the responsibility of the MDDP holder. A BAIID provider may not seek a security deposit from the Indigent BAIID Fund.

New matter indicated by italics - deletions by strikeout
(d) MDDP information shall be available only to the courts, police officers, and the Secretary, except during the actual period the MDDP is valid, during which time it shall be a public record.

(e) (Blank).

(f) (Blank).

(g) The Secretary shall adopt rules for implementing this Section. The rules adopted shall address issues including, but not limited to: compliance with the requirements of the MDDP; methods for determining compliance with those requirements; the consequences of noncompliance with those requirements; what constitutes a violation of the MDDP; methods for determining indigency; and the duties of a person or entity that supplies the ignition interlock device.

(h) The rules adopted under subsection (g) shall provide, at a minimum, that the person is not in compliance with the requirements of the MDDP if he or she:

1. tampers or attempts to tamper with or circumvent the proper operation of the ignition interlock device;
2. provides valid breath samples that register blood alcohol levels in excess of the number of times allowed under the rules;
3. fails to provide evidence sufficient to satisfy the Secretary that the ignition interlock device has been installed in the designated vehicle or vehicles; or
4. fails to follow any other applicable rules adopted by the Secretary.

(i) Any person or entity that supplies an ignition interlock device as provided under this Section shall, in addition to supplying only those devices which fully comply with all the rules adopted under subsection (g), provide the Secretary, within 7 days of inspection, all monitoring reports of each person who has had an ignition interlock device installed. These reports shall be furnished in a manner or form as prescribed by the Secretary.

(j) Upon making a determination that a violation of the requirements of the MDDP has occurred, the Secretary shall extend the summary suspension period for an additional 3 months beyond the originally imposed summary suspension period, during which time the person shall only be allowed to drive vehicles equipped with an ignition interlock device; provided further there are no limitations on the total number of times the summary suspension may be extended. The Secretary
may, however, limit the number of extensions imposed for violations occurring during any one monitoring period, as set forth by rule. Any person whose summary suspension is extended pursuant to this Section shall have the right to contest the extension through a hearing with the Secretary, pursuant to Section 2-118 of this Code. If the summary suspension has already terminated prior to the Secretary receiving the monitoring report that shows a violation, the Secretary shall be authorized to suspend the person's driving privileges for 3 months, provided that the Secretary may, by rule, limit the number of suspensions to be entered pursuant to this paragraph for violations occurring during any one monitoring period. Any person whose license is suspended pursuant to this paragraph, after the summary suspension had already terminated, shall have the right to contest the suspension through a hearing with the Secretary, pursuant to Section 2-118 of this Code. The only permit the person shall be eligible for during this new suspension period is a MDDP.

(k) A person who has had his or her summary suspension extended for the third time, or has any combination of 3 extensions and new suspensions, entered as a result of a violation that occurred while holding the MDDP, so long as the extensions and new suspensions relate to the same summary suspension, shall have his or her vehicle impounded for a period of 30 days, at the person's own expense. A person who has his or her summary suspension extended for the fourth time, or has any combination of 4 extensions and new suspensions, entered as a result of a violation that occurred while holding the MDDP, so long as the extensions and new suspensions relate to the same summary suspension, shall have his or her vehicle subject to seizure and forfeiture. The Secretary shall notify the prosecuting authority of any third or fourth extensions or new suspension entered as a result of a violation that occurred while the person held a MDDP. Upon receipt of the notification, the prosecuting authority shall impound or forfeit the vehicle. The impoundment or forfeiture of a vehicle shall be conducted pursuant to the procedure specified in Article 36 of the Criminal Code of 2012.

(l) A person whose driving privileges have been suspended under Section 11-501.1 of this Code and who had a MDDP that was cancelled, or would have been cancelled had notification of a violation been received prior to expiration of the MDDP, pursuant to subsection (c-1) of this Section, shall not be eligible for reinstatement when the summary suspension is scheduled to terminate. Instead, the person's driving privileges shall be suspended for a period of not less than twice the
original summary suspension period, or for the length of any extensions entered under subsection (j), whichever is longer. During the period of suspension, the person shall be eligible only to apply for a restricted driving permit. If a restricted driving permit is granted, the offender may only operate vehicles equipped with a BAIID in accordance with this Section.

(m) Any person or entity that supplies an ignition interlock device under this Section shall, for each ignition interlock device installed, pay 5% of the total gross revenue received for the device, including monthly monitoring fees, into the Indigent BAIID Fund. This 5% shall be clearly indicated as a separate surcharge on each invoice that is issued. The Secretary shall conduct an annual review of the fund to determine whether the surcharge is sufficient to provide for indigent users. The Secretary may increase or decrease this surcharge requirement as needed.

(n) Any person or entity that supplies an ignition interlock device under this Section that is requested to provide an ignition interlock device to a person who presents written documentation of indigency from the Secretary, as provided in subsection (c-5) of this Section, shall install the device on the person's vehicle without charge to the person and shall seek reimbursement from the Indigent BAIID Fund.

(o) The Indigent BAIID Fund is created as a special fund in the State treasury. The Secretary shall, subject to appropriation by the General Assembly, use all money in the Indigent BAIID Fund to reimburse ignition interlock device providers who have installed devices in vehicles of indigent persons. The Secretary shall make payments to such providers every 3 months. If the amount of money in the fund at the time payments are made is not sufficient to pay all requests for reimbursement submitted during that 3 month period, the Secretary shall make payments on a pro-rata basis, and those payments shall be considered payment in full for the requests submitted.

(p) The Monitoring Device Driving Permit Administration Fee Fund is created as a special fund in the State treasury. The Secretary shall, subject to appropriation by the General Assembly, use the money paid into this fund to offset its administrative costs for administering MDDPs.

(q) The Secretary is authorized to prescribe such forms as it deems necessary to carry out the provisions of this Section.

(Source: P.A. 97-229, eff. 7-28-11; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14; 98-1015, eff. 8-22-14.)

(625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

New matter indicated by italics - deletions by strikeout
Sec. 6-208.1. Period of statutory summary alcohol, other drug, or intoxicating compound related suspension or revocation.

(a) Unless the statutory summary suspension has been rescinded, any person whose privilege to drive a motor vehicle on the public highways has been summarily suspended, pursuant to Section 11-501.1, shall not be eligible for restoration of the privilege until the expiration of:

1. twelve months from the effective date of the statutory summary suspension for a refusal or failure to complete a test or tests to determine the alcohol, other drug, or intoxicating compound concentration authorized under Section 11-501.1, if the person was not involved in a motor vehicle accident that caused personal injury or death to another; or

2. six months from the effective date of the statutory summary suspension imposed following the person's submission to a chemical test which disclosed an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in such person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, pursuant to Section 11-501.1; or

3. three years from the effective date of the statutory summary suspension for any person other than a first offender who refuses or fails to complete a test or tests to determine the alcohol, drug, or intoxicating compound concentration pursuant to Section 11-501.1; or

4. one year from the effective date of the summary suspension imposed for any person other than a first offender following submission to a chemical test which disclosed an alcohol concentration of 0.08 or more pursuant to Section 11-501.1 or any amount of a drug, substance or compound in such person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; or

New matter indicated by italics - deletions by strikeout
5. **(Blank)**. six months from the effective date of the statutory summary suspension imposed for any person following submission to a standardized field sobriety test that disclosed impairment if the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act and submitted to testing under subsection (a-5) of Section 11-501.1.

(b) Following a statutory summary suspension of the privilege to drive a motor vehicle under Section 11-501.1, driving privileges shall be restored unless the person is otherwise suspended, revoked, or cancelled by this Code. If the court has reason to believe that the person's driving privilege should not be restored, the court shall notify the Secretary of State prior to the expiration of the statutory summary suspension so appropriate action may be taken pursuant to this Code.

(c) Driving privileges may not be restored until all applicable reinstatement fees, as provided by this Code, have been paid to the Secretary of State and the appropriate entry made to the driver's record.

(d) Where a driving privilege has been summarily suspended or revoked under Section 11-501.1 and the person is subsequently convicted of violating Section 11-501, or a similar provision of a local ordinance, for the same incident, any period served on statutory summary suspension or revocation shall be credited toward the minimum period of revocation of driving privileges imposed pursuant to Section 6-205.

(e) A first offender who refused chemical testing and whose driving privileges were summarily revoked pursuant to Section 11-501.1 shall not be eligible for a monitoring device driving permit, but may make application for reinstatement or for a restricted driving permit after a period of one year has elapsed from the effective date of the revocation.

(f) **(Blank)**.

(g) Following a statutory summary suspension of driving privileges pursuant to Section 11-501.1 where the person was not a first offender, as defined in Section 11-500, the Secretary of State may not issue a restricted driving permit.

(h) **(Blank)**.

(Source: P.A. 97-229, eff. 7-28-11; 98-122, eff. 1-1-14; 98-1015, eff. 8-22-14.)

(625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

(Text of Section before amendment by P.A. 98-176)

New matter indicated by italics - deletions by strikeout
Sec. 6-514. Commercial driver's license (CDL); commercial learner's permit (CLP); disqualifications.

(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

(1) Refusing to submit to or failure to complete a test or tests to determine the driver's blood concentration of alcohol, other drug, or both authorized under Section 11-501.1 while driving a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

(2) Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a commercial driver's license; or

(3) Conviction for a first violation of:

   (i) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or

   (ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

New matter indicated by italics - deletions by strikeout
(iii) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while committing any felony; or

(iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or

(v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide" means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years; or

(4) (Blank).

If the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, operating a commercial motor vehicle under impairment resulting from the consumption of cannabis, as determined by failure of standardized field sobriety tests administered by a law enforcement officer as directed by subsection (a-5) of Section 11-501.2.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in
the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions would result in the suspension or revocation of the CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a commercial driver's license, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CDL or commercial driver

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instruction permit from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

1. For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.
2. For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).
3. For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).
4. For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.
5. For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).
6. For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

1. General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the
period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation

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described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(l) A foreign commercial driver is subject to disqualification under this Section.

(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14; 98-722, eff. 7-16-14; 98-756, eff. 7-16-14.)

(Text of Section after amendment by P.A. 98-176)

Sec. 6-514. Commercial driver's license (CDL); commercial learner's permit (CLP); disqualifications.

(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

1. Refusing to submit to or failure to complete a test or tests to determine the driver's blood concentration of alcohol, other drug, or both authorized under Section 11-501.1 while driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or

2. Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or

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methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act as indicated by a police officer's sworn report or other verified evidence while holding a CLP or CDL; or

(3) Conviction for a first violation of:

   (i) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or

   (ii) Knowingly leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CLP or CDL holder, while driving a non-CMV; or

   (iii) Driving a commercial motor vehicle or, if the driver is a CLP or CDL holder, driving a non-CMV while committing any felony; or

   (iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or

   (v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide"
means reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years; or

(4) (Blank).

(Blank). If the person is a qualifying patient licensed under the Compassionate Use of Medical Cannabis Pilot Program Act who is in possession of a valid registry card issued under that Act, operating a commercial motor vehicle under impairment resulting from the consumption of cannabis, as determined by failure of standardized field sobriety tests administered by a law enforcement officer as directed by subsection (a-5) of Section 11-501.2.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CLP or CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious

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traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, non-CMV while holding a CLP or CDL, or any combination thereof, arising from separate incidents, occurring within a 3 year period, provided the serious traffic violation committed in a non-CMV would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges. If all the convictions occurred in a non-CMV, the disqualification shall be entered only if the convictions would result in the suspension or revocation of the CLP or CDL holder's non-CMV privileges.

(e-1) (Blank).

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a CLP or CDL, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CLP or CDL from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

   (1) For 6 months upon a first conviction of paragraph (2) of subsection (b) or subsection (b-3) of Section 6-507 of this Code.

   (2) For 2 years upon a second conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

   (3) For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) or subsection (b-3) or any combination of paragraphs (2) or (3) of subsection (b) or
subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (2) of subsection (b) or subsection (b-3).

(4) For one year upon a first conviction of paragraph (3) of subsection (b) or subsection (b-5) of Section 6-507 of this Code.

(5) For 3 years upon a second conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the second conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(6) For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) or subsection (b-5) or any combination of paragraphs (2) or (3) of subsection (b) or subsections (b-3) or (b-5) of Section 6-507 of this Code within a 10-year period if the third or subsequent conviction is a violation of paragraph (3) of subsection (b) or (b-5).

(j) Disqualification for railroad-highway grade crossing violation.

(1) General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train or railroad track equipment, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping,
as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. 383.52, the Secretary of State shall

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immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.

(l) A foreign commercial driver is subject to disqualification under this Section.

(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14; 98-176, eff. 7-8-15 (see Section 10 of P.A. 98-722 for the effective date of changes made by P.A. 98-176); 98-722, eff. 7-16-14; 98-756, eff. 7-16-14.)

(625 ILCS 5/11-501.1)
Sec. 11-501.1. Suspension of drivers license; statutory summary alcohol, other drug or drugs, or intoxicating compound or compounds related suspension or revocation; implied consent.

(a) Any person who drives or is in actual physical control of a motor vehicle upon the public highways of this State shall be deemed to have given consent, subject to the provisions of Section 11-501.2, to a chemical test or tests of blood, breath, or urine for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof in the person's blood if arrested, as evidenced by the issuance of a Uniform Traffic Ticket, for any offense as defined in Section 11-501 or a similar provision of a local ordinance, or if arrested for violating Section 11-401. If a law enforcement officer has probable cause to believe the person was under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, the law enforcement officer shall request a chemical test or tests which shall be administered at the direction of the arresting officer. The law enforcement agency employing the officer shall designate which of the aforesaid tests shall be administered. A urine test may be administered even after a blood or breath test or both has been administered. For purposes of this Section, an Illinois law enforcement officer of this State who is investigating the person for any offense defined in Section 11-501 may travel into an adjoining state, where the person has been transported for medical care, to complete an investigation and to request that the person submit to the test or tests set forth in this Section. The requirements of this Section that the person be arrested are inapplicable, but the officer shall issue the person a Uniform Traffic Ticket for an offense as defined in Section 11-501 or a similar provision of a local ordinance prior to requesting that the person submit to the test or tests. The issuance of the Uniform Traffic Ticket shall not constitute an arrest, but shall be for the purpose of notifying the person that he or she is subject to

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the provisions of this Section and of the officer's belief of the existence of probable cause to arrest. Upon returning to this State, the officer shall file the Uniform Traffic Ticket with the Circuit Clerk of the county where the offense was committed, and shall seek the issuance of an arrest warrant or a summons for the person.

(a-5) (Blank). In addition to the requirements and provisions of subsection (a), any person issued a registry card under the Compassionate Use of Medical Cannabis Pilot Program Act who drives or is in actual physical control of a motor vehicle upon the public highways of this State shall be deemed to have given consent, subject to the provisions of Section 11-501.2, to standardized field sobriety tests approved by the National Highway Traffic Safety Administration if arrested, as evidenced by the issuance of a Uniform Traffic Ticket, for any offense as defined in Section 11-501 or a similar provision of a local ordinance, or if arrested for violating Section 11-401: The person's status as a registry card holder alone is not a sufficient basis for conducting these tests. The officer must have an independent, cannabis-related factual basis giving reasonable suspicion that the person is driving under the influence of cannabis for conducting standardized field sobriety tests. This independent basis of suspicion shall be listed on the standardized field sobriety test results and any influence reports made by the arresting officer.

(b) Any person who is dead, unconscious, or who is otherwise in a condition rendering the person incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this Section and the test or tests may be administered, subject to the provisions of Section 11-501.2.

(c) A person requested to submit to a test as provided above shall be warned by the law enforcement officer requesting the test that a refusal to submit to the test will result in the statutory summary suspension of the person's privilege to operate a motor vehicle, as provided in Section 6-208.1 of this Code, and will also result in the disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if the person is a CDL holder. The person shall also be warned that a refusal to submit to the test, when the person was involved in a motor vehicle accident that caused personal injury or death to another, will result in the statutory summary revocation of the person's privilege to operate a motor vehicle, as provided in Section 6-208.1, and will also result in the disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if
the person is a CDL holder. The person shall also be warned by the law enforcement officer that if the person submits to the test or tests provided in paragraph (a) of this Section and the alcohol concentration in the person's blood or breath is 0.08 or greater, or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as covered by the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is detected in the person's blood or urine, or if the person fails the standardized field sobriety tests as required by paragraph (a-5), a statutory summary suspension of the person's privilege to operate a motor vehicle, as provided in Sections 6-208.1 and 11-501.1 of this Code, and a disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if the person is a CDL holder, will be imposed.

A person who is under the age of 21 at the time the person is requested to submit to a test as provided above shall, in addition to the warnings provided for in this Section, be further warned by the law enforcement officer requesting the test that if the person submits to the test or tests provided in paragraph (a) or (a-5) of this Section and the alcohol concentration in the person's blood or breath is greater than 0.00 and less than 0.08, a suspension of the person's privilege to operate a motor vehicle, as provided under Sections 6-208.2 and 11-501.8 of this Code, will be imposed. The results of this test shall be admissible in a civil or criminal action or proceeding arising from an arrest for an offense as defined in Section 11-501 of this Code or a similar provision of a local ordinance or pursuant to Section 11-501.4 in prosecutions for reckless homicide brought under the Criminal Code of 1961 or the Criminal Code of 2012. These test results, however, shall be admissible only in actions or proceedings directly related to the incident upon which the test request was made.

(d) If the person refuses testing or submits to a test that discloses an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the

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Methamphetamine Control and Community Protection Act, the law enforcement officer shall immediately submit a sworn report to the circuit court of venue and the Secretary of State, certifying that the test or tests was or were requested under paragraph (a) or (a-5) and the person refused to submit to a test, or tests, or submitted to testing that disclosed an alcohol concentration of 0.08 or more. A sworn report indicating refusal or failure of testing under paragraph (a-5) of this Section shall include the factual basis of the arresting officer's reasonable suspicion that the person was under the influence of cannabis. The person's possession of a valid registry card under the Compassionate Use of Medical Cannabis Pilot Program Act alone is not sufficient basis for reasonable suspicion.

(e) Upon receipt of the sworn report of a law enforcement officer submitted under paragraph (d), the Secretary of State shall enter the statutory summary suspension or revocation and disqualification for the periods specified in Sections 6-208.1 and 6-514, respectively, and effective as provided in paragraph (g).

If the person is a first offender as defined in Section 11-500 of this Code, and is not convicted of a violation of Section 11-501 of this Code or a similar provision of a local ordinance, then reports received by the Secretary of State under this Section shall, except during the actual time the Statutory Summary Suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities or the Secretary of State, unless the person is a CDL holder, is operating a commercial motor vehicle or vehicle required to be placarded for hazardous materials, in which case the suspension shall not be privileged. Reports received by the Secretary of State under this Section shall also be made available to the parent or guardian of a person under the age of 18 years that holds an instruction permit or a graduated driver's license, regardless of whether the statutory summary suspension is in effect. A statutory summary revocation shall not be privileged information.

(f) The law enforcement officer submitting the sworn report under paragraph (d) shall serve immediate notice of the statutory summary suspension or revocation on the person and the suspension or revocation and disqualification shall be effective as provided in paragraph (g).

(1) In cases where the blood alcohol concentration of 0.08 or greater or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as covered by the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating

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compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is established by a subsequent analysis of blood or urine collected at the time of arrest, the arresting officer or arresting agency shall give notice as provided in this Section or by deposit in the United States mail of the notice in an envelope with postage prepaid and addressed to the person at his address as shown on the Uniform Traffic Ticket and the statutory summary suspension and disqualification shall begin as provided in paragraph (g). The officer shall confiscate any Illinois driver's license or permit on the person at the time of arrest. If the person has a valid driver's license or permit, the officer shall issue the person a receipt, in a form prescribed by the Secretary of State, that will allow that person to drive during the periods provided for in paragraph (g). The officer shall immediately forward the driver's license or permit to the circuit court of venue along with the sworn report provided for in paragraph (d).

(2) (Blank). In cases indicating refusal or failure of testing under paragraph (a-5) of this Section the arresting officer or arresting agency shall give notice as provided in this Section or by deposit in the United States mail of the notice in an envelope with postage prepaid and addressed to the person at his or her address as shown on the Uniform Traffic Ticket and the statutory summary suspension and disqualification shall begin as provided in paragraph (g). This notice shall include the factual basis of the arresting officer's reasonable suspicion that the person was under the influence of cannabis. The person's possession of a valid registry card under the Compassionate Use of Medical Cannabis Pilot Program Act alone is not sufficient basis for reasonable suspicion.

(g) The statutory summary suspension or revocation and disqualification referred to in this Section shall take effect on the 46th day following the date the notice of the statutory summary suspension or revocation was given to the person.

(h) The following procedure shall apply whenever a person is arrested for any offense as defined in Section 11-501 or a similar provision of a local ordinance:

Upon receipt of the sworn report from the law enforcement officer, the Secretary of State shall confirm the statutory summary suspension or

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revocation by mailing a notice of the effective date of the suspension or revocation to the person and the court of venue. The Secretary of State shall also mail notice of the effective date of the disqualification to the person. However, should the sworn report be defective by not containing sufficient information or be completed in error, the confirmation of the statutory summary suspension or revocation shall not be mailed to the person or entered to the record; instead, the sworn report shall be forwarded to the court of venue with a copy returned to the issuing agency identifying any defect.

(i) As used in this Section, "personal injury" includes any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(Source: P.A. 97-333, eff. 8-12-11; 97-471, eff. 8-22-11; 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14.)

(625 ILCS 5/11-501.2) (from Ch. 95 1/2, par. 11-501.2)

Sec. 11-501.2. Chemical and other tests.

(a) Upon the trial of any civil or criminal action or proceeding arising out of an arrest for an offense as defined in Section 11-501 or a similar local ordinance or proceedings pursuant to Section 2-118.1, evidence of the concentration of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof in a person's blood or breath at the time alleged, as determined by analysis of the person's blood, urine, breath or other bodily substance, shall be admissible. Where such test is made the following provisions shall apply:

1. Chemical analyses of the person's blood, urine, breath or other bodily substance to be considered valid under the provisions of this Section shall have been performed according to standards promulgated by the Department of State Police by a licensed physician, registered nurse, trained phlebotomist, licensed paramedic, or other individual possessing a valid permit issued by that Department for this purpose. The Director of State Police is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, to issue permits which shall be subject to termination or revocation at the discretion of that Department and to certify the accuracy of breath testing equipment. The
Department of State Police shall prescribe regulations as necessary to implement this Section.

2. When a person in this State shall submit to a blood test at the request of a law enforcement officer under the provisions of Section 11-501.1, only a physician authorized to practice medicine, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, trained phlebotomist, or licensed paramedic, or other qualified person approved by the Department of State Police may withdraw blood for the purpose of determining the alcohol, drug, or alcohol and drug content therein. This limitation shall not apply to the taking of breath or urine specimens.

When a blood test of a person who has been taken to an adjoining state for medical treatment is requested by an Illinois law enforcement officer, the blood may be withdrawn only by a physician authorized to practice medicine in the adjoining state, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, a trained phlebotomist acting under the direction of the physician, or licensed paramedic. The law enforcement officer requesting the test shall take custody of the blood sample, and the blood sample shall be analyzed by a laboratory certified by the Department of State Police for that purpose.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of their own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

4. Upon the request of the person who shall submit to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to the person or such person's attorney.

5. Alcohol concentration shall mean either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

(a-5) Law enforcement officials may use standardized field sobriety tests approved by the National Highway Traffic Safety Administration when conducting investigations of a violation of Section 11-501 or similar local ordinance by drivers suspected of driving under the

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influence of cannabis. The General Assembly finds that standardized field sobriety tests approved by the National Highway Traffic Safety Administration are divided attention tasks that are intended to determine if a person is under the influence of cannabis. The purpose of these tests is to determine the effect of the use of cannabis on a person's capacity to think and act with ordinary care and therefore operate a motor vehicle safely. Therefore, the results of these standardized field sobriety tests, appropriately administered, shall be admissible in the trial of any civil or criminal action or proceeding arising out of an arrest for a cannabis-related offense as defined in Section 11-501 or a similar local ordinance or proceedings under Section 2-118.1 or 2-118.2. Where a test is made the following provisions shall apply:

1. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of their own choosing administer a chemical test or tests in addition to the standardized field sobriety test or tests administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person does not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

2. Upon the request of the person who shall submit to a standardized field sobriety test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to the person or the person's attorney.

3. At the trial of any civil or criminal action or proceeding arising out of an arrest for an offense as defined in Section 11-501 or a similar local ordinance or proceedings under Section 2-118.1 or 2-118.2 in which the results of these standardized field sobriety tests are admitted, the cardholder may present and the trier of fact may consider evidence that the card holder lacked the physical capacity to perform the standardized field sobriety tests.

(b) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of alcohol, the concentration of alcohol in the person's blood or breath at the time alleged as shown by analysis of the person's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

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1. If there was at that time an alcohol concentration of 0.05 or less, it shall be presumed that the person was not under the influence of alcohol.

2. If there was at that time an alcohol concentration in excess of 0.05 but less than 0.08, such facts shall not give rise to any presumption that the person was or was not under the influence of alcohol, but such fact may be considered with other competent evidence in determining whether the person was under the influence of alcohol.

3. If there was at that time an alcohol concentration of 0.08 or more, it shall be presumed that the person was under the influence of alcohol.

4. The foregoing provisions of this Section shall not be construed as limiting the introduction of any other relevant evidence bearing upon the question whether the person was under the influence of alcohol.

(c) 1. If a person under arrest refuses to submit to a chemical test under the provisions of Section 11-501.1, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof was driving or in actual physical control of a motor vehicle.

2. Notwithstanding any ability to refuse under this Code to submit to these tests or any ability to revoke the implied consent to these tests, if a law enforcement officer has probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof has caused the death or personal injury to another, the law enforcement officer shall request, and that person shall submit, upon the request of a law enforcement officer, to a chemical test or tests of his or her blood, breath or urine for the purpose of determining the alcohol content thereof or the presence of any other drug or combination of both.

This provision does not affect the applicability of or imposition of driver's license sanctions under Section 11-501.1 of this Code.

3. For purposes of this Section, a personal injury includes any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severe

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bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(d) If a person refuses standardized field sobriety tests under Section 11-501.9 of this Code, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts committed while the person was driving or in actual physical control of a vehicle and alleged to have been impaired by the use of cannabis.

(Source: P.A. 97-450, eff. 8-19-11; 97-471, eff. 8-22-11; 97-813, eff. 7-13-12; 98-122, eff. 1-1-14; 98-973, eff. 8-15-14.)

(625 ILCS 5/11-501.9 new)

Sec. 11-501.9. Suspension of driver's license; medical cannabis card holder; failure or refusal of field sobriety tests; implied consent.

(a) A person who has been issued a registry identification card under the Compassionate Use of Medical Cannabis Pilot Program Act who drives or is in actual physical control of a motor vehicle upon the public highways of this State shall be deemed to have given consent to standardized field sobriety tests approved by the National Highway Traffic Safety Administration, under subsection (a-5) of Section 11-501.2 of this Code, if detained by a law enforcement officer who has a reasonable suspicion that the person is driving or is in actual physical control of a motor vehicle while impaired by the use of cannabis. The law enforcement officer must have an independent, cannabis-related factual basis giving reasonable suspicion that the person is driving or in actual physical control of a motor vehicle while impaired by the use of cannabis. The law enforcement officer must have an independent, cannabis-related factual basis giving reasonable suspicion that the person is driving or in actual physical control of a motor vehicle while impaired by the use of cannabis for conducting standardized field sobriety tests, which shall be included with the results of the field sobriety tests in any report made by the law enforcement officer who requests the test. The person's possession of a registry identification card issued under the Compassionate Use of Medical Cannabis Pilot Program Act alone is not a sufficient basis for reasonable suspicion.

For purposes of this Section, a law enforcement officer of this State who is investigating a person for an offense under Section 11-501 of this Code may travel into an adjoining state where the person has been transported for medical care to complete an investigation and to request that the person submit to field sobriety tests under this Section.

(b) A person who is unconscious, or otherwise in a condition rendering the person incapable of refusal, shall be deemed to have withdrawn the consent provided by subsection (a) of this Section.
(c) A person requested to submit to field sobriety tests, as provided in this Section, shall be warned by the law enforcement officer requesting the field sobriety tests that a refusal to submit to the field sobriety tests will result in the suspension of the person's privilege to operate a motor vehicle, as provided in subsection (f) of this Section. The person shall also be warned by the law enforcement officer that if the person submits to field sobriety tests as provided in this Section which disclose the person is impaired by the use of cannabis, a suspension of the person's privilege to operate a motor vehicle, as provided in subsection (f) of this Section, will be imposed.

(d) The results of field sobriety tests administered under this Section shall be admissible in a civil or criminal action or proceeding arising from an arrest for an offense as defined in Section 11-501 of this Code or a similar provision of a local ordinance. These test results shall be admissible only in actions or proceedings directly related to the incident upon which the test request was made.

(e) If the person refuses field sobriety tests or submits to field sobriety tests that disclose the person is impaired by the use of cannabis, the law enforcement officer shall immediately submit a sworn report to the circuit court of venue and the Secretary of State certifying that testing was requested under this Section and that the person refused to submit to field sobriety tests or submitted to field sobriety tests that disclosed the person was impaired by the use of cannabis. The sworn report must include the law enforcement officer's factual basis for reasonable suspicion that the person was impaired by the use of cannabis.

(f) Upon receipt of the sworn report of a law enforcement officer submitted under subsection (e) of this Section, the Secretary of State shall enter the suspension to the driving record as follows:

1. for refusal or failure to complete field sobriety tests, a 12 month suspension shall be entered; or
2. for submitting to field sobriety tests that disclosed the driver was impaired by the use of cannabis, a 6 month suspension shall be entered.

The Secretary of State shall confirm the suspension by mailing a notice of the effective date of the suspension to the person and the court of venue. However, should the sworn report be defective for insufficient information or be completed in error, the confirmation of the suspension shall not be mailed to the person or entered to the record; instead, the
sworn report shall be forwarded to the court of venue with a copy returned to the issuing agency identifying the defect.

(g) The law enforcement officer submitting the sworn report under subsection (e) of this Section shall serve immediate notice of the suspension on the person and the suspension shall be effective as provided in subsection (h) of this Section. If immediate notice of the suspension cannot be given, the arresting officer or arresting agency shall give notice by deposit in the United States mail of the notice in an envelope with postage prepaid and addressed to the person at his or her address as shown on the Uniform Traffic Ticket and the suspension shall begin as provided in subsection (h) of this Section. The officer shall confiscate any Illinois driver's license or permit on the person at the time of arrest. If the person has a valid driver's license or permit, the officer shall issue the person a receipt, in a form prescribed by the Secretary of State, that will allow the person to drive during the period provided for in subsection (h) of this Section. The officer shall immediately forward the driver's license or permit to the circuit court of venue along with the sworn report under subsection (e) of this Section.

(h) The suspension under subsection (f) of this Section shall take effect on the 46th day following the date the notice of the suspension was given to the person.

(i) When a driving privilege has been suspended under this Section and the person is subsequently convicted of violating Section 11-501 of this Code, or a similar provision of a local ordinance, for the same incident, any period served on suspension under this Section shall be credited toward the minimum period of revocation of driving privileges imposed under Section 6-205 of this Code.

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

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

Passed in the General Assembly December 4, 2014.
Approved January 12, 2015.
Effective January 12, 2015.

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AN ACT concerning regulation.

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

Section 1. Short title. This Act may be cited as the Transportation Network Providers Act.

Section 5. Definitions.

"Transportation network company" or "TNC" means an entity operating in this State that uses a digital network or software application service to connect passengers to transportation network company services provided by transportation network company drivers. A TNC is not deemed to own, control, operate, or manage the vehicles used by TNC drivers, and is not a taxicab association or a for-hire vehicle owner.

"Transportation network company driver" or "TNC driver" means an individual who operates a motor vehicle that is:

1. owned, leased, or otherwise authorized for use by the individual;
2. not a taxicab or for-hire public passenger vehicle; and
3. used to provide transportation network company services.

"Transportation network company services" or "TNC services" means transportation of a passenger between points chosen by the passenger and prearranged with a TNC driver through the use of a TNC digital network or software application. TNC services shall begin when a TNC driver accepts a request for transportation received through the TNC's digital network or software application service, continue while the TNC driver transports the passenger in the TNC driver's vehicle, and end when the passenger exits the TNC driver's vehicle. TNC service is not a taxicab, for-hire vehicle, or street hail service.

Section 10. Insurance.

(a) Transportation network companies and participating TNC drivers shall comply with the automobile liability insurance requirements of this Section as required.

(b) The following automobile liability insurance requirements shall apply from the moment a participating TNC driver logs on to the transportation network company's digital network or software application until the TNC driver accepts a request to transport a passenger, and from
the moment the TNC driver completes the transaction on the digital network or software application or the ride is complete, whichever is later, until the TNC driver either accepts another ride request on the digital network or software application or logs off the digital network or software application:

(1) Automobile liability insurance shall be in the amount of at least $50,000 for death and personal injury per person, $100,000 for death and personal injury per incident, and $25,000 for property damage.

(2) Contingent automobile liability insurance in the amounts required in paragraph (1) of this subsection (b) shall be maintained by a transportation network company and provide coverage in the event a participating TNC driver's own automobile liability policy excludes coverage according to its policy terms or does not provide at least the limits of coverage required in paragraph (1) of this subsection (b).

(c) The following automobile liability insurance requirements shall apply from the moment a TNC driver accepts a ride request on the transportation network company's digital network or software application until the TNC driver completes the transaction on the digital network or software application or until the ride is complete, whichever is later:

(1) Automobile liability insurance shall be primary and in the amount of $1,000,000 for death, personal injury, and property damage. The requirements for the coverage required by this paragraph (1) may be satisfied by any of the following:

(A) automobile liability insurance maintained by a participating TNC driver;

(B) automobile liability company insurance maintained by a transportation network company; or

(C) any combination of subparagraphs (A) and (B).

(2) Insurance coverage provided under this subsection (c) shall also provide for uninsured motorist coverage and underinsured motorist coverage in the amount of $50,000 from the moment a passenger enters the vehicle of a participating TNC driver until the passenger exits the vehicle.

(3) The insurer, in the case of insurance coverage provided under this subsection (c), shall have the duty to defend and indemnify the insured.
(4) Coverage under an automobile liability insurance policy required under this subsection (c) shall not be dependent on a personal automobile insurance policy first denying a claim nor shall a personal automobile insurance policy be required to first deny a claim.

(d) In every instance when automobile liability insurance maintained by a participating TNC driver to fulfill the insurance obligations of this Section has lapsed or ceased to exist, the transportation network company shall provide the coverage required by this Section beginning with the first dollar of a claim.

(e) This Section shall not limit the liability of a transportation network company arising out of an automobile accident involving a participating TNC driver in any action for damages against a transportation network company for an amount above the required insurance coverage.

(f) The transportation network company shall disclose in writing to TNC drivers, as part of its agreement with those TNC drivers, the following:

1. the insurance coverage and limits of liability that the transportation network company provides while the TNC driver uses a vehicle in connection with a transportation network company's digital network or software application; and
2. that the TNC driver's own insurance policy may not provide coverage while the TNC driver uses a vehicle in connection with a transportation network company digital network depending on its terms.

(g) An insurance policy required by this Section may be placed with an admitted Illinois insurer, or with an authorized surplus line insurer under Section 445 of the Illinois Insurance Code; and is not subject to any restriction or limitation on the issuance of a policy contained in Section 445a of the Illinois Insurance Code.

(h) Any insurance policy required by this Section shall satisfy the financial responsibility requirement for a motor vehicle under Sections 7-203 and 7-601 of the Illinois Vehicle Code.

Section 15. Driver requirements.

(a) Prior to permitting an individual to act as a TNC driver on its digital platform, the TNC shall:

1. require the individual to submit an application to the TNC, which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration,
automobile liability insurance, and other information required by the TNC;

(2) conduct, or have a third party conduct, a local and national criminal history background check for each individual applicant that shall include:
   (A) Multi-State or Multi-Jurisdictional Criminal Records Locator or other similar commercial nationwide database with validation (primary source search); and
   (B) National Sex Offenders Registry database; and
(3) obtain and review a driving history research report for the individual.

(b) The TNC shall not permit an individual to act as a TNC driver on its digital platform who:
   (1) has had more than 3 moving violations in the prior three-year period, or one major violation in the prior three-year period including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;
   (2) has been convicted, within the past 7 years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, or theft, acts of violence, or acts of terror;
   (3) is a match in the National Sex Offenders Registry database;
   (4) does not possess a valid driver's license;
   (5) does not possess proof of registration for the motor vehicle used to provide TNC services;
   (6) does not possess proof of automobile liability insurance for the motor vehicle used to provide TNC services; or
   (7) is under 19 years of age.

Section 20. Non-discrimination.
(a) The TNC shall adopt and notify TNC drivers of a policy of non-discrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to passengers and potential passengers.

(b) TNC drivers shall comply with all applicable laws regarding non-discrimination against passengers or potential passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.
(c) TNC drivers shall comply with all applicable laws relating to accommodation of service animals.

(d) A TNC shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities.

(e) A TNC shall provide passengers an opportunity to indicate whether they require a wheelchair accessible vehicle. If a TNC cannot arrange wheelchair-accessible TNC service in any instance, it shall direct the passenger to an alternate provider of wheelchair-accessible service, if available.

(f) If a unit of local government has requirements for licensed chauffeurs not to discriminate in providing service in under-served areas, TNC drivers participating in TNC services within that unit of local government shall be subject to the same non-discrimination requirements for providing service in under-served areas.

Section 25. Safety.

(a) The TNC shall implement a zero tolerance policy on the use of drugs or alcohol while a TNC driver is providing TNC services or is logged into the TNC's digital network but is not providing TNC services.

(b) The TNC shall provide notice of the zero tolerance policy on its website, as well as procedures to report a complaint about a driver with whom a passenger was matched and whom the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

(c) Upon receipt of a passenger's complaint alleging a violation of the zero tolerance policy, the TNC shall immediately suspend the TNC driver's access to the TNC's digital platform, and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

(d) The TNC shall require that any motor vehicle that a TNC driver will use to provide TNC services meets vehicle safety and emissions requirements for a private motor vehicle in this State.

(e) TNCs or TNC drivers are not common carriers, contract carriers or motor carriers, as defined by applicable State law, nor do they provide taxicab or for-hire vehicle service.

Section 30. Operational.

(a) A TNC may charge a fare for the services provided to passengers; provided that, if a fare is charged, the TNC shall disclose to passengers the fare calculation method on its website or within the software application service.
(b) The TNC shall provide passengers with the applicable rates being charged and the option to receive an estimated fare before the passenger enters the TNC driver's vehicle.

c) The TNC's software application or website shall display a picture of the TNC driver, and the license plate number of the motor vehicle utilized for providing the TNC service before the passenger enters the TNC driver's vehicle.

d) Within a reasonable period of time following the completion of a trip, a TNC shall transmit an electronic receipt to the passenger that lists:
   (1) the origin and destination of the trip;
   (2) the total time and distance of the trip; and
   (3) an itemization of the total fare paid, if any.

e) Dispatches for TNC services shall be made only to eligible TNC drivers under Section 15 of this Act who are properly licensed under State law and local ordinances addressing these drivers if applicable.

f) A taxicab may accept a request for transportation received through a TNC's digital network or software application service, and may charge a fare for those services that is similar to those charged by a TNC.

Section 35. The Ridesharing Arrangements Act is amended by changing Section 2 as follows:

(625 ILCS 30/2) (from Ch. 95 1/2, par. 902)

Sec. 2. (a) "Ridesharing arrangement" means the transportation by motor vehicle of not more than 16 persons (including the driver):
   (1) for purposes incidental to another purpose of the driver, for which no fee is charged or paid except to reimburse the driver or owner of the vehicle for his operating expenses on a nonprofit basis; or
   (2) when such persons are travelling between their homes and their places of employment, or places reasonably convenient thereto, for which (i) no fee is charged or paid except to reimburse the driver or owner of the vehicle for his operating expenses on a nonprofit basis, or (ii) a fee is charged in accordance with the provisions of Section 6 of this Act.

(b) "For-profit ridesharing arrangement" means a ridesharing arrangement for which a fee is charged in accordance with Section 6 of this Act, and does not include transportation network company services under the Transportation Network Providers Act.
(Source: P.A. 83-1091.)

Passed in the General Assembly December 3, 2014.
Approved January 12, 2015.
Effective June 1, 2015.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Township Code is amended by changing Section 80-10 as follows:

(60 ILCS 1/80-10)

Sec. 80-10. Board meetings; township and road district accounts.
(a) The township board shall meet at the township clerk's office for the purpose of examining and auditing the township and road district accounts before any bills (other than general assistance, obligations for Social Security taxes as required by the Social Security Enabling Act, and wages that are subject to the Illinois Wage Payment and Collection Act, or other expenses determined by the township board by resolution) are paid, provided that payments made pursuant to a board resolution shall be reviewed and verified at the next meeting. The board may meet at other times as they determine. The township board may consider and approve bills individually or in a summary statement of any number of bills.
(b) Upon the request of the supervisor or of any 2 board members, the township clerk shall call a meeting at the time requested and shall furnish to the board members at least 48 hours' notice of the meeting.
(c) The township board may declare a vacancy in the office of township supervisor or trustee if the supervisor or a trustee has 5 or more consecutive unexcused absences from regularly scheduled township board meetings.
(d) The township board may adopt rules not inconsistent with this Code to govern its meetings. The rules may provide for excused absences of the supervisor or trustees from township board meetings.
(e) All meetings of the township board shall be open to the public as provided in the Open Meetings Act.
(Source: P.A. 88-62; incorporates 88-360; 88-670, eff. 12-2-94.)

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

Passed in the General Assembly December 4, 2014.
Approved January 12, 2015.
Effective January 12, 2015.
AN ACT concerning regulation.

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

Section 5. The Public Utilities Act is amended by changing Section 16-108.5 as follows:

(220 ILCS 5/16-108.5)

Sec. 16-108.5. Infrastructure investment and modernization; regulatory reform.

(a) (Blank).

(b) For purposes of this Section, "participating utility" means an electric utility or a combination utility serving more than 1,000,000 customers in Illinois that voluntarily elects and commits to undertake (i) the infrastructure investment program consisting of the commitments and obligations described in this subsection (b) and (ii) the customer assistance program consisting of the commitments and obligations described in subsection (b-10) of this Section, notwithstanding any other provisions of this Act and without obtaining any approvals from the Commission or any other agency other than as set forth in this Section, regardless of whether any such approval would otherwise be required. "Combination utility" means a utility that, as of January 1, 2011, provided electric service to at least one million retail customers in Illinois and gas service to at least 500,000 retail customers in Illinois. A participating utility shall recover the expenditures made under the infrastructure investment program through the ratemaking process, including, but not limited to, the performance-based formula rate and process set forth in this Section.

During the infrastructure investment program's peak program year, a participating utility other than a combination utility shall create 2,000 full-time equivalent jobs in Illinois, and a participating utility that is a combination utility shall create 450 full-time equivalent jobs in Illinois related to the provision of electric service. These jobs shall include direct jobs, contractor positions, and induced jobs, but shall not include any portion of a job commitment, not specifically contingent on an amendatory Act of the 97th General Assembly becoming law, between a participating utility and a labor union that existed on the effective date of this amendatory Act of the 97th General Assembly and that has not yet been fulfilled. A portion of the full-time equivalent jobs created by each
participating utility shall include incremental personnel hired subsequent
to the effective date of this amendatory Act of the 97th General Assembly.
For purposes of this Section, "peak program year" means the consecutive
12-month period with the highest number of full-time equivalent jobs that
occurs between the beginning of investment year 2 and the end of
investment year 4.

A participating utility shall meet one of the following commitments, as applicable:

(1) Beginning no later than 180 days after a participating
utility other than a combination utility files a performance-based
formula rate tariff pursuant to subsection (c) of this Section, or,
beginning no later than January 1, 2012 if such utility files such
performance-based formula rate tariff within 14 days of the
effective date of this amendatory Act of the 97th General
Assembly, the participating utility shall, except as provided in
subsection (b-5):

(A) over a 5-year period, invest an estimated
$1,300,000,000 in electric system upgrades, modernization
projects, and training facilities, including, but not limited to:

(i) distribution infrastructure improvements
totaling an estimated $1,000,000,000, including
underground residential distribution cable injection
and replacement and mainline cable system
refurbishment and replacement projects;

(ii) training facility construction or upgrade
projects totaling an estimated $10,000,000,
provided that, at a minimum, one such facility shall
be located in a municipality having a population of
more than 2 million residents and one such facility
shall be located in a municipality having a population of more than 150,000 residents but fewer
than 170,000 residents; any such new facility
located in a municipality having a population of
more than 2 million residents must be designed for
the purpose of obtaining, and the owner of the
facility shall apply for, certification under the
United States Green Building Council's Leadership

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in Energy Efficiency Design Green Building Rating System;

(iii) wood pole inspection, treatment, and replacement programs;

(iv) an estimated $200,000,000 for reducing the susceptibility of certain circuits to storm-related damage, including, but not limited to, high winds, thunderstorms, and ice storms; improvements may include, but are not limited to, overhead to underground conversion and other engineered outcomes for circuits; the participating utility shall prioritize the selection of circuits based on each circuit's historical susceptibility to storm-related damage and the ability to provide the greatest customer benefit upon completion of the improvements; to be eligible for improvement, the participating utility's ability to maintain proper tree clearances surrounding the overhead circuit must not have been impeded by third parties; and

(B) over a 10-year period, invest an estimated $1,300,000,000 to upgrade and modernize its transmission and distribution infrastructure and in Smart Grid electric system upgrades, including, but not limited to:

(i) additional smart meters;

(ii) distribution automation;

(iii) associated cyber secure data communication network; and

(iv) substation micro-processor relay upgrades.

(2) Beginning no later than 180 days after a participating utility that is a combination utility files a performance-based formula rate tariff pursuant to subsection (c) of this Section, or, beginning no later than January 1, 2012 if such utility files such performance-based formula rate tariff within 14 days of the effective date of this amendatory Act of the 97th General Assembly, the participating utility shall, except as provided in subsection (b-5):

(A) over a 10-year period, invest an estimated $265,000,000 in electric system upgrades, modernization
projects, and training facilities, including, but not limited to:

(i) distribution infrastructure improvements totaling an estimated $245,000,000, which may include bulk supply substations, transformers, reconductoring, and rebuilding overhead distribution and sub-transmission lines, underground residential distribution cable injection and replacement and mainline cable system refurbishment and replacement projects;

(ii) training facility construction or upgrade projects totaling an estimated $1,000,000; any such new facility must be designed for the purpose of obtaining, and the owner of the facility shall apply for, certification under the United States Green Building Council's Leadership in Energy Efficiency Design Green Building Rating System; and

(iii) wood pole inspection, treatment, and replacement programs; and

(B) over a 10-year period, invest an estimated $360,000,000 to upgrade and modernize its transmission and distribution infrastructure and in Smart Grid electric system upgrades, including, but not limited to:

(i) additional smart meters;

(ii) distribution automation;

(iii) associated cyber secure data communication network; and

(iv) substation micro-processor relay upgrades.

For purposes of this Section, "Smart Grid electric system upgrades" shall have the meaning set forth in subsection (a) of Section 16-108.6 of this Act.

The investments in the infrastructure investment program described in this subsection (b) shall be incremental to the participating utility's annual capital investment program, as defined by, for purposes of this subsection (b), the participating utility's average capital spend for calendar years 2008, 2009, and 2010 as reported in the applicable Federal Energy Regulatory Commission (FERC) Form 1; provided that where one or more utilities have merged, the average capital spend shall be

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determined using the aggregate of the merged utilities' capital spend reported in FERC Form 1 for the years 2008, 2009, and 2010. A participating utility may add reasonable construction ramp-up and ramp-down time to the investment periods specified in this subsection (b). For each such investment period, the ramp-up and ramp-down time shall not exceed a total of 6 months.

Within 60 days after filing a tariff under subsection (c) of this Section, a participating utility shall submit to the Commission its plan, including scope, schedule, and staffing, for satisfying its infrastructure investment program commitments pursuant to this subsection (b). The submitted plan shall include a schedule and staffing plan for the next calendar year. The plan shall also include a plan for the creation, operation, and administration of a Smart Grid test bed as described in subsection (c) of Section 16-108.8. The plan need not allocate the work equally over the respective periods, but should allocate material increments throughout such periods commensurate with the work to be undertaken. No later than April 1 of each subsequent year, the utility shall submit to the Commission a report that includes any updates to the plan, a schedule for the next calendar year, the expenditures made for the prior calendar year and cumulatively, and the number of full-time equivalent jobs created for the prior calendar year and cumulatively. If the utility is materially deficient in satisfying a schedule or staffing plan, then the report must also include a corrective action plan to address the deficiency. The fact that the plan, implementation of the plan, or a schedule changes shall not imply the imprudence or unreasonableness of the infrastructure investment program, plan, or schedule. Further, no later than 45 days following the last day of the first, second, and third quarters of each year of the plan, a participating utility shall submit to the Commission a verified quarterly report for the prior quarter that includes (i) the total number of full-time equivalent jobs created during the prior quarter, (ii) the total number of employees as of the last day of the prior quarter, (iii) the total number of full-time equivalent hours in each job classification or job title, (iv) the total number of incremental employees and contractors in support of the investments undertaken pursuant to this subsection (b) for the prior quarter, and (v) any other information that the Commission may require by rule.

With respect to the participating utility's peak job commitment, if, after considering the utility's corrective action plan and compliance thereunder, the Commission enters an order finding, after notice and

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hearing, that a participating utility did not satisfy its peak job commitment described in this subsection (b) for reasons that are reasonably within its control, then the Commission shall also determine, after consideration of the evidence, including, but not limited to, evidence submitted by the Department of Commerce and Economic Opportunity and the utility, the deficiency in the number of full-time equivalent jobs during the peak program year due to such failure. The Commission shall notify the Department of any proceeding that is initiated pursuant to this paragraph. For each full-time equivalent job deficiency during the peak program year that the Commission finds as set forth in this paragraph, the participating utility shall, within 30 days after the entry of the Commission's order, pay $6,000 to a fund for training grants administered under Section 605-800 of The Department of Commerce and Economic Opportunity Law, which shall not be a recoverable expense.

With respect to the participating utility's investment amount commitments, if, after considering the utility's corrective action plan and compliance thereunder, the Commission enters an order finding, after notice and hearing, that a participating utility is not satisfying its investment amount commitments described in this subsection (b), then the utility shall no longer be eligible to annually update the performance-based formula rate tariff pursuant to subsection (d) of this Section. In such event, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive adjustment, with interest, to reconcile rates charged with actual costs.

If the Commission finds that a participating utility is no longer eligible to update the performance-based formula rate tariff pursuant to subsection (d) of this Section, or the performance-based formula rate is otherwise terminated, then the participating utility's voluntary commitments and obligations under this subsection (b) shall immediately terminate, except for the utility's obligation to pay an amount already owed to the fund for training grants pursuant to a Commission order.

In meeting the obligations of this subsection (b), to the extent feasible and consistent with State and federal law, the investments under the infrastructure investment program should provide employment opportunities for all segments of the population and workforce, including minority-owned and female-owned business enterprises, and shall not, consistent with State and federal law, discriminate based on race or socioeconomic status.

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(b-5) Nothing in this Section shall prohibit the Commission from investigating the prudence and reasonableness of the expenditures made under the infrastructure investment program during the annual review required by subsection (d) of this Section and shall, as part of such investigation, determine whether the utility's actual costs under the program are prudent and reasonable. The fact that a participating utility invests more than the minimum amounts specified in subsection (b) of this Section or its plan shall not imply imprudence or unreasonableness.

If the participating utility finds that it is implementing its plan for satisfying the infrastructure investment program commitments described in subsection (b) of this Section at a cost below the estimated amounts specified in subsection (b) of this Section, then the utility may file a petition with the Commission requesting that it be permitted to satisfy its commitments by spending less than the estimated amounts specified in subsection (b) of this Section. The Commission shall, after notice and hearing, enter its order approving, or approving as modified, or denying each such petition within 150 days after the filing of the petition.

In no event, absent General Assembly approval, shall the capital investment costs incurred by a participating utility other than a combination utility in satisfying its infrastructure investment program commitments described in subsection (b) of this Section exceed $3,000,000,000 or, for a participating utility that is a combination utility, $720,000,000. If the participating utility's updated cost estimates for satisfying its infrastructure investment program commitments described in subsection (b) of this Section exceed the limitation imposed by this subsection (b-5), then it shall submit a report to the Commission that identifies the increased costs and explains the reason or reasons for the increased costs no later than the year in which the utility estimates it will exceed the limitation. The Commission shall review the report and shall, within 90 days after the participating utility files the report, report to the General Assembly its findings regarding the participating utility's report. If the General Assembly does not amend the limitation imposed by this subsection (b-5), then the utility may modify its plan so as not to exceed the limitation imposed by this subsection (b-5) and may propose corresponding changes to the metrics established pursuant to subparagraphs (5) through (8) of subsection (f) of this Section, and the Commission may modify the metrics and incremental savings goals established pursuant to subsection (f) of this Section accordingly.
(b-10) All participating utilities shall make contributions for an energy low-income and support program in accordance with this subsection. Beginning no later than 180 days after a participating utility files a performance-based formula rate tariff pursuant to subsection (c) of this Section, or beginning no later than January 1, 2012 if such utility files such performance-based formula rate tariff within 14 days of the effective date of this amendatory Act of the 97th General Assembly, and without obtaining any approvals from the Commission or any other agency other than as set forth in this Section, regardless of whether any such approval would otherwise be required, a participating utility other than a combination utility shall pay $10,000,000 per year for 5 years and a participating utility that is a combination utility shall pay $1,000,000 per year for 10 years to the energy low-income and support program, which is intended to fund customer assistance programs with the primary purpose being avoidance of imminent disconnection. Such programs may include:

1. a residential hardship program that may partner with community-based organizations, including senior citizen organizations, and provides grants to low-income residential customers, including low-income senior citizens, who demonstrate a hardship;

2. a program that provides grants and other bill payment concessions to disabled veterans who demonstrate a hardship and members of the armed services or reserve forces of the United States or members of the Illinois National Guard who are on active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor and who demonstrate a hardship;

3. a budget assistance program that provides tools and education to low-income senior citizens to assist them with obtaining information regarding energy usage and effective means of managing energy costs;

4. a non-residential special hardship program that provides grants to non-residential customers such as small businesses and non-profit organizations that demonstrate a hardship, including those providing services to senior citizen and low-income customers; and

5. a performance-based assistance program that provides grants to encourage residential customers to make on-time payments.
payments by matching a portion of the customer's payments or providing credits towards arrearages.

The payments made by a participating utility pursuant to this subsection (b-10) shall not be a recoverable expense. A participating utility may elect to fund either new or existing customer assistance programs, including, but not limited to, those that are administered by the utility.

Programs that use funds that are provided by a participating utility to reduce utility bills may be implemented through tariffs that are filed with and reviewed by the Commission. If a utility elects to file tariffs with the Commission to implement all or a portion of the programs, those tariffs shall, regardless of the date actually filed, be deemed accepted and approved, and shall become effective on the effective date of this amendatory Act of the 97th General Assembly. The participating utilities whose customers benefit from the funds that are disbursed as contemplated in this Section shall file annual reports documenting the disbursement of those funds with the Commission. The Commission has the authority to audit disbursement of the funds to ensure they were disbursed consistently with this Section.

If the Commission finds that a participating utility is no longer eligible to update the performance-based formula rate tariff pursuant to subsection (d) of this Section, or the performance-based formula rate is otherwise terminated, then the participating utility's voluntary commitments and obligations under this subsection (b-10) shall immediately terminate.

(c) A participating utility may elect to recover its delivery services costs through a performance-based formula rate approved by the Commission, which shall specify the cost components that form the basis of the rate charged to customers with sufficient specificity to operate in a standardized manner and be updated annually with transparent information that reflects the utility's actual costs to be recovered during the applicable rate year, which is the period beginning with the first billing day of January and extending through the last billing day of the following December. In the event the utility recovers a portion of its costs through automatic adjustment clause tariffs on the effective date of this amendatory Act of the 97th General Assembly, the utility may elect to continue to recover these costs through such tariffs, but then these costs shall not be recovered through the performance-based formula rate. In the event the participating utility, prior to the effective date of this amendatory Act of the 97th General Assembly, filed electric delivery services tariffs

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with the Commission pursuant to Section 9-201 of this Act that are related to the recovery of its electric delivery services costs that are still pending on the effective date of this amendatory Act of the 97th General Assembly, the participating utility shall, at the time it files its performance-based formula rate tariff with the Commission, also file a notice of withdrawal with the Commission to withdraw the electric delivery services tariffs previously filed pursuant to Section 9-201 of this Act. Upon receipt of such notice, the Commission shall dismiss with prejudice any docket that had been initiated to investigate the electric delivery services tariffs filed pursuant to Section 9-201 of this Act, and such tariffs and the record related thereto shall not be the subject of any further hearing, investigation, or proceeding of any kind related to rates for electric delivery services.

The performance-based formula rate shall be implemented through a tariff filed with the Commission consistent with the provisions of this subsection (c) that shall be applicable to all delivery services customers. The Commission shall initiate and conduct an investigation of the tariff in a manner consistent with the provisions of this subsection (c) and the provisions of Article IX of this Act to the extent they do not conflict with this subsection (c). Except in the case where the Commission finds, after notice and hearing, that a participating utility is not satisfying its investment amount commitments under subsection (b) of this Section, the performance-based formula rate shall remain in effect at the discretion of the utility. The performance-based formula rate approved by the Commission shall do the following:

1. Provide for the recovery of the utility's actual costs of delivery services that are prudently incurred and reasonable in amount consistent with Commission practice and law. The sole fact that a cost differs from that incurred in a prior calendar year or that an investment is different from that made in a prior calendar year shall not imply the imprudence or unreasonableness of that cost or investment.

2. Reflect the utility's actual year-end capital structure for the applicable calendar year, excluding goodwill, subject to a determination of prudence and reasonableness consistent with Commission practice and law.

3. Include a cost of equity, which shall be calculated as the sum of the following:
   
   A. the average for the applicable calendar year of the monthly average yields of 30-year U.S. Treasury bonds
published by the Board of Governors of the Federal Reserve System in its weekly H.15 Statistical Release or successor publication; and

(B) 580 basis points.

At such time as the Board of Governors of the Federal Reserve System ceases to include the monthly average yields of 30-year U.S. Treasury bonds in its weekly H.15 Statistical Release or successor publication, the monthly average yields of the U.S. Treasury bonds then having the longest duration published by the Board of Governors in its weekly H.15 Statistical Release or successor publication shall instead be used for purposes of this paragraph (3).

(4) Permit and set forth protocols, subject to a determination of prudence and reasonableness consistent with Commission practice and law, for the following:

(A) recovery of incentive compensation expense that is based on the achievement of operational metrics, including metrics related to budget controls, outage duration and frequency, safety, customer service, efficiency and productivity, and environmental compliance. Incentive compensation expense that is based on net income or an affiliate's earnings per share shall not be recoverable under the performance-based formula rate;

(B) recovery of pension and other post-employment benefits expense, provided that such costs are supported by an actuarial study;

(C) recovery of severance costs, provided that if the amount is over $3,700,000 for a participating utility that is a combination utility or $10,000,000 for a participating utility that serves more than 3 million retail customers, then the full amount shall be amortized consistent with subparagraph (F) of this paragraph (4);

(D) investment return at a rate equal to the utility's weighted average cost of long-term debt, on the pension assets as, and in the amount, reported in Account 186 (or in such other Account or Accounts as such asset may subsequently be recorded) of the utility's most recently filed FERC Form 1, net of deferred tax benefits;

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(E) recovery of the expenses related to the Commission proceeding under this subsection (c) to approve this performance-based formula rate and initial rates or to subsequent proceedings related to the formula, provided that the recovery shall be amortized over a 3-year period; recovery of expenses related to the annual Commission proceedings under subsection (d) of this Section to review the inputs to the performance-based formula rate shall be expensed and recovered through the performance-based formula rate;

(F) amortization over a 5-year period of the full amount of each charge or credit that exceeds $3,700,000 for a participating utility that is a combination utility or $10,000,000 for a participating utility that serves more than 3 million retail customers in the applicable calendar year and that relates to a workforce reduction program's severance costs, changes in accounting rules, changes in law, compliance with any Commission-initiated audit, or a single storm or other similar expense, provided that any unamortized balance shall be reflected in rate base. For purposes of this subparagraph (F), changes in law includes any enactment, repeal, or amendment in a law, ordinance, rule, regulation, interpretation, permit, license, consent, or order, including those relating to taxes, accounting, or to environmental matters, or in the interpretation or application thereof by any governmental authority occurring after the effective date of this amendatory Act of the 97th General Assembly;

(G) recovery of existing regulatory assets over the periods previously authorized by the Commission;

(H) historical weather normalized billing determinants; and

(I) allocation methods for common costs.

(5) Provide that if the participating utility's earned rate of return on common equity related to the provision of delivery services for the prior rate year (calculated using costs and capital structure approved by the Commission as provided in subparagraph (2) of this subsection (c), consistent with this Section, in accordance with Commission rules and orders, including, but not

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limited to, adjustments for goodwill, and after any Commission-ordered disallowances and taxes) is more than 50 basis points higher than the rate of return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied pursuant to the performance metrics provision of subsection (f) of this Section), then the participating utility shall apply a credit through the performance-based formula rate that reflects an amount equal to the value of that portion of the earned rate of return on common equity that is more than 50 basis points higher than the rate of return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied pursuant to the performance metrics provision of subsection (f) of this Section) for the prior rate year, adjusted for taxes. If the participating utility's earned rate of return on common equity related to the provision of delivery services for the prior rate year (calculated using costs and capital structure approved by the Commission as provided in subparagraph (2) of this subsection (c), consistent with this Section, in accordance with Commission rules and orders, including, but not limited to, adjustments for goodwill, and after any Commission-ordered disallowances and taxes) is more than 50 basis points less than the rate of return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied pursuant to the performance metrics provision of subsection (f) of this Section), then the participating utility shall apply a charge through the performance-based formula rate that reflects an amount equal to the value of that portion of the earned rate of return on common equity that is more than 50 basis points less than the rate of return on common equity calculated pursuant to paragraph (3) of this subsection (c) (after adjusting for any penalties to the rate of return on common equity applied pursuant to the performance metrics provision of subsection (f) of this Section) for the prior rate year, adjusted for taxes.

(6) Provide for an annual reconciliation, as described in subsection (d) of this Section, with interest, of the revenue requirement reflected in rates for each calendar year, beginning with the calendar year in which the utility files its performance-

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based formula rate tariff pursuant to subsection (c) of this Section, with what the revenue requirement would have been had the actual cost information for the applicable calendar year been available at the filing date.

The utility shall file, together with its tariff, final data based on its most recently filed FERC Form 1, plus projected plant additions and correspondingly updated depreciation reserve and expense for the calendar year in which the tariff and data are filed, that shall populate the performance-based formula rate and set the initial delivery services rates under the formula. For purposes of this Section, "FERC Form 1" means the Annual Report of Major Electric Utilities, Licensees and Others that electric utilities are required to file with the Federal Energy Regulatory Commission under the Federal Power Act, Sections 3, 4(a), 304 and 209, modified as necessary to be consistent with 83 Ill. Admin. Code Part 415 as of May 1, 2011. Nothing in this Section is intended to allow costs that are not otherwise recoverable to be recoverable by virtue of inclusion in FERC Form 1.

After the utility files its proposed performance-based formula rate structure and protocols and initial rates, the Commission shall initiate a docket to review the filing. The Commission shall enter an order approving, or approving as modified, the performance-based formula rate, including the initial rates, as just and reasonable within 270 days after the date on which the tariff was filed, or, if the tariff is filed within 14 days after the effective date of this amendatory Act of the 97th General Assembly, then by May 31, 2012. Such review shall be based on the same evidentiary standards, including, but not limited to, those concerning the prudence and reasonableness of the costs incurred by the utility, the Commission applies in a hearing to review a filing for a general increase in rates under Article IX of this Act. The initial rates shall take effect within 30 days after the Commission's order approving the performance-based formula rate tariff.

Until such time as the Commission approves a different rate design and cost allocation pursuant to subsection (e) of this Section, rate design and cost allocation across customer classes shall be consistent with the Commission's most recent order regarding the participating utility's request for a general increase in its delivery services rates.

Subsequent changes to the performance-based formula rate structure or protocols shall be made as set forth in Section 9-201 of this Act, but nothing in this subsection (c) is intended to limit the

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Commission's authority under Article IX and other provisions of this Act to initiate an investigation of a participating utility's performance-based formula rate tariff, provided that any such changes shall be consistent with paragraphs (1) through (6) of this subsection (c). Any change ordered by the Commission shall be made at the same time new rates take effect following the Commission's next order pursuant to subsection (d) of this Section, provided that the new rates take effect no less than 30 days after the date on which the Commission issues an order adopting the change.

A participating utility that files a tariff pursuant to this subsection (c) must submit a one-time $200,000 filing fee at the time the Chief Clerk of the Commission accepts the filing, which shall be a recoverable expense.

In the event the performance-based formula rate is terminated, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive rate adjustment, with interest, to reconcile rates charged with actual costs. At such time that the performance-based formula rate is terminated, the participating utility's voluntary commitments and obligations under subsection (b) of this Section shall immediately terminate, except for the utility's obligation to pay an amount already owed to the fund for training grants pursuant to a Commission order issued under subsection (b) of this Section.

(d) Subsequent to the Commission's issuance of an order approving the utility's performance-based formula rate structure and protocols, and initial rates under subsection (c) of this Section, the utility shall file, on or before May 1 of each year, with the Chief Clerk of the Commission its updated cost inputs to the performance-based formula rate for the applicable rate year and the corresponding new charges. Each such filing shall conform to the following requirements and include the following information:

(1) The inputs to the performance-based formula rate for the applicable rate year shall be based on final historical data reflected in the utility's most recently filed annual FERC Form 1 plus projected plant additions and correspondingly updated depreciation reserve and expense for the calendar year in which the inputs are filed. The filing shall also include a reconciliation of the revenue requirement that was in effect for the prior rate year (as set by the cost inputs for the prior rate year) with the actual revenue requirement for the prior rate year (determined using a year-end rate base) that uses amounts reflected in the applicable FERC Form
that reports the actual costs for the prior rate year. Any over-collection or under-collection indicated by such reconciliation shall be reflected as a credit against, or recovered as an additional charge to, respectively, with interest calculated at a rate equal to the utility's weighted average cost of capital approved by the Commission for the prior rate year, the charges for the applicable rate year. Provided, however, that the first such reconciliation shall be for the calendar year in which the utility files its performance-based formula rate tariff pursuant to subsection (c) of this Section and shall reconcile (i) the revenue requirement or requirements established by the rate order or orders in effect from time to time during such calendar year (weighted, as applicable) with (ii) the revenue requirement determined using a year-end rate base for that calendar year calculated pursuant to the performance-based formula rate using (A) actual costs for that year as reflected in the applicable FERC Form 1, and (B) for the first such reconciliation only, the cost of equity, which shall be calculated as the sum of 590 basis points plus the average for the applicable calendar year of the monthly average yields of 30-year U.S. Treasury bonds published by the Board of Governors of the Federal Reserve System in its weekly H.15 Statistical Release or successor publication. The first such reconciliation is not intended to provide for the recovery of costs previously excluded from rates based on a prior Commission order finding of imprudence or unreasonableness. Each reconciliation shall be certified by the participating utility in the same manner that FERC Form 1 is certified. The filing shall also include the charge or credit, if any, resulting from the calculation required by paragraph (6) of subsection (c) of this Section.

Notwithstanding anything that may be to the contrary, the intent of the reconciliation is to ultimately reconcile the revenue requirement reflected in rates for each calendar year, beginning with the calendar year in which the utility files its performance-based formula rate tariff pursuant to subsection (c) of this Section, with what the revenue requirement determined using a year-end rate base for the applicable calendar year would have been had the actual cost information for the applicable calendar year been available at the filing date.

(2) The new charges shall take effect beginning on the first billing day of the following January billing period and remain in

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effect through the last billing day of the next December billing period regardless of whether the Commission enters upon a hearing pursuant to this subsection (d).

(3) The filing shall include relevant and necessary data and documentation for the applicable rate year that is consistent with the Commission's rules applicable to a filing for a general increase in rates or any rules adopted by the Commission to implement this Section. Normalization adjustments shall not be required. Notwithstanding any other provision of this Section or Act or any rule or other requirement adopted by the Commission, a participating utility that is a combination utility with more than one rate zone shall not be required to file a separate set of such data and documentation for each rate zone and may combine such data and documentation into a single set of schedules.

Within 45 days after the utility files its annual update of cost inputs to the performance-based formula rate, the Commission shall have the authority, either upon complaint or its own initiative, but with reasonable notice, to enter upon a hearing concerning the prudence and reasonableness of the costs incurred by the utility to be recovered during the applicable rate year that are reflected in the inputs to the performance-based formula rate derived from the utility's FERC Form 1. During the course of the hearing, each objection shall be stated with particularity and evidence provided in support thereof, after which the utility shall have the opportunity to rebut the evidence. Discovery shall be allowed consistent with the Commission's Rules of Practice, which Rules shall be enforced by the Commission or the assigned hearing examiner. The Commission shall apply the same evidentiary standards, including, but not limited to, those concerning the prudence and reasonableness of the costs incurred by the utility, in the hearing as it would apply in a hearing to review a filing for a general increase in rates under Article IX of this Act. The Commission shall not, however, have the authority in a proceeding under this subsection (d) to consider or order any changes to the structure or protocols of the performance-based formula rate approved pursuant to subsection (c) of this Section. In a proceeding under this subsection (d), the Commission shall enter its order no later than the earlier of 240 days after the utility's filing of its annual update of cost inputs to the performance-based formula rate or December 31. The Commission's determinations of the prudence and reasonableness of the costs incurred for the applicable calendar year shall be final upon entry of the

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Commission's order and shall not be subject to reopening, reexamination, or collateral attack in any other Commission proceeding, case, docket, order, rule or regulation, provided, however, that nothing in this subsection (d) shall prohibit a party from petitioning the Commission to rehear or appeal to the courts the order pursuant to the provisions of this Act.

In the event the Commission does not, either upon complaint or its own initiative, enter upon a hearing within 45 days after the utility files the annual update of cost inputs to its performance-based formula rate, then the costs incurred for the applicable calendar year shall be deemed prudent and reasonable, and the filed charges shall not be subject to reopening, reexamination, or collateral attack in any other proceeding, case, docket, order, rule, or regulation.

A participating utility's first filing of the updated cost inputs, and any Commission investigation of such inputs pursuant to this subsection (d) shall proceed notwithstanding the fact that the Commission's investigation under subsection (c) of this Section is still pending and notwithstanding any other law, order, rule, or Commission practice to the contrary.

(e) Nothing in subsections (c) or (d) of this Section shall prohibit the Commission from investigating, or a participating utility from filing, revenue-neutral tariff changes related to rate design of a performance-based formula rate that has been placed into effect for the utility. Following approval of a participating utility's performance-based formula rate tariff pursuant to subsection (c) of this Section, the utility shall make a filing with the Commission within one year after the effective date of the performance-based formula rate tariff that proposes changes to the tariff to incorporate the findings of any final rate design orders of the Commission applicable to the participating utility and entered subsequent to the Commission's approval of the tariff. The Commission shall, after notice and hearing, enter its order approving, or approving with modification, the proposed changes to the performance-based formula rate tariff within 240 days after the utility's filing. Following such approval, the utility shall make a filing with the Commission during each subsequent 3-year period that either proposes revenue-neutral tariff changes or re-files the existing tariffs without change, which shall present the Commission with an opportunity to suspend the tariffs and consider revenue-neutral tariff changes related to rate design.

(f) Within 30 days after the filing of a tariff pursuant to subsection (c) of this Section, each participating utility shall develop and file with the

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Commission multi-year metrics designed to achieve, ratably (i.e., in equal segments) over a 10-year period, improvement over baseline performance values as follows:

(1) Twenty percent improvement in the System Average Interruption Frequency Index, using a baseline of the average of the data from 2001 through 2010.

(2) Fifteen percent improvement in the system Customer Average Interruption Duration Index, using a baseline of the average of the data from 2001 through 2010.

(3) For a participating utility other than a combination utility, 20% improvement in the System Average Interruption Frequency Index for its Southern Region, using a baseline of the average of the data from 2001 through 2010. For purposes of this paragraph (3), Southern Region shall have the meaning set forth in the participating utility's most recent report filed pursuant to Section 16-125 of this Act.

(3.5) For a participating utility other than a combination utility, 20% improvement in the System Average Interruption Frequency Index for its Northeastern Region, using a baseline of the average of the data from 2001 through 2010. For purposes of this paragraph (3.5), Northeastern Region shall have the meaning set forth in the participating utility's most recent report filed pursuant to Section 16-125 of this Act.

(4) Seventy-five percent improvement in the total number of customers who exceed the service reliability targets as set forth in subparagraphs (A) through (C) of paragraph (4) of subsection (b) of 83 Ill. Admin. Code Part 411.140 as of May 1, 2011, using 2010 as the baseline year.

(5) Reduction in issuance of estimated electric bills: 90% improvement for a participating utility other than a combination utility, and 56% improvement for a participating utility that is a combination utility, using a baseline of the average number of estimated bills for the years 2008 through 2010.

(6) Consumption on inactive meters: 90% improvement for a participating utility other than a combination utility, and 56% improvement for a participating utility that is a combination utility, using a baseline of the average unbilled kilowatthours for the years 2009 and 2010.

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(7) Unaccounted for energy: 50% improvement for a participating utility other than a combination utility using a baseline of the non-technical line loss unaccounted for energy kilowatthours for the year 2009.

(8) Uncollectible expense: reduce uncollectible expense by at least $30,000,000 for a participating utility other than a combination utility and by at least $3,500,000 for a participating utility that is a combination utility, using a baseline of the average uncollectible expense for the years 2008 through 2010.

(9) Opportunities for minority-owned and female-owned business enterprises: design a performance metric regarding the creation of opportunities for minority-owned and female-owned business enterprises consistent with State and federal law using a base performance value of the percentage of the participating utility's capital expenditures that were paid to minority-owned and female-owned business enterprises in 2010.

The definitions set forth in 83 Ill. Admin. Code Part 411.20 as of May 1, 2011 shall be used for purposes of calculating performance under paragraphs (1) through (3.5) of this subsection (f), provided, however, that the participating utility may exclude up to 9 extreme weather event days from such calculation for each year, and provided further that the participating utility shall exclude 9 extreme weather event days when calculating each year of the baseline period to the extent that there are 9 such days in a given year of the baseline period. For purposes of this Section, an extreme weather event day is a 24-hour calendar day (beginning at 12:00 a.m. and ending at 11:59 p.m.) during which any weather event (e.g., storm, tornado) caused interruptions for 10,000 or more of the participating utility's customers for 3 hours or more. If there are more than 9 extreme weather event days in a year, then the utility may choose no more than 9 extreme weather event days to exclude, provided that the same extreme weather event days are excluded from each of the calculations performed under paragraphs (1) through (3.5) of this subsection (f).

The metrics shall include incremental performance goals for each year of the 10-year period, which shall be designed to demonstrate that the utility is on track to achieve the performance goal in each category at the end of the 10-year period. The utility shall elect when the 10-year period shall commence for the metrics set forth in subparagraphs (1) through (4) and (9) of this subsection (f), provided that it begins no later than 14
months following the date on which the utility begins investing pursuant to subsection (b) of this Section, and when the 10-year period shall commence for the metrics set forth in subparagraphs (5) through (8) of this subsection (f), provided that it begins no later than 14 months following the date on which the Commission enters its order approving the utility's Advanced Metering Infrastructure Deployment Plan pursuant to subsection (c) of Section 16-108.6 of this Act.

The metrics and performance goals set forth in subparagraphs (5) through (8) of this subsection (f) are based on the assumptions that the participating utility may fully implement the technology described in subsection (b) of this Section, including utilizing the full functionality of such technology and that there is no requirement for personal on-site notification. If the utility is unable to meet the metrics and performance goals set forth in subparagraphs (5) through (8) of this subsection (f) for such reasons, and the Commission so finds after notice and hearing, then the utility shall be excused from compliance, but only to the limited extent achievement of the affected metrics and performance goals was hindered by the less than full implementation.

(f-5) The financial penalties applicable to the metrics described in subparagraphs (1) through (8) of subsection (f) of this Section, as applicable, shall be applied through an adjustment to the participating utility's return on equity of no more than a total of 30 basis points in each of the first 3 years, of no more than a total of 34 basis points in each of the 3 years thereafter, and of no more than a total of 38 basis points in each of the 4 years thereafter, as follows:

(1) With respect to each of the incremental annual performance goals established pursuant to paragraph (1) of subsection (f) of this Section,

(A) for each year that a participating utility other than a combination utility does not achieve the annual goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points; and

(B) for each year that a participating utility that is a combination utility does not achieve the annual goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 10 basis points;

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during years 4 through 6, by 12 basis points; and during years 7 through 10, by 14 basis points.

(2) With respect to each of the incremental annual performance goals established pursuant to paragraph (2) of subsection (f) of this Section, for each year that the participating utility does not achieve each such goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points.

(3) With respect to each of the incremental annual performance goals established pursuant to paragraphs (3) and (3.5) of subsection (f) of this Section, for each year that a participating utility other than a combination utility does not achieve both such goals, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points.

(4) With respect to each of the incremental annual performance goals established pursuant to paragraph (4) of subsection (f) of this Section, for each year that the participating utility does not achieve each such goal, the participating utility's return on equity shall be reduced as follows: during years 1 through 3, by 5 basis points; during years 4 through 6, by 6 basis points; and during years 7 through 10, by 7 basis points.

(5) With respect to each of the incremental annual performance goals established pursuant to subparagraph (5) of subsection (f) of this Section, for each year that the participating utility does not achieve at least 95% of each such goal, the participating utility's return on equity shall be reduced by 5 basis points for each such unachieved goal.

(6) With respect to each of the incremental annual performance goals established pursuant to paragraphs (6), (7), and (8) of subsection (f) of this Section, as applicable, which together measure non-operational customer savings and benefits relating to the implementation of the Advanced Metering Infrastructure Deployment Plan, as defined in Section 16-108.6 of this Act, the performance under each such goal shall be calculated in terms of the percentage of the goal achieved. The percentage of goal achieved for each of the goals shall be aggregated, and an average

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percentage value calculated, for each year of the 10-year period. If
the utility does not achieve an average percentage value in a given
year of at least 95%, the participating utility's return on equity shall
be reduced by 5 basis points.

The financial penalties shall be applied as described in this
subsection (f-5) for the 12-month period in which the deficiency occurred
through a separate tariff mechanism, which shall be filed by the utility
together with its metrics. In the event the formula rate tariff established
pursuant to subsection (c) of this Section terminates, the utility's
obligations under subsection (f) of this Section and this subsection (f-5)
shall also terminate, provided, however, that the tariff mechanism
established pursuant to subsection (f) of this Section and this subsection (f-
5) shall remain in effect until any penalties due and owing at the time of
such termination are applied.

The Commission shall, after notice and hearing, enter an order
within 120 days after the metrics are filed approving, or approving with
modification, a participating utility's tariff or mechanism to satisfy the
metrics set forth in subsection (f) of this Section. On June 1 of each
subsequent year, each participating utility shall file a report with the
Commission that includes, among other things, a description of how the
participating utility performed under each metric and an identification of
any extraordinary events that adversely impacted the utility's performance.
Whenever a participating utility does not satisfy the metrics required
pursuant to subsection (f) of this Section, the Commission shall, after
notice and hearing, enter an order approving financial penalties in
accordance with this subsection (f-5). The Commission-approved financial
penalties shall be applied beginning with the next rate year. Nothing in this
Section shall authorize the Commission to reduce or otherwise obviate the
imposition of financial penalties for failing to achieve one or more of the
metrics established pursuant to subparagraph (1) through (4) of subsection
(f) of this Section.

(g) On or before July 31, 2014, each participating utility shall file a
report with the Commission that sets forth the average annual increase in
the average amount paid per kilowatthour for residential eligible retail
customers, exclusive of the effects of energy efficiency programs,
comparing the 12-month period ending May 31, 2012; the 12-month
period ending May 31, 2013; and the 12-month period ending May 31,
2014. For a participating utility that is a combination utility with more
than one rate zone, the weighted average aggregate increase shall be
provided. The report shall be filed together with a statement from an independent auditor attesting to the accuracy of the report. The cost of the independent auditor shall be borne by the participating utility and shall not be a recoverable expense. "The average amount paid per kilowatthour" shall be based on the participating utility's tariffed rates actually in effect and shall not be calculated using any hypothetical rate or adjustments to actual charges (other than as specified for energy efficiency) as an input.

In the event that the average annual increase exceeds 2.5% as calculated pursuant to this subsection (g), then Sections 16-108.5, 16-108.6, 16-108.7, and 16-108.8 of this Act, other than this subsection, shall be inoperative as they relate to the utility and its service area as of the date of the report due to be submitted pursuant to this subsection and the utility shall no longer be eligible to annually update the performance-based formula rate tariff pursuant to subsection (d) of this Section. In such event, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive adjustment, with interest, to reconcile rates charged with actual costs, and the participating utility's voluntary commitments and obligations under subsection (b) of this Section shall immediately terminate, except for the utility's obligation to pay an amount already owed to the fund for training grants pursuant to a Commission order issued under subsection (b) of this Section.

In the event that the average annual increase is 2.5% or less as calculated pursuant to this subsection (g), then the performance-based formula rate shall remain in effect as set forth in this Section.

For purposes of this Section, the amount per kilowatthour means the total amount paid for electric service expressed on a per kilowatthour basis, and the total amount paid for electric service includes without limitation amounts paid for supply, transmission, distribution, surcharges, and add-on taxes exclusive of any increases in taxes or new taxes imposed after the effective date of this amendatory Act of the 97th General Assembly. For purposes of this Section, "eligible retail customers" shall have the meaning set forth in Section 16-111.5 of this Act.

The fact that this Section becomes inoperative as set forth in this subsection shall not be construed to mean that the Commission may reexamine or otherwise reopen prudence or reasonableness determinations already made.

(h) Sections 16-108.5, 16-108.6, 16-108.7, and 16-108.8 of this Act, other than this subsection, are inoperative after December 31, 2019

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2017 for every participating utility, after which time a participating utility shall no longer be eligible to annually update the performance-based formula rate tariff pursuant to subsection (d) of this Section. At such time, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive adjustment, with interest, to reconcile rates charged with actual costs.

By December 31, 2017, the Commission shall prepare and file with the General Assembly a report on the infrastructure program and the performance-based formula rate. The report shall include the change in the average amount per kilowatthour paid by residential customers between June 1, 2011 and May 31, 2017. If the change in the total average rate paid exceeds 2.5% compounded annually, the Commission shall include in the report an analysis that shows the portion of the change due to the delivery services component and the portion of the change due to the supply component of the rate. The report shall include separate sections for each participating utility.

In the event Sections 16-108.5, 16-108.6, 16-108.7, and 16-108.8 of this Act do not become inoperative after December 31, 2017, then these Sections are inoperative after December 31, 2022 for every participating utility, after which time a participating utility shall no longer be eligible to annually update the performance-based formula rate tariff pursuant to subsection (d) of this Section. At such time, the then current rates shall remain in effect until such time as new rates are set pursuant to Article IX of this Act, subject to retroactive adjustment, with interest, to reconcile rates charged with actual costs.

The fact that this Section becomes inoperative as set forth in this subsection shall not be construed to mean that the Commission may reexamine or otherwise reopen prudence or reasonableness determinations already made.

(i) While a participating utility may use, develop, and maintain broadband systems and the delivery of broadband services, voice-over-internet-protocol services, telecommunications services, and cable and video programming services for use in providing delivery services and Smart Grid functionality or application to its retail customers, including, but not limited to, the installation, implementation and maintenance of Smart Grid electric system upgrades as defined in Section 16-108.6 of this Act, a participating utility is prohibited from offering to its retail customers broadband services or the delivery of broadband services, voice-over-internet-protocol services, telecommunications services, or cable or...
video programming services, unless they are part of a service directly related to delivery services or Smart Grid functionality or applications as defined in Section 16-108.6 of this Act, and from recovering the costs of such offerings from retail customers.

(j) Nothing in this Section is intended to legislatively overturn the opinion issued in Commonwealth Edison Co. v. Ill. Commerce Comm'n, Nos. 2-08-0959, 2-08-1037, 2-08-1137, 1-08-3008, 1-08-3030, 1-08-3054, 1-08-3313 cons. (Ill. App. Ct. 2d Dist. Sept. 30, 2010). This amendatory Act of the 97th General Assembly shall not be construed as creating a contract between the General Assembly and the participating utility, and shall not establish a property right in the participating utility.

(k) The changes made in subsections (c) and (d) of this Section by this amendatory Act of the 98th General Assembly are intended to be a restatement and clarification of existing law, and intended to give binding effect to the provisions of House Resolution 1157 adopted by the House of Representatives of the 97th General Assembly and Senate Resolution 821 adopted by the Senate of the 97th General Assembly that are reflected in paragraph (3) of this subsection. In addition, this amendatory Act of the 98th General Assembly preempts and supersedes any final Commission orders entered in Docket Nos. 11-0721, 12-0001, 12-0293, and 12-0321 to the extent inconsistent with the amendatory language added to subsections (c) and (d).

(1) No earlier than 5 business days after the effective date of this amendatory Act of the 98th General Assembly, each participating utility shall file any tariff changes necessary to implement the amendatory language set forth in subsections (c) and (d) of this Section by this amendatory Act of the 98th General Assembly and a revised revenue requirement under the participating utility's performance-based formula rate. The Commission shall enter a final order approving such tariff changes and revised revenue requirement within 21 days after the participating utility's filing.

(2) Notwithstanding anything that may be to the contrary, a participating utility may file a tariff to retroactively recover its previously unrecovered actual costs of delivery service that are no longer subject to recovery through a reconciliation adjustment under subsection (d) of this Section. This retroactive recovery shall include any derivative adjustments resulting from the changes to subsections (c) and (d) of this Section by this amendatory Act of

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the 98th General Assembly. Such tariff shall allow the utility to assess, on current customer bills over a period of 12 monthly billing periods, a charge or credit related to those unrecovered costs with interest at the utility's weighted average cost of capital during the period in which those costs were unrecovered. A participating utility may file a tariff that implements a retroactive charge or credit as described in this paragraph for amounts not otherwise included in the tariff filing provided for in paragraph (1) of this subsection (k). The Commission shall enter a final order approving such tariff within 21 days after the participating utility's filing.

(3) The tariff changes described in paragraphs (1) and (2) of this subsection (k) shall relate only to, and be consistent with, the following provisions of this amendatory Act of the 98th General Assembly: paragraph (2) of subsection (c) regarding year-end capital structure, subparagraph (D) of paragraph (4) of subsection (c) regarding pension assets, and subsection (d) regarding the reconciliation components related to year-end rate base and interest calculated at a rate equal to the utility's weighted average cost of capital.

(4) Nothing in this subsection is intended to effect a dismissal of or otherwise affect an appeal from any final Commission orders entered in Docket Nos. 11-0721, 12-0001, 12-0293, and 12-0321 other than to the extent of the amendatory language contained in subsections (c) and (d) of this amendatory Act of the 98th General Assembly.

(l) Each participating utility shall be deemed to have been in full compliance with all requirements of subsection (b) of this Section, subsection (c) of this Section, Section 16-108.6 of this Act, and all Commission orders entered pursuant to Sections 16-108.5 and 16-108.6 of this Act, up to and including the effective date of this amendatory Act of the 98th General Assembly. The Commission shall not undertake any investigation of such compliance and no penalty shall be assessed or adverse action taken against a participating utility for noncompliance with Commission orders associated with subsection (b) of this Section, subsection (c) of this Section, and Section 16-108.6 of this Act prior to such date. Each participating utility other than a combination utility shall be permitted, without penalty, a period of 12 months after such effective date to take actions required to ensure its infrastructure investment
program is in compliance with subsection (b) of this Section and with Section 16-108.6 of this Act. Provided further:

(1) if this amendatory Act of the 98th General Assembly takes effect on or before June 15, 2013, the following subparagraphs shall apply to a participating utility other than a combination utility:

   (A) if the Commission has initiated a proceeding pursuant to subsection (e) of Section 16-108.6 of this Act that is pending as of the effective date of this amendatory Act of the 98th General Assembly, then the order entered in such proceeding shall, after notice and hearing, accelerate the commencement of the meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298;

   (B) if the Commission has entered an order pursuant to subsection (e) of Section 16-108.6 of this Act prior to the effective date of this amendatory Act of the 98th General Assembly that does not accelerate the commencement of the meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298, then the utility shall file with the Commission, within 45 days after such effective date, a plan for accelerating the commencement of the utility's meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298; the Commission shall reopen the proceeding in which it entered its order pursuant to subsection (e) of Section 16-108.6 of this Act and shall, after notice and hearing, enter an amendatory order that approves or approves as modified such accelerated plan within 90 days after the utility's filing; or

   (C) if the Commission has not initiated a proceeding pursuant to subsection (e) of Section 16-108.6 of this Act prior to the effective date of this amendatory Act of the 98th General Assembly, then the utility shall file with the Commission, within 45 days after such effective date, a plan for accelerating the commencement of the utility's meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298 and the Commission shall, after notice and hearing,

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approve or approve as modified such plan within 90 days after the utility's filing;

(2) if this amendatory Act of the 98th General Assembly takes effect after June 15, 2013, then each participating utility other than a combination utility shall file with the Commission, within 45 days after such effective date, a plan for accelerating the commencement of the utility's meter deployment schedule approved in the final Commission order on rehearing entered in Docket No. 12-0298; the Commission shall reopen the most recent proceeding in which it entered an order pursuant to subsection (e) of Section 16-108.6 of this Act and within 90 days after the utility's filing shall, after notice and hearing, enter an amendatory order that approves or approves as modified such accelerated plan, provided that if there was no such prior proceeding the Commission shall open a new proceeding and within 90 days after the utility's filing shall, after notice and hearing, enter an order that approves or approves as modified such accelerated plan.

Any schedule for meter deployment approved by the Commission pursuant to subparagraphs (1) or (2) of this subsection (l) shall take into consideration procurement times for meters and other equipment and operational issues. Nothing in this amendatory Act of the 98th General Assembly shall shorten or extend the end dates for the 5-year or 10-year periods set forth in subsection (b) of this Section or Section 16-108.6 of this Act. Nothing in this subsection is intended to address whether a participating utility has, or has not, satisfied any or all of the metrics and performance goals established pursuant to subsection (f) of this Section.

(m) The provisions of this amendatory Act of the 98th General Assembly are severable under Section 1.31 of the Statute on Statutes.

(Section: P.A. 97-616, eff. 10-26-11; 97-646, eff. 12-30-11; 98-15, eff. 5-22-13.)

Section 99. Effective date. This Act takes effect on June 1, 2015.
Approved April 3, 2015.
Effective June 1, 2015.

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<td>William “Bill” F. Dwyer Jr. Bridge</td>
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ALAN J. DIXON BUILDING
(House Joint Resolution No. 109)

WHEREAS, The Illinois General Assembly takes pride in recognizing the accomplishments and contributions of State officials and citizens; and

WHEREAS, In recognition of the lasting legacy and many sacrifices that Alan J. Dixon made for the citizenry of the State, the General Assembly wishes to bestow upon him the rare distinction of naming a public building in his honor; and

WHEREAS, Alan J. Dixon spent his life serving the people of the State and was known for his work ethic and ability to foster cooperation and compromise across party lines; and

WHEREAS, Alan J. Dixon was born in Belleville on July 7, 1927; he graduated from Belleville Township High School, earned his bachelor's degree in 1949 from the University of Illinois at Urbana-Champaign, and earned his Juris Doctor from Washington University School of Law in St. Louis, Missouri; he served in the United States Navy Air Corps during World War II and began his 43-year political career in law school when he was elected to serve as Belleville Police Magistrate; and

WHEREAS, At the age of 22, Alan J. Dixon was elected one of the youngest legislators ever to serve in the Illinois House of Representatives, and served as a State Representative from 1951 to 1963; he was an advocate for higher education and co-sponsored legislation that produced Illinois's community college system; and

WHEREAS, Alan J. Dixon served in the Illinois State Senate from 1963 to 1971, rising to Assistant Democratic Leader; and

WHEREAS, Alan J. Dixon was elected to serve as Illinois Treasurer from 1971 to 1977; from 1977 to 1981, he served as Illinois Secretary of State, an office he won by a margin of 1,300,000 votes; and

WHEREAS, In 1980, Alan J. Dixon won his first election to the United States Senate by more than 600,000 votes; he won his re-election to the United States Senate in 1986 by more than 950,000 votes; he served until 1993; and

WHEREAS, In 1988, and again in 1990, Alan J. Dixon was unanimously selected by his party colleagues to serve as the Chief Deputy Whip of the United States Senate, the number 3 leadership post; he enjoyed an unbroken string of 29 election victories; and

WHEREAS, At the request of President Bill Clinton, Alan J. Dixon served as Chairman of the Defense Base Closure and Realignment Commission in 1994 and 1995, a job that called for both national defense knowledge and good political ties with both Democrats and Republicans; as
former Chairman of the Senate Armed Services Subcommittee he was mutually respected by both parties; and
WHEREAS, Alan J. Dixon was a partner with the St. Louis, Missouri based law firm, Bryan Cave, LLP, where he served corporate and government clients; and
WHEREAS, Lindenwood University-Belleville, formerly the Belleville Township High School, named its student center after Alan J. Dixon in 2011 in his honor and thanked him for his achievements and efforts on behalf of his hometown of Belleville; and
WHEREAS, Alan J. Dixon's memoir, "The Gentleman from Illinois: Stories from Forty Years of Elective Public Service", was published in 2013 by Southern Illinois University Press; and
WHEREAS, Alan J. Dixon died in his home on July 6, 2014, one day shy of his 87th birthday; he is survived by his spouse of 60 years, Joan "Jody" Fox Dixon; 3 children, Stephanie, Jeffrey, and Elizabeth; 8 grandchildren; and 7 great-grandchildren; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the State of Illinois building that houses the Illinois State Museum at 502 South Spring Street in Springfield as the "Alan J. Dixon Building"; and be it further
RESOLVED, That a suitable copy of this resolution be presented to Alan J. Dixon's surviving spouse, Joan "Jody" Fox Dixon and to the Department of Natural Resources.
Adopted by the House of Representatives on November 19, 2014.
Concurred in by the Senate on December 4, 2014.

APPLICATION TO CONGRESS TO CALL A CONVENTION FOR PROPOSING AMENDMENTS TO THE U.S. CONSTITUTION
(Senate Joint Resolution No. 42)

WHEREAS, The first President of the United States, George Washington, stated in his Farewell Address: "The basis of our political systems is the right of the people to make and to alter their Constitutions of Government."; and
WHEREAS, It was the stated intention of the framers of the Constitution of the United States of America that the Congress of the United States of America should be "dependent on the people alone" (James Madison, Federalist 52); and
WHEREAS, That dependency has evolved from a dependency on the people alone to a dependency on those who spend excessively in elections, through campaigns or third-party groups; and
WHEREAS, The United States Supreme Court ruling in Citizens United v. Federal Election Commission, 558 U.S. 310 (2010), removed restrictions on amounts of independent political spending; and
WHEREAS, Article V of the United States Constitution requires the United States Congress to call a convention for proposing amendments upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; and
WHEREAS, The State of Illinois sees the need for a convention to propose amendments in order to address concerns such as those raised by the decision of the United States Supreme Court in Citizens United v. Federal Election Commission and related cases and events, including those occurring long before or afterward, or for a substantially similar purpose, and desires that the convention should be so limited; and
WHEREAS, The State of Illinois desires that the delegates to the convention shall be comprised equally from individuals currently elected to State and local office, or be selected by election in each Congressional district for the purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the Convention, and intends to retain the ability to restrict or expand the power of its delegates within the limits expressed above; and
WHEREAS, The State of Illinois intends that this be a continuing application, considered together with applications calling for a convention currently pending in the 188th Massachusetts legislature as S.1727 and H.3190, the 2013-2014 Vermont legislature as J.R.S. 27, and the 2013-2014 California legislature as AJR 1, and all other passed, pending, and future applications, the aforementioned concerns of Illinois notwithstanding until such time as two-thirds of the several states have applied for a Convention and that Convention is convened by Congress; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREFIN, that we, the legislature of the State of Illinois, hereby make application to the Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention for proposing amendments; and be it further
RESOLVED, That this application shall be deemed an application for a convention to address each and any of the subjects listed in this resolution; for purposes of determining whether two-thirds of the states have applied for a convention addressing any subject, this application is to be aggregated with
the applications of any other state legislatures limited to one or more of the subjects listed in this resolution; and be it further

RESOLVED, That this resolution constitutes a continuing application and remains in effect until rescission by any sitting session of the legislature of this State; this application does not constitute a recognition that any particular activity or activities currently undertaken by the federal government is or are authorized by the Constitution; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President and Secretary of the United States Senate, the Speaker and Clerk of the House of Representatives of the United States Congress, and the Archivist of the United States; to the members of the United States Senate and House of Representatives from this State; and to the presiding officers of each of the legislative chambers in the several states, requesting their cooperation.

Adopted by the Senate on April 9, 2014.
Concurred in by the House of Representatives on December 3, 2014.

ASSISTANT FIRE CHIEF BRIAN T. HAUK
MEMORIAL HIGHWAY
(Senate Joint Resolution No. 47)

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in service to their communities; and

WHEREAS, Brian T. Hauk was a dedicated volunteer for 15 years for the Logan Trivoli Fire Protection District; the district encompasses 87 square miles in Peoria County and, at one time, State Route 116 was the heaviest traveled 2 lane highway in the State; and

WHEREAS, Brian T. Hauk had only been Assistant Chief for 6 months when he gave his life in the line of duty on December 23, 1997, while responding to a fire call; and

WHEREAS, Brian T. Hauk was honored at the Firefighters State Memorial in Springfield in May of 1998 and, in October of 1998, at the National Fallen Firefighters Memorial in Emmitsburg, Maryland; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREBIN, that we designate Illinois State Route 116 as it passes through Peoria County from 10300 West Farmington Road in Hanna City to 22290 West Farmington Road in
Elmwood as the Assistant Fire Chief Brian T. Hauk Memorial Highway; and
RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further
RESOLVED, That suitable copies of this resolution be presented to the family of Assistant Fire Chief Brian T. Hauk and the Secretary of the Department of Transportation, Ann L. Schneider.
Adopted by the Senate on May 15, 2014.
Concurred in by the House of Representatives on May 29, 2014.

AUTISM AWARENESS MONTH
(House Joint Resolution 56)

WHEREAS, Autism spectrum disorders can affect all individuals, regardless of racial, ethnic, economic, and social groups; and
WHEREAS, About 1 in 88 children have been identified with an autism spectrum disorder; and
WHEREAS, About 1 in 6 children in the United States had a developmental disability in 2006-2008; and
WHEREAS, Autism spectrum disorders are more common than pediatric cancer, diabetes, and AIDS combined; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREFIN, that we urge the administrators of all museums and zoos in the State of Illinois to have a day during the month of April, which is Autism Awareness Month, dedicated to individuals with autism spectrum disorders for the purpose of urging the public to become more aware and educated on autism spectrum disorders and to give families with a loved one affected by autism spectrum disorder a day where they can enjoy museums and zoos at their leisure; and be it further
RESOLVED, That suitable copies of this resolution be made available to every museum and zoo in the State of Illinois.
Adopted by the House of Representatives on March 4, 2014.
Concurred in by the Senate on May 19, 2014.
CONSTITUTIONAL AMENDMENT - ARTICLE I
SECTION 8.1
(House Joint Resolution Constitutional Amendment No. 1)

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREBIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 8.1 of Article I of the Illinois Constitution as follows:

ARTICLE I
BILL OF RIGHTS
(ILCON Art. 1, Sec. 8.1)
SECTION 8.1. CRIME VICTIMS’ VICTIMS’ RIGHTS.
(a) Crime victims, as defined by law, shall have the following rights as provided by law:

(1) The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.

(2) The right to notice and to a hearing before a court ruling on a request for access to any of the victim’s records, information, or communications which are privileged or confidential by law.

(3) The right to timely notification of all court proceedings.

(4) The right to communicate with the prosecution.

(5) The right to be heard at any post-arraignment court proceeding in which a right of the victim is at issue and any court proceeding involving a post-arraignment release decision, plea, or sentencing make a statement to the court at sentencing.

(6) The right to be notified of information about the conviction, the sentence, the imprisonment, and the release of the accused.

(7) The right to timely disposition of the case following the arrest of the accused.

(8) The right to be reasonably protected from the accused throughout the criminal justice process.

(9) The right to have the safety of the victim and the victim’s family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.
(10) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.

(11) The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.

(12) The right to restitution.

(b) The victim has standing to assert the rights enumerated in subsection (a) in any court exercising jurisdiction over the case. The court shall promptly rule on a victim's request. The victim does not have party status. The accused does not have standing to assert the rights of a victim. The court shall not appoint an attorney for the victim under this Section. Nothing in this Section shall be construed to alter the powers, duties, and responsibilities of the prosecuting attorney. The General Assembly may provide by law for the enforcement of this Section.

(c) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.

(d) Nothing in this Section or any law enacted under this Section creates a cause of action in equity or at law for compensation, attorney's fees, or damages against the State, a political subdivision of the State, an officer, employee, or agent of the State or of any political subdivision of the State, or an officer or employee of the court, or in any law enacted under this Section.

(e) Nothing in this Section or any law enacted under this Section shall be construed as creating (1) a basis for vacating a conviction or (2) a ground for any relief requested by the defendant appellate relief in any criminal case.

(Source: Amendment adopted at general election November 3, 1992.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Adopted by the House of Representatives on April 2, 2014.
Concurred in by the Senate on April 10, 2014.

CONSTITUTIONAL AMENDMENT - ARTICLE III
SECTION 8

(House Joint Resolution Constitutional Amendment No. 52)

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be
submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article III of the Constitution by adding Section 8 as follows:

ARTICLE III
SUFFRAGE AND ELECTIONS
(ILCON Art. III, Sec. 8 new)
SECTION 8. VOTER DISCRIMINATION
No person shall be denied the right to register to vote or to cast a ballot in an election based on race, color, ethnicity, status as a member of a language minority, national origin, religion, sex, sexual orientation, or income.

SCHEDULE
This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.
Adopted by the House of Representatives on April 8, 2014.
Concurred in by the Senate on April 10, 2014.

CPL AARON J. RIPPERDA MEMORIAL HIGHWAY
(House Joint Resolution No. 52)

WHEREAS, It is appropriate for us to remember the many sacrifices and contributions to the cause of freedom made by the outstanding men and women who served in the United States Armed Forces and gave the ultimate sacrifice defending America's freedom; and
WHEREAS, Corporal Aaron J. Ripperda was one of seven members of the 2nd Marine Division whose lives were lost on March 18, 2013, in an explosion during training at the Hawthorne Army Depot in western Nevada; he was the most senior of those lost on that day, both in age and rank; and
WHEREAS, Corporal Aaron J. Ripperda was born January 6, 1987 in Breese and graduated from Highland High School in 2005; during high school, he played football and was involved in the school's annual madrigal dinner; and
WHEREAS, After high school, Corporal Aaron J. Ripperda attended St. Xavier University in Chicago for a year and then enrolled in and graduated from the L'Ecole Culinaire School in St. Louis, Missouri; and
WHEREAS, Being an avid traveler, Corporal Aaron J. Ripperda felt a calling to explore the world by becoming a Marine in 2008; while at Camp Lejeune, he developed a passion for sailing, bought a two-person sailboat, and often took friends out on a bay near the base; and
WHEREAS, While enlisted in the Marine Corps, Corporal Aaron J. Ripperda traveled to several countries, including Haiti to help with recovery efforts after the 2010 earthquake, and Afghanistan; in April of 2011, he was promoted to the rank of corporal; among his numerous honors were a Navy Unit Commendation and a Humanitarian Service Medal; and

WHEREAS, Corporal Aaron J. Ripperda is survived by his father, Kent (Colleen) Ripperda; his mother, Tina (Jeff) Sutton; his sister, Kendall (significant other, Charlie Swaim) Ripperda; his paternal grandmother, Rita Ripperda; his maternal grandfather, Ronald (Jackie) Lesicko; his special friend, Jessica Iskrzycki; his aunts and uncles, Kurt (Lynn) Ripperda, Cara (significant other, John Zerkle) Tomasek, William (Beverly) Lesicko, Patrick (Julie) Lesicko; and his many cousins; and

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who have served our country and, in doing so, have gone above and beyond the call of duty to take part in truly heroic tasks; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the portion of Illinois Route 143 within the city limits of Highland as the Cpl. Aaron J. Ripperda Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the Cpl. Aaron J. Ripperda Memorial Highway; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Corporal Aaron J. Ripperda and the Secretary of the Illinois Department of Transportation.

 Adopted by the House of Representatives on November 6, 2013.
 Concurred in by the Senate on February 26, 2014.

DEPUTY GEORGE V. DARNELL MEMORIAL HIGHWAY
(Senate Joint Resolution No. 48)

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in service to the State; and

WHEREAS, Warren County Sheriff's Deputy George V. Darnell was killed in the line of duty on December 7, 1981, on US Route 67 north of Monmouth; and

WHEREAS, George Darnell was born on December 16, 1920, in Hull to Delbert Walter and Esther (nee Smith) Darnell; he attended school in Adams County and married Eva E. Stormer on January 21, 1942, in Quincy; he served for 7 years with the Warren County Sheriff's Auxiliary and became a Warren County deputy sheriff in 1971; and
WHEREAS, George Darnell was a member of the Immaculate Conception Church, the Veterans of Foreign Wars Post #2301, and was a veteran of World War II; he enjoyed hunting and outdoor life; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate US Route 67 in Warren County, starting 7 miles north of Monmouth, ending 8 miles north of Monmouth, as the "Deputy George V. Darnell Memorial Highway"; and be it further

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

RESOLVED, That suitable copies of this resolution be presented to the family of Deputy George V. Darnell, the Warren County Sheriff's Department, and the Secretary of the Illinois Department of Transportation.

Adopted by the Senate on May 15, 2014.
Concurred in by the House of Representatives on May 29, 2014.

DEPUTY SHERIFF JOHN D. LANDRUM MEMORIAL HIGHWAY
(House Joint Resolution No. 86)

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the service of the State of Illinois; and

WHEREAS, Edgar County Deputy Sheriff John Dean Landrum gave his life in the line of duty on February 15, 1989 while responding to a domestic disturbance; and

WHEREAS, Deputy Sheriff Landrum was born January 12, 1937 in Centralia to John Paul and Irene B. (nee Wayman) Landrum; he married his loving wife, Kay Hamlin on June 26, 1958; and

WHEREAS, Deputy Sheriff Landrum graduated from Centralia High School in 1955 and from Kaskaskia Community College in 1957, where he earned a degree in drafting; and

WHEREAS, After earning his degree, Deputy Sheriff Landrum worked for the Seiger heating company in Centralia in 1957, for McDonald-Douglas in 1958 as a draftsman, and at TrailMobile in Charleston in the late 1970's; and

WHEREAS, Deputy Sheriff Landrum went to Lincoln Christian College where he earned a bachelor's degree in ministry in 1966; he served as a minister for one year at Keenes Christian Church in Keenes in 1966, as a house parent at Ladoga Children's Home in Ladoga, Indiana in 1967-1970, at Edgar County Children's Home in Paris, Illinois from 1970 until 1975, and
as a minister at Pleasant Hill Christian Church in Kansas, Illinois from 1975-1986; and

WHEREAS, Deputy Sheriff Landrum served as an Auxiliary Deputy in the early 1970's for the Edgar County Sheriff's Department, and attended the police academy in Springfield from January 8th - February 15, 1979, graduating from class 258-08 as class president; and

WHEREAS, Deputy Sheriff Landrum served as Chief of police of Kansas, Illinois from 1977-1982; and

WHEREAS, Deputy Sheriff Landrum became a part-time deputy at Edgar County Sheriff's Department in 1982 and began serving full-time in 1987; and

WHEREAS, Deputy Sheriff Landrum's death left behind his wife, Kay (nee Hamlin) Landrum; his daughters, Cheryl Clark and Lisa Weilhammer; his sons, John W. Landrum, Curtis Landrum, and Chad Landrum; his 15 grandchildren; and his 5 great-grandchildren; and

WHEREAS, Deputy Sheriff Landrum courage will be remembered fondly by his loving family, his fellow officers, and all who knew him, and it is therefore fitting that we not forget Deputy Sheriff John Dean Landrum's sacrifice; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of US Route 150 from Paris, Illinois to the Indiana border as the "Deputy Sheriff John D. Landrum Memorial Highway"; and be it further

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

RESOLVED, That suitable copies of this resolution be presented to the family of Deputy Sheriff John D. Landrum and the Secretary of the Illinois Department of Transportation, Ann L. Schneider.

Adopted by the House of Representatives on April 3, 2014.
Concurred in by the Senate on April 10, 2014.

FIREFIGHTER TIM JANSEN MEMORIAL HIGHWAY
(House Joint Resolution No. 74)

WHEREAS, Tim Jansen was born on February 3, 1967 in Breese; his parents were Marjorie "Margie" (nee Gebke) Jansen and Paul Jansen; he married Brenda Kluemke on January 28, 1995 at St. Cecilia Catholic Church in Bartelso; and

WHEREAS, Tim Jansen was the owner and operator of MacJenna's Restaurant in Bartelso; and
WHEREAS, Tim Jansen was a member of St. Cecilia Catholic Church in Bartelso; he was also a 15-year veteran of the Santa Fe Fire Protection District in Bartelso, Bartelso Knights of Columbus Council 4745, and the 7 Levee Club in Bartelso; and

WHEREAS, Tim Jansen was an avid deer hunter and loved spending time with his family and friends on the river and at the clubhouse; and

WHEREAS, Tim Jansen gave his life in the line of duty while fighting a fire; and

WHEREAS, Tim Jansen was preceded in death by his father; his mother-in-law, Bernadette (nee Varel) Kluemke; his dear uncle, Fr. James Jansen; and his many aunts and uncles; and

WHEREAS, Tim Jansen is survived by his wife, Brenda; his daughters, Mackenna and Jenna Jansen; his siblings, Tony (Brenda) Jansen, Lynn (Louie) Loepker, Jeff (Sonja) Jansen, Joe (Sandy) Jansen, and Theresa (Jim) Ghormley; his father-in-law, Gerhard Kluemke; his sisters-in-law and brothers-in-law, Karen (Linus) Ripperda, Brian (Sam) Kluemke, Craig (Tanya) Kluemke, and Danny (Shelly) Kluemke; and his many nieces and nephews; and

WHEREAS, Governor Pat Quinn ordered flags in the State of Illinois to fly at half-staff from December 4-6, 2012 to honor the sacrifice of Tim Jansen; and

WHEREAS, Tim Jansen was added to the National Fallen Firefighters Memorial on the National Fire Academy in Emmitsburg, Maryland and the Illinois Fallen Firefighter Memorial; he was also honored at the annual Illinois Fallen Firefighter Memorial and Firefighter Medal of Honor Awards Ceremony on May 9, 2013; and

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the service of the State of Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Illinois Route 161 between the intersection of Hanover Street in Germantown and the intersection of South B Street in Bartelso as the Firefighter Tim Jansen Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the Firefighter Tim Jansen Memorial Highway; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Tim Jansen, the Santa Fe Volunteer Fire Department, the Mayors of Bartelso and Germantown, and the Secretary of the Illinois Department of Transportation.

Adopted by the House of Representatives on April 7, 2014.
Concurred in by the Senate on May 19, 2014.
HONORING FALLEN LAW OFFICERS
(Senate Joint Resolution No. 76)

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the line of duty; and

WHEREAS, Sheriff John Lammy's last watch occurred on September 25, 1881; he was killed in a shoot-out near Fox Creek Bridge on Route 96 in between Kampsville and Mozier; and

WHEREAS, Marshal Charles B. Rose's last watch occurred on October 14, 1911; he was killed in Kampsville while attempting to arrest William Carter and was fatally stabbed by Elmer Carter, the suspect's brother; and

WHEREAS, Illinois State Trooper George L. Fredrickson's last watch occurred on September 1, 1947; he died in his attempt to save a motorcyclist on Labor Day, 2 miles west of Grafton near the Brussels Illinois State Ferry; and

WHEREAS, Chief Deputy Sheriff Brian K. Gibbons' last watch was on July 11, 2006, after having his squad car struck by a drunk driver 2 days prior; and

WHEREAS, These fallen heroes deserve to be remembered by the State of Illinois for making the ultimate sacrifice; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HERELN, that we recognize Sheriff John Lammy, Marshal Charles B. Rose, Illinois State Trooper George L. Frederickson, and Chief Deputy Sheriff Brian K. Gibbons; and be it further

RESOLVED, That we designate Route 96 between Kampsville and Mozier as the "Sheriff John Lammy Memorial Highway"; and be it further

RESOLVED, That we designate the Illinois State Kampsville Ferry Landing, on both the Kampsville and Eldred sides of the river, as the "Kampsville Marshal Charles B. Rose Memorial Landing"; and be it further

RESOLVED, That we designate a stretch of Route 100 from Grafton to Pere Marquette State Park as the "Illinois State Trooper George L. Fredrickson Memorial Highway"; and be it further

RESOLVED, That we recognize the naming of Route 100 as it passes through Calhoun County as the "Chief Deputy Brian K. Gibbons Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of these names.

Adopted by the Senate on May 20, 2014.
Concurred in by the House of Representatives on December 3, 2014.

**HOUSE REVENUE ESTIMATES FOR 2015**  
*House Joint Resolution No. 80*

WHEREAS, Under subsection (b) of Section 2 of Article VIII of the Illinois Constitution, appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the House of Representatives estimates the general funds to be available during State fiscal year 2015 as follows:

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<td>(in millions)</td>
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<td>State Taxes</td>
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<tr>
<td>Corporate Income Tax (net of refunds)</td>
<td>$2,810</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>$7,842</td>
</tr>
<tr>
<td>Public Utility (regular)</td>
<td>$995</td>
</tr>
<tr>
<td>Cigarette Tax</td>
<td>$355</td>
</tr>
<tr>
<td>Liquor Gallonage Taxes</td>
<td>$165</td>
</tr>
<tr>
<td>Vehicle Use Tax</td>
<td>$29</td>
</tr>
<tr>
<td>Inheritance Tax (gross)</td>
<td>$205</td>
</tr>
<tr>
<td>Insurance Taxes &amp; Fees</td>
<td>$330</td>
</tr>
<tr>
<td>Corporate Franchise Tax &amp; Fees</td>
<td>$205</td>
</tr>
<tr>
<td>Interest on State Funds &amp; Investments</td>
<td>$25</td>
</tr>
<tr>
<td>Cook County Intergovernmental Transfer</td>
<td>$244</td>
</tr>
<tr>
<td><strong>Other Sources</strong></td>
<td><strong>$486</strong></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$28,340</td>
</tr>
<tr>
<td>Transfers</td>
<td></td>
</tr>
<tr>
<td>Lottery</td>
<td>$682</td>
</tr>
<tr>
<td>Riverboat transfers and receipts</td>
<td>$310</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td><strong>$890</strong></td>
</tr>
<tr>
<td><strong>Total State Sources</strong></td>
<td><strong>$30,222</strong></td>
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<tr>
<td>Federal Sources</td>
<td>$4,273</td>
</tr>
<tr>
<td><strong>Total Federal &amp; State Sources</strong></td>
<td><strong>$34,495</strong></td>
</tr>
</tbody>
</table>

Adopted by the House of Representatives on February 25, 2014.  
Concurred in by the Senate on March 6, 2014.
JOINT RESOLUTIONS

HOUSE REVENUE ESTIMATES FOR 2015
(House Joint Resolution No. 100)

WHEREAS, Under subsection (b) of Section 2 of Article VIII of the Illinois Constitution, appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the House of Representatives estimates the general funds to be available during State fiscal year 2015 as follows:

<table>
<thead>
<tr>
<th>Revenue Sources</th>
<th>House Estimate (in millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Taxes</td>
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<tr>
<td>Personal Income Tax (net of refunds)</td>
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<tr>
<td>Corporate Income Tax (net of refunds)</td>
<td>$2,810</td>
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<tr>
<td>Sales Tax</td>
<td>$7,842</td>
</tr>
<tr>
<td>Public Utility (regular)</td>
<td>$1,005</td>
</tr>
<tr>
<td>Cigarette Tax</td>
<td>$355</td>
</tr>
<tr>
<td>Liquor Gallonage Taxes</td>
<td>$165</td>
</tr>
<tr>
<td>Vehicle Use Tax</td>
<td>$29</td>
</tr>
<tr>
<td>Inheritance Tax (gross)</td>
<td>$205</td>
</tr>
<tr>
<td>Insurance Taxes &amp; Fees</td>
<td>$330</td>
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<tr>
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</tr>
<tr>
<td>Cook County Intergovernmental Transfer</td>
<td>$244</td>
</tr>
<tr>
<td>Other Sources</td>
<td>$486</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$28,547</td>
</tr>
<tr>
<td>Transfers</td>
<td></td>
</tr>
<tr>
<td>Lottery</td>
<td>$682</td>
</tr>
<tr>
<td>Riverboat transfers and receipts</td>
<td>$310</td>
</tr>
<tr>
<td>Other</td>
<td>$1,540</td>
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<tr>
<td>Total State Sources</td>
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<tr>
<td>Federal Sources</td>
<td>$4,273</td>
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<tr>
<td>Total Federal &amp; State Sources</td>
<td>$35,352</td>
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Adopted by the House of Representatives on May 29, 2014.
Concurred in by the Senate on April 30, 2014.

ILLINOIS CONSTITUTION CRIME VICTIMS’ RIGHTS AMENDMENT
(House Joint Resolution No. 103)

WHEREAS, The 98th General Assembly of the State of Illinois has submitted House Joint Resolution Constitutional Amendment 1, a proposition
to amend the Illinois Constitution, to the voters of Illinois at the November 2014 general election; and

WHEREAS, The Illinois Constitution Amendment Act requires the General Assembly to prepare a brief explanation of the proposed amendment, a brief argument in favor of the amendment, a brief argument against the amendment, and the form in which the amendment will appear on the ballot, and also requires the information to be published and distributed to the electorate; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the proposed form of Section 8.1 of Article I shall be published as follows:

"ARTICLE I
BILL OF RIGHTS
SECTION 8.1. CRIME VICTIMS' RIGHTS.
(a) Crime victims, as defined by law, shall have the following rights as provided by law:

(1) The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.
(2) The right to notice and to a hearing before a court ruling on a request for access to any of the victim's records, information, or communications which are privileged or confidential by law.
(3) The right to timely notification of all court proceedings.
(4) The right to communicate with the prosecution.
(5) The right to be heard at any post-arraignment court proceeding in which a right of the victim is at issue and any court proceeding involving a post-arraignment release decision, plea, or sentencing make a statement to the court at sentencing.
(6) The right to be notified of information about the conviction, the sentence, the imprisonment, and the release of the accused.
(7) The right to timely disposition of the case following the arrest of the accused.
(8) The right to be reasonably protected from the accused throughout the criminal justice process.
(9) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.
(10) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.
(11) (9) The right to have present at all court proceedings, subject to the rules of evidence, an advocate and or other support person of the victim's choice.
(12) (10) The right to restitution.

(b) The victim has standing to assert the rights enumerated in subsection (a) in any court exercising jurisdiction over the case. The court shall promptly rule on a victim's request. The victim does not have party status. The accused does not have standing to assert the rights of a victim. The court shall not appoint an attorney for the victim under this Section, Nothing in this Section shall be construed to alter the powers, duties, and responsibilities of the prosecuting attorney. The General Assembly may provide by law for the enforcement of this Section.

(c) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.

(d) Nothing in this Section or any law enacted under this Section creates a cause of action in equity or at law for compensation, attorney's fees, or damages against the State, a political subdivision of the State, an officer, employee, or agent of the State or of any political subdivision of the State, or an officer or employee of the court, or in any law enacted under this Section.

(e) Nothing in this Section or any law enacted under this Section shall be construed as creating (1) a basis for vacating a conviction or (2) a ground for any relief requested by the defendant appellate relief in any criminal case."; and be it further

RESOLVED, That a brief explanation of the proposed amendment, a brief argument in favor of the amendment, a brief argument against the amendment, and the form in which the amendment will appear on the ballot shall be published and distributed as follows:

PROPOSED AMENDMENT
TO SECTION 8.1 OF ARTICLE I
OF THE ILLINOIS CONSTITUTION
That will be submitted to the voters
November 4, 2014
This pamphlet includes
EXPLANATION OF THE PROPOSED AMENDMENT
ARGUMENTS IN FAVOR OF THE AMENDMENT
ARGUMENTS AGAINST THE AMENDMENT
FORM OF BALLOT
To the Electors of the State of Illinois:

The purpose of a state constitution is to establish a structure for government and laws. There are three ways to initiate change to the Illinois Constitution: (1) a constitutional convention may propose changes to any part; (2) the General Assembly may propose changes to any part; or (3) a petition initiative may propose amendments limited to structural and procedural subjects contained in the Legislative Article. The people of Illinois must approve any changes to the Constitution before they become effective.
EXPLANATION

The Constitution sets forth substantial rights for crime victims. The proposed amendment expands certain current rights:

1) Victims are currently entitled to fairness and respect throughout the criminal justice process. The amendment would also provide that they shall be protected from harassment, intimidation and abuse.
2) Victims currently can make a statement to the court when a criminal defendant is sentenced to punishment. The amendment would allow a victim to be heard at any proceeding that involves the victim's rights, and any proceeding involving a plea agreement, release of the defendant or convicted individual, or sentencing.
3) Victims may obtain information about conviction, sentencing, imprisonment or release. The amendment would require prosecutors and the court to notify victims of those events before they happen.

The amendment would also grant additional rights to crime victims:

1) A victim would have a right to formal notice and a hearing before the court rules on any request for access to the victim's information which is privileged or confidential information.
2) A victim would have the right to have the judge consider the victim's safety and the safety of his or her family before deciding whether to release a criminal defendant, setting the amount of bail to be paid before release, or setting conditions of release after arrest or conviction.
3) The victim would have the right to assert his or her rights in any court with jurisdiction over the criminal case, but would not have the same rights as the prosecutor or the criminal defendant and the court could not appoint an attorney for the victim at taxpayer expense.

The proposed amendment would not alter the powers, duties or responsibilities of the prosecutor. Further, a criminal defendant would not be able to challenge his or her conviction on the basis of a failure to follow these provisions.

Arguments in Favor of the Proposed Amendment

Victims of violent crimes deserve stronger protections under the Constitution than are currently provided. Victims should not have to fear intimidation and harassment when they participate in the criminal justice process. Judges must consider a victim's safety when setting bail, deciding whether a criminal defendant should be released during his or her trial, or sentencing a convicted defendant.

Further, victims should also be allowed to object when a defendant or a defendant's attorney attempts to obtain information about the victim that is confidential or private, like the victim's mental health records or personal journals. A judge would still be able to require a victim to turn over those records or communications over to the court, but the amendment would allow the victim to object if he or she feels that a privacy violation would result.
A constitutional amendment is necessary because victims need the ability to enforce their rights. This amendment would provide that judges and prosecutors have a constitutional duty to keep the victim informed of developments in the case, and to allow the victim to participate when appropriate.

**Arguments Against the Proposed Amendment**

The proposed amendment would disrupt the criminal justice process and impede the work of prosecutors. Our criminal justice system tasks prosecutors, not victims, with punishing criminals and restoring justice after a crime is committed.

Victims and their attorneys may attempt to take over that important role, second-guessing prosecutors and objecting to decisions made by judges. Victims already have a right to be present and informed during the process, and Illinois already provides extensive rights to crime victims under the Rights of Crime Victims and Witnesses Act.

The proposed amendment threatens the rights of criminal defendants, both the guilty and the innocent. Our system gives criminal defendants the right to access information, documents and records that could prove their innocence; however, the amendment would give a victim the opportunity to prevent disclosure of certain materials or documents that might prove the defendant's innocence.

**FORM OF BALLOT**

Proposed Amendment to the 1970 Illinois Constitution

Explanation of Amendment

The proposed amendment makes changes to Section 8.1 of Article I of the Illinois Constitution, the Crime Victims' Bill of Rights. The proposed amendment would expand certain rights already granted to crime victims in Illinois, and give crime victims the ability to enforce their rights in a court of law. You are asked to decide whether the proposed amendment should become part of the Illinois Constitution.

---

YES  For the proposed amendment

NO  of Section 8.1 of Article I

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Adopted by the House of Representatives on May 30, 2014.
Concurred in by the Senate on May 30, 2014.

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**ILLINOIS CONSTITUTION VOTER DISCRIMINATION AMENDMENT**

*(House Joint Resolution No.102)*

WHEREAS, The 98th General Assembly of the State of Illinois has submitted House Joint Resolution Constitutional Amendment 52, a
proposition to amend the Illinois Constitution, to the voters of Illinois at the November 2014 general election; and

WHEREAS, The Illinois Constitution Amendment Act requires the General Assembly to prepare a brief explanation of the proposed amendment, a brief argument in favor of the amendment, a brief argument against the amendment, and the form in which the amendment will appear on the ballot, and also requires the information to be published and distributed to the electorate; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the proposed form of new Section 8 of Article III shall be published as follows:

"ARTICLE III
SUFFRAGE AND ELECTIONS
SECTION 8. VOTER DISCRIMINATION

No person shall be denied the right to register to vote or to cast a ballot in an election based on race, color, ethnicity, status as a member of a language minority, national origin, religion, sex, sexual orientation, or income."

and be it further

RESOLVED, That a brief explanation of the proposed amendment, a brief argument in favor of the amendment, a brief argument against the amendment, and the form in which the amendment will appear on the ballot shall be published and distributed as follows:

PROPOSED AMENDMENT
TO ADD SECTION 8 TO ARTICLE III
OF THE ILLINOIS CONSTITUTION
That will be submitted to the voters
November 4, 2014
This pamphlet includes
EXPLANATION OF THE PROPOSED AMENDMENT
ARGUMENTS IN FAVOR OF THE AMENDMENT
ARGUMENTS AGAINST THE AMENDMENT
FORM OF BALLOT

To the Electors of the State of Illinois:

The purpose of a state constitution is to establish a structure for government and laws. There are three ways to initiate change to the Illinois Constitution: (1) a constitutional convention may propose changes to any part; (2) the General Assembly may propose changes to any part; or (3) a petition initiative may propose amendments limited to structural and procedural subjects contained in the Legislative Article. The people of Illinois must approve any changes to the Constitution before they become effective.

The proposed amendment adds a new section to the Suffrage and Elections Article of the Illinois Constitution. The section would ensure no person could be denied the right to register to vote or cast a ballot based on his or her race, color, ethnicity, status as a member of a language minority,
national origin, religion, sex, sexual orientation, or income. At the general
election to be held on November 4, 2014, you will be called upon to decide
whether the proposed amendment should become part of the Illinois
Constitution.

EXPLANATION
The proposed amendment would prohibit any law or procedure that
intentionally discriminates or has an unequal effect upon the right of a person
to register to vote or cast a ballot based on the voter's race, color, ethnicity,
status as a member of a language minority, national origin, religion, sex,
sexual orientation, or income.

The proposed amendment does not change the requirements for
voting. A voter must still be a citizen of the United States, a permanent
resident of Illinois for more than 30 days, and be 18 years of age.

Arguments In Favor of the Proposed Amendment
The proposed amendment is a demonstration that the people of
Illinois believe all eligible Illinois citizens have a fundamental right to vote,
and that laws and regulations that seek to prohibit eligible Illinois citizens
from voting in an election should not be tolerated in a civil society. Under the
amendment, any law or procedure that has a disparate impact upon the ability
of a person to register to vote or cast a ballot based on the voter's race, color,
ethnicity, status as a member of a language minority, national origin, religion,
sex, sexual orientation, or income would be subject to strict judicial scrutiny.

Arguments Against the Proposed Amendment
This amendment is not necessary. Many of these protections are
already provided by federal law. The proponents have not identified any
instances of voter discrimination in Illinois that would justify the creation of
a State cause of action. The proposed amendment will only serve to increase
litigation.

FORM OF BALLOT
Proposed Amendment to the 1970 Illinois Constitution

The proposed amendment adds a new section to the Suffrage and
Elections Article of the Illinois Constitution. The proposed amendment
would prohibit any law that disproportionately affects the rights of eligible
Illinois citizens to register to vote or cast a ballot based on the voter's race, color,
ethnicity, status as a member of a language minority, national origin, religion,
sex, sexual orientation, or income. You are asked to decide whether
the proposed amendment should become part of the Illinois Constitution.

-----------------------------------------------------------------------------------------
YES  For the proposed addition
-----------  of Section 8 to Article III
NO  of the Illinois Constitution.
-----------------------------------------------------------------------------------------

Adopted by the House of Representatives on May 30, 2014.
Concurred in by the Senate on May 30, 2014.
ILLINOIS PRESCRIPTION MONITORING PROGRAM MONTH  
(House Joint Resolution No. 97)

WHEREAS, The Illinois Prescription Monitoring Program serves as a clinical tool to assist medical providers to better serve their patients while maximizing safety; the Program, in accordance with the enactment of Public Act 91-0576, began electronically collecting information on controlled substances dispensed in the State of Illinois on April 1, 2000; and

WHEREAS, The goal of the Illinois Prescription Monitoring Program is to assist prescribers and pharmacists in the effective treatment of patients seeking medical care, and the Illinois Prescription Monitoring Program website allows prescribers and pharmacists to view a current or prospective patient's prescription history; and

WHEREAS, The Illinois Prescription Monitoring Program has expanded its commitment to service and improved healthcare outcomes by helping prevent the misuse, abuse, and diversion of controlled substance medications; and

WHEREAS, The Illinois Prescription Monitoring Program is a component of and managed by the Illinois Department of Human Services and, through the services of the Illinois Prescription Monitoring Program, has improved the ability to serve healthcare providers in augmenting the effectiveness of patient care while similarly successfully helping to reduce healthcare costs and dramatically improve patient safety; and

WHEREAS, The access to the Illinois Prescription Monitoring Program website is available to physicians, pharmacists, dentists, veterinarians, physician assistants, and advanced practice nurses, as well as other prescribers and dispensers; and

WHEREAS, Last year, the Illinois Prescription Monitoring Program collected 16.4 million prescription records; 22,000 prescribers and dispensers referred to its clinical data on a regular basis; and

WHEREAS, Illinois is a participating state in the evolving national program of Prescription Monitoring Program services through the National Association of Boards of Pharmacy to facilitate interstate sharing of data with other participating states on the "Interconnect"; and

WHEREAS, Using the Illinois Prescription Monitoring Program website is voluntary, free to registrants, provides fully functional availability for mobile devices, and is accessible 24 hours per day and 7 days a week to provide immediate access to patient prescription history; and

WHEREAS, The Illinois Prescription Monitoring Program is built on the foundation of improving healthcare outcomes while not denying information as needed to assist law enforcement and placing paramount priority on HIPAA privacy requirements; and

WHEREAS, The use of the Illinois Prescription Monitoring Program in the evaluation of a patient's controlled substance history is a tool for
prescribers and dispensers to incorporate into their daily practice to prevent the accidental overdose or potential drug interactions; therefore, be it


Adopted by the House of Representatives on May 29, 2014.
Concurred in by the Senate on May 30, 2014.

IRAQI JEWISH ARCHIVE COLLECTION
(House Joint Resolution No. 68)

WHEREAS, During Operation Iraqi Freedom, Pentagon officials discovered a trove of thousands of centuries-old artifacts from Iraq's Jewish community in the basement of Saddam Hussein's intelligence service headquarters; and

WHEREAS, These artifacts were improperly seized by force from their rightful owners by the regime of Saddam Hussein, which then stored them in a flooded basement, most likely in an effort to marginalize the culture and history of Mesopotamian Jews; and

WHEREAS, The artifacts were brought to the United States in 2003, where they were carefully cleaned, preserved, photographed, and displayed at the National Archives; and

WHEREAS, The United States Department of State has announced its plans to return the Iraqi Jewish Archive collection to the government of Iraq in the summer of 2014, claiming the Iraqi people are the rightful owners; and

WHEREAS, More than 40 American Jewish groups have expressed their deep misgivings about returning the artifacts to Iraq, citing "uncertain conditions" in Iraq and calling for the artifacts to be given to the synagogues of Iraqi Jews around the world; and

WHEREAS, The Pentagon official who discovered the collection, Harold Rhode, has likened the prospective return of the artifacts to "giving the personal effects of Jews killed in the Holocaust back to Germany"; and

WHEREAS, Religious documents and artifacts such as these are sacred and should properly be returned to the Jewish communities from which they were stolen; and

WHEREAS, The United States Senate has unanimously passed Senate Resolution 333 calling for the United States to renegotiate the return of the Iraqi Jewish Archive collection to Iraq; and

WHEREAS, United States House Resolution 505, which echoes United States Senate Resolution 333, was introduced into the United States House of Representatives; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the United States Department of State to renegotiate with the Government of Iraq the provisions of the original agreement in order to ensure that the Iraqi Jewish Archive collection be kept in a place where its long-term preservation and care can be guaranteed; and be it further

RESOLVED, That we urge the relevant authorities to house the Iraqi Jewish Archive collection in a location that is accessible to scholars and to Iraqi Jews and their descendants who have a personal interest in it; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, the Secretary of State of the United States, and the members of the Illinois congressional delegation.

Adopted by the House of Representatives on April 7, 2014.
Concurred in by the Senate on May 19, 2014.

JOHN “DOC” DAVIDSON MEMORIAL HIGHWAY
(House Joint Resolution No. 21)

WHEREAS, It is important to recognize those who contributed to the betterment of the State of Illinois through public service; and

WHEREAS, It is equally important that we do not forget the contributions these individuals made in improving the State of Illinois and the nation as a whole; and

WHEREAS, John "Doc" Davidson was born on August 31, 1924, in West Point, Mississippi; he was the son of the late Homer and Anna (Grossboll) Davidson; he married Shirley Beard on August 8, 1953 and is the father of 3 and the grandfather of 6; and

WHEREAS, John "Doc" Davidson was a chiropractor by trade; he served in the United States Navy during World War II as a tail gunner and served on the USS Ticonderoga; he was a member and past president of the Springfield Jaycees, where he was honored to be one of the Jaycees' 10 Outstanding Young Men of America for 1954-1955; he was a member of the American Chiropractic Association, where he was the first recipient of the National Chiropractor of the Year Award in 1973; he was a member of the Illinois Chiropractic Society, the Masonic Shrine Board, and American Legion Post #32; he was a founding member of the Prairie State Games and a member of the Governor's Prayer Breakfast Committee; he was also a member of the Sangamon County Board of Supervisors for 13 1/2 years and served as the board's chair for 2 1/2 years; and

WHEREAS, John "Doc" Davidson served as an Illinois State Senator from 1973 to 1993, representing the 50th House District covering Sangamon, Christian, and Montgomery Counties; his greatest legislative accomplishment was ensuring that the SIU School of Medicine was to be seated in
WHEREAS, The members of this august body believe it is fitting to honor John "Doc" Davidson by dedicating the section of Illinois Route 97 beginning at the intersection of Veterans Parkway in Springfield and ending at the intersection of County Highway 12 in Menard County as the John "Doc" Davidson Memorial Highway; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Illinois Route 97 beginning at the intersection of Veterans Parkway in Springfield and ending at the intersection of County Highway 12 in Menard County as the John "Doc" Davidson Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the John "Doc" Davidson Memorial Highway; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Secretary of the Illinois Department of Transportation and the family of John "Doc" Davidson.

Adopted by the House of Representatives on May 1, 2014.
Concurred in by the Senate on June 30, 2014.

JOINT CRIMINAL JUSTICE REFORM COMMITTEE
(House Joint Resolution No. 96)

WHEREAS, The criminal laws of the State of Illinois seek to prescribe penalties which are proportionate to the seriousness of offenses and the differences in rehabilitation possibilities among individual offenders; and

WHEREAS, The General Assembly recognizes that the data collected and analyzed by State agencies, including the Illinois Sentencing Policy Advisory Council, and independent entities have demonstrated that the State of Illinois experiences overcrowding in prison and jail populations, a continued high rate of recidivism of approximately 50%, and levels of crime that plague Illinois communities; and

WHEREAS, The General Assembly recognizes that the State of Illinois currently spends $1.3 billion per year on imprisonment of adults and approximately $86,861 per year to detain a single juvenile; and

WHEREAS, It is in the interest of public safety and the public good of the State to examine the current Illinois criminal justice system and develop comprehensive, evidence-based methods to more effectively and cost-efficiently sanction criminal offenses and improve outcomes, while holding offenders accountable; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Joint Criminal Justice Reform Committee is created to examine the impact of the current sentencing structure, ensure that the enforcement and punishment of crimes do not disproportionately or unfairly affect certain racial, ethnic, or minority groups, and develop solutions to address the issues that exist within the system; and be it further

RESOLVED, That the Committee shall consist of 10 members of the General Assembly appointed as follows:
(1) 3 appointed by the Speaker of the House of Representatives, one of whom shall serve as co-chairperson;
(2) 3 appointed by the President of the Senate, one of whom shall serve as a co-chairperson;
(3) 2 appointed by the Minority Leader of the House of Representatives; and
(4) 2 appointed by the Minority Leader of the Senate; and be it further

RESOLVED, That the Committee shall hold public hearings, at the call of the co-chairpersons, to receive testimony from the public regarding the efficiency and effectiveness of Illinois criminal justice system, and the impact of the current sentencing scheme; and be it further

RESOLVED, That the Committee shall submit a report to the General Assembly no later than December 1, 2014.

Adopted by the House of Representatives on May 21, 2014.
Concurred in by the Senate on May 30, 2014.

JUVENILE JUSTICE COMMISSION RECORDS
(Senate Joint Resolution No. 79)

WHEREAS, Tens of thousands of youth who are arrested throughout this State each year are never subject to any formal proceedings in juvenile court; and

WHEREAS, Most juvenile arrests are reported by local law enforcement to the Illinois State Police, which is currently required to maintain juvenile arrest records regardless of whether a petition of delinquency is filed in juvenile court; and

WHEREAS, Despite the presumption in the Illinois Juvenile Court Act that most juvenile records are confidential, juvenile arrest records are sometimes disclosed or disseminated, often unintentionally, preventing youth who have never been adjudicated delinquent for any offense from moving forward with educational and employment plans; and
WHEREAS, The process of expunging juvenile arrests that do not result in formal proceedings is currently complicated, burdensome, and underused by juvenile arrestees; and

WHEREAS, Increased use of electronic recordkeeping by city, county, State, and federal agencies has compounded the number of ways in which confidential juvenile arrest and court records may be inadvertently disseminated, regardless of expungement; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois Juvenile Justice Commission is requested to study and make recommendations to the Governor and General Assembly regarding effective policy and practice concerning juvenile record confidentiality and expungement; and be it further

RESOLVED, That the Illinois Juvenile Justice Commission is requested to analyze the sufficiency of juvenile confidentiality and expungement laws and processes, including but not limited to the methods by which juvenile records are created and shared and the use and effectiveness of juvenile petitions for expungement; and be it further

RESOLVED, That the Illinois State Police and the Illinois Criminal Justice Information Authority are requested to cooperate with the study by sharing agency data and process information, as well as by reviewing their own policies concerning juvenile record confidentiality; and be it further

RESOLVED, That the Illinois Juvenile Justice Commission is requested to summarize available information and research on best practices within the State and across the nation with respect to juvenile record confidentiality, law enforcement recordkeeping, and expungement, including but not limited to the following:

1) The creation, storage, and exchange of juvenile records in the digital age;

2) The confidentiality of all records to actual or alleged violations of traffic, boating, or fish and game laws, or municipal or county ordinances by minors under 18 years of age;

3) The effect of private background check industry growth, including internet-based arrest publishing and removal companies, on juvenile records confidentiality and expungement;

4) The relationship between confidentiality and expungement and public safety; and

5) The impact of expungement on the lives and wellbeing of youth; and be it further

RESOLVED, That local law enforcement, county clerks, judges, prosecutors, defense attorneys, school officials, probation offices, diversion
program providers, background check providers, and prospective employers and other end-users of background information are encouraged to participate in this study as well as to review their own policies concerning juvenile record confidentiality; and be it further

RESOLVED, That the Illinois Juvenile Justice Commission is requested to submit the report by March 1, 2016 and to catalog the progress of expungement again on March 1, 2017 to the Governor and General Assembly with its recommendations and suggested statutory changes; and be it further

RESOLVED, That a copy of this resolution shall be presented to the Director of the Administrative Office of the Illinois Courts, the Executive Director of the Office of the State's Attorneys Appellate Prosecutor, the Office of the State Appellate Defender, the President of the Illinois Sheriffs' Association, and the Executive Director of the Illinois Juvenile Justice Commission, who are each encouraged to share this resolution with their membership.

Adopted by the Senate on November 20, 2014.
Concurred in by the House of Representatives on December 3, 2014.

KASKASKIA-CAHOKIA TRAIL SCENIC AND HISTORIC ROUTE
(Senate Joint Resolution No. 67)

WHEREAS, The earliest American settlements in Illinois were located in the American Bottoms in present day St. Clair, Monroe, and Randolph counties; and

WHEREAS, Transportation and communication was facilitated by the Mississippi, Ohio, and Kaskaskia rivers, but improvement in land transportation was fundamental for Illinois to develop; and

WHEREAS, Old Native American trails, originally buffalo traces and deer paths, were used by trappers and settlers during the earliest periods of exploration; and

WHEREAS, The first mention of the Kaskaskia-Cahokia Trail was by French trappers in 1725, making it the oldest road in the State of Illinois; and

WHEREAS, In the early days of the Republic, the Kaskaskia-Cahokia Trail linked locations such as the Cahokia Courthouse, Holy Family Church, the Jarrot Mansion, Piggot's Fort, Whiteside Station, Bellefontaine House, Fort de Chartres, the Pierre Menard Home, Fort Kaskaskia, Immaculate Conception Church, and the Liberty Bell of the West in the Village of Kaskaskia (the first Illinois State Capital) - many of which are maintained
today by the Illinois Historic Preservation Agency as historic sites of State and even federal significance; and

WHEREAS, In 1917, the St. Clair-Monroe County Good Roads League decided that the Kaskaskia-Cahokia Trail should be marked with signs depicting a representational Native American head with the words "Kaskaskia Trail", but these signs were never installed; and

WHEREAS, The 1917 edition of the official State highway map designated the Kaskaskia-Cahokia Trail, but that designation was left off editions published after 1922; and

WHEREAS, Nearly a century later in 2000, Landmarks Illinois cited the Kaskaskia-Cahokia Trail as one of the "Ten Most Historic Places in Illinois" and called for a concerted effort to identify and designate the route before all traces would be lost; and

WHEREAS, Today, community leaders from Monroe, Randolph, and St. Clair counties have formed a coalition to identify, designate, and promote the Kaskaskia-Cahokia Trail; and

WHEREAS, In 2013, this cooperative effort won statewide recognition from Landmarks Illinois and endorsement from local cities, villages, and counties; and

WHEREAS, Designation by the State of the Kaskaskia-Cahokia Trail as a Scenic and Historic Route will preserve a key element of the State's history and provide opportunities to promote heritage tourism; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Kaskaskia-Cahokia Trail Scenic and Historic Route is designated as follows:

(1) from the Cahokia Courthouse south on Elm Street to West 2nd Street in Cahokia;
(2) along West 2nd Street to Water Street;
(3) along Water Street to North Main Street in Dupo;
(4) along North Main Street to South Main Street;
(5) along South Main Street to Old State Route 3 into Monroe County;
(6) along Old State Route 3 to Ghent Road in Columbia;
(7) along Ghent Road to North Main Street;
(8) along South Main Street to Illinois State Route 3;
(9) along Illinois State Route 3 to North Market Street in Waterloo;
(10) along North Market Street to Columbia Avenue;
(11) along Columbia Avenue to North Main Street;
(12) along North Main Street to South Main Street;
(13) along South Main Street to Hoener Street;
(14) along Hoener Street to South Church Street;
(15) along South Church Street to Debra Lane;
(16) along Debra Lane to Elaine Drive;
(17) along Elaine Drive to Cathy Drive;
(18) along Cathy Drive to South Library Street;
(19) along South Library Street to Illinois State Route 3;
(20) along Illinois State Route 3 to Kaskaskia Road;
(21) along Kaskaskia Road to Stringtown Road;
(22) along Stringtown Road to Illinois State Route 155 in Randolph County;
(23) along Illinois State Route 155 to Henry Street in Prairie du Rocher;
(24) along Henry Street to Market Street;
(25) along Market Street to Bluff Street;
(26) along Bluff Street to Bluff Road;
(27) along Bluff Road to Lock & Dam Road in Modoc;
(28) along Lock & Dam Road to the Confluence Heritage Area; and
(29) into the Village of Kaskaskia; and be it further
RESOLVED, That the Illinois Department of Transportation and units of local government that maintain any portions of the above designated Kaskaskia-Cahokia Trail Scenic and Historic Route are requested to erect at suitable locations on their respective portions of the route, consistent with State and federal regulations, plaques or signs giving notice of the designation; and be it further
RESOLVED, That the Illinois Historic Preservation Agency and the Illinois Office of Tourism are requested to post the Kaskaskia-Cahokia Trail Scenic and Historic Route’s location on their Agency websites; the Illinois Office of Tourism is further requested to produce and distribute brochures and other related materials that will make the route known to the public; and be it further
RESOLVED, That suitable copies of this resolution be delivered to the Illinois Secretary of Transportation, the Illinois Historic Preservation Agency, the Illinois Office of Tourism, and each of the local governments having jurisdiction over any portion of the route.

Adopted by the Senate on May 15, 2014.
Concurred in by the House of Representatives on December 3, 2014.
LATINOS WITH DISABILITIES TASK FORCE  
(House Joint Resolution No. 77)

WHEREAS, Recent data indicates that Latinos represent about 4% of individuals in the Prioritization for Urgency of Need for Services (PUNS) list of residents who have been screened and waiting for services relating to their disabilities; and

WHEREAS, Latinos make up 16% of the general population in the State of Illinois and 25% of the children under 18 in the State; and

WHEREAS, The disparity between the State's Latino population and Latino membership in the PUNS program indicates significant barriers and unmet needs for services in the Latino community; and

WHEREAS, There exists a great need for further study of the State's policies concerning Latinos with disabilities; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Latinos with Disabilities Task Force is created to examine the current status of Latinos with Disabilities in the State of Illinois and to advise the General Assembly and the Governor on necessary improvements; and be it further

RESOLVED, That the Task Force shall:
(1) compile information regarding Latinos with disabilities in the State of Illinois, including but not limited to incidence, prevalence, type of disability, access to services, participation in programming, and outcome data;
(2) consider any other available and relevant information on Latinos with disabilities in Illinois, including but not limited community feedback, survey, or Census data;
(3) assess the responsiveness of the current and evolving delivery system of services for persons with disabilities in the Latino community, including barriers to participation;
(4) assess current health and human services system reform efforts; and
(5) identify and recommend specific best-practices and changes at the policy, structural, and programmatic level that can facilitate equitable Latino participation; and be it further

RESOLVED, That the Task Force shall be composed of the following members:
(1) 3 members appointed by the Governor who are persons with developmental disabilities or their immediate relatives or guardians;
(2) 3 members appointed by the Governor who are representatives of advocate organizations which are concerned with protecting the rights of persons with developmental disabilities; 
(3) 6 members appointed by the Governor who are representatives of provider agencies or research organizations; and 
(4) One member appointed by the Secretary of the Illinois Department of Human Services as a representative of that office; and be it further

RESOLVED, That all members of the Task Force appointed by the Governor are to be appointed upon the recommendation of the Illinois Legislative Latino Caucus and the Illinois Latino Family Commission; the members of the Task Force shall elect a chairperson from among their membership; and be it further

RESOLVED, That members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, That the Task Force shall receive administrative support from the Illinois Latino Family Commission and the Illinois Department of Human Services; and be it further

RESOLVED, That the Task Force shall submit its final report and recommendations to the Governor and General Assembly no later than January 1, 2016.

Adopted by the House of Representatives on April 9, 2014.
Concurred in by the Senate on May 30, 2014.

OFFICER CASEY J. KOHLMEIER MEMORIAL HIGHWAY
(Senate Joint Resolution No. 46)

WHEREAS, It is important to recognize those who contributed to the betterment of the State of Illinois through public service; and

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the service of the State; and

WHEREAS, The members of the Illinois Senate are saddened to learn of the death of Casey J. Kohlmeier of Pontiac, who passed away on October 30, 2013; and

WHEREAS, Casey Kohlmeier was born in Fairbury on June 5, 1984, to Jeff and Keri Kohlmeier; he graduated from Pontiac Township High School in 2002 and earned his Bachelor's Degree in Technical Management from DeVry University; he served his country in the United States Air Force from 2002 to 2006, receiving the Distinguished Graduate Award during technical school at Lackland Air Force Base; he then served at Offut Air
Force Base in Omaha, Nebraska; he was awarded the Air Force Commendation Medal, the Air Force Training Ribbon, the National Defense Service Medal, the Air Force BMT Honor Graduate Ribbon, the Small Arms Expert Marksmanship Ribbon with device, the NCO Professional Military Education Ribbon, the Air Force Good Conduct Medal, the Meritorious Unit Award, and the Global War on Terrorism Service Medal; he was named Airman of the Year in 2005; and

WHEREAS, Casey Kohlmeier worked for the Pontiac Police Department K9-Unit since January 2007; he received his training certificate as a detective on the Livingston County Proactive Unit; his K-9 patrol partner, Draco, who was his beloved sidekick, was with him until the end; and

WHEREAS, Casey Kohlmeier was a board member of the Boys and Girls Clubs of Livingston County and the Illinois Police Benevolent and Protective Association; he was a member of Saunemin Methodist Church; he earned his pilot's license in the past year; and

WHEREAS, Casey Kohlmeier was preceded in death by his grandmother, Joan Gamble; and

WHEREAS, Casey Kohlmeier is survived by his father, Jeff (Tracey) Kohlmeier; his mother, Keri (Donny) Schmidt; his stepfather, Kyle Kociss; his maternal grandparents, Jim and Kay Horrie, Lynne and James Kociss, Larry and Linda Schmidt, and Ina Tjelle; his paternal grandparents, Eldon "Bud" and Karen Kohlmeier, and Alvin Gamble; his girlfriend, Leslie Alappattu; his brothers, Zach Kohlmeier and Jordan Kociss; and his sisters, Lauren Kohlmeier and Ryli Schmidt; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the section of Interstate 55 from Exit 197 near Pontiac to Exit 202 as the Officer Casey J. Kohlmeier Memorial Highway; and be it further

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

RESOLVED, That suitable copies of this resolution be presented to the family of Casey Kohlmeier, the Pontiac Police Department, and the Secretary of the Illinois Department of Transportation.

Adopted by the Senate on February 26, 2014.
Concurred in by the House of Representatives on April 2, 2014.
PRESIDENT JOHN C. SCHMITT BRIDGE
(Senate Joint Resolution No. 24)

WHEREAS, Mr. John C. Schmitt serves as President of the Village of Algonquin, located in Kane and McHenry Counties; and
WHEREAS, Mr. Schmitt is a 23-year resident of Algonquin and has served the citizens of Algonquin for almost 21 years, holding positions on the Zoning Board of Appeals and the Village Board; for the last ten years, John C. Schmitt has held the leadership position of Village President and continues to do so; and
WHEREAS, Mr. Schmitt has been a proponent for a solution to traffic congestion at the most congested intersection in McHenry County, located at Illinois Routes 31 and 62; and
WHEREAS, Mr. Schmitt has passionately advocated for transportation and infrastructure improvements to meet rapidly growing community and regional needs in Algonquin and the northwest suburbs of Chicago; and
WHEREAS, Mr. Schmitt played a critical role in securing federal funding and support for the Illinois Route 31 Western Bypass project in Algonquin; and
WHEREAS, Once complete, the Illinois Route 31 Western Bypass will reduce traffic congestion, improve traffic flow, and enhance vehicle and pedestrian safety along the entire transportation corridor; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the State of Illinois does hereby declare that the Illinois Route 31 bridge being constructed on contract 60F72 over Illinois Route 62 in McHenry County be named the "President John C. Schmitt Bridge"; and be it further
RESOLVED, That appropriate markers, as directed by the Illinois Department of Transportation, be placed calling attention to this designation.
Adopted by the Senate on April 23, 2013.
Concurred in by the House of Representatives on March 4, 2014.

PRIVATE GEORGE ALLAN JONES MEMORIAL HIGHWAY
(House Joint Resolution No. 73)

WHEREAS, It is appropriate for the members of this body to remember the many sacrifices and contributions to the cause of freedom made by the outstanding generation of men and women who served in World War II; and
WHEREAS, United States Army Private George Allan Jones was born on September 29, 1925 in Mulkeytown; he was the son of the late Burl and Fannie Jones; and
WHEREAS, Private George Jones was a member of the United States Army, serving in the European theatre with Company A, 329th Infantry Regiment of the 83rd Infantry Division; and
WHEREAS, Private George Jones gave his life defending America's freedom on August 8, 1944 near St. Malo in France; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the portion of Illinois Highway 184 from Mulkeytown to Royalton as the Private George Allan Jones Memorial Highway to honor the sacrifice of Private George Jones and all who served during World War II; and be it further
RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the Private George Allan Jones Memorial Highway; and be it further
RESOLVED, That a suitable copy of this resolution be delivered to the Secretary of the Illinois Department of Transportation.
Adopted by the House of Representatives on May 29, 2014.
Concurred in by the Senate on December 4, 2014.

SAFE FREIGHT ACT
(Senate Joint Resolution No. 50)

WHEREAS, The State of Illinois is the freight rail hub of the nation; its rail network represents a significant portion of the State's transportation infrastructure and is vital to spurring the economy throughout the State; and
WHEREAS, Illinois has over 18,000 freight rail employees working in a freight rail system consisting of Class I, regional, shortline, and switching railroads with more than 7,000 miles of trackage; and
WHEREAS, Illinois is the only state in the nation where all Class I railroads operate; and
WHEREAS, Freight trains, which can be miles long and carry millions of pounds of freight, including hazardous materials, require adequate crew members for safe and secure operations; and
WHEREAS, On July 6, 2013, a runaway freight train tragically derailed and exploded, killing 47 people in the Canadian province of Quebec, partially due to the fact that the single-crew member for that train was unable to properly secure the cars to prevent the runaway; and
WHEREAS, Rail system safety has a heightened priority after recent events and is a priority for both rail carriers and government agencies due to the potential impact of freight train-related accidents on the general public and the efficiency of rail operations; and

WHEREAS, H.R. 3040, the Safe Freight Act, is pending in Congress and would simply require a freight train crew to consist of at least 2 individuals; and

WHEREAS, Staffing a freight train with a certified conductor and a certified engineer would continue to provide safe grade crossings, sustain efficient operations, and provide proper and adequate securement capabilities; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we urge Congress to enact the Safe Freight Act in order to ensure that no freight train be operated unless it is staffed by at least 2 properly certified individuals; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Illinois congressional delegation.

Adopted by the Senate on March 6, 2014.
Concurred in by the House of Representatives on April 10, 2014.

SSGT. JORDAN EMRICK MEMORIAL HIGHWAY
(House Joint Resolution No. 53)

WHEREAS, It is appropriate for us to remember the many sacrifices and contributions to the cause of freedom made by the outstanding men and women who serve in combat and give the ultimate sacrifice; and

WHEREAS, United States Marine Corps Staff Sergeant Jordan B. Emrick of Hoyleton was killed in action defending America's freedom in Afghanistan on November 5, 2010; and

WHEREAS, Staff Sergeant Jordan Emrick was born on December 19, 1983 in Centralia to Terry and Doris (nee Seeger) Emrick; and

WHEREAS, Staff Sergeant Jordan Emrick graduated from Nashville High School in 2002; he attended Trinity Lutheran Church and was an avid skydiver and enjoyed sailing; and

WHEREAS, Staff Sergeant Jordan Emrick served in the United States Marine Corps with the 1st Explosives Ordnance Disposal Company, a unit based in Camp Pendleton, California, that is currently serving in Afghanistan; and

WHEREAS, Staff Sergeant Jordan Emrick was a highly decorated Marine who enlisted shortly after the September 11th attacks; he had
previously served one deployment in the Persian Gulf and 2 deployments in Iraq; and

WHEREAS, Staff Sergeant Jordan Emrick is survived by his parents, Terry and Doris; his brother, Brandon (Kimberly) Emrick; his sisters, Christi (Ryan) Payne and Brittany (Anthony) Aussieker; his grandmother, Edith Seeger; and his many aunts, uncles, nieces, and nephews; and

WHEREAS, Staff Sergeant Jordan Emrick will be remembered by all who knew and loved him for his selfless dedication to his Marine brethren by volunteering for ordinance disposal duty; and

WHEREAS, Staff Sergeant Jordan Emrick's patriotism and courage will be remembered fondly by his loving family, his fellow soldiers, and the citizens of our grateful nation; and

WHEREAS, It is highly fitting that we pay honor and respect to the truly great individuals who have served our country, and, in doing so, have gone above and beyond the call of duty to take part in truly heroic tasks; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate Illinois Route 177 between Hoyleton and New Minden the "SSgt. Jordan Emrick Memorial Highway"; and be it further

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

RESOLVED, That suitable copies of this resolution be presented to the family of Staff Sergeant Jordan Emrick and to the Secretary of the Illinois Department of Transportation.

Adopted by the House of Representatives on November 6, 2013.
Concurred in by the Senate on February 26, 2014.

TASK FORCE ON CHARTER SCHOOL FUNDING
(Senate Joint Resolution No. 45)

WHEREAS, During the 98th General Assembly, House Joint Resolution 36 created the Task Force on Charter School Funding to examine charter school funding issues, including the following:

(1) to compile a comparative analysis of charter school funding practices across the United States;

(2) to examine the current funding provisions in the Charter Schools Law for the purpose of ensuring funding equity, specifically
the provision allowing school districts to provide charter schools funding in the range of 75% to 125% of the district's per capita tuition charge; and

(3) to review the effects of State-authorized charter schools on the students served by the charter, the students in the home school district, and the home school district's budget; and

WHEREAS, The Task Force on Charter School Funding was to report its findings and recommendations to the General Assembly on or before January 15, 2014; and

WHEREAS, The Task Force on Charter School Funding needs additional time to complete its work; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Task Force on Charter School Funding is extended and shall submit a report, as required in House Joint Resolution 36 of the 98th General Assembly, no later than February 15, 2014; and be it further

RESOLVED, That with this reporting extension, the Task Force on Charter School Funding shall continue to operate pursuant to House Joint Resolution 36 of the 98th General Assembly.

Adopted by the Senate on January 29, 2014.

Concurred in by the House of Representatives on March 4, 2014.

TASK FORCE ON VETERANS’ SUICIDE
(House Joint Resolution No. 91)

WHEREAS, The General Assembly is concerned with the health, safety, and welfare of all returning veterans of this country's armed forces to Illinois; and

WHEREAS, The rate of mental health problems and suicides for members of this country's armed forces remains startlingly high; and

WHEREAS, Between 2005 and 2011, the veteran suicide rate in Illinois was more than twice the rate for civilians; and

WHEREAS, 17.72% of all suicide deaths in Illinois are veterans; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Task Force on Veterans' Suicide to investigate the causes to and prevention of suicides among returning Illinois veterans of the United States Military; and be it further
RESOLVED, The Task Force shall consist of 8 members as follows:

1) one member appointed by The Speaker of the House of Representatives, and this member shall act as the chair;
2) one member appointed by the Minority Leader of the House of Representatives;
3) one member appointed by the President of the Senate;
4) one member appointed by the Senate Minority leader;
5) one representative from the Department of Veterans' Affairs, chosen by the Director of Veterans' Affairs;
6) one representative from the Department of Military Affairs, chosen by the Director of Military Affairs;
7) one representative from the Department of Public Health, chosen by the Director of Public Health; and
8) one representative of the Department of Human Services, chosen by the Secretary of Human Services; and be it further

RESOLVED, That the Task Force shall meet periodically at the discretion of the chair to investigate and form recommendations concerning the issue of suicides among Illinois veterans; and be it further

RESOLVED, That the members of the Task Force serve with no compensation; and be it further

RESOLVED, That the Department of Veterans' Affairs shall provide administrative and other support to the Task Force; and be it further

RESOLVED, That the Illinois Task Force on Veterans' Suicide shall present a report of its findings, which shall include its recommendations for legislation, if any, to the Illinois House of Representatives and the Senate on or before January 1, 2015; and be it further

RESOLVED, That the Task Force shall be dissolved after the submission of its report to the Illinois House of Representatives and Senate, thereby concluding its mission.

Adopted by the House of Representatives on May 29, 2014.
Concurred in by the Senate on November 20, 2014.

WAIVER OF SCHOOL CODE MANDATES
(House Joint Resolution No. 107)

WHEREAS, The State Board of Education has filed its Report on Waiver of School Code Mandates, dated October 1, 2014, with the Senate,
the House of Representatives, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the request made by Oswego CUSD 308 - Kane, Kendall, Will with respect to general State aid, identified in the report filed by the State Board of Education as request WM100-5966-2, is approved for 2 years and disapproved for the remaining 3 years; and be it further

RESOLVED, That the request made by Oswego CUSD 308 - Kane, Kendall, Will with respect to instructional time, identified in the report filed by the State Board of Education as request WM100-5966-1, is approved for 2 years and disapproved for the remaining 3 years; and be it further

RESOLVED, That the remaining requests in the Report on Waiver of School Code Mandates are approved.

Adopted by the House of Representatives on November 20, 2014.  
Concurred in by the Senate on December 4, 2014.

WELCOME HOME VIETNAM VETERANS DAY  
(Senate Joint Resolution No. 3)

WHEREAS, The Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Viet Cong in conflict with the United States Armed Forces and South Vietnam; and

WHEREAS, The United States became involved by serving in an advisory role to the South Vietnamese in 1961; and

WHEREAS, In 1965, United States Armed Forces ground combat units arrived in Vietnam, and by the end of that year, there were 80,000 United States troops in Vietnam with a peak of approximately 500,000 troops in 1969; and

WHEREAS, On January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; by March 30, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam; and

WHEREAS, More than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded; and
WHEREAS, In 1982, the Vietnam Veterans Memorial was dedicated in Washington, D.C., to commemorate those members of the United States Armed Forces who died or were declared missing-in-action in Vietnam; and
WHEREAS, Members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War; and
WHEREAS, March 30th marks the anniversary of the day that combat and combat support units withdrew completely from South Vietnam; and
WHEREAS, The Ranking Member of the United States Senate Committee on Veterans' Affairs introduced Senate Resolution 55 before the 112th Congress, which was agreed to on March 7, 2011, to honor veterans who served in Vietnam by designating March 30th as "Welcome Home Vietnam Veterans Day"; and
WHEREAS, The members of the Illinois General Assembly support the United States Senate in the establishment of a "Welcome Home Vietnam Veterans Day" as an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War; and
WHEREAS, The members of the Illinois General Assembly agree that March 30 would be an appropriate day to establish "Welcome Home Vietnam Veterans Day" in the State of Illinois; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we proclaim March 30, 2013, and March 30, 2014, as "Welcome Home Vietnam Veterans Day" in the State of Illinois; and be it further
RESOLVED, That all citizens of the State of Illinois are encouraged to honor our Vietnam Veterans.
Adopted by the Senate on March 5, 2013.
Concurred in by the House of Representatives on March 25, 2014.

WILLIAM “BILL” F. DWYER JR. BRIDGE  
(Senate Joint Resolution No. 23)

WHEREAS, William F. "Bill" Dwyer, Jr., was a leader in his community; his positive attitude was reflected in all that he did for McHenry County; and
WHEREAS, Mr. Dwyer served on the McHenry County Board for 10 years between 1990 and 2000; during that same period of time, he also served as the Chairman of the County Board's Transportation Committee; and
WHEREAS, As Chairman, Mr. Dwyer provided the necessary leadership to establish and oversee a Transportation Advisory Committee that would comprehensively evaluate the traffic conditions and develop a practical solution that was acceptable to the community for the extreme traffic delays at the intersection of Illinois Route 31 and Illinois Route 62, the most congested intersection in McHenry County; and

WHEREAS, Mr. Dwyer led the effort in securing federal funding and support for the Illinois Route 31 Western Bypass project in Algonquin, even providing testimony before the United States House of Representatives Transportation and Infrastructure Committee in 1997; and

WHEREAS, Mr. Dwyer was instrumental in forming and leading the McHenry County Better Roads Coalition in 2007 to seek reinstatement of State roadway funding for the Western Algonquin Bypass that had dwindled, and ultimately disappeared, due to the State's financial difficulties; and

WHEREAS, Once completed, the Illinois Route 31 Western Bypass will reduce traffic congestion, improve traffic flow, and enhance vehicle and pedestrian safety along the entire transportation corridor and throughout downtown Algonquin; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the Illinois Route 31 bridge, currently being constructed as part of contract 60F72 over Crystal Creek in McHenry County (Structure No. SN 056-0077), as the "William 'Bill' F. Dwyer Jr. Bridge" in honor of Mr. Dwyer and his work; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the William "Bill" F. Dwyer Jr. Bridge; and be it further

RESOLVED, That suitable copies of this resolution be sent to the Secretary of the Illinois Department of Transportation and the family of Mr. Dwyer.

Adopted by the Senate on April 23, 2013.
Concurred in by the House of Representatives on March 4, 2014.
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WHEREAS, the Patient Protection and Affordable Care Act was enacted by the Congress of the United States and signed into law by the President of the United States on March 23, 2010 and the Health Care Reconciliation Act (hereinafter collectively referred to as the “Affordable Care Act”) was enacted by the Congress of the United States and signed into law by the President of the United States on March 30, 2010; and
WHEREAS, a healthy population is essential to contain health care costs for businesses and families, which in turn will help Illinois attract jobs and continue to expand our economy; and
WHEREAS, the Affordable Care Act created the Center for Medicare and Medicaid Innovation (“CMMI”) to test innovative payment and service delivery models, in order to achieve the triple aim of improving the health of the population, improving the quality of care, and reducing unnecessary costs; and
WHEREAS, CMMI directs funding to states for the purpose of developing and testing these innovations; and
WHEREAS, Illinois applied for and received a grant from CMMI for the Governor’s Office to lead a six-month planning process with a broad array of stakeholders to identify innovations that would achieve the triple aim in Illinois; and
WHEREAS, Illinois invited more than 80 stakeholders to participate in the Alliance for Health; and
WHEREAS, this Alliance for Health Innovation Plan reflects more than nine months of effort by a broad array of health care providers, health insurers, large and small employers, population and community health experts, health policy advocates, academics, and consumer activists, in addition to dozens of state agency directors and their staffs; and
WHEREAS, the Plan recommends the creation of a Governor’s Office of Health Innovation and Transformation to lead and coordinate the implementation of the Plan, support collaborative efforts of employers, providers, and insurers to improve our health care delivery system, and signals the importance of these innovations in the State of Illinois; and
WHEREAS, the Office of Health Information Technology, created by Executive Order 10-01, has fulfilled its responsibility for overseeing the development and implementation of the statewide health information exchange, the Illinois Health Information Exchange, and continues its work to promote the use of health information technology to improve health; and
WHEREAS, the work of the Illinois Health Care Reform Implementation Council, created by Executive Order 10-12, is closely aligned with the work proposed under Illinois’ State Health Care Innovation Plan and includes the participation of all of the same State agency Directors, Secretaries and staff;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority vested in me by Article V, Section 8 of the Illinois Constitution, do hereby order the following:

I. CREATION
The Office of Health Innovation and Transformation (“Office”) is created within the Office of the Governor. The Office shall be responsible for implementing the Alliance for Health Innovation Plan and directing the State’s participation in the Center for Medicare and Medicaid Innovation’s State Innovation Model Program;

II. PURPOSE
The purpose of the Office will be to implement Illinois’ Plan in coordination with the multiple State and federal agencies and private sector health care stakeholders involved in the Plan’s creation.

a. The Office will work with the General Assembly in developing any legislation that may be necessary to implement the policy changes recommended in the Plan.

b. The Office will operate the Innovation and Transformation Resource Center called for in the Alliance for Health Innovation Plan to accelerate technology implementation, collect, validate and integrate information, facilitate academically rigorous research, facilitate health care system transformation, and disseminate best practices in models of care. The Office will seek an academic institution as a partner to establish and operate the Innovation Transformation and Resource Center to allow for maximum efficiency and access to subject matter expertise.

c. The Office will seek and manage funding provided by federal grants, contracts, private foundations, as well as funds allocated by state agencies participating in the state health system transformation efforts.

III. STAFF
The Office will be comprised the Governor’s Senior Health Policy Advisor, the current Director of the Office of Health Information Technology, and her staff. Senior staff will be designated to work closely with this new Office from each of the participating State agencies, including but not limited to the Departments of Aging, Children and Family Services, Corrections, Healthcare and Family
Services, Human Services, Insurance, Professional Regulation, Public Health, Illinois Health Information Exchange, Get Covered Illinois, and any other Executive Branch employees identified by the Governor.

a. The Office of Health Information Technology will be merged with the Office and Executive Order 10-01 is hereby rescinded.
b. The Illinois Health Care Reform Implementation Council established under Executive Order 10-12 will be consolidated with this Office.

IV. SAVINGS CLAUSE
Nothing in this Executive Order shall be construed to contravene any state or federal law.

V. SEVERABILITY
If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VI. EFFECTIVE DATE
This Executive Order shall take effect immediately upon filing with the Secretary of State.

Issued by the Governor January 17, 2014.
Filed by the Secretary of State January 17, 2014.

2014-2
CREATION OF THE SMALL BUSINESS ADVOCATE IN THE OFFICE OF THE GOVERNOR

WHEREAS, Illinois is home to approximately 397,000 small businesses and three out of four employers in Illinois are small businesses;
WHEREAS, a healthy environment for small businesses significantly strengthens the economy of Illinois;
WHEREAS, further steps should be taken to make it easier for small businesses to thrive and to ensure they have a stronger voice in state government and the regulatory process;
WHEREAS, policies, laws, and regulations impacting small businesses can have an impact on innovation, job creation, modernization, expansion, and economic growth;
WHEREAS, examining policies, laws, and regulations with an eye toward the impact on small businesses could increase the vitality of the small business community; and

WHEREAS, as Governor of the State of Illinois, I am committed to creating a business climate that maximizes small businesses’ ability to start and grow;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority of the Governor as set forth in Article V, Section 8 of the Illinois Constitution, do hereby order as follows:

I. CREATION
There is hereby created within the Office of the Governor a senior level position to be known as the Small Business Advocate.

II. PURPOSE
The Small Business Advocate will serve as a voice and resource for the small business community at the highest levels of state government. The Small Business Advocate will work with, and provide guidance to all agencies regarding how to minimize adverse impacts on small businesses resulting from legislation or rulemaking processes.

III. TERM
The Small Business Advocate shall be hired by the Governor. The Small Business Advocate serves at the pleasure of the Governor.

IV. POWERS AND DUTIES
The Small Business Advocate, by and through the Office of the Governor, shall:

i. serve as a voice for small businesses’ interests across state government;

ii. advise the Governor regarding all issues that impact small businesses;

iii. promote innovation, expansion, modernization and job creation in the small business sector;

iv. provide direct assistance to the small business community on issues ranging from regulation to procurement;

v. regularly convene and consult with small businesses to share information, gather input and address the community’s concerns;

vi. simplify and streamline information available to small businesses regarding regulations, grants and incentives, and other valuable resources that can be used to help businesses start and grow;

vii. work with all agencies to reduce red tape and streamline regulations impacting small businesses;
viii. provide guidance to state agencies regarding how to minimize adverse impacts on small businesses resulting from the legislative or rulemaking process;
ix. provide independent testimony on small business impacts of rules or legislation;
x. coordinate with the Department of Commerce and Economic Opportunity’s Small Business Office to ensure agencies’ compliance with the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) and the Business Assistance and Regulatory Reform Act (20 ILCS 608/1 et seq.); and
xi. perform any other duties assigned to the Small Business Advocate by the Governor.

V. FISCAL RESPONSIBILITY
The Office of the Governor shall implement the provisions of this Executive Order in the most optimal, cost-effective fashion.

VI. TRANSPARENCY
In addition to whatever policies or procedures the Governor may impose, to the extent applicable, all activity of the Small Business Advocate shall comply with the provisions of the Freedom of Information Act (5 ILCS 430/1 et seq.) and the Open Meetings Act (5 ILCS 120/1 et seq.). This section shall not be construed as precluding other statutes from applying to the Small Business Advocate and its activities.

VII. SAVINGS CLAUSE
Nothing in this Executive Order shall be construed to contravene any state or federal law.

VIII. SEVERABILITY
If any provision of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

IX. EFFECTIVE DATE
This Executive Order shall become effective upon filing with the Secretary of State.
Issued by the Governor January 29, 2014.
Filed by the Secretary of State January 29, 2014.
CREATION OF THE DIVISION OF REAL ESTATE WITHIN
THE DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION

WHEREAS, the citizens of Illinois are best served when State
government operates as efficiently and effectively as possible; and
WHEREAS, Executive Order 6 (2004) consolidated the Office of
Banks and Real Estate, the Department of Insurance, the Department of
Professional Regulation, and the Department of Financial Institutions into an
agency known as the Illinois Department of Financial and Professional
Regulation (“Department”) with the 4 previous stand-alone agencies
constituting the 4 divisions of the agency; and
WHEREAS, in 2009, Executive Order 4 and Public Act 96-811
removed the Division of Insurance from the Department of Financial and
Professional Regulation and reinstated it as a stand-alone Department of
Insurance; and
WHEREAS, also in 2009, Public Act 96-1365 eliminated the Office
of Banks and Real Estate and replaced it with a Division of Banking; and
WHEREAS, the Department of Financial and Professional Regulation
is an executive agency directly responsible to the Governor that currently
consists of three Divisions; namely, the Division of Banking, the Division of
Financial Institutions and the Division of Professional Regulation; and
WHEREAS, currently, the regulation of real estate by the Department
is undertaken by the Bureau of Real Estate Professions within the Division
of Professional Regulation; and
WHEREAS, the real estate industry and related professionals
comprise a large employment and economic base in Illinois and many of its
communities; and
WHEREAS, the Real Estate License Administration Fund (“Fund”) created in 225 ILCS 454/25-30 is to be used for the expenses of the
Department in the administration of the Real Estate License Act of 2000 and
for the administration of any other Act administered by the Department
providing revenue to the Fund; and
WHEREAS, substantial efficiencies to the benefit of consumers and
the real estate profession can be achieved by the reorganization of all
Functions (“Functions”) of the Bureau of Real Estate Professions, Division
of Professional Regulation, into a Division of Real Estate (“Division”); and
WHEREAS, the transfer of the Functions of the Bureau of Real Estate
Professions, Division of Professional Regulation, into the Division shall not
impede, disrupt or impair in any fashion any council, commission, board or
other entity previously established and operating under the Department; and

WHEREAS, Article V, Section 11, of the Illinois Constitution
authorizes the Governor to reassign functions or reorganize executive
agencies that are directly responsible to him by means of executive order; and

WHEREAS, Section 3.2 of the Executive Reorganization
Implementation Act, 15 ILCS 15/3.2, provides that “Reorganization”
includes, in pertinent part, (i) the consolidation or coordination of any part of
any agency or the functions thereof with any other part of the same agency or
the functions thereof and (ii) the abolition of the whole or any part of any
agency which does not have, or upon the taking effect of reorganization will
not have, any functions; and

THEREFORE, pursuant to the powers vested in me by Article V,
Section 11, of the Illinois Constitution, I hereby order:

I. REORGANIZATION OF THE DEPARTMENT OF FINANCIAL
AND PROFESSIONAL REGULATION

a. Effective 60 calendar days after the date on which this Executive
Order is delivered to the General Assembly, or as soon thereafter as
practicable, the Division shall be created and known as the “Division
of Real Estate.”

b. The Division shall have an officer as its lead known as the Director
of Real Estate (“Director”) who shall be responsible for all division
Functions. Appointment to this office shall be made by the Governor,
by and with the advice and consent of the Senate. The Director shall
receive an annual salary as set by the Governor, but the salary
received by the Director shall not exceed the salary received by the
Director of Professional Regulation.

c. The Division shall also have other staff as may be appropriate for
the efficient operation of the Division.

II. TRANSFER OF FUNCTIONS

Effective 60 calendar days after the date on which this Executive
Order is delivered to the General Assembly, or as soon thereafter as
practicable, the Functions and all associated powers, duties, rights and
responsibilities of the Bureau of Real Estate Professions, Division of
Professional Regulation, shall be transferred to the Division. The
statutory powers, duties, rights and responsibilities of the Bureau of
Real Estate Professions, Division of Professional Regulation,
associated with these Functions derive from the following statutes:

a. Auction License Act (225 ILCS 407)

b. Community Association Manager Licensing and
Disciplinary Act (225 ILCS 427)
c. Home Inspector License Act (225 ILCS 441)
d. Real Estate License Act of 2000 (225 ILCS 454)
e. Real Estate Appraiser Licensing Act of 2002 (225 ILCS 458)
f. Appraisal Management Company Registration Act (225 ILCS 459)
g. Land Sales Registration Act of 1999 (765 ILCS 86)
h. Real Estate Timeshare Act of 1999 (765 ILCS 101)

III. EFFECT OF TRANSFER

a. The Bureau of Real Estate Professions, Division of Professional Regulation, powers, duties, rights and responsibilities related to the Functions and transferred by the Division of Professional Regulation to the Division of Real Estate shall not be affected by this Executive Order, except that those powers, duties, rights and responsibilities shall all be carried out by the Division from the effective date of the transfers.

b. The employees of the Division of Professional Regulation and the Department of Financial and Professional Regulation engaged in the performance of the Functions shall be transferred to the Division of Real Estate. The status and rights of such employees under the Personnel Code shall not be affected by the transfers. The rights of the employees, the State of Illinois and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order. To the extent that an employee performs duties for the Bureau of Real Estate Professions, Division of Professional Regulation, for the Department of Financial and Professional Regulation itself, or for any other division within the Department of Financial and Professional Regulation, that employee shall be transferred to the Division at the Governor’s discretion.

c. All personnel records, documents, books, correspondence, and other property, both real and personal, contracts, and pending business pertaining to the powers, duties, rights and responsibilities transferred by this Executive Order from the Division of Professional Regulation to the Division, including but not limited to material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the Division.

d. All unexpended appropriations and balances and other funds available for use in connection with any of the Functions shall be transferred for use by the Division for the Functions pursuant to the direction of the Governor. Unexpended balances so transferred shall
be expended only for the purpose for which the appropriations were originally made.

IV. SAVINGS CLAUSE
a. The powers, duties, rights and responsibilities related to the Functions and transferred from the Division of Professional Regulation by this Executive Order shall be vested in and shall be exercised by the Division. Each act done in exercise of such powers, duties, rights and responsibilities shall have the same legal effect as if done by the Division of Professional Regulation.
b. Every person or entity of the Division shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such powers, duties, rights and responsibilities as had been exercised by the Division of Professional Regulation or its subdivisions, officers or employees.
c. Every officer of the Division shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer whose powers or duties were transferred under this Executive Order.
d. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon the Division of Professional Regulation in connection with any of the Functions transferred by this Executive Order, the same shall be made, given, furnished or served in the same manner to or upon the Division.
e. This Executive Order shall not affect any act done, ratified or canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil or criminal cause regarding the Functions of the Division of Professional Regulation before this Executive Order takes effect; such actions or proceedings may be prosecuted and continued by the Division.
f. Any rules of the Division of Professional Regulation or the Department of Financial and Professional Regulation that relate to the Functions, are in full force on the effective date of this Executive Order, and that have been duly adopted by the Division of Professional Regulation and/or the Department of Financial and Professional Regulation shall become the rules of the Division. This Executive Order shall not affect the legality of any such rules in the Illinois Administrative Code. Any proposed rules filed with the Secretary of State by the Division of Professional Regulation that are pending in the rulemaking process on the effective date of this
Executive Order and pertain to the Functions transferred, shall be deemed to have been filed by the Division. As soon as practicable hereafter, the Division shall revise and clarify the rules transferred to it under this Executive Order to reflect the reorganization of rights, powers and duties affected by this Order, using the procedures for recodification of rules available under the Illinois Administrative Procedures Act, except that existing title, part, and section numbering for the affected rules may be retained. The Division, consistent with its authority to do so, may propose and adopt under the Illinois Administrative Procedures Act such other rules that will now be administered by the Division. To the extent that, prior to the effective date of the transfers, the Secretary of Financial and Professional Regulation or the Director of Professional Regulation had been empowered to prescribe regulations or had other rulemaking authority with respect to the Bureau of Real Estate Professions, Division of Professional Regulation, such duties shall be exercised from and after the effective date of the transfers by the Director of Real Estate, who shall be responsible for the oversight of those respective Functions.

V. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VI. EFFECTIVE DATE

This Executive Order is effective upon filing with the Secretary of State.

Issued by the Governor March 31, 2014.
Filed by the Secretary of State March 31, 2014.

2014-4

EXECUTIVE ORDER TO REORGANIZE THE DEPARTMENT OF HUMAN SERVICES BY THE CONSOLIDATION OF THE DIVISIONS OF MENTAL HEALTH AND ALCOHOLISM AND SUBSTANCE ABUSE

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor to reassign functions or reorganize executive agencies that are directly responsible to him by means of executive order;
WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2, provides that “Reorganization” includes the consolidation or coordination of the whole or any part of any agency, or the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof;

WHEREAS, the Department of Human Services’ (Department) Division of Mental Health (DMH) and the Department’s Division of Alcoholism and Substance Abuse (DASA) are divisions within an executive agency directly responsible to the Governor and exercise the rights, powers, duties, and responsibilities derived from 20 ILCS 1305 et seq.;

WHEREAS, mental illness and addiction are both biological diseases of the brain with genetic and/or neurobiological factors;

WHEREAS, there exist high rates of trauma, abuse, and criminal justice issues among both mentally ill and addicted populations;

WHEREAS, according to the federal Substance Abuse and Mental Health Services Administration (SAMHSA), 20-25% of individuals with mental illness have a co-occurring substance use disorder;

WHEREAS, for more than 30 years, addiction has been recognized by the American Society for Addiction Medicine (ASAM) as a complex primary physiological disease and neither a primary behavior disorder nor a symptomatic manifestation of any other disease process;

WHEREAS, there are considerable costs to society associated with substance abuse such as crime, incarceration, short-term and long-term health care expenditures;

WHEREAS, for the foregoing reasons it is essential that the State of Illinois make substance abuse prevention and treatment, together with mental illness prevention and treatment, a top priority;

WHEREAS, the social supports and community resources that people with mental illness and addiction need are extremely similar and therefore agency goals and strategies to educate and inform communities, providers and the general public regarding these human services issues should be appropriately coordinated;

WHEREAS, both DMH and DASA recognize that it is crucial for treatment success that mental health and addiction services be maintained with programmatic integrity and as equally important funding priorities;

WHEREAS, DMH and DASA are currently managed by a single Director within the Department;

WHEREAS, the consolidation of DMH and DASA offers the opportunity to share valuable resources and expertise, eliminate redundancy, simplify the organizational structure of the Executive Branch, improve accessibility and accountability, provide more efficient use of institutional
knowledge and facilities, promote more effective sharing of best practices and state of the art technology, among other things;

WHEREAS, for the foregoing reasons it is appropriate and most beneficial to consolidate DMH and DASA into a new Division;

WHEREAS, pursuant to the consolidation of DMH and DASA, the initiatives and programs of both agencies will be preserved and maintained;

WHEREAS, the consolidation of DMH and DASA will better streamline processes, strengthen workforce, and allow staff to be more responsive to the needs of Illinois residents;

WHEREAS, on March 16, 1999, the Governor issued Executive Order Number 9 (1999) designing the Office of Alcoholism and Substance Abuse as the lead agency for all substance abuse services for the State of Illinois; and

WHEREAS, it would be appropriate to modify Executive Order Number 9 (1999), in part, to designate this consolidated division as the single state authority on addiction issues for the State of Illinois.

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the executive authority vested in me by Article V, Section 11 of the Illinois Constitution, hereby order:

I. MODIFICATION OF EXECUTIVE ORDER NUMBER 9

Effective as of the date of this issuance, Section 3 of the Executive Order Number 9 (1999) is modified to the extent that it designates the “Office of Alcoholism and Substance Abuse” as the lead agency for all substance abuse services for the State of Illinois, with the entirety of the foregoing and following provision remaining in effect.

II. CONSOLIDATION OF FUNCTIONS

Effective upon filing with Secretary of State, or as soon thereafter as practicable, powers, duties, rights and responsibilities related to DMH and DASA shall be consolidated into a single entity called the Division of Mental Health and Addiction Recovery Services. The statutory powers, duties, rights, and responsibilities of DMH and DASA derive from the following Statutes:

a. Alcoholism and Other Drug Abuse and Dependency Act, 20 ILCS 301 et seq.;
b. Department of Human Services Act, 20 ILCS 1305 et seq.;
c. Mental Health and Developmental Disabilities Administrative Act, 20 ILCS 1705 et seq.;
d. Blind Vendors Act, 20 ILCS 2421 et seq.;
e. Drug School Act, 55 ILCS 130 et seq.;
f. School Code, 105 ILCS 5 et seq.;
g. Specialized Mental Health Rehabilitation Act, 210 ILCS 49 et seq.;
h. Illinois Insurance Code, 215 ILCS 301 et seq.;
i. Illinois Public Aid Code, 305 ILCS 5 et seq.;
j. Adult Protective Services Act, 320 ILCS 20 et seq.;
k. Early Intervention Services System Act, 325 ILCS 20 et seq.;
l. Mental Health and Developmental Disabilities Code, 405 ILCS 5 et seq.;
m. Community Services Act, 405 ILCS 30 et seq.; and
n. Health Care Workplace Violence Prevention Act, 405 ILCS 90 et seq.

III. EFFECT OF CONSOLIDATION
a. The powers, duties, rights and responsibilities vested in the Divisions shall not be affected by this Executive Order, except that all management and staff support or other resources necessary to the operation of each of the Divisions shall be provided by the new Division of Mental Health and Addiction Recovery Services.
b. The status and rights of DMH and DASA employees engaged in the performance of the functions of DMH and DASA Programs shall not be affected by the consolidation. The rights of the employees, the State of Illinois, and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement, or annuity plan shall not be affected by this Executive Order. Personnel and positions of DMH and DASA Programs affected by this Executive Order shall be consolidated and continue their service within the new Division of Mental Health and Addiction Recovery Services.
c. All books, records, papers, documents, property (real and personal), contracts, and pending business pertaining to the powers, duties, rights, and responsibilities related to the Divisions and consolidated by this Executive Order, including but not limited to material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the new Division of Mental Health and Addiction Recovery Services; provided, however, that the delivery of such information shall not violate any applicable confidentiality constraints.
d. All unexpended appropriations and balances and other funds available for use in connection with any of the Divisions shall be consolidated for use by the new Division of Mental Health and Addiction Recovery Services pursuant to the direction of the Governor. Unexpended balances so consolidated shall be expended only for the purpose for which the appropriation was originally made.

IV. SAVINGS CLAUSE
a. The powers, duties, rights, and responsibilities related to the Divisions consolidated by this Executive Order shall be vested in and shall be exercised by the new Division of Mental Health and Addiction Recovery Services. Each act done in exercise of such powers, duties, rights, and responsibilities shall have the same legal effect as if done by DMH or DASA or its offices, officers, or employees.

b. Any rules of DMH or DASA that relate to the functions and programs consolidated by this Executive Order that are in full force on the effective date of this Executive Order shall become the rules of the Division of Mental Health and Addiction Recovery Services. This Executive Order does not affect the legality of any rules in the Administrative Code. Any proposed rules filed with the Secretary of State by DMH or DASA that are pending in the rulemaking process on the effective date of this Executive Order, and that pertain to the functions and programs transferred, shall be deemed to have been filed by the Division of Mental Health and Addiction Recovery Services. As soon as practicable hereafter, the Division of Mental Health and Addiction Recovery Services shall revise and clarify the rules consolidated under it by this Executive Order to reflect the reorganization of rights, powers, and duties affected by this Order, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. The Division of Mental Health and Addiction Recovery Services, consistent with its authority to do so, may propose and adopt under the Illinois Administrative Procedure Act such other rules of DMH and DASA that will now be administered by the Division of Mental Health and Addiction Recovery Services. To the extent that, prior to the effective date of the consolidation, the Directors of DMH and DASA had been empowered to prescribe regulations or had other authority with respect to the consolidated functions, such duties shall be exercised from and after the effective date of the transfer by the Director of the Division of Mental Health and Addiction Recovery Services.

c. Every person or entity shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such powers, duties, rights, and responsibilities as had been exercised by DMH or DASA or its officers or employees.
d. Every officer of DMH and DASA shall, for every offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer whose powers or duties were consolidated under this Executive Order.

e. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon DMH or DASA in connection with any of their functions consolidated by this Executive Order, the same shall be made, given, furnished, or served in the same manner to or upon the new Division of Mental Health and Addiction Recovery Services.

f. This Executive Order shall not affect any act done, ratified, or canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding the Divisions before this Executive Order takes effect; such actions or proceedings may be defended, prosecuted, and continued by the Division of Mental Health and Addiction Recovery Services.

V. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VI. EFFECTIVE DATE

This Executive Order shall be effective upon filing with the Secretary of State.

Issued by the Governor April 1, 2014.
Filed by the Secretary of State April 1, 2014.

2014-5
EXECUTIVE ORDER TO TRANSFER THE ILLINOIS COMMISSION ON VOLUNTEERISM AND COMMUNITY SERVICE FROM THE DEPARTMENT OF HUMAN SERVICES TO THE DEPARTMENT OF PUBLIC HEALTH

WHEREAS, the mission of the Illinois Commission on Volunteerism and Community Service (Serve Illinois) is to enhance volunteerism and instill an ethic of service throughout the state; and

WHEREAS, Serve Illinois serves as the resource and advocate among all state agencies for volunteerism and community service, and coordinates
effective solutions through national service programs and traditional volunteers to address unmet state and local needs by working through non-profit, faith-based, and community organizations; and

WHEREAS, Serve Illinois also serves as a leading advocate in the state to enhance social innovation, civic engagement, and intergenerational initiatives; and

WHEREAS, volunteerism and community service are critical components to our state’s health and resilience; and

WHEREAS, Serve Illinois is the federal grantee of the federal AmeriCorps grant (AmeriCorps grant) from the Corporation for National and Community Service (CNCS); and

WHEREAS, all funds received from the AmeriCorps grant are disbursed through subgrants; and

WHEREAS, Serve Illinois currently serves as a resource and advocate within the Department of Human Services (DHS) pursuant to Section 710/2 of the Illinois Commission on Volunteerism and Community Service Act (20 ILCS 710); and

WHEREAS, DHS currently serves as the grant distributor of the AmeriCorps grant, with the administration and management of the grant conducted by Serve Illinois; and

WHEREAS, the Department of Public Health (DPH) has significant experience with grant distribution, administration and management; and

WHEREAS, DPH, through its public health promotions and materials, is currently providing services and information related to Serve Illinois programs, including, but not limited to: Disaster Preparedness and Response, Economic Opportunity, Education, Environmental Stewardship, Healthy Futures, and Veterans and Military Families; and

WHEREAS, Article V, Section 11 of the Illinois Constitution provides that the Governor, by Executive Order, may reassign functions among or reorganize executive agencies which are directly responsible to him; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2 provides that “Reorganization” includes, in pertinent part, (a) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency, and (b) the abolition of the whole or any part of any agency which does not have, or upon the taking effect of such reorganization will not have, any functions; and

WHEREAS, DHS is an executive agency directly responsible to the Governor which exercises the rights, powers, duties, and responsibilities derived from 20 ILCS 1305 et seq.; and
WHEREAS, DPH is an executive agency directly responsible to the Governor which exercises the rights, powers, duties, and responsibilities derived from 20 ILCS 2305 et seq.;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the executive authority vested in me by Article V, Section 11 of the Illinois Constitution, hereby order:

I. TRANSFER OF FUNCTION

The transfer of Serve Illinois from DHS to DPH shall become effective July 1, 2014. All functions performed by DHS related to the administration of Serve Illinois and the AmeriCorps Grant, together with all statutory powers, duties, rights, and responsibilities of DHS as derived from 20 ILCS 710, are transferred from DHS to DPH.

II. EFFECT OF TRANSFER

a. Neither the functions nor programs transferred by this Executive Order from DHS to DPH, nor any powers, duties, rights, and responsibilities related to those functions or programs, shall be affected by this Executive Order, except that they shall all be performed or exercised by DPH from the effective date of the transfer.

b. All books, records, papers, documents, property (real and personal), contracts, head counts, appropriations, spending authority and pending business pertaining to the functions and programs transferred by this Executive Order from DHS to DPH, including, but not limited to material in electronic or magnetic format, databases, and necessary computer hardware and software, shall be transferred to DPH. The transfer of any data or information shall not, however, violate any applicable confidentiality constraints.

c. The staff of DHS engaged in the performance of the transferred functions and programs may be transferred to DPH. The status and rights of such employees under the Personnel Code shall not be affected by the transfers. The rights of the employees, the State of Illinois and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement, or annuity plan shall not be affected by this Executive Order.

d. All unexpended appropriation balances and other funds available to DHS for use in connection with the functions and programs transferred by this Executive Order shall be transferred and made available to DPH for use in connection with the functions and programs transferred by this Executive Order. Unexpended balances so transferred shall be expended only for the purpose for which the appropriations were originally made.
III. SAVINGS CLAUSE

a. The powers, duties, rights and responsibilities relating to the functions and programs transferred from DHS to DPH by this Executive Order shall be vested in and exercised by DPH. Each act done in exercise of such powers, duties, rights and responsibilities shall have the same legal effect as if done by DHS or its divisions, officers, or employees.

b. Every officer of DPH shall, for any offense, be subject to the same penalty or penalties, civil or criminal as are prescribed by existing laws for the same offenses by any officer whose powers or duties were transferred under this Executive Order.

c. Whenever reports or notices are now required to be made or given, or papers or documents furnished or served by any person to or upon DHS in connection with any of the functions or programs transferred by this Executive Order, the same shall be made, given, furnished, or served in the same manner to or upon DPH.

d. This Executive Order shall not affect any act done, ratified, or canceled, or any right occurring or established or any action or proceeding had or commenced in an administrative, civil or criminal case regarding the functions of DHS before this Executive Order takes effect; such actions may be prosecuted or continued by DPH.

e. Any rules of DHS that relate to the functions and programs transferred by this Executive Order that are in full force on the effective date of this Executive Order, and that have been duly adopted by the programs being transferred shall become the rules of DPH. This Executive Order does not affect the legality of any rules in the Administrative Code. Any proposed rules filed with the Secretary of State by DHS that are pending in the rulemaking process on the effective date of this Executive Order, and that pertain to the functions and programs transferred, shall be deemed to have been filed by DPH. As soon as practicable hereafter, DPH shall revise and clarify the rules transferred to it under this Executive Order to reflect the reorganization of rights, powers, and duties affected by this Order, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. DPH, consistent with DHS’s authority to do so, may propose and adopt under the Illinois Administrative Procedure Act such other rules of DHS that will now be administered by DPH. To the extent that, prior to the effective date of the transfers, the Secretary of DHS had been empowered to prescribe regulations or had other authority with
respect to the transferred functions, such duties shall be exercised from and after the effective date of the transfer by the Director of DPH.

f. For the purposes of the Successor Agency Act, DPH is declared to be the successor agency of DHS, but only with respect to the functions and programs that are transferred to DPH by this Executive Order.

g. Whenever a provision of law refers to DHS in connection with its performance of a function or program that is transferred to DPH by this Executive Order, that provision shall be deemed to refer to DPH on and after the effective date of this Executive Order.

h. To the extent necessary or prudent to fully implement the intent of this Executive Order, DPH and DHS may enter into one or more interagency agreements to ensure the full and appropriate transfer of all functions of Serve Illinois.

IV. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application to this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

V. EFFECTIVE DATE

This Executive Order is effective upon filing with the Secretary of State.

Issued by the Governor April 1, 2014.

Filed by the Secretary of State April 1, 2014.

2014-6

ESTABLISHMENT OF THE ILLINOIS DATA EXCHANGE COORDINATING COUNCIL

WHEREAS, many state and local criminal justice agencies currently operate automated information systems designed to meet agency-specific operational needs; and

WHEREAS, some state and local criminal justice agencies already share considerable information with one another through specialized electronic interfaces; and

WHEREAS, despite these successful information sharing initiatives much criminal justice information in Illinois is still processed by paper-based procedures; and
WHEREAS, the processing of criminal justice information through paper-based procedures results in gaps, delays, errors and redundancies in the entry, exchange, and processing of crucial criminal justice information; and

WHEREAS, the development of a statewide integrated criminal justice information sharing strategy would achieve many important objectives including: (i) enhancing public safety by providing criminal justice agencies and officials, including police officers, judges, and corrections officers, with faster access to important criminal justice information at critical points in the justice processes; (ii) improving the efficiency of criminal justice agencies by reducing redundant data collection and entry, and by reducing or eliminating labor intensive, time-consuming paper-based processes; and (iii) expanding the pool of statistical data available to state and local officials for making and evaluating public policies; and

WHEREAS, the establishment of governance structures for such an effort is critical to its success because: (i) justice integration projects are difficult and need strong leadership to guide the process; (ii) integration is strategic and involves multiple organizations, multiple budget cycles and multiple funding streams; (iii) integration involves independent agencies, elected officials, and separate branches of government, and these agencies include both justice and non-justice agencies that operate separate systems for collecting and maintaining data critical to carrying out diverse missions; (iv) integration involves significant investments of time and resources and must include stakeholder input; (v) there are major implications with justice integration including ones involving policy, operations, organization, legal, cultural, personal, managerial and technical; (vi) a governance structure ensures a place at the table for all relevant organizations and users and ensures equality in decision-making; and (vii) a governance structure provides a recognized vehicle to strategically plan for an integrated justice information sharing environment; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the executive authority set forth in Article V of the Illinois Constitution, do hereby direct as follows:

I. CREATION

There is hereby established within the Illinois Criminal Justice Information Authority the Illinois Data Exchange Coordinating Council (IDECC) having the duties and powers set forth herein. The IDECC shall be governed by a board of directors. The board of directors shall consist of the following members:

a. State of Illinois Chief Information Officer;
b. Director – Illinois Criminal Justice Information Authority;
c. Director – Illinois Department of Corrections;
d. Director – Illinois State Police;
e. Director – Illinois Department of Juvenile Justice;
The following persons may serve on the IDECC board of directors and would share the same powers and duties, and have the same responsibilities and limitations, as all other board members:
f. Executive Director – Illinois Association of Circuit Court Clerks;
g. Executive Director – Illinois Association of State’s Attorneys;
h. Executive Director – Illinois Association of Chiefs of Police;
i. Executive Director – Illinois Sheriffs’ Association;
j. Executive Director – Administrative Office of the Illinois Courts;
k. The chief information officer of a county within the northeast metropolitan region, defined as comprising the following counties: Cook, Lake, McHenry, DuPage, Kane and Will, or alternatively, the information technology director of a criminal justice agency in the northeast metropolitan region;
l. The chief information officer of a county not located within the northeast metropolitan area of Illinois as defined above, or alternatively, the information technology director of a criminal justice agency in a county other than those in the northeast metropolitan region of Illinois;
m. Sheriff – Cook County; and
n. Superintendent – Chicago Police Department.
The role of the Executive Director of the Administrative Office of the Illinois Courts (AOIC) shall be established through a memorandum of understanding to be entered into by and between the Governor and AOIC. The chief information officer or information technology director noted in (k) and (l) shall be selected by the Governor to serve for a term of six (6) years.
II. MISSION
The IDECC is created by this Executive Order to establish a governance structure to guide the design, development, and implementation of a statewide-integrated criminal justice environment that would enable automated information sharing in a common format between state, local and federal criminal justice agencies. IDECC shall also:
a. Innovatively and collaboratively work to integrate, to the most reasonable extent possible, the functionality and interoperability of the criminal justice information systems;
b. Develop a governance structure that provides for ongoing planning and oversight of integrated criminal justice systems in Illinois;
c. Focus on enhancing the efficiency, effectiveness, and accuracy of criminal justice information; and
d. Establish the information technology architecture and standards for an integrated criminal justice information environment that makes the most appropriate use of the operational systems of participating agencies.
IDECC shall recognize and preserve the separate mission; priorities; constitutional objectives; and governing laws, rules and regulations of the participating agencies responsible for the administration of criminal justice in the State of Illinois.

III. FUNCTION

a. The IDECC board of directors shall establish policy, standards and strategies for the state of Illinois relating to all aspects of the design, development, funding, implementation and operation of integrated criminal justice information sharing environment. In so doing, the IDECC board of directors shall be held to the following governance structure responsibilities:
   i. Articulate a united vision and determine the scope and focus of criminal justice information projects;
   ii. Define and sanction IDECC objectives and timetables;
   iii. Assess risk and set quality expectations;
   iv. Garner support from other stakeholders and decision-makers;
   v. Monitor planning, implementation and management;
   vi. Define integrated justice information operational requirements;
   vii. Advise the state CIO of systems requirements necessary for individual agency information technology procurements to be compliant with the IDECC integration strategies;
   viii. Resolve implementation obstacles;
   ix. Review system performance;
   x. Focus on enhancements, improvements, and next phases;
   xi. Provide leadership, review business processes and polices, analyze technical environments and solutions;
   xii. Coordinate the design, development and implementation of a statewide-integrated justice information environment and
   xiii. Provide quarterly progress reports to the Governor.

b. The IDECC board of directors shall review all recommendations of the IDECC Advisory Committee (as established herein) and all strategies and policies promulgated by the IDECC board of directors
shall take such recommendations of the Advisory Committee into account.
c. The IDECC board of directors shall strive to use existing resources to accomplish its goals, and it shall not adopt policies or standards that directly or indirectly divert, reduce, or eliminate agency or Judicial branch funds or resources, without the prior approval of the affected agency or of the Illinois Judiciary.
d. The IDECC shall meet twice per year or as necessary subject to the call of the chair.
e. Designees shall not count towards quorum.
f. The IDECC board of directors shall elect a chairperson at the first meeting.
g. The Illinois Criminal Justice Information Authority shall provide a Project Director of IDECC to serve as a liaison between the IDECC board of directors, its Advisory Committee, and other stakeholders and to effectuate IDECC board of directors’ strategies. The Illinois Criminal Justice Information Authority shall provide project support and assist the Advisory Committee under the direction of its chair and the IDECC Project Director.
h. The IDECC board of director’s first meeting shall be subject to the call of the chair.

IV. ADVISORY COMMITTEE

a. The IDECC board of directors shall be advised by an Advisory Committee. The Advisory Committee shall be composed of a broad and diverse group to account for the complexity of issues involved in the criminal justice system.
b. The IDECC Advisory Committee shall be comprised of individuals who demonstrate the knowledge, skills or abilities specific to integrated technology solutions and who are assigned within their respective organizations to oversee divisions, units or tasks related to integrated technology. The Advisory Committee shall consist of one designee who meets the qualifications as noted herein, from each of the following agencies:
   i. Illinois Criminal Justice Information Authority;
   ii. Illinois Department of Corrections;
   iii. Illinois State Police;
   iv. Illinois Department of Juvenile Justice;
   v. Office of the Clerk of the Circuit Court of Cook County;
   vi. Office of the Cook County State’s Attorney;
   vii. Office of the Cook County Sheriff;
   viii. Office of the Cook County Public Defender;
ix. Chicago Police Department;  
x. One County from each of the Second, Third, Fourth and Fifth Judicial Districts of the State; to be selected by the Governor, the representative of which shall serve for a 3 year term;  
xii. Two representatives of the Illinois Judicial branch to be appointed by the Chief Justice of the Illinois Supreme Court.  
xiii. One representative of a state university to be appointed by the Governor to serve for a 3 year term with requisite knowledge of integrated justice information systems with particular expertise in criminal justice systems;  
c. IDECC Advisory Committee members from the counties and municipalities identified in (b. x.) and (b. xi.) above shall not be from the same counties as those individuals serving on the IDECC board of directors. The roles of the representatives of the Judicial branch shall be established through a memorandum of understanding entered into between the IDECC and the AOIC.  
d. The IDECC board of directors shall designate one of the members of the Advisory Committee as the chair of the committee. The Advisory Committee shall work at the direction of the IDECC board of directors and shall meet no less than two times per year in addition to attending IDECC board of directors’ meetings.  
e. The Advisory Committee may establish, as necessary, sub-committees, or workgroups comprised of representatives of its membership or subject matter experts from outside its membership for the purpose of examining specific issues within the Advisory Committee’s purview. Sub-committees, task forces or workgroups so formed shall provide advice and make recommendations to the Advisory Committee.  
V. TRANSPARENCY  
In addition to any other applicable laws, rules, or regulations, all aspects of the IDECC shall be governed by the Freedom of Information Act, 5 ILCS 140/1 et. seq., and the Open Meetings Act, 5 ILCS 120/1 et seq. This section shall not be construed so as to preclude other statutes from applying to the IDECC or to its activities.  
VI. SUPERSEDING CONFLICTING, PRECEDING ORDERS AND AGREEMENTS
This Executive Order hereby repeals Executive Order Number 16 (2003), and furthermore, to the extent that any other Executive Order, Administrative Order, Intergovernmental or Interagency Agreement (to which the State of Illinois or one of its executive branch agencies is a party), or other policy, procedure or protocol conflicts with, contradicts, or is inconsistent with any provision of this Executive Order, any such conflicting, contradicting, or inconsistent order, agreement, policy, procedure, or protocol is hereby expressly revoked, repealed and superseded.

VII. SAVINGS CLAUSE

Nothing in this Executive Order shall be construed to contravene any State or federal law, or any collective bargaining agreement.

VIII. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

IX. EFFECTIVE DATE

This Executive Order shall take effect immediately upon its filing with the Secretary of State and shall remain in effect until terminated or modified.

Issued by the Governor April 28, 2014.

Filed by the Secretary of State April 28, 2014.

2014-7

CREATION OF THE STATE BICENTENNIAL COMMISSION

WHEREAS, December 3, 2018 will mark the 200th anniversary of Illinois’ admission to the Union as a state; and

WHEREAS, after thousands of years of native settlement and centuries as a French and British territory, the Illinois Territory was created out of the former Northwest Territory by an Act of the United States Congress on February 3, 1809; and

WHEREAS, Illinois was named by French explorers after the Illiniwek tribe, a group of Native American tribes that occupied the upper Mississippi River valley of North America, including much of the land that is Illinois today; and

WHEREAS, in 1818, Illinois became the 21st state admitted to the Union, with Kaskaskia as the first capital; in 1819, Vandalia became the
capital of Illinois; and in 1837, the capital was moved to Springfield, where it remains to this day; and

WHEREAS, the State of Illinois grew steadily throughout the 19th century, with Illinois citizens becoming leaders in agriculture, business, finance, technology, higher education, and science; the 19th century also saw the rise of the City of Chicago and saw Chicago’s increasing importance in the national labor movement and the economy; and

WHEREAS, with the coming of the 20th century, the State of Illinois became a vital agricultural and industrial power in the nation; and

WHEREAS, the State of Illinois has cultivated many political leaders, including Abraham Lincoln, Ulysses S. Grant, Adlai Stevenson II, Ronald Reagan, Hillary Rodham Clinton and Barack Obama, who have had a great impact on national and world affairs; and

WHEREAS, the State’s official slogan “Land of Lincoln” is named after the nation’s most beloved president, Abraham Lincoln, who spent his formative years in Illinois from 1830 to 1861, studying and practicing law, serving as a state legislator and a United States Congressman, marrying and raising a family and winning election as the 16th President of the United States; and

WHEREAS, Illinois was the first state to ratify the 13th Amendment to the United States Constitution abolishing slavery and was among the early states in ratifying the 14th and 15th constitutional amendments addressing citizenship and voting rights; and

WHEREAS, for two centuries, Illinois has been a first American home to uncounted immigrants from all parts of the world, which has enriched our State’s cultural diversity; and

WHEREAS, Illinois is home to the nation’s first African American President, Barack Obama, who was elected in 2008 and reelected in 2012; and

WHEREAS, the State of Illinois continues to serve as a world leader in the 21st century in the fields of science, finance, higher education, agriculture, and industry, a position made possible by the great industriousness of the citizens of this State; and

WHEREAS, Illinois has been home to many influential people including authors, educators, artists, entertainers, poets, athletes, social reformers, entrepreneurs and scientists who have made significant contributions to the history and culture of our nation and have improved the quality of life of its citizens; and

WHEREAS, Illinois has always been a crossroads for the nation, historically linking North, South, East and West, and a destination for
WHEREAS, when Illinois entered statehood it had a population of less than 35,000 people, and currently is the 5th most populous state in the country, with approximately 12.8 million people; and

WHEREAS, as the State of Illinois approaches its bicentennial, it is in the public interest to ensure that this occasion is properly celebrated throughout the State;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority vested in me by Article V of the Illinois Constitution, do hereby order as follows:

I. CREATION
   a. There shall be established the State Bicentennial Commission (the “Commission”).
      i. Members of the Commission shall represent the diversity of Illinois and shall include the following individuals or their respective designees: Governor, President of the Senate, Senate Minority Leader, Speaker of the House, House Minority Leader, Attorney General, Lieutenant Governor, Treasurer, Comptroller, Secretary of State, members of the Illinois Congressional Delegation, Mayor of Chicago, and Mayor of Springfield.
      ii. Membership shall also include one representative from each of the following agencies: the Illinois Historic Preservation Agency, the Department of Commerce and Economic Opportunity, the Illinois Office of Tourism, the Department of Agriculture, the Department of Natural Resources, the Department of Transportation, and the Illinois Arts Council.
   b. The Governor may also appoint up to 40 members from the areas of academia, business, labor, military, civil rights, community development, historic preservation, education, philanthropy, the arts, as well as members of the general public.
   c. The Governor shall select a chairperson or co-chairpersons.
   d. The Commission shall meet as frequently as necessary at the call of the chairperson or co-chairpersons.
   e. A majority of the appointed and serving members of the Commission shall constitute a quorum, but the number required for a quorum shall not exceed twenty.
   f. Members shall serve without compensation or reimbursement.
g. The Commission may solicit and access donations of labor, services, or other things of value from any public or private agency or person. The Commission may cooperate with a private non-profit entity to hold monetary gifts or grants.

h. The Commission shall be provided assistance and support services, subject to the availability of appropriations, by the Office of the Governor, the Illinois Historic Preservation Agency, the Illinois Arts Council, the Illinois Office of Tourism, the Secretary of State and other agencies of state government in organizing bicentennial celebrations. The Historic Preservation Agency shall provide administrative and technical support for the Commission, including a staff member to serve as the Commission’s ethics officer.

i. The Governor may hire an Executive Director and other staff as needed to carry out the planning of the State’s Bicentennial commemorations.

II. PURPOSE

The purpose of the Commission is to oversee the planning and execution of a statewide celebration for Illinois’ 200th birthday that engages Illinois residents and local communities and leaves a lasting legacy for future generations.

III. DUTIES

The responsibilities of the Commission shall include, but not be limited to, the following:

a. Lead planning efforts to commemorate the significance of the State’s contributions to our national history.

b. Research and make prioritized recommendations outlining the most effective and beneficial means for the State of Illinois to commemorate the bicentennial.

c. Identify and secure resources necessary to effectively celebrate the State’s bicentennial.

d. Implement recommendations by working with the Office of the Governor, appropriate state and local government agencies, members of the Illinois General Assembly, local elected officials, state and local historical societies and other organizations that are dedicated to commemorating the State of Illinois.

e. Coordinate scheduling of all State bicentennial activities.

f. The Commission shall submit an annual report to the Governor and the General Assembly in January of each year summarizing its activities and accomplishments for the preceding year.

IV. SEVERABILITY
If any provision of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

V. TRANSPARENCY
In addition to any policies or procedures the Commission may adopt, all operations of the Commission shall be subject to the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.) and the Illinois Open Meetings Act (5 ILCS 120/1 et seq.). This section shall not be construed so as to preclude other statutes from applying to the Commission and its activities.

VI. DISSOLUTION
The Commission shall be dissolved on December 31, 2018.

VII. EFFECTIVE DATE
This Executive Order shall take effect immediately upon its filing with the Secretary of State.
Issued by the Governor May 12, 2014.
Filed by the Secretary of State May 12, 2014.

2014-8
EXECUTIVE ORDER IMPLEMENTING EMPLOYMENT FIRST IN ILLINOIS

WHEREAS, the Illinois Employment First Act (20 ILCS 40 et. seq) requires that State agencies follow and implement the State’s policy of competitive and integrated employment as the first option when serving persons with disabilities of working age, regardless of level of disability, (the “Employment First Policy”); and

WHEREAS, the Employment First Policy applies to State-funded and/or operated programs and services that provide supports to help persons with disabilities obtain private employment; and

WHEREAS, the Illinois Employment First Act requires all State agencies that provide such services to follow the Employment First Policy and ensure that it is effectively implemented in their programs/services; and

WHEREAS, access to education and training opportunities that lead to gainful employment in demand occupations within the business community is key to economic and community progress; and

WHEREAS, the Employment First Policy will support individuals with disabilities who have the right and deserve the opportunity to make informed decisions about where they work and to obtain community integrated and competitive employment with appropriate integrated and
collaborative supports to pursue better earnings, benefits, health status and quality of life; and

WHEREAS, current labor participation rates for people with disabilities is 32.4% compared with 70.5% for people without disabilities (American Community Survey, BLS, 2011), a disparity which establishes the need for governmental intervention to achieve the goal of the Illinois Employment First Policy by providing integrated, braided and collaborative services to individuals with disabilities; and

WHEREAS, persons with disabilities experience the highest rate of poverty in the country at 28.0%, compared with the national average of 15.0% (American Community Survey, BLS, 2011); and

WHEREAS, the State of Illinois has taken significant steps, including closing outdated institutions and embracing a model of community supports and services, to ensure Illinois is a state where all people with disabilities—regardless of the challenges they face—have the opportunity to achieve the goals of integrated community living and employment; and

WHEREAS, integrated employment through Employment First occurs when all employees are compensated by their employers at least at a minimum or prevailing wage, with equal benefits and opportunities to interact fully and with non-disabled co workers; and

WHEREAS, the State of Illinois recognized the need for changes to the employment services provided to people with disabilities in Illinois and through legislation (codified at 20 ILCS 4095 et. seq) established The Employment and Economic Opportunity for Persons with Disabilities Task Force in 2009 (the “Task Force”), which is responsible for reviewing and analyzing:

1) programs and policies of the State to determine what changes, modifications, and innovations may be necessary to remove barriers to competitive employment and economic opportunity for persons with disabilities including barriers such as training capacity, transportation, housing, program accessibility, and benefit structure;

2) State disability systems, including the mental health, developmental disabilities, veterans' assistance, workforce investment, and rehabilitation services systems, and their effect on employment of persons with disabilities; and

3) applicable research and policy studies, innovations used in other states, and any federal policy initiatives such as work experience, customized employment, on-the-job training, and federal funding opportunities that would increase competitive employment and economic opportunity for persons with disabilities in Illinois; and
WHEREAS, a statewide multi-agency integrated program intended to provide individualized employment-focused services and connections to integrated private employment opportunities can improve the status of adults with disabilities as contributing members of society and reduce their dependency on other publicly-funded programs; and

WHEREAS, the State of Illinois has committed to improving state-agency coordination efforts that will increase integrated community employment outcomes for working-age Illinoisans with disabilities;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority vested in me by Article V, Section 8 of the Illinois Constitution, hereby order as follows:

I. LIAISON
An Employment First Liaison (the “Liaison”) shall be appointed within the Office of the Governor to implement Illinois’ Employment First Policy, in conjunction with the Task Force and State Agencies, as defined below.

II. PURPOSE
1. The Liaison’s goal and purpose shall be the implementation of the Employment First Policy, which seeks to facilitate the full inclusion and integration of individuals with disabilities in the workplace. The Liaison shall work with the following entities (together the “Parties”) to develop a preliminary five-year plan (the “Preliminary Plan”) and a final plan (the “Final Plan”) to improve community integrated private employment outcomes for people with disabilities:
   a. the Task Force; and
   b. State agencies that have State programs and services that provide supports to help persons with disabilities obtain employment in the private sector (“State Agencies”) including, but not limited to, the Department of Commerce and Economic Opportunity, the Illinois Department of Employment Security, the Department of Human Services, the Department of Central Management Services, the Department of Labor, the State Board of Education, the Department of Veterans’ Affairs, the Department of Healthcare and Family Services, the Illinois Board of Higher Education, the Illinois Community College Board, and the Council on Developmental Disabilities.

2. The Parties shall take the following into consideration when developing the Preliminary Plan and the Final Plan:
   a. How to align policies, financing, incentives, procedures, eligibility, enrollment and planning for services and supports
for individuals with disabilities with the objective of increasing opportunities for informed choice community integrated employment;
b. How to maximize funding to support employment-related initiatives, including the state and federal funding currently available through the State’s five year rebalancing efforts;
c. How to ensure individualized, conflict-free, informed choice about employment options, incorporating family members and other representatives of the person as appropriate;
d. Best practices and evidence-based practices for successful placement in integrated community employment and opportunities to implement or expand model programs;
e. Consistent with the National Governor’s Association “A Better Bottom Line: Employment Individuals with Disabilities” a blueprint for increasing employment of persons with disabilities, agencies shall identify:
   i. Effective strategies for partnerships, including with employers, foundations, advocates and other entities committed to creating integrated community employment opportunities and;
   ii. Effective strategies for recruiting businesses to hire people with disabilities based on their capabilities, interests and strengths;
f. Opportunities for shared services among existing providers of services, including employment services, for people with disabilities;
g. How to enhance existing state technology to create a cross-agency point of access to document and track the outcomes of persons with disabilities employed in private integrated settings; and
h. Appropriate benchmarks for improving employment outcomes that increase system-wide accountability and transparency.

3. The Preliminary Plan shall be submitted to the Governor on or before December 31, 2014 and shall include strategies for:
a. Improving services and supports necessary to make disability employment part of the state workforce development strategy, prioritize integrated employment as the first option for people with disabilities, and increase integrated community employment;
b. Identifying and implementing policy changes to align with the goals of Employment First;
c. Finding and supporting businesses in their efforts to employ people with disabilities;
d. Transition planning and services in full compliance with applicable federal and State laws and regulations, including the Individuals with Disabilities Education Act (IDEA) and the Illinois School Code which prepare youth with disabilities for careers that use their full potential, including early career awareness and work experience; Creating the necessary infrastructure to accomplish these goals; and
e. Establishing benchmarks and collecting data to track employment outcomes.

4. The Final Plan shall be submitted to the Governor on or before June 30, 2015 and shall also include:
   a. Strategies for providing capacity building (e.g. provider training, workforce training, technical assistance, etc.) to all stakeholders and providers (including the Task Force);
   b. The short term and long term cost of implementing the necessary changes in policy, practices and procedures and how these costs will be addressed by State Agencies;
   c. Strategies for reducing the reliance upon vocational placements of people with disabilities in sheltered workshop settings, segregated settings and day treatment settings;
   d. The interagency agreements, where needed, in collaboration with the Governor’s Office Liaison to improve coordination of services and allow for data sharing as appropriate;
   e. The agency benchmarks; and
   f. A plan detailing how State Agencies will work with IDES and DCEO to increase recruitment opportunities for individuals with disabilities with private employers.

III. ALIGNMENT OF STATE PROCUREMENT WITH EMPLOYMENT FIRST
CMS shall review policies and procedures associated with statutory programs including the State Use Program and Business Enterprise Program as it applies to persons with disabilities and make changes as needed to ensure that they are in alignment with Employment First.

IV. ANNUAL REPORTING
State Agencies shall, beginning December 1, 2015 and annually thereafter, report on their progress toward meeting the benchmarks
established in the Final Plan to the Governor, the Liaison and the Task Force.

V. OVERSIGHT
Oversight of the Final Plan shall be provided by the Liaison in collaboration with the Task Force. Such oversight shall include, but is not limited to, monitoring the progress of State Agencies towards meeting the goals and objectives established for such agencies in the Final Plan.

VI. SAVINGS CLAUSE
Nothing in this Executive Order shall be construed to contravene any state or federal law.

VII. SEVERABILITY
If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VIII. EFFECTIVE DATE
This Executive Order shall take effect immediately upon filing with the Secretary of State.

Issued by the Governor June 3, 2014.
Filed by the Secretary of State June 3, 2014.

2014-9
EXECUTIVE ORDER ESTABLISHING THE ILLINOIS PET ADVOCACY TASK FORCE

WHEREAS, the State of Illinois has an obligation to protect the overall health and safety of domestic pets;

WHEREAS, over half of Illinois households own a pet and are invested in the health and welfare of those animals; and

WHEREAS, pets in Illinois deserve proper care and adequate living conditions whether housed in breeding facilities, animal control facilities, shelters, kennels, pet stores or private homes; and

WHEREAS, for the sixth consecutive year, the Animal Legal Defense Fund has ranked Illinois as holding strong as the top jurisdiction for animal protection; and

WHEREAS, youth participation is essential to understanding and protecting the overall health and safety of domestic pets; and
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority vested in me by Article V, Section 8 of the Illinois State Constitution of 1970, hereby order as follows:

I. CREATION

There is hereby created the Illinois Pet Advocacy Task Force (the “Task Force”) having the duties and powers set forth herein. The Task Force shall be appointed by the Governor and consist of no more than 15 members who are residents of the State of Illinois representing public and private organizations with an interest in ensuring the welfare of pets across the state. The Governor shall select the chair of the Task Force. The Task Force members shall serve on the Task Force without compensation for a term of 12 months. The Governor may fill any vacancies when they occur.

There is also created within the Task Force a Student Advisory Committee to advise the Task Force on domestic pet safety issues from a youth perspective. Upon the recommendation of the Governor, the Student Advisory Committee shall be designated by the chair of the Task Force and consist of no more than 15 members who are Illinois elementary, middle, or high school students with an interest in ensuring the welfare of pets across the state. The Student Advisory Committee members shall serve without compensation for a term of one school year. Upon the recommendation of the Governor, the chair of the Task Force may fill any vacancies when they occur.

II. PURPOSE

The purpose of the Task Force shall be to study issues of animal cruelty, neglect and abuse and make recommendations that will ensure proper treatment and care of Illinois pets. The Task Force shall:

a. Conduct a comprehensive review of the animal cruelty and welfare laws in Illinois; and
b. Examine the laws regulating pet shops, catteries, kennels, dog dealers, animal control facilities, shelters, and foster homes in Illinois;

c. Analyze the reporting requirements for pet shops, catteries, kennels, dog dealers, animal control facilities, shelters, and foster homes in Illinois;

d. Discuss animal shelter rescue efforts and interstate transportation of rescued pets; and

e. Analyze current spay/neuter programs and ways to encourage participation in the various programs;
f. Assess current levels of state funding for the enforcement of pet welfare laws and regulations and consider alternative funding sources; and
g. Prepare a final report to the Governor and the General Assembly making specific recommendations to improve the health, safety, and welfare of pets across Illinois.

III. FUNCTION
a. The Illinois Department of Agriculture shall provide administrative support to the Task Force as needed, including providing an ethics officer, an Open Meetings Act officer, and a Freedom of Information Act officer.
b. The Task Force shall hold at least 4 meetings throughout the State, but otherwise shall meet at the call of the chair.
c. The Task Force shall submit its final report to the Governor and the General Assembly within 12 months of the issuance of this Order.
d. Upon submission of its final report the Task Force shall be dissolved.

IV. TRANSPARENCY
In addition to whatever policies or procedures it may adopt, all operations of the Task Force will be subject to the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.) and the Illinois Open Meetings Act (5 ILCS 120/1 et seq.).

V. SEVERABILITY
If any provision of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

VI. EFFECTIVE DATE
This Executive Order shall take effect immediately upon filing with the Secretary of State.
Issued by the Governor August 2, 2014.
Filed by the Secretary of State August 4, 2014.

2014-10
CREATION OF THE DEPARTMENT OF TRANSPORTATION TECHNICAL MERIT BOARD

WHEREAS, the Illinois Department of Transportation (“the Department”) has the responsibility for the planning, construction, operation and maintenance of Illinois' extensive transportation network, which encompasses highways and bridges, airports, public transit, rail freight, and rail passenger systems; and
WHEREAS, the Department requires specialized technical and professional employees to accomplish the purposes set forth in the Highway Code (605 ILCS 5), Illinois Vehicle Code (625 ILCS 5), Illinois Aeronautics Act (620 ILCS 5), and Illinois Department of Transportation Law (20 ILCS 2705); and

WHEREAS, the Personnel Code (20 ILCS 415) provides for the Department to have employees that are exempt from the Personnel Code, also known as “technical employees”; and

WHEREAS, as Governor of the State of Illinois, I am committed to ensuring the fair, transparent, and efficient operation of the Department and to eliminate abuse wherever it occurs; and

WHEREAS, in the wake of a recent review by the Department, it has become clear that significant steps must be taken to further ensure the integrity of technical employee hiring practices;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the executive authority vested in me by in Article V of the Constitution of the State of Illinois, do hereby direct as follows:

I. CREATION
There is hereby created the Department of Transportation Technical Merit Board (“the Board”) as an independent body. The Board shall have the duties as set forth in this Order.

II. PURPOSE
Separate from and in addition to the actions and functions already performed by the Department, the purpose of the Board is to independently oversee the Department’s application of 20 ILCS 415/4c(12). This independent body shall implement, review, and maintain stringent controls for all “technical code” Department employees.

III. MEMBERSHIP
a. The Board shall consist of five members to hold office, one until June 30, 2016, one until June 30, 2017, one until June 30, 2018, one until June 30, 2019, and one until June 30, 2020, and until their respective successors are appointed and qualified.
b. Upon the expiration of the terms of office of those first appointed, the successors shall hold office for 6 years and until a successor is appointed and qualified.
c. In the case of a vacancy during the term of office of any member, the Governor shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified.
d. No more than three members of the Board shall be affiliated with the same political party.
e. Members shall be appointed by the Governor and may only be removed for cause pursuant to Article V, Section 10 of the Illinois Constitution.
f. As soon as practicable after the members of the Board have been appointed, they shall meet and shall organize by electing a chairman and a secretary. The initial chairman and secretary, and their successors, shall be elected by the Board from among its members for a term of two years or for the remainder of their term of office as a member of the Board, whichever is shorter.
g. Three members of the Board shall constitute a quorum for the transaction of business. The Board shall hold regular quarterly meetings and such other meetings as may be called by the chairman. Whenever practicable, notice of each meeting shall be given in writing or electronically to each member by the chairman at least seven days in advance of the meeting.

IV. DUTIES
The Board shall have powers and duties as follows:
a. To review and either approve or disapprove the establishment of the Department’s merit-based classification and salary administration plan and any changes made to the same.
b. To approve or disapprove within 30 days from the date of submission by the Secretary any new job classifications or modifications to job classifications, subject to 20 ILCS 415/4c(12).
c. To review an annual audit report submitted by the Department on March 31 of each year for the prior calendar year. The audit report shall provide the Department’s findings on whether a random sampling of employees who fall under 20 ILCS 415/4c(12) are performing the duties set forth in its job description and are appropriately classified under the Department’s narrow definition of “technical.”
d. To submit to the Governor and the Secretary a report on or before June 30 of each year regarding the work performed and actions taken by the Board during the prior calendar year and an evaluation of the Department’s compliance with 20 ILCS 415/4c(12).

V. INDEPENDENCE
The Board shall function as an independent body, with the discretion to arrange its affairs and proceedings in the manner it deems appropriate.

VI. ADMINISTRATIVE AND TECHNICAL SUPPORT
At the direction of the Board, the Department shall provide administrative and technical support for the Board, including but not
limited to, providing an Ethics Officer for the Board, responding to FOIA requests on behalf of the Board, and assisting the Board with complying with the Open Meetings Act. At the direction of the Office of the Governor, any executive agency shall provide assistance to the Board to accomplish their goal of ensuring stringent controls for “technical employees.”

VII. TRANSPARENCY
In addition to any policies or procedures the Board may adopt, all operations of the Board shall be subject to the provisions of the Illinois Freedom of Information Act (5 ILCS 140 et seq.) and the Illinois Open Meetings Act (5 ILCS 120 et seq.). This section shall not be construed so as to preclude other statutes from applying to the Board and its activities.

VIII. SAVINGS CLAUSE
This Executive Order does not contravene and shall not be construed to contravene any State or federal law, or any collective bargaining agreement.

IX. EFFECTIVE DATE
This Order shall take effect immediately upon its filing with the Secretary of State.
Issued by the Governor August 21, 2014.
Filed by the Secretary of State August 21, 2014.

2014-11
EXECUTIVE ORDER CREATING AN EBOLA VIRUS TASK FORCE

WHEREAS, protecting the health and safety of all people in the State of Illinois is a fundamental responsibility of government and a core priority of this Administration; and

WHEREAS, the Ebola virus is currently affecting several countries in western Africa and has now appeared in isolated cases within the United States; and

WHEREAS, the centralized coordination and communication among various entities at the State, in partnership with stakeholders representing key sectors in healthcare and emergency response, is essential to strengthen the State’s ability to respond to the challenges presented by the Ebola virus; and

WHEREAS, the Illinois Department of Public Health (“IDPH”) has as its core mission the prevention of disease, and has already established a working partnership among public and private stakeholders from all disciplines and regions of the State in order to facilitate the coordination of
resources and the communication of information essential to preventing additional cases of the Ebola virus; and

WHEREAS, IDPH has established a 24-hour Ebola Hotline call center at the Illinois Poison Center; and

WHEREAS, IDPH has created a dedicated website with public information regarding the Ebola virus, and has committed to providing information to the public in the event of any verified case of infection of the Ebola virus; and

THEREFORE, I, Pat Quinn, Governor of Illinois, pursuant to the executive authority vested in me by Article V of the Constitution of the State of Illinois, hereby order as follows:

I. ESTABLISHMENT OF THE ILLINOIS EBOLA VIRUS TASK FORCE

a. There is hereby established the Illinois Ebola Virus Task Force (“Task Force”) as an advisory body, reporting directly to the Governor.

b. The Director of IDPH and the Deputy Governor shall serve as Co-Chairs of the Task Force.

c. The Task Force shall consist of up to twenty-three (23) voting members, including the following:
   i. Deputy Governor;
   ii. Director of IDPH;
   iii. One representative from IDPH, appointed by the Director;
   iv. One representative from the Illinois Emergency Management Agency, appointed by the Director;
   v. One representative from the Illinois Office of State Fire Marshal, appointed by the Fire Marshal;
   vi. One representative from the Illinois State Board of Education, appointed by the Superintendent;
   vii. One representative from the Illinois State Police, appointed by the Director;
   viii. One representative from the Illinois Environmental Protection Agency, appointed by the Director.
ix. Up to fifteen (15) members, recommended by the Director of IDPH and appointed by the Governor. Such members may include, but are not limited to, state, Cook County, and City of Chicago representatives, representatives of hospitals, nurses, doctors, and other medical providers, and other local, regional, and state partners. All members shall serve at the discretion of the Governor.

d. The Task Force Co-Chairs shall have the authority and discretion to create subcommittees. At the Co-Chairs’ discretion, the Task Force
Co-Chairs may designate and allow the participation of non-Task Force members to participate in, and be voting members of, any subcommittees.
e. Members of the Task Force shall serve without compensation, but may receive travel reimbursement from IDPH as permitted by applicable State or federal guidelines.
f. IDPH shall provide administrative support for the Task Force, including but not limited to, providing an Ethics Officer to the Task Force, responding to FOIA requests on behalf of the Task Force, and assisting the Task Force in complying with the requirements of the Open Meetings Act.

II. DUTIES OF THE TASK FORCE
a. The Task Force shall conduct a comprehensive examination of and make recommendations regarding the State’s public health regulatory powers and communicable disease authorities, including, but not limited to, a review of all applicable statutes and administrative regulations.
b. The Task Force shall develop strategies to address any potential gaps in the State’s public health regulatory authorities and ability to respond to infectious or communicable disease outbreaks and public health emergencies.
c. The Task Force shall make recommendations to assist in the development of agency, regulatory, and legislative changes to improve the State’s ability to respond to infectious or communicable disease outbreaks and public health emergencies.
d. The Task Force shall assess supply availability and resource allocation, including personal protective equipment and medical supplies for health care providers and first responders.
e. The Task Force shall consider and recommend guidance for public and private employers relative to employees exposed or potentially exposed to the Ebola virus.
f. The Task Force shall consider issues specific to diverse populations, including, but not limited to, the dissemination of educational materials for these populations.
g. The Task Force shall develop policies and make recommendations to the Director of IDPH and the Office of the Governor relating to the facilitation of communication and information sharing, coordination of public messages, designation of treatment centers, and assessing sector readiness and response, as needed.
h. The Task Force shall share all recommendations and findings with IDPH and the Office of the Governor.
i. The Task Force shall seek input, as appropriate, from federal agencies, including but not limited to: the United States Centers for Disease Control and Prevention, the Federal Emergency Management Agency, the United States Department of Health and Human Services, and the United States Department of Homeland Security.

III. TERM
The Task Force shall be dissolved on June 30, 2015, subject to renewal by a succeeding Executive Order from the Governor.

IV. TRANSPARENCY
In addition to any other applicable laws, rules, or regulations, all aspects of the Task Force shall be governed by the Freedom of Information Act (5 ILCS 140/1, et seq.) and the Open Meetings Act (5 ILCS 120/1, et seq). This section shall not be construed so as to preclude other statutes from applying to the Task Force or its activities.

V. SAVINGS CLAUSE
Nothing in this Executive Order shall be construed to contravene any state or federal law. Nothing in this Executive Order shall affect or alter the existing statutory powers of any State agency or be construed as a reassignment or reorganization of any State agency.

VI. SEVERABILITY
If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VII. EFFECTIVE DATE
This Executive Order shall be in full force and effect upon its filing with the Secretary of State.
Issued by the Governor October 22, 2014.
Filed with the Secretary of State October 22, 2014.
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DISASTER AREA - STATE OF ILLINOIS

Heavy snowfall and frigid temperatures have impacted Illinois since January 1, 2014. Many locations in the State have received 18 inches or more of snow this weekend. An ensuing arctic air blast has brought dangerously cold temperatures and high winds. Due to the snow, heavy gusting winds, and continued subzero temperatures, a widespread public safety threat exists as safe travel throughout Illinois is gravely compromised. Many Illinois highways and interstates have dozens of stranded motorists who are in need of immediate assistance.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I hereby proclaim that a disaster exists within the State of Illinois as a result of this severe winter weather. I hereby invoke my authority to activate the Illinois National Guard to provide aid.

Issued by the Governor January 6, 2014.
Filed by the Secretary of State January 7, 2014.

2014-2

CONGENITAL HEART DEFECT AWARENESS WEEK

WHEREAS, Congenital Heart Defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and,

WHEREAS, over a million families across America are facing the challenges and hardships of raising children with Congenital Heart Defects; and,

WHEREAS, every year approximately 40,000 babies are born in the United States with Congenital Heart Defects; and,

WHEREAS, some Congenital Heart Defects are not diagnosed until months or years after birth; and,

WHEREAS, undiagnosed Congenital Heart conditions cause many cases of sudden cardiac death in young athletes; and,

WHEREAS, newborns and young athletes are not routinely screened for Congenital Heart Defects; and,

WHEREAS, there is a need for increased awareness of Congenital Heart Defects and support for continued and increased research; and,

WHEREAS, the observance of Congenital Heart Defect Awareness Week provides an opportunity for families whose lives have been affected to
celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and,

WHEREAS, the establishment of Congenital Heart Defect Awareness Week will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about Congenital Heart Defects; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 7-14, 2014 as CONGENITAL HEART DEFECT AWARENESS WEEK in Illinois, in order to increase awareness of Congenital Heart Defects that affect thousands of babies in Illinois each year.

Issued by the Governor January 2, 2014.
Filed by the Secretary of State January 15, 2014.

2014-3
FOUR CHAPLAINS SUNDAY

WHEREAS, on February 3, 1943, four United States Army Lieutenants and Chaplains sacrificed their lives in one of the most inspiring acts of heroism during the Second World War; and,

WHEREAS, once a luxury coastal liner, the U.S.A.T. Dorchester set out with three escort ships on February 2 for an American base in Greenland. Less than 150 miles from its destination, the ship was attacked by a German submarine shortly after midnight; and,

WHEREAS, aboard the U.S.A.T. Dorchester, panic and chaos set in. The blast killed scores of men, and many more were seriously wounded. Alerted that the Dorchester was taking on water and sinking rapidly, the captain gave the order to abandon ship; and,

WHEREAS, those who were capable made their way towards the deck through the darkness. Once topside, men jumped from the ship for lifeboats. Some were overcrowded and capsized. Others drifted away before soldiers and sailors could get in them; and,

WHEREAS, through the pandemonium, Reverend George L. Fox, Rabbi Alexander D. Goode, Reverend John P. Washington and Reverend Clark V. Poling spread out among the soldiers to calm the frightened, tend the wounded and guide the disoriented toward safety; and,

WHEREAS, at one point, Rabbi Goode gave away his own gloves to a comrade who had the bad fortune of forgetting his. Shortly thereafter, the Chaplains opened a storage locker filled with lifejackets and began distributing them; and,

WHEREAS, it was then that John Ladd witnessed an astonishing sight. When they ran out of lifejackets, the Chaplains removed theirs and
gave them to four frightened young men. John said, “It was the finest thing I have seen or hope to see this side of heaven”; and,

WHEREAS, as the ship went down, other survivors in nearby rafts saw the Chaplains with arms linked and braced against the slanting deck. They were also heard offering prayers; and,

WHEREAS, the Dorchester sunk less than 27 minutes after it was struck. Of the 902 men aboard, 672 died, including all four Chaplains. When news reached American shores, the nation was stunned by the magnitude of the tragedy and heroic conduct of the Chaplains; and,

WHEREAS, all four Chaplains were posthumously awarded the Distinguished Service Cross and Purple Heart, as well as a Special Medal of Heroism specially authorized for them by Congress; and,

WHEREAS, every year, the Combined Veterans Association of Illinois sponsors a memorial service for the four Chaplains, which this year is hosted by the Polish Legion of America Veterans of Illinois, and which will be held at the Main Chapel of the Edward Hines VA Medical Center in Hines, Illinois on February 2, 2014 at 1:00 pm; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2, 2014 as FOUR CHAPLAINS SUNDAY in Illinois, in honor and remembrance of the four brave and courageous Chaplains who selflessly made the ultimate sacrifice to save the lives of others.

Issued by the Governor January 7, 2014.
Filed by the Secretary of State January 15, 2014.

2014-4
JAN KEMMERLING DAY

WHEREAS, the people of the great State of Illinois’ tourism industry welcome visitors with open arms, making a trip to Illinois an unforgettable experience; and,

WHEREAS, Jan Kemmerling, Assistant Deputy Director for the Illinois Department of Commerce and Economic Opportunity, Office of Tourism (IOT), has tirelessly worked to develop and promote the Illinois tourism industry for more than two decades; and,

WHEREAS, her hard work and dedication have helped create jobs for Illinois residents and strengthen the economic impact of the tourism industry in our state; and,

WHEREAS, Jan Kemmerling has been an invaluable asset to Illinois, helping to strengthen communities and exerting a profoundly positive influence on everyone she encounters; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 3, 2014 as JAN KEMMERLING DAY in Illinois, and call upon all citizens to celebrate and promote Jan and this important industry in the Land of Lincoln.

Issued by the Governor January 7, 2014.
Filed by the Secretary of State January 15, 2014.

2014-5
CAMPUSS FIRE SAFETY MONTH

WHEREAS, fire education and prevention is vital to ensuring the safety of Americans and Illinoisans; and,

WHEREAS, college students living on their own for the first time are particularly susceptible to the danger posed by fires; and,

WHEREAS, most fires can be avoided by practicing some simple commonsense behaviors and routines such as: checking and turning off the oven and stove before going to sleep or leaving home, not overloading electrical circuits, safely storing all dangerous and hazardous materials, keeping any electrical devices clear of water, checking and maintaining alarm and sprinkler systems, and noting the location of fire extinguishers to use in the event of an emergency; and,

WHEREAS, though education significantly helps minimize the risk of fire by raising awareness of those behaviors and routines, many students do not receive effective fire safety education during their college career when they are generally most at risk; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2014 as CAMPUS FIRE SAFETY MONTH in Illinois, and encourage schools and municipalities to provide educational programs on the dangers and prevention of fire as students begin and return to college.

Issued by the Governor January 8, 2014.
Filed by the Secretary of State January 15, 2014.

2014-6
MENTORING MONTH

WHEREAS, everyday in Illinois, mentors help youth in communities across the State—in schools and in homes, on the field and in the library—face the challenges of growing into adulthood; and,

WHEREAS, there are few investments more important than those we make in the health and well-being of young people; and,
WHEREAS, research shows that young people matched with a caring adult through a quality mentoring program are 27% less likely to start drinking, 46% less likely to use illegal drugs, 52% less likely to skip school, and are more likely to have positive relationships with adults and to make positive plans for their future; and,

WHEREAS, more than 200 active mentoring organizations currently operate in Illinois, and thousands of children in our state already have the benefit of caring supportive volunteer mentors; and,

WHEREAS, 96% of existing mentors would recommend mentoring to others; and,

WHEREAS, the Illinois Mentoring Partnership (IMP), launched in 2012, is the unifying champion for quality youth mentoring in Illinois, providing resources, technical assistance, heightened public awareness and advocacy for the state's mentoring movement; and,

WHEREAS, the Serve Illinois Commission supports the mentoring work of over 700 AmeriCorps members each year, who are committed to improving the lives of youth in over 40 Illinois counties; and,

WHEREAS, less than 50,000 of Illinois’ over 3 million children and youth are currently served in a mentoring program and many more of our children desperately need the support of a quality mentor; and,

WHEREAS, mentors can commit as little as one hour a week and still have a significant positive impact on the outcome of a child’s life; and,

WHEREAS, January is recognized as National Mentoring Month, and Illinois is proud to step forward as a leader in reinforcing support for this cause across our great state, in an effort to close the gap in youth who do not have a trusted mentor in their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 2014 as MENTORING MONTH in Illinois, and urge citizens throughout Illinois to find your place in the powerful movement to foster the growth of the next generation of Illinoians by becoming a mentor. To find a mentoring opportunity or to learn more about how to recognize your volunteers, visit the Illinois Mentoring Partnership website at www.ilmentoring.org.

Issued by the Governor January 8, 2014.
Filed by the Secretary of State January 15, 2014.

2014-7
MIDDLE LEVEL STUDENT LEADERSHIP WEEK

WHEREAS, Student Council is a terrific opportunity for our leaders
of tomorrow; and,

WHEREAS, Student Council is a hands-on experience that teaches students the fundamentals of leading. The first ingredient of leadership is establishing a vision that others share and are willing to invest their personal resources for; and,

WHEREAS, once a vision is established, it is important to determine how to get there, and essential to that success is communication, teamwork, and perseverance. Finding common ground, building consensus, and inspiring cooperation to achieve a goal is what leadership is all about; and,

WHEREAS, good leaders are those who understand this, and the best leaders are those whose results support their vision; and,

WHEREAS, Student Council is a civics lesson in motion, and in the process, members also promote school spirit, raise money for charity, and volunteer their time to community service. Student Council is a wonderful organization that benefits students, schools, and the entire community; and,

WHEREAS, the Illinois Association of Junior High Student Councils (IAJHSC) is comprised of 119 member schools across the state; and,

WHEREAS, this year, the 55th Annual State Convention of the IAJHSC will be held April 25-26 at the Crowne Plaza Hotel & Convention Center in Springfield, Illinois. The conference will attract more than 1,000 students and advisors from all across the state, where they will participate in seminars and workshops to exchange event ideas and to help them become better leaders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 25- May 2, 2014 as MIDDLE LEVEL STUDENT LEADERSHIP WEEK in Illinois, in support of Student Council, and to encourage our future leaders attending the Annual State Convention of the Illinois Association of Junior High Student Councils to share and apply what they learn there.

Issued by the Governor January 8, 2014.
Filed by the Secretary of State January 15, 2014.

2014-8
RELIGIOUS FREEDOM DAY

WHEREAS, many of our country’s first European settlers came to this land to escape religious persecution; and,

WHEREAS, Virginia’s 1786 Statute for Religious Freedom, a statement of principle written by Thomas Jefferson, declared freedom of religion as the natural right of all humanity -- not a privilege for government to give or take away; it barred compulsory support of any church and ensured
the freedom of all people to profess their faith openly, without fear of persecution; and,

WHEREAS, five years later, the First Amendment of our Bill of Rights declared that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof”; and,

WHEREAS, the first European party to explore Illinois in 1673 contained a religious missionary and the first church was built here in 1696; and,

WHEREAS, for more than 300 years, religious people of every kind have settled in Illinois, creating missions, founding towns, preaching in tents and building churches, temples, synagogues, mosques, schools and colleges throughout the state; and,

WHEREAS, many faiths are now practiced in our state’s houses of worship, and this diversity is built upon a rich tradition of religious tolerance; and,

WHEREAS, as Americans, we believe that all people have inherent dignity and worth. Though we may profess different creeds and worship in different manners and places, we respect each other’s humanity and expression of faith. People with diverse views can practice their faiths in Illinois while living together in peace and harmony, carrying on our Nation’s noble tradition of religious freedom; and,

WHEREAS, we in Illinois draw great strength from the free exercise of religion and from the diverse communities of faith that flourish in our state, and our places of worship bring us together, support our families, nourish our hearts and minds, sustain our deepest values, give direction to our lives and provide moral guidance in the daily decisions we make; and,

WHEREAS, January 16th celebrates the anniversary of the 1786 Virginia Statute on Religious freedom that restrained the practice of taxing people to pay for the support of local clergy, and protected the civil rights of people to express their religious beliefs without suffering discrimination; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 16, 2014 as RELIGIOUS FREEDOM DAY in Illinois, and encourage all citizens to recognize the contributions of all religious bodies across our state.

Issued by the Governor January 9, 2014.
Filed by the Secretary of State January 15, 2014.

2014-9
AFRICAN AMERICAN HISTORY MONTH

WHEREAS, Dr. Carter G. Woodson founded the Association for the
Study of Afro-American Life and History in Chicago on September 9, 1915; and,

WHEREAS, Dr. Woodson initiated the annual celebration of Negro History Week in 1926, and 50 years later, in February 1976, the Association expanded Negro History Week to Black History Month, making their primary objectives the collection, study, promotion and dissemination of historical materials relating to African Americans; and,

WHEREAS, the Chicago Public Library, in keeping with the Association’s primary goal, recognizes the outstanding contributions that African Americans have made in the areas of literature, humanities, arts and the sciences; and,

WHEREAS, the Chicago Public Library encourages and supports all programs, services and activities associated with the observance of African American History Month; and,

WHEREAS, in celebration of African American History Month, the Chicago Public Library will present a series of informative, entertaining and educational programs, lectures, films, exhibits, live performances, and special events examining the culture, history, and achievements of African Americans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2014 as AFRICAN AMERICAN HISTORY MONTH in the State of Illinois and encourage all citizens to learn about the wonderful contributions that African Americans have made to our state, and to the nation as a whole.

Issued by the Governor January 10, 2014.
Filed by the Secretary of State January 15, 2014.

2014-10
DANDY-WALKER SYNDROME AND HYDROCEPHALUS AWARENESS MONTH

WHEREAS, Dandy-Walker Syndrome is a congenital malformation of the cerebellum and its causes are largely unknown; and,

WHEREAS, between 10,000 and 40,000 people have Dandy-Walker Syndrome in the United States; and,

WHEREAS, though statistics indicate that the incidence of Dandy-Walker Syndrome is at least 1 case for every 2,500 live births, the true number of individuals affected is likely significantly higher due to the difficulties associated with diagnosing this syndrome; and,

WHEREAS, patients with Dandy-Walker Syndrome often show signs of developmental delay, enlarged head circumference, and symptoms of
hydrocephalus; and,

WHEREAS, the Dandy-Walker Alliance, Inc. is a nonprofit corporation and the only national organization focusing on supporting education, informational activities and non-partisan research that increases public awareness of the congenital birth defect known as Dandy-Walker Syndrome; and,

WHEREAS, the citizens of the State of Illinois should learn about Dandy-Walker Syndrome and hydrocephalus and recognize the achievements of all Americans with a disability, the important role that disabled Americans have played throughout the history of the United States and the scientific, literary, and social impact of disabled Americans on our world today; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as DANDY-WALKER SYNDROME AND HYDROCEPHALUS AWARENESS MONTH in Illinois, in support of increased awareness of Dandy-Walker Syndrome and hydrocephalus.

Issued by the Governor January 10, 2014.
Filed by the Secretary of State January 15, 2014.

2014-11

NARCOLEPSY AWARENESS DAY

WHEREAS, narcolepsy is a chronic neurological disorder caused by the brain’s inability to regulate sleep-wake cycles; and,

WHEREAS, narcolepsy affects an estimated 1 in every 2,000 Americans; and,

WHEREAS, narcolepsy is an under-recognized and under diagnosed condition; and,

WHEREAS, the symptoms of narcolepsy, especially when undiagnosed, can lead to accidents, injuries, and problems with learning and working; and,

WHEREAS, narcolepsy affects people neurologically, socially, and emotionally; and,

WHEREAS, narcolepsy affects people of all ages, with onset typically between the ages of 15 and 25; and,

WHEREAS, The Narcolepsy Network is a national organization, based in North Kingstown, RI, created to promote awareness of the disease and support for those who suffer from narcolepsy; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 8, 2014 as NARCOLEPSY AWARENESS DAY in Illinois.

Issued by the Governor January 10, 2014.
WHEREAS, there are nearly 7,000 diseases and conditions considered rare (each affecting fewer than 200,000 Americans) in the United States; and,

WHEREAS, while each of these diseases alone may affect only a small number of people, rare diseases as a group affect millions of Americans; and,

WHEREAS, many rare diseases are serious and debilitating conditions that have a significant impact on the lives of those affected; and,

WHEREAS, unfortunately, there is often no treatment specific for these rare diseases; and,

WHEREAS, individuals and families affected by rare diseases often experience problems such as a sense of isolation, difficulty in obtaining an accurate and timely diagnosis, few treatment options, and problems related to accessing or being reimbursed for treatment; and,

WHEREAS, while some rare diseases, such as “Lou Gehrig’s disease” and Huntington’s disease are relatively well known, many others are not known at all by the public, which means that a large share of the burden of raising awareness of these diseases and raising funds for research is held by patients and their families; and,

WHEREAS, statistically, nearly 1 in 10 Americans are affected by rare diseases, resulting in thousands of Illinois residents being affected; and,

WHEREAS, a nationwide observance of Rare Disease Day affords patients, medical professionals, researchers, government officials, and companies developing treatments for rare diseases an opportunity to join together to focus attention on rare diseases as a public health issue; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 28, 2014 as RARE DISEASE DAY in Illinois, in support of this important public awareness campaign.

Issued by the Governor January 10, 2014.
Filed by the Secretary of State January 15, 2014.

2014-13
CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY

WHEREAS, one in every 2,500 pregnancies are diagnosed with a congenital diaphragmatic hernia (CDH); and,
WHEREAS, since 2000, it is estimated that over 500,000 babies have been born with CDH; however, only 50 percent of those babies survived; and,
WHEREAS, CDH is as common as spina bifida and cystic fibrosis; however, very few people know about it or are aware of it; and,
WHEREAS, 1,600 babies are born with CDH every year in the United States with an average of 70 born in Illinois each year; and,
WHEREAS, there are many people living in Illinois who have been diagnosed with and have survived their CDH; although many families in Illinois have endured the horrible pain and grief associated with the loss of loved ones with CDH; and,
WHEREAS, those with CDH often endure multiple surgeries and possible medical complication beyond their diagnosis that include heart defects, pulmonary complications, gastric and intestinal problems, developmental delays, and may require respiratory and medicinal support for years; and,
WHEREAS, raising awareness of this congenital defect will help bring about acceptance and support for those suffering with it and will help advocate for urgently needed medical research and advances;
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 19, 2013 as CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY in Illinois, in order to raise public awareness of this condition, and to encourage all citizens to learn more about congenital diaphragmatic hernias and support those who are affected.

Issued by the Governor January 13, 2014.
Filed by the Secretary of State January 15, 2014.

2014-14
KOREAN AMERICAN DAY

WHEREAS, on January 13, 1903, a group of 102 men, women, and children arrived on the shores of Honolulu, Hawaii, after a long journey on the S.S. Gaelic across the Pacific Ocean from Korea. Like many immigrants to this country, these Koreans came to America in search of a better life; and,
WHEREAS, there are now approximately 1.7 million people of Korean descent living throughout the United States and more than 70,000 Koreans in Illinois, comprising the fourth largest Asian ethnic group in the Land of Lincoln; and,
WHEREAS, today, our country benefits from the contributions that Korean Americans have made to our businesses, religious institutions, and academic communities. Korean Americans own and operate thousands of businesses across our nation, which create jobs and foster prosperous
communities; and,

WHEREAS, Korean Americans contribute richly to our culture, economy and government, and lend their skills and expertise to a variety of disciplines including science, engineering, business, and the arts; and,

WHEREAS, the Korean American Association of Chicago will commemorate the arrival of Koreans in the United States in 1903 with a celebration at Daley Plaza on Monday, January 13; and,

WHEREAS, today’s event presents a terrific opportunity for Korean Americans in Illinois to rejoice in their heritage and celebrate their successes in the United States over the past 111 years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 13, 2014 as KOREAN AMERICAN DAY in Illinois, and encourage all citizens to recognize the positive impact that Korean Americans have on our country, while taking the opportunity to learn about their rich heritage.

Issued by the Governor January 13, 2014.
Filed by the Secretary of State January 15, 2014.

2014-15
RONALD REAGAN DAY

WHEREAS, Ronald Wilson Reagan was born on February 6, 1911 in Tampico, Illinois and subsequently lived in many locations throughout Illinois during his childhood and adolescence including Galesburg and Dixon, where he graduated from High School; and,

WHEREAS, Ronald Wilson Reagan enrolled in Eureka College in Eureka, Illinois in 1928 and majored in Economics and Sociology. It was here that he discovered an interest in drama while serving as student body president; and,

WHEREAS, Ronald Wilson Reagan enjoyed successful careers in many fields: lifeguard, military officer, spokesman, broadcaster and most notably as a celebrated Hollywood actor; and,

WHEREAS, Ronald Wilson Reagan began a life of public service when he enlisted in the Army Reserves as a Private in 1937. He was eventually promoted to 2nd Lieutenant in the Officers Reserve Corps of the Cavalry before being called into active duty by the United States Air Force in 1942; and,

WHEREAS, Ronald Wilson Reagan began his political career in 1966, defeating incumbent Governor Edmund G. “Pat” Brown to become Governor of the State of California; and,

WHEREAS, Ronald Wilson Reagan began developing his natural
leadership skills while serving the student body at Eureka College, further honed them through his military career and through his many acting credits and perfected them while serving the citizens of the State of California; and,

WHEREAS, Ronald Reagan Wilson, native son of Illinois, was elected President of the United States in 1980, becoming our nation’s 40th President; and,

WHEREAS, President Ronald Reagan served the people of the United States of America for two terms with honor; and,

WHEREAS, the quote “There is no limit to what a man can do or where he can go if he doesn’t mind who gets the credit” holds especially true in an era of political partisanship and demonstrates that President Reagan possessed a true servant’s heart; and,

WHEREAS, on February 6, 2014, the State of Illinois, along with the United States of America, will celebrate the 103rd anniversary of President Reagan’s birthday; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 6, 2014 as RONALD REAGAN DAY in Illinois, in honor of our nation’s 40th President.

Issued by the Governor January 13, 2014.

Filed by the Secretary of State January 15, 2014.

2014-16
TELECOMMUNICATIONS WEEK

WHEREAS, public safety telecommunicators, specialists in operating state-of-the-art radio and computer aided communications systems, are a cornerstone of the public safety community; and,

WHEREAS, every hour of every day, telecommunicators access, monitor, and disseminate information of critical importance to public safety officials in order to contribute to the safety of the public and success of public safety goals; and,

WHEREAS, these professional men and women effectively and efficiently perform their duties to help ensure the safety and protection of life, property, and individual rights of all people in Illinois; and,

WHEREAS, it is appropriate that we set aside a time to demonstrate our appreciation of their knowledge, training, service and dedication; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 13-19, 2014 as TELECOMMUNICATIONS WEEK in Illinois, in recognition of the vital contributions telecommunicators make to the safety and well-being of our citizens.

Issued by the Governor January 13, 2014.
WHEREAS, the citizens of Illinois recognize the importance of donating blood – a crucial and life-sustaining component of our very existence – and each year, thousands of Illinois citizens donate blood; the need for donations, however, remains constant; and,

WHEREAS, donating blood is a safe, simple process and provides a life-saving gift to those in need of medical care, such as accident survivors, people undergoing surgery, and patients receiving treatment for leukemia, cancer and other diseases that require blood transfusions; and,

WHEREAS, while an estimated 9.2 million volunteers donate blood in the United States each year, 30 percent of which are first time donors, our nation’s blood supply is in constant need of replenishment, and,

WHEREAS, January is traditionally the time when blood donation levels are among their lowest and is one of the most difficult periods during which to recruit new donors with schools out for winter holidays, families on vacation and the potential for bad winter weather; continued donations are critical to many people in need in Illinois; and,

WHEREAS, first observed in 1970, “National Blood Donor Month” provides an annual opportunity to recognize persons who donate blood and to highlight the need for new donors; this year, the American Red Cross, the American Association of Blood Banks, and America’s Blood Centers have joined together to advance this worthy initiative and to raise public awareness of the need to increase our country’s and our state’s blood supply; and,

WHEREAS, every two seconds someone in the United States needs blood and there are no substitutes or replacements for blood and a single blood donation can help save more than one life; the need for additional healthy volunteer donors to join the ranks of those who already give of themselves so generously is greater than ever; and,

WHEREAS, it is fitting for all citizens of Illinois to recognize the benefits of donating blood and the positive impact it can have on their own life, that of a loved one, friend, neighbor or fellow citizen they may never know; furthermore, we extend appreciation to those who give to their fellow man and in times of need; we also thank many businesses and, civic and service organizations, that sponsor blood donor drives to promote the altruistic act of “giving the gift of life” and encourage others to join in doing so; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim January 2014 as VOLUNTEER BLOOD DONOR MONTH in Illinois, and encourage the residents of Illinois to donate blood this month.

Issued by the Governor January 13, 2014.
Filed by the Secretary of State January 15, 2014.

2014-18
NEUROSCIENCE DAY

WHEREAS, neuroscientists specialize in studying the brain and the nervous system; and,
WHEREAS, the human brain, a vital organ, has the capacity to store an inordinate amount of information and controls every aspect of our bodies, from heart rate and appetite to emotion and memory; and,
WHEREAS, though the neuroscience field has made impressive progress over the years, there is still more to be learned about the functions and capabilities of the human brain, making neuroscientists an invaluable part of the medical community; and,
WHEREAS, due to more than 1,000 disorders of the brain and nervous system causing people health problems each year, the research of neuroscientists is critically important to curing illnesses and promoting good health; and,
WHEREAS, neuroscience education provides students with the opportunity to pursue professional careers in the biotechnology, pharmaceutical, and medical sectors; and,
WHEREAS, on Friday, January 17, 2014, the Brain Research Foundation will host the 14th Annual Neuroscience Day at the Lurie Medical Research Center of Northwestern University; and,
WHEREAS, the purpose of Neuroscience Day is to provide the Chicagoland neuroscience community with opportunities to share interests in an informal setting and to stimulate scientific interactions between universities; and,
WHEREAS, Neuroscience Day will feature poster presentations and guest speakers who will discuss a variety of topics in the neurosciences; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 17, 2014, as NEUROSCIENCE DAY in Illinois, in recognition of today’s event and the important contributions the neuroscience community makes across the Land of Lincoln.

Issued by the Governor January 14, 2014.
Filed by the Secretary of State January 15, 2014.
2014-19
SEED MONTH

WHEREAS, the abundance of Illinois’ crops relies on fertile soil, diligent farmers, and high quality seeds; and,
WHEREAS, to ensure that seeds are of the highest quality, there must be agricultural-minded seed producers, conscientious inspectors, skilled technicians, and concerned dealers; and,
WHEREAS, agriculture and the seed industry significantly contribute to our state’s economy with value-added products marketed throughout the world; and,
WHEREAS, the Bureau of Agricultural Products Inspection within the Illinois Department of Agriculture tests the purity and germination of seeds, validates the accuracy of product labels, and cooperates with the Illinois Crop Improvement Association, which is the state’s official seed-certifying agency, and an independent, nonprofit organization; and,
WHEREAS, in cooperation with educational and regulatory agencies, the Illinois Seed (Trade) Association has sustained an informed membership, the latest research developments, the production of high-quality seed, and has developed an effective seed program advocating for their members’ interests; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as SEED MONTH in Illinois, in appreciation of the seed industry’s contribution to supplying food and fiber to the world through the production of Illinois crops.
Issued by the Governor January 14, 2014.
Filed by the Secretary of State January 15, 2014.

2014-20
TRU VUE, INC. DAY

WHEREAS, Illinois’ businesses are at the epicenter of technological innovation and play a vital role in driving our state’s economy forward; and,
WHEREAS, one such business is Tru Vue, Inc., which started in 1946 as Chicago Dial and began manufacturing glass for radio dials and later TV screens; and,
WHEREAS, now days, Tru Vue, Inc. manufacturers glass framing components that range from your local retail to museum quality glass; and,
WHEREAS, Tru Vue, Inc. takes pride in treating its customers professionally and holds membership in several organizations, including the Professional Picture Framers Association, American Association of
WHEREAS, over the years, Tru Vue, Inc. has offered seminars and materials, which have helped to educate framers and their customers on the benefits of conservation framing; and,

WHEREAS, Tru Vue, Inc. and SEIU have demonstrated a strong commitment to protecting the safety of their employees, and it is not uncommon for this company, which is in the high risk glass manufacturing industry, to go over 700 days without a recordable accident; and,

WHEREAS, The Safety and Health Achievement Recognition Program (SHARP) Award is given to smaller companies that have occupational safety and health programs exceeding OSHA’s standard requirements. Tru Vue, Inc. has met and exceeded all evaluations of their program as conducted by an On-Site Safety and Health Consultation Program; and,

WHEREAS, at a ceremony on January 15, 2014, Tru Vue, Inc. will be presented with the SHARP Award. Winning the SHARP Award is a testament to the contributions SEIU and management at Tru Vue, Inc. have made towards creating a better, safer workplace; and,

WHEREAS, it is critically important in the Land of Lincoln to recognize companies like Tru Vue, Inc. that have made efforts to enhance workplace safety; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 15, 2014, as TRU VUE, INC. DAY in Illinois, in recognition of this company’s safety record and selection as a SHARP Award winner.

Issued by the Governor January 14, 2014.
Filed by the Secretary of State January 15, 2014.

2014-21
TURNER SYNDROME AWARENESS MONTH

WHEREAS, Turner Syndrome (TS) is a non-inheritable chromosomal disorder that affects one in 2,500 live female births; and,

WHEREAS, early diagnosis can ensure that affected girls and women receive a complete cardiac screening; and,

WHERAS, risk for acute aortic dissection is increased in young and middle-aged women with TS; and,

WHEREAS, early diagnosis facilitates prevention or remediation of growth failure, hearing problems and learning difficulties; and,
WHEREAS, individuals with TS have an increased risk of non-verbal learning disorder (NLD) and in school and work these impairments can cause problems in math, visuospatial skills, executive function skills and job retention; and,

WHEREAS, a disproportionately small amount of funding is available for Turner Syndrome research and support; and,

WHEREAS, with the help of medical specialists and a good social support system, a woman with TS can live a happy, healthy life; and,

WHEREAS, the establishment of TS Awareness Month will provide an opportunity to share experiences and information with the public and the media, in order to raise public awareness about Turner Syndrome; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2014 as TURNER SYNDROME AWARENESS MONTH and encourages all citizens to support awareness, education, and services for Turner Syndrome, which affects hundreds of female babies in Illinois.

Issued by the Governor January 14, 2014.
Filed by the Secretary of State January 15, 2014.

2014-22
DISASTER AREA - STATE OF ILLINOIS

Extreme winter weather and cold temperatures have impacted the State of Illinois this season. This weather has created a large demand for liquefied petroleum gas such as propane and other home heating fuels, causing shortages and interruptions of these products throughout the Midwest, including Illinois. Transportation delays have further exacerbated the availability of these resources. Due to this continued shortage, the United States Department of Transportation, Federal Motor Carrier Safety Administration, issued an Emergency Declaration on January 21, 2014, pursuant to 49 CFR section 390.23, to provide regulatory relief to commercial vehicles supporting the delivery of propane and home heating fuels in affected states such as Illinois.

In the interest of ensuring the public health and safety of the people of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I hereby proclaim that a disaster exists within the State of Illinois as a result of critical shortages of liquefied petroleum gas. This proclamation will enable liquefied gas trucks and operators licensed in Illinois who are traveling through other states to continue their transportation of propane and other home heating fuels to alleviate this emergency.
2014-23

CHICAGO MUSIC AWARDS DAY

WHEREAS, on Sunday, February 23, 2014, Martin’s International Culture will present the 33rd Annual Chicago Music Awards; and,

WHEREAS, the Annual Chicago Music Awards is the primary program honoring Illinois entertainers in various music genres such as: Pop, Rock, Gospel, Soul/R&B, Blues, Jazz, Reggae, Country/Western, Latin, Opera, Dance Classical, Polka, Kids and other World Music; and,

WHEREAS, the Chicago Music Awards was founded in 1982 by Ephraim M. Martin, a journalist, entrepreneur and television personality, to honor reggae and other world-beat music, arts and cultures, but has expanded so that all categories of music performed in Illinois can be better appreciated; and,

WHEREAS, at the 33rd Annual Chicago Music Awards, Lifetime Awards will be bestowed on Illinois entertainment legends who have contributed forty years or more to the entertainment industry; and,

WHEREAS, the 33rd Annual Chicago Music Awards Ceremony is dedicated to health awareness and encourages high standards of performance, conduct and professionalism in the music industry; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 23, 2014 as CHICAGO MUSIC AWARDS DAY in Illinois, in recognition of the Chicago Music Awards’ and its honorees’ contributions to music, art, and culture in the Land of Lincoln.

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Filed by the Secretary of State February 10, 2014.

2014-24

MARTIN LUTHER KING, JR. DAY OF SERVICE

WHEREAS, Dr. Martin Luther King, Jr. devoted his life to the advancement of civil rights and public service. He believed in a nation of freedom and justice for all, and challenged all citizens to help build a more perfect union and live up to the purpose and potential of America; and,

WHEREAS, Dr. King recognized that everybody can be great because everybody can serve, and during his lifetime encouraged all Americans to serve their neighbors and their communities; and,

WHEREAS, in 1973, the State of Illinois became the first state to
make Dr. King’s birthday a state holiday. The citizens of Illinois honor Dr. King’s legacy each year on the third Monday in January; and,

WHEREAS, legislation creating a federal holiday marking the birthday of Rev. Dr. Martin Luther King, Jr. was signed into law in 1983, and the holiday was first observed in 1986, making 2014 the 28th anniversary of the nationwide observance of the Martin Luther King, Jr. federal holiday; and,

WHEREAS, in 1994, Congress initiated the King Day of Service, a nationwide effort to transform the federal holiday honoring Dr. Martin Luther King, Jr. into a day of community service, grounded in Dr. King’s teachings, that helps solve social problems; and,

WHEREAS, this day focuses on bringing people together and breaking down the barriers that have divided us as a nation; and,

WHEREAS, thousands of Illinois residents use Martin Luther King Day as a “day on, not a day off,” by spending it performing community service; and,

WHEREAS, each year hundreds of thousands of volunteers in cities and towns across the nation participate in thousands of King Day service projects, in all fifty states, the District of Columbia, Guam, and Puerto Rico; and,

WHEREAS, nonprofit organizations, volunteer managers, AmeriCorps and Senior Corps members across the nation have organized hundreds of projects for volunteers to engage in service honoring the goals of the King Day of Service, and,

WHEREAS, the King Day of Service, which falls on January 20 this year, is an opportune time for the people of Illinois to recognize Dr. King’s teachings on advancing equality and opportunity for all by contributing their own time and talents in a day of service; and,

WHEREAS, the King Day of Service is an excellent opportunity to take the first step in making service a regular activity in the lives of Illinois residents and deepen citizenship that comes with serving one’s community; and,

WHEREAS, each citizen is encouraged to take part in service that will benefit communities and neighborhoods and provide a fitting memorial to the life of Martin Luther King, Jr.; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 20, 2014 as MARTIN LUTHER KING, JR. DAY OF SERVICE in Illinois, and urge citizens throughout Illinois to honor the memory of Dr. King and put his teachings into action by participating in the King Day of Service and finding ways to give back to their communities on this day and throughout the year. To find a volunteer opportunity or to learn
more about how to recognize your volunteers, visit the Serve Illinois Commission website at www.Serve.Illinois.gov or call 800-592-9896.

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2014-25
PERIANESTHESIA NURSE AWARENESS WEEK

WHEREAS, there are more than 55,000 perianesthesia registered nurses in the United States whose interests are represented by one of our nation’s premier specialty nursing organizations, the American Society of PeriAnesthesia Nurses; and,

WHEREAS, perianesthesia nurses practice in all phases of preanesthesia and postanesthesia care, ambulatory surgery, and pain management; and,

WHEREAS, the depth and breadth of the perianesthesia nursing profession meets the varied and emerging health care needs of the American population in a diversified range of environments; and,

WHEREAS, The American Society of PeriAnesthesia Nurses, as the representative for the perianesthesia nurses of this country, strives to advance nursing practice through education, research and standards; and,

WHEREAS, perianesthesia nursing has been established as essential in the quality of health care and safety of patients in the hospital and ambulatory surgery settings; and,

WHEREAS, the demand for perianesthesia nurses will only increase due to an aging American population, advances in medicine that are prolonging life, and the vast expansion of home health care services; and,

WHEREAS, the inestimable value of the services and care provided by perianesthesia nurses will remain of paramount importance to the American health care system; and,

WHEREAS, along with the American Society of PeriAnesthesia Nurses (ASPN), the Illinois Society of PeriAnesthesia Nurses (ILSPAN) has declared the week of February 3-9, 2014, as PeriAnesthesia Nurse Awareness Week in recognition of perianesthesia nurses’ steadfast commitment to patient care and the continued advancement of nursing practices; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 3-9, 2014 as PERIANESTHESIA NURSE AWARENESS WEEK in Illinois, in recognition of perianesthesia nurses for their indispensable service to the medical profession, and for their commitment to providing quality care and treatment of patients.
2014-26
EPILEPSY AWARENESS MONTH

WHEREAS, epilepsy is one of the most common neurological conditions, estimated to affect over 3 million people in the United States, and more than 50 million worldwide; and,
WHEREAS, epilepsy is a group of disorders of the central nervous system, specifically the brain characterized by recurrent unprovoked seizures; and,
WHEREAS, seizures occur when the normal electrical balance in the brain is lost, causing the brain’s nerve cells to misfire, either firing when they shouldn’t or not firing when they should. Seizures are the physical effects of these sudden, brief, uncontrolled bursts of abnormal electrical activity; and,
WHEREAS, the type of seizure depends on how many cells fire and which area of the brain is involved. A person that has a seizure may experience an alteration in behavior, consciousness, movement, perception and/or sensation; and,
WHEREAS, one in ten persons will have at least one seizure during his or her lifetime; and,
WHEREAS, the public is often unable to recognize common seizure types, or how to respond with appropriate first aid; and,
WHEREAS, November 2014 is Epilepsy Awareness Month, and was created to bring epilepsy acceptance, awareness and education; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2014 as EPILEPSY AWARENESS MONTH in Illinois, in support of the effort to raise awareness of epilepsy.

Issued by the Governor January 16, 2014.
Filed by the Secretary of State February 10, 2014.

2014-27
MOTORCYCLE AWARENESS MONTH

WHEREAS, Illinois is a national leader in motorcycle education and safety; and,
WHEREAS, sharing a roadway is where motorist awareness starts, the Illinois Department of Transportation urges all motor vehicle drivers to expect to see more motorcyclists, riding in traffic in spring and summer months and to respect that they rightfully enjoy the same access to the roads
as other traffic; and,
WHEREAS, the Illinois Department of Transportation has been conducting the Illinois Cycle Rider Safety Training Program since 1976; and,
WHEREAS, the program is supported by state motorcycle registration fees and has been responsible for training more than 370,000 cyclists; and,
WHEREAS, better rider education, licensing and public awareness lead to safer motorcycling; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as MOTORCYCLE AWARENESS MONTH in Illinois, and encourage all drivers to help keep our roadways safe through proper motorist awareness.

Issued by the Governor January 16, 2014.
Filed by the Secretary of State February 10, 2014.

2014-28
ILLINOIS NURSE ANESTHETISTS WEEK

WHEREAS, Certified Registered Nurse Anesthetists (CRNAs), who safely administer more than 33 million anesthetics nationally to patients each year, are essential to America’s healthcare system; and,
WHEREAS, CRNAs are the primary providers of anesthesia care in rural Illinois, enabling healthcare facilities in these medically underserved areas to offer obstetrical, surgical, and trauma stabilization services. In some states, CRNAs are the sole providers in nearly 100% of the rural hospitals; and,
WHEREAS, CRNAs practice in every setting in which anesthesia is delivered: traditional hospital surgical suites and obstetrical delivery rooms; ambulatory surgical centers; the offices of dentists, podiatrists, ophthalmologists, and plastic surgeons; U.S. Military, Public Health Services, and Veterans Affairs medical facilities; and,
WHEREAS, Nurse Anesthetists have been the main provider of anesthesia care to U.S. military personnel on the front lines since WWI, including current conflicts in the Middle East. Nurses first provided anesthesia to wounded soldiers during the Civil War; and,
WHEREAS, The Illinois Association of Nurse Anesthetists (IANA) is an organization with 1,600 CRNAs providing Illinois residents safe and cost-effective anesthesia care since 1939; and,
WHEREAS, The Illinois Association of Nurse Anesthetists (IANA) is celebrating their 75th anniversary in 2014; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of January 19-25, 2014 as ILLINOIS NURSE
ANESTHETISTS WEEK, and urge all citizens to join me in recognizing these outstanding healthcare professionals for their contributions to the quality of life in our state.

Issued by the Governor January 17, 2014.
Filed by the Secretary of State February 10, 2014.

2014-29
ANTI-CRUELTY SOCIETY DAY

WHEREAS, since its founding in 1899, the Anti-Cruelty Society has been committed to caring for animals in the Chicago community; and,
WHEREAS, the mission of the Anti-Cruelty Society is to build a community of caring by helping pets and educating people; and,
WHEREAS, the Anti-Cruelty Society seeks to provide the best quality animal care through collaboration, excellence, professionalism, leadership, communication, and transparency; and,
WHEREAS, the programs offered by the Anti-Cruelty Society include adoptions, a low/no cost spay/neuter clinic, cruelty investigations and rescue, humane education, dog training classes, and short-term accommodations for emergencies; and,
WHEREAS, since 1999, the Anti-Cruelty Society has found loving permanent homes for more than 40,000 pets, spayed or neutered more than 61,000 animals and taught the importance of caring about animals to more than 225,000 school-aged children and community groups; and,
WHEREAS, the Anti-Cruelty Society is a founding member of the Chicago Animal Shelter Alliance (CASA), which was formed in 2002 by a coalition of Chicago shelters to promote the welfare of animals; and,
WHEREAS, the Anti-Cruelty Society will celebrate its 115th anniversary at an event on March 7, 2014; and,
WHEREAS, this is an excellent opportunity to reflect on the Anti-Cruelty Society’s accomplishments over the past 115 years and to make plans for its future; and,
WHEREAS, the longevity of the Anti-Cruelty Society is a testament to the hard work and commitment of its employees and volunteers; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 7, 2014, as ANTI-CRUELTY SOCIETY DAY in Illinois, in recognition of this organization’s 115th anniversary and dedication to serving animals across Chicago and the Land of Lincoln.

Issued by the Governor January 21, 2014.
Filed by the Secretary of State February 10, 2014.
2014-30
ARTS IN EDUCATION SPRING CELEBRATION MONTHS

WHEREAS, the arts are the personification of beauty in the world and help to preserve our cultural heritage; and,
WHEREAS, arts education, which includes dance, drama, music and visual arts, is an essential part of basic instruction for all students, providing them with a balanced education that will aid in developing their full potential; and,
WHEREAS, the Peoria County Regional Office of Education is committed to the establishment and continuation of school programs that provide students with the opportunity to achieve academic excellence; and,
WHEREAS, the Peoria County Regional Office of Education is committed to supporting the development and promotion of fine and applied arts programs; and,
WHEREAS, the Arts in Education Spring Celebration, winner of several awards, is held at the Peoria County Courthouse Plaza and provides a venue for students in grades pre-Kindergarten through 12 to showcase their works and talents; and,
WHEREAS, the 29th annual Arts in Education Spring Celebration will be held April 14 through May 23, 2014; and,
WHEREAS, the State of Illinois supports events such as the Arts In Education Spring Celebration, and commends the students and teachers who work to bring the beauty of art to this great state; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April and May 2014 as ARTS IN EDUCATION SPRING CELEBRATION MONTHS in Illinois.

Issued by the Governor January 21, 2014.
Filed by the Secretary of State February 10, 2014.

2014-31
FFA WEEK

WHEREAS, agriculture is Illinois’ largest and most productive industry, and is vital to the economic success and future prosperity of our state; and,
WHEREAS, agricultural education helps to prepare students for careers in every aspect of agriculture in order to ensure the continued success of this important industry; and,
WHEREAS, agricultural education prepares over 29,000 Illinois students for careers in agribusiness, agriscience, agricultural technology and
WHEREAS, Future Farmers of America (FFA) is an integral part of the agricultural education program at the elementary and secondary level; and,

WHEREAS, the National FFA Organization is the nation’s largest career and technical student organization; and,

WHEREAS, Illinois Association FFA reaches over 17,000 FFA members and develops their potential for premier leadership, personal growth and career success; and,

WHEREAS, each member of the Illinois Association FFA has demonstrated their interest in the field of agriculture and developed hands-on training in science, business and technology through agricultural education; and,

WHEREAS, the Illinois Association FFA has positively influenced the lives of rural and urban FFA members, parents, educators, and business and community leaders; and,

WHEREAS, more than ninety years of positive FFA influence have benefited over one million Illinois students; and,

WHEREAS, the National FFA Organization has designated a week in February as FFA Week, with the theme “Ignite,” which celebrates more than 90 years of FFA traditions while eagerly sparking passion for the organization’s future; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 15-22, 2014 as FFA WEEK in Illinois, and encourage all citizens to recognize and support agricultural education programs and students in Illinois, and support the ideals of the Illinois Association FFA.

Issued by the Governor January 21, 2014.
Filed by the Secretary of State February 10, 2014.

2014-32

FRED KOREMATSU DAY

WHEREAS, Fred Korematsu, an important civil rights leader in the Asian American community, devoted his life to eradicating racism and seeking justice. His passion for serving others is admirable and provides a wonderful example to the citizens of the Land of Lincoln; and,

WHEREAS, born on January 30, 1919, Fred Korematsu was the third of four sons to Japanese immigrants who ran a floral nursery business in Oakland, California; and,

WHEREAS, throughout his life, Fred Korematsu faced many forms
of discrimination, including being turned away from the U.S. National Guard and U.S. Coast Guard as well as being fired from a welding job due to his Japanese ancestry; and,

WHEREAS, at the age of 23, Fred Korematsu refused to go to the government’s incarceration camps for Japanese Americans. After being arrested and convicted of defying the government’s order, he pursued legal action, eventually appealing his historically significant case, Korematsu v. United States, all the way to the Supreme Court; and,

WHEREAS, despite losing his case in the Supreme Court, with the help of a pro-bono legal team that included the Asian Law Caucus, Fred Korematsu’s case was overturned in 1983 by a federal court in San Francisco, a pivotal moment in civil rights history; and,

WHEREAS, even after his case was overturned, Fred Korematsu remained a committed activist, serving as a member of the National Coalition for Redress and Reparations and speaking at college campuses across the United States; and,

WHEREAS, Fred Korematsu, a trail blazing civil rights leader in the Asian American community, who would also go on to champion the civil rights of Arab Americans and Muslims, is an inspiration to the people of Illinois; and,

WHEREAS, in 1998, Fred Korematsu received the Presidential Medal of Freedom, our nation’s highest civilian recognition, from President Bill Clinton; and,

WHEREAS, in Illinois, we seek to recognize civil rights leaders such as Fred Korematsu, a heroic figure whose tenacity and commitment to making the world a better place must never be forgotten; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 30, 2014, as FRED KOREMATSU DAY in Illinois, in recognition of a remarkable man who lived a life of purpose and action.

Issued by the Governor January 21, 2014.
Filed by the Secretary of State February 10, 2014.

2014-33
WOMEN IN CONSTRUCTION WEEK

WHEREAS, the National Association of Women in Construction (NAWIC) has distinguished itself as the voice of women in the construction industry since 1953; and,

WHEREAS, since its inception, the NAWIC has formed three different chapters throughout the state of Illinois, whose work with community development and educational programs has touched countless
lives in the Land of Lincoln; and,
WHEREAS, based on their core values of “Believe in ourselves as women, persevere with the strength of our convictions, dare to move into new horizons,” the NAWIC has remained dedicated to promoting the employment and advancement of women in the construction industry; and,
WHEREAS, the construction community, represented by the NAWIC, has been a driving force in fostering community development through renovation and beautification projects, promotion of skilled trades careers, and a positive vision for the future of Illinois and the entire United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2-8, 2014, as WOMEN IN CONSTRUCTION WEEK in Illinois and encourage all citizens to raise awareness of the opportunities available for women in construction and to emphasize the growing role of women in the industry.

Issued by the Governor January 21, 2014.
Filed by the Secretary of State February 10, 2014.

2014-34
ILLINOIS ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY

WHEREAS, for many years, the Electric and Telephone Cooperatives of Illinois has sponsored a paid tour of Washington, D.C., for approximately 70 outstanding Illinois high school students; and,
WHEREAS, the selection criteria for students to participate includes essay and youth leadership contests that are sponsored by member cooperatives; and,
WHEREAS, students from Illinois, along with nearly 1,500 contest winners from other states, will have an opportunity to witness their federal government in action during the “Youth to Washington” tour taking place on June 13-20, 2014; and,
WHEREAS, in an effort to provide a broader educational experience for students throughout the state, the Electric and Telephone Cooperatives of Illinois will also sponsor a trip to our state capitol on April 2, 2014 for 275 contest finalists; and,
WHEREAS, these hard-working young men and women are the future of our state and country, and deserve to be commended for their achievements and their desire to learn more about their nation’s governing bodies; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim April 2, 2014 as ILLINOIS ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY in Illinois, and encourage all citizens to support youth programs that assist those interested in learning about the United States government.

Issued by the Governor January 22, 2014.
Filed by the Secretary of State February 10, 2014.

2014-35
MEN'S HEALTH WEEK

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women, with African-American men having the lowest life expectancy; and,

WHEREAS, recognizing and preventing men’s health problems is not just a man’s issue. Because of its impact on wives, mothers, daughters, and sisters, men’s health is truly a family issue; and,

WHEREAS, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will help to reduce rates of mortality from disease, improve overall health, and save health care dollars; and,

WHEREAS, men who are educated about the value of preventative health will be more likely to participate in health screenings; and,

WHEREAS, the Men’s Health Network collaborated with Congress to develop National Men’s Health Week - the week leading up to and including Father’s Day - as a special campaign to help educate men and their families about the importance of positive health attitudes and preventative health practices; and,

WHEREAS, Men’s Health Week will raise awareness of a broad range of men’s health issues, including heart disease, diabetes, prostate, testicular and colon cancer; and,

WHEREAS, all of the citizens of this state are encouraged to recognize the importance of a healthy lifestyle, regular exercise and medical check-ups; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 9-15, 2014 as MEN’S HEALTH WEEK in Illinois, and encourage all citizens to pursue preventative health practices and early detection efforts.

Issued by the Governor January 22, 2014.
Filed by the Secretary of State February 10, 2014.
WHEREAS, on March 28, 1864, a riot broke out between Union Soldiers and Illinois civilians, known as the Copperheads, in Charleston Illinois; and,

WHEREAS, the Copperheads, also known as Peace Democrats, were Illinois citizens who opposed the Civil War and had very strong support in Southern Illinois; and,

WHEREAS, the Charleston Riot occurred at the same courthouse where Abraham Lincoln practiced and in the County in which his father and stepmother resided; and,

WHEREAS, the Charleston Riot was the 2nd deadliest riot in a Union controlled state during the Civil War, leading to the death of six Union soldiers of the 54th Illinois Infantry Company C & G and three Illinois civilians; and,

WHEREAS, more than two dozen citizens were arrested and taken into custody by the U.S. Military as a result of an investigation into the cause of the Riot and a Coles County Grand Jury issued indictments against fourteen of the Copperheads including the elected Sheriff of Coles County and his brother; and,

WHEREAS, on November 4th, 1864, President Abraham Lincoln ordered all Copperheads who participated in the Charleston Riot to be released from military custody at Fort Delaware and none of those arrested or indicted were ever convicted for their participation in the Riot; and,

WHEREAS, 2014 marks the 150th anniversary of the Charleston Riot; and,

WHEREAS, the Charleston Riot Committee will be offering entertainment and presenting commemorative events, special presentations, guest speakers, and a reenactment of the Charleston Riot during the weekend of March 28-30, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 28-30, 2014, as CHARLESTON RIOT DAYS in Illinois, in commemoration of the 150th anniversary of the Charleston Riot, and in remembrance of the lives that were lost.

Issued by the Governor January 23, 2014.

Filed by the Secretary of State February 10, 2014.
2014-37
NATIONAL TRIO DAY

WHEREAS, TRIO programs are an integral part of the education of many disadvantaged students in Illinois and throughout the United States; and,

WHEREAS, TRIO programs, which were established by the federal government in 1965, are educational opportunity programs that help students overcome social, cultural and class barriers to higher education by providing information, counseling, academic instruction, tutoring, support and encouragement; and,

WHEREAS, TRIO programs provide outreach services targeted to assist low-income, first-generation college students, and students with disabilities to progress from middle school to post-baccalaureate programs and enhance their prospects of achieving academic excellence; and

WHEREAS, the TRIO program has a consistent record of successfully increasing college retention and graduation rates for eligible students, by preparing these students with the skills, hope and motivation they need to succeed in college; and

WHEREAS, Illinois’ many TRIO Projects offer services every year that positively impact students on college campuses and in community agencies across Illinois; and,

WHEREAS, every year on the last Saturday of February, high school and college students, teachers, elected officials, TRIO Program Staff, alumni, and participants celebrate the value of TRIO Programs in our communities throughout the nation; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 22, 2014 as NATIONAL TRIO DAY in Illinois, in recognition of the opportunities created by these programs and the positive contributions they make to our educational system.

Issued by the Governor January 23, 2014.
Filed by the Secretary of State February 10, 2014.

2014-38
SAVE ABANDONED BABIES MONTH

WHEREAS, signed into law in August 2001, the Illinois Abandoned Newborn Protection Act allows parents to relinquish a newborn infant to personnel at a local hospital, police station, fire station, or emergency medical facility anonymously and free from prosecution; and,

WHEREAS, signed into law in August 2011, exactly ten years later,
an expansion of this law increased infant safe havens to include college or university police stations or any district headquarters of the Illinois State Police; and,

WHEREAS, relinquished babies then may become custody of the state and are placed in a responsible and nurturing safe haven; and,

WHEREAS, the Illinois Abandoned Newborn Protection Act provides a safe alternative to abandonment for Illinois parents who feel they cannot cope with the responsibility of caring for a newborn baby; and,

WHEREAS, it is the hope of the State of Illinois that as awareness of this Act increases, it will stop the abandonment of newborn infants, a practice that has led to healthy babies being found harmed, deceased or in unsafe places; and,

WHEREAS, since the signing of the Illinois Abandoned Newborn Protection Act, numerous newborn babies have been safely relinquished in Illinois pursuant to this Act, but at the same time, newborn infants continue to be unsafely relinquished; and,

WHEREAS, the Illinois Abandoned Newborn Protection Act is a critical statute in the State of Illinois, as it affords the chance of a better life for abandoned newborn babies, but continued public awareness of the Act is necessary to fulfill the goals of protecting all newborn infants and providing parents with a responsible and safe mechanism to relinquish a newborn infant:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as SAVE ABANDONED BABIES MONTH in Illinois, and encourage all citizens to recognize the importance of protecting abandoned infants and giving them the proper care they deserve.

Issued by the Governor January 23, 2014.
Filed by the Secretary of State February 10, 2014.

2014-39
EARLY HEARING DETECTION AND INTERVENTION DAY

WHEREAS, approximately 180,000 newborn babies will have their hearing screened in Illinois every year; and,

WHEREAS, in Illinois, nearly 500 children will be identified with hearing loss each year; and,

WHEREAS, the Illinois Hearing Screening for Newborns Act, passed in July of 1999, requires all birthing hospitals in the state to implement universal newborn hearing screening and reporting; and,

WHEREAS, the Universal Newborn Hearing Screening program was established to implement and administer the provisions of the Illinois Hearing
WHEREAS, the Illinois Department of Human Services, Illinois Department of Public Health, Division of Specialized Care for Children, Bureau of Early Intervention, hospital personnel, healthcare professionals and community-based organizations work together to ensure that the parents of babies who have a hearing loss receive follow-up diagnostic testing and information regarding communication options and other services for their children; and,

WHEREAS, CHOICES for Parents, sponsors of EHDI Day, are celebrating their 14th anniversary of service to parents; and,

WHEREAS, CHOICES for Parents is grateful to its 22 coalition members and its co-sponsor of EHDI Day, the Illinois EHDI Program; and,

WHEREAS, the State of Illinois realizes the importance of universal newborn hearing screening and its impact on the lives of our children as well as their families and communities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 14, 2014 as EARLY HEARING DETECTION AND INTERVENTION DAY in Illinois, in order to create awareness for the importance of early hearing detection and intervention so that babies who have a hearing loss will receive early intervention services in a timely fashion.

Issued by the Governor January 27, 2014.
Filed by the Secretary of State February 10, 2014.

2014-40
ICE SAFETY AWARENESS MONTH

WHEREAS, the winter season brings with it the joy of winter sports and cold weather activities; and,

WHEREAS, while these activities are enjoyable, not taking the proper safety precautions when recreating around iced-covered bodies of water can cause injury, and even death; and,

WHEREAS, ice safety and education is vital to ensuring the protection of all people during the winter months; and,

WHEREAS, on February 19, 2010, Kadin Baxmeyer was celebrating his 7th birthday with his friend Austin at his home, when the two boys fell through a frozen pond near the family farm; and,

WHEREAS, in an attempt to save the boys, Kadin’s mother, Kathy Kohler-Baxmeyer, jumped in to rescue them from the frigid water. All three lost their lives that day; and,

WHEREAS, friends and family of Kadin, Kathy and Austin created
a program out of their shared tragedy, Project SKiPeR, in order to teach schoolchildren in Illinois about the dangers of ice-covered bodies of water; and,

WHEREAS, Project SKiPeR’s curriculum is based on an ice rescue and awareness program taught by the United States Navy SEALs to sportsmen so they recognize and survive an ice-related danger; and,

WHEREAS, because it is impossible to judge the strength of ice solely by its appearance, age, thickness, temperature, or whether or not it is covered by snow, it is important to understand that there is no such thing as safe ice; and,

WHEREAS, Project SKiPpEeR teaches individuals who may find themselves in an ice-related accident to Stay calm, Kick, Pull themselves onto the ice and Roll away; and,

WHEREAS, each year many people across the country fall through ice-covered bodies of water and drown, but education significantly helps minimize the risk of ice-related fatalities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2014 as ICE SAFETY AWARENESS MONTH, and encourage all residents of the Land of Lincoln to “See Ice, Think Twice”.

Issued by the Governor January 27, 2014.
Filed by the Secretary of State February 10, 2014.

2014-41

ILLINOIS POISON PREVENTION MONTH

WHEREAS, all citizens of Illinois should be made aware of the ever-present dangers posed by potentially poisonous household substances; and,

WHEREAS, children too often have access to over the counter and prescription medications and potentially toxic household products; and,

WHEREAS, over the past 50 years, the nation has been observing National Poison Prevention Week to help prevent accidental poisonings and provide tips for promoting community involvement in poison prevention; and,

WHEREAS, the Illinois Poison Center has been providing timely poison prevention and treatment services to the people of Illinois for over 60 years as the oldest and one of the largest poison centers in the nation; and,

WHEREAS, the Illinois Poison Center is a mainstay in the emergency medical care system of the State of Illinois and is recognized nationally for its contributions to poison treatment and prevention; and,

WHEREAS, 50 percent of the more than 80,000 poisonings reported last year to the Illinois Poison Center involved children under the age of five
and could have been prevented; and,

WHEREAS, the Illinois Poison Center manages approximately 90 percent of cases from the general public at home, saving the State of Illinois over $52 million in reduced health care and lost productivity costs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2014 as ILLINOIS POISON PREVENTION MONTH in Illinois, and encourage all citizens to learn more about the Illinois Poison Center’s prevention programs that alert citizens on the continuous problem of accidental poisonings and steps that can be taken to create healthy and safe home, play and work environments.

Issued by the Governor January 27, 2014.
Filed by the Secretary of State February 10, 2014.

2014-42
PREECLAMPSIA AWARENESS DAY

WHEREAS, preeclampsia is a dangerous condition of pregnancy that can, in its severest form, lead to maternal and/or infant mortality or premature birth with significant health risks for the mother and baby; and,

WHEREAS, more than 350,000 cases of preeclampsia are diagnosed in America every year with 25% classified as severe; and,

WHEREAS, every 6 minutes of every day in America, a pregnant woman and her baby face life threatening consequences because of preeclampsia; and,

WHEREAS, globally, preeclampsia and other hypertensive disorders of pregnancy are a leading cause of maternal and infant illness and death, with conservative estimates claiming that these disorders are responsible for 76,000 maternal and 500,000 infant deaths each year; and,

WHEREAS, public awareness of the symptoms of preeclampsia (spikes in maternal blood pressure, sudden swelling of face, feet, and hands, severe upper abdominal pain, and blurred vision) can help women recognize the condition and seek appropriate medical care; and,

WHEREAS, many citizens of Illinois have joined with the Preeclampsia Foundation to raise public awareness in order to minimize maternal and infant illness and death due to preeclampsia; and,

WHEREAS, along with the Preeclampsia Foundation, the State of Illinois envisions a world where preeclampsia no longer threatens the lives of mothers and babies; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 18, 2014, as PREECLAMPSIA AWARENESS DAY and applaud the Preeclampsia Foundation’s mission to reduce maternal and
infant illness and death due to preeclampsia and other hypertensive disorders of pregnancy.

Issued by the Governor January 27, 2014.
Filed by the Secretary of State February 10, 2014.

2014-43
THE BAND CHICAGO DAY

WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,
WHEREAS, in 1967, Chicago musicians Walter Parazaider, Terry Kath, Danny Seraphine, Lee Loughnane, James Pankow, Robert Lamm, and Peter Cetera formed the band Chicago; and,
WHEREAS, Chicago would go on to become one of the most successful American rock bands of all time; and,
WHEREAS, Chicago has sold over 100,000,000 records and produced 21 top 10 singles, 11 number 1 singles, and 5 consecutive number 1 albums; and,
WHEREAS, Chicago’s Number 1 Albums are Chicago V, Chicago VI, Chicago VII, Chicago VIII, and their Greatest Hits; and,
WHEREAS, Chicago’s number 1 singles include “If You Leave Me Now,” “Hard to Say I’m Sorry,” “Look Away,” “Beginnings,” “Call on Me,” and “Here in My Heart”; and,
WHEREAS, Chicago is the first American band to chart Top 40 albums in 5 decades; and,
WHEREAS, 25 of Chicago’s 34 albums have been certified platinum; and,
WHEREAS, throughout their illustrious career, Chicago has performed at many important venues including Ford’s Theater, the Capitol Building, the JFK Center for Performing Arts, and the Chicago Symphony; and,
WHEREAS, Chicago has won the American Music Awards’ Favorite Rock Group (1977 and 1986), been selected as a Billboard Magazine Top 100 artists of all time, and won the People’s Choice Award for Favorite Musical Group (1975); and,
WHEREAS, at a ceremony on July 23, 1992, Chicago was honored with a star on the Hollywood Walk of Fame; and,
WHEREAS, despite enjoying tremendous success, Chicago has remained loyal to the people of Illinois and dedicated to serving others; and,
WHEREAS, Chicago will play a free benefit concert on January 29, 2014, at Bloomington’s U.S. Cellular Coliseum to raise money for tornado
recovery efforts in Illinois, especially for the hard-hit counties of Champaign, Douglas, Fayette, Grundy, Jasper, LaSalle, Massac, Pope, Tazewell, Vermilion, Wabash, Washington, Wayne, Will, and Woodford; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare January 29, 2014, as THE BAND CHICAGO DAY, in recognition of their impressive success in the music industry, and in support of their efforts to help tornado victims.

Issued by the Governor January 27, 2014.
Filed by the Secretary of State February 10, 2014.

2014-44
YOUTH ART MONTH

WHEREAS, the study of art leads to a fuller, more meaningful life; and,

WHEREAS, art education in the State of Illinois contributes educational benefits to all elementary, middle, and secondary students; and,

WHEREAS, art education teaches students sensitivity to beauty, order, and other expressive qualities; and,

WHEREAS, art education gives students a deeper understanding of multi-cultural values and beliefs, while also bringing to life what is learned in other subjects; and,

WHEREAS, the problem solving skills promoted through art education lead to creative thinking; and,

WHEREAS, our nation’s leaders have acknowledged the necessity of including arts experiences in all students’ education; and,

WHEREAS, the National Art Education Association, in conjunction with the Illinois Art Education Association, is striving to better the human condition by upgrading visual awareness and the cultural strength of Illinois and the United States as a whole; and,

WHEREAS, the citizens of Illinois have joined the National Art Education Association and the Illinois Art Education Association in supporting the youth of our community in their artistic development; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2014 as YOUTH ART MONTH in Illinois, and urge all citizens to give their full support to quality school art programs for children and youth.

Issued by the Governor January 27, 2014.
Filed by the Secretary of State February 10, 2014.
2014-45
ILLINOIS ARTS EDUCATION WEEK

WHEREAS, the State of Illinois recognizes that arts education, which includes dance, drama, music, and visual arts, is an essential part of basic education for all students, providing them with a balanced education that will aid in developing their full potential; and,

WHEREAS, the arts enrich the lives of children in Illinois and throughout the country by helping them to develop creative ability, self-expression, self-reflection, cognitive skills, discipline, a heightened appreciation of beauty and cross-cultural understanding; and,

WHEREAS, experience in the arts develops insights and abilities central to the experience of life; and,

WHEREAS, the arts are collectively an important repository of our culture; and,

WHEREAS, many national and state professional education associations hold celebrations in the month of March focused on students’ participation in the arts; and,

WHEREAS, these celebrations give Illinois schools a unique opportunity to focus on the value of the arts for all students, to foster cross-cultural understanding, to recognize the state’s outstanding young artists, to focus on careers in the arts available to Illinois students, and to enhance public support for this important part of their curriculum; and,

WHEREAS, the fine arts are a significant component of students’ educational development, teaching them the language and production of the arts, and helping them understand the role of the arts in civilizations, past and present; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 17-23, 2014, as ILLINOIS ARTS EDUCATION WEEK and encourage all citizens to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

Issued by the Governor January 28, 2014.
Filed by the Secretary of State February 10, 2014.

2014-46
DEMOLAY MONTH

WHEREAS, DeMolay is an organization dedicated to preparing young men to lead successful, happy and productive lives; and,

WHEREAS, this organization creates opportunities for young men
aged 12 to 21 by promoting practical hands on experience that develop civic awareness, personal responsibility and leadership skills which are so vitally needed in society today; and,

WHEREAS, with more than 1,000 chapters worldwide, DeMolay successfully balances their serious mission with a fun, motivational approach that builds important bonds of friendship and camaraderie among participating members; and

WHEREAS, some of the most notable DeMolay alumni include Walt Disney, John Wayne, Walter Cronkite, football Hall-of-Famer Fran Tarkenton, legendary Nebraska football coach Tom Osborne, news anchor David Goodnow and many others; and,

WHEREAS, DeMolay is a socially conscious organization that promotes important values of hard work and dedication to young men across the Land of Lincoln and beyond; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2014 as DEMOLAY MONTH in Illinois, and call for public attention to the notable contributions and the wholesome development of young men throughout America.

Issued by the Governor January 29, 2014.
Filed by the Secretary of State February 10, 2014.

2014-47
RETHINK YOUR DRINK MONTH

WHEREAS, over the past thirty years, the obesity rate in the United States has substantially increased. The prevalence of adult obesity has more than doubled during that time; and,

WHEREAS, for children, the increase in obesity has been even more dramatic, with the obesity rate among children ages 6-11 more than quadrupling over the last four decades; and,

WHEREAS, obese children are at least twice as likely as non-obese children to become obese adults. Research indicates that the likelihood of an obese child becoming an obese adult increases with age; adolescents who are obese have a greater likelihood of being obese in adulthood, as compared to younger children; and,

WHEREAS, the obesity epidemic has led to a dramatic increase in obesity-related health conditions, such as Type 2 diabetes, asthma, and heart disease. These health conditions costs the nation billions of dollars in health care costs and lost productivity; and,

WHEREAS, numerous studies have established a link between obesity and consumption of sweetened beverages such as soft drinks, energy
drinks, sweet teas and sports drinks; and,

WHEREAS, sugar-sweetened beverages are the number one source of added sugar in the American diet (46% of added sugars). A study between 1999 and 2004 showed that children and adolescents consumed 10-15% of their daily caloric intake from sweetened beverages; and,

WHEREAS, the American Heart Association recommends that women consume no more than 5 teaspoons of added sugar per day and men consume no more than 9 teaspoons of added sugar per day; and,

WHEREAS, research has found that consumption of sugar-sweetened beverages increases adults’ risk of becoming obese by 27% and risk of developing type 2 diabetes by 26%. One study found that the chance of a child becoming obese was increased by 60% with each additional 12-ounce serving of soda each day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare February 2014 as RETHINK YOUR DRINK MONTH in Illinois to encourage Illinoisans to limit their sugary beverage consumption and choose healthier options, like water throughout the month.

Issued by the Governor January 29, 2014.
Filed by the Secretary of State February 10, 2014.

2014-48
SAINT MARK’S PROTESTANT EPISCOPAL CHURCH DAY

WHEREAS, on April 25, 1864, Saint Mark’s Day, Saint Mark’s Protestant Episcopal Church was founded; and,

WHEREAS, Saint Mark’s Protestant Episcopal Church is the oldest Episcopal church on the North Shore and the founding church of Saint Matthew’s, Saint Luke’s, and Saint Augustine’s; and,

WHEREAS, Saint Mark’s Protestant Episcopal Church is located in Evanston in the Historic Ridge District; and,

WHEREAS, Saint Mark’s Protestant Episcopal Church is listed in the National Register of Historic Places; and,

WHEREAS, under the guidance of The Second Century Committee, in order “to restore what is essential and to add what is good,” the restoration of the church’s sanctuary began in 1994 and was completed in 2006; and,

WHEREAS, as the church celebrates one hundred and fifty years, its motto is “Being in Place…Growing in Faith…Living from the Center”; and,

WHEREAS, Debra Bullock currently serves as the 18th rector of Saint Mark’s Protestant Episcopal Church; and,

WHEREAS, The Reverend Debra Bullock, Rector, and The Reverend Joan Barr Smith, Deacon, serve as the present clergy of Saint Mark’s
Protestant Episcopal Church; and,

WHEREAS, on Saint Mark’s Day in 2014, Saint Mark’s Protestant Episcopal Church will be celebrating its Sesquicentennial 150th anniversary; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 25, 2014, as SAINT MARK’S PROTESTANT EPISCOPAL CHURCH DAY in Illinois, and encourage all citizens to join in celebrating the accomplishments and service of this remarkable church.

Issued by the Governor January 29, 2014.

Filed by the Secretary of State February 10, 2014.

2014-49

COURT REPORTING AND CAPTIONING WEEK

WHEREAS, as a highly technical career field, stenographic court reporting and captioning require a blend of skills, knowledge, and hard work; and,

WHEREAS, due to its flexibility and significant income potential, court reporting is consistently ranked as one of the top career choices; and,

WHEREAS, stenographic skills are transferable to a variety of careers including court reporting, live-event captioning for the deaf and hard-of-hearing community, and captioning for broadcast and specialized videography; and,

WHEREAS, Forbes has named court reporting as one of the best career options that does not require a four-year degree, and the U.S. Bureau of Labor Statistics reports that the court reporting field is supposed to grow by more than 5 percent in the coming years; and,

WHEREAS, for over 100 years, The National Court Reporters Association has been internationally recognized for promoting excellence among those who capture and convert the spoken word to text; and,

WHEREAS, members of the National Court Reporters Association have contributed greatly to their communities by volunteering their time and professional skills to capture the oral histories of America’s disabled veterans; and,

WHEREAS, National Court Reporting and Captioning Week will be marked with educational events nationwide, including a grassroots social media campaign, presentations at high schools across the country about court reporting and captioning career opportunities, and community demonstrations such as producing transcripts of veterans’ oral histories; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 16-22, 2014 as COURT REPORTING AND
CAPTIONING WEEK in Illinois, in recognition of the dedication and professionalism of those working in stenographic court reporting and captioning.

Issued by the Governor January 30, 2014.
Filed by the Secretary of State February 10, 2014.

2014-50
EPENDYMOMA AWARENESS DAY

WHEREAS, ependymoma is a tumor that occurs in the central nervous system of the body. It typically is present in children intracranially and in the spine of adults; and,

WHEREAS, ependymoma accounts for 2–3% of all brain tumors and is the fourth most common brain tumor in children; and,

WHEREAS, adult and pediatric cancers are often thought of and treated separately, however, a collaborative group of scientists and health care providers have joined together to improve the diagnosis, treatment and lives of people living with ependymoma; and,

WHEREAS, these varied practitioners are dedicated to the highest standards of professionalism and maintain these standards through education, and ongoing clinical research and a personal commitment to improve the lives of people living with ependymoma; and,

WHEREAS, people of all ages seek information to improve the diagnosis, treatment, and survival of this tumor which impacts their lives; and,

WHEREAS, it is vital that those with ependymoma, their families, and health care providers understand the full realm of available treatments and seek competent and professional care; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 10, 2014 to be EPENDYMOMA AWARENESS DAY in Illinois, and encourage all citizens to educate themselves on ependymoma and to support improvements in treatment and the quality of life for those afflicted with this disease.

Issued by the Governor January 30, 2014.
Filed by the Secretary of State February 10, 2014.

2014-51
FLAGS AT HALF - STAFF IN HONOR AND REMEMBERANCE OF MR. VINCENT PETRELLA

WHEREAS, citizens owe a tremendous debt of gratitude to the men
and women of the Illinois Tollway who selflessly work to aid drivers and keep our roadways safe; and,
  WHEREAS, every day these men and women face risks and often put their safety on the line to perform their duties; and,
  WHEREAS, on January 27, 2014, Illinois Tollway Equipment Operator Laborer Vincent Petrella was tragically taken from us at the age of 39 while helping a driver whose truck was disabled along the Reagan Memorial Tollway in Aurora, Illinois; and,
  WHEREAS, Mr. Vincent Petrella was a native of Chicago, Illinois, who joined the Tollway in 2001 and became an equipment operator laborer in 2005, taking on roadway duties that included assisting stranded drivers; and,
  WHEREAS, Mr. Vincent Petrella was a respected Tollway employee, a resident of Wheeling and a loving husband, father, son and brother who will always be remembered for the countless lives that he touched; and,
  WHEREAS, throughout his career Mr. Vincent Petrella represented the Illinois Tollway admirably; and,
  WHEREAS, a funeral service will be held on Tuesday, February 4, 2014, for Mr. Vincent Petrella, who is survived by his wife, two children, his parents, a sister, as well as many other loving relatives and friends; and,
  THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Sunday, February 2, 2014 until sunset on Tuesday, February 4, 2014 in honor and remembrance of Mr. Vincent Petrella, whose selfless service, hard work and sacrifice is an inspiration.

Issued by the Governor January 30, 2014.
Filed by the Secretary of State February 10, 2014.

2014-52
NATIONAL BLACK HIV/AIDS AWARENESS DAY

WHEREAS, February 7, 2014, is the 15th annual commemoration and observance of National Black HIV/AIDS Awareness Day; and,
  WHEREAS, this observance is a nationwide effort to mobilize black communities to get educated, get tested, get involved and get treated around HIV/AIDS, as it continues to devastate black communities; and,
  WHEREAS, Illinois has the sixth highest number of diagnosed HIV infections, and is sixth nationwide in the estimated number of AIDS cases; and,
  WHEREAS, there are 34,422 Illinois residents living with HIV, of
which 48 percent are black; and,

WHEREAS, African-American men have the highest number of HIV/AIDS cases among all racial/ethnic groups in Illinois, with 34 percent of all reported HIV cases; and,

WHEREAS, African-American women make up 14 percent of all reported HIV/AIDS cases among females in Illinois; and,

WHEREAS, the Illinois Department of Public Health, Center for Minority Health Services, and its community partners are hosting community events throughout the state to recognize this day and its importance to blacks and all concerned citizens; and,

WHEREAS, it is fitting that we join with local, national and international community stakeholders to express our strong support for National Black HIV/AIDS Awareness Day and the initiatives that work to prevent the transmission of HIV and reduce AIDS diagnoses in black communities and provide access to and utilization of HIV/AIDS prevention, treatment and support services to those affected by HIV/AIDS; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby designate February 7, 2014, as NATIONAL BLACK HIV/AIDS AWARENESS DAY in Illinois, and encourage all residents to strongly support this day and participate in events planned to commemorate the occasion.

Issued by the Governor January 30, 2014.
Filed by the Secretary of State February 10, 2014.

2014-53
FAIR HOUSING MONTH

WHEREAS, April 11, 2014 marks the 46th anniversary of the passage of the U.S. Fair Housing Act, which enunciated a national policy of fair housing and today bars discrimination based on race, color, religion, national origin, sex, familial status or disability; and,

WHEREAS, this year also marks the 35th anniversary of the Illinois Human Rights Act, which bars discrimination in housing based on race, color, religion, national origin, sex (including sexual harassment), physical or mental disability, familial status, age (40 and over), ancestry, marital status, disability, military status, unfavorable discharge from military service, sexual orientation (including gender-related identity), or order of protection status; and,

WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness; and,
WHEREAS, decent, safe and affordable housing is part of the American dream and a right of all Illinois residents; and,
WHEREAS, economic stability, community health and human relations in all communities of the State of Illinois are improved by diversity and integration; and,
WHEREAS, stable, integrated and balanced residential patterns are threatened by discriminatory acts and unlawful housing practices that result in segregation of residents and opportunities in Illinois communities; and,
WHEREAS, the talents of grassroots and non-profit organizations, housing service providers, housing professionals, financial institutions, elected officials, state agencies and others must be combined to promote and preserve integration, fair housing and equal opportunity; and address the immense challenge of ensuring that every person in Illinois has access to affordable housing; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as FAIR HOUSING MONTH in Illinois in commemoration of the signing of the U.S. Fair Housing Act and the Illinois Human Rights Act, as well as to promote integration and equal housing opportunities for everyone and urge all Illinois residents to embrace diversity, recognize the importance of equal opportunity in housing, and to promote appropriate activities by private and public entities intended to provide or advocate for integration and affordable equal housing opportunities for all residents and prospective residents of the State of Illinois.

Issued by the Governor January 31, 2014.
Filed by the Secretary of State February 10, 2014.

2014-54
NATIONAL SCHOOL COUNSELING WEEK

WHEREAS, professional school counselors are employed in a variety of school district settings, including private and public, rural, suburban, and urban, and are involved in many different organizations, including, but not limited to, the Illinois School Counselor Association; and,
WHEREAS, school counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and,
WHEREAS, school counselors help parents focus on ways to further the educational, personal, and social growth of their children; and,
WHEREAS, school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and,
WHEREAS, school counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and,

WHEREAS, comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school; and,

WHEREAS, it is appropriate that professional school counselors be honored for their unmatched contribution to the quality of life in the State of Illinois and our educational system during a week of recognition; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 3-7, 2014, as NATIONAL SCHOOL COUNSELING WEEK in Illinois, in recognition of the contributions of school counselors across the Land of Lincoln.

Issued by the Governor January 31, 2014.
Filed by the Secretary of State February 24, 2014.

2014-55
WATER AND WASTEWATER OPERATOR’S WEEK

WHEREAS, promoting public health is critically important to keeping the citizens of the State of Illinois healthy; and,

WHEREAS, the operation of thousands of water and wastewater systems in the State of Illinois is a vital cog in the mission of public health; and,

WHEREAS, wastewater operator’s safeguard the health of the public, the quality of the environment, and the financial investment of wastewater facilities; and,

WHEREAS, water and wastewater treatment systems protect public health and the environment only if they are being accurately operated and maintained by a knowledgeable wastewater operator; and,

WHEREAS, there are nearly 6,200 of these individuals in the State of Illinois as well as a vast support network of professionals who tirelessly work daily to keep the State’s potable water and waterway’s safe; and,

WHEREAS, this industry which has its roots in the 19th century and is constantly evolving to meet environmental challenges and regulatory requirements is vital to the citizens of the State of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim March 17-23 as WATER AND WASTEWATER OPERATOR’S WEEK in Illinois, and urge all Illinoisans to be aware of the important role of water and wastewater Operators in our daily life.
WHEREAS, our state’s continuing efforts to address the critical issues of safety, energy efficiency, water conservation and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and,

WHEREAS, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and,

WHEREAS, these guardians develop and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship and play; and,

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires and earthquakes; and,

WHEREAS, Building Safety Month reminds the public about the critical role of our communities’ largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings; and,

WHEREAS, “Building Safety Month: Maximizing Resilience, Minimizing Risks” is the theme for Building Safety Month and encourages all Americans to raise awareness of the importance of building safety; green and sustainable building; pool, spa and hot tub safety and new technologies in the construction industry; and,

WHEREAS, Building Safety Month 2014 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and,

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments
and federal agencies in protecting lives and property; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as BUILDING SAFETY MONTH in Illinois, and encourage all citizens to join with their communities in participation in Building Safety Month activities.

Issued by the Governor February 3, 2014.
Filed by the Secretary of State February 24, 2014.

2014-57
THE FEDERATION GUERRERENSES FOUNDATION DAY

WHEREAS, Guerrero, the location where the Mexican flag was born, is a state in Mexico and its capital city is Chilpancingo; and,

WHEREAS, Mexican Americans, including those from Guerrero, have made vast economic and cultural contributions to the Land of Lincoln; and,

WHEREAS, located in Chicago, Illinois, The Federation Guerrerenses is a civil association of more than 30 clubs and other groups originating from various regions of the State of Guerrero; and,

WHEREAS, Guerrero organizations based in Chicago began organizing in 1980 to raise funds for community projects; and,

WHEREAS, though many Guerrero clubs had developed partnerships over the years, in 1994 The Federation Guerrerenses was formed to build stronger links between these clubs; and,

WHEREAS, the objective of The Federation Guerrerenses is to provide its member clubs with opportunities to support each other and help the people of Guerrero; and,

WHEREAS, in 1981, Guerrero groups in Chicago began working with the government of Guerrero on numerous projects such as building the road Xonacatla in Cocula Township; and,

WHEREAS, in 1996, the then governor of Guerrero, Francisco Ruiz Massieu, noted the existence of The Federation Guerrerenses; and,

WHEREAS, The Federation Guerrerenses’ efforts to improve the lives of the people of Guerrero is admirable and worthy of recognition; and,

THEREFORE, I, Pat Quinn Governor of the State of Illinois, do hereby proclaim February 14, 2014, as THE FEDERATION GUERRERENSES FOUNDATION DAY in Illinois, in support of this organization’s dedication to serving others and commitment to Guerrero.

Issued by the Governor February 3, 2014.
Filed by the Secretary of State February 24, 2014.
2014-58

JAPANESE EARTHQUAKE COMMEMORATION DAY

WHEREAS, natural disasters such as earthquakes, windstorms, and floods can strike anywhere on earth, often without warning. These events are usually triggered by environmental factors that cause devastating humanitarian, physiological and economic hardships to affected nations; and,

WHEREAS, on March 11, 2011, the strongest earthquake in Japanese recorded history struck off its northeastern coast. The massive tsunami wave triggered by the impact left a trail of debris among the cities and villages along the 2,100 kilometer stretch of coastline; and,

WHEREAS, families and friends were lost, homes destroyed and whole towns vanished instantly as the huge tsunami caused unimaginable damage to Japan’s East Pacific Ocean front. This disastrous spectacle caused irreparable damage in the hearts and minds of the people, leaving behind a death toll of over 15,000 with another 5,000 missing; and,

WHEREAS, the Osaka Committee of Chicago Sister Cities International and Japan Society of Chicago will be hosting a Japan Earthquake Photography Exhibition, through the generous cooperation of Nikkei, Inc., the leading Japanese business newspaper, that reflects on the immediate aftermath of the earthquake and tsunami, and ongoing recovery efforts; and,

WHEREAS, the Japan Earthquake Photography Exhibition is a reminder of the lives of those lost during this tragedy as well as a celebration of the bravery of first responders whose efforts saved many lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 11, 2014 as JAPANESE EARTHQUAKE COMMEMORATION DAY in Illinois, in memory of the people of Japan and their courage in facing a natural disaster of great magnitude.

Issued by the Governor February 4, 2014.
Filed by the Secretary of State February 24, 2014.

2014-59

COALITION FOR THE REMEMBRANCE OF ELIJAH MUHAMMAD DAY

WHEREAS, the Coalition for the Remembrance of Elijah Muhammad (C.R.O.E.) was founded in 1987 by Halif Muhammad, Shahid Muslim and Munir Muhammad; and,

WHEREAS, the founders of C.R.O.E. built an “Institution of Higher Learning,” where Muslims could learn about the history of the Nation of
WHEREAS, C.R.O.E. TV Productions was established in 1994 by Executive Producer and Host Munir Muhammad to provide a forum for dialogue to increase community awareness; and,

WHEREAS, C.R.O.E. TV Productions is continuing to expand its technological capabilities in order to provide its viewers with the most current information; and,

WHEREAS, the Coalition for the Remembrance of Elijah Muhammad continues to be an important voice in the African-American community and among the general public; and,

WHEREAS, through its programs and services, C.R.O.E. has demonstrated a strong commitment to serving others and improving communities; and,

WHEREAS, C.R.O.E. is celebrating its 27th Annual Founders’ Day on February 9, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 9, 2014 as COALITION FOR THE REMEMBERANCE OF ELIJAH MUHAMMAD DAY in Illinois, in honor of Founders’ Day and in recognition of this organization’s years of service to others.

Issued by the Governor February 5, 2014.
Filed by the Secretary of State February 24, 2014.

2014-60
DAY OF REMEMBRANCE

WHEREAS, on February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which resulted in the forced removal and incarceration of over 120,000 persons of Japanese ancestry, most of them United States citizens, in federal detention camps scattered throughout the West; and,

WHEREAS, these Japanese Americans were assumed guilty of being disloyal solely on the basis of their race; and,

WHEREAS, in addition to property losses, there were immeasurable damages suffered, such as the loss of individual freedom, the loss of personal human dignity, the loss of income and disruption of careers and education, as well as the psychological trauma of having been innocent victims for several years; and,

WHEREAS, no charge of wrongdoing was ever filed against any Japanese American residing in the security zone; and,

WHEREAS, Japanese Americans volunteered to serve in the 100th
Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service, and demonstrated exemplary heroism and courage while becoming a highly decorated unit in the U.S. Army; and,

WHEREAS, nearly forty years after the United States Supreme Court decisions upholding the convictions of Fred Korematsu, Minoru Yasui and Gordon Hirabayashi for violations of curfew and Executive Order 9066, it was discovered that officials from the United State Department of Justice had altered and destroyed evidence regarding the loyalty of Japanese Americans and resident aliens of Japanese ancestry as well as withheld information from the United States Supreme Court; and,

WHEREAS, on August 10, 1988, President Ronald Reagan signed into law the Civil Liberties Act of 1988, finding that Executive Order 9066 was not justified by national security and that the broad causes were wartime hysteria, race prejudice, and a failure of political leadership; and,

WHEREAS, February 19, 2014, marks the 72nd commemoration of the signing of Executive Order 9066, initiating a grave injustice to Japanese Americans, who, without individual review or any probative evidence against them, were excluded, removed and detained by the United States during World War II; and,

WHEREAS, the Chicago History Museum will host a Day of Remembrance program on February 16, 2014; and,

WHEREAS, this annual Day of Remembrance is a reminder of the continued need to be vigilant about protecting our constitutional and civil rights; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 16, 2014, as a DAY OF REMEMBRANCE in Illinois, in order to increase public awareness of the events surrounding the forced removal and incarceration of Japanese Americans during World War II.

Issued by the Governor February 5, 2014.
Filed by the Secretary of State February 24, 2014.

2014-61
NATIONAL NUTRITION MONTH

WHEREAS, good nutrition is essential for growth and development, health and well-being; and
WHEREAS, nutritional factors play a large role in the incidence of preventable illness and premature death, and many diseases are associated with being overweight and obesity; and
WHEREAS, healthy eating in childhood and adolescence is important
for proper growth and development and can prevent health problems such as obesity, dental cavities, iron deficiency, and osteoporosis; and

WHEREAS, educating Illinoisans about health and nutrition is an important part of establishing healthy habits; and

WHEREAS, it is important for the people in Illinois communities to be aware of the existence of community nutrition programs; and

WHEREAS, community nutrition programs are important to the health and wellness of all they serve; and

WHEREAS, March is a time of national recognition and awareness related to improving nutrition habits and knowledge; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2014 as NATIONAL NUTRITION MONTH in Illinois, and encourage all citizens to take an interest in their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

Issued by the Governor February 5, 2014.
Filed by the Secretary of State February 24, 2014.

2014-62
REGISTERED DIETITIAN DAY

WHEREAS, Registered Dietitians are food and nutrition experts who can translate the science of nutrition into practical solutions for healthy living; and,

WHEREAS, Registered Dietitians have received degrees in nutrition, dietetics, public health or a related field from well-respected, accredited colleges and universities, completed an internship and passed an examination; and,

WHEREAS, Registered Dietitians use their nutrition expertise to help individuals make unique, positive lifestyle changes; and,

WHEREAS, Registered Dietitians work throughout the community in hospitals, schools, public health clinics, nursing homes, fitness centers, food management, food industry, universities, research and private practice; and,

WHEREAS, Registered Dietitians are advocates for advancing the nutritional status of Americans and people around the world:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 14, 2014 as REGISTERED DIETITIAN DAY in Illinois, and encourage all citizens to recognize the contributions of Registered Dietitians and express appreciation for their commitment to promoting science-based nutrition in the hope of achieving optimum health.
for both today and tomorrow.

Issued by the Governor February 5, 2014.
Filed by the Secretary of State February 24, 2014.

2014-63
AMBUCS APPRECIATION MONTH

WHEREAS, AMBUCS is a National Organization comprised of local civic clubs located throughout the United States dedicated to creating mobility and independence for people with disabilities, by performing community service, providing AmTryke therapeutic tricycles for individuals with disabilities and providing scholarships for therapists; and,

WHEREAS, there are thirteen AMBUCS Chapters located in the great State of Illinois and devoted to the Mission of National AMBUCS, namely: Cornbelt Bloomington AMBUCS; Champaign-Urbana AMBUCS; Danville AMBUCS; Decatur AMBUCS; Lincolnland Decatur AMBUCS; Jacksonville AMBUCS; Ottawa Ambucks; Pekin AMBUCS; Rockford AMBUCS; Rock River AMBUCS; Springfield AMBUCS; Sullivan AMBUCS; and Greater Champaign County AMBUCS; and,

WHEREAS, the number of AMBUCS actively involved in their local and National AMBUCS Chapters in the great State of Illinois totals 609, with the largest AMBUCS Chapter in the entire National AMBUCS network being the Springfield AMBUCS Chapter, with 205 members and friends; and,

WHEREAS, AMBUCS Chapters and Ambuc individuals throughout the great State of Illinois annually and freely contribute thousands of hours of community service and hundreds of thousands of dollars of monetary gifts to providing AmTrykes to disabled individuals, endowing scholarships for therapy students, building ramps for disabled persons, and countless other deserving local and national projects; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2014 as AMBUCS APPRECIATION MONTH in Illinois, in recognition of the fine accomplishments, unequalled charitable giving, and selfless contributions of the individual Ambucs and AMBUCS Chapters throughout the Land of Lincoln.

Issued by the Governor February 6, 2014.
Filed by the Secretary of State February 24, 2014.

2014-64
LYME DISEASE AWARENESS MONTH

WHEREAS, the bacteria Borrelia burgdorferi is carried by ticks and
causes Lyme Borreliosis, commonly known as Lyme Disease, which is one of the most rapidly growing infectious diseases in the United States; and,
WHEREAS, the number of reported cases of Lyme Disease among residents of Illinois have steadily increased; and,
WHEREAS, despite its growing impact on Illinois residents, the Centers for Disease Control estimates that the majority of cases are misdiagnosed; and,
WHEREAS, Lyme Disease imitates other conditions and no reliable laboratory test currently exists which can confirm the diagnosis, leading it to be frequently misdiagnosed as other diseases; and,
WHEREAS, early indicators of infection include flu-like symptoms which, if left untreated, can develop into serious, permanent and sometimes life-threatening damage to the brain, joints, heart, eyes, liver, spleen, blood vessels and kidneys. For this reason it is imperative that all who develop Lyme Disease receive immediate treatment; and,
WHEREAS, educating people about the severity of the illness and the need to practice prevention techniques when engaging in outdoor activities, such as regular tick checks, use of tick repellents and proper tick removal is the best method of reducing the threat of Lyme Disease; and,
WHEREAS, during the month of May, the Illinois Lyme Disease Network, which serves Lyme survivors and their families, will be sponsoring educational seminars to inform our citizens about Lyme Borreliosis; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as LYME DISEASE AWARENESS MONTH in Illinois, in order to draw attention to this disease and the importance of early diagnosis and treatment.

Issued by the Governor February 6, 2014.
Filed by the Secretary of State February 24, 2014.

2014-65
ORDER SONS OF ITALY/ALZHEIMER’S ASSOCIATION
“PARTNERS IN PROGRESS’ DAY

WHEREAS, the Order Sons of Italy in America (OSIA) was established in the Little Italy neighborhood of New York City on June 22, 1905, by Vincenzo Sellaro, M.D., and five other Italian immigrants who came to the United States during the great Italian migration (1880-1923); and,
WHEREAS, OSIA’s goal was to create a support system for all Italian immigrants that could assist them in becoming U.S. citizens and provide health/death benefits and educational opportunities; and,
WHEREAS, over the years, OSIA has achieved its goal of serving the
public. Not only has this organization established free schools and centers to teach immigrants English and to help them become citizens, it has also instituted orphanages and homes for the elderly, and helped to raise money for those in need; and,

WHEREAS, to date, OSIA members have given millions to educational programs, disaster relief, cultural preservation and promotion and medical research; and,

WHEREAS, the National Council of the Order Sons of Italy in America has adopted Alzheimer’s disease as one of its primary charities, and plans to support this cause by implementing a fund raising campaign throughout the nation; and,

WHEREAS, joining their cause will be the Alzheimer’s Association, a group that provides services and support to Alzheimer’s patients and their families; and,

WHEREAS, on May 17, 2014, OSIA and the Alzheimer’s Association will hold an event to support the over 5 million Americans affected by Alzheimer’s disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 17, 2014 as ORDER SONS OF ITALY/ALZHEIMER’S ASSOCIATION “PARTNERS IN PROGRESS” DAY in Illinois, and encourage all citizens to recognize and aid in the charitable work these organizations carry out for the benefit of others.

Issued by the Governor February 6, 2014.
Filed by the Secretary of State February 24, 2014.

2014-66

CHILD ABUSE PREVENTION MONTH

WHEREAS, children are the embodiment of innocence and hope for the future, and every child deserves to grow up in a nurturing environment, free from harm and fear; and,

WHEREAS, every child is entitled to be loved, cared for, secure, and protected from verbal, sexual, emotional and physical abuse, exploitation, and neglect; and

WHEREAS, child abuse and neglect causes serious harm to child development and has lifelong effects that reduce well-being and productivity and create greater demands on society; and,

WHEREAS, child abuse and neglect can be reduced by making sure every family is safe, secure, and has the support needed to raise their children in a healthy environment; and,

WHEREAS, by providing our children a safe and nurturing
environment, free of domestic violence, abuse, and neglect, we can ensure that children grow to their full potential as leaders, helping to secure the future of this great state and nation; and,

WHEREAS, effective child abuse prevention programs succeed because of strong partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, government entities and the business community; and,

WHEREAS, 1.3 million Illinois families GIVE to charity each year, with an estimated $780 million directed to human services organizations that promote safe, loving homes and brighter futures for kids supported by strong families and communities; and,

WHEREAS, more than one million Illinoisans VOLUNTEER their time each year as tutors, mentors and coaches for youth, supporting families in raising their children in a nurturing, safe environment; and,

WHEREAS, Illinoisans ACT by making over 250,000 calls to the Illinois Child Abuse Hotline each year, by offering a temporary safe haven for more than 14,000 children as foster families, and by providing permanent, loving homes for more than 17,000 children through adoption over the last decade; and,

WHEREAS, thanks to those who fulfill their social responsibility to report suspected abuse or neglect to the Illinois Child Abuse Hotline at (800) 25-ABUSE, the Illinois Department of Children and Family Services receives, investigates and acts on a report of child abuse or neglect every five minutes, child sexual abuse every two hours, and a child death by abuse or neglect every 36 hours; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as CHILD ABUSE PREVENTION MONTH in Illinois, and I encourage all Illinoisans to join their neighbors who GIVE, VOLUNTEER and ACT every day to prevent child abuse and ensure safe, loving homes and brighter futures for all children, ultimately strengthening families and the communities across the state in which we live.

Issued by the Governor February 10, 2014.
Filed by the Secretary of State February 24, 2014.

2014-67
NATIONAL BLACK NURSES DAY

WHEREAS, the depth and extensiveness of the nursing profession meets the diverse and emerging health care needs of the American population in a wide range of settings; and,

WHEREAS, professional nursing is an indispensable component in
the safety and quality care of hospitalized patients; and, 

WHEREAS, currently, there is a nursing shortage in the State of Illinois, as well as across the United States, and therefore it is important that we work to encourage people to take up this noble line of work; and, 

WHEREAS, doctors are serving more patients than ever before because of the decrease of practicing physicians, and nurses provide the necessary support needed to keep their offices functioning and running smoothly; and, 

WHEREAS, in 1988, Congress declared the first Friday of February as National Black Nurses Day to acknowledge all African-American nurses for their contributions to healthcare; and, 

WHEREAS, this year, the City of Chicago’s four African-American nursing associations: the Chicago Chapter of the National Black Nurses’ Association, Beta Mu Chapter of Lambda Pi Alpha Sorority, Alpha Eta Chapter of Chi Eta Phi Nursing Sorority, and Provident Hospital Nurses’ Alumni Association are joining hands to celebrate this day, which falls on February 28th; and, 

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 28, 2014 as NATIONAL BLACK NURSES DAY in Illinois, to promote the nursing profession and recognize all of African-American nurses for their commitment and dedication to the medical profession and to the well-being of their patients.

Issued by the Governor February 10, 2014. 
Filed by the Secretary of State February 24, 2014.

2014-68 ARTHRITIS AWARENESS MONTH

WHEREAS, Arthritis encompasses more than 100 diseases and conditions that affect the joints, tissues surrounding the joints and other organs; and, 

WHEREAS, the most common forms of arthritis include osteoarthritis, rheumatoid arthritis, fibromyalgia, gout, psoriatic arthritis and lupus; and, 

WHEREAS, over 50 million American adults, including over 2.3 million in Illinois, live with the pain and limitations of some form of the disease; and, 

WHEREAS, nearly 300,000 American children, including 13,100 in Illinois, live with arthritis; and, 

WHEREAS, early diagnosis and appropriate management can help people with arthritis decrease pain, improve function, stay productive and
lower health care costs; and,

WHEREAS, the Arthritis Foundation’s Walk to Cure Arthritis will be held in cities across the country to help fight and cure the nation’s leading cause of disability and a principal driver of healthcare costs; and,

WHEREAS, Arthritis Awareness Month is an opportunity to increase awareness of the disease and recognize the importance of seeking appropriate treatment to minimize its disabling impact on daily lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as ARTHRITIS AWARENESS MONTH in Illinois.

Issued by the Governor February 13, 2014.
Filed by the Secretary of State February 24, 2014.

2014-69
FABRY DISEASE AWARENESS MONTH

WHEREAS, Fabry disease is a rare, progressive, destructive, and life-threatening inherited genetic disorder that causes children and adults to suffer a cascade of life-altering symptoms such as pain, inability to perspire, intolerance to heat and exercise, unexplained fevers, chronic gastrointestinal upset, chronic fatigue, anxiety, depression, and excessive school and work absences. It progresses to include hearing loss, lung disease, heart disease, kidney disease, cerebrovascular disease, and other symptoms. It often causes premature death in adults due to heart attacks, strokes and kidney failure; and,

WHEREAS, Fabry disease is caused by deficient activity of the lysosomal enzyme alpha-galactosidase A that causes insufficient breakdown of lipids. Lipids build up to harmful levels in the body causing lysosomal and cellular dysfunction; and,

WHEREAS, there is an approved treatment for Fabry disease that must reach people who know they have Fabry disease as well as thousands of people who have not yet been recognized and diagnosed. Fabry disease is severely under-recognized and misdiagnosed. When diagnosed, it is often too late after irreversible organ damage occurs. Increased physician and family education are critical to increase disease recognition; and,

WHEREAS, the most common estimate of classic Fabry disease incidence is about 1 in 50,000 males. Because of its x-chromosome inheritance pattern, twice as many females are potentially affected but with a random, more varied distribution of disease symptoms than classic males. Further, recent newborn screening studies in other countries and pilot programs in the U.S. suggest there are many times more people with Fabry disease than current incidence rates of classic disease indicate; and,
WHEREAS, an enzyme assay test for males and molecular DNA test for females can confirm Fabry disease. Together, we can raise awareness to fight this tragic but treatable disorder; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April, 2014, as FABRY DISEASE AWARENESS MONTH in Illinois and urge the citizens of this state to learn about Fabry disease and assess their family risk.

Issued by the Governor February 13, 2014.
Filed by the Secretary of State February 24, 2014.

2014-70
LOYALTY DAY

WHEREAS, this nation is kept strong and free by citizens who preserve our precious American heritage through their positive patriotic declarations and actions; and,

WHEREAS, today is a day to commemorate and confirm the values upon which our nation was conceived; and,

WHEREAS, the men and women serving in our military have sacrificed so that liberty can become a reality for the citizens of other nations; and,

WHEREAS, created by the United States Congress on July 18, 1958 through Public Law 85-529, and proclaimed by President Dwight D. Eisenhower on May 1, 1959, Loyalty Day is a legal holiday set aside for the reaffirmation of loyalty to the United States and recognition of the heritage of American Freedom; and,

WHEREAS, marking the 39th anniversary of the Vietnam War, this year’s Loyalty Day is especially significant; and,

WHEREAS as a Nation of immigrants, we are united in the shared ideals of equality, liberty and honor, ideals for which our Armed Forces have defended and shed blood to protect; and,

WHEREAS, every individual, school, church, organization, business establishment and household within the State of Illinois are invited to participate in pledging allegiance to our Flag, Country, and the men and women in uniform, through active participation in patriotic programs being sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary on May 1, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 1, 2014 as LOYALTY DAY in Illinois, and encourage all citizens to join in this worthy observance.

Issued by the Governor February 13, 2014.
2014-71

CHIARI MALFORMATION AWARENESS MONTH

WHEREAS, Chiari Malformation is a serious neurological disorder affecting well over 300,000 people in the United States; and,
WHEREAS, Chiari malformations (CMs) are defects in the cerebellum, the part of the brain that controls balance. They create pressure on the cerebellum and brainstem, which may block the flow of cerebrospinal fluid to and from the brain; and,
WHEREAS, this condition was first identified by Austrian pathologist Professor Hans Chiari in the 1890’s. Professor Chiari categorized the malformations in order of severity: types I, II, III, and IV; and,
WHEREAS, the cause of Chiari I malformations are unknown, but scientists believe it is either a congenital condition caused by exposure to harmful substances during fetal development, or a genetic condition, since it sometimes appears in more than one member of a family; and,
WHEREAS, symptoms usually appear during adolescence or early adulthood and can include severe head and neck pain, vertigo, muscle weakness, balance problems, blurred or double vision, difficulty swallowing and sleep apnea; and,
WHEREAS, the National Institute of Neurological Disorders and Stroke of the National Institutes of Health are conducting research to find alternative surgical options and identify the cause of CMs in order to create improved treatment and prevention plans; and,
WHEREAS, on September 20, Hoffman Estates will hold a walk during the annual Conquer Chiari Walk Across America; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2014 as CHIARI MALFORMATION AWARENESS MONTH in Illinois, to raise awareness of this devastating neurological disorder, and in support of the organizations working to improve the quality of life for those afflicted.

Issued by the Governor February 14, 2014.
Filed by the Secretary of State February 24, 2014.

2014-72

HUNTINGTON’S DISEASE AWARENESS WEEK

WHEREAS, Huntington's disease is a progressive degenerative neurological disease that causes total physical and mental deterioration over
a 12-15 year period; and,
  WHEREAS, currentlly, Huntington's disease affects approximately 30,000 patients and there are more than 250,000 genetically "at risk" individuals in the United States; and,
  WHEREAS, in the State of Illinois, there are over 1,500 families that suffer every day from Huntington’s Disease; and,
  WHEREAS, since the discovery of the gene that causes Huntington's disease in 1939, the pace of research has accelerated; and,
  WHEREAS, although no effective treatment or cure currently exists, scientists and researchers are hopeful that breakthroughs will be forthcoming; and,
  WHEREAS, researchers are conducting important research projects involving Huntington's disease; and,
  WHEREAS, the Huntington’s Disease Society of America (HDSA) dedicates its tireless efforts to advocating for families, educating the public, and providing support and services to affected families living with this disease; and,
  WHEREAS, on May 18, 2014 the Illinois Chapter of HDSA will hold its 10th Annual TEAM HOPE - Walk For A Cure to raise funds for research into a cure or treatment for Huntington’s disease; and,
  THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 18-25, 2014 as HUNTINGTON’S DISEASE AWARENESS WEEK in Illinois, to raise awareness of this devastating disease and in support of the efforts of the Illinois Chapter of the Huntington’s disease Society of America.

Issued by the Governor February 14, 2014.
Filed by the Secretary of State February 24, 2014.

2014-73
INTERNATIONAL MOTHER LANGUAGE DAY

  Whereas, there are over 6,000 languages estimated to be spoken in today’s world. About half of these languages are under threat of disappearing forever; and,
  WHEREAS, the existence of different languages in a culture allows us to gain a different perspective of its history and illuminates the outstanding ability of any culture to create communication; and,
  WHEREAS, in order to recognize Bangladeshi students who made sacrifices to restore their mother language as their state language, International Mother Language Day, which is celebrated on February 21 every year, was launched at the thirtieth session of the General Conference
of UNESCO in 1999; and,

WHEREAS, International Mother Language Day aims to promote linguistic diversity and multilingual education, as well as increase awareness of linguistic cultural traditions based on understanding, tolerance and dialogue; and,

WHEREAS, in the constitution of Bangladesh, adopted in 1972, it is stated, “The Language of the Republic would be Bengali.” In Bangladesh, efforts continue to be made to establish Bengali, the language in which famous poets Rabindranath Tagore and Nazrul Islam wrote, into all walks of life; and,

WHEREAS, the Bangladesh Association of Greater Chicagoland (BAGC) has been a leading force in educating its community and will sponsor a celebration marking the anniversary of International Mother Language Day on February 21, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 21, 2014 as INTERNATIONAL MOTHER LANGUAGE DAY in Illinois, and encourage all citizens to recognize the value that languages have in understanding our shared cultural history.

Issued by the Governor February 14, 2014.
Filed by the Secretary of State February 24, 2014.

2014-74

MS AWARENESS MONTH

WHEREAS, Multiple Sclerosis (MS) is an unpredictable, often disabling, disease of the central nervous system that disrupts the flow of information between an individual's body and brain; and,

WHEREAS, MS affects an estimated 2.5 million people worldwide and 20,000 in Illinois; and,

WHEREAS, MS is the most common neurological disease leading to disability in young adults, often first diagnosed in individuals between the ages of 20-50; and,

WHEREAS, the National MS Society is an organization dedicated to funding cutting-edge research, advocating on behalf of people with the disease, and facilitating programs and services that help those with MS and their families; and,

WHEREAS, in March 2014, the National MS Society will sponsor MS Awareness Month across Metropolitan Chicago and throughout Illinois; and,

WHEREAS, Illinois buildings will join in the observance of MS Awareness Month by lighting their rooftops or marquees orange to support
the movement to end MS; and,

THEREFORE, I, Pat Quinn, Governor of the State Of Illinois, do hereby proclaim March 2014 as MS AWARENESS MONTH in Illinois, and encourage all Illinoisans to recognize the important efforts of the National Multiple Sclerosis Society to diagnose, treat, and manage the disease.

Issued by the Governor February 14, 2014.

Filed by the Secretary of State February 24, 2014.

2014-75
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF MICHAEL HOLMES

WHEREAS, citizens owe a tremendous debt of gratitude to the men and women of the Illinois Department of Transportation who selflessly work to aid drivers and keep our roadways safe; and,

WHEREAS, every day these men and women face risks and often put their safety on the line to perform their duties; and,

WHEREAS, on February 14, 2014, Illinois Department of Transportation snow plow driver Michael Holmes was tragically taken from us at the age of 49 in a two vehicle accident that occurred on IL Route 17; and,

WHEREAS, Michael Holmes of Wyoming, Illinois, was a monthly snowbird worker for the Illinois Department of Transportation and had been with the Department’s winter operations team since 2007; and,

WHEREAS, Michael Holmes was a respected Illinois Department of Transportation employee, and a loving husband, father, grandfather, son and brother who will always be remembered for the countless lives that he touched; and,

WHEREAS, throughout his career, Michael Holmes represented the Illinois Department of Transportation admirably; and,

WHEREAS, a funeral service will be held on Friday, February 21, 2014, for Michael Holmes, who is survived by his wife, two daughters, his mom, and a sister and grandson, as well as many other loving relatives and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Wednesday, February 19, 2014, until sunset on Friday, February 21, 2014, in honor and remembrance of Michael Holmes, whose selfless service, hard work and sacrifice is an inspiration.

Issued by the Governor February 18, 2014.
NATIONAL FOREIGN LANGUAGE WEEK

WHEREAS, Illinois’ greatest strength is its diversity of people and, as home to a thriving multicultural population, it is important for today’s students to have opportunities to become bilingual or multilingual; and,

WHEREAS, the observance of National Foreign Language Week highlights the benefits of foreign language programs and encourages all American youth to broaden their horizons and scope of worldly knowledge by learning a second language so they can better understand and communicate with people of other nationalities and nations; and,

WHEREAS, more than ever, the individuals who make up our workforce need stronger language skills in order to interact with the rest of the world in commerce, diplomacy, science and cultural exchanges, and since the State of Illinois has an ever expanding role in the global marketplace, the business community needs employees who are proficient in languages other than English; and,

WHEREAS, learning one or more languages, in addition to English, is a core part of a strong educational program that helps prepare students for living in a multicultural, multi-lingual world, and reinforces learning in other subject areas; and,

WHEREAS, beginning language study early provides the best opportunities for students to achieve meaningful proficiency and success in learning another language; and,

WHEREAS, the foreign language classroom is the venue where language and culture are intertwined and students gain new levels of appreciation and awareness of the worldwide community, enabling them to communicate and build successful relationships with people from other cultures and countries; and,

WHEREAS, the State of Illinois is proud to join teachers of foreign languages and students who embark on this great global adventure, and furthermore acknowledge those who promote school language programs so that today’s youth can increase their future potential through the ability to speak, understand, read and write in other languages; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 3-9, 2014 as NATIONAL FOREIGN LANGUAGE WEEK in Illinois.

Issued by the Governor February 18, 2014.

Filed by the Secretary of State February 24, 2014.
2014-77
SCHOOL SOCIAL WORK WEEK

WHEREAS, school social workers in the State of Illinois and across the nation serve as vital members of the educational team, playing a central role in creating a positive school climate and vital partnerships between the home, school, and community to ensure student academic success; and,

WHEREAS, school social workers are especially skilled in providing services to students who face serious challenges to school success, including poverty, disability, discrimination, abuse, addiction, bullying, divorce of parents, loss of a loved one, and other barriers to learning; and,

WHEREAS, there is a growing need for local school districts and other educational agencies to address students' emotional, physical, and environmental needs so that they can achieve academic success; and,

WHEREAS, the celebration of “School Social Work Week” during the week of March 2-8, 2014 highlights the vital role school social workers play in the lives of students and families in the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2-8, 2014 as SCHOOL SOCIAL WORK WEEK in Illinois, in recognition of the contributions that social workers make to the lives of students across the State of Illinois.

Issued by the Governor February 18, 2014.
Filed by the Secretary of State February 24, 2014.

2014-78
MOBILITY AWARENESS MONTH

WHEREAS, the people of Illinois will celebrate Mobility Awareness Month in May 2014; and,

WHEREAS, in the United States, 19 percent of the non-institutionalized civilian population aged five and older have some level of disability, representing 54 million people in the nation, with nearly 1.3 million of those citizens residing in Illinois, comprising 10.3 percent of the state’s population; and,

WHEREAS, Illinois has a long history of protecting the rights and liberties of persons with disabilities, going back 32 years to the passage of the Illinois Human Rights Act (December 6, 1979); and,

WHEREAS, the State of Illinois and its agencies remain committed to continuing efforts to ensure that people with disabilities are able to fully participate in employment, transportation, education, communication, and community opportunities; and,
WHEREAS, the National Mobility Equipment Dealers Association, comprised of more than 600 mobility equipment dealers, manufacturers and driver rehabilitation specialists, sponsors Mobility Awareness Month and remains dedicated to expanding opportunities for people with Disabilities; and,

WHEREAS, the observance of National Mobility Awareness Month is designed to promote awareness for increasing independence and the quality of life for people with disabilities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as MOBILITY AWARENESS MONTH in Illinois, and encourage all citizens to reaffirm the principles of equality and inclusion, and do their part to ensure that people with disabilities enjoy access to active, mobile lifestyles.

Issued by the Governor February 19, 2014.
Filed by the Secretary of State February 24, 2014.

NATIONAL DAY OF PRAYER

WHEREAS, in times of peril both at home and abroad, many American citizens turn to prayer for help and guidance; and,
WHEREAS, millions of men and women across the nation gratefully continue the tradition of prayer in churches, synagogues, temples, mosques, and other houses of worship across our country; and,
WHEREAS, established in 1952 by an act of Congress, the National Day of Prayer is now observed nationally every year on the first Thursday in May; and,
WHEREAS, the National Day of Prayer is a celebration of American citizens’ freedom of religion, set forth in the First Amendment. Americans treasure their religious freedom, which embraces the many diverse communities of faith that have infused our society and our cultural heritage over more than two centuries; and,
WHEREAS, in past years, U.S. presidents and governors have signed proclamations designating a National Day of Prayer; and,
WHEREAS, the State of Illinois is pleased to join governors across the nation and President Barack Obama by issuing a proclamation honoring the National Day of Prayer, while continuing to work with communities of faith to improve our state; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 1, 2014 as NATIONAL DAY OF PRAYER in Illinois.
Issued by the Governor February 19, 2014.
NELSON MANDELA DAY OF SERVICE

WHEREAS, Nelson Mandela devoted his life to the advancement of civil rights, ending apartheid in South Africa, and public service. He believed in the ideal of a democratic and free society, and challenged all citizens to help build a more perfect union and live up to the purpose and potential of South Africa; and,

WHEREAS, born into the Madiba clan in Mvezo, Transkei, Nelson Mandela became actively involved in the anti-apartheid movement in his 20s and joined the African National Congress in 1942; and,

WHEREAS, for 20 years, Nelson Mandela coordinated a campaign of non-violent resistance against the South African government and its discriminatory policies; and,

WHEREAS, those who were drawn to the anti-apartheid cause were inspired by Nelson Mandela’s extraordinary example of making sacrifices for the greater good; and,

WHEREAS, after being released from prison, Nelson Mandela continued his activism and was elected as South Africa’s first black president on May 10, 1994, at the age of 77; and,

WHEREAS, International Nelson Mandela Day of Service, which is taking place on July 18th, President Mandela’s birthday, is an opportune time for the people of Illinois to recognize the life and work of Nelson Mandela and a day for everyone to serve others; and,

WHEREAS, thousands of volunteers in cities and towns across the world will be participating in community service projects during this year’s International Nelson Mandela Day of Service; and,

WHEREAS, this day focuses on bringing people together and breaking down the barriers that have divided the people of South Africa; and,

WHEREAS, here in Illinois, we seek to share and celebrate the legacy of Nelson Mandela, a heroic figure whose tenacity and commitment to making the world a better place must never be forgotten; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 18, 2014 as NELSON MANDELA DAY OF SERVICE in Illinois, and urge citizens throughout Illinois to recognize former President Nelson Mandela and put his teachings into action by finding ways to give back to their communities on this day and throughout the year.

Issued by the Governor February 19, 2014.

Filed by the Secretary of State February 24, 2014.
2014-81
POLLINATOR WEEK

WHEREAS, pollinator species such as birds and insects are essential partners of farmers and ranchers in producing much of our food supply; and,
WHEREAS, pollination plays a vital role in the health of our national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources, and recreational opportunities as well as enhanced economic development opportunities for communities; and,
WHEREAS, pollinator species provide significant environmental benefits that are necessary for maintaining healthy, biodiverse ecosystems; and,
WHEREAS, the State of Illinois has managed wildlife habitats and public lands such as Illinois forests and grasslands for decades; and,
WHEREAS, the State of Illinois provides producers with conservation assistance to promote wise conservation stewardship, including the protection and maintenance of pollinators and their habitats on working lands and wildlands; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 16-22, 2014 as POLLINATOR WEEK in Illinois, and I urge all citizens to recognize this observance.

Issued by the Governor February 19, 2014.
Filed by the Secretary of State February 24, 2014.

2014-82
TRIPLE NEGATIVE BREAST CANCER DAY

WHEREAS, Triple Negative Breast Cancer is diagnosed to as many as 20% or 40,000 American women each year with younger women, African Americans and Latinas at highest risk; and,
WHEREAS, additional funding for research is needed to develop a targeted treatment method for Triple Negative Breast Cancer so the less than 30% five year survival rate can increase to the overall five year breast cancer survival rate of almost 90%; and,
WHEREAS, women with Triple Negative Breast Cancer lack receptors to estrogen and progesterone as well as over expression of the HER2 gene that limits treatment options; and,
WHEREAS, Triple Negative Breast Cancer needs to be brought to the forefront of public awareness, and it is important to encourage the basic, translational and clinical research that will lead to better treatment, and ultimately the elimination of this disease that brings so much suffering to
women, to their families and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 3, 2014 as TRIPLE NEGATIVE BREAST CANCER DAY in Illinois, and urge women, the men who love them, researchers, clinicians, employers and policy makers to use this occasion to engage in activities to raise awareness, educate the public and support research into the causes and cures of Triple Negative Breast Cancer.
Issued by the Governor February 19, 2014.
Filed by the Secretary of State March 14, 2014.

2014-83
CAR CARE MONTH

WHEREAS, past studies have shown neglected maintenance leads to more than 5,600 deaths, nearly 100,000 disabling injuries and more than $2 billion in lost wages, medical expenses and property damage; and,
WHEREAS, neglected tire maintenance is responsible for nine percent of crashes; and,
WHEREAS, more than 75 percent of the vehicles on the road today are in need of some type of preventative maintenance; and,
WHEREAS, according to the US Environmental Protection Agency, light duty vehicles are responsible for approximately 55 percent of US transportation emissions; and,
WHEREAS, through proper maintenance, a ten-year-old vehicle can produce fewer emissions than a poorly maintained five year-old vehicle; and,
WHEREAS, disabled vehicles are a major cause of highway congestion that is avoidable with proper maintenance of critical vehicle systems; and,
WHEREAS, proper maintenance of key safety systems such as brakes, air bags and lights will help the state reduce accidents and accompanying injuries and fatalities; and,
WHEREAS, proper maintenance will reduce fuel usage by cars and therefore save car owners money and reduce the emissions of greenhouse gases; and,
WHEREAS, proper maintenance of the state’s vehicle fleet will reduce long-term operating costs and the need to purchase new vehicles; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014, as CAR CARE MONTH, and I urge all citizens with vehicles to “Be Car Care Aware,” and inspect and perform all maintenance necessary to ensure their vehicle is operating in a safe, efficient and clean manner.
2014-84
DAYS OF REMEMBRANCE

WHEREAS, the Holocaust was the state sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945; and,

WHEREAS, during this sad time in history, six million people were murdered, while many others were forced into grievous oppression and death under Nazi tyranny for racial, ethnic or national reasons; and,

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and,

WHEREAS, the people of the State of Illinois should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution and tyranny. In addition, we should actively rededicate ourselves to the principles of individual freedom in a just society; and,

WHEREAS, the Days of Remembrance have been set aside for the people of the State of Illinois to bear in memory the victims of the Holocaust while reflecting on the need for respect of all peoples; and,

WHEREAS, pursuant to Public Law 96-388, on October 7, 1980 the United States Congress dedicated the Days of Remembrance of the victims of the Holocaust. This year’s observance will take place from April 27th through May 4th, including the Day of Remembrance known as Yom Hashoa, on April 28th; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 27- May 4, 2014 as DAYS OF REMEMBRANCE in Illinois, in memory of the victims of the Holocaust, and the survivors, as well as the rescuers and liberators. I urge all citizens to collectively and individually strive to overcome bigotry, hatred and indifference through learning, tolerance and remembrance.

Issued by the Governor February 20, 2014.
Filed by the Secretary of State March 14, 2014.

2014-85
CAROL HANKNER DAY

WHEREAS, during her time serving as an executive assistant and secretary for various general managers at WGN radio, Carol Hankner has
impressed her colleagues with her work ethic, dedication, and reliability; and,

WHEREAS, a proud resident of the Land of Lincoln, Carol Hankner grew up in Evanston and now lives in Skokie; and,

WHEREAS, Carol Hankner, a highly regarded employee at WGN radio, performs numerous key duties including monitoring incoming calls and scheduling guests for WGN radio 720; and,

WHEREAS, Carol Hankner is known for baking delicious cookies for her co-workers; and,

WHEREAS, in December of 2013 WGN radio broadcast a live play titled “A Christmas Carol Hankner” in her honor; and,

WHEREAS, WGN radio president and general manager Jimmy de Castro dubbed Carol Hankner one of the radio station’s most “treasured employees”; and,

WHEREAS, it is important to recognize employees like Carol Hankner who are vital to the operations and success of WGN radio; and,

WHEREAS, Carol Hankner will celebrate her 50th anniversary with WGN radio on February 24, 2014; and,

WHEREAS, 50 years of service is a testament to Carol Hankner’s dedication to WGN radio and its listeners; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 24, 2014, as CAROL HANKNER DAY in Illinois, in recognition of a special person who has made vast contributions to WGN radio.

Issued by the Governor February 21, 2014.
Filed by the Secretary of State March 14, 2014.

2014-86
LEMONT HIGH SCHOOL CHEERLEADING SQUAD DAY

WHEREAS, the contributions of sports in local communities foster a sense of inspiration and pride within our schools, our towns, and our state; and,

WHEREAS, these team sports inspire a sense of community, especially when student athletes display their excellence, persistence and teamwork; and,

WHEREAS, today, the State of Illinois has the opportunity to celebrate cheerleading, to recognize the contributions of athletes, and to showcase the success of the Lemont High School cheerleading squad, winners of the 2014 IHSA State Championship; and,

WHEREAS, on their way to winning a state championship, the 2014 Lemont High School cheerleading squad placed 3rd at the Midwest Cheer Fest
and North Pole Invite, 1st at the Winter Meltdown and SSC Conference, and 2nd at Sectionals; and,

WHEREAS, with 9 consecutive state finals appearances, consecutive state titles from 2009-2011, and state runner-ups in 2007, 2008, and 2013, Lemont High School has produced one of the most successful cheerleading squads in the State of Illinois; and,

WHEREAS, Superintendent Dr. Mary Ticknor and Athletic Director John Young have been instrumental in the success of the cheerleading program at Lemont High School; and,

WHEREAS, the hard work and determination of the 2014 Lemont High School cheerleading squad is admirable and has upheld the rich athletic traditions of the Land of Lincoln; and,

WHEREAS, led by coaches Dave Erlenbaugh, Bree Grady, and Brittany Cantarino, the members of the 2014 Lemont High School cheerleading squad are; Madison Detres, Emily Durham, Gianna Letizia, Miranda Neumann, Rebecca Peraino, Kelsey Tate, Gianna Turek, D.J. Wohead, Easton Kral, Reann Kwasneski, Elly Lambert, Nicole Markley, Stephanie Markley, Kayly Norris, Samantha Palumbo, Jenna Polk, Samantha Walus, Erin Cliff, Katelyn Papierski, and Caitlyn Henry; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 27, 2014, as LEMONT HIGH SCHOOL CHEERLEADING SQUAD DAY in Illinois, in recognition of this remarkable program that won the 2014 IHSA Cheerleading Championship.

Issued by the Governor February 24, 2014.
Filed by the Secretary of State March 14, 2014.

2014-87
ILLINOIS OLYMPIAN DAY

WHEREAS, athletic achievement in the international community fosters a sense of inspiration and pride within our towns, our states and the country; and,

WHEREAS, the State of Illinois has the opportunity to celebrate those athletes who work tirelessly to achieve their goals, to recognize the contributions of sport, and to showcase the sportsmanship of a diverse group of men and women who left Illinois as individuals and returned as Olympians; and,

WHEREAS, the Winter Games of the XXII Olympiad were held in Sochi, Russia in 2014; and,

WHEREAS, today, the Olympic Games are widely considered to be the most prestigious sports competition in the World, with over 200
WHEREAS, the Olympic rings symbolize the ideals of universality of Olympism and international cooperation and respect. The linked rings represent each of the five inhabited continents united through a meeting of the athletes of the World; and,

WHEREAS, in addition to the ideal of unity among diversity, the Olympic motto of “Citius, Altius, Fortius”, or “Swifter, Higher, Stronger” encourages athletes to put forth their best effort during the games through a demonstration of personal excellence. Together with the Olympic Creed, “The most important thing in life is not the triumph, but the fight; the essential thing is not to have won, but to have fought well”, the Olympic Movement has developed the most recognized display of athletic values and sportsmanship in the World; and,

WHEREAS, Illinois was represented in Sochi by 11 athletes, plus ten members of the Chicago Blackhawks who played for five different nations. The United States, following hard-fought competition, captured 28 total medals and 9 gold medals; and,

WHEREAS, the State of Illinois is proud to be home to eleven Olympic athletes who competed in the 2014 Sochi Olympic Games: Megan Bozek, hockey; Jason Brown, figure skating; Kendall Coyne, hockey; Shani Davis, speed skating; Aja Evans, bobsled; Gracie Gold, figure skating; Brian Hansen, speed skating; Jonathan Kuck, speed skating; Emery Lehman, speed skating; Patrick Meek, speed skating; and Ann Swisshelm, curling; and,

WHEREAS, over the course of modern Olympic history, athletes have overcome war, oppression and poverty to compete in the Games – forming friendships through a shared love of sport; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 28, 2014 as ILLINOIS OLYMPIAN DAY in Illinois, in recognition of the tremendous sacrifice put forth by Illinois Olympians to achieve athletic excellence, and in support of all residents recognizing their achievements and contributions to sport.

Issued by the Governor February 25, 2014.
Filed by the Secretary of State March 14, 2014.

2014-88

NATIONAL LIMB LOSS AWARENESS MONTH

WHEREAS, in the United States, there are approximately 2,000,000 people living with limb loss; and,

WHEREAS, over 500 Americans lose a limb every day; and,

WHEREAS, there are 1,000 babies born each year with congenital
limb loss; and,
WHEREAS, there are more than 185,000 new amputations performed each year in the United States; and,
WHEREAS, this number will increase unless drastic preventative measures are undertaken to reduce the incidents of diabetic and vascular related diseases; and,
WHEREAS, it is vital to have access to preventative care for diabetes and peripheral vascular disease (PVD), to have weight management as a part of all care plans, and to have safety information to prevent traumatic limb loss readily available; and,
WHEREAS, the Amputee Coalition of America provides education, outreach, advocacy, and a National Limb Loss Information Center for the benefit of persons with limb loss, their families, and health care providers; and,
WHEREAS, the Amputee Coalition of America has designated the month of April as National Limb Loss Awareness Month so that members of the limb loss community can raise awareness and provide added support and preventative information to both the limb loss community and the broader community about the issues the limb loss community faces; and,
WHEREAS, this observance also provides an opportunity to give people with limb loss a time for recognition and a voice to help reintegrate new amputees, raise awareness of the limb loss community, and get the message out that in many cases limb loss can be prevented; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as NATIONAL LIMB LOSS AWARENESS MONTH in Illinois, in support of the efforts of the Amputee Coalition of America.

Issued by the Governor February 26, 2014.
Filed by the Secretary of State March 14, 2014.

2014-89
SIGMA GAMMA RHO DAYS

WHEREAS, established on November 12, 1922, at Butler University, Sigma Gamma Rho Sorority has since grown to have five regions and over 90,000 members; and,
WHEREAS, through promoting leadership development, public service, and education, Sigma Gamma Rho Sorority has worked diligently to enhance the quality of life for others; and,
WHEREAS, Sigma Gamma Rho Sorority addresses concerns that impact society educationally, civically, and economically; and,
WHEREAS, the Central Region of Sigma Gamma Rho Sorority was established in 1925 and is comprised of 11 U.S. states, the Canadian Divisions of Windsor, Ontario, and west to Saskatchewan, as well as the Baffin Islands, Europe, Greenland, Iceland, the Queen Elizabeth Islands and Germany; and,

WHEREAS, from March 27-30, 2014, the Central Region of Sigma Gamma Rho Sorority will meet for its 74th Regional Conference at the Hyatt Regency O’Hare; and,

WHEREAS, the host chapter for the 74th Central Regional Conference is Theta Chi Sigma Chapter, located in Oak Park, Illinois; and,

WHEREAS, along with several civic and social events throughout the conference, on March 29 an Awards and Achievements Banquet will be hosted, which will feature Sigma Gamma Rho member and U.S. Congresswoman Robin Kelly as the guest speaker; and,

WHEREAS, it is critically important that the State of Illinois recognizes the commitment and good work of organizations like Sigma Gamma Rho Sorority; and,

THEREFORE, I, Pat Quinn, Governor of the State Illinois, do hereby proclaim March 27-30, 2014, as SIGMA GAMMA RHO DAYS in Illinois, in recognition of the 74th Central Regional Conference, and in support of the efforts made by members of Sigma Gamma Rho Sorority to serve their communities.

Issued by the Governor February 26, 2014.

Filed by the Secretary of State March 14, 2014.

2014-90

THE MONTH OF THE PASSENGER PIGEON

WHEREAS, the Passenger Pigeon, Ectopistes migratorius, was once the most abundant bird in North America with a population exceeding 5 billion; and,

WHEREAS, due to over-consumption by humans, the Passenger Pigeon population declined drastically over a forty year time span; and,

WHEREAS, on September 1, 1914, Martha, the last Passenger Pigeon, died in captivity; and,

WHEREAS, this year will mark the one hundredth anniversary of the extinction of the Passenger Pigeon; and,

WHEREAS, the story of the Passenger Pigeon will raise awareness of past and current issues, specifically extinction related to anthropogenic causes, explore connections between humans and the natural world, and demonstrate the importance of engaging in sustainable activities and
proclaiming the month of September, 2014, as THE MONTH OF THE PASSENGER PIGEON in Illinois, and urge all citizens to join me in recognizing the importance of the plight of the Passenger Pigeon and the need to protect all biodiversity in our state.

Issued by the Governor February 26, 2014.

Filed by the Secretary of State March 14, 2014.

2014-91

AMERICAN RED CROSS MONTH

WHEREAS, The Red Cross in Illinois plays an integral and important part in the emergency management capabilities of the State by supporting and providing leadership in the provision of mass care services to impacted Illinoisans during times of disaster or emergencies whether natural or man-made; and,

WHEREAS, March is American Red Cross month, a special time to recognize and thank our everyday heroes, those who reach out to help their neighbors when they are in need; and,

WHEREAS, American Red Cross heroes are on the front lines every day donating precious time and resources, assisting those in need, working tirelessly in times of disaster, providing round-the-clock support to members of the military, veterans and their families, and teaching lifesaving classes in CPR, aquatics safety and first aid; and,

WHEREAS, across the country and around the world, the American Red Cross has responded. They have been there for disasters such as hurricanes, tornadoes, floods and wildfires. They have provided life saving blood and a helping hand at the Boston Marathon, food and shelter in the Philippines, comfort and support to an injured soldier far from home. In Illinois, the Red Cross responded with needed support and assistance to citizens recovering from spring floods, rare November tornadoes and provided a safe haven to stranded motorists during heavy snows; and,
WHEREAS, we dedicate the month of March to all who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on heroes like Roger Dornaus from Peoria, and Louis Ottolini from Herrin who regularly donate blood so that others can live. The American Red Cross relies on donations of time, money and blood to fulfill its humanitarian mission; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim March, 2014 as AMERICAN RED CROSS MONTH and encourage all Illinois citizens to support this organization and its noble humanitarian mission.

Issued by the Governor February 27, 2014.
Filed by the Secretary of State March 14, 2014.

2014-92
FEDERAL EMPLOYEE OF THE YEAR DAY

WHEREAS, the hard work and dedication of public servants across the United States has been instrumental in making our nation strong and prosperous; and,

WHEREAS, a special day is set aside each year to recognize the outstanding service of dedicated federal employees; and,

WHEREAS, this year, the 57th Annual Federal Employee of the Year Awards Ceremony will be held on May 6, 2014 at the Harris Theater in Millennium Park. The theme for this year’s ceremony is “Shoulder to Shoulder Working for the Nation”; and,

WHEREAS, at this prestigious ceremony, the men and women who have dedicated themselves to providing superior service to the American public will be honored; and,

WHEREAS, awards will be given to an outstanding employee in each of the thirteen categories that cover various types of jobs within the federal workforce; and,

THEREFORE, I, PATRICK J. QUINN, Governor of the State of Illinois, do hereby proclaim May 6, 2014 as FEDERAL EMPLOYEE OF THE YEAR DAY in Illinois, and encourage all citizens to join in honoring these hard working individuals, and to recognize the exceptional services they provide for our society.

Issued by the Governor February 27, 2014.
Filed by the Secretary of State March 14, 2014.
WHEREAS, a native of Pine Bluff, Arkansas, Reverend Marvin E. Wiley is the pastor of the Rock of Ages Baptist Church, located in Maywood, Illinois; and,

WHEREAS, in March 1991, Marvin Wiley became the second pastor at Rock of Ages Baptist Church in forty years. During his time as pastor, the church has experienced spiritual, numerical, and financial growth; and,

WHEREAS, Pastor Wiley has undoubtedly been a source of inspiration to a countless number of people in their time of sickness, suffering, and bereavement; and,

WHEREAS, as a result of the growth Rock of Ages Baptist Church has experienced under Pastor Wiley, a multi-million dollar worship service facility was constructed at 1309 Madison Street; and,

WHEREAS, Vision of Restoration, Inc., created under the leadership of Pastor Wiley, provides education and economic development, mental/social services and career development and enhancement for the community; and,

WHEREAS, in 2004, Pastor Wiley spearheaded a Spiritual and Growth Development Center, a four-level, multi-million dollar facility that offers resources for worship, education, and business; and,

WHEREAS, Pastor Wiley has served on the executive committee of the corporate board of directors of the Sunday School Publishing Board of the National Baptist Convention, USA, Inc.; and,

WHEREAS, Pastor Wiley has received several accolades for his good works, including being recognized in the 2006 inaugural edition of Who’s Who in Black Chicago and being inducted into the Martin Luther King Jr. Board of Preachers of Morehouse College; and,

WHEREAS, in addition to his pastoral work, Pastor Wiley has served on numerous civic and community boards; and,

WHEREAS, perhaps most importantly, Pastor Wiley is a loving husband to his wife, Marilyn, and their two children, Madilyn and Jarrett, and grandson, Jarret Jr.; and,

WHEREAS, on March 8, 2014, a celebration will be hosted in Pastor Wiley’s honor to congratulate him on twenty-three years of service as Pastor at Rock of Ages Baptist Church; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 8, 2014, as PASTOR MARVIN E. WILEY DAY in the State of Illinois, in recognition of his many years of service to the community and Rock of Ages Baptist Church.
WHEREAS, Tai Chi, a traditional Chinese exercise, is a series of mindful relaxed movements, increasingly found to have many health benefits for people of all different fitness levels; and,

WHEREAS, a study by the Emory University School of Medicine in Atlanta has pointed to the benefits of Tai Chi as relieving stress and improving balance and coordination among the elderly, while another study conducted by the University of Miami School of Medicine showed improved behavior in adolescents with Attention Deficit and Hyperactivity Disorder who practiced Tai Chi; and,

WHEREAS, Tai Chi and Qigong are also being used as helpful stress managers and behavior modifiers for drug abusers and prison inmates in some penal institutions in the United States; and,

WHEREAS, World Tai Chi and Qigong Day is now celebrated in 70 nations annually; and,

WHEREAS, World Tai Chi and Qigong Day is meant to bring practitioners together and to allow people to learn more about Tai Chi and Qigong through this day of celebration and practice that will be observed around the world on April 26th; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 26, 2014, as TAI CHI AND QIGONG DAY in Illinois.

2014-95

BRAIN INJURY AWARENESS MONTH

WHEREAS, traumatic brain injury is largely preventable, yet it is among the nation’s most significant public health concerns with 1.7 million Americans sustaining a traumatic brain injury (TBI) each year and currently affecting at least 5.3 million Americans total; and,

WHEREAS, acquired brain injury includes traumatic brain injury (TBI), cerebral vascular accidents, anoxic injuries, and encephalopathies; and,

WHEREAS, there are more than a quarter million Illinois children and adults living with disabilities related to brain injury; and,

WHEREAS, while an estimated 80,000 to 90,000 Americans with
traumatic brain injury experience permanent disability from their injury, traumatic brain injury often results in significant impairment of an individual’s physical, cognitive and psychosocial functioning, impacting their ability to return to school and/or work; and,

WHEREAS, a traumatic brain injury is a contributing factor to a third of all injury-related deaths in the United States; and,

WHEREAS, these injuries are largely the result of falls, motor vehicle crashes, assaults, sporting-related injuries or occupational injuries; and,

WHEREAS, traumatic brain injury is the signature injury of the war in Iraq and Afghanistan, presenting new challenges for members of the military and their families; and,

WHEREAS, an injury that happens in an instant can bring a lifetime of physical, cognitive and behavior challenges; and,

WHEREAS, a substantial portion of individuals with traumatic brain injury and their families do not have access to appropriate support and services, and remain unserved or underserved. The lack of public awareness is so vast that traumatic brain injury is known in the disability community as the “silent epidemic;” and,

WHEREAS, early, equal and adequate access to care will greatly increase overall quality of life, and will enable individuals to return to home, school, work and, community; and,

WHEREAS, the Brain Injury Association of Illinois offers education and support to families and individuals with traumatic brain injury with community integration and to live as independently as possible; and,

WHEREAS, to raise even more awareness about this serious problem, the Brain Injury Association of America has recognized March as Brain Injury Awareness Month, and here in Illinois, we are pleased to join in this important campaign; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March, 2014 as BRAIN INJURY AWARENESS MONTH in Illinois, and encourage all citizens to join in the efforts to spread knowledge of this critical health issue.

Issued by the Governor February 28, 2014.
Filed by the Secretary of State March 14, 2014.

2014-96
CHICAGO LATINO FILM FESTIVAL DAYS

WHEREAS, 2014 marks the 30th Edition of the Chicago Latino Film Festival presented by the International Latino Cultural Center of Chicago (ILCC); and,
WHEREAS, the ILCC is a nonprofit, multi-arts organization dedicated to developing, promoting, and increasing awareness of Pan-Latino cultures among Latinos and all communities through a wide variety of art forms and education; and,

WHEREAS, the ILCC has screened over 2,500 films, including many award-winners that otherwise would have never been shown in Chicago; sponsored workshops and discussions with over 1,000 visiting filmmakers; and hosted more than 200 foreign journalists; and,

WHEREAS, each year, the ILCC produces the two-week Festival in the spring, screening numerous best films of all genres from Latin America, Portugal, Spain, and the United States; and,

WHEREAS, aiming to promote Latino arts and culture in the United States, the Chicago Latino Film Festival places a special emphasis on films that portray examples of the diversity in Latin America and films that challenge Latino stereotypes; and,

WHEREAS, this year’s festival will honor Chilean actress Paulina Garcia with the Gloria Career Achievement Award for her accomplishments in the Chilean and Latin American television and theater industries; and,

WHEREAS, the growth of the Chicago Latino Film Festival from 500 attendees in 1985 to more than 35,000 this year is clear evidence of the great demand for quality Latino arts programming in Chicago and contributes to its status as a world-class city; and,

WHEREAS, the Chicago Latino Film Festival is now the best, largest and most comprehensive Latino film festivals in the country; and,

WHEREAS, every year for two weeks over 35,000 audience members from all walks of life enjoy cultural and educational programming including film screenings, workshops, and special events held in various venues, colleges, universities and community-based organizations, providing Latinos and other communities an unforgettable cross-cultural experience; and,

WHEREAS, this year, the ILCC will celebrate the Chicago Latino Film Festival from April 3 to April 17; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 3-17, 2014 as CHICAGO LATINO FILM FESTIVAL DAYS in Illinois, in celebration of the International Latino Cultural Center of Chicago’s 30th Edition of the Chicago Latino Film Festival.

Issued by the Governor February 28, 2014.

Filed by the Secretary of State March 14, 2014.
2014-97

DEsert storm Remembrance Day

WHEREAS, since the birth of this great nation, millions of brave
American men and women have courageously answered the call to defend
their country’s ideals of freedom and democracy; and,
WHEREAS, twenty-two years ago, over 600,000 members of the
United States Armed Forces risked their lives in the Persian Gulf to liberate
Kuwait during Operations Desert Shield and Desert Storm; and,
WHEREAS, fourteen citizens of the State of Illinois made the
ultimate sacrifice for their country; and
WHEREAS, the men and women who served in the United States
Armed Forces during Operation Desert Storm have earned the gratitude and
respect of their nation; and,
WHEREAS, the observance of the 23rd anniversary of Operation
Desert Storm allows citizens throughout Illinois, and across the country, the
opportunity to honor those who served and died during this conflict, for their
valor and selflessness; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim February 28, 2014 as DESERT STORM REMEMBRANCE
DAY in Illinois, in honor and remembrance of those who made the ultimate
sacrifice to protect our country.

Issued by the Governor February 28, 2014.
Filed by the Secretary of State March 14, 2014.

2014-98

Get Covered Illinois Week

WHEREAS, Get Covered Illinois, the state’s massive education and
enrollment effort to sign up uninsured residents for available health coverage,
was created as a result of the Federal Affordable Care Act (ACA); and,
WHEREAS, Get Covered Illinois is for any resident who had
insurance, lost it or wants it again; residents who could never afford or obtain
insurance before; or for those who have never attempted to get insurance but
now must comply with the law; and,
WHEREAS, GetCoveredillinois.gov is the official website
marketplace where individuals, families, and small business owners can get
connected to their new health insurance options; and,
WHEREAS, enrollment can take place online; with the help of a
trained specialist over the phone by calling the Get Covered Illinois Help
Desk at 866-311-1119; or in person at a state community partner with trained
navigators to assist; and,

WHEREAS, Illinois has been partnering with community groups in every corner of the state to provide direct enrollment assistance; and,

WHEREAS, with an open enrollment deadline of March 31, 2014, it is critically important that all eligible individuals, families, and small business owners evaluate their options and complete enrollment; and,

WHEREAS, during the week of March 1-8, Get Covered Illinois will be kicking off the final month of enrollment with a week of outreach events and activities around the state designed to raise awareness of the March 31 deadline to sign up for affordable, comprehensive health coverage under the Affordable Care Act; and,

WHEREAS, the month-long push will feature a statewide “Road2Coverage” mobile RV tour launching from 9 a.m. to Noon on Saturday, March 1, at an enrollment Summit at Juarez Community Academy in Chicago; and,

WHEREAS, my administration is committed to improving the health and wellbeing of the people of Illinois, and ensuring that all people have access to quality health care; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 1-8, 2014, as GET COVERED ILLINOIS WEEK in Illinois, in support of Get Covered Illinois and providing decent, affordable health care to everyone in the Land of Lincoln.

Issued by the Governor February 28, 2014.
Filed by the Secretary of State March 14, 2014.

2014-99
HETEROTAXY SYNDROME AWARENESS DAY

WHEREAS, Heterotaxy syndrome is a congenital condition that affects the development, placement and presence of internal organs; and,

WHEREAS, the public is unaware of Heterotaxy syndrome, including many medical professionals; and,

WHEREAS, Heterotaxy syndrome affects many body systems and requires a team of many specialists for treatment; and,

WHEREAS, families struggle to educate medical teams and are often the only common thread between medical specialties; and,

WHEREAS, mortality is high, but due to lack of tracking and research, the exact numbers are unclear; and,

WHEREAS, those with Heterotaxy syndrome that survive to adulthood find their condition largely unknown to the community; and,

WHEREAS, funding into causes and holistic treatment of Heterotaxy
syndrome are low; and,

WHEREAS, Heterotaxy Syndrome Awareness Day provides an opportunity for families whose lives have been affected to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and,

WHEREAS, the establishment of Heterotaxy Syndrome Awareness Day will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about Heterotaxy Syndrome; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 4th, 2014 as HETEROTAXY SYNDROME AWARENESS DAY to help raise awareness of this rare but serious condition.

Issued by the Governor February 28, 2014.
Filed by the Secretary of State March 14, 2014.

2014-100
SEVERE WEATHER PREPAREDNESS MONTH

WHEREAS, tornadoes, thunderstorms and flooding can occur at any time of the year in Illinois, but are particularly prevalent during the spring and summer months; and,

WHEREAS, Illinois experienced 54 tornadoes in 2013, which resulted in eight fatalities, 187 injuries and widespread destruction to more than 2,000 homes, businesses and public property; and,

WHEREAS, Illinois also saw historic flooding along several rivers and streams throughout the state in 2013, which caused extensive damage; and,

WHEREAS, wind, hail, lightning and heavy rains also caused considerable property damage and threatened safety during 2013, and,

WHEREAS, one of the most important preparedness items for homes and workplaces is a National Oceanic and Atmospheric Administration (NOAA) Weather Alert Radio, which provides round-the-clock alerts of approaching storms and other hazards; and,

WHEREAS, it is also important for people to maintain a home emergency supply kit with a flashlight, batteries, radio, food, water, first aid kit and other necessities, and have a predetermined safe location where family members can go during severe storms or tornadoes; and,
WHEREAS, the Illinois Emergency Management Agency and the National Weather Service are joining together to increase public awareness of severe weather hazards in Illinois and encourage citizens to prepare for severe weather:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2014 as SEVERE WEATHER PREPAREDNESS MONTH in Illinois. During this month I urge all citizens of Illinois to learn more about the dangers of thunderstorms, tornadoes and flooding and to take steps to ensure they are prepared to stay safe when severe weather threatens.

Issued by the Governor February 28, 2014.
Filed by the Secretary of State March 14, 2014.

2014-101
WALKING DAY

WHEREAS, walking is the most popular aerobic physical activity, and more than 145 million adults now include walking as a part of their physically active lifestyle; and,

WHEREAS, research has shown that walking and moderate physical activity for at least 30 minutes a day can help reduce the risk of coronary heart disease, improve blood pressure and blood sugar levels, improve blood lipid profile, maintain body weight and lower the risk of obesity, enhance mental well being, reduce the risk of osteoporosis, reduce the risk of breast and colon cancer, and reduce the risk of non-insulin dependent (type 2) diabetes; and,

WHEREAS, of all the physical activities that exist, walking has the lowest dropout rate; and,

WHEREAS, though starting a walking program takes initiative, through having simple goals and varying one’s routine, walking can become an enjoyable experience; and,

WHEREAS, as a result of about half of all adults not getting enough physical activity to improve their health, it is critically important to promote walking and other forms of exercise; and,

WHEREAS, offering safe, convenient places for people to walk is essential to promoting walking; and,

WHEREAS, the American Heart Association, the Governor’s Council on Health and Physical Fitness, and other organizations across Illinois will be celebrating National Walking Day on April 2, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2, 2014, as WALKING DAY in Illinois, and encourage residents of the Land of Lincoln to recognize the important health
benefits of walking and exercise regularly.
Issued by the Governor February 28, 2014.
Filed by the Secretary of State March 14, 2014.

2014-102
AUTISM AWARENESS MONTH & WORLD AUTISM AWARENESS DAY

WHEREAS, autism, a developmental disorder, is the third most common developmental disability in the United States, affecting nearly half a million people; and,
WHEREAS, autism is a spectrum disorder where symptoms and characteristics may present themselves in a variety of combinations from mild to severe. This complex and lifelong developmental disability can result in significant impairment of an individual’s ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communication; and,
WHEREAS, the U.S. Centers for Disease Control and Prevention report that one in every 150 children born in the U.S. will be affected by an Autism Spectrum Disorder (ASD); and,
WHEREAS, in Illinois, more than 26,000 school-age children and their families will be affected by some form of autism; and,
WHEREAS, autism is the result of a neurological disorder that affects the normal functioning of the brain, and generally manifests during the first 3 years of life. The disorder is four times more likely in males than in females, but can affect anyone, regardless of race or ethnicity; and,
WHEREAS, although autism was first identified in 1943, it remains a relatively unknown disability. A majority of the public, including many professionals in the medical, educational, and vocational fields are still unaware of the best methods to diagnose and treat the disorder; and,
WHEREAS, although there is no cure for autism at this time, doctors, therapists, and educators can help children and adults with autism overcome or adjust to many difficulties. Accurate, early diagnosis and the resulting appropriate education and intervention are vital to the future growth and development of individuals afflicted with this disorder; and,
WHEREAS, Illinois is honored to take part in the annual observance of Autism Awareness Month and World Autism Awareness Day in the hope that it will lead to a better understanding of the disorder; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as AUTISM AWARENESS MONTH and April 2, 2014 as WORLD AUTISM AWARENESS DAY in Illinois, to raise public
awareness of Autism Spectrum Disorders and the myriad of issues surrounding autism, as well to increase knowledge of the programs that have been and are being developed to support individuals with ASDs and their families.

Issued by the Governor March 3, 2014.
Filed by the Secretary of State March 14, 2014.

2014-103
ILLINOIS STATE DENTAL SOCIETY DAY

WHEREAS, In July 1865, the Illinois State Dental Society was established against the backdrop of the Civil War’s end and has accomplished 150 years worth of milestones that have improved the oral health of the public and enhanced the dental profession; and,

WHEREAS, The mission of the Illinois State Dental Society is to represent the members of the Society and the public it serves through communication, education and legislation; and,

WHEREAS, The Society represents the interests and concerns of the majority of Illinois dentists; and,

WHEREAS, The Society enjoys a strong membership base of more than 7,600 dentists, dental hygienists, dental lab technicians and dental students; and,

WHEREAS, The Society comprises eight trustee districts and 23 local component dental societies; and,

WHEREAS, The Society secured passage of the first Illinois Dental Practice Act in 1881; and,

WHEREAS, The Society passed a resolution endorsing fluoridation in 1951, resulting in fluoridation of public water supplies becoming law for all of Illinois in 1967. The Centers for Disease Control and Prevention has proclaimed community water fluoridation as one of 10 great public health achievements of the 20th century; and,

WHEREAS, The Society formed LICID (Legislative Interest Committee of Illinois Dentists) in 1961 to promote and further the interests of the public and the dental profession in matters of legislation and administrative regulations, to develop among the public and the dental profession an awareness of political issues which relate to public health and welfare, and to disseminate dental health information to the public. Today’s political action committee, DENT-IL-PAC, is more than 2,000 members strong; and,

WHEREAS, Organized dentistry has enjoyed an illustrious and accomplished history and holds a future full of promise due to the dedication
and commitment of its members; and,

THEREFORE, that I Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 9, 2014, as ILLINOIS STATE DENTAL SOCIETY DAY in Illinois and encourage all citizens and community organizations to join in this celebration.

Issued by the Governor March 3, 2014.
Filed by the Secretary of State March 14, 2014.

2014-104
RAOUL WALLENBERG DAY

WHEREAS, the International Raoul Wallenberg Foundation is a non-profit organization with a mission to promote peace among nations and to honor all those who were heroes of the Holocaust; and,

WHEREAS, this organization carries the name of the Swedish diplomat, Raoul Wallenberg, who saved tens of thousands of Jews in Hungary during World War II before his disappearance at the hands of Soviet troops in 1945; and,

WHEREAS, in 1944, Raoul Wallenberg was chosen to lead a mission to rescue the two hundred thousand Jews of Budapest after the Nazi invasion of Hungary in March of that year; and,

WHEREAS, Raoul Wallenberg succeeded in issuing thousands of “protective” passports and, with the aid of three hundred volunteers, established thirty-two “safe houses” within Hungary that harbored 15-20,000 Jews under the protection of the Swedish Legation; and,

WHEREAS, Raoul Wallenberg visited Soviet military headquarters on January 17, 1945, where he was subsequently arrested and detained at the Lyublyanka prison in Moscow, never to be seen or heard from again; and,

WHEREAS, Raoul Wallenberg is an honorary citizen of Canada, Israel, and the city of Budapest. On October 5, 1981 Wallenberg became the second person in history to be awarded Honorary United States Citizenship; and,

WHEREAS, this year, two thousand twelve, marks the Centenary of Raoul Wallenberg’ s birth and the celebration of such a courageous, righteous man; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 5, 2014 as RAOUL WALLENBERG DAY in Illinois, in memory of this noble and heroic man.

Issued by the Governor March 3, 2014.
Filed by the Secretary of State March 14, 2014.
2014-105

WOUNDED VETERANS AWARENESS WEEK

WHEREAS, through the generations, America's men and women in uniform have defeated tyrants, liberated continents, and set a standard of courage and idealism for the entire world; and,

WHEREAS, to protect the Nation they love, our veterans stepped forward when America needed them most. In answering history's call with honor, decency, and resolve, our veterans have shown the power of liberty and earned the respect and admiration of a grateful Nation; and,

WHEREAS, all of America's veterans have placed our Nation's security before their own lives, creating a debt that we can never fully repay. Our veterans represent the best of America, and they deserve the best America can give them; and,

WHEREAS, as we recall the service of our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, we are reminded that the defense of freedom comes with great loss and sacrifice; and,

WHEREAS, over 900,000 US soldiers have incurred non-fatal injuries in the Iraq-Afghanistan War since September 11, 2001; and,

WHEREAS, in 2006, the families of injured veterans founded Hope For the Warriors, an organization dedicated to improving the quality of life for veterans with physical and psychological injuries; and,

WHEREAS, Hope for Warriors will host their inaugural Run for the Warriors, a race series that provides wounded veterans an opportunity to engage in physical training and therapy, at Southern Illinois University on March 22, 2014; and,

WHEREAS, the State of Illinois is proud to salute wounded veterans and to acknowledge the numerous accomplishments made by these brave men and women who have served their country through military service; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 15-22, 2014 as WOUNDED VETERANS AWARENESS WEEK in Illinois, and encourage all citizens to join in this worthy observance.

Issued by the Governor March 3, 2014.

Filed by the Secretary of State March 14, 2014.

2014-106

DR. RAM RAJU DAY

WHEREAS, after two years as Chief Executive Officer of the Cook County Health and Hospitals System (CCHHS), the 3rd largest public health
system in the country, Dr. Ram Raju will be returning to New York to lead the New York City Health & Hospitals Corporation as its President; and,

WHEREAS, for two years, Dr. Raju has provided CCHHS with his honorable and dedicated service; and,

WHEREAS, while leading CCHHS, Dr. Raju worked diligently to advance electronic medical records, improve supply chain management, institute a Labor Management Council, improve the system’s finances, enhance patient experiences, develop an effective health care delivery model, and secure a 1115 Waiver from the federal government; and,

WHEREAS, Dr. Raju has gone above and beyond the call of duty as a medical administrator, and serves as an inspiration to his co-workers; and,

WHEREAS, as a friend and colleague, Dr. Raju has touched many lives in Chicago through inspiring people and empowering them to achieve to the very best of their abilities; and,

WHEREAS, throughout his career, Dr. Raju has received numerous accolades including being named a Business Leader of Color, one of the 50 Most Influential Executives in Healthcare, a Top 25 Minority Executive in Healthcare, and one of 20 Hospital and Health System Leaders to Follow on Twitter; and,

WHEREAS, on March 10, 2014, Dr. Raju’s friends and colleagues will host a farewell party for him; and,

WHEREAS, the citizens of the Land of Lincoln are pleased to send their best wishes to Dr. Raju as he embarks on his new position as President of the New York City Health & Hospitals Corporation; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 10, 2014, as DR. RAM RAJU DAY in Illinois, in appreciation of his service to the Cook County Health and Hospitals System.

Issued by the Governor March 4, 2014.
Filed by the Secretary of State March 14, 2014.

2014-107
POSTPARTUM MOOD DISORDERS AWARENESS MONTH

WHEREAS, up to 80 percent of new mothers experience changes in their emotional health following childbirth, regardless of race, age, culture or socioeconomic status. Of this number, 15-20 percent experience more severe symptoms, collectively known as Postpartum Mood Disorders; and,

WHEREAS, based on the number of births each year in Illinois, it is estimated that 27,000-36,000 mothers are affected by moderate to severe postpartum emotional symptoms annually in Illinois alone. Postpartum Mood Disorders (PPMDs) have been called “The most significant complication
associated with childbirth”. PPMDs interfere with mother-infant bonding and disrupt the entire family unit; and,

WHEREAS, there are many forms of Postpartum Mood Disorders, including the milder “Baby Blues” and more severe Postpartum Depression, Postpartum Panic Disorder, and Postpartum Obsessive-Compulsive Disorder. The most severe disorder, Postpartum Psychosis, is a life-threatening mental illness associated with a 10 percent suicide/infanticide rate; and,

WHEREAS, with proper awareness, education, intervention, and resources, Postpartum Mood Disorders are nearly 100 percent treatable; and,

WHEREAS, increasing public awareness among all Illinois families on the prevalence, identification, and treatment of Postpartum Mood Disorders has significant potential to save lives and prevent the unnecessary suffering experienced by so many families following childbirth; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as POSTPARTUM MOOD DISORDERS AWARENESS MONTH in Illinois, in order to raise awareness of this serious and debilitating disorder that affects childbearing women and their families.

Issued by the Governor March 4, 2014.
Filed by the Secretary of State March 14, 2014.

2014-108
ALPHA KAPPA ALPHA DAYS

WHEREAS, Alpha Kappa Alpha Sorority, Incorporated (AKA) is an international service organization that was founded on the campus of Howard University in Washington, D.C. in 1908. It is the oldest Greek-lettered organization established by African-American college-educated women; and,

WHEREAS, since its founding over a century ago, Alpha Kappa Alpha’s mission has been to cultivate and encourage high scholastic and ethical standards, to promote unity and friendship among college women, to study and help alleviate problems concerning girls and women in order to improve their social stature, to maintain a progressive interest in college life, and to be of “Service to All Mankind”; and,

WHEREAS, Alpha Kappa Alpha is comprised of a nucleus of 260,000 members in graduate and undergraduate chapters in the United States, the U. S. Virgin Islands, the Caribbean, Canada, Japan, Germany, Korea and on the continent of Africa; and,

WHEREAS, Alpha Kappa Alpha’s membership is comprised of distinguished women who boast excellent academic records, proven leadership skills, and are involved in the global community through advocacy and service; and,
WHEREAS, Alpha Kappa Alpha Sorority has positively impacted others though its programs related to health, global poverty, social justice, human rights, and environmental stewardship and sustainability; and,

WHEREAS, currently, Alpha Kappa Alpha Sorority is made up of ten regions, including the Central Region; and,

WHEREAS, The Central Region is the birthplace of founder, Ethel Hedgeman Lyle, and the home of Alpha Kappa Alpha’s first honorary member, Jane Addams, founder of the Hull House, and a native of Illinois; and,

WHEREAS, there are 53 Graduate Chapters and 36 Undergraduate Chapters in the Central Region; and,

WHEREAS, Alpha Kappa Alpha’s 80th Central Regional Conference will take place in Chicago, Illinois, from March 27-30, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 27-30, 2014, as ALPHA KAPPA ALPHA DAYS in Illinois, in recognition of the rich history and accomplishments of the Central Region.

Issued by the Governor March 5, 2014.
Filed by the Secretary of State March 14, 2014.

2014-109
MILITARY CHILD MONTH

WHEREAS, thousands of brave Americans have made countless sacrifices to defend our country and preserve freedom in Afghanistan, Iraq and around the world; and,

WHEREAS, nearly 29,000 Illinois children and youth have been directly affected by the military service of at least one parent; and,

WHEREAS, it is our duty as citizens to pay tribute to service members and their children for their commitment to this nation and their struggles – because when parents serve in the military, their children are heroes too; and,

WHEREAS, it is only fitting that we take time to recognize these children’s contributions, celebrate their spirit, and let our men and women in uniform know that while they are taking care of us, we are taking care of their children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as MILITARY CHILD MONTH in Illinois and encourage all citizens and local communities to provide support and give thanks to military children and families.

Issued by the Governor March 5, 2014.
WHEREAS, throughout our history Illinois residents have stepped up to meet national challenges such as poverty reduction, disaster relief, environmental stewardship, and veteran assistance by volunteering in their communities; and,

WHEREAS, service represents an enduring aspect of citizenship and choosing to serve one’s community is something that all citizens can do; and,

WHEREAS, the national service programs AmeriCorps, Senior Corps, and the Social Innovation Fund, have proven to be highly effective ways to engage Americans of all ages and backgrounds in meeting a wide range of community needs; and,

WHEREAS, each year AmeriCorps, including AmeriCorps VISTA, AmeriCorps State, AmeriCorps National, and AmeriCorps NCCC, provides opportunities for 80,000 citizens across the nation, including approximately 3,600 in Illinois, to give back in an intensive way to our communities, our state, and our country; and,

WHEREAS, AmeriCorps in Illinois last year recruited 53,600 volunteers and raised more than $4,709,200 in cash and in-kind resources; and,

WHEREAS, each year Senior Corps, including Foster Grandparents Program, Senior Companions Program, and Retired & Senior Volunteer Program, places more than 14,000 volunteers in communities throughout Illinois; and,

WHEREAS, these Senior Corps members have helped over 7,000 Illinois children to read, assisted over 18,000 seniors stay in their homes, supported over 5800 veterans, served over 8300 family members of veterans, served over 200 children with special needs and supported over 2,000 organizations to better serve their communities here in Illinois; and,

WHEREAS, over 3.1 million Senior Corps hours contributed each year is valued at over $70 million; and,

WHEREAS, the Social Innovation Fund (SIF) mobilizes public and private resources to grow promising, innovative community-based solutions that have evidence of compelling impact in three areas of priority need: economic opportunity, healthy futures, and youth development; and,

WHEREAS, the Social Innovation Fund has awarded $177.6 million in grants to intermediaries since 2010 yielding another $423 million in private and other nonfederal commitments; and,
WHEREAS, Illinois is one of 37 states long with the District of Columbia which have received SIF sub grants totaling more than $1,340,000 distributed to 11 organizations in the state; and,

WHEREAS, the 2nd annual Mayor’s Day of Recognition of National Service on Tuesday, April 1st, when mayors across the nation will highlight the national service programs in their communities, is an opportune time to rally around service as a strategy to meet community needs; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim March 23 - 29 as NATIONAL SERVICE WEEK in Illinois, and urge citizens to salute Senior Corps volunteers, Social Innovation Fund grantees, AmeriCorps members, and AmeriCorps alumni for their service and to find ways to give back to their communities.

Issued by the Governor March 5, 2014.
Filed by the Secretary of State March 14, 2014.

2014-111
NATIONAL PUBLIC WORKS WEEK

WHEREAS, public works infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of Illinois; and,

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers and employees from State and local units of Government and the private sector, who are responsible for and must plan, design, build, operate, and maintain the transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential to serve our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2014 marks the 54th annual National Public Works Week sponsored by the American Public Works Association; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week May 18-24, 2014, as NATIONAL PUBLIC WORKS WEEK; and I urge all of our citizens to join with representatives of the American Public Works Association and government agencies in activities and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they have made to our national health, safety,
welfare and quality of life.

Issued by the Governor March 5, 2014.
Filed by the Secretary of State March 14, 2014.

2014-112
SYRIAN AMERICAN MEDICAL SOCIETY DAY

WHEREAS, the Syrian American Medical Society ("SAMS") is comprised of medical professionals, of Syrian descent, and is a non-profit, non-political humanitarian effort that affords its members educational and inspirational experiences; and,
WHEREAS, as a charitable organization, SAMS’ objectives encompass an array of professional, educational, and cultural activities; and,
WHEREAS, SAMS provides caring healthcare professionals with opportunities to serve the needy; and,
WHEREAS, in order to strengthen its programming, SAMS has collaborated with organizations including the Red Crescent, Life for Relief and Development, and MedWish International; and,
WHEREAS, SAMS’ annual medical convention in Syria has enhanced the medical knowledge and expertise of its members while contributing significantly to the health care and medical education available in Syria; and,
WHEREAS, according to USAID, 9.3 million people are in need of humanitarian assistance in Syria, making the work of SAMS critically important; and,
WHEREAS, in early 2012, SAMS started organizing medical missions to camps in Turkey and Jordan to help Syrian refugees; and,
WHEREAS, the Syrian American Medical Society’s 10th Anniversary Gala will be hosted on Saturday, March 8, 2014. This event will honor President of Advocate Christ Medical Center, Kenneth W. Lukhard, for his support of SAMS’ mission, and seven physicians for their volunteerism and ongoing medical missions to Syria; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 8, 2014, as SYRIAN AMERICAN MEDICAL SOCIETY DAY in Illinois, in recognition of this organization’s commitment to using medicine as a tool to help others in need.

Issued by the Governor March 5, 2014.
Filed by the Secretary of State March 14, 2014.
WHEREAS, Thom Clark is retiring this year after 25 years of service with the Community Media Workshop at Columbia College; and,
WHEREAS, for 25 years, Thom Clark has provided the Community Media Workshop at Columbia College with his honorable and dedicated service; and,
WHEREAS, during his time working at the Community Media Workshop, Thom Clark spearheaded numerous projects including helping citywide coalitions shape a mayoral neighborhood agenda, publishing the 100th edition of News-tips source sheets for journalists, launching websites with News-tips, conducting La Voz Latina bilingual training, training nonprofit organizations on media relations, launching a weekly public affairs interview show on CAN-TV, creating a social media workshop on blogging, and producing a three-day Social Media Boot Camp; and,
WHEREAS, in addition to his professional accomplishments, Thom Clark has always helped organizations in need, often by waiving their fees or donating his time to train and help them develop strategic communication plans; and,
WHEREAS, Thom Clark has gone above and beyond the call of duty as an educator and journalist, and serves as an inspiration to his co-workers; and,
WHEREAS, as a long-time friend and colleague, Thom Clark has touched many lives through inspiring people and empowering them to achieve to the very best of their abilities; and,
WHEREAS, at the Studs Terkel Community Awards on March 6, 2014, Thom Clark will be recognized by his friends, family, and colleagues with a scholarship being named in his honor, a fitting way to commemorate and extend his legacy; and,
WHEREAS, the citizens of the Land of Lincoln are pleased to send their best wishes to Thom Clark for a very happy retirement; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 6, 2014, as THOM CLARK DAY in Illinois, in recognition of his accomplishments and 25 years of success with the Community Media Workshop at Columbia College.

Issued by the Governor March 5, 2014.

Filed by the Secretary of State March 14, 2014.
2014-114
CITY OF BELLEVILLE DAY

WHEREAS, the City of Belleville was founded in 1814 on a donation of land from George Blair; and,
WHEREAS, the City of Belleville has served as the county seat of St. Clair County, Illinois, since it was established in 1814; and,
WHEREAS, Belleville has been an industrious city producing coal, beer, stoves, shoes, and other manufactured goods over its 200-year history; and,
WHEREAS, Belleville is home to the state’s oldest Philharmonic Society and oldest continuously serving public library; and,
WHEREAS, Belleville has served as home to Scott AFB and to thousands of military families stationed here for nearly one hundred years; and,
WHEREAS, early German emigrants flavored Belleville’s culture and engendered high regard for many intellectual and educational endeavors; and,
WHEREAS, Belleville leaders have always held education foremost by creating kindergarten, elementary, high school and college-level opportunities; and,
WHEREAS, on March 8, 2014, the citizens of Belleville will celebrate with a Bicentennial Gala to recognize their 200th Anniversary; and,
WHEREAS, today the State of Illinois joins with the people of Belleville in celebrating this significant milestone; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 8, 2014, as CITY OF BELLEVILLE DAY in ILLINOIS, in recognition of Belleville’s Bicentennial anniversary.

Issued by the Governor March 6, 2014.
Filed by the Secretary of State March 14, 2014.

2014-115
GREAT AMERICAN MEATOUT DAY

WHEREAS, a wholesome diet of vegetables, fresh fruits, and whole grains promotes health and reduces the risk of heart disease, stroke, cancer, diabetes, and other chronic diseases that debilitate then kill 1.3 million Americans annually; and,
WHEREAS, such a diet helps preserve topsoil, water, energy, and other essential food production resources; and,
WHEREAS, such a diet helps preserve our forests, grasslands, and other wildlife habitats and reduces pollution of our waterways by crop debris,
manure, and pesticides; and,
WHEREAS, such a diet helps substantially in reducing emissions of greenhouse gases that produce global warming; and,
WHEREAS, such a diet helps prevent the suffering and death of ten billion sentient animals each year in the US; and,
WHEREAS, each year, dedicated Illinois Meatout volunteers encourage their neighbors to explore such a diet; and,
THEREFORE, I, Pat Quinn, Governor of Illinois, hereby proclaim March 20th, 2014 to be GREAT AMERICAN MEATOUT DAY in Illinois and encourage our citizens to explore a wholesome diet of vegetables, fresh fruits, and whole grains.
Issued by the Governor March 6, 2014.
Filed by the Secretary of State March 14, 2014.

2014-116
MONEY SMART WEEK

WHEREAS, the economic progress of our country is dependent upon the financial well-being of its citizens; and,
WHEREAS, citizens have many choices on how to manage their financial affairs, making it important that they educate themselves on the best options available; and,
WHEREAS, becoming financially literate can be a long-term process that demands much discipline and intuition. Therefore, many people find it helpful to seek assistance outside of their own home; and,
WHEREAS, educational and financial institutions, government entities and community-based organizations can work together to help consumers make informed choices about their personal finances; and,
WHEREAS, improved financial literacy results in a higher standard of living for individuals, and greater community stability; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 5-12, 2014 as MONEY SMART WEEK in Illinois, and encourage all citizens to make an effort to increase their financial literacy.
Issued by the Governor March 7, 2014.
Filed by the Secretary of State March 14, 2014.

2014-117
NATIONAL ATHLETIC TRAINING MONTH

WHEREAS, athletic trainers have a long history of providing quality
health care for athletes and those engaged in physical activity based on
specific tasks, knowledge and skills acquired through their nationally
regulated educational processes; and,
WHEREAS, athletic trainers provide the following services:
prevention of injuries, recognition, evaluation and aggressive treatment,
rehabilitation, health care administration, and education as well as guidance;
and,
WHEREAS, the National Athletic Trainers' Association represents
and supports 39,000 members of the athletic training profession employed in
the following settings: professional sports, colleges and universities, high
schools, clinics and hospitals, corporate and industrial settings, and military
branches; and,
WHEREAS, leading organizations concerned with athletic training
and health care have joined together in a common desire to raise public
awareness of the importance of the athletic training profession and to
emphasize the importance of quality health care within the aforementioned
settings; and,
WHEREAS, such an effort will improve health care for athletes and
those engaged in physical activity and promote athletic trainers as health care
professionals; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim March 2014 as NATIONAL ATHLETIC TRAINING
MONTH in Illinois. I urge all people of the State of Illinois to learn more
about the importance of athletic training.

Issued by the Governor March 7, 2014.
Filed by the Secretary of State March 14, 2014.

2014-66
CHILD ABUSE PREVENTION MONTH (REVISED)

WHEREAS, children are the embodiment of innocence and hope for
the future, and every child deserves to grow up in a nurturing environment,
free from harm and fear; and,
WHEREAS, every child is entitled to be loved, cared for, secure, and
protected from verbal, sexual, emotional and physical abuse, exploitation,
and neglect; and
WHEREAS, child abuse and neglect causes serious harm to child
development and has lifelong effects that reduce well-being and productivity
and create greater demands on society; and,
WHEREAS, child abuse and neglect can be reduced by making sure
every family is safe, secure, and has the support needed to raise their children
in a healthy environment; and,
WHEREAS, by providing our children a safe and nurturing environment, free of domestic violence, abuse, and neglect, we can ensure that children grow to their full potential as leaders, helping to secure the future of this great state and nation; and,
WHEREAS, effective child abuse prevention programs succeed because of strong partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, government entities and the business community; and,
WHEREAS, 1.3 million Illinois families GIVE to charity each year, with an estimated $780 million directed to human services organizations that promote safe, loving homes and brighter futures for kids supported by strong families and communities; and,
WHEREAS, more than one million Illinoisans VOLUNTEER their time each year as tutors, mentors and coaches for youth, supporting families in raising their children in a nurturing, safe environment; and,
WHEREAS, Illinoisans ACT by making over 250,000 calls to the Illinois Child Abuse Hotline each year, by offering a temporary safe haven for more than 14,000 children as foster families, and by providing permanent, loving homes for more than 17,000 children through adoption over the last decade; and,
WHEREAS, thanks to those who fulfill their social responsibility to report suspected abuse or neglect to the Illinois Child Abuse Hotline at (800) 25-ABUSE, the Illinois Department of Children and Family Services receives, investigates and acts on a report of child abuse or neglect every five minutes, child sexual abuse every two hours, and a child death by abuse or neglect every 36 hours; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as CHILD ABUSE PREVENTION MONTH in Illinois, and I encourage all Illinoisans to join their neighbors who GIVE, VOLUNTEER and ACT every day to prevent child abuse and ensure safe, loving homes and brighter futures for all children, ultimately strengthening families and the communities across the state in which we live.
Issued by the Governor February 10, 2014.
Filed by the Secretary of State March 21, 2014.

2014-118
APRAXIA AWARENESS DAY

WHEREAS, as one of the most severe speech and communication problems, Childhood Apraxia of Speech (CAS) is a complex neurological
motor-planning disorder often accompanied by other special needs; and,

WHEREAS, children affected with CAS have extreme difficulty planning and producing the precise, highly refined and specific series of movements of the tongue, lips, jaw, and palate that are necessary for producing clear, intelligible speech; and,

WHEREAS, while the act of learning to speak comes effortlessly to most children, those with apraxia require years of intensive speech therapy and a lengthy struggle to communicate; and,

WHEREAS, although not life-threatening, the disorder alters families’ lives because they are left to cope with the emotional, physical, and financial challenges of having a child diagnosed with CAS; and,

WHEREAS, every child should be afforded their best opportunity to develop speech and every child deserves a choice; and,

WHEREAS, with early intervention and appropriate therapy, most children with CAS will learn to communicate with their very own voices. These children, as well as their families, deserve our highest respect for their effort, determination and resilience in the face of such obstacles; and,

WHEREAS, on May 14, numerous organizations with take part in a local, state and national effort to increase awareness about CAS; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 14, 2014 as APRAXIA AWARENESS DAY in Illinois, in order to increase awareness of Childhood Apraxia of Speech.

Issued by the Governor March 10, 2014.
Filed by the Secretary of State April 2, 2014.

2014-119
CALL BEFORE YOU DIG MONTH

WHEREAS, each year, the nation’s underground utility infrastructure is jeopardized by unintentional damage from those who fail to call 811 to have underground lines located prior to digging; and,

WHEREAS, every eight minutes an underground utility line is damaged because someone decided to dig without calling 811; and,

WHEREAS, undesired consequences of this unintentional damage such as service interruption, damage to the environment, and personal injury and even death are the potential results; and,

WHEREAS, JULIE stands for Joint Utility Locating Information for Excavators; and,

WHEREAS, JULIE Inc. provides Illinois excavators and underground utility owners with a one-call message handling and delivery service committed to protecting underground utilities and the safety of people
working or living near them; and,

WHEREAS, JULIE, Inc., based in Joliet, covers the entire state outside of the city limits of Chicago, represents more than 1,860 members, has nearly 100 employees and receives 1.2 million locate calls annually; and,

WHEREAS, JULIE, Inc. marks its 40th year of damage prevention this year, and since its inception in 1974 has logged more than 26 million locate requests, making it one of the most active one-call centers in the nation; and,

WHEREAS, Illinois state law requires all homeowners and contractors to call 811 prior to digging to have underground utility lines marked, regardless of whether they are planting a sapling or excavating a major surface; and,

WHEREAS, the State of Illinois and the Illinois Commerce Commission promote the national call-before-you-dig number, 811, in an effort to reduce damages; and,

WHEREAS, designated by the FCC in 2005, 811 provides potential excavators and homeowners a simple number to reach their local One Call Center to request utility line locations at the intended dig site. The call and service are free; and,

WHEREAS, through education of safe digging practices, excavators and homeowners can save time and money keeping our nation safe and connected by making a simple call to 811 in advance of any digging project; waiting the required amount of time; respecting the marked lines by maintaining visual definition throughout the course of the excavation; and finally, digging with care around the marks; and,

WHEREAS, safe digging is a shared responsibility to know what’s below; always call 811 before you dig; and,

WHEREAS, it is imperative that Illinois citizens follow the state law that requires all underground utility lines to be marked prior to breaking ground; and,

WHEREAS, Illinois is proud to join in the campaign to spread awareness about 811 and the importance of calling before digging; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as CALL BEFORE YOU DIG MONTH in Illinois, and encourage excavators and homeowners to always call 811 before digging, because Safe Digging is No Accident.

Issued by the Governor March 11, 2014.

Filed by the Secretary of State April 2, 2014.
2014-120
FINANCIAL LITERACY MONTH

WHEREAS, it is essential that the people of Illinois have access to financial education and information in order to make informed and responsible decisions regarding finance, credit, and debt; and,

WHEREAS, organizations throughout Illinois are working to educate the public on personal finance issues and increase financial literacy for people of all ages in our state; and,

WHEREAS, financial literacy education helps prepare students to be informed consumers and competent financial decision-makers throughout their lives; and,

WHEREAS, 40% of adults would give themselves a grade of C, D, or F on their knowledge of personal finance; and,

WHEREAS, 70% of college graduates in 2012 had student loan debt and their average debt was more than $29,000; and,

WHEREAS, only 9% of teens in 2013 were actively saving for college; and,

WHEREAS, the financial and economic education of youth is critically important to the future of our state, as it helps prepare students to be informed consumers and competent financial decision-makers throughout their lives; and,

WHEREAS, Econ Illinois provides financial and economic education for youth across Illinois, and led planning for the Illinois Finance Learning Exchange to support related career paths for Illinois youth; and,

WHEREAS, Illinois has the longest-standing consumer education mandate in the nation, which includes economic and financial literacy education; and,

WHEREAS, acquisition of financial literacy skills by citizens will improve the quality of their lives, provide them with the skills necessary for success, contribute to positive changes in the communities in which they live and work, and benefit the economy of this state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as FINANCIAL LITERACY MONTH in Illinois in support of increasing financial and economic education across the Land of Lincoln.

Issued by the Governor March 11, 2014.

Filed by the Secretary of State April 2, 2014.
2014-121
HOME EDUCATION WEEK

WHEREAS, the growth and development of school-age children is of paramount importance in Illinois and across the country; and,

WHEREAS, Illinois values its children and recognizes the importance of providing them with the best education possible so that they may realize their fullest potential and experience success in their future endeavors; and,

WHEREAS, Illinois presents children and families with the opportunity to explore alternatives to public and private schools by authorizing home education as a legitimate and viable educational option; and,

WHEREAS, home education allows parents the opportunity to develop and implement a learning program based on their children’s individual needs; and,

WHEREAS, studies show that students who are educated at home typically score at or above the national average on standardized tests. Studies also confirm that children who are educated at home exhibit self-confidence and good citizenship, and are fully prepared academically to meet the challenges of today’s society; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 7-11, 2014, as HOME EDUCATION WEEK in Illinois, and encourage all citizens to recognize the important role that home education plays in educating our children.

Issued by the Governor March 11, 2014.
Filed by the Secretary of State April 2, 2014.

2014-122
MUNICIPAL CLERKS WEEK

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and,

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and,

WHEREAS, the Office of the Municipal Clerk provides the professional link between citizens, local governing bodies and agencies of government at other levels; and,

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and,

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and,
WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their regional, state and international professional organizations; and,

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 4–May 10, 2014 as MUNICIPAL CLERKS WEEK in Illinois, and further extend appreciation to our Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Issued by the Governor March 11, 2014.
Filed by the Secretary of State April 2, 2014.

2014-123
PARKINSON’S DISEASE AWARENESS MONTH

WHEREAS, Parkinson’s disease is a progressive disorder of the central nervous system, affecting approximately 1.5 million Americans; and,

WHEREAS, clinically, the disease is characterized by a decrease in spontaneous movements, gait difficulty, postural instability, rigidity and tremor; and,

WHEREAS, Parkinson’s disease affects both men and women in almost equal numbers. The frequency of the disease is considerably higher in the over-60 age group, although there is an alarming increase of patients of younger age; and,

WHEREAS, in consideration of the increased life expectancy in this country and worldwide, an increasing number of people are expected to be afflicted with Parkinson's disease; and,

WHEREAS, while medication may mask symptoms for a period of time, there is no known cure, therapy or drug that can slow or stop progression of the disease; and,

WHEREAS, there is no known cause of Parkinson’s Disease, but scientists believe it to be both genetic and environmental; and,

WHEREAS, in 1991, The Parkinson Action Network was founded to raise awareness and advocate on behalf of patient’s with this devastating disorder. The network also supports and funds ongoing research in the hope of finding a cure; and,

WHEREAS, the State of Illinois recognizes the efforts of the Illinois Chapter of the Parkinson Action Network to raise funds and promote
awareness to fight Parkinson’s disease, thereby improving the quality of life for those living with the disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as PARKINSON’S DISEASE AWARENESS MONTH in Illinois, to raise awareness of this devastating illness and in recognition of the work of the Parkinson Action Network.

Issued by the Governor March 11, 2014.
Filed by the Secretary of State April 2, 2014.

2014-124
WEEK OF THE CHILD

WHEREAS, the Children Center for Creative Learning, Paul Simon Job Corps Center and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child April 7th – April 11th; and,

WHEREAS, these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Chicago, Illinois; and,

WHEREAS, teachers and others who make a difference in the lives of young children in Chicago, Illinois deserve thanks and recognition; and,

WHEREAS, public policies that support early learning for all young children are crucial to young children’s futures; and,

WHEREAS, Illinois recognizes the rights and needs of young children and their families and the early childhood programs and services that are necessary to meet those needs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 7 – 11, 2014 as the WEEK OF THE CHILD in Illinois, and encourage all citizens to work together to make investments in early childhood education throughout the Land of Lincoln.

Issued by the Governor March 11, 2014.
Filed by the Secretary of State April 2, 2014.

2014-125
WORLD TB DAY

WHEREAS, 327 cases of active tuberculosis (TB) disease were reported in Illinois in 2013 and an estimated 650,000 Illinoisans are infected with the bacterium that causes tuberculosis; and,

WHEREAS, Illinois remains among the states reporting the highest number of TB cases; and,
WHEREAS, there is a disproportionate burden of TB in minorities and persons born outside the United States; and,
WHEREAS, each year thousands of household members, health care employees and others who share the air of tuberculosis patients are at risk of becoming infected with the tuberculosis bacterium and progressing to active TB disease; and,
WHEREAS, the Illinois Department of Public Health is working to promote prompt diagnosis and treatment of tuberculosis cases; to implement strategies to prevent tuberculosis in children; to improve working relationships between public health and private providers, hospitals, long-term care facilities, correctional facilities, managed care organizations and others; and to decrease tuberculosis transmission in health care facilities and community settings; and,
WHEREAS, the number of TB cases demonstrates that maintaining control of TB in Illinois requires strengthening current TB prevention and control systems, and progress toward the elimination of TB cannot occur without maintaining infrastructure, mobilizing support, and engaging in global TB prevention and control; and,
WHEREAS, for 2014, the Stop TB Partnership’s World TB Day slogan is “TB—Reach the 3 Million. Find. Treat. Cure TB,” which goes with the theme of calling for a world free of TB; and,
WHEREAS, for 2014, the U.S. Centers for Disease Control and Prevention and the Illinois Department of Public Health have adopted the slogan “Find TB. Treat TB. Working together to eliminate TB” to encourage TB programs to reach out to their communities to raise awareness and to call for further collaboration to find and to treat the disease and latent TB infection; and,
THEREFORE, I, Pat Quinn, governor of the State of Illinois, do hereby proclaim March 24, 2014 as WORLD TB DAY in Illinois and urge all citizens to increase their awareness and understanding of tuberculosis infection and disease and to join the global effort to stop the spread of this disease.

Issued by the Governor March 11, 2014.
Filed by the Secretary of State April 2, 2014.

2014-126
PEDIATRIC STROKE AWARENESS MONTH

WHEREAS, stroke occurs at a rate of 1 in 2700 live births each year and in 12 in 100,000 children per year, with stroke being the sixth leading cause of death in children; and,
WHEREAS, between 50 and 85 percent of infants and children who have a Pediatric Stroke will have serious, permanent neurological disabilities, including paralysis, seizures, speech and vision problems, attention, learning and behavioral difficulties, and may require ongoing physical therapy and surgeries; and,

WHEREAS, the life-long health concerns and treatments stemming from Pediatric Stroke result in a heavy financial and emotional toll on the child, the family, and society; and,

WHEREAS, very little is known about the cause, treatment and prevention of Pediatric Stroke; Pediatric Stroke risk factors, symptoms, prevention efforts, and treatments are often different in children than in adults; only through medical research can effective treatment and prevention strategies for Pediatric Stroke be identified and developed; and,

WHEREAS, an early diagnosis and commencement of treatment of Pediatric Stroke greatly improves chances of recovery and prevention of recurrence; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as PEDIATRIC STROKE AWARENESS MONTH in Illinois. I urge all citizens to join me in supporting the efforts, programs, services, and advocacy the Children’s Hemiplegia and Stroke Association provide as they strive to enhance public awareness of Pediatric Stroke.

Issued by the Governor March 12, 2014.
Filed by the Secretary of State April 2, 2014.

2014-127

GREAT OUTDOORS MONTH

WHEREAS, June of each year is designated as Great Outdoors Month to highlight the numerous benefits of the outdoors and the magnificent shared resources of our parks, forests, refuges, and other public lands and waters; and,

WHEREAS, Great Outdoors Month is an opportunity to celebrate the rich blessings of our nation's natural beauty, and to renew our commitment to protecting our environment so that we can leave our children and grandchildren a healthy and flourishing land; and,

WHEREAS, this month is also an opportunity to pay tribute to those whose hard work and dedication keep our country's open spaces beautiful and accessible to our citizens; and,

WHEREAS, June also opens the active summer vacation and recreation season. Through recreational activities such as fishing, skiing,
biking, and nature watching, we can teach our young people about the wonders of our state's landscapes; and,

WHEREAS, experiencing Illinois' natural splendor contributes to happier and healthier lives for our citizens and a deeper appreciation for the great outdoors; and,

WHEREAS, countless citizens volunteer their time and talents to protect America's natural resources. By working together, we can help preserve our local parks, lakes, rivers, and working lands; and,

WHEREAS, it is fitting that during this month we should also acknowledge the dedicated efforts of all those who work to promote stewardship and conservation of our state's natural wonders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2014 as GREAT OUTDOORS MONTH in Illinois, and encourage all citizens to observe this month with appropriate programs and activities and to take time to experience and enjoy the great outdoors.

Issued by the Governor March 13, 2014.
Filed by the Secretary of State April 2, 2014.

2014-128
JAN KARSKI DAY

WHEREAS, Illinois recognizes the importance of remembering the atrocities of the Holocaust during World War II and acknowledges those who were brave enough to stand up to the Nazis; and,

WHEREAS, Jan Karski was a Polish diplomat who served as an officer in the Polish Resistance during World War II; and,

WHEREAS, after becoming a prisoner of War of the occupying Soviets, Jan Karski managed to escape a certain death at Katyn Forest and returned to the Nazi-occupied Warsaw to join the Polish Resistance movement; and,

WHEREAS, upon entering the Warsaw ghetto and the Nazi Izbica transit camp, Jan Karski saw first-hand the atrocities against the Jews occurring under Nazi occupation; and,

WHEREAS, the Nazi atrocities committed against the Jews in occupied-Poland were first brought to the attention of the free world by Jan Karski; and,

WHEREAS, through personal eye witness accounts, Jan Karski met with diplomats to report about the horrors of the Holocaust taking place in occupied Poland; and,

WHEREAS, Jan Karski met with President Roosevelt in 1943 and was the first eye witness to recount to the President what was happening to
the Jews in occupied Poland; and,

WHEREAS, after the war ended, Jan Karski published Story of a Secret State, earned a Ph.D. from Georgetown University and went on to teach at Georgetown for 40 years; and,

WHEREAS, thousands of students, including former President Bill Clinton and Governor Pat Quinn, were taught by Jan Karski in the areas of Eastern European Affairs, Comparative Government, and International Affairs; and,

WHEREAS, the Polish Parliament honored Jan Karski by proclaiming 2014 “The Year of Jan Karski”; and,

WHEREAS, The Polish Consulate General in Chicago and their Jewish-American and Polish-American partners will hold a Holocaust remembrance conference in memory of Jan Karski on April 24, 2014, in the city of Chicago; and,

WHEREAS, although now deceased, Jan Karski will be remembered and honored on what would be his 100th Birthday on April 24, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 24, 2014, as JAN KARSKI DAY in Illinois, in recognition of his tremendous efforts to oppose the Nazi occupation of Poland and stop the Holocaust.

Issued by the Governor March 13, 2014.
Filed by the Secretary of State April 2, 2014.

2014-129
SCOLIOSIS AWARENESS MONTH

WHEREAS, scoliosis is an abnormal curvature of the spine that affects 2-3 percent of the population, or an estimated 7 million people in the United States. Scoliosis impacts people of all ages, regardless of race or socio-economic status, and there is no cure; and,

WHEREAS, scoliosis is common in children with a variety of congenital and neuromuscular diseases, but it is most prevalent in seemingly healthy children, with no known cause. The primary age of onset for scoliosis is 10-15 years of age, occurring equally among both genders, but with females five to eight times more likely to progress to a curve magnitude that requires treatment; and,

WHEREAS, approximately one out of every six children diagnosed with scoliosis will have a curve that progresses to a degree that requires active treatment. Annually an estimated one million patients diagnosed with scoliosis utilize health care resources; and,

WHEREAS, scoliosis can impact a person’s quality of life by limiting
activity, reducing respiratory function, causing pain and diminishing self
esteem; and,

WHEREAS, screening programs allow for early detection and
treatment which may alleviate the worst effects of scoliosis; and,

WHEREAS, increased public awareness of scoliosis can help
children, parents, adults and healthcare providers understand and recognize
the complexities of spinal deformities such as scoliosis; and,

WHEREAS, the observance of National Scoliosis Awareness Month
provides an opportunity to renew our commitment to raise awareness of the
societal and economic costs of musculoskeletal diseases such as scoliosis,
and the need for continued research to alleviate the pain and suffering those
diseases cause; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim June 2014 as SCOLIOSIS AWARENESS MONTH in
Illinois, to raise awareness of Scoliosis, and to recognize the need for
increased research and funding to reduce the pain and suffering it causes.

Issued by the Governor March 13, 2014.
Filed by the Secretary of State April 2, 2014.

2014-130
VIETNAM VETERANS DAY

WHEREAS, as Americans, we must pledge to never forget the
outstanding strength, service and sacrifices of those who have fought to
defend democracy, human dignity and the right to self determination; and,

WHEREAS, serving in the United States Military requires enormous
dedication, a strong sense of courage, and a willingness to sacrifice
everything to protect the freedoms that we Americans hold so dear; and,

WHEREAS, we must never forget the debt we owe these men and
women who have loyally served our Nation in battle. Furthermore, we must
never take for granted their contributions and sacrifices, and we must
remember with honor those who unselfishly put themselves in harm’s way so
that we may live in peace; and,

WHEREAS, the 41st Anniversary of ending the Vietnam War presents
the opportunity for the people of America to honor and thank our Vietnam
Veterans for all they have given in service to our country; and,

WHEREAS, in Vietnam, over 300,000 men were wounded, 75,000
severely disabled and of the over 58,000 killed, 2,934 were from the State of
Illinois; and,

WHEREAS, March 29th is the anniversary of the total withdrawal of
United States forces and this date also marked the actual end of military
involvement in Vietnam; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 29, 2014 as VIETNAM VETERANS DAY in Illinois, and urge all the citizens of Illinois to recognize this event and participate fittingly in its observance.

Issued by the Governor March 13, 2014.

Filed by the Secretary of State April 2, 2014.

2014-131
CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH

WHEREAS, the Association of Government Accountants (AGA) is a professional organization with more than 15,000 members in 90 chapters throughout the United States and around the world, including chapters in Illinois, in Chicago and Springfield; and,

WHEREAS, since 1950, the AGA has been dedicated to addressing the issues and challenges facing government financial managers; and,

WHEREAS, there are more than 250 active members representing state, federal, municipal and private sector accountants, auditors, and financial managers in Illinois; and,

WHEREAS, AGA Chicago and Springfield Chapter members have responded to AGA’s mission of Advancing Government Accountability, as it continues to broaden education efforts with emphasis on high standards of conduct, honor and character in its Code of Ethics; and,

WHEREAS, the AGA Chicago and Springfield chapters are making significant advances both in professional ability and in service to the citizens of Illinois by mastering increasingly technical and complex requirements; and,

WHEREAS, the Certified Government Financial Manager (CGFM) program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment history and to pass a 3-part examination requiring expertise in the Government Environment, Governmental Financial Management and Control, and Governmental Accounting, Financial Reporting and Budgeting; and,

WHEREAS, each CGFM holder is required to maintain certification by completing comprehensive training sessions totaling 80 hours over a 2-year period; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2014 as CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH in Illinois, in recognition of the unique skills and
special knowledge of the professionals who specialize in government financial management.

Issued by the Governor March 14, 2014.
Filed by the Secretary of State April 2, 2014.

2014-132
PANDAS/PANS AWARENESS DAY

WHEREAS, PANDAS, Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections, is the sudden onset of OCD often displayed as severe anxiety and emotional disturbances plus two or more of the following symptoms: tics or other abnormal movements; severe separation anxiety, generalized anxiety; irritability, emotional lability, aggression, personality changes; ADHD, inability to concentrate; sensory sensitivities; deterioration in learning abilities and school performance; developmental and age regression (including deterioration in handwriting); sleep and nighttime difficulties; and/ or urinary frequency or daytime/nighttime secondary enuresis; symptoms that are often debilitating and devastating for families; and,

WHEREAS, the onset of symptoms is corresponding to an infection, usually strep; children with PANDAS may have moderate to dramatic improvement with early diagnosis and swift treatment with antibiotics, however, further interventions may be needed; and,

WHEREAS, with concerted research efforts, a standard treatment protocol may be developed, however at this time many parents and doctors report use of prophylactic antibiotics and/or IVIG (intravenous immunoglobulin) treatment or plasmapheresis to be effective; and,

WHEREAS, researchers at the National Institute of Mental Health are currently engaged in extensive research and testing on how to effectively treat PANDAS/PANS; and researchers at Moleculera Labs at the University of Oklahoma have developed quality PANDAS/PANS blood testing procedures; and,

WHEREAS, the insurance industry does not recognize or cover the quality diagnosis and the full range of treatments, including but not limited to prophylactic antibiotics, IVIG (intravenous immunoglobulin) and plasmapheresis; and,

WHEREAS, PANS, Pediatric Acute-onset Neuropsychiatric Syndrome, is broader than PANDAS as it includes not only disorders associated with a preceding infection such as Mycoplasma Pneumonia, Mono, Lyme, viruses, and more, but also acute onset non-infectious triggers, such as environmental factors and metabolic dysfunction; no treatment plan
for this syndrome has been defined at this time, but treatment plans similar to PANDAS should be attempted; and,

WHEREAS, a conservative estimate of the prevalence of PANDAS/PANS cases in the United States alone is 162,000 (as compiled by the PANDAS Network); however, the true prevalence of PANDA/PANS is not known, most likely due to lack of awareness and diagnostics; and,

WHEREAS, PANDAS/PANS is likely as common as illnesses like pediatric cancer or pediatric diabetes, but is also often misdiagnosed as ADHD, sensory processing deficits, bi-polar disorder, learning disabilities, Tourette Syndrome, strict OCD, and/or pervasive developmental disorders/autism spectrum disorders and can seriously affect the healthy outcome of a child's life; and,

WHEREAS, the families of children diagnosed with PANDAS/PANS endure many hardships medically, educationally, sociallyemotionally, and financially; and,

WHEREAS, The PANDAS/PANS Advocacy and Support of Illinois group strives to build public awareness of PANDAS/PANS, provide ongoing family support, as well as gather and disseminate resources to families affected by the disorder; and,

WHEREAS, it is imperative that there be greater public awareness of this serious health issue, and more must be done to increase activity at the local, state and national levels; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 9, 2014, as PANDAS/PANS AWARENESS DAY in Illinois, in order to raise awareness about PANDAS/PANS.

Issued by the Governor March 14, 2014.
Filed by the Secretary of State April 2, 2014.

2014-133
SIBLINGS DAY

WHEREAS, the citizens of the State of Illinois appreciate and join in observances that acknowledge those special relationships that enhance our lives, including ones founded upon the unique bond that exists among siblings; and,

WHEREAS, the experiences that brothers and sisters share are a cherished source of memories that last throughout one’s lifetime; and,

WHEREAS, the love among siblings is enduring and passed on to future generations who nurture and preserve the precious legacy bestowed upon them; and,

WHEREAS, the observance of Siblings Day provides a wonderful
opportunity to reflect upon the bonds of friendship and love that thrive among brothers and sisters and take the time to express heartfelt gratitude for the unique relationship that siblings celebrate each and every day:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 10, 2014 as SIBLINGS DAY in Illinois, in celebration of the special bond shared by brothers and sisters.

Issued by the Governor March 14, 2014.
Filed by the Secretary of State April 2, 2014.

2014-134
4p-/WOLF HIRSCHHORN SYNDROME AWARENESS DAY

WHEREAS, the good health and general well-being of the people of Illinois is strengthened by our awareness and understanding of a genetic disorder known as 4p- syndrome, with Wolf-Hirschhorn as the main syndrome; and,

WHEREAS, children with 4p- syndrome are usually born with low birth weight and develop slowly, both cognitively and physically, compared to their same-age peers, and experience medical complications while still maintaining pleasant and lovable personalities; and,

WHEREAS, dedicated professionals are presently involved in valuable research to explore new therapies and diagnostic tools, and to offer hope to persons with 4p- syndrome; and,

WHEREAS, the 4p- Support Group estimates that approximately 1,000 individuals in the United States have 4p- syndrome, though it is thought many remain undiagnosed; and,

WHEREAS, it is incumbent upon the citizens of Illinois to work together as a state to increase research, effective diagnostic screenings, support and development of improved therapies for early intervention and other necessary and critical treatments, as well as join in recognizing and applauding the valuable role of families and advocates; and,

WHEREAS, the state of Illinois is pleased to join people throughout our nation in promoting a special celebration which seeks to raise awareness of 4p- syndrome; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 16th 2014 as 4p-/WOLF-HIRSCHHORN SYNDROME AWARENESS DAY and invite all citizens to duly note this occasion.

Issued by the Governor March 17, 2014.
Filed by the Secretary of State April 2, 2014.
2014-135  MEDICAL LABORATORY PROFESSIONALS WEEK

WHEREAS, the health and well-being of all citizens depends upon the hard work of individuals with educated minds and skilled hands; and,

WHEREAS, medical laboratory professionals, which include clinical laboratory scientists/medical technologists, clinical laboratory technicians/medical laboratory technicians, histologic technicians, cytotechnologists, phlebotomists, clinical chemists, clinical microbiologists, pathologists’ assistants, pathologists, forensic scientists, and other related professionals play a critical role in providing patients with the best possible health care; and,

WHEREAS, the role of a medical laboratory professional is to perform and evaluate medical laboratory tests to detect, diagnose, monitor treatment, and help prevent diseases. In addition, they perform tests to identify and detect biohazardous substances; and,

WHEREAS, the practice of modern medicine at the exacting standards we now enjoy would be impossible without the numerous types of scientific tests performed daily in the medical laboratory; and,

WHEREAS, there are currently almost 8,000 medical technologists working in the State of Illinois, and that number is expected to grow by 15 percent by 2016; and,

WHEREAS, through their dedication, the medical laboratories of Illinois have made vital contributions to the quality of health care in our state, yet the dedicated efforts of these laboratory professionals often go unnoticed; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 20-26, 2014 as MEDICAL LABORATORY PROFESSIONALS WEEK in Illinois, and urge all citizens to recognize and support the vital services provided by the laboratory practitioner for the benefit of all citizens.

Issued by the Governor March 17, 2014.
Filed by the Secretary of State April 2, 2014.

2014-136  INTERNATIONAL PLASMA AWARENESS WEEK

WHEREAS, October 12-18, 2014 marks International Plasma Awareness Week with observances throughout the United States and Europe designed to raise global awareness of the need for source plasma collection, recognize the contributions of plasma donors to saving and improving lives
and to increase understanding about lifesaving plasma protein therapies and rare diseases; and,

WHEREAS, lifesaving plasma-delivered and recombinant blood clotting factors, collectively known as plasma protein therapies are unique, biologic products for which no substitute therapies exist; and,

WHEREAS, plasma protein therapies exist, save and improve lives of individuals throughout the world; and,

WHEREAS, plasma protein therapies are used to treat many conditions including bleeding disorders, primary immunodeficiency diseases, Alpha-1 antitrypsin deficiency and certain rare neurological disorders; and,

WHEREAS, these therapies are also used in emergency and surgical medicine to save and improve lives; and,

WHEREAS, these therapies have significantly improved the quality of life, markedly improved patient outcomes, extended life expectancy for individuals with rare diseases, specifically those with plasma protein disorder; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 12-18, 2014 as INTERNATIONAL PLASMA AWARENESS WEEK in Illinois, in celebration of the biological contributions of Plasma Protein Therapies.

Issued by the Governor March 18, 2014.
Filed by the Secretary of State April 2, 2014.

2014-137
NATIONAL NURSING HOME WEEK

WHEREAS, living the Aloha Spirit is this year’s theme for National Nursing Home Week; and,

WHEREAS, during this week, we recognize all of the people that play significant roles in the successful quality care performed at nursing facilities; and,

WHEREAS, the elderly and developmentally challenged residents of long-term care facilities have led exceptional and extraordinary lives which have helped enhance the quality of life in this great State; and,

WHEREAS, the long-term care facilities in Illinois are dedicated to providing the finest in health care and rehabilitation for our convalescent, aged, and developmentally challenged citizens; and,

WHEREAS, this dedication has been forcefully demonstrated through continual striving to upgrade standards of care and improve service; and,

WHEREAS, National Nursing Homes Week is an opportunity to bring into the limelight the celebration of quality health care with residents,
staff, providers, families volunteers, and members of our communities; and,

WHEREAS, the Illinois Health Care Association is contributing to activities in observance of National Nursing Home Week beginning May 11, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 11-17, 2014 as NATIONAL NURSING HOME WEEK in Illinois, and encourage all citizens to recognize the individuals who have continually committed themselves to quality care and services in our state’s long-term care facilities.

Issued by the Governor March 18, 2014.
Filed by the Secretary of State April 2, 2014.

2014-138
COALITION OF LABOR UNION WOMEN DAY

WHEREAS, The Coalition of Labor Union Women (CLUW) is a non-partisan organization within the trade union movement that was formed in 1974 to articulate the concerns of working women; and,

WHEREAS, the four principles of CLUW are: to encourage activism and leadership of women in their unions and the labor movement; to organize women workers who are not represented by a union; to promote the political education and involvement of women in the political and legislative process; and, to promote fairness, equality of opportunity, and upward mobility of women in the workplace; and,

WHEREAS, CLUW educates and trains women for action, organizes conferences and workshops, and promotes the role of women in society; and,

WHEREAS, with members from 54 international and national unions across the U.S. and Canada, CLUW has a strong network of more than 40 chapters; and,

WHEREAS, the CLUW Center for Education & Research, located at the National CLUW office, was established in 1979 as a separate non-profit, tax-exempt entity of CLUW; and,

WHEREAS, CLUW will be celebrating its 40th anniversary at a dinner on March 27, 2014, in Chicago, Illinois, the same city where its founding convention took place; and,

WHEREAS, for 40 years, CLUW has been dedicated to addressing issues facing women in the workplace and strengthening ties among labor, management, government, and community organizations; and,

WHEREAS, the longevity of CLUW is a testament to the dedication of its employees, volunteers, and members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby declare March 27, 2014, as COALITION OF LABOR UNION WOMEN DAY in Illinois, in recognition of CLUW’s 40th anniversary.
Issued by the Governor March 19, 2014.
Filed by the Secretary of State April 2, 2014.

2014-139
UL DAY

WHEREAS, founded in 1894, Underwriters Laboratories (UL) is a premier global independent safety science company that has championed progress for 120 years; and,

WHEREAS, UL traces its beginnings back to the Chicago World’s Fair where founder William Henry Merrill first became interested in examining electrical safety at the Columbian Exposition’s Palace of Electricity; and,

WHEREAS, throughout its existence, UL has been a pioneer and leading authority in testing and creating safer working and living environments globally; and,

WHEREAS, UL uses research and standards to continually advance and meet ever-evolving safety needs and partners with businesses, manufacturers, trade associations, and international regulatory authorities to bring solutions to a more global supply chain; and,

WHEREAS, in 2013, UL had customers in 106 countries, and 10,715 employees working in 40 countries; and,

WHEREAS, also in 2013, 20,268 types of products were evaluated by UL, and 69,795 manufacturers produced UL certified products; and,

WHEREAS, from engaging children in safety programs at school to mentoring young robotics scientists, UL has demonstrated a strong commitment to corporate social responsibility; and,

WHEREAS, this year marks UL’s 120th anniversary, which the company will celebrate by recognizing its first official test conducted by William Henry Merrill on March 24, 1894; and,

WHEREAS, this anniversary presents an excellent opportunity for UL to reflect on its accomplishments and make plans for the future; and,

WHEREAS, the longevity of UL is a testament to the dedication of its employees, partners, and customers; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 24, 2014, as UL DAY in Illinois, in recognition of this company’s 120th anniversary.
Issued by the Governor March 19, 2014.
Filed by the Secretary of State April 2, 2014.
2014-140

BETTER HEARING AND SPEECH MONTH

WHEREAS, founded in 1960, the Illinois Speech-Language-Hearing Association (ISHA) is a non-profit organization representing over 4000 licensed speech-language pathologists and audiologists; and,

WHEREAS, speech-language pathologists are specialists trained to identify, evaluate, and remediate communication or swallowing problems, and determine the best treatment solutions; and,

WHEREAS, audiologists specialize in the prevention, identification, and evaluation of hearing and balance disorders and the habilitation/rehabilitation of individuals with hearing impairment; and,

WHEREAS, ISHA has three main goals: to make the public aware of services available to persons with speech, language and hearing disorders; to advocate for quality hearing services throughout the state; and to support the scientific study of human communication and its disorders; and,

WHEREAS, approximately 46 million Americans are affected by communicative disorders, including 28 million individuals with hearing loss and 16 million individuals with speech, voice or language disorders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as BETTER HEARING AND SPEECH MONTH in Illinois, to raise awareness of the contributions of speech-language pathologists and audiologists and the help that is available to those individuals with a speech, language or hearing problem.

Issued by the Governor March 20, 2014.
Filed by the Secretary of State April 2, 2014.

2014-141

COMMUNITY ACTION AGENCY DAY

WHEREAS, the Economic Opportunity Act of 1964 was signed into law on August 20, 1964, by President Lyndon B. Johnson; and,

WHEREAS, the purpose of this legislation was to eliminate the paradox of poverty in the midst of plenty in this nation; and,

WHEREAS, because of this important landmark legislation, Community Action Agencies began a proud tradition of service to the vulnerable families and individuals of Illinois and the nation; and,

WHEREAS, Community Action Agencies embody the spirit of hope, improve communities, and make America a better place to live; and,

WHEREAS, nearly 650,000 Illinois residents are served annually by Community Action Agencies operating in all 102 counties; and,
WHEREAS, the Community Action Agencies of Illinois will commemorate this year as the fiftieth anniversary of service to Illinois and the nation; and,

WHEREAS, now more than ever all people of this great state must unite to end hunger, homelessness, unemployment, illiteracy and indifference; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, hereby proclaim August 20, 2014 to be COMMUNITY ACTION AGENCY DAY in Illinois and ask that the Community Action Agencies of Illinois and the Illinois Association of Community Action Agencies be appropriately recognized for their outstanding service to the people of Illinois in this fiftieth year of service.

Issued by the Governor March 20, 2014.
Filed by the Secretary of State April 2, 2014.

2014-142
COMMUNITY GARDENING MONTH

WHEREAS, community gardens have innumerable benefits. Among these are sharing food with members of the community through local food pantries, beautifying our neighborhoods, reducing the urban heat island effect and filtering rainwater, and providing a catalyst for neighborhood and community development; and,

WHEREAS, community gardens provide nutritionally rich fresh produce and plants as well as satisfying labor, neighborhood improvement, strengthen community bonds, connection to the environment and create recreational opportunities for a community; and,

WHEREAS, community gardens improve gardeners’ health through increased fresh vegetable consumption and horticultural therapy; and,

WHEREAS, community gardens are an invaluable educational tool, teaching neighbors about land stewardship, and providing an informal classroom for children and adults to learn skills caring for the natural environment; and,

WHEREAS, community gardens promote healthy communities and provide food security for many low income families; and,

WHEREAS, the gardens and those who participate in community gardening contribute to the preservation of open space, providing access to healthy food and reducing family food budgets, and create sustainable uses of the space; and,

WHEREAS, it is estimated that there are approximately 22,000 community gardens in the U.S. and Canada, in both rural and urban
communities. Community gardens can be started almost anywhere, including at schools, hospitals, parks, churches, civic organizations, businesses and vacant lots; and,

WHEREAS, the Illinois Department of Agriculture is beginning the sixth year of the Illinois State fairgrounds Community Garden, created to give residents a place to grow fresh produce, herbs, or other plants and flowers in a friendly and safe environment; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as COMMUNITY GARDENING MONTH in Illinois, and encourage all citizens to explore the possibility of creating a community garden where they live or joining an existing community garden in their neighborhood.

Issued by the Governor March 20, 2014.
Filed by the Secretary of State April 2, 2014.

2014-143
HEALTH CARE WORKERS DAY

WHEREAS, the health and well-being of our citizens is the primary concern of Illinois health care professionals; and,

WHEREAS, the Chicago area is recognized as a preeminent medical resource and its commitment to the community is evident in its health care organizations; and,

WHEREAS, a health care team, as a vital component in the provision of modern health care, consists of nurses, allied health professionals, support staff, financial services personnel, administrative staff, physicians and volunteers, and each of those individuals are all integral parts of a successful health care delivery team; and,

WHEREAS, health care employees make valuable contributions to every health care facility and help increase the greater Chicagoland area’s reputation for health care excellence; and,

WHEREAS, the more than 150 hospitals and health care organizations that are members of the Metropolitan Chicago Healthcare Council honor health care workers for their many contributions to the health and well-being of the people in their communities:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 7, 2014 as HEALTH CARE WORKERS DAY in Illinois, and urge all citizens to recognize the achievements of these dedicated workers.

Issued by the Governor March 20, 2014.
Filed by the Secretary of State April 2, 2014.
2014-144
ILLINOIS MEDICAL CODERS WEEK

WHEREAS, medical coders identify and address patterns of disease, illness, and injury in populations, as well as identify the trends and patterns in the procedures and services they provide by reviewing all tests, diagnoses, results, and medications and translating them to a numerical value; and,

WHEREAS, the use of medical codes for disease and injury prevention has contributed to understanding correlations in illness and injury to treatment, including heart disease, stroke, viral infections, infectious diseases, and motor vehicle and workplace injuries; and,

WHEREAS, medical coders help preserve the history of communities by abstracting information from birth and death records; and,

WHEREAS, over the past decade medical coders have achieved significant milestones in the sophistication of their profession through extensive education and training; and,

WHEREAS, the need for qualified medical coders continues to increase nationally in physician offices and outpatient and hospital settings; and,

WHEREAS, the integrity and high standards of medical coders have contributed to the U.S. Department of Health and Human Services’ campaign against fraud and abuse in medical reimbursement; and,

WHEREAS, the State of Illinois is proud to recognize medical coders for all their hard work in this state, and throughout the country; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19-23, 2014 as ILLINOIS MEDICAL CODERS WEEK, and encourage all citizens to recognize and honor the medical coders for their invaluable contributions to the improvement of our healthcare system.

Issued by the Governor March 21, 2014.
Filed by the Secretary of State April 2, 2014.

2014-145
ILLINOIS MUSEUM DAY

WHEREAS, museums provide public access to inspiring collections of art, culture, history, natural history, and science; and,

WHEREAS, museums have long motivated people of all ages to learn about the past, examine the present, and plan for the future; and,

WHEREAS, museums are repositories of trustworthy knowledge and information made accessible to all; and,
WHEREAS, Illinois museums serve all people, especially our children, teachers, schools, families, and communities by providing authentic and unique educational experiences through exceptional programs, exhibits and activities; and,

WHEREAS, museums foster the development of informed, critical, and innovative thinkers; and,

WHEREAS, Illinois museums serve as economic engines for our state by providing employment for thousands of our citizens and attracting tourists from across the country and throughout the world; and,

WHEREAS, every form and variety of museum is available to the citizens of Illinois including art, history, science, natural history, military, maritime, and youth museums, aquariums, zoos, botanical gardens, arboretums, historic sites, nature, science, and technology centers; and,

WHEREAS, on April 3rd, the Illinois Association of Museums and Museums In the Park will hold their 16th Annual Museum Day event, a day when museum staff and volunteers from across the state will gather in Springfield to remind state legislators and all Illinoisans of the remarkable value museums hold for our communities and our state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 3, 2014, as ILLINOIS MUSEUM DAY in Illinois, encouraging all citizens to visit museums in their community and recognize the importance of supporting, preserving, and enjoying these valuable institutions.

Issued by the Governor March 21, 2014.
Filed by the Secretary of State April 2, 2014.

2014-146
MDA ALS AWARENESS MONTH

WHEREAS, in ALS known by many as Lou Gehrig’s disease, nerve cells called motor neurons inexplicably die, leading to weakness and eventual paralysis of all voluntary muscles, including those used for breathing and swallowing; and,

WHEREAS, there is no cure, and death often occurs within five years of an ALS diagnosis, although some people live for decades with the disease; and,

WHEREAS, approximately 30,000 individuals in the United States are affected by ALS and 5,000 are diagnosed each year with the fatal disease; and,

WHEREAS, ALS strikes people regardless of race, sex, age, or ethnicity; and,
WHEREAS, finding the causes of, and cure for, ALS will prevent the disease from robbing hundreds of thousands of Americans of their dignity and lives; and,

WHEREAS, aggressive treatments of the symptoms of ALS can extend the lives of those living with the disease; and,

WHEREAS, the Muscular Dystrophy Association (MDA) is the world leader in providing and funding ALS research and services, having dedicated $325 million to worldwide research programs, support services, and comprehensive medical treatment including MDA/ALS clinical programs at SIU School of Medicine in Springfield, Carle Clinic in Champaign, and OSF Medical Group at INI Neurology in Peoria; and,

WHEREAS, ALS Awareness Month is designed to increase public attention for this disease, its impact on the individual with the disorder and families; and, MDA sponsors activities and “Living with ALS” seminars in Illinois/Champaign during the month of May; and,

WHEREAS, the state of Illinois joins the Muscular Dystrophy Association in its continued commitment to supporting ALS research and raising awareness about the disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as MDA ALS AWARENESS MONTH in Illinois.

Issued by the Governor March 21, 2014.
Filed by the Secretary of State April 2, 2014.

2014-147
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF UNITED STATES MARINES, MAJOR REID NANNEN

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, on March 1, 2014, Major Reid Nannen lost his life at the age of 32 in an F/A-18C Hornet crash on the Fallon Range Training Complex in Nevada; and,

WHEREAS, formerly of Hopedale, Illinois, and a graduate of the University of Illinois, Major Reid Nannen made vast contributions to the Land of Lincoln; and,

WHEREAS, Major Reid Nannen received his Wings of Gold in 2007 and was selected to fly F/A-18 Hornets; and,
WHEREAS, Major Reid Nannen served two tours of duty in Afghanistan and was decorated with several service medals; and,
WHEREAS, throughout his career as a proud member of the United States Marines, Major Reid Nannen represented the State of Illinois admirably; and,
WHEREAS, Major Reid Nannen was well respected and admired by his fellow Marines; and,
WHEREAS, a funeral will be held on Saturday, March 22, 2014, for Major Reid Nannen, a loving son, grandson, brother, husband, and father, who is survived by many family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Monday, March 24, 2014, in honor and remembrance of Major Reid Nannen, whose selfless service and sacrifice is an inspiration.

Issued by the Governor March 22, 2014.
Filed by the Secretary of State April 2, 2014.

2014-148
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF OAK FOREST POLICE OFFICER JIM MORRISSY

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of law enforcement who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,
WHEREAS, on Monday afternoon, March 17, 2014, Oak Forest Police Officer Jim Morrissy was abruptly taken from us at the age of 62 after his squad car was struck; and,
WHEREAS, Officer Jim Morrissy was the longest-tenured patrolman in southwest suburban Oak Forest; and,
WHEREAS, Officer Jim Morrissy was assigned as a field training officer, responsible for training and directing new officers; and,
WHEREAS, Officer Jim Morrissy is a native of Oak Forest, Illinois, where he was widely considered to be a stand-up member of the community. He will always be remembered for the countless lives he impacted; and,
WHEREAS, throughout his career as a proud member of the Oak Forest Police Department, Officer Jim Morrissy represented the State of Illinois Admirably; and,
WHEREAS, a funeral will be held on Saturday, March 22, 2014, for
Officer Jim Morrissy, who is survived by his wife and three sons; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Saturday, March 22, 2014, in honor and remembrance of Officer Jim Morrissy, whose selfless service and sacrifice is an inspiration.

Issued by the Governor March 22, 2014.
Filed by the Secretary of State April 2, 2014.

2014-149
AIR QUALITY AWARENESS WEEK

WHEREAS, outdoor air pollution can be harmful to the health of thousands of Illinois citizens each year, especially children, older adults, and people with lung or heart disease; and,
WHEREAS, each day, our actions can contribute to air pollution, even when we don’t recognize it; and,
WHEREAS, two of the most common air pollutants, ozone and particle pollution, not only affect how we breathe, but also affect our heart health; and,
WHEREAS, studies have shown that one in eight children in Chicago suffers from asthma; and,
WHEREAS, knowledge of the air quality forecast can help empower citizens to better protect themselves and their families; and,
WHEREAS, Illinois citizens can receive their local air quality forecast free, via email through Illinois EnviroFlash; and,
WHEREAS, Illinois citizens can take action now and start making a difference in Illinois’ air quality by taking simple actions at home to improve air quality that will also help save money; and,
WHEREAS, the Illinois Environmental Protection Agency and Illinois Partners for Clean Air are supporting efforts to encourage citizens to utilize the Air Quality Index, understand what causes poor air quality, take actions to improve outdoor air quality, thereby protecting their health; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 28 - May 2, 2014 as AIR QUALITY AWARENESS WEEK in the State of Illinois.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.
WHEREAS, since the birth of this great nation, America has been blessed with a population of brave men and women who have courageously answered the call to defend their country’s ideals of freedom and democracy. Many of the brave Americans who have answered their country’s call to service were captured by hostile forces or listed as missing while performing their duties; and,

WHEREAS, the harsh conditions of enemy captivity are an unfortunate reality that many of our brave soldiers and their allies have experienced first hand. During World War II, American and Filipino prisoners of war who fought in the Philippines experienced some of the cruelest treatment. They were forced by Japanese captors to participate in what has come to be known as the Bataan Death March and the survivors were put into forced labor camps; and,

WHEREAS, American and Filipino former prisoners of war are national heroes whose service to our country will never be forgotten. These brave men and women fought for America and endured cruelties and deprivation as prisoners of war that no man or women should ever have to experience; and,

WHEREAS, during World War II, the Korean War, Vietnam, the 1991 Gulf War, Operation Iraqi Freedom, and other conflicts, our service men and women have sacrificed much to secure freedom, defend the ideals of our nation, and free the oppressed. Each of these individuals should be honored for their strength of character and for the difficulties they and their families endured. By answering the call of duty and risking their lives to protect others, these proud patriots continue to inspire us today as we work with our allies to extend peace, liberty, and opportunity to people around the world:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 9, 2014 as BATAAN DAY in the State of Illinois, and encourage all citizens to take a moment to honor and remember the men and women who suffered the hardships of enemy captivity while courageously serving their country.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.
2014-151
EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY

WHEREAS, Emergency Medical Services (EMS) for Children recognizes children have unique physiological responses to illness and injury; and,

WHEREAS, EMS for Children promotes a specialized approach to pediatric care; and,

WHEREAS, Illinois’ emergency medical services system strives to integrate pediatric emergency care needs across a wide spectrum; and,

WHEREAS, in Illinois there are 13 standby emergency departments approved for pediatrics, 85 emergency departments approved for pediatrics, 10 pediatric critical care centers, 16,758 first responders, 22,426 basic EMTs (emergency medical technicians), 769 intermediate EMTs, 15,341 paramedic EMTs, 4,629 emergency communications registered nurses, 2,779 trauma nurse specialists, 350 pre-hospital registered nurses, and 2,656 emergency medical dispatchers dedicated to promoting preventive measures, pre-hospital care, emergency department services, outpatient and specialized services, and inpatient and rehabilitative care; and,

WHEREAS, Illinois champions the nation’s EMS for Children's commitment to reduce childhood morbidity and mortality associated with severe illness and trauma; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim May 21, 2014, as EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY in Illinois.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.

2014-152
EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, emergency medical services (EMS) embody the true concept of teamwork by recognizing the interdependent relationship among trauma centers, EMS system hospitals, ambulance providers, emergency and trauma physicians, emergency nurses, emergency medical technicians (EMTs) - basic, intermediate and paramedic, field nurses, emergency communication nurses, trauma nurse specialists, emergency medical dispatchers and first responders dedicated to saving lives; and,

WHEREAS, in Illinois there are 65 EMS resource hospitals and 67 trauma centers, and 16,758 first responders, 22,426 basic EMTs, 769 intermediate EMTs, 15,341 paramedic EMTs, 4,629 emergency communications registered nurses, 2,779 trauma nurse specialists, 350 pre-hospital registered nurses, and 2,656 emergency medical dispatchers dedicated to promoting preventive measures, pre-hospital care, emergency department services, outpatient and specialized services, and inpatient and rehabilitative care; and,
communications registered nurses, 2,779 trauma nurse specialists, 350 pre-
hospital registered nurses and 2,656 emergency medical dispatchers selflessly
providing 24-hour service to the people of Illinois; and,

WHEREAS, this year’s national theme, “EMS: Dedicated. For Life,”
underscores the immediate nature of the situations to which EMS personnel
must respond; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois,
proclaim May 18-24, 2014, as EMERGENCY MEDICAL SERVICES
WEEK in Illinois.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.

2014-153

FOOD ALLERGY AWARENESS WEEK

WHEREAS, a food allergy occurs when the immune system
mistakenly believes that a food is harmful, thereby causing a person to have
a severe allergic reaction, or an anaphylaxis - sudden, severe allergic
reaction involving major organs in the body simultaneously. In severely
allergic individuals it can cause death in a matter of minutes if untreated; and,

WHEREAS, research shows that the prevalence of food allergy is
increasing among children. Approximately 15 million Americans suffer from
food allergies, 6 million of them children under the age of 18; and,

WHEREAS, eight foods cause 90 percent of all food allergy reactions
in the U.S.: shellfish, fish, milk, eggs, tree nuts, peanuts, soy, and wheat; and,

WHEREAS, symptoms of a food-allergic reaction may include one
or more of the following: a tingling sensation in the mouth, swelling of the
tongue and the throat, difficulty breathing, hives, vomiting, abdominal
cramps, diarrhea, drop in blood pressure, and loss of consciousness; and,

WHEREAS, symptoms typically appear within minutes to two hours
after the person has eaten the food to which he or she is allergic; and,

WHEREAS, according to the Centers for Disease Control and
Prevention, food allergy results in more than 300,000 ambulatory care visits
a year involving children under 18. Reactions typically occur when an
individual unknowingly eats food containing an ingredient to which they are
allergic; and,

WHEREAS, the Food Allergy & Anaphylaxis Network (FAAN) is a
national, nonprofit organization dedicated to raising awareness about food
allergy and anaphylaxis; and,

WHEREAS, there is no cure for food allergies. Strict avoidance of the
allergy-causing food is the only way to avoid a reaction; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 11-17, 2014 as FOOD ALLERGY AWARENESS WEEK in Illinois, to raise awareness of food allergies and to educate the public about the associated health risks.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.

2014-154
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF CHICAGO POLICE OFFICER DAVID HARRIS

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of law enforcement who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and in many cases put their safety on the line to perform their duties; and,
WHEREAS, on Friday, March 14, 2014, Chicago Police Officer David Harris was abruptly taken from us at the age of 42 in a car accident that occurred when he was returning home after duty; and,
WHEREAS, a 10 year veteran of the Chicago Police Department, Officer David Harris earned 87 department awards; and,
WHEREAS, prior to joining the Chicago Police Department, Officer David Harris was a Maywood police officer from 1997 to 2003; and,
WHEREAS, Officer David Harris was widely considered to be a stand-up member of his community and will always be remembered for the countless lives he impacted; and,
WHEREAS, throughout his career in law enforcement, Officer David Harris represented the State of Illinois Admirably; and,
WHEREAS, a funeral will be held on Monday, March 24, 2014, for Officer David Harris, who is survived by many loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Monday, March 24, 2014 in honor and remembrance of Officer David Harris, whose selfless service and sacrifice is an inspiration.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.
2014-155
LINCOLN PILGRIMAGE WEEKEND

WHEREAS, in 1926 R. Allan Stephens, a former Boy Scouts of America Commissioner of Springfield, Illinois, originated the idea of a Lincoln Trail Hike, believing that Boy Scouts would acquire a greater appreciation of the obstacles Abraham Lincoln overcame in his rise to the presidency if they also walked the same 20-mile route followed by Lincoln from New Salem to Springfield; and,

WHEREAS, Lincoln's outstanding example of perseverance caused Mr. Stephens to propose that Boy Scouts be encouraged to walk in Lincoln's steps from New Salem to Springfield and that an award be made to those who successfully completed the trail; and,

WHEREAS, the trail is scenic and historically correct, and the Scouts foster environmental stewardship by picking up litter along the scenic roadway; and,

WHEREAS, the Illinois Environmental Protection Agency teams with the Abraham Lincoln Council of the Boy Scouts of America in order to further earth stewardship and promote environmental consciousness; and,

WHEREAS, Illinois Environmental Protection Agency employees, American Radio Relay League amateur radio operators, Illinois Air National Guard, Illinois Army National Guard, as well as Waste Management and Coca-Cola, support the Lincoln Trail Hike by volunteering their services to assist the Scouts during the Hike; and,

WHEREAS, the Lincoln Trail Hike is one of a series of events, collectively known as the Lincoln Pilgrimage, honoring the life, achievements and ideals of the 16th President; and,

WHEREAS, thousands of Scouts will participate in the Annual Lincoln Pilgrimage; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 26 and 27, 2014, as LINCOLN PILGRIMAGE WEEKEND in the State of Illinois.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.

2014-156
SUPPORT ILLINOIS-MADE VEHICLES DAY

WHEREAS, since the birth of the modern automobile in the 1800’s, Americans have relied on the expertise and creativity of hard working Americans to design the most efficient, safe, and comfortable vehicles; and,
WHEREAS, here in Illinois, we are pleased to be the home of Chrysler Assembly in Belvidere, Mitsubishi Motors of North America in Normal, and Ford Assembly in Chicago. Together these manufacturers produce numerous automobiles including the Jeep Patriot, Jeep Compass, Dodge Dart, Mitsubishi Outlander Sport, Ford Explorer, Ford Taurus, and Lincoln MKS; and,

WHEREAS, the success of the car industry in Illinois would not be possible without the dedication, talent, and ingenuity of the hard working UAW members who make high quality vehicles for global consumption; and,

WHEREAS, in order to spur economic growth, it is crucial that the residents of Illinois support Illinois jobs by purchasing Illinois-made vehicles; and,

WHEREAS, on April 9, 2014, UAW Region 4 will be hosting its state conference; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 9, 2014, as SUPPORT ILLINOIS-MADE VEHICLES DAY in Illinois, in appreciation of the UAW workers who produce high quality vehicles, and in recognition of the significant contributions made by the car industry to the economic vitality of the Land of Lincoln.

Issued by the Governor March 24, 2014.
Filed by the Secretary of State April 2, 2014.

2014-102

AUTISM AWARENESS MONTH & WORLD AUTISM AWARENESS DAY (REVISED)

WHEREAS, autism, a developmental disorder, is the third most common developmental disability in the United States, affecting nearly two million people; and,

WHEREAS, autism is a spectrum disorder where symptoms and characteristics may present themselves in a variety of combinations from mild to severe. This complex and lifelong developmental disability can result in significant impairment of an individual’s ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communication; and,

WHEREAS, the U.S. Centers for Disease Control and Prevention report that one in every 68 children born in the U.S. will be affected by an Autism Spectrum Disorder (ASD); and,

WHEREAS, in Illinois, more than 26,000 school-age children and their families will be affected by some form of autism; and,

WHEREAS, autism is the result of a neurological disorder that affects
the normal functioning of the brain, and generally manifests during the first 3 years of life. The disorder is four times more likely in males than in females, but can affect anyone, regardless of race or ethnicity; and,

WHEREAS, although autism was first identified in 1943, it remains a relatively unknown disability. A majority of the public, including many professionals in the medical, educational, and vocational fields are still unaware of the best methods to diagnose and treat the disorder; and,

WHEREAS, although there is no cure for autism at this time, doctors, therapists, and educators can help children and adults with autism overcome or adjust to many difficulties. Accurate, early diagnosis and the resulting appropriate education and intervention are vital to the future growth and development of individuals afflicted with this disorder; and,

WHEREAS, Illinois is honored to take part in the annual observance of Autism Awareness Month and World Autism Awareness Day in the hope that it will lead to a better understanding of the disorder; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as AUTISM AWARENESS MONTH and April 2, 2014 as WORLD AUTISM AWARENESS DAY in Illinois, to raise public awareness of Autism Spectrum Disorders and the myriad of issues surrounding autism, as well to increase knowledge of the programs that have been and are being developed to support individuals with ASDs and their families.

Issued by the Governor March 3, 2014.
Filed by the Secretary of State April 11, 2014.

2014-157

ILLINOIS YOUTH SPORTS DAY

WHEREAS, the Illinois Association of Park Districts (IAPD) is committed to improving the health and wellness of Illinois citizens; and,

WHEREAS, a primary concern today is the inactive lifestyle of today’s youth, which is associated with critical health issues including obesity, type II diabetes and cardiovascular disease; and,

WHEREAS, participation in youth sports is declining, with an estimated 70% of participants dropping out before high school; and,

WHEREAS, to help address these issues the IAPD is taking an active role in supporting an Illinois Youth Sport Summit, organized by the Office of Recreation & Park Resources at the University of Illinois; and,

WHEREAS, the summit will take place September 23-25 in Chicago and will bring together individuals from a wide array of agencies and organizations within the state; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 23, 2014 as ILLINOIS YOUTH SPORTS DAY in Illinois, in order to raise awareness about the critical need for making programmatic changes in youth sports that would increase youth participation in sporting activities.

Issued by the Governor March 26, 2014.
Filed by the Secretary of State April 23, 2014.

2014-158
COUNTY ENGINEERS DAY

WHEREAS, the “Good Roads Movement” of the early twentieth century was championed by business, transportation, and agricultural leaders who recognized the need to build a modern road system throughout Illinois to promote our economy; and,

WHEREAS, the “Tice Law” of 1913 mandated the appointment of a Highway Superintendent in each county in order to have a skilled engineer in charge of decisions on how to spend state monies to improve roads deemed critical to “pulling Illinois out of the mud”; and,

WHEREAS, these first County Highway Superintendents were qualified professionals chosen based on the results of a selective test administered by the State Highway Commission; and,

WHEREAS, the Tice Law also created the “State-Aid” system, providing each county with half of the funds for roads built to state specifications of brick or concrete and enabled counties to issue bonds to raise matching funds therefore; and,

WHEREAS, hard-surfaced concrete and brick roads were to be taken over and maintained by the State in the future, while other roads constructed of earth, gravel or macadam were considered the responsibility of the counties; and,

WHEREAS, in consultation with the State, the County Superintendents of Highways were responsible for constructing both primary and secondary highways with state-aid routes “laid out to connect the main trading points in a given county and to connect those of each, with the main trading points in the adjoining counties;” and,

WHEREAS, the Illinois Association of County Superintendents of Highways (IACSH) formed in 1914 to promote the cooperation and increase the efficiency of the County Superintendents in their efforts to construct and maintain public roads and bridges throughout Illinois; and,

WHEREAS, in 1991, the Illinois Association of County Superintendents of Highways (IACSH) changed its name to the Illinois
Association of County Engineers (IACE) to reflect the licensure as professional engineers and other qualifications of its members; and,

WHEREAS, the County Engineers’ responsibilities have evolved to include the administration of the county road agency, coordination of funding for the township road agencies and representation of the county's interests with the State; and,

WHEREAS, the members of IACE are collectively responsible for the construction, maintenance, and safe operation of the 16,571 miles of designated county highways in Illinois; and,

WHEREAS, since 1914, the Association has continuously provided for the exchange of ideas and information aimed at improving the county highway engineering profession and county highway engineering services to the public; and

THEREFORE, I Pat Quinn, Governor of Illinois, do hereby proclaim May 1, 2014 as COUNTY ENGINEERS DAY in Illinois, and urge citizens to thank current and former County Engineers and Superintendents of Highways for their one hundred years of professional public service and ongoing support of our safety, personal mobility, and economic prosperity.

Issued by the Governor March 26, 2014.
Filed by the Secretary of State April 23, 2014.

2014-159
CESAR ESTRADA CHAVEZ DAY

WHEREAS, Cesar Estrada Chavez, born in 1927, was a farm worker, war veteran, civil rights leader, spiritual figure, environmentalist, consumer advocate and crusader for nonviolent change; and,

WHEREAS, his philosophy, “Sí se puede” or “It can be done,” influenced millions of people to seek economic and social equality; and,

WHEREAS, Cesar Estrada Chavez spent his youth migrating and laboring in the fields of the southwest, where he was exposed to the hardships and inequities of farm worker life; and,

WHEREAS, in school, Cesar Estrada Chavez achieved only an eighth-grade education, but through his tireless advocacy for the Latino community, he developed a sophisticated appreciation for the relationship between economic issues and political participation; and,

WHEREAS, a social entrepreneur, Cesar Estrada Chavez founded the first successful farm workers union in American history. His vision inspired an organization whose mission was to reclaim dignity, fair wages, medical coverage, benefits and humane living conditions, as well as many other fundamental rights for hundreds of thousands of people; and,
WHEREAS, those who were drawn to the cause were inspired by Cesar Estrada Chavez’s extraordinary example to make sacrifices for a greater good. Here in Illinois, we seek to celebrate and share the legacy of Cesar Estrada Chavez; and,

WHEREAS, while Cesar Estrada Chavez died in 1993, his spirit still lives on in Illinois and across the United States; and,

WHEREAS, the people of Illinois are committed to volunteerism and share Cesar Estrada Chavez’s ethic of service; and,

WHEREAS, on March 31 (Cesar Estrada Chavez’s birthday), Cesar Chavez Day celebrations and activities are held in many parts of the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 31, 2014 as CESAR ESTRADA CHAVEZ DAY in Illinois, in memory of this great man and in celebration of his legacy, which has the ability to ignite our passion for service and motivate people from all walks of life to work hard for tolerance and true democracy.

Issued by the Governor March 27, 2014.
Filed by the Secretary of State April 23, 2014.

2014-160
HOMELESS STUDENTS EDUCATIONAL RIGHTS MONTH

WHEREAS, an Aurora family denied access to school in 1993 because of their homeless situation led to the creation of the Illinois Education for Homeless Children Act, passed and enacted in May 1994, removing barriers commonly experienced by homeless students; and,

WHEREAS, this Act, commonly known as “Charlie’s Bill,” became the foundation for national legislation, the McKinney-Vento Education for Homeless Education Improvements Act of 2001 under the leadership of retired Illinois Congresswoman Judy Biggert; and,

WHEREAS, Illinois schools have documented over 51,000 homeless students in the 2012-13 school year, a 93% increase from the 2008-09 school year; and,

WHEREAS, the benefits of Charlie’s Bill continue to enable millions of homeless students, in Illinois and nationwide, to receive a secure, stable public education to prepare them for adulthood; and,

WHEREAS, Illinois took a leadership role in this endeavor of guaranteeing educational rights for students without homes, being the first state to enact comprehensive rights for homeless students; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as “HOMELESS STUDENTS’ EDUCATIONAL
RIGHTS MONTH,” calling due attention to the issue of homelessness as it affects children and youth, the importance of educational stability for students in homeless situations, and the need to strengthen the resolve of Illinois to increase resources and efforts to alleviate the growing crisis of homelessness among families and unaccompanied youth.

Issued by the Governor March 27, 2014.
Filed by the Secretary of State April 23, 2014.

2014-161
ILLINOIS LEADERSHIP COUNCIL FOR AGRICULTURAL EDUCATION DAY

WHEREAS, a highly motivated grassroots group of agricultural industry representatives and agricultural educators understood agriculture and agricultural education to be integral parts of Illinois; and,

WHEREAS, public education is crucial to our local communities and the Illinois economy; and,

WHEREAS, Agricultural education provides our young people with the essential knowledge and skills for productive lives and a strong economic future; and,

WHEREAS, a better understanding of agriculture develops a well informed consumer and citizenry leading to progressive and responsible policy; and,

WHEREAS, the agricultural industry is highly technical and continually evolving, as are the educational needs of the agricultural work force; and,

WHEREAS, Illinois agricultural curriculums are revised and enhanced for all grade levels, pre-kindergarten through college, and recognized as superior on a national level; and,

WHEREAS, in order to educate students and the general public, the agricultural and educational industries have worked together through a formal partnership for 30 years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim April 11, 2014, as ILLINOIS LEADERSHIP COUNCIL FOR AGRICULTURAL EDUCATION DAY and urge citizens to recognize and commend the efforts of Illinois’ agricultural industries and education to develop a better and stronger Illinois through knowledge and education.

Issued by the Governor March 27, 2014.
Filed by the Secretary of State April 23, 2014.
2014-162
PUBLIC HEALTH WEEK

WHEREAS, the week of April 7–13, 2014, is National Public Health Week, and the theme is “Public Health: Start Here”; and,

WHEREAS, the observation is a cooperative effort of the American Public Health Association, the Illinois Public Health Association, state and local health departments, academic institutions, allied organizations, community groups, and professional and trade associations which have joined together to promote a common interest in public health; and,

WHEREAS, seven in ten deaths in the U.S. are related to preventable diseases such as obesity, diabetes, high blood pressure, heart disease, and cancer. Another striking fact is that 75 percent of our health care dollars are spent treating such diseases. However, only 3 percent of our health care dollars go toward prevention; and,

WHEREAS, nearly one-third of all students in the United States do not graduate from high school on time. Students who don’t graduate face lifelong health risks and higher medical costs, and are more likely to engage in risky health behaviors. They are less likely to be employed and insured, and earn less—all of which  continues the cycle of poverty and disparities; and,

WHEREAS, more than half of all cancer deaths could be prevented by making healthy choices like not smoking, staying at a healthy weight, eating right, keeping active, and getting recommended screening tests; and,

WHEREAS, food borne contaminants cause an average of 5,000 deaths, 325,000 hospitalizations, 76 million illnesses and costs billions of dollars annually. The five most common food borne pathogens cost the U.S. economy more than $44 billion each year in medical costs and lost productivity; and,

WHEREAS, strong public health systems are critical for sustaining and improving community health; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of April 7-13, 2014, as PUBLIC HEALTH WEEK in Illinois and call upon residents to observe this week by helping our families, friends, neighbors, co-workers and leaders better understand the value of public health and adopt preventive lifestyle habits in light of this year’s theme, “Public Health: Start Here.”

Issued by the Governor March 27, 2014.

Filed by the Secretary of State April 23, 2014.
2014-163
INTERIOR DESIGN WEEK

WHEREAS, interior design is a multi-faceted profession which applies creative and technical solutions within a structure to achieve a functional, safe, and aesthetically pleasing interior environment; and,

WHEREAS, interior design is concerned with anything found inside a space - walls, windows, doors, finishes, textures, light, furnishings and furniture; and,

WHEREAS, interior designers are responsible for planning the spaces of almost every type of building and must be attuned to architectural detailing, including floor plans, home renovations, as well as regulations set forth by construction and building codes; and,

WHEREAS, the interior design profession is also becoming increasingly concerned with encouraging the principles of environmental sustainability; and,

WHEREAS, interior designers must also comply with strict licensing requirements, such as those embodied by the Interior Design Title Act in Illinois, which is critical in keeping the interior design profession at its highest level and serves to protect the public’s health, safety and welfare by qualifying registered design professionals based on education, experience, and testing; and,

WHEREAS, in the interest of promoting the highest levels of excellence in the interior design profession, on June 9-11, the NeoCon World’s Trade Fair will be held at the Merchandise Mart in Chicago; and,

WHEREAS, returning for its 46th year, NeoCon is the country’s largest conference and exhibition of contract furnishings for the design and management of the built environment; and,

WHEREAS, NeoCon features the latest trends, products, and concepts in office, healthcare, hospitality, residential, institutional, and government environments, and offers the most comprehensive conference schedule in the industry, with more than 140 seminars, forums, and presentations; and,

WHEREAS, NeoCon will host more than 1,200 showrooms and exhibitors showcasing thousands of cutting edge commercial products, and is expected to draw more than 40,000 trade professionals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 9-13, 2014 as INTERIOR DESIGN WEEK in Illinois, in support of the interior design profession and in recognition of the contributions interior designers make to our state.

Issued by the Governor March 28, 2014.
WHEREAS, The Illinois Department of Transportation and the Illinois State Police are committed to reducing the number of work zone crashes; and,

WHEREAS, in 2012, Illinois highways experienced 4,800 work zone crashes with over 1,100 of these crashes resulting in injury. To reduce these crashes, “No Cell Phones in Work Zones” legislation was passed to prohibit cell phone use in construction or maintenance speed zones regardless of the speed limit in these zones; and effective January 1, 2014, all drivers on all public roadways may only use an electronic communication device in hands-free or voice-operated mode; and,

WHEREAS, Illinois Department of Transportation and Illinois State Police employees maintain the operations and safety of Illinois roadways and are exposed to the dangers of being hit by motorists traveling on these roadways. IDOT and ISP continue to have employees and their vehicles hit by motorists; and,

WHEREAS, Illinois State Law requires motorists to move over and slow down when approaching workers. Violation of this law can result in a fine of $100 and up to $10,000; and,

WHEREAS, unfortunately, many motorists do not know about or understand the law. To address this growing issue, IDOT and ISP have collaborated on a statewide initiative to increase education and enforcement. This initiative, “National Work Zone Safety Week”, which runs April 7 – 11, 2014, will raise awareness of “No Cell Phones in Work Zones” and the “Move Over Law” by designating the month of April as “Work Zone Safety Month” in an effort to change behavior and save lives; and,

THEREFORE, I, Pat Quinn, the Governor of Illinois, do hereby proclaim April 2014 as NATIONAL WORK ZONE SAFETY MONTH in the State of Illinois.

Issued by the Governor March 30, 2014.
Filed by the Secretary of State April 23, 2014.
WHEREAS, the Illinois Constitution states that each person has the right to a healthful environment, and that the public policy of the state of Illinois and the duty of each person is to provide and maintain a healthful environment for the benefit of this and future generations; and,

WHEREAS, the state is committed to conserving, improving and protecting natural resources and the environment; preventing water, air and land pollution; minimizing greenhouse gas emissions; and enhancing the health and safety of its residents; and,

WHEREAS, the state of Illinois is working to encourage green practices in order to create a healthier, safer state that encourages and implements sustainable growth and maintenance; and,

WHEREAS, the Illinois Green Governments Coordinating Council was established to encourage cost-effective sustainability measures that enhance health and safety, reduce the consumption of energy and fuels, conserve water, minimize emissions and reduce solid and hazardous wastes; and,

WHEREAS, by making sustainable choices, the state of Illinois can lead by example in minimizing potential environmental and health impacts, while saving taxpayer money; and,

WHEREAS, to build a better future for forthcoming generations, we all must work together to develop a greater respect for our environment, to protect our water, land and air, and to maintain environmental stability; and,

WHEREAS, although every day should be Earth Day, and every month should be Earth Month, the month of April, which includes both Earth Day on April 22 and Arbor Day on April 25, provides the perfect time to raise awareness of environmental conservation efforts; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as EARTH MONTH in Illinois, and encourage all citizens to act as responsible stewards of our planet during this month and throughout the entire year.

Issued by the Governor March 31, 2014.
Filed by the Secretary of State April 23, 2014.

2014-166
SARCOIDOSIS AWARENESS MONTH

WHEREAS, Sarcoidosis is an inflammatory disease that affects many of our fellow citizens and people around the world in chronic and debilitating
ways; and,

WHEREAS, Sarcoidosis was first recognized more than 100 years ago and can affect people of any age, race, and gender; and,

WHEREAS, Sarcoidosis can affect almost any organ in the body, but commonly targets the lungs and lymph nodes; and,

WHEREAS, Sarcoidosis causes heightened immunity, which can lead to a person’s immune system overreacting, resulting in damage to the body’s own tissues; and,

WHEREAS, while progress has been made in understanding the symptoms and better diagnosing the disease, little is known about the true burden of Sarcoidosis; and,

WHEREAS, though the cause of Sarcoidosis remains unknown, with increased research, discovering the cause, improving treatment and finding a cure may be well within our reach; and,

WHEREAS, the mission of National Sarcoidosis Society is to help patients cope with dealing with this disease over long periods of time and raise awareness of Sarcoidosis and its health issues through educational campaigns, providing services, support, and research; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as SARCOIDOSIS AWARENESS MONTH in Illinois, and encourage all citizens of this state to join together and learn more about Sarcoidosis.

Issued by the Governor March 31, 2014.
Filed by the Secretary of State April 23, 2014.

2014-167
ILLINOIS INNOVATION DAY

WHEREAS, American innovations in science and technology, fueled by public and private research investments, have created economic prosperity and improved our quality-of-life by addressing societal needs in healthcare, energy, food and water, and manufacturing enabled by TECHNOLOGY DYNAMISIM that turns ideas into new products and companies, access to INVESTMENT and a strong TALENT pipeline to realize that potential, and an enabling BUSINESS CLIMATE to create commercial opportunities; and,

WHEREAS, executive and legislative leadership has helped to create new public-private partnerships that drive TECHNOLOGY DYNAMISM – including the Digital Lab for Manufacturing, Illinois Manufacturing Lab, 1871, Matter Chicago, and the Illinois Accelerator Research Center – which support place-based innovation that fosters technology commercialization by connecting research, talent, and investment; and,
WHEREAS, more than $200 million in state support towards innovation hubs like these has catalyzed more than $4 billion in federal, private sector, and local government INVESTMENT over the past 15 years in innovation and entrepreneurship activities and infrastructure and their resulting technologies and companies; and,

WHEREAS, executive and legislative leadership have supported Illinois TALENT development initiatives such as the STEM Pathways Initiative and the Nanotechnology Initiative that build interest and capability in high-tech careers and channel Illinois students into career opportunities within the state; and,

WHEREAS, Illinois initiatives like the Illinois Smart Grid Innovation Cluster and Rockford Area Aerospace Network create a BUSINESS CLIMATE that fosters development of technology-based industries and investment supported by State incentives that attract scalable businesses to these communities; and,

WHEREAS, the Illinois Innovation Council was created in 2011 to identify and foster strategies for innovation and economic growth, including the Corporate-Startup Challenge to spark corporate innovation through connections to the entrepreneurship and university community and the Illinois Innovation Network portal that connects technology startups with mentorship, business development, and investment resources; and,

WHEREAS, on Thursday, April 3, 2014, the Illinois Science & Technology Coalition, the Illinois Innovation Network, and more than 100 partners have supported Illinois Innovation Day to showcase the exceptional work being done by Illinois’ world class companies and research institutions to contribute to our state’s economic growth through innovation; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 3, 2014 as ILLINOIS INNOVATION DAY in Illinois, and encourage everyone in the Land of Lincoln to recognize the important role that innovation plays in creating new products, companies, industries and jobs that spark economic opportunity across the state from Rockford to Carbondale.

Issued by the Governor April 1, 2014.
Filed by the Secretary of State April 23, 2014.

2014-168
CAMBODIAN DAY OF REMEMBRANCE

WHEREAS, it is important to learn about and remember past atrocities such as genocide so that we may prevent future crimes against humanity; and,
WHEREAS, the Cambodian community, as well as the global community, remembers the Cambodian Genocide, which occurred 39 years ago; and,  
WHEREAS, during this tragic historical period between the years of 1975 and 1979, Cambodians were forced to witness the genocide of an estimated 2.2 million fellow countrymen following the end of the Cambodian Civil War; and,  
WHEREAS, During the four year period of Khmer Rouge rule in Cambodia, the country saw the deaths of millions of Cambodian men, women and children as a result of political executions, starvation and forced labor; and,  
WHEREAS, the mass graves and labor camp sites are known today as the “Killing Fields”, a term coined by Dith Pran, a survivor of the genocide; and,  
WHEREAS, many of the thousands of Cambodian-Americans in Illinois are descendents or survivors of the Cambodian genocide, and have been forthright in their efforts to preserve their culture, heritage, and language, while contributing much to our state and our nation’s diverse society and economy; and,  
WHEREAS, the Cambodian Association of Illinois ought to be commended for their efforts to raise awareness of the Cambodian genocide in a setting that celebrates the renewal of the Cambodian community’s culture both in Cambodia and the United States; and,  
WHEREAS, the Cambodian Association of Illinois has been committed to promoting self-sufficiency, and enhancing the cultural heritage of Cambodian refugees in the Chicagoland area; and,  
WHEREAS, through the efforts of Cambodian Association of Illinois, Cambodian communities of Illinois are truly well served; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 5, 2014 as CAMBODIAN DAY OF REMEMBRANCE in Illinois, in observance of the 39th Anniversary of the Cambodian Genocide.

Issued by the Governor April 2, 2014.
Filed by the Secretary of State April 23, 2014.

2014-169
EXERCISE IS MEDICINE MONTH

WHEREAS, the health and well-being of our citizens is a primary concern for the State of Illinois; and,  
WHEREAS, all citizens are encouraged to speak with their physicians
about how physical activity and exercise may help treat or prevent numerous chronic conditions, such as hypertension, cardiac disease and diabetes; and,

WHEREAS, all physicians and other health care providers are encouraged to talk to their patients about the health benefits of exercise and to strongly recommend that their patients engage in appropriate exercise; and,

WHEREAS, regular, moderate-intensity exercise has curative and protective health benefits; and,

WHEREAS, the health benefits of physical activity and exercise can do so much to improve the quality of life for everyone; and,

WHEREAS, a healthier populace means cost savings, greater participation in the workforce and other benefits to society at large; and,

WHEREAS, regular physical activity and exercise is indeed a powerful prescription, with great potential to improve the health of all Americans; and,

WHEREAS, the American College of Sports Medicine and Illinois call on health care organizations, physicians and other professionals, regardless of specialty, to assess, to advocate for, and to review every patient's physical activity program during every comprehensive visit; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois, do hereby proclaim the month of May 2014 as EXERCISE IS MEDICINE MONTH in the State of Illinois and encourage all citizens to participate in activities and observances relating to Exercise is Medicine Month in the interests of better health and quality of life for all.

Issued by the Governor April 2, 2014.
Filed by the Secretary of State April 23, 2014.

2014-170
HELPING CITIZENS WITH INTELLECTUAL DISABILITIES DAYS

WHEREAS, an intellectual disability is defined as a disorder caused by cerebral palsy, epilepsy, autism, or any other condition which results in impairment of, or lack of, normal development of intellectual capacities. An intellectual disability originates before the age of 18 and is expected to continue indefinitely; and,

WHEREAS, approximately 1.5 percent of the U.S. population is afflicted with an intellectual disability. Due to the early onset and debilitating nature of these disorders, many more children are affected than adults; and,

WHEREAS, one of the main purposes of the Knights of Columbus, a fraternal order with 1.8 million members around the world, is to support various charitable causes that seek to make our families and communities
It has donated more than $1.3 billion and volunteered over 640 million hours of service in the past decade; and,

WHEREAS, the Illinois State Council of the Knights of Columbus will hold their 45th Annual Fund Drive on September 19-21, 2014 to benefit programs that serve individuals with intellectual disabilities, distributing the funds they raise to more than 1,200 organizations throughout Illinois:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 19-21, 2014 as HELPING CITIZENS WITH INTELLECTUAL DISABILITIES DAYS in Illinois, in support of the Illinois State Council of the Knights of Columbus’ worthy efforts, and encourage all citizens to do what they can to assist those who are affected by intellectual disabilities.

Issued by the Governor April 2, 2014.
Filed by the Secretary of State April 23, 2014.

2014-171
INVASIVE SPECIES AWARENESS MONTH

WHEREAS, millions of dollars, both public and private, are spent each year for the control of invasive plant and animal species in Illinois’ waters, wildlands and agricultural lands; and,

WHEREAS, invasive plants and animals threaten Illinois’ waters and wildlands by competing with and destroying native plants and animals, and by disrupting complex food webs and habitat systems; and,

WHEREAS, invasive species threaten the productivity and economic viability of Illinois’ agricultural lands and waterways by creating unnatural competition; and,

WHEREAS, Illinois’ waters and wildlands draw hundreds of thousands of tourists and recreational users each year; and,

WHEREAS, Illinois’ agricultural lands and waterway are vital to the economic livelihood and health of the state’s citizens; and,

WHEREAS, Illinois’ citizens experience losses in revenue due to reduced production in crops and forests, reduction in tourism, commercial fishing and agricultural lands due to invasive species; and,

WHEREAS, awareness of invasive species is an important first step towards behavioral change, which can prevent the introduction and spread of invasive species; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as INVASIVE SPECIES AWARENESS MONTH in Illinois, and encourage all individuals and public and private groups to sponsor and participate in activities to help all Illinois residents and
visitors gain a better understanding of the impact of invasive species on Illinois’ waterways, wildlands and agricultural lands.
Issued by the Governor April 2, 2014.
Filed by the Secretary of State April 23, 2014.

2014-172
LA RAZA NEWSPAPER DAY

WHEREAS, founded in 1970 by Mr. Alfredo Torres de Jesus, La Raza is one of the oldest and most significant Spanish weeklies in the United States; and,
WHEREAS, La Raza was established with the vision of creating a source of information that would reflect the concerns and gains of the Latino community in Chicago, which at the time consisted only of the neighborhoods of West Town and Humboldt Park; and,
WHEREAS, the first edition of La Raza, published in a single-room office, was made up of only 12 pages and had a small circulation of 5,000; and,
WHEREAS, today millions of Latinos live in Illinois, making up a large segment of our population, and constituting the fastest-growing minority group; and,
WHEREAS, Latinos play a vital role in the diversity of our state’s citizenry, and as their influence on our civic and cultural life has grown, so has the circulation and the importance of La Raza; and,
WHEREAS, La Raza has continued to evolve over the last four decades, insisting on providing top quality news and entertainment for Chicago’s Latino community; and,
WHEREAS, the ongoing contributions from an array of editors and journalists with different personalities, experiences, and countries of origin have enabled La Raza to reflect the Latino community’s cultural diversity; and,
WHEREAS, today, La Raza is widely recognized as the leading Latino publication in the City of Chicago; and,
WHEREAS, for over 40 years, La Raza has been a valuable resource to the Latino communities in Illinois; and,
WHEREAS, the State of Illinois recognizes the Latino population, and celebrates their ever-present contributions to the state’s rich cultural diversity, and,
WHEREAS, on April 10, 2014, La Raza will host its Annual Mujeres Destacadas Awards day, which will feature 10 women who have distinguished themselves through their outstanding efforts in the fields of
health, community leadership, education, business & technology, and Arts & Culture; and,

WHEREAS, La Raza is deserving of a commendation for its great achievements in journalism and community service:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 10, 2014 as LA RAZA NEWSPAPER DAY in Illinois, in recognition of La Raza’s dedication to the Latino community in the Land of Lincoln, and in support of today’s event

Issued by the Governor April 2, 2014.
Filed by the Secretary of State April 23, 2014.

2014-173
ESOPHAGEAL CANCER AWARENESS MONTH

WHEREAS, esophageal cancer (EC) is cancer that forms in the esophagus, the muscular tube leading from the mouth into the stomach; and,

WHEREAS, esophageal cancer is predominately of two types: squamous cell carcinoma of the esophagus and esophageal adenocarcinoma; and,

WHEREAS, men are at least three times more likely to develop esophageal cancer than women; and,

WHEREAS, esophageal cancer patients are generally older adults, with a median age in the 50’s - 60’s, but EC is being diagnosed more frequently in younger adults in recent years; and,

WHEREAS, squamous cell carcinoma, which is usually found in the upper half of the esophagus, is the most common type of esophageal cancer worldwide. Major risk factors linked with squamous cell carcinoma of the esophagus are smoking, alcohol abuse, and dietary factors; and,

WHEREAS, in the United States and Western Europe, esophageal adenocarcinoma, which develops in the lower half of the esophagus, is the most common type of esophageal cancer; and,

WHEREAS, esophageal adenocarcinoma now is the fastest increasing of all cancers in the United States, increasing more than 400% over the last 20 years. Unfortunately, esophageal adenocarcinoma also has the second highest death rate, with more than 13,000 deaths annually; and,

WHEREAS, one major factor thought to lead to esophageal adenocarcinoma is frequent exposure of the esophagus to stomach acid, or acid reflux. Acid reflux may give rise to gastric-esophageal reflux disease or GERD, which in time may develop into a condition called Barrett’s esophagus in which the cells lining the esophagus are structurally altered by long term exposure to stomach acid; and,
WHEREAS, although Barrett’s esophagus itself does not affect the health of a person, in a small number of people there is a chance that these altered cells will develop into an early cancerous state and eventually into a tumor; and,

WHEREAS, individuals who have more than two consecutive weeks of acid reflux are urged to see their physicians immediately. Unfortunately, there may be few warnings these changes have occurred until swallowing becomes difficult. Many patients also may develop esophageal adenocarcinoma with no history of serious acid reflux or difficulty swallowing until the cancer is very advanced; and,

WHEREAS, progress has been made in the last few years in treating both types of esophageal cancer, and the survival rate is improving every year, however there is need for more awareness; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as ESOPHAGEAL CANCER AWARENESS MONTH in Illinois.

Issued by the Governor April 4, 2014.
Filed by the Secretary of State April 23, 2014.

2014-174
ILLINOIS EQUAL PAY DAY

WHEREAS, according to the U.S. Census Bureau, year-round, full-time working women in 2011 earned only 82 percent of the earnings of year-round, full-time working men, indicating little change or progress in pay equity in the nation; and,

WHEREAS, according to data from the Bureau of Labor Statistics, Illinois women in 2011 earned 78 percent of every dollar earned by Illinois men based on median weekly earnings of full-time workers; and,

WHEREAS, equal pay for equal work strengthens the security of families today and eases future retirement costs while enhancing Illinois’ economy; and,

WHEREAS, in 2003, the Illinois Equal Pay Act became law, prohibiting employers from paying unequal wages to men and women for doing the same or substantially similar work; and,

WHEREAS, since Illinois’ equal pay law went into effect in 2004, the department has received more than 670 complaints and of the investigations completed to date, has successfully recovered more than half a million dollars in back pay for women who were illegally paid less than their male co-workers for doing the same work; and,

WHEREAS, the Illinois Department of Labor promotes and protects
the rights, wages, welfare, working conditions and safety and health of Illinois workers through enforcement of state labor laws; and,

WHEREAS, the Illinois Department of Labor is a state agency dedicated to advancing pay equity in the workplace and protecting workers from gender-based wage discrimination through its enforcement of the Illinois Equal Pay Act; and,

WHEREAS, Tuesday, April 8 symbolizes the time in the new year in which wages paid to American women catch up to wages paid to men from the previous year and raises awareness of the wage gap between men and women; and,

WHEREAS, supported by numerous organizations, an Equal Pay Day Rally will take place on April 8, 2014, at the Daley Center Plaza; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 8, 2014, as ILLINOIS EQUAL PAY DAY, in recognition of the value of women’s skills and contributions to the labor force, and I call on all employers to provide equal pay for equal work, both as a matter of fairness and as a matter of good business.

Issued by the Governor April 4, 2014.
Filed by the Secretary of State April 23, 2014.

2014-175
NATIONAL OSTEOGENESIS IMPERFECTA AWARENESS WEEK

WHEREAS, Osteogenesis Imperfecta (OI) is a genetic disorder characterized by fragile bones that break easily. It is also known as “brittle bone disease.” A person who is born with this disorder is affected throughout his or her lifetime; and,

WHEREAS, there are different types of OI ranging in severity from mild to life threatening; and,

WHEREAS, because there is no cure for OI, treatment focuses on minimizing fractures, surgical correction of deformity, reducing bone fragility and maximizing mobility and independent function; and,

WHEREAS, increased funding for education and research is needed to help find more effective treatments; and,

WHEREAS, the Osteogenesis Imperfecta Foundation board members, staff, medical professionals and volunteers are joining together to focus on OI in an effort to increase awareness; and,

THEREFORE I, Pat Quinn, Governor of the state of Illinois, do hereby proclaim May 3-10, 2014 as NATIONAL OSTEOGENESIS IMPERFECTA AWARENESS WEEK in Illinois in support of the
Osteogenesis Imperfecta Foundation’s efforts to raise awareness of this rare disorder.

Issued by the Governor April 4, 2014.
Filed by the Secretary of State April 23, 2014.

2014-176
NATIONAL WATER SAFETY MONTH

WHEREAS, citizens of Illinois recognize the vital role that swimming and aquatic-related activities play in good physical and mental health, and that they enhance the quality of life for all people; and,

WHEREAS, water safety education prevents drowning and recreational water-related injuries and death; and,

WHEREAS, members of the recreational water industry, as represented by the organizations involved in the National Water Safety Month Coalition, have developed safe swimming facilities, aquatic programs, home pools and spas, and related activities which provide healthy places to recreate, learn, grow, and build self-esteem, confidence and a sense of self-worth, contributing to the quality of life in a community; and,

WHEREAS, trained and certified aquatics professionals who develop water-safety rules allow for water recreation activities to be both fun and safe at the same time; and,

WHEREAS, members of the National Water Safety Month Coalition are dedicated to educating the public on pool and spa safety issues and initiatives by the pool, spa, waterpark, recreation and parks industries; and,

WHEREAS, the communication of water safety rules and programs to families and individuals of all ages, whether owners of private pools, users of public swimming facilities, or visitors to waterparks, is of vital importance; and,

WHEREAS, effective water-safety programs are one of the best ways to prevent water-related injuries and deaths; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as NATIONAL WATER SAFETY MONTH in Illinois, and encourage all citizens to support and promote the importance of practicing safety in water recreation.

Issued by the Governor April 4, 2014.
Filed by the Secretary of State April 23, 2014.
WHEREAS, it is the mission of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) to improve the health of women, infants and children; and,

WHEREAS, the WIC program provides participant centered services to participants, which includes nutritious, supplemental foods, nutrition education and counseling, breastfeeding promotion and support, health screenings and referrals to women, infants and children who are at nutritional or medical risk; and,

WHEREAS, the Illinois WIC Program in 2013 served over 280,000 low income, pregnant, breastfeeding and postpartum women, infants and children, including 40% of all babies born in Illinois; and,

WHEREAS, recent studies show that WIC has been successful in the reduction of fetal deaths, infant mortality, low birth weight rates, iron deficiency anemia and obesity in children and increased immunization rates; and,

WHEREAS, in Illinois, women who participate in the Breastfeeding Peer Counselor program offered by the WIC program tend to have higher rates of breastfeeding initiation (81.2%) and one month duration rates (73%). Women who participate in WIC while pregnant also have lower Medicaid costs than those who do not participate in the program; and,

WHEREAS, during the month of April, the State of Illinois is celebrating 40 years of the WIC program; a program that has proven to make a difference in the health and welfare of low-income women, infants and children; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as WIC MONTH in Illinois, and encourage all citizens to support and promote the WIC program.

Issued by the Governor April 4, 2014.
Filed by the Secretary of State April 23, 2014.

2014-178
ARBOR DAY

WHEREAS, the first Arbor Day was proclaimed in 1874 and named a legal holiday in 1885 in Nebraska; and,

WHEREAS, trees help prevent soil erosion and water pollution by reducing runoff and the amount of pollutants that get carried to the ocean and other water sources; and,
WHEREAS, trees cut down cooling costs and conserve energy by providing shade and also conserve water by increasing moisture in the air through transpiration; and,

WHEREAS, trees have a multitude of beneficial uses such as creating habitat for wildlife and providing fuel, wood, oxygen and food for human sustenance; and,

WHEREAS, trees can add beauty to a landscape, which will help increase property values and contribute to the local economy; and,

WHEREAS, trees are aesthetically pleasing and represent the peace and tranquility of nature; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 25, 2014 as ARBOR DAY in Illinois, and I encourage everyone in the Land of Lincoln to recognize the important role that trees have in the health of our planet and communities.

Issued by the Governor April 7, 2014.
Filed by the Secretary of State April 23, 2014.

2014-179
FIBROMYALGIA AWARENESS DAY

WHEREAS, fibromyalgia is a debilitating disorder in which people experience long-term, body-wide pain and tender points in joints, muscles, tendons, and other soft tissues. Fibromyalgia has also been linked to fatigue, sleep problems, headaches, depression, anxiety, and other symptoms; and,

WHEREAS, an estimated 10 million people in the United States have been diagnosed with fibromyalgia, a disorder for which there is no known cause or cure; and,

WHEREAS, fibromyalgia is a chronic pain disorder that interferes with even the simplest of daily activities – taking a toll emotionally, financially and socially on patients, their families, friends, and co-workers; and,

WHEREAS, fibromyalgia prevents patients from contributing to society at the level they once were able to because of a myriad of symptoms that can come and go unpredictably and vary in severity; and,

WHEREAS, people with fibromyalgia are never completely symptom-free, they are always in pain, and this pain impacts every area of their lives; and,

WHEREAS, increased awareness and expanded knowledge of the realities of life with fibromyalgia will allow the community at large to better support those who struggle with the challenges of this chronic pain disorder; and,
WHEREAS, numerous organizations around the country will join together on May 3 to observe Fibromyalgia Awareness Day – a day to promote fibromyalgia awareness and support – including improved education, diagnosis, research, and treatment; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 3, 2014 as FIBROMYALGIA AWARENESS DAY in Illinois, and encourage all citizens to support the search for a cure and assist those individuals and families who deal with this devastating disorder every day.

Issued by the Governor April 7, 2014.
Filed by the Secretary of State April 23, 2014.

2014-180
CROSSING GUARD APPRECIATION DAY

WHEREAS, approximately 14,000 children under the age of fifteen suffer from motor vehicle-related pedestrian injuries every year, and more than half of those injuries require hospitalization; and,

WHEREAS, many of these injuries could be avoided if children had proper walking and biking safety education and did not choose to cross streets or use intersections unsupervised; and,

WHEREAS, crossing guards are a dependable means of helping children to avoid unnecessary accidents and injuries; and,

WHEREAS, motorists should be aware of children walking to and from school and be especially cautious in and around school zones. They also should follow the directions of all crossing guards and recognize that by doing so, safety can be improved; and,

WHEREAS, crossing guards play an integral role in our communities, working hard to ensure the security of children as they walk to and from school and cross streets. In addition, they teach children to look both ways before crossing streets, as well as other essential safety rules; and,

WHEREAS, crossing guards are an important component of the Illinois Safe Routes to School program, which makes communities safer for kids to walk and bicycle to school, promotes physical activity and reduces harmful impacts to the environmental and community health; and,

THEREFORE I, Governor Pat Quinn, do hereby proclaim May 6, 2014 as CROSSING GUARD APPRECIATION DAY in Illinois, in recognition of the services that these dedicated professionals provide to keep our citizens and their children safe.

Issued by the Governor April 8, 2014.
Filed by the Secretary of State April 23, 2014.
2014-181
DIA DEL NINO/DAY OF THE CHILD

WHEREAS, the future success of the world is dependent on the education, nurturing, and hope instilled in the children of the world; and,
WHEREAS, children are the citizens of the world who require emotional and physical stability and thrive on attention from their parents, relatives, and mentors; and,
WHEREAS, providing children with a safe environment to grow, learn, and excel is the first step to a happy productive life for any child; and,
WHEREAS, the state of Illinois recognizes the value in honoring the achievements of all children; and,
WHEREAS, April 30th, Dia del Nino (Children’s Day), pays tribute to every child on earth by commemorating the lives of our future pride and joy, our children; and,
WHEREAS, each year more than 4,000 children and their families attend the Chicago Dia de los Ninos, Young Americans Parade. The parade’s theme this year will be Education: Every Child, Every Dream; and,
WHEREAS, this year the Chicago Dia de los Ninos Parade will be held on Saturday, April 26, 2014; and,
WHEREAS, by celebrating April 30th, we are making a commitment to children that we will continue to listen, teach, and nurture them; and,
THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 30, 2014 as DIA DEL NINO/DAY OF THE CHILD in the state of Illinois.

Issued by the Governor April 8, 2014.
Filed by the Secretary of State April 23, 2014.

2014-182
MANO A MANO FAMILY RESOURCE CENTER DAY

WHEREAS, the mission of Mano a Mano Family Resource Center is to empower immigrant and underserved families in Lake County to become full participants in American life by providing quality programs and services that educate and establish links to essential community resources; and,
WHEREAS, Mano a Mano Family Resource Center is committed to respecting human dignity and the equality of all people; and,
WHEREAS, founded in September of 2000, Mano a Mano Family Resource Center serves clients in Lake County, particularly in the Round Lake Area as well as in McHenry and Cook Counties; and,
WHEREAS, Mano a Mano Family Resource Center began as a result
of combined efforts between local governments and law enforcement to address the many unmet needs among the growing population of Latino immigrants in the Round Lake area; and,

WHEREAS, known for providing comprehensive services to Latino immigrants, Mano a Mano Family Resource Center serves approximately 4,000 people annually; and,

WHEREAS, Mano a Mano Family Resource Center receives financial support from many foundations, corporations, individual donors, and the United Way of Lake County; and,

WHEREAS, Mano a Mano Family Resource Center has received several accolades including the Legislative Breakfast Award and United Way of Lake County Outstanding Success by 6 Partner; and,

WHEREAS, the successes of Mano a Mano Family Resource Center could not have occurred without the strong leadership of Carolina Duque, who has served as the organization’s Executive Director since 2006. During her time as Executive Director, she has worked diligently to improve programming and led major fundraising efforts; and,

WHEREAS, Carolina Duque is deserving of recognition for her contributions to Latinos and Mano a Mano Family Resource Center; and,

WHEREAS, on April 12, 2014, Mano a Mano Family Resource Center will host a gala at Round Lake Beach Cultural and Civic Center; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 12, 2014, as MANO A MANO FAMILY RESOURCE CENTER DAY in Illinois, in recognition of this organization’s accomplishments and dedication to the Latino community.

Issued by the Governor April 8, 2014.
Filed by the Secretary of State April 23, 2014.

2014-183

RIDE OF SILENCE DAY

WHEREAS, on May 21, 2014, at 7:00 PM, the Ride of Silence will begin in North America and roll across the globe. Cyclists will take to the roads in a silent procession to honor fellow cyclists who have been killed or injured while cycling on public roadways; and,

WHEREAS, in 2003, Chris Phelan organized the first Ride of Silence in Dallas after endurance cyclist Larry Schwartz was hit by the mirror of a passing bus and was killed; and,

WHEREAS, news of the ride, which was intended to be a one-time event, quickly spread. Over the years, participation in this event has increased dramatically and this year will mark the twelfth anniversary of the event; and,
WHEREAS, millions of Americans engage in cycling because it is a viable and environmentally sound form of transportation and an excellent form of physical exercise; and,

WHEREAS, there is a need to promote alternative forms of transportation such as walking and bicycling in order to reduce pollution, reduce America’s dependence on fossil fuels, and improve the health and well-being of all people; and,

WHEREAS, although cyclists have a legal right to share the road with motorists, the motoring public often isn't aware of these rights, and sometimes not aware of the cyclists themselves; and,

WHEREAS, held during Bike Safety Month, the Ride of Silence is a free ride held on the same day and time across the world that asks its cyclists to ride no faster than 12 mph and remain silent during the ride, treating the ride as a funeral procession in mourning of fallen cyclists; and,

WHEREAS, the Ride of Silence aims to raise the awareness of motorists, police and city officials that cyclists have a legal right to the public roadways; and,

WHEREAS, the ride is also a chance to honor those who have been killed or injured while bicycling on public roadways; and,

WHEREAS, the State of Illinois is proud to promote bicycling as an alternative means of public mobility, and is committed to providing a safe and responsible bicycling environment for all of its residents; and,

WHEREAS, on May 21, communities across the State of Illinois will host Rides of Silence to show respect for fallen cyclists and to raise awareness of the importance of sharing our public roadways; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 21, 2014 as RIDE OF SILENCE DAY in Illinois, in remembrance of cyclists who have been killed or injured while bicycling on public roadways, to encourage bicycle safety, and to raise awareness of cyclists’ rights to share the road.

Issued by the Governor April 8, 2014.
Filed by the Secretary of State April 23, 2014.

2014-184
FOSTER PARENT APPRECIATION MONTH

WHEREAS, each year more than 4,000 children who have been abused or neglected cannot remain with their families safely, and these children need and deserve the temporary safe haven of a family home where they can be protected, nurtured and loved; and,

WHEREAS, without volunteer foster families, the Illinois Department
of Children and Family Services would not be able to fulfill its mission to provide for the well-being of the nearly 15,000 children currently in its care; and,

WHEREAS, the department and its nonprofit partners provide a wide range of supports to assist foster families in meeting not only a child’s basic physical needs, but also ensure her educational, emotional and social well-being, none of which can be achieved without the dedication of foster families; and,

WHEREAS, foster families answer a noble calling to devote their time and energies to children to reunite families when possible, support other permanency options and create opportunities for a successful launch to adulthood; and

WHEREAS, foster families provide children with the one thing they need the most, which cannot come from a government or nonprofit agency, but only from the heart of another human being: love; and,

WHEREAS, it is impossible to quantify the minute and magnificent ways foster parents change lives, and they deserve the utmost respect and gratitude for the lasting impact they have in the life of a child, in their communities and on the future prosperity of this state; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do proclaim May 2014 as FOSTER PARENT APPRECIATION MONTH in Illinois, extending thanks on behalf of our the people of Illinois to the thousands of Illinois foster families, and encouraging all to consider joining them in their noble service to children, communities and our state.

Issued by the Governor April 9, 2014.
Filed by the Secretary of State April 23, 2014.

2014-185
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF SERGEANT TIMOTHY OWENS

WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,

WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,

WHEREAS, on Wednesday, April 2, 2014, a shooting occurred at Fort Hood Army Base that injured 16 people and tragically took the lives of Sergeant Timothy Owens, Sergeant Carlos Lazaney, and Sergeant Danny Ferguson; and,

WHEREAS, one of these soldiers, Sergeant Timothy Owens, had
roots in Effingham, Illinois, where he attended South Side School and was a valuable member of the community; and,

WHEREAS, Sergeant Timothy Owens was assigned to the 154th Transportation Company, 49th Transportation Battalion (Movement Control), 13th Sustainment Command (Expeditionary), Fort Hood, Texas; and,

WHEREAS, committed to serving our country, Sergeant Timothy Owens was a counselor and 10-year Army veteran who had recently re-enlisted for six more years of service; and,

WHEREAS, Sergeant Timothy Owens was a kind, thoughtful man who positively impacted everyone who had an opportunity to meet him; and,

WHEREAS, a funeral will be held on Saturday, April 12, 2014, for Sergeant Timothy Owens, a loving son, brother, husband, and father, who is survived by many family members and friends; and,

WHEREAS, it is imperative that we always remember the purposeful lives of Sergeant Timothy Owens, Sergeant Carlos Lazaney, and Sergeant Danny Ferguson; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Thursday, April 10 until sunset on Saturday, April 12, 2014, in honor and remembrance of Sergeant Timothy Owens and the victims of the shooting at Fort Hood Army Base, whose selfless service and sacrifice is an inspiration.

Issued by the Governor April 10, 2014.
Filed by the Secretary of State April 23, 2014.

2014-186
AFRICAN/CARIBBEAN INTERNATIONAL FESTIVAL OF LIFE DAYS

WHEREAS, the 22nd Annual African/Caribbean International Festival of Life (IFOL) will be held from July 3-6, 2014; and,

WHEREAS, this year’s African/Caribbean International Festival of Life will again offer health and educational programs; and,

WHEREAS, additionally, this year’s IFOL will include the “Carnival of Nations”, with displays of flags throughout the venue, and several new activities; such as a 3 on 3 Soccer tournament with 48 teams competing for medals; and,

WHEREAS, the primary objective of the Festival is to bring together, under one umbrella, people of various nationalities, cultures and ethnic backgrounds; and,

WHEREAS, the African/Caribbean International Festival of Life will
feature a variety of world beat music, such as: Reggae, R & B, Rock, Jazz, Gospel, and Blues; and,

WHEREAS, exhibitors from various parts of the country and overseas
will journey to Chicago to offer a variety of international crafts, cultural
clothing and ethnic items along with food from Africa, the Caribbean and
other parts of the globe; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim July 3-6, 2014, as AFRICAN / CARIBBEAN
INTERNATIONAL FESTIVAL OF LIFE DAYS in Illinois, and encourage
all residents to participate in this family event.
Issued by the Governor April 10, 2014.
Filed by the Secretary of State April 23, 2014.

2014-187
FIRST RESPONDER APPRECIATION DAY

WHEREAS, individuals, both career and volunteer, from police, fire,
emergency medical services, search and rescue, dive, and other organizations
in the public safety sector, come together as first responders to protect and aid
the public in the event of an emergency; and,

WHEREAS, everyday first responders risk their own safety and
personal property in the performance of their duties to protect our citizens;
and,

WHEREAS, first responders are our first, best defense against all
emergencies that may threaten our communities, whatever their nature; and,
WHEREAS, first responders are ready to aid the people of Illinois 24
hours a day, seven days a week; and,

WHEREAS, first responders are a vital part of every Illinois
community who maintain safety and order in times of crisis, and volunteer in
our towns and schools; and,

WHEREAS, first responders are highly trained, specialized workers
who contribute their excellent skills for the public good and often for no pay;
and,

WHEREAS, Illinois is host to over 120,000 first responders, both
volunteer and professional; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim September, 27, 2014, as FIRST RESPONDER
APPRECIATION DAY in Illinois, and salute all first responders who have
given their service to our state.
Issued by the Governor April 10, 2014.
Filed by the Secretary of State April 23, 2014.
2014-188  
**MEDICAL ASSISTANTS WEEK**

WHEREAS, the health and well-being of all citizens depends upon the hard work of individuals with educated minds and skilled hands; and,
WHEREAS, the medical assistant is a multi-skilled health care professional performing clinical and administrative functions; and,
WHEREAS, the medical assistant has the unique privilege of acting as a liaison between the physician and/or other health care workers and their patients; and,
WHEREAS, the medical assistant occupation is projected to be one of the fastest growing professions in the medical field over the next decade; and,
WHEREAS, medical assistants provide the necessary support needed to keep doctor’s offices functioning and running smoothly; and,
WHEREAS, patients are also receiving better care and treatment thanks to medical assistants, who improve their knowledge and skills through educational programs offered by professional organizations such as the Illinois Society of Medical Assistants; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois do hereby proclaim October 20-24, 2014 as MEDICAL ASSISTANTS WEEK in Illinois, in recognition of medical assistants for their commitment and dedication to the medical profession and to the well-being of patients.

Issued by the Governor April 10, 2014.
Filed by the Secretary of State April 23, 2014.

2014-189  
**CLEANING FOR A REASON WEEK**

WHEREAS, each year over five hundred thousand women will be diagnosed with some form of cancer; and,
WHEREAS, the financial costs of cancer are great both to the individual and to society as a whole; and,
WHEREAS, often times the cost of keeping a clean home can be too much of a financial burden for those undergoing treatment; and,
WHEREAS, the foundation Cleaning For a Reason was formed in Texas in May of 2006 as a non-profit corporation; and,
WHEREAS, Cleaning For a Reason aims to provide the gift of a clean home to any woman undergoing treatment for any type of cancer; and,
WHEREAS, since the formation of the organization, hundreds of maid services in the US and Canada have provided free service; and,
WHEREAS, participation in this program has led to over $3.7 million dollars worth of free house cleaning since 2006; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 18-24 as CLEANING FOR A REASON WEEK in Illinois, and encourage all individuals and public and private groups to sponsor and participate in activities to help all Illinois residents and visitors gain a better understanding of the financial cost of cancer and the options that are available to ease the burden of cancer on those undergoing treatment.

Issued by the Governor April 14, 2014
Filed by the Secretary of State April 23, 2014

2014-190
STARLIGHT WEEK

WHEREAS, composed largely of gas and plasma, stars are cosmic energy engines that produce heat and light; and,

WHEREAS, though the number of stars in existence is unknown, our universe likely contains more than 100 billion galaxies, with each galaxy possibly having more than 100 billion stars; and,

WHEREAS, approximately 3,000 stars are revealed to the human eye on a clear night; and,

WHEREAS, these stars have provided the foundation for some of the oldest hobbies in the World, including stargazing and the natural science of astronomy, and ancient stories have been developed from their constellations; and,

WHEREAS, stargazing and astronomy have faced obstacles over the last century with the emergence of new technologies in developed societies; and,

WHEREAS, light pollution is excessive, misdirected, or obtrusive artificial light that interferes with astronomical observations; and,

WHEREAS, light pollution, which limits starlight, is an increasing concern as developed communities rely more heavily on artificial light to illuminate their streets, parking lots and parks; and,

WHEREAS, in order to reduce light pollution and reveal the night sky, citizens and businesses in Illinois are encouraged to voluntarily turn off unnecessary lighting during August 9-16, the week when the Perseid Meteor Shower will take place, in order to enjoy the natural entertainment and beauty of our stars; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 9-16, 2014 as STARLIGHT WEEK in Illinois, in celebration of the beauty of the stars and bringing back starlight.
2014-191
WORKERS’ MEMORIAL DAY

WHEREAS, forty years after Congress passed the Occupational Safety and Health Act (OSHA), promising every worker the right to a safe job, the protections in OSHA have saved hundreds of thousands of lives and prevented millions of workplace injuries; and,
WHEREAS, despite current safety laws, more than four million workers are injured and thousands of workers are killed due to job hazards every year; and,
WHEREAS, in 2012 the fatal work injury rate for American workers was 3.2% per 100,000 full-time workers; and,
WHEREAS, Illinois workers face an average of 3% fatal work injury rate per 100,000 workers; and,
WHEREAS, Illinois workers deserve safe working conditions to allow workers to have a productive work environment; and,
WHEREAS, as long as there are workers seriously injured or killed on the job, there will be a need to support stronger safety and health laws in our state; and,
WHEREAS, the State of Illinois offers its deepest sympathies to the families of workers who have been seriously injured or killed on the job; and,
WHEREAS, Illinois has a large and vibrant labor force, and the hard-working men and women of our state are deserving of recognition; and,
WHEREAS, on April 28, 2014, organized labor will observe Workers’ Memorial Day all across the country to remember those who have suffered and died on the job and to renew the fight for safe workplaces for all workers; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 28, 2014, as WORKERS’ MEMORIAL DAY in Illinois, in recognition of the contributions that workers make to the economic vitality of the Land of Lincoln and in support of protecting their safety.
2014-192
CPA DAY OF SERVICE

WHEREAS, throughout the country volunteers are the backbone of our communities; and,

WHEREAS, the CPA profession is dedicated to the highest ethical and financial standards as well as serving the needs of the communities in which we live and work; and,

WHEREAS, many social, artistic and charitable organizations in the State of Illinois depend on the generosity of volunteers in order to thrive and in doing so provide the public with services and institutions that contribute to our quality of life; and,

WHEREAS, the Illinois CPA Society has recognized the importance of public service and provided avenues for members to make contributions to society based on the unique skills and talents of their profession; and,

WHEREAS, the Illinois CPA Society, one of the largest professional CPA associations in the nation with members throughout the State of Illinois, has asked of its members to participate in their fifth annual state-wide effort to consolidate and concentrate its volunteer efforts into one day; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 19, 2014 as CPA DAY OF SERVICE in Illinois, in recognition of this worthy volunteer effort, and encourage all citizens to find ways to give back to their communities.

Issued by the Governor April 15, 2014.
Filed by the Secretary of State April 23, 2014.

2014-193
ILLINOIS BEEF MONTH

WHEREAS, agriculture is one of the State of Illinois’ largest and most important economic drivers; and,

WHEREAS, agriculture is a diverse industry, both in terms of the commodities it produces and the businesses it supports; and,

WHEREAS, agriculture-related businesses employ nearly a quarter of the state’s workforce; and,

WHEREAS, ranked among the top five states in the nation, Illinois is home to 2,531 food companies, with many located in urban communities; and,

WHEREAS, one major facet of the agricultural landscape of Illinois is the beef industry, which currently produces 615 million pounds of beef per year; and,
WHEREAS, Illinois Beef contributes over $800 million to the Illinois economy and supports more than 18,000 jobs throughout the state; and,
WHEREAS, the Illinois Beef Association represents many of the 14,800 beef producers in Illinois through producer education, consumer awareness, product promotion, and the advancement of economic and legislative interests; and,
WHEREAS, the State of Illinois recognizes that the foundation of the Illinois beef industry is the farmer, and the impact of this industry stretches beyond rural farm fields to urban communities; and,
WHEREAS, Illinois Beef is not only found on Illinois plates, but is a supplier of choice to customers around the World; and,
WHEREAS, leading up to the summer grilling season, the Illinois Beef Association will begin many regional, state, and national efforts to promote beef in order to develop and maintain a profitable and sustainable beef industry; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as ILLINOIS BEEF MONTH in the State of Illinois and do hereby encourage all residents of the Land of Lincoln to support local farmers and our beef industry by recognizing its contributions to the social, cultural, and economic landscape of our state.

Issued by the Governor April 15, 2014.
Filed by the Secretary of State April 23, 2014.

2014-194
KIDS TO PARKS DAY

WHEREAS, May 17th, 2014 is the fourth annual Kids to Parks Day organized and launched by the National Park Trust; and,
WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks; and,
WHEREAS, it is important to introduce a new generation to our nation’s parks because of the decline in Park attendance over the past decades; and,
WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and,
WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and,
WHEREAS, Kids to Parks Day will broaden children’s appreciation for nature and the outdoors; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim May 17, 2014 as KIDS TO PARKS DAY and urge Illinois residents to take the children in their lives to a neighborhood, state or national park.

Issued by the Governor April 15, 2014.
Filed by the Secretary of State May 6, 2014.

2014-195
SUMMIT OF HOPE DAY

WHEREAS, the Summit of Hope is a collaboration between the Illinois Department of Corrections, the HIV/Aids section of the Illinois Department of Public Health, the Center of Minority Health, and the community at large; and,

WHEREAS, the Summit of Hope started in 2010 in Jackson County Illinois, and in 2013 it became the number one re-entry program in the nation for ex-offenders; and,

WHEREAS, the mission of the Summit of Hope is to guide and assist parolees and probationers with available services to better ensure reintegration into the community and thus reduce recidivism; and,

WHEREAS, vendors and service providers are needed at each summit to assist with: state identification, counseling, transportation, food, clothing, shelter, child care/support services, faith-based services/support, primary health care referrals, screening for blood pressure, vision screening, HIV testing and care, veterans’ information, social security issues, employment services, education/training services, haircuts, and mock interviews; and,

WHEREAS, since 2012, recidivism is down 16 percent among female offenders in the state of Illinois, and the Summit of Hope event has played a key part in this effort. The Illinois Department of Public Health has administered over 4,000 HIV/AIDS tests at the Summit of Hope events to ensure that all returning citizens are able to receive treatment if they are infected; and,

WHEREAS, the Illinois Department of Corrections and numerous community leaders have demonstrated a strong commitment to helping men and women after they leave incarceration; and,

WHEREAS, on May 8, 2014, the Illinois Department of Corrections, along with the Illinois Department of Public Health, will collaborate with Alderman JoAnn Thompson to host a women’s only Summit of Hope event at Kennedy King College in Chicago, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 8, 2014, as SUMMIT OF HOPE DAY in Illinois, in recognition of today’s event, and in support of the mission of the Summit of
2014-196
ASIAN PACIFIC AMERICAN HERITAGE MONTH

WHEREAS, in June 1977, Congressmen Frank Horton of New York and Norman Y. Mineta of California introduced a House resolution calling upon the President to proclaim the first 10 days of May as Asian/Pacific Heritage Week. The following month, Senators Daniel Inouye and Spark Matsunaga introduced a similar bill in the Senate. Both were passed; and,
WHEREAS, on October 5, 1978, President Jimmy Carter signed a joint resolution designating the annual celebration; and,
WHEREAS, in May 1990, the holiday was further expanded when President George H.W. Bush designated May to be Asian Pacific American Heritage Month; and,
WHEREAS, May was chosen to commemorate the immigration of the first Japanese immigrants to the United States in 1843; and,
WHEREAS, many immigrants of Asian heritage came to the United States during the nineteenth century to work in the transportation, mining, and other industries; and,
WHEREAS, in 1869, laboring under very difficult conditions, Asian immigrants helped construct the transcontinental railroad, which vastly expanded economic growth and development across the country; and,
WHEREAS, Asian Pacific American Heritage Month is celebrated annually with community festivals, government-sponsored events, cultural programming, and educational activities for students; and,
WHEREAS, Asian Pacific Americans have made valuable contributions to the history and growth of the United States and have achieved at a high level in a variety of disciplines, including government, business, science, technology and the arts; and,
WHEREAS, Illinois’ Asian American residents first appeared in the 1870 Census, though the Chinese lived here long before then. In the 1890s, Japanese immigrants arrived, followed by Filipinos, Koreans and Indians.
WHEREAS, Illinois is now home to people with roots in Pakistan, Vietnam, Cambodia, Laos, Thailand, Tibet, Nepal, Taiwan, Burma (Myanmar), Indonesia, Sri Lanka, Bhutan, Bangladesh, and Malaysia; and,
WHEREAS, people of Asian heritage now comprise over five percent of our state’s population, and has been its fastest growing segment, and it is critically important that we recognize their accomplishments; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as ASIAN PACIFIC AMERICAN HERITAGE MONTH in Illinois, in recognition of the contributions made to our economy and culture by Asian Pacific Americans, and in tribute to all Asian Pacific Americans who call Illinois home.

Issued by the Governor April 17, 2014.
Filed by the Secretary of State May 6, 2014.

2014-197
CORRECTIONAL OFFICERS WEEK

WHEREAS, every day, the men and women who work in our state and county correctional facilities face great risks and in many cases, put their safety on the line as they perform their duties; and,

WHEREAS, correctional officers are skilled professionals who must act as counselors, communicators and crisis intervention experts. In addition, they must maintain their professional demeanor while often facing hostile, aggressive and intimidating behavior from prison inmates; and,

WHEREAS, correctional officers must possess the intuitive sense to resolve conflicts and save lives, while also possessing the physical ability to restrain persons representing a danger to themselves and others; and,

WHEREAS, we could not operate Illinois’ prisons, correctional camps, transitional houses and county facilities without the hard work and sacrifices made each day by our correctional officers and their families; and,

WHEREAS, the State of Illinois is pleased to join with the International Association of Correctional Officers and the American Correctional Association in celebrating Correctional Officers Week and in recognizing correctional officers for playing an integral role in this state by working hard to ensure the safety of inmates and of citizens in our communities:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 4 – 10, 2014 as CORRECTIONAL OFFICERS WEEK in Illinois, and encourage all citizens to pay special tribute to these men and women who serve faithfully, often with little thanks or recognition in serving to protect others.

Issued by the Governor April 17, 2014.
Filed by the Secretary of State May 6, 2014.
WHEREAS, the Punjabi Cultural Society of Chicago is a non-profit organization dedicated to promoting education, good citizenship, community development, civic involvement, performing arts, and athletics for the people from the North Indian State of Punjab who live in Illinois and across the Midwest; and,

WHEREAS, since its inception, the Punjabi Cultural Society of Chicago has organized a number of events, including the Punjabi Sports Festival, PCS Night, International Bhangra Competition, Catering to the Seniors classes, and Art and Culture Exhibitions; and,

WHEREAS, the Punjabi Cultural Society of Chicago takes a holistic approach to improving communities and offers programming in a wide variety of areas; and,

WHEREAS, in order to best serve the Punjabi community, the Punjabi Cultural Society of Chicago has partnered with many Indian and Asian American organizations; and,

WHEREAS, the City of Chicago is home to 10,000 Punjabi people who make countless economic and cultural contributions every day; and,

WHEREAS, showcasing local talent in Punjabi music, songs, dances, short plays, and poetry, the Rangla Punjab event is hosted by the Punjabi Cultural Society of Chicago every April to celebrate the traditional harvest festival- Vaisakhi; and,

WHEREAS, this year’s Rangla Punjab event will take place on Saturday, April 19, 2014, and is especially significant this year because the 20th anniversary of the Punjabi Cultural Society of Chicago and the 30th anniversary of the Rangla Punjab will be celebrated; and,

WHEREAS, the success and longevity of the Punjabi Cultural Society of Chicago is a testament to the commitment of its volunteers, staff, and board members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 19, 2014, as PUNJABI CULTURAL SOCIETY OF CHICAGO DAY in Illinois, in recognition of this organization’s 20th anniversary and dedication to the Punjabi community.

Issued by the Governor April 17, 2014.

Filed by the Secretary of State May 6, 2014.
VASCULAR NURSES WEEK

WHEREAS, there are 3.1 million licensed registered nurses in the United States and vascular nurses comprise an important part of this healthcare group; and,

WHEREAS, in addition to providing excellence in direct patient care, vascular nurses participate in vascular research and serve as a valuable resource for policy makers; and,

WHEREAS, the Society of Vascular Nursing (SVN) is a professional community of vascular nurses, who advance the care for those persons living with vascular disease through excellence in clinical practice, education, and research; and,

WHEREAS, the core values of SVN are to advocate for both vascular nurses and for those persons who live with complex vascular disease; and,

WHEREAS, PAD (Peripheral Arterial Disease) is a vascular disease in which the arteries supplying a limb (typically one or both legs) are obstructed. Sixty percent of PAD patients have coexisting coronary artery disease (CAD) or cerebrovascular disease; and,

WHEREAS, there are approximately 8 million people in the United States with PAD; 12-20% of American people older than 60 have PAD; and,

WHEREAS, people with vascular disease require an interdisciplinary team approach and the vascular nurse is an integral part of this team providing optimal care and compassion; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois, do hereby proclaim June 8-14, 2014 as VASCULAR NURSES WEEK in Illinois and ask that citizens of this great state take a moment to acknowledge this important nursing specialty and the patients and families they care for.

Issued by the Governor April 17, 2014.
Filed by the Secretary of State May 6, 2014.

YOUR ACTIONS MATTER DAY

WHEREAS, under age alcohol use remains a challenging public health and public safety problem with severe consequences for youth and their families, communities, and society; and,

WHEREAS, the majority of alcohol consumed by teens is provided by their family members; and,

WHEREAS, under age alcohol use is not inevitable, and parents and society are not helpless to prevent it; three in four students in Illinois choose
not to drink because they do not want to disappoint their parents; and, 
WHEREAS, youth who refrain from drinking alcohol are 81 percent more likely to stay in school, and less likely to develop alcohol-dependency problems later in life; and, 
WHEREAS, concerted efforts to combat the availability of alcohol to minors like “Your Actions Matter” should help to reduce the availability of alcohol purchased; and, 
WHEREAS, we can affect the amount of alcohol consumed by underage users by changing the environmental factors in each community and throughout the State which permit alcohol to be purchased; and, 
WHEREAS, through leadership and support, the State of Illinois can influence public opinion and increase public knowledge about underage drinking; enact and enforce relevant laws that increase understanding of the causes and consequences of underage alcohol use; and monitor trends in underage drinking and the effectiveness of efforts designed to reduce demand, availability, and consumption; and, 
WHEREAS, youth at schools such as Villa Grove High School and all the other 2014 “Your Actions Matter” teen video PSA contest participants serve as role models to educate both adults and youth about the importance of underage drinking prevention; and, 
WHEREAS, preventing underage drinking is “everyone’s” responsibility; and, 
THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim April 23, 2014 as YOUR ACTIONS MATTER DAY in Illinois and congratulate Villa Grove High School students for their efforts in protecting Illinois youth from present and future harm. 
Issued by the Governor April 17, 2014. 
Filed by the Secretary of State May 6, 2014. 

2014-201

EARTH DAY

WHEREAS, the Illinois Constitution states that each person has the right to a healthful environment, and that the public policy of the state of Illinois and the duty of each person is to provide and maintain a healthful environment for the benefit of this and future generations; and, 
WHEREAS, sustainability must be a top priority in order to protect our environment so that it can be enjoyed for generations to come; and, 
WHEREAS, the state is committed to conserving, improving and protecting natural resources and the environment; preventing water, air and land pollution; minimizing greenhouse gas emissions; and enhancing the
WHEREAS, the state of Illinois is working to encourage green practices in order to create a healthier, safer state that encourages and implements sustainable growth and maintenance; and,

WHEREAS, the Illinois Green Governments Coordinating Council was established to encourage cost-effective sustainability measures that enhance health and safety, reduce the consumption of energy and fuels, conserve water, minimize emissions and reduce solid and hazardous wastes; and,

WHEREAS, by making sustainable choices, the state of Illinois can lead by example in minimizing potential environmental and health impacts, while saving taxpayer money; and,

WHEREAS, to build a better future for forthcoming generations, we all must work together to develop a greater respect for our environment, to protect our water, land and air, and to maintain environmental stability; and,

WHEREAS, schools, businesses, and government agencies in Illinois are constantly rising to the challenge of leading our state to a greener, cleaner future; and,

WHEREAS, every year on April 22, people in Illinois and across the world will participate in Earth Day activities on behalf of preserving the environment; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 22, 2014, as EARTH DAY in Illinois, in support of raising awareness of environmental conservation efforts and having the residents of the Land of Lincoln participate in Earth Day activities.

Issued by the Governor April 18, 2014.
Filed by the Secretary of State May 6, 2014.

2014-202
CRAFT BEER WEEK

WHEREAS, Illinois has a long and vibrant history of brewing beer throughout the state; and,

WHEREAS, the practice of brewing beer in Illinois stretches back to the 19th century and has continued ever since; and,

WHEREAS, the first Illinois craft breweries opened in the late 1980’s, paving the way for a surge of small breweries since the year 2000; and,

WHEREAS, the State of Illinois has strived to make itself an accommodating atmosphere for the craft beer industry, by enacting laws such as HB 630, which allows homebrewers in Illinois to legally share their
product with friends and family, to enter competitions, and to provide educational courses to the general public; and,

WHEREAS, Illinois has also doubled the amount of beer a craft brewer may manufacture from 15,000 barrels to 30,000, while still allowing such brewers to self-distribute up to 7,500 barrels or simultaneously hold a brew pub retailer license; and,

WHEREAS, Illinois’ efforts have made it among the easiest states to produce craft beer in, with new laws ensuring that small breweries can self distribute their products; and,

WHEREAS, Illinois has seen a recent expansion of the brewing industry and a significant increase in the number of craft breweries; and,

WHEREAS, a recent study by the National Beer Wholesalers Association showed that Illinois’ beer industry ranks fifth in the nation in terms of its economic contribution to the state’s economy; and,

WHEREAS, Illinois is host to 152-beer distributing establishments that provide over 15,000 jobs and more than $1 billion in wages and salaries; and,

WHEREAS, from May 15-25, Chicago will host its fifth annual Chicago Craft Beer Week, lasting eleven days and showcasing the city’s and the state’s craft beer through events all over the city; and,

WHEREAS, American Craft Beer Week will take place from May 12-18, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 12-18, 2014 as CRAFT BEER WEEK in the State of Illinois, in recognition of the vital economic contributions this industry makes throughout the Land of Lincoln.

Issued by the Governor April 21, 2014.
Filed by the Secretary of State May 6, 2014.

2014-203
OLDER AMERICANS MONTH

WHEREAS, numbers are increasing of adults reaching retirement age and remaining strong and active for longer than ever before; and,

WHEREAS, the State of Illinois is home to more than two million residents aged 60 years or older; and,

WHEREAS, the older adults of the State of Illinois are a vital part of our nation’s demographic makeup; and,

WHEREAS, older adults are members of our community entitled to dignified, independent lives free from fears, myths, and misconceptions about aging; and,
WHEREAS, each community in the United States must strive to recognize, understand and address the evolving needs of older adults, and support their caregivers; and,
WHEREAS, our society is dependent upon intergenerational cooperation and support, and benefits from our collective efforts to serve older adults and the people who love and care for them; and,
WHEREAS, the State of Illinois has worked to develop strategies to get older adults engaged in civic activity in their communities and to encourage interaction between the generations; and,
WHEREAS, older adults in our state deserve to be recognized for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and,
WHEREAS, this year’s Older Americans Month theme, Safe Today, Healthy Tomorrow, focuses on injury prevention that emphasizes helping older adults stay active; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as OLDER AMERICANS MONTH in Illinois, and encourage all older adults to stay engaged, active and involved in their own lives and in their communities.
Issued by the Governor April 21, 2014.
Filed by the Secretary of State May 6, 2014.

2014-204
OVERDOSE AWARENESS DAY

WHEREAS, Drug Policy Alliance (D.P.A) statistics indicate that accidental drug overdose is the leading cause of injury-related death in the United States for people between the ages of 35-54 and the second leading cause of injury-related death for young people; and,
WHEREAS, more than 28,000 people die each year of an overdose from heroin, cocaine, prescription drugs and a wide variety of other narcotics; more than are killed by guns, murders or HIV/AIDS; and,
WHEREAS, accidental drug overdose cases have quadrupled since 1990. Between 1999 and 2005, national accidental drug overdose deaths more than doubled with approximately 22,400 people dying from accidental drug overdose in 2005; and,
WHEREAS, International Overdose Awareness Day originally began in Australia as an initiative of the Salvation Army in the year 2001; and,
WHEREAS, International Overdose Awareness Day provides an opportunity for people around the world to publicly mourn loved ones by honoring and remembering those who have lost their lives to an overdose;
and,

WHEREAS, numerous participating countries use this occasion to educate policy makers and the public about the growing overdose crisis in the United States and abroad, thereby offering concrete solutions that could possibly save lives; and,

WHEREAS, according to the AIDS Foundation of Chicago, Illinois is one of sixteen states that have a higher fatality rate from drug overdose than car accidents; and,

WHEREAS, in 2009, Illinois enacted the Overdose Protection Law, which allows trained individuals to administer life-saving drugs in the event of an overdose; this law would further save lives by protecting friends and family who seek medical help for those who overdose from arrest or prosecution for possession of small amounts of drugs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 31, 2014 as OVERDOSE AWARENESS DAY in Illinois, in memory of the people who have either lost loved ones, or live with permanent injuries resulting from drug overdose.

Issued by the Governor April 21, 2014.

Filed by the Secretary of State May 6, 2014.

2014-205
GENERAL AVIATION APPRECIATION MONTH

WHEREAS, general aviation and community airports play a critical role in the lives of our citizens, as well as in the operation of our businesses and farms; and,

WHEREAS, the State of Illinois has a significant interest in the continued vitality of general aviation, aerospace, aircraft manufacturing, educational institutions and aviation organizations and community airports and airport operators; and,

WHEREAS, there are 116 publicly used airports in Illinois, supporting 12,683 pilots and 4,611 registered general aviation aircraft in Illinois; and,

WHEREAS, according to a 2012 Illinois Statewide Aviation Economic Impact Study, general aviation contributes over $4.4 billion to Illinois’ economy and supports 54,887 jobs at general aviation airports statewide; and,

WHEREAS, general aviation plays a vital role in the state’s response to emergencies and natural disasters; and,

WHEREAS, Illinois is home to 65 charter flight companies, 98 repair stations, and 13 flight schools. In addition, there are 89 fixed-based operators
WHEREAS, organizations like the Illinois Pilots Association, the Alliance for Aviation Across America, National Business Aviation Association, National Association of State Aviation Officials, Aircraft Owners and Pilots Association, and the National Air Transportation Association recognize and promote the interests and importance of aviation in Illinois and throughout the world; and,

WHEREAS, many communities in Illinois depend heavily on general aviation and community airports for the continued flow of commerce, tourists and visitors to our State; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2014 as GENERAL AVIATION APPRECIATION MONTH in Illinois, in recognition of general aviation as a vital strategic resource to our state.

Issued by the Governor April 22, 2014.
Filed by the Secretary of State May 6, 2014.

2014-206
WRIGLEY FIELD DAY

WHEREAS, Wrigley Field was built in 1914 and is the second oldest standing ballpark in Major League Baseball; and,

WHEREAS, on April 23, 1914, the Chi-Feds of the Federal League and Kansas City played the first Major League game in the stadium that would become known as Wrigley Field; and,

WHEREAS, Wrigley Field served as home of the Chi-Feds/Chicago Whales of the Federal League through the 1915 season. In 1916 it became home of the Chicago Cubs when the team was purchased by a group led by Charles Weeghman that also included minority stockholder William Wrigley Jr.; and,

WHEREAS, originally known as Weeghman Park, Wrigley Field was built on the grounds of a seminary and served as home to the Chicago Whales of The Federal League until William Wrigley Jr. became the largest stockholder in the team in 1919 and made it their new home calling it Cubs Park; and,

WHEREAS, in 1926, Cubs Park officially became renamed as Wrigley Field in honor of William Wrigley Jr., and has gone through several renovations and expansions since then; and,

WHEREAS, on October 8, 1929, Wrigley Field hosted its first World Series game; and,

WHEREAS, Hall of Famers who played for the Cubs are Ernie
Banks, Andre Dawson, Gabby Hartnett, Fergie Jenkins, Ryne Sandberg, Ron Santo, and Billy Williams, and they have inspired loyal Cubs fans with their hitting power, fast balls, and competitive spirit; and,

WHEREAS, Jack Brickhouse, who broadcast more Cub games than anyone in history, became known for his optimism and signature expression “hey-hey!”; and,

WHEREAS, Harry Caray, the Cubs’ broadcaster for sixteen years until his passing in 1998, was known for his bold personality and seventh-inning rendition of “Take Me Out to the Ball Game”; and,

WHEREAS, Hall of Famer Lou Boudreau teamed up with the legendary Vince Lloyd to describe thousands of Cubs games to millions of radio listeners; and,

WHEREAS, Wrigley Field served as home for the Chicago Bears until 1970; and,

WHEREAS, many special events have been held at the ballpark, including soccer games, rodeos, circuses, and ski jump tournaments; and,

WHEREAS, the 1992 the film “A League of Their Own” told the story of the All-American Girls Professional Baseball League founded by Philip K. Wrigley in 1943, and used Wrigley Field as a filming location; and,

WHEREAS, Wrigley Field has made vast economic contributions to the neighborhood of Wrigleyville and the City of Chicago; and,

WHEREAS, in April 2014, Wrigley field will begin to celebrate its 100th season as a ballpark and its 98th year as home for The Chicago Cubs; and,

WHEREAS, Wrigley field, the last standing field where the late great Jackie Robinson played a major league game, has witnessed many historic moments in baseball history, including Babe Ruth’s famous “called shot” during the 1932 World Series and Kerry Wood’s numerous outstanding pitching performances; and,

WHEREAS, on April 23, 2014, the Chicago Cubs will play a 100th birthday game against the Arizona Diamondbacks; and,

WHEREAS, the Chicago Cubs are planning to celebrate Wrigley Field’s 100th anniversary all season long and honor each decade of the ballpark’s history by wearing retro jerseys, hosting special events and handing out commemorative giveaways to fans; and,

WHEREAS, a commemorative logo will be displayed all throughout the park this season; and,

WHEREAS, we look forward to the next one hundred years and hope that future generations of Cubs fans will continue to enjoy the future of this iconic ballpark; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim April 23, 2014, as WRIGLEY FIELD DAY in Illinois, in recognition of the 100th Anniversary of this world renowned ballpark that is a source of pride for Cubs fans and players as well as a critically important athletic, cultural, and economic institution in the Land of Lincoln.

Issued by the Governor April 22, 2014.
Filed by the Secretary of State May 6, 2014.

2014-207

CHINESE AMERICAN SERVICE LEAGUE DAY

WHEREAS, since its inception in 1978, the Chinese American Service League (CASL) has grown into the largest, most comprehensive social service agency in the Midwest dedicated to meeting the needs of Chinese Americans; and,

WHEREAS, CASL was founded after 10 Chinese Americans started meeting about providing necessary services to Chinese American immigrants in Chicago; and,

WHEREAS, CASL utilizes a holistic approach to improving communities and offers programming in a wide variety of areas; and,

WHEREAS, every year CASL provides child services, elder services, employment training services, family counseling, and housing and financial education to over 17,000 clients; and,

WHEREAS, throughout its existence, CASL has positively impacted many lives and served as a critically important non-profit organization; and,

WHEREAS, the State of Illinois is home to thousands of Chinese Americans who make countless economic and cultural contributions to our state every day; and,

WHEREAS, CASL will celebrate its 35th anniversary at a dinner gala on May 21, 2014, that will be attended by more than 700 leaders from the business and philanthropic communities of Chicago; and,

WHEREAS, the success and longevity of CASL is a testament to the commitment of its over 700 volunteers, 350 staff members, board members, and many generous donors; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 21, 2014, as CHINESE AMERICAN SERVICE LEAGUE DAY in Illinois, in recognition of this organization’s 35th anniversary and dedication to the Chinese community in the Land of Lincoln.

Issued by the Governor April 23, 2014.
Filed by the Secretary of State May 6, 2014.
2014-208
INTERNATIONAL INTERNAL AUDIT AWARENESS MONTH

WHEREAS, internal auditing is a vital part of strengthening organizations and protecting stakeholders of both the public and private sectors across Illinois and throughout the United States; and,
WHEREAS, internal auditing helps identify and manage the organization’s risks and ensure policies, procedures, and controls are in place and working appropriately; and,
WHEREAS, internal auditing is an increasingly sophisticated and complex activity requiring specialized knowledge, training, and education; and,
WHEREAS, internal auditing is an established profession, led by The Institute of Internal Auditors, with a globally recognized code of ethics and International Standards for the Professional Practice of Internal Auditing; and,
WHEREAS, the contributions of internal auditors to the success of organizations and the global economy at large deserves our recognition and commendations; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim May 2014 as INTERNATIONAL INTERNAL AUDIT AWARENESS MONTH in Illinois, and invite the citizens of this great state to join me in recognizing professional internal auditors for their contributions.

Issued by the Governor April 23, 2014.
Filed by the Secretary of State May 6, 2014.

2014-209
CHILDREN’S DAY

WHEREAS, children hold a special place in our lives. Raising happy, healthy children is the greatest success any parent can hope to achieve and should be an important goal of every member of society because children are profoundly influenced by the people and the environment around them; and,
WHEREAS, the strongest influence is often a child’s family, but good schools and nurturing communities also play a vital role in helping children reach their full potential; and,
WHEREAS, children are the future of Illinois and it is important that we take action to ensure that they are provided a positive start to life; and,
WHEREAS, in Illinois, we place the utmost value on the safety and welfare of our children and we strongly support programs designed to
advocate for their best interests; and,
WHEREAS, it is important that all citizens work to promote an environment of hope and love for children; and,
WHEREAS, the State of Illinois is dedicated to ensuring the health, education and well-being of our children, and we pledge to continue our commitment to ensuring a bright future for all of our young people; and,
WHEREAS, Children’s Day focuses on inspiring parents to take positive action and serve as role models for society, and encourages individuals to consider how their actions affect future generations; and,
WHEREAS, the second Sunday in June has been set aside as a day to celebrate children and reaffirm our commitment to their needs; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 8, 2014 as CHILDREN’S DAY in Illinois, and urge all members of the community to unite in participating in the education, recognition, and inspiration of our state’s children.
Issued by the Governor April 25, 2014.
Filed by the Secretary of State May 6, 2014.

2014-210
AMERICAN LEGION AND AMERICAN LEGION AUXILIARY
POPPY DAYS

WHEREAS, America’s freedom has been preserved and protected by the brave men and women of the United States Armed Forces, who in times of distress have fought for our country; and,
WHEREAS, in their efforts to keep our country free, millions who have answered the call to arms have died on the battlefield; and,
WHEREAS, intrigued by the small red flowers that grew in a field in France after a battle in the first World War, Canadian Colonel John McCrae wrote the famous poem, “In Flanders Fields”; and,
WHEREAS, the poem paralleled the battlefield tombs of the honorable soldiers that died there with the red poppy flowers that grew on top of them, thus immortalizing an image in our history that we must never forget; and,
WHEREAS, throughout the years, the red poppy flower has become an international symbol of the lives that have been lost in war; and,
WHEREAS, displaying a small poppy flower is considered a proper tribute to those who have made the ultimate sacrifice in the name of freedom; and,
WHEREAS, both the American Legion and American Legion Auxiliary have pledged to remind America annually of this sacrifice through
the distribution of the memorial flower during their Memorial Day fundraising campaign to help disabled veterans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 22 - 24, 2014 as AMERICAN LEGION AND AMERICAN LEGION AUXILIARY POPPY DAYS in Illinois, and encourage all citizens to join the American Legion and American Legion Auxiliary in honoring our fallen heroes by wearing the Memorial Poppy on these days.

Issued by the Governor April 28, 2014.
Filed by the Secretary of State May 6, 2014.

2014-211
CHILDHOOD DROWNING PREVENTION MONTH

WHEREAS, drowning is the leading cause of accidental death for children ages one through four, accounting for nearly one-third of all accidental deaths of toddlers and pre-school children; and,

WHEREAS, drowning is the second leading cause of death for children ages one through 14 and claims the life of an average of two children per day in the United States; and,

WHEREAS, child drowning can occur in seconds in pools, bathtubs, hot tubs, decorative garden ponds, and even buckets that contain as little as two inches of water; and,

WHEREAS, 21 Illinois children lost their lives to accidental drowning in 2012 including 10 in swimming pools, six in lakes, two in ponds, two in rivers and one in a bathtub; and,

WHEREAS, for every child that drowns, five more are victims of near-drowning that require emergency medical care, often leading to hospitalization and causing long-term brain damage that can include: memory loss, learning disabilities, and permanent loss of basic functioning that results in a permanent vegetative state; and,

WHEREAS, inadequate supervision of children, which includes neglect that results in drowning, is the third-leading cause of all child deaths indicated by the Illinois Department of Children and Family Services; and,

WHEREAS, it is important to recognize that constant adult supervision is needed when children are near or in water; and,

WHEREAS, the state’s “Get Water Wise…Supervise!” campaign urges the public to prevent childhood drowning and life-altering near-drowning by providing adult supervision whenever children are near or in water; and,

WHEREAS, the “Get Water Wise…Supervise!” campaign is a
collaborative effort of the Illinois Department of Children and Family Services, Prevent Child Abuse Illinois, the American Red Cross Illinois Capital Area Chapter, the Illinois Chapter of the American Academy of Pediatrics, the Illinois Department of Public Health, the Illinois Child Death Review Team, and other community partners that recognize that childhood drowning is preventable if proper adult supervision is provided; and,

WHEREAS, the use of floatation devices and inflatable toys cannot replace parental supervision because such devices can suddenly shift position, lose air, or slip out from underneath, leaving the child in a dangerous situation; and,

WHEREAS, adults need to practice “Reach Supervision” by staying within an arm’s length reach of young children and not rely on substitutes; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as CHILDHOOD DROWNING PREVENTION MONTH in Illinois, and do hereby encourage all parents and caregivers to learn and practice proven child water safety precautions, ensuring the safety of all Illinois children.

Issued by the Governor April 29, 2014.
Filed by the Secretary of State May 6, 2014.

2014-212

EHLERS-DANLOS SYNDROME AWARENESS MONTH

WHEREAS, Ehlers-Danlos Syndrome is a group of genetic disorders involving mutations in connective tissue characterized by looseness, instability, and dislocations of the joints, fragile and often hyperelastic skin that bruises, scars, and tears easily, unpredictable arterial and organ rupture causing acute pain, excessive internal bleeding, shock, stroke, and premature death; and,

WHEREAS, there are six major types of Ehlers-Danlos Syndrome that are characterized by distinctive features with life being shortened for individuals with the vascular type due to arterial or organ rupture. It is estimated the prevalence of all types of Ehlers-Danlos Syndrome is 1 in 5,000-10,000 births worldwide; and,

WHEREAS, a network of worldwide support groups have proved of great benefit to individuals with Ehlers-Danlos Syndrome. Not only do these organizations put people in touch with other individuals managing life with Ehlers-Danlos Syndrome, they are also vital in providing up to date information to the medical profession and public at large; and,

WHEREAS, there is a need for greater research into Ehlers-Danlos
Syndrome. By encouraging further studies of Ehlers-Danlos Syndrome, new understanding, interventions, and improved treatments can be acquired, generating a growth in the knowledge base and hope for a cure; and,

WHEREAS, there is neither routine screening nor a cure for Ehlers-Danlos Syndrome, so individuals must seek a diagnosis from a knowledgeable health care provider and individual symptoms must be evaluated and cared for appropriately; physical and occupational therapy evaluation and intervention may be required to address basic life tasks. Early and accurate diagnosis can provide the opportunity to create life-saving emergency medical plans, ensure proper monitoring, and improve quality of life and support for Ehlers-Danlos Syndrome families; and,

WHEREAS, Ehlers-Danlos Syndrome is frequently misdiagnosed or undiagnosed, resulting in greater discomfort and disability for individuals and offspring; improved knowledge of the vascular form can prevent premature and tragic deaths; and,

WHEREAS, increased knowledge of all types of Ehlers-Danlos Syndrome allow earlier and more effective management, thereby increasing hope of a better quality of life, increased participation in society, reduced disability, pain, and medical expense for Ehlers-Danlos Syndrome families; and,

WHEREAS, the Ehlers Danlos Syndrome Network C.E.D.S.A. is an organization that is dedicated to educating the public and members of the medical profession, as well as supporting research. C.E.D.S.A. has designated the month of May as Ehlers-Danlos Syndrome Awareness Month in memory of those who have died from the syndrome and to raise public awareness; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as EHLERS-DANLOS SYNDROME AWARENESS MONTH in Illinois.

Issued by the Governor April 29, 2014.
Filed by the Secretary of State May 6, 2014.

2014-213
A SAFE HAVEN DAY

WHEREAS, this year marks the 20th Anniversary since Neli and Brian Rowland co-founded A Safe Haven to provide housing, services, and employment opportunities for over 55,000 people and for thousands of veterans in need across Illinois; and,

WHEREAS, today, A Safe Haven has grown to include a network of over 34 locations that are a comprehensive community based continuum of
WHEREAS, in Illinois, A Safe Haven provides services for over 5,000 people a year and has created over 4 Social Business Enterprises that collectively employ over 400 people and place them into jobs with hundreds of Illinois employers; and,

WHEREAS, through collaboration with the State of Illinois and other government and private stakeholders, A Safe Haven has become a leading organization committed to serving our most vulnerable people and empowering them to support themselves and their families; and,

WHEREAS, A Safe Haven was named the 2013 Humanitarian Award Winner by Illinois Secretary of State Jesse White; and,

WHEREAS, the longevity of A Safe Haven is a testament to the dedication of its founders, board members, and employees; and,

WHEREAS, on July 13, 2014, A Safe Haven will host its 4th Annual 5k RUN! To End Homelessness and Inaugural Veteran Stand Down, with the proceeds going back to the organization; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 13, 2014, as A SAFE HAVEN DAY in Illinois, in support of the Annual 5K RUN! To End Homelessness and Inaugural Veteran Stand Down, and in recognition of the efforts this organization makes to end homelessness.

Issued by the Governor April 30, 2014.
Filed by the Secretary of State May 6, 2014.

2014-214
AMERICAN STROKE MONTH

WHEREAS, stroke is a leading cause of serious long-term disability and the fourth leading cause of death in the United States, killing about 130,000 people nationwide and roughly 5,000 citizens of Illinois each year; and,

WHEREAS, stroke prevalence is projected to increase by 24.9 percent between 2010 and 2030 and the direct medical costs for treating stroke are expected to increase by 238 percent, from $28.3 billion in 2010 to $95.6 billion by 2030; and,

WHEREAS, nearly 78 million Americans have high blood pressure which is a major controllable risk factor for stroke, including 44 percent of African American adults – among the highest prevalence of any population in the world; and,

WHEREAS, more than half (58%) of Americans don’t know if they
are at risk for stroke; and,

WHEREAS, one in three Americans can’t recall any stroke warning signs or symptoms; and,

WHEREAS, the F.A.S.T. warning signs and symptoms of stroke include face drooping, arm weakness, speech difficulty and time to call 9-1-1; and beyond F.A.S.T., additional stroke warning signs and symptoms include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and,

WHEREAS, on the American Stroke Month Day of Action May 1, 2014, as well as throughout May and year-round, the American Stroke Association’s Together to End Stroke initiative encourages Americans to learn their personal stroke risk, memorize and share the stroke warning signs, and call 9-1-1 at the first sign of a stroke; and,

WHEREAS, new and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2014 as AMERICAN STROKE MONTH in Illinois, and urge all the citizens of our state to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on first sign of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Issued by the Governor May 1, 2014.
Filed by the Secretary of State May 6, 2014.

2014-215
CHILDREN’S MENTAL HEALTH AWARENESS DAY

WHEREAS, addressing the mental health and wellness of children and youth is essential to ensuring the well-being of Illinois families and our society; and,

WHEREAS, the need for comprehensive, coordinated mental health supports and services is of vital concern to communities across the state; and,

WHEREAS, Children’s Mental Health Awareness Day is designated for raising public awareness about the importance of positive mental health as an integral part of a child's healthy development beginning at birth; and, 

WHEREAS, it is important to promote awareness regarding the various ways that adults – including parents, educators, support staff, and
other caregivers and community members – can strengthen a child’s resilience and recovery; and,

WHEREAS, we recognize the ongoing commitment of the Illinois PTA, the Illinois Children’s Mental Health Partnership, and other partners in continuing to serve children and their families with the goal of helping all children reach physical, social, emotional, behavioral, and cognitive milestones; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 8, 2014 as CHILDREN’S MENTAL HEALTH AWARENESS DAY in Illinois, and urge citizens, organizations as well as state and local agencies committed to advancing the mental well-being of children and adolescents to come together to raise awareness of this cause and of the importance of sustaining year-round mental health programs for children, youth, and their families.

Issued by the Governor May 1, 2014.
Filed by the Secretary of State May 6, 2014.

2014-216
HEALTHCARE TECHNOLOGY MANAGEMENT WEEK

WHEREAS, as medical technology advances, healthcare facilities must keep pace by providing quality, well-trained professionals capable of understanding the complexity of medical equipment operation and applications; and,

WHEREAS, the complexity of medical technology today and in the future makes it essential that those individuals responsible for the care, safety, and accuracy of this equipment are recognized as an invaluable resource to the healthcare industry; and,

WHEREAS, biomedical equipment technicians, clinical engineers, and other medical technology professionals uniquely serve patients, the medical community, and new technology development to improve the quality of today’s healthcare; and,

WHEREAS, these professionals research, recommend, install, inspect, and repair medical devices and other complicated medical systems, as well as advise and train others concerning the safe and effective use of medical devices, thereby controlling healthcare costs and improving patient safety; and,

WHEREAS, the Association for the Advancement of Medical Instrumentation (AAMI) is a unique alliance of more than 6,000 members united by a common goal to increase the understanding and beneficial use of medical instrumentation, and,
WHEREAS, AAMI’s Technology Management Council (TMC) seeks to advance the interests of biomedical equipment technicians, clinical engineers, and other medical technology professionals; now

THEREFORE, the TMC hereby proclaims May 18-24, 2014, as HEALTHCARE TECHNOLOGY MANAGEMENT WEEK in Illinois, and encourage all citizens to recognize these dedicated professionals for their contributions to improving the healthcare system and patient outcomes in our state.

Issued by the Governor May 1, 2014.
Filed by the Secretary of State May 6, 2014.

2014-217
PUBLIC SERVICE RECOGNITION WEEK

WHEREAS, Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, public employees take not only jobs, but oaths; and,

WHEREAS, many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professionals and others, risk their lives each day in service to the people of the United States; and,

WHEREAS, public servants include teachers, mail carriers, doctors and scientists, train conductors and astronauts, nurses and safety inspectors, laborers, computer technicians and social workers, as well as countless other occupations; and,

WHEREAS, day in and day out, these dedicated public servants provide the diverse services demanded by the American people of their government with efficiency and integrity; and,

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 4 – 10, 2014 as PUBLIC SERVICE RECOGNITION WEEK in Illinois, and encourage all citizens to recognize the accomplishments and contributions of government employees at all levels – federal, state, county and city.

Issued by the Governor May 1, 2014.
Filed by the Secretary of State May 6, 2014.
WHEREAS, Illinois has a long and vibrant history of brewing beer throughout the state; and,
WHEREAS, the practice of brewing beer in Illinois stretches back to the 19th century and has continued ever since; and,
WHEREAS, the first Illinois craft breweries opened in the late 1980’s, paving the way for a surge of small breweries since the year 2000; and,
WHEREAS, the State of Illinois has strived to make itself an accommodating atmosphere for the craft beer industry, by enacting laws such as HB 630, which allows homebrewers in Illinois to legally share their product with friends and family, to enter competitions, and to provide educational courses to the general public; and,
WHEREAS, Illinois’ efforts have made it among the easiest states to produce craft beer; and,
WHEREAS, Illinois enacted legislation to provide a means for small start-up brewers to establish their beer brands with name recognition and consumer following while maintaining the state-based regulatory system which creates a competitive, and orderly, marketplace for all brewers; and,
WHEREAS, Illinois has also doubled the amount of beer a craft brewer may manufacture from 15,000 barrels to 30,000, while still allowing such brewers to self-distribute up to 7,500 barrels or simultaneously hold a brew pub retailer license; and,
WHEREAS, Illinois’ three-tier regulatory system allows craft brewers to form partnerships with beer distributors to provide their craft beers to bar, restaurants, and packaged retailers throughout the state; and,
WHEREAS, Illinois affords all Illinois craft brewers the opportunity to have their products delivered, not just across the street, but across the State, through independent beer distributors which remain autonomous from brewery ownership and control through the enactment of laws such as HB 2606; and,
WHEREAS, Illinois has seen a recent expansion of the brewing industry and a significant increase in the number of craft breweries, owed in part to the work of organizations such as the Associated Beer Distributors of Illinois and the Illinois Craft Brewers Guild; and,
WHEREAS, a recent study by the National Beer Wholesalers Association showed that Illinois’ beer industry ranks fifth in the nation in terms of its economic contribution to the state’s economy; and,
WHEREAS, Illinois is host to 152 beer distributing establishments
that provide over 15,000 jobs and more than $1 billion in wages and salaries; and,

WHEREAS, from May 15-25, Chicago will host its fifth annual Chicago Craft Beer Week, lasting eleven days and showcasing the city’s and the state’s craft beer through events all over the city; and,

WHEREAS, American Craft Beer Week will take place from May 12-18, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 12-18, 2014 as CRAFT BEER WEEK in the State of Illinois, in recognition of the vital economic contributions this industry makes throughout the Land of Lincoln.

Issued by the Governor April 21, 2014
Filed by the Secretary of State May 21, 2014.

2014-219
DRINKING WATER WEEK

WHEREAS, the health, comfort, and quality of life of Illinois’ citizens depend on an ample supply of safe, clean water; and,

WHEREAS, water is a precious natural resource that is vital to both the environmental and economic well-being of Illinois’ citizens; and,

WHEREAS, protecting our drinking water is essential to preserve our own health and that of future generations; and,

WHEREAS, the ever-increasing need for potable water makes it incumbent on all citizens, businesses and industries to practice water conservation as a cost effective means of extending existing water supplies; and,

WHEREAS, Illinoisans are encouraged to recognize this precious resource and to help protect our source waters from pollution, to practice water conservation, to become involved in local water issues, and plan for its efficient use; and,

WHEREAS, it is necessary to actively support the upkeep of our drinking water infrastructure, and through the Illinois Clean Water Initiative, more communities have access to low-interest loans that will keep our drinking water safe, decrease energy costs and create green jobs; and,

WHEREAS, through public awareness, the Illinois Environmental Protection Agency seeks to remind all citizens about the value, importance and fragility of our water resources; and,

WHEREAS, 2014 marks the 40th Anniversary of the Safe Drinking Water Act, which forms the core of our nation’s efforts to provide quality drinking water and protect the health of our citizens; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of May 4-10, 2014 as DRINKING WATER WEEK in the State of Illinois.

Issued by the Governor May 2, 2014.
Filed by the Secretary of State May 21, 2014.

2014-220
NATIONAL TRANSPORTATION WEEK AND NATIONAL TRANSPORTATION DAY

WHEREAS, our transportation system not only gives us freedom and mobility, allowing us to move from place to place, but it also boosts the nation’s economy and strengthens our nation’s security; and,

WHEREAS, advancing knowledge of the transportation industry and increasing public awareness on the significant nature transportation plays in the nation’s economy are two goals the National Defense Transportation Association (NDTA) has set forth for National Transportation Week; and,

WHEREAS, the first National Transportation Week was observed in 1953 with the help of the Women’s Transportation Club of Houston. This group originally set up a scholarship program benefiting transportation degree students at the University of Houston; and,

WHEREAS, seeing that the students and the public were virtually unaware and uninterested in the transportation industry, attempts were then made to sway past Presidents of the United States to proclaim National Transportation Week as a way of promoting the transportation industry; and,

WHEREAS, in Illinois, not only has our Department of Transportation been expanding the road system and supporting public transportation, but they have also been successful in reducing highway fatalities, improving opportunities for small, women, and minority owned businesses and upgrading process management throughout the organization; and,

WHEREAS, the observance of National Transportation Week, including National Transportation Day, provides an opportunity for the transportation community to join together for greater awareness about the importance of transportation and also focuses on making youth aware of transportation-related careers; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 11 - 17, 2014 as NATIONAL TRANSPORTATION WEEK and May 16, 2014 as NATIONAL TRANSPORTATION DAY in Illinois, in recognition of the dedicated transportation professionals and military service members for their tireless efforts to make America's
transportation network the best in the world.
Issued by the Governor May 2, 2014.
Filed by the Secretary of State May 21, 2014.

2014-221
REVEREND JAMES BASS DAY

WHEREAS, raised from humble beginnings in the Mississippi delta, Reverend James Bass would go on to pastor many congregations, making his last stop at the 2nd Mount Olive Missionary Baptist Church, where he touched countless lives; and,

WHEREAS, Reverend James Bass served his country for three years in World War II, eventually becoming Colonel and then Chaplain in the Field; and,

WHEREAS, Reverend James Bass is a loving husband whose marriage to Helen Julius in 1967 produced two beautiful children, Vincent and Vikkeda; and,

WHEREAS, Reverend James Bass is a man of strong faith, fortitude, and vision who has positively impacted many lives through his service in ministry and dedication to the community; and,

WHEREAS, the 2nd Mount Olive Missionary Baptist Church will celebrate Reverend James Bass’ 94th birthday at their Annual Founder’s Day weekend event on May 4, 2014; and,

WHEREAS, birthdays are an excellent time to recount the many achievements and memories you have accumulated during your lifetime; and,

WHEREAS, as a long-time loving family member, friend, neighbor, and pastor, Reverend James Bass has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities; and,

WHEREAS, the citizens of the Land of Lincoln are pleased to extend their best wishes to Reverend James Bass for a very happy 94th birthday celebration; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 4, 2014 as REVEREND JAMES BASS DAY in Illinois, in recognition of his commitment and dedication to making the world a better place, and in celebration of his 94th birthday.
Issued by the Governor May 2, 2014.
Filed by the Secretary of State May 21, 2014.
2014-222

ARTHROGRYPOSIS AWARENESS WEEK

WHEREAS, Arthrogryposis is defined as multiple congenital joint contracture which is when multiple joints are stuck in one position and have very little flexibility; and,

WHEREAS, Arthrogryposis is a rare condition, though the exact frequency with which it occurs is unknown. Previous studies estimate that it affects one to three of every 10,000 babies; and,

WHEREAS, the exact cause of Arthrogryposis is unknown, but a number of different theories have been proposed, including: obstructions to intrauterine movement during pregnancy, early viral infection during a baby’s development, and possible failure of the central nervous system and/or muscular system; and,

WHEREAS, the different types of Arthrogryposis are: Amyoplasia (a non-genetic type), which is due to the muscles failing to develop; and Multiple Pterygium /Escobar Syndrome (a genetic type), which occurs when the messages that impact a person’s muscle movement are affected; and,

WHEREAS, individuals born with Arthrogryposis require stretching, various therapies (physical, occupational, speech and others) and some surgical interventions that can help improve a person’s independence level and quality of life; and,

WHEREAS, increased awareness and expanded knowledge of Arthrogryposis and its impact on patients’ quality of life will allow the community at large to better support people who struggle with the challenges of this disorder; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 30, 2014, as ARTHROGRYPOSIS AWARENESS DAY in the State of Illinois.

Issued by the Governor May 5, 2014.
Filed by the Secretary of State May 21, 2014.

2014-223

HONEYWELL UOP DAY

WHEREAS, Honeywell UOP was founded in Chicago on June 17, 1914, to commercialize Jesse Adams Dubbs’ thermal cracking process, which was the foundation for the modern oil refining industry; and,

WHEREAS, the more than 12,000 patents earned by UOP have helped to develop the world’s petroleum, automotive, transportation and petrochemical industries; and,
WHEREAS, UOP pioneered dozens of revolutionary technologies including catalytic polymerization, fluid catalytic cracking, alkylation, isomerization, Platforming, Parex, Oleflex, Uniflex, and methanol-to-olefins technology; and,

WHEREAS, UOP commercialized synthetic zeolites as adsorbents, catalysts and technologies to remediate nuclear contamination; and,

WHEREAS, UOP pioneered environmental breakthroughs including desulfurized diesel fuel, lead-free gasoline, the catalytic converter, biodegradable detergents, and jet and diesel fuel made from renewable sources; and,

WHEREAS, UOP has developed technologies to ensure the economical use of natural gas resources and develop the global petrochemicals industry; and,

WHEREAS, UOP has contributed faculty, guest lecturers and academic support to the Chemistry and Chemical Engineering Departments of Northwestern University since 1931; and,

WHEREAS, UOP employs more than 5,000 people worldwide, including nearly 2,000 in Illinois; and,

WHEREAS, UOP, with headquarters in Des Plaines and an important part of Honeywell’s advanced technology portfolio – nearly half of which is linked to improving energy efficiency -- is today the industry’s foremost center of research and development, the leading source of innovation for the world’s oil and gas industry, and one of America’s greatest commercial ambassadors; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim June 17, 2014 as HONEYWELL UOP DAY in Illinois, and commend UOP for its century of service to the people of Illinois, the United States and the world.

Issued by the Governor May 5, 2014.
Filed by the Secretary of State May 21, 2014.

2014-224
RAY RUBIO DAY

WHEREAS, born Ramon Gonzalez in the vicinity of Canaboncito, Caguas, Ray Rubio currently serves as the Director of Community Engagement and Media for the Illinois Latino Commission and as a radio personality on WSBC 1240 AM; and,

WHEREAS, Ray Rubio exhibited talent at an early age and began playing guitar and singing with rock bands when he was just 13. At 19, he started as a radio announcer in New York, eventually moving to Chicago in
1975 to study theater and work for the Raul Cardona Show; and,
WHEREAS, Ray Rubio has had multiple radio stints with Univision and appeared in Puerto Rican soap operas for 6 years; and,
WHEREAS, in 1980, Ray Rubio won the first Latin America Singing Festival in Chicago; and,
WHEREAS, Ray Rubio has recorded albums and CD’s as a singer, composer, and musician; and,
WHEREAS, Ray Rubio, a talented musician, composer, singer, radio host and actor, recently appeared in the film “8 of Diamonds” with the actor Eric Roberts; and,
WHEREAS, Ray Rubio was nominated and selected as one of 100 Puerto Ricans who have made important contributions to the history of Puerto Ricans in the United States; and,
WHEREAS, in addition to his media accomplishments, Ray Rubio has always served others and been involved with numerous community organizations including the Puerto Rican Parade Committee, Logan Square Chamber of Commerce, and El Hogar Del Nino; and,
WHEREAS, as Chairman of the Spanish Action Committee of Chicago, one of the oldest Puerto Rican organizations in the city, Ray Rubio has played a critical role in promoting the dreams of Puerto Ricans; and,
WHEREAS, Ray Rubio has gone above and beyond the call of duty in the media field, and serves as an inspiration to his co-workers; and,
WHEREAS, as a long-time friend and colleague, Ray Rubio has touched many lives through inspiring people and empowering them to achieve to the very best of their abilities; and,
WHEREAS, perhaps most importantly, Ray Rubio is a loving husband to his wife, Leslie, and their 3 beautiful daughters and grandchild; and,
WHEREAS, the citizens of the Land of Lincoln are pleased to recognize Ray Rubio on this occasion; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 7, 2014, as RAY RUBIO DAY in Illinois, in recognition of his accomplishments and service to the Latino community.
Issued by the Governor May 6, 2014.
Filed by the Secretary of State May 21, 2014.

2014-225
CARL KASELL DAY

WHEREAS, Carl Kasell, who was the voice that Public Radio listeners woke up to in the morning, is one of the most talented broadcasters
to ever work in the Land of Lincoln; and,
WHEREAS, Carl Kasell became fascinated by radio at a young age, worked at a local radio station part-time during high school, and was an actor in local theater; and,
WHEREAS, while majoring in English at the University of North Carolina, Chapel Hill, Carl Kasell developed a passion for Tar Heel basketball; and,
WHEREAS, Carl Kasell started at NPR in 1975 as a part-time newscaster for Weekend All Things Considered, and later became a full-time NPR newscaster for Morning Edition; and,
WHEREAS, Carl Kasell is the official judge and scorekeeper for NPR’s and WBEZ’s Chicago-based weekly news quiz show, “Wait Wait… Don’t Tell Me!,” which debuted in 1998; and,
WHEREAS, Carl Kasell has received numerous accolades throughout his career including being inducted into the North Carolina Journalism Hall of Fame, winning the Leo C. Lee Friend of Public Radio News Award, and sharing in the George Foster Peabody Institutional Awards given to NPR’s Morning Edition and “Wait, Wait… Don’t Tell Me!;” and,
WHEREAS, in addition to his professional successes, Carl Kasell is an accomplished magician; and,
WHEREAS, after a five-decade career in broadcasting, Carl Kassell’s last Chicago show of “Wait Wait… Don’t Tell Me!” will take place on May 8, 2014; and,
WHEREAS, Carl Kasell has gone above and beyond the call of duty in the field of broadcasting, and serves as an inspiration to his co-workers; and,
WHEREAS, as a long-time friend and colleague, Carl Kasell has touched many lives through inspiring people and empowering them to achieve to the very best of their abilities; and,
WHEREAS, the citizens of the Land of Lincoln are pleased to recognize Carl Kasell on this occasion and wish him the best of luck in all his future pursuits; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 10, 2014, as CARL KASELL DAY in Illinois, in recognition of his lifetime of contributions to the broadcasting industry.
Issued by the Governor May 7, 2014.
Filed by the Secretary of State May 21, 2014.
WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and, 

WHEREAS, every day our courageous firefighters face great risks and in many cases put their life on the line to perform their duties; and, 

WHEREAS, on March 5, 2013, Firefighter Christopher Brown was abruptly taken from us at the age of 39 while responding to a traffic accident on Interstate 39; and, 

WHEREAS, Firefighter Christopher Brown was a 12-year member of the Bloomington Fire Department, a 3-year member of the Hudson Community Fire Department, a 2-year member of the Peoria Heights and the Morton Fire Department as well as a member of the Associated Firefighters of Illinois Honor Guard; and, 

WHEREAS, in addition to his life as a firefighter, Christopher Brown was a devoted husband to his wife, Amie; a hero to his sons, Max and Mason; a best friend by nature to his brother Anthony and sister Jennifer, as well as the ideal grandson, nephew and friend; and, 

WHEREAS, the State of Illinois owes a tremendous debt of gratitude to Firefighter Christopher Brown who selflessly served to protect our citizens and keep our families safe; and, 

WHEREAS, Firefighter Christopher Brown was widely considered to be a stand-up member of his community and will always be remembered for the countless lives he impacted; and, 

WHEREAS, at a time when it is imperative for our citizens to take a leadership role in the future of our nation, Firefighter Christopher Brown rose to the occasion by protecting his fellow human beings; and, 

WHEREAS, throughout his career as a firefighter, Christopher Brown represented the State of Illinois Admirably; and, 

WHEREAS, a ceremony will be held on May 19, 2014 that will designate Interstate 39 between Exit 8 and Exit 5 to be further known as Firefighter Christopher R. Brown Memorial Highway. This designation ceremony serves as a reminder of the powerful legacy that Christopher Brown leaves behind; and, 

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19, 2014 as CHRISTOPHER BROWN DAY in Illinois, in celebration of his life, legacy and service to the citizens of Illinois. 

Issued by the Governor May 7, 2014. 

Filed by the Secretary of State May 21, 2014.
2014-227

COLONEL CHARLES YOUNG DAY

WHEREAS, the freedom and security that citizens of the United States enjoy today are a direct result of the service and sacrifice given by members of the United States Armed Forces throughout the history of our great nation; and,

WHEREAS, one of the most accomplished individuals to ever serve in the United States Army was Colonel Charles Young; and,

WHEREAS, born to enslaved parents in 1864, Colonel Charles Young was a trailblazer, becoming the third African American to graduate from West Point and the first black American to be promoted to Colonel; and,

WHEREAS, commissioned in 1889 as a second lieutenant, Charles Young attained the rank of Colonel in 1917; and,

WHEREAS, from 1894 until his death in 1922, Colonel Charles Young was the highest ranking African American commanding officer in the United States Army; and,

WHEREAS, Colonel Charles Young served most of his military career with the all-black 9th and 10th Calvary regiments, often referred to as “Buffalo Soldiers”; and,

WHEREAS, Colonel Charles Young’s unique military career included service on the western frontier, combat in the Philippines, time as our nation’s first black military attaché to the governments of Haiti, the Dominican Republic, and Liberia, and a position at Wilberforce University as a professor of tactics and military science; and,

WHEREAS, in addition to his outstanding military record, Colonel Charles Young served as Superintendent of Sequoia National Park in California, making him the first African American to be put in charge of a national park; and,

WHEREAS, in 1918, Colonel Charles Young was garrisoned at Camp Grant in Rockford, Illinois; and,

WHEREAS, on May 17, 2014, a ceremony will be held at the Rockford Veterans Memorial Hall in honor of Colonel Charles Young, whose maquette will remain on display at the hall throughout the month of June; and,

WHEREAS, Colonel Charles Young, a talented student, soldier, administrator and diplomat, leaves behind a powerful legacy of patriotism, fortitude, and determination that must never be forgotten; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 17, 2014, as COLONEL CHARLES YOUNG DAY in
Illinois, in acknowledgment of today’s ceremony, and in recognition of his tremendous military career and dedication to our nation.

Issued by the Governor May 8, 2014.
Filed by the Secretary of State May 21, 2014.

2014-228
SMALL BUSINESS AND ENTREPRENEUR WEEK

WHEREAS, small businesses and entrepreneurs are vital to Illinois’ growth and prosperity; and,
WHEREAS, many new jobs created throughout the United States in the past two decades have come from entrepreneurs and small businesses; and,
WHEREAS, many young Americans envision starting a business or doing something entrepreneurial as adults; and,
WHEREAS, the State of Illinois remains committed to nurturing our entrepreneurs and small businesses by providing a network of entrepreneurship and small business centers throughout Illinois to turn promising ideas into promising companies and new jobs; and,
WHEREAS, a broad coalition of partner organizations in Illinois and throughout the United States is actively engaged in enhancing small business and entrepreneurial opportunities; and,
WHEREAS, encouraging youth to be excited about business and working to expand the knowledge and skills of Illinoisans to be successful are crucial to the long-term growth of Illinois and the United States; and,
WHEREAS, Small Business and Entrepreneur Week provides an opportunity to focus on the innovative ways in which small business and entrepreneurship education can bring together the core academic, technical and problem solving skills essential for future entrepreneurs and successful workers in future workplaces; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 12-16, 2014 as SMALL BUSINESS AND ENTREPRENEUR WEEK in Illinois, and encourage consumers in the Land of Lincoln to support small businesses and entrepreneurs that create jobs within our communities and reinvest in our local economies.

Issued by the Governor May 8, 2014.
Filed by the Secretary of State May 21, 2014.
WHEREAS, Illinois is blessed with men and women who selflessly dedicate their time and energy to performing acts of good will and improving the quality of life for all people. One such individual is Evelyn Brandt Thomas, who has made generous contributions to 4-H, the U of I campuses in Springfield and Urbana, and numerous other central Illinois nonprofits; and,

WHEREAS, Evelyn Brandt Thomas grew up on a small family farm near Pleasant Plains, graduated from Springfield High School in 1940, and earned an accounting degree from Illinois Business College; and,

WHEREAS, in the 1950’s Evelyn Brandt Thomas and her brother, Glen, started a fertilizer business, which would become Brandt, a multi-million dollar international agriculture company based in Springfield, Illinois; and,

WHEREAS, in 2012, Brandt was named to Inc. Magazine’s list of 500 Fastest Growing Public Companies, with more than $400 million in revenue; and,

WHEREAS, Evelyn Brandt Thomas, who celebrated her 90th birthday last August, still serves as Secretary-Treasurer of Brandt and goes to work nearly every day. Her indomitable spirit and commitment to excellence is an inspiration to her family members, friends, and co-workers; and,

WHEREAS, service to others is a hallmark of the American character, and Evelyn Brandt Thomas has always been a leader by volunteering in her community; and,

WHEREAS, Evelyn Brandt Thomas has encouraged many women to pursue careers in business through her support of the Evelyn Brandt Thomas Scholarship at UIS; and,

WHEREAS, in 2002, the Association of Fund Raising Professionals presented Evelyn Brandt Thomas and her husband, Gordon, with the Outstanding Philanthropist Award; and,

WHEREAS, Evelyn Brandt Thomas, an accomplished Springfield business woman and philanthropist, will be receiving an honorary doctorate from the University of Illinois Springfield, during UIS’ May 17, 2014, commencement, making her the first person to receive such an honor from the college since 2006; and,

WHEREAS, it is important that the people of Illinois recognize Evelyn Brandt Thomas’ contributions on this occasion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 17, 2014, as EVELYN BRANDT THOMAS DAY in
Illinois, in recognition of her honorary doctorate and lifelong commitment to making central Illinois, the Land of Lincoln, and the world a better place.

Issued by the Governor May 9, 2014.
Filed by the Secretary of State May 21, 2014.

2014-230
KIDS IN DANGER DAY

WHEREAS, there are millions of children’s products on the market today that parents assume are safe. We must make safety a priority to prevent injury and death; and,

WHEREAS, this past year, an estimated 77,900 children under the age of five were treated in hospital emergency rooms for injuries from nursery products, and more than 110 children die annually in incidents associated with nursery products; and,

WHEREAS, Kids in Danger (KID) is a non-profit organization that was founded in Chicago, Illinois in 1998 following the death of the founders’ son due to a recalled portable crib that collapsed around his neck. KID’s mission is to protect children by improving children’s product safety; and,

WHEREAS, KID’s programs serve to advocate for stricter safety testing, promote safer product design, and educate caregivers, as well as engineers, about children’s product safety. They include Safe from the Start, and Teach Early Safety Testing (TEST); and,

WHEREAS, this year, KID honors Inez Tenenbaum at the annual Best Friend Award Night, for her strong voice in children’s product safety. Tenenbaum is the former chair of the US Consumer Product Safety Commission (CPSC). In her work, she oversaw the implementation of “Danny’s Law,” which requires mandatory standards for infant and toddler durable products including the world’s strongest crib standard; and,

WHEREAS, the State of Illinois recognizes the great work performed by KID each day, and it is fitting that we take the time to recognize their dedicated efforts to keep children safe; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 14, 2014 as KIDS IN DANGER DAY in Illinois, and encourage all citizens to become cognizant of the safety of children’s products to ensure that our children are not unnecessarily harmed.

Issued by the Governor May 9, 2014.
Filed by the Secretary of State May 21, 2014.
WHEREAS, The Museum of Science and Industry, Chicago is one of the largest science museums in the world; and,
WHEREAS, The Museum of Science and Industry, Chicago offers world-class and uniquely interactive science experiences that aspire to its vision: to inspire and motivate children to achieve their full potential in science, technology, medicine and engineering; and,
WHEREAS, one of these amazing exhibit experiences is the national historic landmark, the U-505 submarine; and,
WHEREAS, June 4, 2014 marks the 70th anniversary of the capture of this German U-boat; and,
WHEREAS, the U-505 was captured on June 4, 1944, while prowling off the coast of West Africa on the hunt for American and Allied ships; and,
WHEREAS, part of a destructive U-boat campaign on the Atlantic Ocean, the submarine was the only U-boat seized by the U.S. Navy during World War II, and it was instrumental in helping the Allies understand German technology and codes; and,
WHEREAS, seven decades later, the U-505 is the only German submarine in the United States and part of an indoor, 35,000-square-foot interactive exhibition at the Museum of Science and Industry; and,
WHEREAS, open to the Museum’s 1.4 million annual guests, the exhibit tells the submarine’s important story in context—delving into the history behind World War II, the Battle of the Atlantic, naval technology, and the men and women who selflessly served our country; and,
WHEREAS, the vessel itself, serves as a memorial to the 55,000 American sailors who gave up their lives on the high seas in World Wars I and II; and,
WHEREAS, in commemoration of the 70th anniversary of the U-505 and its capture, The Museum of Science and Industry will honor this significant part of American and World history with special programming and activities on June 4, 7 and 8, 2014. Museum Entry will be free for all Illinois residents June 1 through June 6; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2-8 2014, as MUSEUM OF SCIENCE AND INDUSTRY U-505 WEEK in Illinois, and encourage all citizens to visit this national historic landmark, the U-505 submarine exhibit, beloved by generations since it arrived at the museum in 1954.

Issued by the Governor May 9, 2014.
Filed by the Secretary of State May 21, 2014.
WHEREAS, “Chicago Metropolis 2020: Preparing Metropolitan Chicago for the 21st Century,” published in 1998, was a project of The Commercial Club of Chicago and presented approaches to strengthen the economic vitality of the region and enhance the quality of life for all of its residents; and,

WHEREAS, the unique non-profit Chicago Metropolis 2020 was launched in 1999 to promote the goals outlined in that report and foster collaboration across the region; and,

WHEREAS, Chicago Metropolis 2020 and its successor organization Metropolis Strategies, a supporting organization of the Chicago Community Trust, have brought the Chicago region’s diverse voices to the table to work cooperatively to better the entire metropolitan region; and,

WHEREAS, Metropolis pioneered the concept of using a team of volunteer senior executives – highly accomplished, recognized and knowledgeable principals contributing leadership and staff work for no compensation – to build a small, effective, results-focused operation; and,

WHEREAS, the quality of its work has been recognized for its reliance on data-driven, cost-effective solutions to problems facing the region; and,

WHEREAS, its many accomplishments – including advancements in the availability of early education, affordable workforce housing and sustainability practices that protect the environment – are too numerous to mention in entirety but continue through the work of other organizations; and,

WHEREAS, its determination to integrate land use and transportation planning led to the creation of the Chicago Metropolitan Agency for Planning, which has received national recognition as a model for effective regional planning; and,

WHEREAS, its call for a world-class transportation system has led to smarter investments in roads and highways, public transit, and the movement of freight and a plan to create an efficient and truly regional mass transit agency, and,

WHEREAS, it has promoted several juvenile justice system reforms, including creation of the rehabilitation-focused Illinois Department of Juvenile Justice, and it helped the state achieve a dramatic reduction in the number of children in state prisons due to Redeploy Illinois and other programs providing rehabilitative services for juveniles locally instead of sending them to more expensive, remote and counter-productive state prisons; and,
WHEREAS, it encouraged the state to create the Sheridan drug treatment prison, rewrite the criminal code, create the Sentencing Policy Advisory Council, and to extend the Redeploy model through the creation of an Adult Redeploy Illinois program, which has helped reduce prison overcrowding; and,

WHEREAS, Metropolis was intended from its inception to have a limited life; and its work will continue in other organizations after it concludes its operations at the end of May; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 29, 2014 as METROPOLIS DAY in Illinois and thank and congratulate all responsible for the many contributions of Chicago Metropolis 2020 and Metropolis Strategies, including Andrew J. McKenna, Founding Chairman; Donald G. Lubin, Chairman; and George A. Ranney, President and CEO.

Issued by the Governor May 12, 2014.
Filed by the Secretary of State May 21, 2014.

2014-233
PEACE OFFICERS MEMORIAL DAY

WHEREAS, all citizens owe a tremendous debt of gratitude to the dedicated men and women of law enforcement who selflessly serve to protect our lives and keep our families and communities safe; and,

WHEREAS, every day, the men and women who work in law enforcement face great risks and, in many cases, put their safety on the line to perform their duties; and,

WHEREAS, peace officers are skilled professionals who must act as counselors, communicators and experts at crisis intervention. They must preserve the safety of our lives and property, and maintain a professional demeanor in stressful situations; and,

WHEREAS, these officers must possess an intuitive sense to resolve conflicts and save lives; and,

WHEREAS, we could not live safely and comfortably in our communities without the hard work and sacrifices made each day by our peace officers; and,

WHEREAS, the State of Illinois is pleased to recognize peace officers for their hard work to ensure the safety of our communities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare May 15, 2014, as PEACE OFFICERS MEMORIAL DAY in Illinois, and order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise to sunset on this day in honor
of the heroism of all our law enforcement officers, especially those who have given their lives so that others might live.
Issued by the Governor May 13, 2014.
Filed by the Secretary of State May 21, 2014.

2014-234
BEAR NECESSITIES PEDIATRIC CANCER FOUNDATION’S AWARENESS DAY

WHEREAS, childhood cancer is the number one disease killer and second leading cause of death (exceeded only by accidents) of children; and,
WHEREAS, approximately 36 American children are diagnosed with cancer daily, and their average age at the time of diagnosis is 6 years; and,
WHEREAS, 10,400 American children were diagnosed with cancer in 2007, and 40,000 children in our country undergo treatment for cancer annually; and,
WHEREAS, childhood cancer rates have been rising slightly for the past few decades, and approximately 15,500 children in the United States under the age of 15 will be diagnosed with cancer in 2014; and,
WHEREAS, our children are our most precious resource; and,
WHEREAS, there are a number of organizations dedicated to raising funds for research into pediatric cancer and supporting children and families who are diagnosed with pediatric cancer; and,
WHEREAS, one such organization is Bear Necessities Pediatric Cancer Foundation, named in memory of founder Kathleen Casey’s eight year old son, Barrett "Bear" Krupa, who died after a courageous five and a half year battle with Wilms Tumor, a pediatric cancer; and,
WHEREAS, Bear Necessities Pediatric Cancer Foundation is a national organization dedicated to eliminating pediatric cancer and providing hope and support to those who are touched by it; and,
WHEREAS, the mission of Bear Necessities Pediatric Cancer Foundation is carried out through three unique programs which include the Bear Hugs Program, Bear Discoveries and Bear Empowerment; and,
WHEREAS, Bear Necessities Pediatric Cancer Foundation is now in its 21st year of generating funds to reach out to all children in the State of Illinois who will be diagnosed this year with pediatric cancer; and,
WHEREAS, the month of September is recognized as Childhood Cancer Awareness Month. Throughout this month, organizations like Bear Necessities Pediatric Cancer Foundation will be conducting outreach efforts to raise awareness of pediatric cancer; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
PROCLAMATIONS

hereby proclaim September 12, 2014 as BEAR NECESSITIES PEDIATRIC CANCER FOUNDATION’S AWARENESS DAY in Illinois, to raise awareness of pediatric cancer, and in support of the organization’s dedication to eradicating this devastating disease.

Issued by the Governor May 14, 2014.
Filed by the Secretary of State May 21, 2014.

2014-235
MULTIRACIAL HERITAGE WEEK

WHEREAS, Illinois has a multiracial population of 289,982 people, representing 2.3 percent of the state population according to the 2010 Decennial Census. The percentage change from 2000 to 2010 was 23.4 percent and is expected to grow by 2020. This population is one of the fastest growing in the state. There are over 9 million individuals who self-identify as more than one race in the United States; and,

WHEREAS, multiracial children, teens and adults make vast contributions to the State of Illinois; and,

WHEREAS, Illinois is a true melting pot of race and ethnicity, and honors many different groups (Black, Asian, Hispanic, etc.) with days, weeks, or months that celebrate their heritage; and,

WHEREAS, children in Illinois schools are now allowed to check as many races as apply on school forms for enrollment, testing, etc., and public and private schools in the State are encouraged to include wording in keeping with positive identity practices that reflect the terminology of “multiracial”; and,

WHEREAS, several celebrations for or including the multiracial population will occur in the country and in Illinois during the week of June 12 to 19, 2014, including Loving Day (Loving v. Virginia (1967), The Mixed Roots Fest in Los Angeles, and Juneteenth Day (commemorates the abolition of slavery in the United States); and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 12-19 2014 as MULTIRACIAL HERITAGE WEEK, and encourage all multiracial Illinoisans to explore and celebrate their unique heritage.

Issued by the Governor May 14, 2014.
Filed by the Secretary of State May 21, 2014.
WHEREAS, Rotary International is a service organization whose purpose is to bring together business and professional leaders in order to provide humanitarian services, encourage high ethical standards in all vocations, and help build goodwill and peace in the world; and,

WHEREAS, Rotary International was founded in Chicago in 1905, and its World Headquarters is now located in Evanston, Illinois; and,

WHEREAS, three Northern Illinois Rotary Districts, representing nearly 200 Rotary Clubs across the entire northern tier of the state, have come together to form an entity called Northern Illinois Rotary, which includes District 6420 (Rockford Area), 6440 (Northern and Far Western Suburbs) and 6540 (Chicago, Near Western Suburbs, and Southern Suburbs); and,

WHEREAS, Rotary International has over 1.2 million members in roughly 34,000 clubs in more than 200 countries; and,

WHEREAS, Rotary International’s number one priority is the worldwide eradication of polio; and,

WHEREAS, polio is a contagious viral illness that in its most severe form causes paralysis, difficulty breathing, and sometimes death; and,

WHEREAS, Rotary International, which has contributed millions of dollars to fighting Polio, is part of the Global Polio Eradication Partnership along with the WHO, the CDC, UNICEF and the Bill & Melinda Gates Foundation; and,

WHEREAS, as a result of the hard work and countless volunteer hours given by Rotary International members, more than two billion children have been immunized in 122 countries; and,

WHEREAS, on August 5, 2014, the Northern Illinois Rotary will be hosting an End Polio Now Fundraiser at U.S. Cellular Field when the Chicago White Sox faces the Texas Rangers. This event represents the first time that all three Districts will be working together on the polio effort; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 5, 2014 as NORTHERN ILLINOIS ROTARY DAY in Illinois, in acknowledgment of today’s event, and in recognition of Rotary International’s commitment to serving others and fighting polio.

Issued by the Governor May 15, 2014.

Filed by the Secretary of State May 21, 2014.
2014-237

CHICAGO AREA CLEAN CITIES DAY

WHEREAS, Chicago Area Clean Cities was the 10th “Clean Cities” coalition designated by the U.S. Department of Energy in May 1994 and is celebrating its 20th anniversary; and,

WHEREAS, many federal, state and local government agencies, auto manufacturers, local car dealers, fuel suppliers, conversion companies, environmental organizations, corporations, small businesses, and individuals have provided their time and resources during the past 20 years to make Chicago Area Clean Cities one of the most successful Clean Cities coalitions in the country; and,

WHEREAS, the coalition’s mission in deploying “American fuels” and clean fuel vehicles, such as those running on natural gas, ethanol, propane, biodiesel, and electricity, have helped to improve air quality, provided for greater energy independence, and has led to the creation of many small businesses and jobs in our state; and,

WHEREAS, many government and business fleets in Illinois have partnered with Chicago Area Clean Cities and its members to become national leaders in greening their fleets and to demonstrate the environmental and economic benefits of using Illinois’ own domestic and renewable energy sources; and,

WHEREAS, the coalition and its members have worked to implement over 15,000 alternate fuel vehicles and more than 400 fuel stations for E85, propane, natural gas, biodiesel, hydrogen, and electric vehicle charging throughout Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 21, 2014 as CHICAGO AREA CLEAN CITIES DAY in the State of Illinois.

Issued by the Governor May 16, 2014.
Filed by the Secretary of State May 21, 2014.

2014-238

SENIOR CORPS WEEK

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,

WHEREAS, service by older Americans helps volunteers by keeping them active, healthy, and engaged; helps our communities by solving local problems; and helps our nation by strengthening our democracy; and,
WHEREAS, the Senior Corps National Service program allows Illinoisans 55 and older the opportunity to share their expertise and passion; and,

WHEREAS, each year Senior Corps, including the Foster Grandparents Program, the Senior Companions Program, and the Retired & Senior Volunteer Program, places more than 16,000 volunteers in communities throughout Illinois; and,

WHEREAS, these Senior Corps members have helped over 4,400 young people who have special needs, more than 830 homebound seniors and other adults maintain independence in their own homes, and provided other services through more than 1,100 groups across Illinois; and,

WHEREAS, Senior Corps volunteers contribute in ways such as veterans’ assistance, disaster preparedness, and poverty reduction, and the over 3,500,000 Senior Corps hours contributed each year are valued at over $80 billion; and,

WHEREAS, Senior Corps Week, May 19 through 23, 2014, is an opportune time for the people of Illinois to salute Senior Corps volunteers for their service; thank Senior Corps’ community partners; and bring more Americans into service; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19 -23, 2014 as SENIOR CORPS WEEK in Illinois, and urge citizens to thank Senior Corps volunteers for their service and to find ways to give back to their communities.

Issued by the Governor May 16, 2014.

Filed by the Secretary of State May 21, 2014.

2014-239
SUMMER FOOD SERVICE PROGRAM DAY

WHEREAS, no child deserves to go without food, and children who are food insecure, meaning they do not have consistent access to adequate food, suffer from increased risk of chronic diseases, increased rates of behavioral problems, decreased academic achievement, and long-term social and economic impacts; and,

WHEREAS, there are children in every county of the State of Illinois who experience food insecurity; and,

WHEREAS, in 2013, 4,189,025 summer meals were provided through the Summer Food Service Program, and these meals were distributed through 1,716 sites, of which only 882 were open to the community and did not require enrollment; and,

WHEREAS, Summer Food Service Program sites are an ideal model
for summer food delivery and provide on-site adult supervision and enrichment activities for children; however, more SFSP sites are needed that are open to the community; and,

WHEREAS, USDA, Illinois State Board of Education, No Kid Hungry Illinois, Illinois Hunger Coalition, and Illinois Summer Meals Partners continue to work together to increase participation in the Summer Food Service Program; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 16, 2014 as SUMMER FOOD SERVICE PROGRAM DAY in the State of Illinois, and I call upon Summer Food Service Program sites to operate as open sites to the community so that all children can access healthy, nutritious meals during the summer.

Issued by the Governor May 16, 2014.
Filed by the Secretary of State May 21, 2014.

2014-240
CHIROPRACTIC HEALTH CARE MONTH

WHEREAS, every year, more than 30 million Americans throughout the country, including 2 million in Illinois, visit chiropractors who locate and help correct joint and spinal problems; and,

WHEREAS, chiropractic physicians have long stressed that exercise, good posture, and balanced nutrition are essential to proper growth, development, and health maintenance; and,

WHEREAS, Illinois chiropractic physicians are dedicated to protecting and promoting patient rights, the practice of chiropractic medicine and fostering the growth of chiropractic through ongoing training and a commitment to safe and ethical practice; and,

WHEREAS, chiropractic is a safe, conservative approach to pain relief and wellness, and is the most popular form of natural healthcare in the world; and,

WHEREAS, the science of chiropractic and the physicians who practice it have contributed greatly to the health and wellbeing of the people of Illinois:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as CHIROPRACTIC HEALTH CARE MONTH in Illinois, to raise awareness about chiropractic care.

Issued by the Governor May 19, 2014.
Filed by the Secretary of State May 21, 2014.
WHEREAS, Valerie S. Lies has served as President and CEO of Donors Forum for 27 years, and will retire on June 30, 2014; and,
WHEREAS, under her leadership, Donors Forum has evolved from having a Chicago focus on grantmaking to a statewide association of grantmakers, nonprofits, and their advisors, with a strong public policy and advocacy program, and is the only organization of its kind in the country; and,
WHEREAS, Valerie S. Lies has served as Co-chair of the Illinois Attorney General’s Charitable Advisory Council, as a member of the Governor’s Commission on Human Services, and as a member of the Governor’s Task Force on Social Innovation, Entrepreneurship, and Enterprise Development; and,
WHEREAS, Valerie S. Lies is a nationally recognized leader in philanthropy and the nonprofit sector, having been named twice as an Influential Leader by the Nonprofit Times; and has served on the national boards of the Minnesota Council on Foundations, Women and Philanthropy, the Council on Foundations, Independent Sector, WINGS (Worldwide Initiatives for Grantmaker Support), and the National Center for Family Philanthropy; and,
WHEREAS, under her leadership, Donors Forum created the Illinois Nonprofit Best Practices and Principles, which has also been endorsed by the Attorney General’s Office, and has been recognized as a model of nonprofit and philanthropic practice for other states to follow; and,
WHEREAS, under her tenure, Donors Forum has advocated for a more effective nonprofit sector through a stronger partnership between government, nonprofits, and philanthropy with Building a Stronger Illinois: The Public Nonprofit Partnership Initiative and the creation of Fair and Accountable: Partnership Principles for a Sustainable Human Services Delivery System; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 20, 2014 as VALERIE S. LIES APPRECIATION DAY in Illinois, in recognition of her upcoming retirement and Donors Forum’s 40th anniversary.
Issued by the Governor May 19, 2014.
Filed by the Secretary of State May 21, 2014.
2014-242
MEMORIAL DAY

WHEREAS, Memorial Day is a national holiday observed for the purpose of cherishing and solemnly celebrating the memories of those who sacrificed their lives on the battlefield in service to our country; and,

WHEREAS, Memorial Day was first observed in 1868 upon the order of Illinois’ own John A. Logan, national commander of the Grand Army of the Republic, who called on every American to raise the flag in honor of those lost and to “renew our pledges to aid and assist those whom they have left among us as sacred charges upon the Nation’s gratitude, — the soldier’s and sailor’s widow and orphan”; and,

WHEREAS, Memorial Day today continues to serve as a reminder to every American that our freedom was bought and is preserved at a great cost, and that each of us owes a boundless debt of gratitude to those valorous men and women who have given their lives to defend our country on the battlefields, on the seas and in the skies around the world; and,

WHEREAS, Memorial Day 2014 offers everyone in the Land of Lincoln an opportunity to honor those brave men and women who have served, and continued to serve, as members of the United States Armed Forces; and,

WHEREAS, Memorial Day 2014 reminds us that we can acknowledge our debt to those who serve by paying our respects at the final resting places of those who fell in battle, and by supporting our men and women in uniform through the Illinois Military Family Relief Fund or other organizations dedicated to helping veterans and service members; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 26, 2014, as MEMORIAL DAY in Illinois, and order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise to noon on this day, and ask everyone in Illinois to honor the enduring legacy of our national heroes who gave their lives in defense of our nation and the undying American principles of justice, freedom, and democracy.

Issued by the Governor May 20, 2014.
Filed by the Secretary of State June 17, 2014.

2014-243
MORGAN FREEMAN DAY

WHEREAS, born on June 1, 1937, in Memphis, Tennessee, Morgan Freeman would go on to become one of the most iconic actors in American
WHEREAS, Morgan Freeman attended Los Angeles City College before serving in the United States Air Force as a mechanic between 1955 and 1959; and,

WHEREAS, a uniquely talented actor, Morgan Freeman’s career began in the 1960’s when he started appearing in plays such as the all-African American Hello, Dolly!; and,

WHEREAS, for his outstanding contributions on stage, Morgan Freeman received a Tony Award nomination for his performance in The Mighty Gents in 1978 and two Obie Awards for his portrayal of Coriolanus at the New York Shakespeare Festival and for his work in Mother Courage and Her Children; and,

WHEREAS, Morgan Freeman first appeared on TV screens as several characters including “Easy Reader,” “Mel Mounds,” and “Count Dracula”; and,

WHEREAS, in 1980, Morgan Freeman earned wide accolades for his role in the prison drama Brubaker; and,

WHEREAS, Morgan Freeman earned his first Oscar nomination for his part in Street Smart; and,

WHEREAS, throughout his impressive career, Morgan Freeman has starred in many films including Glory, Lean on Me, Robin Hood: Prince of Thieves, The Shawshank Redemption, Amistad, Deep Impact, Invictus, and Million Dollar Baby; and,

WHEREAS, Morgan Freeman has had 5 Oscar nominations including a win for best actor in a supporting role in Million Dollar Baby in 2005. He was nominated for Oscars for best actor in a leading role for Invictus (2009), Shawshank Redemption (1994), and Driving Miss Daisy (1989); and,

WHEREAS, in 1993, Morgan Freeman made his directorial debut with Bopha!, the story of a South African police officer alienated from his son by apartheid; and,

WHEREAS, with his recognizable voice and poised demeanor, Morgan Freeman has provided millions of viewers with memorable entertainment; and,

WHEREAS, on Saturday, June 7, 2014, Morgan Freeman will be honored by the Gene Siskel Film Center with a Renaissance Award; and,

WHEREAS, the State of Illinois has a rich cinematic history and is pleased to congratulate Morgan Freeman on this occasion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare June 7, 2014, as MORGAN FREEMAN DAY in Illinois, in recognition of his vast contributions to the entertainment industry.

Issued by the Governor May 20, 2014.
WHEREAS, aphasia is a communication impairment caused by brain damage, typically resulting from a stroke; and,

WHEREAS, while aphasia is most often the result of stroke or brain injury, it can also occur in other neurological disorders, such as in the case of a brain tumor, migraines and neurodegenerative disorders; and,

WHEREAS, many people with aphasia also have weakness or paralysis in their right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body; and,

WHEREAS, the effects of aphasia may include a loss or reduction in ability to speak, comprehend, read, and write, while intelligence remains intact; and,

WHEREAS, stroke is the third largest cause of death, ranking behind ‘diseases of the heart’ and all forms of cancer; and,

WHEREAS, stroke is a leading cause of serious, long-term disability in the United States; and,

WHEREAS, there are more than 7 million stroke survivors alive today; and,

WHEREAS, it is estimated that there are more than 795,000 strokes per year in the United States, with approximately one third of these resulting in aphasia; and,

WHEREAS, aphasia affects more than 1,000,000 people in the United States; and,

WHEREAS, more than 200,000 Americans acquire the disorder each year; and,

WHEREAS, the National Aphasia Association is unique as its mission is to educate the public to know the word aphasia describes an impairment of the ability to communicate, not an impairment of intellect; and,

WHEREAS, the NAA makes people with aphasia, their families, support systems and health care professionals aware of the resources to recover lost skills to the extent possible to compensate for skills that will not be recovered and to minimize the psychosocial impact of the language impairment; and,

WHEREAS, as an advocacy organization for people with aphasia and their caregivers, the National Aphasia Association envisions a society in
which aphasia is a commonly understood word and where there are resources available for educating people with aphasia, their families, health professional and the public on how people with aphasia can reclaim their quality of life; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June, 2014 as Aphasia Awareness Month.

Issued by the Governor May 21, 2014.
Filed by the Secretary of State June 17, 2014.

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**2014-245**

**INSTITUTE FOR SUPPLY MANAGEMENT-CHICAGO DAY**

WHEREAS, Institute for Supply Management-Chicago (ISM-Chicago) is a non-profit association dedicated to strengthening the community of procurement and supply management professionals in the Chicagoland area; and,

WHEREAS, as an affiliate of the Institute of Supply Management (ISM), ISM-Chicago is committed to the ongoing professional development of its members and the purchasing/supply management profession through education, research, and communication; and,

WHEREAS, ISM has a strong global influence and serves professionals in more than 80 countries; and,

WHEREAS, the membership of ISM-Chicago is comprised of procurement and supply chain professionals and managers employed in the private and public sectors throughout the Chicago area; and,

WHEREAS, ISM-Chicago is hosting an event on May 21, 2014, to commemorate its 100th anniversary; and,

WHEREAS, to celebrate an anniversary such as this is a testament to the commitment to excellence demonstrated by the employees, members, and founders of ISM-Chicago. ISM-Chicago should take great pride in its accomplishments over the past 100 years; and,

WHEREAS, it is appropriate to recognize ISM-Chicago on this occasion, with the hope that it will enjoy another 100 years of successes; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 21, 2014, as INSTITUTE FOR SUPPLY MANAGEMENT-CHICAGO DAY in Illinois, in celebration of tonight’s event and this very special anniversary.

Issued by the Governor May 21, 2014.
Filed by the Secretary of State June 17, 2014.
WHEREAS, the State of Illinois is blessed with unparalleled natural beauty. From remote forests to urban parks, these spaces have inspired visitors for generations; and,

WHEREAS, these areas continue to lift the human spirit for all those who visit them, but unfortunately today’s children spend an inadequate amount of time outdoors; and,

WHEREAS, the observance of Leave No Child Inside Month during the month of June was launched with the goal to get more children outside and to increase the amount and quality of time that they spend there; and,

WHEREAS, June of each year is also designated as Great Outdoors Month to highlight the numerous benefits of active fun outdoor activities and the magnificent shared resources of our parks, forests, refuges, and other public lands and waters; and,

WHEREAS, the people of Illinois wish to renew their commitment to protecting our environment so that we can leave our children and grandchildren a healthy and flourishing land; and,

WHEREAS, June opens the active summer vacation and recreation season. Through recreational activities such as fishing, skiing, biking and nature watching, we can teach our young people about the wonders of our state's landscapes; and,

WHEREAS, enjoying the outdoors is a fun and healthy way for families to spend quality time together. Experiencing Illinois' natural splendor contributes to happier and healthier lives for our citizens and a deeper appreciation for the great outdoors; and,

WHEREAS, participation in outdoor activities in natural settings has been shown to increase self-esteem, decrease Attention-Deficit Disorder symptoms, reduce childhood obesity, and contribute to the emotional and physical development of children; and,

WHEREAS, promoting a culture in which children enjoy, and are encouraged, to be outside in nature results in healthier children who have a sense of connection to their environment, and in turn become supporters and stewards of local nature themselves; and,

WHEREAS, through grants for park development and land acquisition projects, the State of Illinois is committed to strengthening the fabric of local communities and providing opportunities for children to go outdoors; and,

WHEREAS, throughout the month of June, the Illinois Department of Natural Resources is partnering with local community organizations to
host a variety of events across the state to encourage youth to be outdoors, including experiences in camping, archery, climbing, fishing, canoeing, kayaking, bird watching, plant and animal identification, and fort building; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2014 as LEAVE NO CHILD INSIDE MONTH in Illinois, and encourage all citizens, in particular children, to go outside and explore and enjoy the outdoors.

Issued by the Governor May 21, 2014.
Filed by the Secretary of State June 17, 2014.

2014-247
RECOVERY & EMPOWERMENT DAY

WHEREAS, mental health disorders and depression effect people from all walks of life without regard for age, gender, race, or socioeconomic status; and,

WHEREAS, one in five Illinois residents experiences a diagnosable mental disorder every year; and,

WHEREAS, the economic impact of mental illness is estimated to be about 15 percent of the total economic burden of all diseases, and addressing the mental health challenges faced by the people of Illinois is of utmost importance to our state; and,

WHEREAS, DMH, the federally recognized state Mental Health Authority for Illinois, contracts with 150 comprehensive community mental health centers and 30 specialty providers to deliver community based-services; and,

WHEREAS, the need for comprehensive, coordinated mental health supports and services is of vital concern to communities across Illinois and important for ensuring that individuals impacted by mental health problems are able to recover; and,

WHEREAS, people with mental health conditions should be held in high regard as full-fledged members of their communities; and,

WHEREAS, according to the National Mental Health Information Center, the 10 Fundamental Components of Recovery are: self-direction, individualized and person-centered, empowerment, holistic, non-linear, strength-based, peer support, respect, responsibility, and hope; and,

WHEREAS, mental health recovery in Illinois will make our state healthier and more economically vibrant; and,

WHEREAS, featuring speakers and a presentation, on May 22, 2014, a Recovery & Empowerment Day event will take place in Springfield,
Illinois. This is the largest gathering of people recovering from mental illness for the purpose of engaging in the policy process; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 22, 2014, as RECOVERY & EMPOWERMENT DAY in Illinois, in recognition of today’s event, and in support of helping people working through mental health issues recover.

Issued by the Governor May 21, 2014.
Filed by the Secretary of State June 17, 2014.

2014-248
QUEBEC NATIONAL DAY

WHEREAS, the links between Illinois and Quebec are numerous, and can be traced back centuries to the French-speaking missionaries and voyagers who left Quebec City and Montreal to explore the land of Illinois and eventually settle here; and,

WHEREAS, in 1969, Quebec established its delegation in the City of Chicago because of the business and cultural preeminence of the city; and,

WHEREAS, Quebec is active, along with Illinois, in both the Council of Great Lakes Governors and the Great Lakes Commission as an associate member; and,

WHEREAS, today, trade between Illinois and Quebec exceeds $3 billion U.S. dollars; and,

WHEREAS, the staff of the Quebec Delegation in Chicago have established commercial links between Illinois and Quebec companies and have brought Quebec performing artists, intellectuals, and writers to the theatres and universities of this state; and,

WHEREAS, the Quebec Delegation in Chicago seeks to broaden the economic, cultural, educational and tourism links between Quebec and the Midwest; and,

WHEREAS, every year on the 24th of June, Saint John the Baptist’s Day, the people of Quebec celebrate their history and values with Québec’s national holiday Saint-Jean-Baptiste Day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 24, 2014 as QUEBEC NATIONAL DAY in Illinois, in recognition of the numerous connections that unite Illinois and Quebec, and encourage all citizens to join in this vibrant and spirited commemoration.

Issued by the Governor May 22, 2014.
Filed by the Secretary of State June 17, 2014.
THE FEDERATION OF HIDALGUENSES IN ILLINOIS DAY

WHEREAS, a hometown association created by migrants in Illinois over 10 years ago, The Federation of Hidalguenses in Illinois was started with the purpose of working together to improve the lives of their communities of origin; and,

WHEREAS, The Federation of Hidalguenses in Illinois was the first organization established to represent the State of Hidalgo in the United States; and,

WHEREAS, The Federation of Hidalguenses in Illinois created a network of Hidalgo natives to connect on both sides of the border; and,

WHEREAS, The Federation of Hidalguenses in Illinois has sponsored over 60 projects in Mexico that have positively impacted over 30,000 people, including infrastructure improvements, paved roads, and electrical lighting on streets; and,

WHEREAS, the efforts of The Federation of Hidalguenses in Illinois are critically important to ensuring that the people of Hidalgo are taken care of; and,

WHEREAS, The Federation of Hidalguenses in Illinois has demonstrated a strong commitment to promoting the traditions, culture, and customs of the State of Hidalgo; and,

WHEREAS, The Federation of Hidalguenses in Illinois’ contributions to the community include distributing 40,000 in scholarships both in Illinois and Mexico, hosting the “Taste of Hidalgo,” and participating in civic parades throughout Chicago, Illinois; and,

WHEREAS, on May 25, 2014, The Federation of Hidalguenses in Illinois will be hosting an event, which provides the people of Illinois an opportune time to recognize this organization; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim May 25, 2014, as THE FEDERATION OF HIDALGUENSES IN ILLINOIS DAY, in recognition of this organization’s accomplishments and dedication to the State of Hidalgo.

Issued by the Governor May 22, 2014.
Filed by the Secretary of State June 17, 2014.

WORLD ENVIRONMENT DAY

WHEREAS, World Environment Day is held each year on June 5th and is the United Nations’ principal vehicle for encouraging worldwide
awareness and action for the environment; and,

WHEREAS, World Environment Day takes place year round but climaxes on June 5th every year, which is aimed at being the biggest and most widely celebrated global day for positive environmental action; and,

WHEREAS, World Environment Day is celebrated in many ways in countries such as Kenya, New Zealand, Poland, Spain and the United States. Activities include street rallies and parades, as well as concerts, tree planting, and clean-up campaigns; and,

WHEREAS, World Environment Day serves as the ‘people’s day’ for doing something positive for the environment, galvanizing individual actions into a collective power that generates an exponential positive impact on the planet; and,

WHEREAS, World Environment Day is also a day for people from all walks of life to come together to ensure a cleaner, greener and brighter outlook for themselves and future generations. When multiplied by a global chorus, our individual voices and actions become more impactful; and,

WHEREAS, the Illinois Constitution states that each person has the right to a healthful environment, and the duty of each person is to provide and maintain a healthful environment for the benefit of this and future generations; and,

WHEREAS, whether it is to organize clean up campaigns, walk-to-work days, tree-planting drives, or recycling drives - every action counts; and,

WHEREAS, Governor Pat Quinn is leading Illinois to a healthier and greener environment ensuring that his home at the Illinois Executive Mansion has installed a charging station for electric vehicles, energy efficient LED lighting, solar panels, rain barrels, a compost system, a vegetable garden and chickens; and,

WHEREAS, World Environment Day efforts will ensure that the State of Illinois will continue to maintain a healthier, safer state that encourages and implements environmental growth and maintenance; and,

WHEREAS, by making green choices, all residents of Illinois can lead by example in minimizing potential environmental and health impacts not only in Illinois but around the world; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 5, 2014 as WORLD ENVIRONMENT DAY in Illinois, in support of raising awareness and helping our communities, our state, our nation, and our world lead the way to a greener, cleaner future.

Issued by the Governor May 22, 2014.

Filed by the Secretary of State June 17, 2014.
WHEREAS, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States; and,
WHEREAS, it was on June 19, 1865, two-and-a-half years after President Lincoln’s Emancipation Proclamation that Union soldiers landed at Galveston, Texas with news that the war had ended and that the enslaved were now free; and,
WHEREAS, as freed slaves left plantations and moved to reunite with family members in other states, they encountered a new set of challenges as free men and women; and,
WHEREAS, recounting the memories of that great day and its festivities in June of 1865 would serve as relief from the growing pressures encountered in their new homes; and,
WHEREAS, the celebration of June 19th was coined "Juneteenth" and as participation grew, it became a time to reassure one another, for praying and for gathering with family; and,
WHEREAS, a range of activities were provided for entertainment at early Juneteenth celebrations, many of which continue today. Rodeos, fishing, barbecuing and baseball are just a few of the typical activities that may be held as part of Juneteenth celebrations; and,
WHEREAS, Juneteenth also focuses on education and self-improvement. Guest speakers are often brought in and the elders are called upon to recount the events of the past. Prayer services are often also a major part of the festivities; and,
WHEREAS, over the last few decades, Juneteenth has continued to enjoy a growing and healthy interest from communities and organizations throughout the country - all with the mission to promote and cultivate knowledge and appreciation of African American history and culture; and,
WHEREAS, Juneteenth today celebrates African American freedom while encouraging self-development and respect for all cultures; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 19, 2014 as JUNETEENTH DAY in Illinois, in remembrance of the important events of June 19, 1865, and encourage all citizens to learn about the important contributions that African Americans have made to our state, and to the nation as a whole.
Issued by the Governor May 27, 2014.
Filed by the Secretary of State June 17, 2014.
WHEREAS, the State of Illinois recognizes that owning a home does more than provide four walls and a roof; it provides stability and creates opportunities for families and communities; and,

WHEREAS, a healthy housing market is essential to the overall success of the Illinois economy; and,

WHEREAS, according to the National Association of Realtors, one job is created for every two homes sold in Illinois and the real estate industry accounted for 15.4 percent of the gross state product in Illinois in 2011; and,

WHEREAS, first-time buyers are crucial to the housing market because they are the engine that drives movement for all homeowners; and,

WHEREAS, with historically low interest rates, growing housing prices and rents at an all-time high, there’s no better time to buy a home in Illinois than now; and,

WHEREAS, the Illinois Housing Development Authority (IHDA), the state’s housing finance agency, is dedicated to creating affordable and secure homeownership opportunities for first-time homebuyers and Veterans; and,

WHEREAS, the recently launched Welcome Home Illinois loan program provides first-time homebuyers or those who have not owned a home in the past three years with a below-market interest rate for a secure, 30-year fixed mortgage, reduced credit requirements, and $7,500 in down-payment assistance; and,

WHEREAS, since the launch of Welcome Home Illinois on April 1, 1,600 buyers have reserved over $215 million in financing, creating an estimated 800 new jobs; and,

WHEREAS, with programs like Welcome Home Heroes, which provides critical financial housing support to men and women who have honorably served in our armed forces, Illinois is leading the way in serving Veterans; and,

WHEREAS, since the launch of the Welcome Home Heroes Program three years ago, 1,300 Illinois veterans, active military personnel, reservists and Illinois National Guard Members have accessed more than $ 165 million to buy their homes; and,

WHEREAS, the State of Illinois must do everything it can to create and promote sustainable homeownership; and,

WHEREAS, June is recognized each year as National Homeownership Month; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2014 as HOMEOWNERSHIP MONTH in Illinois.
2014-253
NATIONAL BATON TWIRLING WEEK

WHEREAS, the art of baton twirling has affected the lives of American girls and boys, and now has nearly one-half million active participants; and,

WHEREAS, baton twirling has been instrumental in building the confidence and character of these young people by teaching dedication, discipline and determination so that they might become positive, goal oriented citizens; and,

WHEREAS, baton twirling is one of the nation’s largest movements that is positive for today’s youth; and,

WHEREAS, baton twirling is used in children’s hospitals as a unique and effective method of physical therapy; and,

WHEREAS, baton twirlers provide inspiration and wholesome entertainment in our communities; and,

WHEREAS, baton twirlers from all over the United States will gather at the University of Notre Dame July 20 – 26, 2014, to conduct a colorful pageant entitled “America’s Youth on Parade”; and,

WHEREAS, the “Grand National Baton Twirling Championships” will be conducted as part of the Notre Dame festival; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 20 – 26, 2014 as NATIONAL BATON TWIRLING WEEK in Illinois, and encourage our citizens to appreciate and support the colorful and beneficial youth movement of baton twirling.

Issued by the Governor May 28, 2014.
Filed by the Secretary of State June 17, 2014.

2014-254
NATIONAL RECOVERY MONTH

WHEREAS, mental and substance use disorders are major public health problems affecting Americans of every age, race and ethnic background in all communities. With commitment and support, people with these disorders can achieve healthy lifestyles and lead rewarding lives in recovery; and,

WHEREAS, in 2011, 3.8 million people aged 12 or older received specialty treatment for an illicit drug or alcohol use problem in the past year,
and more than 31.6 million adults aged 18 or older received mental health services in the past year; and,

WHEREAS, according to the 2011 National Survey on Drug Use and Health, an estimated 21.6 million people aged 12 or older in the United States needed treatment for an illicit drug or alcohol use problem. Of these, 2.3 million received treatment at a specialty facility; and,

WHEREAS, also in 2011, out of the 45.6 million Americans aged 18 or older who had any mental illness in the past year, only 31.6 million received mental health services; and,

WHEREAS, studies show that individualized treatment greatly increases the chances for people to be successful in their path to recovery; unfortunately, many afflicted by substance use and mental health disorders do not believe treatment is necessary, and those who do seek treatment face barriers to recovery, including the cost of treatment, stigma associated with substance abuse problems, inadequate facilities, and a lack of information about treatment options; and,

WHEREAS, real stories of long-term recovery can inspire others to ask for help and improve their own lives and the lives of their families; therefore, it is critical that we educate community members that substance use and mental health disorders are serious, yet treatable health care problems, and by treating them like other chronic diseases, we can improve the quality of life for the entire community; and,

WHEREAS, for 25 years, Recovery Month has worked to improve the lives of those affected by mental illness and substance use disorders by raising awareness of these diseases and educating communities about the prevention, treatment, and recovery resources that are available; and,

WHEREAS, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, and the Illinois Department of Human Services’ Division of Alcoholism and Substance Abuse invite all residents of Illinois to participate in National Recovery Month; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2014 as NATIONAL RECOVERY MONTH in Illinois, and call on all citizens to celebrate the lives of those who are in recovery, while encouraging those struggling with substance abuse and mental illness to seek treatment.

Issued by the Governor May 28, 2014.

Filed by the Secretary of State June 17, 2014.
2014-255
POW/MIA RECOGNITION DAY

WHEREAS, as Americans, we must pledge to never forget the many brave men and women who have fought to defend our country during times of war; and,

WHEREAS, nearly 16,050 Americans are still missing from the Vietnam war, and approximately 7,800 are unaccounted for from the Korean War, 120 from the Cold War and over 75,000 from WWII, plus one POW still held from the war in Afghanistan; and,

WHEREAS, 68 of these American POW/MIA heroes are Illinoisans; and,

WHEREAS, approximately 142,000 Americans since World War I have endured the hardships of captivity as prisoners of war; and,

WHEREAS, their families, friends, and other countless Americans still must deal with uncertainty concerning their fates; and,

WHEREAS, on August 1, 1990, the 101st Congress passed U.S. Public Law 101-355, recognizing the National League of Families POW/MIA Flag and designated it as a symbol of our concern for all American prisoners of war and for those who are still missing in action; and,

WHEREAS, we must never forget the debt we owe these men and women who have loyally served our Nation in battle and we must never take for granted their contributions and sacrifices; and,

WHEREAS, POW/MIA Recognition Day serves as a reminder that our Nation will never forget the courageous men and women who have served in America’s Armed Forces and pays tribute to all American prisoners of war and those missing in action; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 19, 2014 as POW/MIA RECOGNITION DAY in Illinois, in honor of our national heroes who have made so many sacrifices for justice, freedom and democracy.

Issued by the Governor May 28, 2014
Filed by the Secretary of State June 17, 2014

2014-256
SECRETARY OF STATE JESSE WHITE DAY

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one remarkable public servant is Jesse White, who
currently serves as the Illinois Secretary of State; and,

WHEREAS, born in Alton, Illinois, Secretary of State Jesse White earned his Bachelor of Science degree from Alabama State College (now Alabama State University), where he earned all-conference honors as a two-sport athlete in baseball and basketball; and,

WHEREAS, in May 1995 Secretary of State Jesse White was inducted into the Southwestern Athletic Conference Hall of Fame, and in 1999 he was inducted into the Alabama State University Sports Hall of Fame; and,

WHEREAS, Secretary of State Jesse White served our country as a paratrooper in the U.S. Army’s 101st Airborne Division and as a member of the Illinois National Guard and Reserve; and,

WHEREAS, after playing professional baseball with the Chicago Cubs organization, Secretary of State Jesse White began a 33-year career with the Chicago public school system as a teacher and administrator; and,

WHEREAS, first elected Secretary of State in 1998, Jesse White has worked diligently to advocate on behalf of traffic safety issues, reduce drunk driving related accidents and fatalities, improve the truck safety and CDL licensing process, provide enhanced customer service, and strengthen the integrity of the office; and,

WHEREAS, prior to being elected Secretary of State, Jesse White served as the Cook County Recorder of Deeds and as a member of the Illinois General Assembly for 16 years; and,

WHEREAS, Secretary of State Jesse White, a passionate public servant, founded the internationally recognized Jesse White Tumbling Team in 1959, which has provided 14,000 young men and women with an opportunity to perform since its inception; and,

WHEREAS, Secretary of State Jesse White’s lifetime commitment to public service has helped to make our state stronger and serves as an inspiration to the people of the Land of Lincoln; and,

WHEREAS, Secretary of State Jesse White’s work ethic has always exemplified the dedication to service the citizens of the State of Illinois have come to expect and deserve; and,

WHEREAS, on Friday, May 30, 2014, Jesse White will become the longest serving Secretary of State in Illinois history; and,

WHEREAS, Jesse White’s efforts have undoubtedly created a lasting impact, and he will continue to be a tremendous asset to the people of Illinois as Secretary of State; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 30, 2014, as SECRETARY OF STATE JESSE WHITE DAY in Illinois, and do hereby congratulate him on being the longest serving
WHEREAS, the Health Window Program, “Ventanilla de Salud,” is a Mexican government initiative developed by Mexico’s federal Ministries of Health and Foreign Relations, and implemented by all 50 Mexican Consulates in the United States, with the support of local health organizations; and,

WHEREAS, the Program provides reliable information regarding health prevention, counseling and referrals to health services that are available and accessible for the Mexican community living in the United States of America; improving their access to primary and preventive health services and health insurance coverage, and guaranteeing culturally sensitive services to decrease the use of emergency care; and,

WHEREAS, in Illinois the Health Window Program was established in 2004 at the Consulate General of Mexico in Chicago, to serve the Latino community in the jurisdiction with the support of a wide network of health agencies, health departments, hospitals, community organizations, schools, universities and churches, serving around 800,000 people in ten years; and, and,

WHEREAS, as a result of a strategic partnership with the Consulate General of Mexico in Chicago, “Mujeres Latinas en Acción” has functioned as the lead agency of the Health Window Program in Chicago, Illinois, hence being responsible for operating the Program; and,

WHEREAS, in 2013 in Illinois, the Health Window Program serviced 151,231 customers in a safe and friendly environment, by creating local and binational collaborations between the U.S. and Mexico; and,

WHEREAS, the State of Illinois is supportive of the Health Window Program and its efforts to improve health outcomes for Latinos living in the Land of Lincoln and across the Midwest; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 6, 2014, as THE HEALTH WINDOW PROGRAM DAY in Illinois, in recognition of its 10th anniversary, and in support of all citizens uniting to improve the quality of life for the people of Illinois.

Issued by the Governor May 29, 2014.
Filed by the Secretary of State June 17, 2014.
WHEREAS, all citizens owe a tremendous debt of gratitude to the men and women of the armed forces who selflessly serve to protect our lives and keep our families safe; and,
WHEREAS, every day these men and women face great risks and put their safety on the line to perform their duties; and,
WHEREAS, on May 19, 2014, Lance Corporal Steven Hancock lost his life at the age of 20 while participating in a training exercise in North Carolina with the United States Marine Corps; and,
WHEREAS, born in Joliet, Illinois, and raised and educated in Coal City, Illinois, Lance Corporal Steven Hancock made vast contributions to the Land of Lincoln; and,
WHEREAS, an avid outdoorsman and dedicated public servant, Lance Corporal Steven Hancock joined the Marine Corps on March 5, 2012, and would go on to be the crew chief of his aircraft, V-22 Osprey; and,
WHEREAS, Lance Corporal Steven Hancock was a member of the First Christian Church of Morris since 1999 and a member of Coal City Boy Scout Troop 466, earning an Eagle Scout in 2011; and,
WHEREAS, throughout his career as a proud member of the United States Marine Corps, Lance Corporal Steven Hancock represented the State of Illinois admirably; and,
WHEREAS, known for his kindness and positive outlook on life, Lance Corporal Steven Hancock left an indelible mark on everyone who had an opportunity to meet him; and,
WHEREAS, a funeral will be held on Friday, May 30, 2014, for Lance Corporal Steven Hancock, a loving son, grandson, and brother, who is survived by many family members and friends; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Friday, May 30, 2014, in honor and remembrance of Lance Corporal Steven Hancock, whose selfless service and sacrifice is an inspiration.

Issued by the Governor May 30, 2014.
Filed by the Secretary of State June 17, 2014.
WHEREAS, the Illinois State Historical Library was created by the Illinois General Assembly on May 25, 1889; and,
WHEREAS, the Illinois State Historical Library is today known as the Abraham Lincoln Presidential Library since its opening on October 14, 2004; and,
WHEREAS, Abraham Lincoln Presidential Library is a division of the Illinois Historic Preservation Agency, an agency of Illinois state government; and,
WHEREAS, Abraham Lincoln Presidential Library is achieving its mission to collect, preserve, and make accessible to library visitors the published and unpublished resources which document the diverse history of Illinois and its people; and,
WHEREAS, the library has now become a modern research facility holding more than 200,000 bound volumes, 4,000 maps, twelve million manuscripts, 113,000 microfilm reels, 4,700 broadsides, more than 400,000 other graphic and visual materials, a collection of more than 3,000 Illinois related artifacts, and one of the world’s largest collections of Lincoln memorabilia and;
WHEREAS, the library holds one of five extant and signed copies of the Gettysburg Address, the Thirteenth Amendment, and a signed lithographic copy of the Emancipation Proclamation, all in the former President’s handwriting; and,
WHEREAS, the library has provided its fascinating service not only for the State, but for anyone who has ever expressed interest in or needed information about the history of Illinois; and,
WHEREAS, the publication of “The Treasures of the Abraham Lincoln Presidential Library,” in September 2014, not only presents selected “treasures” from the Library collections, but also includes comments from researchers who have used the collections; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2014 as ABRAHAM LINCOLN PRESIDENTIAL LIBRARY MONTH in Illinois, in celebration and recognition of its 125 years of invaluable services to Illinois’ citizens, and all who research to learn.
Issued by the Governor June 2, 2014.
Filed by the Secretary of State June 17, 2014.
2014-260
STATE FIRE MARSHAL THOMAS ARMSTEAD DAY

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, families and communities; and,

WHEREAS, one such individual is Thomas Armstead, who served as the Illinois State Fire Marshal from 1991-2001; and,

WHEREAS, Thomas Armstead’s dedication to fire service was exemplified by his many accomplishments during his tenure as the Illinois State Fire Marshal. Under his direction, OSFM played a major role in the design and placement of the Firefighter Memorial on the grounds of the State Capitol Building in Springfield, and the initiation of the Illinois’ Firefighter License Plate Program to assist in the maintenance of the Memorial; and,

WHEREAS, during State Fire Marshal Thomas Armstead’s tenure, the department was successful twice in adopting updated editions of the NFPA Life Safety Code to serve as the state’s code for fire prevention and safety; and,

WHEREAS, the Illinois State Fire Museum, located at the State Fairgrounds, was dedicated and opened to the public while Thomas Armstead was Fire Marshal; and,

WHEREAS, under State Fire Marshal Thomas Armstead’s leadership, the statewide Fire Fighter Medal of Honor Ceremony was established, which is still held annually, to honor those killed or seriously injured in the line of duty, and those who have displayed exceptional bravery or heroism while performing their duties; and,

WHEREAS, prior to serving as State Fire Marshal, Thomas Armstead was Chief of the Springfield Fire Department from 1985-1988; and,

WHEREAS, State Fire Marshal Thomas Armstead, a committed professional and fire safety advocate, was known by others for his deep commitment to helping people and saving lives; and,

WHEREAS, State Fire Marshal Thomas Armstead passed away on Sunday, June 1, 2014; and,

WHEREAS, we must always remember the countless lives that were positively impacted by State Fire Marshal Thomas Armstead; and,

WHEREAS, on Thursday, June 5, 2014, a funeral will be held for State Fire Marshal Thomas Armstead, who is survived by many loving family members, friends, and colleagues; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 5, 2014, as STATE FIRE MARSHAL THOMAS ARMSTEAD DAY in Illinois, in appreciation of his exemplary career as a
public servant and service to the people across the Land of Lincoln as Fire Marshal.

Issued by the Governor June 3, 2014.
Filed by the Secretary of State June 17, 2014.

2014-261
ALIA ABIAD DAY

WHEREAS, a native of Western Springs and eighth-grader at McClure Junior High, Alia Abiad finished an impressive fifth at this year’s Scripps National Spelling Bee, making her one of the top spellers to ever come from Illinois; and,

WHEREAS, Alia Abiad, the Suburban Cook County Spelling champion, was among 281 competitors at the National Spelling Bee, and one of a dozen spellers to advance to the final round; and,

WHEREAS, on her way to the final round of the National Spelling Bee, Alia Abiad spelled “fete,” “sultana,” “concinnate,” and “misere” correctly; and,

WHEREAS, throughout the Scripps National Spelling Bee, Alia Abiad’s family, friends, and classmates cheered her on with great enthusiasm and pride; and,

WHEREAS, this is Alia Abiad’s second trip to the national championship after finishing 19th place last year in the semifinal round; and,

WHEREAS, the discipline, hard work, and commitment to excellence demonstrated by Alia Abiad serves as a powerful example to other students across the Land of Lincoln; and,

WHEREAS, despite her achievements at such a young age, Alia Abiad has remained humble, polite, and kind; and,

WHEREAS, Alia Abiad has a bright future ahead of her, and the people of Illinois wish her many successes in the years ahead; and,

WHEREAS, the State of Illinois is pleased to commend Alia Abiad’s accomplishments; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 6, 2014, as ALIA ABIAD DAY in Illinois, in recognition of her 5th place finish in the Scripps National Spelling Bee.

Issued by the Governor June 4, 2014.
Filed by the Secretary of State June 17, 2014.
2014-262
GOODWORKCHICAGO NONPROFIT WEEK

WHEREAS, nonprofit organizations and social entrepreneurs are willing to take on the difficult job of improving the quality of life in their communities; and,
WHEREAS, the nonprofit sector in Illinois has a rich history of service, ingenuity, and social transformation; and,
WHEREAS, Illinois has 67,343 nonprofit organizations that make countless social, cultural, and economic contributions to our state every day; and,
WHEREAS, Illinois’ nonprofit sector employs 497,300 people and generates more than $84.6 billion in annual revenues; and,
WHEREAS, citizens across our state engage with nonprofits as volunteers to give back to their communities and provide invaluable services; and,
WHEREAS, volunteers are crucial to the operations of many nonprofits, and Illinoisans volunteer over 280 million hours in service each year; and,
WHEREAS, it is important to thank the thousands of dedicated board members, volunteers, and staff members at nonprofit organizations who work tirelessly to positively impact their communities; and,
WHEREAS, from June 10-12, 2014, the forum GoodWorkChicago will share best practices, exchange ideas, and encourage the passionate individuals working in and for the nonprofit sector. GoodWorkChicago provides an opportune time to recognize nonprofit organizations in Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare June 9-15, 2014, as GOODWORKCHICAGO NONPROFIT WEEK in Illinois, in recognition of the vital contributions nonprofit organizations make across the Land of Lincoln.

Issued by the Governor June 4, 2014.
Filed by the Secretary of State June 17, 2014.

2014-263
ILLINOIS D-DAY VETERANS DAY

WHEREAS, as Americans, we must pledge to never forget the outstanding strength, service and sacrifices of those who have fought to defend democracy, human dignity and the right to self determination; and,
WHEREAS, serving in the armed forces requires enormous
dedication, a strong sense of courage, and a willingness to sacrifice
everything to protect the freedoms that we Americans hold so dear; and,
WHEREAS, June 6, 2014, marks the 70th anniversary of D-Day, the
largest amphibious invasion in history and one of the bloodiest days in U.S.
History; and,
WHEREAS, D-Day brought together the land, air, and sea forces of
eight allied armies under the codename OVERLORD, and delivered five
assault divisions to the beaches of Normandy, France, codenamed UTAH,
OMAHA, GOLD, JUNO, and SWORD; and,
WHEREAS, on D-Day, nearly one in every ten Americans
participating was killed or wounded during the invasion; and,
WHEREAS, with 150,000 servicemen, including over 6,000 from
Illinois involved in D-Day, the coordination and logistics of the operation
were massive and an example of what can be accomplished when people
work together; and,
WHEREAS, the 70th Anniversary of D-Day presents an excellent
opportunity for the people of Illinois to honor and thank all who served on
“the longest day,” including our 85 remaining Illinois D-Day veterans; and,
WHEREAS, several Illinois D-Day veterans will participate in a
ceremony in which sand from Omaha Beach will be placed on the grounds
at the First Division Museum at Cantigny Park in Wheaton to symbolize a
permanent connection with France. Additionally, other ceremonies will take
place in our state to commemorate the 70th anniversary of D-Day; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim June, 6, 2014, as ILLINOIS D-DAY VETERANS DAY in
Illinois, and urge all citizens of the Land of Lincoln to recognize this occasion
and participate fittingly in its observance.
Issued by the Governor June 4, 2014.
Filed by the Secretary of State June 17, 2014.

2014-264
LAKES APPRECIATION MONTH

WHEREAS, the State of Illinois is fortunate to have more than 3,041
lakes and more than 87,000 ponds within its boundaries; and,
WHEREAS, lakes and ponds are important resources to the State of
Illinois’ way of life and its environment, providing sources of recreation,
scenic beauty and habitat for wildlife; and,
WHEREAS, Illinois lakes are valuable economic resources for Illinois
businesses, tourism and municipal governments; and,
WHEREAS, thousands of citizen volunteers have demonstrated their
interest in Illinois lakes by actively monitoring lake quality for more than 30 years through the Volunteer Lake Monitoring Program; and,

WHEREAS, the State of Illinois recognizes the need to protect these lakes and ponds for future generations; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 2014 as LAKES APPRECIATION MONTH in Illinois, in recognition of the importance of these vital resources.

Issued by the Governor June 4, 2014.
Filed by the Secretary of State June 17, 2014.

2014-265
BORINQUENEERS DAY

WHEREAS, throughout our nation’s history, Hispanic-Americans serving in the United States Armed Forces have demonstrated courage, heroism, and valor; and,

WHEREAS, the 65th Infantry Regiment, also known as “The Borinqueneers,” is a Puerto Rican regiment of the United States Army; and,

WHEREAS, coined in 1950, the term “Borinqueneers” is a combination of the Taino name for the island of Puerto Rico (“Borinquen”) and the English word “buccaneers”; and,

WHEREAS, the Borinqueneers motto is Honor et Fidelitas, which is Latin for Honor and Fidelity; and,

WHEREAS, the Borinqueneers began as a volunteer regiment in 1899 and participated in WWI WWII, the Korean War, the Global War on Terror and other conflicts; and,

WHEREAS, over the span of 110 years, the Borinqueneers earned ten Distinguished Service Crosses, 258 Silver Stars, 628 Bronze Stars, over 2,700 Purple Hearts, and many other individual awards; and,

WHEREAS, the freedom and security that citizens of the United States enjoy today can be attributed in part to the service and sacrifice given by the Borinqueneers throughout the history of our great nation; and,

WHEREAS, the sacrifices made by the Borinqueneers and their families have preserved the liberties that enrich our nation, but are all too often taken for granted; and,

WHEREAS, the Borinqueneers promoted equal citizenship, civil rights, and helped pave the way for full integration of the United States Armed Forces; and,

WHEREAS, the Borinqueneers who returned to civilian life have gone on to achieve great success as businessman, lawyers, doctors, educators, bankers, and political leaders; and,
WHEREAS, Congress voted in May to issue the Congressional Gold Medal to the Borinqueneers, a long-overdue recognition of their contribution to our freedoms; and,
WHEREAS, June 14 marks the 61st anniversary of the Korean War’s “Battle of Hill 412,” in which Borinqueneers engaged in fierce hand-to-hand combat and “cave warfare”; and,
WHEREAS, on June 14th, it is imperative that the people of Illinois recognize Borinqueneers such as Juan Vazquez, Raul Cordona, and Santiago Perez-Garcia; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 14, 2014 as BORINQUENEERS DAY in Illinois, and urge all citizens to show their appreciation for the faithful service the Borinqueneers have rendered to our nation.
Issued by the Governor June 5, 2014.
Filed by the Secretary of State June 17, 2014.

2014-266
BREASTFEEDING PROMOTION MONTH

WHEREAS, exclusive breastfeeding is the foundation for life-long health and wellness; and,
WHEREAS, exclusive breastfeeding is recommended and supported by the American Academy of Pediatrics and many other health organizations for providing benefits that are not received by partially breastfed infants; and,
WHEREAS, infants and young children receiving human milk are provided with some protection against serious long term health conditions including obesity, respiratory and ear infections, asthma, allergies, diarrhea, childhood cancers, Sudden Infant Death Syndrome and less than optimal brain development; and,
WHEREAS, breastfeeding women have reduced incidence of ovarian and breast cancers, diabetes and cardiovascular disease; and,
WHEREAS, breastfeeding promotes strong family bonds while providing economical and societal benefits through lowering health care costs; and,
WHEREAS, establishing donor human milk banks ensures all infants have access to human milk; and,
WHEREAS, in the event of a disaster depriving people of food, shelter and resources needed to survive, breastfeeding is the first line of defense for safe infant feeding; and,
WHEREAS, government leaders provide guidance on implementing the Illinois Blueprint to Breastfeeding, and hospitals pursue Baby-Friendly
designation, while health care providers support the Ten Steps to Successful Breastfeeding; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2014 as BREASTFEEDING PROMOTION MONTH in Illinois to uphold a mother’s decision of a healthy beginning for her child and to encourage our Illinois employers and businesses to support the needs of breastfeeding mothers.

Issued by the Governor June 5, 2014.

Filed by the Secretary of State June 17, 2014.

2014-267

PRANAV SIVAKUMAR DAY

WHEREAS, a native of Tower Lakes, Illinois, Pranav Sivakumar finished an impressive second at last year’s Scripps National Spelling Bee, making him one of the top spellers to ever come from Illinois; and,

WHEREAS, in order to prepare for the Scripps National Spelling Bee, Pranav Sivakumar spent two hours on weekdays and six hours on weekends studying; and,

WHEREAS, Pranav Sivakumar made three consecutive appearances in the Scripps National Spelling Bee; and,

WHEREAS, while competing in the Scripps National Spelling Bee, Pranav Sivakumar’s family, friends, and classmates cheered him on with great enthusiasm and pride; and,

WHEREAS, the discipline, hard work, and commitment to excellence demonstrated by Pranav Sivakumar serves as a powerful example to other students across the Land of Lincoln; and,

WHEREAS, outside of his intellectual pursuits, Pranav Sivakumar enjoys watching cricket, especially batsman Sachin Tendulkar; and,

WHEREAS, Pranav Sivakumar, a brilliant young man who studies Latin and is passionate about astronomy and astrophysics, won best research paper and best-in-category project for astronomy in the junior division of the Illinois Junior Academy of Science; and,

WHEREAS, Pranav Sivakumar has a bright future ahead of him, and the people of Illinois wish him many successes in the years ahead; and,

WHEREAS, the State of Illinois is pleased to commend Pranav Sivakumar’s accomplishments; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 8, 2014, as PRANAV SIVAKUMAR DAY in Illinois, in recognition of his 2nd place finish at last year’s Scripps National Spelling Bee.
2014-268
U.S. MARSHALS DAY

WHEREAS, building a nation depends not only on the laws that define the government, but also on the quality of the individuals who serve it; and,

WHEREAS, the men and women of the United States Marshals Service have served our Nation and our State heroically with perseverance, justice and integrity; and,

WHEREAS, the Act entitled "An Act to establish the Judicial Court of the United States," approved September 24, 1789, directed the appointment of United States Marshals and launched the United States Marshals Service; and,

WHEREAS, the U.S. Marshals Service is the nation’s oldest and most versatile federal law enforcement agency; and,

WHEREAS, appointed by the President of the United States, U.S. Marshals direct the activities of 94 districts, one marshal for each federal judicial district; and,

WHEREAS, the duties of the U.S. Marshals Service over the past 225 years have included protecting the federal judiciary, apprehending federal fugitives, managing and selling seized assets acquired by criminals through illegal activities, housing and transporting federal prisoners and operating the Witness Security Program; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim, September 24, 2014 as U.S. MARSHALS DAY and encourage all to join in recognition of the United States Marshals' vital role in defending our rights and upholding the law of the land.

Issued by the Governor June 6, 2014.
Filed by the Secretary of State June 17, 2014.

2014-269
¡VIVE TU VIDA! GET UP! GET MOVING! WELLNESS DAY

WHEREAS, Hispanic communities in Illinois and throughout the United States are faced with many challenges every day. One such challenge faced by the Hispanic community, among others, is health and wellness; and,

WHEREAS, with a Hispanic population of nearly 15.8 percent, Illinois recognizes the need to confront the challenges Hispanics face with a
proactive strategy that strengthens community alliances and networks; and,

WHEREAS, it is also important to ensure that the state’s Hispanic community receives culturally proficient and linguistically appropriate health and human services; and,

WHEREAS, there are a number of organizations, such as the Chicago Hispanic Health Coalition and the National Alliance for Hispanic Health, working to achieve that goal and to ensure that the perspective and experience of the Hispanic community is brought to the forefront of health care services and policy; and,

WHEREAS, the Chicago Hispanic Health Coalition empowers individuals, builds coalitions, and supports organizations, with the goal of promoting healthy behaviors and reducing the risk of illness and injury; and,

WHEREAS, to maximize and coordinate efforts among city and state organizations to promote healthy lifestyle awareness in Chicago’s Hispanic communities, the Chicago Hispanic Health Coalition and the Illinois Department of Public Health are joining together with the National Alliance for Hispanic Health to sponsor ¡Vive Tu Vida! Get Up! Get Moving!, the nation’s premier annual Hispanic family physical activity and healthy lifestyle event; and,

WHEREAS, thousands of people are expected to attend ¡Vive Tu Vida! Get Up! Get Moving! events in cities across the country; and,

WHEREAS, these events will feature fun and excitement for the whole family, free health screenings, healthy snacks, and prize drawings, as well as activity stations for soccer, tennis, baseball, basketball, dance, aerobics, yoga and much more; and,

WHEREAS, this year, Chicago will host a ¡Vive Tu Vida! Get Up! Get Moving! event on June 28; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 28, 2014 as ¡VIVE TU VIDA! GET UP! GET MOVING! WELLNESS DAY in Illinois, and encourage all residents to recognize the need for increased health awareness in the Hispanic community and to support the efforts of those participating in this important event.

Issued by the Governor June 6, 2014.
Filed by the Secretary of State June 17, 2014.

2014-270
AMATEUR RADIO WEEK

WHEREAS, Amateur Radio has historically played a significant role in developing world wide radio communications; and,

WHEREAS, Amateur Radio has continued to provide a bridge
between peoples, societies and countries by creating friendships and facilitating the sharing of ideas; and,

WHEREAS, the State of Illinois has more than 20,000 Radio Amateurs who have repeatedly donated their time, equipment, and services to help their communities; and,

WHEREAS, Amateur Radio operators’ services are provided wholly uncompensated; and,

WHEREAS, the State of Illinois recognizes the services Amateur Radio operators provide to our many Emergency Response organizations; and,

WHEREAS, Illinois Radio Amateurs are on alert for severe weather including tornadoes, floods, and other manmade disasters; and,

WHEREAS, Illinois Radio Amateurs have also generously donated their time and equipment to provide communications support to local service clubs and organizations at no charge; and,

WHEREAS, Radio Amateurs offer free technical training to all interested citizens; and,

WHEREAS, Illinois Radio Amateurs will continue to hone their communications skills by operating during the simulated emergency preparedness exercise known as ‘Field Day,’ which may run between 24 and 27 hours continuously during June 28-29; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 22-29, 2014 as AMATEUR RADIO WEEK in Illinois.

Issued by the Governor June 9, 2014.
Filed by the Secretary of State June 17, 2014.

2014-271
DONATED DENTAL SERVICES (DDS) DAY

WHEREAS, 24 years ago in 1990, Dental Lifeline Network in Illinois, a non-profit organization, and the Illinois State Dental Society established the Donated Dental Services (DDS) Program; and,

WHEREAS, through the DDS Program, dentists and dental laboratories donate comprehensive treatment for people with disabilities or who are elderly or medically fragile and who cannot afford dental care; and,

WHEREAS, over 815 dentists and 290 dental labs volunteer for the DDS Program, and they have treated over 6,100 people with disabilities or who are elderly or medically fragile with seriously neglected dental problems throughout Illinois since the Program’s inception; and,

WHEREAS, the Illinois DDS Program will reach a milestone of over $14.5 million in donated dental services through the generosity and
benevolence of dentists and laboratories throughout the state of Illinois, and
nationwide the DDS Program has provided $250 million in donated dental
services; and,

WHEREAS, the strength and success of the State of Illinois, the
vitality of our communities, and the effectiveness of society depend, in great
measure, upon concerned and devoted programs as exemplified by the Illinois
Donated Dental Services (DDS) Program; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do
hereby proclaim October 1, 2014 to be DONATED DENTAL SERVICES
(DDS) DAY in recognition of the generous contributions made by Dental

Issued by the Governor June 11, 2014.
Filed by the Secretary of State June 17, 2014.

2014-272
KOREAN WAR COMMEMORATION DAY

WHEREAS, following the end of World War II and the surrender of
Japan in 1945, American administrators, along with the Allied forces, divided
the Korean peninsula along the 38th parallel; and,

WHEREAS, divisions between North Korea, supported by the
People’s Republic of China, and South Korea, supported by the United
Nations, intensified until North Korean forces crossed the 38th parallel and
invaded South Korea on June 25th, 1950, serving as the first significant armed
conflict since WWII and marking the beginning of the Korean War; and,

WHEREAS, The United Nations, in particular the United States,
aided South Korea in repelling the invasion and continued to support South
Korea until 1953, when an armistice was signed suspending armed conflict; and,

WHEREAS, during the period of 1950-1953, there were thousands
of Americans and Koreans wounded and killed during the Korean War; and,

WHEREAS, though the Korean War was a tragic occurrence, it
further strengthened the relationship between the United States and the
Republic of Korea; and,

WHEREAS, the soldiers fighting in the Korean War demonstrated
bravery and courage in the face of danger; and,

WHEREAS, it is important that we never forget the Korean War and
always remember the soldiers and their families who were impacted; and,

WHEREAS, the Korean American Association of Chicago will host
a Ceremony of Appreciation and Luncheon with Concert on June 14, 2014,
to commemorate the anniversary of the ending of the Korean War, which will
be attended by around 600 people; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 14, 2014, as KOREAN WAR COMMEMORATION DAY in the State of Illinois, and encourage all residents of the Land of Lincoln to remember the sacrifice of everyone who fought heroically during the Korean War.

Issued by the Governor June 11, 2014.
Filed by the Secretary of State June 17, 2014.

2014-273
NATIONAL BULLYING PREVENTION MONTH
AND BULLY FREE DAY

WHEREAS, bullying is physical, verbal, sexual, or emotional harm or intimidation intentionally directed at a person or group of people; and,
WHEREAS, bullying occurs in neighborhoods, playgrounds, schools, workplaces and through technology, such as the Internet; and,
WHEREAS, bullying is a significant problem in the United States; and,
WHEREAS, various researchers have concluded that bullying is the most common form of violence, affecting millions of American children and adolescents annually; and,
WHEREAS, each month, over 280,000 students report being bullied in high schools throughout the United States; and,
WHEREAS, over 160,000 absences by students at school can be attributed to their fears of being attacked, harassed, or intimidated by bullies; and,
WHEREAS, bullying is demonstrated through various mediums, including teasing, name-calling, threats, spreading rumors, embarrassing others, hitting, kicking, spitting, destruction of someone’s items, cyber-related harassment, and all other unwanted acts of aggression; and,
WHEREAS, bullying is a grim matter that threatens the physical and emotional wellbeing of the individuals of our great State of Illinois; and,
WHEREAS, there is a continued need to raise increased awareness of the detrimental effects of bullying, as well as to make teachers, parents, students, and community members aware of the resources available to prevent bullying and assist bullied kids; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as NATIONAL BULLYING PREVENTION MONTH and October 4, 2014 as BULLY FREE DAY in Illinois, in order to raise awareness and promote prevention of bullying within our communities.
Together, we can reduce bullying and grant the children of our State the peace of mind they deserve to grow into happy, productive citizens.

Issued by the Governor June 11, 2014.
Filed by the Secretary of State June 17, 2014.

2014-274
REVEREND DR. CLAY EVANS DAY

WHEREAS, son of A. Henry and Estanuly Evans, Reverend Dr. Clay Evans was born on June 23, 1925, in Brownsville, Tennessee; and,

WHEREAS, ordained as a Baptist Minister in 1950, Reverend Dr. Clay Evans is the founding Pastor of the Fellowship Missionary Baptist Church in Chicago; and,

WHEREAS, Reverend Dr. Clay Evans is a loving husband whose marriage to Lutha Mae Hollinshed produced five beautiful children; and,

WHEREAS, Reverend Dr. Clay Evans has been responsible for launching the ministerial careers of ninety-three people, including Mother Consuella York, the first female to be ordained in the Baptist Denomination in Chicago. In addition, he has been a leader in the Civil Rights Movement since 1965 and held the position of Founding National Chairman of the Rainbow (PUSH) Coalition from (1971-1976); and,

WHEREAS, throughout his illustrious career, Reverend Dr. Clay Evans has written many books that provide spiritual inspiration, and his voice has been heard on albums made by the Fellowship Missionary Baptist Church Combined Choirs, and Recording Choir of the African American Religious Connection; and,

WHEREAS, Reverend Dr. Clay Evans often sang "It is no Secret What God Can Do"; and,

WHEREAS, Reverend Dr. Clay Evans is a man of strong faith, fortitude, and vision who has positively impacted many lives through his service in ministry and dedication to the community; and,

WHEREAS, although Dr. Clay Evans retired on December 8, 2000, as the Pastor of the Fellowship Missionary Baptist Church, he has remained active with his church and community; and,

WHEREAS, Fellowship Missionary Baptist Church will celebrate Reverend Dr. Clay Evans’ 89th birthday on June 15, 2014; and,

WHEREAS, birthdays are an excellent time to recount the many achievements and memories you have accumulated during your lifetime; and,

WHEREAS, as a long-time loving family member, friend, neighbor, and pastor, Reverend Dr. Clay Evans has touched many lives, inspiring people and empowering them to achieve to the very best of their abilities;
and,

WHEREAS, the citizens of the Land of Lincoln are pleased to extend their best wishes to Reverend Dr. Clay Evans for a very happy 89th birthday celebration; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 15, 2014, as REVEREND DR. CLAY EVANS DAY in Illinois, in recognition of his commitment and dedication to making the world a better place, and in celebration of his 89th birthday.

Issued by the Governor June 11, 2014.
Filed by the Secretary of State June 17, 2014.

2014-275
AMERICAN EAGLE DAY

WHEREAS, the Bald Eagle was designated as the United States of America’s National Emblem on June 20, 1782 by our Country’s Founding Fathers at the Second Continental Congress; and,

WHEREAS, the Bald Eagle is unique to North America and represents such American values and attributes as Freedom, Courage, Strength, Spirit, Justice, Quality and Excellence; and,

WHEREAS, the Bald Eagle is the central image used in the Great Seal of the United States and in the logos of many branches of the U.S. Government, including the Presidency, Congress, Defense Department, Treasury Department, Justice Department, State Department, Department of Commerce, and U.S. Postal Service; and,

WHEREAS, the Bald Eagle’s image, meaning and symbolism have played a significant role in the beliefs, traditions, religions, lifestyles and heritage of Americans from all walks of life, including U.S. military servicemen and women, American Indians, Christians, and members of various civic, fraternal, patriotic, veterans, youth, conservation, educational, outdoors, nature, sportsman, wildlife, political and sports organizations; and,

WHEREAS, the Bald Eagle’s image, meaning and symbolism have played a significant role in American art, music, literature, architecture, commerce, education, and culture, as well as on United States stamps, currency, and coinage; and,

WHEREAS, the Bald Eagle was once endangered and threatened with possible extinction, but is gradually making an encouraging comeback to America’s skies; and,

WHEREAS, the Bald Eagle was federally classified as an “endangered species” in the lower 48 states under the Endangered Species Act in 1973, and was upgraded to a less imperiled “threatened” status under
that Act in 1995; and,
WHEREAS, the Department of Interior and U.S. Fish and Wildlife Service delisted the Bald Eagle from Endangered Species Act protection in 2007, but the Bald Eagle will continue to be protected under the Bald and Golden Eagle Act of 1940 and the Migratory Bird Treaty Act of 1918; and,
WHEREAS, the recovery of the United States’ Bald Eagle population was largely accomplished due to the vigilant efforts of numerous caring agencies, corporations, organizations, and citizens; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 20, 2014 as AMERICAN EAGLE DAY in Illinois, and encourage all citizens to join in support of the majestic Bald Eagle’s continuing recovery and the protection of its precious natural habitat, and in commemorating the living and symbolic presence of our National Bird.

Issued by the Governor June 13, 2014.
Filed by the Secretary of State June 17, 2014.

2014-276
GHANAFEST DAY

WHEREAS, on July 26, 2014, the Ghana National Council of Metropolitan Chicago is sponsoring the 26th Annual Ghanafest; and,
WHEREAS, Ghanafest attracts thousands of visitors from all over the world. Last year, the festival attracted over twenty thousand participants; and,
WHEREAS, Ghanafest is one of the single largest gatherings of African immigrants in the United States; and,
WHEREAS, from traditional African arts and crafts and tribal dress, to extraordinary Ghanaian foods and musical performances, Ghanafest is a great opportunity to experience the rich and diverse culture of Ghana; and,
WHEREAS, past honored guests at the festival have included His Excellency John Dramani Mahama, Vice President of Ghana, and the Honorable Alexander Asum Ahensa, Ghanian Minister of Chieftaincy and Culture, and His Excellency Daniel Ohene Agyekum, Ghanian Ambassador to the United States; and,
WHEREAS, Ghanaians and the Ghana National Council are celebrating 26 years of sharing this extraordinary presentation of African culture with all of the people of the Land of Lincoln; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 26, 2014 as GHANAFEST DAY in Illinois, and welcome all those attending Ghanafest to celebrate Ghanaian culture and heritage.

Issued by the Governor June 9, 2014.
Filed by the Secretary of State July 14, 2014.

2014-277

50TH ANNIVERSARY OF THE ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES

WHEREAS, the Illinois Department of Children and Family Services (DCFS) was established in 1964 as the nation’s first cabinet-level state child welfare agency, serving to unify child, general assistance rehabilitation and youth services that previously operated independently among a variety of state and local organizations; and,

WHEREAS, DCFS is committed to acting in the best interest of every child it serves by helping families increase their ability to provide a safe environment for their children and by strengthening families who are at risk of abuse or neglect; and,

WHEREAS, over the last decade, DCFS has helped over 17,000 Illinois children find permanent, loving homes through adoption and reunified over 21,000 children with their birth families; and,

WHEREAS, DCFS provides a temporary safe haven for approximately 15,000 children through foster care; and,

WHEREAS, each year the department provides services to 60,000 families, including intact services to keep families together, early childhood services to infants and toddlers and services to teens as they prepare for adulthood; and,

WHEREAS, DCFS continues to be a national leader in the child welfare field; and,

WHEREAS, DCFS and its partners vow to protect children and support families every day until neglect and abuse no longer exist; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do proclaim June 17, 2014 as the 50TH ANNIVERSARY OF THE ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES in Illinois, and encourage citizens statewide to join in celebrating the department’s national reputation and unwavering commitment to keeping children safe and families strong.

Issued by the Governor June 16, 2014.
Filed by the Secretary of State July 14, 2014.
2014-278

CHILDHOOD CANCER AWARENESS MONTH

WHEREAS, the types of cancer that children are most often afflicted with are different than those seen in adults; and,

WHEREAS, the types of cancers that occur most often in children include Leukemia, Lymphoma, Bone Cancer, and Retinoblastoma; and,

WHEREAS, 36 American children are diagnosed with cancer daily, and their average age at the time of diagnosis is 6 years; and,

WHEREAS, 10,400 American children were diagnosed with cancer in 2007, and 40,000 children in our country undergo treatment for cancer annually; and,

WHEREAS, childhood cancer rates have been rising slightly for the past few decades, and approximately 10,450 children in the United States under the age of 15 will be diagnosed with cancer in 2014; and,

WHEREAS, three fifths of childhood cancer survivors suffer effects (such as infertility, heart failure and secondary cancers) later in life; and,

WHEREAS, cancer is the second leading cause of death for children under 15 in Illinois, and there were 3,937 Illinoisan pediatric cancer patients aged 0 to 14 in 2009; and,

WHEREAS, due to major treatment advances in recent decades, more than 80% of children with cancer now survive 5 years or more; and,

WHEREAS, despite major treatment advances, it is still critically important to conduct research and increase awareness regarding childhood cancer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2014 as CHILDHOOD CANCER AWARENESS MONTH in Illinois, in order to raise awareness of childhood cancer.

Issued by the Governor June 16, 2014.

Filed by the Secretary of State July 14, 2014.

2014-279

IMMIGRANT HERITAGE MONTH

WHEREAS, the immigrants that have helped shape America share a deep-rooted love of freedom and individual rights. Bound by history, mutual respect, and common ideals, immigrants have been instrumental in the great struggles of human liberty; and,

WHEREAS, the state of Illinois consistently is among the top six of all states in the nation to receive migrant individuals looking for a better life for their families; and,
WHEREAS, the Chicago area continues to have one of the largest and most diverse immigrant populations in the nation, ranking seventh in the nation, with 1.4 million immigrants who constitute 18 percent of the overall population; and,

WHEREAS, more than 20 percent of all business owners in Illinois were foreign-born in 2010, with a total net business income of $5.4 billion, or 16.5 percent of all net business income in the state; and,

WHEREAS, some of the most iconic companies based in Illinois — Sara Lee, Kraft Foods, McDonald’s, Boeing, and Baxter — all were founded by an immigrant, or the child of an immigrant; and,

WHEREAS, Illinois’ more than 35,900 foreign students contributed more than $1 billion to the state’s economy in tuition, fees, and living expenses for the 2011-2012 academic year according to NAFSA: Association of International Educators; and,

WHEREAS, almost 53 percent of science, technology, engineering, and mathematics degree (STEM) graduates from the state’s research-intensive universities in 2009 were foreign-born while almost 70 percent of graduates earning PhDs in engineering in Illinois were born outside the U.S. contributing to state economic growth and competitiveness; and,

WHEREAS, despite these contributions, the role of immigrants in building and enriching our state and nation has been overlooked and undervalued throughout our history and continuing to the present day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare June 2014 as IMMIGRANT HERITAGE MONTH in Illinois, in appreciation of the vital economic and cultural contributions immigrants make to our state every day.

Issued by the Governor June 17, 2014.

Filed by the Secretary of State July 14, 2014.

THE NATIONAL AUTONOMOUS UNIVERSITY OF MEXICO IN CHICAGO DAY

WHEREAS, the National Autonomous University of Mexico in Chicago (UNAM Chicago) was founded in 2001 with the mission of extending UNAM’s academic programs and services to institutions, groups and individuals associated with or interested in its educational and cultural endeavors, while working to promote a better understanding of Mexico and
WHEREAS, Jose Vasconcelos created the slogan, Por Mi Raza Hablará el Espíritu and the shield of the university, which remain essential elements of its institutional image, and,

WHEREAS, the faculty and administration of UNAM Chicago are dedicated to ensuring that students achieve academically, socially, and professionally; and,

WHEREAS, in the past 3 years, UNAM Chicago has provided workforce development training as well as language and cultural programs to an average of 1,500 students per year; and,

WHEREAS, in order to offer advanced training and educational opportunities, UNAM Chicago has partnered with many higher educational institutions in the Chicago region; and,

WHEREAS, UNAM Chicago has positively impacted many Latino migrants throughout the Land of Lincoln, and should be immensely proud of its achievements; and,

WHEREAS, this year marks a significant milestone for UNAM Chicago: its 10th anniversary; and,

WHEREAS, UNAM Chicago will be celebrating its 10th anniversary on June 19, 2014, during a commemorative event on campus; and,

WHEREAS, this anniversary presents an excellent opportunity for UNAM Chicago to reflect on its successes and make plans for the future; and,

WHEREAS, UNAM Chicago’s longevity is a testament to the commitment of its students, faculty, and administrators; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 19, 2014, as THE NATIONAL AUTONOMOUS UNIVERSITY OF MEXICO IN CHICAGO DAY in Illinois, and congratulate all of the students, faculty members, and administrators of this school whose hard work and commitment to education have made today possible.

Issued by the Governor June 18, 2014.
Filed by the Secretary of State July 14, 2014.

2014-281
TRANSVERSE MYELITIS DAY

WHEREAS, Transverse Myelitis (TM) is a neurological disorder caused by the inflammation of the spinal cord, resulting in pain, muscle weakness, loss of bowel control and (in severe cases) paralysis; and,

WHEREAS, 60% of TM cases have unknown causes and the remaining 40% are attributed to autoimmune disorders such as multiple
sclerosis, Neuromyelitis optica, systemic lupus erythematosus, Mycoplasma pneumonia, Sjoren’s syndrome and other Autoimmune disorders; and,

WHEREAS, TM is a rapidly progressing disease, with symptoms developing and worsening within a matter of days; and,

WHEREAS, no effective cure currently exists for TM, and two thirds of those diagnosed with TM show fair to minimal recovery, and of those who do show recovery, this process can take up to two years; and,

WHEREAS, complications from TM can be long lasting and can include pain, muscle stiffness, tightness or spasms, partial or total limb paralysis, sexual dysfunction, osteoporosis, and depression; and,

WHEREAS, TM is a disease that affects all ages, races and genders regardless of family history, although it primarily affects persons between the ages of 10-19 and 30-39; and,

WHEREAS, there are approximately 1400 new cases of TM annually, with 25% of these cases being children; and,

WHEREAS, an estimated 33,000 people suffer with Transverse Myelitis in the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 5th, 2014 as TRANSVERSE MYELITIS DAY in Illinois, in order to raise awareness of Transverse Myelitis within our State.

Issued by the Governor June 18, 2014.
Filed by the Secretary of State July 14, 2014.

2014-282
ST. HELEN CATHOLIC SCHOOL DAY

WHEREAS, St. Helen Catholic School strives to educate the whole child by ensuring that a spiritual, academic, and social foundation is created; and,

WHEREAS, founded in 1914, St. Helen promotes active service to the school, parish, and community; and,

WHEREAS, St. Helen Catholic School believes that it is a child’s right to be educated in a nurturing, safe environment and utilizes daily activities that encourage positive self-esteem as well as the development of self-discipline; and,

WHEREAS, thousands of students have been positively impacted by the education they have received at St. Helen Catholic School; and,

WHEREAS, St. Helen Catholic School is dedicated to uniting for racial justice and promoting cultural diversity; and,

WHEREAS, the longevity of St. Helen Catholic School is a testament to the hard work and commitment to excellence demonstrated by its teachers,
WHEREAS, in 2014, St. Helen Catholic School will celebrate its 100th anniversary; and,  
WHEREAS, the State of Illinois is pleased to commend St. Helen Catholic School on this occasion and wish it 100 more years of successes; and,  
WHEREAS, on June 20, 2014, a 100th anniversary celebration will feature keynote speaker Mike Krzyzewski, who graduated from St. Helen Catholic School and currently serves as Duke University’s basketball coach; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 20, 2014, as ST. HELEN CATHOLIC SCHOOL DAY in Illinois, in recognition of this outstanding educational institution’s centennial anniversary.  
Issued by the Governor June 19, 2014.  
Filed by the Secretary of State July 14, 2014.
WHEREAS, throughout his career as a proud member of the United States Army, Private First Class Aaron Toppen represented the State of Illinois admirably; and,

WHEREAS, known for being kind, humble and dedicated to his family, Private First Class Aaron Toppen left an indelible mark on everyone who had an opportunity to meet him; and,

WHEREAS, a funeral will be held on Tuesday, June 24, 2014, for Private First Class Aaron Toppen, a loving son, grandson, and brother, who is survived by many family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Sunday, June 22, 2014, until sunset on Tuesday, June 24, 2014, in honor and remembrance of Private First Class Aaron Toppen, whose selfless service and sacrifice is an inspiration.

Issued by the Governor June 20, 2014.
Filed by the Secretary of State July 14, 2014.

2014-284
NATIONAL TEAMSTERS WOMEN’S DAY

WHEREAS, from the 1960s to the 1980s, dramatic social change emerged in Illinois and across the country following three wars, and the civil rights movement, closely followed by the women’s movement, forever changed our state’s social fabric and incorporated women into the workforce like never before; and,

WHEREAS, throughout our state’s history, the contributions of Teamster women in our workplaces and communities have proven invaluable; and,

WHEREAS, the gap between men and women who participate in the labor force has steadily narrowed in Illinois and across the nation thanks to the work of labor unions like the Teamsters and their motivation to provide opportunities for working women; and,

WHEREAS, on a national level, the number of women who participate in the labor force and who hold a college degree has tripled from 1970 to 2010. Reliable salaries and benefits secured by unions like the Teamsters make it possible for this number to continually increase for future generations of women to achieve an education and a career; and,

WHEREAS, Teamster women exemplify the progress of organized labor across our country and state; and,

WHEREAS, the Teamsters Women’s Conference actively brings together union women from dozens of industries to gather in solidarity every
year; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Friday, September 5, 2014, as NATIONAL TEAMSTERS WOMEN’S DAY and urge all Illinois citizens to honor the day as such.

Issued by the Governor June 23, 2014.
Filed by the Secretary of State July 14, 2014.

2014-285
ILLINOIS THOROUGHBRED HORSEMEN’S ASSOCIATION DAY

WHEREAS, on April 19, 2014, the Illinois Thoroughbred Horsemen’s Association ("ITHA") celebrated its 25th year representing the nearly 2,500 thoroughbred horse owners and trainers who work at Arlington International Racecourse and Hawthorne Race Course; and,

WHEREAS, the members of ITHA support directly or indirectly, through their investments and work in Illinois horse racing, tens of thousands of additional jobs statewide including backstretch workers, breeders, veterinarians, blacksmiths, and feed and hay suppliers -- an investment with an estimated value of more than $250 million annually; and,

WHEREAS, through its benevolent arm, the Chicago Thoroughbred Horsemen's Foundation ("CTHF"), ITHA has provided more than 150 scholarships to the college-bound children of backstretch workers -- workers who are responsible for grooming, maintaining and caring for the horses; CTHF also supports athletic activities for the children of these workers, who, together with their families, reside on the backstretch; CTHF also provides financial assistance for healthcare and other expenses of backstretch workers; and,

WHEREAS, through its horse retirement program, "Galloping Out," ITHA works to facilitate the adoption of retired thoroughbred race horses by families across Illinois and in other states; Galloping Out provides funding for the care, rehabilitation and retraining of these horses; once adopted, these horses work with children with developmental disabilities, or participate in trail riding, jumping, polo or other recreational activities; in 2014, Galloping Out will re-home its 100th retired thoroughbred horse; and,

WHEREAS, throughout its 25 year tenure, ITHA has advocated for policies that increase breeder awards and otherwise strengthen and grow our state's thoroughbred breeding program; and,

WHEREAS, ITHA advocates for a strict and consistently enforced drug-testing program, while also protecting the welfare of the horses, jockeys and other participants in the Illinois horse racing industry; and,
WHEREAS, even as the horse racing industry nationwide has contracted in recent years, ITHA has devoted itself to advocating for policies that enhance Illinois horse racing and protect the best interests of Illinois horsemen, along with the tens of thousands of jobs that they support; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2, 2014, as ILLINOIS THOROUGHBRED HORSEMEN'S ASSOCIATION DAY in Illinois, and do hereby recognize ITHA on the occasion of its 25th anniversary, and congratulate the organization for its charitable activities and advocacy on behalf of horsemen working at Arlington International Racecourse and Hawthorne Race Course.

Issued by the Governor June 24, 2014.

Filed by the Secretary of State July 14, 2014.

2014-286
STEVEN'S-JOHNSON SYNDROME AWARENESS MONTH

WHEREAS, Stevens Johnson Syndrome and Toxic Epidermal Necrolysis - another form of SJS - are severe adverse reactions to medication; and,

WHEREAS, almost any medication, including over the counter drugs, can cause SJS; and,

WHEREAS, SJS affects people of ages and a large amount of its victims are children, and,

WHEREAS, according to the New England Journal of Medicine, over 2 million Americans fall ill and are hospitalized every year from taking these recommended drugs and, of that 2 million that are admitted, over 140,000 are never released; and,

WHEREAS, recognizing the early symptoms of SJS and prompt medical attention are the most invaluable tools in minimizing the possible long-term effects SJS may have on its victims; and,

WHEREAS, the health and safety of our citizens is of utmost importance and the State of Illinois is committed to raising awareness and supporting all efforts to minimize the effects of life-threatening diseases such as Stevens Johnson Syndrome; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August, 2014 as STEVEN'S-JOHNSON SYNDROME AWARENESS MONTH.

Issued by the Governor June 24, 2014.

Filed by the Secretary of State July 14, 2014.
WHEREAS, the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, sex, or national origin; and,

WHEREAS, passage of the Civil Rights Act ended the application of “Jim Crow” laws, which had been upheld by the Supreme Court in the 1896 case Plessy v. Ferguson, in which the court held that racial segregation purported to be “separate but equal” was constitutional; and,

WHEREAS, prior to his assassination, President John Kennedy proposed civil rights legislation in response to the tumultuous summer of 1963 when several incidents of racially motivated violence occurred across the South. Once sworn into office, President Lyndon Johnson pledged to move forward with President Kennedy’s legislative agenda, particularly on the issue of civil rights; and,

WHEREAS, signed on July 2, 2014, by President Lyndon Johnson, the passage of the Civil Rights Act was directly attributable to the bold leadership of many noteworthy legislators including Senator Edward Kennedy and Illinois Senator Everett Dirksen; and,

WHEREAS, the Civil Rights Movement was propelled by organizations, especially the NAACP, and individuals from the grassroots who made enormous sacrifices in their personal and professional lives, especially those who were part of the famed Freedom Riders; and,

WHEREAS, the Civil Rights Act paved the way for future anti-discrimination legislation, including the Voting Rights Act of 1965; and,

WHEREAS, July 2, 2014, is the 50th anniversary of the Civil Rights Act being signed into law; and,

WHEREAS, the Illinois Historic Preservation Agency’s (IHPA) State Historic Sites at Springfield and the Lincoln Home National Historic Site have collaborated to provide historical education about the Civil Rights Act of 1964 that has reached audiences of all ages; and,

WHEREAS, as the steward of Illinois history, IHPA provides crucial information about the Civil Rights Act of 1964 and other major historical events; and,

WHEREAS, the Illinois Department of Human Rights (IDHR), which is responsible for investigating allegations of discrimination and initiating discrimination complaints before the Human Rights Commission as well as monitoring equal opportunity for all state agencies and firms doing business with the state, has played a critical role in safeguarding civil rights across the Land of Lincoln; and,

WHEREAS, on July 2, 2014, IDHR will host a press conference to
recognize the 50th anniversary of the Civil Rights Act, a historic milestone in our nation’s history; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare July 2, 2014, as CIVIL RIGHTS ACT DAY in Illinois, in support of promoting equality for everyone, and in recognition of the 50th anniversary of the signing of the landmark Civil Rights Act.

Issued by the Governor June 25, 2014.
Filed by the Secretary of State July 14, 2014.

2014-288
LIFE ITSELF DAY

WHEREAS, Roger Ebert was one of our best-known and most respected journalists, a winner of the Pulitzer Prize as a Chicago Sun-Times film critic, and a proud and generous graduate of the University of Illinois where he began his journalism career at the Daily Illini; and,

WHEREAS, throughout his distinguished career, Roger Ebert accumulated numerous honors and awards for his contributions to cinema, journalism, broadcasting and publishing, and in 2005 earned his own star on the prestigious Hollywood Walk of Fame; and,

WHEREAS, despite garnering international acclaim, Roger Ebert always remained loyal to the people of the Land of Lincoln; and,

WHEREAS, though Roger Ebert tragically lost his battle with cancer in April of 2013, the documentary Life Itself recounts his indomitable spirit and the indelible mark he leaves behind; and,

WHEREAS, based on the bestselling memoir of the same name, Life Itself explores the impact and legacy of Roger Ebert’s life, from his Pulitzer Prize-winning film criticism at the Chicago Sun-Times to becoming one of the most influential cultural voices in America; and,

WHEREAS, filmed during the last four months of his life, Life Itself was directed by Steve James, produced by Zak Piper, and made by Chicago’s Kartemquin Films, a documentary media arts organization founded in 1966; and,

WHEREAS, Life Itself would not be successful without the participation of its interview subjects, including Roger Ebert’s loving wife, Chaz Ebert; and,

WHEREAS, On July 4, 2014, Magnolia Pictures will release Life Itself in theaters across the US, and on video-on-demand. The film will also be distributed in theaters in Canada, Australia, Italy, and the UK, and be broadcast on television in multiple countries worldwide. In the US, the film will eventually be broadcast on CNN; and,
WHEREAS, on Monday, June 30, 2014, the Chicago premiere of Life Itself will take place at the Museum of Contemporary Art; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 30, 2014, as LIFE ITSELF DAY in Illinois, in recognition of tonight’s premiere, and in support of ensuring that the people of Illinois always remember Roger Ebert, one of our most remarkable and accomplished citizens.
Issued by the Governor June 25, 2014.
Filed by the Secretary of State July 14, 2014.

2014-289
ILLINOIS STEEL DAY

WHEREAS, the structural steel industry in Illinois annually provides structural steel framing systems for more than 35 million square feet of new building construction in Illinois; and,
WHEREAS, the structural steel industry provides employment for more than 2,000 workers in Illinois; and,
WHEREAS, the structural steel industry has demonstrated a significant commitment to sustainable construction through the use of structural steel products made from 93 percent recycled materials from old cars, appliances, stoves, manufacturing waste, curb-side recycling and deconstructed buildings; and,
WHEREAS, 98 percent of the structural steel in a building is recycled at the end of the building’s life; and,
WHEREAS, structural steel’s high strength-to-weight ratio and low carbon footprint help to minimize environmental impacts; and,
WHEREAS, the American Institute of Steel Construction maintains its national headquarters in Chicago, Illinois; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 19, 2014 as ILLINOIS STEEL DAY, in recognition of the contributions of Illinois’ structural steel industry to the economy and infrastructure of our state.
Issued by the Governor June 26, 2014.
Filed by the Secretary of State July 14, 2014.

2014-290
“LOOK UP!, PAY IT FORWARD” DAY

WHEREAS, home fires are the fifth most common cause of unintentional fatalities in the United States, many of which are preventable;
and,  
WHEREAS, fire education is vital for ensuring the safety of people across the State of Illinois; and,  
WHEREAS, college students, particularly those living in unsupervised, off-campus housing, are at great risk to the dangers posed by fires; and,  
WHEREAS, since 2000, eighty-six on and off-campus fires have claimed the lives of 123 students, one of whom was Tanner Osborn; and,  
WHEREAS, in honor of her son’s memory, Tanner’s mother Kathleen Moritz founded the fire initiative “Look Up!, Pay It Forward” in 2005 to teach fire safety to college students and to insure that they have working and properly placed smoke alarms; and,  
WHEREAS, in conjunction with the Office of the State Fire Marshal, the program takes place on a different college campus annually where they canvas homes and give away smoke detectors; and,  
WHEREAS, on September 22nd of this year, the day that would have been Tanner Osborn’s 32nd birthday, the campaign will visit Illinois universities and colleges, with the hopes of preventing any more tragic campus fire deaths; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 22nd, 2014 as “LOOK UP!, PAY IT FORWARD” DAY in Illinois, in order to raise awareness among students of the importance of fire safety in college life and to encourage all Illinoisans to practice fire prevention measures in their own homes.  
Issued by the Governor June 26, 2014.  
Filed by the Secretary of State July 14, 2014.  

2014-291  
PERIOPERATIVE NURSE WEEK  
WHEREAS, perioperative nurses specialize in the care of patients immediately before, during, and after surgical intervention and other invasive procedures; and,  
WHEREAS, serving in settings ranging from traditional hospital-based operating rooms to ambulatory surgical centers and physicians’ offices, perioperative nurses work to provide the safest care possible for surgical patients; and,  
WHEREAS, perioperative nurses assess individual patient needs prior to surgery, prepare a plan for the care a surgical patient will receive, and prepare the operating room and patient for their procedure; and,  
WHEREAS, perioperative nurses are responsible for monitoring all
aspects of the patient’s condition for the duration of each procedure and, through professional and patient-centered expertise, are responsible for care coordination after the procedure; and,

WHEREAS, surgical patients and their loved ones rely on the skills, knowledge, and expertise of perioperative registered nurses, who uphold a long tradition of improving surgical safety and the quality of patient care; and,

WHEREAS, Perioperative Nurse Week recognizes the contribution perioperative registered nurses make to patient safety and the opportunities and challenges facing the profession; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 9-15, 2014, as PERIOPERATIVE NURSE WEEK in Illinois.

Issued by the Governor June 26, 2014.
Filed by the Secretary of State July 14, 2014.

2014-292
TOM VILLANOVA DAY

WHEREAS, Americans are served every single day by public servants and labor leaders who do the work that keeps our nation running; and,

WHEREAS, one remarkable labor leader is Tom Villanova, who, since 2004, has served as President of the Chicago and Cook County Building and Construction Trades Council, which represents 24 trade unions with 100,000 members; and,

WHEREAS, Tom Villanova graduated from Antioch University in 1998 with a Bachelor’s Degree in Labor Law Studies; and,

WHEREAS, Tom Villanova is also the Secretary of the Board of Directors of the Chicago Southland Economic Development Board and Past Chairman of the Metro Southwest Alliance; and,

WHEREAS, Mayor Richard Daley appointed Tom Villanova to the 21st Century Commission to study where the city should be in 20 years; and,

WHEREAS, in addition to sitting on the Amalgamated Bank of Chicago Labor Council as its Past Chairman, Tom Villanova was appointed to serve on the Governor’s Commission on Opportunity in State Public Construction and the Governor’s State Labor Advisory Board; and,

WHEREAS, always a passionate labor member and organizer, Tom Villanova started his Local 134 IBEW electrical apprenticeship in 1972, and went on to hold the positions of Steward, Foreman, General Foreman, full-time instructor, and Business Representative; and,
WHEREAS, Tom Villanova’s life commitment to public service and organized labor has helped to make our state stronger and serves as an inspiration to the people of the Land of Lincoln; and,

WHEREAS, in everything that he has done, Tom Villanova’s work ethic has exemplified the dedication to service the citizens of the State of Illinois deserve; and,

WHEREAS, Tom Villanova has demonstrated a deep commitment to safeguarding the rights and wages of the members of the Chicago and Cook County Building and Construction Trades Council; and,

WHEREAS, Tom Villanova will be honored on June 27, 2014, by the Coalition for United Community Action-O.R.T.C. Inc.; and,

WHEREAS, the June 27, 2014, event offers an opportunity for all residents of Illinois to commend Tom Villanova’s honorable and dedicated service and wish him success in the future; and,

WHEREAS, Tom Villanova’s efforts have undoubtedly created a lasting impact, and he will continue to be a tremendous asset to the people of Illinois and the labor movement for many years to come; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 27, 2014, as TOM VILLANOVA DAY in Illinois, and do hereby congratulate him on being recognized by United Community Action-O.R.T.C.

Issued by the Governor June 27, 2014.
Filed by the Secretary of State July 14, 2014.

2014-293
ATTORNEYS’ TITLE GUARANTY FUND INC. DAY

WHEREAS, Attorneys’ Title Guaranty Fund, Inc. (ATG) was founded in 1964 by a group of downstate (Urbana, Illinois) lawyers who were concerned about the eroding role of lawyers in real estate transactions; and,

WHEREAS, ATG has been a steady Illinois employer and has been “promoting their best for 50 years;” and,

WHEREAS, in 2014, ATG will celebrate its 50th anniversary, a milestone most companies never see; and,

WHEREAS, this year, Ward F. McDonald, who played a critical role in bringing ATG from a concept into a thriving business, has been elected as the Chairman of the ATG Board; and,

WHEREAS, the ATG mission is to be the premier lawyer service organization for the benefit of the profession and the public; and,

WHEREAS, one of life’s largest financial decisions is the purchase of a new home; and,
WHEREAS, home buyers and sellers often need advice from a lawyer, whose responsibility is to represent their best interests; and,
WHEREAS, through its efforts, and the efforts of many other "charter members," ATG grew from a grassroots organization to a $100 million dollar company with 4,000+ lawyer members in Illinois, Wisconsin, Indiana, and Michigan; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 10, 2014 as ATTORNEYS’ TITLE GUARANTY FUND INC. DAY, in recognition of 50 years of serving Illinois by way of preserving and facilitating the attorney’s role in real estate transactions for the benefit of Illinois Consumers.
Issued by the Governor June 30, 2014.
Filed by the Secretary of State July 14, 2014.

2014-294
MENTAL HEALTH AWARENESS DAY

WHEREAS, mental health disorders and depression effect people from all walks of life without regard for age, gender, race, or socioeconomic status; and,
WHEREAS, The American Foundation for Suicide Prevention, established in 1987, is an organization dedicated to the prevention of suicide through research, education, and advocacy for those with mental disorders. They also reach out to those impacted by suicide; and,
WHEREAS, the American Foundation for Suicide Prevention has reached out to over one million citizens, and provided resources and training in hundreds of high schools on the topics of depression, mental illness, and suicide; and,
WHEREAS, this is made possible by money raised from the “Out of the Darkness Community Walks,” five-mile community walks which takes place annually and are designed to bring to light issues surrounding depression and mental illness; and,
WHEREAS, the Illinois “Out of the Darkness Chicagoland Community Walk” will take place on Saturday, September 20, 2014; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 20, 2014 as MENTAL HEALTH AWARENESS DAY in Illinois in support of the American Foundation for Suicide Prevention “Out of the Darkness Chicagoland Community Walk”, and encourage all citizens to remember the importance of mental health and learn to recognize the signs of depression and suicide.
Issued by the Governor July 2, 2014.
WHEREAS, America's community health centers are at the core of our health care system and the nation’s safety net because they deliver high quality, cost effective, and accessible primary and preventative care to all individuals regardless of their insurance status or ability to pay; and,

WHEREAS, health centers are located in medically underserved areas and are locally-controlled by patient-majority boards; making each health center responsive to the needs of their community. Currently, health centers serve as the health care home for over 22 million Americans through more than 9,000 delivery sites across the nation. One in every 15 people in the United States depends on their services; and,

WHEREAS, health centers have proven to be an effective model for improving health care outcomes, reducing health care costs, and overcoming barriers to access faced by the medically underserved; and,

WHEREAS, health centers are committed to meeting the needs of the communities they serve and growing their reach to serve every individual who currently lacks access to a health care home; and,

WHEREAS, community owned and operated health centers serve as critical economic engines helping to power local economies by generating billions of dollars in combined economic impact and creating jobs in some of the country’s most economically deprived communities; and,

WHEREAS, health centers offer patient-focused, coordinated health care – preventative and primary care that families and individuals need, where and when they need it. Community health centers employ more than 9,500 physicians and more than 6,300 nurse practitioners, physician assistants, and certified nurse midwives, along with social workers, case managers, and community health workers, as part of a multi-disciplinary clinical workforce designed to treat the whole patient, coordinate care and manage chronic disease, while simultaneously reducing unnecessary, avoidable, and wasteful use of health resources. This unique model allows health centers to save the entire health care system approximately $24 billion annually by keeping patients out of costlier settings, such as emergency rooms; and,

WHEREAS, National Health Center Week offers the opportunity to recognize America’s health centers, their dedicated staff, board members, and all of those responsible for the continued success and growth of the program since its creation almost 50 years ago. During National Health Center Week,
we recognize the multitude of ways in which America’s Health Centers are transforming care in local communities by delivering comprehensive, high quality, cost effective, and accessible health care; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 10-16, 2014, as NATIONAL HEALTH CENTER WEEK in Illinois, and encourage every Illinois resident to visit their local health center and recognize, appreciate and celebrate the important partnership between Illinois’ health centers and the communities they serve.

Issued by the Governor July 3, 2014.

Filed by the Secretary of State July 14, 2014.

2014-296
RENEWABLE ENERGY EDUCATION WEEK

WHEREAS, Illinois is a national leader in the production of renewable energy including solar, wind, and biofuels and has implemented a variety of initiatives to help spur further development of renewable energy; and,

WHEREAS, Illinois has one of the strongest Renewable Portfolio Standards in the United States, requiring the state to procure 25 percent of its energy from renewable resources such as wind and solar by 2025; and,

WHEREAS, Illinois is third in the nation for megawatts of installed wind capacity and the state’s 23 largest wind farms have created 19,000 full-time equivalent jobs and continue to support over 800 permanent jobs; and,

WHEREAS, Illinois is among 12 states credited by the Environmental Protection Agency with producing 80 percent of the country’s wind power in 2013; and,

WHEREAS, Illinois has 48 megawatts of solar energy currently installed, which is enough to power 6,300 homes and there are 186 solar companies in the state employing over 2,100 people; and,

WHEREAS, Illinois has strong incentives for purchasing alternate fuel vehicles including Electric Vehicles and Flex Fuel Vehicles and has taken the initiative to double the number of Flex Fuel Vehicles in the state’s vehicle fleet to over 5,000; and,

WHEREAS, Illinois leads the nation in the number of communities using renewable energy with 91 communities having achieved 100 percent renewable electricity; and,

WHEREAS, Illinois biofuel production has a total economic impact of $5.3 billion with 14 producing ethanol plants that produce enough ethanol to displace 35% of the state’s petroleum usage and create 4,000 jobs as well as five operating biodiesel plants that produce nearly two hundred million
WHEREAS, Illinois has become a leader in biofuel development through the implementation of programs including the Next Generation Biofuels Production Program, the Renewable Fuels Development Program, the Illinois E-85 Infrastructure Development Program, the Renewable Fuels Research, Development and Demonstration Program and the Alternate Fuel Research and Infrastructure Grant Program which all have the intention of promoting and increasing the production of biofuels in Illinois; and,

WHEREAS, Illinois recognizes the imperative need for renewable energy education in order to enhance the awareness and understanding of the significance that using renewable energy has in creating healthy environments, prosperous societies, and expanding economies; and,

WHEREAS, nearly 100,000 workers are employed in the state’s clean energy sector, where one-third of the employees are highly paid in fields such as engineering, research, assembly and manufacturing, and another one-third are employed in jobs that cannot be outsourced such as installation and maintenance; and,

WHEREAS, solutions to today’s key environmental issues and the future sustainability of our ecosystems and communities are dependent on utilizing renewable energy and decreasing our use of fossil fuels; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 6-12, 2014 as RENEWABLE ENERGY EDUCATION WEEK in Illinois, and encourage all citizens to recognize the importance of renewable energy to the health of the environment and our communities.

Issued by the Governor July 3, 2014.
Filed by the Secretary of State July 14, 2014.

2014-297

COLLEGE CHANGES EVERYTHING DAY

WHEREAS, all Illinoisans should have opportunities to live as productive, engaged citizens and neighbors; and,

WHEREAS, educational attainment has been linked not only to additional career opportunities and financial stability, but also to longer life expectancy, better physical and mental health, lower incarceration rates, and higher voter turnout, along with better prospects for children of low-income families to move into the middle class; and,

WHEREAS, wealth and college attainment rates for Illinois compare favorably to other states, but gaps remain in education attainment by income, race, ethnicity, and geographic region; and,
WHEREAS, it is both a moral and an economic imperative to work to eliminate these disparities by ensuring that Illinois residents have access to an affordable education that prepares them for success in the jobs of the 21st century economy; and,

WHEREAS, an estimated 67% of jobs in Illinois are expected to require some postsecondary training by 2020; and,

WHEREAS, state policymakers are committed to ensuring that Illinois residents remain among the most highly-educated, well-trained in the nation and the world; and,

WHEREAS, increased access to and completion of college is essential to Illinois reaching its goal of increasing the proportion of adults with a college degree or industry credential from 43% to 60% by 2025; and,

WHEREAS, no single school, agency, business, or organization can accomplish this goal alone, but together those who are committed to our state, our students, and our shared potential can and must work collectively to ensure that all Illinoisans have access to high-quality, affordable education from early childhood through postsecondary and into the workforce; and,

WHEREAS, the College Changes Everything Conference is, for its fourth year, providing an arena for collective action by bringing together a diverse group of policymakers, practitioners, and concerned citizens for a day of sharing information, ideas, and best practices that promote access to postsecondary education, ensure degree or credential attainment, and provide students with pathways to careers; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim July 17th, 2014, COLLEGE CHANGES EVERYTHING DAY in Illinois and call upon all Illinoisans to support the students, parents, and adult learners in each of our communities as they work to achieve their educational and career goals.

Issued by the Governor July 7, 2014.
Filed by the Secretary of State July 14, 2014.

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WHEREAS, according to the Illinois Department on Aging, as many as five percent of persons aged sixty and older are subject to some form of abuse, including physical, emotional, and sexual abuse, as well as financial exploitation and neglect of basic care needs; and,

WHEREAS, Illinois has more than two million citizens over the age of sixty, meaning 100,000 or more older adults in Illinois could currently be victim of some form of abuse; and,
WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of this plight against our most vulnerable elderly; and to promote increased elder abuse reporting; and,

WHEREAS, the Illinois Department on Aging has strengthened protections of people with disabilities and older adults through its Office of Adult Protective Services; and,

WHEREAS, it is essential that the citizens of Illinois recognize the signs of abuse, neglect and exploitation, break the silence and report suspicions of abuse; and,

WHEREAS, it is imperative that each community in Illinois refuses to tolerate these offenses against our older citizens by creating greater awareness of the prevalence and severity of elder abuse in hopes of eradicating it from society; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 2014 as ELDER ABUSE AWARENESS AND PREVENTION MONTH in Illinois, and encourage all citizens to recognize this crisis and join in working toward its prevention.

Issued by the Governor July 7, 2014.

Filed by the Secretary of State July 14, 2014.

2014-299
PAIN AWARENESS MONTH

WHEREAS, pain is a major public health problem and the number one reason Americans seek medical care; and,

WHEREAS, the Institute of Medicine has found that 100 million Americans live with chronic pain as a result of serious illnesses and injuries; and,

WHEREAS, chronic pain costs the nation an estimated $560 to $630 billion annually in medical expenses, lost wages and lost productivity; and,

WHEREAS, pain negatively impacts almost every aspect of a person’s life including the ability to work, sleep and engage in social activities as well as adversely impacts pain sufferers’ families and caregivers; and,

WHEREAS, the U.S. Pain Foundation’s mission is to inform, empower and advocate on behalf of our 35,000 members throughout the country and all those who live with chronic pain; and,

WHEREAS, the U.S. Pain Foundation provides education on pain management skills and constructive ways to cope with pain and find fulfillment in life; and,
WHEREAS, increased awareness about the effects of chronic pain result in better outcomes, increased access to good pain care and empowerment and validation for those living with pain; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September, 2014 as PAIN AWARENESS MONTH in Illinois, in support of efforts to improve and promote the management and treatment of pain.

Issued by the Governor July 8, 2014.

Filed by the Secretary of State July 14, 2014.

2014-300
AMIA TRAGEDY REMEMBRANCE DAY

WHEREAS, on July 18, 1994, the Jewish-Argentine community suffered grievous loss after the bombing of the Argentine Israelite Mutual Aid Association; and,

WHEREAS, on that date, eighty-five Argentines were killed and hundreds more wounded in the deadliest terrorist attack in Argentine history; and,

WHEREAS, our current year of 2014 marks the twentieth anniversary of the AMIA tragedy, a heartbreak yet fresh to the 300,000-strong Argentine-Jewish community and all of Argentina; and,

WHEREAS, Illinois is the proud home of a prodigious South American community still stinging from the attack; and,

WHEREAS, members of the American Jewish Committee have tirelessly given comfort to victims of the bombing and their loved ones, labored alongside the AMIA to bring about justice to the fallen and injured, served the Jewish-South American community in Illinois, and now organized a commemoration of the 1994 bombing; and,

WHEREAS, our memory of the event must never be dimmed, nor our hope for justice for its victims; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 18, 2014, as AMIA TRAGEDY REMEMBRANCE DAY in tribute to victims of the bombing and in observance of the twentieth anniversary of the attack that brought a nation to its knees.

Issued by the Governor July 9, 2014.

Filed by the Secretary of State July 14, 2014.
2014-301
ST. PAUL AFRICAN METHODIST EPISCOPAL CHURCH DAY

WHEREAS, St. Paul African Methodist Church is one of the oldest African American churches on the North Shore of Chicago celebrating 130 years of doors open to all who would enter; and,

WHEREAS, St. Paul African Methodist Church was organized in 1884 by Rev. Jessie Wood and founded by the late Homer F. Wilson, a member of the Glencoe community, whose family is still active in the church today; and,

WHEREAS, St. Paul African Methodist Church held its first service in the home of Mr. and Mrs. Homer F. Wilson at 425 Adams Street in order to meet the spiritual needs of the Black community in Glencoe; and,

WHEREAS, the founding members of the St. Paul African Methodist Church are Mr. and Mrs. Homer F. Wilson Jr., Mr. and Mrs. R. McWill, Mrs. Mary Walker, Mr. and Mrs. W.H. Henderson, Mr. and Mrs. W. Williams, Mr. and Mrs. V. Griffin, Mr. and Mrs. R.H. Chatman, Mr. and Mrs. R. Mintor, Mrs. Cynthia Daly, Mrs. Emily Walker, and Mrs. Hattie Cooper; and,

WHEREAS, St. Paul African Methodist Church would not succumb to the flames of the 1930 fire and was quickly rebuilt with love and salvaged lumber, spurring forth the formation of an outstanding and timeless choir that would become renown for beautiful renditions of Negro Spirituals; and,

WHEREAS, St. Paul African Methodist Church has, since its founding, been leading and supporting the North Shore of Chicago through outreach programs, faith, good will and innumerable acts of kind service; and,

WHEREAS, St. Paul African Methodist Church presently has six families with three generations that worshipped there and 15 members that have worshipped for 50 years or more at what has come to be known as the “Little Cathedral on the North Shore,” a monument and standing testament to the spirit of generations Marching forward; therefore be it; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 26, 2014, as ST. PAUL AFRICAN METHODIST EPISCOPAL CHURCH DAY in commemoration of 130 years of dedicated service and spiritual leadership in the community of Chicago’s North Shore.

Issued by the Governor July 9, 2014.

Filed by the Secretary of State July 14, 2014.
WHEREAS, patients in Illinois hospitals require a year-round supply of donated blood; and,
WHEREAS, blood centers rely 100% on donations from volunteer donors in order to maintain a safe and viable blood supply; and,
WHEREAS, a single trauma patient can use over 100 units of blood; and,
WHEREAS, a single donation can save the lives of up to three people; and,
WHEREAS, blood only has a shelf life of 42 days; and,
WHEREAS, blood centers rely heavily not only on blood donated on their premises but on blood drives organized throughout their communities by volunteers; and,
WHEREAS, though there are many honors for donors, volunteer blood drive coordinators are often the “unsung heroes.” They are responsible for hundreds of donations and are invaluable to the blood centers; and,
WHEREAS, blood drive coordinators play a vital role in educating the public on the importance of blood donation; and,
WHEREAS, many blood drive coordinators are responsible for the recruitment of many first time blood donors, many of whom become regular donors over the course of their lifetimes; and,
WHEREAS, the State of Illinois recognizes the importance of blood donation through the Blood Donation Act, the Employee Blood Donation Leave Act and the Organ Donor Act; and,
WHEREAS, the Illinois Coalition of Community Blood Centers presents annual awards throughout the state to individuals who have made a major impact in their communities through their blood drive collection efforts; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 2014 as BLOOD DRIVE COORDINATOR MONTH in Illinois, and encourage Illinoisans to consider volunteering to coordinate a blood drive in their community, and encourage blood centers, units of local government, civic organizations and businesses, and others to honor volunteers in their community who coordinate local blood drives.

Issued by the Governor July 11, 2014.

Filed by the Secretary of State August 1, 2014.
2014-303

CHAMBER OF COMMERCE WEEK

WHEREAS, chambers of commerce work with businesses, merchants, and industry to advance the civic, economic, industrial, professional and cultural life of the State of Illinois; and,

WHEREAS, chambers of commerce have contributed to the civic and economic life of Illinois for 176 years since the founding of the Galena Chamber of Commerce in 1838; and,

WHEREAS, this year marks the 95th anniversary of the founding of the Illinois Chamber of Commerce, the state’s leading broad-based business organization; and,

WHEREAS, the chamber of commerce and its members provide citizens with a strong business environment that increases employment, retail trade and commerce, and industrial growth in order to make the State of Illinois a better place to live; and,

WHEREAS, the chamber of commerce encourages the growth of existing industries, services, and commercial firms and also encourages new firms and individuals to locate in the State of Illinois; and,

WHEREAS, the State of Illinois is home to international chambers of commerce, the Great Lakes Region Office of the U.S. Chamber of Commerce, the Illinois Chamber of Commerce and more than 400 local chambers of commerce; and,

WHEREAS, this year marks the 99th anniversary of the Illinois Association of Chamber of Commerce Executives, a career development organization for the chamber of commerce professionals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, proclaim September 8-12, 2014, as CHAMBER OF COMMERCE WEEK in Illinois, and encourage all citizens to recognize the important role that chambers of commerce play in the economic well being of their communities.

Issued by the Governor July 11, 2014.
Filed by the Secretary of State August 1, 2014.

2014-304

FRANK SCHWAB DAY

WHEREAS, Frank J. Schwab will be retiring from Community Action after 42 years of service; and,

WHEREAS, Frank Schwab dedicated his life to fighting for social and economic justice on behalf of children and families who find themselves in the predicament of poverty; and,
WHEREAS, Frank Schwab has taken the mission of service to heart and often has been involved in a multitude of spheres resolving the paradox of poverty in the midst of plenty in this great nation; and,
WHEREAS, Frank Schwab started with the Illinois Association of Community Action Agencies as its first Executive Director/Secretary from 1972-1973; and,
WHEREAS, Frank Schwab became a planner for Illinois Valley Economic Development Corporation, a local Community Action Agencies serving Greene, Calhoun, Macoupin and Jersey Counties from 1973-1974; and,
WHEREAS, Frank Schwab served as Illinois Valley Economic Development Corporation’s Assistant Director from 1974-1979; and,
WHEREAS, Frank Schwab became the Executive Director of Illinois Valley Economic Development Corporation from 1979 to July 18, 2014, under his leadership the agency fought poverty and uplifted those who live on the margins of our economic system with the following programs and services: Child Development Center, Community Care for the Elderly, Community Services Block Grant, Early Years Learning Center; Family and Community Development, Family Planning, Head Start Program, Illinois Weatherization Assistance Program, Low Income Home Energy Assistance Program, Rehabilitation Centers for the Developmentally Disabled, Senior Citizen Meals and Transportation Programs, Transitional Housing; and,
WHEREAS, Frank Schwab has been a member of the Illinois Association of Community Action Agencies’ (IACAA) Board of Directors for over 20 years, and has served as its Secretary of the Board, chair of the legislative committee, member of the building committee and a state appointed representative to the Department of Commerce and Economic Opportunity’s Policy Advisory Council on energy assistance programs; and,
THEREFORE, I Pat Quinn, Governor of the State of Illinois, proclaim July 18, 2014, as FRANK SCHWAB DAY in Illinois and commend him for his dedicated service to those less fortunate in our state.
Issued by the Governor July 11, 2014.
Filed by the Secretary of State August 1, 2014.

2014-305
FLAG AT HALF - STAFF IN HONOR AND REMEMBRANCE OF SENATOR ALAN DIXON

WHEREAS, Senator Alan Dixon devoted his life to public service and was a fervent advocate for Illinois; and,
WHEREAS, Senator Alan Dixon was a pioneer for all people and
believed that honesty and integrity were pivotal in a credible democratic government; and,

WHEREAS, Senator Alan Dixon was born in Belleville, Illinois on July 7, 1927; and,

WHEREAS, Senator Alan Dixon served in the Navy Air Corps in World War II and graduated from the University of Illinois at Urbana-Champaign and Washington University School of Law in St. Louis, Missouri; and,

WHEREAS, Senator Alan Dixon was an Illinois Democrat, and his career in national and state politics spanned more than 40 consecutive years in public office; and,

WHEREAS, Senator Alan Dixon had a patriot's determination to do what was best for his state and nation; and,

WHEREAS, Senator Alan Dixon served with distinction in both houses of the Illinois General Assembly and held two statewide offices as he was elected Illinois Treasurer in 1970 and Secretary of State in 1976; and,

WHEREAS, Senator Alan Dixon took office as a United States Senator where he served from 1981 to 1993; and,

WHEREAS, Senator Alan Dixon passed away on July 6, 2014 at age 86 at his home in Fairview Heights; and,

WHEREAS, Senator Alan Dixon, throughout his life, taught us all about the right way to move forward in our democracy and are all better off because of his purposeful life; and,

WHEREAS, Senator Alan Dixon leaves behind his legacy and loving memories to his wife, Joan Louise; his daughters, Stephanie and Elizabeth; his son, Jeffrey; eight grandchildren; and six great-grandchildren; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise until sunset on July 14, 2014 in honor and remembrance of Senator Alan Dixon, whose selfless service is an inspiration.

Issued by the Governor July 11, 2014.
Filed by the Secretary of State August 1, 2014.

2014-306
KEITH BROWN DAY

WHEREAS, the State of Illinois is pleased to congratulate Keith O. Brown on his retirement from Community Action after 42 years of service; and,

WHEREAS, Keith Brown dedicated his life to fighting for social and
economic justice on behalf of children and families who find themselves in the predicament of poverty; and,

WHEREAS, Keith Brown has taken the mission of service to heart and often has been involved in a multitude of spheres resolving the paradox of poverty in the midst of plenty in this great nation; and,

WHEREAS, Keith Brown began his employment with B.C.M.W. Community Services (formerly Kaskaskia Community Action Agency) in the spring of 1972 as a coordinator for the Neighborhood Youth Corp Program; and,

WHEREAS, Keith Brown became a planner for B.C.M.W. Community Services and gathered data and developed grant applications for funding at the State and Federal level; and,

WHEREAS, Keith Brown served as B.C.M.W. Community Services’ Deputy Director from 1977-1997; and,

WHEREAS, Keith Brown became the Executive Director of B.C.M.W. Community Services from 1997 – September 5, 2014, where under his leadership the agency fought poverty and uplifted those who live on the margins of our economic system with the following programs and services: Community Services Block Grant, Head Start, LIHEAP, Weatherization, HOME (Single Family Rehab), HTF (Energy Conservation & Home Repair Program, Homebuyer Assistance Program, Transitional Housing, Senior Nutrition, DHS Homeless Prevention, and Emergency Food & Shelter National Board Program; and,

WHEREAS, under Keith Brown’s leadership as the Executive Director of B.C.M.W. Community Services he was Instrumental in negotiating the purchase of a building for the Golden Age Senior Center in Centralia, Illinois which houses the kitchen facilities for the Senior Nutrition Program and the B.C.M.W. Head Start Program along with the senior congregate meal site; and,

WHEREAS, Keith Brown has been a member of the Illinois Association of Community Action Agencies’ (IACAA) Board of Directors for over 20 years; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, proclaim September 5, 2014, as Keith Brown Day in Illinois and commend him for his dedicated service to those less fortunate in our state.

Issued by the Governor July 11, 2014.
Filed by the Secretary of State August 1, 2014.
2014-307
CAREER AND TECHNICAL ORGANIZATIONS WEEK

WHEREAS, the proper education of today’s youth is a concern of all Americans; and,
WHEREAS, career and technical student organizations are dedicated to the advancement of proper education, training and development of America’s youth; and,
WHEREAS, for more than 35 years, organizations such as the Illinois Coordinating Council for Career and Technical Student Organizations (ICCCTSO) have advanced awareness of the importance of career and technical student organizations as an integral part of the educational curriculum; and,
WHEREAS, career and technical student organizations in Illinois include the Business Professionals of America, Future Business Leaders of America (FBLA), Illinois Association of Family, Career and Community Leaders of America (FCCLA), Health Occupations Students of America (HOSHA), Illinois Association of FFA (FFA), Illinois Association of DECA (DECA), Illinois Postsecondary Agricultural Student Organization (PAS), Phi Beta Lambda (PBL), Illinois Association of SkillsUSA (SkillsUSA), and Technology Student Association (TSA); and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 5 – 11, 2014 as CAREER AND TECHNICAL ORGANIZATIONS WEEK in Illinois, in recognition of the contributions made by these organizations to the education of our youth.
Issued by the Governor July 14, 2014.
Filed by the Secretary of State August 1, 2014.

2014-308
CHICAGO DEFENDER CHARITIES INC. BUD BILLIKEN® DAY

WHEREAS, Chicago Defender Charities Inc. has a long tradition of helping Illinoisans in need through charitable aid such as financial assistance and scholarships to students, and gift baskets to public housing residents during the holiday seasons; and,
WHEREAS, Chicago Defender Charities Inc. also sponsors the historic 85th Annual Bud Billiken® Parade and Picnic to be held this year on August 9th, 2014; and,
WHEREAS, for the past 85 years, the Bud Billiken® Parade and Picnic has provided wholesome fun and safe entertainment without charge to thousands of children; and,
WHEREAS, the Chicago Defender Charities Inc. Bud Billiken® Parade and Picnic has become one of Chicago’s most celebrated rites of summer for thousands of children returning to school, and a greatly anticipated event for families throughout the state; and,

WHEREAS, the Chicago Defender Charities Inc. has always been committed to the support, encouragement and education of our youth; and,

WHEREAS, this year’s parade theme is “Education: The One Tool You Can Never Lose,” which highlights the importance of educating our children; and,

WHEREAS, the Chicago Defender Charities is also recognizing Historically Black Colleges and Universities and their commitment to provide education for African American youth; and,

WHEREAS, the Chicago Defender Charities will continue the green initiative Green Team Conservation & Recycling Program to train, employ and prepare our youth for the emerging green economy; and,

WHEREAS, organizations and events such as Chicago Defender Charities Inc. and the Bud Billiken® Parade promote community service and unity, which are vital to the strength and success of communities throughout the Land of Lincoln; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 9th, 2014 as CHICAGO DEFENDER CHARITIES INC. BUD BILLIKEN® DAY in Illinois, and urge all citizens to join in the festivities.

Issued by the Governor July 14, 2014.
Filed by the Secretary of State August 1, 2014.

2014-309
GERMAN AMERICAN DAY

WHEREAS, the United States of America is a land of opportunity where people are recognized for their diverse heritage; and,

WHEREAS, Germans first immigrated to our shores during early American colonial history. Among the first group to immigrate were 13 Mennonite families from Krefeld who founded Germantown, Pennsylvania; and,

WHEREAS, in 1987, President Ronald Reagan issued a proclamation recognizing the many achievements and successes of German Americans. Since then, German American Day has been celebrated every year; and,

WHEREAS, in Illinois, German Americans have been influential in every field from the sciences and manufacturing to the arts and government. Germans began arriving in Illinois in the 1830s, and by 1900, German
Americans comprised one-quarter of Chicago's population. Elected in 1892, John Altgeld served as the first German-born Governor of Illinois; and,

WHEREAS, German Americans contribute significantly to this country working in a variety of different professions. It is important that we recognize their valuable contributions to making the United States a world leader in business and politics, and the bravery they have displayed in serving our country during times of war, dating as far back as the American revolution; and,

WHEREAS, this year, German Americans in our state and throughout the country will celebrate their heritage on October 6th; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 6, 2014 as GERMAN AMERICAN DAY in Illinois to recognize the heritage of German Americans, who have made significant and valuable contributions to American culture and life since first arriving more than 300 years ago.

Issued by the Governor July 14, 2014.
Filed by the Secretary of State August 1, 2014.

2014-310
INFANT SAFE SLEEP AWARENESS MONTH

WHEREAS, Sudden Unexpected Infant Deaths (SUID) is the sudden and unexpected death of an infant, birth to age 1 year, in which the manner and cause of death are not immediately obvious prior to investigation; and,

WHEREAS, Sudden Infant Death Syndrome (SIDS) is a subset of SUID and remains the number one cause of infant death between the age of 28 days of life to 1 year; and,

WHEREAS, the tragedy of SUID can happen to any family, regardless of race, ethnicity, or economic group; and,

WHEREAS, evidence based research has proven that when babies are placed in a crib alone; in the parents’ room; on their backs; on a firm crib mattress with a fitted crib sheet; using no crib bumper pads, pillows, blankets, quilts, or stuffed animals and toys, in a smoke-free environment, they will sleep safest and reduce the risk of SIDS and prevent many other infant deaths; and,

WHEREAS, Sudden Infant Death Services (SIDS) of Illinois, Inc.; is a Statewide not for profit organization; dedicated to providing infant safe sleep education, bereavement support services, and creating community awareness around preventing sleep related infant deaths; and,

WHEREAS, during the month of October, SIDS of Illinois, Inc. will hold special events including Community Baby Showers and distribution of
Pack n Play portable cribs to families in need, therefore providing the best opportunity for all babies in Illinois to survive and thrive; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as INFANT SAFE SLEEP AWARENESS MONTH in Illinois, in order to raise awareness about preventing sleep related infant deaths and to encourage infant safe sleep practices so that no parent will have to endure the tragedy of infant death.

Issued by the Governor July 14, 2014.
Filed by the Secretary of State August 1, 2014.

2014-311
MANUFACTURING MONTH

WHEREAS, manufacturing in the United States makes significant contributions to our local, state, and national economies; and,

WHEREAS, manufacturing in Illinois has been the historical bedrock of the state’s economy for nearly two centuries; and,

WHEREAS, the State of Illinois is fortunate to have over 14,000 manufacturing establishments in a wide range of areas including machinery, food and beverages, fabricated metal products, chemical manufacturing, petroleum and coal products, and computer and electronic products; and,

WHEREAS, manufacturing is key to driving economic growth in Illinois and creating solid, middle-class jobs; and,

WHEREAS, manufacturers in Illinois account for over 13 percent of the total output in the state, employing 10 percent of the workforce; and,

WHEREAS, manufacturing is the primary source of Illinois exports, accounting for 95 percent of all exports; and,

WHEREAS, manufacturing in Illinois provides skilled, well-paying jobs; according to the National Association of Manufacturers, manufacturing compensation is on average 18% higher than other non-farm employers; and,

WHEREAS, one of the most important tools for any business to remain competitive in a 21st century economy is a well-trained workforce, and Illinois continues to make strategic investments in training and support services to improve the competitiveness of Illinois workers, who are among the most productive in the nation; and,

WHEREAS, through programs such as the Employer Training Investment Program (ETIP), the Job Training and Economic Development Program (JTED), the State Energy Sector Partnership (SESR), the Illinois Entrepreneurship Network (IEN), and resources led by the Manufacturing STEM Learning Exchange, the Illinois Manufacturers’ Association, the Illinois Manufacturing Excellence Center (IMEC and many others), Illinois
is providing its manufacturers with key business tools to improve their bottom line and further enhance the state’s business climate; and,

WHEREAS, with the opening of the Illinois’ Digital Laboratory for Manufacturing set for later this year, and implementation of the Manufacturers Education Initiative at over 25 community colleges and another 20 high schools around the state, Illinois’ manufacturing remains an integral part of our economy and preserves Illinois’ position as a top competitor in today’s global marketplace; and,

WHEREAS, careers in today’s modern advanced manufacturing rely on clean, well-lit and climate controlled environments and provide complete benefits to all employees including healthcare and retirement plans; and,

WHEREAS, October 3, 2014 is National Manufacturing Day; and,

WHEREAS, during the entire month of October, manufacturers, educational institutions, and other organizations throughout Illinois will host events to highlight the importance of manufacturing to our state’s economy, draw attention to the many rewarding jobs in the manufacturing field, and improve general public perception of manufacturing careers by holding open houses, public tours, career workshops, and business-school partnerships, while also introducing manufacturers to business improvement resources and services; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as MANUFACTURING MONTH in Illinois, and encourage all residents; students, parents, educators, media, customers, suppliers and the community at large to recognize the importance of ensuring a thriving manufacturing sector throughout the Land of Lincoln by investing time and resources to assure success of manufacturing month activities.

Issued by the Governor July 14, 2014.
Filed by the Secretary of State August 1, 2014.

2014-312
SING TAO NEWSPAPER DAY

WHEREAS, since opening its first overseas office in the United States in 1965, Sing Tao Newspaper has served readers of all ages, education, and income levels, including old-time Chinese settlers as well as new immigrants, students, and visitors from mainland China, Taiwan, Hong Kong, and Southeast Asia; and,

WHEREAS, through publishing a Chicago edition since 1980 and maintaining an office in the city, Sing Tao Newspaper has had a strong presence in the Land of Lincoln for many years; and,

WHEREAS, Sing Tao Newspaper’s leadership in the community and
its dedication to supporting charitable activities such as the arts, cultural activities, and disaster relief are well recognized and have positively impacted the Asian community; and,

WHEREAS, to celebrate an anniversary such as this is a significant milestone for any newspaper, and provides an excellent opportunity to reflect on everything that has been accomplished over the past seventy-six years, while making plans for the future that will build on past successes; and,

WHEREAS, Sing Tao Newspaper’s longevity is a testament to the quality of services it provides its readers and the community at large, as well as the relationships it has developed over the years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 1, 2014 as SING TAO NEWSPAPER DAY in Illinois, in commemoration of its 76th Anniversary, and do hereby offer my best wishes for an enjoyable and memorable celebration, and many years of continued success.

Issued by the Governor July 14, 2014.
Filed by the Secretary of State August 1, 2014.

2014-313
JIM BROSnan DAY

WHEREAS, born in Cincinnati on October 24, 1929, to parents John and Rose, Jim Brosnan developed a passion at a young age for music, reading, and baseball; and,

WHEREAS, Jim Brosnan started his professional baseball career as a Cubs’ minor-leaguer at 17 and was brought up to the Major Leagues in 1954; and,

WHEREAS, Jim Brosnan served his country with honor as a member of the United States Army from 1951-1953; and,

WHEREAS, Jim Brosnan played nine seasons in the majors, accumulating a record of 55-47 and 67 saves for the Reds, Cubs, Cardinals, and White Sox. He had a lifetime 3.54 earned-run average in 831 appearances and once struck out Willie Mays three times in a single game; and,

WHEREAS, in 1961, Jim Brosnan had a 10-4 record with 16 saves, then pitched three times in the Reds’ five-game loss to the New York Yankees in the World Series; and,

WHEREAS, in addition to his accomplishments on the baseball field, Jim Brosnan was a talented author who wrote “The Long Season,” “Pennant Race,” and many children’s books; and,

WHEREAS, “The Long Season,” which was taken from Jim Brosnan’s diary of his 1959 season with the Cardinals and Reds,
revolutionized sports journalism and was listed by Sports Illustrated magazine in 2002 as one of the top 20 sports books ever written; and,

WHEREAS, after leaving baseball in 1963 at the age of 34, Jim Brosnan became a longtime TV and radio broadcaster, magazine writer, and author of children’s sports books. He wrote occasional book reviews for the old Chicago Daily News and The New York Times and, for 25 years, was the baseball writer for Boy’s Life magazine; and,

WHEREAS, despite the tremendous successes he achieved, Jim Brosnan always remained loyal to the people of the Land of Lincoln; and,

WHEREAS, Jim Brosnan was married to his wife, Anne Stewart Brosnan, for more than 50 years until her death in 2013; and,

WHEREAS, Jim Brosnan passed away on June 29, 2014, in Park Ridge, Illinois, at the age of 84; and,

WHEREAS, a visitation will be held at 1 p.m. on July 20, 2014, at Simkins Funeral Home in Morton Grove, Illinois, for Jim Brosnan, who is survived by many loving family members and friends, including his three children, Jamie Kruidenier, Tim Brosnan and Kimberlee Brosnan-Myers; a brother, Michael; a sister, Carol; and four grandchildren; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 20, 2014, as JIM BROSNAN DAY in Illinois, in recognition of his achievements as an athlete and writer, and in recognition of the powerful legacy he leaves behind.

Issued by the Governor July 16, 2014.

Filed by the Secretary of State August 1, 2014.

2014-314

LAO VETERANS DAY

WHEREAS, Lao veterans fought the so-called “Secret War” for 15 years, helping the United States’ forces in Laos during Vietnam; and,

WHEREAS, the United States was involved in combat operations during the Vietnam War from November 1, 1955, to November 30, 1975; and,

WHEREAS, in 1961, North Vietnam advanced into South Vietnam using the Ho Chi Minh Trail, which crossed into Laos; and,

WHEREAS, Lao soldiers and airmen were recruited and trained to engage in guerilla warfare against the North Vietnamese. They heroically fought alongside American soldiers, rescued pilots whose planes went down, and defended American outposts; and,

WHEREAS, during their time of military service, Lao soldiers were injured, tortured, and killed; and,
WHEREAS, after the evacuation of allied forces at the end of Vietnam, many Lao soldiers as well as their family members were forced to seek refuge in Thailand and eventually immigrated to the United States and Illinois; and,

WHEREAS, Lao veterans and their families have made vast economic and cultural contributions to the State of Illinois; and,

WHEREAS, it is always important to recognize the service and sacrifices of Lao veterans who served with honor and distinction during the Vietnam War; and,

WHEREAS, July 19, 1949, is the day that the Lao government received its independence from France as well as the day that the Lao Army was formed; and,

WHEREAS, a dedication ceremony for a Lao veterans memorial monument will take place on July 19, 2014, at Elgin Veterans Memorial Park. This event provides an opportune time for the people of the Land of Lincoln to commend Lao veterans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 19, 2014, as LAO VETERANS DAY in Illinois, in remembrance of the brave Laotian soldiers who served during Vietnam.

Issued by the Governor July 16, 2014.
Filed by the Secretary of State August 1, 2014.

2014-315
CONGRESSMAN KENNETH “KEN” JAMES GRAY DAY

WHEREAS, born on November 14, 1924, in West Frankfort, Illinois, Congressman Kenneth “Ken” James Gray would go on to be one of our state’s most accomplished public officials, serving in Congress from 1955 to 1974 and again from 1985 to 1989; and,

WHEREAS, Congressman Ken Gray attended the West Frankfort and Pope County Elementary Schools and graduated from West Frankfort Community High School; and,

WHEREAS, a patriotic American, Congressman Ken Gray served our nation with distinction as a member of the U.S. Army Air Force during World War II; and,

WHEREAS, Congressman Ken Gray, a dedicated public servant and fervent promoter of the interests of southern Illinois, brought $7 billion in federal projects to his district, including bringing a federal prison to Marion and acquiring funding to build Interstate 57; and,

WHEREAS, in 2008, a section of Interstate 57 was named in honor of Congressman Ken Gray and is now known as the “Ken Gray Expressway”;
and,

WHEREAS, outside of his elected duties, Congressman Ken Gray was a used-car dealer, magician, licensed auctioneer, and one of the founders of the Walking Dog Foundation for the Blind; and,

WHEREAS, Congressman Ken Gray was a gentleman and statesman who always advocated passionately for the region he loved and the people of Illinois. The kindness that he displayed towards others is admirable and serves as an inspiration to other public servants; and,

WHEREAS, Congressman Ken Gray passed away on July 12, 2014; and,

WHEREAS, a visitation and funeral will be held at the Benton Civic Center on July 19, 2014, for Congressman Ken Gray, who is survived by many loving family members, friends, and constituents who are grateful for the numerous ways he positively impacted their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare July 19, 2014, as CONGRESSMAN KENNETH “KEN” JAMES GRAY DAY in Illinois, in recognition of his commitment to public service and the powerful legacy he leaves behind.

Issued by the Governor July 17, 2014.
Filed by the Secretary of State August 1, 2014.

2014-316
NELSON MANDELA DAY

WHEREAS, Nelson Mandela devoted his life to the advancement of civil rights, ending apartheid in South Africa, and public service. He believed in the ideal of a democratic and free society, and challenged all citizens to help build a more perfect union and live up to the purpose and potential of South Africa; and,

WHEREAS, born into the Madiba clan in Mvezo, Transkei, Nelson Mandela became actively involved in the anti-apartheid movement in his 20s and joined the African National Congress in 1942; and,

WHEREAS, for 20 years, Nelson Mandela coordinated a campaign of non-violent resistance against the South African government and its discriminatory policies; and,

WHEREAS, those who were drawn to the anti-apartheid cause were inspired by Nelson Mandela’s extraordinary example of making sacrifices for the greater good; and,

WHEREAS, after being released from prison, Nelson Mandela continued his activism and was elected as South Africa’s first black president on May 10, 1994, at the age of 77; and,
WHEREAS, International Nelson Mandela Day of Service, which is taking place on July 18th, President Mandela’s birthday, is an opportune time for the people of Illinois to recognize the life and work of Nelson Mandela and a day for everyone to serve others; and,

WHEREAS, thousands of volunteers in cities and towns across the world will be participating in community service projects during this year’s International Nelson Mandela Day of Service; and,

WHEREAS, this day focuses on bringing people together and breaking down the barriers that have divided the people of South Africa; and,

WHEREAS, here in Illinois, we seek to share and celebrate the legacy of Nelson Mandela, a heroic figure whose tenacity and commitment to making the world a better place must never be forgotten; and,

WHEREAS, on July 18, 2014, a birthday and street sign name dedication event for the late South African President, Nelson Mandela, will take place on 4800 W. Chicago Avenue in Chicago, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 18, 2014 as NELSON MANDELA DAY in Illinois, in recognition of today’s street dedication ceremony, and in support of putting President Nelson Mandela’s teachings into action by finding ways to give back to our communities on this day and throughout the year.

Issued by the Governor July 18, 2014.

Filed by the Secretary of State August 1, 2014.

2014-317
CANAVAN DISEASE AWARENESS MONTH

WHEREAS, Canavan Research Illinois is an Illinois nonprofit corporation established in April 2000 to meet a critical need to support medical research to treat, cure, and improve the quality of lives of all children battling Canavan disease, a rare and fatal genetic neurological disorder; and,

WHEREAS, the majority of those afflicted with Canavan disease do not reach their 21st birthday. These innocent children face the loss of all motor functions, blindness, paralysis, feeding tubes, and eventual disintegration of the brain, at which point they fall into a vegetative state from which they cannot recover; and,

WHEREAS, Canavan Research Illinois is an all volunteer charity dedicated to raise funds to support cutting-edge research, increase public awareness, and provide a network for Canavan families; and,

WHEREAS, October 25, 2014, Canavan Research Illinois will hold the 16th Annual Canavan Charity Ball, which will be held on ‘Make a Difference Day’. This year’s Ball is being held in honor of Max Randell’s
17th birthday, a momentous milestone for this young man living with Canavan disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as CANAVAN DISEASE AWARENESS MONTH in Illinois, to raise awareness of Canavan disease and in support of Canavan Research Illinois’ important efforts to improve the quality of life of those who are battling this disease.

Issued by the Governor July 21, 2014.
Filed by the Secretary of State August 1, 2014.

2014-318
CHARLIE TROTTER DAY

WHEREAS, in 1987, Charlie Trotter, a self-taught culinary master chef opened his first restaurant, the “Charlie Trotter’s Restaurant” in Illinois, which was regarded as one of the finest in the world. He was instrumental in establishing new standards for fine dining as his restaurants were innovative and progressive in the world of food and wine; and,

WHEREAS, Charlie Trotter’s persistence and dedication to excellence in the culinary arts garnered him international recognition and awards; and,

WHEREAS, “Charlie Trotter’s Restaurant” was a multi-award winning and Multi-Michelin starred restaurant, a Forbes Five Star award winning restaurant, and won eleven James Beard Foundation awards and many more; and,

WHEREAS, in addition, Charlie Trotter received awards at the White House from both President George W. Bush and Colin Powell for his charity work and was named one of only five 'heroes' to be honored by America’s Promise; and,

WHEREAS, in 2005 Charlie Trotter was awarded the Humanitarian of the Year award by the International Association of Culinary Professionals for his overall service to the community. He was the recipient of several awards and was inducted into the Culinary Hall of Fame in 2013; and,

WHEREAS, Charlie Trotter was the author of 14 cookbooks, three management books, and the host of the nationally aired award winning PBS cooking series “The Kitchen Sessions with Charlie Trotter”; and,

WHEREAS, Charlie Trotter opened two restaurants, in Las Vegas, and a third one in Cabo San Lucas, Mexico. He also owned and operated a high-end delicatessen and catering business in Chicago’s Lincoln Park neighborhood named “Trotter’s to Go”; and,

WHEREAS, Charlie Trotter had philanthropic ties to many charities
and was actively involved in supporting numerous charitable organizations through the restaurant’s Guest Chef for a Day Program, which hosted guest chefs most days that the restaurant was open. Through his Charlie Trotter Culinary Education Foundation, founded in 1999, he worked with Chicago-area youth to promote an enthusiastic quest for education and raised over one million dollars to award individuals seeking careers in culinary arts; and,

WHEREAS, Charlie Trotter participated in countless charity events around the country, including Meals-on-Wheels, SOS, Parkinson’s Institute, Make-A-Wish, Infant Welfare Society, and many others. He hosted charity benefits at his restaurant for several charities and was the chairman of the American Cancer Society’s Vin Affair – raising over three million dollars in a period of three years; and,

WHEREAS, Charlie Trotter’s powerful legacy lives on through programs such as his Culinary Education Foundation and The Trotter Project, which was established in his honor in 2014. The Trotter Project is a Trotter alumni-driven initiative and non-profit, which seeks to pay tribute to the lasting legacy of Charlie Trotter through culinary and educational programs, and services and events that foster professional and personal excellence to help create a sense of community among individuals dedicated to these principles; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 17th, 2014 as CHARLIE TROTTER DAY, in honor of his contributions to the State of Illinois, the culinary arts, and all of the lives he has touched.

Issued by the Governor July 21, 2014.
Filed by the Secretary of State August 1, 2014.

2014-319
FRANK THOMAS DAY

WHEREAS, baseball is America’s pastime, treasured by young and old alike. It is a beloved sport in which the success of a player is measured by those who have gone before him; and,

WHEREAS, one of baseball’s greatest sluggers of all time is Frank Thomas, “AKA, The Big Hurt;” and,

WHEREAS, Frank Thomas is a true baseball legend, not only in Illinois but across the Nation, finishing his career with an astonishing 521 homeruns and a .301 batting average; and,

WHEREAS, Frank Thomas was the first player in Major League history to win two Silver Slugger Awards, each at different positions, first base and designated hitter; and,
WHEREAS, Frank Thomas was the first Chicago White Sox player to win an MVP unanimously (1993), and the only Chicago White Sox player to win MVP twice (1993 & 1994); and,
WHEREAS, in 1995, Frank Thomas hit a home run in the All-Star Game in his second at bat, just one day following his victory in the 1995 Home Run Derby; and,
WHEREAS, Frank Thomas had his number 35 jersey retired by the Chicago White Sox (for whom he played 16 seasons) on August 29, 2010; and,
WHEREAS, On July 31, 2011, the Chicago White Sox honored Frank Thomas with a life-size bronze statute on the outfield concourse of U.S. Cellular Field; and,
WHEREAS, Frank Thomas remains close to the game and is now a commentator for Comcast SportsNet Chicago and Fox Sports as a studio analyst; and,
WHEREAS, Frank Thomas is an advocate for the Boys & Girls Club of America and BLB’s Reviving Baseball in Inner Cities Program, and recognizes the role these organizations played in his early involvement in sports; and,
WHEREAS, Frank Thomas’s 2,322 game, 19 season, larger than life career will be honored when he is inducted to the Baseball Hall of Fame as a Chicago White Sox player on July 27, 2014; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 27, 2014 as FRANK THOMAS DAY in Illinois, to recognize and congratulate Chicago White Sox legend Frank Thomas on his tremendous baseball career and being inducted into the 2014 Baseball Hall of Fame.

Issued by the Governor July 21, 2014.
Filed by the Secretary of State August 1, 2014.

2014-320
ONE CHURCH ONE SCHOOL WEEK

WHEREAS, all children are extremely impressionable, which is why our encouragement and support is critically important for their growth and development; and,
WHEREAS, without our encouragement and support, children are unlikely to succeed in school and become productive and valuable members of the community. That is why we are all responsible for their care; and,
WHEREAS, One Church One School is a community partnership program based in Chicago that believes we must work together for our
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children’s welfare. Since 1992, they have taken a comprehensive approach to child development; and,

WHEREAS, members and participants of One Church One School have formed child-centered community partnerships that support issues such as education and non-violence in schools; and,

WHEREAS, this year, One Church One School will host a two day conference in Oak Lawn, Illinois from October 16-17, the 18th Annual OCOS Partnership Conference will include student seminars, plenary sessions, and dynamic workshops; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 12 - 18, 2014 as ONE CHURCH ONE SCHOOL WEEK in Illinois and call upon all citizens to work together to shape and nurture our children’s growth and development.

Issued by the Governor July 21, 2014.

Filed by the Secretary of State August 1, 2014.

2014-321

ILLINOIS SOYBEAN ASSOCIATION DAY

WHEREAS, 100 years ago, just 2,000 acres of Illinois soybeans were harvested. Today, Illinois soybeans cover 9 million acres, or one-fourth of Illinois and generate more than $5 billion per year in economic output; and,

WHEREAS, this year, Illinois has regained the title of top soybean-producing state. USDA’s November crop production report estimates Illinois farmers raised 460.6 million bushels of soybeans on 9.4 million acres, with an average yield of 49 bushels per acre in 2013; and,

WHEREAS, the Land of Lincoln Soybean Association was formed in 1964, eventually becoming the Illinois Soybean Association (ISA); and,

WHEREAS, ISA, the umbrella organization for both checkoff and legislative advocacy, assists Illinois soybean farmers in maximizing profitability and producing the highest quality, most dependable, sustainable, and competitive soybeans for the world market; and,

WHEREAS, ISA is committed to educating local, state, and national decision-makers about the value and needs of the soybean industry; and,

WHEREAS, to ensure profitability for Illinois farmers, ISA has set a goal of increasing soybean demand and production by 150 million bushels in the upcoming years; and,

WHEREAS, ISA encourages innovation and technology use with checkoff investments in practical research, like agronomics, that boost yield and Illinois yield data; and,

WHEREAS, ISA is creating strong international markets by building
relationships with countries like China, Dubai, and Panama. Additionally, ISA is a leading partner in coalitions and councils such as the U.S. Soybean Export Council (USSEC) and the U.S. Meat Export Federation (USMEF). These partnerships further expand the soybean industry – setting an example for other states; and,

WHEREAS, Illinois has a long, rich history of soybean production that has been propelled by the hard work and dedication of ISA; and,

WHEREAS, ISA is “Embracing the Past and Envisioning the Future” during its year-long commemoration of its 50th anniversary and the past 100 years of soybean production in Illinois; and,

WHEREAS, ISA will host a 50th anniversary celebration on July 31, 2014, at the 77 Club at the University of Illinois Stadium; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 31, 2014, as ILLINOIS SOYBEAN ASSOCIATION DAY, in recognition of this critically important organization’s 50th anniversary and commitment to enhancing the soybean industry in our state.

Issued by the Governor July 22, 2014.

Filed by the Secretary of State August 1, 2014.

2014-322

NATIONAL WEEK OF NON VIOLENCE

WHEREAS, America’s problems with violence within our society has escalated during the last decade, affecting families in every walk of life and threatening our national security as well as the safety of our children, youth, adults, seniors and families; and,

WHEREAS, it is in our nation’s best interest to increase knowledge and training regarding conflict resolution, mental health, parenting skills and non violence; and,

WHEREAS, Dr. Martin Luther King, Mahatma Ghandi and President Nelson Mandela demonstrated leadership in non-violence and called for peaceful resolution to conflicts and disagreements in order to create more fair and just societies; and,

WHEREAS, ‘Black Women for Positive Change’, a national civic, volunteer organization is urging leaders to organize workshops on non-violence in collaboration with elected officials, faith-based leaders, business leaders, national organizations, educators, musicians, rappers, athletes and community leaders during the week of August 16-23, 2014; and,

WHEREAS, all Americans are encouraged to organize community-based events that teach non-violence, conflict resolution and parenting skills; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 16-23, 2014 as a NATIONAL WEEK OF NON VIOLENCE in Illinois, and encourage all citizens to recognize the importance of non violence education and participation.
Issued by the Governor July 22, 2014.
Filed by the Secretary of State August 1, 2014.

2014-323
RAIL SAFETY WEEK

WHEREAS, 126 crashes occurred at public highway-rail grade crossings, resulting in 40 personal injuries and 21 fatalities in the State of Illinois during 2013; and,
WHEREAS, 52 trespassing incidents occurred in the State of Illinois during 2013, resulting in 25 pedestrians being killed and another 27 injured while trespassing on railroad property right of ways; and,
WHEREAS, Illinois ranks third in the nation in grade crossing fatalities and third in trespass fatalities for 2013; and,
WHEREAS, over 67 percent of crashes at public grade crossings occur where active warning devices exist; and,
WHEREAS, educating and informing the public about rail safety, reminding the public that railroad right of ways are private property, enhancing public awareness of the dangers associated with highway-rail grade crossing, ensuring pedestrians and motorists are looking and listening while near railways, and obeying established traffic laws will reduce the number of fatalities and injuries to Illinoisans; and,
WHEREAS, the Illinois Association of Chiefs of Police, the Illinois Commerce Commission, Illinois Operation Lifesaver, Illinois Department of Transportation, Illinois State Police, Illinois Truck Enforcement Association, Chicago Police, all local and railroad law enforcement, first responders and area railroad companies commit to partnering together in an effort to educate Illinois residents on all aspects of railroad safety, to enforce applicable state laws and to support Illinois Rail Safety Week; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 14-20, 2014 as RAIL SAFETY WEEK in Illinois, and encourage all citizens to recognize the importance of rail safety education.
Issued by the Governor July 22, 2014.
Filed by the Secretary of State August 1, 2014.
2014-324
NATIONAL ELEVATOR ESCALATOR SAFETY AWARENESS WEEK

WHEREAS, an elevator is defined as a permanent hoisting and lowering mechanism with a car, and an escalator is defined as a continuous moving stairway; and,
WHEREAS, every year in the United States, approximately 30 casualties and 17,000 serious injuries are caused by escalator and elevator accidents; and,
WHEREAS, of these incidents, 90% are fatalities that result from individuals being caught between elevators, within elevator equipment, elevator collapses or tripping while entering or exiting an elevator; and,
WHEREAS, an estimated 800,000 elevators and 30,000 escalators are currently in operation in the United States; and,
WHEREAS, the purpose of National Elevator Escalator Safety Awareness Week is to increase public awareness of the safe and proper use of elevators, escalators and moving walkways in hopes of reducing through education avoidable accidents and fatal injuries; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 9-15, 2014 as NATIONAL ELEVATOR ESCALATOR SAFETY AWARENESS WEEK in Illinois, and encourage all citizens to fully participate in this observance and improve the quality of life throughout the State.

Issued by the Governor July 23, 2014.
Filed by the Secretary of State August 1, 2014.

2014-325
DEVI SRI PRASAD DAY

WHEREAS, Devi Sri Prasad is a highly acclaimed music composer, director and playback singer in Telugu, Tamil, Hindi, Kannada, and Malayalam film; and,
WHEREAS, Devi Sri Prasad’s amazing soundtracks have also been remade in several languages; and,
WHEREAS, Devi Sri Prasad has written stunning lyrics for several notable songs; and,
WHEREAS, with upbeat choreography and heartening theatrics complete with pyrotechnic display, Devi Sri Prasad’s performances provide unforgettable entertainment for everyone in attendance; and,
WHEREAS, Devi Sri Prasad’s many accomplishments have made
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him a legend in the Indian film industry; and,
WHEREAS, on July 26, 2014, Devi Sri Prasad will perform in an exclusive concert at the Sears Center Arena in Hoffman Estates, Illinois; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 26, 2014, as DEVI SRI PRASAD DAY in Illinois, in support of tonight’s concert and in recognition of his vast musical talents.
Issued by the Governor July 24, 2014.
Filed by the Secretary of State August 1, 2014.

2014-326
SIGN LANGUAGE INTERPRETER AWARENESS MONTH

WHEREAS, there are approximately 384,930 deaf and hard of hearing people in Chicago; and,
WHEREAS, the Chicago Hearing Society established the first sign language interpreter referral service in Illinois in 1979; and,
WHEREAS, there are several hundred interpreters in Chicago and across Illinois who are committed to providing interpreting services every year; and,
WHEREAS, the Chicago Hearing Society, a division of Anixter Center, in partnership with both children and adults who are deaf or hard of hearing, their families and allies, promotes self-reliance and opportunities for individuals to participate in the communities of their choice; and,
WHEREAS, the Chicago Hearing Society provides a wide range of services for children and adults who are deaf, hard of hearing or hearing, including interpreter referral services, sign language classes, hearing aid bank, hearing health clinic, youth programs, amplified phone distribution, advocacy, information referrals, and assistance for people who are deaf and hard of hearing who are victims of violent crimes and domestic violence; and,
WHEREAS, the Anixter Center assists people with disabilities and related challenges to live, learn, work and play in the community; and,
WHEREAS, the Anixter Center is an advocate for the rights of people with disabilities to be full and equal members of the community; and,
WHEREAS, there is an increasing need for interpreting professionals so that the deaf, hard of hearing, and hearing people can communicate effectively in a wide range of situations; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2014 to be SIGN LANGUAGE INTERPRETER AWARENESS MONTH in Illinois, and encourage residents to be aware of the contributions interpreters make to help deaf, hard of hearing and hearing people integrate with the community.
WHEREAS, Muscular dystrophies (MD) are a group of over 30 genetic diseases characterized by progressive weakness and degeneration of the skeletal muscles that control movement; and,

WHEREAS, the prognosis and severity of Muscular dystrophy varies according to the type and progression of the disorder as well as how much the heart and lungs are affected; and,

WHEREAS, some cases of Muscular dystrophy may be mild and progress very slowly over a normal lifespan, while others produce severe muscle weakness, functional disability, and loss of the ability to walk; and,

WHEREAS, there are approximately 4500 families living in the state of Illinois with a form of Muscular Dystrophy; and,

WHEREAS, some forms of Muscular Dystrophy are diagnosed in infancy or childhood, while others may go unnoticed until middle age or later; and,

WHEREAS, there currently is no cure for Muscular Dystrophy and early detection is imperative for patients to get the services and treatments needed to live as normal a life as possible; and,

WHEREAS, Muscular Dystrophy treatment is geared toward managing symptoms and may include medication, physical therapy, and special braces for the hands and legs; and,

WHEREAS, a quarter of a million kids and adults are living with Muscular Dystrophy, so chances are you may know someone who has it; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2014 as MUSCULAR DYSTROPHY MONTH in Illinois, to increase knowledge of Muscular Dystrophy and allow the community at large to better support those who struggle with the challenges of this disorder.

Issued by the Governor July 29, 2014.
Filed by the Secretary of State August 14, 2014.

2014-327
MUSCULAR DYSTROPHY MONTH

WHEREAS, Bishop Cody V. Marshall is the founding Pastor of Freedom Temple Church of God in Christ located in Chicago, Illinois; and,
WHEREAS, Bishop Cody V. Marshall dedicated his life to his wife and children, as well as the members of his congregation; and,
WHEREAS, Bishop Cody V. Marshall has taken the mission of service to heart and has been involved in both the religious and secular spheres; and,
WHEREAS, Bishop Cody V. Marshall is a man of strong faith, fortitude, and vision who has positively affected others through his service in ministry and dedication to the community. He has been involved in the Church of God in Christ for more than five decades and has assumed positions within numerous interfaith organizations in order to promote dialogue and understanding among the various faiths; and,
WHEREAS, Bishop Cody V. Marshall was consecrated the bishop of Northern Illinois for the Church of God in Christ in 1989; and,
WHEREAS, Bishop Cody V. Marshall will be recognized for his years of service on Sunday, August 10, 2014; and,
WHEREAS, Bishop Cody V. Marshall has been bishop of the Northern District of Illinois of the Church of God in Christ for 25 years, and has served as its Administrative Assistant, Jurisdictional Secretary, State Home and Foreign Mission President, and Shiloh District Superintendent; and,
THEREFORE, I Pat Quinn, Governor of the State of Illinois, proclaim August 10, 2014, as BISHOP CODY V. MARSHALL DAY in Illinois and commend him for his dedicated service to the faithful of Northern Illinois.

Issued by the Governor July 30, 2014.
Filed by the Secretary of State August 14, 2014.

2014-329
ILLINOIS VETERANS & COMMUNITY CLASSROOM PROJECT DAY

WHEREAS, over our nation’s history, millions of men and women have made countless personal sacrifices to defend our country, and it is imperative that we continually identify ways to recognize their service; and,
WHEREAS, in 2008, the Illinois Veterans and Community Classroom Project was conceived and developed as an intergenerational, instructional technology project by the WWII Illinois Veterans Memorial Board and Area 5 Learning Technology Center in collaboration with Teaching with Primary Resources Projects at Quincy University and Southern Illinois University Edwardsville, Illinois Central Management Services, Illinois State Board of Education, Illinois Learning Technology Centers,
Illinois State Library, IlliniCloud and the Thirteen Folds Project, Illinois Principals Association; and,

WHEREAS, the collaborators recruited, trained and assisted students in Illinois schools with the Illinois Veterans and Community Classroom Project. This project allows students to learn, understand, and reflect on the sacrifices of their forbearers by working together to digitally preserve local historical resources such as books, journal series, manuscript collections, photographic images, slides, maps, prints, posters, audio, and video; and,

WHEREAS, since 2008, over 30 schools statewide have participated in the Illinois Veterans & Community Classroom Project. The students are taught how to conduct historical and archival research, prepare and lead interviews, and use video-editing software to produce a 20-minute documentary telling the story of an Illinoisan who lived through war in some capacity with a three-minute student reflection at the end; and,

WHEREAS, over 5000 middle and high school students and educators statewide have participated in this project since 2008; and,

WHEREAS, Harlem High School showcased their local Illinois Veteran & Community Classroom Project at the annual conference of the International Society for Technology. Additionally, the school highlights exemplar ways technology and digital media is being used to enhance instruction in classrooms today; and,

WHEREAS, more than 400 short video documentaries of interviewed veterans have been conceived, narrated, produced and edited by students. Stories of Illinois veterans have been saved for future generation, and raw footage submitted to the Library of Congress’ Veterans History Project; and,

WHEREAS, in 2013, the Illinois Veterans & Community Classroom Project expanded to capture the important community and military stories and documents of Illinois’ Korean, Vietnam, Gulf War, and other veterans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17th, 2014, as the ILLINOIS VETERANS & COMMUNITY CLASSROOM PROJECT DAY in Illinois, in recognition of this project’s contribution to educating students and preserving the history of our nation’s heroic veterans.

Issued by the Governor July 30, 2014.
Filed by the Secretary of State August 14, 2014.

2014-330
MAYA ANGELOU DAY

WHEREAS, the Board of Education for Harvey Public Schools District 152 has adopted the policy of naming schools after a worthy and
WHEREAS, Maya Angelou, born Marguerite Johnson, April 4, 1928, in St. Louis, Missouri, learned early in life the lessons of respect, pride, loyalty and humanitarianism, attributes that she continued to demonstrate; and,

WHEREAS, Maya Angelou, who was an accomplished author, poet, actress, singer, producer, educator, historian, filmmaker, and civil rights activist, received national acclaim and wide recognition from her colleagues; and,

WHEREAS, Maya Angelou served on two presidential committees, and was awarded the Presidential Medal of arts in 2000 and the Lincoln Medal in 2008; and,

WHEREAS, Maya Angelou received the highest civilian honor in 2010, the Presidential Medal of Freedom, presented by President Barack Obama; and,

WHEREAS, Maya Angelou was presented the Literary Arts Award by First Lady Michelle Obama at the BET Honors ceremony in Washington, DC in 2012; and,

WHEREAS, Maya Angelou received over 50 honorary degrees and served as a Reynolds Professor of American Studies at Wake Forest University in Winston-Salem, North Carolina; and,

WHEREAS, Maya Angelou fashioned her life around many of the values that the Harvey Public Schools District 152 incorporated into its Mission Statement: academic excellence, leadership, skillful decision-making, respect for others and self, giving your best effort, honesty, personal empowerment, cultural appreciation, and the joy of learning; and,

WHEREAS, the Maya Angelou Elementary School educates children with the skills they need to face the future and promotes the values that were so intrinsic in this fiercely proud and humble woman; and,

WHEREAS, the Maya Angelou Elementary School, located in Harvey, Illinois, is the only school named after Maya Angelou in the State of Illinois; and,

WHEREAS, in her presence on Friday, September 22, 1995, the elementary school was dedicated in her name; and,

WHEREAS, Maya Angelou passed away on May 28, 2014, at her home in Winston-Salem, North Carolina; and,

WHEREAS, the rededication of Maya Angelou Elementary School will occur on September 22, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 22, 2014, as MAYA ANGELOU DAY in Illinois, in recognition of her literary talents, wisdom and contributions to our world.
2014-331  
**VETERANS’ DAY AT THE STATE FAIR**

WHEREAS, throughout our nation’s history, America’s men and women in uniform have demonstrated bravery and courage in the face of danger; and,

WHEREAS, our veterans answered the call to duty with honor, decency, and selflessness; and,

WHEREAS, as we recall the service of our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, we are reminded that the defense of freedom comes with great loss and sacrifice; and,

WHEREAS, it is our duty to ensure the sacrifice of these heroes is never forgotten. Our veterans represent the best of America, and they deserve everything we can give them; and,

WHEREAS, Sunday, August 10, 2014 is Veterans’ Day at the Illinois State Fair – a day to give thanks to those who have served our country, to salute our service members and to honor the men and women who have lost their lives protecting our freedom; and,

WHEREAS, it is important that we recognize these true patriots of freedom, liberty and democracy, not only on this day, but throughout the year; and,

WHEREAS, on this day, veterans and their families are admitted to the fairgrounds for free, and a number of special Veterans’ Day activities will be held; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 10, 2014 as VETERANS’ DAY AT THE STATE FAIR in Illinois, and encourage all Americans to recognize and honor the sacrifice of our veterans.

Issued by the Governor July 30, 2014.
Filed by the Secretary of State August 14, 2014.

2014-332  
**COMMEMORATION OF THE 50TH ANNIVERSARY OF THE VIETNAM WAR DAY**

WHEREAS, fifty years ago our nation ended military involvement in the Republic of South Vietnam, thus ending military involvement in what was then the longest war in our country’s history; and,
WHEREAS, it is important to honor the men and women who survived and the 58,260 men and women who gave their lives; and,
WHEREAS, since their return, these veterans have contributed tremendously to their communities, their states and the nation; and,
WHEREAS, as citizens of the great state of Illinois, we must never forget the pain and suffering that lingers today for the men and women who fought with honor and distinction, in the name of freedom and democracy for all; and,
WHEREAS, today, we have the opportunity to be recognized as a partner with the federal government, as well as our local city and county governments, private organizations, and communities across the great state of Illinois in the commemoration of the 50th Anniversary of the Vietnam War – a 13 year program to honor and give thanks to a generation of proud Americans who saw our country through one of the most challenging missions we have ever faced; and,
WHEREAS, of the names listed on the Vietnam memorial wall, there are 2,933 from the great state of Illinois; let us remember that it is never too late to pay tribute to the men and women of the great state of Illinois who answered the call of duty with courage and valor; and,
WHEREAS, throughout this commemoration, we should strive to live up to their example by showing our Vietnam veterans, their families and all of the men and women who have served our country, the fullest respect and support of a grateful state and nation; and,
THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim August 10, 2014, as COMMEMORATION OF THE 50th ANNIVERSARY OF THE VIETNAM WAR DAY in the state of Illinois.
Issued by the Governor July 31, 2014.
Filed by the Secretary of State August 14, 2014.

2014-333
DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

WHEREAS, direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals are the primary providers of publicly-funded long term support and services for millions of individuals; and,
WHEREAS, direct support professionals assist individuals with disabilities with their most intimate needs on a daily basis, and must build a close, trusting relationship with those they serve; and,
WHEREAS, direct support professionals provide essential support to help keep individuals with disabilities connected to family and community,
enabling them to lead meaningful, productive lives; and,  
WHEREAS, direct support professionals are the key to allowing individuals with disabilities to live successfully in the community; and,  
WHEREAS, direct support professionals provide a broad range of support, including preparation of meals, helping with medications, bathing, dressing, mobility, getting to school, work, religious and recreational activities, and other general daily affairs; and,  
WHEREAS, the majority of direct support professionals are female, and many are the sole income earners in their families; and,  
WHEREAS, currently, the majority of direct support professionals are employed in home and community-based settings with this trend projected to increase in the coming years; and,  
WHEREAS, there is a documented critical and growing shortage of direct support professionals in many communities throughout the United States; and,  
WHEREAS, as Illinois furthers efforts to create comprehensive, integrated delivery systems, direct support professionals will continue to play a critical role in supporting persons with disabilities; and,  
WHEREAS, to meet the growing need for community-based services and supports, efforts must be made to grow the direct support professionals workforce, increase retention, and reduce turnover; and,  
WHEREAS, consistent with my Administration’s commitment to community living, I included a $1.00 per hour wage increase for direct support professionals in my proposed fiscal year 2015 budget; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 7 – 13, 2014 as DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK in Illinois, in recognition of the dedication of direct support professionals in enhancing the lives of individuals with disabilities of all ages.  
Issued by the Governor August 1, 2014.  
Filed by the Secretary of State August 14, 2014.  

2014-334  
PEACE DAYS  
WHEREAS, Peace Day has been celebrated annually in Chicago, Illinois since September 7, 1978 through the observance of One Minute of Silence for World Peace; and,  
WHEREAS, in 1981, the United Nations proposed a resolution declaring one day every year as an International Day of Peace. This Day is observed to promote global cease-fire and non-violence from every country
across the globe; and,

WHEREAS, Peace Day is used as a means of spreading the message of world peace and its vital importance to the future of the human race; and,

WHEREAS, the goal of Peace Day is to contribute to the peace-making process through positive peace-building activities, and to allow all individuals to harness their abilities and actively participate in creating a more peaceful world; and,

WHEREAS, the Peace School, an Illinois not-for-profit organization, has sponsored Peace Day since its inception and has been awarded the United Nations Peace Messenger designation for its significant contributions to peace; and,

WHEREAS, September 19 has been designated by the United Nations for student Peace Day activities; and,

WHEREAS, in 2001, a resolution was passed by the United Nations declaring September 21 of every year as International Day of Peace as a way of rededicating the United Nations to its goals of strengthening the ideals of peace and alleviating the tensions and causes of conflict; and,

WHEREAS, these events encourage all individuals to take a minute for peace every day as a positive step toward making every day Peace Day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 7 - 21, 2014 as PEACE DAYS in Illinois, in recognition of this effort to build a more peaceful state, a more peaceful county, and a more peaceful world.

Issued by the Governor August 1, 2014.
Filed by the Secretary of State August 14, 2014.

2014-335

SHRI SWAMINARAYAN MANDIR DAY

WHEREAS, located in Bartlett, Illinois, Shri Swaminarayan Mandir is a world renowned temple and masterful piece of architecture that has been seen by thousands of people from Illinois and beyond; and,

WHEREAS, built according to the ancient canons of Hindu architecture, known as Shilpa-Shastras, Shri Swaminarayan Mandir exemplifies a system of construction that has been proven to withstand the tests of time; and,

WHEREAS, over 17,000 volunteers from the Chicago area, and many more from over 3 continents, worked on building Shri Swaminarayan Mandir in just 16 months; and,

WHEREAS, Shri Swaminarayan Mandir’s stunning beauty, coupled
with the numerous festivals it hosts each year, have positively impacted many lives and showcased Indian culture and the Hindu religion; and,

WHEREAS, the magnificent festivals celebrated at the Shri Swaminarayan Mandir each year include Diwali, Swaminarayan Jayanti, Ram Navmi, Jahmashtimi, Shivratri, Holi, and Ganesh Chaturti. Honoring the Hindu New Year, the most spectacular of the Hindu festivals, Diwali and Annakut, are celebrated with dazzling lights, sights, smells, and sounds;

WHEREAS, perhaps most importantly, Shri Swaminarayan Mandir has been involved with numerous service projects including an annual walk-a-thon and an annual health fair; and,

WHEREAS, this year marks a significant milestone for Shri Swaminarayan Mandir: its 10th anniversary; and,

WHEREAS, over 14,000 respected members of the Indian American community will come together on August 3, 2014, for a BAPS Mandir Decennial Celebration; and,

WHEREAS, the longevity of Shri Swaminarayan Mandir is a testament to the strength of its members, staff, and volunteers; and,

WHEREAS, everyone in attendance today is deserving of being recognized for the community that you have established through this Mandir, and your efforts to provide seva to the youth and elderly and promote humanitarian causes as well as community empowerment; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 3, 2014, as SHRI SWAMINARAYAN MANDIR DAY in Illinois, in recognition of this temple’s 10th anniversary, and offer my best wishes for many more memorable years ahead.

Issued by the Governor August 1, 2014.
Filed by the Secretary of State August 14, 2014.

2014-336
CENTRO ROMERO DAY

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Latinos make to our state every day; and,

WHEREAS, Centro Romero is a community-based organization that serves the Latino refugee immigrant population on the northeast side of Chicago, and,

WHEREAS, since its inception, Centro Romero has been dedicated to providing opportunities for those community residents with the fewest options. Through education, Centro Romero emphasizes the development of the whole family unit, the creation of community leadership, and self-reliance; and,
WHEREAS, with the objective of improving the lives of Latino immigrants and refugees, Centro Romero offers several programs including Youth Learning and Leadership Development, Women’s Empowerment Projects, Adult Education, HIV/AIDS Outreach and Education, and Legal Services; and,
WHEREAS, Centro Romero has positively impacted many Latinos throughout the Land of Lincoln, and should be immensely proud of its achievements; and,
WHEREAS, this year marks a significant milestone for Centro Romero: its 30th anniversary; and,
WHEREAS, Centro Romero will be celebrating its 30th anniversary on August 14, 2014, during a reception hosted by its Board of Directors and Advisory Board; and,
WHEREAS, this anniversary presents an excellent opportunity for Centro Romero to reflect on its successes and make plans for the future; and,
WHEREAS, Centro Romero’s longevity is a testament to the commitment of its volunteers, staff, and board members; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 14, 2014, as CENTRO ROMERO DAY in Illinois, in recognition of this organization’s 30th anniversary and commitment to Latinos.

Issued by the Governor August 4, 2014.
Filed by the Secretary of State August 14, 2014.

2014-337
BILL FUGATE DAY

WHEREAS, the hard work and determination of Illinois’ citizens are among our greatest assets; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair, one person will be named Illinoisan of the Day; and,
WHEREAS, Today’s Illinoisan of the day is Bill Fugate; and,
WHEREAS, Bill Fugate is being honored for making a difference in his community, displaying a true Illinois spirit through his hard work and
dedication to helping others, and for making the State of Illinois a great place to live; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 10, 2014 as BILL FUGATE DAY in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 5, 2014.

Filed by the Secretary of State August 14, 2014.

2014-338

CHARCOT MARIE TOOTH (CMT) AWARENESS MONTH

WHEREAS, Charcot-Marie-Tooth disease (CMT) is a neurological disorder named after the three physicians who first described it in 1886 — Jean-Martin Charcot, Pierre Marie, and Howard Henry Tooth; and,

WHEREAS, CMT is a group of inherited disorders that affect the peripheral nerves (which are nerves located outside the brain and spinal cord); and,

WHEREAS, CMT is primarily inherited and is not contagious nor is it caused by lifestyle choices or environmental issues; and,

WHEREAS, though CMT is just one kind of neuropathy, there are many other causes of neuropathy, the most common being Diabetes; and,

WHEREAS, CMT affects approximately 2.8 million people of all races and ethnic groups worldwide; and,

WHEREAS, more than 70 types of CMT exist today, each caused by a different kind of mutation, with more types being discovered each year; and,

WHEREAS, in the most common type of CMT, symptoms can begin anytime from birth to adulthood; and,

WHEREAS, symptoms usually begin in the feet and can cause weakness, numbness, foot deformity, foot drop, loss of muscle in the lower legs, and difficulty in balance; and,

WHEREAS, diagnosis of CMT can be established through a neurological evaluation by an expert in neuropathy, including a complete family history, physical exam, nerve conduction tests, and appropriate genetic testing; and,

WHEREAS, treatment may help improve independent functioning and quality of life of those affected and can include physical and occupational therapy, physical activity, braces or other orthopedic devices, and in some cases surgery; and,

WHEREAS, there are no known treatments that will stop or slow down the progression of CMT; and,
WHEREAS, the progression of CMT is generally slow, usually isn't life-threatening, and almost never affects the brain; and,
THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim September, 2014 as CHARCOT MARIE TOOTH (CMT) AWARENESS MONTH in Illinois, to increase knowledge of CMT and allow the community at large to better support those who struggle with the challenges of this disorder.
Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-339
DIXIE VINCENT DAY

WHEREAS, the hard work and determination of Illinois’ citizens are among our greatest assets; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair, one person will be named Illinoisan of the Day; and,
WHEREAS, today's Illinoisan of the day is Dixie Vincent; and,
WHEREAS, Dixie Vincent is being honored for making a difference in her community, displaying a true Illinois spirit through her hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 11, 2014 as DIXIE VINCENT DAY in Illinois, in recognition of her positive impact on our state.
Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-340
FUTURE PROBLEM SOLVERS OF NORTH RIDGE MIDDLE SCHOOL DAY

WHEREAS, the prestigious Future Problem Solvers Competition offers students from around the globe an opportunity to display their ideas for
tackling pressing public policy challenges; and,

WHEREAS, this is the sixth time that students from North Ridge Middle School in Danville, Illinois, have participated in the Future Problem Solvers Competition; and,

WHEREAS, this year’s project, titled “Liquid Lifesavers: Dry Out Drowning by Teaching Water Safety Smarts,” topped other Future Problem Solvers groups statewide, allowing students to represent Illinois at the Future Problem Solvers International Competition from June 12-15 at Iowa State University; and,

WHEREAS, the Future Problem Solvers Competition typically draws 9,000 young future problem solvers in three age divisions, and the North Ridge Middle School students participated in the problem solving ry, which had 3,000 students from 14 countries competing; and,

WHEREAS, as a result of their hard work, coaching, and talent, this year’s team received a perfect score on their display booth as well as their video and finished 3rd in the world; and,

WHEREAS, the Future Problem Solvers of North Ridge Middle School, who are in sixth through eighth grade, were inspired to address the issue of water safety in the aftermath of the drowning deaths of two Danville children; and,

WHEREAS, “Liquid Lifesavers: Dry Out Drowning by Teaching Water Safety Smarts,” focuses on these main goals: educating the community about the dangers of swimming in public places and at home; educating the community about water safety, swimming smarts and the basics of swimming; creating a community of CPR-certified first responders; and informing the community about the dangers of natural waterways and dams; and,

WHEREAS, the Future Problem Solvers of North Ridge Middle School developed a dry land water safety course that they tried out on roughly 500 school-aged children at the Danville Family YMCA, Garfield Park, North Ridge and South View Middle Schools, Cannon Elementary School, and all other elementary schools that feed into North Ridge; and,

WHEREAS, despite their success this year, the Future Problem Solvers of North Ridge School have remained focused on their project, and have been introducing water safety education to students at an Indianapolis school; and,

WHEREAS, the Future Problem Solvers of North Ridge Middle School have represented the State of Illinois admirably and are deserving of recognition for their commitment to academics and service to others; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 7, 2014 as FUTURE PROBLEM SOLVERS OF
NORTH RIDGE MIDDLE SCHOOL DAY in Illinois, in honor of their recent 3rd place finish in the Middle School Division of the Future Problem Solvers Competition.
Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-341
GALE CUNNINGHAM DAY

WHEREAS, the hard work and determination of Illinois’ citizens are among our nation’s greatest assets; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair, one person will be named Illinoisan of the Day; and,
WHEREAS, today’s Illinoisan of day is Gale Cunningham; and,
WHEREAS, Gale Cunningham is being honored for making a difference in her community, displaying a true Illinois spirit through her hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 14, 2014 as GALE CUNNINGHAM DAY in Illinois, in recognition of her positive impact on our state.
Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-342
GLEN BRANDT DAY

WHEREAS, the hard work and determination of Illinois’ citizens are among our nation’s greatest assets; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and, WHEREAS, to recognize these individuals, on each day of the Illinois State Fair, Illinois’ most dedicated citizens will be named Illinoisans’ of the day; and, WHEREAS, one of today’s Illinoisans’ of the day is Glen Brandt; and, WHEREAS, Glen Brandt is being honored for making a difference in his community, displaying a true Illinois spirit through his hard work and dedication to helping others, and for making the State of Illinois a great place to live; and, THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 12, 2014 as GLEN BRANDT DAY in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-343
ILLINOISAN EVELYN BRANDT THOMAS DAY

WHEREAS, the hard work and determination of Illinois’ citizens are among our nation’s greatest assets; and, WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and, WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and, WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and, WHEREAS, to recognize these individuals, on each day of the Illinois State Fair, Illinois’ most dedicated citizens will be named Illinoisans’ of the day; and, WHEREAS, one of today’s Illinoisans’ of the day is Evelyn Brandt Thomas; and, WHEREAS, Evelyn Brandt Thomas is being honored for making a difference in her community, displaying a true Illinois spirit through her hard work and dedication to helping others, and for making the State of Illinois a great place to live; and, THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 12, 2014 as ILLINOISAN EVELYN BRANDT THOMAS DAY, in recognition of her positive impact on our state.
WHEREAS, the Illinois coast of Lake Michigan including Illinois Beach State Park, Waukegan Harbor, Great Lakes Harbor, Wilmette Harbor, Grosse Pointe and Chicago Harbor are integral to the State of Illinois; and,

WHEREAS, the State of Illinois is dedicated to promoting the conservation and wise use of our coast, including the quality of its water, soil, air, plant, and animal resources to the end that these natural resources may be used and enjoyed by Illinoisans forever; and,

WHEREAS, estuaries are unique coastal environments that support more life per square inch than any other ecosystem on Earth, providing a habitat for countless species of fish, shellfish, birds, and marine mammals; and,

WHEREAS, preserving our local fish habitats and populations will also preserve our recreational and sport fishing industry, which annually generates about $3.7 billion for the state’s economy, while commercial fishing and boating contribute additional hundreds of millions of dollars; and,

WHEREAS, maintaining clean shorelines attracts millions of locals and out of state visitors who come to Illinois’ coast for tourist and recreational activities. Our coastal industries contribute approximately $3 billion to the State GDP every year; and,

WHEREAS, restoration projects create more than twice as many jobs as the oil, gas, and road construction industries combined; and,

WHEREAS, protecting and restoring our estuaries is vital to our local and national economy because they sustain the fisheries that feed America, ensure outdoor recreational opportunities for current and future generations, reduce the costly impacts of natural hazards, and support local jobs that cannot be exported; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 20-27, 2014 as NATIONAL ESTUARIES WEEK in the State of Illinois.

Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.
2014-345
PEGGY KAYE FISH

WHEREAS, the hard work and determination of Illinois’ citizens are among our state’s greatest assets; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize these individuals, on each day of the Illinois State Fair, Illinois’ most dedicated citizens will be named Illinoisans’ of the day; and,
WHEREAS, one of today’s Illinoisans’ of the day is Peggy Kaye Fish; and,
WHEREAS, Peggy Kaye Fish is being honored for making a difference in her community, displaying a true Illinois spirit through her hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 12, 2014 as PEGGY KAYE FISH in Illinois, in recognition of her positive impact on our state.
Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-346
RAY ROPP DAY

WHEREAS, the hard work and determination of Illinois’ citizens are among our nation’s greatest assets; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair, one person will be named Illinoisan of the Day; and,
WHEREAS, today’s Illinoisan of the day is Ray Ropp; and,
WHEREAS, Ray Ropp is being honored for making a difference in his community, displaying a true Illinois spirit through his hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 9, 2014 as RAY ROPP DAY in Illinois, in recognition of his positive impact on our state.
Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-347
TOM OSTERMEIER DAY

WHEREAS, the hard work and determination of Illinois’ citizens are among our nation’s greatest assets; and,
WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and,
WHEREAS, the Land of Lincoln is blessed with individuals who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,
WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and,
WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair, one person will be named Illinoisan of the Day; and,
WHEREAS, today’s Illinoisan of the day is Tom Ostermeier; and,
WHEREAS, Tom Ostermeier is being honored for making a difference in his community, displaying a true Illinois spirit through his hard work and dedication to helping others, and for making the State of Illinois a great place to live; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 8, 2014 as TOM OSTERMEIER DAY in Illinois, in recognition of his positive impact on our state.
Issued by the Governor August 5, 2014.
Filed by the Secretary of State August 14, 2014.

2014-348
UKRAINIAN INDEPENDENCE DAY

WHEREAS, over two decades ago, on August 24, 1991, the Ukrainian parliament established and declared itself an independent,
sovereign, democratic state, which was then upheld by over 90 percent of its citizens in a national referendum in December of that same year; and,

WHEREAS, for centuries the people of Ukraine yearned and struggled to achieve an independent state, all the while preserving their culture, language, and self identity; and,

WHEREAS, that element of self-preservation was evident in the brave Ukrainian immigrants who settled on the shores of the United States and contributed greatly to the mosaic which is America by giving back to their adopted homeland, never forgetting about their rich history and heritage; and,

WHEREAS, the country of Ukraine has proven its commitment to democratic ideals which were embodied in its restoration of independence in 1991 and the values and responsibilities associated with it, and even through hardship and regression, the people of Ukraine continue their efforts to become a vital partner of the western community of democratic countries; and,

WHEREAS, in this 23rd year of Ukraine’s restored independence, one must remember the victims of Stalin’s brutal genocide against the Ukrainians in 1932-1933 and the continuing consequences of the 1986 Chernobyl nuclear disaster and vow to never forget these tragic events or let history repeat itself; and,

WHEREAS, in response to Russia’s annexation of Crimea, the brave people of Ukraine, in their struggle to maintain the internationally recognized territorial integrity of Ukraine as sovereign and inviolable, pulled off a democratic triumph by freely electing their president and proving to the world that they are committed to democracy, sovereignty and national unity; and,

WHEREAS, the efforts of Ukrainians around the world to preserve their language, culture and history must be acknowledged and encouraged, so that this effort continues for the sake of future generations. Such preservation has allowed Ukrainians to make significant contributions to the culture and society of the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 24, 2014 as UKRAINIAN INDEPENDENCE DAY in Illinois, and join the Ukrainian community in celebrating the 23rd anniversary of Ukrainian Independence, and commend the worthy efforts of the Ukrainian people to establish a stable and prospering nation.

Issued by the Governor August 6, 2014.

Filed by the Secretary of State August 14, 2014.
2014-349
DYSLEXIA AWARENESS MONTH

WHEREAS, millions of Americans throughout the country and the State of Illinois have dyslexia, which is a language-based neurological disorder that affects their ability to read, write, and spell proficiently; and,

WHEREAS, dyslexia occurs among all groups regardless of age, ethnicity, race, socio-economic background, and sex. The disorder is not related to one’s level of intelligence or desire to learn; and,

WHEREAS, although the degree of dyslexia varies from person to person, both children and adults can overcome the disorder with proper diagnosis and treatment. Today, many dedicated professionals work in homes and schools to help those with dyslexia; and,

WHEREAS, Everyone Reading Illinois, a not-for-profit organization, is committed to helping those with dyslexia by promoting literacy through research, education, and advocacy; and,

WHEREAS, last year, other state dyslexia associations offered more than 50 free and successful events about dyslexia to educators, parents, and the public during the month of October, which is recognized as Dyslexia Awareness Month, and they plan to repeat their public awareness campaign again this October; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as DYSLEXIA AWARENESS MONTH in Illinois, in support of the campaign by Everyone Reading Illinois to raise awareness about this disorder and to help those afflicted with it.

Issued by the Governor August 7, 2014.
Filed by the Secretary of State August 14, 2014.

2014-350
FAMILY CHRISTIAN HEALTH CENTER WEEK

WHEREAS, for nearly 50 years, America's community health centers have provided high quality, cost effective, and accessible primary and preventative care to all individuals regardless of insurance status or ability to pay; and,

WHEREAS, health centers serve as the health care home for over 22 million Americans through more than 9,000 delivery sites across the nation. One in every fifteen people living in the United States depends on their services. In 2000, Family Christian Health Center joined this illustrious group of health centers, and is pleased to participate in National Health Center Week (2014); and,
WHEREAS, Family Christian Health Center, which serves over 23,600 residents of Chicago's Southland communities, resulting in over 64,000 patient visits per year, is proud of its services to the community-at-large and is happy to provide its patients access to affordable, high quality, cost-effective healthcare; and,

WHEREAS, under the leadership of Dr. Lisa Green, CEO, DO, & Julius Talley, CFO, the Executive Management Team, providers and staff, Family Christian Health Center prides itself on providing healthcare services afforded to the uninsured, insured, and those in need; and,

WHEREAS, Family Christian Health Center employs a dedicated group of professionals that include; physicians, nurse practitioners, physician assistants, along with social workers, case managers, and community health workers, as part of a multi-disciplinary clinical team designed to treat the whole patient, coordinate care and manage chronic disease, while simultaneously reducing unnecessary, avoidable and wasteful use of health resources; and,

WHEREAS, as locally owned and operated small businesses, health centers serve as critical economic engines helping to power local economies by generating billions of dollars in combined economic impact and creating jobs in some of the country’s most economically deprived communities; and,

WHEREAS, the Health center model continues to prove an effective means of overcoming barriers to access including geography, income and insurance status and in doing so, improves health care outcomes and reduces health care system costs; and,

WHEREAS, health centers save the entire health system approximately $24 billion annually by managing chronic conditions and keeping patients out of costlier health care settings; and,

WHEREAS, health centers have worked tirelessly to grow the nation’s primary care infrastructure to meet the pressing needs of Americans who still lack access to primary care services, a number that exceeds 62 million nationwide; and,

WHEREAS, National Health Center Week offers the opportunity to recognize America’s health centers, their dedicated staff, board members, and all those responsible for the continued success and growth of the program since its creation almost 50 years ago. During this National Health Center Week, we recognize the significant contributions of America’s Health Centers in their vital role as local engines for healthier communities and a healthier America; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 10 through 16, 2014, as FAMILY CHRISTIAN HEALTH CENTER WEEK. I encourage every Southland Resident to visit
and participate in Family Christian Health Center's weeklong activities, which also include a National Health Center Week - Legislative Lunch Forum with Senator Napoleon Harris III, State Representative William "Will" Davis, Senator Donne E. Trotter and Senator Mattie Hunter. Collectively, our community partners will celebrate the important partnership between America’s Health Centers, and the communities they serve.

Issued by the Governor August 7, 2014.
Filed by the Secretary of State August 14, 2014.

2014-351
JESSE D. MADISON DAY

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one remarkable public servant is Jesse D. Madison, who has served the State of Illinois for 40 years in various capacities; and,

WHEREAS, born in Memphis, Tennessee, to Mildred and Walter Madison, Jesse Madison graduated from Manassas High School and Roosevelt University in Chicago, where he received a B.A. in Business Administration; and,

WHEREAS, an accountant by trade, Jesse Madison spent ten years in the profession, rising to the position of Senior Accountant with the Maremont Corporation; and,

WHEREAS, Jesse Madison served under the late Mayor Harold Washington as Commissioner of Consumer Services and as the Chicago Park District President/CEO; and,

WHEREAS, as a state legislator from 1974 to 1978, Jesse Madison helped pass the Public Aid Appropriations Bill, the Adult Education Bill, and many others. In 1976, he was voted “Best Legislator” by the Independent Voters of Illinois; and,

WHEREAS, in addition to his work in government, Jesse Madison has always been active with numerous civic organizations, including the African American Family Commission, the Make-A-Wish Foundation, the Child Welfare Advisory Council, the Urban League, and the Abraham Lincoln Center; and,

WHEREAS, Jesse Madison’s work has undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues; and,

WHEREAS, Jesse Madison’s commitment to public service has helped to make our state stronger, and he serves as an inspiration to the
people of the Land of Lincoln. Furthermore, his work ethic has exemplified the dedication to service the citizens of the State of Illinois have come to expect and deserve; and,

WHEREAS, in order to recognize Jesse Madison, the Illinois African American Commission will be hosting “A Night of Honor” for him on August 31, 2014, which will feature dinner, tributes, presentations, and music by Joan Collaso, an international Emmy Award winning Jazz performer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 31, 2014, as JESSE D. MADISON DAY in Illinois, and do hereby commend him on the important contributions that he has made to the people of our state.

Issued by the Governor August 7, 2014.
Filed by the Secretary of State August 14, 2014.

2014-352
MOTHERS OF MULTIPLES WEEK

WHEREAS, according to the United States Census Bureau, the 2007 twin birth rate was 32.2 per 1,000 total births; and,

WHEREAS, according to the same Census date from 2007, the triplet/+ rate (the number of triplets, quadruplets, and quintuplets and other higher order multiples) was 148.9 per 100,000 births; and,

WHEREAS, twins and higher order multiples and their mothers share a special bond, but often can bring about unforeseen challenges and lifestyle adjustments; and,

WHEREAS, for that reason, the Illinois Organization of Mothers of Twins Clubs was formed in 1962 to provide support, information, and networking services to parents of twins and higher order multiples through its member club affiliates; and,

WHEREAS, the Illinois Organization of Mothers of Twins Clubs serves multiple birth families in Illinois through its scholarship program, Special Needs Assistance Fund, speakers' bureau, quarterly publication, and annual conference; and,

WHEREAS, the Illinois Organization of Mothers of Twins Clubs also serves as a liaison with the National Organization of Mothers of Twins Clubs, Inc., a network of local clubs nationwide whose basic purposes are research and education; and,

WHEREAS, each year, the Illinois Organization of Mothers of Twins Clubs hosts a convention that brings mothers of twins and higher order multiples throughout the state together to share new information and engage in networking opportunities; and,
WHEREAS, the 52nd Annual Convention of the Illinois Mothers of Twins Clubs will be held October 17 - 19, 2014 in Rockford, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of October 12-18, 2014 as MOTHERS OF MULTIPLES WEEK in Illinois, to recognize mothers of twins for the care and love they, like all mothers, provide to our children.

Issued by the Governor August 7, 2014.
Filed by the Secretary of State August 14, 2014.

2014-353
CHAKA KHAN DAY

WHEREAS, Illinois has a rich musical history, and one of the most talented musicians to ever come from our state is Chaka Khan; and,

WHEREAS, born in Great Lakes, Illinois, Chaka Khan is a 10-time GRAMMY Award-winner, songwriter, actress, philanthropist, entrepreneur, and activist. She has influenced generations of recording artists, and serves as an inspiration to her millions of fans; and,

WHEREAS, Chaka Khan, who became known as “The Queen of Funk,” was passionate about music from a young age and formed her first music group with her sister, Yvonne, called The Crystalettes; and,

WHEREAS, after enjoying success with the band Rufus in the 1970’s, Chaka Khan decided to go solo and released her first album Chaka in 1978, which featured the international hit single “I’m Every Woman”; and,

WHEREAS, some of Chaka Khan’s other hit songs include “It’s Not Over,” “Angel,” “Disrespectful,” “Never Miss the Water,” “Baby Me,” and “Love of a Lifetime”; and,

WHEREAS, Chaka Khan has the impressive ability to sing in seven music genres: R&B, pop, rock, gospel, country, world music, and classical; and,

WHEREAS, throughout her illustrious career, Chaka Khan has released 22 albums and produced 10 # 1 Billboard magazine charted songs, 7 RIAA certified gold singles, and 10 certified gold and platinum albums; and,

WHEREAS, Chaka Khan has collaborated with many prominent artists including Miles Davis, Quincy Jones, Dizzy Gillespie, Stevie Wonder, Prince, Steve Winwood, Mary J. Blige, George Benson, and Larry Graham; and,

WHEREAS, even to this day, remixes of Chaka Khan’s songs are still played at nightclubs; and,

WHEREAS, despite her numerous accomplishments and accolades,
Chaka Khan has demonstrated a strong commitment to helping others. She established the Chaka Khan foundation in 1999, which focuses on finding a cure for autism and assisting at risk women and children; and,

WHEREAS, on Saturday, August 9, 2014, Chaka Khan will be performing at the Chicago Theater; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Saturday, August 9, 2014, as CHAKA KHAN DAY in Illinois, in recognition of today’s performance, and in admiration of her legendary career.

Issued by the Governor August 8, 2014.
Filed by the Secretary of State August 14, 2014.

2014-354
CLUB OCOTLAN DAY

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Latinos make in our state every day; and,

WHEREAS, Club Ocotlan, which was officially registered as a non-profit organization in November 2013, has two main objectives: to offer support to seniors in Ocotlan, Mexico, as well as Chicago, Illinois, and to promote culture, sports, education, and other activities that help the youth of our communities; and,

WHEREAS, attracted by the stability the State of Illinois offers, migrants from the Region of Ocotlan, Jalisco, Mexico, have been settling in the Chicago area since the early 2000’s, and their needs have been served by Club Ocotlan; and,

WHEREAS, every year in August, Club Ocotlan hosts a reunion that features music, soccer, and traditional food from the Ocotlan Jalisco Region; and,

WHEREAS, Ocotlan, Jalisco, Mexico, and Stone Park, Illinois, became Sister Cities in January 13, 2014, and the City has been a long-time partner with the Club; and,

WHEREAS, this year marks a significant milestone for Club Ocotlan: its 10th anniversary; and,

WHEREAS, Club Ocotlan will be celebrating its 10th anniversary on August 23, 2014, at an annual event hosted by Stone Park Mayor Ben Mazzulla; and,

WHEREAS, this anniversary presents an excellent opportunity for Club Ocotlan to reflect on its successes and make plans for the future; and,

WHEREAS, Club Ocotlan’s longevity is a testament to the commitment of its volunteers and staff; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 23, 2014, as CLUB OCOTLAN DAY in Illinois, in recognition of this organization’s 10th anniversary and commitment to the people of Ocotlan, Mexico.

Issued by the Governor August 8, 2014.
Filed by the Secretary of State August 14, 2014.

2014-355
CLUB VILLA MORELOS DAY

WHEREAS, the Michoacanos represent the largest group of Mexican immigrants living in the United States; and,
WHEREAS, of the 500,000 Michoacanos living in the Midwest, 250,000 of them have chosen the State of Illinois to be their newly adopted home; and,
WHEREAS, the Federacion de Clubes Michoacanos en Illinois and its largest organization Club Villa Morelos, founded by leaders Martin Avila, Flavio Gonzalez, and Salvador Torres among others, is a not for profit organization that promotes the well-being and advancement of the Michoacanos in the Midwest as well as in Mexico through education, cultural, civic and social projects that develop proactive citizens who seek full participation in the societies in which they live; and,
WHEREAS, the Casa Michoacan, headquarters of the Federacion de Clubes Michoacanos en Illinois, has been a focus of social, educational and cultural enrichment, as well as a beacon for the March 10 and May 1 Immigration Rights rallies that put Chicago and Illinois in the forefront of the national immigration debate; and,
WHEREAS, the Honorable Arturo Ayala Martinez, Major of Villa Morelos, Michoacan, Mexico, will be present on August 10, 2014, to participate in the activities that celebrate the fourth anniversary of Club Villa Morelos en Illinois; and,
WHEREAS, the people of Illinois are pleased to congratulate Club Villa Morelos on the occasion of its fourth anniversary and welcome the Honorable Arturo Ayala Martinez to our state; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare August 9, 2014, as CLUB VILLA MORELOS DAY in Illinois, in recognition of its dedication to the people of Michoacanos and commitment to making our state a better place.

Issued by the Governor August 8, 2014.
Filed by the Secretary of State August 14, 2014.
2014-356
NET CANCER AWARENESS DAY

WHEREAS, neuroendocrine tumors/tumours (NETs) often develop into cancer and, if left untreated, can result in serious illness and death; and,
WHEREAS, NET cancer patients are often misdiagnosed or receive a delayed diagnosis, which can have a negative impact on their chance of survival and quality of life; and,
WHEREAS, survival for NET cancer patients is further compromised by fragmented care and lack of access to treatment by networks of specialists; and,
WHEREAS, although there have been advances in the detection and treatment of NET cancers, not all patients are benefiting quickly enough from scientific and medical progress in the field; and,
WHEREAS, with timely diagnosis and proper treatment, NET cancer patients can have significantly improved outcomes and quality of life; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 10, 2014, as NET CANCER AWARENESS DAY in Illinois, to encourage patients, caregivers, healthcare professionals as well as the wider Illinois community, to join with us as we work together to raise awareness about NET cancers and the need for timely diagnosis and optimal treatment and care.

Issued by the Governor August 8, 2014.
Filed by the Secretary of State August 14, 2014.

2014-357
NATIONAL WW II MERRILL’S MARAUDER DAY

WHEREAS, in 1943, almost 3,000 men from the jungles of Panama and Trinidad, Guadalcanal, New Guinea, New Georgia, and the United States answered President Franklin D. Roosevelt’s call for a secret “dangerous and hazardous” mission, not knowing where they were going or what they would be doing; and,
WHEREAS, this unnamed provisional unit of U.S. Army volunteers, expected to have more than 85 percent casualties, landed October 31, 1943, in Bombay, India, and was officially designated January 1, 1944, as the 5307th Composite Unit Provisional, code-named "Galahad" and later nicknamed Merrill's Marauders by the press after their commander, Gen. Frank D. Merrill. They were the first American ground troops to fight the Japanese in Asia, and,
WHEREAS, with only what they could carry on their backs or pack...
on mules, Merrill’s Marauders walked farther, almost 1,000 miles, than any other WW II fighting force, trudging behind enemy lines up the foothills of the Himalayas and into the jungles of northern Burma to capture the only all-weather airstrip on May 17, 1944, at Myitkyina, crushing Japan’s control of the sky and enabling the Allies to begin flying supplies into Burma so the Ledo and Burma roads could be connected and a crucial pathway opened up into China; and,

WHEREAS, it has been 70 years since the short-lived Merrill’s Marauder unit of the mostly overlooked China-Burma-India Theater of Operations was disbanded on August 10, 1944, after defeating the Japanese 18th Imperial Division, which vastly outnumbered them, in five major battles and 30 minor engagements. Jungle diseases ravaged their numbers so only about 300 of the approximate 1,300 remaining Merrill’s Marauders were still fit for combat when they reached their objective, and later went on to join replacements who continued to fight in Burma as the 475th Infantry, which became part of the Mars Task Force; and,

WHEREAS, for their accomplishments in the China-Burma-India Theater of Operations, Merrill’s Marauders were awarded the Presidential Unit Citation, and have the extremely rare distinction of every member of the unit receiving the Bronze Star Medal. There were six Distinguished Service Crosses, four Legions of Merit and 44 Silver Star Medals awarded. Twenty-five Merrill’s Marauders have been inducted into the Army Ranger Hall of Fame. The Merrill’s Marauder legacy continues to be honored today by members of the 75th Ranger Regiment who wear the Marauder patch as their crest; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August, 10, 2014, as NATIONAL WW II MERRILL’S MARAUDER DAY in Illinois, in order to honor and thank these aging WW II China-Burma-India veterans, who now number around 50, for their successes 70 years ago in the jungles of Burma and their contributions to our nation.

Issued by the Governor August 10, 2014.
Filed by the Secretary of State September 5, 2014.

2014-358
COMMUNITY TOLERANCE DAY

WHEREAS, Chabad’s Community Center has been operating in Rockford since 2010 and provides a wide array of educational, humanitarian and social services; and,

WHEREAS, Chabad of Rockford believes in the importance of the
individual and the significance of every good deed; and,

WHEREAS, Chabad of Rockford will be sponsoring a presentation by Mrs. Eva Schloss, the stepsister of Anne Frank, on Sunday evening, August 31, 2014; and,

WHEREAS, Mrs. Schloss, a holocaust survivor, has made it her life’s mission to educate others around the world about the importance of tolerance, and to end the violence that exists today; and,

WHEREAS, Mrs. Schloss’s message reminds us that life is precious and valuable, and that we must strive to be good towards others; and,

WHEREAS, Chabad of Rockford encourages communities to come together in remembrance of past struggles and the pursuit of a better future; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 31, 2014, as COMMUNITY TOLERANCE DAY in Illinois, in recognition of today’s presentation, and in support of promoting tolerance across the Land of Lincoln.

Issued by the Governor August 11, 2014.
Filed by the Secretary of State September 5, 2014.

2014-359
CHICAGO JOURNALISTS ASSOCIATION DAY

WHEREAS, the Chicago Journalists Association will celebrate its seventy-fifth anniversary on October 17, 2014, during a dinner at the Holiday Inn Chicago Mart Plaza; and,

WHEREAS, the spirit of the Chicago Journalists Association is rooted in the 1893 World’s Columbia Exposition, when many young reporters converged to cover the event; and,

WHEREAS, forty years later, those same reporters held a reunion in conjunction with the Chicago World’s Fair; and,

WHEREAS, in 1939, Joseph C. Davis, a prominent sports writer of the era, recommended formally establishing the Chicago Press Veterans Association with a wider base of membership; and,

WHEREAS, the association’s first dinner was held that same year with the help of co-founders William McKay, Warren Brown, and John Brady; and,

WHEREAS, at the turn of the century, the organization was renamed the Chicago Journalists Association in the spirit of including current and veteran reporters who seek to achieve and recognize high standards of professional achievement; and,

WHEREAS, the Chicago Journalists Association has striven to
inspire its members to compose continually inspired works of journalism, just as it has encouraged talented young Chicagoans to pursue careers in journalism and communications through its scholarship program; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Friday, October 17, 2014, as CHICAGO JOURNALISTS ASSOCIATION DAY, in recognition of seventy-five years of dedicated journalistic excellence.

Issued by the Governor August 12, 2014.
Filed by the Secretary of State September 5, 2014.

2014-360
CONSTITUTION WEEK

WHEREAS, September 17, 2014, marks the 227th anniversary of the signing of the Constitution of the United States of America at the Constitutional Convention, providing a historic opportunity for all Americans to remember the achievements of our Founding Fathers and to reflect on the actions of Americans who for the past 227 years have defined the words of the Constitution by exercising their rights and responsibilities as citizens; and,

WHEREAS, the Constitution is fundamentally predicated on governance by “We the People,” making citizens’ understanding of the Constitution and its framework an essential element of the future of our country and the civic health of its populace; and,

WHEREAS, it is fitting and proper to officially recognize this remarkable document and the milestone anniversary of its creation, and the additions to it in the form of 27 amendments; and,

WHEREAS, the National Constitution Center, America’s first and only nonpartisan, nonprofit institution, devoted to the Constitution, located in Philadelphia across from Independence Hall where the Constitution was drafted and signed, is the home of the 227th anniversary celebration of the Constitution; and,

WHEREAS, August 26, 1818 marks the anniversary of Illinois’s statehood and ratification of the Constitution; and,

WHEREAS, in recognition of the signing of the Constitution and of Americans who strive to fulfill the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106 as amended), designated September 17 as Constitution Day and by joint resolution of August 2, 1956 (36 U.S.C. 108, as amended), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as “Constitution Week”; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17-23, 2014 as CONSTITUTION WEEK in Illinois and encourage all citizens to recognize and appreciate the importance of this enduring document to our nation and reaffirm our commitment to the rights and responsibilities of citizenship organizations that bring citizens together to celebrate and reflect upon the Constitution and conduct ceremonies and programs in honor of our founding document’s 227th anniversary.

Issued by the Governor August 12, 2014.
Filed by the Secretary of State September 5, 2014.

2014-361
REPRESENTATIVE MIKE SMITH DAY

WHEREAS, born on May 23, 1966, in Canton, Illinois, to parents Dale and Betty Bertetto Smith, Representative Mike Smith developed a passion for public service at a young age and graduated from Canton High School and earned a B.A. in Political Science from Bradley University in 1988; and,

WHEREAS, prior to being elected to the Illinois House of Representatives in 1995, Representative Mike Smith worked as a Legislative Assistant in the House and served as a Citizens Advocate with the Attorney General’s Office in Peoria; and,

WHEREAS, Representative Mike Smith was an honorable legislator who served 8 terms representing the 91st District, which included parts of Fulton, Peoria, and Tazewell Counties in central Illinois. During his time in the legislature, he served on several committees and was appointed Chairman of the Elementary and Secondary Education Committee for 4 years; and,

WHEREAS, Representative Mike Smith served as Chairman and Vice Chairman of the Downstate Democratic Caucus and was the founder and Co-Chairman of the Illinois Legislative Fire Services Caucus; and,

WHEREAS, Representative Mike Smith was a decorated legislator who received the Glen Walters Memorial Award, the Associated Fire Fighters Legislator of the Year Award, the Illinois Association of Rural Electric Co-ops Representative of the Year Award, the Illinois Education Association Legislative Service Award, and many others; and,

WHEREAS, outside of his elected duties, Representative Mike Smith held leadership positions with many community organizations including Graham Hospital, the 336 Highway Coalition, the Canton Area Chamber of Commerce, the American Heart Association, the Fulton-Mason Crisis Service, and St. Mary’s Catholic Church; and,
WHEREAS, after leaving the Illinois House of Representatives, Representative Mike Smith was appointed to the Illinois Educational Labor Relations Board; and,

WHEREAS, Representative Mike Smith was admired by his colleagues and constituents for being knowledgeable about government and passionate about education policy. Most importantly, though, he was a humble, kind-hearted man who positively impacted everyone who knew him; and,

WHEREAS, Representative Mike Smith understood that service to others is the rent we pay to live on God’s earth; and,

WHEREAS, Representative Mike Smith tragically passed away on August 9, 2014, at the age of 48; and,

WHEREAS, a visitation will be held on Wednesday, August 13, at the Oaks-Hines Funeral Home in Canton, Illinois, along with a funeral on Thursday, August 14, at the funeral home for Representative Mike Smith, who is survived by many loving family members, friends, and constituents who are grateful for his service and the numerous ways he touched their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare August 14, 2014, as REPRESENTATIVE MIKE SMITH DAY in Illinois, in recognition of his commitment to public service and the vast contributions he made to the people of the Land of Lincoln.

Issued by the Governor August 12, 2014.
Filed by the Secretary of State September 5, 2014.

2014-362

ATRIAL FIBRILLATION AWARENESS MONTH

WHEREAS, according to the Centers for Disease Control and Prevention, atrial fibrillation is the most common type of arrhythmia (an abnormal heart rhythm); and,

WHEREAS, atrial fibrillation and other arrhythmias occur when the electrical activity of the heart is disorganized, causing an irregular heartbeat that disrupts the flow of blood through the heart; and,

WHEREAS, according to the American Heart Association & American Stroke Association, atrial fibrillation is the most common type of irregular heartbeat and occurs in roughly 2.7 million people in U.S.; and,

WHEREAS, individuals with atrial fibrillation have five times greater risk of stroke, and approximately 15% of strokes are due to atrial fibrillation; and,

WHEREAS, stroke is the leading cause of serious long-term disability
and the fourth leading cause of death in the United States, with one person in the U.S. dying from stroke every four minutes, killing roughly 130,000 people nationwide and 9,500 citizens of Illinois each year; and,

WHEREAS, stroke prevalence in the U.S. is projected to increase by 24.9 percent between 2010 and 2030, and the direct medical costs for treating stroke are expected to increase by 238 percent, from $28.3 billion in 2010 to $95.6 billion by 2030; and,

WHEREAS, stroke prevalence in Illinois in 2011 was roughly 3.1 percent in adults overall, and 4.8 percent in African Americans, with just over 35% of those who survived obtaining outpatient rehabilitation following their release from the hospital according to the Illinois Department of Public Health’s 2013 publication on the Burden of Cardiovascular Disease in Illinois; and,

WHEREAS, atrial fibrillation is a serious health issue deserving attention from state health officials; an increase in community awareness of atrial fibrillation and its complications can improve the likelihood that people with atrial fibrillation will seek the treatment they need before suffering from devastating consequences; and,

WHEREAS, public awareness efforts are necessary to inform people of both the risks posed by atrial fibrillation, such as an increased risk of stroke, and the availability of treatment options; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2014 as ATRIAL FIBRILLATION AWARENESS MONTH in Illinois, and urge all the citizens of our state to familiarize themselves with the risk factors associated with atrial fibrillation and its close medical connection to stroke, to recognize the warning signs and symptoms of stroke, and on first sign of a stroke to dial 9-1-1 immediately so that we might begin to reduce the devastating effects of atrial fibrillation and stroke on our population.

Issued by the Governor August 13, 2014.
Filed by the Secretary of State September 5, 2014.

2014-363

FOOD PANTRY AWARENESS DAY

WHEREAS, over 48 million residents of the United States are considered food insecure, which means that they do not always have access to nutritious food; and,

WHEREAS, in the United States, more than one out of five children live in a household with food insecurity; and,

WHEREAS, according to the United States Department of
Agriculture, almost 16 million children in the United States are afflicted with food insecurity; and,

WHEREAS, food insecurity is associated with a variety of negative health outcomes including lower scores on physical and mental health exams, cardiovascular risk factors, increased risk of developing diabetes, and other chronic diseases such as hypertension; and,

WHEREAS, food insecurity in adults has been demonstrated to cause mental health issues and human behavior problems; and,

WHEREAS, children growing up in food-insecure families are vulnerable to stunted development, poor health, behavioral issues, social difficulties, and low academic achievement; and,

WHEREAS, many of our neighbors have turned to food pantries in order to obtain the nutritious food that they need to keep themselves and their families healthy; and,

WHEREAS, the goal of Food Pantry Awareness Day is to promote awareness of hunger across Illinois and our nation as well as recognize the critical role of food pantries in distributing food to those who are in need; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 30, 2014, as FOOD PANTRY AWARENESS DAY in Illinois, and urge all businesses and residents to support their local food pantries with donations.

Issued by the Governor August 14, 2014.
Filed by the Secretary of State September 5, 2014.

2014-364
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF FIREFIGHTER NICK WHITFIELD, JR.

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally when faced with terrifying situations; and,

WHEREAS, on August 12, 2014, one of these brave souls, Firefighter Nick Whitfield, Jr. of the Normal Fire Department, was taken from us at the age of 48; and,

WHEREAS, Firefighter Nick Whitfield, Jr. graduated from Forman
High School and studied Swine Confinement Management at John Woods Community College; and,

WHEREAS, we will always remember that throughout his 20 year career as a proud member of the Normal Fire Department, Firefighter Nick Whitfield, Jr. courageously volunteered to fight fires and help others. He served for several years at the Normal Headquarters Fire Station and most recently at Station #2 with Engine #10; and,

WHEREAS, Firefighter Nick Whitfield, Jr. was an active member of the Normal Fire Department Investigation Team; and,

WHEREAS, in addition to his dedication as a fire firefighter, Firefighter Nick Whitfield, Jr. was a patriotic American who served our nation in Operation Desert Storm and retired as a Technical Sergeant after 22 ½ years of service to his country; and,

WHEREAS, Firefighter Nick Whitfield, Jr. was not only a public servant, but a dedicated first responder who was known by many for his deep commitment to helping people and saving lives; and,

WHEREAS, although Firefighter Nick Whitfield, Jr. is no longer with us, we will not forget the countless lives that were impacted by his public service; and,

WHEREAS, on Tuesday, August 19, 2014, a funeral will be held at Eastview Christian Church in Normal, Illinois, for Firefighter Nick Whitfield, Jr., who is survived by many loving family members and friends who are grateful for the numerous ways he touched their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on August 17, 2014 until sunset on August 19, 2014, in honor and remembrance of Firefighter Nick Whitfield Jr., whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 15, 2014.
Filed by the Secretary of State September 5, 2014.

2014-365

INFANT NEED AWARENESS WEEK

WHEREAS, every parent wants their baby to remain happy and free of any kind of infection or ailment; and,

WHEREAS, adequate nutrition, up to date immunizations and proper hygiene during infancy is essential for lifelong health and well-being; and,

WHEREAS, immunizations, nutrition, and diaper hygiene are the most important ways a parent can protect their child against serious diseases; and,
WHEREAS, diaper hygiene plays a critical role in an infant’s overall health; and,
WHEREAS, diapers are generally an eligibility requirement for infants and toddlers to participate in childcare programs and quality early education programs; and,
WHEREAS, the average infant or toddler requires an average of 50 diaper changes per week; and,
WHEREAS, diapers cannot be bought with food stamps or WIC vouchers; therefore, obtaining a sufficient supply of diapers can cause economic hardship to families; and,
WHEREAS, the people of Illinois recognize that addressing diaper need can lead to economic opportunity for the state's low-income families and can lead to improved health for families and their communities; and,
WHEREAS, national surveys report that one in three mothers experience diaper need at some time while their children are less than three years of age, and forty-eight percent of families delay changing a diaper to extend their supply; and,
WHEREAS, Illinois is proud to be home to various community organizations that recognize the importance of infant care in helping provide economic stability for families through various channels; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8-14 2014, as INFANT NEED AWARENESS WEEK in Illinois and encourage Illinois citizens to donate generously to diaper banks, diaper drives, and organizations that distribute diapers and other infant necessities to families in need.
Issued by the Governor August 15, 2014.
Filed by the Secretary of State September 5, 2014.

2014-366
ICE BUCKET CHALLENGE DAY

WHEREAS, Amyotrophic Lateral Sclerosis (ALS), often referred to as “Lou Gehrig’s Disease,” is a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord; and,
WHEREAS, approximately 5,600 people in the United States are diagnosed with ALS each year, and it is estimated that as many as 30,000 Americans may have the disease at any given time; and,
WHEREAS, ALS occurs throughout the world with no racial, ethnic, or socioeconomic boundaries; and,
WHEREAS, many of those afflicted with ALS have become passionate advocates for funding research and finding a cure for this disease;
and,

WHEREAS, one such individual is Pat Quinn, 31, a native of Yonkers, New York, and graduate of Iona Prep and Iona College, who was diagnosed with ALS on March 8, 2013; and,

WHEREAS, with the encouragement of his family and friends, Pat Quinn, a man of fortitude and immense determination, launched the Ice Bucket Challenge, in which people dump buckets of icy water on their heads, then challenge other friends to do the same within 24 hours or donate $100 to an ALS Charity; and,

WHEREAS, in a few short weeks, the Ice Bucket Challenge has taken the nation by storm and thousands of people have participated including athletes, celebrities, and politicians; and,

WHEREAS, the people of Illinois are committed to supporting ALS awareness, taking the Ice Bucket Challenge, and helping their neighbors who have this disease; and,

WHEREAS, finding the cause and a cure for ALS will prevent the disease from robbing hundreds of thousands of Americans of their dignity and lives, which is why it is so important that the residents of our state make donations for ALS research and support Pat Quinn’s call to take the Ice Bucket Challenge; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 20, 2014, as ICE BUCKET CHALLENGE DAY in Illinois, in support of the people of Illinois taking the challenge and remaining committed to helping those with ALS and finding a cure for this disease that has impacted so many people here and across the nation.

Issued by the Governor August 19, 2014.
Filed by the Secretary of State September 5, 2014.

2014-367
ILLINOIS COUNCIL AGAINST HANDGUN VIOLENCE DAY

WHEREAS, gun-related deaths nationally have been as high as three per hour; and gun violence is the number two killer of youth ages 1-19; and,

WHEREAS, the number of handguns trafficked from another state into the State of Illinois far outweighs the number of handguns trafficked from Illinois to another state; and,

WHEREAS, in 2012, more guns per capita were confiscated in Chicago, the nation’s 3rd largest city, than combined confiscations in New York City and Los Angeles, the nation’s 1st and 2nd largest cities; and Illinois ranks higher than New York and California in gun deaths per 100,000 people; and,
WHEREAS, the Vietnam War killed over 58,000 American soldiers through 1975 - the first year of operation for the Illinois Council Against Handgun Violence- which is less than the number of civilians killed with guns in the U.S. in an average two-year period; and,

WHEREAS, the Illinois Council Against Handgun Violence, started by four concerned mothers, has fought tirelessly for the safety and security of every Illinois resident from handgun violence through public education and awareness programs, legislative advocacy, and media outreach; and,

WHEREAS, the Illinois Council Against Handgun Violence will celebrate its 39th year of operations; and,

WHEREAS, Illinois owes a debt of gratitude to the Illinois Council Against Handgun Violence for its unceasing work as the oldest and largest statewide organization in the U.S. working to prevent the devastation caused by firearms; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 21, 2014, as ILLINOIS COUNCIL AGAINST HANDGUN VIOLENCE DAY in Illinois, in recognition of this organization’s 39th anniversary and commitment to the people of Illinois.

Issued by the Governor August 20, 2014.
Filed by the Secretary of State September 5, 2014.

2014-368
INTERNATIONAL CENTRAL SERVICE WEEK

WHEREAS, Central Service Technicians are responsible for processing surgical instruments, supplies and equipment; and,

WHEREAS, serving in settings ranging from hospitals to ambulatory surgical centers, Central Service Technicians provide support to patient care services; and,

WHEREAS, Central Service Department tasks include decontaminating, cleaning, processing, assembling, sterilizing, storing, and distributing the medical devices and supplies needed for patient care; and,

WHEREAS, the Central Service Department of a healthcare facility is the heart of all activity surrounding instruments, supplies and equipment required for operating rooms, Endoscopy suites, ICU, birth centers and other patient care areas; and,

WHEREAS, Central Service Technicians play a most important role in patient care arenas, and are responsible for first-line processes to prevent patient infections; and,

WHEREAS, International Central Service Week recognizes the contributions Central Service Technicians make to patient safety and the
opportunities and challenges facing the profession; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 12-18, 2014 as INTERNATIONAL CENTRAL SERVICE WEEK in Illinois, in recognition of the contributions Central Service Technicians make in our state.

Issued by the Governor August 20, 2014.

Filed by the Secretary of State September 5, 2014.

2014-369
JOB CORPS WEEK

WHEREAS, over the course of 50 years, millions of at risk youth have been forever changed by Job Corps’ comprehensive residential, academic and career preparation program; and,

WHEREAS, The Paul Simon Chicago Job Corps Center in Chicago, Illinois provides a vital service to our community by serving hundreds of disadvantaged youth between 16 and 24 years of age with high school diploma and career technical education programming; and,

WHEREAS, in addition to academic and employment training, Job Corps Centers provide social skills training and other services to empower young men and women to obtain and hold a job, enroll in advanced training, attend college, or enter the Armed Forces to defend the interests of the United States around the world; and,

WHEREAS, over 90% of dropouts have received a fully accredited public high school credential. 76% of students earn an industry-recognized vocational credential and 80% of enrollees enter employment; and,

WHEREAS, recent studies demonstrate significant economic gain from funds invested in dropout recovery by increasing employment and raising individual earning and tax revenues while simultaneously reducing public expenditures associated with health care, crime, other social services; and,

WHEREAS, it is timely and appropriate that Illinois celebrates Job Corps and its accomplishment in reducing the cycle of poverty, strengthening our local communities, and improving the quality of life for thousands of people; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim, August 18-22, 2014, as JOB CORPS WEEK, and recognize the Paul Simon Chicago Job Corps Center and the national Job Corps program for 50 years of success and many more to come.

Issued by the Governor August 20, 2014.

Filed by the Secretary of State September 5, 2014.
WHEREAS, safe, reliable and affordable energy is essential to our families, communities and businesses; and,

WHEREAS, energy supplies the simple things in life – heating, cooling, cooking, and lighting; and,

WHEREAS, energy supports modern society’s complex systems – providing health care, air traffic control, and running a manufacturing plant. Energy also makes possible the fun things in life – lights at a baseball field, air conditioning at the theater, and rides at the state fair; and,

WHEREAS, the large demand from the industrial sector makes Illinois among the nation’s leading consumers of energy. The state’s ability to maintain and expand these systems depends on the availability of a highly skilled, educated workforce; and,

WHEREAS, to promote workforce continuity and meet the challenges of our ever-changing economy, new workers are needed; and,

WHEREAS, women and minorities should be encouraged to pursue careers in energy. According to the Bureau of Labor Statistics, women and minorities are significantly underrepresented in the engineering workforce; and,


THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13-19, 2014, as CAREERS IN ENERGY WEEK in Illinois. The Illinois Energy Workforce Consortium and its partners will hold events throughout the state to highlight the need for a strong and growing energy workforce and encourage Illinoisans of all ages to consider a career in the energy industry.

Issued by the Governor August 21, 2014.

Filed by the Secretary of State September 5, 2014.
2014-371
KENNY ROGERS DAY

WHEREAS, Illinois has a rich musical history, and it is important that we recognize the contributions of talented musicians who perform in our state; and,
WHEREAS, born in Texas, Kenny Rogers was the first person in his family to graduate from high school. He became passionate about music at a young age and as a teenager joined a recording group called The Scholars; and,
WHEREAS, at the age of 19, Kenny Rogers recorded “That Crazy Feeling” for a Houston label, the first of many more successful tunes; and,
WHEREAS, some of Kenny Rogers’ top hits include “The Gambler,” “Lady,” “Lucille,” “Islands In The Stream,” “We’ve Got Tonight,” “Don’t Fall in Love With a Dreamer,” and “Through the Years,”; and,
WHEREAS, Kenny Rogers produced the 1999 album She Rides Wild Horses, which peaked at # 6 on the country charts, and included the # 1 single, “Buy Me a Rose”; and,
WHEREAS, as a result of his musical contributions, Kenny Rogers has received several accolades including being awarded the Recording Industry Association of America’s prestigious Diamond Award, celebrating sales of more than 10 million “Greatest Hits” albums; and,
WHEREAS, Kenny Rogers was inducted into the Country Music Hall of Fame on October 27, 2013; and,
WHEREAS, outside of his musical pursuits, Kenny Rogers has published several books on photography and opened a rotisserie-chicken fast-food restaurant; and,
WHEREAS, despite his numerous accomplishments and accolades, Kenny Rogers has demonstrated a strong commitment to helping others. He established the Kenny Rogers Children’s Center in 1973, which has provided a wide array of occupational, physical, and speech therapy services to children; and,
WHEREAS, on August 24, 2014, Kenny Rogers will be performing at the Du Quoin State Fair; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 24, 2014, as KENNY ROGERS DAY in Illinois, in recognition of today’s performance, and in admiration of his legendary career.
Issued by the Governor August 21, 2014.
Filed by the Secretary of State September 5, 2014.
2014-372
MALE BREAST CANCER AWARENESS WEEK

WHEREAS, an estimated 2,000 men in the United States are diagnosed with breast cancer each year and an estimated 450 men each year will die from the disease; and,

WHEREAS, the public commonly thinks of breast cancer as a disease affecting only women, a misconception that can delay diagnosis and treatment in men, often leading to death; and,

WHEREAS, early detection of male breast cancer is critical, as men who are diagnosed when breast cancer is in its earliest stages have an increased chance of successful treatment and, ultimately, survival; and,

WHEREAS, due in part to a lack of awareness that men can develop the disease, men are generally diagnosed with breast cancer at a later stage than women, which affects prognosis and treatment; and,

WHEREAS, in order to facilitate early diagnosis and prompt treatment of male breast cancer, public education, awareness, and understanding of the disease is necessary; and,

WHEREAS, Illinois remembers the men who have lost their lives to breast cancer, and supports those who are currently fighting this often overlooked disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the October 19 - 25, 2014 as MALE BREAST CANCER AWARENESS WEEK in Illinois, and encourage all citizens to join me in the continued fight against breast cancer.

Issued by the Governor August 21, 2014.
Filed by the Secretary of State September 5, 2014.

2014-373
MAYOR JOHN REDNOUR DAY AT THE DU QUOIN STATE FAIR

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one such individual was Mayor John Rednour, who served as the Mayor of Du Quoin from 1989 until 2013; and,

WHEREAS, during his tenure in office, Mayor John Rednour had many successes including convincing Amtrak to set up a stop in Du Quoin and orchestrating the construction of a railroad overpass at the Du Quoin Industrial Park; and,
WHEREAS, in addition to his achievements in government, Mayor John Rednour was also a successful businessman who would go on to own his own businesses, including Rednour Steel in Cutler, CaterVend of Du Quoin, Air Illinois airlines, R & H Steel Erectors and ultimately the Du Quoin State Bank; and,

WHEREAS, throughout his time as a public servant, Mayor John Rednour positively impacted many people, enabling them to achieve their fullest potential; and,

WHEREAS, though Mayor John Rednour passed away in December of 2013, the powerful legacy that he left behind still resonates today; and,

WHEREAS, known for his kindness, loyalty, generosity, wonderful sense of humor, and commitment to his family, Mayor John Rednour represented the best traditions of southern Illinois and the Land of Lincoln; and,

WHEREAS, Mayor John Rednour’s work ethic exemplified the dedication to service the people of the State of Illinois have come to expect and deserve; and,

WHEREAS, Mayor John Rednour loved the people of southern Illinois and the Du Quoin State Fair; and,

WHEREAS, August 23, 2014, the first full-day of the Du Quoin State Fair, provides an opportune time to honor Mayor John Rednour; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 23, 2014, as MAYOR JOHN REDNOUR DAY AT THE DU QUOIN STATE FAIR in Illinois, in recognition of his commitment to public service, the Du Qoin State Fair, and the people of the State of Illinois.

Issued by the Governor August 21, 2014.
Filed by the Secretary of State September 5, 2014.

2014-374
FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY

WHEREAS, the term “fetal alcohol spectrum disorders” (FASDs) is an umbrella term that describes the range of effects that can occur in a baby whose mother drank alcohol during pregnancy; with fetal alcohol syndrome (FAS) being the most involved condition along the spectrum; and,

WHEREAS, prenatal alcohol exposure is the leading preventable cause of birth defects and intellectual and developmental disabilities; and,

WHEREAS, the exact number of people who have FASDs is unknown, but it is estimated that about 40,000 babies are born with effects of prenatal alcohol exposure annually; and,
WHEREAS, the lifetime cost for one individual with FAS is estimated to be $2 million, with a combined cost to the United States for FAS alone over $4 billion annually; and,
WHEREAS, 7.6% of pregnant women (or 1 in 13) and 51.5% of non-pregnant women (or 1 in 2) report drinking alcohol in the past 30 days; and,
WHEREAS, about half of all pregnancies are unplanned, contributing to late entry into prenatal care and presenting a barrier to optimal pregnancy management, particularly during the crucial early weeks of embryonic development; and,
WHEREAS, the good health and well-being of the people of Illinois are enhanced by the support of a national effort to educate about and prevent FASDs; and,
WHEREAS, the Illinois Affiliate of the National Organization on Fetal Alcohol Syndrome (NOFAS) and the State coordinator for FAS join with Trinity Services, Inc and advocacy organizations as well as many dedicated parents, caregivers, volunteers, health care professionals, educators, and parent groups by participating in this promotion; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 9, 2014 as FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY in Illinois, to raise awareness about Fetal Alcohol Spectrum disorders.

Issued by the Governor August 22, 2014.
Filed by the Secretary of State September 5, 2014.

2014-375
FILIPINO AMERICAN HISTORY MONTH

WHEREAS, the earliest documented Filipino presence in the continental United States was on October 18, 1587, when the Spanish galleon the Nuestra Señora de Buena Esperanza, under the command of Captain Pedro de Unamuno, dropped anchor in Morro Bay, California, and the landing party explored the coast; and,
WHEREAS, the first settlement of Filipinos, referred to as “Manilamen,” was in 1765 in southeastern Louisiana at St. Malo south of Lake Borgne in St. Bernard Parish. The “Manilamen” became the start of the many contributions Filipino Americans have made towards the advancement of the United States in several fields including the arts and culture, sciences, medicine, education, technology, and in many other areas of human endeavors; and,
WHEREAS, Filipino Americans are well known for serving in all the branches of the U.S. Armed Forces as early as the War of 1812 against the
British, in the U.S. Civil War, in World War I and II, and in all the other subsequent U.S. wars up to the war in Iraq and Afghanistan; and,

WHEREAS, Filipino Americans comprise the second largest Asian American population in the United States; and,

WHEREAS, further efforts are needed to promote the study and research on Filipino American history to create a more complete and balanced United States history that reflects on the legacy and rich contributions of Filipino Americans to our great nation; and,

WHEREAS, the celebration of Filipino American History Month in October provides an opportunity to celebrate the heritage and culture of Filipino Americans and the many contributions they make to our country; and,

WHEREAS, the Filipino American National Historical Society (FANHS) Midwest Chapter, the Filipino American Historical Society of Springfield, Illinois (FilAmHisSo), and other Filipino American organizations throughout the state will celebrate Filipino American History Month in October 2014 with various events and activities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as FILIPINO AMERICAN HISTORY MONTH in the State of Illinois, in recognition of the contributions of Filipino Americans to our state and to our nation, and in recognition of Filipino Americans who call Illinois home.

Issued by the Governor August 22, 2014.
Filed by the Secretary of State September 5, 2014.

2014-376
STAN LEE WEEKEND

WHEREAS, our nation has a rich literary history and has produced many talented writers and comics, including Stan Lee; and,

WHEREAS, born in New York City, New York, Stan Lee attended DeWitt Clinton High School in the Bronx and developed a passion for reading and writing at a young age. During his youth, he wrote obituaries for a news service and press releases for the National Tuberculosis Center; and,

WHEREAS, a patriotic American, Stan Lee entered the U.S. Army in 1942 and served stateside in the Signal Corps, writing manuals, training films, slogans, and occasionally cartooning. His military classification was “playwright,” a title that very few soldiers in the U.S. Army were given; and,

WHEREAS, with the help of his uncle, Robbie Solomon, Stan Lee became an assistant at the new Timely Comics Division of Martin Goodman’s Company, which would eventually become Marvel Comics in the
WHEREAS, Stan Lee’s first superhero co-creation was the Destroyer, in Mystic Comics # 6 (August 1941); and,
WHEREAS, Stan Lee co-created Spider-Man, the Fantastic Four, the X-Men, Hulk, Thor, Iron Man, Daredevil, Doctor Strange, and many other characters; and,
WHEREAS, as the figurehead and public face of Marvel Comics, Stan Lee has attended many comic book conventions across our nation, lectured at colleges, and participated in panel discussions; and,
WHEREAS, Stan Lee serves as an inspiration and role-model for aspiring authors and comics; and,
WHEREAS, in 2006, Marvel Comics commemorated Stan Lee’s 65 years with the company by publishing a series of one-shot comics starring him interacting with many of his creations, including Spider-Man, Dr. Strange, The Thing, Silver Surfer, and Dr. Doom; and,
WHEREAS, Stan Lee will be appearing at this weekend’s Chicago Comic Con Convention in Rosemont, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 23-24, 2014, as STAN LEE WEEKEND in Illinois, in recognition of the tremendous success he has enjoyed throughout his career.

Issued by the Governor August 22, 2014.
Filed by the Secretary of State September 5, 2014.

2014-377
JACKIE ROBINSON WEST CHAMPIONSHIP DAY

WHEREAS, throughout our nation’s history, the sport of baseball has served as a forum for allowing teams to work toward a common goal and display their excellence, persistence, and teamwork; and,
WHEREAS, baseball is America’s national pastime, and the State of Illinois is fortunate to be home to numerous baseball players and teams who have demonstrated an outstanding level of skill as well as sportsmanship; and,
WHEREAS, hailing from the South Side of Chicago, one of Illinois’ most successful teams is the Jackie Robinson West team, which is comprised of all African-American players; and,
WHEREAS, the mission of the Jackie Robinson West team is to bring children into a structured program environment intensely supported by adult volunteers, where the values of leadership, teamwork, and self-discipline are strongly emphasized; and,
WHEREAS, the Jackie Robinson West team was founded in 1971 by Joseph H. Haley, an educator by trade, whose goal was to provide young people with wholesome, healthy recreation through participating in baseball; and,

WHEREAS, Jackie Robinson West is one of nearly 200 Urban Initiative Leagues in about 100 cities across the country; and,

WHEREAS, coached by Jason Little, Jerry Houston, and Manager Darold Butler, the Jackie Robinson West team had a remarkable 2014 season; and,

WHEREAS, the players on the 2014 Jackie Robinson West team are DJ Butler, Lawrence Noble, Jaheim Benton, Ed Howard, Cameron Bufford, Brandon Green, Darion Radcliff, Marquis Jackson, Joshua Houston, Eddie King, Prentiss Luster, Pierce Jones, and Grey Hondras; and,

WHEREAS, held annually in South Williamsport, Pennsylvania, the nationally broadcast Little League World Series is contested by 16 teams: the 8 winners of the regional tournaments and 8 international champions; and,

WHEREAS, Jackie Robinson West won the U.S. Championship by defeating Nevada and finished an impressive 2nd in the world; and,

WHEREAS, this year was Jackie Robinson West’s second appearance in the Little League World Series. Founder Joseph Haley brought the team to Williamsport in 1983, where it finished fifth; and,

WHEREAS, the talent, hard work, and commitment to serving as role models displayed by the Jackson Robinson West team is inspiring to the people of the Land of Lincoln; and,

WHEREAS, the longevity of the Jackie Robinson West Little League Baseball team is a tribute to all of the parents, coaches, sponsors, and fans who are committed to ensuring that young people develop the skills and work ethic necessary for becoming productive, successful adults; and,

WHEREAS, number 42 – Jackie Robinson – would have been proud of this year’s team, which showed the same grit and grace Jackie showed as a player; and,

WHEREAS, in order to recognize the accomplishments of the Jackie Robinson West team, the City of Chicago will host a parade and celebration in their honor on August 27; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 27, 2014 as JACKIE ROBINSON WEST CHAMPIONSHIP DAY in Illinois, in recognition of the team’s successful 2014 season and their impressive display of sportsmanship and athletic ability, which helped them win the U.S. nationals and finish 2nd in the world.

Issued by the Governor August 26, 2014.

Filed by the Secretary of State September 5, 2014.
WHEREAS, America’s system of public lands includes parks, unique landscapes, forests, wildlife refuges, historic trails, natural streams and wetlands, nature centers, community gardens and other landmarks throughout the nation that individually and collectively represent our shared irreplaceable national resources; and,

WHEREAS, public lands provide locally accessible natural and cultural resources for environmental learning, wildlife appreciation and recreation; and,

WHEREAS, public lands promote civic ideals that include shared stewardship and recognition of public ownership; and,

WHEREAS, shared stewardship requires the goodwill, cooperation and active support of citizens, communities, local and state officials, business leaders, youth and adults; and,

WHEREAS, recreational opportunities offered by public lands help families and individuals lead an active lifestyle and reduce the incidence of childhood obesity; and,

WHEREAS, land conservation efforts improve access to public lands for urban residents and work to break down the barriers that prevent Americans from actively utilizing their public lands; and,

WHEREAS, a collaboration among state and local residents, land managers and community leaders improves the condition of publicly held lands for the greater enjoyment and enrichment of all Americans; and,

WHEREAS, National Public Lands Day is the nation’s largest, single-day volunteer effort for public lands and is coordinated by the National Environmental Education Foundation. State and City Park systems throughout the nation join with federal agencies such as The Bureau of Land Management, Department of Defense, Environmental Protection Agency, National Park Service, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and U.S. Forest Service to deliver an annually anticipated celebration for local participation on publicly held lands in this great State of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 27, 2014 as the 21st annual NATIONAL PUBLIC LANDS DAY in Illinois, and encourage all citizens to recognize and participate in this special observance.

Issued by the Governor August 26, 2014.

Filed by the Secretary of State September 5, 2014.
WHEREAS, Illinois has a rich and diverse cultural history, and it is important that we recognize the contributions of cultural and musical institutions that are from our state; and,

WHEREAS, one such institution is Sones de México Ensemble, which has brought educational programming and entertainment to countless listeners since being founded in 1994; and,

WHEREAS, Sones de México Ensemble is a non-profit organization whose mission is to promote greater appreciation of Mexican folk and traditional music and culture through innovative performance, education, and dissemination.; and,

WHEREAS, throughout its career, Sones de México Ensemble has produced 6 albums, including the twice Grammy nominated Esta Tierra Es Tuya (This Land is Your Land); and,

WHEREAS, Sones de México Ensemble specializes in Mexican ‘son’ including the regional styles of huapango, gustos, chilenas, son jarocho, and many more; and,

WHEREAS, the past and present member of Sones de México Ensemble are: Juan Dies, Víctor Pichardo, René Cardoza, Gonzalo Córdova, Raúl Fernández, Renato Cerón, Hermo Contreras, Lorena Iñiguez, Joel Martínez, Juan Rivera, Zacbé Pichardo, Javier Saume, and Jorge Leal; and,

WHEREAS, in addition to its musical accomplishments, Sones de México Ensemble has exhibited a strong commitment to serving others by offering educational programs nationwide; and,

WHEREAS, the year 2014 represents a milestone for Sones de México Ensemble: its 20th anniversary; and,

WHEREAS, 20 years of success is a testament to the commitment of Sones de México Ensemble’s members, staff, Board of Directors, and passionate fans; and,

WHEREAS, on September 3rd at Millenium Park, Sones de México Ensemble will celebrate 20 years of existence with a performance that will feature not only its current members but also a reunion of its former members as well as over 50 of Chicago’s finest musicians and dancers whom they have collaborated with over the years; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 3, 2014, as SONES DE MÉXICO ENSEMBLE DAY in Illinois, in recognition of its musical success and 20th anniversary.

Issued by the Governor August 26, 2014.

Filed by the Secretary of State September 5, 2014.
2014-380
ACUPUNCTURE AND ORIENTAL MEDICINE DAY

WHEREAS, acupuncture and Oriental medicine have a long and rich history as components of a comprehensive traditional medical system that has been used for thousands of years to diagnose and treat illness, prevent disease and improve well-being; and,

WHEREAS, practitioners of acupuncture and Oriental medicine are dedicated to the highest standards of professionalism and maintain these standards through education, credentialing and a personal commitment; and,

WHEREAS, millions of Americans seek the services of acupuncturists and Oriental medicine practitioners each year; and,

WHEREAS, it is vital that those in need of medical services understand the full realm of available modalities and seek competent and professional care; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 24, 2014 as ACUPUNCTURE AND ORIENTAL MEDICINE DAY in Illinois, and encourage all citizens to learn more about the potential benefits of acupuncture and Oriental medicine.

Issued by the Governor August 27, 2014.
Filed by the Secretary of State September 5, 2014.

2014-381
MANUEL GIRÓN BOOK FAIR DAY

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Latinos make every day; and,

WHEREAS, it is critically important that we recognize organizations and events that are beneficial to the Latino community in Illinois; and,

WHEREAS, the Manuel Girón Book Fair is the largest Spanish-language book gathering in the Midwest, with approximately 30,000 people expected for the dozens of readings, book signings, and other events; and,

WHEREAS, the original idea for the fair came from Mark Zimmerman, then a professor at the University of Illinois at Chicago, Juan Manuel Girón (the bookstore owner) and the painter José González. It started slowly, right on Girón Books’ modest Pilsen storefront; and,

WHEREAS, the Manuel Girón Book Fair has a wide selection of books at discounted prices and encourages everyone in attendance to read voraciously; and,

WHEREAS, in past years, the Manuel Girón Book Fair has been visited by celebrities such as Don Francisco, Jorge Ramos, Maria Antonieta
Collins, Eugenio Derbes, Jorge Falco, and Cesar Lozano; and,
WHEREAS, this year the Manuel Girón Book Fair will be hosted on
August 29, 2014; and,
WHEREAS, the success and longevity of the Manuel Girón Book Fair
is a testament to the hard work and commitment of its supporters; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim Saturday, August 29, 2014, as MANUEL GIRÓN BOOK
FAIR DAY in Illinois, in recognition of its contributions to the community.
Issued by the Governor August 27, 2014.
Filed by the Secretary of State September 5, 2014.

2014-382
FOOD NETWORK IN CONCERT DAY

WHEREAS, to celebrate the important work of musicians and chefs,
Food Network Magazine will host the first-ever Food Network in Concert at
Ravinia, which will celebrate, promote and honor the culinary and musical
creativity in Chicago and around the country; and,
WHEREAS, Food Network Magazine is a joint venture of Food
Network, the television network distributed to more than 100 million U.S.
households, and Hearst Magazines; and,
WHEREAS, Food Network Magazine is the best-selling epicurean
title on newsstands, appealing to food lovers of all ages and culinary abilities,
offering accessible recipes and tips, and unprecedented access to America’s
favorite culinary stars; and,
WHEREAS, Food Network Magazine showcases great food, new
restaurants and a behind-the-scenes look at some of the network’s most
popular shows in each publication; and,
WHEREAS, on September 20, 2014, Chicagoland’s own chefs, plus
visiting talent from neighboring cities, will join Food Network stars and
musicians, such as the Grammy Award-Winning artist John Mayer and
Phillip Phillips in a first ever Food Network in Concert at Ravinia; and,
WHEREAS, Food Network in Concert Day is about celebrating and
shining a spotlight on the universal languages of food and music and their
essential roles in bringing people together; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim September 20, 2014, as FOOD NETWORK IN CONCERT
DAY in Illinois, and encourage all citizens to join in this special celebration.
Issued by the Governor August 28, 2014.
Filed by the Secretary of State September 5, 2014.
2014-383
LIFELINE AWARENESS WEEK

WHEREAS, in our modern, interconnected world, telephones provide a lifeline to emergency help and a vital link to government services, community resources, friends, and family; and,

WHEREAS, not everyone can afford the cost of a home telephone; and,

WHEREAS, approximately 4.2 percent of Illinois households still do not have telephone service in their homes; and,

WHEREAS, the Federal Communications Commission (FCC) and the Illinois Commerce Commission have joined with UTAC in a collaborative effort to make telephone service more affordable for the nation’s low-income consumers by providing a discount on the connection fee and monthly charges for local telephone service; and,

WHEREAS, the Lifeline Assistance (Lifeline) programs offer tremendous benefits for eligible consumers in America and make basic telephone service more affordable; and,

WHEREAS, the Lifeline program provides a $9.25 discount in the monthly bill for eligible low-income customers; and,

WHEREAS, consumers should not be without local phone service because they cannot afford it, and therefore the promotion of Lifeline is imperative to ensure that all Illinois consumers have access to affordable basic local telephone service; and,

WHEREAS, the FCC, the National Association of Regulatory Utility Commissioners (NARUC), the National Association of State Utility Consumer Advocates (NASUCA), other state and federal agencies, cities, counties, social service organizations and telecommunications companies are committed to increasing awareness of the Lifeline program, encouraging eligible citizens to sign up for the programs; and,

WHEREAS, the FCC, NARUC, and NASUCA have worked to ensure greater protection against fraud and abuse in the program, while encouraging eligible households to consider the benefits of the Lifeline program; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois, do hereby proclaim the week of September 8-14, 2014, as LIFELINE AWARENESS WEEK in Illinois, and urge citizens who may be eligible for the Lifeline program to contact local telephone companies to see about establishing telecommunication service with a new telephone.

Issued by the Governor August 28, 2014.

Filed by the Secretary of State September 5, 2014.
WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running, and one remarkable public servant is Jane Byrne, who served as the Mayor of Chicago from 1979 to 1983; and,

WHEREAS, Mayor Jane Byrne, born in Chicago 80 years ago, a graduate of Chicago’s St. Scholastica High School and Barat College in Lake Forest, Illinois, was tragically widowed at age 25 when her husband, William Byrne - a U.S. Marine aviator – died in a plane crash, leaving her to raise their baby daughter, Kathy, as a single-parent; and,

WHEREAS, Mayor Jane Byrne was inspired by U.S. Senator John F. Kennedy to seek a career in public service, pursued graduate studies at the University of Illinois “Circle Campus,” and was an early champion for consumers, serving as Chicago’s Commissioner of Sales, Weights, and Measures; and,

WHEREAS, in one of the greatest upsets in Chicago history, Mayor Jane Byrne shattered a huge glass ceiling by becoming the first and only female mayor of Chicago - still the largest city in the United States to be led by a woman - and served as Mayor from April 16, 1979 to April 29, 1983; and,

WHEREAS, a true trailblazer, Mayor Jane Byrne brought unprecedented transparency to the Chicago budget process, was Chicago’s first Mayor to march in the Gay Pride Parade, and was the nation’s first big-city mayor to successfully enact a ban on handguns; and,

WHEREAS, Mayor Jane Byrne and her husband Jay McMullen moved into a 4th floor apartment in Cabrini-Green Homes, a sprawling public housing project. Their three-week stay in 1981 prompted elevator repairs, construction of a police station and baseball diamonds, and a national discussion about urban blight; and,

WHEREAS, Mayor Byrne’s vision led to the development of Navy Pier and the Museum Campus, and to the straightening of Lake Shore Drive’s notorious “S-Curve”. Mayor Byrne launched Taste of Chicago, which gave rise to Chicago’s world-class Jazz, Blues, and Gospel Fests; and,

WHEREAS, the interchange of Interstates 90, 94 and 290 - commonly known as the “Circle Interchange” or “Spaghetti Bowl” - is among the nation’s busiest roadways, with more than 300,000 vehicles traveling through it daily, and is now undergoing a four-year renovation by the Illinois Department of Transportation; and,
WHEREAS, on August 29, 2014, the “Circle Interchange” will officially be dedicated as the “Jane Byrne Interchange” at an unveiling event that will take place at the UIC Pavilion; and,

WHEREAS, it is important that the people of our state always remember and commend Mayor Jane Byrne for her dedication to serving others and contributions as a public servant; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 29, 2014 as MAYOR JANE BYRNE DAY in Illinois, in recognition of today’s ceremony and her legendary career in public service that positively impacted the lives of many of people in Chicago and across the Land of Lincoln.

Issued by the Governor August 28, 2014.
Filed by the Secretary of State September 5, 2014.

2014-385
MARCO ANTONIO REGIL DAY

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Latinos make every day; and,

WHEREAS, it is critically important that we recognize individuals such as Marco Antonio Regil who have positively impacted Latino culture; and,

WHEREAS, born in Tijuana, Mexico, Marco Antonio Regil is a famous television personality and game show host who currently hosts the Spanish-language version of Family Feud, 100 Latinos Dijeron, which can be seen on MundoFox on weekdays at 7 pm/6c; and,

WHEREAS, Marco Antonio Regil previously hosted Spanish-language versions of Minute to Win it, The Price is Right, Dancing with the Stars, and Are You Smarter Than a 5th Grader; and,

WHEREAS, Marco Antonio Regil opened a new Spanish-language channel in the United States, MundoFOX, with its debut program, Minuto Para Ganar, on August 13, 2012; and,

WHEREAS, in a poll conducted by Readers Digest in 2011, Marco Antonio Regil was named “Mexico’s Most Trusted TV Personality”; and,

WHEREAS, Marco Antonio Regil has appeared in advertisements for several companies including McDonald’s, H-E-B, Telmex, and PepsiCo; and,

WHEREAS, despite being tremendously successful, Marco Antonio Regil has remained dedicated to serving others and making the world a better place. He is an avid supporter of PETA and Children International, an organization that helps poor children become healthy and educated; and,

WHEREAS, for over 15 years, Marco Antonio Regil hosted the
Mexican Telethon, which raises over 40 million dollars annually for handicapped children and cancer research; and,

WHEREAS, on September 14, 2014, Marco Antonio Regil will serve as grand marshal during the 26th Street 45th Annual Mexican Independence Day Parade; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Saturday, September 14, 2014, as MARCO ANTONIO REGIL DAY in Illinois, in recognition of his visit to our state and accomplishments on television.

Issued by the Governor August 29, 2014.

Filed by the Secretary of State September 5, 2014.

2014-310
INFANT SAFE SLEEP AWARENESS MONTH (REVISED)

WHEREAS, hundreds of infants die each year because they are placed in unsafe sleeping environments; and,

WHEREAS, Sudden Unexpected Infant Deaths (SUID) is the sudden and unexpected death of an infant, birth to age 1 year, in which the manner and cause of death are not immediately obvious prior to investigation; and,

WHEREAS, Sudden Infant Death Syndrome (SIDS) is a subset of SUID and remains the number one cause of infant death between the age of 28 days of life to 1 year; and,

WHEREAS, the tragedy of SUID can happen to any family, regardless of race, ethnic or economic group; and,

WHEREAS, adult beds, waterbeds, couches, chairs, pillows, quilts and other soft surfaces are not appropriate or safe for sleeping infants; and,

WHEREAS, babies sleep safest when sleeping alone, on their backs, in a bassinet or crib with a firm mattress and tightly fitted sheets free of pillows, bumpers, blankets and other items, in a smoke-free environment; and,

WHEREAS, Illinois law requires hospitals to provide education and materials regarding SIDS prevention and safe sleep practices to parents of newborns; and,

WHEREAS, during the month of October, in partnership with the Illinois Department of Children and Family Services, Sudden Infant Death Services of Illinois, Inc., the Illinois Department of Public Health, the American Academy of Pediatrics, the Illinois Hospital Association, Prevent Child Abuse Illinois and other community partners, we raise awareness of the important steps parents can take to ensure the safety of their infant children while sleeping; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as INFANT SAFE SLEEP AWARENESS MONTH in Illinois in order to raise awareness about sudden unexplained infant death and to encourage infant safe sleep practices so that no parent will have to endure the tragedy of infant death.

Issued by the Governor July 14, 2014.
Filed by the Secretary of State September 23, 2014.

2014-329
ILLINOIS VETERANS & COMMUNITY CLASSROOM PROJECT DAY (REVISED)

WHEREAS, over our nation’s history, millions of men and women have made countless personal sacrifices to defend our country, and it is imperative that we continually identify ways to recognize their service; and,
WHEREAS, in 2008, the Illinois Veterans and Community Classroom Project was conceived and developed as an intergenerational, instructional technology project by the WWII Illinois Veterans Memorial Board and Area 5 Learning Technology Center in collaboration with Teaching with Primary Resources Projects at Quincy University and Southern Illinois University Edwardsville, Illinois Central Management Services, Illinois State Board of Education, Illinois Learning Technology Centers, Illinois State Library, IlliniCloud and the Thirteen Folds Project, Illinois Principals Association; and,
WHEREAS, the collaborators recruited, trained and assisted students in Illinois schools with the Illinois Veterans and Community Classroom Project. This project allows students to learn, understand, and reflect on the sacrifices of their forbearers by working together to digitally preserve local historical resources such as books, journal series, manuscript collections, photographic images, slides, maps, prints, posters, audio, and video; and,
WHEREAS, since 2008, over 30 schools statewide have participated in the Illinois Veterans & Community Classroom Project. The students are taught how to conduct historical and archival research, prepare and lead interviews, and use video-editing software to produce a 20-minute documentary telling the story of an Illinoisan who lived through war in some capacity with a three-minute student reflection at the end; and,
WHEREAS, Harlem High School showcased their local Illinois Veteran & Community Classroom Project at the annual conference of the International Society for Technology. Additionally, the school highlights
exemplar ways technology and digital media is being used to enhance instruction in classrooms today; and, 

WHEREAS, more than 400 short video documentaries of interviewed veterans have been conceived, narrated, produced and edited by students. Stories of Illinois veterans have been saved for future generation, and raw footage submitted to the Library of Congress’ Veterans History Project; and, 

WHEREAS, in 2013, the Illinois Veterans & Community Classroom Project expanded to capture the important community and military stories and documents of Illinois’ Korean, Vietnam, Gulf War, and other veterans; and, 

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2nd, 2014, as the ILLINOIS VETERANS & COMMUNITY CLASSROOM PROJECT DAY IN ILLINOIS, in recognition of this project’s contribution to educating students and preserving the history of our nation’s heroic veterans.

Issued by the Governor July 30, 2014. 
Filed by the Secretary of State September 23, 2014.

2014-386

“ILLINOIS SISTER RIVERS AND LAKES WEEK”

WHEREAS, the State of Illinois has been uniquely defined geographically, historically and economically by the Illinois River, Lake Michigan, and other waterways which are treasures that should be preserved and saved for all time; and, 

WHEREAS, the stewardship of Illinois’ waterways is a noble duty proudly assumed by elected and non-elected government officials at the state, county and local levels, by advocates, and by all who use our waterways for drinking water, commerce or recreation; and, 

WHEREAS, countless species of fish, birds, reptiles, amphibians, mammals, insects and plants rely on healthy Illinois waterways; and, 

WHEREAS, some of the challenges faced by our waterways are also faced by waterways worldwide, such as invasive species, sedimentation, flooding, drought, obsolete dams and aging water treatment facilities; and, 

WHEREAS, inspired by the success of the Sister Cities program, the Illinois Sister Rivers and Lakes Initiative was launched in 2007 to share innovative solutions to common problems, boost tourism and raise awareness; and, 

WHEREAS, Illinois has entered into partnerships with waterway authorities in eight nations on four continents: Brazil’s Capibaribe River, China’s Huangpu River, Ireland’s River Lee, Israel’s Lake Kinneret, Japan’s Saitama Prefecture, Mexico’s Lake Pátzcuaro, Poland’s Vistula River and
South Korea’s Han River; and,

WHEREAS, through the Sister Rivers and Lakes Initiative, Illinois has shared some of its successes with waterway expert around the globe, including the “Mud-to-Parks” program, Illinois Clean Water Initiative, and our efforts to remove unneeded dams while informing boaters of dam safety; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 7-13, 2014, as “ILLINOIS SISTER RIVERS AND LAKES WEEK.”

Issued by the Governor September 2, 2014.
Filed by the Secretary of State September 23, 2014.

2014-387
NATIONAL SURGICAL TECHNOLOGIST WEEK

WHEREAS, surgical technologists in Illinois play a vital role in the care and health of surgical patients; and,

WHEREAS, surgical technologists, also called scrubs and surgical or operating room technicians, are members of operating room teams, which most commonly include surgeons, anesthesiologists, and circulating nurses; and under the supervision of surgeons, registered nurses, or other surgical personnel, surgical technicians assist medical operations in a number of capacities; and,

WHEREAS, surgical technologists preserve and protect the operative sterile field and work tirelessly to prevent surgical site infections that threaten patients’ optimal recovery; and,

WHEREAS, today, all major hospitals in Illinois employ surgical technologists to work with surgeons in the operating room to provide quality patient care; and,

WHEREAS, as the baby boomer generation, which accounts for a large percentage of the general population, approaches retirement age, and technological advances, such as fiber optics and laser technology, permit new surgical procedures that surgical technologists often operate, employment of surgical technicians is expected to grow faster than average for all other occupations; and,

WHEREAS, encouragingly, the Illinois community college system currently has several programs that graduate top quality students each year; and,

WHEREAS, surgical technology is projected to grow faster than the average of all other medical occupations through the year 2020; and,

WHEREAS, the Association of Surgical Technologists annually
designates a week in September as National Surgical Technologist Week to celebrate and promote the profession; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21 – 27, 2014 as NATIONAL SURGICAL TECHNOLOGIST WEEK in Illinois in honor of the outstanding service surgical technologists perform for surgical patients, and in support of the Association of Surgical Technologist’s efforts to raise public awareness about the profession.

Issued by the Governor September 2, 2014.
Filed by the Secretary of State September 23, 2014.

2014-388
CHILDHOOD LEAD POISONING PREVENTION WEEK

WHEREAS, in 2013, an estimated 535,000 children in the United States have blood lead levels greater than the intervention level recommended by the U.S. Centers for Disease Control and Prevention (CDC); and,

WHEREAS, Illinois identified approximately 13,000 children with confirmed blood lead levels greater than the new intervention level recommended by the CDC; and,

WHEREAS, lead poisoning is one of the most preventable environmental health problems; and,

WHEREAS, even at low levels, lead poisoning can affect nearly every system in the body, causing learning disabilities, shortened attention span, behavioral problems and, in extreme instances, seizure, coma and even death; and,

WHEREAS, lead poisoning can affect any family regardless of race, socioeconomic status and education; and,

WHEREAS, the major source of lead exposure among Illinois children continues to be lead-contaminated dust and lead-based paint banned in 1978; and,

WHEREAS, while Illinois data indicates a significant decline in the number of lead poisoned children from 1996 to 2013, there still remains more than 3.5 million housing units built prior to 1978 and an estimated 1 million homes in Illinois have lead-based paint hazards that can result in childhood lead poisoning; and,

WHEREAS, Illinois passed the Lead Poisoning Prevention Act in 1973 to set mandatory assessment, testing and reporting requirements; and,

WHEREAS, Illinois established the Lead Poisoning Prevention Program in the Illinois Department of Public Health to monitor the identification and treatment of lead poisoned children; and,
WHEREAS, Illinois amended the Lead Poisoning Prevention Act in 2014, establishing new guidelines to expand on lead poisoning prevention efforts in the state; and,
WHEREAS, Illinois is pleased to join with health care professionals, agencies and their delegates in observance of National Lead Poisoning Prevention Week, and in an effort to increase awareness and promote prevention of lead poisoning in children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 19-25, 2014, as CHILDHOOD LEAD POISONING PREVENTION WEEK in Illinois, and encourage all citizens to recognize the prevalence of lead poisoning in our society and to join in working toward eradicating this unfortunate and unnecessary condition.

Issued by the Governor September 3, 2014.
Filed by the Secretary of State September 23, 2014.

2014-389
MEXICAN DANCE ENSEMBLE DAY

WHEREAS, dance provides an outlet for creativity and a way of sharing the arts in communities throughout Illinois. It also fosters confidence, self-esteem, skills, and values among its participants; and,
WHEREAS, one of the most successful dance companies in Illinois is the Mexican Dance Ensemble (MDE), a non-profit organization founded in 2001, which focuses on providing a challenging environment that promotes cultural awareness, preserving Mexican folklore, and cultivating dance by striving to reach a high level of artistic excellence; and,
WHEREAS, the main objectives of MDE are to offer a performing platform for emerging artists and expand the importance and the value of the arts; and,
WHEREAS, MDE has performed all over the world, including in Turkey, Taiwan, and Spain, and at important venues in Illinois such as the Auditorium Theatre of Roosevelt University, the Chicago Theatre, the Olympic Theatre, Harris Theatre, and several others; and,
WHEREAS, in 2005, MDE was awarded first place in both competitions “La Gran Competencia de Cuadros Folkloricos” in Dallas, Texas, and “the Second International Folkloric Dance Competition” in New York City; and,
WHEREAS, as a result of its contributions, MDE has received recognition from several government entities and other organizations; and,
WHEREAS, the successes of MDE would not be possible without the hard work and dedication of its founder, Sam Cortez; and,
WHEREAS, on October 10, 2014, MDE will host its annual gala, providing an opportune time for the State of Illinois to recognize this accomplished dance company; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 10, 2014, as MEXICAN DANCE ENSEMBLE DAY in Illinois, in recognition of today’s event, Sam Cortez, and all of the performers, volunteers, and employees who have played a role in this critically important dance company’s achievements.

Issued by the Governor September 3, 2014.
Filed by the Secretary of State September 23, 2014.

2014-390
MSA AWARENESS DAY & MSA AWARENESS MONTH

WHEREAS, Multiple System Atrophy (MSA) is a rare neurodegenerative disorder that is caused by cell loss in certain areas of the brain and spinal cord that impairs your body's involuntary functions, including blood pressure, heart rate, bladder function and digestion; and,

WHEREAS, formerly called Shy-Drager syndrome, MSA shares many similar symptoms of Parkinson's disease, such as slowness of movement, muscle rigidity and poor balance; and,

WHEREAS, people with MSA may have other difficulties with body functions that occur involuntarily including: urinary and bowel dysfunction, sweating abnormalities, sleep disorders, difficulty controlling blood pressure, sexual dysfunction, cardiovascular problems, and psychiatric problems; and,

WHEREAS, diagnosis of (MSA) can be challenging as many symptoms compare with that of Parkinson’s disease, as a result, some people are never properly diagnosed; and,

WHEREAS, the progression of MSA varies from person to person, but the condition does not go into remission. As the disorder progresses, daily activities become increasingly difficult; and,

WHEREAS, novel treatment options are being investigated but currently management options are very limited and there is no cure; and,

WHEREAS, people typically live about seven to nine years after MSA symptoms first appear and surviving ten years is rare; and,

WHEREAS, treatment for MSA includes medications and lifestyle changes that may manage symptoms. MSA is a progressive condition that in due course will lead to death; and,

WHEREAS, early detection and diagnosis is vital and may improve the quality of life as well as prolong life expectancy of an MSA sufferer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim October 3rd 2014 as MSA AWARENESS DAY, and March 2015 MSA AWARENESS MONTH in Illinois, and encourage all citizens to support awareness and education of this rare neurodegenerative disorder.
Issued by the Governor September 3, 2014.
Filed by the Secretary of State September 23, 2014.

2014-391
NATIONAL NUCLEAR SCIENCE WEEK

WHEREAS, the American Nuclear Society and other organizations and professionals nationwide are recognizing National Nuclear Science Week from October 20-24, 2014; and,
WHEREAS, 18 million nuclear medicine procedures are performed per year among 305 million people in the United States; and,
WHEREAS, 104 operating nuclear reactors in the U.S. employ an average of 700 people in 31 states; and,
WHEREAS, thousands of nuclear science professionals are dedicated to the service and progress of the communities they serve and all people; and,
WHEREAS, through education, communication, research, application and technology innovation, the nuclear science industry is advancing a modern understanding of the nuclear sciences; and,
WHEREAS, the hard work of a collective community of citizens and professionals in the nuclear science industry help to achieve the industry’s goals of the peaceful application of nuclear science in the fields of energy, medicine, research and more; and,
WHEREAS, nuclear medicine is used in thousands of diagnostic and therapeutic procedures every day to improve the health and lives of Illinois citizens; and,
WHEREAS, nuclear space propulsion systems are being used safely and reliably in robotic missions and science experiments beyond our solar system; and,
WHEREAS, nuclear energy is a vital part of America’s energy portfolio; and,
WHEREAS, nuclear energy provides about 20 percent of the country’s electricity and the six nuclear facilities in Illinois generate more than 48 percent of the state’s electricity; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 20-24, 2014 as NATIONAL NUCLEAR SCIENCE WEEK in Illinois.
Issued by the Governor September 3, 2014.
Filed by the Secretary of State September 23, 2014.
WHEREAS, historically, the rail industry has served as the lifeblood of rural America as well as one of the largest private employers in the United States, and Illinois is proud of its distinguished history as a center of American railway travel; and,

WHEREAS, we recognize that the industrial and economic development of our State was largely due to our railway infrastructure, and it has allowed both our citizens and freight to move cross-country more quickly and efficiently than ever before; and,

WHEREAS, it was an Illinoisan, President Abraham Lincoln, who signed the Pacific Railroad Act on July 1, 1862, creating the original Railroad; and,

WHEREAS, The Pacific Railroad Act of 1862 tasked Union Pacific with building Westward, and Central Pacific Railroad of California with building Eastward, thereby joining East and West; and,

WHEREAS, seven years, 20,000 men and 1,700 miles later the Railroad was completed on May 10, 1869 with the hammering of a golden spike; and,

WHEREAS, it was during this construction period, on May 8, 1863, that The Brotherhood of Locomotive Engineers and Trainmen was founded in order to represent thousands of individuals employed by the rail industry, who, by working together, built one of largest infrastructure systems in the history of our nation; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen remain organized to this day, building upon their storied tradition of leadership in the rail industry while maintaining a distinguished record of service; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen is the oldest railway labor organization in the Western Hemisphere; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen Illinois State Legislative Board will celebrate its 125th Anniversary on February 17, 2014; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen Illinois State Legislative Board’s 3,500 active and retired members throughout the State of Illinois have devoted their lives to the rail industry and provided a great public service to our communities and economy; and,

WHEREAS, Illinois was among the first to adopt and benefit from railway travel, and looks forward to continuing this legacy with our adoption
of the innovative and economical high-speed rail with the assistance and support of all rail workers who construct, operate and maintain this valuable component to our infrastructure; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8, 2014 as BLET ILLINOIS STATE LEGISLATIVE BOARD DAY in Illinois, in honor of their anniversary and encourage all residents to celebrate the contributions of rail throughout Illinois’ and our nation’s history.

Issued by the Governor September 4, 2014.
Filed by the Secretary of State September 23, 2014.

2014-393
THOMAS VINCENT RAMOS DAY

WHEREAS, Thomas Vincent Ramos was a Garifuna community organizer in Belize whose efforts led to proclaiming the first Garifuna Holiday in Latin America and the Caribbean, which is known as Garifuna Settlement Day; and,

WHEREAS, Thomas Vincent Ramos was born in Puerto Cortés, Honduras, on September 17, 1887, and was educated at Wesleyan Methodist primary schools in Stann Creek Town (now Dangriga) and Belize City; and,

WHEREAS, while in school, Thomas Vincent Ramos took correspondence courses in business administration, public speaking, journalism, and accounting; and,

WHEREAS, Thomas Vincent Ramos married Elisa Marian Fuentes in 1914 and moved permanently to Dangriga in 1923; and,

WHEREAS, after moving to Belize, Thomas Vincent Ramos became a school teacher and a visionary leader. Concerned with the systematic neglect of health facilities in Dangriga, he founded the Carib Development and Sick Aid Society and later the Carib International Society, which had affiliations in Guatemala and Honduras; and,

WHEREAS, the mission of the Carib Development Society was to help the sick and assist those who needed financial assistance to bury their deceased family members; and,

WHEREAS, a deeply religious man, Thomas Vincent Ramos was a preacher who wrote several Garifuna hymns, some of which are sung each year at his memorial; and,

WHEREAS, Thomas Vincent Ramos fought discrimination against the Garifuna people and all Afro-Belizeans. He founded the Independent Manhood and Exodus Uplift Society and the Colonial Industrial Instruction Association; and,
WHEREAS, the City of Chicago and State of Illinois are home to one of the largest Garifuna populations in the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17, 2014, as THOMAS VINCENT RAMOS DAY in Illinois, in celebration of his birthday and in recognition of his fortitude and tremendous contributions to the Garifuna people.

Issued by the Governor September 4, 2014.
Filed by the Secretary of State September 23, 2014.

2014-394
TRISHA YEARWOOD AND GARTH BROOKS DAY

WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,
WHEREAS, there are few forms of music more purely American than the Country music genre; and,
WHEREAS, it is important that prominent country musicians such as Trisha Yearwood and Garth Brooks are recognized for their contributions; and,
WHEREAS, born in Monticello, Georgia, Trisha Yearwood is one of the highest-selling female artists in Country music history. Since her debut album, she has recorded 12 albums, the most recent one being Heaven, Heartache And the Power of Love; and,
WHEREAS, Trisha Yearwood has recorded nine # 1 songs and twenty Top Ten hits; and,
WHEREAS, Trisha Yearwood has been honored with an American Music Award, a Pollstar Concert Industry Award, and was inducted into the George Music Hall of Fame in 2000. She has performed at the Olympics in Atlanta, at the White House during President Clinton’s inauguration, and in Italy with Luciano Pavarotti; and,
WHEREAS, Trisha Yearwood captured the Best Female Country Vocal Performance Grammy for “How do I Live” and Best Country Vocal Collaboration for “In Another’s Eyes” with Garth Brooks; and,
WHEREAS, outside of music, Trisha Yearwood is a bestselling cookbook author; and,
WHEREAS, Trisha Yearwood and Garth Brooks were married on December 10, 2005; and,
WHEREAS, born in Tulsa, Oklahoma, Garth Brooks joined a band during high school, devoted himself full-time to music after college, and eventually landed a contract with Capitol Records. His self-titled debut album topped at number 2 on the country albums chart and included 4 Top Ten
country singles: “Much Too Young (To Feel This Damn Old),” “If Tomorrow Never Comes,” “Not Counting You,” and “The Dance;” and,
WHEREAS, a decorated musician, Garth Brooks is now certified at 134 albums and was named by the RIAA in 2001 as the # 1 selling solo artist in U.S. history; and,
WHEREAS, Garth Brooks was inducted into the Country Music Hall of Fame on October 21, 2012, in Nashville, Tennessee; and,
WHEREAS, in 2008, Garth Brooks headlined President Obama’s Inaugural Celebration at the Lincoln Memorial; and,
WHEREAS, on the first stop of his world tour, Garth Brooks will perform in Rosemont, a city that is grateful to welcome him and appreciative of his talents. We hope that Trisha Yearwood and Garth Brooks return to the Land of Lincoln many more times in the future; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 4, 2014, as TRISHA YEARWOOD AND GARTH BROOKS DAY in Illinois, in recognition of their tremendous musical successes, contributions to the entertainment industry and for launching their highly anticipated world tour in Rosemont.

Issued by the Governor September 4, 2014.
Filed by the Secretary of State September 23, 2014.

2014-395
AMERICORPS DAY

WHEREAS, throughout our history, Illinois’ residents have stepped up to meet national challenges such as poverty reduction, disaster relief, environmental stewardship, and veteran assistance by volunteering in their communities; and,
WHEREAS, every day in communities across Illinois, AmeriCorps members are making a powerful impact on the most critical issues facing our state; and,
WHEREAS, on September 12, 2014, the nation will mark the 20th anniversary of AmeriCorps with a simultaneous, nationwide swearing-in of a new class of AmeriCorps members and recognition events saluting AmeriCorps members and alums for their powerful impact; and,
WHEREAS, since 1994, more than 33,000 of Illinois residents have served more than 47 million hours and have qualified for Segal AmeriCorps Education Awards totaling more than $108,005,000; and,
WHEREAS, the Serve Illinois Commission supports more than 1,700 current AmeriCorps members of all ages and backgrounds who serve in Illinois in order to provide vital support to our people and improve the quality
of life in our state; and,

   WHEREAS, AmeriCorps members serve in more than 300 locations in Illinois, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and,

   WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing experience, career skills, and college scholarships for those who serve; and,

   WHEREAS, AmeriCorps members demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, and after their terms of service remain engaged in our communities as volunteers, public servants, and civic leaders in disproportionately high levels; and,

   THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 12, 2014, as AMERICORPS DAY in the State of Illinois, and encourage residents to recognize the positive impact of AmeriCorps in our state; thank those who serve; and to find ways to give back to their communities.

   Issued by the Governor September 9, 2014.
   Filed by the Secretary of State September 23, 2014.

   2014-396
   CENTRAL AMERICAN INDEPENDENCE DAY

   WHEREAS, the State of Illinois is honored to join the Central American community and their Honorable Consuls in celebrating the 193rd Anniversary of Central American Independence; and,

   WHEREAS, this event commemorates the date of September 15, 1821, when the Central American nations of Guatemala, Honduras, El Salvador, Costa Rica, and Panama jointly declared their independence from Spain; and,

   WHEREAS, now, nearly two centuries later, Guatemalans, Hondurans, El Salvadorians, Costa Ricans, and Panamanians all across the globe gather to commemorate the birth of their freedom; and,

   WHEREAS, here in Illinois, the Central American community is flourishing and has made many significant economic and cultural contributions to the Land of Lincoln; and,

   WHEREAS, on September 15, 2014, Hon. Hugo Haroldo Hun Archila, Consul General Guatemala and Hon. Patricia Maza-Pittsford, Consul General El Salvador, will be hosting a reception to commemorate the anniversary of Central American Independence; and,

   THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim September 15, 2014, as CENTRAL AMERICAN INDEPENDENCE DAY in Illinois, in recognition of Central America’s 193rd Anniversary of Independence, and in tribute to all Central Americans who call Illinois home.

Issued by the Governor September 9, 2014.
Filed by the Secretary of State September 23, 2014.

2014-397
DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, domestic violence is a prevalent social problem that not only harms the victim, but also negatively affects the victim’s family, friends and community at large; and,
WHEREAS, domestic violence knows no boundaries; it exists in all neighborhoods and cities, and affects people of all ages, racial, ethnic, economic, and religious backgrounds; and,
WHEREAS, one in four women will experience domestic violence sometime in her life. In Illinois alone, there are approximately 115,000 to 125,000 domestic crimes each year; and,
WHEREAS, for many victims of domestic violence, abuse experienced at home often follows them to the workplace, when they are harassed by threatening phone calls and/or emails; and,
WHEREAS, the health-related costs of rape, physical assault, stalking and homicide by intimate partners amount to nearly $6 billion every year, and the annual cost of lost productivity in the workplace due to domestic violence is estimated to be hundreds of millions of dollars, with nearly 8 million paid workdays lost per year; and,
WHEREAS, the Victims’ Economic Security and Safety Act (VESSA) provides workplace protections specifically for victims of domestic or sexual violence; and,
WHEREAS, VESSA, which is enforced by the Illinois Department of Labor, allows employees who are victims of domestic or sexual violence or who have a family or household member who is a victim of domestic or sexual violence, up to 12 workweeks of unpaid leave in any 12-month period; and,
WHEREAS, VESSA prohibits employer discrimination against any employee who is a victim of domestic or sexual violence or any employee who has a family or household member who is a victim of domestic or sexual violence; and,
WHEREAS, the Illinois Department of Human Services is dedicated to ensuring that Illinois residents live free from domestic violence, promoting
prevention, and working in partnership with communities to advance equality, dignity, and respect for all; and,

WHEREAS, the Illinois Department of Human Services supports dozens of multi-service domestic violence programs throughout the state, offering counseling and advocacy, legal assistance, children’s services, and shelter and support services at no cost to the victim; and,

WHEREAS, throughout the month of October, the Illinois Coalition Against Domestic Violence and its 52 member organizations, including Apna Ghar, will hold numerous events across the state in observance of Domestic Violence Awareness Month, including 5kwalk/runs, Silent Witness events, candlelight vigils, and marches; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as DOMESTIC VIOLENCE AWARENESS MONTH in Illinois, to raise awareness about the problem of domestic violence throughout the state and its devastating effects on families and communities, and to urge all victims to seek help either by calling the Statewide Domestic Violence Helpline, 1-877-TO END DV (1-877-863-6338) or visiting a local help center.

Issued by the Governor September 9, 2014.
Filed by the Secretary of State September 23, 2014.

2014-398
LATIN AMERICAN HEALTH WEEKS

WHEREAS, Latin American Health Weeks is a series of annual health fairs, informational workshops, conferences, medical exams, and other activities organized by the 13 Latin American Consulates in the Midwest and their network of agencies, health departments, hospitals, community organizations, schools, and churches; and,

WHEREAS, an official ceremony for Latin American Health Weeks will take place at the Consulate General of Mexico on September 30th, while this year’s main event will take place at Unity High in Cicero, Illinois; and,

WHEREAS, as a part of Binational Health Week, the objective of Latin American Health Weeks is to improve the health and well-being of underserved Latinos; and,

WHEREAS, the State of Illinois is supportive of Latin American Health Weeks and its efforts to improve health outcomes for Latinos living in the Land of Lincoln and across the Midwest; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 30-October 17, 2014, as LATIN AMERICAN HEALTH WEEKS in Illinois, and encourage all citizens to unite to improve
2014-399
LIGHTS ON AFTERSCHOOL DAY

WHEREAS, the citizens of the State of Illinois stand firmly committed to quality afterschool programs and opportunities; and,
WHEREAS, afterschool programs provide safe, challenging, and engaging learning experiences that help children develop social, emotional, physical and academic skills; and,
WHEREAS, afterschool programs also support working families by ensuring their children are safe and productive after the regular school day ends; and,
WHEREAS, afterschool programs benefit everyone because they build stronger communities by involving students, parents, business leaders and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families and adults; and,
WHEREAS, the State of Illinois has provided significant leadership in the area of community involvement and the education and well-being of our youth, which is grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and,
WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and unfortunately, 15.1 million children have no place to go after school; and,
WHEREAS, a high percentage of youth are unsupervised afterschool and the demand for afterschool programs outstrips capacity; and,
WHEREAS, afterschool programs strengthen our communities by providing students a safe and healthy environment for them to learn while helping working parents; and,
WHEREAS, the State of Illinois is committed to investing in the health and safety of all young people by providing expanded learning opportunities that will help close the achievement gap and prepare young people to compete in the global economy; and,
WHEREAS, Lights On Afterschool is a national celebration of afterschool programs that will be held this year on October 23; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 23, 2014, as LIGHTS ON AFTERSCHOOL DAY in Illinois, in recognition of the importance of quality afterschool programs in the lives of children, families and communities.
WHEREAS, on September 11, 2001, the peace and security of our nation was shattered by terrorist attacks that killed thousands of innocent and brave people at the World Trade Center Towers in New York City, at the United States Pentagon, and in the fields of Shanksville, Pennsylvania; and,

WHEREAS, the objective of the terrorists on 9/11 was to strike a powerful blow to the hearts of all Americans and to tear the fabric of our nation. But instead, there emerged from the ashes of that tragedy a remarkable spirit of unity, compassion, and determination that will never be forgotten, just as we will never forget those who were lost and injured on that day, and those who rose to service during the rescue-and-recovery effort and in defense of our nation; and,

WHEREAS, by a joint resolution in December of 2001, the U.S. Congress designated September 11 of each year as Patriot Day and on April 21, 2009, President Barack Obama signed into law the Edward M. Kennedy Serve America Act, which includes language to officially establish September 11 as an annually recognized National Day of Service and Remembrance; and,

WHEREAS, this enduring and compassionate legacy truly honors the 9/11 victims and their families, the first responders and rescue-and-recovery workers, the servicemen and women who defend our freedom and safety, and the many volunteers who spontaneously contributed their efforts in the immediate aftermath of 9/11; and,

WHEREAS, on Patriot Day and National Day of Service and Remembrance, we pledge to carry on their legacy of courage and compassion, and to move forward together as one people; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 11, 2014, as PATRIOT DAY AND NATIONAL DAY OF SERVICE AND REMEMBRANCE in Illinois, and order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise to sunset on this day, and urge my fellow citizens to contribute their time and energy in assisting others through community service today and throughout the year to honor those who died on September 11, 2001.

Issued by the Governor September 9, 2014.
WHEREAS, the State of Illinois is committed to ensuring the safety and security of all those living in and visiting our state; and,
WHEREAS, the State of Illinois is committed to providing enduring education to middle and elementary school students; and,
WHEREAS, youth violence, delinquency, and bullying are concerns both locally and nationally; and,
WHEREAS, Gang Resistance Education And Training (G.R.E.A.T.) is an evidence-based and effective gang and violence prevention program built around school-based, law enforcement officer-instructed classroom curricula; and,
WHEREAS, the G.R.E.A.T. program offers a continuum of components for students and their families that focus on providing life skills to help youth avoid bullying, delinquent behaviors, and violence to solve problems; and,
WHEREAS, the G.R.E.A.T. Pledge, “I pledge to use my G.R.E.A.T. skills to reduce violence in my community, work to resolve conflicts peacefully, and stop bullying whenever I see it,” effectively serves to remind students to use these life skills; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 1, 2014 as G.R.E.A.T. DAY in Illinois and urge all middle and elementary school children of Illinois to sign the G.R.E.A.T. Pledge on this day.

Issued by the Governor September 10, 2014.
Filed by the Secretary of State September 23, 2014.

2014-402
MORAVIAN DAY

WHEREAS, Moravia is a province of Czech Republic, also known as the “Bread Basket of Czechoslovakia,” and Moravians are one of the oldest cultural groups in the world, dating back to before the Holy Roman Empire; and,
WHEREAS, Moravia has given birth to several prominent individuals, such as the “Teacher of Nations” Jan Amos Komensky, and Thomas G. Masaryk, who would later go on to influence the entire Czechoslovak region; and,
WHEREAS, the United States of America is a land of opportunity where people are recognized for their diverse heritage; and,
WHEREAS, the beautiful Moravian folk costumes and traditional folk music were always a part of every community and civic function in Chicago dating back to before the mid 1920s; and,
WHEREAS, twenty-two individual Moravian social organizations banded together on November 29, 1938, and formed the United Moravian Societies; and,
WHEREAS, the Chicago Moravian Clubs were one of the first ethnic groups to participate in war bond rallies and they gave performances on State Street in Chicago’s Loop for the purposes of promoting the sale of War Bonds and Stamps during World War II; and,
WHEREAS, Czech-Americans contribute significantly to this country through working in a variety of different professions. It is important that we recognize their valuable contributions to making the United States a world leader in business and politics, and the courage they have displayed in serving our country during times of war; and,
WHEREAS, this year, Czech-Americans throughout Chicagoland, and throughout the United States and North America will celebrate the 75th annual Moravian Day event; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21, 2014 as MORAVIAN DAY in the State of Illinois and encourage all citizens to learn about the wonderful contributions that Czech Immigrants have made to our state, and to the nation as a whole.
Issued by the Governor September 10, 2014.
Filed by the Secretary of State September 23, 2014.

2014-403
LIONS AND LIONESSES DIABETES AWARENESS CAMPAIGN DAYS

WHEREAS, diabetes has reached epidemic proportions in the United States; 23.6 million people or 7.8 percent of the population have diabetes. 17.9 million have diagnosed diabetes and 5.7 million undiagnosed. In Illinois, more than 841,626 adults (age 18 and older) or 8.8 percent have diagnosed diabetes. An additional 260,000 adults may have undiagnosed diabetes and approximately 3 million people are at increased risk for developing diabetes due to age, obesity and sedentary lifestyle; and,
WHEREAS, type 2 diabetes can be prevented in those at high risk by changes in lifestyle with improved diet, increased physical activity, and/or modest weight loss; and,
WHEREAS, in Illinois, diabetes - both type 1 and type 2 - account for nearly $7.3 billion in total direct healthcare and indirect costs every year. It is estimated that the direct medical care costs per person per year with diabetes is 2.3 times higher than the person without diabetes. Studies estimate that a one percent reduction in A1c values can reduce total healthcare costs for a patient with type 2 diabetes by up to $950 per year; and,

WHEREAS, numerous studies support that people with diabetes can prevent or delay the progression of complications by practicing goal-oriented management of blood glucose, lipids and blood pressure, receiving diabetes self-management education, ensuring proper food intake and physical activity to help achieve target values, maintaining a healthy body weight, and receiving recommended eye and foot examinations; and,

WHEREAS, as many as one in four people with diabetes will develop a foot ulcer in their lifetime. Proper daily foot care, regular examinations by a physician or podiatrist and early detection and treatment of possible ulcers may prevent amputations. People with diabetes under the care of a podiatrist or multidisciplinary health care team have fewer deep ulcers; and,

WHEREAS, retinopathy, a disease of the small blood vessels in the retina, is one of the most common eye problems for people with diabetes; and people with diabetes have a higher risk of blindness than people without diabetes. A person with diabetes should have regular eye examinations with an eye care professional. Early detection and treatment of retinopathy may prevent further damage and blindness; and,

WHEREAS, the Lions and Lioness Clubs of Illinois are sponsoring the Lions and Lioness Diabetes Awareness Campaign this year throughout the months of March, April and May; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 1 through May 31, 2015 as LIONS AND LIONESSSES DIABETES AWARENESS CAMPAIGN DAYS in Illinois.

Issued by the Governor September 11, 2014.
Filed by the Secretary of State September 23, 2014.

2014-404
NILES NORTH HIGH SCHOOL DAY

WHEREAS, Niles North High School was established in 1964 and is celebrating 50 years of dedicated service to the students and families of the Skokie area; and,

WHEREAS, Niles North is proud to provide a world class education to a diverse population of more than two thousand two hundred students who speak more than 90 different languages; and,
WHEREAS, Niles North aims to provide every student with a robust educational experience that helps to ensure students’ ability to fulfill their potential both academically and personally; and,

WHEREAS, Niles North students have received countless accolades recognizing impressive accomplishments in music, philanthropy, science, debate, research, theater, and writing; and,

WHEREAS, Niles North aims to instill its students with a strong sense of civic responsibility and a commitment to serve their communities; and,

WHEREAS, Niles North provides extracurricular programs to develop a student’s mental, physical, and social skills; and,

WHEREAS, Newsweek named Niles North among the best high schools in the nation; and,

WHEREAS, the faculty at Niles North have also received national recognition and awards for excellence in teaching; and,

WHEREAS, the outstanding educators, administrators, and staff at the school have strengthened the readiness for postsecondary success of countless graduates, enabling students to pursue their academic and career goals; and,

WHEREAS, in addition to preparing students for success in college and careers, family engagement and community partnerships are top priorities for Niles North; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 19, 2014, as NILES NORTH HIGH SCHOOL DAY, in honor of its impressive student and educator achievements and the rich legacy of contributions it has made to both the local community and the state as a whole over the past half century.

Issued by the Governor September 11, 2014
Filed by the Secretary of State September 23, 2014

2014-405
ROY LEONARD DAY

WHEREAS, born into humble beginnings in Redwood Falls, Minnesota, Ray Leonard would become one of the most noteworthy broadcasters to ever work in the Land of Lincoln; and,

WHEREAS, before retiring in 1998, Roy Leonard spent 31 years at WGN Radio and TV. He hosted the “Family Classics” movie series from 1985-2000 and reviewed theater and films for WGN-TV; and,

WHEREAS, Roy Leonard’s top rated radio shows featured him interviewing celebrities, authors, politicians, musicians, and sports figures; and,
WHEREAS, from Tom Cruise to Christopher Reeve, and Dustin Hoffman, Roy Leonard introduced some of our nation’s most prominent entertainers to his loyal listeners; and,
WHEREAS, prior to arriving at WGN in 1967, Roy Leonard attended Emerson College, served in the United States Air Force and the Armed Forces Radio, held different radio gigs, and worked as a sports play-by-play broadcaster; and,
WHEREAS, perhaps most importantly, Roy Leonard was a kind-hearted and thoughtful man who was always looking for ways to serve others. He left an indelible mark on everyone who met him, and his kindness serves as an inspiration to other broadcasters; and,
WHEREAS, Roy Leonard passed away on September 4, 2014, at the age of 83; and,
WHEREAS, a visitation will be held on Friday, September 12, 2014, for Roy Leonard, who is survived by many loving family members, friends, and listeners who are grateful for the numerous ways he touched their lives; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare September 12, 2014, as ROY LEONARD DAY in Illinois, in recognition of his success as a broadcaster and the powerful legacy he leaves behind.

Issued by the Governor September 11, 2014.
Filed by the Secretary of State September 23, 2014.

2014-406
LIFE INSURANCE AWARENESS MONTH

WHEREAS, the vast majority of Americans recognize that it is important to protect loved ones with life insurance, with a recent survey indicating that 80 percent agree that most people need coverage; and,
WHEREAS, the life insurance industry pays $63 billion to beneficiaries each year, providing a tremendous source of financial relief and security to families that experience the loss of a loved one; and,
WHEREAS, despite the importance that people place on life insurance and the peace of mind that it brings to millions of American families, there are still too many Americans who lack adequate coverage; and,
WHEREAS, the unfortunate reality is that more than 95 million adult Americans have no life insurance and most with coverage have less than most experts recommend; and,
WHEREAS, millions of Americans realize that they are underinsured,
with nearly one in three believing that they do not have enough coverage; and,

WHEREAS, during times like these when so many families continue to struggle, life insurance coverage is more important than ever because people have fewer financial resources to fall back on than in years past, increasing their financial vulnerability; and,

WHEREAS, the nonprofit Life Happens and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2014 as “Life Insurance Awareness Month,” whose goal is to get consumers thinking about their need for life insurance protection, to encourage them to seek advice from a qualified insurance professional, and to take the actions necessary to achieve a financially secure future for their loved ones; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as LIFE INSURANCE AWARENESS MONTH in Illinois, and do urge our citizens to learn more about life insurance and its benefits.

Issued by the Governor September 12, 2014.
Filed by the Secretary of State September 23, 2014.

2014-407
PUMPKIN PIE DAY

WHEREAS, the State of Illinois is immensely proud that we grow more pumpkins than any other state; and,

WHEREAS, pumpkin pie, a traditional sweet dessert, is eaten often during fall and early winter, especially during the Thanksgiving and Christmas holidays; and,

WHEREAS, the largest pumpkin pie ever made was over five feet in diameter and in excess of 350 pounds. It took six hours to bake and used 80 pounds of cooked pumpkin, 36 pounds of sugar, and 12 dozen eggs; and,

WHEREAS, there are few foods more purely American than pumpkin pie. With its connections to rural life, family, and hard work, pumpkin pie symbolizes the values that are close to the heart of all Illinoisans; and,

WHEREAS, around a half-billion pounds of pumpkin are produced annually in Illinois, and our top ten pumpkin producing counties are Tazewell, Kankakee, Mason, Logan, Will, Marshall, Kane, Pike, Carroll, and Woodford; and,

WHEREAS, 80 percent of the pumpkin supply in the United States is available in October, and around 90 to 95 percent of the processed pumpkins in our nation are grown in Illinois; and,
WHEREAS, the $32.8 million pumpkin industry in Illinois plays a vital role in promoting economic development, and it is critically important that the State of Illinois recognize the contributions of pumpkin farmers and the delicious pumpkin pie that is served at restaurants and eaten by individuals and families across our state; and,

WHEREAS, featuring a parade, Pumpkin Business Expo, Pumpkin Classic Run/Walk, and Pumpkin Craft Faire, along with many other activities, this year’s Morton Pumpkin Festival provides an opportune time to support HB6292, sponsored by Representative Keith Sommer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 13, 2014, as PUMPKIN PIE DAY in Illinois, in recognition of the delicious pumpkin pie made in the Land of Lincoln and in support of passing HB6292.

Issued by the Governor September 12, 2014.
Filed by the Secretary of State September 23, 2014.

2014-408
ZAC BROWN BAND DAY

WHEREAS, from northern Illinois into Chicago and down to southern Illinois, there are countless music fans across the Land of Lincoln; and,

WHEREAS, based out of Atlanta, Georgia, the three-time GRAMMY winners and multi-platinum artists Zac Brown Band have become one of music’s most heralded acts; and,

WHEREAS, the Zac Brown Band was founded by bassist John Hopkins, fiddler Jimmy De Martini, and Zac Brown, who developed a passion for music at a young age and began playing in local venues in Georgia as a teenager; and,

WHEREAS, the members of the three-time GRAMMY winning Zac Brown Band are Zac Brown, Jimmy De Martini, John Driskell Hopkins, Coy Bowles, Chris Fryar, Clay Cook, Daniel De Los Reyes, and Matt Mangano; and,

WHEREAS, the Zac Brown Band’s three platinum-selling albums, Uncaged, You Get What You Give, and The Foundation have together sold over six million copies; and,

WHEREAS, the Zac Brown Band has recorded four studio albums and produced eleven #1 singles; and,

WHEREAS, the Zac Brown Band’s latest album, The Grohl Sessions Vol. 1, is out now on Southern Grand and features a 45-minute film by Southern Reel on the making of the album; and,
WHEREAS, always loyal to its fans, the Zac Brown Band performed for over 1.3 million people in 2013, in numerous venues across the nation and internationally; and,

WHEREAS, inspired by his own experiences as a camp counselor, Zac Brown is the driving force behind Camp Southern Ground, a state-of-the-art facility whose programs will allow children of all backgrounds to overcome academic, social, and emotional difficulties. The camp's mission is to help children reach their full potential by providing them with the opportunity and tools necessary to achieve excellence in all facets of their lives; and,

WHEREAS, the Zac Brown Band is currently on the ‘Great American Road Trip Tour,’ which included a two-night stand at Fenway Park without any support acts, a feat only accomplished by four other bands; and,

WHEREAS, the Zac Brown Band will headline their first ever Wrigley Field concert on Saturday, September 13, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 13, 2014, as ZAC BROWN BAND DAY in Illinois, in recognition of their performance in Chicago and outstanding musical contributions.

Issued by the Governor September 12, 2014.
Filed by the Secretary of State September 23, 2014.

2014-409
CHICAGO FOOTBALL CLASSIC DAY

WHEREAS, since its founding in 1997, the Chicago Football Classic has worked to empower Chicago and Illinois’ African-American youth and their families, exposing them to diverse, success-oriented opportunities; and,

WHEREAS, thanks to the dynamic dedication, positive persistence and community commitment of several prominent Chicago businessmen - - Larry Huggins, Everett Rand and Tim Rand, the Chicago Football Classic, which was founded more than a decade ago, has eliminated barriers and fostered opportunities for young Illinoisans to achieve their educational aspirations; and,

WHEREAS, the 17th Annual Chicago Football Classic Benefit, with its motto “Aspire to Inspire,” featuring a gridiron rematch between two educational powerhouses, Morehouse College and Central State University, will be held on Saturday, September 20, 2014, at Soldier Field; and,

WHEREAS, it is important to recognize the commitment of this renowned community-based philanthropic organization to expanding educational opportunities for Chicago youth at our nation’s Historically Black
Colleges and Universities (HBCU’s); and,

WHEREAS, given the Chicago Football Classic’s progressive philosophy of emphasizing academic excellence, self-help and determination, this community-based initiative helps ensure brighter futures for young people by providing hope and inspiration; and,

WHEREAS, the Chicago Football Classic’s mission to increase the educational attainment among African-American youth is having a positive impact on a variety of social and economic initiatives in neighborhoods throughout Chicago and across the State of Illinois; and,

WHEREAS, the sustained longevity of the Chicago Football Classic is a direct testament to the continued commitment of its founders and staff, its sponsors, youthful supporters, their families and others, as well as college football fans and HBCU alumni from across the U.S. to ensuring that young people can reap the future rewards of educational achievement and economic empowerment; and,

WHEREAS, on behalf of the citizens of Illinois, I salute the Chicago Football Classic for its continuing efforts to make a real difference in the lives of thousands of young people across the greater Chicago area; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 20, 2014 as CHICAGO FOOTBALL CLASSIC DAY in Illinois, in recognition of its overall achievements.

Issued by the Governor September 15, 2014.
Filed by the Secretary of State September 23, 2014.

2014-410
MARIA KAUPAS CENTER DAY

WHEREAS, The Maria Kaupas Center is named after Mother Maria Kaupas, a dedicated woman who founded the Sisters of St. Casimir; and,

WHEREAS, The Maria Kaupas Center is a faith-based community center that serves the Marquette Park area and offers children and teens a safe place to relax, make friends, and develop new skills; and,

WHEREAS, The Maria Kaupas Center offers several enrichment programs for elementary and high school students as well as adults; and,

WHEREAS, the practice of Daily Reflection is a unique feature that the center offers, where everyone gathers in a non-denominational prayer circle to reflect on victories, tragedies, and struggles in unity; and,

WHEREAS, The Maria Kaupas Center will host an Open House on Thursday, September 25, 2014. This event will be an excellent opportunity to tour the facility, meet staff members, and learn about the wide range of essential services that the center provides; and,
WHEREAS, the featured speakers for this year’s open house will include Chicago City Clerk Susana Mendoza, and Illinois Appellate Court Justice Jesse G. Reyes; and,

WHEREAS, as Governor of the State of Illinois, I am pleased to welcome everyone gathered for The Maria Kaupas Center’s Open House and on behalf of the people of Illinois, I offer my best wishes for an enjoyable and memorable occasion; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim September 25, 2014, as MARIA KAUPAS CENTER DAY in Illinois, in recognition of tonight’s event and in support of the important programs and services offered by the organization.

Issued by the Governor September 15, 2014.
Filed by the Secretary of State September 23, 2014.

2014-411
INTERATIONAL PUMPKIN DAY

WHEREAS, the name pumpkin originated from “pepon” – the Greek word for “large melon”; and,

WHEREAS, pumpkins, which have origins in Central America and are members of the vine crops family called cucurbits, range in size from less than a pound to over 1,000 pounds; and,

WHEREAS, pumpkins come in an array of colors, shapes, and sizes, and can be eaten, decorated, carved, and even used for medicinal purposes; and,

WHEREAS, the largest pumpkin ever grown weighed 1,140 pounds; and,

WHEREAS, 80 percent of the pumpkin supply in the United States is available in October, and around 90 to 95 percent of the processed pumpkins in our nation are grown in Illinois; and,

WHEREAS, the State of Illinois is not only the nation’s leading pumpkin producer, but also its leading pumpkin processor; and,

WHEREAS, Morton, Illinois is the "pumpkin capital" of the world; and,

WHEREAS, around a half-billion pounds of pumpkin are produced annually in Illinois, and our top ten pumpkin producing counties are Tazewell, Kankakee, Mason, Logan, Will, Marshall, Kane, Pike, Carroll, and Woodford; and,

WHEREAS, the largest pumpkin pie ever made was over five feet in diameter and weighed over 350 pounds. It used 80 pounds of cooked pumpkin, 36 pounds of sugar, 12 dozen eggs and took six hours to bake; and,
WHEREAS, the $32.8 million pumpkin industry in Illinois plays a vital role in promoting economic development, and it is critically important that the State of Illinois recognize the contributions of pumpkin farmers and the delicious pumpkin pie that is served at restaurants and eaten by individuals and families across our state; and,

WHEREAS, October 11, 2014 will be the 6th annual celebration of International Pumpkin Day, a holiday created in Chicago, Illinois and celebrated the second Saturday of October each year; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 11, 2014, as INTERNATIONAL PUMPKIN DAY in Illinois, in recognition of the history and many uses of the remarkably delicious and widely celebrated pumpkin.

Issued by the Governor September 16, 2014.
Filed by the Secretary of State September 23, 2014.

2014-412
“JUMPSTART’S READ FOR THE RECORD DAY”

WHEREAS, Jumpstart, a national early education organization, is working to ensure that all children in America enter kindergarten prepared to succeed; and,

WHEREAS, year-round, Jumpstart recruits and trains college students and community volunteers to deliver a high quality early education curriculum to preschool children in low-income neighborhoods, helping them to develop the key language and literacy skills they need to succeed in school and in life; and,

WHEREAS, since 1993, Jumpstart has trained nearly 36,000 college students and community volunteers to transform the lives of more than 76,000 preschool children nationwide; and,

WHEREAS, Jumpstart is a proud part of the AmeriCorps family here in Illinois, with a devoted Corps of members supporting the mission of my Serve Illinois Commission on Volunteerism and Community Service; and,

WHEREAS, the goals of the campaign are to raise national awareness of the importance of early childhood education, support Jumpstart’s early education programs in preschools in low-income neighborhoods nationwide through donations and sponsorship, and celebrate the commencement of Jumpstart’s program year; and,

WHEREAS, October 21, 2014 would be an appropriate date to designate as “Jumpstart’s Read for the Record Day” because it is the date Jumpstart aims to set the world record for the largest shared reading experience; and,
WHEREAS, Jumpstart hopes to engage over 2.4 million adults and children in Illinois in reading Bunny Cakes by Rosemary Wells during this record-breaking celebration of reading and service, all in support of Illinois preschool children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 21, 2014 as “JUMPSTART’S READ FOR THE RECORD DAY” in Illinois, and applaud the efforts of Jumpstart in raising awareness of the critical importance of early childhood education and of Jumpstart Corps members in committing hundreds of hours of service each year to young children in Illinois.

Issued by the Governor September 16, 2014.
Filed by the Secretary of State September 23, 2014.

2014-413
KEEP CHICAGO BEAUTIFUL DAY

WHEREAS, protecting the environment is becoming more important than ever; and,

WHEREAS, Keep Chicago Beautiful was established on June 11, 1987, in order to sustain and improve the quality of life for individuals on this Earth by protecting the environment for those who inhabit it, by pledging to reduce, reuse and recycle and to spread their work to those throughout the city, state and nation; and,

WHEREAS, Keep Chicago Beautiful has successfully founded the nationwide program known as “Waste in Place” which has educated younger generations on the importance of reducing, reusing and recycling, as well the advantages of eradicating litter to clean up Chicago; and,

WHEREAS, this organization understands the importance of maintaining a beautiful environment, leading by example through their efforts with the city of Chicago, and appreciates the significance of educating those who will nurture the environment for years to come; and,

WHEREAS, it is fitting and proper to officially recognize this organization on their efforts to preserve our environment and to keep it beautiful; and,

WHEREAS, on October 2, 2014, Keep Chicago Beautiful will celebrate their 27th Annual Vision Awards Event; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2, 2014, as KEEP CHICAGO BEAUTIFUL DAY and call upon all citizens to observe the day by becoming familiar with the actions that harm the environment and measures that can be taken to ensure that we maintain and preserve the beautiful environment in which we live.
WHEREAS, school principals play an important role in the education and growth of children in elementary, middle, and secondary schools across the State of Illinois; and,

WHEREAS, school principals are responsible for promoting education and working with parents and teachers to ensure that each child receives services that meet their needs to excel in the classroom; and,

WHEREAS, it is the responsibility of the State of Illinois to preserve and improve resources for schools so that all students have the opportunity to receive a quality education and foundation for a successful future; and,

WHEREAS, the Illinois Principals Association, which represents 4,400 educational leaders statewide, believes that learning is a lifelong process and that the education of our children is the highest priority; and,

WHEREAS, for that reason, the Illinois Principals Association is dedicated to advancing student learning through effective and innovative educational leadership development; and,

WHEREAS, educational leaders face many challenges in educating our young people and it is through their perseverance and passion that Illinois is able to continue to produce quality, career ready students; and,

WHEREAS, we must continue to encourage, support, and recognize those who have a positive impact on Illinois students’ and the educational system in the Land of Lincoln; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of October 19-25, 2014 as PRINCIPALS WEEK and October 24, 2014 as PRINCIPALS DAY in Illinois, to recognize principals and the Illinois Principals Association for all that they do to help our children learn and succeed.

Issued by the Governor September 16, 2014.
Filed by the Secretary of State September 23, 2014.
WHEREAS, yearly vaccination of everyone 6 months of age and older is the first and most important step in protecting against influenza; and,
WHEREAS, in 2013, there were 705 intensive care unit (ICU) hospital admissions related to influenza and 91 deaths related to influenza in Illinois; and,
WHEREAS, influenza vaccination can reduce influenza illnesses, doctors’ visits, missed work due to influenza, as well as prevent influenza-related hospitalizations and deaths; and,
WHEREAS, National Influenza Vaccination Week (NIVW) focuses local and national attention on the importance of getting vaccinated against influenza through the holiday season and beyond; and,
WHEREAS, the Illinois Department of Public Health has partnered with local health departments, including the Chicago Department of Public Health, the Illinois Chapter of American Academy of Pediatrics, EverThrive Illinois, Walgreens, CVS and Safeway pharmacies, Blue Cross and Blue Shield of Illinois, local health coalitions, and health advocate organizations to promote and support immunization activities throughout the state; and,
WHEREAS, the week of December 7-13, 2014, has been declared Vaccinate Illinois Week to help ensure citizens ages 6 months and older get vaccinated against influenza; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of December 7 – 13, 2014, as Vaccinate Illinois Week in Illinois, and encourage all citizens to spread the immunization message throughout their communities and urge all citizens 6 months of age and older to get vaccinated against influenza.

Issued by the Governor September 16, 2014.
Filed by the Secretary of State September 23, 2014.

2014-416
JESSE D. MADISON DAY

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,
WHEREAS, one remarkable public servant is Jesse D. Madison, who served the State of Illinois for 40 years in various capacities, including 10 years on the Prisoner Review Board; and,
WHEREAS, born in Memphis, Tennessee, to Mildred and Walter Madison, Jesse Madison graduated from Manassas High School and Roosevelt University in Chicago, where he received a B.A. in Business Administration; and,
WHEREAS, an accountant by trade, Jesse Madison spent ten years in the profession, rising to the position of Senior Accountant with the Maremont Corporation; and,

WHEREAS, Jesse Madison served under the late Mayor Harold Washington as Commissioner of Consumer Services and as the Chicago Park District President/CEO; and,

WHEREAS, as a state legislator from 1974 to 1978, Jesse Madison helped pass the Public Aid Appropriations Bill, the Adult Education Bill, and many others. In 1976, he was voted “Best Legislator” by the Independent Voters of Illinois; and,

WHEREAS, in addition to his work in government, Jesse Madison was always active with numerous civic organizations, including the African American Family Commission, the Make-A-Wish Foundation, the Child Welfare Advisory Council, the Urban League, and the Abraham Lincoln Center; and,

WHEREAS, Jesse Madison’s work has undoubtedly created a lasting impact and his professionalism earned him the respect of his colleagues; and,

WHEREAS, Jesse Madison’s commitment to public service helped to make our state stronger, and he serves as an inspiration to the people of the Land of Lincoln. Furthermore, his work ethic exemplified the dedication to service the citizens of the State of Illinois have come to expect and deserve; and,

WHEREAS, sadly, on August 8, 2014, Jesse Madison passed way, leaving behind many loving family members and friends; and,

WHEREAS, perhaps most importantly, Jesse Madison was a loving husband to his wife, Frances, and their two beautiful children, Shanlynn and Tracey, and grandchildren; and,

WHEREAS, in order to recognize Jesse Madison’s lifetime of successes, the Illinois African American Commission will be hosting “A Night of Honor” for him on October 4, 2014, which will feature dinner, tributes, presentations, and music by Joan Collaso, an international Emmy Award winning Jazz performer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 4, 2014, as JESSE D. MADISON DAY in Illinois, in recognition of the important contributions that he has made to the people of our state and the powerful legacy that he leaves behind.

Issued by the Governor September 17, 2014.

Filed by the Secretary of State September 23, 2014.
2014-417
COMPLEX REGIONAL PAIN SYNDROME AWARENESS DAY

WHEREAS, Complex Regional Pain Syndrome (CRPS), also known as Reflex Sympathetic Dystrophy Syndrome (RSDS), is a nerve disorder that causes chronic pain and can strike at any age, most often affecting one of the arms, feet, hands, or legs; and,
WHEREAS, the pain often spreads to include the entire arm or leg, and typical characteristics of CRPS include dramatic changes in the color and temperature of the skin over the affected limb or body part, accompanied by intense burning pain, skin sensitivity, sweating, and swelling; and,
WHEREAS, although CRPS occurs especially after an injury or trauma to a limb, doctors are uncertain what causes it and even though there are different types of treatments, there is no cure; and,
WHEREAS, though treatment can relieve painful symptoms, the prognosis varies from person to person; and,
WHEREAS, several institutes of the National Institutes of Health (NIH) are supporters of research relating to CRPS; and,
WHEREAS, the National Institute of Neurological Disorders and Stroke (NINDS), the primary federal supporter of research on the brain and central nervous system, has scientists that are studying new approaches to treat CRPS and intervene more aggressively after traumatic injury to lower the chances of developing the disorder; and,
WHEREAS, this research is encouraging to everyone who hopes CRPS will one day be eliminated; and,
WHEREAS, on November 3, 2014, members of the Complex Regional Pain Syndrome community will be celebrating the first annual Color the World Orange Day to spread awareness of this poorly understood pain disorder; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 3, 2014, as COMPLEX REGIONAL PAIN SYNDROME AWARENESS DAY in Illinois, to raise awareness about CRPS and in support of the effort to combat this disorder that affects so many throughout the country and our state.

Issued by the Governor September 18, 2014.
Filed by the Secretary of State September 23, 2014.

2014-418
HARRY WILSON DAY

WHEREAS, it is critically important that Illinois recognizes the
contributions of residents who demonstrate a commitment to making our state a better place; and,

WHEREAS, one remarkable individual deserving of commendation is Harry Wilson. Born in Petersburg, Illinois, he would go on to become a dedicated service member, carpenter, family member, and friend whose masterful works stand in perpetuity; and,

WHEREAS, military service is a noble and honorable deed, and Harry Wilson heroically enlisted in the United States Navy at age 17 and served in the Atlantic Theater as a Signalman Second Class, United States Navy, from July 6, 1943, to March 4, 1946; and,

WHEREAS, upon completing military service, Harry Wilson returned to Petersburg, where he married his love, Marilyn Ross Wilson, of Tallula, Illinois, a marriage that would last 65 years. Together, they were proud parents of their beautiful daughter, Holly Wilson Crowl, who was born on December 25, 1959, and two wonderful grandchildren, Taylor Wilson Crowl and Logan Matthew Crowl; and,

WHEREAS, Harry Wilson, a second generation carpenter, who built his own home and dozens of others in Petersburg, also renovated some of our state’s most cherished buildings, including the Dana Thomas House, the Springfield Train Station, the Governor’s Mansion, and the State Capitol Building; and,

WHEREAS, the people of Illinois are appreciative of Harry Wilson’s efforts to build and improve the aesthetic quality of some of our state’s most historically significant buildings; and,

WHEREAS, Harry Wilson’s work has undoubtedly created a lasting impact and his professionalism earned him the respect of his colleagues; and,

WHEREAS, despite the successes he achieved, Harry Wilson always remained loyal to the people of Illinois; and,

WHEREAS, sadly, Harry Wilson has passed way, leaving behind many loving family members and friends who are grateful for the numerous ways he touched their lives; and,

WHEREAS, Harry Wilson’s funeral will be held on Monday, September 22, 2014, providing an opportune time for the State of Illinois to honor him; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 22, 2014, as HARRY WILSON DAY in Illinois, in recognition of his accomplishments and the powerful legacy he leaves behind.

Issued by the Governor September 18, 2014.
Filed by the Secretary of State September 23, 2014.
2014-419
MARILLAC CENTER DAY

WHEREAS, the Marillac Center has been serving the needs of the poor and working poor throughout the City of Chicago for 100 years; and,
WHEREAS, sponsored by the Daughters of Charity, the Marillac Center provides vital programs and services in the areas of child development, social services, outreach to at-risk families and individuals, senior services, and youth programs; and,
WHEREAS, the Marillac Center is committed to the values of integrity, excellence, creativity, advocacy, respect, and empowerment; and,
WHEREAS, throughout time, the Marillac Center has proven to be adaptable and willing to operate creatively in order to meet the needs of the community members it serves; and,
WHEREAS, this year, the Marillac Center will celebrate its 100th anniversary, providing an opportune time for the people of Illinois to recognize its longevity and commitment to improving the lives of others in the Chicago area; and,
WHEREAS, 100 years of existence is a testament to the dedication of the Marillac Center’s volunteers and staff; and,
WHEREAS, I am pleased to welcome everyone gathered for the Marillac Center’s Centennial Celebration and dedication of the Vince and Pat Foglia Family and Youth Center. On behalf of the people of Illinois, I offer my best wishes for an enjoyable and memorable occasion; and,
THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim September 20, 2014, as MARILLAC CENTER DAY in Illinois, in recognition of today’s event and in support of the important programs and services offered by this organization.

Issued by the Governor September 18, 2014.
Filed by the Secretary of State September 23, 2014.

2014-420
USS HONOLULU CL-48 DAY

WHEREAS, the USS Honolulu CL-48 was built in the Brooklyn Navy Yard and launched in August 1937; and,
WHEREAS, the USS Honolulu is the only light cruiser named for a city of a territory that had not yet become a state, and was sponsored by Helen Poindexter, the daughter of Joseph B. Poindexter, Governor of Hawaii; and,
WHEREAS, the USS Honolulu was commissioned on June 15, 1938, with Captain Oscar Smith in command; and,
WHEREAS, on December 7, 1941, the USS Honolulu was moored in Pearl Harbor where she received underwater damage by a Japanese bomb attack but suffered no casualties; and,

WHEREAS, after repairs, the USS Honolulu re-entered the Pacific fleet to safely escort convoys, intercept enemy convoys, bombard islands for troop landings, provide screenings for troop landings, and to engage with enemy ships; and,

WHEREAS, the USS Honolulu, while fighting in the Battle of Kolombangara, sank an enemy destroyer and cruiser before being struck by a torpedo; and,

WHEREAS, following repairs, she resumed her mission and fought at Guam, Palau, and Leyte Gulf; and,

WHEREAS, while engaged in the largest Naval battle in history at Leyte Gulf, the USS Honolulu was struck by a torpedo at 1601 hours on October 20, 1944, causing the loss of 62 souls and inflicting serious and near fatal injuries on 36 more; and,

WHEREAS, the USS Honolulu served heroically in the Pacific Theater, earned 10 Battle Stars and a Presidential Unit Citation; sank 4 enemy Destroyers, 1 enemy Cruiser, and shot down several enemy aircraft; and,

WHEREAS, 'The Blue Goose', as the USS Honolulu was nicknamed and is fondly known to her crew, was decommissioned February 3, 1947, thus ending over two decades of meritorious service; and,

WHEREAS, the remaining crew of the USS Honolulu have determined that this 'Anniversary' reunion, so named to commemorate the 70th anniversary of the torpedo strike on the ship at Leyte Gulf, is the FINAL Ship's reunion; and,

WHEREAS, because the site of the inaugural USS Honolulu reunion was held at O'Hare Field in Chicago, Illinois, in 1977, the crew should come full circle to return to O'Hare Field in 2014; and,

WHEREAS, the final reunion will be held in Rosemont at the Hilton Rosemont/Chicago O'Hare; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 20, 2014, as USS HONOLULU CL-48 DAY in Illinois, in recognition of the brave Sailors and Marines who served aboard the ship.

Issued by the Governor September 18, 2014.

Filed by the Secretary of State September 23, 2014.
2014-421
FIRST LADIES HEALTH DAY

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,

WHEREAS, due to the hardships that many Americans are facing, volunteering and national service are needed more than ever; and,

WHEREAS, churches are often the centerpieces of African-American communities and it is widely known that the First Ladies, or pastors’ wives, are the backbone of churches and the primary influences who are able to positively affect change through motivating and being an example; and,

WHEREAS, the Walgreens First Ladies Health Initiative allows Illinoisans the opportunity to seek free medical screenings for a variety of chronic illnesses that disproportionately affect African-Americans, including HIV/AIDS, high blood pressure, diabetes, breast cancer, Alzheimer’s, migraines and obesity; and,

WHEREAS, more than 50 churches in Illinois will host volunteers from a unique coalition of public and private health organizations to provide free screenings on-site at participating churches; and,

WHEREAS, more than 50,000 individuals, some unknowingly gravelly ill, have received free medical screenings and counseling during the lifetime of the Illinois-based First Ladies Health Initiative, which also extends to Gary, Indiana and to Los Angeles, California; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim September 28, 2014 as FIRST LADIES HEALTH DAY in Illinois, and urge citizens to thank participating First Ladies, and volunteers from Walgreens, Blue Cross Blue Shield of Illinois, the Illinois Department of Public Health, the AIDS Foundation of Chicago, the American Diabetes Association, the American Heart Association, Alzheimer’s Association, and other partners for their service, and to find ways to give back to their communities.

Issued by the Governor September 19, 2014.
Filed by the Secretary of State September 23, 2014.

2014-422
FRANCES E. WILLARD DAY

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by exceptional individuals who have ties to the Land of Lincoln; and,
WHEREAS, this year is the 175th anniversary of Frances E. Willard’s birth, a prominent figure in women’s history who thrust Evanston, Chicago, and the state of Illinois into the national and world spotlight during her lifetime; and,

WHEREAS, Frances Willard was one of the most prominent social reformers of the late 19th century and her ideals of social justice and activism are still present and represented in Illinois today; and,

WHEREAS, Frances Willard was a leading activist addressing women’s suffrage, women’s economic and religious rights, temperance, prison reforms, education reforms, and labor reforms; and,

WHEREAS, when Illinois submitted statues to the Hall of Statuary at the U.S. Capital, we selected Frances Willard as our submission, making her the only woman represented; and,

WHEREAS, in 1965 the Willard House became Evanston’s first building to be designated as a National Historic Landmark, in addition to being the first house commemorating the legacy of a woman’s life to receive this designation as a National Historic Landmark; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do proclaim September 28, 2014, as FRANCES E. WILLARD DAY in Illinois, and call upon the people of our state to join their fellow citizens across the United States in recognizing her unique contributions to history and participating in this special observance.

Issued by the Governor September 19, 2014.
Filed by the Secretary of State September 23, 2014.

2014-423

PROJECT FIT AMERICA DAY

WHEREAS, studies show that children who exercise regularly achieve higher academically and are better learners; and,

WHEREAS, Project Fit America (PFA) is a non-profit organization, now in three hundred cities in forty-five states, whose mission is to establish exemplary fitness in Education in schools to get children physically fit and to empower them to take care of their health; and,

WHEREAS, Project Fit America creates exemplary academic programs that provide equipment, curriculum instruction, on site teacher training, and measurable outcomes as well as rewards and incentives for all the students participating; and,

WHEREAS, on Friday, October 3, 2014 Sarah Bush Lincoln Health System will launch Project Fit America at Lake Crest Elementary School; and,
WHEREAS, Sarah Bush Lincoln Health System has done a magnificent job gathering an impressive group of teachers, parents, and community members to create model programs in their area schools since 2008; and,

WHEREAS, now with the addition of Lake Crest Elementary School launching PFA, over 2000 children will be impacted for fit and healthy lifestyle development; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 3, 2014 as PROJECT FIT AMERICA DAY in Illinois, in support of the efforts of Project Fit America.

Issued by the Governor September 19, 2014.
Filed by the Secretary of State September 23, 2014.

2014-370
CAREERS IN ENERGY WEEK (REVISED)

WHEREAS, safe, reliable, and affordable energy is essential to our families, communities, and businesses; and,

WHEREAS, energy supplies the simple things in life – heating, cooling, cooking, and lighting; and,

WHEREAS, energy supports modern society’s complex systems – providing health care, air traffic control, and running a manufacturing plant. Energy also makes possible the fun things in life – lights at a baseball field, air conditioning at the theater, and rides at the state fair; and,

WHEREAS, the large demand from the industrial sector makes Illinois among the nation’s leading consumers of energy. The state’s ability to maintain and expand these systems depends on the availability of a highly skilled, educated workforce; and,

WHEREAS, to promote workforce continuity and meet the challenges of our ever-changing economy, new workers are needed; and,

WHEREAS, women and minorities should be encouraged to pursue careers in energy. According to the Bureau of Labor Statistics, women and minorities are significantly underrepresented in the engineering workforce; and,

Energy, Mt. Carmel Public Utility Company, Nicor Gas, North Shore Gas, Northern Pipeline Company, Office of the Governor, Peoples Gas, Prairie State Generating Company, Primera Engineers, S&C Electric Company and the State of Illinois) strive to promote a unified and results-oriented strategy to ensure Illinoisans find new and rewarding careers in energy so that Illinois can continue to grow and prosper; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13-19, 2014, as CAREERS IN ENERGY WEEK in Illinois. The Illinois Energy Workforce Consortium and its partners will hold events throughout the state to highlight the need for a strong and growing energy workforce and encourage Illinoisans of all ages to consider a career in the energy industry.

Issued by the Governor August 21, 2014.
Filed by the Secretary of State October 8, 2014.

2014-424
DR. SEYMOUR L. BRYSON DAY

WHEREAS, Dr. Seymour Bryson will be honored by Southern Illinois University Carbondale (SIUC) by having the student center named “Seymour L. Bryson Plaza”; and,

WHEREAS, Dr. Bryson overcame racial discrimination at an early age and was a pioneer for education equality while attending Quincy High School, one of Southern Illinois’ first integrated public schools; and,

WHEREAS, he shined as a member of the boy’s basketball team at Quincy High School. Then, he attended SIUC where he was a four-year letterman and was voted the team’s most valuable player three times. He left the Salukis as the all-time leading scorer and rebounder; and,

WHEREAS, Dr. Bryson obtained three degrees from SIUC, including his doctorate; and,

WHEREAS, Dr. Seymour Bryson has served as Dean of SIUC’s College of Human Resources and as Director of Affirmative Action and Equal Opportunity Programs. He is the founder and Chairman of the Diversifying Higher Education Faculty in Illinois Program (DFI) Board. In addition, Dr. Seymour Bryson has been on the Illinois African American Family Commission’s Board of Commissioners since January 2006; and,

WHEREAS, “Seymour L. Bryson Circle Drive” was named after Dr. Bryson in 2008 on SIUC’s campus. In recognition of extensive community service, he received the 2010 Lindell W. Sturgis Memorial Award for professional achievement; and,

WHEREAS, it is important that the SIUC community and the people
of Illinois gather to celebrate the achievements of Dr. Bryson and the excellence he exhibits everyday; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 26, 2014, as Dr. Seymour L. Bryson DAY in Illinois, in appreciation of his service to SIUC and our state.

Issued by the Governor September 23, 2014.
Filed by the Secretary of State October 8, 2014.

2014-425
CHICAGO RIVER SUMMIT DAY

WHEREAS, the State of Illinois has been uniquely defined geographically, historically, and economically by its rivers and other waterways which are treasures that should be preserved and saved for all time; and,

WHEREAS, noteworthy for its beauty and natural, man-made history, one of the most important rivers in Illinois is the Chicago River; and,

WHEREAS, the Chicago River has a combined length of 156 miles and runs through the City of Chicago, including its center, the Chicago Loop; and,

WHEREAS, the Chicago River is increasingly valued as a hub for culture, tourism, and recreation; and,

WHEREAS, the Chicago River is the lifeblood of the Chicago Region and intersects urban planning, biodiversity, architectural majesty, recreation, transportation, clean water, and commerce; and,

WHEREAS, countless species of fish, birds, reptiles, amphibians, mammals, insects, and plants rely on the Chicago River; and,

WHEREAS, the Chicago River is an epicenter for culture and tourism and is consistently being transformed to meet the needs of the people of our state and its wildlife inhabitants; and,

WHEREAS, the stewardship of the Chicago River is a noble duty proudly assumed by elected and non-elected government officials at the state, county and local levels, by advocates, and by all who use it for commerce or recreation. Through continued collaboration, the Chicago River will be improved for future generations; and,

WHEREAS, for 35 years, Friends of the Chicago River has been a leading advocate for stewardship, and helped make the Chicago River cleaner, healthier, and more beautiful; and,

WHEREAS, since 2004, the Chicago River Summit has provided an open forum for the voices of those who care about the Chicago River, brought together diverse interests and crafted strategies for policy-makers;
and,

WHEREAS, with a focus on “Rewilding and the Urban Environment,” the 10th Annual Chicago River Summit will take place on October 3, 2014. It is important that everyone attending the Chicago River Summit take advantage of its presentations, guest speakers, and networking opportunities; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 3, 2014, as CHICAGO RIVER SUMMIT DAY in Illinois, in recognition of the scenic Chicago River’s contributions to the Land of Lincoln and today’s 10th annual event.

Issued by the Governor September 24, 2014.

Filed by the Secretary of State October 8, 2014.

2014-426
MARIACHI VARGAS DE TECALITLÁN DAY

WHEREAS, the origins of the mariachi orchestra date back to the Spanish-derived string groups of the early 19th century in the Mexican State of Jalisco; and,

WHEREAS, since being founded in 1898 as a quartet, Mariachi Vargas de Tecalitlán has brought joy and entertainment to countless audiences across the globe; and,

WHEREAS, Mariachi Vargas de Tecalitlán acquired national success upon its presentation at the inaugural celebration of President Lázaro Cárdenas in 1934; and,

WHEREAS, Mariachi Vargas de Tecalitlán has appeared in over 200 movies and numerous recordings as well as toured and recorded with Linda Ronstadt; and,

WHEREAS, Mariachi Vargas de Tecalitlán set the tone for many mariachi ensembles by insisting that all of the group's musicians know how to read music, resulting in a more refined and trained ensemble; and,

WHEREAS, Mariachi Vargas de Tecalitlán became renowned as the definitive mariachi ensemble, and its classic sound has won the group numerous awards and accolades, including the title of "World's Best Mariachi" since the 1950s; and,

WHEREAS, Mariachi Vargas de Tecalitlán’s appearance on Linda Ronstadt's well-received Canciones de Mi Padre won the vocalist a Grammy in 1987; and,

WHEREAS, Mariachi Vargas de Tecalitlán is one of the most accomplished groups in Mexico’s musical history; and,

WHEREAS, despite its tremendous successes, Mariachi Vargas de
Tecalitlán has remained committed to serving others, promoting the mariachi genre, and making Mexico proud; and,

WHEREAS, on Sunday, September 28, 2014, Mariachi Vargas de Tecalitlán will make its 8th annual appearance at the Symphony Center in Chicago; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 28, 2014, as MARIACHI VARGAS DE TECALITLÁN DAY in Illinois, in recognition of today’s performance, and the significant musical contributions of this critically acclaimed group.

Issued by the Governor September 25, 2014.
Filed by the Secretary of State October 8, 2014.

2014-427
NATIONAL CASE MANAGEMENT WEEK

WHEREAS, case management is a collaborative process of assessment, planning, facilitation, and advocacy for options and services to meet an individual’s health needs through communication and available resources to promote quality, cost-effective outcomes; and,

WHEREAS, case managers are advocates who help patients understand their current health status, what they can do about it and why those treatments are important. In this way, case managers are catalysts by guiding patients and providing cohesion to other professionals in the health care delivery team, enabling their clients to achieve goals more effectively and efficiently; and,

WHEREAS, the Case Management Society of America (CMSA) is an international, non-profit, multi-disciplinary, and professional organization dedicated to the support and advancement of the case management profession; and,

WHEREAS, the Case Management Society of America is the leading membership association providing professional collaboration across the healthcare continuum to advocate for patients’ wellbeing and improved health outcomes by fostering case management growth and development, impacting health care policy, and providing evidence-based tools and resources; and,

WHEREAS, since its inception, CMSA has been at the forefront of setting professional standards for the industry; and,

WHEREAS, founded in 1990, CMSA currently has more than 11,000 members and over 70 affiliated and pending chapters; and,

WHEREAS, this year, from October 12-19, there will be a weeklong celebration that serves to recognize case managers, to educate the public
about case management, and to increase recognition of the significant contribution of case managers to quality healthcare for the patient, healthcare provider, and payer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 12 – 19, 2014 as NATIONAL CASE MANAGEMENT WEEK in Illinois, in recognition of the contributions case managers make to the quality of healthcare in our state.

Issued by the Governor September 25, 2014.
Filed by the Secretary of State October 8, 2014.

2014-428
PARALEGAL DAY

WHEREAS, paralegals provide essential and vital legal support for many organizations, including law firms, corporate legal departments, and government offices; and,

WHEREAS, to meet the increasing demands for legal services in the United States, the skilled work of paralegals will grow in importance and significance for the operation of American organizations and the application of American law; and,

WHEREAS, according to the United States Bureau of Labor Statistics, the paralegal profession will experience greater than average growth through the year 2014; and,

WHEREAS, created in 1972, the Illinois Paralegal Association represents more than 1,100 paralegals in our state. The association is one of the oldest and largest statewide organizations that supports paralegals, and is celebrating its 42nd anniversary this year; and,

WHEREAS, the purpose of the Illinois Paralegal Association is to promote the paralegal profession and communication among paralegals, the legal community, and civic and professional organizations, as well as encourage the continuing education of paralegals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 20, 2014, as PARALEGAL DAY in Illinois, as the Illinois Paralegal Association meets for an annual conference, and to commend paralegals in our state for their contributions to our communities.

Issued by the Governor September 25, 2014.
Filed by the Secretary of State October 8, 2014.
WHEREAS, there are 82 rural counties in Illinois that are fueled by the creative energy of their leaders- ordinary people who are willing to step forward to share and implement a vision for change; and,

WHEREAS, rural communities are places where all residents know each other, respect and listen to each other, and work together for the greater good of humanity; and,

WHEREAS, rural health care focuses on relationships, and these health care providers get to know the people they care for and have the opportunity to practice more patient-centered medicine; and,

WHEREAS, the main goal of rural health care has always been to provide affordable and holistic primary care, which serves as a model for the rest of the country to follow as America transitions to a more population-wellness/prevention-based health care system; and,

WHEREAS, rural hospitals and health systems serve as economic foundations for their communities and are often the largest employers; and,

WHEREAS, the health care needs of rural citizens are unique to the communities in which they live and cannot simply be addressed by utilizing a generic approach; and,

WHEREAS, addressing transportation, infrastructure, broadband/telecommunication needs and overcoming geographic barriers is necessary to ensure that all rural safety net providers can adequately meet the basic health care needs of the residents they serve; and,

WHEREAS, the Illinois Department of Public Health, Center for Rural Health, the National Organization of State Offices of Rural Health and several other rural stakeholders provide services and resources to foster relationships and help rural communities address their unique healthcare needs; and,

WHEREAS, National Rural Health Day will be celebrated all throughout America on November 20, 2014 to recognize the unique contributions and selfless, “can do” attitude of our rural communities; and,

THEREFORE, I, Pat Quinn, Governor of the state of Illinois, do hereby proclaim November 20, 2014 to be RURAL HEALTH DAY in order to support the needs of rural health care providers, and to recognize the Illinois Department of Public Health Center for Rural Health and the National Organization of State Offices of Rural Health for the valuable services they provide to rural communities.

Issued by the Governor September 25, 2014.

Filed by the Secretary of State October 8, 2014.
WHEREAS, Paul Konerko, a Major League Baseball player for the Chicago White Sox, was born on March 5, 1976, in Providence, Rhode Island; and,

WHEREAS, Paul Konerko is a graduate of Chaparral High School, where he demonstrated superior talent as a baseball player and was named the Republic/Phoenix Gazette Player of the Year after leading his team to the Class 5-A baseball championship in 1994; and,

WHEREAS, drafted 13th overall in the 1994 MLB draft by the Los Angeles Dodgers, Paul Konerko made his big league debut on September 8, 1997; and,

WHEREAS, in 1998, Paul Konerko was traded to the Chicago White Sox, a team that he helped propel to the upper echelons of Major League Baseball; and,

WHEREAS, Paul Konerko, a right handed first baseman, played a critical role in the Chicago White Sox sweeping the Houston Astros in the 2005 World Series. In Game 2 of that series, he hit the first grand slam in White Sox World Series history; and,

WHEREAS, on April 25, 2012, Paul Konerko hit his 400th career home run, becoming the 48th player in Major League history to hit 400 home runs; and,

WHEREAS, since 2006, Paul Konerko has served as the Chicago White Sox’s team captain; and,

WHEREAS, Paul Konerko’s impressive career statistics include a .279 batting average, 1412 RBI, and a .354 on base percentage; and,

WHEREAS, throughout his illustrious MLB career, Paul Konerko has been a 6 time All-Star, 6 time Player of the Week, and 2005 ALCS MVP; and,

WHEREAS, only Luke Appling has played more games for the Chicago White Sox than Paul Konerko; and,

WHEREAS, on the Chicago White Sox career lists, Paul Konerko ranks first in total bases, second in home runs and RBIs, and third in hits; and,

WHEREAS, at the conclusion of this season, Paul Konerko will be retiring from professional baseball. In honor of his tremendously successful career, the Chicago White Sox will host a Paul Konerko Day on September 27, 2014, which will be attended by many of Paul’s friends, family members, teammates, and employees of the Chicago White Sox organization; and,

WHEREAS, Paul Konerko is more than an outstanding baseball
player. He is a great person who believes that service to others is the rent we pay to live on this earth. His commitment to helping the people of Illinois is admirable and upholds the best traditions of the Land of Lincoln; and,

WHEREAS, the Bring Me Home Campaign, which Paul Konerko helped found, focuses on recruiting foster parents and advocating for the needs of foster children and families; and,

WHEREAS, in its first seven years, the Bring Me Home Campaign raised nearly $450,000 from 600 individual donors and positively impacted the lives of more than 1,500 children; and,

WHEREAS, perhaps most importantly, Paul Konerko is a loving husband to wife Jennifer and their three beautiful children, Nicholas, Owen, and Amelia; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September, 27, 2014, as PAUL KONERKO DAY in Illinois, in recognition of today’s celebration and his dedication to his family, the game of baseball, the Chicago White Sox, and the people of our state.

Issued by the Governor September 26, 2014.
Filed by the Secretary of State October 8, 2014.

2014-431
STAIR WEEK

WHEREAS, the State of Illinois is committed to offering health and wellness opportunities for its citizens; and,

WHEREAS, the State is committed to innovations that are needed to achieve the triple aim: improving the health status of people and their communities, improving the efficiency and effectiveness of clinical care, and reducing costs to make health care affordable; and,

WHEREAS, the State Department of Public Health’s mission includes protecting the health and wellness of the people in Illinois through prevention and health promotion; and,

WHEREAS, research has shown that walking and moderate physical activity for at least 30 minutes a day can help reduce the risk of coronary heart disease, improve blood pressure and blood sugar levels, improve blood lipid profile, maintain body weight and lower the risk of obesity, enhance mental well-being, and reduce the risk of osteoporosis, breast and colon cancer as well as non-insulin dependent (type 2) diabetes; and,

WHEREAS, as a result of about half of all adults not getting enough physical activity to improve their health, it is important to promote walking and other forms of exercise; and,

WHEREAS, losing just 10% of body weight can improve physical
and mental health for overweight individuals; and,
  WHEREAS, offering safe, convenient places for people to exercise is essential to creating better health outcomes; and,
  WHEREAS, using stairs instead of elevators is a good way for individuals to burn calories and increase their fitness levels; a 140-pound person will burn about 4 more calories per minute compared to standing and riding on an escalator or elevator; and,
  WHEREAS, walking up stairs is more energy efficient; and,
  WHEREAS, US Green Building Council (USGBC) Illinois, along with allied organizations, is hosting Greening the Heartland Conference on the first two days of Stair Week; and,
  WHEREAS, the State of Illinois has the most Leadership in Energy and Environmental Design (LEED) square footage per capita in the country, contributing to a healthier environment for residents, workers, and the larger community; and,
  WHEREAS, American Institute of Architects (AIA) Illinois advocates for a livable built environment and supports healthy communities by design; and,
  WHEREAS, the International Interior Design Association (IIDA) Illinois Chapter is recognizing stair design in Illinois buildings; and,
  WHEREAS, community organizations such as the YMCA and United Way, schools, county health departments, and the business communities all support taking the stairs in Illinois buildings during Stair Week; and,
  THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 29-October 3, 2014, as STAIR WEEK in Illinois, and encourage residents of the Land of Lincoln to recognize the important health benefits of taking the stairs and exercising regularly.

Issued by the Governor September 26, 2014.
File by the Secretary of State October 8, 2014.

**2014-432**
**WALK TO SCHOOL DAY**

WHEREAS, the Safe Routes to School National Partnership, the Safe Routes to School National Center, the Illinois Department of Transportation, the Active Transportation Alliance, the Illinois Safe Routes to School Network, and schools across the State of Illinois are working together to promote Walk to School Day in Illinois; and,
  WHEREAS, the health and safety of our children is of highest concern to the citizens of Illinois; and,
  WHEREAS, a lack of physical activity plays a leading role in rising
rates of obesity, diabetes, and other health problems among children and being able to walk or bicycle to school offers an opportunity to build activity into daily routine; and,

WHEREAS, driving students to school by private vehicle contributes to traffic congestion and air pollution, creating over 25% of community traffic at the beginning and end of each school day; and,

WHEREAS, an important role for parents and caregivers is to teach children about pedestrian safety and become aware of the difficulties and dangers that children face on their trip to school each day and the health and environmental risks related to physical inactivity and air pollution; and,

WHEREAS, community members and leaders should make a plan to make immediate changes to enable Illinois' children to safely walk in our communities and develop a list of suggestions for improvements that can be done over time; and,

WHEREAS, children, parents, and community leaders around the world are joining together to walk to school and evaluate walking and bicycling conditions in their communities; and,

WHEREAS, creating special days and events to celebrate and encourage walking have proven to be helpful in encouraging children to safely walk to school and in creating and promoting local Safe Route to Schools programs across the United States and throughout the world; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 8, 2014 as WALK TO SCHOOL DAY in Illinois, and urge all students, parents, teachers, administrators, schools, and school districts to participate in these events, and encourage everyone to consider the safety and health of children this day and every day.

Issued by the Governor September 26, 2014.
Filed by the Secretary of State October 8, 2014.

2014-433
ADOPTION AWARENESS MONTH

WHEREAS, thanks to thousands of adoptive parents across the state, 15,521 children have found permanent homes over the last decade including 1,477 children in the last year alone; and,

WHEREAS, all children need and deserve the love, nurturing, and a sense of security that can only come from being a part of a loving, permanent family; and,

WHEREAS, adoption provides a unique joy and a special opportunity for individuals, whether or not they are already parents, married, in a civil union, single or divorced, to open their hearts and their homes for the rest of
WHEREAS, the Illinois Department of Children and Family Services and its nonprofit partners strive to reunite children with their birth families, but when that simply is not possible, they are equally committed to ensuring every child has the safe, loving family they deserve and need to reach their fullest potential; and,

WHEREAS, Illinois has made great strides in recent years in strengthening and improving the child welfare system: reducing the number of children in temporary substitute care from 52,000 to 15,000; establishing a Bill of Rights for both birth parents and adoptive parents; and strengthening licensing requirements for adoption agencies to prevent the exploitation of birth parents, adoptive parents and children; and,

WHEREAS, all of the progress in recent years would not have been possible without champions like State Representative Sara Feigenholtz, an adoptee herself, and State Representative Naomi Jakobsson, an adoptive parent and former foster parent, as well as child advocates including: Child Care Association of Illinois; Illinois Foster and Adoptive Parent Association; Illinois Adoption Advisory Council; Illinois Statewide Youth Advisory Board; Chicago Bar Association; Loyola Child Law Clinic of Loyola University; and many child welfare agencies, adoptive parent groups and individuals across the state; and,

WHEREAS, together we are committed to improving the child welfare system even further, especially in regards to reducing the length of time children remain in temporary foster care; and,

WHEREAS, currently there are 1,813 children awaiting adoption across the state, of all ages, backgrounds and needs; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2014 as ADOPTION AWARENESS MONTH in Illinois, and encourage all Illinoisans to express their gratitude to the thousands of families across the state that have opened their homes and their hearts to children, and encourage others to consider joining them in making a life-changing difference for children.

Issued by the Governor September 29, 2014.
Filed by the Secretary of State October 8, 2014.

2014-434
BREAST CANCER AWARENESS MONTH & MAMMOGRAPHY DAY

WHEREAS, October 2014 marks the 30th anniversary of National Breast Cancer Awareness Month, a season to educate women about breast

their lives to children; and,
cancer and the importance of early detection through mammography; and,  
WHEREAS, 1 in 8 women will be diagnosed with breast cancer in their lifetime; and,  
WHEREAS, a projected 232,670 new cases of breast cancer will be diagnosed in women across the United States in 2014; and,  
WHEREAS, 40,000 women are estimated to lose their lives to breast cancer in the year 2014; and,  
WHEREAS, the Illinois Breast and Cervical Cancer Program offers free breast exams, mammograms, pelvic exams, Pap tests, diagnostic services, and referral to treatment options to eligible uninsured and underinsured women; and,  
WHEREAS, the Illinois Breast and Cervical Cancer Program served 27,142 women with free breast and cervical cancer screenings and diagnostic services in FY 2014; and,  
WHEREAS, the Illinois Breast and Cervical Cancer Program is projected to serve 25,150 women in Illinois with cancer screening and diagnostic services in FY 2015; and,  
WHEREAS, an estimated 10,110 women in Illinois will be diagnosed with breast cancer in 2015; and,  
WHEREAS, mammograms, MRI, and clinical breast exams are the best way to detect breast cancer early; and,  
WHEREAS, second only to certain skin cancers, breast cancer is the most common cancer in women, no matter race or ethnicity; and,  
WHEREAS, since 1993, the United States has recognized the third Friday in October as National Mammography Day; and,  
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as BREAST CANCER AWARENESS MONTH and Friday, October 17, as MAMMOGRAPHY DAY in Illinois, and encourage all citizens to join me in the continued fight against breast cancer.

Issued by the Governor September 29, 2014.
Filed by the Secretary of State October 8, 2014.

2014-435
EARTH SCIENCE WEEK

WHEREAS, the earth sciences, especially geology, are integral to finding, developing, and conserving the water, mineral, and energy resources needed for modern society; and,
WHEREAS, the earth sciences provide a basis for preparing for and mitigating the effects of natural hazards such as floods, landslides,
earthquakes, volcanic eruptions, sinkholes, and coastal erosion; and,

WHEREAS, the earth sciences are crucial to our understanding of environmental and ecological issues ranging from air and water quality to waste disposal; and,

WHEREAS, knowledge about geological factors regarding earth resources, hazards, and the environment are vital to land management and land use decisions at local, state, regional, national, international, and global levels; and,

WHEREAS, study of the earth sciences contributes critically important information to our understanding of the natural world; and,

WHEREAS, Earth Science Week, observed annually during the second full week of October, is an opportunity to seek a greater understanding and appreciation of the value of earth science research and its application and relevance to our daily lives, as well as for science teachers at all levels throughout the Land of Lincoln to undertake lessons and activities with their students directed toward the study of earth science; and,

WHEREAS, this year’s theme, “Earth’s Connected Systems”, encourages citizens to explore how geoscience aids in the understanding of natural change processes; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 12-18, 2014 as EARTH SCIENCE WEEK in Illinois.

Issued by the Governor September 29, 2014.
Filed by the Secretary of State October 8, 2014.

2014-436
ILLINOIS ARTS & HUMANITIES MONTH

WHEREAS, the arts and humanities are the embodiment of all things beautiful and entertaining in the world – the enduring record of human achievement; and,

WHEREAS, the arts and humanities enhance every aspect of life in Illinois – improving our economy, enriching our civic life, driving tourism, and exerting a profound positive influence on the education of our children; and,

WHEREAS, according to Arts & Economic Prosperity IV, an economic impact study conducted by Arts Alliance Illinois and Americans for the Arts, the nonprofit arts and cultural sector also strengthens our economy by generating $2.75 billion in total economic activity annually and by supporting 78,000 full-time-equivalent jobs; and,

WHEREAS, arts education research shows that the arts help to foster
discipline, creativity, imagination, self-expression, and problem solving skills while also helping to develop a heightened appreciation of beauty and cross-cultural understanding; and,

WHEREAS, we use the humanities – the interpretation and discussion of all forms of thought, interest, and expression – to explore what it means to be human; and,

WHEREAS, the arts and humanities play a unique and intrinsically valuable role in the lives of our families, our communities, and our state; and,

WHEREAS, the month of October has been recognized as National Arts and Humanities Month by thousands of arts and cultural organizations, communities, and states across the country, as well as by the White House and Congress for more than two decades; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as ILLINOIS ARTS & HUMANITIES MONTH and call upon all citizens to explore, celebrate, and participate in the arts and culture in the Land of Lincoln.

Issued by the Governor September 29, 2014.
Filed by the Secretary of State October 8, 2014.

2014-437
NURSE PRACTITIONER WEEK

WHEREAS, there are more than 180,000 licensed nurse practitioners in the United States with over 4,500 in Illinois providing high quality, cost-effective, comprehensive, patient-centered, personalized healthcare; and,

WHEREAS, nurse practitioners have graduate, advanced education and advanced clinical training beyond their initial registered nurse preparation; and,

WHEREAS, nurse practitioners order, perform, and interpret diagnostic tests, diagnose and treat acute and chronic conditions, and prescribe medications and other treatments; and,

WHEREAS, nurse practitioners are true partners in the healthcare of their patients, so that in addition to clinical services, they focus on health promotion, disease prevention, and health education and counseling, guiding patients to make healthier lifestyle choices; and,

WHEREAS, the excellence, safety, and cost-effectiveness of the care provided by nurse practitioners is established and well-documented; and,

WHEREAS, nurse practitioners provide healthcare to people of all ages and in diverse healthcare settings such as private office practice, hospitals, long-term care facilities, schools, state and local health departments, managed care facilities, and retail-based clinics; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 9-15, 2014 as NURSE PRACTITIONER WEEK in Illinois, in recognition of the many contributions that this dedicated group of healthcare professionals makes to the health and well-being of the people in the communities they serve in this great state of Illinois and throughout the country.

Issued by the Governor September 29, 2014.
Filed by the Secretary of State October 8, 2014.

2014-438
DIVERSITY AND INCLUSION DAY

WHEREAS, a diverse workplace, where all employees are ensured equal opportunities for success, is an economic necessity; and,

WHEREAS, the success of a company in the 21st century is dependent in part on its ability to maintain a workforce that mirrors the diverse community it serves; and,

WHEREAS, the Chicago United Leadership Conference and Bridge Awards Dinner, hosted by Chicago United, which is of special interest to Chicago-based businesses, will be held on Tuesday, November 18, 2014; and,

WHEREAS, the conference and dinner will provide chief executive officers, corporate executives and minority business owners the opportunity to network and engage in meaningful dialogue regarding diversity and inclusion in the workforce and business partnerships; and,

WHEREAS, the Chicago United Leadership Conference and Bridge Awards Dinner assists in advancing the ongoing efforts to promote diversity and inclusion at all levels to enhance the region’s economy; and,

WHEREAS, through its many programs and products, Chicago United will bring together business, civic, and not-for-profit leaders to bridge the gap between race and business; and,

WHEREAS, our success as a state depends on our ability to create conditions that strengthen Illinois employers; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 18, 2014 as DIVERSITY AND INCLUSION DAY in Illinois.

Issued by the Governor September 30, 2014.
Filed by the Secretary of State October 8, 2014.
2014-439

I’M IN TO HIRE DAY

WHEREAS, Best Buddies International is unveiling a nationwide campaign, “I’m In To Hire” to promote the business benefits of hiring individuals with intellectual and developmental disabilities (IDD); and,

WHEREAS, since only one in three people with IDD are employed, the unemployment rate for people with IDD is much higher than for the rest of the population; and,

WHEREAS, this nationwide campaign is rooted in the key finding by the Institute for Corporate Productivity (i4cp), which has commissioned a new report, “Employing People with Intellectual and Developmental Disabilities.” The report brings to light the business benefits of hiring employees with IDD and the need for more businesses to include employees with IDD in the workplace; and,

WHEREAS, the report states that by hiring people with IDD, businesses gain dependable, motivated employees who deliver observable business benefits and help their employers create inclusive cultures that attract desirable talent pools; and,

WHEREAS, people with IDD comprise an underutilized population of potential employees proven to be a positive influence on coworkers, customers, the community and a company’s bottom line; and,

WHEREAS, inclusion in the workplace will mean that people with IDD can share the same benefits as any worker and experience the joy of being a contributing member of our global workforce; and,

WHEREAS, businesses need to become more aware of the benefits surrounding hiring someone with intellectual disabilities and take action by making that hire; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 7, 2014 as I’M IN TO HIRE DAY in Illinois, to celebrate and recognize that people with IDD have an important part in the workplace.

Issued by the Governor September 30, 2014.
Filed by the Secretary of State October 8, 2014.

2014-440

PUI TAK CENTER DAY

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Chinese immigrants make every day; and,

WHEREAS, founded in 1994, the Pui Tak Center is a church-based
community center started by the Chinese Christian Union Church; and,

WHEREAS, every year, the Pui Tak Center serves over 3,000 individuals who live in Chicago’s Chinatown and surrounding communities through ESL and citizenship classes for new immigrants, after-school classes for kids, adult computer classes, and a variety of other services for immigrants; and,

WHEREAS, the Pui Tak Center’s programs are driven by a belief in the importance of serving others; and,

WHEREAS, the Pui Tak Center has positively impacted many Chinese immigrants throughout the Land of Lincoln, and should be immensely proud of its accomplishments; and,

WHEREAS, this year represents an important milestone for the Pui Tak Center: its 20th anniversary; and,

WHEREAS, on October 4, 2014, the Pui Tak Center will be hosting an open house and celebrating its 20th anniversary. This event presents an excellent opportunity for the Pui Tak Center to reflect on its successes and make plans for the future; and,

WHEREAS, the Pui Tak Center’s longevity is a testament to the commitment of its volunteers, staff, and board members; and,

WHEREAS, the State of Illinois is pleased to recognize the Pui Tak Center on the occasion of its 20th anniversary and wish it a successful future; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 4, 2014, as PUI TAK CENTER DAY in Illinois, in recognition of this organization’s commitment to Chinese immigrants and making our state a better place for everyone.

Issued by the Governor September 30, 2014.
Filed by the Secretary of State October 8, 2014.

2014-441

“DIVERSITY EMPLOYMENT DAY”

WHEREAS, a diverse workplace and “Getting America Back to Work” is an economic necessity; and,

WHEREAS, the success of a company in the 21st century depends on its ability to maintain a workforce that mirrors the diverse community it serves; and,

WHEREAS, the Diversity Employment Day Career Fair will bring together Illinois’ major employers with thousands of qualified diversity professionals; and,

WHEREAS, the Diversity Employment Day Career Fair will be held
at the Embassy Suites Chicago Downtown/Lakefront in Chicago, Illinois on
November 4, 2014; and,

WHEREAS, the Diversity Employment Day Career Fair will offer
employment opportunities and career guidance for professionals in
accounting, administration, healthcare, hardware and software engineering,
finance, information technology, law enforcement, management, marketing,
sales, network, data and telecommunications; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim November 4, 2014 as “DIVERSITY EMPLOYMENT
DAY” in Illinois, and congratulate all participants for recognizing the
economic and social value in employing a diverse workforce.

Issued by the Governor October 2, 2014.
File by the Secretary of State October 8, 2014.

2014-442
ENVIRONMENTAL HEALTH PRACTITIONERS MONTH

WHEREAS, the Illinois Environmental Health Association will be
holding its Association Education Conference on October 2 and 3, 2014, in
East Peoria, Illinois; and,

WHEREAS, the purpose of the Illinois Environmental Health
Association is to promote the highest degree of skill, efficiency and
professional competence among sanitarians and others practicing in the
various environmental health disciplines through the mutual exchange of
knowledge and experience; and,

WHEREAS, the mission of the Illinois Environmental Health
Association is to advance the Environmental health profession and promote
sound environmental health practices throughout the State of Illinois; and,

WHEREAS, the Illinois Environmental Health Association
cooperates with local departments on program administration, improvement
of administrative methods, and engage in other legislative, educational, and
policy-forming activities; and,

WHEREAS, Environmental Health Practitioners are trained in
biological and sanitary sciences, examine all aspects of the physical and
social environment, define and report environmental conditions, and
recommend improvements; and,

WHEREAS, practitioners serving in the field of public health and in
the industry are concerned with the education and inspection necessary to
maintain the safe processing, distribution, preparation and serving of food,
hygienic housing, protection of water supplies, environmental
sanitation/pollution, vector control, and radiological health; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as ENVIRONMENTAL HEALTH PRACTITIONERS MONTH in the State of Illinois.
Issued by the Governor October 2, 2014.
Filed by the Secretary of State October 8, 2014.

2014-443
YOUTH ART MONTH

WHEREAS, the study of art leads to a fuller and more meaningful life; and,
WHEREAS, art education in the State of Illinois contributes educational benefits to all elementary, middle, and secondary students; and,
WHEREAS, art education teaches students sensitivity to beauty, order, and other expressive qualities; and,
WHEREAS, art education gives students a deeper understanding of multi-cultural values and beliefs, while also bringing to life what is learned in other subjects; and,
WHEREAS, the problem solving skills promoted through art education lead to creative thinking; and,
WHEREAS, our nation’s leaders have acknowledged the necessity of including arts experiences in all students’ education; and,
WHEREAS, the National Art Education Association, in conjunction with the Illinois Art Education Association, is striving to better the human condition by upgrading visual awareness and the cultural strength of Illinois and the United States as a whole; and,
WHEREAS, the citizens of Illinois have joined the National Art Education Association and the Illinois Art Education Association in supporting the youth of our community in their artistic development; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2015 as YOUTH ART MONTH in Illinois, and urge all citizens to give their full support to quality school art programs for children and youth.
Issued by the Governor October 2, 2014.
Filed by the Secretary of State October 8, 2014.

2014-444
ALPHA-1 AWARENESS MONTH

WHEREAS, Alpha-1 Antitrypsin Deficiency (Alpha-1) is one of the most common serious hereditary disorders in the world and can result in life
thrusting lung disease in adults and liver disease in both children and adults; and,

WHEREAS, Alpha-1 has been identified in virtually all populations, and up to 6 percent of Caucasians in the U.S. carry a single deficient gene and may pass the gene on to their children; and,

WHEREAS, Alpha-1 is widely under diagnosed and misdiagnosed. Fewer than ten percent of those predicted to have Alpha-1 have received an accurate diagnosis; and,

WHEREAS, it often takes an average of five doctors and seven years from the time symptoms appear before proper diagnosis is made, which can be done using a simple blood test; and,

WHEREAS, it is important to increase awareness and detection of this serious hereditary and misdiagnosed disorder; and,

WHEREAS, during the month of November, a nationwide awareness campaign will take place throughout the country to educate the public as well as the medical community on Alpha-1 detection and treatment for those affected by this condition; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2014 as ALPHA-1 AWARENESS MONTH in Illinois, and extend greetings and best wishes to all observing.

Issued by the Governor October 3, 2014.
Filed by the Secretary of State October 8, 2014.

2014-445
GREAT SHAKEOUT DAY

WHEREAS, the largest earthquake ever to hit North America occurred in 1811 in New Madrid, Missouri, and was felt throughout the Illinois Territory; and,

WHEREAS, Illinois sits atop two major fault zones - the New Madrid Seismic Zone and Wabash Valley Seismic Zone - as well as the Sandwich Fault Zone, Plum River Fault Zone and others; and,

WHEREAS, in recent years, the State of Illinois has been beset by natural disasters - floods, tornadoes, droughts, and blizzards - prompting a new commitment to emergency preparedness; and,

WHEREAS, the Great Central United States ShakeOut (“Great ShakeOut”) is an effective, grass-roots approach to emergency planning and has helped millions of people understand what to do if the ground starts shaking; and,

WHEREAS, Illinois has participated in the Great ShakeOut since 2011, with 523,000 residents participating in last year’s drill; and,
WHEREAS, the Illinois Emergency Management Agency has worked to improve awareness of the perils of earthquakes and the appropriate actions Illinoisans can take before, during, and after a seismic event; and,
WHEREAS, the 2014 Great ShakeOut will occur at 10:16 a.m., on October 16, and, with 23 million people already registered worldwide, is expected to be the largest earthquake drill in history; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Thursday, October 16, 2014, as GREAT SHAKEOUT DAY in Illinois, and invite every Illinois resident to participate in this innovative earthquake drill.
Issued by the Governor October 3, 2014.
Filed by the Secretary of State October 8, 2014.

2014-446
SUICIDE PREVENTION MONTH

WHEREAS, in The United States, one person dies by suicide every 13.3 minutes; in 2011, 1,226 reported Illinoisans died by suicide, and several thousand family members’ and friends’ lives were changed forever after losing those people; and,
WHEREAS, in Illinois, suicide is the sixth leading cause of death amongst 10-14 year olds, the third leading cause of death amongst 15-34 year olds and the fourth leading cause of death amongst 45-54 year olds; and,
WHEREAS, most likely many of those people who died never received effective behavioral health services, for many reasons including the difficulty of accessing services by healthcare providers trained in the best practices to reduce suicide risk, and the stigma of using behavioral health treatment; and,
WHEREAS, suicide prevention practitioners from across Illinois are dedicated to reducing the frequency of suicide attempts and deaths, and the pain of those affected by suicide deaths, through research projects, educational programs, intervention services; and,
WHEREAS, far too many Illinoisans die by suicide each year, and most of these deaths are preventable; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 2014 as SUICIDE PREVENTION MONTH in Illinois, in order to raise awareness about suicide, and to encourage citizens of the State to support the worthy efforts of the Suicide Prevention Program.
Issued by the Governor October 3, 2014.
Filed by the Secretary of State October 8, 2014.
2014-66
CHILD ABUSE PREVENTION MONTH (REVISED)

WHEREAS, every child deserves to grow up in a nurturing environment, free from abuse, neglect, violence or endangerment of any kind; and,

WHEREAS, child abuse prevention is a shared responsibility and finding solutions requires the involvement and collaboration of citizens, organizations, and government entities throughout Illinois; and,

WHEREAS, child abuse and neglect causes serious harm to child development and has lifelong effects that reduce well-being and productivity and create greater demands on society; and,

WHEREAS, Illinoisans have made more than 235,000 calls to the Illinois Child Abuse Hotline each year, offer temporary safe haven for more than 14,000 children as foster families, and have provided permanent, loving homes for more than 17,000 children through adoption over the last decade; and,

WHEREAS, child abuse prevention programs in Illinois are effective because of partnerships created by the Illinois Department of Children and Family Services, Prevent Child Abuse Illinois, Strengthening Families Illinois, Children’s Home + Aid Society of Illinois, Children’s Advocacy Centers of Illinois, Voices for Illinois Children, and other government entities, social service agencies, schools, religious organizations, law enforcement agencies, businesses and individual citizens; and,

WHEREAS, in 2014, the Illinois Department of Children and Family Services is celebrating 50 years of protecting children, supporting families and preventing abuse and neglect; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2014 as CHILD ABUSE PREVENTION MONTH in Illinois, and encourage all citizens to support child abuse prevention programs and report suspected cases of abuse to the Illinois Child Abuse Hotline at (800) 25-ABUSE.

Issued by the Governor February 10, 2014.
Filed by the Secretary of State November 18, 2014.

2014-202
CRAFT BEER WEEK (REVISED)

WHEREAS, Illinois has a long and vibrant history of brewing beer throughout the state; and,

WHEREAS, the practice of brewing beer in Illinois stretches back to
the 19th century and has continued ever since; and,
WHEREAS, the first Illinois craft breweries opened in the late 1980’s, paving the way for a surge of small breweries since the year 2000; and,
WHEREAS since 2009, at least 45 new beer brewing operations have opened in Illinois; and,
WHEREAS, the State of Illinois has strived to make itself an accommodating atmosphere for the craft beer industry, by enacting laws such as HB 630, which allows homebrewers in Illinois to legally share their product with friends and family, to enter competitions, and to provide educational courses to the general public; and,
WHEREAS, Illinois’ efforts have made it among the easiest states to produce craft beer; and,
WHEREAS, Illinois enacted legislation to provide a means for small start-up brewers to establish their beer brands with name recognition and consumer following while maintaining the state-based regulatory system which creates a competitive, and orderly marketplace for all brewers; and,
WHEREAS, Illinois has also doubled the amount of beer a craft brewer may manufacture from 15,000 barrels to 30,000, while still allowing such brewers to self-distribute up to 7,500 barrels or simultaneously hold a brew pub retailer license; and,
WHEREAS, Illinois affords all Illinois craft brewers the opportunity to have their products delivered, not just across the street, but across the State, through independent beer distributors which remain autonomous from brewery ownership and control through the enactment of laws such as HB 2606; and,
WHEREAS, Illinois has seen a recent expansion of the brewing industry and significant increase in the number of craft breweries, owed in part to the work of organizations such as the Associated Beer Distributors of Illinois and the Illinois Craft Brewers Guild; and,
WHEREAS, a recent study by the National Beer Wholesalers Association showed that Illinois’ beer industry ranks fifth in the nation in terms of its economic contribution to the state’s economy; and,
WHEREAS, Illinois is home to 152 beer distributing establishments that provide over 15,000 jobs and more than $1 billion in wages and salaries; and,
WHEREAS, from May 15-25, Chicago will host its fifth annual Chicago Craft Beer Week, lasting eleven days and showcasing the city’s and the state’s craft beer through events all over the city; and,
WHEREAS, American Craft Beer Week will take place from May 12-18, 2014; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 12-18, 2014 as CRAFT BEER WEEK in the State of Illinois, in recognition of the vital economic contributions this industry makes throughout the Land of Lincoln.

Issued by the Governor April 21, 2014.
Filed by the Secretary of State November 18, 2014.

2014-218
CRAFT BEER WEEK (REVISED)

WHEREAS, Illinois has a long and vibrant history of brewing beer throughout the state; and,
WHEREAS, the practice of brewing beer in Illinois stretches back to the 19th century and has continued ever since; and,
WHEREAS, the first Illinois craft breweries opened in the late 1980’s, paving the way for a surge of small breweries since the year 2000; and,
WHEREAS since 2009, at least 45 new beer brewing operations have opened in Illinois; and,
WHEREAS, the State of Illinois has strived to make itself an accommodating atmosphere for the craft beer industry, by enacting laws such as HB 630, which allows homebrewers in Illinois to legally share their product with friends and family, to enter competitions, and to provide educational courses to the general public; and,
WHEREAS, Illinois’ efforts have made it among the easiest states to produce craft beer; and,
WHEREAS, Illinois enacted legislation to provide a means for small start-up brewers to establish their beer brands with name recognition and consumer following while maintaining the state-based regulatory system which creates a competitive, and orderly marketplace for all brewers; and,
WHEREAS, Illinois has also doubled the amount of beer a craft brewer may manufacture from 15,000 barrels to 30,000, while still allowing such brewers to self-distribute up to 7,500 barrels or simultaneously hold a brew pub retailer license; and,
WHEREAS, Illinois affords all Illinois craft brewers the opportunity to have their products delivered, not just across the street, but across the State, through independent beer distributors which remain autonomous from brewery ownership and control through the enactment of laws such as HB 2606; and,
WHEREAS, Illinois has seen a recent expansion of the brewing industry and significant increase in the number of craft breweries, owed in
part to the work of organizations such as the Associated Beer Distributors of Illinois and the Illinois Craft Brewers Guild; and,

WHEREAS, a recent study by the National Beer Wholesalers Association showed that Illinois’ beer industry ranks fifth in the nation in terms of its economic contribution to the state’s economy; and,

WHEREAS, Illinois is home to 152 beer distributing establishments that provide over 15,000 jobs and more than $1 billion in wages and salaries; and,

WHEREAS, from May 15-25, Chicago will host its fifth annual Chicago Craft Beer Week, lasting eleven days and showcasing the city’s and the state’s craft beer through events all over the city; and,

WHEREAS, American Craft Beer Week will take place from May 12-18, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 12-18, 2014 as CRAFT BEER WEEK in the State of Illinois, in recognition of the vital economic contributions this industry makes throughout the Land of Lincoln.

Issued by the Governor April 21, 2014.
Filed by the Secretary of State November 18, 2014.

2014-447
WEEK FOR THE ANIMALS

WHEREAS, since its establishment in 1993, Animal World USA has been dedicated to improving the lives of animals through advocacy, education, and community support; and,

WHEREAS, the Week of the Animals Campaign brings communities together to celebrate the individuals who work tirelessly to help raise awareness, recognize the contributions of animals, and promote healthy humane interactions between animals and humans; and,

WHEREAS, this week will also serve to commend and appreciate the farm animals, therapy pets, and military/police dogs that provide essential and nurturing services to the citizens of our state; and,

WHEREAS, in Illinois, several educators, leaders, students, businesses, organizations and citizens will join Animal World USA and host the first Annual Week for the Animals Campaign; and,

WHEREAS, Illinois will host a variety of educational and interactive events, fairs, programs, wellness clinics, adoption days, benefits and seminars to celebrate and advocate for all animals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 11-19, 2014 as WEEK FOR THE ANIMALS in
Illinois, in order to increase awareness and recognize the welfare of all animals.

Issued by the Governor October 3, 2014.
Filed by the Secretary of State November 18, 2014.

2014-448
COPD AWARENESS MONTH

WHEREAS, Chronic Obstructive Pulmonary Disease (COPD) is a term used to refer to a group of diseases that cause airflow obstruction and breathing related problems, includes emphysema, chronic bronchitis, and in some cases, asthma and severe bronchiectasis; and,
WHEREAS, in 2008 COPD became the third leading cause of death in the US, 12 years earlier than predicted, and the only top 5 cause of death that is not declining; and,
WHEREAS, COPD is a chronic and progressive disease that affects over 24 million persons nationwide, half of whom have not been properly diagnosed, and 70% of whom are under age 65; and,
WHEREAS, in Illinois, 5 percent of adults overall and 6.2 percent of women have been diagnosed with COPD; and,
WHEREAS, COPD is considered to be the 2nd leading causes of disability in the US; and,
WHEREAS, smoking is the primary risk factor for COPD and other risk factors include environmental and exposure to air pollution, second hand smoke, and genetics; and,
WHEREAS, a genetic condition called Alpha-1 Antitrypsin Deficiency tends to cause individuals to develop COPD; and,
WHEREAS, COPD kills more women than breast cancer and diabetes combined, and women who smoke are 13 times more likely to die from COPD than non-smokers; and,
WHEREAS, nationwide the cost of COPD in 2010 was $49.9 billion including healthcare services, indirect costs through loss of productivity, and the deterioration of personal health; and,
WHEREAS, concerted public outreach efforts such as DRIVE4COPD, the nation’s largest public awareness and screening campaign for COPD, and the NHLBI’s COPD: Learn More Breathe Better Campaign, can dramatically improve public awareness of COPD; and,
WHEREAS, there is no cure for COPD, but increased awareness, early detection and proper health management can slow the progression of the disease and lead to reduced costs, improved quality of life and self-sufficiency for our residents; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim November 2014 as COPD AWARENESS MONTH in Illinois and encourage all residents to learn more about the prevention and treatment of COPD.

Issued by the Governor October 6, 2014.
Filed by the Secretary of State November 18, 2014.

2014-449
CYBER SECURITY AWARENESS MONTH

WHEREAS, we recognize the vital role that technology has in our daily lives and in the future of our Nation, whereby today many citizens, schools, libraries, businesses and other organizations use the Internet for a variety of tasks, which include maintaining contact with family and friends, managing personal finances, performing research, enhancing education and conducting business; and,

WHEREAS, critical sectors are increasingly reliant on information systems to support financial services, energy, telecommunications, transportation, utilities, health care, and emergency response systems; and,

WHEREAS, the use of the Internet at the primary and secondary school levels in this State enhances the education of youth by providing them access to online educational and research materials; at institutions of higher education, the use of information technology is integral to teaching and learning, research, and outreach and service; and,

WHEREAS, Internet users and our information infrastructure face an increasing threat of malicious cyber attack, loss of privacy from spyware and adware and significant financial and personal privacy losses due to identity theft and fraud; and,

WHEREAS, the “Stop. Think. Connect.” campaign (www.stopthinkconnect.org) is a national effort coordinated by a coalition of private companies, nonprofits and government organizations to help all digital citizens stay safer and more secure online; and,

WHEREAS, the Multi-State Information Sharing and Analysis Center provides a collaborative mechanism to help state, local, territorial and tribal governments enhance cyber security; and the State of Illinois provides a comprehensive approach to help enhance the security of this State/Territory; and,

WHEREAS, maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role, and awareness of computer security measures will improve the security of Illinois information infrastructure and economy; and,
WHEREAS, the U.S. Department of Homeland Security (www.dhs.gov/cyber), the Multi-State Information Sharing and Analysis Center (www.msisac.org), the National Association of State Chief Information Officers, (www.nascio.org), and the National Cyber Security Alliance (www.staysafeonline.org) have declared October as National Cyber Security Awareness Month; and all citizens are encouraged to visit these sites, along with the State of Illinois (www.illinois.gov) and Stop.Think.Connect (www.stopthinkconnect.org) to learn about cyber security; and put that knowledge into practice in their homes, schools, workplaces, and businesses; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as CYBER SECURITY AWARENESS MONTH in the State of Illinois.

Issued by the Governor October 7, 2014.
Filed by the Secretary of State November 18, 2014.

2014-450
A NEW DIRECTION BEVERLY MORGAN PARK DAY

WHEREAS, since 2011, A New Direction Beverly Morgan Park (AND) has been dedicated to helping community members who are victims of domestic violence; and,

WHEREAS, AND provides essential services to clients, including crisis intervention and safety planning, counseling, education and support, child therapy, and legal advocacy; and,

WHEREAS, AND also provides community outreach services by giving presentations and conducting clinical and training programs; and,

WHEREAS, domestic violence is a prevalent social problem that not only harms the victim, but also negatively affects the victim’s family, friends and community at large; and,

WHEREAS, domestic violence knows no boundaries; it exists in all neighborhoods and cities, and affects people of all ages, racial, ethnic, economic, and religious backgrounds; and,

WHEREAS, the health-related costs of rape, physical assault, stalking and homicide by intimate partners amount to nearly $6 billion every year, and the annual cost of lost productivity in the workplace due to domestic violence is estimated to be hundreds of millions of dollars, with nearly 8 million paid workdays lost per year; and,

WHEREAS, AND works actively to empower survivors and provides them with resources to live sustainably and help break the cycle of violence; and,
WHEREAS, the Illinois Department of Human Services is dedicated to ensuring that Illinois residents live free from domestic violence, promoting prevention, working in partnership with communities and supporting dozens of multi-service domestic violence programs throughout the state to advance equality, dignity, and respect for all; and,

WHEREAS, in the month of October, AND will host its Annual Benefit & Reception in observance of Domestic Violence Awareness Month in order to continue their mission of providing support and advocacy to victims of domestic violence; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 18, 2014 as A NEW DIRECTION BEVERLY MORGAN PARK DAY in Illinois, to raise awareness about the problem of domestic violence throughout the state and its devastating effects on families and communities, and to urge all victims to seek help either by calling the Statewide Domestic Violence Helpline, 1-877-TO END DV (1-877-863-6338) or visiting a local help center.

Issued by the Governor October 9, 2014.

Filed by the Secretary of State November 18, 2014.

2014-451

ASIAN AMERICAN DREAM DAY

WHEREAS, Illinois takes great pride in its vibrant Asian American communities throughout the state; and,

WHEREAS, today more than 660,000 Asian Americans call Illinois home, and they make countless valuable social, economic, and cultural contributions to our state on a daily basis; and,

WHEREAS, in a state as diverse as ours, it is extremely important to raise cultural awareness and understanding amongst citizens; and,

WHEREAS, on October 18, 2014, the Asian American Dream Day Committee will host an event celebrating the hopes and aspirations of Asian American youth throughout the Chicagoland area and encourage the growing numbers of 1.5 and 2nd-generation Asian Americans to strive for and pursue the American Dream; and,

WHEREAS, I would like to congratulate this year’s scholarship recipients; you should all take pride knowing that you have earned this award because of your commitment to your studies and to the advanced pursuit of knowledge and learning; and,

WHEREAS, events such as these provide opportunities to recognize the contributions of Asian Americans to our state, help foster relationships
between all Asian communities and provide them with a valuable connection to their heritage; and,

THEREFORE, I, Patrick Quinn, Governor of the State of Illinois, do hereby proclaim October 18, 2014 as ASIAN AMERICAN DREAM DAY in Illinois.

Issued by the Governor October 10, 2014.
Filed by the Secretary of State November 18, 2014.

2014-452
CAREY PINKOWSKI DAY

WHEREAS, the Chicago Marathon is widely considered to be one of the most prestigious road races in America, with over 45,000 runners competing from all 50 states and over 100 nations each year; and,

WHEREAS, the successes of the Chicago Marathon could not have occurred without the leadership of Carey Pinkowski, who has served as its Executive Race Director for the past 25 years; and,

WHEREAS, in his role as Executive Race Director for the Chicago Marathon, Carey Pinkowski is responsible for recruiting athletes as well as designing the route, safety, and all logistics of the race; and,

WHEREAS, born in Hammond, Indiana, Carey Pinkowski exhibited talent for running at a young age and would go on to become a four-time state champion in cross country and track for Hammond High School. After high school, he competed collegiately for Villanova, becoming a 3-time NCAA All American in track and posting impressive personal bests of 13:48 for 5,000 meters and 29:12 for 10,000 meters; and,

WHEREAS, for his efforts, Carey Pinkowski has received numerous awards including the Illinois Track & Cross Country Coaches Association Meritorious Service to the Youth of Illinois Award in 1998, the Chicago Area Runners Association Gold Medal Award for Event Production in 1999, the Runner’s World Magazine’s Best Race Director Award in 2002, and the Allan Steinfield Award for Lifetime Achievement in Men’s Long Distance Running in 2009; and,

WHEREAS, Carey Pinkowski is a member of the Indiana Athletic Hall of Fame and the Running USA Hall of Champions, and he serves on the advisory board for the National Distance Running Hall of Fame and is a member of USA Track & Field Men’s Long Distance Running Executive Committee; and,

WHEREAS, perhaps most importantly, Carey Pinkowski is a loving husband to his wife, Susan, and their two beautiful children, Sarah and Matthew; and,
WHEREAS, this year is Carey Pinkowski’s 25th year as Executive Race Director for the Chicago Marathon. The 2014 Chicago Marathon, taking place on Sunday, October 12, is an opportune time to recognize Carey Pinkowski; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 12, 2014, as CAREY PINKOWSKI DAY in Illinois, in recognition of his tremendous contributions to the sport of running and the Chicago Marathon.

Issued by the Governor October 10, 2014.
Filed by the Secretary of State November 18, 2014.

2014-453
DEWEY PIEROTTI DAY

WHEREAS, the people of Illinois are served every single day by dedicated public servants at forest preserve districts. These unsung heroes provide quality recreational opportunities for countless people in our state; and,

WHEREAS, one remarkable public servant is Dewey Pierotti, who has served as president of the Forest Preserve District of DuPage County for 20 years; and,

WHEREAS, Dewey Pierotti’s 20th anniversary as president of the Forest Preserve District of DuPage County offers an opportunity for all residents of Illinois to commend his honorable and dedicated service and reflect on his many accomplishments; and,

WHEREAS, Dewey Pierotti holds a Bachelor of Arts in Economics and Juris Doctorate of Law from DePaul University; and,

WHEREAS, Dewey Pierotti is the past President of the Illinois Association of Conservation and Forest Preserve Districts and has served as a member of the Illinois Association of Park Districts Board of Trustees; and,

WHEREAS, during his tenure as president of the Forest Preserve District of DuPage County, Dewey Pierotti championed the preservation and restoration of woodlands, wetlands, and prairies in addition to adding more than 3,000 acres to its holdings; and,

WHEREAS, Dewey Pierotti is the longest serving president of the Forest Preserve District of DuPage County; and,

WHEREAS, in addition to enhancing the Forest Preserve District of DuPage County, Dewey Pierotti has demonstrated a strong commitment to helping others and has been involved with numerous organizations including the Conservation Foundation, Kiwanis, the DuPage Community Foundation, and the DuPage Audubon Society. He is the founder of the Paul D. Pierotti
Memorial Scholarship Fund that benefits students seeking college degrees in natural resource management or other environmental fields of study; and,

WHEREAS, Dewey Pierotti’s work has undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues; and,

WHEREAS, as a result of Dewey Pierotti’s leadership, the Forest Preserve District of DuPage County has reenergized its recreational spaces and other facilities to ensure a better quality of life for the community; and,

WHEREAS, Dewey Pierotti’s work ethic has exemplified the dedication to service the citizens of the State of Illinois have come to expect and deserve; and,

WHEREAS, the people of Illinois are pleased to recognize Dewey Pierotti on the occasion of his 20 years of service with the Forest Preserve District of DuPage County; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 15, 2014, as DEWEY PIEROTTI DAY in Illinois, and commend him on the important contributions that he has made to the people of DuPage County and the State of Illinois.

Issued by the Governor October 10, 2014.
Filed by the Secretary of State November 18, 2014.

2014-454
SMALL BUSINESS SATURDAY

WHEREAS, the State of Illinois is pleased to celebrate our local small businesses and the contributions they make to our local economies and communities; according to the United States Small Business Administration, there are currently 28 million small businesses in the United States, that represent more than 99 percent of American companies, create two-thirds of the net new jobs, and generate half of private gross domestic product; and,

WHEREAS, small businesses employ ½ of the employees in the private sector in the United States; and,

WHEREAS, 89 percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and,

WHEREAS, 86 percent of consumers in the United States have small businesses in their community that would be missed if they closed; and,

WHEREAS, 93 percent of consumers in the United States agree that it is important for people to support the small businesses that they value in their community; and,
WHEREAS, 90 percent of consumers in the United States are willing to pledge support for a “buy local” movement; and,
WHEREAS, it is important to support our local businesses that create jobs, boost our local economy, and preserve our neighborhoods; and,
WHEREAS, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 29, 2014, as SMALL BUSINESS SATURDAY in Illinois, and encourage consumers in the Land of Lincoln to support the small businesses and merchants that create jobs within our communities and reinvest in our local economies.

 Issued by the Governor October 10, 2014.
 Filed by the Secretary of State November 18, 2014.

2014-455
RESPIRATORY CARE WEEK

WHEREAS, respiratory diseases are a major health problem in the United States. Unfortunately, the causes of some respiratory diseases are unknown, and many have no known cure; and,
WHEREAS, despite that, appropriate therapy can often slow the progress of respiratory disease, relieve symptoms, reduce the extent of permanent lung damage and respiratory disability, and avert or delay the onset of life-threatening complications; and,
WHEREAS, there are educational programs for patients and their families, as well as a variety of treatments for respiratory disease such as the administration of life-supporting oxygen, drug treatment, lung rehabilitation; and,
WHEREAS, to inform the public about the respiratory care profession and promote lung health, the American Association for Respiratory Care and their affiliate organizations, including the Illinois Society for Respiratory Care, annually sponsors Respiratory Care Week the last week in October; and,
WHEREAS, respiratory therapy centers throughout the country participate by hosting educational screenings, programs, and fundraisers for asthma camps for kids, patients in need of assistance, and other worthy causes; and,
WHEREAS, legislation to grant Illinois Respiratory Care Practitioners full licensure status became effective January 1, 2006; and,
WHEREAS, this year, the American Association and Illinois Society for Respiratory Care will observe Respiratory Care Week from October 23-29; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 19-25, 2014 as RESPIRATORY CARE WEEK in Illinois, in support of notable efforts by the American Association and Illinois Society for Respiratory Care, and urge all Illinoisans to be aware of the important role of Respiratory Care to raise awareness about respiratory diseases that affect the lives of many citizens of our state.

Issued by the Governor October 14, 2014.
Filed by the Secretary of State November 18, 2014.

2014-456

ZHOU BROTHERS DAY

WHEREAS, as Chinese Natives and leaders of the Contemporary Art movement in China, the Zhou Brothers, DaHuang and Shan Zuo Zhou, have dedicated their lives to art; and,

WHEREAS, the Zhou Brothers immigrated to the United States in 1986 to continue their work at an international level and bring together Eastern and Western ideologies through art; and,

WHEREAS, the Zhou Brothers have been recognized internationally, received several distinguished awards, and their culturally significant works have been featured at museums and exhibitions around the world; and,

WHEREAS, the Zhou Brothers use a unique collaborative process and hold live painting performances where audiences can observe their techniques; and,

WHEREAS, in 2004, the Zhou Brothers founded the Zhou B Art Center in Chicago to help promote, nurture, and elevate artistic talent; and,

WHEREAS, the Zhou B Art Center has become the premier destination for international art, and currently hosts over fifty resident artists; and,

WHEREAS, in 2011, the Zhou Brothers had the honor of meeting with the President of the United States and The President of China at The White House; and,

WHEREAS, President Obama asked the Zhou Brothers to create a painting called “8 US Presidents and the Great Wall,” which was presented as a gift to President Hu; and,

WHEREAS, in October, the Zhou B Center will be hosting a gala celebrating “10 years of Art Innovation;” and,
WHEREAS, the Zhou Brothers have undoubtedly touched and enriched numerous lives over the years and provided a source of inspiration to many people throughout the Chicagoland area and all over the world; and,
WHEREAS, this is an excellent opportunity to reflect on everything that the Zhou Brothers have accomplished over the years, and to make plans for the future that will build on your past successes; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 16, 2014 as ZHOU BROTHERS DAY in Illinois, on the occasion of the 10th anniversary of the Zhou B Center, and for their exceptional national and international contributions to the arts.
Issued by the Governor October 14, 2014.
Filed by the Secretary of State November 18, 2014.

2014-457
AMERICAN PHARMACISTS MONTH

WHEREAS, pharmacy is one of the oldest of the health care professions dedicated to the health and well-being of all people; and,
WHEREAS, today, there are over 300,000 pharmacists licensed in the United States and nearly 18,000 licensed pharmacists in Illinois providing service and health care counseling to assure the rational and safe use of all medications. These pharmacists are assisted by approximately 38,000 pharmacy technicians (including student pharmacists); and,
WHEREAS, the effective and safe use of medication when monitored by a licensed pharmacist, is a cost-effective alternative to more expensive medical procedures, and is becoming a major force in moderating overall health care costs; and,
WHEREAS, today’s powerful medications require greater attention to the manner in which they are used by different patient population groups—both clinically and demographically; and,
WHEREAS, it is important that all users of prescription and nonprescription medications, or their caregivers, be knowledgeable about and share responsibility for their own drug therapy; and,
WHEREAS, pharmacists, as health care providers, are specifically educated with a focus and level of expertise on medication therapy and are ideally suited to work collaboratively with other health care providers and patients to improve medication use and outcomes by providing services through medication therapy management; and,
WHEREAS, pharmacists provide both expertise and accessibility which are crucial to patients fully optimizing access to medications that are not self-administered such as, but not limited to immunizations; and,
WHEREAS, pharmacists provide patient care that improves adherence to their medications that ensures optimal medication therapy outcomes; and,

WHEREAS, pharmacists ensure the integrative safety of drug use; diligently working to reduce medication abuse, discontinuing medications with no indication, and advocating for the safe use of all medications; and,

WHEREAS, the American Pharmacists Association and the Illinois Pharmacists Association have declared October as the American Pharmacists Month with the theme “Know Your Medicines—Know Your Pharmacist;” and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as AMERICAN PHARMACISTS MONTH in Illinois, in recognition of the vital contributions made by pharmacists to health care in our State.

Issued by the Governor October 15, 2014.
Filed by the Secretary of State November 18, 2014.

2014-458
PILSEN NEIGHBORS COMMUNITY COUNCIL DAY
(ENGLISH VERSION)

WHEREAS, for 60 years, Pilsen Neighbors Community Council has been in the forefront of community-building, neighborhood empowerment and civic engagement; and,

WHEREAS, by employing the creative grass-roots organizing techniques of Saul Alinsky, Pilsen Neighbors Community Council helped Chicago earn its reputation as the birthplace of modern community organizing; and,

WHEREAS, for six decades, Pilsen Neighbors Community Council has trained countless community organizers, developed local leaders and transformed a neighborhood; and,

WHEREAS, in 1972, Pilsen Neighbors Community Council threw a block party called Fiesta del Sol, which now - with 1.3 million attendees - is the biggest Latino festival in the Midwest and largest alcohol-free event in the nation; and,

WHEREAS, Pilsen Neighbors Community Council was a driving force in the creation of Benito Juarez High School (now Benito Juarez Community Academy) in the early 1970s, Eighteenth Street Development Corporation in 1976, Harrison Park Fieldhouse in 1993, West Side Technical Institute in 1996, and other schools and social service agencies; and,
WHEREAS, thanks to the efforts of Pilsen Neighbors Community Council, the Alivio Medical Center opened its doors in 1988, and now serves 25,000 patients yearly at three clinics and three school-based health centers; and,

WHEREAS, a tireless voice for better education, Pilsen Neighbors Community Council has convened the annual Pilsen Education Summit and University Round Table, conducted tutoring classes and ACT preparation courses, and - through the Guadalupe Reyes Fiesta del Sol Scholarship - awarded $700,000 in scholarships to 450 students; and,

WHEREAS, Pilsen Neighbors Community Council has fearlessly tackled the many challenges facing Pilsen residents, including health care, workforce and small business development, violent crime, neighborhood infrastructure and immigration reform; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Tuesday, October 21, 2014, as PILSEN NEIGHBORS COMMUNITY COUNCIL DAY throughout Illinois to celebrate their 60 years of making Illinois a better place for us all.

Issued by the Governor October 16, 2014.

Filed by the Secretary of State November 18, 2014.

2014-458
DÍA DE PILSEN NEIGHBORS COMMUNITY COUNCIL
(SPANISH VERSION)

CONSIDERANDO QUE, por 60 años, el Pilsen Neighbors Community Council ha estado a la vanguardia de la construcción de las comunidades, el empoderamiento de las vecindades, y la participación en la sociedad civil; y,

CONSIDERANDO QUE, empleando las técnicas creativas de base de Saul Alinsky, el Pilsen Neighbors Community Council ayudó a Chicago a ganar su reputación como el lugar del nacimiento de la organización cívica moderna; y,

CONSIDERANDO QUE, por seis décadas, el Pilsen Neighbors Community Council ha entrenado a organizadores cívicos sin número, desarrollado a líderes locales, y transformado una vecindad; y,

CONSIDERANDO QUE, en 1972, el Pilsen Neighbors Community Council dio hacer a una fiesta de barrio llamada la Fiesta del Sol, que ahora – con más de 1.3 millones de asistentes – es el festival latino más grande del medio oeste y el evento sin alcohol más grande de la nación; y,

CONSIDERANDO QUE, el Pilsen Neighbors Community Council fue una fuerza impulsora para la creación de Benito Juarez High School.
(ahora Benito Juarez Community Academy) en los años tempranos 1970,  
Eighteenth Street Development Corporation en 1976, Harrison Park  
Fieldhouse en 1993, West Side Technical Institute en 1996, y otras escuelas  
y agencias de servicio social; y,

CONSIDERANDO QUE, gracias a los esfuerzos del Pilsen Neighbors  
Community Council, el Alivio Medical Center abrió sus puertas en 1988, y  
ahora sirve a 25,000 pacientes cada año en tres clínicas y tres centros de salud  
basados en escuelas; y,

CONSIDERANDO QUE, una voz sin cansancio para educación  
mejor, el Pilsen Neighbors Community Council ha convocado al Pilsen  
Education Summit y University Roundtable anual, ha dirigido a clases de  
tutorial y cursos de preparación para el ACT, y – por el Guadalupe Reyes  
Fiesta del Sol Scholarship – ha otorgado a $700,000 en becas a 450  
estudiantes; y,

CONSIDERANDO QUE, el Pilsen Neighbors Community Council  
ha abordado sin miedo los muchos desafíos entrenando a los residentes de  
Pilsen, incluyendo la asistencia médica, el desarrollo de la fuerza laboral y los  
negocios pequeños, el crimen violento, la infraestructura de vecindades, y la  
reforma de la inmigración; y,

POR LO TANTO, Yo, Pat Quinn, Gobernador del estado de Illinois,  
por este medio proclamo al martes el 21 de octubre, 2014, como el DÍA DE  
PILSEN NEIGHBORS COMMUNITY COUNCIL tras Illinois para celebrar  
a sus 60 años de hacer a Illinois un lugar mejor para todos nosotros.

Issued by the Governor October 17, 2014.
Filed by the Secretary of State November 18, 2014.

2014-459

DOROTHY LEAVELL DAY

WHEREAS, born on October 23, 1944, in Pine Bluff, Arkansas,  
Dorothy Leavell was the valedictorian of her class at Merrill High School and  
evendually relocated to Chicago, where she attended Roosevelt University;  
and,

WHEREAS, after the death of her husband, Balm L. Leavell Jr.,  
Dorothy Leavell took over as the publisher of the Chicago Crusader, a  
publication that is the leading voice for tens of thousands of African  
Americans on the issues of education, business, civil rights, criminal justice,  
and civic affairs; and,

WHEREAS, today, as a result of Dorothy Leavell’s leadership, the  
Chicago Crusader provides critical information to more than 272,000 readers;  
and,
WHEREAS, the Chicago Crusader will celebrate its 75th anniversary in June of 2015; and,

WHEREAS, a woman of strong faith, Dorothy Leavell is active in her church, Holy Name of Mary Church in Chicago’s Morgan Park community; and,

WHEREAS, Dorothy Leavell understands that service to others is the rent we pay to live on God’s earth and has often been recognized for civic and philanthropic contributions. She is the recipient of many awards including the NNPA’s Publisher of the Year Award, the Winnie Mandela Endurance with Dignity Award, the Operation PUSH Family Affair Award, and the Humanitarian Award from the Council of African Affairs; and,

WHEREAS, Dorothy Leavell was elected President of the National Newspaper Publishers Association in June 1995 for a two-year term and re-elected in June 1997. In 2006, she was elected Chairman of the National Newspaper Publishers Association Foundation; and,

WHEREAS, Dorothy Leavell became Chairwoman of the National Black Chamber of Commerce in 2013; and,

WHEREAS, Dorothy Leavell has achieved great success in the field of journalism and serves as an inspiration to her colleagues; and,

WHEREAS, as a long-time friend and co-worker, Dorothy Leavell has touched many lives through inspiring people and empowering them to achieve to the very best of their abilities; and,

WHEREAS, the citizens of the Land of Lincoln are pleased to recognize Dorothy Leavell on this occasion and wish her the best of luck with her future endeavors; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 21, 2014, as DOROTHY LEAVELL DAY in Illinois, in recognition of her contributions to the Chicago Crusader Newspaper and the journalism industry in the State of Illinois.

Issued by the Governor October 20, 2014.

Filed by the Secretary of State November 18, 2014.

2014-460
NATIONAL CUATRO FESTIVAL DAY

WHEREAS, the State of Illinois is proud of the countless economic and cultural contributions that Puerto Ricans make every day; and,

WHEREAS, it is critically important that we recognize organizations and events that are beneficial to the Puerto Rican community in Illinois and our state as a whole; and,
WHEREAS, the Puerto Rican Arts Alliance (PRAA) is a community-based organization dedicated to preserving Puerto Rican culture by maintaining traditions, providing arts education programming, and cultivating pride in Puerto Rican heritage; and,

WHEREAS, since its inception in 1998, PRAA has become a primary cultural resource for Chicago’s Latino communities, and its unique music programs and exhibitions are recognized throughout the Chicago area; and,

WHEREAS, PRAA serves over 10,000 people through its core programs: the Latin Music Project, the National Cuatro Festival, the Taino Project, El Archivo, and the Studio Arts and Exhibition Program; and,

WHEREAS, the National Cuatro Festival is the largest annual indoor Puerto Rican cultural concert in the nation, impacting over 100,000 participants of all ages and backgrounds over the course of its 16 years of existence; and,

WHEREAS, this year, the annual National Cuatro Festival will take place on November 8, 2014, and will feature some of the most talented cuatro musicians in the country along with emerging artists; and,

WHEREAS, notably, the 2014 National Cuatro Festival is dedicated to the 65th Infantry Regiment Borinqueneers, the only active-duty segregated Latino military unit in US history, who were recently awarded a merited Congressional Medal for their service; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 8, 2014, as NATIONAL CUATRO FESTIVAL DAY in Illinois, in recognition of its contributions to the community and the residents of the Land of Lincoln.

Issued by the Governor October 20, 2014.

Filed by the Secretary of State November 18, 2014.

2014-461
DOWN SYNDROME AWARENESS MONTH

WHEREAS, Down syndrome is the most frequently occurring chromosomal condition in the United States, including Illinois, and the world; and,

WHEREAS, Down syndrome is caused by a person having three copies of the 21st chromosome rather than two copies, a genetic condition occurring in less than one of 700 live births and causing cognitive and physical delay; and,

WHEREAS, people with Down syndrome deserve fundamental human and civil rights; and,
WHEREAS, while research and early intervention have resulted in dramatic improvements in the lifespan and potential of those who are affected, more investigation is needed into the causes and treatments of Down syndrome; and,

WHEREAS, people with Down syndrome possess a wide range of abilities, and are active participants in educational, occupational, social, and recreational groups of the community; and,

WHEREAS, through the efforts of several notable organizations, professionals, family members, and self-advocates, there are many initiatives that ensure people with Down syndrome have adequate services and are respected in their communities; and,

WHEREAS, through public awareness, the State of Illinois seeks to ensure that families receive needed support and information, while also making sure that individuals with Down syndrome are recognized in society for their abilities and not devalued for their disability; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as DOWN SYNDROME AWARENESS MONTH in Illinois, and encourage all citizens to work together to promote awareness of Down syndrome and to celebrate the accomplishments of these individuals and their families.

Issued by the Governor October 21, 2014.
Filed by the Secretary of State November 18, 2014.

2014-462
WAYNE MCCLAIN DAY

WHEREAS, Wayne McClain’s commitment to excellence and dedication to the game of basketball makes him an inspiration to other coaches and the people of the Land of Lincoln; and,

WHEREAS, Wayne McClain earned a Bachelor’s Degree in Education from Bradley in 1977 and a Master’s Degree in Physical Education from Illinois State in 1982; and,

WHEREAS, Wayne McClain began his high school coaching career in 1977, serving as an assistant coach to the legendary Dick Van Scyoc for 18 years until being named head coach in 1995; and,

WHEREAS, Wayne McClain became a collegiate coach after a legendary seven-year career as head coach at Peoria Manual High School, where he led the Rams to three-straight AA state championships in his first three years as coach. He was named National High School Coach of the Year in 1997 for leading his squad, which featured future Illini players Sergio
McClain, Marcus Griffin, and Frank Williams, to be named National High School Champions by USA Today; and,

WHEREAS, Wayne McClain was named Illinois Basketball Coaches Association Coach of the Year in 1995, 1996, and 1997. He proudly coached his son, Sergio, at Peoria Manuel High School and at the University of Illinois; and,

WHEREAS, Wayne McClain began his 11-year run on the Illinois coaching staff under Bill Self in the 2001-2002 season and remained on the staff with Bruce Weber through the 2011-2012 season. After going to Kansas State as the Director of Student-Athlete Development, Wayne McClain returned home to Illinois, becoming the head coach at Champaign Central, where he led last year’s team to a regional title and sectional win; and,

WHEREAS, in addition to his success on the court, Wayne McClain had an impressive career as an educator. He taught physical education to high school students and served as Peoria Manuel High School’s Dean of Students; and,

WHEREAS, sadly, Wayne McClain passed away on October 15, 2014; and,

WHEREAS, a funeral will be held on October 22, 2014, for Wayne McClain, who is survived by his loving wife, Robin, and their two beautiful children, Sergio and Brindeshie, and grandson, Sergio Jr., as well as many colleagues and athletes who are grateful for the numerous ways he positively impacted their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare October 22, 2014, as WAYNE MCCLAIN DAY in Illinois, in recognition of his dedication to coaching and mentoring young adults, love for the game of basketball, and the powerful legacy he leaves behind.

Issued by the Governor October 21, 2014.
Filed by the Secretary of State November 18, 2014.

2014-463
DR. BILLIE MORRIS WRIGHT ADAMS DAY

WHEREAS, Billie Morris Wright Adams was born in Bluefield, West Virginia, the youngest of two children to Francis and Billie Wright, and named for her father William Morris Wright, MD, a family practitioner who accepted chickens and vegetables from those who could not pay for services; and,

WHEREAS, Billie Morris Wright Adams received her education and training at Fisk University, 1950, A.B., Indiana University, 1951, M.A., Zoology, and Howard University, 1960, M.D.; and,
WHEREAS, Billie Morris Wright Adams, MD is licensed and board
certified in Pediatrics and has specialty board eligibility in Pediatric
Hematology/Oncology. She did her internship, residency and fellowship at
Cook County Hospital in Chicago; and,

WHEREAS, Billie Morris Wright Adams has numerous credentials
including research activity, and appointments to academic staff, hospital staff,
committees and boards; and,

WHEREAS, Billie Morris Wright Adams has received special awards
and honors including her listing in Who’s Who Among Black Americans
(1975), being named Pediatrician of the Year by the Illinois Chapter
American Academy of Pediatrics (1997), and being selected as Best Doctor
in America and honored at the University of Illinois of Chicago, (2005-2006);
and,

WHEREAS, Billie Morris Wright Adams, wife of Frank Adams, Sr.,
JD (deceased), and mother of Frank Adams, Jr., JD, serves her community
through various roles including membership in Delta Sigma Theta Sorority,
Inc., and The Links, Inc.; and,

WHEREAS, Billie Morris Wright Adams, MD is recognized for her
distinguished career as a pediatrician and the many years of service that she
has rendered to her patients and their families, medical students at University
of Illinois in Chicago, resident physicians at Cook County Hospital and the
citizens of Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do
hereby proclaim October 26, 2014 as DR. BILLIE MORRIS WRIGHT
ADAMS DAY in Illinois.

Issued by the Governor October 22, 2014.
Filed by the Secretary of State November 18, 2014.

2014-464
#ILGIVEBIG DAY

WHEREAS, #ILGiveBig is established as a statewide day of giving
on the Tuesday following Thanksgiving; and,

WHEREAS, #ILGiveBig is the state campaign for #GivingTuesday,
a global initiative to promote philanthropy and volunteerism; and,

WHEREAS, #ILGiveBig is a celebration of philanthropy and
volunteerism wherein people give of their time or treasure; and,

WHEREAS, on #ILGiveBig residents of the State of Illinois will join
with charitable organizations, foundations and private business to work
together to share commitments, rally for favorite causes, build a stronger
community, and think about other people; and,
WHEREAS, it is fitting and proper on #ILGiveBig and on every day to recognize the tremendous impact of philanthropy, social sector organizations, volunteerism, and community service in the State of Illinois; and,

WHEREAS, #ILGiveBig is an opportunity to encourage all residents to serve others throughout this holiday season and during other times of the year; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 2, 2014 as #ILGIVEBIG DAY in Illinois, and encourage all citizens to join together to give back to the community in any way that is personally meaningful.

Issued by the Governor October 23, 2014.

Filed by the Secretary of State November 18, 2014.

2014-465
MAYOR GEORGE PRADEL DAY

WHEREAS, the people of Illinois are served every single day by dedicated public servants in local government; and,

WHEREAS, one accomplished public servant is Naperville Mayor George Pradel, who moved to the city he now leads in 1939; and,

WHEREAS, Mayor George Pradel has an Associate Degree in Police Science from the College of DuPage, Glen Ellyn. Always a patriotic American, he served as a U.S. Marine from 1956 to 1959; and,

WHEREAS, Mayor George Pradel was in the Naperville Police Department for 29 years and retired from the position of Lieutenant of Police on April 30, 1995, before becoming Mayor; and,

WHEREAS, in addition to his duties as Mayor, Mayor George Pradel has been involved with many local and statewide organizations including the Illinois Tollway Authority, the Naperville Kiwanis Club, the DuPage County Police Association, and the DuPage Mayors and Managers Association. Notably, he is also the founder of Safety Town and the Naperville Marines; and,

WHEREAS, as a man of deep faith, Mayor George Pradel believes that service to others is the rent we pay to live on God’s earth; and,

WHEREAS, Mayor George Pradel’s work has undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues; and,

WHEREAS, as a result of Mayor George Pradel’s leadership, the City of Naperville has undertaken many important initiatives designed to improve the well-being of the community; and,
WHEREAS, perhaps most importantly, Mayor George Pradel is a loving husband to his wife of over 50 years, Pat, and their three beautiful children: George, Gary, and Carol; and,

WHEREAS, today, the people of Illinois are pleased to recognize Mayor George Pradel for his contributions to the City of Naperville and our state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 27, 2014, as MAYOR GEORGE PRADEL DAY in Illinois, in recognition of his remarkable career as a distinguished Marine, law enforcement professional, and Mayor.

Issued by the Governor October 23, 2014.

Filed by the Secretary of State November 18, 2014.

2014-466
STEVE MEGGINSON DAY

WHEREAS, the people of Illinois are served every single day by dedicated public servants at park districts. These unsung heroes provide quality recreational opportunities for countless people across our state; and,

WHEREAS, one remarkable public servant is Steve Megginson, who, after serving in the position of Beardstown Park District Manager since 1986, will be retiring this year; and,

WHEREAS, Steve Megginson’s departure from the Beardstown Park District offers an opportunity for all residents of Illinois to commend his honorable and dedicated service and reflect on his many accomplishments; and,

WHEREAS, Steve Megginson demonstrated passion at a young age for the outdoors. He graduated with honors from the University of Illinois at Champaign/Urbana in 1975 with a Parks and Administration Degree; and,

WHEREAS, prior to starting with the Beardstown Park District, Steve Megginson was employed from 1977 to 1986 as Director of the Virginia, Illinois Park System; and,

WHEREAS, during his tenure as Beardstown Park District Manager, Steve Megginson had a track record of providing excellent management, creative programming, prudent spending, and accountability to the community; and,

WHEREAS, one of Steve Megginson’s most impressive accomplishments was generating community support and funding for a new pool in Beardstown; and,
WHEREAS, children who grew up in Beardstown greatly benefited from the youth programs that the park district offered under Steve Megginson’s leadership; and,
WHEREAS, in addition to his commitment to enhancing the Beardstown Park District, Steve Megginson has always been active in his community, helping out numerous organizations including the Beardstown Lions Club, the Beardstown Kiwanis Club, the Beardstown United Way, the Beardstown Tourism and Recreation Committee, and the Land of Lincoln Workforce Investment Board; and,
WHEREAS, Steve Megginson’s work has undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues. The mark that he leaves behind will serve as a foundation for the future of the Beardstown Park District; and,
WHEREAS, as a result of Steve Megginson’s leadership, the Beardstown Park District reenergized its parks and other facilities to ensure a better quality of life for the community; and,
WHEREAS, in everything that he has done, Steve Megginson’s work ethic has exemplified the dedication to service the citizens of the State of Illinois have come to expect and deserve; and,
WHEREAS, perhaps most importantly, Steve Megginson has been a loving husband to his wife Cathy; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 23, 2014, as STEVE MEGGINSON DAY in Illinois, and commend him on the important contributions that he has made to the people of Beardstown and the State of Illinois.

Issued by the Governor October 23, 2014.
Filed by the Secretary of State November 18, 2014.

2014-467
NATIVE AMERICAN HERITAGE MONTH

WHEREAS, long before the arrival of Europeans to North American shores, Native Americans settled and lived throughout the United States, including in the State of Illinois; and,
WHEREAS, Native Americans established tribes and confederations with sophisticated agricultural and hunting economies and social as well as political systems, which were designed to secure comfort within their communities; and,
WHEREAS, after the arrival of Europeans, many Native American communities were displaced, forcing them to assimilate into new cultures; and,
WHEREAS, many Native American communities are thriving today due to their creativity, hard work, and indomitable spirit; and,

WHEREAS, November marks the celebration of the ancestry and time-honored traditions of Native Americans in North America; and,

WHEREAS, the Native American community has added immeasurably to our cultural heritage, and demonstrated courage in the face of adversity, while distinguishing themselves as leaders, inventors, entrepreneurs, spiritual guides, and scholars. Our debt to our First Americans is immense, as is our responsibility to ensure their fair, equal treatment and honor the commitments made to their forebears; and,

WHEREAS, the State of Illinois is pleased to recognize Native Americans during the month of November; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2014 as NATIVE AMERICAN HERITAGE MONTH in Illinois, in commemoration of contributions made by the Native American community, and I urge all residents of the State of Illinois to celebrate this month with appropriate programs and activities that recognize the history and accomplishments of Native Americans.

Issued by the Governor October 30, 2014.
Filed by the Secretary of State November 18, 2014.

2014 GENERAL ELECTION PROPOSED AMENDMENT OF SECTION 8.1 OF ARTICLE I AND A PROPOSED ADDITION OF SECTION 8 TO ARTICLE III OF THE ILLINOIS CONSTITUTION

WHEREAS, On the 4th day of November, 2014, an election was held in the State of Illinois at which time a Proposed Amendment of Section 8.1 of Article I and a Proposed addition of Section 8 to Article III of the Illinois Constitution was submitted, and

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 30th day of November, 2014, canvass the same, and as a result of such canvass, did declare that the Proposed Amendment of Section 8.1 of Article I and a Proposed addition of Section 8 to Article III of the Illinois Constitution has received either three-fifths of those voting on the question or a majority of those voting in the election.

NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby
make public proclamation, declaring as a result of such canvass the foregoing results.

Issued by the Governor November 30, 2014.
Filed by the Secretary of State December 2, 2014.

2014-469
2014 GENERAL ELECTION PROPOSED QUESTION
OF PUBLIC POLICY

WHEREAS, On the 4th day of November, 2014, an election was held in the State of Illinois at which time a Proposed Question of Public Policy to House Bill 3814, Public Act 98-657, House Bill 5755, Public Act 98-696 and House Bill 3816, Public Act 98-794 was submitted, and
WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 30th day of November, 2014, canvass the same, and as a result of such canvass, did declare that the Proposed Question of Public Policy to House Bill 3814, Public Act 98-657, House Bill 5755, Public Act 98-696 and House Bill 3816, Public Act 98-794 has received either three-fifths of those voting on the question or a majority of those voting in the election.

NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing results.

Issued by the Governor November 30, 2014.
Filed by the Secretary of State December 2, 2014.

2014-470
2014 GENERAL ELECTION UNITED STATES SENATOR
AND STATE OFFICERS

WHEREAS, On the 4th day of November, 2014, an election was held in the State of Illinois for the election of the following officers, to-wit:
One (1) United States Senator for the full term of six years.
One (1) Governor for the full term of four years.
One (1) Lieutenant Governor for the full term of four years.
One (1) Attorney General for the full term of four years.
One (1) Secretary of State for the full term of four years.
One (1) Comptroller for the full term of four years.
One (1) Treasurer for the full term of four years.
WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 30th day of November, 2014, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

UNITED STATES SENATOR
  Richard J. Durbin
GOVERNOR
  Bruce Rauner
LIEUTENANT GOVERNOR
  Evelyn Sanguinetti
ATTORNEY GENERAL
  Lisa Madigan
SECRETARY OF STATE
  Jesse White
COMPTROLLER
  Judy Baar Topinka
TREASURER
  Michael W. Frerichs

NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 30, 2014.
Filed by the Secretary of State December 2, 2014.

2014-471
2014 GENERAL ELECTION REPRESENTATIVES IN CONGRESS, STATE SENATORS AND REPRESENTATIVES IN THE GENERAL ASSEMBLY

WHEREAS, On the 4th day of November, 2014, an election was held in the State of Illinois for the election of the following officers, to-wit:

Eighteen (18) Representatives in Congress, to-wit: One (1) Representative in Congress from each of the eighteen (18) Congressional Districts of the State for the full term of two years.

Nineteen (19) State Senators, to wit: One (1) State Senator from the 3rd, 6th, 9th, 12th, 15th, 18th, 21st, 24th, 27th, 30th, 33rd, 36th, 39th, 42nd, 45th, 48th, 51st, 54th and 57th Legislative District for the full term of four years.

One Hundred Eighteen (118) Representatives in the General Assembly, to-wit: One (1) Representative from each of the one hundred
eighteen (118) Representative Districts of the State for the full term of two years.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 30th day of November, 2014, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices.

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS IN THE 114th CONGRESS OF THE UNITED STATES

FIRST CONGRESSIONAL DISTRICT
Bobby L. Rush

SECOND CONGRESSIONAL DISTRICT
Robin Kelly

THIRD CONGRESSIONAL DISTRICT
Daniel William Lipinski

FOURTH CONGRESSIONAL DISTRICT
Luis V. Gutierrez

FIFTH CONGRESSIONAL DISTRICT
Mike Quigley

SIXTH CONGRESSIONAL DISTRICT
Peter J. Roskam

SEVENTH CONGRESSIONAL DISTRICT
Danny K. Davis

EIGHTH CONGRESSIONAL DISTRICT
Tammy Duckworth

NINTH CONGRESSIONAL DISTRICT
Janice D. Schakowsky

TENTH CONGRESSIONAL DISTRICT
Robert Dold

ELEVENTH CONGRESSIONAL DISTRICT
Bill Foster

TWELFTH CONGRESSIONAL DISTRICT
Mike Bost

THIRTEENTH CONGRESSIONAL DISTRICT
Rodney Davis

FOURTEENTH CONGRESSIONAL DISTRICT
Randall M. “Randy” Hultgren

FIFTEENTH CONGRESSIONAL DISTRICT
John M. Shimkus

SIXTEENTH CONGRESSIONAL DISTRICT
Adam Kinzinger
STATE SENATORS TO REPRESENT THE PEOPLE OF THE STATE
OF ILLINOIS IN THE 99TH GENERAL ASSEMBLY OF THE STATE

THIRD LEGISLATIVE DISTRICT
  Mattie Hunter

SIXTH LEGISLATIVE DISTRICT
  John J. Cullerton

NINTH LEGISLATIVE DISTRICT
  Daniel Biss

TWELFTH LEGISLATIVE DISTRICT
  Steven Landek

FIFTEENTH LEGISLATIVE DISTRICT
  Napoleon Harris

EIGHTEENTH LEGISLATIVE DISTRICT
  Bill Cunningham

TWENTY-FIRST LEGISLATIVE DISTRICT
  Michael G. Connelly

TWENTY-FOURTH LEGISLATIVE DISTRICT
  Chris Nybo

TWENTY-SEVENTH LEGISLATIVE DISTRICT
  Matt Murphy

THIRTIETH LEGISLATIVE DISTRICT
  Terry Link

THIRTY-THIRD LEGISLATIVE DISTRICT
  Karen McConnaughay

THIRTY-SIXTH LEGISLATIVE DISTRICT
  Neil Anderson

THIRTY-NINTH LEGISLATIVE DISTRICT
  Don Harmon

FORTY-SECOND LEGISLATIVE DISTRICT
  Linda Holmes

FORTY-FIFTH LEGISLATIVE DISTRICT
  Tim Bivins

FORTY-EIGHTH LEGISLATIVE DISTRICT
  Andy Manar

FIFTY-FIRST LEGISLATIVE DISTRICT
  Chapin Rose

FIFTY-FOURTH LEGISLATIVE DISTRICT
Kyle McCarter
FIFTY-SEVENTH LEGISLATIVE DISTRICT
James F. Clayborne, Jr., II
REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE
OF ILLINOIS IN THE 99th GENERAL ASSEMBLY OF THE STATE
FIRST REPRESENTATIVE DISTRICT
Daniel J. Burke
SECOND REPRESENTATIVE DISTRICT
Edward J. Acevedo
THIRD REPRESENTATIVE DISTRICT
Luis Arroyo
FOURTH REPRESENTATIVE DISTRICT
Cynthia Soto
FIFTH REPRESENTATIVE DISTRICT
Kenneth “Ken” Dunkin
SIXTH REPRESENTATIVE DISTRICT
Esther Golar
SEVENTH REPRESENTATIVE DISTRICT
Emanuel “Chris” Welch
EIGHTH REPRESENTATIVE DISTRICT
La Shawn K. Ford
NINTH REPRESENTATIVE DISTRICT
Arthur Turner
TENTH REPRESENTATIVE DISTRICT
Pamela Reaves-Harris
ELEVENTH REPRESENTATIVE DISTRICT
Ann M. Williams
TWELFTH REPRESENTATIVE DISTRICT
Sara Feigenholtz
THIRTEENTH REPRESENTATIVE DISTRICT
Gregory Harris
FOURTEENTH REPRESENTATIVE DISTRICT
Kelly M. Cassidy
FIFTEENTH REPRESENTATIVE DISTRICT
John C. D’Amico
SIXTEENTH REPRESENTATIVE DISTRICT
Lou Lang
SEVENTEENTH REPRESENTATIVE DISTRICT
Laura Fine
EIGHTEENTH REPRESENTATIVE DISTRICT
Robyn Gabel
NINETEENTH REPRESENTATIVE DISTRICT
Robert Martwick
TWENTIETH REPRESENTATIVE DISTRICT
Michael P. McAuliffe
TWENTY-FIRST REPRESENTATIVE DISTRICT
Silvana Tabares
TWENTY-SECOND REPRESENTATIVE DISTRICT
Michael J. Madigan
TWENTY-THIRD REPRESENTATIVE DISTRICT
Michael J. Zalewski
TWENTY-FOURTH REPRESENTATIVE DISTRICT
Elizabeth “Lisa” Hernandez
TWENTY-FIFTH REPRESENTATIVE DISTRICT
Barbara Flynn Currie
TWENTY-SIXTH REPRESENTATIVE DISTRICT
Christian L. Mitchell
TWENTY-SEVENTH REPRESENTATIVE DISTRICT
Monique D. Davis
TWENTY-EIGHTH REPRESENTATIVE DISTRICT
Robert “Bob” Rita
TWENTY-NINTH REPRESENTATIVE DISTRICT
Thaddeus Jones
THIRTIETH REPRESENTATIVE DISTRICT
William “Will” Davis
THIRTY-FIRST REPRESENTATIVE DISTRICT
Mary E. Flowers
THIRTY-SECOND REPRESENTATIVE DISTRICT
André Thapedi
THIRTY-THIRD REPRESENTATIVE DISTRICT
Marcus C. Evans, Jr.
THIRTY-FOURTH REPRESENTATIVE DISTRICT
Elgie R. Sims, Jr.
THIRTY-FIFTH REPRESENTATIVE DISTRICT
Frances Ann Hurley
THIRTY-SIXTH REPRESENTATIVE DISTRICT
Kelly M. Burke
THIRTY-SEVENTH REPRESENTATIVE DISTRICT
Margo McDermed
THIRTY-EIGHTH REPRESENTATIVE DISTRICT
Al Riley
THIRTY-NINTH REPRESENTATIVE DISTRICT
Will Guzzardi
FORTIETH REPRESENTATIVE DISTRICT
Jaime M. Andrade, Jr.
FORTY-FIRST REPRESENTATIVE DISTRICT
Grant Wehrli
FORTY-SECOND REPRESENTATIVE DISTRICT
Jeanne M. Ives
FORTY-THIRD REPRESENTATIVE DISTRICT
Anna Moeller
FORTY-FOURTH REPRESENTATIVE DISTRICT
Fred Crespo
FORTY-FIFTH REPRESENTATIVE DISTRICT
Christine Jennifer Winger
FORTY-SIXTH REPRESENTATIVE DISTRICT
Deb Conroy
FORTY-SEVENTH REPRESENTATIVE DISTRICT
Patricia R. “Patti” Bellock
FORTY-EIGHTH REPRESENTATIVE DISTRICT
Peter Breen
FORTY-NINTH REPRESENTATIVE DISTRICT
Mike Fortner
FIFTIETH REPRESENTATIVE DISTRICT
Keith R. Wheeler
FIFTY-FIRST REPRESENTATIVE DISTRICT
Ed Sullivan, Jr.
FIFTY-SECOND REPRESENTATIVE DISTRICT
David McSweeney
FIFTY-THIRD REPRESENTATIVE DISTRICT
David Harris
FIFTY-FOURTH REPRESENTATIVE DISTRICT
Tom Morrison
FIFTY-FIFTH REPRESENTATIVE DISTRICT
Martin J. Moylan
FIFTY-SIXTH REPRESENTATIVE DISTRICT
Michelle Mussman
FIFTY-SEVENTH REPRESENTATIVE DISTRICT
Elaine Nekritz
FIFTY-EIGHTH REPRESENTATIVE DISTRICT
Scott Drury
FIFTY-NINTH REPRESENTATIVE DISTRICT
Carol Sente
SIXTIETH REPRESENTATIVE DISTRICT
Rita Mayfield

SIXTY-FIRST REPRESENTATIVE DISTRICT
Sheri Jesiel

SIXTY-SECOND REPRESENTATIVE DISTRICT
Sam Yingling

SIXTY-THIRD REPRESENTATIVE DISTRICT
Jack D. Franks

SIXTY-FOURTH REPRESENTATIVE DISTRICT
Barbara Wheeler

SIXTY-FIFTH REPRESENTATIVE DISTRICT
Steven A. Andersson

SIXTY-SIXTH REPRESENTATIVE DISTRICT
Michael W. Tryon

SIXTY-SEVENTH REPRESENTATIVE DISTRICT
Litesa E. Wallace

SIXTY-EIGHTH REPRESENTATIVE DISTRICT
John M. Cabello

SIXTY-NINTH REPRESENTATIVE DISTRICT
Joe Sosnowski

SEVENTIETH REPRESENTATIVE DISTRICT
Robert W. Pritchard

SEVENTY-FIRST REPRESENTATIVE DISTRICT
Mike Smiddy

SEVENTY-SECOND REPRESENTATIVE DISTRICT
Patrick Verschoore

SEVENTY-THIRD REPRESENTATIVE DISTRICT
David R. Leitch

SEVENTY-FOURTH REPRESENTATIVE DISTRICT
Donald L. Moffitt

SEVENTY-FIFTH REPRESENTATIVE DISTRICT
John D. Anthony

SEVENTY-SIXTH REPRESENTATIVE DISTRICT
Frank J. Mautino

SEVENTY-SEVENTH REPRESENTATIVE DISTRICT
Kathleen Willis

SEVENTY-EIGHTH REPRESENTATIVE DISTRICT
Camille Lilly

SEVENTY-NINTH REPRESENTATIVE DISTRICT
Katherine “Kate” Cloonen

EIGHTIETH REPRESENTATIVE DISTRICT
Anthony DeLuca
EIGHTY-FIRST REPRESENTATIVE DISTRICT
Ron Sandack
EIGHTY-SECOND REPRESENTATIVE DISTRICT
Jim Durkin
EIGHTY-THIRD REPRESENTATIVE DISTRICT
Linda Chapa LaVia
EIGHTY-FOURTH REPRESENTATIVE DISTRICT
Stephanie A. Kifowit
EIGHTY-FIFTH REPRESENTATIVE DISTRICT
Emily McAsey
EIGHTY-SIXTH REPRESENTATIVE DISTRICT
Lawrence “Larry” Walsh, Jr.
EIGHTY-SEVENTH REPRESENTATIVE DISTRICT
Rich Brauer
EIGHTY-EIGHTH REPRESENTATIVE DISTRICT
Keith P. Sommer
EIGHTY-NINTH REPRESENTATIVE DISTRICT
Brian W. Stewart
NINETYETH REPRESENTATIVE DISTRICT
Tom Demmer
NINETY-FIRST REPRESENTATIVE DISTRICT
Michael D. Unes
NINETY-SECOND REPRESENTATIVE DISTRICT
Jehan Gordon-Booth
NINETY-THIRD REPRESENTATIVE DISTRICT
Norine K. Hammond
NINETY-FOURTH REPRESENTATIVE DISTRICT
Randy E. Frese
NINETY-FIFTH REPRESENTATIVE DISTRICT
Wayne Arthur Rosenthal
NINETY-SIXTH REPRESENTATIVE DISTRICT
Sue Scherer
NINETY-SEVENTH REPRESENTATIVE DISTRICT
Mark Batinick
NINETY-EIGHTH REPRESENTATIVE DISTRICT
Natalie A. Manley
NINETY-NINTH REPRESENTATIVE DISTRICT
Raymond Poe
ONE HUNDREDTH REPRESENTATIVE DISTRICT
Christopher “C.D.” Davidsmeyer
NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.
WHEREAS, On the 4th day of November, 2014, an election was held in the State of Illinois for the election of the following officers, to-wit:

Twenty-four (24) Regional Superintendents of Schools, to-wit: One (1) Regional Superintendent of Schools from the Adams, Brown, Cass, Morgan, Pike and Scott Region; Alexander, Jackson, Perry, Pulaski and Union Region; Bond, Christian, Effingham, Fayette and Montgomery Region; Boone and Winnebago Region; Bureau, Henry and Stark Region; Calhoun, Greene, Jersey and Macoupin Region; Carroll, JoDaviess and Stephenson Region; Champaign and Ford Region; Clark, Coles, Cumberland, Douglas, Edgar, Moultrie and Shelby Region; Clay, Crawford, Jasper, Lawrence and Richland Region; Clinton, Jefferson, Marion and Washington Region; DeWitt, Livingston, Logan and McLean Region; Edwards, Gallatin, Hamilton, Hardin, Pope, Saline, Wabash, Wayne and White Region; Franklin, Johnson, Massac and Williamson Region; Fulton, Hancock, McDonough and Schuyler Region; Grundy and Kendall Region; Henderson, Knox, Mercer and Warren Region; Iroquois and Kankakee Region; LaSalle, Marshall and Putnam Region; Lee, Ogle and Whiteside Region; Macon and Piatt Region; Mason, Tazewell and Woodford Region; Menard and Sangamon Region; Monroe and Randolph Region; for the full term of four years.

One (1) Regional Superintendent of Schools, for an unexpired term, to-wit: One (1) Regional Superintendent of Schools from the Monroe and Randolph Region.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 30th day of November, 2014, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

REGIONAL SUPERINTENDENT OF SCHOOLS
ADAMS, BROWN, CASS, MORGAN, PIKE AND SCOTT
Deborah J. Niederhauser
ALEXANDER, JACKSON, PERRY, PULASKI AND UNION
Donna Boros
BOND, CHRISTIAN, EFFINGHAM, FAYETTE AND MONTGOMERY
Julie Wollerman  
BOONE AND WINNEBAGO  
Lori A. Fanello  
BUREAU, HENRY AND STARK  
Angie Zarvell  
CALHOUN, GREENE, JERSEY AND MACOUPIN  
Larry Pfeiffer  
CARROLL, JoDAVIESS AND STEPHENSON  
Aaron Mercier  
CHAMPAIGN AND FORD  
Jane E. Quinlan  
CLARK, COLES, CUMBERLAND, DOUGLAS, EDGAR, MOULTRIE  
AND SHELBY  
Bobbi Mattingly  
CLAY, CRAWFORD, JASPER, LAWRENCE AND RICHLAND  
Monte A. Newlin  
CLINTON, JEFFERSON, MARION AND WASHINGTON  
Ron Daniels  
DeWITT, LIVINGSTON, LOGAN AND McLEAN  
Mark E. Jontry  
EDWARDS, GALLATIN, HAMILTON, HARDIN, POPE, SALINE,  
WABASH, WAYNE AND WHITE  
Lawrence D. Fillingim  
FRANKLIN, JOHNSON, MASSAC AND WILLIAMSON  
Matt Donkin  
FULTON, HANCOCK, McDONOUGH AND SCHUYLER  
John Meixner  
GRUNDY AND KENDALL  
Christopher D. Mehochko  
HENDERSON, KNOX, MERCER AND WARREN  
Jodi L. Scott  
IROQUOIS AND KANKAKEE  
Gregg Murphy  
LaSALLE, MARSHALL AND PUTNAM  
Christopher B. Dvorak  
LEE, OGLE AND WHITESIDE  
Robert Sondgeroth  
MACON AND PIATT  
Matthew T. Snyder  
MASON, TAZEWEll AND WOODFORD  
Gail S. Owen
MENARD AND SANGAMON
   Jeff Vose
MONROE AND RANDOLPH
   Kelton Davis
MONROE AND RANDOLPH
   (For an unexpired term)
   Kelton Davis

NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 30, 2014.
Filed by the Secretary of State December 2, 2014.

2014-473
2014 GENERAL ELECTION JUDGES

WHEREAS, On the 4\textsuperscript{th} day of November, 2014, an election was held in the State of Illinois for the election of the following judges, to-wit:

Appellate Court Judges to fill the vacancy of the Honorable Joseph Gordon, to fill the vacancy of the Honorable Michael J. Murphy, to fill the vacancy of the Honorable John O. Steele, First Judicial District; to fill the vacancy of the Honorable John J. Bowman, Second Judicial District; to fill the vacancy of the Honorable John T. McCullough, Fourth Judicial District.

Circuit Court Judges to fill the vacancy of the Honorable Nancy J. Arnold, to fill the vacancy of the Honorable Dennis J. Burke, to fill the vacancy of the Honorable Maureen E. Connors, to fill the vacancy of the Honorable James D. Egan, to fill the vacancy of the Honorable Donna Phelps Felton, to fill the vacancy of the Honorable Nathanial R. Howse, Jr., to fill the vacancy of the Honorable Michele F. Lowrance, to fill the vacancy of the Honorable Barbara A. McDonald, to fill the vacancy of the Honorable P. Scott Neville, Jr., to fill the vacancy of the Honorable Jesse G. Reyes, to fill the vacancy of the Honorable Pamela E. Hill Veal, Cook County Judicial Circuit.

Circuit Court Judges to fill the vacancy of the Honorable William D. O’Neal, Second Subcircuit; to fill the vacancy of the Honorable Christopher J. Donnelly, Third Subcircuit; to fill the vacancy of the Honorable Richard J. Billik, Jr., to fill the vacancy of the Honorable Mary A. Mulhern, Fourth Subcircuit; to fill the vacancy of the Honorable LaQuetta J. Hardy-Campbell, to fill the vacancy of the Honorable W. Taylor, Seventh Subcircuit; to fill the vacancy of the Honorable Allen S. Goldberg, to fill the vacancy of the
Honorable Barbara M. Meyer, to fill the vacancy of the Honorable Lee Preston, Ninth Subcircuit; to fill additional judgeship A, Tenth Subcircuit; to fill additional judgeship A, Eleventh Subcircuit; to fill the vacancy of the Honorable Edward R. Jordan, Twelfth Subcircuit; to fill the vacancy of the Honorable Anthony A. Iosco, Thirteenth Subcircuit; to fill the vacancy of the Honorable John T. Doody, Jr., to fill the vacancy of the Honorable David Sterba, Fifteenth Subcircuit, Cook County Judicial Circuit.

Circuit Court Judges to fill the vacancy of the Honorable Stephen G. Sawyer, Wabash County, to fill the vacancy of the Honorable Bennie Joe Harrison, Wayne County, Second Judicial Circuit; to fill the vacancy of the Honorable Ann Callis, Madison County, Third Judicial Circuit; to fill the vacancy of the Honorable Sherri L. E. Tungate, to fill the vacancy of the Honorable Dennis Middendorff, Clinton County, to fill the vacancy of the Honorable Kelly D. Long, Montgomery County, Fourth Judicial Circuit; to fill the vacancy of the Honorable Michael D. Clary, Vermilion County, Fifth Judicial Circuit; to fill the vacancy of the Honorable Michael G. Carroll, Douglas County, to fill the vacancy of the Honorable Katherine McCarthy, Macon County, to fill the vacancy of the Honorable John P. Shonkwiler, Piatt County, Sixth Judicial Circuit; to fill the vacancy of the Honorable Leo J. Zappa, Jr., to fill the vacancy of the Honorable Richard T. Mitchell, Morgan County, Seventh Judicial Circuit; to fill the vacancy of the Honorable Richard D. Greenlief, Calhoun County, to fill the vacancy of the Honorable M. Carol Pope, Menard County, Eighth Judicial Circuit; to fill the vacancy of the Honorable Edward R. Danner, Fulton County, Ninth Judicial Circuit; to fill the vacancy of the Honorable Scott A. Shore, Putnam County, to fill the vacancy of the Honorable Stuart P. Borden, Stark County, Tenth Judicial Circuit; to fill the vacancy of the Honorable Steve Pacey, Ford County, Eleventh Judicial Circuit; to fill the vacancy of the Honorable Robert P. Livas, to fill additional judgeship A, First Subcircuit, to fill additional judgeship A, Second Subcircuit, Twelfth Judicial Circuit; to fill the vacancy of the Honorable Ted J. Hamer, Henry County, to fill the vacancy of the Honorable Charles Stengel, Rock Island County, Fourteenth Judicial Circuit to fill the vacancy of the Honorable Michael Mallon, Ogle County, Fifteenth Judicial Circuit; to fill the vacancy of the Honorable Mary Karen Simpson, to fill additional judgeship A, Third Subcircuit, Sixteenth Judicial Circuit; to fill the vacancy of the Honorable Hollis L. Webster, Eighteenth Judicial Circuit; to fill additional judgeship A, First Subcircuit, Nineteenth Judicial Circuit; to fill the vacancy of the Honorable Michael N. Cook, St. Clair
County, Twentieth Judicial Circuit; to fill the vacancy of the Honorable Joseph P. Condon, Second Subcircuit, Twenty-Second Judicial Circuit.

WHEREAS, in pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 30th day of November, 2014, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**APPELLATE COURT JUDGES**

**FIRST JUDICIAL DISTRICT**

(To fill the vacancy of the Honorable Joseph Gordon)
- Shelly A. Harris
(To fill the vacancy of the Honorable Michael J. Murphy)
- David Ellis
(To fill the vacancy of the Honorable John O. Steele)
- John B. Simon

**SECOND JUDICIAL DISTRICT**

(To fill the vacancy of the Honorable John J. Bowman)
- Michael J. Burke

**FOURTH JUDICIAL DISTRICT**

(To fill the vacancy of the Honorable John T. McCullough)
- Lisa Holder White

**JUDGES OF THE CIRCUIT COURT**

**COOK COUNTY JUDICIAL CIRCUIT**

(To fill the vacancy of the Honorable Nancy J. Arnold)
- Bridget Anne Mitchell
(To fill the vacancy of the Honorable Dennis J. Burke)
- Maritza Martinez
(To fill the vacancy of the Honorable Maureen E. Connors)
- Kristal Rivers
(To fill the vacancy of the Honorable James D. Egan)
- Daniel J. Kubasiak
(To fill the vacancy of the Honorable Donna Phelps Felton)
- Patricia O’Brien Sheahan
(To fill the vacancy of the Honorable Nathaniel R. Howse, Jr.)
- Caroline Kate Moreland
(To fill the vacancy of the Honorable Michele F. Lowrance)
- Thomas J. Carroll
(To fill the vacancy of the Honorable Barbara A. McDonald)
Cynthia Y. Cobbs  
(To fill the vacancy of the Honorable P. Scott Neville, Jr.)
William B. Raines  
(To fill the vacancy of the Honorable Jesse G. Reyes)
Diana Rosario  
(To fill the vacancy of the Honorable Pamela E. Hill Veal)
Andrea Michele Buford
SECOND SUBCIRCUIT
(To fill the vacancy of the Honorable William D. O’Neal)
Steven G. Watkins
THIRD SUBCIRCUIT
(To fill the vacancy of the Honorable Christopher J. Donnelly)
Terrence J. McGuire
FOURTH SUBCIRCUIT
(To fill the vacancy of the Honorable Richard J. Billik, Jr.)
John J. Mahoney
(To fill the vacancy of the Honorable Mary A. Mulhern)
John Michael Allegretti
SEVENTH SUBCIRCUIT
(To fill the vacancy of the Honorable LaQuietta J. Hardy-Campbell)
Robert D. Kuzas
(To fill the vacancy of the Honorable W. Taylor)
Judy Rice
NINTH SUBCIRCUIT
(To fill the vacancy of the Honorable Allen S. Goldberg)
Megan Elizabeth Goldish
(To fill the vacancy of the Honorable Barbara M. Meyer)
Anjana Hansen
(To fill the vacancy of the Honorable Lee Preston)
Abbey Fishman Romanek
TENTH SUBCIRCUIT
(To fill additional judgeship A)
Anthony C. “Tony” Kyriakopoulos
ELEVENTH SUBCIRCUIT
(To fill additional judgeship A)
Pamela McLean Meyerson
TWELFTH SUBCIRCUIT
(To fill the vacancy of the Honorable Edward R. Jordan)
James Paul Pieczonka
THIRTEENTH SUBCIRCUIT
(To fill the vacancy of the Honorable Anthony A. Iosco)
John Curry
FIFTEENTH SUBCIRCUIT
(To fill the vacancy of the Honorable John T. Doody, Jr.)
Patrick Kevin Coughlin
To fill the vacancy of the Honorable David Sterba)
Chris Lawler
SECOND JUDICIAL CIRCUIT
WABASH COUNTY
(To fill the vacancy of the Honorable Stephen G. Sawyer)
William C. Hudson
WAYNE COUNTY
(To fill the vacancy of the Honorable Bennie Joe Harrison
Michael J. Molt
THIRD JUDICIAL CIRCUIT
MADISON COUNTY
(To fill the vacancy of the Honorable Ann Callis)
John B. Barberis, Jr.
FOURTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Sherri L. E. Tungate)
Martin W. Siemer
CLINTON COUNTY
(To fill the vacancy of the Honorable Dennis Middendorff)
Stanley Brandmeyer
MONTGOMERY COUNTY
(To fill the vacancy of the Honorable Kelly D. Long)
James L. Roberts
FIFTH JUDICIAL CIRCUIT
VERMILION COUNTY
(To fill the vacancy of the Honorable Michael D. Clary)
Thomas M. O'Shaughnessy
SIXTH JUDICIAL CIRCUIT
DOUGLAS COUNTY
(To fill the vacancy of the Honorable Michael G. Carroll)
Richard L. Broch, Jr.
MACON COUNTY
(To fill the vacancy of the Honorable Katherine McCarthy)
Robert C. (R.C.) Bollinger
PIATT COUNTY

(To fill the vacancy of the Honorable John P. Shonkwiler)
Hugh Finson
SEVENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Leo J. Zappa, Jr.)
John “Mo” Madonia
MORGAN COUNTY

(To fill the vacancy of the Honorable Richard T. Mitchell)
Chris E. Reif
EIGHTH JUDICIAL CIRCUIT
CALHOUN COUNTY

(To fill the vacancy of the Honorable Richard D. Greenlief)
Charles H.W. Burch
MENARD COUNTY

(To fill the vacancy of the Honorable M. Carol Pope)
Mike Atterberry
NINTH JUDICIAL CIRCUIT
FULTON COUNTY

(To fill the vacancy of the Honorable Edward R. Danner)
Thomas B. Ewing
TENTH JUDICIAL CIRCUIT
PUTNAM COUNTY

(To fill the vacancy of the Honorable Scott A. Shore)
James A. Mack
STARK COUNTY

(To fill the vacancy of the Honorable Stuart P. Borden)
Tom Keith
ELEVENTH JUDICIAL CIRCUIT
FORD COUNTY

(To fill the vacancy of the Honorable Steve Pacey)
Matthew J. Fitton
TWELFTH JUDICIAL CIRCUIT
FIRST SUBCIRCUIT

(To fill the vacancy of the Honorable Robert P. Livas)
Daniel Rippy
(To fill additional judgeship A)
NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby
make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 30, 2014.
Filed by the Secretary of State December 2, 2014.

2014-474
2014 GENERAL ELECTION RETENTION JUDGES

WHEREAS, On the 4th day of November, 2014, an election was held in the State of Illinois for the retention of the following judges, to-wit:
Supreme Court Judges from the Fifth Judicial District;
Appellate Court Judges from the First, Second, Third, and Fourth Judicial Districts;
Circuit Court Judges from the First, Second, Third, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second and Cook County Judicial Circuits.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 30th day of November, 2014, canvass the same, and as a result of such canvass, did declare retained the following named persons to the following named offices:

RETENTION
JUDGE OF THE SUPREME COURT
FIFTH JUDICIAL DISTRICT
Lloyd A. Karmeier

JUDGE OF THE APPELLATE COURT
FIRST JUDICIAL DISTRICT
Thomas E. Hoffman

SECOND JUDICIAL DISTRICT
Susan Fayette Hutchinson

THIRD JUDICIAL DISTRICT
William E. Holdridge
Mary K. O’Brien

FOURTH JUDICIAL DISTRICT
Robert J. Steigmann

JUDGES OF THE CIRCUIT COURT
FIRST JUDICIAL CIRCUIT
James R. “Jim” Williamson
Phillip G. Palmer
William J. “Bill” Thurston
Joseph M. Leberman
James R. “Randy” Moore
Joe Jackson
Walden E. Morris
SECOND JUDICIAL CIRCUIT
Barry L. Vaughan
David K. Overstreet
Tom Foster
Tom Tedeschi
THIRD JUDICIAL CIRCUIT
Dennis R. Ruth
Richard L. Tognarelli
FIFTH JUDICIAL CIRCUIT
Tracy W. Resch
Mitchell K. Shick
Steven L. Garst
SIXTH JUDICIAL CIRCUIT
Thomas J. Difanis
Harry E. Clem
Arnold F. Blockman
A.G. Webber
SEVENTH JUDICIAL CIRCUIT
James W. Day
EIGHTH JUDICIAL CIRCUIT
Scott H. Walden
Bob Hardwick, Jr.
Diane M. Lagoski
NINTH JUDICIAL CIRCUIT
James B. Stewart
David L. Vancil, Jr.
Paul L. Mangieri
TENTH JUDICIAL CIRCUIT
Stephen A. Kouri
ELEVENTH JUDICIAL CIRCUIT
Charles G. Reynard
Jennifer H. Bauknecht
Robert L. Freitag
Thomas M. Harris, Jr.
TWELFTH JUDICIAL CIRCUIT
Amy M. Bertani-Tomczak
Susan T. O’Leary
Carla Alessio Policandriotes
Richard C. Schoenstedt
Sarah Jones
Jeff Allen
Paula A. Gomora

THIRTEENTH JUDICIAL CIRCUIT
Eugene P. “Gene” Daugherity
Robert C. Marsaglia
Joseph P. Hettel

FOURTEENTH JUDICIAL CIRCUIT
Walter D. Braud

FIFTEENTH JUDICIAL CIRCUIT
William A. Kelly
Val Gunnarsson
Ron Jacobson
Daniel A. Fish

SIXTEENTH JUDICIAL CIRCUIT
Joseph M. Grady
Judy Brawka
James R. Murphy
John A. Noverini

SEVENTEENTH JUDICIAL CIRCUIT
Joseph G. McGraw
Rosemary Collins
Gene Doherty
Lisa Fabiano
Gwyn Gulley
Ronald “Ron” J. White

EIGHTEENTH JUDICIAL CIRCUIT
Robert J. Anderson
George J. Bakalis
John T. Elsner
Kathryn E. Creswell
Blanche Hill Fawell
John J. Kinsella

NINETEENTH JUDICIAL CIRCUIT
Christopher C. “Kip” Starck
James K. Booras
Valerie Ceckowski
Jay W. Ukena
TWENTIETH JUDICIAL CIRCUIT
   James W. Campanella
   Dennis Doyle
TWENTY-FIRST JUDICIAL CIRCUIT
   Clark Erickson
   Gordon L. Lustfeldt
   Michael J. Kick
   Susan Sumner Tungate
   Adrienne Wakat Albrecht
TWENTY-SECOND JUDICIAL CIRCUIT
   Michael J. Sullivan
   Sharon Prather
   Michael T. Caldwell
COOK COUNTY JUDICIAL CIRCUIT
   Thomas E. Flanagan
   Michael P. Toomin
   Themis N. Karnezis
   James Patrick Flannery
   Sebastian Thomas Patti
   Mary Ellen Coghlan
   Kathleen Marie McGury
   Shelley Lynn Sutker-Dermer
      Lynn Marie Egan
      Andrew Berman
   Diane Gordon Cannon
      Evelyn B. Clay
      Clayton J. Crane
      Candace Jean Fabri
      John J. Fleming
Rodolfó (Rudy) Garcia
   James J. Gavin
   Rickey Jones
   Kathleen G. Kennedy
   William G. Lacy
   Marjorie C. Laws
   Patricia Manila Martin
   Veronica B. Mathein
   Edmund Ponce de Leon
   James L. Rhodes
   James G. Riley
Donald J. Suriano
Kenneth J. Wadas
Frank G. Zelezinski
Gregory Joseph Wojkowski
Mary Anne Mason
Robert E. Gordon
Lewis Nixon
Eileen Mary Brewer
Margaret Ann Brennan
Janet Adams Brosnahan
James Brown
Peter A. Felice
Kerry M. Kennedy
Casandra Lewis
Thomas J. Lipscomb
Sheila McGinnis
Dennis Michael McGuire
William Timothy O’Brien
Laura Marie Sullivan
Sandra Tristano
Valarie E. Turner
Raul Vega
Marilyn F. Johnson
Michael B. Hyman
Joan E. Powell
Patrick J. Sherlock
Anita Rivkin-Carothers
Maureen Ward Kirby
Edward A. Arce
James N. O’Hara
Mauricio Araujo
Eileen O’Neill Burke
Thomas J. Byrne
Ann Collins-Dole
Donna L. Cooper
Anna Helen Demacopoulos
Margarita Kulys Hoffman
Diana L. Kenworthy
Pamela Elizabeth Loza
Annie O’Donnell
NOW, THEREFORE, I, PAT QUINN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly retained to the offices as set out above.

Issued by the Governor November 30, 2014.
Filed by the Secretary of State December 2, 2014.

2014-475
SPECIAL SESSION ON JANUARY 8, 2015

WHEREAS, we grieve the unexpected loss of a true public servant, State Comptroller Judy Baar Topinka; and

WHEREAS, under Article V, Section 7 of the Illinois Constitution of 1970, there is a vacancy in the office of State Comptroller that must be filled by appointment to maintain the day-to-day functions of State government; and

WHEREAS, the people of Illinois are best served by having elected statewide officers; and

WHEREAS, there is currently no process in Illinois law to replace by special election an appointee to the office of State Comptroller, although such a process is permitted under and contemplated by Article V, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the most fitting course of action following this tragedy is to empower the people of the State to elect a new Comptroller in a statewide special election; and

WHEREAS, the Illinois Attorney General has urged that a law be passed to allow for a special session at the next General Election in 2016 to fill the office of State Comptroller through the General Election in 2018; and

WHEREAS, Article IV, Section 5(b) of the Illinois Constitution empowers the Governor, as Chief Executive, to convene special sessions of the General Assembly;

THEREFORE, pursuant to Article IV, Section 5(b) of the Illinois Constitution of 1970, I hereby call and convene the 98th General Assembly in a special session to commence on January 8, 2015, at 11:00 a.m., for the
purpose of considering any legislative measure, new or pending, that would provide for a special election for the office of State Comptroller.

Issued by the Governor December 18, 2014.
Filed by the Secretary of State December 18, 2014.

2014-476
DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH

WHEREAS, motor vehicle crashes killed 991 people in Illinois during 2013; and,
WHEREAS, hundreds of those deaths involved a driver impaired by alcohol and/or drugs; and,
WHEREAS, the December holiday season is traditionally one of the most deadly times of the year for impaired driving; and,
WHEREAS, for thousands of families across the state and the nation, holidays are a time to remember loved ones lost; and,
WHEREAS, organizations across the state and the nation are joined with the Drive Sober or Get Pulled Over and other campaigns that foster public awareness of the dangers of impaired driving and anti-impaired driving law enforcement efforts; and,
WHEREAS, the State of Illinois is proud to partner with the Illinois Department of Transportation’s Division of Traffic Safety and other traffic safety groups in the effort to make our roads and streets safer; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 2014 as DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH in Illinois, and do hereby call upon all citizens, government agencies, business leaders, hospitals and health care providers, schools, and public and private institutions to promote awareness of the impaired driving problem, to support programs and policies to reduce the incidence of impaired driving, and to promote safer and healthier behaviors regarding the use of alcohol and other drugs this December holiday season and throughout the year.

Issued by the Governor November 6, 2014.
Filed by the Secretary of State December 29, 2014.

2014-477
SCHOOL PSYCHOLOGY AWARENESS WEEK

WHEREAS, all children and youth learn best when they are healthy, supported and receive an education that enables them to strive, grow and thrive academically, socially and emotionally; and,
WHEREAS, schools can more effectively ensure that all students are able to learn when they meet the needs of the whole child and provide integrated, multi-tiered support; and,

WHEREAS, children’s mental health is directly linked to their learning and development, and the learning environment provides an optimal context to promote good mental health; and,

WHEREAS, sound psychological principles are integral to instruction and learning, social and emotional development, prevention and early intervention, and safety, as well as supporting culturally diverse student populations; and,

WHEREAS, school psychology has over 60 years of well established, widely recognized, and highly effective practices and standards that are included in NASP’s Model for Comprehensive and Integrated School Psychology Services; and,

WHEREAS, school psychologists are specially trained to deliver a continuum of mental health services and academic supports that lower barriers to teaching and learning; and,

WHEREAS, school psychologists help children thrive by nurturing their individual strengths across both personal and academic endeavors; and,

WHEREAS, school psychologists are trained to assess student and school-based barriers to learning, utilize data-based decision-making, implement research-driven prevention and intervention strategies, evaluate outcomes and improve accountability; and,

WHEREAS, it is important that the citizens of the State of Illinois recognize the vital role that school psychologists play in the personal and academic development of our children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 10-14, 2014, as SCHOOL PSYCHOLOGY AWARENESS WEEK in Illinois.

Issued by the Governor November 6, 2014.
Filed by the Secretary of State December 29, 2014.

2014-478
COACH JOE NEWTON DAY

WHEREAS, for over fifty years, Coach Joe Newton has served as cross country coach at York High School, creating a lasting impact in the athletics program; and,

WHEREAS, Coach Joe Newton was the first high school coach to serve as assistant manager for US marathon runners during the 1988 Olympics; and,
WHEREAS, Coach Joe Newton has been honored as National Cross Country Coach of the Year four times; and,
WHEREAS, in light of his incredible accomplishments, a documentary has been made about Coach Joe Newton’s life; and,
WHEREAS, Coach Newton is known for his motivational talks, and has written four books on physiological and psychological factors that are required for training; and,
WHEREAS, the contributions of team sports in local communities produce a sense of inspiration and pride within our schools, our towns, and our state, especially when dedicated coaches foster a sense of excellence, persistence, and teamwork; and,
WHEREAS, under Coach Joe Newton’s leadership, the cross country teams at York High School have consistently demonstrated extraordinary teamwork by winning 28 state cross country championships and 1 state track title, upholding the rich athletic traditions of the State of Illinois; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim November 12, 2014 as COACH JOE NEWTON DAY in Illinois, in recognition of his remarkable leadership and dedication to the cross country program and his runners.
Issued by the Governor November 10, 2014.
Filed by the Secretary of State December 29, 2014.

2014-479
CONGRESSMAN LANE EVANS DAY

WHEREAS, born on August 4, 1951, in Rock Island, Illinois, Lane Evans would go on to become one of our state’s most accomplished Congressmen; and,
WHEREAS, Congressman Lane Evans graduated from Alleman High School and received a bachelor’s degree from Augustana College and a law degree from Georgetown University; and,
WHEREAS, a legal aid attorney from Rock Island, Lane Evans was first elected to Congress in 1982 at the age of 31 and would go on to serve 12 productive terms; and,
WHEREAS, a patriotic American, Congressman Lane Evans served our nation with distinction as a Marine during Vietnam and would go on to fight for veterans’ rights as a legislator. As the senior Democrat on the House Veterans’ Affairs Committee, Congressman Lane Evans pushed legislation to help those exposed to Agent Orange and to give former service members rights to judicial review in pursuing benefits claims; and,
WHEREAS, Congressman Lane Evans, a dedicated public servant and fervent promoter of the interests of western Illinois, treated his constituents as if they were his best friends; and,

WHEREAS, Congressman Lane Evans helped numerous veterans afflicted with post-traumatic stress disorders and other health problems, as well as those having trouble finding employment; and,

WHEREAS, Congressman Lane Evans was a dedicated elected official who always advocated passionately for his district and the people of Illinois. The kindness that he displayed towards others and his strong work ethic are admirable and serve as an inspiration to other public servants; and,

WHEREAS, sadly, Congressman Lane Evans passed away on Wednesday, November 5, 2014; and,

WHEREAS, a funeral will be held on November 10, 2014, for Congressman Lane Evans, who is survived by many loving family members, friends, and constituents who are grateful for the numerous ways he positively impacted their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 10, 2014, as CONGRESSMAN LANE EVANS DAY in Illinois, in recognition of his commitment to public service and the powerful legacy he leaves behind.

Issued by the Governor November 10, 2014.

Filed by the Secretary of State December 29, 2014.

2014-480

BRAD DEMUZIO DAY

WHEREAS, Brad Demuzio, born in Carlinville, on September 3, 1964, to parents Vince Demuzio and Deanna (Clemonds) Demuzio, was a dedicated public servant and tremendous asset to our state’s law enforcement community; and,

WHEREAS, Brad Demuzio had a distinguished career in public service, which included serving as the Mayor of Carlinville from 1993-2005, working in the Child Support Division of The Cook County State’s Attorney Office from 1984-1986, working as a criminal investigator for the Illinois Attorney General’s Office from 1986-1989, and serving as Chief Deputy Director and Director of the Illinois Secretary of State Police; and,

WHEREAS, Brad Demuzio was a member of the FBI National Academy Associates for Illinois, the International and Illinois Associations of Chiefs of Police, the Sangamon County Law Enforcements Executives, and the Illinois Sheriff’s Association; and,
WHEREAS, Brad Demuzio represented Secretary White on the Motor Vehicle Theft Prevention Council and graduated from the FBI National Academy, Session 207; and,

WHEREAS, throughout his career in public service, Brad Demuzio represented the State of Illinois admirably and heroically put his own safety on the line; and,

WHEREAS, the people of Illinois owe a tremendous debt of gratitude to Brad Demuzio, who selflessly served to protect our lives and keep our families safe; and,

WHEREAS, a funeral will be held on Friday, November 14, 2014, for Brad Demuzio, who is survived by many friends, colleagues, and loving family members including his mother, Deanna, sister, Stephanie, son, Blake, and daughter, Brooke; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 14, 2014, as BRAD DEMUZIO DAY, in recognition of the indelible mark he leaves behind and the contributions he has made to the people of the Land of Lincoln.

Issued by the Governor November 13, 2014.
Filed by the Secretary of State December 29, 2014.

2014-481
CONGRESSMAN PHIL CRANE DAY

WHEREAS, born in Chicago, Illinois, on November 3, 1930, Phil Crane would become a successful Congressman from the Land of Lincoln; and,

WHEREAS, Congressman Phil Crane received his undergraduate degree from Hillsdale College in 1952 and earned a Ph.D. in history from Indiana University in 1963; and,

WHEREAS, always a patriotic American, Congressman Phil Crane served in the U.S. Army from 1954 to 1956; and,

WHEREAS, Phil Crane started his career in Congress in 1969, filling the opening left by Donald Rumsfeld after he resigned to work for the Nixon administration; and,

WHEREAS, Congressman Phil Crane, a dedicated public servant and fervent promoter of the interests of Illinois, was a man of principle; and,

WHEREAS, a longtime Wauconda resident, Congressman Phil Crane departed Congress after the 2004 election as its longest-serving Republican member; and,

WHEREAS, Congressman Phil Crane was a dedicated elected official who always advocated passionately for his district and the people of our state.
His strong work ethic is admirable and serves as an inspiration to other public servants; and,

WHEREAS, sadly, Congressman Phil Crane passed away on Saturday, November 8, 2014, at the age of 84; and,

WHEREAS, a funeral will be held on November 15, 2014, for Congressman Phil Crane, who is survived by many loving family members, friends, and constituents who are grateful for the countless ways he touched their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 15, 2014, as CONGRESSMAN PHIL CRANE DAY in Illinois, in recognition of his commitment to public service and the powerful legacy he leaves behind.

Issued by the Governor November 13, 2014.
Filed by the Secretary of State December 29, 2014.

2014-482
DR. PAUL SARVELA DAY

WHEREAS, Dr. Paul Sarvela received his A.B., M.S., and Ph.D. degrees from the University of Michigan, Ann Arbor, where he wrote his dissertation on rural youth drug and alcohol use; and,

WHEREAS, Dr. Paul Sarvela was appointed acting Chancellor of Southern Illinois University Carbondale by SIU System President Randy J. Dunn on July 8, 2014; and,

WHEREAS, Dr. Paul Sarvela had served as the Vice President of Academic Affairs of the Southern Illinois University System and his previous leadership positions include being the Dean of the College of Applied Sciences and Arts, Chair of the Department of Health Care Professions, and the Director of the Center for Rural Health and Social Service Development; and,

WHEREAS, Dr. Paul Sarvela was a tenured professor of health care management, professor of health education, and clinical professor of family and community medicine. He has published more than 70 articles in professional literature, co-authored a textbook on evaluation and measurement, and presented more than 150 conference papers; and,

WHEREAS, Dr. Paul Sarvela and his colleagues have received more than $4 million in grants and contracts for SIU and regional and state agencies; and,

WHEREAS, Dr. Paul Sarvela, a dedicated educator and administrator, positively impacted the lives of many students and faculty members at SIU; and,
WHEREAS, outside of his professional responsibilities, Dr. Paul Sarvela demonstrated a strong commitment to serving others by being involved with the Boy Scouts and Lutheran Social Services of Illinois; and,
WHEREAS, sadly, Dr. Paul Sarvela passed away on November 9, 2014; and,
WHEREAS, a funeral will be held on November 14, 2014, for Dr. Paul Sarvela, who is survived by his loving wife, Debbie, their two beautiful children, Kristin and John, and many students and faculty members whose lives were touched by his friendship, leadership, intelligence, and service; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 14, 2014, as DR. PAUL SARVELA DAY in Illinois, in recognition of the contributions he made to SIU and the people of the Land of Lincoln.

Issued by the Governor November 13, 2014.
Filed by the Secretary of State December 29, 2014.

2014-483
TERRY ALLEN DAY

WHEREAS, the people of Illinois are served every day by members of organized labor who do the hard work that keeps our state running; and,
WHEREAS, born on April 14, 1960, in Chicago, Illinois, Terry Allen would go on to become one of our state’s most accomplished labor leaders; and,
WHEREAS, since 2011, Terry Allen has served with distinction as the Business Manager of IBEW Local 134, one of the largest unions in Illinois; and,
WHEREAS, Terry Allen, a dedicated public servant and fervent promoter of IBEW Local 134, was a tireless champion for the middle class; and,
WHEREAS, sadly, Terry Allen passed away on November 11, 2014, at the age of 54; and,
WHEREAS, in everything he did, Terry Allen’s work ethic exemplified the dedication to service that organized labor and the citizens of the State of Illinois deserve; and,
WHEREAS, Terry Allen’s work has undoubtedly created a lasting impact and his professionalism has earned him the respect of his colleagues. The mark that he leaves behind will serve as a foundation for the future of IBEW Local 134; and,
WHEREAS, Terry Allen’s commitment to public service has helped to make our state stronger and is an inspiration to the people of the Land of Lincoln; and,

WHEREAS, a funeral will be held on November 15, 2014, for Terry Allen, who is survived by many friends, colleagues, and family members including his loving wife, Jean, and their beautiful children, Billy, Amanda, and Michael; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare November 15, 2014, as TERRY ALLEN DAY in Illinois, in recognition of his commitment to public service and the countless lives that he positively impacted.

Issued by the Governor November 13, 2014.
Filed by the Secretary of State December 29, 2014.

2014-484
FLAGS AT HALF - STAFF IN RECOGNITION OF THE NOVEMBER 17, 2013 TORNADO OUTBREAK

WHEREAS, on November 17, 2013, 73 tornadoes ravaged through the Midwest and Ohio River Valley, tragically causing over 100 injuries and 11 fatalities in addition to damaging homes, businesses, and other establishments; and,

WHEREAS, the November 17, 2013, tornado outbreak was the deadliest and costliest in the State of Illinois to occur in the month of November and the fourth largest for the state overall. Two tornadoes, both in Illinois, and rated EF4 on the Enhanced Fujita Scale, were the strongest documented during the outbreak and combined for 5 deaths; and,

WHEREAS, in addition to structural damage, widespread power outages affected thousands of electricity customers across Illinois; and,

WHEREAS, in response to the tornado outbreak, the State of Illinois and the federal government issued disaster relief declarations, paving the way for needed assistance; and,

WHEREAS, in the wake of this horrible tragedy, first responders and the citizens of Illinois came together with the common goal of rebuilding communities and lives; and,

WHEREAS, on Monday, November 17, 2014, at 11 am, a moment of silence ceremony will take place in Washington, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise until sunset on Monday, November
17, 2014, in recognition of the lives that were lost and the devastation that occurred as a result of the tornadoes that struck Illinois one year ago.

Issued by the Governor November 14, 2014.
Filed by the Secretary of State December 29, 2014.

2014-485
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE
OF MAYOR JANE BYRNE

WHEREAS, one of Illinois’ most remarkable public servants is Jane Byrne, who served as the Mayor of Chicago from 1979 to 1983; and,
WHEREAS, Mayor Jane Byrne, a graduate of Chicago’s St. Scholastica High School and Barat College in Lake Forest, Illinois, was tragically widowed at age 25 when her husband, William Byrne - a U.S. Marine aviator – died in a plane crash, leaving her to raise their baby daughter, Kathy, as a single-parent; and,
WHEREAS, Mayor Jane Byrne was inspired by U.S. Senator John F. Kennedy to seek a career in public service, pursued graduate studies at the University of Illinois “Circle Campus,” and was an early champion for consumers, serving as Chicago’s Commissioner of Sales, Weights, and Measures; and,
WHEREAS, in one of the greatest upsets in Chicago political history, Mayor Jane Byrne shattered a huge glass ceiling by becoming the first and only female mayor of Chicago - still the largest city in the United States to be led by a woman - and served as Mayor from April 16, 1979, until April 29, 1983; and,
WHEREAS, a true trailblazer, Mayor Jane Byrne brought unprecedented transparency to the Chicago budget process, was Chicago’s first Mayor to march in the Gay Pride Parade, and was the nation’s first big-city mayor to successfully enact a ban on handguns; and,
WHEREAS, Mayor Jane Byrne and her husband Jay McMullen moved into a 4th floor apartment in Cabrini–Green Homes, a sprawling public housing project. Their three-week stay in 1981 prompted elevator repairs, construction of a police station and baseball diamonds, and a national discussion about urban blight; and,
WHEREAS, Mayor Byrne’s vision led to the development of Navy Pier and the Museum Campus, and to the straightening of Lake Shore Drive’s notorious “S-Curve.” Additionally, she initiated open-air farmers’ markets and launched Taste of Chicago, which gave rise to Chicago’s world-class Jazz, Blues, and Gospel Fests; and,
WHEREAS, on August 29, 2014, the “Circle Interchange” was dedicated as the “Jane Byrne Interchange” at an unveiling event that took place at the UIC Pavilion; and,

WHEREAS, in July 2014, the Chicago City Council voted to rename the plaza surrounding the historic Chicago Water Tower on North Michigan Avenue as the Jane M. Byrne Plaza in her honor; and,

WHEREAS, sadly, on Friday, November 14, 2014, Mayor Jane Byrne passed away; and,

WHEREAS, a funeral will be held on Monday, November 17, 2014, for Mayor Jane Byrne, who is survived by her loving daughter, Kathy, and grandson, Willy, as well as many friends and constituents who are grateful for her public service and the countless ways that she touched their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Monday, November 17, 2014, in honor and remembrance of Mayor Jane Byrne and the powerful legacy she leaves behind.

Issued by the Governor November 16, 2014.
Filed by the Secretary of State December 29, 2014.

2014-486

COACH DOROTHY GATERS DAY

WHEREAS, the contributions of sports in local communities foster a sense of inspiration and pride within our schools, our towns, and our state; and,

WHEREAS, these team sports inspire a sense of community, especially when student athletes display their excellence, persistence, and teamwork; and,

WHEREAS, today, the State of Illinois has the opportunity to celebrate the All-American pastime of basketball, to recognize the contributions of sports, and to showcase the leadership of a coach who brings young women together to achieve their goals; and,

WHEREAS, the Marshall High School girls basketball team recently won an 84-22 victory over Thornwood, marking the 1,000th career win for head coach Dorothy Gaters. Over 40 of Gaters’ former players, along with family, friends, and a passionate student body were in attendance for this remarkable occasion; and,

WHEREAS, Coach Dorothy Gaters has served as the girls basketball coach at Marshall since 1975, leading her teams to multiple state titles and positively impacting the lives of her players along the way; and,
PROCLAMATIONS

WHEREAS, Coach Dorothy Gaters is a 1964 Marshall graduate and Class of 2000 inductee into the Women’s Basketball Hall of Fame; and,
WHEREAS, Coach Dorothy Gaters has coached 18 high school All-Americans and five WNBA players, and in 2009 became the third girls basketball coach to receive the Morgan Wooten Lifetime Achievement Award from the Naismith Memorial Basketball Hall of Fame; and,
WHEREAS, Coach Dorothy Gaters has been selected as Coach of the Year by the Illinois Basketball Coaches Association several times and was a recipient of the National Student-Athlete Day Giant Steps Award in 1998; and,
WHEREAS, under Coach Dorothy Gaters’ leadership, the Marshall girls basketball team has consistently demonstrated extraordinary teamwork and upheld the rich athletic traditions of the State of Illinois; and,
WHEREAS, Coach Dorothy Gaters is an embodiment of the best traditions of the Land of Lincoln, and her commitment to excellence and dedication to helping her players succeed on and off the court serves as inspiration to other coaches; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare November 24, 2014 as COACH DOROTHY GATERS DAY in Illinois, in recognition of her 1,000th victory, remarkable leadership, and dedication to her program and players.

Issued by the Governor November 21, 2014.
Filed by the Secretary of State December 29, 2014.

2014-487
FRIENDS OF ADAM SCHATZ DAY

WHEREAS, Adam Schatz, a recognized go-kart racer who had a lifelong passion for competing; and,
WHEREAS, tragically, Adam Schatz lost his purposeful life in 2008 as a result of a crash that occurred at Road America in Elkhart Lake, Wisconsin; and,
WHEREAS, after his passing, Adam Schatz became an organ donor. Due to his selflessness, his liver, kidneys, pancreas, and eyelid tissue benefitted between 6-10 individuals, and he may have helped up to 50 more people through bone, skin, and soft tissue transplantation; and,
WHEREAS, every year since his passing, Adam Schatz’s friends have hosted a fundraiser in his honor. In the past six years, 55,000 thousand dollars has been raised for Theda Clark, Gift of Hope, Donate Life, Bucks for Burns, and St. Mary of the Woods School; and,
WHEREAS, it is important that we always remember Adam Schatz and the lasting legacy that he leaves behind; and,
WHEREAS, we thank Adam’s mother Grace, his father Bill, his sister Becca, Jackie Foucré and the Friends of Adam Schatz for keeping Adam’s memory alive; and,
WHEREAS, this year’s seventh annual Adam Schatz Memorial Benefit will take place on Saturday, November 22, 2014 at the Edison Park Inn; and,
WHEREAS, the Friends of Adam Schatz have shown unwavering support to their dear friend and raising funds to help charitable organizations for the common good; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 22, 2014, as FRIENDS OF ADAM SCHATZ DAY in Illinois, in recognition of the seventh annual benefit and in remembrance of Adam Schatz, a kind-hearted young man who was taken from us far too soon.

Issued by the Governor November 21, 2014.
Filed by the Secretary of State December 29, 2014.

2014-488

WARM OUR HEROES DAY

WHEREAS, the people of Illinois have always been committed to volunteering in their communities and making sure our veterans receive necessary supports and services; and,
WHEREAS, currently, there are 553,612 wartime veterans in the State of Illinois; and,
WHEREAS, 1,267 veterans were homeless in 2013 and women veterans, often with children, are the fastest growing demographic in the homeless community; and,
WHEREAS, in 2012, a new holiday campaign, “Warm Our Heroes,” was launched by Governor Quinn and state employees to collect warm winter clothes, food, and personal items for veterans and their families; and,
WHEREAS, in its first year, the campaign collected over 3,500 items from state employees that were distributed to veteran’s organizations across the state. And in 2013, over 2,300 items were collected for veterans and their families; and,
WHEREAS, with the goal of collecting 5,000 items, this year’s campaign will run from December 1 to December 19 and have five drop-off locations: the E.J. Giorgi Center in Rockford, the Illinois State Capitol in Springfield, the James R. Thompson Center in Chicago, the Kenneth Hall
State Regional Office Building in East Saint Louis, and the Marion Regional Office Building in Marion; and,

WHEREAS, the people of Illinois are encouraged to donate gently used scarves, hats, gloves, coats, stocking caps, ear warmers, and socks as well as canned food items and personal items such as soap, toilet paper, and tooth brushes for this year’s Warm Our Heroes drive; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare December 1, 2014, as WARM OUR HEROES DAY in Illinois, in support of this important initiative that helps deserving veterans and their families.

Issued by the Governor November 21, 2014.
Filed by the Secretary of State December 29, 2014.

2014-489
ABHA PANDYA DAY

WHEREAS, the people of Illinois are served every day by dedicated leaders at non-profit organizations; and,

WHEREAS, one such as individual is Abha Pandya, who will be retiring after 20 years of serving as the CEO of Asian Human Services, Chicago’s largest social service agency meeting the needs of the pan-Asian and other immigrant and underserved communities residing in metropolitan Chicago; and,

WHEREAS, Abha Pandya’s departure from Asian Human Services provides an opportune time for all residents of Illinois to commend her honorable and dedicated service and reflect on her many accomplishments; and,

WHEREAS, in her role as CEO of Asian Human Services, Abha Pandya was in charge of all agency operations and long-term planning; and,

WHEREAS, under Abha Pandya’s supervision, Asian Human Services operates AHS/Passages Charter School, Illinois’ first federally funded primary care and dental clinic, a comprehensive mental health program, a large community health education and prevention program, an extensive family literacy program, and a job training and placement program; and,

WHEREAS, as a result of Abha Pandya’s strong leadership, Asian Human Services has grown nearly 40 times to have a budget of approximately $15 million; and,

WHEREAS, Abha Pandya has fervently supported Asian and other immigrant and refugee communities through advocating for their interests at the federal, state, and city levels of government; and,
WHEREAS, outside of her service to Asian Human Services, Abha Pandya has served on the Governor’s Multicultural Services Committee, and on the Board of Directors of the Chicago Council on Urban Affairs, the Coalition of Limited English Speaking Elderly, the Metropolitan Board of the United Way of Chicago, and the Chicago Council of the United Way; and,

WHEREAS, Abha Panda’s commitment to public service has helped to make our state stronger and is an inspiration to the people of the Land of Lincoln; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 19, 2014, as ABHA PANDYA DAY in Illinois, and wish her the best of luck with her future endeavors.

Issued by the Governor November 25, 2014.
Filed by the Secretary of State December 29, 2014.

2014-490
“PEARL HARBOR REMEMBRANCE DAY”

WHEREAS, on December 7, 1941 Japanese bombers attacked unsuspecting American sailors and soldiers stationed at Pearl Harbor; and,

WHEREAS, during that attack more than 2,000 Americans were killed, including 50 servicemen from Illinois, and another 1,000 were wounded during the bombardment, which outraged Americans as few other events in our nation’s history had; and,

WHEREAS, in response, President Franklin Roosevelt and Congress promptly declared war against Japan and its allies, therefore entering World War II; and,

WHEREAS, United States’ sailors, soldiers and airmen performed superbly on all fronts. Together, a Grand Coalition of French, English, Russian, and American servicemen conducted mass campaigns and operations within the Pacific, African, and European theaters; and,

WHEREAS, on May 7, 1945 Germany surrendered, which was soon followed by Japan’s surrender on August 14th of that same year; and,

WHEREAS, during the war, more American sailors and soldiers were mobilized than at any other time in our history. By war’s end, more than eight million Americans were serving in the Army alone; and,

WHEREAS, thanks to the Grand Coalition, our servicemen, and all those at home who contributed to the war effort, the world was made safer for liberty and freedom; and,

WHEREAS, this year marks the 73rd anniversary of the attack on Pearl Harbor and the 68th anniversary of the end of the Second World War.
Although we can never repay all those who faithfully and honorably served during the war, we will always remember what they did and fought for; and, THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 7, 2014 as “PEARL HARBOR REMEMBRANCE DAY” in Illinois, and order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff on this day from sunrise until sunset in memory of all the heroes who died in the attack on Pearl Harbor, and in tribute to all the men and women whose sacrifices made the world safer for liberty and freedom.

Issued by the Governor December 1, 2014.
Filed by the Secretary of State December 29, 2014.

2014-491
“WORLD WAR II ILLINOIS VETERANS MEMORIAL DAY”

WHEREAS, the World War II Illinois Veterans Memorial Association was founded in 1999; and,
WHEREAS, the World War II Illinois Veterans Memorial Association was incorporated as a Not-For-Profit Corporation on February 22, 2000; and,
WHEREAS, generous public and private donations were made for the purpose of constructing the memorial; and,
WHEREAS, the Memorial design’s centerpiece is a globe 12 feet in diameter, which represents the world in conflict during World War II; and,
WHEREAS, the Memorial is surrounded by a granite wall engraved with the names and dates of major battles in the Pacific and European theaters of war, with a central plaza of personalized engraved bricks that completes the design; and,
WHEREAS, on December 4, 2004 the World War II Illinois Veterans Memorial was dedicated in Oak Ridge Cemetery, 1441 Monument Avenue in Springfield; and,
WHEREAS, the Memorial stands as a permanent reminder to future generations of the sacrifices made to keep the United States and the world free and secure; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 4, 2014 as “WORLD WAR II ILLINOIS VETERANS MEMORIAL DAY” in Illinois, and urge all citizens to remember the sacrifices made by the great generation that must never be forgotten.

Issued by the Governor December 1, 2014.
Filed by the Secretary of State December 29, 2014.
2014-492
BLANCO DIABLO CREW DAY

WHEREAS, over our nation’s history, millions of men and women have made countless personal sacrifices to defend our country, and it is important that we always recognize their noble service; and,

WHEREAS, today, we have an opportunity to commend Henry J. “Hank” Rutkowski Sr., Joe Marlowe, and the other members of Blanco Diablo – dedicated individuals of patriotism, strong character, and fortitude - whose B-17 bomber plane was struck down during a flying mission over Germany in December of 1944; and,

WHEREAS, though eight members of the nine-man crew survived, Joe Marlowe was sadly killed jumping from the plane, and all surviving crew members were eventually captured and sent to Germany as prisoners of war; and,

WHEREAS, Henry J. “Hank” Rutkowski, Sr., and his comrades were eventually freed from a prison in Barth, Germany by an advancing Russian tank unit; and,

WHEREAS, after returning from war, Henry J. “Hank” Rutkowski, Sr., worked for 40 years as a line mechanic on high-speed packaging equipment at Schulze & Birch in Chicago. His military service and contributions to his loving wife Vikki, who sadly passed away six year ago, and their three beautiful children and 23 grand kids and great grand kids, as well as the people of Illinois, make him a hero; and,

WHEREAS, on December 6, 2014, a mass will be held at St. Bruno’s parish in honor of Joe Marlowe, the one who did not escape that tragic crash 70 years ago; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 6, 2014, as BLANCO DIABLO CREW DAY, in appreciation of its brave members who loyally served our nation and the indelible mark they left behind.

Issued by the Governor December 5, 2014.
Filed by the Secretary of State December 29, 2014.

2014-493
MOVE OVER DAY

WHEREAS, The Illinois Department of Transportation (IDOT) and the Illinois State Police (ISP), are committed to safety on our state’s roads, educating the public about new and existing laws that make them safer, and
also to reducing the number of fatal accidents that occur when drivers do not yield to emergency vehicles; and,

WHEREAS, in 2000, Scott Gillen of the Chicago Fire Department was struck and killed by a drunk driver while assisting at a crash site on an expressway in Chicago; and,

WHEREAS, in 2014, Vincent Petrella, an Illinois Tollway maintenance worker, was struck and killed while assisting a disabled truck tractor semi-trailer along with Illinois State Trooper Douglas J. Balder, who was left in critical condition; and,

WHEREAS, enforcement officers, firefighters, emergency response personnel, tow truck drivers, and highway workers maintain the operations and safety of Illinois roadways on a daily basis and are continually exposed to the dangers of being hit by motorists traveling on these roadways; and,

WHEREAS, in 2002, “Scott’s Law” was passed in memory of Scott Gillen in an effort to raise traffic safety awareness and save lives; unfortunately, many motorists do not know about or understand the law. To address this growing issue, IDOT and ISP have collaborated on a statewide initiative to increase education and enforcement. This initiative, “Move Over Day,” will raise awareness of the “Move Over Law” in an effort to change behavior and save lives; and,

WHEREAS, according to Illinois State Police Director Hiram Grau, from 2004-2014 State Troopers have been victims of approximately 108 crashes resulting from Scott's Law violations, of which 58 resulted in injury and 2 resulted in fatalities; and,

WHEREAS, Illinois State Law requires motorists to use caution, slow down, and change lanes if possible for stationary emergency vehicles using flashing lights; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 23, 2014 as MOVE OVER DAY in Illinois, and urge citizens to slow down and move over when approaching emergency lights being used by first responders on the highway.

Issued by the Governor December 8, 2014.
Filed by the Secretary of State December 29, 2014.

2014-494
FLAGS AT HALF - STAFF IN HONOR AND REMEMBRANCE OF COMPTROLLER JUDY BAAR TOPINKA

WHEREAS, born on January 16, 1944, in Riverside, Illinois, Judy Baar Topinka would go on to passionately serve the people of the Land of Lincoln in the legislature and statewide elective office; and,
WHEREAS, Comptroller Judy Baar Topinka was a 1962 graduate of Ferry Hall High School in Lake Forest and earned a Bachelor’s of Science degree in 1966 from Northwestern University’s Medill School of Journalism. After graduation, she became a reporter for several successful Chicago newspapers, and eventually became an editor; and,

WHEREAS, Comptroller Judy Baar Topinka began her political career serving two terms in the Illinois House of Representatives and made a successful bid for the Illinois Senate in 1984, an office she would hold for a decade; and,

WHEREAS, Judy Baar Topinka would go on to serve as Illinois Treasurer from 1995 to 2007 and as Illinois Comptroller from 2011 to 2014; and,

WHEREAS, Comptroller Judy Baar Topinka, a dedicated public servant, treated her constituents as if they were family and was known for having one of the best constituent service operations in state government; and,

WHEREAS, Comptroller Judy Baar Topinka is the only Treasurer in our state’s history to be elected to three consecutive terms and the first woman to hold two statewide offices; and,

WHEREAS, Comptroller Judy Baar Topinka was a dedicated elected official whose indomitable spirit, commitment to public service, and financial expertise serve as an inspiration to other public servants and the people of our state; and,

WHEREAS, Comptroller Judy Baar Topinka understood that service to others is the rent we pay to live on God’s earth, and she belonged to more than 60 professional and business organizations, including the City Club of Chicago, Government Finance Officers Association, and the Western Chapter of Alpha Gamma Delta Sorority. In 2008, she established Smart Women, Smart Money Educational Foundation, a not-for-profit financial counseling agency that helps families facing foreclosure save their homes; and,

WHEREAS, sadly, Comptroller Judy Baar Topinka passed away on Wednesday, December 10, 2014, leaving behind her beloved son, Joseph, daughter-in-law, Christina, and granddaughter, Alexandra, as well as many family members, friends, devoted staff members and constituents who are grateful for the numerous ways she touched their lives; and,

WHEREAS, a public Memorial Service honoring Comptroller Judy Baar Topinka will be held at 9:30 a.m. on Wednesday, December 17th at the Local 150 in Countryside, Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff immediately until sunset on Wednesday,
December 17th in honor and remembrance of Comptroller Judy Baar Topinka, whose loyalty to our state and its people will live on in perpetuity.

Issued by the Governor December 10, 2014.

Filed by the Secretary of State December 29, 2014.

2014-495
RAY STEVENS AND LISA DENT DAY

WHEREAS, country music, with its themes of rural life, family, hard work, and love for country speak to Midwestern ideals and Illinois residents can relate to its message; and,

WHEREAS, there are few forms of music more purely American than the country music genre, and today the people of Illinois have an opportunity to recognize Ray Stevens and Lisa Dent, who host a show on 99.5, Chicago’s country radio station; and,

WHEREAS, Lisa Dent has served WUSN since 2002 and was selected as the CMT Market Personality of the Year in 2005; and,

WHEREAS, originally from Rockford, Lisa Dent has hosted radio shows in Houston, Seattle, Minneapolis, San Diego, Rockford, and Chicago; and,

WHEREAS, a cancer survivor, Lisa Dent is a member of the American Cancer Society Regional Leadership Board, serves on the Paul Ruby Parkinson’s Foundation Advisory Board, and was appointed to a four-year term on the Illinois Arts Council; and,

WHEREAS, in 2000, Lisa Dent was named “Citizen of the Year,” and she has helped raise millions of dollars for non-profit organizations; and,

WHEREAS, Ray Stevens demonstrated a passion for radio at a young age and his first job came after a local Program Director hired him for a weekend air shift; and,

WHEREAS, for over two decades, Ray Stevens has been part of the morning show at WUSN Chicago, and he has spent his most recent years there with his “radio wife” Lisa Dent; and,

WHEREAS, Ray Stevens has been nominated for many major awards in the radio business including several Country Music Association (CMA) and Academy of Country Music (ACM) broadcast awards. In 2010, he won the CMA major market personality of the year award; and,

WHEREAS, outside of radio, Ray Stevens is passionate about snowmobile racing, and he was the 2013 Eagle River Wisconsin world champion in the 250 class; and,

WHEREAS, the duo of Ray Stevens and Lisa Dent won the Country Music Association’s award for 2010 CMA Broadcast Personality of the Year-
Major Market. Their show has become very popular and they are one of country music’s best radio talents; and,

WHEREAS, it is important that the people of Illinois commend Ray Stevens and Lisa Dent on their accomplishments; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 12, 2014, as RAY STEVENS AND LISA DENT DAY in Illinois, in recognition of their contributions to the country music and entertainment industries.

Issued by the Governor December 11, 2014.
Filed by the Secretary of State December 29, 2014.

2014-496
BIAFRA DAY OF REMEMBRANCE

WHEREAS, the Biafra War was a tragic conflict between the Republic of Nigeria and the Republic of Biafra from May 30, 1967 to January 15, 1970; and,

WHEREAS, during this sad time in history, 3.5 million Biafrans were murdered, displaced, and forced into grievous oppression for economic, ethnic, cultural, religious, and national reasons; and,

WHEREAS, the history of the Biafra War offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and,

WHEREAS, the people of the State of Illinois should always remember the terrible events of the Biafra War and remain vigilant against hatred, persecution, and tyranny. In addition, we should actively rededicate ourselves to the principles of peace, prosperity, and individual freedom in a just society; and,

WHEREAS, a Day of Remembrance has been set aside for the people of the state of Illinois to remember the victims of the Biafra War as well as to reflect on the need for respecting all people; and,

WHEREAS, on December 20, as well as on the Day of Remembrance, May 30, and on every other day each year, it is important that we remember those who suffered as a result of the Biafra War; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 20, 2014, as BIAFRA DAY OF REMEMBRANCE in Illinois, in memory of the victims of the Biafra War, and in honor of the survivors, as well as the rescuers and liberators, and urge all citizens to collectively and individually strive to overcome bigotry, hatred and indifference through learning, tolerance and remembrance.

Issued by the Governor December 18, 2014.
2014-497
MENTORING MONTH

WHEREAS, everyday in Illinois, mentors help youth in communities across the State—in schools and in homes, on the field and in the library—face the challenges of growing into adulthood; and,
WHEREAS, there are few investments more important than those we make in the health and well-being of young people; and,
WHEREAS, research shows that young people matched with a caring adult through a quality mentoring program are 27% less likely to start drinking, 46% less likely to use illegal drugs, 52% less likely to skip school, and are more likely to have positive relationships with adults and to make positive plans for their future; and,
WHEREAS, over 200 youth mentoring programs currently operate in Illinois, and thousands of children in our state already have the benefit of caring supportive volunteer mentors; and,
WHEREAS, 96% of existing mentors would recommend mentoring to others; and,
WHEREAS, The Illinois Mentoring Partnership (IMP), launched in 2012, is the unifying champion for quality youth mentoring in Illinois, providing resources, technical assistance, heightened public awareness and advocacy for the state's mentoring movement; and,
WHEREAS, The Serve Illinois Commission supports the mentoring work of over 700 AmeriCorps members each year and is committed to improving the lives of youth in over 40 Illinois counties; and,
WHEREAS, far less than 1 in 50 young people in Illinois are currently served in a mentoring program and many more children in Illinois desperately need the support of a quality mentor; and,
WHEREAS, mentors can commit as little as one hour a week and still have a significant positive impact on the outcome of a child’s life; and,
WHEREAS, January is recognized as National Mentoring Month, and Illinois is proud to step forward as a leader in reinforcing support for this cause across our great state, in an effort to close the gap in youth who do not have a trusted mentor in their lives; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 2015 as MENTORING MONTH in Illinois, and urge citizens throughout Illinois to find your place in the powerful movement to foster the growth of the next generation of Illinoisans by becoming a mentor. To find a mentoring opportunity or to learn more about how to
recognize your volunteers, visit the Illinois Mentoring Partnership website at www.ilmentoring.org.

Issued by the Governor December 19, 2014.
Filed by the Secretary of State December 29, 2014.

2014-498
THE UNIVERSAL HOUR OF PEACE

WHEREAS, Illinois has historically been a melting pot where people of all nationalities, religious faiths and cultures come together as one; and,
WHEREAS, the strength of our great state of Illinois rests in the cooperative community of its citizens; and,
WHEREAS, our hope of establishing peace among diverse peoples is through recognizing our connectedness, our capacity for peacemaking and peacekeeping at home and abroad; and,
WHEREAS, the first day of a new year typically denotes hopeful expectation and positive resolve in the hearts and minds of our citizens; and,
WHEREAS, the School of Metaphysics, a worldwide organization founded to promote peace, understanding, and goodwill through teaching that living peaceably begins by thinking peacefully, has called for a Universal Hour of Peace over the midnight hour December 31st, 2014 – January 1st, 2015; and,
WHEREAS, the Universal Hour of Peace is used as a means to spread the message of world peace and its vital importance to the future of the human race; and,
WHEREAS, the goal of the observance of the Universal Hour of Peace is to contribute to the peace-making process by encouraging all individuals to harness their abilities and actively participate in creating a more peaceful world; and,
THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim December 31, 2014, at 11:30 p.m. to January 1, 2015 at 12:30 a.m. as THE UNIVERSAL HOUR OF PEACE in Illinois, and encourage all citizens to do their part to build a more peaceful state, a more peaceful country, and a more peaceful world.
Issued by the Governor December 22, 2014.
Filed by the Secretary of State December 29, 2014.
WHEREAS, 35 years ago, in October 1979, the Migala Communications Corporation signed onto the radio airwaves with its signature call letters WCEV on the 1450 AM dial, and they become the widely recognized and popular ethnic radio station heard throughout Chicagoland and worldwide on the internet. The radio station would become known as a welcomed resource for diverse entertainment, news and features dedicated to serving the ethnic groups which call the Chicago metropolitan area home; and,

WHEREAS, WCEV’s call letters stood for something unique in the region: “We Are Chicagoland’s Ethnic Voice,” and being the ‘ethnic voice’ for distinctive communities became their mission. From their broadcasting base in Cicero including Chicago and the surrounding suburbs, listeners found a radio home and place of relevance – whether they were Polish, Irish, or Czech; whether they spoke Arabic, Spanish or English – they all tuned in to WCEV; and,

WHEREAS, WCEV serves a dual purpose: to provide quality broadcast service to the large, varied ethnic communities of Chicago which are underserved by the mainstream media, and to serve Cicero and the surrounding suburbs. WCEV broadcasts in various languages directed toward several ethnic groups: Arabic, Polish, Czech, Spanish, and Irish. Religious programs are featured, as well as polka and urban gospel music shows. Programs often include popular and traditional music, ethnic language newscasts, community news, interviews, educational talk programs, literary features, radio theaters, conversation, and occasionally live-action sports where some programs are bilingual; and,

WHEREAS, Migala Communications Corporation deserves recognition as a proud, accomplished, family-owned, and operated enterprise. Founded by respected Polish-American broadcasters Joseph and Slawa Migala, family members remain active in running the station today. Lucyna Migala serves as WCEV’s program director and is an award-winning producer, reporter, and former writer for NBC News. Barbara (Migala) Holtzinger is WCEV’s long devoted station office mana ger. George W. Migala, a well known Polish-American broadcaster, is WCEV’s top ranking station manager; and,

WHEREAS, WCEV provides a daily unique broadcast service and showcases a robust schedule in News & Public Affairs Programming - from AP radio newscasts to daily news features in several languages, it reflects the
mosaic of diversity in our region. Of the several great interviews over their 35 years on the air, the most notable has been that of Cardinal Karol Józef Wojtyła, who would later become the future Pope John Paul II; and,

THEREFORE, I, Pat Quinn, Governor of the Illinois, do hereby proclaim December 22, 2014, as WCEV CHICAGOLAND’S ETHNIC VOICE RADIO STATION DAY in Illinois, in honor of their 35 years of devoted public broadcasting, and urge all citizens to celebrate the WCEV radio as their voice for ethnic concern and interest.

Issued by the Governor December 22, 2014.
Filed by the Secretary of State December 29, 2014.

2014-500
CRIME STOPPERS OF LAKE COUNTY MONTH

WHEREAS, Crime Stoppers of Lake County was formed in 1983 and is a community program comprised of concerned citizens who work closely with police authorities, the news media, and the public in the fight against crime in Lake County and surrounding communities; and,

WHEREAS, Crime Stoppers combats local crime by offering cash rewards to anyone who provides information that leads to the arrest of felony crime offenders or the capture of felony fugitives. Informants always remain anonymous, and cash rewards are funded primarily by private contributions; and,

WHEREAS, thanks to Crime Stoppers, there have been more than 6,500 criminal arrests throughout Lake County, Northern Illinois, and Wisconsin since the program’s inception in 1983. Altogether, more than $28 million worth of contraband and stolen property has been seized; and,

WHEREAS, the success of Crime Stoppers would not be possible without the support of everyone in the community. Consequently, Crime Stoppers also promotes the importance of reporting suspicious behavior and criminal activity; and,

WHEREAS, to support their mission, Crime Stoppers of Lake County will raise money and sponsor events designed to raise awareness during the month of January; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 2015 as CRIME STOPPERS OF LAKE COUNTY MONTH in Illinois, in recognition of their successful program, and encourage all citizens to help keep their communities safe and free of crime.

Issued by the Governor December 23, 2014.
Filed by the Secretary of State January 9, 2015.
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State of Illinois  
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  ) ss.  
United States of America,  )

Office of the Secretary of State.

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that the foregoing Public Acts and Joint Resolutions of the Ninety-Eighth General Assembly of the State of Illinois and the Executive Orders and Proclamations of the Governor, are true and correct copies of the originals now on file in the office of the Secretary of State.

IN WITNESS WHEREOF, I hereto set my hand and affix the Great Seal of the State of Illinois, at the city of Springfield, this 3rd day of April 2015.

(SEAL)

Jesse White
JESSE WHITE
Secretary of State